



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

SENATE—Thursday, January 3, 2013

The third day of January being the day prescribed by the Constitution of the United States for the annual meeting of the Congress, the Senate assembled in its Chamber at the Capitol for the commencement of the 1st session of the 113th Congress and at 12:01 p.m. was called to order by the Vice President.

The VICE PRESIDENT. The Chaplain will lead the Senate in prayer.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, we thank You that we are more than conquerors because You love us. We praise You that today Your conquering Spirit has brought our beloved Senator MARK KIRK back to work in these hallowed Halls.

We are grateful that nothing can separate us from Your love, neither death, nor life, nor heights, nor depths, nor any created thing.

Give our Senators today spiritual, intellectual, and physical revitalization, infusing them with Your peace and power. Bless the lawmakers who will take the oath today. Fill them with Your Spirit so that their lives will honor You.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The VICE PRESIDENT led the pledge of allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

CERTIFICATES OF APPOINTMENT AND ELECTION

The VICE PRESIDENT. The Chair lays before the Senate one certificate of appointment to fulfill an unexpired term and the certificates of election of 33 Senators for 6-year terms beginning January 3, 2013. All certificates, the Chair is advised, are in the form suggested by the Senate or contain all the essential requirements of the form sug-

gested by the Senate. If there is no objection, the reading of the certificates will be waived and they will be printed in full in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

THE COMMONWEALTH OF MASSACHUSETTS

To the President of the Senate of the United States:

This is to certify that on the sixth day of November, two thousand and twelve Elizabeth A. Warren was duly chosen by the qualified electors of the Commonwealth of Massachusetts a Senator from said Commonwealth to represent said Commonwealth in the Senate of the United States for the term of six years, beginning on the third day of January, two thousand and thirteen.

Witness: His Excellency, the Governor, Deval L. Patrick, and our seal hereto affixed at Boston, this twenty-eighth day of November in the year of our Lord two thousand and twelve.

DEVAL L. PATRICK,
By His Excellency, the Governor.

WILLIAM F. GALVIN,
Secretary of the Commonwealth.

[State Seal Affixed]

STATE OF WISCONSIN Office of the Governor

CERTIFICATE OF ELECTION FOR A SIX-YEAR TERM, UNITED STATES SENATOR, NOVEMBER 6, 2012

To the President of the Senate of the United States:

This is to certify that on the 6th day of November, 2012, Tammy Baldwin was duly chosen by the qualified electors of the State of Wisconsin a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2013.

Witness: His excellency our governor Scott Walker, and our seal hereto affixed at Madison this 6th day of December 2012.

By the Governor:

SCOTT WALKER,
Governor.

DOUGLAS LAFOLLETTE,
Secretary of State.

[State Seal Affixed]

WYOMING Secretary of State

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 6th day of November 2012, John Barrasso was duly chosen

by the qualified electors of the State of Wyoming, a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January 2013.

Witness: His Excellency our governor, Matthew H. Mead, and our seal hereto affixed at the Wyoming State Capitol, Cheyenne, Wyoming, this 15th day of November, in the year of our Lord 2012.

By the governor:

MATTHEW H. MEAN,
Governor.

MAX MAXFIELD,
Secretary of State.

[State Seal Affixed]

THE STATE OF OHIO

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
U.S. SENATOR

To the President of the Senate of the United States:

This is to certify that on the 6th day of November 2012, Sherrod Brown was duly chosen by the qualified electors of the State of Ohio a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 2013.

Witness: His excellency our governor, and our seal hereto affixed at Columbus, Ohio, this 7th day of December, in the year of our Lord 2012.

By the governor:

JOHN R. KASICH,
Governor.

JON HUSTED,
Secretary of State.

[State Seal Affixed]

STATE OF WASHINGTON CERTIFICATE OF ELECTION

To the President of the Senate of the United States:

This is to certify that at the General Election held in the state of Washington on the 6th day of November, 2012, Maria Cantwell was duly chosen by the qualified electors of the state of Washington as United States Senator from the State of Washington to represent the state of Washington in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2013.

Witness: Her Excellency our Governor Christine Gregoire, and our seal hereto affixed at Olympia, Washington this 5th day of December, 2012.

By the Governor:

CHRISTINE GREGOIRE,
Governor.

Attest:

SAM REED,
Secretary of State.

[State Seal Affixed]

THE STATE OF MARYLAND
Executive Department
Annapolis, Maryland

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 6th day of November, 2012, Ben Cardin was duly chosen by the qualified electors of the State of Maryland a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2013.

Witness: His Excellency our Governor Martin O'Malley and our seal hereto affixed at the City of Annapolis, this 12th day of December, in the Year of Our Lord 2012.

By the Governor:

MARTIN O'MALLEY,
Governor.

Attest:

JOHN P. McDONOUGH,
Secretary of State.

[State Seal Affixed]

STATE OF DELAWARE
Executive Department
Dover

To All Persons To Whom These Presents Shall Come, Greetings:

Whereas, an election was held in the State of Delaware, on Tuesday, the sixth day of November, in the year of our Lord two thousand twelve, that being the Tuesday next after the first Monday in said month, in accordance with the provisions of the Constitution and Laws of the State of Delaware, in that behalf for the purpose of choosing by ballot a Senator for the people of said State in the United States Senate for the term of six years commencing January 3, 2013.

And Whereas, the official certificates or returns of said election, held in the several counties of the said State, in due manner made out, signed and executed, have been delivered to me according to the laws of the said State, by the Superior Court of said counties; and having examined said returns, and enumerated and ascertained the number of votes for each and every candidate or person voted for, for United States Senate, I have found Thomas R. Carper to be the person highest in vote, and therefore duly elected and chosen United States Senator of this State.

I, The Said Jack A. Markell, GOVERNOR aforesaid, in accordance with the provisions of the Act of the General Assembly of this State in that behalf do hereby, therefore, declare, make known and certify that the said Thomas R. Carper has received the highest vote at the election aforesaid and therefore is the legally elected United States Senator for the State of Delaware.

Given Under My Hand and the Great Seal of the said State, the 5th day of December in the year of our Lord two thousand twelve and in the year of the Independence of the United States of America two hundred thirty-seven.

By the Governor:

JACK A. MARKELL,
Governor.
JEFFREY W. BULLOCK,
Secretary of State.

[State Seal Affixed]

COMMONWEALTH OF PENNSYLVANIA
Governor's Office
December 10, 2012

To the President of the Senate of the United States:

This is to certify that on the sixth day of November, 2012, Bob Casey, Jr. was duly chosen by the qualified electors of the Commonwealth of Pennsylvania as a United States Senator to represent Pennsylvania in the Senate of the United States for a term of six years, beginning on the third day of January, 2013.

Witness: His excellency our Governor, Tom Corbett, and our seal hereto affixed at Harrisburg this tenth day of December, in the year of our Lord, 2012.

TOM CORBETT,
Governor.
CAROL AICHELE,
Secretary of the Commonwealth.

[State Seal Affixed]

STATE OF TENNESSEE

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify, that on the sixth day of November, 2012, Bob Corker was duly chosen by the qualified electors of the State of Tennessee a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, 2013.

Witness: His Excellency our Governor, Bill Haslam, and our seal hereto affixed at Nashville this fifth day of December, in the Year of our Lord, Two Thousand Twelve.

By the Governor:

BILL HASLAM,
Governor.
TRE HARGETT,
Secretary of State.

[State Seal Affixed]

STATE OF TEXAS

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 6th day of November, 2012, Ted Cruz was duly chosen by the qualified electors of the State of Texas, a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2013.

Witness: His excellency our governor Rick Perry, and our seal hereto affixed at Austin, Texas this 6th day of December, in the year of our Lord 2012.

In Testimony Whereof, I have hereto signed my name and have officially caused the Seal of State to be affixed at my Office in the City of Austin, Texas, this the 6th day of December, 2012.

By the Governor:

RICK PERRY,
Governor.

Attest:

JOHN STEEN,
Secretary of State.

[State Seal Affixed]

THE STATE OF INDIANA

CERTIFICATE OF ELECTION FOR A SIX-YEAR TERM

To the President of the Senate of the United States:

Be it known by these presents:

Whereas, according to certified statements submitted by the Circuit Court Clerks of the

several counties to the Election Division of the Office of the Secretary of State of Indiana, and based upon tabulation of those statements performed by the Election Division states that at the General Election conducted on the sixth day of November, 2012, the electors chose Joe Donnelly to serve the People of the State of Indiana as United States Senator from Indiana.

Now, Therefore, in the Name of and by the Authority of the State of Indiana, I Certify the Following in Accordance With Title 2 United States Code Section 1:

This is to certify that on the sixth day of November 2012, Joe Donnelly was duly chosen by the qualified electors of the State of Indiana a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2013.

Witness: His excellency our Governor Mitchell E. Daniels, Jr. and our seal hereto affixed at Indianapolis, this the twenty-eighth day of November, in the year of our Lord 2012,

By the Governor:

MITCH DANIELS, Jr.,
Governor.

Attest:

CONNIE LAWSON,
Secretary of State.

[State Seal Affixed]

STATE OF CALIFORNIA
Executive Department

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States of America:

This is to certify that on the 6th day of November, 2012, Dianne Feinstein was duly chosen by the qualified electors of the State of California as a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2013.

In Witness Whereof I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 15th day of December 2012.

EDMUND G. BROWN, Jr.,
Governor of California.

Attest:

DEBRA BOWEN,
Secretary of State.

[State Seal Affixed]

STATE OF NEBRASKA

CERTIFICATION OF ELECTION FOR SIX-YEAR TERM

To the President of the Senate of the United States:

This is to certify that on the 6th day of November, 2012 Deb Fischer was duly chosen by the qualified electors of the State of Nebraska a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2013.

Witness: His excellency our governor Dave Heineman, and our seal hereto affixed at 2:30 p.m. this 3rd day of December, in the year of our Lord 2012.

By the Governor:

DAVE HEINEMAN,
Governor.
JOHN A. GALE,
Secretary of State.

[State Seal Affixed]

STATE OF ARIZONA
Department of State

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 6th day of November 2012, Jeff Flake was duly chosen by the qualified electors of the State of Arizona a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning the 3rd day of January 2013.

Witness: His excellency the Acting Governor of Arizona, and the Great Seal of the State of Arizona hereto affixed at the Capitol in Phoenix this 3rd day of December 2012.

KEN BENNETT,
Acting Governor.
JIM DRAKE,
Acting Secretary of State.

[State Seal Affixed]

STATE OF NEW YORK
Executive Chamber

To the President of the Senate:

This is to certify that on the sixth day of November, two thousand twelve, Kirsten E. Gillibrand was duly chosen by the qualified electors of the State of New York a Senator from said State to represent the State in the Senate of the United States for the term of six years, beginning on the third day of January, two thousand thirteen.

Witness: His excellency our Governor Andrew M. Cuomo and our seal hereto affixed at Albany, New York, this tenth day of December in the year two thousand twelve.

By the Governor:

ANDREW CUOMO,
CESAR A. PERALES,
Secretary of State.

[State Seal Affixed]

STATE OF UTAH

Office of the Lieutenant Governor

To the President of the Senate of the United States:

This is to certify that on the sixth day of November, 2012, Orrin G. Hatch was duly chosen by the qualified electors of the State of Utah a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2013.

Witness: His excellency our governor Gary R. Herbert, and our seal hereto affixed at Salt Lake City, this 26th day of November, in the year of our Lord 2012.

GARY R. HERBERT,
Governor.
GREG BELL,
Lieutenant Governor.

[State Seal Affixed]

THE CANVASSING BOARD OF THE STATE OF NEW MEXICO

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 6th day of November, 2012, Martin T. Heinrich was duly chosen by the qualified electors of the State of New Mexico a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2013.

Witness: Her excellency our Governor Susana Martinez and our seal hereto affixed at Santa Fe this 7th day of December, in the year of our Lord 2012.

SUSANA MARTINEZ,
Governor.
DIANNA J. DURAN,
Secretary of State.

[State Seal Affixed]

STATE OF NORTH DAKOTA
Secretary of State

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 6th day of November 2012, Heidi Heitkamp was duly chosen by the qualified electors of the State of North Dakota a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January 2013.

In witness whereof, we have set our hands in the Capitol City of Bismarck this 9th day of November 2012, and affixed the Great Seal of the State of North Dakota.

JACK DALRYMPLE,
Governor.

ALVIN A. JAEGER,
Secretary of State.

PENNY MILLER
Clerk of the Supreme Court Member State Canvassing Board.

[State Seal Affixed]

STATE OF NEVADA
Executive Department

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on Tuesday, the sixth day of November, 2012, Dean Heller was duly chosen by the qualified electors of the State of Nevada a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2013.

Now, therefore, I Brian Sandoval, Governor of the State of Nevada, by the authority vested in me by the Constitution and laws thereof, and do hereby Commission him, the said Dean Heller, as a Member of the United States Senate, and authorize him to discharge the duties of said office according to law, and to hold and enjoy the same, together with all powers, privileges and emoluments thereunto appertaining.

In Testimony Whereof, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol at Carson City, Nevada on this 10th day of December, two thousand twelve.

BRIAN SANDOVAL,
Governor of the State of Nevada.

ROSS MULDER,
Secretary of the State of Nevada.

[State Seal Affixed]

STATE OF HAWAII

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the sixth day of November, 2012, Mazie Hirono was duly chosen by the qualified electors of the State of Hawaii a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning at noon on the 3rd day of January 2013.

Witness: His excellency our governor, Neil Abercrombie, and our seal hereto affixed at Honolulu this 26th day of November, in the year of our Lord 2012.

By the Governor:

NEIL ABERCROMBIE,
Governor.
SCOTT T. NAGO,
Chief Election Officer.

[State Seal Affixed]

THE COMMONWEALTH OF VIRGINIA
CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 6th day of November, 2012, Timothy Kaine was duly chosen by the qualified electors of the Commonwealth of Virginia to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2013.

Witness: His Excellency our Governor Robert F. McDonnell and our seal hereto affixed at Richmond, Virginia, this 12th day of December, in the year of our Lord, 2012.

ROBERT F. MCDONNELL,
Governor of Virginia.
JANET VESTAL KELLY,
Secretary of the Commonwealth.

[State Seal Affixed]

STATE OF MAINE

Greeting:
To the President of the Senate of the United States:

Know Ye, That This is to certify that on the sixth day of November in the year Two Thousand and Twelve, Angus King was duly chosen by the qualified electors of the State of Maine, a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, in the year Two Thousand and thirteen.

Witness: His excellency our Governor, Paul R. LePage, and our seal hereto affixed at Augusta, Maine this twenty-ninth day of November, in the year of our Lord Two Thousand and Twelve.

By the Governor:

PAUL R. LEPAGE,
Governor.
CHARLES E. SUMMERS, JR.,
Secretary of State.

[State Seal Affixed]

STATE OF MINNESOTA
Mark Dayton
Governor

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the sixth day of November, 2012, Amy Klobuchar was duly chosen by the qualified electors of the State of Minnesota a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2013.

Witness: His excellency our governor Mark Dayton, and our seal hereto affixed at Saint Paul, Minnesota this 10th day of December, in the year of our Lord 2012.

By the Governor:

MARK DAYTON,
Governor.
MARK RITCHIE,
Secretary of State.

[State Seal Affixed]

STATE OF WEST VIRGINIA
CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the sixth day of November, Two Thousand Twelve, Joe

Manchin III was duly chosen by the qualified electors of the State of West Virginia, a Senator from said State to represent said State in the Senate of the United States for the term of six years beginning on the third day of January, Two Thousand Thirteen.

Witness: His excellency our Governor, Earl Ray Tomblin, and our seal hereto affixed at Charleston this tenth day of December, in the year of our Lord, Two Thousand Twelve.

By the Governor:

EARL RAY TOMBLIN,
Governor.

NATALIE TENNANT,
Secretary of State.

[State Seal Affixed]

STATE OF MISSOURI
Governor of Missouri

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 6th day of November, 2012, Claire McCaskill was duly chosen by the qualified electors of the State of Missouri a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2013.

Witness: His Excellency our Governor Jeremiah W. (Jay) Nixon, and our seal hereto affixed at the City of Jefferson this 10th day of December, in the year of our Lord 2012.

By the Governor:

JEREMIAH W. (JAY) NIXON,
Governor.

ROBIN CARNAHAN,
Secretary of State.

[State Seal Affixed]

STATE OF NEW JERSEY
CERTIFICATE OF ELECTION
Trenton, New Jersey

To the President of the Senate of the United States:

This is to certify that on the sixth day of November 2012, Robert Menendez, was duly chosen by the qualified electors of the State of New Jersey, a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, 2013.

Given, under my hand and the Great Seal of the State of New Jersey, this seventh day of December two thousand and twelve.

By the Governor:

CHRIS CHRISTIE,
Governor.

Attest:

KIMBERLY M. GUADAGNO,
LT. Governor/Secretary of State.

[State Seal Affixed]

STATE OF CONNECTICUT
Executive Department

This is to Certify that on the sixth day of November, two thousand and twelve Christopher S. Murphy was duly chosen by the qualified electors of the State of Connecticut as Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January two thousand and thirteen.

Witness: His Excellency our Governor, Daniel P. Malloy and our seal hereto affixed at Hartford, this thirteenth day of December, in the year of our Lord two thousand twelve.

DENISE MERRILL,
Secretary of the State.
DANIEL P. MALLOY,

Governor.

[State Seal Affixed]

STATE OF FLORIDA

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 6th day of November, 2012, Bill Nelson was duly chosen by the qualified electors of the State of Florida from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 2013.

Witness: His excellency our governor, Rick Scott, and our seal hereto affixed at Tallahassee, the Capital, this 20th day of November, in the year of our Lord 2012.

By the Governor:

RICK SCOTT,
Governor.

KEN DETZNER,
Secretary of State.

[State Seal Affixed]

STATE OF VERMONT
Office of the Governor

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To The President of the Senate of the United States:

This is to certify that on the 6th day of November, 2012, Bernie Sanders was duly chosen by the qualified electors of the State of Vermont to be a Senator from Vermont to represent Vermont in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2013.

Witness: Governor Peter Shumlin this 13th day of December, 2012.

PETER SHUMLIN,
Governor.

JIM CONDOS,
Secretary of State.

[State Seal Affixed]

STATE OF SOUTH CAROLINA
CERTIFICATE OF APPOINTMENT

To the President of the Senate of the United States:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of South Carolina, I, Nikki Randhawa Haley, the governor of said State, do hereby appoint Timothy Eugene Scott a Senator from said State to represent said State in the Senate of the United States until the vacancy therein caused by the resignation of James Warren DeMint, is filled by election provided by law.

Witness: Her excellency our governor, Nikki Randhawa Haley, and our seal hereto affixed at the capitol in the City of Columbia, State of South Carolina this 2nd day of January, in the year of our Lord 2013.

By the Governor:

NIKKI HALEY,
Governor.

MARK HAMMOND,
Secretary of State.

[State Seal Affixed]

STATE OF MICHIGAN
Executive Office

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
To the President of the Senate of the United States:

This is to certify that on the 6th day of November, 2012, Debbie Stabenow was duly chosen by the qualified electors of the State of Michigan a Senator from said State to represent said State in the Senate of the United

States for the term of six years, beginning on the 3rd day of January, 2013.

Given under my hand and the Great Seal of the state of Michigan this 6th day of December, in the Year of our Lord Two Thousand Twelve.

By the Governor:

RICHARD D. SNYDER,
Governor.

RUTH JOHNSON,
Secretary of State.

[State Seal Affixed]

IN THE NAME AND BY THE AUTHORITY OF THE
STATE OF MONTANA

CERTIFICATE OF ELECTION FOR SIX-YEAR TERM
TO THE UNITED STATES SENATE

I, Linda McCulloch, Secretary of State of the State of Montana, do hereby certify that Jon Tester was duly chosen on November 6th, 2012, by the qualified electors of the State of Montana as a United States Senator from said State to represent said State in the United States Senate. The six-year term commences on January 3rd, 2013.

Witness: His Excellency our Governor Brian Schweitzer, and the official seal hereunto affixed at the City of Helena, the Capital, this 28th day of November, in the year of our Lord 2012.

By the Governor:

BRIAN SCHWEITZER
Governor.

Attest:

LINDA MCCULLOCH,
Secretary of State.

[State Seal Affixed]

STATE OF RHODE ISLAND AND PROVIDENCE
PLANTATIONS
State House,
CERTIFICATE OF ELECTION

To the President of the Senate of the United States:

This is to certify that on the 6th day of November, 2012, Sheldon Whitehouse was duly chosen by the qualified electors of the State of Rhode Island and Providence Plantations a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 2013.

Witness: His Excellency our governor Lincoln D. Chafee, and our seal hereto affixed at Providence this 7th day of December, in the year of our Lord 2012.

By the governor:

LINCOLN D. CHAFEE,
Governor.

A. RALPH MOLLIS,
Secretary of State

[State Seal Affixed]

STATE OF MISSISSIPPI
Office of the Governor

To the President of the Senate of the United States:

In the name of the State of Mississippi, I, Phil Bryant, acting under the authority vested in the Governor, upon proper evidence received at the Office of the Secretary of State, do hereby certify that on the 6th day of November, Two Thousand Twelve Roger F. Wicker was duly chosen by the qualified electors of the State of Mississippi a SENATOR from this State to represent the State of Mississippi in the Senate of the United States for the term of six years, beginning on the 3rd day of January, Two Thousand Thirteen.

Given Under My Hand, and our seal affixed hereto, at the City of Jackson, this the 3rd day of December in the year of our Lord, Two Thousand Twelve.

Attest:

PHIL BRYANT,
Governor.
C. DELBERT HOSEMANN, Jr.,
Secretary of State.

[State Seal Affixed]

ADMINISTRATION OF OATH OF OFFICE

The VICE PRESIDENT. If the Senators to be sworn in will now present themselves at the desk in groups of four as their names are called in alphabetical order, the Chair will administer the oath of office.

The clerk will read the names of the first group.

The legislative clerk (Kathleen Alvarez Tritak) called the names of Ms. BALDWIN of Wisconsin, Mr. BARRASSO of Wyoming, Mr. BROWN of Ohio, Ms. CANTWELL of Washington.

These Senators, escorted by Mr. Kohl, Mr. JOHNSON of Wisconsin, Mr. ENZI, Mr. PORTMAN, Mr. Glenn, and Mrs. MURRAY, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations, Senators.

(Applause, Senators rising.)

The VICE PRESIDENT. The clerk will call the names of the next group.

The legislative clerk called the names of Mr. CARDIN of Maryland, Mr. CARPER of Delaware, Mr. CASEY of Pennsylvania, and Mr. CORKER of Tennessee.

These Senators, escorted by Mr. Sarbanes, Mr. Tydings, Ms. MIKULSKI, Mr. COONS, Mr. Wofford, Mr. TOOMEY, and Mr. ALEXANDER, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations, Senators.

(Applause, Senators rising.)

The VICE PRESIDENT. The clerk will call the names of the next group.

The legislative clerk called the names of Mr. CRUZ of Texas, Mr. DONNELLY of Indiana, Mrs. FEINSTEIN of California, and Mrs. FISCHER of Nebraska.

These Senators, escorted by Mr. CORNYN, Mr. Lugar, Mr. Evan Bayh, Mr. Birch Bayh, Mrs. BOXER, Mr. JOHANNES, Mr. Karnes, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations, Senators.

(Applause, Senators rising.)

The VICE PRESIDENT. The clerk will call the names of the next group of Senators.

The legislative clerk called the names of Mr. FLAKE of Arizona, Mrs. GILLIBRAND of New York, Mr. HATCH of Utah, Mr. HEINRICH of New Mexico.

These Senators, escorted by Mr. MCCAIN, Mr. Kyl, Mr. SCHUMER, Mr. LEE, Mr. Bingaman, and Mr. UDALL of New Mexico, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations, Senators.

(Applause, Senators rising.)

The VICE PRESIDENT. The clerk will call the names of the next group.

The legislative clerk called the names of Ms. HEITKAMP of North Dakota, Mr. HELLER of Nevada, Ms. HIRONO of Hawaii, and Mr. KAINE of Virginia.

These Senators, escorted by Mr. Conrad, Mr. Dorgan, Mr. REID, Mrs. MURRAY, Mr. Webb, and Mr. WARNER, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations, Senators.

(Applause, Senators rising.)

The VICE PRESIDENT. The clerk will call the names of the next group.

The legislative clerk called the names of Mr. KING of Maine, Ms. KLOBUCHAR of Minnesota, Mr. MANCHIN of West Virginia, and Mrs. MCCASKILL of Missouri.

These Senators, escorted by Ms. COLLINS, Vice President Mondale, Mr. FRANKEN, Mr. ROCKEFELLER, Mrs. Carnahan, and Mr. BLUNT, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations, Senators.

(Applause, Senators rising.)

The VICE PRESIDENT. The clerk will call the names of the next group.

The legislative clerk called the names of Mr. MENENDEZ of New Jersey, Mr. MURPHY of Connecticut, Mr. NELSON of Florida, and Mr. SANDERS of Vermont.

These Senators, escorted by Mr. REID, Mr. BLUMENTHAL, Mr. RUBIO, and Mr. LEAHY, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations, Senators.

(Applause, Senators rising.)

The VICE PRESIDENT. The clerk will call the names of the next group.

The legislative clerk called the names of Mr. SCOTT of South Carolina, Ms. STABENOW of Michigan, Mr. TESTER of Montana, and Ms. WARREN of Massachusetts.

These Senators, escorted by Mr. GRAHAM, Mr. DeMint, Mr. LEVIN, Mr. BAUCUS, and Mr. KERRY, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations, Senators.

(Applause, Senators rising.)

The VICE PRESIDENT. The clerk will call the names of the next group of Senators.

The legislative clerk called the names of Mr. WHITEHOUSE of Rhode Island and Mr. WICKER of Mississippi.

These Senators, escorted by Mr. REED, Mr. COCHRAN, and Mr. CARDIN, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations, Senators.

(Applause, Senators rising.)

The VICE PRESIDENT. The majority leader.

Mr. REID. Mr. President, I note the absence of a quorum and ask the clerk to call the roll.

The VICE PRESIDENT. The absence of a quorum having been suggested, the clerk will call the roll.

The legislative clerk proceeded to call the roll, and the following Senators entered the Chamber and answered to their name:

[Quorum No. 1 Leg.]

Alexander	Graham	Murphy
Baldwin	Grassley	Murray
Barrasso	Hagan	Nelson
Baucus	Hatch	Portman
Bennet	Heinrich	Pryor
Blumenthal	Heitkamp	Reed
Blunt	Heller	Reid
Boozman	Hirono	Risch
Boxer	Hoeven	Roberts
Brown	Isakson	Rockefeller
Cantwell	Johanns	Rubio
Cardin	Johnson (WI)	Sanders
Carper	Kaine	Schatz
Casey	Kerry	Schumer
Cochran	King	Scott
Collins	Kirk	Sessions
Coons	Klobuchar	Shaheen
Corker	Landrieu	Shelby
Cornyn	Leahy	Stabenow
Cruz	Lee	Tester
Donnelly	Levin	Thune
Durbin	Manchin	Toomey
Enzi	McCain	Udall (NM)
Feinstein	McCaskill	Warner
Fischer	McConnell	Warren
Flake	Menendez	Whitehouse
Franken	Merkley	Wicker
Gillibrand	Mikulski	Wyden

The VICE PRESIDENT. A quorum is present.

LIST OF SENATORS BY STATE

Alabama—Jeff Sessions and Richard C. Shelby

Alaska—Mark Begich and Lisa Murkowski
 Arizona—Jeff Flake and John McCain
 Arkansas—John Boozman and Mark L. Pryor
 California—Barbara Boxer and Dianne Feinstein
 Colorado—Michael F. Bennet and Mark Udall
 Connecticut—Richard Blumenthal and Christopher Murphy
 Delaware—Thomas R. Carper and Christopher A. Coons
 Florida—Bill Nelson and Marco Rubio
 Georgia—Saxby Chambliss and Johnny Isakson
 Hawaii—Mazie Hirono and Brian Schatz
 Idaho—Mike Crapo and James Risch
 Illinois—Richard J. Durbin and Mark Kirk
 Indiana—Daniel Coats and Joe Donnelly
 Iowa—Chuck Grassley and Tom Harkin
 Kansas—Jerry Moran and Pat Roberts
 Kentucky—Mitch McConnell and Rand Paul
 Louisiana—Mary L. Landrieu and David Vitter
 Maine—Susan M. Collins and Angus King
 Maryland—Benjamin L. Cardin and Barbara A. Mikulski
 Massachusetts—John F. Kerry and Elizabeth Warren
 Michigan—Carl Levin and Debbie Stabenow
 Minnesota—Al Franken and Amy Klobuchar
 Mississippi—Thad Cochran and Roger F. Wicker
 Missouri—Roy Blunt and Claire McCaskill
 Montana—Max Baucus and Jon Tester
 Nebraska—Deb Fischer and Mike Johanns
 Nevada—Dean Heller and Harry Reid
 New Hampshire—Kelly Ayotte and Jeanne Shaheen
 New Jersey—Frank R. Lautenberg and Robert Menendez
 New Mexico—Martin Heinrich and Tom Udall
 New York—Kirsten E. Gillibrand and Charles E. Schumer
 North Carolina—Richard Burr and Kay R. Hagan
 North Dakota—Heidi Heitkamp and John Hoeven
 Ohio—Sherrod Brown and Rob Portman
 Oklahoma—Tom Coburn and James M. Inhofe
 Oregon—Jeff Merkley and Ron Wyden
 Pennsylvania—Robert P. Casey, Jr. and Patrick J. Toomey
 Rhode Island—Jack Reed and Sheldon Whitehouse
 South Carolina—Lindsey Graham and Tim Scott
 South Dakota—Tim Johnson and John Thune
 Tennessee—Lamar Alexander and Bob Corker
 Texas—John Cornyn and Ted Cruz
 Utah—Orrin Hatch and Mike Lee
 Vermont—Patrick J. Leahy and Bernard Sanders
 Virginia—Mark R. Warner and Tim Kaine
 Washington—Maria Cantwell and Patty Murray
 West Virginia—Joe Manchin, III and John D. Rockefeller, IV
 Wisconsin—Tammy Baldwin and Ron Johnson
 Wyoming—John Barrasso and Michael B. Enzi

RECOGNITION OF THE MAJORITY LEADER

The VICE PRESIDENT. The majority leader is recognized.

ORDER OF BUSINESS

Mr. REID. Mr. President, I have a number of housekeeping matters I need to take care of with Senator MCCONNELL. Senators are welcome to stay, but I know there are a lot of things going on today—receptions and things of that nature. We are not going to have speeches today. We will have plenty of time to do that at a subsequent time. I doubt we will have any votes. There may be a need for one roll-call vote later on. We will see what happens after the House takes action today, but I hope that is not the case. So having said that, people are welcome to stay or to leave.

INFORMING THE PRESIDENT OF THE UNITED STATES THAT A QUORUM OF EACH HOUSE IS ASSEMBLED

Mr. REID. Mr. President, I have a resolution at the desk, and I ask that it now be considered.

The VICE PRESIDENT. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 1) informing the President of the United States that a quorum of each House is assembled.

The PRESIDENT pro tempore. Without objection, the resolution is considered and agreed to.

The resolution (S. Res. 1) reads as follows:

S. RES. 1

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

The PRESIDENT pro tempore. Can we have order.

The majority leader.

Mr. REID. Mr. President, even though I suggested people need not stay, I would appreciate they be quiet.

The PRESIDENT pro tempore. There will be order in the Senate and in the galleries. The Senate will be in order so the majority leader can be heard.

Mr. REID. I do not like to complain, Mr. President, but all the noise is coming from the Democratic side so—

The PRESIDENT pro tempore. Will the Democratic side be in order.

Mr. REID. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. MCCONNELL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDENT pro tempore. Pursuant to S. Res. 1, the Chair appoints the Senator from Nevada, Mr. REID, and the Senator from Kentucky, Mr. MCCONNELL, as a committee to join the committee on the part of the House of Representatives to wait upon the

President of the United States and inform him that a quorum is assembled and that the Congress is ready to receive any communication he may be pleased to make.

INFORMING THE HOUSE OF REPRESENTATIVES THAT A QUORUM OF THE SENATE IS ASSEMBLED

Mr. REID. Mr. President, I have a resolution at the desk, and I ask that it now be considered.

The PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 2) informing the House of Representatives that a quorum of the Senate is assembled.

The PRESIDENT pro tempore. Without objection, the resolution is considered and agreed to.

The resolution (S. Res. 2) reads as follows:

S. RES. 2

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

Mr. REID. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. MCCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

PROVIDING FOR THE COUNTING OF ELECTORAL VOTES FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

Mr. REID. Mr. President, I have a concurrent resolution at the desk, and I ask that it now be considered.

The PRESIDENT pro tempore. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 1) to provide for the counting on January 4, 2013, of the electoral votes for President and Vice President of the United States.

The PRESIDENT pro tempore. Without objection, the concurrent resolution is considered and agreed to.

The concurrent resolution (S. Con. Res. 1) reads as follows:

S. CON. RES. 1

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall meet in the Hall of the House of Representatives on Thursday, the 4th day of January 2013, at 1 o'clock post meridian, pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President of the Senate shall be their Presiding Officer; that two tellers shall be previously appointed by the President of the Senate on the part of the Senate and two by the Speaker on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and

papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter "A"; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

Mr. REID. Mr. President, I move to reconsider the vote by which the concurrent resolution was agreed to.

Mr. MCCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDENT pro tempore. The Chair appoints the Senator from New York, Mr. SCHUMER, and the Senator from Tennessee, Mr. ALEXANDER, as tellers on the part of the Senate to count electoral votes.

EXTENDING THE LIFE OF THE JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES

Mr. REID. Mr. President, I have a concurrent resolution at the desk, and I ask that it now be considered.

The PRESIDENT pro tempore. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 2) extending the life of the Joint Congressional Committee on Inaugural Ceremonies.

The PRESIDENT pro tempore. Without objection, the concurrent resolution is considered and agreed to.

The concurrent resolution (S. Con. Res. 2) reads as follows:

S. CON. RES. 2

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. REAUTHORIZATION OF JOINT COMMITTEE.

Effective from January 3, 2013, the joint committee created by Senate Concurrent Resolution 35 (112th Congress), to make the necessary arrangements for the inauguration of the President-elect and the Vice President-elect of the United States, is continued with the same power and authority provided for in that resolution.

SEC. 2. USE OF CAPITOL.

Effective from January 3, 2013, the provisions of Senate Concurrent Resolution 36 (112th Congress), to authorize the use of the rotunda and Emancipation Hall of the Capitol by the Joint Congressional Committee on Inaugural Ceremonies in connection with the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice President-elect of the United States are continued with the same power and authority provided for in that resolution.

Mr. REID. Mr. President, I move to reconsider the vote by which the concurrent resolution was agreed to.

Mr. MCCONNELL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

FIXING THE HOUR OF DAILY MEETING OF THE SENATE

Mr. REID. Mr. President, I have a resolution at the desk, and I ask that it now be considered.

The PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 3) fixing the hour of daily meeting of the Senate.

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, the resolution is considered and agreed to.

The resolution (S. Res. 3) reads as follows:

S. RES. 3

Resolved, That the daily meeting of the Senate be 12 o'clock meridian unless otherwise ordered.

Mr. REID. Madam President, I move to reconsider the vote by which the resolution was agreed to.

Mr. MCCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UNANIMOUS CONSENT REQUESTS

Mr. REID. Madam President, I send to the desk, en bloc, 12 unanimous consent requests, and I ask for their immediate consideration en bloc; that the requests be agreed to en bloc, and that they appear separately in the RECORD.

Before the Chair rules, however, I would like to point out that these requests are routine and done at the beginning of each new Congress. They entail issues such as authorizing the Ethics Committee to meet, authorizing the Secretary to receive reports at the desk, establishing leader time each day, and privileges of the floor for the House Parliamentarians.

The PRESIDING OFFICER. Is there objection to agreeing to these unanimous consent requests en bloc?

Without objection, it is so ordered.

The unanimous consent requests agreed to en bloc are as follows:

1. That for the duration of the 113th Congress, the Ethics Committee be authorized to meet during the session of the Senate;

2. That for the duration of the 113th Congress, there be a limitation of 15 minutes each upon any rollcall vote, with the warning signal to be sounded at the midway point, beginning at the last 7 1/2 minutes, and when rollcall votes are of 10-minute duration, the warning signal be sounded at the beginning of the last 7 1/2 minutes;

3. That during the 113th Congress, it be in order for the Secretary of the Senate to receive reports at the desk when presented by a Senator at any time during the day of the session of the Senate;

4. That the majority and minority leaders may daily have up to 10 minutes each on each calendar day following the prayer and disposition of the reading of, or the approval of, the Journal;

5. That the Parliamentarian of the House of Representatives and his five assistants be given the privileges of the floor during the 113th Congress;

6. That, notwithstanding the provisions of rule XXVIII, conference reports and statements accompanying them not be printed as Senate reports when such conference reports and statements have been printed as a House report unless specific request is made in the Senate in each instance to have such a report printed;

7. That the Committee on Appropriations be authorized during the 113th Congress to file reports during adjournments or recesses of the Senate on appropriations bills, including joint resolutions, together with any accompanying notices of motions to suspend rule XVI, pursuant to rule V, for the purpose of offering certain amendments to such bills or joint resolutions, which proposed amendments shall be printed;

8. That, for the duration of the 113th Congress, the Secretary of the Senate be authorized to make technical and clerical corrections in the engrossments of all Senate-passed bills and joint resolutions, Senate amendments to House bills and resolutions, Senate amendments to House amendments to Senate bills and resolutions, and Senate amendments to House amendments to Senate amendments to House bills or resolutions;

9. That for the duration of the 113th Congress, when the Senate is in recess or adjournment, the Secretary of the Senate is authorized to receive messages from the President of the United States, and—with the exception of House bills, joint resolutions, and concurrent resolutions—messages from the House of Representatives; and that they be appropriately referred; and that the President of the Senate, the President pro tempore, and the Acting President pro tempore be authorized to sign duly enrolled bills and joint resolutions;

10. That for the duration of the 113th Congress, Senators be allowed to leave at the desk with the Journal clerk the names of two staff members who will be granted the privilege of the floor during the consideration of the specific matter noted, and that the Sergeant at Arms be instructed to rotate staff members as space allows;

11. That for the duration of the 113th Congress, it be in order to refer treaties and nominations on the day when they are received from the President, even when the Senate has no executive session that day; and

12. That for the duration of the 113th Congress, Senators may be allowed to bring to the desk, bills, joint resolutions, concurrent resolutions, and simple resolutions, for referral to appropriate committees.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

Mr. REID. Madam President, I ask unanimous consent that the first day for the introduction of bills and joint resolutions in the 113th Congress be Tuesday, January 22, 2013.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROVIDING FOR A CONDITIONAL
ADJOURNMENT OR RECESS OF
THE SENATE AND AN ADJOURN-
MENT OF THE HOUSE OF REP-
RESENTATIVES

Mr. REID. Madam President, there is another concurrent resolution at the desk, and I ask that it be considered at this time.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 3) providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

The PRESIDING OFFICER. Without objection, the resolution is considered and agreed to.

The concurrent resolution (S. Con. Res. 3) reads as follows:

S. CON. RES. 3

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Friday, January 4, 2013 through Monday, January 21, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, January 21, 2013, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Friday, January 4, 2013, through Saturday, January 5, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, January 14, 2013, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

Mr. REID. Madam President, I move to consider the vote by which the concurrent resolution was agreed to.

Mr. MCCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Madam President, thank you very much for your patience.

CONVENING THE 113TH CONGRESS

Mr. REID. Madam President, it is my pleasure to convene the 113th Congress. I welcome back all my colleagues to a place that we love, the U.S. Senate.

But in particular, I would like to welcome Illinois Senator MARK KIRK. He has been away from us for a year recovering from an illness. We are all grateful for his recovery. He has been an inspiration to us. Today, on the east

front of the Capitol, to see him walk up those steps said it all. So we are very proud of him and glad he is back with us.

I also offer a special welcome to the 13 new Members of the Senate. I am confident that each Senator will treasure their memories in this historic legislative body, and that each will serve their State and our Nation with distinction.

All of the Members of this freshman class are accomplished in their own right. I can remember many years ago—30 years ago, Madam President—being a new Member of the House. Speaker O'Neill called us in, in small groups, to talk to us. And he said to each of us: All of you are accomplished or you would not be here. You are all politicians. It is not a bad word. And I say that to all our Senators—the new Senators—that they are all accomplished or they would not be here, and they should all understand that. They should have confidence in moving into this body because they are just as experienced as the rest of us.

I trust that serving in the Senate will be the most rewarding experience of their lives. In this Chamber the 113th Congress will face the most significant challenges of our careers—not just the new Members, all of us.

To turn those challenges into triumphs, I urge all Senators—new and experienced—to draw not only on our varied experience at every level of government and public service, but also on each other's experience, regardless of political party.

Daniel Webster said: "We are all agents of the same supreme power, the people."

Today, as we begin a new Congress, we are afforded the opportunity to reflect upon the successes and failures of past Congresses.

It has been said that the 112th Congress was characterized by some of the sharpest political divisions in memory. But during the last Congress, there were also many commendable examples of compromise. The recent effort to avert the fiscal cliff was an example of both the divisions and the collaborations that mark a moment in history—and it was a moment in history.

Although the process of resolving some of the fiscal issues facing this country was extremely difficult and protracted, in the end our two parties came together to protect America's middle class. That is something of which we should all be proud.

As we advance the debate over the best way to strengthen our economy and reduce our deficit during this Congress, the 113th, Democrats will continue to stand strong for the principle of balance. I am hopeful and confident my Republican colleagues will do the same.

Any future budget agreements must balance the need for thoughtful spend-

ing reductions with revenue from the wealthiest among us and closing wasteful tax loopholes.

The 112th Congress, unfortunately, showed that we had some political differences, and these differences prevented us from accomplishing as much as we had hoped during the Congress that was just completed. But we also passed very important legislation, such as the transportation jobs bill. This was important because it kept 2 million people working, and we began the restoration, with that legislation, of our crumbling infrastructure.

We made strides to reduce the Nation's deficit and prevented a tax increase for 98 percent of American families and 97 percent of small businesses. I guess I should have started, Madam President, by telling everyone that the marks that people see on my face—that has nothing to do with the fiscal cliff or the disagreements that Speaker BOEHNER and I had. It is from being very pale and living in the desert most of my life.

We were able to accomplish, as I indicated, many things to reduce the deficit and prevent a tax increase for American families and small businesses.

We reformed our patent system for the first time in six decades, gave small business owners access to the capital they need to compete, and reauthorized the Federal Aviation Administration, keeping 300,000 workers employed. Not a single piece of that legislation became law without the votes of both Democrats and Republicans. All those legislative initiatives I just talked about were bipartisan.

Unfortunately, many other worthy measures that passed the Senate with strong, bipartisan support then languished, awaiting action by the House of Representatives. In the 113th Congress, it will be incumbent upon the House Republican leadership to allow bipartisan bills passed by the Senate to come to a vote before the full House of Representatives—not before the Republican Members only but before Democrats and Republicans, all 435 Members of the House. Too many good pieces of legislation died over the last 2 years because House Republican leaders insisted on passing legislation with a majority of the majority; that is, only Republicans. Democrats were ignored most of the time. For example, postal reform, the Violence Against Women Act, the farm bill, and relief for the victims of Hurricane Sandy all passed the Senate on a bipartisan basis after extensive deliberation and debate. Yet the House failed to act on all four of these measures, and there were others.

As Speaker BOEHNER saw on New Year's Day, when he allows every Member of the House to vote and not only Republican Members of the House to vote, Congress can enact bills into law. No legislation can pass the Senate

without both Democrats and Republicans. During the 113th Congress, the Speaker should strive to make that the rule of the House of Representatives as well.

Still, it is true that the 112th Congress left much undone. That is why we resolve to pick up where we left off in just a few weeks. The first crucial matter we will address will be the long-overdue aid to victims of Hurricane Sandy. I am hopeful that the House will act, as they said, on the 15th. Then when we get back here, we will move on it very quickly.

We need to strive to be more productive, and we will do little if we don't address a major reason for our inefficiency. Simply, the Senate is not working as it should. That is why in the last Congress I made plain that Democrats would do something to fix those issues.

The beginning of a new Congress is customarily a time that the Senate addresses changes to its rules. In the last Congress, Democratic Senators JEFF MERKLEY, TOM UDALL, TOM HARKIN, and SHELDON WHITEHOUSE made the majority's case for change. I commend these passionate leaders. They have made compelling arguments for reform.

In recent months, Senators on both sides of the aisle set about trying to broker a compromise. This group was led by two of the greatest Senators who ever served in this body, the finest and the best, Democratic Senator LEVIN of Michigan and Republican Senator MCCAIN of Arizona. They worked many hours with a group of six other Senators to come up with something they thought would work better, and I so appreciate their work. But in the waning weeks of the last Congress, Senators were justifiably occupied with other matters, including the fiscal cliff. But I believe this matter warrants additional debate during the 113th Congress, which just started.

Senators deserve additional notice before voting to change Senate rules, so today I will follow the precedents set in 2005 and again in 2011. We will reserve the right of all Senators to propose changes to the Senate rules, and we will explicitly not acquiesce in the carrying over of all the old rules from the last Congress. It is my intention that the Senate will recess today, rather than adjourn, to continue the same legislative day and allow this important rules discussion to continue later this month.

I am confident that the Republican leader and I can come to an agreement that will allow the Senate to work more efficiently. We are going to talk again today. We just haven't had time, with the other things we have been dealing with, to spend enough time together to do this, but we definitely want to move forward to try to make this place work better. I appreciate his willingness to work on this. I will do my very utmost, as I know he will.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

OPENING OF THE 113TH CONGRESS

Mr. MCCONNELL. Madam President, I would like to welcome everybody back after what we all realized was a somewhat abbreviated recess. In fact, I believe you would have to go back to 1970 to find the last time the Senate was in session and voting between Christmas and New Year's.

In particular, I want to welcome back Senator MARK KIRK. He has made a brilliant recovery since suffering a debilitating stroke almost a year ago. The fact that MARK is here today says a lot about his tenacity, his dedication, and his commitment to the people of Illinois.

I am told that about two-thirds of the patients in the facility where he has been recovering over the past year don't return to work, but true to form MARK opted for an experimental rehabilitation program so grueling, it has been compared to military boot camp. His staff counted 45 steps from the parking lot to the front door of the Senate, and during his treatment he made walking those steps his goal. Today he did it. He did it. So we admire him for his spirit, and we applaud his achievement. It is wonderful to have him back and ready to work.

I would also like to welcome the new Members who take their oaths of office today, particularly the four new Members of the Republican conference: Senator FLAKE of Arizona, Senator FISCHER of Nebraska, Senator CRUZ of Texas, and Senator SCOTT of South Carolina. Congratulations to you all. We welcome the energy and intelligence each of you brings to the challenges we face and especially to the transcendent challenge of our time: a Federal debt so huge, so huge it threatens to permanently alter an economy that has provided generations of Americans the opportunity to fulfill their dreams of a better life.

Four straight years of trillion-dollar deficits and projected spending that no realistic amount of tax revenue could cover have put us at a crossroads. Either we tackle our Nation's spending problem or it is going to tackle us. It is that simple, and there is no better time to do the work we need to do than right now.

The bipartisan agreement we reached earlier this week was imperfect. I am the first to admit it—especially the process. But aside from shielding 99 percent of my constituents and many of yours from the painful effects of a middle-class tax hike—the President seemed all too willing, by the way, to impose that—it gave us something else: It settled the revenue debate for good. The revenue debate is over. President

Obama declared the other night that those he calls rich are now paying their "fair share," so it is time to move on.

The President got his revenue, and now it is time to turn squarely to the real problem, which we all know is spending. We all knew that the tax hikes the President campaigned on were never going to solve the problem. Now that he has gotten them, he has a responsibility to put his preoccupation with taxes behind him and to work with us to actually solve the problem at hand. It is time to face up to the fact that our Nation is in grave fiscal danger—grave fiscal danger—and that it has everything to do with spending.

This is a debate the American people want us to have. The President liked to point out on the campaign trail that most Americans supported the idea of taxing the rich. What he conveniently left out is that even more Americans support the idea of cutting spending. One recent survey I saw said that about three-fourths of all Americans say they want to see major spending cuts in Washington. When you look at some of the things Washington has been wasting their dollars on, it is no wonder. I mean, if we can't stop spending taxpayer dollars on robo-squirrels, dancing robot DJs, or hot air balloon rides for Smokey the Bear, then there is no hope at all because if we can't fix the easy stuff, the robo-squirrels and the robot DJs, the things most of us agree on, how are we ever going to get at the hard stuff?

That is why the first step in this debate is for Democrats to get over their fanatical commitment to guarding every single dime the government ever got its hands on. This has to stop. The best time to stop it is now.

There is actually no better time for this debate. In a couple of months the President will ask us to raise the Nation's debt limit. We cannot agree to increase that borrowing limit without agreeing to reforms that lower the avalanche of spending that is creating this debt in the first place. It is not fair to the American people, and it is not fair to our children, whom we are asking to foot the bill. The health of our economy requires it, so now is the time to get serious about spending.

If the past few weeks have taught us anything at all, it means the President needs to show up early this time. The American people will not tolerate the kinds of last-minute crises that we have seen again and again over the last 4 years as a result of this President's chronic inactivity and refusal to lead on the pressing issues of our time. We don't need speeches, we need action, and we need it now. We need courage because the only way we are going to address the spending that is at the root of our Nation's fiscal problems is if the President is willing to bring the members of his party to the table and get them to rise above the partisan voices

on the left, who treat every single penny of government spending as sacred.

Hopefully, that kind of cooperation will be forthcoming but, if not, we will have several opportunities in the coming months to force the conversation Washington needs to have. The first such opportunity, as I have said, surrounds the President's upcoming request of us to raise the debt ceiling. After that, there is the continuing resolution. But let me be clear, there is no need for drama—no need for drama—and we don't want any. The President knows as well as I do what needs to be done. He can either engage now to significantly cut government spending or force a crisis later. It is his call.

But for the sake of the country we must have this debate now. So today I call on my friend the majority leader and the rest of my Democratic colleagues to start working with us right now—not 1 hour, 1 day, or 1 week before we hit the debt limit but ahead of time for once so we can pass a bipartisan solution on spending that everyone will have an opportunity to weigh in on in early February. We need a plan that can pass the House and actually begin to get Washington spending under control. If we are serious, we will get one done.

With taxes now off the table, the only way to achieve a balanced plan is to focus on the spending side of the equation, particularly, as the President pointed out, health care entitlement programs because, as I said, taxes simply can't go high enough to keep pace with the amount of money we have projected to spend on them without crushing our economy. The best way to reform these programs is to make them work better. The debt isn't exploding because these programs exist, it is exploding because they are inefficient. They were created in a different era—the era of black-and-white TV. They should be updated for the age of the iPad, and we should want to fix them not just because we want to lower the debt but because we want to strengthen and improve these programs themselves.

Over the next few months it will be up to the President and his party to work with us to deliver the same kind of bipartisan resolution on spending that we have now achieved on taxes, but it needs to happen before the eleventh hour. For that to happen, the President needs to show up this time.

The President claims to want a balanced approach. Now that he has the tax rates he wants, his calls for "balance" means he needs to join us in the effort to achieve meaningful spending reform. The President may not want to have this debate, but it is the one he is going to have because the country needs it. Republicans are ready to tackle the spending problem, and we start today.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

SENATE RULES CHANGES

S. RES. 4

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL of New Mexico. Madam President, I have a resolution for myself, Senator MERKLEY, and Senator HARKIN, which I send to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 4), to limit certain uses of the filibuster in the Senate to improve the legislative process.

Mr. UDALL of New Mexico. Madam President, I would object.

The PRESIDING OFFICER. The Senator is objecting to further proceeding?

Mr. UDALL of New Mexico. Yes.

The PRESIDING OFFICER. Objection having been heard, the resolution will go over under the rule.

Mr. UDALL of New Mexico. I yield to the Senator from Tennessee for his objection.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Reserving the right to object, the majority and minority leaders are working together to try to find ways to move bills to the floor and get more amendments. I wish to give them time to complete that work. I therefore object.

The PRESIDING OFFICER. Objection is noted.

Mr. UDALL of New Mexico. I thank the Senator from Tennessee. I know he is working diligently and we have some very positive things happening.

Madam President, as we begin the 113th Congress, I have submitted on behalf of myself and Senators MERKLEY and HARKIN a resolution to amend the Standing Rules of the Senate.

Our proposal to reform the rules is simple, it is limited, and it is fair. Again, we are not ending the filibuster. We preserve the rights of the minority. We are only proposing the following:

No. 1, an end to the widespread abuse of silent filibusters. Instead, Senators would be required to go to the floor and actually tell the American people why they oppose a bill or nominee in order to maintain a filibuster;

No. 2, debate on motions to proceed to a bill, or to send a bill to conference, would be limited to two hours; and

No. 3, postcloture debate on a nominee—other than a justice to the Supreme Court—would be limited to 2 hours, rather than the current limit of 30 hours.

These are sensible changes. These are reforms we are willing to live with if

we are in the minority. And yet, we are warned that these simple reforms will transform the very character of the Senate. Will leave the minority without a voice. These arguments are covers for continued abuse of the rules.

The reforms are modest. Some would say too modest. But they would discourage the excessive use of filibusters. The minority still has the right to filibuster, but not the right to do so by simply making an announcement and then going out to dinner or, more likely, to a fundraiser.

Let me just say again: Senators MERKLEY, HARKIN, and I are not talking about taking away the rights of the minority. We are not abolishing the right to debate or to filibuster.

But there must be change. The unprecedented use, and abuse, of the filibuster and other procedural rules has prevented the Senate from doing its job. We are no longer "the world's greatest deliberative body." In fact, we barely deliberate at all.

For most of our history the filibuster was used very sparingly. But, in recent years, what was rare has become routine. The exception has become the norm. Everything is filibustered—every procedural step of the way—with paralyzing effect. The Senate was meant to cool the process, not send it into a deep freeze.

Since the Democratic majority came into the upper chamber in 2007, the Senates of the 110th, 111th, and current 112th Congress have witnessed the three highest totals of filibusters ever recorded. A recent report found the current Senate has passed a record-low 2.8 percent of bills introduced. That is a 66 percent decrease from the last Republican majority in 2005–2006, and a 90 percent decrease from the high in 1955–1956.

I have listened with great interest to the arguments against rules reform by the other side. Each day, my Republican colleagues have come to the floor and made very impassioned statements in opposition to amending our rules at the beginning of the new Congress. They say that the rules can only be changed with a two-thirds supermajority, as the current filibuster rule requires. And they have repeatedly said any attempt to amend the rules by a simple majority is "breaking the rules to change the rules." This simply is not true.

The supermajority requirement to change Senate rules is in direct conflict with the U.S. Constitution. Article I Section 5 of the Constitution states that, "Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member." When the Framers required a supermajority, they explicitly stated so, as they did for expelling a member. On all other matters, such as determining the

Chamber's rules, a majority requirement is clearly implied.

There have been three rulings by Vice Presidents, sitting as President of the Senate, on the meaning of Article I Section 5 as it applies to the Senate. In 1957, Vice President Nixon ruled definitively: [W]hile the rules of the Senate have been continued from one Congress to another, the right of a current majority of the Senate at the beginning of a new Congress to adopt its own rules, stemming as it does from the Constitution itself, cannot be restricted or limited by rules adopted by a majority of a previous Congress. Any provision of Senate rules adopted in a previous Congress which has the expressed or practical effect of denying the majority of the Senate in a new Congress the right to adopt the rules under which it desires to proceed is, in the opinion of the Chair, unconstitutional.

Vice Presidents Rockefeller and Humphrey made similar rulings at the beginning of later Congresses.

I have heard many of my Republican colleagues quote Senator Robert Byrd's last statement to the Senate Rules Committee. I was at that hearing, and have great respect for Senator Byrd and know that he was one of the great Senate historians and deeply loved this institution. But we should also consider Senator Byrd's other statements, as well as steps he took as Majority Leader to reform this body.

In 1979, when others were arguing that the rules could only be amended in accordance with the previous Senate's rules, Majority Leader Byrd said the following on the floor: There is no higher law, insofar as our Government is concerned, than the Constitution. The Senate rules are subordinate to the Constitution of the United States. The Constitution in Article I, Section 5, says that each House shall determine the rules of its proceedings. Now we are at the beginning of Congress. This Congress is not obliged to be bound by the dead hand of the past.

In addition to the clear language of the Constitution, there is also a longstanding common law principle, upheld in the Supreme Court, that one legislature cannot bind its successors. For example, if the Senate passed a bill with a requirement that it takes 75 votes to repeal it in the future, that would violate this principle and be unconstitutional. Similarly, the Senate of one Congress cannot adopt procedural rules that a majority of the Senate in the future cannot amend or repeal.

Many of my Republican colleagues have made the same argument. For example, in 2003 Senator JOHN CORNYN wrote in a law review article: Just as one Congress cannot enact a law that a subsequent Congress could not amend by majority vote, one Senate cannot enact a rule that a subsequent Senate could not amend by majority vote. Such power, after all, would violate the

general common law principle that one parliament cannot bind another.

So amending our rules at the beginning of a Congress is not "breaking the rules to change the rules." It is reaffirming that the U.S. Constitution is superior to the Senate rules, and that when there is a conflict between them, we follow the Constitution.

I find some of the rhetoric about amending our rules particularly troubling. We have heard comments that any such reforms, if done by a majority, would "destroy the Senate." Again, I can turn to my Republican colleagues to answer this accusation.

In 2005, the Republican Policy Committee released a memo entitled "The Constitutional Option: The Senate's Power to Make Procedural Rules by Majority Vote." Not only does the memo support all of the same arguments I make today in support of reform by a majority, but it also refutes many of the recent claims about how the Senate will be permanently damaged.

In a section of the memo titled, "Common Misunderstandings of the Constitutional Option," it responds to the misunderstanding that "the essential character of the Senate will be destroyed if the constitutional option is exercised" with the following: When Majority Leader Byrd repeatedly exercised the constitutional option to correct abuses of Senate rules and precedents, those illustrative exercises of the option did little to upset the basic character of the Senate. Indeed, many observers argue that the Senate minority is stronger today in a body that still allows for extensive debate, full consideration, and careful deliberation of all matters with which it is presented.

What is more important about the Republican memo is the reason they believed a change to the rules by a majority was justified. Back then it was about the filibuster of judicial nominees—and what Republicans saw as a break in longstanding Senate tradition. They claimed they weren't using the constitutional option as a power grab, but as a means of restoring the Senate to its historical norm.

The memo states the following: The Senate is a relatively stable institution, but its norms of conduct have sometimes been violated. In some instances, a minority of Senators has rejected past practices and bipartisan understandings and exploited heretofore "off limits" opportunities to obstruct the Senate's business. At other times, a minority of Senators has abused the rules and precedents in a manner that violates Senators' reasonable expectations of proper procedural parameters. These are efforts to change Senate norms and practices, but they do not necessarily have the support of a majority.

Such situations create institutional conundrums: what should be done when

a mere minority of Senators changes accepted institutional norms? One option is to acquiesce and allow "rule by the minority" so that the minority's norm becomes the Senate's new norm. But another option has been for the majority of Senators to deny the legitimacy of the minority Senators' effort to shift the norms of the entire body. And to do that, it has been necessary for the majority to act independently to restore the previous Senate norms of conduct.

This is exactly where we find ourselves today. Back then, the Republicans argued the constitutional option should be used because 10 of President Bush's judicial nominees were threatened with a filibuster. I believe the departure from Senate tradition we see today is far worse.

Since Democrats became the majority party in the Senate in 2007, we have faced the highest number of opposition filibusters ever recorded. Lyndon Johnson faced one filibuster during his 6 years as Senate Majority Leader. In the same span of time HARRY REID has faced over 385.

So, as the Republicans argued in 2005, "[a]n exercise of the constitutional option under the current circumstances would be an act of restoration." We must return the Senate to a time when every procedural step was not filibustered.

But if my Republican colleagues really believe using the constitutional option would be so harmful to the Senate, there is an alternative. We don't have to reform the rules with only a majority vote. That is up to my colleagues on the other side of the aisle. Each time the filibuster rule has been amended in the past, a bipartisan group of senators was prepared to use the constitutional option. But with the inevitability of a majority vote on the reforms looming, enough Members agreed on a compromise and they passed the changes with two-thirds in favor.

We could do that again this month. I know many of my Republican colleagues agree with me. The Senate is not working. I said 2 years ago that I would push for the same reforms at the beginning of the next Congress—regardless of which party was in the majority.

At the time, many people believed the Democrats would lose their majority. So let me be clear. If Leader MCCONNELL had become the new majority leader today, on the first day of the 113th Congress, I would ask him to work with me on implementing these same reforms.

I will say again. The proposed changes will reform the abuse of the filibuster, not trample the legitimate rights of the minority party. I am willing to live with all of the changes we are proposing, whether I am in the majority or minority.

The other side has suggested that a change in the rules is an affront to the American public. But the real affront would be to allow the abuse of the filibuster to continue.

We have to change the way we do business. We have to govern. It is time for us to pay attention to jobs and the economy and the things that matter to American families. That was the message we were sent in the election, and we would do well to listen to it.

Under the abuse of the current rules, all it takes to filibuster is one senator picking up the phone. Period. It doesn't even require going on the floor to defend it. Just a phone call by one senator. No muss, no fuss, no inconvenience. Except for the American public. Except for a nation that expects and needs a government that works—a government that actually works together and finds common ground.

Some of my colleagues may believe the Senate is working as it should; that everything is fine. Well, Madam President, we do not take that view. It isn't working. It needs to change. The American people, of all political persuasions, are clamoring for a government that actually gets something done. The challenges are too great, the stakes are too high, for a government of gridlock to continue.

S. RES. 5

Mr. UDALL of New Mexico. Madam President, on behalf of Senator HARKIN, I have a resolution which I send to the desk and ask for its consideration.

The PRESIDING OFFICER. The clerk will read the resolution by title. The legislative clerk read as follows:

A resolution (S. Res. 5) amending the Standing Rules of the Senate to provide for cloture to be invoked with less than a three-fifths majority after additional debate.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, reserving the right to object, for the reason I just stated, to give the majority and minority leader and other Senators a chance to find ways to help the Senate function fairly and more efficiently, I object.

The PRESIDING OFFICER. Objection having been heard, the resolution will go over under the rule.

The Senator from New Mexico.

Mr. UDALL of New Mexico. Madam President, I would also reiterate again that Senator ALEXANDER, and a number of Senators, including Senator MERKLEY and myself, are all working to make sure this is a better place and that it functions better, and we look forward to having the next couple of weeks to do that.

Madam President, I yield for my good friend, who has been working with me on rules from the first day I arrived here.

I yield for the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon.

S. RES. 6

Mr. MERKLEY. Madam President, I have a resolution which I send to the desk and ask for its consideration.

The PRESIDING OFFICER. The clerk will read the resolution by title. The legislative clerk read as follows:

A resolution (S. Res. 6) to modify extended debate in the Senate to improve the legislative process.

The PRESIDING OFFICER. Is there objection to proceeding to the resolution?

The Senator from Tennessee.

Mr. ALEXANDER. Reserving the right to object, again, the majority and minority leaders are working together with other Senators to try and find ways we can agree upon to assist in the functioning of the Senate. To give them sufficient time to do that, I do object.

The PRESIDING OFFICER. Objection having been heard, the resolution will go over under the rule.

The Senator from Oregon.

Mr. MERKLEY. I thank my colleague from Tennessee for the efforts he is putting forth to find ways to make this body truly engage in dialogue and decisionmaking as the American people expect.

S. RES. 7

Mr. MERKLEY. Madam President, on behalf of Senator LAUTENBERG, I have a resolution which I send to the desk and ask for its consideration.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read the resolution as follows:

A resolution (S. Res. 7) to permit the Senate to avoid unnecessary delay and vote on matters for which floor debate has ceased.

The PRESIDING OFFICER. Is there objection to proceeding to the resolution?

Mr. ALEXANDER. Madam President, for the reasons I have stated with the other requests for unanimous consent, I do object.

The PRESIDING OFFICER. Objection having been heard, the resolution will go over under the rule.

The Senator from Oregon.

Mr. MERKLEY. Madam President, I look forward to the dialogue among all the Members on how the Senate can reclaim its important role as a deliberative and decisionmaking body.

I want to thank Senator UDALL for having been so involved in this conversation and helping to drive it forward.

TRIBUTES TO DEPARTING SENATORS

HERB KOHL

Mr. SESSIONS. Mr. President, as the year ends, we face the sadness that surrounds the departure of good colleagues. I want to take a minute to ex-

press my pleasure in having the opportunity to know and work with HERB KOHL. We have served 16 years together on the Judiciary Committee and in the Senate. He is one of the most accomplished and courteous members of the Senate. His powerful intellect along with his vast private sector experience have given him valuable insight into the issues of our time. We shared a strong belief in the importance of the Littoral Combat Ship and in the end were both pleased to see that program move forward. As a senior member of the Judiciary Committee, Senator KOHL was a faithful member who had a remarkable ability to win the affection and respect of members. He always sought common ground rather than confrontation. It's been a real pleasure for me to get to know and to work with this remarkable, talented and good man. He has given much to the Senate. My best wishes are extended for this next chapter in his life.

TRIBUTE TO STAN LOWE

Mr. BARRASSO. Mr. President, next week in Casper, a member of America's greatest generation will be recognized by the Casper Area Chamber of Commerce for a lifetime of service and leadership. I am honored to tell my colleagues about my friend, R. Stanley Lowe.

In 1943, Stan was in college and had been deferred from the draft because of his studies. But, at age 19, he wanted to do his part to protect our great Nation. He enlisted in the U.S. Merchant Marine. He served on five ships in the Pacific and Atlantic, each voyage lasting several months. Stan became a staff officer, in charge of personnel and payroll. He was also a chaplain and medical officer, called a pharmacist's mate and purser.

Stan served from 1943 to 1946, seeing things that would have a life long impact on him. The Merchant Marine had the highest rate of casualties of any service, dying at a rate of 1 in 26, and Stan was there to help the injured and comfort the dying.

Following his service, he returned to Wyoming to complete his law degree and then practice law in Rawlins. It was there he met the love of his life, Anne "Pat" Kirtland Selden Lowe, while they were skiing. She was remarkable, too. Pat was among the first female geologists—and a scholarship in her name continues to support students pursuing degrees in geology at the University of Wyoming.

Wyoming has benefited immensely from Stan's career. He served in the State House of Representatives and was elected to be the county and prosecuting attorney for Carbon County. He spent the majority of his distinguished career as general counsel for True Oil. In 1985, Stan led a delegation of American lawyers on a goodwill tour

to China. The legal profession benefited from his wisdom through his service as counsel for the American Judicature Society.

While practicing law, he never forgot about his service and his fellow veterans. Stan was appointed to the Wyoming Veterans' Affairs Commission by Governor Mike Sullivan in 1991 and upon his retirement he was named chair emeritus. In 2003, Stan was awarded the Civilian Meritorious Service Medal. Stan has led the efforts to expand Wyoming's only Veterans Cemetery. His passion for history paved the ground for the Wyoming Veterans Memorial Museum.

Stan served in supportive and leadership roles in multiple veterans' organizations. Stan is a 3 year district commander of the American Legion. He was recently honored with the title of Honorary Past Department Commander, a title only given four other times in the history of the Wyoming American Legion. Stan continues to highlight veterans events and issues through his weekly article in the Casper Journal and attends almost every troop homecoming and veterans event.

Wyoming's veterans have benefitted immensely from Stan Lowe's wisdom and leadership. Stan will turn 90 this year. Wyoming continues to look to Stan as the voice for veterans. My wife, Bobbi, and I are happy to have Stan as our friend, and veterans all over Wyoming are fortunate because Stan chose to serve.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT, 112th CONGRESS

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Under the authority of the order of the Senate of January 5, 2011, the Secretary of the Senate, on January 3, 2013, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bills and joint resolution:

H.R. 443. An act to provide for the conveyance of certain property from the United States to the Maniilaq Association located in Kotzebue, Alaska.

H.R. 2076. An act to amend title 28, United States Code, to clarify the statutory authority for the longstanding practice of the Department of Justice of providing investigatory assistance on request of State and local authorities with respect to certain serious violent crimes, and for other purposes.

H.R. 4212. An act to prevent the introduction into commerce of unsafe drywall, to ensure the manufacturer of drywall is readily identifiable, to ensure that problematic drywall removed from homes is not reused, and for other purposes.

H.R. 4606. An act to authorize the issuance of right-of-way permits for natural gas pipelines in Glacier National Park, and for other purposes.

H.R. 6029. An act to amend title 18, United States Code, to provide for increased pen-

alties for foreign and economic espionage, and for other purposes.

H.R. 6328. An act to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to transfer unclaimed clothing recovered at airport security checkpoints to local veterans organizations and other local charitable organizations, and for other purposes.

H.R. 6586. An act to extend the application of certain space launch liability provisions through 2014.

H.R. 6621. An act to correct and improve certain provisions of the Leahy-Smith America Invents Act and title 35, United States Code.

H.R. 6655. An act to establish a commission to develop a national strategy and recommendations for reducing fatalities resulting from child abuse and neglect.

S. 2318. An act to authorize the Secretary of State to pay a reward to combat transnational organized crime and for information concerning foreign nationals wanted by international criminal tribunals, and for other purposes.

S. 3331. An act to provide for universal intercountry adoption accreditation standards, and for other purposes.

S. 3472. An act to amend the Family Educational Rights and Privacy Act of 1974 to provide improvements to such Act.

S.J. Res. 44. Joint resolution granting the consent of Congress to the State and Province Emergency Management Assistance Memorandum of Understanding.

Under the authority of the order of the Senate of January 5, 2011, the enrolled bills and joint resolution were signed on January 3, 2013, during the recess of the Senate, by the President pro tempore (Mr. LEAHY).

MESSAGE FROM THE HOUSE

At 4:09 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to H. Res. 1, resolving that Karen L. Haas of the State of Maryland, be, and is hereby, chosen Clerk of the House of Representatives, and that Paul D. Irving of the State of Florida, be, and is hereby, chosen Sergeant-at-Arms of the House of Representatives, and that Daniel J. Strodel of the District of Columbia, be, and is hereby chosen Chief Administrative Officer of the House of Representatives, and that Father Patrick J. Conroy of the State of Florida, be, and is hereby, chosen Chaplain of the House of Representatives.

The message also announced that the House has agreed to H. Res. 2, resolving that the Senate be informed that a quorum of the House of Representatives has assembled, that JOHN A. BOEHNER, a Representative from the State of Ohio, has been elected Speaker, and Karen L. Haas, a citizen of the State of Maryland, has been elected Clerk of the House of Representatives of the One Hundred Thirteenth Congress.

The message further announced that a committee of two Members be appointed by the Speaker on the part of

the House of Representatives to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House has assembled and Congress is ready to receive any communication that he may be pleased to make.

MEASURES HELD OVER/UNDER RULE

The following resolutions were read, and held over, under the rule:

S. Res. 4. A resolution to limit certain uses of the filibuster in the Senate to improve the legislative process.

S. Res. 5. A resolution amending the Standing Rules of the Senate to provide for cloture to be invoked with less than a three-fifths majority after additional debate.

S. Res. 6. A resolution to modify extended debate in the Senate to improve the legislative process.

S. Res. 7. A resolution to permit the Senate to avoid unnecessary delay and vote on matters for which floor debate has ceased.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED, 112th CONGRESS

The Secretary of the Senate reported that on January 2, 2013, she had presented to the President of the United States the following enrolled bills:

S. 3454. An act to authorize appropriations for fiscal year 2013 for intelligence and intelligence-related activities of the United States Government and the Office of the Director of National Intelligence, the Central Intelligence Agency Retirement and Disability System, and for other purposes.

S. 3630. An act to designate the facility of the United States Postal Service located at 218 North Milwaukee Street in Waterford, Wisconsin, as the "Captain Rhett W. Schiller Post Office".

S. 3662. An act to designate the facility of the United States Postal Service located at 6 Nichols Street in Westminister, Massachusetts, as the "Lieutenant Ryan Patrick Jones Post Office Building".

S. 3677. An act to make a technical correction to the Flood Disaster Protection Act of 1973.

The Secretary of the Senate reported that on January 3, 2013, she had presented to the President of the United States the following enrolled bills and joint resolution:

S. 2318. An act to authorize the Secretary of State to pay a reward to combat transnational organized crime and for information concerning foreign nationals wanted by international criminal tribunals, and for other purposes.

S. 3331. An act to provide for universal intercountry adoption accreditation standards, and for other purposes.

S. 3472. An act to amend the Family Educational Rights and Privacy Act of 1974 to provide improvements to such Act.

S.J. Res. 44. Joint resolution granting the consent of Congress to the State and Province Emergency Management Assistance Memorandum of Understanding.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communication was laid before the Senate, together with

accompanying papers, reports, and documents, and was referred as indicated:

EC-1. A communication from the Director of Legal Affairs and Policy, Office of the Federal Register, National Archives, transmitting, pursuant to law, a report relative to the Certificates of Ascertainment of the electors of the President and Vice President of the United States; ordered to lie on the table.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 1. A resolution informing the President of the United States that a quorum of each House is assembled; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 2. A resolution informing the House of Representatives that a quorum of the Senate is assembled; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 3. A resolution fixing the hour of daily meeting of the Senate; considered and agreed to.

By Mr. UDALL of New Mexico (for himself, Mr. MERKLEY, and Mr. HARKIN):

S. Res. 4. A resolution to limit certain uses of the filibuster in the Senate to improve the legislative process; submitted and read.

By Mr. UDALL of New Mexico (for Mr. HARKIN (for himself and Ms. MIKULSKI)):

S. Res. 5. A resolution amending the Standing Rules of the Senate to provide for cloture to be invoked with less than a three-fifths majority after additional debate; submitted and read.

By Mr. MERKLEY:

S. Res. 6. A resolution to modify extended debate in the Senate to improve the legislative process; submitted and read.

By Mr. MERKLEY (for Mr. LAUTENBERG):

S. Res. 7. A resolution to permit the Senate to avoid unnecessary delay and vote on matters for which floor debate has ceased; submitted and read.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Con. Res. 1. A concurrent resolution to provide for the counting on January 4, 2013, of the electoral votes for President and Vice President of the United States; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Con. Res. 2. A concurrent resolution extending the life of the Joint Congressional Committee on Inaugural Ceremonies; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Con. Res. 3. A concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives; considered and agreed to.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 1—INFORMING THE PRESIDENT OF THE UNITED STATES THAT A QUORUM OF EACH HOUSE IS ASSEMBLED

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 1

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

SENATE RESOLUTION 2—INFORMING THE HOUSE OF REPRESENTATIVES THAT A QUORUM OF THE SENATE IS ASSEMBLED

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 2

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

SENATE RESOLUTION 3—FIXING THE HOUR OF DAILY MEETING OF THE SENATE

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 3

Resolved, That the daily meeting of the Senate be 12 o'clock meridian unless otherwise ordered.

SENATE RESOLUTION 4—TO LIMIT CERTAIN USES OF THE FILIBUSTER IN THE SENATE TO IMPROVE THE LEGISLATIVE PROCESS

Mr. UDALL of New Mexico (for himself, Mr. MERKLEY, and Mr. HARKIN) submitted the following resolution; which was submitted and read:

S. RES. 4

Resolved,

SECTION 1. MOTIONS TO PROCEED.

Paragraph 1 of rule XXII of the Standing Rules of the Senate is amended by inserting at the end the following new paragraph:

“Other than a motion made during the first 2 hours of a new legislative day as described in paragraph 2 of rule VIII, consideration of a motion to proceed to the consideration of any debatable matter, including debate on any debatable motion or appeal in connection therewith, shall be limited to not more than 2 hours, to be equally divided between, and controlled by, the Majority Leader and the Minority Leader or their des-

igneas. This paragraph shall not apply to motions considered nondebateable by the Senate pursuant to rule or precedent.”.

SEC. 2. EXTENDED DEBATE.

Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended by striking the second undesignated paragraph and inserting the following:

“Is it the sense of the Senate that the debate shall be brought to a close? And if that question shall be decided in the affirmative by three-fifths of the Senators duly chosen and sworn, except on a measure or motion to amend the Senate rules, in which case the necessary affirmative vote shall be two-thirds of the Senators voting, a quorum being present, then cloture has been invoked.

“If that question is on disposition of a bill or joint resolution, a resolution or concurrent resolution, a substitute amendment for a bill or resolution, a motion with respect to amendments between the Houses, a conference report, or advice and consent to a nomination or treaty, and if such question shall be decided in the affirmative by a majority of Senators voting, a quorum being present, but less than three-fifths of the Senators duly chosen and sworn (or less than two-thirds of the Senators voting, a quorum being present, in the case of a measure or motion to amend the Senate rules), then it shall be in order for the Majority Leader (or his or her designee) to initiate a period of extended debate upon the measure, motion, or other matter pending before the Senate, or the unfinished business, in relation to which the motion to close debate was offered, in which case the period of extended debate shall begin one hour later.

“During a period of extended debate, such measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business, except on action or motion by the Majority Leader (or his or her designee).

“During a period of extended debate it shall not be in order for a Senator other than the Majority Leader (or his or her designee) to raise a question as to the presence of a quorum, except immediately prior to a vote or when it has been more than forty-eight hours since a quorum was demonstrated. If upon a roll call it shall be ascertained that a quorum is not present, then the Senate shall adjourn to a time previously decided by order of the Senate or, if no such time has been established, then to a time certain determined by the Majority Leader, after consultation with the Minority Leader.

“During a period of extended debate a motion to adjourn or recess shall not be in order, unless made by the Majority Leader (or his or her designee) or if the absence of a quorum has been demonstrated. Notwithstanding paragraph 1 of rule XIX, there shall be no limit to the number of times a Senator may speak upon any question during a period of extended debate.

“If, during the course of extended debate, the Presiding Officer puts any question to a vote, the Majority Leader (or his or her designee) may postpone any such vote, which shall occur at a time determined by the Majority Leader, after consultation with the Minority leader, but not later than the time at which a quorum is next demonstrated.

“If at any time during a period of extended debate no Senator seeks recognition, then the Presiding Officer shall inquire as to whether any Senator seeks recognition. If no Senator seeks recognition, then the Presiding Officer shall again put the question as

to bringing debate to a close (and the Majority Leader or his or her designee may postpone such vote in accordance with the preceding paragraph), which shall be decided without further debate or intervening motion. If that question shall be decided in the affirmative by a majority of Senators voting, a quorum being present, then cloture has been invoked and the period of extended debate has ended. If that question shall be decided in the negative by a majority of Senators voting, a quorum being present, then the period of extended debate has ended.

"If cloture is invoked, then the measure, motion, other matter pending before the Senate, or the unfinished business, in relation to which the motion to close debate was offered, shall remain the unfinished business to the exclusion of all other business until disposed of."

SEC. 3. POST-CLOTURE DEBATE ON NOMINATIONS.

Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended by striking "After no more than thirty hours of consideration of the measure, motion, or other matter on which cloture has been invoked, the Senate shall proceed, without any further debate on any question, to vote on" in the fourth undesignated paragraph and inserting "After no more than 30 hours of consideration of the measure, motion, or other matter on which cloture has been invoked, except on the question of advice and consent to a nomination other than a nomination to a position as Justice of the Supreme Court in which case consideration shall be limited to 2 hours, the Senate shall proceed, without any further debate on any question, to vote on".

SEC. 4. CONFERENCE MOTIONS.

Rule XXVIII of the Standing Rules of the Senate is amended by—

(1) redesignating paragraphs 1 through 9 as paragraphs 2 through 10, respectively;

(2) redesignating any reference to paragraphs 1 through 9 as paragraph 2 through 10, respectively; and

(3) inserting before paragraph 2, as redesignated, the following:

"1. A nondivisible motion to disagree to a House amendment or insist upon a Senate amendment, to request a committee of conference with the House or to agree to a request by the House for a committee of conference, and to authorize the Presiding Officer to appoint conferees (or to appoint conferees), is in order and consideration of such a motion, including consideration of any debatable motion or appeal in connection therewith, shall be limited to not more than 2 hours."

SENATE RESOLUTION 5—AMENDING THE STANDING RULES OF THE SENATE TO PROVIDE FOR CLOTURE TO BE INVOKED WITH LESS THAN A THREE-FIFTHS MAJORITY AFTER ADDITIONAL DEBATE

Mr. UDALL of New Mexico (for Mr. HARKIN (for himself and Ms. MIKULSKI)) submitted the following resolution; which was submitted and read:

S. RES. 5

Resolved,

SECTION 1. SENATE CLOTURE MODIFICATION.

Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended to read as follows:

"2. (a) Notwithstanding the provisions of rule II or rule IV or any other rule of the Senate, at any time a motion signed by sixteen Senators, to bring to a close the debate upon any measure, motion, other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer, or clerk at the direction of the Presiding Officer, shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the clerk call the roll, and upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yeas-and-nays vote the question: 'Is it the sense of the Senate that the debate shall be brought to a close?' And if that question shall be decided in the affirmative by three-fifths of the Senators duly chosen and sworn—except on a measure or motion to amend the Senate rules, in which case the necessary affirmative vote shall be two-thirds of the Senators present and voting—then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business.

"Thereafter no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be proposed after the vote to bring the debate to a close, unless it had been submitted in writing to the Journal Clerk by 1 o'clock p.m. on the day following the filing of the cloture motion if an amendment in the first degree, and unless it had been so submitted at least one hour prior to the beginning of the cloture vote if an amendment in the second degree. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

"After no more than thirty hours of consideration of the measure, motion, or other matter on which cloture has been invoked, the Senate shall proceed, without any further debate on any question, to vote on the final disposition thereof to the exclusion of all amendments not then actually pending before the Senate at that time and to the exclusion of all motions, except a motion to table, or to reconsider and one quorum call on demand to establish the presence of a quorum (and motions required to establish a quorum) immediately before the final vote begins. The thirty hours may be increased by the adoption of a motion, decided without debate, by a three-fifths affirmative vote of the Senators duly chosen and sworn, and any such time thus agreed upon shall be equally divided between and controlled by the majority and minority leaders or their designees. However, only one motion to extend time, specified above, may be made in any one calendar day.

"If, for any reason, a measure or matter is reprinted after cloture has been invoked, amendments which were in order prior to the reprinting of the measure or matter will continue to be in order and may be conformed and reprinted at the request of the amendment's sponsor. The conforming changes must be limited to lineation and pagination.

"No Senator shall call up more than two amendments until every other Senator shall have had the opportunity to do likewise.

"Notwithstanding other provisions of this rule, a Senator may yield all or part of his one hour to the majority or minority floor managers of the measure, motion, or matter or to the majority or minority leader, but each Senator specified shall not have more than two hours so yielded to him and may in turn yield such time to other Senators.

"Notwithstanding any other provision of this rule, any Senator who has not used or yielded at least ten minutes, is, if he seeks recognition, guaranteed up to ten minutes, inclusive, to speak only.

"After cloture is invoked, the reading of any amendment, including House amendments, shall be dispensed with when the proposed amendment has been identified and has been available in printed form at the desk of the Members for not less than twenty-four hours.

"(b)(1) If, upon a vote taken on a motion presented pursuant to subparagraph (a), the Senate fails to invoke cloture with respect to a measure, motion, or other matter pending before the Senate, or the unfinished business, subsequent motions to bring debate to a close may be made with respect to the same measure, motion, matter, or unfinished business. It shall not be in order to file subsequent cloture motions on any measure, motion, or other matter pending before the Senate, except by unanimous consent, until the previous motion has been disposed of.

"(2) Such subsequent motions shall be made in the manner provided by, and subject to the provisions of, subparagraph (a), except that the affirmative vote required to bring to a close debate upon that measure, motion, or other matter, or unfinished business (other than a measure or motion to amend Senate rules) shall be reduced by three votes on the second such motion, and by three additional votes on each succeeding motion, until the affirmative vote is reduced to a number equal to or less than an affirmative vote of a majority of the Senators duly chosen and sworn. The required vote shall then be an affirmative vote of a majority of the Senators duly chosen and sworn. The requirement of an affirmative vote of a majority of the Senators duly chosen and sworn shall not be further reduced upon any vote taken on any later motion made pursuant to this subparagraph with respect to that measure, motion, matter, or unfinished business."

SEC. 2. SPECIAL CONSIDERATION OF AMENDMENTS POSTCLOTURE.

Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended by inserting at the end the following:

"After debate has concluded under this paragraph but prior to final disposition of the pending matter, the Majority Leader and the Minority Leader may each offer not to exceed 3 amendments identified as leadership amendments if they have been timely filed under this paragraph and are germane to the matter being amended. Debate on a leadership amendment shall be limited to 1 hour equally divided. A leadership amendment may not be divided."

SENATE RESOLUTION 6—TO MODIFY EXTENDED DEBATE IN THE SENATE TO IMPROVE THE LEGISLATIVE PROCESS

Mr. MERKLEY submitted the following resolution; which was submitted and read:

S. RES. 6

Resolved,

SECTION 1. EXTENDED DEBATE.

Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended by striking the second undesignated paragraph and inserting the following:

"Is it the sense of the Senate that the debate shall be brought to a close? And if that question shall be decided in the affirmative by three-fifths of the Senators duly chosen and sworn, except on a measure or motion to amend the Senate rules, in which case the necessary affirmative vote shall be two-thirds of the Senators voting, a quorum being present, then cloture has been invoked.

"If that question is on disposition of a bill or joint resolution, a resolution or concurrent resolution, a substitute amendment for a bill or resolution, a motion with respect to amendments between the Houses, a conference report, or advice and consent to a nomination or treaty, and if such question shall be decided in the affirmative by a majority of Senators voting, a quorum being present, but less than three-fifths of the Senators duly chosen and sworn (or less than two-thirds of the Senators voting, a quorum being present, in the case of a measure or motion to amend the Senate rules), then it shall be in order for the Majority Leader (or his or her designee) to initiate a period of extended debate upon the measure, motion, or other matter pending before the Senate, or the unfinished business, in relation to which the motion to close debate was offered, in which case the period of extended debate shall begin one hour later.

"During a period of extended debate, such measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business, except on action or motion by the Majority Leader (or his or her designee).

"During a period of extended debate it shall not be in order for a Senator other than the Majority Leader (or his or her designee) to raise a question as to the presence of a quorum, except immediately prior to a vote or when it has been more than forty-eight hours since a quorum was demonstrated. If upon a roll call it shall be ascertained that a quorum is not present, then the Senate shall adjourn to a time previously decided by order of the Senate or, if no such time has been established, then to a time certain determined by the Majority Leader, after consultation with the Minority Leader.

"During a period of extended debate a motion to adjourn or recess shall not be in order, unless made by the Majority Leader (or his or her designee) or if the absence of a quorum has been demonstrated. Notwithstanding paragraph 1 of rule XIX, there shall be no limit to the number of times a Senator may speak upon any question during a period of extended debate.

"If, during the course of extended debate, the Presiding Officer puts any question to a vote, the Majority Leader (or his or her designee) may postpone any such vote, which shall occur at a time determined by the Majority Leader, after consultation with the Minority leader, but not later than the time at which a quorum is next demonstrated.

"If at any time during a period of extended debate no Senator seeks recognition, then the Presiding Officer shall inquire as to whether any Senator seeks recognition. If no Senator seeks recognition, then the Presiding Officer shall again put the question as to bringing debate to a close (and the Majority Leader or his or her designee may postpone such vote in accordance with the preceding paragraph), which shall be decided

without further debate or intervening motion. If that question shall be decided in the affirmative by a majority of Senators voting, a quorum being present, then cloture has been invoked and the period of extended debate has ended. If that question shall be decided in the negative by a majority of Senators voting, a quorum being present, then the period of extended debate has ended.

"If cloture is invoked, then the measure, motion, other matter pending before the Senate, or the unfinished business, in relation to which the motion to close debate was offered, shall remain the unfinished business to the exclusion of all other business until disposed of."

SENATE RESOLUTION 7—TO PERMIT THE SENATE TO AVOID UNNECESSARY DELAY AND VOTE ON MATTERS FOR WHICH FLOOR DEBATE HAS CEASED

Mr. MERKLEY (for Mr. LAUTENBERG) submitted the following resolution; which was submitted and read:

S. RES. 7

Resolved,

SECTION 1. AMENDMENT TO THE STANDING RULES OF THE SENATE.

Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended by—

(1) inserting after the second undesignated subparagraph the following:

"Following the filing of the cloture motion and prior to the cloture vote, as long as the matter on which cloture has been filed remains the pending matter—

"(1) there shall be no dilatory motion, including dilatory quorum calls, in order; and

"(2) if, at any time, no Senator seeks recognition on the floor, it shall be in order for the Majority Leader to put the question on cloture as long as any applicable filing deadline for first degree amendments has passed."; and

(2) inserting after the fifth undesignated subparagraph (after the amendment by paragraph (1)) the following:

"If, at any time after cloture is invoked on an executive nomination or a motion to proceed, no Senator seeks recognition on the floor, it shall be in order for the Majority Leader to put the question on which cloture has been invoked."

SENATE CONCURRENT RESOLUTION 1—TO PROVIDE FOR THE COUNTING ON JANUARY 4, 2013, OF THE ELECTORAL VOTES FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

Mr. REID (for himself and Mr. MCCONNELL) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 1

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall meet in the Hall of the House of Representatives on Thursday, the 4th day of January 2013, at 1 o'clock post meridian, pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President of the Senate shall be their Presiding Officer; that two tellers shall be previously appointed by the President of the Senate on the part of the

Senate and two by the Speaker on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter "A"; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

SENATE CONCURRENT RESOLUTION 2—EXTENDING THE LIFE OF THE JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES

Mr. REID (for himself and Mr. MCCONNELL) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 2

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. REAUTHORIZATION OF JOINT COMMITTEE.

Effective from January 3, 2013, the joint committee created by Senate Concurrent Resolution 35 (112th Congress), to make the necessary arrangements for the inauguration of the President-elect and the Vice President-elect of the United States, is continued with the same power and authority provided for in that resolution.

SEC. 2. USE OF CAPITOL.

Effective from January 3, 2013, the provisions of Senate Concurrent Resolution 36 (112th Congress), to authorize the use of the rotunda and Emancipation Hall of the Capitol by the Joint Congressional Committee on Inaugural Ceremonies in connection with the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice President-elect of the United States are continued with the same power and authority provided for in that resolution.

SENATE CONCURRENT RESOLUTION 3—PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID (for himself and Mr. MCCONNELL) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 3

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Friday, January 4, 2013 through Monday, January 21, 2013, on a motion offered pursuant to this concurrent resolution by its Majority

Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, January 21, 2013, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Friday, January 4, 2013, through Saturday, January 5, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, January 14, 2013, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MERKLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. MERKLEY. Madam President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the Senate, at 1:08 p.m., recessed subject to the call of the Chair and reassembled at 4:08, when called to order by the Presiding Officer (Mr. SANDERS).

EXECUTIVE COMMUNICATIONS—ASCERTAINMENT OF THE ELECTORS FOR PRESIDENT AND VICE PRESIDENT

The PRESIDING OFFICER. The Chair lays before the Senate communications from the Director of the National Archives, transmitting, pursuant to the law, certified copies of the final ascertainment of the electors for President and Vice President, which are ordered to lie on the table.

The majority leader.

ORDERS FOR FRIDAY, JANUARY 4, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 12:30 p.m. tomorrow, Friday, January 4, 2013; that following the prayer and pledge, the Journal of proceedings

be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate recess for the joint session for the counting of electoral votes to elect Barack Obama President.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, Senators will gather at 12:45 p.m. tomorrow to proceed together to the joint session.

RECESS UNTIL 12:30 P.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate recess under the previous order.

There being no objection, the Senate, at 4:09 p.m., recessed until Friday, January 4, 2013, at 12:30 p.m.

NOMINATIONS RETURNED TO THE PRESIDENT

Thursday, January 3, 2013

The following nominations transmitted by the President of the United States to the Senate during the 112th Congress, and upon which no action was had at the time of the adjournment of the 112th Congress, failed of confirmation under the provisions of Rule XXXI, paragraph 6, of the Standing Rules of the Senate.

BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FOUNDATION

WALTER G. SECADA, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FOUNDATION FOR A TERM EXPIRING MARCH 3, 2016.

BROADCASTING BOARD OF GOVERNORS

JEFFREY SHELL, OF CALIFORNIA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2015.

JEFFREY SHELL, OF CALIFORNIA, TO BE CHAIRMAN OF THE BROADCASTING BOARD OF GOVERNORS.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

RICHARD J. ENGLER, OF NEW JERSEY, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS.

CONSUMER PRODUCT SAFETY COMMISSION

MARIETTA S. ROBINSON, OF MICHIGAN, TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION FOR A TERM OF SEVEN YEARS FROM OCTOBER 27, 2010.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

MARK D. GEARAN, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING DECEMBER 1, 2015.

DEPARTMENT OF DEFENSE

ERIC KENNETH FANNING, OF THE DISTRICT OF COLUMBIA, TO BE UNDER SECRETARY OF THE AIR FORCE.

FREDERICK VOLLRATH, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

ALAN F. ESTEVEZ, OF THE DISTRICT OF COLUMBIA, TO BE A PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

MARILYN B. TAVENNER, OF VIRGINIA, TO BE ADMINISTRATOR OF THE CENTERS FOR MEDICARE AND MEDICAID SERVICES.

WILLIAM B. SHULTZ, OF THE DISTRICT OF COLUMBIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.

DEPARTMENT OF JUSTICE

ANDREW L. TRAYER, OF ILLINOIS, TO BE DIRECTOR, BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES.

GARY BLANKINSHIP, OF TEXAS, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF TEXAS FOR THE TERM OF FOUR YEARS.

SYLVIA M. BECKER, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES FOR THE TERM EXPIRING SEPTEMBER 30, 2013.

DEREK ANTHONY WEST, OF CALIFORNIA, TO BE ASSOCIATE ATTORNEY GENERAL.

TIMOTHY J. FEIGHERY, OF NEW YORK, TO BE CHAIRMAN OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES FOR A TERM EXPIRING SEPTEMBER 30, 2015.

DEPARTMENT OF STATE

CARLOS PASCUAL, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF STATE (ENERGY RESOURCES).

ROSE EILENE GOTTEMÖLLER, OF VIRGINIA, TO BE UNDER SECRETARY OF STATE FOR ARMS CONTROL AND INTERNATIONAL SECURITY.

DEPARTMENT OF THE INTERIOR

MARCILYNN A. BURKE, OF NORTH CAROLINA, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR.

VINCENT G. LOGAN, OF NEW YORK, TO BE SPECIAL TRUSTEE, OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS, DEPARTMENT OF THE INTERIOR.

DEPARTMENT OF THE TREASURY

CHRISTOPHER J. MEADE, OF NEW YORK, TO BE GENERAL COUNSEL FOR THE DEPARTMENT OF THE TREASURY.

BIBIANA BOERIO, OF PENNSYLVANIA, TO BE DIRECTOR OF THE MINT FOR A TERM OF FIVE YEARS.

DEPARTMENT OF VETERANS AFFAIRS

CONSTANCE B. TOBIAS, OF MARYLAND, TO BE CHAIRMAN OF THE BOARD OF VETERANS' APPEALS FOR A TERM OF SIX YEARS.

ELECTION ASSISTANCE COMMISSION

MYRNA PEREZ, OF TEXAS, TO BE A MEMBER OF THE ELECTION ASSISTANCE COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING DECEMBER 12, 2011.

MYRNA PEREZ, OF TEXAS, TO BE A MEMBER OF THE ELECTION ASSISTANCE COMMISSION FOR A TERM EXPIRING DECEMBER 12, 2015.

THOMAS HICKS, OF VIRGINIA, TO BE A MEMBER OF THE ELECTION ASSISTANCE COMMISSION FOR A TERM EXPIRING DECEMBER 12, 2013.

ENVIRONMENTAL PROTECTION AGENCY

KENNETH J. KOPOCIS, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

JAMES J. JONES, OF THE DISTRICT OF COLUMBIA, TO BE ASSISTANT ADMINISTRATOR FOR TOXIC SUBSTANCES OF THE ENVIRONMENTAL PROTECTION AGENCY.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

JENNY R. YANG, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2017.

EXECUTIVE OFFICE OF THE PRESIDENT

MICHAEL A. BOTTICELLI, OF MASSACHUSETTS, TO BE DEPUTY DIRECTOR OF NATIONAL DRUG CONTROL POLICY.

FEDERAL LABOR RELATIONS AUTHORITY

ERNEST W. DUBESTER, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF FIVE YEARS EXPIRING JULY 29, 2017.

CAROL WALLER POPE, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF FIVE YEARS EXPIRING JULY 1, 2014.

FEDERAL MARITIME COMMISSION

RICHARD A. LIDINSKY, JR., OF MARYLAND, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE TERM EXPIRING JUNE 30, 2017.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

ROBERT F. COHEN, JR., OF WEST VIRGINIA, TO BE A MEMBER OF THE FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM OF SIX YEARS EXPIRING AUGUST 30, 2018.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

VICKI MILES-LAGRANGE, OF OKLAHOMA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2015.

MICHAEL WAYNE HAIL, OF KENTUCKY, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2017.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

BIDTAH N. BECKER, OF NEW MEXICO, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE INSTITUTE OF

AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT FOR A TERM EXPIRING MAY 19, 2018.

INTERNATIONAL MONETARY FUND

BEN S. BERNANKE, OF NEW JERSEY, TO BE UNITED STATES ALTERNATE GOVERNOR OF THE INTERNATIONAL MONETARY FUND FOR A TERM OF FIVE YEARS.

JAMES MADISON MEMORIAL FELLOWSHIP FOUNDATION

MARTIN O'MALLEY, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE JAMES MADISON MEMORIAL FELLOWSHIP FOUNDATION FOR A TERM EXPIRING NOVEMBER 5, 2018.

MARTIN O'MALLEY, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE JAMES MADISON MEMORIAL FELLOWSHIP FOUNDATION FOR THE REMAINDER OF THE TERM EXPIRING NOVEMBER 5, 2012.

LEGAL SERVICES CORPORATION

ROBERT JAMES GREY, JR., OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2014.

JOHN GERSON LEVI, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2014.

LAURIE I. MIKVA, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2013.

MARTHA L. MINOW, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2014.

GLORIA VALENCIA-WEBER, OF NEW MEXICO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2014.

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

CHARLES P. ROSE, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION FOR A TERM EXPIRING APRIL 16, 2017.

ANNE J. UDALL, OF OREGON, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION FOR A TERM EXPIRING OCTOBER 6, 2016.

NATIONAL COUNCIL ON DISABILITY

FERNANDO TORRES-GIL, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2014.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

AGNES GUND, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2016.

SURAVI GANGOPADHYAY, OF MICHIGAN, TO BE A MEMBER OF THE NATIONAL MUSEUM AND LIBRARY SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 2016.

LUIS HERRERA, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL MUSEUM AND LIBRARY SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 2014.

SUZANNE E. THORIN, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL MUSEUM AND LIBRARY SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 2015.

CHARLES BENTON, OF ILLINOIS, TO BE A MEMBER OF THE NATIONAL MUSEUM AND LIBRARY SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 2013.

CHRISTIE PEARSON BRANDAU, OF IOWA, TO BE A MEMBER OF THE NATIONAL MUSEUM AND LIBRARY SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 2016.

NORBERTO JESUS CASTRO, OF ARIZONA, TO BE A MEMBER OF THE NATIONAL MUSEUM AND LIBRARY SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 2016.

DOROTHY KOSINSKI, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2016.

RANEE RAMASWAMY, OF MINNESOTA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2018.

ERIC J. JOLLY, OF MINNESOTA, TO BE A MEMBER OF THE NATIONAL MUSEUM AND LIBRARY SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 2016.

SUSANA TORRUELLA LEVAL, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL MUSEUM AND LIBRARY SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 2015.

JOHN UNSWORTH, OF MASSACHUSETTS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2016.

OLGA VISO, OF MINNESOTA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2018.

NATIONAL INSTITUTE OF BUILDING SCIENCES

TIMOTHY HYUNGROCK HAAHS, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2014.

NATIONAL LABOR RELATIONS BOARD

LAPE E. SOLOMON, OF MARYLAND, TO BE GENERAL COUNSEL OF THE NATIONAL LABOR RELATIONS BOARD.

SHARON BLOCK, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD

FOR THE TERM OF FIVE YEARS EXPIRING DECEMBER 16, 2014.

RICHARD F. GRIFFIN, JR., OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING AUGUST 27, 2016.

SHARON BLOCK, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING DECEMBER 16, 2014, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

RICHARD F. GRIFFIN, JR., OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING AUGUST 27, 2016, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

NATIONAL MEDIATION BOARD

HARRY R. HOGLANDER, OF MASSACHUSETTS, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2014.

NICHOLAS CHRISTOPHER GEALE, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2013.

LINDA A. PUCHALA, OF MARYLAND, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2015.

NATIONAL SCIENCE FOUNDATION

ARTHUR BIENENSTOCK, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE FOUNDATION FOR A TERM EXPIRING MAY 10, 2016.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

DAVID MEDINE, OF MARYLAND, TO BE CHAIRMAN AND MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR A TERM EXPIRING JANUARY 29, 2012.

DAVID MEDINE, OF MARYLAND, TO BE CHAIRMAN AND MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR A TERM EXPIRING JANUARY 29, 2018.

SOCIAL SECURITY ADMINISTRATION

HENRY J. AARON, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE SOCIAL SECURITY ADVISORY BOARD FOR A TERM EXPIRING SEPTEMBER 30, 2014.

MARIE F. SMITH, OF HAWAII, TO BE A MEMBER OF THE SOCIAL SECURITY ADVISORY BOARD FOR A TERM EXPIRING SEPTEMBER 30, 2016.

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

DONNA MARY MURPHY, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

TENNESSEE VALLEY AUTHORITY

MARILYN A. BROWN, OF GEORGIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2017.

THE JUDICIARY

ROSEMARY MARQUEZ, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA.

KEVIN A. OHLSON, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES FOR THE TERM OF FIFTEEN YEARS TO EXPIRE ON THE DATE PRESCRIBED BY LAW.

PATTY SHWARTZ, OF NEW JERSEY, TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT.

RICHARD GARY TARANTO, OF MARYLAND, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT.

ROBERT E. BACHARACH, OF OKLAHOMA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT.

WILLIAM J. KAYATTA, JR., OF MAINE, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIRST CIRCUIT.

JILL A. PRYOR, OF GEORGIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE ELEVENTH CIRCUIT.

ELISSA F. CADISH, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA.

BRIAN J. DAVIS, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA.

RAINEY RANSOM BRANDT, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

SHELLY DECKERT DICK, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF LOUISIANA.

SRICANTH SRINIVASAN, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT.

WILLIAM H. ORRICK, III, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA.

KATHERINE POLK FAILLA, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

TROY L. NUNLEY, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF CALIFORNIA.

SHERI POLSTER CHAPPELL, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA.

MARK A. BARNETT, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE.

PAMELA KI MAI CHEN, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK.

CAITLIN JOAN HALLIGAN, OF NEW YORK, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT.

JENNIFER A. DORSEY, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA.

ANDREW PATRICK GORDON, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA.

MICHAEL J. MCSHANE, OF OREGON, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF OREGON.

KETANJI BROWN JACKSON, OF MARYLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA.

NELSON STEPHEN ROMAN, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

ROBERT D. OKUN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

VALERIE E. CAPRONI, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

KENNETH JOHN GONZALES, OF NEW MEXICO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW MEXICO.

RAYMOND P. MOORE, OF COLORADO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO.

BEVERLY REID O'CONNELL, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA.

WILLIAM L. THOMAS, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA.

ANALISA TORRES, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

DERRICK KAHALA WATSON, OF HAWAII, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF HAWAII.

CLAIRE R. KELLY, OF NEW YORK, TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE.

NITZA I. QUINONES ALEJANDRO, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

LUIS FELIPE RESTREPO, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

JEFFREY L. SCHMEHL, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

UNITED NATIONS

JOAN M. PRINCE, OF WISCONSIN, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-SEVENTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

TED R. DINTERSMITH, OF VIRGINIA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-SEVENTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

CHERYL SABAN, OF CALIFORNIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-SEVENTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY

ALFREDO J. BALSERA, OF FLORIDA, TO BE A MEMBER OF THE UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY FOR A TERM EXPIRING JULY 1, 2014.

UNITED STATES INTERNATIONAL TRADE COMMISSION

F. SCOTT KIEFF, OF ILLINOIS, TO BE A MEMBER OF THE UNITED STATES INTERNATIONAL TRADE COMMISSION FOR THE TERM EXPIRING JUNE 16, 2020.

UNITED STATES POSTAL SERVICE

KATHERINE C. TOBIN, OF NEW YORK, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2016.

JAMES C. MILLER, III, OF VIRGINIA, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR THE TERM EXPIRING DECEMBER 8, 2017.

STEPHEN CRAWFORD, OF MARYLAND, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR THE REMAINDER OF THE TERM EXPIRING DECEMBER 8, 2015.

UNITED STATES SENTENCING COMMISSION

CHARLES R. BREYER, OF CALIFORNIA, TO BE A MEMBER OF THE UNITED STATES SENTENCING COMMISSION FOR A TERM EXPIRING OCTOBER 31, 2015.

IN THE AIR FORCE

AIR FORCE NOMINATION OF COL. DAVID W. STICKLEY, TO BE BRIGADIER GENERAL.

AIR FORCE NOMINATION OF COLONEL RICKY J. LOCASTRO, TO BE BRIGADIER GENERAL.

AIR FORCE NOMINATION OF COLONEL ROBERT C. BOLTON, TO BE BRIGADIER GENERAL.

AIR FORCE NOMINATION OF COL. NATHANIEL S. REDDICKS, TO BE BRIGADIER GENERAL.

AIR FORCE NOMINATION OF COL. ROBERT J. BECKLUND, TO BE BRIGADIER GENERAL.

AIR FORCE NOMINATION OF BRIG. GEN. JAMES C. WITHAM, TO BE MAJOR GENERAL.

AIR FORCE NOMINATIONS BEGINNING WITH COLONEL RICHARD W. KELLY AND ENDING WITH COLONEL JILL J. NELSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 13, 2012.

AIR FORCE NOMINATIONS BEGINNING WITH COLONEL STEPHEN E. RADER AND ENDING WITH COLONEL RANDALL A. SPEAR, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 13, 2012.

IN THE ARMY

ARMY NOMINATION OF BRIG. GEN. JOSEPH C. CARTER, TO BE MAJOR GENERAL.

ARMY NOMINATIONS BEGINNING WITH COL. JOHN M. CHO AND ENDING WITH COL. JEFFREY B. CLARK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2012.

ARMY NOMINATION OF BRIG. GEN. JOHN L. GRONSKI, TO BE MAJOR GENERAL.

ARMY NOMINATION OF COL. MARION GARCIA, TO BE BRIGADIER GENERAL.

ARMY NOMINATION OF GEN. DAVID M. RODRIGUEZ, TO BE GENERAL.

ARMY NOMINATION OF LT. GEN. JOHN F. CAMPBELL, TO BE GENERAL.

ARMY NOMINATION OF COLONEL ERIK C. PETERSON, TO BE BRIGADIER GENERAL.

IN THE COAST GUARD

COAST GUARD NOMINATION OF RADM STEVEN E. DAY, USCGR, TO BE REAR ADMIRAL.

IN THE NAVY

NAVY NOMINATION OF CAPT. DEBORAH P. HAVEN, TO BE REAR ADMIRAL (LOWER HALF).

NAVY NOMINATION OF CAPT. TIMOTHY W. DORSEY, TO BE REAR ADMIRAL (LOWER HALF).

IN THE ARMY

ARMY NOMINATION OF ROBERT H. MCCARTHY III, TO BE COLONEL.

ARMY NOMINATION OF JASON R. PURVIS, TO BE MAJOR.

ARMY NOMINATION OF BURTON C. GLOVER, TO BE LIEUTENANT COLONEL.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATION OF R. DOUGLASS ARBUCKLE.

FOREIGN SERVICE NOMINATION OF GEOFFREY W. WIGGIN.

FOREIGN SERVICE NOMINATION OF SCOTT S. CAMERON.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH SHARON LEE CROMER AND ENDING WITH MARIA RENDON LABADAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 27, 2012.

FOREIGN SERVICE NOMINATION OF DANIEL MENCOS HIRSCH.

HOUSE OF REPRESENTATIVES—Thursday, January 3, 2013

This being the day fixed by the 20th amendment to the Constitution of the United States, for the meeting of the 113th Congress of the United States, the Representatives-elect met in their Hall, and at noon were called to order by the Clerk of the House of Representatives, Hon. Karen L. Haas.

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving God, we give You thanks for giving us another day.

We gather on this most significant day, when once again we celebrate the peaceful transition of democratic government. Though many return from the 112th Congress, this people's House is a new legislative assembly.

May the service of all the Members here gathered give You glory, and acquit well the charge entrusted to them by their fellow citizens.

Give each Member an abundance of wisdom, knowledge, and understanding, that they might know best how to proceed in the work they have to do, as well as the courage to act once they have discerned where Your Spirit might lead them.

And may all that is done this day, and all the days of the 113th Congress, be for Your greater honor and glory. Amen.

PLEDGE OF ALLEGIANCE

The CLERK. The Representatives-elect and their guests will please remain standing and join in the Pledge of Allegiance.

The Clerk led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The CLERK. As directed by law, the Clerk of the House has prepared the official roll of the Representatives-elect.

Certificates of election covering 435 seats in the 113th Congress have been received by the Clerk of the House, and the names of those persons whose credentials show that they were regularly elected as Representatives in accord with the laws of their respective States or of the United States will be called.

The Representatives-elect will record their presence by electronic device and their names will be reported in alphabetical order by State, beginning with the State of Alabama, to determine whether a quorum is present.

Representatives-elect will have a minimum of 15 minutes to record their presence by electronic device.

Representatives-elect who have not obtained their voting ID cards may do so now in the Speaker's lobby.

The call was taken by electronic device, and the following Representatives-elect responded to their names:

[Roll No. 1]

ANSWERED "PRESENT"—429

ALABAMA

Aderholt
Bachus
Bonner

Brooks
Roby
Rogers

Sewell

ALASKA

Young

ARIZONA

Barber
Franks
Gosar

Grijalva
Kirkpatrick
Pastor

Salmon
Schweikert
Sinema

ARKANSAS

Cotton
Crawford

Griffin
Womack

CALIFORNIA

Bass
Becerra
Bera
Brownley
Calvert
Campbell
Capps
Cardenas
Chu
Cook
Costa
Davis
Denham
Eshoo
Farr
Garamendi
Hahn
Honda

Huffman
Hunter
Issa
LaMalfa
Lee
Lofgren, Zoe
Lowenthal
Matsui
McCarthy
McClintock
McKeon
McNerney
Miller, Gary
Miller, George
Napolitano
Negrete McLeod
Nunes
Pelosi

Peters
Rohrabacher
Royce
Ruiz
Sánchez, Linda
T.
Sanchez, Loretta
Schiff
Sherman
Speier
Swalwell
Takano
Thompson
Valadao
Vargas
Waters
Waxman

COLORADO

Coffman
DeGette
Gardner

Lamborn
Perlmutter
Polis

Tipton

CONNECTICUT

Courtney
DeLauro

Esty
Himes

Larson

DELAWARE

Carney

FLORIDA

Bilirakis
Brown
Buchanan
Castor
Crenshaw
DeSantis
Deutch
Diaz-Balart
Frankel
Garcia

Grayson
Hastings
Mica
Miller
Murphy
Nugent
Posey
Radel
Rooney
Ros-Lehtinen

Ross
Southernland
Wasserman
Schultz
Webster
Wilson
Yoho
Young

GEORGIA

Barrow
Bishop
Broun
Collins
Gingrey

Graves
Johnson
Kingston
Price
Scott, Austin

Scott, David
Westmoreland
Woodall

HAWAII

Gabbard

Hanabusa

IDAHO

Labrador

Simpson

Bustos
Davis, Danny
Davis, Rodney
Duckworth
Enyart
Foster

Brooks
Bucshon
Carson

Braley
King

Huelskamp
Jenkins

Barr
Guthrie

Alexander
Boustany

Michaud

Cummings
Delaney
Edwards

Capuano
Keating
Kennedy

Amash
Benishek
Bentivolio
Camp
Conyers

Bachmann
Ellison
Kline

Harper
Nunnelee

Clay
Cleaver
Emerson

Fortenberry

Amodei
Heck

Kuster

Andrews
Frelinghuysen
Garrett
Holt

ILLINOIS

Gutierrez
Hultgren
Kinzinger
Quigley
Roskam
Rush

Schakowsky
Schneider
Schock
Shimkus

INDIANA

Messer
Rokita
Stutzman

Visclosky
Walorski
Young

IOWA

Latham
Loeb sack

KANSAS

Pompeo
Yoder

KENTUCKY

Massie
Rogers

Whitfield
Yarmuth

LOUISIANA

Cassidy
Fleming

Richmond
Scallise

MAINE

Pingree

MARYLAND

Harris
Hoyer
Ruppersberger

Sarbanes
Van Hollen

MASSACHUSETTS

Lynch
Markey
McGovern

Neal
Tierney
Tsongas

MICHIGAN

Dingell
Huizenga
Kildee
Levin
Miller

Peters
Rogers
Upton
Walberg

MINNESOTA

McCollum
Nolan
Paulsen

Peterson
Walz

MISSISSIPPI

Palazzo
Thompson

MISSOURI

Graves
Hartzler
Long

Luetkemeyer
Wagner

MONTANA

Daines

NEBRASKA

Smith
Terry

NEVADA

Horsford
Titus

NEW HAMPSHIRE

Shea-Porter

NEW JERSEY

Lance
LoBiondo
Pallone
Pascrell

Payne
Runyan
Sires
Smith

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

NEW MEXICO
 Lujan Grisham Luján, Ben Ray Pearce

NEW YORK
 Bishop Jeffries Nadler
 Clarke King Owens
 Collins Lowey Rangel
 Crowley Maffei Reed
 Engel Maloney, Serrano
 Gibson Carolyn Slaughter
 Grimm Maloney, Sean Tonko
 Hanna McCarthy Velázquez
 Higgins Meeks
 Israel Meng

NORTH CAROLINA
 Butterfield Hudson Pittenger
 Coble Jones Price
 Ellmers McHenry Watt
 Foxx McIntyre
 Holding Meadows

NORTH DAKOTA
 Cramer

OHIO
 Beatty Jordan Stivers
 Boehner Joyce Tiberi
 Chabot Kaptur Turner
 Fudge Latta Wenstrup
 Gibbs Renacci
 Johnson Ryan

OKLAHOMA
 Bridenstine Lankford Mullin
 Cole Lucas

OREGON
 Bonamici Schrader
 DeFazio Walden

PENNSYLVANIA
 Barletta Fitzpatrick Perry
 Brady Gerlach Pitts
 Cartwright Kelly Rothfus
 Dent Marino Schwartz
 Doyle Meehan Shuster
 Fattah Murphy Thompson

RHODE ISLAND
 Cicilline Langevin

SOUTH CAROLINA
 Clyburn Gowdy Rice
 Duncan Mulvaney Wilson

SOUTH DAKOTA
 Noem

TENNESSEE
 Black Cooper Fincher
 Blackburn DesJarlais Fleischmann
 Cohen Duncan Roe

TEXAS
 Barton Gohmert Neugebauer
 Brady Granger Olson
 Burgess Green, Al O'Rourke
 Carter Green, Gene Poe
 Castro Hall Sessions
 Conaway Hensarling Smith
 Cuellar Hinojosa Stockman
 Culberson Jackson Lee Thornberry
 Doggett Johnson, E. B. Veasey
 Farenthold Johnson, Sam Vela
 Flores Marchant Weber
 Gallego McCaul Williams

UTAH
 Bishop Matheson
 Chaffetz Stewart

VERMONT
 Welch

VIRGINIA
 Cantor Griffith Scott
 Connolly Hurt Wittman
 Forbes Moran Wolf
 Goodlatte Rigell

WASHINGTON
 DelBene Kilmer McMorris
 Hastings Larsen Rodgers
 Heck McDermott Reichert
 Herrera Beutler Smith

WEST VIRGINIA
 Capito McKinley Rahall

WISCONSIN
 Duffy Petri Ryan
 Kind Pocan Sensenbrenner
 Moore Ribble

WYOMING
 Lummis

□ 1224

The CLERK. Four hundred twenty-nine Representatives-elect have recorded their presence. A quorum is present.

ANNOUNCEMENT BY THE CLERK

The CLERK. Credentials, regular in form, have been received showing the election of:

The Honorable PEDRO R. PIERLUISI as Resident Commissioner from the Commonwealth of Puerto Rico for a term of 4 years beginning January 3, 2013;

The Honorable ELEANOR HOLMES NORTON as Delegate from the District of Columbia;

The Honorable MADELEINE Z. BORDALLO as Delegate from Guam;

The Honorable DONNA M. CHRISTENSEN as Delegate from the Virgin Islands;

The Honorable ENI F. H. FALEOMAVAEGA as Delegate from American Samoa; and

The Honorable GREGORIO SABLAN as Delegate from the Commonwealth of the Northern Mariana Islands.

The Clerk is in receipt of letters from the Honorable Jesse L. Jackson, Jr., of Illinois and the Honorable TIM SCOTT of South Carolina indicating that they will not serve in the House in the 113th Congress. Without objection, the letters will be placed in the RECORD.

DECEMBER 13, 2012.

DEAR MADAM CLERK, I am aware that you have received a certificate for my election as Representative of the Second Congressional District of the State of Illinois in the 113th Congress. This letter serves to notify you that I do not intend to serve in the 113th Congress.

Sincerely,

JESSE JACKSON, JR.

U.S. HOUSE OF REPRESENTATIVES,
 Washington, DC, December 30, 2012.
 HON. JOHN BOEHNER,
 Speaker, House of Representatives,
 Washington, DC.

DEAR SPEAKER BOEHNER, I am writing to inform you that I have notified the Governor of South Carolina of my resignation from the U.S. House of Representatives effective January 2, 2013. A copy of that letter is attached. I do not intend to take the office of Representative for the First Congressional District of South Carolina in the 113th Congress.

It has truly been an honor to serve the First District of South Carolina, and I look forward to continuing that service in my

new role as United States Senator. I have enjoyed working with you, Majority Leader Cantor, and all of our colleagues in the House, and wish you the best of luck in the future.

Sincerely,

TIM SCOTT,
 Member of Congress.

□ 1230

ELECTION OF SPEAKER

The CLERK. Pursuant to law and precedent, the next order of business is the election of the Speaker of the House of Representatives for the 113th Congress.

Nominations are now in order.

The Clerk recognizes the gentlewoman from Washington (Mrs. McMORRIS RODGERS).

Mrs. McMORRIS RODGERS. Madam Clerk, the 113th Congress gives us a chance to try once again to make a better America than the one we inherited from our parents—and from the 112 Congresses that came before us. That is the hope of every Member here, on both sides of the aisle: to restore this land of freedom and opportunity for our families and our children.

Our task is not an easy one. There are deep divisions, but there's one person I have turned to time and again to help point the way forward. He is one of 12 children born into a working-class family in Ohio, a man who waited tables, mopped floors, tended bar, and worked his way to a college degree at night school, a small businessman, and a proud family man.

Serving 22 years in Congress, he's been a committee chairman, conference chair, and Speaker. But he is, as he likes to say, just "a regular guy with a big job." He deeply respects this institution, the House of Representatives, and 2 years ago he strengthened committees, made operations transparent, and ended earmarks.

Today, our families need tax reform, immigration reform, and reforms to protect Social Security and Medicare. What does he advise? Don't kick the can down the road. This is our moment to set the country on a solid course and, most importantly, to do what is good and right for America. That is solid advice from a great man.

So it is with great optimism and hope for the great work that we can accomplish together that, as chair of the Republican Conference—on a unanimous vote of the conference—I present for election to the Office of the Speaker of the House of Representatives for the 113th Congress the name of the Honorable JOHN A. BOEHNER.

The CLERK. The Clerk now recognizes the gentleman from California (Mr. BECERRA).

Mr. BECERRA. Madam Clerk, this is the people's House, and every 2 years the populace of this country gives those duly-elected Representatives of

the people an opportunity to decide who will lead here in the Chamber of the people's House.

It is a solemn task. It is one that requires vision; it requires the ability to reach across the aisle; and it certainly requires someone who has deep principles. Someone who has shown the experience and has proven herself as a leader of the people and someone worthy to hold the gavel here in the people's House is the person I have the honor of putting forward today for Speaker of the House of Representatives.

I am tasked, as chairman of the Democratic Caucus, through the vote of that caucus, to present for election to the Office of Speaker of the House of Representatives to the 113th Congress the name of the Right Honorable NANCY PELOSI, a Representative for the people, duly elected from the State of California.

The CLERK. The names of the Honorable JOHN A. BOEHNER, a Representative-elect from the State of Ohio, and the Honorable NANCY PELOSI, a Representative-elect from the State of California, have been placed in nomination.

Are there further nominations?

There being no further nominations, the Clerk appoints the following tellers:

The gentlewoman from Michigan (Mrs. MILLER);

The gentleman from Pennsylvania (Mr. BRADY);

The gentlewoman from Ohio (Ms. KAPTUR); and

The gentlewoman from Florida (Ms. ROS-LEHTINEN).

The tellers will come forward and take their seats at the desk in front of the Speaker's rostrum.

The roll now will be called, and those responding to their names will indicate by surname the nominee of their choosing.

The Reading Clerk will now call the roll.

The tellers having taken their places, the House proceeded to vote for the Speaker.

The following is the result of the vote:

[Roll No. 2]
BOEHNER—220

Aderholt	Buchanan	Cotton
Alexander	Bucshon	Cramer
Amodei	Burgess	Crawford
Bachmann	Calvert	Crenshaw
Bachus	Camp	Culberson
Barletta	Campbell	Daines
Barr	Cantor	Davis, Rodney
Barton	Capito	Denham
Benishek	Carter	Dent
Bentivolio	Cassidy	DeSantis
Bilirakis	Chabot	DesJarlais
Bishop (UT)	Chaffetz	Diaz-Balart
Black	Coble	Duffy
Blackburn	Coffman	Duncan (SC)
Bonner	Cole	Duncan (TN)
Boustany	Collins (GA)	Ellmers
Brady (TX)	Collins (NY)	Emerson
Brooks (AL)	Conaway	Farenthold
Brooks (IN)	Cook	Fincher

Fitzpatrick	Lankford	Rohrabacher
Fleischmann	Latham	Rokita
Fleming	Latta	Rooney
Flores	LoBiondo	Ros-Lehtinen
Forbes	Long	Roskam
Fortenberry	Lucas	Ross
Fox	Luetkemeyer	Rothfus
Franks (AZ)	Lummis	Royce
Frelinghuysen	Marchant	Runyan
Gardner	Marino	Ryan (WI)
Garrett	McCarthy (CA)	Salmon
Gerlach	McCaul	Scalise
Gibbs	McClintock	Schock
Gibson	McHenry	Schweikert
Gingrey (GA)	McKeon	Scott, Austin
Goodlatte	McKinley	Sensenbrenner
Gosar	McMorris	Sessions
Gowdy	Rodgers	Shimkus
Granger	Meadows	Shuster
Graves (GA)	Meehan	Simpson
Graves (MO)	Messer	Smith (NE)
Griffin (AR)	Mica	Smith (NJ)
Griffith (VA)	Miller (FL)	Smith (TX)
Grimm	Miller (MI)	Southerland
Guthrie	Miller, Gary	Stewart
Hall	Mullin	Stivers
Hanna	Murphy (PA)	Stutzman
Harper	Neugebauer	Terry
Harris	Noem	Thompson (PA)
Hartzler	Nugent	Thornberry
Hastings (WA)	Nunes	Tiberi
Heck (NV)	Nunnelee	Tipton
Hensarling	Olson	Turner
Herrera Beutler	Palazzo	Upton
Holding	Paulsen	Valadao
Hudson	Perry	Wagner
Huizenga (MI)	Petri	Walberg
Hultgren	Pittenger	Walden
Hunter	Pitts	Walorski
Hurt	Poe (TX)	Weber (TX)
Issa	Pompeo	Webster (FL)
Jenkins	Posey	Wenstrup
Johnson (OH)	Price (GA)	Westmoreland
Johnson, Sam	Radel	Whitfield
Jordan	Reed	Williams
Joyce	Reichert	Wilson (SC)
Kelly	Renacci	Wittman
King (IA)	Ribble	Wolf
King (NY)	Rice (SC)	Womack
Kingston	Rigell	Woodall
Kinzinger (IL)	Roby	Yoder
Kline	Roe (TN)	Young (AK)
LaMalfa	Rogers (AL)	Young (FL)
Lamborn	Rogers (KY)	Young (IN)
Lance	Rogers (MI)	

PELOSI—192

Andrews	Davis, Danny	Holt
Barber	DeFazio	Honda
Bass	DeGette	Horsford
Beatty	Delaney	Hoyer
Becerra	DeLauro	Huffman
Bera	DelBene	Israel
Bishop (GA)	Deutch	Jackson Lee
Bishop (NY)	Dingell	Jeffries
Bonamici	Doggett	Johnson (GA)
Brady (PA)	Doyle	Johnson, E. B.
Braley (IA)	Duckworth	Kaptur
Brown (FL)	Edwards	Keating
Brownley (CA)	Ellison	Kennedy
Bustos	Engel	Kildee
Butterfield	Enyart	Kilmer
Capps	Eshoo	Kind
Capuano	Esty	Kirkpatrick
Cárdenas	Farr	Kuster
Carney	Fattah	Langevin
Carson (IN)	Foster	Larsen (WA)
Cartwright	Frankel (FL)	Larson (CT)
Castor (FL)	Fudge	Lee (CA)
Castro (TX)	Gabbard	Levin
Chu	Gallago	Loebuck
Cicilline	Garamendi	Lofgren
Clarke	Garcia	Lowenthal
Clay	Grayson	Lowey
Cleaver	Green, Al	Lujan Grisham
Clyburn	Green, Gene	(NM)
Cohen	Grijalva	Lujan, Ben Ray
Connolly	Gutierrez	(NM)
Conyers	Hahn	Lynch
Costa	Hanabusa	Maffei
Courtney	Hastings (FL)	Maloney,
Crowley	Heck (WA)	Carolyn
Cuellar	Higgins	Maloney, Sean
Cummings	Himes	Markey
Davis (CA)	Hinojosa	Matsui

McCarthy (NY)	Pingree (ME)	Sires
McCollum	Pocan	Slaughter
McDermott	Polis	Smith (WA)
McGovern	Price (NC)	Speier
McNerney	Quigley	Swalwell (CA)
Meeks	Rahall	Takano
Meng	Rangel	Thompson (CA)
Michaud	Richmond	Thompson (MS)
Miller, George	Ruiz	Tierney
Moore	Ruppersberger	Titus
Moran	Rush	Tonko
Murphy (FL)	Ryan (OH)	Tsongas
Nadler	Sánchez, Linda	Van Hollen
Napolitano	T.	Vargas
Neal	Sanchez, Loretta	Veasey
Negrete McLeod	Sarbanes	Vela
Nolan	Schakowsky	Velázquez
O'Rourke	Schiff	Visclosky
Owens	Schneider	Walz
Pallone	Schrader	Wasserman
Pascrell	Schwartz	Schultz
Pastor (AZ)	Scott (VA)	Waters
Payne	Scott, David	Watt
Pelosi	Serrano	Waxman
Perlmutter	Sewell (AL)	Welch
Peters (CA)	Shea-Porter	Wilson (FL)
Peters (MI)	Sherman	Yarmuth
Peterson	Sinema	

CANTOR—3

Bridenstine	Pearce	Yoho
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ALLEN WEST—2

Broun (GA)	Gohmert
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COOPER—2

Lipinski	McIntyre
----------	----------

LEWIS—1

Barrow

JORDAN—1

Huelskamp

COLIN POWELL—1

Cooper

LABRADOR—1

Amash

AMASH—1

Massie

DINGELL—1

Matheson

DAVID WALKER—1

Jones

PRESENT—1

Stockman

NOT VOTING—6

Blumenauer	Labrador	Mulvaney
Boehner	Lewis	Roybal-Allard

□ 1338

The CLERK. The tellers agree in their tallies that the total number of votes cast is 426, of which the Honorable JOHN A. BOEHNER of the State of Ohio has received 220 votes, and the Honorable NANCY PELOSI of the State of California has received 192 votes, the Honorable RAÚL LABRADOR of the State of Idaho has received 1, the Honorable JOHN LEWIS of the State of Georgia has received 1, the Honorable ERIC CANTOR of the State of Virginia has received 3, the Honorable ALLEN WEST has received 2, Colin Powell has received 1, the Honorable JIM JORDAN of the State of Ohio has received 1, David Walker has received 1, the Honorable JIM COOPER of the State of Tennessee has received 2, the Honorable JUSTIN AMASH of the State of Michigan has received 1, the Honorable JOHN DINGELL of the

State of Michigan has received 1, with 1 recorded as “present.”

Therefore, the Honorable JOHN A. BOEHNER of the State of Ohio, having received a majority of the votes cast, is duly elected Speaker of the House of Representatives for the 113th Congress.

The Clerk appoints the following committee to escort the Speaker-elect to the chair:

The gentleman from Virginia (Mr. CANTOR)

The gentlewoman from California (Ms. PELOSI)

The gentleman from California (Mr. MCCARTHY)

The gentleman from Maryland (Mr. HOYER)

The gentlewoman from Washington (Mrs. MCMORRIS RODGERS)

The gentleman from South Carolina (Mr. CLYBURN)

The gentleman from Oregon (Mr. WALDEN)

The gentleman from California (Mr. BECERRA)

The gentleman from Oklahoma (Mr. LANKFORD)

The gentleman from New York (Mr. CROWLEY)

The gentlewoman from Kansas (Ms. JENKINS)

The gentleman from New York (Mr. ISRAEL)

The gentlewoman from North Carolina (Ms. FOXX)

The gentlewoman from Connecticut (Ms. DELAURO)

The gentlewoman from Missouri (Mrs. WAGNER)

The gentleman from New Jersey (Mr. ANDREWS)

The gentleman from Texas (Mr. SESSIONS)

The gentleman from Maryland (Mr. VAN HOLLEN)

The gentleman from Illinois (Mr. ROSKAM)

The gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM)

And the Members of the Ohio delegation:

Ms. KAPTUR

Mr. TIBERI

Mr. RYAN

Mr. TURNER

Mr. LATTA

Mr. JORDAN

Ms. FUDGE

Mr. CHABOT

Mr. GIBBS

Mr. JOHNSON

Mr. RENACCI

Mr. STIVERS

Mrs. BEATTY

Mr. JOYCE, and

Mr. WENSTRUP

The committee will retire from the Chamber to escort the Speaker-elect to the chair.

The Sergeant at Arms announced the Speaker-elect of the House of Representatives of the 113th Congress, who was escorted to the chair by the Committee of Escort.

Ms. PELOSI. To my fellow Members of the House of Representatives, it is a high honor to welcome you to the 113th Congress.

To our newest Members of Congress, it is a special privilege and honor to welcome you and your families and extend congratulations to the newest Members of Congress. Welcome.

To reach this day, each of us has been strengthened by our faith and our families. With a full and grateful heart, I want to thank my family: my husband of 49 years, Paul Pelosi; our children, Nancy Corinne, Christine, Jacqueline, Paul, and Alexandra; and our grandchildren who are represented here today by our granddaughter, Madeline. And I have to include the D'Alesandro family of Baltimore in that gratitude, as well.

I must thank my constituents in San Francisco for giving me the privilege of representing that beautiful and diverse city in the Congress of the United States.

Each of us here today is truly a representative, a representative in the truest sense of the word: to represent the highest hopes and aspirations of the American people.

On New Year's Eve, some of you, a large number of Members of Congress, joined hundreds of people at the National Archives building where we observed, at midnight, the 150th anniversary of the signing of the Emancipation Proclamation.

At midnight, there was an enactment of Harriet Tubman ringing the bell. And as she rang the bell, she said, “Now we are free.” It was quite an incredible moment, and it was one that ushered in what President Lincoln would call a “new birth of freedom” for his era and for generations to come.

That transformative moment in our history is a reminder of the best traditions we have as a people: the ability and obligation of each generation of Americans to renew the promise of our Founders and to carry forward the torch of progress to reignite the American Dream.

This is who we are as Americans. This is the character of our country. This is the strength of our democracy. The strength of our democracy rests in a strong and thriving middle class, the backbone of our democracy that middle class is, so we have a moral imperative to invest in good-paying jobs here at home and in the prosperity of our people as we build our infrastructure and we reduce the deficit.

We must ensure that innovation rests at the heart of our success, that we remain first in science, technology, engineering and energy, and that we educate and prepare our young people for the opportunities of tomorrow. And when we make it in America, all of America's families can make it in America.

The strength of our democracy also demands that we restore the confidence

of the American people in our political process. We must empower the voters, and we must remove obstacles of participation in our democracy for all Americans. We must increase the level of civility and reduce the role of money in our elections. When we do, we will elect more women, more minorities, and more young people to public office. And that's a good thing.

The American people are what make our country great. By and large, the United States is a Nation of immigrants, built, enriched, and strengthened by men, women, and children who share our patriotism and seek the American Dream. The strength of our democracy will be advanced by bold actions for comprehensive immigration reform.

Today, we take an oath to protect and defend our Constitution, our people, and our freedom. To protect and defend, that is our first responsibility. And our democracy requires that we each uphold the duty of keeping Americans safe in their homes, in their schools, and in their neighborhoods.

As we mourn the families of Newtown, we know that ensuring the safety of all Americans will be a truly meaningful tribute to the children and teachers of Sandy Hook Elementary School. For the strength of our democracy and for the sake of our children, let us work together to protect and defend all of our people.

In the same year that President Lincoln issued the Emancipation Proclamation, the Statue of Freedom was unveiled atop the Capitol Dome. And that dome continues to be a beacon of freedom to the world and a source of inspiration for all who have had the honor to serve in Congress.

As we take our oath of office today, let us renew the promise of freedom. Let us work in friendship and partnership to live up to the legacy of our Founders and the aspirations of our constituents. Let us renew the strength of our democracy by reigniting the American Dream.

As we celebrate this moment, let us honor and thank those Americans who protect our democracy and secure our freedom: our veterans, our men and women in uniform and their families wherever they go. God bless them. God bless America. Thank you all.

Now the House will continue to be led by a proud son of Ohio, a man of conviction and a public servant of resolve. Speaker BOEHNER is a leader who has earned the confidence of his colleagues and the respect of his colleagues on both sides of the aisle.

He is a man of faith: faith in God, faith in our country, and faith in his family. And as we congratulate him, we also congratulate and thank his wife, Debbie, and their two daughters, Lindsay and Trisha, and the entire Boehner family.

Speaker BOEHNER, I know all too well that we will not always agree, but I

hope with all my heart that we will find common ground that is a higher, better place for our country.

□ 1400

Surely we can be touched by the better angels of our nature. Surely we can be touched by the better angels of our nature. So beautifully expressed by President Lincoln.

This is the people's House; this is the people's gavel. It represents a sacred trust. May we all fulfill that trust and make real the ideals of democratic government.

With respect for our Constitution, with faith in the American people, with hope for the future of our country, I present the people's gavel to the Speaker of the House, JOHN BOEHNER.

May God bless you.

May God bless you, Speaker BOEHNER. May God bless this Congress. May God always bless the United States of America.

My colleagues, the Speaker of the House, JOHN BOEHNER.

Mr. BOEHNER. Leader PELOSI, thank you for your kind words.

Members of the House, the Senate, my wife Debbie, who is with us today—thankfully the girls are working—and all of you and our fellow countrymen, we meet again at democracy's great port of call.

Every 2 years, at this hour, the Constitution brings a new order to this House, and it's an interlude for reflection, a glimpse of old truths. To our new Members and their families, let me just say "welcome."

I know you're feeling a bit awestruck at this moment. History runs through this building. Now you're among a select few to share in this privilege. For those of you who are returning, who've walked these aisles before, maybe it's time we get a little awestruck again.

The way our Founders envisioned it, the Republic would be led by citizens who recognize the blessings that we receive by governing ourselves, and it requires that we give something of ourselves. Everything depended on this. So they made each other and their successors swear an oath of allegiance.

In a few moments, I'll take this oath for the 12th time as the representative from the Eighth District of Ohio. It is word for word the same oath that we all take. Note that it makes no mention of party or faction or title. It contains no reference to agendas or to platforms, only to the Constitution. The one addition we dare make, as George Washington did at the very first inaugural, is to invoke the assistance of our Heavenly Father.

This covenant makes us servants of posterity. It calls us to refuse the pull of passing interest and follow the fixed star of a more perfect union. Put simply, we're sent here not to be something, but to do something. Or as I like to call it, "doing the right thing."

It's a big job, and it comes with big challenges. Our government has built up too much debt. Our economy is not producing enough jobs. And these are not separate problems. At \$16 trillion and rising, our national debt is draining free enterprise and weakening the ship of state. The American Dream is in peril so long as its namesake is weighed down by this anchor of debt. Break its hold, and we begin to set our economy free, jobs will come home, and confidence will come back. We do this not just to boost GDP or reduce unemployment, but to secure for our children a future of freedom and opportunity, and, frankly, nothing is more important.

As Washington wrote in his farewell address, "We should not throw upon posterity the burden which we ourselves ought to bear." Well, that burden is ours, and so is the opportunity.

There's no substitute for the wisdom of the people. We here are their servants. As Speaker, I pledge to listen and to do all I can to help all of you carry out your oath of office that we're all about to take. Because in our hearts we know it's wrong to pass this debt on to our kids and our grandkids. Now, we have to be willing, truly willing to make this problem right.

Public service was never meant to be an easy living. Extraordinary challenges demand extraordinary leadership. So if you've come here to see your name in the lights or to pass off a political victory as some accomplishment, you've come to the wrong place. The door is right behind you. If you come here humbled by the opportunity to serve, if you've come here to be the determined voice of the people, if you've come here to carry the standard of leadership demanded not by our constituents but by the times, then you've come to the right place.

There is a time for every purpose under Heaven. For the 113th Congress, it is a time to rise. When the day is over and the verdict is read, maybe it's said that we well and faithfully did our duty to ensure that freedom will endure and prevail, so help us God.

I am now ready to take the oath of office.

I ask the Dean of the House of Representatives, the Honorable JOHN D. DINGELL of Michigan, to administer the oath of office.

Mr. DINGELL then administered the oath of office to Mr. BOEHNER of Ohio, as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

(Applause, the Members rising.)

Mr. DINGELL. Congratulations, Mr. Speaker.

□ 1410

SWEARING IN OF MEMBERS

The SPEAKER. According to precedent, the Chair will swear in the Members-elect en masse.

The Members-elect will rise and raise their right hands.

The Members-elect rose, and the Speaker administered the oath of office to them as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, you are now Members of the 113th Congress.

MAJORITY LEADER

Mrs. McMORRIS RODGERS. Mr. Speaker, as chair of the Republican Conference, I am directed by that conference to notify the House officially that the Republican Members have selected as majority leader the gentleman from Virginia, the Honorable ERIC CANTOR.

MINORITY LEADER

Mr. BECERRA. Mr. Speaker, as chairman of the Democratic Caucus, I have been directed to report to the House that the Democratic Members have selected as minority leader the gentlewoman from California, the Honorable NANCY PELOSI.

MAJORITY WHIP

Mrs. McMORRIS RODGERS. Mr. Speaker, as chair of the Republican Conference, I am directed by that conference to notify the House officially that the Republican Members have selected as majority whip the gentleman from California, the Honorable KEVIN MCCARTHY.

MINORITY WHIP AND ASSISTANT DEMOCRATIC LEADER

Mr. BECERRA. Mr. Speaker, as chairman of the Democratic Caucus, I have been directed to report to the House that the Democratic Members have selected as minority whip the gentleman from Maryland, the Honorable STENY HOYER, and as assistant Democratic leader, the gentleman from South Carolina, the Honorable JAMES CLYBURN.

ELECTING OFFICERS OF THE HOUSE OF REPRESENTATIVES

Mrs. McMORRIS RODGERS. Mr. Speaker, I offer a privileged resolution

and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1

Resolved That Karen L. Haas of the State of Maryland; be, and is hereby, chosen Clerk of the House of Representatives;

That Paul D. Irving of the State of Florida be, and is hereby, chosen Sergeant at Arms of the House of Representatives;

That Daniel J. Strodel of the District of Columbia be, and is hereby, chosen Chief administrative Officer of the House of Representatives; and

That Father Patrick J. Conroy of the State of Oregon, be, and is hereby, chosen Chaplain of the House of Representatives.

Mrs. McMORRIS RODGERS. Mr. Speaker, I yield to the gentleman from California (Mr. BECERRA) for the purpose of offering an amendment.

Mr. BECERRA. I thank the gentleman for yielding.

Mr. Speaker, I have an amendment to the resolution, but before offering the amendment, I request that there be a division of the question on the resolution so that we may have a separate vote on the Chaplain.

The SPEAKER. The question will be divided.

The question is on agreeing to that portion of the resolution providing for the election of the Chaplain.

That portion of the resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDMENT OFFERED BY MR. BECERRA

Mr. BECERRA. Mr. Speaker, I offer an amendment to the remainder of the resolution.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BECERRA:

That Catlin W. O'Neill of the District of Columbia be, and is hereby, chosen Clerk of the House of Representatives;

That Diane Dewhirst of the District of Columbia be, and is hereby, chosen Sergeant at Arms of the House of Representatives; and

That Richard Meltzer of the State of Illinois be, and is hereby, chosen Chief Administrative Officer of the House of Representatives.

The SPEAKER. The question is on the amendment offered by the gentleman from California.

The amendment was rejected.

The SPEAKER. The question is on the remainder of the resolution offered by the gentleman from Washington.

The remainder of the resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair will now swear in the officers of the House.

The officers presented themselves in the well of the House and took the oath of office as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, for-

eign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations.

TO INFORM THE SENATE THAT A QUORUM OF THE HOUSE HAS ASSEMBLED AND OF THE ELECTION OF THE SPEAKER AND THE CLERK

Mr. CANTOR. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 2

Resolved, That the Senate be informed that a quorum of the House of Representatives has assembled; that John A. Boehner, a Representative from the State of Ohio, has been elected Speaker; and that Karen L. Haas, a citizen of the State of Maryland, has been elected Clerk of the House of Representatives of the One Hundred Thirteenth Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE SPEAKER TO APPOINT A COMMITTEE TO NOTIFY THE PRESIDENT OF THE ASSEMBLY OF THE CONGRESS

Mr. CANTOR. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 3

Resolved, That a committee of two Members be appointed by the Speaker on the part of the House of Representatives to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House has assembled and Congress is ready to receive any communication that he may be pleased to make.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1420

AUTHORIZING THE CLERK TO INFORM THE PRESIDENT OF THE ELECTION OF THE SPEAKER AND THE CLERK

Mr. DINGELL. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 4

Resolved, That the Clerk be instructed to inform the President of the United States that the House of Representatives has elected John A. Boehner, a Representative from the State of Ohio as Speaker, and Karen L. Haas, a citizen of the State of Maryland as Clerk, of the House of Representatives of the One Hundred Thirteenth Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RULES OF THE HOUSE

Mr. CANTOR. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 5

Resolved, That the Rules of the House of Representatives of the One Hundred Twelfth Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Twelfth Congress, are adopted as the Rules of the House of Representatives of the One Hundred Thirteenth Congress, with amendments to the standing rules as provided in section 2, and with other orders as provided in sections 3, 4, and 5.

SEC. 2. CHANGES TO THE STANDING RULES.

(a) COMMITTEE ACTIVITY REPORTS.—In clause 1(d) of rule XI—

(1) in subparagraph (1), strike “the 30th day after June 1 and December 1” and insert “January 2 of each year” and strike “semi-annual”;

(2) in subparagraph (2)(B), insert “in each Congress” after “first such report”; and

(3) in subparagraph (3), strike “second or fourth semiannual”.

(b) VOTING.—

(1) In clause 6 of rule XVIII—

(A) in subparagraph (b)(3), strike “five minutes” and insert “not less than two minutes”; and

(B) amend paragraph (g) to read as follows: “(g) The Chair may postpone a request for a recorded vote on any amendment. The Chair may resume proceedings on a postponed request at any time. The Chair may reduce to not less than two minutes the minimum time for electronic voting—

“(1) on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes; or

“(2) on any postponed question taken without intervening debate or motion after the Committee of the Whole resumes its sitting if in the discretion of the Chair Members would be afforded an adequate opportunity to vote.”.

(2) In rule XX—

(A) amend clause 8(c) to read as follows:

“(c) The Speaker may reduce to five minutes the minimum time for electronic voting on a question postponed under this clause, or on a question incidental thereto, that—

“(1) follows another electronic vote without intervening business, so long as the minimum time for electronic voting on the first in any series of questions is 15 minutes; or

“(2) follows a report from the Committee of the Whole without intervening debate or motion if in the discretion of the Speaker Members would be afforded an adequate opportunity to vote.”; and

(B) amend clause 9 to read as follows:

“9. The Speaker may reduce to five minutes the minimum time for electronic voting—

“(a) on any question arising without intervening business after an electronic vote on another question if notice of possible five-minute voting for a given series of votes was issued before the preceding electronic vote;

“(b) on any question arising after a report from the Committee of the Whole without debate or intervening motion; or

“(c) on the question of adoption of a motion to recommit (or ordering the previous question thereon) arising without intervening motion or debate other than debate on the motion.”.

(c) **CLARIFICATIONS IN RULE X.**—In clause 1 of rule X—

(1) in paragraph (j)(2), strike “Organization and administration” and insert “Organization, administration, and general management”; and

(2) in paragraph (m)(9), strike “Insular possessions” and insert “Insular areas”.

(d) **MODIFICATION OF THE RAMSEYER RULE.**—In clause 3(e)(1)(B) of rule XIII, insert “and adjacent provisions if useful to enable the intent and effect of the amendment to be clearly understood,” before “showing”.

(e) **CHANGES TO THE CODE OF CONDUCT AND THE COMMITTEE ON ETHICS.**—

(1) In clause 3(b)(8) of rule XI—

(A) amend subdivision (A)(ii) to read as follows:

“(i) upon the day of such decision or vote, make a public statement that the matter, relating to the referral made by the board of the Office of Congressional Ethics regarding the Member, officer, or employee of the House who is the subject of the applicable referral, has been extended.”; and

(B) in subdivision (B)(ii)—

(i) strike “the committee votes to extend the matter” and insert “the matter is extended”; and

(ii) strike “the committee has voted to extend the matter” and insert “the matter has been extended”.

(2) In clause 8(c) of rule XXIII—

(A) strike “spouse” in each place it appears and insert (in each instance) “relative”;

(B) in subparagraph (2), strike “One Hundred Seventh Congress” and insert “One Hundred Thirteenth Congress”; and

(C) add the following new subparagraph:

“(3) As used in this paragraph, the term ‘relative’ means an individual who is related to the Member, Delegate, or Resident Commissioner as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, grandson, or granddaughter.”.

(3) In clause 13 of rule XXIII, strike “Copies of the executed oath (or affirmation) shall be retained by the Clerk as part of the records of the House.” and insert “Copies of the executed oath (or affirmation) shall be retained as part of the records of the House, in the case of a Member, Delegate, or the Resident Commissioner, by the Clerk, and in the case of an officer or employee of the House, by the Sergeant-at-Arms.”.

(4) In clause 15 of rule XXIII—

(A) in paragraph (a), strike “paragraph (b)” and insert “paragraphs (b) and (c)”;

(B) in paragraph (b)—

(i) amend subparagraph (3) to read as follows:

“(3) the flight consists of the personal use of an aircraft by a Member, Delegate, or the Resident Commissioner that is supplied by—

“(A) an individual on the basis of personal friendship; or

“(B) another Member, Delegate, or the Resident Commissioner.”;

(ii) in subparagraph (4), strike the period and insert “; or”; and

(iii) add the following:

“(5) the owner or operator of the aircraft is paid a pro rata share of the fair market

value of the normal and usual charter fare or rental charge for a comparable plane of comparable size as determined by dividing such cost by the number of Members, Delegates, or the Resident Commissioner, officers, or employees of Congress on the flight.”; and

(C) redesignate paragraph (c) as paragraph (d) and insert after paragraph (b) the following new paragraph:

“(c) An advance written request for a waiver of the restriction in paragraph (a) may be granted jointly by the chair and ranking minority member of the Committee on Ethics, subject to such conditions as they may prescribe.”.

(f) **TECHNICAL AND CLARIFYING CHANGES.**—

(1) In clause 12(b)(2) of rule I, strike “Chair of the Committee of the Whole” and insert “chair of the Committee of the Whole”.

(2) In clause 6(c)(4) of rule II, before “the Committee on House Administration” insert “the Committee on Appropriations and”.

(3) In rule V—

(A) in clause 1, strike “telecommunications” each place it appears and insert (in each instance) “communications”; and

(B) in clause 2(a), strike “recording of the proceedings” and insert “recording of the floor proceedings”; and

(C) in clause 2(c)(1), strike “political purpose” and insert “partisan political campaign purpose”.

(4) In clause 2(b) of rule XI, strike “unless otherwise provided by written rule adopted by the committee” and insert “if notice is given pursuant to paragraph (g)(3)”.

(5) In clause 2(c)(2) of rule XI, before the last sentence, insert “Such notice shall also be made publicly available in electronic form and shall be deemed to satisfy paragraph (g)(3)(A)(ii).”.

(6) In clause 2(e)(1)(A)(ii) of rule XI, strike “record vote is demanded” and insert “record vote is taken”.

(7) In clause 2(e)(2)(A) of rule XI, strike “all committee hearings, records, data, charts, and files” and insert “all committee records (including hearings, data, charts, and files)”.

(8) In clause 2(1) of rule XI—

(A) strike “that member shall be entitled” and insert “all members shall be entitled”; and

(B) strike “to file such views, in writing and signed by that member,” and insert “to file such written and signed views”.

(9) In clause 3(h) of rule XI—

(A) strike “(h)(1)” and insert “(h)”; and

(B) redesignate subdivisions (A) and (B) as subparagraphs (1) and (2), respectively.

(10) In clause 6(g) of rule XIII, strike “it shall (to the maximum extent possible) specify in the resolution the object of” and insert “it shall to the maximum extent possible specify in the accompanying report”.

(11) In clause 2 of rule XV, strike “standing” each place it appears.

(12) In clause 6 of rule XV, add the following new paragraph:

“(d) Precedents, rulings, or procedures in effect before the One Hundred Eleventh Congress regarding the priority of business and the availability of other business on Wednesday shall be applied only to the extent consistent with this clause.”.

(13) In clause 5(c)(3)(B) of rule XX, after “Minority Leader” each place it appears insert (in each instance) “(or their respective designees)”.

(14) In clause 8(a)(1) of rule XXII—

(A) in subdivision (A), after “in the Congressional Record” insert “or pursuant to clause 3 of rule XXIX”; and

(B) in subdivision (B), before “copies” insert “printed or electronic”.

(15) In clause 2 of rule XXIV, strike “Clerk” and insert “Chief Administrative Officer”.

(16) In clause 1 of rule XXVI, strike the second sentence.

SEC. 3. SEPARATE ORDERS.

(a) **INDEPENDENT PAYMENT ADVISORY BOARD.**—Section 1899A(d) of the Social Security Act shall not apply in the One Hundred Thirteenth Congress.

(b) **BUDGET MATTERS.**—

(1) During the One Hundred Thirteenth Congress, references in section 306 of the Congressional Budget Act of 1974 to a resolution shall be construed in the House of Representatives as references to a joint resolution.

(2) During the One Hundred Thirteenth Congress, in the case of a reported bill or joint resolution considered pursuant to a special order of business, a point of order under section 303 of the Congressional Budget Act of 1974 shall be determined on the basis of the text made in order as an original bill or joint resolution for the purpose of amendment or to the text on which the previous question is ordered directly to passage, as the case may be.

(3) During the One Hundred Thirteenth Congress, a provision in a bill or joint resolution, or in an amendment thereto or a conference report thereon, that establishes prospectively for a Federal office or position a specified or minimum level of compensation to be funded by annual discretionary appropriations shall not be considered as providing new entitlement authority within the meaning of the Congressional Budget Act of 1974.

(4)(A) During the One Hundred Thirteenth Congress, except as provided in subparagraph (C), a motion that the Committee of the Whole rise and report a bill to the House shall not be in order if the bill, as amended, exceeds an applicable allocation of new budget authority under section 302(b) of the Congressional Budget Act of 1974, as estimated by the Committee on the Budget.

(B) If a point of order under subparagraph (A) is sustained, the Chair shall put the question: “Shall the Committee of the Whole rise and report the bill to the House with such amendments as may have been adopted notwithstanding that the bill exceeds its allocation of new budget authority under section 302(b) of the Congressional Budget Act of 1974?”. Such question shall be debatable for 10 minutes equally divided and controlled by a proponent of the question and an opponent but shall be decided without intervening motion.

(C) Subparagraph (A) shall not apply—

(i) to a motion offered under clause 2(d) of rule XXI; or

(ii) after disposition of a question under subparagraph (B) on a given bill.

(D) If a question under subparagraph (B) is decided in the negative, no further amendment shall be in order except—

(i) one proper amendment, which shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole; and

(ii) pro forma amendments, if offered by the chair or ranking minority member of the Committee on Appropriations or their designees, for the purpose of debate.

(5) During the first session of the One Hundred Thirteenth Congress, pending the adoption of a concurrent resolution on the budget for fiscal year 2014, the provisions of House

Concurrent Resolution 112, One Hundred Twelfth Congress, as adopted by the House, shall have force and effect in the House as though Congress has adopted such concurrent resolution, and the allocations of spending authority printed in tables 11 and 12 of House Report 112-421 (One Hundred Twelfth Congress) shall be considered for all purposes in the House to be the allocations under section 302(a) of the Congressional Budget Act of 1974.

(c) **DETERMINATIONS FOR PAYGO ACTS.**—In determining the budgetary effects of any legislation for the purposes of complying with the Statutory Pay-As-You-Go Act of 2010 (including the required designation in PAYGO Acts), the chair of the Committee on the Budget may make adjustments to take into account the exemptions and adjustments set forth in section 503(b)(1) of House Concurrent Resolution 112, One Hundred Twelfth Congress.

(d) **SPENDING REDUCTION AMENDMENTS IN APPROPRIATIONS BILLS.**—

(1) During the reading of a general appropriation bill for amendment in the Committee of the Whole House on the state of the Union, it shall be in order to consider en bloc amendments proposing only to transfer appropriations from an object or objects in the bill to a spending reduction account. When considered en bloc under this paragraph, such amendments may amend portions of the bill not yet read for amendment (following disposition of any points of order against such portions) and are not subject to a demand for division of the question in the House or in the Committee of the Whole.

(2) Except as provided in paragraph (1), it shall not be in order to consider an amendment to a spending reduction account in the House or in the Committee of the Whole House on the state of the Union.

(3) It shall not be in order to consider an amendment to a general appropriation bill proposing a net increase in budget authority in the bill (unless considered en bloc with another amendment or amendments proposing an equal or greater decrease in such budget authority pursuant to clause 2(f) of rule XXI).

(4) A point of order under clause 2(b) of rule XXI shall not apply to a spending reduction account.

(5) A general appropriation bill may not be considered in the Committee of the Whole House on the state of the Union unless it includes a spending reduction account as the last section of the bill. An order to report a general appropriation bill to the House shall constitute authority for the chair of the Committee on Appropriations to add such a section to the bill or modify the figure contained therein.

(6) For purposes of this subsection, the term “spending reduction account” means an account in a general appropriation bill that bears that caption and contains only a recitation of the amount by which an applicable allocation of new budget authority under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of new budget authority proposed by the bill.

(e) **ESTIMATES OF DIRECT SPENDING.**—

(1) It shall not be in order to consider any concurrent resolution on the budget, or amendment thereto or conference report thereon, unless it contains a separate heading entitled “Direct Spending”, which shall include a category for “Means-Tested Direct Spending” and a category for “Nonmeans-Tested Direct Spending” and sets forth—

(A) the average rate of growth for each category in the total amount of outlays during the 10-year period preceding the budget year;

(B) estimates for each such category under current law for the period covered by the concurrent resolution; and

(C) information on proposed reforms in such categories.

(2) Before the consideration of a concurrent resolution on the budget by the Committee on the Budget for a fiscal year, the chair of the Committee on the Budget shall submit for printing in the Congressional Record a description of programs which shall be considered means-tested direct spending and nonmeans-tested direct spending for purposes of this subsection.

(f) **CERTAIN SUBCOMMITTEES.**—Notwithstanding clause 5(d) of rule X, during the One Hundred Thirteenth Congress—

(1) the Committee on Armed Services may have not more than seven subcommittees;

(2) the Committee on Foreign Affairs may have not more than seven subcommittees; and

(3) the Committee on Transportation and Infrastructure may have not more than six subcommittees.

(g) **EXERCISE FACILITIES FOR FORMER MEMBERS.**—During the One Hundred Thirteenth Congress—

(1) The House of Representatives may not provide access to any exercise facility which is made available exclusively to Members and former Members, officers and former officers of the House of Representatives, and their spouses to any former Member, former officer, or spouse who is a lobbyist registered under the Lobbying Disclosure Act of 1995 or any successor statute or agent of a foreign principal as defined in clause 5 of rule XXV. For purposes of this section, the term “Member” includes a Delegate or Resident Commissioner to the Congress.

(2) The Committee on House Administration shall promulgate regulations to carry out this subsection.

(h) **NUMBERING OF BILLS.**—In the One Hundred Thirteenth Congress, the first 10 numbers for bills (H.R. 1 through H.R. 10) shall be reserved for assignment by the Speaker and the second 10 numbers for bills (H.R. 11 through H.R. 20) shall be reserved for assignment by the Minority Leader.

(i) **INCLUSION OF UNITED STATES CODE CITATIONS.**—To the maximum extent practicable and consistent with established drafting conventions, an instruction in a bill or joint resolution proposing to repeal or amend any law or part thereof not contained in a codified title of the United States Code shall include, if available, the applicable United States Code citation in parenthesis immediately following the designation of the matter proposed to be repealed or amended.

(j) **DUPLICATION OF FEDERAL PROGRAMS.**—

(1) The chair of a committee may request that the General Accountability Office perform a duplication analysis of any bill or joint resolution referred to that committee. Any such analysis shall assess whether, and the extent to which, the bill or joint resolution creates a new Federal program, office, or initiative that duplicates or overlaps with any existing Federal program, office, or initiative.

(2) The report of a committee on a bill or joint resolution shall include a statement, as though under clause 3(c) of rule XIII, indicating whether any provision of the measure establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program. The statement shall at a minimum explain whether—

(A) any such program was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139; or

(B) the most recent Catalog of Federal Domestic Assistance, published pursuant to the Federal Program Information Act (Public Law 95-220, as amended by Public Law 98-169), identified other programs related to the program established or reauthorized by the measure.

(k) **DISCLOSURE OF DIRECTED RULE MAKINGS.**—

(1) The report of a committee on a bill or joint resolution shall include a statement, as though under clause 3(c) of rule XIII, estimating the number of directed rule makings required by the measure.

(2) For purposes of this subparagraph, the term “directed rule making” means a specific rule making within the meaning of section 551 of title 5, United States Code, specifically directed to be completed by a provision in the measure, but does not include a grant of discretionary rule making authority.

SEC. 4. COMMITTEES, COMMISSIONS, AND HOUSE OFFICES.

(a) **LITIGATION MATTERS.**—

(1) **CONTINUING AUTHORITY FOR THE BIPARTISAN LEGAL ADVISORY GROUP.**—

(A) The House authorizes the Bipartisan Legal Advisory Group of the One Hundred Thirteenth Congress—

(i) to act as successor in interest to the Bipartisan Legal Advisory Group of the One Hundred Twelfth Congress with respect to civil actions in which it intervened in the One Hundred Twelfth Congress to defend the constitutionality of section 3 of the Defense of Marriage Act (1 U.S.C. 7) or related provisions of titles 10, 31, and 38, United States Code, including in the case of *Windsor v. United States*, 833 F. Supp.2d 394 (S.D.N.Y. June 6, 2012), aff’d, 699 F.3d 169 (2d Cir. Oct. 18, 2012), cert. granted, No. 12-307 (Dec. 7, 2012), cert. pending No. 12-63 (July 16, 2012) and 12-785 (Dec. 28, 2012);

(ii) to take such steps as may be appropriate to ensure continuation of such civil actions; and

(iii) to intervene in other cases that involve a challenge to the constitutionality of section 3 of the Defense of Marriage Act or related provisions of titles 10, 31, and 38, United States Code.

(B) Pursuant to clause 8 of rule II, the Bipartisan Legal Advisory Group continues to speak for, and articulate the institutional position of, the House in all litigation matters in which it appears, including in *Windsor v. United States*.

(2) **CONTINUING AUTHORITIES FOR THE COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM AND THE OFFICE OF GENERAL COUNSEL.**—

(A) The House authorizes—

(i) the Committee on Oversight and Government Reform of the One Hundred Thirteenth Congress to act as the successor in interest to the Committee on Oversight and Government Reform of the One Hundred Twelfth Congress with respect to the civil action Committee on Oversight and Government Reform, *United States House of Representatives v. Eric H. Holder, Jr.*, in his official capacity as Attorney General of the United States, filed by the Committee on Oversight and Government Reform in the One Hundred Twelfth Congress pursuant to House Resolution 706; and

(ii) the chair of the Committee on Oversight and Government Reform (when elected), on behalf of the Committee on Oversight and Government Reform, and the Office of General Counsel to take such steps as may be appropriate to ensure continuation of such civil action, including amending the complaint as circumstances may warrant.

(B) The House authorizes the chair of the Committee on Oversight and Government Reform (when elected), on behalf of the Committee on Oversight and Government Reform and until such committee has adopted rules pursuant to clause 2(a) of rule XI, to issue subpoenas related to the investigation into the United States Department of Justice operation known as "Fast and Furious" and related matters.

(C) The House authorizes the chair of the Committee on Oversight and Government Reform (when elected), on behalf of the Committee on Oversight and Government Reform, and the Office of General Counsel to petition to join as a party to the civil action referenced in paragraph (1) any individual subpoenaed by the Committee on Oversight and Government Reform of the One Hundred Twelfth Congress as part of its investigation into the United States Department of Justice operation known as "Fast and Furious" and related matters who failed to comply with such subpoena, or any successor to such individual.

(D) The House authorizes the chair of the Committee on Oversight and Government Reform (when elected), on behalf of the Committee on Oversight and Government Reform, and the Office of General Counsel, at the authorization of the Speaker after consultation with the Bipartisan Legal Advisory Group, to initiate judicial proceedings concerning the enforcement of subpoenas issued to such individuals.

(b) **HOUSE DEMOCRACY PARTNERSHIP.**—House Resolution 24, One Hundred Tenth Congress, shall apply in the One Hundred Thirteenth Congress in the same manner as such resolution applied in the One Hundred Tenth Congress except that the commission concerned shall be known as the House Democracy Partnership.

(c) **TOM LANTOS HUMAN RIGHTS COMMISSION.**—Sections 1 through 7 of House Resolution 1451, One Hundred Tenth Congress, shall apply in the One Hundred Thirteenth Congress in the same manner as such provisions applied in the One Hundred Tenth Congress, except that—

(1) the Tom Lantos Human Rights Commission may, in addition to collaborating closely with other professional staff members of the Committee on Foreign Affairs, collaborate closely with professional staff members of other relevant committees; and

(2) the resources of the Committee on Foreign Affairs which the Commission may use shall include all resources which the Committee is authorized to obtain from other offices of the House of Representatives.

(d) **OFFICE OF CONGRESSIONAL ETHICS.**—Section 1 of House Resolution 895, One Hundred Tenth Congress, shall apply in the One Hundred Thirteenth Congress in the same manner as such provision applied in the One Hundred Tenth Congress, except that—

(1) the Office of Congressional Ethics shall be treated as a standing committee of the House for purposes of section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i));

(2) references to the Committee on Standards of Official Conduct shall be construed as references to the Committee on Ethics;

(3) the second sentence of section 1(b)(6)(A) shall not apply; and

(4) members subject to section 1(b)(6)(B) may be reappointed for a second additional term.

(e) **EMPANELING INVESTIGATIVE SUBCOMMITTEE OF THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT.**—The text of House Resolution 451, One Hundred Tenth Congress,

shall apply in the One Hundred Thirteenth Congress in the same manner as such provision applied in the One Hundred Tenth Congress.

SEC. 5. ADDITIONAL ORDERS OF BUSINESS.

(a) **READING OF THE CONSTITUTION.**—The Speaker may recognize a Member for the Reading of the Constitution on any legislative day through January 15, 2013.

(b) **MOTIONS TO SUSPEND THE RULES.**—It shall be in order at any time on the legislative day of January 4, 2013, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1 of rule XV, relating to a measure addressing flood insurance.

Mr. CANTOR (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore (Mr. TIBERI). Is there objection to the request of the gentleman from Virginia?

There was no objection.

MOTION TO REFER

Ms. NORTON. Mr. Speaker, I rise to offer a motion that is at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Ms. Norton moves to refer the resolution to a select committee of five members, to be appointed by the Speaker, not more than three of whom shall be from the same political party, with instructions not to report back the same until it has conducted a full and complete study of, and made a determination on, whether there is any reason to deny Delegates voting rights in the Committee of the Whole House on the state of the Union in light of the decision of the United States Court of Appeals for the District of Columbia in *Michel v. Anderson* (14 F.3d 623 (D.C. Cir. 1994)) upholding the constitutionality of these voting rights, and the inclusion of such voting rights in the Rules for the 103rd, 110th and 111th Congresses.

MOTION TO TABLE

Mr. CANTOR. Mr. Speaker, I have a motion to table at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Cantor moves to lay on the table the motion.

The SPEAKER pro tempore. The question is on the motion to table.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. NORTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 224, nays 187, not voting 18, as follows:

[Roll No. 3]

YEAS—224

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivoglio

Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan

Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz

Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)

Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCauley
McClintock
McHenry
McKeon
McKinley
McMorris
McMorris
Rodgers
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert

Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NAYS—187

Andrews
Barber
Barrow
Beatty
Becerra
Bera
Bishop (GA)
Bishop (NY)
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Doyle
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn

Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah

Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kennedy

Kildee	Moran	Schneider
Kilmer	Murphy (FL)	Schwartz
Kind	Nadler	Scott (VA)
Kirkpatrick	Napolitano	Scott, David
Kuster	Neal	Serrano
Langevin	Nolan	Sewell (AL)
Larsen (WA)	O'Rourke	Shea-Porter
Larson (CT)	Owens	Sherman
Lee (CA)	Pallone	Sinema
Levin	Pascarell	Sires
Lipinski	Pastor (AZ)	Slaughter
Loeb sack	Payne	Smith (WA)
Lofgren	Pelosi	Speier
Lowenthal	Perlmutter	Swalwell (CA)
Lowey	Peters (CA)	Takano
Lujan Grisham	Peters (MI)	Thompson (CA)
(NM)	Peterson	Thompson (MS)
Luján, Ben Ray	Pingree (ME)	Tierney
(NM)	Pocan	Titus
Lynch	Polis	Tonko
Maffei	Price (NC)	Tsongas
Maloney,	Quigley	Vargas
Carolyn	Rahall	Veasey
Maloney, Sean	Rangel	Vela
Markey	Richmond	Velázquez
Matheson	Ruiz	Visclosky
McCarthy (NY)	Ruppersberger	Walz
McCollum	Rush	Wasserman
McDermott	Ryan (OH)	Schultz
McGovern	Sánchez, Linda	Waters
McNerney	T.	Watt
Meeks	Sanchez, Loretta	Waxman
Michaud	Sarbanes	Welch
Miller, George	Schakowsky	Wilson (FL)
Moore	Schiff	Yarmuth

NOT VOTING—18

Bass	Jones	Mulvaney
Brady (TX)	Lucas	Negrete McLeod
Grijalva	Matsui	Perry
Grimm	McIntyre	Rohrabacher
Gutierrez	Meadows	Schrader
Jeffries	Meng	Van Hollen

□ 1457

Mr. CONYERS changed his vote from "yea" to "nay."

Mr. JOYCE changed his vote from "nay" to "yea."

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. PERRY. Mr. Speaker, on rollcall No. 3 I was unavoidably detained. Had I been present, I would have voted "yea."

Mr. MULVANEY. Mr. Speaker, I missed rollcall No. 3 on January 3, 2013. I was with my family and unable to make it to the floor. Had I been present, I would have voted "yea."

The SPEAKER pro tempore (Mrs. CAPITO). The gentleman from Virginia is recognized for 1 hour.

Mr. CANTOR. Madam Speaker, I yield the hour to the gentleman from Texas, the chair of the Rules Committee, Mr. SESSIONS, and I ask unanimous consent that he be permitted to control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SESSIONS. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Rochester, New York (Ms. SLAUGHTER). During consideration of this resolution, all time yielded is for the purpose of debate only.

At this time, I yield 1 minute to the distinguished majority leader, the gentleman from Virginia.

Mr. CANTOR. Madam Speaker, it is a privilege to sponsor House Resolution 5, the rules package for the 113th Congress. This rules package is straightforward and builds upon the reforms and transparency implemented in the 112th Congress to address job creation and the economy, control the growth of government, and limit wasteful spending.

We have incorporated a number of significant improvements, including a proposal from the chairman of the Republican Policy Committee, JAMES LANKFORD, the gentleman from Oklahoma, to identify duplicative programs and examine the usefulness of existing government programs. This will help ensure that hardworking taxpayers' dollars are not wasted and that we remain focused on making the Federal Government smarter and more efficient.

Similarly, two proposals from the gentleman from Michigan, Congressman JUSTIN AMASH, will improve transparency of the legislative process by making it easier to see how proposed legislation would interact with existing law. Additional proposals from the Republican Study Committee chairman, STEVE SCALISE, the gentleman from Louisiana, will help bring more transparency to the regulatory process.

American families and small businessmen and -women already suffer from too much red tape coming out of Washington. This proposal will ensure that the regulatory burden of any proposed bill is part of our deliberations.

Under the current administration, Madam Speaker, we have also seen an explosion in spending for welfare programs. For the first time, we will require our annual budget resolutions include information about the growth of means-tested and non-means-tested entitlement programs. This important reform will allow us to begin to responsibly control the growth of these welfare programs and ensure they can help those who need them most.

I look forward to a productive 113th Congress where we can work together to produce results and make life work for more Americans.

Ms. SLAUGHTER. Madam Speaker, I thank the gentleman for yielding me the customary 30 minutes and yield myself such time as I may consume.

Madam Speaker, I want to begin by congratulating my colleague, Mr. SESSIONS, on his new role as chair of the Rules Committee. I've worked with Mr. SESSIONS now for many years, and I look forward to working with him even more closely in the months and years to come. And we will welcome the new class of legislators, as well, today, and we go through the traditions and procedures that have governed our Nation since Thomas Jefferson first wrote his manual.

I'm pleased to welcome our newest colleagues and welcome back old

friends. It's a great honor to be chosen by our fellow Americans to represent them in Congress. Our neighbors have placed their trust in us, and we must never take such an honor for granted. With this honor comes a solemn responsibility. Starting today, we have the opportunity to move our Nation forward, and in the words of our Nation's Founders provide for our common defense, promote our general welfare, and secure the blessings of liberty for ourselves and for our posterity.

Our work begins today, and one of the first orders of business is considering the rules package for the incoming Congress. During the last Congress, we were promised an open and transparent process, but we unfortunately fell short. Under the majority's leadership, more than one-third of the rules were completely closed, and at times brinksmanship endangered our economy.

Today provides an opportunity for the majority to put these behind them and govern in an open, collaborative, and bipartisan way; and we are willing to meet them every step of the way. With this goal in mind, though, of this Rules Committee, I must say that I look at it with a little bit of trepidation. The most troubling for me is the proposal to, once again, adopt the Ryan budget. Doing so will keep alive dangerous budget proposals, including the repeal of parts of the Affordable Care Act.

In addition, today's resolution makes it easier for Members of Congress to use private planes, and I'm puzzled by that. I don't think Members should be flying around in corporate jets. And it continues the politically motivated campaign over the so-called Fast and Furious operation. To begin by loosening the ethics restrictions and advancing politically motivated campaigns should not be the priorities of Congress.

Finally, with today's resolution, the majority continues their efforts to oppose marriage equality before the courts. In an age where marriage equality is recognized by Americans across the country of plurality, this Chamber should not be using taxpayer money to be standing on the wrong side of history.

We could start our new beginning by joining all the Democratic colleagues and me in finally reforming our broken election laws, and I know everyone wants to do that. In the years since the Supreme Court handed down its ruling in the Citizens United case, unlimited amounts of money from billionaires and hidden special interests have flooded our elections. Led by secret political spending that is hidden from public view, wealthy special interests have tried to buy our airwaves, to fund outrageously expensive campaigns, and to launch dishonest political attacks to persuade the outcome of countless elections.

The Sunlight Foundation reports that during the 2012 election cycle alone, super PACs, as they are called, spent more than \$620 million to affect the Federal elections. Nobody believes that corporations are people, and they should not be able to use unlimited amounts of money to influence our elections.

At the end of this debate, my Democratic colleagues and I will provide the House with an opportunity to consider a constitutional amendment to overturn the flawed Citizens United decision. If approved, this amendment would finally remove the unlimited and untracked political donations from our electoral system.

In addition to addressing the uncontrolled money in our political process, the Congress should be ensuring that every American citizen can easily exercise their right to vote. Voting is fundamental to what it means to be an American; but in recent years, we've seen a concerted effort to discourage voters from casting a ballot.

Under the cover of a cynical and untruthful claim that voter fraud is a serious threat to our democracy, political operatives in States across the country have methodically advanced a number of discriminatory and dangerous pieces of legislation. Their methods range from enacting voter ID laws to reducing the number of voting machines in low-income neighborhoods.

Unfortunately, these discriminatory practices have indeed made it harder for our citizens to vote. This past November, there were numerous reports of voters being turned away from the polls. Many of those who did manage to vote had to wait in line for hours—and sometimes as many as 8 hours—before they could cast a ballot. It is clear as day that keeping people waiting in long lines is purely intended to make them give up and go home.

Later today, my Democratic colleagues and I will ask the House to bring to the floor the Streamlined and Improved Methods at Polling Locations and Early Voting Act, or SIMPLE Voting Act. This legislation would guarantee that no voter would have to wait more than 1 hour to cast their ballot and require that every polling station in the country have the resources it needs to run a smooth and fair election.

□ 1510

When taken together, the overwhelming influence of money in politics and the discriminatory attacks on Americans' right to vote, they have distorted our electoral system and helped to create a broken legislative process that is failing to serve the American public.

As we open the 113th Congress, my colleagues and I stand ready to work with the majority on fixing our broken

electoral system and getting back to a bipartisan legislative process worthy of the citizens who sent us here.

I couldn't be happier or more honored to serve in the 113th Congress. I look forward to serving with all of my colleagues, and it is my sincere hope that we'll have an open, transparent, and bipartisan House so that we can produce meaningful results for those whom we represent.

With that, I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I want to thank the gentlewoman from Rochester, New York. I look forward to our time where we will work together day and night, perhaps, with the committee that she will be the ranking member for and I will be the chairman of.

I told the gentlewoman before today that it will be my hope and her hope that we will not only work for the betterment of the institution, but also the Members, to ensure that they stand a better chance to make sure that our committee, the Rules Committee, is one that we can both look at each other and know that we have done a job that would be fair and appropriate on behalf of the minority leader, the majority leader, and the Speaker of the House of Representatives and all of our Members.

The rules package before us today will continue the effort by our Republican majority to make the work of the House as open, transparent, and streamlined as possible. This work began in the 112th Congress under the leadership of former Chairman David Dreier. When a number of important reforms were implemented, David Dreier made sure that they worked. Today, we will continue the tradition of that transparency initiated by Chairman Dreier. The nonpartisan Sunlight Foundation recently praised our endeavors in that effort by saying:

It is clear that the House has become a more transparent institution over the last 2 years.

The accolades there go to the gentleman from California, David Dreier. This body is wholeheartedly committed to advancing that reform process, and I am as its new chairman.

Our work must begin and must always be directed to accountability, to the people who granted us the privilege of serving in this body. But the imperative for accountability is never higher than when we face tough economic times, economic times that each of us bring to the floor because of the demand upon people that we represent. As our national debt skyrockets, our economy limps sluggishly along, and unemployment remains predictably high, the need for a fully transparent and accountable process in this institution to help in that effort of unemploy-

ment in this country and to gain more jobs is one of the things which this Rules Committee and the work of the floor should be about.

The rules package that we focus on today for the 113th Congress will help us to achieve that goal. It preserves the important reforms that we made in the previous Congress, while adding a few perfecting amendments and several other ideas.

One such amendment in section 2 will help to streamline and expedite floor voting procedures. It is important to note, however, that these procedures are intended to be used to expedite consideration of questions of the House while ensuring that no Member is denied an adequate opportunity to vote.

Section 2 also makes several improvements and clarifications in the Congressional Code of Conduct in order to more efficiently hold each Member of this body accountable. For example, it expands the current nepotism rule to conform to current law and to add grandchildren to the rule, who are not currently covered under House rules or current law. This is a strongly held bipartisan measure that has received praise from a number of transparency groups, including the Sunlight Foundation, as I mentioned at the outset.

This rules package also amends the restrictions on the use of private aircraft contained in the Code of Conduct so as to harmonize House and Senate rules. These changes provide more flexibility to Members whose districts, including rural and remote locations, are not easily reached by car and do not have scheduled air service. They will also facilitate travel during extraordinary circumstances, such as in an emergency or in the aftermath of a natural disaster. At the same time, the revised rules keep in place safeguards to help ensure that such travel is fully consistent with House and ethics guidelines and rules. The new rules will simply ensure that Members pay a fair market rate for air travel, regardless of the type of aircraft that is used.

Together, the amendments and the clarifications to the Code of Conduct contained in this resolution will better ensure that elective representatives, officials, and employees of the House can execute their official duties in an efficient, ethical, and transparent way.

Section 3 of the rules package makes a number of separate orders. The most significant among them eliminates provisions contained in the Affordable Care Act that limit the ability of the House to respond to recommendations from the Independent Payment Advisory Board.

Now, House Republicans have made it very clear that we oppose ObamaCare. We have acted repeatedly to repeal and to replace this controversial law. But regardless of where any Member may stand on this issue, the question of preserving the prerogative

of the House of Representatives to its work and its will without dispute or controversy must be achieved.

Article I, section 5 of the Constitution very clearly states that this body has the right and the responsibility to determine the rules of its proceedings. This provision will ensure that, as we proceed with the issue of health care reform, the ability of the House to respond to the Independent Payment Advisory Board is not abridged.

Sections 3 and 4 go on to make a number of adjustments that enhance our budgetary process, preserve our oversight rules, and strengthen our ethics procedures.

Finally, section 5 allows the Speaker to recognize Members for the reading of the Constitution on any legislative day through January 15, 2013. Every Member of this body has sworn an oath today to uphold and defend the Constitution of the United States. It is a very worthwhile endeavor to spend time in the first few days of this new Congress, and perhaps any Congress, to review the inspiring words of our Nation's founding document.

The rules package that I have just outlined for you will better enable each of us, as an institution, to perform our constitutional duties and obligations with integrity, transparency, and accountability, while streamlining its operations. Presenting this package to the House is my first official act as chairman of the Rules Committee for the 113th Congress, and I think it exemplifies our commitment to an open and deliberative process that empowers the majority to work its will while preserving the ability of individual Members, particularly those in the minority, to present their ideas and engage in meaningful debate.

I urge my colleagues to support this rules package, and I will insert, for the RECORD, a section-by-section analysis of the resolution.

With that, I reserve the balance of my time.

H. RES. 5

ADOPTING RULES FOR THE 113TH CONGRESS
SECTION-BY-SECTION ANALYSIS

Section 1. Resolved Clause.

This section provides that the Rules of the 112th Congress are the Rules of the 113th Congress, except with the amendments contained in section 2 of the resolution and orders contained in sections 3, 4, and 5.

Section 2. Changes to the Standing Rules.

Committee Activity Reports. Subsection (a) reduces the frequency of committee activity reports from four times per Congress to two times per Congress (once per Session). The process for filing end of session committee reports is also modified to allow filings through January 2nd of each year.

Voting. Subsection (b) streamlines the voting process for several specific instances in the House and the Committee of the Whole. Paragraph (1) authorizes the Chair to reduce the time from 5 minutes to not less than 2 minutes for a vote after a quorum call in the Committee of the Whole, which is similar to

the Speaker's current authority in the House to shorten votes following a quorum call. It also authorizes the Chair to reduce the time for voting on the first question arising without intervening debate or motion after the Committee of the Whole resumes its sitting. Paragraph (2) authorizes the Speaker to reduce the time for voting on the first question arising without intervening debate or motion after the Committee of the Whole rises and to reduce the time for voting on motions to recommit to not less than 5 minutes. The Rules Committee intends that these parallel authorities will be used following a vote stack in the Committee of the Whole or the House, respectively, where the Chamber is still full, and hence it would be likely that the Presiding Officer would determine that an adequate opportunity for Members to vote exists.

Clarifications in Rule X. Subsection (c) makes two clarifications with respect to clause 1 of rule X. Paragraph (1) clarifies that the Committee on Homeland Security's jurisdiction includes the general management of the Department of Homeland Security. This change is intended to clarify the Committee's existing jurisdiction over the organization and administration of the department, and is not intended to alter the pattern of bill referrals to the Committee on Homeland Security, nor is it intended to alter the existing oversight jurisdiction of the Committee on Homeland Security. Paragraph (2) conforms terminology used in the Committee on Natural Resources jurisdiction to terminology recognized by the Departments of State and Interior.

Modifications of the Ramseyer Rule. Subsection (d) is intended to improve the readability of the comparative print required by clause 3(e) of rule XIII—commonly known as a "Ramseyer"—by including other contiguous portions of law if they will be useful in understanding the change made by the amendment. The chair of each committee will determine the portions of the amended law that will be useful to improve readability.

Changes to the Code of Conduct and the Committee on Ethics. Subsection (e) makes several improvements and clarifications to the Code of Conduct. Paragraph (1) clarifies the circumstances under which the Committee on Ethics or its chair must make a public statement following action whereby time for consideration of a certain recommendation from the Office of Congressional Ethics is extended. Currently, the rule could be read to require a public statement when the time is extended by joint action of the chair and ranking minority member, but not when the time is extended by committee vote. Paragraph (2) amends clause 8(c) of rule XXIII to expand the current nepotism rule to conform to current law and adds grandchildren to the rule, who are not currently covered under House Rules or current law. The provision permits grandchildren who were employed by a relative prior to the 113th Congress to retain their employment subject to the same restrictions applied to spouses employed prior to the 107th Congress. Paragraph (3) transfers the responsibility to maintain copies of the executed classified oath, in the case of an officer or employee of the House, to the Sergeant-at-Arms. The Clerk of the House will continue to maintain the executed oaths for Members, Delegates, and Resident Commissioners. Paragraph (4) amends the restrictions on the use of private aircraft contained in the Code of Conduct so as to conform the House rule to the existing rule in the Senate. The changes allow Mem-

bers to pay their pro rata share for a charter flight based upon the fair market value of the flight, divided by the number of Members, officers, or employees of the House on the flight. It also increases the flexibility of Members with regard to which aircraft may be used. Members may pay for a charter flight authorized under this provision with either personal or official funds. The amended rule would allow House Members to use their campaign funds, in addition to official or personal funds. However, a statute still prohibits House candidates (but not Senate candidates) from using campaign funds for that purpose. Therefore, the rule change only affects personal and official funds unless 2 USC 439a(c)(2) is amended by future legislation. This paragraph also provides that the chair and ranking minority member of the Committee on Ethics may jointly waive this rule, subject to such conditions as they may prescribe. This provision is intended to facilitate the use of private aircraft in extraordinary circumstances, such as in an emergency or in the aftermath of a natural disaster.

Technical and Clarifying Changes. Subsection (f) corrects several typographic and other simple errors in the standing rules. Paragraph (1) corrects a typographic error. Paragraph (2) amends rule II (relating to House Officers) to add the Committee on Appropriations to the list of recipients of audit reports prepared by the Inspector General of the House. Paragraph (3) amends rule V (relating to Broadcasting of House proceedings) to address new technology and clarify acceptable uses of coverage of the floor proceedings. Paragraph (4) conforms the process for regular meeting notices to committee practice, which will eliminate the need to cancel the regular meeting if it was never noticed. Paragraph (5) clarifies the process for noticing a special meeting called pursuant to clause 2(c)(2) of rule XI. Paragraphs (6) and (7) are technical changes. Paragraph (8) amends rule XI to clarify that if any Member notifies a committee of the intention to file views, all Members are entitled to file views. Paragraph (9) makes a typographic change and related conforming changes. Paragraph (10) conforms clause 6(g) of rule XIII to the Rules Committee practice of specifying waivers in committee reports rather than resolutions. Paragraph (11) amends rule XV to clarify that motions to discharge a committee apply to all committees, including select committees. Paragraph (12) clarifies that precedents related to Calendar Wednesday business in effect before the 111th Congress will be applied only to the extent consistent with clause 6 of rule XV. Paragraph (13) clarifies that with respect to a call of the House in the event of a catastrophic circumstance, the Speaker may consult with the Majority Leader and Minority Leader or their designees. Paragraph (14) conforms rules related to conference reports to existing electronic availability for bills and other measures. Paragraph (15) is a technical change to conform to current House practices. Paragraph (16) eliminates the requirement for physical printing of Member Financial Disclosures in light of online disclosure under the STOCK Act.

Section 3. Separate Orders.

Independent Payment Advisory Board. Subsection (a) eliminates provisions contained in the Affordable Care Act that limit the ability of the House to determine the method of consideration for a recommendation from the Independent Payment Advisory Board or to repeal the provision in its entirety.

Budget Matters. Subsection (b)(1) clarifies that section 306 of the Budget Act (prohibiting consideration of legislation within the Budget Committee's jurisdiction, unless referred to or reported by the Budget Committee) only applies to bills and joint resolutions and not to simple or concurrent resolutions. Paragraph (2) makes a section 303 point of order (requiring adoption of budget resolution before consideration of budget-related legislation) applicable to text made in order as an original bill by a special rule. Paragraph (3) provides that specified or minimum levels of compensation for a Federal office will not be considered as providing new entitlement authority. Paragraph (4) prevents the Committee of the Whole from rising to report a bill to the House that exceeds an applicable allocation of new budget authority under section 302(b) (Appropriations subcommittee allocations) as estimated by the Budget Committee and creates a point of order. Paragraph (5) provides that the provisions of House Concurrent Resolution 112 (112th Congress), as adopted by the House, and the allocations of spending authority printed in tables 11 and 12 of House Report 112-421 (112th Congress) will be in effect until a budget resolution for fiscal year 2014 is adopted.

Determinations for PAYGO Acts. Subsection (c) allows the chair of the Budget Committee to take into account the exemptions provided under 503(b)(1) of H. Con. Res. 112 (112th Congress) for the purpose of complying with Statutory PAYGO.

Spending Reduction Amendments in Appropriations Bills. Subsection (d) carries forward the requirement from the 112th Congress that in each general appropriations bill there be a "spending reduction" account, the content of which is a recitation of the amount by which, through the amendment process, the House has reduced spending in other portions of the bill and indicated that such savings should be counted towards spending reduction. It provides that other amendments that propose to increase spending in accounts in a general appropriations bill must include an offset of equal or greater value.

Estimates of Direct Spending. Subsection (e) prohibits the consideration of a concurrent resolution on the budget, or any proposed amendment to or conference report on, unless it includes specified information and estimates related to direct spending, including means-tested direct spending and nonmeans-tested direct spending. The subsection also requires the chair of the Committee on the Budget to publish a description in the Congressional Record of covered programs.

Certain Subcommittees. Subsection (f) waives clause 5(d) of rule X to allow the Committees on Armed Services and Foreign Affairs up to seven subcommittees each, and the Committee on Transportation and Infrastructure up to six subcommittees. This is a standard provision carried in the rules package during the last several congresses.

Exercise Facilities for Former Members. Subsection (g) continues the prohibition on access to any exercise facility that is made available exclusively to Members, former Members, officers and former officers of the House and their spouses to any former Member, former officer, or spouse who is a lobbyist registered under the Lobbying Disclosure Act of 1995.

Numbering of Bills. Subsection (h) reserves the first 10 numbers for bills (H.R. 1 through H.R. 10) for assignment by the Speaker and the second 10 numbers (H.R. 11 through H.R. 20) for assignment by the Minority Leader.

Inclusion of United States Code Citations. Subsection (i) requires the sponsor of a bill

or joint resolution to include, if available and to the maximum extent practicable, the applicable United States Code citation when the legislation proposes to repeal or amend in full or in part any uncodified law.

Duplication of Federal Programs. Subsection (j) authorizes the chair of a committee to request that the Government Accountability Office perform a duplication analysis of any bill or joint resolution referred to that committee. The subsection also requires committee reports to include a statement indicating whether any provision of the measure establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal Program.

Disclosure of Directed Rule Makings. Subsection (k) requires committee reports on bills or joint resolutions to include a statement estimating the number of directed rule makings required by the measure. The subsection defines "directed rule making" to include those rule makings specifically directed to be completed by a provision in the legislation, but does not include a grant of discretionary rule making authority.

Section 4. Committees, Commissions, and House Offices.

Litigation Matters. Subsection (a) carries forward the authority of the House, and certain constituent entities on its behalf, to litigate ongoing matters. Paragraph (1) particularly relates to the House's litigation through the Bipartisan Legal Advisory Group, the entity that speaks for, and articulates the litigation position of, the House in all litigation matters in which it appears.

The Bipartisan Legal Advisory Group currently is litigating a number of matters on behalf of the House involving the constitutionality of Section 3 of the Defense of Marriage Act ("DOMA"). DOMA was enacted in 1996 by overwhelming bipartisan majorities of both houses of Congress and then signed into law by President Clinton. Congress and the President relied, in part, on the Department of Justice's advice that DOMA was constitutional. See, e.g., Letter from Andrew Fois, Asst. Att'y Gen., to Rep. Canady (May 29, 1996), reprinted in H.R. Rep. No. 104-664, at 34 (1996), reprinted in 1996 U.S.C.C.A.N. 2905 ("House Report"); Letter from Andrew Fois, Asst. Att'y Gen., to Rep. Hyde (May 14, 1996), reprinted in House Rep. at 33-34; Letter from Andrew Fois, Asst. Att'y Gen., to Sen. Hatch (July 9, 1996), reprinted in Defense of Marriage Act: Hearing on S. 1740 Before the S. Comm. on the Judiciary, 104th Cong. 2 (1996).

It is the constitutional responsibility of the Executive Branch to defend the constitutionality of duly-enacted statutes such as DOMA. U.S. Const. art. II, §3 ("[The President] shall take Care that the Laws be faithfully executed. . ."). However, on February 23, 2011, the Attorney General notified the Speaker of the House that the Executive Branch no longer would defend the constitutionality of DOMA Section 3. Letter from Att'y Gen. Eric H. Holder, Jr., to the Hon. John A. Boehner, Speaker of the House (Feb. 23, 2011). Remarkably, the Executive Branch abdicated its constitutional responsibility, notwithstanding the Attorney General's candid acknowledgement that:

in light of "the respect appropriately due to a coequal branch of government," the Department "has a longstanding practice of defending the constitutionality of duly-enacted statutes if reasonable arguments can be made in their defense," id. at 5;

binding precedents of eleven of thirteen U.S. Courts of Appeals (the other two being

silent on the issue) held that sexual orientation classifications are subject only to rational basis review under the Equal Protection Component of the Due Process Clause of the Fifth Amendment, id. at 3-4 nn.4-6; and "a reasonable argument for Section 3's constitutionality may be proffered under [the rational basis] standard," id. at 6.

As a result of the Executive Branch's abdication of its constitutional responsibility, on March 9, 2011, the Speaker of the House, on the recommendation of the Bipartisan Legal Advisory Group of which he is a part, and in accordance with the Rules and precedents of the House, directed the Office of the General Counsel to represent the Bipartisan Legal Advisory Group, on behalf of the House, in defending the constitutionality of DOMA Section 3 in civil actions in which that statute's constitutionality has been challenged in order to protect the interests of the House. The House has articulated its institutional position in litigation matters through a five-member bipartisan leadership group since at least the early 1980s, although the formulation of the group's name has changed somewhat over time. Since 1993, the House rules formally have acknowledged and referred to the Bipartisan Legal Advisory Group as such.

Prior to its involvement in the DOMA litigation, the Bipartisan Legal Advisory Group, or its predecessors, had intervened in at least eleven cases. See, e.g., *Adolph Coors Co. v. Brady*, 944 F.2d 1543, 1545 (10th Cir. 1991); *In re Koerner*, 800 F.2d 1358, 1360 (5th Cir. 1986); *North v. Walsh*, 656 F. Supp. 414, 415 n.1 (D.D.C. 1987); *Am. Fed'n of Gov't Emps. v. United States*, 634 F. Supp. 336, 337 (D.D.C. 1986); *Synar v. United States*, 626 F. Supp. 1374, 1378-79 (D.D.C.), aff'd sub nom. *Bowsher v. Synar*, 478 U.S. 714 (1986); *Ameron, Inc. v. U.S. Army Corps of Eng'rs*, 607 F. Supp. 962, 963 (D.N.J. 1985), aff'd, 809 F.2d 979 (3d Cir. 1986); *Barnes v. Carmen*, 582 F. Supp. 163, 164 (D.D.C. 1984), rev'd sub nom. *Barnes v. Kline*, 759 F.2d 21, 22 (D.C. Cir. 1985), rev'd on mootness grounds sub nom. *Burke v. Barnes*, 479 U.S. 361, 362 (1987); *In re Prod. Steel, Inc.*, 48 B.R. 841, 842 (M.D. Tenn. 1985); *In re Moody*, 46 B.R. 231, 233 (M.D.N.C. 1985); *In re Tom Carter Enters., Inc.*, 44 B.R. 605, 606 (C.D. Cal. 1984); *In re Benny*, 44 B.R. 581, 583 (N.D. Cal. 1984), aff'd in part and dismissed in part, 791 F.2d 712, 714 (9th Cir. 1986).

In addition, the Bipartisan Legal Advisory Group, or its predecessors, has appeared on behalf of the House as *amicus curiae* in more than a dozen other cases—generally cases in which the Executive Branch had not abandoned its duty to defend a duly-enacted statute. See, e.g., *Br. of Amicus Curiae the Bipartisan Legal Advisory Group of the U.S. House of Representatives in Supp. of Pet'r, Renzi v. United States*, No. 11-557, 2011 WL 6019914 (S. Ct. Dec. 2, 2011); *Dickerson v. United States*, 530 U.S. 428, 430 n.* (2000); *Raines v. Byrd*, 521 U.S. 811, 818 n.2 (1997); *Am. Foreign Serv. Ass'n v. Garfinkel*, 490 U.S. 153, 154 (1989); *Morrison v. Olson*, 487 U.S. 654, 659 (1988); *Japan Whaling Ass'n v. Am. Cetacean Soc'y*, 478 U.S. 221, 223 (1986); *Helstoski v. Meanor*, 442 U.S. 500, 501 (1979); *United States v. Helstoski*, 442 U.S. 477, 478 (1979); *United States v. Renzi*, 651 F.3d 1012, 1015 (9th Cir. 2011); *In re Grand Jury Subpoenas*, 571 F.3d 1200 (D.C. Cir. 2009); *Fields v. Office of Eddie Bernice Johnson*, 459 F.3d 1, 3 (D.C. Cir. 2006) (en banc); *Beverly Enters., Inc. v. Trump*, 182 F.3d 183, 186 (3d Cir. 1999); *United States v. McDade*, 28 F.3d 283, 286 (3d Cir. 1994); *In re Search of The Rayburn House Office Bldg.*, 432 F. Supp. 2d 100, 104-05 (D.D.C. 2006), rev'd sub nom. *United States v.*

Rayburn House Office Bldg., 497 F.3d 654 (D.C. Cir. 2007). Accordingly, the intervention by the Bipartisan Legal Advisory Group in the DOMA Section 3 cases to articulate the House's institutional position, and to protect the House's institutional interests, has been neither unusual nor extraordinary.

Recently, the Supreme Court granted certiorari in one of the cases in which the Bipartisan Legal Advisory Group has intervened to defend the constitutionality of DOMA Section 3, i.e., *Windsor v. United States*, 833 F. Supp. 2d 394 (S.D.N.Y. 2012), aff'd, 699 F.3d 169 (2d Cir. 2012), cert. granted, No. 12-307 (Dec. 7, 2012), cert. pending No. 12-63 (July 16, 2012), and No. 12-785 (Dec. 28, 2012). In granting certiorari in *Windsor*, the Supreme Court asked the parties to brief, in addition to the merits of the DOMA Section 3 issue, this question: "[W]hether the Bipartisan Legal Advisory Group of the United States House of Representatives has Article III standing in this case." Op. Granting Cert., *Windsor v. United States*, No. 12-307, 2012 WL 4009654 (Dec. 7, 2012).

Paragraph (1) is intended to clarify the role of the Bipartisan Legal Advisory Group generally, and in the *Windsor* litigation particularly.

Paragraph (2) authorizes the Committee on Oversight and Government Reform, through the House Office of the General Counsel, to continue litigation to enforce a subpoena against the Attorney General related to the "Fast and Furious" investigation. This lawsuit was authorized by H. Res. 706 (112th Congress). It also authorizes the chair of the Committee on Oversight and Government Reform (when elected) to take certain actions necessary to continue the litigation. Parallel authority was contained in H. Res. 5 (111th Congress) on a similar contempt matter.

House Democracy Partnership. Subsection (b) reauthorizes the House Democracy Partnership.

Tom Lantos Human Rights Commission. Subsection (c) reauthorizes the Tom Lantos Human Rights Commission.

Office of Congressional Ethics. Subsection (d) reauthorizes the Office of Congressional Ethics (OCE) for the 113th Congress and clarifies that term limits do not apply to members of the OCE.

Empanelling Investigative Subcommittee of the Committee on Standards and Official Conduct. Subsection (e) continues House Resolution 451 (110th Congress) directing the Committee on Standards of Official Conduct (now Ethics) to empanel investigative subcommittees within 30 days after the date a Member is indicted or criminal charges are filed.

Section 5. Additional Orders of Business

Reading of the Constitution. Subsection (a) allows the Speaker to recognize Members for the reading of the Constitution on any legislative day through January 15, 2013.

Motions to Suspend the Rules. Subsection (b) authorizes the Speaker to entertain motions that the House suspend the rules relating to a measure addressing flood insurance at any time on the legislative day of January 4, 2013.

Ms. SLAUGHTER. Madam Speaker, I'm pleased to yield 2 minutes to the gentleman from Maryland, the Democratic whip, Mr. HOYER.

Mr. HOYER. I thank the ranking member, Ms. SLAUGHTER, and I thank her for the work that she's doing and has been doing over the years as our representative and leader on the Rules Committee.

I also want to congratulate my friend, Mr. SESSIONS, on attaining the chairmanship of the Rules Committee, an extraordinarily important committee that sets the parameters for debate and consideration of legislation on the floor of this House. I also want to thank him for his discussions with me, his willingness to work together, and I'm looking forward to a positive relationship as we try to make sure that we consider legislation on this floor, giving everybody on both sides of the aisle the opportunity to make their case.

□ 1520

I also want to thank the gentleman. He explained that we are effecting the rules, but I want to thank the Rules Committee—I want to thank the chairman in particular—and, frankly, the Speaker and the leadership for making changes prospectively so that existing individuals are not adversely affected, and I thank the chairman.

Having said that, let me say that I am disappointed, though, that the majority is calling up a rules package that again embraces what I believe to be a partisan budget, which, obviously, there is significant disagreement about, and rejects efforts to compromise toward restoring, in my view, fiscal stability in our country. Despite bipartisan agreement in the Budget Control Act, the continuing resolution and, just this week, on the fiscal cliff, this rules package returns to the partisan stance that Republicans brought to the last Congress on fiscal issues and particularly on the budget.

It deems the amounts in the Ryan budget to be the default funding levels this year, levels well below this week's compromised agreement. We saw that in the last budget process as well. We made an agreement, and lo and behold, the budget came out with numbers substantially below that agreement.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I yield the gentleman an additional 2 minutes.

Mr. HOYER. It also exempts the cost of policies we now know cannot become law: massive tax cuts as well as the cost of repealing the health reform act. We voted on that over 30 times in this House, and the American people had an opportunity to vote on that. We ought to be focused on making that act as good as it can be—saving as much money as it can and providing access to affordable, quality health care to all of our people. After more than 30 votes in the 112th Congress to repeal, it did not happen; yet this proposed rule signals the 113th will continue along a path that has been rejected.

Another provision in this package continues the policy of denying a voice to 5 million American citizens living in our territories: the District of Columbia—Ms. NORTON is here and will

speak—Puerto Rico, as well as Guam, the U.S. Virgin Islands, American Samoa, and the Northern Mariana Islands. We have extended in Congresses past—and, frankly, when I was the majority leader—the ability for those Representatives to vote on this floor, not to vote on final passage—the Constitution would have to do that—but to vote in the committee, in the Committee of the Whole. They can vote in our committees in the House, and we ought to give them that right here as a show of respect in order to honor their service to American citizens in the territories and in the District of Columbia.

As this new Congress begins, we have an opportunity to commit ourselves to a spirit of compromise, which our constituents so desperately seek from their Representatives. Our Nation continues to face a number of challenges that can only be addressed by working together and giving every family the opportunity, as our leader said when she spoke so eloquently, to make it in America. Let us take advantage of this new session to start off on the right foot and show Americans that we are ready to come together to tackle our greatest challenges.

Mr. SESSIONS. I yield myself such time as I may consume as I address the minority leader, if I can, the gentleman from Maryland.

He is a very dear and a fine friend of mine. For a long time, I've enjoyed the opportunity during the years that I've been in this House to know him, to work with him. In fact, what he said is true in that I have offered myself to him in a way that would be fair and good, not just for every Member of this body but also for those whom he represents. I will try and do my very best within the limits and constraints that I have, but my attitude is always to be stellar, and I hope that he knows that he can count on that also. I thank the gentleman very much. I would also extend that to other Members who are here, Madam Speaker, who have come down to express their ideas. Their ideas about how to make this a better place are always important.

The Republican Conference, the majority, had a vigorous time yesterday afternoon as we debated the House rules, as we offered our ideas, as we debated how we could make this a better place, not just transparent but really work to the efficiency of the people who sent us here. I must say that I'm fresh from that wonderful and invigorating time in which we talked about the ideas, we defended what we did and changed the things that needed to be done. Our Members all were accorded, not just equal time, but a chance to bring their ideas forth, perhaps from back home from a season of election, perhaps from their experiences that they had back home. It was really a good time for not just me as a Member

but, I think, for all of us in our body. Today, we enjoy that same opportunity as we come together, Democrats and Republicans, on the floor to talk about the rules of the House.

I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from South Carolina, assistant Democratic leader, Mr. CLYBURN.

Mr. CLYBURN. I thank the ranking member for yielding me the time.

Madam Speaker, today is a day of great pride for every Member who has just been sworn in, particularly our newly elected Members. It is a great honor to be elected to serve in this body. On Election Day, our constituents went to their polling places and voted for us. We should be thankful for that, particularly so when, for far too many of our constituents, regardless of their political leanings, voting on Election Day was an unnecessarily burdensome, time-consuming, and unpleasant experience.

In my home county in South Carolina, voters reported waiting in line for over 4 hours. One young voter thought ahead of time. He brought an iPad, and watched the entire "Hunger Games" movie while in line. Others, understandably, didn't have 3 hours to spare on a workday. In Detroit, Michigan, Gina Porter waited in line for more than 3 hours before giving up. Danielle Wilkins voted after waiting for 4 hours.

In Lee County, Florida, Angela DeFrancisco went to her polling place in the morning with her infant son. Seeing a 3-hour line, she decided to come back later. After finding a babysitter, she returned in the afternoon, at which point the line had grown to 5½ hours. Unable to be away from her infant son that long, she left without voting.

As President Obama said on election night, "We have to fix that." As we take our places in this Congress that we earned on Election Day, now is the time to fix it. This motion to commit would ensure that no voter has to wait longer than an hour to cast a ballot.

We have a long history of struggle over the right to vote in this country. Yet, time and again, we have reaffirmed the principle that every eligible American has an equal right to cast a ballot without facing discrimination. A 3-hour wait is discrimination against those who have to work, those who have to take care of their kids and those whose health prevents them from waiting in line for such a long time. Long lines are the 21st century version of poll taxes and literacy tests, disenfranchising the least advantaged and the most vulnerable citizens. We have an obligation to ensure that every American has an equal opportunity to exercise his constitutional right to vote.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I yield the gentleman an additional 30 seconds.

Mr. CLYBURN. My good friend and lifelong colleague, JOHN LEWIS, has called the right to vote "precious, almost sacred," and "the most powerful, nonviolent tool we have to create a more perfect Union."

JOHN could not be here to speak on this motion today, but I am proud to stand in his stead with Mr. MILLER. It is a small but important step to fulfilling our obligation to protect the right to vote, and I urge the passage of this motion to commit.

□ 1530

Mr. SESSIONS. Madam Speaker, I appreciate the gentleman coming down with his words today. By the way, the gentleman mentioned a motion to commit and we have yet to see that. So if there is one, I would appreciate it if the gentlewoman from New York or the Clerk could provide that to me.

Ms. SLAUGHTER. Will the gentleman yield to me to address that?

Mr. SESSIONS. I yield to the gentlewoman.

Ms. SLAUGHTER. Madam Speaker, I thank the gentleman. At the proper time, we will submit the motion. We are not yet offering it.

Mr. SESSIONS. Reclaiming my time, when that is available, we appreciate that opportunity to review the motion that has been spoken about on the floor.

Today what we're talking about, Madam Speaker, is how we are going to make sure that this Rules Committee and the rules of the House work very effectively. Later we will be calling a Rules Committee meeting. I will be announcing that the gentlewoman from North Carolina, VIRGINIA FOXX, will become the vice chairman of the Rules Committee. The gentlewoman from Rochester, New York, will have a chance to bring her team up, and we'll begin that process of working together.

Many of the ideas that have been brought forth here are very good ideas. The rules of the House are how we're going to proceed, and I think a lot of what's been talked about is legislation that we really need to work on and look at and analyze. I think every single election we learn things from around the country. Not one election have I not learned something we need to make better.

I would say that JOHN BOEHNER, our great young Speaker, is energized to look at all of the ideas that might come from legislation, would be pleased, as I would, to make sure that we look at these, because the integrity of who serves in this House and the ability that people have back home to go vote is important.

I'm reminded on a regular basis by the gentlewoman from North Carolina (Ms. FOXX), the vice chairman of the committee, who will be appointed the

vice chairman, of how important people are back home that we serve. That when we serve, we serve at the pleasure of others, and that our election to this Republic and the votes that we make are very, very important. And so it's always good to come down to the floor and be reminded of that as we remember our duty as we move forward. So I've enjoyed the opportunity to debate these issues and talk about them.

I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I'm delighted to yield 2 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), a member of the Rules Committee.

Mr. MCGOVERN. Madam Speaker, I want to thank the ranking member for the time and for her extraordinary leadership. I also want to congratulate the incoming chairman, Mr. SESSIONS. I am hopeful that the 113th Congress will be more productive, collaborative, and civil than the 112th. I'm not particularly optimistic, but I'm always hopeful—hopeful that we can return to some semblance of regular order with committees doing their work, bills coming to the floor under an open amendment process, and Members having the opportunity to reflect the will of their constituents.

At the very least, I hope that the outrageous, partisan and closed process we saw during the fiscal cliff crisis is not repeated. That is no way to legislate, and it's no wonder after that bit of theater that the American people have so little regard for Congress.

One of the best ways that we can help the country is to improve the way we conduct our elections because bad elections lead to bad lawmaking. If 2012 taught us anything, it's that we desperately need campaign finance reform.

If the previous question is defeated on this rule, Democrats will amend the resolution to give the House a vote on a constitutional amendment to control the corrupting influence of money in politics. The Supreme Court's terrible decision in the Citizens United case opened the flood gates, and our election system is now awash in a sea of millions of dollars of unregulated money, drowning out the voices of individual citizens. Politicians are increasingly beholden to wealthy special interests. A multinational oil company that doesn't like a particular Member of Congress can now simply write a big check—undisclosed check—to Americans for Apple Pie and Puppies and watch the negative advertising work their magic.

There are a variety of ways to tackle this problem. In the last Congress, I introduced the people's rights amendment which would overturn Citizens United and put a stop to the corporate personhood nonsense that it represents. Despite what Governor Romney said on the campaign trail, corporations are not people and they do

not deserve the same constitutional rights as American citizens. Other Members will have other ideas. But at the very least, we need to have this debate, and I urge my colleagues to defeat the previous question.

Mr. SESSIONS. Madam Speaker, you know, once again we have a lot of political dogma that's taking place here. I was a worker in a corporation for a number of years, and I felt like I was a vital part of the success of not only that company and the things that I did, but I felt like in my 16 years, never missing a day of work, that I contributed to the success of customers and other people.

And just like here in this body, there may be some organization or something that somebody doesn't like that serves this House of Representatives, but everybody is here. They show up at work and they get their work done.

I would say that corporations, employers, are very important to this country. The ability that all people have, just as they're going to vote, to have a say in the processes that happen. There's a lot of attacking that gets done in this House of Representatives against employers, against people who go to work and provide honest services, and there are a lot of people who spend a lot of time demeaning others, and I'd like to see that stopped. But it's not going to.

So people like myself will stand up and hopefully talk about the rights and responsibilities that we all have in an open society to make our country even stronger and better—once again, part of what the rules package is about.

I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I'm please to yield 1 minute to the gentleman from Colorado (Mr. POLIS), a member of the Rules Committee.

Mr. POLIS. Madam Speaker, House Republicans in this rule are seeking to authorize lawyer fees for a costly Federal takeover of marriage that would single out legally married couples for discriminatory treatment under Federal law. I'm so disappointed that in the midst of our economic crisis and debt and deficit, House Republicans want to continue to waste millions of dollars of taxpayer money defending a law that the Obama administration has already said they won't spend a penny on. Typical tax and spend Republican policies.

Last Congress finished with the majority of Republicans voting for the biggest tax increase in the history of our country by opposing the fiscal cliff tax relief bill. And now here we are in this Congress, sticking taxpayers with millions of dollars of unnecessary costs right on day one in the rule of the House itself. At least when Democrats spend money, we build roads and bridge, educate kids, provide health care. This Republican spending goes right into the pockets of lawyers. Big-

spending Republicans on day one spending millions of dollars of taxpayer money on a Federal takeover of marriage and a lawyer stimulus. Wrong foot to start off on. Vote "no."

Mr. SESSIONS. Madam Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I'm pleased to yield 2 minutes to the gentleman from California (Mr. GEORGE MILLER), the distinguished ranking member of the Committee on Education and the Workforce.

Mr. GEORGE MILLER of California. I thank the gentlewoman for this recognition, and I rise in favor of the motion to commit that I will be offering with Mr. CLYBURN and Mr. LEWIS before the House later today so that we can take a small, but very important, step to protect the right of every American to vote.

I was appalled on this past election day by widespread reports across the country of voters forced to wait in hours-long lines simply to exercise one of our most fundamental rights—the right to vote. Even in some States with early voting, voters were forced to choose between waiting for hours or missing work or taking care of their children in order to cast their vote, or giving up their right to vote altogether.

At some precincts in Miami, hundreds of voters stood in line for over 4 hours, past the 7 o'clock closing time of the polls, even after President Obama had been declared the winner of the election. It offends our basic values that Americans would be denied the right to vote because of a last-minute illness or change in the work schedule, the need to pick up a child from school, or some other unavoidable emergency, meaning that they could not afford to wait in line for several hours simply to exercise that right.

The motion to commit in the House will make two important changes. First, it will require in Federal elections that every State provide for at least 15 days' early voting; and, two, it would require the State to provide adequate resources, staff, and machines at polling places in Federal elections to ensure that voters are not forced to wait in line for more than an hour.

There are numerous changes that need to be made to adequately protect the rights of all Americans to their right to vote, and I support the comprehensive approach to voter protections that has been developed by Mr. LEWIS and Mr. CLYBURN. However, today we have a chance to take a very simple step to make sure that voting is simple for Americans so they can exercise their right, a right that we broadcast to the rest of the world about how we choose our leaders and how we exercise our democracy. But that right and that democracy is now being thwarted by efforts at the local and State levels to make voting more difficult, to pro-

hibit people from voting. We can change all of that in the motion to commit today in this rules package, and I would urge my colleagues to support that.

I want to thank Mr. CLYBURN and Mr. LEWIS for their leadership. I'm very sorry that Mr. LEWIS is unable to be here today with the untimely death of his wife, Lillian.

□ 1540

Mr. SESSIONS. Madam Speaker, I yield myself such time as I may consume.

I'm very disappointed that the minority, even upon me asking just a few minutes ago, has chosen not to share the text of the motion to commit with us.

There's a lot of discussion about wanting people to come and vote back home and see things, and there's a lot of debate here about, boy, we're hoping a lot of Republicans vote with us, but we're not providing the text of that as to where our Members would have an opportunity to understand that.

Now, I think it's clearly of great importance to the gentleman, at least, from South Carolina and the gentleman from California, and as a member of the minority leadership, he should know that, while he discusses it with great passion and perhaps wants us to vote for it, we still have not seen a copy of that.

The first edition of the rules package today has been online for nearly a week. The Republican package that we would want people to vote on has been online, available. At our Conference last night, we put out—as soon as we knew what those final revisions were, we put that out. In contrast, we still have not seen that.

I would ask the gentlewoman for a copy of that motion.

I yield to the gentlewoman from New York.

Ms. SLAUGHTER. The proper time, Madam Speaker, to offer a motion to recommit is after the previous question has been approved. When the motion is offered, we'll be happy to provide a copy to the gentleman.

Mr. SESSIONS. Reclaiming my time, I think it's pretty obvious that what the gentlewoman is saying is that they want to stand up and make a point, and they want to have a vote here, and they probably want to end up complaining if they didn't pass something, but they're not willing to share their ideas.

I think it's amazing that we're talking about transparency, accountability, trying to share information where we can work closer together, glean ideas from each other, come together with an opportunity, and yet, at the appropriate time, we'll get a copy of that. So I'm sure that will happen about a minute before we're asked to vote on it.

That's not a way to be transparent, that's not a way that I think we should move forward, but it is consistent, and we'll have a consistent outcome.

I reserve the balance of my time.

Ms. SLAUGHTER. Let me just take a second to say, Madam Speaker, that I would be happy to share anything we can at the proper time, and we will do that. We will follow the rules.

I yield 2 minutes to the gentlewoman from the District of Columbia, Ms. EL-EANOR NORTON.

Ms. NORTON. I thank the gentlewoman from New York for yielding.

Madam Speaker, the very first vote of the 113th Congress was a vote on whether or not I was entitled to vote for the 600,000 taxpaying residents of the District of Columbia I represent. The motion to table my motion prevailed 224-187.

My motion simply would have required a study of whether there was any reason that Delegate voting should be denied. This would not have been a difficult study because the Federal courts have already done our work for us. Two Federal courts have found that Delegate voting in the Committee of the Whole is constitutional.

What is more painful and arbitrary than not having the final vote, what is more painful and arbitrary than not having even the vote in the Committee of the Whole is having a vote that you have exercised withdrawn, as this vote was today.

In three Congresses we exercised our vote in the Committee of the Whole. No vote should be dependent on which party is in power. The vote in the Committee of the Whole was not a vote on final legislation. It was a symbol of our American citizenship.

You cannot take away our citizenship. In this country, you should never be able to take away a vote once it has been granted.

Mr. SESSIONS. Madam Speaker, I think it's well understood that the offices of the Resident Commissioner from Puerto Rico and the Delegates of the House of Representatives from American Samoa, the District of Columbia, Guam, and the U.S. Virgin Islands, and now the Commonwealth of the Northern Mariana Islands, are created by statute and not by the Constitution.

They represent territories and associated jurisdictions, not States. They are not Members of Congress, and they do not possess the same potentiary rights afforded to Members under the Constitution.

They are here in this body. We represent them to each other as important, and we listen to them and they do things, but as it refers to voting on the floor, in the Committee of the Whole, that is an issue that I believe is well understood.

I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I yield 30 seconds to the gentlewoman

from the District of Columbia (Ms. NORTON).

Ms. NORTON. I grant the gentleman that the Delegates are here by statute, but the gentleman should also recognize that the vote we had in three Congresses was a vote that the Federal courts have said is constitutional.

Once we are here by statute, once we get a constitutional vote, it seems to me completely arbitrary to withdraw that vote, particularly for the District of Columbia. As long as you take our taxes, the very least I think the people I represent are entitled to is the vote in the Committee of the Whole.

Mr. SESSIONS. Madam Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I'm pleased to yield 2 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Madam Speaker, I rise in opposition to this rules package and, in particular, to one specific provision that places the House on the wrong side of history and misrepresents the position of this House and its Members.

Section 4 of the resolution continues to authorize the expenditure of taxpayers' money to defend, in court, the unconstitutional and discriminatory so-called "Defense of Marriage Act." It goes further to state that this partisan effort "speaks for and articulates the institutional positions of the House."

That is simply not true. The original decision to defend DOMA was taken by a party-line vote of the Bipartisan Legal Advisory Group, and all further decisions have been taken by the Republican leadership alone, some in secret.

So far, the Republican leadership has authorized the expenditure of \$2 million of taxpayers' money to defend this discriminatory law. This defense is not supported by the entire House. 145 Members of the House have signed a brief arguing that DOMA should be declared unconstitutional and struck down. So far, every court that decided this question has agreed that DOMA is unconstitutional.

We have repeatedly asked the Speaker for a briefing from the lawyers retained by the Republican majority. The Speaker hasn't even seen fit to give us the courtesy of a response. If these high-priced lawyers really represent the House, they should at least have the courtesy to meet with their alleged clients to answer questions about that representation.

The time has come to call a halt to this farce. At the very least, the rules should reflect the reality that the House is deeply divided on the question and that the outside lawyers acting at Speaker BOEHNER's direction do not speak for the institution as a whole.

I urge my colleagues to vote against this rules package.

Mr. SESSIONS. Madam Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I'm pleased to yield 1½ minutes to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. I thank the gentlewoman for yielding.

I rise for two purposes:

First, to oppose the rule, which institutes, again, the folly of spending taxpayer dollars to defend the unconstitutional, and that is DOMA. This was a poor waste of our resources in the last Congress. It will be an even worse utilization of scarce taxpayer dollars in this new session.

□ 1550

Second, I rise to raise another issue debated fiercely, and that is campaign finance reform. Clearly, our democracy is broken, with billions of dollars of campaign spending by special interests, much of it anonymous, flooding the airwaves this fall. In the last Congress, I introduced an amendment drafted by constitutional scholar Larry Tribe that would address the central flaw in reasoning underlying many of the Supreme Court's decisions, and that is the artificial distinction between contributions, which may be regulated, and supposedly independent expenditures, which may not.

I don't support a constitutional amendment lightly and have found few that I would even entertain in my 12 years in Congress. Yes, unrestrained spending and the unmistakable tinge of corruption it creates demand action. Disclosure should come first. But the power to reasonably regulate both contributions and expenditures should follow. And that will require a constitutional amendment.

Madam Speaker, I urge the House to defeat the previous question and, in doing so, set the stage for a debate of a constitutional amendment to restore transparency and accountability to our campaign finance system.

Madam Speaker, we have just concluded another long, hard fought election year. Issues were debated, often fiercely, but that is as it should be in a democracy. Yet in one respect our democracy is clearly broken. Billions of dollars of campaign spending by special interests—much of it anonymous—flooded the airwaves this fall. And because of a series of decisions by the Supreme Court, stretching from *Buckley v. Valeo* in 1976 up to *Citizens United* in 2010, regulating and limiting the influence of special interests on our elections is now largely beyond the power of the federal government or the states. We have seen the result all across our television screens as billions in spending by secretive Super PACs that smear candidates of all parties anonymously and unaccountably.

Last Congress, I introduced an amendment drafted by leading Constitutional Scholar Lawrence Tribe that would address the central flaw in reasoning underlying the Court's decisions—the artificial distinction between direct contributions, which may be regulated, and supposedly independent expenditures, which

may not. I do not support a constitutional amendment lightly and have found few I would even entertain in my 12 years in Congress. Yet unrestrained spending and the unmistakable tinge of corruption it creates demand action. Disclosure should come first. But the power to reasonably regulate both contribution and expenditure should follow; and that will require an Amendment.

Madam Speaker, I urge the House to defeat the previous question and in doing so, set the stage for debate of a constitutional amendment to restore transparency and accountability to our campaign finance system. That's what the American people want, and our democracy requires.

Mr. SESSIONS. Once again, I appreciate and respect the opportunity that's afforded in this time for Members of Congress like the gentleman from California and others to come forth and to give their ideas.

I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I yield 1 minute to the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. Madam Speaker, I urge a "no" vote on the previous question. The 113th Congress convenes as we embark on a new year and, we hope, for new politics. Yet anyone with a New Year's resolution knows that self-improvement requires self-reflection. As full of goodwill and common purpose as we are today, we must acknowledge why so many Americans are fed up with our politics. Whether it's the attack ads, the rampant misinformation, or the bitter partisanship, so much of the frustration rises from the big money in our democracy.

Why the frustration? Elderly Americans don't have super PACs, Madam Speaker. Children in poverty don't have corporate lobbyists. The American people count on us to ensure that their voices are heard. That's what they expect from us. Americans' outrage over our inability to govern in the public interest is quickly becoming an accepted frustration, but it shouldn't be that way. It shouldn't be that way, Madam Speaker. In America, we don't have to accept the status quo. We the people make the rules.

It's time for the 28th amendment to the Constitution. Throughout American history, Republicans and Democrats alike have defended our right to decide our destiny as a people. We must restore our democracy to the people. This is the way to do it.

Mr. SESSIONS. I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I yield 1 minute to the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS. Although I do support the changes to our ethics rules contained in the package, I cannot support the overall package, and I rise in opposition to the previous question for the purposes of allowing the House to consider a constitutional amendment to address the Supreme Court's decision in *Citizens United*.

The 2012 election was the most expensive in our Nation's history. Outside groups, including over 1,200 super PACs spent \$970 million, and \$123 million of anonymous cash was spent in our campaigns. All told, the price tag for last year's election was \$6 billion.

This is only the beginning. In the years to come, spending will expand at the Federal, State, and local levels—megaphones of monied interests drowning out the voices of ordinary Americans. It's time for us to do something about it. And I don't take amending our Constitution, our founding document, lightly. And here on this day, when we're celebrating and commemorating this year's 150th anniversary of the signing of the Emancipation Proclamation, it's time for all Americans to be free in our elections, to free our elections from monied interests, and to amend the Constitution so that Congress can protect the integrity of our elections.

Mr. SESSIONS. I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, in closing, it's become glaringly obvious that our democratic process is broken. Due in large part to the overwhelming influence of money in our elections, together with widespread discriminatory laws that seek to suppress the vote, our electoral process is on the brink of dysfunction. My Democratic colleagues and I are committed to fixing our election system and have a chance today to return democracy to the hands of voters.

Madam Speaker, if we defeat the previous question, I will offer an amendment to the resolution to make sure the House votes on a constitutional amendment to overturn Court decisions, including *Citizens United*, that prohibit Congress and the States from limiting the corrupting influence of money in politics, unlimited political spending in elections, and the proliferation of super PACs.

Madam Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Ms. ROS-LEHTINEN). Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. After our vote on the previous question, we will offer a motion to commit and ask this Chamber to consider the SIMPLE Voting Act. Passing this would ensure that no American would have to wait more than an hour to vote. Nothing is more important than expediting the vote and making sure of that right and that it is attended to.

Madam Speaker, I urge my colleagues to vote "no" and defeat the previous question. I urge a "yes" vote

on the motion to commit and a "no" vote on the resolution.

I yield back the balance of my time. Mr. SESSIONS. Madam Speaker, today, we've had a really good time, where we've had a number of Members who have come down to the floor of the House of Representatives.

As I suggested in the beginning, this was done yesterday in the Republican Conference. I'm sure it was done within the Democrat Caucus. We brought those ideas to the floor of the House of Representatives. We've been able to ascertain more about not only what we stand for but perhaps what people are asking for.

I also want to thank our staff. Not just the Rules staff that is here on the majority side, but also on the minority side. Obviously, every one of these people has spent a lot of time trying to prepare us as we go into this new Congress, and I really do appreciate the hard work by our staffs, the Speaker's staff, the leader's staff; and I'm very pleased that we've been able to begin this process today.

The American people are watching us. They are interested in what we do. They're interested in how open and prepared we are, how we present ourselves, our ideas, and that we talk about the things they talk about around the table, that they talk about at work, and they talk about in educational institutions and, likewise, that they talk about in the field of play that is fair, that is good, and makes this country even stronger.

So I'm delighted that we've done that today. I appreciate the gentlewoman from Rochester for her vigorous analysis today of what we need to do looking forward. I'll continue to listen to that. I know the gentlewoman, Ms. ROS-LEHTINEN, will be on the Rules Committee, and I look forward to that service that she will be making. And with great enthusiasm we will move forward in this new Congress.

Mr. BOEHNER. Madam Speaker, I am inserting the following memorandum of understanding:

MEMORANDUM OF UNDERSTANDING BETWEEN THE COMMITTEE ON FOREIGN AFFAIRS AND THE COMMITTEE ON NATURAL RESOURCES

JANUARY 3, 2013.

House Resolution 5 of the 113th Congress amended clause 1(m)(9) of rule X to change the jurisdictional statement of the Committee on Natural Resources from "Insular possessions of the United States generally (except those affecting the revenue and appropriations)" to "Insular areas of the United States generally (except those affecting the revenue and appropriations)". The Committees on Foreign Affairs and Natural Resources understand that this amendment was intended to ensure that the jurisdiction of the Committee on Natural Resources includes areas also under the jurisdiction of the Committee on Foreign Affairs, namely the Freely Associated States (a group currently comprised of the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau). These

Freely Associated States are sovereign nations, but each also maintains a special relationship with the United States pursuant to its respective Compact of Free Association, and is considered an insular area by certain Federal agencies. The committees understand that the Committee on Foreign Affairs will continue to exercise jurisdiction over insular areas that are sovereign nations and that the jurisdiction of other committees is not affected.

EDWARD R. ROYCE
Chairman, Committee on Foreign Affairs.

DOC HASTINGS,
Chairman, Committee on Natural Resources.

Mr. SABLON. Madam Speaker, we have just sworn to uphold the Constitution. We have taken an oath to pursue the ideal of a more perfect Union.

We take that oath proudly, believing that the United States of America is the world's great democracy.

Yet our pride should never blind us to the imperfections that remain.

Because, as this 113th U.S. House of Representatives begins its business, some 5 million Americans are not really represented here.

Yes, we have Delegates and a Resident Commissioner.

We have offices and staff. We have membership—and votes—in House committees.

But we do not have a vote when legislation comes before this body.

The 5 million Americans we represent live under laws not fully of their making.

That is not the ideal of representational democracy our founders envisioned in the Constitution.

My colleagues and I ask today to have our vote in the Committee of the Whole restored.

Yet, ultimately, we must all set our eyes beyond that limited goal and decide that every United States citizen—no matter where in America they may live—must be fully represented here in the people's House.

Mr. PIERLUISI. Madam Speaker, for the second straight Congress, I oppose the rules package, because it sends a message of exclusion to residents of the territories and the District of Columbia.

Under a rule in place for the last three Democratic-controlled Congresses, the delegates were permitted to vote on amendments when the House met in the Committee of the Whole. The rule, which provided for a revote if our votes were decisive, was upheld by the federal courts and did not impede the work of the House.

The rule promoted responsible government by requiring the delegates to take public stands on issues. It also sent a message of inclusion to our constituents. Yet, once again, in a move that is as unnecessary as it is unjust, the new rules will deprive us of this privilege.

As Resident Commissioner, I represent 3.7 million U.S. citizens, more than any House member and 44 senators. My fellow delegates represent about one million people. Our constituents are part of the American family. They fight—and many have died—in defense of our nation. The rules package demeans their sacrifice.

In November, a referendum in Puerto Rico showed a clear majority wants to end the Island's undemocratic status, and that more voters support statehood than any other status

option. Today's rules demonstrate why the status quo must—and will—end. I look forward to the day when Puerto Rico will have equal representation in the government that makes its national laws, rather than having to plead for the reinstatement of a limited and largely symbolic vote.

Mrs. CHRISTENSEN. Madam Speaker, I rise in opposition to the Rules Package which once again denies the opportunity for Delegates to Congress and the Resident Commissioner to vote on amendments in the Committee of the Whole. We were privileged to have this right first in the 103rd Congress and then again in the 110th and 111th.

Madam Speaker, the over 4 million citizens in the U.S. territories are among the most patriotic Americans you will find anywhere in our country. They have served and died for their country in every war and conflict since the First World War including the recent wars in Afghanistan and Iraq. Much like their fellow citizens on the mainland they are a diverse group of individuals. Some were born in the territories under the American flag, some have migrated there and embraced our culture and our values before naturalization, and others were born in the states and have chosen by virtue of their chosen occupation or by love of our islands to make the territories their home. All are Americans in every sense of the word, except for full representation in the House of Representatives and the ability to vote for the President of the United States.

We had hoped and expected that our colleagues in the House would recognize the contributions of their fellow American insular residents and afford their representatives the opportunity to participate more fully in the decisions of the "people's House", unfortunately however the rules package being voted on has once again proven to us that we still have a long way to go to ensure equality and justice for all. It is ironic and sad, that the United States is the leading voice calling for people around the world to have more, not less say in the governance of their countries, while the rules of the House of Representatives disenfranchise the representatives of American citizens living in U.S. Insular Areas and the District of Columbia.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 5 OFFERED BY MS.
SLAUGHTER OF NEW YORK

At the end of the resolution, add the following new sections:

SEC. 6. At any time before January 31, 2013, it shall be in order to consider in the House a joint resolution proposing an amendment to the United States Constitution that would overturn the Supreme Court decision in *Citizens United* and other court cases that prohibit Congress and the states from limiting the corrupting influence of money in politics, unlimited political spending in elections, and the proliferation of Super PACs by secret donors that erode democracy and result in voter apathy, whenever called up by the Minority Leader or her designee. All points of order against the joint resolution and its consideration are waived. The joint resolution shall be debatable for three hours equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The previous question shall be considered as ordered on

the joint resolution to final passage without intervening motion except one motion to recommit.

SEC. 7. Clause 1(c) of rule XIX shall not apply to the consideration of the joint resolution specified in section 6 of this resolution.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a resolution, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a resolution does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. SESSIONS. Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 227, nays 191, not voting 11, as follows:

[Roll No. 4]

YEAS—227

Aderholt	Foxx	McCarthy (CA)
Alexander	Franks (AZ)	McCaul
Amash	Frelinghuysen	McClintock
Amodei	Gardner	McHenry
Bachus	Garrett	McKeon
Barletta	Gerlach	McKinley
Barr	Gibbs	McMorris
Barton	Gibson	Rodgers
Benish	Gingrey (GA)	Meadows
Bentivolio	Gohmert	Meehan
Bilirakis	Goodlatte	Messer
Bishop (UT)	Gosar	Mica
Black	Gowdy	Miller (FL)
Bonner	Granger	Miller (MI)
Boustany	Graves (GA)	Miller, Gary
Brady (TX)	Graves (MO)	Mullin
Bridenstine	Griffin (AR)	Murphy (PA)
Brooks (AL)	Griffith (VA)	Neugebauer
Brooks (IN)	Grimm	Noem
Broun (GA)	Guthrie	Nugent
Buchanan	Hall	Nunes
Bucshon	Hanna	Nunnelee
Burgess	Harper	Olson
Calvert	Harris	Palazzo
Camp	Hartzler	Paulsen
Campbell	Hastings (WA)	Pearce
Cantor	Heck (NV)	Perry
Capito	Hensarling	Petri
Carter	Herrera Beutler	Pittenger
Cassidy	Holding	Pitts
Chabot	Hudson	Poe (TX)
Chaffetz	Huelskamp	Pompeo
Coble	Huizenga (MI)	Posey
Coffman	Hultgren	Price (GA)
Cole	Hunter	Radel
Collins (GA)	Hurt	Reed
Collins (NY)	Issa	Reichert
Conaway	Jenkins	Renacci
Cook	Johnson (OH)	Ribble
Cotton	Johnson, Sam	Rice (SC)
Cramer	Jordan	Rigell
Crawford	Joyce	Roby
Crenshaw	Kelly	Roe (TN)
Culberson	King (IA)	Rogers (AL)
Daines	King (NY)	Rogers (KY)
Davis, Rodney	Kingston	Rogers (MI)
Denham	Kinzinger (IL)	Rohrabacher
Dent	Kline	Rokita
DeSantis	Labrador	Rooney
DesJarlais	LaMalfa	Ros-Lehtinen
Diaz-Balart	Lamborn	Roskam
Duffy	Lance	Ross
Duncan (SC)	Lankford	Rothfus
Duncan (TN)	Latham	Royce
Ellmers	Latta	Runyan
Emerson	LoBiondo	Ryan (WI)
Farenthold	Long	Salmon
Fincher	Lucas	Scalise
Fleischmann	Luetkemeyer	Schock
Fleming	Lummis	Schweikert
Flores	Marchant	Scott, Austin
Forbes	Marino	Sensenbrenner
Fortenberry	Massie	Sessions

Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)

Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup

Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NAYS—191

Andrews
Barber
Barrow
Bass
Beatty
Becerra
Bera
Bishop (GA)
Bishop (NY)
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Castor (FL)
Castro (TX)
Chu
Cicilline
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
Deutsch
Dingell
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene

Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones

Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Lee (CA)
Levin
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maffei
Maloney,
Carolyn
Maloney, Sean
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan

O'Rourke
Owens
Pallone
Pascarelli
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—11

Bachmann
Blackburn
Cartwright
Clarke

Doggett
Fitzpatrick
Larson (CT)
McIntyre

Mulvaney
Peters (CA)
Veasey

□ 1621

Messrs. HOLT, JONES, WAXMAN, and Ms. TITUS changed their vote from "yea" to "nay."

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. FITZPATRICK. Madam Speaker, on rollcall No. 4, I was unavoidably detained. Had I been present, I would have voted "yea."

Stated against:

Mr. LARSON of Connecticut. Madam Speaker, on January 3, 2013—I was not present for rollcall vote 4. If I had been present for this vote, I would have voted: "Nay" on rollcall vote 4.

MOTION TO COMMIT

Mr. GEORGE MILLER of California. Madam Speaker, I have a motion to commit at the desk.

The SPEAKER pro tempore (Mrs. EMERSON). The Clerk will report the motion.

The Clerk read as follows:

Mr. GEORGE MILLER of California moves that the resolution (H. Res. 5) be committed to a select committee composed of the Majority Leader and the Minority Leader with instructions to report it forthwith back to the House with the following amendment:

At the end of the resolution, add the following new sections:

SEC. 6. TO SHORTEN VOTING LINES AND PROTECT EARLY VOTING OPPORTUNITIES.

Not later than January 31, 2013, the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of a bill consisting of the text specified in section 8 of this resolution, to amend the Help America Vote Act of 2002 to promote early voting in elections for Federal office and to prevent unreasonable waiting times for voters at polling places used in such elections, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on House Administration. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 7. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 8 of this resolution.

SEC. 8. The text referred to in section 6 is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Streamlined and Improved Methods at Polling Locations and Early (SIMPLE) Voting Act of 2013".

SEC. 2. MINIMUM REQUIREMENTS FOR EARLY VOTING AND FOR REDUCING WAITING TIMES FOR VOTERS IN FEDERAL ELECTIONS.

(a) REQUIREMENTS FOR STATES.—

(1) IN GENERAL.—Subtitle A of title III of the Help America Vote Act of 2002 (42 U.S.C. 15481 et seq.) is amended—

(A) by redesignating sections 304 and 305 as sections 306 and 307; and

(B) by inserting after section 303 the following new sections:

“SEC. 304. EARLY VOTING.

“(a) IN GENERAL.—Each State shall allow individuals to vote in an election for Federal office on each day occurring during the 15-day period which ends on the second day immediately preceding the date of the election, in the same manner as voting is allowed on such date.

“(b) MINIMUM EARLY VOTING REQUIREMENTS.—Each polling place which allows voting prior to the date of a Federal election pursuant to subsection (a) shall—

“(1) allow such voting for not less than 10 hours on each day; and

“(2) have uniform hours each day for which such voting occurs.

“(c) LOCATION OF POLLING PLACES NEAR PUBLIC TRANSPORTATION.—To the greatest extent practicable, a State shall ensure that each polling place which allows voting prior to the date of a Federal election pursuant to subsection (a) is located within reasonable walking distance of a stop on a public transportation route.

“(d) STANDARDS.—

“(1) IN GENERAL.—The Commission shall issue standards for the administration of voting prior to the date scheduled for a Federal election. Such standards shall include the nondiscriminatory geographic placement of polling places at which such voting occurs.

“(2) DEVIATION.—The standards described in paragraph (1) shall permit States, upon providing adequate public notice, to deviate from any requirement in the case of unforeseen circumstances such as a natural disaster, terrorist attack, or a change in voter turnout.

“(e) EFFECTIVE DATE.—This section shall apply with respect to elections held on or after January 1, 2014.

“SEC. 305. PREVENTING UNREASONABLE WAITING TIMES FOR VOTERS.

“(a) PREVENTING UNREASONABLE WAITING TIMES.—

“(1) IN GENERAL.—Each State shall provide a sufficient number of voting systems, poll workers, and other election resources (including physical resources) at a polling place used in any election for Federal office, including a polling place at which individuals may cast ballots prior to the date of the election, to ensure—

“(A) a fair and equitable waiting time for all voters in the State; and

“(B) that no individual will be required to wait longer than one hour to cast a ballot at the polling place.

“(2) CRITERIA.—In determining the number of voting systems, poll workers, and other election resources provided at a polling place for purposes of paragraph (1), the State shall take into account the following factors:

“(A) The voting age population.

“(B) Voter turnout in past elections.

“(C) The number of voters registered.

“(D) The number of voters who have registered since the most recent Federal election.

“(E) Census data for the population served by the polling place, such as the proportion

of the voting-age population who are under 25 years of age or who are naturalized citizens.

“(F) The needs and numbers of voters with disabilities and voters with limited English proficiency.

“(G) The type of voting systems used.

“(H) The length and complexity of initiatives, referenda, and other questions on the ballot.

“(I) Such other factors, including relevant demographic factors relating to the population served by the polling place, as the State considers appropriate.

“(3) GUIDELINES.—Not later than 180 days after the date of the enactment of this section, the Commission shall establish and publish guidelines to assist States in meeting the requirements of this subsection.

“(4) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to authorize a State to meet the requirements of this subsection by closing any polling place, prohibiting an individual from entering a line at a polling place, or refusing to permit an individual who has arrived at a polling place prior to closing time from voting at the polling place.

“(b) DEVELOPMENT AND IMPLEMENTATION OF CONTINGENCY PLANS.—

“(1) IN GENERAL.—Each State shall develop, and implement to the greatest extent practicable, a contingency plan under which the State shall provide additional poll workers, machines, ballots, and other equipment and supplies (as the case may be) on the date of the election to any polling place used in an election for Federal office, including a polling place at which individuals may cast ballots prior to the date of the election, at which waiting times exceed one hour.

“(2) APPROVAL OF PLAN BY COMMISSION.—The State shall ensure that the contingency plan developed under paragraph (1) is approved by the Commission prior to the date of the election involved, in accordance with such procedures as the Commission may establish.

“(c) EFFECTIVE DATE.—This section shall apply with respect to elections held on or after January 1, 2014.”

(2) CLERICAL AMENDMENT.—The table of contents of such Act is amended—

(A) by redesignating the items relating to sections 304 and 305 as relating to sections 306 and 307; and

(B) by inserting after the item relating to section 303 the following new items:

“Sec. 304. Early voting.

“Sec. 305. Preventing unreasonable waiting times for voters.”

(b) REPORT BY ELECTION ASSISTANCE COMMISSION.—Not later than June 30 of each odd-numbered year, the Election Assistance Commission shall submit to Congress a report assessing the impact of sections 304 and 305 of the Help America Vote Act of 2002 (as added by subsection (a)) on the administration of elections for Federal office during the preceding 2-year period, and shall include in the report such recommendations as the Commission considers appropriate.

(c) NO EFFECT ON AUTHORITY OF STATE TO PROVIDE FOR LONGER PERIODS OF EARLY VOTING OR GREATER AMOUNT OF RESOURCES AT POLLING PLACES.—Nothing in this section or in any amendment made by this section may be construed to prohibit a State, with respect to any election for Federal office—

(1) from providing (in an equitable and nondiscriminatory manner) a longer period for early voting than the minimum period required under section 304 of the Help America Vote Act of 2002 (as added by subsection (a)); or

(2) from providing (in an equitable and nondiscriminatory manner) a greater number of systems, poll workers, and other election resources at any polling place than the minimum number required under section 305 of such Act (as added by subsection (a)).

SEC. 3. REQUIREMENTS FOR COUNTING PROVISIONAL BALLOTS; ESTABLISHMENT OF UNIFORM AND NONDISCRIMINATORY STANDARDS.

(a) IN GENERAL.—Section 302 of the Help America Vote Act of 2002 (42 U.S.C. 15482) is amended—

(1) by redesignating subsection (d) as subsection (f); and

(2) by inserting after subsection (c) the following new subsections:

“(d) STATEWIDE COUNTING OF PROVISIONAL BALLOTS.—

“(1) IN GENERAL.—For purposes of subsection (a)(4), notwithstanding the precinct or polling place at which a provisional ballot is cast within the State, the appropriate election official shall count each vote on such ballot for each election in which the individual who cast such ballot is eligible to vote.

“(2) EFFECTIVE DATE.—This subsection shall apply with respect to elections held on or after January 1, 2014.

“(e) UNIFORM AND NONDISCRIMINATORY STANDARDS.—

“(1) IN GENERAL.—Consistent with the requirements of this section, each State shall establish uniform and nondiscriminatory standards for the issuance, handling, and counting of provisional ballots.

“(2) EFFECTIVE DATE.—This subsection shall apply with respect to elections held on or after January 1, 2014.”

(b) CONFORMING AMENDMENT.—Section 302(f) of such Act (42 U.S.C. 15482(f)), as redesignated by subsection (a), is amended by striking “Each State” and inserting “Except as provided in subsections (d)(2) and (e)(2), each State”.

SEC. 4. AVAILABILITY OF CIVIL PENALTIES AND PRIVATE RIGHTS OF ACTION TO ENFORCE HELP AMERICA VOTE ACT OF 2002.

(a) AVAILABILITY OF CIVIL PENALTIES AND PRIVATE RIGHTS OF ACTION.—Section 401 of the Help America Vote Act of 2002 (42 U.S.C. 15511) is amended to read as follows:

“SEC. 401. ENFORCEMENT.

“(a) ACTION BY ATTORNEY GENERAL.—

“(1) IN GENERAL.—The Attorney General may bring a civil action against any State or jurisdiction in an appropriate United States District Court for such declaratory and injunctive relief (including a temporary restraining order, a permanent or temporary injunction, or other order) as may be necessary to carry out the requirements of subtitle A of title III.

“(2) ASSESSMENT OF CIVIL MONEY PENALTY.—In a civil action brought under paragraph (1), if the court finds that the State or jurisdiction violated any provision of subtitle A of title III, it may, to vindicate the public interest, assess a civil penalty against the State or jurisdiction—

“(A) in an amount not to exceed \$110,000 for each such violation, in the case of a first violation; or

“(B) in an amount not to exceed \$220,000 for each such violation, for any subsequent violation.

“(3) INTERVENTION.—Upon timely application, a person aggrieved by a violation of subtitle A of title III with respect to which a civil action is commenced under paragraph (1) may intervene in such action, and may obtain such appropriate relief as the person

could obtain in a civil action under subsection (b) with respect to that violation, along with costs and a reasonable attorney fee.

“(4) REPORT TO CONGRESS.—Not later than December 31 of each year, the Attorney General shall submit to Congress an annual report on any civil action brought under paragraph (1) during the preceding year.

“(b) PRIVATE RIGHT OF ACTION.—

“(1) AVAILABILITY.—A person who is aggrieved by a State’s or jurisdiction’s violation of subtitle A of title III may bring a civil action in an appropriate United States District Court for such declaratory or injunctive relief as may be necessary to carry out the requirements of such subtitle.

“(2) COSTS AND ATTORNEY FEES.—The court may award to a person aggrieved by a violation of subtitle A of title III who prevails in an action brought under paragraph (1) the costs of the action, including a reasonable attorney fee.”.

(b) CLERICAL AMENDMENT.—The table of contents of such Act is amended by amending the item relating to section 401 to read as follows:

“Sec. 401. Enforcement.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations alleged to have occurred on or after the date of the enactment of this Act.

Mr. GEORGE MILLER of California (during the reading). Madam Speaker, I ask unanimous consent to dispense with the reading of the motion.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to commit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to commit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

RECORDED VOTE

Mr. GEORGE MILLER of California. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—yeas 194, nays 229, not voting 6, as follows:

[Roll No. 5]

YEAS—194

Andrews	Castor (FL)	DeLauro
Barber	Castro (TX)	DeBene
Barrow	Chu	Deutch
Bass	Cicilline	Dingell
Beatty	Clarke	Doggett
Becerra	Clay	Doyle
Bera	Cleaver	Duckworth
Bishop (GA)	Clyburn	Edwards
Bishop (NY)	Cohen	Ellison
Bonamici	Connolly	Engel
Brady (PA)	Conyers	Enyart
Braley (IA)	Cooper	Esty
Brown (FL)	Costa	Farr
Brownley (CA)	Courtney	Fattah
Bustos	Crowley	Foster
Butterfield	Cuellar	Frankel (FL)
Capps	Cummings	Fudge
Capuano	Davis (CA)	Gabbard
Cardenas	Davis, Danny	Galleo
Carney	DeFazio	Garamendi
Carson (IN)	DeGette	Garcia
Cartwright	Delaney	Grayson

Green, Al	Maffei
Green, Gene	Maloney,
Grijalva	Carolyn
Gutierrez	Maloney, Sean
Hahn	Markey
Hanabusa	Matheson
Hastings (FL)	Matsui
Heck (WA)	McCarthy (NY)
Higgins	McCollum
Himes	McDermott
Hinojosa	McGovern
Holt	McNerney
Honda	Meeks
Horsford	Meng
Hoyer	Michaud
Huffman	Miller, George
Israel	Moore
Jackson Lee	Moran
Jeffries	Murphy (FL)
Johnson (GA)	Nadler
Johnson, E. B.	Napolitano
Jones	Neal
Kaptur	Negrete McLeod
Keating	Nolan
Kennedy	O'Rourke
Kildee	Owens
Kilmer	Pallone
Kind	Pascarella
Kirkpatrick	Pastor (AZ)
Kuster	Payne
Langevin	Pelosi
Larsen (WA)	Perlmutter
Larson (CT)	Peters (CA)
Lee (CA)	Peters (MI)
Levin	Peterson
Lipinski	Pingree (ME)
Loebach	Pocan
Lofgren	Polis
Lowenthal	Price (NC)
Lowe	Quigley
Lujan Grisham	Rahall
(NM)	Rangel
Lujan, Ben Ray	Richmond
(NM)	Ruiz
Lynch	Ruppersberger

NAYS—229

Aderholt	Denham	Hudson
Alexander	Dent	Huelskamp
Amash	DeSantis	Huizenga (MI)
Amodei	DesJarlais	Hultgren
Bachmann	Diaz-Balart	Hunter
Bachus	Duffy	Hurt
Barletta	Duncan (SC)	Issa
Barr	Duncan (TN)	Jenkins
Barton	Ellmers	Johnson (OH)
Benishek	Emerson	Johnson, Sam
Bentivolio	Farenthold	Jordan
Bilirakis	Fincher	Joyce
Bishop (UT)	Fitzpatrick	Kelly
Black	Fleischmann	King (IA)
Blackburn	Fleming	King (NY)
Bonner	Flores	Kingston
Boustany	Forbes	Kinzinger (IL)
Brady (TX)	Fortenberry	Kline
Bridenstine	Fox	Labrador
Brooks (AL)	Franks (AZ)	LaMalfa
Brooks (IN)	Frelinghuysen	Lamborn
Broun (GA)	Gardner	Lance
Buchanan	Garrett	Lankford
Bucshon	Gerlach	Latham
Burgess	Gibbs	Latta
Calvert	Gibson	LoBiondo
Camp	Gingrey (GA)	Long
Campbell	Gohmert	Lucas
Cantor	Goodlatte	Luetkemeyer
Capito	Gosar	Lummis
Carter	Gowdy	Marchant
Cassidy	Granger	Marino
Chabot	Graves (GA)	Massie
Chaffetz	Graves (MO)	McCarthy (CA)
Coble	Griffin (AR)	McCaul
Coffman	Griffith (VA)	McClintock
Cole	Grimm	McHenry
Collins (GA)	Guthrie	McKeon
Collins (NY)	Hall	McKinley
Conaway	Hanna	McMorris
Cook	Harper	Rodgers
Cotton	Harris	Meadows
Cramer	Hartzer	Meehan
Crawford	Hastings (WA)	Messer
Crenshaw	Heck (NV)	Mica
Culberson	Hensarling	Miller (FL)
Daines	Herrera Beutler	Miller (MI)
Davis, Rodney	Holding	Miller, Gary

Mullin	Rogers (MI)	Terry
Murphy (PA)	Rohrabacher	Thompson (PA)
Neugebauer	Rokita	Thornberry
Noem	Rooney	Tiberi
Nugent	Ros-Lehtinen	Tipton
Nunes	Roskam	Turner
Nunnelee	Ross	Upton
Olson	Rothfus	Valadao
Palazzo	Royce	Wagner
Paulsen	Runyan	Walberg
Pearce	Ryan (WI)	Walden
Perry	Salmon	Walorski
Petri	Scalise	Weber (TX)
Pitts	Schock	Webster (FL)
Poe (TX)	Schweikert	Wenstrup
Pompeo	Scott, Austin	Westmoreland
Posey	Sensenbrenner	Whitfield
Price (GA)	Sessions	Williams
Radel	Shimkus	Wilson (SC)
Reed	Shuster	Wittman
Reichert	Simpson	Wolf
Renacci	Smith (NE)	Womack
Ribble	Smith (NJ)	Woodall
Rice (SC)	Smith (TX)	Yoder
Rigell	Southerland	Yoho
Roby	Stewart	Young (AK)
Roe (TN)	Stivers	Young (FL)
Rogers (AL)	Stockman	Young (IN)
Rogers (KY)	Stutzman	

NOT VOTING—6

Eshoo	Mulvaney	Speier
McIntyre	Pittenger	Takano

□ 1639

Messrs. MCHENRY and JOYCE changed their vote from “yea” to “nay.”

Mrs. NEGRETE MCLEOD changed her vote from “nay” to “yea.”

So the motion to commit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. TAKANO. Mr. Speaker, during rollcall vote No. 5, on the Motion to commit, I was unavoidably detained. Had I been present, I would have voted “yea.”

Stated against:

Mr. PITTENGER. Mr. Speaker, on rollcall No. 5, I was unavoidably detained. Had I been present, I would have voted “nay.”

The SPEAKER pro tempore (Mr. LATHAM). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 228, nays 196, not voting 5, as follows:

[Roll No. 6]

YEAS—228

Aderholt	Bridenstine	Cole
Alexander	Brooks (AL)	Collins (GA)
Amash	Brooks (IN)	Collins (NY)
Amodei	Broun (GA)	Conaway
Bachmann	Buchanan	Cook
Bachus	Bucshon	Cotton
Barletta	Burgess	Cramer
Barr	Calvert	Crawford
Barton	Camp	Crenshaw
Benishek	Campbell	Culberson
Bentivolio	Cantor	Daines
Bilirakis	Capito	Davis, Rodney
Bishop (UT)	Carter	Denham
Black	Cassidy	Dent
Blackburn	Chabot	DeSantis
Bonner	Chaffetz	DesJarlais
Boustany	Coble	Diaz-Balart
Brady (TX)	Coffman	Duffy

Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)

Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)

Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Lipinski
Loeb
Loebach
Lofgren
Lowenthal
Lowe
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney
Maloney, Carolyn
Maloney, Sean
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod

NOT VOTING—5

McIntyre
Mulvaney
Ribble
Sinema
Yoho

□ 1656

So the resolution was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. Without objection, the word “General” in section 3(j)(1) is changed to “Government.” There was no objection.

A motion to reconsider was laid on the table.

Stated against:

Ms. SINEMA. Mr. Speaker, during rollcall No. 6 on H. Res. 5, I was unavoidably detained. Had I been present, I would have voted “nay.”

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on House Resolution 5.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to the following resolution:

S. RES. 2

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

The message also announced that the Senate has agreed to concurrent resolutions of the following titles in which the concurrence of the House is requested:

S. Con. Res. 1. Concurrent resolution to provide for the counting on January 4, 2013,

of the electoral votes for President and Vice President of the United States.

S. Con. Res. 2. Concurrent resolution extending the life of the Joint Congressional Committee on Inaugural Ceremonies.

S. Con. Res. 3. Concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

APPOINTMENT AS MEMBERS OF COMMITTEE TO NOTIFY THE PRESIDENT, PURSUANT TO HOUSE RESOLUTION 3

The SPEAKER pro tempore. Without objection, pursuant to House Resolution 3, the Chair announces the Speaker's appointment of the following Members to the committee on the part of the House to join a committee on the part of the Senate to notify the President of the United States that a quorum of each House has assembled and that Congress is ready to receive any communication that he may be pleased to make:

The gentleman from Virginia (Mr. CANTOR) and the gentlewoman from California (Ms. PELOSI).

There was no objection.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mrs. McMORRIS RODGERS. Mr. Speaker, by direction of the Republican Conference, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 6

Resolved, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

COMMITTEE ON AGRICULTURE: Mr. Lucas, Chairman.

COMMITTEE ON APPROPRIATIONS: Mr. Rogers of Kentucky, Chairman.

COMMITTEE ON ARMED SERVICES: Mr. McKeon, Chairman.

COMMITTEE ON THE BUDGET: Mr. Ryan of Wisconsin, Chairman.

COMMITTEE ON EDUCATION AND THE WORKFORCE: Mr. Kline, Chairman.

COMMITTEE ON ENERGY AND COMMERCE: Mr. Upton, Chairman.

COMMITTEE ON ETHICS: Mr. Conaway, Chairman; Mr. Dent; Mr. Meehan; Mr. Gowdy; and Mrs. Brooks of Indiana.

COMMITTEE ON FINANCIAL SERVICES: Mr. Hensarling, Chairman.

COMMITTEE ON FOREIGN AFFAIRS: Mr. Royce, Chairman.

COMMITTEE ON HOMELAND SECURITY: Mr. McCaul, Chairman.

COMMITTEE ON HOUSE ADMINISTRATION: Mrs. Miller of Michigan, Chairman; Mr. Harper; Mr. Gingrey of Georgia; Mr. Schock; Mr. Rokita; and Mr. Nugent.

COMMITTEE ON THE JUDICIARY: Mr. Goodlatte, Chairman.

COMMITTEE ON NATURAL RESOURCES: Mr. Hastings of Washington, Chairman.

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM: Mr. Issa, Chairman.

NAYS—196

Andrews
Barber
Barrow
Bass
Beatty
Becerra
Bera
Bishop (GA)
Bishop (NY)
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Clever
Clyburn
Cohen
Connolly
Conyers
Cooper

Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al

Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin

COMMITTEE ON RULES: Mr. Sessions, Chairman; Ms. Poxx; Mr. Bishop of Utah; Mr. Cole; Mr. Woodall; Mr. Nugent; Mr. Webster of Florida; Ms. Ros-Lehtinen; and Mr. Burgess.

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY: Mr. Smith of Texas, Chairman.

COMMITTEE ON SMALL BUSINESS: Mr. Graves of Missouri, Chairman.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE: Mr. Shuster, Chairman.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Miller of Florida, Chairman.

COMMITTEE ON WAYS AND MEANS: Mr. Camp of Michigan, Chairman.

Mrs. McMORRIS RODGERS (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. BECERRA. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 7

Resolved, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON AGRICULTURE.—Mr. Peterson, Mr. McIntyre, Mr. David Scott of Georgia, Mr. Costa, Mr. Walz, Mr. Schrader, Mr. Owens, Ms. Fudge, Mr. McGovern, Mrs. Negrete McLeod, Mr. Vela, Ms. Michelle Lujan Grisham of New Mexico, and Ms. Kuster.

(2) COMMITTEE ON APPROPRIATIONS.—Mrs. Lowey, Ms. Kaptur, Mr. Visclosky, Mr. Serrano, Ms. DeLauro, Mr. Moran, Mr. Pastor of Arizona, Mr. Price of North Carolina, Ms. Roybal-Allard, Mr. Farr, Mr. Fattah, Mr. Bishop of Georgia, Ms. Lee of California, Mr. Schiff, Mr. Honda, Ms. McCollum, Mr. Israel, Mr. Ryan of Ohio, Mr. Ruppersberger, Ms. Wasserman Schultz, Mr. Cuellar, and Ms. Pingree of Maine.

(3) COMMITTEE ON ARMED SERVICES.—Mr. Smith of Washington, Ms. Loretta Sanchez of California, Mr. McIntyre, Mr. Brady of Pennsylvania, Mr. Andrews, Mrs. Davis of California, Mr. Langevin, Mr. Larsen of Washington, Mr. Cooper, Ms. Bordallo, Mr. Courtney, Mr. Loeb sack, Ms. Tsongas, Mr. Owens, Mr. Garamendi, Mr. Johnson of Georgia, Ms. Hanabusa, Ms. Speier, Mr. Barber, Ms. Shea-Porter, Mr. Maffei, Mr. Kilmer, Mr. Castro of Texas, Ms. Duckworth, Mr. Peters of California, Mr. Enyart, Mr. Gallego, and Mr. Veasey.

(4) COMMITTEE ON THE BUDGET.—Mr. Van Hollen, Ms. Schwartz, Mr. Yarmuth, Mr. Pascrell, Mr. Ryan of Ohio, Ms. Wasserman Schultz, Ms. Moore, Ms. Castor of Florida, Ms. Lee of California, Mr. Cicilline, and Mr. Heck of Washington.

(5) COMMITTEE ON EDUCATION AND THE WORKFORCE.—Mr. George Miller of California, Mr. Andrews, Mr. Scott of Virginia, Mr. Hino-

josa, Mrs. McCarthy of New York, Mr. Tierney, Mr. Holt, Mrs. Davis of California, Mr. Grijalva, Mr. Bishop of New York, Mr. Loeb sack, Mr. Courtney, Ms. Fudge, Mr. Polis, Mr. Sablan, Mr. Yarmuth, Ms. Wilson of Florida, and Ms. Bonamici.

(6) COMMITTEE ON ENERGY AND COMMERCE.—Mr. Waxman, Mr. Dingell, Mr. Markey, Mr. Pallone, Mr. Rush, Ms. Eshoo, Mr. Engel, Mr. Gene Green of Texas, Ms. DeGette, Mrs. Capps, Mr. Doyle, Ms. Schakowsky, Mr. Matheson, Mr. Butterfield, Mr. Barrow, Ms. Matsui, Mrs. Christensen, Ms. Castor of Florida, Mr. Sarbanes, Mr. McNerney, Mr. Braley of Iowa, Mr. Welch, Mr. Ben Ray Lujan of New Mexico, and Mr. Tonko.

(7) COMMITTEE ON ETHICS.—Ms. Linda T. Sanchez of California.

(8) COMMITTEE ON FINANCIAL SERVICES.—Ms. Waters, Mrs. Carolyn B. Maloney of New York, Mr. Gutierrez, Ms. Velázquez, Mr. Watt, Mr. Sherman, Mr. Meeks, Mr. Capuano, Mr. Hinojosa, Mr. Clay, Mrs. McCarthy of New York, Mr. Lynch, Mr. David Scott of Georgia, Mr. Al Green of Texas, Mr. Cleaver, Ms. Moore, Mr. Ellison, Mr. Perlmutter, Mr. Himes, Mr. Peters of Michigan, Mr. Carney, Ms. Sewell of Alabama, Mr. Foster, Mr. Kildee, Mr. Murphy of Florida, Mr. Delaney, Ms. Sinema, and Mrs. Beatty.

(9) COMMITTEE ON FOREIGN AFFAIRS.—Mr. Engel, Mr. Faleomavaega, Mr. Sherman, Mr. Meeks, Mr. Sires, Mr. Connolly, Mr. Deutch, Mr. Higgins, Ms. Bass, Mr. Keating, Mr. Cicilline, Mr. Grayson, Mr. Vargas, Mr. Schneider, Mr. Kennedy, Mr. Bera, and Mr. Lowenthal.

(10) COMMITTEE ON HOMELAND SECURITY.—Mr. Thompson of Mississippi, Ms. Loretta Sanchez of California, Ms. Jackson Lee of Texas, Ms. Clarke, Mr. Higgins, Mr. Richmond, Mr. Keating, Ms. Hahn, Mr. Barber, Mr. Payne, Mr. O'Rourke, and Ms. Gabbard.

(11) COMMITTEE ON HOUSE ADMINISTRATION.—Mr. Brady of Pennsylvania.

(12) COMMITTEE ON THE JUDICIARY.—Mr. Conyers, Mr. Nadler, Mr. Scott of Virginia, Mr. Watt, Ms. Lofgren, Ms. Jackson Lee of Texas, Mr. Cohen, Mr. Johnson of Georgia, Mr. Pierluisi, Mr. Quigley, Ms. Chu, Mr. Deutch, Ms. Bass, Mr. Richmond, Ms. DelBene, Mr. Garcia, and Mr. Jeffries.

(13) COMMITTEE ON NATURAL RESOURCES.—Mr. Markey, Mr. DeFazio, Mr. Faleomavaega, Mr. Pallone, Mrs. Napolitano, Mr. Holt, Mr. Grijalva, Ms. Bordallo, Mr. Costa, Mr. Sablan, Ms. Tsongas, Mr. Pierluisi, Ms. Hanabusa, Mr. Cárdenas, Mr. Horsford, Mr. Huffman, and Mr. Ruiz.

(14) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Mr. Cummings, Mrs. Carolyn B. Maloney of New York, Ms. Norton, Mr. Tierney, Mr. Clay, Mr. Lynch, Mr. Cooper, Mr. Connolly, Mr. Quigley, Ms. Speier, Mr. Cartwright, and Mr. Pocan.

(15) COMMITTEE ON RULES.—Ms. Slaughter, Mr. McGovern, Mr. Hastings of Florida, and Mr. Polis.

(16) COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY.—Ms. Eddie Bernice Johnson of Texas, Ms. Lofgren, Mr. Lipinski, Ms. Edwards, Ms. Wilson of Florida, Ms. Bonamici, and Mr. Swalwell of California.

(17) COMMITTEE ON SMALL BUSINESS.—Ms. Velázquez, Mr. Schrader, Ms. Clarke, Ms. Chu, and Ms. Meng.

(18) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—Mr. Rahall, Mr. DeFazio, Ms. Norton, Mr. Nadler, Ms. Brown of Florida, Ms. Eddie Bernice Johnson of Texas, Mr. Cummings, Mr. Larsen of Washington, Mr. Capuano, Mr. Bishop of New York, Mr. Michaud, Mrs. Napolitano, Mr. Lipinski, Mr. Walz, Mr. Cohen, Mr. Sires, Ms. Edwards, Mr.

Garamendi, Mr. Carson of Indiana, Ms. Hahn, Mr. Nolan, Mrs. Kirkpatrick, Ms. Titus, Mr. Sean Patrick Maloney of New York, Ms. Esty, Ms. Frankel of Florida, and Mrs. Bustos.

(19) COMMITTEE ON VETERANS' AFFAIRS.—Mr. Michaud, Ms. Brown of Florida, Mr. Takano, and Ms. Brownley of California.

(20) COMMITTEE ON WAYS AND MEANS.—Mr. Levin, Mr. Rangel, Mr. McDermott, Mr. Lewis, Mr. Neal, Mr. Becerra, Mr. Doggett, Mr. Thompson of California, Mr. Larson of Connecticut, Mr. Blumenauer, Mr. Kind, Mr. Pascrell, Mr. Crowley, Ms. Schwartz, Mr. Danny K. Davis of Illinois, and Ms. Linda T. Sanchez of California.

Mr. BECERRA (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR THE DESIGNATION OF CERTAIN MINORITY EMPLOYEES

Mr. BECERRA. Mr. Speaker, I offer a resolution and ask unanimous consent for its immediate consideration.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the resolution is as follows:

H. RES. 8

Resolved, That pursuant to the Legislative Pay Act of 1929, as amended, the six minority employees authorized therein shall be the following named persons, effective January 3, 2013, until otherwise ordered by the House, to wit: John Lawrence, George Kundanis, Richard Meltzer, Wyndee Parker, Wendell Primus, and Nadeam Elshami, each to receive gross compensation pursuant to the provisions of House Resolution 119, Ninety-fifth Congress, as enacted into permanent law by section 115 of Public Law 95-94. In addition the Minority Leader may appoint and set the annual rate of pay for up to 3 further minority employees.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FIXING THE DAILY HOUR OF MEETING OF THE FIRST SESSION OF THE 113TH CONGRESS

Mr. SESSIONS. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 9

Resolved, That unless otherwise ordered, the hour of daily meeting of the House shall be 2 p.m. on Monday; noon on Tuesdays (or 2 p.m. if no legislative business was conducted

on the preceding Monday); noon on Wednesday and Thursday; and 9 a.m. on all other days of the week.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE SPEAKER, MAJORITY LEADER, AND MINORITY LEADER TO ACCEPT RESIGNATIONS AND MAKE APPOINTMENTS DURING THE 113TH CONGRESS

Mr. CANTOR. Mr. Speaker, I ask unanimous consent that during the 113th Congress, the Speaker, majority leader, and minority leader be authorized to accept resignations and to make appointments authorized by law or by the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

GRANTING MEMBERS PERMISSION TO EXTEND REMARKS AND INCLUDE EXTRANEEOUS MATERIAL IN THE CONGRESSIONAL RECORD DURING THE 113TH CONGRESS

Mr. CANTOR. Mr. Speaker, I ask unanimous consent that during the 113th Congress, all Members be permitted to extend their remarks and to include extraneous material within the permitted limit in that section of the RECORD entitled Extensions of Remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

MAKING IN ORDER MORNING-HOUR DEBATE

Mr. CANTOR. Mr. Speaker, I ask unanimous consent that during the first session of the 113th Congress:

(1) on legislative days of Monday or Tuesday when the House convenes pursuant to House Resolution 9, the House shall convene 2 hours earlier than the time otherwise established by the resolution for the purpose of conducting morning-hour debate;

(2) on legislative days of Wednesday or Thursday when the House convenes pursuant to House Resolution 9, the House shall convene 2 hours earlier than the time otherwise established by the resolution for the purpose of conducting morning-hour debate;

(3) when the House convenes pursuant to an order other than H. Res. 9, the House shall convene for the purpose of conducting morning-hour debate only as prescribed by such order;

(4) the time for morning-hour debate shall be allocated equally between the parties and may not continue beyond 10 minutes before the hour appointed for the resumption of the session of the House; and

(5) the form of proceeding for morning-hour debate shall be as follows:

(a) the prayer by the Chaplain, the approval of the Journal and the Pledge of Allegiance to the flag shall be postponed until resumption of the session of the House;

(b) initial and subsequent recognitions for debate shall alternate between the parties;

(c) recognition shall be conferred by the Speaker only pursuant to lists submitted by the majority leader and by the minority leader;

(d) no Member may address the House for longer than 5 minutes, except the majority leader, the minority leader, or the minority whip;

(e) no legislative business shall be in order except the filing of privileged reports; and

(f) following morning-hour debate, the Chair shall declare a recess pursuant to clause 12(a) of rule I until the time appointed for the resumption of the session of the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

REPORT OF COMMITTEE TO NOTIFY THE PRESIDENT

Mr. CANTOR. Mr. Speaker, your committee appointed on the part of the House to join a like committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled and is ready to receive any communication that he may be pleased to make has performed that duty.

REGARDING CONSENT TO ASSEMBLE OUTSIDE THE SEAT OF GOVERNMENT

Mr. SESSIONS. Mr. Speaker, I offer a privileged concurrent resolution and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 1

Resolved by the House of Representatives (the Senate concurring), That pursuant to clause 4, section 5, article I of the Constitution, during the One Hundred Thirteenth Congress the Speaker of the House and the Majority Leader of the Senate or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, may notify the Members of the House and the Senate, respectively, to assemble at a place outside the District of Columbia if, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

HOOR OF MEETING ON TOMORROW

Mr. CANTOR. Mr. Speaker, I ask unanimous consent that when the

House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

APPOINTMENT—HOUSE OFFICE BUILDING COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 2 U.S.C. 2001, and the order of the House of today, of the gentleman from Virginia (Mr. CANTOR) and the gentlewoman from California (Ms. PELOSI) as members of the House Office Building Commission to serve with the Speaker.

APPOINTMENT OF MEMBERS TO PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore. Pursuant to clause 11 of rule X, clause 11 of rule I, and the order of the House of today, the Chair announces the Speaker's appointment of the following members of the House to the Permanent Select Committee on Intelligence:

Mr. ROGERS, Michigan, Chairman
Mr. RUPPERSBERGER, Maryland

APPOINTMENT OF MEMBERS TO JOINT ECONOMIC COMMITTEE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 15 U.S.C. 1024(a), and the order of the House of today, of the following Members of the House to the Joint Economic Committee:

Mr. BRADY, Texas
Mrs. MALONEY, New York

□ 1710

TO PROVIDE FOR THE COUNTING ON JANUARY 4, 2013, OF THE ELECTORAL VOTES FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following privileged concurrent resolution:

S. CON. RES. 1

Resolved by the Senate (the House of Representatives concurring), That provide the two Houses of Congress shall meet in the Hall of the House of Representatives on Thursday, the 4th day of January 2013, at 1 o'clock post meridian, pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President of the Senate shall be their Presiding Officer; that two tellers shall be previously appointed by the President of the Senate on the part of the Senate and two by the Speaker on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented,

and acted upon in the alphabetical order of the States, beginning with the letter "A"; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

EXTENDING THE LIFE OF THE JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES

The SPEAKER pro tempore laid before the House the following privileged concurrent resolution:

S. CON. RES. 2

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. REAUTHORIZATION OF JOINT COMMITTEE.

Effective from January 3, 2013, the joint committee created by Senate Concurrent Resolution 35 (112th Congress), to make the necessary arrangements for the inauguration of the President-elect and the Vice President-elect of the United States, is continued with the same power and authority provided for in that resolution.

SEC. 2. USE OF CAPITOL.

Effective from January 3, 2013, the provisions of Senate Concurrent Resolution 36 (112th Congress), to authorize the use of the rotunda and Emancipation Hall of the Capitol by the Joint Congressional Committee on Inaugural Ceremonies in connection with the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice President-elect of the United States are continued with the same power and authority provided for in that resolution.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair customarily takes this occasion at the outset of a Congress to announce his policies with respect to particular aspects of the legislative process. The Chair will insert in the RECORD announcements concerning: first, privileges of the floor; second, introduction of bills and resolutions; third, unanimous-consent requests for the consideration of legislation; fourth, recognition for 1-minute speeches; fifth, recognition for special-order speeches; sixth, decorum in debate; seventh, con-

duct of votes by electronic device; eighth, use of handouts on the House floor; ninth, use of electronic equipment on the House floor; and tenth, use of the Chamber.

These announcements, where appropriate, will reiterate the origins of the stated policies. The Chair intends to continue in the 113th Congress the policies reflected in these statements. The policy announced in the 102nd Congress with respect to jurisdictional concepts related to clause 5(a) of rule XXI—tax and tariff measures—will continue to govern but need not be reiterated, as it is adequately documented as precedent in the House Rules and Manual.

Without objection, the announcements will be printed in the RECORD.

There was no objection.

1. Privileges of the Floor

The Chair will make the following announcements regarding floor privileges, which will apply during the 113th Congress.

ANNOUNCEMENT BY THE SPEAKER WITH RESPECT TO STAFF

Rule IV strictly limits those persons to whom the privileges of the floor during sessions of the House are extended, and that rule prohibits the Chair from entertaining requests for suspension or waiver of that rule. As reiterated by the Chair on January 21, 1986, January 3, 1985, January 25, 1983, and August 22, 1974, and as stated in Chapter 10, section 2, of House Practice, the rule strictly limits the number of committee staff on the floor at one time during the consideration of measures reported from their committees. This permission does not extend to Members' personal staff except when a Member's amendment is actually pending during the five-minute rule. It also does not extend to personal staff of Members who are sponsors of pending bills or who are engaging in special orders. The Chair requests the cooperation of all Members and committee staff to assure that only the proper number of staff are on the floor, and then only during the consideration of measures within the jurisdiction of their committees. The Chair is making this statement and reiterating this policy because of Members' past insistence upon strict enforcement of the rule. The Chair requests each committee chair, and each ranking minority member, to submit to the Speaker a list of those staff who are allowed on the floor during the consideration of a measure reported by their committee. The Sergeant-at-Arms, who has been directed to assure proper enforcement of rule IV, will keep the list. Each staff person should exchange his or her ID for a "committee staff" badge, which is to be worn while on the floor. The Chair has consulted with the Minority Leader and will continue to consult with her.

Furthermore, as the Chair announced on January 7, 2003, in accordance with the change in the 108th Congress of clause 2(a) of rule IV regarding leadership staff floor access, only designated staff approved by the Speaker shall be granted the privilege of the floor. The Speaker intends that his approval be narrowly granted on a bipartisan basis to staff from the majority and minority side and only to those staff essential to floor activities.

ANNOUNCEMENT BY THE SPEAKER WITH RESPECT TO FORMER MEMBERS

The Speaker's policy announced on February 1, 2006, will continue to apply in the 113th Congress.

ANNOUNCEMENT BY THE SPEAKER, FEBRUARY 1, 2006

The SPEAKER. The House has adopted a revision to the rule regarding the admission to the floor and the rooms leading thereto. Clause 4 of rule IV provides that a former Member, Delegate or Resident Commissioner or a former Parliamentarian of the House, or a former elected officer of the House or a former minority employee nominated as an elected officer of the House shall not be entitled to the privilege of admission to the Hall of the House and the rooms extending thereto if he or she is a registered lobbyist or an agent of a foreign principal; has any direct personal pecuniary interest in any legislative measure pending before the House, or reported by a committee; or is in the employ of or represents any party or organization for the purpose of influencing, directly or indirectly, the passage, defeat, or amendment of any legislative proposal.

This restriction extends not only to the House floor but adjacent rooms, the cloakrooms and the Speaker's lobby.

Clause 4 of rule IV also allows the Speaker to exempt ceremonial and educational functions from the restrictions of this clause. These restrictions shall not apply to attendance at joint meetings or joint sessions, Former Members' Day proceedings, educational tours, and other occasions as the Speaker may designate.

Members who have reason to know that a person is on the floor inconsistent with clause 4 of rule IV should notify the Sergeant-at-Arms promptly.

2. Introduction of Bills and Resolutions

The policy that the Chair announced on January 3, 1983, with respect to the introduction and reference of bills and resolutions will continue to apply in the 113th Congress. The Chair has advised all officers and employees of the House who are involved in the processing of bills that every bill, resolution, memorial, petition or other material that is placed in the hopper must bear the signature of a Member. Where a bill or resolution is jointly sponsored, the signature must be that of the Member first named thereon. The bill clerk is instructed to return to the Member any bill which appears in the hopper without an original signature. This procedure was inaugurated in the 92d Congress. It has worked well, and the Chair thinks that it is essential to continue this practice to insure the integrity of the process by which legislation is introduced in the House.

3. Unanimous-Consent Requests for the Consideration of Legislation

The policy the Chair announced on January 6, 1999, with respect to recognition for unanimous-consent requests for the consideration of certain legislative measures will continue to apply in the 113th Congress. The Speaker will continue to follow the guidelines recorded in section 956 of the House Rules and Manual conferring recognition for unanimous-consent requests for the consideration of bills, resolutions, and other measures only when assured that the majority and minority floor leadership and the relevant committee chairs and ranking minority members have no objection. Consistent with those guidelines and with the Chair's inherent power of recognition under clause 2 of rule XVII, the Chair, and any occupant of the chair appointed as Speaker pro tempore pursuant to clause 8 of rule I, will decline recognition for the unanimous-consent requests chronicled in section 956 without assurances that the request has been so cleared. This denial of recognition by the

Chair will not reflect necessarily any personal opposition on the part of the Chair to orderly consideration of the matter in question, but will reflect the determination upon the part of the Chair that orderly procedures will be followed; that is, procedures involving consultation and agreement between floor and committee leadership on both sides of the aisle.

4. Recognition for One-Minute Speeches

ANNOUNCEMENT BY THE SPEAKER WITH RESPECT TO ONE-MINUTE SPEECHES

The Speaker's policy announced on August 8, 1984, with respect to recognition for one-minute speeches will apply during the 113th Congress. The Chair will alternate recognition for one-minute speeches between majority and minority Members, in the order in which they seek recognition in the well under present practice from the Chair's right to the Chair's left, with possible exceptions for Members of the leadership and Members having business requests. The Chair, of course, reserves the right to limit one-minute speeches to a certain period of time or to a special place in the program on any given day, with notice to the leadership.

5. Recognition for Special-Order Speeches

ANNOUNCEMENT BY THE SPEAKER WITH RESPECT TO SPECIAL-ORDER SPEECHES

The Speaker's policy with regard to special-order speeches announced on February 11, 1994, as clarified and reiterated by subsequent Speakers, will continue to apply in the 113th Congress, with the following modifications.

The Chair may recognize Members for special-order speeches for up to 4 hours. Such speeches may not extend beyond the 4-hour limit without the permission of the Chair, which may be granted only with advance consultation between the leaderships and notification to the House. However, the Chair will not recognize for any special-order speeches beyond 10 o'clock in the evening.

The 4-hour limitation will be divided between the majority and minority parties. Each party is entitled to reserve its first hour for respective leaderships or their designees. The second hour reserved to each party will be divided into two 30-minute periods. Recognition for one-hour periods and for 30-minute periods will alternate initially and subsequently between the parties each day. The Chair wishes to clarify for Members that any 60- or 30-minute period that is not claimed at the appropriate time will be considered to have expired; this includes the first 60-minute period of the day.

The allocation of time within each party's 2-hour period (or shorter period if prorated to end by 10 p.m.) will be determined by a list submitted to the Chair by the respective leaderships. Members may not sign up with their leadership for any special-order speeches earlier than one week prior to the special order. Additional guidelines may be established for such sign-ups by the respective leaderships.

Pursuant to clause 2(a) of rule V, the television cameras will not pan the Chamber, but a "crawl" indicating the conduct of morning-hour debate or that the House has completed its legislative business and is proceeding with special-order speeches will appear on the screen. The Chair may announce other adaptations during this period.

The continuation of this format for recognition by the Speaker is without prejudice to the Speaker's ultimate power of recognition under clause 2 of rule XVII and includes the ability to withdraw recognition for longer special-order speeches should circumstances warrant.

6. Decorum in Debate

The Chair's announced policies of January 7, 2003, January 4, 1995, and January 3, 1991, will apply in the 113th Congress. It is essential that the dignity of the proceedings of the House be preserved, not only to assure that the House conducts its business in an orderly fashion but also to permit Members to properly comprehend and participate in the business of the House. To this end, and in order to permit the Chair to understand and to correctly put the question on the numerous requests that are made by Members, the Chair requests that Members and others who have the privileges of the floor desist from audible conversation in the Chamber while the business of the House is being conducted. The Chair would encourage all Members to review rule XVII to gain a better understanding of the proper rules of decorum expected of them, and especially: to avoid "personalities" in debate with respect to references to other Members, the Senate, and the President; to address the Chair while standing and only during, and not beyond, the time recognized, and not to address the television or other imagined audience; to refrain from passing between the Chair and a Member speaking, or directly in front of a Member speaking from the well; to refrain from smoking in the Chamber; to wear appropriate business attire in the Chamber; and to generally display the same degree of respect to the Chair and other Members that every Member is due.

The Chair would like all Members to be on notice that the Chair intends to strictly enforce time limitations on debate. Furthermore, the Chair has the authority to immediately interrupt Members in debate who transgress rule XVII by failing to avoid "personalities" in debate with respect to references to the Senate, the President, and other Members, rather than wait for Members to complete their remarks.

Finally, it is not in order to speak disrespectfully of the Speaker; and under the precedents the sanctions for such violations transcend the ordinary requirements for timeliness of challenges. This separate treatment is recorded in volume 2 of Hinds' Precedents, at section 1248 and was reiterated on January 19, 1995.

7. Conduct of Votes by Electronic Device

The Speaker's policy announced on January 4, 1995, with respect to the conduct of electronic votes will continue in the 113th Congress with modifications as follows.

As Members are aware, clause 2(a) of rule XX provides that Members shall have not less than 15 minutes in which to answer an ordinary record vote or quorum call. The rule obviously establishes 15 minutes as a minimum. Still, with the cooperation of the Members, a vote can easily be completed in that time. The events of October 30, 1991, stand out as proof of this point. On that occasion, the House was considering a bill in the Committee of the Whole under a special rule that placed an overall time limit on the amendment process, including the time consumed by record votes. The Chair announced, and then strictly enforced, a policy of closing electronic votes as soon as possible after the guaranteed period of 15 minutes. Members appreciated and cooperated with the Chair's enforcement of the policy on that occasion.

The Chair desires that the example of October 30, 1991, be made the regular practice of the House. To that end, the Chair enlists the assistance of all Members in avoiding the unnecessary loss of time in conducting the business of the House. The Chair encourages

all Members to depart for the Chamber promptly upon the appropriate bell and light signal. As in recent Congresses, the cloakrooms should not forward to the Chair requests to hold a vote by electronic device, but should simply apprise inquiring Members of the time remaining on the voting clock. Members should not rely on signals relayed from outside the Chamber to assume that votes will be held open until they arrive in the Chamber. Members will be given a reasonable amount of time in which to accurately record their votes, and the Chair will endeavor to assess the presence of the membership and the expectation of further votes prior to exercising his authority under clause 8(c)(2) of rule XX or clause 6(g)(2) of rule XVIII. No occupant of the Chair would prevent a Member who is in the well before the announcement of the result from casting his or her vote. The Speaker believes the best practice for presiding officers is to await the Clerk's certification that a vote tally is complete and accurate.

8. Use of Handouts on House Floor

The Speaker's policy announced on September 27, 1995, which was prompted by a misuse of handouts on the House floor and made at the bipartisan request of the Committee on Standards of Official Conduct, will continue in the 113th Congress. All handouts distributed on or adjacent to the House floor by Members during House proceedings must bear the name of the Member authorizing their distribution. In addition, the content of those materials must comport with standards of propriety applicable to words spoken in debate or inserted in the Record. Failure to comply with this admonition may constitute a breach of decorum and may give rise to a question of privilege.

The Chair would also remind Members that, pursuant to clause 5 of rule IV, staff is prohibited from engaging in efforts in the Hall of the House or rooms leading thereto to influence Members with regard to the legislation being amended. Staff cannot distribute handouts.

In order to enhance the quality of debate in the House, the Chair would ask Members to minimize the use of handouts.

9. Use of Electronic Equipment on House Floor

The Speaker's policy announced on January 27, 2000, as clarified on January 6, 2009, and as modified by the change in clause 5 of rule XVII in the 112th Congress, will continue in the 113th Congress. All Members and staff are reminded of the absolute prohibition contained in clause 5 of rule XVII against the use of mobile electronic devices that impair decorum. Those devices include wireless telephones and personal computers. The Chair wishes to note that electronic tablet devices do not constitute personal computers within the meaning of this policy and thus may be unobtrusively used in the Chamber. No device may be used for still photography or for audio or video recording.

The Chair requests all Members and staff wishing to receive or make wireless telephone calls to do so outside of the Chamber. The Chair further requests that all Members and staff refrain from wearing telephone headsets in the Chamber and to deactivate any audible ring of wireless phones before entering the Chamber. To this end, the Chair insists upon the cooperation of all Members and staff and instructs the Sergeant-at-Arms, pursuant to clause 3(a) of rule II and clause 5 of rule XVII, to enforce this prohibition.

10. Use of Chamber

The Speaker's policy announced on January 6, 2009, with respect to use of the Chamber will continue in the 113th Congress.

The Chair will announce to the House the policy of the Speaker concerning appropriate comportment in the chamber when the House is not in session.

Under clause 3 of rule I, the Speaker is responsible to control the Hall of the House. Under clause 1 of rule IV, the Hall of the House is to be used only for the legislative business of the House, for caucus and conference meetings of its Members, and for such ceremonies as the House might agree to conduct there.

When the House stands adjourned, its chamber remains on static display. It may accommodate visitors in the gallery or on the floor, subject to the needs of those who operate, maintain, and secure the chamber to go about their ordinary business. Because outside "coverage" of the chamber is limited to floor proceedings and is allowed only by accredited journalists, when the chamber is on static display no audio or video recording or transmitting devices are allowed. The long custom of disallowing even still photography in the chamber is based at least in part on the notion that an image having this setting as its backdrop might be taken to carry the imprimatur of the House.

The imprimatur of the House adheres to the Journal of its proceedings, which is kept pursuant to the Constitution. The imprimatur of the House adheres to the Congressional Record, which is kept as a substantially verbatim transcript pursuant to clause 8 of rule XVII. The imprimatur of the House adheres to the audio and visual transmissions and recordings that are made and kept by the television system administered by the Speaker pursuant to rule V. But the imprimatur of the House may not be appropriated to other, ad hoc accounts or compositions of events in its chamber.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

JANUARY 3, 2013.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Under clause 2(g) of rule II of the Rules of the House of Representatives, I herewith designate Robert Reeves, Deputy Clerk, and Kirk D. Boyle, Legal Counsel, to sign any and all papers and do all other acts for me under the name of the Clerk of the House that they would be authorized to do by virtue of this designation, except such as are provided by statute, in case of my temporary absence or disability.

This designation shall remain in effect for the 113th Congress or until modified by me. With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

RECALL DESIGNEE

The SPEAKER pro tempore laid before the House the following communication from the Speaker of the House of Representatives:

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 3, 2013.

Hon. KAREN L. HAAS,
Clerk of the House of Representatives,
Washington, DC.

DEAR MADAM CLERK: Pursuant to House Concurrent Resolution 1, and also for purposes of such concurrent resolutions of the current Congress as may contemplate my designation of Members to act in similar circumstances, I hereby designate Representative Eric Cantor of Virginia to act jointly with the Majority Leader of the Senate or his designee, in the event of my death or inability, to notify the Members of the House and the Senate, respectively, of any reassembly under any such concurrent resolution. In the event of the death or inability of that designee, the alternate Members of the House listed in the letter bearing this date that I have placed with the Clerk are designated, in turn, for the same purposes.

Sincerely,

JOHN A. BOEHNER,
Speaker.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that the Speaker has delivered to the Clerk a letter dated January 3, 2013, listing Members in the order in which each shall act as Speaker pro tempore under clause 8(b)(3) of rule I.

APPOINTMENT OF MEMBERS TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS DURING THE 113TH CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 3, 2013.

I hereby appoint the Honorable JEFF DENHAM, the Honorable MAC THORNBERRY, the Honorable FRED UPTON, the Honorable ANDY HARRIS, and the Honorable FRANK R. WOLF to act as Speaker pro tempore to sign enrolled bills and joint resolutions through the remainder of the One Hundred Thirtieth Congress.

JOHN A. BOEHNER,
Speaker.

The SPEAKER pro tempore. Without objection, the appointments are approved.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that the whole number of the House is 429.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. ROYBAL-ALLARD (at the request of Ms. PELOSI) for today and January 4 on account of a death in the family.

Mr. RIBBLE (at the request of Mr. CANTOR) for today after 4:30 p.m. and the balance of the week on account of a death in the family.

ADJOURNMENT

Mr. MCHENRY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 18 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, January 4, 2013, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers [EPA-HQ-OAR-2006-0790; FRL-9698-5] (RIN: 2060-AR14) received January 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MORAN:

H.R. 21. A bill to provide for greater safety in the use of firearms; to the Committee on the Judiciary.

By Mr. POE of Texas (for himself, Ms. LOFGREN, Mr. CHABOT, Mr. MCKEON, Mr. KEATING, Ms. LINDA T. SANCHEZ of California, and Mr. McCAUL):

H.R. 22. A bill to provide for the exchange of information related to trade enforcement, and for other purposes; to the Committee on the Judiciary.

By Mr. BROUN of Georgia (for himself, Mr. FRANKS of Arizona, Mr. PALAZZO, Mr. HUELSKAMP, Mr. ROGERS of Kentucky, Mr. TERRY, Mr. CARTER, Mr. WESTMORELAND, Mr. FARENTHOLD, Mr. JONES, Mr. ROE of Tennessee, Mr. GIBBS, Mr. GINGREY of Georgia, Mrs. ROBY, Mr. PEARCE, Mr. RYAN of Wisconsin, Mr. CONAWAY, and Mr. FLEMING):

H.R. 23. A bill to provide that human life shall be deemed to begin with fertilization; to the Committee on the Judiciary.

By Mr. BROUN of Georgia:

H.R. 24. A bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOODALL (for himself, Mr. PRICE of Georgia, Mr. DUNCAN of South Carolina, Mr. KING of Iowa, Mr. CONAWAY, Mr. BROOKS of Alabama, Mr. BRADY of Texas, Mr. WESTMORELAND, Mr. GINGREY of Georgia,

Mr. MCCAUL, Mr. PEARCE, Mr. LONG, Ms. FOXF, Mr. YOUNG of Alaska, Mr. GRAVES of Georgia, Mr. COLLINS of Georgia, Mr. BISHOP of Utah, Mr. FLORES, Mr. THORNBERRY, Mr. BROUN of Georgia, Mr. WALBERG, Mr. OLSON, Mr. NUGENT, Mr. CULBERSON, Mr. ROE of Tennessee, Mr. LANKFORD, Mr. POSEY, Mr. BENISHEK, Mr. HARRIS, Mr. HENSARLING, Mr. ROSS, Mr. HUELSKAMP, Mr. FRANKS of Arizona, Mr. MICA, Mr. STUTZMAN, Mr. MCCLINTOCK, Mr. CARTER, Mr. DUNCAN of Tennessee, Mr. BONNER, Mr. CRENSHAW, Mr. ISSA, Ms. JENKINS, Mr. KINGSTON, Mr. LUCAS, Mr. POMPEO, Mr. BILIRAKIS, Mr. NEUGEBAUER, Mr. POE of Texas, Mr. FARENTHOLD, Ms. GRANGER, Mr. RIGELL, Mr. HALL, Mr. MILLER of Florida, and Mr. HUNTER):

H.R. 25. A bill to promote freedom, fairness, and economic opportunity by repealing the income tax and other taxes, abolishing the Internal Revenue Service, and enacting a national sales tax to be administered primarily by the States; to the Committee on Ways and Means.

By Ms. VELÁZQUEZ:

H.R. 26. A bill to amend chapters 83 and 84 of title 5, United States Code, to provide for the indexation of deferred annuities; to provide that a survivor annuity be provided to the widow or widower of a former employee who dies after separating from Government service with title to a deferred annuity under the Civil Service Retirement System but before establishing a valid claim therefor, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. VELÁZQUEZ:

H.R. 27. A bill to amend title XVIII of the Social Security Act to repeal the Medicare competitive acquisition program for durable medical equipment and prosthetics, orthotics, and supplies (DMEPOS), and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, the Judiciary, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. VELÁZQUEZ:

H.R. 28. A bill to amend the Small Business Act to provide loan guarantees for the acquisition of health information technology by eligible professionals in solo and small group practices, and for other purposes; to the Committee on Small Business.

By Ms. VELÁZQUEZ:

H.R. 29. A bill to amend the Public Health Service Act to improve the provision of medical services to the homeless; to the Committee on Energy and Commerce.

By Ms. VELÁZQUEZ:

H.R. 30. A bill to amend the Small Business Investment Act of 1958, to provide for a small business early-stage investment program, and for other purposes; to the Committee on Small Business, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. VELÁZQUEZ:

H.R. 31. A bill to amend the Investment Company Act of 1940 to change the asset cov-

erage ratio and treatment of preferred stock for business development companies, to allow business development companies to purchase, otherwise acquire, or hold certain securities, and to direct the Securities and Exchange Commission to revise rules under the Securities Act of 1933 relating to business development companies; to the Committee on Financial Services.

By Mr. WILSON of South Carolina (for himself, Mr. LOEBBACH, Mr. LOBIONDO, Mrs. DAVIS of California, Mr. RUNYAN, Mr. HECK of Nevada, Mrs. HARTZLER, Mr. TURNER, Ms. BORDALLO, Mr. FITZPATRICK, Mr. CONAWAY, Mr. MILLER of Florida, Mr. NUGENT, Mr. CRAWFORD, Mr. KING of New York, Mr. ROSS, Mr. SCHOCK, Mr. BACHUS, Mr. COFFMAN, and Mr. WITTMAN):

H.R. 32. A bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan for military surviving spouses to offset the receipt of veterans dependency and indemnity compensation; to the Committee on Armed Services.

By Mr. STOCKMAN (for himself and Mr. BROUN of Georgia):

H.R. 33. A bill to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited by the Comptroller General of the United States and the manner in which such audits are reported, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. RUSH:

H.R. 34. A bill to provide for the implementation of a system of licensing for purchasers of certain firearms and for a record of sale system for those firearms, and for other purposes; to the Committee on the Judiciary.

By Mr. STOCKMAN (for himself and Mr. BROUN of Georgia):

H.R. 35. A bill to restore safety to America's schools; to the Committee on the Judiciary.

By Mr. DENT (for himself and Mr. SESSIONS):

H.R. 36. A bill to improve access to emergency medical services, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BARROW:

H.R. 37. A bill to repeal portions of the Patient Protection and Affordable Care Act, to reduce Federal Government spending and to reduce the salaries of Members of Congress, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, Rules, House Administration, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLEMING (for himself and Mr. BARROW):

H.R. 38. A bill to allow seniors to file their Federal income tax on a new Form 1040SR; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H.R. 39. A bill to reauthorize the African Elephant Conservation Act, the Rhinoceros and Tiger Conservation Act of 1994, and the Asian Elephant Conservation Act of 1997; to the Committee on Natural Resources.

By Mr. CONYERS:

H.R. 40. A bill to acknowledge the fundamental injustice, cruelty, brutality, and inhumanity of slavery in the United States and the 13 American colonies between 1619

and 1865 and to establish a commission to examine the institution of slavery, subsequently de jure and de facto racial and economic discrimination against African-Americans, and the impact of these forces on living African-Americans, to make recommendations to the Congress on appropriate remedies, and for other purposes; to the Committee on the Judiciary.

By Mr. GARRETT (for himself, Mr. SMITH of New Jersey, Mr. FRELINGHUYSEN, Mr. LANCE, Mr. GRIMM, Mr. HANNA, Mr. KING of New York, Mr. MEEKS, Mrs. CAROLYN B. MALONEY of New York, Mrs. MCCARTHY of New York, Mr. CROWLEY, Mr. NADLER, Mr. ANDREWS, Mr. RUNYAN, Mr. LOBIONDO, Ms. MENG, Mr. SEAN PATRICK MALONEY of New York, Mr. PASCRELL, Mr. TONKO, and Mr. BISHOP of New York):

H.R. 41. A bill to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the National Flood Insurance Program; to the Committee on Financial Services, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BACHMANN:

H.R. 42. A bill to amend title 10, United States Code, to prohibit certain increases in fees for military health care before fiscal year 2016; to the Committee on Armed Services.

By Mrs. BACHMANN (for herself, Mr. ELLISON, Mr. KLINE, Ms. MCCOLLUM, Mr. NOLAN, Mr. PAULSEN, Mr. PETERSON, and Mr. WALZ):

H.R. 43. A bill to designate the facility of the United States Postal Service located at 14 Red River Avenue North in Cold Spring, Minnesota, as the "Officer Tommy Decker Memorial Post Office"; to the Committee on Oversight and Government Reform.

By Ms. BORDALLO (for herself, Mr. ANDREWS, Mrs. CHRISTENSEN, Mr. FALBOMAVAEGA, Ms. NORTON, Mr. PIERLUISI, Mr. RAHALL, Mr. SABLON, Mr. YOUNG of Alaska, Mr. HOYER, and Mr. MICHAUD):

H.R. 44. A bill to implement the recommendations of the Guam War Claims Review Commission; to the Committee on Natural Resources.

By Mrs. BACHMANN:

H.R. 45. A bill to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, Ways and Means, the Judiciary, Natural Resources, Rules, House Administration, Appropriations, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BACHMANN:

H.R. 46. A bill to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act; to the Committee on Financial Services, and in addition to the Committees on Agriculture, Energy and Commerce, the Judiciary, the Budget, Oversight and Government Reform, Ways and Means, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of New York (for himself and Mr. HANNA):

H.R. 47. A bill to amend the Internal Revenue Code of 1986 to allow an unlimited exclusion from transfer taxes for certain farmland and land of conservation value, and for other purposes; to the Committee on Ways and Means.

By Mr. BISHOP of New York (for himself and Mr. HANNA):

H.R. 48. A bill to amend the Internal Revenue Code of 1986 to clarify that installment sales treatment shall not fail to apply to property acquired for conservation purposes by a State or local government or certain tax-exempt organizations merely because purchase funds are held in a sinking or similar fund pursuant to State law; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H.R. 49. A bill to direct the Secretary of the Interior to establish and implement a competitive oil and gas leasing program that will result in an environmentally sound program for the exploration, development, and production of the oil and gas resources of the Coastal Plain of Alaska, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California (for himself and Mr. CLYBURN):

H.R. 50. A bill to amend the Help America Vote Act of 2002 to promote early voting in elections for Federal office and to prevent unreasonable waiting times for voters at polling places used in such elections, and for other purposes; to the Committee on House Administration.

By Mr. FITZPATRICK:

H.R. 51. A bill to amend the Internal Revenue Code of 1986 to provide for an employment assistance voucher program for the unemployed; to the Committee on Ways and Means.

By Mr. FITZPATRICK:

H.R. 52. A bill to amend title 5, United States Code, to provide for the termination of further retirement coverage of Members of Congress, except for the right to participate in the Thrift Savings Plan, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FITZPATRICK:

H.R. 53. A bill to amend title 18, United States Code, to increase from 1 to 2 years the post employment restrictions on Members of the House of Representatives; to the Committee on the Judiciary.

By Mr. FITZPATRICK (for himself, Mr.

POSEY, Mr. MCKINLEY, Mr. MICHAUD, Mr. TIBERI, Mrs. MILLER of Michigan, Mr. GRIFFIN of Arkansas, Mr. JONES, Mr. LUETKEMEYER, Mr. MATHESON, Mr. GARRETT, Mr. TIPTON, Mr. GIBBS, Mr. TERRY, Mr. HANNA, Mr. YODER, Mr. POLIS, Mr. WITTMAN, Mrs. HARTZLER, Mr. HUIZENGA of Michigan, Mr. BUCSHON, Mr. MICA, Mr. CULBERSON, Mr. MULVANEY, Mr. SCHWEIKERT, Mr. NUGENT, Ms. JENKINS, Mr. LANCE, Mr. OLSON, Mr. FLORES, Mrs. BLACK, Mr. MARINO, Mr. KELLY, Mr. BOUSTANY, Mr. GRAVES of

Missouri, Mr. COBLE, Mr. PALAZZO, Mr. BILIRAKIS, Mr. LANKFORD, and Mr. STIVERS):

H.R. 54. A bill to provide that no pay adjustment for Members of Congress shall be made with respect to any pay period occurring during the One Hundred Thirteenth Congress; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FITZPATRICK:

H.R. 55. A bill to prioritize the payment of pay and allowances to members of the Armed Forces and Federal law enforcement officers in the event the debt ceiling is reached or there is a funding gap; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, Armed Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACKBURN:

H.R. 56. A bill to make 1 percent across-the-board rescissions in non-defense, non-homeland-security, and non-veterans-affairs discretionary spending for each of the fiscal years 2013 and 2014; to the Committee on Appropriations.

By Mrs. BLACKBURN:

H.R. 57. A bill to make 15 percent across-the-board rescissions in non-defense, non-homeland-security, and non-veterans-affairs discretionary spending for each of the fiscal years 2013 and 2014; to the Committee on Appropriations.

By Mrs. BLACKBURN:

H.R. 58. A bill to make 10 percent across-the-board rescissions in non-defense, non-homeland-security, and non-veterans-affairs discretionary spending for each of the fiscal years 2013 and 2014; to the Committee on Appropriations.

By Mrs. BLACKBURN (for herself and Mr. GARRETT):

H.R. 59. A bill to make 5 percent across-the-board rescissions in non-defense, non-homeland-security, and non-veterans-affairs discretionary spending for each of the fiscal years 2013 and 2014; to the Committee on Appropriations.

By Ms. JACKSON LEE:

H.R. 60. A bill to award a Congressional Gold Medal to Malala Yousufzai, in recognition of her devoted service to education, justice, and equality in Pakistan; to the Committee on Financial Services.

By Mrs. BLACKBURN:

H.R. 61. A bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes; to the Committee on Energy and Commerce.

By Ms. JACKSON LEE:

H.R. 62. A bill to amend title 18, United States Code, to provide an alternate release date for certain nonviolent offenders, and for other purposes; to the Committee on the Judiciary.

By Mrs. BLACKBURN:

H.R. 63. A bill to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes; to the Committee on Natural Resources.

By Ms. JACKSON LEE:

H.R. 64. A bill to increase the number of Federal air marshals for certain flights, re-

quire criminal investigative training for such marshals, create an office and appoint an ombudsman for the marshals, and for other purposes; to the Committee on Homeland Security.

By Ms. JACKSON LEE:

H.R. 65. A bill to prevent children's access to firearms; to the Committee on the Judiciary.

By Ms. JACKSON LEE:

H.R. 66. A bill to direct the Secretary of Transportation to take actions to ensure that not fewer than 2 air traffic controllers are on duty and physically situated within the air traffic control room or tower of certain airports at all times during periods of airfield operations, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. BLACKBURN:

H.R. 67. A bill to amend subtitle IV of title 40, United States Code, regarding county additions to the Appalachian region; to the Committee on Transportation and Infrastructure.

By Ms. JACKSON LEE:

H.R. 68. A bill to provide that no Federal funds may be used by the Secretary of Homeland Security to approve a site security plan for a chemical facility, unless the facility meets or exceeds security standards and requirements to protect the facility against acts of terrorism established for such a facility by the State or local government for the area where the facility is located, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BORDALLO (for herself, Mr. MARKEY, Mr. PIERLUISI, Mr. SABLAN, and Mrs. CHRISTENSEN):

H.R. 69. A bill to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated fishing, to amend the Tuna Conventions Act of 1950 to implement the Antigua Convention, and for other purposes; to the Committee on Natural Resources.

By Ms. JACKSON LEE:

H.R. 70. A bill to direct the Secretary of Interior and the Secretary of Commerce, acting through the National Oceanic and Atmospheric Administration, to initiate immediate action to create jobs in America, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Science, Space, and Technology, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BORDALLO (for herself, Mr. PIERLUISI, Mr. FARR, Mrs. CHRISTENSEN, and Ms. WASSERMAN SCHULTZ):

H.R. 71. A bill to reauthorize the Coral Reef Conservation Act of 2000, and for other purposes; to the Committee on Natural Resources.

By Ms. JACKSON LEE:

H.R. 72. A bill to provide for emergency deployments of United States Border Patrol agents and to increase the number of DEA and ATF agents along the international border of the United States to increase resources to identify and eliminate illicit sources of firearms into Mexico for use by violent drug trafficking organizations and for other lawful activities, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on

the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BROUN of Georgia:

H.R. 73. A bill to abolish the Board of Governors of the Federal Reserve System and the Federal reserve banks, to repeal the Federal Reserve Act, and for other purposes; to the Committee on Financial Services.

By Ms. JACKSON LEE:

H.R. 74. A bill to provide for the collection of data on traffic stops, and for other purposes; to the Committee on the Judiciary.

By Mr. BROUN of Georgia:

H.R. 75. A bill to end membership of the United States in the United Nations; to the Committee on Foreign Affairs.

By Ms. JACKSON LEE:

H.R. 76. A bill to designate the facility of the United States Postal Service located at 1900 West Gray Street in Houston, Texas, as the "Hazel Hainsworth Young Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. BROUN of Georgia:

H.R. 77. A bill to repeal the legal tender laws, to prohibit taxation on certain coins and bullion, and to repeal superfluous sections related to coinage; to the Committee on Financial Services, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE:

H.R. 78. A bill to designate the facility of the United States Postal Service located at 4110 Alameda Road in Houston, Texas, as the "George Thomas 'Mickey' Leland Post Office Building"; to the Committee on Oversight and Government Reform.

By Mrs. CHRISTENSEN (for herself,

Mr. PIERLUISI, and Ms. BORDALLO):

H.R. 79. A bill to amend title XIX of the Social Security Act to increase the Federal medical assistance percentage for the territories; to the Committee on Energy and Commerce.

By Ms. JACKSON LEE:

H.R. 80. A bill to provide for research and education with respect to triple-negative breast cancer, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. CHRISTENSEN:

H.R. 81. A bill to amend subtitle B of title I of the Patient Protection and Affordable Care Act to extend the temporary high-risk insurance pool program to the territories; to the Committee on Energy and Commerce.

By Ms. JACKSON LEE:

H.R. 82. A bill to amend title XVIII of the Social Security Act to require hospitals reimbursed under the Medicare system to establish and implement security procedures to reduce the likelihood of infant patient abduction and baby switching, including procedures for identifying all infant patients in the hospital in a manner that ensures that it will be evident if infants are missing from the hospital; to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CHRISTENSEN (for herself,

Mr. PIERLUISI, Mr. FALEOMAVAEGA,

Mr. SABLON, and Ms. BORDALLO):

H.R. 83. A bill to require the Secretary of the Interior to assemble a team of technical,

policy, and financial experts to address the energy needs of the insular areas of the United States and the Freely Associated States through the development of action plans aimed at reducing reliance on imported fossil fuels and increasing use of indigenous clean-energy resources, and for other purposes; to the Committee on Energy and Commerce.

By Ms. JACKSON LEE:

H.R. 84. A bill to amend title 49, United States Code, to establish an Ombudsman Office within the Transportation Security Administration for the purpose of enhancing transportation security by providing confidential, informal, and neutral assistance to address work-place related problems of Transportation Security Administration employees, and for other purposes; to the Committee on Homeland Security.

By Mrs. CHRISTENSEN:

H.R. 85. A bill to create the Office of Chief Financial Officer of the Government of the Virgin Islands, and for other purposes; to the Committee on Natural Resources.

By Ms. JACKSON LEE:

H.R. 86. A bill to authorize the Secretary of Homeland Security to establish a program to award grants to institutions of higher education for the establishment or expansion of cybersecurity professional development programs, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committees on Education and the Workforce, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CHRISTENSEN:

H.R. 87. A bill to establish the Castle Nugent National Historic Site at St. Croix, United States Virgin Islands, and for other purposes; to the Committee on Natural Resources.

By Ms. JACKSON LEE:

H.R. 88. A bill to increase the evidentiary standard required to convict a person for a drug offense, to require screening of law enforcement officers or others acting under color of law participating in drug task forces, and for other purposes; to the Committee on the Judiciary.

By Mrs. CHRISTENSEN (for herself, Mr. PIERLUISI, Mr. FALEOMAVAEGA, and Ms. BORDALLO):

H.R. 89. A bill to establish the St. Croix National Heritage Area, and for other purposes; to the Committee on Natural Resources.

By Ms. JACKSON LEE:

H.R. 90. A bill to enhance Federal enforcement of hate crimes, and for other purposes; to the Committee on the Judiciary.

By Mrs. CHRISTENSEN (for herself, Ms. BORDALLO, and Mr. FALEOMAVAEGA):

H.R. 91. A bill to extend the supplemental security income benefits program to Guam, the United States Virgin Islands, and American Samoa; to the Committee on Ways and Means.

By Mrs. CHRISTENSEN:

H.R. 92. A bill to provide energy crisis relief to residents of the Virgin Islands; to the Committee on Agriculture, and in addition to the Committees on Energy and Commerce, Transportation and Infrastructure, Financial Services, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CICILLINE:

H.R. 93. A bill to amend chapter 44 of title 18, United States Code, to restrict the ability of a person whose Federal license to import, manufacture, or deal in firearms has been revoked, whose application to renew such a license has been denied, or who has received a license revocation or renewal denial notice, to transfer business inventory firearms, and for other purposes; to the Committee on the Judiciary.

By Mr. COLE:

H.R. 94. A bill to amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions; to the Committee on House Administration.

By Mr. COLE:

H.R. 95. A bill to reduce Federal spending and the deficit by terminating taxpayer financing of presidential election campaigns and party conventions; to the Committee on Ways and Means, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONNOLLY (for himself and Mr. POE of Texas):

H.R. 96. A bill to permit the televising of Supreme Court proceedings; to the Committee on the Judiciary.

By Mr. CONNOLLY (for himself and Mr. LANGEVIN):

H.R. 97. A bill to provide incentives for States to invest in practices and technology that are designed to expedite voting at the polls and to simplify voter registration; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONYERS:

H.R. 98. A bill to provide a remedy for survivors and descendants of the victims of the Tulsa, Oklahoma Race Riot of 1921; to the Committee on the Judiciary.

By Mr. CONYERS:

H.R. 99. A bill to prohibit anticompetitive activities and to provide that health insurance issuers and medical malpractice insurance issuers are subject to the antitrust laws of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. CONYERS (for himself, Mr.

COHEN, Mr. DEUTCH, Mr. NADLER, Mr.

JOHNSON of Georgia, Mr. WATT, Mr.

GEORGE MILLER of California, and Ms.

JACKSON LEE):

H.R. 100. A bill to amend title 11, United States Code, to improve protections for employees and retirees in business bankruptcies; to the Committee on the Judiciary.

By Mr. CONYERS (for himself, Mr.

COHEN, Mr. NADLER, Mr. McDERMOTT,

Mr. SCOTT of Virginia, Mr. JOHNSON

of Georgia, and Ms. JACKSON LEE):

H.R. 101. A bill to amend title 11 of the United States Code with respect to modification of certain mortgages on principal residences, and for other purposes; to the Committee on the Judiciary.

By Mr. CONYERS (for himself and Mr. PETERS of Michigan):

H.R. 102. A bill to amend part E of title IV of the Social Security Act to require States to follow certain procedures in placing a child who has been removed from the custody of his or her parents; to the Committee on Ways and Means.

By Mr. FATTAH:

H.R. 103. A bill to amend title 31, United States Code, to provide authority to increase

the debt limit when an Act of Congress provides budget authority or reduces revenues, and for other purposes; to the Committee on Ways and Means.

By Mr. GARRETT:

H.R. 104. A bill to recognize Jerusalem as the capital of Israel, to relocate to Jerusalem the United States Embassy in Israel, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GARRETT:

H.R. 105. A bill to amend the Internal Revenue Code of 1986 to repeal the mandate that individuals purchase health insurance; to the Committee on Ways and Means.

By Mr. GINGREY of Georgia (for himself, Ms. TSONGAS, Mr. WESTMORELAND, Mr. POSEY, Mr. CONAWAY, Mr. WEBSTER of Florida, Mr. NUGENT, Mrs. BLACK, and Mr. WITTMAN):

H.R. 106. A bill to require any amounts remaining in a Member's Representational Allowance at the end of a fiscal year to be deposited in the Treasury and used for deficit reduction or to reduce the Federal debt; to the Committee on House Administration.

By Mr. GINGREY of Georgia (for himself, Mr. SAM JOHNSON of Texas, Mr. JONES, Mr. ROSS, Mr. HUELSKAMP, Mr. KING of Iowa, Mr. ROKITA, Mr. PEARCE, Mr. KINGSTON, Mr. ROE of Tennessee, Mr. BROUN of Georgia, Mr. CARTER, Mr. DUNCAN of Tennessee, and Mr. CHAFFETZ):

H.R. 107. A bill to amend title 5, United States Code, to limit the circumstances in which official time may be used by a Federal employee; to the Committee on Oversight and Government Reform.

By Mr. GINGREY of Georgia:

H.R. 108. A bill to provide that rates of pay for Members of Congress shall not be adjusted under section 601(a)(2) of the Legislative Reorganization Act of 1946 in the year following any fiscal year in which outlays of the United States exceed receipts of the United States; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GINGREY of Georgia (for himself, Mr. WESTMORELAND, Mr. POSEY, Mr. DUNCAN of South Carolina, Mr. WITTMAN, and Mrs. BLACKBURN):

H.R. 109. A bill to require Congress to specify the source of authority under the United States Constitution for the enactment of laws, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HANABUSA:

H.R. 110. A bill to require the Secretary of the Army to determine the validity of the claims of certain Filipinos that they performed military service on behalf of the United States during World War II; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HANABUSA:

H.R. 111. A bill to award a Congressional gold medal, collectively, to the Filipino Veterans of World War II, in recognition of their dedicated service during World War II; to the

Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOLT:

H.R. 112. A bill to enable States to implement integrated statewide education longitudinal data systems; to the Committee on Education and the Workforce.

By Mr. HOLT (for himself, Mr. GRIJALVA, and Mr. POLIS):

H.R. 113. A bill to amend the Workforce Investment Act of 1998 to integrate public libraries into State and local workforce investment boards, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HOLT:

H.R. 114. A bill to encourage online workforce training; to the Committee on Education and the Workforce.

By Mr. HOLT (for himself, Ms. TSONGAS, Mr. GRIJALVA, and Mr. POLIS):

H.R. 115. A bill to provide for grants from the Secretary of Education to State and local educational agencies for EnergySmart schools and Energy Star programs; to the Committee on Education and the Workforce.

By Mr. HOLT (for himself and Mrs. CAPPS):

H.R. 116. A bill to encourage the use of medical checklists through research, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HOLT:

H.R. 117. A bill to provide for the mandatory licensing and registration of handguns; to the Committee on the Judiciary.

By Mr. HOLT (for himself, Mr. HANNA, and Mr. HONDA):

H.R. 118. A bill to amend the Internal Revenue Code of 1986 to encourage teachers to pursue teaching science, technology, engineering, and math subjects at elementary and secondary schools; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 119. A bill to amend the Internal Revenue Code to make permanent the credit for increasing research activities; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 120. A bill to amend the Internal Revenue Code of 1986 to increase the credit for research expenses for 2013 and 2014 and to allow the credit to be assigned; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 121. A bill to amend the Internal Revenue Code of 1986 to provide a 5-year reinstatement of the real property standard deduction and to adjust such deduction for inflation; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 122. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for equity investments in high technology small business concerns; to the Committee on Ways and Means.

By Mr. HOLT (for himself and Mr. GEORGE MILLER of California):

H.R. 123. A bill to encourage water efficiency; to the Committee on Energy and Commerce, and in addition to the Committees on Oversight and Government Reform, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JONES (for himself and Mr. BROUN of Georgia):

H.R. 124. A bill to redesignate the Department of the Navy as the Department of the Navy and Marine Corps; to the Committee on Armed Services.

By Mr. JONES:

H.R. 125. A bill to provide for congressional oversight of United States agreements with the Government of Afghanistan; to the Committee on Foreign Affairs.

By Mr. JONES:

H.R. 126. A bill to direct the Secretary of the Interior to enter into an agreement to provide for management of the free-roaming wild horses in and around the Currituck National Wildlife Refuge; to the Committee on Natural Resources.

By Mr. JONES (for himself and Mr. HUDSON):

H.R. 127. A bill to restore the Free Speech and First Amendment rights of churches and exempt organizations by repealing the 1954 Johnson Amendment; to the Committee on Ways and Means.

By Ms. KAPTUR:

H.R. 128. A bill to amend the Communications Act of 1934 to require radio and television broadcasters to provide free broadcasting time for political advertising, and for other purposes; to the Committee on Energy and Commerce.

By Ms. KAPTUR (for herself and Mr. JONES):

H.R. 129. A bill to repeal certain provisions of the Gramm-Leach-Bliley Act and revive the separation between commercial banking and the securities business, in the manner provided in the Banking Act of 1933, the so-called "Glass-Steagall Act", and for other purposes; to the Committee on Financial Services.

By Ms. KAPTUR:

H.R. 130. A bill to amend the Federal Reserve Act to alter the terms and conditions applicable to members of the Board of Governors of the Federal Reserve System, and for other purposes; to the Committee on Financial Services.

By Ms. KAPTUR:

H.R. 131. A bill to provide additional resources for Federal investigations and prosecutions of crimes related to the 2008 Financial Crisis, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of Iowa:

H.R. 132. A bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, the Judiciary, Natural Resources, House Administration, Rules, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MASSIE:

H.R. 133. A bill to repeal the Gun-Free School Zones Act of 1990 and amendments to that Act; to the Committee on the Judiciary.

By Mr. MATHESON (for himself, Mr. COBLE, Mr. MCCAUL, and Mr. PETERS of Michigan):

H.R. 134. A bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress; to the Committee on House Administration, and in addition to the Committee on Oversight and

Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MATSUI:

H.R. 135. A bill to authorize improvements to flood damage reduction facilities adjacent to the American and Sacramento Rivers near Sacramento, California, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. MATSUI:

H.R. 136. A bill to authorize certain civil works projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. MCCARTHY of New York:

H.R. 137. A bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale; to the Committee on the Judiciary.

By Mrs. MCCARTHY of New York (for herself and Ms. DEGETTE):

H.R. 138. A bill to prohibit the transfer or possession of large capacity ammunition feeding devices, and for other purposes; to the Committee on the Judiciary.

By Mr. MARKEY:

H.R. 139. A bill to preserve the Arctic coastal plain of the Arctic National Wildlife Refuge, Alaska, as wilderness in recognition of its extraordinary natural ecosystems and for the permanent good of present and future generations of Americans; to the Committee on Natural Resources.

By Mr. KING of Iowa (for himself, Mr. GINGREY of Georgia, Mr. WESTMORELAND, Mr. WOODALL, Mr. JONES, Mr. BROOKS of Alabama, Mrs. BLACK, Ms. FOXX, Mr. CULBERSON, Mr. MILLER of Florida, Mr. CONAWAY, Mr. GOHMERT, Mr. NUGENT, and Mr. BARLETTA):

H.R. 140. A bill to amend section 301 of the Immigration and Nationality Act to clarify those classes of individuals born in the United States who are nationals and citizens of the United States at birth; to the Committee on the Judiciary.

By Mrs. MCCARTHY of New York:

H.R. 141. A bill to require criminal background checks on all firearms transactions occurring at gun shows; to the Committee on the Judiciary.

By Mrs. MCCARTHY of New York:

H.R. 142. A bill to require face to face purchases of ammunition, to require licensing of ammunition dealers, and to require reporting regarding bulk purchases of ammunition; to the Committee on the Judiciary.

By Mr. RIGELL:

H.R. 143. A bill to amend title 5, United States Code, to provide that matching contributions to the Thrift Savings Fund for Members of Congress be made contingent on Congress completing action on a concurrent resolution on the budget, for the fiscal year involved, which reduces the deficit, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIMPSON:

H.R. 144. A bill to amend title 28, United States Code, to provide for the appointment of additional Federal circuit judges, to divide the Ninth Judicial Circuit of the United States into two judicial circuits, and for other purposes; to the Committee on the Judiciary.

By Mr. SIMPSON:

H.R. 145. A bill to establish certain wilderness areas in central Idaho and to authorize various land conveyances involving National Forest System land and Bureau of Land Management land in central Idaho; to the Committee on Natural Resources.

By Mr. SIRE:

H.R. 146. A bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the programs and activities of the National Institutes of Health with respect to Tourette syndrome; to the Committee on Energy and Commerce.

By Mr. THORNBERRY (for himself,

Mr. BARTON, Mr. BROWN of Georgia, Mr. CONAWAY, Mr. CULBERSON, Mr. ROGERS of Kentucky, Mr. SESSIONS, Mr. WOMACK, Mr. WILSON of South Carolina, Mr. FRANKS of Arizona, Mr. GRAVES of Georgia, Mr. JONES, Mr. NUGENT, Mr. ROE of Tennessee, Mr. ROKITA, Mr. YOUNG of Florida, Mr. MCKINLEY, Mr. OLSON, Mr. RAHALL, Mr. ROGERS of Alabama, Mr. ISSA, Mr. HALL, Mr. BACHUS, Mr. TURNER, Mr. SENSENBRENNER, Mr. DUNCAN of Tennessee, Mr. SMITH of Texas, and Mr. YODER):

H.R. 147. A bill to repeal the Federal estate and gift taxes; to the Committee on Ways and Means.

By Mr. VAN HOLLEN (for himself, Mr.

CLYBURN, Mr. BECERRA, Mr. CROWLEY, Ms. DELAURO, Mr. ANDREWS, Mr. CUELLAR, Mr. PALLONE, Mr. ISRAEL, Mr. LARSON of Connecticut, Mr. BRADY of Pennsylvania, and Ms. LOFGREN):

H.R. 148. A bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, and other entities, and for other purposes; to the Committee on House Administration, and in addition to the Committees on the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WEBSTER of Florida:

H.R. 149. A bill to specify the priority of the obligations of the United States Government if the debt ceiling is reached; to the Committee on Ways and Means.

By Mr. YODER (for himself and Ms. JENKINS):

H.R. 150. A bill to amend the Legislative Reorganization Act of 1946 to reduce the rates of pay of Members of Congress by 5 percent and eliminate future cost-of-living adjustments in such rates of pay; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YODER (for himself and Ms. JENKINS):

H.R. 151. A bill to amend title 5, United States Code, to provide for the termination of further retirement benefits for Members of Congress, except the right to continue participating in the Thrift Savings Plan; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOODLATTE (for himself, Mr.

BACHUS, Mr. BILIRAKIS, Mrs. BLACKBURN, Mr. BOUSTANY, Mr. BUCHANAN, Mr. CHABOT, Mr. CHAFFETZ, Mr. COFFMAN, Mr. COLLINS of Georgia, Mr. CONAWAY, Mr. CRAWFORD, Mr. CULBERSON, Mr. DUNCAN of South Carolina, Mr. DUNCAN of Tennessee, Mr. FRANKS of Arizona, Mr. GARRETT, Mr. GERLACH, Mr. GRIFFITH of Virginia, Mr. HUIZENGA of Michigan, Mr. HULTGREN, Mr. HURT, Mr. KING of Iowa, Mr. LABRADOR, Mr. LAMBORN, Mr. LANCE, Mr. LUETKEMEYER, Mr. MARINO, Mrs. MILLER of Michigan, Mr. MILLER of Florida, Mr. MULVANEY, Mr. NUGENT, Mr. OLSON, Mr. POE of Texas, Mr. POSEY, Mrs. McMORRIS RODGERS, Mr. ROE of Tennessee, Mr. ROSKAM, Mr. SMITH of Texas, Mr. SENSENBRENNER, Mr. WALBERG, Mr. WESTMORELAND, Mr. WILSON of South Carolina, Mr. DENT, Mr. PALAZZO, Mr. MCKINLEY, Mr. PEARCE, Mr. GIBBS, and Mr. BROWN of Georgia):

H.J. Res. 1. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. GOODLATTE (for himself, Mr.

DEFAZIO, Mr. BACHUS, Mr. BOUSTANY, Mr. BUCHANAN, Mr. CHABOT, Mr. CHAFFETZ, Mr. COBLE, Mr. CRAWFORD, Mr. AMODEI, Mr. DIAZ-BALART, Mr. FRANKS of Arizona, Mr. GERLACH, Mr. GRIFFITH of Virginia, Mr. HUIZENGA of Michigan, Mr. JONES, Mr. LANCE, Mr. LUETKEMEYER, Mr. MULVANEY, Mr. NUGENT, Mr. POSEY, Mr. HURT, Mr. CULBERSON, Mr. ROE of Tennessee, Mr. DUNCAN of Tennessee, Mr. HULTGREN, Mr. LAMBORN, Mr. HARPER, Mr. CONAWAY, Mr. WALDEN, Mrs. CAPITO, Mr. SHUSTER, Mr. KING of Iowa, Mr. MARINO, Mr. SCHOCK, Mr. GARRETT, Mr. WOLF, Mr. SENSENBRENNER, Mr. COLLINS of Georgia, Mr. MILLER of Florida, Mr. PRICE of Georgia, Mr. ROSKAM, Mr. SMITH of Texas, Mr. STIVERS, Mr. WALBERG, Mr. WILSON of South Carolina, Mrs. BLACK, Mr. COFFMAN, Mr. LABRADOR, Mrs. BLACKBURN, Mr. THORNBERRY, Mr. PETRI, Mrs. McMORRIS RODGERS, Mr. OLSON, Mr. BILIRAKIS, Mr. BONNER, Mr. YODER, Mr. WESTMORELAND, Mrs. MILLER of Michigan, Mr. DUNCAN of South Carolina, Mr. POE of Texas, Mr. GARY G. MILLER of California, Mr. DENT, Mr. PALAZZO, Mr. MCKINLEY, Mr. ROGERS of Michigan, Mr. CALVERT, Mrs. ELLMERS, Mr. FITZPATRICK, Mr. PEARCE, Mr. NEUGEBAUER, Mr. GIBBS, Mr. FORTENBERRY, and Mr. BROWN of Georgia):

H.J. Res. 2. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Ms. JACKSON LEE:

H.J. Res. 3. A joint resolution expressing support for designation of September 2013 as "Gospel Music Heritage Month" and honoring gospel music for its valuable and longstanding contributions to the culture of the United States; to the Committee on Oversight and Government Reform.

By Mr. BARROW (for himself and Mr. CUELLAR):

H.J. Res. 4. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. BUCHANAN:

H.J. Res. 5. A joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget; to the Committee on the Judiciary.

By Mr. BUCHANAN:

H.J. Res. 6. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mrs. CHRISTENSEN (for herself and Ms. BORDALLO):

H.J. Res. 7. A joint resolution proposing an amendment to the Constitution of the United States regarding presidential election voting rights for residents of all United States territories and commonwealths; to the Committee on the Judiciary.

By Mr. FITZPATRICK:

H.J. Res. 8. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of terms that a Member of Congress may serve to 4 in the House of Representatives and 2 in the Senate; to the Committee on the Judiciary.

By Mr. MCCLINTOCK:

H.J. Res. 9. A joint resolution proposing an amendment to the Constitution of the United States prohibiting the United States government from increasing its debt except for a specific purpose by law adopted by three-fourths of the membership of each House of Congress; to the Committee on the Judiciary.

By Mr. SCHWEIKERT:

H.J. Res. 10. A joint resolution proposing an amendment to the Constitution of the United States requiring that the Federal budget be balanced and that an increase in the Federal debt requires approval from a majority of the legislatures of the several States; to the Committee on the Judiciary.

By Mr. TERRY:

H.J. Res. 11. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. SESSIONS:

H. Con. Res. 1. Concurrent resolution regarding consent to assemble outside the seat of government; considered and agreed to.

By Ms. JACKSON LEE:

H. Con. Res. 2. Concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued in honor of George Thomas "Mickey" Leland; to the Committee on Oversight and Government Reform.

By Mr. JONES:

H. Con. Res. 3. Concurrent resolution expressing the sense of Congress that the use of offensive military force by a President without prior and clear authorization of an Act of Congress constitutes an impeachable high crime and misdemeanor under article II, section 4 of the Constitution; to the Committee on the Judiciary.

By Mr. GARY G. MILLER of California (for himself and Mr. SHERMAN):

H. Con. Res. 4. Concurrent resolution expressing the sense of the Congress that the current Federal income tax deduction for interest paid on debt secured by a first or second home should not be further restricted; to the Committee on Ways and Means.

By Mr. WALZ:

H. Con. Res. 5. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the Mississippi River and its status as a vital resource of the United States; to the Committee on House Administration.

By Mrs. MCMORRIS RODGERS:

H. Res. 1. A resolution electing officers of the House of Representatives; considered and agreed to.

By Mr. CANTOR:

H. Res. 2. A resolution to inform the Senate that a quorum of the House has assembled and of the election of the Speaker and the Clerk; considered and agreed to.

By Mr. CANTOR:

H. Res. 3. A resolution authorizing the Speaker to appoint a committee to notify the President of the assembly of the Congress; considered and agreed to.

By Mr. DINGELL:

H. Res. 4. A resolution authorizing the Clerk to inform the President of the election of the Speaker and the Clerk; considered and agreed to.

By Mr. CANTOR:

H. Res. 5. A resolution adopting rules for the One Hundred Thirteenth Congress; considered and agreed to.

By Mrs. MCMORRIS RODGERS:

H. Res. 6. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. BECERRA:

H. Res. 7. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. BECERRA:

H. Res. 8. A resolution providing for the designation of certain minority employees; considered and agreed to.

By Mr. SESSIONS:

H. Res. 9. A resolution fixing the daily hour of meeting of the First Session of the One Hundred Thirteenth Congress; considered and agreed to.

By Ms. FUDGE (for herself, Ms. CLARKE, Mr. COHEN, Mr. RUSH, Ms. NORTON, Mr. THOMPSON of Mississippi, Mr. CLAY, Mr. CONYERS, Mrs. BEATTY, Mr. AL GREEN of Texas, Mr. JOHNSON of Georgia, Mr. RICHMOND, and Ms. WILSON of Florida):

H. Res. 10. A resolution recognizing the 100th Anniversary of Delta Sigma Theta Sorority, Incorporated; to the Committee on Education and the Workforce.

By Mr. WELCH (for himself, Mr. CLYBURN, and Mr. COURTNEY):

H. Res. 11. A resolution amending the Rules of the House of Representatives to reinstate the "Gephardt rule"; to the Committee on Rules.

By Mr. WELCH (for himself, Mr. CLYBURN, Mr. COURTNEY, and Mr. YARMUTH):

H. Res. 12. A resolution amending the Rules of the House of Representatives to require that any extension of the public debt limit only be considered in a standalone bill; to the Committee on Rules.

By Mr. GINGREY of Georgia (for himself, Mr. WESTMORELAND, Mr. POSEY, and Mr. CONAWAY):

H. Res. 13. A resolution amending the Rules of the House of Representatives to require that general appropriations for military construction and veterans' affairs be considered as stand-alone measures; to the Committee on Rules.

By Mr. HOYER:

H. Res. 14. A resolution amending the Rules of the House of Representatives to permit Delegates and the Resident Commissioner to the Congress to cast votes in the Committee of the Whole House on the state of the Union; to the Committee on Rules.

By Ms. JACKSON LEE:

H. Res. 15. A resolution expressing the sense of the House of Representatives that the Transportation Security Administration should, in accordance with existing law, enhance security against terrorist attack and other security threats to our Nation's rail

and mass transit systems and other modes of surface transportation; and for other purposes; to the Committee on Homeland Security.

By Mr. SCHWEIKERT:

H. Res. 16. A resolution amending the Rules of the House of Representatives to prohibit the consideration of any bill or joint resolution carrying more than one subject; to the Committee on Rules.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MORAN:

H.R. 21.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. POE of Texas:

H.R. 22.

Congress has the power to enact this legislation pursuant to the following:

Clause 8 of section 8 of Article I of the Constitution.

By Mr. BROUN of Georgia:

H.R. 23.

Congress has the power to enact this legislation pursuant to the following:

To accompany: Section 5 of the 14th article of Amendment to the Constitution of the United States, which states "The Congress shall have power to enforce, by appropriate legislation, the provisions of this article." Section one of this article states "... nor shall any State deprive any person of life, liberty, or property, without due process of law. . . ."

The Sanctity of Human Life Act allows for constitutional protection for the unborn that they not "be deprived of life, liberty, or property, without due process of the law" afforded under the 5th Amendment.

By Mr. BROUN of Georgia:

H.R. 24.

Congress has the power to enact this legislation pursuant to the following:

This legislation is authorized by Article I, Section 8 of the Constitution: "To coin money, regulate the value thereof, and of foreign coin, and fix the standards of weights and measures" and "To provide for the punishment of counterfeiting the securities and current coin of the United States."

By Mr. WOODALL:

H.R. 25.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article 1 of the United States Constitution which reads: "The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States."

By Ms. VELÁZQUEZ:

H.R. 26.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1; and including, but not solely limited to Article I, Section 8, Clause 14.

By Ms. VELÁZQUEZ:

H.R. 27.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3; and including, but not solely limited to Article I, Section 8, Clause 14.

By Ms. VELÁZQUEZ:

H.R. 28.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. VELÁZQUEZ:

H.R. 29.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. VELÁZQUEZ:

H.R. 30.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. VELÁZQUEZ:

H.R. 31.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. WILSON of South Carolina:

H.R. 32.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

The Congress shall have the power to provide for the common defense.

By Mr. STOCKMAN:

H.R. 33.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

“The Congress shall have Power . . . To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures”

By Mr. RUSH:

H.R. 34.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

“The Congress shall have Power “to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.”

By Mr. STOCKMAN:

H.R. 35.

Congress has the power to enact this legislation pursuant to the following:

Article I of the U.S. Constitution, Second Amendment, Ninth Amendment and Tenth Amendment

By Mr. DENT:

H.R. 36.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. BARROW:

H.R. 37.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. FLEMING:

H.R. 38.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Amendment 16 of the U.S. Constitution, which grants Congress the power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

By Mr. YOUNG of Alaska:

H.R. 39.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. CONYERS:

H.R. 40.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Section 5 of the Fourteenth Amendment to the United States Constitution, Congress shall have the power to enact appropriate laws protecting the civil rights of all Americans.

By Mr. GARRETT:

H.R. 41.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (The Congress shall have Power To lay and collect Taxes, Duties, Imposts, and Excises to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, impost, and Excises shall be uniform throughout the United States;) Article I, Section 9, Clause 7 (No Money shall be drawn from the Treasury, but in consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time) and Article I, Section 8, Clause 18 (To make all Laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof).

The Constitution exclusively bestows to Congress the power of the purse and this legislation would increase the amount of borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program.

By Mrs. BACHMANN:

H.R. 42.

Congress has the power to enact this legislation pursuant to the following:

Article One, Section Eight, wherein it states “Congress shall have power . . . to raise and support Armies.”

By Mrs. BACHMANN:

H.R. 43.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to estab-

lish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.

By Ms. BORDALLO:

H.R. 44.

Congress has the power to enact this legislation pursuant to the following:

To make all rules and regulations respecting the Territories and possessions as enumerated in Article IV, Section 3, Clause 2 of the United States Constitution

By Mrs. BACHMANN:

H.R. 45.

Congress has the power to enact this legislation pursuant to the following:

This bill makes specific changes to existing law in a manner that returns power to the States and to the People, in accordance with Amendment X of the United States Constitution.

By Mrs. BACHMANN:

H.R. 46.

Congress has the power to enact this legislation pursuant to the following:

This bill makes specific changes to existing law in a manner that returns power to the States and to People, in accordance with Amendment X to the U.S. Constitution.

By Mr. BISHOP of New York:

H.R. 47.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of the U.S. Constitution.

By Mr. BISHOP of New York:

H.R. 48.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. YOUNG of Alaska:

H.R. 49.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Mr. GEORGE MILLER of California:

H.R. 50.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. FITZPATRICK:

H.R. 51.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution:

“The Congress shall have the Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and Provide for the common Defense and general Welfare of the United States”

By Mr. FITZPATRICK:

H.R. 52.

Congress has the power to enact this legislation pursuant to the following:

Commerce Power, Article I, Section 8, Clause 3; and The Necessary and Proper Clause, Article I, Section 8, Clause 18;

By Mr. FITZPATRICK:

H.R. 53.

Congress has the power to enact this legislation pursuant to the following:

Commerce Power, Art. I, Sec. 8, Cl. 3; The Necessary and Proper Clause, Art. I, Sec. 8, Cl. 18

By Mr. FITZPATRICK:

H.R. 54.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 6 of Article I of the Constitution, which states “The Senators and Representatives shall receive a Compensation for their Services, to be

ascertained by Law, and paid out of the Treasury of the United States.” and Clause 1 of Section 1 of Article I, which states “All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.”

By Mr. FITZPATRICK:

H.R. 55.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States

By Mrs. BLACKBURN:

H.R. 56.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Article I, Section 9, Clause 7 of the United States Constitution.

By Mrs. BLACKBURN:

H.R. 57.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Article I, Section 9, Clause 7 of the United States Constitution.

By Mrs. BLACKBURN:

H.R. 58.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Article I, Section 9, Clause 7 of the United States Constitution.

By Mrs. BLACKBURN:

H.R. 59.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Article I, Section 9, Clause 7 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 60.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Mrs. BLACKBURN:

H.R. 61.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 62.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Mrs. BLACKBURN:

H.R. 63.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and Clause 18 (relating to the power of Congress to make all laws necessary and proper for carrying out the powers vested in Congress and the Executive Branch), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States) of the Constitution of the United States.

By Ms. JACKSON LEE:

H.R. 64.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 65.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 66.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Mrs. BLACKBURN:

H.R. 67.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Article I, Section 8, Clause 14.

By Ms. JACKSON LEE:

H.R. 68.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Ms. BORDALLO:

H.R. 69.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted Congress under Article 1, Section 8 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 70.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Ms. BORDALLO:

H.R. 71.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted Congress under Article 1, Section 8 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 72.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Mr. BROWN of Georgia:

H.R. 73.

Congress has the power to enact this legislation pursuant to the following:

This legislation is authorized by Article I, Section 8 of the Constitution: “To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States.” This includes the power to repeal legislation that exercises power beyond that which is granted to the Congress in the Constitution.

By Ms. JACKSON LEE:

H.R. 74.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Mr. BROWN of Georgia:

H.R. 75.

Congress has the power to enact this legislation pursuant to the following:

This legislation is authorized by Article I, Section 8 of the Constitution: “To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States.”

By Ms. JACKSON LEE:

H.R. 76.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Mr. BROWN of Georgia:

H.R. 77.

Congress has the power to enact this legislation pursuant to the following:

This legislation is authorized by Article I, Section 8 of the Constitution: “To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures” and “To provide for the punishment of counterfeiting the securities and current coin of the United States.” It is also authorized by Article I, Section 8, Clause 3: “To regulate commerce with foreign nations, and among the several States, and with the Indian Tribes.”

By Ms. JACKSON LEE:

H.R. 78.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Mrs. CHRISTENSEN:

H.R. 79.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is Article 1 of the U.S. Constitution that grants Congress the authority to tax and spend for the general welfare.

By Ms. JACKSON LEE:

H.R. 80.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Mrs. CHRISTENSEN:

H.R. 81.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to enact bills pursuant to clause 1 of section 8 of article I of the Constitution. Pursuant to this clause, Congress has the authority to “provide for the.... general welfare of the United States.” Included in the concept of ‘general welfare’ is Congress’s authority to spend money to provide for the health of the citizenry.

By Ms. JACKSON LEE:

H.R. 82.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Mrs. CHRISTENSEN:

H.R. 83.

Congress has the power to enact this legislation pursuant to the following:

“Article IV, section 3 of the Constitution of the United States grant Congress the authority to make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.”

By Ms. JACKSON LEE:

H.R. 84.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Mrs. CHRISTENSEN:

H.R. 85.

Congress has the power to enact this legislation pursuant to the following:

"Article IV, section 3 of the Constitution of the United States grant Congress the authority to make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States."

By Ms. JACKSON LEE:

H.R. 86.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Mrs. CHRISTENSEN:

H.R. 87.

Congress has the power to enact this legislation pursuant to the following:

"Article IV, section 3 of the Constitution of the United States grant Congress the authority to make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States."

By Ms. JACKSON LEE:

H.R. 88.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Mrs. CHRISTENSEN:

H.R. 89.

Congress has the power to enact this legislation pursuant to the following:

"Article IV, section 3 of the Constitution of the United States grant Congress the authority to make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States."

By Ms. JACKSON LEE:

H.R. 90.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Mrs. CHRISTENSEN:

H.R. 91.

Congress has the power to enact this legislation pursuant to the following:

"Article IV, section 3 of the Constitution of the United States grant Congress the authority to make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States."

By Mrs. CHRISTENSEN:

H.R. 92.

Congress has the power to enact this legislation pursuant to the following:

"Article IV, section 3 of the Constitution of the United States grant Congress the authority to make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States."

By Mr. CICILLINE:

H.R. 93.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8

By Mr. COLE:

H.R. 94.

Congress has the power to enact this legislation pursuant to the following:

Amendment XVI to the United States Constitution.

Additionally, since the Constitution does not provide Congress with the power to provide financial support to U.S. political parties, the general repeal of the Presidential

Election Campaign Fund for this purpose is consistent with the powers that are reserved to the States and to the people as expressed in Amendments IX and X to the United States Constitution.

Further, Article I Section 8 defines the scope and powers of Congress and does not include this concept of taxation in furtherance of funding U.S. political parties within the expressed powers.

By Mr. COLE:

H.R. 95.

Congress has the power to enact this legislation pursuant to the following:

Amendment XVI to the United States Constitution.

Additionally, since the Constitution does not provide Congress with the power to provide financial support to candidates seeking election to offices of the United States or to U.S. political parties, the general repeal of the presidential election fund is consistent with the powers that are reserved to the States and to the people as expressed in Amendment X to the United States Constitution.

Further, Article I Section 8 defines the scope and powers of Congress and does not include this concept of taxation in furtherance of funding campaigns within the delegated powers.

By Mr. CONNOLLY:

H.R. 96.

Congress has the power to enact this legislation pursuant to the following:

The "necessary and proper" clause of Article 1, Section 8 of the United States Constitution.

By Mr. CONNOLLY:

H.R. 97.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 4 of the United States Constitution.

By Mr. CONYERS:

H.R. 98.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Section 5 of the Fourteenth Amendment to the United States Constitution, Congress shall have the power to enact appropriate laws protecting the civil rights of all Americans.

By Mr. CONYERS:

H.R. 99.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Article I, Section 8, Clause 3.

By Mr. CONYERS:

H.R. 100.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4

By Mr. CONYERS:

H.R. 101.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4

By Mr. CONYERS:

H.R. 102.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. FATTAH:

H.R. 103.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. GARRETT:

H.R. 104.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;), Article I, Section 9, Clause 7 (No Money shall be drawn from the Treasury, but in consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time), and Article I, Section 8, Clause 18 (To make all Laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof).

This legislation authorizes appropriations for "Acquisition and Maintenance of Buildings Abroad" for the Department of State, such sums as may be necessary to establish a United States Embassy in Israel in the capital of Jerusalem.

By Mr. GARRETT:

H.R. 105.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;), Article I, Section 9, Clause 5 (No Capitation, or other direct, Tax shall be laid unless in Proportion to the Census or Enumeration herein before directed to be taken), and Article I, Section 8, Clause 18 (To make all Laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof).

In *National Federation of Independent Business v. Sebelius*, the Supreme Court ruled that the financial penalty for failing to purchase health insurance as mandated by the Affordable Care Act is a tax that Congress may impose through the taxing power. Even if the penalty imposed by the Affordable Care Act must be construed to be a tax, it does not satisfy the three types of taxes—income, excise, or direct—that are listed as valid in the Constitution. The penalty is not assessed on income so it is not a valid income tax. The penalty is not assessed uniformly and is triggered by economic inactivity so it is not a valid excise tax. Finally, the penalty is not apportioned among the states by population and therefore is not a valid direct tax.

The tax imposed by the Affordable Care Act, by every measure, extends beyond the taxing power granted to Congress by the Constitution and it is only necessary and proper that Congress repeal the individual mandate.

By Mr. GINGREY of Georgia:

H.R. 106.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution that states, "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts. . ."

By Mr. GINGREY of Georgia:

H.R. 107.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution states "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

Article I, Section 8, Clause 18 of the Constitution states "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof."

By Mr. GINGREY of Georgia:

H.R. 108.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 6, Clause 1 of the Constitution states "The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States."

The 27th Amendment of the Constitution states "No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened."

By Mr. GINGREY of Georgia:

H.R. 109.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 5, Clause 2 of the Constitution that states, "Each House may determine the Rules of its Proceedings"

By Ms. HANABUSA:

H.R. 110.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution

By Ms. HANABUSA:

H.R. 111.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution

By Mr. HOLT:

H.R. 112.

Congress has the power to enact this legislation pursuant to the following:

Article 1 of the United States Constitution.

By Mr. HOLT:

H.R. 113.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution of the United States

By Mr. HOLT:

H.R. 114.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution of the United States

By Mr. HOLT:

H.R. 115.

Congress has the power to enact this legislation pursuant to the following:

Article 1 of the United States Constitution.

By Mr. HOLT:

H.R. 116.

Congress has the power to enact this legislation pursuant to the following:

Article 1 of the United States Constitution.

By Mr. HOLT:

H.R. 117.

Congress has the power to enact this legislation pursuant to the following:

Article I of the United States Constitution.

By Mr. HOLT:

H.R. 118.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution of the United States

By Mr. HOLT:

H.R. 119.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution of the United States

By Mr. HOLT:

H.R. 120.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution of the United States

By Mr. HOLT:

H.R. 121.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution of the United States

By Mr. HOLT:

H.R. 122.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution of the United States

By Mr. HOLT:

H.R. 123.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution of the United States.

By Mr. JONES:

H.R. 124.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article 1, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mr. JONES:

H.R. 125.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 11, and Article II, Section 2, Clause 2 of the United States Constitution.

By Mr. JONES:

H.R. 126.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, and Article IV, Section 3, of the Constitution of the United States.

By Mr. JONES:

H.R. 127.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by the First Amendment of the United States Constitution, which states that, among other things, Congress shall make no law prohibiting the free exercise of religion.

By Ms. KAPTUR:

H.R. 128.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Article I, Section 8, Clause 18

By Ms. KAPTUR:

H.R. 129.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Article I, Section 8, Clause 18

By Ms. KAPTUR:

H.R. 130.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Ms. KAPTUR:

H.R. 131.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Article I, Section 8, Clause 18

By Mr. KING of Iowa:

H.R. 132.

Congress has the power to enact this legislation pursuant to the following:

This bill makes specific changes to existing law in a manner that returns power to the States and to the People, consistent with Amendment X of the United States Constitution.

By Mr. MASSIE:

H.R. 133.

Congress has the power to enact this legislation pursuant to the following:

This Act is justified by the lack of a mandate or assertion of authority in the United States Constitution for the federal government to establish the laws affected by this Act; by Article One of the United States Constitution that grants legislative powers; by the Second Amendment to the United States Constitution that recognizes the right to bear arms; and by the Ninth and Tenth Amendments to the United States Constitution, which recognize that rights and powers are retained and reserved by the people and to the States.

By Mr. MATHESON:

H.R. 134.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 6, Clause 1 of the United States Constitution and Amendment XXVII of the United States Constitution grants Congress the authority to enact this legislation.

By Ms. MATSUI:

H.R. 135.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Ms. MATSUI:

H.R. 136.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mrs. MCCARTHY of New York:

H.R. 137.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 8, Clause 3 of the United States Constitution.

By Mrs. MCCARTHY of New York:

H.R. 138.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. MARKEY:

H.R. 139.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 and Article IV, section 3

By Mr. KING of Iowa:

H.R. 140.

Congress has the power to enact this legislation pursuant to the following:

Section 5 of the Amendment XIV to the Constitution and Section 8 of Article I of the Constitution.

By Mrs. MCCARTHY of New York:

H.R. 141.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 8, Clause 3 of the United States Constitution.

By Mrs. MCCARTHY of New York:

H.R. 142.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. RIGELL:

H.R. 143.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 6, Clause 1 of the United States Constitution: "All Senators and Representatives shall receive a Compensation for their Services to be ascertained by Law, and paid out of the Treasury of the United States."

By Mr. SIMPSON:

H.R. 144.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 9, which states "The Congress shall have Power . . . To constitute Tribunals inferior to the supreme Court." In addition, Article III, Section 1 states that "The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish."

By Mr. SIMPSON:

H.R. 145.

Congress has the power to enact this legislation pursuant to the following:

"The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States)."

By Mr. SIRES:

H.R. 146.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Mr. THORNBERRY:

H.R. 147.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the United States Constitution. Section 8 explicitly states that "The Congress shall have power to lay and

collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;" This clause applies to this bill because it grants the power of taxation to the Federal government.

By Mr. VAN HOLLEN:

H.R. 148.

Congress has the power to enact this legislation pursuant to the following:

The power of Congress to regulate the time, place, and manner of Federal elections under section 4 of article I.

By Mr. WEBSTER of Florida:

H.R. 149.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution which states in part: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States.

By Mr. YODER:

H.R. 150.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Clause 18, and Article I, Section 6 of the United States Constitution.

By Mr. YODER:

H.R. 151.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Clause 18, and Article I, Section 6 of the United States Constitution.

By Mr. GOODLATTE:

H.J. Res. 1.

Congress has the power to enact this legislation pursuant to the following:

Article V of the U.S. Constitution, which grants Congress the authority to propose Constitutional amendments.

By Mr. GOODLATTE:

H.J. Res. 2.

Congress has the power to enact this legislation pursuant to the following:

Article V of the U.S. Constitution, which grants Congress the authority to propose Constitutional amendments.

By Ms. JACKSON LEE:

H.J. Res. 3.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. BARROW:

H.J. Res. 4.

Congress has the power to enact this legislation pursuant to the following:

Article V of the U.S. Constitution.

By Mr. BUCHANAN:

H.J. Res. 5.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this joint resolution rests is the power of Congress as enumerated in Article V of the United States Constitution.

By Mr. BUCHANAN:

H.J. Res. 6.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this joint resolution rests is the power of Congress as enumerated in Article V of the United States Constitution.

By Mrs. CHRISTENSEN:

H.J. Res. 7.

Congress has the power to enact this legislation pursuant to the following:

"Article IV, section 3 of the Constitution of the United States grant Congress the authority to make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States."

By Mr. FITZPATRICK:

H.J. Res. 8.

Congress has the power to enact this legislation pursuant to the following:

Commerce Power, Art. I, Sec. 8, Cl. 3; and The Necessary and Proper Clause, Art. I, Sec. 8, Cl. 18

By Mr. MCCLINTOCK:

H.J. Res. 9.

Congress has the power to enact this legislation pursuant to the following:

Article V of the United States Constitution provides for amendments to the United States Constitution.

By Mr. SCHWEIKERT:

H.J. Res. 10.

Congress has the power to enact this legislation pursuant to the following:

Article 5 of the Constitution states: The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

By Mr. TERRY:

H.J. Res. 11.

Congress has the power to enact this legislation pursuant to the following:

Article V

EXTENSIONS OF REMARKS

INTRODUCTION OF THE "HOME FORECLOSURE REDUCTION ACT OF 2013"

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 3, 2013

Mr. CONYERS. Mr. Speaker, the "Home Foreclosure Reduction Act of 2013," permits a bankruptcy judge to reduce the principal amount of an underwater mortgage to the fair market value of the home, which will encourage homeowners to make their mortgage payments and help stop the endless cycle of foreclosures which further depresses home values. It also authorizes the mortgage's repayment period to be extended so that monthly mortgage payments are more affordable. In addition, the bill permits exorbitant mortgage interest rates to be reduced to a level that will keep the mortgage affordable over the long-term. And, it authorizes the waiver of prepayment penalties and excessive fees. Further, the bill would allow hidden fees and unauthorized costs to be eliminated.

This bill addresses the fundamental problem with every privately-sponsored and government program that has previously been developed to deal with the home foreclosure crisis. Unlike every other government program, this legislation empowers a homeowner to force the lender to modify the terms of the mortgage by allowing the principal amount of the mortgage to be reduced to the home's fair market value, which numerous economists and housing experts agree is the most effective way to respond to the foreclosure crisis. And, unlike every other government program, the implementation of this measure will not cost taxpayers a single penny.

This legislation is identical to H.R. 1587, which was introduced in the 112th Congress, and contains similar provisions included in H.R. 1106, which the House passed nearly three years ago. Unfortunately, those provisions were taken out in the Senate and not included in the final version of the bill that was subsequently enacted into law.

SECTION-BY-SECTION DESCRIPTION OF THE "HOME FORECLOSURE REDUCTION ACT OF 2013"

Section 1. Short Title. Section 1 sets forth the short title of this Act as the "Home Foreclosure Reduction Act of 2013."

Section 2. Definition. Bankruptcy Code section 101 defines various terms. Section 2 amends this provision to add a definition of "qualified loan modification," which is defined as a loan modification agreement made in accordance with the guidelines of the Obama Administration's Homeowner Affordability and Stability Plan, as implemented on March 4, 2009 with respect to a loan secured by a senior security interest in the debtor's principal residence. To qualify as such, the agreement must reduce the debtor's mortgage payment (including principal

and interest) and payments for various other specified expenses (i.e., real estate taxes, hazard insurance, mortgage insurance premium, homeowners' association dues, ground rent, and special assessments) to a percentage of the debtor's income in accordance with such guidelines. The payment may not include any period of negative amortization and it must fully amortize the outstanding mortgage principal. In addition, the agreement may not require the debtor to pay any fees or charges to obtain the modification. Further, the agreement must permit the debtor to continue to make these payments as if he or she had not filed for bankruptcy relief.

Section 3. Eligibility for Relief. Section 3 amends Bankruptcy Code section 109, which specifies the eligibility criteria for filing for bankruptcy relief, in two respects. First, it amends Bankruptcy Code section 109(e), which sets forth secured and unsecured debt limits to establish a debtor's eligibility for relief under chapter 13. Section 3 amends this provision to provide that the computation of debts does not include the secured or unsecured portions of debts secured by the debtor's principal residence, under certain circumstances. The exception applies if the value of the debtor's principal residence as of the date of the order for relief under chapter 13 is less than the applicable maximum amount of the secured debt limit specified in section 109(e). Alternatively, the exception applies if the debtor's principal residence was sold in foreclosure or the debtor surrendered such residence to the creditor and the value of such residence as of the date of the order for relief under chapter 13 is less than the secured debt limit specified in section 109(e). This amendment is not intended to create personal liability on a debt if there would not otherwise be personal liability on such debt.

Second, section 3 amends Bankruptcy Code section 109(h), which requires a debtor to receive credit counseling within the 180-day period prior to filing for bankruptcy relief, with limited exception. Section 3 amends this provision to allow a chapter 13 debtor to satisfy this requirement within 30 days after filing for bankruptcy relief if he or she submits to the court a certification that the debtor has received notice that the holder of a claim secured by the debtor's principal residence may commence a foreclosure proceeding.

Section 4. Prohibiting Claims Arising from Violations of the Truth in Lending Act. Under the Truth in Lending Act, a mortgagor has a right of rescission with respect to a mortgage secured by his or her residence, under certain circumstances. Bankruptcy Code section 502(b) enumerates various claims of creditors that are not entitled to payment in a bankruptcy case, subject to certain exceptions. Section 4 amends Bankruptcy Code section 502(b) to provide that a claim for a loan secured by a security interest in the debtor's principal residence is not entitled to payment in a bankruptcy case to the extent that such claim is subject to a remedy for rescission under the Truth in Lending Act, notwithstanding the prior entry of a foreclosure judgment. In addition,

section 4 specifies that nothing in this provision may be construed to modify, impair, or supersede any other right of the debtor.

Section 5. Authority to Modify Certain Mortgages. Under Bankruptcy Code section 1322(b)(2), a chapter 13 plan may not modify the terms of a mortgage secured solely by real property that is the debtor's principal residence. Section 5 amends Bankruptcy Code section 1322(b) to create a limited exception to this prohibition. The exception only applies to a mortgage that: (1) originated before the effective date of this amendment; and (2) is the subject of a notice that a foreclosure may be (or has been) commenced with respect to such mortgage.

In addition, the debtor must certify pursuant to new section 1322(h) that he or she contacted—not less than 30 days before filing for bankruptcy relief—the mortgagee (or the entity collecting payments on behalf of such mortgagee) regarding modification of the mortgage. The debtor must also certify that he or she provided the mortgagee (or the entity collecting payments on behalf of such mortgagee) a written statement of the debtor's current income, expenses, and debt in a format that substantially conforms with the schedules required under Bankruptcy Code section 521 or with such other form as promulgated by the Judicial Conference of the United States. Further, the certification must include a statement that the debtor considered any qualified loan modification offered to the debtor by the mortgagee (or the entity collecting payments on behalf of such holder). This requirement does not apply if the foreclosure sale is scheduled to occur within 30 days of the date on which the debtor files for bankruptcy relief. If the chapter 13 case is pending at the time new section 1322(h) becomes effective, then the debtor must certify that he or she attempted to contact the mortgagee (or the entity collecting payments on behalf of such mortgagee) regarding modification of the mortgage before either: (1) filing a plan under Bankruptcy Code section 1321 that contains a modification pursuant to new section 1322(b)(11); or (2) modifying a plan under Bankruptcy Code section 1323 or section 1329 to contain a modification pursuant to new section 1322(b)(11).

Under new section 1322(b)(11), the debtor may propose a plan modifying the rights of the mortgagee (and the rights of the holder of any claim secured by a subordinate security interest in such residence) in several respects. It is important to note that the intent of new section 1322(b)(11) is permissive. Accordingly, a chapter 13 may propose a plan that proposes any or all types of modification authorized under section 1322(b)(11).

First, the plan may provide for payment of the amount of the allowed secured claim as determined under section 506(a)(1). In making such determination, the court, pursuant to new section 1322(i), must use the fair market value of the property at the date that such value is determined. If the issue of value is contested, the court must determine such value in accordance with the appraisal rules used by the Federal Housing Administration.

Second, the plan may prohibit, reduce, or delay any adjustable interest rate applicable

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

on, and after, the date of the filing of the plan.

Third, it may extend the repayment period of the mortgage for a period that is not longer than the longer of 40 years (reduced by the period for which the mortgage has been outstanding) or the remaining term of the mortgage beginning on the date of the order for relief under chapter 13.

Fourth, the plan may provide for the payment of interest at a fixed annual rate equal to the applicable average prime offer rate as of the date of the order for relief under chapter 13, as determined pursuant to certain specified criteria. The rate must correspond to the repayment term determined under new section 1322(b)(11)(C)(i) as published by the Federal Financial Institutions Examination Council in its table entitled, "Average Prime Offer Rates—Fixed." In addition, the rate must include a reasonable premium for risk.

Fifth, the plan, pursuant to new section 1322(b)(11)(D), may provide for payments of such modified mortgage directly to the holder of the claim or, at the discretion of the court, through the chapter 13 trustee during the term of the plan. The reference in new section 1322(b)(11)(D) to "holder of the claim" is intended to include a servicer of such mortgage for such holder. It is anticipated that the court, in exercising its discretion with respect to allowing the debtor to make payments directly to the mortgagee or by requiring payments to be made through the chapter 13 trustee, will take into consideration the debtor's ability to pay the trustee's fees on payments disbursed through the trustee.

New section 1322(g) provides that a claim may be reduced under new section 1322(b)(11)(A) only on the condition that the debtor agrees to pay the mortgagee a stated portion of the net proceeds of sale should the home be sold before the completion of all payments under the chapter 13 plan or before the debtor receives a discharge under section 1328(b). The debtor must pay these proceeds to the mortgagee within 15 days of when the debtor receives the net sales proceeds.

If the residence is sold in the first year following the effective date of the chapter 13 plan, the mortgagee is to receive 90 percent of the difference between the sales price and the amount of the claim as originally determined under section 1322(b)(11) (plus costs of sale and improvements), but not to exceed the unpaid amount of the allowed secured claim determined as if such claim had not been reduced under new section 1322(b)(11)(A). If the residence is sold in the second year following the effective date of the chapter 13 plan, then the applicable percentage is 70 percent. If the residence is sold in the third year following the effective date of the chapter 13 plan, then the applicable percentage is 50 percent. If the residence is sold in the fourth year following the effective date of the chapter 13 plan, then the applicable percentage is 30 percent. If the residence is sold in the fifth year following the effective date of the chapter 13 plan, then the applicable percentage is ten percent. It is the intent of this provision that if the unsecured portion of the mortgagee's claim is partially paid under this provision it should be reconsidered under 502(j) and reduced accordingly.

Section 6. Combating Excessive Fees. Section 6 amends Bankruptcy Code section 1322(c) to provide that the debtor, the debtor's property, and property of the bankruptcy estate are not liable for a fee, cost, or charge that is incurred while the chapter 13 case is pending and that arises from a claim for debt se-

cured by the debtor's principal residence, unless the holder of the claim complies with certain requirements. It is the intent of this provision that its reference to a fee, cost, or charge includes an increase in any applicable rate of interest for such claim. It also applies to a change in escrow account payments.

To ensure such fee, cost, or charge is allowed, the claimant must comply with certain requirements. First, the claimant must file with the court and serve on the chapter 13 trustee, the debtor, and the debtor's attorney an annual notice of such fee, cost, or charge (or on a more frequent basis as the court determines) before the earlier of either: one year of when such fee, cost, or charge was incurred, or 60 days before the case is closed. Second, the fee, cost, or charge must be lawful under applicable non-bankruptcy law, reasonable, and provided for in the applicable security agreement. Third, the value of the debtor's principal residence must be 4 greater than the amount of such claim, including such fee, cost or charge.

If the holder fails to give the required notice, such failure is deemed to be a waiver of any claim for such fees, costs, or charges for all purposes. Any attempt to collect such fees, costs, or charges constitutes a violation of the Bankruptcy Code's discharge injunction under section 524(a)(2) and the automatic stay under section 362(a), whichever is applicable.

Section 6 further provides that a chapter 13 plan may waive any prepayment penalty on a claim secured by the debtor's principal residence.

Section 7. Confirmation of Plan. Bankruptcy Code section 1325 sets forth the criteria for confirmation of a chapter 13 plan. Section 7 amends section 1325(a)(5) (which specifies the mandatory treatment that an allowed secured claim provided for under the plan must receive) to provide an exception for a claim modified under new section 1322(b)(11). The amendment also clarifies that payments under a plan that includes a modification of a claim under new section 1322(b)(11) must be in equal monthly amounts pursuant to section 1325(a)(5)(B)(iii)(I).

In addition, section 7 specifies certain protections for a creditor whose rights are modified under new section 1322(b)(11). As a condition of confirmation, new section 1325(a)(10) requires a plan to provide that the creditor must retain its lien until the later of when: (1) the holder's allowed secured claim (as modified) is paid; (2) the debtor completes all payments under the chapter 13 plan; or (3) if applicable, the debtor receives a discharge under section 1328(b).

Section 7 also provides standards for confirming a chapter 13 plan that modifies a claim pursuant to new section 1322(b)(11). First, the debtor cannot have been convicted of obtaining by actual fraud the extension, renewal, or refinancing of credit that gives rise to such modified claim. Second, the modification must be in good faith. Lack of good faith exists if the debtor has no need for relief under this provision because the debtor can pay all of his or her debts and any future payment increases on such debts without difficulty for the foreseeable future, including the positive amortization of mortgage debt. In determining whether a modification under section 1322(b)(11) that reduces the principal amount of the loan is made in good faith, the court must consider whether the holder of the claim (or the entity collecting payments on behalf of such holder) has offered the debtor a qualified loan modification that would enable the debtor to pay such debts and such loan without reducing the principal amount of the mortgage.

Section 7 further amends section 1325 to add a new provision. New section 1325(d) authorizes the court, on request of the debtor or the mortgage holder, to confirm a plan proposing to reduce the interest rate lower than that specified in new section 1322(b)(11)(C)(ii), provided: (1) the modification does not reduce the mortgage principal; (2) the total mortgage payment is reduced through interest rate reduction to the percentage of the debtor's income that is the standard for a modification in accordance with the Obama Administration's Homeowner Affordability and Stability Plan, as implemented on March 4, 2009; (3) the court determines that the debtor can afford such modification in light of the debtor's financial situation, after allowance of expense amounts that would be permitted for a debtor subject to section 1325(b)(3), regardless of whether the debtor is otherwise subject to such paragraph, and taking into account additional debts and fees that are to be paid in chapter 13 and thereafter; and (4) the debtor is able to prevent foreclosure and pay a fully amortizing 30-year loan at such reduced interest rate without such reduction in principal. If the mortgage holder accepts a debtor's proposed modification under this provision, the plan's treatment is deemed to satisfy the requirements of section 1325(a)(5)(A) and the proposal should not be rejected by the court.

Section 8. Discharge. Bankruptcy Code section 1328 sets forth the requirements by which a chapter 13 debtor may obtain a discharge and the scope of such discharge. Section 8 amends section 1328(a) to clarify that the unpaid portion of an allowed secured claim modified under new section 1322(b)(11) is not discharged. This provision is not intended to create a claim for a deficiency where such a claim would not otherwise exist.

Section 9. Standing Trustee Fees. Section 9(a) amends 28 U.S.C. § 586(e)(1)(B)(i) to provide that a chapter 13 trustee may receive a commission set by the Attorney General of no more than four percent on payments made under a chapter 13 plan and disbursed by the chapter 13 trustee to a creditor whose claim was modified under Bankruptcy Code section 1322(b)(11), unless the bankruptcy court waives such fees based on a determination that the debtor has income less than 150 percent of the official poverty line applicable to the size of the debtor's family and payment of such fees would render the debtor's plan infeasible.

With respect to districts not under the United States trustee system, section 9(b) makes a conforming revision to section 302(d)(3) of the Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986.

Section 10. Effective Date; Application of Amendments. Section 10(a) provides that this measure and the amendments made by it, except as provided in subsection (b), take effect on the Act's date of enactment.

Section 10(b)(1) provides, except as provided in paragraph (2), that the amendments made by this measure apply to cases commenced under title 11 of the United States Code before, on, or after the Act's date of enactment. Section 10(b)(2) specifies that paragraph (1) does not apply with respect to cases that are closed under the Bankruptcy Code as of the date of the enactment of this Act.

Section 11. GAO Study. Section 11 requires the Government Accountability Office to complete a study and to submit a report to the House and Senate Judiciary Committees within two years from the enactment of this

Act a report. The report must contain the results of the study of: (1) the number of debtors who filed cases under chapter 13, during the one-year period beginning on the date of the enactment of this Act for the purpose of restructuring their principal residence mortgages; (2) the number of mortgages restructured under this Act that subsequently resulted in default and foreclosure; (3) a comparison between the effectiveness of mortgages restructured under programs outside of bankruptcy, such as Hope Now and Hope for Homeowners, and mortgages restructured under this Act; (4) the number of appeals in cases where mortgages were restructured under this Act; (5) the number of such appeals where the bankruptcy court's decision was overturned; and (6) the number of bankruptcy judges disciplined as a result of actions taken to restructure mortgages under this Act. In addition, the report must include a recommendation as to whether such amendments should be amended to include a sunset clause.

Section 12. Report to Congress. Not later than 18 months after the date of enactment of this Act, the Government Accountability Office, in consultation with the Federal Housing Administration, must submit to Congress a report containing: (1) a comprehensive review of the effects of the Act's amendments on bankruptcy courts; (2) a survey of whether the types of homeowners eligible for the program should be limited; and (3) a recommendation on whether such amendments should remain in effect.

GUAM WORLD WAR II LOYALTY RECOGNITION ACT

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 3, 2013

Ms. BORDALLO. Mr. Speaker, today I have introduced the Guam World War II Loyalty Recognition Act, a bill that would implement the findings of the Guam War Claims Review Commission. Since being elected to the House of Representatives ten years ago, I have introduced a version of this legislation in each Congress. Over the last several Congresses, H.R. 44 passed the House on five separate occasions.

This bill would implement the recommendations of the Guam War Claims Review Commission, which was appointed by Secretary of the Interior Gale Norton and established by an Act of the 107th Congress (Public Law 107-333). The Review Commission, in a unanimous report to Congress in June 2004, found that there were significant disparities in the treatment of war claims for the people of Guam as compared with war claims for other Americans. The Review Commission also found that the occupation of Guam was especially brutal due to the unfailing loyalty of the people of Guam to the United States of America. The people of Guam were subjected to forced labor, forced marches, internment, beatings, rapes and executions, including public beheadings. The Review Commission recommended that Congress remedy this injustice through the enactment of legislation to authorize payment of claims in amounts specified. Specifically, the bill would authorize discretionary spending to pay claims consistent with the recommendations of the commission.

It is important to note that the Review Commission found that the United States Government seized Japanese assets during the war and that the record shows that settlement of claims was meant to be paid from these forfeitures. Furthermore, the United States signed a Treaty of Peace with Japan on September 8, 1951, which precludes Americans from making claims against Japan for war reparations. The treaty closed any legal mechanism for seeking redress from the Government of Japan, and the United States Government has settled claims for U.S. citizens and other nationals through various claims programs authorized by Congress.

The text that I introduce in this Congress addresses concerns that have been raised about the legislation. First, the text reflects a compromise that was reached with the Senate when they considered the legislation as a provision of the National Defense Authorization Act for Fiscal Year 2011. That compromise removes payment of claims to heirs of survivors who suffered personal injury during the enemy occupation. The bill continues to provide payment of claims to survivors of the occupation as well as to heirs of citizens of Guam who died during the occupation. The compromise continues to uphold the intent of recognizing the people of Guam for their loyalty to the United States during World War II.

Further, the bill that I introduce today contains an offset for the estimated cost of the bill. I understood the concerns express by some of my colleagues in a July 14, 2011 hearing on this legislation. My colleagues expressed concern that there was no offset to pay for the cost of the bill. Guam war claims has a very simple offset that will pay for the cost of the legislation over time. The bill would be paid by section 30 funding remitted to Guam through the U.S. Department of Interior at any level above section 30 funds that were remitted to Guam in fiscal year 2012. With the impending relocation of Marines from Okinawa to Guam as well as additional Navy and Air Force personnel relocating to Guam it is expected that Guam will receive additional section 30 funds. Claims would then be paid out over time based off the additional amounts that were made available in any given year. Not only does this offset address payment of claims but it only impacts my jurisdiction and is a credible source of funding that will ensure that claims will be paid.

Congressional passage of this bill has a direct impact on the future success of the military buildup. The need for Guam War Claims was brought about because of mishandling of war claims immediately following World War II by the Department of the Navy. The longstanding inequity with how Guam was treated for war reparations lingers today. If we do not bring this matter to a close I believe that support for the military build-up will erode and impact the readiness of our forces and the bilateral relationship with Japan.

Mr. Speaker, resolving this issue is a matter of justice. This carefully crafted compromise legislation addresses the concerns of the Senate and fiscal conservatives in the House of Representatives. This bill represents a unique opportunity to right a wrong because many of the survivors of the occupation are nearing the end of their lives. It is important that the Con-

gress act on the recommendations of the Guam War Claims Review Commission to finally resolve this longstanding injustice for the people of Guam.

RECOGNIZING THE 100TH ANNIVERSARY OF JOE'S STONE CRAB

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 3, 2013

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to recognize Joe's Stone Crab on the occasion of its 100th anniversary. Established in 1913 by Hungarian-born Joseph "Joe" Weiss, Joe's Stone Crab has since gone from being a small lunch counter in a quiet, backwater town to a beloved institution in the Miami Beach community.

The story of Joe's Stone Crab is truly an American one. Joe and his wife Jennie were both Hungarian immigrants living in New York when their son Jesse was born in 1907. At the time, Joe was a waiter and Jennie cooked in small restaurants. Suffering from asthma, Joe's doctors told him that a change of climate was the only remedy.

According to Jesse, his father borrowed fifty dollars on his life insurance policy and left his family in New York to try his luck in Florida. After one night in Miami, Joe took the ferry boat to Miami Beach, where he was able to breathe. He stayed there and started running a lunch stand at Smith's bathing casino in 1913, serving top-notch fish sandwiches and fries. That was the beginning of the restaurant that would later grow to become Joe's.

Joe sent for his wife and son to join him in Florida. In 1918, Joe and Jennie bought a bungalow near the casino on Biscayne Street. They moved into the back, set up seven or eight tables on the front porch, and called it Joe's Restaurant. Jennie waited on tables, Joe cooked, and everything grew from there. For about eight years, Joe's was the only restaurant on the beach, serving snapper, pompano, mackerel, and meat dishes all day long.

Joe's Restaurant was a hit, but stone crabs were still yet to come. At the time, no one knew that the local crustacean was even edible. In 1921, James Allison, Fisher's partner in the Speedway, built an aquarium at the foot of the bay and Fifth Street. He invited a Harvard ichthyologist down to do research, who gave Joe the idea to serve stone crab. After much thought, Joe threw the stone crabs into boiling water and the rest was history. They served them cracked with hash brown potatoes, coleslaw, and mayonnaise, and they became an instant success.

Although his parents started Joe's, Jesse Weiss became its face and brought in the VIPs, from movie stars to journalists to politicians, athletes, and gangsters. He knew everyone, and everyone who came into Joe's wanted to see him. At the age of 75, Miami anchorwoman Ann Bishop spent many hours recording his memories, particularly the love and support of his family in keeping Joe's Stone Crab going through the years.

Anyone who is anyone, from anywhere in the world, would stop in at Joe's if they were

in Miami Beach. Notable guests include Al Capone, Will Rogers, Amelia Earhart, the Duke and Duchess of Windsor, Gloria Swanson and Joseph Kennedy, J. Edgar Hoover, Walter Winchell, and Damon Runyon.

Mr. Speaker, Joe's Stone Crab is a monument to the people who built it and those who continue its legacy: Joe and Jennie Weiss, their son Jesse, granddaughter Jo Ann, and the entire Joe's family. I have frequented Joe's on numerous occasions and always enjoyed a marvelous meal. Please join me in congratulating the entire Joe's Stone Crab family on this momentous occasion. I wish them another 100 years of success and, of course, great food and company.

THE INTRODUCTION OF THE
REHAB AND AHMED AMER FOSTER
CARE IMPROVEMENT ACT
OF 2013

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 3, 2013

Mr. CONYERS. Mr. Speaker, today, I introduced the Rehab and Ahmed Amer Foster Care Improvement Act of 2013, which is substantively identical to a bill I introduced in the 112th Congress. It will enhance the existing federal policy of encouraging state foster care programs to place children in the care of willing and able relatives.

This legislation accomplishes that goal by requiring States that receive federal funding for foster care programs to add certain procedural enhancements to their foster care programs so as to ensure a more fair placement decision-making process.

Specifically, my bill requires that, within 90 days after a State makes a foster care placement decision, the State must provide notice of such decision to the following affected parties: the child's parents; relatives who have informed the State of their interest in caring for the child; the guardian; the guardian ad litem of the child; the attorney for the child; the attorney for each parent of the child; the prosecutor involved; and the child if he or she is able to express an opinion regarding placement.

Additionally, States must establish procedures that: allow any of the parties who receive notice of the State's placement decision to request, within five days after receipt of the notice, documentation of the reasons for the State's decision; allow the child's attorney to petition the court involved to review the decision; and require the court to commence such review within seven days after receipt of the petition and conduct such review on the record.

The harrowing story of Rehab and Ahmed Amer of Dearborn, Michigan prompted me to craft this bill.

In 1985, the Amers lost two of their children to Michigan's foster care system after Rehab had been subject to criminal charges related to the death of her two-year-old son Samier, who died because of head injuries resulting from a fall in a bathtub.

Although Rehab had been acquitted in August 1986 of any criminal wrongdoing in con-

nection with Samier's death, the State refused to return the Amers' other two children to them and, in fact, removed a third child from the Amers' custody four months after Rehab's acquittal.

As a temporary alternative, Rehab's brother petitioned to be a foster parent to the Amers' three children, but was denied his petition even though he had previously served as a foster parent for other children.

It is important to note that the Amers are Muslim. Nevertheless, the State, rather than placing the Amers' children with a foster family of the same faith and cultural background, sent them to live with an evangelical Christian family, which re-named the Amers' children—Mohamed Ali, Sueheir, and Zinabe—with Christian names and raised them as Christians.

Today, only the oldest of the Amers' three living children, Mohamed Ali, now known as Adam, communicates with them.

In reaction to the Amers' story, Michigan enacted what became known as the Amer Law. That law requires foster care placement agencies in Michigan to consider and give special preference for relatives when making a foster care placement decision.

The Amer Law is consistent with federal foster care policy, which also seeks to give preference to a child's relatives and, for Native American children, a family of the same cultural background as the child, when making placement decisions.

The Amer Law, however, has several provisions that go beyond current federal law to ensure due process. In sum, this law gives parents, relatives, guardians, and the child in certain cases additional procedural rights, including the right to written notice and an explanation of a placement decision. In addition, it authorizes judicial review of a placement decision by a foster care agency.

My legislation simply adds these enhanced due process features of the Amer Law to existing federal foster care law.

The best interests of the child should always be the overriding consideration when making foster care placement decisions. That standard should also require foster care agencies to give special preference to placing a child with relatives, where the child can be raised in the same culture or religion as his or her own, all other things being equal.

I thank Rehab and Ahmed Amer for bringing this issue to light and for their tireless efforts to make the foster care placement process fairer for everyone, first in Michigan, and, now, nationally.

RECOGNIZING SPRINGFIELD
CATHOLIC HIGH SCHOOL BOYS
SOCCER

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 3, 2013

Mr. LONG. Mr. Speaker, I rise today to recognize the Springfield Catholic High School Boys Soccer Team and its back-to-back victories in the 2011 and 2012 Class 1 State Championships.

Springfield Catholic has the honor of being the first boys' soccer state champion team from Southwest Missouri. The Springfield Catholic Fightin' Irish finished their season with 27 wins and 4 losses after their 1-0 victory over Southern Boone in the championship. The Irish soccer program is just 6 seasons old but holds 5 straight "Final Four" appearances and two back-to-back state championships.

I congratulate Head Coach Tom Guinn, Assistant Coach Matthew Walton and all of the players on their victory and applaud the hard work that has brought them so much success. I am proud to recognize the athletic achievements of the residents of the Seventh District of Missouri.

INTRODUCTION OF A 3-PART BALANCED
BUDGET CONSTITUTIONAL
AMENDMENT

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 3, 2013

Mr. GOODLATTE. Mr. Speaker, I rise to reintroduce legislation that will amend the United States Constitution to force Congress to rein in spending by balancing the federal budget.

We have a spending addiction in Washington, D.C., and it has proven to be an addiction that Congress cannot control on its own and which is bringing dire consequences. We have gone in a few short years from a deficit of billions of dollars to a deficit of trillions of dollars. We are printing money at an unprecedented pace, which presents serious risks of massive inflation. Our national debt recently surpassed an astonishing \$16 trillion and continues to rapidly increase, along with the waste associated with paying the interest on that debt.

Our first Secretary of State, Thomas Jefferson, warned of the consequences of out-of-control debt when he wrote: "To preserve [the] independence [of the people,] we must not let our rulers load us with perpetual debt. We must make our election between economy and liberty, or profusion and servitude." Unfortunately, it increasingly appears that Congress has chosen the latter path.

Our current Secretary of State, Hillary Clinton, issued a similar warning when she recently declared: "I think that our rising debt levels [sic] poses a national security threat, and it poses a national security threat in two ways. It undermines our capacity to act in our own interest, and it does constrain us where constraint may be undesirable. And it also sends a message of weakness internationally." Despite these warnings, Congress has refused to address this crisis.

Congress' spending addiction is not a partisan one. It reaches across the aisle and afflicts both parties, which is why neither party has been able to master it. We need outside help. We need pressure from outside Congress to force Congress to rein in this out-of-control behavior. We need a balanced budget amendment to our Constitution.

That is why I am introducing this legislation—a commonsense, 3-part balanced budget

Constitutional amendment which garnered the support of 133 bipartisan cosponsors last Congress. This bill would (1) amend the Constitution to require that total spending for any fiscal year not exceed total receipts; (2) require that bills to raise revenues pass each House of Congress by a 3/5 majority; and (3) establish an annual spending cap such that total federal spending could not exceed 1/5 of the economic output of the United States.

The bill would also require a 3/5 majority vote for any increases in the debt limit.

The legislation provides an exception in times of war and during military conflicts that pose imminent and serious military threats to national security.

Our federal government must be lean, efficient and responsible with the dollars that our nation's citizens worked so hard to earn. We must work to both eliminate every cent of waste and squeeze every cent of value out of each dollar our citizens entrust to us. Families all across our nation understand what it means to make tough decisions each day about what they can and cannot afford and government officials should be required to exercise similar restraint when spending the hard-earned dollars of our nation's citizens.

By amending the Constitution to require a balanced budget, establish measurable spending limits, and make it harder to raise taxes, we can force the Congress to control spending, paving the way for a return to surpluses and ultimately paying down the national debt, rather than allow big spenders to lead us further down the road of chronic deficits and in doing so leave our children and grandchildren saddled with debt that is not their own.

49 out of 50 states have a balanced budget requirement, and it is time that the federal government had one too.

Our nation faces many difficult decisions in the coming years, and Congress will face great pressure to spend beyond its means rather than to make the difficult decisions about spending priorities. Unless Congress is forced to make the decisions necessary to create a balanced budget, it will always have the all-too-tempting option of shirking this responsibility. A Constitutional balanced budget requirement, combined with the spending and tax limitations in this legislation, will set our nation's fiscal policies on the right path. This is a common sense approach to ensure that Congress is bound by the same fiscal principles that guide America's families each day. I urge support of this important legislation.

INTRODUCTION OF THE PROTECTING EMPLOYEES AND RETIREES IN BUSINESS BANKRUPTCIES ACT OF 2013

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 3, 2013

Mr. CONYERS. Mr. Speaker, throughout our Nation's history, hardworking American men and women have labored to make our businesses become the most productive and dynamic in the world. Unfortunately, when some of these businesses encounter financial dif-

ficulties and seek to reorganize their debts under Chapter 11 of the Bankruptcy Code, these very same workers and retirees are often asked to make major sacrifices through lost job protections, lower wages, and the elimination of hard-won pension and health benefits, while the executives and managers of these businesses are not required to make comparable sacrifices.

Particularly now, as our economy continues to struggle and more businesses falter, we must do more to ensure that America's most important resource—workers and retirees—are treated more fairly when these businesses seek to reorganize their financial affairs under the protection of our bankruptcy laws.

The Protecting Employees and Retirees in Business Bankruptcies Act of 2013 accomplishes this goal by amending the Bankruptcy Code in several respects. First, it improves recoveries for employees and retirees by: (1) increasing the amount of worker claims entitled to priority payment for unpaid wages and contributions to employee benefit plans up to \$20,000; (2) eliminating the difficult to prove restriction in current law that wage and benefit claims must be earned within 180 days of the bankruptcy filing in order to be entitled to priority payment; (3) allowing employees to assert claims for losses in certain defined contribution plans when such losses result from employer fraud or breach of fiduciary duty; (4) establishing a new priority administrative expense for workers' severance pay; and (5) clarifying that back pay awards for WARN Act damages are entitled to the same priority as back pay for other legal violations.

Second, the legislation reduces employees' and retirees' losses by: (1) restricting the conditions under which collective bargaining agreements and commitments to fund retiree pensions and health benefits may be eliminated or adversely affected; (2) preventing companies from singling out non-management retirees for concessions; (3) requiring a court to consider the impact a bidder's offer to purchase a company's assets would have on maintaining existing jobs and preserving retiree pension and health benefits; and (4) clarifying that the principal purpose of Chapter 11 bankruptcy is the preservation of jobs to the maximum extent possible.

Third, the bill restricts excessive executive compensation programs by: (1) requiring full disclosure and court approval of executive compensation packages; (2) restricting the payment of bonuses and other forms of incentive compensation to senior officers and others; and (3) ensuring that insiders cannot receive retiree benefits if workers have lost their retirement or health benefits.

This legislation is identical to H.R. 6117, which was introduced in the prior Congress. It is supported by the AFL-CIO and many of its largest affiliates, and the United Steelworkers.

SECTION-BY-SECTION EXPLANATION OF THE "PROTECTING EMPLOYEES AND RETIREES IN BUSINESS BANKRUPTCIES ACT OF 2013"

Sec. 1. Short Title. Section 1 sets forth the short title of the bill as the "Protecting Employees and Retirees in Business Bankruptcies Act of 2013." It also includes a table of contents for the bill.

Sec. 2. Findings. Section 2 sets forth various findings in support of this bill.

TITLE I—IMPROVING RECOVERIES FOR EMPLOYEES AND RETIREES

Sec. 101. Increased Wage Priority. Bankruptcy Code section 507 accords priority in payment status for certain types of claims, i.e., these priority claims must be paid in full in the order of priority before general unsecured claims may be paid.

Section 507(a)(4) accords a fourth level priority to an unsecured claim up to \$10,000 owed to an individual for wages, salaries, or commissions (including vacation, severance, and sick leave pay) earned within the 180-day period preceding the filing of the bankruptcy case or the date on which the debtor's business ceased, whichever occurs first. Section 101 amends section 507(a)(4) to increase the amount of the priority to \$20,000 and eliminate the 180-day reachback limitation.

Bankruptcy Code section 507(a)(5) accords a fifth level priority for unsecured claims for contributions to an employee benefit plan arising from services rendered within the 180-day period preceding the filing of the bankruptcy case or the date on which the debtor's business ceased (whichever occurs first). The amount of the claim is based on the number of employees covered by the plan multiplied by \$10,000 less the aggregate amount paid to such employees pursuant to section 507(a)(4) and the aggregate amount paid by the estate on behalf of such employees to any other employee benefit plan.

Section 101 amends Bankruptcy Code section 507(a)(5) to: (1) increase the priority amount to \$20,000; (2) eliminate the offset requirements; and (3) eliminate the 180-day limitation.

Sec. 102. Claim for Stock Value Losses in Defined Contribution Plans. Section 102 amends the Bankruptcy Code's definition of a claim to include a right or interest in equity securities of the debtor (or an affiliate of the debtor) held in a defined contribution plan for the benefit of an individual who is not an insider, senior executive officer or one of the 20 next most highly compensated employees of the debtor (if one or more are not insiders), providing: (1) such securities were attributable to employer contributions by the debtor (or an affiliate of the debtor), or by elective deferrals, together with any earnings thereon; and (2) the employer or plan sponsor who commenced the bankruptcy case either committed fraud with respect to such plan or otherwise breached a duty to the participant that proximately caused the loss of value.

Sec. 103. Priority for Severance Pay. Bankruptcy Code section 503(b) establishes an administrative expense payment priority for certain types of unsecured claims. Among all types of unsecured claims, administrative expenses are accorded the highest payment priority, i.e., they must be paid in full before priority and general unsecured claims may be paid.

Section 103 amends section 503(b) to accord administrative expense priority for severance pay owed to the debtor's employees (other than an insider, other senior management, or a consultant retained to provide services to the debtor) under a plan, program or policy generally applicable to the debtor's employees (but not under an individual contract of employment) or owed pursuant to a collective bargaining agreement for termination or layoff on or after the date the bankruptcy case was filed. Such pay is deemed earned in full upon such termination or layoff.

Sec. 104. Financial Returns for Employees and Retirees. Bankruptcy Code section 1129(a) specifies various criteria that must be satisfied before a chapter 11 plan of reorganization may be confirmed. Section 104 amends

section 1129(a) to add a further requirement. The plan must provide for the recovery of damages for the rejection of a collective bargaining agreement or for other financial returns as negotiated by the debtor and the authorized representative under section 1113 to the extent such returns are paid under, rather than outside of a plan.

Section 104 also replaces Bankruptcy Code section 1129(a)(13), which pertains to the payment of retiree benefits under section 1114. As revised, section 1129(a)(13) requires that a plan provide for the continuation after the plan's effective date of the payment of all retiree benefits at the level established under either section 1114(e)(1)(B) or (g) at any time prior to confirmation of the plan, for the duration of the period for which the debtor has obligated itself to provide such benefits. If no modifications are made prior to confirmation of the plan, the plan must provide for the continuation of all retiree benefits maintained or established in whole or in part by the debtor prior to the petition filing date.

In addition, the plan must provide for recovery of claims arising from the modification of retiree benefits and other financial returns as negotiated by the debtor and the authorized representative to the extent such returns are paid under, rather than outside of a plan.

Sec. 105. Priority for WARN Act Damages. Section 105 amends Bankruptcy Code section 503(b)(1)(A)(ii) to provide administrative expense status to wages and benefits awarded pursuant to a judicial or National Labor Relations Board proceeding as back pay or damages attributable to any period of time occurring after the commencement of the bankruptcy case. This provision applies where the award was made as a result of the debtor's violation of federal or state law, without regard to the time of the occurrence of unlawful conduct on which the award is based or to whether any services were rendered on or after the commencement of the bankruptcy case. It includes an award by a court under section 2901 of title 29 of the United States Code of up to 60 days' pay and benefits following a layoff that occurred or commenced at a time when such award period includes a period on or after the commencement of the case, if the court determines that payment of wages and benefits by reason of the operation of this clause will not substantially increase the probability of layoff or termination of current employees or of nonpayment of domestic support obligations during the case under this title.

TITLE II—REDUCING EMPLOYEES' AND RETIREES' LOSSES

Sec. 201. Rejection of Collective Bargaining Agreements. Bankruptcy Code section 1113 sets forth the requirements by which a collective bargaining agreement may be assumed or rejected. Section 201 amends section 1113 in several respects. First, it amends section 1113(a) to clarify that a chapter 11 debtor may reject a collective bargaining agreement only in accordance with section 1113.

Second, it amends Bankruptcy Code section 1113(b) to clarify that no provision in title 11 of the United States Code may be construed to permit a trustee to unilaterally terminate or alter the terms of a collective bargaining agreement absent compliance with section 1113. The provision further specifies that the trustee must timely pay all monetary obligations arising under such agreement and that any payment required to be made pre-confirmation has the status of an allowed administrative expense under Code section 503.

Third, it amends Bankruptcy Code section 1113(c) to require a trustee, when seeking to modify a collective bargaining agreement, to provide notice of such proposed modification to the labor organization representing the employees covered by the agreement. The trustee must also promptly provide an initial proposal for modification. In addition, the trustee must confer in good faith with the labor organization, at reasonable times and for a reasonable period, given the complexity of the case, in an effort to reach a mutually acceptable modification of the agreement. Each modification proposal must be based on a business plan for the reorganization of the debtor and reflect the most complete and reliable information. As amended, section 1113(c) requires the trustee to provide to the labor organization all information relevant for negotiations. If such disclosure could compromise the debtor's position with respect to its competitors in the industry, the provision authorizes the court to issue a protective order, subject to the needs of the labor organization to evaluate the trustee's proposal and any application to reject the collective bargaining agreement or for interim relief under section 1113.

In consideration of Federal policy encouraging the practice and process of collective bargaining and in recognition of the bargained-for expectations of the employees covered by the agreement, any modification proposed by the trustee must: (1) only be proposed as part of a program of workforce and nonworkforce cost savings devised for the debtor's reorganization, including savings in management personnel costs; (2) be limited to modifications designed to achieve a specified aggregate financial contribution for employees covered by the agreement, taking into consideration any labor cost savings negotiated within the 12-month period prior to the filing of the bankruptcy case; (3) be no more than the minimum savings essential to permit the debtor to exit bankruptcy, such that confirmation is not likely to be followed by the liquidation or the need for further financial reorganization of the debtor; and (4) not be disproportionate or overly burden the employees covered by the agreement, either in the amount of the cost savings sought from such employees or the nature of the modifications.

Fourth, it amends Bankruptcy Code section 1113(d) to provide that if the trustee and the labor organization (after a period of negotiations) do not reach an agreement over mutually satisfactory modifications and further negotiations are not likely to produce mutually satisfactory modifications, the trustee may file a motion seeking rejection of the collective bargaining agreement after notice and a hearing. Absent agreement by the parties, the hearing may not be held earlier than 21 days from when notice of the hearing is provided. Only the debtor and the labor organization may appear and be heard at the hearing. An application for rejection must seek rejection effective upon the entry of an order granting such relief.

In consideration of Federal policy encouraging the practice and process of collective bargaining and in recognition of the bargained-for expectations of the employees covered by the agreement, section 1113(d) (as amended) provides that the court may grant a motion seeking rejection of such agreement only if the court: (1) finds that the trustee has complied with the requirements of section 1113(c); (2) has considered alternative proposals by the labor organization and concluded that such proposals do not meet the requirements of section

1113(c)(3)(B); (3) finds that further negotiations regarding the trustee's proposal or an alternative proposal by the labor organization are not likely to produce an agreement; (4) finds that implementation of the trustee's proposal will not: (a) cause a material diminution in the purchasing power of the employees covered by the agreement, (b) adversely affect the debtor's ability to retain an experienced and qualified workforce; or (c) impair the debtor's labor relations such that the ability to achieve a feasible reorganization will be compromised; and (5) concludes, based on clear and convincing evidence, that rejection of the agreement and immediate implementation of the trustee's proposal is essential to permit the debtor's exit from bankruptcy such that confirmation is not likely to be followed by the liquidation or the need for further financial reorganization of the debtor in the short term.

If the trustee has implemented a program of incentive pay, bonuses or other financial returns for insiders, senior executive officers, or the 20 next most highly compensated employees or consultants (or such a program was implemented within 180 days before the bankruptcy case was filed), the court must presume that the debtor has failed to satisfy the requirements of section 1113 (c)(3)(C).

Subsection (d), as amended, prohibits the court from entering an order rejecting a collective bargaining agreement that would result in modifications to a level lower than that proposed by the trustee in the proposal found by the court to have complied with the requirements of section 1113.

At any time after an order rejecting a collective bargaining agreement is entered (or mutually satisfactory agreement between the trustee and the labor organization is entered into), the labor organization may apply to the court for an order seeking an increase in the level of wages or benefits or relief from working conditions based on changed circumstances. The court must grant such relief only if the increase or other relief is not inconsistent with the standard set forth in section 1113(d)(2)(E).

Fifth, section 201 amends Bankruptcy Code section 1113(e) to provide that during the period in which a collective bargaining agreement at issue under this section continues in effect and if either essential to the continuation of the debtor's business or in order to avoid irreparable damage to the estate, the court, after notice and a hearing, may authorize the trustee to implement interim changes in the terms, conditions, wages, benefits, or work rules provided by the collective bargaining agreement. Any hearing under this provision must be scheduled in accordance of the trustee's needs. The implementation of such interim changes will not render the application for rejection moot.

Sixth, section 201 amends Bankruptcy Code section 1113(f) to provide that the rejection of a collective bargaining agreement constitutes a breach of such agreement and is effective no earlier than the entry of an order granting such relief. Solely for the purpose of determining and allowing a claim arising from rejection of a collective bargaining agreement, such rejection must be treated as a rejection of an executory contract under Code section 365(g) and shall be allowed or disallowed in accordance with section 502(g)(1). Subsection (f), as amended, further provides that no claim for rejection damages may be limited by section 502(b)(7). In addition, the provision permits economic self-help by a labor organization upon a court order granting rejection of a collective bargaining agreement under either subsection (d) or (e) of section 1113. It further

provides that neither title 11 of the United States Code nor other provisions of State or Federal law may be construed to the contrary.

Seventh, section 201 adds new subsection (g) to require the trustee to provide for the reasonable fees and costs incurred by a labor organization under section 1113, upon request and after notice and a hearing.

Eighth, section 201 adds new subsection (h) to require the assumption of a collective bargaining agreement to be done in accordance with section 365.

Sec. 202. Payment of Insurance Benefits to Retired Employees. Bankruptcy Code section 1114 sets out criteria pursuant to which a debtor may modify retiree benefits, among other matters. Retiree benefits include payments to retired employees, their spouses, and dependents for medical, surgical, and hospital care benefits. It also includes benefits in the event of sickness, accident, disability, or death under any plan, fund or program.

Section 202 amends section 1114 in several respects. First, it amends the provision's definition of "retiree benefits" to specify that it applies whether or not the debtor asserts a right to unilaterally modify such benefits under such plan, fund or program.

Second, it amends Bankruptcy Code section 1114(b)(2), which specifies the rights, powers and duties of a committee of retired employees appointed by the court. As amended, the provision would apply to a labor organization serving as the authorized representative under section 1114(c)(1).

Third, section 202 replaces Bankruptcy Code section 1114(f), which requires a trustee to make a proposal to the authorized representative before seeking modification of retiree benefits. As amended, section 1114(f)(1) specifies that if a trustee seeks to modify retiree benefits, the trustee must provide notice of such proposed modification to the authorized representative as well as promptly provide the initial proposal. In addition, the trustee must thereafter confer in good faith with the labor organization, at reasonable times and for a reasonable period, given the complexity of the case, in attempting to reach a mutually satisfactory modification. Each modification must be based on a business plan for the reorganization of the debtor and reflect the most complete and reliable information available. The trustee must provide the authorized representative all information relevant for the negotiations. If such disclosure could compromise the debtor's position with respect to its competitors in the industry, the court may issue a protective order, subject to the needs of the authorized representative to evaluate the trustee's proposal and an application pursuant to subsection (g) or (h).

Modifications proposed by the trustee must: (1) only be proposed as part of a program of workforce and nonworkforce cost savings devised for the reorganization of the debtor, including savings in management personnel costs; (2) be limited to modifications designed to achieve a specified aggregate financial contribution for the retiree group represented by the authorized representative (taking into consideration any labor cost savings negotiated within the 12-month period prior to the filing of the bankruptcy case with respect to the retiree group); (3) be no more than the minimum savings essential to permit the debtor to exit bankruptcy, such that confirmation is not likely to be followed by the liquidation or the need for further financial reorganization of the debtor; and (4) not be disproportionate

or overly burden the retiree group, either in the amount of the cost savings sought from such group or the nature of the modifications.

Fourth, section 202 amends Bankruptcy Code section 1113(g) to provide that if the trustee and the authorized representative do not reach a mutually satisfactory agreement (after a period of negotiations) and further negotiations are not likely to produce mutually satisfactory modifications, the trustee may file a motion seeking to modify the payment of retiree benefits after notice and a hearing. Absent agreement of the parties, the hearing may not be held earlier than 21 days from when notice of the hearing is provided. Only the debtor and the authorized representative may appear and be heard at the hearing.

The court may grant a motion to modify the payment of retiree benefits only if the court: (1) finds that the trustee complied with the requirements of section 1114(f); (2) considered any of the authorized representative's alternative proposals and determined that such proposals do not meet the requirements of section 1114(f)(3)(B); (3) finds that further negotiations are not likely to produce a mutually satisfactory agreement; (4) finds that implementation of the trustee's proposal will not cause irreparable harm to the affected retirees; and (5) concludes that, based on clear and convincing evidence, an order granting the trustee's proposal and its immediate implementation is essential to permit the debtor's exit from bankruptcy such that confirmation is not likely to be followed by the liquidation or the need for further financial reorganization of the debtor in the short term.

If the trustee has implemented a program of incentive pay, bonuses, or other financial returns for insiders, senior executive officers, or the 20 next most highly compensated employees or consultants (or such program was implemented within 180 days before the bankruptcy case was filed), the court must presume that the debtor failed to satisfy the requirements of section 1114(f)(3)(C).

Fifth, section 202 strikes subsection (k) and makes conforming revisions.

Sec. 203. Protection of Employee Benefits in a Sale of Assets. Section 203 amends Bankruptcy Code section 363(b), which authorizes a debtor to sell or use property of the estate other than in the ordinary course of business (under certain circumstances), to add a new requirement. New section 365(b)(3) requires the court, in approving a sale, to consider the extent to which a bidder's offer: (1) maintains existing jobs; (2) preserves terms and conditions of employment, and (3) assumes or matches pension and retiree benefit obligations in determining whether such offer constitutes the highest or best offer for the property.

Sec. 204. Claim for Pension Losses. Section 204 adds a new subsection to Bankruptcy Code section 502, which pertains to the allowance of claims and interests. New subsection (1) requires the court to allow a claim by an active or retired participant (or by a labor organization representing such participants) in a defined benefit pension plan terminated under section 4041 or 4042 of the Employee Retirement Income Security Act of 1974 (ERISA) for any shortfall in pension benefits accrued as of the effective date of the pension plan's termination as a result of such termination and limitations upon the payment of benefits imposed pursuant to section 4042 of such Act, notwithstanding any claim asserted and collected by the Pension Benefit Guaranty Corporation with respect to such termination.

In addition, section 204 adds subsection (m) to Bankruptcy Code section 502 to require a court to allow a claim described in Bankruptcy Code section 101(5)(C) (as amended by this legislation) by an active or retired participant (or a labor union representing such participant) in a defined contribution plan (within the meaning of section 3(34) of ERISA). The amount of such claim must be measured by the market value of the stock at the time of contribution to, or purchase by, the plan and the value as of the commencement of the case.

Sec. 205. Payments by Secured Lender. Bankruptcy Code section 506(c) authorizes the debtor to recover from property securing an allowed secured claim the reasonable and necessary expenses incurred to preserve or dispose of such property to the extent the secured creditor benefits from such expenditures. Section 205 amends section 506(c) to add a new provision. As amended, section 506(c) deems unpaid wages, accrued vacation, severance or other benefits owed under the debtor's policies and practices or owed pursuant to a collective bargaining agreement, for services rendered on and after commencement of the case to be necessary costs and expenses of preserving or disposing of property securing an allowed secured claim. Such obligations must be recovered even if the trustee has otherwise waived the provisions of section 506(c) pursuant to an agreement with the allowed secured claimant or a successor or predecessor in interest.

Sec. 206. Preservation of Jobs and Benefits. Section 206 adds a statement of purpose to chapter 11 of the Bankruptcy Code specifying that a chapter 11 debtor must have as its principal purpose the reorganization of its business to preserve going concern value to the maximum extent possible through the productive use of its assets and the preservation of jobs that will sustain productive economic activity.

In addition, section 206 amends Bankruptcy Code section 1129(a), which sets out the criteria for confirming a plan, to add a new requirement. New section 1129(a)(17) requires the debtor to demonstrate that the reorganization preserves going concern value to the maximum extent possible through the productive use of the debtor's assets and preserves jobs that sustain productive economic activity.

Section 206 also amends Bankruptcy Code section 1129(c), which requires the court to consider the preferences of creditors and equity security holders in determining which plan to confirm. Section 1129(c), as amended, instead requires the court to consider the extent to which each plan would preserve going concern value through the productive use of the debtor's assets and the preservation of jobs that sustain productive economic activity. The court must confirm the plan that better serves such interests. It further provides that a plan that incorporates the terms of a settlement with a labor organization shall presumptively constitute the plan that satisfies this provision.

Sec. 207. Termination of Exclusivity. Bankruptcy Code section 1121, in pertinent part, gives a debtor the exclusive authority to file a plan and obtain acceptances of such plan for stated periods of time, under certain circumstances. Section 207 amends section 1121 to specify that cause for shortening these exclusive periods includes: (1) the filing of a motion pursuant to section 1113 seeking rejection of a collective bargaining agreement, if a plan based upon an alternative proposal by the labor organization is reasonably likely to be confirmed within a reasonable time

or (2) the proposed filing of a plan by a proponent other than the debtor, which incorporates the terms of a settlement with a labor organization, if such plan is reasonably likely to be confirmed within a reasonable time.

TITLE III—RESTRICTING EXECUTIVE COMPENSATION PROGRAMS

Sec. 301. Executive Compensation Upon Exit From Bankruptcy. Bankruptcy Code section 1129 specifies the criteria for confirmation of a chapter 11 plan. Section 1129(a)(4), for example, requires that certain services, costs and expenses in connection with the case (or in connection with the plan and incident to the case) to have either been approved by the court (or subject to approval by the court) as reasonable.

Section 301 amends section 1129(a)(4) to add a requirement that payments or other distributions under the plan to or for the benefit of insiders, senior executive officers, and any of the 20 next most highly compensated employees or consultants providing services to the debtor may not be approved unless: (1) such compensation is subject to review under section 1129(a)(5), or (2) such compensation is included as part of a program of payments or distributions generally applicable to the debtor's employees and only to the extent that the court determines that such payments are not excessive or disproportionate as compared to distributions to the debtor's nonmanagement workforce.

In addition, section 301 amends section 1129(a)(5), which requires the plan proponent to disclose the identity and affiliations of the debtor's officers and others, such as the identity of any insider who will be employed or retained by the reorganized debtor and such insider's compensation.

Section 301 amends section 1129(a)(5) to add a requirement that such compensation must be approved (or subject to approval) by the court in accordance with the following criteria: (1) the compensation is reasonable when compared to that paid to individuals holding comparable positions at comparable companies in the same industry; and (2) the compensation is not disproportionate in light of economic concessions by the debtor's nonmanagement workforce during the case.

Sec. 302. Limitations on Executive Compensation Enhancements. In general, Bankruptcy Code Section 503(c) prohibits a debtor from making certain payments to an insider, absent certain findings by the court.

Section 302 amends section 503(c)(1), which prohibits such payments when they are intended to induce the insider to remain with the debtor's business, in several respects. First, it expands the provision so that it applies a debtor's senior executive officer and any of the debtor's 20 next most highly compensated employees or consultants. Second, it clarifies that the provision prohibits the payment of performance or incentive compensation, a bonus of any kind, and other financial returns designed to replace or enhance incentive, stock, or other compensation in effect prior to the commencement of the case. And, third, it specifies that the court's findings must be based on clear and convincing evidence in the record.

In addition, section 302 also amends Bankruptcy Code section 503(c)(3), which prohibits other transfers made or obligations incurred outside of the debtor's ordinary course of business and not justified by the facts and circumstances of the case, including transfers made and obligations incurred for the benefit of the debtor's officers, managers or consultants hired postpetition.

Section 302 replaces section 503(c)(3) with a provision prohibiting other transfers or obli-

gations incurred to or for the benefit of insiders, senior executive officers, managers or consultants providing services to the debtor unless they meet certain criteria. First, the court must find, based on clear and convincing evidence (without deference to the debtor's request for authorization to make such payments), that such payments are essential to the survival of the debtor's business or, in the case of a liquidation, essential to the orderly liquidation of the debtor's business and maximization of the value of the debtor's assets. Second, the services for which compensation is sought must be essential in nature. Third, such payments must be reasonable compared to individuals holding comparable positions at comparable companies in the same industry and not disproportionate in light of economic concessions made by the debtor's nonmanagement workforce during the case.

Sec. 303. Assumption of Executive Retirement Plans. Section 303 amends Bankruptcy Code section 365, which sets forth the criteria pursuant to which executory contracts and unexpired leases may be assumed and rejected, to add two provisions. New subsection (q) provides that no deferred compensation arrangement for the benefit of a debtor's insiders, senior executive officers, or any of the 20 next most highly compensated employees may be assumed if a defined benefit pension plan for the debtor's employees has been terminated pursuant to section 4041 or 4042 of ERISA on or after the commencement of the case or within 180 days prior to the commencement of the case.

New subsection (r) provides that no plan, fund, program, or contract to provide retiree benefits for insiders, senior executive officers, or any of the 20 next most highly compensated employees of the debtor may be assumed if the debtor: (1) has obtained relief under subsection (g) or (h) of section 1114 to impose reductions in retiree benefits; (2) has obtained relief under subsection (d) or (e) of section 1113 to impose reductions in the health benefits of the debtor's active employees; or (3) or reduced or eliminated active employee or retiree benefits within 180 days prior to the commencement of the case.

Sec. 304. Recovery of Executive Compensation. Section 304 adds a new provision to the Bankruptcy Code. New section 563(a) provides that if a debtor reduces its contractual obligations under a collective bargaining agreement pursuant to section 1113(d), or retiree benefits pursuant to section 1114(g), then the court, as part of the order granting such relief, must make certain determinations. The court must determine the percentage of diminution in the value of the obligations as a result of such relief. In making this determination, the court must include any reduction in benefits as a result of the termination pursuant to section 4041 or 4042 of ERISA of a defined benefit plan administered by the debtor, or for which the debtor is a contributing employer, effective at any time within 180 days prior to the commencement of the case. The court may not take into consideration pension benefits paid or payable under title IV of ERISA as a result of such termination.

If a defined benefit pension plan administered by the debtor, or for which the debtor is a contributing employer, is terminated pursuant to section 4041 or 4042 of ERISA, effective at any time within 180 days prior to the commencement of the case, and the debtor has not obtained relief under section 1113(d), or section 1114(g), new section 563(b) requires the court, on motion of a party in interest, to determine the percentage in dim-

inution in the value of benefit obligations when compared to the total benefit liabilities prior to such termination. The court may not take into account pension benefits paid or payable pursuant to title IV of ERISA as a result of such termination.

After such percentage diminution in value is determined, new section 563(c) provides that the estate has a claim for the return of the same percentage of the compensation paid, directly or indirectly (including any transfer to a self-settled trust or similar device, or to a nonqualified deferred compensation plan under section 409A(d)(1) of the Internal Revenue Code of 1986) to certain individuals. These individuals include: (1) any officer of the debtor serving as a member of the debtor's board of directors within the year before the filing of the case; and (2) any individual serving as chairman or as lead director of the board of directors at the time when relief under section 1113 or section 1114 is granted, or if no such relief has been granted, then the termination of the defined benefit plan.

New section 563(d) provides that a trustee or committee appointed pursuant to section 1102 may commence an action to recover such claims. If neither commences such action by the first date set for the confirmation hearing, any party in interest may apply to the court for authority to recover such claims for the benefit of the estate. The costs of recovery must be borne by the estate.

New section 563(e) prohibits the court from awarding postpetition compensation under section 503(c) or otherwise to any person subject to the provisions of section 563(c) if there is a reasonable likelihood that such compensation is intended to reimburse or replace compensation recovered by the estate pursuant to section 563.

Sec. 305. Preferential Compensation Transfer. Bankruptcy Code section 547 authorizes preferential transfers to be avoided. Section 305 adds a new subsection to section 547 to permit the avoidance of a transfer to or for the benefit of an insider (including an obligation incurred for the benefit of an insider under an employment contract) made in anticipation of bankruptcy. The provision also permits the avoidance of a transfer made in anticipation of a bankruptcy to a consultant who is formerly an insider and who is retained to provide services to an entity that becomes a debtor (including an obligation under a contract to provide services to such entity or to a debtor) made or incurred within one year before the filing of the bankruptcy case. In addition, new section 547(j) provides that no provision of section 547(c) (specifying certain exceptions to section 547) may be utilized as a defense. Further, section 547(j) permits the trustee or a committee to commence such avoidance action. If neither do so as of the date of the commencement of the confirmation hearing, any party in interest may apply to the court for authority to recover the claims for the benefit of the estate. The costs of recovery must be borne by the estate.

TITLE IV—OTHER PROVISIONS

Sec. 401. Union Proof of Claim. Section 401 amends Bankruptcy Code section 501(a) to permit a labor organization (in addition to a creditor or indenture trustee) to file a proof of claim.

Sec. 402. Exception from Automatic Stay. Section 402 amends Bankruptcy Code section 362(b) to create an additional exception to the automatic stay with respect to the commencement or continuation of a grievance, arbitration or similar dispute resolution proceeding established by a collective bargaining agreement that was or could have

been commenced against the debtor before the filing of the bankruptcy case. The exception also applies to the payment or enforcement of awards or settlements of such proceeding.

**CORAL REEF CONSERVATION ACT
REAUTHORIZATION AND EN-
HANCEMENT AMENDMENTS OF
2013**

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 3, 2013

Ms. BORDALLO. Mr. Speaker, today I re-introduced a bill to amend and reauthorize the Coral Reef Conservation Act of 2000. Conservation of coral reef ecosystems is essential to protect public health, promote environmental sustainability, and ensure long-term economic progress for the jurisdictions we represent in Congress. The sovereign waters of the United States off the coast of Guam, and in the Pacific region as a whole, contain a majority of the shallow-water coral reefs in the United States, as well as some of the world's greatest coral reef biodiversity. These reefs, and reefs around the world, provide habitat and shelter for fisheries, provide food and recreation for our residents, and are the basis for marine tourism industries.

Coral reefs also provide important mitigation from extreme weather events, including hurricanes and typhoons, by absorbing up to 90% of wave energy, mitigating some of the most costly aspects of severe storms. Coastal storms account for 71% of annual disaster losses. Healthy reef systems may protect an estimated \$47,000 of property value for every meter of reef during severe weather events.

Today, however, various pressures on the world's reefs threaten to destroy them and the numerous ecosystem services, valued at over \$8 billion, which they provide. These threats have led the National Oceanic and Atmospheric Administration to propose that 54 species be listed as threatened and 12 species be listed as endangered under the Endangered Species Act of 1973. Unless the United States acts in conjunction with the global community to support focused, prolonged action on coral reef education, research, and management, the condition of our coral reefs will continue to degrade.

Since its enactment in 2000, the Coral Reef Conservation Act has stimulated a greater commitment to protect, conserve, and restore coral reef resources within jurisdictional waters of the United States. As a result, we now have a much better grasp of the condition of our coral reefs, and more focused management capability than at any time in our history. The Coral Reef Conservation Act Reauthorization and Enhancement Amendments of 2013 expands emergency response mechanisms, establishes a new community-based planning grants program, promotes international cooperation, and recognizes the important contributions of the U.S. Department of the Interior in coral reef management and conservation efforts. The bill does not authorize any new funding.

This bill would also codify the United States Coral Reef Task Force established in 1998 by

President Clinton through Executive Order 13089. The work of the Task Force and its mission to coordinate the efforts of the United States in promoting conservation and the sustainable use of coral reefs internationally is vital to our interests. Since 1998, the Task Force has acted to facilitate and support better management and conservation of coral reef resources at the local level. Many beneficial efforts, such as the development and implementation of local action strategies to address threats to our reefs, are underway thanks to the work of the Task Force and its member agencies.

I would like to thank Reps. PIERLUISI, FARR, CHRISTENSEN, and WASSERMAN SCHULTZ for joining me as original cosponsors and I look forward to working with my colleagues on both sides of the aisle to advance this legislation to enhance our capacity for the conservation and restoration of healthy and diverse coral reef ecosystems.

**OUR UNCONSCIONABLE NATIONAL
DEBT**

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 3, 2013

Mr. COFFMAN. Mr. Speaker, on January 3, 2009, the day I took office, the national debt was \$10,627,961,295,930.67.

Today, it is \$16,432,705,914,255.48. We've added \$5,804,744,618,324.81 to our debt in 4 years. This is a \$5.8 trillion in debt our nation, our economy, and our children could have avoided with a Balanced Budget Amendment. I have advocated for a Balanced Budget Amendment since I was sworn in for this very reason.

I will be once more forming the Balanced Budget Amendment Caucus to fight for a return to fiscal responsibility. We must stop this unconscionable accumulation of debt.

**INTRODUCTION OF THE HEALTH
INSURANCE INDUSTRY ANTI-
TRUST ENFORCEMENT ACT OF
2013**

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 3, 2013

Mr. CONYERS. Mr. Speaker, today I am pleased to introduce the Health Insurance Industry Antitrust Enforcement Act of 2013.

This bill would level the playing field between health care professionals and insurance companies in the health care industry and improve the quality of patient care. The Health Insurance Industry Antitrust Enforcement Act of 2013 would eliminate the antitrust immunity provided under the McCarran-Ferguson Act for price fixing, bid rigging, and market allocation by health insurance issuers or medical malpractice insurers. The bill would also repeal the McCarran-Ferguson exemption for the business of health insurance and enable enforcement by the Federal Trade Commission.

The purpose of this bill is to extend antitrust enforcement over health insurers and medical malpractice insurance issuers, which currently enjoy broad antitrust immunity under the McCarran-Ferguson Act. This immunity can serve as a shield for activities that might otherwise violate federal law.

This bill will end the mistake Congress made in 1945 when it added an antitrust exemption for insurance companies into the McCarran-Ferguson Act. The blanket antitrust exemption created by the 1945 bill has shielded health insurance companies from legal accountability for decades. Our nation's antitrust laws exist to protect free-market competition and this bill will restore competition to the health insurance marketplace.

The House Judiciary Committee held extensive hearings on the effects of the insurance industry's antitrust exemption throughout the 1980s and early 1990s. It became clear that the exemption was not needed to enable the insurance industry to provide any service to their policyholders, and that policyholders and the economy in general would benefit from increased competition among insurance providers.

I urge my colleagues to support this bill because it would prohibit price fixing, bid rigging, and market allocation, pernicious practices that are detrimental to competition and result in fewer options and higher prices for consumers.

The bill I introduce today is intended to root out unlawful activity in an industry that has grown complacent by decades of protection from antitrust oversight. In doing so, we aim to make health insurance more affordable to more Americans.

**THE 2ND ANNUAL DR. MARTIN LUTHER
KING JR. MEMORIAL TRIB-
UTE**

HON. WM. LACY CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 3, 2013

Mr. CLAY. Mr. Speaker, I rise today to give distinct recognition to the 2nd Annual Dr. Martin Luther King Jr. Memorial Tribute—an event paying tribute to men and women of diverse social strata committed to strengthening civil rights, corporate responsibility, civic involvement, education and humanitarian efforts through dedicated responsibilities.

Saint Louis University will honor six distinguished individuals at the event, with the Donald Brennan Humanitarian Award bestowed upon Dr. Karla Scott, Director of Black Studies for the University. In addition, the Martin Luther King Civil Rights Award will recognize Ms. Xernona Clayton, for her extraordinary commitment to the advancement of the civil rights movement.

Other awardees include Kathy Osborn, the President and CEO of the Regional Business Council for her civic dedication, Judge Jimmie Edwards, founder of the Innovative Concept Academy for bridging the academic achievement gap of African American students, and James Buford, President and Chief Executive Officer of the Urban League of Metropolitan

St. Louis for his leadership in service to the community.

This year's celebrated corporate leadership awards will honor the efforts of Thomas Voss and Keith Williamson. Voss, the President of Ameren Corporation, and Williamson, Senior Vice President of Centene Corporation have demonstrated exemplary social responsibility to remove barriers to the success of minorities through their business models, accomplishments and corporate giving.

Mr. Speaker, the 2nd Annual Dr. Martin Luther King Jr. Tribute inspires advocacy for social justice through the works, accomplishments and deeds of the honored men and women. I urge my colleagues to join me in recognizing this event slated to be held this January in the beautiful City of St. Louis.

INTRODUCTION OF THE BALANCED BUDGET CONSTITUTIONAL AMENDMENT

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 3, 2013

Mr. GOODLATTE. Mr. Speaker, I rise to re-introduce legislation that will amend the United States Constitution to force Congress to rein in spending by balancing the federal budget.

We have a spending addiction in Washington, DC, and it has proven to be an addiction that Congress cannot control on its own and which is bringing dire consequences. We have gone in a few short years from a deficit of billions of dollars to a deficit of trillions of dollars. We are printing money at an unprecedented pace, which presents serious risks of massive inflation. Our national debt recently surpassed an astonishing \$16 trillion and continues to rapidly increase, along with the waste associated with paying the interest on that debt.

Our first Secretary of State, Thomas Jefferson, warned of the consequences of out-of-control debt when he wrote: "To preserve [the] independence [of the people,] we must not let our rulers load us with perpetual debt. We must make our election between economy and liberty, or profusion and servitude." Unfortunately, it increasingly appears that Congress has chosen the latter path.

Our current Secretary of State, Hillary Clinton, issued a similar warning when she recently declared: "I think that our rising debt levels[sic] poses a national security threat, and it poses a national security threat in two ways. It undermines our capacity to act in our own interest, and it does constrain us where constraint may be undesirable. And it also sends a message of weakness internationally." Despite these warnings, Congress has refused to address this crisis.

Congress' spending addiction is not a partisan one. It reaches across the aisle and afflicts both parties, which is why neither party has been able to master it. We need outside help. We need pressure from outside Congress to force Congress to rein in this out-of-control behavior. We need a balanced budget amendment to our Constitution.

That is why I am introducing this legislation, which garnered 261 bipartisan votes when it

came before the House for a vote last Congress. This bill would amend the Constitution to require that total spending for any fiscal year not exceed total receipts and require the President to propose budgets to Congress that are balanced each year. It would also provide an exception in times of war and during military conflicts that pose imminent and serious military threats to national security.

Furthermore, the legislation would make it harder to increase taxes by requiring that legislation to increase revenue be passed by a true majority of each chamber and not just a majority of those present and voting. Finally, the bill requires a 3/5 majority vote for any increases in the debt limit.

Our federal government must be lean, efficient and responsible with the dollars that our nation's citizens worked so hard to earn. We must work to both eliminate every cent of waste and squeeze every cent of the value out of each dollar our citizens entrust to us. Families all across our nation understand what it means to make tough decisions each day about what they can and cannot afford and government officials should be required to exercise similar restraint when spending the hard-earned dollars of out nation's citizens.

By amending the Constitution to require a balanced budget, we can force the Congress to control spending, paving the way for a return to surpluses and ultimately paying down the national debt, rather than allow big spenders to lead us further down the road of chronic deficits and in doing so leave our children and grandchildren saddled with debt that is not their own.

This concept is not new. 49 out of 50 states have a balanced budget requirement.

Our nation faces many difficult decisions in the coming years, and Congress will face great pressure to spend beyond its means rather than to make the difficult decisions about spending priorities. Unless Congress is forced to make the decisions necessary to create a balanced budget, it will always have the all-too-tempting option of shirking this responsibility. The Balanced Budget Constitutional amendment is a common sense approach to ensure that Congress is bound by the same fiscal principles that guide America's families each day.

I urge support of this important legislation.

SALUTE TO SLOVAK REPUBLIC

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 3, 2013

Mr. MICA. Mr. Speaker, I rise today to congratulate our ally and friend, the Republic of Slovakia, on her 20th anniversary of independence.

In two brief decades, Slovakia has dramatically transitioned to an independent, democratic and economically viable free nation.

As some of my colleagues may know, my great grandparents emigrated from Slovakia to the United States at the turn of the last century. Like so many others, my family was drawn to America by the promises of freedom and opportunity. My ancestors would be proud

to see both the progress of America over that century and the positive development of the Slovak Republic in its 20 years of independence.

For a millennia, the Slovak people were ruled or governed by others. After centuries of power shifts and realignments, in 1989, the Velvet Revolution brought down the communist regime in Czechoslovakia. Democracy came to that nation as formerly jailed dissident and political activist Vaclav Havel was elected to the presidency. However, the Slovak people's yearning for self-governance was not realized until 1993.

Following the peaceful separation of the Czech and Slovak Republics, January 1, 1993 marks the birth of the Second Slovak Republic. As fate would have it, days later I was sworn in as a Member of the U.S. House of Representatives. As one of the Members of Congress with Slovak ancestry, I have been proud to work with many who have been so successful in strengthening U.S.-Slovak relations and to aid in the political and economic development of the Slovak Republic.

Like any new democracy, the Slovak Republic has experienced some growing pains. After President Michal Kovács service as the first president, my good friend and former Košice Mayor Rudolf Schuster was elected president after a constitutional amendment changed the presidency to a directly elected position. His successor is now President Ivan Gašparovič. I commend these and all the other Slovak leaders who have helped fashion a new era for their people.

Even with many difficult challenges as a new nation, the Slovak Republic made outstanding progress over the last 20 years, and I am proud to have played a very small part in its history. In 2000, Slovakia became a member of the Organization for Economic Cooperation and Development and in 2004, joined both NATO and the European Union. The Republic of Slovakia and its people continue to provide international leadership both in Europe and throughout the world.

For the United States and the American people, we are fortunate to have such a strong ally and friend in the family of nations. So today we salute and congratulate the Slovak Republic on the special occasion of their 20th anniversary of independence. We wish them every continued future success as they mark this historic milestone.

I ask my colleagues to join me in congratulating the Slovak Republic and look forward to peace and prosperity for both of our countries for decades to come.

INTRODUCTION STATEMENT; H.R. 40 THE COMMISSION TO STUDY REPARATION PROPOSALS FOR AFRICAN-AMERICANS ACT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 3, 2013

Mr. CONYERS. Mr. Speaker, I am pleased to re-introduce H.R. 40, the Commission to Study Reparations Proposals for African-Americans Act. Since I first introduced H.R. 40

in 1989, we have made substantial progress in elevating this issue in the national consciousness. Through legislation, state and local resolutions and litigation, we are moving closer to a full dialogue on the role of slavery in building this country.

In the 110th Congress, the House passed a slavery apology bill on July 29, 2008, in which the House issued a formal apology for slavery. The Senate followed on July 18, 2009, with the passage of S. Con. Res. 26 which was sponsored by TOM HARKIN of Iowa. In recognition of the 200th anniversary of the abolition of the transatlantic slave trade on January 1, 1808, both the House and Senate passed legislation creating a commemoration commission, which was signed into law on February 5, 2008. I believe that such Federal efforts are significant steps toward proper acknowledgment and understanding of slavery and its implications, but our responsibilities on this matter are even greater.

The establishment of a commission to study the institution of slavery in the United States, as well as its consequences that reach into modern day society, is our responsibility. This concept of a commission to address historical wrongs is not unprecedented. In fact, in recent Congresses, commission bills have been put forward.

In 1983, a Presidential Commission determined that the internment of Japanese Americans during World War II was racist and inhumane, and as a result, the 1988 Civil Liberties Act provided redress for those injured by the internment. However, the internment of Japanese Latin Americans in the United States during World War II was not examined by the Commission, resulting in legislation calling for a commission to examine this oversight. Legislation establishing a commission to review the injustices suffered by European Americans, European Latin Americans, and Jewish refugees during World War II has also been proposed.

H.R. 40 is no different than these other commission bills. H.R. 40 establishes a commission to examine the institution of slavery and its legacy, like racial disparities in education, housing, and healthcare. Following this examination, the commission would recommend appropriate remedies to Congress. As I have indicated before, remedies do not equate to monetary compensation.

In the 110th Congress, I convened the first Congressional hearing on H.R. 40. With witnesses that included Professor Charles Ogletree, Episcopal Bishop M. Thomas Shaw, and Detroit City Councilwoman JoAnn Watson, we began a formal dialogue on the legacy of the transatlantic slave trade. This Congress, I look forward to continuing this conversation so that our nation can better understand this part of our history.

Attempts to eradicate today's racial discrimination and disparities will be successful when we understand the past's racial injustices and inequities. A commission can take us into this dark past and bring us into a brighter future. As in years past, I welcome open and constructive discourse on H.R. 40 and the creation of this commission in the 113th Congress.

THE ILLEGAL, UNREPORTED, AND UNREGULATED FISHING ENFORCEMENT ACT OF 2013

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 3, 2013

Ms. BORDALLO. Mr. Speaker, today I reintroduce legislation to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated (IUU) fishing. Illegal fishing threatens the economic and social infrastructure of fishing communities, and the security of the United States and our allies around the world, by decreasing opportunities for legitimate and conscientious fishermen.

Guam, and the other Pacific islands, host rich fisheries resources, including pristine reefs, diverse communities of reef fish, and large populations of sharks and valuable tuna; important economic and cultural assets for the islands. IUU fishing threatens these resources. There have been several incidents of foreign fishing vessels operating within the United States' EEZ with impunity—a significant national security and economic risk to our country.

This problem can be particularly acute in places like Guam, where the EEZ is vast, and where the United States Coast Guard, despite its best efforts, has insufficient resources to patrol all of our waters. The United States' Pacific lands represent 43% of the EEZ. Our focus should be on the posture of our Coast Guard in the Asia-Pacific region. The Navy and Coast Guard have recognized the economic and security threats posed by illegal fishing in Oceania and it is incumbent on the Administration and Congress to put resources towards these requirements.

The loss of economic opportunity weakens our allies in the Pacific and strengthens resource conflicts in the region. Recent reports have documented that IUU fishing accounts for between 10 and 22% of the reported global fish catch, or \$9–24 billion in gross revenues each year (MRAG, 2009, Sumaila et al., 2006 and Agnew et al., 2009). The Coast Guard estimates that over \$1.7 billion is lost annually to IUU fishing in the Pacific Islands. Additional action is needed from Congress if we are to be successful in combating IUU fishing and the depletion of fish stocks worldwide. This bill will help to provide our Coast Guard with the tools to better enforce regulations throughout the sector.

The "Illegal, Unreported, Unregulated Fishing Enforcement Enhancement Act of 2013," which I introduced today, further enhances the enforcement authority of NOAA and the U.S. Coast Guard to regulate IUU fishing. This bill would amend international and regional fishery management organization (RFMO) agreements to incorporate the civil penalties, permit sanctions, criminal offenses, civil forfeitures and enforcement sections of the Magnuson-Stevens Fishery Conservation and Management Act. It would strengthen enforcement authority of NOAA and the U.S. Coast Guard to inspect conveyances, facilities, and records involving the storage, processing, transport and trade of fish and fish products, and to detain fish and fish products for up to five days while an investigation is ongoing.

In addition, this bill makes technical adjustments allowing NOAA to more effectively carry out current IUU identification mandates, including extending the duration of time for identification of violators from the preceding two years to the preceding three years. This bill broadens data sharing authority to enable NOAA to share information with foreign governments and clarifies that all information collected may be shared with international organizations and foreign governments for the purpose of conducting enforcement. This bill would also establish an international cooperation and assistance program to provide technical expertise to other nations to help them address IUU fishing. This bill, however, does not authorize new funding or appropriations. The bill is a cost neutral measure that would enhance our nation's security.

Finally, this bill implements the Antigua Convention, an important international agreement that provides critical updates to the principles, functions, and processes of the Inter-American Tropical Tuna Commission (IATTC) to manage fisheries in the eastern Pacific Ocean. The Antigua Convention modernizes the IATTC and increases its capacity to combat IUU fishing and illegal imports of tuna product. Without implementing legislation, the U.S. does not have the authorities necessary to satisfy its commitments under the Antigua Convention, including addressing IUU in the eastern Pacific Ocean.

Increased enforcement increases stability among our allies in the Western Pacific. Many nations depend upon fishing as a vital component of their national economy. Fishing communities are the lifeblood of Guam, part of a cultural history extending back centuries. Protecting our fishermen from illegal fishing enhances economic opportunities and protects cultural and natural resources that our communities rely upon. IUU fishermen are "free riders" who benefit unfairly from the sacrifices made by U.S. fishermen and others for the sake of proper fisheries conservation and management.

I would like to thank Reps. MARKEY, SABLAN, PIERLUISI, and CHRISTENSEN for joining me as original cosponsors and I look forward to working with my colleagues on both sides of the aisle to advance this important bill through the legislative process.

HIGHER TAXES, MORE SPENDING: NOT A COMPROMISE

HON. DAVID B. MCKINLEY

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 3, 2013

Mr. MCKINLEY. Mr. Speaker, as Congress approached the final hours before going over the so-called "fiscal cliff," the House was faced with a difficult choice. It could amend the controversial Senate plan and return it to them or the House could accept or reject it. Amending the plan was not a viable option because the Senate had refused to consider any changes. Thus it became a "take it or leave it" vote. I was elected to come to Washington to reduce the size of government and decrease spending; therefore, I voted against the flawed Senate plan.

In summary: although the legislation had certain positive attributes, the principal effect of the bill raised taxes, increased spending and only promised future spending cuts. It failed to address our long-term debt problem and looks nothing like the balanced approach promised by President Obama. America is now burdened with more than \$16 trillion of debt, and Congress has failed to cut spending that it promised the public.

Let's have a splash of reality: America is facing another \$1.2 trillion deficit for this year as it has for the past four years. This solution adopted by Congress not only does not reduce this year's deficit, but it adds to it. According to the official estimate by the Congressional Budget Office, the Senate deal includes more than \$330 billion in new deficit spending over the next decade.

Additionally, the bill calls for \$620 billion in increased tax revenues over ten years but incredibly includes only \$15 billion in spending reductions. That equates to a ratio of \$1 in spending cuts to \$41 in increased tax revenue, even though the President promised \$2.50 in spending cuts for every \$1 in new revenue during his campaign. The highly touted Simpson-Bowles Commission recommended a 3:1 ratio.

It should be self-evident that the \$60 billion in new revenue annually is woefully insufficient to pay down the deficit. Where will we find the remaining \$1.14 trillion to eliminate the deficit? We have a spending problem in Washington, not a taxing problem.

I had been willing to support a compromise that included additional, but limited, tax revenue if the plan also had included significant spending reductions and commonsense entitlement reforms. However the bill lacked that balance.

These concerns were not limited to conservatives. Senator MICHAEL BENNET (D-CO) also opposed the plan on these same grounds, saying, "We want a plan that materially reduces the deficit. This proposal does not meet that standard and does not put in place a real process to reduce the debt down the road."

In a similar statement, Chairman of the Federal Reserve Ben Bernanke called the current levels of spending "unsustainable," and cautioned that "fiscal policy must be placed on a sustainable path that eventually results in a stable or declining ratio of federal debt to GDP."

This plan does nothing to put us on that sustainable path.

Americans once again are being promised spending cuts in the future in exchange for immediate increases in taxes. We've seen this movie before—the spending cuts unfortunately never happen.

This has played out twice with similar results:

In 1982, Congress promised President Reagan \$3 in spending cuts for every \$1 in tax hikes but the spending cuts never happened.

In 1990, President George H.W. Bush reluctantly agreed to \$2 in spending cuts for every \$1 in tax increases but none of those cuts occurred either.

The frustration of this process takes its toll. The final bill was presented in the Senate in the early morning hours and hastily cobbled

together. Senators had only minutes to review the legislation before voting on it. According to one Senate aide, their office was emailed a copy of the legislation at 1:36 a.m. and the vote began nine minutes later at 1:45 a.m. The Senate obviously was not given sufficient time to read the bill that was over 150 pages long.

For the Senate to agree to legislation in the wee hours of the morning without a thorough review is not how the process should work. It reminds me of the quote from NANCY PELOSI during the debate over ObamaCare when she said, "we have to pass the bill to find out what's in it."

With more time to review the bill, we found that not only does it increase taxes with almost no spending cuts, but it also includes other questionable provisions such as:

\$12.1 billion in tax breaks for wind energy;
\$222 million in loopholes for Puerto Rican rum producers;

\$248 million in incentives for Hollywood studios; and

\$62 million in tax breaks for American Samoa businesses.

America can't afford this.

As my record reflects, I have already voted to extend the Bush-era tax rates for all Americans and \$5.5 trillion in spending cuts—both of which were opposed by the Senate. I will continue to fight to maintain the lowest tax burden for middle class families and small businesses and work to stop Washington's addiction to spending.

The Senate sent us a bill that contained tax increases, no significant spending cuts, increased the federal debt and then refused to consider any changes from the House. Therefore I had no other recourse but to oppose the final plan.

I am hopeful in the coming months we can move past this end-of-year mess and turn our attention to stopping out-of-control spending. Congress needs to address the real problem facing our country—excessive government spending that will be paid for by our children and grandchildren.

RECOGNIZING PLEASANT HOPE HIGH SCHOOL SOFTBALL

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 3, 2013

Mr. LONG. Mr. Speaker, I rise today to recognize the Pleasant Hope High School Softball Team on their victory in the Class 2 State Championships.

The Lady Pirates' come-from-behind victory over Brookfield capped off their 28–2 season with Pleasant Hope's first ever State championship.

These young ladies ended the season as one of the greatest offensive teams in the history of Missouri. They batted an astounding .415 as a team, held an on base percentage of .456, and were successful with 95 out of 100 stolen base attempts. Their dominant play style allowed them to amass 353 hits over the course of their 30 games.

I congratulate the school and the players on their victory, and applaud the hard work that

has brought them so much success. I am proud to recognize the athletic achievements of the residents of the Seventh District of Missouri.

INTRODUCTION OF THE "JOHN HOPE FRANKLIN TULSA-GREEN- WOOD RIOT ACCOUNTABILITY ACT"

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 3, 2013

Mr. CONYERS. Mr. Speaker, I am pleased to reintroduce the John Hope Franklin Tulsa-Greenwood Riot Accountability Act. This legislation will create a federal cause of action to allow the survivors of the Tulsa-Greenwood Riot of 1921 to seek a determination on the merits of their civil rights and other claims against the perpetrators of the riot in a federal court of law.

This legislation is named in honor of the late Dr. John Hope Franklin, the noted historian, who was a first-hand witness to the destructive impact that the riot had on the African-American community of Tulsa. Dr. Franklin made numerous scholarly contributions to the understanding of the long term effects of the riot on the city and worked to keep the issue alive in history and on the minds of policymakers. On April 24, 2007, he served as a witness, testifying in favor of the legislation, and its passage would be a fitting tribute to his memory and to a community that has never received its fair day in court.

The Greenwood neighborhood of Tulsa, Oklahoma, was one of the Nation's most prosperous African-American communities entering the decade of the Nineteen Twenties. Serving over 8000 residents, the community boasted two newspapers, over a dozen churches, and hundreds of African-American-owned businesses, with the commercial district known nationally as the "Negro Wall Street." In May 1921, all that came to an end as 42 square blocks of the community were burned to the ground and up to 300 of its residents were killed by a racist mob. In the wake of the violence, the State and local governments quashed claims for redress and effectively erased the incident from official memory.

The 1921 Tulsa Race Riot was one of the most destructive and costly attacks upon an American community in our Nation's history. However, no convictions were obtained for the incidents of murder, arson or larceny connected with the riot, and none of the more than 100 contemporaneously filed lawsuits by residents and property owners were successful in recovering damages from insurance companies to assist in the reconstruction of the community.

The case of the Tulsa-Greenwood Riot victims is worthy of congressional attention because substantial evidence suggests that governmental officials deputized and armed the mob and that the National Guard joined in the destruction. The report commissioned by the Oklahoma State Legislature in 1997, and published in 2001, uncovered new information and detailed, for the first time, the extent of the involvement by the State and city government in

prosecuting and erasing evidence of the riot. This new evidence was crucial for the formulation of a substantial case, but its timeliness raised issues at law, and resulted in a dismissal on statute of limitation grounds. In dismissing the survivor's claims, however, the Court found that extraordinary circumstances might support extending the statute of limitations, but that Congress did not establish rules applicable to the case at bar. With this legislation, we have the opportunity to provide closure for a group of claimants—many over 100 years old—and to close the book on a tragic chapter in history.

Racism, and its violent manifestations, are part of our Nation's past that we cannot avoid. With the prosecution of historic civil rights claims, both civil and criminal, we encourage a process of truth and reconciliation that can heal historic wounds. In this case, the Court took "no great comfort" in finding that there was no legal avenue through which the plaintiffs could bring their claims. The "Tulsa-Greenwood Riot Accountability Act" would simply give Tulsans and all Oklahomans, white and black, victims and non-victims, their day in court. Without that opportunity, we will all continue to be victims of our past.

SUPPORT OF A RESOLUTION TO PERMIT DELEGATES AND THE RESIDENT COMMISSIONER TO THE CONGRESS TO CAST VOTES IN THE COMMITTEE OF THE WHOLE HOUSE ON THE STATE OF THE UNION

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 3, 2013

Ms. BORDALLO. Mr. Speaker, I rise today in support of the resolution offered by my good friend and colleague, Minority Whip STENY HOYER of Maryland, to restore the voting rights for the Delegates and Resident Commissioner during Committee of the Whole proceedings.

The ability to cast a vote is the most basic of rights in our representative democracy. In the people's House, votes cast by members of Congress make us accountable to our constituents and allow them to understand where we stand on important issues. The rules that have been adopted by the 113th Congress once again remove voting rights for members from the territories and the District of Colum-

bia and continue to make this body less transparent and less responsive to the more than four million Americans who live in our districts.

These votes are wholly symbolic—they cannot change the outcome of legislation or amendments considered on the floor of this House. But these votes allow us to ensure that the needs of our constituents are addressed in legislation considered by this body.

Further, many men and women in uniform come from the territories and the District of Columbia. These dedicated servicemembers sacrifice much for our country, and many have paid the ultimate sacrifice in defense of our freedom. In fact, the per capita death rate for servicemembers from the territories is higher than most states. Unfortunately our majority has determined that despite their service, and the many contributions of the territories and District of Columbia, our constituents will be less represented in the House.

Mr. Speaker, giving the Delegates and Resident Commissioner the ability to vote during Committee of the Whole proceedings will allow our voices to be heard during legislation considered by the full House. It will give us parity with other members and strengthen the long-cherished values of this body.

SENATE—Friday, January 4, 2013

(Legislative day of Thursday, January 3, 2013)

The Senate met at 12:30 p.m., on the expiration of the recess, and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, sovereign of the nations, we place our trust in You. Infuse our lawmakers with a spirit of discernment that they may fulfill Your purposes for our Nation and world. Lord, stir them up with the fresh realization of the supernatural resources available to them to accomplish their tasks. As they seek Your guidance on all decisions, guard their hearts and minds with Your peace. Help our Senators to give one another kindness, patience, and encouragement as You saturate their hearts with Your grace and joy.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter.

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 4, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. UDALL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

JOINT SESSION FOR COUNTING OF ELECTORAL VOTES

Mr. REID. Mr. President, the Senate will recess for the joint session for the counting of electoral votes.

Following the joint session, we are hoping to complete action on part of the flood insurance of the Sandy supplemental, which the House just passed.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. REID. I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 12:33 p.m., recessed to reassemble in the Hall of the House of Representatives for a Joint Session and at 1:56 p.m. reassembled in the Senate Chamber when called to order by the Acting President pro tempore.

The ACTING PRESIDENT pro tempore. The Senator from New York is recognized.

HELPING THE VICTIMS OF HURRICANE SANDY

Mr. SCHUMER. Mr. President, I rise in support of the legislation we are about to vote on that will provide an additional \$9.7 billion to the National Flood Insurance Program. Without these funds, the program would have run out of money next week, leaving over 100,000 victims of Hurricane Sandy in the lurch.

I would like to thank my colleagues on both sides of the aisle for allowing this vote to go forward. They have acted honorably. The good news is the House passed this bill this morning and the Senate will pass it in a few minutes.

With the passage of this bill, hurricane victims from Staten Island to east Long Island, as well as in New Jersey, can rest assured their flood insurance will have enough money to pay out claims. We had no choice but to pass this provision because the Federal Government is obligated to reimburse when people have floods if they have paid in their flood insurance.

While this bill is important, it is something we were almost obligated to do, and we should not have parades down the street because this bill has passed.

The major work of helping the victims of Sandy is still ahead of us. The bad news is we even had to go through

this dog-and-pony show in the first place.

Last month, the Senate passed a good, strong bill to help all victims of Hurricane Sandy, and the House simply could have taken it up and passed it. In fact, they promised to vote on a similar provision before the last Congress ended.

Unfortunately, this changed at the last moment. We do not need to get into the whys right now; we just want it to happen, and we are worried the second major portion of this relief bill will not get through the House in the form it should.

We need the House to pass not only the \$9 billion they passed this morning but the \$51 billion that contains the bulk of the aid people need, without which we will not be able to recover. To be a bride and left at the altar once is bad enough. To be left twice would be unconscionable.

As I said, this is a good step that we are going to pass this \$9 billion flood insurance bill. This is a good but small first step. It is a small downpayment on the much larger amount of aid we need to get through Congress.

Let me tell you what is not in this bill. What is not in this bill is help for every homeowner who does not have flood insurance and lost their home or suffered major damage.

Homeowners are waiting for Congress to pass relief the way we did for Irene and Katrina and so many other disasters so they can get a contractor to sign a contract, get a bank to make a loan until they know that the Federal Government will be there to reimburse, as it always has in the past.

What is not in this bill is aid to small businesses, small businesspeople who are hanging by their fingernails, who might not be able to restart their businesses unless there is Federal aid, which was already in the Senate bill. Unless it comes back from the House and we are able to pass it in the Senate, they will be hurt.

What is not in this bill is dollars to rebuild our highways and, most importantly, our mass transit systems that were flood, damaged. The MTA alone has taken out a \$5 billion loan, but it will be in real financial jeopardy unless it is assured that it will be reimbursed for all the damage that Sandy caused to our railroads and our tunnels and our mass transit system—our amazing mass transit system that brings 3½ million people off and on Manhattan Island every single day.

What is not in this bill is help to bring the electricity system back up to

snuff so there will not be major blackouts, so people can be assured of their electricity.

What is not in this bill is help for all of the communities that laid out hundreds of millions and billions of dollars for the cleanup. Their taxpayers will foot the bill unless Congress does what it has always done: step to the plate when a major disaster occurs and have the Federal Government help the locality. There has been a wisdom for 100 years that when an area is afflicted by a disaster, we unite as a nation and come together and help that part of the country whether it is New Mexico or California or Louisiana or Florida or Missouri or North Dakota or New York or New Jersey.

This bill is a first step to deal with flood insurance. It is the easiest part. The hard stuff is still ahead of us. We await the House returning in a week and a half, and we hope and expect, in fact, that they will vote the full \$51 billion remainder. We hope and expect, in fact, that they will not put in legislative language that prevents money from getting to homeowners and communities that need it desperately right away.

The draft we have seen contains some major changes from the Senate bill that would make it very difficult for NIH, the Army Corps, and other parts of the government to spend the dollars that are needed efficiently and quickly and to place them where they go. We beseech the House to finish its business, to finish the major part of its business, and approve the \$51 billion that will make up the rest of the \$60.

We beseech them not to hamstring the local homeowners and businesses and governments with language that would prevent recovery. We beseech them to move quickly. Of course, the ideal would be for them to pass the same bill that the Senate passed in the waning hours of the last session. If they cannot, we will have to get legislation through the body again. But through the generosity of the majority leader, he has assured us it will be the first order of business when we return. So we have to move forward.

As we have seen, this is not going to be easy. There are many bumps in the road and obstacles that we cannot yet see. For sure they will arise and for sure we will have to grapple with them.

This vote needs to be the beginning of the process. It cannot certainly be the end, and it certainly cannot be the middle. We cannot just pass the \$9 billion bill and then say that is it. We cannot let the House pass this and rest on its laurels. We in New York and New Jersey cannot let our guard down. Not until the full \$60 billion arrives in New York and New Jersey can we stop working. So I urge my colleagues to support this legislation and then alert them to keep the victims of Sandy in New York, New Jersey, and elsewhere

in their thoughts so that we can continue to support the region when we return.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SCHUMER). Without objection, it is so ordered.

Mr. REID. Mr. President, in the years I have served in legislative bodies, which is quite a long time now, it is interesting to see how different people approach the legislative process. I have learned over the years there is nothing more important than people working hard. You have to be tenacious to get legislation passed.

The leader of passing Sandy over here—and I am confident when we get back in a couple of weeks after the House works on theirs, the same dynamic will be here—the senior Senator from New York has worked tirelessly to get legislation passed. He has led a team effort of Senators from New Jersey and his partner, Senator GILLIBRAND, but the leader, the quarterback, has been the Senator from New York.

The work he has done not only in the Senate, but having the many years of experience he had in the House of Representatives, the Presiding Officer, the senior Senator from New York, worked day and night making phone calls, personal contacts with people in New York and New Jersey who could call House Members and have them pass this legislation.

On the way back from the joint session dealing with the electoral vote count, he walked up and grabbed me—did not grab me, but we talked for several minutes walking back to the Senate—the majority leader from the House of Representatives. He worked extremely hard on this. He worked hard on it. I indicated to him that I had received calls from people in New York who appreciated very much his efforts to try to get this thing passed.

I really do believe it is important that I have the record reflect the reason we have gotten as far as we have on Sandy is because of the senior Senator from New York. It is too bad that it has taken so long. When we had that devastation from Katrina, we were there within days taking care of Mississippi, Alabama, and especially Louisiana—within days. We are now past 2 months with the people of New York and New Jersey.

The people of New Orleans and that area, they were hurt but nothing in comparison to what happened to the people in New York and New Jersey. Almost 1 million people have lost their homes; 1 million people lost their

homes. That is homes, that is not people in those homes. So I think it is just unfortunate that we do not have the relief for New York and New Jersey and the rest already. It has to be done. We have to meet the needs of the American people when an act of God occurs.

So I, on behalf of the entire Senate, and certainly my Democratic caucus, express my appreciation to the legislative initiative and the legislative expertise of my friend from New York, an experienced legislator in the State of New York, the House of Representatives, and the Senate. He has done a masterful job.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

WIND ENERGY TAX CREDIT

Mr. UDALL of Colorado. Mr. President, today marks my 28th time here on the Senate floor to talk about the Production Tax Credit for wind energy. Twenty-seven other times I stood here—oftentimes joined by like-minded colleagues from around the country—to urge Congress to extend this vital tax credit, which has helped the wind industry create tens of thousands of jobs and spur tens of billions of dollars in investment. And Coloradans have been with me the whole way.

Well, Mr. President, 27 must be a lucky number—because today, I am thrilled to use my time to thank my colleagues for making the extension of the PTC a reality. Earlier this week, Congress came together across party lines to do the right thing to assist our fragile economic recovery.

Throughout my previous efforts here on the floor, I talked a lot about jobs. From Colorado to Kansas, Oregon and Maine and the Carolinas, my remarks always came back to one simple but true statement: the PTC equals jobs.

These are good-paying jobs for hard-working Americans. From gearboxes in Georgia to wind blades in Rhode Island to towers in Colorado, the construction of wind turbines has invigorated an entire supply chain. Factories in the Midwest have been retooled to make steel components that are shipped to places like Iowa, where cutting edge composite materials are used to make state of the art blades for turbines that ultimately create wind farms built with labor from local construction workers. That's thousands of jobs across this country.

Wind generates clean, renewable energy, which helps move our country toward a more secure energy future. This is clean, American energy that does

not produce carbon dioxide pollution—and by making it here at home, it helps us become less reliant on foreign nations for our energy security.

These wind farms are also paying dividends to towns and counties across America, benefitting the families who live there and the small businesses that operate there. The tax revenues from wind turbines have allowed communities to build new schools and roads, as well as provide other basic services. These additional sources of income have been especially important during the recent economic downturn, where the budgets of many states and rural communities have been stretched thin. Quite simply, wind energy jobs have a positive ripple effect wherever they are.

I am relieved that after months of uncertainty as to whether or not the PTC would be extended, Congress has finally done the commonsense thing, making sure we did not lose this vital tax credit. Although it was my preference to have Congress act much sooner and prevent the thousands of layoffs that resulted from the uncertainty Congress created, I am pleased that we have finally acted for the good of our constituents.

With the passage of the PTC, the wind industry can get back to doing the important work of moving America toward a clean energy future, a direction that will benefit middle-class American workers and ensure America leads the world in clean energy manufacturing, even as foreign competitors like China work to surpass us.

And the final language passed by Congress will have an immediate and positive impact on the construction of new wind farms. This year, projects will be eligible to take advantage of the PTC if construction begins before the end of 2013, rather than racing to complete the project by the end of the year. This commonsense change in the law will encourage larger, longer-term projects over the course of the next few years as opposed to just in 2013, which is particularly important since Congress did not pass the extension until the very last minute.

I was not alone in this fight. Coloradans motivated me to keep up the battle the entire time. And many of my colleagues—both Republicans and Democrats—joined me. In particular, I would like to thank Senator GRASSLEY of Iowa—the “father of the wind PTC”—for his efforts to get this done.

Senator BAUCUS and Senator BINGAMAN have also been long-time champions of the PTC on the Finance Committee, and were an integral part of the fight to extend it. My good friend and colleague from Colorado Senator BENNET has also been a strong supporter of the PTC, joining me in speeches, letters, and legislation. Senator MORAN of Kansas has been right there with us as well.

And many more members from both sides of the aisle and both sides of the Capitol supported these efforts. The broadly bipartisan and bicameral group was driven by a mutual commitment to creating jobs, simultaneously improving our economy and economic competitiveness while moving us toward a more secure energy future.

Despite the importance of the wind PTC extension, there is still much more work to do. This extension only lasts until the end of 2013. So, although we might want to take a breather, we cannot. Instead, we must begin work today on a path forward that will give the wind industry much-needed certainty over the long term. Without certainty, businesses cannot do the long-term planning that is necessary to robustly grow and add good-paying American jobs. And, this time, we cannot wait until the last minute to do it. We must work together to find a plan that allows this industry to reach maturity and thrive while also being fiscally responsible. Yes, that means a gradual phase-out of the wind PTC in the coming years—but my goal is to get Congress to also work together on comprehensive energy legislation that creates long-term certainty for all energy sources. I strongly believe that any national energy policy we develop should reflect the success Colorado has had as an all-of-the-above energy State.

Again, I want to thank my colleagues who worked alongside me to push the wind PTC extension over the finish line. This is hugely important to maintaining American jobs, manufacturing prowess, and energy security. It's a win for Colorado and it's a win for us all.

DYSFUNCTION OF THE SENATE

Mr. MERKLEY. Mr. President, I rise today to talk about the dysfunction of the Senate, the rules of this governing body, and what we need to do to change them in order to take on the big challenges we face as a Nation.

These last 2 years have created an unprecedented sense among the American people that Congress isn't measuring up to the needs of our time.

This is especially troubling when we are up against tremendous challenges: the most profound jobs crisis in a generation; skyrocketing income inequality; and a tax system that unfairly rewards the wealthy and well-connected over working Americans who are struggling to make ends meet.

But unfortunately, we can't tackle this jobs crisis or the problem of inequality until this body, our revered Senate, restores the ability to debate, deliberate and decide on strategies to take our Nation forward.

I believe that reforming the filibuster is one of the most critical steps we can take to repair the Senate and rebuild confidence in Congress's ability to govern.

When I first came to the Senate, it was 1976. What I saw then could hardly have been farther from the Senate of today. Routine use of the “filibuster”—or to put it differently, a routine use of an objection to a simple majority vote—has turned the U.S. Senate into a supermajority body.

In short, the U.S. Senate, which once claimed to be “the world's greatest deliberative body,” has possibly become “the world's least deliberative body.” The institution of the Senate will not function again until we end the abuse of the filibuster. We must put an end to the silent, secret filibuster that is paralyzing the Senate.

The use of this objection has expanded dramatically in recent decades. What was once used only to block legislation that conflicted with deep, personal principles is now used as a routine political strategy for deliberate paralysis. In the 6 years Lyndon Baines Johnson was majority leader, he dealt with one filibuster. Leader REID during his 6 years as majority leader: 391.

One casualty of the partisan filibuster is executive branch and judicial nominations. The Senate's power to advise and consent, as provided in the Constitution, was never intended to enable the legislators to inflict deep harm on the other branches of government. Yet that is exactly what has happened. Nearly one out of every eleven judgeships is vacant—triple the rate of 8 years ago. Our court systems are severely strained, with 27 vacancies rated as “judicial emergencies” at the end of 2012.

This is deeply damaging, for several reasons. It prevents the legislature from responding to the Nation's pressing problems and severely hampers the executive and judicial branches, which rely on the Senate to confirm their leaders. Because the Senate is unable to fulfill, on a timely basis, its constitutional responsibility to “advise and consent” to nominations, judgeships and executive branch management positions simply go unfilled.

Now, you may wonder, if this system is so dysfunctional, why did our Founding Fathers ever design the Senate like this? The answer is that they didn't. The Founders envisioned the Senate and House passing legislation and confirming nominations by a simple majority, reserving supermajority for special purposes such as constitutional amendments and overriding a veto.

Alexander Hamilton, in fact, foresaw the current state of affairs in the Federalist Papers, observing that a supermajority requirement would have the “tendency to embarrass the operations of government,” and would create “tedious delays, continual negotiation and intrigue, [and] contemptible compromises of the public good.”

As a result of the Senate's silent filibuster, the Senate failed to pass almost all of the appropriations bills in the

last Congress. The number of bills the Senate passes has hit new lows, with fewer than 3 percent of bills introduced in the last Senate ever passing.

That is why yesterday, with my partner, Senator TOM UDALL, I introduced a resolution that will enhance debate and limit obstruction.

Core to these reforms is the “talking filibuster.” A Senator can still object but she or he must be continuously on the floor maintaining a debate on the subject. This still allows Senators to block a simple majority vote on a bill of profound consequence, but they have to spend a lot of time and energy to do so.

This reform would have two major consequences. By requiring time and energy to filibuster, it would strip away filibusters on noncontroversial issues that are currently used just to obstruct and delay, allowing the Senate to debate and decide issues. Second, it puts the filibuster on display before the American people, increasing transparency and accountability. If you filibuster, you must make your case before your colleagues and the public, so they know who is obstructing and what your arguments are, and allow the people to judge if you are a hero or a bum.

Senate dysfunction is compromising the Senate’s ability to respond to major issues facing our Nation. I want to thank Leader REID for reserving the right to not adopt the rules of the previous Congress, so we can have this important debate on the rules of this body when we come back from the State work period.

HONORING OUR ARMED FORCES

SERGEANT CLINTON K. RUIZ

Mr. UDALL of New Mexico. Mr. President, just a few weeks ago Americans gathered all across the Nation to commemorate Veterans Day. It is a day that we set aside to remember, and express our gratitude to, the men and women who have served in our Armed Forces. It is a day to honor the heroes among us, and those who, sadly, have left us.

Today I wish to pay tribute to an American hero, Army SGT Clinton K. Ruiz. Sergeant Ruiz died on October 25 while on patrol in Uruzgan Province, Afghanistan, from injuries sustained from small arms fire. He was just 22 years old. He leaves behind a wife, Kira, and a baby son, Caleb.

As we face the tragedy of this brave young soldier’s death, it is important too that we remember his life. Sergeant Ruiz’s journey on this Earth ended far too soon, but his memory among those whose lives he touched, and in a nation’s gratitude, will endure.

Clinton Ruiz was born on March 14, 1990. He graduated from Murrieta Valley High School in Murrieta, CA, and enlisted with the Army in 2009. He was

assigned to A Company, 9th Military Information Support Battalion, 8th Military Information Support Group. Sergeant Ruiz was deployed to Afghanistan in September.

In the decade that our military has been fighting in Afghanistan, thousands of our fellow citizens have volunteered to serve. These courageous men and women risk their own safety to protect the safety of others. They leave their homes and their loved ones to defend the freedoms that we hold dear. Over 2,000 of these heroes have paid the ultimate price, for our freedoms, in Afghanistan.

Words cannot lessen the sorrow of the loved ones who grieve for Sergeant Ruiz now. Words cannot fully express the gratitude our Nation owes this valiant soldier. We can only remember, indeed we must never forget, the sacrifice that SGT Clinton Ruiz made in service to our country.

President Kennedy said that “stories of past courage . . . can teach, they can offer hope, they can provide inspiration. But, they cannot supply courage itself. For this, each man must look into his own soul.” Sergeant Clinton Ruiz had such courage. In the face of great danger, at great risk to himself, he went where his country sent him. He was awarded the Bronze Star and the Purple Heart. He kept the promise he had made to serve. Our Nation is forever in his debt.

Sergeant Ruiz loved his family. He loved his country. He made the ultimate sacrifice defending it. To Sergeant Ruiz’s family, I offer my deepest sympathies. We honor Sergeant Ruiz’s courage. We remember his sacrifice. And we mourn your loss.

ADDITIONAL STATEMENTS

REMEMBERING BEN EISEMAN, MD

• Mr. UDALL of Colorado. Mr. President, today I wish to pay tribute to Dr. Ben Eiseman, a world-renowned surgeon, a true American and a great friend of mine. Dr. Eiseman was an accomplished man in every sense of the word and is survived by his wife of 67 years, his four children and five grandchildren.

Dr. Eiseman was an incredibly intelligent individual and an avid self-learner. He graduated from Yale University in 1939 and went on to receive his Medical Degree from Harvard University in 1943. Dr. Eiseman possessed extraordinary scientific ingenuity that led him to discover an astonishing number of medical complications and cures.

In addition to these discoveries, Dr. Eiseman also authored and coauthored over 450 scientific papers, was principal editor of seven books on general surgery and was a retired Rear Admiral in the U.S. Navy Reserves—he was very proud of his service to his country.

Whenever I mentioned Dr. Eiseman to other surgeons, whether they live in another State or another country, he or she would instantly know his name.

I worked with Dr. Eiseman during my time as Executive Director of the Colorado Outward Bound School. At that time he was chairman of the Board of Trustees, and he was a major influence in my life, an incredible friend, and a wise mentor. One of the reasons Dr. Eiseman and I were so close had much to do with our shared love for the great outdoors. He was one of the few people I knew who had climbed all of the mountains in Colorado over 14,000 feet.

I recall a time almost three decades ago—while I was still with Outward Bound—when Dr. Eiseman accompanied me on a winter climbing trip for advanced climbers. He was always asking us to think through each and every step. In asking the right questions and challenging us along the way, he made me a stronger leader.

One reason we all respected Dr. Eiseman was because we all admired his unassuming ruggedness. On this trip, where it was at least 10 degrees below zero, none of us were surprised as Dr. Eiseman walked around comfortably in his Converse high-tops while the rest of us muddled around, freezing in our high-tech, insulated boots. When it was time to rest for the night, most of the team rolled out their latest and greatest sleeping bags, while Dr. Eiseman pulled out the equivalent of a lawn chair cushion to curl up on for the night. Always the task master, Dr. Eiseman was the first one up in the morning to make sure that everyone, including myself, was thoroughly prepared to take on whatever was in store for us each day. It was just the way he was tough, rugged and focused.

Dr. Eiseman inspired me by the way he commanded respect from all who interacted with him. Sure, he was seen as intimidating by some, but for those who knew him, they were treated to his wonderful sense of humor. He was a dedicated community leader, outdoorsman, and patriot.

I am deeply saddened by the loss of my friend Ben Eiseman, but I know that his work here on this Earth changed the lives of thousands and that his legacy will not be forgotten.

May his memory live on for years to come.●

HONORING GEORGE SMITH

• Mr. UDALL of New Mexico. Mr. President, just a few weeks ago our Nation commemorated Veterans Day. It is above all a day of remembrance and gratitude. A time to remember the courage and sacrifice of the brave men and women who have served our Nation in the Armed Forces. It is a day when we pay tribute to the heroes among us.

And to those who are no longer with us.

Today I wish to honor one of those heroes. On Tuesday, October 30, our Nation lost a great American, Navajo Code Talker George Smith. Mr. Smith was born on June 15, 1922, in Mariano Lake, NM, and was Salt People Clan, born for Black Streak Wood People Clan. In 1943, he enlisted with the Marines. He was trained as a Navajo Code Talker and achieved the rank of corporal while serving in the Pacific. Corporal Smith fought in battles in Saipan, Tinian, Ryukyu Islands. He also served in Okinawa, Hawaii, and Japan. His brother, Albert Smith, also trained as a Code Talker, and served with him.

The Marines who constituted the Navajo Code Talkers were small in number, but monumental in significance. Their skills were crucial to American victory in the Pacific during World War II. They turned their language into an unbreakable code. In battle after battle, in the thick of ferocious combat, they used that code as a powerful weapon in securing Allied victory. Our Nation will never forget what George Smith, and his brother, Albert Smith, and all of their fellow Code Talkers accomplished.

Their service is all the more poignant in that they fought for freedom in a world that did not always accord freedom to them. When America entered World War II, the U.S. government had only recognized Native Americans as citizens for 17 years. In some places, tribal members still did not have the right to vote. 45,000 of the 350,000 Native Americans in the U.S. at that time served in the war. This tradition of military service by Native Americans continues to this day. Native Americans have the highest rate of service of any ethnic group.

Mr. Smith was awarded the Congressional Silver Medal. After the war, Code Talker Smith returned home and dedicated himself to his family and community. He worked at Fort Wingate in disposing of old ammunition, and then as a mechanic at Fort Wingate Trading Post. Eventually, he went to Fort Defiance, where he served as a shop foreman. He later worked as a heavy equipment mechanic in Shiprock.

Code Talker George Smith was blessed with a long life. When he passed away last month, he was 90 years old. He will be missed by his family, his friends, and his community, and he will always be remembered by a grateful nation. I extend my deepest sympathies to his family. We are forever in his debt. I hope that those who mourn him now will find comfort in all that he accomplished. His life made a difference. His invaluable service during World War II saved lives. Our Nation is free because of heroes like Code Talker George Smith.●

HONORING VIRGIL WALLACE

● Mr. UDALL of New Mexico. Mr. President, in the annals of our Nation's military history, the story of the defenders of Bataan will long live in our collective memory. One of those great defenders, Mr. Virgil Wallace, recently passed away at the age of 99. Mr. Wallace survived the 4 month battle, the infamous Bataan Death March, and 3 years of horrendous captivity. He was the State of New Mexico's oldest Bataan veteran.

Our Nation is forever in debt to the extraordinary courage and sacrifice that Mr. Wallace and the "Batling Bastards of Bataan" demonstrated in the early days of World War II. Their heroic resistance helped slow the Japanese advance, allowing crucial time for the Allied forces to reorganize and eventually reverse Japan's progress. They played a crucial role in our Nation's history. I am proud to have sponsored legislation to award these valiant soldiers the Congressional Gold Medal.

The Japanese attack on the Philippines in December, 1941, just hours after the attack on Pearl Harbor, led to 4 months of intense combat. Outnumbered, outgunned, Mr. Wallace and his fellow soldiers put up a desperate fight. For 4 months, they struggled, they valiantly fought, against impossible odds, and without hope of resupply, until they finally surrendered.

Their suffering was only just beginning. The brutal Bataan Death March was followed by terrible conditions in Japanese prisons and work camps. Starvation. Torture. Forced work. And, for so many of these brave men, death. By the time they were rescued, toward the end of the war, half of New Mexico's 1,800 soldiers serving in Bataan had died. Another 300 would die from complications related to their captivity within a year of returning to the U.S. Mr. Wallace was held captive for more than 3 horrific years.

Virgil Wallace was awarded the Bronze Star and numerous other commendations for his heroic service. After the war, he returned to New Mexico, where he worked for the Department of Transportation and later Carrie Tingley Hospital in Truth or Consequences.

Our Nation will long remember this courageous soldier, a man who gave so much in service to his country. Mr. Wallace is one of the last of a legendary band of brothers, who represented the very best of who we are. In the dark days of the beginning of World War II, they showed America's fighting spirit and inspired a nation.

I extend my deepest sympathies to Mr. Wallace's family and friends. I hope that you will find comfort in your memories of his long, and distinguished, life. We honor his valor and his example, and we mourn your loss.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on the Judiciary.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 12:32 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 41. An act to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the National Flood Insurance Program.

The message further announced that the House has agreed to the following concurrent resolutions, without amendment:

S. Con. Res. 1. Concurrent resolution to provide for the counting on January 4, 2013, of the electoral votes for President and Vice President of the United States.

S. Con. Res. 2. Concurrent resolution extending the life of the Joint Congressional Committee on Inaugural Ceremonies.

S. Con. Res. 3. Concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 1. Concurrent resolution regarding consent to assemble outside the seat of government.

The message further announced that pursuant to 15 U.S.C. 1024(a), and the order of the House of January 3, 2013, the Speaker appoints the following Members of the House of Representatives to the Joint Economic Committee: Mr. BRADY of Texas and Mrs. MALONEY of New York.

TO TEMPORARILY INCREASE FEMA BORROWING AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration H.R. 41, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 41) to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the National Flood Insurance Program.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, this is a small part of what we have needed to do for the people of New York and New Jersey.

I ask unanimous consent that the bill be read a third time and the Senate proceed to a vote on passage of this legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 41) was passed.

Mr. REID. Mr. President, I ask unanimous consent that the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

SIGNING AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that from Friday, January 4, through Monday, January 21, the majority leader be authorized to sign duly enrolled bills or joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS THROUGH TUESDAY, JANUARY 22, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess under the provisions of S. Con. Res. 3 until 11:30 a.m. on Monday, January 21, 2013, for the Joint Session of the Inaugural Ceremonies, and that upon conclusion of the joint session, the Senate recess until 10 a.m. on Tuesday, January 22, 2013; that following the prayer and pledge, the Journal of proceedings be approved to date and the time for

the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for debate only until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each; and that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL MONDAY, JANUARY 21, 2013, AT 11:30 A.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate recess under the previous order.

There being no objection, the Senate, at 2:11 p.m., recessed until Monday, January 21, 2013, at 11:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

ROBERT E. BACHARACH, OF OKLAHOMA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT, VICE ROBERT HARLAN HENRY, RESIGNED.

CAITLIN JOAN HALLIGAN, OF NEW YORK, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT, VICE JOHN G. ROBERTS, JR., ELEVATED.

WILLIAM J. KAYATTA, JR., OF MAINE, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIRST CIRCUIT, VICE KERMIT LIPEZ, RETIRED.

JILL A. PRYOR, OF GEORGIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE ELEVENTH CIRCUIT, VICE STANLEY F. BIRCH, JR., RETIRED.

PATTY SHWARTZ, OF NEW JERSEY, TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT, VICE MARYANNE TRUMP BARRY, RETIRED.

SRIKANTH SRINIVASAN, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT, VICE A. RAYMOND RANDOLPH, RETIRED.

RICHARD GARY TARANTO, OF MARYLAND, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT, VICE PAUL R. MICHEL, RETIRED.

ELISSA F. CADISH, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA, VICE PHILIP M. PRO, RETIRED.

VALERIE E. CAPRONI, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK, VICE RICHARD J. HOLWELL, RESIGNED.

SHERI POLSTER CHAPPELL, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA, VICE GREGORY A. PRESNELL, RETIRED.

PAMELA KI MAI CHEN, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK, VICE RAYMOND J. DEARIE, RETIRED.

BRIAN J. DAVIS, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA, VICE RICHARD A. LAZZARA, RETIRED.

SHELLY DECKERT DICK, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF LOUISIANA, VICE RALPH E. TYSON, DECEASED.

JENNIFER A. DORSEY, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA, VICE LARRY R. HICKS, RETIRED.

KATHERINE POLK FAILLA, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK, VICE DENISE COTE, RETIRED.

KENNETH JOHN GONZALES, OF NEW MEXICO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW MEXICO, VICE BRUCE D. BLACK, RETIRED.

ANDREW PATRICK GORDON, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA, VICE KENT J. DAWSON, RETIRED.

KETANJI BROWN JACKSON, OF MARYLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA, VICE HENRY HAROLD KENNEDY, RETIRED.

ROSEMARY MARQUEZ, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA, VICE FRANK R. ZAPATA, RETIRED.

MICHAEL J. MCSHANE, OF OREGON, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF OREGON, VICE MICHAEL R. HOGAN, RETIRED.

RAYMOND P. MOORE, OF COLORADO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO, VICE WILEY Y. DANIEL, RETIRED.

TROY L. NUNLEY, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF CALIFORNIA, VICE GARLAND E. BURRELL, JR., RETIRED.

BEVERLY REID O'CONNELL, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE VALERIE L. BAKER, RETIRED.

WILLIAM H. ORRICK, III, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA, VICE CHARLES R. BREYER, RETIRED.

NITZA I. QUINONES ALEJANDRO, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA, VICE RICHARD BARCLAY SURRICK, RETIRED.

LUIS FELIPE RESTREPO, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA, VICE ANITA B. BRODY, RETIRED.

NELSON STEPHEN ROMAN, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK, VICE RICHARD M. BERMAN, RETIRED.

JEFFREY L. SCHMEHL, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA, VICE THOMAS M. GOLDEN, DECEASED.

WILLIAM L. THOMAS, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA, VICE ADALBERTO JOSE JORDAN, ELEVATED.

ANALISA TORRES, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK, VICE NAOMI REICE BUCHWALD, RETIRED.

DERRICK KAHALA WATSON, OF HAWAII, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF HAWAII, VICE DAVID A. EZRA, RETIRED.

MARK A. BARNETT, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE, VICE JUDITH M. BARZILAY, RETIRED.

CLAIRE R. KELLY, OF NEW YORK, TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE, VICE EVAN J. WALLACH, ELEVATED.

HOUSE OF REPRESENTATIVES—Friday, January 4, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mrs. EMERSON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 4, 2013.

I hereby appoint the Honorable JO ANN EMERSON to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving God, we give You thanks for giving us another day.

We thank You for the joy, excitement, and ceremony of yesterday, when the 113th Congress convened. It was a celebration of the ongoing American experiment of participatory democracy.

Today begins, if not in full force, the work of the Congress, when the difficulties facing our Nation and some communities, especially, come into focus. We ask again an abundance of Your wisdom for the Members of the people's House.

May we be forever grateful for the blessings our Nation enjoys and appropriately generous with what we have to help those among us who are in need.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. GARRETT. Madam Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GARRETT. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the

point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New York (Mr. KING) come forward and lead the House in the Pledge of Allegiance.

Mr. KING of New York led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following privileged concurrent resolution:

S. CON. RES. 3

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Friday, January 4, 2013 through Monday, January 21, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, January 21, 2013, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Friday, January 4, 2013, through Saturday, January 5, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, January 14, 2013, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

TEMPORARY INCREASE IN BORROWING AUTHORITY FOR NATIONAL FLOOD INSURANCE PROGRAM

Mr. GARRETT. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 41) to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the National Flood Insurance Program.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 41

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TEMPORARY INCREASE IN BORROWING AUTHORITY FOR NATIONAL FLOOD INSURANCE PROGRAM.

(a) Section 1309(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)) is amended by striking "\$20,725,000,000" and inserting "\$30,425,000,000".

(b) The amount provided by this section is designated by the Congress as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, and as an emergency pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. GARRETT) and the gentleman from New York (Mr. MEEKS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. GARRETT. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend the remarks and include extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GARRETT. Madam Speaker, I yield myself such time as I may consume.

The list of cosponsors to this legislation submitted this morning should be treated as original cosponsors, reflecting their intent to, in fact, be on the legislation when it was introduced last night.

I rise today to continue the process of this House of seeking to aid and help those American citizens who have been devastated by Hurricane Sandy. This storm has left literally millions without power, thousands without homes, and the total area is destroyed.

So the piece of legislation before us today is very simple. It temporarily increases FEMA's borrowing authority

for carrying out the National Flood Insurance Program. And so this legislation is really vital to ensure that the homeowners in my State of New Jersey, as well as in New York and Connecticut and any other affected areas, will be able to continue to have their contractual flood insurance policies with the NFIP honored.

So by temporarily increasing this borrowing authority, it will provide to both homeowners and insurance companies handling the claims that the Federal Government will meet its contractual obligations. People who have been devastated by the storm will be able to continue to move forward and onward with their lives.

I want to take a moment just to commend the gentleman from New York (Mr. GRIMM), who led a group of Members and other volunteers to help clean and repair some of the devastated areas. I was pleased to personally join the gentleman in their volunteer activity.

While we witnessed much devastation and destruction, we also saw determination and friendly faces of local residents and volunteers from across the country who are committed to restoring and rebuilding this area.

So while it's easy for Members to come to the floor and vote for a piece of legislation to help the area, it's a lot more difficult to be on the ground physically working, scrubbing, lifting, building, and cleaning. And while the Congress can and does help, it is the hard work, the grit, and the determination of the citizens of the area and the volunteers and the workers from all over the country that will ultimately be the driving force in this area.

So to conclude, I again commend the gentleman from New York (Mr. GRIMM) for his efforts, and the others around who have volunteered in this effort, and look forward to continue to work with him and others in the area, both here in Congress, for the people of New Jersey, New York, and Connecticut and the affected area.

With that, I reserve the balance of my time.

Mr. MEEKS. Madam Speaker, I yield myself as much time as I may consume.

I'm pleased that today on this floor, though it may be a little late, that we'll finally act on a piece of legislation that's vital to the Superstorm Sandy disaster relief legislation to increase the borrowing authority by FEMA on behalf of the National Flood Insurance Program.

By increasing financing by \$9.7 billion, this bill will enable the provisions of a central relief of 120,000 flood victims who have waited for far too long for the payment on the claims.

□ 1010

I support today's bill as an important step for recovery from Superstorm

Sandy. When taken as a whole, the House's actions today, I believe, still are slow—67, 68 days have gone by—and I know we've got some commitments, but we're moving forward, and I'm hopeful that we will get the full entitlement that the individuals from New York, New Jersey, and Connecticut vitally need. Some of the programs, of course, that need essential funding include the Army Corps of Engineers, who worked to protect New York, New Jersey, and Connecticut shorelines in coastal communities, and the Small Business Administration so they can provide loans to help small businesses.

But let me, before I yield back my time, take some special time to thank Mr. GARRETT. I want to thank every member of the New York, Connecticut, and New Jersey delegation for working collectively together to try to make sure that our people—because this is an issue that affects the American people—that our people receive the kind of aid that they need. I particularly want to say to my friends Mr. GRIMM and Mr. KING of New York, and I've seen several times that they've sat and worked together collectively with our Governor, whom I also want to give a special thank-you to, Governor Mario Cuomo, and Governor Chris Christie from New Jersey, for working cooperatively, not as a Democrat or a Republican, but working as an elected official to come together to the aid of people who need aid, aid from a terrible storm.

And so I'm hopeful as we move forward—we do the \$9 billion today, and do what we need to do by January 15—that we get certain things done and finally the people of this region receive the kind of aid that they need.

I reserve the balance of my time.

Mr. GARRETT. I thank the gentleman for his comments and also recognize that this legislation helps not only those people in his neck of the woods, but across the country, as we resume the money in the fund for FEMA and for the Flood Insurance Program.

I yield 2 minutes to the gentleman from Texas (Mr. HENSARLING), the chairman of the Financial Services Committee.

Mr. HENSARLING. There's no doubt that Hurricane Sandy rendered unspeakable damage to both lives and property on our east coast. It represents truly one of the great natural disasters of recent history.

For millions of our fellow citizens, the devastation has been unspeakable and unfathomable. It is time, obviously, to rebuild homes, buildings, and lives. For the victims who paid for flood insurance policies with the National Flood Insurance Program, their claims need to be paid, and paid now.

But, Madam Speaker, here's the tragic reality: The National Flood Insurance Program is broke. It is beyond

broke. It is now taxpayer-bailout broke. Regrettably, not unlike our Nation, broke, trillions in debt—debt to the Chinese, the shameful bill sent to our children and grandchildren.

So right here, right now, Madam Speaker, Members are faced with a tragic choice of not paying contractual claims to victims who paid premiums or adding \$9.7 billion to an insane national debt that threatens our national security, our economic well-being, and our children's future. Emergency bills like this should not come to the floor without offsets to pay for it or structural reforms to ensure that taxpayer bailouts are never needed again. Regrettably, less than 24 hours into a new Congress, there is simply not time for this.

As many in this body know, I have long been critical of the National Flood Insurance Program. For more than four decades, this experiment in government-provided flood insurance has proven to be ineffective, inefficient, and indisputably costly to hard-working American taxpayers.

Last Congress, we passed a reauthorization bill with modest reforms to begin eliminating outdated subsidies and get the program on a path towards actuarial soundness.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GARRETT. I yield the gentleman an additional 30 seconds.

Mr. HENSARLING. But Sandy has hit before many of these provisions could take effect.

As chairman of the Financial Services Committee, I wish to inform all Members in this Congress our committee will take up legislation to transition to a private, innovative, competitive, sustainable flood insurance market, one that serves the needs of all of our countrymen but ends the unsustainable taxpayer bailouts once and for all. A great fiscal tragedy of today should never become an even greater fiscal tragedy for our children tomorrow.

Mr. MEEKS. I yield 2 minutes to the gentlelady from New York, Mrs. CAROLYN MALONEY.

Mrs. CAROLYN B. MALONEY of New York. I thank the gentleman for his leadership and for yielding.

Madam Speaker, the victims of Superstorm Sandy can wait no longer. It's been 11 weeks. Haven't they suffered and waited long enough? The people whom we represent, who sent us to Washington to serve and who are now not merely crying out for help but screaming for assistance, demand that we act without further delay and pass this bill to immediately increase the borrowing authority of FEMA and carry out the intended purpose of the National Flood Insurance Program. That help is, embarrassingly, overdue. Right now, if we fail to act and do not pass this bill, there's a total of 120,000

flood insurance claim payments that will be delayed and not paid.

This bill before us now will temporarily increase the borrowing authority for the National Flood Insurance Program by \$9.7 billion—much more is needed—and a vote has been promised of \$51 billion on January 15. That absolutely needs to happen. Funds for Katrina passed this House in less than 2 weeks. We have been waiting for 11 weeks. Funds for Ike and Gustav passed very quickly. Again, the northeast corridor has been waiting for 11 weeks.

It should not take much imagination to appreciate what it's like at this very moment for those who have been waiting who have been affected by the flooding caused by the superstorm. For 11 weeks, they have been waiting while this body sat on a bill that should have long ago been signed, sealed, and its help delivered to those in desperate need. They wait for the billions that they need to rebuild. They need it for the transportation system. They need it to make sure that this doesn't happen again and to prevent floods in the future. They wait, many shivering tonight in the cold of New York, where temperatures are, again, below freezing. They are in homeless shelters and hotels, staying with friends. They are waiting.

This body needs to act, and needs to act today. It is long overdue.

They wait on us to act, their lives on hold. They dream of re-building their homes, their businesses, their lives. And all the while we sit here comfortably and have failed to act.

They wait for our colleagues across the aisle to at long last listen hear their cries and to the demands of decency. They wait for us to treat the storm tossed victims of an unprecedented natural disaster at least as well as we have always treated others when tragedy struck. They are becoming the forgotten while we bicker.

They wait for the help only this bill can bring.

How long must those suffering wait for help? I say no longer!!

It is with strong conviction and urgent concern that I support the bill currently before us, and urge my colleagues to act NOW and pass this bill.

Mr. GARRETT. I yield 2 minutes to the gentleman from New York (Mr. KING), who recognizes that the people from the area have not been waiting. Their insurance claims have been paid from day one. We are just here today to ensure that those payments continue, going forward.

Mr. KING of New York. I thank the gentleman for yielding.

Madam Speaker, I rise today in strong support of this legislation. This legislation is the first necessary step that's needed to provide the assistance and relief and aid that the people of New York, New Jersey, and Connecticut require after the most devastating storm in the history of our re-

gion, in many ways, one of the top two or three, unfortunately, most severe storms in the history of our Nation.

This legislation is essential because people are suffering, and the suffering increases each day. And as I said, this is the first major step that we're taking. Hopefully, this process will be completed on January 15.

I want to thank the leadership of both parties for coming together on this.

I want to emphasize that this legislation is vital. This is not a handout. This is not something we're looking for as a favor. What we're asking for is to be treated the same as victims in all other storms, all other natural disasters have been treated.

Also, I think it's important to lay out, because this is part of a process, that, in the legislation that was originally going to be introduced in this House, there was never an earmark in the bill; there was never any extraneous spending the bill. I think it's important for the Members in both parties to realize that. The House of Representatives' bill was always targeted toward victims of Hurricane Sandy. It does not go beyond that. It's important to lay that out.

It's also important to realize that, again, as we are talking here today and as the vote goes forward and as we go forward toward January 15, the real suffering is out there. My own neighborhood in Seaford, homes are devastated. There's a woman who lost two sons in 9/11. She lost her home now. This is a crisis of unimaginable proportions unless you're there. The national media is not following it, but if you went to these homes, if you saw the suffering that's going on, if you saw the people who don't have food and shelter, you would realize how horrible this is.

So it's important we act. It's important we put past recriminations behind us. Let's all stand together as one, all as Americans, Democrats and Republicans. I think Governor Christie and Governor Cuomo have set that model and that tone in New York and New Jersey. So let's follow their example here. Let's go forward standing as one.

Again, I urge my colleagues to strongly support this legislation today and also as we go forward on January 15.

□ 1020

Mr. MEEKS. Madam Speaker, I'd like to now yield 1 minute to a young man who has been a leader in this from New Jersey, the Honorable FRANK PALLONE.

Mr. PALLONE. Madam Speaker, I want to thank my colleague from New York.

Madam Speaker, this action by the House Republican leadership is too little and too late. I have to say I'm still very upset—and I think it was deplorable—that the Speaker did not bring

this bill up and the whole package that addresses Hurricane Sandy relief in the lame-duck session in the last 2 days of Congress. It would have been passed; we had the votes. It would have been on the President's desk; he would have signed it; and we would have started to rebuild the shore.

Now we have another delay. I don't know how many weeks—it's 9 weeks, 10 weeks, whatever it is. I have no idea what the Senate is going to do. My understanding is that the Senate is mired in filibuster over the next 3 weeks and isn't even coming back until after the inauguration. So that means we could be waiting another 3 weeks. The rest of the package—which is the most important part of it—might not even come up until we return after a week's break. We're going to be on recess, and then we come back on the 15th and—hopefully—the rest of the package comes out that day. But that means now that we have three separate votes on this package that could have been passed and signed into law over the last couple of days—three separate votes. It is not acceptable, Madam Speaker.

Mr. GARRETT. I yield 1½ minutes to the other young gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Madam Speaker, I rise in strong support of H.R. 41. I want to thank leadership for posting it today, and especially thank Chairman SCOTT GARRETT for authoring this critically important legislation, boosting the NFIP's borrowing authority by \$9.7 billion, and I'm very proud to be a cosponsor.

Madam Speaker, the devastation unleashed by Sandy is without precedent, and the impacted communities are in dire need of comprehensive assistance. Nowhere is this more evident than in the sheer magnitude of the housing damage and the subsequent housing need.

According to Governor Christie's office, Sandy damaged or destroyed 346,000 housing units. Of that number, some 72,397 were covered by the National Flood Insurance Program, whose owners have submitted claims and are awaiting the insurance payout for comprehensive repairs. Thus far, only 18 percent have received funds pursuant to their claims. Over 80 percent of my constituents are waiting in limbo—an intolerable situation that is making a bad situation worse. Moreover, Madam Speaker, throughout the region there are a total of 115,000 insurance claims related to Sandy; many of them are waiting as well.

This is must-pass legislation. We have an obligation—we have a duty to meet this compelling need and contractual obligation. This legislation takes us in that direction. Again, I want to thank Chairman GARRETT for his leadership.

Mr. MEEKS. Madam Speaker, I apparently missed it earlier; I want to

thank Mr. GARRETT especially for his request earlier to make sure that we included on this bill every Member from the New York, New Jersey and Connecticut delegations as sponsors of this bill, and every member of the committee. I want to thank the ranking member, Ms. WATERS, for agreeing to be an original cosponsor on this bill. It shows that we're all working at this together. And I want to thank Mr. GARRETT for his cooperation in allowing everybody from this delegation, both Democrats and Republicans, to be a part of this bill.

Now I'd like to yield 2 minutes to the distinguished whip of the Democratic Conference, the individual who walked with me in Breezy Point and up and down Rockaway Beach, the Honorable STENY HOYER.

Mr. HOYER. I thank the gentleman for yielding.

I want to congratulate all of the Members who represent New York, New Jersey, Connecticut, Pennsylvania, and other jurisdictions who have been united in a bipartisan way to say, let us reach out; let us act now to help those who have been savaged by Sandy.

Madam Speaker, I rise in support of this bill that will help ensure flood insurance benefits will be available for those still struggling to recover from Superstorm Sandy. But I agree with FRANK PALLONE: while it is never too late to do the right thing, it is late that we are doing this thing—and we are doing only the bare minimum, because the flood insurance will expire. But FRANK PALLONE is absolutely right, the Senate, hopefully, can act by unanimous consent—hopefully—on this small portion. But as we did in Katrina, we should have acted almost immediately to meet the pain and suffering and loss of the citizens—our fellow citizens, our fellow Americans—who were the victims of Sandy, but should not have been the victims of our delay.

I support this legislation. I urge the Speaker and all of us on both sides of the aisle to ensure that on the 15th of this month we act for the balance of the initial dollars that will be available to assist those who have had this loss.

I will be very supportive on the 15th. I know that the people of Connecticut, of New Jersey, of New York, of Pennsylvania, and of all America will hold the Speaker and all of us to the promise that no later than the 15th of this month—some 11 days from today—that we will make a full contribution to those people.

Mr. GARRETT. I once again yield 2 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN), who also recognizes that there have been absolutely no victims of delay when it comes to the flood insurance program because their payments have been made continuously because that pro-

gram has been funded and we continue to fund it today.

Mr. FRELINGHUYSEN. I thank my colleague from New Jersey for yielding.

Madam Speaker, it's been 70 days, and the residents of the Northeast have been—many of them—living in misery and heartache. I'm pleased that we are taking this step to support the National Flood Insurance Program, which has met the needs of Americans across our Nation when there has been flooding crises. We in the Northeast have been facing this crisis now for 70 days. I'm glad that this essential program is going to be supported.

There are about 125,000, from what I understand, Sandy-related claims that can be met by raising this cap, and I think it's good that we're about to do that. This, as others have said, is the first step of what we need to do to sort of rebuild lives, to put aside the misery that so many families and businesses have been suffering for this length of time. It's the right step.

On January 15, we will be considering a much larger supplemental, a total of \$60 billion, which will meet the needs—not all the needs—of Connecticut, New Jersey, New York, and the region. There are considerable needs. But the National Flood Insurance Program is a good program. It needs supports. This is a good first step. Let's get about it, and let's do it in a bipartisan manner.

Mr. MEEKS. Madam Speaker, I yield 1 minute to the ranking member and the fighter for small businesses throughout America, the honorable NYDIA VELÁZQUEZ.

Ms. VELÁZQUEZ. I thank the gentleman for yielding.

Madam Speaker, Hurricane Sandy has devastated New York, and thousands and thousands of my constituents lost their homes and their businesses. It is a shame—an embarrassment for this institution—that the House Republican leadership continues playing games with this essential assistance more than 2 months after the storm struck.

It is indefensible that as Americans continue to suffer from Sandy's impact, that the House majority could not get their act together to bring the entire aid, Senate-passed package to a vote. Talk about “fiddling while New York City burns.”

This is also the case with today's legislation. While I fully support providing FEMA with additional funding, it is just another sign of the majority's dysfunction. With FEMA just days away from being unable to pay flood claims, the Republicans argue among themselves about what to do. That is a sad situation.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MEEKS. I yield the gentlewoman an additional 20 seconds.

Ms. VELÁZQUEZ. So today we're talking about flood insurance.

□ 1030

The job creators in our community are getting nothing. We, as an institution, come together when there are natural disasters across this Nation. My constituents deserve nothing less.

Hurricane Sandy has devastated New York and it is a shame—an embarrassment for this institution—that the House Republican leadership continues playing games with this essential assistance more than two months after the storm struck. It is indefensible that as Americans continue to suffer from Sandy's impact that the House majority could not get their act together to bring the entire aid Senate-passed package to a vote. Talk about “fiddling while New York City burns.”

And this is also the case with today's legislation. While I fully support providing FEMA with additional funding for the National Funding Insurance Program, it is just another sign of the majority's dysfunction. With FEMA just days away from being unable to pay flood claims, the Republicans argued among themselves about what to do. This is a sad situation for those Americans that count on their government to have their backs after a disaster.

While this bill will help homeowners insured through the Flood Insurance program, it does nothing for our small businesses and infrastructure needs. Providing this broader assistance is so overdue that it is a disgrace, and even more so now, we are in the dawn of the 113th Congress, and about to vote on just a sliver of what was promised. To many who are already suffering from the impact of Sandy, this feels like a punch to the gut. And while I would have rather voted earlier this week on the entire \$60 billion package approved by the Senate, the House majority has given us no choice. I hope that the additional funding to help our residents and small businesses—and to repair our infrastructure—will be brought to a vote as quickly as possible.

Mr. GARRETT. I'm now pleased to yield 2 minutes to the gentleman from New York, who has actually led the efforts on the ground putting the shoulder to the grindstone, so to speak, to actually help and restore some of these people's homes.

Mr. GRIMM. Madam Chair, I'd like to just take 15 seconds to tell Chairman GARRETT how much I appreciate his bringing this bill to the floor today. He and his wife came to my district. He came to Midland Beach and was in one of the homes, several of the homes, that were completely devastated, pulling out moldy sheetrock and bringing a little hope to people in complete despair. For that, I will eternally be grateful. And I really do thank my chairman for that compassion in letting the people, even outside of his own district, know that he's there and he cares about them.

I would also like to share with you: I called someone this morning from Staten Island that lives in New Dorp Beach. They have a teenaged son named Dylan. And they haven't been back in their home since the storm. And I asked, “How are your two sons

doing?" And they said, "They are doing great, but Dylan, he hasn't gone back to the house to help with the construction because he gets choked up." And it's that that I want to emphasize here. These are human beings—human beings, children—that have been completely displaced. And it's up to us to get them back on their feet.

So today is one of those steps that I'm proud to be a part of and tell Dylan that he's going to be okay, we're getting him back in his house. And I would ask that as we go forward with the other parts of Sandy relief that my colleagues will stand with me and tell Dylan that he's going to be okay and we're going to get him back in his house.

With that, again, I want to thank all of my colleagues across the aisle. It's been a pleasure to work with you, and we have a lot of work to do. And I want to thank Chairman GARRETT one more time. Thank you, Chairman.

Mr. MEEKS. I yield 2 minutes to the distinguished ranking member from the Appropriations Committee and a hard fighter, the one and only NITA LOWEY.

Mrs. LOWEY. I thank the distinguished, distinguished ranking member, Mr. MEEKS, for your eloquence, as always.

Madam Speaker, I rise in strong support of this legislation, and I would like to thank Chairman GARRETT for introducing this legislation and for his efforts to bring it to the floor with bipartisan support.

The National Flood Insurance Program has hit its limit. Without an increase in borrowing authority, it will be unable to pay for claims as early as next week. And that means that 120,000 flood insurance claims payments will be delayed, nearly all of which are due to Hurricane Sandy.

However, this bill is just not enough. It's not adequate. In December, the Senate passed an emergency assistance package to aid in the Sandy recovery, which included this legislation. Earlier this week, I expected, as did my colleagues, that the House would vote on a complete emergency assistance package to aid those in Connecticut, New Jersey, and New York who have lost homes, businesses, and their livelihoods. Sadly, the 112th Congress ended without action, and now we are starting over on important legislation which is absolutely critical to help storm-affected areas that should have and could have been signed. We know that there's no reason it wasn't signed in 2012.

However, we have now been promised a vote on the Sandy emergency assistance package by January 15, and families in my district and throughout the region are looking to Congress and asking, "Why are you making it so difficult for us to rebuild? Why are you making us wait to rebuild?"

Today's legislation is a start, but only a first step, toward providing relief for those who suffered as a result of Hurricane Sandy. We don't need a piecemeal approach. That is not the way that Congress acts. We need a comprehensive Sandy recovery bill passed today.

We hold you to your commitment of January 15 and not a day later. We need this complete bill.

Mr. GARRETT. At this time, I am pleased to yield 1 minute to the gentleman from New Jersey (Mr. RUNYAN), who has seen firsthand the devastation to our State.

Mr. RUNYAN. Madam Speaker, I thank Chairman GARRETT for yielding some time.

Madam Speaker, it's been 68 days since Hurricane Sandy devastated the Northeast and over 2 months of suffering for my constituents. While it is unfortunately long overdue, I'm pleased that we're finally here acting to help the people of New Jersey recover. This hurricane has caused billions of dollars in damage, uprooting individuals and families from their homes, forcing businesses to close and resulting in job loss and revenue loss.

My constituents need help now recovering. I've witnessed firsthand the devastation in places like Seaside Heights, Normandy Beach, Lavallette and Silverton, and I can honestly say that these places look like war zones after the storm. Whole communities have been wiped out.

Governor Christie estimated the damage in New Jersey to be over \$36 billion. I applaud his swift action on Sandy recovery and join him and all local, State, and Federal leaders in New Jersey to ensure that all relief funds get to New Jersey families and businesses as quickly as possible. This includes adequate funding for the flood insurance program we are voting on today, and I urge passage of this essential legislation.

Mr. MEEKS. At this time, I yield 1 minute to the gentleman from New Jersey, a member of the Ways and Means Committee, Mr. BILL PASCRELL.

Mr. PASCRELL. You would think, Madam Chair, that we're having a Sadie Hawkins dance here today and we're patting each other on the back. The real sponsor of this legislation are the people who have been hurt. And let's be honest about it. It took only 10 days after Katrina until President Bush signed \$60 billion in Katrina aid passed by the Congress of the United States.

How dare you come to this floor and make people think everything is okay. In fact, one of the gentlemen from New Jersey said that we've not waited at all. Well, the insurance runs out in 1 week. What were we going to do, wait for 1 week and then act? We wouldn't even be here. Who the heck are you kidding?

So we all come together very nicely this morning for breakfast and eggs. And we know what has happened over the last 10 days. This is a total, total disaster in helping those people that we are pompously saying today and pontificating about we're helping them. Isn't that wonderful? What are our jobs? We're not doing anybody favors. That's why we were sent here. Try it once in a while. Democracy—you may like it.

Madam Speaker, it's now been 68 days since Hurricane Sandy landed. By the time the rest of the \$60 billion in aid requested by Govs. Christie and Cuomo comes up for a vote, as the Speaker has promised, on Jan. 15th, it will be nearly 80. Who knows how much longer after that until the new Senate gives their approval?

\$60 billion in Katrina aid was passed by Congress and signed by President Bush just 10 days after that storm.

Why is there a double standard? People in New Jersey, in my district, are suffering and they cannot afford to wait a day longer for the aid that they are entitled to as taxpayers of this nation? If we had just voted on Wednesday, it could already be on the way.

I'm pleased that today we are approving more funding for the National Flood Insurance Program, which is going to run dry within a week, but we need to approve the rest of this aid as soon as possible. To not do so would be cruel and unconscionable.

But this is only the beginning of rebuilding the most important economic region of our country.

Two weeks after Katrina, this House passed a serious tax relief measure dedicated to helping those that our disaster aid programs cannot reach, on a voice vote. I and many bipartisan cosponsors, introduced similar measure in the last Congress.

I call upon the Speaker to bring this legislation up for a vote as soon as possible. There are thousands of individuals, small businesses, municipalities and utilities that need our help to rebuild, and it's our responsibility to deliver.

Mr. GARRETT. At this point, I yield 2 minutes to the gentleman from Georgia (Mr. WESTMORELAND) who realizes it's not just what we do on the floor but it's also the volunteering and the dedication to help these people as well.

Mr. WESTMORELAND. I want to thank the chairman for recognizing me. I just want to say that I support this bill not because I support the increased borrowing that we are doing for our flood insurance program of \$9.7 billion, but it is a contractual agreement that we owe to these policyholders to pay these claims. It's not their fault that we in the government are not good managers of our money.

In 1968, when this policy and this program was put into place, it had a borrowing authority of \$1.5 billion. It wasn't until Katrina that we raised that borrowing authority up to \$20 billion. We still owe \$20 billion. We're now raising that borrowing authority to \$30 billion. In 2017, which is 4½ years away,

the borrowing authority goes back to \$1.5 billion. Now I'm sure we'll address that at 11:59 on September 30 of 2017.

But I'd like to ask both sides, on both sides of the aisle, let's start working on that now. This cost to the government is \$17,063 for every policyholder who has flood insurance. The average premium is about \$600. We have paid people 10 and 20 and 30 times for claims that live in the same house in the same floodplain.

I had an amendment to the flood insurance bill that said if you had two claims due to flood and you did not take the payout, then you would have to pay a rate-based premium. It didn't pass.

□ 1040

We've got to get into reality what this flood insurance program is for. It's mandatory. If you have a government-backed loan and you live in a floodplain that's likely to flood in 100 years, you have to have the insurance.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GARRETT. I yield an additional 15 seconds to the gentleman from Georgia.

Mr. WESTMORELAND. We need to make sure that what we're doing is something that can manage itself without continually having to raise the borrowing authority for this part of our government.

With that, I do support the bill. It's a congressional obligation that we have to these policyholders. I ask that everyone support it.

Mr. MEEKS. At this time, I yield 1 minute to the ranking member of the Foreign Affairs Committee, the Honorable ELIOT ENGEL from the great State of New York.

Mr. ENGEL. I thank my friend from New York, and I rise in strong support of this legislation.

I must say Tuesday night when I found out that we were not taking this legislation up in the previous Congress, it was the angriest I've been since I've been a Member of Congress.

In the last 20 years, this is the longest that people affected by natural disasters have waited for Congress to provide them the needed relief. It's really not acceptable. I have voted for aid for all areas of the country, wherever there has been a natural disaster. The Northeast now deserves the same. I would remind my colleagues that New York has been a donor State. We give more to the Federal Government than we take back. Now we need help. Politics should not be played with the help that we need.

We should be supporting the entire package. I'm sorry we are not voting for the entire package today. As was mentioned before, we now have to wait for the Senate to pass whatever we pass. This could have been done and gone on Tuesday night, and the aid

would have been speeding to the people. This simply is not acceptable, and I hope there's no further delay.

My constituents are suffering. The people of New York, New Jersey, and Connecticut are suffering. Congress needs to get out of the way now and send not only this \$9.7 billion in flood insurance, but the entire package.

Mr. GARRETT. First of all, I yield myself 15 seconds just to set the record straight.

With regard to the legislation before us, which is a flood insurance program, the aid under this program is going and has been going to the recipients in the affected area because there was funding in this program before. What we're doing right now is to make sure that that aid will continue to go to those people who have contracts for insurance.

With that, I now yield 2 minutes to the gentleman from New York (Mr. GIBSON), who also is very familiar with the devastation that was caused to constituents.

Mr. GIBSON. I thank the gentleman for yielding.

Madam Speaker, I rise today in strong support of the legislation.

Indeed, as was intimated moments ago, in the summer of 2011, my district was struck by Hurricanes Irene and Lee. We came together as a body to support my constituents; and with that assistance provided, we are in the process of rebuilding—and still rebuilding, I might add. Now we come together in the wake of this devastating natural disaster, Sandy. My State, along with our neighbor States, was struck again. Making certain that our communities have the resources they need has brought me to the floor today again to advocate for New York families, businesses, and farms.

Today's vote is a step forward, the National Flood Insurance Program exists for circumstances like this, but more remains. We must come together at the outset of this legislative session to address both the immediate recovery needs and the longer-term rebuilding efforts. I'm committed to this recovery effort. I'm proud of the work our delegations have achieved to date. We need to continue that.

I want to thank the gentleman from New Jersey for bringing this bill to the floor today, and I urge my colleagues to support it.

Mr. GARRETT. Madam Speaker, I inquire as to the time remaining on both sides.

The SPEAKER pro tempore. The gentleman from New Jersey has 4¾ minutes remaining, and the gentleman from New York has 6¾ minutes remaining.

Mr. MEEKS. I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Madam Speaker, the delay in helping the victims of Hurri-

cane Sandy is obviously inexcusable and unjust, but it's equally obvious that the time has come to do what we can to help solve the problem. That's why I'm for the passage of this bill today. It will, in fact, help flood insurance claims be honored and paid so that people can go about the work of rebuilding their homes.

We've heard about the January 15 vote that is coming on the rest of the plan. I think we shouldn't be holding out false hope about that because here's the reality: I'm certain we will vote on January 15. Of course, the Constitution says the other body has to vote too. They have to start all over again, and then the President has to sign the bill.

It is my strong hope that the leadership between now and January 15 will reach out to the leadership of the other body and try to prenegotiate a bill that the Senate would quickly and expeditiously take up so we can solve this problem.

The House taking a vote on January 15 is lovely. It is also utterly meaningless if the other body does not act.

Mr. GARRETT. At this time, I yield 2 minutes to a gentleman from a State which is not immune to natural disasters, the gentleman from California (Mr. ISSA).

Mr. ISSA. Madam Speaker, today we're doing the important thing, the critical thing. I wish today that this had been what we'd voted on in the previous session, to recharge the flood insurance that needs to be there so that men and women in Connecticut, New Jersey, New York, and the like will not question whether or not their country can provide them with the resources that are expected to be there in the time of a natural disaster like that.

Madam Speaker, I rise today to say that January 15 is critical; and as the previous speaker said, we do need to prenegotiate with the Senate. We need to get the pork out. None of that pork we're talking about is in New York, New Jersey, or Connecticut. In fact, it's as far away as Alaska. The pork that we will not vote on today is, in fact, the pork that was in this bill from the Senate. My hope is that we will see on January 15 a negotiated and clean bill that only deals with the men and women and families on the eastern seaboard that need to be taken care of.

I think that it's the President's responsibility and our responsibility and the Senate's responsibility when we do emergency supplementals to make them only about the emergency. I believe today we are buying a little bit of time; but I think for people on the eastern seaboard who are suffering, that time is running out and all of our leaders need to make sure that the next vote, the vote on January 15, as the previous speaker said, will be a vote that will be prenegotiated, that will run through the Senate, and will

deal only with the people suffering on the eastern seaboard.

Mr. KING of New York. Will the gentleman yield?

Mr. ISSA. I yield to the gentleman.

Mr. KING of New York. I thank the gentleman for yielding.

I think it's important to point out that the House bill never contained any of those extraneous provisions. When the bill came over here, our leadership agreed that all that was taken out so that there was nothing about any other State other than those directly affected by Sandy.

Mr. ISSA. I reclaim my time to say the gentleman is absolutely right.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GARRETT. I yield an additional 30 seconds to the gentleman from California.

Mr. ISSA. Had we been able to pass what we intended to be the House bill and send it back to the Senate and the Senate would have then taken that up, although they had left town, we could have done this in the previous Congress.

The gentleman from New York has been a champion to make sure that's clearly understood. I want to be an equal champion that, in fact, whether it's Louisiana or California, when the next earthquake occurs or now our friends and colleagues from the eastern seaboard actually as far south as where we stand, we do need to make sure—we owe them that. And I want to thank the gentleman from New York for, in fact, working so hard to make sure that we do get to a clean bill.

With that, I thank the gentleman.

Mr. MEEKS. Madam Chair, I yield to the gentlewoman from Ohio (Ms. KAPTUR) for the purpose of a unanimous consent request.

Ms. KAPTUR. I thank the gentleman for yielding. I rise in support of Hurricane Sandy relief wherever it is needed.

I want to offer my voice of support to the people of New York, New Jersey, Connecticut and all others impacted by Hurricane Sandy. Its devastation was vast.

Yesterday, President Obama declared Cuyahoga County, Ohio a federal disaster area as a result of the damage of Hurricane Sandy.

Cuyahoga County private, nonprofit groups, local governments and State agencies are eligible for more than \$17 million to cover the cost of storm-related work caused by Hurricane Sandy on Oct. 29 and 30, the Federal Emergency Management Agency announced Thursday.

Cuyahoga County was the only one of Ohio's 88 counties to be eligible for the money from FEMA's Public Assistance Program.

Additionally, Hurricane Sandy did over \$13 million in damage to the Lake Erie Ports of Cleveland and Lorain. Storm swells on Lake Erie were massive as the system rolled through and caused extensive damage. While the property damage and displacement was nothing compared to what our citizens in New

York, New Jersey, Pennsylvania, and Connecticut experienced and are living with, Congress must address these emergency needs brought on by Mother Nature. It is incumbent upon this Congress to rebuild and restore the might of our Nation's communities so severely impacted by natural disasters.

Mr. MEEKS. I now yield 1 minute to the gentleman from New York on the Judiciary Committee, the Honorable JERRY NADLER.

□ 1050

Mr. NADLER. I thank the gentleman for yielding the time.

Madam Speaker, obviously, I support this bill today to replenish the hurricane insurance fund, which would otherwise run dry for the entire country next week, but it does not excuse the callous action of the House leadership the other night for taking the \$60 billion of relief off the table. Now we're told we'll get a vote on the 15th, and I hope they're as good as their word, although they haven't been in the past. Even so, it will take God knows how long for the Senate because the bill they had passed is now dead, this being a new Congress. That action the other night delayed relief for the long suffering people, for the businessowners whose businesses are going under, for the homeowners whose homes are suffering from mold. All of this was delayed by at least 3 weeks, maybe longer, on top of the fact that we had gone already 9 weeks—Katrina was 10 days—with a lack of aid, and now it will be another 3 or 4 or 5.

This is the most callous action I've ever seen. The leadership of this House should be condemned for it. I hope they have the determination to make sure that this, indeed, comes to a vote on the 15th, that it passes and that the Senate is induced to match it quickly. That would be the least that decency would demand.

Mr. GARRETT. In recognizing that some on the other side of the aisle can't take "yes" for an answer, I reserve the balance of my time.

Mr. MEEKS. Madam Speaker, I yield 1 minute to the gentleman from New Jersey, the Honorable Mr. SIRES.

Mr. SIRES. Madam Speaker, as I sat here, I was thinking that maybe there is a bias against the northeastern States of this country. This devastation can happen to any State, and no one State has the money to make sure that the people who were injured in this storm can move forward. I would remind all those Members who are not here supporting this bill that this could happen to your State. As I sat here and supported Alabama, as I supported Mississippi, as I supported Texas, I was hoping that, by now, with regard to the northeastern part of the country, this Congress would have acted. It has been 77 days. These people are hurting. People in my district still can't get back to their homes, and here

we are. In the last Congress, we just didn't do anything about it. Now we are moving forward, and hopefully, on January 15, we can get the rest of this money so that the people who are suffering in all of these States that were hit by this storm can get their lives back together again.

Mr. GARRETT. I continue to reserve the balance of my time.

Mr. MEEKS. I yield 1 minute to the gentleman from New York, Mr. SEAN PATRICK MALONEY, for his initial floor debate.

Mr. SEAN PATRICK MALONEY of New York. Madam Speaker, my name is SEAN PATRICK MALONEY. I'm new here. I don't know all the rules of Washington, but it sure seems like the rule here is to put off until tomorrow what should be done today—even when our fellow Americans are suffering.

A long time ago, I learned from my mom and dad, Jim and Joan Maloney, and our parish priest, Father Bill Nolan, a much better rule. It's called "the golden rule." Americans by all parties live by it. The people of New York, New Jersey, and the Hudson Valley live by it. Bart and Diana Tyler of Kelloggs & Lawrence Hardware Store in Katonah, sure live by it. They led storm victims by flashlight through the darkened aisles of their hardware store for critical supplies at the hour of maximum danger and greatest need, and they consoled them as if they were their own family. Bart and Diana didn't make their neighbors wait 68 days for help, and they didn't say they could do more later. They acted with speed and with caring.

This new Congress can start anew today. We can act with speed and caring. We don't need to wait. I urge my colleagues to bring this additional relief to the floor as soon as possible and to support the bill today.

Mr. GARRETT. I continue to reserve the balance of my time.

Mr. MEEKS. Madam Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from New York has 2¾ minutes remaining.

Mr. MEEKS. I yield 30 seconds to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the gentleman very much, and I thank the proponent of this legislation. It is obviously needed.

I come from the gulf region. We lost thousands and thousands and thousands from hurricanes. Hurricane Ike saw this Congress give us \$3 billion. I stand here today to remind you that a police officer died, a 13-year-old died from debris falling on her, and a mother saw her two children drawn from her hands and drowned in Hurricane Sandy. It is long overdue.

I stand here as someone who has been a beneficiary, who has cried with those who have lost. I demand that this

money be passed today, but more importantly, I demand that we pass the total amount of money right now, today. Let's help the American people. Let's help those impacted by Sandy. Let's help my fellow Americans.

Madam Speaker, I rise today to support H.R. 41, "To Temporarily Increase The Borrowing Authority of the Federal Emergency Management Agency for Carrying Out National Flood Insurance Program."

I urge this new 113th Congress to start the New Year off right by acting swiftly in support of legislation to fund disaster relief assistance for the victims of Superstorm Sandy.

Since this historic storm devastated the east coast in late October, the people impacted by the storm, particularly those in the Tri-State area of New Jersey, New York, and Connecticut, have been waiting patiently for the federal government to act as they continue to engage in efforts to rebuild their communities.

However, the time for patience has long since expired, and these Americans can no longer wait for Congress to act.

68 days have passed since the storm surged onto the shores of Atlantic City, New Jersey. It has been a long 67 days for families without a home, and for businesses without a storefront or customers. For 67 days, these neighborhoods have struggled to pick up the pieces and put their communities back together, and Congress must step in—immediately—to lend a helping hand.

As the representative for the 18th District in Texas, I know the massive and protracted destruction that storms like this can cause both to property and, more importantly, to the lives of citizens who are left to rebuild their lives and restore all that they have lost.

After the initial disaster response and search and rescue phases, we must begin to rebuild, a process that calls for a long-term commitment from officials in state, local, and federal government.

We can all recall Hurricane Ike in 2008, which heavily impacted many constituents in my district. At least 74 people lost their lives in the State of Texas, with 28 in Harris County and 17 in Galveston. Over 200,000 homes in the Houston-Galveston region were left damaged or destroyed as a result of Ike.

Congress appropriated \$3 billion to Texas to help finance the infrastructure and housing recovery, which included individual and household assistance, disaster unemployment assistance, public assistance grants to state and local government and nonprofit organizations to pay for debris removal, emergency protective measures and road repairs, and low-interest disaster loans provided by the Small Business Administration.

My visits to the affected areas fundamentally evidenced the need for long-term recovery and to get people back on their feet. My constituents and others in the affected areas needed and greatly appreciated the federal assistance they received, and so now that Americans in other parts of our nation need our help, we must move in a bipartisan fashion to provide it.

As a nation, we continue to mourn the loss of at least 125 people in the United States and a total of 253 people due to Superstorm Sandy (60 in New York, 48 New York City; 34

in New Jersey; 16 in Pennsylvania, 7 in West Virginia).

As devastating as Hurricane Ike was, the damage to property it caused (an estimated \$29.5 billion) the costs associated with Superstorm Sandy are expected to be significantly higher. While we do not yet know the final numbers, the total amount of property damage resulting from Superstorm Sandy exceeds \$62 billion. In terms of dollars of property destruction, this ranks Superstorm Sandy second only to Hurricane Katrina (\$128 billion, adjusted for inflation)(note: Hurricane Ike ranks 3rd).

Food, shelter and clothing are basic necessities, and right now far too many people are without access to them during these holidays and in brutally cold weather. With more cold weather in sight, things are not going to get any easier for residents of those communities.

Economic conditions in many affected communities are stagnant; stalled because the federal government has yet to provide funding. It took 10 days for Congress to approve roughly \$50 billion in aid for Katrina, but Congress has not provided aid for those affected by Sandy for more than two months.

We need to restore a sense of calm and stability in the lives of people affected by Superstorm Sandy. We need to ensure that small businesses in the affected areas are able to rebound as expeditiously as possible so that they can get the local economies moving again.

I am encouraged that relief for Superstorm Sandy has received bipartisan support, but now we must follow through with action. We know that disasters affect all of us at one point or another, and we must come together as one nation to give people access to relief that, realistically, only the federal government can provide. However, this should have been done no less than 5 days after the horrible Hurricane Sandy—now we are only during half way—let's vote today on the full 60 billion dollars in relief today. Let's not watch people die and people are suffering after hurricane! We can not wait until January 15, 2013—now is the time to help the people suffering in the aftermath of Hurricane Sandy.

Mr. GARRETT. I continue to reserve the balance of my time.

Mr. MEEKS. I reserve the balance of my time.

The SPEAKER pro tempore. Does the gentleman from New York have any additional speakers?

Mr. MEEKS. I have one additional speaker.

Mr. GARRETT. I have no further requests for time.

The SPEAKER pro tempore. The gentleman from New Jersey has the right to close.

Mr. MEEKS. I yield 1 minute to the ranking member of the Financial Services Committee, a fighter for the people, the gentlelady from the great State of California, the Honorable MAXINE WATERS.

Ms. WATERS. Thank you very much, Congressman MEEKS.

I am so proud of the Members of this Congress from both sides of the aisle who have been real advocates—who

have been on television, who have been fighting. Members on the opposite side of the aisle have criticized their own leadership for the delay.

Ladies and gentlemen, I am from California. I have witnessed earthquake disaster. I have been involved in trying to help with Katrina and in making sure that the people who were the victims of Katrina were compensated, were taken care of. This is unconscionable that this has had to take so long. I watched Congressman MEEKS up in Rockaway. I watched the people who cried. I watched the people who begged for help, who begged for assistance.

This is so late in coming, so I support this bill today. I am one of the co-authors of the flood insurance reauthorization bill, along with Mrs. Biggert, who reauthorized flood insurance for another 5 years. Let's put the money in it. Let's do what is right. Let's take care of this disaster.

The SPEAKER pro tempore. The gentleman from New York (Mr. MEEKS) has 1¼ minutes remaining, and the gentleman from New Jersey (Mr. GARRETT) has 2¼ minutes remaining.

Mr. MEEKS. I yield myself the remaining time.

It's 70 days. It is unprecedented that this region has not been treated like the other regions when they were in need of help. It's 70 days. Now we are going with this bill today, and what we are receiving is a promissory note, a promissory note that on January 15 we will be able to say to the people from New York, New Jersey, and Connecticut who were victimized by this storm that their United States Congress—their House of Representatives—is going to be by their side.

So we have a promissory note. I will be concerned until we have the votes that are necessary for the people of this region and until the promissory note has been put into the bank and stamped with sufficient funds. The people have been suffering. They have suffered long enough. They need to hear from their government that their government is with them just as it has been with everybody else in this country.

I, for one, wherever the disaster may be, want to say that we've got the support. To this Congress, let's make sure we put forward this promissory note because I don't think a Democrat or a Republican can go back home after January 15 and say that the promissory check has bounced. We have to come back collectively and say to the people who are suffering that they, in fact, have been helped by their government, by their people.

I yield back the balance of my time. Mr. GARRETT. Madam Speaker, I yield myself the remaining time.

In closing, I thank all of those who have come to the floor to address this situation.

For those of us who live in the affected area, our heart goes out to the families—the moms, the dads, the little children, the senior citizens—who have lost everything; homes that have just been inundated with water so they're not recognizable anymore; homes that have to be totally knocked down or homes that have to be totally refurbished, stripped down to their studs and started from the foundations back up again to rebuild them; homes that have been simply washed out to sea and will never be seen again; homes that have been destroyed; trees that have crashed through homes; electricity that has been out for weeks. Our heart goes out to the people who have suffered so much and for so long and who continue to suffer.

I commend Members from both sides of the aisle for coming to the floor today to support this legislation.

I also thank those people, the volunteers, who took it upon themselves without any government mandate or edict or pay, or what have you, to go out and to rescue these people and to work for these people day in and day out—from the very beginning, the OEM people, the management people, the fire department, the rescue squad, and just rank-and-file folks who came out and tried to help and continue to do so. They've run the food banks, groups like Samaritan's Purse. They've been out there on the front lines and have supported these people in their hours of need.

□ 1100

And I extend an invitation to every single Member of Congress who has come to the floor and said that they, too, support these people, to put on their work shoes and their work boots and their jackets and to get out of this Congress and to get out of this city and to go into the affected area, and not just give speeches and not just pass legislation of other people's money, but to actually come to our State and to join us in the field and actually do the work that's necessary to get done. And so I extend that invitation to each and every one, and I look forward to hearing from each and every one of you, and I ask for your support of this legislation.

I extend an invitation to Ms. WATERS to work further on the legislation with regard to flood insurance because we heard the number earlier—this is a nonsustainable program. We're taking in something like 75 cents and we're paying out about a buck in claims. That can't go on. We need to work together on this, and I look forward to that, and I look for a "yes" vote on this legislation.

I yield back the balance of my time.
ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of

the House and that any manifestation of approval or disapproval of proceedings is in violation of House rules.

Mr. HOLT. Madam Speaker, I rise in support of H.R. 41. I am a cosponsor of this must-pass bill and I urge my colleagues to vote for it.

FEMA announced yesterday that its ability to pay claims under the National Flood Insurance Program would be exhausted by the second week of January. Congress must act now to approve additional borrowing authority and bring much-needed relief to the hundreds of thousands of Americans who have suffered in the aftermath of Hurricane Sandy flood-related damages to their homes and property.

While I strongly support passage of H.R. 41, I want to reiterate that our fellow citizens affected by Hurricane Sandy have already waited far too long for help from Congress. In other natural disasters, such as Hurricane Katrina, Congress acted swiftly, and aid reached those in need. And yet earlier this week, the 112th Congress adjourned before passing a much-needed disaster relief package. The Senate had already acted to pass a well-constructed aid package bill. The only reason that this bill is not law today is that House leadership refused to act.

This devastating storm has left many people hurting in many different ways—shopkeepers, homeowners, fisherman, hotel and restaurant owners—and has damaged the entire economy. The Senate-passed Sandy relief package responds to this variety of needs and concerns. I urge Speaker BOEHNER to bring the Senate disaster relief package to the floor without delay.

Ms. CLARKE. Madam Speaker, I rise today to ask all of my colleagues to support H.R. 41, a bipartisan proposal to replenish the National Flood Insurance Fund which will increase its borrowing authority and allow the program to continue paying claims from those affected by Hurricane Sandy.

Without the enactment of this bill, the NFIP might reach its ceiling and could no longer pay out claims. The families in my district and the States of New York, New Jersey and Connecticut are suffering.

Even as I am excited that we are considering this bill today, I am disappointed that there were seventy days of inaction by Congress. Congress has a history of providing assistance to the American people in times of disaster and devastation—in this country, we help our neighbors.

Since 1989, Congress has approved \$290 billion in disaster relief aid. Indeed, only two weeks after Hurricane Katrina devastated parts of the Gulf Coast, Congress appropriated \$62 billion in disaster aid. Those impacted by Superstorm Sandy have been waiting for more than two months, and cannot afford to wait any longer. The recovery depends on this emergency funding.

Again, I ask that all of my colleagues support the first portion of the Superstorm Sandy Disaster Relief package. Through enactment of this critical bill, many home and business owners flooded out by Superstorm Sandy will soon be able to get flood insurance payments.

Mr. VAN HOLLEN. Madam Speaker, I rise in strong support of HR 41, a measure to increase by \$9.7 billion the borrowing authority

of the National Flood Insurance Program, enabling the program to continue paying the tens of thousands of claims related to the destruction caused by Hurricane Sandy.

Across this country from the Appalachians to the Great Lakes to the northern coast of Maine, dozens of people have lost their lives, the homes of thousands of families were destroyed and millions of people have suffered from the cold and exposure of winter because they lost power. The suffering touched the people of my state of Maryland as well—hitting hardest the county of Somerset, where the poverty rate is among the highest in the State and where more than 500 homes were affected by the storm.

After more than two months of waiting, it is only now that the House has chosen to act. And by only considering a bill to increase the Flood Insurance Program's borrowing authority by \$9.7 billion, we are only making a down payment on the problem. There are estimates that the full cost of recovery will be more than \$60 billion.

I had hoped that we would have voted for a relief package during the last Congress. But it is only now that the House Leadership is bringing Sandy legislation to the floor. In the meantime, the people affected by the hurricane have had to wait and will continue waiting as the Senate passes what we pass here today.

Delaying for months the aid for the victims of Hurricane Sandy is unjust and I am disappointed that we are not meeting today to consider a bill to address the full cost of the Hurricane's destruction.

I urge my colleagues to join me in supporting the swift passage of this bill so that those suffering around the country can get the relief they so desperately need. I also hope the Republican leadership follows through on its promise to consider additional legislation on this subject when the Congress reconvenes later this month.

Mr. GENE GREEN of Texas. Madam Speaker, today I rise in support of H.R. 41, to temporarily increase the borrowing authority of FEMA for carrying out the National Flood Insurance Program.

This bill would provide FEMA with an additional \$9.7 billion in emergency funding to immediately assist those affected by the storm.

In late October 2012, Hurricane Sandy struck the East Coast of the United States, affecting millions of Americans and killing over 100.

The economic cost of the storm is still being assessed, but it has been estimated to be in excess of \$60 billion, which would make it the second-costliest storm in history, after Hurricane Katrina.

Our nation has a responsibility to rebuild the areas that were devastated by this terrible tragedy and I am committed to making sure that Congress helps provide the necessary resources to help those individuals and communities which were harmed by this disaster.

It is important to recall that four years ago, Congress, with my strong support, provided nearly \$23 billion in disaster relief for communities like our own due to the devastation from Hurricane Ike.

I stand with my colleagues from the East Coast, especially from New York, New Jersey,

and Connecticut to get the funding necessary to aid the recovery from Hurricane Sandy. As Americans, we all have a responsibility to help each other during times of need.

Mr. ISRAEL. Madam Speaker, I rise in strong support of the bipartisan legislation on the floor today that will provide much needed relief for my constituents. H.R. 41 will replenish the National Flood Insurance Fund, which would otherwise run out of funds and be unable to pay out claims next week. That would be simply unacceptable for the homeowners and businesses that I represent who have already gone through so much.

New Yorkers were devastated by Hurricane Sandy and we are just beginning to recover. I am glad that the House Republican leadership has responded to the bipartisan outcry for action to help families, businesses and communities in my district. We must act swiftly on the remaining federal resource needs for the Sandy victims.

We all can agree that this recovery needs to be bold and it needs to be implemented quickly—and that's what we are working on. Together, both sides of the aisle from the New York, New Jersey and Connecticut Congressional delegations have come together to address this immediate and urge need to meet the needs of flood insurance claims by all of our constituents.

FEMA has said there are a total of 120,000 flood insurance claims payments that will be delayed until Congress increases the borrowing authority for the program—of which 115,000 are related to Superstorm Sandy. Any delay is unacceptable and that is why I urge swift passage of this bill and prompt action in the Senate.

I implore my colleagues to join me in supporting this bill. We simply need to help my constituents and allow all of those who have been devastated by this storm to move forward with their lives and rebuild stronger than ever.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. GARRETT) that the House suspend the rules and pass the bill, H.R. 41.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. GARRETT. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to suspend the rules on H.R. 41 will be followed by a 5-minute on approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 354, nays 67, not voting 8, as follows:

[Roll No. 7]

YEAS—354

Aderholt	Barletta	Bilirakis
Alexander	Barrow	Bishop (GA)
Amodei	Barton	Bishop (NY)
Andrews	Bass	Bishop (UT)
Bachmann	Beatty	Black
Bachus	Becerra	Bonamici
Barber	Bera	Boustany

Brady (PA)	Grayson	McIntyre
Brady (TX)	Green, Al	McKeon
Braley (IA)	Green, Gene	McKinley
Brooks (IN)	Griffin (AR)	McMorris
Brown (FL)	Griffith (VA)	Rodgers
Brownley (CA)	Grijalva	McNerney
Buchanan	Grimm	Meenan
Bucshon	Guthrie	Meeks
Burgess	Gutierrez	Meng
Bustos	Hahn	Messer
Butterfield	Hall	Mica
Calvert	Hanabusa	Michaud
Camp	Hanna	Miller (FL)
Campbell	Harper	Miller (MI)
Cantor	Hartzler	Miller, George
Capito	Hastings (FL)	Moore
Capps	Hastings (WA)	Moran
Capuano	Heck (NV)	Murphy (FL)
Cárdenas	Heck (WA)	Murphy (PA)
Carney	Hensarling	Nadler
Carson (IN)	Herrera Beutler	Napolitano
Carter	Higgins	Neal
Cartwright	Himes	Negrete McLeod
Cassidy	Hinojosa	Noem
Castor (FL)	Holt	Nolan
Castro (TX)	Honda	Nugent
Chaffetz	Horsford	Nunes
Chu	Hoyer	Nunnelee
Ciilline	Huffman	O'Rourke
Clarke	Huizenga (MI)	Olson
Clay	Hunter	Owens
Cleaver	Hurt	Pallone
Coble	Israel	Pascarell
Coffman	Issa	Pastor (AZ)
Cohen	Jackson Lee	Paulsen
Cole	Jeffries	Payne
Collins (NY)	Johnson (GA)	Pelosi
Connolly	Johnson (OH)	Perlmutter
Conyers	Johnson, E. B.	Peters (CA)
Cook	Johnson, Sam	Peters (MI)
Cooper	Jones	Peterson
Costa	Joyce	Pingree (ME)
Courtney	Kaptur	Pittenger
Cramer	Keating	Pitts
Crawford	Kelly	Pocan
Crenshaw	Kennedy	Poe (TX)
Crowley	Kildee	Polis
Cuellar	Kilmer	Posey
Culberson	Kind	Price (NC)
Cummings	King (IA)	Quigley
Davis (CA)	King (NY)	Radel
Davis, Danny	Kingston	Rahall
Davis, Rodney	Kinzinger (IL)	Rangel
DeFazio	Kirkpatrick	Reed
DeGette	Kline	Reichert
Delaney	Kuster	Renacci
DeLauro	Labrador	Rice (SC)
DeBene	LaMalfa	Richmond
Denham	Lance	Rigell
Dent	Langevin	Roby
Deutch	Lankford	Rogers (AL)
Diaz-Balart	Larsen (WA)	Rogers (KY)
Dingell	Larson (CT)	Rogers (MI)
Doggett	Latham	Rohrabacher
Doyle	Latta	Rooney
Duckworth	Lee (CA)	Ros-Lehtinen
Edwards	Levin	Roskam
Ellison	Lipinski	Ross
Ellmers	LoBiondo	Ruiz
Emerson	Loebsock	Runyan
Engel	Lofgren	Ruppersberger
Enyart	Long	Rush
Eshoo	Lowenthal	Ryan (OH)
Esty	Lowe	Sánchez, Linda
Farenthold	Lucas	T.
Farr	Luetkemeyer	Sanchez, Loretta
Fattah	Lujan Grisham	Sarbanes
Fitzpatrick	(NM)	Scalise
Fleischmann	Luján, Ben Ray	Schakowsky
Forbes	(NM)	Schiff
Fortenberry	Lummis	Schneider
Foster	Lynch	Schock
Frankel (FL)	Maffei	Schrader
Frelinghuysen	Maloney,	Scott (VA)
Fudge	Carolyn	Scott, Austin
Gabbard	Maloney, Sean	Scott, David
Gallego	Marino	Serrano
Garamendi	Markey	Sessions
Garcia	Matheson	Sewell (AL)
Gardner	Matsui	Shea-Porter
Garrett	McCarthy (CA)	Sherman
Gerlach	McCarthy (NY)	Shimkus
Gibbs	McCall	Shuster
Gibson	McCollum	Simpson
Gingrey (GA)	McDermott	Sinema
Granger	McHenry	Sires

Slaughter	Tipton	Walz
Smith (NE)	Titus	Wasserman
Smith (NJ)	Tonko	Schultz
Smith (TX)	Tsongas	Waters
Southerland	Turner	Watt
Speier	Upton	Waxman
Stewart	Valadao	Webster (FL)
Stivers	Van Hollen	Welch
Stockman	Vargas	Westmoreland
Swalwell (CA)	Veasey	Whitfield
Takano	Vela	Wilson (FL)
Terry	Velázquez	Wittman
Thompson (CA)	Visclosky	Wolf
Thompson (MS)	Wagner	Womack
Thompson (PA)	Walberg	Yarmuth
Tiberi	Walden	Young (FL)
Tierney	Walorski	Young (IN)

NAYS—67

Amash	Gohmert	Perry
Barr	Goodlatte	Petri
Benishek	Gosar	Pompeo
Bentivolio	Gowdy	Price (GA)
Blackburn	Graves (GA)	Roe (TN)
Bridenstine	Graves (MO)	Rokita
Brooks (AL)	Harris	Rothfus
Broun (GA)	Holding	Royce
Chabot	Hudson	Ryan (WI)
Collins (GA)	Huelskamp	Salmon
Conaway	Hultgren	Schweikert
Cotton	Jenkins	Sensenbrenner
Daines	Jordan	Stutzman
DeSantis	Lamborn	Thornberry
DesJarlais	Marchant	Weber (TX)
Duffy	Massie	Wenstrup
Duncan (SC)	McClintock	Williams
Duncan (TN)	Meadows	Wilson (SC)
Fincher	Mullin	Woodall
Fleming	Mulvaney	Yoder
Flores	Neugebauer	Yoho
Fox	Palazzo	
Franks (AZ)	Pearce	

NOT VOTING—8

Bonner	Miller, Gary	Smith (WA)
Clyburn	Ribble	Young (AK)
McGovern	Schwartz	

□ 1122

Messrs. GOWDY, FLEMING, FINCHER, DESJARLAIS, Mrs. BLACKBURN, Messrs. ROE of Tennessee, NEUGEBAUER, WEBER of Texas, GRAVES of Missouri and BARR changed their vote from “yea” to “nay.”

Messrs. ROONEY, HALL, and RUSH changed their vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mrs. McMORRIS RODGERS. Madam Speaker, by direction of the Republican Conference, I send to the desk a

privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 17

Resolved, That following named Members be, and are hereby, elected to the following standing committees of the House of Representatives.

COMMITTEE ON AGRICULTURE: Mr. Goodlatte; Mr. King of Iowa; Mr. Neugebauer; Mr. Rogers of Alabama; Mr. Conaway; Mr. Thompson of Pennsylvania; Mr. Gibbs; Mr. Austin Scott of Georgia; Mr. Tipton; Mr. Southerland; Mr. Crawford; Mrs. Roby; Mr. DesJarlais; Mr. Gibson; Mrs. Hartzler; Mr. Ribble; Mrs. Noem; Mr. Benishek; Mr. Denham; Mr. LaMalfa; Mr. Hudson; Mr. Rodney Davis of Illinois; Mr. Collins of New York; and Mr. Yoho.

COMMITTEE ON APPROPRIATIONS: Mr. Young of Florida; Mr. Wolf; Mr. Kingston; Mr. Frelinghuysen; Mr. Latham; Mr. Aderholt; Mrs. Emerson; Ms. Granger; Mr. Simpson; Mr. Culberson; Mr. Crenshaw; Mr. Carter; Mr. Alexander; Mr. Calvert; Mr. Bonner; Mr. Cole; Mr. Diaz-Balart; Mr. Dent; Mr. Graves of Georgia; Mr. Yoder; Mr. Womack; Mr. Nunnelee; Mr. Fortenberry; Mr. Rooney; Mr. Fleischmann; Ms. Herrera Beutler; Mr. Joyce; and Mr. Valadao.

COMMITTEE ON ARMED SERVICES: Mr. Thornberry; Mr. Jones; Mr. Forbes; Mr. Miller of Florida; Mr. Wilson of South Carolina; Mr. LoBiondo; Mr. Bishop of Utah; Mr. Turner; Mr. Kline; Mr. Rogers of Alabama; Mr. Franks of Arizona; Mr. Shuster; Mr. Conaway; Mr. Lamborn; Mr. Wittman; Mr. Hunter; Mr. Fleming; Mr. Coffman; Mr. Rigell; Mr. Gibson; Mrs. Hartzler; Mr. Heck of Nevada; Mr. Runyan; Mr. Austin Scott of Georgia; Mr. Palazzo; Mrs. Roby; Mr. Brooks of Alabama; Mr. Nugent; Mrs. Noem; Mr. Cook; Mr. Bridenstine; Mr. Wenstrup; and Mrs. Walorski.

COMMITTEE ON EDUCATION AND THE WORKFORCE: Mr. Petri; Mr. McKeon; Mr. Wilson of South Carolina; Ms. Foxx; Mr. Price of Georgia; Mr. Marchant; Mr. Hunter; Mr. Roe of Tennessee; Mr. Thompson of Pennsylvania; Mr. Walberg; Mr. Salmon; Mr. Guthrie; Mr. DesJarlais; Mr. Rokita; Mr. Bucshon; Mr. Gowdy; Mr. Barletta; Mrs. Roby; Mr. Heck of Nevada; Mrs. Brooks of Indiana; Mr. Hudson; and Mr. Messer.

COMMITTEE ON ENERGY AND COMMERCE: Mr. Hall; Mr. Barton; Mr. Whitfield; Mr. Shimkus; Mr. Pitts; Mr. Walden; Mr. Terry; Mr. Rogers of Michigan; Mr. Murphy of Pennsylvania; Mr. Burgess; Mrs. Blackburn; Mr. Gingrey of Georgia; Mr. Scalise; Mr. Latta; Mrs. McMorris Rodgers; Mr. Harper; Mr. Lance; Mr. Cassidy; Mr. Guthrie; Mr. Olson; Mr. McKinley; Mr. Gardner; Mr. Pompeo; Mr. Kinzinger of Illinois; Mr. Griffith of Virginia; Mr. Bilirakis; Mr. Johnson of Ohio; Mr. Long; and Mrs. Ellmers.

COMMITTEE ON FINANCIAL SERVICES: Mr. Bachus; Mr. King of New York; Mr. Royce; Mr. Lucas; Mr. Gary G. Miller of California; Mrs. Capito; Mr. Garrett; Mr. Neugebauer; Mr. McHenry; Mr. Campbell; Mrs. Bachmann; Mr. McCarthy of California; Mr. Pearce; Mr. Posey; Mr. Fitzpatrick; Mr. Westmoreland; Mr. Luetkemeyer; Mr. Huizenga of Michigan; Mr. Duffy; Mr. Renacci; Mr. Hurt; Mr. Grimm; Mr. Stivers; Mr. Fincher; Mr. Stutzman; Mr. Mulvaney; Mr. Hultgren; Mr. Ross; Mr. Pittenger; Mrs. Wagner; Mr. Barr; and Mr. Cotton.

COMMITTEE ON FOREIGN AFFAIRS: Mr. Smith of New Jersey; Ms. Ros-Lehtinen; Mr. Rohrabacher; Mr. Chabot; Mr. Wilson of South

Carolina; Mr. McCaul; Mr. Poe of Texas; Mr. Salmon; Mr. Marino; Mr. Duncan of South Carolina; Mr. Kinzinger of Illinois; Mr. Brooks of Alabama; Mr. Cotton; Mr. Cook; Mr. Holding; Mr. Weber of Texas; Mr. Perry; Mr. Stockman; Mr. DeSantis; Mr. Radel; Mr. Collins of Georgia; Mr. Meadows; Mr. Yoho; and Mr. Messer.

COMMITTEE ON HOMELAND SECURITY: Mr. Smith of Texas; Mr. King of New York; Mr. Rogers of Alabama; Mr. Broun of Georgia; Mrs. Miller of Michigan; Mr. Meehan; Mr. Duncan of South Carolina; Mr. Marino; Mr. Chaffetz; Mr. Palazzo; Mr. Barletta; Mr. Stewart; Mr. Rothfus; Mr. Hudson; Mr. Daines; Mrs. Brooks of Indiana; and Mr. Perry.

COMMITTEE ON THE JUDICIARY: Mr. Sensenbrenner; Mr. Coble; Mr. Smith of Texas; Mr. Chabot; Mr. Bachus; Mr. Issa; Mr. Forbes; Mr. King of Iowa; Mr. Franks of Arizona; Mr. Gohmert; Mr. Jordan; Mr. Poe of Texas; Mr. Chaffetz; Mr. Marino; Mr. Gowdy; Mr. Amodei; Mr. Labrador; Mr. Farenthold; Mr. Holding; Mr. Collins of Georgia; Mr. DeSantis; and Mr. Rothfus.

COMMITTEE ON NATURAL RESOURCES: Mr. Young of Alaska; Mr. Gohmert; Mr. Bishop of Utah; Mr. Lamborn; Mr. Wittman; Mr. Broun of Georgia; Mr. Fleming; Mr. McClintock; Mr. Thompson of Pennsylvania; Mrs. Lummis; Mr. Benishek; Mr. Duncan of South Carolina; Mr. Tipton; Mr. Gosar; Mr. Labrador; Mr. Southerland; Mr. Flores; Mr. Harris; Mr. Runyan; Mr. Amodei; Mr. Mullin; Mr. Stewart; Mr. Daines; Mr. Cramer; and Mr. LaMalfa.

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM: Mr. Mica; Mr. Turner; Mr. Duncan of Tennessee; Mr. McHenry; Mr. Jordan; Mr. Chaffetz; Mr. Walberg; Mr. Lankford; Mr. Amash; Mr. Gosar; Mr. Meehan; Mr. DesJarlais; Mr. Gowdy; Mr. Farenthold; Mr. Hastings of Washington; Mrs. Lummis; Mr. Woodall; Mr. Massie; Mr. Collins of Georgia; Mr. Meadows; Mr. Bentivolio; and Mr. DeSantis.

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY: Mr. Sensenbrenner; Mr. Hall; Mr. Rohrabacher; Mr. Lucas; Mr. Neugebauer; Mr. McCaul; Mr. Broun of Georgia; Mr. Palazzo; Mr. Brooks of Alabama; Mr. Harris; Mr. Hultgren; Mr. Bucshon; Mr. Stockman; Mr. Posey; Mrs. Lummis; Mr. Schweikert; Mr. Massie; Mr. Cramer; Mr. Bridenstine; Mr. Weber of Texas; and Mr. Stewart.

COMMITTEE ON SMALL BUSINESS: Mr. Chabot; Mr. King of Iowa; Mr. Coffman; Mr. Luetkemeyer; Mr. Mulvaney; Mr. Tipton; Ms. Herrera Beutler; Mr. Hanna; Mr. Huelskamp; Mr. Schweikert; Mr. Bentivolio; Mr. Collins of New York; and Mr. Rice of South Carolina.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE: Mr. Young of Alaska; Mr. Petri; Mr. Coble; Mr. Duncan of Tennessee; Mr. Mica; Mr. LoBiondo; Mr. Gary G. Miller of California; Mr. Graves of Missouri; Mrs. Capito; Mrs. Miller of Michigan; Mr. Hunter; Mr. Harris; Mr. Crawford; Mr. Barletta; Mr. Farenthold; Mr. Bucshon; Mr. Gibbs; Mr. Meehan; Mr. Hanna; Mr. Webster of Florida; Mr. Southerland; Mr. Denham; Mr. Ribble; Mr. Massie; Mr. Daines; Mr. Rice of South Carolina; Mr. Mullin; Mr. Williams; Mr. Radel; Mr. Meadows; Mr. Perry; and Mr. Rodney Davis of Illinois.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Lamborn; Mr. Bilirakis; Mr. Roe of Tennessee; Mr. Flores; Mr. Denham; Mr. Runyan; Mr. Benishek; Mr. Huelskamp; Mr. Amodei; Mr. Coffman; Mr. Wenstrup; Mr. Cook; and Mrs. Walorski.

COMMITTEE ON WAYS AND MEANS: Mr. Sam Johnson of Texas; Mr. Brady of Texas; Mr.

Ryan of Wisconsin; Mr. Nunes; Mr. Tiberi; Mr. Reichert; Mr. Boustany; Mr. Roskam; Mr. Gerlach; Mr. Price of Georgia; Mr. Buchanan; Mr. Smith of Nebraska; Mr. Schock; Ms. Jenkins; Mr. Paulsen; Mr. Marchant; Mrs. Black; Mr. Reed; Mr. Young of Indiana; Mr. Kelly; and Mr. Griffin of Arkansas.

Mrs. McMORRIS RODGERS (during the reading). I ask unanimous consent that the resolution be considered as read.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF TELLERS ON THE PART OF THE HOUSE TO COUNT ELECTORAL VOTES

The SPEAKER pro tempore. Pursuant to Senate Concurrent Resolution 1, 113th Congress, and the order of the House of January 3, 2013, the Chair announces the Speaker's appointment of two Members as tellers on the part of the House to count electoral votes:

The gentlewoman from Michigan, Mrs. CANDICE S. MILLER, and

The gentleman from Pennsylvania, Mr. ROBERT A. BRADY.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 12:55 p.m.

Accordingly (at 11 o'clock and 29 minutes a.m.), the House stood in recess.

□ 1305

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 1 o'clock and 5 minutes p.m.

COUNTING ELECTORAL VOTES—JOINT SESSION OF THE HOUSE AND SENATE HELD PURSUANT TO THE PROVISIONS OF SENATE CONCURRENT RESOLUTION 1

At 1:06 p.m., the Sergeant-at-Arms, Paul D. Irving, announced the Vice President and the Senate of the United States.

The Senate entered the Hall of the House of Representatives, headed by the Vice President and the Secretary of the Senate, the Members and officers of the House rising to receive them.

The Vice President took his seat as the Presiding Officer of the joint convention of the two Houses, the Speaker of the House occupying the chair on his left. Senators took seats to the right of the rostrum as prescribed by law.

The VICE PRESIDENT. The joint session will come to order.

Mr. Speaker and Members of Congress, pursuant to the Constitution and laws of the United States, the Senate and House of Representatives are meeting in joint session to verify the certificates and count the votes of the electors of the several States for President and Vice President of the United States.

After ascertainment has been had that the certificates are authentic and correct in form, the tellers will count and make a list of the votes cast by the electors of the several State.

The tellers on the part of the two Houses will take their places at the Clerk's desk.

The tellers, Mr. SCHUMER and Mr. ALEXANDER on the part of the Senate, and Mrs. MILLER and Mr. BRADY on the part of the House, took their places at the desk.

The VICE PRESIDENT. Without objection, the tellers will dispense with reading formal portions of the certificates. After ascertaining that certificates are regular in form and authentic, the tellers will announce the votes cast by the electors for each State, beginning with Alabama.

The tellers then proceeded to read, count, and announce the electoral votes of the several States in alphabetical order.

The VICE PRESIDENT. Members of Congress, the certificates having been read, the tellers will ascertain and deliver the result to the President of the Senate.

The tellers delivered to the President of the Senate the following statement of results:

JOINT SESSION OF CONGRESS FOR THE COUNTING OF THE ELECTORAL VOTES FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES—OFFICIAL TALLY

The undersigned, CHARLES E. SCHUMER and LAMAR ALEXANDER tellers on the part of the Senate, CANDICE S. MILLER and ROBERT A. BRADY tellers on the part of the House of Representatives, report the following as the result of the ascertainment and counting of the electoral vote for President and Vice President of the United States for the term beginning on the twentieth day of January, two thousand and thirteen.

Electoral votes of each State	For President		For Vice President	
	Barack Obama	Mitt Romney	Joseph Biden	Paul Ryan
Alabama—9	9	9	9	9
Alaska—3	3	3	3	3
Arizona—11	11	11	11	11
Arkansas—6	6	6	6	6
California—55	55	55	55	55
Colorado—9	9	9	9	9
Connecticut—7	7	7	7	7
Delaware—3	3	3	3	3
District of Columbia—3	3	3	3	3
Florida—29	29	29	29	29
Georgia—16	16	16	16	16
Hawaii—4	4	4	4	4
Idaho—4	4	4	4	4
Illinois—20	20	20	20	20
Indiana—11	11	11	11	11

Electoral votes of each State	For President		For Vice President	
	Barack Obama	Mitt Romney	Joseph Biden	Paul Ryan
Iowa—6	6	6	6	6
Kansas—6	6	6	6	6
Kentucky—8	8	8	8	8
Louisiana—8	8	8	8	8
Maine—4	4	4	4	4
Maryland—10	10	10	10	10
Massachusetts—11	11	11	11	11
Michigan—16	16	16	16	16
Minnesota—10	10	10	10	10
Mississippi—6	6	6	6	6
Missouri—10	10	10	10	10
Montana—3	3	3	3	3
Nebraska—5	5	5	5	5
Nevada—6	6	6	6	6
New Hampshire—4	4	4	4	4
New Jersey—14	14	14	14	14
New Mexico—5	5	5	5	5
New York—29	29	29	29	29
North Carolina—15	15	15	15	15
North Dakota—3	3	3	3	3
Ohio—18	18	18	18	18
Oklahoma—7	7	7	7	7
Oregon—7	7	7	7	7
Pennsylvania—20	20	20	20	20
Rhode Island—4	4	4	4	4
South Carolina—9	9	9	9	9
South Dakota—3	3	3	3	3
Tennessee—11	11	11	11	11
Texas—38	38	38	38	38
Utah—6	6	6	6	6
Vermont—3	3	3	3	3
Virginia—13	13	13	13	13
Washington—12	12	12	12	12
West Virginia—5	5	5	5	5
Wisconsin—10	10	10	10	10
Wyoming—3	3	3	3	3
Total—538	538	538	538	538

CHARLES E. SCHUMER,
LAMAR ALEXANDER,
*Tellers on the part of
the Senate.*

CANDICE S. MILLER,
ROBERT A. BRADY,
*Tellers on the part of
the House of Rep-
resentatives.*

The VICE PRESIDENT. The state of the vote for President of the United States, as delivered to the President of the Senate, is as follows:

The whole number of the electors appointed to vote for President of the United States is 538, of which a majority is 270.

Barack Obama of the State of Illinois has received for President of the United States 332 votes.

Mitt Romney of the Commonwealth of Massachusetts has received 206 votes.

The state of the vote for Vice President of the United States, as delivered to the President of the Senate, is as follows:

The whole number of the electors appointed to vote for Vice President of the United States is 538, of which a majority is 270.

JOSEPH BIDEN of the State of Delaware has received for Vice President of the United States 332 votes.

PAUL RYAN of the State of Wisconsin has received 206 votes.

This announcement of the state of the vote by the President of the Senate shall be deemed a sufficient declaration of the persons elected President and Vice President of the United States each for the term beginning on the 20th day of January, 2013, and shall be entered, together with the list of the votes, on the Journals of the Senate and House of Representatives.

The purpose of the joint session having been concluded, pursuant to Senate Concurrent Resolution 1, 113th Congress, the Chair declares the joint session dissolved.

(Thereupon, at 1 o'clock and 29 minutes p.m., the joint session of the two Houses of Congress dissolved.)

The SPEAKER. Pursuant to Senate Concurrent Resolution 1, 113th Congress, the electoral vote will be spread at large upon the Journal.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair would clarify that yesterday's announcement under clause 5(d) of rule XX should have indicated that the whole number of the House is 430.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CLYBURN (at the request of Ms. PELOSI) for today on account of attending a memorial service.

ADJOURNMENT

Mr. HUIZENGA of Michigan. Mr. Speaker, pursuant to Senate Concurrent Resolution 3, 113th Congress, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 34 minutes p.m.), the House adjourned until Monday, January 14, 2013, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants for the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants [EPA-HQ-OAR-2011-0817; FRL-9758-6] (RIN: 2060-AQ93) received January 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Department's final rule — Commercial and Industrial Solid Waste Incineration Units: Reconsideration and Final Amendments; Non-Hazardous Secondary Materials That Are Solid Waste: Final Rule [EPA-HQ-OAR-2003-0119 and EPA-HQ-RCRA 2008-0329; FRL-9764-1] (RIN: 2060-AR15 and 2050-AG44) received January 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Determination of Attainment for the Nogales Nonattainment Area for the 2006 Fine Particle Standard; Arizona; Determination Regarding Applicability of Clean Air Act Requirements [EPA-R09-OAR-2012-

0752; FRL-9766-8] received January 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Diego APCD, Northern Sierra AQMD, and Sacramento Metropolitan AQMD [EPA-R09-OAR-2012-0587; FRL-9732-9] received January 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ROGERS of Kentucky:

H.R. 152. A bill making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCINTYRE:

H.R. 153. A bill to amend title 38, United States Code, to improve the outreach activities of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MCINTYRE:

H.R. 154. A bill to amend title 38, United States Code, to establish a Department of Veterans Affairs Medal for Distinguished Public Service to honor veterans who make remarkable and distinguished contributions to their communities; to the Committee on Veterans' Affairs.

By Mr. MCINTYRE:

H.R. 155. A bill to amend title II of the Social Security Act to allow workers who attain age 65 after 1981 and before 1992 to choose either lump sum payments over four years totalling \$5,000 or an improved benefit computation formula under a new 10-year rule governing the transition to the changes in benefit computation rules enacted in the Social Security Amendments of 1977, and for other purposes; to the Committee on Ways and Means.

By Mr. MCINTYRE:

H.R. 156. A bill to provide for the withdrawal of the United States from the North American Free Trade Agreement; to the Committee on Ways and Means.

By Mr. MCINTYRE:

H.R. 157. A bill to authorize a project for hurricane and storm damage reduction, West Onslow Beach and New River Inlet (Topsail Beach), North Carolina; to the Committee on Transportation and Infrastructure.

By Mr. MCINTYRE:

H.R. 158. A bill to authorize a project for hurricane and storm damage reduction, Surf City and North Topsail Beach, North Carolina; to the Committee on Transportation and Infrastructure.

By Mr. MCINTYRE:

H.R. 159. A bill to modify the project for the improvement of the Shallotte River, North Carolina, to change the authorized depth to 8 feet; to the Committee on Transportation and Infrastructure.

By Mr. MCINTYRE:

H.R. 160. A bill to amend title II of the Social Security Act to eliminate the 5-month waiting period for entitlement to disability

benefits and to eliminate reconsideration as an intervening step between initial benefit entitlement decisions and subsequent hearings on the record on such decisions; to the Committee on Ways and Means.

By Mr. MCINTYRE:

H.R. 161. A bill to amend the Water Resources Development Act of 1976 to direct the Secretary of the Army to evaluate the feasibility of continuing Federal participation in a beach nourishment project, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. BACHMANN:

H.R. 162. A bill to amend section 1932 of the Social Security Act to require independent audits and actuarial services under Medicaid managed care programs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BENISHEK (for himself, Mr. CAMP, Mr. HUIZenga of Michigan, Mr. WALBERG, Mr. UPTON, and Mr. ROGERS of Michigan):

H.R. 163. A bill to designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, and for other purposes; to the Committee on Natural Resources.

By Mr. BILIRAKIS:

H.R. 164. A bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel; to the Committee on Armed Services.

By Mr. BILIRAKIS:

H.R. 165. A bill to authorize the placement at the former Navy Dive School at the Washington Navy Yard of a memorial to honor the members of the Armed Forces who have served as divers and whose service in defense of the United States has been carried out beneath the waters of the world; to the Committee on Armed Services, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOUSTANY (for himself and Mr. RICHMOND):

H.R. 166. A bill to prevent the evasion of antidumping and countervailing duty orders, and for other purposes; to the Committee on Ways and Means.

By Mr. BUCHANAN:

H.R. 167. A bill to provide that rates of pay for Members of Congress shall not be adjusted under section 601(a)(2) of the Legislative Reorganization Act of 1946 in the year following any fiscal year in which outlays of the United States exceeded receipts of the United States; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARRETT:

H.R. 168. A bill to permit small business concerns operating in the United States to elect to be exempt from certain Federal rules and regulations, and for other purposes; to the Committee on Small Business.

By Mr. GENE GREEN of Texas:

H.R. 169. A bill to amend the National Labor Relations Act to require the arbitration of initial contract negotiation disputes, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GENE GREEN of Texas:

H.R. 170. A bill to direct the Secretary of Labor to revise regulations concerning the recording and reporting of occupational injuries and illnesses under the Occupational Safety and Health Act of 1970; to the Committee on Education and the Workforce.

By Mr. GENE GREEN of Texas:

H.R. 171. A bill to amend the Public Health Service Act to authorize appointment of Doctors of Chiropractic to regular and reserve corps of the Public Health Service Commissioned Corps, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GENE GREEN of Texas:

H.R. 172. A bill to amend title XXI of the Social Security Act to require 12-month continuous coverage under the State Children's Health Insurance Program; to the Committee on Energy and Commerce.

By Mr. GENE GREEN of Texas:

H.R. 173. A bill to amend title XIX of the Social Security Act to require 12-month continuous coverage for children under Medicaid; to the Committee on Energy and Commerce.

By Mr. GENE GREEN of Texas:

H.R. 174. A bill to amend title II of the Social Security Act to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits under such title, and for other purposes; to the Committee on Ways and Means.

By Mr. GRIFFIN of Arkansas:

H.R. 175. A bill to require labor organizations to provide the notice to employees related to fees collection required pursuant to the Supreme Court cases *Teachers Local No. 1 v. Hudson* and *Knox v. Service Employees International Union*; to the Committee on Education and the Workforce.

By Mr. GRIFFIN of Arkansas:

H.R. 176. A bill to prohibit universal service support of commercial mobile service through the Lifeline program; to the Committee on Energy and Commerce.

By Mr. GRIFFIN of Arkansas:

H.R. 177. A bill to repeal the Federal estate and gift taxes; to the Committee on Ways and Means.

By Mr. GRIFFIN of Arkansas:

H.R. 178. A bill to amend title 5, United States Code, to provide for the termination of further retirement benefits for Members of Congress, except the right to continue participating in the Thrift Savings Plan, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIFFIN of Arkansas:

H.R. 179. A bill to amend title 38, United States Code, to allow certain veterans to use educational assistance provided by the Department of Veterans Affairs for franchise training; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIMM (for himself, Mr. PASCRELL, Mr. REICHERT, and Mr. PIERLUISI):

H.R. 180. A bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty; to the Committee on the Judiciary.

By Mr. GRIMM:

H.R. 181. A bill to designate the facility of the United States Postal Service located at 3031 Veterans Road West in Staten Island, New York, as the "Leonard Montalto Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. GRIMM (for himself and Mr. BISHOP of New York):

H.R. 182. A bill to require the Secretary of Transportation to modify the final rule relating to flightcrew member duty and rest requirements for passenger operations of air carriers to apply to all-cargo operations of air carriers, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GRIMM (for himself and Mr. MICHAUD):

H.R. 183. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program on dog training therapy; to the Committee on Veterans' Affairs.

By Mr. GRIMM (for himself and Mr. BISHOP of New York):

H.R. 184. A bill to amend the Internal Revenue Code of 1986 to provide a tax incentive for the installation and maintenance of mechanical insulation property; to the Committee on Ways and Means.

By Mr. HALL:

H.R. 185. A bill to designate the United States courthouse located at 101 East Pecan Street in Sherman, Texas, as the "Paul Brown United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. JONES:

H.R. 186. A bill to amend the Federal Election Campaign Act of 1971 to permit candidates for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate; to the Committee on House Administration.

By Mr. JONES:

H.R. 187. A bill to correct the boundaries of the John H. Chafee Coastal Barrier Resources System Unit L06, Topsail, North Carolina; to the Committee on Natural Resources.

By Ms. KAPTUR:

H.R. 188. A bill to authorize the President to reestablish the Civilian Conservation Corps as a means of providing gainful employment to unemployed and underemployed citizens of the United States through the performance of useful public work, and for other purposes; to the Committee on Education and the Workforce.

By Ms. KAPTUR:

H.R. 189. A bill to prohibit Fannie Mae, Freddie Mac, and Ginnie Mae from owning or guaranteeing any mortgage that is assigned to the Mortgage Electronic Registration Systems or for which MERS is the mortgagee of record; to the Committee on Financial Services.

By Ms. KAPTUR:

H.R. 190. A bill to require the filing of certain information regarding a residential mortgage in any proceeding for foreclosure of the mortgage; to the Committee on Financial Services.

By Ms. KAPTUR:

H.R. 191. A bill to assess the impact of the North American Free Trade Agreement (NAFTA), to require further negotiation of certain provisions of the NAFTA, and to provide for the withdrawal from the NAFTA unless certain conditions are met; to the Committee on Ways and Means.

By Ms. KAPTUR:

H.R. 192. A bill to require that, in cases in which the annual trade deficit between the

United States and another country is \$10,000,000,000 or more for 3 consecutive years, the President take the necessary steps to create a more balanced trading relationship with that country; to the Committee on Ways and Means.

By Ms. KAPTUR:

H.R. 193. A bill to require persons who seek to retain seed harvested from the planting of patented seeds to register with the Secretary of Agriculture and pay fees set by the Secretary for retaining such seed, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. KAPTUR:

H.R. 194. A bill to clarify the applicability of the Buy American Act to products purchased for the use of the legislative branch, to prohibit the application of any of the exceptions to the requirements of such Act to products bearing an official Congressional insignia, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. KAPTUR:

H.R. 195. A bill to amend the Federal Election Campaign Act of 1971 to prohibit contributions and expenditures by multicandidate political committees controlled by foreign-owned corporations, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATTA (for himself, Mrs. BLACK, Mr. MCKINLEY, Mr. MILLER of Florida, Ms. BORDALLO, Mr. LANCE, Mr. NUGENT, Mr. WITTMAN, Mr. MARCHANT, and Mr. LOEBSACK):

H.R. 196. A bill to eliminate automatic pay adjustments for Members of Congress, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE of California:

H.R. 197. A bill to amend the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to repeal the denial of food stamp eligibility of ex-offenders; to the Committee on Agriculture.

By Ms. LEE of California (for herself, Mr. CONYERS, Mr. ELLISON, Mr. GRIJALVA, and Ms. EDWARDS):

H.R. 198. A bill to repeal Public Law 107-40; to the Committee on Foreign Affairs.

By Ms. LEE of California:

H.R. 199. A bill to amend the Internal Revenue Code of 1986 to limit the deductibility of excessive rates of executive compensation; to the Committee on Ways and Means.

By Ms. LEE of California (for herself, Mr. JONES, Mr. CONYERS, Mr. CAPUANO, Ms. CHU, Mr. GRIJALVA, Mr. NADLER, Ms. SLAUGHTER, Ms. VELÁZQUEZ, Mr. WELCH, Mr. ELLISON, Ms. MOORE, Mr. RANGEL, Ms. CLARKE,

Mr. HOLT, Ms. PINGREE of Maine, Ms. SPEIER, Mr. TONKO, Mr. LOEBSACK, and Ms. EDWARDS):

H.R. 200. A bill to provide that funds for operations of the Armed Forces in Afghanistan shall be obligated and expended only for purposes of providing for the safe and orderly withdrawal from Afghanistan of all members of the Armed Forces and Department of Defense contractor personnel who are in Afghanistan; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE of California:

H.R. 201. A bill to require poverty impact statements for certain legislation; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCLINTOCK:

H.R. 202. A bill to amend the Federal Water Pollution Control Act to limit citizens suits against publicly owned treatment works, to provide for defenses, to extend the period of a permit, to limit attorneys fees, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MULVANEY (for himself, Mr. RIBBLE, Mr. JONES, Mr. FARENTHOLD, Mr. WESTMORELAND, Mr. COFFMAN, Mr. ROE of Tennessee, Mr. SCHWEIKERT, Mr. OWENS, Mr. LANKFORD, Mr. TIBERI, Mr. AMODEI, and Mr. GRAVES of Georgia):

H.R. 203. A bill to direct the Attorney General to revise certain rules under titles II and III of the Americans with Disabilities Act of 1990 relating to accessible means of entry to pools; to the Committee on the Judiciary.

By Mr. OWENS:

H.R. 204. A bill to authorize the Administrator of the Environmental Protection Agency to waive any emission standard or other requirement under section 112 of the Clean Air Act (42 U.S.C. 7412) applicable to the control of asbestos emissions in the demolition or renovation of a condemned building for which there is a reasonable expectation of structural failure; to the Committee on Energy and Commerce.

By Ms. LORETTA SANCHEZ of California:

H.R. 205. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of certain retirement plan contributions picked up by governmental employers; to the Committee on Ways and Means.

By Ms. LORETTA SANCHEZ of California (for herself and Ms. FOX):

H.R. 206. A bill to amend title 18, United States Code, with respect to the offense of stalking; to the Committee on the Judiciary, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHOCK (for himself, Mrs. BACHMANN, Mr. KING of Iowa, Mr. JONES, Mr. HUELSKAMP, Mr. HUIZENGA of Michigan, Mr. PITTS, Mr. POSEY, Mr. ROE of Tennessee, Mr. WALBERG, and Mr. WESTMORELAND):

H.R. 207. A bill to amend the Internal Revenue Code of 1986 to make members of health

care sharing ministries eligible to establish health savings accounts; to the Committee on Ways and Means.

By Mr. SERRANO:

H.R. 208. A bill to amend the Food and Nutrition Act of 2008 to provide greater access to the supplemental nutrition assistance program by reducing duplicative and burdensome administrative requirements, authorize the Secretary of Agriculture to award grants to certain community-based nonprofit feeding and anti-hunger groups for the purpose of establishing and implementing a Beyond the Soup Kitchen Pilot Program for certain socially and economically disadvantaged populations, and for other purposes; to the Committee on Agriculture.

By Mr. SERRANO:

H.R. 209. A bill to authorize the appropriation of funds to be used to recruit, hire, and train 100,000 new classroom paraprofessionals in order to improve educational achievement for children; to the Committee on Education and the Workforce.

By Mr. SERRANO:

H.R. 210. A bill to require retail establishments that use mobile device tracking technology to display notices to that effect; to the Committee on Energy and Commerce.

By Mr. SERRANO:

H.R. 211. A bill to amend title XIX of the Social Security Act to waive the requirement for proof of citizenship during the first year of life for children born in the United States to a Medicaid-eligible mother; to the Committee on Energy and Commerce.

By Mr. SERRANO:

H.R. 212. A bill to permit members of the House of Representatives to donate used computer equipment to public elementary and secondary schools designated by the members; to the Committee on House Administration.

By Mr. SERRANO:

H.R. 213. A bill to amend the Food, Drug, and Cosmetic Act and the egg, meat, and poultry inspection laws to ensure that consumers receive notification regarding food products produced from crops, livestock, or poultry raised on land on which sewage sludge was applied; to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SERRANO:

H.R. 214. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, Energy and Commerce, Financial Services, the Judiciary, Oversight and Government Reform, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SERRANO:

H.R. 215. A bill to waive certain prohibitions with respect to nationals of Cuba coming to the United States to play organized professional baseball; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SERRANO:

H.R. 216. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate income tax overpayments as contribu-

tions to the United States Library Trust Fund; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACK (for herself, Mr. SCALISE, Mr. KING of Iowa, Mr. SMITH of New Jersey, Mr. PITTS, Mrs. ROBY, Mr. FLEMING, Mr. FLORES, Mr. DUNCAN of South Carolina, Mr. PRICE of Georgia, Mr. AMASH, Mr. BARLETTA, Mr. CRAWFORD, Mrs. ELLMERS, Mr. FARENTHOLD, Mr. SMITH of Nebraska, Mr. FLEISCHMANN, Mr. GRAVES of Georgia, Mr. FRANKS of Arizona, Mr. ROSKAM, Ms. FOXX, Mr. KELLY, Mr. ROE of Tennessee, and Mr. REED):

H.R. 217. A bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes; to the Committee on Energy and Commerce.

By Ms. KAPTUR:

H.J. Res. 12. A joint resolution proposing an amendment to the Constitution of the United States relating to limitations on the amounts of contributions and expenditures that may be made in connection with campaigns for election to public office; to the Committee on the Judiciary.

By Ms. KAPTUR:

H.J. Res. 13. A joint resolution proposing an amendment to the Constitution of the United States waiving the application of the first article of amendment to the political speech of corporations and other business organizations with respect to the disbursement of funds in connection with public elections; to the Committee on the Judiciary.

By Ms. KAPTUR:

H.J. Res. 14. A joint resolution proposing an amendment to the Constitution of the United States waiving the application of the first article of amendment to the political speech of corporations and other business organizations with respect to the disbursement of funds in connection with public elections and granting Congress and the States the power to establish limits on contributions and expenditures in elections for public office; to the Committee on the Judiciary.

By Mr. SERRANO:

H.J. Res. 15. A joint resolution proposing an amendment to the Constitution of the United States to repeal the twenty-second article of amendment, thereby removing the limitation on the number of terms an individual may serve as President; to the Committee on the Judiciary.

By Mr. KING of Iowa (for himself and Mr. WOODALL):

H.J. Res. 16. A joint resolution proposing an amendment to the Constitution of the United States to repeal the sixteenth article of amendment; to the Committee on the Judiciary.

By Ms. KAPTUR:

H. Con. Res. 6. Concurrent resolution expressing the sense of Congress that the Supreme Court misinterpreted the First Amendment to the Constitution in the case of *Buckley v. Valeo*; to the Committee on the Judiciary.

By Ms. LEE of California (for herself, Mr. HOLT, and Mr. GRIJALVA):

H. Con. Res. 7. Concurrent resolution expressing the sense of Congress that the United States should provide, on an annual basis, an amount equal to at least one percent of United States gross domestic product

(GDP) for nonmilitary foreign assistance programs; to the Committee on Foreign Affairs.

By Mrs. McMORRIS RODGERS:

H. Res. 17. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Ms. KAPTUR:

H. Res. 18. A resolution honoring the memory of Poland's President, national leaders, and cultural leaders who were killed in the tragic plane crash at Smolensk, Russia on April 10, 2010; to the Committee on Foreign Affairs.

By Mrs. CAROLYN B. MALONEY of

New York (for herself, Ms. SCHAKOWSKY, Mr. ELLISON, Ms. MOORE, Mr. MARKEY, Mr. CONYERS, Mr. CAPUANO, Mr. POLIS, Mr. WAXMAN, Mr. BRADY of Pennsylvania, Mr. CARSON of Indiana, Mr. SCHIFF, Mr. LEVIN, Ms. SLAUGHTER, Mr. LOEBSACK, Ms. SCHWARTZ, Mr. MORAN, Ms. BONAMICI, Ms. DEGETTE, Mr. QUIGLEY, Mr. RUSH, Ms. WASSERMAN SCHULTZ, Ms. LOFGREN, Mr. HONDA, Mr. MCGOVERN, Mr. WELCH, Ms. BROWN of Florida, Ms. SPEIER, Ms. MENG, Mr. ANDREWS, Mr. GRIJALVA, Ms. EDWARDS, and Mr. FATTAH):

H. Res. 19. A resolution expressing the sense of the House of Representatives that the Senate should ratify the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); to the Committee on Foreign Affairs.

By Mr. RIGELL:

H. Res. 20. A resolution providing that the House of Representatives is committed to restoring America's financial foundation by achieving a Federal spending target of 20 percent of gross domestic product (GDP) and a Federal revenue target of 20 percent of GDP by the end of calendar year 2020; to the Committee on the Budget, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. GENE GREEN of Texas introduced a bill (H.R. 218) for the relief of Enrique Soriano and Areli Soriano; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ROGERS of Kentucky:

H.R. 152.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . ." In addition, clause

1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. MCINTYRE:

H.R. 153.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Amendment XVI, of the United States Constitution.

By Mr. MCINTYRE:

H.R. 154.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Amendment XVI, of the United States Constitution.

By Mr. MCINTYRE:

H.R. 155.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Amendment XVI, of the United States Constitution.

By Mr. MCINTYRE:

H.R. 156.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Amendment XVI, of the United States Constitution.

By Mr. MCINTYRE:

H.R. 157.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Amendment XVI, of the United States Constitution.

By Mr. MCINTYRE:

H.R. 158.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Amendment XVI, of the United States Constitution.

By Mr. MCINTYRE:

H.R. 159.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Amendment XVI, of the United States Constitution.

By Mr. MCINTYRE:

H.R. 160.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Amendment XVI, of the United States Constitution.

By Mr. MCINTYRE:

H.R. 161.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Amendment XVI, of the United States Constitution.

By Mrs. BACHMANN:

H.R. 162.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. BENISHEK:

H.R. 163.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 of the United States Constitution.

By Mr. BILIRAKIS:

H.R. 164.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mr. BILIRAKIS:

H.R. 165.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8 of the United States Constitution (Clauses 12, 13, 14, 16, and 17) which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to exercise authority over all places purchased for the erection of forts, magazines, dock-yards, and other needful buildings.

By Mr. BOUSTANY:

H.R. 166.

Congress has the power to enact this legislation pursuant to the following:

Article I; Section 8; Clauses 1 & 3:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. BUCHANAN:

H.R. 167.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this joint resolution rests is the power of Congress as enumerated in Article I, Section 9 of the United States Constitution.

By Mr. GARRETT:

H.R. 168.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (Congress shall have power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;) and Article I, Section 8, Clause 18 (To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested).

This legislation, through Congress's power to regulate commerce with foreign powers and among the several states, gives small businesses the option to alleviate the burdens of onerous regulations that the federal government has imposed.

By Mr. GENE GREEN of Texas:

H.R. 169.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution (the Commerce Clause).

By Mr. GENE GREEN of Texas:

H.R. 170.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution (the Commerce Clause).

By Mr. GENE GREEN of Texas:

H.R. 171.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. GENE GREEN of Texas:

H.R. 172.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. GENE GREEN of Texas:

H.R. 173.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. GENE GREEN of Texas:

H.R. 174.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution (the Commerce Clause).

By Mr. GRIFFIN of Arkansas:

H.R. 175.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: The Congress shall have Power To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. GRIFFIN of Arkansas:

H.R. 176.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution.

By Mr. GRIFFIN of Arkansas:

H.R. 177.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. GRIFFIN of Arkansas:

H.R. 178.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 6, Clause 1, of the U.S. Constitution: The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States.

By Mr. GRIFFIN of Arkansas:

H.R. 179.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14: To make Rules for the Government and Regulation of the land and naval Forces.

By Mr. GRIMM:

H.R. 180.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. GRIMM:

H.R. 181.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7

The Congress shall have Power * * * To establish Post Offices and post roads.

By Mr. GRIMM:

H.R. 182.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. GRIMM:

H.R. 183.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 13

The Congress shall have Power * * * To provide and maintain a Navy.

Article I, Section 8, Clause 12

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years.

Article I, Section 8, Clause 14

To make Rules for the Government and Regulation of the land and naval Forces.

By Mr. GRIMM:

H.R. 184.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. HALL:

H.R. 185.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 17 of the United States Constitution.

By Mr. JONES:

H.R. 186.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 4 of the U.S. Constitution, which grants Congress the authority to make laws governing the time, places and manner of holding federal elections.

By Mr. JONES:

H.R. 187.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Ms. KAPTUR:

H.R. 188.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1; Article I, Section 8, Clause 3; Article I, Section 8, Clause 18; and Article IV, Section 3, Clause 2

By Ms. KAPTUR:

H.R. 189.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, and Article I, Section 8, Clause 18

By Ms. KAPTUR:

H.R. 190.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1; Article I, Section 8, Clause 3; and Article I, Section 8, Clause 18

By Ms. KAPTUR:

H.R. 191.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, and Article I, Section 8, Clause 18.

By Ms. KAPTUR:

H.R. 192.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1; Article I, Section 8, Clause 3; and Article I, Section 8, Clause 18

By Ms. KAPTUR:

H.R. 193.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Article I, Section 8, Clause 18

By Ms. KAPTUR:

H.R. 194.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Ms. KAPTUR:

H.R. 195.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Article I, Section 8, Clause 18

By Mr. LATTA:

H.R. 196.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 6

The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States.

By Ms. LEE of California:

H.R. 197.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. LEE of California:

H.R. 198.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. LEE of California:

H.R. 199.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. LEE of California:

H.R. 200.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. LEE of California:

H.R. 201.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subse-

quent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. MCCLINTOCK:

H.R. 202.

Congress has the power to enact this legislation pursuant to the following:

As to Sections 1, 2 and 5, U.S. Constitution, Article I, Section 8, Clause 9 (The Inferior Courts Clause), Article III, Section 1, and Article I, Section 8, Clause 18 (The Necessary And Proper Clause), which confer on Congress the power to establish and regulate the jurisdiction and rules of procedure of federal courts. As to Sections 3, 4, and 6, U.S. Constitution, 10th Amendment, which grants states all authority not explicitly given to the federal government, pursuant to which this bill seeks to return to the states authority previously and erroneously claimed by the federal government.

By Mr. MULVANEY:

H.R. 203.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18. "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

Article I, Section 8, Clause 3. "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

The 14th Amendment to the Constitution. "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws . . . The Congress shall have power to enforce, by appropriate legislation, the provisions of this article."

By Mr. OWENS:

H.R. 204.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Ms. LORETTA SANCHEZ of California:

H.R. 205.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Ms. LORETTA SANCHEZ of California:

H.R. 206.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. SCHOCK:

H.R. 207.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8 of the United States Constitution.

By Mr. SERRANO:

H.R. 208.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common

defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

By Mr. SERRANO:

H.R. 209.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, which gives Congress the power "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes," Article I Section 8, Clause 1, which give Congress the power to "lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States," and Article I, Section 8, Clause 18, which gives Congress the power "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers."

By Mr. SERRANO:

H.R. 210.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

In addition, Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article I of the Constitution.

The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SERRANO:

H.R. 211.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: "The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;" and Article I, Section 8, Clause 18: "The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. SERRANO:

H.R. 212.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of section 5 of article I of the Constitution, which states: "Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member." Additionally, Congress has the power to enact this legislation under Clause 2 of section 3 of article IV of the Constitution, which states that "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

By Mr. SERRANO:

H.R. 213.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

By Mr. SERRANO:

H.R. 214.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, which gives Congress the power "To regulate Commerce with foreign Nations," and Article I, Section 8, Clause 18, which gives Congress the power "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers."

By Mr. SERRANO:

H.R. 215.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, which gives Congress the power "To regulate Commerce with foreign Nations," Article I, Section 8, Clause 4, which gives Congress the power "To establish an uniform Rule of Naturalization," and Article I, Section 8, Clause 18, which gives Congress the power "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers."

By Mr. SERRANO:

H.R. 216.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

By Mrs. BLACK:

H.R. 217.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution; whereby the Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Furthermore, this bill makes specific changes to existing law, in accordance with the Fourteenth Amendment, Section 5, which states that "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Mr. GENE GREEN of Texas:

H.R. 218.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 of the U.S. Constitution

By Ms. KAPTUR:

H.J. Res. 12.

Congress has the power to enact this legislation pursuant to the following:

Article V

By Ms. KAPTUR:

H.J. Res. 13.

Congress has the power to enact this legislation pursuant to the following:

Article V

By Ms. KAPTUR:

H.J. Res. 14.

Congress has the power to enact this legislation pursuant to the following:

Article V

By Mr. SERRANO:

H.J. Res. 15.

Congress has the power to enact this legislation pursuant to the following:

This proposed constitutional amendment is introduced pursuant to Article V of the Constitution, and seeks to repeal the 22nd Amendment to the Constitution.

By Mr. KING of Iowa:

H.J. Res. 16.

Congress has the power to enact this legislation pursuant to the following:

This joint resolution is enacted pursuant to the power granted to Congress to propose amendments to the Constitution under Article V of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. KLINE.

H.R. 24: Mr. JONES, Mr. LOEBACK, Mr. MICHAUD, Mr. MCINTYRE, and Mr. DEFazio.

H.R. 41: Ms. WATERS, Ms. VELÁZQUEZ, Mr. HIMES, Mrs. LOWEY, Mr. ISRAEL, Mr. RANGEL, Ms. SLAUGHTER, Mr. HIGGINS, Mr. MAFFEL, Ms. CLARKE, Mr. ENGEL, Mr. JEFFRIES, Mr. SERRANO, Mr. OWENS, Mr. GIBSON, Mr. COURTNEY, Ms. DELAUNO, Mr. LARSON of Connecticut, Ms. ESTY, Mr. HOLT, Mr. PALLONE, Mr. SIREN, Mr. PAYNE, Mr. REED, and Mr. COLLINS of New York.

H.R. 55: Mr. KING of New York.

H.R. 93: Ms. NORTON, Mr. MORAN, Mr. KEATING, Ms. MOORE, Mr. DEUTCH, Mr. VAN HOLLEN, Ms. MATSUI, Mr. GRIJALVA, Ms. SCHAKOWSKY, Mr. LANGEVIN, Ms. SLAUGHTER, Mr. MARKEY, and Ms. TSONGAS.

H.R. 100: Ms. LINDA T. SÁNCHEZ of California, Mr. DINGELL, and Ms. LOFGREN.

H.R. 107: Mr. THORNBERRY.

H.R. 134: Mr. LOBIONDO and Mr. BARROW.

H.R. 148: Mr. NOLAN, Mr. LOEBACK, Mr. HASTINGS of Florida, Mr. CICILLINE, Mr. HIMES, Ms. MATSUI, and Mr. YARMUTH.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 152

OFFERED BY: Mr. FRELINGHUYSEN

AMENDMENT No. 1: Under the heading "Department of Agriculture" (but before the heading "Domestic Food Programs"), insert the following:

OFFICE OF THE SECRETARY
EMERGENCY CONSERVATION ACTIVITIES
(INCLUDING TRANSFER OF FUNDS)

For an additional amount, to remain available until expended, for the Emergency Conservation Program under title IV of the Agriculture Credit Act of 1978 (16 U.S.C. 2201 et seq.) for necessary expenses related to the consequences of Hurricane Sandy and resulting from a major disaster declared pursuant

to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$218,000,000, of which \$15,000,000 shall be available for payments under sections 401 and 402 of the Agriculture Credit Act of 1978 (16 U.S.C. 2201, 2202), \$180,000,000 shall be available for activities under section 403 of such Act (Emergency Watershed Protection Program; 16 U.S.C. 2203), and \$23,000,000 shall be available for activities under section 407 of such Act (Emergency Forest Restoration Program; 16 U.S.C. 2206): *Provided*, That the Secretary of Agriculture shall transfer these funds to the Farm Service Agency and the Natural Resources Conservation Service: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

At the end of title I, insert the following:
GENERAL PROVISION—THIS TITLE

SEC. 101. The Office of Inspector General of the Department of Agriculture shall use unobligated disaster assistance oversight funds provided to such office in division B of Public Law 110-329 (122 Stat. 3585) for continued oversight of Department of Agriculture disaster- and emergency-related activities.

Following the matter in title I, insert the following:

TITLE II

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for “Operations, Research, and Facilities”, \$290,000,000 to remain available until September 30, 2014, as follows:

(1) \$50,000,000 for mapping, charting, geodesy services and marine debris surveys for coastal States impacted by Hurricane Sandy;
(2) \$7,000,000 to repair and replace ocean observing and coastal monitoring assets damaged by Hurricane Sandy;

(3) \$3,000,000 to provide technical assistance to support State assessments of coastal impacts of Hurricane Sandy;

(4) \$150,000,000 for Regional Ocean Partnership grants to coastal States impacted by Hurricane Sandy;

(5) \$25,000,000 to improve weather forecasting and hurricane intensity forecasting capabilities, to include data assimilation from ocean observing platforms and satellites;

(6) \$50,000,000 for laboratories and cooperative institutes research activities associated with sustained observations weather research programs, and ocean and coastal research; and

(7) \$5,000,000 for necessary expenses related to fishery disasters resulting from impacts of Hurricane Sandy, and as declared by the Secretary of Commerce in calendar year 2012: *Provided*, That the National Oceanic and Atmospheric Administration shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For an additional amount for “Procurement, Acquisition and Construction”, \$186,000,000, to remain available until September 30, 2015, as follows:

(1) \$9,000,000 to repair National Oceanic and Atmospheric Administration (NOAA) facilities damaged by Hurricane Sandy;

(2) \$44,500,000 for repairs and upgrades to NOAA hurricane reconnaissance aircraft;

(3) \$8,500,000 for improvements to weather forecasting equipment and supercomputer infrastructure;

(4) \$13,000,000 to accelerate the National Weather Service ground readiness project; and

(5) \$111,000,000 for a weather satellite data mitigation gap reserve fund:

Provided, That NOAA shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses” for necessary expenses related to the consequences of Hurricane Sandy, \$10,020,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses” for necessary expenses related to the consequences of Hurricane Sandy, \$1,000,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses” for necessary expenses related to the consequences of Hurricane Sandy, \$230,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL PRISON SYSTEM

BUILDINGS AND FACILITIES

For an additional amount for “Buildings and Facilities” for necessary expenses related to the consequences of Hurricane Sandy, \$10,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SCIENCE

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

For an additional amount for “Construction and Environmental Compliance and Restoration” for repair at National Aeronautics and Space Administration facilities damaged by Hurricane Sandy, \$15,000,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the

of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCIES

LEGAL SERVICES CORPORATION PAYMENT TO THE LEGAL SERVICES CORPORATION

For an additional amount for “Payment to the Legal Services Corporation” to carry out the purposes of the Legal Services Corporation Act by providing for necessary expenses related to the consequences of Hurricane Sandy, \$1,000,000: *Provided*, That the amount made available under this heading shall be used only to provide the mobile resources, technology, and disaster coordinators necessary to provide storm-related services to the Legal Services Corporation client population and only in the areas significantly affected by Hurricane Sandy: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That none of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105-119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2012 and 2013, respectively, and except that sections 501 and 503 of Public Law 104-134 (referred by Public Law 105-119) shall not apply to the amount made available under this heading: *Provided further*, That, for the purposes of this Act, the Legal Services Corporation shall be considered an agency of the United States Government.

TITLE III

DEPARTMENT OF DEFENSE

DEPARTMENT OF DEFENSE—MILITARY

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for “Operation and Maintenance, Army”, \$5,370,000, to remain available until September 30, 2013, for necessary expenses related to the consequences of Hurricane Sandy: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for “Operation and Maintenance, Navy”, \$40,015,000, to remain available until September 30, 2013, for necessary expenses related to the consequences of Hurricane Sandy: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for “Operation and Maintenance, Air Force”, \$8,500,000, to remain available until September 30, 2013, for necessary expenses related to the consequences of Hurricane Sandy: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY
NATIONAL GUARD

For an additional amount for “Operation and Maintenance, Army National Guard”, \$3,165,000, to remain available until September 30, 2013, for necessary expenses related to the consequences of Hurricane Sandy: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR NATIONAL
GUARD

For an additional amount for “Operation and Maintenance, Air National Guard”, \$5,775,000, to remain available until September 30, 2013, for necessary expenses related to the consequences of Hurricane Sandy: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for “Procurement of Ammunition, Army”, \$1,310,000, to remain available until September 30, 2015, for necessary expenses related to the consequences of Hurricane Sandy: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for “Defense Working Capital Funds”, \$24,200,000, to remain available until September 30, 2013, for necessary expenses related to the consequences of Hurricane Sandy: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Strike the matter relating to title II and insert the following:

TITLE IV

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

INVESTIGATIONS

For an additional amount for “Investigations” for necessary expenses related to the consequences of Hurricane Sandy, \$50,000,000, to remain available until expended to expedite at full Federal expense studies of flood and storm damage reduction: *Provided*, That using \$29,500,000 of the funds provided herein, the Secretary of the Army shall expedite and complete ongoing flood and storm damage reduction studies in areas that were impacted by Hurricane Sandy in the North Atlantic Division of the United States Army Corps of Engineers: *Provided further*, That using up to \$20,000,000 of the funds provided herein, the Secretary shall conduct a comprehensive study to address the flood risks of vulnerable coastal populations in areas that were affected by Hurricane Sandy within the boundaries of the North Atlantic Division of the Corps: *Provided further*, That an interim report with an assessment of authorized Corps projects for reducing flooding and storm risks in the affected area that have been constructed or are under construction, including construction cost estimates, shall be submitted to the Committees on Appropriations of the House of Representatives

and the Senate not later than March 1, 2013: *Provided further*, That an interim report identifying any previously authorized but unconstructed Corps project and any project under study by the Corps for reducing flooding and storm damage risks in the affected area, including updated construction cost estimates, that are, or would be, consistent with the comprehensive study shall be submitted to the appropriate congressional committees by May 1, 2013: *Provided further*, That a final report shall be submitted to the appropriate congressional committees within 24 months of the date of enactment of this Act: *Provided further*, That as a part of the study, the Secretary shall identify those activities warranting additional analysis by the Corps, as well as institutional and other barriers to providing protection to the affected coastal areas: *Provided further*, That the Secretary shall conduct the study in coordination with other Federal agencies, and State, local and Tribal officials to ensure consistency with other plans to be developed, as appropriate: *Provided further*, That using \$500,000 of the funds provided herein, the Secretary shall conduct an evaluation of the performance of existing projects constructed by the Corps and impacted by Hurricane Sandy for the purposes of determining their effectiveness and making recommendations for improvements thereto: *Provided further*, That as a part of the study, the Secretary shall identify institutional and other barriers to providing comprehensive protection to affected coastal areas and shall provide this report to the Committees on Appropriations of the House of Representatives and the Senate within 120 days of enactment of this Act: *Provided further*, That the amounts in this paragraph are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act.

CONSTRUCTION

For an additional amount for “Construction” for necessary expenses related to the consequences of Hurricane Sandy, \$3,461,000,000, to remain available until expended to rehabilitate, repair and construct United States Army Corps of Engineers projects: *Provided*, That \$2,902,000,000 of the funds provided under this heading shall be used to reduce future flood risk in ways that will support the long-term sustainability of the coastal ecosystem and communities and reduce the economic costs and risks associated with large-scale flood and storm events in areas along the Atlantic Coast within the boundaries of the North Atlantic Division of the Corps that were affected by Hurricane Sandy: *Provided further*, That \$858,000,000 of such funds shall be made available not earlier than 14 days after the Secretary of the Army submits the report required under the heading “Investigations” to be submitted not later than March 1, 2013, and \$2,044,000,000 shall be made available not earlier than 14 days after the Secretary submits the report required under the heading “Investigations” to be submitted not later than May 1, 2013: *Provided further*, That efforts using these funds shall incorporate current science and engineering standards in constructing previously authorized Corps projects designed to reduce flood and storm

damage risks and modifying existing Corps projects that do not meet these standards, with such modifications as the Secretary determines are necessary to incorporate these standards or to meet the goal of providing sustainable reduction to flooding and storm damage risks: *Provided further*, That upon approval of the Committees on Appropriations of the House of Representatives and the Senate these funds may be used to construct any project under study by the Corps for reducing flooding and storm damage risks in areas along the Atlantic Coast within the North Atlantic Division of the Corps that were affected by Hurricane Sandy that the Secretary determines is technically feasible, economically justified, and environmentally acceptable: *Provided further*, That the completion of ongoing construction projects receiving funds provided by this Act shall be at full Federal expense: *Provided further*, That the non-Federal cash contribution for projects using these funds shall be financed in accordance with the provisions of section 103(k) of Public Law 99-662 over a period of 30 years from the date of completion of the project or separable element: *Provided further*, That for these projects, the provisions of section 902 of the Water Resources Development Act of 1986 shall not apply to these funds: *Provided further*, That up to \$51,000,000 of the funds provided under this heading shall be used to expedite continuing authorities projects to reduce the risk of flooding along the coastal areas in States impacted by Hurricane Sandy within the boundaries of the North Atlantic Division of the Corps: *Provided further*, That \$9,000,000 of the funds provided under this heading shall be used for repairs to projects that were under construction and damaged by the impacts of Hurricane Sandy: *Provided further*, That any projects using funds appropriated under this heading shall be initiated only after non-Federal interests have entered into binding agreements with the Secretary requiring the non-Federal interests to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs of the project and to hold and save the United States free from damages due to the construction or operation and maintenance of the project, except for damages due to the fault or negligence of the United States or its contractors: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall submit to the Committees on Appropriations of the House of Representatives and the Senate a monthly report detailing the allocation and obligation of these funds, beginning not later than 60 days after the date of the enactment of this Act.

OPERATION AND MAINTENANCE

For an additional amount for “Operation and Maintenance” for necessary expenses related to the consequences of Hurricane Sandy, \$821,000,000, to remain available until expended to dredge Federal navigation channels and repair damage to United States Army Corps of Engineers projects: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act.

FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for “Flood Control and Coastal Emergencies” for necessary

expenses related to the consequences of Hurricane Sandy, \$1,008,000,000, to remain available until expended to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs and other activities as authorized by law: *Provided*, That \$430,000,000 of the funds provided herein shall be made available not earlier than 14 days after the Secretary of the Army submits the report required under the heading "Investigations" to be submitted not later than March 1, 2013, and shall be utilized by the United States Army Corps of Engineers to restore projects impacted by Hurricane Sandy in the North Atlantic Division of the Corps to design profiles of the authorized projects: *Provided further*, That the provisions of section 902 of the Water Resources Development Act of 1986 shall not apply to funds provided under this heading: *Provided further*, That the amounts in this paragraph are designated by the Congress as being for an emergency requirement pursuant section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act.

EXPENSES

For an additional amount for "Expenses" for necessary expenses related to the consequences of Hurricane Sandy, \$10,000,000, to remain available until expended to oversee emergency response and recovery activities: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act.

Redesignate title III as title V, and insert after such title designation (but before the heading "Small Business Administration") the following:

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

For an additional amount to be deposited in the "Federal Buildings Fund", \$7,000,000, to remain available until September 30, 2015, for necessary expenses related to the consequences of Hurricane Sandy, for basic repair and alteration of buildings under the custody and control of the Administrator of General Services, and real property management and related activities not otherwise provided for: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Under the heading "Small Business Administration—Salaries and Expenses" strike "\$10,000,000" and insert "\$20,000,000".

Strike the matter relating to "Small Business Administration—Office of Inspector General" and insert the following:

OFFICE OF INSPECTOR GENERAL

For an additional amount for "Office of Inspector General", \$5,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as

being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Strike the matter relating to "Small Business Administration—Disaster Loans Program Account" and insert the following:

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for "Disaster Loans Program Account" for the cost of direct loans authorized by section 7(b) of the Small Business Act, \$520,000,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That in addition, for administrative expenses to carry out the direct loan program authorized by section 7(b) of the Small Business Act, an additional \$260,000,000 to remain available until expended, of which \$250,000,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses, and of which \$10,000,000 is for indirect administrative expenses for the direct loan program, which may to be transferred to and merged with appropriations for Salaries and Expenses: *Provided further*, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Redesignate title IV as title VI.

Under the heading "Department of Homeland Security" (but before the heading "Coast Guard"), insert the following:

U.S. CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses" for necessary expenses related to the consequences of Hurricane Sandy, \$1,667,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That a description of all property to be replaced, with associated costs, shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate no later than 90 days after the date of enactment of this Act.

U.S. IMMIGRATION AND CUSTOMS

ENFORCEMENT

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses" for necessary expenses related to the consequences of Hurricane Sandy, \$855,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That a description of all property to be replaced, with associated costs, shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate no later than 90 days after the date of enactment of this Act.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses" for necessary expenses related to the consequences of Hurricane Sandy, \$300,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section

251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That a description of all property to be replaced, with associated costs, shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate no later than 90 days after the date of enactment of this Act.

Under the heading "Department of Homeland Security—Coast Guard—Acquisition, Construction, and Improvements", strike "\$143,899,000" and insert "\$274,233,000".

Strike the matter relating to "Federal Emergency Management Agency" and insert the following:

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the "Disaster Relief Fund" in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$11,487,735,000, to remain available until expended: *Provided*, That of the total amount provided, \$5,379,000,000 shall be for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That the amount in the preceding proviso is designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That of the total amount provided, \$6,108,735,000 is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 which shall be for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That of the total amount provided, \$3,000,000 shall be transferred to the Department of Homeland Security "Office of Inspector General" for audits and investigations related to disasters: *Provided further*, That the Administrator of the Federal Emergency Management Agency shall publish on the Agency's website not later than 24 hours after an award of a public assistance grant under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) that is in excess of \$1,000,000, the specifics of each such grant award: *Provided further*, That for any mission assignment or mission assignment task order to another Federal department or agency regarding a major disaster, not later than 24 hours after the issuance of a mission assignment or task order in excess of \$1,000,000, the Administrator shall publish on the Agency's website the following: the name of the impacted state and the disaster declaration for such State, the assigned agency, the assistance requested, a description of the disaster, the total cost estimate, and the amount obligated: *Provided further*, That not later than 10 days after the last day of each month until the mission assignment or task order is completed and closed out, the Administrator shall update any changes to the total cost estimate and the amount obligated: *Provided further*, That for a disaster declaration related to Hurricane Sandy, the Administrator shall submit to the Committees on Appropriations of the House of Representatives and the Senate, not later than 5 days after the first day of each month beginning after the date of enactment of this Act, and shall publish on the Agency's website not later than 10 days after the first day of each such month, an estimate or actual amount, if

available, for the current fiscal year of the cost of the following categories of spending: public assistance, individual assistance, operations, mitigation, administrative, and any other relevant category (including emergency measures and disaster resources): *Provided further*, That not later than 10 days after the first day of each month beginning after the date of enactment of this Act, the Administrator shall publish on the Agency's website the report (referred to as the Disaster Relief Monthly Report) as required by Public Law 112-74.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

For an additional amount for "Disaster Assistance Direct Loan Program Account" for the cost of direct loans, \$300,000,000, to remain available until expended, as authorized by section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5184), of which up to \$4,000,000 is for administrative expenses to carry out the direct loan program: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$400,000,000: *Provided further*, That these amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Under the heading "Department of Homeland Security—Science and Technology—Research, Development, Acquisition, and Operations", strike "\$585,000" and insert "\$3,249,000", and strike "September 30, 2013" and insert "September 30, 2014".

Redesignate section 401 as section 601.

Redesignate title V as title VII.

Under the heading "Department of the Interior—Fish and Wildlife Service—Construction", strike "\$49,875,000" and insert "\$78,000,000".

Under the heading "Department of the Interior—National Park Service" (but before the heading "Construction"), insert the following:

HISTORIC PRESERVATION FUND

For an additional amount for the "Historic Preservation Fund" for necessary expenses related to the consequences of Hurricane Sandy, \$50,000,000, to remain available until September 30, 2015, including costs to States necessary to complete compliance activities required by section 106 of the National Historic Preservation Act and costs needed to administer the program: *Provided*, That grants shall only be available for areas that have received a major disaster declaration pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That individual grants shall not be subject to a non-Federal matching requirement: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Under the heading "Department of the Interior—National Park Service—Construction", strike "\$234,000,000" and insert "\$348,000,000".

Following the matter relating to "Department of the Interior—Bureau of Safety and Environmental Enforcement—Oil Spill Research", insert the following:

DEPARTMENTAL OPERATIONS

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for "Departmental Operations" and any Department of the Interior component bureau or office for necessary expenses related to the consequences of Hurricane Sandy, \$360,000,000, to remain available until expended: *Provided*, That funds appropriated herein shall be used to restore and rebuild national parks, national wildlife refuges, and other Federal public assets; increase the resiliency and capacity of coastal habitat and infrastructure to withstand storms and reduce the amount of damage caused by such storms: *Provided further*, That the Secretary of the Interior may transfer these funds to any other account in the Department and may expend such funds by direct expenditure, grants, or cooperative agreements, including grants to or cooperative agreements with States, Tribes, and municipalities, to carry out the purposes provided herein: *Provided further*, That the Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed spending plan for the amounts provided herein within 60 days of enactment of this Act: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ENVIRONMENTAL PROTECTION AGENCY

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For an additional amount for "Environmental Programs and Management" for necessary expenses related to the consequences of Hurricane Sandy, \$725,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HAZARDOUS SUBSTANCE SUPERFUND

For an additional amount for "Hazardous Substance Superfund" for necessary expenses related to the consequences of Hurricane Sandy, \$2,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

LEAKING UNDERGROUND STORAGE TANK FUND

For an additional amount for "Leaking Underground Storage Tank Fund" for necessary expenses related to the consequences of Hurricane Sandy, \$5,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

STATE AND TRIBAL ASSISTANCE GRANTS

For an additional amount for "State and Tribal Assistance Grants", \$600,000,000, to remain available until expended, of which \$500,000,000 shall be for capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, and of which \$100,000,000 shall be for capitalization grants under section 1452 of the Safe Drinking Water Act: *Provided*, That notwithstanding section 604(a) of the Federal Water Pollution Control Act and section 1452(a)(1)(D) of the Safe Drinking Water Act, funds appropriated herein shall

be provided to States in EPA Region 2 for wastewater and drinking water treatment works and facilities impacted by Hurricane Sandy: *Provided further*, That notwithstanding the requirements of section 603(d) of the Federal Water Pollution Control Act, for the funds appropriated herein, each State shall use not less than 20 percent but not more than 30 percent of the amount of its capitalization grants to provide additional subsidization to eligible recipients in the form of forgiveness of principal, negative interest loans or grants or any combination of these: *Provided further*, That the funds appropriated herein shall only be used for eligible projects whose purpose is to reduce flood damage risk and vulnerability or to enhance resiliency to rapid hydrologic change or a natural disaster at treatment works as defined by section 212 of the Federal Water Pollution Control Act or any eligible facilities under section 1452 of the Safe Drinking Water Act, and for other eligible tasks at such treatment works or facilities necessary to further such purposes: *Provided further*, That the Administrator of the Environmental Protection Agency may retain up to \$1,000,000 of the funds appropriated herein for management and oversight: *Provided further*, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

CAPITAL IMPROVEMENT AND MAINTENANCE

For an additional amount for "Capital Improvement and Maintenance" for necessary expenses related to the consequences of Hurricane Sandy, \$4,400,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER RELATED AGENCY

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses" for necessary expenses related to the consequences of Hurricane Sandy, \$2,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Redesignate title VI as title VIII, and insert after such title designation (but before the heading "Department of Health and Human Services") the following:

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for "Training and Employment Services", \$25,000,000, for the dislocated workers assistance national reserve for necessary expenses directly related to Hurricane Sandy, which shall be available from the date of enactment of this Act through September 30, 2013: *Provided*, That the Secretary of Labor may transfer up to \$3,500,000 of such funds to any other Department of Labor account for other Hurricane Sandy reconstruction and recovery needs, including worker protection activities: *Provided further*, That such amounts are designated by the Congress as being for an

emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Strike the matter relating to “Department of Health and Human Services—Office of the Secretary—Public Health and Social Services Emergency Fund” and insert the following:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE OF THE SECRETARY

**PUBLIC HEALTH AND SOCIAL SERVICES
EMERGENCY FUND**

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Public Health and Social Services Emergency Fund” for disaster response and recovery, and other expenses directly related to Hurricane Sandy, including making payments under the Head Start Act and additional payments for distribution as provided for under the “Social Services Block Grant Program”, \$800,000,000, to remain available until September 30, 2015: *Provided*, That \$100,000,000 shall be transferred to “Children and Families Services Programs” for the Head Start program for the purposes provided herein: *Provided further*, That \$500,000,000 shall be transferred to “Social Services Block Grant” for the purposes provided herein: *Provided further*, That section 2002(c) of the Social Security Act shall be applied to funds appropriated in the preceding proviso by substituting “succeeding 2 fiscal years” for “succeeding fiscal year”: *Provided further*, That not less than \$5,000,000 shall be transferred to the Department of Health and Human Services (“HHS”) “Office of Inspector General” to perform oversight, accountability, and evaluation of programs, projects, or activities supported with the funds provided for the purposes provided herein: *Provided further*, That notwithstanding any other provision of law, the distribution of any amount shall be limited to the States directly affected by Hurricane Sandy and which have been declared by the President as a major disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act for Hurricane Sandy: *Provided further*, That none of the funds appropriated in this paragraph shall be included in the calculation of the “base grant” in subsequent fiscal years, as such term is defined in sections 640(a)(7)(A), 641A(h)(1)(B), or 644(d)(3) of the Head Start Act: *Provided further*, That funds appropriated in this paragraph are not subject to the allocation requirements of section 640(a) of the Head Start Act: *Provided further*, That funds appropriated in this paragraph for the Social Services Block Grant are in addition to the entitlement grants authorized by section 2002(a)(1) of the Social Security Act and shall not be available for such entitlement grants: *Provided further*, That in addition to other uses permitted by title XX of the Social Security Act, funds appropriated in this paragraph for the Social Services Block Grant may be used for health services (including mental health services), and for costs of renovating, repairing, or rebuilding health care facilities, child care facilities, or other social services facilities: *Provided further*, That the remaining \$195,000,000 appropriated in this paragraph may be transferred by the Secretary of HHS (“Secretary”) to accounts within HHS, and shall be available only for the purposes provided in this paragraph: *Provided further*, That the transfer authority provided in this paragraph is in addition to any other transfer authority available in this or any other Act: *Provided further*, That

15 days prior to the transfer of funds appropriated in this paragraph, the Secretary shall notify the Committees on Appropriations of the House of Representatives and the Senate of any such transfer and the planned uses of the funds: *Provided further*, That obligations incurred for the purposes provided herein prior to the date of enactment of this Act may be charged to funds appropriated by this paragraph: *Provided further*, That funds appropriated in this paragraph and transferred to the National Institutes of Health for the purpose of supporting the repair or rebuilding of non-Federal biomedical or behavioral research facilities damaged as a result of Hurricane Sandy shall be used to award grants or contracts for such purpose under section 404I of the Public Health Service Act: *Provided further*, That section 481A(c)(2) of such Act does not apply to the use of funds described in the preceding proviso: *Provided further*, That funds appropriated in this paragraph shall not be available for costs that are reimbursed by the Federal Emergency Management Agency, under a contract for insurance, or by self-insurance: *Provided further*, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Redesignate title VII as title IX.

Strike title VIII and insert the following:

TITLE X

DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For an additional amount for “Facilities and Equipment”, \$30,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended, for necessary expenses related to the consequences of Hurricane Sandy: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS

EMERGENCY RELIEF PROGRAM

For an additional amount for the “Emergency Relief Program” as authorized under section 125 of title 23, United States Code, \$2,022,000,000, to remain available until expended: *Provided*, That the obligations for projects under this section resulting from a single natural disaster or a single catastrophic failure in a State shall not exceed \$100,000,000, and the total obligations for projects under this section in any fiscal year in the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands shall not exceed \$20,000,000: *Provided further*, That notwithstanding the preceding proviso, the Secretary of Transportation may obligate more than \$100,000,000, but not more than \$500,000,000, for a single natural disaster event in a State for emergency relief projects arising from damage caused in calendar year 2012 by Hurricane Sandy: *Provided further*, That no funds provided in this Act shall be used for section 125(g) of such title: *Provided further*, That the amount provided under this heading is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**FEDERAL RAILROAD ADMINISTRATION
GRANTS TO THE NATIONAL RAILROAD
PASSENGER CORPORATION**

For an additional amount for “Grants to the National Railroad Passenger Corporation” for the Secretary of Transportation to make capital and debt service grants to the National Railroad Passenger Corporation to advance capital projects that address Northeast Corridor infrastructure recovery and resiliency in the affected areas, \$86,000,000, to remain available until expended: *Provided*, That none of the funds may be used to subsidize operating losses of the Corporation: *Provided further*, That as a condition of eligibility for receipt of such funds, the Corporation shall not, after the enactment of this Act, use any funds provided for Capital and Debt Service Grants to the National Railroad Passenger Corporation in this Act or any other Act for operating expenses, which includes temporary transfers of such funds: *Provided further*, That the Administrator of the Federal Railroad Administration may retain up to one-half of 1 percent of the funds provided under this heading to fund the award and oversight by the Administrator of grants made under this heading: *Provided further*, That for an additional amount for the Secretary to make operating subsidy grants to the National Railroad Passenger Corporation for necessary repairs related to the consequences of Hurricane Sandy, \$32,000,000, to remain available until expended: *Provided further*, That each amount under this heading is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL TRANSIT ADMINISTRATION

**PUBLIC TRANSPORTATION EMERGENCY RELIEF
PROGRAM**

(INCLUDING TRANSFER OF FUNDS)

For the “Public Transportation Emergency Relief Program” as authorized under section 5324 of title 49, United States Code, \$10,900,000,000, to remain available until expended, for recovery and relief efforts in the areas most affected by Hurricane Sandy: *Provided*, That not more than \$2,000,000,000 shall be made available not later than 60 days after the enactment of this Act: *Provided further*, That the remainder of the funds shall be made available only after the Federal Transit Administration and the Federal Emergency Management Agency sign the Memorandum of Agreement required by section 20017(b) of the Moving Ahead for Progress in the 21st Century Act (Public Law 112-141) and the Federal Transit Administration publishes interim regulations for the Public Transportation Emergency Relief Program: *Provided further*, That of the funds provided under this heading, the Secretary of Transportation may transfer up to \$5,383,000,000 to the appropriate agencies to fund programs authorized under titles 23 and 49, United States Code, in order to carry out projects related to reducing risk of damage from future disasters in areas impacted by Hurricane Sandy: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate shall be notified at least 15 days in advance of any such transfer: *Provided further*, That up to three-quarters of 1 percent of the funds retained for public transportation emergency relief shall be available for the purposes of administrative expenses and ongoing program management oversight as authorized under 49 U.S.C. 5334 and 5338(i)(2) and shall be in addition to any other appropriations for such purposes: *Provided further*, That, of the

funds made available under this heading, \$6,000,000 shall be transferred to the Office of Inspector General to support the oversight of activities funded under this heading: *Provided further*, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Community Development Fund”, \$16,000,000,000, to remain available until September 30, 2017, for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) due to Hurricane Sandy and other eligible events in calendar years 2011, 2012, and 2013, for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.): *Provided*, That funds shall be awarded directly to the State or unit of general local government as a grantee at the discretion of the Secretary of Housing and Urban Development: *Provided further*, That the Secretary shall allocate to grantees not less than 33 percent of the funds provided under this heading within 60 days after the enactment of this Act based on the best available data: *Provided further*, That prior to the obligation of funds, a grantee shall submit a plan to the Secretary for approval detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure and housing and economic revitalization in the most impacted and distressed areas: *Provided further*, That the Secretary shall by notice specify the criteria for approval of such plans within 45 days of enactment of this Act: *Provided further*, That if the Secretary determines that a plan does not meet such criteria, the Secretary shall disapprove the plan: *Provided further*, That funds provided under this heading may not be used for activities reimbursable by or for which funds are made available by the Federal Emergency Management Agency or the Army Corps of Engineers: *Provided further*, That funds allocated under this heading shall not be considered relevant to the non-disaster formula allocations made pursuant to section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. 5306): *Provided further*, That a grantee may use up to 5 percent of its allocation for administrative costs: *Provided further*, That a grantee shall administer grant funds provided under this heading in accordance with all applicable laws and regulations and may not delegate, by contract or otherwise, the responsibility

for administering such grant funds: *Provided further*, That as a condition of making any grant, the Secretary shall certify in advance that such grantee has in place proficient financial controls and procurement processes and has established adequate procedures to prevent any duplication of benefits as defined by section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155), to ensure timely expenditure of funds, to maintain comprehensive websites regarding all disaster recovery activities assisted with these funds, and to detect and prevent waste, fraud, and abuse of funds: *Provided further*, That the Secretary shall provide grantees with technical assistance on contracting and procurement processes and shall require grantees, in contracting or procuring these funds, to incorporate performance requirements and penalties into any such contracts or agreements: *Provided further*, That the Secretary shall require grantees to maintain on a public website information accounting for how all grant funds are used, including details of all contracts and ongoing procurement processes: *Provided further*, That, in administering the funds under this heading, the Secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment) pursuant to a determination by the Secretary that good cause exists for the waiver or alternative requirement and that such action is not inconsistent with the overall purposes of title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.): *Provided further*, That, notwithstanding the preceding proviso, recipients of funds provided under this heading that use such funds to supplement Federal assistance provided under sections 402, 403, 404, 406, 407, or 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) may adopt, without review or public comment, any environmental review, approval, or permit performed by a Federal agency, and such adoption shall satisfy the responsibilities of the recipient with respect to such environmental review, approval or permit: *Provided further*, That, notwithstanding section 104(g)(2) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(g)(2)), the Secretary may, upon receipt of a request for release of funds and certification, immediately approve the release of funds for an activity or project assisted under this heading if the recipient has adopted an environmental review, approval or permit under the preceding proviso or the activity or project is categorically excluded from review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.): *Provided further*, That a waiver granted by the Secretary may not reduce the percentage of funds that must be used for activities that benefit persons of low and moderate income

to less than 50 percent, unless the Secretary specifically finds that there is a compelling need to further reduce or eliminate the percentage requirement: *Provided further*, That the Secretary shall publish in the Federal Register any waiver of any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than 5 days before the effective date of such waiver: *Provided further*, That, of the funds made available under this heading, up to \$10,000,000 may be transferred to “Program Office Salaries and Expenses, Community Planning and Development” for necessary costs, including information technology costs, of administering and overseeing funds made available under this heading: *Provided further*, That of the funds made available under this heading, \$10,000,000 shall be transferred to “Office of the Inspector General” for necessary costs of overseeing and auditing funds made available under this heading: *Provided further*, That the amounts provided under this heading are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 1001. For fiscal year 2013, upon request by a public housing agency and supported by documentation as required by the Secretary of Housing and Urban Development that demonstrates that the need for the adjustment is due to the disaster, the Secretary may make temporary adjustments to the section 8 housing choice voucher annual renewal funding allocations and administrative fee eligibility determinations for public housing agencies in an area for which the President declared a disaster during such fiscal year under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.), to avoid significant adverse funding impacts that would otherwise result from the disaster.

SEC. 1002. The Departments of Transportation and Housing and Urban Development shall submit to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of the enactment of this Act a plan for implementing the provisions in this title, and updates to such plan on a biannual basis thereafter.

SEC. 1003. None of the funds provided in this title to the Department of Transportation or the Department of Housing and Urban Development may be used to make a grant unless the Secretary of such Department notifies the Committees on Appropriations of the House of Representatives and the Senate not less than 3 full business days before any project, State or locality is selected to receive a grant award totaling \$1,000,000 or more is announced by either Department or a modal administration.

Redesignate title IX and sections 901 through 904 as title XI and sections 1101 through 1104, respectively.

EXTENSIONS OF REMARKS

HONORING THE EXEMPLARY CAREER OF SHERIFF RANDALL A. WELLINGTON

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 4, 2013

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the career of an exemplary public servant, Sheriff Randall A. Wellington. Sheriff Wellington will be retiring this year after serving the Ohio Mahoning County with distinction during a career that spanned seven decades.

After serving as a Sergeant in the United States Army during the Korean War, Sheriff Wellington joined the Youngstown Police Force as a cadet in 1957. He was later promoted to Sergeant in 1966, Vice Squad Chief in 1970, Lieutenant in 1972, Captain in 1973, and Police Chief in 1984. After four decades serving the people of the Mahoning County and its largest city, Youngstown, Mr. Wellington became the County Sheriff on August 28, 1999.

Sheriff Wellington, who is affectionately known as a soft-spoken, but firm leader, has many achievements to accompany his long and distinguished career. Among those achievements are the creation of the Senior-citizens Watch Program and the Day-Reporting Program. The latter program, initiated in 2006, allowed misdemeanor offenders to serve time doing community service rather than being incarcerated, which has saved the county about \$1 million since enactment. Other initiatives introduced by Sheriff Wellington are the Reserve Deputy Program, Underwater Diving Team, Crisis Response Team, Hostage Negotiations Team and the Youth Explorer's Unit.

I want to extend my warmest thanks to Sheriff Wellington for his lifelong devotion to protecting and serving the people of Mahoning County. His long and illustrious career will not be forgotten and I would like to wish him all the best in his well-deserved retirement. The city of Youngstown and Mahoning County will forever be indebted to Sheriff Randall A. Wellington for his outstanding service.

IN RECOGNITION OF GUYER HIGH SCHOOL

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 4, 2013

Mr. BURGESS. Mr. Speaker, I rise today to congratulate the Guyer High School Wildcats of Denton, Texas upon their first state football title. Winning the Class 4A state championship takes great determination, discipline, and team work. The long hours of practice over many

months helped the Wildcats win many games on the way to the state championship. I am impressed by the Wildcats' work ethic and skill, and know that they will continue to represent their high school well.

The Guyer football team has a talented and dedicated head coach, John Walsh, who to my understanding told the team the state title was theirs from the beginning. Jerrod Heard, the school's junior quarterback, seemed to believe his coach. During the state championship game, he led the Wildcats to victory from behind with assistance from defensive end Conor Allen who forced a fumble towards the end of the game and from Ellis Jefferson with two touchdown throws, one for a 71-yard touchdown.

I am pleased to join their classmates, teachers, friends, family and the Denton community in honoring the athletic achievement of the Guyer Wildcats' football team for winning their first state championship. It is my privilege to serve you all in the U.S. House of Representatives.

IN RECOGNITION OF THE ELECTION OF NARENDRA MODI AS CHIEF MINISTER OF GUJARAT, INDIA

HON. AARON SCHOCK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 4, 2013

Mr. SCHOCK. Mr. Speaker, I rise today in recognition of the election of Narendra Modi as third term Chief Minister of Gujarat, India. Running on a platform of economic prosperity for all, and having two terms of proven results behind him, Mr. Modi was elected by a diverse coalition of voters from every religion, education level, and class of society. His message cuts across dividing lines and highlights what unites, rather than what divides, those he represents.

In both the United States and India, every election is an affirmation, not just of those who the people choose to elect, but of the very foundation on which our societies are built—the idea that the power of government rests with the governed. Mr. Modi understands the great responsibility entrusted to elected officials, and he has used his position to advocate for sound economic policies that have grown the economy of Gujarat at an astonishing rate over his past two terms. Businesses flock to Gujarat, creating jobs and raising the standard of living for its citizens. The successes achieved through Mr. Modi's leadership have drawn praise from his countrymen and observers abroad, as well as from the Indian Diaspora around the world.

Indian-Americans who live and work in my district in Illinois and around the United States have contributed greatly to the culture and

prosperity of our country. I join with them today in congratulating Narendra Modi on his election and extending my best wishes for his third term as Chief Minister of Gujarat.

THE 30TH ANNIVERSARY OF THE ORPHAN DRUG ACT

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 4, 2013

Mr. WAXMAN. Mr. Speaker, as we begin a new Congress with many disappointments behind us and many challenges before us, I'd like to take a moment to note legislation that has proven successful beyond all expectations—the Orphan Drug Act. And I'd also like to note the recent passing of one of that bill's first champions—Jack Klugman.

Before 1983, people suffering from a rare disease had little or no hope that a treatment or cure would be developed, despite the fact that many potential treatments for those diseases existed. By definition, the market for a drug for rare disease was too small to attract drug companies to do the research and go through the approval process. It was a classic case of market failure. And, for better or for worse, pharmaceutical research usually depends on the market.

So we had to invent an incentive for the pharmaceutical industry to do something that was squarely in the public interest. We had to make the development of orphan treatments something companies themselves wanted to do.

To do so, we created incentives: intellectual-property protections, tax benefits, and regulatory advantages. But, like many good bills on complicated issues, the Orphan Drug Act got bogged down.

And that's when the unexpected champion emerged—the Hollywood actor Jack Klugman. He was a big star and he had read about the problems of people with rare diseases. He used his television show, *Quincy*, to highlight the issue. (The show even hired people with rare diseases to serve as extras in a fictional demonstration outside the Capitol.) He was a witness before the Subcommittee on Health and the Environment, which I chaired. He went on to bring national attention to this problem that affected many, many people—but people in groups so small that they could never on their own get the help they needed.

The bill passed the House. Ultimately, with the help of my friend and colleague, Senator ORRIN HATCH, it also passed the Senate. President Reagan signed it into law on January 4, 1983.

And the rest, as they say, is history—good history. The Act has been very successful. Over the thirty years between then and now,

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

hundreds of orphan drugs have been approved and millions of Americans with rare diseases have been helped.

There is still a lot to be done. There are thousands of rare diseases without treatments. The cost of many orphan drugs and many other drugs is still far too high. But this Act and the amendments made to it since then have made great progress.

I'm sad to say that Jack Klugman died last week. He'd had a great career in entertainment and he will be remembered for that. But we can also all be grateful to him for his starring role in bringing this bill to the public and helping it become law. And we in the Congress can be proud of what the Orphan Drug Act has done.

PERSONAL EXPLANATION

HON. MICK MULVANEY

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 4, 2013

Mr. MULVANEY. Mr. Speaker, on rollcall No. 4 I missed rollcall No. 4 on January 3, 2013. I was with my family and unable to make it to the floor.

Had I been present, I would have voted "aye".

IN MEMORY OF MURRAY GALINSON

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 4, 2013

Mrs. DAVIS of California. Mr. Speaker, I rise with great sorrow to mourn the passing of one of San Diego's greatest leaders and humanitarians, Murray Galinson.

Every city should have a Murray Galinson. On paper, Murray's impressive biography tells of a bank CEO and President, the head of a local synagogue, a former assistant U.S. attorney, a member of the board of trustees for California State University and a philanthropist playing a pivotal role in developing so many local charities.

But in life, Murray was so much more than that. Murray was San Diego's go to person. When you wanted to know anything you went to Murray. When you wanted to vent frustration, you went to Murray. When you wanted someone to talk to, you went to Murray.

He was a very, very special person at the center of everything. For someone so prominent Murray was not intimidating. He was open to me almost 40 years ago at the beginning of my career as he has been to so many other people starting careers in public service. He has mentored countless people who have gone on to be great successes in the San Diego community.

Perhaps most striking was Murray's deep care for the city of San Diego and how he translated that into political and charitable action. Murray was not involved in politics to be a power broker or to push an ambitious partisan agenda. Murray wanted to support who-

ever he thought would make the city stronger for the long haul. He really cared who was in office and supported people from the very beginning. He was a leading Democrat but he crossed the aisle and supported Republicans when he thought that was the right thing to do.

Murray was such a great listener. And he was supportive and insightful. And he was funny. He was warm and witty and never shy about telling it like it is. I never had a conversation with Murray that I didn't walk away from feeling generally better.

Originally from Minnesota, Murray never lost his Midwestern sensibility. We're so fortunate in San Diego that Murray left the Minnesota snow behind him and brightened the lives of so many people in our city.

PERSONAL EXPLANATION

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 4, 2013

Mr. McINTYRE. Mr. Speaker, due to a medical emergency, I was unable to be present for three votes on January 3, 2013. Had I been present, I would have voted "no" on rollcall Vote 4, "aye" on rollcall Vote 5, and "no" on rollcall Vote 6.

113TH CONGRESS OPENING DAY STATEMENT

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, January 4, 2013

Mrs. CLARKE of New York. Mr. Speaker, as we start the 113th Congress, I am honored to once again join my colleagues in serving the American people—especially my constituents in the Ninth District of New York. We have an opportunity to look forward, to end the partisanship that has undermined efforts to secure our future as a nation.

I am disappointed to say that I can hardly imagine a worse end to a session of Congress than the one we have just witnessed. In our labored efforts to avoid a disastrous tumble over the "fiscal cliff," we lost sight of a far less figurative disaster.

The families harmed by Hurricane Sandy—those people whose homes and businesses were threatened by the storm—have the right to demand action from this Congress. Yet, this Congress was unable to enact a proposal for relief, to provide the assistance people need to start the recovery. I call on my colleagues to support emergency supplemental appropriations for areas affected by Hurricane Sandy.

Fixing the mistakes of yesterday, however, will be only part of the solution. We have a more important responsibility in this 113th Congress—to demonstrate to the American people that these failures were not examples of a serious problem within the Congress itself that prevents us from working with each other to fulfill our responsibilities.

We have opportunities in this session of Congress to work together, as Democrats and

Republicans, but more importantly, as Americans, to resolve the issues that are important to people in every community in this nation. As the tragedy in Newtown demonstrated, we must enact gun control laws that prevent mass murder and re-institute the ban on assault weapons and high-capacity magazines. We must end gun trafficking.

It is my hope that we address immigration reform, specifically the enactment of the DREAM Act. This act, which provides legal status and a path to citizenship to undocumented immigrants who arrived in the United States as minors, will benefit every person in our society. This act will allow millions of young Americans to participate in our economy, our system of higher education, and the society more generally.

Other legislation of importance that must be addressed immediately is the reauthorization of the Violence Against Women Act, the Farm Bill, postal reform, cybersecurity, and sequestration legislation.

Let us come together, in this 113th Congress, to fulfill our duties as representatives of the people of the United States. Let us establish the foundations of a prosperity shared by every family in this nation, security from the threat of natural disasters and acts of terrorism, and a political process of which the American people are proud.

IN HONOR OF RITA LEVI-MONTALCINI

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 4, 2013

Mr. CAPUANO. Mr. Speaker, I rise to honor the memory and the heroic example of Rita Levi-Montalcini, Nobel Laureate in Medicine and Senator-for-Life of the Republic of Italy. My constituents in our district's universities, research institutes and teaching hospitals join me in this homage. Dr. Allen Mitchell, Professor of Epidemiology and Pediatrics at Boston University, studied with her and with her mentor, Victor Hamburger. Everyone, he remembered, recognized the "enormity of her contributions." "But," he continued, "those of us privileged to interact directly with her saw Dr. Rita Levi-Montalcini as a role model who combined scientific passion and rigor with a great sense of humanity."

Edward A. Kravitz, George Packer Berry Professor of Neurobiology at the Harvard Medical School recalled that Dr. Levi-Montalcini was unfailingly kind and gracious to young researchers, welcoming them to her lab and her circle of distinguished colleagues. He was touched by her warmth and inspired by her eagerness always to know more.

Rita Levi-Montalcini was born in Turin in 1909, one of four children of an educated family, her father an engineer and mathematician, her mother, like her twin sister Paola, a gifted painter. The arts were thought appropriate pastimes for young ladies, but science was not, and her first struggle was convincing her father to let her study medicine. She graduated, *summa cum laude*, in Medicine and Surgery in 1936 and began a specialization in

neurology and psychiatry. Two years later, Mussolini promulgated racial laws based on those already in effect in Nazi Germany, barring Jews from universities. Rita Levi-Montalcini's second and most remarkable struggle was to continue her research alone and in secret. She cultivated chick embryos in her bedroom and studied them closely. Her inspiration, she always acknowledged, came from a paper by Victor Hamburger, pioneer of experimental embryology. Hamburger, like many of the most prominent German and Italian scientists, was at that time already in the United States. She chose to remain in Italy, confident that her country would return to its democratic principles. She was associated with the struggle for Liberation and, in the time of greatest danger, moved her laboratory into the countryside where she and her family found refuge. When Florence was freed, she practiced medicine, for the only time in her life, among refugees fleeing the fighting that still raged in northern Italy.

After the war, Dr. Levi-Montalcini joined Hamburger at Washington University in St. Louis. There began her collaboration with Dr. Stanley Cohen with whom she shared the Nobel Prize in Physiology or Medicine in 1986. Together they studied the biochemistry of nerve growth and revolutionized the study of cell growth and development. She flourished at Washington University but always maintained close ties to Italy and to a new generation of Italian scientists. She helped found the Institute of Cell Biology in Rome and became its first director. She died in Rome on December 30 at the age of 103. She continues to inspire us, and we do well to remember her brave advice, "Above all, do not fear difficult moments. The best comes from them."

IN HONOR OF CAROL WALTER

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, January 4, 2013

Mr. COURTNEY. Mr. Speaker, I rise today to honor the life and legacy of Carol Walter of the Connecticut Coalition to End Homelessness (CCEH). A tireless advocate for our State's most vulnerable citizens, Carol passed away on Thursday, December 27th.

Carol's dedication to people and service was apparent in her extensive achievements and contributions to our State. She began her career working in shelters in many of the largest communities across the State. Displaying a knack for leadership and an entrepreneurial spirit, Carol moved on to the Connecticut Aids Resource Coalition where she founded the National Working Positive Coalition. She became director of CCEH in 2006.

While heading the Coalition, she helped institute greater coordination of services among nonprofits, managed the annual Point-In-Time homeless census, and led the State in rapid re-housing and shelter diversion strategies. Carol's years of dedication and tireless hard work impacted countless lives across our State. Due in large degree to Carol's leadership statewide, there has been historic progress made in the effort to combat home-

lessness in Connecticut's Second Congressional District.

Carol's passing marks an irreplaceable loss for our community, for the fight against homelessness, and the battle to provide justice for underserved communities. Carol leaves behind a lasting legacy of passionate service to those in need. I ask my colleagues to join me today in honoring Carol's life and accomplishments.

HONORING COLONEL SAMI D. SAID

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 4, 2013

Mr. COSTA. Mr. Speaker, I rise today to recognize Colonel Sami D. Said for his many years of dedication and service to the United States. After almost two years of serving as Commander for the 144th Fighter Wing, California Air National Guard, Colonel Said will be promoted to the rank of Brigadier General and will serve a tour in Afghanistan.

Colonel Said has devoted his life to serving the United States. He began his career in 1991 at the 159th Fighter Squadron in Jacksonville, Florida where he was a Pilot Trainee and then an F-16 Fighter Pilot. Colonel Said held other duties at the 159th Fighter Squadron, including Chief of Standardization and Evaluation, Instructor Pilot, Weapons Officer, and Squadron Operations Officer.

In June 2003, Colonel Said completed his time with the 159th Fighter Squadron and went on to become the Commander of the 125th Aircraft Maintenance Squadron. He was also the Wing Special Projects Officer (ORI) and the Chief of Wing Operations for the 125th Fighter Wing. After spending two years with the 125th Fighter Wing, Colonel Said served as a National Security Fellow at Harvard Kennedy School of Government.

Colonel Said worked in Washington, DC, for three years serving at the Pentagon from 2008 to 2011. He worked in the Office of the Secretary of Defense as a Military Assistant to the Department of Defense Transition Team and Chief of Staff/Senior Military Assistant to the Under Secretary of Defense, Acquisition, Technology and Logistics.

Along with his vast experience and knowledge, Colonel Said has received numerous awards and decorations. These include the Defense Superior Service Medal, Meritorious Service Medal with three oak leaf clusters, Combat Readiness Medal with five oak leaf clusters, Armed Forces Expeditionary Medal, and Global War on Terrorism Service Medal.

In April 2011, Colonel Said became the Commander for the 144th Fighter Wing in Fresno, California. While he was in Fresno for a short period of time, our community benefited from his time here. We will be sad to see him go. As he moves on to proudly serve our country overseas in Afghanistan, Colonel Said's expertise and many years of experience will be greatly missed at the 144th Fighter Wing.

Mr. Speaker, I ask my colleagues to join me in congratulating Colonel Sami Said on his upcoming promotion to the rank of Brigadier

General and wish him well in his next tour of service. Our country will always be gracious for his hard work and unwavering service.

PERSONAL EXPLANATION

HON. MICK MULVANEY

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 4, 2013

Mr. MULVANEY. Mr. Speaker, on rollcall No. 5, I missed rollcall No. 5 on January 3, 2013. I was with my family and unable to make it to the floor. Had I been present, I would have voted "no."

TRIBUTE TO DR. SHELDON KAPEN

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, January 4, 2013

Mrs. MILLER of Michigan. Mr. Speaker, I would like to pay tribute to the memory of a great citizen of the State of Michigan, the late Dr. Sheldon Kapen. Sadly, Dr. Kapen passed away on Thanksgiving Day at the age of 77.

He was the longtime Chairman of the Department of Neurology at the John V. Dingell Veterans Administration Hospital in Detroit and a leading figure in the field of sleep disorders research who made many outstanding discoveries and contributions. The plaque which honors him at the VA hospital calls Dr. Kapen "A Physician, a teacher, a scientist, a leader, and a friend".

My sincerest condolences go out to his family. I would like to place into the RECORD an article from the VA Hospital bulletin on the occasion of the naming of the Sheldon Kapen Sleep Laboratory last year as well as an obituary that appeared in the Wayne State University newspaper.

DETROIT VAMC SLEEP CLINIC HONORS DR. KAPEN

(By Alysse Mengason)

This fall, the Detroit VAMC staff and patients paid tribute to one of its long-time physicians, hanging a plaque in his honor in the sleep clinic.

Dr. Sheldon Kapen's legacy is represented in the sleep lab, which he founded in 1985, when he took over a new 2 bed unit in the old Detroit VAMC in Allen Park. Dr. Kapen started the first sleep lab in any VA facility. Dr. Kapen achieved many successes over the years. Among the grants he won, Dr. Kapen received a VA Research Grant to study stroke and sleep.

When the Detroit VA Medical Center moved to Detroit and became the John D. Dingell VA Medical Center, Dr. Kapen was able to expand the clinic into a new 8 bed facility with state of the art equipment and more staff.

Dr. Kapen's sleep medicine and laboratory was the first VA sleep lab to be accredited, and approximately the 20th in the nation (there are now about 1,000 accredited sleep labs in the U.S.). He also had the first VA-based accredited fellowship program in 1989 (the 4th overall in the country) and it has also been reaccredited multiple times.

In his more than 30 years with the VA, Dr. Kapen has trained dozens of physicians, and

continues to train and supervise sleep fellows from Wayne State University.

(Nov. 26, 2012)

DR. SHELDON KAPEN, LONGTIME NEUROLOGY FACULTY MEMBER, DIES

Dr. Sheldon Kapen, M.D., 77, of West Bloomfield, Mich., died Nov. 22.

Dr. Kapen was a longtime member of the Wayne State University Department of Neurology and chief of Neurology at the John Dingell Veterans Administration Hospital for 25 years until his retirement in November 2011.

"Sheldon Kapen was an important contributor to the academic and clinical missions of the Department of Neurology and the Veterans Administration hospital for many years," said Robert Lisak, M.D., professor and former chair of Neurology. "He was a pioneer in the study of and treatment of disorders of sleep. For that reason the sleep laboratory at the John Dingell VA Hospital was recently named in his honor. Shelly was a dedicated physician and a person of integrity. He will be missed."

The funeral was held Nov. 23 at the Ira Kaufman Chapel, 18325 W. Nine Mile Road, Southfield.

The family of Dr. Kapen will gather through the evening of Nov. 26 at 4564 Fairway Ridge Court, West Bloomfield, for friends to call. The phone number is 248-626-2907. Religious services will be held Monday evening.

Dr. Kapen is survived by his wife, Rachel; children Gilead (Karen) Kapen, Alon (Amal) Kapen, Ehud (Debra) Kapen and Avi Kapen; grandchildren Rome, Michaela, Alia, Matan, Simon, Caleb and Kayla Kapen and Leah Schloss; and sister Nessa (Alfred) Bertel.

The family suggests contributions in memory of Dr. Kapen be made to the Holocaust Memorial Center, 28123 Orchard Lake Road, Farmington Hills, MI 48334.

STOP SINGLING OUT FEDERAL EMPLOYEES

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 4, 2013

Mr. WITTMAN. Mr. Speaker, as the 113th Congress begins, I strongly believe that no Member of Congress should have his or her salary increased. It is critical that this nation's elected leaders lead by example in the quest to reduce our debt and put this nation on sound financial footing. Responsible, accountable leadership is required in Washington if this train of fiscal disaster is ever going to get rerouted onto a track toward prosperity and economic growth. That is why I am a cosponsor of legislation that would halt the pay increase for Members of Congress under the President's December 27, 2012 Executive Order and legislation to stop the automatic pay increase for members of Congress.

However, I also want to make absolutely clear my opposition to any efforts to unfairly target our civilian federal workforce for deficit reduction purposes. America's First District is full of hardworking and dedicated citizens who serve the people of this nation every day, such as on the front lines of the War on Terror or in support roles for our military. Still others provide valuable service at places like VA hos-

pitals, cancer research laboratories, and the FBI. And yet since 2010, federal civilian employees have seen their pay frozen and their benefits reduced on multiple occasions. I voted against the initial two-year pay freeze in December of 2010, and on the first day of 2013, I voted against H.R. 6726, which would have extended this pay freeze for an additional year. I am fully ready and willing to cut my own salary, benefits, and office budget, but we must stop singling out federal employees simply because Congress fails to address the out-of-control spending.

There is no question that our nation must get its spending in order, and federal employees are certainly eager to do their part to help in this effort. Their daily contributions to their fellow citizens and to the cause of freedom are simply innumerable, and yet during the deficit reduction debate over the last few years, federal employees have been asked to contribute more than their fair share.

Our federal civilian employees live a life of selfless service, and they deserve our appreciation. I am hopeful that deficit reduction efforts going forward will focus more realistically on addressing the true drivers of our debt, rather than targeting those who are trying simply to serve their nation each and every day.

INTRODUCTION OF H. RES. XX, EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES THAT THE SENATE SHOULD RATIFY THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, January 4, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise today to introduce the sense of the House of Representatives that the Senate should ratify the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). I am proud to be joined in this effort by my friend and colleague Congresswoman JAN SCHAKOWSKY.

This bipartisan House Resolution urges the Senate to vote to ratify CEDAW, a landmark international agreement that mandates governments to take positive steps to ensure the full development and advancement of women, and their equal enjoyment of human rights, and that they change or eradicate discriminatory laws, customs, and practices.

Despite 187 countries ratifying CEDAW, we are the only western country in the world that has not ratified the treaty, although its fundamental principles of equality and non-discrimination are central to our constitutions. Other nations that have not ratified CEDAW include Somalia and Iran.

Most importantly, CEDAW is non-self executing, meaning that any legislation the United States might adopt to comply with the treaty would have to go through the normal congressional process.

Ratification of CEDAW would continue our nation's proud bipartisan tradition of promoting

and protecting human rights. The Senate's ratification of CEDAW would strengthen our standing as a global leader for the rights of women and girls.

PERSONAL EXPLANATION

HON. MICK MULVANEY

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 4, 2013

Mr. MULVANEY. Mr. Speaker, on rollcall No. 6, I missed rollcall number 6 on January 3, 2013. I was with my family and unable to make it to the floor. Had I been present, I would have voted "yes."

IN HONOR OF BARBARA PALMER OF APTOS, CA AS THE 2012 PRESIDENT OF THE SANTA CRUZ COUNTY, CA ASSOCIATION OF REALTORS

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 4, 2013

Mr. FARR. Mr. Speaker, I rise today to honor the commitments and accomplishments of Barbara Palmer, 2012 President of the Santa Cruz County Association of Realtors. I have known Barbara for two decades and she is a dedicated professional with an abiding commitment to helping homeowners and making a lasting difference in her community. I am honored to call her a friend.

Barbara has served as the Federal District Coordinator for the tri-county area that includes Santa Cruz, Monterey, and San Benito Counties, representing the California Association of Realtors and the National Association of Realtors. I was pleased to work with Barbara when she was the Chair of the Local Government Relations Committee of the Santa Cruz County Association of Realtors from 2005-2007. She has provided unparalleled leadership on local and federal real estate issues.

Building community is the mission of every successful Realtor and Barbara has worked tirelessly to improve the quality of life in Aptos with particular attention to bringing widespread awareness to the needs of public education to her community of Aptos and beyond. In 1999, she was awarded Woman of the Millennium by the Aptos Chamber of Commerce. The Santa Cruz County Association of Realtors awarded Barbara Palmer the Realtor of the Year in 2008. Barbara has spearheaded community projects and fundraisers throughout the years that bring attention to the needs of the diverse Santa Cruz County and its coastal environment.

Barbara Palmer has been a resident of Aptos, CA since 1978, with her husband Bob and sons Grant and Brad.

Mr. Speaker, I know I speak for the whole House as I commend Barbara Palmer of Aptos, CA for helping countless clients on the Central Coast of California achieve the American Dream—homeownership.

HONORING THE LIFE OF CAROL WALTER, EXECUTIVE DIRECTOR OF CONNECTICUT COALITION TO END HOMELESSNESS

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, January 4, 2013

Mr. LARSON of Connecticut. Mr. Speaker, I rise today to honor the life of Carol Walter, a fierce advocate for the homeless in Connecticut, who passed away on December 27, 2012. Carol served as the Executive Director of the Connecticut Coalition to End Homelessness and dedicated her life's work to fighting homelessness and its contributing causes.

Her passion, energy, and persistent focus on finding solutions helped countless individuals and families across our State. For all those who knew her, worked with her, and benefited from her good works—we are saddened by this loss and offer our deepest condolences to her family.

While many in the community will pay tribute to Carol Walter, I would like to submit the following article from The Hartford Courant that captures her dynamic spirit:

VIBRANT ADVOCATE FOR THE HOMELESS,
CAROL WALTER, DIES AT 53

(By Jenna Carlesso)

[From the Hartford Courant, Dec. 28, 2012]

Carol Walter, the executive director of Connecticut Coalition to End Homelessness, was remembered by her friends Friday as a quick-witted, energetic leader and unwavering advocate for the homeless.

Walter, 53, died Thursday after a short battle with lung cancer, friends said.

When Walter became executive director in 2006, friends said, she had landed her dream job. Walter was passionate about creating long-term solutions to homelessness, including permanent housing and supportive services.

"Beyond shelters and short-gap solutions, she was very interested in finding longer-term solutions, particularly in reducing chronic homelessness," said Mercedes Soto, who served on CCEH's board of directors from 2009 to 2012. "She was able to rally an entire spectrum of people to work toward these goals, and worked to get people housed as quickly as possible."

"She was a dynamo. She made a big impact on me and everyone who knew her."

Colleagues at CCEH said Walter presided over "a sea change" in the organization's approach to homelessness, including greater coordination of services among other nonprofits and oversight of the coalition's statewide "point in time" homeless consensus. She also led efforts in rapid re-housing and shelter diversion strategies, they said.

"People often tell me how energetic I am," said Shawn Lang, a longtime friend of Walter. "I tell them, 'go hang around with Carol for a while, she'll make me look like a slug.' She had great passion for her work. Her enthusiasm and her energy and smarts opened a lot of doors."

Prior to her position at CCEH, Walter worked at homeless shelters in New Haven, Hartford and Stamford, friends said. She also worked at the Connecticut AIDS Resource Coalition as a membership services coordinator, where she helped people with AIDS find employment.

Walter was active in her work, sometimes to the point that she couldn't sit still.

"She had more energy than 10 of us," said Dave Martineau, vice president of CCEH's board of directors and a friend of Walter. "She always used to say, 'I have no time. I'm trying to end homelessness.' She gave her whole life to it."

"She was a woman who could never stand still," added Jose Vega, program manager for the McKinney homeless shelter in Hartford, who had worked with Walter. "She was a fighter, and such a strong advocate for this community. She touched so many lives."

Howard Rifkin, executive director of Partnership for Strong Communities, an organization that seeks to end homelessness and create affordable housing opportunities, recalled Walter as "maddening and endearing at the same time." Rifkin collaborated with Walter on several initiatives, including a plan to end chronic homelessness and homelessness among veterans and families with children in Connecticut.

"We're both opinionated people," he said. "She and I would sometimes go at it, but we would always end our meetings with a hug and a laugh."

Rifkin said Walter had "a sense of urgency" about her work.

"She had a deep, deep commitment to [creating] a more equitable and socially just society, and I'm sure that her passion for this work was informed by that," he said.

Outside of work, Walter was an avid theater-goer, friends said. She loved the outdoors, traveling and being near the ocean.

She was also a devoted Mets fan.

"Carol would put a Yankees cap in her freezer to give the Mets good luck," Lang said. "If that didn't work, we'd change the places we were sitting. There were a lot of crazy rituals around baseball games."

Lang said Walter's friends and colleagues would miss the woman who had "a real zest for life."

"Connecticut is a little smaller and a little darker today," she said.

Walter is survived by her wife, Debra Walsh, of West Hartford.

TRIBUTE TO THOMAS OPITZ

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 4, 2013

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to a dear friend of mine, Thomas Opitz. Tom passed away on Saturday, December 29, 2012. A long time resident of Corona, he was a pillar of the community and he will be deeply missed.

Tom was born November 21, 1922, in La Crosse, Wisconsin, the son of Raymond J. and Susan (Singer) Opitz. He served his country honorably in World War II in the United States Army Air Corps from 1944–1946 and received several medals in recognition of his military achievements. He was a member of the Navy League, the Elks and the Confederate Air Force.

Tom worked as a self employed contractor, interior designer and artist of restaurants. Over the years, the Opitz family and the Calvert family have had a close relationship, both personal and professional, and Tom was a great partner and friend. He and his family helped our family build the Corona Bowl, the Encore, Lord Calvert's Jolly Fox and the Jolly Fox Pub

& Grille. Millions of Californians have enjoyed a family dinner in restaurants designed by Tom, as he built, designed, and painted over 400.

Tom was a devoted husband, father, grandfather, and great-grandfather. He is survived by his sons Craig, Thomas, Mark and daughter Christal Trusty; 11 grandchildren; and 6 great-grandchildren. On Monday, January 7, 2013, a memorial service honoring Tom's extraordinary life will be held at Thomas Miller Mortuary in Corona. He will be interred at the Riverside National Cemetery, where he will be laid to rest with his wife of 58 years, Ruth Opitz.

Tom will always be remembered for his devotion to family, caring nature and selfless giving. Tom demonstrated an incredible work ethic, generosity, contributions to the community and love of family. These achievements and qualities are a testament to a life lived well and a legacy that will continue. I extend my condolences to Tom's family and friends. Although Tom may be gone, the light and goodness he brought to the world remain and will never be forgotten.

**THE JOB PROTECTION AND
RECESSION PREVENTION ACT**

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 4, 2013

Mr. RUSH. Mr. Speaker, it is New Years 2013. The Nation now finds itself at an urgent crossroads.

America has fallen over the fiscal cliff. Many of our fellow and most economically vulnerable Americans are now in a free fall. How far they fall and for how long will be up to Congress.

The House of Representatives should be deciding now, and by that I mean today, whether to pass the Job Protection and Recession Prevention Act of 2012, which was passed in the Senate by an overwhelming bipartisan 89–8 vote.

If the House of Representatives fumbles this opportunity, it won't matter to these Americans which political party tells them that they did or did not cut taxes, or which party held more closely to its campaign promises.

What matters to the 2 million Americans who are currently unemployed is why are their unemployment benefits being held hostage to provide tax cuts for employed and more well-off Americans?

The deal agreed to in the Senate provides a strong enough platform for our country's continued progress and economic recovery. That package will generate a good deal of the increased tax revenues that our U.S. Treasury needs to operate the government.

The Senate's package assures millions of students and unemployed and poor Americans that they will have the basics to carry out their daily lives and to advance their educational and career goals. Among other things, the Senate deal would also authorize the Farm Bill through September of this year.

Extending earned income and child care tax credits and benefits, as the Senate deal would

do, may not mean much for middle class families and individuals. But guess what? Those credits and benefits are hugely important, for example, to a family of four under the poverty level, which on average makes only \$21,000 per year.

The Senate's proposal, which the Majority should bring up immediately for a vote is a good compromise. It won't give Republicans

everything that they want. Similarly, Democrats are not getting all of what they want in this package.

And rightly so—neither party has all the answers to the plethora of very complex fiscal problems we are facing. Compromise is the solution, just as compromise will be the solution when we come up against sequestration,

the debt ceiling, and passing a continuing budget resolution.

I strongly urged you, Mr. Speaker, to call up H.R. 8, the Job Protection and Recession Prevention Act, as amended and passed by the Senate for a vote in this House. Let's stop dangling innocent and vulnerable Americans over the fiscal cliff; they've waited too long for us to act as it is.

HOUSE OF REPRESENTATIVES—Monday, January 14, 2013

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mrs. EMERSON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 14, 2013.

I hereby appoint the Honorable JO ANN EMERSON to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Eternal God, we give You thanks for giving us another day.

We pause now in Your presence and acknowledge our dependence on You.

We ask Your blessing upon the men and women of this, the people's House, who are returning to their stations here on Capitol Hill.

As the new Congress begins, help them, and indeed, help us all, to obey Your law, to do Your will, and to walk in Your way. Grant that they might be good in thought, gracious in word, generous in deed, and great in spirit.

Make this a glorious day in which all are glad to be alive and ready to serve You.

May all that is done this day be done for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. KILDEE. Madam Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. KILDEE. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further pro-

ceedings on this question will be postponed.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Michigan (Mr. KILDEE) come forward and lead the House in the Pledge of Allegiance.

Mr. KILDEE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

AGENDA FOR 2013

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, the start of a new congressional term brings tremendous opportunity for House Republicans to lead our Nation on a path to prosperity. Last week, I held three press conferences across the Second Congressional District of South Carolina from West Columbia to Aiken, North Augusta, and unveiled an agenda for this year.

For the past 4 years, our unemployment rate has averaged above 8 percent, the highest on record since the Great Depression. I look forward to continue working with House Republicans to encourage job creation through economic growth.

Additionally, Congress must limit Washington's out-of-control spending and reduce our \$16 trillion debt to protect the value of the dollar for senior citizens and so that future generations do not endure the burden of higher taxes. I appreciate the efforts to encourage America's energy independence so that we do not have to rely on foreign resources.

As chairman of the House Armed Services Subcommittee on Military Personnel, I look forward to advocating for our armed forces, military families, and veterans. In order to protect our national security, our military must remain the most capable in the world to provide peace through strength. Weakness leads to attack.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

HELP FOR ALL VETERANS

(Mr. COFFMAN asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. COFFMAN. Madam Speaker, in 1969 I did volunteer work at an Army hospital located in Aurora, Colorado, with a Junior Red Cross. This was at the height of the war in Vietnam and wounded soldiers were arriving at the hospital daily. Most were amputees who had lost their legs to mines and booby traps.

Sadly, as America became increasingly divided over the war in Vietnam they also became divided over their support for those who fought in that war. As a result, these wounded soldiers were unappreciated, isolated, and largely forgotten. To make matters worse, after they were stabilized, they were sent for their rehabilitation to VA facilities that were often substandard.

I look forward to using my new leadership position as the chairman for the Oversight and Investigation Subcommittee of the House Committee on Veterans' Affairs to help all veterans who have served our country and have earned our support.

I want to do everything in my power to make sure that our Iraq and Afghanistan veterans are never treated like those who returned from Vietnam.

\$1 TRILLION HIKE FOR AFFORDABLE CARE ACT

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Madam Speaker, 2013, brand-new year, brand-new Congress. But what's this year also bringing? How about some brand-new taxes under the Affordable Care Act.

There is a medical device tax that started on January 1 of 2.3 percent on gross sales. This means some of our smallest companies, medical start-up companies, are going to pay a tax not on profits but their gross receipts.

The flexible spending account that many families rely upon to pay for recurring expenses with pre-tax dollars, especially those families with special needs children, those are now capped at \$2,500.

Investment income, a surtax of 3.8 percent for people who earn above a certain level.

Taxes on medical deductions, it rises from a 7.5 percent reduction to 10 percent on adjusted gross income. That means our sickest constituents are going to be paying more taxes.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

And then, finally, the Medicare payroll tax hike. For the first time, individuals who earn investment income are going to be paying a payroll tax of .9 percent. There will be an additional .9 percent on other income as well.

Let's be honest, the Affordable Care Act benefits are still over a year away, but boy, you got a big tax bill January 1.

PLANNED PARENTHOOD

(Mrs. BLACK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACK. As a nurse for over 40 years, I have spent my career protecting life. As a Congresswoman, I am proud to continue this critical fight for life.

With former Congressman Mike Pence's blessing, I have reintroduced his legislation, the Title X Abortion Provider Prohibition Act.

This bill will ensure that no Federal funds are given to Planned Parenthood or any other organization that abuses their privileges as health care providers and fails to protect life.

It is long past time for Congress to respect the will of the American people and to stop taxpayer-funded abortions, a heinous abuse of the law and destruction of innocent life.

I urge my colleagues to stand up for life and to support this important legislation.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 4, 2013.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 4, 2013 at 2:35 p.m.:

That the Senate passed without amendment H.R. 41.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by the Speaker on Friday, January 4, 2013:

H.R. 41, to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the National Flood Insurance Program.

□ 1410

RESIGNATION AS MEMBER OF COMMITTEE ON APPROPRIATIONS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Appropriations:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 14, 2013.

Hon. JOHN BOEHNER,
Speaker, House of Representatives, U.S. Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: I respectfully request a leave of absence from the Appropriations Committee in the 113th Congress, effective today.

Sincerely,

STEVE ISRAEL,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.
There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON APPROPRIATIONS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Appropriations:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 14, 2013.

Hon. JOHN A. BOEHNER,
Speaker of the House, House of Representatives, Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: I will be taking a leave of absence from the House Appropriations Committee for the remainder of the 113th Congress.

As you are aware, I was elected by the full Democratic Caucus to serve as the Ranking Member on the House Permanent Select Committee on Intelligence this Congress. I intend to return to the Appropriations Committee in the future.

Thank you for your help with this matter. I look forward to working with you in the coming year.

Sincerely,

C.A. DUTCH RUPPERSBERGER,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.
There was no objection.

RESIGNATIONS AS MEMBER OF COMMITTEES ON THE JUDICIARY AND OVERSIGHT AND GOVERNMENT REFORM

The SPEAKER pro tempore laid before the House the following resignations as a member of the Committees on the Judiciary and Oversight and Government Reform:

CONGRESS OF THE UNITED STATES,
Washington, DC, January 11, 2013.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives, U.S. Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: In order to join the Committee on Appropriations, I hereby take a leave of absence from my seat on the Committee on Judiciary, effective today.

Sincerely,

MIKE QUIGLEY,
Member of Congress.

CONGRESS OF THE UNITED STATES,
Washington, DC, January 11, 2013.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives, U.S. Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: In order to join the Committee on Appropriations, I hereby take a leave of absence from my seat on the Committee on the Oversight and Government Reform, effective today.

Sincerely,

MIKE QUIGLEY,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignations are accepted.

There was no objection.

RESIGNATIONS AS MEMBER OF COMMITTEES ON ARMED SERVICES AND AGRICULTURE

The SPEAKER pro tempore laid before the House the following resignations as a member of the Committees on Armed Services and Agriculture:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 14, 2013.

Hon. JOHN BOEHNER,
Speaker, House of Representatives, U.S. Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: In order to join the Committee on Appropriations, I hereby resign my seat on both the Armed Services Committee and the Committee on Agriculture, effective today.

Sincerely,

BILL OWENS,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignations are accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON FINANCIAL SERVICES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Financial Services:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 11, 2013.

Hon. JOHN BOEHNER,
Speaker, House of Representatives, The Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: In order to rejoin the Judiciary Committee, I hereby take a leave of absence with seniority retained from the Financial Services Committee, effective today. Thank you for your time and attention in this matter.

Sincerely,

LUIS V. GUTIERREZ,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON HOMELAND SECURITY

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Homeland Security:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 14, 2013.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER: In order to join the Committee on Transportation and Infrastructure, I hereby resign my seat on the Homeland Security Committee, effective today.

Sincerely,

JANICE HAHN,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON THE BUDGET

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on the Budget:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 14, 2013.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
U.S. Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: In order to join the Committee on Financial Services, I hereby resign my seat on the Budget Committee, effective today.

Sincerely,

DENNY HECK,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 12 minutes p.m.), the House stood in recess.

□ 1700

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. EMERSON) at 5 p.m.

SANDY RECOVERY IMPROVEMENT ACT OF 2013

Mr. DENHAM. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 219) to improve and streamline disaster assistance for Hurricane Sandy, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 219

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Sandy Recovery Improvement Act of 2013”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Public assistance program alternative procedures.

Sec. 3. Federal assistance to individuals and households.

Sec. 4. Hazard mitigation.

Sec. 5. Dispute resolution pilot program.

Sec. 6. Unified Federal review.

Sec. 7. Simplified procedures.

Sec. 8. Essential assistance.

Sec. 9. Individual assistance factors.

Sec. 10. Tribal requests for a major disaster or emergency declaration under the Stafford Act.

Sec. 11. Recommendations for reducing costs of future disasters.

SEC. 2. PUBLIC ASSISTANCE PROGRAM ALTERNATIVE PROCEDURES.

Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) is amended—

(1) by redesignating the second section 425 (relating to essential service providers) as section 427; and

(2) by adding at the end the following:

“SEC. 428. PUBLIC ASSISTANCE PROGRAM ALTERNATIVE PROCEDURES.

“(a) APPROVAL OF PROJECTS.—The President, acting through the Administrator of the Federal Emergency Management Agency, may approve projects under the alternative procedures adopted under this section for any major disaster or emergency declared on or after the date of enactment of this section. The Administrator may also apply the alternate procedures adopted under this section to a major disaster or emergency declared before enactment of this Act for which construction has not begun as of the date of enactment of this Act.

“(b) ADOPTION.—The Administrator, in coordination with States, tribal and local governments, and owners or operators of private nonprofit facilities, may adopt alternative procedures to administer assistance provided under sections 403(a)(3)(A), 406, 407, and 502(a)(5).

“(c) GOALS OF PROCEDURES.—The alternative procedures adopted under subsection (a) shall further the goals of—

“(1) reducing the costs to the Federal Government of providing such assistance;

“(2) increasing flexibility in the administration of such assistance;

“(3) expediting the provision of such assistance to a State, tribal or local government, or owner or operator of a private nonprofit facility; and

“(4) providing financial incentives and disincentives for a State, tribal or local government, or owner or operator of a private nonprofit facility for the timely and cost-effective completion of projects with such assistance.

“(d) PARTICIPATION.—Participation in the alternative procedures adopted under this section shall be at the election of a State, tribal or local government, or owner or operator of a private nonprofit facility consistent with procedures determined by the Administrator.

“(e) MINIMUM PROCEDURES.—The alternative procedures adopted under this section shall include the following:

“(1) For repair, restoration, and replacement of damaged facilities under section 406—

“(A) making grants on the basis of fixed estimates, if the State, tribal or local government, or owner or operator of the private nonprofit facility agrees to be responsible for any actual costs that exceed the estimate;

“(B) providing an option for a State, tribal or local government, or owner or operator of

a private nonprofit facility to elect to receive an in-lieu contribution, without reduction, on the basis of estimates of—

“(i) the cost of repair, restoration, reconstruction, or replacement of a public facility owned or controlled by the State, tribal or local government or owner or operator of a private nonprofit facility; and

“(ii) management expenses;

“(C) consolidating, to the extent determined appropriate by the Administrator, the facilities of a State, tribal or local government, or owner or operator of a private nonprofit facility as a single project based upon the estimates adopted under the procedures;

“(D) if the actual costs of a project completed under the procedures are less than the estimated costs thereof, the Administrator may permit a grantee or subgrantee to use all or part of the excess funds for—

“(i) cost-effective activities that reduce the risk of future damage, hardship, or suffering from a major disaster; and

“(ii) other activities to improve future Public Assistance operations or planning;

“(E) in determining eligible costs under section 406, the Administrator shall make available, at an applicant's request and where the Administrator or the certified cost estimate prepared by the applicant's professionally licensed engineers has estimated an eligible Federal share for a project of at least \$5,000,000, an independent expert panel to validate the estimated eligible cost consistent with applicable regulations and policies implementing this section; and

“(F) in determining eligible costs under section 406, the Administrator shall, at the applicant's request, consider properly conducted and certified cost estimates prepared by professionally licensed engineers (mutually agreed upon by the Administrator and the applicant), to the extent that such estimates comply with applicable regulations, policy, and guidance.

“(2) For debris removal under sections 403(a)(3)(A), 407, and 502(a)(5)—

“(A) making grants on the basis of fixed estimates to provide financial incentives and disincentives for the timely or cost-effective completion if the State, tribal or local government, or owner or operator of the private nonprofit facility agrees to be responsible to pay for any actual costs that exceed the estimate;

“(B) using a sliding scale for determining the Federal share for removal of debris and wreckage based on the time it takes to complete debris and wreckage removal;

“(C) allowing use of program income from recycled debris without offset to the grant amount;

“(D) reimbursing base and overtime wages for employees and extra hires of a State, tribal or local government, or owner or operator of a private nonprofit facility performing or administering debris and wreckage removal;

“(E) providing incentives to a State or tribal or local government to have a debris management plan approved by the Administrator and have pre-qualified 1 or more debris and wreckage removal contractors before the date of declaration of the major disaster; and

“(F) if the actual costs of projects under subparagraph (A) are less than the estimated costs of the project, the Administrator may permit a grantee or subgrantee to use all or part of the excess funds for—

“(i) debris management planning;

“(ii) acquisition of debris management equipment for current or future use; and

“(iii) other activities to improve future debris removal operations, as determined by the Administrator.

“(f) **WAIVER AUTHORITY.**—Until such time as the Administrator promulgates regulations to implement this section, the Administrator may—

“(1) waive notice and comment rule-making, if the Administrator determines the waiver is necessary to expeditiously implement this section; and

“(2) carry out the alternative procedures under this section as a pilot program.

“(g) **OVERTIME PAYMENTS.**—The guidelines for reimbursement for costs under subsection (e)(2)(D) shall ensure that no State or local government is denied reimbursement for overtime payments that are required pursuant to the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.).

“(h) **REPORT.**—

“(1) **IN GENERAL.**—Not earlier than 3 years, and not later than 5 years, after the date of enactment of this section, the Inspector General of the Department of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the alternative procedures for the repair, restoration, and replacement of damaged facilities under section 406 authorized under this section.

“(2) **CONTENTS.**—The report shall contain an assessment of the effectiveness of the alternative procedures, including—

“(A) whether the alternative procedures helped to improve the general speed of disaster recovery;

“(B) the accuracy of the estimates relied upon;

“(C) whether the financial incentives and disincentives were effective;

“(D) whether the alternative procedures were cost effective;

“(E) whether the independent expert panel described in subsection (e)(1)(E) was effective; and

“(F) recommendations for whether the alternative procedures should be continued and any recommendations for changes to the alternative procedures.”

SEC. 3. FEDERAL ASSISTANCE TO INDIVIDUALS AND HOUSEHOLDS.

Section 408(c)(1)(B) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(c)(1)(B)) is amended—

(1) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively;

(2) by inserting after clause (i) the following:

“(ii) **LEASE AND REPAIR OF RENTAL UNITS FOR TEMPORARY HOUSING.**—

“(I) **IN GENERAL.**—The President, to the extent the President determines it would be a cost-effective alternative to other temporary housing options, may—

“(aa) enter into lease agreements with owners of multifamily rental property located in areas covered by a major disaster declaration to house individuals and households eligible for assistance under this section; and

“(bb) make repairs or improvements to properties under such lease agreements, to the extent necessary to serve as safe and adequate temporary housing.

“(II) **IMPROVEMENTS OR REPAIRS.**—Under the terms of any lease agreement for property entered into under this subsection, the value of the improvements or repairs—

“(aa) shall be deducted from the value of the lease agreement; and

“(bb) may not exceed the value of the lease agreement.”; and

(3) in clause (iv) (as so redesignated) by striking “clause (ii)” and inserting “clause (iii)”.

SEC. 4. HAZARD MITIGATION.

(a) **STREAMLINED PROCEDURES; ADVANCE ASSISTANCE.**—Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) is amended by adding at the end the following:

“(d) **STREAMLINED PROCEDURES.**—

“(1) **IN GENERAL.**—For the purpose of providing assistance under this section, the President shall ensure that—

“(A) adequate resources are devoted to ensure that applicable environmental reviews under the National Environmental Policy Act of 1969 and historic preservation reviews under the National Historic Preservation Act are completed on an expeditious basis; and

“(B) the shortest existing applicable process under the National Environmental Policy Act of 1969 and the National Historic Preservation Act is utilized.

“(2) **AUTHORITY FOR OTHER EXPEDITED PROCEDURES.**—The President may utilize expedited procedures in addition to those required under paragraph (1) for the purpose of providing assistance under this section, such as procedures under the Prototype Programmatic Agreement of the Federal Emergency Management Agency, for the consideration of multiple structures as a group and for an analysis of the cost-effectiveness and fulfillment of cost-share requirements for proposed hazard mitigation measures.

“(e) **ADVANCE ASSISTANCE.**—The President may provide not more than 25 percent of the amount of the estimated cost of hazard mitigation measures to a State grantee eligible for a grant under this section before eligible costs are incurred.”.

(b) **ESTABLISHMENT OF CRITERIA RELATING TO ADMINISTRATION OF HAZARD MITIGATION ASSISTANCE BY STATES.**—Section 404(c)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c(c)(2)) is amended by inserting after “applications submitted under paragraph (1).” the following: “Until such time as the Administrator promulgates regulations to implement this paragraph, the Administrator may waive notice and comment rule-making, if the Administrator determines doing so is necessary to expeditiously implement this section, and may carry out this section as a pilot program.”.

(c) **APPLICABILITY.**—The authority under the amendments made by this section shall apply to—

(1) any major disaster or emergency declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) on or after the date of enactment of this Act; and

(2) a major disaster or emergency declared under that Act before the date of enactment of this Act for which the period for processing requests for assistance has not ended as of the date of enactment of this Act.

SEC. 5. DISPUTE RESOLUTION PILOT PROGRAM.

(a) **DEFINITIONS.**—In this section, the following definitions apply:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Federal Emergency Management Agency.

(2) **ELIGIBLE ASSISTANCE.**—The term “eligible assistance” means assistance—

(A) under section 403, 406, or 407 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b, 5172, 5173);

(B) for which the legitimate amount in dispute is not less than \$1,000,000, which sum the Administrator shall adjust annually to reflect changes in the Consumer Price Index for all Urban Consumers published by the Department of Labor;

(C) for which the applicant has a non-Federal share; and

(D) for which the applicant has received a decision on a first appeal.

(b) **PROCEDURES.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this section, and in order to facilitate an efficient recovery from major disasters, the Administrator shall establish procedures under which an applicant may request the use of alternative dispute resolution, including arbitration by an independent review panel, to resolve disputes relating to eligible assistance.

(2) **BINDING EFFECT.**—A decision by an independent review panel under this section shall be binding upon the parties to the dispute.

(3) **CONSIDERATIONS.**—The procedures established under this section shall—

(A) allow a party of a dispute relating to eligible assistance to request an independent review panel for the review;

(B) require a party requesting an independent review panel as described in subparagraph (A) to agree to forgo rights to any further appeal of the dispute relating to any eligible assistance;

(C) require that the sponsor of an independent review panel for any alternative dispute resolution under this section be—

(i) an individual or entity unaffiliated with the dispute (which may include a Federal agency, an administrative law judge, or a re-employed annuitant who was an employee of the Federal Government) selected by the Administrator; and

(ii) responsible for identifying and maintaining an adequate number of independent experts qualified to review and resolve disputes under this section;

(D) require an independent review panel to—

(i) resolve any remaining disputed issue in accordance with all applicable laws, regulations, and Agency interpretations of those laws through its published policies and guidance;

(ii) consider only evidence contained in the administrative record, as it existed at the time at which the Agency made its initial decision;

(iii) only set aside a decision of the Agency found to be arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; and

(iv) in the case of a finding of material fact adverse to the claimant made on first appeal, only set aside or reverse such finding if the finding is clearly erroneous.

(E) require an independent review panel to expeditiously issue a written decision for any alternative dispute resolution under this section; and

(F) direct that if an independent review panel for any alternative dispute resolution under this section determines that the basis upon which a party submits a request for alternative dispute resolution is frivolous, the independent review panel shall direct the party to pay the reasonable costs to the Federal Emergency Management Agency relating to the review by the independent review panel. Any funds received by the Federal Emergency Management Agency under the authority of this section shall be deposited to the credit of the appropriation or appropriations available for the eligible assistance in dispute on the date on which the funds are received.

(c) **SUNSET.**—A request for review by an independent review panel under this section may not be made after December 31, 2015.

(d) **REPORT.**—

(1) **IN GENERAL.**—Not later than 270 days after the termination of authority under this section under subsection (c), the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report analyzing the effectiveness of the program under this section.

(2) **CONTENTS.**—The report submitted under paragraph (1) shall include—

(A) a determination of the availability of data required to complete the report;

(B) an assessment of the effectiveness of the program under this section, including an assessment of whether the program expedited or delayed the disaster recovery process;

(C) an assessment of whether the program increased or decreased costs to administer section 403, 406, or 407 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act;

(D) an assessment of the procedures and safeguards that the independent review panels established to ensure objectivity and accuracy, and the extent to which they followed those procedures and safeguards;

(E) a recommendation as to whether any aspect of the program under this section should be made a permanent authority; and

(F) recommendations for any modifications to the authority or the administration of the authority under this section in order to improve the disaster recovery process.

SEC. 6. UNIFIED FEDERAL REVIEW.

Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (as amended by this Act) is further amended by adding at the end the following:

“SEC. 429. UNIFIED FEDERAL REVIEW.

“(a) **IN GENERAL.**—Not later than 18 months after the date of enactment of this section, and in consultation with the Council on Environmental Quality and the Advisory Council on Historic Preservation, the President shall establish an expedited and unified interagency review process to ensure compliance with environmental and historic requirements under Federal law relating to disaster recovery projects, in order to expedite the recovery process, consistent with applicable law.

“(b) **CONTENTS.**—The review process established under this section shall include mechanisms to expeditiously address delays that may occur during the recovery from a major disaster and be updated, as appropriate, consistent with applicable law.”.

SEC. 7. SIMPLIFIED PROCEDURES.

Section 422 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189) is amended—

(1) by striking “If the Federal estimate” and inserting “(a) **IN GENERAL.**—If the Federal estimate”;

(2) by inserting “(or, if the Administrator has established a threshold under subsection (b), the amount established under subsection (b),” after “\$35,000” the first place it appears;

(3) by inserting “or, if applicable, the amount established under subsection (b),” after “\$35,000 amount” the second place it appears; and

(4) by adding at the end the following:

“(b) **THRESHOLD.**—

“(1) **REPORT.**—Not later than 1 year after the date of enactment of this subsection, the

President, acting through the Administrator of the Federal Emergency Management Agency (in this section referred to as the ‘Administrator’), shall—

“(A) complete an analysis to determine whether an increase in the threshold for eligibility under subsection (a) is appropriate, which shall include consideration of cost-effectiveness, speed of recovery, capacity of grantees, past performance, and accountability measures; and

“(B) submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report regarding the analysis conducted under subparagraph (A).”

“(2) **AMOUNT.**—After the Administrator submits the report required under paragraph (1), the President shall direct the Administrator to—

“(A) immediately establish a threshold for eligibility under this section in an appropriate amount, without regard to chapter 5 of title 5, United States Code; and

“(B) adjust the threshold annually to reflect changes in the Consumer Price Index for all Urban Consumers published by the Department of Labor.

“(3) **REVIEW.**—Not later than 3 years after the date on which the Administrator establishes a threshold under paragraph (2), and every 3 years thereafter, the President, acting through the Administrator, shall review the threshold for eligibility under this section.”.

SEC. 8. ESSENTIAL ASSISTANCE.

(a) **OTHER NEEDS ASSISTANCE.**—Section 408(e)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(e)(1)) is amended—

(1) in the paragraph heading by inserting “CHILD CARE,” after “DENTAL,”; and

(2) by inserting “child care,” after “dental,”.

(b) **SALARIES AND BENEFITS.**—Section 403 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b) is amended by adding at the end the following:

“(d) **SALARIES AND BENEFITS.**—

“(1) **IN GENERAL.**—If the President declares a major disaster or emergency for an area within the jurisdiction of a State, tribal, or local government, the President may reimburse the State, tribal, or local government for costs relating to—

“(A) basic pay and benefits for permanent employees of the State, tribal, or local government conducting emergency protective measures under this section, if—

“(i) the work is not typically performed by the employees; and

“(ii) the type of work may otherwise be carried out by contract or agreement with private organizations, firms, or individuals; or

“(B) overtime and hazardous duty compensation for permanent employees of the State, tribal, or local government conducting emergency protective measures under this section.

“(2) **OVERTIME.**—The guidelines for reimbursement for costs under paragraph (1) shall ensure that no State, tribal, or local government is denied reimbursement for overtime payments that are required pursuant to the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.).

“(3) **NO EFFECT ON MUTUAL AID PACTS.**—Nothing in this subsection shall affect the ability of the President to reimburse labor force expenses provided pursuant to an authorized mutual aid pact.”.

SEC. 9. INDIVIDUAL ASSISTANCE FACTORS.

In order to provide more objective criteria for evaluating the need for assistance to individuals, to clarify the threshold for eligibility and to speed a declaration of a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency, in cooperation with representatives of State, tribal, and local emergency management agencies, shall review, update, and revise through rulemaking the factors considered under section 206.48 of title 44, Code of Federal Regulations (including section 206.48(b)(2) of such title relating to trauma and the specific conditions or losses that contribute to trauma), to measure the severity, magnitude, and impact of a disaster.

SEC. 10. TRIBAL REQUESTS FOR A MAJOR DISASTER OR EMERGENCY DECLARATION UNDER THE STAFFORD ACT.

(a) **MAJOR DISASTER REQUESTS.**—Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) is amended—

(1) by striking “All requests for a declaration” and inserting “(a) **IN GENERAL.**—All requests for a declaration”; and

(2) by adding at the end the following:

“(b) **INDIAN TRIBAL GOVERNMENT REQUESTS.**—

“(1) **IN GENERAL.**—The Chief Executive of an affected Indian tribal government may submit a request for a declaration by the President that a major disaster exists consistent with the requirements of subsection (a).

“(2) **REFERENCES.**—In implementing assistance authorized by the President under this Act in response to a request of the Chief Executive of an affected Indian tribal government for a major disaster declaration, any reference in this title or title III (except sections 310 and 326) to a State or the Governor of a State is deemed to refer to an affected Indian tribal government or the Chief Executive of an affected Indian tribal government, as appropriate.

“(3) **SAVINGS PROVISION.**—Nothing in this subsection shall prohibit an Indian tribal government from receiving assistance under this title through a declaration made by the President at the request of a State under subsection (a) if the President does not make a declaration under this subsection for the same incident.

“(c) **COST SHARE ADJUSTMENTS FOR INDIAN TRIBAL GOVERNMENTS.**—

“(1) **IN GENERAL.**—In providing assistance to an Indian tribal government under this title, the President may waive or adjust any payment of a non-Federal contribution with respect to the assistance if—

“(A) the President has the authority to waive or adjust the payment under another provision of this title; and

“(B) the President determines that the waiver or adjustment is necessary and appropriate.

“(2) **CRITERIA FOR MAKING DETERMINATIONS.**—The President shall establish criteria for making determinations under paragraph (1)(B).”.

(b) **EMERGENCY REQUESTS.**—Section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191) is amended by adding at the end the following:

“(c) **INDIAN TRIBAL GOVERNMENT REQUESTS.**—

“(1) **IN GENERAL.**—The Chief Executive of an affected Indian tribal government may

submit a request for a declaration by the President that an emergency exists consistent with the requirements of subsection (a).

“(2) REFERENCES.—In implementing assistance authorized by the President under this title in response to a request of the Chief Executive of an affected Indian tribal government for an emergency declaration, any reference in this title or title III (except sections 310 and 326) to a State or the Governor of a State is deemed to refer to an affected Indian tribal government or the Chief Executive of an affected Indian tribal government, as appropriate.

“(3) SAVINGS PROVISION.—Nothing in this subsection shall prohibit an Indian tribal government from receiving assistance under this title through a declaration made by the President at the request of a State under subsection (a) if the President does not make a declaration under this subsection for the same incident.”.

(c) DEFINITIONS.—Section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122) is amended—

(1) in paragraph (7)(B) by striking “; and” and inserting “, that is not an Indian tribal government as defined in paragraph (6); and”;

(2) by redesignating paragraphs (6) through (10) as paragraphs (7) through (11), respectively;

(3) by inserting after paragraph (5) the following:

“(6) INDIAN TRIBAL GOVERNMENT.—The term ‘Indian tribal government’ means the governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe under the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a et seq.)”; and

(4) by adding at the end the following:

“(12) CHIEF EXECUTIVE.—The term ‘Chief Executive’ means the person who is the Chief, Chairman, Governor, President, or similar executive official of an Indian tribal government.”.

(d) REFERENCES.—Title I of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) is amended by adding after section 102 the following: “SEC. 103. REFERENCES.

“Except as otherwise specifically provided, any reference in this Act to ‘State and local’, ‘State or local’, ‘State, and local’, ‘State, or local’, or ‘State, local’ (including plurals) with respect to governments or officials and any reference to a ‘local government’ in sections 406(d)(3) and 417 is deemed to refer also to Indian tribal governments and officials, as appropriate.”.

(e) REGULATIONS.—

(1) ISSUANCE.—The President shall issue regulations to carry out the amendments made by this section.

(2) FACTORS.—In issuing the regulations, the President shall consider the unique conditions that affect the general welfare of Indian tribal governments.

SEC. 11. RECOMMENDATIONS FOR REDUCING COSTS OF FUTURE DISASTERS.

(a) REPORT TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit to Congress recommendations for the development of a national strategy for reducing future costs, loss of life, and injuries associated with extreme disaster events in vulnerable areas of the United States.

(b) NATIONAL STRATEGY.—The national strategy should—

(1) respect the constitutional role and responsibilities of Federal, State, and local governments and the private sector;

(2) consider the vulnerability of the United States to damage from flooding, severe weather events, and other hazards;

(3) analyze gaps and duplication of emergency preparedness, response, recovery, and mitigation measures provided by Federal, State, and local entities; and

(4) include recommendations on how to improve the resiliency of local communities and States for the purpose of lowering future costs of disaster response and recovery.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. DENHAM) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. DENHAM. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 219.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DENHAM. Madam Speaker, I yield myself such time as I may consume.

I want to thank Chairman SHUSTER of the Committee on Transportation and Infrastructure for his leadership on this legislation. His knowledge and years of experience on these issues have been critical to crafting this legislation and bringing it before the House for consideration today. I also want to thank Ranking Member NORTON, Ranking Member RAHALL, and former Chairman MICA for all of their work and support for these reforms.

H.R. 219, the Sandy Recovery Improvement Act of 2013, will save money and help devastated communities rebuild much faster than under current programs. However, in order to help those communities impacted by Sandy, the FEMA Administrator has made it very clear that these reforms must be signed into law by March 1. Many of these reforms were already passed by the House in September as part of H.R. 2903. There is also widespread and bipartisan support for these reforms in the Senate. In addition, this bill has strong support from key stakeholders and experts, representing emergency managers, State and local officials, and tribal communities. We know these reforms work. Chairman SHUSTER laid the groundwork in 2006 when his post-Katrina reform act authorized FEMA to conduct a number of recovery pilot programs.

The results are very clear.

In each case, costs were dramatically reduced, projects were completed faster, and their process was much more efficient. For example, without making permanent the debris removal pilot

program the taxpayer could end up paying six times the cost for debris removal, and it will take much longer. The individuals and households pilot program incorporated in this bill would reduce costs by a similar amount and make temporary housing available faster.

In hearing after hearing before our committee, experts, FEMA, and the Office of the Inspector General have all testified communities will be rebuilt faster and taxpayers will save hundreds of millions of dollars with this bill. We know the current process is broken, and we finally know how to fix it, but we have to change the law by March or it will be too late to apply those lessons to the Sandy recovery. It has been nearly 8 years since Hurricane Katrina, and there are still projects that are unresolved. We don’t want to have the same mistakes happen with Hurricane Sandy. These reforms will help address those programs, streamline the process, allow communities to rebuild faster and smarter, and save money.

The provisions of H.R. 219 are proven and commonsense reforms that have bipartisan support. I urge my colleagues to support the passage of H.R. 219.

I reserve the balance of my time.

Ms. NORTON. Madam Speaker, I yield myself such time as I may consume.

I want to thank Mr. SHUSTER, Mr. RAHALL, and my good friend Mr. DENHAM for their very important work to bring this matter to the floor so soon after the recess. I’m sure everyone appreciates it, and I certainly associate myself with the remarks of Mr. DENHAM. He and I worked on the very passages he quoted.

I, therefore, rise in support of H.R. 219, the Sandy Recovery Improvement Act of 2013. This bipartisan measure consists of reforms to expedite the recovery process for those communities that received disaster declarations for Hurricane Sandy as well as for future Presidentially declared disasters. I do believe this may be the first time that some of these reforms with any significant event have been tested because many of the provisions included in the bill are matters that we have long worked for and that were incorporated into similar legislation in past Congresses. Several of the provisions will streamline the rebuilding process to provide jobs in the region and to achieve full recovery. The measure is also supported by the International Association of Emergency Managers, the Association of State Floodplain Managers, the National League of Cities, and more.

After Hurricanes Katrina and Rita, Congress enacted two pilot programs: one for debris removal and another allowing FEMA to make limited repairs instead of lease payments to provide housing when cheaper than using temporary trailers. Both pilot programs

were successful and resulted in savings for the Federal Government. Local governments and emergency management professionals have discussed the need to make the debris removal program permanent in order to expedite debris recovery. The housing program will be especially useful in large urban areas, such as in New York City, where temporary trailers simply are not an option. This bill would codify both expired pilot programs, providing additional tools for FEMA to help communities recover.

This measure would also authorize FEMA to use fixed grants based on cost estimates at the request of the local community—another favorite we have been pressing for years. Although Congress authorized FEMA to use cost estimating 12 years ago, which is the way the insurance industry does it, for example, FEMA has not done so. The new authorization includes incentives for the local communities to use cost estimating by allowing them to rebuild according to today's needs and by eliminating long delays in the recovery process caused by cost disputes. Moreover, this provision explicitly authorizes FEMA and the applicant to mutually agree on a professionally licensed expert to prepare a cost estimate to be relied upon by FEMA instead of using an adversarial process in which both hire their own cost estimators, paid for by the Federal Government, and then get into a dispute as to which one is the best to use. This process alone will eliminate one of the most inefficient uses of Federal funds I have ever heard of in which FEMA pays for the State's experts to submit competing estimates of the costs of repair to the government's experts. No more of that. No more waste from that.

Finally, the Transportation and Infrastructure Committee held an oversight hearing last month on the preparedness, response to, and recovery from Hurricane Sandy. At that hearing, I questioned FEMA Administrator Fugate about the need to expedite the dispute resolution process. I am pleased to state that this bill includes a 3-year dispute resolution pilot program for FEMA to draft procedures in order to expedite project closure and to decrease recovery costs caused by project delays.

Madam Speaker, I strongly urge my colleagues to join me in supporting this bill, and I reserve the balance of my time.

□ 1710

Mr. DENHAM. Madam Speaker, I wish to yield 5 minutes to the gentleman from Pennsylvania, the new chairman of the Transportation and Infrastructure Committee, Mr. SHUSTER.

Mr. SHUSTER. Madam Speaker, I thank the gentleman from California (Mr. DENHAM) for his leadership and for sponsoring this important legislation.

We are proud to have strong bipartisan support. Thanks go to Member RAHALL and Ms. HOLMES NORTON for her support on this and working closely with us. In fact, the gentlelady from Washington, D.C., and I worked very closely 8 years ago on many of these reforms that we're going to expand from pilot projects.

I would also like to acknowledge my predecessor and friend, our former chairman, Mr. MICA, who's been a leader on these issues, and also to thank Mr. PALAZZO from Mississippi, who offered important suggestions to improve this legislation.

I'm proud to be a cosponsor. These bipartisan Federal Emergency Management Agency and disaster recovery improvements will speed up and streamline Hurricane Sandy recovery efforts. And they will also, importantly, reduce costs.

We worked to target improvements that will specifically help communities in the immediate aftermath of Sandy. These are critical, bipartisan reforms supported by FEMA and key experts and stakeholders. We understand from FEMA Administrator Fugate that these reforms must be enacted by March 1 to help the recovery from Hurricane Sandy.

I have worked on these issues since serving as chairman of the Subcommittee on Emergency Management, as I mentioned, with the gentlelady from Washington, 8 years ago. At that time, I witnessed the devastation following Hurricane Katrina. We saw how our emergency management capability broke down, and significant reforms were needed. We crafted legislation to put FEMA back together again within the Department of Homeland Security, reformed and strengthened our response capability and created pilot programs to test out innovative ways to improve our recovery process.

While we have made significant improvements in disaster preparedness and response since Katrina, there is so much red tape in the recovery programs that rebuilding takes several years longer than it should. The longer communities take to rebuild, the higher the economic losses to those communities and the more it costs the taxpayers.

The pilot programs we created after Katrina laid the foundation for many of these reforms. From the debris removal and public assistance pilot program to the individual and household pilot programs, the savings were significant, and in some cases up to six times less expensive. And these pilot programs did not just save money, but they actually got things done faster.

The Sandy Recovery Improvement Act builds on the important work we started after Hurricane Katrina. Specifically, the Sandy Recovery Improvement Act will: streamline environmental review procedures; allow great-

er flexibility to reduce rebuilding time and lower costs; reduce debris removal costs; provide flexibility and less expensive housing costs; and call for recommendations for reducing costs for future disasters.

As the chairman of the Transportation and Infrastructure Committee, I look forward to working on a FEMA reauthorization bill in the future and moving other important FEMA reforms later in Congress.

However, today I know FEMA needs these reforms, and so I urge all my colleagues to support this in order for us to save hundreds of millions of dollars in Sandy recovery.

Ms. NORTON. First, let me say I appreciate the gentleman's remarks and comparing what we are going through here to what we all went through. He and I were both on the committee after Hurricane Katrina. I can tell you, we never expected to see anything like it, particularly in this part of the country. I certainly agree that this is the time to finally get these reforms done. This is the time to get it done, when we've got a huge Katrina-like event and we've got everybody's attention and we're going to save millions upon millions of dollars. I thank the gentleman.

I'm pleased to yield 3 minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Madam Speaker, I thank my friend from the District, and I commend the work of my colleagues on this bill. It has some good features and should help smooth the way for recovery from Hurricane Sandy.

The delay in getting this bill and, more importantly, the delay in getting the supplemental appropriations bill for Hurricane Sandy to the floor has only compounded problems for Sandy's victims in New Jersey and elsewhere. And I wish that this bill had included language removing a real impediment faced by our towns.

I'm told that the appropriators, in the legislation coming to the floor tomorrow, are showing unusual respect for House rules and won't use their supplemental appropriations bill to change legislation but only to appropriate funds, so that the standard 65/35 Army Corps of Engineers formula will not be changed. In other words, towns must put up 35 percent of the project cost for the Corps of Engineers to make the repairs that they would make. The construction costs are high. Many towns in my State will not be able to come up with the 35 percent cost share match for a multimillion dollar construction project. But the appropriators aren't authorizers, they say. Well, what we have before us now is coming from the authorizing committee. They could have fixed this, and I wish this bill had been brought up in such a way that we could fix this match, as the President had asked in his request for the emergency funds.

This bill should streamline the process, but we should have a 90/10 match so that these towns that are strapped for funds because of the damage of Hurricane Sandy and because they've exceeded their borrowing limits would be able to come up with a smaller amount of money so that the construction by the Corps of Engineers could get underway.

I'm happy to see this streamlined process that will get aid to individuals and municipalities in the wake of future storms like Hurricane Sandy. I wish that we could have used this opportunity to fix the 65/35 match and make it a 90/10 match, as the President had requested. That certainly would have helped the towns in New Jersey and Connecticut and New York.

I thank the gentlelady for yielding me the time.

Mr. DENHAM. Madam Speaker, I would just remind the gentleman from New Jersey that this bill was passed in September by this House and has been sitting in the Senate since September. Even though the President's own appointee, Director Fugate, has been asking for this bill, it has been sitting. So we're looking forward to a bipartisan solution that gets done before March so we can actually help out the Sandy relief fund.

I would just like to point to a couple quick facts. The New Orleans Youth Study Center project, as an example, as you'll see from this chart, Katrina was in 2005. Here's what the Governor's office has put together. This one project isn't going to be done until 2016. After 182 meetings and 7 years of bureaucratic red tape, this one project won't be done until 2016; and that's if all goes well, that's when Louisiana hopes to finish this. That's 11 years after Hurricane Katrina. The single biggest factor in cost increases is time, and these delays will almost double the project from \$15 million to \$28 million. FEMA has spent almost \$5 million on a temporary facility alone.

There are literally thousands of projects like this across the gulf coast, and there will be thousands more of budget-busting projects in New York and New Jersey if we don't get these reforms signed into law.

At this time, Madam Speaker, I'd like to yield 3 minutes to the gentleman from Mississippi (Mr. PALAZZO).

Mr. PALAZZO. Madam Speaker, I rise today in support of the Sandy Recovery Improvement Act of 2013. I want to thank Chairman SHUSTER, Congressman DENHAM, and the entire Transportation and Infrastructure Committee for their work to bring this very important piece of disaster relief reform legislation to the floor this week.

Last Tuesday, I had the opportunity to travel to the hardest hit areas of New York and New Jersey to see firsthand the damage caused by Hurricane Sandy. It immediately reminded me of

the devastation we in Mississippi experienced after Hurricane Katrina just 7 years ago. When you look at the response to hurricanes such as Sandy and Katrina and other superstorms that have hit in recent years, there is no doubt in my mind that we have a broken system.

Last week, I took a vote against propping up a bankrupt and broken system without any serious reforms, and today, I proudly stand before this body to advocate for some common-sense reforms on how we administer disaster relief.

The Sandy Recovery Improvement Act of 2013 scheduled for consideration today is the first step in a much longer process of reforming our disaster relief system. Improving resiliency, increasing mitigation efforts, and changing the way we pay for disaster relief will be key to this discussion.

I'm especially grateful for the committee's work in adding my language to this bill which will require FEMA to develop recommendations to Congress for a national strategy to reduce future costs and loss of life associated with these extreme weather events. Make no mistake, the Northeast needs our help now in ensuring the victims of Sandy receive the relief they so desperately require and need, and I want to encourage my colleagues to join me in support of both today's bill and the remaining Sandy relief measures we will take up this week. But I also believe there's no better time to address the very real needs of our broken disaster relief system. We must not only build back, we must build forward. That's why I'm proud to support this legislation to improve and streamline disaster relief in our country.

□ 1720

Ms. NORTON. Madam Speaker, I yield myself such time as I may consume.

I just want to say that I'm pleased to see that the gentleman from Mississippi has done what we have always done when any part of our country faced a disaster, we all closed in, and we really closed in like nothing you've ever seen with Mississippi and Louisiana, and nobody from the east coast rose to have any problem with moving in.

The reforms this bill now contains, the reforms of Chairman DENHAM and me, and before Chairman DENHAM came to the Congress, reforms that had been in our bill for some time; and it is true that these have not come out, and we have got a lever now to get them out. And when we get them out, they're going to help Mississippi and Louisiana, and they have more of this than the east coast has ever had. And it's going to help all the unforeseen places that now we are seeing experience precisely what only certain parts of the country before had had to endure.

I'm pleased to yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Speaker, I thank very much the gentlelady from the District of Columbia for her clarification; and I, frankly, thank you for having the wisdom in months and years back to have these corrections and these improvements in FEMA, and I know they welcome it.

I am a senior member of the Homeland Security Committee and served as the ranking member on Transportation Security, but know firsthand, as the committee that shares jurisdiction over FEMA, firsthand, in living color, the catastrophe and tragedy of Hurricane Katrina; both in my visits and almost living in New Orleans, as many of our Members did, and then in welcoming over a quarter of a million-plus of New Orleanians into Houston, Texas, being there inside the Astrodome, and seeing eons and eons and layers of beds of people who are Americans and who were Americans who, one could not call them broken, those survivors, if you will, from Hurricane Katrina were not broken. They were people who had worked and had homes and paid taxes.

And so today, Madam Speaker, those who are survivors of Hurricane Sandy are not broken. They are not the cornerstone of the fault of bureaucracy or misuse. They are, in fact, survivors. They are Americans who need our help.

And I'd like to add to this discussion, certainly. I join and want to comment on one or two of the changes here. In particular, the individual assistance factors, I think, will be very helpful to expedite the declaration process for individuals.

I'm very grateful that one of the changes they made, thank goodness, and this is what happened to our seniors, fixing their homes instead of putting them in FEMA trailers. What a celebration.

How many had to stay in FEMA trailers down in the gulf forever and ever and ever while they watched their homes deteriorate because a few simple repairs could not be made. That is a much-needed step.

But I join my colleague from New Jersey and say, how can people who are broken and who are in need come up with 35 percent? And I hope that this will be one that is reconsidered.

Let me quickly suggest that I am in support of the \$5.4 billion for FEMA disaster relief. I'm in support for the \$5.4 billion for the Department of Transportation. Anybody who's been on the east coast and seen the transportation corridor and the congestion and the synergism between New Jersey and Pennsylvania, Connecticut and New York realizes that this is crucial.

The \$3.9 billion for community block grant, I am told that there are Hurricane Sandy islanders, people on Staten Island, people on Coney Island, who are

living in New York downtown hotels. I'm sure in a better day they would enjoy living in high-rise, high-class hotels; but they are people that want to go back to their home, and I'm delighted that we'll have that.

And then I want to support the additional amendment that calls for, the gentleman from New Jersey, \$33 billion unfettered dollars that will help additional resources.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. NORTON. I yield the gentlewoman 30 more seconds.

Ms. JACKSON LEE. I believe that we should have done this last week. But I know that my colleagues will be reading the Constitution tomorrow, so let me read from article I, section 8:

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.

My God, my God, can we provide for the general welfare of those Hurricane Sandy survivors who are not victims but have lost loved ones and, in fact, are the second most-costly hurricane in America's history, Katrina, Sandy, and Hurricane Ike.

I speak from what I know. I beg of this Congress to vote for the New Jersey amendment for \$33 billion and, as well, the others; and let us be able to look back on their needs and go back to the table to help them if they are in need. The Constitution asks us to do that.

Madam Speaker, I rise today to support H.R. 219, "the Sandy Recovery Improvement Act of 2013," this bill is designed to speed up disaster relief granted through the Federal Emergency Management Agency (FEMA) it amends Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to Expedite hazard mitigation projects by streamlining the environmental review and requires the President to establish an expedited review for environmental and historic requirements for rebuilding damage infrastructure. Further, the Sandy Recovery Improvement Act will give local governments' greater flexibility to consolidate or rebuild facilities by allowing FEMA to issue fixed price grants on the basis of damaged estimates instead of a traditional entitlement guarantee to cover all cost increases over time.

Last month, the Administration requested \$60.4 billion in federal aid to provide financial assistance to homeowners and businesses affected by Hurricane Sandy.

In the 112th Congress, on December 28, 2012, the Senate passed a \$61 billion comprehensive aid package for the victims and communities by a vote of 62–32.

I am pleased that this body was able to pass H.R. 41, \$9.7 billion bill which temporarily increased the borrowing authority of the Federal Emergency Management Agency (FEMA) for carrying out the National Flood Insurance Program.

Now that the President has signed H.R. 41, victims of Superstorm Sandy are finally able to

receive some much-needed relief from the federal government.

However, the relief that H.R. 41 granted was limited in scope and insufficient to address the entirety of the situation faced by residents of the affected areas. The House must finish the job. Again the measure before us today does not appropriate additional funds, but it does attempt to address the backlog. This bill would:

Cut debris removal costs dramatically by utilizing reforms from a successful 2006 Debris Removal Pilot program that enable operations to be conducted in a more cost-effective manner and incentivize the completion of projects on-time and under budget.

Save money, as demonstrated by a 2006 pilot program, by authorizing FEMA to make limited repairs to existing housing structures when those repairs cost less than a lease payment for traditional FEMA trailers.

Adjudicate claim disputes quicker and avoid cost overruns, the bill establishes a limited dispute resolution pilot.

Require FEMA to review and update factors for individual assistance disaster declarations to make them less subjective. Provides for disaster declarations for tribal communities.

Direct FEMA to submit recommendations to Congress for the development of national strategy to reduce future costs, loss of life, and injuries associated with extreme disaster events.

Since this historic storm devastated the east coast in late October, the people impacted by the storm, particularly those in the Tri-State area of New Jersey, New York, and Connecticut, have been waiting patiently for the federal government to act as they continue to engage in efforts to rebuild their communities.

However, the time for patience has long since expired, and these Americans can no longer wait for Congress to act to provide comprehensive relief.

For families without a home, and for businesses without a storefront or customers, this situation has been an ongoing nightmare. These families and businesses have been waiting for Congress to join them in their struggle to pick up the pieces and put their communities back together.

The proposal before us is our opportunity to step up and help to restore these suffering communities; that is the role of the federal government.

Every state in this country is, at any given moment in time, at risk for experiencing a devastating and costly natural or manmade disaster. When state and local governments face overwhelming challenges that are too big and too expensive to ever hope to resolve in isolation, the federal government should be there to quickly assist them in their recovery. That is what makes us strong as a nation; that we can come together when necessary to prevent the pieces of our country from crumbling individually.

PREVIOUS FEDERAL GOVERNMENT RESPONSES TO DISASTER RELIEF

As the Representative for the 18th District in Texas, I have firsthand experience with the massive and protracted destruction that storms like this can cause both to property and, more importantly, to the lives of citizens who are left to rebuild their lives and restore all that they have lost.

After the initial disaster response and search and rescue phases, we must begin to rebuild, a process that calls for a long-term commitment from officials in state, local, and federal government.

We can all recall Hurricane Ike in 2008, which heavily impacted many constituents in my district. At least 74 people lost their lives in the State of Texas, with 28 in Harris County and 17 in Galveston. Over 200,000 homes in the Houston-Galveston region were left damaged or destroyed as a result of Ike.

Congress appropriated \$3 billion to Texas to help finance the infrastructure and housing recovery, which included individual and household assistance, disaster unemployment assistance, public assistance grants to state and local government and non-profit organizations to pay for debris removal, emergency protective measures and road repairs, and low-interest disaster loans provided by the Small Business Administration.

My visits to the affected areas fundamentally evidenced the need for long-term recovery and to get people back on their feet. My constituents and others in the affected areas needed and greatly appreciated the federal assistance they received, and so now that Americans in other parts of our nation need our help, we must move in a bipartisan fashion to provide it.

EXTENT OF DAMAGE CAUSED BY SANDY

As a nation, we continue to mourn the loss of at least 132 people in the United States due to Superstorm Sandy (60 in New York, 48 New York City; 34 in New Jersey; 16 in Pennsylvania, 7 in West Virginia). Many more were lost to Sandy in the Caribbean.

As devastating as Hurricane Ike was, the damage to property it caused (an estimated \$29.5 billion) the costs associated with Superstorm Sandy are expected to be significantly higher. While we do not yet know the final numbers, the total amount of property damage resulting from Superstorm Sandy exceeds \$62 billion.

In terms of dollars of property destruction, this ranks Superstorm Sandy second only to Hurricane Katrina (\$128 billion, adjusted for inflation) (note: Hurricane Ike ranks 3rd).

Most gas stations in New York City and New Jersey were closed because of power shortages and depleted fuel supplies. Long lines formed at gas stations that were expected to be open.

Food, shelter and clothing are basic necessities, and right now far too many people are without access to them during these holidays and in brutally cold weather. With more cold weather in sight, things are not going to get any easier for residents of those communities.

Economic conditions in many affected communities are stagnant; stalled because the federal government has yet to provide funding. It took 10 days for Congress to approve roughly \$50 billion in aid for Katrina, but Congress has yet to provide a comprehensive aid package for those affected by Sandy for more than two months.

CONCLUSION

We need to restore a sense of calm and stability in the lives of people affected by Superstorm Sandy. We need to ensure that small businesses in the affected areas are able to rebound as expeditiously as possible

so that they can get the local economies moving again.

Mr. DENHAM. Madam Speaker, the Sandy Recovery Improvement Act will speed up recovery efforts and reduce costs. I want to just touch on one important piece of this legislation. It will allow greater flexibility to reduce rebuilding time and lower costs. This gives the local governments greater flexibility to consolidate or rebuild facilities by allowing FEMA to issue fixed grants on the basis of damage estimates, instead of a traditional reimbursement program.

Why that's important—in my area, in the Central Valley of California, we had huge flooding; and as any emergency, you're not prepared. You didn't anticipate it, especially where we have such a huge shortage of water in the Central Valley.

When the flooding hit, there was a lot of miscommunication and misunderstanding among local, State and Federal Government, who pays for what, a lot of delays and waiting. With these cost estimates up front, we basically just say spend the money on those estimates, and the FEMA money is there immediately.

So we not only help to reduce costs; but most importantly, when you've got a devastated community, what you need is speed of recovery.

I reserve the balance of my time.

Ms. NORTON. I want to agree with the chairman of the subcommittee about cost estimates and how it saves money and how it is one of the many lessons learned that I think will be acted out in this bill.

Madam Speaker, this bill is a downpayment. We all understand this. We understand that the devastation done in four States, I believe it is, was of a magnitude of what we experienced for the first time at the gulf coast.

We are going to come around, and we're going to do what we're supposed to do at times like this. But when we have a major event like this, it does not pay to simply go along doing things the way we have always done them.

This is when things get corrected. This bill is a good step toward correcting what our committee and our subcommittee have tried to do for years now. I appreciate all the effort of my friends and colleagues on the other side and, of course, Mr. RAHALL and our friends who have also, in a bipartisan fashion, pushed for these changes and now have an opportunity to see how they work in a laboratory that is a very big one indeed, one far larger than we expected, but one from which we will also learn what is yet still to be learned about these major disasters.

Madam Speaker, I have no more speakers, and I am pleased to yield back the remainder of my time.

Mr. DENHAM. Madam Speaker, just in closing, I want to talk about one

final example, and it deals with the debris removal. Our bill dealing with debris removal will change, literally saving hundreds of millions of dollars.

Without the change in law, FEMA was able to get a 30-day pilot program. This is with Sandy, had a 30-day pilot program, where in New Jersey, utilizing the pilot program, they removed debris for \$19 per cubic yard. In Long Island, using the Army Corps of Engineers, it was \$129 per yard. That is a huge significant savings, one that, in the debris removal part of this, the 30-day pilot, it's time for it to move along and become part of law. We need to do this now.

This bill has broad support from a number of different areas, including the National League of Cities, the United States Conference of Mayors, the Association of State Floodplain Managers, the International Association of Emergency Managers, the Disaster Recovery Contractors Association, the National Association of Counties, the United South and Eastern Tribes Incorporation, just to name a few.

With that, Madam Speaker, I would ask for a favorable vote, and I yield back the balance of my time.

Mr. RAHALL. Madam Speaker, I rise today in support of H.R. 219, the Sandy Recovery Improvement Act of 2013. This bipartisan bill would improve how the Federal Government helps state, tribal and local communities respond to and recover from disasters by expediting the delivery of Federal assistance. The provisions will have an immediate impact in helping to expedite recovery in those areas that suffered damage from Hurricane Sandy and will help all communities that may experience future disasters.

We must continue to improve our disaster response programs to ensure that timely assistance is provided to individuals in need. At my request, this bill would require, within one year, the Federal Emergency Management Agency (FEMA) to review and update its criteria for issuing Individual Assistance, in order to clarify the eligibility requirements, expedite the Federal government's decision-making process, and minimize bureaucratic delays.

Last year, the State of West Virginia received four Presidential disaster declarations, the last two in response to Hurricane Sandy and Derecho Storms. In both cases, West Virginians had to endure extended and widespread power outages, lasting weeks in some cases, as well as physical damage to their homes and businesses. The emotional trauma was severe with some areas were literally cut off from basic necessities like food, water, and medicine. These disasters proved costly and expensive and dwarfed the limited means of individuals, many of them seniors on fixed incomes who have been pummeled by multiple storms, to absorb uninsured costs on their own.

In both cases, FEMA denied my State's initial request for Individual Assistance, forcing the State to redo its damage assessments and appeal FEMA's decision. FEMA later reversed itself and awarded Individual Assistance to

some, but not all, of the requesting West Virginia counties in regard to the Derecho Storm; so far, the appeal related to Sandy is still pending.

These delays leave uninsured disaster victims in limbo for weeks, unable to begin home repairs because they do not know what costs are reimbursable. State emergency officials need better guidance from FEMA about eligibility criteria for Individual Assistance, so that these delays can be avoided. Similarly, the criteria must be flexible enough to ensure that the Individual Assistance program accomplishes what it was created to do, which is to make financial assistance for uninsured losses available to families and individuals unable to recover on their own.

Another important provision of this bill is one that recognizes tribal sovereignty by authorizing all federally recognized Indian tribes to directly request that the President declare a disaster or emergency. This provision is based on a bill, H.R. 1953, that I introduced last Congress after consulting with Indian country and Indian organizations. It would treat all federally recognized Indian tribes as the sovereign governments that they are and creates a mechanism that affords all tribes the option to request a disaster declaration when a State in which they are located fails to do so.

This important measure is necessary because current law limits FEMA's ability to work directly with all Indian tribes when major disasters or emergency situations occurred. This language would improve federal emergency response and recovery efforts on Indian reservations and would amend the Stafford Act to align with the Federal Government's trust responsibilities. For more than a decade, tribal governments have sought this authorization to work directly with FEMA on emergency and disaster declarations from the President. My bill, and this provision, is supported by Indian Country and the Administration without qualification.

I appreciate the manner in which this bipartisan bill was developed and look forward to working with my Republican colleagues on other issues in a similar manner.

I urge my colleagues to support this measure.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DENHAM) that the House suspend the rules and pass the bill, H.R. 219.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. NORTON. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 30 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. EMERSON) at 6 o'clock and 30 minutes p.m.

PROVIDING FOR THE ATTENDANCE OF THE HOUSE AT THE INAUGURAL CEREMONIES OF THE PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

Mr. CONAWAY. Madam Speaker, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 21

Resolved, That at 10:30 a.m. on Monday, January 21, 2013, the House shall proceed to the West Front of the Capitol for the purpose of attending the inaugural ceremonies of the President and Vice President of the United States; and that upon the conclusion of the ceremonies the House stands adjourned until 10 a.m. on Tuesday, January 22, 2013 for morning-hour debate and noon for legislative business.

The resolution was agreed to.

A motion to reconsider was laid on the table.

—

—

HOUR OF MEETING ON TOMORROW

Mr. CONAWAY. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow; when the House adjourns on that day, it adjourn to meet at 9 a.m. on Wednesday, January 16, 2013; when the House adjourns on that day, it adjourn to meet at 3 p.m. on Friday, January 18, 2013; and when the House adjourns on that day, it adjourn to meet at 10 a.m. on Monday, January 21, 2013.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

—

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Motion to suspend the rules on H.R. 219, by the yeas and nays, and approval of the Journal, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

—

SANDY RECOVERY IMPROVEMENT ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the mo-

tion to suspend the rules and pass the bill (H.R. 219) to improve and streamline disaster assistance for Hurricane Sandy, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DENHAM) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 403, nays 0, not voting 26, as follows:

[Roll No. 8]

YEAS—403

Aderholt
Alexander
Amash
Amodei
Andrews
Bachmann
Bachus
Barber
Barietta
Barr
Barrow
Barton
Bass
Beatty
Becerra
Benishak
Bentivoglio
Bera
Bilirakis
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Calvert
Camp
Campbell
Capito
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Cotton
Courtney
Cramer
Crawford
Crowley
Cuellar

Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
DeLaney
DeLauro
DeBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleming
Flores
Fortenberry
Foster
Fox
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris

Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jones
Jordan
Joyce
Kaptur
Keating
Kelly
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lipinski
LoBiondo
Loebach
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lummis
Lynch
Maffei
Maloney,
Carolyn

Maloney, Sean
Marchant
Marino
Markey
Massie
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascarell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri

Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Wagner
Runyan
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Kingston

Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walden
Walorski
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—26

Bishop (GA)
Braley (IA)
Brown (FL)
Butterfield
Cantor
Capps
Carter
Costa
Crenshaw

Culberson
DeFazio
Fleischmann
Forbes
Grijalva
Gutiérrez
Huffman
Johnson, Sam
Kingston

Kirkpatrick
McCaul
Napolitano
Rohrabacher
Ruppersberger
Schwartz
Sewell (AL)
Smith (WA)

□ 1851

Mr. MEEHAN changed his vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BRALEY of Iowa. Madam Speaker, I regret missing a floor vote on Monday, January 14, 2013. Had I registered my vote, I would have voted:

1) “yea” on rollcall 8, motion to Suspend the Rules and Pass H.R. 219—The Sandy Recovery Improvement Act of 2013.

Mrs. NAPOLITANO. Madam Speaker, on Monday, January 14, 2013, I was absent during rollcall vote No. 8 due to a death in my family. Had I been present, I would have voted “yea” on H.R. 219—The Sandy Recovery Improvement Act of 2013.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker’s approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker’s approval of the Journal.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 300, nays 95, answered “present” 2, not voting 32, as follows:

[Roll No. 9]

YEAS—300

Aderholt	Cuellar	Hinojosa
Alexander	Cummings	Holding
Amodei	Daines	Holt
Andrews	Davis (CA)	Horsford
Bachmann	Davis, Danny	Huelskamp
Bachus	DeGette	Huizenga (MI)
Barber	DeLauro	Hultgren
Barletta	DelBene	Hunter
Barr	Dent	Hurt
Barrow	DeSantis	Issa
Barton	Deutch	Jeffries
Bass	Dingell	Johnson (GA)
Beatty	Doggett	Jones
Becerra	Doyle	Joyce
Bentivolio	Duckworth	Keating
Bera	Duncan (SC)	Kelly
Bilirakis	Duncan (TN)	Kennedy
Bishop (GA)	Edwards	Kildee
Black	Ellison	Kilmer
Blackburn	Elmers	Kind
Bonamici	Emerson	King (IA)
Bonner	Engel	King (NY)
Boustany	Eshoo	Kline
Brady (TX)	Esty	Kuster
Bridenstine	Farenthold	Labrador
Brooks (AL)	Farr	LaMalfa
Brooks (IN)	Fattah	Lamborn
Brown (GA)	Fincher	Lankford
Brownley (CA)	Fleming	Larsen (WA)
Buchanan	Flores	Larson (CT)
Bucshon	Fortenberry	Levin
Bustos	Foster	Lipinski
Calvert	Frankel (FL)	LoBiondo
Camp	Franks (AZ)	Loeb
Campbell	Frelinghuysen	Loebsack
Capito	Fudge	Lofgren
Cárdenas	Gabbard	Long
Carney	Garamendi	Lowenthal
Carson (IN)	Gerlach	Lowe
Cartwright	Gibbs	Lucas
Cassidy	Gingrey (GA)	Luetkemeyer
Castro (TX)	Goodlatte	Lujan Grisham
Chabot	Gosar	(NM)
Chaffetz	Gowdy	Luján, Ben Ray
Cicilline	Granger	(NM)
Clay	Grayson	Maffei
Cleaver	Green, Al	Maloney, Sean
Clyburn	Griffith (VA)	Marchant
Coble	Grimm	Marino
Cohen	Guthrie	Markey
Cole	Hahn	Massie
Collins (NY)	Hall	McCarthy (CA)
Conaway	Hanabusa	McCauley
Connolly	Harper	McClintock
Cook	Harris	McCollum
Cooper	Hartzler	McHenry
Cotton	Hastings (WA)	McIntyre
Courtney	Heck (WA)	McKeon
Cramer	Hensarling	McMorris
Crawford	Higgins	Rodgers
Crowley	Himes	McNerney
		Meadows

Meehan	Richmond
Meeks	Roe
Meng	Roe (TN)
Messer	Rogers (AL)
Mica	Rogers (KY)
Michaud	Rogers (MI)
Miller (MI)	Rokita
Miller, Gary	Ros-Lehtinen
Moran	Roskam
Mullin	Ross
Mulvaney	Rothfus
Murphy (FL)	Royce
Murphy (PA)	Ruiz
Nadler	Runyan
Neal	Rush
Negrete McLeod	Ryan (OH)
Neugebauer	Ryan (WI)
Noem	Sanchez, Loretta
Nugent	Scalise
Nunes	Schiff
Nunnelee	Schneider
O'Rourke	Schrader
Olson	Schweikert
Palazzo	Scott (VA)
Pascarella	Scott, Austin
Payne	Scott, David
Pearce	Sensenbrenner
Pelosi	Serrano
Perlmutter	Sessions
Perry	Shea-Porter
Petri	Sherman
Pingree (ME)	Shimkus
Pocan	Shuster
Polis	Simpson
Pompeo	Sinema
Posey	Sires
Price (NC)	Smith (NE)
Quigley	Smith (NJ)
Rahall	Smith (TX)
Reichert	Southerland
Rice (SC)	Speier

NAYS—95

Amash	Herrera Beutler	Pittenger
Benish	Honda	Poe (TX)
Bishop (NY)	Hoyer	Price (GA)
Brady (PA)	Hudson	Radel
Burgess	Israel	Rangel
Capuano	Jenkins	Reed
Castor (FL)	Johnson (OH)	Renacci
Chu	Johnson, E. B.	Ribble
Clarke	Jordan	Rigell
Coftman	Kinzinger (IL)	Rooney
Collins (GA)	Lance	Salmon
Conyers	Langevin	Sánchez, Linda
Davis, Rodney	Latham	T.
Delaney	Latta	Sarbanes
Denham	Lee (CA)	Schakowsky
DesJarlais	Lummis	Schock
Duffy	Lynch	Slaughter
Enyart	Matheson	Stivers
Fitzpatrick	Matsui	Terry
Fox	McDermott	Thompson (CA)
Gallego	McGovern	Thompson (MS)
Garcia	McKinley	Tierney
Gardner	Miller (FL)	Tipton
Garrett	Miller, George	Valadao
Gibson	Moore	Velázquez
Graves (GA)	Nolan	Visclosky
Graves (MO)	Pallone	Walden
Green, Gene	Pastor (AZ)	Wenstrup
Griffin (AR)	Paulsen	Westmoreland
Hanna	Peters (CA)	Woodall
Hastings (FL)	Peters (MI)	Yoder
Heck (NV)	Peterson	Young (AK)

ANSWERED “PRESENT”—2

Gohmert

OWENS

NOT VOTING—32

Bishop (UT)	Diaz-Balart	Maloney
Braley (IA)	Fleischmann	Carolyn
Brown (FL)	Forbes	McCarthy (NY)
Butterfield	Grijalva	Napolitano
Cantor	Gutierrez	Pitts
Capps	Huffman	Rohrabacher
Cartier	Jackson Lee	Ruppersberger
Costa	Johnson, Sam	Schwartz
Crenshaw	Kaptur	Sewell (AL)
Culberson	Kingston	Smith (WA)
DeFazio	Kirkpatrick	Swalwell (CA)

□ 1900

So the Journal was approved.

The result of the vote was announced as above recorded.

SWEARING IN OF MEMBERS

The SPEAKER. Will the Representatives-elect present themselves in the well.

The Representatives-elect will please raise their right hands.

The Representatives-elect appeared at the bar of the House, and the Speaker administered the oath of office to them as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, you are now Members of the 113th Congress.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentlewoman from California and the gentlemen from Georgia and Oregon, the whole number of the House is 433.

MOTION TO ADJOURN

Mr. POLIS. Madam Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion to adjourn.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. POLIS. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 4, noes 397, not voting 31, as follows:

[Roll No. 10]

AYES—4

Blumenauer	Hastings (WA)
Conyers	Polis

NOES—397

Aderholt	Bilirakis	Burgess
Alexander	Bishop (GA)	Bustos
Amash	Bishop (NY)	Calvert
Amodei	Bishop (UT)	Camp
Andrews	Black	Campbell
Bachmann	Blackburn	Capito
Bachus	Bonamici	Capuano
Barber	Bonner	Cárdenas
Barletta	Boustany	Carney
Barr	Brady (PA)	Carson (IN)
Barrow	Brady (TX)	Cartwright
Barton	Bridenstine	Cassidy
Bass	Brooks (AL)	Castor (FL)
Beatty	Brooks (IN)	Castro (TX)
Becerra	Brown (GA)	Chabot
Benish	Brownley (CA)	Chaffetz
Bentivolio	Buchanan	Chu
Bera	Bucshon	Cicilline

Clarke Hastings (FL)
 Clay Heck (NV)
 Cleaver Heck (WA)
 Clyburn Hensarling
 Coble Herrera Beutler
 Coffman Higgins
 Cohen Himes
 Cole Hinojosa
 Collins (GA) Holding
 Collins (NY) Holt
 Conaway Honda
 Connolly Horsford
 Cook Hoyer
 Cooper Hudson
 Cotton Huelskamp
 Courtney Huizenga (MI)
 Cramer Hultgren
 Crawford Hunter
 Crowley Hurt
 Cuellar Israel
 Cummings Issa
 Daines Jeffries
 Davis (CA) Jenkins
 Davis, Danny Johnson (GA)
 Davis, Rodney Johnson (OH)
 DeGette Johnson, E. B.
 Delaney Jones
 DeLauro Jordan
 DelBene Joyce
 Denham Kaptur
 Dent Keating
 DeSantis Kelly
 DesJarlais Kennedy
 Deutch Kildee
 Diaz-Balart Kilmer
 Dingell Kind
 Doggett King (IA)
 Doyle King (NY)
 Duckworth Kinzinger (IL)
 Duffy Kline
 Duncan (SC) Kuster
 Duncan (TN) Labrador
 Edwards LaMalfa
 Ellison Lamborn
 Ellmers Lance
 Emerson Langevin
 Engel Lankford
 Enyart Larsen (WA)
 Eshoo Larson (CT)
 Esty Latham
 Farenthold Latta
 Farr Lee (CA)
 Fattah Levin
 Fincher Lewis
 Fitzpatrick Lipinski
 Fleischmann LoBiondo
 Fleming Loebach
 Flores Lofgren
 Fortenberry Long
 Foster Lowenthal
 Foxx Lowey
 Frankel (FL) Lucas
 Franks (AZ) Luetkemeyer
 Frelinghuysen Lujan Grisham
 Fudge (NM)
 Gabbard Lujan, Ben Ray
 Gallego (NM)
 Garamendi Lummis
 Garcia Lynch
 Gardner Maffei
 Garrett Maloney, Sean
 Gerlach Marchant
 Gibbs Marino
 Gibson Markey
 Gingrey (GA) Massie
 Gohmert Matheson
 Goodlatte Matsui
 Gosar McCarthy (CA)
 Gowdy McCarthy (NY)
 Granger McCaul
 Graves (GA) McClintock
 Graves (MO) McCollum
 Grayson McDermott
 Green, Al McGovern
 Green, Gene McHenry
 Griffin (AR) McIntyre
 Griffith (VA) McKeon
 Grimm McKinley
 Guthrie McMorris
 Hahn Rodgers
 Hall McNeerney
 Hanabusa Meadows
 Hanna Meehan
 Harper Meeks
 Harris Meng
 Hartzler Messer

Mica
 Michaud
 Miller (MI)
 Miller, Gary
 Miller, George
 Moran
 Mullin
 Mulvaney
 Murphy (FL)
 Murphy (PA)
 Nadler
 Neale
 Negrete McLeod
 Neugebauer
 Noem
 Nolan
 Nugent
 Nunes
 Nunnlee
 O'Rourke
 Olson
 Owens
 Palazzo
 Pallone
 Pascrell
 Pastor (AZ)
 Paulsen
 Payne
 Pearce
 Pelosi
 Perlmutter
 Perry
 Peters (CA)
 Peters (MI)
 Peterson
 Petri
 Pingree (ME)
 Pittenger
 Pocan
 Poe (TX)
 Pompeo
 Posey
 Price (GA)
 Price (NC)
 Quigley
 Radel
 Rahall
 Rangel
 Reed
 Reichert
 Renacci
 Ribble
 Rice (SC)
 Rigell
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross
 Rothfus
 Roybal-Allard
 Royce
 Ruiz
 Runyan
 Rush
 Ryan (OH)
 Ryan (WI)
 Salmon
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Scalise
 Schiff
 Schneider
 Schock
 Schrader
 Schweikert
 Scott (VA)
 Scott, Austin
 Scott, David
 Sensenbrenner
 Serrano
 Sessions
 Shea-Porter
 Sherman
 Shimkus
 Shuster
 Simpson
 Sinema
 Sires

Slaughter
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Southerland
 Speier
 Stewart
 Stivers
 Stockman
 Stutzman
 Swalwell (CA)
 Takano
 Terry
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiberi
 Tierney
 Tipton

Titus
 Tsongas
 Turner
 Upton
 Valadao
 Van Hollen
 Vargas
 Veasey
 Vela
 Velázquez
 Visclosky
 Wagner
 Walberg
 Walden
 Walorski
 Walz
 Wasserman
 Schultz
 Waters
 Watt

Waxman
 Weber (TX)
 Webster (FL)
 Welch
 Wenstrup
 Westmoreland
 Whitfield
 Williams
 Wilson (FL)
 Wilson (SC)
 Wittman
 Wolf
 Womack
 Woodall
 Yarmuth
 Yoder
 Yoho
 Young (AK)
 Young (FL)
 Young (IN)

NOT VOTING—31

Braley (IA)
 Brown (FL)
 Butterfield
 Cantor
 Capps
 Carter
 Costa
 Crenshaw
 Culberson
 DeFazio
 Forbes

□ 1918

Mr. ROKITA changed his vote from "aye" to "no."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

ELECTING MEMBERS TO CERTAIN
STANDING COMMITTEES OF THE
HOUSE OF REPRESENTATIVES

Mr. BECERRA. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 22

Resolved, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON AGRICULTURE.—Ms. DelBene (to rank immediately after Mr. McGovern), Mr. Nolan, Mr. Gallego, Mr. Enyart, Mr. Vargas, Mrs. Bustos, and Mr. Sean Patrick Maloney of New York.

(2) COMMITTEE ON APPROPRIATIONS.—Mr. Quigley and Mr. Owens.

(3) COMMITTEE ON ARMED SERVICES.—Mr. Carson of Indiana (to rank immediately after Mr. Barber).

(4) COMMITTEE ON THE BUDGET.—Mr. McDermott (to rank immediately after Ms. Castor of Florida), Mr. Jeffries, Mr. Pocan, Ms. Michelle Lujan Grisham of New Mexico, Mr. Huffman, and Mr. Cárdenas.

(5) COMMITTEE ON FINANCIAL SERVICES.—Mr. Heck of Washington.

(6) COMMITTEE ON FOREIGN AFFAIRS.—Ms. Meng, Ms. Frankel of Florida, Ms. Gabbard, and Mr. Castro of Texas.

(7) COMMITTEE ON HOMELAND SECURITY.—Mr. Vela, Mr. Horsford, and Mr. Swalwell of California.

(8) COMMITTEE ON THE JUDICIARY.—Mr. Gutierrez (to rank immediately after Mr. Deutch).

(9) COMMITTEE ON NATURAL RESOURCES.—Ms. Shea-Porter, Mr. Lowenthal, Mr. Garcia, and Mr. Cartwright.

(10) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Ms. Duckworth.

(11) COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY.—Mr. Maffei, Mr. Grayson, Mr. Kennedy, Mr. Peters of California, Mr. Kilmer, Mr. Bera, Ms. Esty, Mr. Veasey, Ms. Brownley of California, and Mr. Takano.

(12) COMMITTEE ON SMALL BUSINESS.—Ms. Hahn (to rank immediately after Ms. Chu), Mr. Payne (to rank immediately after Ms. Hahn), and Mr. Schneider.

(13) COMMITTEE ON VETERANS' AFFAIRS.—Ms. Titus, Mrs. Kirkpatrick, Mr. Ruiz, Mrs. Negrete McLeod, Ms. Kuster, and Mr. O'Rourke.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROTECTION FOR ME BUT NOT
FOR THEE

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, as I speak on the House floor, there are guns by the doors—to the north, to the south, to the east, to the west—on the roof, on all of the entrances, and by the steps: the armed guards of the excellent Capitol Police protecting us.

But most citizens don't have government guards protecting them 24/7. Many people feel defenseless. Some people of this Chamber expect protection for themselves while advocating more restrictions on guns for the people of America—hypocrisy at its highest. In fact, one of the proposals for more gun laws mirrors the stringent D.C. gun laws. If the D.C. gun laws worked, D.C. would not be such a violent city. If D.C. gun laws worked, why do we have so many armed guards at the Capitol?

The elites forget it's the shooter, not the gun. They want more government power and control while taking away liberty from the rest of us. They want to punish the guns, not the people who commit crimes with guns. They want to keep their special government protection while redlining the Second Amendment for the people. They say, Protection for me but not for thee.

And that's just the way it is.

THE KING DREAM LIVES ON

(Mr. DANNY K. DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, yesterday, I had the opportunity to experience a great event in the community where I live and work.

People had a tribute to Dr. Martin Luther King, who happened to have lived in that community of Chicago for a period of time. We went to all of the places that he used to eat and where all the meetings were held. It was quite an emotional experience, especially for those who were there and who got a

chance to know him, to meet him, to shake his hand.

So I simply commend those residents, friends, neighbors of mine for making sure that the King dream lives on.

RIGHT THIS WRONG: PUNISHING PARENTLESS RUSSIAN CHILDREN

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute.)

Mr. FITZPATRICK. Mr. Speaker, the Russian President recently signed a law to prevent American citizens from adopting Russian children. Sadly, it appears that the Russian Government is playing politics with children and is destroying the dreams of many Americans already in the process of adopting.

Last year alone, nearly 1,000 Russian children were adopted by American families, and many of these children struggled with physical disabilities. Every child deserves the opportunity to be raised in a caring environment. Over the past 20 years, almost 60,000 Russian children have been welcomed into the United States. Many of these children have found loving parents in my congressional district. Regrettably, President Putin's new law now takes away this possibility. This law not only prohibits future adoptions, but even more disturbingly, it attempts to put a halt to those already in progress.

Among those impacted is a family from my district, Marc and April Pongitory. They're in the process of adopting two children from Russia. After months of paperwork, background checks and interviews, this family's dreams are now crushed, and there are dozens of cases out there just like the Pongitorys'.

It is truly disturbing that the Russian Government would punish parentless children in retaliation for an entirely unrelated American law. We all know that the wellbeing of children should not be used as a bargaining chip for diplomatic means. This week, I will be introducing a House resolution to right this wrong. Please join me in sending a clear message to the Russian Government.

H.R. 61: HOLDING BIG ABORTION BUSINESSES ACCOUNTABLE

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Big abortion businesses are getting rich, and they don't deserve or need our Federal tax dollars. That's why, on this first day of Congress, I introduced the Title X Abortion Provider Prohibition Act. It's H.R. 61.

Planned Parenthood's 2011-2012 annual report showed they received a record \$542 million in taxpayer funding

while simultaneously performing a record number of abortions—actually, one every 94 seconds. So, in 94 seconds, they perform that abortion, and they take in over \$1,600 in Federal taxpayer money. Their funding has increased by 11 percent in the last 2 years even though former employees of Planned Parenthood say the organization promotes sex-selection abortions, facilitates human trafficking, engages in coercive behavior, and fails to maintain financial records in accordance with the law.

I encourage my colleagues to support H.R. 61 so we can get ahold of these big abortion businesses, hold them accountable, clean up the title X grant program and end taxpayer funding of abortion.

□ 1930

RIGHT OF GUN OWNERSHIP

(Mr. COLLINS of Georgia asked and was given permission to address the House for 1 minute.)

Mr. COLLINS of Georgia. Mr. Speaker, I rise to express my grave concern over recent media reports that the administration is considering issuing executive orders to further their radical anti-gun control legislation.

The battle to protect the Second Amendment rights of all citizens rages on in Congress, and this is the appropriate place for such debate—not in the dark of night through executive orders as the Obama administration has become so fond of doing.

Gun control advocates prey on the fears of Americans, claiming that stricter gun laws will result in reduced gun violence. That theory is false and is dangerous to the sanctity of the United States Constitution. Security can only come through the preservation of individual liberties such as the right to defend one's home and one's family. We should protect the right to keep and bear arms as fiercely as we seek to protect the rights of free speech, the freedom of religion, and of due process.

I urge my colleagues to oppose any efforts by the administration to restrict the rights of gun ownership through executive orders and commit to the American people to tirelessly defend all of their constitutional rights on the floor of this House, including the right of gun ownership.

CONGRATULATING NORTH DAKOTA STATE UNIVERSITY ON FCS NATIONAL CHAMPIONSHIP

(Mr. CRAMER asked and was given permission to address the House for 1 minute.)

Mr. CRAMER. Mr. Speaker, I rise today to congratulate the North Dakota State University Bison and head coach Craig Bohl on winning another

FCS national championship on January 5 this year in Frisco, Texas.

NDSU is well known as a student-focused, land grant research university with more than 14,000 students, offering over 100 majors, covering everything from architecture, pharmacy, food science and engineering, to business, biotechnology, music and interior design.

The victory over Sam Houston State was the Bison's second consecutive national championship, an accomplishment even more impressive when considering the Thundering Herd became a Division I program only 8 short years ago. I look forward to following the Bison on many more championship runs and am pleased that Coach Bohl has agreed to a multi-year contract extension rather than pursuing a career in politics.

CBC HOUR: A CULTURE OF VIOLENCE

The SPEAKER pro tempore (Mr. BARR). Under the Speaker's announced policy of January 3, 2013, the gentleman from Ohio (Ms. FUDGE) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Ms. FUDGE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Ms. FUDGE. The Congressional Black Caucus, better known as the CBC, is proud to anchor this hour. My name is MARCIA FUDGE, and I represent the 11th Congressional District of Ohio, and I'm currently the chair of the Congressional Black Caucus. CBC Members stand firm as the voice of the people and as the conscience of the Congress. We are dedicated to providing focused services to the citizens who elected us to these offices.

Tonight, the CBC will focus its attention on the culture of violence. With no end in sight, the culture of violence continues to permeate and define our society, Mr. Speaker. We cannot hide from it. It is everywhere we go.

Merriam-Webster defines an epidemic as "something affecting or tending to affect a disproportionately large number of individuals within a population, community, or region at the same time." It is clear the culture of violence is an American epidemic. It is time for us to face the music.

We are complicit in the violence that takes place in our Nation if we fail to strengthen our gun laws, if we fail to invest more resources into our mental health services, and address the issue of bullying. We must take meaningful and immediate action to eradicate the culture of violence in our country.

Mr. Speaker, this evening I am joined by a number of members of the Congressional Black Caucus, and I now yield to the gentleman from Illinois, Mr. DANNY DAVIS.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I want to thank the chairman of the Congressional Black Caucus for not only anchoring this hour, but also providing an opportunity for the rest of us.

I had decided to develop a statement, but then I had 16 young students visit me this afternoon from Oak Park, Illinois, and they presented to me their statement. Their statement was so similar to my statement that I told them that their statement was better than mine and I would use it. So I'm going to read it as they presented it to me. They said:

Hello, my name is Joey Cofsky, and my name is Sebastian Torero and we are here on the behalf of the Religious Action Center of Reform Judaism to talk about Gun Violence Prevention. We hope that you will offer support for the Fix Gun Checks Act when it is introduced.

Unfortunately, it took an inconceivable amount of gun related tragedies, and a recent catastrophic elementary school massacre, to once again raise awareness of the need for stricter gun control laws. Nearly every day, I hear on the news that a common child has been shot to death in my very own city. Statistics furthermore illuminate this occurrence as 8 young Americans die each day under the age of 19 from gun violence. By June of 2012, 228 people were killed in the city of Chicago. In that same period of time, 144 U.S. soldiers had been killed in Afghanistan. Instead of continuously cringing at these statistics in disbelief, every time we read them, it is time to curb the pattern of the violence that has made the inner city streets more violent than our very own battlefields.

Today marks the month anniversary of one of the most horrific mass shootings in our nation's history. On this day, I personally think about the innocent 20 children whose lives were prematurely taken at a peaceful elementary school. I wonder about the difference in the world those 20 children could have made. That day, we all seemed to realize we had seen this too many times before. Mass shootings grab our nation by surprise, and after every one, we feel a sense of *déjà vu*. At first, people's passion for change is ignited, and the driving force of action is full throttle. But as weeks go by, the clamor dies down. The memory of the victims fades from our consciousness. That is, until another shooting occurs. I, and the people of this country, have grieved over too many caskets. It is time to match our words with actions.

In the Talmud, a collection of Jewish laws and lessons, we are taught that he who takes one life, it is as though he has destroyed a universe, and he who saves a life, it is as though he has saved a universe. As a Jew, and as a person, this quotation resonates strongly with me. It tells me that it is not only important to save lives in immediate danger, but to prevent the loss of life in general. It has become clear to many of us, and for some, it has been clear for quite some time, that an effective way to prevent death in our country, and in essence, save a universe, is to enact policy that would stem the flow of gun violence. Gun violence in our

country takes 12 times the amount of lives that it does in the other 25 wealthiest nations combined. It is clear that, in our nation, guns are a major problem. Jews are told to save lives, and laws that will prevent gun violence serve that purpose.

In America, an average of 30,000 lives are lost to gun violence each year. This, and all we have said before it, explicitly demonstrates how dangerous guns can be, yet it can be easier to obtain a gun than it is to vote. 4 out of 10 guns are sold by unlicensed sellers with no background check conducted. Because of the Gun Show Loophole, anyone can walk up to a private set at a gun show, purchase a gun, and carry it out of the event. Domestic violence abusers, convicted felons, people with mental illnesses, and terrorists can purchase guns because of this loophole. 30% of illegally trafficked guns are connected to gun shows. Actions must be taken to prevent guns from falling into the hands of people who would not pass a background check, but can obtain a firearm because of this loophole. The Fix Gun Checks Act (H.R. 137) would eliminate this loophole by requiring background checks for any gun sales event that provides a venue for the sale or transaction of firearms. We thank you for cosponsoring this bill, and hope you will continue to support it in the future.

Ms. FUDGE. I thank my friend from Illinois for those words and for bringing us the words of young people who are affected by this violence every day.

Mr. Speaker, we are joined by the former chair of the CBC, the gentlewoman from California (Ms. LEE).

Ms. LEE of California. First, let me thank you, Congresswoman FUDGE, our new chair of the Congressional Black Caucus, for bringing us here together tonight to discuss this important issue. Also, I wanted to say that Congresswoman FUDGE is such a tremendous leader and now, as chair of the Congressional Black Caucus, has really charted a very powerful course for equity, justice, and for nonviolence. So thank you very much for your leadership.

I can think of no more important subject than the culture of violence which Congresswoman FUDGE has brought us here together to discuss tonight, and specifically gun violence that has been destroying communities, taking lives, and injuring too many people for much too long across America.

□ 1940

As President Obama so eloquently said the Sunday after the tragedy in Newtown which shook the conscience of this country, and which we all still continue to mourn and offer our condolences to the families and friends and the entire community, We cannot accept this violence, the President said. This is visited on children year after year, and somehow is the price of freedom.

We cannot accept this. We cannot accept one more innocent life being lost to violence, not one in Newtown, not one in Chicago or Cleveland, not one in Oakland, California, not one in any

town, in any city, in any school, in any theater or in any place of worship, in any mall, or in any of our neighborhoods.

We have an obligation to our children to ensure that Newtown marks a turning point that made us finally say enough is enough. We must come together to build an America where our children do not have to live in fear and where they do have a future.

Last week I was at an event in my district in west Oakland. It was the unveiling of a mural painted by several talented young artists. This Tree of Life mural depicted the hope and the faith that my young people have for a future without violence. Yet they've seen and experienced so much gun violence in their communities throughout their young lives.

Just over the weekend, 11 people were tragically shot in my congressional district. Too many of my constituents have been affected by gun violence, have pleaded for help in protecting their children from the horrors of gun violence, only to see the status quo continue at the Federal level.

Mr. Speaker, we need to take some serious action that includes common-sense measures such as Federal gun buyback programs, banning high-capacity magazines, expanding the 24-hour gun background check, closing the gun show loophole, and re-instituting the assault weapon ban. We need to do this immediately.

But we also need to work to end domestic violence in our homes and reauthorize the Violence Against Women Act. For whatever reason, unfortunately, it got stuck last Congress. We need to do this right away.

We also must seek input from our young people, community stakeholders, faith communities and others. We can work together to identify the root causes of this Nation's more than 16,000 homicides a year.

Let me call to your attention the work of a magnificent community-based organization in my district that I actually am very proud of that I helped found in the early nineties called the Martin Luther King, Jr. Freedom Center. These young people continue to work on conflict resolution and violence prevention efforts day and night, but they constantly tell us that their work is thwarted due to too many guns in the streets.

Finally, we must recognize gun violence as a critical public health crisis and continue to support comprehensive violence prevention plans.

This week, Congresswoman DELAURO and myself, we're offering an amendment that would end a prohibition, mind you—and Congresswoman FUDGE, this is mind-boggling when you see that we have a prohibition at the Department of Health and Human Services that would not allow us to analyze gun violence in terms of public health.

We have a prohibition against that. So we're trying to offer an amendment that would take away this prohibition.

As a psychiatric social worker by profession and someone who founded a community mental health center when the psychiatric facilities began to shut down in California, I understand firsthand why we need to help people struggling with mental illness, give them the treatment they need, and reduce the stigma associated with seeking help.

So I'm going to introduce, once again, my bill to add mental health counselors to our schools, which will help children and families struggling with emotional issues who could actually be on the brink; but if we had mental health counselors there, they could really help steer them away from whatever tragedy that could occur.

So we can't allow the status quo to continue, to allow our children and grandchildren to grow up in this culture of violence, in a world where violence threatens our schools, our homes, and our communities.

Let me thank again Congresswoman FUDGE for gathering us here tonight to discuss this very important issue. I just want to remind us that next Monday we will once again celebrate the birthday of our great drum major for justice, the prince of peace, Dr. Martin Luther King, Jr.

We must rededicate our lives and our work to the principles of nonviolence, which are more important now more than ever. Dr. King reminded us that violence should never be an option if we really want a world worthy of our children and grandchildren.

Yes, as a major part of this, it does mean getting guns off the streets and working for a culture of peace and security.

Thank you again.

Ms. FUDGE. I thank you so much.

Mr. Speaker, I thank my good friend from California because, as she was the chair of the Congressional Black Caucus, it was she who gave me the opportunity to anchor this hour for my first 2 years as a freshman in this caucus, so I thank you.

My friend from Texas, Congressman AL GREEN, it is a pleasure to have you with us this evening.

Mr. AL GREEN of Texas. Thank you, Madam Chair. And I thank the Speaker for the time.

I congratulate you, Madam Chair, on being the newly elected chairperson of the CBC, and I pledge to work with you to do all that I can to assist you, not only with the many programs that we have, but also with ending this culture of violence.

Madam Chair, on this, the eve of the birthday of Dr. King, it is appropriate to quote him. He reminded us that the truest measure of the person is not where you stand in times of comfort and convenience, when all is right with

the world, your health is good, your bills are paid, friends are all around. The truest measure of the person is where do you stand in times of challenge and controversy.

Challenge and controversy, when young people are dying in the street, when domestic violence is claiming the lives of spouses and paramours and lovers and friends, when churches are being shot up, where do you stand?

Let's talk for just a moment about some of these circumstances. I attended a funeral just recently. It was the funeral of Ms. Latasha Jones. Ms. Jones was killed on Christmas Eve, December 2012. She lost her life in the presence of her son. Her daughter lost her life as well, victim of domestic violence.

It's one thing to know and use the term "victim," another thing to attend the funeral of a victim. It was a sad occasion. Mother and daughter, son there to only suffer heartache knowing that he will never see his mother or his sister again.

I have the program from that funeral, and I have the obituary. I shall place this in the RECORD.

LATASHA R. JONES

October 14, 1977–December 24, 2012

On October 14, 1977 in Houston, Texas, a baby girl was born to Clarence M. Jones and Patricia Jones. They named her Latasha Rochelle Jones. Latasha confessed to Christ at an early age at South Park Baptist Church, in Houston, Texas. She attended Houston area public schools and graduated from North Shore High School in 1997, in Houston, Texas.

On September 27, 1994, she had her first daughter: Chamarea' Schane' Hoskin. On February 8, 1999, she gave birth to her second daughter: JaKaela Neshae Newhouse. On May 24, 2005, she gave birth to her first son: Chance Javion-Lee Adams. Latasha was a kind-hearted, loving caregiver. She pursued her dream of caring for children while she was employed with many different daycare facilities. While employed at KinderCare, she was a Senior Quest Teacher. She truly had a passion for educating and nurturing children. Latasha also traveled down other avenues of care-giving by completing her education and dream of becoming a Certified Medical Assistant at PCI (Professional Careers Institute). Latasha completed the course and graduated on June 20, 2012. While attending PCI, Latasha was employed with Home Depot, where she worked very hard to provide for her family.

Latasha was preceded in death by her father, Clarence M. Jones, her grandmother Shirley McDonald, three cousins: Cheryl L. McDonald, Jermaine McDonald and Byron J. Scranton, her step-brother: Clarence Owens.

Her loving memory will linger on in the hearts of her Mother and Pow-Pow: Patricia A. Wilson and Earnest "Lee" Wilson, Sr.; her daughter: Chamarea' Hoskin, her son: Chance J.L. Adams; her sisters: Candi Jones, Alicia Jarmon (Jai Francis, Sr.), Rashaunda Jarmon; step-sisters: Wendy W. Thomas (Randy) and Desiree Jarmon; step-brothers: Ernest L. Wilson, Jr. and Marcus Vivian; her nieces: Jailicia Martinez (Robert M.), Morgan Francis, Jordyn Lassaint, Avry Francis and Zoey Sarumi; her nephews: Jai Francis, Jr., Tristen Francis, Randall Thomas, Caden

Francis, Seven Francis, Shia Francis and Tru Irven, a host of loving Aunts, Uncles, cousins, her God-Mother Emori Davis, and a host of other loving relatives and friends.

May Latasha R.I.P. with her daughter, JaKaela.

JAKAELA N. NEWHOUSE

February 8, 1999–December 24, 2012

On February 8, 1999 in Houston, Texas, a baby girl was born to Herman Newhouse, Jr. and Latasha Jones. They named her JaKaela Neshae Newhouse. She attended Houston area public schools and was currently an 8th grade student at Killough Middle School, in Houston, Texas. She has two older sisters: Janesha McCartaney, who was born on July 19, 1991 and Chamarea' Schane' Hoskin, who was born on September 27, 1994. She became the proud big-sister to her younger brothers, Zaquarius Newhouse, who was born on December 12, 2003 and Chance Javion-Lee Adams, who was born on May 24, 2005.

JaKaela was a loving, curious and happy teenager. She was a very "studious student" who took pride in her schoolwork. Her favorite pastime was to read Sci-Fi books. She loved her family and her best friend Shakira Romero.

JaKaela was preceded in death by her father Herman Newhouse, Jr., her grandfather Clarence M. Jones, her great-grandmother Shirley McDonald, three great-cousins: Cheryl L. McDonald, Jermaine McDonald and Byron J. Scranton, her uncle: Clarence Owens. Her loving memory will linger on in the hearts of her Grandmother and Pow-Pow: Patricia A. and Earnest "Lee" Wilson, Sr. and her paternal grandparents Herman and Norma Newhouse; her Step-Mother, Vondalin Johnson; her sisters: Janesha McCartaney and Chamarea' Hoskin, her Step-Sister, Quawntina Johnson; her brothers: Zaquarius Newhouse and Chance J.L. Adams; her Step-brother, Quiwnton Johnson; her aunts: Candi Jones, LaTricia Newhouse, Alicia Jarmon (Jai Francis, Sr.), Rashaunda Jarmon, Wendy W. Thomas (Randy) and Desiree Jarmon; her uncle: Ernest L. Wilson, Jr. and Marcus Vivian; her cousins: Jailicia Martinez (Robert M.), Morgan Francis, Jordyn Lassaint, Avry Francis, Zoey Sarumi, Jai Francis, Jr., Tristen Francis, Randall Thomas, Caden Francis, Seven Francis, Shia Francis and Tru Irven, a host of loving Great-Aunts, Great-Uncles, and a host of other loving relatives and friends.

May JaKaela R.I.P. in the arms of her mother, Latasha.

Gang violence. In my district, Robert Baptiste was a victim of gang violence, and on August 2012, at his funeral, there was a shootout at the church.

Where do you stand when you have gang violence and domestic violence?

Joshua Woods, 22 years of age, went out to buy a new pair of sneakers, December 2012. On the way home, accosted, lost his life, shot—died over sneakers.

I had the opportunity to speak to his mother just recently. It was a heart-breaking conversation for a mother to explain how her son worked hard, and this was something that he had worked hard for. He was a good kid. His mother loved him.

When the natural order of things is circumvented, it's very difficult to reconcile.

And then I would call to your attention Ryan Spikes, killed in a drive-by

shooting at a spring break party. Indiscriminate violence.

Where do we stand is the question that Dr. King would put to us.

□ 1950

But he would also remind us that we must learn to live together as brothers and sisters or we will perish together as fools. And the notion of a gun for a gun is not the solution. We've tried eye for an eye, tooth for a tooth. That only leaves us blind and toothless. Guns will lead to shoot-outs.

This is not the solution. We must do more, not only to rid society of these weapons of war, but also to help our children learn that they can live together as brothers and sisters. There is but one race, and that's the human race. We were all created by God to live in harmony, and we must teach our children that they should respect each other and live together with each other.

This is not an easy task. There will be no silver bullet, there will be no easy solution, but we have to do all that we can. When you can't do enough, you have a duty to do all that you can.

I pledge to do all that I can to work with you, Madam Chair, to make sure that we end domestic violence, gang violence, indiscriminate violence, and that we don't resort to a gun for a gun, which is a nouveau version of an eye for an eye.

I thank the gentlelady for yielding.

Ms. FUDGE. I thank my friend. Thank you so very much.

I now yield to the vice chair of the Congressional Black Caucus and my good friend from New York, Representative YVETTE CLARKE.

Ms. CLARKE. Mr. Speaker, I would like to thank the chairwoman of the Congressional Black Caucus, the gentlelady from Ohio (Ms. FUDGE), for summoning us to be a part of this Special Order this evening. It is quite timely as we mark the 1-month anniversary of the slaughter of the innocents in Newtown, Connecticut, as we all reflect on the many challenges that we face within our own neighborhoods, our own communities, of longstanding reckless gun violence.

Mr. Speaker, just last week a 90-year-old woman by the name of Gloria Johnson, 90 years old, was shot twice as she walked to the laundromat in East New York, Brooklyn. She lived 90 years to be gunned down in Brooklyn, New York.

Two weeks ago, AK-47 shells were found in Queens, New York, at the scene of the murder of a 17-year-old child—AK-47. You find those types of shells in Iraq, in Afghanistan, not in Queens, New York. But there's a new reality that we are all facing, and that is assault weapons in an urban environment.

And this summer a young 13-year-old boy named Ronald Wallace III was shot

in the back by a barrage of gunfire in the streets of Brownsville, Brooklyn, within my own district.

Although New York City has some of the strictest gun laws in the Nation, senseless crimes like these occur all too frequently in my district and across New York City and in other urban communities across the United States.

In 2012, the New York City Police Department reported 226 incidents of handgun violence in Brooklyn, New York, alone.

Illegal gun trafficking and gaping holes in Federal background check requirements are to blame for many of these incidents. Eighty-five percent of the guns used in crimes in New York City are first purchased in States like Virginia and Georgia that do not extend the background check to purchase limitation requirements for private sellers.

Mr. Speaker, I stand with my fellow lawmakers in Congress, with Mayor Michael Bloomberg and with Governor Cuomo, in demanding Federal legislation that specifically addresses illegal trafficking of guns across State lines and the requirement of background checks in all gun purchase transactions.

To truly put an end to the random gun violence that plagues New York City and other urban areas, however, we must also address other policy areas that have profound effects on the level of gun violence that we see.

Yes, I agree that mental health and mental illness are important factors that have to be explored and addressed when trying to mitigate against gun violence; however, there's some additional factors that contribute to what has become tantamount to a public health crisis. One such factor is poor educational outcomes.

According to the American Economic Review, a 1-year increase in the average years of education completed reduces violent crime by nearly 30 percent. In fact, between 2000 and 2005, New York State increased its higher education expenditures by roughly 40 percent. During the same period, the State violent crime rate decreased by roughly 20 percent. These statistics are an indication that there is a direct correlation between investment in education and the reduction of violent crime, specifically gun crime.

It is my hope that any legislative measure brought to the floor for consideration also takes into account true and real investment in the inadequate or ineffectual educational systems across this Nation. By bolstering our educational institutions, we help set our children on a path to success instead of one that leads to violent crime, death, and incarceration.

Gun violence is not an inevitable part of life, yet it continues to plague our communities. We are not helpless

in this endeavor. We owe it to our constituents, to our Nation, and to future generations to act with urgency and conviction to put an end to the senseless pattern of gun violence, not only in suburban America, but in every community across this Nation, urban America as well.

Mr. Speaker, my colleagues, I look forward to working with you in whatever capacity necessary to save another family from the hurt, the harm, and the trauma of the senseless acts of violence that take place in our communities across this Nation due to illegal handguns and gun trafficking.

With that, Madam Chair, I thank you for yielding.

Ms. FUDGE. I thank the gentlelady from New York.

Mr. Speaker, I want you to know that the gentlelady from New York has been a strong and steady voice in our caucus, and I so much appreciate it.

Mr. Speaker, I now yield to my colleague from Ohio, who I'm so pleased has joined this House, the Honorable JOYCE BEATTY.

Mrs. BEATTY. Thank you, Madam Chair.

Mr. Speaker, I rise to take my first opportunity to address my colleagues from the House floor, to participate in a discussion on an issue that I find very troubling, at a crisis point for our Nation.

But first let me thank our chairwoman, MARCIA FUDGE, for her outstanding leadership and for organizing the Special Order hour to address the issue of the senseless violence facing our Nation.

Our country, more than ever, is facing a culture of violence. Unfortunately, we are now living in a society where mass killings have gone from being an extremely rare occurrence to a common occurrence.

According to Harvard Health Policy Review, each year approximately 30,000 people in the United States die as a result of gunfire, and about 80,000 people are wounded. We are faced with living in a culture where, now, more than 6.6 million violent crimes—murder, rape, assault, and robbery—are committed each year.

□ 2000

We are living in a culture of violence where our children see 8,000 murders and 100,000 other acts of violence in media and in their communities at a very early age. Colleagues, these statistics are too many, and it is time for action now. This problem must be fixed. We must remember, when we talk about rights, children have a right to be safe.

So I applaud President Obama and Vice President BIDEN for proactively taking the necessary steps to address this critical issue. It's going to take all of us united, regardless of party affiliation or our differing views on constitutional rights, to stem this tide of violence.

More importantly, we must take a hard look at funding for mental health services and other services; we must look at synching technology to ensure proper and tighter access to firearms; we must place adequate controls on ammunition.

Bottom line: We must protect our schools, our communities. Children and families must be safe.

I respectfully ask my colleagues to make this issue of violence a priority and to support our Nation's leadership as they work through resolving this challenge, which should not be difficult if we compromise and keep focusing on saving lives.

Madam Chair, I pledge to support you and to support all my other colleagues with the Congressional Black Caucus to make a difficult task safe and to protect the lives of our children and families from gunfire and a culture of violence.

I thank you for my time.

Ms. FUDGE. I so much thank the gentlelady from Ohio for participating. We certainly know how difficult this is going to be as we move forward, but I am pleased. Thank you very much.

I now yield to the gentleman from New Jersey, who has joined our caucus and we are so pleased to have him, the Honorable Representative DONALD PAYNE, Jr.

Mr. PAYNE. Mr. Speaker, let me first begin by thanking my good friend and colleague, my chairwoman, Congresswoman MARCIA FUDGE from the State of Ohio, for anchoring this evening's Special Order on the culture of violence.

Coming together to address gun violence and bullying in America is long overdue. There must be something extraordinary done to truly curb these atrocities from occurring in our communities. Too many innocent men, women, and children have died because of the ease of access to illegal firearms. Fifteen of the 25 worst mass shootings in our history have occurred in America in the last 50 years.

Harvard Injury Control Research Center studies indicate that in homes, cities, States, and regions in the U.S. where there are guns, both men and women are at a higher risk for homicide, particularly from firearms. These statistics are tragic. We must do something, and we must do something now.

On the issue of bullying, bullying is also a major concern in our Nation. Who will be able to tell what will become of the next generation if statistics continue to rise with each national report on bullying? I'm very sensitive to this issue because I have three young children at home, and I perish the thought that they would be subjected to such actions.

We are losing our next generation of poets, musicians, doctors, lawyers, scientists, and athletes to senseless gun violence and aggressive bullying. One

out of every four teenagers is bullied and, furthermore, deterred from their academic potential. 282,000 students are physically bullied in secondary schools each month. One out of 10 children drop out of school because of bullying.

We must take measures to protect our Nation's future generations. From the mass murder at the movie theater in Colorado, to Sandy Hook Elementary School in Connecticut, to the schoolyard killings at Mount Vernon Elementary School in Newark, New Jersey—four youngsters with their whole futures ahead of them were violently murdered by a gang behind a school—I have seen what damage guns can do in the wrong hands. Let us be steadfast in making sure that events like these never happen again.

Gun violence and bullying in America are not just problems, they are national health issues.

What are the solutions? Well, Federal action is yielding some progress. The Brady law of 1994 has blocked the sale of firearms to over 1.6 million felons, fugitives, and other individuals. Still, more is needed. Proactive approaches include renewing the assault weapons ban, closing the gun show loophole, mandating installation of trigger locks, and eliminating influxes of cheaply made weapons. This does not infringe on anyone's right to bear arms in this Nation, but we have to do things that make common sense.

There are guns that have been outlawed in this Nation's history. You cannot get a submachine gun. You cannot get a sawed-off shotgun. Why shouldn't assault weapons be added to that group?

Also, gun buyback programs in my district and my State have removed hundreds of guns from the streets, and I am considering offering legislation to bring these programs to scale on the Federal level to help stem the tide of violence. These measures would undoubtedly save lives.

Enough is enough. It is time to take action.

Thank you, Madam Chairwoman.

Ms. FUDGE. Thank you so much. I thank the gentleman. I certainly am pleased to know how supportive you are of efforts to make this a safer country for our young people.

Mr. Speaker, each year, in its Uniform Crime Report, the FBI compiles a list of the cities with the most murders per capita. According to the most recent report, which uses data from 2011, there were over 3,300 murders that occurred in just 15 cities. There were 515 murders in New York City in 2011; 431 in Chicago, Illinois; 344 in Detroit, Michigan; 324 in Philadelphia, Pennsylvania; 297 in Los Angeles, California; 200 in New Orleans, Louisiana; 198 in Houston, Texas; 196 in Baltimore, Maryland; 133 in Dallas, Texas; 117 in Memphis, Tennessee; 116 in Phoenix, Arizona; 113 in St. Louis, Missouri; 108

in Washington, D.C.; 108 in Kansas City, Missouri; and 104 in Oakland, California.

Now, some people may think that violence is only prevalent in urban America, but that is just not true. Recent mass murders have occurred in places like Tucson, Arizona; Aurora, Colorado; Oak Creek, Wisconsin; and Newtown, Connecticut. Violence is truly all around us. It is at our movie theaters, our shopping centers, colleges, places of worship, and even our elementary schools.

During the Sandy Hook Elementary tragedy in Newtown, Connecticut, a gunman took the lives of 26 people, including 20 children as young as the age of 5. The victims of this heinous crime were killed at a place that we all consider to be safe.

Since 1982, there have been more than 60 mass murders carried out with firearms across this country. We have had 19 mass shootings in the last 5 years alone. That is a rate of more than one every 4 months. The uptick in these types of crimes should be enough to push our Nation forward on reassessing our gun laws. Unfortunately, our country appears to be at a standstill. Each year, 30,000 Americans lose their lives as a result of gunfire, and about 80,000 Americans were wounded in that same period of time.

□ 2010

The number of gun crimes continues to be high; and yet, we, as a Nation, are hesitant to take immediate action to address this issue.

Thirty-three Americans are murdered with guns every single day. Our Nation has the distinction of having the highest rate of firearm violence in the world.

Proponents of gun rights say that there is an absolute right to bear arms. Mr. Speaker, I disagree. All rights are subject to reasonable restrictions. One can support the Second Amendment while also advocating for policies that keep guns out of the hands of criminals and other dangerous people. We must act immediately on creating a comprehensive, national gun policy that eliminates loopholes in the laws, bans assault weapons, and places limits on high-capacity magazines.

Under current Federal law, background checks are only required for gun sales at licensed dealers. According to Mayors Against Illegal Guns, approximately 6.6 million guns are sold each year in America by unlicensed private sellers. That translates to 40 percent of all U.S. gun sales. These transactions typically occur online or at gun shows without the buyer having to pass a background check.

Federal law carves out a broad exception for private gun sellers who only make what are called "occasional sales" or who sell from a "personal collection." What is problematic about

this is that there's no set standard for what is considered an "occasional" sale.

In a national survey of inmates—listen to this—in a national survey of inmates conducted by the Bureau of Justice Statistics, it was found that nearly 80 percent of those who used a handgun in a crime acquired it in a private transfer. In another troubling statistic, a 2009 New York City undercover investigation at seven gun shows in three States found that 63 percent of private sellers at those shows were willing to sell to someone who admitted that he couldn't pass a background check.

The private-sale loophole has made it far too easy for criminals to exploit the system to obtain guns. For example, in October 2012, Radcliffe Haughton was able to purchase a gun from a private seller even though he was federally prohibited from doing so. His wife had initiated a restraining order against him. He used the gun that he purchased online to go to a spa where his wife worked. He killed her and two other people and injured four other people before killing himself.

Requiring uniform, criminal background checks for every gun sale is something that has garnered broad support. A 2012 survey by Republican pollster Frank Luntz revealed that 82 percent of gun owners, including 74 percent of National Rifle Association members, support requiring criminal background checks for potential gun owners. This is a prime example of a sensible gun regulation that should be implemented now.

Failing to fully enforce current laws can be just as bad as not having any laws at all, Mr. Speaker. Since its creation in 1999, the National Instant Criminal Background Check System, better known as NICS, has prevented more than 1.7 million permit applications and gun sales to felons. The seriously mentally ill and drug abusers have also been stopped in some instances. But despite its success, NICS has a number of gaps and limitations that still enable firearms to be sold to dangerous people. Many prohibited purchasers are able to get their hands on guns because NICS is missing millions of relevant records due to lax reporting by State and Federal agencies.

Twenty-three States and the District of Columbia have submitted fewer than 100 mental health records to NICS—100. Seventeen States have submitted fewer than 10 mental health records, and four States have not submitted any mental health records at all. State substance abuse records have always been significantly underreported. Forty-four States have submitted fewer than 10 records to the Federal database, and 33 States have not submitted any records at all.

Federal agencies have also dragged their feet in fulfilling their reporting responsibilities. Despite being required

to do so, many Federal agencies have shared very few mental health records. Only nine of the 60 Federal agencies listed in relevant FBI data have submitted any mental health records.

Incomplete records have allowed dangerous killers to purchase guns. In 2007, Seung Hui Cho shot and killed 32 people at Virginia Tech before taking his own life. Cho had been found mentally ill by a judge; and, as a result, he should have been prohibited from buying a gun. He was able to slip through the cracks and pass a background check at a licensed gun dealer because his mental health records were never submitted to NICS. It is clear that our background check system is broken and needs to be fixed.

The prevalence of assault weapons is another issue that raises great concern for me. These military-style weapons with high-capacity magazines tend to be the weapon of choice in mass shootings and police murders. Those kinds of weapons have been used to inflict the greatest amount of pain in the shortest amount of time.

In a study of high-profile shootings over the past 4 years, Mayors Against Illegal Guns has found that at least one-third of those shootings involved assault weapons and/or high-capacity magazines.

They were used in Newtown, Connecticut, on December 14, 2012, to kill 26 people; in Oak Creek, Wisconsin, on August 5 to kill six people and wound three others; in Aurora, Colorado, on July 20, 2012, to kill 12 people and injure 58 others; in Tucson, Arizona, on January 8, 2011, to kill six people and wound 13 others; in Fort Hood, Texas, on November 5, 2009, to kill 13 people and wound 34 others; and in Binghamton, New York, on April 3, 2009, to kill 13 people and injure four others.

Assault weapons are also a threat to our local law enforcement. On June 8, 2009, in Chesapeake, Virginia, a gunman shot two police officers with a semiautomatic AK-47 assault weapon, firing at least 30 rounds.

In St. Louis, Missouri, on January 7, 2010, Timothy Hendron entered the ABB, Inc. factory with two handguns, a shotgun, and a semiautomatic AK-47 rifle with high-capacity ammunition magazines. He fired approximately 115 rounds, killing three and wounding five before taking his own life. After the shooting, the police chief of St. Louis, Daniel Isom, said:

Our officers didn't have sufficient weapons systems to engage a person with an AK-47.

On January 26, 2011, in Oklahoma City, Oklahoma, a police officer was ambushed by a teenager who fired a semiautomatic weapon 26 times. Responding to the crime, Oklahoma City Police Chief Bill Citty stated:

There are just more and more assault rifles out there, and it is becoming a bigger threat to law enforcement each day. They are outgunned.

Reinstating the assault weapon ban must be a priority for our Nation. It is estimated that there are nearly 18 million assault weapons in circulation in the United States. A 2010 survey by the Police Executive Research Forum revealed that there has been an increase in criminal use of assault weapons since the Federal ban expired in 2004. Thirty-seven percent of police agencies have reported noticeable increases.

Weapons with the ability to carry out such deadly force do not belong on our streets, Mr. Speaker. There is no justification for the use of these weapons anywhere but on the battlefield for which they were designed. I firmly support banning assault weapons of all types.

A ban on assault weapons and high-capacity magazines has been endorsed by several organizations, including Mayors Against Illegal Guns, the International Association of Chiefs of Police, Major Cities Chiefs Association, the National Association of Women Law Enforcement Executives, the National Organization of Black Law Enforcement Executives, the Police Executive Research Forum, the Police Foundation, and the International Association of Campus Law Enforcement Administrators.

□ 2020

The culture of violence doesn't necessarily start with guns. It can often be traced back to mental health concerns and bullying.

According to the Substance Abuse and Mental Health Services Administration's 2009 national survey on drug use and health, there were an estimated 45.1 million U.S. adults living with a mental illness. That is 20 percent of all American adults. Sadly, only 17 million of these adults received services to address their illness. A significant number of the country's inmates also have mental health problems. According to the Department of Justice's 2004 survey of inmates in State and Federal Correctional Facilities and its 2002 surveys in local jails, nearly 45 percent of all inmates in Federal prison have a mental health problem; over 55 percent of the inmates in State prison have a mental health problem; and nearly 65 percent of inmates in local jails have a mental problem.

We cannot continue to ignore the fact that we need to do more to address the issue of mental health. Turning our back on this problem will not make it go away.

The issue of bullying has become rampant in our society. Too many of our children are being bullied during and after school and on the Internet. According to Stomp Out Bullying, it is estimated that one out of four teens is bullied during their lifetime. Fifty-eight percent of kids admit someone has said mean or hurtful things to

them online. More than 40 percent say it has happened to them more than once. Fifty-three percent of kids admit having said something mean or hurtful to another person online, and more than one in three has done it more than once. Fifty-eight percent have not told their parents or an adult about something mean or hurtful that happened to them online.

Many believe that bullying is a rite of passage. I'm here to tell you that it is not. Bullying is intentional, it is cruel, and abusive. It can set the tone for a lifetime of hurt. Many people are never the same after being bullied. Depression, anxiety, and many other psychological problems can result from bullying. Some turn to substance abuse, even suicide.

Bullying is no joking matter. It is not something to be taken lightly. We must inform our children of the consequences of bullying. We must be attentive and listen to their cries for help. How many of our children need to fall victim to this cruel behavior before we are moved to act? We must address this issue now.

Mr. Speaker, as I close, it is very clear that we live in a culture of violence. The culture of violence has ravaged our communities, taking the lives of innocent Americans, ripping apart American families, and destroying families along the way. We must act now because our Nation is depending on us. Anyone who believes that it is okay to use a gun in an open theater is not really thinking very rationally. Someone who believes that you can put a police officer at every single entrance into a school is really not thinking very rationally.

We have to do something. No matter what our personal beliefs are, we are all here to work for the American public, not ourselves. We may have a personal opinion as to what should be done about guns, but the people of America are speaking, and we need to listen to them.

With that, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to express my serious concerns about the recent acts of violence throughout the United States. The tragedy that struck the Sandy Hook Elementary School in Newtown, Connecticut, last month was a devastating loss for the families and friends of the students and educators who were killed. As the second deadliest school shooting in U.S. history, the Newtown tragedy has underscored the fundamental need to reevaluate our approach to gun violence and mental illness.

Any strategy to reduce gun violence must be inclusive in its approach to finding a solution. Every viable consideration must be on the table as we look to enact comprehensive legislation at the federal level. With the total number of privately owned firearms in circulation estimated to be more than 270 million, we must take reasonable steps to ensure that these firearms do not fall into the wrong

hands, while also protecting the Second Amendment rights of responsible gun owners.

The topic of mental illness is one that is neglected, particularly in regard to its connection to gun violence. In 2009, approximately 11 million adults in the United States had a serious mental illness. Forty percent of those adults did not receive any type of treatment for that illness. We now know that each of the shooters in the most recent incidents suffered from mental illness. Addressing mental illness can be a critical component of a comprehensive approach to reducing violence in our schools and other public places.

Mr. Speaker, we must take deliberate steps going forward to prevent another tragedy from occurring. There is absolutely no place for violence in our schools, and we are compelled to do everything within our power to avert future catastrophe. There is a large mental health component to this debate that needs greater consideration, and I hope that my colleagues will continue to take a holistic approach during this process.

Mr. DANNY K. DAVIS of Illinois. Gun violence in America has reached epidemic proportions, particularly in Chicago. Just over a week in 2013, Chicago has already seen 50 shootings, 14 homicides and confiscated 180 guns after closing 2012 with a record breaking 506 deaths from gun violence. Labeled as one of the deadliest cities, gun violence is not rampant throughout the City of Chicago's seventy-seven community areas. Gun violence is a localized problem and confined to communities blighted by high concentrations of joblessness, unemployment, poverty and crime where the deaths of school-aged children from gun violence are three times greater than Newtown, Connecticut.

I represent the wealthiest and poorest communities in Chicago and depending on where you reside violence is rare. However, for low-income African-Americans and Latino Americans residing in "hot spot" communities like Washington Park, Garfield Park, North Lawndale and West Englewood, crime and gun violence are highly concentrated and frequent. Daily, inner-city young people (from the ages 13 to 24) fall victim to a cycle of violence that leave family members, love ones and friends traumatized. Yet, there is no outrage and call-to-action for homicides in Chicago which outnumbers the death of troops in Afghanistan. For that matter, 173 preschoolers killed across the U.S. from 2008 to 2009, nearly double of law enforcements killed during the time in question.

This indifference is disheartening and speaks volumes about the nation's sensitivity of social dislocations disproportionately plaguing African-American communities. Equally disheartening are the messages we are sending at-risk youths and vulnerable families. Indeed, what messages are we sending when there are blatant disparities in support for victims of mass shootings versus inner-city shootings? What messages are we sending when we exploit shorthand and stereotypes to draw conclusions about urban gun violence? What messages are we sending when we replace racial segregation with mass incarceration? More importantly, what messages are we sending with the progressive scaling back of funding to education, job creation, human services, mental health and reentry programs?

The tragedy at Newtown is a watershed moment that not only shines the light on gun violence in communities across the country but also the tragic fate of young people in the streets of Chicago. The culture of violence is a national crisis and it is critical that we address the root causes. We cannot ignore racial and economic divisions that continue to beset our nation's cities accompanied by rising inequality in social domains such as the quality of family and neighborhood life, equal access to education and health care, employment opportunities and political participation. Together, we must embrace a comprehensive agenda to keep our children and communities safe and uphold the rights of every American to live lives free of this violence.

Ms. JACKSON LEE. Mr. Speaker, I rise today and join the members of the Congressional Black Caucus to address the pervasive culture of violence that exists in America today.

The community in Newtown, Connecticut—along with the rest of the country—is still reeling from the inconceivable tragedy that took place at Sandy Hook Elementary on December 14, 2012; our hearts still ache with sadness and disbelief for the families and loved ones of the children and women who lost their lives in this senseless act of violence.

As the Founder and Co-Chair of the Congressional Children's Caucus and a senior member of the Judiciary Committee, I have listened to the tragic testimony of individuals who have survived or lost loved ones as a result of gun violence.

In the words of President Obama after the Sandy Hook Elementary shooting, "We're going to have to come together and take meaningful action to prevent more tragedies like this, regardless of the politics."

While it is certainly true that violent crime and homicide rates in this country have been declining in recent years, they are still far above those in other industrialized nations.

Moreover, in America, there exists a pernicious culture of violence; a subculture that with today's technologically advanced weaponry is far more dangerous to public safety than ever before. At no point in our nation's history has a single human been more capable of inflicting massive death and misery, and our society is producing more individuals who wish to employ such means to carry out their ill intentions.

Far too often, the tool of choice for would-be killers is a firearm. Moreover, military-style assault weapons with high-capacity magazines are not just in the hands of our men and women in the armed services; they are on our streets. Many of them are in the wrong hands, and end up being the highly efficient tools of criminals and mass murderers.

Today marks a month since the Sandy Hook Elementary shooting. In that time, at least 836 more people in America have died from gun violence and accidental shootings.

This isn't a fluke; every day, on average, 33 Americans are murdered with guns, amounting to more than 12,000 people a year. In addressing this issue, I recognize and respect other cultures that exist in America; law-abiding citizens who are responsible in their ownership of firearms. Many of these citizens are reasonable with respect to the lethal capacity

of their firearms, opting not to obtain assault weapons or to equip assault weapons with 30, 50, 75, or 100-round magazines.

Our reaction to, God forbid, the next time a madman enters a crowded movie theatre with the intent to kill, cannot simply be to wish that there was an armed good Samaritan in the audience who had the courage, opportunity and ability to stop a psychopathic shooter wielding a semi-automatic weapon equipped with a high-capacity magazine.

I commend the President for convening a Gun Violence Task Force, and Vice President BIDEN for his outstanding leadership.

As the President develops policy recommendations, as Members of Congress, we need to act as well.

H.R. 65: "THE CHILD GUN SAFETY AND GUN ACCESS PREVENTION ACT OF 2013"

We have all been shaken by tragic events in which children are the victims of gun violence or accidents. Whether these events occurred in Newtown, CT, Aurora, CO, or on the streets of Chicago, IL, we need to effectively address the safety of our children immediately. Urban, suburban, or rural, guns have impacted children across the demographic spectrum.

While the nation's attention has often been drawn toward some of the more high-profile events, the broader statistics are disturbing, demonstrating a real need to address how we protect our nation's children from gun violence.

Every 30 minutes, a child or teenager in America dies or is injured by a gun. Every 3 hours and 15 minutes, a child or teenager loses their life to a firearm. In 2010, 82 children under 5 years of age lost their lives due to guns. To put that in perspective, 58 law enforcement officers died in the line of duty that year.

As the 113th Congress debates various proposals for gun legislation in light of recent tragedies, we can act now to pass H.R. 65, a bill with common sense standards that is focused on protecting our nation's children from gun violence and accidents.

H.R. 65 will raise the handgun eligibility age from 18 to 21, and will prohibit persons under the age of 21 from possessing semiautomatic assault weapons or large capacity magazines.

Moreover, H.R. 65 increases penalties on individuals who knowingly transfer a handgun, ammunition, semiautomatic assault weapon, or large capacity ammunition feeding device to a person under age 21.

In addition, H.R. 65 will also prohibit importers, manufacturers, and dealers from transferring firearms without providing the purchaser with a gun storage or safety device.

Finally, H.R. 65 authorizes the U.S. Attorney General to provide grants to enable local law enforcement agencies to develop and sponsor gun safety classes for parents and children.

These provisions, and others, can go a long way toward making our homes, schools, and streets safer for children across this country. We may not be able to prevent every gun-related tragedy from occurring in the future, but we have a responsibility to implement reasonable standards that will prevent the loss of innocent lives.

As we call for legislation to address gun related violence, it is also important to address another growing epidemic . . . the epidemic

of bullying. We live in a society where children are exposed to so many different influences. Unfortunately, there are hundreds of children who have to face bullies in the classroom and in cyberspace. As we discuss the culture of violence, we must always remember the impact that this culture has on our nation's children.

BULLYING PREVENTION

Today bullying is defined as unwanted, aggressive behavior that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Those who are bullied and who bully others may have serious, lasting problems. It used to be that bullying just happened primarily among over youth but as we are seeing today even the elderly and adults are being bullied. This must stop.

I introduced in the 112th Congress H.R. 83 "Juvenile Accountability Block Grants Reauthorization and Bullying Prevention and Intervention Act," which calls for the reauthorization of the Juvenile Accountability Block Grants at \$40 million for each FY 2013–2017, which amounts to \$200 million in funding.

In addition, my bill would add purpose area to provide for grant funding to States for programs that address bullying, cyberbullying prevention, and gang prevention and intervention in addition to expressing a Sense of Congress on the importance of best practices.

The JABG program authorizes the Attorney General to make grants to states and units of local government to strengthen their juvenile justice systems and foster accountability within their juvenile populations. The program focuses resources on holding juveniles accountable for their actions and building up the juvenile justice system in the states.

It also essentially signifies the high-water mark of the federal government's movement away from an emphasis on rehabilitating juveniles and toward the idea that juveniles need to be punished for their crimes; indeed, the only core mandate of the JABG program is that states must begin to implement a system of graduated sanctions in order to be eligible for funding.

Many of the deadly cases of bullying arise when children are teased and tormented simply for being different. There has been a recent upswing of suicides amongst lesbian, gay, bisexual and transgendered (LGBT) teens as a result of bullying.

Almost 85 percent of LGBT teenagers are harassed in high school because of their sexual orientation, with 61 percent of gay youth reporting that they felt unsafe in school and 30% staying home to avoid bullying.

By law, we require our children to go to school. Therefore, we have a duty to maintain a safe and healthy environment for children, one in which they should not be afraid. It is important that our children know that bullying will not be taken lightly, and that there will be consequences for such actions.

Thirty percent (30%) of U.S. students in grades six through ten are involved in moderate or frequent bullying—as bullies, as victims, or as both—according to the results of the first national survey on this subject. I held a Local-Federal Hearing on Bullying in Houston, Texas and hearings on Bullying in Washington, DC. I heard testimony from law enforcement officials about some of the difficul-

ties they faced when combating bullying. Over 40 advocates and victims from across the country also testified.

Last year, I invited the Director of the movie *Bully*, Lee Hirsch and other experts to screen the movie *Bully* and for a Briefing on the issue of Bullying. When the MPAA threaten to rate the movie with an R rating, I requested that they reconsider, the movie literally follows the lives of several children who are bullied in schools and needed to be seen by children. I was pleased with the MPAA relented and gave the movie a PG–13 rating.

I have read the accounts of bullying victims and indeed the language from those accounts is often graphic and deeply moving. This is the type of language that our children hear and the behavior that they witness in their classrooms and on their playgrounds.

Bullying has become a crucial issue of epidemic proportions affecting millions of children and countless schools across our country. Studies show that 1 out of 4 children have been physically bullied, and the percentages grow exponentially when one considers the number of children affected emotionally and psychologically, and those who have bullied other children. Lately, instances of bullying have taken a deadly turn all over the country. We must utilize all the resources we have available to us to address this dangerous trend. My bill is intended to address this epidemic.

This Congress we must focus on finding ways to address this culture of violence. I implore each of you to address gun safety, to limit access to certain types of guns, to support legislation that addresses bullying amongst our nation's children.

This Congress we have the opportunity to take steps to address mental health, reasonable limitations on certain firearms, and the growing epidemic of bullying. We must act and we must act now.

APPOINTMENT OF MEMBERS TO JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES

The SPEAKER pro tempore (Mr. BENTIVOLIO). The Chair announces the Speaker's appointment, pursuant to Senate Concurrent Resolution 2, 113th Congress, and the order of the House of January 3, 2013, of the following Members on the part of the House to the Joint Congressional Committee on Inaugural Ceremonies:

Mr. BOEHNER, Ohio;
Mr. CANTOR, Virginia;
Ms. PELOSI, California.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 8 o'clock and 24 minutes p.m.), the House stood in recess.

□ 2128

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOODALL) at 9 o'clock and 28 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 152, DISASTER RELIEF APPROPRIATIONS ACT, 2013

Mr. COLE, from the Committee on Rules, submitted a privileged report (Rept. No. 113-1) on the resolution (H. Res. 23) providing for consideration of the bill (H.R. 152) making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. JACKSON LEE (at the request of Ms. PELOSI) for today after 6:45 p.m. and January 15.

Mrs. NAPOLITANO (at the request of Ms. PELOSI) for today and January 15 and 16 on account of a death in the family.

Mr. CRENSHAW (at the request of Mr. CANTOR) for today and the balance of the week on account of medical reasons.

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of illness.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 41. An act to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the National Flood Insurance Program.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on January 4, 2013, she presented to the President of the United States, for his approval, the following bill:

H.R. 41. To temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the National Flood Insurance Program.

ADJOURNMENT

Mr. COLE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 29 minutes p.m.), under its previous order, the

House adjourned until tomorrow, Tuesday, January 15, 2013, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6. A letter from the Board Chair and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's final rule — Federal Agricultural Mortgage Corporation Funding and Fiscal Affairs; Farmer Mac Capital Planning (RIN: 3052-AC80) received January 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations; Middlesex County, CT, et al [Docket ID: FEMA-2012-0003] received January 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations; Cobb County, Georgia, and Incorporated Areas [Docket ID: FEMA-2012-0003] received January 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

9. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations; Texas: Tarrant; [Docket ID: FEMA-2012-0003] received January 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

10. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations; Shelby County, Alabama, and Incorporated Areas [Docket ID: FEMA-2012-0003] received January 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

11. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Certification of Commercial and Industrial HVAC, Refrigeration and Water Heating Equipment [Docket Number: EERE-2012-BT-CE-0048] (RIN: 1904-AC90) received January 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

12. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; State of Nevada; Redesignation of Clark County to Attainment for the 1997 8-Hour Ozone Standard [EPA-R09-OAR-2012-0792; FRL-9766-9] received January 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

13. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of the Clean Air Act, Section 112(l), Authority for Hazardous Air Pollutants; Asbestos Management and Control; State of New Hampshire Department of Environmental Services [EPA-R01-OAR-2012-0430; FRL-9697-2] received January 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

14. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Determination of Attainment for the San Francisco Bay Area Nonattainment Area for the 2006 Fine Particle Standard; California; Determination Regarding Applicability of Clean Air Act Requirements [EPA-R09-OAR-2010-0782; FRL-9766-7] received January 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

15. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Determination of Attainment for the Yuba City-Marysville Nonattainment Area for the 2006 Fine Particle Standard; California; Determination Regarding Applicability of Clean Air Act Requirements [EPA-R09-OAR-2012-0781; FRL-9768-2] received January 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

16. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Finding of Substantial Inadequacy of Implementation Plan; Call for California State Implementation Plan Revision; South Coast [EPA-R09-OAR-2012-0721; FRL-9767-3] received January 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

17. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Interim Final Determination to Stay Sanctions, Imperial County Air Pollution Control District [EPA-R09-OAR-2012-0960; FRL-9766-4] received January 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

18. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Diego APCD, Northern Sierra AQMD, and Sacramento Metropolitan AQMD [EPA-R09-OAR-2012-0587; FRL-9732-9] received January 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

19. A letter from the Administrator, Federal Communications Commission, transmitting the Commission's final rule — Connect America Fund, High-Cost Universal Service Support [WC Docket No.: 10-90] [WC Docket No.: 05-337] received January 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

20. A communication from the President of the United States, transmitting notice of the United States involvement in a rescue operation conducted by France in Somalia; (H. Doc. No. 113-5); to the Committee on Foreign Affairs and ordered to be printed.

21. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-515, "Reckless Driving Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

22. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-486, "Pedestrian and Bicyclist Protection Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

23. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-487, "Driver Privacy Protection Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

24. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-489, "Comprehensive Impaired Driving and Alcohol Testing Program Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

25. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-490, "District Department of Transportation Accessible Vehicles Fund Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

26. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-491, "Classroom Animal for Educational Purposes Clarification Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

27. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-513, "Technology Sector Enhancement Act of 2012"; to the Committee on Oversight and Government Reform.

28. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-514, "District Department of Transportation Parking Meter Fund Establishment Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

29. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-516, "Allen Chapel A.M.E. Senior Residential Rental Project Property Tax Exemption Clarification Temporary Act of 2012"; to the Committee on Oversight and Government Reform.

30. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-517, "Extension of Time to Dispose of the Eastern Avenue Property Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

31. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-518, "Extension of Time to Dispose of the Strand Theater Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

32. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-524, "Metropolitan Washington Airports Authority Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

33. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-523, "Temporary Assistance for Needy Families Time Delay Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

34. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-522, "Clarification of Personal Property Tax Revenue Reporting Temporary Act of 2012"; to the Committee on Oversight and Government Reform.

35. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-521, "Income Tax Withholding Statements Electronic Submission Temporary Act of 2012"; to the Committee on Oversight and Government Reform.

36. A letter from the Chairman, Council of the District of Columbia, transmitting

Transmittal of D.C. ACT 19-520, "Processing Sales Tax Clarifying Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

37. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-519, "General Obligation Bonds and Bond Anticipation Notes for Fiscal Years 2013-2018 Authorization Temporary Act of 2012"; to the Committee on Oversight and Government Reform.

38. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-534, "Employee Transportation Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

39. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-512, "District of Columbia Official Code Title 29 Technical and Harmonizing Amendments Act of 2012"; to the Committee on Oversight and Government Reform.

40. A letter from the Acting Director, U.S. Census Bureau, Department of Commerce, transmitting the Department's final rule — Resumption of the Population Estimates Challenge Program [Docket Number: 111215758-2650-04] (RIN: 0607-AA51) received January 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

41. A letter from the U.S. House of Representatives, Clerk, transmitting List of reports created by the Clerk, pursuant to Rule II, clause 2(b), of the Rules of the House; (H. Doc. No. 113-4); to the Committee on House Administration and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Pursuant to the order of the House on December 24, 2012, the following report was filed on January 3, 2013]

Mr. HASTINGS of Washington: Committee on Natural Resources. Report on Legislative and Oversight Activities of the Committee on Natural Resources (Rept. 112-752). Referred to the Committee of the Whole House on the state of the Union.

[Submitted January 14, 2013]

Mr. COLE: Committee on Rules. House Resolution 23. Resolution providing for consideration of the bill (H.R. 152) making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes (Rept. 113-1). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DENHAM (for himself, Ms. NORTON, Mr. SHUSTER, Mr. RAHALL, Mr. LOBIONDO, Mr. NADLER, Mr. HARRIS, Mr. BISHOP of New York, Mr. PALAZZO, Mr. SIRE, Mr. RICHMOND, and Mr. SEAN PATRICK MALONEY of New York):

H.R. 219. A bill to improve and streamline disaster assistance for Hurricane Sandy, and for other purposes; to the Committee on

Transportation and Infrastructure; considered and passed.

By Mr. WALDEN (for himself, Mr. LANCE, Mr. SESSIONS, Mr. HUDSON, Mr. WESTMORELAND, Mr. HOLDING, Mr. CHAFFETZ, Mrs. NOEM, Mr. FINCHER, Mr. CAMPBELL, Mr. LUETKEMEYER, Mr. JONES, Mr. NUGENT, Mr. ADERHOLT, Mr. NUNNELEE, Mr. YODER, Mr. THORNBERRY, Mr. KINZINGER of Illinois, Mr. LATTI, and Mr. MILLER of Florida):

H.R. 220. A bill to amend section 5112 of title 31, United States Code, to limit the face value of coins that the Secretary of the Treasury may issue, and for other purposes; to the Committee on Financial Services.

By Mrs. BLACKBURN (for herself and Mr. HUIZENGA of Michigan):

H.R. 221. A bill to require reports on the acquisitions by certain foreign persons of companies that have received American taxpayer research and development funding, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas (for himself, Mr. CLEAVER, and Mr. AL GREEN of Texas):

H.R. 222. A bill to amend the World War I Centennial Commission Act to provide for the designation of memorials to the service of members of the United States Armed Forces in World War I, and for other purposes; to the Committee on Natural Resources.

By Mr. BARROW:

H.R. 223. A bill to prohibit States from carrying out more than one Congressional redistricting after a decennial census and apportionment, to require States to conduct such redistricting through independent commissions, and for other purposes; to the Committee on the Judiciary.

By Mrs. BLACK:

H.R. 224. A bill to terminate the authority of the Secretary of Housing and Urban Development to provide assistance under the Tenant Resource Network Program; to the Committee on Financial Services.

By Mrs. CAPPS (for herself, Mrs. MCMORRIS RODGERS, Ms. DEGETTE, Mr. HARPER, Ms. MATSUI, and Mr. KING of New York):

H.R. 225. A bill to amend title IV of the Public Health Service Act to provide for a National Pediatric Research Network, including with respect to pediatric rare diseases or conditions; to the Committee on Energy and Commerce.

By Ms. DELAURO (for herself and Mr. GRIJALVA):

H.R. 226. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for surrendering to authorities certain assault weapons; to the Committee on Ways and Means.

By Mr. DEUTCH (for himself, Mr. CONNOLLY, and Mr. QUIGLEY):

H.R. 227. A bill to establish a gun buyback grant program; to the Committee on the Judiciary.

By Mr. GRAVES of Missouri:

H.R. 228. A bill to amend the Food and Nutrition Act of 2008 to prevent the payment of cash to recipients of supplemental nutrition assistance for the return of empty bottles and cans used to contain food purchased with benefits provided under such Act; to the Committee on Agriculture.

By Mr. AL GREEN of Texas (for himself, Mr. HASTINGS of Florida, Ms. LEE of California, Ms. MOORE, Ms. WILSON of Florida, and Mr. CONYERS):

H.R. 229. A bill to amend the Fair Labor Standards Act to provide for the calculation of the minimum wage based on the Federal poverty threshold for a family of 2, as determined by the Bureau of the Census; to the Committee on Education and the Workforce.

By Mr. AL GREEN of Texas (for himself, Ms. JACKSON LEE, and Mr. OLSON):

H.R. 230. A bill to direct the Secretary of Labor and the Secretary of Commerce to create a job training program and an economic stability program to stabilize the workforce and promote economic growth in the Johnson Space Center region; to the Committee on Education and the Workforce, and in addition to the Committees on Transportation and Infrastructure, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HANABUSA:

H.R. 231. A bill to reauthorize the programs of the Department of Housing and Urban Development for housing assistance for Native Hawaiians; to the Committee on Financial Services.

By Mr. HARPER:

H.R. 232. A bill to amend title XVIII of the Social Security Act to permit direct payment to pharmacies for certain compounded drugs that are prepared by the pharmacies for a specific beneficiary for use through an implanted infusion pump; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HONDA:

H.R. 233. A bill to amend chapter 31 of title 31, United States Code, to provide for an orderly process by which the debt ceiling is increased; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. KAPTUR:

H.R. 234. A bill to establish the Fannie Mae and Freddie Mac Investigative Commission to investigate the policies and practices engaged in by officers and directors at Fannie Mae and Freddie Mac responsible for making the decisions that led to the enterprises' financial instability and the subsequent Federal conservatorship of such enterprises; to the Committee on Financial Services.

By Mr. KINZINGER of Illinois (for himself and Mrs. CAPPS):

H.R. 235. A bill to amend the Public Health Service Act to provide grants to States to streamline State requirements and procedures for veterans with military emergency medical training to become civilian emergency medical technicians; to the Committee on Energy and Commerce.

By Mr. LANGEVIN (for himself, Mr. VAN HOLLEN, Mr. GRIJALVA, Mr. CICILLINE, Mr. RUSH, Mr. CARTWRIGHT, and Ms. SLAUGHTER):

H.R. 236. A bill to ensure greater accountability by licensed firearms dealers; to the Committee on the Judiciary.

By Mr. MARINO:

H.R. 237. A bill to amend title 5, United States Code, to reduce the number of civil

service positions within the executive branch, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. MENG:

H.R. 238. A bill to amend chapter 44 of title 18, United States Code, to restrict the ability of a person whose Federal license to import, manufacture, or deal in firearms has been revoked, whose application to renew such a license has been denied, or who has received a license revocation or renewal denial notice, to transfer business inventory firearms, and for other purposes; to the Committee on the Judiciary.

By Mr. ROSS:

H.R. 239. A bill to require zero-based budgeting for departments and agencies of the Government; to the Committee on the Budget.

By Mr. ROSS:

H.R. 240. A bill to establish a program to provide reinsurance for State natural catastrophe insurance programs to help the United States better prepare for and protect its citizens against the ravages of natural catastrophes, to encourage and promote mitigation and prevention for, and recovery and rebuilding from such catastrophes, and to better assist in the financial recovery from such catastrophes; to the Committee on Financial Services.

By Mr. ROSS:

H.R. 241. A bill to direct the Secretary of Veterans Affairs to establish standards of access to care for veterans seeking health care from Department of Veterans Affairs medical facilities, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ROSS:

H.R. 242. A bill to amend the Immigration and Nationality Act to provide for a temporary agricultural worker program, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Education and the Workforce, Energy and Commerce, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSS:

H.R. 243. A bill to adopt the seven immediate reforms recommended by the National Commission on Fiscal Responsibility and Reform to reduce spending and make the Federal Government more efficient; to the Committee on Ways and Means, and in addition to the Committees on Oversight and Government Reform, House Administration, Rules, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY:

H.R. 244. A bill to assure that the services of a nonemergency department physician are available to hospital patients 24 hours a day, seven days a week in all non-Federal hospitals with at least 100 licensed beds; to the Committee on Energy and Commerce.

By Mr. SCHWEIKERT:

H.R. 245. A bill to amend the Truth in Lending Act to allow certain loans that are not fully amortizing to be used in seller carryback financing on residential mortgage loans; to the Committee on Financial Services.

By Mr. SCHWEIKERT:

H.R. 246. A bill to require the Board of Governors of the Federal Reserve System to collect, publish, and keep current an objective index of dollar-denominated loan interest

rates of various maturities, and for other purposes; to the Committee on Financial Services.

By Mr. SCHWEIKERT:

H.R. 247. A bill to require that the United States Government prioritize all obligations on the debt held by the public, Social Security benefits, and military pay in the event that the debt limit is reached, and for other purposes; to the Committee on Ways and Means.

By Mr. CONAWAY:

H. Res. 21. A resolution providing for the attendance of the House at the Inaugural Ceremonies of the President and Vice President of the United States; considered and agreed to.

By Mr. BECERRA:

H. Res. 22. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mrs. BACHMANN (for herself, Ms. BASS, Mr. FITZPATRICK, Ms. JACKSON LEE, Mr. BURGESS, Mr. TIBERI, Mr. BRADY of Texas, Mr. NUNNELEE, Mr. FRANKS of Arizona, Mr. ADERHOLT, Mr. MARINO, Mr. HUIZENGA of Michigan, and Mr. PALAZZO):

H. Res. 24. A resolution expressing the deep disappointment of the House of Representatives in the enactment by the Russia Government of a law ending inter-country adoptions of Russian children by United States citizens and urging the Russia Government to reconsider the law and prioritize the processing of inter-country adoptions involving parentless Russian children who were already matched with United States families before the enactment of the law; to the Committee on Foreign Affairs.

By Mr. GINGREY of Georgia:

H. Res. 25. A resolution recognizing Linemen, the profession of Linemen, and the contributions of these brave men and women to protect public safety, and expressing support for designation of April 18, 2013, as National Lineman Appreciation Day; to the Committee on Energy and Commerce.

By Ms. KAPTUR:

H. Res. 26. A resolution expressing the sense of the House of Representatives that the States should enact a temporary moratorium on residential mortgage foreclosures; to the Committee on Financial Services.

By Ms. KAPTUR:

H. Res. 27. A resolution supporting the establishment and full funding of a staff exchange program between the House of Representatives and the Parliament of Ukraine, the Verkhovna Rada, as soon as possible; to the Committee on Foreign Affairs.

By Ms. KAPTUR:

H. Res. 28. A resolution condemning the persecution of political opposition leader Yulia Tymoshenko as well as other political prisoners, among them former internal affairs minister Yuri Lutsenko; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DENHAM:

H.R. 219.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the common defense and general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress) and Article I, Section 10, Clause 3 (relating to interstate compacts).

By Mr. WALDEN:

H.R. 220.

Congress has the power to enact this legislation pursuant to the following:

Article 1 (The Legislative Branch), Section 8 (Powers of Congress), Clause 5 "To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;"

By Mrs. BLACKBURN:

H.R. 221.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. POE of Texas:

H.R. 222.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1, 12, 16, and 18

By Mr. BARROW:

H.R. 223.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 4, of the Constitution which expressly provides Congress with the power to enact laws governing the time, place, and manner of elections for Members of the House of Representatives.

By Mrs. BLACK:

H.R. 224.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3, the Congress shall have power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mrs. CAPPS:

H.R. 225.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority in which this bill rests is the power of the Congress to regulate Commerce, as enumerated by Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. DELAURO:

H.R. 226.

Congress has the power to enact this legislation pursuant to the following:

This bill is pursuant to Article I, Section 8, Clause 1 of the United States Constitution, which states that Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. DEUTCH:

H.R. 227.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the U.S. Constitution.

By Mr. GRAVES of Missouri:

H.R. 228.

Congress has the power to enact this legislation pursuant to the following:

Article 1; Section 8; Necessary and Proper Clause

Congress created the SNAP program, formerly known as food stamps, to provide a social safety net for the least fortunate in our

society. However, that social safety net and the tax payers who support it are being defrauded to the tune of millions of dollars a year. Therefore, it is both necessary and proper to protect the taxpayers' money through policies which aim to prevent fraud within the SNAP program.

By Mr. AL GREEN of Texas:

H.R. 229.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority to enact this legislation can be found in:

Commerce Clause (Art. 1 sec. 8 cl. 3)

Necessary and Proper Clause (Art. 1 sec. 8 cl. 18)

By Mr. AL GREEN of Texas:

H.R. 230.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority to enact this legislation can be found in:

General Welfare Clause (Art. 1 sec. 8 cl. 1)

Commerce Clause (Art. 1 sec. 8 cl. 3)

Necessary and Proper Clause (Art. 1 sec. 8 cl. 18)

Constitutional analysis is a rigorous discipline which goes far beyond the text of the Constitution, and requires knowledge of case law, history, and the tools of constitutional interpretation. While the scope of Congress' powers is an appropriate matter for House debate, the listing of specific textual authorities for routine Congressional legislation about which there is no legitimate constitutional concern is a diminishment of the majesty of our Founding Fathers' vision for our national legislature.

By Ms. HANABUSA:

H.R. 231.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: "The Congress shall have power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. HARPER:

H.R. 232.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of Section 3 of Article IV of the Constitution.

By Mr. HONDA:

H.R. 233.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of article I of the Constitution and section 4 of the 14th amendment to the Constitution

By Ms. KAPTUR:

H.R. 234.

Congress has the power to enact this legislation pursuant to the following:

Article. 1. Section 8. Clause 3

Article I. Section. 8. Clause 18

By Mr. KINZINGER of Illinois:

H.R. 235.

Congress has the power to enact this legislation pursuant to the following:

According to clause 7 of Section 9 of Article I of the Constitution, Congress has the authority to control the expenditures of the federal government.

By Mr. LANGEVIN:

H.R. 236.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. MARINO:

H.R. 237.

Congress has the power to enact this legislation pursuant to the following:

1) Article I, Section 8, Clause 1—The Congress shall have Power to lay and collect

Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

2) Article I, Section 8, Clause 18—The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. MENG:

H.R. 238.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. ROSS:

H.R. 239.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I: "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. ROSS:

H.R. 240.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. ROSS:

H.R. 241.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution reserves to Congress the power to raise and support Armies and provide and maintain a Navy, as well as make Rules for the Government and Regulation of the land and naval Forces.

By Mr. ROSS:

H.R. 242.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 of the United States Constitution

By Mr. ROSS:

H.R. 243.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: "The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States."

By Ms. SCHAKOWSKY:

H.R. 244.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. SCHWEIKERT:

H.R. 245.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the Constitution

By Mr. SCHWEIKERT:

H.R. 246.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the Constitution

By Mr. SCHWEIKERT:

H.R. 247.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mrs. ELLMERS, Mr. STOCKMAN, Mr. DUNCAN of South Carolina, Mr. COLLINS of Georgia, and Mr. LUETKEMEYER.

H.R. 24: Mr. CAMP, Mr. GOSAR, Mr. PETERSON, Mr. TERRY, Mr. WALBERG, Mr. LUETKEMEYER, Mr. COBLE, Mr. RADEL, Mr. NUNNELEE, Mr. GOODLATTE, Mr. LATTA, Mr. YOHIO, Mr. BURGESS, Mr. STOCKMAN, Mr. AMASH, Mr. HANNA, Mr. THOMPSON of Pennsylvania, Mr. LANCE, Mr. HECK of Nevada, Mr. CARTER, Mr. GRIFFIN of Arkansas, Mr. PEARCE, Mr. WALDEN, Mr. BARLETTA, Mr. RUNYAN, Mr. WESTMORELAND, Mr. FORTENBERRY, Mr. FARENTHOLD, Mr. CHAFFETZ, Mr. LAMBORN, Mr. MARINO, Mrs. MILLER of Michigan, Mrs. BACHMANN, Mr. DUNCAN of South Carolina, Mr. KING of Iowa, Mrs. HARTZLER, Mrs. BLACK, Mr. SESSIONS, Mr. SCHOCK, Mr. HUIZENGA of Michigan, Mr. FINCHER, Mr. ROGERS of Alabama, Mr. GOWDY, Mr. ROE of Tennessee, Mr. AMODEI, Mr. GRAVES of Missouri, Mr. CULBERSON, Mr. BONNER, Mr. BARTON, Mr. BUCHANAN, Mr. WILSON of South Carolina, and Ms. FOXX.

H.R. 25: Mr. KLINE, Mr. GRAVES of Missouri, Mr. RADEL, and Mr. MEADOWS.

H.R. 32: Mr. LANGEVIN, Mr. JONES, Mr. SCOTT of Virginia, Mr. GRIFFITH of Virginia, Mr. MICHAUD, and Mr. GERLACH.

H.R. 54: Mr. CONAWAY, Mr. GARDNER, and Mr. WALBERG.

H.R. 61: Mr. BUCSHON, Mr. MARCHANT, Mr. SHIMKUS, Mr. WESTMORELAND, Mr. JONES, Mr. BOUSTANY, Mr. PALAZZO, Mr. DUNCAN of South Carolina, Mr. CONAWAY, Mr. CHABOT, Mr. CASSIDY, Mr. BILIRAKIS, Mr. HUIZENGA of Michigan, Mr. CRAWFORD, Mr. BONNER, Mr. SCALISE, Mr. DUNCAN of Tennessee, Mr. HULTGREN, Mr. MCCAUL, Mr. SALMON, Mr. SCHWEIKERT, Mr. GUTHRIE, Mr. BROWN of Georgia, Mr. ROE of Tennessee, Mr. GARRETT, Mr. FINCHER, Mr. BACHUS, Ms. JENKINS, Mr. FRANKS of Arizona, Mr. LAMBORN, Mr. PEARCE, Mr. BARTON, Mr. HUELSKAMP, Mr. STOCKMAN, Mr. COTTON, Mr. GRIFFIN of Arkansas, Mr. CULBERSON, Mr. KING of Iowa, Mr. FARENTHOLD, Mr. MICA, Mr. AUSTIN SCOTT of Georgia, Mr. YODER, Mr. THOMPSON of Pennsylvania, Mr. YOUNG of Alaska, Mr. ROGERS of Kentucky, Mr. WILSON of South Carolina, Mr. NEUGEBAUER, Mr. LABRADOR, Mr. TERRY, Mr. NUNNELEE, Mr. COLE, Mr. OLSON, Mr. STIVERS, Mr. TURNER, Mr. MILLER of Florida, Mr. LUETKEMEYER, and Mr. YOUNG of Indiana.

H.R. 73: Mr. MASSIE.

H.R. 75: Mr. BURGESS.

H.R. 77: Mr. MASSIE.

H.R. 93: Mr. NADLER, Ms. EDWARDS, Ms. LOFGREN, Mr. FARR, Mr. DOYLE, Ms.

DEGETTE, Mr. SERRANO, Ms. LEE of California, Ms. MCCOLLUM, Ms. CHU, Mr. MEEKS, Mr. BLUMENAUER, Mr. CAPUANO, Ms. HAHN, Ms. SCHWARTZ, Mr. HASTINGS of Florida, Ms. FUDGE, Ms. CASTOR of Florida, Mr. CLAY, Ms. SPEIER, and Mrs. CAPPS.

H.R. 100: Ms. LEE of California.

H.R. 103: Mr. CUMMINGS.

H.R. 104: Ms. ROS-LEHTINEN, Mr. GRIFFITH of Virginia, Mr. WEBER of Texas, Mr. LANCE, Mr. COLLINS of New York, Mr. SHERMAN, and Mr. TIBERI.

H.R. 106: Mr. COLLINS of Georgia and Mr. GERLACH.

H.R. 107: Mr. GOWDY.

H.R. 109: Mr. COLLINS of Georgia and Mr. AUSTIN SCOTT of Georgia.

H.R. 129: Mr. MICHAUD.

H.R. 137: Ms. MATSUI, Mr. CUMMINGS, Mr. CONYERS, Mr. VAN HOLLEN, Mr. CICILLINE, Mr. COURTNEY, Mrs. CAROLYN B. MALONEY of New York, Mr. QUIGLEY, Ms. TSONGAS, Ms. NORTON, and Ms. ESHOO.

H.R. 138: Ms. MATSUI, Mr. CUMMINGS, Mr. PERLMUTTER, Mr. LEVIN, Mr. CONYERS, Ms. KAPTUR, Mr. CICILLINE, Ms. TSONGAS, Ms. NORTON, Mr. HIGGINS, Ms. MCCOLLUM, Mr. VAN HOLLEN, Mr. ISRAEL, Mr. COURTNEY, Ms. CASTOR of Florida, Mrs. CAROLYN B. MALONEY of New York, Mr. QUIGLEY, Mr. GEORGE MILLER of California, Ms. SCHAKOWSKY, Mr. HUFFMAN, Ms. DeLAURO, Mr. TIERNEY, Ms. SPEIER, Ms. MOORE, Mr. HIMES, Mr. ELLISON, Mr. LARSON of Connecticut, Mr. CAPUANO, Mr. DEUTCH, Mr. SCHIFF, Mr. MORAN, Mr. YARMUTH, Ms. SLAUGHTER, Ms. FUDGE, Ms. ESHOO, Mr. SHERMAN, Ms. FRANKEL of Florida, and Mr. BRADY of Pennsylvania.

H.R. 141: Ms. MATSUI, Mr. CUMMINGS, Mr. CONYERS, Mr. VAN HOLLEN, Mr. CICILLINE, Mrs. CAROLYN B. MALONEY of New York, Mr. QUIGLEY, Ms. NORTON, Ms. ESHOO, and Ms. FRANKEL of Florida.

H.R. 142: Ms. MATSUI, Mr. CUMMINGS, Mr. CONYERS, Mr. VAN HOLLEN, Mr. CICILLINE, Mr. COURTNEY, Mrs. CAROLYN B. MALONEY of New York, Mr. QUIGLEY, Ms. NORTON, Ms. ESHOO, and Mr. PERLMUTTER.

H.R. 146: Mr. LANCE and Mr. FATTAH.

H.R. 148: Mr. MCGOVERN and Ms. BROWNLEY of California.

H.R. 149: Mr. MCKINLEY, Mr. FRANKS of Arizona, Mr. LAMBORN, Mr. HULTGREN, Mr. GARRETT, Mr. WESTMORELAND, Mr. POSEY, and Mr. HUIZENGA of Michigan.

H.R. 163: Mrs. MILLER of Michigan.

H.R. 168: Mr. HUELSKAMP.

H.R. 178: Mr. PALAZZO, Mr. RIBBLE, Mr. GOWDY, and Mr. RADEL.

H.R. 203: Mrs. HARTZLER, Mr. GOWDY, and Mr. BONNER.

H.R. 207: Mr. MCCAUL.

H.R. 217: Mr. LUETKEMEYER, Mr. YOUNG of Indiana, Mr. MILLER of Florida, Mr. LATTA, Mr. PITTENGER, Mr. POMPEO, Mr. MURPHY of Pennsylvania, Mr. MCKINLEY, Mr. LAMBORN, Mr. GRIFFIN of Arkansas, Mr. RADEL, Mr. HULTGREN, Mr. SALMON, Mr. NEUGEBAUER, Mr. HARPER, Mr. WILSON of South Carolina, Mr. BILIRAKIS, Mr. FINCHER, Mr. SHIMKUS, Mr. ROGERS of Kentucky, Mr. WEBER of Texas, Mr. GOWDY, Mr. JORDAN, Mr. HARRIS,

Mr. BACHUS, Mr. YOUNG of Alaska, Mrs. McMORRIS RODGERS, Mr. BISHOP of Utah, Mr. ROGERS of Michigan, Mr. ADERHOLT, Mr. CULBERSON, Mr. GARRETT, Mr. GOSAR, Mr. WOMACK, Mr. CHABOT, Mr. CAMPBELL, Mr. SCHOCK, Mr. NUNNELEE, Mrs. BLACKBURN, Mr. COLE, Mrs. HARTZLER, Mr. WALBERG, Mr. POE of Texas, Mr. RENACCI, Mr. SOUTHERLAND, Mr. LIPINSKI, Mr. ROGERS of Alabama, Mr. BOUSTANY, Mr. GINGREY of Georgia, Mr. JONES, Mr. PEARCE, Mrs. WALORSKI, Mr. STUTZMAN, Mr. YODER, Mr. BROWN of Georgia, Mr. DUNCAN of Tennessee, Mr. HUIZENGA of Michigan, Mr. MARCHANT, Mr. WESTMORELAND, Mr. GUTHRIE, Mr. BARTON, Mr. BUCSHON, Mr. THOMPSON of Pennsylvania, Mr. HUELSKAMP, Mr. CONAWAY, Mr. MCCAUL, Mr. KLINE, Mr. BONNER, Mr. KINGSTON, Mr. MICA, Ms. JENKINS, Mr. BUCHANAN, Mr. SCHWEIKERT, Mr. FORTENBERRY, Mr. GRAVES of Missouri, Mr. JOHNSON of Ohio, Mr. CARTER, Mr. CASSIDY, and Mr. SAM JOHNSON of Texas.

H.J. Res. 4: Mr. COSTA, Mr. COOPER, Mr. MICHAUD, Mr. SCHRADER, Mr. BISHOP of Georgia, and Mr. MATHESON.

H.J. Res. 11: Mr. DUNCAN of South Carolina, Mr. HUIZENGA of Michigan, Mr. WESTMORELAND, and Mr. COTTON.

H. Res. 11: Mr. BLUMENAUER, Mr. CONNOLLY, Mr. MORAN, Mr. ELLISON, Mr. FARR, Mrs. CHRISTENSEN, Ms. BORDALLO, Mr. HASTINGS of Florida, Mr. HIMES, Mr. CLAY, and Mr. HONDA.

H. Res. 12: Mr. BLUMENAUER, Mr. CONNOLLY, Mr. MORAN, Mr. ELLISON, Mr. FARR, Mrs. CHRISTENSEN, and Mr. HASTINGS of Florida.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY Mr. ROGERS OF KENTUCKY

H.R. 152, the Disaster Relief Appropriations Act, 2013, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY Mr. ROGERS OF KENTUCKY

The Amendment in the nature of a substitute that I will offer to H.R. 152, the Disaster Relief Appropriations Act, 2013, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY Mr. RYAN OF WISCONSIN

The provisions that warranted a referral to the Committee on the Budget in H.R. 152, the Disaster Relief Appropriations Act, 2013, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PROCEEDINGS OF THE HOUSE OF REPRESENTATIVES AFTER SINE DIE ADJOURNMENT OF THE 112TH CONGRESS 2D SESSION

BILLS PRESENTED TO THE PRESIDENT AFTER SINE DIE ADJOURNMENT

Karen L. Haas, Clerk of the House, reported that on January 3, 2013, she presented to the President of the United States, for his approval, the following bills:

H.R. 6655. To establish a commission to develop a national strategy and recommendations for reducing fatalities resulting from child abuse and neglect.

H.R. 4606. To authorize the issuance of right-of-way permits for natural gas pipelines in Glacier National Park, and for other purposes.

H.R. 443. To provide for the conveyance of certain property from the United States to

the Maniilaq Association located in Kotzebue, Alaska.

H.R. 2076. To amend title 28, United States Code, to clarify the statutory authority for the longstanding practice of the Department of Justice of providing investigatory assistance on request of State and local authorities with respect to certain serious violent crimes, and for other purposes.

H.R. 4212. To prevent the introduction into commerce of unsafe drywall, to ensure the manufacturer of drywall is readily identifiable, to ensure that problematic drywall removed from homes is not reused, and for other purposes.

H.R. 6029. To amend title 18, United States Code, to provide for increased penalties for

foreign and economic espionage, and for other purposes.

H.R. 6328. To amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to transfer unclaimed clothing recovered at airport security checkpoints to local veterans organizations and other local charitable organizations, and for other purposes.

H.R. 6586. To extend the application of certain space launch liability provisions through 2014.

H.R. 6621. To correct and improve certain provisions of the Leahy-Smith America Invents Act and title 35, United States Code.

EXTENSIONS OF REMARKS

HONORING THE LIFE AND SERVICE OF JOSE SAN NICOLAS

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, January 14, 2013

Ms. BORDALLO. Mr. Speaker, I rise today to honor the life and service of Jose Salucnamnam San Nicolas, former Commissioner of the village of Agat, Guam; he was fondly known as "Joe Pineda" by his family and closest friends. Born on December 15, 1945, Joe dedicated more than 40 years of his life as a public servant to the people of Guam, beginning as a youth and church leader in Agat, Guam's largest southern village. His desire to serve and his spirit of community paved the way for his election in 1970. He became one of Guam's youngest public officials at the age of 25. In 1974, after serving only one term as Assistant Commissioner, Joe was elected as the Commissioner of Agat. He passed away on December 27, 2012, at the age of 67.

As Commissioner of Agat, Joe paid particular attention to helping young people find constructive and productive activities, such as village clean-up and beautification projects. He also encouraged participation in the celebration of Guam's Liberation Day festivities, intramural sports, and involvement in church functions and religious education.

As a devout Catholic, Joe served as a "Techa", or traditional prayer leader, of rosaries and novenas. He volunteered his skills in leading prayers for families throughout Guam, as well as in California, Hawaii, Washington state and Germany. After his term as Commissioner of Agat, Joe continued to serve his community as a techa; he also held several different government posts, working for the Guam Legislature and Governor Carl T.C. Gutierrez as a Special Assistant for community outreach.

Joe will be missed by all who knew and loved him. I extend my condolences to his family and loved ones, including his children, Dwayne and Charmaine.

TRIBUTE TO CHIEF RICHARD H. GOBBLE, II

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 14, 2013

Mrs. CAPITO. Mr. Speaker, I rise today to recognize the bravery of City of Ripley Fire Chief Richard H. Gobble, II. Chief Gobble, a lifelong resident of the community he serves, heads an all volunteer fire department in Ripley, WV, a small town in my district.

On the morning of December 29, 2012, Ripley's Mayor received an anonymous letter de-

tailing a heroic event that happened the week earlier, just before the Christmas holiday. The letter's anonymous author had been traveling down Route 33 when he witnessed a frightening car wreck, in which the vehicle left the road and landed in the frigid waters of a nearby creek.

The first emergency responder on the scene was a man from the fire department, who, according to the anonymous author, waded into the cold waters without hesitation to help the trapped motorist. The fireman successfully retrieved the elderly man from his almost completely submerged car and helped him to shore, reassuring him along the way that everything would be alright. By the time the fireman helped the elderly man to the creek bank, other members of the fire department, paramedics, and police had arrived on the scene to assist.

Once the elderly man was safe from the frigid waters and receiving medical treatment from paramedics, the letter's anonymous author asked a member of the fire department for the name of the fireman that risked hypothermia to save the motorist. The fireman responded, "That's our chief!" It was Ripley's volunteer fire chief, Richard Gobble, who had rescued the man from the frozen creek and saved his life.

Mr. Speaker, the level of devotion to community by Chief Gobble is one deserving of great respect and recognition.

I wish to thank Chief Gobble for his service to his community. The City of Ripley is fortunate to have such a heroic man leading their fire department.

IN RECOGNITION OF THE RETIREMENT OF RICHARD HENRY RAILEY FROM UPS

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 14, 2013

Mr. ROGERS of Alabama. Mr. Speaker, I would like to ask for the House's attention today to recognize Richard Henry Railey who is retiring from the United Parcel Service in Opelika after 34 years of service.

Mr. Railey was born on October 18, 1957, in Ashland, Alabama, to Talma and Georgia Alberta Railey. He graduated from Wadley High School in 1976 as Class Salutatorian, lettering in both football and baseball and serving as Class President.

He attended Southern Union State Junior College receiving an A.S. Degree and serving as President of the Student Government Association. He then attended Auburn University and graduated in 1981 with a B.S. Degree in Vocational Agri-Business with a teaching certificate.

In November of 1978, Mr. Railey started working part-time at UPS while in school at

Auburn. In 1979, he was promoted to part-time management and in 1984, to full-time management. In April of 1981, Richard married Debbie Renee Gilbert in Pine Mountain, Georgia, and later they had two sons, Patrick Ryan Railey and David Richard Railey. While at UPS, Richard has also volunteered at United Way, taught Junior Achievement at Opelika High School and Auburn High School and achieved many job promotions during his time there.

Mr. Speaker, we join his family and friends in celebrating Mr. Railey's retirement and wish him the very best.

HONORING THE LIFE OF BETTY RAMACHER

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 14, 2013

Mr. COSTA. Mr. Speaker, I rise today to pay tribute to the life of Betty Ramacher, who passed away on November 20, 2012, at the age of 86. A respected elected official and community leader, Betty leaves behind a wonderful legacy and serves as an example for generations to come.

Betty was a woman of many trades. She served as a first grade teacher in Caruthers, California and operated a dress shop in the Fig Garden Shopping Center in Fresno, California. With her background as an educator and small business owner, Betty successfully ran for the Fresno County Board of Supervisors in 1983. Betty served the third supervisorial district for five years.

Betty's progressive ideas along with her ability to get things done made her a well-respected political mind in California's San Joaquin Valley. Aspiring political candidates would often reach out to Betty first when running for office. Betty and her husband, Richard, were a formidable team—especially when it came to organizing campaigns and winning elections.

Along with being a political trailblazer, Betty was also a wonderful wife, mother, and grandmother. Betty's family was everything to her. She was a caregiver for a majority of her life—providing for her disabled son, Eric, for over 50 years, and caring for Richard after his stroke. Betty truly understood the importance of love and family.

Betty leaves behind her daughter, Mary and son-in-law, Ted Mooradian; her grandchildren, Ali Mooradian-Pesce and her husband Andres, Lauren, Jacob, and Joseph Mooradian.

Mr. Speaker, I ask my colleagues to join me in paying tribute to the life of Betty Ramacher. Her unwavering commitment to bettering the lives of residents in Fresno County will never be forgotten. Betty will be remembered as a woman with a kind heart and loving soul.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HONORING MR. GORDON PROUT

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, January 14, 2013

Mr. PALLONE. Mr. Speaker, I rise today in commemoration of the life of Mr. Gordon Prout. Mr. Prout, a resident of Tinton Falls, New Jersey, passed away on December 17, 2012 after decades of public service as a civil engineer for the New Jersey Department of Transportation.

Prior to his 34 years of public service, Mr. Prout served his country honorably in the U.S. Army Air Corps during World War II. He was a navigator on a B-17 Flying Fortress for nine missions over Europe before being shot down and captured. Consequently, he spent 16 months as a prisoner in Stalag Luft I in Germany. Mr. Prout successfully returned home on the *Queen Mary* after being liberated by the Soviets in May, 1945.

Mr. Prout is survived by his devoted wife of 67 years, Anne Bruno Prout; a daughter and son-in-law, Judith and Mickey McCabe of Monmouth Beach and Bayonne; a son and daughter-in-law, Donald and Deborah Prout of VA; four grandchildren, Allison McCabe Matto and her husband Joseph, Michael McCabe and his wife Tina, Derek Prout and his wife Jessica and Bryan Prout and his fiancée Taylor Lytle; and five great-grandchildren, Madelyn, Luke, Grace, Aiden and Abigail.

Mr. Speaker, I sincerely hope that my colleagues will join me in honoring Mr. Prout for his lifetime of public service to the state of New Jersey, and his dedicated service to our country.

HONORING THE 100TH ANNIVERSARY OF THE SAINT PAUL CURLING CLUB

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 14, 2013

Ms. McCOLLUM. Mr. Speaker, today I rise to pay tribute to the unique history of the Saint Paul Curling Club on the occasion of the 100th anniversary of the organization. Since 1912, the club has called Selby Avenue in Saint Paul, Minnesota its home. Today, it is the largest curling club in the United States with more than 1,200 members.

The sport of curling has a deep and rich history in Minnesota's capital city. In 1885 two clubs formed under the names of the Saint Paul Curling Club and the Nushka Curling Club. The first games were played on the frozen Mississippi River near Raspberry Island in downtown St. Paul. In 1904 the first Saint Paul Curling Club closed and the Capitol City Curling Club was formed the following year. In 1912 the Capitol City and Nushka Curling Clubs merged to form the current Saint Paul Curling Club and the new club took up residence in its current home on Selby Avenue.

During its century on Selby Avenue, the Saint Paul Curling Club has witnessed many changes—seasonal outdoor ice sheets have

been upgraded to year round indoor refrigerated rinks; financial woes and declining membership in past decades have given way to booming times and a surge in membership; and a neighborhood in decline has been reborn. Throughout all these changes and more, the Saint Paul Curling Club has remained at 470 Selby Avenue. It has not only survived, it has invested in painstaking restoration as well as expansion of its historic home. Throughout its history on Selby Avenue, the Saint Paul Curling Club has served as a foundation for this neighborhood, which is once again a thriving residential community and bustling destination for dining, shopping, and socializing.

Central to the Saint Paul Curling Club is the sport of curling. Not only is it the largest curling club in the U.S., it has frequently played host to both national and international competitions. The club has hosted numerous bonspiel's, which are curling tournaments, and in 1988 they hosted the USCA Men's Championship. The club is also home to former Olympians from the 2010 Vancouver games, John Benton and Allison Pottinger. The club has helped bring recognition and respect to the City of Saint Paul.

Mr. Speaker, in honor of all the past and present members of the Saint Paul Curling Club, I am pleased to submit this statement for the CONGRESSIONAL RECORD recognizing the Centennial Anniversary of this Saint Paul landmark.

TRIBUTE TO COMMISSIONER JOE E. MILLER

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 14, 2013

Mrs. CAPITO. Mr. Speaker, I rise today to recognize the career and lifetime achievements of West Virginia Department of Motor Vehicles Commissioner Joe E. Miller. Commissioner Miller's record of public service is one of devotion and self sacrifice; both during his military career and in his time as a public servant.

Joe Miller began serving his fellow citizens in 1958, when he joined the United States Marine Corps, where he attended Officer Candidates School. Over the next twenty years Miller would serve two tours in Vietnam and receive numerous awards and promotions, before finally retiring in 1978 at the rank of Lieutenant Colonel.

In 1997, Miller was appointed to the position of Commissioner of the West Virginia Division of Motor Vehicles by Governor Cecil Underwood and reappointed in 2009 by Governor Joe Manchin. Throughout his time as Commissioner, Miller has successfully overseen many challenging projects for the Division of Motor Vehicles. Highlights of his tenure include West Virginia's compliance with the Real ID Act of 2005, integration of the Electronic Commercial Driver's License Testing System, and development of the division's Regional Office Plan, stating, "Every citizen in the state should have reasonable access to essential DMV services."

Commissioner Miller resides in Putnam County with his wife, Darleen S. Miller. He has

five children, daughters; Jenny, Debbie, Susie, Heather (deceased), and one son, Mike.

Mr. Speaker, the State of West Virginia, and indeed, the United States of America owe Commissioner Joe E. Miller a debt of gratitude for his many years of honorable service.

34TH ANNUAL DR. MARTIN LUTHER KING JR. MEMORIAL BREAKFAST

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 14, 2013

Mr. VISCLOSKY. Mr. Speaker, as we celebrate the birth of Dr. Martin Luther King Jr. and reflect on his life and work, we are reminded of the challenges that democracy poses to us and the delicate nature of liberty. Dr. King's life, and, unfortunately, his untimely death, reminds us that we must continually work to secure and protect our freedoms. Dr. King, in his courage to act, his willingness to meet challenges, and his ability to achieve, embodied all that is good and true in the battle for liberty.

The spirit of Dr. King lives on in the citizens of communities throughout our nation. It lives on in the people whose actions reflect the spirit of resolve and achievement that will help move our country into the future. I am honored to rise today to recognize several individuals from Indiana's First Congressional District, who will be recognized during the 34th Annual Dr. Martin Luther King Jr. Memorial Breakfast on Saturday, January 19, 2013, at the Genesis Convention Center in Gary, Indiana. The Gary Frontiers Service Club, which was founded in 1952, sponsors this annual breakfast.

This year, the Gary Frontiers Service Club will pay tribute to local individuals who have for decades unselfishly contributed to improving the quality of life for the people of Gary. Notably, David D. Chube Sr., MD will be honored with the prestigious Dr. Martin Luther King Jr. Drum Major Award for 2013. Additionally, several individuals will be recognized as Dr. Martin Luther King Jr. Marchers at this year's breakfast including, Patricia Diana DeNeal, Elder Rozelle Hammonds, Pastor Dr. Marion J. Johnson Jr., Joseph Slay Jr., and Ann West-Walker. Finally, Ferba R. Hines was selected as the 2012 Yokefellow of the Year.

Though very different in nature, the achievements of each of these individuals reflect many of the same attributes that Dr. King possessed, as well as the values he advocated. Like Dr. King, these individuals saw challenges and faced them with unwavering strength and determination. Each one of the honored guests' greatness has been found in their willingness to serve with "a heart full of grace and a soul generated by love." They set goals and work selflessly to make them a reality.

Mr. Speaker, I urge you and my other distinguished colleagues to join me in commending these honorees, as well as the Gary Frontiers Service Club officers, President Oliver J. Gilliam, Vice President Sean Jones, 1st Vice President James Piggee, Recording Secretary Linnal Ford, Financial Secretary Sam Frazier,

Corresponding Secretary Ferba R. Hines, and Treasurer/Seventh District Director Floyd Donaldson, as well as Breakfast Chairman Clorius L. Lay, in addition to all other members of the service club for their initiative, determination, and dedication to serving the people of Northwest Indiana.

IN RECOGNITION OF THE CITY OF HIGHLAND VILLAGE

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 14, 2013

Mr. BURGESS. Mr. Speaker, I rise today to congratulate the City of Highland Village as they celebrate their 50th Anniversary as an incorporated city.

Highland Village was voted into existence by approximately 100 residents on February 14, 1963, with 53 supporting votes and seven opposed. Over the subsequent 50 years the 5.5 square-mile city has transitioned from a small population and weekenders from Dallas to the lakeside community that is now home for almost 16,000 permanent residents.

Highland Village has a long history that includes its role as a hideout in the 1870s for the notorious highwayman, Sam Bass, who was drawn to the privacy of the trees and hills that are unique to much of north Texas. The same natural beauty that attracted the infamous also beckoned wealthy Dallasites seeking respite from the city. The growth continued and development by groups such as Mobil Land Development Corporation transformed the small, rural town into a suburban city in the 1970s. It eventually became a Home Rule City in 1986 as its population surpassed 5,000.

Residential expansion led to improvements in infrastructure and economic growth. Diversification of the community's revenue base through commercial development led to the city's current vibrant retail market. Roadway improvements to FM 407 and the extension of FM 2499 as a major north south route which will eventually connect DFW Airport with Denton residents has also fostered the community's prosperity. Managing its growth in a conservatively fiscal manner, Highland Village prioritized services that would enhance and preserve the quality of life for residents. As a result, current residents enjoy living in a municipality identified as the "Safest City in Texas", with full-time fire and emergency services, an extensive system of community trails and membership in the Denton County Transportation Authority with nearby rail connectivity to the international commerce hub of Dallas.

As Highland Village celebrates their 50th anniversary, I salute the unique community that I and my family have also known as home. It is my privilege today to represent the City of Highland Village and its residents in the U.S. House of Representatives.

TRIBUTE TO SUZANNE MCCOLLUM

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, January 14, 2013

Mr. ROGERS of Kentucky. Mr. Speaker, I rise to pay tribute to Ms. Suzanne C. McCollum for her extraordinary dedication to duty and service to the United States of America. Ms. McCollum will retire after 28 years of distinguished service to the Nation as an Army Civilian.

Ms. McCollum began her service as a Clerk Typist, GS-1, at the Soldier Support Center-National Capital Region. In 1989, she went on to serve as a secretary and Congressional Liaison Clerk for the 6th Infantry Division (Light), Fort Wainwright, Alaska. When she returned to Washington, DC in 1992, she briefly worked for the Acquisition Management Branch, U.S. Total Army Personnel Command, before accepting a position in the Office of the Chief of Legislative Liaison (OCLL), Congressional Inquiry Division. During this time, Ms. McCollum was assigned to ever higher levels of responsibility as her experience and reputation as a skilled action officer grew.

Ms. McCollum received a promotion in the Congressional Activities Division, where she was responsible for ensuring that Army Senior Leader written testimony was provided to the Defense Oversight committees in a timely manner. She published a key tool for the Army in responding to Congress: the Congressional Actions Responsibilities Standard Operating Procedures. Within a year, she was promoted again and asked to become the Legislative Assistant to Sergeant Major of the Army Kenneth Preston, becoming his sole advisor for all congressional affairs matters. In that role, Ms. McCollum was responsible for preparing the SMA for congressional testimony, providing analysis on Congressional interest items and legislation related to Soldier and Family issues, and keeping him informed on Members and Staff in preparation for numerous Congressional office calls, events, and trips. This was critical to ensure he was able to provide Members of Congress and their Staff with the most current information on Army Programs. Ms. McCollum most recently served as the Deputy Chief of Support Operations Division, Army Legislative Liaison.

Ms. McCollum has continued to remain passionate about Soldiers, their Families, and ensuring the quality of life for Service Members matches the quality of their service. Through her numerous contributions, she has made a real and lasting impact towards gaining Congressional trust, confidence, and advocacy for the Army.

Mr. Speaker, on behalf of a grateful Nation, I ask my colleagues to join me today in saying thank you to Ms. Suzanne C. McCollum for her extraordinary dedication to duty and service to this country throughout her distinguished career as an Army Civilian and we wish her, her husband, Army-Retired Colonel Douglas McCollum and her daughter, Brennan Noelle Rozmeski; stepdaughters Brooke Ashley and Brittany Kay McCollum, all the best in her well deserved retirement.

OPPOSING THE AMERICAN TAXPAYER RELIEF ACT

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 14, 2013

Mr. VISCLOSKY. Mr. Speaker, I rise today to express my extreme disappointment and frustration with the agreement Congress reached to prevent automatic tax hikes and the automatic spending cuts known as sequestration. After tenuous negotiations which skirted the entire legislative process, the agreement, officially known as H.R. 8, the American Taxpayer Relief Act, is neither balanced, nor comprehensive. Instead, it adds nearly \$3.97 trillion to the national debt while leaving some of the most pressing tax and spending issues facing our country unresolved. For these reasons, I opposed H.R. 8. I will continue to work hard in the hopes that my colleagues can be persuaded to avoid a repeat performance less than two months from now.

H.R. 8 fails to address our unfavorable fiscal situation, and merely delays important decisions that should have already been made. Thus, I have grave concerns that its enactment will result in other fevered negotiations by the few that will produce new "compromises" that are harmful to middle class families. With both the debt ceiling and sequestration still looming, I share Sen. HARKIN's concern that the passage of H.R. 8 may put pressure on achieving deficit reductions through spending programs that Americans have earned. As Sen. HARKIN stated, "Every dollar that wealthy taxpayers do not pay under this deal, we will eventually ask Americans of modest means to forgo in Social Security, Medicare, or Medicaid benefits."

I am also absolutely appalled that the legislative process has been completely ignored throughout this process. We have known for 24 months that Bush-era tax cuts would expire at the end of 2012. We have known for 17 months that the indiscriminate, across-the-board spending cuts known as sequestration would take effect at the beginning of this year. Yet for all intents and purposes, serious negotiations did not start until after the 2012 election, leaving just under two months to craft a solution to a massive and complex set of problems. To make matters worse, essentially five elected officials—first President Obama and House Speaker BOEHNER, and later Vice President BIDEN, Senate Majority Leader REID, and Senate Minority Leader MCCONNELL—negotiated the so-called compromise, even though it affects every American across this nation. Our constituents deserve to have their interests represented by their Congressional Representatives and Senators—the officials who they have specifically chosen to represent their individual interests. This is a dreadful way to legislate, and I sincerely hope that the process is not repeated.

I am extremely frustrated that H.R. 8 is yet another unbalanced and ineffective attempt to bring our fiscal house in order. I have long maintained that the solutions to our nation's fiscal problems must be comprehensive and fair. It is the only way we can truly provide a

sound economy and future for the next generation. H.R. 8 accomplishes neither of these goals. While the law will raise an estimated \$620 billion over ten years compared to what the tax code would have generated if we had simply extended all of the Bush-era tax cuts, it will ultimately add \$3.97 trillion to our debt over the next ten years, according to the Congressional Budget Office. Achieving \$620 billion in new revenue while adding nearly \$4 trillion to our debt is not effective or proportional.

I also object to this law because it does nothing to reduce spending. When our budget was balanced and we had surpluses for four years under President Clinton from Fiscal Year (FY) 1998 to FY 2001, spending represented around 18.5 percent of our gross domestic product (GDP), the overall size of the economy, and tax revenues represented around 20 percent. In 2012 however, spending represented an estimated 22.9 percent of GDP and tax revenues represented 15.7 percent. Clearly, these two extremes cannot continue if we are to balance the budget and provide for a sound economy for future generations. While we do not currently have Congressional Budget Office estimates on how this law will effect spending and revenue as a percent of GDP for FY 2013, we do know that it will increase spending by over \$332 billion, pushing us even farther in the opposite direction of where we need to go. Additionally, while I do recognize the law will increase tax revenue by \$620 billion over ten years—not an insubstantial amount—the effort was done with little apparent regard to the limited impact this decision will have on the trillion dollar deficits we face. I urge my colleagues to have the intestinal fortitude to make tough decisions regarding federal spending and taxes, and to take our cue from the 1990s in order to truly put this country on the right path.

Beyond spending and tax issues, I am further frustrated that the agreement is incomplete, kicking the can down the road on a number of issues. For example, it only extends Farm Bill provisions for an additional nine months. Additionally, while I am pleased that the law prevents a 27 percent cut in the Medicare reimbursement rate for doctors, the provision expires in one year. I have been working to find a permanent solution to the current formula used to determine doctor reimbursements under the Medicare program for over a decade. I am abjectly disappointed that Congress has again missed an opportunity to permanently address this important issue.

Another failure is the law's inability to permanently address the indiscriminate automatic spending cuts known as sequestration by making discrete value judgments on the cuts that need to be made. The law only delays sequestration for an additional two months, and partially pays for this delay by requiring Congress to find an additional \$12 billion in unspecified discretionary cuts. Specifically, the law lowers the discretionary cap Congress previously agreed to by \$4 billion in FY 2013 and by \$8 billion in FY 2014. We are now three months into FY 2013 and this is the third change we have made to our spending allocations. As an appropriator, I am dismayed.

In conclusion Mr. Speaker, I am disappointed in the Congress for agreeing to a woefully inadequate measure that fails to

meaningfully address our structural deficit. As in the past, I am committed to working to ensure a balanced, thoughtful approach, and I encourage my colleagues to join me in being actively engaged to ensure such legislation is all-encompassing. It is paramount that we come together as a country to make the substantive and difficult decisions that are necessary to provide for a strong nation, a robust economy, and a bright future for the next generation.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, January 14, 2013

Mr. COFFMAN. Mr. Speaker, on January 3, 2009, the day I took office, the national debt was \$10,627,961,295,930.67.

Today, it is \$16,432,680,097,613.85. We've added \$5,804,718,801,683.18 to our debt in 4 years. This is a \$5.8 trillion in debt our Nation, our economy, and our children could have avoided with a Balanced Budget Amendment. I have advocated for a Balanced Budget Amendment since I was sworn in for this very reason.

I will be once more forming the Balanced Budget Amendment Caucus to fight for a return to fiscal responsibility. We must stop this unconscionable accumulation of debt.

HONORING THE LIFE OF ELAINE ROSCELLA LEHMAN

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 14, 2013

Mr. COSTA. Mr. Speaker, I rise today to pay tribute to the life of Elaine Roscella Lehman. Her character exemplified the very best of what our Nation has to offer—she was thoughtful, generous, and possessed a strong work ethic.

Elaine's long-time commitment to service began early in her life when she joined the United States Navy and served in the WAVES (Women Accepted to Volunteer Emergency Service) division during World War II. Elaine began her service in Philadelphia as a medical operating room assistant, and she was later stationed at Pearl Harbor Navy Hospital. She served our country proudly during a time in history that forever changed our Nation and the world.

After the war ended, Elaine moved to Central California with her brothers. Shortly after arriving in the Golden State, she met her life-long partner, Henry Lehman, and married him in 1947. Elaine and Henry had four children: Rick, Janet, David, and Charles. Together, they maintained and operated a successful family farm.

Elaine's service was not exclusive to times of war. She was also deeply involved in her community and became a well-known figure in Sanger, California and surrounding cities. She

was president of Wilson Elementary School PTA, served as a Cub Scout Den Mother, and also volunteered as a Room Mother. In 1979, Elaine's work and dedication was recognized when she was honored as Sanger's Mother of the Year.

After an unfortunate automobile accident that resulted in the tragic death of her child Charlie, Elaine decided that she would go back to school for her nursing degree. She worked as an LVN at Valley Medical Center and at the Sanger Convalescent Hospital. Elaine genuinely cared for the well-being of others, so being a nurse suited her well. Elaine consistently went above and beyond for her patients. For years, she drove cancer patients to their treatments as a member of Angels on Wheels, using her own vehicle and gas. Elaine's legacy will undoubtedly live on through her kind and generous acts.

Elaine supported her family members wholeheartedly in times of distress and in times when they were working to fulfill their goals. When Henry was diagnosed with cancer, Elaine retired to stay with him and provide full-time care. When Rick ran for election in 1976, she was with him every step of the way until the end of his political career. Rick served with distinction in the California State Legislature and as a member of the House of Representatives from 1983 to 1994. Her daughter Janet served as a teacher, while her son David works as a structural engineer.

In addition to her family, Elaine's faith was also extremely important to her, and she taught Sunday school for over 20 years. She leaves behind her three children and two grandchildren: Carrie Beedle and Stephanie Lehman.

Mr. Speaker, it is with great respect that I ask my colleagues in the House of Representatives to pay tribute to the life of an amazing woman, Elaine Roscella Lehman. Her positive attitude and overwhelming love for others will be greatly missed.

HONORING REVEREND R.T. MITCHELL

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 14, 2013

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and admiration that I stand before you today to honor Reverend R.T. Mitchell on his 35th anniversary as Pastor of New Revelation Missionary Baptist Church in Gary, Indiana. For his many years of selfless and compassionate public service, Reverend Mitchell will be honored at a celebratory banquet on Friday, January 18, 2013 at the Genesis Convention Center in Gary, Indiana.

Reverend Mitchell has dedicated his life to God and to serving his congregation and the people of his community. He completed his higher education at Moody Bible Institute and the Indiana Christian Bible College, earning a degree in External Bible Study. Reverend Mitchell has also completed many other Evangelical courses, and holds a Bachelor of Theology degree.

On January 22, 1978, Reverend Mitchell became Pastor of New Revelation Missionary

Baptist Church. Under his leadership, New Revelation Missionary Baptist Church has become a beacon for the community, especially for those most in need. Through their mission ministry, the church holds a monthly soup kitchen and provides support to many community organizations, including Crisis Center, Incorporated, Brother's Keeper homeless shelter, and Every Child Ministries.

Reverend Mitchell has also served as president of the Baptist Ministers' Conference of Gary and Vicinity, president of the Martin Luther King Jr. Memorial Baptist State Convention of Indiana, and president of the Interfaith Federation Clergy Caucus. In addition, Reverend Mitchell has served on various boards and committees for community organizations throughout Gary and Northwest Indiana, including the Northwest Indiana Food Bank, the Thelma Marshall Children's Home, the Second Chance Foundation of Gary, and the Calumet Project. Reverend R.T. Mitchell also ministers to the incarcerated within the community. For his complete devotion to helping others in need of spiritual guidance, he is worthy of the highest commendation.

Reverend Mitchell's exceptional dedication to the church and to his community is exceeded only by his devotion to his wonderful family. He and his beloved wife, Irene, recently celebrated their 50th wedding anniversary. They have two adoring daughters and six grandchildren. I am proud to represent Reverend Mitchell and extremely happy to consider him my friend.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in congratulating Reverend R.T. Mitchell on his 35th anniversary as Pastor of New Revelation Missionary Baptist Church. For his lifetime of leadership and selfless service to others, he is worthy of the highest praise.

TRIBUTE TO MARY BLAS PABLO

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, January 14, 2013

Mr. ROGERS of Kentucky. Mr. Speaker, I rise to pay tribute to Ms. Mary Blas Pablo for her extraordinary dedication to duty and service to the United States of America. Mrs. Pablo will retire after 27 years of distinguished service to the Nation as an Army Civilian.

Ms. Pablo began her service in the Pentagon in 1985 with the Department of the Army's Military Operations, Training Directorate. She relocated to Guam in 1986 as part of her husband's military reassignment where she worked for the Naval Supply Depot from 1986–1988. Mrs. Pablo returned to the Washington, DC area in 1988 where she began her 24-year tenure with the Office of the Chief of Legislative Liaison in the Congressional Travel Office as a Travel Staff Assistant. During this time, Ms. Pablo coordinated and arranged travel for Members and employees of Congress averaging 450 Congressional trips annually. She played a key role and contributed to several successful and flawless missions.

In 2002, Ms. Pablo became the Chief of the Army Congressional Travel Office where she

served as the Army's subject matter expert on Congressional travel and was responsible for the administration and management of the Army's Congressional Travel Program. Her expertise and selfless dedication to Congress and the Army ensured support and assistance for delegations traveling domestic and abroad, 24 hours a day, seven days a week. Ms. Pablo was always willing to do whatever it took to accomplish the missions vital to Congress and the Army.

Ms. Pablo has continued to remain passionate about Soldiers, their Families, and ensuring the quality of life for Service Members matches the quality of their service. Through her numerous contributions, she has made a real and lasting impact towards gaining Congressional trust, confidence, and advocacy for the Army.

Mr. Speaker, on behalf of a grateful Nation, I ask my colleagues to join me today in saying thank you to Ms. Mary Blas Pablo for her extraordinary dedication to duty and service to this country throughout her distinguished career as an Army Civilian and we wish her, her husband, Army-retired Ben Pablo, their children and grandchildren, Lisa, Todd, Brian, Talan, Landon and Addisen all the best in her well deserved retirement.

HAPPY BIRTHDAY, KARLY WILLIAMS

HON. ENI F. H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 14, 2013

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to wish Karly Williams a happy birthday.

Karly was born on January 14, 1999 in Chattanooga, Tennessee. She is the daughter of Robert and Tracie Williams.

Karly attends Hunter Middle School—Home of the Hawks—in Ooltewah, Tennessee. At Hunter, Karly is a member of the WHMS News crew and won an award for her service.

During the 2012 football season, Karly was a manager for the football team and now serves as a manager for the wrestling team.

Karly is a member of The Church of Jesus Christ of Latter-day Saints and the Beehive class president of the Harrison Bay ward. One day, Karly hopes to attend Brigham Young University.

For now, Karly likes fashion, fishing, dance and drawing. She also likes Chik-fil-A, Red Lobster, sunny weather, country music and beaches.

Karly is a girl who loves pearls—and her daddy's big, red truck. Wherever daddy is, Karly wants to be.

Karly's dog, Izzie, pals around with Aggie. Aggie, also known as Little Boy, is Mimi's brown chihuahua. Aggie and Izzie, an Australian cattle dog, live with Karly on Birchwood Pike in Harrison, Tennessee.

HONORING HUELL HOWSER

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 14, 2013

Ms. HAHN. Mr. Speaker, last week, California lost one of its most beloved individuals, Huell Howser. Huell was known to so many Californians as the friendly host of California's Gold, the long running public television program from which he retired late last year.

Huell's southern accent made it clear that he wasn't a native Californian. He was born in Tennessee but moved to Los Angeles in 1981 to become a reporter for KCBS. He fell in love with his new home and created his own television show dedicated to life in California. The premise was simple. He, a cameraman, and a hand-held microphone traveled across the state, visiting everything from national parks to little known mom-and-pop shops, in search of California stories. He found them.

His folksy charm was disarming and his impromptu interviews were lighthearted and friendly. He talked to nearly everyone he met and found the most incredible stories ranging from tragic and touching to obscure and wonderful. But regardless of where he was visiting, his genuine enthusiasm stole the show. He was known for his "gee-wiz" demeanor and being completely fascinated with everything he stumbled upon, often exclaiming "That's amazing!" The LA Times once called him "magnificently unslick." Many Californians have mastered their own impression of him, with love of course.

California's Gold ran on public television for 19 years. It became many Californians' "comfort television." Huell Howser was always a pleasure to watch. Each episode would show you everything you ever wanted to know about a place, and perhaps a little more.

He was a personal friend and I will always have fond memories of our Thanksgivings together at my brother Jim's home in San Pedro. I will never forget listening to Huell and my mother Ramona share stories of Nashville where she attended high school.

Since his passing, there has been an outpouring of tributes from his fans across the state who remember him for his optimism and sincerity. He is truly irreplaceable.

HONORING BRAD BELK'S 25 YEARS OF SERVICE

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, January 14, 2013

Mr. LONG. Mr. Speaker, I rise today to recognize Brad Belk on his 25 years of service to the Joplin Museum Complex.

Brad has made it his mission to promote the local history of Joplin through numerous positions including author, educator, archivist, historian, exhibit designer, conservator, tour guide, historian film script writer, director, and film producer.

Brad has collaborated with the design and planning of several off-site permanent exhibits

for the Joplin Museum Complex. He has also renovated many of the exhibit areas including the museum's mineral wing and assisted with the historical restoration of the Ralph L. Gray Alumni Center. Throughout the years Brad has given thousands of historical tours, lectures and presentations. He has also overseen the addition of ten major collections to the museum containing over 100,000 artifacts.

In addition, Brad has made large contributions to the historical literature of the region writing five books and co-authoring two others. He also has penned numerous articles on the region and directed or appeared in thirteen historical videos—several of which have received awards. He recently wrote and directed a 30-minute video covering the history of Missouri Southern State University, MSSU.

Alongside his work at the museum, Brad currently serves on the MSSU Alumni board of directors and is currently completing the 75th anniversary book for Missouri Southern.

Over the years, Brad has served on the Missouri History Speakers' Bureau, as Co-Chairman of the City of Joplin's 125th Celebration, and as a board member of the Route 66 Association of Missouri. He was also a member of the Missouri Alliance for Historic Preservation, and the Joplin Elk's Elkland Advisory Committee.

In 2006, Brad was honored with the Missouri Governor's Missouri Humanities Award.

Mr. Speaker, Brad's contributions to the city of Joplin and the state of Missouri are far-reaching, and it is an honor to recognize him.

IN HONOR OF JAMES J. SWEENEY

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 14, 2013

Mr. MEEHAN. Mr. Speaker, today I rise to honor James J. Sweeney of Havertown, Pennsylvania. Mr. Sweeney entered the United States Navy after graduating from high school in 1943, and served aboard the USS *Hancock*. The *Hancock* took part in some of World War II's most pivotal battles, including the invasions of the Philippines, Iwo Jima and Okinawa. Mr. Sweeney was honored for his heroic service and awarded the Philippines Liberation Medal, two Battles Stars and a Presidential Unit Commendation.

It was during his time in the Navy, that Mr. Sweeney befriended his shipmate, John Finn. Lieutenant Finn received the Medal of Honor for his heroic actions at Pearl Harbor. During the Japanese surprise attack, Lieutenant Finn manned his machine gun and fought off the Japanese Zeroes for two and half hours even as he took an onslaught of bullets and shrapnel. And for the past nine years, James Sweeney has tirelessly worked to honor Lieutenant John Finn, who passed away in 2009. On February 15th, 2011, those efforts proved successful as the Navy announced that a new guided missile destroyer will be named the USS *John Finn*. For these efforts Mr. Sweeney is being honored by American Legion Post 667 in Havertown. On behalf of a grateful Nation, I congratulate Mr. Sweeney on his efforts to ensure that Lieutenant Finn's

name and legacy lives on, and for his service during World War II, reflecting great credit upon himself and the United States Navy.

IN MEMORY OF HELEN HANSFORD

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, January 14, 2013

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to one of my dearest friends and a jewel of southern Kentucky, the late Helen Hansford.

Helen was a staunch Republican since the day she was old enough to officially register, at the age of 21. From then on, she stood firm on conservative principles with her sweet southern charm. Helen became a member of the Republican Women's Club in 1966, served as an executive committee member of Kentucky's Republican Party for more than 20 years, and attended every Republican National Convention since 1984, until news of a malignant brain tumor interrupted her plans in 2011.

Helen's husband, the late Sherman Hansford, served as Pulaski County Sheriff for many years. During his service, Helen was right by Sherman's side, serving as a deputy sheriff and office clerk. She had a passion for public service and believed in being a part of transforming her hometown and helping others succeed. In fact, Helen's heartbeat raced for the children in Pulaski County Schools. As the Executive Assistant to the Pulaski County Schools Superintendent and a member of the Pulaski County Board of Education, Helen never hesitated to take on the reins of responsibility when action was needed. Yet, she was always a true lady, winning over hearts with her generous spirit and words of encouragement.

When Helen believed in a cause, she invested herself into its success with every ounce of energy she had to offer. She devoted more than 50 years to numerous boards and agencies, including the Order of the Eastern Star, Kentucky Public Retirees, along with local, state and national Republican politics. In honor of her tireless dedication, Helen was recently inducted into the Pulaski County Lincoln Club Hall of Fame and the Republican 5th District Hall of Fame.

Mr. Speaker, I ask my colleagues to join me in honoring an irreplaceable friend to southern Kentucky, the late Helen Hansford.

IN HONOR OF CHARLOTTE ELLSWORTH

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 14, 2013

Mr. FARR. Mr. Speaker, I rise today to honor the life and work of a remarkable mother, wife, friend, and public servant. Charlotte Ellsworth passed away just before Christmas. I had the great fortune of meeting her through her work at the Fort Ord Reuse Authority,

where I often encountered her during meetings or events related to the reuse of Fort Ord. At FORA, Charlotte was the ever present cheerful voice on the phone or steady presence at sometimes heated public meetings. I know that all of us who have worked with FORA, either as community leaders, members of the public, or her colleagues, will miss her very much.

Charlotte was born in Carmel, California, on January 5, 1953. Her family lived in Seaside, California, at the time, but moved to nearby Prunedale in 1954. Her father was a painter and foreman of a glass shop on Fort Ord and was eventually promoted as Engineer of the Presidio of Monterey. She attended Echo Valley Elementary School in Prunedale and graduated from Watsonville High School in the class of 1970.

Charlotte was a lifelong member of the Las Lomas Full Gospel Church in Watsonville, where she married Kenneth Ellsworth, a soldier at Fort Ord, in 1974. In 1975, Charlotte and Ken moved to Castroville, where she lived until her passing. Charlotte and Ken welcomed a son, Kenneth Jr., in 1976. Kenneth Jr. and his wife, Edith, both serve as police officers in Salinas, California. They recently welcomed a baby girl, Alyssa, who was the light of Charlotte's life and who Ken Sr. laughingly says "will not be a police officer."

Mr. Speaker, I know I speak for the whole House in extending our condolences to Charlotte Ellsworth's family, friends, and colleagues. The loss of such a remarkable person is particularly painful. I hope that all of those affected by her early passing can take comfort in the remarkable difference that she made in the lives of all those that she touched.

CONGRATULATING THE 2012 BCS NATIONAL CHAMPIONS, THE UNIVERSITY OF ALABAMA CRIMSON TIDE

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 14, 2013

Mr. BONNER. Mr. Speaker, I rise to pay tribute to an exceptional group of young men who, for the second year in a row, have distinguished themselves as the undisputed national champions of college football. On January 7, 2013, the University of Alabama Crimson Tide captured the BCS National Championship with a decisive 42 to 14 victory over the Fighting Irish of Notre Dame.

By clinching their third BCS national championship in four years, the Crimson Tide has cemented their place in college football history and prompted some to ask if this remarkable team might be unequalled in the storied annals of the game.

As Kevin Scarbinsky of the Birmingham News observed in a January 8 op-ed,

All the while Notre Dame was reliving history, Alabama was making it. All over the golden domes of the Fighting Irish. Only one team played like a champion Monday in the BCS National Championship Game. Only one team shook down the thunder with old-school football and woke up the echoes of the

greatest dynasties in the sport. Yea Alabama. The Crimson Tide became the third program in the poll era of college football history to win a third national championship in four years by taking apart the first program to do it. The Notre Dame champions of 1946, 1947 and 1949 would appreciate the Alabama champions of 2009, 2011 and 2012 because Alabama's third title came at Notre Dame's expense, right in Notre Dame's face.

Given that Alabama plays in a Southeastern Conference that's won seven straight BCS titles, in a state with a rival in Auburn that interrupted this parade with its own championship, we're witnessing the greatest run in college football history. Greater than Notre Dame in the 1940s, Alabama in the 1970s or Nebraska in the 1990s.

To win it again Monday was special. To do it against Notre Dame, Alabama's historical nemesis, was memorable. To leave no doubt on the scoreboard leaves no doubt in the debate. This was history. This is a dynasty. The best we've ever seen. The best there's ever been.

Congratulations to head coach Nick Saban, and coaches Burton Burns, Mike Groh, Doug

Nussmeier, Jeff Stoutland, Jeremy Pruitt, Kirby Smart, Lance Thompson, Bobby Williams, Chris Rumph, Scott Cochran, and Joe Pannunzio. And, above all, congratulations to the 2012 BCS Champion Crimson Tide football team: Edward Aldag, Ryan Anderson, Jonathan Atchison, Dakota Ball, Parker Barrineau, Kenny Bell, Deion Belue, Jerrod Bierbower, Chris Black, Chris Bonds, Hunter Bush, Brent Calloway, Caleb Castille, Ha Ha Clinton-Dix, Landon Collins, Levi Cook, Amari Cooper, Trey DePriest, Denzel Devall, Quinton Dial, Josh Dickerson, Xzavier Dickson, Dillon Drake, Kenyan Drake, Dustin Ellison, Phillip Ely, Malcolm Faciane, LaMichael Fanning, D.J. Fluker, Cade Foster, Jalston Fowler, Kurt Freitag, John Fulton, Brandon Greene, Adam Griffith, Caleb Gullette, Rowdy Harrell, Dee Hart, Tyler Hayes, Ben Howell, Adrian Hubbard, Brandon Ivory, Kelly Johnson, Nico Johnson, Aaron Joiner, Barrett Jones, Christion Jones, Cyrus Jones, Harrison Jones, Ryan Kelly, Korren Kirven, Arie Kouandjio, Cyrus Kouandjio, Eddie Lacy, Darren Lake,

Dillon Lee, Robert Lester, Chad Lindsay, Wilson Love, Isaac Luatua, Josh Magee, Cody Mandell, Nathan McAlister, AJ McCarron, Corey McCarron, Dee Milliner, William Ming, Alec Morris, Taylor Morton, C.J. Mosley, Michael Newsome, Harold Nicholson, Kevin Norwood, Michael Nysewander, Anthony Orr, Tyler Owens, Jeoffrey Pagan, Tana Patrick, Nick Perry, D. J. Pettway, Parker Philpot, Marcus Polk, Reggie Ragland, Russell Raines, Ty Reed, Trey Roberts, Jeremy Shelley, Austin Shepherd, Alex Shine, Marvin Shinn, Blake Sims, Geno Smith, Damion Square, Anthony Steen, Ed Stinson, Vinnie Sunseri, Bradley Sylve, Alphonse Taylor, MK Taylor, Carson Tinker, Dalvin Tomlinson, Brian Vogler, Paul Waldrop, Chance Warmack, Jabriel Washington, Ranzell Watkins, DeAndrew White, Wilson Whorton, Eddie Williams, Jarrick Williams, Jesse Williams, Kellen Williams, Michael Williams, Nick Williams, Danny Woodson Jr, and T.J. Yeldon.

And on behalf of Bama fans around the world, Roll Tide!

HOUSE OF REPRESENTATIVES—Tuesday, January 15, 2013

The House met at 10 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of the universe, we give You thanks for giving us another day.

The people's House gathers today and celebrates in its gathering the wonder of our constitutional form of government. Our Nation has once again achieved something so often lacking in our world's history: the peaceful transition of democratic government.

Though major change of party in control did not take place, it is still the American experience that our streets are peaceful, and winners and losers of elections move on with their lives in dignity.

We thank You again for the inspiration of our Nation's Founders and the legacy they left us with. May the Members of this assembly, and all Americans, be worthy of that legacy.

And may all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Michigan (Mr. WALBERG) come forward and lead the House in the Pledge of Allegiance.

Mr. WALBERG led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain 1-minute speeches at a later time today.

READING OF THE CONSTITUTION

The SPEAKER. Pursuant to section 5(a) of House Resolution 5, the Chair now recognizes the gentleman from Virginia (Mr. GOODLATTE) for the reading of the Constitution.

Mr. GOODLATTE. Mr. Speaker, this morning, for only the second time in the history of the House of Representatives, we will read aloud the full text of the Constitution of the United States.

We hope this reading will inspire many more Americans to read the Constitution. We also hope that this reading will help demonstrate to the American people that the House of Representatives is dedicated to the Constitution and the system it establishes for limited government and the protection of individual liberty.

The text we are reading today reflects the changes to the document made by the 27 amendments to it. Those portions superseded by amendment will not be read.

In order to ensure fairness to all those interested in participating, we have asked Members to line up to be recognized on a first-come, first-served basis. I will recognize Members based on this guidance. Each Member will approach the podium and read the passage laid out for him or her.

In order to ensure relative parity and fairness, I may recognize Members out of order to ensure bipartisanship and balance. Additionally, because of his long-term leadership on civil rights issues, I will recognize Congressman JOHN LEWIS of Georgia out of order to read the Thirteenth Amendment.

I thank the Members of both parties in advance for their participation in this historic event, and I will begin this historic reading by reading the preamble to the Constitution:

"We the People of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

It is now my pleasure to yield to the gentleman from Illinois (Mr. ENYART).

Mr. ENYART. Article I, Section 1:

"All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

Mr. GOODLATTE. I now yield to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Article I, Section 2:

"The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature."

Mr. GOODLATTE. I now yield to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. "No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen."

"The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct."

Mr. GOODLATTE. I now yield to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. "The number of Representatives shall not exceed one for every thirty-thousand, but each State shall have at least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three."

Mr. GOODLATTE. I now yield to the gentleman from Arizona (Mr. BARBER).

Mr. BARBER. "When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies."

"The House of Representatives shall choose their Speaker and other officers; and shall have the sole power of impeachment."

Mr. GOODLATTE. I now yield to the gentleman from Florida (Mr. DESANTIS).

Mr. DESANTIS. Article I, Section 3:

"The Senate of the United States shall be composed of two Senators from each State, for six years; and each Senator shall have one vote."

"Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes."

□ 1010

Mr. GOODLATTE. I now yield to the gentleman from Virginia, the majority leader, Mr. CANTOR.

Mr. CANTOR. "The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year."

Mr. GOODLATTE. I now yield to the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ. "No person shall be a Senator who shall not have attained to the age of thirty years and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen."

Mr. GOODLATTE. I now yield to the gentleman from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. "The Vice President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided."

"The Senate shall choose their other officers, and also a President pro tempore, in the absence of the Vice President, or when he shall exercise the office of President of the United States."

Mr. GOODLATTE. I now yield to the minority whip, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. "The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside, and no person shall be convicted without the concurrence of two-thirds of the Members present."

Mr. GOODLATTE. I now yield to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. "Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law."

Mr. GOODLATTE. I now yield to the gentleman from California (Mr. LOWENTHAL).

Mr. LOWENTHAL. Article I, Section 4:

"The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators."

Mr. GOODLATTE. I now yield to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. Article I, Section 5:

"Each House shall be the judge of the elections, returns and qualifications of its own Members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent Members, in such manner, and under such penalties as each House may provide."

Mr. GOODLATTE. I now yield to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

Mr. FALEOMAVAEGA. "Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member."

Mr. GOODLATTE. I now yield to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. "Each House shall keep a Journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the Members of either House on any question shall, at the desire of one-fifth of those present, be entered on the Journal."

Mr. GOODLATTE. I now yield to the gentleman from New York (Mr. MAFFEI).

Mr. MAFFEI. "Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting."

Mr. GOODLATTE. I now yield to the gentleman from California (Mr. VALADAO).

Mr. VALADAO. Article I, Section 6:

"The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place."

Mr. GOODLATTE. I now yield to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. "No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a Member of either House during his continuance in office."

Mr. GOODLATTE. I now yield to the gentleman from North Carolina (Ms. FOXX).

Ms. FOXX. Article I, Section 7:

"All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills."

"Every bill which shall have passed the House of Representatives and the Senate shall, before it become a law, be presented to the President of the United States. If he approve he shall sign it, but if not he shall return it, with his objections to that House in which it shall have originated, who shall enter the objections at large on

their Journal, and proceed to reconsider it."

Mr. GOODLATTE. I now yield to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. "If after such reconsideration two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law."

Mr. GOODLATTE. I now yield to the gentlewoman from Washington (Ms. DELBENE).

Ms. DELBENE. "But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the Journal of each House respectively."

Mr. GOODLATTE. I now yield to the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT. "If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law."

Mr. GOODLATTE. I now yield to the gentlewoman from Massachusetts (Ms. TSONGAS).

Ms. TSONGAS. "Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill."

□ 1020

Mr. GOODLATTE. I now yield to the gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Article 1, Section 8:

"The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States; . . ."

Mr. GOODLATTE. I now yield to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. " . . . to borrow money on the credit of the United States; to regulate commerce with foreign nations, and among the several States, and with the Indian Tribes; to establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States; . . ."

Mr. GOODLATTE. I now yield to the gentleman from Florida (Mr. NUGENT).

Mr. NUGENT. "... to coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures; to provide for the punishment of counterfeiting the securities and current coin of the United States; to establish post offices and post roads; to promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries; . . ."

Mr. GOODLATTE. I now yield to the gentleman from California (Mr. BERA).

Mr. BERA of California. "... to constitute tribunals inferior to the Supreme Court; to define and punish piracies and felonies committed on the high seas, and offenses against the law of nations; to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water; to raise and support armies, but no appropriation of money to that use shall be for a longer term than two years; . . ."

Mr. GOODLATTE. I now yield to the gentleman from Virginia (Mr. GRIFFITH).

Mr. GRIFFITH of Virginia. "... to provide and maintain a navy; to make rules for the government and regulation of the land and naval forces; to provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions; to provide for organizing, arming, and disciplining, the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress; . . ."

Mr. GOODLATTE. I now yield to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. "... to exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the Government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings; and to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof."

Mr. GOODLATTE. I now yield to the gentleman from Michigan (Mr. HUIZENGA).

Mr. HUIZENGA of Michigan. Article I, Section 9:

"The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person."

"The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it."

"No bill of attainder or ex post facto law shall be passed."

Mr. GOODLATTE. I now yield to the gentleman from California (Mr. TAKANO).

Mr. TAKANO. "No capitation, or other direct, tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken."

"No tax or duty shall be laid on articles exported from any State."

"No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels bound to, or from, one State, be obliged to enter, clear, or pay duties in another."

Mr. GOODLATTE. I now yield to the gentleman from Florida (Mr. YOHIO).

Mr. YOHIO. "No money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time."

"No title of nobility shall be granted by the United States. And no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince or foreign state."

Mr. GOODLATTE. I now yield to the gentleman from Illinois (Mr. DANNY K. DAVIS).

Mr. DANNY K. DAVIS of Illinois. Article I, Section 10:

"No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility."

"No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws. And the net produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of the Congress."

Mr. GOODLATTE. I now yield to the gentleman from North Dakota (Mr. CRAMER).

Mr. CRAMER. "No State shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay."

Article II, Section 1:

"The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice President chosen for the same term, be elected, as follows:"

□ 1030

Mr. GOODLATTE. I yield to the gentleman from Texas (Mr. VEASEY).

Mr. VEASEY. "Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress. But no Senator or Representative or person holding an office of trust or profit under the United States shall be appointed an elector."

"The Congress may determine the time of choosing the electors and the day on which they shall give their votes; which day shall be the same throughout the United States."

Mr. GOODLATTE. I yield to the gentleman from Colorado (Mr. TIPTON).

Mr. TIPTON. "No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years and been fourteen years a resident within the United States."

"The President shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them."

Mr. GOODLATTE. I yield to the gentleman from Texas (Mr. O'ROURKE).

Mr. O'ROURKE. "Before he enter on the execution of his office, he shall take the following oath or affirmation:"

I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States.

Article II, Section 2:

"The President shall be Commander in Chief of the Army and Navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject

relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment."

Mr. GOODLATTE. I yield to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. "He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law.

"But the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments."

Mr. GOODLATTE. I yield to the gentleman from California (Mr. HUFFMAN).

Mr. HUFFMAN. "The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session."

Article II, Section 3:

"He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient;

"He may, on extraordinary occasions, convene both Houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper."

Mr. GOODLATTE. I yield to the gentleman from Alabama (Mr. ROGERS).

Mr. ROGERS of Alabama. "He shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States."

Article II, Section 4:

"The President, Vice President and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors."

Article III, Section 1:

"The judicial power of the United States shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior Courts, shall hold their offices during good behavior and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office."

Mr. GOODLATTE. I yield to the minority leader, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Article III, Section 2:

"The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; . . .

" . . . to controversies to which the United States shall be a party; to controversies between two or more States; between citizens of different States; between citizens of the same State claiming lands under grants of different States; and between a State, or the citizens thereof, and foreign States, citizens or subjects.

"In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make."

Mr. GOODLATTE. I yield to the gentleman from Texas (Mr. FLORES).

Mr. FLORES. "The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed."

Article III, Section 3:

"Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

"The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood or forfeiture except during the life of the person attainted."

Mr. GOODLATTE. I yield to the gentleman from California (Mr. SWALWELL).

Mr. SWALWELL of California. Article IV, Section 1:

"Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof."

Article IV, Section 2:

"The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

"A person charged in any State with treason, felony, or other crime, who shall flee from justice and be found in

another State, shall on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime."

□ 1040

Mr. GOODLATTE. I yield to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. Article IV, Section 3:

"New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislatures of the States concerned as well as of the Congress.

"The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State."

Article IV, section 4:

"The United States shall guarantee to every State in this Union a Republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened), against domestic violence."

Mr. GOODLATTE. I yield to the gentleman from Illinois (Mr. HULTGREN).

Mr. HULTGREN. Article V:

"The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate."

Mr. GOODLATTE. I yield to the gentleman from Georgia (Mr. AUSTIN SCOTT).

Mr. AUSTIN SCOTT of Georgia. Article VI:

"All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

"This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties

made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

"The Senators and Representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States."

Mr. GOODLATTE. I yield to the gentleman from North Carolina (Mr. HOLDING).

Mr. HOLDING. Article VII:

"The ratification of the conventions of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

"Done in convention by the unanimous consent of the States present the seventeenth day of September in the year of Our Lord one thousand seven hundred and eighty-seven and of the independence of the United States of America the twelfth in witness whereof we have hereunto subscribed our names."

Signers of the Constitution.

George Washington, President and Deputy from Virginia.

Delaware: George Read, Gunning Bedford, Jr., John Dickinson, Richard Bassett, Jacob Broom.

Maryland: James McHenry, Daniel of St. Thomas Jenifer, Daniel Carroll.

Virginia: John Blair, James Madison, Jr.

Mr. GOODLATTE. I yield to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. North Carolina: William Blount, Richard Dobbs Spaight, Hugh Williamson.

South Carolina: John Rutledge, Charles Cotesworth Pinckney, Charles Pinckney, Pierce Butler.

Georgia: William Few, Abraham Baldwin.

New Hampshire: John Langdon, Nicholas Gilman.

Massachusetts: Nathaniel Gorham, Rufus King.

Connecticut: William Samuel Johnson, Roger Sherman.

New York: Alexander Hamilton.

New Jersey: William Livingston, David Brearley, William Paterson, Jonathan Dayton.

Pennsylvania: Benjamin Franklin, Thomas Mifflin, Robert Morris, George Clymer, Thomas FitzSimons, Jared Ingersoll, James Wilson, Gouverneur Morris.

Mr. GOODLATTE. I yield to the gentleman from Kansas (Mr. YODER).

Mr. YODER. Amendment I:

"Congress shall make no law respecting an establishment of religion, or

prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances."

Amendment II:

"A well-regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed."

Amendment III:

"No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law."

Mr. GOODLATTE. I yield to the gentleman from Kentucky (Mr. BARR).

Mr. BARR. Amendment IV:

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

Amendment V:

"No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."

Mr. GOODLATTE. I yield to the gentleman from North Carolina (Mr. MEADOWS).

Mr. MEADOWS. Amendment VI:

"In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense."

Mr. GOODLATTE. I yield to the gentleman from Connecticut (Ms. ESTY).

Ms. ESTY. Amendment VII:

"In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law."

Mr. GOODLATTE. I yield to the gentleman from New Mexico (Mr. PEARCE).
Mr. PEARCE. Amendment VIII:

"Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted."

Amendment IX:

"The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."

Amendment X:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

Mr. GOODLATTE. I yield to the gentleman from Virginia (Mr. HURT).

Mr. HURT. Amendment XI:

"The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign state."

Amendment XII:

"The electors shall meet in their respective States, and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate."

□ 1050

Mr. GOODLATTE. I yield to the gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. "The President of the Senate shall, in the presence of the Senate and the House of Representatives, open all the certificates and the votes shall then be counted.

"The person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person having such majority, then from the persons having the highest number not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a Member or Members from two-thirds of the States, and a majority of all the States shall be necessary to a choice."

Mr. GOODLATTE. I yield to the gentleman from North Carolina (Mr. PITTENGER).

Mr. PITTENGER. "The person having the greatest number of votes as Vice President, shall be the Vice President, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the United States."

Mr. GOODLATTE. It's my pleasure to yield to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS. Amendment XIII:

Section 1:

"Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."

Section 2:

"Congress shall have power to enforce this article by appropriate legislation."

Mr. GOODLATTE. I yield to the gentleman from Arkansas (Mr. WOMACK).

Mr. WOMACK. Amendment XIV:

Section 1:

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Section 2:

"Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed."

Mr. GOODLATTE. I yield to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. "But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State."

Section 3:

"No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a Member of Congress or as an officer of the United States . . ."

Mr. GOODLATTE. I yield to the gentleman from Florida (Mr. ROSS).

Mr. ROSS. " . . . or as a Member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability."

Section 4:

"The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned."

Mr. GOODLATTE. I yield to the gentleman from California (Mr. DENHAM).

Mr. DENHAM. "But neither United States nor any State shall assume or pay any debtor obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void."

Section 5:

"The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article."

Amendment XV:

Section 1:

"The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude."

Mr. GOODLATTE. It's now my pleasure to yield to the majority whip, the gentleman from California (Mr. MCCARTHY).

Mr. MCCARTHY of California. Section 2:

"The Congress shall have the power to enforce this article by appropriate legislation."

Amendment XVI:

"The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration."

Amendment XVII:

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures."

"When vacancies happen in the representation of any State in the Senate,

the executive authority of such State shall issue writs of election to fill such vacancies . . ."

Mr. GOODLATTE. I yield to the gentleman from Oklahoma (Mr. LANKFORD).

Mr. LANKFORD. " . . . provided, that the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct."

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution."

Amendment XIX:

"The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex."

"Congress shall have the power to enforce this article by appropriate legislation."

Mr. GOODLATTE. I yield to the gentleman from Tennessee (Mr. FLEISCHMANN).

Mr. FLEISCHMANN. Amendment XX:

Section 1:

"The terms of the President and the Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3rd day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin."

Section 2:

"The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3rd day of January, unless they shall by law appoint a different day."

□ 1100

Mr. GOODLATTE. I yield to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Section 3:

"If, at the time fixed for the beginning of the term of the President, the President-elect shall have died, the Vice President-elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President-elect shall have failed to qualify, then the Vice President-elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President-elect nor a Vice President-elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified."

Mr. GOODLATTE. I yield to the gentlewoman from Indiana (Mrs. BROOKS).

Mrs. BROOKS of Indiana. Section 4:

"The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them."

Section 5:

"Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article."

Section 6:

"This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission."

Mr. GOODLATTE. I yield to the gentleman from Alabama (Mr. BONNER).

Mr. BONNER. Amendment XXI:

Section 1:

"The eighteenth article of amendment to the Constitution of the United States is hereby repealed."

Section 2:

"The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited."

Section 3:

"The article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress."

Mr. GOODLATTE. I am pleased to yield to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Amendment XXII:

Section 1:

"No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this article shall not apply to any person holding the office of President when this article was proposed by Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this article becomes operative from holding the office of President or acting as President during the remainder of such term."

Section 2:

"This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress."

Mr. GOODLATTE. I yield to the gentleman from Kansas (Mr. HUELSKAMP).

Mr. HUELSKAMP. Amendment XXIII:

Section 1:

"The District constituting the seat of Government of the United States shall appoint in such manner as Congress may direct: A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the 12th article of amendment."

Section 2:

"The Congress shall have power to enforce this article by appropriate legislation."

Mr. GOODLATTE. I yield to the gentleman from Nebraska (Mr. FORTENBERRY).

Mr. FORTENBERRY. Amendment XXIV:

Section 1:

"The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax."

Section 2:

"The Congress shall have power to enforce this article by appropriate legislation."

Amendment XXV:

Section 1:

"In case of the removal of the President from office or of his death or resignation, the Vice President shall become President."

Section 2:

"Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress."

Section 3:

"Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President."

Mr. GOODLATTE. I yield to the gentleman from Maryland (Mr. DELANEY).

Mr. DELANEY. Section 4:

"Whenever the Vice President and a majority of either the principal officers of the executive departments or of such

other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President."

"Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within . . ."

Mr. GOODLATTE. I yield to the gentleman from Arizona (Mr. SALMON).

Mr. SALMON. " . . . forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office."

Amendment XXVI:

Section 1:

"The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age."

□ 1110

Section 2:

"The Congress shall have power to enforce this article by appropriate legislation."

Mr. GOODLATTE. I yield to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Amendment XXVII:

"No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened."

Mr. GOODLATTE. That concludes the reading of the United States Constitution.

I want to thank the gentlemen who arrived and were available, but we ran out of Constitution before we ran out of readers.

I want to thank the Speaker and all the Members who participated in this important reading.

I yield back the balance of my time.

RECESS

The SPEAKER pro tempore (Ms. Foxx). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 10 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. YODER) at noon.

CONGRATULATIONS TO COACH CAREY McVICKERS

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to congratulate Coach Carey McVickers for achieving his 500th victory.

Coach McVickers is the head coach for the Taylorville High School boys basketball team and, on December 26, led my Tornadoes to defeat Rantoul, 76-35, to secure his 500th win. He has been coaching for 31 years, leading teams from all across central Illinois, in areas like Palmyra, Divernon, Williamsville, Nokomis, Pana, and my hometown of Taylorville.

In his career, his teams have combined to win 12 conference championships, 9 regional championships, and 19 tournament championships. And to our knowledge, he is the only coach to have brought home a trophy from the State tournament for boys and girls teams.

He has been named the Illinois Basketball Coaches Association Coach of the Year four times and was inducted into the Illinois Basketball Coaches Association Hall of Fame in 2012.

Carey McVickers is more than just a head coach; he is a dedicated husband, father, and grandfather, and is a rock within the Taylorville community.

Congratulations, Coach.

Go Tornadoes.

REGULAR ORDER

(Mr. McDERMOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McDERMOTT. Mr. Speaker, I come here to the floor today to speak on behalf of the regular order. I hope that this Congress can be one in which it's not First World War trench war-

fare, where we retreat into our bunkers and lob grenades at each other, but where we can come together and deal with the problems that face this Nation.

The first opportunity will be raising the debt limit. The President doesn't create the debt limit; we do. We authorize the President to spend that money. We put him out there and say, Spend it; and we must give him the ability to pay the bills that we have incurred by our actions. So it shouldn't be a trench warfare issue.

There are some bigger issues, those issues of the debt and how we deal with the major crises before us in health care costs. Those issues can be debated in the regular order. Committees can come up with bills about how we should reduce the costs, whether it be in defense or it be in health care. But that should be developed and worked out in a regular order in the House. That's my sincere hope for this Congress.

RESTORING TAX-FREE COMMUTER BENEFITS

(Mr. HULTGREN asked and was given permission to address the House for 1 minute.)

Mr. HULTGREN. Mr. Speaker, my district includes the north and west suburbs of Chicago. Our area has the second highest percentage of commuters in the country.

Many of my constituents currently receive employer-sponsored transit benefits for commuting costs like parking and train tickets. Last year this benefit was cut in half for public transit commuters, and I fought hard throughout 2012 for that benefit to be restored.

I am thankful that it is now law that employers may provide up to \$245 a month for their employees as a transit or van pool benefit tax-free. This is good for both employees and employers. Now neither of them will be taxed on that money, and employees will be encouraged to use the public transportation options. I'm glad that Congress has restored this important benefit.

AMANDA'S LAW

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, 3 years ago this Thursday, western New York teenager Amanda Hansen tragically passed away from carbon monoxide poisoning as a result of a defective boiler at a friend's home where she was spending the night.

In response to this tragedy, the New York State Legislature designated January as Carbon Monoxide Awareness Month and passed Amanda's Law. Amanda's Law requires carbon monoxide alarms to be installed in all new

single and multifamily homes and any rentals with a fuel-burning appliance system or attached garage.

Mr. Speaker, carbon monoxide is the leading cause of accidental poisoning deaths in this country. There's a simple way to lower that number: installation of carbon monoxide detectors in homes and residences.

I commend the work of the Amanda Hansen Foundation and join them in encouraging all Americans to prevent carbon monoxide-related tragedies by installing detectors in their homes.

HONORING THE LIFE OF DAN CURTIS

(Mr. TURNER asked and was given permission to address the House for 1 minute.)

Mr. TURNER. Mr. Speaker, today I'm here to honor and pay tribute to a dear friend of mine who has been valiantly battling cancer for the past year, Dan Curtis. Dan is a long-time resident of Dayton and a pillar of the community, and he has committed his talents to improving the lives of countless Ohioans.

A dedicated volunteer and philanthropist, Dan has given generously of his time, expertise, and financial resources to make a difference in the lives of individuals and the quality of life in his community.

He joined the Dayton Development Coalition soon after its inception and dedicated his efforts to stimulating the region's economy, while embracing the Air Force as a member of the community, and improving the lives of airmen.

Dan helped shepherd our community through good times and bad by selflessly giving of himself and his resources. He has always enjoyed working with people and assisting them in reaching their goals, and in no place is that more evident than in his home. Dan is a devoted husband and father who enjoys the loving support of his wife, Amy, and children, Kevin, Chelsea, and Matthew.

His relationships are characterized by selfless devotion, a caring nature, and altruism. These traits carried over into his professional life, where Dan demonstrated an incredible work ethic, generosity, contributions to the community and his love of the country. His many achievements and qualities are a testament to Dan.

As a community, Dayton, Ohio, and Wright-Patterson Air Force Base are forever indebted to him.

COMMEMORATING MARTIN LUTHER KING, JR. DAY

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, I rise today to commemorate Martin Luther

King, Jr. Day, the day our Nation honors one of our greatest civil rights heroes. This is also a special year, as Martin Luther King Day coincides with the inauguration of our first African American President, Barack Obama.

While just one man, Dr. King made an extraordinary difference in all of our lives. And while he, himself, was silenced, his dream lives on and serves as an inspiration that every person can indeed make a difference.

Indeed, Mr. Speaker, Dr. King reminds me often of the Flint sit-down strikers of the 1930s in my hometown who also stood up to the injustices that they saw. Their efforts helped create the labor movement and made our country a better place, as did Dr. King.

Mr. Speaker, no matter our political differences, we can all unite on Monday to fulfill Dr. King's dream. This Martin Luther King Day, let's honor the man who continues to inspire us all.

COMMENDING MISS MONTANA ALEXIS WINEMAN

(Mr. DAINES asked and was given permission to address the House for 1 minute.)

Mr. DAINES. Mr. Speaker, I rise today to recognize Alexis Wineman. This 18-year-old from Cut Bank, Montana, represents my State as Miss Montana, and she recently made history, not only as the youngest participant in this year's Miss America competition and the recipient of the People's Choice Award, but as the first young woman in the competition's history to have been diagnosed with autism.

Alexis stands as an example for all Montanans of what it means to overcome obstacles and to help those in need. She's worked to spread awareness of autism so that we can all gain a better understanding of those affected by it.

Alexis recently said, and I quote:

We cannot cure what is not a sickness, but we can begin to understand autism and help those with the condition to unlock the potential that lies within all of us.

I'm grateful for the work that she's done to increase the understanding of autism, and I'm very proud that she calls Montana home.

□ 1210

NO LABELS

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, all of us know that the 112th Congress was one of the least productive legislative sessions in our history.

Even as our country faced significant challenges, partisan posturing and political brinksmanship dominated the debate in Washington and created an unprecedented level of gridlock that kept real work from getting done.

As we begin the work of the 113th Congress, it is critical that both Democrats and Republicans commit to working with their colleagues across the aisle and putting the long-term interests of our country ahead of their own short-term political goals.

That's why I have decided to join a group of Democrats, Independents, and Republicans in an organization called No Labels as a problem-solver which will meet regularly to build trust and cooperation between members of both parties and get Washington back to a place where Democrats and Republicans working together is the rule rather than the exception.

We need leaders in Congress who are serious about finding solutions to the challenges we face both at home and abroad.

I am convinced that there is no challenge so great that we cannot solve by working together, and No Labels is offering a venue for Republicans, Democrats, and Independents to do exactly that. I urge my colleagues to join us in this effort.

TIME TO TACKLE WASHINGTON'S SPENDING ADDICTION

(Mr. MESSER asked and was given permission to address the House for 1 minute.)

Mr. MESSER. Mr. Speaker, I rise today for the first time in this Chamber to urge the President and Congress to get serious about addressing the out-of-control borrowing and spending that is jeopardizing the American Dream for our children and grandchildren.

The President has said that the debt ceiling debate is not the time to tackle Washington's spending addiction and has called for more taxes, more spending and more borrowing in return for any future spending reforms. Yesterday he said, "We can't finish the job of deficit reduction through spending cuts alone." But the last Congress already raised taxes. Now it's time to tackle Washington's binge spending.

The fundamental question to be answered in the upcoming debate is whether Washington should take more than it already confiscates from hard-working, taxpaying Americans. The answer is no. Washington doesn't tax too little. It spends too much.

Mr. Speaker, the new freshman Republican Members of the House are holding a Special Order after today's legislative business to highlight the urgency of the upcoming debt ceiling debate. I hope as many of my colleagues who can will join this effort and explain to the American people why we owe it to our children to stop spending and borrowing and start controlling our debt.

NEED FOR MORE PRODUCTIVE 113TH

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE of California. Mr. Speaker, with a new year comes a new Congress, new and returning Members, and new opportunities to work together to do the work the American people sent us here to do. Americans have been very clear about what the priorities of Congress should be. At the forefront of these priorities is to get people back to work and to revitalize our economy.

There is no doubt there has been some progress. Thirty-four consecutive months of private sector job growth is evidence of that. However, with 12 million people still unemployed, more must be done.

If Congress is serious about addressing the deficit, then we must have a plan—such as the Make It in America agenda—to create jobs. Job creation leads to deficit reduction and is necessary for a full economic recovery.

I am confident that with a new year will come a renewed focus to do the work of the American people. It is really time to put aside the dysfunction of the 112th Congress and to come together to address the problems facing our Nation.

HONORING CHIEF JACK JONES AND CHIEF JOSEPH GURA

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute.)

Mr. FITZPATRICK. Mr. Speaker, I rise today to honor two chiefs of police from my district, both of whom are retiring after many years of dedicated service to the district: Chief Jack Jones from Morrisville Borough and Chief Joseph Gura from Perkaskie Borough.

Chief Jones has served in law enforcement for the past 45 years. After three decades of service, he worked his way up to become chief in Morrisville in 2003. Jack knew the Morrisville community inside and out and has been loved by those who live there. Upon his retirement, he looks forward to spending time with his three daughters and seven grandchildren.

Chief Gura has spent 33 years in the Perkaskie Borough police force. During his three decades, the borough's force has grown from eight officers to 18. Chief Gura has dealt with everything from bears to undercover narcotics investigations and even spent a brief time working for the Olympics. For years, Joseph has not only portrayed a top of the line work ethic but has also displayed great pride, integrity, and courage.

Both of these public servants have devoted their lives to making the community a safer place to live, work and raise a family. I am honored to speak

on their behalf today, and I am proud to represent them in the United States Congress. I wish both Jack and Joseph many years of continued success and a happy retirement. Perkasio and Morrisville Boroughs will miss both their chiefs.

REAL SOLUTIONS TO REAL PROBLEMS

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, it's a new year, it's a new beginning, it's a new Congress.

This 113th Congress will let us seize the opportunity to start with a clean slate. We must put aside partisan politics and labels to come together for the good of the American people.

Our seniors, our children, our families are looking toward Congress to take meaningful action on critical issues that were left unresolved in 2012, such as the fiscal cliff and the debt ceiling. Our Nation is looking for a path forward.

I didn't come to Congress to simply talk the talk. I came here to walk the walk for my constituents, for California, and for this great Nation. Today is a new day that calls for new ideas, collaboration, and real solutions for the American people.

Yesterday, I also had the pleasure of joining nine of my congressional colleagues across the aisle at a bipartisan No Labels "Meeting to Make America Work."

We addressed the partisan gridlock in Congress that has slowed progress for the American people. It's high time we find compromises that will lead to real solutions to the real problems facing our Nation.

Today I call on all my colleagues on both sides of the aisle to join in this effort. Let's make America work.

MARKING NATIONAL MENTORING MONTH

(Mr. PAULSEN asked and was given permission to address the House for 1 minute.)

Mr. PAULSEN. Mr. Speaker, January marks National Mentoring Month, during which we will celebrate the Martin Luther King, Jr. National Day of Service, giving all Americans the opportunity to answer Dr. King's important question, "What are you doing for others?"

Today I would like to recognize an exceptional Minnesota organization that has become known as a national model for excellence in mentoring and service. The mentoring partnership works with hundreds of Minnesota organizations to pair up mentors with mentees and help strengthen relationships and build stronger communities.

Every child deserves a mentor. As Fortune magazine recently pointed

out, the number one indicator of success for a child is a good relationship with a caring adult. They provide care and support, advice, and words of encouragement. Dr. King often spoke of his mentors, and likewise became one himself to many Americans.

Let's use this day of celebration on Martin Luther King Day and National Mentoring Month as an opportunity to become a mentor or simply thank those that may have served as a mentor to yourself.

READING OF THE CONSTITUTION

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, the House just finished the reading of the Constitution. And that's fine. It's a majestic document, greatest of its kind, and it's never bad to read it.

It's one thing to read it and it's another thing to really understand it. And to understand it you've got to understand the court decisions and how the courts have interpreted the Constitution.

The courts have recognized the Constitution as a living evolving document and that it's not perfect. Congress had to pass an amendment to formally abolish slavery. It took the Supreme Court in the Topeka Board of Education v. Brown case to abolish Jim Crow, the stepchild of slavery and a great stain on this country's history.

Thanks to Roe v. Wade women have a fundamental right to make medical decisions about their own bodies, a right that continues to be threatened by this Congress. And while the Constitution grants great freedoms, the courts recognize that they come with reasonable limitations.

The First Amendment gives us freedom of speech but doesn't allow us to yell fire in a theater or to libel somebody.

And the Second Amendment, while it gives you the right to bear arms, has limitations as well. You can't carry a gun on an airplane or in a courtroom, and we need to remember that.

So just reading the Constitution is one thing, but understanding is another. I hope we will understand it and live it and see that we have a more perfect union.

□ 1220

PACIFIC MARINE ENERGY CENTER

(Mr. SCHRADER asked and was given permission to address the House for 1 minute.)

Mr. SCHRADER. Mr. Speaker, I'm here today to share with my colleagues yesterday's very exciting announcement of the first utility-scale, grid-connected wave energy test site in the United States, which I'm proud to say

is going to occur in my district in Newport, Oregon.

The Northwest National Marine Energy Center, based at Oregon State University, will be constructing the Pacific Marine Energy Center to test energy generation potential and environmental impacts of these wave energy devices.

NNMREC, established in 2008, is a partnership between Oregon State University and the University of Washington and is one of only three U.S. Department of Energy-supported marine renewable energy centers. In addition to the Department of Energy, this work is supported by my State of Oregon, the Wave Energy Trust, and other private and public agencies.

NNMREC's selection of Newport as the site will not only benefit the community of Newport but, frankly, the entire Oregon coast and will set a course for Oregon and the Nation to be one step closer to energy independence.

I am also very proud of Oregon State University and their continued leadership in this area. I would be very remiss if I didn't give a shout out to the incredible work done by Belinda Batten, director of NNMREC, and Annette von Jouanne, professor at Oregon State University, and all the faculty and students in the Wave Energy Department at OSU. Their tireless efforts are the reason we're able to celebrate this achievement today.

REAUTHORIZE VIOLENCE AGAINST WOMEN ACT

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, the 113th Congress will not only need to work to further strengthen our country's economic well-being; we will also need to find solutions to make sure that all Americans are treated fairly and equally. That's why it is critical that Congress pass the Violence Against Women Act reauthorization.

Since its inception, this act has always been bipartisan. Last April, the Senate passed a strong bipartisan reauthorization bill. Unfortunately, the measure failed in the House, but it must pass in the 113th Congress. The safety and security of American women should never be politicized and never has been so in the past.

It is my hope that we can put the politics of the last election aside and get down to the business of legislating sensible policy for the American people. We must reaffirm our commitment that women in the United States are offered all necessary legal protections.

SOUTHERN ILLINOIS COAL INDUSTRY

(Mr. ENYART asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. ENYART. Mr. Speaker, I rise today to recognize the southern Illinois coal industry, which had a record year last year—the best in decades.

Southern Illinois is blessed with abundant natural resources like coal that provide good jobs and support our middle class. I'm proud to say that Illinois is a leader in coal production and outpaced every other State in 2012. Bucking national trends, Illinois mines produced more than 40 million tons of coal in 2012, the most since 1995. This is in large part due to southern Illinois mines and a talented and dedicated workforce.

Folks in my district are worried about jobs. They want to have faith in the southern Illinois way of life. Our coal industry in southern Illinois presents enormous economic potential; and judging by the record-setting production last year, we are well on our way to power good jobs and address domestic energy needs.

I look forward to working with my colleagues to focus on good jobs and support southern Illinois workers and coal.

HURRICANE SANDY RELIEF

(Mr. COURTNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COURTNEY. Mr. Speaker, "Semper Paratus"—always prepared. That is the motto of the Coast Guard Academy, which is located in New London, Connecticut, which on October 29 was hit by 85-mile-per-hour winds and high tide at the height of Hurricane Sandy. It covered the entire lower half of the campus, wiped out their sailing center—which is the center that cadets must train on for 4 years as part of the core mission of the Coast Guard Academy to enhance and focus on their maritime skills. That is part of the submission by the Coast Guard for relief in the Hurricane Sandy bill, which we are going to debate and vote on, unfortunately.

Unfortunately, the Rogers' base bill cut the Coast Guard's request in half so that Coast Guard facilities in New Jersey and New York, and also the Coast Guard training facility in New London, Connecticut—which protects all of our coastal maritime country—are going to be damaged and affected.

We must, A, pass the rule; B, pass the Rogers' amendment; but, C, most importantly, pass the Frelinghuysen amendment, which will make sure that the Coast Guard Academy in New London, Connecticut, will be able to live up to its motto "Semper Paratus"—always prepared.

HURRICANE SANDY RELIEF

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, I urge my colleagues to adopt the entire package today for Sandy relief. My district was devastated by the hurricane. We really are in need of this funding in order to rebuild, and we shouldn't have to delay anymore. It's, I think, into the 10th week now since the storm occurred.

Really, without this package passing today and then immediately going to the Senate to be passed there as well and signed by the President, the whole effort to try to rebuild the shore in time for the summer season—the jobs, the tourism, the economy related to that—would really be seriously jeopardized.

I would urge that my colleagues adopt not only the initial base bill, the Rogers' amendment, but also the Frelinghuysen amendment. The Frelinghuysen amendment, which is the additional \$33 billion, will let us basically do a lot of the shore protection, the beach replenishment, the dunes, the flood controls, to prevent damage from a future storm, and also provide the Community Development Block Grants, the grants that there's a lot of flexibility for the towns so they can go back and basically give grants to homeowners as well as small business.

Mr. Speaker, I have towns that are devastated. We need this bill now.

HONORING GENERAL WILLIAM H. GOURLEY WITH HEALTH CLINIC BEARING HIS NAME

(Mr. FARR asked and was given permission to address the House for 1 minute.)

Mr. FARR. Mr. Speaker, I rise today to introduce a bill to name the Department of Veterans Affairs and the Department of Defense joint clinic to be constructed in my district the William H. Gourley Federal Outpatient Clinic: A Joint VA-DOD Health Care Facility.

General Gourley was fond of championing his own special commandments, his own 10 Golden Rules. His 10th Golden Rule was: make a better Army and Corps for your subordinates to inherit. In his 36 years of service, General Gourley did just that.

Whether sharing MREs in Germany with Private Elvis Presley or serving at the Pentagon on the staff for the Joint Chiefs alongside General Colin Powell, General Gourley worked tirelessly to improve the lives of men and women in the United States military. Even in his retirement, the general's vision was to build a health care center on the site of the former Fort Ord that would serve both the needs of Active Duty and retired military personnel.

As we prepare to break ground at this new facility, it is only fitting that the

joint clinic bear the name of the man who inspired its creation.

ADJOURNMENT TO FRIDAY, JANUARY 18, 2013

Mr. COLE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 3 p.m. on Friday, January 18, 2013.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 152, DISASTER RELIEF APPROPRIATIONS ACT, 2013

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 23 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 23

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 152) making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in part A of the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules. After disposition of such amendments, the Chair shall put the question on the amendment in the nature of a substitute.

SEC. 2. If the amendment in the nature of a substitute printed in part A of the report of the Committee on Rules accompanying this resolution is not adopted, the Committee shall rise and report that it has come to no resolution on the bill. If the amendment in the nature of a substitute is adopted, the amendment in the nature of a substitute shall be considered as the original bill for the purpose of further amendment. No further amendment shall be in order except the amendments printed in part C of the report of the Committee on Rules. At the conclusion of consideration of the amendments printed in part C of the report of the Committee on Rules, the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill, to the

amendment in the nature of a substitute printed in part A of the report of the Committee on Rules, or to amendment number 1 printed in part C of the report of the Committee on Rules. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. Each amendment printed in part B and part C of the report of the Committee on Rules accompanying this resolution may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment (except as specified in the report), and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived.

SEC. 4. In the engrossment of H.R. 152, the Clerk shall—

(a) add the text of H.R. 219, as passed by the House, as new matter at the end of H.R. 152;

(b) conform the title of H.R. 152 to reflect the addition of the text of H.R. 219, as passed by the House, to the engrossment;

(c) assign appropriate designations to provisions within the engrossment;

(d) conform cross-references and provisions for short titles within the engrossment.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for 1 hour.

□ 1230

Mr. COLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume.

During the consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. COLE. Mr. Speaker, on Monday, the Rules Committee met and reported a rule for consideration of H.R. 152, the Disaster Relief Appropriations Act of 2013.

The rule is a structured rule that allows the House to work its will and decide the appropriate amount of aid for the devastation as a result of Hurricane Sandy. It allows for an up-or-down vote on the first \$17 billion in aid, along with an amendment by Mr. MULVANEY which would offset the cost. Additionally, the rule allows the House to consider Mr. FRELINGHUYSEN's amendment for an additional \$33 billion. The rule also makes in order 11 other amendments.

Additionally, this rule directs the Clerk of the House to add H.R. 219, a

bill to improve and streamline disaster assistance for Hurricane Sandy, which passed the House yesterday by a vote of 403-0, as a new matter at the end of H.R. 152.

Mr. Speaker, as I review the rule and the underlying legislation, my own opinion is shaped by a variety of facts:

First, there's no question that an enormous disaster has taken place and hit the northeastern portion of the United States and that the dimensions of that disaster are truly extraordinary. There's a lot of different estimates that are floating around about how much, but one is as high as \$85 billion, and that doesn't begin to calculate the human suffering in addition to the enormous financial cost.

Second, there's clearly a Federal responsibility to act in this case. We've always acted after disasters. We acted quickly after Hurricane Katrina, after the Oklahoma City bombing, and after the horror of 9/11. In countless other instances where a Federal response was in order, we've quickly moved to that responsibility, and we need to do so again in this case.

Third, frankly, and I think this is too often overlooked in this discussion, we have a national interest in getting this region on its feet as quickly as possible, not only because it's the right thing to do, and it certainly is that, but because it's the smart thing to do. Over 13 percent of our citizens lived in the four most affected States that were damaged by Hurricane Sandy, and collectively, they produce over 17 percent of the wealth of this country. Having that area up, operational, and prosperous is critical to the prosperity of the entire country.

As an American and as an Oklahoman, I know that my State has often benefited from Federal disaster relief in the past. I think of the Oklahoma City bombing in particular, where I served as Secretary of State and chief liaison to the Federal Government, and know firsthand how critical it is and how helpful it is to have the resources of the Federal Government at hand when you're dealing with an unanticipated disaster.

Again, it's pretty unusual in my State to go through a year without a tornado disaster, and it's pretty unusual to go through a year without a drought disaster. Each time, we've come and asked for help from the Federal Government; each time, we received that help. Undoubtedly, we'll be doing that again in the near future. It would be hypocritical, in my view, to fail to do for people in the affected region what I and, I know, many others have routinely asked for our own regions.

I do think, as I look forward, we should do a better job in budgeting for disasters, and frankly, we've taken steps in that direction. To the credit of this body and the executive branch,

under the Budget Control Act, we actually set aside money for disaster relief; and had we not had the disaster of Hurricane Sandy, we would have actually finished the year with a surplus in that account. This disaster, though, was so large and so sweeping that it used all that surplus and still demands more.

So going forward, I hope we can look at different mechanisms to budget in a more responsible and consistent manner. However, to not allow whatever shortcomings are in the mechanisms of disaster relief, to stand by and allow Americans to suffer while we sort all that through, we have never done that in the past during a disaster, we certainly shouldn't do so now.

In closing, I want to admit a personal debt to the Frelinghuysen family. I owe them a great deal. Almost 183 years ago today, in April, actually, of 1830, one of RODNEY FRELINGHUYSEN's distinguished forebears, Theodore Frelinghuysen, rose on the floor of the Senate to protest Indian removal, removal of my tribe from Mississippi and many other tribes to what's now Oklahoma. And he held the floor for 3 days defending a people that had no right to vote, had no ability to defend themselves, and tried valiantly to make sure that they were allowed to retain their homeland, retain their identity and their rights. He wasn't successful in that fight, but he fought it nonetheless. And, frankly, it would be incredibly ungrateful for me now not to, at the time of his people's greatest need, return the favor.

So I urge the passage of the rule, I urge the passage of the Rogers bill, and I urge the passage of the Frelinghuysen amendment to that bill.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

I really appreciate the words of my colleague and the generosity—we were very happy last night at the Rules Committee that all members of the Rules Committee recognized that this is America in need. It's a fascinating story, and knowing RODNEY FRELINGHUYSEN, no one could be surprised about the action of his ancestor. Of course, we all apologize for what happened to you. That should not have happened to your ancestors.

But throughout our modern history, the United States Congress has always responded swiftly to help the victims of natural disasters. It is today 78 days since Hurricane Sandy absolutely devastated the Northeast. We never hesitated as Americans because we know that all of us are in it together and that when any American is hurt, we all hurt, and when communities are devastated by earthquakes, tornadoes, or hurricanes, we all feel our duty to respond.

□ 1240

When Sandy plunged communities into darkness and left them without power or water for weeks, countless Americans volunteered their own resources to help the victims of Sandy, just as they had helped the victims of Hurricane Katrina and the victims of the Joplin tornado.

Yet, no matter the generosity of our Nation's people, there is no replacement for a swift and well-organized Federal response. From military-grade trucks, helicopters, and supply planes, to Federally backed small business loans, our Federal Government is absolutely vital to rebuilding efforts.

That is why we were so sad, all of us from the Northeast, that it took so long for the House to respond. While the Senate acted soon after Sandy occurred to pass a comprehensive aid package, there was nothing done in this House for months. This Congress responded to Hurricane Katrina in 10 days. As I pointed out, it's been 79 days for Sandy.

When the majority did act, they passed a partial aid package that could be described as a starting point at best. And while we appreciate that we're taking action to help Sandy victims, the piecemeal approach has hurt our disaster response efforts. Without knowing whether more aid is absolutely going to come, the governors and the mayors can't sign contracts with construction companies, can't complete their plans, and cannot prioritize repair efforts and provide effective aid. It simply does not do to give out money in tranches without a guarantee of the actual money needed to be coming. In addition, the majority's demands that any Federal aid include offsets has delayed and endangered the aid from getting into the hands of those who need it.

Yesterday, the Rules Committee was presented with almost 100 amendments for inclusion in today's bill. More than 40 of those 100 amendments proposed by the majority attempted to cut, hinder, and offset the aid that is contained in today's bill. Many of the amendments contained extreme and ideological proposals that should never have been considered for inclusion in a disaster aid bill.

Mr. Speaker, it is now entering the cold parts of winter. There are families up and down the eastern seaboard who are still homeless, while thousands more are still working to get back on their feet, and many small businesses and restaurants have been forced to close because of the slowness of aid. Meanwhile, important institutions such as the NYU hospital in New York City struggle to repair the flood damage, and countless restaurants, as I've said, have been forced to close.

After being battered and bruised by natural disaster, the victims of Sandy are now at the mercy of the House of Representatives.

I urge my colleagues to show fundamental humanity and pass the bill today that does not include unnecessary amendments that are little more than political ransom for the majority.

It's time the Chamber passes a bill that can and will be signed into law and gives the victims of Sandy the help they need to rebuild.

With that, I reserve the balance of my time.

Mr. COLE. Mr. Speaker, I yield 2 minutes to the distinguished Member from New York, the former chairman of the Homeland Security Committee and one of the most distinguished Members of this body, Mr. KING.

Mr. KING of New York. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of the rule and equally strong support of the underlying legislation, particularly the Frelinghuysen amendment, which is so vital to the people of New York, New Jersey, Connecticut, and especially my area on Long Island in Nassau County and Suffolk County.

To put this in perspective, there were 305,000 homes in New York damaged, 2.2 million people lost their power. That's more than the population of 15 States. That's 2.2 million people that lost their power. In Nassau County and Suffolk County, 95,000 buildings were damaged. More than 38,000 had more than 50 percent damage. In Nassau County—and the county executive, Ed Mangano, is here today—they had more than \$6 billion in recovery costs. That's \$6.1 billion for one county. In Suffolk County, under County Executive Steve Bellone, there were \$1.8 billion in recovery costs. These are two adjoining suburban counties with almost \$8 billion in recovery costs.

I was here in 2005 for Katrina. In fact, I had become chairman of the Homeland Security Committee just several weeks after Katrina. Within days of being chairman, I went to Louisiana with Ranking Member THOMPSON and to Mississippi. Congressman REICHERT was with me, as well. That was less than 3 weeks after Katrina. Ten days before that, the House of Representatives had passed two appropriations bills totaling \$63 billion. The first appropriations bill was introduced, passed on a voice vote, passed unanimously by the Senate, and signed by the President all in one day. Four days after that, another bill came up for the balance of the \$63 billion, which passed the House by a vote of 410–11, was passed unanimously by the Senate and was signed by the President in one day.

Now, 11 weeks have gone by. There's a lot of reasons for that. For one thing, Governor Cuomo, Governor Christie, and Mayor Bloomberg, they submitted the most detailed summaries ever, the most detailed accounting ever. It took them about 30 days to get that in. Then the White House held it for several weeks. They went through it. That was

their prerogative. The Senate finally voted on it just before Christmas. And, as you know, I wish that this had passed our House 2 weeks ago on New Year's Day. The fact is it didn't, and that's behind us.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. COLE. I yield an additional 1 minute to the gentleman from New York.

Mr. KING of New York. Right now we are standing together as one in a bipartisan show of support. The time for recriminations is over. Let's stand together as Americans, and let's get the aid to the people who need it because in my district alone, in my community, people are homeless, people are cold, people are without food. This is a serious matter we have to address, that we have to do as quickly as possible.

I'm proud to stand here today with all of us united. There may be divisions in the vote, but all of us are committed to getting this done.

I want to thank the gentleman from Oklahoma, I thank the chairman of the Rules Committee, Mr. SESSIONS, and the great job that they've done in bringing it here with a fair rule and allowing for an up-and-down vote.

Again, I urge support of the Rogers bill and the underlying, and the accompanying Frelinghuysen amendment—absolutely essential to the people of our region, and most importantly, essential to the people of our country.

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 1½ minutes to the gentlewoman from Connecticut, a member of the Committee on Appropriations, Ms. DELAURO.

Ms. DELAURO. I rise to express my strong support for this long overdue, this much-needed \$51 million in disaster relief.

Sandy was one of the most severe storms to hit Connecticut in our history. We are asking, we are pleading—and we shouldn't have to beg—for money for the Northeast to be able to survive this tragedy that hit us.

We need to make available the disaster aid. Families in the Northeast need to recover, repair from Superstorm Sandy, just as we have in the past from other disasters across the country. This is one of the central responsibilities of this institution, to act on behalf of the American people after a natural disaster.

I hope that we make sure that all the States affected by this storm are eligible to receive Community Development Block Grant funding, vital aid, so places like Milford, Connecticut, which saw hundreds of homes wiped out by the storm, can fully recover.

I also urge the defeat of an amendment that cuts funding for the rebuilding of seawalls and research buildings at the Stewart McKinney National Wildlife Refuge in Connecticut.

I might remind my colleague from Louisiana that between Rita, Wilma,

and Katrina, this institution appropriated \$130 billion, not \$3.9 billion, in disaster relief.

The families affected by Sandy are in their hour of need. They have waited too long for this institution to act. I urge all my colleagues to support this disaster aid funding to help the Northeast rebuild.

Mr. COLE. Mr. Speaker, I yield 2 minutes to my friend from California, one of the most consistent and thoughtful conservatives in the House, Mr. MCCLINTOCK.

Mr. MCCLINTOCK. I thank the gentleman for yielding.

Mr. Speaker, this rule brings a suspending package of more than \$50 billion that is supposed to be for emergency repairs in the wake of Hurricane Sandy. That averages about \$450 from every household in America.

These families have a right to expect that this money will be used for genuine emergency relief, but it's not. According to the Congressional Budget Office, more than 90 percent of this money won't even be spent this year. That's not emergency relief.

There is \$16 billion to quintuple the size of the Community Development Block Grant program. That's the slush fund that pays for such dubious projects as doggy day care centers, and it doesn't even have to be spent in the hurricane area. Two billion dollars is for highway repairs anywhere in the country, including up to \$20 million each for Guam, American Samoa, and the Northern Mariana Islands that aren't even in the same ocean as Hurricane Sandy.

I offered amendments to restrict funding for emergency relief this year. Future-year expenditures should be included in the normal appropriations process where they can be given scrutiny and be evaluated in relation to all of the other demands on spending.

□ 1250

These amendments were refused.

Worse, this rule overrides the House rules requiring spending offsets against unauthorized appropriations and, most telling of all, against mixing non-emergency funding in an emergency bill. A tragedy like Hurricane Sandy shouldn't be used as an excuse for a grab bag of spending having nothing to do with emergency relief. At the Rules Committee hearing, I was told, Well, you have to understand that that's just the way things are done around here.

Mr. Speaker, Republicans were supposed to change the way things are done around here. Clearly, we have not.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1½ minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I want to respond to my Republican colleague who just spoke. I respect him tremendously, but I want him and everyone to

understand that this really is emergency relief that we're talking about, and I want to give you some examples from my district.

For example, he talked about the Community Development Block Grant. I have a town like Sea Bright, New Jersey, where only two businesses in the business district right now are operating. The problem is that, oftentimes, their flood insurance doesn't cover the damage, and even the money coming from FEMA, which is probably only for some type of loan fund, doesn't cover it. So the Community Development Block Grant in Sea Bright will be used to help those businesses come back. It will be grants to the businesses and grants to the homeowners so that they can rebuild.

The same is true of the Army Corps of Engineers projects. We need the Rogers amendment. We also need the Frelinghuysen amendment because the Frelinghuysen amendment has all of the Army Corps projects as well as those of the Community Development Block Grant. Those Army Corps projects basically let us put back the beaches, put back the dunes, put back the flood control devices so that we don't have another storm in the future, which could happen at any moment, that would destroy the towns again and wreck even more of our businesses or our homes.

Also, the money that's in the \$17 million initially is the public assistance money that allows us to rebuild our boardwalks, bring back our tourism. We can't delay any longer because, if we don't get our tourism industry back in place—our businesses, our homes, our boardwalks, our infrastructure back in place—by Memorial Day, then the jobs and the economy that are linked to tourism will be gone. We need this entire package.

Mr. COLE. Mr. Speaker, I yield 2 minutes to my good friend from New Jersey (Mr. SMITH), one of the most consistent and distinguished defenders of human rights in Congress.

Mr. SMITH of New Jersey. I thank my good friend for yielding.

Mr. Speaker, I rise in support of the rule. When emergencies strike, large or small, Americans can always be counted on to assist and to support the victims. At our core, we are a Nation of Good Samaritans. After Superstorm Sandy came ashore in New Jersey and devastated the region, first responders courageously rescued people trapped in homes and cars. They often had minimal regard for their own personal welfare, safety and well-being. Everyone rallied around the clock.

Governor Chris Christie, Emergency Management personnel, the National Guard, police and fire, elected officials, the Monmouth County OEM director Sheriff Shaun Golden were absolutely tenacious and effective, and our local mayors were like NFL quarterbacks—

running the plays, making calls day by day, hour by hour. Faith-based organizations helped feed and clothe and shelter. Private voluntary organizations were on the scene in droves. Our neighbors to the north, west, and south poured in to the State to help restore power and remove fallen trees. Words are inadequate to convey my—our—appreciation.

Within weeks, however, the emergency phase seamlessly matriculated into the recovery phase—the flip side of the same coin. Now the big question is this: will the feds have our backs as we strive to recover? It is an absolutely arduous process. I believe that we will. Any delay in appropriating sufficient funds will likely stall a comprehensive and robust recovery.

Sandy was the most destructive storm ever in our region and, arguably, the second or third most costly in America's history. The Governor's office has estimated the damage in my State alone to be \$36.9 billion. Homes like this one—22,000 homes like this one—completely and totally destroyed. Another 324,000 homes damaged; 41,000 people can't return to those homes—they're still not fixed. Businesses also took it on the chin: 19,000 New Jersey businesses suffered damage of a quarter of a million dollars or more.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. COLE. I yield the gentleman an additional minute.

Mr. SMITH of New Jersey. Three-quarters of New Jersey businesses were hurt by Sandy. When asked, they put the small business loss at \$8.3 billion. No wonder 100,000 storm-related unemployment claims have been filed. The Governor's office points out that public facilities and infrastructure sustained the same losses of some \$7 billion. Boardwalks were snapped like toothpicks, beaches have eroded, and some have been radically reconfigured.

Significantly more funds are needed if New Jersey and our good friends in New York and other Sandy impacted areas are to recover. The Frelinghuysen amendment is absolutely crucial. We are not crying wolf here, I say to my colleagues. There are huge gaps. People who have filed for insurance claims find insurance has covered only this much. How do they ever recover? The same goes for the infrastructure in New Jersey. 860,000 people every single day use New Jersey transit. That infrastructure has been demolished—locomotives, cars, tracks as well as stations. Critical Army Corps projects need to be reconstructed and repaired, while new initiatives need to be funded. We need this money. And we need it now.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1 minute to my new colleague, the gentleman from New York (Mr. JEFFRIES).

Mr. JEFFRIES. On October 29, when Superstorm Sandy struck with devastating ferocity, at home, people died; businesses and homes were destroyed; families were torn apart. In times of disaster, the American people have come to expect that Congress will respond with swiftness and compassion, but the victims of Superstorm Sandy have been forced to languish in agony and languish in uncertainty.

Our response has been characterized by delay, obstruction, postponement, obfuscation. It's unacceptable given the nature of the disaster that people at home have experienced. We have defaulted on our obligation to provide assistance to Americans in need. We're a day late and a dollar short. In fact, we're 78 days late and \$51 billion short.

New York, one of the original 13 colonies, has given much to the Republic over the last 236 years. Our sons and our daughters have died in each and every war. FDR, a tremendous statesman, helped us get through the Great Depression, and we regularly give more to the government than we get back in return. I urge a "yes" vote on the entire package.

Mr. COLE. I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1½ minutes to my colleague, the gentleman from New York (Mr. MEEKS).

Mr. MEEKS. I thank the ranking member from the Rules Committee.

I stand here today as we deal with an American issue. It is an issue that is unique to America. It is an issue in which American people are saying we need help. It is an issue in which the American people say we want hope. I had the opportunity to look at Webster's Dictionary to see what "hope" meant. It said: "Hope" means to cherish a desire with anticipation. "Hope" means to trust. "Hope" means to expect with confidence.

Our people in New York, Connecticut, and New Jersey have hope today—hope that their Members of Congress and that the Members of Congress from all across this great land will come together and help them; hope that the Members of Congress will do like their people in their various States because the hope that came to many of the individuals who were victimized by the storm came from people from all over this country. Whether you come from the East or the West or the North or the South, the American people came to help.

So I'm here today for John Corey, a man in our community who works hard, a civic leader. I'm here for Josephine and Gary Robinson, small business owners of Goody's Restaurant. I'm here today for Joann Shapiro at Elegante Pizzeria. I'm here today for Peter Corliss, a homeowner whose entire home was damaged and had to leave it. I'm here for Julia Blair and

Lou Simon, who have lost everything and want to know a better hope for tomorrow. I'm here today for Barbara and Richard Rampy, who have to move away from their home because they can't stay there. I'm here for Americans. Let Congress be here for our American people.

□ 1300

Mr. COLE. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New Jersey (Mr. RUNYAN).

Mr. RUNYAN. Mr. Speaker, I rise in support today of this rule. If you look next to me, you'll see damage from Seaside Heights, New Jersey, in my district. My constituents in Seaside have suffered for well over 2 months in trying to clean up the mess that was left behind by Hurricane Sandy.

In the past, taxpayers in New Jersey, New York, and Connecticut have gladly stepped up to foot the bill for the disasters of other States. Whether it was Florida, Louisiana, Mississippi, or Texas, we didn't ask questions; we just stopped and delivered aid to those in need. It is important that Members who have been the benefactor of our goodwill in the past remember this generosity when voting today.

Almost 3 months later, and my constituents continue to suffer. I urge passage of the rule and the underlying bill.

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 1½ minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. I thank my friend for yielding.

Seventy-eight days ago, a tremendous force of fury hit the northeastern region of the United States. Today we make an act of national interest. This is not an act of excess or an act of charity.

For those who claim that there is excess in this bill, I would suggest that they read it. Throughout this bill, the bill says that the spending is limited to "necessary expenses related to the consequences of Hurricane Sandy." This is throughout the text of the bill.

This is not an act of charity. These three States—New York, New Jersey, and Connecticut—these three States pay almost 16 percent of the taxes collected in the United States of America. Three States, 16 percent of the taxes.

You ask the question: Who suffered because of Superstorm Sandy? Certainly our neighbors in New York and New Jersey and Connecticut suffered the most, but all Americans will suffer if this economic engine is not rebuilt.

The three States that pay nearly 16 percent of the taxes need this reconstruction, and so does the United States of America. All Members, Republican and Democrat, should vote "yes" in favor of this legislation.

Mr. COLE. I reserve the balance of my time, Mr. Speaker.

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 1½ minutes to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. Mr. Speaker, I thank my friend, Representative SLAUGHTER, for yielding me this time. I would also like to thank Representatives LOWEY and KING for their leadership on this issue, and I commend my colleagues in the New York and New Jersey and Connecticut delegations on both sides of the aisle for working so well together to advance the interests of our States at this critical time. And I would also like to thank my friend, Mr. COLE, for his support.

I rise to support the rule and urge my colleagues to support H.R. 152 and the Frelinghuysen amendment and to oppose the Mulvaney amendment.

It has been 2½ months since Superstorm Sandy hit communities in New York, New Jersey, and neighboring States which continue to face the almost insurmountable task of cleaning up and rebuilding homes, businesses, and lives. I'm grateful we've finally had the opportunity to consider a relief package to those who are most in need.

In my district on the eastern half of Long Island, businesses, farms, and homes fell victim to intense flooding. Ferocious winds caused substantial damage to property, vehicles, and businesses; and along the coast, Sandy created breaches in the coastline and severely eroded other parts of the beach. In New York and New Jersey, at least 651,000 homes were damaged or destroyed, and approximately 463,000 were impacted.

Mr. Speaker, our States are not asking for anything more than for help to get back on their feet and rebuild. We are asking for nothing more than to respond to this disaster as we have for Hurricane Katrina and other natural disasters that have brought damage upon our fellow Americans.

I urge my colleagues to support this package without any damaging amendments.

Mr. COLE. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I heard the words a few moments ago about a grab bag. I can assure you that the Governors who introduced itemized lists went into them very deeply with the consultation of local officials. It's no grab bag. That's an insult to the northeastern States that were hit by this tremendous storm. And it's ironic, of those who oppose this legislation, that many of them—and I have the list here, Mr. Speaker, if you want to see it—supported not only disaster aid for their own areas, but some of them got disaster aid personally. The gentleman from South Carolina, he personally took a small business loan, Federal loan, as part of a disaster relief program, yet he comes here and to the

Rules Committee to question what we're submitting?

I want to say to the chair and the ranking person in the Rules Committee, you did a good job yesterday. Going through 92 amendments, I don't know how you did it. Of course you dismissed some of them pretty quickly, which was very good. I also want to say, Mr. ROGERS and Mr. COLE and LOUISE SLAUGHTER have been particularly outstanding, along with RODNEY FRELINGHUYSEN's amendment, which I will definitely support.

There are two towns wiped out in my district: Little Ferry and Moonachie. Water came over the banks because of the surge. Thank God we didn't have that much rain or else we would have had a far worse disaster.

We stood on this floor after Katrina and voice voted billions of dollars—voice voted. We didn't even take an individual vote.

I think that the record is very clear on what is needed. We have taken out the extraneous and we've taken out what we call earmarks, and I think that those who put this legislation together deserve a tremendous amount of credit.

Mr. COLE. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. I'm pleased to yield 2 minutes to the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. Mr. Speaker, I rise in opposition to this rule which prevents consideration of critical amendments offered by me and my colleagues from disaster-affected States.

I'm particularly disappointed that my amendment was not even allowed a vote, as it would ensure that all States that received a major disaster declaration due to Hurricane Sandy are able to receive EPA State and tribal assistance grants. The failure of the House bill to provide this assistance to every State receiving a Presidential disaster declaration following Sandy is troubling and, quite frankly, extremely disappointing. The refusal of the majority to allow this amendment to come for a vote is even worse.

The Senate passed a fair and balanced relief package last year providing assistance for all of our communities and industries affected by a major disaster declaration, including our fishing industry. I'm deeply disappointed that this legislation before us reverses course, denying assistance to certain communities affected by Sandy, particularly after the House Republicans have delayed nearly 3 months in bringing even this flawed bill to the floor.

In this Congress, we've made it clear that we help our communities when they're in need when disaster strikes, and this bill doesn't adequately address assistance to all communities that have been impacted.

For these reasons, I will vote against the rule in the hope that we can im-

prove the overall bill to include these critical amendments. But with that being said, should that rule pass, as flawed as it is, I won't let the perfect be the enemy of the good, and I would urge my colleagues to act in good faith and pass the disaster assistance bill free from additional legislative gimmicks that will only further imperil its success.

With that, I thank the gentlelady for yielding. This bill is by no means perfect, but our States can't afford to wait another 3 months.

Mr. COLE. Mr. Speaker, first let me yield myself 30 seconds.

This is legislation, obviously, that I support, but I want my friend to be aware, the House did not sit on this for 90 days.

□ 1310

The administration of the States concerned took over a month, appropriately, in my opinion, to assess the damage. The administration sat on it. We didn't get this bill until just before Christmas. We're actually acting on it with a deadline of Congress and proceeding more rapidly than anybody else has. So we've not been part of the delay. Actually, we've been trying to expedite things.

With that, I yield 2 minutes to my friend from New Jersey (Mr. LOBIONDO), the distinguished Member from the affected area.

Mr. LOBIONDO. Mr. Speaker, I rise in very strong support of the rule and the underlying legislation. But I'd ask my colleagues, because we seem to be very mixed and divided on some of this, think of the human face.

My constituents, the constituents of the Northeast, they're not just whining. They're not just uncomfortable. They are devastated. They've had everything ripped from them.

Imagine getting up in the morning, hearing there's a storm coming, not knowing what to expect, and realizing, within 24 hours, you have lost everything. That's not something any of us wants to imagine for ourselves or for our constituents, but that's the place we find ourselves in.

These are senior citizens, sometimes with no family. They've been displaced from their homes, living in a rented room on a rented cot for months.

These are families with young children who are trying to get their lives back together.

These are businesses, small businesses, the backbone of the country, who don't know how to get back up and running.

Disaster means disaster and emergency means emergency.

Sure, we can say, let's wait, let's do something differently. But we were there for you. We were there, Florida, when you had your hurricane, and God bless you if you think you're not going to have another hurricane. We need this and we need it now.

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 2 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, I rise in support of the Hurricane Sandy supplemental appropriations bill, and the Frelinghuysen amendment to provide the funds necessary to start rebuilding and recovering from the storm.

Hurricane Sandy hit the east coast almost 3 months ago. Never before has the House of Representatives taken so long to meet its obligations following a major disaster. I'm relieved that we're finally considering this bill today; but I'm disappointed, once again, that some are still playing politics by trying to add poison pills and offsets that jeopardize this aid package.

As the current debate over the pending sequestration shows, finding offsets is no easy task, and it makes no sense to put that on the back of emergency aid. It defies the very nature of emergency aid, and it impedes the Federal Government from doing its most important job, protecting its citizens when calamity strikes.

On the surface, Mr. Speaker, New York City appears to be back up and running; but many people are still homeless, and the lack of long-term housing is a problem for which we do not have an adequate answer. The restoration of heat and power remains a challenge.

There are increasing reports of people, including small children, getting sick from exposure to toxic mold, sewage, or other hazardous substances. Entire neighborhoods are still dark and largely abandoned.

Many small businesses in Lower Manhattan are still paying off disaster assistance loans secured after the attack on the World Trade Center 10 years ago. Many of these businesses were already operating on thin profit margins. Now they've been hit again; and without additional resources and a faster rebuilding process, many of these small businesses may close for good.

The needs are great, and yet the House has still failed to act. Back in December, the Senate passed a \$60.4 billion disaster aid package that tracked very closely to the administration's request, which was based on conservative assessments of the needs across the region.

The House should have passed the Senate bill back then. There is simply no justifiable reason for the delay, unless you believe that when disaster strikes we are all on our own. Let us, once and for all, reject that notion and meet our obligations to get emergency aid in the hands of those who need it urgently.

I urge my colleagues to end this madness and vote for the underlying bill, for the Frelinghuysen amendment, and against all restrictive amendments.

Mr. COLE. Mr. Speaker, I yield such time as he may consume to the distinguished chairman of the Rules Committee, my friend, PETE SESSIONS, and the person who crafted the rule that allowed us to move this expeditiously through a difficult process and bring this important matter to the floor.

Mr. SESSIONS. I appreciate the gentleman from Oklahoma leading, not just this exercise on behalf of the Rules Committee, but actually on behalf of the Appropriations Committee.

The Rules Committee, I know that the gentlewoman, LOUISE SLAUGHTER, and I have great confidence, not only in TOM's leadership, but really his insight into what needs to be done. And, TOM, I want to thank you for your strong leadership in this endeavor on behalf of the Appropriations Committee, as well as the Rules Committee.

Mr. Speaker, today what I'd like to do is take just a minute, if I can, and kind of reset where we are. We've had lots of debate today about what we're doing and why we're doing this. But the bottom line is that our Speaker, JOHN BOEHNER; our majority leader, ERIC CANTOR; and the minority leader, NANCY PELOSI, understand that we must approach a national disaster such as a superstorm together.

And as a body, whether it was NITA LOWEY, whether it was JON RUNYAN, RODNEY FRELINGHUYSEN, CHRIS SMITH, MICHAEL GRIMM, FRANK LOBIONDO, we, as a body, understood we had a job to do. The gentlewoman from New York, the ranking member of this committee, LOUISE SLAUGHTER, and I understand the responsibility because we had people back home like Mayor William Akers of Seaside Heights, New Jersey, who talked to JON RUNYAN, or perhaps Sylvia Petillo for Hopatcong, New Jersey, talked to her Congressman, RODNEY FRELINGHUYSEN, about the needs of the communities, one Nation under God, the United States coming together at a time of extreme difficulty. And that's what we have done.

We have worked well together. We have worked with the Governors, Governor Corbett from Pennsylvania, Governor Cuomo from New York, certainly Governor Christie of New Jersey, Mayor Bloomberg of New York, people who got together and worked.

We did wait for the President's declaration of a national emergency; and we did, after 40 days and some few hours after that, receive the bill. But I think this House of Representatives, on a bipartisan basis, Members working together, LOUISE SLAUGHTER, MICHAEL GRIMM, TOM COLE, others coming together; and we are now getting behind a bill. One of the amendments is called the Rodney Frelinghuysen amendment, and it is an amendment that meets the needs of these States and these people.

So for those who would say we've taken our time, I'd like to say, I think

we're trying to do it right. For those who would say, well, we're not sure exactly how much should be in here or not, this body will determine it by the votes. Every Member of this body, I believe, will have a fair and open opportunity, not just as a result of the rule, but us working together.

And I'm very proud of that process, very proud of HAL ROGERS, our Appropriations chair, who came to the Rules Committee yesterday and said that he placed before this body what he felt like was an equal opportunity for us to help people, this time in the Northeast—perhaps it will be people in other places—but he wants to make sure that fairness is done.

The Speaker of the House, JOHN BOEHNER, cares deeply about the people of the Northeast and all the people of this country.

I think this rule today, and I think this bill, is an adequate opportunity for Members to speak clearly and that is, we care about our country, and we care about the people of this country.

Mr. COLE, thank you for yielding me time. I want you to know that we, the Rules Committee, appreciate the time that you have spent on this; and the results, I think, will come to bear for all of us.

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 3 minutes to the gentlewoman from New York (Mrs. MCCARTHY), a fellow New Yorker.

Mrs. MCCARTHY of New York. I appreciate the time.

Mr. Speaker, I also want to say thank you to TOM COLE for bringing this forward. And I want to say also to Congressman SESSIONS I appreciate his words.

We always fight down here; but I always knew that, in my heart, we would come together to help our constituents. We've heard from Republicans and Democrats Hurricane Sandy was not discriminating against whether you were a Republican or a Democrat. And we as New Yorkers, and people in Jersey and Connecticut, we've always been there for other parts of the country.

I think people have to understand; and by the way, a number of Republicans came into the district and they saw the disaster.

□ 1320

One of your Members came and looked at Long Beach Hospital, which was underwater and will not be able to open for months. You have to understand, Long Beach was one of the areas that was hit the hardest. Thousands of people there are without their homes. I can't even tell you what these homes looked like.

I know we always hear at times that New Yorkers are rich. Let me tell you, these are little cottages. These are regular homes, blue-collar workers, hard workers, and because of this storm,

their lives have been torn apart. I have seen the pain within my constituents and my small businesses, and, by the way, my health care workers, because not only were they taking care of everybody during and after the storm, they're taking care of people today because they're coming in with upper respiratory illnesses because of the mold that's in this area.

We need to do everything we can. We don't ask for much—we're pretty tough people—but we do need the help of the American people right now. We here in this body, we are representing the American people.

I just want to say thank you to everybody. I truly, truly do mean that. I always knew that we would come together. But I'm saying thank you from my constituents, because the pain that they are all suffering is unbearable for us as Members of Congress.

Mr. COLE. Mr. Speaker, I would like to yield 3 minutes to the distinguished gentleman from Florida, the former chairman of the Transportation Committee, Mr. MICA.

Mr. MICA. I thank the gentleman for yielding, and hopefully I can shed a little light on some of the commentary in this debate.

First of all, the Congress always has and always will respond to disasters, and it is important in the Northeast superstorm that we do so, and we do so responsibly. Anyone who says that we did not act responsibly, the Republicans didn't act or our leadership, is wrong.

First of all, let me recount. After the disaster, our committee, Transportation and Infrastructure, which oversees FEMA, we went to New York. We met with officials. We assessed the damage. We came back and we did a hearing and hauled in FEMA personnel. We asked specifically, Is there enough funding available to provide disaster relief? The answer was yes. There was \$6 billion in the continuing resolution that Congress had passed and another \$1 billion left from the previous year, a total of \$7 billion. The question at that time is how much would be spent. They said approximately \$3 billion, leaving \$4 billion, that would take us—in the disaster relief fund account—till February.

We worked with the Senate and others in trying to look at reforms, because the last word from Mayor Bloomberg and the President of the Staten Island borough when I left them was, Can you help me get money from Hurricane Irene, which they still couldn't get reimbursed because of the bureaucracy and red tape from current FEMA policy.

Yesterday the Congress—and we passed it twice before—passed those reforms that are so necessary so that New York and New Jersey and the others affected won't have the same problems in securing that money.

So, first, there was enough money and is enough money available in the disaster relief fund. There wasn't enough money in the flood insurance account, and that is a reimbursable. It will come back. Before we left, we put \$7 billion to ensure that they would be taken care of, and they are taken care of.

There was enough money, there is enough money, and there will be enough money. This rule is constructed because, when the Senate passed their bill over to us at the last minute and the last hour, they porked it down. They put things in there that didn't need to be in there, thinking that they could pull one over on the House of Representatives and slide in with disaster relief a whole host of earmarks, and I won't go into the details to embarrass anyone. The record will reflect that.

So we acted responsibly, our leadership acted in a responsible fashion, and today this committee, the Rules Committee, is bringing this out in, also, a responsible fashion to deal with the disaster. We'll do it right, and we'll protect the American people in the process and their hard-earned taxpayer dollars.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. I thank the gentleman for yielding.

Mr. Speaker, I rise today in opposition to this rule. I heard comments over there from the chairman of the Rules Committee and others about how this was a fair rule and a fair process and how it's one nation under God and everybody trying to help everybody out, how they believe there's an opportunity for every Member to consider the matters that are in this bill.

That is simply not the reality that was expressed for the nine States that suffered from fishing quota failures and threats to their fishing that were declared disasters back in 2012, when the Commerce Department said that the fishery disaster in those nine States was leading to people losing their job and the collapse of an industry, one of the oldest and most historic industries in our country.

There was an opportunity for this bill to allow an amendment to be brought before the floor for a discussion about whether or not we ought not to do what the Senate did, which is put \$150 million in that bill specifically for those States, specifically to deal with that aspect of disaster and move forward with that relief.

This Rules Committee in this House decided that Members would not have the opportunity to take that vote. The Members in this House would not be able to work, Republicans and Democrats and Independents, to discuss a disaster that cut across at least nine

States, that dealt with people who were going to lose their job, lose their industry and shatter communities. Instead, they would do this on a partisan basis.

Although this was a bipartisan amendment that was proposed to the Rules Committee, and although every one of those communities that are in that disaster-declared area have Republicans and Democrats, and although they have mayors and Governors that are from both parties, the Rules Committee, on a straight party-line vote, decided that this Congress would not have the opportunity to even consider and debate and discuss and then vote on whether or not we would follow the path of the Senate and allow for \$150 million in disaster relief to those communities.

This is not acceptable. This is not acting like there is one country under God. This is not acting as if there is fairness and that every Member of this particular body is being allowed a voice to represent their constituents.

I think we should vote against this rule. I think we should allow for an amendment to be brought. We should have these amendments come to the floor and provide for an opportunity to debate and discuss and include in this disaster relief those people that are suffering the disaster in the fishing communities of our country.

Mr. COLE. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to my gentlewoman friend from New York (Mrs. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. I thank my colleague and good friend from New York for yielding and for her extraordinary leadership in this body.

I rise in support of the rule and the two underlying bills.

As a region, the Northeast should not be held to a different standard. The Northeast was there when other States were struck with disasters. We were there with the aid. We didn't delay. We didn't put roadblocks. We didn't put forward all types of requirements to be met. We voice voted. We moved swiftly.

The Northeast, which is suffering from the second worst natural disaster in the history of our great country, the residents there have been suffering for 2½ months. Over 2½ million people lost all their electricity; some still don't have it. We need the aid and we need it now so that we can start rebuilding.

The Northeast is important. These amendments are important, not only for this region, but for the entire country.

The New York metropolitan area produces an estimated 11 percent of our gross domestic product. The country is better off when our Nation's economic engine is working at 100 percent.

These three States pay 16 percent of the taxes of our great country, but

they can't produce if their subways are broken, if their schools are flooded, if the hospitals have been evacuated and the money is not there to help them rebuild. They can't produce. They can't be part of the great economic engine of this country.

I just plead with my colleagues not to have a double standard, not to vote tornado relief to Alabama, to Louisiana, to Mississippi, Missouri, with Ike, Gustav, Katrina, Rita, but when it comes to the Northeast with the second worst storm in the history of our country, to delay, delay, delay. We need the aid. We need it now. We need the entire package. You can't rebuild a subway station with one brick; you have to do the whole thing.

□ 1330

Mr. COLE. Mr. Speaker, I yield myself 30 seconds.

Again, I associate myself very much with the substance of the gentlelady from New York's remarks.

There's no question there's a disaster here. There's no question there needs to be aid. I do differ with the speed with which the House has dealt with this. Let's remember, it took 30 days for the affected areas to assess the damage themselves. It then took the administration an additional couple of weeks to assess that—appropriately so, in my opinion. It then took the United States Senate a considerable period of time to deliver us something—essentially on Christmas Eve, with a deadline coming.

The House has actually moved expeditiously here. We have the issue before us now, certainly no intention to delay.

Mr. Speaker, with that, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1½ minutes to the gentleman from New York (Mr. ISRAEL), my fellow New Yorker.

Mr. ISRAEL. I thank my very good friend and colleague from New York for the time.

Mr. Speaker, I rise in support of this rule.

It has been 80 days. For 80 days New Yorkers and other Americans have been waiting for help. Their businesses have been damaged, their homes have been damaged, their land has been damaged, their co-ops and condos have been damaged. They need the help.

It is one thing to be devastated by a weather storm; it is another thing to be devastated by a political storm. We need to put both storms behind us and move on and provide this help.

We have shown bipartisanship in my area, Mr. Speaker. The gentleman from New York (Mr. KING), a Republican, and I and other members of our delegation have worked with Governor Cuomo and Governor Christie and with Mayor Bloomberg to move forward, despite the politics and despite the political winds.

We have our two county executives from Long Island—County Executive Bellone and County Executive Mangano—in Washington today, with residents who are Democrats, Republicans, conservatives, liberals, and independents. This isn't about party; this is about solutions.

This is not the time for recriminations about what went wrong. It is the time for recovery, about how to get this right. This is not the time for partisan posturing. It is a time for solutions.

We are cautiously optimistic that in a few hours both the political storm and the weather storm will finally be behind us, that the help will come, the assistance will be provided, that all Americans will provide the help that we provide them when times get tough for them, and that people back home who are counting on us will get the help they need.

I thank the gentlewoman again.

Mr. COLE. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentle lady.

I rise in opposition to the rule.

From Cape Cod to Cape Ann, New Bedford to Newburyport, Massachusetts' fishing families are hurting. I, along with the gentlemen from Massachusetts, Congressman TIERNEY and Congressman KEATING, offered three amendments to this bill to restore disaster funding for fishermen in Massachusetts and around the country. And to those three amendments, the House Republicans said no, no, no.

The House Republicans have cut a lifeline to our struggling Massachusetts fishermen. The Republicans in Congress are telling Massachusetts fishermen to take a long walk off a short pier.

The economic disaster declared for parts of the New England fishery industry last year was in large part a result of the same forces that made Superstorm Sandy so damaging—the forces of climate change. It hit New York, it hit New Jersey, it hit Massachusetts.

Climate change is increasing temperatures; it's raising sea levels; it's strengthening storms. That means more stress on New England's iconic cod and other species.

I support getting help to the people of New Jersey and New York and Connecticut, but we cannot forget the other Americans who suffered last year. The fishermen of Massachusetts, the fishermen of our country cannot be forgotten. This bill says no to them, no to their needs. I urge a "no" vote on the rule.

Mr. COLE. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I'd like to inform my colleague I have no further requests for time and I am prepared to close.

Mr. COLE. I am prepared to close as well.

Ms. SLAUGHTER. Mr. Speaker, this process that has led us up to this point has been distressing. Indeed, this Congress has failed time and again to really look at what's happening here, and that is climate change. Because of that, and our inability to deal with it, there will be more and more disasters. We must be prepared for them in the future and not hold any area of the State up for 90 days to try to get the help for them that they require and that they need—80 days, actually, to be perfectly accurate.

I urge my colleagues to stop the political games today. Let's pass a bill that is free of unnecessary amendments and get the aid into the hands of those who need it most, those who have suffered the most.

As many of my colleagues have said, it's not just the Northeast that suffers. When an area that large and that populated suffers, the Nation suffers.

I yield back the balance of my time.

Mr. COLE. Mr. Speaker, in closing, I'd like to say that I believe we've had a good debate on the rule. I believe the importance and timeliness of this legislation couldn't be more self-evident.

This bill has been carefully crafted and worked in a way to ensure that those Americans in need can access the resources necessary to begin the rebuilding process. This rule has brought this issue in a manner which allows this body to consider it responsibly and thoughtfully, but quickly.

Personally, I want to add that I hope every Member reflects on the situation of our fellow Americans in the Northeast. There's no question they've been overtaken by a disaster of historic importance. They've been there for us in the past; we certainly need to be there for them today.

Each Member ought to recognize at some point his or her area will be hit by some disaster, and they will be here seeking support. So I would ask that they consider this request from our fellow Americans in the Northeast in the same way they would want their requests considered at the appropriate and necessary time for them.

To close, I would urge my colleagues to support this rule and the underlying legislation.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

Mr. WAXMAN. Mr. Speaker, I rise in opposition to the rule. It continues the absurd denial of climate change that has blinded the House for the last two years.

This bill directs the Army Corps of Engineers to study the vulnerability of these coastal populations to future flood risks. I submitted a sensible amendment to the Rules Com-

mittee. My amendment would have required the Corps to consider projected sea level rise from climate change. With scientific consensus that sea levels are rising rapidly due to human-caused climate change, it would be nonsensical to ignore this critical factor.

But this rule does not make my amendment in order. Apparently, it is taboo to mention the words "climate change" in this body.

This is the height of irresponsibility. We have a very short window to act. And if we don't, storms like Sandy will grow in frequency and intensity.

We have a moral obligation to protect the planet for our children. That is why my amendment should have been made in order.

Ms. MENG. Mr. Speaker, I strongly support the H.R. 152, made in order by this rule. But the rule itself is flawed. It allows amendments that would negatively impact the middle class. We should not offset disaster aid by cutting funding for veterans, food safety and education.

I am also disappointed that the Committee did not make in order an amendment I proposed, or a similar amendment offered by my new Colleague CHRIS SMITH, that would help churches, synagogues, mosques and other houses of worship recover from the destruction left by Hurricane Sandy.

These amendments would have given houses of worship the same chance for aid that other private nonprofit facilities receive. Superstorm Sandy was an exceptionally rare event with immense destructive force, and these establishments provided extraordinary service to the community during the hurricane. It would be unfair not to give them FEMA support and an opportunity to rebuild.

Because of the severe crisis experienced by Queens and the rest of New York, houses of worship should be able to receive the same consideration for aid that other private nonprofits do.

I am grateful that the Committee is allowing us to consider the Frelinghuysen amendment, which would provide thirty-three billion dollars in much needed aid to the states devastated by Sandy. I urge my colleagues to support the Frelinghuysen amendment and to support H.R. 152 on final passage.

Mr. BISHOP of New York. Mr. Speaker, I thank my friend, colleague and fellow New Yorker for yielding time. I'd also like to thank Representatives LOWEY and KING for their leadership; and I commend my colleagues in the New York and New Jersey delegations on both sides of the aisle for working so well together to advance the interests of our states at this critical time. I rise to support the rule and urge my colleagues to support H.R. 152, and the Frelinghuysen Amendment, and to oppose the Mulvaney Amendment.

It has been two-and-a-half months since Superstorm Sandy hit communities in New York, New Jersey, and neighboring states which continue to face the almost insurmountable task of cleaning up and rebuilding homes, businesses, and lives. I'm grateful we finally have the opportunity to consider a relief package to help those who are most in need.

On the eastern half of Long Island, businesses, farms, and homes fell victim to intense flooding; ferocious winds caused substantial damage to property, vehicles, and

businesses; and along the coast, Sandy created breaches in the coastline and severely eroded other beaches. In New York and New Jersey, at least 651,000 homes were damaged or destroyed and approximately 463,000 businesses were impacted.

I must observe this has been a painfully protracted process; it is a fact that what we've tried to accomplish for the last two-and-a-half months had once been considered a common-sense, bipartisan response to natural disasters. And the calls for offsets and a slower pace of funding in the wake of natural disasters are a recent phenomenon, even though previous Congresses quickly supported measures that provided relief to affected states.

For example, within two weeks of Hurricane Katrina, Congress provided \$70 billion in disaster funding to the Gulf Coast with great bipartisan support, and with virtually no discussion about how to pay for it. Congress recognized this was a major disaster, people were hurting, and it had to act to alleviate the suffering.

Congress, with bipartisan support, continued to appropriate emergency funds for various Katrina projects and activities totaling \$120 billion, all without payfors. For example, Congress funded \$1 billion to build a retractable seawall to protect New Orleans from rising storm surge. And it approved \$14 billion to rebuild and upgrade critical flood prevention infrastructure to minimize, or mitigate, the risk of such devastation occurring again. Why do New York and New Jersey deserve less urgency? And why are mitigation projects for New Orleans considered prudent, and mitigation projects for New York and New Jersey characterized as pork?

Mr. Speaker, our states are not asking for anything more than help to get back on their feet and rebuild. We are asking for nothing more than to respond to this disaster as we have for Hurricane Katrina and other natural disasters that have wrought damage upon fellow Americans. I urge my colleagues to support this package without any damaging amendments.

Mr. HOLT. Madam Chair, I rise in support of the Disaster Relief Act. This bill brings much needed aid to the residents of central New Jersey.

I am concerned that several amendments to H.R. 152 would impair the ability of money in the bill to be spent wisely. The amended bill includes a provision that would block funding that enables coastal communities to develop mitigation plans for future hurricanes and other severe weather events. We should not be limiting NOAA's ability to forecast and respond to hurricanes in an emergency appropriations bill that is designed to respond to a hurricane.

I intended to offer to H.R. 152 an amendment that would have lifted the \$250,000 cap on Community Development Block Grant Funds (CDBG) that can be used by towns and municipalities to finance critically need infrastructure projects. There are towns in my district that would benefit from upgrades to existing flood management infrastructure, yet are unable to afford the costs associated with these projects. Unfortunately, my amendment was not made in order by the House Leadership.

While I support strongly passage of H.R. 152, I want to reiterate that our fellow citizens

affected by Hurricane Sandy have already waited far too long for help from Congress. In other natural disasters, such as Hurricane Katrina, Congress acted swiftly, and aid reached those in need. And yet, the 112th Congress adjourned before passing a much-needed disaster relief package. The Senate had already acted to pass a well-constructed aid package bill. The only reason that this bill is not law today is that House leadership refused to act.

This devastating storm has left many people hurting in many different ways—shopkeepers, homeowners, fishermen, hotel and restaurant owners—and has damaged the entire economy. H.R. 152 responds to this variety of needs and concerns. I urge my colleagues to support the bill.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 293, nays 127, not voting 12, as follows:

[Roll No. 11]

YEAS—293

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barton
Benish
Bentivolio
Billirakis
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Bustos
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Castro (TX)
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Conyers
Cook

Cotton
Courtney
Cramer
Crawford
Crowley
Cuellar
Culberson
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
Delaney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dingell
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Engel
Enyart
Eshoo
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Forbes
Fortenberry
Foster
Foxy
Franks (AZ)
Frelinghuysen
Gabbard
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar

Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hahn
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly
King (IA)
King (NY)
Kinzinger (IL)
Kline
Kuster
Labrador

LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Loeb
Long
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Lummis
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCarthy (NY)
McCauley
McClintock
McCollum
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Nadler
Negrete McLeod
Neugebauer
Noem
Nugent
Nunes
Nunnelee

O'Rourke
Olson
Owens
Palazzo
Pallone
Pascarella
Pastor (AZ)
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quigley
Radel
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Rush
Ryan (WI)
Salmon
Sánchez, Linda T.
Scalise
Schneider
Schock
Schweikert
Scott, Austin
Scott, David

NAYS—127

Fattah
Frankel (FL)
Fudge
Gallego
Garamendi
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Holt
Honda
Horsford
Hoyer
Huffman
Johnson, E. B.
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loftgren
Lowenthal
Lujan, Ben Ray (NM)
Lynch
Markey
Matsui
McDermott
McGovern
McNerney
Meeks

Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Vargas
Vela
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

Michaud
Miller, George
Moore
Murphy (FL)
Neal
Nolan
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Rahall
Richmond
Roybal-Allard
Ruppersberger
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Veasey
Velázquez
Wasserman
Schultz

Waters	Waxman	Wilson (FL)	Gallego	Lujan Grisham	Roskam	Gutierrez	Markey	Polis
Watt	Welch	Yarmuth	Garamendi	(NM)	Ross	Hinojosa	Matheson	Roybal-Allard
			Garcia	Lummis	Rothfus	Holt	Matsui	Shea-Porter
			Gardner	Maffei	Royce	Huffman	McClintock	Smith (WA)
Brown (FL)	Flores	Moran	Gerlach	Maloney,	Ruiz	Johnson, E. B.	McGovern	Tierney
Costa	Jackson Lee	Napolitano	Gibbs	Carolyn	Runyan	Keating	McNerney	Van Hollen
Crenshaw	Kingston	Schwartz	Gibson	Maloney, Sean	Ruppersberger	Kennedy	Michaud	Velázquez
Emerson	Kirkpatrick	Speier	Gingrey (GA)	Marchant	Rush	Langevin	Neal	Wasserman
			Gohmert	Marino	Ryan (OH)	Lee (CA)	Pastor (AZ)	Schultz
			Goodlatte	Massie	Ryan (WI)	Lujan, Ben Ray	Perlmutter	Waxman
			Gosar	McCarthy (CA)	Salmon	(NM)	Peters (CA)	Welch
			Gowdy	McCarthy (NY)	Sánchez, Linda	Lynch	Pingree (ME)	Yarmuth
			Granger	McCaul	T.			
			Graves (GA)	McCollum	Sanchez, Loretta			
			Graves (MO)	McDermott	Sarbanes			
			Grayson	McHenry	Scalise			
			Green, Al	McIntyre	Schakowsky			
			Griffin (AR)	McKeon	Schiff			
			Griffith (VA)	McKinley	Schneider			
			Grimm	McMorris	Schock			
			Guthrie	Rodgers	Schrader			
			Hahn	Meadows	Schweikert			
			Hall	Meehan	Scott (VA)			
			Hanabusa	Meeks	Scott, Austin			
			Hanna	Meng	Scott, David			
			Harper	Messer	Sensenbrenner			
			Harris	Mica	Serrano			
			Hartzler	Miller (FL)	Sessions			
			Hastings (FL)	Miller (MI)	Sewell (AL)			
			Hastings (WA)	Miller, Gary	Sherman			
			Heck (NV)	Miller, George	Shimkus			
			Heck (WA)	Moore	Shuster			
			Hensarling	Moran	Simpson			
			Herrera Beutler	Mullin	Sinema			
			Higgins	Mulvaney	Sires			
			Himes	Murphy (FL)	Slaughter			
			Holding	Murphy (PA)	Smith (NE)			
			Honda	Nadler	Smith (NJ)			
			Horsford	Negrete McLeod	Smith (TX)			
			Hoyer	Neugebauer	Southerland			
			Hudson	Noem	Stewart			
			Huelskamp	Nolan	Stivers			
			Huizenga (MI)	Nugent	Stockman			
			Hultgren	Nunes	Stutzman			
			Hunter	Nunnelee	Swalwell (CA)			
			Hurt	O'Rourke	Takano			
			Israel	Olson	Terry			
			Issa	Owens	Thompson (CA)			
			Jeffries	Palazzo	Thompson (MS)			
			Jenkins	Pallone	Thompson (PA)			
			Johnson (GA)	Pascarell	Thornberry			
			Johnson (OH)	Paulsen	Tiberi			
			Johnson, Sam	Payne	Tipton			
			Jones	Pearce	Titus			
			Jordan	Pelosi	Tonko			
			Joyce	Perry	Tsongas			
			Kaptur	Peters (MI)	Turner			
			Kelly	Peterson	Upton			
			Kildee	Petri	Valadao			
			Kilmer	Pittenger	Vargas			
			Kind	Pitts	Veasey			
			King (IA)	Pocan	Vela			
			King (NY)	Poe (TX)	Visclosky			
			Kinzinger (IL)	Pompeo	Wagner			
			Kline	Posey	Walberg			
			Kuster	Price (GA)	Walden			
			Labrador	Price (NC)	Walorski			
			LaMalfa	Quigley	Walz			
			Lamborn	Radel	Waters			
			Lance	Rahall	Watt			
			Lankford	Rangel	Weber (TX)			
			Larsen (WA)	Reed	Webster (FL)			
			Larson (CT)	Reichert	Wenstrup			
			Latham	Renacci	Westmoreland			
			Latta	Ribble	Whitfield			
			Levin	Rice (SC)	Williams			
			Lewis	Richmond	Wilson (FL)			
			Lipinski	Rigell	Wilson (SC)			
			LoBiondo	Roby	Wittman			
			Loeb sack	Roe (TN)	Wolf			
			Lofgren	Rogers (AL)	Womack			
			Long	Rogers (KY)	Woodall			
			Lowenthal	Rogers (MI)	Yoder			
			Lowey	Rohrabacher	Yoho			
			Lucas	Rokita	Young (AK)			
			Luetkemeyer	Rooney	Young (FL)			
				Ros-Lehtinen				

NOT VOTING—12

Brown (FL)	Flores	Moran
Costa	Jackson Lee	Napolitano
Crenshaw	Kingston	Schwartz
Emerson	Kirkpatrick	Speier

□ 1359

Messrs. TAKANO, NOLAN, HASTINGS of Florida, KENNEDY, PAYNE, Ms. ESTY, and Ms. CLARKE changed their vote from “yea” to “nay.”

Messrs. PASTOR of Arizona, COURTNEY, HIMES, CONYERS, NADLER, RANGEL, Ms. ESHOO, and Ms. MCCOLLUM changed their vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mrs. NAPOLITANO. Mr. Speaker, on Tuesday, January 15, 2013, I was absent during rollcall vote No. 11 due to a death in my family. Had I been present, I would have voted “nay” on ordering the previous question on H. Res. 23, providing for consideration of the bill (H.R. 152) making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 367, nays 52, not voting 13, as follows:

[Roll No. 12]

YEAS—367

Aderholt	Calvert	DelBene
Alexander	Camp	Denham
Amash	Campbell	Dent
Amodel	Cantor	DeSantis
Andrews	Capito	DesJarlais
Bachmann	Cardenas	Deutch
Bachus	Carter	Diaz-Balart
Barber	Cartwright	Dingell
Barletta	Cassidy	Doggett
Barr	Castor (FL)	Doyle
Barton	Chabot	Duckworth
Bass	Chaffetz	Duffy
Beatty	Cicilline	Duncan (SC)
Becerra	Clarke	Duncan (TN)
Benishek	Cleaver	Edwards
Bentivolio	Clyburn	Ellison
Bilirakis	Coble	Ellmers
Bishop (GA)	Coffman	Engel
Bishop (NY)	Cohen	Enyart
Bishop (UT)	Cole	Eshoo
Black	Collins (GA)	Esty
Blackburn	Collins (NY)	Farenthold
Blumenauer	Conaway	Fattah
Bonamici	Connolly	Fincher
Bonner	Conyers	Fitzpatrick
Boustany	Cotton	Fleischmann
Brady (PA)	Courtney	Fleming
Brady (TX)	Cramer	Flores
Bridenstine	Crawford	Forbes
Brooks (AL)	Crowley	Fortenberry
Brooks (IN)	Cuellar	Foster
Brown (GA)	Culberson	Fox
Buchanan	Daines	Frankel (FL)
Bucshon	Davis (CA)	Franks (AZ)
Burgess	Davis, Danny	Frelinghuysen
Bustos	Delaney	Fudge
Butterfield	DeLauro	Gabbard

NAYS—52

Barrow	Carney	Cummings
Bera	Carson (IN)	DeFazio
Braley (IA)	Castro (TX)	DeGette
Brownley (CA)	Chu	Farr
Capps	Clay	Green, Gene
Capuano	Cooper	Grijalva

NOT VOTING—13

Brown (FL)	Emerson	Napolitano
Cook	Garrett	Schwartz
Costa	Jackson Lee	Speier
Crenshaw	Kingston	
Davis, Rodney	Kirkpatrick	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote) (Mrs. CAPITO). There is 1 minute remaining.

□ 1408

Messrs. KEATING and LYNCH changed their vote from “yea” to “nay.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. RODNEY DAVIS of Illinois. Madam Speaker, on rollcall No. 12, I was unavoidably detained. Had I been present, I would have voted “yea.”

Stated against:

Mrs. NAPOLITANO. Madam Speaker, on Tuesday, January 15, 2013, I was absent during rollcall vote No. 12 due to a death in my family. Had I been present, I would have voted “nay” on agreeing to the resolution H. Res. 23, providing for consideration of the bill (H.R. 152) making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes.

MOTION TO ADJOURN

Mr. ELLISON. Madam Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. ELLISON. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 0, noes 419, not voting 13, as follows:

[Roll No. 13]

NOES—419

Aderholt	Beatty	Bonner
Alexander	Becerra	Boustany
Amash	Benishek	Brady (PA)
Amodel	Bentivolio	Brady (TX)
Andrews	Bera	Braley (IA)
Bachmann	Bilirakis	Bridenstine
Bachus	Bishop (GA)	Brooks (AL)
Barber	Bishop (NY)	Brooks (IN)
Barletta	Bishop (UT)	Brown (GA)
Barr	Black	Brownley (CA)
Barrow	Blackburn	Buchanan
Barton	Blumenauer	Bucshon
Bass	Bonamici	Burgess

Bustos
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Clever
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Cotton
Courtney
Cramer
Crawford
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Fox
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallo
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs

Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutiérrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loeb
Loebach
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lummis
Lynch

Maffei
Maloney,
Carolyn
Maloney, Sean
Marchant
Marino
Markley
Massie
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
Matsui
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meadows
Meehan
Meeks
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Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
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Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
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Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney

Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda
T.
Sanchez, Loretta
Santorum
Scalise
Schakowsky
Schiff
Schneider
Schock
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus

Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey

Brown (FL)
Costa
Crenshaw
Emerson
Fattah

Jackson Lee
Kingston
Kirkpatrick
Larson (CT)
Napolitano

Schrader
Schwartz
Speier

NOT VOTING—13

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (Mr. POE of Texas) (during the vote). There are 2 minutes remaining.

□ 1424

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mrs. NAPOLITANO. Mr. Speaker, on Tuesday, January 15, 2013, I was absent during rollcall vote No. 13 due to a death in my family. Had I been present, I would have voted "no" on the motion to adjourn.

DISASTER RELIEF
APPROPRIATIONS ACT, 2013

GENERAL LEAVE

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the consideration of H.R. 152, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 23 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 152.

The Chair appoints the gentlewoman from West Virginia (Mrs. CAPITO) to preside over the Committee of the Whole.

□ 1429

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 152) making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes, with Mrs. CAPITO in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Kentucky (Mr. ROGERS) and the gentlewoman from New York (Mrs. LOWEY) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Madam Chairman, I yield myself such time as may consume.

Madam Chairman, I rise to present legislation providing emergency supplemental funding for Hurricane Sandy relief and recovery. The base bill totals \$17 billion in crucial funding to meet immediate needs for the victims, businesses, and communities devastated by Hurricane Sandy.

Since this terrible storm hit, we've come to realize that recovery is going to take months and years, not days and weeks. This legislation puts the region on the path to recovery by providing the aid needed for immediate relief. We are also analyzing the justifications for further financial aid for long-term relief that would come in a later supplemental or a regular appropriations bill.

A significant portion of the funding in this bill will go to the most direct source of relief and recovery funding available to the victims of the storm, the FEMA disaster relief fund, which will provide individual and community assistance throughout the affected region. The bill also will support critical housing and infrastructure needs, ensure repairs to damaged veterans medical facilities, and help keep the economy moving by funding necessary transit repairs, small business loans, and recovery aid for businesses of all sizes.

My committee thoroughly examined the emergency request, listened to the needs of the people in the region, and assessed the most pressing needs to determine the funding levels made in this bill. We crafted this legislation responsibly, giving the administration's request and the Senate-passed bill a hard scrub to eliminate unnecessary spending. We have removed objectionable provisions added by the Senate and have adjusted funding levels to make the best use of taxpayer dollars. As we know, we face precarious fiscal times, and it is essential that Congress make responsible decisions to ensure efficient and effective spending.

Taking cues from previous efforts, we have included important oversight measures to prevent abuse and ensure that Federal agencies are using these funds effectively and appropriately.

This is not the first major natural disaster nor unfortunately will it be the last. One of the great attributes of the American people has been our ability and willingness to come together

time and time again to help victims of catastrophes recover. We've seen the havoc that Sandy has wrought on the residents of our Northeast region, and

it is once again our duty to help our people get back on their feet.

I urge our colleagues to support this legislation, and I reserve the balance of my time.

DISASTER RELIEF APPROPRIATIONS ACT, 2013

(Amounts in thousands)

	Budget request	Bill	Bill vs. Request
TITLE I			
DEPARTMENT OF AGRICULTURE			
Office of the Secretary			
Emergency Conservation Program (emergency)	15,000	— — —	— 15,000
Domestic Food Programs			
Food and Nutrition Services:			
Commodity Assistance Program (emergency)	6,000	6,000	— — —
Corporations			
Commodity Credit Corporation Fund (emergency)	23,000	— — —	— 23,000
Conservation Programs			
Natural Resources Conservation Service:			
Watershed and Flood Prevention Operations (emerg.)	180,000	— — —	— 180,000
Total, title I	224,000	6,000	— 218,000
TITLE II			
DEPARTMENT OF COMMERCE			
National Oceanic and Atmospheric Administration			
Operations, Research and Facilities (emergency)	393,000	— — —	— 393,000
Procurement, Acquisition and Construction (emergency)	100,000	— — —	— 100,000
Total, Department of Commerce	493,000	— — —	— 493,000
DEPARTMENT OF JUSTICE			
General Administration			
Office of Inspector General (emergency)	20	— — —	— 20
Federal Bureau of Investigation			
Salaries and Expenses (emergency)	4,000	— — —	— 4,000
Drug Enforcement Administration			
Salaries and Expenses (emergency)	1,000	— — —	— 1,000
Bureau of Alcohol, Tobacco, Firearms, and Explosives			
Salaries and Expenses (emergency)	230	— — —	— 230
Federal Prison System			
Buildings and Facilities (emergency)	10,000	— — —	— 10,000
Total, Department of Justice	15,250	— — —	— 15,250
SCIENCE			
National Aeronautics and Space Administration			
Construction and Environmental Compliance and Restoration (emergency)	4,000	— — —	— 4,000
RELATED AGENCIES			
Payment to the Legal Services Corporation			
Payment to the Legal Services Corporation (emergency)	1,000	— — —	— 1,000
Total, title II	513,250	— — —	— 513,250
TITLE III			
DEPARTMENT OF DEFENSE			
Operation and Maintenance			
Operation and Maintenance, Army (emergency)	5,370	— — —	— 5,370
Operation and Maintenance, Navy (emergency)	41,200	— — —	— 41,200
Operation and Maintenance, Air Force (emergency)	8,500	— — —	— 8,500
Operation and Maintenance, Army National Guard (emergency)	3,165	— — —	— 3,165
Operation and Maintenance, Air National Guard (emergency)	5,775	— — —	— 5,775
Total, Operation and Maintenance	64,010	— — —	— 64,010
PROCUREMENT			
Procurement of Ammunition, Army (emergency)	1,310	— — —	— 1,310
REVOLVING AND MANAGEMENT FUNDS			
Defense Working Capital Funds (emergency)	24,200	— — —	— 24,200
Total, title III	89,520	— — —	— 89,520
TITLE II			
DEPARTMENT OF THE ARMY			
Corps of Engineers—Civil			
Investigations (emergency)	30,000	20,000	— 10,000
Construction (emergency)	3,829,000	9,000	— 3,820,000
Operation and maintenance (emergency)	899,000	742,000	— 157,000
Flood Control and Coastal Emergencies (emergency)	592,000	582,000	— 10,000
Total, title II	5,350,000	1,353,000	— 3,997,000
TITLE III			
GENERAL SERVICES ADMINISTRATION			
Federal Buildings Fund			
Repairs and Alterations (emergency)	7,000	— — —	— 7,000
SMALL BUSINESS ADMINISTRATION			
Salaries and Expenses (emergency)	50,000	10,000	— 40,000
Office of Inspector General (emergency)	5,000	1,000	— 4,000
Disaster Loans Program Account:			
Direct loan subsidy(emergency)	500,000	100,000	— 400,000
Administrative Expenses (emergency)	250,000	50,000	— 200,000
Total, Disaster Loans Program Account	750,000	150,000	— 600,000
Total, Small Business Administration	805,000	161,000	— 644,000
Total, title III	812,000	161,000	— 651,000

DISASTER RELIEF APPROPRIATIONS ACT, 2013—Continued

(Amounts in thousands)

	Budget request	Bill	Bill vs. Request
TITLE IV			
DEPARTMENT OF HOMELAND SECURITY			
Salaries and Expenses (emergency) Customs and Border Protection	2,402	— —	— 2,402
Salaries and Expenses (emergency) Immigration and Customs Enforcement	855	— —	— 855
Operating Expenses (emergency) United States Coast Guard	66,844	— —	— 66,844
Acquisitions, Construction and Improvements (emergency)	207,389	143,899	— 63,490
Total, United States Coast Guard	274,233	143,899	— 130,334
Salaries and Expenses (emergency) United States Secret Service	300	— —	— 300
Disaster Relief Fund (disaster category) Federal Emergency Management Agency	5,379,000	5,379,000	— —
Disaster Relief Fund (emergency)	6,121,000	— —	— 6,121,000
Total, Disaster Relief Fund	11,500,000	5,379,000	— 6,121,000
National Flood Insurance Fund (emergency)	9,700,000	— —	— 9,700,000
Disaster Assistance Direct Loan Program Account:			
Direct loan subsidy (emergency)	300,000	— —	— 300,000
Total, Federal Emergency Management Agency	21,500,000	5,379,000	— 16,121,000
Research, Development, Acquisition and Operations (emergency) Science and Technology	3,249	585	— 2,664
Systems Acquisition (emergency) Domestic Nuclear Detection Office	3,869	3,869	— —
Total, title IV	21,784,908	5,527,353	— 16,257,555
TITLE V			
DEPARTMENT OF THE INTERIOR			
Construction (emergency) United States Fish and Wildlife Service	78,000	49,875	— 28,125
Resource Management (emergency)	400,000	— —	— 400,000
Total, United States Fish and Wildlife Service	478,000	49,875	— 428,125
Construction (emergency) National Park Service	348,000	234,000	— 114,000
Oil Spill Research (emergency) Bureau of Safety and Environmental Enforcement	3,000	3,000	— —
ENVIRONMENTAL PROTECTION AGENCY			
Environmental Programs and Management (emergency)	725	— —	— 725
Hazardous Substance Superfund (emergency)	2,000	— —	— 2,000
Leaking Underground Storage Tank Trust Fund (emergency)	5,000	— —	— 5,000
State and Tribal Assistance Grants (emergency)	610,000	— —	— 610,000
Total, Environmental Protection Agency	617,725	— —	— 617,725
DEPARTMENT OF AGRICULTURE			
Capital Improvement and Maintenance (emergency) Forest Service	4,400	— —	— 4,400
SMITHSONIAN INSTITUTION			
Salaries and Expenses (emergency)	2,000	— —	— 2,000
Total, title V	1,453,125	286,875	— 1,166,250
TITLE VI			
DEPARTMENT OF HEALTH AND HUMAN SERVICES			
Public Health and Social Services Emergency Fund (emergency) Office of the Secretary	200,000	100,000	— 100,000
DEPARTMENT OF LABOR			
Training and Employment Services (emergency)	50,000	— —	— 50,000
RELATED AGENCIES			
Limitation on Administration Expenses (emergency) Social Security Administration	2,000	— —	— 2,000
Limitation on Administration Expenses (emergency)	— —	(2,000)	(+2,000)
Social Services Block Grant (emergency) Administration for Children and Families	500,000	— —	— 500,000
Children and family services programs (emergency)	100,000	— —	— 100,000
Total, Social Security Administration	602,000	— —	— 602,000
Total, title VI	852,000	100,000	— 752,000
TITLE VII			
DEPARTMENT OF DEFENSE			
Military Construction, Army National Guard (emergency) Military Construction	24,235	24,235	— —
DEPARTMENT OF VETERANS AFFAIRS			
Medical Services (emergency) Veterans Health Administration	21,000	21,000	— —
Medical Facilities (emergency)	6,000	6,000	— —
Total, Veterans Health Administration	27,000	27,000	— —
National Cemetery Administration (emergency) Departmental Administration	1,100	1,100	— —
Information Technology Systems (emergency)	531	531	— —
Construction, Major Projects (emergency)	207,000	207,000	— —
Total, Departmental Administration	208,631	208,631	— —
Total, Department of Veterans Affairs	235,631	235,631	— —
Total, title VII	259,866	259,866	— —
TITLE VIII			
DEPARTMENT OF TRANSPORTATION			
Facilities and Equipment (emergency) Federal Aviation Administration	30,000	14,600	— 15,400

DISASTER RELIEF APPROPRIATIONS ACT, 2013—Continued
(Amounts in thousands)

	Budget request	Bill	Bill vs. Request
Federal Highway Administration			
Emergency Relief Program (emergency)	308,000	— — —	— 308,000
Federal Railroad Administration			
Operating Subsidy Grants to the National Railroad Passenger Corporation (emergency)	32,000	32,000	— — —
Federal Transit Administration			
Public Transportation Emergency Relief Program (emergency)	11,700,000	5,400,000	— 6,300,000
Total, Department of Transportation	12,070,000	5,446,600	— 6,623,400
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT			
Community Planning and Development			
Community Development Fund (emergency)	17,000,000	3,850,000	— 13,150,000
Total, title VIII	29,070,000	9,296,600	— 19,773,400
GRAND TOTAL	60,408,669	16,990,694	— 43,417,975

Mrs. LOWEY. Madam Chair, I rise in strong support of this bill, and I want to thank Chairman ROGERS and Chairman FRELINGHUYSEN for taking the lead on this very important legislation.

I rise in strong support of the underlying bill, with the addition of the Frelinghuysen amendment, which will help families, businesses, and communities affected by Sandy recover and rebuild.

In the 79 days that have passed since Superstorm Sandy caused such destruction, I have worked with colleagues on both sides of the aisle, with Governors Cuomo and Christie, Chairman ROGERS, Mr. KING of New York, Mr. FRELINGHUYSEN, and all of our colleagues from affected States to provide long overdue assistance to our region.

Sandy devastated much of the Northeast and is one of the costliest natural disasters in our Nation's history. One hundred ten Americans lost their lives, 8.1 million homes were without power, beaches across New York and New Jersey were destroyed, and more than 650,000 homes were damaged beyond repair.

Sandy ground regional commerce to a halt by making tunnels and other transportation networks impassable. Two hundred sixty-five thousand businesses in New York alone were severely affected by Sandy, costing jobs, paychecks, and billions lost in economic output.

There is no excuse for the House not passing the Senate bill last Congress, but I am very pleased that the first order of business in the 113th Congress may be passing this emergency disaster relief package.

Along with the \$9.7 billion flood insurance bill the House passed 2 weeks ago, the Rogers and Frelinghuysen amendments would provide \$60 billion of the \$80 billion in needs identified by our Governors. There are a number of provisions I would like to highlight: \$16 billion for community development block grants to help communities and businesses rebuild; \$13 billion to repair and harden transportation infrastructure; \$5.35 billion to repair damages and bolster Army Corps projects to protect against costly future disasters; \$11.5 billion for the FEMA disaster re-

lief fund, which not only helps provide public assistance in the Northeast but also allows FEMA to continue helping victims of other disasters; \$780 million to help businesses open their doors through SBA loans; and \$800 million for Health and Human Services initiatives, including repairing Head Start centers and biomedical research facilities.

While I strongly support it, the package is still not perfect. It does not fully fund the administration's request for community development block grants, does not include superior Senate language on the flexibility and cost share of Army Corps projects, and limits funding for health facilities that lost tens of millions of dollars due to the storm.

Finally, opponents of the legislation who claim that the bill is riddled with so-called "pork" and unnecessary provisions are just plain wrong. Frankly, anyone who has really read the bill knows there are no earmarks, and those who have toured the damage know that aid is desperately needed.

My colleagues, there were 146 major disaster declarations in the last 2 years. There isn't a region of the country immune to catastrophe. This package was written with the core belief that when one region suffers destruction by a natural disaster, Americans are proud to help their fellow citizens recover and rebuild. It is imperative that we support this package today and reject amendments that weaken the bill and prevent the region from recovering as quickly as possible.

Madam Chair, I reserve the balance of my time.

Mr. ROGERS of Kentucky. Madam Chairman, I yield 3 minutes to the gentleman from New Jersey, a member of our committee who has been unceasing in his efforts to aid the people of his home region, Mr. FRELINGHUYSEN.

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

Madam Chair, at the onset I want to thank the leadership for helping to bring this important legislation to the floor. I also want to thank Chairman HAL ROGERS and the Appropriations Committee for their assistance. One of the untold chapters of this post-Sandy story has been the hard work of the

chairman and his staff in preparing both his amendment and mine, which follows. Most importantly, I want to thank the chairman for his eloquent statement in the Rules Committee last night. His heartfelt recognition of the hardship and misery suffered by our constituents in the Northeast meant a great deal to me personally and to our New Jersey, New York, and Connecticut delegations.

I also want to offer some words of appreciation to my colleagues from New Jersey and New York. Their bipartisan diligence and dedication and that of our staffs over the past several weeks should make all of our constituents proud. And then there is Governor Christie, my constituent from Morris County, whose tireless work has helped us get to this day and will help us get this bill across the finish line.

□ 1440

As he always does, he put a very human face on the devastation suffered by families and communities in New Jersey and our neighbors in New York and Connecticut.

My colleagues, people are hurting this afternoon in New Jersey, New York, and Connecticut and other areas of the Northeast. The suffering and damage are real and their needs are great. According to many estimates, New Jersey, New York, Connecticut, and the rest of the east coast sustained nearly \$100 billion worth of damage.

The destruction is staggering. 346,000 household units were damaged in New Jersey alone. Tens of thousands of our fellow Americans are still displaced from their homes and their apartments. Municipalities are struggling to provide services. Many are still under emergency declarations, and some municipalities are not habitable. Small businesses are decimated. Many small business men and women are trying to decide whether they can survive and keep their employees on the payroll.

Madam Chairman, the area damaged by Hurricane Sandy represents roughly 10 percent of our Nation's economy. It makes good sense, economic and fiscal, to get our region back on its feet as soon as it can.

I urge support of the Rogers amendment and the Frelinghuysen amendment. Without these vital measures, our constituents in the Northeast face nothing but more delay, more uncertainty, more unemployment, and more misery.

Mrs. LOWEY. I am very pleased to yield 2 minutes to the distinguished minority whip, Mr. HOYER, who was extremely helpful to all of us on both sides of the aisle in bringing the bill to the floor today.

Mr. HOYER. I thank the ranking member, Mrs. LOWEY, and I thank Mr. ROGERS for his work, as well, on bringing this bill to the floor.

I rise not only in support of the chairman's mark at \$17 billion, but also for the Frelinghuysen amendment. I think both of these together meet our responsibilities in responding to one of the most historic and damaging storms to hit the country—not only the Northeast, but the country.

People throughout New York, New Jersey, Connecticut, and the whole mid-Atlantic region are still struggling to pick up the pieces after the most devastating storm in years, and Congress has a duty to help. As I've said before, it's never too late to do the right thing. I thought we might do this previously, but now is a good time to act, and hopefully today we will act.

Earlier this month, we took action to help ensure that flood insurance benefits will be available for those still recovering from Sandy. Today, however, we must finish our work and take action on the comprehensive aid package that communities in the Northeast need to rebuild.

This is not a moment for partisan difference or gimmicks. Amending these relief bills will make it harder to get aid to those who need it as soon as possible. The American people, especially those impacted by Sandy, will not look kindly on such delay.

Congress appropriated \$62.3 billion in emergency relief less than 2 weeks after Hurricane Katrina struck New Orleans and the gulf coast in 2005. I voted for that; that was the right thing to do. As it was then, it is now the right thing to do. There's no reason why the people of New York, New Jersey, and affected areas should have to wait any longer.

This is a bipartisan effort. When Americans are in trouble, in pain, at risk, we respond, not as Republicans, not as Democrats, but as Americans, to their needs.

We must pass these relief bills. So I urge my colleagues on both sides to oppose any amendments that diminish our ability to provide this much-needed assistance. Only by setting party aside and coming together as fellow Americans and fellow Representatives can we achieve this goal.

I urge all my colleagues, not only on my side of the aisle, but on the other

side of the aisle, to join together to make sure that the relief necessary is given this day to this region for this storm.

Mr. ROGERS of Kentucky. Madam Chairman, I yield 2 minutes to the distinguished gentleman from Florida (Mr. YOUNG), the chairman of the Defense Subcommittee on Appropriations.

Mr. YOUNG of Florida. Mr. Chairman, thank you very much for yielding me the time.

The emergency funding provided for the Army Corps of Engineers in this bill and the amendment that you offer is narrowly drawn to help the States that were hardest hit by Hurricane Sandy. Could the gentleman from New Jersey (Mr. FRELINGHUYSEN), the very capable and effective chairman of the Energy and Water Development Subcommittee, clarify something?

Despite my earlier comments, I'm concerned that the Flood Control and Coastal Emergencies funds appropriated by our committee in previous acts are still available for other emergency needs that occurred prior to Sandy.

I would appreciate the gentleman's clarification on that.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. YOUNG, that is correct. The funds we provide in this legislation in my amendment are funds we believe are required to respond to emergency needs for the Army Corps of Engineers related to Hurricane Sandy. By appropriating these funds for this direct purpose, other prior appropriated emergency funds for the Corps should be and are to remain available for other emergency needs in accordance with the direction provided in those previous acts.

Mr. YOUNG of Florida. Mr. Chairman, thank you very much for that clarification.

Mr. ROGERS of Kentucky. I reserve the balance of my time.

Mrs. LOWEY. I am very pleased to yield 2 minutes to the distinguished ranking member of the Homeland Security Appropriations Subcommittee, the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Madam Chairman, I thank the ranking member, and I rise in support of both amendments before us, amendments to assist the communities devastated by Hurricane Sandy.

We in North Carolina remember Hurricane Fran and Hurricane Floyd, and we know how important it is for Congress to extend itself in such an hour of need.

As ranking member of the Homeland Security Appropriations Subcommittee, I note that DHS would receive \$5.5 billion within the base \$17

billion provision, accounting for only 54 percent of the administration's request for the Department. Also absent are \$6.1 billion in emergency disaster relief and \$300 million in disaster loans.

Madam Chairman, without this additional \$6.1 billion, FEMA estimates that the Disaster Relief Fund will run out of money in May of 2013, halting long-term rebuilding in places like Joplin and Tuscaloosa. Adopting only the \$17 billion proposal does not even fully fund current Sandy estimates and, astonishingly, provides no funding for further disasters in 2013.

The \$17 billion package also shortchanges the Coast Guard by about half the request and doesn't include funding requested for CBP, ICE, or the Secret Service.

Now, my Republican colleagues say that the supplementary \$33 billion package will address my concerns, but requiring separate votes is designed either to doom the second bill or to pass it on the backs of Democrats while Tea Partiers are free to vote "no." This is another example of Republicans playing politics with disaster aid—thumbing their nose at the members of the Coast Guard decimated by Sandy and at the firefighters in Breezy Point trying to rebuild their devastated community. They're saying to their own constituents, if disaster strikes, there is no guarantee Congress will assist you. This is a dangerous precedent.

Madam Chairman, when I was chairman of this subcommittee from 2007 to 2010, we provided more than \$14 billion in emergency disaster relief spending following natural disasters. Not once during that process did we ask who was affected, Democrats or Republicans, red States or blue States?

The CHAIR. The time of the gentleman has expired.

Mrs. LOWEY. I yield the gentleman an additional 30 seconds.

Mr. PRICE of North Carolina. We provided the money based on the President's request, without hesitation, because that's what the American people expect and deserve from Congress in a time of need.

So, Madam Chairman, I will support both of these amendments. I urge my colleagues to do likewise. The right thing to do, however, would have been to hold a vote on the bipartisan Senate package sent to us back in December.

Mr. ROGERS of Kentucky. I yield myself 3 minutes, Madam Chairman, and I yield to Mrs. LOWEY, the ranking member of the committee—who, by the way, this is her first appearance on the floor as the new ranking Democrat on the full Appropriations Committee. I want to initially congratulate her on that position. I look forward to a good working relationship with her.

I yield to the gentlelady.

Mrs. LOWEY. Well, first of all, I want to thank the chairman, Mr. ROGERS, who's been a good friend for so many

years. I look forward to working together in a bipartisan way so we can work everything out before and serve the American people. And I thank you for your kind words.

□ 1450

I rise to engage the gentleman from Kentucky, the chairman of the Appropriations Committee, in a colloquy.

Some questions have been raised about the interpretation of language in both of the Rogers substitute and the Frelinghuysen amendment under the Department of Health and Human Services, Public Health and Social Services Emergency Fund. The language prohibits use of amounts in that appropriation for costs that are reimbursed by self-insurance. I would like to engage Chairman ROGERS in a discussion to help clarify the meaning of that provision.

Am I correct in understanding that the term "self-insurance" is intended to refer to a formal plan, pursuant to law or regulation, in which amounts are set aside in a fund to cover losses of specified types and amounts? Am I also correct that without such a formal, funded arrangement, a government or organization would not be considered to be self-insured for purposes of this language simply because they do not have any commercial insurance coverage for the loss in question?

Mr. ROGERS of Kentucky. Reclaiming my time, yes, the gentlelady's understanding is correct, and I further yield to her.

Mrs. LOWEY. I thank the gentleman. I would also like to confirm my understanding that this language would only preclude use of appropriated funds if the expenses in question were actually reimbursed by the formal self-insurance plan. In other words, merely having a self-insurance plan would not bar use of this appropriation for things that the plan did not cover or pay for. I ask the gentleman, is my understanding correct?

Mr. ROGERS of Kentucky. The gentlelady's understanding is correct.

I reserve the balance of my time.

Mrs. LOWEY. It is a pleasure for me to yield 2 minutes to Ranking Member VISCLOSKY of the Defense Appropriations Committee.

Mr. VISCLOSKY. I thank the gentleman for yielding.

Madam Chair, I rise today to express my support for the underlying bill and the Frelinghuysen amendment, which will greatly assist the States and communities affected by Hurricane Sandy. In every year since 1997, with two exceptions, the Congress has recognized the need for emergency funds to respond to the impacts of natural disasters on the Nation's water resource infrastructure. This year should be no different.

The Frelinghuysen amendment includes a total of \$5.35 billion for the

Army Corps of Engineers. Of that, about \$1.8 billion will be used to repair existing Federal facilities that were damaged in the storm and to restore projects to design standards. The roughly \$3.4 billion remaining will be used by the Corps for the construction of projects intended to reduce future flood risk. Additionally, the Frelinghuysen amendment provides \$88.3 million to repair facility and equipment damage to Department of Defense facilities in several States along the eastern seaboard.

This is what we should be doing as a Nation. It is far less expensive to invest in preventing damage than it is to clean it up. We need to fund projects that result in the long-term sustainability of the impacted communities and reduce the economic costs and risks associated with disasters.

Madam Chair, our country has provided billions of dollars in infrastructure funding for dams, schools and roads in Iraq and Afghanistan on an emergency basis. We certainly can do no less for our own citizens in our own country. I urge passage of the underlying legislation and Chairman FRELINGHUYSEN's amendment.

Mr. ROGERS of Kentucky. Madam Chair, I yield 2 minutes to the gentleman from New Jersey (Mr. RUNYAN).

Mr. RUNYAN. Madam Chair, I rise in support of H.R. 152, the Disaster Relief Appropriations Act of 2013.

This bill does the minimum necessary to help towns like Brick Township rebuild. It does the minimum to help remove mold from their living rooms so they can sleep at night without worrying about their children getting sick from breathing mold spores.

Many of my colleagues have asked for disaster funding or declarations for their home districts in the past. As one of my New Jersey colleagues pointed out earlier today, there are more than 30 of my colleagues who have received disaster assistance for their own districts in the past who actually plan to oppose this package before us.

Madam Chair, I would say to my friends, why should New Jersey and New York be treated any differently? My friends should ask themselves what would they do if this were their district that suffered the amount of catastrophic loss that many of the families and businesses in my district now face.

Next to me, you can see damage Sandy left behind in Brick Township. My constituents in Brick have suffered for almost 3 months without any help from this Congress. I want to be able to tell them when I go home this weekend that help is heading their way.

Mrs. LOWEY. Madam Chair, I'm pleased to yield 2 minutes to the distinguished ranking member of the Financial Services and General Government Subcommittee, Mr. SERRANO.

Mr. SERRANO. I rise in support of both the Rogers amendment and the

Frelinghuysen amendment, which will finally provide New Jersey, New York, Connecticut, and elsewhere with the funding needed to respond to Hurricane Sandy. While I'm glad that we're considering this bill today, it is a travesty that it has taken this long for the House of Representatives to allow a vote on disaster-response funding.

The money in this bill and the Frelinghuysen amendment is the minimum that New York, New Jersey, and elsewhere need for their recovery process. I'm very concerned that there are several amendments that will be considered today that seek to cut further funding from the bill.

At least one amendment seeks to offset the cost of this bill. Our Nation has never before attempted to offset the cost of disaster assistance. The Appropriations Committee and the House have always come together to help Americans in times of need without regard to costs. To offset costs here would effectively kill this bill in the Senate and further delay assistance that is desperately needed to New York City and elsewhere. The two-step process is the proper way to go.

I just may add in closing that we in New York have always seen images of disasters in other areas, but we never imagine anything like this happening in our area. We understand what other folks have gone through, and I hope you understand the need we have to recover. The pain, the suffering, and the despair that people in our community feel is beyond anything we can imagine or we can imagine in New York. And so this aid will, at the minimum, immediately send a message that we care and we want something to happen positive and, in fact, people will be begin to recover.

So I thank Mr. ROGERS and Mrs. LOWEY for bringing the bill to the floor, and I will ask folks to vote for both amendments and for the bill in general.

Mr. ROGERS of Kentucky. Madam Chair, I yield 2 minutes to the gentleman from Staten Island, New York City, Mr. GRIMM.

Mr. GRIMM. Thank you very much, Chairman. I appreciate you yielding.

Madam Chair, let me first start by saying thank you to the many, many colleagues on both sides of the aisle that have been working tirelessly, and a special thank you to their staff, not only the Rules Committee, but Appropriations and all those from New York and New Jersey. Many, many staffers have stayed up more than 24 hours to make this happen. I am indebted to them, and I know that the people of Staten Island are very, very grateful.

This is a time that is unique in our history. We just started tearing down the homes in Staten Island. New York is tearing down 200, and they started in Staten Island.

When I was there this past weekend, a mother came up to me. I asked her

how she was doing. She said, Well, I'm doing okay, but I'm worried about my children. I said why. She said, Because they start crying hysterically when it rains. They cry when it rains because they think there's going to be another flood, and they're scared.

So at the end of the day when we debate the various amendments in the bill and its merits, all I ask is that everyone in this blessed Chamber remember that there are real people—human beings—that are behind all of this; and at the end of the day, if it were our families, I know that they would want them to be safe and healthy with the support of the entire country behind them.

So, with that, I thank, again, my colleagues that have worked tirelessly, I thank the staff members, and I thank you for this opportunity to speak.

□ 1500

Mrs. LOWEY. Madam Chair, I'm pleased to yield 2 minutes to the distinguished gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. I thank the gentlewoman for yielding.

I rise to engage the chairman of the Appropriations Committee, the gentleman from Kentucky, in a colloquy.

As the chairman knows, Superstorm Sandy displaced thousands of children from their homes, leaving them homeless and struggling to regain stability in their lives. Many of these children were forced to move out of their school districts, while others could not return to their schools because of storm-related damage. These children face the prospect of educational disruption, compounding the upheaval and trauma they've already experienced. Fortunately, under the current law, the McKinney-Vento Homeless Assistance Act, homeless students, including those displaced by disasters, are entitled to important educational protections and services, including transportation to stay in the same school.

Public schools in New York, New Jersey, and Connecticut are working tirelessly to support uninterrupted education of displaced children through the McKinney-Vento program, yet these schools face significant unexpected costs associated with the increased number of homeless students. Congress has appropriated supplemental funds, to help defer the costs associated with these increases, from past disasters.

Mr. Chairman, if I might, given that the bill before us today does not contain direct funding for McKinney-Vento, is it your understanding and intention that the Department of Health and Human Services and that the Department of Education work with the States of New York, New Jersey, and Connecticut to assist the school districts affected by Superstorm Sandy to access funds under the social services

block grant to support the education of students displaced by the storm, including transportation, counseling, and supplies?

Mr. ROGERS of Kentucky. Will the gentleman yield?

Mr. GEORGE MILLER of California. I yield to the gentleman.

Mr. ROGERS of Kentucky. I thank the gentleman for yielding.

Yes, that is my understanding and intention.

As you know, Congress has previously recognized the critical role our public schools play in creating stability and meeting the educational needs of children and youth displaced by disasters.

The flexibility of the SSBG has proven crucial in responding to the many needs that arise in the aftermath of natural disasters.

The CHAIR. The time of the gentleman has expired.

Mrs. LOWEY. I yield an additional 30 seconds to the gentleman from California.

Mr. ROGERS of Kentucky. Will the gentleman yield?

Mr. GEORGE MILLER of California. I yield to the gentleman.

Mr. ROGERS of Kentucky. Transporting displaced students is an allowable purpose under the social services block grant, and I encourage HHS and affected States to work with affected school districts and promptly provide any reimbursements for these critical services.

Mr. GEORGE MILLER of California. I thank the gentleman very much. I also want to thank you and the staff of the majority and the minority for helping to work out this solution. Thank you very much.

Mr. ROGERS of Kentucky. Madam Chair, I yield 3 minutes to the gentleman from Mississippi (Mr. PALAZZO).

Mr. PALAZZO. Madam Chair, I rise in favor of the Sandy relief packages being considered today.

I want to thank Chairman ROGERS and the Appropriations Committee for their work to bring this bill to the floor in a responsible manner and address many of the concerns that some in this body have. I also want to take this opportunity once more to thank my colleagues for their work on yesterday's Sandy Relief Improvement Act that brought much-needed reforms for our disaster relief systems.

This bill that passed the House unanimously is a good first step in streamlining the disaster relief process and saving the country money and lives. These are the kinds of common-sense reforms that must continue to be a part of the disaster relief conversation.

A little over a week ago, I voted against adding more debt to a failing system without reforms. Many of my colleagues joined me in that vote, and I know some still have reservations

about the package before the House today. I have spoken to many of these colleagues. I understand concerns about the fiscal state of our Nation. I understand your position, and I respect your vote.

But while we continue to do the responsible thing by looking for ways to pay for future disaster relief, we must do what is necessary to help those in the Northeast, and we must do it now. Let me just say, a vote for yesterday's reform package would pass the House unanimously, and a vote for today's relief package allows us to move forward in a way that begins to address much-needed reforms while at the same time providing the immediate relief that Sandy victims so desperately need.

I saw those needs up close and personal when I visited some of the hardest hit areas of New Jersey and New York last week. It brought back vivid images of Hurricane Katrina and the destruction that my home State of Mississippi experienced 7 years ago. Districts like those of my friends Congressman RUNYAN and Congressman GRIMM are similar to those along the gulf coast after Katrina. Their constituents experienced a terrible natural disaster, and they need our help.

Today, we consider provisions that provide immediate relief for Sandy victims while allowing them to build forward, not just back, and that will strengthen these communities in the face of future storms. We cannot wait another 7 years, and we cannot wait until the next disaster before we take up these reforms.

Today's vote for immediate relief is about giving the Sandy victims the help they need now. It is vital to the recovery efforts of the Northeast, it is vital to making our communities more resilient, and it is vital to ensuring better preparedness and response to future storms. So I urge my colleagues to support the disaster relief package.

Mrs. LOWEY. Madam Chair, I am delighted to yield 2 minutes to the distinguished dean of the New York delegation, Mr. RANGEL.

Mr. RANGEL. Thank you so much, Mrs. LOWEY.

I want to thank Chairman ROGERS for the manner in which he has handled this crisis and certainly congratulate Mrs. LOWEY for the leadership that she has provided this House over the years, but especially at a time when we needed her the most, that she was there to bring the people together, Republicans and Democrats, to do the right thing.

I want to thank, too, and encourage the new Members of Congress to take advantage of this great opportunity they have to see what the House of Representatives is all about, notwithstanding the bad publicity that we get.

For whatever reasons, the 112th Congress failed to respond to what was a part of the feeling and the fabric of this great body where every American

would know that if ever they were involved in a crisis—earthquakes, floods, or fires—that they could depend on their colleagues in the House of Representatives to respond. It was never a question of whether they were Democrats or Republicans, whether they came from a red State or a blue State; it was how fast can we help, and you can depend on that help.

For whatever reason, the 112th Congress failed, but now we are asking the new Members to join with those that were here before in bringing together people in this Congress to once again rebuild that reputation that we had so rightly enjoyed, and that is that, if you have any type of problem in this great Nation and you need the help of your colleagues, you can depend on the House of Representatives, the people's House, in coming forward to provide those aids.

We cannot bring back the lives, the homes, and the hopes that so many people have lost, but we can say in the people's House that we respond to the problems that people have.

I thank you again, Mrs. LOWEY, for your leadership that you've provided, and I look forward to working with you and Chairman ROGERS in the future.

Mr. ROGERS of Kentucky. May I inquire, Madam Chair, of the time remaining?

The CHAIR. The gentleman from Kentucky has 14 minutes remaining, and the gentlewoman from New York has 12½ minutes remaining.

Mr. ROGERS of Kentucky. Madam Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. GARDNER).

Mr. GARDNER. Thank you, Chairman ROGERS.

Last week, I offered an amendment in the House Rules Committee to add additional funding for an Emergency Watershed Protection program to be used for any area that had a designated major natural disaster. It's an important program that allows for watershed and infrastructure restoration.

Many parts of the western United States were devastated by wildfires last summer, including areas in my district, the Hyde Park fire near Colorado Springs and the Waldo Canyon fire. In Colorado alone, there were over 100,000 acres of land burned on both private and Federal land, as well as over 600 homes destroyed in these fires.

The EWP program will help communities in other areas of the United States to rebuild and prevent future damage to people and property. Unfortunately, this bipartisan amendment offered with other members of the Colorado delegation did not get through the Rules Committee process, and so it will not be considered on the House floor today.

The tragedy caused by Hurricane Sandy necessitates assistance from the Federal Government, but it's also important that disaster assistance be

available to other areas that experience natural disasters, particularly those when it comes to Federal lands. I ask the chairman to consider working with me and other Members for wild-fire restoration.

□ 1510

Mr. ROGERS of Kentucky. Will the gentleman yield?

Mr. GARDNER. I yield to the gentleman.

Mr. ROGERS of Kentucky. First, I want to thank the gentleman from Colorado for his work on the Emergency Watershed Program. I am aware of the need for this assistance not only in Colorado but in other parts of the country, and I look forward to working with you and others to address this important funding in future legislation.

Mr. GARDNER. I thank the chairman for his work and his support.

Mrs. LOWEY. Madam Chair, I am pleased to yield 2 minutes to the distinguished gentleman from Virginia (Mr. MORAN).

Mr. MORAN. It's nice to welcome the new ranking member of the full Appropriations Committee, Mrs. LOWEY who, as good fortune would have it, also hails from New York and fully understands what's involved here.

Do unto others as you would have them do unto you. That's what all the Members of this body should have in their minds today themselves. If they were in the situation of the States that were so severely impacted by Hurricane Sandy, how would they vote?

The fact is that natural disasters are occurring with more frequency and with greater severity, so there is a very good chance that in nearly every congressional district in this country this may happen to you, and of course, when it does, property values will go way down. In fact, billions of dollars can be lost. They certainly were with Hurricane Sandy. So where does the municipality get the money to repair? Likewise with the State. The only place you can turn to is the Federal Government. That's why we are here. *E pluribus unum*. We're in this together.

This is not about the Northeast versus the rest of the country. One part of our body, if you will, our body of States, has been severely injured. We need to repair that damage. Now, within the Interior and Environment appropriations, there is money for safe drinking water and sewer treatment projects, things that have to be done. We have to provide that money. I think we have about \$1.5 billion to do that. We should accept the Rogers-Frelinghuysen amendment. This bill is whole with that amendment. We should strongly support it. There is an amendment to take away Mr. FRELINGHUYSEN's effort to allow a waiver on historic preservation. Well, yes, it should be done. These localities don't have that kind of money, and a lot of

the revenue that has traditionally come into these economies has come from tourism. Many tourists come to see historic structures. They come to see the way that many parts of the Northeast were when we were building the foundation of this country. That money should be made available in whole with Federal dollars. Mr. FRELINGHUYSEN's amendment is right on point. It needs to be included.

I do have a good speech written by Rick Healy. Thank you, Mr. Healy. We've got wonderful staff. But unfortunately I don't have any further time.

The CHAIR. The time of the gentleman has expired.

Mrs. LOWEY. I yield the gentleman an additional minute.

Mr. MORAN. My colleagues, this is an opportunity to show what we are all about. Do unto others as we would have them do unto us. Let's make this money available. Let the Northeast repair itself, heal itself, get their economy back on its feet, and start returning revenue to the Federal Government. The fact is that these Northeast States contribute more to the Federal Treasury than they get out of the Federal Treasury. So let's get this done in the national interest.

I want to recognize Chairman ROGERS' leadership, the very good work that Mr. FRELINGHUYSEN from New Jersey has done and, of course, the work of Mrs. LOWEY.

This is a good bill. It's urgent that we pass it. Let's get this done. These negative amendments that try to take away money to make ideological points simply are out of order right now. Let's heal this wound. Let's let this economy in the Northeast get back on its feet, and we'll all be better off as a Nation.

Mr. ROGERS of Kentucky. I reserve the balance of my time.

Mrs. LOWEY. Madam Chair, I am very pleased to yield 2 minutes to the distinguished gentleman from New Jersey, who has been extraordinarily helpful in trying to sort out the challenges in this bill, Mr. ANDREWS.

Mr. ANDREWS. I thank my friend for yielding, and I thank the chairman of the Appropriations Committee and my friend for working together to bring this product to the floor.

I've heard two objections to this bill. The first is that money is spent in the wrong places, and the second is the amount of money altogether is too costly. Let me try to address those objections.

As to the money being spent in the wrong places, I would respectfully request that Members who have that objection read the legislation because, throughout the legislation, when it refers to the money to be spent, it says that the moneys are to be spent on necessary funds related to the consequences of Hurricane Sandy. Now, there is one exception to this that I've

read, and it is limited to situations in which there were prior disasters that are not yet cleaned up. So this is a bill that deals almost exclusively with the Sandy disaster, and to the extent it does not, it deals with lingering problems in other parts of the country from those disasters.

To those who would argue that the amount of money in the bill is just too much to begin with, I would offer you this question: If you were running a business and had 100 manufacturing plants and sales offices around the country and 15 of them were shut down by a storm—so 15 percent of your available revenue was no longer available to you—what would you do? You'd repair those 15 manufacturing facilities and sales offices as quickly as you could in order to restore the health of your company and the growth of your revenues. That is exactly what this bill does.

The taxpayers of New York, Connecticut, and New Jersey—three States—contribute more than 15 percent of the individual and corporate tax revenues collected in the United States of America—15 percent from three States. If you shut down that engine of production, the whole country suffers. This is an occasion for the House of Representatives to rise above normal parochial politics.

The CHAIR. The time of the gentleman has expired.

Mrs. LOWEY. I yield the gentleman an additional 1 minute.

Mr. ANDREWS. When the disaster struck the gulf, we were all Mississippians or Louisianans. When tornadoes hit Missouri, we were all Missourians. When there have been earthquakes that have hit the west coast of our country, we have all been citizens of California.

We are asking Members from coast to coast and throughout our country today to look at themselves and walk in the shoes of New Yorkers and the citizens of Connecticut and New Jersey. If we understand that we have a common purpose, that this legislation does focus almost exclusively on the Sandy disaster, and then focuses what it does not focus on Sandy on other disasters, and if we understand that 15 percent of the economic engine of this country is at risk of being shut down, then we will all be people who cast the same vote and the right vote, which is "yes."

Mr. ROGERS of Kentucky. I continue to reserve the balance of my time.

Mrs. LOWEY. Madam Chair, I am delighted to yield 1 minute to our distinguished leader, who has been such an advocate for the assistance to New York, New Jersey, Connecticut, and Pennsylvania, who understands that every part of the country has catastrophes and that we as Americans have a responsibility. I thank her for her leadership, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. I thank the gentle lady for yielding. I congratulate her on assuming the ranking position on the Appropriations Committee and how good it is for our country and for the people affected by Superstorm Sandy that Congresswoman LOWEY, now Ranking Member LOWEY, is in the position she is to fight for their needs as the senior Democrat on the Appropriations Committee.

Thank you for your leadership, and thank you, Mr. ROGERS, for yours as well.

This should be a day that we shed all of our disagreement about political differences and the rest and come together to prayerfully meet the needs of the people of our country.

□ 1520

Whether it's California with the earthquakes, drought, fire, floods, whatever; whether it's Iowa with the floods; Joplin, Missouri, was so affected; of course the challenge of Katrina is emblazoned in our mind; and Hurricane Ike on the heels of that, all across our country we have experienced natural disasters which have had a direct impact on the lives of the American people.

I really do believe that for all of the purposes that people send us to Congress or elect us to public office, whether it is a county executive or a Member of Congress, they expect us to do what is right for them when they are most in need of our help. Many things we can do for ourselves; but some things are just beyond the most determined, resourceful operational person to do, and that is when a natural disaster strikes.

So while we have had our conversations about what should be in the bill and how the bill should be bifurcated, or in this case trifurcated and the rest of it, let us hope when we have this bill today, it will sweep away some of the concerns that people have about whether this assistance is going to actually show up. Seventy-nine days. It's been 79 days since Hurricane Sandy struck the region. It's been a one-two punch. Last year it was Irene that struck much of the same area, and some of the people haven't really fully recovered from that, whether it was a small business owner or homeowner, whatever. And now Sandy hit with just tremendous force.

Others have talked about how do you mitigate for such a thing; how do we address issues that relate to climate change. We'll save that conversation for another day, but recognize it is important in this discussion. How do you mitigate for rebuilding, and that's important in terms of the resources that we're putting to bear on this problem.

So let us today try to extract from the minds and the hearts and souls of the people who are affected any thought that the assistance will not be

there. They know there's a lot of making up they have to do to restore the lives and businesses and homes that they had before. They should also know that when we say let us pray for the victims of Hurricane Sandy, we're not just saying a prayer and saying that should be a substitute for us honoring our commitment as a country to our people, but that our prayers are accompanied by our best intentions and our best actions—actions, not just words—for them.

This is one of the longest delays in congressional action in response to a major natural disaster in recent history. For many of us who have seen or can confirm the aftermath of a hurricane, tornado, earthquake, whatever, we know that every single day is too long to wait. Hope can never come fast enough. We cannot let another moment, hour, day go by without giving the biggest possible vote of confidence and hope to the people of New York, New Jersey, Connecticut, and some, I understand, in Pennsylvania.

So we've had our say. We've made our points known. The justification has been established. The documentation of need is clear. The bipartisan support of the Governor of New Jersey, the Governor of New York, the Governor of Connecticut and others stand ready to implement these resources with the most integrity, the most effectiveness, certainly the most speed. Witness the actions of the mayor of New York. I smile when I say that because mayors just like to get a job done, and Governors, too.

So let us, as these executives and county executives and the rest weigh in, let us do our part to honor the social compact that we have with the American people that the Federal Government will be there in time of natural disasters, that this is an emergency and we recognize it as such, and that we honor the hopes, dreams, and aspirations of the people affected by it.

I hope that we can have an overwhelming bipartisan vote, because from a practical standpoint, I think ideally, our sense of idealism, that would be the right thing to do. But as a practical matter, you just never know what Mother Nature may have in store for you in your region, and you would certainly want the embrace of the entire Nation around you and your area for your constituents, for your communities, for our country.

So I urge a very strong bipartisan vote. I thank our colleagues on both sides of the aisle for making this vote today possible. Again, I urge an "aye" vote.

Mr. ROGERS of Kentucky. I reserve the balance of my time.

Mrs. LOWEY. I am very pleased to yield 3 minutes to the gentleman from New York (Mr. CROWLEY) whose district has really seen incredible damage.

He understands the impact of Hurricane Sandy on the people and communities and the businesses.

Mr. CROWLEY. I thank the gentle lady for yielding me this time.

In the days following Superstorm Sandy, many of my colleagues from both sides of the aisle reached out to me, and I think they did the same to others throughout the quad-State region, expressing their sympathies and their concern. While they weren't able to see firsthand the devastation, everyone had a sense, I think, of that devastation by the footage they all saw on television and over the Internet. It was pretty powerful in itself.

Everyone, I think, was astonished at the magnitude. We're not used to having such disasters in New York City; and everyone was shocked to see the extent of the damage, homes literally wiped away, businesses destroyed, flood waters consuming people's living rooms and completely overturning their lives. And the damage wasn't just in one city or one town or, for that matter, one State. From Breezy Point, Queens, to Edgewater in my district in the Bronx, from Manhattan to Brooklyn to Staten Island to Westchester to Long Island, from the coasts of Pennsylvania, New Jersey, all of the way over to Connecticut, so many people's lives were wrecked by this powerful storm.

While words are kind and they are very much appreciated, action behind those words is even more appreciated. Today, finally, I believe we'll have the opportunity to see action. Seventy-nine days later, and far too much politics in between, this Congress is doing what the people of these communities need and what the American people demand—taking action.

I'm thankful to this Congress. I'm thankful that it's finally taking action to help the people of my district and the millions of other people hit hard by this enormous storm. I want to thank all of my colleagues from New York, New Jersey, Connecticut and Pennsylvania for our shared commitment to getting this done and never letting partisanship surrounding this debate divide us. I want to say a special thanks to Democratic Whip STENY HOYER and Ranking Member NITA LOWEY, along with their staffs, who have driven this process from day one. I want to thank you both.

This bill will provide direct assistance to communities devastated by Superstorm Sandy. It will help restore and replace damaged or destroyed infrastructure, and it'll put in place cost-saving measures to prevent further damage when—when, and not if—future storms occur.

I would just urge any of my colleagues, Democrat or Republican, who are considering voting against either the Frelinghuysen amendment or the overall bill to just for a moment put

yourself in one of your colleague's shoes. I don't wish Superstorm Sandy or anything like it on any of my colleagues anywhere in the United States; but the one thing you need to know is that if this happens that your country will be there for you. There's the physical damage, but also the mental damage that people are experiencing because they think the country has forgotten them. Don't forget these people. Do the right thing. Vote for this bill.

In the days after Hurricane Sandy, I was moved by the words of sympathy and concern I received from my colleagues on both sides of the aisle.

While many were not able to see the destruction firsthand, everyone could see the devastating images and footage on TV, in newspapers, and over the Internet.

Everyone was astonished by the magnitude of the damage.

Everyone was shocked to see the extensive damage to—homes wiped away, businesses destroyed, flood waters consuming people's living rooms, and lives completely overturned.

And the damage wasn't just in one town or one state. From Breezy Point, Queens to Edgewater in the Bronx; from Manhattan, Brooklyn to Staten Island, Westchester to Long Island; from the coasts of New Jersey to Connecticut; so many people's lives were wrecked by this powerful storm.

While kind words are one thing, actions backing up those words are another.

And today, finally, we have the opportunity to act.

79 days later, and after far too much politics, Congress is doing what the people of these communities need—and what the American people demand: taking action.

I am thankful this Congress is finally taking action to help the people of my district and all the millions of people hit hard by this hurricane.

I want to thank all of my colleagues from New York, New Jersey, Connecticut, and Pennsylvania for our shared commitment to getting this done and never letting partisanship surrounding this debate divide us. A special thanks to Democratic Whip STENY HOYER and Ranking Member NITA LOWEY, along with their staff, who have driven this process from Day One.

This bill will provide direct assistance to the communities devastated by Hurricane Sandy. It will help restore and replace damaged or destroyed infrastructure; and it will put in place cost-saving measures to prevent further damage when, not if, future storms occur.

This is a good bill, and it deserves full bipartisan support of the entire House.

I would urge any Democrat or Republican who is thinking about voting against any portion of this aid package to reconsider. For a moment, please put yourself in our shoes—the shoes of every family, every American who lost or suffered as a result of Hurricane Sandy.

I do not wish what happened in my State on anyone, but the reality is the devastation that occurred in my backyard, throughout my district, across my State and to my constituents could happen anywhere at any time. If it does, you will want us, as a Congress, to stand to-

gether, to put aside politics and help your constituents, hard-working Americans, get back on their feet.

Today, let's stand with our fellow Americans who are rebuilding by voting for the underlying bill and the Frelinghuysen amendment. Together, the passage of these two measures will ensure the U.S. Congress is providing real help—and not just lip service—to all those hurt by this devastating hurricane.

□ 1530

Mr. ROGERS of Kentucky. Madam Chair, I reserve the balance of my time.

Mrs. LOWEY. Madam Chair, I'm very pleased to yield 2 minutes to the distinguished gentleman from a neighboring district in New York (Mr. ENGEL), who suffered a great deal. He saw the pain and the loss of property and homes all throughout the region.

Mr. ENGEL. I thank my dear friend, Congresswoman LOWEY, for yielding to me.

I urge all of our colleagues to support the aid for the Hurricane Sandy victims. You know, we have a lot of disagreements in this Congress. We talk about issues, about spending, about taxing offsets and whatever, but those are issues. Those fights on those issues should be left for another day. It shouldn't be intermixed with the fight to get aid to the Superstorm Sandy victims. They should not be innocent pawns in this fight that we have in Congress.

I've been in this Congress for a while now, and I have voted for aid for all regions of our country, be it Katrina, be it floods and tornados. We didn't even think twice because that is what Americans do. We help our communities, help other Americans when there are natural disasters.

New York is a donor State. We actually send more money to the Federal Government than we get back, and we do it because it's the thing that we have to do. But now it's our turn. Now we need help, and so now we say to the rest of America, please help us the way we helped you in your hour of need.

The constituents in my district, in West Chester and the Bronx, and my former district in Rockland County are hurting very, very much. These are real people with real lives and real difficulties. So I beg my colleagues, please, don't vote for any poison pills that will kill this legislation.

One of the things that's really irksome is when some of my colleagues who stood up and when they had natural disasters in their district begged us for help and we gave it to them now are voting against giving help to the people of New York, New Jersey, Connecticut, and Pennsylvania. It's just not right.

We can argue what role the Federal Government should play, whether it's too big or too small or whatever, but no one should argue against the fact

that, when Americans are in need, the Federal Government has a role in stepping in and helping them and providing for their needs. That's all we're asking for today.

I urge my colleagues to support all the aid for Hurricane Sandy and to reject any of the amendments that would take it away.

Mr. ROGERS of Kentucky. Madam Chairman, I have no further requests for time. I'm prepared to close if the gentlelady is prepared.

Mrs. LOWEY. Mr. Chairman, I'll respond in 30 seconds, and then I'd be delighted if you closed.

Mr. Chairman, I'd like to again thank you and Chairman FRELINGHUYSEN for your hard work on this bill.

I would like to address all those who are not sure about how they're going to vote on this bill, and I would like to clarify the way this appropriation works.

When you have huge disasters, transit systems, tunnels, thousands of homes that have to be repaired, you need that money committed before you can engage any contractor, any builder in a contract.

Now, as you and I know, Mr. Chairman, we've worked a long time on that committee, and before a dollar goes out, the person has to be responsible for every dollar that is committed that they've spent and that they're going to spend. So we're not just writing an open check. We're just not opening our checkbook. We're responding to these tremendous needs, and I do hope we can get a bipartisan vote for this effort.

I yield back the balance of my time.

Mr. ROGERS of Kentucky. Madam Chairman, I urge adoption of the Rogers amendment, and I yield back the balance of my time.

Mr. VAN HOLLEN. Madam Chair, today we meet to consider the second and third tranches of disaster assistance for the families suffering from the effects of Hurricane Sandy. In the dying days of the 112th Congress, we passed legislation granting FEMA the authority to increase by up to \$9.7 billion its borrowing so that the agency could continue paying homeowners insurance claims associated with the hurricane. Then, rather than address the remaining pressing concerns of the families suffering because of Sandy, the Republican Leadership gavelled the House into adjournment.

We return today, months after Sandy struck to finish the job. Today the House considers two pieces of legislation that when combined will provide more than \$50 billion in assistance to those areas hit by Sandy. I stand in support of H.R. 152 and the amendment offered by Rep. FRELINGHUYSEN.

H.R. 152 provides \$17 billion in assistance to the lead agencies responsible for reconstruction efforts including the Department of Health and Human Services, the Army Corps of Engineers, the Department of Agriculture and the Department of Transportation. The bill also increases the role of the Government Ac-

countability Office in monitoring the assistance in the bill. Representative FRELINGHUYSEN's amendment covers the same areas as H.R. 152 while increasing the time lines associated with funding to provide for longer-term support. These measures, together with the bill passed last Congress to increase FEMA borrowing authority and the Sandy disaster assistance streamlining bill passed by the House yesterday finally finishes the work Congress should have completed months ago.

With the passage of H.R. 152 and the Frelinghuysen amendment, the families whose lives were turned upside down by the destruction caused by Hurricane Sandy will finally have access to the resources they will need to rebuild.

Mr. HENSARLING. Madam Chair, there is no doubt that Hurricane Sandy rendered unspeakable damage to lives and property on our East Coast. It truly represents one of the great natural disasters of recent history. For millions of our fellow citizens, the devastation has been unfathomable. We are a compassionate nation, and that is why the House of Representatives is taking up its second Hurricane Sandy relief bill.

Sadly, Hurricane Sandy isn't the only disaster we face as a nation. The tragic reality is that our nation is broke. We have amassed more debt in the last four years than was accumulated from President George Washington through President Bill Clinton. Our spending trajectory is unsustainable by any account. Our swelling \$16.4 trillion debt threatens our national security, our economic well-being and our children's very future. If we don't quit spending money we don't have, it is they who will become the next victims—think Greece. It is past time to re-examine the proper role of the Federal government in providing disaster relief and how that relief is financed.

In the wake of a tragedy like Hurricane Sandy, all agree, no matter what, that disaster victims must receive basic necessities like food, water, power, medicine and law enforcement. This is undebatable. Yet as we continue to borrow more than 30 cents on the dollar, much of it from the Chinese, can and should the Federal government continue to fund the restoration of private homes, businesses and automobiles? When wealthy states like New York and Connecticut spent \$4.7 million on streetscapes and \$30 million a year in taxpayer funds to rent new office space while state-rented office space stood vacant, can and should the Federal government continue to pay to rebuild their infrastructure?

According to a recent report by the Heritage Foundation, the yearly average for disaster declarations has grown from 28 during the Reagan administration to 90 during the Clinton administration, 130 during the George W. Bush administration, and 153 during the Obama administration. This isn't just nature at work. This is a move toward "nationalizing" disaster, consequently lowering the threshold of what is considered truly disastrous. This has allowed states and localities to abdicate more and more of their responsibilities to a Federal government that owns a printing press for money and has no balanced budget requirements. Also, spending restraint is usually the first thing to go in the heat of a crisis—especially when someone else is picking up the tab.

Case in point: The Sandy relief bill passed by the Democratic-controlled Senate in the 112th Congress—the same Senate that has refused to pass a budget in the last three years—includes \$150 million for fisheries as far away as Alaska, \$8 million to purchase cars for the Homeland Security and Justice Departments, \$58.8 million to replant trees that were damaged on private land, \$135 million to improve weather forecasting, and \$10.78 billion largely for future construction improvements to public transportation not even related to Hurricane Sandy. In fact, 64 percent of the so-called "emergency" funding in this bill will not be spent until 2015 or later. We must always be vigilant to ensure the Obama administration's cynical motto, "never let a serious crisis go to waste," is not allowed to rule the day.

Given our spending-driven debt crisis, changes must be made. Like many members of Congress, when disaster has befallen my district or state, I have worked to help ensure funding was provided through the Federal Emergency Management Agency. However, I have consistently fought for disaster funds to either be in the budget or offset through the rescission of lower-priority spending. A nation on the road to bankruptcy must prioritize its spending. There should be no more "emergency" disaster funding without offsetting cuts to lower priority spending.

Next, the National Flood Insurance Program (NFIP) must be functionally and significantly reformed. I have long been critical of this ineffective, inefficient and indisputably costly experiment in government-provided flood insurance. The program operates with non-actuarial rates, encouraging unsustainable development and running up \$21 billion in debt with zero hope of repayment. A reauthorization bill passed last year began eliminating outdated subsidies, but Sandy hit before many of these provisions could take effect. Certainly, we have a contractual obligation to pay the NFIP claims of people whose lives were turned upside down by this terrible storm. Yet we also have an obligation to ensure hard-working taxpayers aren't always stuck bailing out failed government programs. The Financial Services Committee, which I chair, will take up legislation to get the government out of the subsidized insurance business and transition us to a private, stable insurance system that can keep the promises it makes without borrowing tens of billions of dollars that we do not have.

America is not just operating on borrowed money—we're operating on borrowed time. Today, it is not a question of if bond markets will turn on us, but when. Unless we change our out-of-control spending ways, we will be the first generation in American history to leave the next generation with less freedom, fewer opportunities and a lower standard of living. We have no greater moral responsibility than to preserve the blessings of liberty and opportunity for future generations. A compassionate nation will not allow a great physical tragedy of today to ever become an even greater fiscal tragedy for our children tomorrow.

Mr. BARR. Madam Chair, I strongly support the provision of immediate Federal relief to the victims of Hurricane Sandy and other disasters. We absolutely have a responsibility to

provide targeted resources to help communities meet their true emergency needs following a natural disaster. But I remain convinced that we can, and should, put in the tough work to do this in a fiscally responsible manner. This means finding a way to pay for what we spend.

Our national debt currently exceeds \$16.4 trillion—and grows by billions of dollars each day. This is a symptom of Washington's inability to live within its means, and unless we reform the way Washington has traditionally gone about its business, this debt is going to dramatically limit the potential of our children and grandchildren. We must do better.

As I have traveled throughout Kentucky's Sixth District, people have asked me repeatedly to stand firm for common sense and fiscal responsibility. This is what families and small businesses in my district do every day, and this is the mentality that we need to start bringing to Washington. The Federal Government spent a massive \$3.6 trillion in fiscal year 2012, so there are clearly savings that we can find. I am willing to do that work, and I encourage my colleagues to do so as well. Congress should not use the urgency of disaster relief as its excuse for continuing to run up our \$16.4 trillion national debt.

Ms. JACKSON LEE. Madam Chair, I rise today to support H.R. 152 "the Disaster Relief Appropriations Act of 2013," which will provide relief to citizens devastated by the impact of Superstorm Sandy.

Last month, the Administration requested \$60.4 billion in federal aid to provide financial assistance to homeowners and businesses affected by Hurricane Sandy. Back on December 28, 2012, the Senate passed a \$61 billion comprehensive aid package for the victims and communities by a vote of 62–32.

I am pleased that this body was able to pass H.R. 41, a \$9.7 billion dollar bill which temporarily increased the borrowing authority of the Federal Emergency Management Agency (FEMA) for carrying out the National Flood Insurance Program.

Now that the President has signed H.R. 41, victims of Superstorm Sandy are finally able to receive some much-needed relief from the federal government. The issue before us is that in no other time in the last 2 decades have victims had to wait this long for relief.

HURRICANE IKE

Right after Hurricane Ike devastated Texas in September 2008, I worked hard with the Members of the Texas Congressional delegation to ensure that Texas was appropriated the recovery funds it so desperately needed. In early 2009, the State of Texas received part of these recovery funds, namely \$219 million under the Social Services Block Grant (SSBG) program from the Department of Health and Human Services (HHS).

Overall, the Federal Government provided over \$1 billion of federal aid for hurricane Ike relief by June 2009 including: \$103 million to the University of Texas Medical Branch in Galveston for debris removal, \$35 million to the Sam Houston Electric Cooperative for restoration work and \$10 million to the Trinity Bay Conservation District for debris removal. I understand the plight of the New York Delegation.

Hurricane Ike wreaked havoc on Texas, particularly in Galveston and Houston. As we

move forward with recovery efforts, it became clear that the impact of the storm had been widespread and many people were still in need of assistance. I suspect that these are the same circumstances under which the survivors of Hurricane Sandy find themselves. I want to remind everyone in this Chamber that during Hurricane Ike, more than 60 Americans and over 26 Texans died. Moreover, it resulted in the evacuation of over 1 million residents and caused over \$11 billion worth of damage.

Hurricanes of the magnitude that we have faced over the last decade require a federal response. We have a duty and an obligation to help our neighbors. I am surprised by those who are quick to say that this situation is different than the Hurricanes that came before. Hurricane Sandy like Ike and Katrina took lives, destroyed homes, and devastated communities. Again, Hurricane Ike caused millions of dollars in damage throughout Houston and Galveston. The local agencies processing the people impacted by Hurricane Ike for which these funds were utilized, received these funds from the state and federal agencies six months late, but they did receive funds because the funds were available. The victims of Sandy are still waiting for a federal response.

The road to recovery and reconstruction was not easy after hurricane Ike, but with the cooperation of the United States government, those states affected were able to recover. I saw the destruction that hurricane Ike caused to the city of Houston's infrastructure and I have also seen how the city of Houston was able to rebuild damaged roadways and bridges. Galveston was able to rebuild its shoreline, which has recently experienced its most lucrative tourist season since Hurricane Ike. With the necessary federal assistance, communities can recover from disaster.

HURRICANE KATRINA

Hurricane Katrina took the lives of 1,833 men, women, and children, while leaving roughly 400,000 people without jobs. Close to 275,000 homes were lost as a result of the record-breaking storm surge that developed and the dozens of levees that couldn't withstand the rage of Katrina. Hurricane Katrina caused an estimated \$108 billion in damage, becoming America's costliest hurricane.

I would like to take a moment to paint a picture for Members of this body about the differences in response to this Hurricane and that of Hurricane Katrina, just in terms of funding. On the morning of August 29, 2005, Hurricane Katrina hit the Gulf Coast of the United States ravaging Americans from Texas to Florida, and even as far inland as the Ohio valley. In 5 days, on September 2, 2005, President George W. Bush signed into law a bill to provide \$10.5 billion in emergency funding for disaster relief related to Hurricane Katrina. Six days later, Congress passed another bill for \$51.8 billion in emergency appropriations. It took a total of 10 days for Congress to approve \$62.3 billion in emergency funding for Hurricane Katrina relief. Here we are today, nearly 2 months after Sandy, still debating Hurricane Sandy funding.

Over 7 years ago, I sat down with NPR's Ed Gordon as a part of a special roundtable to discuss the impact of Hurricane Katrina and Washington's tremendously slow response

time to disaster relief efforts. I recall the anger and frustration in the hearts and minds of Americans across the country at the Bush Administration's seemingly lack of urgency in dealing with the disaster.

At the time, Congress was able to pass an initial emergency relief bill worth \$10 billion 4 days after Katrina made landfall, and then pass an additional \$52 billion in funding 6 days after that. It took 10 days for congress to pass a Katrina relief bill worth \$62.3 billion, and yet a comprehensive relief bill for Sandy has not yet been approved.

We now stand 78 days after the hurricane, which is appalling when you consider the fact we are dealing with Americans' humanity and livelihoods. We forecast these disasters; 10 days was too long for Katrina, and 78 days after Sandy is simply unacceptable.

After Hurricane Katrina devastated the Gulf Coast of the United States I, along with several other Members of Congress, introduced legislation to protect the families and businesses financially overwhelmed by the disaster.

When the Judiciary Committee considered the Bankruptcy Abuse and Consumer Protection Act at the beginning of 2005, I offered an amendment to protect the victims of natural disasters like those who were unfortunately, eventually, devastated by Hurricane Katrina later that year.

Immediately after Hurricane Katrina, Members of Congress and I continued to fight for financial relief for those affected by natural disasters because that is the American way; we take care of our nation's most vulnerable citizens regardless of race, religion, socioeconomic status or unfortunate circumstance. I'd like to think that 7 years after the passage of federal funds for the most expensive hurricane in our nation's history, that when the next massive storm arrives, law makers would be able to approve emergency relief bills in less than 10 days. Sadly, with Sandy, it seems as though we are moving in the opposite direction.

Since this historic storm devastated the east coast in late October, the people impacted by the storm, particularly those in the Tri-State area of New Jersey, New York, and Connecticut, have been waiting patiently for the federal government to act as they continue to engage in efforts to rebuild their communities.

However, the time for patience has long since expired, and these Americans can no longer wait for Congress to act to provide comprehensive relief.

For families without a home, and for businesses without a storefront or customers, this situation has been an ongoing nightmare. These families and businesses have been waiting for Congress to join them in their struggle to pick up the pieces and put their communities back together.

The proposal before us is our opportunity to step up and help to restore these suffering communities; that is the role of the federal government. Every state in this country is, at any given moment in time, at risk for experiencing a devastating and costly natural or manmade disaster.

When state and local governments face overwhelming challenges that are too big and too expensive to ever hope to resolve in isolation, the federal government should be there

to quickly assist them in their recovery. That is what makes us strong as a nation; that we can come together when necessary to prevent the pieces of our country from crumbling individually.

SELECTED PROVISIONS OF H.R. 152

The funds in H.R. 152 will go to help restore both calm and stability to the affected communities by providing relief and rebuilding infrastructure, as well as to help the local economies to recover from stagnation.

Small Business Administration—

This funding will provide for the immediate needs of the SBA Disaster Loan Program to provide timely, low-interest financing for the repair and rebuilding of disaster-damaged private property for homeowners, renters, and businesses.

This funding would also provide grants to assist small businesses affected by Hurricane Sandy with disaster recovery and response problems.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) DISASTER RELIEF FUND (DRF)

This funding will fulfill near-term needs for the DRF, the most immediate source of relief and recovery funds available to individuals, families, and communities to support ongoing recovery through affected areas.

This includes providing individual assistance such as temporary housing, crisis counseling, and disaster unemployment assistance.

It also provides funding for public assistance to local communities and certain nonprofits for debris removal, emergency protective measures, and repair, replacement, and restoration of disaster-damaged, publicly owned facilities and the facilities of certain nonprofit organizations.

Department of Transportation—

This funding will provide reasonable assistance and recovery to the four major affected transit agencies—New York's MTA, the Port Authority of NY/NJ, New Jersey Transit, and the City of New York DOT Ferries.

Language is included in the legislation to provide stringent oversight on the use of funding and the administration of grants.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

This funding through HUD's Community Development Fund will support critical and immediate community needs. This includes repairs to damage sustained by publicly owned hospitals, local roads and utilities, and small businesses.

Funding through HUD's Community Development Block Grant (CDBG) program to support community needs, such as repairs to damage caused to publicly owned hospitals, local roads and utilities and small businesses.

Army Corps of Engineers—

The bill fully funds the Administration's updated estimates for Army Corps of Engineers projects for response and recovery to Superstorm Sandy.

As was done after previous disasters, these funds will help restore navigation channels, beaches, and other damaged infrastructure to pre-storm conditions. Moreover, the bill will provide funds to continue response and recovery activities for flood control, coastal emergency projects, and emergency dredging.

Department of Veterans Affairs—

This funding will go to repairs and reconstruction at the Manhattan VA hospital and

other VA medical facilities, which sustained significant flood damage during the storm. These repairs are urgently needed to provide adequate medical services and care to veterans in the Northeast region, many of whom have had to move to other VA facilities following the storm.

PREVIOUS FEDERAL GOVERNMENT RESPONSES TO DISASTER RELIEF

As the representative for the 18th District in Texas, I know the massive and protracted destruction that storms like this can cause both to property and, more importantly, to the lives of citizens who are left to rebuild their lives and restore all that they have lost.

After the initial disaster response and search and rescue phases, we must begin to rebuild, a process that calls for a longterm commitment from officials in state, local, and federal government.

As I stated above, we can all recall Hurricane Ike in 2008, which heavily impacted many constituents in my district. At least 74 people lost their lives in the State of Texas, with 28 in Harris County and 17 in Galveston. Over 200,000 homes in the Houston-Galveston region were left damaged or destroyed as a result of Ike.

Congress appropriated \$3 billion to Texas to help finance the infrastructure and housing recovery, which included individual and household assistance, disaster unemployment assistance, public assistance grants to state and local government and nonprofit organizations to pay for debris removal, emergency protective measures and road repairs, and low-interest disaster loans provided by the Small Business Administration.

My visits to the affected areas fundamentally evidenced the need for long-term recovery and to get people back on their feet. My constituents and others in the affected areas needed and greatly appreciated the federal assistance they received, and so now that Americans in other parts of our nation need our help, we must move in a bipartisan fashion to provide it.

EXTENT OF DAMAGE CAUSED BY SANDY

As a nation, we continue to mourn the loss of at least 132 people in the United States due to Superstorm Sandy (60 in New York, 48 in New York City; 34 in New Jersey; 16 in Pennsylvania, 7 in West Virginia). Many more were lost to Sandy in the Caribbean.

As devastating as Hurricane Ike was, the damage to property it caused (an estimated \$29.5 billion) the costs associated with Superstorm Sandy are expected to be significantly higher. While we do not yet know the final numbers, the total amount of property damage resulting from Superstorm Sandy exceeds \$62 billion.

In terms of dollars of property destruction, this ranks Superstorm Sandy second only to Hurricane Katrina (\$128 billion, adjusted for inflation)(note: Hurricane Ike ranks 3rd).

Most gas stations in New York City and New Jersey were closed because of power shortages and depleted fuel supplies. Long lines formed at gas stations that were expected to be open.

Food, shelter and clothing are basic necessities, and right now far too many people are without access to them during these holidays and in brutally cold weather. With more cold

weather in sight, things are not going to get any easier for residents of those communities.

Economic conditions in many affected communities are stagnant; stalled because the federal government has yet to provide funding. It took 10 days for Congress to approve comprehensive aid for Katrina, but Congress has yet to provide a comprehensive aid package for those affected by Sandy for more than two months.

CONCLUSION

Today, the \$9.7 billion in relief granted by H.R. 41 granted is limited in scope and insufficient to address the entirety of the situation faced by residents of the affected areas. Here in the House, we must finish the job and pass H.R. 251. We need to restore a sense of calm and stability in the lives of people affected by Superstorm Sandy. We need to ensure that small businesses in the affected areas are able to rebound as expeditiously as possible so that they can get the local economies moving again.

I am encouraged that with bipartisan support, we were able to pass H.R. 41 relief for Superstorm Sandy; however, we must now follow up and finish the job by passing H.R. 251. We know that disasters affect all of us at one point or another, and we must come together as one nation to give people access to relief that, realistically, only the federal government can provide.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule the amendment in the nature of a substitute printed in part A of House Report 113-1. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 152

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

TITLE I

DEPARTMENT OF AGRICULTURE

DOMESTIC FOOD PROGRAMS

FOOD AND NUTRITION SERVICE

COMMODITY ASSISTANCE PROGRAM

For an additional amount for "Commodity Assistance Program" for the emergency food assistance program as authorized by section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)) and section 204(a)(1) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7508(a)(1)), \$6,000,000: Provided, That notwithstanding any other provisions of the Emergency Food Assistance Act of 1983, the Secretary of Agriculture may allocate additional foods and funds for administrative expenses from resources specifically appropriated, transferred, or reprogrammed to restore to States resources used to assist families and individuals displaced by Hurricane Sandy among the States without regard to sections 204 and 214 of such Act (7 U.S.C. 7508, 7515): Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE II
DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS—CIVIL
INVESTIGATIONS

For an additional amount for “Investigations” for necessary expenses related to the consequences of Hurricane Sandy, \$20,000,000, to remain available until expended to conduct studies of flood and storm damage reduction related to natural disasters: Provided, That using \$19,500,000 of the funds provided herein, the Secretary of the Army shall conduct, at full Federal expense, a comprehensive study to address the flood risks of vulnerable coastal populations in areas impacted by Hurricane Sandy within the boundaries of the North Atlantic Division of the United States Army Corps of Engineers: Provided further, That an interim report with an assessment of authorized Corps projects for reducing flooding and storm risks in the affected area that have been constructed or are under construction, including construction cost estimates, shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate not later than March 1, 2013: Provided further, That an interim report identifying any previously authorized but unconstructed Corps project and any project under study by the Corps for reducing flooding and storm damage risks in the affected area, including updated construction cost estimates, that are, or would be, consistent with the comprehensive study shall be submitted to the appropriate congressional committees not later than May 1, 2013: Provided further, That a final report shall be submitted to the appropriate congressional committees not later than 24 months after the date of enactment of this Act: Provided further, That as a part of the study, the Secretary shall identify those activities that warrant additional analysis by the Corps, as well as institutional and other barriers to providing protection to the affected coastal areas: Provided further, That the Secretary shall conduct the study in coordination with other Federal agencies, and State, local, and Tribal officials to ensure consistency with other plans to be developed, as appropriate: Provided further, That using \$500,000 of the funds provided herein, the Secretary shall conduct, at full Federal expense, an evaluation of the performance of existing projects constructed by the Corps and damaged as a consequence of Hurricane Sandy for the purposes of determining their effectiveness and making recommendations for improvements to such projects: Provided further, That the amounts in this paragraph are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the date of enactment of this Act.

CONSTRUCTION

For an additional amount for “Construction” for necessary expenses related to the consequences of Hurricane Sandy, \$9,000,000, to remain available until expended for repairs to projects that were under construction and damaged as a consequence of Hurricane Sandy: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives

and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act.

OPERATION AND MAINTENANCE

For an additional amount for “Operation and Maintenance” for necessary expenses related to the consequences of Hurricane Sandy, \$742,000,000, to remain available until expended to dredge Federal navigation channels, and repair damage to Corps projects: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act.

FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for “Flood Control and Coastal Emergencies” for necessary expenses related to the consequences of Hurricane Sandy, \$582,000,000, to remain available until expended to support emergency operations, repairs, and other activities, as authorized by law: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act.

TITLE III

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$10,000,000 for grants to or cooperative agreements with organizations to provide technical assistance related to disaster recovery, response, and long term resiliency to small businesses that are recovering from Hurricane Sandy: Provided, That the Small Business Administration shall expedite the delivery of assistance in disaster-affected areas: Provided further, That the Administrator of the Small Business Administration may waive the matching requirements under section 21(a)(4)(A) and 29(c) of the Small Business Act for any grant made using funds made available under this heading: Provided further, That no later than 30 days after the date of enactment of this Act, or no less than 7 days prior to obligation of funds, whichever occurs earlier, the Administrator of the Small Business Administration shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

For an additional amount for “Office of Inspector General” for necessary expenses related to the consequences of Hurricane Sandy, \$1,000,000, to remain available until September 30, 2014: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DISASTER LOANS PROGRAM ACCOUNT
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Disaster Loans Program Account” for the cost of direct loans authorized by section 7(b) of the Small Business Act, for necessary expenses related to the consequences of Hurricane Sandy, \$100,000,000, to remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That in addition, for direct administrative expenses of loan making and servicing to carry out the direct loan program authorized by section 7(b) of the Small Business Act in response to Hurricane Sandy, an additional \$50,000,000, to remain available until expended, which may be transferred to and merged with the appropriations for Salaries and Expenses: Provided further, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE IV

DEPARTMENT OF HOMELAND SECURITY

COAST GUARD

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Acquisition, Construction, and Improvements” for necessary expenses related to the consequences of Hurricane Sandy, \$143,899,000, to remain available until September 30, 2014: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That notwithstanding the transfer limitation contained in section 503 of division D of Public Law 112-74, such funding may be transferred to other Coast Guard appropriations after notification as required in accordance with such section: Provided further, That a description of all facilities and property to be reconstructed and restored, with associated costs and time lines, shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate no later than 90 days after the date of enactment of this Act.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the “Disaster Relief Fund” for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$5,379,000,000, to remain available until expended, of which \$3,000,000 shall be transferred to the Department of Homeland Security Office of Inspector General for audits and investigations related to disasters: Provided, That such amount is designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the Administrator of the Federal Emergency Management Agency shall publish on the Agency’s website not later than 24 hours after an award of a public assistance grant under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) that is in excess of \$1,000,000, the specifics of each such grant award: Provided further, That for any mission assignment or mission assignment task order to another Federal department or agency regarding a major disaster, not later than 24 hours after the issuance of a mission assignment or task order in excess of \$1,000,000, the Administrator shall publish on the Agency’s website the following: the name of

the impacted State and the disaster declaration for such State, the assigned agency, the assistance requested, a description of the disaster, the total cost estimate, and the amount obligated: Provided further, That not later than 10 days after the last day of each month until the mission assignment or task order is completed and closed out, the Administrator shall update any changes to the total cost estimate and the amount obligated: Provided further, That for a disaster declaration related to Hurricane Sandy, the Administrator shall submit to the Committees on Appropriations of the House of Representatives and the Senate, not later than 5 days after the first day of each month beginning after the date of enactment of this Act, and shall publish on the Agency's website not later than 10 days after the first day of each such month, an estimate or actual amount, if available, for the current fiscal year of the cost of the following categories of spending: public assistance, individual assistance, operations, mitigation, administrative, and any other relevant category (including emergency measures and disaster resources): Provided further, That not later than 10 days after the first day of each month beginning after the date of enactment of this Act, the Administrator shall publish on the Agency's website the report (referred to as the Disaster Relief Monthly Report) as required by Public Law 112-74.

SCIENCE AND TECHNOLOGY

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

For an additional amount for "Research, Development, Acquisition, and Operations", for necessary expenses related to the consequences of Hurricane Sandy, \$585,000, to remain available until September 30, 2013: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DOMESTIC NUCLEAR DETECTION OFFICE SYSTEMS ACQUISITION

For an additional amount for "Systems Acquisition", for necessary expenses related to the consequences of Hurricane Sandy, \$3,869,000, to remain available until September 30, 2014: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISION—THIS TITLE

SEC. 401. Funds made available by Public Law 109-88 for carrying out activities authorized under section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5184) may be used until expended to provide assistance under section 417 of that Act to local governments in areas eligible to receive such assistance pursuant to a major disaster declaration by the President for Hurricane Sandy.

TITLE V

DEPARTMENT OF THE INTERIOR

FISH AND WILDLIFE SERVICE CONSTRUCTION

For an additional amount for "Construction" for necessary expenses related to the consequences of Hurricane Sandy, \$49,875,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL PARK SERVICE CONSTRUCTION

For an additional amount for "Construction" for necessary expenses related to the con-

sequences of Hurricane Sandy, \$234,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT OIL SPILL RESEARCH

For an additional amount for "Oil Spill Research" for necessary expenses related to the consequences of Hurricane Sandy, \$3,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE VI

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND (INCLUDING TRANSFERS OF FUNDS)

For an additional amount for "Public Health and Social Services Emergency Fund" for disaster response and recovery, and other expenses directly related to Hurricane Sandy, including making payments under the Head Start Act and additional payments for distribution as provided for under the "Social Services Block Grant Program", \$100,000,000, to remain available until September 30, 2014: Provided, That not less than \$25,000,000 shall be transferred to "Children and Families Services Programs" for the Head Start program for the purposes provided herein: Provided further, That not less than \$25,000,000 shall be transferred to "Social Services Block Grant" for the purposes provided herein: Provided further, That not less than \$2,000,000 shall be transferred to the Department of Health and Human Services ("HHS") "Office of Inspector General" to perform oversight, accountability, and evaluation of programs, projects, or activities supported with the funds provided for the purposes provided herein: Provided further, That notwithstanding any other provision of law, the distribution of any amount shall be limited to the States of New York and New Jersey, except that funds provided to "Substance Abuse and Mental Health Services Administration" may be distributed to other States, but only if such funds are for grants, contracts, and cooperative agreements for behavioral health treatment, crisis counseling, and other related helplines, and for other similar programs to provide support to dislocated residents of New York and New Jersey: Provided further, That none of the funds appropriated in this paragraph shall be included in the calculation of the "base grant" in subsequent fiscal years, as such term is defined in sections 640(a)(7)(A), 641A(h)(1)(B), or 644(d)(3) of the Head Start Act: Provided further, That funds appropriated in this paragraph are not subject to the allocation requirements of section 640(a) of the Head Start Act: Provided further, That funds appropriated in this paragraph are in addition to the entitlement grants authorized by section 2002(a)(1) of the Social Security Act and shall not be available for such entitlement grants: Provided further, That funds appropriated in this paragraph may be transferred by the Secretary of HHS ("Secretary") to accounts within HHS, and shall be available only for the purposes provided in this paragraph: Provided further, That the transfer authority provided in this paragraph is in addition to any other transfer authority available in this or any other Act for fiscal year 2013: Provided further, That 15 days prior to the transfer of funds appropriated in this paragraph, the Secretary shall notify the Committees on Appo-

priations of the House of Representatives and the Senate of any such transfer and the planned uses of the funds: Provided further, That obligations incurred for the purposes provided herein prior to the date of enactment of this Act may be charged to funds appropriated by this paragraph: Provided further, That funds appropriated in this paragraph and transferred to the National Institutes of Health for the purpose of supporting the repair or rebuilding of non-Federal biomedical or behavioral research facilities damaged as a result of Hurricane Sandy shall be used to award grants or contracts for such purpose under section 4041 of the Public Health Service Act: Provided further, That section 481A(c)(2) of such Act does not apply to the use of funds described in the preceding proviso: Provided further, That funds appropriated in this paragraph shall not be available for costs that are reimbursed by the Federal Emergency Management Agency, under a contract for insurance, or by self-insurance: Provided further, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCIES

SOCIAL SECURITY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES (INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Limitation on Administrative Expenses", \$2,000,000, for expenses directly related to Hurricane Sandy, which shall be derived from the unobligated balances that remain available under such heading for the Social Security Administration for information technology and telecommunications hardware and software infrastructure: Provided, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE VII

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For an additional amount for "Military Construction, Army National Guard" for necessary expenses related to the consequences of Hurricane Sandy, \$24,235,000, to remain available until September 30, 2017: Provided, That none of the funds made available to the Army National Guard for recovery efforts related to Hurricane Sandy in this Act shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive form 1391 for each specific request: Provided further, That notwithstanding any other provision of law, such funds may be obligated to carry out military construction projects not otherwise authorized by law: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For an additional amount for "Medical Services" for necessary expenses related to the consequences of Hurricane Sandy, \$21,000,000, to remain available until September 30, 2014: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MEDICAL FACILITIES

For an additional amount for “Medical Facilities” for necessary expenses related to the consequences of Hurricane Sandy, \$6,000,000, to remain available until September 30, 2014: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL CEMETERY ADMINISTRATION

For an additional amount for “National Cemetery Administration” for necessary expenses related to the consequences of Hurricane Sandy, \$1,100,000: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENTAL ADMINISTRATION

INFORMATION TECHNOLOGY SYSTEMS

For an additional amount for “Information Technology Systems” for necessary expenses related to the consequences of Hurricane Sandy, \$531,000: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CONSTRUCTION, MAJOR PROJECTS

For an additional amount for “Construction, Major Projects”, \$207,000,000, to remain available until September 30, 2017, for renovations and repairs as a consequence of damage caused by Hurricane Sandy: Provided, That none of these funds shall be available for obligation until the Secretary of Veterans Affairs submits to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: Provided further, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and major medical facility construction not otherwise authorized by law: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE VIII

DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For an additional amount for “Facilities and Equipment”, \$14,600,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2013, for necessary expenses related to the consequences of Hurricane Sandy: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL RAILROAD ADMINISTRATION

OPERATING SUBSIDY GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

For an additional amount for “Operating Subsidy Grants to the National Railroad Passenger Corporation” for the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for necessary expenses related to the consequences of Hurricane Sandy, \$32,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL TRANSIT ADMINISTRATION

PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the “Public Transportation Emergency Relief Program” as authorized under section 5324 of title 49, United States Code, \$5,400,000,000, to remain available until expended, for transit systems affected by Hurricane Sandy: Provided, That not more than \$2,000,000,000 shall be made available not later than 60 days after the date of enactment of this Act: Provided further, That the remainder of the funds shall be made available only after the Federal Transit Administration and the Federal Emergency Management Agency sign the memorandum of agreement required by section 20017(b) of the Moving Ahead for Progress in the 21st Century Act (Public Law 112-141) and the Federal Transit Administration publishes interim regulations for the Public Transportation Emergency Relief Program: Provided further, That not more than three-quarters of 1 percent of the funds for public transportation emergency relief shall be available for administrative expenses and ongoing program management oversight as authorized under 49 U.S.C. 5334 and 5338(i)(2) and shall be in addition to any other appropriations for such purpose: Provided further, That of the funds made available under this heading, \$3,000,000 shall be transferred to the Office of Inspector General to support the oversight of activities under this heading: Provided further, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Community Development Fund”, \$3,850,000,000, to remain available until September 30, 2017, for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) due to Hurricane Sandy, for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.): Provided, That funds shall be allocated directly to States and units of general local government at the discretion of the Secretary of Housing and Urban Development: Provided further, That within 60 days after the enactment of this Act, the Secretary shall allocate to grantees all funds provided under this heading based on the best available data: Provided further, That as a condition of eligibility for receipt of such funds, a grantee shall submit a plan to the Secretary detailing the proposed use of all funds, including criteria for eligibility and how the use of such funds will address long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas: Provided further, That the Secretary shall, by notice issued within 45 days of enactment of this Act, specify criteria for approval of plans, and, if the Secretary determines that a plan does not meet such criteria, the Secretary shall disapprove the plan: Provided further, That as a condition of making any grant, the Secretary shall certify in advance that such grantee has in place proficient financial controls and procurement processes and has established adequate procedures to prevent any du-

plication of benefits as defined by section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155), to ensure timely expenditure of funds, to maintain comprehensive websites regarding all disaster recovery activities assisted with these funds, and to detect and prevent waste, fraud, and abuse of funds: Provided further, That funds provided under this heading may not be used for activities reimbursable by or for which funds are made available by the Federal Emergency Management Agency or the Army Corps of Engineers: Provided further, That funds allocated under this heading shall not be considered relevant to the non-disaster formula allocations made pursuant to section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. 5306): Provided further, That a grantee may use up to 5 percent of its overall allocation for administrative costs: Provided further, That a grantee shall administer grant funds provided under this heading in accordance with all applicable laws and regulations and may not delegate, by contract or otherwise, the responsibility for administering such grant funds: Provided further, That the Secretary shall provide grantees with technical assistance on contracting and procurement processes and shall require grantees, in contracting or procuring these funds, to incorporate performance requirements and penalties into any such contracts or agreements: Provided further, That the Secretary shall require grantees to maintain on a public website information accounting for how all grant funds are used, including details of all contracts and ongoing procurement processes: Provided further, That, in administering the funds under this heading, the Secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use of these funds by a grantee (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment) upon a request by a grantee explaining why such waiver is required to facilitate the use of such funds and pursuant to a determination by the Secretary that good cause exists for the waiver or alternative requirement and that such action is not inconsistent with the overall purposes of title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) or this heading: Provided further, That, notwithstanding the preceding proviso, recipients of funds provided under this heading that use such funds to supplement Federal assistance provided under sections 402, 403, 404, 406, 407, or 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) may adopt, without review or public comment, any environmental review, approval, or permit performed by a Federal agency, and such adoption shall satisfy the responsibilities of the recipient with respect to such environmental review, approval or permit under section 104(g)(1) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(g)(1)): Provided further, That, notwithstanding section 104(g)(2) of such Act (42 U.S.C. 5304(g)(2)), the Secretary may, upon receipt of a request for release of funds and certification, immediately approve the release of funds for an activity or project assisted under this heading if the recipient has adopted an environmental review, approval or permit under the preceding proviso or the activity or project is categorically excluded from review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.): Provided further, That a waiver granted by the Secretary may not reduce the percentage of funds that must be used for activities that benefit persons of low and moderate income to less than 50 percent, unless the

Secretary specifically finds that there is compelling need to further reduce the percentage requirement: Provided further, That the Secretary shall publish in the Federal Register any waiver or alternative requirement made by the Secretary with respect to any statute or regulation no later than 5 days before the effective date of such waiver or alternative requirement: Provided further, That, of the funds made available under this heading, up to \$4,000,000 may be transferred to Program Office Salaries and Expenses, Community Planning and Development for necessary costs, including information technology costs, of administering and overseeing funds made available under this heading: Provided further, That, of the funds made available under this heading, \$4,000,000 shall be transferred to Office of the Inspector General for necessary costs of overseeing and auditing funds made available under this heading: Provided further, That funds provided under this heading are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ADMINISTRATIVE PROVISION—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SEC. 801. For fiscal year 2013, upon request by a public housing agency and supported by documentation as required by the Secretary of Housing and Urban Development that demonstrates that the need for the adjustment is due to the disaster, the Secretary may make temporary adjustments to the Section 8 housing choice voucher annual renewal funding allocations and administrative fee eligibility determinations for public housing agencies in an area for which the President declared a disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.), to avoid significant adverse funding impacts that would otherwise result from the disaster.

TITLE IX

GENERAL PROVISIONS—THIS ACT

SEC. 901. Each amount appropriated or made available in this Act is in addition to amounts otherwise appropriated for the fiscal year involved.

SEC. 902. Each amount designated in this Act by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

SEC. 903. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 904. (a)(1) Not later than March 31, 2013, in accordance with criteria to be established by the Director of the Office of Management and Budget (referred to in this section as "OMB"), each Federal agency shall submit to OMB, the Government Accountability Office, the respective Inspector General of each agency, and the Committees on Appropriations of the House of Representatives and the Senate internal control plans for funds provided by this Act.

(2) Not later than June 30, 2013, the Government Accountability Office shall review for the Committees on Appropriations of the House of Representatives and the Senate the design of the internal control plans required by paragraph (1).

(b) All programs and activities receiving funds under this Act shall be deemed to be "susceptible to significant improper payments" for purposes of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note), notwithstanding section 2(a) of such Act.

(c) Funds for grants provided by this Act shall be expended by the grantees within the 24-month period following the agency's obligation of funds for the grant, unless, in accordance with guidance to be issued by the Director of OMB, the Director waives this requirement for a particular grant program and submits a written justification for such waiver to the Committees on Appropriations of the House of Representatives and the Senate. In the case of such grants, the agency shall include a term in the grant that requires the grantee to return to the agency any funds not expended within the 24-month period.

(d) Through September 30, 2015, the Recovery Accountability and Transparency Board shall develop and use information technology resources and oversight mechanisms to detect and remediate waste, fraud, and abuse in the obligation and expenditure of funds appropriated in this or any other Act for any fiscal year of such period for purposes related to the impact of Hurricane Sandy: Provided, That the Board shall coordinate its oversight efforts with the Director of OMB, the head of each Federal agency receiving appropriations related to the impact of Hurricane Sandy, and the respective Inspector General of each such agency: Provided further, That the Board shall submit quarterly reports to the Committees on Appropriations of the House of Representatives and the Senate on its activities related to funds appropriated for the impact of Hurricane Sandy.

This Act may be cited as the "Disaster Relief Appropriations Act, 2013".

THE CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except the amendment printed in part B of House Report 113-1. After disposition of that amendment, the Chair shall put the question on the amendment in the nature of a substitute.

If the amendment in the nature of a substitute printed in part A of House Report 113-1 accompanying House Resolution 23 is not adopted, the Committee shall rise and report that it has come to no resolution on the bill.

If the amendment in the nature of a substitute is adopted, the amendment in the nature of a substitute shall be considered as the original bill for the purpose of further amendment.

No further amendment shall be in order except the amendments printed in part C of House Report 113-1.

At the conclusion of consideration of the amendments printed in part C of House Report 113-1, the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill, to the amendment in the nature of a substitute printed in part A of House Report 113-1, or to amendment No. 1 printed in part C of House Report 113-1.

Each amendment printed in part B and part C of House Report 113-1 may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the

proponent and an opponent, shall not be subject to amendment (except as specified in House Report 113-1), and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. MULVANEY

THE CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 113-1.

MR. MULVANEY. Madam Chair, I have an amendment at the desk.

THE CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

After section 904 (but before the short title), insert the following new section:

SEC. 905. (a) There is hereby rescinded an amount equal to 1.63 percent of—

(1) the budget authority provided (or obligation limitation imposed) for fiscal year 2013 for any discretionary account in any fiscal year 2013 appropriation Act;

(2) the budget authority provided in any advance appropriation for fiscal year 2013 for any discretionary account in any prior fiscal year appropriation Act; and

(3) the contract authority provided in fiscal year 2013 for any program that is subject to a limitation contained in any fiscal year 2013 appropriation Act for any discretionary account.

(b) Any rescission made by subsection (a) shall be applied proportionately—

(1) to each discretionary account and each item of budget authority described in such subsection; and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying reports for the relevant fiscal year covering such account or item, or for accounts and items not included in appropriation Acts, as delineated in the most recently submitted President's budget).

(c) In the case of any fiscal year 2013 appropriation Act enacted after the date of enactment of this section, any rescission required by subsection (a) shall take effect immediately after the enactment of such Act.

(d) Within 30 days after the date of enactment of this section (or, if later, 30 days after the enactment of any fiscal year 2013 appropriation Act), the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the account and amount of each rescission made pursuant to subsection (a).

THE CHAIR. Pursuant to House Resolution 23, the gentleman from South Carolina (Mr. MULVANEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

MR. MULVANEY. Thank you for the opportunity to the chairman and the ranking member.

I want to make it very clear what this amendment is and what this amendment is not.

This amendment is not about delay. This amendment is not about offering a poison pill to the underlying bill. This amendment is not about preventing money from going where it is very desperately needed. I want that to happen.

I want these folks who need this money to get it.

I live in an area that is hurricane-prone. I have lived through hurricanes myself. I have lived through floods myself. I have waded through chest-high water full of snakes and human waste to get into my own business. I've been able to take advantage of and to use, to rebuild a small business, a small business disaster loan. I want the money to go where it needs to go.

I'm here for one reason and one reason only today, Madam Chair, and that is to talk about how we can pay for it. That's it.

There was a time when we didn't have to have this conversation. There was a time back during Hurricane Hugo in the late 1980s where we didn't have to talk about how to pay for disaster assistance because the deficit was only \$3 trillion. But we've so badly mismanaged our money after that, that by the time we got to Hurricane Katrina in 2005, that we actually did start talking about offsetting and paying for disaster relief and paid for and offset about 40 percent of it.

But we didn't learn. We didn't learn from those mistakes, and we've continued to mismanage our money and to run up our deficit to such a point now where it's \$16 trillion today, and it is incumbent upon us to have the discussion about whether or not we have the money to do this and whether or not it's important enough to us to pay for it.

I wish very much that we weren't here today, I wish very much that we could pass this and easily borrow the money without any questions whatsoever, but we've wasted that opportunity. We've mismanaged our own finances to the point where we are now no longer capable of taking care of our own.

Think about that for a second. In the United States of America, we do not have enough money to take care of our own citizens who need it. There's no rainy day fund. There's no savings. What ability we had to borrow money we blew through several years ago with trillion dollar deficits. We don't have enough money saved up to take care of our own people, and that's wrong. It's absolutely wrong.

It is important to me that this money goes to the folks who need it very badly. It's so important to me that I think we should pay for it. I think we should be willing, as a body, to come together and say, Look, there are things that we do not need this year, things that we can do without this year so that the people in New York and New Jersey and Connecticut and the other States who so badly need the money can have it, without us having to go hat-in-hand to other nations of this world and say, Would you please lend us money so that we can take care of our folks who need it so badly?

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I hope the amendment passes. I hope the amendment passes so that I can vote for the bill. I want this money to go where it is so desperately needed. But the time has come and gone in this Nation when we can walk in here one day and spend \$9 billion or \$17 billion or \$60 billion and not think about who's paying for it.

This is important money. It's important to you, it's important to me, and it's important to everyone in here. But it's important enough for us to pay for it ourselves. For that reason, I encourage passage of this amendment and passage ultimately of the underlying bill.

With that, I would yield 1½ minutes to the gentleman from California (Mr. McCLINTOCK).

Mr. McCLINTOCK. Madam Chairman, it seems we've lost the battle over all of the non-emergency, non-Sandy spending in this measure. The question before us now is whether we're going to spend \$17 billion in this bill—\$50 billion when it's amended—without even pretending that we can pay for it.

The gentleman from South Carolina's amendment proposes that we actually recognize that our government is facing a fiscal crisis of unprecedented dimensions and at least pay for the \$17 billion in the Rogers bill.

I don't like across-the-board cuts, which treat our highest priorities the same as our lowest priorities; but the Rules Committee disallowed the gentleman from South Carolina's specific offsets like repealing remaining TARP funds and ending bonuses to Federal employees who take transit to work. And the fact is if Members believe that a 1.6 percent cut to discretionary spending is draconian, they should be just as leery of a 1.6 percent increase in spending to pay for non-emergency, non-Sandy-related programs in the Rogers bill.

In the last 10 years, inflation and population have grown 39 percent, our revenues have grown 37 percent, but our spending has grown 64 percent. In light of that, a 1.6 percent cut to pay for this bill, which we are assured is our highest priority, seems like a very modest measure.

Mr. MULVANEY. Madam Chair, I would like to yield 45 seconds to the gentlelady from Wyoming (Mrs. LUMMIS).

Mrs. LUMMIS. Madam Chairman, without question, the victims of Sandy deserve relief. They deserve it, and we should give it to them in a way that we can afford. If we can't do a 1.6 percent reduction in spending, how are we going to deal with a \$16 trillion debt?

My own State of Wyoming is cutting spending 6½ percent across the board right now to balance the budget because revenues didn't materialize that have materialized in the past. And it's

very doable. We in this House cut our own budgets 11.4 percent in the period of 2 years. This House has not missed a beat. Not a single Member was hurt by that. A 1.6 percent reduction in Federal spending to pay for these victims' benefits that deserve this money is the right thing to do.

I rise in support of the Mulvaney amendment.

Mr. MULVANEY. Madam Chair, I reserve the balance of my time.

Mr. ROGERS of Kentucky. Madam Chairman, I claim the time in opposition.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Kentucky. Madam Chair, I yield myself 3 minutes.

Our people in the Northeast are facing a struggle of historic proportions. Many have seen their homes, their livelihoods, and their communities decimated beyond belief. It is the Federal responsibility—and in fact our responsibility as human beings—to help those victims in this unexpected catastrophe.

In doing so, we must expend some Federal dollars. I don't take spending this money lightly. Our country faces a deficit crisis, as the gentleman from South Carolina has said, a deficit crisis of huge proportions, with an economy that's fighting to recover; and any expenditure must be weighed against all other needs facing our Nation.

Now, I don't take a back seat to anyone when it comes to cutting spending. Since I've chaired this committee the last 2 years, we've cut \$100 billion off of discretionary spending, 2 years in a row, going on a third. That's not happened since World War II. So I know whereof I speak.

In this case, Madam Chair, the needs are very desperately clear. We must provide this emergency funding, as we are allowed by law, without the devastating slash-and-burn cuts elsewhere that this amendment would cause. The amendment before us would slash nearly \$20 billion from discretionary spending this year alone, totally indiscriminate, unspecific, cutting the good and the bad, completely abdicating the responsibility of Congress to determine where spending should or should not occur.

To put this in perspective, this amendment contains a cut to regular discretionary spending that is about the size of the entire agriculture discretionary budget for the year. It is about the equivalent of eliminating all discretionary funding for the Department of Transportation or the full annual budgets of the Coast Guard and Customs and Border Patrol combined.

As written, this amendment is an across-the-board cut that holds no program safe from harm. Defense spending, which is already facing potentially devastating sequestration cuts, is cut by another \$10 billion. It would cut war funding by \$1.6 billion, directly affecting our troops who are putting their

lives on the line in Afghanistan and other areas of conflict.

This amendment also cuts funding for our veterans by \$200 million, potentially endangering the quality of their care and making a statement that Congress is willing to go back on commitments to our vets. And the list of other unwise cuts and side effects go on.

Finally, this amendment goes against the precedent of previous emergency supplementals, which did not contain these extreme offsets.

The CHAIR. The time of the gentleman has expired.

Mr. ROGERS of Kentucky. I yield myself an additional 30 seconds.

I believe we can and should attempt to budget for disasters, as we did under the BCA. There are times when a disaster simply goes beyond our ability to offset. Hurricane Sandy is one of those times.

I urge a defeat of the amendment.

I now yield 1 minute to the gentleman from New York (Mrs. LOWEY).

Mrs. LOWEY. I rise in strong opposition to the Mulvaney amendment. It would make indiscriminate across-the-board cuts, it would create a \$2.1 billion shortfall in military pay, take \$529 million from military health care and \$1.4 billion support for our troops in Afghanistan. Even before the Mulvaney amendment, the Joint Chiefs of Staff say we are on the brink of creating a hollow force.

It would also cut care for wounded warriors after they come home, reducing veterans' medical services by more than \$800 million. And here at home the amendment would eliminate \$650 million in funds to repair, rebuild, and expand highways and bridges. It would cut more than 139,000 low-income pregnant women, infants and young children from the WIC program.

It would take \$500 million from the National Institutes of Health for research and cures for diseases like cancer, diabetes, and Alzheimer's.

On many occasions, Democrats and Republicans came together to meet these urgent needs caused by major disasters in all parts of the Nation. We didn't say we must first cut support for armed forces and veterans and reduce investments in research. Let's not do that now.

Mr. MULVANEY. In closing, Madam Chair, I would just say I don't like across-the-board cuts any more than anybody else does. I offered other alternatives. They were ruled out of order.

But I would put it to my colleagues, just tell me what you're willing to do without. Are we willing and able to do without anything so that these people can get this money this year? That's the question that I want to debate. That's what I'm looking for from my colleagues across the aisle. Are there no savings, are there no reductions that we could put in place this year so these folks get this money?

With that, I yield back the balance of my time.

Mr. ROGERS of Kentucky. Madam Chair, I yield the balance of my time to the gentleman from Indiana (Mr. VISCLOSKEY).

The CHAIR. The gentleman from Indiana is recognized for 30 seconds.

Mr. VISCLOSKEY. I appreciate the chairman yielding. I would simply conclude by saying one of my colleagues mentioned that we have a crisis. We do have a crisis—a crisis of indecision in this Chamber. We are under a continuing resolution. This committee is not allowed to complete its work. That creates inefficiencies at the Department of Defense, endangering our security.

The chairman talked about the impact on across-the-board cuts and sequestration, and now we're going to pile on with more cuts. The fact is the goal the gentleman is looking for is not going to happen, and I will simply give you one example. By stringing out acquisition and modernization, you increase the cost to the American taxpayer. I would ask my colleagues to oppose this amendment.

□ 1550

The CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

The question was taken; and the Chair announced that the noes appeared to have it.

RECORDED VOTE

Mr. MULVANEY. Madam Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIR. Pursuant to clause 6 of rule XVIII, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the amendment in the nature of a substitute printed in part A of House Report 113-1.

The vote was taken by electronic device, and there were—ayes 162, noes 258, not voting 12, as follows:

[Roll No. 14]

AYES—162

Amash
Amodei
Bachmann
Barr
Barton
Benishke
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Camp
Campbell
Cantor
Carney
Cassidy

Chabot
Chaffetz
Coble
Coffman
Collins (GA)
Conaway
Cooper
Cotton
Cramer
Daines
Denham
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fleischmann
Fleming
Flores
Fox
Franks (AZ)
Gardner

Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Hall
Harper
Harris
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Issa

Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
King (IA)
Labrador
LaMalfa
Lamborn
Lankford
Latham
Latta
Luetkemeyer
Lummis
Marchant
Massie
Matheson
McClintock
McHenry
McMorris
Rodgers
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)

Neugebauer
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Pompeo
Posey
Price (GA)
Radel
Ribble
Rice (SC)
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ross
Rothfus
Royce
Ryan (WI)
Salmon
Scalise
Schock
Schrader

Schweikert
Sensenbrenner
Sessions
Smith (NE)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Upton
Wagner
Walberg
Walden
Weber (TX)
Wenstrup
Westmoreland
Williams
Wilson (SC)
Woodall
Yoder
Yoho
Young (IN)

NOES—258

Aderholt
Alexander
Andrews
Bachus
Barber
Barletta
Barrow
Bass
Beatty
Becerra
Bera
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bonner
Brady (PA)
Braley (IA)
Brownley (CA)
Bustos
Butterfield
Calvert
Capito
Capps
Capuano
Cardenas
Carson (IN)
Carter
Cartwright
Castor (FL)
Castro (TX)
Chu
Ciilline
Clarke
Clay
Clyburn
Cohen
Cole
Collins (NY)
Connolly
Conyers
Cook
Courtney
Crawford
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth

Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Forbes
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gibson
Grayson
Green, Al
Green, Gene
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hanabusa
Hanna
Hartzer
Hastings (FL)
Hastings (WA)
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Hunter
Israel
Cuellar
Jeffries
Johnson (GA)
Johnson, E. B.
Joyce
Kaptur
Keating
Kelly
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kline
Kuster
Lance
Langevin
Larsen (WA)

Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebach
Loftgren
Long
Lowenthal
Lowey
Lucas
Lujan Grisham
(NM)
Lujan, Ben Ray
(NM)
Lynch
Maffei
Maloney
Carolyn
Maloney, Sean
Marino
Markey
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McIntyre
McKeon
McKinley
McNerney
Meehan
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Neal
Negrete McLeod
Noem
Nolan
Nugent
O'Rourke
Owens
Pallone
Pascarelli
Pastor (AZ)
Payne
Perlosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Poe (TX)
Polis
Price (NC)

Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roskam
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff

Schneider
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Turner

Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walorski
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Webster (FL)
Welch
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—12

Brown (FL)
Clever
Costa
Crenshaw

Emerson
Jackson Lee
Kingston
Kirkpatrick

Napolitano
Nunes
Schwartz
Speier

□ 1610

Messrs. JEFFRIES, DENT, and CULBERSON changed their vote from “aye” to “no.”

Mr. MILLER of Florida and Mr. DUFFY changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mrs. NAPOLITANO. Madam Chair, on Tuesday, January 15, 2013, I was absent during rollcall vote No. 14 due to a death in my family. Had I been present, I would have voted “no” on the Mulvaney Amendment.

The Acting CHAIR (Ms. ROS-LEHTINEN). The question is on the amendment in the nature of a substitute printed in part A of House Report 113-1.

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

RECORDED VOTE

Mr. ROGERS of Kentucky. Madam Chair, I demand a recorded vote.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 327, noes 91, not voting 14, as follows:

[Roll No. 15]

AYES—327

Aderholt
Alexander
Amodel
Andrews
Bachus
Barber
Barletta
Barrow
Barton
Bass
Beatty
Becerra
Bera
Billirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)

Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buchon
Burgess
Bustos
Butterfield
Calvert
Cantor

Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Clyburn
Coble

Coffman
Cohen
Cole
Collins (NY)
Connolly
Conyers
Cooper
Courtney
Cramer
Crawford
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DeBene
Denham
Larson (CT)
Latham
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebach
Lofgren
Long
Lowenthal
Lowe
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney
Carolyn
Maloney, Sean
Marino
Markley
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Meng
Mica
Michaud
Miller, Gary
Miller, George
Moore
Moran
Murphy (FL)
Murphy (PA)
Nadler
Neal
Negrete McLeod
Noem
Nolan
Nugent
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Perlmuter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)

Jenkins
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Joyce
Kaptur
Keating
Kelly
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kline
Kuster
Labrador
LaMalfa
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebach
Lofgren
Long
Lowenthal
Lowe
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney
Carolyn
Maloney, Sean
Marino
Markley
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Meng
Mica
Michaud
Miller, Gary
Miller, George
Moore
Moran
Murphy (FL)
Murphy (PA)
Nadler
Neal
Negrete McLeod
Noem
Nolan
Nugent
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Perlmuter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)

Pitts
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney
Ros-Lehtinen
Roskam
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Lowey
Scott (VA)
Scott, David
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Southernland
Stivers
Stockman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Webster (FL)
Welch
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—91

Amash
Bachmann
Barr
Benishke
Bentivolio
Black
Blackburn
Bridenstine
Broun (GA)
Camp
Campbell
Chabot
Chaffetz
Collins (GA)
Conaway
Cotton
Daines
DeSantis
DesJarlais
Duncan (SC)
Duncan (TN)
Fincher
Fleming
Flores
Foxy
Franks (AZ)
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy

Graves (MO)
Hensarling
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Johnson (OH)
Jordan
King (IA)
Lamborn
Latta
Luetkemeyer
Lummis
Marchant
Massie
McClintock
McHenry
Meadows
Messer
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Neugebauer
Pearce
Perry
Petri
Pittenger
Poe (TX)
Pompeo

Posey
Price (GA)
Radel
Ribble
Rogers (MI)
Rohrabacher
Rokita
Ross
Rothfus
Royce
Ryan (WI)
Salmon
Schweikert
Scott, Austin
Sensenbrenner
Smith (TX)
Stewart
Stutzman
Upton
Wagner
Walberg
Walorski
Weber (TX)
Wenstrup
Westmoreland
Williams
Wilson (SC)
Woodall
Yoho

NOT VOTING—14

Brown (FL)
Clever
Cook
Costa
Crenshaw

Emerson
Jackson Lee
Kingston
Kirkpatrick
Napolitano

Nunes
Rice (SC)
Schwartz
Speier

□ 1618

Mr. LONG changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Madam Chair, on Tuesday, January 15, 2013, I was absent during rollcall vote No. 15 due to a death in my family. Had I been present, I would have voted “yea” on the Rogers Amendment.

AMENDMENT NO. 1 OFFERED BY MR.

FRELINGHUYSEN

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part C of House Report 113-1.

Mr. FRELINGHUYSEN. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

TITLE X

ADDITIONAL DISASTER ASSISTANCE

CHAPTER 1

DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY

EMERGENCY CONSERVATION ACTIVITIES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount, to remain available until expended, for the Emergency Conservation Program under title IV of the Agriculture Credit Act of 1978 (16 U.S.C. 2201 et seq.) for necessary expenses related to the consequences of Hurricane Sandy and resulting from a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$218,000,000, of which \$15,000,000 shall be

available for payments under sections 401 and 402 of the Agriculture Credit Act of 1978 (16 U.S.C. 2201, 2202), \$180,000,000 shall be available for activities under section 403 of such Act (Emergency Watershed Protection Program; 16 U.S.C. 2203), and \$23,000,000 shall be available for activities under section 407 of such Act (Emergency Forest Restoration Program; 16 U.S.C. 2206): *Provided*, That the Secretary of Agriculture shall transfer these funds to the Farm Service Agency and the Natural Resources Conservation Service: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISION—THIS CHAPTER

SEC. 1011. The Office of Inspector General of the Department of Agriculture shall use unobligated disaster assistance oversight funds provided to such office in division B of Public Law 110-329 (122 Stat. 3585) for continued oversight of Department of Agriculture disaster- and emergency-related activities.

CHAPTER 2

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for “Operations, Research, and Facilities”, \$290,000,000 to remain available until September 30, 2014, as follows:

(1) \$50,000,000 for mapping, charting, geodesy services and marine debris surveys for coastal States impacted by Hurricane Sandy;

(2) \$7,000,000 to repair and replace ocean observing and coastal monitoring assets damaged by Hurricane Sandy;

(3) \$3,000,000 to provide technical assistance to support State assessments of coastal impacts of Hurricane Sandy;

(4) \$150,000,000 for Regional Ocean Partnership grants to coastal States impacted by Hurricane Sandy;

(5) \$25,000,000 to improve weather forecasting and hurricane intensity forecasting capabilities, to include data assimilation from ocean observing platforms and satellites;

(6) \$50,000,000 for laboratories and cooperative institutes research activities associated with sustained observations weather research programs, and ocean and coastal research; and

(7) \$5,000,000 for necessary expenses related to fishery disasters resulting from impacts of Hurricane Sandy, and as declared by the Secretary of Commerce in calendar year 2012: *Provided*, That the National Oceanic and Atmospheric Administration shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For an additional amount for “Procurement, Acquisition and Construction”, \$186,000,000, to remain available until September 30, 2015, as follows:

(1) \$9,000,000 to repair National Oceanic and Atmospheric Administration (NOAA) facilities damaged by Hurricane Sandy;

(2) \$44,500,000 for repairs and upgrades to NOAA hurricane reconnaissance aircraft;

(3) \$8,500,000 for improvements to weather forecasting equipment and supercomputer infrastructure;

(4) \$13,000,000 to accelerate the National Weather Service ground readiness project; and

(5) \$111,000,000 for a weather satellite data mitigation gap reserve fund:

Provided, That NOAA shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses” for necessary expenses related to the consequences of Hurricane Sandy, \$10,020,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses” for necessary expenses related to the consequences of Hurricane Sandy, \$1,000,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses” for necessary expenses related to the consequences of Hurricane Sandy, \$230,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL PRISON SYSTEM

BUILDINGS AND FACILITIES

For an additional amount for “Buildings and Facilities” for necessary expenses related to the consequences of Hurricane Sandy, \$10,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SCIENCE

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

For an additional amount for “Construction and Environmental Compliance and Restoration” for repair at National Aeronautics and Space Administration facilities damaged by Hurricane Sandy, \$15,000,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCIES

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For an additional amount for “Payment to the Legal Services Corporation” to carry out

the purposes of the Legal Services Corporation Act by providing for necessary expenses related to the consequences of Hurricane Sandy, \$1,000,000: *Provided*, That the amount made available under this heading shall be used only to provide the mobile resources, technology, and disaster coordinators necessary to provide storm-related services to the Legal Services Corporation client population and only in the areas significantly affected by Hurricane Sandy: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That none of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105-119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2012 and 2013, respectively, and except that sections 501 and 503 of Public Law 104-134 (referred by Public Law 105-119) shall not apply to the amount made available under this heading: *Provided further*, That, for the purposes of this Act, the Legal Services Corporation shall be considered an agency of the United States Government.

CHAPTER 3

DEPARTMENT OF DEFENSE

DEPARTMENT OF DEFENSE—MILITARY OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for “Operation and Maintenance, Army”, \$5,370,000, to remain available until September 30, 2013, for necessary expenses related to the consequences of Hurricane Sandy: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for “Operation and Maintenance, Navy”, \$40,015,000, to remain available until September 30, 2013, for necessary expenses related to the consequences of Hurricane Sandy: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for “Operation and Maintenance, Air Force”, \$8,500,000, to remain available until September 30, 2013, for necessary expenses related to the consequences of Hurricane Sandy: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY

NATIONAL GUARD

For an additional amount for “Operation and Maintenance, Army National Guard”, \$3,165,000, to remain available until September 30, 2013, for necessary expenses related to the consequences of Hurricane Sandy: *Provided*, That such amount is designated by the Congress as being for an

emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for “Operation and Maintenance, Air National Guard”, \$5,775,000, to remain available until September 30, 2013, for necessary expenses related to the consequences of Hurricane Sandy: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for “Procurement of Ammunition, Army”, \$1,310,000, to remain available until September 30, 2015, for necessary expenses related to the consequences of Hurricane Sandy: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for “Defense Working Capital Funds”, \$24,200,000, to remain available until September 30, 2013, for necessary expenses related to the consequences of Hurricane Sandy: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CHAPTER 4

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

INVESTIGATIONS

For an additional amount for “Investigations” for necessary expenses related to the consequences of Hurricane Sandy, \$50,000,000, to remain available until expended to expedite at full Federal expense studies of flood and storm damage reduction: *Provided*, That using \$29,500,000 of the funds provided herein, the Secretary of the Army shall expedite and complete ongoing flood and storm damage reduction studies in areas that were impacted by Hurricane Sandy in the North Atlantic Division of the United States Army Corps of Engineers: *Provided further*, That using up to \$20,000,000 of the funds provided herein, the Secretary shall conduct a comprehensive study to address the flood risks of vulnerable coastal populations in areas that were affected by Hurricane Sandy within the boundaries of the North Atlantic Division of the Corps: *Provided further*, That an interim report with an assessment of authorized Corps projects for reducing flooding and storm risks in the affected area that have been constructed or are under construction, including construction cost estimates, shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate not later than March 1, 2013: *Provided further*, That an interim report identifying any previously authorized but unconstructed Corps project and any project under study by the Corps for reducing flooding and storm damage risks in the affected area, including updated construction cost estimates, that are, or would be, consistent with the comprehensive study shall be submitted to the appropriate congressional committees by May 1, 2013: *Provided further*,

That a final report shall be submitted to the appropriate congressional committees within 24 months of the date of enactment of this Act: *Provided further*, That as a part of the study, the Secretary shall identify those activities warranting additional analysis by the Corps, as well as institutional and other barriers to providing protection to the affected coastal areas: *Provided further*, That the Secretary shall conduct the study in coordination with other Federal agencies, and State, local and Tribal officials to ensure consistency with other plans to be developed, as appropriate: *Provided further*, That using \$500,000 of the funds provided herein, the Secretary shall conduct an evaluation of the performance of existing projects constructed by the Corps and impacted by Hurricane Sandy for the purposes of determining their effectiveness and making recommendations for improvements thereto: *Provided further*, That as a part of the study, the Secretary shall identify institutional and other barriers to providing comprehensive protection to affected coastal areas and shall provide this report to the Committees on Appropriations of the House of Representatives and the Senate within 120 days of enactment of this Act: *Provided further*, That the amounts in this paragraph are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act.

CONSTRUCTION

For an additional amount for “Construction” for necessary expenses related to the consequences of Hurricane Sandy, \$3,461,000,000, to remain available until expended to rehabilitate, repair and construct United States Army Corps of Engineers projects: *Provided*, That \$2,902,000,000 of the funds provided under this heading shall be used to reduce future flood risk in ways that will support the long-term sustainability of the coastal ecosystem and communities and reduce the economic costs and risks associated with large-scale flood and storm events in areas along the Atlantic Coast within the boundaries of the North Atlantic Division of the Corps that were affected by Hurricane Sandy: *Provided further*, That \$858,000,000 of such funds shall be made available not earlier than 14 days after the Secretary of the Army submits the report required under the heading “Investigations” to be submitted not later than March 1, 2013, and \$2,044,000,000 shall be made available not earlier than 14 days after the Secretary submits the report required under the heading “Investigations” to be submitted not later than May 1, 2013: *Provided further*, That efforts using these funds shall incorporate current science and engineering standards in constructing previously authorized Corps projects designed to reduce flood and storm damage risks and modifying existing Corps projects that do not meet these standards, with such modifications as the Secretary determines are necessary to incorporate these standards or to meet the goal of providing sustainable reduction to flooding and storm damage risks: *Provided further*, That upon approval of the Committees on Appropriations of the House of Representatives and the Senate these funds may be used to construct any project under study by the Corps for reduc-

ing flooding and storm damage risks in areas along the Atlantic Coast within the North Atlantic Division of the Corps that were affected by Hurricane Sandy that the Secretary determines is technically feasible, economically justified, and environmentally acceptable: *Provided further*, That the completion of ongoing construction projects receiving funds provided by this Act shall be at full Federal expense: *Provided further*, That the non-Federal cash contribution for projects using these funds shall be financed in accordance with the provisions of section 103(k) of Public Law 99-662 over a period of 30 years from the date of completion of the project or separable element: *Provided further*, That for these projects, the provisions of section 902 of the Water Resources Development Act of 1986 shall not apply to these funds: *Provided further*, That up to \$51,000,000 of the funds provided under this heading shall be used to expedite continuing authorities projects to reduce the risk of flooding along the coastal areas in States impacted by Hurricane Sandy within the boundaries of the North Atlantic Division of the Corps: *Provided further*, That \$9,000,000 of the funds provided under this heading shall be used for repairs to projects that were under construction and damaged by the impacts of Hurricane Sandy: *Provided further*, That any projects using funds appropriated under this heading shall be initiated only after non-Federal interests have entered into binding agreements with the Secretary requiring the non-Federal interests to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs of the project and to hold and save the United States free from damages due to the construction or operation and maintenance of the project, except for damages due to the fault or negligence of the United States or its contractors: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall submit to the Committees on Appropriations of the House of Representatives and the Senate a monthly report detailing the allocation and obligation of these funds, beginning not later than 60 days after the date of the enactment of this Act.

OPERATION AND MAINTENANCE

For an additional amount for “Operation and Maintenance” for necessary expenses related to the consequences of Hurricane Sandy, \$821,000,000, to remain available until expended to dredge Federal navigation channels and repair damage to United States Army Corps of Engineers projects: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act.

FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for “Flood Control and Coastal Emergencies” for necessary expenses related to the consequences of Hurricane Sandy, \$1,008,000,000, to remain available until expended to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs and other activities as authorized by law: *Provided*, That \$430,000,000 of the funds provided herein shall be made available not earlier than 14 days after the Secretary of the Army submits the report required under the heading

“Investigations” to be submitted not later than March 1, 2013, and shall be utilized by the United States Army Corps of Engineers to restore projects impacted by Hurricane Sandy in the North Atlantic Division of the Corps to design profiles of the authorized projects: *Provided further*, That the provisions of section 902 of the Water Resources Development Act of 1986 shall not apply to funds provided under this heading: *Provided further*, That the amounts in this paragraph are designated by the Congress as being for an emergency requirement pursuant section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act.

EXPENSES

For an additional amount for “Expenses” for necessary expenses related to the consequences of Hurricane Sandy, \$10,000,000, to remain available until expended to oversee emergency response and recovery activities: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act.

GENERAL PROVISION—THIS CHAPTER

SEC. 1041. This chapter shall apply in place of title II of this Act, and such title shall have no force or effect.

CHAPTER 5

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

For an additional amount to be deposited in the “Federal Buildings Fund”, \$7,000,000, to remain available until September 30, 2015, for necessary expenses related to the consequences of Hurricane Sandy, for basic repair and alteration of buildings under the custody and control of the Administrator of General Services, and real property management and related activities not otherwise provided for: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

The provisions under this heading in title III of this Act shall be applied by substituting “\$20,000,000” for “\$10,000,000”.

OFFICE OF INSPECTOR GENERAL

For an additional amount for “Office of Inspector General”, \$5,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That this paragraph shall apply in place of the previous provisions under this heading in title III of this Act, and such previous provisions shall have no force or effect.

DISASTER LOANS PROGRAM ACCOUNT
(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Disaster Loans Program Account” for the cost of direct loans authorized by section 7(b) of the Small Business Act, \$520,000,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That in addition, for administrative expenses to carry out the direct loan program authorized by section 7(b) of the Small Business Act, an additional \$260,000,000 to remain available until expended, of which \$250,000,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses, and of which \$10,000,000 is for indirect administrative expenses for the direct loan program, which may be transferred to and merged with appropriations for Salaries and Expenses: *Provided further*, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That this paragraph shall apply in place of the previous provisions under this heading in title III of this Act, and such previous provisions shall have no force or effect.

CHAPTER 6

DEPARTMENT OF HOMELAND SECURITY

U.S. CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses” for necessary expenses related to the consequences of Hurricane Sandy, \$1,667,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That a description of all property to be replaced, with associated costs, shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate no later than 90 days after the date of enactment of this Act.

U.S. IMMIGRATION AND CUSTOMS

ENFORCEMENT

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses” for necessary expenses related to the consequences of Hurricane Sandy, \$855,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That a description of all property to be replaced, with associated costs, shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate no later than 90 days after the date of enactment of this Act.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses” for necessary expenses related to the consequences of Hurricane Sandy, \$300,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That a description of all property to be replaced, with associated costs,

shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate no later than 90 days after the date of enactment of this Act.

COAST GUARD

ACQUISITION, CONSTRUCTION, AND
IMPROVEMENTS

(INCLUDING TRANSFER OF FUNDS)

The provisions under this heading in title IV of this Act shall be applied by substituting “\$274,233,000” for “\$143,899,000”.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the “Disaster Relief Fund” in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$11,487,735,000, to remain available until expended: *Provided*, That of the total amount provided, \$5,379,000,000 shall be for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That the amount in the preceding proviso is designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That of the total amount provided, \$6,108,735,000 is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 which shall be for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That of the total amount provided, \$3,000,000 shall be transferred to the Department of Homeland Security “Office of Inspector General” for audits and investigations related to disasters: *Provided further*, That the Administrator of the Federal Emergency Management Agency shall publish on the Agency’s website not later than 24 hours after an award of a public assistance grant under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) that is in excess of \$1,000,000, the specifics of each such grant award: *Provided further*, That for any mission assignment or mission assignment task order to another Federal department or agency regarding a major disaster, not later than 24 hours after the issuance of a mission assignment or task order in excess of \$1,000,000, the Administrator shall publish on the Agency’s website the following: the name of the impacted state and the disaster declaration for such State, the assigned agency, the assistance requested, a description of the disaster, the total cost estimate, and the amount obligated: *Provided further*, That not later than 10 days after the last day of each month until the mission assignment or task order is completed and closed out, the Administrator shall update any changes to the total cost estimate and the amount obligated: *Provided further*, That for a disaster declaration related to Hurricane Sandy, the Administrator shall submit to the Committees on Appropriations of the House of Representatives and the Senate, not later than 5 days after the first day of each month beginning after the date of enactment of this Act, and shall publish on the Agency’s website not later than 10 days after the first day of each such month, an estimate or actual amount, if available, for the current fiscal year of the cost of the following categories of spending: public assistance, individual assistance, operations, mitigation, administrative, and

any other relevant category (including emergency measures and disaster resources): *Provided further*, That not later than 10 days after the first day of each month beginning after the date of enactment of this Act, the Administrator shall publish on the Agency's website the report (referred to as the Disaster Relief Monthly Report) as required by Public Law 112-74: *Provided further*, That this paragraph shall apply in place of the previous provisions under this heading in title IV of this Act, and such previous provisions shall have no force or effect.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

For an additional amount for "Disaster Assistance Direct Loan Program Account" for the cost of direct loans, \$300,000,000, to remain available until expended, as authorized by section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5184), of which up to \$4,000,000 is for administrative expenses to carry out the direct loan program: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$400,000,000: *Provided further*, That these amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SCIENCE AND TECHNOLOGY

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

The provisions under this heading in title IV of this Act shall be applied by substituting "\$3,249,000" and "September 30, 2014" for "\$585,000" and "September 30, 2013", respectively.

CHAPTER 7

DEPARTMENT OF THE INTERIOR

FISH AND WILDLIFE SERVICE

CONSTRUCTION

The provisions under this heading in title V of this Act shall be applied by substituting "\$78,000,000" for "\$49,875,000".

NATIONAL PARK SERVICE

HISTORIC PRESERVATION FUND

For an additional amount for the "Historic Preservation Fund" for necessary expenses related to the consequences of Hurricane Sandy, \$50,000,000, to remain available until September 30, 2015, including costs to States necessary to complete compliance activities required by section 106 of the National Historic Preservation Act and costs needed to administer the program: *Provided*, That grants shall only be available for areas that have received a major disaster declaration pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That individual grants shall not be subject to a non-Federal matching requirement: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CONSTRUCTION

The provisions under this heading in title V of this Act shall be applied by substituting "\$348,000,000" for "\$234,000,000".

DEPARTMENTAL OPERATIONS

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for "Departmental Operations" and any Department of

the Interior component bureau or office for necessary expenses related to the consequences of Hurricane Sandy, \$360,000,000, to remain available until expended: *Provided*, That funds appropriated herein shall be used to restore and rebuild national parks, national wildlife refuges, and other Federal public assets; increase the resiliency and capacity of coastal habitat and infrastructure to withstand storms and reduce the amount of damage caused by such storms: *Provided further*, That the Secretary of the Interior may transfer these funds to any other account in the Department and may expend such funds by direct expenditure, grants, or cooperative agreements, including grants to or cooperative agreements with States, Tribes, and municipalities, to carry out the purposes provided herein: *Provided further*, That the Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed spending plan for the amounts provided herein within 60 days of enactment of this Act: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ENVIRONMENTAL PROTECTION AGENCY ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For an additional amount for "Environmental Programs and Management" for necessary expenses related to the consequences of Hurricane Sandy, \$725,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HAZARDOUS SUBSTANCE SUPERFUND

For an additional amount for "Hazardous Substance Superfund" for necessary expenses related to the consequences of Hurricane Sandy, \$2,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

LEAKING UNDERGROUND STORAGE TANK FUND

For an additional amount for "Leaking Underground Storage Tank Fund" for necessary expenses related to the consequences of Hurricane Sandy, \$5,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

STATE AND TRIBAL ASSISTANCE GRANTS

For an additional amount for "State and Tribal Assistance Grants", \$600,000,000, to remain available until expended, of which \$500,000,000 shall be for capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, and of which \$100,000,000 shall be for capitalization grants under section 1452 of the Safe Drinking Water Act: *Provided*, That notwithstanding section 604(a) of the Federal Water Pollution Control Act and section 1452(a)(1)(D) of the Safe Drinking Water Act, funds appropriated herein shall be provided to States in EPA Region 2 for wastewater and drinking water treatment works and facilities impacted by Hurricane Sandy: *Provided further*, That notwithstanding the requirements of section 603(d) of the Federal Water Pollution Control Act,

for the funds appropriated herein, each State shall use not less than 20 percent but not more than 30 percent of the amount of its capitalization grants to provide additional subsidization to eligible recipients in the form of forgiveness of principal, negative interest loans or grants or any combination of these: *Provided further*, That the funds appropriated herein shall only be used for eligible projects whose purpose is to reduce flood damage risk and vulnerability or to enhance resiliency to rapid hydrologic change or a natural disaster at treatment works as defined by section 212 of the Federal Water Pollution Control Act or any eligible facilities under section 1452 of the Safe Drinking Water Act, and for other eligible tasks at such treatment works or facilities necessary to further such purposes: *Provided further*, That the Administrator of the Environmental Protection Agency may retain up to \$1,000,000 of the funds appropriated herein for management and oversight: *Provided further*, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

CAPITAL IMPROVEMENT AND MAINTENANCE

For an additional amount for "Capital Improvement and Maintenance" for necessary expenses related to the consequences of Hurricane Sandy, \$4,400,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER RELATED AGENCY

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses" for necessary expenses related to the consequences of Hurricane Sandy, \$2,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CHAPTER 8

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for "Training and Employment Services", \$25,000,000, for the dislocated workers assistance national reserve for necessary expenses directly related to Hurricane Sandy, which shall be available from the date of enactment of this Act through September 30, 2013: *Provided*, That the Secretary of Labor may transfer up to \$3,500,000 of such funds to any other Department of Labor account for other Hurricane Sandy reconstruction and recovery needs, including worker protection activities: *Provided further*, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES
EMERGENCY FUND

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Public Health and Social Services Emergency Fund” for disaster response and recovery, and other expenses directly related to Hurricane Sandy, including making payments under the Head Start Act and additional payments for distribution as provided for under the “Social Services Block Grant Program”, \$800,000,000, to remain available until September 30, 2015: *Provided*, That \$100,000,000 shall be transferred to “Children and Families Services Programs” for the Head Start program for the purposes provided herein: *Provided further*, That \$500,000,000 shall be transferred to “Social Services Block Grant” for the purposes provided herein: *Provided further*, That section 2002(c) of the Social Security Act shall be applied to funds appropriated in the preceding proviso by substituting “succeeding 2 fiscal years” for “succeeding fiscal year”: *Provided further*, That not less than \$5,000,000 shall be transferred to the Department of Health and Human Services (“HHS”) “Office of Inspector General” to perform oversight, accountability, and evaluation of programs, projects, or activities supported with the funds provided for the purposes provided herein: *Provided further*, That notwithstanding any other provision of law, the distribution of any amount shall be limited to the States directly affected by Hurricane Sandy and which have been declared by the President as a major disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act for Hurricane Sandy: *Provided further*, That none of the funds appropriated in this paragraph shall be included in the calculation of the “base grant” in subsequent fiscal years, as such term is defined in sections 640(a)(7)(A), 641A(h)(1)(B), or 644(d)(3) of the Head Start Act: *Provided further*, That funds appropriated in this paragraph are not subject to the allocation requirements of section 640(a) of the Head Start Act: *Provided further*, That funds appropriated in this paragraph for the Social Services Block Grant are in addition to the entitlement grants authorized by section 2002(a)(1) of the Social Security Act and shall not be available for such entitlement grants: *Provided further*, That in addition to other uses permitted by title XX of the Social Security Act, funds appropriated in this paragraph for the Social Services Block Grant may be used for health services (including mental health services), and for costs of renovating, repairing, or rebuilding health care facilities, child care facilities, or other social services facilities: *Provided further*, That the remaining \$195,000,000 appropriated in this paragraph may be transferred by the Secretary of HHS (“Secretary”) to accounts within HHS, and shall be available only for the purposes provided in this paragraph: *Provided further*, That the transfer authority provided in this paragraph is in addition to any other transfer authority available in this or any other Act: *Provided further*, That 15 days prior to the transfer of funds appropriated in this paragraph, the Secretary shall notify the Committees on Appropriations of the House of Representatives and the Senate of any such transfer and the planned uses of the funds: *Provided further*, That obligations incurred for the purposes provided herein prior to the date of enact-

ment of this Act may be charged to funds appropriated by this paragraph: *Provided further*, That funds appropriated in this paragraph and transferred to the National Institutes of Health for the purpose of supporting the repair or rebuilding of non-Federal biomedical or behavioral research facilities damaged as a result of Hurricane Sandy shall be used to award grants or contracts for such purpose under section 404I of the Public Health Service Act: *Provided further*, That section 481A(c)(2) of such Act does not apply to the use of funds described in the preceding proviso: *Provided further*, That funds appropriated in this paragraph shall not be available for costs that are reimbursed by the Federal Emergency Management Agency, under a contract for insurance, or by self-insurance: *Provided further*, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That this paragraph shall apply in place of the previous provisions under this heading in title VI of this Act, and such previous provisions shall have no force or effect.

CHAPTER 9

DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For an additional amount for “Facilities and Equipment”, \$30,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended, for necessary expenses related to the consequences of Hurricane Sandy: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS

EMERGENCY RELIEF PROGRAM

For an additional amount for the “Emergency Relief Program” as authorized under section 125 of title 23, United States Code, \$2,022,000,000, to remain available until expended: *Provided*, That the obligations for projects under this section resulting from a single natural disaster or a single catastrophic failure in a State shall not exceed \$100,000,000, and the total obligations for projects under this section in any fiscal year in the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands shall not exceed \$20,000,000: *Provided further*, That notwithstanding the preceding proviso, the Secretary of Transportation may obligate more than \$100,000,000, but not more than \$500,000,000, for a single natural disaster event in a State for emergency relief projects arising from damage caused in calendar year 2012 by Hurricane Sandy: *Provided further*, That no funds provided in this Act shall be used for section 125(g) of such title: *Provided further*, That the amount provided under this heading is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL RAILROAD ADMINISTRATION

GRANTS TO THE NATIONAL RAILROAD

PASSENGER CORPORATION

For an additional amount for “Grants to the National Railroad Passenger Corpora-

tion” for the Secretary of Transportation to make capital and debt service grants to the National Railroad Passenger Corporation to advance capital projects that address Northeast Corridor infrastructure recovery and resiliency in the affected areas, \$86,000,000, to remain available until expended: *Provided*, That none of the funds may be used to subsidize operating losses of the Corporation: *Provided further*, That as a condition of eligibility for receipt of such funds, the Corporation shall not, after the enactment of this Act, use any funds provided for Capital and Debt Service Grants to the National Railroad Passenger Corporation in this Act or any other Act for operating expenses, which includes temporary transfers of such funds: *Provided further*, That the Administrator of the Federal Railroad Administration may retain up to one-half of 1 percent of the funds provided under this heading to fund the award and oversight by the Administrator of grants made under this heading: *Provided further*, That for an additional amount for the Secretary to make operating subsidy grants to the National Railroad Passenger Corporation for necessary repairs related to the consequences of Hurricane Sandy, \$32,000,000, to remain available until expended: *Provided further*, That each amount under this heading is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL TRANSIT ADMINISTRATION

PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the “Public Transportation Emergency Relief Program” as authorized under section 5324 of title 49, United States Code, \$10,900,000,000, to remain available until expended, for recovery and relief efforts in the areas most affected by Hurricane Sandy: *Provided*, That not more than \$2,000,000,000 shall be made available not later than 60 days after the enactment of this Act: *Provided further*, That the remainder of the funds shall be made available only after the Federal Transit Administration and the Federal Emergency Management Agency sign the Memorandum of Agreement required by section 20017(b) of the Moving Ahead for Progress in the 21st Century Act (Public Law 112-141) and the Federal Transit Administration publishes interim regulations for the Public Transportation Emergency Relief Program: *Provided further*, That of the funds provided under this heading, the Secretary of Transportation may transfer up to \$5,383,000,000 to the appropriate agencies to fund programs authorized under titles 23 and 49, United States Code, in order to carry out projects related to reducing risk of damage from future disasters in areas impacted by Hurricane Sandy: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate shall be notified at least 15 days in advance of any such transfer: *Provided further*, That up to three-quarters of 1 percent of the funds retained for public transportation emergency relief shall be available for the purposes of administrative expenses and ongoing program management oversight as authorized under 49 U.S.C. 5334 and 5338(i)(2) and shall be in addition to any other appropriations for such purposes: *Provided further*, That, of the funds made available under this heading, \$6,000,000 shall be transferred to the Office of Inspector General to support the oversight of activities funded under this heading: *Provided further*, That such amounts are designated by the Congress as being for an

emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT
COMMUNITY DEVELOPMENT FUND
(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Community Development Fund”, \$16,000,000,000, to remain available until September 30, 2017, for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) due to Hurricane Sandy and other eligible events in calendar years 2011, 2012, and 2013, for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.): *Provided*, That funds shall be awarded directly to the State or unit of general local government as a grantee at the discretion of the Secretary of Housing and Urban Development: *Provided further*, That the Secretary shall allocate to grantees not less than 33 percent of the funds provided under this heading within 60 days after the enactment of this Act based on the best available data: *Provided further*, That prior to the obligation of funds, a grantee shall submit a plan to the Secretary for approval detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure and housing and economic revitalization in the most impacted and distressed areas: *Provided further*, That the Secretary shall by notice specify the criteria for approval of such plans within 45 days of enactment of this Act: *Provided further*, That if the Secretary determines that a plan does not meet such criteria, the Secretary shall disapprove the plan: *Provided further*, That funds provided under this heading may not be used for activities reimbursable by or for which funds are made available by the Federal Emergency Management Agency or the Army Corps of Engineers: *Provided further*, That funds allocated under this heading shall not be considered relevant to the non-disaster formula allocations made pursuant to section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. 5306): *Provided further*, That a grantee may use up to 5 percent of its allocation for administrative costs: *Provided further*, That a grantee shall administer grant funds provided under this heading in accordance with all applicable laws and regulations and may not delegate, by contract or otherwise, the responsibility for administering such grant funds: *Provided further*, That as a condition of making any grant, the Secretary shall certify in advance that such grantee has in place proficient financial controls and procurement processes and has established adequate procedures to prevent any duplication of benefits as defined by section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155), to ensure timely expenditure of funds, to maintain comprehensive websites regarding all disaster recovery activities assisted with these funds, and to detect and prevent waste, fraud, and abuse of funds: *Provided further*, That the Secretary shall provide grantees with technical assistance on contracting and procurement processes and shall require grantees, in con-

tracting or procuring these funds, to incorporate performance requirements and penalties into any such contracts or agreements: *Provided further*, That the Secretary shall require grantees to maintain on a public website information accounting for how all grant funds are used, including details of all contracts and ongoing procurement processes: *Provided further*, That, in administering the funds under this heading, the Secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment) pursuant to a determination by the Secretary that good cause exists for the waiver or alternative requirement and that such action is not inconsistent with the overall purposes of title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.): *Provided further*, That, notwithstanding the preceding proviso, recipients of funds provided under this heading that use such funds to supplement Federal assistance provided under sections 402, 403, 404, 406, 407, or 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) may adopt, without review or public comment, any environmental review, approval, or permit performed by a Federal agency, and such adoption shall satisfy the responsibilities of the recipient with respect to such environmental review, approval or permit: *Provided further*, That, notwithstanding section 104(g)(2) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(g)(2)), the Secretary may, upon receipt of a request for release of funds and certification, immediately approve the release of funds for an activity or project assisted under this heading if the recipient has adopted an environmental review, approval or permit under the preceding proviso or the activity or project is categorically excluded from review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.): *Provided further*, That a waiver granted by the Secretary may not reduce the percentage of funds that must be used for activities that benefit persons of low and moderate income to less than 50 percent, unless the Secretary specifically finds that there is a compelling need to further reduce or eliminate the percentage requirement: *Provided further*, That the Secretary shall publish in the Federal Register any waiver of any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than 5 days before the effective date of such waiver: *Provided further*, That, of the funds made available under this heading, up to \$10,000,000 may be transferred to “Program Office Salaries and Expenses, Community Planning and Development” for necessary costs, including information technology costs, of administering and overseeing funds made available under this heading: *Provided further*, That the amounts provided under this heading are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1091. For fiscal year 2013, upon request by a public housing agency and supported by

documentation as required by the Secretary of Housing and Urban Development that demonstrates that the need for the adjustment is due to the disaster, the Secretary may make temporary adjustments to the section 8 housing choice voucher annual renewal funding allocations and administrative fee eligibility determinations for public housing agencies in an area for which the President declared a disaster during such fiscal year under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.), to avoid significant adverse funding impacts that would otherwise result from the disaster.

SEC. 1092. The Departments of Transportation and Housing and Urban Development shall submit to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of the enactment of this Act a plan for implementing the provisions in this chapter, and updates to such plan on a biannual basis thereafter.

SEC. 1093. None of the funds provided in this chapter to the Department of Transportation or the Department of Housing and Urban Development may be used to make a grant unless the Secretary of such Department notifies the Committees on Appropriations of the House of Representatives and the Senate not less than 3 full business days before any project, State or locality is selected to receive a grant award totaling \$1,000,000 or more is announced by either Department or a modal administration.

SEC. 1094. This chapter shall apply in place of title VIII of this Act, and such title shall have no force or effect.

The Acting CHAIR. Pursuant to House Resolution 23, the gentleman from New Jersey (Mr. FRELINGHUYSEN) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Madam Chair, I yield myself 1 minute.

Hurricane Sandy devastated the northeast coast in late October, 78 days ago, leaving misery in its wake, disrupting the lives and businesses of millions of our fellow citizens. The storm caused unprecedented destruction—\$100 billion in New York and New Jersey alone. My amendment supplements Mr. ROGERS’ measure in order to bring the total aid package to \$60 billion, which is the amount requested by the President and endorsed by Governors Christie, Cuomo, and Malloy.

I want the Members to know that this amendment strips out all provisions in the Senate that were deemed earmarks and all authorizing language.

Madam Chair, I’ll close by reminding our colleagues of the proud tradition of Congress’ cite in the recent letter that many of us received from the Governors of the States affected. Madam Chair, in late December, the Governors of the affected States wrote to each House Member, and I quote:

The congressional delegations of our three States have always been there to provide critical votes to these aid packages, because that is what America is all about—when one of us is in need, we step up to the plate to lend a helping hand.

It's time to lend that helping hand, and I urge the support of my amendment.

Madam Chair, I am pleased to yield 1 minute to the ranking member of the House Appropriations Committee, the gentlelady from New York (Mrs. LOWEY).

Mrs. LOWEY. Madam Chair, I rise in strong support of the amendment offered by my friend Mr. FRELINGHUYSEN, which would bring the funding total of this package to the amount requested by the President.

I cannot emphasize enough how critical the additional \$33.4 billion provided in this amendment is to our region. I know there are many different viewpoints in this House and many different positions on issues we consider here, but Madam Chairwoman, I think we can all agree that the Federal Government has a fundamental and critical role when disasters of this magnitude strike. No State can do it alone. A Federal response is essential.

My colleagues, I commend Mr. FRELINGHUYSEN on his amendment today, and I strongly urge its swift passage.

Mr. FRELINGHUYSEN. Madam Chair, I yield 1 minute to my colleague and good friend, CHRIS SMITH, the Representative from New Jersey.

Mr. SMITH of New Jersey. I thank my good friend for yielding, and I strongly support Mr. FRELINGHUYSEN's amendment.

Madam Chair, gaps in homeowners insurance coverage and a growing realization that there will be major tax receipt losses from towns that have had their tax bases eviscerated by Sandy is further compounded in a State that's reeling from a body blow with no precedent. All of this has led to crippling shortfalls. Towns have serious gaps in needed resources. They need our help. The \$33 billion Frelinghuysen amendment fills those gaps for people in need of housing assistance, public infrastructure destroyed or damaged by Sandy will get a huge boost, and economic revitalization will accelerate.

I've lost count, Madam Chair, of the number of my constituents who either didn't have flood insurance for their homes or who had an inadequate amount of coverage. To compound their misery, many have upside-down mortgages, and they desperately need our help. The Frelinghuysen amendment raises to \$16 billion from \$3.9 billion in the Rogers amendment, funds to aid in the relief of homeowners, buyouts, and home elevation. It will also provide very critical moneys for the Army Corps of Engineers. Where the Army Corps had projects in place, there was a mitigation of the amount of damage to infrastructure and to homes. We need this additional funding to protect homes, businesses so millions of people can get on with their lives.

Mr. FRELINGHUYSEN. I am pleased to yield 1 minute to the gentleman from New York City and Long Island, Congressman KING.

□ 1630

Mr. KING of New York. I thank the gentleman for yielding me this time, and let me at the outset commend Congressman FRELINGHUYSEN for the outstanding job he has done on this amendment and throughout this entire crisis.

I am proud to stand with Governor Cuomo, Governor Christie, Mayor Bloomberg, all the members of the New York, New Jersey, and Connecticut delegations. Madam Chair, there has been no disaster which Governors of the States have documented the need for more than Sandy. Everything is there. Every earmark is out. Every dollar is accounted for. This is a real disaster.

I walk through my neighborhood. I see the people who have lost their homes. I know how tragic it is. All of us know it. This is not make-believe.

I'm proud to stand for this bill. It's absolutely essential that the Frelinghuysen amendment be adopted. I was there for every supplemental appropriation bill. I was proud to do it. I am even prouder to stand with Congressman FRELINGHUYSEN today.

Mr. BLUMENAUER. Madam Chair, although I am not opposed, I ask unanimous consent to claim the time in opposition in order to yield it to my friend from New Jersey because there are important messages to be heard.

The Acting CHAIR. Without objection, the gentleman from Oregon is recognized for 10 minutes.

There was no objection.

Mr. BLUMENAUER. Madam Chair, I strongly support what is going on, and I yield the balance of my time to the gentleman from New Jersey to make sure that everybody from the affected area has an opportunity to be heard.

The Acting CHAIR. Without objection, the gentleman from New Jersey shall control the time.

There was no objection.

Mr. FRELINGHUYSEN. Madam Chair, I thank the gentleman for that courtesy. We highly appreciate it.

I yield 1 minute to the gentleman from New Jersey (Mr. LOBIONDO) who probably represents more of New Jersey than any of our other Members.

Mr. LOBIONDO. Congressman FRELINGHUYSEN, thank you. Chairman ROGERS, thank you for getting us to this point. It is deeply appreciated. To my colleagues from disaster-prone States, States that have had disasters in the past who are supporting us in this, thank you very much.

To my colleagues who are from States that have had disasters, some rather recently, who have decided that we need to change the rules of the game, shame on you. What does the misery index have to get to for our

constituents? A new caucus should be formed—we have a lot of caucuses here—it should be the hypocritical caucus because when you wanted the money 5 minutes before the storm was over, you didn't have any hesitation coming to us and asking us. And, yes, I'm angry. You're changing the rules for hundreds of thousands of people in the middle of the game.

Florida, good luck with no more hurricanes. California, congratulations. Did you get rid of the San Andreas Fault? The Mississippi is in a drought. Do you think you're not going to have a flood again? Who are you going to come to when you have these things?

We need this. We need it now. Do the right thing as we have always done for you.

Mr. FRELINGHUYSEN. Madam Chair, I'm pleased to yield 1 minute to Mr. GRIMM of Staten Island.

Mr. GRIMM. I would also like to give a special thanks to Mr. FRELINGHUYSEN, who has been just an incredible stalwart and shown leadership, but I also want to echo the sentiments of my good friend from New Jersey. I would ask everyone that's going to take this vote to consider what we are doing. What are we really doing in this Chamber? We're not voting as Republicans or Democrats; we're not voting as individuals. We're voting as Americans. And the last time I checked the Constitution, that Constitution was to protect all of us, the welfare of this great United States. Please remember that when you cast your vote today. These are Americans in need that are counting on us to stand up and do the right thing. Regardless of whether you're from a State that has had disasters or not, when America is calling and your neighbor needs a hand, America lends that hand. That's who we are. Make me proud today and support this amendment.

Mr. FRELINGHUYSEN. Madam Chair, I'm pleased to yield 1 minute to the Representative from New York State, CAROLYN MALONEY.

Mrs. CAROLYN B. MALONEY of New York. I thank the gentleman for yielding and for his really extraordinary bipartisan leadership on this issue with NITA LOWEY and so many others from the Northeast region.

This is truly a bipartisan amendment with bipartisan devotion and commitment. The chairman has worked his heart out on this, and he has given his all to make this happen with great intelligence and commitment, to address the real need and the suffering of the people. Struck by the second most economically devastating natural disaster in our Nation's history, people lost their homes, their cars, their jobs, in some cases their entire neighborhoods; and there should not be different standards for different storms or for different regions.

We are all one country. We were there when other States and regions

suffered hurricanes, tornadoes. We need you to be there with the Northeast region today. This is a bipartisan effort. The standards should not be different. We were there for you. We need you to be there for the Northeast.

Mr. FRELINGHUYSEN. Madam Chair, I'm pleased to yield 1 minute to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. I rise in support of Congressman FRELINGHUYSEN's amendment and thank him, Chairman ROGERS, and our leadership for all that they have done to move this issue forward.

I speak today not as a New Jerseyan, not as a Northeasterner, but as an American. This Nation has in times of natural disasters come together as one in support of those in need. Thousands upon thousands of our countrymen and countrywomen are in need from Sandy's devastation, a horrific occurrence in the history of the State I love.

I ask all of my colleagues to join me in support of Mr. FRELINGHUYSEN's amendment, and I thank all of those on the Republican and the Democratic sides of the aisle for their support today.

Mr. FRELINGHUYSEN. Madam Chair, I'm pleased to yield 1 minute to the gentleman from New York (Mr. SERRANO).

Mr. SERRANO. I thank the gentleman for the time, and I thank you for your work on this, your leadership on this. You've worked very hard to make this a bipartisan amendment. That's why I stand in support of it. The folks in New York need a lot of help. Your amendment speaks to the small business community. It speaks to GSA's need to do repairs on buildings that service those communities, otherwise costly leases would have to take place in order to provide working places for Federal employees. So the details of your amendment, sir, speak to many of the needs that we have in the community right now, and that's why I rise in support of it, in support of your efforts to make this a bipartisan effort; and I thank you for your support of so many people in need not only in your State, but in Connecticut and in my State of New York.

Mr. FRELINGHUYSEN. Madam Chair, I am pleased to yield 1 minute to the gentleman from New Jersey (Mr. RUNYAN).

Mr. RUNYAN. Madam Chair, I rise today in support of the Frelinghuysen amendment. We must pass this amendment to ensure that hardworking men and women in communities like Brick, Seaside Park, Toms River, and Barnegat get the resources they need to get back on their feet.

After Hurricane Sandy, many of my constituents completely lost their homes. Others lost power and heat in their homes for over a month. And many, like this home here in Mantoloking, haven't even been per-

mitted back to their homes 2 months later.

Make no mistake, my constituents have suffered. They have seen the communities they have grown up in completely destroyed. I urge passage of the Frelinghuysen amendment.

Mr. FRELINGHUYSEN. Madam Chair, I'm pleased to yield 1 minute to the gentleman from New Jersey (Mr. SIRES).

Mr. SIRES. Madam Chair, let me first congratulate my colleague and all of my colleagues from New Jersey for their hard work. This unprecedented storm has hurt New Jersey to the tune of 41,000 people; 41,000 families are currently impacted. Over 300 municipalities have been impacted in New Jersey. The PATH stations in Hoboken are destroyed. Thousands of families who lived in houses in the area—they also lived in the basements—have no place to go.

And here we are 3 months later, and we're still battling over this money. This is for people who are hurting. This is for States like New Jersey and New York and Connecticut who are donor States that are constantly sending money to the Federal Government. You know, I sat in this Chamber when we had these wars and all this money for these wars. We destroyed the infrastructure in Iraq, and then we put billions of dollars to fix the infrastructure in Iraq. We put billions of dollars in Afghanistan.

□ 1640

This is for the Americans in this country who have been hurt by this storm that is unprecedented. My friends, we have to work together to get this money to these people so they can start their lives over again.

Mr. FRELINGHUYSEN. I yield 1 minute to another Member of Congress from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Madam Chair, we either act now, or we wait for the consequences of the terrible silence of the decent. And many folks from both sides of the aisle have worked together. It can be done, not only on this issue, but many other issues.

This was a tragedy. When you visit each town, be it in Long Island or Staten Island, or Hoboken, or Moonachie, Fort Lee, Mantoloking, what's the sign you look for whenever you go in neighborhoods? Water line. That's the sign.

What is the water line of our conscience, of our goodwill, and having double standards for different storms?

We've never done that before as a Nation, and we shouldn't now do it through ideologues and true believers who think one way or the highway.

This must be passed today. I commend Mr. FRELINGHUYSEN, Mr. ROGERS, NITA LOWEY. Thank you for putting your task forward in a priority. And we're going to pass this today. Congratulations, Mr. FRELINGHUYSEN.

Mr. FRELINGHUYSEN. Madam Chair, I yield 1 minute to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. I thank the gentleman from New Jersey.

I have never, in my 14 years, spoken from this side of the aisle. I do it today, not as a gimmick, but as part of my plea to my Republican colleagues, to all of us, not to act as Democrats and Republicans.

People are suffering throughout the Northeast. They continue to do so. The Frelinghuysen amendment is one that will give assurance to the people of the Quad-State region that the Federal Government will be there with them throughout this crisis, that they will be there. When everyone else has forgotten, the Federal Government will be there.

The level of devastation is enormous. And as I said before, the level of psychological damage is enormous, and we only know the tip of the iceberg. We don't know yet what will come.

This amendment will give peace of mind to Americans who are suffering today. Americans just like all of us here today are suffering, and they are looking to their Congress, not red, not blue, not Democrat, not Republican, just Americans helping Americans. That's what this amendment and this bill is all about.

I thank the gentleman from New Jersey for yielding me this minute.

Mr. FRELINGHUYSEN. Madam Chair, I yield 1 minute to the gentleman from New York (Ms. CLARKE).

Ms. CLARKE. I thank the gentleman for the time.

And I want to urge all of my colleagues to support the Frelinghuysen amendment, which ensures a full \$60.1 billion package will jump-start a recovery process for the families and small businesses of the affected four-State region.

I represent an area called Gerritsen Beach in Brooklyn, New York, a quaint bungalow community. Operative word, bungalow. They were subgrade, and totally deluged during the event known as Superstorm Sandy. This is a working-class community of people, real solid Americans who have played by the rules all of their lives, and now their homes have been moved off of their foundations by the sheer force of this storm.

This amendment, this work that we do today, is why people have sent us here, to know that we've got their backs, that we are there, as their representatives, in time of need.

I want to thank my colleagues on the other side of the aisle, in particular, those from the affected region, for their advocacy on behalf of the people who have been victimized by Sandy.

Mr. FRELINGHUYSEN. Madam Chair, I yield myself the balance of the time.

Madam Chair, I do have a point of clarification before I yield back my

time. The amendment includes \$22,220,000 for the Federal Highway Administration's emergency relief program. It's our intent that the \$100 million cap applies to only the funds in this act, and not to previous emergencies.

In closing, Madam Chair, as I said earlier, I ask all Members to lend the Northeast a hand, help us put lives and families and communities back in good order. Those that have suffered, continue to suffer, have had personal misery and loss, we remember them as we pass this bill today. And I want to thank all the Members for stepping forward to be supportive of this legislation.

I yield back the balance of my time.

AMENDMENT NO. 2 OFFERED BY MR. FLORES

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part C of House Report 113-1.

Mr. FLORES. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 7, after the dollar amount insert "(reduced by \$150,000,000)".

Page 3, strike lines 18 through 20 (and redesignate the subsequent paragraphs accordingly).

The Acting CHAIR. Pursuant to House Resolution 23, the gentleman from Texas (Mr. FLORES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. FLORES. Madam Chair, I rise to offer an amendment that would address concerns in funding the Regional Ocean Partnership program under NOAA that is included in the underlying amendment.

Let me tell you what this amendment is not. It is not a poison pill designed to stop funding for Sandy relief. It is not an amendment designed to delay aid to Sandy victims. It is not an amendment designed to stop the much-needed aid to Sandy victims.

All the amendment does is it stops the ability to allow a crisis to be used by the White House to fund Executive Order 13547, which is basically to zone the oceans. Funding for that could be used for purposes like this: to regulate economic activity in the Mississippi River watershed. And you could see that none of the money that's used for this program would be used to help Sandy relief. So that's just an example of what it would do.

According to the NOAA Web site, the Regional Ocean Partnership grant program was developed to advance effective coastal and ocean management through regional ocean governance, including the goals for national ocean policy or, in other words, Executive Order 13547, set out in the President's final policy of the Interagency Ocean Task Force, dated July 19, 2010. Again, back to the Executive order.

This amendment is essentially the same amendment that was passed that was part of the CJS appropriations bill that passed by a bipartisan vote of 246-174 last May.

Now, we can all agree that ocean planning is a good thing. However, that needs to be done through the normal appropriations process when approved by Congress, and not through an executive order by the President.

The Natural Resources Committee has held hearings, under the leadership of Chairman Doc HASTINGS, to ask the administration where they're getting the funding to implement national ocean policy. They have not responded with any answers to that, and now they're using this crisis as a way to come up with funding of \$150 million to basically fund all of these agencies in the President's effort to zone the oceans. We think that that's inappropriate.

And again, this is not to stop Sandy aid. It's not to delay Sandy aid. It's not to be a poison pill for Sandy aid. It's only designed to stop the use of this crisis to fund a program that this Congress did not intend to have an effect.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Madam Chair, I rise to claim the time in opposition.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I am pleased to yield 3 minutes to the gentleman from New Jersey (Mr. RUNYAN).

□ 1650

Mr. RUNYAN. Madam Chair, I rise in opposition to the Flores amendment. The Regional Ocean Partnership grants program was established in 2004 by President Bush to help prevent damages from future natural disasters in coastal States. It is not part of President Obama's National Ocean Policy.

This program is supported through a competitive grant program first authorized by President Bush in 2004 to support urgent coastal needs. This program is also voluntary and State-led, with individual States opting into the program.

In the areas hardest hit by Hurricane Sandy, there is a Mid-Atlantic Regional Council that was established by mid-Atlantic Governors in 2009. These Governors work together to address coastal issues and mitigate future risks.

State universities like Rutgers University in New Jersey also receive funding through States to work and coordinate with States to determine how to best mitigate future disaster risks. The Reinsurance Association of America has written in opposition to this amendment due to concern about future risks to coastal areas.

I again emphasize this program is not part of President Obama's National

Ocean Policy and was established by President Bush.

I thank the gentleman for yielding.

Mr. FLORES. Madam Chair, I yield myself such time as I may consume.

I thank the gentleman from New Jersey for his remarks, but this program is designed and was changed beginning with the Obama administration to fund Executive Order 13547.

If you go to the NOAA budget request, it says, "The Regional Ocean Partnership grants program will establish a competitive grant program to support regional ocean partnerships. The program will help support the development and implementation of priority actions identified in plans of regional ocean partnerships. Support will include the development of comprehensive Coastal and Marine Spatial Plans," i.e., Executive Order 13547.

So, yes, this program was around before during the Bush administration, but it has changed under the Obama administration, and now they're using this Sandy relief as a methodology to fund this program which, again, was never authorized directly by Congress.

There were two rounds of grant requests that were granted by NOAA in 2012. Only one went to a State, and that was to the State of Hawaii Department of Business, Economic Development and Tourism, and the Office of Planning.

Here are the NGOs and outside groups that did get money from this, though: The Nature Conservancy, the Smith River National Recreation Area, the University of Hawaii, the South Carolina Sea Grant Consortium, and others. But not to States. Only one went to a State and that was to the State of Hawaii.

Again, this is an inappropriate use of funding, the inappropriate use of funding in the middle of a crisis to try to carry out something that this Congress has never authorized.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Madam Chair, I yield the balance of my time to my colleague from New Jersey (Mr. HOLT).

The Acting CHAIR. The gentleman is recognized for 3½ minutes.

Mr. HOLT. Madam Chair, I thank my colleague from New Jersey, Chairman FRELINGHUYSEN, for yielding but also for putting together a very thoughtful amendment. A lot of thought has gone into this amendment. It is compassionate, yes, but it is thoughtful compassion, not dumb compassion.

I rise in opposition to the amendment offered by the gentleman from Texas. It's a misguided amendment that would strike funding from NOAA's Regional Ocean Partnership grants program. These grants help scientists understand where and how the shoreline has changed, evaluate the long-term effects of storm damage, and prepare mitigation plans for future severe

weather events. The whole point is to rebuild better and smarter. The Flores amendment eliminates such funding for coastal mitigation, which means Congress would lose the opportunity to ensure that the money is spent on recovery from this disaster in a smart way that makes coastal communities stronger and safer. It's nonsensical to impair the ability of NOAA to prepare properly for hurricanes in an emergency appropriations bill designed to respond to a hurricane.

I strongly urge my colleagues to reject this misguided amendment, and I thank my good friend from New Jersey for all the thought that has gone into his amendment.

The Acting CHAIR. The gentleman from Texas is recognized for his remaining 1 minute.

Mr. FLORES. This is what the \$150 million is going to go for. This is a bunch of federal bureaucracies to carry out an Executive order that this Congress never approved.

This is not about stopping Sandy relief, this is not about putting roofs back over people's head, this is not about providing food and sustenance for anybody, this is not about rebuilding our roads and bridges, this is not about preventing future storms. This is about just growing a Federal bureaucracy that was never authorized by this Congress.

With that being said, I think it's a clear amendment. It does not stop Sandy relief.

I would urge all of my colleagues to support this amendment, and I yield back the balance of my time.

The Acting CHAIR. The gentleman from New Jersey does have 2 minutes remaining if he would seek recognition.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

Mr. CICILLINE. Madam Chair, I rise in strong opposition to this Amendment.

Regional Ocean Partnerships are supported through a NOAA competitive grants program first established by President Bush in 2004.

As the representative from the Ocean State, I know how important this funding is in helping coastal states deal with a range of priorities—including, coastal hazards resiliency to the impacts of major storms like Sandy.

Hurricane Sandy wreaked havoc on the coastline of Rhode Island, Massachusetts, New York, New Jersey and the Northeast.

The allocation for Regional Ocean Partnerships Grants will provide much needed funding to states affected by Hurricane Sandy—helping our coastal communities recover, be better prepared for future extreme weather events, and mitigate future risks.

These measures will help our coastal communities in Rhode Island and throughout the impacted region to rebuild, save lives, and prevent future economic and property losses.

I urge my colleagues to oppose this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. FLORES).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. FLORES. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. RUNYAN

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part C of House Report 113-1.

Mr. RUNYAN. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, lines 6 through 8, strike all after "fishery disasters" and insert "during calendar year 2012 that were declared by the Secretary of Commerce as a direct result of impacts from Hurricane Sandy:".

The Acting CHAIR. Pursuant to House Resolution 23, the gentleman from New Jersey (Mr. RUNYAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. RUNYAN. Madam Chair, I rise in support of my amendment, which makes a technical correction of the current bill language that makes it clear that fisheries disaster funding is restricted to those States that were declared fisheries disasters in 2012 as a direct result of Hurricane Sandy.

While I understand that the intent of the appropriators was to limit the money to the States impacted by Hurricane Sandy, NOAA has informed me that according to the current bill language they will distribute the money to any State with the fisheries disaster declaration in 2012.

While I'm disappointed that more money has not been appropriated to the fisheries that were damaged during Sandy, we need to make sure that this limited pot of money gets to the fisheries that need it most in New Jersey and New York. There is only \$5 million appropriated for the fisheries bill. In New Jersey alone the commercial fishing industry has sustained over \$4 million in damage.

This amendment was supported by the Garden State Seafood Association, the Recreational Fishing Alliance, and the Marine Trades Association of New Jersey.

I want to thank the Rules Committee for ruling my amendment in order and urge all colleagues to support it.

I reserve the balance of my time.

The Acting CHAIR. Does any Member seek time in opposition?

The Chair recognizes the gentleman from New Jersey.

Mr. RUNYAN. I would like to yield 1 minute to my colleague from New Jersey, Congressman SMITH.

Mr. SMITH of New Jersey. I thank my good friend for yielding.

Madam Chair, I rise in strong support of the amendment offered by my good friend and colleague, Mr. RUNYAN, to ensure that the funding in this bill is targeted to those fishery disasters resulting from Superstorm Sandy.

Recreational angling contributes more than \$125 billion annually to the American economy, Madam Chair, in addition to creating and sustaining over 1 million jobs.

New Jersey has a long tradition of fishing along our 130-mile shoreline. Recreational and commercial fishing generates over \$1.3 billion in New Jersey in economic activity and supports 8,500 Jersey jobs.

This vital industry not only creates and sustains good jobs but boosts fishery conservation efforts, tourism, and contributes significantly to the economy in coastal communities. The disaster declaration on November 16 and the modest funding provided in the pending legislation will help rebuild the damaged and destroyed infrastructure so that this industry can recover and return to pre-storm levels.

I urge all members to support the Runyan amendment.

□ 1700

Mr. RUNYAN. I yield 1 minute to another gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Madam Chair, I'm very pleased to support the gentleman's amendment. I commend him for his effort. This is directly Sandy related. We thank you for your work on this.

Mr. RUNYAN. With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. RUNYAN).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part C of House Report 113-1.

Mr. BROUN of Georgia. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 19, after the dollar amount, insert "(reduced by \$13,000,000)".

Page 5, line 4, after the dollar amount, insert "(reduced to \$0)".

The Acting CHAIR. Pursuant to House Resolution 23, the gentleman from Georgia (Mr. BROUN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. BROUN of Georgia. Madam Chair, my amendment would strike \$13 million in nonemergency funding for

the National Weather Service's ground readiness project.

This funding, found in the Frelinghuysen amendment, is for work that is already underway as part of a yet unfinished state-of-the-art weather satellite system. It is my understanding that this particular amount is meant to speed up the preparations needed to get ready for data that will come from these new weather satellites, which are set to be launched 2 to 5 years from now.

Madam Chair, our hearts go out to the victims that are suffering from the devastation from Hurricane Sandy. However, in the wake of large storms like this, government's knee-jerk reaction is often to throw money at forecasting or storm modeling in order to prevent widespread damage in the future. Unfortunately, even with the best imaginable forecasting systems, we would not have been able to prevent the structural damages which resulted from this particular storm. Yet here we are debating funding for a project due to go online years from now in an emergency supplemental bill, which is meant to provide aid to those who are still suffering in the wake of Sandy.

For fiscal year 2013, the National Weather Service received a total of \$991 million. That's \$20 million over their initial request. NOAA is expected to ask for additional funding for this particular project over the next 2 years—nearly \$15 million in fiscal year 2014 and \$18 million in fiscal year 2015, the year the first new satellite is due to launch. It appears that the funding included in the Frelinghuysen amendment is simply meant to get the ground portion of this project finished just a little bit faster.

Madam Chairman, I don't wish to argue the merits of this project, and I agree that if we have the ability to improve our forecasting infrastructure, we ought to do it, but this is not the time nor the place. The time for this project—and other projects like it which are funded in the Frelinghuysen amendment—is during the normal appropriations process.

While I offered seven other amendments to the Rules Committee which would have removed similar nonemergent spending totaling over \$300 million, unfortunately, only this amendment made it to the House floor. I'm disappointed that none of my other amendments to cut excessive spending were allowed. I was hopeful that the start of a new Congress would usher in a new dedication to cutting wasteful, duplicative, unnecessary spending. Unfortunately, it looks like it is business as usual.

That said, I'm hopeful this amendment will pass so this particular appropriation may be considered under regular order, as it should.

I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. FRELINGHUYSEN. Madam Chair, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I'm pleased to yield 2 minutes to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. I thank the gentleman, my good friend from New Jersey.

I want to say that this amendment would do serious damage to our efforts in terms of the National Weather Service.

In the mark of the House and the Senate appropriation bills for FY13, we had this \$13 million. It improves our forecasting. What does that mean on the ground? What it means on the ground, all across our country, when there is a severe weather incident, it means that we will have better information for evacuation purposes, if needed. It's about \$1 million a mile to evacuate. It's about saving lives.

So when the gentleman, who is the maker of this amendment, said that he wished we could do this faster and he's not opposed to us having better information, then I join with him in part, in that part, because this is about providing necessary information to the American public about severe weather incidents and saving lives. This is money that both the House and the Senate intended to provide, but in the 112th we were unable to complete our work.

This is vitally important to every single Member in this House in their districts, the businesses and families alike, that the National Weather Service and the satellite system be upgraded as quickly as possible.

We've had the greatest series of severe weather events—over \$1 billion each—that we've ever had in our history. It is not time for the greatest country and the wealthiest country in the world to retreat or to equivocate in making sure that we have the very best weather service information, and this satellite system is critically important thereto.

So I thank the gentleman for yielding. I would hope that the gentleman who is seeking waste find waste in some other area, because this is not waste. This is lifesaving information and important throughout our country that the National Weather Service has this upgrade. It's something we would have passed anyway in the normal appropriations process.

Mr. BROUN of Georgia. Madam Chairman, he just made my point. We all want good satellite weather forecasting. The satellites have already been funded and underway. This project is already underway. It's nonemergent spending. We should not have nonemergent spending in an emergent appropriations bill, particularly when we don't have any setoffs for this.

There is no reason whatsoever, absolutely zero reason that this could not be considered in the normal appropriations process, as my good friend just stated.

My point has been that these types of projects should be considered under regular order. They should be considered the way that all funding, except for emergency funding, should be considered, and that's through the Appropriations Committee, the regular order, the way we're supposed to be doing things in this House. This is not one of those.

My amendment, if it is passed, is not going to shut down this new weather system. It's not going to ground the satellites. It's not going to ground the ground project. All it's going to do is just say we're not going to put this nonemergent spending in an emergency appropriations bill, and we will take it under regular order as we should. That's my big point. I appreciate my friend saying that we could take it under regular order, as we should be doing.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Madam Chairman, I'm pleased to yield 2 minutes to my colleague from New Jersey (Mr. HOLT).

Mr. HOLT. Madam Chairman, this misguided amendment by the gentleman from Georgia would strike funding for the National Weather Service's ground readiness program.

Now, the ground readiness program means that weather satellite signals can be collected on the ground and those data can be used in operational models and forecasts. This satellite data is critical for forecasting hurricanes. In fact, the National Weather Service used data from these NOAA satellites to accurately predict the scope and the path of Hurricane Sandy.

Now, this amount is a relatively small dollar amount in the overall disaster relief bill, but this amendment is of outsized importance in its misguided intent. A recent study showed that without the polar satellite data from the weather models, the forecasters would have said Sandy would stay out at sea, would not have hit the mid-Atlantic coast. Imagine how much worse the storm damage would have been if the emergency management officials said it would never make landfall.

□ 1710

It's hard to overestimate how important accurate forecasts are. Let's accelerate the program, not slow it down. It's completely nonsensical to impair the ability of the National Weather Service to predict accurately. This is reminiscent of that ludicrous proposal a few years ago that we abolish the National Weather Service because there is a successful private cable weather channel.

I urge my colleagues to reject this misguided amendment.

The Acting CHAIR. The gentleman from Georgia has 15 seconds remaining. The gentleman from New Jersey has 1 minute remaining.

Mr. BROWN of Georgia. Madam Chair, this is not going to delay data. It's not going to delay the implementation of this new satellite system. The current satellite that was just launched last fall has all the data-receiving capability that it can send out. So all this is doing is just saying let's wait until the regular appropriations process.

I urge passage of my amendment.

Mr. FRELINGHUYSEN. Madam Chair, I'm pleased to yield the balance of my time to Mr. BLUMENAUER of Oregon.

Mr. BLUMENAUER. I appreciate the gentleman's courtesy.

My friend from Georgia completely misses the point. Mr. HOLT pointed out that this being able to process this ground-based information is important to being able to fully utilize the information from the polar satellite. The last Congress behaved recklessly, candidly, in terms of jeopardizing the flow of this information. It was not treated appropriately in terms of the budget.

I think that this is an opportunity to accelerate in a small way something that is an emergency, tell the people who have been faced with a chain of natural disasters and storms where we have been able to refine our predictions. We can't stop the weather, but we can save lives, and this will get us back on track a little bit.

I cannot imagine a more misguided offset. If anything, we should be accelerating this work more. I strongly urge its rejection.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROWN).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. BROWN of Georgia. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. DUNCAN OF SOUTH CAROLINA

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part C of House Report 113-1.

Mr. DUNCAN of South Carolina. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, strike line 19 and all that follows through line 23 on page 8 and insert the following: "No funds made available by this Act shall be used by the Legal Services Corporation."

The Acting CHAIR. Pursuant to House Resolution 23, the gentleman

from South Carolina (Mr. DUNCAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. DUNCAN of South Carolina. Madam Chair, this Nation's debt now stands in excess of \$16 trillion. This is an amount of debt greater than our Nation's economy, exceeding our GDP, and yet, Madam Chair, we have on the floor today legislation which piles upon our children and grandchildren even greater burdens of debt.

Madam Chair, it's time to end the credit card economics. We simply cannot afford to continue to spend money that we're borrowing from countries like China on line items that we don't need and that Congress isn't constitutionally authorized to spend.

Madam Chair, my amendment strips one such line item out of this bill. This is really low hanging fruit. You see, this Sandy relief effort was plussed up, or increased, by \$1 million to boost Legal Services Corporation, funding masquerading as disaster relief. And I thought we had a ban on earmarks in this Congress.

Why is a bailout for New York lawyers emergency hurricane relief? Even if you believe this is a legitimate government program—which I don't, by the way—but how can you argue with a straight face that spending on lawyers is legitimate emergency spending?

Madam Chair, let me say again, we're \$16 trillion in debt. We're \$16 trillion in debt, America. We simply cannot afford to continue like this. We cannot keep spending money that we don't have on things that we can't afford and all the while sending our children and our grandchildren the bill.

What part of \$16 trillion in debt do you all not understand?

I sincerely hope that my colleagues will take this opportunity to start to get serious about reining in our spending addiction. This amendment is a tiny step in that direction. It's only \$1 million. A million dollars is brushed off as not a lot of money to haggle over here in Congress, but let me tell you, \$1 million is a lot of money to the average American. But in this House, that's barely a blip on the radar screen.

This amendment will cut 6 percent of 1 percent of 1 percent of 1 percent of the Federal debt. It isn't that much, but at least it's a start. The journey of 1,000 miles begins with a single step, Madam Chair, and we need to take that step today.

This is a program that should no longer exist with Federal dollars. This program hasn't been reauthorized by the U.S. Congress since 1980; 33 years—33 years—of unauthorized appropriations, Madam Chair. Are we going to continue like it's business as usual?

The GAO has criticized LSC over its internal controls and lack of accountability in their financial reporting

processes and systems, yet, year after year, we keep throwing money at them. We cannot keep doing things the same way and expect anything other than the same result: deeper and deeper in debt, with a bill that my sons and their children and—hopefully—my grandchildren and maybe their children will get stuck with. Today, let's at least not throw more good money after bad by wasting another \$1 million on an unauthorized giveaway to attorneys.

Please support my amendment. It will strip \$1 million from this bill and prevent any "emergency spending" to pay for attorneys that should be paid for by private citizens in the private sector.

I reserve the balance of my time.

Mrs. LOWEY. Madam Chair, I rise to claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from New York is recognized for 5 minutes.

Mrs. LOWEY. Legal aid offices in Sandy-affected areas are experiencing a huge increase in requests for civil legal assistance that is directly related to the storm and its aftermath. The Legal Services Corporation exists precisely to help meet the civil legal needs of low-income Americans, and the Legal Services Corporation assistance is never more important than following a major disaster.

Since Sandy hit, legal aid programs in New York and New Jersey have set up recovery hotlines, staffed FEMA disaster recovery centers, partnered with other State and local organizations to conduct disaster assistance training, and participated in clinics to provide legal counseling to affected communities. Local legal service programs are helping families obtain emergency food stamps, disaster-related unemployment insurance benefits and FEMA benefits to pay for rent and other expenses.

The funding this amendment proposes to eliminate would enable local organizations to purchase the needed mobile resources and equipment and to hire the coordinators they need to manage volunteers.

The \$1 million this amendment would strike is a small amount relative to all of the other disaster relief efforts in the bill, but it will have a disproportionately large impact on the lives of low-income Americans it will help. I urge my colleagues to reject the amendment.

Mr. DUNCAN of South Carolina. I yield back the balance of my time.

Mrs. LOWEY. I yield 1 minute to the distinguished chairman, Mr. FRELINGHUYSEN.

Mr. FRELINGHUYSEN. I thank the gentlewoman for yielding.

In the hundreds of thousands of people that have been displaced in the Northeast are a lot of people who have

lost their apartments and houses that don't have the money to hire lawyers. Their conditions are such they've lost everything that they have—their possessions, their apartments, the houses that they've invested in throughout their lives—and many of these people do not have the financial means to protect their interests.

I know people have a hate-on for the Legal Services Corporation of America—and they've had their problems, and our Appropriations Committee has dealt with reining them in when they've acted inappropriately—but at a time when people are in such desperate straits and misery, to deny the poorest of the poor recourse when fat people can be taking advantage of them, or they're looking for some sort of food and shelter and they're seeking legal counsel to make sure that they can protect their rights and their families, I'm opposed to this amendment, I think, for good reason.

□ 1720

Mrs. LOWEY. Madam Chair, I yield the balance of my time to Mr. JOSÉ SERRANO of New York.

Mr. SERRANO. Let me first say that your comments once again, sir, are just right on target.

This is one of those amendments that simply strikes out at a government agency not realizing the harm it causes the people. The impact is particularly severe for low-income families, individuals who are unable to afford the kind of legal assistance they might need to help them recover.

Since Sandy, legal aid programs have been on the front lines of disaster assistance, and they will be providing legal assistance for Sandy victims for years to come. They've been dealing with FEMA assistance, with SNAP benefits, with unemployment benefits, along with legal issues related to evictions and housing problems; but the need for legal assistance will not end there.

In future months and perhaps even years, cases involving FEMA appeals, bankruptcy, fair housing, and public housing issues will arise. Contractor fraud scams will proliferate as Sandy victims start receiving cash payments from insurance proceeds and housing repair grants. Legal aid programs will be called on to provide help, and more than ever now we need this kind of assistance. What's interesting about this amendment is that it's not an amendment really directed at the funding as much as it is at the whole Legal Services Corporation. It is an attempt to attack an agency that stands up for those who can't defend themselves.

Interestingly enough, this was Richard Nixon's proudest program. He believed, at that time, as many have after him, that the poor needed a way to defend themselves in our courts. To go after this funding is not to go after

a million dollars. Let's be honest. It's to go after the corporation. It is ill-timed, it is wrong, it is unfair; and we should reject it by a majority, if not by a unanimous vote.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. DUNCAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. DUNCAN of South Carolina. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from South Carolina will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. BLUMENAUER

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part C of House Report 113-1.

Mr. BLUMENAUER. Madam Chair, I would offer the amendment on behalf of my colleague, Mr. CAMPBELL, and myself.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 16, line 6, insert "with respect to such funds" after "expense".

The Acting CHAIR. Pursuant to House Resolution 23, the gentleman from Oregon (Mr. BLUMENAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Madam Chair, I rise in support of this amendment.

I must acknowledge the collaboration and support of my good friend and the cosponsor of the amendment, Mr. CAMPBELL from California.

The amendment is a simple clarification to ensure that the Frelinghuysen amendment doesn't put taxpayers on the hook for 100 percent of the cost of projects that are unrelated to Hurricane Sandy.

The amendment waives the standard local cost-share for ongoing construction projects. This applies to beach renourishment projects, which are typically cost-shared at a 65 percent Federal and 35 percent local share.

While the waiving of this local cost-share for this type of project is unprecedented, I understand that for our friends in New Jersey, New York, and Connecticut, Hurricane Sandy was also unprecedented.

Our amendment does not change the language with respect to repairing the beaches damaged by Hurricane Sandy, but unfortunately the language could be interpreted to also waive local cost-share for future periodic beach replenishment unrelated to any damage caused by Hurricane Sandy. These typically can take up to over a 50-year

period and can cost tens of millions of dollars. I'm confident that is not what was intended by the amendment as it was offered. But the amendment is necessary to make sure that that's not how it's interpreted at some point in the future.

Madam Chair, my heart goes out to the communities in the Northeast that have been devastated by Hurricane Sandy. I have strongly supported the efforts of the people in the region to step forward and be fully compensated to be able to have a robust package. I'm sorry that it's delayed, and I commend the leadership that has been displayed on both sides of the aisle.

I strongly support having the Federal Government provide assistance for people not only to recover, but to rebuild in a way that is stronger and safer. But it does not make sense to use this legislation to change standard, non-Federal cost-share procedures for projects unrelated to Hurricane Sandy. Doing so, I think, would be fiscally irresponsible, and it decreases local communities' involvement and investment in local projects that primarily benefit them and I'm afraid might be a reason for opposition to legislation that I hope passes.

With that, I reserve the balance of my time.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. BLUMENAUER. I would be happy to yield 30 seconds to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I want to thank the gentleman and Mr. CAMPBELL, the cosponsor, for this clarification. I'm pleased to accept it. Thank you very much.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. BLUMENAUER. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. The gentleman is correct that he is restating law, and we also accept the amendment.

Mr. BLUMENAUER. Madam Chair, I deeply appreciate the hard work and the acceptance of the amendment. I look forward to moving forward with the passage of this, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MS. VELÁZQUEZ

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part C of House Report 113-1.

Ms. VELÁZQUEZ. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 21, line 17, after the dollar amount insert "(reduced by \$12,500,000)".

Page 21, line 18, after the dollar amount insert "(reduced by \$12,500,000)".

Page 40, line 10, after the dollar amount insert “(reduced by \$12,500,000)”.

Page 43, line 7, after the dollar amount insert “(increased by \$25,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 23, the gentlewoman from New York (Ms. VELÁZQUEZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. VELÁZQUEZ. Madam Chair, I rise to engage the chairman of the Energy and Water Development Appropriations Subcommittee in a colloquy and intend to withdraw my amendment.

Mr. Chairman, Hurricane Sandy has left a lasting impact on New York and its residents. The storm surge engulfed low-lying housing—including the Redhook development in my district—floating basements, common areas, and apartments. These areas remained submerged for days, cutting off essential services. After the water receded, toxic mold spread quickly in damaged areas.

Mold and mildew infestation can pose serious health risks if not addressed in a timely manner. If left untreated, residents and workers are at risk of developing respiratory illnesses or infection. Without providing emergency funding specifically for this purpose, there is serious concern among city residents that calls for more remediation will go unanswered.

Mr. Chairman, I hope that going forward we can work together to ensure that the final bill addresses mold contamination in public housing.

Mr. FRELINGHUYSEN. Will the gentlewoman yield?

Ms. VELÁZQUEZ. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Ms. VELÁZQUEZ, removing mold is critical to restoring the lives and livelihoods of New Yorkers, New Jerseyans, and those in Connecticut living in public housing affected by the storm.

We will work to see that in the final bill funding is made available for mold abatement, and we thank you for your focus on this very important issue that often escapes public notice unless you're directly affected. So I want to commend you for that effort.

Ms. VELÁZQUEZ. I'm very grateful to the chairman.

The success of our response to this tragedy hinges on helping residents rehabilitate the structures they call home.

□ 1730

It is essential that the resources necessary to provide secure housing for New Yorkers and other residents in New Jersey and Connecticut are made available.

Madam Chairman, I yield back the balance of my time, and I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Without objection, the gentlewoman withdraws her amendment.

There was no objection.

AMENDMENT NO. 8 OFFERED BY MR. HUELSKAMP

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part C of House Report 113-1.

Mr. HUELSKAMP. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 25, lines 14 and 15, strike “that is in excess of \$1,000,000, the specifics of each such grant award” and insert “the specifics of the grant award”.

Page 25, lines 19 and 20, strike “a mission assignment or task order in excess of \$1,000,000” and insert “the mission assignment or task order”.

The Acting CHAIR. Pursuant to House Resolution 23, the gentleman from Kansas (Mr. HUELSKAMP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kansas.

Mr. HUELSKAMP. Madam Chairman, my amendment seeks to ensure maximum transparency in a process which will see billions of taxpayer dollars distributed through FEMA grants. While I appreciate that a provision was included to require the disclosure of grants over \$1 million, I believe we owe it to the taxpayers to do even more. My amendment strikes the \$1 million threshold for disclosure, and it requires the details of all grants distributed under FEMA's disaster relief program to be disclosed.

Recently, a town in California was the subject of a FEMA Inspector General investigation. The FEMA IG found that the grantee received \$830,000 following a recent flood. The town in question spent all of the allocated grant money and has requested reimbursement for \$769,000 more. Among the inappropriate expenditures were a host of purchases that had nothing to do with the equipment damaged by the flood, including new chairs, computers, telephones, lamps, and a microwave. FEMA rejected the claim, finding these and numerous other attempts to claim reimbursement outside of the scope of the flood as well as outside of the terms of the grant.

While I commend FEMA for catching this attempted fraud, the sheer volume of grants that will come as a result of Sandy necessitates maximum transparency at the beginning of the process. My amendment requires just that. Let me give you one other example.

According to a September 2012 Department of Homeland Security IG report, I quote:

Following Hurricanes Katrina and Rita in 2005 and other disasters up to December 31, 2010, FEMA disbursed more than \$8 billion in assistance payments, some of which were later determined to have been improperly

paid to individuals who were ineligible or who received duplicate payments. The debts in question arose in part because FEMA relaxed its internal controls in order to provide the expedited delivery of assistance grants to displaced disaster survivors.

The relaxed internal controls involved improper payments of as much as \$621 million to 167,488 recipients. According to the report, FEMA's efforts to recoup these improper payments resulted in \$1.3 million collected thus far, but they spent \$7.3 million to collect them—again, costing the taxpayers a net of \$6 million. Why repeat a process like this if we can avoid it?

The paperwork is already being done on disaster relief grant applications. They're already being recorded on a computer somewhere in FEMA, so there are already disclosure procedures in place that can quickly and appropriately bring forward this information. According to the CBO, this amendment will have no budgetary impact. It simply does not create an undue burden to make the list public in a timely fashion.

I ask my colleagues to join me in injecting 100 percent transparency and accountability at the beginning of the process in order to help root out waste and fraud.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. HUELSKAMP. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I want to thank the gentleman from Kansas for putting forward this amendment. I am pleased to accept it. I just want to assure you that in both the Rogers amendment and my amendment we have plenty of transparency, and we have lots of reports, and I think your added protections of the taxpayers' dollars are very much in order.

Mr. HUELSKAMP. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Kansas (Mr. HUELSKAMP).

The amendment was agreed to.

AMENDMENT NO. 9, AS MODIFIED, OFFERED BY MR. FLEMING

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part C of House Report 113-1.

Mr. FLEMING. Madam Chairman, I have an amendment at the desk. I also have a unanimous consent for a technical correction of that amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 28, line 6, after the dollar amount (but inside the quotation marks), insert “(reduced by \$9,800,000)”.

Page 28, line 7, insert before the period at the end the following:

: *Provided*, That none of the funds made available under such heading in title V may be used to repair seawalls or buildings on islands in the Steward B. McKinney National Wildlife Refuge

The Acting CHAIR. Pursuant to House Resolution 23, the gentleman from Louisiana (Mr. FLEMING) and a Member opposed each will control 5 minutes.

Does the gentleman have a modification to his amendment?

Mr. FLEMING. Madam Chairman, yes.

I ask unanimous consent to correct a misspelled word from "Steward," ending in "d" to "Stewart," ending in "t."

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Technical Correction to the Amendment Offered by Mr. FLEMING:

In the matter proposed to be inserted by the amendment on page 28, line 7, strike "Steward" and insert "Stewart".

The Acting CHAIR. Without objection, the amendment is modified.

There was no objection.

The Acting CHAIR. The Chair recognizes the gentleman from Louisiana.

Mr. FLEMING. Madam Chairman, my amendment to the Frelinghuysen amendment will strike \$9.8 million of spending on buildings and seawalls on uninhabited islands within the Stewart B. McKinney National Wildlife Refuge.

The Stewart McKinney refuge is a complex of 10 separate units composed of over 800 acres that are stretched across the Connecticut shoreline. My amendment specifically addresses the request of the Fish and Wildlife Service to spend nearly \$10 million to rebuild buildings and a seawall on one of the 10 units known as the Outer Island.

The Service acquired this property through a private donation in 1995. Since that time, as a result of a memorandum of understanding, the island has been managed by Southern Connecticut State University, which provides access and guided educational activities to visiting school groups during the summer months, which is the only time Outer Island is actually open. In fact, the Southern Connecticut State University Web site is clear:

All schools, university, community, and civic associations or other parties interested in participating in educational activities on Outer Island must have prior approval of the Connecticut State University System coordinators.

While the Fish and Wildlife Service has no staff on Outer Island, the university utilizes paid interns and faculty coordinators to supervise the educational programming. An occasional kayaker may stop and have lunch on the island; but if you want to visit the Outer Island, you must coordinate your visit with the university and not with the Fish and Wildlife Service. In addition, the university received a \$250,000 grant from the Long Island Sound Fund.

Madam Chairman, last Friday members of my staff met with representatives of the Fish and Wildlife Service.

The Service has confirmed that they do not charge the university for what amounts to almost the exclusive use of the island. Furthermore, the Service did not provide at any time any analysis or breakdown on how they will spend \$9.8 million of our taxpayers' money. In fact, the only information they provided was a one-line explanation that the money will be used to remove debris deposited by storm floodwaters and to repair seawalls and buildings. Frankly, this is totally inadequate.

As the chairman of the Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs, my subcommittee has jurisdiction over the Fish and Wildlife Service. I intend to conduct our annual budget hearing in March of this year. This request does not belong in an emergency spending bill, and the money should not be in any way appropriated until we get a better understanding of how the \$9.8 million will be spent. I am also interested in hearing why this Service does not charge the university for using the island and why they should not be assessed a portion of the repair costs, which benefits them far more than the general public or certainly the taxpayers of the United States.

I urge an "aye" vote on this, and I reserve the balance of my time.

□ 1740

Ms. DELAURO. Madam Chair, I rise to claim the time in opposition.

The Acting CHAIR. The gentlewoman from Connecticut is recognized for 5 minutes.

Ms. DELAURO. Madam Chair, I rise in strong and vociferous opposition to what I view as a misguided amendment. It aims to cut funding that would help repair the seawalls and research buildings damaged by Superstorm Sandy at the Stewart B. McKinney National Wildlife Refuge in Connecticut. This is a vindictive amendment, in my view, that needlessly slashes disaster relief for one particular State, and I urge its defeat.

Named after the former Republican Congressman from my State, the Stewart B. McKinney Wildlife Refuge spans 70 miles of Connecticut shoreline, including 800 acres of island habitats, a beach, and tidal wetlands. One of the more remarkable aspects of the McKinney Refuge is a chain of seven islands along the coast. The islands support habitat for several federally endangered and threatened species and also hosts related research facilities.

These islands are key stops for birds migrating along the Atlantic Flyway, and two of them have been named "important bird areas" by the National Audubon Society. Some of these islands are also in close proximity to urban centers. All of them sustained severe damage during Superstorm Sandy.

For example, the storm damaged the dock, seawall, and education building on the Outer Island research station, which is also the most visited island within the McKinney Refuge. As a result, the natural resources on Outer Island cannot currently be properly managed. On Outer Island, the lack of repairs will have serious environmental consequences. If the seawall isn't repaired, erosion will undermine the foundation of the main building, dislodge the septic tank and cause significant contamination, and will lead to major repair costs. That's why we need to make available disaster aid to the McKinney Refuge so that they can recover from this storm, just as we have many times in the past for other refuges affected by disasters all across this country.

Let me give you some examples. After Hurricane Katrina in 2005 and Hurricane Ike in 2008, we appropriated \$71 million for wildlife refuges in Texas, \$20 million in Mississippi, and \$74 million for refuges in Louisiana, the sponsor of this amendment's home State.

One of the central responsibilities of this institution is to act on behalf of the American people whenever a major disaster occurs. Federal disaster relief is meant to restore homes, businesses, communities, and Federal facilities to their pre-disaster condition. We do this whether the disaster is a fire in the west, a tornado in the south, or a hurricane in the northeast. There is no good reason to make an exception of the McKinney Refuge here.

The sponsor of this amendment, Congressman FLEMING of Louisiana, has argued that this bill includes \$9.8 million solely to repair the damage done at the Outer Island. This is simply not true.

The Fish and Wildlife Service requested over \$10.9 million for repairs to the McKinney Refuge, including just over \$2 million for Outer Island. The rest of the funds, however, would support repairs all along the 70 miles of affected Connecticut coast. By cutting the funding needed to rebuild the Connecticut coastline to its pre-Sandy condition, this amendment prevents the McKinney Refuge from meeting its Federal commitment to conserve wildlife, to provide education and outdoor recreation for the public, and it unfairly singles out Connecticut and all of the protected wildlife along our shores. Is the State and refuge somehow unworthy of Federal support? It's a terrible precedent for disaster aid.

When these disasters occur, we have always come together as a Nation of Americans, just as we did after Katrina and Andrew and Irene, and we should not change that now.

I urge my colleagues to reject what I view as a pernicious amendment and help Connecticut's McKinney Refuge rebuild from this storm.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Members are reminded not to traffic the well while another Member is under recognition.

Mr. FLEMING. Madam Chair, the gentlelady is correct: after we got more information on this, the nearly \$10 million is actually only \$2 million when it comes to the Outer Island. However, the gentlelady is incorrect: the university informed us that the vast amount of damage actually came from Hurricane Irene and not from Sandy.

Now as to the other \$8 million, it goes to about six different islands that are rarely, if ever, touched by humans. It is for coastline restoration. So what you have is basically \$10 million, \$2 million of which is to repair damage from a previous hurricane for which there has not been a request. It is uninhabited island, rarely touched or used except in the summertime, and the rest of the islands are virtually never touched or used.

Madam Chair, this is an emergency bill. There's no emergency here. And whatever dollars we use are going to be borrowed from China and put onto the debt. So as a result of that, this does not fit the definition in any way, shape, or form of being an emergency.

I would suggest to the Chamber today that we focus on the emergency. There are a lot of people hurting with this disaster, and we should put our money where it needs to be. We can go through regular order through my subcommittee and address all of the work needs that need to go on here.

With that, I reserve the balance of my time.

Ms. DELAURO. I would just want to say to my colleague, and quite frankly, I don't recall whether you were here or not here during the extensive debates that we had on this floor as it regarded Hurricane Katrina in 2005, Hurricane Ike in 2008—\$71 million for wildlife refuges in Texas, \$20 million for refuges in Mississippi, and \$74 million for refuges in Louisiana.

Let me just tell you, we have over and over again laid out what the difficulties are and what kind of environmental damage this will cause to the Outer Island, what will happen to contamination in the area, and major areas of our coast along our Connecticut coastline. It is amazing to me that we find it necessary, that in the Northeast, somehow we are being held hostage when the rest of the Nation has received every dime they have asked for. It's wrong, and we should defeat this amendment.

The Acting CHAIR. The gentlewoman's time has expired. The gentleman from Louisiana has 30 seconds remaining.

Mr. FLEMING. Madam Chair, I would again disagree with the gentlelady. I would have to say that, unfortunately, it is our grandchildren who are being held hostage. Now they have tens of

thousands, if not hundreds of thousands of dollars each in future debt from the spending we do today. Needless to say, we need to take care of the problem. We need to take care of the emergency, and we need to take care of the people who are hurt. But for heaven's sake, we should not be spending money restoring coastlines on islands that nobody ever goes to.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. FLEMING), as modified.

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. FLEMING. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana will be postponed.

AMENDMENT NO. 10 OFFERED BY MR. BENISHEK

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part C of House Report 113-1.

Mr. BENISHEK. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 28, strike the proviso beginning on line 20.

The Acting CHAIR. Pursuant to House Resolution 23, the gentleman from Michigan (Mr. BENISHEK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. BENISHEK. Madam Chair, like all of my colleagues, I come before you today very concerned about my fellow Americans whose lives were torn apart in October of 2012 due to the impact of Hurricane Sandy.

Hurricane Sandy, like many natural disasters before it, has caused billions of dollars of damage and has upended the lives of thousands of Americans. Congress gathers here today to consider a very important question: Exactly what is the role of the Federal Government in rebuilding our communities following a natural disaster?

Like many of my colleagues, I believe the Federal Government must be a strong partner in responding to natural disasters, but local communities must lead the way in making the important decisions. Only local communities have the firsthand knowledge to prioritize how precious resources should be spent following a natural disaster. While the Federal Government can and should be a partner, it must be just that—a partner.

Madam Chair, the Federal Government currently plans ahead and budgets for natural disasters. We have an

entire agency, FEMA, dedicated to managing these disasters. Perhaps Congress should have a more comprehensive discussion on how to better budget and prepare for natural disasters, but we can't use one hurricane as an excuse to fund or enhance programs that would normally go through the regular appropriations process.

□ 1750

Local communities and property owners impacted by Hurricane Sandy face tough choices. They must prioritize and decide what projects will be rebuilt and in which order.

One of the provisions in the underlying Frelinghuysen amendment provides for an additional \$50 million in grants from the Historic Preservation Fund for necessary expenses related to the consequences of Hurricane Sandy. Currently, these types of grants typically require a non-Federal match. The Frelinghuysen amendment strikes the non-Federal match requirement for the Sandy funds.

Madam Chair, my amendment would not reduce any of the supplemental funding provided for in the underlying amendment. Again, the amendment does not reduce the supplemental funding. My amendment simply restores the provision that the non-Federal match be applied, as normally required by the National Park Service. In actual practice, this would make the funds more widely available for a larger number of citizens.

My amendment is about good government and good investments. It simply ensures that local communities have "skin in the game" and truly support the grants that they apply for. If a local community is truly supportive of rebuilding a project, they will band together and find a match, whether it be a local municipality, State government, or private nonprofit.

I understand that those opposed to the amendment will say that the impacted property owners require emergency funding. They will argue that in order to obtain the funds, stakeholders should be released of the obligations of a non-Federal match, as many are struggling to get by.

To this, I'd like to remind you that our government is still borrowing over 40 cents for every dollar it spends. Just as families must prioritize their budgets, the Federal Government must learn to make adjustments.

Federal grants should not be about having fancy consultants or great grant writers. These type of programs should come down to one thing: local support for a project. The ability to provide a non-Federal match ensures community support for those projects.

We should no longer waive requirements that ensure local communities will support their efforts. This is about good government and ensuring fiscal responsibility now and in the future.

It is my hope that you will join me in supporting this amendment to ensure that this good guiding principle of good government is continued.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Madam Chair, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I yield as much time as he may consume to Mr. MORAN.

Mr. MORAN. I thank the very distinguished gentleman from New Jersey for his leadership overall on this bill, but particularly for thinking to waive the non-Federal match, and I'll explain why.

I'm sure the gentleman from Michigan's effort is well-intentioned, but many of the buildings damaged by Hurricane Sandy were historic structures, and their repair will be very expensive.

Now, your amendment would make it cost prohibitive, Mr. BENISHEK, to repair or rebuild these historic structures. The Interior Department has told us that if the Benishek amendment passes, the historic preservation funds will be almost impossible to spend in the 2-year timeframe.

The regular historic preservation matching requirement is 60 Federal/40 non-Federal. If there is a 60/40 match requirement for the States affected by Hurricane Sandy, the State Preservation Offices will not be able to meet the matching requirement.

These offices are already struggling financially, and have challenges meeting the match under normal circumstances. If they got the money without the waiver, the \$50 million that we provide in this bill would sit in an administrative morass while we tried and then likely failed to spend it. So we would be funding nothing but Federal overhead for 2 years.

The language in the Frelinghuysen amendment, like the Senate bill, limits Historic Preservation Grant funding to those 10 States that received the Stafford Act Major Disaster declaration.

The density of historic structures in Sandy-impacted States is far higher and the damage far greater than any storm in recent memory. In New York State alone there were 51,587 structures on the National Historic Register that received a direct hit from Hurricane Sandy. These are structures of national significance. Likewise, in New Jersey and Connecticut.

These structures include such well-known sites as the South Street Seaport Museum and the Coney Island Historic District, as well as thousands of other structures, which while perhaps not being as well-known, are no less important.

So the fact is that many private homeowners, businesses, and communities, they take pride in their historic

structures. These historic structures bring tourists to their communities. They help generate economic revenue. We should not penalize them as they try to recover from this disaster by making them sacrifice the historic character of their homes, their businesses, and communities.

So I support Mr. FRELINGHUYSEN's provision of waivers in his amendment for this special category of grants, and I ask my colleagues to vote against the Benishek amendment.

Mr. FRELINGHUYSEN. I reserve the balance of my time.

Mr. BENISHEK. I just want to use the balance of my time to say \$50 million is able to be spent in a larger area, with more impact, if the spending is done with priorities determined by local contributions, and that it's not going to be the best grant writer or the person with the most connections but it's going to be the communities that come together with their local support that is going to determine how this money is being spent. And I think that's just a better way of prioritizing the increase in spending for the historic preservation fund in this method.

I think we've seen in previous disasters where Federal money has been just wasted. And I think that having community input and community donations to this would ensure that the money will go as far as it can and be put to the most effective use determined by local input.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Madam Chair, let me associate my remarks with those of Mr. MORAN. And certainly, we want to commend the gentleman from Michigan for wanting to save money.

I think, in many communities, certainly in the Northeast, but I'm sure in your home State, there are certain historical structures that define the very essence of those communities. You refer to the fact that the communities are supportive. In many cases, it's the nonprofits that are supporting them.

And I asked the staff—and this is why it's in the bill—when we looked at Katrina relief and all the historic structures that were within that affected area, which was vast, we also provided this window.

Of course, in the Northeast we are often essentially focused on our Revolutionary path. But unless we provide to these nonprofits and to communities, in some cases governmental entities, this waiver, a lot of these historical buildings will be lost forever. And I think that time is of the essence.

I commend you for what you're trying to do, but I oppose your amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. BENISHEK).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. BENISHEK. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT NO. 11 OFFERED BY MR. BISHOP OF UTAH

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in part C of House Report 113-1.

Mr. BISHOP of Utah. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 49, after line 9, add the following:

TITLE XI—GENERAL PROVISIONS
LIMITATION ON USE OF FUNDS

SEC. 1101. None of the funds provided in this Act shall be used for land acquisition by the Secretary of the Interior or the Secretary of Agriculture.

The Acting CHAIR. Pursuant to House Resolution 23, the gentleman from Utah (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

□ 1800

Mr. BISHOP of Utah. Thank you, Madam Chair, I appreciate your kindness and hope that your ears are very gentle today.

Unlike some of the other amendments, this particular amendment does not reduce the amount appropriated in the basic underlying bill. What it does try to say is that the money needs to be used where the money needs to be used. It limits the Departments of the Interior and Agriculture from using any funds from this emergency appropriation for the purchase of additional Federal land.

When Sandy hit, the Statue of Liberty, Ellis Island, Governors Island, Morristown National Historical Park, Sagamore Hill, they were not spared from what took place. The Statue of Liberty is closed. It is not open to the public. It is in desperate need of repair. What I want to make sure is that the money we put for the repair of the Federal estate is used for the repair of the Federal estate. Unfortunately, in an effort to try and do that, there was some loose language. Even though it attempts to put some parameters on where this money can be used, embedded in the language is the phrase that the Secretary of the Interior may transfer these funds to any other account in the Department and may expend such funds in a myriad of ways to try and come up with something.

Unfortunately, we were given, or made aware of, an unofficial wish list which would actually have used some of the money designed for the repair of these desperate issues to be used for the purchase of property not currently

under the control of the Federal Government. That is the practice we wish to curtail. If you want to buy more Federal land, that's the icing on the cake. That should go through regular order. That is not emergency spending.

So with this particular money, it needs to be used where it is necessary. It does not prohibit the Army Corps of Engineers or the GAO from using certain funds as necessary to prohibit any kind of relief or human suffering. It simply says you're not going to buy extra land with the money that is already identified for the need of repairing what we already own.

The National Park Service has given us a list of what they need to do. It consumes the money that is in that approach to it. If you decide not to restrict this and allow them to have the flexibility of purchasing other land, something from this list that is essential has to come off, and that's not right. All we're trying to say is use this money to make sure that we put it where it deserves to be, to end the suffering and repair the public property that we already own.

I reserve the balance of my time.

Mr. MORAN. Mr. Chairman, I rise to claim time in opposition to this amendment.

The Acting CHAIR (Mr. DENHAM). The gentleman from Virginia is recognized for 5 minutes.

Mr. MORAN. Mr. Chairman, I yield myself such time as I may consume.

I oppose the Bishop amendment which, as he says, prohibits the Secretary of the Interior or the Secretary of Agriculture from using funds made available under this act from any land acquisition.

There is no attempt by the Secretary of the Interior or the Secretary of Agriculture to use the funds made available under the bill for any kind of Federal land grab. However, there are instances when land acquisition can be part of a cost-effective solution to repairing the damage caused by Hurricane Sandy. For example, we have Interior and Agriculture facilities in low-lying areas that were destroyed by the hurricane. If either Department wants to move any of those facilities to higher ground to protect them from future hurricanes and that higher ground is not owned by the Federal Government, then the Bishop amendment prohibits the Secretaries from buying that land. So we go through the whole thing all over again. They make an assessment. If they realize that this building isn't going to withstand another hurricane, they should be able to move it to land where it's more appropriate; but you couldn't do it if you have the Bishop amendment.

We also had tidal wetlands that were destroyed that included private lands. Under the Bishop amendment, these private lands could not be acquired as part of a comprehensive effort to re-

store these wetlands to their natural condition. The private landowners need us to do that. They can't restore them, but the wetlands need to be restored. So this simply gives the two Departments the ability to act in a rational manner to restore the shoreline.

The Bishop amendment is a solution in search of a problem. So I would urge my colleagues to oppose the amendment, and I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, if I may respond for just a moment. I do appreciate what the gentleman is saying, but I would take issue at the premise upon which it is made. If indeed there needs to be a change of venue from any kind of Federal property—they need to go to high ground—those properties need to be identified, and it needs to go through regular order. Emergency funds should not be used to circumvent the process we already have in place, including the preservation of environmental standards, simply to do that.

Here is the bottom line: if you don't accept this amendment, because the National Park Service has already told us what they will do with this money, if they are allowed because of some pressure from wherever source to purchase excess land with this money, which of these projects are we going to take off?

Do you want to go to Liberty Island and take off the storm drain cleanage or the removing of the debris, the mold remediation, the hazardous debris removal, the removal of storm debris, the replacing of water fountains on Ellis Island, the repairing of the Battery Park screening site tent?

The money is already identified here. This is where it should go. This is the emergency. For heavens sake, make it very clear that the money that's going to be given for an emergency is used to repair what was caused in the emergency, and do not have any loose ends that will circumvent regular order.

If indeed there needs to be long-term changes of where administrative buildings are to be built, go through the regular order. That's the process we have. That should be the way of doing things.

I reserve the balance of my time.

Mr. MORAN. Mr. Chairman, I know Mr. BISHOP has been involved in the legislative process long enough to know that process and regular order can be one of the most facile ways of preventing anything from getting done. I will not challenge him now to tell us how many things have been held up that thought they could get through regular order in a reasonable period of time.

We have an emergency here. This is urgent, to repair these seashores. The fact is that the National Parks and the National Seashores and the National Wildlife Refuges are great assets to our communities. Not only do they attract

tourism; they increase property values, and they enhance our quality of life.

And now it's clear that public lands and natural systems that they protect buffered built up areas from the impact of storms. They play a very important role, so we need to restore them; and restoration of these public resources will require a specific targeted strategy.

A prohibition on land acquisition may very well frustrate the ability to bring back the public value of existing park and refuge lands and to meet other community needs. Where new access points are needed, which is oftentimes going to be the case, where small purchases are the best or only means to reestablish the lost value of damaged habitat, this amendment would preclude the purchase of even a single acre that would be needed to reestablish public use and resource integrity.

This ties the hands of the professionals who know best how to restore the seashore. This is not a Federal land grant, but they need the tools to be able to make small purchases. We're not talking about a lot of money; we're not talking about a lot of land.

There will be times when you need to buy a small piece of privately owned land to get access to a seashore. There will be times when you need to move it to a more appropriate area. They're not going to be able to spend a lot of money. There isn't a lot of money to do that with.

The fact is that this, I think, is a deliberate effort to frustrate the ability of people who have a vision of what the seashore can be once we restore it to its natural habitat. It seems to me that should be a national objective, to let this area repair and heal. Taking away this tool is going to frustrate that objective.

I would strongly urge a "no" vote on the Bishop amendment.

I yield back the balance of my time, Mr. Chairman.

Mr. BISHOP of Utah. I yield myself the balance of my time.

The Acting CHAIR. The gentleman from Utah is recognized for 1 minute.

Mr. BISHOP of Utah. Thank you very much.

Though I appreciate the words of the gentleman from Virginia, I have to disagree once again. We have a process for the way we do things. This is an exception to that process because of an emergency. The Parks Department has already identified where they need to spend the money. Any authorization that would ask for any kind of acquisition of lands will take away from where the money is already identified to be needed.

□ 1810

The hypothetical situation of where some expert at some point might want to do this, to spend some type of money, it's nice, it's cute, it's wonderful, but we have a specific process here.

If, indeed, you need to move an administrative building from point X to point Y, we have a process to go through that. And it should go through the administrative, it should go through regular order; not be hidden in the bowels of an emergency expenditure.

I'm not cutting any money from this bill. I'm simply saying you spend the money where it was designed to be spent, and there is a loophole in the language here that would allow that to change. That is wrong. Do not allow the Interior Department or the Agriculture Department to use a loophole to move money that is designed to solve an emergency from the place where it needs to be spent, on the emergency.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Utah (Mr. BISHOP).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BISHOP of Utah. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Utah will be postponed.

AMENDMENT NO. 12 OFFERED BY MS. VELÁZQUEZ

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part C of House Report 113-1.

Ms. VELÁZQUEZ. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 49, after line 9, insert the following:

TITLE XI

ADDITIONAL GENERAL PROVISION

SEC. _____. The amounts otherwise provided by this Act are revised by reducing the amount made available for "Small Business Administration—Disaster Loans Program Account" for administrative expenses to carry out the direct loan program authorized by section 7(b) of the Small Business Act (and within such amount, the amount made available for direct administrative expenses of loan making and servicing to carry out such program), and increasing the amount made available for "Department of Veterans Affairs—National Cemetery Administration", by \$1,000,000.

The Acting CHAIR. Pursuant to House Resolution 23, the gentlewoman from New York (Ms. VELÁZQUEZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. VELÁZQUEZ. Mr. Chairman, from the Revolutionary War to the war in Afghanistan, we owe a great debt to our servicemen and -women. One way that we honor them is through their interment in national veteran cemeteries, which gives them a dignified and honorable final resting place.

As anyone who has walked through the rows of tombstones at Arlington

National Cemetery knows, these cemeteries are hallowed ground. They allow us not only to pay our great respect to these great men and women, but to reflect on the cost of defending the very freedoms we enjoy in our daily lives. Unfortunately, these burial grounds were not left unscathed by Hurricane Sandy. In fact, the Cypress Hills National Cemetery—New York City's only such cemetery—was heavily damaged by the storm.

As the final resting place for more than 20,000 soldiers who fought in the Revolutionary War, the Civil War, the Spanish-American War, Korea, and Vietnam, it spans our Nation's military history and is a poignant reminder of the sacrifices made to defend democracy.

At Cypress Hills National Cemetery, trees were downed, areas were flooded, and many important monuments were jeopardized. Headstones were also damaged, with some pulled out of the ground due to trees falling on them. To honor those veterans buried there, the cemetery must be well maintained, and making these repairs and protecting these structures should be a priority for all Americans. To do this, the underlying legislation provides \$1.1 million to make repairs and renovations.

This amendment would provide another \$1 million for this purpose and enable those affected veteran cemeteries to take steps to protect this sacred ground from future disasters. This could include installing measures to prevent the destruction of grave sites, regrading areas prone to flooding, and reinforcing critical structures that honor our veterans. Such an investment will make sure that future generations can visit this memorial and understand the sacrifices of those that came before them. Making certain that this memorial stands the test of time is the least we can do for those that gave their lives in service to our Nation.

Ultimately, a Nation is truly measured by how it honors its veterans, and this amendment does just that, while ensuring that we truly leave no man and no woman behind.

Mr. FRELINGHUYSEN. Will the gentlewoman yield?

Ms. VELÁZQUEZ. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I am very pleased to accept your amendment, and thank you for invoking the words of Abraham Lincoln.

Mrs. LOWEY. Will the gentlewoman yield?

Ms. VELÁZQUEZ. I yield to the gentlewoman from New York.

Mrs. LOWEY. This amendment increases funding for the National Cemetery Association account by \$1 million, offset by reductions in the SBA Disaster Loan Program.

As I understand it, the gentlewoman has heard from her constituents that

these additional funds are needed to address extensive tree damage at New York and New Jersey national cemeteries.

VA cemeteries are national shrines and a lasting tribute that commemorate veterans' service and sacrifice to our great Nation. The amendment will ensure that the VA cemeteries affected by Hurricane Sandy will be repaired in a quick and efficient manner, and I urge all Members to support this amendment.

Ms. VELÁZQUEZ. I thank the gentle lady, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ).

The amendment was agreed to.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part C of House Report 113-1 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. FLORES of Texas.

Amendment No. 4 by Mr. BROUN of Georgia.

Amendment No. 5 by Mr. DUNCAN of South Carolina.

Amendment No. 9 by Mr. FLEMING of Louisiana.

Amendment No. 10 by Mr. BENISHEK of Michigan.

Amendment No. 11 by Mr. BISHOP of Utah.

After which, the Chair shall put the question on amendment No. 1 by Mr. FRELINGHUYSEN of New Jersey.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series, except that the minimum time on Amendment No. 1 will be 5 minutes.

AMENDMENT NO. 2 OFFERED BY MR. FLORES

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. FLORES) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 221, noes 197, not voting 14, as follows:

[Roll No. 16]

AYES—221

Aderholt	Barr	Bishop (UT)
Amash	Barton	Black
Amodel	Benishek	Blackburn
Bachmann	Bentivolio	Bonner
Bachus	Bilirakis	Boustany

Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carney
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Cuellar
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Gardner
Garrett
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Hanna
Harper

NOES—197

Alexander
Andrews
Barber
Barletta
Barrow
Bass
Beatty
Becerra
Bera
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carson (IN)
Cartwright
Castor (FL)

Castro (TX)
Chu
Cielline
Clarke
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett

Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ryan (WI)
Salmon
Scalise
Schock
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jeffries
Johnson, E. B.
Kaptur
Keating
Kennedy
Kildee
Kilmer
King (NY)
Kuster
Lance
Langevin
Larsen (WA)
Larsen (CT)
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebach
Lofgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Lujan, Ben Ray
(NM)
Lynch
Maffei
Maloney,
Carolyn

Cárdenas
Cleaver
Crenshaw
Emerson
Jackson Lee

Maloney, Sean
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Neal
Nolan
O'Rourke
Owens
Pallone
Pascarella
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)

NOT VOTING—14

Johnson (GA)
Kingston
Kirkpatrick
Napolitano
Negrete McLeod

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There are 2 minutes remaining.

□ 1839

Messrs. POCAN, KILDEE, and
BARLETTA changed their vote from
“aye” to “no.”

Messrs. WITTMAN, WENSTRUP,
Mrs. BLACKBURN, and Mr. TURNER
changed their vote from “no” to “aye.”

So the amendment was agreed to.
The result of the vote was announced
as above recorded.

Stated against:

Mrs. NAPOLITANO. Mr. Chair, on Tuesday,
January 15, 2013, I was absent during rollcall
vote No. 16 due to a death in my family. Had
I been present, I would have voted “no” on
the Flores Amendment.

Mr. CARDENAS. Mr. Chair, on rollcall No.
16, had I been present, I would have voted
“no.”

AMENDMENT NO. 4 OFFERED BY MR. BROUN OF
GEORGIA

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Georgia (Mr. BROUN)
on which further proceedings were
postponed and on which the noes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 206, noes 214,
not voting 12, as follows:

[Roll No. 17]

AYES—206

Aderholt
Amash
Amodei
Bachmann
Bachus
Barr
Barton
Benishek
Bentivolio
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy

Granger
Graves (GA)
Graves (MO)
Griffith (VA)
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly
Kind
King (IA)
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Latham
Latta
Long
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCauley
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunnelee
Olson
Palazzo
Paulsen
Pearce

NOES—214

Alexander
Andrews
Barber
Barletta
Barrow
Bass
Beatty
Becerra
Bera
Bilirakis

Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield

Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Royce
Ryan (WI)
Salmon
Scalise
Schock
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

Clarke
Clay
Clyburn
Cohen
Cole
Connolly
Conyers
Cooper
Costa
Courtney
Crawford
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gibson
Grayson
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Holt
Honda
Horsford

Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kennedy
Kildee
Kilmer
King (NY)
Kuster
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loeb
Loeb
Lofgren
Lowenthal
Lowey
Lucas
Lujan Grisham
(NM)
Lujan, Ben Ray
(NM)
Maffei
Maloney,
Carolyn
Maloney, Sean
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Neal
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)

Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Richmond
Rogers (AL)
Ros-Lehtinen
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Turner
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth
Young (FL)

NOT VOTING—12

Cleaver
Crenshaw
Emerson
Jackson Lee

Kingston
Kirkpatrick
Lynch
Napolitano

Negrete McLeod
Nunes
Schwartz
Speier

□ 1843

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mrs. NAPOLITANO. Mr. Chair, on Tuesday, January 15, 2013, I was absent during rollcall vote No. 17 due to a death in my family. Had I been present, I would have voted "no" on the Broun Amendment.

AMENDMENT NO. 5 OFFERED BY MR. DUNCAN OF SOUTH CAROLINA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. DUNCAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 202, noes 217, not voting 13, as follows:

[Roll No. 18]

AYES—202

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivoglio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Hurt
Issa
Jenkins
Burgess
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly
Kind
Cassidy
Chabot
Vela
Chaffetz
Coble
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert

Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Guthrie
Hall
Harris
Hartzer
Hastings (WA)
Heck (NY)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Burgess
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly
Kind
Cassidy
Chabot
Vela
Chaffetz
Coble
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert

Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Ross
Rothfus
Royce
Ryan (WI)
Salmon
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Shuster
Simpson
Smith (NE)
Southerland
Stewart
Stivers
Stockman
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOES—217

Andrews
Barber
Barrow
Bass
Beatty
Becerra
Bera
Bishop (GA)

Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos

Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)

Castro (TX)
Chu
Cicilline
Clarke
Clay
Clyburn
Cohen
Cole
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gerlach
Gibson
Grayson
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda

Horsford
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kennedy
Kildee
Kilmer
King (NY)
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loeb
Loeb
Lofgren
Lowenthal
Lowey
Lujan Grisham
(NM)
Lujan, Ben Ray
(NM)
Maffei
Maloney,
Carolyn
Maloney, Sean
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meehan
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Neal
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)

Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Richmond
Rokita
Rooney
Ros-Lehtinen
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Turner
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Cleaver
Crenshaw
Emerson
Jackson Lee
Kingston

Kirkpatrick
Lynch
Napolitano
Negrete McLeod
Nunes

Schwartz
Smith (TX)
Speier

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1847

So the amendment was rejected. The result of the vote was announced as above recorded.

Stated against:

Mrs. NAPOLITANO. Mr. Chair, on Tuesday, January 15, 2013, I was absent during rollcall vote No. 18 due to a death in my family. Had I been present, I would have voted "no" on the Duncan (SC) Amendment.

AMENDMENT NO. 9, AS MODIFIED, OFFERED BY MR. FLEMING

The Acting CHAIR. The unfinished business is the demand for a recorded

vote on the amendment offered by the gentleman from Louisiana (Mr. FLEMING) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 216, noes 205, not voting 11, as follows:

[Roll No. 19]

AYES—216

Alexander	Gingrey (GA)	Noem
Amash	Gohmert	Nugent
Amodei	Goodlatte	Nunnelee
Bachmann	Gosar	Olson
Bachus	Gowdy	Palazzo
Barletta	Granger	Paulsen
Barr	Graves (GA)	Pearce
Barton	Graves (MO)	Perry
Benishek	Griffin (AR)	Peterson
Bentivolio	Griffith (VA)	Petri
Bilirakis	Guthrie	Pittenger
Bishop (UT)	Hall	Pitts
Black	Harper	Poe (TX)
Blackburn	Harris	Pompeo
Bonner	Hartzler	Posey
Boustany	Hastings (WA)	Price (GA)
Brady (TX)	Heck (NV)	Radel
Bridenstine	Hensarling	Reed
Brooks (AL)	Herrera Beutler	Reichert
Brooks (IN)	Holding	Renacci
Broun (GA)	Hudson	Ribble
Buchanan	Huelskamp	Rice (SC)
Bucshon	Huizenga (MI)	Rigell
Burgess	Hultgren	Roby
Calvert	Hunter	Roe (TN)
Camp	Hurt	Rogers (AL)
Campbell	Issa	Rogers (MI)
Cantor	Jenkins	Rohrabacher
Capito	Johnson (OH)	Rokita
Carter	Johnson, Sam	Rooney
Cassidy	Jones	Ros-Lehtinen
Chabot	Jordan	Roskam
Chaffetz	Joyce	Ross
Coble	Kelly	Rothfus
Coffman	Kind	Royce
Collins (GA)	King (IA)	Ryan (WI)
Collins (NY)	Kinzing (IL)	Salmon
Conaway	Kline	Scalise
Cook	Labrador	Schock
Cotton	LaMalfa	Schweikert
Cramer	Lamborn	Scott, Austin
Crawford	Lankford	Sensenbrenner
Culberson	Latham	Sessions
Daines	Latta	Shuster
Davis, Rodney	Long	Simpson
Denham	Luetkemeyer	Smith (NE)
Dent	Lummis	Smith (TX)
DesSantis	Marchant	Southerland
DesJarlais	Massie	Stewart
Diaz-Balart	Matheson	Stivers
Duffy	McCarthy (CA)	Stockman
Duncan (SC)	McCaul	Stutzman
Duncan (TN)	McClintock	Terry
Ellmers	McHenry	Thompson (PA)
Farenthold	McKeon	Thornberry
Fincher	McKinley	Tiberi
Fitzpatrick	McMorris	Tipton
Fleischmann	Rodgers	Turner
Fleming	Meadows	Upton
Flores	Meehan	Valadao
Forbes	Messer	Wagner
Fortenberry	Mica	Walberg
Fox	Miller (FL)	Walden
Franks (AZ)	Miller (MI)	Walorski
Gardner	Miller, Gary	Weber (TX)
Garrett	Mullin	Webster (FL)
Gerlach	Mulvaney	Wenstrup
Gibbs	Murphy (PA)	Westmoreland
Gibson	Neugebauer	Williams

Wilson (SC)
Wittman
Wolf
Womack

Woodall
Yoder
Yoho
Young (AK)

NOES—205

Aderholt
Andrews
Barber
Barrow
Bass
Beatty
Becerra
Bera
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Clyburn
Cohen
Cole
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson

Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kennedy
Kildee
Kilmer
King (NY)
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebbeck
Lofgren
Lowenthal
Lowe
Lucas
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maffei
Maloney,
Carolyn
Maloney, Sean
Marino
Markley
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Neal

Young (FL)
Young (IN)

Nolan
O'Rourke
Owens
Pallone
Pascarelli
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Rogers (KY)
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Whitfield
Wilson (FL)
Yarmuth

vote No. 19 due to a death in my family. Had I been present, I would have voted "no" on the Fleming Amendment.

AMENDMENT NO. 10 OFFERED BY MR. BENISHEK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. BENISHEK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 208, noes 212, not voting 12, as follows:

[Roll No. 20]

AYES—208

Aderholt	Gardner	Messer
Amash	Garrett	Mica
Amodei	Gibbs	Miller (FL)
Bachmann	Gingrey (GA)	Miller (MI)
Bachus	Gohmert	Miller, Gary
Barr	Goodlatte	Mullin
Barton	Gosar	Mulvaney
Benishek	Gowdy	Murphy (PA)
Bentivolio	Granger	Neugebauer
Bilirakis	Graves (GA)	Noem
Bishop (UT)	Graves (MO)	Nugent
Black	Griffin (AR)	Nunnelee
Blackburn	Griffith (VA)	Olson
Bonner	Guthrie	Palazzo
Boustany	Hall	Paulsen
Brady (TX)	Hanna	Pearce
Bridenstine	Harris	Perry
Brooks (AL)	Hartzler	Peters (CA)
Brooks (IN)	Hastings (WA)	Peterson
Broun (GA)	Heck (NV)	Petri
Buchanan	Hensarling	Pittenger
Bucshon	Herrera Beutler	Pitts
Burgess	Holding	Poe (TX)
Calvert	Hudson	Pompeo
Camp	Huelskamp	Posey
Campbell	Huizenga (MI)	Price (GA)
Cantor	Hultgren	Radel
Capito	Hunter	Reichert
Carter	Hurt	Renacci
Cassidy	Issa	Ribble
Chabot	Jenkins	Rice (SC)
Chaffetz	Johnson (OH)	Rigell
Coble	Johnson, Sam	Roby
Coffman	Jones	Roe (TN)
Collins (GA)	Jordan	Rogers (AL)
Collins (NY)	Kelly	Rogers (MI)
Conaway	Kind	Rohrabacher
Cook	King (IA)	Rokita
Cotton	Kinzing (IL)	Rooney
Cramer	Kline	Ros-Lehtinen
Crawford	Labrador	Roskam
Culberson	LaMalfa	Ross
Daines	Lamborn	Rothfus
Davis, Rodney	Lankford	Royce
Denham	Latta	Ryan (WI)
DesSantis	Lipinski	Salmon
DesJarlais	Long	Scalise
Diaz-Balart	Luetkemeyer	Schrader
Duffy	Lummis	Schweikert
Duncan (SC)	Marchant	Scott, Austin
Duncan (TN)	Massie	Sensenbrenner
Ellmers	Matheson	Sessions
Farenthold	McCarthy (CA)	Shuster
Fincher	McCaul	Simpson
Fleischmann	McClintock	Smith (NE)
Fleming	McHenry	Smith (TX)
Flores	McKeon	Southerland
Forbes	McKinley	Stewart
Fortenberry	McMorris	Stivers
Fox	Rodgers	Stockman
Franks (AZ)	Meadows	Stutzman

NOT VOTING—11

Cleaver
Crenshaw
Emerson
Jackson Lee
Kingston
Kirkpatrick
Napolitano
Negrete McLeod

□ 1851

Mr. LYNCH changed his vote from "aye" to "no."

So the amendment, as modified, was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mrs. NAPOLITANO. Mr. Chair, on Tuesday, January 15, 2013, I was absent during rollcall

Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Upton
Valadao
Wagner
Walberg

NOES—212

Alexander
Andrews
Barber
Bartlett
Barrow
Bass
Beatty
Becerra
Bera
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Clyburn
Cohen
Cole
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gerlach

NOT VOTING—12

Cleaver
Crenshaw
Emerson
Jackson Lee

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)

Nolan
O'Rourke
Owens
Pallone
Pascarell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Richmond
Rogers (KY)
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schock
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Turner
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wolf
Yarmuth

□ 1855

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mrs. NAPOLITANO. Mr. Chair, on Tuesday, January 15, 2013, I was absent during rollcall vote No. 20 due to a death in my family. Had I been present, I would have voted “no” on the Benishek Amendment.

AMENDMENT NO. 11 OFFERED BY MR. BISHOP OF UTAH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Utah (Mr. BISHOP) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 223, noes 198, not voting 11, as follows:

[Roll No. 21]

AYES—223

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Bartlett
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chaffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais

Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross

NOES—198

Andrews
Barber
Barrow
Bass
Beatty
Becerra
Bera
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Clyburn
Coble
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia

Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

Nolan
O'Rourke
Owens
Pallone
Pascarell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Reichert
Richmond
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—11

Cleaver	Kingston	Nunes
Crenshaw	Kirkpatrick	Schwartz
Emerson	Napolitano	Speier
Jackson Lee	Negrete McLeod	

□ 1900

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mrs. NAPOLITANO. Mr. Chair, on Tuesday, January 15, 2013, I was absent during rollcall vote No. 21 due to a death in my family. Had I been present, I would have voted “no” on the Bishop (UT) Amendment.

The Acting CHAIR. The question is on amendment No. 1 printed in part C of House Report 113-1 offered by the gentleman from New Jersey (Mr. FRELINGHUYSEN), as amended.

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

RECORDED VOTE

Mr. FRELINGHUYSEN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 228, noes 192, not voting 12, as follows:

[Roll No. 22]

AYES—228

Alexander	DeLauro	Israel
Andrews	DelBene	Jeffries
Barber	Denham	Johnson (GA)
Barletta	Dent	Johnson, E. B.
Barrow	Deutch	Kaptur
Bass	Diaz-Balart	Keating
Beatty	Dingell	Kennedy
Becerra	Doggett	Kildee
Bera	Doyle	Kilmer
Bishop (GA)	Duckworth	Kind
Bishop (NY)	Edwards	King (NY)
Blumenauer	Ellison	Kuster
Bonamici	Engel	Lance
Boustany	Enyart	Langevin
Brady (PA)	Eshoo	Larsen (WA)
Braley (IA)	Esty	Larson (CT)
Brown (FL)	Farr	Lee (CA)
Brownley (CA)	Fattah	Levin
Bustos	Fitzpatrick	Lewis
Butterfield	Foster	Lipinski
Capps	Frankel (FL)	LoBiondo
Capuano	Frelinghuysen	Loebsack
Cárdenas	Fudge	Lofgren
Carney	Gabbard	Lowenthal
Carson (IN)	Galleo	Lowe
Carter	Garamendi	Lucas
Cartwright	Garcia	Lujan Grisham
Castor (FL)	Garrett	(NM)
Castro (TX)	Gerlach	Lujan, Ben Ray
Chu	Gibson	(NM)
Cicilline	Granger	Lynch
Clarke	Grayson	Maffei
Clay	Green, Al	Maloney
Clyburn	Green, Gene	Carolyn
Cole	Grijalva	Maloney, Sean
Collins (NY)	Grimm	Markey
Connolly	Gutierrez	Matheson
Conyers	Hahn	Matsui
Costa	Hanabusa	McCarthy (NY)
Courtney	Hanna	McCollum
Cramer	Harper	McDermott
Crowley	Hastings (FL)	McGovern
Cuellar	Heck (WA)	McIntyre
Culberson	Higgins	McNerney
Cummings	Himes	Meehan
Davis (CA)	Hinojosa	Meeks
Davis, Danny	Holt	Meng
Davis, Rodney	Honda	Michaud
DeFazio	Horsford	Miller, George
DeGette	Hoyer	Moore
Delaney	Huffman	Moran

Murphy (FL)
Nadler
Neal
Nolan
O'Rourke
Owens
Palazzo
Pallone
Pascarell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Richmond
Ros-Lehtinen
Roybal-Allard

Aderholt
Amash
Amodei
Bachmann
Bachus
Barr
Barton
Benishek
Bentivolio
Bilirakis
Hudson
Bishop (UT)
Black
Blackburn
Bonner
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Cassidy
Chabot
Chaffetz
Coble
Coffman
Collins (GA)
Conaway
Cook
Cooper
Cotton
Crawford
Daines
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Gardner
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)

NOES—192

Guthrie
Hall
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly
King (IA)
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lankford
Latham
Latta
Long
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunnelee
Olson
Paulsen
Pearce
Perry
Peterson
Petri

Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Turner
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Whitfield
Wilson (FL)
Wolf
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—12

Cleaver	Jackson Lee	Negrete McLeod
Cohen	Kingston	Nunes
Crenshaw	Kirkpatrick	Schwartz
Emerson	Napolitano	Speier

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

□ 1907

So the amendment, as amended, was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mrs. NAPOLITANO. Mr. Chair, on Tuesday, January 15, 2013, I was absent during rollcall vote No. 22 due to a death in my family. Had I been present, I would have voted “no” on the Frelinghuysen Amendment.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. REED) having assumed the chair, Mr. DENHAM, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 152) making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes, and, pursuant to House Resolution 23, he reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole, or on an amendment thereto? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 241, nays 180, not voting 11, as follows:

[Roll No. 23]

YEAS—241

Alexander	Barrow	Bishop (GA)
Andrews	Bass	Bishop (NY)
Bachus	Beatty	Blumenauer
Barber	Becerra	Bonamici
Barletta	Bera	Bonner

Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Clyburn
Cohen
Cole
Collins (NY)
Connolly
Conyers
Costa
Courtney
Cramer
Crawford
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Garrett
Gerlach
Gibson
Grayson
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez

Hahn
Hanabusa
Hanna
Harper
Hastings (FL)
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebach
Lofgren
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney
Carolyn
Maloney, Sean
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKeon
McKinley
McNerney
Meehan
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Neal
Nolan
O'Rourke
Owens
Palazzo

Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmuter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Richmond
Rogers (KY)
Ros-Lehtinen
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schradler
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Turner
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Whitfield
Wilson (FL)
Wolf
Yarmuth
Young (AK)
Young (FL)
Young (IN)

NAYS—180

Aderholt
Amash
Amodei
Bachmann
Barr
Barton
Benishke
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)

Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Collins (GA)
Conaway
Cook

Cooper
Cotton
Daines
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry

Foxx
Franks (AZ)
Gardner
Gibbs
Granger (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly
King (IA)
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lankford
Latham
Latta

Long
Luetkemeyer
Lummis
Marchant
Massie
McCaul
McClintock
McHenry
McMorris
Rodgers
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunnelee
Olson
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita

Rooney
Roskam
Ross
Rothfus
Royce
Ryan (WI)
Salmon
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Upton
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho

NOT VOTING—11

Cleaver
Crenshaw
Emerson
Jackson Lee

Kingston
Kirkpatrick
Napolitano
Negrete McLeod

□ 1925

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. JACKSON LEE. Mr. Speaker, I rise regarding my excused absence from rollcall votes 11–23 on Tuesday, January 15, 2013. I was unavoidably delayed on my return to Washington due to official business in my district.

I would have voted “aye” for my following rollcall votes: 12, 15, 22, 23.

I would have voted “no” for my following rollcall votes: 11, 13, 14, 17, 18, 19, 20, 21.

AUTHORIZING THE CLERK TO CORRECT ENGROSSMENT

Mr. ROGERS of Kentucky. I ask unanimous consent, Mr. Speaker, that in the engrossment of H.R. 152, the Clerk shall reinsert the text on page 1, lines 3 through 6, of the bill after the enacting clause.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

□ 1930

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

SUGAR BOWL CHAMPS!

(Mr. YARMUTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YARMUTH. Mr. Speaker, I rise to honor the 2013 Sugar Bowl Champion, University of Louisville Cardinals. From Muhammad Ali's opening toss, this game was destined for greatness. The Cards followed the Champ's lead by shocking the world. They became the first team in a decade to score a touchdown in the first 15 seconds of both halves en route to the biggest upset in BCS history.

Against a team averaging one turnover and holding every opponent below 30 points, the Cards forced three turnovers and reached the 30-point mark a mere 8 seconds into the second half. Facing a defense that had never allowed a touchdown pass of 15 yards or more, Cards quarterback Teddy Bridgewater completed two.

This team proves what U of L Athletic Director Tom Jurich has said for years: “If you doubt Charlie Strong—on field or off—you're in for a surprise.”

Coach Strong dedicated the game ball to the fans, who were 30,000 strong in New Orleans. It was a fitting tribute, and I think it's safe to say Card Nation is still on a Sugar Bowl high.

This was a great triumph for the University of Louisville and a victory for our whole community. So for the city, the University of Louisville, and this outstanding Cardinal football team, I'm proud to honor the 2013 Sugar Bowl Champion Louisville Cardinals. How sweet it is!

I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Coming from a University of Kentucky football and basketball fan, to my friend from Louisville and the Cardinals, congratulations. Fantastic for the State of Kentucky.

Mr. YARMUTH. I thank my colleague very much. I appreciate that.

THE UNIVERSITY OF MEMPHIS CONGRATULATES THE UNIVERSITY OF LOUISVILLE

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, I just want to join in congratulating the University of Louisville on their success.

The University of Louisville has long been a rival of the University of Memphis. But this past year or so, the Louisville basketball coach, Rick Pitino, was good enough to champion the University of Memphis' getting into the Big East Conference. It was support we needed and support we appreciate. The conference isn't quite the same as it was when he did that, but it was a good thing to do.

We have a great rivalry, and I think we need to support our rivals and thank Coach Pitino for his helping the University of Memphis get into an additional conference, and we hope that the rivalry between the University of Louisville and the University of Memphis continues for many more years to come.

APPOINTMENT OF MEMBER TO UNITED STATES GROUP OF NATO PARLIAMENTARY ASSEMBLY

The SPEAKER pro tempore (Mr. BRIDENSTINE). The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 1928a, and the order of the House of January 3, 2013, of the following Member on the part of the House to the United States Group of the NATO Parliamentary Assembly:

Mr. TURNER, Ohio, Chairman.

APPOINTMENT OF MEMBER TO COMMISSION ON SECURITY AND COOPERATION IN EUROPE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 3003, and the order of the House of January 3, 2013, of the following Member on the part of the House to the Commission on Security and Cooperation in Europe:

Mr. SMITH, New Jersey, Co-Chairman.

THE DEBT CEILING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Indiana (Mr. MESSER) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. MESSER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and insert extraneous materials on the topic in this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MESSER. Mr. Speaker, it's an honor and privilege to stand here today in what I hope to have as the first of many Special Orders that the Republican freshman class does together.

Today, we want to highlight the importance of the upcoming debt ceiling

debate and the need to get serious about addressing the out-of-control spending and borrowing that is jeopardizing the American Dream for our children and grandchildren.

I'm honored to represent Indiana's Sixth Congressional District, a 19-county area of east central and southeastern Indiana that was formerly represented by now-Governor Mike Pence. My constituents work hard, play by the rules and deserve what they've earned. They should be able to keep a little more of their paychecks for things like college tuition, family vacations or to retire just a little earlier. But Washington is standing in their way.

The fundamental question that this Congress needs to answer is whether Washington should take more than it already does from these hardworking, taxpaying Americans. The answer, of course, is no. Washington doesn't tax too little; it spends too much.

One would hope that since the last Congress raised taxes to avoid falling off the fiscal cliff, everyone's attention now would turn to our biggest fiscal problem, the out-of-control spending—now 24 percent of our gross domestic product—and the explosive growth of entitlements and interest on the debt that are adding to our more-than-\$16-trillion national debt and pushing us up against the debt ceiling. But, remarkably, President Obama is now calling for even more taxes, more spending and more borrowing in return for any future spending controls. He said yesterday that we can't finish the job of deficit reduction through spending cuts alone.

Simply put, the President got his tax increases in the last Congress, and it's time for this Congress to tackle Washington's spending binge.

I'd like to recognize the gentlelady from Indiana.

Mrs. BROOKS of Indiana. Mr. Speaker, my message today is simple: On too many big items, Congress has been kicking the can down the road for years. It's time to supply real leadership on the most pressing challenges we face. This is the only way we can restore trust in Congress.

We are fast approaching a dead end. The Social Security Trust Fund will be bankrupt in 20 years. Medicare and Medicaid are not on a sustainable path. It is wrong for us to make promises to the American people we know we cannot keep. We must address the drivers of our debt—Medicare, Medicaid, and Social Security—not because these programs don't have merits, and certainly not because the seniors currently benefiting from them don't deserve what they've been promised, but because real leadership isn't about making the easy choice, it's about making the right choice.

Social Security and Medicare alone account for 36 percent of our Federal spending, and both are going to keep

growing because of our aging population. My friends on the other side of the aisle will talk about cutting waste, fraud, and abuse. And while I agree we must do that, we can't tell the American people that cutting and eliminating waste, fraud, and abuse alone is enough to tackle the \$16 trillion debt. That's not leadership.

History shows us that unless we make the hard decision to implement changes that equal real savings now, it will not happen. We cannot afford to make changes in 7, 8 or 9 years. We don't have the luxury of more time.

We're in a position to clearly see three obvious opportunities to make real, sustainable changes. First, we know we are approaching the debt ceiling. Second, sequestration will go into effect in 2 months, and third, funding for the government will expire March 27. These are opportunities to make real changes in spending.

I'm excited to be representing Indiana's Fifth District, and I'm ready to get to work. There is no reason we need to wait until the eleventh hour to start talking about the tough decisions we must make for the future of our country. It is time we commit to saving these important programs for those who need them and getting our economic house in order for the future generations of my children and my grandchildren and our country's children and grandchildren. Let's be the Congress in this 113th Congress that chose to tackle real problems rather than handing them down to our children. Let's embrace right-minded solutions that can set us on a path toward a better and much more sustainable future.

□ 1940

Mr. MESSER. My thanks to the distinguished gentlelady from Carmel.

I now recognize the distinguished gentlelady from South Bend. My condolences on the national championship game, but we welcome you here today.

Mrs. WALORSKI. Mr. Speaker, I will remind my distinguished colleague from Indiana that Notre Dame was undefeated this year. It was a very successful season, and we'll just put that on the record.

Mr. Speaker, I am deeply humbled to represent the people of Indiana's Second Congressional District in the United States House of Representatives. Today I speak for the first time before this Chamber and on their behalf.

To the hardworking Hoosier families in north central Indiana, thank you for sending me to Washington. I'm eager to work with my colleagues here to make raising a family and sending a child to college just a little bit easier.

To the small business owners in South Bend to Plymouth, please know that each day I will work tirelessly to strengthen the economy so you can

employ those who want to work within our community.

To the senior citizens between La Porte and Peru, you can count on my support to restore the American Dream and ensure that America's best days are not behind her in the past, who absolutely want to put our future and our future generations on a solid concrete path.

Mr. Speaker, I want to let the people of Indiana know that in the coming weeks they'll hear many assertions in the debate over whether Congress should increase the debt ceiling. The people of Indiana deserve to hear the truth. The entire Nation deserves to hear the truth:

The truth is that, even as I speak, our national debt is spiraling out of control toward \$16.5 trillion;

The truth is that the United States has not run one, not two, not three, but four consecutive trillion dollar budget deficits;

The truth is that this Federal Government is borrowing an unthinkable 46 cents for every dollar it spends, while throwing our children under the weight of the bill;

The truth is that the share of the national debt for every family in Indiana is a staggering \$143,190. For every Hoosier, it's \$52,737;

The truth, Mr. Speaker, is that it's time for us to stop spending money we simply do not have.

Admiral Mike Mullen, former chairman of the Joint Chiefs of Staff, has warned us. He said, "the single biggest threat to our national security is our debt."

In order to get our debt under control, we first must completely take care of our spending. As families in Indiana's Second District and all across the Nation, we have to prioritize spending, we have to create budgets and live within our means; so should this Congress of the United States.

Each day that we delay getting our fiscal house in order, we threaten the safety and well-being of those we love and care about the most. We threaten the opportunity and promise of future generations by limiting the resources we have to invest in infrastructure and education. Mr. Speaker, as I said earlier, the truth is that it's time for us to stop spending money we simply do not have.

As big as our national debt may be, Americans have always been able to come together and solve big problems. I thank the good people of Indiana for electing me to listen to their needs and bring good Hoosier common sense to Washington. I look forward to working together in this Congress on their behalf and to tackling our most serious issues.

Ladies and gentlemen, the clock is ticking. Let's get to work.

Mr. MESSER. I say with great pride to my honorable colleague that we do it better in Indiana.

I worked with then-State Representative WALORSKI and Governor Daniels as a member of Indiana's General Assembly to help pass Indiana's balanced budget. We turned a \$600 million deficit into a \$300 million surplus in 1 year without a tax increase. There was no silver bullet. Our State's leader simply followed a principle most families already understand, that one shouldn't spend money they don't have.

It wasn't always easy, but 8 years later, we have fewer State government employees than any time since the early 1970s, yet our State is providing better services in leaner ways throughout government. As Governor Daniels has often famously said:

Most will be surprised by how much government they don't miss.

I now yield to the distinguished gentleman from North Carolina for your comments today.

Mr. PITTENGER. I thank my good friend from Indiana.

Mr. Speaker, in previous generations, serving as a Member of Congress was considered an honorable profession. Congressmen were held in high esteem and examples of true leadership. They were honored in books like "Profiles in Courage." Sadly, we seem to have lost our way. Last week, Public Policy Polling found that only 9 percent of Americans approve of the job that Congress is doing. In my opinion, the reason no one approves of the job we're doing is that we're not doing our job.

Our Nation is in peril. We are threatened, not by a foreign tyrant, but by our own reckless spending. Just today, the Fitch Ratings agency warned that our AAA credit rating is at risk. We are on the verge of squandering everything that we have received from previous generations. Sadly, we are more likely to leave the next generation with crushing debt than we are to pass along the America we love.

My fellow Representatives, may I make a suggestion? Starting with the 113th Congress, the buck stops here. For too many years, Congress and the President have received an A in addition, but they seem to have always flunked subtraction. We must commit to bringing spending in line with revenue, to setting priorities and learning to say "no." If we are to be the Congress which takes to say "no." If we are to be the Congress which takes substantive action on deficit reduction, we must start with entitlements. It's the topic everyone is afraid to address, but weren't we elected to show true leadership?

Today the Fitch Ratings agency warned that our Nation's AAA credit rating is at risk if an increase in the debt ceiling doesn't also include a credible plan for deficit reduction. The Government Accountability Office has reported that government spending is on an unsustainable long-term fiscal path, with entitlements the primary

culprit. The Congressional Budget Office reports that, left unchecked, the Federal entitlement programs will soon swamp the entire budget. Will entitlement reform be messy? Yes. Is it necessary? Yes. In fact, it's the only way to bring a lasting solution to our Nation's fiscal problems.

Any plan to reform entitlements must protect the benefits promised to the current generation. But as we look to the future, we need serious reforms that will reduce spending while preserving these important safety nets for future generations.

In 2006, then-Senator Obama said:

The fact that we are here today to debate raising America's debt limit is a sign of leadership failure.

Yet, under President Obama, we've seen record-setting deficit spending and trillions added to our national debt. The leadership failure lies with the President and others in Congress who have been unable to say "no."

Our objective is not arbitrary. Tax revenues are expected to remain right at the historical average of around 18 percent of the GDP. We know how much money we'll make. Now we need to sit down at the kitchen table with a calculator and figure out how to live within our means.

Mr. MESSER. I thank the honorable gentleman. I thank you for your comments.

I would like to recognize next my good friend, the gentleman from Georgia.

Mr. COLLINS of Georgia. I thank my friend from Indiana.

It's good to be here, and it's good to get started on what we've been sent here to do. I think that's the great thing about us coming together tonight and sharing, from a freshman perspective, our first few days in which we've been thrown into a Congress that really, I don't believe, any have experienced before. There have been tough challenges, but I think this is going to be an interesting time for us all. I appreciate us getting together tonight as we go forward.

Mr. Speaker, I come from the great Georgia Ninth. The northeast Georgia district is full of mountain values and common sense. When we look at the district, as I traveled around for almost 18 months, what I kept hearing from people all along is that they wanted their life to look ahead to something of a brighter future. I think right now, from an economic perspective, when we look at what's going on, that is what they are most concerned about. They're looking at what they have at the national level and they're looking at our debt, they're looking at our economic and our budget issues and they're saying, How is this effective? How is this going to be better for my kids and my grandkids?

I thought to myself as I was traveling around and I began—when I ran, I

told my constituents, I run for three reasons, and they were Jordan, Copelan, and Cameron. They're my three children. I told them that they represent not only my three kids and their future, but they represented the kids and the grandkids of the district and the nieces and nephews of those that everybody in my district lived with and cared for, because it is their future that we're dealing with here. It's their future.

□ 1950

When we talk about the economics and when we talk about the problem we're in, this is the area in which we have got to work as a Congress. We cannot shirk the duty. We cannot pass it along. They expect us to act, and they expect us to act in a way in which, as we look forward, actually makes a difference in their lives.

President Obama recently told our Speaker that he doesn't believe we have a debt problem. We're \$16 trillion in the hole, and our out-of-touch Commander in Chief doesn't think we have a serious problem on our hands. As my friend from North Carolina just stated—I want to go with the entire quote, and this is what was said:

The fact that we are here today to debate raising America's debt limit is a sign of leadership failure. "Leadership" means the buck stops here. Instead, Washington is shifting the burden of bad choices today onto the backs of our children and grandchildren. America has a debt problem and a failure of leadership. Americans deserve better. I, therefore, intend to oppose the effort to increase America's debt limit.

As we look at this issue, it really amazes me because I want to focus not on this debt issue but on basically what it says here. It says:

America has a debt problem, and it's a failure of leadership.

If it were a failure of leadership back in 2006, it must be a catastrophic nightmare at this point because all we've done is increase it. We've got to do better. We're borrowing almost half of every dollar we spend. If we don't provide serious measures to take care of it, we will leave our country in an absolute debacle for our kids and grandchildren, and that's simply not a price I'm willing to pay.

Our President just recently talked about not only a debt problem but that he doesn't believe we have a spending problem. I thought to myself that we don't have a spending problem; yet one of our colleagues, Representative LANKFORD, stated just the other day that in 2012 we'll have the third highest revenue year ever in the Federal Government, and yet we're still discussing the fact that we don't have a spending problem.

I'm sorry, Mr. President, this is not leadership. This is failure. We cannot continue to give the President and those on the other side of the aisle a blank check. Any discussion of raising

the debt ceiling must also include an examination of serious reforms that need to be made to entitlement and discretionary spending.

On January 2, 2013, President Obama stated that we cannot continue to cut our way to prosperity.

Mr. President, on the contrary, we cannot tax and spend our way to prosperity either.

I think tonight we're starting what, I hope, will become a regular occurrence for this freshman class, my friend from Indiana. As we look at it, it's what I believe we have to do, and I believe it's about telling our story and about telling why conservative principles matter and how conservative principles, when we explain how we can get debt off their backs and spending under control, mean freedom for their kids to have a better future so that they can go to college and so that they can start that new business and employ other people. I believe America's greatest gift was found in the free enterprise system, and that's what we can encourage by getting our own fiscal house in order here tonight.

This is the time for us to come together, and I'm so pleased to stand with you and with the other freshmen here tonight. We're here to work, and we're here to make some hard choices and to realize this is all in America's best interests. I appreciate your letting me be a part of this tonight.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. MESSER. Mr. Speaker, I would like to next recognize the distinguished gentleman from Utah (Mr. STEWART).

Mr. STEWART. It is an honor to be here tonight.

Ladies and gentlemen, I rise in defense of the American people. I believe that we are at a tipping point in our history. I really believe that we are at one of those inflection points at which we will decide our future, at which we will decide who we are as a people, at which we will decide the America that we leave to our children in a way that hasn't been decided before. This is a generational moment. This time is that important. At its heart, I think the debate comes down to this:

Will we reclaim the moral and fiscal discipline that created the American Dream? Will we reclaim the moral and the fiscal discipline that created the world's first and the world's greatest middle class? Will we reclaim the moral and fiscal discipline that made us, as Abraham Lincoln described us, the last best hope on Earth?

That is the essence of our challenge. That is the great and defining argument of our day.

In this debate, I'd like to remind all of us of a few critical facts. One of them is that this Nation, a Nation that is bankrupt, cannot provide for the se-

curity of its people. A Nation that is bankrupt cannot provide for the needy or for the poor among us. A Nation that is bankrupt cannot provide for the future of their children.

Yes, during these challenging times, it will require a commitment to fairness, and it will require a commitment to compassion. It always has. There has always been compassion in this Nation. That defines much of who we are—allowing the safety net to continue for those who truly need it. But where is the compassion in allowing a program, like my parents depended on in the final years of their lives, to continue down a pathway towards bankruptcy? Where is the compassion in creating so much uncertainty that our own children no longer have faith in their futures or in the social and safety net that has been there for previous generations? If you believe in compassion and fairness, then help us fix these problems. Help us to save them. Help us to provide so that we can pass them on to future generations.

Since the last election, this administration has talked about one thing and one thing only, and that is taxes. We have had that fight, and he has won. He got his tax increase, and that will raise between \$60 billion and \$70 billion, but the last deficit was \$1.1 trillion.

Mr. President, what about the other trillion dollars now? What do we do now? We have a 6 percent solution. It's a great start if you like raising taxes, but it doesn't address the problems at all.

My father was an Air Force pilot. He was a pilot during World War II, and I had the great honor of serving for 14 years as an Air Force pilot as well. If there was one thing I learned from my father and those brave men and women with whom I served, it was courage, always to have courage. That is what we need now. That is the only thing that can save us.

Mr. President and Members of this body, let us have the courage to do the right thing even if that thing proves to be hard. Our debt is unsustainable. We talk about saving our Nation for our children. We don't have that long. Let us take the steps to restore financial sanity in this Congress on this day.

Mr. MESSER. I thank the distinguished gentleman from Utah. I appreciate his remarks.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. MESSER. I next would like to recognize the distinguished gentleman and my good friend from Texas (Mr. WILLIAMS).

Mr. WILLIAMS. Mr. Speaker, I appreciate your leadership and what you're doing.

My name is ROGER WILLIAMS. I have been a small business owner for 41 years. I represent Congressional District 25 in Texas, a great district. I

have been meeting payrolls and creating jobs for 41 years and have been fighting government regulations for that period of time. I must tell you that, at a time when our national debt is over \$16 trillion—more than \$52,000 for each American—we must restore fiscal sanity in Washington. We do this by cutting spending, shrinking the deficit, and balancing the budget. As a businessman, when you're not selling your product, you don't raise taxes and you don't raise prices. You cut spending. That's where the money is. That's where the cash flow is, and that's what we've got to get to.

Our Nation's economic future is at stake. The Federal Government currently borrows more than 40 cents of every dollar it spends. I think we all agree it's time to get our fiscal house in order. Across this great Nation, the families have stretched their hard-earned dollars in order to make it through this struggling economy. The Federal Government must do the same and must do it now. We are facing a crisis because Washington just simply spends too much and wastes too much.

As I said, families all across this country are not looking to spend more money. They're looking to cut expenses and to meet the problems we all face today. The American people, I believe, do not support raising the debt. I ran on lower taxes, less government, to cut the spending. That's what my district wants. We don't need to raise the debt ceiling without cutting spending at the same time. That's what it's about. We need to create a net worth in America. I'm looking forward to the debate. We need to bring business principles back to Washington, D.C. May God bless America.

□ 2000

Mr. MESSER. I thank the distinguished gentleman.

Mr. Speaker, I would next like to recognize my good friend, the distinguished gentleman from Michigan.

Mr. BENTIVOLIO. Mr. Speaker, thank you for granting me the floor today. It is truly an honor and privilege to be a Member of the House of Representatives, the people's House. We have all been sent here to serve the people, and I look forward to representing the freedom-loving, hard-working people of Michigan.

More than two centuries ago, Members of the first Congress were summoned to uphold and defend the Constitution. Because of the Constitution, America became a shining symbol of freedom and prosperity to the world. Today, we must ensure that America retains that luster.

Everyone arrives here from different walks of life. Some are lawyers, some are business leaders, and yes, well, at least one of us is a reindeer rancher.

I recognize we all have different viewpoints, and I understand that I

have joined Congress during a contentious time. I do think, however, there is one thing on which we should all agree: The job of a Member of Congress is to protect the rights of the people, not take them away.

The national debt is approaching \$17 trillion. The decisions we make in this Chamber not only affect us today, they resonate throughout future generations. The massive national debt we are accruing will leave to our children a weaker Nation than the one we inherited from our parents. Those yet to be born do not have a voice today, they don't have representation, but we must remember what we do here resonates for generations to come.

Our moment to preserve our great Nation has arrived. Our country is at a crossroads. We must stand together and get over our disagreements. We must strive valiantly and dare greatly, applying the principles that made our country so exceptional to solve the problems that the people of this great Nation sent us here to fix.

Mr. MESSER. I thank the distinguished gentleman from Michigan.

Mr. Speaker, I want to thank you for your time and help tonight as another distinguished Member of the freshman class. I hope we will have opportunities on other nights for you to be able to participate in these Special Orders.

As several have alluded to, our idea is just to be a part of the public debate. Everyone in this room tonight, everybody watching, has grown up in an America where you've known one very simple fact: that no matter what your current station in life, no matter where you came from, if you worked hard and stayed focused in this great country, you would have an opportunity to build a life for yourself; you would have an opportunity to live the American Dream.

And for the first time in my life, as I traveled through the Sixth District of Indiana and talked to people all across this country, people are doubting whether that will be true for the next generation, whether the next generation of young people and Americans will have the same kinds of opportunities that we all had growing up.

I think it is not an exaggeration to say that the upcoming debate in the next 2 months is really about the question of what are we willing to do to save our country, and this underlying question: Does Washington have enough? How much more must they take from the hardworking, taxpaying Americans who are trying to put their life together every day? I and my colleagues who spoke earlier today believe Washington has enough. We don't need to give her more.

Mr. Speaker, I yield back the balance of my time.

REBUILDING AMERICA'S INFRASTRUCTURE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. I thank you, Mr. Speaker. It's good, it is very, very good that the new 113th Congress acted today to reach out in sympathy, compassion, and with real support to the people who were so severely impacted by Superstorm Sandy.

One of our colleagues, just a moment ago, spoke about this Nation being at a crossroad. And indeed, we cross paths many, many times and there are many different crossroads. The people of Pennsylvania, New Jersey, New York, Connecticut, and other parts of this great Nation here on the east coast came to a crossroads. That crossroads was 97 days ago when Superstorm Sandy came ashore and whacked and destroyed, pummeled and, indeed, killed Americans.

Today, the House of Representatives, not unanimously, unfortunately, but by a strong majority of Democrats and some Republicans, stood tall and said we are one Nation. We're one Nation, and when one of us is harmed, we'll stand with that person. When one State is harmed, we'll stand with that State, and we will come together, just as my colleague said a moment ago, we will come together to provide what is needed to rebuild, to sustain, to provide, so that they who have been harmed can carry on.

There's a lesson here for all of us, and tonight my Democratic colleagues and I will talk about the lesson that Superstorm Sandy brought to this Nation. Certainly one of those lessons has been fulfilled today. As a great Nation, we will provide what is needed for the rebuilding, for the immediate needs, even though it is 97 days late. We will provide because we are a compassionate Nation.

But there's also another lesson here, and that lesson is for this entire Nation to get ahead of the next disaster. It will come. It'll be another storm up the east coast or into the gulf. It'll be an earthquake in my State of California or a flood or a fire. But there will be yet another natural disaster of one sort or another, perhaps man-made, perhaps Mother Nature.

What we must do as a Nation is to get ahead of that, to prepare ourselves not only with emergency responses, but more and just as important, to prepare the infrastructure to protect the lives and the property of the citizens of this Nation. That's the second lesson of Superstorm Sandy. Build the infrastructure to prepare for the next flood, the next hurricane, the next onslaught of Mother Nature. We can do it. And in so doing, we not only reduce the cost of

that next storm, that next flood, but we also save the lives of Americans, and we put people to work right now.

This Nation is not yet fully recovered from the recession of 2008. This Nation has not yet fully brought Americans back to work, and we can do so taking the lesson of this day's action here on the floor of the House of Representatives where we, at least most of us, voted to build for the future, voted to put in place those infrastructure improvements, not for yesterday, not to rebuild just what was there that was destroyed, but, rather, to build for the future onslaught of a storm coming into New Jersey, New York, Connecticut, or other parts of this Nation.

To be prepared. The Boy Scout motto: Be prepared. Benjamin Franklin: An ounce of prevention is worth a dollar of cure. These are truisms that have been with us forever, and today we want to talk about infrastructure investment, the kind of things that were done here on the floor, some \$33 billion going not only for immediate relief, but to build the infrastructure necessary to protect and prepare for the next storm.

Joining me today in this discussion, at least at the outset, is my colleague from New York, PAUL TONKO. We often meet here on the floor. We sometimes call this the East Coast/West Coast show. I'm from California. Representative TONKO is from New York.

And you were there, not only for this storm, but for the previous storm, and that was less than 18 months ago. Let's talk about these things, Mr. TONKO.

□ 2010

Mr. TONKO. Sure. Thank you, Representative GARAMENDI. Thank you for bringing us together for this hour on the floor, where I think it's important to pay attention to the needs out there as they relate to the damages that were brought upon certain areas of the country by Mother Nature.

Yes, there's been a lot of focus with this on Superstorm Sandy. That really had its presence felt just to the south of my given congressional district. However, there was some damages in the northern reaches of upstate New York, the more northern sections as we traveled north of the metro area.

But suffice it to say, the need here for assistance by not only New York, but New Jersey and Connecticut, where the proper of New York, the metro area of New York City, Long Island, Westchester County, were impacted severely by this storm. As I said, on the fringe elements in my area, not as much. But certainly, New Jersey and Connecticut were hard hit.

But just over a year before that storm, you're absolutely right, we were impacted by Irene and Lee, a double dose of damage that really impacted my given congressional district severely. It looked like a war-torn area,

as was the case here with Superstorm Sandy.

And this Nation, whenever impacted by natural or manmade disasters, found a response from Congress, that the President, whoever that person might be at the time, working with Congress, expedited the assistance, wanted to get that aid there with a high degree of urgency.

What we saw here was uncalled-for delays as people languished. I mean, we have to look at the human element here, the human cost of 88 Americans that were impacted, lives lost because of this tremendous devastation, the impact that befell so many communities with infrastructure being damaged severely, if not destroyed totally.

It was also about the impact on the business community, the loss to commerce, and certainly property damage that people are going to have to respond to over a long course of comeback that I have witnessed in my district with the storm, as you indicated, being more than a year ago.

And so it is important for us, as a Nation, to be responsive and responsible. That has always been the measure coming forth from this Nation, understanding, with sensitivity, what needed to be done and getting aid to people. That's what it's all about.

And so today, when finally a vote was taken, some 70 days after Superstorm Sandy hit, 70-plus days after the storm hit, finally we get a response, when so much pain and anguish was allowed to continue, unnecessarily so.

The infrastructure issues in this country, storms aside, need to be addressed. The American Society of Civil Engineers has graded many of our bridges into a D classification, a poor grade, deficiencies that are out there brought to our attention.

So not only do we need to respond to these tragedies and respond to our given infrastructure, but I think what happens here is an opportunity to come forward with job creation, providing for the trades and skilled tradespeople to be put to work. That is so important for our economy. It's so important for our public safety; it's so important for emergency response, as we've witnessed here in the northeast of the country.

And so while the fight was long and at times unnecessary, at least the vote was taken today and we moved forward.

Mr. GARAMENDI. Thank you, Mr. TONKO. The bill now is out of this House. It's over in the Senate. We expect the Senate to pass it probably tomorrow or the next day, certainly before the inaugural on Monday, and then the President will undoubtedly sign it shortly thereafter, bringing that kind of relief.

You mentioned the job issue, and people need to go to work. When we

have these natural disasters, and we come forward with the kind of support that we have seen today, and will soon be available for New Jersey, New York, Connecticut and the surrounding areas, people go back to work. Those people that have received immediate FEMA support for housing, for clothing, for food, that money's immediately spent into the economy.

On the infrastructure side, it's crucial. When the subways of Lower Manhattan flooded, the world's financial institutions took a whack because it was shut down for several days. People couldn't get to work, and so the entire world's economy slowed down, costing billions of dollars beyond just the damage.

Now, part of the infrastructure, part of the bill that was passed today, the infrastructure improvements are to harden, to prepare Manhattan and the surrounding areas, the beach communities and others, for the next storm, to put up the seawalls.

Now, what does that mean?

Well, it means that the ounce of prevention and the pound of cure have taken place, but it also means people are going to go to work.

Let me refer to this chart here. This is from Mark Zandi, chief economist at Moody's Analytics, and the former economic adviser to JOHN MCCAIN. His analysis, and this is generally agreed to by most economists, is that for every dollar invested in infrastructure, you get \$1.57 back into the American economy. So you're not just putting a dollar in. You're getting the American economy going. You're putting people to work.

Those people will then be able to pay taxes, buy food, support their families, and build for tomorrow's disaster, putting in place the infrastructure that is hardened, that is protected, eliminating the potential, in this specific case, of flooding of the subway systems in New York City.

I know that you talked about doing this in your area for the storm. You may want to pick that back up, and then I want to come back and talk about my own district in California.

Mr. TONKO. Right. You know, I think over and over again people are measuring with exit polling the sentiments of the electorate out there; and people have said that there is a need for government. They want effective government, efficient government.

Well, I think when we look at some of the data that are collected, Representative GARAMENDI, it is important for us to acknowledge that as we rebuild in our areas that have been damaged by Mother Nature, you don't just replace; you need to improve upon the situation.

For instance, if there are data that are telling us that more and more water volume is expected in certain watershed areas, as in my district, it

would be foolish to spend tax dollars, the hard-earned taxpayer dollars and simply replace an infrastructure, a bridge, at the same height, at the same span, if, in fact, we know that the water and the force of that water is growing with time.

And so these are the ways to, I think, incorporate the soundness of academics and analysis that go into how we respond to this. And if much of it is driven by climate change, global warming, some of the impacts of Mother Nature that are causing these disruptive scenarios, then ought we not look at sound policy that then stretches our thinking and really puts a laser sharp focus on these situations?

So this is a call for a big-picture view. It's a call for effective replacement and repair so that we're responding to data that are collected that speak to the demographics that we should expect to have happen as we go forward and as we rebuild, making certain that there are those opportunities for waterfront communities to embrace their sense of geography.

I represent a district that is not only a donor area to natural resources, but also historic resources in those waterways. And people want to have waterfront opportunities. They want to rebuild their communities so as to utilize these natural resources as a marketing agent to draw people to the area.

Well, we can steward those resources so as to tame the Mother Nature impact in a way that allows us to go forward with this re-marketing strategy, that allows us to utilize our sense of location, our place destination, and do it in a way that is possible because of preventative measures, because of retrofitting that can take hold; and it's a way to utilize the engineering services out there, civil engineering, architectural opportunities to build communities and build them in a way that allows us to have that sense of place only deepened, rather than denied because we've walked away from what might have been damage from Mother Nature and have abandoned those opportunities.

□ 2020

Mr. GARAMENDI. You're speaking of something that is very close I know to your heart. I've heard you speak on this issue some months ago about some of the historic buildings that date back to the pre-Revolutionary War era in New York.

And it's interesting to note that in this Sandy legislation that passed the House today there are numerous reforms, improvements on the way in which the Federal Emergency Management System works, so that the historic resources can be rebuilt and maintained, so that that sense of history, that sense of our past and who we are as Americans is going to be there for future generations. Some of the old

rules and regulations made it virtually impossible to do that.

There's also in this legislation other reforms that allow the projects and homes and businesses to be rebuilt in a way that protects them from the future storms and the increased storms that you so aptly described.

Let me just take this home to my district. I represent the Central Valley of California, the great Sacramento Valley, 200 miles of it, literally from the beginning of San Francisco Bay 200 miles up the Sacramento River. And probably, I haven't been able to count all the levees in my district, but I probably have well over 1,500 miles of levees that protect large cities, medium size cities, farms and other critical assets and infrastructure in the State of California. For example, the intercontinental rail system both north and south, intercontinental highway systems, universities, international airports. These critical assets are at risk of flooding.

The Army Corps of Engineers is taking a look at the levees in one part of my district. The Natomas Basin, which is part of the city of Sacramento, judges those levees to have a 1 in 30 chance of failure, so that over a 30-year period of time it's anticipated there will be a catastrophic failure of those levees. One hundred thousand lives just in that part of Sacramento at immediate risk because those floodwaters—should those levees fail, it would be a repeat of what happened in New Orleans, only the water is deeper and the floodwaters would rush in, at least as fast, if not faster. A monumental disaster, international airport gone, highways gone and on and on.

We need to get ahead of that. We need to build that infrastructure, those levees, to protect those assets. A penny of prevention, a pound of savings.

So these are the kind of things that we can do. And there are ways we can do this. Yes, it may run up the immediate deficit. But once again, for every dollar that we invest in those levees we not only save lives and property, but we put people to work and we get the economic engine going.

Further up in my district, again along the Sacramento and the Feather Rivers, I have a project that's 44 miles of levee that clearly will fail. It has failed four times in the last 60 years. Lives have been lost. One of the most catastrophic failures of a levee happened in this stretch of river. We need to rebuild that.

The Federal Government's role in the construction projects of these levees has gone back to the very beginning of this Nation. And it is Congress' task to allocate the money, to decide the projects that are going to be built. But unfortunately, we've tied ourselves in knots here with certain rules that have been put in by our Republican colleagues that prevent us from taking

the necessary action to protect our communities.

We're not talking about willy-nilly unnecessary projects; we're talking about saving lives and property. This is how we should be acting. Rebuilding after a storm to a higher standard, building before the storm to protect our people, the people that we represent.

These are critical issues, these are infrastructure projects, and we need to get on top of this and push these projects forward. Yes, it will cost money, but not nearly as much as the cost of a levee failure because we failed to act in time.

Mr. TONKO. Well, when you speak, Representative GARAMENDI, about the cost of these repairs or improvements we're talking about a design team, we're talking about a construction team, we're talking about a maintenance team. And all of that translates into jobs. So these efforts are, yes, an expenditure, but it's putting people to work and addressing not only public safety but commerce.

Again, my home county, which is split by a historic river, was the scene of devastation just over 25 years ago where a New York State Thruway bridge collapsed because of the flooding that was occurring beneath that bridge. A creek that you could walk across, walk through in the middle of summer, was equal to in CFS, cubic feet per second, the flow of Niagara Falls. We lost 10 lives in that incident, and also saw the impact locally to commerce. It just disrupted the flow of activity to ship goods to whatever section of our area. It totally disrupted that situation. That is just a microcosm of impact of what happens.

But you're very right. With the levees that might be at risk that could be a challenge to public safety, the poor ratings of our many, many bridges across this country, the need to begin aggressively to address these situations, means that you can bend that cost curve simply by moving projects forward, because the longer we go in time the more expensive it will be and the more risky it becomes with these deficient bridges.

So programs like The American Jobs Act or Build America Bonds, all of these efforts are a progressive bit of policy that then takes us to a new realm of thinking, a commitment to the safety of the people of this great country, a commitment to commerce and the doable qualities of having infrastructure vastly improved that enables us then to talk serious business about growing our Nation's economy.

So I think that the efforts here by the Democratic Caucus to bring to the attention of the full House the sort of positive thinking, the sort of planned opportunities that speak to the very nature of our infrastructure—and both of us represent States that rely heavily

on well-developed and very well-maintained infrastructure—is indeed imperative. We need to move forward with a very strong supportive statement about this Nation's infrastructure.

Mr. GARAMENDI. I would like to move in just a moment to the issue of how we can actually help other parts of our economy grow as we build our infrastructure. But before I do I am just thinking about the previous discussion from our Republican colleagues where they talked about the deficit and we ought to eliminate government programs.

Certainly there are government programs that are neither efficient, effective, or necessary, and, yes, those should be cut. But when you start talking about infrastructure, this is something that we really must do.

It was said that for an expenditure of some \$15 billion New York City could have protected its subway system and the shoreline from the devastation of two major storms, one that occurred a year ago and another one that occurred just 97 days or 3 months ago, Superstorm Sandy.

So if we get ahead of these disasters and build the necessary protections, for example in my district if we build those levees, yes, it will cost money. For the Natomas area it's about \$1 billion. Very expensive, no doubt about it.

But if we do not protect and do not build those levees the devastation will amount to several times that amount of money. That's precisely what happened in Manhattan and in the New York City area.

So again, you spend that money up front, yes, you put people to work, yes, there may be an immediate issue of where and how we fund it, and that's a legitimate issue, but fail to do it and then the cost is horrendous. And, yes, if the State, the Federal, the local governments, the individuals, that will all be an expense that they have to endure. And Superstorm Sandy, the bill we saw today, is precisely on that.

Now, having said that, let's talk about the broader subject. You mentioned Build American Bonds just a moment ago. The Build American Bonds were part of the stimulus program, now almost 4 years old.

□ 2030

That program created a new mechanism to assist local governments in providing the funding to build infrastructure—very, very successful in putting people back to work. We could extend that. In doing so, we will put people back to work. We will build the infrastructures, whether those are highways or bridges or whatever.

As we do that, one of our favorite topics that we've talked on this floor many, many times about is this: We can Make It in America. We use our taxpayer money to make and to spend that money on American-made prod-

ucts. So the steel in the bridges, the concrete, the other design elements are American jobs. And as we do that, we rebuild the American manufacturing base.

You've talked about this extensively. You go back in history, but go for it.

Mr. TONKO. Well, absolutely. The manufacturing element in our society is strong. It still is very much—a bit of statistical evidence that we rank high in the international economy with manufacturing jobs, but there was a huge loss in the decade before this administration; 4.6 million jobs lost in that manufacturing element. Well, in order for us to stop that bleeding, it's important, I believe, to promote advanced manufacturing. Retrofitting our manufacturing centers in a way that allows us to be cutting edge and doing it smarter—not necessarily cheaper, but doing it smarter—allows us to maintain that world leading status for manufacturing.

Also, as we talk about infrastructure, beyond the bonds effort and the American Jobs Act, an infrastructure bank bill that will allow us to utilize that concept to leverage public and private funds that expand the opportunities to invest in our infrastructure takes us well beyond the traditional roads and bridges and levees that we talked about, the waterfront opportunities and dam repair, but it also brings us into the infrastructure for telecommunications and for electric utilities so that we then are cutting edge. We can provide for an upgrade, if you will, in the grid system.

Now, we saw what that collapse was about in the year 2003, when branches rubbing on some power lines in Ohio put out the lights on Broadway in New York City. Now, that is unacceptable weakness. If there was ever a vulnerable, gaping situation that would have those looking at us for a weakness, it was there, that this grid system was so weak, designed for a monopoly setting and now being utilized to where electrons, not only region to region within States, but State to State if not nation to nation, with Canada wheeling in electrons into the U.S.

So we need to vastly improve that sense of weakness in our system and allow us to speak to the needs of manufacturing because many are an energy-intensive operation. We need to be energy efficient so that they're utilizing their manufacturing process in a way that reduces cost, and to build into the equation all sorts of innovation so that they're doing things in a smarter fashion and able to compete at that international level for jobs; because as they land those contracts with improved operations, that means more American manufacturing jobs. That is that kind of approach, that cutting-edge thinking that enables us to maintain our sense of productivity, that embraces our intellectual capacity as a Nation,

and that takes the research that we should invest into and allows us to translate that research opportunity into jobs.

So there are these dynamics of change and reform that can be brought into the discussions here as we go forward. That will speak, I think, to the vitality, the economic vitality of this Nation and the growth of jobs in a way that is significant, that is long lasting and that brings us into a sophisticated thinking, which this American society is very capable of doing.

Mr. GARAMENDI. Last year, you and I talked—or last Congress, which was last year, you and I talked about this Make It in America, this manufacturing. We spent a lot of time talking about it. I had introduced in that session of Congress legislation that would require that our tax money—at least 85 percent of it—be spent on American-made products and equipment.

Let's take the Superstorm Sandy situation. We know that, for example, Amtrak is receiving, I think, a little over \$150 million to repair its tracks that were damaged by Superstorm Sandy. Those are jobs—men and women will be working—but it's also steel, it's electrical wires, it's consultants, and it will undoubtedly be various kinds of electrical systems that will be used by Amtrak in rebuilding, similarly with regard to the subways in New York.

Now, if we were able to write into the Superstorm Sandy legislation that 85 percent of that money that's used on rebuilding the infrastructure came from American-made products—in other words, Buy America—then that would not only put people back to work, but it would stimulate the steel industry, the electrical industry, and certainly the consultants, engineers, and architects. So I'm going to reintroduce that legislation—too late now for Superstorm Sandy, but there will be other legislation.

For example, we know that we're going to have to rewrite a new transportation bill in this session. There's a 2-year bill that's now in place. It will expire at the end of the 113th Congress, so we're going to need to redo that. We should write into that transportation legislation—where we will spend \$50 billion, \$60 billion a year to build transportation systems—a clause like my bill that says that's taxpayer money; let's use that taxpayer money to buy American-made equipment and supplies, putting Americans back to work and using that to rebuild the American manufacturing sector along the lines that you describe, not with yesterday's technology, but with advanced manufacturing.

Mr. TONKO. Right. The efforts that we have with so much of manufacturing, with the incubator programs that enable us to provide for an innovation of sorts in any of these assembly

operations is key, I think it's key to our future.

I think of those situations in my district, or even in my former district, where they worked with a local college that was very technically sophisticated. In this case, RPI, in the Greater Capital Region of New York, worked through its incubator program to develop these new opportunities within the plastics manufacturing that Kintz Plastics in Schoharie County utilized.

I think it's worth mentioning on this floor that that really brought about a new phase of activity for this company. By innovation, by readjusting its procedure, its process, they were able to compete more effectively. That required, however, that they move to training their workforce because it required a new skill set. As they did that, they reached out to a local community college, in this case, Hudson Valley Community College in the Capital Region of New York.

That partnership created the human infrastructure, the incubator provided the innovation, and they lived happily thereafter, because what they did was secure contracts in that international competitive sweepstakes because they provided for innovation. The improvements that they made to their assembly operation enabled them to maintain that sense of competitiveness.

It's that sort of thinking that takes us to a new level of job creation and job retention. Compounding that, or creating in the complement the Buy American concept, then inspires reaching to those local firms. It can all be done in that holistic sort of format, with a big picture sort of view that enables us to go forward and build upon sound policy, sound investment, with guarantees of much better outcomes for America's working families.

The middle class is taking it on the chin. The working families have paid the price, and it's time for us now to be high geared in terms of making certain that the American worker comes first in our thinking.

Mr. GARAMENDI. You couldn't be more correct. You used the word "holistic," meaning whole and in total, a total package. For years I've said that to have a growing economy and a just social environment, we needed to make, as Americans, critical investments. You hit three of those critical investments.

You talked about research—absolutely critical investment in the future growth of the economy and to solve today and tomorrow's problems. That's research, most of which, interestingly, is funded either directly by the Federal Government through the National Institutes of Health or Defense Research Agency, DARPA, or one of the other Federal agencies, or indirectly through the research tax credit that we provide for businesses to engage in research.

□ 2040

So research is one of the key investments that lead to economic growth. You mentioned the second one, very interesting, and that's education. A well educated workforce will be competitive across the world. That's a critical, perhaps the most critical, investment. Again, a role for the Federal Government, certainly a role for States and local governments, but a role for the American society that cannot be ignored—research, education.

You drew it very, very correctly, and that is the manufacturing that comes from that. Manufacturing matters. How do you do that? You need to be in front of it; and when you talked about the research and the manufacturing technology, you were spot on. That's the third critical investment. The fourth one we also talked about here is infrastructure. So these are four of the critical investments that we need to make as a society.

Some of that falls on individual companies, encouraged by a research tax credit or encouraged by Buy American. In different ways, we can encourage the manufacturing tax policy, which is critically important. We did that. Actually, it was a Democratic proposal. We did it 3 years ago. We've continued it. We've continued it in the recent fiscal cliff legislation where we provided 100 percent write-off for capital investment.

That was from the Democrats. We care about business, and so we said, grow your business. We will provide you with a 100 percent write-off in the first year of capital equipment that you put in place. Not depreciation over 3, 4, 7, 15 years, but rather immediate, an enormous benefit to business. So we want the businesses to invest so that they can Make It in America.

There are two more critical elements. I'll go through them very, very quickly. Provide for the national defense wisely. I think the public knows by now that we're spending \$100 billion in Afghanistan this year—\$100 billion. We need to bring it back home. We need to end that war. Thankfully, the President has set us off on a course where we will end American offensive action and move to supporting the Afghan Government in the spring of this year.

Mr. President, we're thankful that you put that policy. Now let's bring the rest of it home, \$100 billion. We need that money here. So we need national defense, but we need to be really wise about how we spend our money.

Finally, the fifth thing is this: we need to change. We need to be willing to change. Thank you for bringing up the first three of those. But this is how we invest in the future, and these are policies that we need to put forward. They're the critical foundation for economic and social growth.

Mr. TONKO. You speak to the innovation, you speak to research, and to

me that speaks to the DNA of our Nation, which has always been this pioneer spirit. It's what's paid tribute to on this floor when policies such as that which you just describe are promoted. It's embracing that pioneer spirit, knowing that there are better ways, better opportunities out there and better avenues to travel. Let's pursue that with this utmost bit of pioneer spirit.

I represent a district that was the donor area to the Erie Canal—you've heard me talk about this—that provided for the Westward Movement and the Industrial Revolution. It was America at her best, believing in herself, listening to the needs of workers, listening to the ideas of workers and moving forward, embracing that sort of pioneer spirit and building the research opportunities. I'm thinking of line-loss along our electric grid system. Think about what we can save in terms of energy supplies and in dollars if we moved forward with the superconductive cable research project.

Mr. GARAMENDI. If I might interrupt you for just a moment. This had to be 6 or 7 years ago, I was Lieutenant Governor of California, and 3M, the manufacturing company, came in to talk about exactly that issue; and they had researched and developed a new conductor that was 30 percent more efficient in passing those electrons down the line. Think about what we could do in America to improve our energy capability by putting that in place; and if that were made in America, we could not only improve the energy efficiency, we would increase the capacity of our electrical system by 30 percent simply by rewiring those conductors across this Nation. That's American manufacturing, research and manufacturing. Put it in the infrastructure and build our strong economy. Great example.

Mr. TONKO. There are so many of us that are fans of education, higher education investment. Think about it, we cultivate all of this talent, we draw forth the abilities of people through education, and we allow them to discover who they are. What are the gifts that I bear that can be utilized to strengthen society? Well, we make that investment and then don't gain on it. We don't stretch those opportunities to the max.

It's so important, I believe, to continually think beyond the status quo. And when we're dealing with the energy arena, it's a line-loss for one that allows for huge savings, and great opportunities for jobs to research that potential; but it's also issues like waste heat which can be recaptured and make our energy system more efficient. So as we create and generate these energy supplies, if there's waste there, and we can captivate, or capture, that waste and stretch the amount of energy supply that we can create, here yet is another opportunity.

So it's endless. And for us to just continue to do the same old kind of responses to everyday issues isn't the sort of challenging outcome that I think allows us to best function as an American society.

So there are policies and there are tax reforms that encourage and inspire this sort of investment, research tax credits, opportunities within the renewable energy area with production tax credits. All of this, being promoted in advance, we need to expand upon those opportunities. Because you're right, Representative GARAMENDI, it is an investment, it requires dollars, but those investments provide for lucrative dividends. And there are many more dollars earned than those invested into the progress that we need to strike.

Mr. GARAMENDI. Well, we have a little bit more time. I think it's about time for us to wrap all of this into one piece. And I will take the first shot at it, and then if you would be so kind as to finish it up.

I'm thinking of Chicago. It's not my territory. It's a long way from California. It's a beautiful city, a very dynamic city. At the turn of the previous century, in the late 1800s, they had an architect, a city architect, Burnham, and he wrote: Think no small thought for it stirs not the heart of man. Very interesting. We ought to add women to that equation now. But what he said is that when we rebuild this city, we need to build big. We need to think bold thoughts. We need to think about the greatness that could exist if we step forward.

Earlier in the previous hour we heard about the exact opposite. We heard about inward, thinking small, we are not going to reach out and fulfill the great potential of this Nation. Instead, we're going to retreat. We're not going to allow government to be part of the greatness of our future; but, instead, we're going to make it smaller and less viable. And those five things that I talked about, education, that's a public investment. Infrastructure is both public and private. But the public side is critical.

You look at manufacturing, manufacturing has always been private; but it has also relied upon the public sector. And if we use our tax dollars to buy American-made products, we are causing the manufacturing sector to grow, to blossom and to innovate and to be even greater than it is today. In developing the research, that's both public and private, but it is largely a public sector investment. So we can deal with this by investing, by thinking boldly about what it is we can do and, in doing so, make certain that everything we invest in publicly is necessary, that it is run efficiently, and that its outcome is effective, and that it fulfills the goal for which it was designed.

□ 2050

Those should be our watchwords: efficient, effective, necessary, and bold. Think no small thought. This is America. This is the world's greatest country perhaps ever, and it was created by bold thinking, both public and private working together in a synergy that created this incredible Nation.

I'm excited. I'm excited here in the very early days of the 113th Congress. I know we're going to have some big battles over debt limits and the like. But as we go through those fights, I want us to be bold. I want us to be big in our thinking. I want us to fulfill the great potential of this Nation. And I know we can do it. I know we can do it.

Mr. TONKO. Representative GARAMENDI, what I hear you say is probably a definition of the American Dream.

The American Dream was designed and brought to us by the boldness of generation upon generation of immigrants who added to the peopledscape of this great Nation, added to the native American population by stages of journeys that traveled to these shores. We as a compilation of those journeys are a stronger people. The foundation upon which we stand and function and dream was developed by people who dared to dream nobly, dared to invest in their community, in their people. That, I think, is the challenge to us in this very moment in time.

Will history see us as a people that dreamt beyond the ordinary, or will we be those who were frightened by the thoughts of the challenges of our times? I think that our greatest days lie ahead of us. The American Dream that burns boldly and nobly in our hearts speaks to us as that beacon of inspiration. Move forward, invest in America's people, invest in ingenuity, innovation, in the intellectual capacity of this Nation, and tread boldly into the future. And know that you will leave that next generation with an even stronger foundation that was granted us for our time in this Nation.

It has been an honor to join you this evening.

Mr. GARAMENDI. It's always a pleasure to work with you, Mr. TONKO.

With that, Mr. Speaker, I yield back the balance of my time.

ADMINISTRATION IN REVIEW

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, it is a pleasure to get to know you better all the time and to be serving with you.

I enjoyed hearing my friends talking about the economy and things that are going on. So I wanted to address a few things. I didn't come over here and plan to address what they had, but

they were mentioning their hope for us, bringing our troops home from Afghanistan. And having been there a few times, having talked to the former allies that this administration has thrown under the bus that initially defeated the Taliban for us with less than 500, possibly less than 300 embedded Special Forces, special ops, and intelligence personnel embedded with the Northern Alliance, they defeated the Taliban in about 3 or 4 months.

Then we added troops and became occupiers. Occupiers in that part of the world don't do well. Someone reminded me of what I already knew, that Alexander the Great conquered that area around Afghanistan, and I had to remind them that he died on his way out of the area. I don't consider that a great victory.

Nonetheless, we helped give the Afghans a government and sharia law, making it difficult for Jews and Christians to reside in a country where they once had. Under this administration's watch, like I say, we've thrown our allies under the bus, and the Taliban has come back almost strong as ever, not quite. Some of my Northern Alliance friends told me in one of our visits over there that on national television last year, the Taliban leader that this administration released for humanitarian purposes from Gitmo didn't seem to be having health problems and was on national television and was making clear that the U.S. would be withdrawing in the next year or two, and that when they did the Taliban would be back in charge as they were before. So it was time to come beg forgiveness from the Taliban and ask for their protection under sharia law.

That doesn't sound like we're going to be in a whole lot better position after all the losses of life, all of the servicemembers who have laid down their lives in Afghanistan, who continue to do that as we speak because the Commander in Chief has them there without any real mission laying down their lives. As one of our troops told me, "I don't mind laying down my life for my country, but please don't waste it."

They're not laying down their lives for a wishy-washy government that can't figure out what it wants to do, that leaves our military without a clear mission, that allows the Taliban to come back stronger than ever, supplied and funded in part from Pakistan. They deserve better. They deserve much better.

Our Commander in Chief was on television yesterday talking about the debt limit, the debt ceiling. He's talked about our economy. I think it's worth noting that since 1923, the President was required to furnish a budget and a time deadline given for furnishing that budget. Ninety years. Ninety years, the President is required by law to furnish a budget.

Since 1923, those ensuing 90 years, there have apparently been 11 times when presidents have been unable to get the budget to Congress as required by law. For some of those 11, there were very good reasons. But it's interesting to note in the last 90 years, out of the 11 times that the budget from the President has been late, 4 of those 11 have been under the Obama administration.

We're also informed that there is a chance once again, as there was a year and a half ago, that our credit rating of the U.S. could be lowered again by another credit rating agency. Some have tried to paint it as a different story, a different picture. But for those of us who recall what happened, S&P made it clear that they didn't believe that the United States was serious about dealing with this dramatic overspending problem, where we were spending \$1.5 trillion, \$1.6 trillion, over a trillion dollars more than the 2-plus trillion dollars that we had coming in. And that if we didn't at least reduce the massive overspending annually by at least \$400 billion for 10 years, a total of \$4 trillion over a 10-year period, then it would make it pretty clear that we were not serious about dealing with our debt.

□ 2100

I know the Obama administration went on the warpath after the S&P credit rating was lowered. Personally, I think it's to S&P's credit that they did what they said. We came in with a debt ceiling bill that was agreed to with the administration. It had some sequestration in it with the supercommittee that some of us knew wasn't going to work because the Democrats had made it clear they didn't want a supercommittee to work because they wanted to be able to campaign and say, Gee, cuts are coming to Medicare because the Republicans were trying to protect their rich friends. It worked very well. They wouldn't reach an agreement. Even after somebody like a Republican Senator had a proposal to raise new revenue, a couple of Democrats were reported as saying that this was going to be the breakthrough that allowed an agreement. After consulting with the President, to HARRY REID it apparently was made clear we don't want to deal. No, no deal, so there was no deal, and now the sequestrations are about to take place.

Mr. Speaker, what time did I start?

The SPEAKER pro tempore. The gentleman has 22 minutes remaining.

Mr. GOHMERT. So we had a debt ceiling bill that was undermined from the beginning. No deal was reached. Sequestration—massive cuts to our national security, to our national defense—would be inflicted and massive cuts to Medicare. Our leaders responded to me that, Gee, the Democrats will never allow the cuts to Medi-

care, the sequestration to Medicare, \$300 billion or so. They'll never allow that. That's why we know the supercommittee will reach an agreement. I advised them that that would not happen, that there would be no agreement, that of course they're willing to have a \$300 billion or so cut to Medicare, because ObamaCare cut \$700 billion from Medicare from our seniors' care without a single Republican vote.

So the only way that Democrats would run a commercial last year, in 2012, with any sincerity at all was in saying, Gee, Republicans are cutting Medicare. If they were to prevent Republicans from reaching an agreement with the President and Democrats, then they could run commercials in 2012, and they'd blame the Republicans and say, See, they didn't reach an agreement. They wanted to cut seniors and help their rich friends.

As some of us made clear, we weren't nearly as concerned at all about protecting anybody as we were future generations. How embarrassing that our generation is the first generation in American history that has said by our actions that we are not concerned with leaving our children and our grandchildren—future generations—a better country than we found. We're more concerned with lavishing money on the here and now that we can't pay for and that future generations will pay for because we can't stop spending on ourselves.

We had a vote today on relief for Hurricane Sandy, and we know something about the pain that comes from hurricanes. In my district in east Texas, not only did we face consequences from Hurricane Katrina and the hundreds of thousands of people who came through—and many stayed in east Texas—and from the onslaught of weather that hit east Texas, but it was immediately followed by Hurricane Rita, which swept straight up through east Texas, through my district. We know about suffering. We saw how Louisiana was helped so much more than east Texas even though, at the very time we were hit with Hurricane Rita, we were taking care of victims from Hurricane Katrina. We understand about that, but there is a lot of misinformation about Hurricane Katrina.

For Hurricane Katrina, we did offset spending when Republicans were in the majority. We actually then turned money back that was not spent. Our hearts go out to the victims of Hurricane Sandy, especially those who understand what that kind of suffering is.

I was all over my district. A Democratic sheriff told his county once that he'll never forget midnight after Hurricane Rita hit—no power. There in the county, there was no power at the sheriff's office. There was a generator that had kicked on, and the lights were flickering. After midnight, his U.S.

Congressman came walking through his door and said, What can I do to help? To get there to San Augustine, I had to cut down trees that were across the road and over to Hemphill.

It's tough when dealing with the consequences of a hurricane. People are hurt. Buildings, homes are destroyed. We understand that. We wanted to help the victims of Hurricane Sandy, but what we didn't want to do and what we'd hoped there would be plenty of responsibility in dealing with was pork that was placed in this bill for emergency purposes. It just seems a bit immoral that you would take advantage of the suffering of people during a hurricane to get one last big plug of money. I mean, it's all so pretty discouraging to see that there is money being captured, taking advantage of the victims of a hurricane to enrich and enorge themselves. There ought to be a law against it, but there isn't because this Chamber, led by the Senate down the hall, is still putting pork in these bills to go to things that have nothing to do with the hurricane, and they're not offset. We have no problem on both sides of the aisle in helping victims who can't help themselves, but we ought to pay for it now.

When a former Member of Congress and one of the greatest heroes Texas history has, named Davy Crockett—he was a U.S. Congressman from Tennessee—stood before the House of Representatives, right down the hall here in the old House Chamber, he explained what he was lectured to by a constituent: Don't take my money. Take your own money to help charitable causes.

Not only do we not do that, but we take other people's money to help, and they get all this pork added in order to get enough votes to pass it. Then it ought to be the biggest regret of this generation that we don't even pay for it. How in the world could this body fail to pass a bill that would pay for helping the victims of Hurricane Sandy? But we don't have the money to do it, so we're going to borrow between 40 and 50 cents of every dollar of money both for the pork and for the help for Hurricane Sandy because this body got sweet talked into refusing to pay for helping this generation. We'll let our children and our children's children and maybe their children pay for this. We will load them up with debt because we will not pay our own way. We're too narcissistic. We're too self-indulgent. We are not going to pay our way, and that kind of attitude is a tragedy. It brings countries down.

□ 2110

What brings a country to the peak of their greatness is when generation after generation does not fail to honor the God that has blessed that country and they have a commitment that we were taught in Boy Scouts that you

leave a place better than you found it, and you leave better for those coming behind you. And it's embarrassing that this White House and the Senate and this House are comfortable enough to leave a country massively more in debt than when this generation came to leadership. It's heartbreaking.

And one of the reasons we are not effectively dealing with this problem is because not enough people know the truth. They don't know the history of this country. Apparently, the President thinks it's perfectly okay to just forget about the rule of law. Oh, there's a law that says I have to provide a budget. Well, I'm not doing it. I'll get around to it. But the law says he must. Is he above the law? Apparently so. Because of the 11 times in the last 90 years when the budget was late, four of them were this President.

You know, when you talk to economists and you read what economists are saying, and you're concerned about the downgrade in the credit rating because of how much more money that will put us in debt that future generations will have to pay, when you talk to them, you look at what they're saying, there are a couple of things that they point out.

Well, one of the things that helped this country is our belief and support for the rule of law, that no one is above the law. And yet you look at what this White House is doing: ah, we'll get around to the budget eventually. More insensitive to following the law than any Presidency that I can find in history.

We have a President who says, you know, yeah, I get it, the Defense of Marriage Act was duly passed into law and signed into law by a former Democratic President, but I don't like that law and I realize Congress is not going to change it, so I'm going to ignore the law. I'm going to instruct my Attorney General to ignore the law. That kind of thinking means there's no support at the highest level of this country for the rule of law.

When we have a President who makes speeches and an Attorney General who makes speeches about how they're going to go after illegal gun sales, and yet there is blood on the hands of people in this administration, and we can't even find out who they are because they are being obscured, for the death of hundreds of human beings who died because this administration forced gun dealers to sell guns that they knew and they reported should not be sold, and they were told by their Federal Government, their executive branch, you do it anyway because we're going to follow the guns, in effect. The guns were not followed. They made their way into criminals' hands, as was intended, but they weren't followed. And now the administration says they want to support the rule of law and go after these illegal gun sales? Well, they have to start with their own administration.

And then we have a President that instead of coming to Capitol Hill where most of the elected representatives of the country are, there's one down Pennsylvania Avenue, actually two, the Vice President, and there are 535 down here, and sitting down and working out a comprehensive immigration bill, instead of doing that, the President announces, you know, I don't like the laws that were duly passed by prior Congresses, Democrats, signed into law by Democrats and Republican Presidents. I realize what the law is, I don't like the law, so as I speak, so shall the new law be.

And the mainstream just laps it up because they're too ignorant of what the rule of law means, that you don't have a monarch at the end of Pennsylvania Avenue that just espouses law as he gets ready to, because he doesn't like the law that was duly passed.

Come down here and work with us and if we can secure the border so that we can make sure that people won't get in that want to destroy our way of life, the drug cartels, the radical Islamists across the border that are working with the drug cartels now that want to destroy our way of life, we've got to make sure that we have people coming in that will continue to make the country great. And I have great hope for what the Hispanic community can do for this country because, generally speaking, those I know have strong faith in God, devotion to family, and hard work ethic. That's what made America great, in my opinion. We need that kind of input, but it's got to be legal.

The Immigration Service is an embarrassment, one of the worst in the world. You can get a visa quicker to other countries than you can here. It's embarrassing the snafus in this government.

But if we are going to get on track, we have to get back to a President and a Congress that believes the rule of law. And when the President will not follow the law, there have to be consequences.

I've talked to Democratic and Republican individuals who were part of prior Presidential administrations and I've said at different times, different individuals: tell me, when you were in the administration, when you were in the White House, is it true what I've heard that individuals would come together, both parties, both ends of the Capitol and talk to the President and say, look, you are usurping control that was given to the Congress in the Constitution, and we're going to have to shut you down if you don't get back and acting within the Constitution?

That doesn't happen under this administration, and it's time that it must. We owe it to the country. We owe it to future generations.

The President has said: If Congress in any way suggests they're going to tie

negotiation to debt ceiling votes—which, by the way, we have never done in our history until we did it last year—I will not play that game.

The President needs to have someone around him that knows the truth. That poor man is being lied to. All you have to do is look back in our history. Every time there was a cut in spending, it was often tied to the debt ceiling negotiations. Go back to 1985, to 1990, 1993, 1997, 2010. Speaker PELOSI in 2010, with President Obama, tied a PAYGO provision. She did it. Why is it so wrong that the Republicans want to do that in the House like Speaker PELOSI did. Let's get responsible. But the President doesn't even remember 2 years ago when Speaker PELOSI did that.

Somebody has got to help this poor man understand recent and distant history before the rating agencies say, you know what, we used to think that the rule of law was going to help the U.S. economy and help the Federal Government get around to taking care of its debts, but these guys don't even follow the rule of law anymore.

And as far as what economists say, yeah, but we have economic dynamism. Well, look what ObamaCare is doing to that. Look at what overregulation is doing to that. It is hurting our economy. The economy is sitting waiting to take off if the President and the Senate, that is bogging down bills that would free up the economy to go, if they would get out of the way, this economy could go. People could get back to work. They wouldn't need unemployment. They wouldn't need to be begging to the master government. They could do it on their own as free people.

It's time to get back to following the rule of law. It's time to get back to having a government that doesn't put off the current debt on future generations because if we don't, our names will not be called blessed by future generations. Our names will be cursed.

□ 2120

Mr. Speaker, it is my prayer and desire that we can finally get to be responsible in the coming months. And the only way we can really get there is if people are honest about our history.

I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind Members to refrain from engaging in personalities toward the President.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. EMERSON (at the request of Mr. CANTOR) for today on account of illness.

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON FOREIGN AFFAIRS FOR THE 113TH CONGRESS

Mr. ROYCE. Mr. Speaker, as required by clause 2(a) of House rule XI, I respectfully submit the rules of the Committee on Foreign Affairs, which were adopted earlier today at a public meeting of the Committee.

1. GENERAL PROVISIONS

(a) The Rules of the House of Representatives, and in particular, the committee rules enumerated in clause 2 of rule XI, are the rules of the Committee on Foreign Affairs (hereafter referred to as the "Committee"), to the extent applicable.

(b) A motion to recess and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are privileged non-debatable motions in Committee.

(c) The Chairman of the Committee on Foreign Affairs shall consult the Ranking Minority Member to the extent possible with respect to the business of the Committee. Each subcommittee of the Committee is a part of the Committee and is subject to the authority and direction of the Committee and to its rules, to the extent applicable.

2. DATE OF MEETING

The regular meeting date of the Committee shall be the first Tuesday of every month when the House of Representatives is in session pursuant to clause 2(b) of rule XI of the House of Representatives. Additional meetings may be called by the Chairman as the Chairman may deem necessary or at the request of a majority of the Members of the Committee in accordance with clause 2(c) of rule XI of the House of Representatives. The determination of the business to be considered at each meeting shall be made by the Chairman subject to clause 2(c) of rule XI of the House of Representatives. A regularly scheduled meeting need not be held if, in the judgment of the Chairman, there is no business to be considered.

3. QUORUM

For purposes of taking testimony and receiving evidence, two Members shall constitute a quorum, and the Chairman of the full Committee or a subcommittee shall make every effort to ensure that the relevant Ranking Minority Member or another Minority Member is present at the time a hearing is convened. One-third of the Members of the Committee or subcommittee shall constitute a quorum for taking any action, except: (1) reporting a measure or recommendation; (2) closing Committee meetings and hearings to the public; (3) authorizing the issuance of subpoenas; and (4) any other action for which an actual majority quorum is required by any rule of the House of Representatives or by law. No measure or recommendation shall be reported to the House of Representatives unless a majority of the Committee is actually present. No measure or recommendation shall be reported to the full Committee by a subcommittee unless half of the subcommittee is actually present. A record vote may be demanded by one-fifth of the Members present or, in the apparent absence of a quorum, by any one Member.

4. MEETINGS AND HEARINGS OPEN TO THE PUBLIC

(a) Meetings

(1) Each meeting for the transaction of business, including the markup of legislation, of the Committee or a subcommittee

shall be open to the public except when the Committee or subcommittee, in open session and with a majority present, determines by record vote that all or part of the remainder of the meeting on that day shall be closed to the public, because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person or otherwise violate any labor rule of the House of Representatives. No person other than Members of the Committee and such congressional staff and departmental representatives as the Committee or subcommittee may authorize shall be present at any business or markup session which has been closed to the public. This subsection does not apply to open Committee hearings which are provided for by subsection (b) of this rule.

(2) The Chairman of the full Committee or a subcommittee may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter, or adopting an amendment. The relevant Chairman may resume proceedings on a postponed request at any time. When exercising postponement authority, the relevant Chairman shall take all reasonable steps necessary to notify Members on the resumption of proceedings on any postponed record vote. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(b) Hearings

(1) Each hearing conducted by the Committee or a subcommittee shall be open to the public except when the Committee or subcommittee, in open session and with a majority present, determines by record vote that all or part of the remainder of that hearing on that day should be closed to the public because disclosure of testimony, evidence or other matters to be considered would endanger the national security, would compromise sensitive law enforcement information, or otherwise would violate any law or rule of the House of Representatives. Notwithstanding the preceding sentence, a majority of those present, there being in attendance the requisite number required under the rules of the Committee to be present for the purpose of taking testimony—

(A) may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security, would compromise sensitive law enforcement information, or violate paragraph (2) of this subsection; or

(B) may vote to close the hearing, as provided in paragraph (2) of this subsection.

(2) Whenever it is asserted by a Member of the Committee that the evidence or testimony at a hearing may tend to defame, degrade, or incriminate any person, or it is asserted by a witness that the evidence or testimony that the witness would give at a hearing may tend to defame, degrade, or incriminate the witness—

(A) such testimony or evidence shall be presented in executive session, notwithstanding the provisions of paragraph (1) of this subsection, if by a majority of those present, there being in attendance the requisite number required under the rules of the Committee to be present for the purpose of taking testimony, the Committee or subcommittee determines that such evidence or testimony may tend to defame, degrade, or incriminate any person; and

(B) the Committee or subcommittee shall proceed to receive such testimony in open session only if the Committee, a majority being present, determines that such evidence or testimony will not tend to defame, degrade, or incriminate any person.

(3) No Member of the House of Representatives may be excluded from non-participatory attendance at any hearing of the Committee or a subcommittee unless the House of Representatives has by majority vote authorized the Committee or subcommittee, for purposes of a particular series of hearings, on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members by the same procedures designated in this subsection for closing hearings to the public.

(4) The Committee or a subcommittee may by the procedure designated in this subsection vote to close one (1) subsequent day of hearing.

(5) No congressional staff shall be present at any meeting or hearing of the Committee or a subcommittee that has been closed to the public, and at which classified information will be involved, unless such person is authorized access to such classified information in accordance with rule XX of the House of Representatives.

5. CONVENING HEARINGS AND MARKUPS

(a) Hearings. Public announcement shall be made of the date, place, and subject matter of any hearing to be conducted by the Committee or a subcommittee at the earliest possible date, and in any event at least one (1) week before the commencement of that hearing. If the Chairman of the full Committee or a subcommittee, with the concurrence of the relevant Ranking Minority Member, determines that there is good cause to begin a hearing sooner, or if the Committee or subcommittee so determines by majority vote in the presence of the number of members required under the rules of the Committee for the taking of action, the Chairman of the full Committee, if concurring, shall make the announcement at the earliest possible date.

(b) Markups and Other Meetings to Transact Business

(1) Convening. The Chairman of the full Committee or a subcommittee may call or convene, as the relevant Chairman considers necessary, meetings of the Committee or subcommittee for the consideration of a bill or resolution pending before the Committee or subcommittee, as the case may be, or for the conduct of other Committee or subcommittee business.

(2) Notice. Public announcement shall be made by the Chairman of the full Committee of the date, place, and subject matter of any markup or other meeting to conduct business at the earliest possible date, and in any event at least one (1) week before the commencement of such markup or meeting, unless the relevant Chairman determines, in consultation with the relevant Ranking Minority Member, that there is good cause to begin such a markup or meeting on an earlier date. If such determination is made, the Chairman of the full Committee, if concurring in that determination, shall make the announcement at the earliest possible date.

(3) Agenda and Texts. The relevant Chairman shall provide to all Committee or subcommittee Members an agenda for each Committee and subcommittee markup or other meeting to transact business, setting out all items of business to be considered, including whenever possible a copy of any measure scheduled for markup, at least 48 hours (excluding Saturdays, Sundays, and legal holidays) before the meeting.

Bills on subjects not listed on such agenda shall be subject to a point of order unless their consideration is agreed to by a two-thirds vote of the Committee or subcommittee, or by the Chairman of the full Committee with the concurrence of the Ranking Minority Member. The text of any measure to be marked up shall be made publicly available in electronic form at least 24 hours prior to the commencement of the markup meeting, or at the time of an announcement under subparagraph (b)(2) made within 24 hours before such meeting.

(c) Publication. Public announcement of all hearings and markups shall be published in the Daily Digest portion of the Congressional Record and made publicly available in electronic form. Members shall be notified by the Staff Director of all meetings (including markups and hearings) and briefings of subcommittees and of the full Committee.

(d) Member Seating. During Committee and subcommittee hearings and markups, chairs on the dais are for Members. No staff member other than a Committee or subcommittee staff director, counsel, or professional staff member may occupy a chair on the dais, unless authorized by the Chairman of the full Committee, after consultation with the Ranking Member of the Full Committee. Only one staff member each from the majority and the minority may occupy chairs on the dais at any time during a hearing or markup.

6. WITNESSES

(a) Interrogation of Witnesses

(1) Insofar as practicable, witnesses shall be permitted to present their oral statements without interruption subject to reasonable time constraints imposed by the Chairman of the full Committee or a subcommittee, with questioning by the Committee Members taking place afterward. Members should refrain from questions until such statements are completed.

(2) In recognizing Members, the relevant Chairman shall, to the extent practicable, give preference to the Members on the basis of their arrival at the hearing, taking into consideration the majority and minority ratio of the Members actually present. A Member desiring to speak or ask a question shall address the relevant Chairman and not the witness.

(3) Subject to paragraph (4), each Member may interrogate the witness for 5 minutes, the reply of the witness being included in the 5-minute period. After all Members have had an opportunity to ask questions, the round shall begin again under the 5-minute rule.

(4) Notwithstanding paragraph (3), the relevant Chairman, with the concurrence of the Ranking Minority Member, may permit one (1) or more majority Members of the Committee designated by the relevant Chairman to question a witness for a specified period of not longer than 30 minutes. On such occasions, an equal number of minority Members of the Committee designated by the Ranking Minority Member shall be permitted to question the same witness for the same period of time. Committee staff may be permitted to question a witness for equal specified periods either with the concurrence of the Chairman and Ranking Minority Member of the full Committee or by motion. However, in no case may questioning by Committee staff proceed before each Member of the Committee who wishes to speak under the 5-minute rule has had one opportunity to do so.

(b) Testimony of Witnesses

(1) Advance Filing Requirement. Each witness who is to appear before the Committee

or a subcommittee is required to file testimony with the Committee or subcommittee at least two (2) business days in advance of that appearance. For purposes of this subsection, testimony includes the written statement of a witness, as well as any video, photographs, audio-visual matter, posters, or other supporting materials that the witness intends to present or display before the Committee. Such testimony should be provided in electronic form to the extent practicable. The Committee or subcommittee shall notify Members at least two business days in advance of a hearing of the availability of testimony submitted by witnesses. In addition, each witness shall provide sufficient copies, as determined by the Chairman of the full Committee or a subcommittee, of his or her proposed written statement to be provided to Members and staff of the Committee or subcommittee, the news media, and the general public. The text of the written statement provided pursuant to this paragraph shall be considered final, and may not be revised by the witness after the Committee meeting at which the witness appears.

(2) Witness Preclusion and Waiver. The requirements of paragraph (1) or any part thereof may be waived by the Chairman of the full Committee or a subcommittee, or the presiding Member, or the Ranking Member of the Committee or subcommittee as it relates to witnesses who are called by the minority to testify, provided that the witness or the relevant Chairman or Ranking Minority Member has submitted, prior to the witness's appearance, a written explanation to the reasons testimony has not been made available to the Committee or subcommittee. If a witness who is not an official of the U.S. Government has not submitted testimony as required by paragraph (1) and no such written explanation has been submitted, the witness shall be released from testifying unless a majority of the Committee or subcommittee votes to accept his or her testimony.

(3) Remote Witness Participation. The Chairman of the full Committee or a subcommittee shall promptly, and not later than 48 hours beforehand if possible, notify the relevant Ranking Member of any witness who is likely to present testimony other than in person, such as by video conference. A witness may not testify via telephone or other audio-only medium without the concurrence of the Chairman and Ranking Member of the Committee or subcommittee. The relevant Chairman shall make reasonable efforts to verify the identity of any witness participating remotely.

(4) 'Truth In Testimony' Disclosure. In the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall, to the extent practicable, include a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness, to the extent that such information is relevant to the subject matter of, and the witness' representational capacity at, the hearing. Such statements, with appropriate redactions to protect the privacy of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

(5) Witness Presentation. A witness shall limit his or her oral presentation to a brief summary of his or her written statement.

(6) Translation. A witness requiring an interpreter or translator should include in the

testimony provided pursuant to paragraph (1) the identity of the interpreter or translator that the witness intends to use. Unless properly noticed as a separate witness, an interpreter or translator appearing before the Committee should not present views or statements other than those expressed by the witness.

(c) Oaths. The Chairman of the full Committee or a subcommittee, or any Member of the Committee designated by the relevant Chairman, may administer oaths to any witness appearing before the Committee.

7. PREPARATION AND MAINTENANCE OF COMMITTEE RECORDS

An accurate stenographic record shall be made of all hearings and markup sessions. Members of the Committee and any witness may examine the transcript of his or her own remarks and may make any grammatical or technical changes that do not substantively alter the record. Any such Member or witness shall return the transcript to the Committee offices within fourteen (14) calendar days (not including Saturdays, Sundays, and legal holidays) after receipt of the transcript, or as soon thereafter as is practicable.

Any information supplied for the record at the request of a Member of the Committee shall be provided to the Member when received by the Committee.

Transcripts of hearings and markup sessions (except for the record of a meeting or hearing which is closed to the public) shall be printed as soon as is practicable after receipt of the corrected versions, except that the Chairman may order the transcript of a hearing to be printed without the corrections of a Member or witness if the Chairman determines that such Member or witness has been afforded a reasonable time to correct such transcript and such transcript has not been returned within such time.

The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with rule VII of the House of Representatives. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any Member of the Committee.

The Committee shall, to the maximum extent feasible, make its publications available in electronic form.

8. EXTRANEOUS MATERIALS IN COMMITTEE HEARINGS PRINTS

No extraneous material shall be printed in either the body or appendices of any Committee or subcommittee hearing, except matter which has been accepted for inclusion in the record during the hearing or by agreement of the Chairman of the full Committee or a subcommittee and Ranking Minority Member of the Committee or subcommittee within five (5) calendar days of the hearing. Copies of bills and other legislation under consideration and responses to written questions submitted by Members shall not be considered extraneous material.

Extraneous material in either the body or appendices of any hearing to be printed which would be in excess of eight (8) printed pages (for any one submission) shall be accompanied by a written request to the relevant Chairman. Such written request shall contain an estimate in writing from the Public Printer of the probable cost of publishing such material.

9. INFORMATION ON COMMITTEE ACTION

(a) Record Votes. The result of each record vote in any meeting of the Committee outside of executive session shall be made publicly available in electronic form within 48 hours of such record vote. Such result shall include a description of the amendment, motion, order, or other proposition, the name of each Member voting for and against, and the Members present but not voting.

(b) Adopted Amendments. Not later than 24 hours after the adoption of any amendment to a measure or matter considered by the Committee, the text of each such amendment shall be made publicly available in electronic form.

(c) Hearing and Markup Attendance. Member attendance at each Committee hearing and markup shall be recorded and included in the Committee print of the transcript of that hearing or markup.

10. PROXIES

Proxy voting is not permitted in the Committee or in subcommittees.

11. REPORTS

(a) Reports on Bills and Resolutions. To the extent practicable, not later than 24 hours before a report is to be filed with the Clerk of the House on a measure that has been ordered reported by the Committee, the Chairman shall make available for inspection by all Members of the Committee a copy of the draft Committee report in order to afford Members adequate information and the opportunity to draft and file any supplemental, minority or additional views which they may deem appropriate.

With respect to each record vote on a motion to report any measure or matter of a public character, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of those Members voting for and against, shall be included in any Committee report on the measure or matter.

(b) Prior Approval of Certain Reports. No Committee, subcommittee, or staff report, study, or other document which purports to express publicly the views, findings, conclusions, or recommendations of the Committee or a subcommittee may be released to the public or filed with the Clerk of the House unless approved by a majority of the Committee or subcommittee, as appropriate. A proposed investigative or oversight report shall be considered as read if it has been available to Members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day). In any case in which clause 2(1) of rule XI and clause 3(a)(1) of rule XIII of the House of Representatives does not apply, each Member of the Committee or subcommittee shall be given an opportunity to have views or a disclaimer included as part of the material filed or released, as the case may be.

(c) Foreign Travel Reports. At the same time that the report required by clause 8(b)(3) of rule X of the House of Representatives, regarding foreign travel reports, is submitted to the Chairman, Members and employees of the Committee shall provide a report to the Chairman listing all official meetings, interviews, inspection tours and other official functions in which the individual participated, by country and date. Under extraordinary circumstances, the Chairman may waive the listing in such report of an official meeting, interview, inspection tour, or other official function. The report shall be maintained in the Committee offices and shall be available for public in-

spection during normal business hours. Except in extraordinary circumstances, no Member or employee of the Committee will be authorized for additional Committee travel until the reports described in this subsection have been submitted to the Chairman for that person's prior Committee travel.

12. REPORTING BILLS AND RESOLUTIONS

Except in extraordinary circumstances, bills and resolutions will not be considered by the Committee unless and until the appropriate subcommittee has recommended the bill or resolution for Committee action, and will not be taken to the House of Representatives for action unless and until the Committee or a relevant subcommittee has ordered reported such bill or resolution, a quorum being present.

Except in extraordinary circumstances, a bill or resolution originating in the House of Representatives that contains exclusively findings and policy declarations or expressions of the sense of the House of Representatives or the sense of the Congress shall not be considered by the Committee or a subcommittee unless such bill or resolution has at least 25 House co-sponsors, at least 10 of whom are Members of the Committee.

For purposes of this rule, extraordinary circumstances will be determined by the Chairman, after consultation with the Ranking Minority Member and such other Members of the Committee as the Chairman deems appropriate.

The Committee or a subcommittee shall not consider a bill or resolution originating in the House of Representatives that expresses appreciation, commends, congratulates, celebrates, recognizes the accomplishments of, or celebrates the anniversary of, an entity, event, group, individual, institution, team, or government program, or that acknowledges or recognizes a period of time for such purposes, except in circumstances determined by the Chairman with the concurrence of the Ranking Minority Member.

The Chairman is directed to offer a motion under clause 1 of rule XXII of the Rules of the House whenever the Chairman considers it appropriate.

13. STAFF SERVICES

The Committee staff shall be selected and organized so that it can provide a comprehensive range of professional services in the field of foreign affairs to the Committee, the subcommittees, and all its Members. The staff shall include persons with training and experience in foreign affairs, making available to the Committee individuals with knowledge of major countries, areas, and U.S. overseas programs and operations.

Subject to clause 9 of rule X of the House of Representatives, the staff of the Committee, except as provided in paragraph (c), shall be appointed, and may be removed, by the Chairman with the approval of the majority of the Members in the majority party of the Committee. Their remuneration shall be fixed by the Chairman, and they shall work under the general supervision and direction of the Chairman. Staff assignments are to be authorized by the Chairman or by the Staff Director under the direction of the Chairman.

Subject to clause 9 of rule X of the House of Representatives, the staff of the Committee assigned to the minority shall be appointed, their remuneration determined, and may be removed, by the Ranking Minority Member with the approval of the majority of the minority party Members of the Committee. No minority staff person shall be

compensated at a rate which exceeds that paid his or her majority staff counterpart. Such staff shall work under the general supervision and direction of the Ranking Minority Member with the approval or consultation of the minority Members of the Committee.

The Chairman shall ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the Committee. The Chairman shall ensure that the minority party is fairly treated in the appointment of such staff.

14. NUMBER AND JURISDICTION OF SUBCOMMITTEES

(a) Full Committee. The full Committee will be responsible for oversight and legislation relating to: foreign assistance (including development assistance, Millennium Challenge Corporation, the Millennium Challenge Account, HIV/AIDS in foreign countries, security assistance, and Public Law 480 programs abroad); national security developments affecting foreign policy; strategic planning and agreements; war powers, treaties, executive agreements, and the deployment and use of United States Armed Forces; peacekeeping, peace enforcement, and enforcement of United Nations or other international sanctions; arms control and disarmament issues; the United States Agency for International Development; activities and policies of the State, Commerce, and Defense Departments and other agencies related to the Arms Export Control Act and the Foreign Assistance Act, including export and licensing policy for munitions items and technology and dual-use equipment and technology; international law; promotion of democracy; international law enforcement issues, including narcotics control programs and activities; Broadcasting Board of Governors; embassy security; international broadcasting; public diplomacy, including international communication and information policy, and international education and exchange programs; and all other matters not specifically assigned to a subcommittee. The full Committee will have jurisdiction over legislation with respect to the administration of the Export Administration Act, including the export and licensing of dual-use equipment and technology and other matters related to international economic policy and trade not otherwise assigned to a subcommittee, and with respect to the United Nations, its affiliated agencies, and other international organizations, including assessed and voluntary contributions to such organizations. The full Committee may conduct oversight and investigations with respect to any matter within the jurisdiction of the Committee as defined in the Rules of the House of Representatives.

(b) Subcommittees. There shall be six (6) standing subcommittees. The names and jurisdiction of those subcommittees shall be as follows:

(1) Functional Subcommittee. There shall be one subcommittee with functional jurisdiction:

Subcommittee on Terrorism, Nonproliferation, and Trade: Oversight and legislative responsibilities over the United States' efforts to manage and coordinate international programs to combat terrorism as coordinated by the Department of State and other agencies, and efforts to bring international terrorists to justice. With the concurrence of the Chairman of the full Committee, oversight of, and legislation pertaining to, nonproliferation matters involving nuclear, chemical, biological and other weapons of mass destruction, except for legislation involving the Foreign Assistance Act, the

Arms Export Control Act, the Export Administration Act, and sanctions laws pertaining to individual countries and the provision of foreign assistance (which is reserved to the full Committee). Oversight of matters relating to international economic and trade policy; commerce with foreign countries; international investment policy; the Overseas Private Investment Corporation and the Trade and Development Agency; commodity agreements; and special oversight of international financial and monetary institutions; the Export-Import Bank, and customs. With the concurrence of the Chairman of the full Committee, legislative jurisdiction over measures related to export promotion and measures related to the Overseas Private Investment Corporation and the Trade and Development Agency.

(2) Regional Subcommittees. There shall be five subcommittees with regional jurisdiction: the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations; the Subcommittee on Asia and the Pacific; the Subcommittee on Europe, Eurasia, and Emerging Threats; the Subcommittee on the Middle East and North Africa; and the Subcommittee on the Western Hemisphere. As detailed below, two of the regional subcommittees also shall have functional jurisdiction.

The regional subcommittees shall have jurisdiction over the following within their respective regions:

(1) Matters affecting the political relations between the United States and other countries and regions, including resolutions or other legislative measures directed to such relations.

(2) Legislation with respect to disaster assistance outside the Foreign Assistance Act, boundary issues, and international claims.

(3) Legislation with respect to region- or country-specific loans or other financial relations outside the Foreign Assistance Act.

(4) Legislation and oversight regarding human rights practices in particular countries.

(5) Oversight of regional lending institutions.

(6) Oversight of matters related to the regional activities of the United Nations, of its affiliated agencies, and of other multilateral institutions.

(7) Identification and development of options for meeting future problems and issues relating to U.S. interests in the region.

(8) Oversight of base rights and other facilities access agreements and regional security pacts.

(9) Concurrent oversight jurisdiction with respect to matters assigned to the functional subcommittees insofar as they may affect the region.

(10) Oversight of foreign assistance activities affecting the region, with the concurrence of the Chairman of the full Committee.

(11) Such other matters as the Chairman of the full Committee may determine.

The Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations: In addition to its regional jurisdiction, oversight of: international health issues, including transboundary infectious diseases, maternal health and child survival, and programs related to the global ability to address health issues; population issues; the United Nations and its affiliated agencies (excluding peacekeeping and enforcement of United Nations or other international sanctions); international cultural and educational programs and exchanges; the American Red Cross; and the Peace Corps. In addition, legislation and

oversight pertaining to: implementation of the Universal Declaration of Human Rights; other matters relating to internationally-recognized human rights, including legislation aimed at the promotion of human rights and democracy generally; and the Hague Convention on the Civil Aspects of International Child Abduction, and related issues.

The Subcommittee on Europe, Eurasia, and Emerging Threats: In addition to its regional jurisdiction, with the concurrence of the Chairman of the full Committee, oversight related to emerging foreign threats to the national security and interests of the United States.

15. POWERS AND DUTIES OF SUBCOMMITTEES

(a) In General. Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it.

(b) Scheduling. Subcommittee chairmen shall set meeting dates after consultation with the Chairman, other subcommittee chairmen, the relevant Ranking Minority Member and other appropriate Members, with a view toward minimizing scheduling conflicts. It shall be the practice of the Committee that meetings of subcommittees not be scheduled to occur simultaneously with meetings of the full Committee. In order to ensure orderly administration and fair assignment of hearing and meeting rooms, the subject, time, and location of hearings and meetings shall be arranged in advance with the Chairman through the Staff Director of the Committee.

(c) Vice Chairmen. The Chairman of the Full Committee shall designate a Member of the majority party on each subcommittee as its vice chairman.

(d) Participation. The Chairman of the full Committee and the Ranking Minority Member may attend the meetings and participate in the activities of all subcommittees of which they are not Members, except that they may not vote or be counted for a quorum in such subcommittees.

(e) Required Oversight Hearings. During each 180-day period following organization of the Committee, each subcommittee shall hold at least one hearing on oversight of U.S. Government activities.

16. REFERRAL OF BILLS BY CHAIRMAN

In accordance with rule 14 of the Committee and to the extent practicable, all legislation and other matters referred to the Committee shall be referred by the Chairman to a subcommittee of primary jurisdiction within two (2) weeks. In accordance with rule 14 of the Committee, legislation may also be referred to additional subcommittees for consideration. Unless otherwise directed by the Chairman, such subcommittees shall act on or be discharged from consideration of legislation that has been approved by the subcommittee of primary jurisdiction within two (2) weeks of such action. In referring any legislation to a subcommittee, the Chairman may specify a date by which the subcommittee shall report thereon to the full Committee.

Subcommittees with regional jurisdiction shall have joint jurisdiction with the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations over legislation regarding human rights practices in particular countries within their regions.

The Chairman may designate a subcommittee Chairman or other Member to take responsibility as manager of a bill or resolution during its consideration in the House of Representatives.

17. PARTY RATIOS ON SUBCOMMITTEES AND CONFERENCE COMMITTEES

The majority party caucus of the Committee shall determine an appropriate ratio of majority to minority party Members for each subcommittee. Party representation on each subcommittee or conference committee shall be no less favorable to the majority party than the ratio for the full Committee. The Chairman and the Ranking Minority Member are authorized to negotiate matters affecting such ratios including the size of subcommittees and conference committees.

18. SUBCOMMITTEE FUNDING AND RECORDS

Each subcommittee shall have adequate funds to discharge its responsibility for legislation and oversight.

In order to facilitate Committee compliance with clause 2(e)(1) of rule XI of the House of Representatives, each subcommittee shall keep a complete record of all subcommittee actions which shall include a record of the votes on any question on which a record vote is demanded.

The result of each record vote shall be promptly made available to the full Committee for inspection by the public in accordance with rule 9 of the Committee.

All subcommittee hearings, records, data, charts, and files shall be kept distinct from the congressional office records of the Member serving as Chairman of the subcommittee. Subcommittee records shall be coordinated with the records of the full Committee, shall be the property of the House, and all Members of the House shall have access thereto.

19. MEETINGS OF SUBCOMMITTEE CHAIRMEN

The Chairman shall call a meeting of the subcommittee chairmen on a regular basis not less frequently than once a month. Such a meeting need not be held if there is no business to conduct. It shall be the practice at such meetings to review the current agenda and activities of each of the subcommittees.

20. ACCESS TO CLASSIFIED INFORMATION

(a) Authorized Persons. In accordance with the stipulations of the Rules of the House of Representatives, all Members of the House who have executed the oath required by clause 13 of rule XXIII of the House of Representatives shall be authorized to have access to classified information within the possession of the Committee.

Members of the Committee staff shall be considered authorized to have access to classified information within the possession of the Committee when they have the proper security clearances, when they have executed the oath required by clause 13 of rule XXIII of the House of Representatives, and when they have a demonstrable need to know. The decision on whether a given staff member has a need to know will be made on the following basis:

(1) In the case of the full Committee majority staff, by the Chairman, acting through the Staff Director;

(2) In the case of the full Committee minority staff, by the Ranking Minority Member of the Committee, acting through the Minority Staff Director;

(3) In the case of subcommittee majority staff, by the chairman of the subcommittee;

(4) In the case of the subcommittee minority staff, by the Ranking Minority Member of the subcommittee.

No other individuals shall be considered authorized persons, unless so designated by the Chairman of the full Committee.

(b) Designated Persons. Each Committee Member is permitted to designate one member of his or her staff as having the right of

access to information classified Confidential. Such designated persons must have the proper security clearance, have executed the oath required by clause 13 of rule XXIII of the House of Representatives, and have a need to know as determined by his or her principal. Upon request of a Committee Member in specific instances, a designated person also shall be permitted access to information classified Secret which has been furnished to the Committee pursuant to section 36 of the Arms Export Control Act, as amended. Upon the written request of a Committee Member and with the approval of the Chairman in specific instances, a designated person may be permitted access to other classified materials. Designation of a staff person shall be by letter from the Committee Member to the Chairman.

(c) Location. Classified information will be stored in secure safes in the Office of the Security Officer and in the Office of the Minority Staff Director. All materials classified Top Secret or higher must be stored in a Secure Compartmentalized Information Facility (SCIF).

(d) Handling. Materials classified Confidential or Secret may be taken from Committee offices to other Committee offices and hearing rooms by Members of the Committee and authorized Committee staff in connection with hearings and briefings of the Committee or its subcommittees for which such information is deemed to be essential. Removal of such information from the Committee offices shall be only with the permission of the Chairman under procedures designed to ensure the safe handling and storage of such information at all times. Except as provided in this paragraph, Top Secret materials may not be taken from approved storage areas for any purpose, except that such materials may be taken to hearings and other meetings that are being conducted at the Top Secret level when necessary. Materials classified Top Secret may otherwise be used under conditions approved by the Chairman after consultation with the Ranking Minority Member.

(e) Notice. Appropriate notice of the receipt of classified documents received by the Committee from the Executive Branch will be sent promptly to Committee Members through the Survey of Activities or by other means.

(f) Access. Except as provided for above, access to materials classified Top Secret or otherwise restricted held by the Committee will be in approved Committee spaces. The following procedures will be observed:

(1) Authorized persons will be permitted access to classified documents after inquiring of the Staff Director or an assigned staff member. Access to the SCIF will be afforded during regular Committee hours.

(2) Authorized persons will be required to identify themselves, to identify the documents or information they wish to view, and to sign the Classified Materials Log, which is kept with the classified information.

(3) The assigned staff member will be responsible for maintaining a log which identifies: (1) authorized persons seeking access, (2) the classified information requested, and (3) the time of arrival and departure of such persons. The assigned staff member will also assure that the classified materials are returned to the proper location.

(g) Divulgence. Classified information provided to the Committee by the Executive Branch shall be handled in accordance with the procedures that apply within the Executive Branch for the protection of such information. Any classified information to which

access has been gained through the Committee may not be divulged to any unauthorized person. Classified material shall not be photocopied or otherwise reproduced. In no event shall classified information be discussed in a non-secure environment. Apparent violations of this rule should be reported as promptly as possible to the Chairman for appropriate action.

(h) Other Regulations. The Chairman, after consultation with the Ranking Minority Member, may establish such additional regulations and procedures as in his judgment may be necessary to safeguard classified information under the control of the Committee. Members of the Committee will be given notice of any such regulations and procedures promptly. They may be modified or waived in any or all particulars by a majority vote of the full Committee.

21. BROADCASTING OF COMMITTEE HEARINGS AND MEETINGS

All Committee and subcommittee meetings or hearings which are open to the public may be covered, in whole or in part, by television broadcast, radio broadcast, and still photography, or by any such methods of coverage in accordance with the provisions of clause 3 of House rule XI.

The Chairman of the full Committee or a subcommittee shall determine, in his or her discretion, the number of television and still cameras permitted in a hearing or meeting room, but shall not limit the number of television or still cameras to fewer than two (2) representatives from each medium.

Such coverage shall be in accordance with the following requirements contained in section 116(b) of the Legislative Reorganization Act of 1970, and clause 4 of XI of the Rules of the House of Representatives:

(a) If the television, Internet or radio coverage of the hearing or meeting is to be presented to the public as live coverage, that coverage shall be conducted and presented without commercial sponsorship.

(b) No witness served with a subpoena by the Committee shall be required against his will to be photographed at any hearing or to give evidence or testimony while the broadcasting of that hearing, by radio or television is being conducted. At the request of any such witness who does not wish to be subjected to radio, television, Internet or still photography coverage, all lenses shall be covered and all microphones used for coverage turned off. This subparagraph is supplementary to clause 2(k)(5) of rule XI of the Rules of the House of Representatives relating to the protection of the rights of witnesses.

(c) The allocation among cameras permitted by the Chairman of the full Committee or a subcommittee in a hearing room shall be in accordance with fair and equitable procedures devised by the Executive Committee of the Radio and Television Correspondents' Galleries.

(d) Television cameras shall be placed so as not to obstruct in any way the space between any witness giving evidence or testimony and Member of the Committee or its subcommittees or the visibility of that witness and that Member to each other.

(e) Television cameras shall operate from fixed positions but shall not be placed in positions which obstruct unnecessarily the coverage of the hearing by the other media.

(f) Equipment necessary for coverage by the television and radio media shall not be installed in, or removed from, the hearing or meeting room while the Committee or subcommittee is in session.

(g) Floodlights, spotlights, strobe lights, and flashguns shall not be used in providing

any method of coverage of the hearing or meeting, except that the television media may install additional lighting in the hearing room, without cost to the Government, in order to raise the ambient lighting level in the hearing room to the lowest level necessary to provide adequate television coverage of the hearing or meeting at the current state-of-the-art level of television coverage.

(h) In the allocation of the number of still photographers permitted by the Chairman of the full Committee or a subcommittee in a hearing or meeting room, preference shall be given to photographers from Associated Press Photos, United Press International News pictures, and Reuters. If requests are made by more of the media than will be permitted by the Chairman of the full Committee or a subcommittee for coverage of the hearing or meeting by still photography, that coverage shall be made on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers.

(i) Photographers shall not position themselves, at any time during the course of the hearing or meeting, between the witness table and the Members of the Committee or its subcommittees.

(j) Photographers shall not place themselves in positions which obstruct unnecessarily the coverage of the hearing by the other media.

(k) Personnel providing coverage by the television and radio media shall be currently accredited to the Radio and Television Correspondents' Galleries.

(l) Personnel providing coverage by still photography shall be currently accredited to the Press Photographers' Gallery Committee of Press Photographers.

(m) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner.

22. SUBPOENA POWERS

A subpoena may be authorized and issued by the Chairman, in accordance with clause 2(m) of rule XI of the House of Representatives, in the conduct of any investigation or activity or series of investigations or activities within the jurisdiction of the Committee, following consultation with the Ranking Minority Member.

In addition, a subpoena may be authorized and issued by the Committee or its subcommittees in accordance with clause 2(m) of rule XI of the House of the Representatives, in the conduct of any investigation or activity or series of investigations or activities, when authorized by a majority of the Members voting, a majority of the Committee or subcommittee being present.

Authorized subpoenas shall be signed by the Chairman or by any Member designated by the Committee.

23. RECOMMENDATION FOR APPOINTMENT OF CONFEREES

Whenever the Speaker is to appoint a conference committee, the Chairman shall recommend to the Speaker as conferees those Members of the Committee who are primarily responsible for the legislation (including to the full extent practicable the principal proponents of the major provisions of the bill as it passed the House), who have actively participated in the Committee or subcommittee consideration of the legislation, and who agree to attend the meetings of the conference. With regard to the appointment of minority Members, the Chairman shall consult with the Ranking Minority Member.

24. GENERAL OVERSIGHT

Not later than February 15th of the first session of a Congress, the Committee shall meet in open session, with a quorum present, to adopt its oversight plans for that Congress for submission to the Committee on House Administration and the Committee on Oversight and Government Reform, in accordance with the provisions of clause 2(d) of rule X of the House of Representatives.

In accordance with the provisions of clause 2(n) of rule XI of the House of Representatives, the Committee or a subcommittee thereof shall hold at least one hearing during each 120-day period following its establishment on the topic of waste, fraud, abuse, or mismanagement in programs within its jurisdiction, as documented in reports received from a Federal Office of the Inspector General or the Comptroller General of the United States that have been provided to the Ranking Minority Member prior to the notice of the hearing pursuant to Committee rule 5.

25. OTHER PROCEDURES AND REGULATIONS

The Chairman, in consultation with the Ranking Minority Member, may establish such other procedures and take such actions as may be necessary to carry out the foregoing rules or to facilitate the effective operation of the Committee. Any additional procedures or regulations may be modified or rescinded in any or all particulars by a majority vote of the full Committee.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 21 minutes p.m.), under its previous order, the House adjourned until Friday, January 18, 2013, at 3 p.m.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

42. A letter from the Acting Principal Deputy, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Harry M. Wyatt III, Air National Guard of the United States, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

43. A letter from the Acting Principal Deputy, Department of Defense, transmitting a report concerning oversight of Reserve Component "equipment requirements" for Fiscal Years 2009, 2010, 2011, and 2012 as of June 30, 2012; to the Committee on Armed Services.

44. A letter from the Regulatory Specialist, Department of the Treasury, transmitting the Department's final rule—Community Reinvestment Act Regulations (RIN: 1557-AD60) received January 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

45. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting a report entitled, "OJJDP Annual Report 2010", pursuant to 42 U.S.C. 5617; to the Committee on Education and the Workforce.

46. A letter from the Archivist of the United States, National Archives, transmitting Archives' FY 2012 Commercial Activi-

ties Inventory and Inherently Governmental Inventory, as required by the FAIR Act and OMB Circular A-76; to the Committee on Oversight and Government Reform.

47. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of a class of workers from United Nuclear Corporation—Hematite, Missouri, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

48. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule—Disclosure or Use of Information by Preparers of Returns [TD 9608] (RIN: 1545-BI85) received January 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

49. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule—Treasury Inflation-Protected Securities Issued at a Premium; Bond Premium Carryforward [TD: 9609] (RIN: 1545-BK45; 1545-BL29) received January 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

50. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule—Announcement of the Results of the 2011-2012 Allocation Round of the Qualifying Advanced Coal Project Program [Announcement 2013-2] received January 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

51. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Employee Plans Compliance Resolution System ("EPCRS") (Revenue Procedure 2013-12) received January 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

52. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's quarterly report to Congress on the Status of Significant Unresolved Issues with the Department of Energy's Design and Construction Projects (dated December 24, 2012); jointly to the Committees on Armed Services and Appropriations.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CHAFFETZ (for himself and Mr. GOWDY):

H.R. 248. A bill to amend the Act of August 25, 1958, commonly known as the "Former Presidents Act of 1958", with respect to the monetary allowance payable to a former President, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CHAFFETZ:

H.R. 249. A bill to amend title 5, United States Code, to provide that persons having seriously delinquent tax debts shall be ineligible for Federal employment; to the Committee on Oversight and Government Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHAFFETZ:

H.R. 250. A bill to amend the Antiquities Act of 1906 to place additional requirements on the establishment of national monuments under that Act, and for other purposes; to the Committee on Natural Resources.

By Mr. CHAFFETZ:

H.R. 251. A bill to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, and for other purposes; to the Committee on Natural Resources.

By Mr. CHAFFETZ:

H.R. 252. A bill to recognize Jerusalem as the capital of Israel, to relocate to Jerusalem the United States Embassy in Israel, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CHAFFETZ:

H.R. 253. A bill to provide for the conveyance of a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, and for other purposes; to the Committee on Natural Resources.

By Mr. CHAFFETZ:

H.R. 254. A bill to authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project; to the Committee on Natural Resources, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHAFFETZ:

H.R. 255. A bill to amend certain definitions contained in the Provo River Project Transfer Act for purposes of clarifying certain property descriptions, and for other purposes; to the Committee on Natural Resources.

By Mr. CHAFFETZ:

H.R. 256. A bill to amend title 44, United States Code, to repeal the National Historical Publications and Records Commission, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. SHEA-PORTER:

H.R. 257. A bill to amend title 38, United States Code, to ensure that veterans in each of the 48 contiguous States are able to receive services in at least one full-service hospital of the Veterans Health Administration in the State or receive comparable services provided by contract in the State; to the Committee on Veterans' Affairs.

By Mr. HECK of Nevada (for himself,

Mrs. HARTZLER, Mr. ROE of Tennessee, Mr. WESTMORELAND, Mr. AMODEI, Mr. GRIMM, Mr. HANNA, Mr. COFFMAN, Mr. MEEKS, Mr. GRIFFIN of Arkansas, Mr. MARKEY, Mr. YOUNG of Florida, Mr. HARPER, Mr. NUGENT, Mr. MEEHAN, Mr. WILSON of South Carolina, Mr. THOMPSON of Pennsylvania, Ms. BORDALLO, Mrs. BLACK, Mr. CHAFFETZ, Mr. CULBERSON, Mr. BROOKS of Alabama, Mr. TURNER, Mr. THORNBERRY, Ms. JENKINS, Mr. CICILLINE, Mr. MICHAUD, Mr. COOK, Mr. GRAVES of Missouri, Mr. BRADY of Pennsylvania, Mr. KING of Iowa, Mr. HUNTER, Mr. FINCHER, Mr. CONAWAY, Mr. BONNER, Mr. BISHOP of Georgia, Mr. BARLETTA, Mr. COURTNEY, Ms. PINGREE of Maine, Mr. GIBBS, Mr. ROGERS of Alabama, Mr. BUCHSHON, Mr. YOUNG of Alaska, Mr. FRANKS of Arizona, Mr. DUNCAN of South Carolina, Mr. FITZPATRICK, Mr. ROGERS of Kentucky, Mr. WEBER of

Texas, Mr. PITTENGER, Mr. OLSON, Mr. BOUSTANY, Mr. NUNNELEE, Mr. HUIZENGA of Michigan, Mr. BACHUS, Mr. YOHO, Mr. COLE, Mr. MILLER of Florida, Mr. TERRY, Mr. STIVERS, Mr. LONG, Mr. JOHNSON of Ohio, Mr. JONES, Mr. WITTMAN, Mrs. NOEM, Mr. LOEBSACK, Mrs. ROBY, Mr. CRAMER, Mr. PERRY, Mr. GARY G. MILLER of California, and Mr. FLORES):

H.R. 258. A bill to amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals; to the Committee on the Judiciary.

By Mr. POMPEO (for himself, Mr. WHITFIELD, Mr. DUNCAN of South Carolina, Mr. HUELSKAMP, Mr. WESTMORELAND, Mr. STOCKMAN, Mr. MCCLINTOCK, Mr. AMASH, Mr. WILSON of South Carolina, Mr. BROUN of Georgia, Mr. RIBBLE, and Mr. MULVANEY):

H.R. 259. A bill to amend the Internal Revenue Code of 1986 to terminate certain energy tax subsidies and lower the corporate income tax rate; to the Committee on Ways and Means.

By Mr. HARPER (for himself, Mr. COLE, Mrs. MILLER of Michigan, and Mr. ROKITA):

H.R. 260. A bill to reduce Federal spending and the deficit by terminating taxpayer financing of presidential election campaigns and party conventions and by terminating the Election Assistance Commission; to the Committee on House Administration, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself, Mr. WAXMAN, Mr. PALLONE, Ms. DEGETTE, Mr. ENGEL, Mr. SARBANES, Ms. CHU, Mr. CLAY, Mr. COHEN, Mr. CONYERS, Mr. CUMMINGS, Ms. DELAULO, Mr. DEUTCH, Ms. EDWARDS, Mr. ELLISON, Mr. FARR, Mr. FATTAH, Mr. GRIJALVA, Ms. HAHN, Mr. HIGGINS, Mr. HOLT, Mr. HONDA, Mr. JOHNSON of Georgia, Ms. KAPTUR, Ms. LEE of California, Ms. LOFGREN, Mr. BEN RAY LUJÁN of New Mexico, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. NADLER, Ms. NORTON, Ms. PINGREE of Maine, Mr. POLIS, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. SERRANO, Ms. SHEA-PORTER, Ms. SLAUGHTER, Mr. TONKO, Ms. WATERS, Mr. WELCH, and Mr. YARMUTH):

H.R. 261. A bill to amend the Patient Protection and Affordable Care Act to establish a public health insurance option; to the Committee on Energy and Commerce.

By Mr. GRIMM (for himself, Mr. PIERLUISI, Mr. YOUNG of Alaska, Mr. CONNOLLY, Mr. MEEHAN, Mr. GEORGE MILLER of California, Mr. COHEN, Ms. BORDALLO, Mr. LANCE, Mr. THOMPSON of Pennsylvania, Ms. SLAUGHTER, Mr. MORAN, Mr. VAN HOLLEN, Mr. CONYERS, Mr. LOEBSACK, Mr. HANNA, Mr. COOPER, Mr. MEEKS, Mr. FITZPATRICK, Mr. BRADY of Pennsylvania, Mr. KING of New York, Mr. FARR, Ms. TSONGAS, Ms. LORETTA SANCHEZ of California, Mr. GRIJALVA, Mr. QUIGLEY, Mr. BUCHANAN, Mr. CICILLINE, Mr. MILLER of Florida, Mrs. CAPPs, Mr. STIVERS, and Mr. WITTMAN):

H.R. 262. A bill to reauthorize the Multi-national Species Conservation Funds

Semipostal Stamp, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIMM (for himself and Mr. DINGELL):

H.R. 263. A bill to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act; to the Committee on Natural Resources.

By Mr. LYNCH:

H.R. 264. A bill to provide for semiannual actuarial studies of the FHA mortgage insurance program of the Secretary of Housing and Urban Development during periods that the Mutual Mortgage Insurance Fund does not meet minimum capital ratio requirements; to the Committee on Financial Services.

By Mr. LYNCH:

H.R. 265. A bill to require Federal law enforcement agencies to report to Congress serious crimes, authorized as well as unauthorized, committed by their confidential informants; to the Committee on the Judiciary.

By Mr. LYNCH:

H.R. 266. A bill to amend title 28, United States Code, with respect to certain tort claims arising out of the criminal misconduct of confidential informants, and for other purposes; to the Committee on the Judiciary.

By Mrs. MCMORRIS RODGERS (for herself, Ms. DEGETTE, Mr. WALDEN, Mr. TERRY, Mr. MARKEY, Mr. LATTI, Mr. MATHESON, Mr. BEN RAY LUJÁN of New Mexico, and Mr. DINGELL):

H.R. 267. A bill to improve hydropower, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SARBANES (for himself, Ms. BONAMICI, Mr. BRADY of Pennsylvania, Mr. CAPUANO, Mr. CICILLINE, Mr. COHEN, Mr. CONYERS, Mr. COURTNEY, Ms. DELAULO, Mr. DEUTCH, Mr. DINGELL, Ms. EDWARDS, Mr. ELLISON, Ms. ESHOO, Mr. GEORGE MILLER of California, Mr. GRIJALVA, Mr. HIMES, Mr. HOLT, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. MAFFEI, Mr. MCGOVERN, Mr. NOLAN, Ms. NORTON, Mr. O'ROURKE, Ms. PINGREE of Maine, Mr. POLIS, Mr. PRICE of North Carolina, Mr. RUSH, Mr. SCOTT of Virginia, Mr. SIREs, Mr. TONKO, Mr. VAN HOLLEN, and Mr. YARMUTH):

H.R. 268. A bill to reform the financing of Congressional elections by encouraging grassroots participation in the funding of campaigns, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YARMUTH (for himself, Ms. PINGREE of Maine, Mr. NOLAN, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. CAPUANO, Ms. CHU, Mr. CICILLINE, Mr. COHEN, Mr. COOPER, Mrs. DAVIS of California, Mr. DEUTCH, Mr. ELLISON, Ms. ESHOO, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. HIMES, Mr. HOLT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LANGEVIN, Mr. JONES, Ms. LEE of California, Mr.

MAFFEI, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MICHAUD, Mr. GEORGE MILLER of California, Mr. MORAN, Ms. NORTON, Mr. PETERS of Michigan, Mr. POLIS, Mr. PRICE of North Carolina, Mr. RANGEL, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SIREs, Mr. SMITH of Washington, Mr. TONKO, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. WELCH, Ms. SLAUGHTER, Mr. SHERMAN, Ms. DELAULO, Mrs. NAPOLITANO, Mr. OWENS, Mr. MCDERMOTT, Ms. MATSUI, Ms. HAHN, Mr. WAXMAN, Mr. O'ROURKE, Ms. WILSON of Florida, and Mr. KIND):

H.R. 269. A bill to reform the financing of House elections, and for other purposes; to the Committee on House Administration.

By Mr. PRICE of North Carolina (for himself, Mr. VAN HOLLEN, Mr. JONES, Mr. LARSON of Connecticut, Mr. BRADY of Pennsylvania, Mr. SARBANES, Mr. YARMUTH, Ms. ESHOO, Mr. GEORGE MILLER of California, Mr. POLIS, Mr. HOLT, Mr. NOLAN, and Mr. O'ROURKE):

H.R. 270. A bill to amend the Internal Revenue Code of 1986 to reform the system of public financing for Presidential elections, to establish a system of public financing for Congressional elections, to promote the disclosure of disbursements made in coordination with campaigns for election for Federal office, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OLSON (for himself, Mr. GENE GREEN of Texas, Mr. DOYLE, Mr. TERRY, and Mr. KINZINGER of Illinois):

H.R. 271. A bill to clarify that compliance with an emergency order under section 202(c) of the Federal Power Act may not be considered a violation of any Federal, State, or local environmental law or regulation, and for other purposes; to the Committee on Energy and Commerce.

By Mr. FARR:

H.R. 272. A bill to designate the Department of Veterans Affairs and Department of Defense joint outpatient clinic to be constructed in Marina, California, as the "General William H. Gourley Federal Outpatient Clinic: A Joint VA-DOD Health Care Facility"; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESANTIS (for himself, Mr. ISSA, Mr. FARENTHOLD, Mr. MICA, Mr. DUNCAN of Tennessee, Mr. JORDAN, Mr. COLLINS of Georgia, Mr. MEADOWS, Mr. YOHO, Mr. MASSIE, Mr. HUDSON, Mr. WOODALL, Mr. RADEL, Mr. WILLIAMS, Mr. LANKFORD, Mr. CRAMER, Mr. RICE of South Carolina, Mr. MULLIN, Mr. WENSTRUP, Mr. GRAVES of Georgia, Mr. LABRADOR, Mr. CHAFFETZ, Mr. STEWART, Mr. SALMON, Mr. BENTIVOLIO, Mr. ROTHFUS, Mr. HALL, Mr. COTTON, and Mr. GOWDY):

H.R. 273. A bill to eliminate the 2013 statutory pay adjustment for Federal employees; to the Committee on Oversight and Government Reform.

By Mr. BARBER:

H.R. 274. A bill to amend section 520J of the Public Health Service Act to authorize

grants for mental health first aid training programs; to the Committee on Energy and Commerce.

By Mr. BRALEY of Iowa:

H.R. 275. A bill to establish a grant program to test and mitigate radon levels in public schools, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BUCHANAN (for himself, Mr. SENSENBRENNER, Mr. BROUN of Georgia, Mr. JONES, and Mr. SCHWEIKERT):

H.R. 276. A bill to prohibit United States assistance to the country of Egypt; to the Committee on Foreign Affairs.

By Mr. CICILLINE:

H.R. 277. A bill to revise the boundaries of John H. Chafee Coastal Barrier Resources System Sachuest Point Unit RI-04P, Easton Beach Unit RI-05P, Almy Pond Unit RI-06, and Hazards Beach Unit RI-07 in Rhode Island; to the Committee on Natural Resources.

By Mr. COHEN (for himself, Mr. PETERSON, Mr. BLUMENAUER, Mr. MICHAUD, Mr. LOESACK, Mr. DINGELL, and Mr. KIND):

H.R. 278. A bill to prohibit States from carrying out more than one Congressional redistricting after a decennial census and apportionment, to require States to conduct such redistricting through independent commissions, and for other purposes; to the Committee on the Judiciary.

By Mr. COLE:

H.R. 279. A bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes, and for other purposes; to the Committee on Natural Resources.

By Mr. ELLISON:

H.R. 280. A bill to amend the Help America Vote Act of 2002 to require States to provide for same day registration; to the Committee on House Administration.

By Mr. ELLISON:

H.R. 281. A bill to prohibit election officials from requiring individuals to provide photo identification as a condition of obtaining or casting a ballot in an election for Federal office or registering to vote in elections for Federal office, and for other purposes; to the Committee on House Administration.

By Mr. FLEISCHMANN:

H.R. 282. A bill to rescind certain Federal funds identified by States as unwanted and use the funds to reduce the Federal debt; to the Committee on Appropriations.

By Mr. FLEISCHMANN (for himself, Mr. BARLETTA, Mrs. BLACK, Mrs. BLACKBURN, Mr. MILLER of Florida, Mr. MULVANEY, Mr. GRIMM, and Mr. DESJARLAIS):

H.R. 283. A bill to require the approval by the head of an agency for any conference costing more than \$25,000, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. FORBES:

H.R. 284. A bill to provide for rates of pay for Members of Congress to be adjusted as a function of changes in Government spending; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AL GREEN of Texas (for himself, Mr. HASTINGS of Florida, Ms. SCHAKOWSKY, Mr. CLAY, Mr. HINOJOSA, Mr. HONDA, Ms. MOORE, Mr. RUSH, Ms. WILSON of Florida, Mr. GRIJALVA, and Mr. SERRANO):

H.R. 285. A bill to authorize funds to prevent housing discrimination through the use of nationwide testing, to increase funds for the Fair Housing Initiatives Program, and for other purposes; to the Committee on Financial Services.

By Mr. GENE GREEN of Texas:

H.R. 286. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain State foster care program payments made to the biological parents of disabled children; to the Committee on Ways and Means.

By Mr. MATHESON:

H.R. 287. A bill to require ratings label on video games and to prohibit the sales and rentals of adult-rated video games to minors; to the Committee on Energy and Commerce.

By Mr. MICHAUD (for himself and Mr. WALZ):

H.R. 288. A bill to amend title 38, United States Code, to increase the maximum age for children eligible for medical care under the CHAMPVA program; to the Committee on Veterans' Affairs.

By Mr. MORAN:

H.R. 289. A bill to amend the National Voter Registration Act of 1993 to modernize State voting systems by allowing for increased use of the internet in voter registration, and for other purposes; to the Committee on House Administration.

By Mr. NADLER (for himself, Mr. JOHNSON of Georgia, Mr. MORAN, Mr. BLUMENAUER, Ms. SCHAKOWSKY, Mr. ELLISON, Ms. MCCOLLUM, and Mr. WELCH):

H.R. 290. A bill to amend title 31, United States Code, to eliminate the statutory cap on the public debt and to place limitations on the purposes for which public debt may be issued; to the Committee on Ways and Means.

By Mrs. NOEM:

H.R. 291. A bill to provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota; to the Committee on Natural Resources.

By Ms. NORTON (for herself, Ms. BORDALLO, Mr. BLUMENAUER, Mrs. CHRISTENSEN, Mr. CLAY, Mr. COHEN, Mr. CONYERS, Mr. ELLISON, Mr. FARR, Mr. FALEOMAVAEGA, Mr. HONDA, Mr. NADLER, Mrs. NAPOLITANO, Mr. POLIS, Mr. RANGEL, and Mr. RUSH):

H.R. 292. A bill to provide for the admission of the State of New Columbia into the Union; to the Committee on Oversight and Government Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NUGENT:

H.R. 293. A bill to expand retroactive eligibility of the Army Combat Action Badge to include members of the Army who participated in combat during which they personally engaged, or were personally engaged by, the enemy at any time on or after December 7, 1941; to the Committee on Armed Services.

By Mr. NUGENT:

H.R. 294. A bill to revoke a requirement of Executive Order 13618 with respect to the use of privately owned communications resources by the Secretary of Homeland Security, and for other purposes; to the Committee on Energy and Commerce.

By Mr. NUGENT:

H.R. 295. A bill to amend the Internal Revenue Code of 1986 to prevent identity theft and tax fraud, and for other purposes; to the Committee on Ways and Means.

By Mr. NUGENT:

H.R. 296. A bill to allow Members of Congress to decline certain retirement benefits and contributions by the Federal Government, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PITTS (for himself, Mr. PAL-LONE, Mr. BURGESS, and Mrs. CAPPS):

H.R. 297. A bill to amend the Public Health Service Act to reauthorize support for graduate medical education programs in children's hospitals; to the Committee on Energy and Commerce.

By Mr. ROGERS of Kentucky (for himself, Mr. YARMUTH, and Mr. GUTHRIE):

H.R. 298. A bill to direct the Secretary of the Interior to conduct a special resource study to evaluate the significance of the Mill Springs Battlefield located in Pulaski and Wayne Counties, Kentucky, and the feasibility of its inclusion in the National Park System, and for other purposes; to the Committee on Natural Resources.

By Mr. ROHRABACHER:

H.R. 299. A bill to restore the Federal electoral rights of the residents of the District of Columbia, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHERMAN (for himself, Mr. POE of Texas, Ms. ROS-LEHTINEN, Ms. LOFGREN, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Mr. MARKEY, Mr. ISRAEL, Mr. YOUNG of Alaska, Mr. BRADY of Pennsylvania, Mr. HONDA, Mr. SCHIFF, Mr. RANGEL, Mr. NADLER, Mr. GRIMM, Ms. SCHAKOWSKY, Mrs. ELLMERS, Ms. CHU, Mr. KEATING, Mr. MICHAUD, Mr. FRANKS of Arizona, Mr. GENE GREEN of Texas, Mrs. CAROLYN B. MALONEY of New York, Mr. GARRETT, Mr. JOHNSON of Ohio, Mr. CICILLINE, Mr. MCCAUL, Mr. PASCRELL, Mr. HULTGREN, Mr. AMODEI, Mr. HOLT, Ms. HAHN, Mr. AL GREEN of Texas, Mr. MCGOVERN, Ms. WILSON of Florida, Mr. CONNOLLY, Ms. SCHWARTZ, Mr. DEUTCH, Mr. LANCE, Mr. HANNA, Mr. LAMBORN, Mr. WEBER of Texas, Mr. VARGAS, Ms. TITUS, Mr. CARTWRIGHT, Ms. BROWN of Florida, Mr. LOWENTHAL, Mr. JEFFRIES, Mr. GRAYSON, Mr. STOCKMAN, and Mr. SCHNEIDER):

H.R. 300. A bill to provide for the inclusion of Israel in the visa waiver program, and for other purposes; to the Committee on the Judiciary.

By Mr. WOLF (for himself, Ms. ESHOO, Mr. HOLT, Mr. GRIFFITH of Virginia, Mr. PETERS of Michigan, Mr. PITTS, Mr. FRANKS of Arizona, Mr. DUNCAN of South Carolina, and Mr. SMITH of New Jersey):

H.R. 301. A bill to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia; to the Committee on Foreign Affairs.

By Mr. WOLF:

H.R. 302. A bill to amend the Inspector General Act of 1978 to provide for an Inspector General for the Metropolitan Washington

Airports Authority, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS:

H.R. 303. A bill to amend title 10, United States Code, to permit additional retired members of the Armed Forces who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation and to eliminate the phase-in period under current law with respect to such concurrent receipt; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOLF:

H.R. 304. A bill to amend title 49, United States Code, to change the membership of the Metropolitan Washington Airports Authority board of directors, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YARMUTH (for himself, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mr. COHEN, Mr. CONYERS, Mr. DANNY K. DAVIS of Illinois, Mr. GRIJALVA, Ms. JACKSON LEE, Mr. MEEKS, Mr. MORAN, Ms. NORTON, Mr. PETERS of Michigan, Mr. RANGEL, and Ms. WATERS):

H.R. 305. A bill to establish a grant program to preserve the legacy and ideals of Muhammad Ali and promote global respect, understanding, and communication, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. ROBY:

H.J. Res. 17. A joint resolution proposing an amendment to the Constitution of the United States which requires (except during time of war and subject to suspension by Congress) that the total amount of money expended by the United States during any fiscal year not exceed the amount of certain revenue received by the United States during such fiscal year and not exceed 20 percent of the gross domestic product of the United States during the previous calendar year; to the Committee on the Judiciary.

By Mr. MCKINLEY (for himself, Mr. POMPEO, Mr. UPTON, Mr. BARTON, Mr. WHITFIELD, Mr. SHIMKUS, Mr. RAHALL, Mr. ROGERS of Kentucky, Mr. TERRY, Mrs. BLACKBURN, Mr. JOHNSON of Ohio, and Mrs. CAPITO):

H. Con. Res. 8. Concurrent resolution expressing the opposition of Congress to Federal efforts to establish a carbon tax on fuels for electricity and transportation; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY:

H. Res. 29. A resolution urging the Federal Aviation Administration to continue its cooperation with airports across the United States seeking to implement noise mitigation plans, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GRAVES of Missouri (for himself and Mr. CONNOLLY):

H. Res. 30. A resolution expressing the sense of the House of Representatives that the United States Postal Service should take all appropriate measures to ensure the continuation of its 6-day mail delivery service; to the Committee on Oversight and Government Reform.

By Ms. LEE of California (for herself, Ms. BORDALLO, Ms. BROWN of Florida, Mr. CAPUANO, Ms. CLARKE, Mr. ELLISON, Ms. WILSON of Florida, Mr. DEUTCH, Mr. VAN HOLLEN, Mr. MEEKS, Ms. JACKSON LEE, Ms. MENG, Mr. MCGOVERN, Mr. PAYNE, and Ms. NORTON):

H. Res. 31. A resolution recognizing the anniversary of the tragic earthquake in Haiti on January 12, 2010, honoring those who lost their lives, and expressing continued solidarity with the Haitian people; to the Committee on Foreign Affairs.

By Mr. MULVANEY:

H. Res. 32. A resolution expressing support for the designation of the Friday after Thanksgiving as the National Day of Recognition for Veterans' Families; to the Committee on Armed Services.

By Mr. ROHRBACHER (for himself and Mr. NADLER):

H. Res. 33. A resolution commending the Albanian people on the 100th anniversary of the declaration of their independence from the Turkish Ottoman Empire on November 28, 1912, and commending Albanians in Albania and Kosovo for protecting and saving the lives of all Jews who either lived in Albania or sought asylum there during the Holocaust; to the Committee on Foreign Affairs.

By Mr. SMITH of New Jersey (for himself and Mr. FITZPATRICK):

H. Res. 34. A resolution calling on the United States and Russia to continue cooperation in securing safe and loving homes for unparented children; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. LIPINSKI introduced a bill (H.R. 306) for the relief of Corina de Chalup Turcinovic; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CHAFFETZ:

H.R. 248.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I: The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in this Government of the United States or in any Department or Officer thereof.

By Mr. CHAFFETZ:

H.R. 249.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. CHAFFETZ:

H.R. 250.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Mr. CHAFFETZ:

H.R. 251.

Congress has the power to enact this legislation pursuant to the following:

Tenth Amendment

By Mr. CHAFFETZ:

H.R. 252.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 14 and 18.

By Mr. CHAFFETZ:

H.R. 253.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 2

By Mr. CHAFFETZ:

H.R. 254.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 2

By Mr. CHAFFETZ:

H.R. 255.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 2

By Mr. CHAFFETZ:

H.R. 256.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 18 of Section 8 of Article I of the Constitution: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. SHEA-PORTER:

H.R. 257.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence[^(note 1)]and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; . . .

By Mr. HECK of Nevada:

H.R. 258.

Congress has the power to enact this legislation pursuant to the following:

The power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution, to make all laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other powers vested by the Constitution in the Government of the United States, or in any Department or officer thereof.

By Mr. POMPEO:

H.R. 259.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. HARPER:

H.R. 260.

Congress has the power to enact this legislation pursuant to the following:

Article I, § 8, clause 1

By Ms. SCHAKOWSKY:

H.R. 261.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. GRIMM:

H.R. 262.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7

The Congress shall have Power *** To establish Post Offices and post roads.

By Mr. GRIMM:

H.R. 263.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. LYNCH:

H.R. 264.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution—the Commerce Clause—and Article I, Section 8, Clause 18 of the Constitution—the Necessary and Proper Clause.

By Mr. LYNCH:

H.R. 265.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 and Article I, Section 8, Clause 3.

By Mr. LYNCH:

H.R. 266.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 and Article I, Section 8, Clause 3.

By Mrs. McMORRIS RODGERS:

H.R. 267.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority in which this bill rests is the power of the Congress to regulate Commerce as enumerated by Article I, Section 8, Clause 3 as applied to waterways for the development of hydroelectric power and flood control.

By Mr. SARBANES:

H.R. 268.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution under the General Welfare Clause.

By Mr. YARMUTH:

H.R. 269.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4, Clause 1

The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but Congress may at any time make or alter such Regulations, except as to the Place of choosing Senators.

and

Article I, Section 8, Clause 3

The Congress shall have Power To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. PRICE of North Carolina:

H.R. 270.

Congress has the power to enact this legislation pursuant to the following:

Congressional power to provide for public financing of campaigns arises under the General Welfare Clause, Art. I, Sec. 8, of the Constitution.

In *Buckley v. Valeo*, 424 U.S. 1, 91 (1976), the Supreme Court upheld the congressional power to enact public financing of presidential elections under this Clause. The Supreme Court stated with regard to the provisions in the Federal Election Campaign Act Amendments of 1974 establishing a presidential public financing system, "In this case, Congress was legislating for the 'general welfare'—to reduce the deleterious influence of large contributions on our political process, to facilitate communication by candidates with the electorate, and to free candidates from the rigors of fundraising."

By Mr. OLSON:

H.R. 271.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—The Congress shall have power to . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof. (Necessary and Proper Regulations to Effectuate Powers)

The Necessary and Proper Clause allows Congress to decide whether, when, and how to legislate the powers of another branch. This legislation would clarify that compliance with an Emergency Order issued by an Executive Agency under the Federal Power Act may not be considered a violation of any Federal, State, or local environmental law, afforded under the Article 1, Section 8, Clause 18.

By Mr. FARR:

H.R. 272.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Section 8

By Mr. DESANTIS:

H.R. 273.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. BARBER:

H.R. 274.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 1

By Mr. BRALEY of Iowa:

H.R. 275.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. BUCHANAN:

H.R. 276.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9 of the U.S. Constitution.

By Mr. CICILLINE:

H.R. 277.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. COHEN:

H.R. 278.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4 of the United States Constitution

By Mr. COLE:

H.R. 279.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8 which grants Congress the power to regulate Commerce with the Indian Tribes.

This bill is enacted pursuant to Article II, Section 2, Clause 2 in order the enforce treaties made between the United States and several Indian Tribes.

By Mr. ELLISON:

H.R. 280.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4, Clause 1

Article I, Section 8, Clause 18

Article II, Section I, Clause 4

By Mr. ELLISON:

H.R. 281.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4, Clause 1

Article I, Section 8, Clause 18

Article II, Section I, Clause 4

By Mr. FLEISCHMANN:

H.R. 282.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

By Mr. FLEISCHMANN:

H.R. 283.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. FORBES:

H.R. 284.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 6; Amendment XXVII

By Mr. AL GREEN of Texas:

H.R. 285.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority to enact this legislation can be found in:

General Welfare Clause (Art. 1 sec. 8 cl. 1)

Commerce Clause (Art. 1 sec. 8 cl.3)

Necessary and Proper Clause (Art. 1 sec. 8 cl. 18)

Constitutional analysis is a rigorous discipline which goes far beyond the text of the Constitution, and requires knowledge of case law, history, and the tools of constitutional interpretation. While the scope of Congress' powers is an appropriate matter for House debate, the listing of specific textual authorities for routine Congressional legislation about which there is no legitimate constitutional concern is a diminishment of the majesty of our Founding Fathers' vision for our national legislature.

By Mr. GENE GREEN of Texas:

H.R. 286.

Congress has the power to enact this legislation pursuant to the following:

Sixteenth Amendment to the U.S. Constitution—"The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration."

By Mr. MATHESON:

H.R. 287.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

By Mr. MICHAUD:

H.R. 288.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. MORAN:

H.R. 289.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4 of the Constitution of the United States grants Congress the authority to enact this legislation.

By Mr. NADLER:

H.R. 290.

Congress has the power to enact this legislation pursuant to the following:

Art. 1, sec. 8, cl. 1

Art. 1, sec. 8, cl. 18

By Mrs. NOEM:

H.R. 291.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2, relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

By Ms. NORTON:

H.R. 292.

Congress has the power to enact this legislation pursuant to the following:

clause 1 of section 3 of article IV of the Constitution.

By Mr. NUGENT:

H.R. 293.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 15 which grants Congress the power to make rules for the Government and Regulation of the land and naval Forces.

Article 1, Section 8, Clause 16 which grants Congress the power to provide for organizing, arming, and disciplining, the militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress.

By Mr. NUGENT:

H.R. 294.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3—To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. NUGENT:

H.R. 295.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution gives Congress the authority to lay and collect taxes and duties. With this authority comes the inherent duty to protect these funds from fraud and theft so that they are used for their constitutional purpose—to pay the debts and provide for the general welfare of our nation.

By Mr. NUGENT:

H.R. 296.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 6 of Article I of the Constitution as amended by the 27th Amend-

ment to the Constitution. This section of the Constitution allows Congress to set their own compensation so long as new representatives have been elected.

By Mr. PITTS:

H.R. 297.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. ROGERS of Kentucky:

H.R. 298.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2—The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. ROHRBACHER:

H.R. 299.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 17, granting Congress the power to exercise exclusive legislation in all cases whatsoever over the District constituting the Seat of Government of the United States;

Section 2 of the 14th Amendment, providing that Representatives shall be apportioned among the several states according to their respective numbers; and

Both sections of the 23rd Amendment, which grant Congress the authority to direct the appointment of presidential electors from the District of Columbia and to enforce the 23rd Amendment by appropriate legislation.

By Mr. SHERMAN:

H.R. 300.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. WOLF:

H.R. 301.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution, which states: "The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof"

Article II, Section 2, Clause 2 of the United States Constitution, which states: "[The President] shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the Supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments."

By Mr. WOLF:

H.R. 302.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof, as enumerated in Article I, Section 8, of the United States Constitution.

By Mr. BILIRAKIS:

H.R. 303.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mr. WOLF:

H.R. 304.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause three; to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. YARMUTH:

H.R. 305.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the U.S. Constitution.

Mr. LIPINSKI:

H.R. 306.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 of the Constitution provides that Congress shall have power to "establish a uniform Rule of Naturalization". The Supreme Court has long found that this provision of the Constitution grants Congress plenary power over immigration policy. As the Court found in *Galvan v. Press*, 347 U.S. 522, 531 (1954), "that the formulation of policies [pertaining to the entry of aliens and their right to remain here] is entrusted exclusively to Congress has become about as firmly imbedded in the legislative and judicial tissues of our body politic as any aspect of our government." And, as the Court found in *Kleindienst v. Mandel*, 408 U.S. 753, 766 (1972) (quoting *Boutilier v. INS*, 387 U.S. 118, 123 (1967)), "[t]he Court without exception has sustained Congress' 'plenary power to make rules for the admission of aliens and to exclude those who possess those characteristics which Congress has forbidden.'"

By Mrs. ROBY:

H.J. Res. 17.

Congress has the power to enact this legislation pursuant to the following:

Article 5:

"The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and

fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. JOHNSON of Ohio, Mr. BISHOP of Utah, and Mr. GARY G. MILLER of California.

H.R. 24: Mr. STIVERS, Mr. WITTMAN, Mr. BUCSHON, Mr. WOMACK, Mr. SIMPSON, Mr. SENSENBRENNER, Mr. LONG, Mr. DESJARLAIS, Mr. WEBSTER of Florida, and Mr. SCALISE.

H.R. 34: Mr. DOYLE.

H.R. 39: Mr. GRIMM.

H.R. 44: Mr. NADLER, Ms. HANABUSA, Ms. LEE of California, Mr. SCOTT of Virginia, Mr. DAVID SCOTT of Georgia, Mrs. CAPPS, Mr. LEVIN, and Mr. AL GREEN of Texas.

H.R. 61: Mr. FITZPATRICK, Mr. POMPEO, Mr. MARINO, Mr. ROKITA, Mr. GINGREY of Georgia, Mr. JOHNSON of Ohio, Mr. HARPER, Mr. MEADOWS, Mr. BURGESS, Mr. SENSENBRENNER, Mr. GARDNER, Mr. GIBBS, Mr. BISHOP of Utah, Mr. WOMACK, and Mr. KELLY.

H.R. 69: Mr. FARR, Mr. GRIMM, Mr. FALCOMA, and Ms. HANABUSA.

H.R. 71: Mr. MARKEY and Mr. FALCOMA.

H.R. 93: Ms. BONAMICI, Mr. ELLISON, Mr. HOLT, Mr. RANGEL, Mr. SCHIFF, Ms. ROYBAL-ALLARD, and Mr. GUTIERREZ.

H.R. 107: Mr. LONG and Mr. WOMACK.

H.R. 111: Ms. GABBARD, Ms. DUCKWORTH, Mr. PALLONE, Ms. EDDIE BERNICE JOHNSON of

Texas, Mr. GARAMENDI, Ms. WILSON of Florida, Mr. BUTTERFIELD, Ms. ROYBAL-ALLARD, Mr. HONDA, Ms. CHU, Mr. JONES, Mr. HANNA, Mr. LEVIN, Mr. RICHMOND, Mr. RANGEL, Ms. BASS, Mr. CUMMINGS, Mr. CARNEY, Ms. LEE of California, Ms. KAPTUR, Mr. KEATING, Mr. AL GREEN of Texas, and Ms. SEWELL of Alabama.

H.R. 117: Mr. DOYLE.

H.R. 129: Mr. MCGOVERN.

H.R. 132: Mr. PALAZZO and Mr. LONG.

H.R. 137: Ms. MCCOLLUM, Mr. HIMES, Ms. SLAUGHTER, Mr. GRIJALVA, Mr. MARKEY, Mr. SCHIFF, Mr. HOLT, Ms. DELAURIO, Mr. SCOTT of Virginia, Ms. MOORE, Mr. DOYLE, Mr. ELLISON, Mr. MCGOVERN, and Mr. PRICE of North Carolina.

H.R. 138: Mr. MARKEY, Mr. GRIJALVA, Mr. AL GREEN of Texas, Mr. SCOTT of Virginia, Mr. DOYLE, Mr. CARNEY, Mr. MCGOVERN, Ms. BROWNLEY of California, and Mr. PRICE of North Carolina.

H.R. 140: Mr. NUNNELEE and Mr. SCHWEIKERT.

H.R. 141: Ms. MCCOLLUM, Mr. MARKEY, Mr. DOYLE, and Mr. MCGOVERN.

H.R. 142: Ms. MCCOLLUM, Mr. LEVIN, Mr. MARKEY, Mr. SCOTT of Virginia, Mr. DOYLE, and Mr. MCGOVERN.

H.R. 148: Ms. PINGREE of Maine and Ms. ESHOO.

H.R. 149: Mrs. BLACK, Mr. LONG, Mr. MULVANEY, Mrs. HARTZLER, and Mr. NUGENT.

H.R. 163: Mr. BENTIVOLIO.

H.R. 164: Mr. LATTA.

H.R. 167: Mr. BONNER and Mr. YOHO.

H.R. 178: Mr. MULVANEY.

H.R. 200: Mr. NOLAN, Ms. HANABUSA, Ms. SCHAKOWSKY, Mr. LARSEN of Washington, Mr. GUTIERREZ, Mr. MARKEY, Ms. JACKSON LEE, Ms. LOFGREN, Mr. BLUMENAUER, and Mrs. CAROLYN B. MALONEY of New York.

H.R. 203: Mr. HUIZENGA of Michigan, Mr. STIVERS, Mr. HARRIS, and Mr. SCHOCK.

H.R. 205: Mr. CAMPBELL and Mr. ROYCE.

H.R. 207: Mr. MARCHANT and Mr. GOODLATTE.

H.R. 217: Mr. OLSON, Mr. YOHO, Mr. MARINO, Mr. BENTIVOLIO, Mr. WITTMAN, Mr. TIBERI, Mr. POSEY, Mr. DUFFY, Mr. MCHENRY, Mr. PALAZZO, Mr. GOHMERT, Mr. CALVERT, Mr. MCCLINTOCK, Mr. BRADY of Texas, Mr. HALL, Mr. STOCKMAN, Mr. SHUSTER, Mr. DAINES, Mr. GARY G. MILLER of California, Mr. CRAMER, Mr. ROKITA, Mr. MULVANEY, Mr. HUNTER, Mr. FORBES, Mr. GIBBS, Mr. BENISHEK, Mrs. MILLER of Michigan, Mr. GOODLATTE, Mr. HENSARLING, Mr. COTTON, Mr. ALEXANDER, Mr. LONG, and Mr. LABRADOR.

H.R. 221: Mr. CRAMER.

H.R. 233: Mr. LARSEN of Washington, Mr. WELCH, and Ms. LOFGREN.

H.R. 246: Mr. JONES and Mr. MULVANEY.

H.J. Res. 1: Mr. BARR, Mr. BURGESS, Mr. FINCHER, Mr. GOWDY, Mr. GUTHRIE, Mr. HALL, Mr. HOLDING, Mr. MEADOWS, Mr. UPTON, and Mr. WITTMAN.

H.J. Res. 2: Mr. BARLETTA, Mr. BARR, Mr. BURGESS, Mr. FINCHER, Mr. FLEISCHMANN, Mr. GOWDY, Mr. GUTHRIE, Mr. HALL, Mr. HOLDING, Mr. MATHESON, Mr. MCINTYRE, Mr. MEADOWS, Mr. MEEHAN, Mr. SIMPSON, Mr. UPTON, Mr. WITTMAN, and Mr. YOUNG of Indiana.

H. Con. Res. 5: Mr. NOLAN, Mr. ELLISON, Ms. MCCOLLUM, and Mr. CLAY.

H. Res. 13: Mr. WITTMAN.

H. Res. 24: Mr. SENSENBRENNER.

EXTENSIONS OF REMARKS

IN RECOGNITION OF ALBA
THOMPSON

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mr. KEATING. Mr. Speaker, I rise to honor the memory of Alba Thompson, who passed away on January 2, 2013.

Alba experienced a great deal throughout her ninety-four years. Born in Plymouth, August 13, 1918, Alba was a truly distinguished woman, graduating from college at a time when higher education was not an option for many women. In her lifetime, Alba went on to receive five advanced degrees.

Education was not Alba's only pursuit, and she embarked on a distinguished military career at the onset of World War II. In 1942, Alba was commissioned Second Lieutenant in the United States Air Force. By the time she separated from active duty, she had achieved the rank of Major and had been awarded seven ribbons for her dedicated service.

Alba's studies and military service brought her to countless places throughout the world, but she returned home to serve her local community, being elected to the Plymouth Board of Selectmen. She was the beloved wife of Loren Thompson, and together they raised two sons.

I ask that my colleagues join me in thanking Alba Thompson for her many years of service to her country.

HONORING THE LIFE OF JOHN C.
HAMMERSLOUGH

HON. JAMES A. HIMES

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mr. HIMES. Mr. Speaker, it is with heavy heart that I rise today to pay tribute to a good friend and outstanding community leader, John Hammerslough.

His passing marks the end of an era in Weston, Connecticut and the loss of a dear friend to many across Connecticut.

John was a fixture in Weston's civic community for half a century, died on January 2 after a brief illness. He was 84 years old and had lived in Weston with his wife Nancy since 1959.

John understood the importance of serving the public and at one point or another he was a member of Weston's Board of Selectmen, the Board of Finance, the Police Commission, among other roles, and was active in local, state and national political campaigns. Along with his wife, he was named "Democrat of the Year" in 2009 by the Democratic Town Committee, and the town of Weston proclaimed

May 11, 2009, as "John and Nancy Hammerslough Day."

John Hammerslough was a pioneer in the emerging field of computer-driven analysis of financial securities. His role as director of computer research at Shields & Co. was unusual enough at the time that The New York Times profiled him and "his electronic computer" in June 1967. The computer, the article noted, "is no bigger than an office desk."

John Hammerslough was born in New York City in 1928, the son of Charles R. Hammerslough, a clothier and sometime theatrical producer, and the former Sylvia Rittenberg. He attended the Bronx School of Science and the Taft School, and graduated from Brown University.

After college, he entered the army and served in the Korean War, first as an infantryman and later as a public information officer. The experience spurred him in later years to speak out against American involvement in Vietnam and, more recently, against the invasion of Iraq.

Although Mr. Hammerslough was involved in the financial securities business for nearly half a century, he did not immediately go to work on Wall Street as a young man. Rather, his experience as a writer and audio producer for the army during the Korean War led him to join CBS as part of its fledgling television news operation.

After a stint in the news business, he returned to school to do post-graduate work in mathematics at New York University, which led him to Wall Street, where his specialty was the use of computer analysis for valuing securities. His group at Shields & Co. operated the first computer at a Wall Street firm dedicated solely to investment research. He continued to focus on computer-assisted financial research through the 1970s.

Of his work, Mr. Hammerslough told the New York Times in 1967: "The computer is suggestive rather than dictatorial. It's loaded with technique, but it has no judgment. The machine, therefore, represents an extension of our intelligence."

Since the early 1980s, Mr. Hammerslough worked as a financial expert in litigation support, providing advice and testimony in more than 1,000 matters involving securities and alleged violations of securities law.

A devoted Westonite, he was a familiar figure not only at Town Hall but also at the town center, where he could be seen most mornings drinking coffee with friends and talking politics and sports, at holiday parades and celebrations, where he sold ice cream and handed out buttons for the Democratic Party, and along the roads near his home, where he enjoyed walking his beloved dog.

I join all of his friends and colleagues in extending my deepest sympathies to John's wife Nancy, his son, Charles, daughter, Jane, and four grandchildren Phin, Alex, Zach and Shira.

RECOGNIZING BRILLO

HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mr. STIVERS. Mr. Speaker, I rise today to recognize Brillo, based in London, Ohio, for its centennial year as one of the world's most trusted and prominent household cleaning brands.

On January 31, 1913, the Brillo Manufacturing Company was born when a cookware peddler and a jeweler partnered with an attorney in New York and patented their idea for cleaning blackened aluminum pots and pans. 100 years later, Brillo is celebrating its 100th anniversary with the 55 employees who make it possible for the company to continue providing household cleaning products made right here in the United States of America.

Brillo turns 100 this month because of the hard work, commitment, and creativity that has gone into this company throughout the years by the employees and innovators who call Ohio's 15th District their home. Again, I offer my sincere congratulations to Brillo on its 100 years and I wish the company many years of success in the future.

IN RECOGNITION OF OSVALDO
LOVERME, MARIE TORNIALI AND
CONNIE VARIO

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise to pay tribute to Osvaldo LoVerme, Marie Torniali, and Connie Vario, who are being honored for their distinguished service to the community by the Taminent Regular Democratic Club. The Taminent Club is celebrating its 81st Annual Dinner Dance this month in Astoria, Queens.

In recognition of his lifetime commitment to civic engagement, Osvaldo "Ozzie" LoVerme is being honored with the "Ralph DeMarco Award." Mr. LoVerme is the President of Teamsters Union Local 808. His career began in 1973 working for ConRail Railroad, and throughout his career, he has proved himself to be a trusted advocate for co-workers and union members. His dedication to the labor movement and his tireless efforts to protect workers and their families earned him the position as leader of the Teamsters Local 808. Mr. LoVerme has a strong presence in the community, serving on many cultural and civic organizations in his hometown of Astoria. He is the Vice President of the Astoria Homeowners, Tenants & Business Civic Association and Vice President of the Associazione

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Siciliani Uniti of New York. Mr. LoVerme came to Astoria from Sicily in 1968, and has always stayed connected to his Italian heritage as a member of many Italian cultural organizations. He is a devoted husband to his wife, Marie and loving father to his son, Vinny.

Marie Torniali is receiving the "Community Service Award" for her dedication to her neighborhood and service to others in the community. Ms. Torniali attended high school in Astoria after arriving in the United States from France as a child. She is currently the Executive Director of the Central Astoria Local Development Coalition, where she has worked since 1979, and the Steinway Astoria Partnership. She also serves as a Board Member of Community Board 1. Previously, Ms. Torniali was the manager of the Steinway Street Business Improvement District. Her dedication to the security of the neighborhood of Astoria has earned her the 114th Civilian Observation Patrol (Civ-OP) Walter Michie Award, the Women of Distinction Award, and the New York Anti-Crime's Eternal Vigilance Award. She is also deeply devoted to her husband, Pietro, their daughter, Tanya, and son-in-law, John.

Connie Vario is being honored as a Lifetime Member of Taminent Democratic Club. She has been an active member of the Taminent Women's Regular Democratic Club for over 30 years. Ms. Vario devotes her time to volunteer work through Immaculate Conception parish, for which she works at the Church's Homeless Shelter, and is a member of the Rosarian Society. Since moving to Astoria with her husband Nicholas in 1954, Ms. Vario has been dedicated to serving her community and her neighbors. Mr. and Ms. Vario are loving parents to their three children, Patrick, Margaret, and Maria.

Mr. Speaker, I ask my colleagues to join me in recognizing the extraordinary contributions that Osvaldo LoVerme, Marie Torniali, and Connie Vario have made to the community of Astoria. Their lifetimes of service and dedication to civic life have greatly benefited their neighborhood and the city of New York.

IN RECOGNITION OF JEFFREY
LEFLEUR

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mr. KEATING. Mr. Speaker, I rise today to recognize Jeffrey LeFleur as he retires from the Cape Cod Cranberry Growers' Association.

The Cape Cod Cranberry Growers' Association, known as the CCCGA to its members, is one of the oldest farmer associations in the United States. Since 1888, this organization has been working diligently to enhance the economic viability of local Massachusetts cranberry farmers. Jeffrey has been this organization's Executive Director for the past twenty years, and he has led the association through many years of growth and prosperity. In particular, Jeffrey has spearheaded CCCGA's popular "Be the Grower" program, which gives interested people the opportunity

to wade into Plympton's cranberry bogs and to assist with the yearly harvest. This program attracts visitors from around the world, and it has been extremely beneficial to the local Massachusetts tourism industry. Its popularity was recently highlighted in The Boston Globe as a unique activity that all can enjoy.

Mr. Speaker, as the cofounder of the Congressional Cranberry Caucus, it brings me great pride to recognize Jeffrey LeFleur upon his retirement from the Cape Cod Cranberry Growers' Association. His many years of work and dedication to the association were crucial in leading it to become the successful organization that it is today. I ask that my colleagues join me in thanking Jeffrey for all that he has given to his community.

HONORING THE EXEMPLARY CA-
REER OF JUDGE JOHN M.
STUARD

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the career of an exemplary public servant, Judge John M. Stuard. After nearly five decades of service, Judge Stuard has retired with distinction from the Trumbull County Court of Common Pleas in Warren, Ohio.

Judge Stuard earned his undergraduate degree from Thiel College and went on to earn his Juris Doctorate from the University of Kentucky. After law school, he practiced law while serving as a solicitor in Newton Falls and the Village of Orangeville. He then became a prosecutor and practiced criminal defense in Warren Ohio. In 1983, he was appointed to the Central District Court in Cortland and later to the Common Pleas bench in 1991.

Judge Stuard is affectionately known as a gentleman's gentleman, he recognizes that his judgment needs to hold people accountable for their actions, yet must not lose touch with the utility of punishment. While not on the bench, Judge Stuard is a member of the Hartford Optimists, Trumbull Farm Bureau, Conservation Club and he is an avid Civil War enthusiast.

I want to extend my warmest thanks to Judge John M. Stuard for his life's devotion to serving the people of Trumbull County. His long and illustrious career will not be forgotten and I would like to wish him congratulations and all the best in his well-deserved retirement. The city of Warren and Trumbull County will forever be indebted to Judge John M. Stuard for his lifelong public service.

TRIBUTE TO EAGLE SCOUTS
AVERY AND COLIN HUBBARD

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Avery and Colin Hubbard of Troop 1012 in Mason City, Iowa for each achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. Avery and Colin completed their projects at Lime Creek Nature Center by constructing numerous bird houses, placing fire pits, and clearing brush. The work ethic Avery and Colin have shown in their Eagle Projects, and every other project leading up to their Eagle Scout ranks, speaks volumes of their commitment to serving a cause greater than themselves and assisting their community.

Mr. Speaker, the example set by these young men and their supportive family demonstrates the rewards of hard work, dedication and perseverance. I invite my colleagues in the House to join me in congratulating the Hubbard brothers on obtaining their Eagle Scout ranking, and I wish them continued success in their future education and career.

PERSONAL EXPLANATION

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mr. BRALEY of Iowa. Mr. Speaker, I regret missing a floor vote on Monday, January 14, 2013. Had I registered my vote, I would have voted: (1) "yea" on rollcall 9, on approving the journal; and (2) "nay" on rollcall 10, on motion to adjourn.

McGOVERN WAS A POLITICIAN
WHO NEVER LOST HIS SOUL

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mr. McGOVERN. Mr. Speaker, after Senator George McGovern's passing last October, Colman McCarthy wrote a wonderful tribute about this man of peace.

I would like to submit his article. I urge all my colleagues to continue to work for the causes so dear to Senator McGovern's heart.

[From the National Catholic Reporter, Dec. 21, 2012-Jan. 3, 2013]

McGOVERN WAS A POLITICIAN WHO NEVER
LOST HIS SOUL

(By Colman McCarthy)

On the Wednesday afternoon in early November 1972 after his defeat the day before by Richard Nixon for the presidency, George McGovern and his wife, Eleanor, arrived at Washington's National Airport. The loss had been nearly total, with McGovern, a liberal populist Democrat from South Dakota, winning only Massachusetts and the District of Columbia.

By chance, his running mate, Sargent Shriver, was arriving at the same time from

another plane. They came upon each other in the main concourse. Seeing a dejected McGovern, with his wife in tears about losing even their home state, Shriver offered a powerful consoling line: "George, we may have lost the election but we certainly didn't lose our soul."

Within three years, Nixon, a scheming and deceitful politician who spared nothing in his depiction of McGovern as an unpatriotic ultraliberal, would resign in disgrace over the Watergate scandal.

At his death in late October 2012, McGovern remained in full possession of the soul-force that marked a political career that began in the House of Representatives in 1956 and ended in the Senate in 1980. I recall a conversation once when he laughed about Republicans' portrait of him as a wild leftist, wondering how he managed to win House and Senate races in South Dakota, one of the country's most conservative states. His liberalism knew a boundary or two. He had little regard for the showmen of the 1960s anti-war movement—from Abbie Hoffman to Jerry Rubin—and saw them as ineffectual clowns.

McGovern's passions ranged from opposition to the Vietnam War to advocating for nutrition programs for the hungry in this country and abroad. He advocated for small farmers as they saw their lands swallowed by corporate agribusiness. He stood with the tribal nations, a stance so firm that the Oglala Sioux of South Dakota called him "the Great White Eagle."

McGovern first visited South Vietnam in late 1965, a visit that confirmed his hunch that the war was doomed. The year before, he voted in favor of the Gulf of Tonkin Resolution, which gave a pass to President Lyndon Johnson to escalate the war after an attack by North Vietnam on an American patrol boat—an attack that never happened. It was a vote McGovern would eventually be ashamed of missing the chance to join Wayne Morse and Ernest Gruening as the only two members of the Senate to say no.

Perhaps to compensate for the lapse, McGovern became the strongest antiwar voice in the Senate. His military record of personal bravery—he flew more than 30 high-risk bombing missions in the Second World War—gave him credibility. In a Sept. 1, 1970, floor debate on his amendment, co-sponsored with Mark Hatfield, to end the war, McGovern said:

Every senator in this chamber is partly responsible for sending 50,000 young Americans to an early grave. This chamber reeks of blood. Every senator here is partly responsible for that human wreckage at Walter Reed and Bethesda Naval [hospitals] and all across our land—young men without legs, or arms, or genitals, or faces, or hopes. There are not very many of these blasted and broken boys who think this war is a glorious adventure. Do not talk to them about bugging out, or national honor, or courage. It does not take any courage at all for a congressman, or a senator, or a president to wrap himself in the flag and say we are staying in—Vietnam, because it is not our blood that is being shed. But we are responsible for those young men and their lives and their hopes.

The grandson of Irish immigrants and the son of a Methodist pastor, McGovern suffered tragedy in his personal life. The story is told in Terry: My Daughter's Life-and-Death Struggle With Alcoholism. Published in 1996, two years after Teresa McGovern, 45, froze to death in a snowbank in Madison, Wis., after a night of drinking, it is the most soulful of

his half-dozen books: a lovingly written work blended with self-therapy and spirituality.

My last visit with McGovern came a few years ago when he spoke on a Sunday afternoon to a small gathering at a civic center in the Friendship Heights neighborhood of Chevy Chase, Md. I brought Shriver to the talk. It was a touching reunion of the two former running mates. Shriver, sinking slowly into Alzheimer's disease, had no memory of McGovern, much less of their campaigning decades ago. But the two, both giants of service and goodness, embraced each other with deep affection, leaving me and other on-lookers to wonder what kind of country we might have become if the election of 1972 had gone the other way. A more humane country? A country at peace with the world? A country loved globally for its generosity, not hated or feared for its belligerence?

Little time was needed for wondering about the obvious answers to those questions.

PERSONAL EXPLANATION

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mrs. CAPPS. Mr. Speaker, I was not able to be present for the following rollcall vote on January 14, 2013 and would like the record to reflect that I would have voted as follows: rollcall No. 8: "yes"; rollcall No. 9: "yes"; and rollcall No. 10: "no".

CONGRATULATING THE GROVE CITY HIGH SCHOOL MARCHING BAND

HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mr. STIVERS. Mr. Speaker, I rise today to congratulate the Grove City High School Marching Band on receiving the top honors in the Fiesta Bowl Band Championship. The band earned six awards total, including the grandmaster's trophy for the field competition and grand champion for the parade contest.

The marching band was among nine in the country participating in the national competition at the University of Phoenix Stadium in Glendale, Arizona. Grove City has won more than 80 grand champion awards in regional and national competitions in the past 25 years.

Again, I congratulate the Grove City High School Marching Band on all of its success. I am proud of all the hard work and dedication that has led to the band's great accomplishments.

WARM GREETINGS AND RECOGNITION OF EDWARD I. KOCH, 3-TERM MAYOR OF NEW YORK CITY ON HIS 88TH BIRTHDAY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, Ed Koch is a great American lawyer, politician, and political commentator. He served 8 years in the House of Representatives and 12 as mayor of New York City.

Koch was born in The Bronx and raised in Newark. In World War II, he served in the European theater of war, earned two Battle Stars as a Combat Infantryman and was honorably discharged with the rank of Sergeant in 1946. Returning to New York, he attended City College and NYU School of Law, receiving his law degree in 1948. He was a sole practitioner before serving as a partner with Koch, Lankenau, Schwartz & Kovner.

Koch became active in city and Democratic party politics as a reformer and opponent of Tammany Hall and Tammany leader Carmine DeSapio, whom he twice defeated for Democratic Party leader for the district which included Greenwich Village. He served on the New York City Council from 1967 to 1969 and the U.S. House of Representatives from 1969 to 1977, before running for Mayor of the City of New York.

During the 1960s, Koch opposed the Vietnam war and marched in the South for civil rights. As a member of the House Appropriations Subcommittee on Foreign Operations, he advocated for a greater U.S. role in advancing human rights and became a target of attempted assassination by DINA, the Chilean secret police after proposing the cut-off of U.S. foreign aid to the right-wing government of Uruguay. He first rose to city-wide prominence as a result of his opposition to a controversial attempt by then Mayor John Lindsay to place a 3,000-person housing project in a middle-class community, a move which, at the time, shocked many of his political associates.

In 1977, Koch defeated incumbent Abe Beame, renowned feminist Bella Abzug and now former governor Mario Cuomo, in the NYC Mayoral Democratic primary, and went on to win the mayoralty. In 1981 he won reelection with 75% of the vote, running on both the Democratic and Republican Party lines. In 1982, Koch ran unsuccessfully for Governor of New York, losing the primary to then Lieutenant Governor Mario Cuomo.

As mayor, Koch often deviated from the conventional liberal line, strongly supporting the death penalty and taking a hard line on "quality of life" issues, such as giving police broader powers in dealing with the homeless and favoring (and signing) legislation banning the playing of radios on subways and buses. These positions prompted harsh criticism from many proponents of civil rights.

In 1984 Koch published his first memoir, Mayor, a best-seller that was turned into an Off-Broadway musical. In 1985, he won reelection on the Democratic and Independent tickets with 78% of the vote. In 1986, Mayor Koch surprised many by signing a lesbian and

gay rights ordinance after backing his Health Department's decision to shut down the city's gay bathhouses in 1985 in response to the spread of AIDS.

In 1987, when the New York Giants won Super Bowl XXI, he refused to grant a permit for the team to hold their victory parade in the "Canyon of Heroes," quipping, "If they want a parade, let them parade in front of the oil drums in Moonachie," a town near the Meadowlands Sports Complex in New Jersey, where the Giants play.

In his third term, Koch suffered a stroke while in office, but continued with his duties. Koch became a controversial figure in the 1988 presidential campaign for criticizing Jesse Jackson for alleged anti-Semitism and stating that Jews would be "crazy" to vote for Jackson. In 1989, he ran for a fourth term as Mayor, but lost the Democratic primary to David Dinkins, who went on to defeat Rudy Giuliani in the general election.

In the years following his mayoralty, Koch became a partner in the law firm of Bryan Cave LLP and became a commentator on politics, movies and restaurants for newspapers, radio and television. He also became an adjunct professor at New York University (NYU) and a visiting professor at Brandeis University.

In 2008, Koch announced that he had secured a burial plot in the only graveyard in Manhattan accepting new burials, stating, "I don't want to leave Manhattan, even when I'm gone. This is my home. The thought of having to go to New Jersey was so distressing to me." On March 23, 2011, the New York City Council voted to rename the Queensboro Bridge as the "Ed Koch Queensboro Bridge."

Mr. Speaker, I ask my colleagues to join me in celebrating the 88th birthday of Ed Koch, an independent thinker, an outstanding leader and the quintessential New Yorker.

COMMENDING DOUG CHRISTOPHER UPON HIS RETIREMENT FROM DISTRICT COUNCIL 16 OF THE INTERNATIONAL UNION OF PAINTERS AND ALLIED TRADES

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mr. GEORGE MILLER of California. Mr. Speaker, I rise today to commend the career of Doug Christopher who is retiring this month as Business Manager and Secretary-Treasurer of District Council 16 of the International Union of Painters and Allied Trades (IUPAT) after 28 years of dedicated service to its members.

Doug has lived and worked in the San Francisco Bay Area and has made great contributions to the strength of our middle class and the Bay Area economy. He has many achievements to be proud of and deserves our commendation and public recognition for his service and his leadership in his union and in his community.

Doug was elected as an Executive Board Member At-Large to the Glaziers Local 1621 in 1984. With his election to President in 1985, he established the union's Defense Fund. Doug Christopher served the members of

Local 1621 from 1997 to 1999 in various capacities and provided expert advice and leadership in advancing and defending the rights of working men and women.

Highly regarded in the labor community for his expertise and longstanding record of accomplishments, Doug was elected as Business Manager/Secretary-Treasurer for District Council 16 in 2007.

It is appropriate at this time to commend Doug Christopher on his outstanding record of union and civic leadership and extend our sincere best wishes for a rewarding and gratifying retirement.

America is strongest when its middle class and working men and women are strong, and Doug has every right to be proud of the work he has done to make our country strong.

HONORING JACQUES ALEXANDER MARQUIS MATTHEWS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable 22-year-old young man from Shaw, Mississippi. Jacques Alexander Marquis Matthews has answered the call of duty to his country and is currently serving as an active soldier in the Mississippi National Guard stationed in Afghanistan.

Specialist Matthews comes from a lineage filled with military servicemen and women. His paternal grandfather, Mr. William Carter, is a Vietnam Veteran who served in the United States Air Force; his maternal uncle, Mr. James Attaway, served in the United States Marines; and his mother, Ramona Matthews, had just enlisted in the United States Army when she learned she was pregnant with her first child, Jacques.

Specialist Matthews was raised in a single parent home by his mother, Ramona, along with his two younger brothers, Chauncey and Malik. Specialist Matthews understood the pain of his mother as she struggled to provide for them and the reproach of his grandparents, William and Alicestean Carter and Susie Matthews. As his mother's oldest child, much was expected of him and he wanted to fulfill those expectations. But like many other young men, what appears to be quick and easy was tempting. And sometimes he was prey to those temptations. In fact he said and I quote, "my mother was more determined than me—for me to succeed. So, she snatched me from that wrong path and told me my life had three paths it could take and I had to choose one right then, college, military, or she was going to commit a homicide and that's all I needed to know. Needless to say, I chose the military."

Mr. Speaker, Specialist Matthews has a litany of highlights during his military career including:

In 2008: Specialist Matthews enlisted in the Mississippi National Guard.

August 2008–October 2008: Specialist Matthews did his basic training at Fort Jackson, South Carolina.

October 2008: Specialist Matthews completed his basic training. He was recognized during graduation for having scored a perfect 300 on the physical fitness portion of the training.

July 10, 2010–July 31, 2010: Specialist Matthews was a member of the 2089th Vertical Company, 223rd Engineer Battalion. He received the Army Achievement Medal for his Superior and Unflagging Support of his unit.

November 6, 2010: Specialist Matthews was honored with the Commanders Award for scoring 297 on the Annual Army Physical Fitness Test while he was a member of the 223rd Engineer Battalion.

November 7, 2010: Specialist Matthews while in the 168th Engineer Brigade received the Silver Castle Challenge Certificate of Achievement for having completed the Army Physical Fitness test with a score of 297. He was recognized for distinguishing himself by his excellent conditioning. He is truly to be commended for the accomplishment and deserving of the recognition for his sacrifice and self-discipline.

May 2011: Specialist Matthews was in the 2089th Vertical Construction Company when he was honored with the Army Meritorious Achievement Medal for his selfless service, loyalty and honor, dedication and integrity as an example for all to follow for his significant contribution to the success of his unit and the Mississippi Army National Guard.

October 2011–November 2011: Specialist Matthews received the Meritorious Service Award in recognition of his superior physical ability during the annual training while assigned to Detachment 1 of the 2089th Vertical Construction Company.

May 7, 2012: Specialist Matthews' unit, the 2089th Vertical Construction Company, 223rd Engineer Battalion was activated to Afghanistan.

I want Specialist Matthews' story to serve as one of encouragement to those who think there is no hope for change and to those who prejudge someone because of their circumstances. Specialist Matthews has expressed great interest in building an exciting career in the military answering the call at home and abroad whenever and wherever he is needed.

Mr. Speaker, I ask my colleagues to join me in recognizing Specialist Jacques Alexander Marquis Matthews, from the Second Congressional District of Mississippi, now serving as a member of the Mississippi National Guard currently stationed in Afghanistan. As he so proudly represents the United States, I too am proud to represent him as a Member of Congress. I wish him a continued rewarding military career and a safe return home to the United States.

THE NEED FOR A SPECIAL ENVOY
TO ADVOCATE FOR RELIGIOUS
MINORITIES IN THE MIDDLE
EAST AND SOUTH CENTRAL ASIA

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mr. WOLF. Mr. Speaker, today I am joining with my colleague Rep. ANNA G. ESHOO in reintroducing legislation to create a special envoy position at the State Department to advocate on behalf of vulnerable religious minorities in the Middle East and South Central Asia.

In countries like Iraq and Egypt, ancient Christian communities are being driven from the lands they have inhabited for centuries. In Iran, Baha'is are imprisoned and some cases executed simply because of their faith. In Pakistan, Ahmadi graves are desecrated. In Afghanistan, a country where America has sacrificed greatly in both blood and treasure, the most basic right to freedom of religion or belief is not recognized in the constitution. This is but a snap shot of the grave challenges facing these communities.

If the international community fails to speak out, the prospects for religious pluralism and tolerance in the region are bleak.

Last Congress the House, to its credit, overwhelmingly passed, by a vote of 402–20, bipartisan legislation, H.R. 440, to create a special envoy position at the State Department charged with focusing on the plight of religious minorities in these regions. Sadly, in the face of State Department opposition, the Senate failed to act.

There is a historic precedent for special envoys—including the Sudan special envoy and the North Korea human rights special envoy—whose positions were created in response to an urgent need for focused attention on a critical issue. The dire challenges facing Coptic Christians, Baha'is, Chaldo-Assyrians, Ahmadis, the small remaining Jewish population and countless other religious minorities throughout the Middle East and South Central Asia is surely such an issue.

While there is no guarantee that a special envoy will be able to single-handedly solve the problem, it certainly cannot hurt to have a high-level person within the State Department bureaucracy who is exclusively focused on the protection and preservation of these ancient communities. Such an envoy would send an important message to both our own foreign policy establishment and to suffering communities in the Middle East and elsewhere that religious freedom is a priority—that America will be a voice for the voiceless.

President Reagan once said that the U.S. Constitution is “a covenant that we have made not only with ourselves, but with all of mankind.” I believe the United States has an obligation to speak out for the voiceless around the world and urge my colleagues to join me cosponsoring this critical legislation.

IN RECOGNITION OF GERALD
WALSH, PRESIDENT OF THE
DUTCH KILLS CIVIC ASSOCIATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise to pay tribute to Gerald “Jerry” Walsh, outgoing President of the Dutch Kills Civic Association. Mr. Walsh has been involved with the organization since 1986, and has served with distinction as its President for ten years.

Mr. Walsh has lived in Astoria and Long Island City for his entire life. A proud graduate of Long Island City High School, he has always been passionate about serving and improving his community. In 1975, Jerry married his wife, Diane Hopkins, and is the proud father of two daughters, Dawn and Crystal, and has recently become a grandfather. Mr. Walsh has worked for the City of New York—Financial Information Services for 35 years in the Department of Computer Operations. He is currently the shift manager of Computer Operations Hardware.

His passion for the betterment of his community has been a lifetime commitment. He volunteered with the Dutch Kills Civic Association for the first time in 1986, and became a board member in 1989. He became its Vice President in 1993, and President in 2003. He has been the Deputy Chief of the Community Emergency Response Team (CERT) since January 2006, has served as the President of the Parents Association for Long Island City High School, and is a former member of the 114th Civilian Observation Patrol (Civ-OP). On November 29, 2012, the Central Astoria Local Development Coalition presented Mr. Walsh with the “Community Leadership Award” in recognition of his outstanding service.

The Dutch Kills Civic Association was created in 1979 to promote a greater awareness of the community among elected officials and government agencies. Dutch Kills is a neighborhood bounded by 34th Avenue on the north, on the south by Bridge Plaza North, on the east by Northern Boulevard, and on the west by 21st Street. The Association's goal is to assist all segments of the community and to support cooperation between business and residents.

Under Mr. Walsh's leadership, the Dutch Kills Civic Association has flourished. Mr. Walsh strongly believes in the power of community involvement and civic engagement. As the neighborhood has become increasingly residential, the number of retail establishments has grown and the area has become a mecca for tourists with many new hotels. The Dutch Kills Civic Association has made extraordinary contributions to improve the quality of life in the neighborhood. These efforts include supporting a massive rezoning project, making crime reports, improving sanitation, keeping a watchful eye on nightclubs, and successfully fighting the closure of Fire Engine Company #261. Additionally, Dutch Kills has sponsored children's shows at the Dutch Kills Playground

and street fairs on 36th Avenue, and been involved with the organization of the New York City Marathon.

Mr. Speaker, I ask my colleagues to join me in recognizing the extraordinary contributions that Mr. Walsh has made to the communities of Astoria and Long Island City. Mr. Walsh has truly brought about positive changes in the community he loves. His lifetime of service and dedication to civic life has greatly benefited his neighbors and the city of New York.

RECOGNIZING VILLAGE ADMINISTRATOR ED VANVICKLE AND MAYOR ERIC SANDINE OF LITHOPOLIS, OHIO

HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mr. STIVERS. Mr. Speaker, I rise today to recognize Village Administrator Ed VanVickle and Mayor Eric Sandine of Lithopolis, Ohio, for their heroic efforts to fix a water main break that left half of the village without water.

In most cities, a water main break would mean hiring someone else to fix it, but in Lithopolis, Mayor Sandine has made unconventional, but necessary, cuts to save money. Now he and Mr. VanVickle roll up their sleeves and do the dirty work themselves, even though it is not part of their job descriptions. With no more than household plumbing experience, these men were able to fix the water main break in freezing temperatures.

On top of fixing the water lines, these men, along with the village's maintenance crew, fix sewer lines and pot holes. They even go as far as operating snow plows and the water treatment plant.

These two men represent what it means to be a true leader. They do not do this extra work for money or recognition. Instead, they do what is best for their community because it is what they believe is the right thing to do.

I would again like commend Ed VanVickle and Eric Sandine for their heroic efforts and their incredible leadership in the Village of Lithopolis.

IN REMEMBRANCE OF DR. CARL
EVERETT DRAKE, SR.

HON. JOHN CAMPBELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mr. CAMPBELL. Mr. Speaker, I rise today to pay tribute to Dr. Carl Everett Drake, Sr. who died peacefully of natural causes at his home in Sacramento on December 27, 2012. He was 99.

Carl Drake was born on August 21, 1913 in Neptune New Jersey, the second son of James and Lucy Bingham Drake. Carl was educated in the public schools where he was an outstanding student, and even better multisport athlete. His state high school long jump mark of 21'10" stood for over 25 years. His talents brought him to the attention of

coaches from Morgan State College in Baltimore, MD the top ranked college football program available to African American players in the 1930s. His combination of size, speed and ferocity won him a starting spot on the championship football team. At 6'1" and 205 lbs., huge at the time, he was a bruising, standout guard, playing both offense and defense. The team went undefeated for his entire career. He was team captain, had the honor of wearing jersey number one, and held the team ball in the national championship photos.

At Morgan he was active in several student organizations, including the Alpha Phi Alpha fraternity, which he joined in 1933. He began dating an attractive and studious coed who worked as the Dean's secretary, even joining the glee club to demonstrate to her his "softer" side. Carl and Beatrice Hayes were married in September 1937. They settled in Baltimore, she began work as a social worker, and he, having left school after football a few credits short of graduation, took a job in the post office. Professional football was not available, but his training made him valuable at handling mail sacks. Two children Carl Jr. (1939) and Beatrice (1940) followed, along with a chronic back injury that led to a job shift that relied more on his college schooling than his strength. Ruled out of active military service due to his back injury, he re-enrolled in school to complete his college degree, and in 1944, at the urging of Bea, applied to medical school. He could not attend the segregated University of Maryland, but under the "separate but equal" concept of Jim Crow laws, the state of Maryland instead paid his tuition to attend Meharry Medical College, in Nashville Tennessee, one of the two medical schools in the county to educate more than the occasional person of color.

He moved to Nashville to begin study, working an 11 p.m. to 7 a.m. graveyard shift as a hospital orderly to save enough money to send for his wife and family, which he was able to do by 1946. He finished Meharry in 1949, and moved to New York City to begin internship at Harlem Hospital. He had wanted to return to Baltimore, but the city hospital there paid interns \$15 per month with free room. Harlem paid \$50 per month, enough to rent a one bedroom apartment for the family. After internship, and a new baby (Michael 1950), The family moved across the George Washington Bridge to Englewood, New Jersey. Carl began his life as a working physician with a grueling schedule that consisted of steady employment in the ER at Harlem hospital, graveyard shift, 11 p.m. to 7 a.m., followed by a junior partnership in a local New York physician's office from 9 to noon, then home to Jersey to sleep, dinner at 6, and then a few private patients seen in a room converted to a makeshift medical office in the house until 9, before returning to work for the 11 p.m. shift in Harlem. When asked later about this level of commitment he replied that he was mainly "grateful for a chance to actually work".

This schedule was of course unsustainable, and a fascination with the newly emerging field of psychiatry led him to, at 40, begin training in psychiatry at Graystone State Hospital. During residency he continued his home office practice after dinner to help support a

family that had grown to four children with the addition of Barry in 1952. In 1957, after completing residency he looked nationally, and made the bold decision to move to Sacramento to join a newly burgeoning state mental health system. Prior to this no one in the family had ever been west of Tennessee. Arriving in Sacramento in July 1958, he worked for the state during the day, and as had always been the case set up a small private practice in rented space in the evenings. Financial obligations included supporting a son in college and stiff mortgage payment on a modern house in an upscale, and for the first time integrated, neighborhood.

In Sacramento Carl and Bea joined a small circle of middle class African Americans, who had also moved west to make a new life. A handful of doctors, lawyers, a defense contractor, and a funeral home owner formed a social group anchored by the "Couples Club", which met on Saturdays once a month for a rotating house party. There were also civic activities like the Lions Club, competitive chess, and the NAACP, as well as the local chapter of Alpha Phi Alpha, Inc. The names of these pioneers: Colley, Jones, Morris, Morrissey, Nance, Rutland, Stewart, Trent, West, and a few others, are now a part of Sacramento history. In 1967 a reduction in state supported mental health services affected clinics, including the Sacramento branch where Carl was Chief of Psychiatry. The new Medicare and Medicaid programs made private practice more viable for physicians caring for low income patients. He converted to full time private practice, and the late 1960s and 1970s became a time of relative prosperity. A pool was added to the backyard, and Carl learned, for the first time, to swim. He remained health conscious, and he and Bea were in the pool everyday from May to October until they were both in their 90s.

With the children finally grown and on their own Carl and Bea travelled—Alaska, Mexico, Hawaii and Scandinavia were highlights—entertained friends, and watched their ever expanding cadre of grandchildren and great grandchildren grow. Bea retired in 1975, but Carl kept his active practice going, seeing patients five days a week until he was 90. Bea suffered from mild macular degeneration and progressive Alzheimer's disease, ultimately requiring full time supervision. Carl closed his practice—regretfully—to come home to care for her. He moved from many patients to just one. They continued to play backgammon as long as she could, exercised in the pool, and when that was no longer safe took walks around the courtyard, until Bea passed away in March 2008. They had been married for just over 70 years.

In the months following Bea's death Carl, now 94, began a series of home refurbishing projects including a new roof and painting inside and out. His oldest grandson John, a professional house painter, came north to help, and ultimately moved in to help manage the house and yard. In August 2008 Carl renewed his medical license and his driver's license as he put it "just in case". He became active in his fraternity once again. He did a few legal consultations in 2009, and then with John to type reports on the new computer, began seeing patients again, on a regular basis, working

for the State of California as he had when he moved to Sacramento in 1958, this time doing disability evaluations. He pulled the office shingle bearing the name "Carl E. Drake, Sr. MD" from the garage (the same shingle used at the house in New Jersey 60 years ago) and mounted it near the back door. The kitchen table became his consultation office. He scheduled a light but steady stream of patients, three or four a week. He saw his last patient on December 12, 2012, before taking a break for the holidays. New visits were on the books for January 2013.

On December 26th all four of his children, along with five grandchildren and two daughters-in-law visited without fanfare for a traditional post-Christmas gathering. He was in great spirits, holding court, albeit with less energy than usual. On the 27th after a light dinner he walked into the living room to sit in his favorite easy chair and watch a few bowl games. He dosed off, never to wake again.

Dr. Carl Drake left this life as he lived it, with great dignity and grace. He came through the depression, was an All-American athlete, educated himself, raised a family, and was an active working psychiatrist until the very last days of a life that spanned the 20th century and more. He was calm, open, and cheerful, always. His physical stature was imposing, but his gentle steadfastness and serenity were the traits that made him a joy to be with. He never raised his voice; he never needed to. He was universally admired, respected, and loved. He is survived by four children, 11 grandchildren, 17 great grandchildren, 16 great-great grandchildren, and thousands of patients. He lived to see his 100th Christmas; he leaves the world a better place.

PERSONAL EXPLANATION

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Ms. ROYBAL-ALLARD. Mr. Speaker, I was absent due to the passing of my mother and was not present for rollcall votes on Thursday, January 3, 2013 and Friday, January 4, 2013. Had I been present, I would have voted in this manner: rollcall Vote No. 2—Election of the Speaker—Minority Leader Nancy Pelosi; rollcall Vote No. 3—On motion to table the motion to refer, H. Res. 5, "Adopting rules for the One Hundred Thirteenth Congress"—no; rollcall Vote No. 4—On ordering the previous question, H. Res. 5, "Adopting rules for the One Hundred Thirteenth Congress"—no; rollcall Vote No. 5—On motion to commit with instructions, H. Res. 5, "Adopting rules for the One Hundred Thirteenth Congress."—yes; rollcall Vote No. 6—On agreeing to the resolution, H. Res. 5, "Adopting rules for the One Hundred Thirteenth Congress."—no; and rollcall Vote No. 7—To suspend the rules and pass H.R. 41, "To temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the National Flood Insurance Program."—yes.

RECOGNIZING JEFFERSON
THORNTON

HON. WILLIAM L. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mr. OWENS. Mr. Speaker, I rise today to recognize one of my constituents, Jefferson Thornton of Ogdensburg, NY, for his heroic actions on the morning of November 12, 2012.

A retired fire captain on leave from Afghanistan for the holidays, he was sick and unable to sleep at 3 a.m. that morning. Going outside, he noticed the home of Brandy Middlemiss collecting smoke. Moving quickly into action, he successfully alerted Brandy and her two children, Patrick and Lynzee, guiding them safely away from the fire.

In doing so, Jefferson demonstrated great bravery, instinct and skill when he saved the lives of Brandy, Patrick and Lynzee. For his efforts, Jefferson was awarded the New York State Senate Liberty medal, one of the highest civilian honors a New Yorker can receive.

His actions are nothing short of heroic, demonstrating the best in our citizenry through selflessness and courage. I stand with everyone in the community thanking him for this selfless act and his continued commitment to public service and to serving this country.

INTRODUCTION OF LEGISLATION
TO CREATE A PERMANENT INSPECTOR
GENERAL FOR THE METROPOLITAN
WASHINGTON AIRPORTS AUTHORITY

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mr. WOLF. Mr. Speaker, today I am reintroducing legislation that would create a permanent inspector general for the Metropolitan Washington Airports Authority (MWAA).

My bill would amend the Inspector General Act of 1978 by creating a special post with the sole duty of providing long term oversight of MWAA. Only the U.S. Secretary of Transportation can appoint and remove the IG and no additional action from any jurisdiction on the state or local level is required for this position to be established. In addition, MWAA would be required to pay for the IG using its revenues, not taxpayer dollars.

I am reintroducing this legislation because I believe that due to the continued growth of the Dulles corridor, the Dulles rail project is the most important transportation project in the Commonwealth. It must be completed on time and at, or under, budget.

I appreciate Secretary Ray LaHood appointing an accountability officer to monitor the MWAA, but it is clear this entity, which is responsible for overseeing the entire construction of the Dulles rail project, requires a permanent IG to provide long term oversight of its actions.

A TRIBUTE TO DR. CHARLES
CHRESTMAN

HON. MIKE MCINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mr. MCINTYRE. Mr. Speaker, I rise today to pay tribute to Dr. Charles Chrestman, of Lumberton, North Carolina, for his commitment and service to his community. Dr. Chrestman retired from his position as President of Robeson Community College on December 31, 2012, but his legacy of dedicated leadership in education will stay strong for generations to come. Dr. Chrestman has not only been a steward to higher education in Robeson County, but a trusted advisor and dear friend.

Dr. Chrestman's colleagues acknowledge the remarkable progress the college has made during his decade of service as President. During his tenure, Dr. Chrestman worked to reaffirm Robeson Community College's status as a nationally accredited institution. He also helped oversee the creation of three new buildings on campus: a Continuing Education building, a Health Science building, and a Workforce Development Center. Two others were completely renovated. The College also landed one of the state's NCCCS Biotechnology Network regional centers that now serves a statewide role in advancing bio-agriculture.

Dr. Chrestman's dream was to see all graduates become productive laborers within the community and the great state of North Carolina. During his tenure, Robeson Community College began offering the ACT's WorkKeys Assessment, which leads to a Career Readiness Certificate. Today, Robeson County ranks in the top three among the state's 100 counties with more than 5,000 individuals holding the certificate. These and many other accomplishments are a testament to Dr. Chrestman's leadership.

I am personally grateful to Dr. Chrestman for his service as Chairman of my Education Advisory Committee, a small group of education leaders from the seventh congressional district of North Carolina who regularly meet to discuss education issues affecting our communities. His leadership in this capacity has been invaluable to me, and I will remain thankful.

Mr. Speaker, please join me in honoring Dr. Charles Chrestman's forty years in higher education as he retires as President of Robeson Community College. His long record of public service will continue to benefit the students and citizens of Robeson County and beyond.

OUR UNCONSCIONABLE NATIONAL
DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mr. COFFMAN. Mr. Speaker, On January 3, 2009, the day I took office, the national debt was \$10,627,961,295,930.67.

Today, it is \$16,432,643,996,680.64. We've added \$5,804,682,700,749.97 to our debt in 4

years. This is a \$5.8 trillion in debt our nation, our economy, and our children could have avoided with a Balanced Budget Amendment. We must stop this unconscionable accumulation of debt.

INTRODUCTION OF THE NEW
COLUMBIA ADMISSION ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Ms. NORTON. Mr. Speaker, I rise today to introduce the New Columbia Admission Act. The residents of our nation's capital are and always have been citizens of the United States. Yet they are the only taxpaying Americans who are not treated as full and equal citizens. The only way for them to obtain the citizenship rights they are entitled to is through the same statehood used by other Americans. Therefore, I am introducing the New Columbia Admission Act to create a state from essentially the eight home-town wards of the District of Columbia. This 51st state, however, would have no jurisdiction over the federal territory, or enclave that now consists of the Washington that Members of Congress and visitors associate with the capital of our country. The U.S. Capitol premises, the principal federal monuments, federal buildings and grounds, the National Mall and other federal property here would remain under federal jurisdiction. Our bill provides that the State of New Columbia would be equal to the other fifty states in all respects. Consequently, residents of New Columbia would have all the rights of citizenship they are entitled to as taxpaying American citizens, including two senators and, initially, one House member.

Just as the New Columbia Admission Act was the first bill I introduced after I was first sworn in as a Member of Congress in the 102nd Congress in 1991, this is my first bill in the 113th Congress. Our first try for statehood received significant support in the House. In 1993, we got the first and only vote on statehood for the District, with nearly 60% of Democrats and one Republican voting for the New Columbia Admission Act. The Senate held a hearing on its companion bill, introduced by Senator Ted Kennedy, but the committee of jurisdiction did not proceed further. Although this start was encouraging, soon thereafter, the District, which is the only U.S. city that pays for state functions, found it necessary to ask the federal government to take over the costs of some state functions, posing fiscal barriers to entry into the Union on an equal basis, and in addition, the Democrats lost control of the House. The District of Columbia recognizes that it can enter the Union only on an equal basis and is prepared to do so. I then introduced the second best option available, a bill for Senate and House representation for D.C., and later, when Republicans controlled the House, a bill for a House vote. Because these bills had strong support from Democrats, I will introduce them again as well, but with the understanding that residents will never stop short of their full citizenship rights and, therefore, of statehood.

The final analysis is that we have no alternative. To be content with less than statehood is to concede the equality of citizenship that is the birthright of our residents as citizens of the United States. It is too late for the residents of the District of Columbia to make such a concession as we approach the 212th year in our fight for equal treatment in our country. This bill is the first I file in the 113th Congress, and it reaffirms our determination to obtain each and every right enjoyed by citizens of the United States by becoming the 51st State of the Union.

PERSONAL EXPLANATION

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mr. BLUMENAUER. Mr. Speaker, due to a family emergency, I was unable to be in Washington, D.C. for the votes that occurred on January 3, 2013 and January 4, 2013 and was not sworn in as a Member of Congress until January 14, 2013. As a result, I missed the votes listed below. I regret missing these votes but it was necessary to be in Portland for my family. Had I been in Washington, D.C., I would have voted as follows:

H. Resolution 5: A resolution providing for the House Rules of the 113th Congress

I would have voted no on H. Res. 5. The House Rules package maintains the House of Representative's discriminatory stance on the Defense of Marriage Act, which I have opposed, restricts the District of Columbia's electoral representation, prohibits the House of Representatives from acting on health care recommendations from a nonpartisan scientific panel, and supports the partisan and unnecessary attacks on Attorney General Eric Holder.

H.R. 41: To temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the National Flood Insurance Program

I would have voted yes on H.R. 41. To limit the danger of future storms, it is important to ensure the careful reconstruction of areas damaged by Hurricane Sandy. That effort will take many years, however, and should not unnecessarily limit access to resources provided by the National Flood Insurance Program. I support the increased lending authority to that program to ensure adequate support to victims of Hurricane Sandy.

H.R. 219: Sandy Recovery Improvement Act of 2013

I would have voted to approve this legislation, which combines several changes the House had previously supported to improve recovery projects for Hurricane Sandy.

INTRODUCTION OF LEGISLATION AMENDING THE COMPOSITION OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mr. WOLF. Mr. Speaker, today I am reintroducing legislation to reduce the size of the board of the Metropolitan Washington Airports Authority, MWAA, and provide Virginia a clear majority of the seats, given that both Ronald Reagan Washington National Airport, Reagan, and Washington Dulles International Airport, Dulles, are located in Virginia.

The health of the airports and the Dulles Metrorail Extension project have an enormous impact on northern Virginia. I have often said that the Dulles corridor is the "main street" of Virginia. The number of businesses that have chosen to locate in this region is a testament to the strength of the airports and the services it provides as a hub for national and international travel. The success of the Dulles corridor, northern Virginia and the entire Commonwealth depend on MWAA being able to capably run the airports and the rail project.

I firmly believe that it is in the best interest of Virginia residents for the Commonwealth to have a majority of seats on the MWAA board to ensure that the airports continue to thrive, Dulles Rail is completed successfully and the Dulles Corridor will continue to be the economic engine of not only the National Capital Region, but the entire Commonwealth of Virginia. I stand ready to work with all interested parties to make sure that both the airports and the Dulles Rail project are successful.

IN RECOGNITION OF AMERICAN JEWISH COMMITTEE NEW YORK 2012 WOMEN OF VALOR MARLENE ALTMAN, JOAN DEAN, JO RENEE FINE, JUDITH O'NEILL AND AN- DREA PASTOR

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise to pay tribute to five extraordinary women being honored at the American Jewish Committee, AJC, New York's 2012 Woman of Valor event. This year, AJC New York is awarding Marlene Altman, Joan Dean, Jo Renee Fine, Judith O'Neill, and Andrea Pastor with this outstanding distinction. All of the honorees have made important contributions in their personal and professional lives to the vital mission of AJC to advocate for the security of Jewish people around the world.

Marlene Altman studied mathematics at the University of Colorado, and spent her early career working for the U.S. Bureau of the Census. After moving to New York in 1983, Ms. Altman became CBS News Director of Election Operations. Political and cultural activism has always been central in her life. In 1993,

Ms. Altman moved to St. Louis with her husband Murray, where she earned a Masters degree in Political Science and became involved in the AJC, the Jewish Community Center, JCC, and other arts and cultural organizations. She has continued been active in AJC and UJA since returning to New York City in 2002.

I am proud to see that Joan Dean is being honored as a Woman of Valor. Ms. Dean is a strong community leader who served as my Finance Director from 2006–2008. She has been active in politics and fundraising for most of her career, much of which she spent in California. She is a board member of AJC New York and co-chair of the National Outreach and Advocacy Committee. Ms. Dean has shown extraordinary leadership in Jewish organizations for many years. She founded an Upstate New York Hadassah chapter, was Vice President of the Upper New York State Region of Hadassah, and served as President of the AJC Board in San Diego, CA. Ms. Dean is the proud mother of Lisa and Amy Cohen and loving grandmother to five grandchildren.

Jo Renee Fine is a renowned educator and photographer who has 35 years of experience in private and public sectors advising organizations on web and print communication. Dr. Fine has published two photo-documentary books: *The Synagogues of New York's Lower East Side* and a more recent edition with the same title. Dr. Fine is on the AJC New York Regional Board of Directors for which she chairs the Interreligious and Intergroup Relations Committee. She is also a member of the AJC National Board of Governors, Co-chair of Project People Foundation, and Vice President of the Jewish Community Relations Council of New York. Dr. Fine and her husband, Dr. Edward Trieber, are proud parents to their daughter, Jessica.

Judith O'Neill is an attorney with 37 years of experience in the telecommunications and energy sector. She has done consulting work in more than 85 countries and throughout the developing world. In her role as Surgeons of Hope Board member, she is working with the Nicaraguan government to develop a Pediatric Cardiac Surgical Center for children in Managua. Ms. O'Neill is an active member of both AJC-New York Region and the national AJC Board, where she chairs the Energy Steering Committee.

Andrea Pastor spent her career in the information technology sector working as Chief of Management Information Services for the Bureau of Drugs and as a securities law attorney in New York City. After retiring, she became involved in AJC chapters across the country. Ms. Pastor served as President of AJC-Milwaukee and AJC-Palm Beach chapters. She was also President and Chair of the Milwaukee Jewish Federation Women's Division Political Awareness program and held leadership positions in philanthropic organizations, such as the American Heart Association. Ms. Pastor is on the AJC-New York Board and Executive Committee, and co-chairs the Region's Immigration Committee.

Mr. Speaker, I ask my colleagues to join me in saluting these truly inspiring Women of Valor who are all outstanding leaders in the Jewish community and New York City at large.

IN HONOR OF JAMES GILBERT,
PRESIDENT, FRATERNAL ORDER
OF POLICE CAPITOL CITY LODGE
NO. 9

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mr. TIBERI. Mr. Speaker, my colleague Congressman STEVE STIVERS and I are pleased to congratulate James Gilbert upon the completion of his service as president of the Fraternal Order of Police.

For the past six years, the citizens of the Greater Columbus area and the law enforcement officers of the Columbus Police Department have received unparalleled service and leadership from Jim Gilbert. His dedication has been illustrated through his many hospital visits to every officer injured in the line of duty and his commitment to personally coaching officers through the emotional process associated with using their weapons in the line of duty.

Jim Gilbert's talents are so well respected that even the most contentious issues between his membership and the city of Columbus have been resolved with no disruption to department operations. His tenure saw no layoffs of personnel in spite of hard economic circumstances. He has often been called upon to aid other officers and/or their families in tragic circumstances and received great praise for his attention to the needs of injured or fallen comrades.

The Fraternal Order of Police will miss Jim Gilbert's presence and influence, but will continue to rely on his continued service as a patrolman in his new assignment. His legacy will remain with the officers he has mentored, and Franklin County residents can rest assured knowing their streets will be under his watch as he returns to his duties as an officer.

We offer our best wishes to Jim Gilbert and his family during this transition in his career. May he enjoy many years of success and happiness as he continues his service protecting our communities in the Columbus area.

HONORING JDANNY COOPER

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mr. BACHUS. Mr. Speaker, it is a pleasure to have this opportunity to recognize the distinguished career and civic accomplishments of JDanny Cooper on the occasion of his retirement as the Executive Vice President of the Alabama Association of REALTORS.

If there are three words that one would associate with JDanny, they would be service,

integrity, and friendship. These qualities have helped him to be successful in all of his fields of endeavor and, in turn, have made the individuals and organizations that he has worked for successful in their own right.

JDanny was named AAR's Executive Vice President in 1989 and developed a reputation for providing steady and wise leadership and promoting responsible home ownership. JDanny's advocacy of high standards and ethical practices has benefited countless homeowners throughout the State of Alabama, creating stronger neighborhoods and communities.

In 2002 and again in 2005, JDanny served as the first Association Executive appointed as a Committee Liaison by the President of the National Association of REALTORS. He has made presentations to 17 state associations to share successes achieved by the AAR. His contributions were honored nationally in 2004 when he was inducted into the Dr. Almon R. (Bud) Smith Association Executive Leadership Society.

As a citizen, JDanny has always believed in one's civic duty to actively participate in our governing process. He has served as a member of the Governor's cabinet, as the State Director for a United States Senator, as the executive director of a state political party, and as a state manager for a presidential campaign.

Education has been another of JDanny's enduring passions. JDanny holds a bachelor's degree in Political Science and History as well as a Masters of Education degree in Administration from the University of Montevallo. A former schoolteacher and director of a university's Veterans Affairs office, JDanny was named the University of Montevallo's Alumnus of the Year in 2003 and currently serves on the Board of Trustees.

JDanny gives his time to many professional boards and organizations, including the Board of Trustees of the Alabama Center for Real Estate, the Business Association's Tax Coalition, the Business Council of Alabama, and the Alabama Civil Justice Reform Commission. He is a member of the American Society of Association Executives. A volunteer fundraiser for the American Village, he is the Governor's Representative on the American Village Cornerstone of Liberty Commission.

JDanny would be the first to credit his success to the support of his loving family. He and his wife Dianne have two sons, Jay and Robin, and two wonderful granddaughters, Caroline and Ella Kate, through Jay and his wife Susan. In March, Robin will marry the love of his life, Morgan Hightower.

There are not many people you can think of that are known by their first name alone, but JDanny Cooper is one of them. He has achieved that distinction by being a listener, a leader, and a source of inspiration for the many privileged to know him. It is fitting and proper to have JDanny's contributions to the

State of Alabama and our country recorded in the annals of the U.S. House of Representatives.

PERSONAL EXPLANATION

HON. JAMES P. MCGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Mr. MCGOVERN. Mr. Speaker, I missed roll-call vote No. 7 on January 4, 2013. I was attending the opening of an orphanage in Haiti established in honor of my constituent, Britney Gengel, who died in the 2010 earthquake, and I was unable to attend votes on that day. Had I been present, I would have voted "aye" on H.R. 41.

EXCERPTS FROM THE CONSTITUTION

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 15, 2013

Ms. JACKSON LEE. Mr. Speaker, I submit the following excerpts from the Constitution.

ARTICLE I

"Section 8. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States . . ."

AMENDMENT I

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

AMENDMENT XIII

"Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."

"Section 2. Congress shall have power to enforce this article by appropriate legislation."

THE 14TH AMENDMENT XIV SECTION 1

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

HOUSE OF REPRESENTATIVES—Friday, January 18, 2013

The House met at 3 p.m. and was called to order by the Speaker pro tempore (Mr. GOHMERT).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 18, 2013.

I hereby appoint the Honorable LOUIE GOHMERT to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

Reverend Andrew Walton, Capitol Hill Presbyterian Church, Washington, D.C., offered the following prayer:

God of light and life, we give thanks for the gift of the day, a day which stands on the threshold of possibility and potential for the presence and power of love—love ensconced in every human at creation, love which we are called to share with one another as well as with creation itself.

As we begin an historic weekend of service, celebration and inauguration, fill us with Your creative imagination to find our way to reconciliation where there is separation, to mercy where there is judgment, and to peace where there is violence.

Hold each of us, our leaders, our Nation and our earth, in Your eternal care.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned

until 10 a.m. on Monday, January 21, 2013.

There was no objection.

Thereupon (at 3 o'clock and 3 minutes p.m.), under its previous order, the House adjourned until Monday, January 21, 2013, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

53. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program for Consumer Products: Test Procedures for Residential Furnances and Boilers (Standby Mode and Off Mode) [Docket No.: EERE-2011-BT-TP-0007] (RIN: 1904-AC44) received January 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

54. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Sections 73.202(b), Table of Allotments, FM Broadcast Stations (Westley, California) [DA 12-1976] received January 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

55. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Sections 73.202(b), Table of Allotments, FM Broadcast Stations (Maysville, Georgia) [MB Docket No.: 12-270] [RM-11676] received January 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

56. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Sections 73.202(b), Table of Allotments, FM Broadcast Stations (Tignall, Georgia) [MB Docket No.: 12-237] [RM-11672] received January 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

57. A letter from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Revisions to Electric Reliability Organization Definition of Bulk Electric System and Rules of Procedure [Docket Nos.: RM12-6-000 and RM12-7-000; Order No. 773] received January 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

58. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act with respect to Cote d'Ivoire that was declared in Executive Order 13396 of February 7, 2006, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

59. A communication from the President of the United States, transmitting notification

that the national emergency regarding terrorists who threaten to disrupt the Middle East peace process is to continue in effect beyond January 23, 2013, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 113-6); to the Committee on Foreign Affairs and ordered to be printed.

60. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Texts of Conventions and Recommendations adopted by the International Labor Conference at Geneva, Switzerland; to the Committee on Foreign Affairs.

61. A letter from the Inspector General, General Services Administration, transmitting the Administration's semiannual report from the Office of the Inspector General during the 6-month period ending September 30, 2012; to the Committee on Oversight and Government Reform.

62. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

63. A letter from the Secretary, Department of the Treasury, transmitting a letter regarding a "debt issuance suspension period"; jointly to the Committees on Oversight and Government Reform and Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ROGERS of Michigan (for himself, Mr. BURGESS, Ms. ESHOO, Mr. GENE GREEN of Texas, Mr. PALLONE, and Mr. WAXMAN):

H.R. 307. A bill to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HULTGREN (for himself and Mr. RIBBLE):

H.R. 308. A bill to require the salaries of Members of Congress to be held in escrow if all regular appropriation bills for a fiscal year have not been enacted by the beginning of the fiscal year, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HULTGREN (for himself, Mr. GARRETT, Mr. RIBBLE, Mr. FRANKS of Arizona, and Mr. WESTMORELAND):

H.R. 309. A bill to require the periodic review and automatic termination of Federal

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

regulations; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COOPER (for himself, Mr. BARBER, Mr. BARROW, Mr. BISHOP of New York, Mrs. BLACK, Mrs. BLACKBURN, Mr. BRALEY of Iowa, Mr. BUCHANAN, Mrs. CAPPS, Mr. CARNEY, Mr. CHABOT, Mr. CICILLINE, Mr. COFFMAN, Mr. CONAWAY, Mr. COSTA, Mr. CUELLAR, Mr. DENT, Mr. DESJARLAIS, Mr. DUNCAN of South Carolina, Mr. FITZPATRICK, Mr. FLORES, Mr. GOSAR, Mr. HIMES, Mr. KIND, Mr. LANCE, Mr. LANGEVIN, Mr. LATHAM, Mr. LIPINSKI, Mr. LOEBSACK, Mr. MATHESON, Mr. MICHAUD, Mr. MULVANEY, Mr. NEUGEBAUER, Mr. PETRI, Mr. RIBBLE, Mr. RIGELL, Mr. ROE of Tennessee, Mr. ROONEY, Mr. SCHRAEDER, Mr. SCHWEIKERT, Mr. THOMPSON of Pennsylvania, Mr. WOMACK, Mr. BERA, Mr. DAINES, Mr. DESANTIS, Mr. RODNEY DAVIS of Illinois, Mr. ROKITA, Mr. HULTGREN, and Mr. JOHNSON of Georgia):

H.R. 310. A bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills; to the Committee on House Administration.

By Mr. CRAWFORD (for himself, Mr. DUNCAN of South Carolina, Mr. JONES, Mr. RIBBLE, Mr. LUCAS, Mr. STOCKMAN, Mr. TERRY, Mr. AUSTIN SCOTT of Georgia, Mr. FRANKS of Arizona, Mr. MCINTYRE, Mr. KING of Iowa, Mr. FINCHER, Mr. HULTGREN, Mr. LATTA, Mr. SMITH of Nebraska, Mr. DENHAM, Mr. WESTMORELAND, Mr. WOMACK, Mr. COLE, Mr. GRIFFIN of Arkansas, Mr. MICHAUD, Mr. CASSIDY, Mr. LUETKEMEYER, Mr. GIBBS, Mr. CARTER, Mr. GRAVES of Missouri, Mr. CRAMER, Mr. JOHNSON of Ohio, Mr. THOMPSON of Mississippi, Mr. BUCHSON, Mr. BARLETTA, Mr. PETERSON, Mr. DESJARLAIS, Mr. THOMPSON of Pennsylvania, and Mr. POE of Texas):

H.R. 311. A bill to direct the Administrator of the Environmental Protection Agency to change the Spill Prevention, Control, and Countermeasure rule with respect to certain farms; to the Committee on Transportation and Infrastructure.

By Mrs. DAVIS of California (for herself, Mr. BLUMENAUER, Ms. CHU, Mr. GRIJALVA, Mr. HIMES, Mr. HONDA, Ms. LEE of California, Mr. MCGOVERN, Ms. MENG, Ms. MOORE, Mr. MORAN, Ms. NORTON, Ms. LORETTA SANCHEZ of California, Ms. SCHAKOWSKY, and Mr. VAN HOLLEN):

H.R. 312. A bill to amend title 28, United States Code, to prohibit the exclusion of individuals from service on a Federal jury on account of sexual orientation or gender identity; to the Committee on the Judiciary.

By Mrs. EMERSON:

H.R. 313. A bill to amend title 5, United States Code, to institute spending limits and transparency requirements for Federal conference and travel expenditures, and for other purposes; to the Committee on Oversight and Government Reform.

By Mrs. EMERSON:

H.R. 314. A bill to provide for Inspector General oversight for Federal entities not

otherwise subject to such oversight, and for other purposes; to the Committee on Oversight and Government Reform.

By Mrs. EMERSON:

H.R. 315. A bill to provide for the placement of certain synthetic drugs on Schedule I under the Controlled Substances Act; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESTY:

H.R. 316. A bill to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects; to the Committee on Energy and Commerce.

By Mr. GARDNER (for himself, Mrs. LUMMIS, Mr. GRIFFIN of Arkansas, Mr. COLE, Mr. AMODEI, Mr. BENISHEK, Mr. THOMPSON of Pennsylvania, Mr. GRAVES of Missouri, Mr. STEWART, Mr. GOSAR, Mr. CHABOT, Mr. TIPTON, and Mr. BISHOP of Utah):

H.R. 317. A bill to amend title 31, United States Code, to provide for transparency of payments made from the Judgment Fund; to the Committee on the Judiciary.

By Mr. HALL (for himself, Mr. CONNOLLY, Ms. BORDALLO, Mr. HANNA, Ms. SCHWARTZ, Mr. YOUNG of Florida, Mr. PEARCE, Mr. GRIMM, Mr. KEATING, Mr. MCGOVERN, Mr. SAM JOHNSON of Texas, Mr. COBLE, Mr. STIVERS, Mr. COLE, Mr. DINGELL, Mr. HULTGREN, Mr. RANGEL, Mr. GUTHRIE, Mr. CONYERS, and Mr. BUTTERFIELD):

H.R. 318. A bill to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund that Wall of Remembrance; to the Committee on Natural Resources.

By Mr. ISSA:

H.R. 319. A bill to amend the Congressional Budget Act of 1974 to provide for an expedited process for increasing the statutory limit on the public debt; to the Committee on Ways and Means, and in addition to the Committees on Rules, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE of California (for herself, Mr. RANGEL, Ms. KAPTUR, and Ms. CHU):

H.R. 320. A bill to amend the Elementary and Secondary Education Act of 1965 to direct the Secretary of Education to make grants to States for assistance in hiring additional school-based mental health and student service providers; to the Committee on Education and the Workforce.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. MARKEY, Mr. LEVIN, Ms. SLAUGHTER, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Mr. RANGEL, Ms. SPEIER, Ms. LEE of California, Ms. SCHWARTZ, Mr. CAPUANO, Mr. GRIJALVA, Mr. ELLISON, Ms. MCCOLLUM, Mr. BLUMENAUER, Mr. MORAN, Ms. MOORE, Mr. MCGOVERN, Mr. CICILLINE, Ms. JACKSON LEE, Ms. CHU, Ms. MATSUI, Ms. NORTON, Mr. QUIGLEY, Mr. HOLT, Mr. HIMES, Mr. SCHIFF, Ms. SCHAKOWSKY, Mr. DOYLE, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. SHEA-PORTER, Ms. PINGREE of Maine, and Ms. LOFGREN):

H.R. 321. A bill to amend the Continuing Appropriations Resolution, 2013 (Public Law

112-175) to permit research on firearms safety and gun violence; to the Committee on Energy and Commerce.

By Mr. MILLER of Florida (for himself, Mr. ALEXANDER, Mr. BACHUS, Mr. BISHOP of Utah, Mrs. BLACK, Mrs. BLACKBURN, Mr. BONNER, Mr. BOUTSTANY, Mr. BROUN of Georgia, Mr. CASSIDY, Mr. CHABOT, Mr. COFFMAN, Mr. CONAWAY, Mr. CRAWFORD, Mr. DESJARLAIS, Mr. DUNCAN of South Carolina, Mr. FINCHER, Mr. FRANKS of Arizona, Mr. GRAVES of Missouri, Mr. GRIFFIN of Arkansas, Mr. HANNA, Mrs. HARTZLER, Mr. HASTINGS of Washington, Mr. HUELSKAMP, Mr. HUNTER, Mr. HUIZENGA of Michigan, Mr. JONES, Mr. JORDAN, Mr. KING of Iowa, Mr. KINZINGER of Illinois, Mr. KLINE, Mr. LATTA, Mr. LUETKEMEYER, Mrs. LUMMIS, Mr. MATHESON, Mr. MCINTYRE, Mr. MICHAUD, Mr. GARY G. MILLER of California, Mr. NUGENT, Mr. NUNNELEE, Mr. OLSON, Mr. PALAZZO, Mr. PEARCE, Mr. PETERSON, Mr. PITTS, Mr. POMPEO, Mr. ROE of Tennessee, Mr. ROGERS of Kentucky, Mr. ROGERS of Alabama, Mr. ROSS, Mr. AUSTIN SCOTT of Georgia, Mr. SHUSTER, Mr. SIMPSON, Mr. SOUTHERLAND, Mr. SMITH of Nebraska, Mr. STIVERS, Mr. STUTZMAN, Mr. TERRY, Mr. THOMPSON of Mississippi, Mr. THOMPSON of Pennsylvania, Mr. THORNBERRY, Mr. TIPTON, Mr. WALDEN, Mr. WESTMORELAND, Mr. WITTMAN, Mr. WOMACK, Mr. YOUNG of Alaska, and Mr. SESSIONS):

H.R. 322. A bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act; to the Committee on Energy and Commerce.

By Mr. MILLER of Florida:

H.R. 323. A bill to extend Federal recognition to the Muscogee Nation of Florida; to the Committee on Natural Resources.

By Mr. MILLER of Florida (for himself, Mr. MEEKS, Mr. RUNYAN, Mr. MICHAUD, Ms. BORDALLO, Mr. BISHOP of Georgia, Mr. COOPER, Mr. BENTIVOLIO, Mr. RYAN of Ohio, Mr. BRALEY of Iowa, Mr. LAMBORN, Mr. CAMP, Mrs. DAVIS of California, Mr. COFFMAN, Mr. FRANKS of Arizona, Mr. LARSEN of Washington, Mr. HUIZENGA of Michigan, Mr. LOEBSACK, Mr. GRIFFIN of Arkansas, Mr. CONAWAY, and Mr. CALVERT):

H.R. 324. A bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II; to the Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. EMERSON:

H.J. Res. 18. A joint resolution proposing an amendment to the Constitution to provide for a balanced budget for the United States Government and for greater accountability in the enactment of tax legislation; to the Committee on the Judiciary.

By Mrs. EMERSON:

H.J. Res. 19. A joint resolution proposing an amendment to the Constitution of the United States giving Congress power to prohibit the physical desecration of the flag of the United States; to the Committee on the Judiciary.

By Mr. GOSAR (for himself, Mr. AMODEI, Mr. BENISHEK, Mr. BISHOP of Utah, Mrs. BLACK, Mr. BRADY of Texas, Mr. BROOKS of Alabama, Mr. BROWN of Georgia, Mr. BURGESS, Mr. BUCSHON, Mr. CARTER, Mr. COLLINS of New York, Mr. DESJARLAIS, Mr. DUNCAN of South Carolina, Mr. FARENTHOLD, Mr. FINCHER, Mr. FLORES, Mr. FRANKS of Arizona, Mr. GINGREY of Georgia, Mr. GOHMERT, Mr. GRAVES of Georgia, Mr. HARRIS, Mr. HUELSKAMP, Mr. HUIZENGA of Michigan, Mr. JOHNSON of Ohio, Mr. JONES, Mr. KELLY, Mr. LONG, Mrs. LUMMIS, Mr. MCCLINTOCK, Mr. MULVANEY, Mr. NUGENT, Mr. NUNNELEE, Mr. OLSON, Mr. PALAZZO, Mr. PEARCE, Mr. POMPEO, Mr. PRICE of Georgia, Mr. ROE of Tennessee, Mr. ROTHFUS, Mr. SALMON, Mr. SCHWEIKERT, Mr. AUSTIN SCOTT of Georgia, Mr. SESSIONS, Mr. SOUTHERLAND, Mr. STOCKMAN, Mr. WEBER of Texas, Mr. WESTMORELAND, and Mr. YOHIO):

H. Res. 35. A resolution expressing no confidence in the Attorney General of the United States and calling for his immediate resignation; to the Committee on the Judiciary.

By Mr. WOLF (for himself, Mr. BARLETTA, Mr. ADERHOLT, Mr. FRANKS of Arizona, Mr. WEBER of Texas, Mr. POSEY, Mr. WITTMAN, Mr. GRIFFIN of Arkansas, Mr. SCHOCK, Mr. MEEHAN, Mr. KING of Iowa, Mr. DUNCAN of South Carolina, Mr. OLSON, Mr. JOHNSON of Ohio, Mr. WILSON of South Carolina, Mr. BROOKS of Alabama, Mr. GERLACH, Mr. BRADY of Texas, Mr. MCKINLEY, Mr. JORDAN, and Mr. FLORES):

H. Res. 36. A resolution establishing a select committee to investigate and report on the attack on the United States consulate in Benghazi, Libya; to the Committee on Rules.

By Mr. WALBERG (for himself, Mr. DINGELL, Mr. BENISHEK, Mr. BENTIVOLIO, Mr. CAMP, Mr. CONYERS, Mr. HUIZENGA of Michigan, Mr. KILDEE, Mr. LEVIN, Mrs. MILLER of Michigan, Mr. PETERS of Michigan, Mr. ROGERS of Michigan, and Mr. UPTON):

H. Res. 37. A resolution recognizing the 200th anniversary of the Battles at the River Raisin and the significance of these battles during the War of 1812; to the Committee on Natural Resources.

By Ms. LEE of California (for herself, Ms. MCCOLLUM, Mr. FARR, Mr. CLAY, Mr. HONDA, Ms. NORTON, Ms. CHU, Mr. ELLISON, Mr. JOHNSON of Georgia, Mr. CUMMINGS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BORDALLO, Mr. RICHMOND, Mr. DANNY K. DAVIS of Illinois, Ms. SPEIER, Mr. GRIJALVA, Mrs. ELLMERS, Mr. CARSON of Indiana, Mr. MORAN, Mr. RUSH, Mr. RANGEL, Mr. NADLER, Ms. WASSERMAN SCHULTZ, Mr. COSTA, Mr. SERRANO, Mr. BISHOP of Georgia, Mr. MEEKS, Mr. CONYERS, Ms. MOORE, Mrs. CHRISTENSEN, Mr. FATTAH, Mr. ISRAEL, Mr. WATT, Mr. HASTINGS of Florida, Mr. CLEAVER, Mr. POLIS, Mr. DINGELL, Mr. HARRIS, Mr. AL GREEN of Texas, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, Mr. FITZPATRICK, Mr. COHEN, Ms. CLARKE, Ms. EDWARDS, Ms. WATERS, Mr. CICILLINE, Ms. CASTOR of Florida, Ms. BONAMICI, Mr. TONKO, Mr. VAN HOLLEN, Mr. GUTIER-

REZ, Mr. PETERS of Michigan, Mr. PITTS, Mr. CHABOT, Ms. FUDGE, Mr. MICHAUD, Mr. VARGAS, Mr. BUTTERFIELD, Mr. TERRY, Mr. LARSEN of Washington, Mr. PRICE of North Carolina, Mr. PAYNE, Mr. HIGGINS, Mr. DELANEY, Mr. FORTENBERRY, Mr. SCOTT of Virginia, Ms. BASS, Mrs. BEATTY, Mr. JEFFRIES, Ms. SEWELL of Alabama, Mr. HORSFORD, Mr. LONG, and Ms. SLAUGHTER):

H. Res. 38. A resolution recognizing National Emancipation Day, marking the 150th anniversary of the end of slavery in areas of rebellion, and the significance of the Emancipation Proclamation in the struggle for the equal rights and freedoms afforded to all United States citizens; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ROGERS of Michigan:

H.R. 307.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. HULTGREN:

H.R. 308.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 6 of Article 1 of the Constitution.

By Mr. HULTGREN:

H.R. 309.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1—"Congress shall . . . provide for the . . . general welfare of the United States;"

By Mr. COOPER:

H.R. 310.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 6 of the Constitution of the United States.

By Mr. CRAWFORD:

H.R. 311.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the enumerated powers listed in Article I, Section 8, which include the power to "regulate commerce . . . among the several States . . ."

By Mrs. DAVIS of California:

H.R. 312.

Congress has the power to enact this legislation pursuant to the following:

Amendment XIV, Section 1

By Mrs. EMERSON:

H.R. 313.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof, as enumerated in Article I, Section 8, Clause 18 of the United States Constitution.

By Mrs. EMERSON:

H.R. 314.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof, as enumerated in Article I, Section 8, Clause 18 of the United States Constitution.

By Mrs. EMERSON:

H.R. 315.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8—The powers of Congress

By Ms. ESTY:

H.R. 316.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. GARDNER:

H.R. 317.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 9, Clause 7

No Money shall be drawn from the Treasury but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

By Mr. HALL:

H.R. 318.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States, as enumerated in Article IV, Section 3, Clause 2 of the United States Constitution.

By Mr. ISSA:

H.R. 319.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 and Clause 2 of Section 8 of Article I of the United States Constitution.

By Ms. LEE of California:

H.R. 320.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 321.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII, Clause I of U.S. Constitution

By Mr. MILLER of Florida:

H.R. 322.

Congress has the power to enact this legislation pursuant to the following:

Amendment II to The Constitution of the United States

By Mr. MILLER of Florida:

H.R. 323.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3.

By Mr. MILLER of Florida:

H.R. 324.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mrs. EMERSON:

H.J. Res. 18.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to propose Amendments to the United States Constitution when two thirds of both Houses deem it necessary, pursuant to Article V of the Constitution of the United States.

By Mrs. EMERSON:

H.J. Res. 19.

Congress has the power to enact this legislation pursuant to the following:

Article V

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 32: Mr. CONNOLLY, Mr. TIERNEY, Mr. MORAN, Mr. HUNTER, Mr. COURTNEY, Mr. CARTER, Mr. BONNER, Mr. LARSEN of Washington, Mr. GOSAR, Mr. ROGERS of Alabama, Mr. GRIFFIN of Arkansas, Mr. PIERLUISI, Mr. RAHALL, and Mr. BUCHANAN.

H.R. 61: Mr. HARRIS, Mr. PITTENGER, Mr. LONG, Mrs. NOEM, and Mr. ROSS.

H.R. 149: Mr. ROE of Tennessee, Mr. AUSTIN SCOTT of Georgia, Mr. SALMON, Mr. HARRIS, and Mr. BENTIVOLIO.

H.R. 198: Mr. JONES.

H.R. 200: Ms. HAHN.

H.R. 220: Mr. RIBBLE and Mrs. CAPITO.

H.R. 225: Mrs. CHRISTENSEN, Ms. SCHAKOWSKY, Mr. WAXMAN, and Mr. PALLONE.

H.R. 236: Mr. MORAN, Ms. MATSUI, Mr. MCGOVERN, Ms. NORTON, Ms. MENG, and Ms. DELAURO.

H.R. 246: Mr. PERLMUTTER.

H.R. 267: Mr. GARDNER.

H.R. 273: Mr. AMASH, Mr. PAULSEN, Mrs. WALORSKI, and Mr. GOSAR.

H.R. 283: Mr. SCHOCK.

H.R. 297: Mr. CHABOT, Mr. BONNER, Mr. ROE of Tennessee, Mr. LANCE, Mr. HARPER, Mr. RUNYAN, Mrs. ROBY, Mr. YOUNG of Florida, Mr. GENE GREEN of Texas, Mr. MATHESON, Mr. WAXMAN, Mrs. CHRISTENSEN, Mr. ENGEL, Ms. SCHAKOWSKY, Mr. DINGELL, and Mr. SARBANES.

H.J. Res. 11: Mr. LATHAM.

H. Res. 11: Ms. LOFGREN, Mr. RANGEL, and Ms. LEE of California.

H. Res. 12: Mr. RANGEL and Ms. LEE of California.

EXTENSIONS OF REMARKS

TRIBUTE TO LETCHER COUNTY CENTRAL HIGH SCHOOL MARCH- ING BAND

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, January 18, 2013

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to the director and members of the Letcher County Central High School marching band, who have received the honor of performing in Washington, DC, for the 57th Presidential Inaugural Parade on January 21, 2013. This talented group of students should be proud of this remarkable achievement and I am honored to recognize their success.

Competing with more than 2,800 applicants to perform during the parade following President Barack Obama's inauguration, Letcher County Central marching band was one of merely 24 groups chosen for this prestigious honor. After weeks of hard work, fundraising, and practicing in the cold, the band members will serve as the only representative from Kentucky to march in the Presidential Inauguration Parade this year. The band will also be joined by the school's ROTC Cadet Honor Guard performing a "Patriotic Parade Sequence," a medley of American songs, after President Barack Obama and Vice President JOE BIDEN are sworn into office. The marching band was also invited to perform at the Kentucky Society of Washington DC's Inaugural Ball on January 19, 2013.

Contrary to their current success, the Letcher County Central High School music program has not always had a strong presence on campus. In fact, in 2006, the instrumental music program at Letcher County Central High School did not exist. However, with the help of Dr. Jason Griffith, Director of the LCCHS marching band, and several VH1 Save the Music Grants, the program has grown from 50 kids to approximately 400 kids in just six years. Today, the band has received numerous awards such as a Kennedy Center Honorable Mention, and has participated in prominent parades such as the Gubernatorial Parades in Kentucky in 2007 and 2011 and a special parade at Disney World in 2012.

Mr. Speaker, I ask my colleagues to join me in honoring Band Director Jason Griffith and the Letcher County Central High School Marching Band. This band has made Kentucky proud, and I wish them all the best as they take part in this once in a lifetime opportunity and become forever apart of our nation's history.

HONORING THE LIFE AND DEDICATED SERVICE OF COLONEL JAMES L. HILL, SR.

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 18, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the life of Northwest Florida's beloved Colonel James L. Hill, Sr. Colonel Hill was a native Northwest Floridian who served his nation with honor and distinction, while also working tirelessly as an educator and leader in his community.

Colonel Hill was born in the small town of Lakewood in Walton County, Florida on February 1, 1925. Colonel Hill attended public schools in Walton County, before graduating from Tivoli High School in DeFuniak Springs, Florida. After his high school career, Colonel Hill began his studies at Florida A&M University.

Colonel Hill put his studies on hold, however, to answer the call of duty during World War II. Colonel Hill entered the United States Army as a Private, serving bravely in the European Theater. After the war ended, Colonel Hill returned to his studies at Florida A&M University; however, he decided to remain in the Army Reserve to continue serving his nation.

After graduating from Florida A&M, Colonel Hill married his college sweetheart, Jounice, and together they accepted positions at Carver Junior High School in Florala, Alabama. Colonel Hill was working as the Principal of Carver Junior High, when he was recalled to active duty during the Korean War. Colonel Hill was ready to answer his nation's call, and he again served with honor and distinction with the 45th Combat Infantry.

Colonel Hill finished his tour in Korea and returned to Northwest Florida to continue his career in education. He took a position as the Principal of Drew Elementary School in Baker, Florida. His successful tenure at Drew was the beginning of an exemplary career that saw Colonel Hill serve as a principal at four different schools in Okaloosa County, Florida including 26 years at Florosa Elementary School.

While serving in the Army Reserve and as a school principal, Colonel Hill also continued his education receiving both a master's and doctorate degree in education. Colonel Hill also excelled in his reserve service, and in 1975, after completing Command and General Staff College, he was promoted to the rank of Colonel. Colonel Hill continued to serve in the Army Reserve until his retirement in 1981. In 1994, Colonel Hill retired from the Okaloosa County School District after having worked as a teacher and principal for nearly 40 years, and his excellent service to the State of Florida was recognized with a gubernatorial proclamation from Governor Lawton Chiles.

Outside of his outstanding leadership as an educator and a member of our Armed Forces, Colonel Hill was also a true leader in the Northwest Florida community. Colonel Hill served as President of the Community Action Program in Fort Walton Beach, as well as Vice President of the Fort Walton Beach Civic League. He was also a longtime member of the Okaloosa County NAACP, and in 2009 he was recognized as the Okaloosa County Branch NAACP Centennial Celebration Legacy Honoree. Colonel Hill's outstanding achievements and legacy were also recorded for posterity in his autobiography *Sawmill, A Family Affair*, which won the Palm Beach County African Diaspora Award.

To some, Colonel James Hill will be remembered as a patriot, who answered the call of duty on numerous occasions with honor, distinction and bravery. To others, he will be remembered as a committed educator and a leader in civic society. To his family, Colonel Hill will always be remembered as a loving husband, devoted father, and proud grandfather. His contributions to our nation and his community will not be forgotten.

Mr. Speaker, on behalf of the United States Congress, it gives me great pride to honor the life and service of Colonel James L. Hill, Sr. My wife Vicki joins me in extending our most sincere condolences to Colonel Hill's wife, Jounice, his children, grandchildren and the entire Hill family.

IN MEMORY OF CARMEN WARSCHAW

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 18, 2013

Ms. PELOSI. Mr. Speaker, today, the people of California mourn the passing of a political legend of unsurpassed wit, a political leader of unyielding will, and a force for progress—for women, for Democrats, for our state and our country, Carmen Warschaw.

Carmen believed in the power and promise of our democracy. She believed that politics was about people, that the political process should be a force for good, that elections should produce leaders of bold vision and strong values, courage and character. She believed all Americans bore a responsibility to participate, to vote, to make our voices heard. She believed we all had the ability and the obligation to make a difference—whether in a campaign, in our schools, or in our communities. And she never hesitated to act on her beliefs.

It was on the foundation of these principles that Carmen made her mark. It was on the basis of these values that Carmen built her legacy.

She left footprints on the lives and careers of countless political figures—as a fixture at

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

every Democratic National Convention from 1948 to 2008; as the Democratic Party's Chairwoman in Southern California; as a power broker in state government. She was never afraid to go toe-to-toe with the most powerful people in our state, whether a governor or a state party chair. She would, in the words of her alma mater, always "fight on."

She was a pioneer. The daughter of immigrants, she became the first woman to lead the state's Fair Employment Practices Commission, standing firm for civil rights, equality, and justice for all.

She was a philanthropist to her core, investing in the causes of Los Angeles' Jewish community; supporting the state and people of Israel; endowing chairs and backing research at USC—the school where she met the love of her life, Louis.

She loved music and the arts, and was surrounded by them in her beautiful home. She loved sports, and could regularly be found on a hot summer day in her seat behind the home dugout at Dodger Stadium.

She was intensely loyal, fiercely independent, extraordinarily wise, and unabashedly proud of her heritage, her values, and her political activism. Indeed, it was only fitting that Carmen would pass away on November 6, 2012—Election Day. In characteristic fashion, she had already voted, leaving one last, indelible mark on history.

To borrow a phrase from Jewish tradition, Carmen Warschaw was a "woman of valor." May she forever be an example of grace, passion, and commitment to all of us. May her memory be a blessing to all who knew her. May it be a comfort to her daughters, Hope and Susan, her grandchildren and great-grandchildren, her friends and loved ones to know that so many share in their grief at this time.

HONORING THE HONOREES OF THE KENNEBEC VALLEY CHAMBER OF COMMERCE AWARDS

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Friday, January 18, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to recognize the Honorees of the 2013 Kennebec Valley Chamber of Commerce Annual Banquet Dinner. The Kennebec Valley Chamber of Commerce serves the people and business community of the Augusta area, working hard to strengthen economic opportunity throughout the region and the state.

Each year, the Kennebec Valley Chamber of Commerce recognizes local businesses, business leaders, and individuals who promote and advance a vital and healthy business environment. These individuals and businesses are committed to strengthening opportunity and prosperity in Maine.

This year's award recipients include J.S. McCarthy Printers, recipient of Business of the Year; Peter E. Prescott, recipient of the Lifetime Achievement Award; Scott Bolduc, recipient of Business Person of the Year; Andy and Sheree Wess, recipients of the President's Award; Deborah Shepherd of the Family Vio-

lence Project, recipient of the Community Service Award; Mike Seitzinger, Esq., recipient of the Community Service Award; Randy and Teresa Hutchins of O'Connor Auto Group, recipient of the President's Award; and Laura Benedict of The Red Barn, recipient of the President's Award.

These recipients are among the best that Maine has to offer. Through their leadership and incredible commitment to their communities and the region, Maine is a better place to live and do business.

Mr. Speaker, please join me again in congratulating the Kennebec Valley Chamber of Commerce and these individuals on their outstanding service and achievement.

INTRODUCTION OF THE FIREARM SAFETY AND PUBLIC HEALTH RESEARCH ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, January 18, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise to introduce the Firearm Safety and Public Health Research Act and I commend my colleagues, Mr. MARKEY and the other 31 members who have joined me in sponsoring this bill.

Gun violence is a public health issue and public health agencies should have the ability to develop and pursue violence prevention and mental health research.

Unfortunately, since 1996 a rider to the Centers for Disease Control (CDC) appropriations bill has prohibited the agency from conducting high-quality, peer-reviewed research into gun violence prevention. Congress expanded the ban in 2011 to apply to the entire Department of Health and Human Services (HHS), including the National Institutes of Health (NIH).

For over 16 years, gun deaths have continued to plague this country while we have restricted any meaningful, government sponsored scientific research on gun violence. We are unable to answer fundamental questions on the underlying causes of gun deaths because special interests and Members of Congress have restricted federal agencies from researching it.

Now is the time to repeal this ban.

The bill I am introducing will do just that.

The Firearm Safety and Public Health Research Act will lift the current prohibitions on CDC and NIH research into firearm safety. Federally-supported public health research would resume at these key agencies to help understand the causes of gun violence and make sure that we are best prepared to address this enormous public health crisis.

Even former Representative Jay Dickey, the Congressman who was instrumental in passing the 1996 ban agrees and is now calling for its repeal.

Congress should not be able to establish politically motivated restrictions on specific areas of research. We have witnessed far too many tragedies as the result of firearms and we need all the data and information we can get to inform policy.

Mr. Speaker, I urge my colleagues to support this important legislation.

CELEBRATING 30 YEARS OF LEADERSHIP MODESTO

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 18, 2013

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Leadership Modesto as they celebrate 30 years of leadership education in the Central Valley.

Leadership Modesto was established in 1981 by founding Members Dave Kilby, Jeff Cowan, John Sutton, Connie Bird, Ed Boyle, Stan Hodges, Mike Zagaris and Virginia Bruch. The program was formed through the Modesto Chamber of Commerce to identify new potential Modesto leaders and to provide a ten-month program that will develop knowledge and understanding of the community—its complexities and its potential. The program also provides an opportunity for participants to meet and exchange ideas with each other and current community leaders, and to motivate and encourage participants to assume leadership roles in community affairs.

Leadership Modesto has turned out graduates such as Former Mayor James Ridenour, current Mayor Garrad Marsh, current Vice Mayor Stephanie Burnside, Modesto City Council Members Joe Muratore and Dave Cogdill Jr., and Sheriff Adam Christianson to name a few. Some of the community efforts and accomplishments—established Bette Belle Smith Day, upgraded playground equipment at JFK Elementary School, clothing drive for Professional Dress, and raised money for Camp Taylor.

The program also provides an opportunity for its members to connect, discuss and exchange ideas with each other and current community leaders, and to motivate and build strong minded leaders to assume leadership roles in our community.

Leadership Modesto is building our future and celebrating our past. Leadership Modesto is men and women with a sincere commitment, motivation and interest in serving the community. During the ten month program, members expand their understanding of Modesto and Stanislaus County through exposure to community issues many may not otherwise have the opportunity to explore at the same time enhancing leadership and management skills, and develop close relationships and mutual concerns with other class members.

Even during a down economy, the Leadership Modesto program continues to inspire public and private sector interest and participation. One of the key successes to the longevity of the Modesto program is the program leadership infrastructure—led by a committed group of Steering Committee members. Each Steering Committee member has a direct connection with one of the day topic planning teams. This direct connection enables the program to move quickly, to mobilize and respond to challenges and changes.

Mr. Speaker, please join me in honoring Leadership Modesto for 30 years of delivered

premier leadership training for Modesto. More than 500 graduates pepper business and industry, elected offices, as well as non-profit volunteer boards and organizations. It's our community's succession plan.

RECOGNIZING THE 200TH ANNIVERSARY OF THE BATTLES AT THE RIVER RAISIN AND THE SIGNIFICANCE OF THESE BATTLES DURING THE WAR OF 1812

HON. TIM WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, January 18, 2013

Mr. WALBERG. Mr. Speaker, I rise today to commemorate the 200th anniversary of the Battles at the River Raisin and pay tribute to the members of the United States Armed Forces who died during this conflict. For six days in January of 1813, U.S. soldiers fought against British forces for control of Michigan and the lower Great Lakes in a town formerly called Frenchtown, now known as Monroe.

The battle was the largest ever fought on Michigan soil. Out of more than 900 members of the United States Armed forces who fought in it, only 33 escaped death or capture. So many lives were lost that "Remember the Raisin" became the galvanizing battle cry for the remainder of the War.

The battlefield is a Michigan State Historic Site and has been placed on the National Register of historic places. In October 2010, the River Raisin Battlefield became part of the National Park System and remains the only National Battlefield Park representing the War of 1812.

Today I am introducing a resolution to commemorate the bicentennial of the Battles of River Raisin and to thank those who work so hard to preserve the significance of the battles for future generations. The collaborative efforts of the Monroe County Historical Society and Commission, the City of Monroe, the staff of the National Park Service and the Battlefield Visitor Center will assuredly result in a memorable remembrance of the anniversary this coming weekend.

I ask my colleagues to join me in commemorating the 200th anniversary of the Battles of River Raisin and recognize those who gave their lives fighting for our country.

TRIBUTE TO YOLANDA CARILLO

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 18, 2013

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to the community are exceptional. Corona and Norco have been fortunate to have dynamic and dedicated community leaders who willingly and unselfishly give their time and talent and make their communities a better place to live and work. Yolanda Carillo is one of these individuals. On January 19, 2013, Yolanda will be honored as

the "Citizen of the Year" at the Greater Corona Valley Chamber of Commerce Installation and Awards Gala.

Yolanda holds a dual Masters of Science degree in Organizational Leadership and Community Psychology, and a Bachelor of Science degree in Human Services. She previously taught at a four year college institution and is a proud holder of a Child Development Program Administrator Certificate. Currently, Yolanda serves as the Chief Executive Officer (CEO) of the Corona-Norco Family YMCA, a post she has held since 1997. She is a highly motivated community builder and hardworking professional with proven administrative and organizational abilities. Yolanda is an effective leader with a natural ability to organize the efforts and goodwill of others. She is an enthusiastic team builder who enjoys the challenge of researching and analyzing to find viable solutions to improve the lives of our children, families and communities.

Yolanda's vision has grown from one YMCA site with 12 employees to today's YMCA of nine program sites with more than 85 employees. At the same time, she has assisted children who live in poverty by securing grants worth millions of dollars from foundations, corporations, city, county, state and federal governments to establish programs for disadvantaged preschool, elementary, middle and high school students. Yolanda has also partnered with school districts, city, county and state Departments of Education as well as colleges, businesses and corporate sponsors to help underprivileged youth. The Corona-Norco Family YMCA under Yolanda's leadership has continued the successful partnership with the Calvert Foundation in sponsoring the Annual Ira D. "Cal" Calvert Distinguished Service Awards Dinner honoring exceptional community volunteers.

In addition to the YMCA, Yolanda is a member of many other community organizations and serves on multiple boards whose programs help children in our area. She is the City of Corona Planning Commissioner and Woman's Improvement Club Treasurer, and serves on the Hispanic Chamber of Commerce Board of Directors, Riverside Community College District Child Development Department Advisory Board, Riverside-Corona Navy League Council Board, United Neighbors Involving Today's Youth (UNITY) Board and Corona Police Community Partnership Association Board. She is a member of the Corona Rotary Club and is the immediate past State Board Chair of the California Child Development Administrators Association.

In light of all Yolanda has done for Corona and Norco, the Greater Corona Valley Chamber of Commerce named Yolanda their Citizen of the Year. Yolanda's tireless passion for community service has contributed immensely to the betterment of the Inland Empire and especially our community's children. She has been the heart and soul of many community organizations and events and I am proud to call her a fellow community member, American and friend. I know that many community members are grateful for her service and salute her as she receives this prestigious award.

PERSONAL EXPLANATION

HON. GRACE F. NAPOLITANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 18, 2013

Mrs. NAPOLITANO. Mr. Speaker, on Tuesday, January 15, 2013, I was absent during rollcall vote No. 23 due to a death in my family. Had I been present, I would have voted "yea" on Final Passage of H.R. 152—Disaster Relief Appropriations Act, 2013.

HONORING THE HONOREES OF THE BANGOR REGION CHAMBER OF COMMERCE AWARDS

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Friday, January 18, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to recognize the Honorees of the 2013 Bangor Region Chamber of Commerce Annual Awards Dinner. Founded in 1911, the Bangor Region Chamber of Commerce serves Bangor and 21 surrounding communities. The positive economic effects of the Bangor Chamber's committed advocacy can always be felt throughout the state.

Each year, the Bangor Region Chamber of Commerce recognizes local businesses, business leaders, and individuals who promote and advance a vital and healthy business environment. These individuals and businesses are committed to strengthening opportunity and prosperity in Maine.

This year's award recipients include Peter Vigue of Cianbro Pipe Fabrication and Coating Facility, recipient of the Norbert X. Dowd Award; Senator Richard Rosen, recipient of the Catherine Lebowitz Award for Public Service; Andy Hamilton of Eaton Peabody, recipient of the Arthur A. Comstock Professional Service Award; Geaghan's Pub and Craft Brewery, recipient of the Bion and Dorain Foster Entrepreneurship Award; WBRC Architects and Engineers, recipient of the Business of the Year Award; Hammond Street Senior Center, recipient of the Community Service Award; Children's Miracle Network Hospitals of Eastern Maine Health Care Systems, recipient of the Non-Profit of the Year Award; and Kathy Hunt of Starboard Leadership Consulting LLC, recipient of the Volunteer of the Year Award.

These eight recipients are among the best that Maine has to offer. Through their leadership and incredible commitment to their communities and to the region, Maine is a better place to live and do business.

Mr. Speaker, please join me again in congratulating the Bangor Region Chamber of Commerce and these individuals on their outstanding service and achievement.

IN RECOGNITION DR. DAN JONES

HON. JASON CHAFFETZ

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Friday, January 18, 2013

Mr. CHAFFETZ. Mr. Speaker, I rise today to recognize Dr. Dan Jones, Utah's most prominent political pollster, on his impressive career and service to our State. Over a 50-year period, Dr. Jones has become synonymous with Utah politics in his roles as professor, pollster, consultant, mentor, and political expert.

As President and CEO of Dan Jones & Associates, which he founded in 1980, Dr. Jones has presided over one of the Intermountain West's most highly regarded market and political research firms. Conducting polls, focus groups and surveys for a wide range of organizations, the firm's data is routinely used by Salt Lake City's print and broadcast media organizations. Dr. Jones also has a long and distinguished history of consulting on Utah's highest profile political campaigns ranging from Utah Governors Matheson, Bangerter and Leavitt to Senators HATCH, BENNETT and Garn.

In addition to his work in the private sector, Dr. Jones has taught tens of thousands of Utah students over a career that has spanned five decades. He taught at both Utah State University in Logan, Utah and most recently at the University of Utah's famed Hinckley Institute of Politics. His teaching has frequently been singled out for accolades, including the Distinguished University Teaching Award in 2002, Adjunct Professor of the Year in 1999, and Students Choice for Professor of the Year in 1997.

Dr. Jones' distinguished career began after earning a Bachelor's degree at Idaho State University. Dr. Jones enlisted in the military, where he remained in Active Duty in the United States Army from 1957–1959, and was commissioned a Captain in the U.S.A.R. where he served until 1968.

Following his military service, Dr. Jones furthered his education by earning a master's degree in 1962 and doctorate degree in 1968 at the University of Utah. Following his graduate studies, Jones taught for twelve years at Utah State University and rose to the rank of full professor. After founding Dan Jones & Associates in 1980, Dr. Jones joined the faculty at the University of Utah where he was named a Hinckley Fellow in 2008. He eventually served as Interim Director of the Hinckley Institute of Politics from 2003–2005. Dr. Jones has also served for 12 years as a co-director of the Huntsman Seminar in Constitutional Government for Teachers.

I invite my colleagues to join me in celebrating the accomplishments of this incredible man.

IN MEMORY OF SAMUEL KEKER

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 18, 2013

Ms. PELOSI. Mr. Speaker, it is with a heavy heart and deep sadness that I rise today to

mourn the passing of a dear friend, an unflinching patriot, and a proud American, Samuel Keke.

The son of immigrants, born in Colorado and raised in Detroit, Sam came to our Nation's capital as a young man, as a student at American University, prepared to give back to our country and contribute to the public debate—first as a leader on campus, later as a trendsetter and a pioneer across the country.

He was a member of the “greatest generation,” serving in our Navy with dignity and honor in the theaters of the Atlantic and the Pacific. He remained in the Naval Reserve until 1962, even leaving his job in the private sector to return to duty in the Korean War, ultimately retiring at the rank of Commander.

He began a lifetime of work at U.S. News and World Report as an assistant in 1946 and rose through the ranks the only way he knew how: through hard work and dedication, perseverance and persistence. He would emerge as a critical leader on the business side of the magazine, promoting thoughtful, poignant, and accurate journalism, boosting circulation, and delivering the highest-quality reporting to his readers.

He would retire at the top of his profession—the Chief Executive and Chairman of his magazine—a fitting conclusion to a long, illustrious, and successful career. He was a person of great wisdom and wit.

Sam Keke's greatest source of pride was his family—his wife, Lucy; his sons, John and Jerry; his two grandsons, Adam and Nathan; and his five great-grandchildren. His life was blessed, and his legacy will be a blessing for all who knew him. We hope it is a comfort to his entire family, to his friends and loved ones that so many share in their grief at this sad time.

**REINTRODUCTION OF RESOLUTION
TO CREATE A HOUSE SELECT
COMMITTEE ON THE TERRORIST
ATTACK ON THE U.S. CON-
SULATE IN BENGHAZI, LIBYA**

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 18, 2013

Mr. WOLF. Mr. Speaker, today I have re-introduced my resolution to establish a House Select Committee on the Terrorist Attack in Benghazi to ensure a unified investigation of the attack and the Obama Administration's response. A select committee is essential to combine the myriad existing investigations into a single, comprehensive and exhaustive review. I believe such a combined effort will yield even more information regarding the true nature of these terrorist attacks and the administration's response.

More than four months have passed since the terrorist attack on the U.S. consulate and annex that occurred during the late evening and early morning hours of September 11–12. The attack took the lives of four Americans, including a U.S. ambassador—the first ambassador to be killed in the line of duty since 1979. Yet the American people still have been told little about the timeline of this attack and

the administration's response in the hours, days and weeks following. Consider that the American people still haven't been provided answers to the following serious questions:

With the inexplicable release of suspect Ali Harzi by Tunisian authorities earlier this month, why are there no suspects in custody?

Secretary Clinton, Secretary Panetta, Attorney General Holder and DNI Clapper still haven't testified before Congress—what steps did they take during the attack and in the days that followed?

What were the President's activities during the seven-hour period of attack?

Why wasn't the U.S. military deployed to assist? On the anniversary of the worst terrorist attack in American history, after multiple attacks this year on U.S. and Western interests, why were U.S. military units and assets in the region not ready, alert and positioned to respond? After all, two of the four people were killed seven hours after fighting began.

Why do we still not have clear answers on the internal process that produced the inaccurate talking points on which Ambassador Rice relied several days after the attack?

Why were the testimonies of the U.S. personnel who were evacuated from Benghazi on September 12—eyewitnesses who knew there never was a demonstration outside the Consulate—not immediately factored in to the judgments of our intelligence community?

Why wasn't Secretary Clinton interviewed by the Pickering Commission?

Was the White House aware of the FBI investigation of Gen. Petraeus? If not, why not?

There are also serious questions about links of this terrorist attack to the protests at the U.S. embassies in Cairo, Egypt, Tunis, Tunisia and Sanaa, Yemen that same week—where each American compound was breached by individuals allegedly linked to al Qaeda-affiliated groups. What, if any, were the connections between these incidents and the attack in Benghazi?

These questions are too serious—and the consequences too grave—to be brushed aside. There are critical legislative decisions the next Congress will have to make based on the answers of these questions. But more importantly, the American people deserve answers to these questions—including open hearings and an unclassified report.

The select committee I am proposing should draw from the existing congressional investigations by including the chairman and ranking member of each committee of jurisdiction—Intelligence, Foreign Affairs, Judiciary, Armed Services, Homeland Security and Oversight and Government Reform—as well as five additional Republicans appointed by the Speaker and two additional Democrats appointed by the Minority Leader.

I appreciate the support I have received for this resolution from the original cosponsors, as well as the Heritage Foundation. I also submit for the RECORD a recent op-ed that was published on RealClearPolitics.com by former Senator Fred Thompson articulating the benefits of a unified select committee. Senator Thompson has a unique perspective on the need for this committee given his experience as counsel on the Senate select committee on Watergate.

Mr. Speaker, we owe it to the families of the victims, and the American people, to fully investigate this terrorist attack. I urge my colleagues to support this resolution.

[From RealClearPolitics.com, Nov. 28, 2012]

INVESTIGATING BENGHAZI: WHY WE NEED A SELECT COMMITTEE

(By Fred Thompson)

As we fixate on the latest version of Gen. David Petraeus' testimony or the misleading statements of Susan Rice, I suggest that we stop and think about the size of what we are dealing with. The Benghazi tragedy raises questions concerning the protection of our embassies, the performance and capabilities of our military and our intelligence community, as well as the decisions of high-ranking officials in the Department of Defense, the State Department, the White House and possibly the Justice Department.

The scope of the questions that involve an array of officials, and sensitive agencies and departments of our government, is unprecedented. The inquiry into what happened and why, along with who is or should be accountable, calls for a focused, responsible effort equal to the seriousness and the complexities the issues.

I've seen this rodeo before, both in a constructive manner (Watergate, where I served as a counsel) and a less-than-constructive one (Clinton-era investigations, where I chaired a committee that probed at least one facet of the various scandals). On our present course, the prospects for a relatively short but thorough, credible, bipartisan congressional investigation are not good. The prospects for a disjointed, drawn-out mess, replete with partisan bickering, are much better.

It is easy to identify at least eight congressional committees (four in each chamber) with claims of jurisdiction in the Benghazi matter. No committee has jurisdiction over all of it, and several committees have jurisdiction over parts that overlap with the jurisdictions of other committees. Some of the committee hearings will involve classified information and will be conducted behind closed doors. Members of "Committee A" will not know what a witness told "Committee B" in a closed hearing. Gen. Petraeus' recent appearance on Capitol Hill demonstrates how difficult it can be to get a consistent story when the witness is making multiple appearances before even the same committee.

Perhaps not all committees with jurisdiction will have hearings, but if half of them do it will produce competing hearings, with competing staffs and competing press conferences over much of Capitol Hill. It will also take longer than necessary, as government officials shuffle back and forth giving repeat performances. Different committee chairmen and their committees will make different rulings on document production, whether to move for immunity for witnesses who refuse to testify on the basis of the 5th Amendment, and a host of other matters.

This is simply not the most efficient and credible way to proceed. And it is less likely to arrive at the truth. The seriousness of the matter calls for something better. It calls for a select committee that is given a specific mandate, a budget and a cut-off date that can be adjusted if it is agreed upon. It needs to be comprised of members of both parties who have been selected by their leadership because of their proven integrity, reputation for fairness, and expertise in a given area.

In a matter fraught with political implications, it is especially important that Con-

gress accept its responsibility and minimize partisanship as much as possible. History demonstrates that this goal is much easier to achieve with a handful of selected people than it is with many. Since 1789, when Congress investigated a failed military expedition, select committees have been utilized to serve such important and sensitive functions, and the Benghazi matter should follow in that long tradition, whether by means of a joint committee of both houses of Congress or by either chamber.

Most select committees have become historical footnotes. Some, however, are well remembered because of the contribution they made to helping Congress carry out its duties of legislating, overseeing the executive branch and educating the American people as to the operation of their government. Ironically, it is because of the success of these panels that some members of Congress and others oppose the formation of one in this case.

They say that forming a select committee for a matter such as Benghazi, where a consulate and four American lives were lost, would attach too much importance to the investigation. They fear that it would be equating it with Watergate. Of course, if the Watergate standard, as they define it, is now the operative standard for the formation of a select committee, then seldom, if ever, will another select committee be formed.

Critics of the select committee miss the point on several levels. First of all, if indeed a comparison is to be made, one must look at the seriousness of facts and issues presented concerning Benghazi and compare them with the seriousness of facts and issues presented at the times when other select committees, such as Watergate, were formed. So compare the Watergate burglary with what we have here. Can there be any doubt that Benghazi passes the Watergate test?

The wisdom of utilizing a select committee should not just be judged on the outcome of the committee's work; dramatic results are not always achieved or warranted. The select Watergate Committee is a beneficial reference point, not because of the end result of its investigation a year and a half after it was formed, but because of the process Congress utilized to deal with a difficult situation.

At that time, we had a Republican president and a Congress controlled by the Democrats. Yet the Senate voted unanimously to form the committee. Democratic leadership appointed Sen. Sam Ervin, reputed to be the chamber's leading constitutional scholar, to chair the committee. The Republican leader appointed Sen. Howard Baker to be the vice chairman and leading member of his party on the committee—a senator who was respected on both sides of the aisle. These men protected the legitimate partisan interests of their respective parties and the path was not always smooth, especially behind closed doors, but they understood that their colleagues, as well as the nation, were depending upon them to be responsible and seek the truth. Authority and accountability were clearly placed on the committee, and its members performed accordingly.

Select committees are not perfect creations by any means. A clear narrative is often difficult to produce under any circumstances. However, a select committee is simply much more likely to produce focused and credible results. Soon we will see if the United States Congress is still capable of coming together toward the common goal of getting to the bottom of a very serious matter. Or, are decisions about select commit-

tees simply reflective of positions based upon whose ox is in danger of being gored?

HONOR OF JERRY POLONSKY

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 18, 2013

Mr. FITZPATRICK. Mr. Speaker, today I have the honor of speaking on behalf of my dear friend, Jerry Polonsky, who on Sunday, December 20th will be celebrating his retirement as acting Commander of the Jewish War Veterans of the United States of America.

I've known Jerry for many years—we are both from the great hometown of Levittown, Pennsylvania. Everyone in town who knows Jerry knows that he has been a great leader in our community. The best way to describe Jerry is a "natural born leader," an advocate for everything that's right and good for this country.

Jerry is a great American story. Earlier in his career, Jerry worked for an insurance company in Philadelphia, while also running his own printing business out of his home. He also served our nation's military proudly during the Korean War in a "classified" position, and has been married to his lovely wife Barbara for over 50 years.

Jerry's earlier career endeavors and military experience don't even begin to sum up his lifelong accomplishments. In addition, Jerry has served as the Commander of the Jewish War Veterans of the United States, and his commitment to their mission is unending. For many years, Jerry has volunteered his time and efforts to the department's cause to ensure that those who have fought our nation's battles receive the treatment and the respect they deserve. With Jerry's help, many returning veterans have received the care they need through the Jewish War Veterans. Also, Jerry has been a strong advocate for the state of Israel, fighting to ensure that peace and prosperity continue to reign true in the Jewish state.

Jerry has devoted his life to helping those in need, and has inspired many of us who have had the great pleasure of knowing him. He is a hero to his community, our country, his family, and to me. Jerry, I wish you and your family all the best. I wish you many more years of happiness and success. It is an honor to call you my friend.

HONORING THE LIFE OF FREDDY CABANAS

HON. JOE GARCIA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 18, 2013

Mr. GARCIA. Mr. Speaker, I rise today to honor a dear friend and legend in the Key West community, Fred Cabanas. An aerobatic daredevil, fourth generation Conch, loving husband, and father, Freddy died this past Tuesday doing what he loved, flying.

I would like to take this opportunity to express my deepest sympathies and condolences to all who knew him, especially to his

wife of over 30 years, Susan, and his two children, Kelly and Ray.

Freddy began flying at the age of 16, hanging around airport hangars at Key West International Airport, exchanging plane washes for flying lessons. In time, Freddy became an aviation legend in Key West.

Freddy helped put Key West on the map by opening ceremonies and competing in airshows with incredible stunts, both high in the sky and frighteningly close to the ground. His skill and enthusiasm for aviation were so ingrained in Key West culture that he was named General of the Conch Republic Air Force.

But, Freddy was more than a talented aviator. He was a skilled and generous businessman as well. As the proprietor of Cabanas Aeronautics Unlimited, he enjoyed providing sightseeing tours of the beautiful Florida Keys, thrill rides to the brave-hearted, and perhaps most of all, giving back to others, from mentoring other pilots to flying supplies to earthquake-stricken Haiti.

Mr. Speaker, the skies above Key West are just a little dimmer today without Freddy zooming overhead, but he will long be remembered for his renowned talent, gregarious spirit, generous heart, and the indelible mark he has left on the cultural fabric of Key West.

PERSONAL EXPLANATION

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 18, 2013

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes Monday, January 14. Had I been present, I would have voted "yea" on rollcall vote 8, "nay" on rollcall vote 9 and "nay" on rollcall vote 10.

SENATE—Monday, January 21, 2013

The Senate assembled in joint session with the House of Representatives for the inaugural ceremonies for the President and Vice President and recessed until Tuesday, January 22, 2013, at 11:30 a.m.

HOUSE OF REPRESENTATIVES—Monday, January 21, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. SHIMKUS).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 21, 2013.

I hereby appoint the Honorable JOHN SHIMKUS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of the universe, we give You thanks for giving us another day. You are the Father of us all. Divine Providence has led this Nation in the past and guides all human affairs to this very day.

As a Nation, we are in need of wisdom to make right decisions, perseverance to build upon the hopes of Your people, and patience, because the times bear an urgency.

So today, the American people join Congress as we call upon Your holy name. We pray for Vice President JOSEPH BIDEN and for Your servant, Barack Obama, our reelected 44th President of these United States.

May Your Holy Spirit descend upon him that he may see things as You see things. May he be strengthened in his work and grow in understanding as he proves ever attentive to the people.

May he respond to the Nation's deep-seated needs and lift up all of us to higher standards of equal justice, true goodness and peaceful union. Grant him health and protection, sincere collaboration and renewed faith.

Lord, may the people of this Nation and those around the world stand with him to face any challenge, endure any difficulty without fear, learn how to accept every success and every failure with grace, and support him with encouragement and prayer, both now and forever.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Illinois (Mr. HULTGREN) come forward and lead the House in the Pledge of Allegiance.

Mr. HULTGREN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that in order to be seated on the platform, sitting Members of the 113th Congress must have an official pin, which they will be given as they leave the Chamber.

Members are advised there are no extra seats available on the platform. Therefore, only sitting Members will be seated on the platform. Under no circumstances will former Members, former House officers, spouses or children be able to join the procession or be seated on the platform.

The Sergeant at Arms will precede the procession bearing the Mace.

Members will be escorted to the West Terrace in order of seniority. At this time, Members, the Resident Commissioner and Delegates should congregate in the well by class.

Pursuant to House Resolution 21, upon completion of the ceremony, the House will stand adjourned until 10 a.m. tomorrow for morning-hour debate.

Pursuant to House Resolution 21, Members will now proceed to the West Front to attend the inaugural ceremonies for the President and Vice President of the United States.

Thereupon, at 10 o'clock and 4 minutes a.m., the Members of the House, preceded by the Sergeant at Arms and the Speaker, proceeded to the West Front of the Capitol.

ADJOURNMENT

At the conclusion of the inaugural ceremonies (at 12 o'clock and 33 minutes p.m.), the House, without returning to its Chamber, adjourned until tomorrow, Tuesday, January 22, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

64. A letter from the Regulatory Specialist, Department of the Treasury, transmitting the Department's final rule — Lending Limits [Docket ID: OCC-2012-0007] (RIN: 1557-AD59) received January 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

65. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Allocation of Assets in Single-Employer Plans; Valuation of Benefits and Assets; Expected Retirement Age received January 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

66. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received January 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

67. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits received January 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

68. A letter from the Secretary, Department of Health and Human Services, transmitting the annual report on National HIV Testing Goals; to the Committee on Energy and Commerce.

69. A letter from the Secretary, American Battle Monuments Commission, transmitting the Commission's FY 2012 Annual Report pursuant to Section 203, Title II of the Notification and Federal Antidiscrimination and Retaliation (No FEAR) Act; to the Committee on Oversight and Government Reform.

70. A letter from the Chief Financial Officer, Federal Mediation and Conciliation Service, transmitting the FY 2012 annual report under the Federal Managers' Financial Integrity Act (FMFIA) of 1982, pursuant to 31

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

U.S.C. 3512(c)(3); to the Committee on Oversight and Government Reform.

71. A letter from the Regulatory Specialist, Department of the Treasury, transmitting the Department's final rule — Rules of Practice and Procedure; Rules of Practice and Procedure in Adjudicatory Proceedings; Civil Money Penalty Inflation Adjustments [Docket ID: OCC-2012-0011] (RIN: 1557-AD61) received January 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

72. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, "National Coverage Determinations for Fiscal Year 2011"; jointly to the Committees on Energy and Commerce and Ways and Means.

73. A letter from the Inspector General, Department of Health and Human Services, transmitting a report entitled, "Limited Supplier Solicitation of Prescribing Physicians Under Medicare DMEPOS Competitive Bidding Program"; jointly to the Commit-

tees on Ways and Means and Energy and Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII,

Mr. CAMP (for himself and Mrs. MILLER of Michigan) introduced a bill (H.R. 325) to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes; which was referred to the Committee on Ways and Means, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representa-

tives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CAMP:

H.R. 325.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1, 2 and 18 of Section 8 of Article I of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 226: Mr. BISHOP of New York, Mr. CUMMINGS, and Mr. ELLISON.

HOUSE OF REPRESENTATIVES—Tuesday, January 22, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. McCLINTOCK).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 22, 2013.

I hereby appoint the Honorable TOM McCLINTOCK to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

THE FUTURE OF CLIMATE CHANGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. It was exciting to hear the President make climate change a major focus of his inaugural address, and appropriately so. Mr. Obama's first term provided stark evidence of the peril to the planet: record-breaking heat waves, drought, hurricanes, forest fires, disappearing polar ice, all in accord with a prediction of the climate scientists, but the effects were happening faster and more severely than predicted.

The good news is that you don't have to believe the climate scientists to reduce carbon pollution and energy waste while reasserting American global energy leadership. Even balancing the budget could be made easier with this initiative.

Congress and the administration should begin serious conversation about a broad-based carbon tax. This would give the right signals on energy sources and use. It could raise money to reduce the deficit, restore our badly damaged infrastructure, speed and fi-

nance conservation while cushioning the impact on lower-income families and small business.

There are a number of other commonsense steps that would make progress on carbon pollution and energy conservation goals much more significant. First, the EPA should stop dragging its feet, permitting old, polluting, inefficient coal plants to continue to spew forth toxic waste harming not just the environment but the health of our citizens. It's past time that the Clean Air Act should be enforced. We should make sure there are proper safeguards for the fracking technology for gas and petroleum and making sure this vast reservoir of inexpensive gas does not undercut the critical addition of renewables to our energy portfolio: solar, wind, geothermal, perhaps even tidal energy.

We need global leadership on these technologies for a balanced energy portfolio and, ultimately, to reduce our carbon footprint. At each step, we should be looking to enhance energy conservation, because the cheapest kilowatt hour is one that you don't have to generate and use.

We should have a 10-year glide path in our support of renewable energy. The wind energy industry has already signaled receptivity to phasing out its subsidy, just giving it enough time to come to scale and then stand on its own. It's such a good idea, we should do the same thing for the petroleum industry. After 100 years, the most profitable commodity on the planet is mature and will be able to survive and even thrive without additional tax incentives.

Finally, and most important, we should have the Federal Government lead by example. The Department of Energy's management of four large power marketing agencies should be the gold standard for integrating renewables into the grid, upgrading transmission capacity, and leading on conservation. The GSA, with over 300 million square feet of Federal office space should demand that all our facilities, every square foot we lease, buy, or build, should be of the highest energy efficiency.

The Federal fleet should be on the cutting edge of fuel efficiency standards.

Finally, the Department of Defense, the largest consumer of energy in the world, needs to redouble its efforts. The Pentagon is already moving in the right direction. But it's not just about saving money in the long term; it's

providing operational flexibility and reducing vulnerability from inefficient and dangerous fossil fuels. Those fuel tanker trucks in Afghanistan and Iraq might as well have had great big bull's eyes on them for terrorists. The military knows this, and we should give maximum support even in a time of gradually reducing Pentagon budgets. This will pay dividends for defense and to our family's budget if the Pentagon gets it right.

It's clear that America is ready and equal to this challenge. The President has signaled his interest and leadership. The question is whether Congress is equal to the challenge, ready with innovation, cooperation, and leadership.

VICTOR LOVELADY, TEXAN, KILLED IN TERRORIST ATTACK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, in a remote region of Algeria at an oil and gas facility, in the dark of night before the sun rose, workers from all over the world were getting ready to sit down for breakfast when suddenly gun-wielding Islamic radicals stormed the facility.

Some of the workers were killed; some were able to escape; some were taken hostage. One of the hostages killed in this attack was a member of my congressional district, Victor Lovelady.

Victor was a native of southeast Texas. He was originally from Nederland, Texas, a town of primarily hardworking, blue collar folks centered around the energy industry. Victor had recently moved to Atascocita, Texas, his home not far from where I live. He was 57 years of age.

When he died, he was on a contract assignment for ENGglobal, an energy company in Algeria. According to his family, Victor waited to take that contract until his children had finished school so he could attend their sporting events. This was not surprising for someone who was described as a "dedicated family man and a fantastic co-worker." Although it was hard to be so far away from his family, Victor was excited to take the contract assignment so he could ensure a secure future for his family. That's just the kind of father and husband he was.

The deal for this contract was 28 days on, 28 days off, and he was just 10 days in with only 18 days left to go. He was

scheduled to come home to Texas the day after his daughter's birthday. His life was stolen by those who seek to destroy Americans, the radicals who inflict terror on all who believe in freedom.

Victor is survived by a loving family, including his wife, Maureen; daughter, Erin; and their son, Grant. Over the holidays, the close Lovelady family expressed concern for the safety of Victor, but he reassured them saying, "It's so safe. We have protection." It's hard for people to understand such unspeakable evil.

I spoke with Victor's brother, Mike, throughout the crisis and as did Congressman RANDY WEBER. Yesterday, after we heard the terrible news, Mike told me:

I can associate with my brother getting in a car wreck or having cancer. But terrorism and Nederland, Texas, don't go together.

He was described as "a great family man and a fantastic coworker" and "a leader who mentored countless individuals during his tenure." He was also known for his spontaneous wit. Victor moved from Nederland, Texas, to Atascocita to be closer to work, but he went back and forth so that his children could finish school there.

Mr. Speaker, Victor was killed not just because of what he did; he was killed because of who he was. He was killed because he was an American. A radical Islamic al Qaeda group by the name of the Signatories in Blood claimed responsibility for this terrorist attack, those who seek to destroy us and kill indiscriminately.

□ 1010

They hate us for who we are and what we stand for. Diplomacy is not in their vocabulary.

Two other Americans were also killed in this attack. Their names were Gordon Lee Rowan of Sumpter, Oregon, and Frederick Buttaccio of Katy, Texas.

The Algerian military retook the compound after 3 days, and they found that 34 other hostages had been killed, as well as dozens of terrorists.

Mr. Speaker, our thoughts, prayers, and concerns are with the Lovelady, Rowan, and Buttaccio families today.

Secretary Panetta said that America must respond to these murders. That is correct. We should go after these killers who have malice and evil in their hearts, that kill Americans because they are Americans. That would be justice, and justice is what we do in this country.

And that's just the way it is.

CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, 3 years have passed since the Supreme

Court's dreadful Citizens United decision, and we have seen the dramatic increase in the amount of corporate money flowing into our elections, drowning out the voices of ordinary American citizens eager to participate in the political process.

Citizens United also epitomizes the so-called "corporate personhood" movement in which some now say that corporations are people. The fact is, corporations are not people, and the Constitution was never intended to give corporations the same rights as the American people. Corporations don't breathe, they don't have kids, and they don't die in wars.

My constituents continue to express concern about the growing influence of corporations in our political discourse. They're also demanding action on campaign finance reform because they are repulsed by the large amount of money in our campaigns. Quite frankly, they want elected officials to spend more time on policy, deliberating and debating on issues, and less time dialing for dollars.

Unfortunately, the Republican leadership in the House has failed to address these pressing issues during the past 2 years. They have been indifferent. We haven't had the opportunity to vote on any legislation to curb the influence of unlimited and sometimes secret corporate money flowing into our elections. We haven't even had the opportunity to address these issues in committee hearings or markups.

Recently, I joined 18 of my colleagues in a letter to Chairman GOODLATTE and Ranking Member CONYERS of the Judiciary Committee requesting a hearing to explore constitutional amendment proposals in response to Citizens United and related cases. I hope that we will have an opportunity to discuss these issues in the coming weeks and months. This is, after all, the people's House, and this is the place where we ought to discuss the concerns of the people.

Members of the Democratic Caucus have been working to reform our campaign finance system and restore the rights of the American people that were undermined by the Citizens United decision. We have sponsored and cosponsored legislation to address the growing influence of money in our democratic process.

As a member of the task force on elections reform, I'm proud to join my colleagues in working to rein in corporate spending and address unregulated money flowing into our elections.

Today, I'm introducing two constitutional amendments. The people's rights amendment would overturn Citizens United and put a stop to the growing trend of corporations claiming First Amendment rights. This amendment not only addresses corporate rights as they pertain to campaign finance, but is broader in scope to clarify that cor-

porations are not people with constitutional rights. Importantly, my amendment clearly protects the people's rights of freedom of speech, freedom of press, free exercise of religion, freedom of association, and all other such rights of the people.

My second amendment advances the fundamental principle of political equality for all by empowering Congress and the States with the right to regulate political spending. It will allow Congress to pass campaign finance reform legislation that will withstand constitutional challenges.

Mr. Speaker, we need to empower people, not corporations or Big Money special interests. Our current system has been corrupted. It undermines the rights of ordinary citizens, and it undermines our democracy. Surely, this is not the system our Founders envisioned. The preamble to the Constitution is "We the people." Let us hope that this Congress doesn't forget that.

I ask my colleagues to join me in supporting these important bills to reform our campaign finance laws and assure that corporate rights do not trump people's rights.

IN HONOR OF VIRGINIA STATE POLICE TROOPERS JAY FERLAND AND PHILIP BATTEL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. GRIFFITH) for 5 minutes.

Mr. GRIFFITH of Virginia. Mr. Speaker, I rise and submit remarks in honor of Virginia State Trooper Jay Ferland, a devoted public servant, who along with Trooper Philip Battel saved a family of three from a house fire in Saltville, Virginia.

When I first learned of their bravery, news reports failed to mention Trooper Ferland's involvement. On January 2, I spoke of this incident and only mentioned Trooper Battel. However, both men are deserving of our recognition.

To recap, in the early hours of Friday, December 28, 2012, Trooper Ferland and Trooper Battel were in search of a stolen car that had been involved in an earlier police chase when they noticed off in the distance an orange hue. They decided to investigate. When they reached the area in question, much to their surprise, Troopers Ferland and Battel saw a home engulfed in flames. They banged on the door, but when there was no answer, they made the selfless decision to enter the home and investigate.

Their actions in the house awoke its three residents who had no idea that their home was burning down around them, leading to their ultimate escape from the burning house and from the fire. Because of their bravery, the family was saved, and all are in good health. Their lives were saved, and the lives of two of their pets were also saved. The heroic actions of Trooper

Ferland and Trooper Battel in service to the community are to be commended, and I am honored to be here today to pay tribute to them.

Please join me in thanking Trooper Jay Ferland and Trooper Philip Battel for all they have done for the people of southwest Virginia. The Virginia State Police, as my experience has shown over the years, always respond in fine fashion and rise to the occasion. Trooper Ferland and Trooper Battel are among just two of the many law enforcement officers to note in the long and proud history of the Virginia State Police.

Mr. Speaker, I wish to commend the Virginia State Police, Trooper Ferland, Trooper Battel, and the good work and heroism of all the officers in the Virginia State Police.

PARITY FOR PUERTO RICO

The SPEAKER pro tempore. The Chair recognizes the gentleman from Puerto Rico (Mr. PIERLUISI) for 5 minutes.

Mr. PIERLUISI. Mr. Speaker, tomorrow I will reintroduce two bills: the first to extend the SSI program to Puerto Rico, and the second to provide fair treatment to Puerto Rico under TANF.

SSI provides assistance to blind, disabled, and elderly individuals with low incomes. Congress has chosen not to extend the program to Puerto Rico, which instead receives a limited block grant. The average SSI payment to residents of the States is \$500 a month, while the average payment to residents of Puerto Rico is just \$70.

The TANF program provides payments to needy families with children. The territories are not eligible for certain TANF grants. Moreover, Federal law imposes a cap on the aggregate funding that a territory can receive under a combination of safety net programs, including TANF. My legislation would eliminate this cap, which has not been increased since 1996, and make the territories eligible for TANF grants they do not currently receive. Equality under TANF would mean at least \$40 million in additional funding for Puerto Rico each year.

Those who seek evidence of how Puerto Rico is harmed by its territory status need look no further than the treatment it receives under SSI and TANF. I will fight to secure parity under these two programs. But as long as Puerto Rico remains a territory, it will be an uphill battle.

Mr. Speaker, Puerto Rico recently held a referendum on its political status. Under the current status, the 3.7 million American citizens living in Puerto Rico cannot vote for the leaders who make their national laws and are treated unequally under those laws, as the examples of SSI and TANF well illustrate.

The ballot had two questions. On the first question, voters were asked if they wanted Puerto Rico to remain a territory. Of 1.8 million voters, 54 percent said they do not want the current status to continue, while 46 percent say they do.

On the second question, voters were asked to express their preference among the alternatives to the current status. Of the 1.4 million people who chose an option, 61 percent voted for statehood, 33 percent for free association, and 5.5 percent for independence.

□ 1020

The 834,000 votes for statehood on the second question exceeded the 828,000 for the current status on the first question. For the first time ever, more people in Puerto Rico want to be a state than to continue as a territory.

True to form, defenders of the status quo have tried to distort the results of this referendum, making claims that are intellectually dishonest and divorced from the facts. These critics ignore the results of the first question and argue that, because close to 500,000 people left the second question blank, statehood did not prevail in the referendum.

Let me be clear so there is no confusion. A majority of voters in Puerto Rico soundly rejected the current status. Among the three alternatives, statehood won a decisive victory, and statehood obtained a greater number of votes than any other status option, including the current status.

Mr. Speaker, at yesterday's inauguration, President Obama invoked the Declaration of Independence:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.

President Obama then emphasized, while these truths may be self-evident, they have never been self-executing; that while freedom is a gift from God, it must be secured by His people here on Earth.

To uphold this Nation's core principles and values, the President and Congress must respond to the democratic expression of their fellow citizens in Puerto Rico, who have withdrawn their consent to a political status that makes them second-class citizens and who have made clear that they aspire to have full democratic rights and full equality under the law. None of my stateside colleagues in Congress would accept territory status for their own constituents, so they must recognize and they must respect that the American citizens I represent no longer accept it either.

THE DEBT CEILING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS of Alabama. Mr. Speaker, then-chairman of the Joint Chiefs of Staff Admiral Michael Mullen testified before the House Armed Services Committee that America "is maintaining nearly historic fiscal deficits and national debt. Indeed, I believe that our debt is the greatest threat to our national security. If we as a country do not address our fiscal imbalances in the near term, our national power will erode, and the costs to our ability to maintain and sustain influence could be great."

Admiral Mullen is right: debt caused sequestration. Debt and sequestration will slash our uniformed personnel to their lowest levels since before World War II; will reduce our Navy to the smallest number of operational vessels since World War I; and will cut our Air Force to the smallest number of operational aircraft in its history. In sum, debt is putting America's national security at risk.

Last week, on January 17, the Comptroller General of the United States delivered to President Obama a Government Accountability Office report on America's financial health. I have reviewed many government audits and financial statements during my three decades in public office. I have never seen warnings as stark as those given by the GAO to President Obama. Some lowlights of the GAO report are striking and deserve emphasis.

In fiscal year 2012, the Federal National Mortgage Association and Federal Home Loan Mortgage Corporation, commonly known as Fannie Mae and Freddie Mac, reported about \$85 billion in net valuation losses. The Federal Government's Pension Benefit Guaranty Corporation's liabilities exceeded its assets by about \$34 billion. The Postal Service "finished the year with a reported net loss of almost \$16 billion." The Federal Housing Administration reported that its liabilities exceeded its assets by about \$15 billion.

Mr. Speaker, America is on a path to insolvency and bankruptcy, an event that will debilitate our country. America has incurred four consecutive, unsustainable trillion-dollar deficits and is in the midst of a fifth consecutive trillion-dollar deficit. America's national debt exceeds \$16 trillion. Interest on our debt is well in excess of \$200 billion per year. To put our debt service burden in perspective, that is more than four times what the Federal Government spends on all highway and transportation infrastructure projects in America each year. Unless Washington becomes financially responsible, future debt service will escalate and even more money will be spent on debt service rather than on programs that serve Americans.

America's Comptroller General issued a stern warning to President Obama:

The comprehensive, long-term fiscal projections show that, absent policy changes,

the Federal Government continues to face an unsustainable path. Over the long term, the structural imbalance between spending and revenue will lead to the continued growth of debt held by the public as a share of GDP. This means the current structure of the Federal budget is unsustainable.

America's current path and Federal budget are unsustainable. Absent changes, Federal Government insolvency and bankruptcy are certain to result and cause an economic disaster unrivaled in America's history. This week, the House of Representatives faces a vote to increase America's debt ceiling. Pending legislation raises the debt ceiling by roughly \$300 to \$400 billion. What protection from the risk of insolvency and bankruptcy does America get in return?

Are there any spending cuts? No.

Are there policies that spur economic growth and result in revenue increases? No.

Does this proposal help fix in any way the trillion-dollar deficits that threaten America with financial ruin? No.

Mr. Speaker, I can only speak for me. I will not vote to raise the debt ceiling unless significant efforts are made to fix the underlying problem of deficits and accumulated debt that force debt ceiling votes and risk America's future. I will not vote to raise the debt ceiling unless, first, Congress passes a substantive balanced-budget constitutional amendment that solves the debt problem for future generations or, second, we implement sizable spending cuts that help get our financial affairs in order.

I take this stance full well knowing the adverse economic effects of a failure to raise the debt ceiling but also knowing, Mr. Speaker, that those effects pale in comparison to an insolvency and bankruptcy of the America I love.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 27 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Thank You, God, for giving us another day.

The people's House gathers today after a day of celebrating the greatness

of our American experiment of self-government, and as the administration gathers for prayer even now at the National Cathedral, we gather here to ask Your blessing.

The difficult work of governing now resumes. Bless the Members of this assembly with wisdom, patience, and good will as they tackle the ongoing issues challenging our Nation.

We thank You again for the inspiration of our Nation's Founders and the legacy they left us with. May the Members of this assembly, and all Americans, be worthy of that legacy. And may all that is done this day be done for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. OLSON. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. OLSON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Florida (Ms. FRANKEL) come forward and lead the House in the Pledge of Allegiance.

Ms. FRANKEL of Florida led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

REMEMBERING THE HEROES OF APOLLO "1"

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, on September 12, 1962, at Rice University, President John Kennedy committed America to put a man on the Moon by the end of the decade.

Unfortunately, tragedy struck America at 6:31 p.m. on January 27, 1967. During a ground test of the *Apollo* crew

module, a fire broke out. Within a few minutes, three brave space pioneers had lost their lives.

We lost Roger Chaffee, who was training for his first mission into space. We lost Gus Grissom, the second American in space behind Alan Shepard; and we lost Ed White, the first American to do a space walk, and the man my elementary school in Houston was named after.

Two-and-a-half years after the *Apollo 1* fire, Neil Armstrong put his left foot on the Moon. It was a giant leap for mankind, one that would not have happened without the sacrifice of the *Apollo 1* crew. May the world always remember these heroes.

40TH ANNIVERSARY OF ROE V. WADE

(Ms. SLAUGHTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to rise today to commemorate the 40th anniversary of the landmark *Roe v. Wade* decision by the Supreme Court. This decision is the firewall that protects women's health and the turning point that moved women's health forward.

On this 40th anniversary of *Roe v. Wade*, we reaffirm the constitutionally protected right of every woman to safe and legal health care. Women are nurturers, but when life places a woman in the most difficult of circumstances, the choices she needs to make should be free from government interference.

Over the years, I have been proud to stand with many of my colleagues as we have beaten back repeated attempts to chip away at women's rights set forth in *Roe v. Wade*. Over the last 2 years, we have seen the most extreme and repeated attempts to take away a woman's right to her health care.

In the most recent Congress, we found ourselves defending a woman's right to access contraception. We opposed a bill that would have allowed women to die if the emergency room employee who came to her aid had a "conscientious objection" to performing an abortion that would save her life, without even being required to refer her elsewhere for help.

We have insisted that politicians not place themselves in the operating room to judge the motives of a woman seeking a constitutionally protected medical procedure if they thought her decision may have been based on the gender or race of the fetus.

Mr. Speaker, we stand on the shoulders of giants of women who went before us on this, and we take up the cudgel to keep it safe and legal.

40TH ANNIVERSARY OF ROE V. WADE

(Mr. MESSER asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. MESSER. Mr. Speaker, I rise today to reflect on 40 years since the ruling of the United States Supreme Court in *Roe v. Wade*.

Our President, in his inaugural address yesterday, recognized the fact that this Nation has long understood that we are all endowed by our Creator with certain unalienable rights. Chief among them is the right to life and the recognition that it's rooted in, that every life is precious and deserving of dignity.

Today, I took the first of what will be many steps in my congressional service to protect life by cosponsoring H.R. 217, the Title X Abortion Provider Prohibition Act, to ensure that family planning grants are used for their intended purposes and not by organizations like Planned Parenthood to provide abortions.

Mr. Speaker, as a Nation, we must do better. Our children deserve better. My hope is that with hard work, persuasion, and prayer we will once again become a Nation that recognizes the dignity of every human being and recognizes again our God-given unalienable right to life.

40TH ANNIVERSARY OF ROE V. WADE

(Ms. FRANKEL of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FRANKEL of Florida. Mr. Speaker, I rise today in honor of the 40th anniversary of *Roe v. Wade* and the freedom of reproductive choice that this historic decision provides for all women in America. This is a very personal and private choice.

When I gave birth to my son, Ben, it was the most precious moment in my life. His life has brought me great joys and great responsibilities. The decision to bring Ben into this world was made by his father and me. It was our choice. We didn't call the Governor. We didn't call the Congress. It was our choice.

And so today, I proudly honor the 40th anniversary of *Roe v. Wade* and thank those who have fought so bravely to ensure that women have the right to make those life-changing personal decisions that affect them and their families. As we celebrate, we must be mindful that there is more work to be done to protect reproductive choice for our daughters and our granddaughters.

□ 1210

HONORING COACH TODD McDUGALL

(Mr. HECK of Washington asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HECK of Washington. My wife, Paula, and I live about 500 yards from Olympia High School and its baseball field, and every spring we wander over and watch the team play. For the past 20 years, it's been coached by Todd McDougall, and he's a great coach.

Todd's just 42 years old. He's taught his entire career at Olympia High School. He is one of those—and we all know them—great teachers, as is his wife, Julie, a middle school science teacher.

So you can imagine the community heartbreak a few weeks ago when he was diagnosed with glioblastoma grade 4 brain cancer. Coach McDougall could use our prayers right now, as could Julie, their 11-year-old daughter, Marlee, and their twin 9-year-old sons, Andrew and Dylan.

I hope you'll find out more about this remarkable man at Friends for Todd McDougall on Facebook.

ALAMEDA COUNTY FAMILY JUSTICE CENTER

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. Mr. Speaker, I rise today to salute the great work done by the Alameda County Family Justice Center, a nonprofit organization in California's East Bay, which represents my district.

I was an Alameda County prosecutor, and it was during my tenure that the Justice Center was founded by my former boss, Alameda County District Attorney Nancy O'Malley. Prior to its existence, people in my area subjected to domestic violence, human trafficking, or sexual assault had to navigate a complicated bureaucracy and go to many different places to obtain much-needed services.

The Justice Center changed that by coordinating and centralizing critical programs in just one place. It operates as a one-place location for victims of domestic violence, sexual assault, and human trafficking, offering services like counseling, job training, and housing. Those suffering at the hands of abusers now have a place to rest, recover, and restore their lives.

As a prosecutor, I saw the horrible damage that these crimes cause, and I am grateful that the traumatized victims of the East Bay have the Justice Center to which they can turn.

In a few days it's holding its sixth annual fundraising gala called One. I want to take this opportunity to wish everyone involved good luck with the event and continued success in helping all victims of the East Bay.

ENERGY INDEPENDENCE AND CLIMATE CHANGE

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, yesterday, President Obama struck several important themes. None was strategically more vital than making America energy-independent again. Then he referenced the related challenge of climate change and its impact on life on our continent and world. Only fools would fail to pay attention to the necessity of change to meet the needs of a new era.

Our dependence on importing foreign oil cost America over \$321 billion last year, racking up a \$140 billion trade deficit in petroleum and energy alone. With that lost income comes lost jobs by the hundreds of thousands. So many more people could be employed here at home, developing domestic energy sources rather than defending exploitation and extraction abroad.

And on climate change, the President recognized the reality of fierce and expensive weather incidents like Hurricanes Sandy and Katrina, or our declining lake levels and river levels, like the Mississippi, or the 2-foot drop in Lake Erie over the last year. We must anticipate and adapt our lives where possible.

Yes, as the 113th Congress begins, our primary aim will be to welcome the challenges of change, not cling to the past. Working together, as the President challenged, America can meet the test of a new day. My brother, Steve, the inventor, innately grasps this challenge. So must we.

40TH ANNIVERSARY OF ROE V. WADE

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, I also rise today to recognize the 40th anniversary of the Supreme Court's *Roe v. Wade* decision. This landmark decision granted American women the right to make their own personal health decisions, in consultation with their family and their faith, and without government intrusion.

However, this right has been under steady attack in recent years, with a clear goal: to make it so difficult to obtain a safe and legal abortion that it's become de facto illegal. But I'm among those who remember what it was like when women were pushed into the shadows to get care, and we cannot go back to that dangerous time.

The truth is, none of us can walk in the shoes of each woman facing an unwanted pregnancy, so let's use this anniversary to renew our commitment to ensuring that every woman in America can make her own decision and walk her own path.

40TH ANNIVERSARY OF ROE V.
WADE

(Ms. HANABUSA asked and was given permission to address the House for 1 minute.)

Ms. HANABUSA. Mr. Speaker, on December 13, 1971, the United States Supreme Court heard arguments in a case called *Roe v. Wade*.

Then, 13 months later, 40 years ago today, the United States Supreme Court issued its decision on the case, a case that every law student reads, a case that has defined a woman's right to control her body and her future, and the definitive decision on women's right to choose. And this was delivered by Justice Blackmun for the Court.

I reread that decision on this day and was struck by the statement that the task for the Court is to "resolve the issue by constitutional measurement, free of emotion and of predilection."

Justice Blackmun went on to quote Justice Holmes in *Lochner v. New York*, and he said:

The Constitution is made for people of fundamentally differing views, and the accident of our finding certain opinions natural and familiar or novel and even shocking ought not to conclude our judgment upon the question of whether statutes embodying them conflict with the Constitution of the United States.

Interestingly, it was Chief Justice Roberts who also looked to Justice Holmes in deciding *ObamaCare*. Both cases on the 14th Amendment, both looking to the Constitution. Forty years later, good law.

40TH ANNIVERSARY OF ROE V.
WADE

(Ms. BONAMICI asked and was given permission to address the House for 1 minute.)

Ms. BONAMICI. Mr. Speaker, 40 years ago today, *Roe v. Wade* gave women the right to make their own decisions about reproductive health care. Without it, women's lives would be very different.

History shows us that when abortion is illegal, it does not go away; it becomes dangerous. And that's why it's important to continue to make sure that abortion is legal, rare, regulated, and safe.

Before *Roe*, more than a million women each year took great risk to access health care they needed. They faced unlicensed and ill-equipped physicians, unsanitary conditions, illness, and death. This is why the Supreme Court ruling was so important 40 years ago. It ensured safe, legal abortions for these women.

Roe v. Wade ensures the basic right of privacy, the freedom to control one's body and one's future. It can be easy to feel complacent today, but the threats against reproductive health care rights are increasing.

There is still work to be done. Today, 40 years later, we must continue to

fight so that women's reproductive health care rights are not rolled back.

40TH ANNIVERSARY OF ROE V.
WADE

(Mr. HOLT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOLT. Mr. Speaker, 40 years ago today the Supreme Court affirmed the dignity and independence of each American woman. The result of the decision was an understanding that our Constitution guaranteed decisions about a woman's own body should be left up to that woman, in consultation with her doctor, her family, and her religion, not the Federal Government.

There is now a generation of women who do not remember the time before *Roe v. Wade*, a time when men assumed they could say what women could and could not do about their personal private health care and reproduction.

We still have a lot of work to do. Unfortunately, over the past 40 years there have been numerous legislative attempts to deny this right to women and treat women who exercise control over their own bodies as criminals.

We have to make sure that we defend also Title X, maternal and child health care programs, public access to reproductive health care, and that we reauthorize the Violence Against Women Act. But we must remember the time before *Roe v. Wade* and what is at stake.

□ 1220

40TH ANNIVERSARY OF ROE V.
WADE

(Ms. DEGETTE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DEGETTE. Yesterday, in his inaugural address, our President reminded us of the founding principle of our Nation—that all Americans are created equal. For the women of this great country, there can be no greater means of equality than the right to reproductive choice.

Today, on the 40th anniversary of *Roe v. Wade*, I come to the floor to reflect on that landmark decision that allowed American women the freedom to make health care decisions on their own, in consultation with their family and doctors.

I don't know the story of every woman who's had to make a difficult decision, but I can tell you this: each one is unique. Each woman's story is her own. As a politician, I'm not going to tell women when to get checkups or when to get mammograms. And no politician, now or ever, should tell a woman how to handle her pregnancy.

Just this morning, *The Wall Street Journal* issued a poll that showed

Americans agree with this; 7 in 10 Americans believe *Roe v. Wade* should stand. And I think everybody who tries to reverse this fundamental right should keep that in mind.

Thank you to everybody who fights every day for the rights of women. Today is a day to be grateful and to celebrate and to commit to hard work in the future.

NO BUDGET, NO PAY

(Mr. TIPTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIPTON. As we begin the 113th Congress, it is time that this Congress does what hardworking families and small businesses across our country do every day: balance our budget and actually work within a budget. We have families right now that are struggling. The impacts of this Congress and its inability to be able to have its fiscal house in order cannot be overstated when it comes to hurting those families and small businesses.

We're going to be putting forward legislation to make sure that that debt ceiling will be increased for a temporary period of time, but with the requirement that this House and our counterparts in the United States Senate actually pass a budget for the American people. If we can't do that, then we as Members of Congress don't deserve to be paid. No budget, no pay. This is common sense—to stand up for the American people to make sure that we are getting this fiscal house in order and looking out for our children and for our grandchildren.

40TH ANNIVERSARY OF ROE V.
WADE

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today, we mark the 40th anniversary of *Roe v. Wade*, the landmark decision which enshrined a realm of personal privacy that is deeply connected to the personal freedoms that we hold dear in this country. As one Justice put it, it's the simple right to be left alone.

The right to choose is meaningless without access to choose. Yet the Republican-led Congress has chipped away at access, voting 10 times to limit access in the last Congress to a woman's basic right. Last year, there were 43 laws that were passed in 19 States that would restrict access to a woman's right to choose.

This past election, women made it loud and clear that the right to choose is one that they believe in, and that is a basic right that the majority of Americans hold dear and will uphold with their votes in every election.

FREEDOM IS A GIFT OF GOD

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, yesterday was a magnificent day: the coming together for the second inauguration of Barack Obama and the honoring of Dr. Martin Luther King. In his speech, President Obama said something potent and powerful, and that is that freedom is a gift from God, but it is one that is not self-executing. A gentleman that I know very well, Dr. Reverend Samuel Smith of the Mount Horeb Baptist Church, knows about fighting for freedom.

Today, I rise to again affirm Roe v. Wade, which speaks about individual freedom, and to indicate that even as we discuss budget talks and the debt ceiling, we must recognize the freedom of the vulnerable to be safe and secure and to have the support to be able to have food and clothing and a home. That is freedom as well, my friends.

And so as we debate the questions of the debt ceiling and whether we have a budget, let us be reminded that freedom is a gift of God and that it should not be denied to those who are most vulnerable, those who are the weak, those who cannot stand for themselves. And the President made it very clear that freedom is not to the powerful. It is for all of us. We all are created equal, with certain unalienable rights of life, liberty, and the pursuit of happiness.

40TH ANNIVERSARY OF ROE V. WADE

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Today marks the 40th anniversary of Roe v. Wade. Ultimately decisions about whether to choose adoption, end a pregnancy, or raise a child must be left to a woman, her family, and her faith, with the counsel of her doctor or health care provider.

Roe v. Wade prevents politicians from interfering with a woman's personal decision. Were Roe ever to be overturned, it could have ripple effects. Our laws and traditions afford constitutional protections to personal decisions relating to, among other things, marriage, procreation, contraception, family relationships, child-rearing, and intimacy. The right to privacy, strengthened by Roe, supports each of these areas.

Overtaking Roe could thus potentially erode the ability of individuals to make highly personal decisions free from intrusive government regulations and harm the overall right to privacy.

40TH ANNIVERSARY OF ROE V. WADE

(Mr. FARR asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. FARR. It was a very historic time in Washington, DC, yesterday, with not only the swearing in of the President of the United States, but doing it on the occasion that marks Martin Luther King's birthday holiday here in the United States. What a day for hundreds of thousands of youth from around this country to see their Capital in action and today visiting the Congress itself.

Today, we also celebrate the historic enactment of Roe v. Wade. What an absolute honor and privilege it is to live in a country that does not deny access to health care. I was a Peace Corps volunteer in Latin America, and my sister died on the operating table because there was not adequate health care. When you don't have it, you can't get it, no matter what. And so this country protects women's rights to see a doctor in their own privacy and discuss what their needs may be. No Congress should stand in the way of denying people access to health care, including the right to an abortion.

So let's protect what the Supreme Court has honored and celebrate on this historic day all kinds of great things in this great country, including Roe v. Wade, America's anniversary of the right to health care for women.

NO BUDGET, NO PAY

(Mr. LAMALFA asked and was given permission to address the House for 1 minute.)

Mr. LAMALFA. For almost 4 years, the Democrat-controlled Senate has failed to pass a budget—the most basic responsibility of governing. This shameful record must end this year. We must set up a broader debate about spending that forces the Senate to finally join the House in confronting the government's spending problem. The House and Senate must each pass a budget. If they fail, Member pay should be withheld. The principle is as simple as the bill: no budget, no pay.

I'm a California legislator, having served in our State legislature for 8 years. The people of California finally got tired of late, ineffective budgets and passed legislation on their own via the initiative process to force the State legislature to get the job done. The first time that happened, right after that election, the budget got done on time. Amazing.

Therefore, I hope the American people will join the effort the U.S. House Republicans are taking up and force the United States Senate to get the job done to get a budget, as is their responsibility.

□ 1230

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. POE of Texas). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

PANDEMIC AND ALL-HAZARDS PREPAREDNESS REAUTHORIZATION ACT OF 2013

Mr. PITTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 307) to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 307

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Pandemic and All-Hazards Preparedness Reauthorization Act of 2013”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—STRENGTHENING NATIONAL PREPAREDNESS AND RESPONSE FOR PUBLIC HEALTH EMERGENCIES

Sec. 101. National Health Security Strategy.

Sec. 102. Assistant Secretary for Preparedness and Response.

Sec. 103. National Advisory Committee on Children and Disasters.

Sec. 104. Modernization of the National Disaster Medical System.

Sec. 105. Continuing the role of the Department of Veterans Affairs.

TITLE II—OPTIMIZING STATE AND LOCAL ALL-HAZARDS PREPAREDNESS AND RESPONSE

Sec. 201. Temporary redeployment of federally funded personnel during a public health emergency.

Sec. 202. Improving State and local public health security.

Sec. 203. Hospital preparedness and medical surge capacity.

Sec. 204. Enhancing situational awareness and biosurveillance.

Sec. 205. Eliminating duplicative Project Bioshield reports.

TITLE III—ENHANCING MEDICAL COUNTERMEASURE REVIEW

Sec. 301. Special protocol assessment.

Sec. 302. Authorization for medical products for use in emergencies.

Sec. 303. Definitions.

Sec. 304. Enhancing medical countermeasure activities.

Sec. 305. Regulatory management plans.

Sec. 306. Report.

Sec. 307. Pediatric medical countermeasures.

TITLE IV—ACCELERATING MEDICAL COUNTERMEASURE ADVANCED RESEARCH AND DEVELOPMENT

Sec. 401. BioShield.

Sec. 402. Biomedical Advanced Research and Development Authority.

Sec. 403. Strategic National Stockpile.

Sec. 404. National Biodefense Science Board.

TITLE I—STRENGTHENING NATIONAL PREPAREDNESS AND RESPONSE FOR PUBLIC HEALTH EMERGENCIES

SEC. 101. NATIONAL HEALTH SECURITY STRATEGY.

(a) IN GENERAL.—Section 2802 of the Public Health Service Act (42 U.S.C. 300hh-1) is amended—

(1) in subsection (a)(1), by striking “2009” and inserting “2014”; and

(2) in subsection (b)—

(A) in paragraph (1)(A), by inserting “, including drills and exercises to ensure medical surge capacity for events without notice” after “exercises”; and

(B) in paragraph (3)—

(i) in the matter preceding subparagraph (A)—

(I) by striking “facilities), and trauma care” and inserting “and ambulatory care facilities and which may include dental health facilities), and trauma care, critical care,”; and

(II) by inserting “(including related availability, accessibility, and coordination)” after “public health emergencies”;

(ii) in subparagraph (A), by inserting “and trauma” after “medical”;

(iii) in subparagraph (B), by striking “Medical evacuation and fatality management” and inserting “Fatality management”;

(iv) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively;

(v) by inserting after subparagraph (B), the following new subparagraph:

“(C) Coordinated medical triage and evacuation to appropriate medical institutions based on patient medical need, taking into account regionalized systems of care.”;

(vi) in subparagraph (E), as redesignated by clause (iv), by inserting “(which may include such dental health assets)” after “medical assets”; and

(vii) by adding at the end the following:

“(G) Optimizing a coordinated and flexible approach to the medical surge capacity of hospitals, other health care facilities, critical care, and trauma care (which may include trauma centers) and emergency medical systems.”;

(C) in paragraph (4)—

(i) in subparagraph (A), by inserting “, including the unique needs and considerations of individuals with disabilities,” after “medical needs of at-risk individuals”; and

(ii) in subparagraph (B), by inserting “the” before “purpose of this section”; and

(D) by adding at the end the following:

“(7) COUNTERMEASURES.—

“(A) Promoting strategic initiatives to advance countermeasures to diagnose, mitigate, prevent, or treat harm from any biological agent or toxin, chemical, radiological, or nuclear agent or agents, whether naturally occurring, unintentional, or deliberate.

“(B) For purposes of this paragraph, the term ‘countermeasures’ has the same meaning as the terms ‘qualified countermeasures’ under section 319F-1, ‘qualified pandemic and epidemic products’ under section 319F-3, and ‘security countermeasures’ under section 319F-2.

“(8) MEDICAL AND PUBLIC HEALTH COMMUNITY RESILIENCY.—Strengthening the ability

of States, local communities, and tribal communities to prepare for, respond to, and be resilient in the event of public health emergencies, whether naturally occurring, unintentional, or deliberate by—

“(A) optimizing alignment and integration of medical and public health preparedness and response planning and capabilities with and into routine daily activities; and

“(B) promoting familiarity with local medical and public health systems.”.

(b) AT-RISK INDIVIDUALS.—Section 2814 of the Public Health Service Act (42 U.S.C. 300hh-16) is amended—

(1) by striking paragraphs (5), (7), and (8);

(2) in paragraph (4), by striking

“2811(b)(3)(B)” and inserting “2802(b)(4)(B)”;

(3) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively;

(4) by inserting before paragraph (2) (as so redesignated), the following:

“(1) monitor emerging issues and concerns as they relate to medical and public health preparedness and response for at-risk individuals in the event of a public health emergency declared by the Secretary under section 319;”;

(5) by amending paragraph (2) (as so redesignated) to read as follows:

“(2) oversee the implementation of the preparedness goals described in section 2802(b) with respect to the public health and medical needs of at-risk individuals in the event of a public health emergency, as described in section 2802(b)(4);”;

(6) by inserting after paragraph (6), the following:

“(7) disseminate and, as appropriate, update novel and best practices of outreach to and care of at-risk individuals before, during, and following public health emergencies in as timely a manner as is practicable, including from the time a public health threat is identified; and

“(8) ensure that public health and medical information distributed by the Department of Health and Human Services during a public health emergency is delivered in a manner that takes into account the range of communication needs of the intended recipients, including at-risk individuals.”.

SEC. 102. ASSISTANT SECRETARY FOR PREPAREDNESS AND RESPONSE.

(a) IN GENERAL.—Section 2811 of the Public Health Service Act (42 U.S.C. 300hh-10) is amended—

(1) in subsection (b)—

(A) in paragraph (3), by inserting “, security countermeasures (as defined in section 319F-2),” after “qualified countermeasures (as defined in section 319F-1)”;

(B) in paragraph (4), by adding at the end the following:

“(D) POLICY COORDINATION AND STRATEGIC DIRECTION.—Provide integrated policy coordination and strategic direction with respect to all matters related to Federal public health and medical preparedness and execution and deployment of the Federal response for public health emergencies and incidents covered by the National Response Plan developed pursuant to section 504(6) of the Homeland Security Act of 2002, or any successor plan, before, during, and following public health emergencies.

“(E) IDENTIFICATION OF INEFFICIENCIES.—Identify and minimize gaps, duplication, and other inefficiencies in medical and public health preparedness and response activities and the actions necessary to overcome these obstacles.

“(F) COORDINATION OF GRANTS AND AGREEMENTS.—Align and coordinate medical and

public health grants and cooperative agreements as applicable to preparedness and response activities authorized under this Act, to the extent possible, including program requirements, timelines, and measurable goals, and in consultation with the Secretary of Homeland Security, to—

“(i) optimize and streamline medical and public health preparedness and response capabilities and the ability of local communities to respond to public health emergencies; and

“(ii) gather and disseminate best practices among grant and cooperative agreement recipients, as appropriate.

“(G) DRILL AND OPERATIONAL EXERCISES.—Carry out drills and operational exercises, in consultation with the Department of Homeland Security, the Department of Defense, the Department of Veterans Affairs, and other applicable Federal departments and agencies, as necessary and appropriate, to identify, inform, and address gaps in and policies related to all-hazards medical and public health preparedness and response, including exercises based on—

“(i) identified threats for which countermeasures are available and for which no countermeasures are available; and

“(ii) unknown threats for which no countermeasures are available.

“(H) NATIONAL SECURITY PRIORITY.—On a periodic basis consult with, as applicable and appropriate, the Assistant to the President for National Security Affairs, to provide an update on, and discuss, medical and public health preparedness and response activities pursuant to this Act and the Federal Food, Drug, and Cosmetic Act, including progress on the development, approval, clearance, and licensure of medical countermeasures.”; and

(C) by adding at the end the following:

“(7) COUNTERMEASURES BUDGET PLAN.—Develop, and update on an annual basis, a coordinated 5-year budget plan based on the medical countermeasure priorities described in subsection (d). Each such plan shall—

“(A) include consideration of the entire medical countermeasures enterprise, including—

“(i) basic research and advanced research and development;

“(ii) approval, clearance, licensure, and authorized uses of products; and

“(iii) procurement, stockpiling, maintenance, and replenishment of all products in the Strategic National Stockpile;

“(B) inform prioritization of resources and include measurable outputs and outcomes to allow for the tracking of the progress made toward identified priorities;

“(C) identify medical countermeasure lifecycle costs to inform planning, budgeting, and anticipated needs within the continuum of the medical countermeasure enterprise consistent with section 319F-2; and

“(D) be made available to the appropriate committees of Congress upon request.”;

(2) by striking subsection (c) and inserting the following:

“(c) FUNCTIONS.—The Assistant Secretary for Preparedness and Response shall—

“(1) have lead responsibility within the Department of Health and Human Services for emergency preparedness and response policy coordination and strategic direction;

“(2) have authority over and responsibility for—

“(A) the National Disaster Medical System pursuant to section 2812;

“(B) the Hospital Preparedness Cooperative Agreement Program pursuant to section 319C-2;

“(C) the Biomedical Advanced Research and Development Authority pursuant to section 319L; and

“(D) the Medical Reserve Corps pursuant to section 2813; and

“(E) the Emergency System for Advance Registration of Volunteer Health Professionals pursuant to section 319I; and

“(F) administering grants and related authorities related to trauma care under parts A through C of title XII, such authority to be transferred by the Secretary from the Administrator of the Health Resources and Services Administration to such Assistant Secretary; and

“(3) exercise the responsibilities and authorities of the Secretary with respect to the coordination of—

“(A) the Public Health Emergency Preparedness Cooperative Agreement Program pursuant to section 319C-1; and

“(B) the Strategic National Stockpile pursuant to section 319F-2; and

“(C) the Cities Readiness Initiative; and

“(4) assume other duties as determined appropriate by the Secretary.”; and

(3) by adding at the end the following:

“(d) PUBLIC HEALTH EMERGENCY MEDICAL COUNTERMEASURES ENTERPRISE STRATEGY AND IMPLEMENTATION PLAN.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, and every year thereafter, the Assistant Secretary for Preparedness and Response shall develop and submit to the appropriate committees of Congress a coordinated strategy and accompanying implementation plan for medical countermeasures to address chemical, biological, radiological, and nuclear threats. In developing such a plan, the Assistant Secretary for Preparedness and Response shall consult with the Director of the Biomedical Advanced Research and Development Authority, the Director of the National Institutes of Health, the Director of the Centers for Disease Control and Prevention, and the Commissioner of Food and Drugs. Such strategy and plan shall be known as the ‘Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan’.

“(2) REQUIREMENTS.—The plan under paragraph (1) shall—

“(A) describe the chemical, biological, radiological, and nuclear agent or agents that may present a threat to the Nation and the corresponding efforts to develop qualified countermeasures (as defined in section 319F-1), security countermeasures (as defined in section 319F-2), or qualified pandemic or epidemic products (as defined in section 319F-3) for each threat; and

“(B) evaluate the progress of all activities with respect to such countermeasures or products, including research, advanced research, development, procurement, stockpiling, deployment, distribution, and utilization; and

“(C) identify and prioritize near-, mid-, and long-term needs with respect to such countermeasures or products to address a chemical, biological, radiological, and nuclear threat or threats; and

“(D) identify, with respect to each category of threat, a summary of all awards and contracts, including advanced research and development and procurement, that includes—

“(i) the time elapsed from the issuance of the initial solicitation or request for a proposal to the adjudication (such as the award, denial of award, or solicitation termination); and

“(ii) an identification of projected timelines, anticipated funding allocations,

benchmarks, and milestones for each medical countermeasure priority under subparagraph (C), including projected needs with regard to replenishment of the Strategic National Stockpile; and

“(E) be informed by the recommendations of the National Biodefense Science Board pursuant to section 319M; and

“(F) evaluate progress made in meeting timelines, allocations, benchmarks, and milestones identified under subparagraph (D)(ii); and

“(G) report on the amount of funds available for procurement in the special reserve fund as defined in section 319F-2(h) and the impact this funding will have on meeting the requirements under section 319F-2; and

“(H) incorporate input from Federal, State, local, and tribal stakeholders; and

“(I) identify the progress made in meeting the medical countermeasure priorities for at-risk individuals (as defined in 2802(b)(4)(B)), as applicable under subparagraph (C), including with regard to the projected needs for related stockpiling and replenishment of the Strategic National Stockpile, including by addressing the needs of pediatric populations with respect to such countermeasures and products in the Strategic National Stockpile, including—

“(i) a list of such countermeasures and products necessary to address the needs of pediatric populations; and

“(ii) a description of measures taken to coordinate with the Office of Pediatric Therapeutics of the Food and Drug Administration to maximize the labeling, dosages, and formulations of such countermeasures and products for pediatric populations; and

“(iii) a description of existing gaps in the Strategic National Stockpile and the development of such countermeasures and products to address the needs of pediatric populations; and

“(iv) an evaluation of the progress made in addressing priorities identified pursuant to subparagraph (C); and

“(J) identify the use of authority and activities undertaken pursuant to sections 319F-1(b)(1), 319F-1(b)(2), 319F-1(b)(3), 319F-1(c), 319F-1(d), 319F-1(e), 319F-2(c)(7)(C)(iii), 319F-2 (c)(7)(C)(iv), and 319F-2(c)(7)(C)(v) of this Act, and subsections (a)(1), (b)(1), and (e) of section 564 of the Federal Food, Drug, and Cosmetic Act, by summarizing—

“(i) the particular actions that were taken under the authorities specified, including, as applicable, the identification of the threat agent, emergency, or the biomedical countermeasure with respect to which the authority was used; and

“(ii) the reasons underlying the decision to use such authorities, including, as applicable, the options that were considered and rejected with respect to the use of such authorities; and

“(iii) the number of, nature of, and other information concerning the persons and entities that received a grant, cooperative agreement, or contract pursuant to the use of such authorities, and the persons and entities that were considered and rejected for such a grant, cooperative agreement, or contract, except that the report need not disclose the identity of any such person or entity; and

“(iv) whether, with respect to each procurement that is approved by the President under section 319F-2(c)(6), a contract was entered into within one year after such approval by the President; and

“(v) with respect to section 319F-1(d), for the one-year period for which the report is submitted, the number of persons who were

paid amounts totaling \$100,000 or greater and the number of persons who were paid amounts totaling at least \$50,000 but less than \$100,000; and

“(K) be made publicly available.

“(3) GAO REPORT.—

“(A) IN GENERAL.—Not later than 1 year after the date of the submission to the Congress of the first Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan, the Comptroller General of the United States shall conduct an independent evaluation, and submit to the appropriate committees of Congress a report, concerning such Strategy and Implementation Plan.

“(B) CONTENT.—The report described in subparagraph (A) shall review and assess—

“(i) the near-term, mid-term, and long-term medical countermeasure needs and identified priorities of the Federal Government pursuant to paragraph (2)(C); and

“(ii) the activities of the Department of Health and Human Services with respect to advanced research and development pursuant to section 319L; and

“(iii) the progress made toward meeting the timelines, allocations, benchmarks, and milestones identified in the Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan under this subsection.

“(e) PROTECTION OF NATIONAL SECURITY.—In carrying out subsections (b)(7) and (d), the Secretary shall ensure that information and items that could compromise national security, contain confidential commercial information, or contain proprietary information are not disclosed.”.

(b) INTERAGENCY COORDINATION PLAN.—In the first Public Health Emergency Countermeasures Enterprise Strategy and Implementation Plan submitted under subsection (d) of section 2811 of the Public Health Service Act (42 U.S.C. 300hh-10) (as added by subsection (a)(3)), the Secretary of Health and Human Services, in consultation with the Secretary of Defense, shall include a description of the manner in which the Department of Health and Human Services is coordinating with the Department of Defense regarding countermeasure activities to address chemical, biological, radiological, and nuclear threats. Such report shall include information with respect to—

(1) the research, advanced research, development, procurement, stockpiling, and distribution of countermeasures to meet identified needs; and

(2) the coordination of efforts between the Department of Health and Human Services and the Department of Defense to address countermeasure needs for various segments of the population.

SEC. 103. NATIONAL ADVISORY COMMITTEE ON CHILDREN AND DISASTERS.

Subtitle B of title XXVIII of the Public Health Service Act (42 U.S.C. 300hh et seq.) is amended by inserting after section 2811 the following:

“SEC. 2811A. NATIONAL ADVISORY COMMITTEE ON CHILDREN AND DISASTERS.

“(a) ESTABLISHMENT.—The Secretary, in consultation with the Secretary of Homeland Security, shall establish an advisory committee to be known as the ‘National Advisory Committee on Children and Disasters’ (referred to in this section as the ‘Advisory Committee’).

“(b) DUTIES.—The Advisory Committee shall—

“(1) provide advice and consultation with respect to the activities carried out pursuant to section 2814, as applicable and appropriate;

“(2) evaluate and provide input with respect to the medical and public health needs of children as they relate to preparation for, response to, and recovery from all-hazards emergencies; and

“(3) provide advice and consultation with respect to State emergency preparedness and response activities and children, including related drills and exercises pursuant to the preparedness goals under section 2802(b).

“(c) **ADDITIONAL DUTIES.**—The Advisory Committee may provide advice and recommendations to the Secretary with respect to children and the medical and public health grants and cooperative agreements as applicable to preparedness and response activities authorized under this title and title III.

“(d) **MEMBERSHIP.**—

“(1) **IN GENERAL.**—The Secretary, in consultation with such other Secretaries as may be appropriate, shall appoint not to exceed 15 members to the Advisory Committee. In appointing such members, the Secretary shall ensure that the total membership of the Advisory Committee is an odd number.

“(2) **REQUIRED MEMBERS.**—The Secretary, in consultation with such other Secretaries as may be appropriate, may appoint to the Advisory Committee under paragraph (1) such individuals as may be appropriate to perform the duties described in subsections (b) and (c), which may include—

“(A) the Assistant Secretary for Preparedness and Response;

“(B) the Director of the Biomedical Advanced Research and Development Authority;

“(C) the Director of the Centers for Disease Control and Prevention;

“(D) the Commissioner of Food and Drugs;

“(E) the Director of the National Institutes of Health;

“(F) the Assistant Secretary of the Administration for Children and Families;

“(G) the Administrator of the Federal Emergency Management Agency;

“(H) at least two non-Federal health care professionals with expertise in pediatric medical disaster planning, preparedness, response, or recovery;

“(I) at least two representatives from State, local, territorial, or tribal agencies with expertise in pediatric disaster planning, preparedness, response, or recovery; and

“(J) representatives from such Federal agencies (such as the Department of Education and the Department of Homeland Security) as determined necessary to fulfill the duties of the Advisory Committee, as established under subsections (b) and (c).

“(e) **MEETINGS.**—The Advisory Committee shall meet not less than biannually.

“(f) **SUNSET.**—The Advisory Committee shall terminate on the date that is 5 years after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013.”

SEC. 104. MODERNIZATION OF THE NATIONAL DISASTER MEDICAL SYSTEM.

Section 2812 of the Public Health Service Act (42 U.S.C. 300hh-11) is amended—

(1) in subsection (a)(3)—

(A) in subparagraph (A), in clause (i) by inserting “, including at-risk individuals as applicable” after “victims of a public health emergency”;

(B) by redesignating subparagraph (C) as subparagraph (E); and

(C) by inserting after subparagraph (B), the following:

“(C) **CONSIDERATIONS FOR AT-RISK POPULATIONS.**—The Secretary shall take steps to ensure that an appropriate specialized and

focused range of public health and medical capabilities are represented in the National Disaster Medical System, which take into account the needs of at-risk individuals, in the event of a public health emergency.”

“(D) **ADMINISTRATION.**—The Secretary may determine and pay claims for reimbursement for services under subparagraph (A) directly or through contracts that provide for payment in advance or by way of reimbursement.”; and

(2) in subsection (g), by striking “such sums as may be necessary for each of the fiscal years 2007 through 2011” and inserting “\$52,700,000 for each of fiscal years 2013 through 2017”.

SEC. 105. CONTINUING THE ROLE OF THE DEPARTMENT OF VETERANS AFFAIRS.

Section 8117(g) of title 38, United States Code, is amended by striking “such sums as may be necessary to carry out this section for each of fiscal years 2007 through 2011” and inserting “\$155,300,000 for each of fiscal years 2013 through 2017 to carry out this section”.

TITLE II—OPTIMIZING STATE AND LOCAL ALL-HAZARDS PREPAREDNESS AND RESPONSE

SEC. 201. TEMPORARY REDEPLOYMENT OF FEDERALLY FUNDED PERSONNEL DURING A PUBLIC HEALTH EMERGENCY.

Section 319 of the Public Health Service Act (42 U.S.C. 247d) is amended by adding at the end the following:

“(e) **TEMPORARY REDEPLOYMENT OF FEDERALLY FUNDED PERSONNEL DURING A PUBLIC HEALTH EMERGENCY.**—

“(1) **EMERGENCY REDEPLOYMENT OF FEDERALLY FUNDED PERSONNEL.**—Notwithstanding any other provision of law, and subject to paragraph (2), upon request by the Governor of a State or the chief of a tribe or such Governor or chief’s designee, the Secretary may authorize the requesting State or tribe to temporarily redeploy, for purposes of immediately addressing a public health emergency in the State or tribe, non-Federal personnel funded in whole or in part through, as appropriate, programs under this Act.

“(2) **ACTIVATION OF EMERGENCY REDEPLOYMENT.**—

“(A) **PUBLIC HEALTH EMERGENCY.**—The Secretary may authorize a temporary redeployment of personnel under paragraph (1) only during the period of a public health emergency determined pursuant to subsection (a).

“(B) **CONTENTS OF REQUEST.**—To seek authority for a temporary redeployment of personnel under paragraph (1), the Governor of a State or the chief of a tribe shall submit to the Secretary a request for such authority and shall include in the request each of the following:

“(i) An assurance that the public health emergency in the geographic area of the requesting State or tribe cannot be adequately and appropriately addressed by the public health workforce otherwise available.

“(ii) An assurance that the public health emergency would be addressed more efficiently and effectively through the requested temporary redeployment of personnel.

“(iii) An assurance that the requested temporary redeployment of personnel is consistent with any applicable All-Hazards Public Health Emergency Preparedness and Response Plan under section 319C-1.

“(iv) An identification of—

“(I) each Federal program from which personnel would be temporarily redeployed pursuant to the requested authority; and

“(II) the number of personnel who would be so redeployed from each such program.

“(v) Such other information and assurances as the Secretary may require.

“(C) **CONSIDERATION.**—In reviewing a request for temporary redeployment under paragraph (1) of personnel funded through a Federal program, the Secretary shall consider the degree to which the program would be adversely affected by the redeployment.

“(D) **TERMINATION AND EXTENSION.**—

“(i) **TERMINATION.**—A State or tribe’s authority for a temporary redeployment of personnel under paragraph (1) shall terminate upon the earlier of the following:

“(I) The Secretary’s determination that the public health emergency no longer exists.

“(II) Subject to clause (ii), the expiration of the 30-day period following the date on which the Secretary approved the State or tribe’s request for such authority.

“(ii) **EXTENSION AUTHORITY.**—The Secretary may extend the authority to authorize a temporary redeployment of personnel under paragraph (1) beyond the date otherwise applicable under clause (i)(II) if the public health emergency still exists as of such date, but only if—

“(I) the State or tribe that submitted the initial request for authority for a temporary redeployment of personnel submits a request for an extension of such authority; and

“(II) the request for an extension contains the same type of information and assurances necessary for the approval of an initial request for such authority.

“(3) **NOTICE TO PERSONNEL OF POSSIBILITY OF REDEPLOYMENT.**—The Secretary shall ensure that, if a State or tribe receives Federal funds for personnel who are subject to the Secretary’s redeployment authority under this subsection, the State or tribe gives notice to such personnel of the possibility of redeployment—

“(A) at the time of hiring; or

“(B) in the case of personnel hired before the date of the enactment of this subsection, as soon as practicable.

“(4) **NOTICE TO CONGRESS.**—The Secretary shall give notice to the Congress in conjunction with the approval under this subsection of—

“(A) any initial request for authority for a temporary redeployment of personnel; and

“(B) any request for an extension of such authority.

“(5) **GUIDANCE.**—The Secretary shall—

“(A) not later than 6 months after the enactment of this subsection, issue proposed guidance on the temporary redeployment of personnel under this subsection; and

“(B) after providing notice and a 60-day period for public comment, finalize such guidance.

“(6) **REPORT TO CONGRESS.**—Not later than 4 years after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, the Comptroller General of the United States shall conduct an independent evaluation, and submit to the appropriate committees of the Congress a report, on the Secretary’s authority under this subsection, including—

“(A) a description of how, and under what circumstances, such authority has been used by States and tribes;

“(B) an analysis of how such authority has assisted States and tribes in responding to public health emergencies;

“(C) an evaluation of how such authority has improved operational efficiencies in responding to public health emergencies;

“(D) an analysis of the extent to which, if any, Federal programs from which personnel have been temporarily redeployed pursuant to such authority have been adversely affected by the redeployment; and

“(E) recommendations on how such authority could be improved to further assist in responding to public health emergencies.

“(7) DEFINITION.—In this subsection, the term ‘State’ includes, in addition to the entities listed in the definition of such term in section 2, the Freely Associated States.

“(8) SUNSET.—The authority under this subsection shall terminate on the date that is 5 years after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013.”.

SEC. 202. IMPROVING STATE AND LOCAL PUBLIC HEALTH SECURITY.

(a) COOPERATIVE AGREEMENTS.—Section 319C-1 of the Public Health Service Act (42 U.S.C. 247d-3a) is amended—

(1) in subsection (b)(1)(C), by striking “consortium of entities described in subparagraph (A)” and inserting “consortium of States”;

(2) in subsection (b)(2)—

(A) in subparagraph (A)—

(i) by striking clauses (i) and (ii) and inserting the following:

“(i) a description of the activities such entity will carry out under the agreement to meet the goals identified under section 2802, including with respect to chemical, biological, radiological, or nuclear threats, whether naturally occurring, unintentional, or deliberate;

“(ii) a description of the activities such entity will carry out with respect to pandemic influenza, as a component of the activities carried out under clause (i), and consistent with the requirements of paragraphs (2) and (5) of subsection (g)”;

(ii) in clause (iv), by striking “and” at the end; and

(iii) by adding at the end the following:

“(vi) a description of how, as appropriate, the entity may partner with relevant public and private stakeholders in public health emergency preparedness and response;

“(vii) a description of how the entity, as applicable and appropriate, will coordinate with State emergency preparedness and response plans in public health emergency preparedness, including State educational agencies (as defined in section 9101(41) of the Elementary and Secondary Education Act of 1965) and State child care lead agencies (designated under section 658D of the Child Care and Development Block Grant Act of 1990);

“(viii) in the case of entities that operate on the United States-Mexico border or the United States-Canada border, a description of the activities such entity will carry out under the agreement that are specific to the border area including disease detection, identification, investigation, and preparedness and response activities related to emerging diseases and infectious disease outbreaks whether naturally occurring or due to bioterrorism, consistent with the requirements of this section; and

“(ix) a description of any activities that such entity will use to analyze real-time clinical specimens for pathogens of public health or bioterrorism significance, including any utilization of poison control centers”;

(B) in subparagraph (C), by inserting “, including addressing the needs of at-risk individuals,” after “capabilities of such entity”;

(3) in subsection (f)—

(A) in paragraph (2), by adding “and” at the end;

(B) in paragraph (3), by striking “; and” and inserting a period; and

(C) by striking paragraph (4);

(4) in subsection (g)—

(A) in paragraph (1), by striking subparagraph (A) and inserting the following:

“(A) include outcome goals representing operational achievements of the National Preparedness Goals developed under section 2802(b) with respect to all-hazards, including chemical, biological, radiological, or nuclear threats; and”;

(B) in paragraph (2)(A), by adding at the end the following: “The Secretary shall periodically update, as necessary and appropriate, such pandemic influenza plan criteria and shall require the integration of such criteria into the benchmarks and standards described in paragraph (1).”;

(5) by striking subsection (h);

(6) in subsection (i)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking “\$824,000,000 for fiscal year 2007, of which \$35,000,000 shall be used to carry out subsection (h),” and inserting “\$641,900,000 for fiscal year 2013”; and

(II) by striking “such sums as may be necessary for each of fiscal years 2008 through 2011” and inserting “\$641,900,000 for each of fiscal years 2014 through 2017”;

(ii) by striking subparagraph (B);

(iii) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(iv) in subparagraph (C), as so redesignated, by striking “subparagraph (C)” and inserting “subparagraph (B)”;

(B) in subparagraphs (C) and (D) of paragraph (3), by striking “(1)(A)(i)(I)” each place it appears and inserting “(1)(A)”;

(C) in paragraph (4)(B), by striking “subsection (c)” and inserting “subsection (b)”;

(D) by adding at the end the following:

“(7) AVAILABILITY OF COOPERATIVE AGREEMENT FUNDS.—

“(A) IN GENERAL.—Amounts provided to an eligible entity under a cooperative agreement under subsection (a) for a fiscal year and remaining unobligated at the end of such year shall remain available to such entity for the next fiscal year for the purposes for which such funds were provided.

“(B) FUNDS CONTINGENT ON ACHIEVING BENCHMARKS.—The continued availability of funds under subparagraph (A) with respect to an entity shall be contingent upon such entity achieving the benchmarks and submitting the pandemic influenza plan as described in subsection (g).”;

(7) in subsection (j), by striking paragraph (3).

(b) VACCINE TRACKING AND DISTRIBUTION.—Section 319A(e) of the Public Health Service Act (42 U.S.C. 247d-1(e)) is amended by striking “such sums for each of fiscal years 2007 through 2011” and inserting “\$30,800,000 for each of fiscal years 2013 through 2017”.

SEC. 203. HOSPITAL PREPAREDNESS AND MEDICAL SURGE CAPACITY.

(a) ALL-HAZARDS PUBLIC HEALTH AND MEDICAL RESPONSE CURRICULA AND TRAINING.—Section 319F(a)(5)(B) of the Public Health Service Act (42 U.S.C. 247d-6(a)(5)(B)) is amended by striking “public health or medical” and inserting “public health, medical, or dental”.

(b) ENCOURAGING HEALTH PROFESSIONAL VOLUNTEERS.—

(1) EMERGENCY SYSTEM FOR ADVANCE REGISTRATION OF VOLUNTEER HEALTH PROFESSIONALS.—Section 319I(k) of the Public Health Service Act (42 U.S.C. 247d-7b(k)) is amended by striking “\$2,000,000 for fiscal year 2002, and such sums as may be necessary for each of the fiscal years 2003 through 2011” and inserting “\$5,000,000 for each of fiscal years 2013 through 2017”.

(2) VOLUNTEERS.—Section 2813 of the Public Health Service Act (42 U.S.C. 300hh-15) is amended—

(A) in subsection (d)(2), by adding at the end the following: “Such training exercises shall, as appropriate and applicable, incorporate the needs of at-risk individuals in the event of a public health emergency.”; and

(B) in subsection (i), by striking “\$22,000,000 for fiscal year 2007, and such sums as may be necessary for each of fiscal years 2008 through 2011” and inserting “\$11,200,000 for each of fiscal years 2013 through 2017”.

(c) PARTNERSHIPS FOR STATE AND REGIONAL PREPAREDNESS TO IMPROVE SURGE CAPACITY.—Section 319C-2 of the Public Health Service Act (42 U.S.C. 247d-3b) is amended—

(1) in subsection (a), by inserting “, including capacity and preparedness to address the needs of pediatric and other at-risk populations” before the period at the end;

(2) in subsection (b)(1)(A)(ii), by striking “centers, primary” and inserting “centers, community health centers, primary”;

(3) by striking subsection (c) and inserting the following:

“(c) USE OF FUNDS.—An award under subsection (a) shall be expended for activities to achieve the preparedness goals described under paragraphs (1), (3), (4), (5), and (6) of section 2802(b) with respect to all-hazards, including chemical, biological, radiological, or nuclear threats.”;

(4) by striking subsection (g) and inserting the following:

“(g) COORDINATION.—

“(1) LOCAL RESPONSE CAPABILITIES.—An eligible entity shall, to the extent practicable, ensure that activities carried out under an award under subsection (a) are coordinated with activities of relevant local Metropolitan Medical Response Systems, local Medical Reserve Corps, the local Cities Readiness Initiative, and local emergency plans.

“(2) NATIONAL COLLABORATION.—Partnerships consisting of one or more eligible entities under this section may, to the extent practicable, collaborate with other partnerships consisting of one or more eligible entities under this section for purposes of national coordination and collaboration with respect to activities to achieve the preparedness goals described under paragraphs (1), (3), (4), (5), and (6) of section 2802(b).”;

(5) in subsection (i)—

(A) by striking “The requirements of” and inserting the following:

“(1) IN GENERAL.—The requirements of”;

and

(B) by adding at the end the following:

“(2) MEETING GOALS OF NATIONAL HEALTH SECURITY STRATEGY.—The Secretary shall implement objective, evidence-based metrics to ensure that entities receiving awards under this section are meeting, to the extent practicable, the applicable goals of the National Health Security Strategy under section 2802.”; and

(6) in subsection (j)—

(A) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—For purposes of carrying out this section, there is authorized to be appropriated \$374,700,000 for each of fiscal years 2013 through 2017.”; and

(B) by adding at the end the following:

“(4) AVAILABILITY OF COOPERATIVE AGREEMENT FUNDS.—

“(A) IN GENERAL.—Amounts provided to an eligible entity under a cooperative agreement under subsection (a) for a fiscal year and remaining unobligated at the end of such year shall remain available to such entity

for the next fiscal year for the purposes for which such funds were provided.

“(B) FUNDS CONTINGENT ON ACHIEVING BENCHMARKS.—The continued availability of funds under subparagraph (A) with respect to an entity shall be contingent upon such entity achieving the benchmarks and submitting the pandemic influenza plan as required under subsection (i).”

SEC. 204. ENHANCING SITUATIONAL AWARENESS AND BIOSURVEILLANCE.

Section 319D of the Public Health Service Act (42 U.S.C. 247d-4) is amended—

(1) in subsection (b)—

(A) in paragraph (1)(B), by inserting “poison control centers,” after “hospitals,”;

(B) in paragraph (2), by inserting before the period at the end the following: “, allowing for coordination to maximize all-hazards medical and public health preparedness and response and to minimize duplication of effort”; and

(C) in paragraph (3), by inserting before the period at the end the following: “and update such standards as necessary”;

(2) by striking subsection (c); and

(3) in subsection (d)—

(A) in the subsection heading, by striking “PUBLIC HEALTH SITUATIONAL AWARENESS” and inserting “MODERNIZING PUBLIC HEALTH SITUATIONAL AWARENESS AND BIOSURVEILLANCE”;

(B) in paragraph (1)—

(i) by striking “Pandemic and All-Hazards Preparedness Act” and inserting “Pandemic and All-Hazards Preparedness Reauthorization Act of 2013”; and

(ii) by inserting “, novel emerging threats,” after “disease outbreaks”;

(C) by striking paragraph (2) and inserting the following:

“(2) STRATEGY AND IMPLEMENTATION PLAN.—Not later than 180 days after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, the Secretary shall submit to the appropriate committees of Congress a coordinated strategy and an accompanying implementation plan that identifies and demonstrates the measurable steps the Secretary will carry out to—

“(A) develop, implement, and evaluate the network described in paragraph (1), utilizing the elements described in paragraph (3);

“(B) modernize and enhance biosurveillance activities; and

“(C) improve information sharing, coordination, and communication among disparate biosurveillance systems supported by the Department of Health and Human Services.”;

(D) in paragraph (3)(D), by inserting “community health centers, health centers” after “poison control,”;

(E) in paragraph (5), by striking subparagraph (A) and inserting the following:

“(A) utilize applicable interoperability standards as determined by the Secretary, and in consultation with the Office of the National Coordinator for Health Information Technology, through a joint public and private sector process”; and

(F) by adding at the end the following:

“(6) CONSULTATION WITH THE NATIONAL BIODEFENSE SCIENCE BOARD.—In carrying out this section and consistent with section 319M, the National Biodefense Science Board shall provide expert advice and guidance, including recommendations, regarding the measurable steps the Secretary should take to modernize and enhance biosurveillance activities pursuant to the efforts of the Department of Health and Human Services to ensure comprehensive, real-time, all-hazards biosurveillance capabilities. In complying

with the preceding sentence, the National Biodefense Science Board shall—

“(A) identify the steps necessary to achieve a national biosurveillance system for human health, with international connectivity, where appropriate, that is predicated on State, regional, and community level capabilities and creates a networked system to allow for two-way information flow between and among Federal, State, and local government public health authorities and clinical health care providers;

“(B) identify any duplicative surveillance programs under the authority of the Secretary, or changes that are necessary to existing programs, in order to enhance and modernize such activities, minimize duplication, strengthen and streamline such activities under the authority of the Secretary, and achieve real-time and appropriate data that relate to disease activity, both human and zoonotic; and

“(C) coordinate with applicable existing advisory committees of the Director of the Centers for Disease Control and Prevention, including such advisory committees consisting of representatives from State, local, and tribal public health authorities and appropriate public and private sector health care entities and academic institutions, in order to provide guidance on public health surveillance activities.”;

(4) in subsection (e)(5), by striking “4 years after the date of enactment of the Pandemic and All-Hazards Preparedness Act” and inserting “3 years after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013”;

(5) in subsection (g), by striking “such sums as may be necessary in each of fiscal years 2007 through 2011” and inserting “\$138,300,000 for each of fiscal years 2013 through 2017”; and

(6) by adding at the end the following:

“(h) DEFINITION.—For purposes of this section the term ‘biosurveillance’ means the process of gathering near real-time biological data that relates to human and zoonotic disease activity and threats to human or animal health, in order to achieve early warning and identification of such health threats, early detection and prompt ongoing tracking of health events, and overall situational awareness of disease activity.”.

SEC. 205. ELIMINATING DUPLICATIVE PROJECT BIOSHIELD REPORTS.

Section 5 of the Project Bioshield Act of 2004 (42 U.S.C. 247d-6c) is repealed.

TITLE III—ENHANCING MEDICAL COUNTERMEASURE REVIEW

SEC. 301. SPECIAL PROTOCOL ASSESSMENT.

Section 505(b)(5)(B) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b)(5)(B)) is amended by striking “size of clinical trials intended” and all that follows through “. The sponsor or applicant” and inserting the following: “size—

“(i)(I) of clinical trials intended to form the primary basis of an effectiveness claim; or

“(II) in the case where human efficacy studies are not ethical or feasible, of animal and any associated clinical trials which, in combination, are intended to form the primary basis of an effectiveness claim; or

“(ii) with respect to an application for approval of a biological product under section 351(k) of the Public Health Service Act, of any necessary clinical study or studies.

The sponsor or applicant”.

SEC. 302. AUTHORIZATION FOR MEDICAL PRODUCTS FOR USE IN EMERGENCIES.

(a) IN GENERAL.—Section 564 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-3) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “sections 505, 510(k), and 515 of this Act” and inserting “any provision of this Act”;

(B) in paragraph (2)(A), by striking “under a provision of law referred to in such paragraph” and inserting “under section 505, 510(k), or 515 of this Act or section 351 of the Public Health Service Act”; and

(C) in paragraph (3), by striking “a provision of law referred to in such paragraph” and inserting “a section of this Act or the Public Health Service Act referred to in paragraph (2)(A)”;

(2) in subsection (b)—

(A) in the subsection heading, by striking “EMERGENCY” and inserting “EMERGENCY OR THREAT JUSTIFYING EMERGENCY AUTHORIZED USE”;

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “may declare an emergency” and inserting “may make a declaration that the circumstances exist”;

(ii) in subparagraph (A), by striking “specified”;

(iii) in subparagraph (B)—

(I) by striking “specified”; and

(II) by striking “; or” and inserting a semicolon;

(iv) by amending subparagraph (C) to read as follows:

“(C) a determination by the Secretary that there is a public health emergency, or a significant potential for a public health emergency, that affects, or has a significant potential to affect, national security or the health and security of United States citizens living abroad, and that involves a biological, chemical, radiological, or nuclear agent or agents, or a disease or condition that may be attributable to such agent or agents; or”;

and

(v) by adding at the end the following:

“(D) the identification of a material threat pursuant to section 319F-2 of the Public Health Service Act sufficient to affect national security or the health and security of United States citizens living abroad.”;

(C) in paragraph (2)—

(i) in subparagraph (A), by amending clause (ii) to read as follows:

“(ii) a change in the approval status of the product such that the circumstances described in subsection (a)(2) have ceased to exist.”;

(ii) by striking subparagraph (B); and

(iii) by redesignating subparagraph (C) as subparagraph (B);

(D) in paragraph (4), by striking “advance notice of termination, and renewal under this subsection.” and inserting “, and advance notice of termination under this subsection.”; and

(E) by adding at the end the following:

“(5) EXPLANATION BY SECRETARY.—If an authorization under this section with respect to an unapproved product or an unapproved use of an approved product has been in effect for more than 1 year, the Secretary shall provide in writing to the sponsor of such product an explanation of the scientific, regulatory, or other obstacles to approval, licensure, or clearance of such product or use, including specific actions to be taken by the Secretary and the sponsor to overcome such obstacles.”;

(3) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by inserting “the Assistant Secretary for Preparedness and Response,” after “consultation with”;

(ii) by striking “Health and” and inserting “Health, and”;

(iii) by striking “circumstances of the emergency involved” and inserting “applicable circumstances described in subsection (b)(1)”;

(B) in paragraph (1), by striking “specified” and inserting “referred to”;

(C) in paragraph (2)(B), by inserting “, taking into consideration the material threat posed by the agent or agents identified in a declaration under subsection (b)(1)(D), if applicable” after “risks of the product”;

(4) in subsection (d)(3), by inserting “, to the extent practicable given the circumstances of the emergency,” after “including”;

(5) in subsection (e)—

(A) in paragraph (1)(A), by striking “circumstances of the emergency” and inserting “applicable circumstances described in subsection (b)(1)”;

(B) in paragraph (1)(B), by amending clause (iii) to read as follows:

“(iii) Appropriate conditions with respect to collection and analysis of information concerning the safety and effectiveness of the product with respect to the use of such product during the period when the authorization is in effect and a reasonable time following such period.”;

(C) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking “manufacturer of the product” and inserting “person”;

(II) by striking “circumstances of the emergency” and inserting “applicable circumstances described in subsection (b)(1)”;

(III) by inserting at the end before the period “or in paragraph (1)(B)”;

(ii) in subparagraph (B)(i), by inserting before the period at the end “, except as provided in section 564A with respect to authorized changes to the product expiration date”;

(iii) by amending subparagraph (C) to read as follows:

“(C) In establishing conditions under this paragraph with respect to the distribution and administration of the product for the unapproved use, the Secretary shall not impose conditions that would restrict distribution or administration of the product when distributed or administered for the approved use.”;

(D) by amending paragraph (3) to read as follows:

“(3) GOOD MANUFACTURING PRACTICE; PRESCRIPTION.—With respect to the emergency use of a product for which an authorization under this section is issued (whether an unapproved product or an unapproved use of an approved product), the Secretary may waive or limit, to the extent appropriate given the applicable circumstances described in subsection (b)(1)—

“(A) requirements regarding current good manufacturing practice otherwise applicable to the manufacture, processing, packing, or holding of products subject to regulation under this Act, including such requirements established under section 501 or 520(f)(1), and including relevant conditions prescribed with respect to the product by an order under section 520(f)(2);

“(B) requirements established under section 503(b); and

“(C) requirements established under section 520(e).”;

(6) in subsection (g)—

(A) in the subsection heading, by inserting “REVIEW AND” before “REVOCATION”;

(B) in paragraph (1), by inserting after the period at the end the following: “As part of such review, the Secretary shall regularly review the progress made with respect to the approval, licensure, or clearance of—

“(A) an unapproved product for which an authorization was issued under this section; or

“(B) an unapproved use of an approved product for which an authorization was issued under this section.”; and

(C) by amending paragraph (2) to read as follows:

“(2) REVISION AND REVOCATION.—The Secretary may revise or revoke an authorization under this section if—

“(A) the circumstances described under subsection (b)(1) no longer exist;

“(B) the criteria under subsection (c) for issuance of such authorization are no longer met; or

“(C) other circumstances make such revision or revocation appropriate to protect the public health or safety.”;

(7) in subsection (h)(1), by adding after the period at the end the following: “The Secretary shall make any revisions to an authorization under this section available on the Internet Web site of the Food and Drug Administration.”;

(8) by adding at the end of subsection (j) the following:

“(4) Nothing in this section shall be construed as authorizing a delay in the review or other consideration by the Secretary of any application or submission pending before the Food and Drug Administration for a product for which an authorization under this section is issued.”; and

(9) by adding at the end the following:

“(m) CATEGORIZATION OF LABORATORY TESTS ASSOCIATED WITH DEVICES SUBJECT TO AUTHORIZATION.—

“(1) IN GENERAL.—In issuing an authorization under this section with respect to a device, the Secretary may, subject to the provisions of this section, determine that a laboratory examination or procedure associated with such device shall be deemed, for purposes of section 353 of the Public Health Service Act, to be in a particular category of examinations and procedures (including the category described by subsection (d)(3) of such section) if, based on the totality of scientific evidence available to the Secretary—

“(A) such categorization would be beneficial to protecting the public health; and

“(B) the known and potential benefits of such categorization under the circumstances of the authorization outweigh the known and potential risks of the categorization.

“(2) CONDITIONS OF DETERMINATION.—The Secretary may establish appropriate conditions on the performance of the examination or procedure pursuant to such determination.

“(3) EFFECTIVE PERIOD.—A determination under this subsection shall be effective for purposes of section 353 of the Public Health Service Act notwithstanding any other provision of that section during the effective period of the relevant declaration under subsection (b).”

(b) EMERGENCY USE OF MEDICAL PRODUCTS.—Subchapter E of chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb et seq.) is amended by inserting after section 564 the following:

“SEC. 564A. EMERGENCY USE OF MEDICAL PRODUCTS.

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE PRODUCT.—The term ‘eligible product’ means a product that—

“(A) is approved or cleared under this chapter or licensed under section 351 of the Public Health Service Act;

“(B)(i) is intended for use to prevent, diagnose, or treat a disease or condition involving a biological, chemical, radiological, or nuclear agent or agents; or

“(ii) is intended for use to prevent, diagnose, or treat a serious or life-threatening disease or condition caused by a product described in clause (i); and

“(C) is intended for use during the circumstances under which—

“(i) a determination described in subparagraph (A), (B), or (C) of section 564(b)(1) has been made by the Secretary of Homeland Security, the Secretary of Defense, or the Secretary, respectively; or

“(ii) the identification of a material threat described in subparagraph (D) of section 564(b)(1) has been made pursuant to section 319F-2 of the Public Health Service Act.

“(2) PRODUCT.—The term ‘product’ means a drug, device, or biological product.

“(b) EXPIRATION DATING.—

“(1) IN GENERAL.—The Secretary may extend the expiration date and authorize the introduction or delivery for introduction into interstate commerce of an eligible product after the expiration date provided by the manufacturer if—

“(A) the expiration date extension is intended to support the United States ability to protect—

“(i) the public health; or

“(ii) military preparedness and effectiveness; and

“(B) the expiration date extension is supported by an appropriate scientific evaluation that is conducted or accepted by the Secretary.

“(2) REQUIREMENTS AND CONDITIONS.—Any extension of an expiration date under paragraph (1) shall, as part of the extension, identify—

“(A) each specific lot, batch, or other unit of the product for which extended expiration is authorized;

“(B) the duration of the extension; and

“(C) any other requirements or conditions as the Secretary may deem appropriate for the protection of the public health, which may include requirements for, or conditions on, product sampling, storage, packaging or repackaging, transport, labeling, notice to product recipients, recordkeeping, periodic testing or retesting, or product disposition.

“(3) EFFECT.—Notwithstanding any other provision of this Act or the Public Health Service Act, an eligible product shall not be considered an unapproved product (as defined in section 564(a)(2)(A)) and shall not be deemed adulterated or misbranded under this Act because, with respect to such product, the Secretary has, under paragraph (1), extended the expiration date and authorized the introduction or delivery for introduction into interstate commerce of such product after the expiration date provided by the manufacturer.

“(4) EXPIRATION DATE.—For purposes of this subsection, the term ‘expiration date’ means the date established through appropriate stability testing required by the regulations issued by the Secretary to ensure that the product meets applicable standards of identity, strength, quality, and purity at the time of use.

“(c) CURRENT GOOD MANUFACTURING PRACTICE.—

“(1) IN GENERAL.—The Secretary may, when the circumstances of a domestic, military, or public health emergency or material threat described in subsection (a)(1)(C) so

warrant, authorize, with respect to an eligible product, deviations from current good manufacturing practice requirements otherwise applicable to the manufacture, processing, packing, or holding of products subject to regulation under this Act, including requirements under section 501 or 520(f)(1) or applicable conditions prescribed with respect to the eligible product by an order under section 520(f)(2).

“(2) EFFECT.—Notwithstanding any other provision of this Act or the Public Health Service Act, an eligible product shall not be considered an unapproved product (as defined in section 564(a)(2)(A)) and shall not be deemed adulterated or misbranded under this Act because, with respect to such product, the Secretary has authorized deviations from current good manufacturing practices under paragraph (1).

“(d) EMERGENCY DISPENSING.—The requirements of sections 503(b) and 520(e) shall not apply to an eligible product, and the product shall not be considered an unapproved product (as defined in section 564(a)(2)(A)) and shall not be deemed adulterated or misbranded under this Act because it is dispensed without an individual prescription, if—

“(1) the product is dispensed during the circumstances described in subsection (a)(1)(C); and

“(2) such dispensing without an individual prescription occurs—

“(A) as permitted under the law of the State in which the product is dispensed; or

“(B) in accordance with an order issued by the Secretary, for the purposes and duration of the circumstances described in subsection (a)(1)(C).

“(e) EMERGENCY USE INSTRUCTIONS.—

“(1) IN GENERAL.—The Secretary, acting through an appropriate official within the Department of Health and Human Services, may create and issue emergency use instructions to inform health care providers or individuals to whom an eligible product is to be administered concerning such product's approved, licensed, or cleared conditions of use.

“(2) EFFECT.—Notwithstanding any other provisions of this Act or the Public Health Service Act, a product shall not be considered an unapproved product and shall not be deemed adulterated or misbranded under this Act because of the issuance of emergency use instructions under paragraph (1) with respect to such product or the introduction or delivery for introduction of such product into interstate commerce accompanied by such instructions—

“(A) during an emergency response to an actual emergency that is the basis for a determination described in subsection (a)(1)(C)(i); or

“(B) by a government entity (including a Federal, State, local, or tribal government entity), or a person acting on behalf of such a government entity, in preparation for an emergency response.”.

(c) RISK EVALUATION AND MITIGATION STRATEGIES.—Section 505-1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355-1), is amended—

(1) in subsection (f), by striking paragraph (7); and

(2) by adding at the end the following:

“(k) WAIVER IN PUBLIC HEALTH EMERGENCIES.—The Secretary may waive any requirement of this section with respect to a qualified countermeasure (as defined in section 319F-1(a)(2) of the Public Health Service Act) to which a requirement under this section has been applied, if the Secretary determines that such waiver is required to miti-

gate the effects of, or reduce the severity of, the circumstances under which—

“(1) a determination described in subparagraph (A), (B), or (C) of section 564(b)(1) has been made by the Secretary of Homeland Security, the Secretary of Defense, or the Secretary, respectively; or

“(2) the identification of a material threat described in subparagraph (D) of section 564(b)(1) has been made pursuant to section 319F-2 of the Public Health Service Act.”.

(d) PRODUCTS HELD FOR EMERGENCY USE.—The Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) is amended by inserting after section 564A, as added by subsection (b), the following:

“SEC. 564B. PRODUCTS HELD FOR EMERGENCY USE.

“It is not a violation of any section of this Act or of the Public Health Service Act for a government entity (including a Federal, State, local, or tribal government entity), or a person acting on behalf of such a government entity, to introduce into interstate commerce a product (as defined in section 564(a)(4)) intended for emergency use, if that product—

“(1) is intended to be held and not used; and

“(2) is held and not used, unless and until that product—

“(A) is approved, cleared, or licensed under section 505, 510(k), or 515 of this Act or section 351 of the Public Health Service Act;

“(B) is authorized for investigational use under section 505 or 520 of this Act or section 351 of the Public Health Service Act; or

“(C) is authorized for use under section 564.”.

SEC. 303. DEFINITIONS.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-4) is amended by striking “The Secretary, in consultation” and inserting the following:

“(a) DEFINITIONS.—In this section—

“(1) the term ‘countermeasure’ means a qualified countermeasure, a security countermeasure, and a qualified pandemic or epidemic product;

“(2) the term ‘qualified countermeasure’ has the meaning given such term in section 319F-1 of the Public Health Service Act;

“(3) the term ‘security countermeasure’ has the meaning given such term in section 319F-2 of such Act; and

“(4) the term ‘qualified pandemic or epidemic product’ means a product that meets the definition given such term in section 319F-3 of the Public Health Service Act and—

“(A) that has been identified by the Department of Health and Human Services or the Department of Defense as receiving funding directly related to addressing chemical, biological, radiological, or nuclear threats, including pandemic influenza; or

“(B) is included under this paragraph pursuant to a determination by the Secretary.

“(b) GENERAL DUTIES.—The Secretary, in consultation”.

SEC. 304. ENHANCING MEDICAL COUNTERMEASURE ACTIVITIES.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-4), as amended by section 303, is further amended—

(1) in the section heading, by striking “TECHNICAL ASSISTANCE” and inserting “COUNTERMEASURE DEVELOPMENT, REVIEW, AND TECHNICAL ASSISTANCE”;

(2) in subsection (b), by striking the subsection enumerator and all that follows through “shall establish” and inserting the following:

“(b) GENERAL DUTIES.—In order to accelerate the development, stockpiling, ap-

proval, licensure, and clearance of qualified countermeasures, security countermeasures, and qualified pandemic or epidemic products, the Secretary, in consultation with the Assistant Secretary for Preparedness and Response, shall—

“(1) ensure the appropriate involvement of Food and Drug Administration personnel in interagency activities related to countermeasure advanced research and development, consistent with sections 319F, 319F-1, 319F-2, 319F-3, 319L, and 2811 of the Public Health Service Act;

“(2) ensure the appropriate involvement and consultation of Food and Drug Administration personnel in any flexible manufacturing activities carried out under section 319L of the Public Health Service Act, including with respect to meeting regulatory requirements set forth in this Act;

“(3) promote countermeasure expertise within the Food and Drug Administration by—

“(A) ensuring that Food and Drug Administration personnel involved in reviewing countermeasures for approval, licensure, or clearance are informed by the Assistant Secretary for Preparedness and Response on the material threat assessment conducted under section 319F-2 of the Public Health Service Act for the agent or agents for which the countermeasure under review is intended;

“(B) training Food and Drug Administration personnel regarding review of countermeasures for approval, licensure, or clearance;

“(C) holding public meetings at least twice annually to encourage the exchange of scientific ideas; and

“(D) establishing protocols to ensure that countermeasure reviewers have sufficient training or experience with countermeasures;

“(4) maintain teams, composed of Food and Drug Administration personnel with expertise on countermeasures, including specific countermeasures, populations with special clinical needs (including children and pregnant women that may use countermeasures, as applicable and appropriate), classes or groups of countermeasures, or other countermeasure-related technologies and capabilities, that shall—

“(A) consult with countermeasure experts, including countermeasure sponsors and applicants, to identify and help resolve scientific issues related to the approval, licensure, or clearance of countermeasures, through workshops or public meetings; and

“(B) improve and advance the science relating to the development of new tools, standards, and approaches to assessing and evaluating countermeasures—

“(i) in order to inform the process for countermeasure approval, clearance, and licensure; and

“(ii) with respect to the development of countermeasures for populations with special clinical needs, including children and pregnant women, in order to meet the needs of such populations, as necessary and appropriate; and

“(5) establish”;

(3) by adding at the end the following:

“(c) FINAL GUIDANCE ON DEVELOPMENT OF ANIMAL MODELS.—

“(1) IN GENERAL.—Not later than 1 year after the date of the enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, the Secretary shall provide final guidance to industry regarding the development of animal models to support approval, clearance, or licensure of countermeasures referred to in subsection (a) when

human efficacy studies are not ethical or feasible.

“(2) **AUTHORITY TO EXTEND DEADLINE.**—The Secretary may extend the deadline for providing final guidance under paragraph (1) by not more than 6 months upon submission by the Secretary of a report on the status of such guidance to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

“(d) **DEVELOPMENT AND ANIMAL MODELING PROCEDURES.**—

“(1) **AVAILABILITY OF ANIMAL MODEL MEETINGS.**—To facilitate the timely development of animal models and support the development, stockpiling, licensure, approval, and clearance of countermeasures, the Secretary shall, not later than 180 days after the enactment of this subsection, establish a procedure by which a sponsor or applicant that is developing a countermeasure for which human efficacy studies are not ethical or practicable, and that has an approved investigational new drug application or investigational device exemption, may request and receive—

“(A) a meeting to discuss proposed animal model development activities; and

“(B) a meeting prior to initiating pivotal animal studies.

“(2) **PEDIATRIC MODELS.**—To facilitate the development and selection of animal models that could translate to pediatric studies, any meeting conducted under paragraph (1) shall include discussion of animal models for pediatric populations, as appropriate.

“(e) **REVIEW AND APPROVAL OF COUNTERMEASURES.**—

“(1) **MATERIAL THREAT.**—When evaluating an application or submission for approval, licensure, or clearance of a countermeasure, the Secretary shall take into account the material threat posed by the chemical, biological, radiological, or nuclear agent or agents identified under section 319F-2 of the Public Health Service Act for which the countermeasure under review is intended.

“(2) **REVIEW EXPERTISE.**—When practicable and appropriate, teams of Food and Drug Administration personnel reviewing applications or submissions described under paragraph (1) shall include a reviewer with sufficient training or experience with countermeasures pursuant to the protocols established under subsection (b)(3)(D).”

SEC. 305. REGULATORY MANAGEMENT PLANS.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-4), as amended by section 304, is further amended by adding at the end the following:

“(f) **REGULATORY MANAGEMENT PLAN.**—

“(1) **DEFINITION.**—In this subsection, the term ‘eligible countermeasure’ means—

“(A) a security countermeasure with respect to which the Secretary has entered into a procurement contract under section 319F-2(c) of the Public Health Service Act; or

“(B) a countermeasure with respect to which the Biomedical Advanced Research and Development Authority has provided funding under section 319L of the Public Health Service Act for advanced research and development.

“(2) **REGULATORY MANAGEMENT PLAN PROCESS.**—The Secretary, in consultation with the Assistant Secretary for Preparedness and Response and the Director of the Biomedical Advanced Research and Development Authority, shall establish a formal process for obtaining scientific feedback and interactions regarding the development and regulatory review of eligible countermeasures by facilitating the development of written regu-

latory management plans in accordance with this subsection.

“(3) **SUBMISSION OF REQUEST AND PROPOSED PLAN BY SPONSOR OR APPLICANT.**—

“(A) **IN GENERAL.**—A sponsor or applicant of an eligible countermeasure may initiate the process described under paragraph (2) upon submission of a written request to the Secretary. Such request shall include a proposed regulatory management plan.

“(B) **TIMING OF SUBMISSION.**—A sponsor or applicant may submit a written request under subparagraph (A) after the eligible countermeasure has an investigational new drug or investigational device exemption in effect.

“(C) **RESPONSE BY SECRETARY.**—The Secretary shall direct the Food and Drug Administration, upon submission of a written request by a sponsor or applicant under subparagraph (A), to work with the sponsor or applicant to agree on a regulatory management plan within a reasonable time not to exceed 90 days. If the Secretary determines that no plan can be agreed upon, the Secretary shall provide to the sponsor or applicant, in writing, the scientific or regulatory rationale why such agreement cannot be reached.

“(4) **PLAN.**—The content of a regulatory management plan agreed to by the Secretary and a sponsor or applicant shall include—

“(A) an agreement between the Secretary and the sponsor or applicant regarding developmental milestones that will trigger responses by the Secretary as described in subparagraph (B);

“(B) performance targets and goals for timely and appropriate responses by the Secretary to the triggers described under subparagraph (A), including meetings between the Secretary and the sponsor or applicant, written feedback, decisions by the Secretary, and other activities carried out as part of the development and review process; and

“(C) an agreement on how the plan shall be modified, if needed.

“(5) **MILESTONES AND PERFORMANCE TARGETS.**—The developmental milestones described in paragraph (4)(A) and the performance targets and goals described in paragraph (4)(B) shall include—

“(A) feedback from the Secretary regarding the data required to support the approval, clearance, or licensure of the eligible countermeasure involved;

“(B) feedback from the Secretary regarding the data necessary to inform any authorization under section 564;

“(C) feedback from the Secretary regarding the data necessary to support the positioning and delivery of the eligible countermeasure, including to the Strategic National Stockpile;

“(D) feedback from the Secretary regarding the data necessary to support the submission of protocols for review under section 505(b)(5)(B);

“(E) feedback from the Secretary regarding any gaps in scientific knowledge that will need resolution prior to approval, licensure, or clearance of the eligible countermeasure and plans for conducting the necessary scientific research;

“(F) identification of the population for which the countermeasure sponsor or applicant seeks approval, licensure, or clearance and the population for which desired labeling would not be appropriate, if known; and

“(G) as necessary and appropriate, and to the extent practicable, a plan for demonstrating safety and effectiveness in pediatric populations, and for developing pediatric dosing, formulation, and administra-

tion with respect to the eligible countermeasure, provided that such plan would not delay authorization under section 564, approval, licensure, or clearance for adults.

“(6) **PRIORITIZATION.**—

“(A) **PLANS FOR SECURITY COUNTERMEASURES.**—The Secretary shall establish regulatory management plans for all security countermeasures for which a request is submitted under paragraph (3)(A).

“(B) **PLANS FOR OTHER ELIGIBLE COUNTERMEASURES.**—The Secretary shall determine whether resources are available to establish regulatory management plans for eligible countermeasures that are not security countermeasures. If resources are available to establish regulatory management plans for eligible countermeasures that are not security countermeasures, and if resources are not available to establish regulatory management plans for all eligible countermeasures for which requests have been submitted, the Director of the Biomedical Advanced Research and Development Authority, in consultation with the Commissioner, shall prioritize which eligible countermeasures may receive regulatory management plans.”

SEC. 306. REPORT.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-4), as amended by section 305, is further amended by adding at the end the following:

“(g) **ANNUAL REPORT.**—Not later than 180 days after the date of enactment of this subsection, and annually thereafter, the Secretary shall make publicly available on the Web site of the Food and Drug Administration a report that details the countermeasure development and review activities of the Food and Drug Administration, including—

“(1) with respect to the development of new tools, standards, and approaches to assess and evaluate countermeasures—

“(A) the identification of the priorities of the Food and Drug Administration and the progress made on such priorities; and

“(B) the identification of scientific gaps that impede the development, approval, licensure, or clearance of countermeasures for populations with special clinical needs, including children and pregnant women, and the progress made on resolving these challenges;

“(2) with respect to countermeasures for which a regulatory management plan has been agreed upon under subsection (f), the extent to which the performance targets and goals set forth in subsection (f)(4)(B) and the regulatory management plan have been met, including, for each such countermeasure—

“(A) whether the regulatory management plan was completed within the required timeframe, and the length of time taken to complete such plan;

“(B) whether the Secretary adhered to the timely and appropriate response times set forth in such plan; and

“(C) explanations for any failure to meet such performance targets and goals;

“(3) the number of regulatory teams established pursuant to subsection (b)(4), the number of products, classes of products, or technologies assigned to each such team, and the number of, type of, and any progress made as a result of consultations carried out under subsection (b)(4)(A);

“(4) an estimate of resources obligated to countermeasure development and regulatory assessment, including—

“(A) Center-specific objectives and accomplishments; and

“(B) the number of full-time equivalent employees of the Food and Drug Administration who directly support the review of countermeasures;

“(5) the number of countermeasure applications and submissions submitted, the number of countermeasures approved, licensed, or cleared, the status of remaining submitted applications and submissions, and the number of each type of authorization issued pursuant to section 564;

“(6) the number of written requests for a regulatory management plan submitted under subsection (f)(3)(A), the number of regulatory management plans developed, and the number of such plans developed for security countermeasures; and

“(7) the number, type, and frequency of meetings between the Food and Drug Administration and—

“(A) sponsors of a countermeasure as defined in subsection (a); or

“(B) another agency engaged in development or management of portfolios for such countermeasures, including the Centers for Disease Control and Prevention, the Biomedical Advanced Research and Development Authority, the National Institutes of Health, and the appropriate agencies of the Department of Defense.”.

SEC. 307. PEDIATRIC MEDICAL COUNTERMEASURES.

(a) PEDIATRIC STUDIES OF DRUGS.—Section 505A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a) is amended—

(1) in subsection (d), by adding at the end the following:

“(5) CONSULTATION.—With respect to a drug that is a qualified countermeasure (as defined in section 319F-1 of the Public Health Service Act), a security countermeasure (as defined in section 319F-2 of the Public Health Service Act), or a qualified pandemic or epidemic product (as defined in section 319F-3 of the Public Health Service Act), the Secretary shall solicit input from the Assistant Secretary for Preparedness and Response regarding the need for and, from the Director of the Biomedical Advanced Research and Development Authority regarding the conduct of, pediatric studies under this section.”; and

(2) in subsection (n)(1), by adding at the end the following:

“(C) For a drug that is a qualified countermeasure (as defined in section 319F-1 of the Public Health Service Act), a security countermeasure (as defined in section 319F-2 of the Public Health Service Act), or a qualified pandemic or epidemic product (as defined in section 319F-3 of such Act), in addition to any action with respect to such drug under subparagraph (A) or (B), the Secretary shall notify the Assistant Secretary for Preparedness and Response and the Director of the Biomedical Advanced Research and Development Authority of all pediatric studies in the written request issued by the Commissioner of Food and Drugs.”.

(b) ADDITION TO PRIORITY LIST CONSIDERATIONS.—Section 409I of the Public Health Service Act (42 U.S.C. 284m) is amended—

(1) by striking subsection (a)(2) and inserting the following:

“(2) CONSIDERATION OF AVAILABLE INFORMATION.—In developing and prioritizing the list under paragraph (1), the Secretary—

“(A) shall consider—

“(i) therapeutic gaps in pediatrics that may include developmental pharmacology, pharmacogenetic determinants of drug response, metabolism of drugs and biologics in children, and pediatric clinical trials;

“(ii) particular pediatric diseases, disorders or conditions where more complete

knowledge and testing of therapeutics, including drugs and biologics, may be beneficial in pediatric populations; and

“(iii) the adequacy of necessary infrastructure to conduct pediatric pharmacological research, including research networks and trained pediatric investigators; and

“(B) may consider the availability of qualified countermeasures (as defined in section 319F-1), security countermeasures (as defined in section 319F-2), and qualified pandemic or epidemic products (as defined in section 319F-3) to address the needs of pediatric populations, in consultation with the Assistant Secretary for Preparedness and Response, consistent with the purposes of this section.”; and

(2) in subsection (b), by striking “subsection (a)” and inserting “paragraphs (1) and (2)(A) of subsection (a)”.

(c) ADVICE AND RECOMMENDATIONS OF THE PEDIATRIC ADVISORY COMMITTEE REGARDING COUNTERMEASURES FOR PEDIATRIC POPULATIONS.—Subsection (b)(2) of section 14 of the Best Pharmaceuticals for Children Act (42 U.S.C. 284m note) is amended—

(1) in subparagraph (C), by striking the period and inserting “; and”; and

(2) by adding at the end the following:

“(D) the development of countermeasures (as defined in section 565(a) of the Federal Food, Drug, and Cosmetic Act) for pediatric populations.”.

TITLE IV—ACCELERATING MEDICAL COUNTERMEASURE ADVANCED RESEARCH AND DEVELOPMENT

SEC. 401. BIOSHIELD.

(a) PROCUREMENT OF COUNTERMEASURES.—Section 319F-2(c) of the Public Health Service Act (42 U.S.C. 247d-6b(c)) is amended—

(1) in paragraph (1)(B)(i)(III)(bb), by striking “eight years” and inserting “10 years”;

(2) in paragraph (2)(C), by striking “the designated congressional committees (as defined in paragraph (10))” and inserting “the appropriate committees of Congress”;

(3) in paragraph (5)(B)(ii), by striking “eight years” and inserting “10 years”;

(4) in subparagraph (C) of paragraph (6)—

(A) in the subparagraph heading, by striking “DESIGNATED CONGRESSIONAL COMMITTEES” and inserting “APPROPRIATE CONGRESSIONAL COMMITTEES”; and

(B) by striking “the designated congressional committees” and inserting “the appropriate congressional committees”; and

(5) in paragraph (7)(C)—

(A) in clause (i)(I), by inserting “including advanced research and development,” after “as may reasonably be required,”;

(B) in clause (ii)—

(i) in subclause (III), by striking “eight years” and inserting “10 years”; and

(ii) by striking subclause (IX) and inserting the following:

“(IX) CONTRACT TERMS.—The Secretary, in any contract for procurement under this section—

“(aa) may specify—

“(AA) the dosing and administration requirements for the countermeasure to be developed and procured;

“(BB) the amount of funding that will be dedicated by the Secretary for advanced research, development, and procurement of the countermeasure; and

“(CC) the specifications the countermeasure must meet to qualify for procurement under a contract under this section; and

“(bb) shall provide a clear statement of defined Government purpose limited to uses related to a security countermeasure, as defined in paragraph (1)(B).”; and

(C) by adding at the end the following:

“(viii) FLEXIBILITY.—In carrying out this section, the Secretary may, consistent with the applicable provisions of this section, enter into contracts and other agreements that are in the best interest of the Government in meeting identified security countermeasure needs, including with respect to reimbursement of the cost of advanced research and development as a reasonable, allowable, and allocable direct cost of the contract involved.”.

(b) REAUTHORIZATION OF THE SPECIAL RESERVE FUND.—Section 319F-2 of the Public Health Service Act (42 U.S.C. 247d-6b) is amended—

(1) in subsection (c)—

(A) by striking “special reserve fund under paragraph (10)” each place it appears and inserting “special reserve fund as defined in subsection (h)”; and

(B) by striking paragraphs (9) and (10); and

(2) by adding at the end the following:

“(g) SPECIAL RESERVE FUND.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts appropriated to the special reserve fund prior to the date of the enactment of this subsection, there is authorized to be appropriated, for the procurement of security countermeasures under subsection (c) and for carrying out section 319L (relating to the Biomedical Advanced Research and Development Authority), \$2,800,000,000 for the period of fiscal years 2014 through 2018. Amounts appropriated pursuant to the preceding sentence are authorized to remain available until September 30, 2019.

“(2) USE OF SPECIAL RESERVE FUND FOR ADVANCED RESEARCH AND DEVELOPMENT.—The Secretary may utilize not more than 50 percent of the amounts authorized to be appropriated under paragraph (1) to carry out section 319L (related to the Biomedical Advanced Research and Development Authority). Amounts authorized to be appropriated under this subsection to carry out section 319L are in addition to amounts otherwise authorized to be appropriated to carry out such section.

“(3) RESTRICTIONS ON USE OF FUNDS.—Amounts in the special reserve fund shall not be used to pay costs other than payments made by the Secretary to a vendor for advanced development (under section 319L) or for procurement of a security countermeasure under subsection (c)(7).

“(4) REPORT.—Not later than 30 days after any date on which the Secretary determines that the amount of funds in the special reserve fund available for procurement is less than \$1,500,000,000, the Secretary shall submit to the appropriate committees of Congress a report detailing the amount of such funds available for procurement and the impact such reduction in funding will have—

“(A) in meeting the security countermeasure needs identified under this section; and

“(B) on the annual Public Health Emergency Medical Countermeasures Enterprise and Strategy Implementation Plan (pursuant to section 2811(d)).

“(h) DEFINITIONS.—In this section:

“(1) The term ‘advanced research and development’ has the meaning given such term in section 319L(a).

“(2) The term ‘special reserve fund’ means the ‘Biodefense Countermeasures’ appropriations account, any appropriation made available pursuant to section 521(a) of the Homeland Security Act of 2002, and any appropriation made available pursuant to subsection (g)(1).”.

SEC. 402. BIOMEDICAL ADVANCED RESEARCH AND DEVELOPMENT AUTHORITY.

(a) DUTIES.—Section 319L(c)(4) of the Public Health Service Act (42 U.S.C. 247d-7e(c)(4)) is amended—

(1) in subparagraph (B)(iii), by inserting “(which may include advanced research and development for purposes of fulfilling requirements under the Federal Food, Drug, and Cosmetic Act or section 351 of this Act)” after “development”; and

(2) in subparagraph (D)(iii), by striking “and vaccine manufacturing technologies” and inserting “vaccine-manufacturing technologies, dose-sparing technologies, efficacy-increasing technologies, and platform technologies”.

(b) TRANSACTION AUTHORITIES.—Section 319L(c)(5) of the Public Health Service Act (42 U.S.C. 247d-7e(c)(5)) is amended by adding at the end the following:

“(G) GOVERNMENT PURPOSE.—In awarding contracts, grants, and cooperative agreements under this section, the Secretary shall provide a clear statement of defined Government purpose related to activities included in subsection (a)(6)(B) for a qualified countermeasure or qualified pandemic or epidemic product.”.

(c) FUND.—Paragraph (2) of section 319L(d) of the Public Health Service Act (42 U.S.C. 247d-7e(d)(2)) is amended to read as follows:

“(2) FUNDING.—To carry out the purposes of this section, there is authorized to be appropriated to the Fund \$415,000,000 for each of fiscal years 2013 through 2017, such amounts to remain available until expended.”.

(d) CONTINUED INAPPLICABILITY OF CERTAIN PROVISIONS.—Section 319L(e)(1)(C) of the Public Health Service Act (42 U.S.C. 247d-7e(e)(1)(C)) is amended by striking “7 years” and inserting “11 years”.

(e) EXTENSION OF LIMITED ANTITRUST EXEMPTION.—

(1) IN GENERAL.—Section 405(b) of the Pandemic and All-Hazards Preparedness Act (42 U.S.C. 247d-6a note) is amended by striking “6-year” and inserting “11-year”.

(2) EFFECTIVE DATE.—This subsection shall take effect as if enacted on December 17, 2012.

(f) INDEPENDENT EVALUATION.—Section 319L of the Public Health Service Act (42 U.S.C. 247d-7e) is amended by adding at the end the following:

“(f) INDEPENDENT EVALUATION.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Comptroller General of the United States shall conduct an independent evaluation of the activities carried out to facilitate flexible manufacturing capacity pursuant to this section.

“(2) REPORT.—Not later than 1 year after the date of enactment of this subsection, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report concerning the results of the evaluation conducted under paragraph (1). Such report shall review and assess—

“(A) the extent to which flexible manufacturing capacity under this section is dedicated to chemical, biological, radiological, and nuclear threats;

“(B) the activities supported by flexible manufacturing initiatives; and

“(C) the ability of flexible manufacturing activities carried out under this section to—

“(i) secure and leverage leading technical expertise with respect to countermeasure advanced research, development, and manufacturing processes; and

“(ii) meet the surge manufacturing capacity needs presented by novel and emerging

threats, including chemical, biological, radiological, and nuclear agents.”.

(g) DEFINITIONS.—

(1) QUALIFIED COUNTERMEASURE.—Section 319F-1(a)(2)(A) of the Public Health Service Act (42 U.S.C. 247d-6a(a)(2)(A)) is amended—

(A) in the matter preceding clause (i), by striking “to—” and inserting “—”;

(B) in clause (i)—

(i) by striking “diagnose” and inserting “to diagnose”; and

(ii) by striking “; or” and inserting a semicolon;

(C) in clause (ii)—

(i) by striking “diagnose” and inserting “to diagnose”; and

(ii) by striking the period at the end and inserting “; or”; and

(D) by adding at the end the following:

“(iii) is a product or technology intended to enhance the use or effect of a drug, biological product, or device described in clause (i) or (ii).”.

(2) QUALIFIED PANDEMIC OR EPIDEMIC PRODUCT.—Section 319F-3(i)(7)(A) of the Public Health Service Act (42 U.S.C. 247d-6d(i)(7)(A)) is amended—

(A) in clause (i)(II), by striking “; or” and inserting “;”;

(B) in clause (ii), by striking “; and” and inserting “; or”; and

(C) by adding at the end the following:

“(iii) a product or technology intended to enhance the use or effect of a drug, biological product, or device described in clause (i) or (ii); and”.

(3) TECHNICAL AMENDMENTS.—Section 319F-3(i) of the Public Health Service Act (42 U.S.C. 247d-6d(i)) is amended—

(A) in paragraph (1)(C), by inserting “, 564A, or 564B” after “564”; and

(B) in paragraph (7)(B)(iii), by inserting “, 564A, or 564B” after “564”.

SEC. 403. STRATEGIC NATIONAL STOCKPILE.

Section 319F-2 of the Public Health Service Act (42 U.S.C. 247d-6b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting “consistent with section 2811” before “by the Secretary to be appropriate”; and

(ii) by inserting before the period at the end of the second sentence the following: “and shall submit such review annually to the appropriate congressional committees of jurisdiction to the extent that disclosure of such information does not compromise national security”; and

(B) in paragraph (2)(D), by inserting before the semicolon at the end the following: “and that the potential depletion of countermeasures currently in the stockpile is identified and appropriately addressed, including through necessary replenishment”; and

(2) in subsection (f)(1), by striking “\$640,000,000 for fiscal year 2002, and such sums as may be necessary for each of fiscal years 2003 through 2006. Such authorization is in addition to amounts in the special reserve fund referred to in subsection (c)(10)(A).” and inserting “\$533,800,000 for each of fiscal years 2013 through 2017. Such authorization is in addition to amounts in the special reserve fund referred to in subsection (h).”.

SEC. 404. NATIONAL BIODEFENSE SCIENCE BOARD.

Section 319M(a) of the Public Health Service Act (42 U.S.C. 247d-f(a)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (D)—

(i) in clause (i), by striking “and” at the end;

(ii) in clause (ii), by striking the period and inserting a semicolon; and

(iii) by adding at the end the following:

“(iii) one such member shall be an individual with pediatric subject matter expertise; and

“(iv) one such member shall be a State, tribal, territorial, or local public health official.”; and

(B) by adding at the end the following flush sentence:

“Nothing in this paragraph shall preclude a member of the Board from satisfying two or more of the requirements described in subparagraph (D).”; and

(2) in paragraph (5)—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(D) provide any recommendation, finding, or report provided to the Secretary under this paragraph to the appropriate committees of Congress.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PITTS) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PITTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PITTS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 307, the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, introduced by my colleague, MIKE ROGERS, from Michigan, would reauthorize programs designed to foster the development of chemical, biological, radioactive, and nuclear medical countermeasures and strengthen the Nation's preparedness infrastructure. It reauthorizes programs for 5 years at the fiscal year 2012 appropriated level and does not create a new program nor increase the authorization for appropriations for an existing program.

Congress originally enacted the programs reauthorized in PAHPRA through the Project BioShield Act of 2004 and Pandemic and All-Hazards Preparedness Act of 2006. Project BioShield authorized funds for the purchase of medical countermeasures through the Special Reserve Fund and enabled the Secretary of Health and Human Services to authorize the emergency use of medical products.

PAHPRA created the Biodefense Advanced Research and Development Authority within HHS to help with the development of medical countermeasures and ensure communications between HHS and the developers of medical countermeasures. Reauthorizing these programs would help the

Nation respond to a CBRN attack and is essential to addressing gaps in the Nation's flu preparedness.

H.R. 307 is essentially the same as H.R. 6672, the Pandemic and All-Hazards Preparedness Reauthorization Act of 2012, which passed the House in December by a vote of 383-16.

I would urge all Members to support this critical piece of legislation, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to rise in support of H.R. 307, the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013. Unfortunately, last month, before the end of the Congress, we were unable to get this final bill over the finish line, so I am grateful to Chairman UPTON and Ranking Member WAXMAN for agreeing to move quickly to get this bill passed and sent over to the Senate without further delay.

This bill is virtually identical to the House-passed bill last December. It reflects bipartisan work that took place between the House and Senate over several months late last year to resolve differences between the House- and Senate-passed PAHPA reauthorization bills.

We all know very well that our Nation continues to face threats that require an ongoing commitment to public health and emergency preparedness. Of course, I think to my own district and State of New Jersey after we experienced a devastating storm that destroyed entire communities. The Federal Government's support, including through programs authorized by PAHPA, was critical in the wake of this hurricane disaster.

The legislation before us today reauthorizes programs and activities first established as part of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002, the 2004 Project BioShield Act, and the 2006 Pandemic and All-Hazards Preparedness Act. Over the past decade, these programs have represented comprehensive efforts to prepare for and respond to public health emergencies. As a result of the investments that followed, our Nation is better equipped to respond to public health emergencies.

I just want to take a few moments to highlight ways that H.R. 307 will continue the progress we've made over the past decade:

First, the bill further facilitates the development of medical countermeasures through emphasizing medical countermeasure advancement in the National Health Security Strategy, requiring the development of a 5-year budget analysis of the countermeasure enterprise, and calling for the development of a countermeasure strategy and implementation plan;

Second, it bolsters the Nation's medical and public health preparedness and response infrastructure, including

through a new authority that would allow States to deploy personnel funded through Federal programs to the areas within their State where they are most needed in the aftermath of a disaster;

Third, it strengthens and clarifies the position of Assistant Secretary for Preparedness and Response as the lead for HHS on emergency preparedness and response and calls for streamlining and better coordinating HHS preparedness grants with those of other Departments;

Finally, it places even greater emphasis on the special needs of pediatric and other at-risk populations in preparing for and responding to public health emergencies.

Mr. Speaker, H.R. 307 improves FDA's emergency response capabilities. It will enable FDA to authorize the distribution and use of medical countermeasures in preparation for an emergency and to take actions during an emergency that will allow for the most effective use of medical countermeasures.

I just wanted to thank the Congressmen. First, I want to thank my colleague, who is about to speak, Congresswoman ANNA ESHOO, for all her work on this legislation over the years; also, obviously, MIKE ROGERS and Congressman GENE GREEN. These are different people who have authored the legislation over the years.

I would also like to recognize the contributions of Chairman UPTON, Chairman PITTS, Ranking Member WAXMAN, and Congressman MARKEY in strengthening the legislation as it moved through the committee process and in discussions with the Senate. They have all worked in a bipartisan fashion over the past 1½ years to accomplish the goals of our Members, and they should be commended for their work.

I urge Members to join me in supporting passage of H.R. 307. I am hopeful that our Senate colleagues will move forward on this bill's passage so we can get it to the President's desk as quickly as possible.

I reserve the balance of my time.

Mr. PITTS. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Michigan (Mr. ROGERS), the prime sponsor of this legislation.

Mr. ROGERS of Michigan. Thank you, Mr. Speaker and Ranking Member PALLONE. I want to thank ANNA ESHOO for being such a great partner in what is truly a collaborative effort to get this bill passed and protect our ability to protect so many Americans.

It's been about 10 years, Mr. Speaker, since September 11 and the anthrax attacks that followed. The threat of bioterrorism remains a very real danger, indeed, to the American people. As we have seen in events across northern Africa, our adversaries in al Qaeda and others are still hell-bent on their ter-

rorism acts, and we know that they are interested in chemical and radiological and biological elements to further their political gains.

Fortunately, we have spent the last decade preparing for those chemical, biological, radiological, and nuclear threats by developing and stockpiling numerous medical countermeasures to protect Americans in the event of attack. As a result of these efforts, we now have numerous vaccines and treatments in the Strategic National Stockpile that will save thousands of lives if we're attacked. However, the work to protect Americans against bioterrorism is not finished, and we must pass this bill or the future of America's public health preparedness infrastructure will be in jeopardy.

The Pandemic and All-Hazards Preparedness Reauthorization Act is a fiscally responsible bill that represents common ground between the bipartisan House- and Senate-passed preparedness bills in the 112th Congress.

I'd like to take this opportunity again to thank the bipartisan cosponsors—first, ANNA ESHOO for her long-term commitment and partnership in this, certainly Mr. PALLONE from New Jersey as well, Chairman UPTON and Ranking Member WAXMAN, and all of our great partners in the Senate—for their support in what has been a very productive process to ensure the health preparedness of our States and hospitals for the next flu outbreak or pandemic.

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This bill will reauthorize critically important biodefense programs designed to promote the continued development of medical countermeasures against chemical, biological, radiological, and nuclear threats, and would strengthen the Nation's public health preparedness infrastructure. Reauthorizing these programs is essential to how the Nation would respond to these types of attacks.

The bill would also reauthorize programs for 5 years at the fiscal year 2012 appropriated level. The bill would not create a new program nor increase authorization for appropriations for an existing program. This bill would reauthorize and improve certain provisions of Project BioShield and something we call PAHPA.

Again, I want to thank you, Mr. Speaker. I wish this bill Godspeed for the safety of all of our first responders and those who might be exposed to what we know is a real threat when it comes to the safety, health, and national security of the United States.

Mr. PALLONE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. ESHOO). She is a longtime advocate and sponsor of this legislation.

Ms. ESHOO. Mr. Speaker, I thank the ranking member, Mr. PALLONE, for his

leadership and legislative courtesies along the way. I'm very proud that as we begin a new year and a new Congress that this bill is on the floor. I think it's fitting that we begin a new Congress with this bill, the Pandemic and All-Hazards Preparedness Reauthorization. It is very important legislation, as you have already heard from those that have spoken.

I first introduced this legislation with Congressman MIKE ROGERS, my friend, my colleague, at the committee, and we've done other bills together very successfully, as well. We began that particular effort in 2006 to better help our country prepare for a chemical, biological, radiological, or nuclear attack—all words that none of us really wish to utter. But we need to be prepared.

Developing and stockpiling appropriate countermeasures is essential for public safety. And these programs encourage American companies to invest in areas of critical need because we need the partnership of the private sector in this as well.

The bill before us today includes new provisions that highlight the important needs of our Nation's children. Children are not just little adults. They need special care and medical attention. They're especially vulnerable to biological or chemical agents because of their size, their limited capacity to flush toxins out of their bodies, their underdeveloped motor skills, and their total reliance on their parents or other caregivers. And certainly the role of the Congress in this is to make sure that we have laws that really speak specifically to them.

While the hope is that we will never need to use these countermeasures to combat an attack on our country, I'm proud that we've strengthened these programs for everyone in our country, especially children.

This legislation is supported by the American Public Health Association, the Association of State and Territorial Health Officials, the National Association of County and City Health Officials, and Trust for America's Health, as well as, very importantly, the American Academy of Pediatrics.

I'm very pleased that we're, once again, voting to pass the Pandemic and All-Hazards Preparedness Reauthorization Act, just as we did a month before the end of the last Congress, and I strongly urge my colleagues in the Senate to do the same. This is a bipartisan effort, and it's critical to our national preparedness and security strategies. We very often come to the floor about strategies relative to our military and strategies relative to our national intelligence community. This is about the public health element of that national security for our country.

We need to move forward with this and bring the legislation to the President's desk for his signature.

I thank Chairman UPTON, the ranking member of the full Energy and Commerce Committee, Mr. WAXMAN, and certainly the distinguished chairman of the Health Subcommittee and, again, my wonderful partner, Congressman MIKE ROGERS.

Mr. PITTS. I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I would like to include for the RECORD a joint letter from four public health organizations: the American Public Health Association, the Association of State and Territorial Health Officials, the National Association of County and City Health Officials, and Trust for America's Health.

JANUARY 22, 2013.

Hon. FRED UPTON, *Chairman, House of Representatives, Washington, DC.*

Hon. JOSEPH R. PITTS, *Chairman, House of Representatives, Washington, DC.*

Hon. HENRY A. WAXMAN, *Ranking Member, House of Representatives, Washington, DC.*

Hon. FRANK PALLONE, JR., *Ranking Member, House of Representatives, Washington, DC.*

Hon. MIKE ROGERS, *House of Representatives, Washington, DC.*

DEAR CHAIRMEN UPTON AND PITTS, RANKING MEMBERS WAXMAN AND PALLONE, AND REPRESENTATIVE ROGERS: On behalf of the undersigned organizations, dedicated to protecting the public health of our nation, we write to express our support for the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013 (PAHPRA, H.R. 307). We urge swift passage in the House as this legislation is critical to the safety of our nation. We thank you for your leadership in moving PAHPRA through the House in the 112th Congress and are eager to work with both the House and Senate to ensure final passage in this session.

PAHPRA is vital to state and local health and other public health practitioners who are a critical part of any community's first response to disease outbreaks, emergencies, and acts of terrorism. The following provisions in particular are essential to keeping communities healthy and safe:

Temporary Redeployment of Federally Funded Personnel During a Public Health Emergency (Section 201): The provision allows states and tribes to request from the Department of Health and Human Services (HHS) the authority to temporarily reassign public health personnel from other HHS-funded grant programs to respond to a major emergency. The authority would allow state and local governments to meet the tremendous staffing needs required by a disaster.

Reauthorization of the Public Health and Emergency Preparedness Grants (PHEP) (Section 202): The PHEP cooperative agreement program provides funding to local and state public health departments to strengthen their capacity and capability to effectively respond to public health emergencies including terrorist threats, infectious disease outbreaks, natural disasters, and biological, chemical, nuclear, and radiological emergencies. State and local health departments work with federal government officials, law enforcement, emergency management, health care, business, education, and religious groups to plan, train, and prepare

for emergencies so that when disaster strikes, communities are prepared.

Reauthorization of the Hospital Preparedness Program (HPP) (Section 203): HPP provides funding to state and local health departments to enhance hospital preparedness and improve overall surge capacity in the case of public health emergencies. The preparedness activities carried out under this program strengthen the capabilities of hospitals throughout the country to respond to floods, hurricanes, or wildfires, and also include training for a potential influenza pandemic or terrorist attack.

Carryover of Grant Use, Coordination (Section 202 and 203): The bill updates the preparedness grant programs at HHS giving grantees limited ability to carry over funds encouraging flexibility and efficiency. The provisions promote long-term planning currently impossible in an unpredictable fiscal environment.

Children's Preparedness (Sections 103, 307 and throughout): The bill establishes the National Advisory Committee on Children and Disasters to bring together federal and non-federal partners to provide guidance and recommendations on medical and public health preparedness for children before, during and after a disaster or public health emergency. The bill takes significant steps to consider the particular needs of pediatric populations in Medical Countermeasure (MCM) research and development. The bill also calls for consideration of the needs of children, as an at-risk population, in the Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan, PHEP, HPP, and Medical Reserve Corps.

Enhancing Situational Awareness and Biosurveillance (Section 204): The bill calls for planning and integration of the current biosurveillance systems to strengthen the nation's bioterrorism and disease outbreak response capabilities. The bill also requires coordination with the National Biodefense Science Board. HHS is required to provide a report to Congress on their implementation plans and progress.

Individuals with Disabilities (Section 101): The bill calls for the consideration of the needs individuals with disabilities in the National Health Security Strategy.

Thank you again for your work to reauthorize this important legislation. We look forward to working with you and your staff to move this bill to the President's desk.

Sincerely,

GEORGES C. BENJAMIN, MD,
FACP, FACEP (E),
*Executive Director,
American Public
Health Association.*

PAUL E. JARRIS, MD, MBA,
*Executive Director, Association of State
and Territorial
Health Officials.*

ROBERT M. PESTRONK,
MPH,
*Executive Director,
National Association
of County and City
Health Officials.*

JEFF LEVI, PH.D.,
*Executive Director,
Trust For America's
Health.*

Mr. PALLONE. I now would like to yield 3 minutes to another sponsor of the legislation, the gentleman from Texas (Mr. GREEN).

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in strong support of the

Pandemic and All-Hazards Preparedness Reauthorization Act which will reauthorize certain provisions of the Project BioShield Act of 2004 and the Pandemic and All-Hazards Preparedness Act of 2006.

This legislation was initially passed by Congress to help the U.S. develop medical countermeasures against chemical, biological, radiological, and nuclear terrorism agents, to provide a mechanism for Federal acquisition of these newly developed countermeasures.

Our Nation remains vulnerable to these threats because many of the vaccines and medicines to protect our citizens do not exist. Developing and stockpiling these medical countermeasures require time, resources, and research, all of which will be provided under the legislation before us today. I'm pleased that the language I supported during the committee process aimed at increasing emphasis on regional trauma care centers was included.

This bill is very important to me because the University of Texas Medical Branch's Galveston National Laboratory is near our district. The Galveston National Lab is the only BSL-4 lab located on a university campus. At the lab, scientists conduct research to develop therapies, vaccines, and diagnostic tests for naturally occurring emerging diseases such as SARS and avian influenza, as well as for microbes that might be employed by terrorists.

This is exactly the type of research we hope to encourage under the Pandemic and All-Hazards Preparedness Reauthorization Act.

As an original cosponsor of this bill with Mr. ROGERS, I'm very pleased at how quickly we have moved this rare bipartisan piece of legislation. I would like to thank Chairman ROGERS, Chairman UPTON, Chairman PITTS, Ranking Member WAXMAN, Ranking Member PALLONE, Mrs. Myrick and Ms. ESHOO for their work on this important legislation. The House passed this bill twice last year, and I hope the Senate acts quickly, and we will send it to the President.

I strongly urge my colleagues to vote "yes" on this legislation.

Mr. PALLONE. Mr. Speaker, I have no additional colleagues to speak, and I would simply urge Members to join me in supporting passage of H.R. 307 and hope that our Senate colleagues will move forward on the bill's passage so we can get the bill to the President's desk.

I yield back the balance of my time.

Mr. PITTS. Mr. Speaker, I have no other speakers.

I urge my colleagues to support this legislation. It has strong bipartisan support. I yield back the balance of my time.

Mr. WAXMAN. Mr. Speaker, I rise in support of H.R. 307, the Pandemic and All-Hazards

Preparedness Reauthorization Act of 2013, and urge my colleagues to support this bill as well.

Mr. Speaker, this bill has been a long time coming. In fact, it's the same one we passed just last month at the end of the 112th Congress. H.R. 307 reflects a lengthy, but extremely productive process with our Senate colleagues and their staff to come together to bridge the differences between earlier House and Senate bills. H.R. 307 is the product of that effort. It is our hope that this time around, the Senate will pass the bill as soon as possible after the House acts on the legislation today.

Toward that end, H.R. 307 reauthorizes and makes minor—but important—improvements to various programs and activities first established in the 2002 Public Health Security and Bioterrorism Preparedness and Response Act; 2004 Project BioShield Act; and the 2006 Pandemic and All-Hazards Preparedness Act, or as it is commonly referred to, "PAHPA." These programs and activities are key in helping to ensure that our nation is well prepared to successfully manage the effects of natural disasters, infectious disease outbreaks, and acts of bioterrorism.

H.R. 307 includes dozens of changes to these underlying authorities. Let me highlight just three provisions that deserve special attention:

First, the bill will ensure that the Food and Drug Administration focuses on medical countermeasures of the highest importance. Medical countermeasures are products designed to combat chemical, biological, radiological, and nuclear agents. H.R. 307 will facilitate communication between the FDA and product sponsors—particularly on high priority countermeasures for which sponsors have developed regulatory management plans—to resolve scientific and regulatory questions and help make these products available more quickly. Just last month, FDA approved the first drug developed and procured under Project BioShield.

The FDA provisions in H.R. 307 will also facilitate the rapid provision of existing medicines to people in need during an emergency. Taken together, these FDA provisions—along with the renewed emphasis in our countermeasure enterprise through other parts of the legislation—will make it possible for a greater number of drugs and devices to move from early development to procurement.

Second, the legislation makes improvements to the nation's blueprint for public health preparedness and response activities that will enhance the ability of our diverse health care system to respond to mass casualty emergencies. Among such improvements are clarifying the role of the Assistant Secretary of Preparedness and Response as the lead office within the Department of Health and Human Services for emergency preparedness and response. H.R. 307 also establishes a new authority to permit the Secretary of the Department of Health and Human Services to approve a request of a state, territory, or an Indian tribe to redeploy certain federally-supported employees during the time of a national emergency to geographic areas where these employees are needed most.

Finally, H.R. 307 continues support for investments in state and local public health de-

partments. Such investments are necessary to make certain that we have the requisite public health infrastructure in place to respond immediately and appropriately to any public health threat that may arise.

This legislation reflects the effort of a number of members—Democrats and Republicans alike. On our side of the aisle, Congressman GREEN, Congresswoman ESHOO, Congressman MARKEY, and our Health Subcommittee Ranking Member, Congressman PALLONE, have been deeply involved. I want to thank them and their staff for all the long and incredibly hard work they have put into this legislation and to the process of getting us here today.

I urge my colleagues to vote in favor of H.R. 307.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and pass the bill, H.R. 307.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. PITTS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 49 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at 2 p.m.

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following resignation from the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 22, 2013.

Hon. JOHN BOEHNER,
Speaker of the House,
Washington, DC.

SPEAKER BOEHNER: I write to inform you that I have notified Missouri Governor Jeremiah Nixon of my resignation from the U.S. House of Representatives, effective 11:59 p.m., January 22, 2013.

Serving the Eighth Congressional District in the U.S. House of Representatives has been the greatest honor of my professional career. I am humbled and grateful for the opportunity to represent Southern Missouri, to bring the ideas of the people to our Capitol,

and to be part of our democracy. I have always emphasized the same virtues of the people who sent me here: civility, hard work, integrity and love for our neighbors. I deeply appreciate the way our House of Representatives reflects these important parts of life in our great Nation.

I'm grateful beyond words for the members of my staff, our committees and my fellow colleagues in Congress for their service, guidance and friendship. So many talented individuals work to ensure the House of Representatives reflects the voice and will of the People, and most Americans never see the men and women working long hours to advance policy, to support debate and to conduct meaningful oversight.

Finally, I have to thank the constituents of the Eighth Congressional District. In times of tragedy, they have inspired me with their courage. In times of disaster, they have inspired me with their resilience. In times of uncertainty, they have inspired with me their unwavering optimism. I have been honored to fight by their side. I am very proud of what we have accomplished.

Very sincerely,

JO ANN EMERSON.

HOUSE OF REPRESENTATIVES,
Washington, DC, January 22, 2013.

Hon. JEREMIAH W. NIXON,
Governor of Missouri,
Jefferson City, MO.

GOVERNOR NIXON: I write to inform you that I will resign my seat in the U.S. House of Representatives, effective 11:59 p.m., January 22, 2013.

Serving Missouri's Eighth Congressional District for 17 years has been an incredible honor, a welcome challenge, and a deeply rewarding endeavor. I count myself as incredibly fortunate to have represented Americans who are so passionate about the principles of service and community. Our democracy is in good hands thanks to the talent, dedication and civic pride of the proud Americans working every day to improve our Nation and its prospects.

I commend the citizens of my District to you, and I assure you that my trust in the People remains well-placed with those I have had the honor of representing.

Very sincerely,

JO ANN EMERSON.

HOOR OF MEETING ON TOMORROW

Mr. BROOKS of Alabama. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

PANDEMIC AND ALL-HAZARDS PREPAREDNESS REAUTHORIZATION ACT OF 2013

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 307) to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and for

other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 395, nays 29, not voting 8, as follows:

[Roll No. 24]

YEAS—395

Alexander	Davis (CA)	Higgins
Amodei	Davis, Danny	Himes
Andrews	Davis, Rodney	Hinojosa
Bachmann	DeFazio	Holding
Bachus	DeGette	Holt
Barber	Delaney	Horsford
Barletta	DeLauro	Hoyer
Barr	DelBene	Huelskamp
Barrow	Denham	Huffman
Barton	Dent	Huizenga (MI)
Bass	DeSantis	Hultgren
Beatty	DesJarlais	Hunter
Becerra	Deutch	Hurt
Benishek	Diaz-Balart	Israel
Bentivoglio	Dingell	Issa
Bera	Doggett	Jackson Lee
Bilirakis	Doyle	Jeffries
Bishop (GA)	Duckworth	Jenkins
Bishop (NY)	Duffy	Johnson (GA)
Bishop (UT)	Edwards	Johnson (OH)
Black	Ellison	Johnson, E. B.
Blackburn	Ellmers	Johnson, Sam
Blumenauer	Emerson	Joyce
Bonamici	Engel	Kaptur
Bonner	Enyart	Keating
Boustany	Eshoo	Kennedy
Brady (PA)	Esty	Kildee
Brady (TX)	Farenthold	Kilmer
Braley (IA)	Farr	Kind
Brooks (IN)	Fattah	King (IA)
Brown (FL)	Fincher	King (NY)
Brownley (CA)	Fitzpatrick	Kinzinger (IL)
Bucshon	Fleischmann	Kirkpatrick
Burgess	Fleming	Kline
Bustos	Flores	Kuster
Butterfield	Forbes	Lamborn
Calvert	Fortenberry	Lance
Camp	Foster	Langevin
Cantor	Frankel (FL)	Lankford
Capito	Franks (AZ)	Larsen (WA)
Capps	Frelinghuysen	Larson (CT)
Capuano	Fudge	Latham
Cárdenas	Gallego	Latta
Carney	Garamendi	Lee (CA)
Carson (IN)	Garcia	Levin
Cartwright	Gardner	Lipinski
Cassidy	Garrett	LoBiondo
Castor (FL)	Gerlach	Loebach
Castro (TX)	Gibbs	Loftgren
Chabot	Gibson	Long
Chaffetz	Gingrey (GA)	Lowenthal
Chu	Gohmert	Lowey
Cicilline	Goodlatte	Lucas
Clarke	Gosar	Luetkemeyer
Clay	Gowdy	Lujan Grisham
Cleaver	Granger	(NM)
Clyburn	Graves (MO)	Lujan, Ben Ray
Coble	Grayson	(NM)
Coffman	Green, Al	Lummis
Cohen	Green, Gene	Lynch
Cole	Griffin (AR)	Maffei
Collins (GA)	Griffith (VA)	Maloney,
Collins (NY)	Grijalva	Carolyn
Conaway	Grimm	Maloney, Sean
Connolly	Guthrie	Marino
Conyers	Gutierrez	Markey
Cook	Hahn	Matheson
Cooper	Hall	Matsui
Costa	Hanabusa	McCarthy (CA)
Courtney	Hanna	McCarthy (NY)
Cramer	Harper	McCauley
Crawford	Hartzler	McClintock
Crenshaw	Hastings (FL)	McCollum
Crowley	Hastings (WA)	McDermott
Cuellar	Heck (NV)	McGovern
Culberson	Heck (WA)	McHenry
Cummings	Hensarling	McIntyre
Daines	Herrera Beutler	McKeon

McKinley	Rahall	Smith (NJ)
McMorris	Rangel	Smith (TX)
Rodgers	Reed	Smith (WA)
McNerney	Reichert	Speier
Meadows	Renacci	Stewart
Meehan	Ribble	Stivers
Meeks	Rice (SC)	Swalwell (CA)
Meng	Richmond	Takano
Messer	Rigell	Terry
Mica	Roby	Thompson (CA)
Michaud	Roe (TN)	Thompson (MS)
Miller (MI)	Rogers (AL)	Thompson (PA)
Miller, Gary	Rogers (KY)	Thornberry
Miller, George	Rogers (MI)	Tiberi
Moore	Rohrabacher	Tierney
Moran	Rooney	Tipton
Mulvaney	Ros-Lehtinen	Titus
Murphy (FL)	Roskam	Tonko
Murphy (PA)	Ross	Tsongas
Nadler	Rothfus	Turner
Napolitano	Roybal-Allard	Upton
Neal	Royce	Valadao
Negrete McLeod	Ruiz	Van Hollen
Neugebauer	Runyan	Vargas
Noem	Ruppersberger	Veasey
Nolan	Rush	Vela
Nugent	Ryan (OH)	Velázquez
Nunes	Ryan (WI)	Visclosky
Nunnelee	Salmon	Wagner
O'Rourke	Sánchez, Linda	Walberg
Olson	T.	Walden
Owens	Sanchez, Loretta	Walorski
Palazzo	Sarbanes	Walz
Pallone	Scalise	Waters
Pascarella	Schakowsky	Watt
Pastor (AZ)	Schiff	Waxman
Paulsen	Schneider	Weber (TX)
Payne	Schock	Webster (FL)
Pearce	Schrader	Welch
Pelosi	Schwartz	Wenstrup
Perlmutter	Schweikert	Westmoreland
Perry	Scott (VA)	Whitfield
Peters (CA)	Scott, Austin	Williams
Peters (MI)	Scott, David	Wilson (FL)
Peterson	Serrano	Wilson (SC)
Petri	Sessions	Wittman
Pingree (ME)	Sewell (AL)	Wolf
Pitts	Shea-Porter	Womack
Pocan	Sherman	Yarmuth
Poe (TX)	Shimkus	Yoder
Polis	Shuster	Yoho
Pompeo	Simpson	Young (AK)
Posey	Sinema	Young (FL)
Price (GA)	Sires	Young (IN)
Price (NC)	Slaughter	
Quigley	Smith (NE)	

NAYS—29

Amash	Harris	Mullin
Bridenstine	Hudson	Pittenger
Brooks (AL)	Jones	Radel
Broun (GA)	Jordan	Rokita
Campbell	Kingston	Sensenbrenner
Cotton	Labrador	Southerland
Duncan (SC)	LaMalfa	Stockman
Duncan (TN)	Marchant	Stutzman
Foxx	Massie	Woodall
Graves (GA)	Miller (FL)	

NOT VOTING—8

Aderholt	Gabbard	Lewis
Buchanan	Honda	Wasserman
Carter	Kelly	Schultz

□ 1427

Messrs. GRAVES of Georgia, BRIDENSTINE, MARCHANT, ROKITA, KINGSTON, SOUTHERLAND and SENSENBRENNER changed their vote from "yea" to "nay."

Messrs. KIND, PETERSON, RANGEL and WESTMORELAND changed their vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO ADJOURN

Mr. DUFFY. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. DUFFY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to adjourn will be followed by a 5-minute vote on approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 0, nays 416, answered “present” 1, not voting 15, as follows:

[Roll No. 25]

NAYS—416

Alexander	Conaway	Gibson
Amash	Connolly	Gingrey (GA)
Amodei	Conyers	Gohmert
Andrews	Cook	Goodlatte
Bachmann	Cooper	Gosar
Bachus	Costa	Gowdy
Barber	Cotton	Granger
Barletta	Courtney	Graves (GA)
Barr	Cramer	Graves (MO)
Barrow	Crawford	Grayson
Barton	Crenshaw	Green, Al
Bass	Cuellar	Green, Gene
Beatty	Culberson	Griffin (AR)
Benishkek	Cummings	Griffith (VA)
Bentivolio	Daines	Grijalva
Bera	Davis (CA)	Grimm
Bilirakis	Davis, Danny	Guthrie
Bishop (GA)	Davis, Rodney	Gutierrez
Bishop (NY)	DeFazio	Hahn
Bishop (UT)	DeGette	Hall
Black	Delaney	Hanabusa
Blackburn	DelBene	Hanna
Blumenauer	Denham	Harper
Bonamici	Dent	Harris
Bonner	DeSantis	Hartzler
Boustany	DesJarlais	Hastings (FL)
Brady (PA)	Deutch	Hastings (WA)
Brady (TX)	Diaz-Balart	Heck (NV)
Braley (IA)	Dingell	Heck (WA)
Bridenstine	Doggett	Hensarling
Brooks (AL)	Doyle	Herrera Beutler
Brooks (IN)	Duckworth	Higgins
Brown (GA)	Duffy	Himes
Brown (FL)	Duncan (SC)	Hinojosa
Brownley (CA)	Duncan (TN)	Holding
Buchanan	Edwards	Holt
Bucshon	Ellison	Horsford
Burgess	Ellmers	Hudson
Bustos	Emerson	Huelskamp
Butterfield	Engel	Huffman
Calvert	Enyart	Huizenga (MI)
Camp	Eshoo	Hultgren
Campbell	Esty	Hunter
Cantor	Farenthold	Hurt
Capito	Farr	Issa
Capps	Fattah	Jackson Lee
Capuano	Fincher	Jeffries
Cárdenas	Fitzpatrick	Jenkins
Carney	Fleischmann	Johnson (GA)
Carson (IN)	Fleming	Johnson (OH)
Cartwright	Flores	Johnson, E. B.
Cassidy	Forbes	Johnson, Sam
Castor (FL)	Fortenberry	Jones
Castro (TX)	Foster	Jordan
Chabot	Fox	Joyce
Chaffetz	Frankel (FL)	Kaptur
Chu	Franks (AZ)	Keating
Cicilline	Frelinghuysen	Kennedy
Clarke	Fudge	Kildee
Clay	Gallego	Kilmer
Cleaver	Garamendi	Kind
Coble	Garcia	King (IA)
Coffman	Gardner	King (NY)
Cole	Garrett	Kingston
Collins (GA)	Gerlach	Kinzinger (IL)
Collins (NY)	Gibbs	Kirkpatrick

Kline	Neugebauer
Kuster	Noem
Labrador	Nolan
LaMalfa	Nugent
Lamborn	Nunes
Lance	Nunnelee
Langevin	O'Rourke
Lankford	Olson
Larsen (WA)	Owens
Larson (CT)	Palazzo
Latham	Pallone
Latta	Pascarell
Lee (CA)	Pastor (AZ)
Levin	Paulsen
Lewis	Payne
Lipinski	Pearce
LoBiondo	Perlmutter
Loebach	Perry
Lofgren	Peters (CA)
Long	Peters (MI)
Lowenthal	Peterson
Lowe	Petri
Lucas	Pingree (ME)
Luetkemeyer	Pittenger
Lujan Grisham	Pitts
(NM)	Pocan
Lujan, Ben Ray	Poe (TX)
(NM)	Polis
Lummis	Pompeo
Lynch	Posey
Maffei	Price (GA)
Maloney,	Price (NC)
Carolyn	Quigley
Maloney, Sean	Radel
Marchant	Rahall
Marino	Rangel
Markey	Reed
Massie	Reichert
Matheson	Renacci
Matsui	Ribble
McCarthy (CA)	Rice (SC)
McCarthy (NY)	Richmond
McCaul	Rigell
McClintock	Roby
McCollum	Roe (TN)
McDermott	Rogers (AL)
McGovern	Rogers (KY)
McHenry	Rogers (MI)
McIntyre	Rohrabacher
McKeon	Rokita
McKinley	Rooney
McMorris	Ros-Lehtinen
Morris	Roskam
McNerney	Ross
Meadows	Rothfus
Meehan	Roybal-Allard
Meeks	Royce
Meng	Ruiz
Messer	Runyan
Mica	Ruppersberger
Michaud	Rush
Miller (FL)	Ryan (OH)
Miller (MI)	Ryan (WI)
Miller, Gary	Salmon
Miller, George	Sánchez, Linda
Moore	T.
Moran	Sanchez, Loretta
Mullin	Sarbanes
Mulvaney	Scalise
Murphy (FL)	Schakowsky
Murphy (PA)	Schiff
Nadler	Schneider
Napolitano	Schock
Neal	Schrader
Negrete McLeod	Schwartz

ANSWERED “PRESENT”—1

Cohen

NOT VOTING—15

Aderholt	Gabbard	Scott (VA)
Becerra	Honda	Van Hollen
Carter	Hoyer	Wasserman
Clyburn	Israel	Schultz
Crowley	Kelly	
DeLauro	Pelosi	

□ 1445

Mr. CUMMINGS changed his vote from “yea” to “nay.”

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. ADERHOLT. Mr. Speaker, on rollcall No. 24, H.R. 307—Pandemic and All-Hazards Preparedness Reauthorization, had I been present, I would have voted “yea.”

On rollcall No. 25, Motion to adjourn, had I been present, I would have voted “nay.”

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

NO BUDGET, NO PAY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise to address the largest threat that confronts every man, woman, child, and us collectively as a Nation: \$16 trillion in national debt. This massive debt that is carried by the Nation grows larger each and every day.

Americans should be united that the overspending and reckless financial unpaid loans has created a legacy of debt for all current and future generations of Americans. Americans are united that it is right to help those most needy and vulnerable.

Sadly, the debt prevents this Nation from fully meeting those needs. The annual interest alone is crowding out our ability to fund services for those most in need. National debt annual interest is a part of mandatory spending that consumes 60 percent of our yearly expenses. This crowds out important services and creates economic harm that costs Americans jobs.

It is time to work together to end the debt and provide a secure future for all Americans. I urge my colleagues to support H.R. 325 that requires the Senate to pass a budget and allows no pay for Congress without a budget.

CENTRAL NEW YORKERS WANT FAIR SHOT AT AMERICAN DREAM

(Mr. MAFFEI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAFFEI. Mr. Speaker, just in these last weeks I have already begun to meet with local business owners in my district at the places where they work. I have spoken with constituents at their doorsteps, and I have had conversations at events throughout our community. The one message central New Yorkers have made clear to me is

that we need to grow our middle class, fix our economy, and create more good-paying jobs for the working families of this country. Central New Yorkers want a fair shot at the American Dream.

Now, we need to balance the budget, but we need to do it in the right way, not on the backs of our middle class and seniors. Medicare and Social Security must be protected, but we can do this without sacrificing vital investments in future generations.

Our local businesses want to expand and hire new workers, but they need the young people with the abilities and demeanor to succeed. That's what I have heard going around central New York. We need to keep central New York part of the broad shoulders of the middle class on which this country's future rests.

To this House I say: I am committed to do everything I can to ensure that every central New Yorker gets a fair shot at the American Dream.

PASS A BUDGET

(Mr. HARRIS asked and was given permission to address the House for 1 minute.)

Mr. HARRIS. Mr. Speaker, the gentleman from Pennsylvania who spoke just a few minutes ago put his finger right on the problem. We have a \$16.4 trillion debt—\$50,000 for every man, woman, and child in this country; \$50,000 for every baby born today. Before that baby draws his or her first breath, it's greeted with a \$50,000 bill, their part of the U.S. debt. Mr. Speaker, that's reckless.

But there's something even more reckless. The only way to solve these problems is with a budget—every house knows it, every business knows it, almost every government knows it, but not the U.S. Senate, which hasn't passed a budget for 4 years.

Tomorrow, the House will take up H.R. 325. This bill will force the U.S. Senate to finally pass a budget in order to increase our debt ceiling.

The time is now. The Senate has to act.

□ 1500

FINAL FLIGHT OF SPACE SHUTTLE "CHALLENGER"

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, on January 28, 1986, the Space Shuttle *Challenger* broke apart 73 seconds after launch. The whole world cried watching *Challenger* tumble back to Earth knowing that seven brave Americans had lost their lives. Commander Dick Scobee, pilot Michael Smith, mission specialist Judy Resnick, specialist Ron McNair,

mission specialist Ellison Onizuka, payload specialist Greg Jarvis, and America's first and only teacher into space, Christa McAuliffe, all perished pursuing our dreams.

The night of the disaster, President Reagan put all of our thoughts, our pain, and our prayers into words. He said:

We will never forget them, nor the last time we saw them, this morning, as they prepared for their journey and waved goodbye and "slipped the surly bonds of Earth" to "touch the face of God."

PRESIDENT OBAMA'S INAUGURAL SPEECH

The SPEAKER pro tempore (Mr. COLLINS of New York). Under the Speaker's announced policy of January 3, 2013, the gentleman from Minnesota (Mr. ELLISON) is recognized for 60 minutes as the designee of the minority leader.

Mr. ELLISON. Mr. Speaker, thank you for allotting the time. I appreciate it very much.

My name is KEITH ELLISON. I'm here today to reflect on what I believe was a historic speech for the ages yesterday. President Obama met the historic challenge, met the historic moment; and I just want to talk about my feelings about how important that speech really, really was. President Obama, you should understand, was called upon to make his second inaugural address. And inaugural addresses, historically, are speeches that people don't always remember, but there are some that we will never forget because of how important they are.

His first speech 4 years ago was a speech during which, over the course of 18 minutes, he talked about trying to reach out diplomatically. He talked about the importance of trying to come together to solve common problems. And I think the basic attitude of the first speech was conciliation in an effort to try to work out problems both foreign and domestic.

In this speech, however, President Obama set forth what I believe was a clear, concise agenda based on values that he owns. I was so proud to hear President Obama talk about the need to address climate change. He reminded us that you can believe in climate change or you can disbelieve in climate change, but the fact is our storms are harder, the drier weather we are seeing is causing forest fires, and we are seeing climatic catastrophes associated with climate change. We're seeing the consequences of it. So if we ignore the cause, we cannot ignore the consequence. I was so proud to hear him say that.

He also spoke out boldly for equality, human rights and civil rights for all Americans. I remember that he said, and you may recall, too, Mr. Speaker, he said, we will never forget Stonewall, Seneca Falls, and Selma. These are

three iconic moments in civil rights history when he talked about the women's rights movement, the gay rights movement, and the African American movement for civil rights; but they all added up to one thing, which is that an American is an American is an American. It doesn't matter what your color is, what your sex is, or who you love and want to be with. What matters is that you are an American and entitled to the full protection of the law in these United States.

I think it was very important for him to do so. It represented an evolutionary moment in American history that a President being inaugurated into his second term would stand up for the first time and say "civil and human rights for all people." I thought it was a great moment, and I found myself cheering even though I hadn't planned on doing so.

But he didn't stop there. He specifically said we need to stand here and protect Social Security, Medicare, and Medicaid, three critical programs this Nation depends on, three critical programs that seniors depend upon. But not only do seniors depend on them. Also we know that seniors and people live on survivors benefits. When their loved one who gets Social Security dies, children are entitled to get survivors benefits. And these survivors benefits are literally putting food on the tables for millions of families all across this country.

But not only that. People with disabilities get Medicare and Social Security. And he stood up for these programs, reminding us that this richest country in the history of the world—the richest country in the history of the world—does not need to throw its poor, its vulnerable, and its aged under the bus. We are not too broke to make sure that our senior citizens, our children who are on survivors benefits, and people who are vulnerable economically, we're not too poor to make sure that there's something for them and that they have a livelihood and a way to make it forward.

Imagine the richest country in the history of the world saying, I'm sorry, Grandma, but we got to cut your benefits because we can't make it. The reality is that when he gave that speech and he specifically identified those three programs as central to the American Dream, the American promise, I was proud. And I said, that's right. And I tell you, I was so happy to hear him say that.

But he didn't even stop there. He talked about the need for immigration reform and the fact that for so many people around the world, America is still the land of opportunity and that we cannot sit by as 12 million people live in our country in the shadows with no pathway toward citizenship. The President specifically called on us to do something about it.

Now, the President knows that guns are a volatile issue. He didn't smack the issue of gun violence prevention right on the head, but he did mention the victims of Sandy Hook; and he did tell us that children have a right to be safe at school, thereby signaling that, you know, yeah, we are going to do some things about the proliferation of guns, high-capacity clips, and background checks, things that make sense, not taking away the right to own a gun, but to do commonsense gun violence prevention measures that I think will make everybody safer. In fact, if you're looking at the news right now, you know that there was another shooting today in Texas—today—today.

So the bottom line is that the President laid out a vision, an inclusive vision, for America. The President got up in front of the world stage, all the Members of Congress, Ambassadors, Senators, the Supreme Court, and everybody assembled and said, This is the direction that we're going in. We're going to say Americans, whatever their background, are included within the promise of America. We're going to address income inequality. We're going to protect the social safety net.

Now, some pundits—you can always count on the punditry to throw salt around—they said, well, it didn't reach out to the Republicans. Well, I think that Republicans are on Social Security, Medicare, and Medicaid; and they probably, or at least their parents, appreciate protection of that program. Republicans live on this planet in which we see the temperature rising and the consequences of global climate change hurting more and more people. Some Republicans are black, some Republicans are Latino, and some Republicans are gay. And when they heard that they are included in Obama's vision of America, they must have felt good about that.

So I don't agree that this speech didn't reach out to the full range of the political spectrum, left and right. I think that if you're in the category that he mentioned, that no matter what your political ideology may be, that you would feel that, yes, this includes me.

Now, I think the President's speech was also great because it was courageous. No President has ever mentioned before the gay community in the United States; and most people like myself and most people are what we call straight or heterosexual.

□ 1510

But all of us know that there is prejudice against the gay community. There's no denying this. There's no sense in denying it. We all know that these folks are our neighbors, they're our coworkers, they're our friends, and we know that they have suffered because of prejudice against them. For a

President to stand up and say this isn't right and that everybody is included in the American Dream, I thought was a great moment. It was a first. It was historic. I think that President Obama seized the historical mantle and said, I'm not going to sit up here and use a bunch of flowery, vague language. I'm going to get up here and talk about what I really believe in. I was so proud of Obama yesterday. I admired how he handled himself and what he said.

I think over the past 4 years, President Obama has, in my opinion, bent over backwards to reach out to the Republican Conference. He has really accommodated them in a whole number of ways, and yet their conference—and the record is clear—has come forward and said that their goal over the course of the last 4 years was to make him a one-term President. Well, they failed. He's a two-term President. So the question is: Are we now going to come together? Is the caucus of "no" now going to say there are some things we're willing to work with? I hope so.

Let me tell you. My dad was a Republican for many years. Of course, I love my dad and loved him when he was a Republican. He was what I would call a "sensible Republican." He believed in watching the money. He believed in getting the most out of every dollar. He believed that the government had a limited role and shouldn't get in everyone's business. Today, we have folks who are not in the realm of even negotiation. They're willing to shut the government down, allow our country to go over the fiscal cliff and default on America's debt just to get their way. That's an extremist position. This is an extremist ideology. It's not a reasonable thing to say.

Now, some of them will come up here and talk about how big the debt and the deficit is. Wait a minute. When we say that we want to cut oil subsidies to Big Oil companies, they don't want to do that. When we want to raise some taxes on the wealthy so we can use that money to lower the deficit, they don't want to do that. I doubt anyone who says they're outraged by the debt and the deficit, and we give credible solutions on how to lower it and they say "no"—I begin to doubt that that's really what they're concerned about.

The speech yesterday that the President gave, I believe, is a good starting point. The President is not negotiating with himself. He's declaring his position. The other side in the political divide can declare their position, and then we can come together and negotiate. I'm a huge supporter of the President, but I kind of believe that what he used to do, he used to state his values, then he used to anticipate what the other side would want, then he used to try to come together, bring both sides together, and then he would go to the table and negotiate. So we would end up not with a liberal position, but

with sort of a centrist position, and we would start out right there, and then anywhere we would go from there would be further to the right. So if we're lucky, we end up with a center-right position.

Now I think we start with, as we are proud to be the progressive liberals that we are, we start out with what we believe in, then they say what they believe in, and then we negotiate, and maybe we'll end up in the middle. But I don't want to end up in the center right anymore. I want to end up with some reasonable compromise that protects Social Security, Medicare, and Medicaid; that protects civil rights for all Americans; that addresses this massive income inequality; that addresses climate change; that moves us toward a green economy; that allows people who are immigrants to have a pathway into the respectability of life in American society. The President did not disappoint last night. I believe in those things. Clearly he does, too. And I was so proud to see the President stand and deliver for these important values.

Over the next several weeks, Mr. Speaker, we're going to be in a huge debate. We just finished the whole debate on the so-called fiscal cliff. It really wasn't a fiscal cliff. That was just the name the press loved to call it, but the reality is it was a set of budgetary deadlines and tax deadlines. We were able to come up with a deal, but the worst part of the deal is what wasn't in it. That's why I voted for it. I wasn't thrilled with the deal, but the thing I didn't like about it was the stuff mostly that was not included. Because even though I was happy to extend unemployment for a year, that was good. Even though I was happy to raise taxes on the richest Americans, because I believe it's their patriotic duty to help their country out, that was good too. I believe those were good things.

I thought the fact that we did not deal with the debt ceiling, the sequester, and the continuing resolution really just put us in a position where a few months later our Republican friends would say: You're going to cut vital programs for Americans who need them, or we're going to shut down the government. You're going to cut Head Start, you're going to cut food stamps, you're going to cut Social Security, Medicare, and Medicaid, or we're going to default on America's debt. This is the hardcore bargaining position they've been trying to ram down our throat.

I'll never forget Speaker BOEHNER, who said, "Look, if they don't take these cuts in one loaf, we'll feed it to them a slice at a time." That's a quote.

And so I was concerned that this deal we just did, this so-called fiscal cliff deal, the New Year's Eve deal, even though there were things in it that I thought were good, I was concerned,

Mr. Speaker, because of what wasn't in it. I believe the American people and our markets, our business people, deserve to have this budgetary issue resolved in a way so they can actually plan.

My Republican friends correctly point out that there is uncertainty when Congress doesn't solve problems, but they're the ones causing the uncertainty. In fact, they are guilty of creating the problem that they criticize the most. They say that we shouldn't kick the can down the road. They say we should have some finality. But they're the ones who are not agreeing to some finality. They say that we need to make sure that we get some real job creation, but they're the ones cutting into the public sector, causing us layoffs from the Federal Government, and therefore State governments. And of course, people who have government jobs spend money too, which leads people who they do business with to have jobs. If you work for the EPA and you go to a local grocery store, you spend money there, which allows the cashiers and the stock people to have jobs.

Everything they say they don't want it seems like that's what they're for. They don't want job cuts, they don't want job losses, but they create them. They don't want uncertainty, but they create it. They want finality, but they avoid it. It doesn't make any sense. They say they want to reduce the deficit, but they enlarge it. So my point is: What's really going on here?

I think President Obama has just kind of had enough and has said rather than trying to figure out how to do a deal with these folks who keep moving the goalpost, I'm just going to say what I'm about, I'm going to declare what my values are, and they can come to the table and represent their own point of view, and we'll find a way, hopefully, to get to a point where we can agree and go forward. Even if we hate the deal, even if we don't like it, at least maybe we can move forward so Americans can at least be able to plan for their future.

Mr. Speaker, I think that Presidential inauguration speeches are important. They do lay out an important path. I was reviewing, Mr. Speaker, the inaugural speeches of President Abraham Lincoln. I'm a huge fan of Abraham Lincoln. I wouldn't call myself an expert or scholar of Lincoln, but I'm sort of an amateur reader of everything about Lincoln.

In Lincoln's first speech, he was conciliatory. You will recall, Mr. Speaker, Abraham Lincoln, when he was elected, as soon as he was elected, Southern States began to secede even before he was inaugurated. South Carolina, Mississippi, the other States, they started seceding each before he was inaugurated. As soon as he was elected, some of them said, We are out of here.

So when he came to his inaugural speech, the first one, he was trying to keep the Southern States in and trying to keep the border States from leaving. So he said some things that were so conciliatory, that even the abolitionists of the time thought that he wasn't what they were hoping for. He wasn't really against slavery. He said he was, but they thought that he didn't prove it. They thought he was halting, they thought he was too cautious, and they criticized him for this.

But after the Civil War broke out and so much blood was spilled and so much harm was done to our Nation—620,000 people died in the Civil War—President Lincoln came back 4 years later. On that speech, his second inaugural speech, it was a bold defense of the union cause and an argument that slavery must go.

□ 1520

He didn't pull any punches on the second one. Now, he was not bodacious, and he was not offensive—he was trying to be as conciliatory as he could be—but he made very clear that America was going to be, one, whole and not divided and, two, that it would be slave free. He didn't water it down, as some pundits think that Obama should water his position down. The second time around, after we went through all the big fights, President Lincoln stood firm and spoke firmly and clearly but also in a conciliatory way about what he believed in. I don't know. Maybe there were some people back in 1865 who might have said, Well, Lincoln ought to be a little more sympathetic to the South, and he ought to try to work with them more.

Look, I'm not trying to compare this budgetary fight to the horror of slavery. There is no comparison, not at all. I'm not trying to say that our Republican colleagues are in any way sympathetic to slavery. They're not. That's not true. I'm simply trying to make the point that when you start out trying to work with somebody and you can't get anywhere, and when you go through all the travails and difficulties of trying to get somewhere and you can't, then at the end of the fight, if you win, you're probably going to say, Look, I tried to work with you and you wouldn't work with me. I ended up coming out on top on this thing, so now I'm going to bargain for my position.

This is not to say the President is not going to negotiate. This is not to say the Democrats aren't going to negotiate. We are going to negotiate. We believe that the democratic process requires an eye toward compromise, but I also believe that we went to our constituents in 435 districts around this country and that we told them what we believed in and we told them what we stood for, so they deserve for us to at least articulate that position. If we

have to make a compromise on some things for the sake of the Union, for the sake of the Nation, we should do that, but we should never act like we don't believe in what we do, in fact, believe in, which is Social Security, Medicare, Medicaid; which is confronting income inequality; which is equality for all Americans regardless of race, color, sexual preference; and all that kind of stuff. We should say what we believe in. We should say that we believe that a woman should earn every penny that a man makes. We should say these things. We should not be afraid to be who we are and articulate our vision of the world. Then when we go to the negotiating table, there might be some things we have to give up, and there might be some things we get, but we should never make any mistake about what we're all about.

So I'm really proud of the President tonight. I feel the President did a fine job for America yesterday, and I wish the President well. I do know that the President, in being a man of reason, will listen to Republican arguments as to what they would like to see happen, but I also believe, based on what he said yesterday, that he is going to fight for what he believes in, too. He warned us against dogmatism, and he also said Look, don't confuse absolutism with principle. So that's sort of a warning to our side a little bit in his saying, look, I am going to have to negotiate some things. But when he sits around that table, we know where he's starting from, and that makes me feel good.

I wish all the best for this Presidency and this Congress because I think that, if the Republicans are successful and if the Democrats are successful and if the President is successful, then America will be successful. So I'm here to say that I hope we do negotiate, but there are some things that, quite frankly, I'm not willing to cave in on—Social Security, Medicaid, Medicare beneficiary cuts. They're asking for cuts from the people who have already been cut.

Do you know, Mr. Speaker, that 20 percent of widowed women on Social Security have nothing but Social Security to live on, and yet we want to reduce their benefits? Do you know that a full third of widowed women on Social Security depend upon Social Security to the degree of 90 percent of their incomes? We're talking about people who are making somewhere between \$17,000 and \$24,000 a year to begin with. You cannot go to people who already have so little and say give me back even more.

This is at a time, because of our housing foreclosure crisis, when rents in nearly every city have gone up, and this is at a time when we have limited vitally important programs that help ease the pain of poverty for Americans. So there are some things that we are going to protect in this and that we are

going to call upon the masses of Americans to protect.

Let me just say, Mr. Speaker, that today I don't have the ability to be here for the whole hour—duty calls—but I did want to offer a few reflections on the speech that was given. I also want to say a few other things as it relates to the next period coming up.

In the next few weeks, we're going to face a debt ceiling increase. In fact, we have a debt ceiling vote tomorrow. We're not voting to raise the debt ceiling; we're voting to suspend it. I think this is bad policy because markets, businesspeople, and everybody else need to know that the Congress is going to stand by the credit rating and the debts of the American people. We're not going to default, and we shouldn't threaten that we are. It's bad. It's not a good thing to do. It's important for the American people to know that, when we talk about raising the debt ceiling, Congress is not approving new spending. We're not borrowing. We're saying that we're going to pay the bills on debts we already acquired.

It's kind of like this: If you have a family and if somehow you're already obligated to pay a mortgage, if you don't have the money for your mortgage, you may have to go to your cousin or your brother or your uncle and say, I need you to help me until next week so I can pay the mortgage. So you now have borrowed money to pay an obligation that you already owe, an obligation that, if you don't pay, you will default on. You can also have a situation in which somebody doesn't have enough money but goes into a local electronics store and says, I'm going to buy that big screen television right there on my credit card.

Those are two different scenarios—borrowing to meet obligations you've already acquired and borrowing to buy stuff you really cannot afford. Raising the debt ceiling is the first one, Mr. Speaker. It's borrowing to meet obligations we already have. It's not borrowing for new expenditures. So, when we appropriate money and when we have had appropriated expenditures in the past, we might raise the debt ceiling to meet those obligations, which we should do, because to do otherwise is to say that America is going to default on its debts, which we cannot do, not just for our own sakes, but this would cause international harm to the world economy.

People are confused about this whole debt ceiling debate, and I don't believe that it's right for Republicans to just suspend the debt ceiling and then to put a bunch of stuff in there about the Senate and all that kind of stuff, some provisions that are blatantly unconstitutional, too, by the way. So I'm disappointed in this thing that's coming up, but people need to know that this debt ceiling vote is coming up.

They should also know that the sequester is coming up. With the New Year's Eve deal, we delayed the sequester 2 months. These are massive cuts to the tune of, I think, around \$89 billion that are going to be put on the Pentagon and domestic spending. They're dumb cuts. We're not looking at specific programs and evaluating their worth and eliminating some and keeping others. We're just, like, "chop." This is no way to budget for a Nation, and I hope we can delay the sequester, but it's coming up soon. Republicans have vowed that they want even more cuts, maybe even in addition to the sequester, to negotiate. I think we should remind everybody that we've already had \$1.7 trillion in cuts and that we just did \$600 billion in new revenue. That's about \$2.3 trillion. How much more cutting do we need to do, particularly when we're talking about vital programs for Americans?

So, Mr. Speaker, if we're going to make cuts, we should cut things that we really don't need. For example, Medicare part D, which passed in 2003, prohibits Medicare from negotiating drug prices with the pharmaceutical companies. Now, the Veterans Administration does negotiate for drug prices all the time, but Medicare is prohibited from doing so. Basically, if the pharmaceutical company says this drug costs this, the government has to pay, and we can't use our large buying power to lower a price.

□ 1530

We should change that. We should introduce competitive bidding. That would save us a quite a bit of money, Mr. Speaker. That's a way we could save money.

Here's another thing we should do. We should eliminate oil subsidies, coal subsidies, and natural gas subsidies. The fossil fuel industry, a highly profitable industry, making a lot of money, a profitable industry, there's no reason in a free market economy we should be subsidizing a profitable company. It doesn't make sense. Even if you are a free market person, you have a hard case to make that we should be handing Exxon, Chevron, and Mobil money. We shouldn't do it. We should end it, and any real conservative would agree with me on that. Now, if somebody is just trying to get money to friends, that's another story. But if you're really about reducing the deficit, that's one way to do it.

You know, there are a number of things we could cut. There's a lot of Cold War weapons systems that could be eliminated. Our nuclear arsenal could be reduced without threatening our national security, and we could save money in doing it.

There are ways to reduce the budget. There are ways to do it, and we probably should. But let's do it in a way where we keep Social Security, Medi-

care, Medicaid, food stamps, aid for college students, money for investing in medical research, and groundbreaking research to give life to brand-new industries. You know, a lot of people don't know, Mr. Speaker, this thing we call the Internet was started with a government program—something called DARPA. A government grant helped fund the Internet. Yes, it did. I don't know about Al Gore, but I do know that the government, a government grant, put the money into the form that we now know as the Internet. The government did that.

The government funded the project for mapping the human genome. The government. The government's not always bad.

So we should keep some programs. We should lower others, but we've got to think about this thing in a different way than we are.

All I want to say, Mr. Speaker, as I begin to wrap up is that it is an honor and a privilege to be able to serve in this, the greatest deliberative body in the world. And even though we have big fights with our Republican colleagues, it's an honor to serve with them, too. We're both here, sent here by the 435 districts that we represent to argue our positions and try to come to some kind of solution. I believe that we can have solutions if everyone has an eye toward compromise, but that depends upon everybody starting out carrying out the vision of the district they represent.

My district wants me to stand up for Social Security, Medicare, and Medicaid, stand up for civil and equal rights for everybody, including gay people. My district wants me to find a pathway to citizenship for immigrants who are here. My district wants me to do something about climate change and move our economy toward a green economy. Now, I'm going to start there, and then we can negotiate with our colleagues on where we end up, but I'm proud that the President stood up for our values. I think his speech was groundbreaking, historic, and gave real energy to people who share his value system.

With that, Mr. Speaker, I have to curtail my hour, and I yield back the balance of my time.

FORTY YEARS OF VICTIMS: LEGACY OF ABORTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from New Jersey (Mr. SMITH) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous

material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, 40 years ago today marks the U.S. Supreme Court's infamous, reckless, and inhumane abandonment of women and babies to abortionists. Forty years of victims, dead babies, wounded women, shattered families. Forty years of government-sanctioned violence against women and children. Since 1973, more than 55 million children have been killed by abortion, a staggering loss of children's precious lives, a death toll that equates to the entire population of England.

The passage of time hasn't changed the fact that abortion is a serious, lethal violation of fundamental human rights; and that women and children deserve better, much better; and that the demands of justice, generosity, and compassion require that the right to life be guaranteed to everyone, regardless of age, sex, race, condition of dependency, disability, or stage of development.

Rather than obscure or dull our consciousness to the unmitigated violence of abortion, the passage of time has only enabled us to see and better understand the innate cruelty of abortion and its horrific legacy—victims—while making us more determined than ever to protect the weakest and most vulnerable and end the mass deception by the abortion industry.

Earlier today, Linda Shrewsbury, an academic and an African American with a degree from Harvard, who had an abortion, told a 40 Years Of Victims press conference:

The lies that brought me to that day and its sorrowful aftermath are crystal clear in my mind: falsehoods and deceptions that concealed the truth about abortion. Lies planted in my thinking by clever marketing, media campaigns, and endless repetition led to a tragic, irreversible decision—the death of my first child.

She goes on to say:

It's past time to lance the national wound of abortion with truth. The high culture—thought leaders, media, celebrities—that brought us abortion seem vested beyond extraction.

She said she “dreamed of the volcano of abortion truth that could erupt one day from the grass-roots—women and men and their relatives witnessing to their suppressed emotion, unspoken trauma, and lived pain. With abortion denial ended, we as a society could then reconnect with reality and life.”

Clearly, Mr. Speaker, there are seemingly ominous present-day signs that hinder ending abortion denial and a reconnection with reality and life. Certainly the re-election of the abortion President Barack Obama, public funding for abortion in the ObamaCare health exchanges that come online in

2014, a massive increase of public funding for abortion, the use of coercion to compel religious believers and entrepreneurs to violate their consciences, slick advertising, and the export of abortion worldwide.

And it is deeply troubling that despite the fact that Planned Parenthood claims direct responsibility for killing over 6 million unborn babies in their clinics, including a record 333,964 abortions in 2011 alone, Planned Parenthood remains President Obama's favorite organization.

Despite these and many obstacles, however, we will never quit. In adversity, our faith and trust in God is tested, but it also deepens and overcomes and forges an indomitable, yet humble, spirit.

The pro-life movement—and I've been in it for 41 years—is comprised of some of the noblest, caring, smart, and selfless people I have ever met. They make up an extraordinarily powerful, nonviolent, faith-filled human rights struggle that is growing in public support, intensity, commitment, and hope.

The compassionate women and men who staff thousands of pregnancy care centers, many of the women being post-abortive themselves who try to save women from that irreversible decision, help women who are experiencing unexpected pregnancies, and they provide tangible assistance and an enormous amount of love and emotional support both before and after the birth of a child.

The pro-life movement is not only on the side of compassion, justice, and inclusion. We are on the right side of responsible science and of history.

Someday future generations will look back on America and wonder how and why such a seemingly enlightened society, so blessed and endowed with education, advanced science, information, wealth, and opportunity, could have failed to protect the innocent and the inconvenient. They will wonder how and why a Nobel Peace Prize-winning President could also simultaneously have been the abortion President.

Dr. Alveda King, niece of the late Dr. Martin Luther King, who had two abortions but is now solidly pro-life, said in one of her speeches:

My Uncle Martin had a dream. He dreamt that we would live out that which is self-evident, that all men are created equal. He called on America to admit our wrongs and turn from them. Today, I call on all of us, regardless of nationality, race, or religion, to admit our wrongs and turn from them. I believe that the denial of the right to life is the greatest injustice we face in the world today. There is no compassion in killing. There is no justice in writing people out of the human race.

□ 1540

History, Mr. Speaker, will not look favorably on today's abortion culture. We must, indeed and instead, work tirelessly to replace it with a culture of life.

Mr. Speaker, forty years ago today marks the U.S. Supreme Court's infamous, reckless and inhumane abandonment of women and babies to abortionists.

Forty years of victims—dead babies, wounded women, shattered families.

Forty years of government sanctioned violence against women and children.

Since 1973, more than 55 million children have been killed by abortion—a staggering loss of children's precious lives—a death toll that equates to the entire population of England.

The passage of time hasn't changed the fact that abortion is a serious, lethal violation of fundamental human rights. And that women and children deserve better—much better. And that the demands of justice, generosity and compassion require that the right to life be guaranteed to everyone, regardless of age, sex, race, condition of dependency, disability, or stage of development.

Rather than obscure or dull our consciences to the unmitigated violence of abortion, the passage of time has only enabled us to see and better understand the innate cruelty of abortion—and its horrific legacy victims—while making us more determined than ever to protect the weakest and most vulnerable, and end mass deception by the abortion industry.

Earlier today, Linda Shrewsbury, an academic and African American with a degree from Harvard who had an abortion told a “40 Years of Victims” press conference that: “the lies that brought me to that day and its sorrowful aftermath are crystal clear in my mind—falsehoods and deceptions that concealed the truth about abortion. Lies planted in my thinking by clever marketing, media campaigns and endless repetition led to a tragic irreversible decision—the death of my first child.

I didn't really understand back then. At age 20, I had no inkling of the mental and emotional darkness I was about to enter. I couldn't have grasped the immense psychological toll abortion would take for years into the future—unrelenting tears, guilt, shame, and depression. After spending many years in denial, I did eventually find healing. When I understood and rejected distortions about fetal development, doublespeak about choice, rights, planned and wanted children; I understood the reality and victimhood of my aborted child. I understood the absence of moral bases for choosing to “dis-entitle” an innocent human being of life. When I embraced truth, truth set me free and I finally gained inner peace.

It's past time to lance the national wound of abortion with truth. The high culture—thought leaders, media, celebrities—that brought us abortion seem vested beyond extraction. I dreamed of the volcano of abortion truth that could erupt one day from the grassroots—women and men and their relatives witnessing to their suppressed emotion, unspoken trauma, and lived pain. With abortion denial ended, we as a society could then reconnect with reality and life.”

Clearly there are seemingly ominous present-day signs that hinder ending abortion denial and a reconnection with reality and life—the reelection of the abortion President Barack Obama, public funding for abortion in the ObamaCare health exchanges that come on-line in 2014, the use of coercion to compel

religious believers and entrepreneurs to violate their conscience, and the export of abortion worldwide.

And, it is deeply troubling that despite the fact that Planned Parenthood claims direct responsibility for killing over 6 million unborn babies, including a record 333,964 abortions in 2011 alone, Planned Parenthood remains President Obama's favorite organization.

Despite these and any obstacles, we will never quit. In adversity our faith and trust in God is tested, but it also deepens and overcomes and forges an indomitable yet humble spirit.

The pro-life movement is comprised of some of the noblest, caring, smart and selfless people I have ever met. They make up an extraordinarily powerful, non-violent, faith-filled human rights struggle that is growing in public support, intensity, commitment and hope.

The compassionate women and men who staff thousands of pregnancy care centers throughout America provide women who are experiencing unexpected pregnancies tangible assistance, love and emotional support both before and after the birth of her child.

With malice towards none, even President Obama for whom we must pray, we believe that the nightmare that is abortion on demand will end.

The pro-life movement is not only on the side of compassion, justice, and inclusion; we are on the right side of responsible science and of history.

Someday future generations will look back on America and wonder how and why such a seemingly enlightened society, so blessed and endowed with education, advanced science, information, wealth and opportunity could have failed to protect the innocent and inconvenient. They will wonder how and why a Nobel Peace Prize winning President could also simultaneously have been the Abortion President.

Dr. Alveda King, niece of the late Dr. Martin Luther King, had two abortions but is now pro-life. She said in one speech: "My Uncle Martin had a dream. He dreamt that we would live out that which is self-evident—that all men are created equal. He called on America to admit our wrongs and turn from them. Today, I call on all of us, regardless of nationality, race or religion, to admit our wrongs and turn from them. I believe that the denial of the right to life is the greatest injustice we face in the world today. There is no compassion in killing. There is no justice in writing people out of the human race."

History will not look favorably on today's abortion culture. We must instead work tirelessly to replace it with a culture of life.

Pro-lifers celebrate the sanctity of life. Unborn babies are not disposable commodities. We recognize that unborn children, like their older brothers and sisters, have inherent worth, value, and dignity. They are children too. If left alone to grow and mature, they too will become older brothers and sisters—and perhaps parents themselves someday.

Modern medicine and scientific breakthrough—especially the widespread use of ultrasound—have shattered the pernicious myth that unborn children are mere blobs of tissue. It's time to recognize birth merely as a celebratory event in the life of a person—not the beginning of life. And we've got to step up

our efforts to educate and persuade. Far too many politicians, judges, journalists and others choose denial and deceptive speech over truth.

Today doctors diagnose illness and disability before birth. New and exciting breakthrough health care interventions for the unborn—including microsurgery—are leading to an ever expanding array of successful treatments and cures of sick or disabled unborn babies in need of help. Unborn children are society's littlest patients who like any one of us might need health care.

In stark contrast, abortion methods rip, tear and dismember or chemically poison the fragile bodies of babies and abortion pills cause premature expulsion from the womb and death. There is nothing benign, compassionate, or just about an act that utterly destroys the life of a child and often physically, psychologically, and emotionally harms women. And despite the near total absence of any meaningful reporting by the media, women get hurt and some even die from legal abortions.

According to the most recent Centers for Disease Control (CDC) report, from 1973 to 2008 at least 403 women tragically died in the United States from legal abortion. And that sad fact is almost certainly a significant undercount because the methodology employed by CDC is passive and voluntary and likely to miss instances of both mortality and morbidity.

In the years since CDC's "most recent report," many more women have surely died. Like Tonya Reeves, a 24-year-old woman who died last July from a botched second trimester dismemberment abortion—a D&E—at a Chicago area Planned Parenthood abortion mill.

The abortion industry excels at surface appeal argument and propaganda. Indeed the misleading term "safe abortion" purposely misses the point that no abortion—legal or illegal—is ever safe for the baby and that all are fraught with negative health consequences for the mother.

Today, at least 104 credible studies show significant psychological harm, major depression and/or elevated suicide risk in women who abort.

The Times of London reported that, "[S]enior . . . psychiatrists say that new evidence has uncovered a clear link between abortion and mental illness in women with no previous history of psychological problems." They found "that women who have had abortions have twice the level of psychological problems and three times the level of depression as women who have given birth or who have never been pregnant."

In 2006, a comprehensive New Zealand study found that 78.6% of the 15–18-year-olds who had abortions displayed symptoms of major depression as compared to 31% of their peers. The study also found that 27% of the 21–25-year-old women who had abortions had suicidal ideations compared to 8% of those who did not have an abortion.

At this morning's "40 Years of Victims" press conference courageous post-abortive women, as well as the mother of a minor girl who was transported across state lines to New Jersey to evade Pennsylvania's parental involvement laws spoke eloquently of the anguish of abortion.

Irene Beltran said: "My entire being was overcome by terror, and I felt deep anguish in the core of my soul when I ended the life of my own child for the sake of convenience. At the clinic I was treated like livestock being herded from one step to the next . . . When the abortionist administered the poison in my stomach I was mortified and shocked because I felt my child kick and turn very hastily. Years later I found out she was being burned and could feel the pain. Since I was 6 months pregnant this would be a two-day process. The second day consisted of the abortionist tearing my daughter out of me—limb from limb, piece by piece. But I did not go back. After feeling my daughter fight for her life I went straight to my mother's home crying for help. She drove me to the Labor and Delivery Department at a local hospital. I arrived at the hospital grasping the slim chance they could save my daughter, but there was nothing the doctors could do. The effects of the toxin were irreversible."

Marcia Carroll said even though "my daughter chose to have the baby, raise it . . . The father's family arranged a taxi, a train, and subway rides to sneak her across state lines to New Jersey where his family met them in front of the abortion clinic . . . They planned, financed, harassed, and ultimately threatened my daughter into having the abortion . . . As a result of the legal abortion that was completed unbeknownst to me, my daughter suffered years of depression, intense grief, post-traumatic stress disorder, nightmares, and thoughts and even attempts of suicide."

Kellie Stauffer spoke of her abortion at the age of 14: "We all thought abortion would erase the situation I had gotten myself in and we would go on living life the way it was. That was not the case. . . . life sadly was never the same. I hated myself. I tried to numb my pain in any way I could find, drugs, alcohol, food, meaningless relationships, but nothing took away the deep darkness that overwhelmed my soul. . . . She persuaded me to go to a Rachel's vineyard retreat and that weekend saved my life. I allowed myself to feel the forgiveness God had been showing me all along. . . . I will never forget what I did to my first child. I am still brought to my knees in tears at times when I remember the pain I caused her. In response to God's grace and for my daughter's spirit I will be silent no more."

Olivia Gans Turner said: "I was not told vital information about the child I was carrying. Including the medical fact that by the time I had an abortion at 12 weeks, my baby already had a beating heart and brain waves! . . . I have not forgotten one moment of that day, and never will. That single day changed my life forever."

Abortion not only has deleterious effects on women but on children born subsequently to women who have had a previous abortion.

At least 115 studies show a significant association between abortion and subsequent premature births. Researchers Shah and Zao showed a 36% increased risk for preterm birth after one abortion and a staggering 93% increased risk after two.

Similarly, the risk of subsequent children being born with low birth weight increases by

35% after one and 72% after two or more abortions. Another study shows the risk increases 9 times after a woman has had three abortions.

What does this mean for her children? Preterm birth is the leading cause of infant mortality in the industrialized world after congenital anomalies. Preterm infants have a greater risk of suffering from chronic lung disease, sensory deficits, cerebral palsy, cognitive impairments and behavior problems. Low birth weight is similarly associated with neonatal mortality and morbidity.

The extremism of the pro-abortion industry is shocking.

Last spring, the House of Representatives took up a bill to ban sex-selection abortion. The bill garnered a solid majority—246 to 168—in the House. President Obama, however, made it absolutely clear that he would veto the sex-selection abortion prohibition should it be sent to the White House.

While sex-selection abortion almost exclusively targets girls for extermination—simply because they are little girls—the egregious practice remains legal in most states. In fact, only four states—Illinois, Pennsylvania, Oklahoma and Arizona—and several countries including the United Kingdom proscribe it.

And if that's not shocking enough, many remain unaware of the fact that sex-selection abortion is part of a deliberate plan of population control—a war on women. In other words, abort the girls so they can't grow up someday and have children of their own.

In her book *"Unnatural Selection: Choosing Boys Over Girls, and the Consequences of a World Full of Men,"* Mara Hvistendahl traces the sordid history of sex-selection abortion as a means of population control.

"By August 1969, when the National Institute of Child Health and Human Development and the Population Council convened another workshop on population control, sex selection had become a pet scheme," Hvistendahl writes. "If a reliable sex-determination technology could be made available to a mass market," there was "rough consensus" that sex-selection abortion "would be an effective, uncontroversial and ethical way of reducing the global population."

Many of you might recall the undercover sting operation by Live Action that exposed several Planned Parenthood affiliates who were eager, ready and willing to facilitate secret abortions for underage sex-trafficking victims—some as young or younger than 14. As the prime sponsor of the Trafficking Victims Protection Act—the landmark law to combat human trafficking—I found the willingness of Planned Parenthood personnel to exploit young girls and partner with sex traffickers to be absolutely appalling.

Now, Live Action has released sting-operation videos—part of a series, *"Gendercide in America"*—that show Planned Parenthood personnel advising undercover female investigators how to procure a sex-selection abortion. Caught on tape, one staffer tells an investigator to wait until her baby is 5 months along to get an ultrasound that reveals the sex of the child. Then, if it's a girl, kill it.

For most of us, "it's a girl" is cause for enormous joy, happiness and celebration. But far too often, this phrase can be a death sentence.

These cruel, anti-woman policies have had horrible consequences everywhere, especially in China (and India as well).

China's one child per couple policy in effect since 1979 constitutes massive crimes against humanity. The Nuremberg Nazi war crimes tribunal properly construed forced abortion as a crime against humanity—nothing in human history compares to the magnitude of China's 34-year assault on women and children.

In China, brothers and sisters are illegal in most instances.

The price for failing to conform to the one child per couple policy is unbearably high. A Chinese woman who becomes pregnant without a permit will be put under mind-bending pressure to abort. She knows that "out-of-plan" illegal children are denied education, health care, and marriage, and that fines for bearing a child without a birth permit can be 10 times the average annual income of two parents, and those families that can't or won't pay are jailed and their homes smashed in.

If the brave woman still refuses to submit, she may be held in a punishment cell, or, if she flees, her relatives may be held and, very often, beaten. Group punishments will be used to socially ostracize her. And her colleagues and neighbors will be denied birth permits. If the woman is by some miracle still able to resist this pressure, she may be physically dragged to the operating table and forced to undergo an abortion.

Over the years, I have chaired 43 congressional human rights hearings focused in whole or in part on China's one child policy. At one, the principal witness, Wuijan, a Chinese student attending a U.S. university, testified about how her child was forcibly murdered by the government. She said, "[T]he room was full of moms who had just gone through a forced abortion. Some moms were crying. Some moms were mourning. Some moms were screaming. And one mom was rolling on the floor with unbearable pain." Then Wuijan said it was her turn, and through her tears she described what she called her journey in hell.

Not only has the Obama Administration turned a blind eye to the atrocities being committed under the one child policy, but continues to provide financial support—contrary to U.S. law—to the United Nations Population Fund (UNFPA), an organization that supports, plans, implements, defends and whitewashes the Chinese government's brutal program.

Twenty nine years ago—on May 9, 1984—I authored the first amendment ever to a foreign aid bill to deny funding to organizations such as the UNFPA that are complicit with China's forced abortion and involuntary sterilization policy. It passed. After all these years, it is astonishing that policy makers—including and especially the Obama Administration—remain indifferent or worse, supportive, of these massive crimes against women and children. The Obama Administration has long enabled this cruel policy by its silence and financial support to the tune of \$50 million a year to the UNFPA.

The result of this policy is a nightmarish "brave new world" with no precedent in human history, where women are psychologically wounded, girls fall victim to sex-selective abortion (in some provinces 140 boys are born for every 100 girls), and most children

grow up without brothers or sisters, aunts or uncles or cousins.

Women bear the major brunt of the one child policy not only as victimized mothers. Due to the male preference in China's society and the limitation of the family size to one child, the policy has directly contributed to what is accurately described as gendercide—the deliberate extermination of a girl—born or unborn—simply because she happens to be a girl.

As a result of the Chinese government's barbaric attack on mothers and their children, there are some 100 million missing daughters in China today.

Because of the missing girls—China today has become the human sex trafficking magnet of the world. Women and young girls from outside the country are being sold as commodities throughout China—a direct consequence of the one child policy. Several prominent people including Ted Turner have suggested that the United States—indeed the world—needs to follow China's example and promulgate a one child per couple policy.

Mr Speaker, despite the best and slickest market branding money can buy, the stubborn fact remains that Planned Parenthood clinics are among the most dangerous places on Earth for a child. Planned Parenthood's own personnel are now taking a second look and, thanks to ultrasound, are clearly seeing what is being done to millions of children in the womb.

One of those abortion providers who took a second look and walked away is Abby Johnson, a former Planned Parenthood abortion clinic director. In her book *"Unplanned,"* Abby Johnson exposes the duplicity and cruelty of what really goes on behind closed doors at a Planned Parenthood clinic. In it she writes how she witnessed and assisted in an abortion of a 13-week-old baby by holding the ultrasound probe, and as she pointed out in the book, it was the first ultrasound-guided abortion at that facility.

She writes in the book: "The details startled me. At 13 weeks you could clearly see the profile of the head, both arms, legs, and even tiny fingers and toes. With my eyes glued to the image of this perfectly formed baby, I watched as a new image emerged on the video screen. The cannula, a straw-shaped instrument attached to the end of the suction tube, had been inserted into the uterus and was nearing the baby's side. It looked like an invader on the screen: out of place, wrong. It just looked wrong."

She goes on to write: "My heart sped up; time slowed. I didn't want to look, but I didn't want to stop looking either. At first, the baby didn't seem aware of the cannula. It gently probed the baby's side, and for a quick second I felt relief. But I couldn't shake an inner disquiet that was quickly mounting to horror as I watched the screen." Remember, this is an abortion clinic director saying this.

"The next movement was a sudden jerk of a tiny foot of the baby as he started kicking, as if trying to move away from the probing invader."

"As the cannula pressed in, the baby began struggling to turn and twist away. It seemed clear to me that the fetus could feel the cannula, and it did not like the feeling. And

then the doctor's voice broke through, startling me: 'Beam me up, Scotty,' the abortionist said lightheartedly to the nurse. He was telling her to turn on the suction, in an abortion the suction isn't turned on until the doctor feels he has the cannula in exactly the right place.

Abbey Johnson, abortion clinic director, went on to write: "I had a sudden urge to yell, Stop; to shake the woman and say, Look at what's happening to your baby. Wake up; hurry. Stop them. But even as I was thinking those words, I thought of my own hand and saw my own hand holding the probe. I was one of them performing this act" of abortion.

"My eyes shot back to the screen. The cannula was already being rotated by the doctor and now I could see the tiny body violently twisting with it. For the briefest moment it looked as if the baby was being wrung like a dishcloth, twirled and squeezed. And then the little body crumpled and began disappearing into the cannula before my eyes. The last thing I saw was the tiny perfectly formed backbone sucked into the tube. And then everything was gone. The image of that tiny dead baby mangled and sucked away kept replaying in my mind. What was in this woman's womb just a moment ago was alive. It wasn't tissue. It wasn't cells. This was a human baby, fighting for life. A battle was lost in the blink of an eye.

"What I have told people for years"—8 years as a clinic director at a Planned Parenthood clinic—"what I have told people for years," Abby Johnson continues, "what I believed and taught and defended is a lie." Abby Johnson is now an amazing pro-life leader.

Mr. Speaker, as we stand here on the floor of the U.S. House of Representatives this afternoon marking 40 years since seven members of the U.S. Supreme Court imposed abortion on demand for all nine months on the United States of America, the legacy of *Roe v. Wade*—dead babies and injured women, shattered families—begs reappraisal. And courageous women like Abby Johnson are showing the way.

Mr. Speaker, we have a duty to protect. The struggle to re-establish durable protections for the most discriminated minority in America today—unborn babies—is worth any personal sacrifice, inconvenience or pain.

We cannot allow the violence against women and their children to continue.

I would like now to yield to my good friend and colleague, MARSHA BLACKBURN.

Mrs. BLACKBURN. I thank the gentleman from New Jersey for the excellent work that he continues to do, year in and year out, on this issue. I appreciate his leadership.

We do stand today and mark the 40th anniversary of the tragic *Roe v. Wade* decision, and it really said that not all life is created equal. Since the Supreme Court gave our government's seal of approval, if you will, for on-demand abortion, there have been over 55 million lives lost.

Mr. Speaker, I'm not certain that we think about the gravity or the enormity of the issue until we look at it in that collective sense, 55 million lives that have been lost.

As a woman, I personally believe that America is better than choosing abortion, and I agree, and I believe that women deserve better.

The gentleman from New Jersey referenced the press conference that victims held today, and I was so touched by a statement from one of those that participated in this press conference. Her name is Irene Beltran. Ms. Beltran tells the story of what she endured when she was living in southern California and when she chose the path of abortion, and it is a very tender and heart-wrenching story. I want to quote from one paragraph in her story and this statement that she gave. And I'm quoting Ms. Beltran now:

I've grief-stricken countless people with the choice that I've made. I've robbed my seven children of a sister that they could have played with, fed, and helped nurture. I've robbed three sets of grandparents of a granddaughter. I've robbed future generations from ever existing. I've suffered from depression, anxiety, and eating disorder, just to name a few. I felt damaged, humiliated and hopeless.

Women deserve better than abortion. I stand before you today because my daughter forgives me, my family forgives me, the Lord forgives me, and I forgive myself. I dedicated the rest of my existence to fight this life-and-death war. This is why I am silent no more.

That is the statement from Ms. Beltran as told at the press conference today. And we all know in our hearts what she says is just so true, that life is a natural right. It's a gift from God, whose love extends beyond our comprehension, and He calls on us to protect the smallest and the weakest among us.

We're moving forward with pro-life legislation in the States, and the gentleman from New Jersey referenced the movement that he has worked in for 40 years. We have 24 State legislatures that passed a record 92 measures that restricted abortion in 2011. Nine States have recently banned most abortions after 20 weeks of pregnancy.

On the national level, we're working to end taxpayer funding for abortion. I have legislation that addresses that Title X funding. And we are continuing to work to make certain that we focus on helping the families that have felt the impact of abortion in their life. We're focusing on celebrating life and committing to making certain that we stand and work toward a pro-life America.

Mr. SMITH of New Jersey. I want to thank my good friend and colleague, MARSHA BLACKBURN, for her exemplary leadership and for her very eloquent statement today.

I'd like to yield to Congresswoman ANN WAGNER, the gentlelady from Missouri.

Mrs. WAGNER. I thank the gentleman for yielding.

Mr. Speaker, it is with heavy heart that I stand here today on the 40th anniversary of *Roe v. Wade*, a decision

that has done so much harm to the moral landscape of our Nation.

Since that dreadful day 40 years ago, there have been more than 55 million abortions in this country. That is roughly one-fifth of the United States population whom we will never know. We will never derive the contributions to society that these nameless angels could have brought to the world. And even worse is the emotional pain that millions of women have endured in the days, months, and years after their abortion.

It's my honor to put in the RECORD today the story of Joyce Zounis, who joins us today. It's compelling testimony, and it's an honor to put her testimony forward.

Since I was sworn into Congress nearly 3 weeks ago, I have had the opportunity to sign on to pieces of pro-life legislation. I believe that it is important that we prevent any taxpayer dollars from going to abortions or organizations that perform abortions.

I believe in the sanctity of life, that life is truly a gift, from conception to natural death, and I am dedicated to protecting the rights of the unborn. I support the efforts to reduce the number of abortions in this country, and will work not only to make abortion illegal, but to make abortion unthinkable.

You see, as a mother of three beautiful children, the sanctity of life is very cherished and very personal to me. In fact, it was exactly 23 years ago that I came to Washington, DC, on a bus from St. Louis, Missouri, to participate in the March for Life. I know it was exactly 23 years ago because I was 6 weeks pregnant at the time with my second son, Stephen. Taking a 14-hour bus ride while experiencing morning sickness is generally not advisable, but I knew actively participating in the pro-life movement at a time when I was carrying my unborn child was so very important.

As a mother, I want to raise my children in a world that values life at all stages. I do not want to raise them in a world that exhibits a flagrant disregard for human life. And at that moment 23 years ago, I knew that it was not enough to simply say that I was pro-life; I had to, indeed, walk the walk.

On the anniversary of the Supreme Court decision that legalized abortion in this country, I am heartbroken for the pain this decision has caused over the last 40 years, but I am hopeful, hopeful and inspired by the many young people I have seen today who will be marching side by side with me for life this Friday. I encourage my colleagues to join me and show support for human life at all stages.

JOYCE ZOUNIS—TV AND RADIO PRODUCER AND HOST, *LIVING BEYOND THE BANDAID OF ABORTION*

"We will not speak of this again" were the words spoken to me as my mom and I, a 15-

teen-year old high school sophomore, walked into the abortion facility. I too wanted to forget this problem. I was determined to be the one who decided when I became a mom; NOT a positive reading on a stick. Already disconnected, my mind was not on what was about to happen, but of missing cheerleading practice.

The room was filled with many girls and to my mom's dismay we saw someone we knew. Our secret was blown. I sat in a room waiting for my name to be called just like any other doctor's appointment but this was like no other. They said it won't hurt; it did! They said it would be over real quick; it has lasted 35 years!

Eleven years after my first abortion, I was having my seventh. I was in the same waiting room, walking the same hall, wearing the same gown, taking the same pill, and laying on the same table. To this abortionist's disgust, my pregnancy was further along and required more of his time.

Several hours later the vacuum-like noise broke a decade-old trance—"what have I done?" I began to weep uncontrollably, and this enraged the abortionist. His gestures were rough, and he was morbidly pleased to have me see his bloody garments when he was finished. The nurse quickly moved me to the recovery room and gave me crackers. Within 10 minutes I was rushed out the back door and nauseous on my way home.

Eleven years, three clinics, two states, seven abortions, and not once was I told of the physical risks I would suffer later: the necessity of bi-lateral mammograms and fear of breast cancer; ovarian cysts; being bedridden for five months in my last pregnancy and having to explain the possibly of "mommy dying" to my four young children due to placenta previa, which resulted in my losing all but two pints of blood; and, a partial hysterectomy at delivery.

Not once was I told of the emotional trauma I would suffer: uncontrollable anger flamed by betrayal, deafening seclusion, and the inability to trust. That child loss through choice would devour my dignity as I justified the twisted truth. Or that deception would slowly creep into all areas of my life including the need to discretely reveal several of my abortions as miscarriages.

I was never told I would feel like I was the only one going crazy. Everyone talks about their "right to choose;" but no one talks about the choice. In my case this led to sabotaging many life joys. I will never forget hearing my firstborn's heartbeat. Instead of joy, I was in shock, terrified that the nurses could see right through me and what I had done to my other children.

I was never told you would need to grieve and cry for your unborn; that your life would be forever altered by the horrors of your 'chosen' loss, tormented by the innate longing to hold and know your dead children and their dreams. Or that my five living children would suffer with an impossible mom; trapped by the hidden sadness of her gullible past.

Through divine intervention in 1990, I had participated in an abortion recovery program. The tears so long forgotten had begun to form and fall together with the bandages covering my shameful sorrows. With grateful relief I was able to acknowledge, name, and mourn my seven babies and rightfully publicly position them among their siblings.

For over two decades, my now deceased mom joined me in telling others that abortion hurts everyone: family, friends, and future generations. We were wrong. Abortion was not the right answer for my untimely pregnancies.

I now know that you are forever a mom regardless of the age of your child; 6 seconds, 6 days or 60 years. I was blind to this but now I see. This momma of 12 children chooses to be a voice of truth. In pregnancy you carry the baby for only nine months but in abortion you carry it for a lifetime just with empty arms.

Mr. SMITH of New Jersey. Thank you very much for that very powerful statement.

I yield to the gentleman from Mississippi (Mr. NUNNELEE).

Mr. NUNNELEE. I want to thank the gentleman from New Jersey for his leadership in speaking out on this very important issue.

Our Declaration of Independence, our Nation's birth certificate, states that all are endowed by their Creator with certain unalienable rights, and among those are the right to life; but now, for 40 years, over 55 million Americans have been denied that basic right to life guaranteed by our Declaration of Independence.

The Supreme Court got it wrong with Roe, just as they got it wrong with Dred Scott. Now, I accept the fact that under our system of law Roe is the law of the land today, but I, along with many millions of people around America, pray that one day that decision will be overturned.

While in this body we've had much spirited debate over the right to life, there's one area where we have found bipartisan agreement, and that is that taxpayers should not be forced to subsidize a practice that so many of us find abhorrent. We must protect taxpayers from funding abortion. That's why, earlier today, I introduced legislation that would do just that.

Under ObamaCare, the Federal Government is required to sponsor at least two multistate insurance plans.

□ 1550

The bill that was introduced earlier today would simply prevent those plans from paying for abortions, thus making sure that taxpayers around the Nation are not required to subsidize the taking of life. Now this isn't new policy, in fact, it's simply an extension of longstanding Federal policy, and that's why I urge my colleagues to support this bill.

Recently, President Obama said:

When it comes to protecting the most vulnerable among us, we must act now. Let's do the right thing.

This bill is an effort to do the right thing, to protect taxpayers from funding the destruction of the most vulnerable among us: the unborn child.

In closing, let's remember the words of the prophet of old:

This day I call Heaven and Earth as witnesses against you, that I have set before you life and death, blessings and curses. Now choose life, so that you and your children may live.

On this 40th anniversary of Roe, let us rededicate ourselves to choose life.

Mr. SMITH of New Jersey. Thank you so much, Mr. NUNNELEE.

I yield to Mr. POMPEO of the Fourth District of Kansas.

Mr. POMPEO. Today, I stand here on the 40th anniversary of one of the worst decisions of our United States Supreme Court. It was deeply flawed. Too many Justices spoke of emanations of penumbras but missed the core principle contained in the Constitution: this notion that every human being is endowed with this special dignity that we call life.

The cost of that decision has been enormous: 55 million souls were not brought into this world. We can feel it in families torn asunder and in lives that didn't get to become the next great leaders in our Nation. These lives were lost to each of us. They're lost to the families. They're lost to our community. They're lost to their Maker.

But I want to talk today about hope. Ever since this decision in 1973, there's been a march. And I was in the Army. When you march, you march to victory. We've had this special march. We'll have this march again this week. We'll have it in Kansas. Kansas has a very special relationship to this march.

In 1991, in Wichita, Kansas, the city which I represent, we held the Summer of Mercy, where people came together in peace to talk about these lives that should have been protected but had not been. And this week, the airlines permitting, I'll be back to watch young people from all across south central Kansas board buses bound for Washington, DC. I'll see them off from churches and cathedrals and synagogues, folks coming to Washington, DC, to once again march on this town to demand that we do everything we can in our power here in Washington, DC, to protect every human life.

I'm very proud of the rich history and the contribution that the citizens of the Fourth District of Kansas have made to this movement. It is certainly important to me as a matter of faith. But as a matter of science, we have this one right as well. We must protect every unborn life. I'm dedicated to doing so. I look forward to being with that next generation, these young people coming to Washington, DC, so this fight can continue.

Mr. SMITH of New Jersey. I yield to VICKY HARTZLER, the gentlelady from Missouri.

Mrs. HARTZLER. Thank you. I applaud my colleague from New Jersey, and I thank him for his leadership on this very important issue.

Today marks the 40th anniversary of the Supreme Court ruling in Roe v. Wade and Doe v. Bolton, two rulings which impose legalized abortion in this country. I was in junior high at the time this ruling came down, and I really didn't understand the implications. It was only later when I took a child development class and they showed pictures of the different stages of the

baby's development that I came to realize this wasn't just talk about a blot of tissue. This procedure ended a beating heart and denied life into this world. I became pro-life then and continue to be pro-life now.

This Friday, hundreds of thousands of Americans will come to Washington to recognize this anniversary. And it's not an anniversary observed with celebration, but one marked by somber reflection. We mourn the loss of 55 million aborted boys and girls, innocent children who were never given the right to live, attend school, go to birthday parties, participate on little league teams, or become siblings and peers. We mourn for families who do not know their lost children but wish they did. We mourn the devastating impact abortion has on our culture and our consciences.

This anniversary also represents an occasion to renew our commitment to defending the most fundamental human right: the right to life. We know that more Americans now describe themselves as pro-life—50 percent—than those that consider themselves pro-choice—41 percent—and we know that younger Americans have begun to understand that the protection of their rights cannot be built upon the destruction of an innocent human being's right to life.

Still, we have work to do. The Federal Government continues to subsidize family planning clinics that provide abortions. In 2011, the Nation's largest provider, Planned Parenthood, performed a record number of abortions, over 330,000 abortions. Most of us in Congress represent approximately 750,000 people. If you think about it, that's almost half of a congressional district that was wiped out in 2011 at the hands of Planned Parenthood clinics alone. Planned Parenthood ended the beating hearts of these innocent victims while deluding vulnerable women that their choice wouldn't have any harmful consequences, and they did so with taxpayer funding, over \$500 million in 2011.

This must stop.

Abortion does have consequences. It destroys babies. It harms women physically and emotionally, and it harms men, too.

This past weekend, I had the opportunity to hear a man speak, who shared the heartbreak and the shame that he has suffered for over 20 years at the loss of four children that he was responsible for their abortions. It impacted his marriage, his mental and physical health, his parenting, and how he was able to do his job.

Abortion has consequences. It deadens our consciences and it perpetrates the lie that killing the unborn is morally acceptable.

This week, I stand with hundreds of thousands here in Washington who know better, who understand the truth,

that abortion harms us and is killing off future generations. We observe the 40th anniversary of *Roe v. Wade* with the renewed hope that more Americans will see this truth and honor life.

Mr. SMITH of New Jersey. I thank the gentlelady for her very eloquent statement.

I yield to my good friend and colleague, Mr. HUELSKAMP, the gentleman from Kansas.

Mr. HUELSKAMP. Thank you. I appreciate the time from such a pro-life leader.

First of all, my wife, Ang, and I are proud adoptive parents of four children. Our heartfelt gratitude goes out to their birth mothers and birth families for choosing life for our four children, and I believe you will be eternally rewarded for your generous choice.

It is reassuring, as was mentioned here, that every year millions of Americans descend on Washington and our State capitals, including Kansas, to stand as surrogate voices for the millions of lives taken by abortion. It's a shame that this event has to happen. But this year, descending on Washington is more than just about abortion; it's about religious liberty.

Those in favor of abortion like to cast this debate about rights and choices rather than rights or wrongs. So if we're to use their terms, where is the outrage at the fact that Americans increasingly have no choice, particularly under the President's health care plan, when it comes to paying for abortion, paying for abortion drugs, and numerous other things they find morally reprehensible? And where's the outrage that religious liberty, the first part of the First Amendment, can come at the expense of this radical agenda?

We in this Congress stand as the people's direct representatives in Washington and must stand as a check to the most pro-abortion President in our history. A President's second term is usually about legacy building, but for the sake of the unborn and for the sake of our religious liberty, I fear for the legacy that he will attempt to craft in the next 4 years.

□ 1600

Mr. SMITH of New Jersey. It is a high honor and privilege to yield to the distinguished majority leader, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. I thank the gentleman.

I come to the floor today to join my colleagues in support of the March for Life.

It seems that too often in Washington these days the focus is on what people are against rather than what they are for. But this Friday, thousands of Americans will gather because of their support of what our Founders described as one of the unalienable rights endowed by our Creator: life. Some of those gathered will be Repub-

licans, others Democrats. Others will belong to no political party at all. They will belong to every faith and race and will belong to every socioeconomic demographic.

Those gathered this Friday and those of us here on the floor of the House this afternoon are joined because we believe that life must be protected—and must be protected especially for those who have no ability to protect it themselves.

Since *Roe v. Wade* in 1973 medical science has made tremendous gains. Today, expecting parents can watch 3-D images of their young child playing in the womb. Today, doctors can perform life-saving surgeries on children while they are still in utero. Today, thanks to medical science, we know that within 6 weeks after conception these little lives have a heartbeat and brain waves.

Here in the people's House we are taking steps to defend life, as are numerous State legislatures throughout the country. But the real heroes are those men and women who volunteer at pregnancy centers helping women, and those gathered for the March for Life who are committed to this mission. They gather this year not only in the name of protecting life but also to celebrate the life of the founder of the March, Nellie Gray. We'll all miss her red coat up there on that stage, leading the March up the hill, but I know Nellie would be as pleased as I am to see the progress being made for this most important cause—and she would encourage us never to rest until the job is done.

Mr. SMITH of New Jersey. I want to thank the distinguished majority leader for his exemplary leadership for many years, but especially as majority leader, and for reminding all of us that the unborn child, especially over the last 2 decades, has become the littlest patient, where microsurgeries and interventions can save children and enhance their life. I appreciate his extraordinary leadership.

I now yield to our distinguished colleague, the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. I thank my colleague, the gentleman from New Jersey, and I thank you for your leadership as a medical doctor.

It is a real special thing in this Chamber that we have pro-life patriots who represent medicine, the profession of law, mothers, fathers, people who understand life from the most intimate fashion.

I happen to be a pastor. It was 40 years ago that I had just accepted the call to my first church out of divinity school. I was busy in that ministry and getting started and didn't take too much notice of *Roe v. Wade*. But it was in 1978 when that issue hit me full square in the face, when two wonderful young people in my church came to my

office and said, Pastor, we have a problem, and went on to talk about an unplanned pregnancy that they had. As we discussed, they committed to the fact that they intended to keep the child as a gift of God. But ultimately the story didn't go that way because their parents—who were fine, upstanding church members yet determined that these children wouldn't have that as a detriment to their life—encouraged them to, as they called it, terminate the pregnancy.

It broke my heart, and I watch the pain in these two young people go on even to this very day 40 years later. I committed to my God that I would stand for life strongly and have the privilege of doing that in the pastorate, in counseling sessions, on boards of adoption agencies, and crisis pregnancy centers as well.

It was just a few years ago—6 years to be exact—when I held in my hands little John Timothy Walberg, my first grandson, along with his twin brother, Micah Todd Walberg, two little boys born at 24 weeks, 1.12 lbs, 12 inches long, fighting for life. They had been born just down the corridor from where abortions were being done on those same age children. I saw these two boys fight for life. Someday I will see John Timothy again in heaven, but I thank God that little Micah Todd is a live 6-year-old, growing strong, healthy, a gift of God.

The Framers of our Declaration of Independence went to their knees many times. They understood the value of politics, but they also understood the value of truth, truth that came not from man, but truth that came from God, truths such as these where it is said in Psalm 127:3:

Behold, children are a gift of the Lord. The fruit of the womb is a reward.

Jeremiah 1:5:

Before I formed you in the womb, I knew you. Before you were born I set you apart.

Psalm 139, where it says:

For You formed my inward parts;
You wove me in my mother's womb.
I will give thanks to You, for I am fearfully and wonderfully made.

Wonderful are Your works,

And my soul knows it very well.

My frame was not hidden from You,

When I was made in secret,

And skillfully wrought in the depths of the earth.

Your eyes have seen my unformed substance.

And in Your book were all written the days that were ordained for me,

When as yet there was not one of them.

I end by going back to what ultimately came from understanding of truth by our Framers and Founders, when they said:

We hold these truths to be self-evident, that all men are created equal and endowed by their Creator with certain unalienable rights, among them the right to life, liberty, and the pursuit of happiness.

Mr. SMITH of New Jersey. I now yield to the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. I thank the gentleman from New Jersey for leading this discussion one more time.

Life, liberty, and the pursuit of happiness. Those were the values described by our Founding Fathers. And against that backdrop, we must understand that a Nation is judged the same way that people are judged. We're judged by how we speak for those least able to speak for themselves.

The most fragile in any circumstance are those with no voice at all, the unborn. And on this day, 40 years after a Supreme Court decision, 50 million voices with no representation, no opportunity to speak, how will this Nation be judged? I think the answer is clear. Our Supreme Court at that time expressed conflict on when life began, but today's science leaves no conflict. DNA is established on day one. The heartbeat is visible soon thereafter.

What Nation would put mothers at odds with their unborn children and declare it to be a matter of choice? This is no matter of choice; it's a constitutional question of protection of life. It's a value that—our Founding Fathers would blanch at our definition today. They would have no concept that we would have these discussions.

But the hope lies ahead of us because the younger generations are seeing the technological replays of the unborn and know that it's more than a mass of tissue. Their standing in greater numbers on behalf of life, as is every one of us who are speaking here today.

May God bless this Nation as we seek to protect the unborn.

Mr. SMITH of New Jersey. Thank you very much, Mr. PEARCE, for that very moving statement.

I now yield to the gentleman from Maryland (Mr. HARRIS).

Mr. HARRIS. I want to thank the gentleman from New Jersey for taking a pause every year to let us review what happened 40 years ago and what's happened since. Because some 40 years ago, obviously the Supreme Court decided that it was no longer the State's prerogative to decide what laws could regulate abortion. We know some of the consequences of that: We know we have third trimester abortions; we have abortions for sex selection; we have abortions without the consent or even the notification of parents when minors are involved. That's the path we've gone down. But as the majority says, much has changed in 40 years and deserves reevaluation.

□ 1610

I'm an obstetric anesthesiologist. I've spent 25 years in the labor and delivery suite always wondering about the hypocrisy of being in a labor and delivery suite doing everything we could to save a 24-week baby, while across the corridor, 24-week babies were dismembered under what Roe v. Wade allowed under the law of the land.

The majority leader is right: science has changed tremendously. Why, 40 years ago, we didn't have the Human Genome Project. We didn't realize the richness and diversity of the human genome, which only strengthened the notion that each and every human being is absolutely unique from the moment of conception. And that's in every embryology textbook you can look into. Every human being is unique from the moment of conception. And now, as the majority leader said, we have 3-D and 4-D ultrasound. We can see these human beings that are not blobs of tissue; they are human beings. So maybe we need to revisit what Roe v. Wade said.

Let me tell you a story that really makes you think about revisiting this because, as you know, we spend hundreds of millions of dollars to fund organizations whose real sole purpose is to end life through abortion and very little to help the pregnancy centers that the majority leader spoke of. But in a pregnancy center north about 7 years ago—it's a pregnancy center in Baltimore—a woman speaking Spanish called one afternoon. She was on political asylum in the United States from El Salvador. She was single, had two children already, and was pregnant with a third. She called the pregnancy center, actually, to get a referral for an abortion. That day, by coincidence, maybe the grace of God, a counselor was there who spoke Spanish and spoke to that woman. That woman really wanted to keep her child; but as many women facing abortion, she was in a period of crisis. She needed help, not the help that a Planned Parenthood would offer, but the help that this pregnancy center offered, by helping her through her pregnancy, giving her the support she needed, the money she needed, and the things she needed to have that child.

Now, I know that story because that Spanish-speaking counselor was my wife. Seven-year-old Jennifer comes over to our house now. I look into her eyes, and I wonder if anyone is ever going to tell her the real story of what almost happened and how is someone going to look in her eyes and tell Jennifer that she was better off because of Roe v. Wade.

Mr. SMITH of New Jersey. I now yield to the distinguished obstetrician, Dr. ROE, PHIL ROE, from Tennessee.

Mr. ROE of Tennessee. I thank the gentleman for yielding.

First, Mr. Speaker, I want to thank CHRIS SMITH for not just this year, but for over 30 years of advocating for life and making that one of his missions in life. CHRIS, thank you for what you have done not only for this Congress, but for our country, to make awareness. I really appreciate it. I can't thank you enough for what you have personally done and sacrificed.

Exactly 40 years ago next month, I was a young doctor in training in Memphis, Tennessee, and I was drafted in the U.S. military and left the country to go to Southeast Asia for a tour of duty there. And something happened when I was gone. *Roe v. Wade* passed. It really passed, and I wasn't even aware of it because I was out of the country. I came back to my training, which had been interrupted by my military service, and realized something very fundamentally different had happened to America.

As an obstetrician, I personally have delivered around 5,000 babies. In the 31 years I was in medical practice in Johnson City, Tennessee, a small town in northeast Tennessee, our group had delivered over 25,000 babies—25,000 children. I see these children now as doctors, lawyers, teachers, Sunday school teachers, soccer coaches, housewives, and farmers, you name it, bettering our community. I cannot imagine my community without these young people there. They are the future of this great Nation.

As Dr. HARRIS mentioned, I saw when ultrasound went from when it was just a blob that you saw to being able to visualize the heartbeat 28 days or less post-conception. It's unbelievable to be able to see that. And to see this child develop is something that I can't explain to you how fulfilling that is to be able to see that happen. And to have a "choice" snuff that out is a law that we have to get right in this country. Thank goodness minds are changing.

I look around this great room here, this great Chamber, and wonder what it would be like if different choices were made, the great people that I've met here in Congress that might not be here had a different choice been made. In this Chamber, we have a clear responsibility and duty for those that do not have a voice. The fourth President of our country, and the architect of the Constitution, James Madison, warned that the rights of the minority must be protected. The unborn children of America represent the greatest silent minority that there is. They are the most innocent among us and deserve the protection we afford all people in this great country.

Life is a precious miracle from God that begins at conception. As a physician, I can personally attest after visualizing literally thousands of ultrasounds. We have to make our laws consistent with science of today.

It's been mentioned before that one of our government's most important duties is to protect the most vulnerable among us, and I pledge to continue to remember and strive toward this as long as I breathe. I'm heartened that so many others today have chosen to do the same thing. And may God very much bless the 4 million women last year in this country who chose life, not a choice to terminate life.

Mr. SMITH of New Jersey. Dr. ROE, thank you very much. Thank you for your great leadership here.

I would like to now yield to my good friend and colleague, Dr. FLEMING, a medical doctor as well, from the great State of Louisiana.

Mr. FLEMING. I thank the gentleman, my good friend from New Jersey, for all the great work that you've done in this area and many others, protecting children; and we're all grateful to you for doing that.

Mr. Speaker, 40 years ago, when the Supreme Court's *Roe v. Wade* decision was handed down, I was just a college student taking premed courses with a desire to pursue my goal of being a doctor one day. That was when *Roe v. Wade* was passed, and hardly anybody even noticed what a landmark decision that was that has led now to the death of over 55 million unborn innocents in this country.

Today, after 36 years as a family physician and having delivered hundreds of babies, I know now more than ever that life begins at conception. Over the decades, medical technology has only served to confirm what we know. Ultrasound has given us a powerful window into the womb that shows us a small, intricately developing human being. We know now through DNA that every little baby, every little embryo, is a unique blueprint in history. Protecting these pre-born children must be our first priority. That's what I strive to do as a family physician in Louisiana, looking after expectant mothers and their soon-to-be-born babies.

As a Congressman, my aim has been unchanged. Abortion is an attack on the very creed that I follow as a physician: first, do no harm. As a Member of Congress, I've stood firm against abortion, against laws that have infringed on the conscience protections of medical providers who want nothing to do with abortion, and I have consistently opposed the use of taxpayer dollars for abortion services.

Many think that at the termination of a pregnancy that the problem goes away, but nothing could be further from the truth. We know through studies that young women who have abortions are more likely to have depression, more likely to commit suicide, and more likely to have future miscarriages and problems with their pregnancy.

Mr. Speaker, the problems do not end with the termination of an innocent life. The abortion epidemic has cost 55 million children their lives. This is a national tragedy, and it must stop; and on this heartbreaking anniversary today, 40 years after *Roe v. Wade*, I'm more committed than ever to defending the lives of the unborn.

□ 1620

Mr. SMITH of New Jersey. I would like to yield to my good friend, Mr.

SCHWEIKERT, the gentleman from Arizona.

Mr. SCHWEIKERT. To my good friend, Mr. SMITH, thank you. Thank you for managing this.

The last handful of Congressmen that have come up to the mic have been medical doctors. I get to stand here behind the microphone and share a slightly different story. This is that one very special time of year I get to stand here and say "thank you" to a woman named Mary Lynn Sheridan, at the time who was named Mary Lynn Gephart.

She was a 17-year-old who found out she was pregnant, and she was in the car on the way, at that time in southern California, on her way to, apparently, Tijuana. And she broke down crying and kept crying more and kept hyperventilating. The two girlfriends she was with were so terrified she was getting sick in the car, they turned around and took her back home. Heaven forbid, she told her mother she was pregnant.

I was born a few months later at Holy Family Unwed Mother's Home in downtown L.A. The amazing thing is—picture this: You're in your thirties. You come into work one day. You turn on your computer, and there's an email saying, Hi, DAVID, you have no idea who I am, but your sister gave me information. Here's your birth mother.

What do you do? How about if she's never told her family, told her two daughters that I'm out there?

And I send a really carefully worded note after having a family meeting, and I had one of the most amazing experiences you could imagine. Imagine a couple of weeks later, you get a phone call, and it's this little voice saying, I've prayed for you every single day of your life. Every March 3, I go to mass and I light candles for you. Are you okay? Are you happy? Have you had a good life?

All I could tell her through all the tears was, Look, I'm incredibly lucky. I was adopted by an amazing family. I've gotten to live a great life. I'm here in Congress, which, actually, in many ways, may have disappointed her.

But the reason I stand here and tell the story is I've had this amazing relationship, having now met my birth father, having spent holidays with my family that has raised me and my birth family. I have a picture in my office with all these kids and all these people where all of our families—even my little sister, who has met her birth family, because my siblings are all adopted, and we get everyone together and go to Disneyland.

I've noticed there is an amazing change out there where the little kids come up to you and say, Okay, my mom is your sister, but your sister is not my mom's sister. The little kids get it. I think with this I get to come here behind the microphone and say,

Thank you. Thank you for giving me the chance to be alive. Thank you for giving me the chance to engage in this battle that we have here in Congress of trying to do good things for our country. Thank you, Mary Lynn Sheridan.

My mother would send my birth mother pictures of me as a baby. So when I would go to Walnut, California, and go see my birth mother, down the hallway would be all these pictures of me as a little kid. My birth mother has developed a very aggressive type of Alzheimer's, and something amazing has happened in her mind. She can describe all those photos. In her mind now, I grew up with my two younger sisters there in Walnut, California. In her mind, I've been with her this whole time. And that heartbreak she used to describe to me for all those years wondering what had happened to me is gone.

Thank you, God, and thank you to Mary Lynn for giving me a chance to be here today. Thank you.

Mr. SMITH of New Jersey. I thank you so very much for sharing not only with the Congress, but with the country, that very moving story.

I would like to now yield to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. I thank the gentleman from New Jersey for yielding and for leading this Special Order on this 40th anniversary of Roe v. Wade.

Forty has a lot of biblical implications. Moses led them wandering in the desert for 40 years, and Jesus spent for 40 days and 40 nights. Marilyn and I have been married for 40 years.

There are a number of things I would like to tell in this narrative, Mr. Speaker. The first thing I would like to relate is the story of Joyce Zounis, who has delivered to me her narrative, and I will pick out some of the highlights of it and introduce it into the CONGRESSIONAL RECORD.

Mr. SMITH of New Jersey. Will the gentleman yield just briefly to my good friend, Ms. FOXX, because she does have to leave, and then we'll go right back.

Mr. KING of Iowa. I yield to the gentlewoman from North Carolina.

Ms. FOXX. Mr. Speaker, I thank my colleague, Mr. KING. I'm sorry I could not get down here early, but the Rules Committee kept me.

I want to say all of us here are speaking on an extraordinarily important topic to our Nation. Life is the most fundamental of all rights. It is sacred and God-given. But millions of babies have been robbed of that right in this, the freest country in the world. That is a tragedy beyond words, and it's a betrayal of what we, as a Nation, stand for.

Before liberty, equality, free speech, freedom of conscience, the pursuit of happiness, and justice for all, there has to be life. And yet, for millions of aborted infants, many pain-capable and

many discriminated because of gender or disability, life is exactly what they've been denied, often at taxpayer expense. And an affront to life for some is an affront to life for every one of us.

One day we hope it will be different. We hope life will cease to be valued on a sliding scale. We hope the error of elective abortions ushered in by an unelected court will be closed and collectively deemed one of the darkest chapters in American history. But until that day, it remains a solemn duty to stand up for life.

Regardless of the length of this journey, we will continue to speak for those who cannot, and we will continue to pray to the One who can change the hearts of those in desperation and those in power who equally hold the lives of the innocent in their hands.

May we, in love, defend the unborn; may we, in humility, confront this national sin; and may we mourn what abortion reveals about the conscience of our Nation.

And I thank my colleague from Iowa very much for yielding.

Mr. SMITH of New Jersey. I yield to the gentleman from Iowa.

Mr. KING of Iowa. I thank the gentleman from New Jersey, and I start again from the beginning, Mr. Speaker.

This is the 40th anniversary of Roe v. Wade. I never imagined that we would be here 40 years afterwards, 55 million abortions afterwards, still seeking respect for innocent, unborn human life and the right of personhood that many over on the other side of the aisle also claim one should have once they're born. But they give no right, no dignity to babies who are preborn.

I would like to provide some of the narrative here of a story written by Joyce Zounis. Joyce's narrative is about her life. Each one of these are just heart-wrenching, and this is among those heart-wrenching stories shared now by millions around the country.

Joyce's story starts out with this in bold, "We will not speak of this again."

It's her mother telling her as a 15-year-old girl on the way to the abortion clinic that there would be no discussion outside of what happened that day. That's at age 15.

It says that "the room was filled with many girls," of which she knew weren't able to keep it as a secret.

They said it won't hurt; it did. They said it would be over real quick; it has lasted 35 years.

And 11 years later—here's the narrative, Mr. Speaker: Eleven years, three clinics, two States, seven abortions, not once was I told of the traumatic suffering that would follow, which it did.

And on the seventh abortion, Joyce Zounis writes:

Several hours later, the vacuum-like noise broke a decade-old trance—"What have I done?"

And as her story continues, she writes about emotional trauma, "That child lost through choice would devour my dignity"—they didn't tell her that. She said, "I justified my twisted truth."

That goes on every day here in America, 4,000 times a day in America. Everyone talks about their right to choose, but no one talks about the result of the choice.

□ 1630

She writes, "I will never forget hearing my firstborn's heartbeat," a thing of joy for most people.

Instead of joy, I was in shock, terrified that the nurses could see right through me and what I had done to my other children. I was never told you would need to grieve and cry for your unborn, that your life would be forever altered by the horrors of your "chosen" loss.

Put this in this perspective: 40 years of Roe v. Wade. How did we get here, Mr. Speaker? It's important for us to understand how the creeping decisions of a Supreme Court creep in on the innocent unborn lives of 55 million babies who were victims of abortion, of millions of mothers and of fathers who have suffered the trauma and the heartbreak of finding out afterwards that they carried the responsibility and the burden on their consciences that altered them for a lifetime.

It changed their relationships with their other children and with their family members, and it changed their relationships with brothers and sisters and mothers and fathers that they interrelate with in their daily lives.

In 1965, we had a Supreme Court decision called Griswold v. Connecticut, and that was the camel's nose under the tent. At that time, Connecticut had passed State legislation that had prohibited the sale of contraceptives. It was supported by the Catholic Church, of which I am a member, and it was litigated to the Supreme Court. The Supreme Court found a right to privacy, which was manufactured out of thin air. That right to privacy prohibited banning the sale of contraceptives to married couples. That "right to privacy" phrase became the foundation, from 1965 until 1973, for Roe v. Wade and Doe v. Bolton. Those two cases came together and essentially said that you have a right to an abortion at any time, for any reason—abortion on demand. That was the conclusion of the two cases, Doe v. Bolton, in '73.

We went on. We got some opportunities to try to make some changes here in Congress; and the beginning of it was the ban on partial birth abortion, which was litigated to the Supreme Court and was turned down. I arrived here on the Judiciary Committee, and we rewrote that language, under the leadership of STEVE CHABOT of Ohio, so that it would comply with the decision of the Court. It was litigated across the

countryside, and I went into the courtroom of Judge Kopf in Lincoln, Nebraska, as he had concluded that the findings of Congress were inferior to the preparation work of the attorneys in that court.

Someone had to speak up. I did so in Lincoln that day, and let him know that our congressional findings were deeply deliberated and well founded. I did so through the press, and I found out that he reads the papers. What happened finally was we were able to have a case sustained to the Supreme Court that at least banned the gruesome process of partial birth abortion.

In the process of these debates that we've had, Mr. Speaker, it has been useful. We've marched here. This will be the 40th year that hundreds of thousands and, by now, millions of people—especially young people—have come to Washington, D.C., and have gone out to the basilica for the pro-life vigil mass—or I've seen as many as 15,000 people out at the basilica—all praying together, all singing together, all joining together in an effort to protect and defend innocent unborn human life, and then have come the next day here to the Mall in Washington and marched together from the Mall all the way around to the Supreme Court and then dispersed across the Capitol Grounds to the various receptions and offices so that they could bring their influence.

This has changed the conscience of America. This has informed millions of now mothers who might have given up their babies to abortion instead. I'm encouraged by the path that we've taken. I have to believe that, over the years, the millions of voices raising together in hymns and prayer and in the marching have had its effect and is having its effect. There will be a day when we see the end of *Roe v. Wade*. There will be a day when we respect and revere every human life from that instant, or moment, of conception until natural death. That's what I work for. That's what I pray for. That's what many Members of the Pro-Life Caucus here in Congress have and many people across the countryside have.

Mr. Speaker, I am grateful to live in a country that has so many millions of people who have great respect for innocent unborn human life, and I will be forever grateful if I live to see the day that *Roe v. Wade* is finally set aside and that life is protected in law.

JOYCE ZOUNIS—TV AND RADIO PRODUCER & HOST LIVING BEYOND THE BANDAIDE OF ABORTION

"We will not speak of this again" were the words spoken to me as my mom and I, a 15-year-old high school sophomore, walked into the abortion facility. I too wanted to forget this problem. I was determined to be the one who decided when I became a mom; NOT a positive reading on a stick. Already disconnected, my mind was not on what was about to happen, but of missing cheerleading practice.

The room was filled with many girls and to my mom's dismay we saw someone we knew.

Our secret was blown. I sat in a room waiting for my name to be called just like any other doctor's appointment but this was like no other. They said it won't hurt; it did! They said it would be over real quick; it has lasted 35 years!

Eleven years after my first abortion, I was having my seventh. I was in the same waiting room, walking the same hall, wearing the same gown, taking the same pill, and laying on the same table. To this abortionist's disgust, my pregnancy was further along and required more of his time.

Several hours later the vacuum-like noise broke a decade-old trance—"what have I done?" I began to weep uncontrollably, and this enraged the abortionist. His gestures were rough, and he was morbidly pleased to have me see his bloody garments when he was finished. The nurse quickly moved me to the recovery room and gave me crackers. Within 10 minutes I was rushed out the back door and nauseous on my way home.

Eleven years, three clinics, two states, seven abortions, and not once was I told of the physical risks I would suffer later: the necessity of bi-lateral mammograms and fear of breast cancer; ovarian cysts; being bedridden for five months in my last pregnancy and having to explain the possibility of "mommy dying" to my four young children due to placenta previa, which resulted in my losing all but two pints of blood; and, a partial hysterectomy at delivery.

Not once was I told of the emotional trauma I would suffer: uncontrollable anger flamed by betrayal, deafening seclusion, and the inability to trust. That child loss through choice would devour my dignity as I justified the twisted truth. Or that deception would slowly creep into all areas of my life including the need to discretely reveal several of my abortions as miscarriages.

I was never told I would feel like I was the only one going crazy. Everyone talks about their "right to choose;" but no one talks about the choice. In my case this led to sabotaging many life joys. I will never forget hearing my firstborn's heartbeat. Instead of joy, I was in shock, terrified that the nurses could see right through me and what I had done to my other children.

I was never told you would need to grieve and cry for your unborn; that your life would be forever altered by the horrors of your 'chosen' loss, tormented by the innate longing to hold and know your dead children and their dreams. Or that my five living children would suffer with an impossible mom; trapped by the hidden sadness of her gullible past.

Through divine intervention in 1990, I had participated in an abortion recovery program. The tears so long forgotten had begun to form and fall together with the bandaides covering my shameful sorrows. With grateful relief I was able to acknowledge, name, and mourn my seven babies and rightfully publicly position them among their siblings.

For over two decades, my now deceased mom joined me in telling others that abortion hurts everyone: family, friends, and future generations. We were wrong. Abortion was not the right answer for my untimely pregnancies.

I now know that you are forever a mom regardless of the age of your child; 6 seconds, 6 days or 60 years. I was blind to this but now I see. This momma of 12 children chooses to be a voice of truth. In pregnancy you carry the baby for only nine months but in abortion you carry it for a lifetime just with empty arms.

The SPEAKER pro tempore (Mr. COLINS of Georgia). The time of the gentleman from New Jersey has expired.

Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Nebraska (Mr. FORTENBERRY) for 30 minutes.

GENERAL LEAVE

Mr. FORTENBERRY. I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. FORTENBERRY. Mr. Speaker, this Friday, hundreds of thousands of people will gather in Washington for a peaceful march, exercising the most American of values—the right to assemble and the right to freedom of speech. Among the people who will come are multitudes of young persons from all over America—young people who are the inheritors of the great civil rights traditions of this land. These young people are pro-life. Mr. Speaker, they're really saying something pretty simple.

They are saying that the time for honesty has come, that the time for a new national conversation has come, that the time for the violence to end has come, and that the time since the Supreme Court decision that legalized abortion on demand some 40 years ago has inflicted a deep wound on ourselves and the very soul of this country.

Over the past few decades, we have witnessed an evolving desensitization to abortion. It has become too easy to think of abortion as a procedure, as something clinical, somehow normal, removed. Disguised in the mantle and vocabulary of health, minds and hearts can easily become numb to what abortion really is, to what it really does and to who really dies.

But the youth among us, they know better. They know that women deserve better.

Abortion is so often the result of abandonment. A woman, in not knowing where to turn, falls into the grasps of the abortion industry, which says, We can quietly make this go away. There are no consequences here; just pay over there. But the consequences are so very real. Abortion is an act of violence. The woman so often carries the wound from this act of violence imposed upon her. Her unborn child dies. The abortion industry profits from this pain, and the other responsible party—the man—escapes his responsibilities. This is why the early feminist movement saw abortion as another form of male domination over women.

Mr. Speaker, young people, they know this. They sense this. They know instinctively that the Supreme Court's decision was a dinosaur decision, not based on science. They know that the consequences of abortion are very real, and they're simply saying there's a better way. There has to be a better way. We should be loving enough and

caring enough. We certainly are big enough. We certainly have resources enough to rally as a community and help a person no matter how difficult her circumstances. They are saying no woman should be left alone or in isolation. We are a community committed to the beautiful gift of life. Mr. Speaker, that's the message from these young people who will gather by the tens of thousands this Friday in Washington, and I'm proud to stand with them.

With that, I yield to my good friend, Congressman SMITH.

Mr. SMITH of New Jersey. I thank my good friend for yielding, and I applaud his tremendous leadership over the years in defense of the culture of life, for being consistent on all human rights issues—from child soldiers and combating that abuse of children to the abuse of unborn children by way of abortion. So I thank him for that. I would just make a few points, because we are coming to a close, Mr. Speaker.

Today, doctors diagnose illness and disability before birth. New and exciting breakthrough health care interventions for the unborn, including microsurgery, are leading to an ever-expanding array of successful treatments and cures of sick or disabled unborn babies. A few other Members have made this point very clearly, as do I, which is that unborn children are society's littlest patients, and they might need health care just like any one of us.

□ 1640

In stark contrast, abortion methods rip, tear, dismember or chemically poison the fragile bodies of unborn babies to death, and abortion pills cause premature expulsion from the womb and death. There is nothing benign, compassionate, or just about an act that utterly destroys the life of a child and often physically, psychologically, and emotionally harms women. And despite the near total absence of any meaningful reporting by the news media, women get hurt and even die from legal abortions.

According to the most recent Centers for Disease Control report, from 1973 to 2008, at least 403 women tragically died in the United States from legal abortion. And that sad fact is almost certainly a significant undercount because the methodology employed by CDC is passive and voluntary and likely to miss instances of both mortality and morbidity.

In the years since CDC's "most recent report," many more women have surely died, like Tonya Reaves, a 24-year-old woman who died last July from a botched second trimester dismemberment abortion, a D&E, at a Chicago area Planned Parenthood abortion mill.

The abortion industry, Mr. Speaker, excels at surface appeal argument and at propaganda. Indeed, the misleading

term "safe abortion" purposefully misses the point that no abortion, legal or illegal, is ever safe for the baby, and all are fraught with negative health consequences for the mother.

Today, at least 104 credible studies show significant psychological harm, major depression, and/or elevated suicide risk to women who abort. The Times of London reported that:

Senior psychiatrists say that new evidence has uncovered a clear link between abortion and mental illness in women who have had no previous history of psychological problems. They've found that women who've had abortions have twice the level of psychological problems, three times the level of depression as women who have given birth or who have never been pregnant.

One comprehensive study out of New Zealand in 2006 found that 78.6 percent of the 15- to 18-year-olds who had had abortions displayed symptoms of major depression as compared to 31 percent of their peers.

Mr. Speaker, there are at least 115 studies that show significant association between abortion and subsequent premature births. You never read about this in the news media.

Researchers Shah and Zao show a 36 percent increase for pre-term birth after one abortion and a staggering 93 percent increased risk after two.

What does this mean for children? Pre-term birth is the leading cause of infant mortality in the industrialized world after congenital anomalies. Pre-term infants have a greater risk of suffering chronic lung disease, sensory deficits, cerebral palsy, cognitive impairments, and behavioral problems. Low birth weight is similarly associated with neonatal mortality and morbidity.

These are consequences that are visited upon a woman later on. She's never told this at the abortion clinic that subsequent children that she will have later in her life could suffer prematurity and low birth weight.

And, finally, the extremism of the pro-abortion industry is shocking.

Last spring, the House of Representatives took up TRENT FRANKS' bill to ban sex-selection abortion. The bill garnered a solid majority, 246-168 in the House. President Obama, however, made it absolutely clear that he would veto the sex-selection abortion prohibition should it be sent to the White House.

While sex selection targets almost exclusively girls for extermination, simply because they're girls, the egregious practice remains legal in most of our States. In fact, only four States—Illinois, Pennsylvania, Oklahoma, and Arizona—and several countries, including the United Kingdom, prohibit sex-selection abortion. And yet we have not been able to get that legislation enacted into law, and it's opposed by President Obama.

Mr. Speaker, we need to stand up for life. Again, I want to thank my good

friend and colleague from Nebraska for having this second Special Order on defending life. And like JEFF, I do look forward to the March for Life on January 25 where we will all rally in defense of the defenseless.

Mr. FORTENBERRY. If the gentleman would perhaps be interested in entering into a bit of a dialogue, and I'm sorry I missed your earlier statement, but let me say to you, thank you for your stalwart leadership, your deep commitment to the beautiful gift of life, for saying to America consistently, constantly, fervently, with heart and emotion for 30-plus years, I think you've been here.

Mr. SMITH of New Jersey. Thirty-three.

Mr. FORTENBERRY. There is a better way. We can do better than this. Women deserve better. But in your last comment, you touched upon the issue of sex-selected abortion, and I wonder if in your earlier comments you talked about policies, such as the one-child policy in China, which are taking hold, sadly, in other parts of South Asia, how they are affecting population imbalance and how it ends up being the little girls, the unborn little girls who are primarily the targets of these state-imposed coercions on families. So you have this very significant imbalance in the population because of the targeting of unborn little girls in the womb for sex-selected abortion. Perhaps you touched on that earlier.

Mr. SMITH of New Jersey. No, I did not.

Mr. FORTENBERRY. It's a very important part of this overall discussion, to talk about the consequences of where all of this leads. And in a country like China, which has imposed this brutality upon its own people, the women who have come here undercover, we've had them in our hearings. They've had to be behind screens because they fear reprisal from the Chinese Government toward their families, who've talked about being victimized by coercive abortion, that issue plus the issue of how this is created, and it is targeted primarily at unborn girls, the grave injustice of that.

I know you're so learned and have such details on that subject, perhaps you can re-raise that if you didn't earlier talk about it.

Mr. SMITH of New Jersey. I thank the gentleman for yielding and for raising that important issue.

The People's Republic of China doesn't have a pro-life movement *per se*. The government is a dictatorship. Regrettably, going back to 1979, they enacted with great push and encouragement from the United States and from the West, Europe especially, a one-child-per-couple policy where brothers and sisters are illegal, where women are systematically, forcibly aborted, and forced sterilization is commonplace to achieve quotas. Not

only does a woman have to get a birth authorization from the Government of China to have a baby; if she has an out-of-plan birth, she is aborted forcibly.

Over the years, as chairman of the China Commission and as chairman of the Human Rights Committee of the Foreign Affairs Committee, I've chaired 43 congressional hearings on human rights in China; and many of those were focused on, as you pointed out, women who had to be behind screens to tell their story about the gross indignity, the exploitation, the crimes against humanity that had been committed against them.

In China today, there are approximately 100 million, maybe more, missing daughters, the direct consequence of sex-selection abortion and what is often referred to as gendercide, the deliberate killing of a little girl simply because she is a girl.

In her book "Unnatural Selection: Choosing Boys Over Girls and the Consequences of a World Full of Men," Mara Hvistendahl traces the sordid history of sex-selection abortion as a means of population control. And almost no one knows about this. You'll never read about this in the local papers. You don't hear about it on the major news broadcasts. She writes:

By August 1969, when the National Institute of Child Health and Human Development and the Population Council convened another workshop on population control, sex selection had become a pet scheme.

Hvistendahl writes:

If a reliable sex-determination technology could be made available to a mass market, there was a rough consensus that sex-selection abortion would be an effective, uncontroversial, and ethical way of reducing the global population.

What that means is that you kill the girl child in the womb, you end one life, and that girl who will never grow up to be a woman because she has been exterminated because she happened to be a girl, will never be a mother. So it is a means of population control. It is absolutely an egregious violation of human rights, and yet our own President refuses to support a ban on sex-selection abortion. He talked about we the people and inclusion yesterday. Where's the inclusion of all unborn babies, but those who are particularly targeted for elimination, the girl child?

□ 1650

And I would also add, finally, Live Action, an undercover sting operation that they had done—and it's on the Web, you can watch it, you can watch the raw footage, liveaction.org—in their series, "Gendercide in America," they showed Planned Parenthood personnel in this country advising undercover female investigators how to procure sex-selection abortions. I watched that and was sickened by the admonishment, the so-called counseling that was all caught on tape.

One staffer tells the investigator to wait until her baby is 5 months along,

get the ultrasound. That's when you can determine the gender of the child, boy or girl, and if it's a girl, that's when you can kill it.

And it was all made very clear. The investigators were laying out a scenario where, if it's a girl, I want the girl child to be destroyed. And there was Planned Parenthood accommodating that to the nth degree.

Mr. FORTENBERRY. If the gentleman would yield for a moment, I think it's important, an important tangent. It's not tangential. It's an element of this discussion because it shows once we give up on this basic fundamental human right, once we let go of our civil rights tradition and we don't include every person, including those who are most vulnerable in the womb, we can see the consequences. Maybe not here just yet, to a large degree, but we can certainly see the consequences of what I talked about earlier in terms of the desensitization of what abortion really is.

So in other places it's lent itself to coercive population control, and even to the shocking horror of taking the life of little girls simply because they're a girl. Now, that still bothers our conscience here in this country, but you can see how it's related to the deeper problem of once we start down this pathway, we desensitize ourselves to the hard, to the important reality that the life within is deserving of protection; that women who perhaps are in very difficult circumstances deserve better than this, deserve a fullness of commitment from you and me and the United States Congress and communities of concern everywhere that there is a better way.

We do not have to do this to one another. We do not have to impose this wound upon women. We do not have to think in this paradigm when there are hard circumstances. We can do it differently.

And I think it's important to have a discussion about the broader consequences of what is happening all around us because we desensitize ourselves in what I call a dinosaur decision, because it wasn't based on science. We didn't have the fullness of technology back then, which fortunately helped so many of us understand just how that small, tiny little life is viable, is real, and is growing and can reach its fullness of potentiality if we just nurture it.

And sometimes people who are in circumstances that are tough and difficult and need a little help with that nurturing, they deserve that support and help. That's our message. That's our message.

So if we can turn this back and build upon a new ideal that life is beautiful, life is a gift, it is worthy of support, not only just from individuals but from the culture at large, I think we'll go a long way towards stopping this aggres-

sive, horrific assault that is happening, primarily in other places but is a threat to potentially happen here, where you're even going so far as to select out the little girl for termination because she's a girl.

This is particularly hard for me, to be honest with you, because I have five daughters. Just kind of happened that way. And I remember, in our last ultrasound for the baby, she's 7, I still call her a little baby, but when we saw that child in the womb, my youngest one at that time looked at me and said, Dad, I hope it's a boy so you have someone to play with.

But technology has helped us understand that life, the nature of that life. And so that's why the Supreme Court decision was not scientific, terribly misguided, has inflicted a deep wound upon us, has given us a false notion of choice and freedom, which tickles the ear, sounds good at one level, but the consequences are oh so deep and real for the individual, for those who are responsible and have been able to escape their responsibility, for geopolitical movements now that have ended up in coercive population control measures, which is grievously unjust, particular to women in far away places.

Going back to what I said as well, if you'd like, describe some of the testimony that we heard from the women who came from China in secret, who had to be, again, behind screens because we were fearful, and they were as well, for reprisals against their families back in China simply because they dared stand up and say, the government should not impose coercive abortion upon me.

There was one woman, as I recall, who was in tears. She had four abortions imposed upon her by the government.

You recall that hearing last year because you were responsible for it, and I think it's a great credit to your leadership.

But again, as hard as this is to look at, as painful as it is, I don't think there's been a more powerful hearing in which I've participated in the United States Congress, hearing from the victim of a government-imposed, coerced abortion and what the consequences were on her.

I'm sorry. Perhaps you had raised that earlier. I didn't have the privilege of hearing your earlier talk, but I think that perspective is important as well.

Mr. SMITH of New Jersey. I thank my friend for yielding and for raising again another very important point. You know, at several of these hearings, which were covered very scarcely by the news media, unfortunately, we had some powerful witnesses from women who are actually the victims of coercive abortion.

Over the many years we've had such hearings, and when they tell their

story, and they talk about the helplessness and almost hopelessness of the situation, trying to evade family planning cadres in China as they hunt them down.

You know, most people are unaware of the fact that it begins with economic coercion. If you have a baby out of plan, you are fined if you do not voluntarily walk into the abortion mill for the child to be destroyed. And many women want those children.

One of the women we had testify, her name was Wuijan. She was a Chinese student attending a U.S. university, and part of her testimony—these are her words—she said, when she was rounded up, literally grabbed by the family planning cadres and thrown into a van, totally against her will, she said:

The room was full of moms who had just gone through a forced abortion. Some moms were crying. Some moms were mourning. Some moms were screaming. And one mom was rolling on the floor with unbearable pain.

Then Wuijan said that it was her turn, and through her tears she described her journey into hell. Here is a woman, just like so many others that we heard from, who were literally trussed, picked up, arrested.

I had a woman back in the 1990s, who was pretty much smuggled out of China, who ran one of the family planning centers in Fujian Province, and she self-described herself: “By day I was a monster, by night a wife and mother of one.” And she talked about it, and she got asylum here eventually.

But she talked about how she would use every part of the police state to ensure that women, even if they evaded family planning cadres up to the ninth month—to drag her in and to kill the baby, and if it’s very late in the pregnancy, with a poison shot of formaldehyde or some other substance right to the soft part of the brain to kill the baby.

These are crimes against humanity. They are ever-present throughout China. And again, they’re missing 100 million girls, maybe more, because of gendercide and the loss of life. There’s no precedent. There’s no example that even comes close of a government using abortion as a tool of population control and the like. And it came right out of the population control movement and what happened in the early or late sixties and especially into the seventies, right here in the United States.

In 1984, I say to my friend, Mr. FORTENBERRY, 29 years ago I offered the first amendment on this floor, from this podium, to a foreign aid bill to deny funding to any organization, such as the U.N. Population Fund, that is complicit in China’s forced abortion policy and involuntary sterilization. It passed, and it morphed into what became known as the Kemp-Kasten

Amendment, offered on the appropriations bill by Congressman Jack Kemp.

After all of these years, it is astonishing to me that we still have so many Members of Congress, we have an administration, in the Obama administration, that is, at best, indifferent, and I would say, at worst supportive of these crimes by giving money to the groups that are on the ground enabling these crimes against women. The Obama administration has enabled this cruel policy by its silence and its financial support to the tune of some \$50 million a year to the U.N. Population Fund.

We passed, in this House, a prohibition. They, unfortunately, ignore it, do findings that do not comport with the reality on the ground, and then end up sending this money.

□ 1700

And I met with a woman whose name is Peng Peiyun, who ran the family planning program in China, I say to my friend, Mr. FORTENBERRY, for several hours in a conversation in Beijing. She kept coming back to the fact that the U.N. Population Fund was there on the ground and found nothing but voluntary abortions. Of course, there are a loss of lives, too, but no coercion. So the whitewashing that the U.N. Population Fund has been able to provide to this egregious violation of women’s rights in China, and now we today, under the Obama administration, are funding it, Mr. FORTENBERRY. So it’s something that has to end. We should be on the side of life and respect, not enabling such terrible things.

Mr. FORTENBERRY. As we’re winding down here—we only have a few moments left—I think perhaps we can talk about some good news as well as some common ground. Because everybody listening to this and this important dialogue, this highly sensitive dialogue, may not agree with us. But the vast majority of Americans do agree that the government should not be entangled in this. In other words, taxpayer money should not be going for the provision of abortion. That’s one bit of good news.

The second bit of good news, I think, is, again, those of us who have been here a little while, who have been in these trenches trying to beg and plead for an increase of awareness as to what the consequences of abortion are, young people are recognizing that, again, there’s got to be a better way. They’ve lived with this through their generation. They’ve seen the scars, seen the wounds, seen the effects on society. And they’re coming forward and saying, Women deserve better. Can’t we be loving enough, can’t we be big enough to do something different here?

And I think that’s a great sign of encouragement for two reasons. One is, projecting forward, maybe we can reshape society. But also, heal the

wounds that have already occurred. Because they are substantive and deep. And I think it’s important. And young people, I believe, recognize this. They’re there saying, Don’t make this choice. It’s a false choice, particularly if you feel coerced or abandoned. There are people here ready to help, love, get you through. But if there is that deep wound, we’re also here to heal and help. And I think it’s just such a beautiful message.

It inspires me that so many young people would come to the Capitol and say, Legislators, older generation of America, let’s change this paradigm. Let’s change this idea. Because it’s not serving our country. It’s not serving our people. It’s leaving us deeply, deeply hurt. And we can do better.

Mr. SMITH of New Jersey. One of the things that is so noble about the pro-life movement is that it loves and cares for women during the time of their crisis. And if they do procure an abortion, they are there, again, with Project Rachel and all of these outreaches to help women find reconciliation and peace.

Mr. FORTENBERRY. And men.

Mr. SMITH of New Jersey. And men, too, have lost track of the number of women we have met that found that peace. We had four women today at the 40 Years of Victims who told their story of the terrible crisis of the abortion but also the reconciliation and peace that they found later.

You make a very good point, Mr. FORTENBERRY, about the young generation. I have never seen more pro-lifers at the March for Life than we are seeing now. And I went to the first one back in 1974 with my wife, Marie, and then made every one thereafter. When I speak in schools, I used to get a great deal of pushback in answer to a question on the right to life. There are still people who push back, but many students say, It’s life. Ultrasound has helped enormously. It’s a window to the womb. We all remember Dr. Bernard Nathanson, the founder of NARAL, who became a pro-lifer. He said, “If wombs had windows, abortion would end.” The ultrasound is a window to the womb. And you can see that magnificent unborn child moving, shaking around, sucking his or her thumb, doing somersaults inside the womb. Blobs of tissue and protoplasm don’t do this.

I think this young generation also has another perspective as well. One of my favorite musicals is “Les Misérables.” My wife and I have seen it twice—once in New York, once here in Washington. And now the movie. There’s a very haunting song in “Les Misérables,” a song by Marius, one of the chief people in that musical, Victor Hugo’s “Les Misérables,” and it’s called, “Empty Chairs and Empty Tables.” And he says, “There’s a grief that can’t be spoken, there’s a pain,” and it goes on and on, “Empty chairs

and empty tables where my friends will live no more."

We have empty chairs and empty tables. A third of this generation has been killed by abortion. You look to your left, you look to your right in a classroom or at a diner, there are missing children and now young adults even up to the age of 40, since 40 years ago *Roe v. Wade* was handed down. Empty chairs, empty tables. And I would add to that, empty cribs.

Mr. FORTENBERRY. Again, I thank the gentleman for your poignant words, your passion, your deep belief in this. So I think now is the time to let the healing begin. Let's put the past behind us. Let's look forward, marching arm-in-arm with the new civil rights movement that these young people are the great inheritors of, to say that we as a Nation can all stand for the beautiful gift of life.

I yield back the balance of my time.

Mr. FRANKS of Arizona. Mr. Speaker, the great Henry Hyde once said, "Our moment in history is marked by a mortal conflict between a culture of life and a culture of death. God put us in the world to do noble things, to love and to cherish our fellow human beings, not to destroy them. Today we must choose sides."

It is so very important that those of us here remember that we as Americans, and even more so as members of this body, have a special stewardship that perhaps no other people on Earth have.

While every human being is called of God to make the best difference they can in this life for their fellow human beings, in America that calling weighs heavier upon us as citizens than it does any other people on Earth. Because this Nation was founded on the timeless premise that all men are created equal; with the image of God stamped on each soul; with the rights to life, liberty, and the pursuit of happiness—in that order.

Yet today marks 40 years of legalized abortion-on-demand in America. Of over 50 million innocent unborn babies slaughtered before they see the light of day.

I both hope and believe that the conscience of America has begun to stir. I mourn the genocide marked by today's tragic anniversary, Mr. Speaker. But more than that, I look prayerfully forward to the day when the same America that rushed into Europe to arrest the Nazi holocaust will muster that same courage here at home, and future generations of children will walk in the sunlight of freedom. May it be so, Mr. Speaker.

Mr. HENSARLING. Mr. Speaker, today we as a Nation reflect on the 40th anniversary of the Supreme Court's decision in *Roe v. Wade*. It is estimated that in the 40 years since that fateful decision, 55 million abortions have been performed in the United States of America—millions of unique and precious human lives ended by the unspeakable tragedy of abortion.

As a matter of morality, history, science, reason, and most of all faith, I can come to no other conclusion but that every human life begins at conception and every life is worthy of protection. We have a sacred responsibility to protect the innocent and defend the rights of

those who are unable to defend themselves. The struggle to protect life is truly a struggle to change hearts and minds. It requires faith, reason, debate, action, and compassion.

Often we hear that we ought to do something for the least of these; truly, unborn life is the least of these. Let us recognize it. Let us hold it precious. Let us live up to our responsibilities from the Creator and grant those yet to be born that precious right to life.

Later this week, thousands of citizens will fight for the rights of the unborn by participating in the March for Life in Washington, D.C. Thousands more will march to support the inalienable right to life in local events in Texas and around the country. I applaud those who attend, both in body and spirit, for their determination to uphold the sanctity and dignity of human life and wholeheartedly support their efforts.

Mrs. ROBY. Mr. Speaker, I rise to recognize the 40th anniversary of the monumental court decision *Roe v. Wade*.

Since the Supreme Court legalized abortion in 1973, 40 years ago today, 54 million abortions have been performed throughout the United States. Over 4,000 babies will be aborted today alone and over the course of 2013, 1.4 million children in the United States will not be granted the gift of life.

Mr. Speaker, I am unapologetically pro-life. I believe that the miracle of human life begins at conception. I believe that every human being has the unalienable right to life and that this right must be protected by law.

As a proud member of the Pro-Life Caucus, I respect the sanctity of human life in all of its stages. Science proves that human beings develop at an astonishingly rapid pace and that the life of a child begins long before he or she is born into this world. At about 22 days after conception, a child's heart begins to circulate his own blood, unique to that of his mother's and his heartbeat can be detected on ultrasound.

Americans have a proud tradition of standing up and fighting for those who can't fight for themselves. As a woman, a wife, a mother of two children, and as the Representative of Alabama's Second Congressional District, I'm committed to fighting for the unborn.

Recently, my home state of Alabama became the fifth state in the Nation to pass a measure banning abortions after 20 weeks, which is the point where unborn children can feel pain. I applaud the Alabama Legislature for taking such a strong stance on abortion and for protecting those who do not have a voice.

As the 113th Congress begins, I will continue to do everything in my power to fight for the unborn, prevent taxpayer money from funding abortions, and protect our democratic system from the encroachment of an all-powerful judiciary.

Mr. Speaker, today is a time to celebrate the miracle of life and mourn those whose lives were unjustly ended. Let us use the 40th anniversary of *Roe v. Wade* as an occasion to reaffirm our beliefs and vow to fight for the life of every child.

Mr. WEBSTER of Florida. Mr. Speaker, today we remember the children who have died as a direct result of the Supreme Court's decision in *Roe v. Wade*, and *Doe v. Bolton*, which were decided 40 years ago today.

In the 40 years since that terrible day, my wife, Sandy, and I have been blessed with six children. It has been our privilege to raise them and watch them grow and mature, and three of our children are now married and have begun to have children of their own. Sandy and I now have eight beautiful grandchildren, and each of them have unique talents and personalities. I look forward to welcoming more grandchildren and great grandchildren into our family in the future.

In the 40 years since that terrible day, an estimated 55 million innocent children have died as a result of abortions performed in the United States. In 2011 alone, Planned Parenthood reported performing 333,000 abortions. The death of 333,000 children in that one year represents more lives lost than if the entire population of Orlando, Florida, was suddenly extinguished. Over the past 40 years, abortion has claimed nearly three times the total population of the State of Florida, or the same number of people who lived in the Northeast United States as of July 1, 2012.

Life is a gift, and each and every day, I am grateful for the gift of my children, and my grandchildren. Today, I mourn the loss of the 55 million children who never had the opportunity to live and grow and to one day have children of their own. I mourn for their families, who never had the joy of knowing them. I mourn for our nation, which will never benefit from the lives and the love of these children, who would have been our sisters and brothers, sons and daughters, our friends, and our neighbors.

We must never cease to fight for life, nor cease to be grateful for our own.

Mr. LONG. Mr. Speaker, I rise today to acknowledge the 40th Anniversary of the Supreme Court decision of *Roe v. Wade*. I was a senior in high school when the case was decided and I still remember that decision vividly today. I could not understand how the Court could legalize the stopping of a beating heart on demand. I thought it was outrageous then and the intervening years since then have done nothing to change my opinion. My opinion has been reinforced by the tragic record of abortion. Fifty five million innocent children have been lost and countless women have suffered both mental and physical pain as a result of abortion.

We are a nation of 315 million people. That means that over one sixth of our friends, neighbors, and family members are not with us today because of abortion. Millions of children have been denied the right to live their own lives, to skin their knees on the playground, to go on their first date, to graduate from high school, and to go on to have families of their own. All those unique, amazing lives were ended before we were even able to know them.

The tragedy of abortion doesn't stop with the loss of so many innocent children. Like any medical procedure, abortion can have devastating side effects and complications that cause pain and suffering. Mental anguish, regret, and other emotional pain can also result from abortion.

It is time for us as a nation to reject such a dismal and heartbreaking procedure. It is time for us to reject the cold callous indifference of abortion that abandons women and

their precious children. We're a nation that takes care of our own, that protects the most innocent and vulnerable among us, and stands up for justice for women and children. As *Roe v. Wade* shows, justice does not flow from the pen of a judge. Justice comes from the loving heart of a human being and from the natural law enshrined in the Declaration of Independence. "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights that among these are Life, Liberty and the pursuit of Happiness." Today, let us continue the fight for Life and justice for all Americans and especially for unborn children and their mothers.

Mr. ROSS. Mr. Speaker, I solemnly rise today in memory of more than 50 million innocent lives who were lost as a result of the *Roe v. Wade* decision that was handed down 40 years ago today.

As Americans, we have a moral obligation to protect the rights of the unborn, and to protect the sanctity of life.

That is why I was proud to cosponsor two pieces of legislation that would prohibit the hard-earned dollars of taxpayers that make up family planning grants from being awarded to any entity that performs abortions.

Introduced by Rep. DIANE BLACK and Rep. MARSHA BLACKBURN, these bills will prohibit hundreds of millions of federal taxpayer dollars from subsidizing large abortion providers such as Planned Parenthood.

As a Christian, a father, and a Member of the Pro-Life Congressional Caucus, I am deeply committed to preserving our nation's traditional family values and will always be a strong advocate for policies that value the sanctity of life.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 325, NO BUDGET, NO PAY ACT OF 2013

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 113-2) on the resolution (H. Res. 39) providing for consideration of the bill (H.R. 325) to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. GABBARD (at the request of Ms. PELOSI) for today.

Mr. ADERHOLT (at the request of Mr. CANTOR) for today on account of a death in the family.

PUBLICATION OF BUDGETARY MATERIAL

REVISIONS TO THE AGGREGATES AND ALLOCATIONS OF THE FISCAL YEAR 2012 AND 2013 BUDGET RESOLUTIONS

Mr. RYAN of Wisconsin. Mr. Speaker, pursuant to section 503 of H. Con. Res. 112, the House-passed budget resolution for fiscal year 2013, deemed to be in force by H. Res. 5, I hereby submit for printing in the CONGRESSIONAL RECORD revisions to the budget allocations and aggregates. The revision reflects the budgetary impact of H.R. 8, the American Tax-

payer Relief Act of 2012, which makes permanent certain tax policies enacted in 2001, 2003, and 2010 and would provide relief from the Alternative Minimum Tax. A corresponding table is attached.

This revision represents an adjustment pursuant to sections 302 and 311 of the Congressional Budget Act of 1974, as amended (Budget Act). For the purposes of the Budget Act, these revised aggregates and allocations are to be considered as aggregates and allocations included in the budget resolution, pursuant to section 101 of H. Con. Res. 112.

BUDGET AGGREGATES

(On-budget amounts, in millions of dollars)

	Fiscal Year	
	2013—	2013–2022
Current aggregates: 1—		
Budget authority—	2,793,848—	2
Outlays—	2,891,589—	2
Revenues—	2,293,339—	32,472,564
The American Taxpayer Relief Act of 2012 (H.R. 8):—		
Budget authority—	0	2
Outlays—	0—	2
Revenues—	–203,799—	–3,515,231
Revised aggregates:—		
Budget authority—	2,793,848—	2
Outlays—	2,891,589—	2
Revenues—	2,089,540—	28,957,333

¹ Section 506 of H. Con. Res. 112 stipulates that adjustments to allocations and aggregates shall apply while the measure is under consideration and take effect upon enactment of that measure. The current aggregates reflect the original budget resolution levels adjusted only for those measures, which were provided an adjustment during consideration and that have been enacted into law. Presently, the revenue aggregates in H. Con. Res. 112 have been adjusted by –203,799 for FY2013 and by –\$3,515,231 for FY2013–FY2022 for measures enacted into law.

² Not applicable because annual appropriations acts for fiscal years 2015 through 2022 will not be considered until future sessions of Congress.

DIRECT SPENDING LEGISLATION—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR RESOLUTION CHANGES

(Fiscal years, in millions of dollars)

	2013		2013–2022 Total	
	Budget authority	Outlays	Budget authority	Outlays
House Committee on Ways & Means				
Current allocation:	985,036	982,582	11,683,572	11,672,931
Changes for the American Taxpayer Relief Act of 2012 (H.R. 8)	0	0	+198,295	+198,295
Revised allocation:—	985,036	982,582	11,881,867	11,871,226

ADJOURNMENT

Mr. SESSIONS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 6 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, January 23, 2013, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

74. A letter from the Senior Counsel for Regulatory Affairs, Department of the Treasury, transmitting the Department's final rule — Determination of Foreign Exchange Swaps and Foreign Exchange Forwards Under the Commodity Exchange Act received January 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

75. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fluroxypyr; Pesticide Tolerances [EPA-HQ-OPP-2011-0962; FRL-9371-1] received January 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

76. A letter from the Acting Principal Deputy, Department of Defense, transmitting authorization of four officers to wear the authorized insignia of the grade of major general and brigadier general; to the Committee on Armed Services.

77. A letter from the Assistant Secretary for Legislative Affairs, Department of Treasury, transmitting annual report on recruitment and retention, training and workforce development, and workforce flexibilities; to the Committee on Financial Services.

78. A letter from the Acting Secretary, Federal Trade Commission, transmitting a report under Section 319 of the Fair and Accurate Credit Transactions Act of 2003; to the Committee on Financial Services.

79. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Colorado; Revisions to New Source Review Rules [EPA-R08-OAR-2011-1025; FRL-9762-5] received January 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

80. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; New Hampshire; Redesignation of the Southern New Hampshire 1997 8-hour Ozone Non-attainment Area [EPA-R01-OAR-2010-0290; FRL-9768-7] received January 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

81. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; State of Utah;

Smoke Management Requirements for Mandatory Class I Areas under 40 CFR 51.309 [EPA-R08-OAR-2011-0636; FRL-9636-6] received January 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

82. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emissions Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters [EPA-HQ-OAR-2002-0058; FRL-9676-8] (RIN: 2060-AR13) received January 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

83. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Ambient Air Quality Standards for Particulate Matter [EPA-HQ-OAR-2007-0492; FRL-9761-8] (RIN: 2060-AO47) received January 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

84. A letter from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Regional Reliability Standard PRC-006-SERC-01 — Automatic Underfrequency Load Shedding Requirements [Docket No.: RM12-9-000; Order No. 772] received January 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

85. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Afghanistan and Change to Policy on Prohibited Exports (RIN: 1400-AD26) received January 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

86. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Interagency Working Group on U.S. Government-Sponsored International Exchanges and Training FY 2012 Annual Report; to the Committee on Foreign Affairs.

87. A letter from the Acting Secretary, Department of Commerce, transmitting the Department's Performance and Accountability Report for fiscal year 2012; to the Committee on Oversight and Government Reform.

88. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the Administration's Agency Financial Report for fiscal year 2012; to the Committee on Oversight and Government Reform.

89. A letter from the Chairman, Commission on Civil Rights, transmitting a copy of the charter of the U.S. Commission on Civil Rights State Advisory Committees; to the Committee on the Judiciary.

90. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's "Major" final rule — Setting and Adjusting Patent Fees [Docket No.: PTO-C-2011-0008] (RIN: 0651-AC54) received January 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

91. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting a letter regarding two additional pending cases under Section 3 of the Defense of Marriage Act; to the Committee on the Judiciary.

92. A letter from the Secretary, Judicial Conference of the United States, transmitting a report on the continuing need for

bankruptcy judgeships; to the Committee on the Judiciary.

93. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's "Major" final rule — Major Capital Investment Projects [Docket No.: FTA-2010-0009] (RIN: 2132-AB02) received January 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

94. A letter from the Chair, NASA Aerospace Safety Advisory Panel, transmitting the Panel's Annual Report for 2012; to the Committee on Science, Space, and Technology.

95. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a semi-annual report to Congress on the continued compliance of Azerbaijan, Kazakhstan, Moldova, the Russian Federation, Tajikistan, and Uzbekistan with the Trade Act's freedom of emigration provisions, as required under the Jackson-Vanik Amendment; to the Committee on Ways and Means.

96. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification of intent to obligate funds for purposes of Nonproliferation and Disarmament Fund (NDF) activities; jointly to the Committees on Foreign Affairs and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SESSIONS: Committee on Rules. House Resolution 39. Resolution providing for consideration of the bill (H.R. 325) to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes (Rept. 113-2). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. MOORE (for herself, Mr. CONYERS, Ms. BASS, Mrs. BEATTY, Mr. BERA of California, Mr. BISHOP of New York, Mr. BLUMENAUER, Ms. BONAMICI, Ms. BORDALLO, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Ms. BROWNLEY of California, Mrs. BUSTOS, Mrs. CAPPES, Mr. CAPUANO, Mr. CÁRDENAS, Mr. CARNEY, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Mr. CASTRO of Texas, Mrs. CHRISTENSEN, Ms. CHU, Mr. CICILLINE, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. COHEN, Mr. CONNOLLY, Mr. COSTA, Mr. COURTNEY, Mr. CUMMINGS, Mrs. DAVIS of California, Mr. DANNY K. DAVIS of Illinois, Ms. DEGETTE, Mr. DELANEY, Ms. DELAURO, Ms. DELBENE, Mr. DEUTCH, Mr. DINGELL, Mr. DOGGETT, Mr. DOYLE, Ms. DUCKWORTH, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Mr. ENYART, Ms. ESHOO, Ms. ESTY, Mr. FALCONE, Mr. FARR, Mr. FATTAH, Mr. FOSTER, Ms. FRANKEL of Florida, Ms. FUDGE, Ms. GABBARD, Mr. GARCIA, Mr. GRIJALVA, Ms. HAHN,

Ms. HANABUSA, Mr. HASTINGS of Florida, Mr. HECK of Washington, Mr. HIGGINS, Mr. HIMES, Mr. HINOJOSA, Mr. HOLT, Mr. HONDA, Mr. HORSFORD, Mr. HUFFMAN, Ms. JACKSON LEE, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KILDEE, Mr. KILMER, Mrs. KIRKPATRICK, Ms. KUSTER, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS, Mr. LOEBSACK, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. LOWEY, Mr. BEN RAY LUJAN of New Mexico, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mr. MAFFEI, Mrs. CAROLYN B. MALONEY of New York, Mr. MARKEY, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MEEKS, Ms. MENG, Mr. MICHAUD, Mr. GEORGE MILLER of California, Mr. MORAN, Mr. MURPHY of Florida, Mr. NADLER, Mrs. NAPOLITANO, Mrs. NEGRETE MCLEOD, Mr. NOLAN, Ms. NORTON, Mr. O'ROURKE, Mr. OWENS, Mr. PALLONE, Mr. PASCRELL, Mr. PETERS of Michigan, Mr. PIERLUISI, Ms. PINGREE of Maine, Mr. POCAN, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. RUPPERSBERGER, Mr. RUSH, Mr. SABLAN, Ms. LORETTA SANCHEZ of California, Ms. LINDA T. SANCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHNEIDER, Mr. SCHRADER, Mr. SCHWARTZ, Mr. SERRANO, Ms. SEWELL of Alabama, Ms. SHEA-PORTER, Mr. SHERMAN, Ms. SINEMA, Mr. SIRE, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SPEIER, Mr. TAKANO, Ms. TITUS, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. VARGAS, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Mr. WAXMAN, Mr. WELCH, Ms. WILSON of Florida, and Mr. YARMUTH);

H.R. 11. A bill to reauthorize the Violence Against Women Act of 1994; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Education and the Workforce, Financial Services, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAMBORN:

H.R. 326. A bill to amend the Congressional Budget Act of 1974 to establish a point of order to prohibit the extension of the public debt limit unless a concurrent resolution on the budget has been agreed to and is in effect; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHAFFETZ (for himself and Mr. TIERNEY):

H.R. 327. A bill to establish requirements relating to the provision of certain products to the Government of Afghanistan, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHAFFETZ (for himself and Mr. QUIGLEY):

H.R. 328. A bill to establish a pilot program for the expedited disposal of Federal real property; to the Committee on Oversight and Government Reform.

By Mr. FITZPATRICK:

H.R. 329. A bill to amend the NICS Improvement Amendments Act of 2007 to encourage States to provide records to the National Instant Background Check System; to the Committee on the Judiciary.

By Mr. CALVERT (for himself and Mr. TAKANO):

H.R. 330. A bill to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California; to the Committee on Natural Resources.

By Mr. CALVERT (for himself and Mr. TAKANO):

H.R. 331. A bill to direct the Secretary of Veterans Affairs to permit the centralized reporting of veteran enrollment by certain groups, districts, and consortiums of educational institutions; to the Committee on Veterans' Affairs.

By Mr. SCHIFF (for himself, Mr. VAN HOLLEN, Mr. MEEKS, Mr. CICILLINE, Mr. CARTWRIGHT, Mr. HONDA, Mr. ELLISON, Mr. MORAN, Ms. SLAUGHTER, Mr. MCGOVERN, Ms. NORTON, and Mr. SERRANO):

H.R. 332. A bill to provide victims of gun violence access to the same civil remedies as are available to those injured through other means; to the Committee on the Judiciary.

By Mr. BISHOP of Georgia (for himself, Mr. ROGERS of Alabama, Ms. BROWN of Florida, Mr. SIMPSON, Mr. COURTNEY, Mr. RUNYAN, Mr. DEFAZIO, Mr. GRIFFIN of Arkansas, Mr. RAHALL, Ms. TSONGAS, Ms. BONAMICI, Mr. LARSEN of Washington, Mr. HOLT, Mr. MORAN, Mr. LOEBSACK, Mr. TIERNEY, Mr. CONNOLLY, and Mr. PETERSON):

H.R. 333. A bill to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability rated less than 50 percent to receive concurrent payment of both retired pay and veterans' disability compensation, to eliminate the phase-in period for concurrent receipt, to extend eligibility for concurrent receipt to chapter 61 disability retirees with less than 20 years of service, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas (for himself, Mr. CONAWAY, Mr. CHABOT, Mrs. MILLER of Michigan, Mr. CULBERSON, Mr. HALL, Mr. DUNCAN of South Carolina, Mrs. BLACKBURN, Mr. KING of Iowa, Mr. FARENTHOLD, and Mr. WEBER of Texas):

H.R. 334. A bill to approve the Keystone XL pipeline project permit; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOUSTANY (for himself, Mr. COURTNEY, Mr. THOMPSON of California, Mr. CUMMINGS, Mrs. MILLER of Michigan, Ms. BORDALLO, Mr. CAPUANO, Mr. BRADY of Texas, Mr. MCCAUL, Mr. RIBBLE, Mr. MICHAUD, Mr. LYNCH, Mr. JONES, Mr. GRIMM,

Mr. NADLER, Mr. DEFAZIO, Mr. HARPER, Mr. DINGELL, Ms. LEE of California, Mr. MEEHAN, Mr. CONYERS, Mr. FARENTHOLD, Mr. SCHRADER, Mr. CARNEY, Mr. SOUTHERLAND, Ms. PINGREE of Maine, Mr. BUCSHON, Mr. CASSIDY, Mr. HIMES, Mr. FLEMING, Mr. WALBERG, Ms. SPEIER, Mr. KING of New York, Mr. GRIFFIN of Arkansas, Mr. RUPPERSBERGER, Mr. HIGGINS, and Mr. DUNCAN of Tennessee):

H.R. 335. A bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAPUANO (for himself, Mr. CLEAVER, Mr. MCNERNEY, and Ms. NORTON):

H.R. 336. A bill to amend title 18, United States Code, to provide penalties for counterfeiting or selling Presidential inauguration tickets, and for other purposes; to the Committee on the Judiciary.

By Mr. COOPER:

H.R. 337. A bill to require States to carry out Congressional redistricting in accordance with a process under which members of the public are informed of redistricting proposals and have the opportunity to participate in the development of such proposals prior to their adoption, and for other purposes; to the Committee on the Judiciary.

By Mr. FALLOMAVAEGA (for himself, Mr. SABLON, Ms. BORDALLO, and Mr. PIERLUISI):

H.R. 338. A bill to amend title 18, United States Code, to include certain territories and possessions of the United States in the definition of State for the purposes of chapter 114, relating to trafficking in contraband cigarettes and smokeless tobacco; to the Committee on the Judiciary.

By Mr. GINGREY of Georgia (for himself, Mr. WESTMORELAND, Mr. STOCKMAN, Mr. ROE of Tennessee, and Mrs. BLACKBURN):

H.R. 339. A bill to require the Bureau of Alcohol, Tobacco, Firearms, and Explosives to make video recordings of the examination and testing of firearms and ammunition, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA (for himself, Mr. CONYERS, and Mr. CUMMINGS):

H.R. 340. A bill to amend the Higher Education Opportunity Act to restrict institutions of higher education from using revenues derived from Federal educational assistance funds for advertising, marketing, or recruiting purposes; to the Committee on Education and the Workforce.

By Mr. HONDA (for himself and Mr. DANNY K. DAVIS of Illinois):

H.R. 341. A bill to facilitate nationwide availability of volunteer income tax assistance for low-income and underserved populations, and for other purposes; to the Committee on Ways and Means.

By Mr. HUNTER (for himself, Mr. THOMPSON of Pennsylvania, Mr. FRANKS of Arizona, Mr. TURNER, Mr. JONES, Mr. YODER, Mr. BRADY of Pennsylvania, Mr. CONAWAY, Mrs.

HARTZLER, Mr. COBLE, Mr. CULBERSON, Mr. BENISHEK, Mr. GOWDY, Mr. KINZINGER of Illinois, Mr. ROONEY, Mr. NUGENT, Mr. WESTMORELAND, Mr. GRIMM, Mr. GRIFFIN of Arkansas, Mr. WILSON of South Carolina, Mr. PALAZZO, and Mr. COFFMAN):

H.R. 342. A bill to prioritize certain Government obligations for continued payment in the event that the statutory debt limit is reached, to appropriate funds for the pay and allowances of all members of the Armed Forces, and for those civilian employees of the Department of Defense and the Coast Guard serving in a combat zone, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JONES:

H.R. 343. A bill to amend title 10, United States Code, to ensure that every military chaplain has the prerogative to close a prayer outside of a religious service according to the dictates of the chaplain's own conscience; to the Committee on Armed Services.

By Mr. LYNCH:

H.R. 344. A bill to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers; to the Committee on the Judiciary.

By Ms. NORTON:

H.R. 345. A bill to amend the District of Columbia Home Rule Act to eliminate all Federally-imposed mandates over the local budget process and financial management of the District of Columbia and the borrowing of money by the District of Columbia; to the Committee on Oversight and Government Reform.

By Mr. NUNNELEE:

H.R. 346. A bill to amend title I of the Patient Protection and Affordable Care Act to ensure that the coverage offered under multi-State qualified health plans offered in Exchanges is consistent with the Federal abortion funding ban; to the Committee on Energy and Commerce.

By Mr. PETRI (for himself, Mr. LOEBSACK, Mr. MICHAUD, Mr. HANNA, Ms. NORTON, Mr. THOMPSON of Pennsylvania, Ms. MOORE, Mr. GRIMM, and Ms. CASTOR of Florida):

H.R. 347. A bill to provide, develop, and support 21st century readiness initiatives that assist students in acquiring the skills necessary to think critically and solve problems, be an effective communicator, collaborate with others, and learn to create and innovate; to the Committee on Education and the Workforce.

By Mr. RANGEL (for himself, Mr. VAN HOLLEN, Mr. BLUMENAUER, and Mr. MCDERMOTT):

H.R. 348. A bill to amend the Internal Revenue Code of 1986 and the Social Security Act to provide for employment tax treatment of professional service businesses; to the Committee on Ways and Means.

By Mrs. ROBY (for herself, Mr. BONNER, Mr. BACHUS, and Ms. SEWELL of Alabama):

H.R. 349. A bill to amend the Food Security Act of 1985 with respect to maximum enrollment and eligible land in the conservation reserve program; to the Committee on Agriculture.

By Mr. AUSTIN SCOTT of Georgia (for himself, Mr. WESTMORELAND, Mr.

DUNCAN of South Carolina, and Mr. MULVANEY):

H.R. 350. A bill to repeal the Legal Services Corporation Act; to the Committee on the Judiciary.

By Mr. MCGOVERN (for himself, Ms. PINGREE of Maine, Mr. CAPUANO, Mr. COHEN, Mr. CICILLINE, Mr. HOLT, Mr. MICHAUD, Mr. DEFazio, Mr. LANGEVIN, and Ms. SHEA-PORTER):

H.J. Res. 20. A joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures with respect to elections; to the Committee on the Judiciary.

By Mr. MCGOVERN (for himself, Mr. JONES, Ms. PINGREE of Maine, Mr. CAPUANO, Mr. COHEN, Mr. CICILLINE, Mr. FARR, Mr. DEFazio, and Ms. LEE of California):

H.J. Res. 21. A joint resolution proposing an amendment to the Constitution of the United States to clarify the authority of Congress and the States to regulate corporations, limited liability companies or other corporate entities established by the laws of any State, the United States, or any foreign state; to the Committee on the Judiciary.

By Mr. HARRIS:

H.J. Res. 22. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of consecutive terms that a Member of Congress may serve; to the Committee on the Judiciary.

By Mr. RIGELL:

H. Con. Res. 9. Concurrent resolution prohibiting the House or Senate from adjourning for a period of more than 5 days during a fiscal year unless the House involved has adopted a concurrent resolution on the budget for such fiscal year and has approved legislation to provide funding for the operations of the government for the entire fiscal year; to the Committee on Rules.

By Mr. GINGREY of Georgia:

H. Res. 40. A resolution expressing the sense of the House of Representatives that active duty military personnel who are stationed or residing in the District of Columbia should be permitted to exercise fully their rights under the Second Amendment to the Constitution of the United States; to the Committee on Oversight and Government Reform.

By Mr. HOLT:

H. Res. 41. A resolution expressing support for designation of February 12, 2013, as Darwin Day and recognizing the importance of science in the betterment of humanity; to the Committee on Science, Space, and Technology.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. MOORE:

H.R. 11.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. LAMBORN:

H.R. 326.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 2

By Mr. CHAFFETZ:

H.R. 327.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. CHAFFETZ:

H.R. 328.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 2 of Section 8 of Article I of the Constitution: To borrow Money on the credit of the United States;

Clause 18 of Section 8 of Article I of the Constitution: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. FITZPATRICK:

H.R. 329.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

By Mr. CALVERT:

H.R. 330.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. CALVERT:

H.R. 331.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. SCHIFF:

H.R. 332.

Congress has the power to enact this legislation pursuant to the following:

The Equal Access to Justice for Victims of Gun Violence Act is constitutionally authorized under Article I, Section 8, Clause 3, the Commerce Clause and Article I, Section 8, Clause 18, the Necessary and Proper Clause. Additionally, the Preamble to the Constitution provides support of the authority to enact legislation to promote the General Welfare.

By Mr. BISHOP of Georgia:

H.R. 333.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sect. 8, Clause 1: to provide for the common defense and general welfare

Art. I, Sect. 8, Clause 12: to raise and support Armies

Art. I, Sect. 8, Clause 16: to provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress

Art. I, Sect. 8, Clause 14: The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution,

Art. I, Sect. 8, Clause 18: to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. POE of Texas:

H.R. 334.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 3

By Mr. BOUSTANY:

H.R. 335.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. CAPUANO:

H.R. 336.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 3, Clause 1: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States;"

Article I, Section 3, Clause 6: "To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;"

By Mr. COOPER:

H.R. 337.

Congress has the power to enact this legislation pursuant to the following:

(1) The authority granted to Congress under Article I, Section 4 of the Constitution of the United States gives Congress the power to enact laws governing the time, place, and manner of elections for Members of the House of Representatives; and

(2) The authority granted to Congress under Section 5 of the 14th Amendment to the Constitution gives Congress the power to enact laws to enforce Section 2 of such Amendment, which requires Representatives to be apportioned among the several States according to their number.

By Mr. FALEOMAVAEGA:

H.R. 338.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

"The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

By Mr. GINGREY of Georgia:

H.R. 339. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution that states that Congress shall have Power "To regulate Commerce with foreign Nations, and among the several States . . ."

By Mr. GRIJALVA:

H.R. 340.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §1 and 8.

By Mr. HONDA:

H.R. 341.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. HUNTER:

H.R. 342.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7 of the U.S. Constitution sets the power of appropriations and states that "No Money shall be drawn from the Treasury but in Consequence of Appropriations made by Law . . .". In addition, Article I, Section 8, Clause 1 states that "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . .". Also, Article I, section 8 of the United States Constitution (clauses 12, 13, 14, 16, and 18), grant Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

By Mr. JONES:

H.R. 343.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mr. LYNCH:

H.R. 344.

Congress has the power to enact this legislation pursuant to the following:

Article 1 section 8 Clause 3 of the United States Constitution.

By Ms. NORTON:

H.R. 345.

Congress has the power to enact this legislation pursuant to the following:

Clause 17 of section 8 of article I of the Constitution.

By Mr. NUNNELEE:

H.R. 346.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution.

By Mr. PETRI:

H.R. 347.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution.

By Mr. RANGEL:

H.R. 348.

Congress has the power to enact this legislation pursuant to the following:

Article XVI of the Constitution—Congress shall have power to lay and collect taxes on incomes. . . .

By Mrs. ROBY:

H.R. 349.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority on which this bill rests in the power of Congress in the U.S. Constitution under Article 1, Section 8, Clause 3, Commerce Clause.

By Mr. AUSTIN SCOTT of Georgia:

H.R. 350.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

By Mr. MCGOVERN:

H.J. Res. 20.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution of the United States.

By Mr. MCGOVERN:

H.J. Res. 21.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution of the United States.

By Mr. HARRIS:

H.J. Res. 22.

Congress has the power to enact this legislation pursuant to the following:

Article V.—The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. LONG and Mr. POMPEO.

H.R. 24: Mr. HASTINGS of Washington, Mr. TIBERI, Ms. PINGREE of Maine, Mr. WOODALL, Mr. ROSKAM, Mr. WOLF, Mr. HARRIS, Mrs. CAPITO, Mr. GRIFFITH of Virginia, Mr. MCKINLEY, Mr. HUELSKAMP, Mr. GERLACH, Mr. SMITH of Nebraska, Mr. HUNTER, Mr. WHITFIELD, Mr. JOYCE, and Mr. COLLINS of Georgia.

H.R. 32: Mr. LATHAM, Mr. DEFazio, and Mr. NUNNELEE.

H.R. 44: Mr. HONDA.

H.R. 45: Mr. SCALISE, Mr. LONG, Mr. GOHMERT, Mr. JORDAN, Mr. PITTENGER, Mr. LAMALFA, Mr. LAMBORN, Mr. CULBERSON, Mr. POSEY, Mr. PRICE of Georgia, Mr. FLEMING, Mr. MESSER, and Mr. MULVANEY.

H.R. 61: Mr. BENTIVOLIO, Mrs. WAGNER, and Mr. MCINTYRE.

H.R. 71: Mr. SABLAN.

H.R. 106: Mr. HASTINGS of Washington and Mr. FORBES.

H.R. 107: Mr. BARTON.

H.R. 109: Mr. BENTIVOLIO and Mr. BISHOP of Utah.

H.R. 110: Ms. CHU, Ms. TITUS, and Mr. FALEOMAVAEGA.

H.R. 111: Mr. THOMPSON of California, Ms. TITUS, Mr. FARR, Mr. VARGAS, Mr. FALEOMAVAEGA, and Mr. SCHIFF.

H.R. 125: Ms. DELAURO.

H.R. 129: Mr. MORAN, Mr. CAPUANO, and Ms. NORTON.

H.R. 137: Mr. SERRANO, Ms. MENG, Ms. DEGETTE, Mr. TIERNEY, Ms. SPEIER, Ms. PINGREE of Maine, Mr. MORAN, Ms. SCHWARTZ, Mr. CARNEY, Mr. SARBANES, Mr. GEORGE MILLER of California, Mr. PAYNE, and Mr. BISHOP of New York.

H.R. 138: Mr. SERRANO, Ms. MENG, Mrs. NAPOLITANO, Ms. SCHWARTZ, Ms. PINGREE of Maine, Mr. HOLT, Mr. HINOJOSA, Mr. DANNY K. DAVIS of Illinois, Mr. SARBANES, and Mr. PAYNE.

H.R. 141: Ms. MENG, Ms. DEGETTE, Ms. SCHWARTZ, Ms. PINGREE of Maine, Mr. HOLT, Ms. MOORE, and Mr. SARBANES.

H.R. 142: Ms. DEGETTE, Ms. SCHWARTZ, Mr. HOLT, and Mr. SARBANES.

H.R. 146: Ms. ZOE LOFGREN, Mr. ELLISON, and Ms. NORTON.

H.R. 149: Mr. FLEISCHMANN, Mr. HECK of Nevada, Mr. HUDSON, Mr. GOSAR, Mrs. LUMMIS, and Mr. OLSON.

H.R. 181: Mr. HANNA, Mr. CROWLEY, Mr. REED, Mr. NADLER, Mr. BISHOP of New York, Ms. SLAUGHTER, Mr. GIBSON, Ms. MENG, Mrs. LOWEY, Mrs. CAROLYN B. MALONEY of New York, Ms. CLARKE, Mr. ENGEL, Mr. COLLINS of New York, Mr. TONKO, Ms. VELAZQUEZ, Mrs. MCCARTHY of New York, Mr. KING of New York, Mr. RANGEL, Mr. OWENS, Mr. MAFFEI, Mr. ISRAEL, Mr. SERRANO, Mr. JEFFRIES, and Mr. MEEKS.

H.R. 182: Mr. MICHAUD.

H.R. 196: Mr. OLSON and Mr. ROE of Tennessee.

H.R. 207: Mr. RENACCI.

H.R. 217: Mr. SIMPSON, Mr. STIVERS, Mr. TERRY, Mr. ROSS, Mrs. BACHMANN, Mr. STEWARD, Mr. LANKFORD, Mr. CHAFFETZ, Mr. BROOKS of Alabama, Mr. AUSTIN SCOTT of Georgia, Mr. GARDNER, Mr. HURT, Mr. YOUNG of Florida, Mr. RODNEY DAVIS of Illinois, Mr. MCINTYRE, Mr. WILLIAMS, Mrs. NOEM, Mr. COLLINS of Georgia, Mr. BARR, Mr. HOLDING, Mr. PETRI, Mr. HUDSON, Mr. WHITFIELD, Mr. WENSTRUP, Mr. MESSER, Mrs. WAGNER, and Mr. RIBBLE.

H.R. 220: Mr. MARCHANT.

H.R. 227: Ms. SCHWARTZ, Mr. HOLT, Ms. NORTON, and Ms. LEE of California.

H.R. 233: Mr. CARTWRIGHT.

H.R. 235: Mrs. CHRISTENSEN, Ms. SCHAKOWSKY, Mr. WAXMAN, Mr. PALLONE, Mr. DINGELL, Mr. HULTGREN, Mr. FARENTHOLD, Mr. YODER, Mr. SCHOCK, Mr. BURGESS, and Mr. HANNA.

H.R. 246: Mr. FRANKS of Arizona.

H.R. 247: Mr. FRANKS of Arizona, Mr. DUNCAN of South Carolina, and Mr. HARRIS.

H.R. 258: Mr. LAMBORN and Mr. WENSTRUP.

H.R. 262: Mr. HUFFMAN, Mr. FORTENBERRY, and Mr. PAULSEN.

H.R. 283: Mr. FINCHER, Mr. DUNCAN of Tennessee, and Mr. CHABOT.

H.R. 297: Mr. GINGREY of Georgia.

H.R. 301: Mr. CONNOLLY, Mr. CONYERS, Mr. MCGOVERN, Mrs. NAPOLITANO, Mr. SIREN, and Mr. ROSKAM.

H.R. 303: Mr. TIERNEY, Mr. HINOJOSA, Ms. PINGREE of Maine, Mr. TONKO, Mr. LOEBSACK, Mr. CONYERS, Mr. GRIFFIN of Arkansas, Ms. BONAMICI, Mr. MCINTYRE, Mr. SCOTT of Virginia, Mr. LATHAM, Ms. HAHN, Mr. MORAN, Mr. MICA, Mr. RUNYAN, and Mr. MEEHAN.

H.R. 310: Mr. SOUTHERLAND, Mr. WEBSTER of Florida, Mr. BARR, and Mr. MCINTYRE.

H.R. 311: Mr. HUIZENGA of Michigan.

H.R. 317: Mr. COFFMAN, Ms. GRANGER, Mr. LAMBORN, Mr. LAMALFA, Mr. WALDEN, and Mrs. BLACKBURN.

H.R. 322: Mr. CULBERSON.

H.R. 324: Mr. BENISHEK and Mr. JONES.

H. Res. 10: Ms. CHU.

H. Res. 24: Mr. GIBBS, Mr. PIERLUISI, Mr. BISHOP of New York, Mr. WILSON of South Carolina, Mr. STIVERS, Mr. FINCHER, Mr. MCGOVERN, and Mr. ROSKAM.

H. Res. 31: Mr. FORTENBERRY and Ms. WATERS.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. CAMP

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 325, to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes, do not contain any congressional

earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the U.S. House of Representatives.

OFFERED BY MRS. MILLER OF MICHIGAN

The provisions that warranted a referral to the Committee on House Administration in H.R. 325, to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

SENATE—Tuesday, January 22, 2013*(Legislative day of Thursday, January 3, 2013)*

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

O thou beginner of our yesterdays, mystery of our today, and the hope of our tomorrows, Lord, we sometimes take Your mercies for granted. Forgive us when we forget to be thankful for Your presence in our Nation and world.

Thank You for the inauguration of our President and for this new chapter in our Nation's history. Bless President Barack Obama. May the last words of King David of Israel characterize the leadership and legacy of his Presidency: "Those who rule over people must be just, ruling with Godly reverence. And they shall be as the light of the morning without clouds, as the tender grass springing out of the Earth by clear shining after rain."

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable PATRICK J. LEAHY led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, if any, the Senate will be in a period of morning business until 12:30 today. During that period of time, Senators will be permitted to speak for up to 10 minutes each. We will be in recess from 12:30 until 2:15 to allow for our weekly caucus meetings.

WORKING TOGETHER

Mr. REID. Mr. President, today, with the inspiration of the second inaugura-

tion of President Obama fresh in our minds, we renew our efforts to fulfill the promise of prosperity for every American.

The theme of yesterday's inauguration was "Faith in America's Future." Dr. Martin Luther King, Jr., whose birth and life we also celebrated Monday, once said, "Faith is taking the first step even when you don't see the whole staircase." I have faith that the Members of the 113th Congress will bring this Nation closer to realizing the promise of prosperity. The last Congress was too often characterized by sharp political divides—divides that hampered efforts to foster success for all Americans. I am hopeful and cautiously optimistic that the 113th Congress will be characterized not by our divisions but by our renewed commitment to cooperation and compromise. I urge every woman and every man fortunate enough to serve in this Chamber to remember that it is possible to hold fast to our principles while making the compromises necessary to move our country forward.

Democrats will hold fast to the guiding principle that a strong middle class—and an opportunity for every American to enter that middle class—is the key to this Nation's success. Democrats will stand strong—strong for the standard of balance. We will remain resolute—resolute in the pursuit of fairness for all Americans, regardless of where they were born or the color of their skin, regardless of the size of their bank accounts, regardless of their religion or sexual orientation.

Those principles will direct our course as we introduce our first 10 bills today—a tradition we have had in the Senate, which is that the majority party introduces the first 10 bills—as we mend our broken immigration system, strengthen our schools, and rebuild our roads and bridges, and we will look to those principles as we bring forth other measures included in those 10 bills. Those principles will be foremost in our minds as we balance the right to bear arms with the right for every child to grow up safe from gun violence. Those principles will be our North Star as we work to end wasteful tax loopholes and balance thoughtful spending reductions with revenue from the wealthiest among us. And those principles will point the way as we work to ensure that this country's uniformed servicemembers never struggle to find employment when their military duties end. Through every struggle and every triumph, those principles must be our guide.

Not a single piece of important legislation can pass the Senate or become law without the votes of both Democrats and Republicans, so we will be willing to compromise and work with our colleagues across the aisle. Unfortunately, a number of bipartisan bills passed the Senate during the last Congress that were never acted upon by the House of Representatives. So this year the Senate will revisit some of those legislative priorities that passed on a bipartisan basis here.

We will again take up the Violence Against Women Act. This is an important piece of legislation that is expiring. We will take up the farm bill, which is a revolutionary piece of legislation that would save the country up to \$24 billion. We will again revisit historical reforms to save the U.S. Postal Service, and we will take up legislation to make whole victims of Hurricane Sandy. Each of these initiatives passed the Senate on a bipartisan basis after deliberation and debate during the last Congress but was left to languish by the House.

The Senate will continue to help our fellow Americans recover from Hurricane Sandy before another similar disaster strikes. Hundreds of thousands of homes and businesses were destroyed in New York, New Jersey, and New England, and tens of thousands of Americans were left homeless by this destructive storm. We have a responsibility to aid our countrymen as they rebuild their lives and their communities, as we have after terrible floods, fires, and storms in other parts of our Nation.

Once we complete that vital legislation, the Senate will take action to make this institution we all love—the U.S. Senate—work more effectively. We will consider changes to the Senate rules. Because this matter warrants additional debate, today we will follow the precedents set in 2005 and again in 2011. We will reserve the right of all Senators to propose changes to the Senate rules, and we will explicitly not acquiesce in the carrying over of all the rules from the last Congress. It is my intention that the Senate will recess today rather than adjourn to continue the same legislative day and allow this important rules discussion to continue later this month. I am hopeful and cautiously optimistic that the Republican leader and I will reach an agreement that allows the Senate to operate more effectively in the coming months.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. SCHATZ). The Republican leader is recognized.

NEW BEGINNINGS

Mr. MCCONNELL. Mr. President, I wish to start by congratulating President Obama on his inauguration. Presidential inaugurations are always a time for the country to come together. We all feel a certain pride in the event, and we are reminded of how fortunate we are to live in a Nation where we have the ability to choose our leaders freely and resolve our differences in peace. Inauguration Day is also a time for new beginnings, a chance to learn from the mistakes and missed opportunities of the past as we reengage in some vitally important debates about our future.

Too often over the past 4 years, political considerations have trumped the need to put our country on a sound financial footing and a path to prosperity. Today we should recommit ourselves to the task of facing up to our problems head-on. I understand that the passions of an election can sometimes overshadow the business of governing, but the Presidential campaign is now behind us, and so it is my hope that the President will finally be willing to do what Republicans have been asking him to do since his first inauguration 4 years ago, and that is to work with us on identifying durable solutions to the problems we can only solve together, to put aside those things we know we can't agree on and focus on what we can.

We should start with spending and debt because if we don't get a handle on that, nothing else matters. If we don't work together to strengthen our entitlement programs, they will go bankrupt. Automatic cuts will be forced on seniors already receiving benefits, rendering worthless the promises they have built their retirements around. It is nice to say, as the President did yesterday, that these programs free us to take the risks that make our country great, but if we don't act to strengthen and protect them now, in a few years they simply won't be there in their current form. And if we don't work together to control the debt, then the cost of our interest payments alone will eventually crowd out funding for things we all agree on—from defense, to infrastructure, and assistance for those who need it most. In short, the debate we are now engaged in over the growing Federal debt is about much more than numbers on a page; it is about the cost of inaction in terms of promises broken, jobs lost, and dreams deferred. That is why there is simply no more time to waste.

Over the past 4 years, while the President focused on reelection and too

many Senate Democrats focused on avoiding tough decisions, the debt grew by more than \$6 trillion. We saw the President blast House Republicans for doing their job and passing a budget while Senate Democrats didn't even propose one. Rather than work with us to save existing entitlements, we saw the President team up with Democrats in Congress to force through a brand new entitlement that will make it even harder to cover the cost of programs we already have. In short, Democrats have put off the hard stuff until now, and our problems have only gotten worse.

But that was the first term. A second term presents the opportunity to do things differently, and in the Senate that means a return to regular order. Later this week the House plans to send the Senate a bill to address the debt limit in a timely manner. Once we get it, the Senate should quickly respond. If the Senate version is different from the one the House sends over, send it to conference. That is how things are supposed to work around here. We used to call it legislating.

I know a lot of Democrats are afraid of a process that exposes their priorities, particularly on spending and debt. After nearly 4 years of refusing to pass a budget, they have only now reluctantly agreed to develop a spending plan for the coming fiscal year. All I would say to that is since the revenue question has been settled, I am sure the American people are eager to see what other ideas Democrats might have to bring down our ruinous deficits.

Let me just say that one thing Americans will no longer tolerate is an attitude that says we can put off our work until the very last minute. They are tired of eleventh-hour deals. They are tired of careening from crisis to crisis, and so am I.

The good news is that a return to regular order is the surest way to solve the problems we face. And I hope some of my friends on the other side will agree that there is value in this body actually functioning the way it was intended to. Let's face it. The status quo isn't working. The Senate isn't functioning as it should. It has nothing to do with the process that has served us well for a very long time. But if we work together and strive to avoid some of the bad habits that have developed around here, I truly believe we will be able to achieve the kinds of solutions that have eluded us for the past 4 years and deliver some positive results for the people who sent us here, with time to spare.

We can do better. I know my constituents expect better than what they have been getting from Congress in recent years, and so should we.

Mr. President, I yield the floor.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for debate only until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Indiana.

CHALLENGES AHEAD

Mr. COATS. Mr. President, I appreciate the remarks of the minority leader, and I think he essentially gets to the point all of us, in this first week for the 113th Congress, need to be focused on and need to address. This is our first workweek back after the inauguration festivities of yesterday, and I think it is an appropriate time for the Members of this body to discuss the challenges that lay before us over the next 2 years.

The most critical and, in my opinion, the most pressing of these challenges is one we have been dealing with for the past 2 years and is now of even more critical importance, and that is the out-of-control government spending that weakens the health of our economy, threatens the security of our country, and jeopardizes opportunities for future generations.

When I arrived here 2 years ago, it was clear the American people were concerned about out-of-control Federal spending. At the beginning of the President's term 4 years ago, the debt limit stood at \$10.626 trillion plus. In the 4 years of that term, it has risen to over \$16.400 trillion—nearly a \$6 trillion increase.

It is unprecedented in the history of our country to have such out-of-control spending. It has resulted in our borrowing a very substantial amount of each year's budget, which is not healthy whether you are a family or you are a business or you are a State government or you are the Federal Government. The chickens will come home to roost if we continue to do that.

Each American's share of our national debt now is well over \$50,000. That means every new baby born in this country instantly owes the government more than \$50,000.

We have had 4 straight years of trillion-dollar deficits without a budget in this body. The minority leader just talked about that. Hopefully, we will finally have a budget to work off of and a budget for which we can look at what the priorities are and make tough decisions about how we spend taxpayers' money.

We currently spend over \$40,000 a second. These are not partisan numbers, and this should not be a partisan issue. These are the facts. As our former Governor in Indiana, Mitch Daniels, said: Just do the arithmetic. This is not a deep philosophical or ideological issue. It is a matter of basic math.

With financial problems as great as these, it is my hope as we return now to this 113th Congress we will be able to address this fiscal crisis. It is the same hope I had 2 years ago when I joined the 112th Congress. As we know, we went through a series of efforts to begin to address this problem. Many of those were on a bipartisan basis—we had the Gang of 6 and then we had the supercommittee of 12. These were bipartisan efforts. Many of us worked with our colleagues across the aisle to try to put a grand bargain together. Of course, the President had his own commission led by Mr. Bowles and former Senator Simpson. He rejected that. The Simpson Bowles proposal would have been a good blueprint upon which to begin our discussions. I will be talking some more about that and the disappointment—the extreme disappointment—of Mr. Bowles and Mr. Simpson in terms of the inability of this body to address what has been predicted as the most predictable financial crisis in our Nation's history.

We went through this whole process of the fiscal cliff. We, unfortunately, had to pick the lesser of two evils in order to protect nearly 99 percent of taxpayers from drastic tax increases, starting with the lowest to the highest taxpayer. The fiscal cliff deal may have allowed the President to fulfill his campaign promise to raise taxes on millionaires and billionaires, but it did little or nothing to address excessive Federal spending.

So the debate now shifts. The President got his taxes. With revenue off the table, the debate shifts to where it needs to be and should have been in the first place; that is, addressing spending reductions.

Just last week Fitch Ratings warned that America's AAA credit rating is at risk if the Congress and the President increase the debt limit but fail to enact a "credible medium-term deficit reduction plan." We can expect to see more headlines like this if we do not come together and take action to deal with our country's debt obligations.

In the coming days and weeks I will be speaking in this Chamber and outlining what I believe are rational steps we need to take to get our fiscal house in order. The easy thing to do, and the way Congress has operated over these past 2 years, is to look at our fiscal situation and say: Well, we have more time; or we can deal with this after the next election. While I thought that was exactly the wrong tactic to take, that is what happened. There were a series of efforts, but each one ended up so-called kicking the can down the road or postponing the day of decision.

This is the day of decision. This is the hour of decision. This is the time when we have to step up now and address our out-of-control spending. We have had that next election. The President has been reelected for 4 years.

Members have been reelected. We have this challenge now in front of us. Continuing with the status quo, governing by a crisis, and failing to address our spending problem must be unacceptable.

Mr. President, 2013 is the year. In 2014 we are back in another election. We all know the precious 6 to 9 to 12 months that lay before us is the time—post-election, with the President's reelection and new Members here—this is the time we have to step up and address our debt and deficit problem.

If we do not do so now, most experts who look at this, whether they are liberal or conservative, nonpartisan or partisan, ideological or nonideological, have virtually all come to the conclusion that unless we address this now in 2013, with an election year in 2014, 2015 will be too late.

We have seen what is happening in Europe. We see what is happening in Japan. We see what is happening around the world—a world hungry for America to lead, to address its problem, not by pushing it down the road, not through avoiding tough decisions, but addressing the real issue before us that impacts the future of this country and the future of generations to come.

So now is the time, now is the hour of decision that we have to take to go forward and address this problem. As I said, I will be using this platform and others as a way to address what I believe we need to go forward with, not only looking at the larger picture but also looking at how this government spends way beyond its means, spends money that it does not have, wastes money through bureaucracy and waste and failed efforts, tries to do more than it should or could or is able, and I want to document some of those—everything from the macro to the micro, from the absurd to the bureaucratic to the necessary tough decisions, particularly in regard to our entitlements that have to be addressed in order to preserve and save those programs for not only current beneficiaries but for future beneficiaries.

Mr. President, I appreciate the opportunity to begin this process, and I think each of us must dedicate ourselves to the challenge that lies before us. That challenge is dealing with our out-of-control fiscal situation, that if not controlled will bring this country down and continue this economic malaise that we are currently in.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHANGING SENATE RULES

Mr. UDALL of New Mexico. Mr. President, I rise today to talk about our efforts to change the Senate rules. As we began the 113th Congress on January 3, Senators MERKLEY, HARKIN, and I submitted a resolution to reform the Standing Rules of the Senate. Thirteen of my colleagues have signed on to co-sponsor our resolution.

When we submitted the resolution, we agreed with the majority leader that it would be best to have the debate about reforming our rules after the inauguration. I appreciate his willingness to work with us on this important issue. Although we postponed the debate, we preserved the right of a simple majority of this body to amend the rules in accordance with article 1, section 5 of the Constitution.

Senate Resolution 4, our proposal to reform the rules, is simple, it is limited, and it is fair. Again, we are not ending the filibuster. We preserved the rights of the minority. Here is what we are proposing: an end to the widespread abuse of silent filibusters. Instead, Senators would be required to go to the floor and actually tell the American people why they oppose a bill or nominee in order to maintain a filibuster. Debate on motions to proceed to a bill or to send a bill to conference would be limited to 2 hours. Postcloture debate on a nominee, other than a Justice of the Supreme Court, would be limited to 2 hours rather than the current limit of 30 hours.

These are sensible changes. These are reforms we are willing to live with if we are in the minority, and yet we are warned these simple reforms will transform the very character of the Senate and leave the minority without a voice. These arguments are covers for continued abuse of the rules.

The reforms we propose are modest—some would say too modest—but they would discourage the excessive use of filibusters. The minority still has the right to filibuster, but not the right of one Senator to do so by simply picking up the phone, by simply making an announcement and then going out to dinner or, more likely, out to a fundraiser. I have listened carefully to the arguments by the other side against these changes. Let me say, again, we are not talking about taking away the rights of the minority, we are not talking about abolishing the right of debate or to filibuster, but there must be change. The abuse of the filibuster and other procedural rules has prevented the Senate from doing its job. We are no longer the world's greatest deliberative body. In fact, we barely deliberate at all. This does not honor this institution, and it does not serve the American people.

For most of our history the filibuster was used very sparingly, but in recent years what was rare has become routine; the exception has become the norm. Everything is filibustered, every procedural step of the way, with paralyzing effect. The Senate was meant to cool the process, not send it into a deep freeze.

Since the Democratic majority came into the upper Chamber in 2007, the Senates of the 110th, 111th, and 112th Congresses have the three highest totals of filibusters ever recorded. Lyndon Johnson faced one filibuster during his 6 years as Senate majority leader. In the same span of time HARRY REID has faced over 390. Lyndon Johnson, 1, HARRY REID, 390. Legislation is blocked at every turn. The result is not surprising. The Senate of the 112th Congress passed a record low 2.8 percent of bills introduced. That is a 66-percent decrease from the last Republican majority in 2005–2006, and a 90-percent decrease from the high in 1955–1956. By every measure, the 112th Congress was the most unproductive Congress in our history.

My Republican colleagues have come to the floor and made many impassioned statements in opposition to amending our rules at the beginning of this Congress. They say the rules can only be changed with a two-thirds supermajority, as the current filibuster rule requires. They argue that any attempt to amend the rules by a simple majority is breaking the rules to change the rules. This is simply not true. The supermajority requirement to change Senate rules is in direct conflict with the U.S. Constitution. Article 1, section 5 of the Constitution states:

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member.

When the Framers required a supermajority, they explicitly said so, as they did for expelling a Member. On all other matters, such as determining the Chamber's rules, a majority requirement is clearly implied. There have been three rulings by Vice Presidents, sitting as President of the Senate—where the Presiding Officer is sitting today—who have ruled on the meaning of article 1, section 5.

In 1957, Vice President Nixon ruled that:

The right of a current majority of the Senate at the beginning of a new Congress to adopt its own rules, stemming as it does from the Constitution itself, cannot be restricted or limited by rules adopted by a majority of a previous Congress.

Vice President Rockefeller and Vice President Humphrey made similar rulings at the beginning of later Congresses.

The Constitution is clear, and there is also a longstanding common law principle—upheld in the Supreme

Court—that one legislature cannot bind its successors. Many of my Republican colleagues have made the same argument. For example, in 2003 Senator JOHN CORNYN wrote in a Law Review article:

Just as one Congress cannot enact a law that a subsequent Congress could not amend by majority vote, one Senate cannot enact a rule that a subsequent Senate could not amend by majority vote. Such power, after all, would violate the general common law principle that one parliament cannot bind another.

So amending our rules at the beginning of a Congress is not breaking the rules to change the rules, it is reaffirming that the U.S. Constitution is superior to the Senate rules. When there is a conflict between them, we follow the Constitution.

Some of my colleagues may believe that using the Constitution in this way would be harmful to the Senate. But there is an alternative. We do not have to reform the rules with only a majority vote. Each time the filibuster rule has been amended in the past, a bipartisan majority of Senators was prepared to use the constitutional option. But with a majority vote on the reforms looming, enough Members agreed on a compromise and they passed the changes with two-thirds in favor.

We could do that again. I know many of my Republican colleagues agree with me. The Senate is not working. As I visit with my Republican colleagues on the other side of the aisle, they tell me they are unhappy with the way things are. I said 2 years ago I would push for the same reforms at the beginning of the next Congress regardless of which party was in the majority.

At the time, many people believed the Democrats would lose their majority. So let me be clear: If Leader MCCONNELL had become the new majority leader in this Congress, I would have asked him to work with me on these same reforms.

I will say again, the proposed changes will reform the abuse of the filibuster. They will not trample the legitimate rights of the minority party. I am willing to live with all the changes we are proposing, whether I am in the majority or the minority.

The other side has suggested a change in the rules is an affront to the American people. But the real affront would be to allow the abuse of the filibuster to continue.

We have to change the way we do business. We have to govern. It is time for us to pay attention to jobs and the economy and what matters to American families—what they talk about around the kitchen table. That was the message that was sent us from this election, and we would do very well to listen to it.

Under the abuse of the current rules, all it takes to filibuster is one Senator picking up the phone. That is it—does

not even have to go to the floor and defend it—just a phone call by one Senator: no muss, no fuss, no inconvenience, except for the American public, except for a nation that expects and needs a government that works, a government that actually works together and finds common ground.

Maybe some of my colleagues believe the Senate is working as it should, that everything is fine. We do not take that view. It is not working and it needs change. The American people of all persuasions want a government that actually gets something done. The challenges are too great, the stakes are too high for a government of gridlock to continue.

The New York Times yesterday and several of the local newspapers in my home State have editorialized about moving forward with reform and how important that is. I ask unanimous consent that an editorial from the New York Times and an editorial from the New Mexican be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 21, 2013]

A CHANCE TO FIX THE SENATE

For six years, Democrats in the Senate have chafed at an unprecedented abuse of the filibuster by Republicans, who have used the practice to hold up nominees high and low and require a supermajority for virtually every bill. But now that they finally have an opportunity to end much of this delay and abuse, Democrats are instead considering only a few half-measures.

When the Senate returns on Tuesday, it will still technically be in the first legislative day of the session, which means only a simple majority is necessary to change the rules for the rest of the session.

With the support of 51 senators, the rules could be changed to require a "talking filibuster," forcing those objecting to a bill to stand and explain their reasons, at length. The current practice of routinely requiring a 60-vote majority for a bill through a silent objection would end, breaking the logjam that has made the chamber a well of inefficiency and frustration.

Several younger senators, led by Jeff Merkley of Oregon and Tom Udall of New Mexico, say that if pressed, a majority of the Senate would support their plan for the talking filibuster. But older senators aren't so sure, and have reportedly persuaded Harry Reid, the majority leader, to back off the idea. With the experience of having been in the minority themselves, these Democrats are fearful of losing a powerful tool should Republicans ever return to power in the chamber.

That would squander a moment for change. Supermajorities were never intended to be a routine legislative barrier; they should be reserved for the most momentous bills, and the best way to make that happen is to require that objectors work hard for their filibuster, assembling a like-minded coalition and being forthright about their concerns rather than hiding in the shadows or holding up a bill with an e-mailed note.

Currently there are six opportunities to filibuster most bills, and Republicans have exploited them all. Mr. Reid wants to reduce those opportunities and speed things up, primarily by ending the filibuster on motions to proceed to debate on bills.

That change alone could cut a week of delay on most measures. He also wants to curb filibusters that prevent conference committees from meeting and that hold up some presidential nominations.

A faster-moving Senate would be useful, but that should not be the only goal. The best way to end the Senate's sorry history of inaction is to end the silent filibuster, forcing lawmakers to explain themselves if they want to block legislation supported by the majority.

[From the New Mexican, Jan. 5, 2013]

FILIBUSTER REFORM: WE NEED IT NOW

The first day of the 113th Congress took place last week. But fortunately, for the hopes of filibuster reform in the U.S. Senate, opening day will continue later this month, likely Jan. 22. It is, after all, on the opening day of a session that the Senate can revise its rules with a simple majority of 51 votes—and a rules revision to make it easier to do the people's business is desperately needed.

New Mexico Sen. Tom Udall, a Democrat, has been a leader in the efforts to reform the U.S. Senate, a move that should not be seen as partisan. Should easing the logjam of holds on bills and appointments help the Democratic majority right now, a rules change could assist Republicans in the future. In politics, no majority is permanent, after all. However, Udall and others—notably U.S. Sen. Jeff Merkley, an Oregon Democrat—are right to keep pressing for substantive reform in how the contemplative Senate does its work. The problem facing the Senate is this: Obstructionists in the minority have essentially made it impossible to do business without a supermajority. To pass legislation, the Senate routinely needs 60 votes—the number that can overcome a filibuster—rather than a simple majority. With their reform, Udall and Merkley want any senator who puts a hold on a bill to have to get up and actually filibuster. That is, talk and talk and talk, without stopping, so that the whole world sees who is gumming up the works. Anonymous holds would stop, whether on legislation or appointments that require Senate confirmation. This seems like common sense. A senator who wants to make a stand should have to stand up and tell the country why.

What is common sense in flyover country is controversial in Washington, D.C., where lawmakers enjoy exercising secret holds out of the light of day. Even instituting the reform will be difficult. Normally, changing Senate rules takes 67 votes; on the first day of Congress, though, 51 votes will do the job. Senate tradition—and boy, is the Senate traditional—frowns upon changing rules with such a narrow margin. Doing so is called the “nuclear” option by detractors, and the “constitutional” option to those hoping to break open stifling Senate culture. In recent days, a different Senate rules change package has been discussed, one proposed by Democratic Sen. Carl Levin of Michigan and Republican Sen. John McCain of Arizona and backed by others. We like its bipartisan origins, but unfortunately, the senators' proposal appears too watered down to fix gridlock. It would make it tougher for the minority to block debate, but by guaranteeing minority members two amendments, could serve up another method of killing legislation.

We are encouraged that Majority Leader Harry Reid of Nevada chose to recess, rather than adjourn, the Senate on its first day of the session, thus giving Udall and Merkley time to garner support for their substantive

rules reform. The right for a single senator to stand on principle, holding up legislation out of strong conviction, must be protected—and asking a politician to talk, after all, is no heavy penalty. What must go by the wayside is the ability of any senator to stall appointments, or hold up necessary legislation, just because.

When the Senate continues its first day later this month, we urge Majority Leader Reid to go for broke. Seek true reform, allowing the filibuster to remain only if senators will stand up and speak for their positions out loud where all can see. If need be, institute the reform with 51 votes. Otherwise, the Senate will not be able to conduct the essential business of the country—again. And whether approving Cabinet secretaries or ambassadors or judges, or passing necessary laws on immigration and gun control, the nation needs a Senate that can move legislation through in a timely, thoughtful but never cumbersome fashion.

Mr. UDALL of New Mexico. Three of my Senate colleagues who have just been elected are in the Chamber. I think one of the best things about this new class of Senators who have come into the Senate is they have studied this issue, they understand this issue, they have been out there with the American people and listened to them. The American people are demanding change.

So it is a real pleasure to see in the chair the Senator from Hawaii, who is the Presiding Officer, and on the floor the Senator from North Dakota and also the Senator from Maine. I know shortly we will be going into our caucus and having a very lively debate about which way to move forward, how we do reform.

I am convinced we are going to reform these rules. I hope we do it working with our colleagues on the other side of the aisle. But if they will not come with us, we are in a position where we are in the majority, and we have to make this institution work for the American people.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MERKLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

Mr. MERKLEY. Madam President, I am rising today to talk about the vision we have ahead for the next 2 years and how this Senate can fulfill its responsibilities under the Constitution to do its legislative responsibilities addressing the big issues facing America.

I don't think anyone is unaware that for the last 2 years this Chamber has seen simply inaction and paralysis. It has been rated as one of the worst 2-year sessions in the history of the U.S. Government.

Well, what are we going to do differently? How is it that we only ad-

dress 1 out of 24 appropriations bills over the last 2 years? How is it that so many important bills never made it to the floor of the Senate, bills such as the replacement for No Child Left Behind, which was a bipartisan vision that came out of committee.

How is it that so many bills came to this floor to never see a final vote? These are bills, such as the DISCLOSE Act, which would have eliminated secrecy in campaign donations; the DREAM Act, which would have honored creating a future for those who know only America as their home; the President's jobs package, which would have helped put America back to work; and the closing of loopholes for the biggest, most wealthy oil companies. Those funds could be put to use reducing our deficit or funding critical programs for working Americans.

On issue after issue after issue, we saw inaction. What we heard yesterday at the start of this next 2 years was a call from the President for action. In his inaugural speech he said:

For now decisions are upon us, and we cannot afford delay. We cannot mistake absolutism for principle, or substitute spectacle for politics, or treat name-calling as reasoned debate. We must act, knowing that our work will be imperfect. We must act, knowing that today's victories will be only partial.

The President echoed, if you will, the thought that he brought into his first 4 years, the urgency of now. We have big issues facing America, and it is time for the executive branch and the legislative branch to work together to address those issues.

In this call for action, we must ask how much action can there be if we see more than 100 filibusters in the next 2 years? How much action can there be if on every request for a vote an objection is heard that creates a day of delay in this Senate? The contrast is enormous from the time that Lyndon B. Johnson was President of the Senate.

Lyndon B. Johnson, during 6 years of presiding over this body, saw one filibuster. HARRY REID, in his 6 years of presiding over this Senate, has seen 391 filibusters.

Let me convey that even when we have the votes to end a filibuster, the fact that it is launched creates enormous paralysis. Imagine you are debating a bill, and you continue debating through the end of the week. When you come in the following Monday to debate, and nobody has anything left to say, then someone says: I ask unanimous consent that we have a final vote on this bill. Now, you see, we don't have a previous question on this floor, so one has to ask unanimous consent. Any of the 100 Senators can weigh in and say no.

When they weigh in and say no on that Monday, then on Tuesday a petition is put forward with 16 Senators saying: Let's have a vote on closing debate. That vote can't happen until Thursday, under the rules.

If it is successful on a Thursday, we have to have 30 hours more of debate before we can hold the final vote. That takes us into Saturday. Monday through Saturday is lost based on an objection on Monday by one Senator.

If we have 391 of these objections that waste a week of our time in the course of a 6-year period, then we basically waste every legislative week because there are not 391 weeks in a 6-year period.

It becomes pretty simple to see why we only were able to get one appropriations bill done in the last 2 years, and why so many bills never made it to the floor of the Senate for consideration even though they were essential to restoring the economic vitality of our Nation and putting people back to work. I, for one, find this absolutely unacceptable.

Over our history there have been three basic forms of filibusters. The first only worked in an age when transportation didn't work very well, and at any given moment there were a number of Members who couldn't get here to the floor of the Senate because they were traveling from their farms and the axle on their wagon broke or the train broke down or so on and so forth. Sometimes those journeys would take many weeks and things happened along the way. In that situation, a quorum of 50 percent plus 1 was sometimes in doubt, and those seeking delay could say: You know what. Let's deny a quorum.

Well, that was an effective tool only through that period. Then, as that changed, folks said: You know, we have the respect here of hearing everyone out. Therefore, if I can get to the floor of the Senate, I may delay this Senate as long as I am able to speak.

Well, it is through this effort that we have a number of famous filibusters, folks such as Strom Thurmond holding forth for 24 hours. We have, however, seen that a person can only delay the Senate for 24 hours. Then someone else can seek the floor, and you may proceed. So that was a fairly modest strategy.

In both the case of the denying quorum and in the case of speaking as long as you could, you had to spend time and energy. You had to organize, and it was visible before this body. It was visible before the reporters gathered in the balcony. Therefore, the American people, long before there was a television camera here, could see what you were doing, and the public could provide feedback on that.

But now we come to the modern era, from 1970 forward, in which it has become popular to start using the objection as an instrument of party warfare, the objection to a final vote. If we turn back before 1970, we had an overlap between the parties of perhaps 30 Members. So if you had used this objection, you would have a good sense that you

would be able to get cloture. Furthermore, there was a social contract that you only interrupted the workings of this body on an issue of deep principle. You only blockaded the operations of the Senate on an issue of profound concern to your State, not as a routine instrument of party politics.

But that has changed over the last 43 years, since 1970 forward, and now the minority party can say: Let's show that the majority can't even get an agenda onto the floor of the Senate, and then let's complain about them not acting. This is not a philosophy that serves America. It is not a philosophy that was embraced through the extent of our history. You came here with the responsibility to contribute in committee, to contribute on the Senate floor, to try to make bills better, and to try to get issues addressed. You were not trying to paralyze this body so issues don't get addressed that may be contained on that side. That, quite frankly, is an unacceptable theme that has started to haunt this Hall, and we need to do something about it.

Indeed, if we look at the modern era where the parties have become so divided, we no longer see that overlap of 30 Senators. Therefore, any minority group, be it the Democrats, be it the Republicans, has the ability to bring this Chamber to a halt. But is it right to do so? If we cannot persuade our colleagues it is wrong to do so, then we need to change the rules of the Senate. We need to insist if someone is going to throw a shoe into the gears, if someone is going to blockade the ability of the Senate to deliberate and decide, then that Senator needs to take responsibility here on the floor of the Senate.

Yes, we should get rid of the filibuster on the motion to proceed. Filibustering on whether to get to a bill does not enhance deliberation on the bill itself. We should make that decision in a crisp fashion and get on to the work, not waste weeks trying to decide if we are going to do the work of the people.

Second, we should get rid of the filibuster on going to a conference committee. Both Chambers have decided. They have voted in favor of the bill. It has been passed in different forms. Nothing should impede getting to conference and having a negotiation. Indeed, out of those negotiations, even if starting with one Chamber having a dramatic view different from the other, there is a coming together that takes steps forward that both Chambers can agree to. So nothing should impede that negotiation from going forward. We recognize a bill can still be filibustered when it comes back from committee, so why impede getting to the conference committee in the first place?

We should greatly reduce the number of hours after we have gotten cloture on debate. On nominations, by the time

we vote on closing debate, our Members know how they are going to vote on that nominee. So we could have a final 2 hours but not a final 30 hours. Thirty hours is another wasted set of days we can ill afford. And certainly it makes sense to say, whenever possible, we should cut down that 30 hours on bills after we have reached cloture. We can do it by unanimous consent, and we often do that now. We can do it by requiring Senators to proceed to a vote if they do not stand and talk, but that is postcloture.

Here is the thing: When 41 Senators say they want additional debate, they want to delay the decisionmaking process here in the Senate, they should be willing to stand and make their case before their colleagues and the American people. It takes time and energy if you go that direction. It doesn't become a freebie where one Senator spends no time, no energy, and can go off to dinner or on vacation while paralyzing the Senate. You should have to spend the time and energy to be here to make your case.

Not only is that important in stripping away frivolous filibusters, it also means the American people get to weigh in. I am absolutely convinced if we were to go back to the debate on the DISCLOSE Act, which stripped away secrecy in campaign donations, and we had 59 votes to close debate—we needed a sixtieth—if those who voted for additional debate, and who fled this Chamber fearful of making their case before the American people, had been required to stand and defend secrecy and foreign donations in our campaign system, the American people would not have said they were heroes but they were bums. They would have weighed in and said to their own Senators: Join the effort to close debate, because to stand in the way of a final vote over secrecy in campaign donations does great damage to our democracy. Maybe the pressure and common sense of the citizens would have helped address the bitter partisanship that guides this body.

At a minimum, the citizens of this Nation have the right to know what is happening to legislation here on floor. The idea it is being paralyzed by the secret filibuster is unacceptable, so we should include the talking filibuster in any package we bring to modify the rules of the Senate.

I see my colleague from New Mexico has come to the floor, and he spoke earlier. He has put forward the vision that we must, at the start of every 2 years, evaluate how the Senate is working, and if it has problems we need to pass changes in the rules to address those problems.

This is not some remote concept of inside baseball. This is about American citizens having a legislature that can address the big issues facing our Nation. So I praise him for his leadership in putting this forward, which has led

to this day. And it is the second time. We were here 2 years ago making this case, making this argument that we owe it to our citizens to improve the workings of the Senate, and we are here again today.

There is a saying about the Senate, that the Senate is the world's greatest deliberative body. If only it were so. It has been, at various points in its history, a thoughtful Chamber, a deliberative Chamber. But not today. It is driven by deep partisan differences, those being converted into strategies of paralysis, that prevent deliberation. We must change that. It is our responsibility as Senators to change that. The American people expect it. Let's make it so.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL of New Mexico. Madam President, I ask unanimous consent to engage in a colloquy with my friend, the Senator from Oregon.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. UDALL of New Mexico. Madam President, once again let me say at the beginning it is a real pleasure to see my old attorney general colleague, now the Senator from North Dakota, HEIDI HEITKAMP, in the chair presiding over the Senate, and also to see the Senator from Maine, ANGUS KING, here—our new Senators. I think Senator MERKLEY would agree with this, that our new Senators bring an energy to this that we don't necessarily have. We are 4 years from our last campaign. We ran in 2008. I love hearing their stories and what they have heard and how they have visited with people in townhall meetings.

The American people get this. I don't think there is any doubt that they really get this. I know my colleague has done a number of townhalls on this issue. I just hope, as we have the chance to discuss this, both in our caucus and on the floor and with other Senators, that we can capture the energy of the Senators who have arrived here and have been out with the people in their States, with their constituents, and what they bring to this.

But I wanted to ask the Senator because, among many of our Senators, he does regular townhall meetings—and I have also done a number in my career—is this kind of rules change something that is so arcane that people don't understand it? Are they saying: Why are you bothering with procedure or do people get it? Do they get it in Oregon when you are in a meeting?

Mr. MERKLEY. To my colleague from New Mexico, I would say they most adamantly get it. In fact, I had 13 townhall meetings 2 weeks ago, in conservative parts of the State, in more liberal parts of the State. And in every setting—every setting from conservative to liberal—folks said: Please,

please continue this effort to address the filibuster and the paralysis, and the simple notion behind the talking filibuster.

If a Senator is voting for more debate—that is to delay the workings of the Senate—then he or she should be making their case on the floor so the citizens get to see what is going on and they get to decide whether they support it or oppose it. That idea resonates with people. It is the way folks think the Senate works, and they often think the rules that required it in the past have been changed so it does not happen now. So it is a chance I have to explain to them that what has changed is the social contract; that when people objected to the Senate proceeding with its business in the past, they wanted to make their views known on the Senate floor. They wanted to take responsibility because they realized it was a very high privilege to be able to delay the Senate and they had a responsibility to do so only for deeply principled or large issues and to make their case known.

So I do see overwhelming support. I feel as though the American people are so far ahead of maybe our own Chamber in understanding how broken we are and how much it needs to be fixed.

Mr. UDALL of New Mexico. The Senator made some nice comments about me—he was probably a little too generous—and I wanted to also thank him for all the work he has done on this issue. He has been a passionate voice for change, and he and I have both reached out to our friends across the aisle and tried to get things done.

I always bring this back to the question of why are we doing this. We are doing this so government can tackle the issues the American people care about. And I think there are two times in history—I am sure there are many others—where for me the Senate was in its glory days. We should always remember we have that potential. We see little bits of light every now and then here, such as with the passage of a transportation bill or a farm bill out of the Senate where bipartisanship exists and we come together, but I wish to talk very briefly about two time periods that I consider to be the glory days of the Senate.

One was before the Civil War. In the 40 years before the Civil War, the Senate was grappling with how do we hold the Union together. There was tremendous discussion, and Senators such as Daniel Webster and John Calhoun and others would work with each other and have heated debate, but for that 40 years before the Civil War, they held the country together. It was the Senate that fashioned those compromises that allowed the country to stay out of the Civil War. They didn't completely prevent it, but most people, looking at history, say those were some of the glory days of the Senate.

The second period was in the 1960s and 1970s, with Senators such as Muskie and Stafford and Chafee—giants in this body—who stepped forward on civil rights, stepped forward on environmental issues, stepped forward on the pressing issues of the time. So the Senate, once again in that time period, passed laws.

I remember; I was a kid here in Washington, and my father was Secretary of the Interior, when the wilderness law, the Clean Water Act, the Clean Air Act, and the Environmental Protection Agency was set up. Those were big laws—big, bold laws—that were dealing with our problems. So once again, they are glory days of the Senate.

I think we have that potential. As I see the new Senators coming in, the folks who were elected with us, and the Senators who arrived in the last 5 or 10 years, I think we have the ability to respond in a big, bold way to the crises that face us.

I know Senator MERKLEY came here as a young man with Senator Hatfield, I believe, and he saw a different Senate. Maybe he could talk about that. We don't want to stay; I know we are going to a caucus and we have our generous chair here—our presiding officer—so we don't want to keep her up here too long.

Anyway, I yield to the Senator.

Mr. MERKLEY. I think my colleague from New Mexico is absolutely right in pointing out there were periods when the Senate really worked to face the big issues of America. And it wasn't that there weren't profound differences. There were fierce differences, emotional differences, deep differences, but folks came to this floor, they conversed, they laid out their arguments and, ultimately, they made decisions about which way to go. They didn't bring the attitude: Well, let's paralyze this Chamber from doing anything. Had they done that, there would never have been the set of changes that addressed significant issues in either of those periods.

My colleague is right that a part of the reason I feel so strongly about restoring the functioning of this Senate is that when I came here as an intern at age 19 for Senator Hatfield, I had the very good fortune to be assigned to the Tax Reform Act of 1976, and then I had the even better fortune that it came up on the floor of the Senate. So during the many days it came before the body, I sat up in the staff gallery and watched as amendment after amendment was raised and debated and voted on. And since in those days there was no camera or e-mail, the member of the Senate team who was responsible for it would run down from the staff gallery, intercept their Senator, and tell them what the issue was, what was said about it, what the folks back home thought about it, what the set of

motions was that had been dealt with on it, and so it was a legislature at work. And rarely, rarely, did the thought that anything would not be decided by 51 pass the minds of Senators. Again, that objection for 51 was reserved for very special, very rare occasions. It might happen once or twice in your career.

I do feel that the conversation we have before us is so important that I thought I would put up this chart. As my colleague can see, this just dramatizes it. It is a picture of Lyndon B. Johnson showing his one filibuster in 6 years, one time that he needed to get a cloture motion to try to shut down debate; otherwise, there was a courtesy that people said what they had to say and then stood aside and took votes. And here we have HARRY REID in his 6 years—it says “387 and counting.” It hit 391 before we completed his sixth year. So there is an enormous difference.

The work we are engaged in right now of trying to find a way to have every voice heard and then to be able to proceed to be accountable and transparent before the public is so important.

As the Senator and I have engaged in this conversation, sometimes we have heard criticism from across the aisle saying: You are trying to silence the voice of the minority. Does the Senator see anything in the proposals that we have been advocating that in any way silences the voice of the minority?

Mr. UDALL of New Mexico. In looking at this, I do not see anything in the proposals, and I think we, in working on this together, tried to bring a discipline to it that said we want to preserve the best traditions of the Senate, we want the minority to be heard, we want the minority to have amendments, and we want them included in the process. What we don't want is the tyranny of the minority. And the Founders talked about the tyranny of the minority. They talked about the fact that if you allowed a small minority to govern and block the governing of the majority, that was the tyranny of the minority, and they feared that.

So I think that when we consider this and we talk about the filibuster and our institution today, our Senate, where many times the Republican leader has come to the floor and said that it is going to take 60 votes, everything takes 60 votes, that isn't the way the Founders designed it. The Founders actually had very strong language for what they thought of supermajorities.

Everybody remembers their history. The Founders came off the Articles of Confederation. It was a supermajority. It didn't work. It was broken. So they only put into the Constitution in five places supermajorities—things such as expelling a Member and ratifying a treaty—but otherwise it was simple majorities. And when the history is

going to be written, it is hard to tell how this happened. But to have a leader of the Senate stand and say that everything takes 60 votes—the Founders never contemplated that. When they adopted rule XXII in 1917, that wasn't what they were trying to do, and the rule has actually been turned on its head.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Madam President, I would like to follow up on the last point Senator UDALL of New Mexico made about our Founders.

I have in my hand three of the Federalist Papers, Federalist Papers 22, 75, and 58. These are by Madison and Hamilton, and they explore this issue of the supermajority. It was a very conscious decision that a supermajority was not put into the Constitution for decisions of these Chambers. And the reason why—and they explained it more eloquently—is essentially that if you take the path that the minority thinks is the right path rather than the path the majority thinks is the right path, then over time you make a series of worse decisions. The minority might be right on occasion, but most of the time the viewpoint brought by those representing the greatest number of States in this case or the greatest number of citizens on the House side is the path that makes sense. And they warned about the supermajority as an instrument that would bring paralysis. It is almost as if they could look forward 200 years to this moment and say: Don't do that because you will end up with paralysis.

This is from Federalist Paper No. 22 by Alexander Hamilton. He wrote this in 1787, and he notes in commenting about the issue of a simple majority that “there is commonly a necessity for action. The public business must, in some way or other, go forward. If a pertinacious minority can control the opinion of a majority, respecting the best mode of conducting it, the majority, in order that something may be done, must conform to the views of the minority; and thus the sense of the smaller number will overrule that of the greater, and give a tone to the national proceedings. Hence, tedious delays; continual negotiation and intrigue; contemptible compromises of the public good.”

Let me read that last set of words about what Hamilton said would happen if you had a supermajority requirement in the Senate: “tedious delays; continual negotiation and intrigue; contemptible compromises of the public good.” I think anyone watching the proceedings of the Senate for the last 2 years would say that Hamilton was right on the mark in that regard. And, of course, he was not alone. There was not a single Federalist Paper written arguing that there should be a super-

majority in the Senate or the House because of the experience that had been had previous to forming the strategy embodied in the Constitution.

Let's turn to James Madison. In Federalist 58, James Madison said:

It has been said that more than a majority ought to have been required for a quorum . . .

He goes on to discuss it in various views, and he said:

Lastly, it would facilitate and foster the baneful practice of secessions; a practice which has shown itself even in States where a majority only is required; a practice subversive—

And here is the key language—

a practice subversive of all the principles of order and regular government; a practice which leads more directly to public convulsions, and the ruin of popular governments, than any other which has yet been displayed among us.

He also made the point that we would end up with equitable sacrifices to the general weal—or general good.

So as we turn to our conversations in our respective caucuses and to the dialog here on the floor of the Senate, I ask my colleagues to search your hearts about our responsibility to the citizens of the United States of America to address the big issues facing America, which means that we don't paralyze this body in secret. If my colleagues have points to make, then make them as was done during the periods of great debate on the floor of the Senate: Make them on the floor of the Senate, engage in that debate, and when no more is to be said, when all 100 Senators say: We have had our full input, then let's make a decision.

Madam President, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:38 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

The PRESIDING OFFICER. The Senator from Illinois is recognized.

EXTENSION OF MORNING BUSINESS

Mr. DURBIN. Madam President, I ask unanimous consent the period for morning business be extended until 4 p.m. today and that all provisions under the previous order remain in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORAN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEBT CEILING

Mr. MORAN. Madam President, let me take a moment to welcome you to the Senate. I look forward to working with you and welcome you, coming from the House of Representatives to the Senate.

Over the Christmas holidays most of our Nation was focused on what Congress would do to avoid the so-called fiscal cliff. What was largely missing from that conversation was how to address the much greater and more damaging problem, our growing national debt.

I am not exactly sure what the definition of fiscal cliff was. I think it had different meanings to different people. We dealt with a portion of the fiscal cliff, a slight delay in sequestration, and the consequences of the so-called Bush tax cuts expiring on December 31, but the serious problem is our national debt. Last year's budget shortfall reached \$1.1 trillion; the fourth straight year of trillion-dollar deficit spending.

This out-of-control government spending has increased our national debt to a record \$16 trillion, which is more than the entire U.S. economy produced in goods and services for the entire year of 2012.

Last week Secretary Geithner let Congress know it will reach its borrowing limit as soon as mid-February. President Obama will request that Congress raise the debt ceiling once again. This is the fifth time that President Obama has requested the debt limit be raised to allow the Federal Government to borrow and spend more money.

What is the point of even having a debt limit if Congress simply extends the Treasury's borrowing capacity each time the limit is reached? While some may say it is irresponsible not to raise the debt limit, our Nation finds itself at a point of such indebtedness that it is equally as irresponsible to extend the debt ceiling without significant reductions in Federal spending.

I voted against an increase to the debt limit 2 years ago and intend to vote against another increase unless we substantially change the way government does business by reducing Federal spending.

In addition to it being alleged that it is irresponsible not to raise the debt ceiling, sometimes it is suggested it is not compassionate to not spend money. Where is the compassion in spending money we don't have that is being borrowed and will have to be repaid by future generations of Americans—our kids and grandkids?

Our country is facing enormous fiscal challenges that, if left unchecked, will have a disastrous impact on the future of our Nation. The simple truth is that

government is spending more than it is taking in, and this pattern must not, and in fact cannot, continue.

During the last 2 years alone the government has spent more than \$7.3 trillion and increased the Nation's debt by more than \$3.2 trillion. We didn't get into this situation overnight. It has been years in the making. Our staggering national debt and deficits are the responsibility of many Congresses and Presidents from both political parties who have allowed us to live well beyond our means for far too long. Americans deserve leadership in Washington to confront these fiscal challenges and fight for the future of our Nation. However, to date, our President and our Congress—this Congress—has failed to provide that leadership.

We learned from the New Year's Eve fiscal cliff negotiations that our work to tackle our debt must begin now. It cannot wait until the eleventh hour when the deadline is near and the consequences are preventable. We have all heard the saying that the definition of insanity is doing the same thing over and over but expecting different results. Why should we expect our fiscal situation to change if we keep doing the same thing: raising the debt limit so we can borrow more money and spend more money?

We know what needs to be done. It will just take the political courage to do it. Rather than wait for another last-minute deal that gets rushed through with little input from the American people, it is time we have an open and honest debate.

I think Americans are ready for leadership that involves tough decisions. The President must come to the table with Congress and put courage and common sense before politics, and that means getting serious about our government's finances.

One of the best ways to rein in spending is to set a budget and live by it. No country, business, or family can operate responsibly without a budget. Crafting a budget is one of the basic responsibilities of Congress, but this Senate has not passed a budget in more than 1,300 days.

When a Kansas family meets the max on their credit card, they don't just call the credit card company and ask them to raise their credit limit so they can keep on spending. No. They cut back on spending and change their budget. Washington needs to do the same.

I hope the stories the Senate is going to address a budget are true, and I hope that means the Budget Committee will meet and—in regular order—deal with a budget. I am a member of the Senate Appropriations Committee. I hope we have the opportunity to do appropriations bills which matter and follow that budget.

We must take serious action to address this fiscal cliff—the real one—of

\$48 trillion in unfunded obligations. These programs, which represent promises made by the Federal Government to Americans, must be kept. It is not about undoing Social Security or Medicare or Medicaid, it is about making certain they are available, fiscally sound, and that another generation of Americans can receive the benefits.

Another solution, besides the budget, in getting our spending back under control is to consider and adopt many of the bipartisan recommendations put forth by the President's own Deficit Reduction Commission. The co-chairs of that Commission have warned that if we fail to take swift and serious action, the United States faces the most predictable economic crisis in history. Yet the President and Senate leadership has ignored these recommendations and continues to spend borrowed money without regard for the consequences.

The President's solution is to raise revenues to balance the budget, but those tax increases—if he got all he asked for—would only cover our spending for a few weeks. The budget the President proposed during the 4 years he has been President raises taxes. Every budget that the President has proposed in the 4 years he has been in office has raised taxes. One would think maybe that means the deficit is going down. But, unfortunately, the budgets proposed by President Obama would raise taxes, raise spending, and increase debt. To me, that suggests increasing taxes is never the solution that results in less spending and less deficits but just increased taxes and more spending.

History shows us that every time money is raised in Washington, DC, more money is spent by Washington, DC. The revenues we need to balance our books are not increases in taxes but revenues coming from a strong and growing economy. To turn our economy around and put people back to work, Congress and the administration should be implementing policies that encourage job creation; rein in burdensome government regulations; replace our convoluted Tax Code with one that is fair, simple, and certain; open foreign markets to American-manufactured goods and agricultural products; and develop a comprehensive energy policy. We are not immune from the laws of economics which face every Nation.

The Congressional Budget Office estimates that government spending on health care, entitlements, Social Security, and interest on the national debt will consume 100 percent of the total revenues generated by the Federal Government by the year 2025. That means the money the government spends on national defense, transportation, veterans' health care, and other government programs will have to be borrowed and will drive us even further into debt.

The CBO issued a report last June which warned that unless we work to reduce our debt, we will face the increased probability of a sudden fiscal crisis that would cause investors to lose confidence in the government's ability to manage its budget, and the government would thereby lose its ability to borrow at these affordable rates.

I do not want to experience the day when our creditors decide we are no longer creditworthy and America has to suffer the same consequences as the countries that have ignored their debt crisis. We need to look no further than the current situation of many countries in Europe to see what high levels of national debt will do to a country's economic health.

Last week one of the major credit rating agencies, Fitch, warned that America risks losing its AAA credit rating if Congress and the President fail to agree to a "credible medium-term deficit reduction plan." Fitch's warning is yet another reason we need to work together to put our country on a sustainable path for the future. We need to heed this warning and take steps now to prevent another credit downgrade.

The American people expect the President and Members of Congress to confront our Nation's challenges and not push them off to some future date. They also want their concerns and voices heard. The last-minute deals, the negotiations by a handful of people are very disturbing to me and to many Americans.

Today I am pleased to share a new opportunity which gives Kansans a voice in the debate on how to reduce spending through a new Web site called Fight for our Future. Kansans can access that site from my home page and learn more about the government's true fiscal condition. Not only can they share their thoughts on why we should cut spending, but they can also vote for a debt reduction proposal they think will be most effective. They will be able to add their name to a message that will be sent to the President and congressional leaders to urge us to put politics aside and work to save our country's future.

The debate over government spending is often seen as one that is philosophical or simply partisan bickering. All my life I heard Republicans and Democrats argue about spending, deficits, and taxes. They think that is what goes on in Washington, DC. This time it is different. Our failure to act will have dramatic consequences to the daily lives of Americans. This is about whether an American can find a job, afford to make payments on their homes and cars, and whether their kids will have a bright future.

The debt limit crisis we are facing now did not have to be a crisis. We knew the day would come when we

would have to deal with the consequences of living beyond our means. Let's work together to solve this tremendous challenge.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. INHOFE. Mr. President, I ask unanimous consent that the period for morning business be extended until 5 p.m. today, and that all provisions of the previous order remain in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. INHOFE. Mr. President, yesterday President Obama made a beautiful speech. I think everyone agrees that he is a very persuasive speaker. Although I didn't agree with anything he said, it was said beautifully.

I want to read one part of his speech because I don't want to get it wrong. He said:

We will respond to the threat of climate change, knowing that the failure to do so would betray our children and future generations . . . The path towards sustainable energy sources will be long and sometimes difficult. But America cannot resist this transition. We must lead it. We cannot cede to other nations the technology that will power new jobs and new industries. We must claim its promise. That's how we will maintain our economic vitality and our national treasure.

That is a direct quote which came out of the President's speech, and it has a lot of little subliminal things in there that people did not pick up on, but I did.

One is—and they talked about that—we must show the leadership. That is because of all the things they try to do to damage the economy, to destroy the economy, in terms of the cap-and-trade agenda. And all of that are things that other countries are just waiting for us to do. It is not that we are going to provide the leadership, and all of a sudden China is going to say: Hey, they are doing it, so maybe we ought to do it. China, instead, is sitting back hoping that will happen in this country, so they can have all the jobs that are chased away from our manufacturing base.

There are a few sentences the President dedicated to global warming, and the rest of his speech could be labeled

as a liberal laundry list. And I think everyone was expecting that.

I was not surprised that the President decided to do this. All during the campaign and during the weeks since the election, the President's extreme environmental base has been very vocal with their frustrations.

A lot of them go back and say: At one time, Mr. President, you had the White House and you had the House and you had the Senate, and yet you did not even try to get this stuff done. They are talking about, of course, the cap-and-trade system. In fact, there is one good reason he did not get it done, and that is because the votes just are not there.

They want the President to immediately regulate hydraulic fracturing, officially reject the permit for the Keystone pipeline, advance the regulatory powers of the EPA to cut CO₂ emissions, use all of his political capital to push a legislative fix to climate change, and to kill America's oil and gas industry.

That is what was expected of him. And now, since he does not have to run for reelection, you are going to get a lot more than you did before. So that should make them happy. But it is a lot more rhetoric and not a lot more action.

Studies done during the most recent debate—and that would have been the Waxman-Markey bill; that was the cap-and-trade bill just a couple years ago that they had; I think that might have been the last one we had—the estimates—this is interesting—going all the way back to the Kyoto treaty, they said, the cost, if you try to do cap and trade, is going to be between \$300 billion and \$400 billion a year. Well, that is between \$300 billion and \$400 billion a year.

I do something in my State of Oklahoma, and I suggest that the Presiding Officer may do this in his State of West Virginia. Every year I get the figures on how many families there are in my State of Oklahoma who file a Federal tax return and actually pay Federal taxes. Then I do the math. The way it works out, if you are talking about \$400 billion a year—and I have not had one person argue with that figure that I have been using for over 10 years now—but if you do the math, that means for each person in my State of Oklahoma, it would cost them about \$3,000 a year to do it. The interesting part of this is, you do not really accomplish anything by doing it.

This same agenda at the EPA, under authority he is claiming is under the Clean Water Act, has to be something we are going to talk about. And I do not have any hesitation in doing that.

Bills such as the Waxman-Markey bill—and I believe Senator BOXER and several others have had bills—the cost of that being of some \$400 billion a year, would affect industries and

emitters of CO₂ that emit 25,000 tons of CO₂ or more a year—25,000 tons. That would truly be just the big emitters. However, the effort of this administration—since they cannot get it passed through legislation—is to do it through regulation under the Clean Air Act.

The Clean Air Act is specific. And the Clean Air Act goes after anyone who emits at least 250 tons of CO₂. So stop and think about that because it is very difficult to try to evaluate it and determine just how much it would cost. The regulations they have would force these facilities to receive—anyone who is regulated under this—EPA construction permits, rehabilitation permits, monitoring devices, and install unnecessary and costly technology to reduce CO₂ emissions without any corresponding benefits. This would give the EPA a hand in everything.

The cost of this is so great that it cannot be calculated. Stop and think about this. If the Waxman-Markey bill—or any of the other pieces of legislation that were called cap-and-trade regulations—were passed, that would regulate only those 25,000 tons or more of emissions. However, the Clean Air Act is 250 tons. So 25,000 tons would be \$400 billion a year. How much would it be for just 250 tons? That means every university, every school, every hospital would be subject to the regulation. That is something they have been attempting to do for a long time.

I have to say, there are a lot of appointees of President Obama whom I do not like at all. One I do like—and I am sorry she is not staying—is Lisa Jackson. Lisa Jackson was the Director appointed by President Obama to be the Director of the Environmental Protection Agency. I found one thing really curious about her. While she is very liberal philosophically, she does not lie. That is all I can really ask of people.

I can remember in this case, when they finally gave up—this is just 2 years go. They finally gave up and said: We are not going to be able to pass any kind of a bill for cap and trade, but we are going to go to Copenhagen and tell them we are going to do it another way. If we cannot get a bill passed, we will do it through regulation.

To do it through regulation instead of legislation—this is kind of in the weeds—you have to have an endangerment finding. That is what the law says. So Lisa Jackson was before our committee, and I asked her a question. I said: Madam Administrator, tomorrow I am going to leave for Copenhagen to be the one-man truth squad—because everybody has been over there lying to these other countries saying we are going to pass something over here—and I have a feeling that once I leave town, you are going to have an endangerment finding and do this through regulation. I could see her kind of smiling. I said: When you

do that, the regulation that you have is going to have to be based on science. That is what the law says. What science are you going to use? Her answer was: Well, we will use mostly the United Nations IPCC.

A lot of people do not realize—I wrote a whole book about this—this thing all started way back 12 years ago, and it was a thing by the United Nations. They formed the IPCC, the Intergovernmental Panel on Climate Change. They are the ones who came up with all this stuff. So she said it is going to be on the IPCC.

Well, poetic justice. It could not have been done better if we had planned it, because it was not weeks after that, it was days after that, that what happened? Climategate. All of a sudden, they realized, through some leaked information, that the IPCC had been lying all those years.

I will mention a couple things.

The UK Telegraph said it is the “worst scientific scandal of our generation.”

Clive Crook of the Financial Times said: “The stink of intellectual corruption is overpowering.”

IPCC prominent physicist resigns because “Climategate was a fraud on a scale I have never seen.”

Further, another U.N. scientist bails. U.N. IPCC coordinating author Dr. Phillip Lloyd calls out IPCC “fraud.” “The result is not scientific.”

And the list goes on and on. Just stop and think about it. The UK Telegraph—one of the biggest publications in the UK—saying it is the “worst scientific scandal of our generation.”

So we now know that was the science they were going to use. I will always be appreciative of Director Jackson for being totally honest in her response.

But we can guess that would be devastating and cripple the Nation and bankrupt our economy. We know what would happen. The contrast here is stark. On one hand, you have the President saying he wants to control carbon for the sake of protecting our economy and, on the other hand, you have the President's EPA embarking on a regulatory crusade that potentially would be devastating to our economy and America.

The President and the EPA have been working for 4 years to build a case to justify the need for Federal regulation of hydraulic fracturing. A minute ago I listed all the things that were in his speech that I think would be devastating to the economy. One is hydraulic fracturing. I will bet you, 5 years ago, if you said hydraulic fracturing, people's eyes would glass over and they would not know what you were talking about. They all know now because hydraulic fracturing is a process that is used to get oil and gas out of tight formations. I know quite a bit about it because it all started in 1949 in my State of Oklahoma.

In 1949, in Duncan, OK, we discovered that you could unlock these reserves using hydraulic fracturing. So it is something that has been used that way for over a million—a million—applications, and the States have been regulating it and doing so quite well. Everyone is satisfied with the way it has been regulated.

There has never been a case—getting back to Lisa Jackson, I asked her a question in one of our committee hearings—and it was live with TV covering it—I said: Can you tell me and can you identify one case in a million—a million applications of hydraulic fracturing—one case where there has been groundwater contamination? She said she could not. So there has never been a confirmed, documented case of groundwater contamination because of hydraulic fracturing.

Because of these facts, the only reason for EPA regulation of hydraulic fracturing is to significantly limit, if not ban, its use. It would kill the domestic oil and gas industry, which I believe, more often than not, that is exactly what they want.

Well, in closing, the President's remarks yesterday were not surprising to me. But it did confirm the fact that this President is not interested in pursuing an agenda that would help the growing segments of the economy, such as the oil and gas industry.

People talk about our reliance upon the Middle East and people who could become our enemies for oil and gas. All we have to do is produce our own, get the political obstacles out of the way, so we can be totally independent.

I wish to mention two things President Obama has said. One, he says that oil and gas production during his administration—his 4 years—has boomed. This is true, but not in the public sector. It has done so because of hydraulic fracturing, horizontal drilling, and all these technologies that have been very successful and have worked. He has made the statement over and again that: Well, it would not do any good if we opened public lands for production because it would take 10 years before that would affect the supply and the cost of oil and gas.

Well, there is a guy whose name is Harold Hamm. Harold Hamm is arguably the most successful independent oil man in America today. He is from Enid, OK. I called him because I was going to be on a very liberal TV show and knew they were going to ask this question. I called him so I could document an answer. The statement they were going to make was: Well, President Obama has said it would take 10 years for that, for oil to reach the pumps if you opened public lands. How long do you think it would take?

So I called Harold Hamm. I said: Harold, you have to be accurate in responding to this question because I am going to use it on national TV tonight,

and I am going to use your name. So I said: If you were to set up your rig in New Mexico and start drilling—you say: Go right now—how long would it take for the first barrel you brought up to reach the pumps? Without hesitating, he said 70 days—not 10 years, 70 days. Then he went on and told me what would happen each day, how long it would take to go through the refining process and reach the pumps.

So that is just one of the things that has been said over and over to make people believe it is true.

Let me mention a couple of things in winding this down.

Richard Lindzen is from MIT. Richard Lindzen is probably the foremost authority. No one has really questioned him in the past. His statement was: Regulating CO₂ is a bureaucrat's dream. If you regulate CO₂, you regulate life.

That is exactly what it would be. Everyone would fall into that regulation.

Getting back to why—I do not want people to sit around and worry about it—you are going to hear a lot of talk and the President is going to do all he can under regulations to try to do cap and trade. We found out—it took extensive research—that the President, in his first 4 years, has actually spent \$68.4 billion on cap and trade, and that was not authorized.

So he can do a lot of it through regulation, but it is not going to pass. The reason it is not going to pass is, as we have stated, the cost would be extensive. And what would be accomplished—again, going back to when I asked a question of the Administrator of the EPA, Lisa Jackson, in another hearing—I said, if we were to pass any of the regulations, any of the legislation, the Waxman-Markey legislation or any of the rest of them, would this reduce CO₂ emissions worldwide? She said: No, it would not. She said: Because the problem is not here in the United States. The problem is in China, in India, in Mexico, and other places.

So you can carry that argument even further. If we were to do this in just the United States, if you were one of those who really believes that CO₂ emissions are causing all these problems—which I do not agree with—but if you really believe that, it still would not reduce them. It would actually have the effect of increasing them because as we chase away our manufacturing base—because we cannot generate the electricity to sustain it—where do they go? They go to countries such as China and India and Mexico and other countries where they have little or no emissions regulations.

So with that, while it sounded real good yesterday in his speech, and I do have a great deal of respect for the President and his persuasive abilities, I want people to realize, those who are out there recognizing that we can become independent in our energy devel-

opment in this country, that they are not going to be able to pass cap-and-trade any more now than they have failed to do so in the last 10 years.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. WARREN). Without objection, it is so ordered.

HURRICANE SANDY

Ms. LANDRIEU. Madam President, I came to the floor this afternoon to speak briefly about Hurricane Sandy and what the Senate and the House could and should be doing to help the survivors of this catastrophic disaster that occurred now over 3 months ago on the northeast coast. We from Louisiana are very familiar, unfortunately, with disasters. We have had quite a number over the past several years. Unfortunately, I have become an expert on disasters. I don't want to be, but I am becoming one as chair of the Homeland Security and Governmental Affairs Committee and as a leader from Louisiana. All of us, whether we are school board members, city council members, mayors, parish officials or Governors from Louisiana, are becoming experts on disasters because we are having a lot of them.

So I came to the floor to say just a few things this afternoon about Hurricane Sandy. First, I wish to begin by saying the people of the Northeast—and they don't need me to tell them this—have a wonderfully strong delegation in the Senate, Senators SCHUMER, GILLIBRAND, MENENDEZ, and LAUTENBERG. Of course, in Maryland—though we don't hear much about Maryland, there were one or two small counties that were terribly affected in Maryland—and Senator CARDIN and Senator MIKULSKI have been, day in and day out, working with me and with many others, of course, trying to fashion a robust and smart response to the disaster on the East Coast.

We want it to be smart because the taxpayers don't want to waste money on things that don't work. Of course, the survivors want it to be smart because they need us to do our best work now. We can't be late and sloppy and bureaucratic. They have churches to rebuild and faith-based organizations to get back up and running. There are schools and libraries and, most importantly, of course, their homes and their businesses. So this is very important work.

It has been difficult because there are many different philosophies about how to tackle this. I have made my posi-

tions fairly clear on certain aspects such as offsets, et cetera. But today I wanted to come to the floor to just acknowledge the extraordinary work of the delegation—led in large measure by Senator SCHUMER—of Members who have been absolutely rolling up their sleeves at every meeting and trying to build bipartisan support, which we have to do in the Senate. The House can sometimes get away with sending things over here with only the Republicans voting for it and no Democrats, but over here we can't get anything done unless it is done with all of us together. It is just a different set of rules in the Senate, so we have had to work very hard.

Senators SCHUMER and GILLIBRAND and other Members worked very hard to get together the necessary votes to get that \$60 billion out of here a couple weeks ago. The House, of course, unfortunately, stripped away some provisions but, happily—happily—they left some of the best reforms we have been able to think of in the last 4 or 5 years in the bill, and that is what I wish to talk about today.

I am a big believer in sending aid to the people in America who need it. We send a lot of aid overseas, and we will sure send a lot of aid when we rebuild Afghanistan and Iraq, but I am a real big believer in sending aid to our own taxpayers when their homes are flooded or tornadoes have taken out their area or fires have raged out of control or major storms have hit their area. I am a big believer that when people pay taxes all their life—middle-class families as well as the poor and the working poor, as well as the wealthy, who pay a lot of taxes—they deserve their government to respond when they are at a very dark moment. That is what is happening on the east coast, and these constituents and citizens of ours could not get this help. They need it more quickly.

We are moving as fast as we can—not fast enough for this Senator, but hopefully we can get this vote and this bill to the President's desk. I know President Obama will be happy to sign this and is eager to sign it. I wish to also say thank you to President Obama for his strong support of a robust supplemental and to say how proud I am to have worked with his Cabinet, many of whom are involved in this recovery, and particularly the Secretary of HUD, who is probably one of the most able leaders. All the Cabinet members are very able, but the Secretary of HUD is particularly knowledgeable about rebuilding in a more coordinated fashion because he actually got to practice on us down in the gulf coast. We were kind of like the guinea pigs. Hopefully, we have worked out a lot of the problems and we can take all the best practices and lessons learned.

But Shaun Donovan will do a great job leading that effort on the east

coast, I have no doubt, with both a very strong Democratic Governor and a very strong Republican Governor—Governor Christie and Governor Cuomo in that area—along with Mayor Bloomberg and Mayor Cory Booker and so many other small-town officials involved in the recovery. They will have a great friend and a knowledgeable and reliable partner in Secretary of HUD Shaun Donovan.

But let me go into just a few things we were able to redesign, thinking that our citizens and our constituents want government to be leaner. They want government, most importantly, to be smarter and more efficient, and I could not agree more. We have tried, at least in the disaster recovery—when the response to Katrina and Rita was such a disaster itself—to reshape some of this and make it better and smarter. So we put some very effective and smartly designed programs into the Sandy supplemental.

I want to begin by thanking my friend and colleague from the State of Mississippi, Senator COCHRAN, who joined me in introducing the Disaster Recovery Act in 2011 that contained many of these reforms. Our States have endured the same series of disasters and bureaucratic roadblocks to recovery over the past eight years, and we are determined to prevent communities in the northeast from experiencing the same inefficiency and waste. His contributions to the Gulf Coast's recovery and the development of this legislation have been tremendous, and I am grateful for his partnership in this endeavor.

I also wish to thank my House colleagues, particularly Congressman SHUSTER, Congressman RAHALL, Congressman DENHAM, Delegate HOLMES-NORTON, Congressman MICA, who is the outgoing chair of the committee over there and was so instrumental in helping to fashion some of this, Congresswoman SLAUGHTER, Congresswoman LOWEY, Congressman ALEXANDER and Congressman RICHMOND. In particular, CEDRIC RICHMOND, who is from Louisiana and a dear friend, along with Congressman ALEXANDER, from my home State, were very instrumental in helping their colleagues—one is a Republican, one is a Democrat—kind of understand why it is important to have these reforms stay in the bill, and they were successful. I am very grateful to them for that.

One of the things from the several lists of things that were in this bill—and that I want to put into the RECORD—I will just go over and highlight briefly.

No. 1, in the Sandy supplemental, it will reauthorize two expired pilot programs from the post-Katrina Emergency Management Reform Act that allowed FEMA to repair rental units as a cost-effective temporary housing alternative to trailers and mobile homes

and to utilize expedited debris removal procedures.

This might not seem very interesting to people, unless you and your family are looking at living in an 8-by-16 or 8-by-24 trailer for the next 6 months. Then you are very interested. In the old days, when Katrina happened, all people were given were trailers and, in some instances, with formaldehyde in them, which made for a lovely and very healthy way to live for 6 months. We don't want to go over the nightmares of what happened after Katrina and Rita, but we decided we had to give our citizens some other options besides trailers. So if something would happen in Massachusetts, Madam President, your Governor and your local officials could come together and maybe be a little bit creative in thinking about some rental repairs, where maybe people could move into some of the blighted properties. That would also help with the blight. Instead of spending \$120,000 per trailer, maybe we could do a little investing in some blight reduction and, at the same time, giving people a temporary place to live. So that is smart. I think taxpayers appreciate it when we try to spend their money in a wiser, built-to-last kind of way. That is what the Sandy supplemental allows.

It also allows the State to draw down a portion of its hazard mitigation funds from FEMA in order to leverage mitigation opportunities earlier in the reconstruction process. In the old days, it would take 18 to 36 months for funding to become available, in some instances, to rebuild a school. That is too long. Can you imagine a community going 3 years without even getting their school started?

I realize sometimes it takes a long time to build things, but you don't want to wait 3 years before you start. So the way we do it now, without spending any more money, is just allowing the Federal Government to push out some of the front money to the locals so they can get started on mitigation projects much sooner. So that is a very smart reform that is included.

In addition, we also provide grants on the basis of reliable fixed estimates for rebuilding damaged infrastructure and facilities and expedited removal of storm debris. This approach will be faster, cheaper, and more effective. The Public assistance program as currently designed may be one of the most dysfunctional programs in the entire Federal Government and will not work for this disaster. Under the current approach, initial damage estimates are often incomplete. Projects must be reversioned multiple times. Decisions are often not made in writing. Frequent staff turnover leads to decision reversals. Hundreds of meetings result in incalculable administrative waste. And it can take years for even a small project to be completed. And let me just put this in English.

What this means is in the old days when Katrina hit—and people are not going to believe it when I say this, but it is true, and I will put this in the RECORD so people can go find it. But in the old days we would have to take measurements and pictures of a tree to determine how wide the branch was because if it was more than 3 inches you got reimbursed, and if it was less than that you didn't. We would have to go take pictures of trees where the debris came down to try to get the paperwork necessary for the reimbursement. Those days are hopefully over with.

We will now do kind of an estimate just like any normal, rational person would do. You know from past storms how much debris is usually there. You could sort of measure that. There are ways—not just subjective but objective, like geospatial modeling, without having to take pictures of limbs on trees and measure them individually—which is a complete waste of time and wholly irrational and, of course, survivors who are standing there without a house are wondering why government officials are going around taking pictures of shrubs. So we need to move past that. Hopefully, we will with some of this legislation.

No. 4 codifies temporary legislative measures that were enacted to facilitate smarter recovery, including third-party arbitration, eliminating penalties on alternate projects, and consolidating facilities into a single project. This was my most important thing, and I would like to take a minute to explain it to everyone.

A while after Katrina, which was a nightmare, I kept wondering why these project worksheets were never getting settled. We would send thousands of these worksheets to the Federal Government and say: This was our library. We estimate it will cost \$5 million to rebuild it.

The Federal Government would say: No, we think it is \$2.5 million. That is all we owe you.

So I said: I can understand there could be a disagreement. Who resolves it? No one. What do you mean, no one? No one. It just keeps going around and around, and we just keep sending paper back.

I said: Is there any timeline for the resolution? No. I said: Is there any third-party arbitrator? No. So we put in a third-party arbitrator so that if a project is disagreed to by the locals about what was there, what it looked like, how they should rebuild it, we now have a rational way to step in and get a decision, and it is nonnegotiable. You can't appeal it. But it is better than not having a decision. The local governments really support this, and I am happy we could get that done.

In addition—this was one of my favorites—everyone would run around giving press conferences about how we were going to build smarter and

stronger and better, et cetera. Except when we looked into the law and actually read the law, it was illegal. If you tried to move a police station like 10 feet to get it out of the way of the river, or the land had sunk and you wanted to move it to higher ground, you would actually be penalized 25 percent because it became an alternate project since it wasn't exactly the same. So I said: We don't want to build the exact same thing. That was the problem to begin with. Some of our buildings were in places they shouldn't have been. Some of our buildings were built with materials we should never have used. So why are we having to rebuild the same old thing?

Well, that was because that was what the law said. I said: Well, the law needs to be changed, and we are changing it.

So I hope people, while they fuss at government—and I know we have a lot to do to get things straight—know a lot of thought has gone into some of these reforms, and they are based on real-life experiences on what communities have gone through. Hopefully, the Northeast will benefit from this as we go forward.

Let me just put a few more things in the RECORD. No. 5 allows families to use FEMA individual assistance for childcare expenses.

Here is another thing we found. We do depend on individual citizens to rebuild their communities. Trust me. The Federal Government may send a lot of money, but they didn't gut houses. Do you know who gutted houses? The churches helped, the volunteers helped, and seniors. Many veterans who had fought the war in the "greatest generation," they, at 80 years old, put on gloves and overalls and gutted their own houses.

I mean take your house down to the studs. It is a hard thing to do. Not only is it physically hard, it is emotionally devastating. The Federal Government did not come in and gut people's houses. We had to gut our houses by ourselves.

After we sorted our debris by EPA requirements and dragged it out to the sidewalk and made sure it didn't touch a part of the lawn—because if it did, they couldn't pick it up because they can't go on private property to pick up debris. It is a nightmare. But this is going to be alleviated because parents and grandparents need to get back to gut their homes. They have to have a place for their kids to go that is safe. You can't have children running around in dangerous places. So people aren't thinking about this in a recovery, but schools have to be up and running, and you really should be able to use some of this money for daycare so the parents can work. Some of them quit their jobs to rebuild their homes. They lived off their savings and they went back to work. It is a tough situation.

But I am happy, and I want to thank Mark Shriver, Save the Children, and the National Commission on Children and Disasters who led this initiative trying to help us focus on the storms of the future, what we could do better to help children to make sure their needs are cared for. We think about adults, but, of course, most of these families have kids, sometimes young children. So we have done a little bit. I wish we could have done more, but we negotiated the best we could, and at least we got the childcare provision in.

It reduces bureaucratic waste by eliminating duplicative agency reviews for the same project and the same set of laws governing environmental, historic preservation, and benefit-cost requirements. It also helps the environment by incentivizing recycling of debris. So if we can find a way to recycle it, then people get paid a little bit more as opposed to just throwing it in the landfills. We think that will be a good opportunity to try to promote some good technologies for recycling. And—this is very important—it also corrects a gap in current law that prohibited tribal governments from requesting Federal assistance. They were completely prohibited under the former law. Really, as a matter of fair policy and the Federal law, tribes should be able to request some assistance as well, and that was corrected in this piece of legislation.

It also, finally, eliminates a perverse incentive in the law to use high-priced contract labor for emergency work instead of local government employees, such as firefighters and police officers, which should save the Federal Government millions of dollars.

In closing, I want to thank all of the different organizations that helped to pass this: the U.S. Conference of Mayors, the National League of Cities, the National Association of County Organizations, International Association of Emergency Managers, International Association of Firefighters, International Association of Fire Chiefs, and the Association of State Floodplain Managers.

This is not a subject that is always fun to talk about because when you are talking about it, it is a lot of suffering that is going on, whether it is Joplin, MO, or Gulfport, MS, or New Orleans, LA, or New York, NY, or the boardwalk in New Jersey. And many of those not-so-small beach communities are very highly populated. There is a lot of suffering. But it is important for us to try, when we can, when we see that the response is not what it should be, to take the time to push out some reforms, to fix what we can fix so that the \$60 billion that I hope we will send to them can be used smartly, quickly, and efficiently.

I am living proof of a Senator who has had to literally help lead the rebuilding of the gulf coast, along with

my friends from Texas, Mississippi, Alabama, and Florida. My hometown is New Orleans. My brother is now the mayor, and he is rebuilding that city every day. Eighty percent of the residential communities on the east bank were destroyed completely. That would be like 80 percent of the District of Columbia but not Anacostia, but 80 percent—which would be the whole other side of DC on this side of the river—being uninhabitable. It is hard for people to get their head around that scale. I think Massachusetts has experienced some of these storms. But the scale and scope of the loss is just hard to get your head around. Even though it is not on the 5 o'clock news or the 6 o'clock news or 10 o'clock news or now 24-hour news, it is still happening. So this money and these reforms are important.

So I hope the Senate will act quickly this week. We may have to take up a few amendments from the minority. We have already had the debate about offsets, and we have decided that in the middle of the battle we don't have to argue about who is going to pay for the bullets. We need to go ahead and send the money, and we will figure out how to pay for it later. We are going to pay for it. It is not a question of whether it is going to be repaid. It will be paid for. We should not be arguing about that while the water is rising or while people are gutting their homes or worshipping in tents along the beach. They need their churches back, they need their communities back, and we need to send them money and the smarter tools to help them with the recovery.

So I again thank so many colleagues for helping with this, particularly Senator Lieberman and Senator COLLINS, who led a lot of these efforts through their leadership of the Homeland Security Committee and spent a significant amount of time along with their staff reviewing and helping to improve this legislation, as well as my colleagues on the Appropriations Committee on Homeland Security.

EXTENSIONS OF MORNING BUSINESS

Ms. LANDRIEU. Madam President, I ask unanimous consent the period of morning business be extended until 6 p.m. today, and that all provisions of the previous order remain in effect.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. LANDRIEU. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DONNELLY). Without objection, it is so ordered.

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING DANIEL K. INOUE

Mr. LAUTENBERG. Mr. President, I deeply miss my friend Danny Inouye.

Danny Inouye's passing leaves a huge void in the Senate and for me personally, as I have lost a dear friend, and now being the sole U.S. Senator to have served in World War II is a lonesome post—especially after losing the presence of a Medal of Honor winner.

Danny was not only a great Senator for his constituents, but also the most popular among his Senate colleagues. He exemplified what it means to serve and represented the very best qualities of our country. Whether in the Army or as Hawaii's representative in Washington since the State's birth, he worked tirelessly to do right by every Hawaiian and every American.

Danny volunteered to serve in the Army's 442nd Regimental Combat Team, which was almost entirely made up of Nisei, or people of Japanese descent born in the United States. Although its members faced discrimination at home and many of their families were in internment camps, the 442nd is widely acknowledged as the most decorated infantry unit in the history of the U.S. Army. All of us who served admired the courage and heroism Danny displayed on the battlefield especially in San Terenzo, Italy when 4 days before the war's end, he lost his arm in battle, earning a Purple Heart.

When Danny first joined the Senate in 1962, World War II veterans were common in our chamber and, over the past five decades, the Senators who served in World War II have shared a bond that overcame partisan politics. But I am now the last of that group and I will continue to look to Danny's example to bring colleagues together to do what is right for all Americans.

Danny and I partnered together time and time again on the Appropriations Committee to write legislation that has made America safer and healthier for our families. I will always be especially thankful for his help in crafting relief bills for New Jersey in our times of need after Hurricane Irene and Superstorm Sandy. In fact, his last piece of legislation in the Senate was one to provide relief to those affected by Sandy.

But perhaps Danny's defining quality was this—in a time and profession that increasingly rewards grandstanding and grasping for the spotlight, Danny served with intelligence, grace and humility. And while he was always a

humble and quiet leader, when Danny spoke other Senators listened closely and took his words to heart. His voice never wavered when it came to advocating for an America that leaves no one behind.

He was a giant in the Senate, and we will never forget the legacy he leaves behind. As the last World War II veteran in the Senate, I promise to always do whatever I can to uphold his commitment to service and love of country.

Mr. CASEY. Mr. President, I am proud to join my colleagues in remembering our friend and colleague Senator Daniel Inouye. Dan Inouye dedicated his life to Hawaii and represented Hawaii from when it achieved statehood until his death.

Senator Inouye was respected and loved by members of both parties and both chambers. He was the last Senator to serve with both Everett Dirksen and Richard Russell. Senator Inouye learned early the importance of doing something for the good of the Nation and the good of the Senate, as well as the importance of personal relationships and trust among colleagues. For Dan Inouye, his word was his bond and that applied to Democrats and Republicans alike. He became the chairman of the Appropriations Committee, the Senate President Pro-Tempore, was the second longest serving Senator in history and served on special committees investigating the Watergate and Iran Contra scandals. At the time of his death, he had long become a Senate giant in his own right.

Long before reaching the Senate, Dan Inouye was an American hero. Enlisting in the Army after the bombing of Pearl Harbor, he served in Europe earning a Bronze Star, Purple Heart and Distinguished Service Cross for helping his fellow soldiers while suffering terrible injuries. Later in life, President Clinton would confer upon him the Medal of Honor.

His moral character and life experiences made Senator Inouye a leader on many of the pressing issues of the day from civil rights to veterans benefits and from health care to helping people with disabilities. Through his position on the Appropriations Committee, Senator Inouye was able to direct funding to important projects and research that helped bring about important advancements as well as simply help people.

Dan Inouye was also a strong supporter of Israel and the Jewish community. From his advocacy on behalf of Holocaust survivors, to his efforts to help free Jews from the former Soviet Union to his influential role in securing funding for Israel, Senator Inouye was a tireless friend and advocate. He was given the nickname "Trumpeldor" after a Zionist hero, Joseph Trumpeldor.

In closing, I am reminded of a quote used to eulogize Daniel Webster that

President Nixon used when eulogizing Everett Dirksen, "Our great men are the common property of the country." Senator Inouye was indeed a great man and our country is better off today for his commitment, his conscience and his years of dedicated service.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE
RECEIVED DURING RECESS

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2013, the Secretary of the Senate, on January 4, 2013, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bill:

H.R. 41. An act to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the National Flood Insurance Program.

Under the authority of the order of the Senate of January 3, 2013, the enrolled bill was subsequently signed on January 4, 2013 by the President pro tempore (Mr. LEAHY).

MESSAGE FROM THE HOUSE

At 10:03 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 152. An act making supplemental appropriations for the fiscal year ending September 30, 2013, to improve and streamline disaster assistance for Hurricane Sandy, and for other purposes.

H.R. 219. An act to improve and streamline disaster assistance for Hurricane Sandy, and for other purposes.

The message also announced that pursuant to Senate Concurrent Resolution 2, 113th Congress, and the order of the House of January 3, 2013, the Speaker appoints the following Members of the House of Representatives to the Joint Congressional Committee on Inaugural Ceremonies: Mr. BOEHNER of

Ohio, Mr. CANTOR of Virginia, and Ms. PELOSI of California.

The message further announced that pursuant to 22 U.S.C. 1928a, and the order of the House of January 3, 2013, the Speaker appoints the following member on the part of the House of Representatives to the United States Group of the NATO Parliamentary Assembly: Mr. TURNER of Ohio, Chairman.

The message also announced that pursuant to 22 U.S.C. 3003, and the order of the House of January 3, 2013, the Speaker appoints the following member on the part of the House of Representatives to the Commission on Security and Cooperation in Europe: Mr. SMITH of New Jersey, Co-Chairman.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 152. An act making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes.

S. 47. A bill to reauthorize the Violence Against Women Act of 1994.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fluroxypyr; Pesticide Tolerances" (FRL No. 9371-1) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Contracting Activity Updates" ((RIN0750-AH81) (DFARS Case 2012-D045)) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Armed Services.

EC-4. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Definition of Cost or Pricing Data" ((RIN0750-AH49) (DFARS Case 2011-D040)) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Armed Services.

EC-5. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Patrick J. O'Reilly, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-6. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of four (4) officers authorized to wear the insignia of the grade of major general and brigadier general,

as indicated, in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-7. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of three (3) officers authorized to wear the insignia of the grade of major general and brigadier general, as indicated, in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-8. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR part 67) (Docket No. FEMA-2012-0003)) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-9. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR part 65) (Docket No. FEMA-2012-0003)) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-10. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR part 67) (Docket No. FEMA-2012-0003)) received during recess of the Senate in the Office of the President of the Senate on January 7, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-11. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Rules of Practice and Procedure; Rules of Practice and Procedure in Adjudicatory Proceedings; Civil Money Penalty Inflation Adjustments" (RIN1557-AD61) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-12. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Lending Limits" (RIN1557-AD59) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-13. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Community Reinvestment Act Regulations" (RIN1557-AD60) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-14. A communication from the Acting Secretary of the Federal Trade Commission, transmitting, pursuant to law, a report relative to the steps that the Federal Trade Commission has taken over the previous years to ensure compliance by payment card network companies with section 1075 of Dodd-Frank regulations promulgated thereunder; to the Committee on Banking, Housing, and Urban Affairs.

EC-15. A communication from the Secretary of the Treasury, transmitting, pursu-

ant to law, a six-month periodic report on the continuation of the national emergency that was declared in Executive Order 13396 on February 7, 2006, with respect to Cote d'Ivoire; to the Committee on Banking, Housing, and Urban Affairs.

EC-16. A communication from the Assistant Secretary of the Department of the Treasury, transmitting, pursuant to law, a report entitled "2012 Annual Report to Congress on Human Capital Planning"; to the Committee on Banking, Housing, and Urban Affairs.

EC-17. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, a report entitled "Energy Conservation Program: Certification of Commercial and Industrial HVAC, Refrigeration and Water Heating Equipment" (RIN1904-AC90) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Energy and Natural Resources.

EC-18. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, a report entitled "Energy Conservation Program for Consumer Products: Test Procedures for Residential Furnaces and Boilers (Standby Mode and Off Mode)" (RIN1904-AC44) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Energy and Natural Resources.

EC-19. A communication from the Secretary of Energy, transmitting, pursuant to law, an annual report relative to the Strategic Petroleum Reserve for calendar year 2011; to the Committee on Energy and Natural Resources.

EC-20. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Colorado; Revisions to New Source Review Rules" (FRL No. 9762-5) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Environment and Public Works.

EC-21. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; New Hampshire; Redesignation of the Southern New Hampshire 1997 8-hour Ozone Nonattainment Area" (FRL No. 9768-7) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Environment and Public Works.

EC-22. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plans; State of Utah; Smoke Management Requirements for Mandatory Class I Areas under 40 CFR 51.309" (FRL No. 9636-6) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Environment and Public Works.

EC-23. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters" (FRL No. 9676-8) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Environment and Public Works.

EC-24. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Ambient Air Quality Standards for Particulate Matter" (FRL No. 9761-8) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Environment and Public Works.

EC-25. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Regulatory Guide 4.22: 'Decommissioning Planning During Operations'" (RIN3150-A155) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Environment and Public Works.

EC-26. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Treasury Inflation-Protected Securities Issued at a Premium; Bond Premium Carryforward" (RIN1545-BK45 and RIN1545-BL29) received in the Office of the President of the Senate on January 4, 2013; to the Committee on Finance.

EC-27. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Disclosure or Use of Information by Preparers of Returns" (RIN1545-BI85) received in the Office of the President of the Senate on January 4, 2013; to the Committee on Finance.

EC-28. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Employee Plans Compliance Resolution System" (Revenue Procedure 2013-12) received in the Office of the President of the Senate on January 4, 2013; to the Committee on Finance.

EC-29. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the semiannual report on the continued compliance of Azerbaijan, Kazakhstan, Moldova, the Russian Federation, Tajikistan, and Uzbekistan with the 1974 Trade Act's freedom of emigration provisions, as required under the Jackson-Vanik Amendment; to the Committee on Finance.

EC-30. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of a manufacturing license agreement pursuant to section 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12-120); to the Committee on Foreign Relations.

EC-31. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Con-

trol Act (Transmittal No. DDTC 12-164); to the Committee on Foreign Relations.

EC-32. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-155); to the Committee on Foreign Relations.

EC-33. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to sections 36(c) and 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12-153); to the Committee on Foreign Relations.

EC-34. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-174); to the Committee on Foreign Relations.

EC-35. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-142); to the Committee on Foreign Relations.

EC-36. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-159); to the Committee on Foreign Relations.

EC-37. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the International Labor Organization Recommendations concerning National Floors of Social Protection (No. 202), adopted by the 101st session of the International Labor Conference at Geneva; to the Committee on Foreign Relations.

EC-38. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to amendment to parts 120 and 126 of the International Traffic in Arms Regulations (ITAR); to the Committee on Foreign Relations.

EC-39. A communication from the Acting Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of an item not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC-40. A communication from the Director of the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Criteria and Procedures for Proposed Assessment of Civil Penalties; Inflation Adjustment" (RIN1219-AB81) received during recess of the Senate in the Office of the President of the Senate on January 7, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-41. A communication from the Secretary of Labor, transmitting, pursuant to law, the 2012 report (covering trade in calendar year 2011) relative to the impact of the Andean Trade Preference Act on U.S. trade and employment; to the Committee on Finance.

EC-42. A communication from the Administrator of the Substance Abuse and Mental Health Services Administration, Department of Health and Human Services, transmitting, pursuant to law, a report relative to the cer-

tification that the Department of Homeland Security has developed a plan for achieving a drug-free workplace; to the Committee on Health, Education, Labor, and Pensions.

EC-43. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary, Office of Intelligence and Analysis, Department of Homeland Security, received in the Office of the President of the Senate on January 2, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-44. A communication from the Deputy Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled "Statistical Programs of the United States Government: Fiscal Year 2013"; to the Committee on Homeland Security and Governmental Affairs.

EC-45. A communication from the Acting Chief Privacy and Civil Liberties Officer, Office of Privacy and Civil Liberties, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Exemption of Privacy Act System of Records of the Department of Justice, Federal Bureau of Investigation (FBI) 'FBI Data Warehouse System, (JUSTICE/FBI-022)'" (CPCLO Order No. 014-2021) received in the Office of the President of the Senate on January 3, 2013; to the Committee on the Judiciary.

EC-46. A communication from the Secretary, Judicial Conference of the United States, transmitting, pursuant to law, a report relative to the continuing need for bankruptcy judgeships; to the Committee on the Judiciary.

EC-47. A communication from the Chairman of the United States Commission on Civil Rights, transmitting, pursuant to law, a report relative to the United States Commission on Civil Rights renewing the charter of its federal advisory committees; to the Committee on the Judiciary.

EC-48. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Annual Report of the Office of Juvenile Justice and Delinquency Prevention for 2010; to the Committee on the Judiciary.

EC-49. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the annual report from the Attorney General to Congress relative to the Uniformed and Overseas Citizens Absentee Voting Act; to the Committee on Rules and Administration.

EC-50. A communication from the Deputy General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Copayments for Medications in 2013" (RIN2900-A058) received during recess of the Senate in the Office of the President of the Senate on January 8, 2013; to the Committee on Veterans' Affairs.

EC-51. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-486, "Pedestrian and Bicyclist Protection Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-52. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-487, "Driver Privacy Protection Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-53. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-489, "Comprehensive Impaired Driving and Alcohol Testing Program Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-54. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-490, "District Department of Transportation Accessible Vehicles Fund Temporary Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-55. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-491, "Classroom Animal for Educational Purposes Clarification Temporary Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-56. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-512, "District of Columbia Official Code Title 29 Technical and Harmonizing Amendments Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-57. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-513, "Technology Sector Enhancement Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-58. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-514, "District Department of Transportation Parking Meter Fund Establishment Temporary Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-59. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-515, "Reckless Driving Temporary Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-60. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-516, "Allen Chapel A.M.E. Senior Residential Rental Project Property Tax Exemption Clarification Temporary Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-61. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-517, "Extension of Time to Dispose of the Eastern Avenue Property Temporary Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-62. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-518, "Extension of Time to Dispose of the Strand Theater Temporary Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-63. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-519, "General Obligation Bonds and Bond Anticipation Notes for Fiscal Years 2013-2018 Authorization Temporary

Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-64. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-520, "Processing Sales Tax Clarifying Temporary Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-65. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-521, "Income Tax Withholding Statements Electronic Submission Temporary Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-66. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-522, "Clarification of Personal Property Tax Revenue Reporting Temporary Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-67. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-523, "Temporary Assistance for Needy Families Time Delay Temporary Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-68. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-524, "Metropolitan Washington Airports Authority Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-69. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-534, "Employee Transportation Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. REID (for himself, Mr. LEAHY, Mr. MENENDEZ, Mr. DURBIN, Mr. SCHUMER, Ms. HIRONO, Mr. SCHATZ, Mr. BROWN, Mrs. FEINSTEIN, Mr. COONS, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mrs. BOXER, Mr. LEVIN, and Mr. HEINRICH):

S. 1. A bill to reform America's broken immigration system; to the Committee on the Judiciary.

By Mr. REID (for himself, Mr. DURBIN, Mr. SCHUMER, Mr. MENENDEZ, Mr. SCHATZ, Mr. BROWN, Mr. COONS, Ms. HIRONO, Mrs. FEINSTEIN, Mr. LAUTENBERG, Mr. BLUMENTHAL, Mrs. BOXER, Mr. MURPHY, Ms. CANTWELL, Mr. LEVIN, and Mr. ROCKEFELLER):

S. 2. A bill to reduce violence and protect the citizens of the United States; to the Committee on the Judiciary.

By Mr. REID (for himself, Mr. HARKIN, Mr. DURBIN, Mrs. MURRAY, Ms. MIKULSKI, Mr. LEAHY, Mr. CARDIN, Mr. LAUTENBERG, Mr. COONS, Mrs. GILLIBRAND, Mr. BROWN, Ms. HIRONO, Mr. SCHATZ, Mr. SANDERS, Mr. MENENDEZ, Ms. CANTWELL, and Mr. LEVIN):

S. 3. A bill to improve education and provide all students in the United States with

the opportunity to succeed; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for himself, Mrs. BOXER, Mr. DURBIN, Mr. SCHUMER, Mr. WYDEN, Mr. LEVIN, Mr. BROWN, Mr. SCHATZ, Mr. HARKIN, Mrs. GILLIBRAND, Mr. LAUTENBERG, Ms. KLOBUCHAR, and Mr. COONS):

S. 4. A bill to create jobs and strengthen our economy by rebuilding our Nation's infrastructure; to the Committee on Commerce, Science, and Transportation.

By Mr. REID (for himself, Mr. DURBIN, Mr. SCHUMER, Ms. STABENOW, Mrs. GILLIBRAND, Mr. UDALL of New Mexico, Mrs. SHAHEEN, Mr. WARNER, Mr. SCHATZ, Mrs. FEINSTEIN, Mr. BROWN, Mr. TESTER, Mr. COONS, Mr. WHITEHOUSE, Mr. BAUCUS, Ms. HIRONO, Mr. BEGICH, Mr. SANDERS, Mr. CASEY, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mr. LAUTENBERG, Mrs. BOXER, Mr. LEVIN, Mr. ROCKEFELLER, and Mr. HEINRICH):

S. 5. A bill to reauthorize the Violence Against Women Act of 1994; to the Committee on the Judiciary.

By Mr. REID (for himself, Mr. SANDERS, Mr. DURBIN, Mr. SCHUMER, Mr. UDALL of New Mexico, Mr. BAUCUS, Mr. BROWN, Mr. SCHATZ, Mr. TESTER, Mr. MENENDEZ, Mr. WARNER, Mr. CARDIN, Ms. HIRONO, Mr. BEGICH, Mr. CASEY, Mrs. BOXER, Mr. NELSON, Mr. BLUMENTHAL, Mr. COONS, Mr. LEVIN, and Mr. HEINRICH):

S. 6. A bill to reauthorize the VOW to Hire Heroes Act of 2011, to provide assistance to small businesses owned by veterans, to improve enforcement of employment and reemployment rights of members of the uniformed services, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. REID (for himself, Mrs. BOXER, Mr. WYDEN, Mr. DURBIN, Mr. SCHUMER, Mrs. MURRAY, Mr. CARPER, Mr. LAUTENBERG, Mr. LEVIN, Mr. SANDERS, Mr. BROWN, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mr. CARDIN, Mr. MENENDEZ, Mr. SCHATZ, Mr. COONS, Mr. UDALL of Colorado, Mr. BLUMENTHAL, Ms. HIRONO, Ms. CANTWELL, and Mr. BEGICH):

S. 7. A bill to improve the resilience of the United States to extreme weather events and to prevent the worsening of extreme weather conditions; to the Committee on Commerce, Science, and Transportation.

By Mr. REID (for himself, Mr. DURBIN, Mr. SCHUMER, Mrs. GILLIBRAND, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. BROWN, Mr. SCHATZ, Mr. SANDERS, Mrs. BOXER, Mr. BLUMENTHAL, Mr. CARDIN, Mr. COONS, and Mr. LEVIN):

S. 8. A bill expressing the sense of the Senate on the need to enact legislation to eliminate wasteful tax loopholes; to the Committee on Finance.

By Mr. REID (for himself, Mr. LEAHY, Mr. SCHUMER, Mr. DURBIN, Mrs. MURRAY, Mrs. SHAHEEN, Mr. BROWN, Mrs. GILLIBRAND, Mr. COONS, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Mr. LAUTENBERG, Mr. SANDERS, Mrs. BOXER, Mr. SCHATZ, Mr. MENENDEZ, Mr. LEVIN, Mr. ROCKEFELLER, and Mr. HEINRICH):

S. 9. A bill to strengthen our Nation's electoral system by ensuring clean and fair elections; to the Committee on Rules and Administration.

By Mr. REID (for himself, Ms. STABENOW, Mr. DURBIN, Mr. SCHUMER, Mr. JOHNSON of South Dakota, Mr. LEAHY, Mr. BAUCUS, Mr. BENNET, Mr.

BROWN, Mr. TESTER, Mr. CASEY, Mr. HARKIN, Mr. SCHATZ, Ms. HEITKAMP, Ms. KLOBUCHAR, Mr. COONS, Mr. DONNELLY, Mr. LEVIN, and Mr. FRANKEN):

S. 10. A bill to reauthorize agricultural programs through 2018; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ROCKEFELLER (for himself, Mr. CARPER, Mrs. FEINSTEIN, Mr. LEVIN, Ms. MIKULSKI, Mr. WHITEHOUSE, and Mr. COONS):

S. 21. A bill to secure the United States against cyber attack, to improve communication and collaboration between the private sector and the Federal Government, to enhance American competitiveness and create jobs in the information technology industry, and to protect the identities and sensitive information of American citizens and businesses; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LAUTENBERG (for himself, Mr. REED, Mr. SCHUMER, Mr. CARPER, Mrs. FEINSTEIN, Mrs. BOXER, Mr. MENENDEZ, Mr. COONS, Mr. WHITEHOUSE, Mr. LEVIN, Mr. CARDIN, Mr. BLUMENTHAL, Mrs. GILLIBRAND, and Mr. WYDEN):

S. 22. A bill to establish background check procedures for gun shows; to the Committee on the Judiciary.

By Mr. LEVIN (for himself and Ms. STABENOW):

S. 23. A bill to designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PORTMAN:

S. 24. A bill to lower health premiums and increase choice for small businesses; to the Committee on Finance.

By Mr. HATCH (for himself and Mr. LEE):

S. 25. A bill to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HATCH (for himself and Mr. LEE):

S. 26. A bill to authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project; to the Committee on Energy and Natural Resources.

By Mr. HATCH (for himself and Mr. LEE):

S. 27. A bill to clarify authority granted under the Act entitled "An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes"; to the Committee on Energy and Natural Resources.

By Mr. HATCH (for himself, Mr. LEE, Mr. CRAPO, and Mr. FLAKE):

S. 28. A bill to provide for the conveyance of a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PORTMAN (for himself, Mr. TESTER, Mr. ENZI, Mr. BURR, Mr. ISAKSON, Mr. MCCONNELL, Mr. BARRASSO, Mr. LEE, Mr. RUBIO, and Mr. GRASSLEY):

S. 29. A bill to amend title 31, United States Code, to provide for automatic continuing resolutions; to the Committee on Appropriations.

By Ms. AYOTTE:

S. 30. A bill to prevent the 2013 pay adjustment of persons holding senior positions in the Federal Government from being made and to prevent pay adjustments for Members of Congress in any year there is a budget deficit; to the Committee on Homeland Security and Governmental Affairs.

By Ms. AYOTTE:

S. 31. A bill to make the moratorium on Internet access taxes and multiple and discriminatory taxes on electronic commerce permanent; to the Committee on Finance.

By Mr. PORTMAN:

S. 32. A bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions; to the Committee on the Judiciary.

By Mr. LAUTENBERG (for himself, Mr. SCHUMER, Mr. DURBIN, Mr. CARPER, Mrs. FEINSTEIN, Mr. REED, Mrs. BOXER, Mr. MENENDEZ, Mr. COONS, Mr. WHITEHOUSE, Mr. CARDIN, Mr. HARKIN, Mr. LEVIN, Mr. BLUMENTHAL, Mr. FRANKEN, Mr. MURPHY, and Mrs. GILLIBRAND):

S. 33. A bill to prohibit the transfer or possession of large capacity ammunition feeding devices, and for other purposes; to the Committee on the Judiciary.

By Mr. LAUTENBERG (for himself, Mr. SCHUMER, Mr. DURBIN, Mrs. FEINSTEIN, Mr. REED, Mrs. BOXER, Mr. MENENDEZ, Mr. WHITEHOUSE, Mr. LEVIN, Mr. BLUMENTHAL, and Mrs. GILLIBRAND):

S. 34. A bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists; to the Committee on the Judiciary.

By Mr. LAUTENBERG (for himself, Mrs. FEINSTEIN, Mr. BLUMENTHAL, Mr. SCHUMER, Mr. REED, Mrs. BOXER, and Mrs. GILLIBRAND):

S. 35. A bill to require face to face purchases of ammunition, to require licensing of ammunition dealers, and to require reporting regarding bulk purchases of ammunition; to the Committee on the Judiciary.

By Mr. SCHUMER:

S. 36. A bill for the relief of Alemseghed Mussie Tesfamical; to the Committee on the Judiciary.

By Mr. TESTER:

S. 37. A bill to sustain the economic development and recreational use of National Forest System land and other public land in the State of Montana, to add certain land to the National Wilderness Preservation System, to release certain wilderness study areas, to designate new areas for recreation, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. SHAHEEN (for herself, Mr. WHITEHOUSE, and Ms. COLLINS):

S. 38. A bill to amend title 28, United States Code, to prohibit the exclusion of individuals from service on a Federal jury on account of sexual orientation or gender identity; to the Committee on the Judiciary.

By Mr. HARKIN:

S. 39. A bill to improve the health of Americans and reduce health care costs by reorienting the Nation's health care system toward prevention, wellness, and health promotion; to the Committee on Finance.

By Mr. HATCH (for himself, Mr. ALEXANDER, Mr. INHOFE, Mr. COBURN, Mr. ISAKSON, Mr. JOHANNIS, Mr. PORTMAN, Mr. WICKER, Mr. BURR, Mrs. FISCHER,

Mr. BARRASSO, Mr. RUBIO, Mr. CHAMBLISS, Mr. RISCH, Mr. CORNYN, Mr. COATS, Ms. COLLINS, and Mr. ROBERTS):

S. 40. A bill to restore Americans' individual liberty by striking the Federal mandate to purchase insurance; to the Committee on Finance.

By Ms. CANTWELL (for herself, Mr. ENZI, and Mr. NELSON):

S. 41. A bill to provide a permanent deduction for State and local general sales taxes; to the Committee on Finance.

By Mr. LEAHY (for himself and Mr. GRASSLEY):

S. 42. A bill to provide anti-retaliation protections for antitrust whistleblowers; to the Committee on the Judiciary.

By Mr. PORTMAN (for himself, Mr. ENZI, Mr. CHAMBLISS, Ms. AYOTTE, Mr. GRASSLEY, Mr. VITTER, Mr. FLAKE, Mr. JOHANNIS, Mr. CORKER, Mr. HOEVEN, Mr. THUNE, Mr. CORNYN, Mr. LEE, and Mr. JOHNSON of Wisconsin):

S. 43. A bill to require that any debt limit increase be balanced by equal spending cuts of the next decade; to the Committee on the Budget.

By Mr. PORTMAN (for himself and Mr. INHOFE):

S. 44. A bill to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER (for herself, Ms. CANTWELL, Mrs. FEINSTEIN, Mr. MERKLEY, Mrs. MURRAY, and Mr. WYDEN):

S. 45. A bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf off the coast of California, Oregon, and Washington; to the Committee on Energy and Natural Resources.

By Mr. TOOMEY (for himself, Mr. VITTER, Mr. LEE, Mr. RUBIO, Mr. ENZI, Mr. BARRASSO, Mr. CHAMBLISS, Mr. INHOFE, Mr. BLUNT, Mr. JOHNSON of Wisconsin, Mr. HELLER, Mr. FLAKE, Mr. RISCH, Ms. AYOTTE, Mr. ISAKSON, Mr. GRASSLEY, and Mr. CRUZ):

S. 46. A bill to protect Social Security benefits and military pay and require that the United States Government prioritize all obligations on the debt held by the public in the event that the debt limit is reached; to the Committee on Finance.

By Mr. LEAHY (for himself, Mr. CRAPO, Ms. MURKOWSKI, Ms. MIKULSKI, Ms. AYOTTE, Mr. COONS, Ms. COLLINS, Mr. DURBIN, Mr. BENNET, Ms. KLOBUCHAR, Mrs. SHAHEEN, Mrs. MCCASKILL, Mr. UDALL of Colorado, Mr. KIRK, Mrs. MURRAY, Ms. CANTWELL, and Mr. CASEY):

S. 47. A bill to reauthorize the Violence Against Women Act of 1994; read the first time.

By Mr. KERRY:

S. 48. A bill for the relief of Genesio Januario Oliveira; to the Committee on the Judiciary.

By Mrs. SHAHEEN (for herself and Ms. AYOTTE):

S. 49. A bill to amend title 38, United States Code, to ensure that veterans in each of the 48 contiguous States are able to receive services in at least one full-service Department of Veterans Affairs medical center in the State or receive comparable services provided by contract in the State, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. BOXER (for herself and Mr. CRAPO):

S. 50. A bill to direct the Administrator of the Environmental Protection Agency to investigate and address cancer and disease clusters, including in infants and children; to the Committee on Environment and Public Works.

By Mrs. BOXER (for herself, Mr. VITTER, Mr. UDALL of New Mexico, Mr. TESTER, Mr. BAUCUS, Mr. WHITEHOUSE, Mr. CARDIN, and Mr. ROBERTS):

S. 51. A bill to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act; to the Committee on Environment and Public Works.

By Mrs. BOXER:

S. 52. A bill to improve the energy and water efficiency of Federal buildings; to the Committee on Environment and Public Works.

By Mrs. BOXER (for herself and Mr. CRAPO):

S. 53. A bill to authorize the Administrator of the Environmental Protection Agency to award grants to individuals that may be affected by a reported disease cluster; to the Committee on Environment and Public Works.

By Mr. LEAHY (for himself and Mr. DURBIN):

S. 54. A bill to increase public safety by punishing and deterring firearms trafficking; to the Committee on the Judiciary.

By Mrs. BOXER (for herself and Mr. CASEY):

S. 55. A bill to prohibit Members of Congress and the President from receiving pay during Government shutdowns; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. BOXER:

S. 56. A bill to amend the Internal Revenue Code of 1986 to increase the credit for employers establishing workplace child care facilities, to increase the child care credit to encourage greater use of quality child care services, to provide incentives for students to earn child care-related degrees and to work in child care facilities, and to increase the exclusion for employer-provided dependent care assistance; to the Committee on Finance.

By Mrs. BOXER:

S. 57. A bill to establish a timely and expeditious process for voting on the statutory debt limit; to the Committee on Finance.

By Mrs. BOXER:

S. 58. A bill to amend the Help America Vote Act of 2002 to ensure that voters in elections for Federal office do not wait in long lines in order to vote; to the Committee on Rules and Administration.

By Mrs. BOXER (for herself, Mr. NELSON, and Mrs. FEINSTEIN):

S. 59. A bill to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California; to the Committee on Energy and Natural Resources.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 60. A bill to amend the National Trails System Act to provide for the study of the Western States Trail for potential designation as a national historic trail; to the Committee on Energy and Natural Resources.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 61. A bill to include the Point Arena-Stornetta Public Lands in the California Coastal National Monument as a part of the National Landscape Conservation System,

and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. BOXER (for herself, Mr. BEGICH, Mrs. FEINSTEIN, Mr. COONS, Ms. LANDRIEU, Ms. MIKULSKI, and Mr. MERKLEY):

S. 62. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate overpayments of tax as contributions and to make additional contributions to the Homeless Veterans Assistance Fund, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. GILLIBRAND (for herself, Mr. LAUTENBERG, Mr. MERKLEY, Mr. BLUMENTHAL, and Mr. COONS):

S. 63. A bill to require the Secretary of Commerce and the Secretary of Labor to establish the Made In America Incentive Grant Program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LEE:

S.J. Res. 1. A joint resolution proposing an amendment to the Constitution of the United States requiring that the Federal budget be balanced; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. RES. 4

At the request of Mr. UDALL of New Mexico, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Vermont (Mr. SANDERS), the Senator from Maryland (Ms. MIKULSKI), the Senator from New York (Mrs. GILLIBRAND), the Senator from New Mexico (Mr. HEINRICH), the Senator from Alaska (Mr. BEGICH), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Virginia (Mr. WARNER), the Senator from Connecticut (Mr. MURPHY), the Senator from Maine (Mr. KING), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Montana (Mr. TESTER), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. Res. 4, a resolution to limit certain uses of the filibuster in the Senate to improve the legislative process.

S. RES. 7

At the request of Mr. LAUTENBERG, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. Res. 7, a resolution to permit the Senate to avoid unnecessary delay and vote on matters for which floor debate has ceased.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID (for himself, Mr. LEAHY, Mr. MENENDEZ, Mr. DURBIN, Mr. SCHUMER, Ms. HIRONO, Mr. SCHATZ, Mr. BROWN, Mrs. FEINSTEIN, Mr. COONS, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mrs. BOXER, Mr. LEVIN, and Mr. HEINRICH):

S. 1. A bill to reform America's broken immigration system; to the Committee on the Judiciary.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 1

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Immigration Reform that Works for America's Future Act".

SEC. 2. SENSE OF THE SENATE.

It is the sense of the Senate that Congress should—

(1) create a roadmap for immigrants who are here without legal status to earn citizenship, provided they pay taxes, complete a background check, learn English, and show a commitment to America;

(2) allow students who came to America as children to earn citizenship by attending college or joining the Armed Forces;

(3) protect the sustainability of the American agricultural industry, including the dairy industry, with a stable and legal agricultural workforce;

(4) encourage those who seek to invest in the United States and create American jobs;

(5) permit and encourage individuals who earn an advanced degree from one of our world-class universities to remain in the United States, rather than using that education to work for our international competitors;

(6) fulfill and strengthen our Nation's commitments regarding security along our borders and at our ports of entry;

(7) strengthen our Nation's historic humanitarian tradition of welcoming asylum seekers and refugees and improve existing policies that support immigrant victims of crime and domestic violence;

(8) create an effective electronic verification system and strengthen enforcement to prevent employers from hiring people here illegally;

(9) implement a rational legal immigration system that promotes job creation by converting the current flow of illegal immigrants into the United States into a more manageable, controlled, and legal process for admitting immigrants while, at the same time, safeguarding the jobs, rights, and wages of American workers; and

(10) adopt practical and fair immigration reforms to help ensure that all families are able to be together.

By Mr. REID (for himself, Mr. DURBIN, Mr. SCHUMER, Mr. MENENDEZ, Mr. SCHATZ, Mr. BROWN, Mr. COONS, Ms. HIRONO, Mrs. FEINSTEIN, Mr. LAUTENBERG, Mr. BLUMENTHAL, Mrs. BOXER, Mr. MURPHY, Ms. CANTWELL, Mr. LEVIN, and Mr. ROCKEFELLER):

S. 2. A bill to reduce violence and protect the citizens of the United States; to the Committee on the Judiciary.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 2

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Sandy Hook Elementary School Violence Reduction Act”.

SEC. 2. SENSE OF THE SENATE.

It is the sense of the Senate that Congress should—

(1) support the efforts of the President of the United States to reduce violence in the United States;

(2) promote common-sense proposals for preventing gun violence;

(3) provide law enforcement officers with the tools necessary to combat violent crime and protect communities, and protect themselves;

(4) ensure children can attend school free from the threat of violence;

(5) support States and local districts to ensure schools have the safe and successful learning conditions in which all students can excel;

(6) provide tools for identifying individuals that pose a threat to themselves or others, so they can receive appropriate assistance;

(7) keep dangerous weapons out of the hands of criminals and individuals who are not lawfully authorized to possess them;

(8) promote information-sharing that will facilitate the early identification of threats to public safety;

(9) mitigate the effects of violence by promoting preparedness;

(10) provide training for educational professionals, health providers, and others to recognize indicators of the potential for violent behavior;

(11) examine whether there is a connection between violent media and violent behavior;

(12) enable the collection, study, and publication of relevant research; and

(13) expand access to mental health services, with a focus on children and young adults.

By Mr. REID (for himself, Mr. HARKIN, Mr. DURBIN, Mrs. MURRAY, Ms. MUKULSKI, Mr. LEAHY, Mr. CARDIN, Mr. LAUTENBERG, Mr. COONS, Mrs. GILLIBRAND, Mr. BROWN, Ms. HIRONO, Mr. SCHATZ, Mr. SANDERS, Mr. MENENDEZ, Ms. CANTWELL, and Mr. LEVIN):

S. 3. A bill to improve education and provide all students in the United States with the opportunity to succeed; to the Committee on Health, Education, Labor, and Pensions.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 3

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Strengthen our Schools and Students Act”.

SEC. 2. SENSE OF THE SENATE.

It is the sense of the Senate that Congress should—

(1) strengthen early learning programs to better prepare children for success in school;

(2) ensure that all students have equitable access to a high-quality, well-rounded education that prepares them to succeed in college and a career;

(3) build on recent efforts to continue to make higher education more affordable and to improve access and success for all students;

(4) provide all teachers with the support they need to ensure student success, including the creation of a new national Science, Technology, Engineering, and Mathematics (STEM) Master Teacher Corps to recognize and help retain STEM teachers and strengthen STEM education in public schools in the United States; and

(5) support States and local educational agencies to ensure schools have the safe and successful learning conditions in which all students can excel.

By Mr. REID (for himself, Mrs. BOXER, Mr. DURBIN, Mr. SCHUMER, Mr. WYDEN, Mr. LEVIN, Mr. BROWN, Mr. SCHATZ, Mr. HARKIN, Mrs. GILLIBRAND, Mr. LAUTENBERG, Ms. KLOBUCHAR, and Mr. COONS):

S. 4. A bill to create jobs and strengthen our economy by rebuilding our Nation's infrastructure; to the Committee on Commerce, Science, and Transportation.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 4

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Rebuild America Act”.

SEC. 2. SENSE OF THE SENATE.

It is the sense of the Senate that Congress should—

(1) create jobs and support businesses while improving our Nation's global competitiveness by modernizing and strengthening our national infrastructure;

(2) invest resources in transportation corridors of national and regional significance that promote commerce and reduce congestion;

(3) update and enhance our national network of rail, dams, and ports of the United States;

(4) develop innovative financing mechanisms for infrastructure, such as an infrastructure bank, to leverage Federal funds with private sector partners;

(5) invest in critical infrastructure, such as a smarter national energy grid, to reduce energy waste and bolster investment in clean energy jobs and industries;

(6) invest in clean energy technologies that help free the United States from its dependence on oil, especially foreign oil;

(7) eliminate wasteful tax subsidies that promote pollution and fail to reduce our reliance on foreign oil;

(8) spur innovation by facilitating the development of new cutting-edge broadband

internet technology and improving internet access for all Americans;

(9) modernize, renovate, and repair elementary and secondary school buildings in public school districts and community colleges across the United States in order to support improved educational outcomes in those schools;

(10) invest in the Nation's crumbling water infrastructure to protect public health and reduce pollution;

(11) upgrade and repair the Nation's system of flood protection infrastructure, such as levees, to protect public safety; and

(12) invest in the infrastructure of the United States to address vulnerabilities to natural disasters and the impacts of extreme weather.

By Mr. REID (for himself, Mr. DURBIN, Mr. SCHUMER, Mrs. STABENOW, Mrs. GILLIBRAND, Mr. UDALL of New Mexico, Mrs. SHAHEEN, Mr. WARNER, Mr. SCHATZ, Mrs. FEINSTEIN, Mr. BROWN, Mr. TESTER, Mr. COONS, Mr. WHITEHOUSE, Mr. BAUCUS, Mr. HIRONO, Mr. BEGICH, Mr. SANDERS, Mr. CASEY, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mr. LAUTENBERG, Mrs. BOXER, Mr. LEVIN, Mr. ROCKEFELLER, and Mr. HEINRICH):

S. 5. A bill to reauthorize the Violence Against Women Act of 1994; to the Committee on the Judiciary.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 5

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SENSE OF THE SENATE.

It is the sense of the Senate that Congress should—

(1) reauthorize the Violence Against Women Act of 1994 (42 U.S.C. 13925 et seq.) (referred to in this section as “VAWA”), a landmark bipartisan bill that has dramatically improved the national response to domestic and sexual violence;

(2) renew the commitment of the United States to providing the resources necessary to combat all forms of domestic violence, sexual assault, dating violence, and stalking, including important new initiatives to reduce homicides, increase the focus on preventing and responding to sexual assault, and make women on college campuses safer from domestic and sexual violence;

(3) build upon the success of VAWA in transforming the criminal justice and community-based response to abuse by bolstering and streamlining the programs, grants, and coalitions created by VAWA and expanding the reach of VAWA to meet the remaining unmet needs of victims;

(4) continue to provide the training, tools, and resources necessary for law enforcement officers and victim service providers to hold the perpetrators of domestic and sexual violence accountable and to keep victims safe; and

(5) ensure that all victims of domestic and sexual violence, including Native American women, gay and lesbian victims, and battered immigrant women, receive the support and protections provided by VAWA.

By Mr. REID (for himself, Mr. SANDERS, Mr. DURBIN, Mr. SCHUMER, Mr. UDALL of New Mexico, Mr. BAUCUS, Mr. BROWN, Mr. SCHATZ, Mr. TESTER, Mr. MENENDEZ, Mr. WARNER, Mr. CARDIN, Ms. HIRONO, Mr. BEGICH, Mr. CASEY, Mrs. BOXER, Mr. NELSON, Mr. BLUMENTHAL, Mr. COONS, Mr. LEVIN, and Mr. HEINRICH):

S. 6. A bill to reauthorize the VOW to Hire Heroes Act of 2011, to provide assistance to small businesses owned by veterans, to improve enforcement of employment and reemployment rights of members of the uniformed services, and for other purposes; to the Committee on Veterans' Affairs.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 6

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Putting Our Veterans Back to Work Act of 2013".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—RENEWING OUR VOW TO HIRE HEROES

Sec. 101. Reauthorization of veterans retraining assistance program.

Sec. 102. Extension of authority of Secretary of Veterans Affairs to provide rehabilitation and vocational benefits to members of Armed Forces with severe injuries or illnesses.

Sec. 103. Extension of additional rehabilitation programs for persons who have exhausted rights to unemployment benefits under State law.

Sec. 104. Reauthorization of collaborative veterans' training, mentoring, and placement program.

TITLE II—EXPANDING OUR VOW TO VETERAN SMALL BUSINESSES

Sec. 201. Patriot Express Loan Program.

Sec. 202. SBA Surety Bond Program.

TITLE III—BUILDING ON OUR VOW TO HIRE HEROES

Sec. 301. Unified employment portal for veterans.

Sec. 302. Grants to hire veterans as first responders.

Sec. 303. Employment of veterans as evaluation factor in the awarding of Federal contracts.

TITLE IV—IMPROVING EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF THE UNIFORMED SERVICES

Sec. 401. Enforcement of rights of members of uniformed services with respect to States and private employers.

Sec. 402. Suspension, termination, or debarment of contractors for repeated violations of employment or reemployment rights of members of uniformed services.

Sec. 403. Subpoena power for Special Counsel in enforcement of employment and reemployment rights of members of uniformed services with respect to Federal executive agencies.

Sec. 404. Issuance and service of civil investigative demands by Attorney General.

TITLE I—RENEWING OUR VOW TO HIRE HEROES

SEC. 101. REAUTHORIZATION OF VETERANS RETRAINING ASSISTANCE PROGRAM.

(a) EXTENSION.—Subsection (k) of section 211 of the VOW to Hire Heroes Act of 2011 (Public Law 112–56; 38 U.S.C. 4100 note) is amended by striking "March 31, 2014" and inserting "March 31, 2016".

(b) NUMBER OF ELIGIBLE VETERANS.—Subsection (a)(2) of such section is amended—

(1) in subparagraph (A), by striking "and" at the end;

(2) in subparagraph (B), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new subparagraphs:

"(C) 50,000 during the period beginning April 1, 2014, and ending March 31, 2015; and

"(D) 50,000 during the period beginning April 1, 2015, and ending March 31, 2016.".

(c) CLARIFICATION OF LIMITATION ON AGGREGATE AMOUNT OF ASSISTANCE.—Subsection (b) of such section is amended by striking "up to 12 months of retraining assistance provided by the Secretary of Veterans Affairs" and inserting "an aggregate of not more than 12 months of retraining assistance provided by the Secretary of Veterans Affairs under this section".

SEC. 102. EXTENSION OF AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO PROVIDE REHABILITATION AND VOCATIONAL BENEFITS TO MEMBERS OF ARMED FORCES WITH SEVERE INJURIES OR ILLNESSES.

(a) IN GENERAL.—Section 1631(b)(2) of the Wounded Warrior Act (title XVI of Public Law 110–181; 10 U.S.C. 1071 note) is amended by striking "December 31, 2014" and inserting "December 31, 2016".

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a report on the benefits provided by the Secretary under section 1631(b) of such Act.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term "appropriate committees of Congress" means—

(A) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

SEC. 103. EXTENSION OF ADDITIONAL REHABILITATION PROGRAMS FOR PERSONS WHO HAVE EXHAUSTED RIGHTS TO UNEMPLOYMENT BENEFITS UNDER STATE LAW.

Section 3102(b)(4) of title 38, United States Code, is amended by striking "March 31, 2014" and inserting "March 31, 2016".

SEC. 104. REAUTHORIZATION OF COLLABORATIVE VETERANS' TRAINING, MENTORING, AND PLACEMENT PROGRAM.

Subsection (e) of section 4104A of title 38, United States Code, is amended to read as follows:

"(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section amounts as follows:

"(1) \$4,500,000 for the period consisting of fiscal years 2012 and 2013.

"(2) \$4,500,000 for the period consisting of fiscal years 2014 and 2015.".

TITLE II—BUILDING ON OUR VOW TO HIRE HEROES

SEC. 201. UNIFIED EMPLOYMENT PORTAL FOR VETERANS.

Section 4105 of title 38, United States Code is amended by adding at the end the following:

"(c)(1) The Secretary shall develop a single, unified Federal web-based employment portal, for use by veterans, containing information regarding all Federal programs and activities concerning employment, unemployment, and training to the extent the programs and activities affect veterans.

"(2) The Secretary shall work with representatives from the Department of Defense, the Department of Veterans Affairs, the Small Business Administration, and other Federal agencies and organizations concerned with veterans' issues, to determine an appropriate platform and implementing agency for the portal. The Secretary shall enter into an agreement with the other Federal agencies for the implementation of the portal.".

SEC. 202. GRANTS TO HIRE VETERANS AS FIRST RESPONDERS.

(a) GRANTS FOR FIREFIGHTERS.—The Secretary of Homeland Security shall award grants under section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a) to hire veterans as firefighters.

(b) GRANTS FOR LAW ENFORCEMENT OFFICERS.—The Attorney General shall award grants under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.) to hire veterans as law enforcement officers.

(c) PRIORITY.—In awarding grants under this section to hire veterans, the Secretary of Homeland Security and the Attorney General shall give priority to the hiring of veterans who served on active duty in the Armed Forces on or after September 11, 2011.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$250,000,000.

SEC. 203. EMPLOYMENT OF VETERANS AS EVALUATION FACTOR IN THE AWARDING OF FEDERAL CONTRACTS.

(a) CIVILIAN CONTRACTS.—

(1) IN GENERAL.—Chapter 33 of title 41, United States Code, is amended by adding at the end the following new section:

"§3312. Employment of veterans as evaluation factor

"The head of each executive agency shall consider favorably as an evaluation factor in solicitations for contracts and task or delivery order valued at or above \$25,000,000 the employment by a prospective contractor of veterans constituting at least 5 percent of the contractor's workforce.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 3311 the following new item:

"3312. Employment of veterans as evaluation factor.".

(b) DEFENSE CONTRACTS.—

(1) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

“§2336. Employment of veterans as evaluation factor

“The head of each agency shall consider favorably as an evaluation factor in solicitations for contracts and task or delivery order valued at or above \$25,000,000 the employment by a prospective contractor of veterans constituting at least 5 percent of the contractor’s workforce.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 2335 the following new item:

“2336. Employment of veterans as evaluation factor.”.

(c) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall amend the Federal Acquisition Regulation to carry out the provisions of section 3313 of title 41, United States Code, and section 2336 of title 10, United States Code, as added by subsections (a) and (b), respectively.

TITLE III—IMPROVING EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF THE UNIFORMED SERVICES

SEC. 301. ENFORCEMENT OF RIGHTS OF MEMBERS OF UNIFORMED SERVICES WITH RESPECT TO STATES AND PRIVATE EMPLOYERS.

(a) ACTION FOR RELIEF.—Subsection (a) of section 4323 of title 38, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “appear on behalf of, and act as attorney for, the person on whose behalf the complaint is submitted and”;

(B) by striking “for such person”;

(C) by striking the fourth sentence; and

(D) by adding at the end the following: “The person on whose behalf the complaint is referred may, upon timely application, intervene in such action, and may obtain such appropriate relief as is provided in subsections (d) and (e).”;

(2) by striking paragraph (2) and inserting the following new paragraph (2):

“(2)(A) Not later than 60 days after the date the Attorney General receives a referral under paragraph (1), the Attorney General shall transmit, in writing, to the person on whose behalf the complaint is submitted—

“(i) if the Attorney General has made a decision to commence an action for relief under paragraph (1) relating to the complaint of the person, notice of the decision; and

“(ii) if the Attorney General has not made such a decision, notice of when the Attorney General expects to make such a decision.

“(B) If the Attorney General notifies a person that the Attorney General expects to make a decision under subparagraph (A)(ii), the Attorney General shall, not later than 30 days after the date on which the Attorney General makes such decision, notify, in writing, the person of such decision.”;

(3) by redesignating paragraph (3) as paragraph (4);

(4) by inserting after paragraph (2) the following new paragraph (3):

“(3) Whenever the Attorney General has reasonable cause to believe that a State (as an employer) or a private employer is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights and benefits provided for under this chapter, and that the pattern or practice is of such a

nature and is intended to deny the full exercise of such rights and benefits, the Attorney General may commence an action for relief under this chapter.”; and

(5) in paragraph (4), as redesignated by paragraph (3), by striking subparagraph (C) and inserting the following new subparagraph (C):

“(C) has been notified by the Attorney General that the Attorney General does not intend to commence an action for relief under paragraph (1) with respect to the complaint under such paragraph.”.

(b) STANDING.—Subsection (f) of such section is amended to read as follows:

“(f) STANDING.—An action under this chapter may be initiated only by the Attorney General or by a person claiming rights or benefits under this chapter under subsection (a).”.

(c) CONFORMING AMENDMENT.—Subsection (h)(2) of such section is amended by striking “under subsection (a)(2)” and inserting “under paragraph (1) or (4) of subsection (a)”.

SEC. 302. SUSPENSION, TERMINATION, OR DEBARMENT OF CONTRACTORS FOR REPEATED VIOLATIONS OF EMPLOYMENT OR REEMPLOYMENT RIGHTS OF MEMBERS OF UNIFORMED SERVICES.

(a) IN GENERAL.—Subchapter III of chapter 43 of title 38, United States Code, is amended by adding at the end the following new section:

“§4328. Suspension, termination, or debarment of contractors

“(a) GROUNDS FOR SUSPENSION, TERMINATION, OR DEBARMENT.—Payment under a contract awarded by a Federal executive agency may be suspended and the contract may be terminated, and the contractor who made the contract with the agency may be suspended or debarred in accordance with the requirements of this section, if the head of the agency determines that the contractor as an employer has repeatedly been convicted of failing or refusing to comply with one or more provisions of this chapter.

“(b) EFFECT OF DEBARMENT.—A contractor debarred by a final decision under this section is ineligible for award of a contract by a Federal executive agency, and for participation in a future procurement by a Federal executive agency, for a period specified in the decision, not to exceed 5 years.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 43 of such title is amended by inserting after the item relating to section 4327 the following new item:

“4328. Suspension, termination, or debarment of contractor.”.

(c) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall amend the Federal Acquisition Regulation to carry out section 4328 of title 38, United States Code, as added by subsection (a).

(d) EFFECTIVE DATE.—Section 4328 of title 38, United States Code, as added by subsection (a), shall apply with respect to failures and refusals to comply with provisions of chapter 43 of such title occurring on or after the date of the enactment of this Act.

(e) ANNUAL REPORT.—Section 4332(a) of such title is amended—

(1) by redesignating paragraph (10) as paragraph (11); and

(2) by inserting after paragraph (9) the following new paragraph (10):

“(10) The number of suspensions, terminations, and debarments under section 4328

of this title, disaggregated by the agency or department imposing the suspension or debarment.”.

SEC. 303. SUBPOENA POWER FOR SPECIAL COUNSEL IN ENFORCEMENT OF EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF UNIFORMED SERVICES WITH RESPECT TO FEDERAL EXECUTIVE AGENCIES.

Section 4324 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(e)(1) In order to carry out the Special Counsel’s responsibilities under this section, the Special Counsel may require by subpoena the attendance and testimony of Federal employees and the production of documents from Federal employees and Federal executive agencies.

“(2) In the case of contumacy or failure to obey a subpoena issued under paragraph (1), upon application by the Special Counsel, the Merit Systems Protection Board may issue an order requiring a Federal employee or Federal executive agency to comply with a subpoena of the Special Counsel.

“(3) An order issued under paragraph (2) may be enforced by the Merit Systems Protection Board in the same manner as any order issued under section 1204 of title 5.”.

SEC. 304. ISSUANCE AND SERVICE OF CIVIL INVESTIGATIVE DEMANDS BY ATTORNEY GENERAL.

(a) IN GENERAL.—Section 4323 of title 38, United States Code, is amended—

(1) by redesignating subsection (i) as subsection (j); and

(2) by inserting after subsection (h) the following new subsection (i):

“(i) ISSUANCE AND SERVICE OF CIVIL INVESTIGATIVE DEMANDS.—(1) Whenever the Attorney General has reason to believe that any person may be in possession, custody, or control of any documentary material relevant to an investigation under this subchapter, the Attorney General may, before commencing a civil action under subsection (a), issue in writing and serve upon such person, a civil investigative demand requiring—

“(A) the production of such documentary material for inspection and copying;

“(B) that the custodian of such documentary material answer in writing written questions with respect to such documentary material; or

“(C) the production of any combination of such documentary material or answers.

“(2) The provisions of section 3733 of title 31 governing the authority to issue, use, and enforce civil investigative demands shall apply with respect to the authority to issue, use, and enforce civil investigative demands under this section, except that, for purposes of applying such section 3733—

“(A) references to false claims law investigators or investigations shall be considered references to investigators or investigations under this subchapter;

“(B) references to interrogatories shall be considered references to written questions, and answers to such need not be under oath;

“(C) the definitions relating to ‘false claims law’ shall not apply; and

“(D) provisions relating to qui tam relations shall not apply.”.

(b) EFFECTIVE DATE.—Subsection (i) of such section, as added by subsection (a)(2), shall take effect on the date of the enactment of this Act and shall apply with respect to violations of chapter 43 of such title alleged to have occurred on or after such date.

(c) ANNUAL REPORTS.—Section 4332(b)(2) of such title is amended—

(1) by striking “Not later than” and inserting the following:

“(A) IN GENERAL.—Not later than”; and
(2) by adding at the end the following new subparagraph:

“(B) ANNUAL SUPPLEMENT ON CIVIL INVESTIGATIVE DEMANDS.—

“(i) IN GENERAL.—The Attorney General shall include with each report submitted under subparagraph (A) for the last quarter of each fiscal year a report on the issuance of civil investigative demands under section 4323(i) of this title during the most recently completed fiscal year.

“(ii) ELEMENTS.—Each report submitted under clause (i) shall include the following for the fiscal year covered by the report:

“(I) The number of times that a civil investigative demand was issued under section 4323(i) of this title.

“(II) For each civil investigative demand issued under such section with respect to an investigation, whether such investigation resulted in a settlement, order, or judgment.”.

By Mr. REID (for himself, Mrs. BOXER, Mr. WYDEN, Mr. DURBIN, Mr. SCHUMER, Mrs. MURRAY, Mr. CARPER, Mr. LAUTENBERG, Mr. LEVIN, Mr. SANDERS, Mr. BROWN, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mr. CARDIN, Mr. MENENDEZ, Mr. SCHATZ, Mr. COONS, Mr. UDALL of Colorado, Mr. BLUMENTHAL, Ms. HIRONO, Ms. CANTWELL, and Mr. BEGICH):

S. 7. A bill to improve the resilience of the United States to extreme weather events and to prevent the worsening of extreme weather conditions; to the Committee on Commerce, Science, and Transportation.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 7

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Extreme Weather Prevention and Resilience Act”.

SEC. 2. SENSE OF THE SENATE.

It is the sense of the Senate that Congress should—

(1) prepare and protect communities from extreme weather, sea-level rise, drought, flooding, wildfire, and other changing conditions exacerbated by carbon pollution;

(2) promote close coordination across Federal agencies and provide strong support to States, Indian tribes, and public and private sector entities to prepare for and withstand extreme weather;

(3) promote investment in new infrastructure and replace aging and obsolete infrastructure to ensure resilience to extreme weather, disasters, and hydrological change;

(4) promote investment in clean energy infrastructure, energy efficiency, and other measures to address dangerous air, land, and water pollution;

(5) promote development of clean energy technologies that reduce demand for oil, contribute to economic growth and job creation, and put the United States at the forefront of the global clean energy market; and

(6) ensure that the Federal Government is a leader in reducing pollution, promoting the

use of clean energy sources, and improving energy efficiency.

By Mr. REID (for himself, Mr. DURBIN, Mr. SCHUMER, Mrs. GILLIBRAND, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. BROWN, Mr. SCHATZ, Mr. SANDERS, Mrs. BOXER, Mr. BLUMENTHAL, Mr. CARDIN, Mr. COONS, and Mr. LEVIN):

S. 8. A bill expressing the sense of the Senate on the need to enact legislation to eliminate wasteful tax loopholes; to the Committee on Finance.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 8

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “End Wasteful Tax Loopholes Act”.

SEC. 2. SENSE OF THE SENATE ON THE ELIMINATION OF TAX LOOPHOLES.

It is the sense of the Senate that Congress should enact legislation to—

(1) eliminate wasteful tax loopholes that create incentives for taxpayers to engage in transactions that have no economic substance solely to lower their tax bills;

(2) eliminate corporate tax loopholes and wasteful tax breaks for special interests;

(3) enhance tax fairness by reforming or eliminating tax breaks that provide excessive benefits to millionaires and billionaires;

(4) crack down on tax cheaters and close the tax gap;

(5) use the revenue saved by curtailing tax loopholes to reduce the Federal deficit and reform the Federal tax code;

(6) address provisions in the Federal tax code that make it more profitable for companies to create jobs overseas than in the United States; and

(7) reform the Federal tax code in a manner that promotes job creation, competitiveness, and economic growth in the United States.

By Mr. REID (for himself, Mr. LEAHY, Mr. SCHUMER, Mr. DURBIN, Mrs. MURRAY, Mrs. SHAHEEN, Mr. BROWN, Mrs. GILLIBRAND, Mr. COONS, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Mr. LAUTENBERG, Mr. SANDERS, Mrs. BOXER, Mr. SCHATZ, Mr. MENENDEZ, Mr. LEVIN, Mr. ROCKEFELLER, and Mr. HEINRICH):

S. 9. A bill to strengthen our Nation’s electoral system by ensuring clean and fair elections; to the Committee on Rules and Administration.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 9

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Clean and Fair Elections Act”.

SEC. 2. SENSE OF THE SENATE.

It is the sense of the Senate that Congress should—

(1) recognize that—

(A) our elections belong to the voters of the United States; and

(B) our systems of election administration and campaign finance should be structured in a way that prioritizes the interests of the American public first;

(2) pass legislation to bring greater transparency to our elections and end anonymous political spending by shadow groups and special interests;

(3) require greater disclosure of campaign contributions in a searchable, public online database;

(4) take steps to safeguard the right to vote for every eligible voter, including prohibiting deceptive and misleading efforts to prevent voters from exercising the franchise;

(5) improve access to the polls for every eligible voter by streamlining voting procedures;

(6) pass election reform legislation that includes expanded absentee voting, mandatory early voting periods, and voter registration reforms;

(7) support local election officials to ensure they have working voting systems that are accessible, secure, and easy to use;

(8) require states to develop plans to reduce lines at polling places and develop contingency plans that provide additional flexibility in the event of a natural disaster or other emergency situation; and

(9) ensure that the guarantees of the 14th and 15th amendments to the Constitution and the Voting Rights Act of 1965 are enforced so that all Americans are able to vote and have their votes count without discrimination.

By Mr. REID (for himself, Ms. STABENOW, Mr. DURBIN, Mr. SCHUMER, Mr. JOHNSON of South Dakota, Mr. LEAHY, Mr. BAUCUS, Mr. BENNET, Mr. BROWN, Mr. TESTER, Mr. CASEY, Mr. HARKIN, Mr. SCHATZ, Ms. HEITKAMP, Ms. KLOBUCHAR, Mr. COONS, Mr. DONNELLY, Mr. LEVIN, and Mr. FRANKEN):

S. 10. A bill to reauthorize agricultural programs through 2018; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 10

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) IN GENERAL.—This Act may be cited as the “Agriculture Reform, Food, and Jobs Act of 2013”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definition of Secretary.

TITLE I—COMMODITY PROGRAMS

Subtitle A—Repeals and Reforms

Sec. 1101. Repeal of direct payments.

- Sec. 1102. Repeal of counter-cyclical payments.
 Sec. 1103. Repeal of average crop revenue election program.
 Sec. 1104. Definitions.
 Sec. 1105. Agriculture risk coverage.
 Sec. 1106. Producer agreement required as condition of provision of payments.
 Sec. 1107. Period of effectiveness.
 Sec. 1108. Adjusted gross income limitation for conservation programs.

Subtitle B—Marketing Assistance Loans and Loan Deficiency Payments

- Sec. 1201. Availability of nonrecourse marketing assistance loans for loan commodities.
 Sec. 1202. Loan rates for nonrecourse marketing assistance loans.
 Sec. 1203. Term of loans.
 Sec. 1204. Repayment of loans.
 Sec. 1205. Loan deficiency payments.
 Sec. 1206. Payments in lieu of loan deficiency payments for grazed acreage.
 Sec. 1207. Special competitive provisions for extra long staple cotton.
 Sec. 1208. Availability of recourse loans for high moisture feed grains and seed cotton.
 Sec. 1209. Adjustments of loans.

Subtitle C—Sugar

- Sec. 1301. Sugar program.

Subtitle D—Dairy

PART I—DAIRY PRODUCTION MARGIN PROTECTION AND DAIRY MARKET STABILIZATION PROGRAMS

- Sec. 1401. Definitions.
 Sec. 1402. Calculation of average feed cost and actual dairy production margins.

SUBPART A—DAIRY PRODUCTION MARGIN PROTECTION PROGRAM

- Sec. 1411. Establishment of dairy production margin protection program.
 Sec. 1412. Participation of dairy operations in production margin protection program.
 Sec. 1413. Production history of participating dairy operations.
 Sec. 1414. Basic production margin protection.
 Sec. 1415. Supplemental production margin protection.
 Sec. 1416. Effect of failure to pay administration fees or premiums.

SUBPART B—DAIRY MARKET STABILIZATION PROGRAM

- Sec. 1431. Establishment of dairy market stabilization program.
 Sec. 1432. Threshold for implementation and reduction in dairy payments.
 Sec. 1433. Milk marketings information.
 Sec. 1434. Calculation and collection of reduced dairy operation payments.
 Sec. 1435. Remitting funds to the Secretary and use of funds.
 Sec. 1436. Suspension of reduced payment requirement.
 Sec. 1437. Enforcement.
 Sec. 1438. Audit requirements.
 Sec. 1439. Study; report.

SUBPART C—ADMINISTRATION

- Sec. 1451. Duration.
 Sec. 1452. Administration and enforcement.

PART II—DAIRY MARKET TRANSPARENCY

- Sec. 1461. Dairy product mandatory reporting.
 Sec. 1462. Federal milk marketing order information.

PART III—REPEAL OR REAUTHORIZATION OF OTHER DAIRY-RELATED PROVISIONS

- Sec. 1471. Repeal of dairy product price support and milk income loss contract programs.
 Sec. 1472. Repeal of dairy export incentive program.
 Sec. 1473. Extension of dairy forward pricing program.
 Sec. 1474. Extension of dairy indemnity program.
 Sec. 1475. Extension of dairy promotion and research program.
 Sec. 1476. Extension of Federal Milk Marketing Order Review Commission.

PART IV—FEDERAL MILK MARKETING ORDER REFORM

- Sec. 1481. Federal milk marketing orders.

PART V—EFFECTIVE DATE

- Sec. 1491. Effective date.

Subtitle E—Supplemental Agricultural Disaster Assistance Programs

- Sec. 1501. Supplemental agricultural disaster assistance programs.

Subtitle F—Administration

- Sec. 1601. Administration generally.
 Sec. 1602. Suspension of permanent price support authority.
 Sec. 1603. Payment limitations.
 Sec. 1604. Payments limited to active farmers.
 Sec. 1605. Adjusted gross income limitation.
 Sec. 1606. Geographically disadvantaged farmers and ranchers.
 Sec. 1607. Personal liability of producers for deficiencies.
 Sec. 1608. Prevention of deceased individuals receiving payments under farm commodity programs.
 Sec. 1609. Appeals.
 Sec. 1610. Technical corrections.
 Sec. 1611. Assignment of payments.
 Sec. 1612. Tracking of benefits.
 Sec. 1613. Signature authority.
 Sec. 1614. Implementation.

TITLE II—CONSERVATION

Subtitle A—Conservation Reserve Program

- Sec. 2001. Extension and enrollment requirements of conservation reserve program.
 Sec. 2002. Farmable wetland program.
 Sec. 2003. Duties of owners and operators.
 Sec. 2004. Duties of the Secretary.
 Sec. 2005. Payments.
 Sec. 2006. Contract requirements.
 Sec. 2007. Conversion of land subject to contract to other conserving uses.
 Sec. 2008. Effective date.

Subtitle B—Conservation Stewardship Program

- Sec. 2101. Conservation stewardship program.

Subtitle C—Environmental Quality Incentives Program

- Sec. 2201. Purposes.
 Sec. 2202. Definitions.
 Sec. 2203. Establishment and administration.
 Sec. 2204. Evaluation of applications.
 Sec. 2205. Duties of producers.
 Sec. 2206. Limitation on payments.
 Sec. 2207. Conservation innovation grants and payments.
 Sec. 2208. Effective date.

Subtitle D—Agricultural Conservation Easement Program

- Sec. 2301. Agricultural Conservation Easement Program.

Subtitle E—Regional Conservation Partnership Program

- Sec. 2401. Regional Conservation Partnership Program.

Subtitle F—Other Conservation Programs

- Sec. 2501. Conservation of private grazing land.
 Sec. 2502. Grassroots source water protection program.
 Sec. 2503. Voluntary public access and habitat incentive program.
 Sec. 2504. Agriculture conservation experienced services program.
 Sec. 2505. Small watershed rehabilitation program.
 Sec. 2506. Terminal lakes assistance.

Subtitle G—Funding and Administration

- Sec. 2601. Funding.
 Sec. 2602. Technical assistance.
 Sec. 2603. Regional equity.
 Sec. 2604. Reservation of funds to provide assistance to certain farmers or ranchers for conservation access.
 Sec. 2605. Annual report on program enrollments and assistance.
 Sec. 2606. Administrative requirements for conservation programs.
 Sec. 2607. Rulemaking authority.
 Sec. 2608. Standards for State technical committees.
 Sec. 2609. Highly erodible land and wetland conservation for crop insurance.

Subtitle H—Repeal of Superseded Program Authorities and Transitional Provisions

- Sec. 2701. Comprehensive conservation enhancement program.
 Sec. 2702. Emergency forestry conservation reserve program.
 Sec. 2703. Wetlands reserve program.
 Sec. 2704. Farmland protection program and farm viability program.
 Sec. 2705. Grassland reserve program.
 Sec. 2706. Agricultural water enhancement program.
 Sec. 2707. Wildlife habitat incentive program.
 Sec. 2708. Great Lakes basin program.
 Sec. 2709. Chesapeake Bay watershed program.
 Sec. 2710. Cooperative conservation partnership initiative.
 Sec. 2711. Environmental easement program.
 Sec. 2712. Technical amendments.

TITLE III—TRADE

Subtitle A—Food for Peace Act

- Sec. 3001. Set-aside for support for organizations through which non-emergency assistance is provided.
 Sec. 3002. Food aid quality.
 Sec. 3003. Minimum levels of assistance.
 Sec. 3004. Reauthorization of Food Aid Consultative Group.
 Sec. 3005. Oversight, monitoring, and evaluation of Food for Peace Act programs.
 Sec. 3006. Assistance for stockpiling and rapid transportation, delivery, and distribution of shelf-stable prepackaged foods.
 Sec. 3007. Limitation on total volume of commodities monetized.
 Sec. 3008. Flexibility.
 Sec. 3009. Procurement, transportation, testing, and storage of agricultural commodities for prepositioning in the United States and foreign countries.
 Sec. 3010. Deadline for agreements to finance sales or to provide other assistance.
 Sec. 3011. Minimum level of nonemergency food assistance.
 Sec. 3012. Coordination of foreign assistance programs report.

- Sec. 3013. Micronutrient fortification programs.
- Sec. 3014. John Ogonowski and Doug Bereuter Farmer-to-Farmer Program.
- Sec. 3015. Prohibition on assistance for North Korea.

Subtitle B—Agricultural Trade Act of 1978

- Sec. 3101. Export credit guarantee programs.
- Sec. 3102. Funding for market access program.
- Sec. 3103. Foreign market development co-operator program.

Subtitle C—Other Agricultural Trade Laws

- Sec. 3201. Food for Progress Act of 1985.
- Sec. 3202. Bill Emerson Humanitarian Trust.
- Sec. 3203. Promotion of agricultural exports to emerging markets.
- Sec. 3204. McGovern-Dole International Food for Education and Child Nutrition Program.
- Sec. 3205. Technical assistance for specialty crops.
- Sec. 3206. Global Crop Diversity Trust.
- Sec. 3207. Local and regional food aid procurement projects.
- Sec. 3208. Donald Payne Horn of Africa food resilience program.
- Sec. 3209. Agricultural trade enhancement study.

TITLE IV—NUTRITION

Subtitle A—Supplemental Nutrition Assistance Program

- Sec. 4001. Food distribution program on Indian reservations.
- Sec. 4002. Standard utility allowances based on the receipt of energy assistance payments.
- Sec. 4003. Eligibility disqualifications.
- Sec. 4004. Ending supplemental nutrition assistance program benefits for lottery or gambling winners.
- Sec. 4005. Retail food stores.
- Sec. 4006. Improving security of food assistance.
- Sec. 4007. Technology modernization for retail food stores.
- Sec. 4008. Use of benefits for purchase of community-supported agriculture share.
- Sec. 4009. Restaurant meals program.
- Sec. 4010. Quality control error rate determination.
- Sec. 4011. Performance bonus payments.
- Sec. 4012. Authorization of appropriations.
- Sec. 4013. Assistance for community food projects.
- Sec. 4014. Emergency food assistance.
- Sec. 4015. Nutrition education.
- Sec. 4016. Retail food store and recipient trafficking.
- Sec. 4019. Technical and conforming amendments.

Subtitle B—Commodity Distribution Programs

- Sec. 4101. Commodity distribution program.
- Sec. 4102. Commodity supplemental food program.
- Sec. 4103. Distribution of surplus commodities to special nutrition projects.
- Sec. 4104. Technical and conforming amendments.

Subtitle C—Miscellaneous

- Sec. 4201. Purchase of fresh fruits and vegetables for distribution to schools and service institutions.
- Sec. 4202. Seniors farmers' market nutrition program.
- Sec. 4203. Nutrition information and awareness pilot program.

- Sec. 4204. Whole grain products.
- Sec. 4205. Hunger-free communities.
- Sec. 4206. Healthy Food Financing Initiative.
- Sec. 4207. Pulse crop products.
- Sec. 4208. Dietary Guidelines for Americans.
- Sec. 4209. Purchases of locally produced foods.

TITLE V—CREDIT

Subtitle A—Farmer Loans, Servicing, and Other Assistance Under the Consolidated Farm and Rural Development Act

- Sec. 5001. Farmer loans, servicing, and other assistance under the Consolidated Farm and Rural Development Act.

Subtitle B—Miscellaneous

- Sec. 5101. State agricultural mediation programs.
- Sec. 5102. Loans to purchasers of highly fractionated land.
- Sec. 5103. Removal of duplicative appraisals.

TITLE VI—RURAL DEVELOPMENT

Subtitle A—Reorganization of the Consolidated Farm and Rural Development Act

- Sec. 6001. Reorganization of the Consolidated Farm and Rural Development Act.
- Sec. 6002. Conforming amendments.

Subtitle B—Rural Electrification

- Sec. 6101. Definition of rural area.
- Sec. 6102. Guarantees for bonds and notes issued for electrification or telephone purposes.
- Sec. 6103. Expansion of 911 access.
- Sec. 6104. Access to broadband telecommunications services in rural areas.

Subtitle C—Miscellaneous

- Sec. 6201. Distance learning and telemedicine.
- Sec. 6202. Rural energy savings program.
- Sec. 6203. Funding of pending rural development loan and grant applications.
- Sec. 6204. Study of rural transportation issues.
- Sec. 6205. Agricultural transportation policy.

TITLE VII—RESEARCH, EXTENSION, AND RELATED MATTERS

Subtitle A—National Agricultural Research, Extension, and Teaching Policy Act of 1977

- Sec. 7101. National Agricultural Research, Extension, Education, and Economics Advisory Board.
- Sec. 7102. Specialty crop committee.
- Sec. 7103. Veterinary services grant program.
- Sec. 7104. Grants and fellowships for food and agriculture sciences education.
- Sec. 7105. Agricultural and food policy research centers.
- Sec. 7106. Education grants to Alaska Native serving institutions and Native Hawaiian serving institutions.
- Sec. 7107. Nutrition education program.
- Sec. 7108. Continuing animal health and disease research programs.
- Sec. 7109. Grants to upgrade agricultural and food sciences facilities at 1890 land-grant colleges, including Tuskegee University.
- Sec. 7110. Grants to upgrade agricultural and food sciences facilities and equipment at insular area land-grant institutions.

- Sec. 7111. Hispanic-serving institutions.
- Sec. 7112. Competitive grants for international agricultural science and education programs.

- Sec. 7113. University research.
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- Sec. 7304. Grants for youth organizations.
- Sec. 7305. Specialty crop research initiative.
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Sec. 12211. Definition of rural area for purposes of the Housing Act of 1949.

Sec. 12212. Prohibition on attending an animal fight or causing a minor to attend an animal fight; enforcement of animal fighting provisions.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term “Secretary” means the Secretary of Agriculture.

TITLE I—COMMODITY PROGRAMS

Subtitle A—Repeals and Reforms

SEC. 1101. REPEAL OF DIRECT PAYMENTS.

(a) REPEAL.—Sections 1103 and 1303 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8713, 8753) are repealed.

(b) CONTINUED APPLICATION FOR 2013 CROP YEAR.—Sections 1103 and 1303 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8713, 8753), as in effect on the day before the date of enactment of this Act, shall continue to apply through the 2013 crop year with respect to all covered commodities (as defined in section 1001 of that Act (7 U.S.C. 8702)) (except pulse crops) and peanuts on a farm.

SEC. 1102. REPEAL OF COUNTER-CYCLICAL PAYMENTS.

(a) REPEAL.—Sections 1104 and 1304 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8714, 8754) are repealed.

(b) CONTINUED APPLICATION FOR 2013 CROP YEAR.—Sections 1104 and 1304 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8714, 8754), as in effect on the day before the date of enactment of this Act, shall continue to apply through the 2013 crop year with respect to all covered commodities (as defined in section 1001 of that Act (7 U.S.C. 8702)) and peanuts on a farm.

SEC. 1103. REPEAL OF AVERAGE CROP REVENUE ELECTION PROGRAM.

(a) REPEAL.—Section 1105 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8715) is repealed.

(b) CONTINUED APPLICATION FOR 2013 CROP YEAR.—Section 1105 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8715), as in effect on the day before the date of enactment of this Act, shall continue to apply through the 2013 crop year with respect to all covered commodities (as defined in section 1001 of that Act (7 U.S.C. 8702)) and peanuts on a farm for which the irrevocable election

under section 1105 of that Act is made before the date of enactment of this Act.

SEC. 1104. DEFINITIONS.

In this subtitle, subtitle B, and subtitle F:

(1) **ACTUAL CROP REVENUE.**—The term “actual crop revenue”, with respect to a covered commodity for a crop year, means the amount determined by the Secretary under section 1105(c)(3).

(2) **AGRICULTURE RISK COVERAGE GUARANTEE.**—The term “agriculture risk coverage guarantee”, with respect to a covered commodity for a crop year, means the amount determined by the Secretary under section 1105(c)(4).

(3) **AGRICULTURE RISK COVERAGE PAYMENT.**—The term “agriculture risk coverage payment” means a payment under section 1105(c).

(4) **AVERAGE INDIVIDUAL YIELD.**—The term “average individual yield” means the yield reported by a producer for purposes of subtitle A of the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), to the maximum extent practicable.

(5) **COUNTY COVERAGE.**—For the purposes of agriculture risk coverage under section 1105, the term “county coverage” means coverage determined using the total quantity of all acreage in a county of the covered commodity that is planted or prevented from being planted for harvest by a producer with the yield determined by the average county yield described in subsection (c) of that section.

(6) **COVERED COMMODITY.**—

(A) **IN GENERAL.**—The term “covered commodity” means wheat, corn, grain sorghum, barley, oats, long grain rice, medium grain rice, pulse crops, soybeans, other oilseeds, and peanuts.

(B) **POPCORN.**—The Secretary—

(i) shall study the feasibility of including popcorn as a covered commodity by 2014; and

(ii) if the Secretary determines it to be feasible, shall designate popcorn as a covered commodity.

(7) **ELIGIBLE ACRES.**—

(A) **IN GENERAL.**—Except as provided in subparagraphs (B) through (D), the term “eligible acres” means all acres planted or prevented from being planted to all covered commodities on a farm in any crop year.

(B) **MAXIMUM.**—Except as provided in (C), the total quantity of eligible acres on a farm determined under subparagraph (A) shall not exceed the average total acres planted or prevented from being planted to covered commodities and upland cotton on the farm for the 2009 through 2012 crop years, as determined by the Secretary.

(C) **ADJUSTMENT.**—The Secretary shall provide for an adjustment, as appropriate, in the eligible acres for covered commodities for a farm if any of the following circumstances occurs:

(i) If a conservation reserve contract for a farm in a county entered into under section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) expires or is voluntarily terminated or cropland is released from coverage under a conservation reserve contract, the Secretary shall provide for an adjustment, as appropriate, in the eligible acres for the farm to a total quantity that is the higher of—

(I) the total base acreage for the farm, less any upland cotton base acreage, that was suspended during the conservation reserve contract; or

(II) the product obtained by multiplying—

(aa) the average proportion that—

(AA) the total number of acres planted to covered commodities and upland cotton in

the county for crop years 2009 through 2012; bears to

(BB) the total number of all acres of covered commodities, grassland, and upland cotton acres in the county for the same crop years; by

(bb) the total acres for which coverage has expired, voluntarily terminated, or been released under the conservation reserve contract.

(ii) The producer has eligible oilseed acreage as the result of the Secretary designating additional oilseeds, which shall be determined in the same manner as eligible oilseed acreage under section 1101(a)(1)(D) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8711(a)(1)(D)).

(iii) The producer has any acreage not cropped during the 2009 through 2012 crop years, but placed into an established rotation practice for the purposes of enriching land or conserving moisture for subsequent crop years, including summer fallow, as determined by the Secretary.

(D) **EXCLUSION.**—The term “eligible acres” does not include any crop subsequently planted during the same crop year on the same land for which the first crop is eligible for payments under this subtitle, unless the crop was planted in an area approved for double cropping, as determined by the Secretary.

(8) **EXTRA LONG STAPLE COTTON.**—The term “extra long staple cotton” means cotton that—

(A) is produced from pure strain varieties of the *Barbadense* species or any hybrid of the species, or other similar types of extra long staple cotton, designated by the Secretary, having characteristics needed for various end uses for which United States upland cotton is not suitable and grown in irrigated cotton-growing regions of the United States designated by the Secretary or other areas designated by the Secretary as suitable for the production of the varieties or types; and

(B) is ginned on a roller-type gin or, if authorized by the Secretary, ginned on another type gin for experimental purposes.

(9) **INDIVIDUAL COVERAGE.**—For purposes of agriculture risk coverage under section 1105, the term “individual coverage” means coverage determined using the total quantity of all acreage in a county of the covered commodity that is planted or prevented from being planted for harvest by a producer with the yield determined by the average individual yield of the producer described in subsection (c) of that section.

(10) **MEDIUM GRAIN RICE.**—The term “medium grain rice” includes short grain rice.

(11) **MIDSEASON PRICE.**—The term “midseason price” means the applicable national average market price received by producers for the first 5 months of the applicable marketing year, as determined by the Secretary.

(12) **OTHER OILSEED.**—The term “other oilseed” means a crop of sunflower seed, rapeseed, canola, safflower, flaxseed, mustard seed, crambe, sesame seed, or any oilseed designated by the Secretary.

(13) **PRODUCER.**—

(A) **IN GENERAL.**—The term “producer” means an owner, operator, landlord, tenant, or sharecropper that shares in the risk of producing a crop and is entitled to share in the crop available for marketing from the farm, or would have shared had the crop been produced.

(B) **HYBRID SEED.**—In determining whether a grower of hybrid seed is a producer, the Secretary shall—

(i) not take into consideration the existence of a hybrid seed contract; and

(ii) ensure that program requirements do not adversely affect the ability of the grower to receive a payment under this title.

(14) **PULSE CROP.**—The term “pulse crop” means dry peas, lentils, small chickpeas, and large chickpeas.

(15) **STATE.**—The term “State” means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory or possession of the United States.

(16) **TRANSITIONAL YIELD.**—The term “transitional yield” has the meaning given the term in section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)).

(17) **UNITED STATES.**—The term “United States”, when used in a geographical sense, means all of the States.

(18) **UNITED STATES PREMIUM FACTOR.**—The term “United States Premium Factor” means the percentage by which the difference in the United States loan schedule premiums for Strict Middling (SM) 1½-inch upland cotton and for Middling (M) 1¾-inch upland cotton exceeds the difference in the applicable premiums for comparable international qualities.

SEC. 1105. AGRICULTURE RISK COVERAGE.

(a) **PAYMENTS REQUIRED.**—If the Secretary determines that payments are required under subsection (c), the Secretary shall make payments for each covered commodity available to producers in accordance with this section.

(b) **COVERAGE ELECTION.**—

(1) **IN GENERAL.**—For the period of crop years 2014 through 2018, the producers shall make a 1-time, irrevocable election to receive—

(A) individual coverage under this section, as determined by the Secretary; or

(B) in the case of a county with sufficient data (as determined by the Secretary), county coverage under this section.

(2) **EFFECT OF ELECTION.**—The election made under paragraph (1) shall be binding on the producers making the election, regardless of covered commodities planted, and applicable to all acres under the operational control of the producers, in a manner that—

(A) acres brought under the operational control of the producers after the election are included; and

(B) acres no longer under the operational control of the producers after the election are no longer subject to the election of the producers but become subject to the election of the subsequent producers.

(3) **DUTIES OF THE SECRETARY.**—The Secretary shall ensure that producers are precluded from taking any action, including reconstitution, transfer, or other similar action, that would have the effect of altering or reversing the election made under paragraph (1).

(c) **AGRICULTURE RISK COVERAGE.**—

(1) **PAYMENTS.**—The Secretary shall make agriculture risk coverage payments available under this subsection for each of the 2014 through 2018 crop years if the Secretary determines that—

(A) the actual crop revenue for the crop year for the covered commodity; is less than

(B) the agriculture risk coverage guarantee for the crop year for the covered commodity.

(2) **TIME FOR PAYMENTS.**—If the Secretary determines under this subsection that agriculture risk coverage payments are required to be made for the covered commodity, the agriculture risk coverage payments shall be made as soon as practicable thereafter.

(3) **ACTUAL CROP REVENUE.**—The amount of the actual crop revenue for a crop year of a covered commodity shall be equal to the product obtained by multiplying—

(A)(i) in the case of individual coverage, the actual average individual yield for the covered commodity, as determined by the Secretary; or

(ii) in the case of county coverage, the actual average yield for the county for the covered commodity, as determined by the Secretary; and

(B) the higher of—

(i) the midseason price; or

(ii) if applicable, the national marketing assistance loan rate for the covered commodity under subtitle B.

(4) **AGRICULTURE RISK COVERAGE GUARANTEE.**—

(A) **IN GENERAL.**—The agriculture risk coverage guarantee for a crop year for a covered commodity shall equal 89 percent of the benchmark revenue.

(B) **BENCHMARK REVENUE.**—

(i) **IN GENERAL.**—The benchmark revenue shall be the product obtained by multiplying—

(I)(aa) in the case of individual coverage, subject to clause (ii), the average individual yield, as determined by the Secretary, for the most recent 5 crop years, excluding each of the crop years with the highest and lowest yields; or

(bb) in the case of county coverage, the average county yield, as determined by the Secretary, for the most recent 5 crop years, excluding each of the crop years with the highest and lowest yields; and

(II) subject to clause (iii), the average national marketing year average price for the most recent 5 crop years, excluding each of the crop years with the highest and lowest prices.

(ii) **USE OF TRANSITIONAL YIELDS.**—If the yield determined under clause (i)(I)(aa)—

(I) for the 2013 crop year or any prior crop year, is less than 60 percent of the applicable transitional yield, the Secretary shall use 60 percent of the applicable transitional yield for that crop year; and

(II) for the 2014 crop year and any subsequent crop year, is less than 70 percent of the applicable transitional yield, the Secretary shall use 70 percent of the applicable transitional yield for that crop year.

(iii) **SPECIAL RULE FOR RICE AND PEANUTS.**—If the national marketing year average price under clause (i)(II) for any of the applicable crop years is lower than the price for the covered commodity listed below, the Secretary shall use the following price for that crop year:

(I) For long grain rice, \$13.00 per hundredweight.

(II) For medium grain rice, \$13.00 per hundredweight.

(III) For peanuts, \$530.00 per ton.

(5) **PAYMENT RATE.**—The payment rate for each covered commodity shall be equal to the lesser of—

(A) the amount that—

(i) the agriculture risk coverage guarantee for the covered commodity; exceeds

(ii) the actual crop revenue for the crop year of the covered commodity; or

(B) 10 percent of the benchmark revenue for the crop year of the covered commodity.

(6) **PAYMENT AMOUNT.**—If agriculture risk coverage payments under this subsection are required to be paid for any of the 2014 through 2018 crop years of a covered commodity, the amount of the agriculture risk coverage payment for the crop year shall be equal to the product obtained by multiplying—

(A) the payment rate under paragraph (5); and

(B)(i) in the case of individual coverage the sum of—

(I) 65 percent of the planted eligible acres of the covered commodity; and

(II) 45 percent of the eligible acres that were prevented from being planted to the covered commodity; or

(ii) in the case of county coverage—

(I) 80 percent of the planted eligible acres of the covered commodity; and

(II) 45 percent of the eligible acres that were prevented from being planted to the covered commodity.

(7) **DUTIES OF THE SECRETARY.**—In carrying out the program under this subsection, the Secretary shall—

(A) to the maximum extent practicable, use all available information and analysis to check for anomalies in the determination of payments under the program;

(B) to the maximum extent practicable, calculate a separate actual crop revenue and agriculture risk coverage guarantee for irrigated and nonirrigated covered commodities;

(C) differentiate by type or class the national average price of—

(i) sunflower seeds;

(ii) barley, using malting barley values; and

(iii) wheat; and

(D) assign a yield for each acre planted or prevented from being planted for the crop year for the covered commodity on the basis of the yield history of representative farms in the State, region, or crop reporting district, as determined by the Secretary, if the Secretary cannot establish the yield as determined under paragraph (3)(A)(ii) or (4)(B)(i) or if the yield determined under paragraph (3)(A)(ii) or (4) is an unrepresentative average yield for the covered commodity as determined by the Secretary.

SEC. 1106. PRODUCER AGREEMENT REQUIRED AS CONDITION OF PROVISION OF PAYMENTS.

(a) **COMPLIANCE WITH CERTAIN REQUIREMENTS.**—

(1) **REQUIREMENTS.**—Before the producers on a farm may receive agriculture risk coverage payments, the producers shall agree, during the crop year for which the payments are made and in exchange for the payments—

(A) to comply with applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.);

(B) to comply with applicable wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.);

(C) to use the land on the farm for an agricultural or conserving use in a quantity equal to the attributable eligible acres of the farm, and not for a nonagricultural commercial, industrial, or residential use, as determined by the Secretary; and

(D) to effectively control noxious weeds and otherwise maintain the land in accordance with sound agricultural practices, as determined by the Secretary, if the agricultural or conserving use involves the noncultivation of any portion of the land referred to in subparagraph (C).

(2) **COMPLIANCE.**—The Secretary may issue such rules as the Secretary considers necessary to ensure producer compliance with the requirements of paragraph (1).

(3) **MODIFICATION.**—At the request of the transferee or owner, the Secretary may modify the requirements of this subsection if the modifications are consistent with the objectives of this subsection, as determined by the Secretary.

(b) **TRANSFER OR CHANGE OF INTEREST IN FARM.**—

(1) **TERMINATION.**—

(A) **IN GENERAL.**—Except as provided in paragraph (2), a transfer of (or change in) the interest of the producers on a farm for which agriculture risk coverage payments are made shall result in the termination of the agriculture risk coverage payments, unless the transferee or owner of the acreage agrees to assume all obligations under subsection (a).

(B) **EFFECTIVE DATE.**—The termination shall take effect on the date determined by the Secretary.

(2) **EXCEPTION.**—If a producer entitled to an agriculture risk coverage payment dies, becomes incompetent, or is otherwise unable to receive the payment, the Secretary shall make the payment, in accordance with rules issued by the Secretary.

(c) **REPORTS.**—

(1) **ACREAGE REPORTS.**—As a condition on the receipt of any benefits under this subtitle or subtitle B, the Secretary shall require producers on a farm to submit to the Secretary annual acreage reports with respect to all cropland on the farm.

(2) **PRODUCTION REPORTS.**—As a condition on the receipt of any benefits under section 1105, the Secretary shall require producers on a farm to submit to the Secretary annual production reports with respect to all covered commodities produced on the farm.

(3) **PENALTIES.**—No penalty with respect to benefits under this subtitle or subtitle B shall be assessed against the producers on a farm for an inaccurate acreage or production report unless the producers on the farm knowingly and willfully falsified the acreage or production report.

(4) **DATA REPORTING.**—To the maximum extent practicable, the Secretary shall use data reported by the producer pursuant to requirements under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) to meet the obligations described in paragraphs (1) and (2), without additional submissions to the Department.

(d) **TENANTS AND SHARECROPPERS.**—In carrying out this subtitle, the Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers.

SEC. 1107. PERIOD OF EFFECTIVENESS.

Sections 1104 through 1106 shall be effective beginning with the 2014 crop year of each covered commodity through the 2018 crop year.

SEC. 1108. ADJUSTED GROSS INCOME LIMITATION FOR CONSERVATION PROGRAMS.

Section 1001D(b)(2)(A) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(b)(2)(A)) is amended—

(1) by striking “LIMITS.” and all that follows through “clause (ii),” and inserting “LIMITS.—Notwithstanding any other provision of law,”; and

(2) by striking clause (ii).

Subtitle B—Marketing Assistance Loans and Loan Deficiency Payments

SEC. 1201. AVAILABILITY OF NONRECOURSE MARKETING ASSISTANCE LOANS FOR LOAN COMMODITIES.

(a) **DEFINITION OF LOAN COMMODITY.**—In this subtitle, the term “loan commodity” means wheat, corn, grain sorghum, barley, oats, upland cotton, extra long staple cotton, long grain rice, medium grain rice, peanuts, soybeans, other oilseeds, graded wool, non-graded wool, mohair, honey, dry peas, lentils, small chickpeas, and large chickpeas.

(b) **NONRECOURSE LOANS AVAILABLE.**—

(1) **IN GENERAL.**—For each of the 2014 through 2018 crops of each loan commodity,

the Secretary shall make available to producers on a farm nonrecourse marketing assistance loans for loan commodities produced on the farm.

(2) **TERMS AND CONDITIONS.**—The marketing assistance loans shall be made under terms and conditions that are prescribed by the Secretary and at the loan rate established under section 1202 for the loan commodity.

(c) **ELIGIBLE PRODUCTION.**—The producers on a farm shall be eligible for a marketing assistance loan under subsection (b) for any quantity of a loan commodity produced on the farm.

(d) **COMPLIANCE WITH CONSERVATION AND WETLANDS REQUIREMENTS.**—

(1) **REQUIREMENTS.**—Before the producers on a farm may receive a marketing assistance loan or any other payment or benefit under this subtitle, the producers shall agree, for the crop year for which the payments are made and in exchange for the payments—

(A) to comply with applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.);

(B) to comply with applicable wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.);

(C) to use the land on the farm for an agricultural or conserving use in a quantity equal to the attributable eligible acres of the farm, and not for a nonagricultural commercial, industrial, or residential use, as determined by the Secretary; and

(D) to effectively control noxious weeds and otherwise maintain the land in accordance with sound agricultural practices, as determined by the Secretary, if the agricultural or conserving use involves the noncultivation of any portion of the land referred to in subparagraph (C).

(2) **COMPLIANCE.**—The Secretary may issue such rules as the Secretary considers necessary to ensure producer compliance with paragraph (1).

(3) **MODIFICATION.**—At the request of a transferee or owner, the Secretary may modify the requirements of this subsection if the modifications are consistent with the purposes of this subsection, as determined by the Secretary.

(e) **SPECIAL RULES FOR PEANUTS.**—

(1) **IN GENERAL.**—This subsection shall apply only to producers of peanuts.

(2) **OPTIONS FOR OBTAINING LOAN.**—A marketing assistance loan under this section, and loan deficiency payments under section 1205, may be obtained at the option of the producers on a farm through—

(A) a designated marketing association or marketing cooperative of producers that is approved by the Secretary; or

(B) the Farm Service Agency.

(3) **STORAGE OF LOAN PEANUTS.**—As a condition on the approval by the Secretary of an individual or entity to provide storage for peanuts for which a marketing assistance loan is made under this section, the individual or entity shall agree—

(A) to provide the storage on a nondiscriminatory basis; and

(B) to comply with such additional requirements as the Secretary considers appropriate to accomplish the purposes of this section and promote fairness in the administration of the benefits of this section.

(4) **STORAGE, HANDLING, AND ASSOCIATED COSTS.**—

(A) **IN GENERAL.**—To ensure proper storage of peanuts for which a loan is made under this section, the Secretary shall pay handling and other associated costs (other than

storage costs) incurred at the time at which the peanuts are placed under loan, as determined by the Secretary.

(B) **REDEMPTION AND FORFEITURE.**—The Secretary shall—

(i) require the repayment of handling and other associated costs paid under subparagraph (A) for all peanuts pledged as collateral for a loan that is redeemed under this section; and

(ii) pay storage, handling, and other associated costs for all peanuts pledged as collateral that are forfeited under this section.

(5) **MARKETING.**—A marketing association or cooperative may market peanuts for which a loan is made under this section in any manner that conforms to consumer needs, including the separation of peanuts by type and quality.

(6) **REIMBURSABLE AGREEMENTS AND PAYMENT OF ADMINISTRATIVE EXPENSES.**—The Secretary may implement any reimbursable agreements or provide for the payment of administrative expenses under this subsection only in a manner that is consistent with those activities in regard to other loan commodities.

SEC. 1202. LOAN RATES FOR NONRECOURSE MARKETING ASSISTANCE LOANS.

(a) **IN GENERAL.**—For purposes of each of the 2014 through 2018 crop years, the loan rate for a marketing assistance loan under section 1201 for a loan commodity shall be equal to the following:

(1) In the case of wheat, \$2.94 per bushel.

(2) In the case of corn, \$1.95 per bushel.

(3) In the case of grain sorghum, \$1.95 per bushel.

(4) In the case of barley, \$1.95 per bushel.

(5) In the case of oats, \$1.39 per bushel.

(6) In the case of base quality of upland cotton, for the 2013 and each subsequent crop year, the simple average of the adjusted prevailing world price for the 2 immediately preceding marketing years, as determined by the Secretary and announced October 1 preceding the next domestic plantings, but in no case less than \$0.47 per pound or more than \$0.52 per pound.

(7) In the case of extra long staple cotton, \$0.7977 per pound.

(8) In the case of long grain rice, \$6.50 per hundredweight.

(9) In the case of medium grain rice, \$6.50 per hundredweight.

(10) In the case of soybeans, \$5.00 per bushel.

(11) In the case of other oilseeds, \$10.09 per hundredweight for each of the following kinds of oilseeds:

(A) Sunflower seed.

(B) Rapeseed.

(C) Canola.

(D) Safflower.

(E) Flaxseed.

(F) Mustard seed.

(G) Crambe.

(H) Sesame seed.

(I) Other oilseeds designated by the Secretary.

(12) In the case of dry peas, \$5.40 per hundredweight.

(13) In the case of lentils, \$11.28 per hundredweight.

(14) In the case of small chickpeas, \$7.43 per hundredweight.

(15) In the case of large chickpeas, \$11.28 per hundredweight.

(16) In the case of graded wool, \$1.15 per pound.

(17) In the case of nongraded wool, \$0.40 per pound.

(18) In the case of mohair, \$4.20 per pound.

(19) In the case of honey, \$0.69 per pound.

(20) In the case of peanuts, \$355 per ton.

(b) **SINGLE COUNTY LOAN RATE FOR OTHER OILSEEDS.**—The Secretary shall establish a single loan rate in each county for each kind of other oilseeds described in subsection (a)(11).

SEC. 1203. TERM OF LOANS.

(a) **TERM OF LOAN.**—In the case of each loan commodity, a marketing assistance loan under section 1201 shall have a term of 9 months beginning on the first day of the first month after the month in which the loan is made.

(b) **EXTENSIONS PROHIBITED.**—The Secretary may not extend the term of a marketing assistance loan for any loan commodity.

SEC. 1204. REPAYMENT OF LOANS.

(a) **GENERAL RULE.**—The Secretary shall permit the producers on a farm to repay a marketing assistance loan under section 1201 for a loan commodity (other than upland cotton, long grain rice, medium grain rice, extra long staple cotton, peanuts and confectionery and each other kind of sunflower seed (other than oil sunflower seed)) at a rate that is the lesser of—

(1) the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283));

(2) a rate (as determined by the Secretary) that—

(A) is calculated based on average market prices for the loan commodity during the preceding 30-day period; and

(B) will minimize discrepancies in marketing loan benefits across State boundaries and across county boundaries; or

(3) a rate that the Secretary may develop using alternative methods for calculating a repayment rate for a loan commodity that the Secretary determines will—

(A) minimize potential loan forfeitures;

(B) minimize the accumulation of stocks of the commodity by the Federal Government;

(C) minimize the cost incurred by the Federal Government in storing the commodity;

(D) allow the commodity produced in the United States to be marketed freely and competitively, both domestically and internationally; and

(E) minimize discrepancies in marketing loan benefits across State boundaries and across county boundaries.

(b) **REPAYMENT RATES FOR UPLAND COTTON, LONG GRAIN RICE, AND MEDIUM GRAIN RICE.**—The Secretary shall permit producers to repay a marketing assistance loan under section 1201 for upland cotton, long grain rice, and medium grain rice at a rate that is the lesser of—

(1) the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)); or

(2) the prevailing world market price for the commodity, as determined and adjusted by the Secretary in accordance with this section.

(c) **REPAYMENT RATES FOR EXTRA LONG STAPLE COTTON.**—Repayment of a marketing assistance loan for extra long staple cotton shall be at the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)).

(d) **PREVAILING WORLD MARKET PRICE.**—For purposes of this section, the Secretary shall prescribe by regulation—

(1) a formula to determine the prevailing world market price for each of upland cotton, long grain rice, and medium grain rice; and

(2) a mechanism by which the Secretary shall announce periodically those prevailing world market prices.

(e) **ADJUSTMENT OF PREVAILING WORLD MARKET PRICE FOR UPLAND COTTON, LONG GRAIN RICE, AND MEDIUM GRAIN RICE.**—

(1) **RICE.**—The prevailing world market price for long grain rice and medium grain rice determined under subsection (d) shall be adjusted to United States quality and location.

(2) **COTTON.**—The prevailing world market price for upland cotton determined under subsection (d)—

(A) shall be adjusted to United States quality and location, with the adjustment to include—

(i) a reduction equal to any United States Premium Factor for upland cotton of a quality higher than Middling (M) 1 $\frac{1}{2}$ -inch; and

(ii) the average costs to market the commodity, including average transportation costs, as determined by the Secretary; and

(B) may be further adjusted, during the period beginning on the date of enactment of this Act and ending on July 31, 2018, if the Secretary determines the adjustment is necessary—

(i) to minimize potential loan forfeitures;

(ii) to minimize the accumulation of stocks of upland cotton by the Federal Government;

(iii) to ensure that upland cotton produced in the United States can be marketed freely and competitively, both domestically and internationally; and

(iv) to ensure an appropriate transition between current-crop and forward-crop price quotations, except that the Secretary may use forward-crop price quotations prior to July 31 of a marketing year only if—

(I) there are insufficient current-crop price quotations; and

(II) the forward-crop price quotation is the lowest such quotation available.

(3) **GUIDELINES FOR ADDITIONAL ADJUSTMENTS.**—In making adjustments under this subsection, the Secretary shall establish a mechanism for determining and announcing the adjustments in order to avoid undue disruption in the United States market.

(f) **REPAYMENT RATES FOR CONFECTIONERY AND OTHER KINDS OF SUNFLOWER SEEDS.**—The Secretary shall permit the producers on a farm to repay a marketing assistance loan under section 1201 for confectionery and each other kind of sunflower seed (other than oil sunflower seed) at a rate that is the lesser of—

(1) the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)); or

(2) the repayment rate established for oil sunflower seed.

(g) **PAYMENT OF COTTON STORAGE COSTS.**—Effective for each of the 2014 through 2018 crop years, the Secretary shall make cotton storage payments available in the same manner, and at the same rates as the Secretary provided storage payments for the 2006 crop of cotton, except that the rates shall be reduced by 20 percent.

(h) **REPAYMENT RATE FOR PEANUTS.**—The Secretary shall permit producers on a farm to repay a marketing assistance loan for peanuts under subsection (a) at a rate that is the lesser of—

(1) the loan rate established for peanuts under subsection (b), plus interest (deter-

mined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)); or

(2) a rate that the Secretary determines will—

(A) minimize potential loan forfeitures;

(B) minimize the accumulation of stocks of peanuts by the Federal Government;

(C) minimize the cost incurred by the Federal Government in storing peanuts; and

(D) allow peanuts produced in the United States to be marketed freely and competitively, both domestically and internationally.

(i) **AUTHORITY TO TEMPORARILY ADJUST REPAYMENT RATES.**—

(1) **ADJUSTMENT AUTHORITY.**—In the event of a severe disruption to marketing, transportation, or related infrastructure, the Secretary may modify the repayment rate otherwise applicable under this section for marketing assistance loans under section 1201 for a loan commodity.

(2) **DURATION.**—Any adjustment made under paragraph (1) in the repayment rate for marketing assistance loans for a loan commodity shall be in effect on a short-term and temporary basis, as determined by the Secretary.

SEC. 1205. LOAN DEFICIENCY PAYMENTS.

(a) **AVAILABILITY OF LOAN DEFICIENCY PAYMENTS.**—

(1) **IN GENERAL.**—Except as provided in subsection (d), the Secretary may make loan deficiency payments available to producers on a farm that, although eligible to obtain a marketing assistance loan under section 1201 with respect to a loan commodity, agree to forgo obtaining the loan for the commodity in return for loan deficiency payments under this section.

(2) **UNSHORN PELTS, HAY, AND SILAGE.**—

(A) **MARKETING ASSISTANCE LOANS.**—Subject to subparagraph (B), nongraded wool in the form of unshorn pelts and hay and silage derived from a loan commodity are not eligible for a marketing assistance loan under section 1201.

(B) **LOAN DEFICIENCY PAYMENT.**—Effective for the 2014 through 2018 crop years, the Secretary may make loan deficiency payments available under this section to producers on a farm that produce unshorn pelts or hay and silage derived from a loan commodity.

(b) **COMPUTATION.**—A loan deficiency payment for a loan commodity or commodity referred to in subsection (a)(2) shall be equal to the product obtained by multiplying—

(1) the payment rate determined under subsection (c) for the commodity; by

(2) the quantity of the commodity produced by the eligible producers, excluding any quantity for which the producers obtain a marketing assistance loan under section 1201.

(c) **PAYMENT RATE.**—

(1) **IN GENERAL.**—In the case of a loan commodity, the payment rate shall be the amount by which—

(A) the loan rate established under section 1202 for the loan commodity; exceeds

(B) the rate at which a marketing assistance loan for the loan commodity may be repaid under section 1204.

(2) **UNSHORN PELTS.**—In the case of unshorn pelts, the payment rate shall be the amount by which—

(A) the loan rate established under section 1202 for ungraded wool; exceeds

(B) the rate at which a marketing assistance loan for ungraded wool may be repaid under section 1204.

(3) **HAY AND SILAGE.**—In the case of hay or silage derived from a loan commodity, the

payment rate shall be the amount by which—

(A) the loan rate established under section 1202 for the loan commodity from which the hay or silage is derived; exceeds

(B) the rate at which a marketing assistance loan for the loan commodity may be repaid under section 1204.

(d) **EXCEPTION FOR EXTRA LONG STAPLE COTTON.**—This section shall not apply with respect to extra long staple cotton.

(e) **EFFECTIVE DATE FOR PAYMENT RATE DETERMINATION.**—The Secretary shall determine the amount of the loan deficiency payment to be made under this section to the producers on a farm with respect to a quantity of a loan commodity or commodity referred to in subsection (a)(2) using the payment rate in effect under subsection (c) as of the date the producers request the payment.

SEC. 1206. PAYMENTS IN LIEU OF LOAN DEFICIENCY PAYMENTS FOR GRAZED ACREAGE.

(a) **ELIGIBLE PRODUCERS.**—

(1) **IN GENERAL.**—Effective for the 2014 through 2018 crop years, in the case of a producer that would be eligible for a loan deficiency payment under section 1205 for wheat, barley, or oats, but that elects to use acreage planted to the wheat, barley, or oats for the grazing of livestock, the Secretary shall make a payment to the producer under this section if the producer enters into an agreement with the Secretary to forgo any other harvesting of the wheat, barley, or oats on that acreage.

(2) **GRAZING OF TRITICALE ACREAGE.**—Effective for the 2014 through 2018 crop years, with respect to a producer on a farm that uses acreage planted to triticale for the grazing of livestock, the Secretary shall make a payment to the producer under this section if the producer enters into an agreement with the Secretary to forgo any other harvesting of triticale on that acreage.

(b) **PAYMENT AMOUNT.**—

(1) **IN GENERAL.**—The amount of a payment made under this section to a producer on a farm described in subsection (a)(1) shall be equal to the amount determined by multiplying—

(A) the loan deficiency payment rate determined under section 1205(c) in effect, as of the date of the agreement, for the county in which the farm is located; by

(B) the payment quantity determined by multiplying—

(i) the quantity of the grazed acreage on the farm with respect to which the producer elects to forgo harvesting of wheat, barley, or oats; and

(ii)(I) the yield in effect for the calculation of agriculture risk coverage payments under subtitle A with respect to that loan commodity on the farm; or

(II) in the case of a farm without a payment yield for that loan commodity, an appropriate yield established by the Secretary.

(2) **GRAZING OF TRITICALE ACREAGE.**—The amount of a payment made under this section to a producer on a farm described in subsection (a)(2) shall be equal to the amount determined by multiplying—

(A) the loan deficiency payment rate determined under section 1205(c) in effect for wheat, as of the date of the agreement, for the county in which the farm is located; by

(B) the payment quantity determined by multiplying—

(i) the quantity of the grazed acreage on the farm with respect to which the producer elects to forgo harvesting of triticale; and

(ii)(I) the yield in effect for the calculation of agriculture risk coverage payments under

subtitle A with respect to wheat on the farm; or

(II) in the case of a farm without a payment yield for wheat, an appropriate yield established by the Secretary in a manner consistent with section 1102 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8712).

(C) TIME, MANNER, AND AVAILABILITY OF PAYMENT.—

(1) TIME AND MANNER.—A payment under this section shall be made at the same time and in the same manner as loan deficiency payments are made under section 1205.

(2) AVAILABILITY.—

(A) IN GENERAL.—The Secretary shall establish an availability period for the payments authorized by this section.

(B) CERTAIN COMMODITIES.—In the case of wheat, barley, and oats, the availability period shall be consistent with the availability period for the commodity established by the Secretary for marketing assistance loans authorized by this subtitle.

(d) PROHIBITION ON CROP INSURANCE INDEMNITY OR NONINSURED CROP ASSISTANCE.—A 2014 through 2018 crop of wheat, barley, oats, or triticale planted on acreage that a producer elects, in the agreement required by subsection (a), to use for the grazing of livestock in lieu of any other harvesting of the crop shall not be eligible for an indemnity under a policy or plan of insurance authorized under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or noninsured crop assistance under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

SEC. 1207. SPECIAL COMPETITIVE PROVISIONS FOR EXTRA LONG STAPLE COTTON.

(a) COMPETITIVENESS PROGRAM.—Notwithstanding any other provision of law, during the period beginning on the date of enactment of this Act through July 31, 2018, the Secretary shall carry out a program—

(1) to maintain and expand the domestic use of extra long staple cotton produced in the United States;

(2) to increase exports of extra long staple cotton produced in the United States; and

(3) to ensure that extra long staple cotton produced in the United States remains competitive in world markets.

(b) PAYMENTS UNDER PROGRAM; TRIGGER.—Under the program, the Secretary shall make payments available under this section whenever—

(1) for a consecutive 4-week period, the world market price for the lowest priced competing growth of extra long staple cotton (adjusted to United States quality and location and for other factors affecting the competitiveness of such cotton), as determined by the Secretary, is below the prevailing United States price for a competing growth of extra long staple cotton; and

(2) the lowest priced competing growth of extra long staple cotton (adjusted to United States quality and location and for other factors affecting the competitiveness of such cotton), as determined by the Secretary, is less than 134 percent of the loan rate for extra long staple cotton.

(c) ELIGIBLE RECIPIENTS.—The Secretary shall make payments available under this section to domestic users of extra long staple cotton produced in the United States and exporters of extra long staple cotton produced in the United States that enter into an agreement with the Commodity Credit Corporation to participate in the program under this section.

(d) PAYMENT AMOUNT.—Payments under this section shall be based on the amount of

the difference in the prices referred to in subsection (b)(1) during the fourth week of the consecutive 4-week period multiplied by the amount of documented purchases by domestic users and sales for export by exporters made in the week following such a consecutive 4-week period.

SEC. 1208. AVAILABILITY OF RECOURSE LOANS FOR HIGH MOISTURE FEED GRAINS AND SEED COTTON.

(a) HIGH MOISTURE FEED GRAINS.—

(1) DEFINITION OF HIGH MOISTURE STATE.—In this subsection, the term “high moisture state” means corn or grain sorghum having a moisture content in excess of Commodity Credit Corporation standards for marketing assistance loans made by the Secretary under section 1201.

(2) RECOURSE LOANS AVAILABLE.—For each of the 2014 through 2018 crops of corn and grain sorghum, the Secretary shall make available recourse loans, as determined by the Secretary, to producers on a farm that—

(A) normally harvest all or a portion of their crop of corn or grain sorghum in a high moisture state;

(B) present—

(i) certified scale tickets from an inspected, certified commercial scale, including a licensed warehouse, feedlot, feed mill, distillery, or other similar entity approved by the Secretary, pursuant to regulations issued by the Secretary; or

(ii) field or other physical measurements of the standing or stored crop in regions of the United States, as determined by the Secretary, that do not have certified commercial scales from which certified scale tickets may be obtained within reasonable proximity of harvest operation;

(C) certify that the producers on the farm were the owners of the feed grain at the time of delivery to, and that the quantity to be placed under loan under this subsection was in fact harvested on the farm and delivered to, a feedlot, feed mill, or commercial or on-farm high-moisture storage facility, or to a facility maintained by the users of corn and grain sorghum in a high moisture state; and

(D) comply with deadlines established by the Secretary for harvesting the corn or grain sorghum and submit applications for loans under this subsection within deadlines established by the Secretary.

(3) ELIGIBILITY OF ACQUIRED FEED GRAINS.—A loan under this subsection shall be made on a quantity of corn or grain sorghum of the same crop acquired by the producer equivalent to a quantity determined by multiplying—

(A) the acreage of the corn or grain sorghum in a high moisture state harvested on the farm of the producer; by

(B) the lower of the actual average yield used to make payments under subtitle A or the actual yield on a field, as determined by the Secretary, that is similar to the field from which the corn or grain sorghum was obtained.

(b) RECOURSE LOANS AVAILABLE FOR SEED COTTON.—For each of the 2014 through 2018 crops of upland cotton and extra long staple cotton, the Secretary shall make available recourse seed cotton loans, as determined by the Secretary, on any production.

(c) REPAYMENT RATES.—Repayment of a recourse loan made under this section shall be at the loan rate established for the commodity by the Secretary, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)).

SEC. 1209. ADJUSTMENTS OF LOANS.

(a) ADJUSTMENT AUTHORITY.—Subject to subsection (e), the Secretary may make ap-

propriate adjustments in the loan rates for any loan commodity (other than cotton) for differences in grade, type, quality, location, and other factors.

(b) MANNER OF ADJUSTMENT.—The adjustments under subsection (a) shall, to the maximum extent practicable, be made in such a manner that the average loan level for the commodity will, on the basis of the anticipated incidence of the factors, be equal to the level of support determined in accordance with this subtitle and subtitles C through E.

(c) ADJUSTMENT ON COUNTY BASIS.—

(1) IN GENERAL.—The Secretary may establish loan rates for a crop for producers in individual counties in a manner that results in the lowest loan rate being 95 percent of the national average loan rate, if those loan rates do not result in an increase in outlays.

(2) PROHIBITION.—Adjustments under this subsection shall not result in an increase in the national average loan rate for any year.

(d) ADJUSTMENT IN LOAN RATE FOR COTTON.—

(1) IN GENERAL.—The Secretary may make appropriate adjustments in the loan rate for cotton for differences in quality factors.

(2) REVISIONS TO QUALITY ADJUSTMENTS FOR UPLAND COTTON.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall implement revisions in the administration of the marketing assistance loan program for upland cotton to more accurately and efficiently reflect market values for upland cotton.

(B) MANDATORY REVISIONS.—Revisions under subparagraph (A) shall include—

(i) the elimination of warehouse location differentials;

(ii) the establishment of differentials for the various quality factors and staple lengths of cotton based on a 3-year, weighted moving average of the weighted designated spot market regions, as determined by regional production;

(iii) the elimination of any artificial split in the premium or discount between upland cotton with a 32 or 33 staple length due to micronaire; and

(iv) a mechanism to ensure that no premium or discount is established that exceeds the premium or discount associated with a leaf grade that is 1 better than the applicable color grade.

(C) DISCRETIONARY REVISIONS.—Revisions under subparagraph (A) may include—

(i) the use of non-spot market price data, in addition to spot market price data, that would enhance the accuracy of the price information used in determining quality adjustments under this subsection;

(ii) adjustments in the premiums or discounts associated with upland cotton with a staple length of 33 or above due to micronaire with the goal of eliminating any unnecessary artificial splits in the calculations of the premiums or discounts; and

(iii) such other adjustments as the Secretary determines appropriate, after consultations conducted in accordance with paragraph (3).

(3) CONSULTATION WITH PRIVATE SECTOR.—

(A) PRIOR TO REVISION.—In making adjustments to the loan rate for cotton (including any review of the adjustments) as provided in this subsection, the Secretary shall consult with representatives of the United States cotton industry.

(B) INAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to consultations under this subsection.

(4) REVIEW OF ADJUSTMENTS.—The Secretary may review the operation of the upland cotton quality adjustments implemented pursuant to this subsection and may make further revisions to the administration of the loan program for upland cotton, by—

(A) revoking or revising any actions taken under paragraph (2)(B); or

(B) revoking or revising any actions taken or authorized to be taken under paragraph (2)(C).

(e) RICE.—The Secretary shall not make adjustments in the loan rates for long grain rice and medium grain rice, except for differences in grade and quality (including milling yields).

Subtitle C—Sugar

SEC. 1301. SUGAR PROGRAM.

(a) CONTINUATION OF CURRENT PROGRAM AND LOAN RATES.—

(1) SUGARCANE.—Section 156(a)(5) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)(5)) is amended by striking “the 2012 crop year” and inserting “each of the 2014 through 2018 crop years”.

(2) SUGAR BEETS.—Section 156(b)(2) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(b)(2)) is amended by striking “2012” and inserting “2018”.

(3) EFFECTIVE PERIOD.—Section 156(i) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(i)) is amended by striking “2012” and inserting “2018”.

(b) FLEXIBLE MARKETING ALLOTMENTS FOR SUGAR.—

(1) SUGAR ESTIMATES.—Section 359b(a)(1) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb(a)(1)) is amended by striking “2012” and inserting “2018”.

(2) SUGAR IMPORT QUOTA ADJUSTMENT DATE.—Section 359k(b) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359kk(b)) is amended—

(A) by striking “APRIL 1” each place it appears and inserting “FEBRUARY 1”; and

(B) by striking “April 1” each place it appears and inserting “February 1”.

(3) EFFECTIVE PERIOD.—Section 359l(a) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ll(a)) is amended by striking “2012” and inserting “2018”.

Subtitle D—Dairy

PART I—DAIRY PRODUCTION MARGIN PROTECTION AND DAIRY MARKET STABILIZATION PROGRAMS

SEC. 1401. DEFINITIONS.

In this part:

(1) ACTUAL DAIRY PRODUCTION MARGIN.—The term “actual dairy production margin” means the difference between the all-milk price and the average feed cost, as calculated under section 1402.

(2) ALL-MILK PRICE.—The term “all-milk price” means the average price received, per hundredweight of milk, by dairy operations for all milk sold to plants and dealers in the United States, as determined by the Secretary.

(3) ANNUAL PRODUCTION HISTORY.—The term “annual production history” means the production history determined for a participating dairy operation under section 1413(b) whenever the participating dairy operation purchases supplemental production margin protection.

(4) AVERAGE FEED COST.—The term “average feed cost” means the average cost of feed used by a dairy operation to produce a hundredweight of milk, determined under section 1402 using the sum of the following:

(A) The product determined by multiplying 1.0728 by the price of corn per bushel.

(B) The product determined by multiplying 0.00735 by the price of soybean meal per ton.

(C) The product determined by multiplying 0.0137 by the price of alfalfa hay per ton.

(5) BASIC PRODUCTION HISTORY.—The term “basic production history” means the production history determined for a participating dairy operation under section 1413(a) for provision of basic production margin protection.

(6) CONSECUTIVE 2-MONTH PERIOD.—The term “consecutive 2-month period” refers to the 2-month period consisting of the months of January and February, March and April, May and June, July and August, September and October, or November and December, respectively.

(7) DAIRY OPERATION.—

(A) IN GENERAL.—The term “dairy operation” means, as determined by the Secretary, 1 or more dairy producers that produce and market milk as a single dairy operation in which each dairy producer—

(i) shares in the pooling of resources and a common ownership structure;

(ii) is at risk in the production of milk on the dairy operation; and

(iii) contributes land, labor, management, equipment, or capital to the dairy operation.

(B) ADDITIONAL OWNERSHIP STRUCTURES.—The Secretary shall determine additional ownership structures to be covered by the definition of dairy operation.

(8) HANDLER.—

(A) IN GENERAL.—The term “handler” means the initial individual or entity making payment to a dairy operation for milk produced in the United States and marketed for commercial use.

(B) PRODUCER-HANDLER.—The term includes a “producer-handler” when the producer satisfies the definition in subparagraph (A).

(9) PARTICIPATING DAIRY OPERATION.—The term “participating dairy operation” means a dairy operation that—

(A) signs up under section 1412 to participate in the production margin protection program under subpart A; and

(B) as a result, also participates in the stabilization program under subpart B.

(10) PRODUCTION MARGIN PROTECTION PROGRAM.—The term “production margin protection program” means the dairy production margin protection program required by subpart A.

(11) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

(12) STABILIZATION PROGRAM.—The term “stabilization program” means the dairy market stabilization program required by subpart B for all participating dairy operations.

(13) STABILIZATION PROGRAM BASE.—The term “stabilization program base”, with respect to a participating dairy operation, means the stabilization program base calculated for the participating dairy operation under section 1431(b).

(14) UNITED STATES.—The term “United States”, in a geographical sense, means the 50 States, the District of Columbia, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, and any other territory or possession of the United States.

SEC. 1402. CALCULATION OF AVERAGE FEED COST AND ACTUAL DAIRY PRODUCTION MARGINS.

(a) CALCULATION OF AVERAGE FEED COST.—The Secretary shall calculate the national average feed cost for each month using the following data:

(1) The price of corn for a month shall be the price received during that month by farmers in the United States for corn, as reported in the monthly Agricultural Prices report by the Secretary.

(2) The price of soybean meal for a month shall be the central Illinois price for soybean meal, as reported in the Market News—Monthly Soybean Meal Price Report by the Secretary.

(3) The price of alfalfa hay for a month shall be the price received during that month by farmers in the United States for alfalfa hay, as reported in the monthly Agricultural Prices report by the Secretary.

(b) CALCULATION OF ACTUAL DAIRY PRODUCTION MARGINS.—

(1) PRODUCTION MARGIN PROTECTION PROGRAM.—For use in the production margin protection program under subpart A, the Secretary shall calculate the actual dairy production margin for each consecutive 2-month period by subtracting—

(A) the average feed cost for that consecutive 2-month period, determined in accordance with subsection (a); from

(B) the all-milk price for that consecutive 2-month period.

(2) STABILIZATION PROGRAM.—For use in the stabilization program under subpart B, the Secretary shall calculate each month the actual dairy production margin for the preceding month by subtracting—

(A) the average feed cost for that preceding month, determined in accordance with subsection (a); from

(B) the all-milk price for that preceding month.

(3) TIME FOR CALCULATIONS.—The calculations required by paragraphs (1) and (2) shall be made as soon as practicable using the full month price of the applicable reference month.

Subpart A—Dairy Production Margin Protection Program

SEC. 1411. ESTABLISHMENT OF DAIRY PRODUCTION MARGIN PROTECTION PROGRAM.

Effective not later than 120 days after the effective date of this subtitle, the Secretary shall establish and administer a dairy production margin protection program under which participating dairy operations are paid—

(1) basic production margin protection program payments under section 1414 when actual dairy production margins are less than the threshold levels for such payments; and

(2) supplemental production margin protection program payments under section 1415 if purchased by a participating dairy operation.

SEC. 1412. PARTICIPATION OF DAIRY OPERATIONS IN PRODUCTION MARGIN PROTECTION PROGRAM.

(a) ELIGIBILITY.—All dairy operations in the United States shall be eligible to participate in the production margin protection program, except that a participating dairy operation shall be required to register with the Secretary before the participating dairy operation may receive—

(1) basic production margin protection program payments under section 1414; and

(2) if the participating dairy operation purchases supplemental production margin protection under section 1415, supplemental production margin protection program payments under such section.

(b) REGISTRATION PROCESS.—

(1) IN GENERAL.—The Secretary shall specify the manner and form by which a participating dairy operation may register to participate in the production margin protection program.

(2) **TREATMENT OF MULTIPRODUCER DAIRY OPERATIONS.**—If a participating dairy operation is operated by more than 1 dairy producer, all of the dairy producers of the participating dairy operation shall be treated as a single dairy operation for purposes of—

(A) registration to receive basic production margin protection and election to purchase supplemental production margin protection;

(B) payment of the participation fee under subsection (d) and producer premiums under section 1415; and

(C) participation in the stabilization program under subtitle B.

(3) **TREATMENT OF PRODUCERS WITH MULTIPLE DAIRY OPERATIONS.**—If a dairy producer operates 2 or more dairy operations, each dairy operation of the producer shall separately register to receive basic production margin protection and purchase supplemental production margin protection and only those dairy operations so registered shall be covered by the stabilization program.

(c) **TIME FOR REGISTRATION.**—

(1) **EXISTING DAIRY OPERATIONS.**—During the 15-month period beginning on the date of the initiation of the registration period for the production margin protection program, a dairy operation that is actively engaged as of such date may register with the Secretary—

(A) to receive basic production margin protection; and

(B) if the dairy operation elects, to purchase supplemental production margin protection.

(2) **NEW ENTRANTS.**—A dairy producer that has no existing interest in a dairy operation as of the date of the initiation of the registration period for the production margin protection program, but that, after such date, establishes a new dairy operation, may register with the Secretary during the 1-year period beginning on the date on which the dairy operation first markets milk commercially—

(A) to receive basic production margin protection; and

(B) if the dairy operation elects, to purchase supplemental production margin protection.

(d) **TRANSITION FROM MILC TO PRODUCTION MARGIN PROTECTION.**—

(1) **DEFINITION OF TRANSITION PERIOD.**—In this subsection, the term “transition period” means the period during which the milk income loss program established under section 1506 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773) and the production margin protection program under this subtitle are both in existence.

(2) **NOTICE OF AVAILABILITY.**—Not later than 30 days after the date of enactment of this Act, the Secretary shall publish a notice in the Federal Register to inform dairy operations of the availability of basic production margin protection and supplemental production margin protection, including the terms of the protection and information about the option of dairy operations during the transition period to make an election described in paragraph (3).

(3) **ELECTION.**—Except as provided in paragraph (4), a dairy operation may elect to participate in either the milk income loss program established under section 1506 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773) or the production margin protection program under this subtitle for the duration of the transition period.

(4) **TRANSFER TO PRODUCTION MARGIN PROTECTION.**—A dairy operation that elects to participate in the milk income loss program

established under section 1506 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773) during the transition period may, at any time, make a permanent transfer to the production margin protection program.

(e) **ADMINISTRATION FEE.**—

(1) **ADMINISTRATION FEE REQUIRED.**—Except as provided in paragraph (5), a participating dairy operation shall—

(A) pay an administration fee under this subsection to register to participate in the production margin protection program; and

(B) pay the administration fee annually thereafter to continue to participate in the production margin protection program.

(2) **FEE AMOUNT.**—The administration fee for a participating dairy operation for a calendar year shall be based on the pounds of milk (in millions) marketed by the participating dairy operation in the previous calendar year, as follows:

Pounds Marketed (in millions)	Administration Fee
less than 1	\$100
1 to 5	\$250
more than 5 to 10	\$350
more than 10 to 40	\$1,000
more than 40	\$2,500

(3) **DEPOSIT OF FEES.**—All administration fees collected under this subsection shall be credited to the fund or account used to cover the costs incurred to administer the production margin protection program and the stabilization program and shall be available to the Secretary, without further appropriation and until expended, for use or transfer as provided in paragraph (4).

(4) **USE OF FEES.**—The Secretary shall use administration fees collected under this subsection—

(A) to cover administrative costs of the production margin protection program and stabilization program; and

(B) to cover costs of the Department of Agriculture relating to reporting of dairy market news, carrying out the amendments made by section 1476, and carrying out section 273 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1637b), to the extent funds remain available after operation of subparagraph (A).

(5) **WAIVER.**—The Secretary shall waive or reduce the administration fee required under paragraph (1) in the case of a limited-resource dairy operation, as defined by the Secretary.

(f) **LIMITATION.**—A dairy operation may only participate in the production margin protection program or the livestock gross margin for dairy program under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), but not both.

SEC. 1413. PRODUCTION HISTORY OF PARTICIPATING DAIRY OPERATIONS.

(a) **PRODUCTION HISTORY FOR BASIC PRODUCTION MARGIN PROTECTION.**—

(1) **DETERMINATION REQUIRED.**—For purposes of providing basic production margin protection, the Secretary shall determine the basic production history of a participating dairy operation.

(2) **CALCULATION.**—Except as provided in paragraph (3), the basic production history of a participating dairy operation for basic production margin protection is equal to the highest annual milk marketings of the participating dairy operation during any 1 of the 3 calendar years immediately preceding the calendar year in which the participating dairy operation first signed up to participate

in the production margin protection program.

(3) **ELECTION BY NEW DAIRY OPERATIONS.**—In the case of a participating dairy operation that has been in operation for less than a year, the participating dairy operation shall elect 1 of the following methods for the Secretary to determine the basic production history of the participating dairy operation:

(A) The volume of the actual milk marketings for the months the participating dairy operation has been in operation extrapolated to a yearly amount.

(B) An estimate of the actual milk marketings of the participating dairy operation based on the herd size of the participating dairy operation relative to the national rolling herd average data published by the Secretary.

(4) **NO CHANGE IN PRODUCTION HISTORY FOR BASIC PRODUCTION MARGIN PROTECTION.**—Once the basic production history of a participating dairy operation is determined under paragraph (2) or (3), the basic production history shall not be subsequently changed for purposes of determining the amount of any basic production margin protection payments for the participating dairy operation made under section 1414.

(b) **ANNUAL PRODUCTION HISTORY FOR SUPPLEMENTAL PRODUCTION MARGIN PROTECTION.**—

(1) **DETERMINATION REQUIRED.**—For purposes of providing supplemental production margin protection for a participating dairy operation that purchases supplemental production margin protection for a year under section 1415, the Secretary shall determine the annual production history of the participating dairy operation under paragraph (2).

(2) **CALCULATION.**—The annual production history of a participating dairy operation for a year is equal to the actual milk marketings of the participating dairy operation during the preceding calendar year.

(3) **NEW DAIRY OPERATIONS.**—Subsection (a)(3) shall apply with respect to determining the annual production history of a participating dairy operation that has been in operation for less than a year.

(c) **REQUIRED INFORMATION.**—A participating dairy operation shall provide all information that the Secretary may require in order to establish—

(1) the basic production history of the participating dairy operation under subsection (a); and

(2) the production history of the participating dairy operation whenever the participating dairy operation purchases supplemental production margin protection under section 1415.

(d) **TRANSFER OF PRODUCTION HISTORIES.**—

(1) **TRANSFER BY SALE OR LEASE.**—In promulgating the rules to initiate the production margin protection program, the Secretary shall specify the conditions under which and the manner by which the production history of a participating dairy operation may be transferred by sale or lease.

(2) **COVERAGE LEVEL.**—

(A) **BASIC PRODUCTION MARGIN PROTECTION.**—A purchaser or lessee to whom the Secretary transfers a basic production history under this subsection shall not obtain a different level of basic production margin protection than the basic production margin protection coverage held by the seller or lessor from whom the transfer was obtained.

(B) **SUPPLEMENTAL PRODUCTION MARGIN PROTECTION.**—A purchaser or lessee to whom the Secretary transfers an annual production history under this subsection shall not obtain a different level of supplemental production margin protection coverage than the

supplemental production margin protection coverage in effect for the seller or lessor from whom the transfer was obtained for the calendar year in which the transfer was made.

(e) **MOVEMENT AND TRANSFER OF PRODUCTION HISTORY.**—

(1) **MOVEMENT AND TRANSFER AUTHORIZED.**—Subject to paragraph (2), if a participating dairy operation moves from 1 location to another location, the participating dairy operation may transfer the basic production history and annual production history associated with the participating dairy operation.

(2) **NOTIFICATION REQUIREMENT.**—A participating dairy operation shall notify the Secretary of any move of a participating dairy operation under paragraph (1).

(3) **SUBSEQUENT OCCUPATION OF VACATED LOCATION.**—A party subsequently occupying a participating dairy operation location vacated as described in paragraph (1) shall have no interest in the basic production history or annual production history previously associated with the participating dairy operation at such location.

SEC. 1414. BASIC PRODUCTION MARGIN PROTECTION.

(a) **PAYMENT THRESHOLD.**—The Secretary shall make a payment to participating dairy operations in accordance with subsection (b) whenever the average actual dairy production margin for a consecutive 2-month period is less than \$4.00 per hundredweight of milk.

(b) **BASIC PRODUCTION MARGIN PROTECTION PAYMENT.**—The basic production margin protection payment for a participating dairy operation for a consecutive 2-month period shall be equal to the product obtained by multiplying—

(1) the difference between the average actual dairy production margin for the consecutive 2-month period and \$4.00, except that, if the difference is more than \$4.00, the Secretary shall use \$4.00; by

(2) the lesser of—

(A) 80 percent of the production history of the participating dairy operation, divided by 6; or

(B) the actual quantity of milk marketed by the participating dairy operation during the consecutive 2-month period.

SEC. 1415. SUPPLEMENTAL PRODUCTION MARGIN PROTECTION.

(a) **ELECTION OF SUPPLEMENTAL PRODUCTION MARGIN PROTECTION.**—A participating dairy operation may annually purchase supplemental production margin protection to protect, during the calendar year for which purchased, a higher level of the income of a participating dairy operation than the income level guaranteed by basic production margin protection under section 1414.

(b) **SELECTION OF PAYMENT THRESHOLD.**—A participating dairy operation purchasing supplemental production margin protection for a year shall elect a coverage level that is higher, in any increment of \$0.50, than the payment threshold for basic production margin protection specified in section 1414(a), but not to exceed \$8.00.

(c) **COVERAGE PERCENTAGE.**—A participating dairy operation purchasing supplemental production margin protection for a year shall elect a percentage of coverage equal to not more than 90 percent, nor less than 25 percent, of the annual production history of the participating dairy operation.

(d) **PREMIUMS FOR SUPPLEMENTAL PRODUCTION MARGIN PROTECTION.**—

(1) **PREMIUMS REQUIRED.**—A participating dairy operation that purchases supplemental production margin protection shall pay an annual premium equal to the product obtained by multiplying—

(A) the coverage percentage elected by the participating dairy operation under subsection (c);

(B) the annual production history of the participating dairy operation; and

(C) the premium per hundredweight of milk, as specified in the applicable table under paragraph (2) or (3).

(2) **PREMIUM PER HUNDREDWEIGHT FOR FIRST 4 MILLION POUNDS OF PRODUCTION.**—For the first 4,000,000 pounds of milk marketings included in the annual production history of a participating dairy operation, the premium per hundredweight corresponding to each coverage level specified in the following table is as follows:

Coverage Level	Premium per Cwt.
\$4.50	\$0.01
\$5.00	\$0.02
\$5.50	\$0.035
\$6.00	\$0.045
\$6.50	\$0.09
\$7.00	\$0.40
\$7.50	\$0.60
\$8.00	\$0.95

(3) **PREMIUM PER HUNDREDWEIGHT FOR PRODUCTION IN EXCESS OF 4 MILLION POUNDS.**—For milk marketings in excess of 4,000,000 pounds included in the annual production history of a participating dairy operation, the premium per hundredweight corresponding to each coverage level is as follows:

Coverage Level	Premium per Cwt.
\$4.50	\$0.02
\$5.00	\$0.04
\$5.50	\$0.10
\$6.00	\$0.15
\$6.50	\$0.29
\$7.00	\$0.62
\$7.50	\$0.83
\$8.00	\$1.06

(4) **TIME FOR PAYMENT.**—In promulgating the rules to initiate the production margin protection program, the Secretary shall provide more than 1 method by which a participating dairy operation that purchases supplemental production margin protection for a calendar year may pay the premium under this subsection for that year in any manner that maximizes participating dairy operation payment flexibility and program integrity.

(e) **PREMIUM OBLIGATIONS.**—

(1) **PRO-RATION OF PREMIUM FOR NEW DAIRY OPERATIONS.**—A participating dairy operation described in section 1412(c)(2) that purchases supplemental production margin protection for a calendar year after the start of the calendar year shall pay a pro-rated premium for that calendar year based on the portion of the calendar year for which the participating dairy operation purchases the coverage.

(2) **LEGAL OBLIGATION.**—A participating dairy operation that purchases supplemental production margin protection for a calendar year shall be legally obligated to pay the applicable premium for that calendar year, except that the Secretary may waive that obligation, under terms and conditions determined by the Secretary, for 1 or more producers in any participating dairy operation in the case of death, retirement, permanent dissolution of a participating dairy operation, or other circumstances as the Sec-

retary considers appropriate to ensure the integrity of the program.

(f) **SUPPLEMENTAL PAYMENT THRESHOLD.**—A participating dairy operation with supplemental production margin protection shall receive a supplemental production margin protection payment whenever the average actual dairy production margin for a consecutive 2-month period is less than the coverage level threshold selected by the participating dairy operation under subsection (b).

(g) **SUPPLEMENTAL PRODUCTION MARGIN PROTECTION PAYMENTS.**—

(1) **IN GENERAL.**—The supplemental production margin protection payment for a participating dairy operation is in addition to the basic production margin protection payment.

(2) **AMOUNT OF PAYMENT.**—The supplemental production margin protection payment for the participating dairy operation shall be determined as follows:

(A) The Secretary shall calculate the difference between the coverage level threshold selected by the participating dairy operation under subsection (b) and the greater of—

(i) the average actual dairy production margin for the consecutive 2-month period; or

(ii) \$4.00.

(B) The amount determined under subparagraph (A) shall be multiplied by the percentage selected by the participating dairy operation under subsection (c) and by the lesser of the following:

(i) The annual production history of the participating dairy operation, divided by 6.

(ii) The actual amount of milk marketed by the participating dairy operation during the consecutive 2-month period.

SEC. 1416. EFFECT OF FAILURE TO PAY ADMINISTRATION FEES OR PREMIUMS.

(a) **LOSS OF BENEFITS.**—A participating dairy operation that fails to pay the required administration fee under section 1412 or is in arrears on premium payments for supplemental production margin protection under section 1415—

(1) remains legally obligated to pay the administration fee or premiums, as the case may be; and

(2) may not receive basic production margin protection payments or supplemental production margin protection payments until the fees or premiums are fully paid.

(b) **ENFORCEMENT.**—The Secretary may take such action as necessary to collect administration fees and premium payments for supplemental production margin protection.

Subpart B—Dairy Market Stabilization Program

SEC. 1431. ESTABLISHMENT OF DAIRY MARKET STABILIZATION PROGRAM.

(a) **PROGRAM REQUIRED; PURPOSE.**—Effective not later than 120 days after the effective date of this subtitle, the Secretary shall establish and administer a dairy market stabilization program applicable to participating dairy operations for the purpose of assisting in balancing the supply of milk with demand when participating dairy operations are experiencing low or negative operating margins.

(b) **ELECTION OF STABILIZATION PROGRAM BASE CALCULATION METHOD.**—

(1) **ELECTION.**—When a dairy operation signs up under section 1412 to participate in the production margin protection program, the dairy operation shall inform the Secretary of the method by which the stabilization program base for the participating dairy operation will be calculated under paragraph (3).

(2) **CHANGE IN CALCULATION METHOD.**—A participating dairy operation may change the

stabilization program base calculation method to be used for a calendar year by notifying the Secretary of the change not later than a date determined by the Secretary.

(3) **CALCULATION METHODS.**—A participating dairy operation may elect either of the following methods for calculation of the stabilization program base for the participating dairy operation:

(A) The volume of the average monthly milk marketings of the participating dairy operation for the 3 months immediately preceding the announcement by the Secretary that the stabilization program will become effective.

(B) The volume of the monthly milk marketings of the participating dairy operation for the same month in the preceding year as the month for which the Secretary has announced the stabilization program will become effective.

SEC. 1432. THRESHOLD FOR IMPLEMENTATION AND REDUCTION IN DAIRY PAYMENTS.

(a) **WHEN STABILIZATION PROGRAM REQUIRED.**—Except as provided in subsection (b), the Secretary shall announce that the stabilization program is in effect and order reduced payments by handlers to participating dairy operations that exceed the applicable percentage of the participating dairy operation's stabilization program base whenever—

(1) the actual dairy production margin has been \$6.00 or less per hundredweight of milk for each of the immediately preceding 2 months; or

(2) the actual dairy production margin has been \$4.00 or less per hundredweight of milk for the immediately preceding month.

(b) **EXCEPTION.**—If any of the conditions described in section 1436(b) have been met during the 2-month period immediately preceding the month in which the announcement under subsection (a) would otherwise be made by the Secretary in the absence of this exception, the Secretary shall—

(1) suspend the stabilization program;

(2) refrain from making the announcement under subsection (a) to implement order the stabilization payment; or

(3) order reduced payments.

(c) **EFFECTIVE DATE FOR IMPLEMENTATION OF PAYMENT REDUCTIONS.**—Reductions in dairy payments shall commence beginning on the first day of the month immediately following the date of the announcement by the Secretary under subsection (a).

SEC. 1433. MILK MARKETINGS INFORMATION.

(a) **COLLECTION OF MILK MARKETING DATA.**—The Secretary shall establish, by regulation, a process to collect from participating dairy operations and handlers such information that the Secretary considers necessary for each month during which the stabilization program is in effect.

(b) **REDUCE REGULATORY BURDEN.**—When implementing the process under subsection (a), the Secretary shall minimize the regulatory burden on participating dairy operations and handlers.

SEC. 1434. CALCULATION AND COLLECTION OF REDUCED DAIRY OPERATION PAYMENTS.

(a) **REDUCED PARTICIPATING DAIRY OPERATION PAYMENTS REQUIRED.**—During any month in which payment reductions are in effect under the stabilization program, each handler shall reduce payments to each participating dairy operation from whom the handler receives milk.

(b) **REDUCTIONS BASED ON ACTUAL DAIRY PRODUCTION MARGIN.**—

(1) **REDUCTION REQUIREMENT 1.**—If the Secretary determines that the average actual

dairy production margin has been less than \$6.00 but greater than \$5.00 per hundredweight of milk for 2 consecutive months, the handler shall make payments to a participating dairy operation for a month based on the greater of the following:

(A) 98 percent of the stabilization program base of the participating dairy operation.

(B) 94 percent of the marketings of milk for the month by the participating dairy operation.

(2) **REDUCTION REQUIREMENT 2.**—If the Secretary determines that the average actual dairy production margin has been less than \$5.00 but greater than \$4.00 for 2 consecutive months, the handler shall make payments to a participating dairy operation for a month based on the greater of the following:

(A) 97 percent of the stabilization program base of the participating dairy operation.

(B) 93 percent of the marketings of milk for the month by the participating dairy operation.

(3) **REDUCTION REQUIREMENT 3.**—If the Secretary determines that the average actual dairy production margin has been \$4.00 or less for any 1 month, the handler shall make payments to a participating dairy operation for a month based on the greater of the following:

(A) 96 percent of the stabilization program base of the participating dairy operation.

(B) 92 percent of the marketings of milk for the month by the participating dairy operation.

(c) **CONTINUATION OF REDUCTIONS.**—The largest level of payment reduction required under paragraph (1), (2), or (3) of subsection (b) shall be continued for each month until the Secretary suspends the stabilization program and terminates payment reductions in accordance with section 1436.

(d) **PAYMENT REDUCTION EXCEPTION.**—Notwithstanding any preceding subsection of this section, a handler shall make no payment reductions for a participating dairy operation for a month if the participating dairy operation's milk marketings for the month are equal to or less than the percentage of the stabilization program base applicable to the participating dairy operation under paragraph (1), (2), or (3) of subsection (b).

SEC. 1435. REMITTING FUNDS TO THE SECRETARY AND USE OF FUNDS.

(a) **REMITTING FUNDS.**—As soon as practicable after the end of each month during which payment reductions are in effect under the stabilization program, each handler shall remit to the Secretary an amount equal to the amount by which payments to participating dairy operations are reduced by the handler under section 1434.

(b) **DEPOSIT OF REMITTED FUNDS.**—All funds received under subsection (a) shall be available to the Secretary, without further appropriation and until expended, for use or transfer as provided in subsection (c).

(c) **USE OF FUNDS.**—

(1) **AVAILABILITY FOR CERTAIN COMMODITY DONATIONS.**—Not later than 90 days after the funds described in subsection (a) are due as determined by the Secretary, the Secretary shall obligate the funds for the purpose of—

(A) purchasing dairy products for donation to food banks and other programs that the Secretary determines appropriate; and

(B) expanding consumption and building demand for dairy products.

(2) **NO DUPLICATION OF EFFORT.**—The Secretary shall ensure that expenditures under paragraph (1) are compatible with, and do not duplicate, programs supported by the dairy research and promotion activities con-

ducted under the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4501 et seq.).

(3) **ACCOUNTING.**—The Secretary shall keep an accurate account of all funds expended under paragraph (1).

(d) **ANNUAL REPORT.**—Not later than December 31 of each year that the stabilization program is in effect, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that provides an accurate accounting of—

(1) the funds received by the Secretary during the preceding fiscal year under subsection (a);

(2) all expenditures made by the Secretary under subsection (b) during the preceding fiscal year; and

(3) the impact of the stabilization program on dairy markets.

(e) **ENFORCEMENT.**—If a participating dairy operation or handler fails to remit or collect the amounts by which payments to participating dairy operations are reduced under section 1434, the participating dairy operation or handler responsible for the failure shall be liable to the Secretary for the amount that should have been remitted or collected, plus interest. In addition to the enforcement authorities available under section 1437, the Secretary may enforce this subsection in the courts of the United States.

SEC. 1436. SUSPENSION OF REDUCED PAYMENT REQUIREMENT.

(a) **DETERMINATION OF PRICES.**—For purposes of this section:

(1) The price in the United States for cheddar cheese and nonfat dry milk shall be determined by the Secretary.

(2) The world price of cheddar cheese and skim milk powder shall be determined by the Secretary.

(b) **SUSPENSION THRESHOLDS.**—The stabilization program shall be suspended or the Secretary shall refrain from making the announcement under section 1432(a) if the Secretary determines that—

(1) the actual dairy production margin is greater than \$6.00 per hundredweight of milk for 2 consecutive months;

(2) the actual dairy production margin is equal to or less than \$6.00 (but greater than \$5.00) for 2 consecutive months, and during the same 2 consecutive months—

(A) the price in the United States for cheddar cheese is equal to or greater than the world price of cheddar cheese; or

(B) the price in the United States for nonfat dry milk is equal to or greater than the world price of skim milk powder;

(3) the actual dairy production margin is equal to or less than \$5.00 (but greater than \$4.00) for 2 consecutive months, and during the same 2 consecutive months—

(A) the price in the United States for cheddar cheese is more than 5 percent above the world price of cheddar cheese; or

(B) the price in the United States for nonfat dry milk is more than 5 percent above the world price of skim milk powder; or

(4) the actual dairy production margin is equal to or less than \$4.00 for 2 consecutive months, and during the same 2 consecutive months—

(A) the price in the United States for cheddar cheese is more than 7 percent above the world price of cheddar cheese; or

(B) the price in the United States for nonfat dry milk is more than 7 percent above the world price of skim milk powder.

(c) **IMPLEMENTATION BY HANDLERS.**—Effective on the day after the date of the announcement by the Secretary under subsection (b) of the suspension of the stabilization program, the handler shall cease reducing payments to participating dairy operations under the stabilization program.

(d) **CONDITION ON RESUMPTION OF STABILIZATION PROGRAM.**—Upon the announcement by the Secretary under subsection (b) that the stabilization program has been suspended, the stabilization program may not be implemented again until, at the earliest—

(1) 2 months have passed, beginning on the first day of the month immediately following the announcement by the Secretary; and

(2) the conditions of section 1432(a) are again met.

SEC. 1437. ENFORCEMENT.

(a) **UNLAWFUL ACT.**—It shall be unlawful and a violation of the this subpart for any person subject to the stabilization program to willfully fail or refuse to provide, or delay the timely reporting of, accurate information and remittance of funds to the Secretary in accordance with this subpart.

(b) **ORDER.**—After providing notice and opportunity for a hearing to an affected person, the Secretary may issue an order against any person to cease and desist from continuing any violation of this subpart.

(c) **APPEAL.**—An order of the Secretary under subsection (b) shall be final and conclusive unless an affected person files an appeal of the order of the Secretary in United States district court not later than 30 days after the date of the issuance of the order. A finding of the Secretary in the order shall be set aside only if the finding is not supported by substantial evidence.

(d) **NONCOMPLIANCE WITH ORDER.**—If a person subject to this subpart fails to obey an order issued under subsection (b) after the order has become final and unappealable, or after the appropriate United States district court has entered a final judgment in favor of the Secretary, the United States may apply to the appropriate United States district court for enforcement of the order. If the court determines that the order was lawfully made and duly served and that the person violated the order, the court shall enforce the order.

SEC. 1438. AUDIT REQUIREMENTS.

(a) **AUDITS OF DAIRY OPERATION AND HANDLER COMPLIANCE.**—

(1) **AUDITS AUTHORIZED.**—If determined by the Secretary to be necessary to ensure compliance by participating dairy operations and handlers with the stabilization program, the Secretary may conduct periodic audits of participating dairy operations and handlers.

(2) **SAMPLE OF DAIRY OPERATIONS.**—Any audit conducted under this subsection shall include, at a minimum, investigation of a statistically valid and random sample of participating dairy operations.

(b) **SUBMISSION OF RESULTS.**—The Secretary shall submit the results of any audit conducted under subsection (a) to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate and include such recommendations as the Secretary considers appropriate regarding the stabilization program.

SEC. 1439. STUDY; REPORT.

(a) **IN GENERAL.**—The Secretary shall direct the Office of the Chief Economist to conduct a study of the impacts of the program established under section 1431(a).

(b) **CONSIDERATIONS.**—The study conducted under subsection (a) shall consider—

(1) the economic impact of the program throughout the dairy product value chain, including the impact on producers, processors, domestic customers, export customers, actual market growth and potential market growth, farms of different sizes, and different regions and States; and

(2) the impact of the program on the competitiveness of the United States dairy industry in international markets.

(c) **REPORT.**—Not later than December 1, 2017, the Office of the Chief Economist shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subsection (a).

Subpart C—Administration

SEC. 1451. DURATION.

The production margin protection program and the stabilization program shall end on December 31, 2018.

SEC. 1452. ADMINISTRATION AND ENFORCEMENT.

(a) **IN GENERAL.**—The Secretary shall promulgate regulations to address administrative and enforcement issues involved in carrying out the production margin protection, supplemental production margin protection, and market stabilization programs.

(b) **RECONSTITUTION AND ELIGIBILITY ISSUES.**—

(1) **RECONSTITUTION.**—Using authorities under section 1001(f) and 1001B of the Food Security Act of 1985 (7 U.S.C. 1308(f), 1308–2), the Secretary shall promulgate regulations to prohibit a dairy producer from reconstituting a dairy operation for the sole purpose of the dairy producer—

(A) receiving basic margin protection;

(B) purchasing supplemental margin protection; or

(C) avoiding participation in the market stabilization program.

(2) **ELIGIBILITY ISSUES.**—Using authorities under section 1001(f) and 1001B of the Food Security Act of 1985 (7 U.S.C. 1308(f), 1308–2), the Secretary shall promulgate regulations—

(A) to prohibit a scheme or device;

(B) to provide for equitable relief; and

(C) to provide for other issues affecting eligibility and liability issues.

(3) **ADMINISTRATIVE APPEALS.**—Using authorities under section 1001(h) of the Food Security Act of 1985 (7 U.S.C. 1308(h)) and subtitle H of the Department of Agriculture Reorganization Act (7 U.S.C. 6991 et seq.), the Secretary shall promulgate regulations to provide for administrative appeals of decisions of the Secretary that are adverse to participants of the programs described in subsection (a).

PART II—DAIRY MARKET TRANSPARENCY

SEC. 1461. DAIRY PRODUCT MANDATORY REPORTING.

(a) **DEFINITIONS.**—Section 272(1)(A) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1637a(1)(A)) is amended by inserting “, or any other products that may significantly aid price discovery in the dairy markets, as determined by the Secretary” after “of 1937”.

(b) **MANDATORY REPORTING FOR DAIRY PRODUCTS.**—Section 273(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1637b(b)) is amended—

(1) by striking paragraph (1) and inserting the following new paragraph:

“(1) **IN GENERAL.**—In establishing the program, the Secretary shall only—

“(A)(i) subject to the conditions described in paragraph (2), require each manufacturer to report to the Secretary, more frequently than once per month, information con-

cerning the price, quantity, and moisture content of dairy products sold by the manufacturer and any other product characteristics that may significantly aid price discovery in the dairy markets, as determined by the Secretary; and

“(ii) modify the format used to provide the information on the day before the date of enactment of this subtitle to ensure that the information can be readily understood by market participants; and

“(B) require each manufacturer and other person storing dairy products (including dairy products in cold storage) to report to the Secretary, more frequently than once per month, information on the quantity of dairy products stored.”; and

(2) in paragraph (2), by inserting “or those that may significantly aid price discovery in the dairy markets” after “Federal milk marketing order” each place it appears in subparagraphs (A), (B), and (C).

SEC. 1462. FEDERAL MILK MARKETING ORDER INFORMATION.

(a) **INFORMATION CLEARINGHOUSE.**—

(1) **IN GENERAL.**—The Secretary shall, on behalf of each milk marketing order issued under the Agricultural Adjustment Act (7 U.S.C. 601 et seq.), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, establish an information clearinghouse for the purposes of educating the public about the Federal milk marketing order system and any marketing order referenda, including proposal information and timelines that shall be kept current and updated as information becomes available.

(2) **REQUIREMENTS.**—Information under paragraph (1) shall include—

(A) information on procedures by which cooperatives vote;

(B) if applicable, information on the manner by which producers may cast an individual ballot;

(C) in applicable, instructions on the manner in which to vote online;

(D) due dates for each specific referendum;

(E) the text of each referendum question under consideration;

(F) a description in plain language of the question;

(G) any relevant background information to the question; and

(H) any other information that increases Federal milk marketing order transparency.

(b) **NOTIFICATION LIST FOR UPCOMING REFERENDUM.**—Each Federal milk marketing order shall—

(1) make available the information described in subsection (b) through an Internet site; and

(2) publicize the information in major agriculture and dairy-specific publications on upcoming referenda.

(c) **STUDY.**—

(1) **IN GENERAL.**—The Secretary shall conduct a study of the feasibility of establishing 2 classes of milk, a fluid class and a manufacturing class, to replace the 4-class system in effect on the date of enactment of this Act in administering Federal milk marketing orders.

(2) **FEDERAL MILK MARKET ORDER REVIEW COMMISSION.**—The Secretary may elect to use the Federal Milk Market Order Review Commission established under section 1509(a) of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1726), or documents of the Commission, to conduct all or part of the study.

(3) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives

and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study required under this subsection, including any recommendations.

PART III—REPEAL OR REAUTHORIZATION OF OTHER DAIRY-RELATED PROVISIONS

SEC. 1471. REPEAL OF DAIRY PRODUCT PRICE SUPPORT AND MILK INCOME LOSS CONTRACT PROGRAMS.

(a) **REPEAL OF DAIRY PRODUCT PRICE SUPPORT PROGRAM.**—Section 1501 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8771) is repealed.

(b) **REPEAL OF MILK INCOME LOSS CONTRACT PROGRAM.**—

(1) **PAYMENTS UNDER MILK INCOME LOSS CONTRACT PROGRAM.**—Section 1506(c)(3) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773(c)(3)) is amended—

(A) in subparagraph (A), by inserting “and” after the semicolon;

(B) in subparagraph (B), by striking “August 31, 2013, 45 percent; and” and inserting “June 30, 2014, 45 percent.”; and

(C) by striking subparagraph (C).

(2) **EXTENSION.**—Section 1506(h)(1) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773(h)(1)) is amended by striking “September 30, 2013” and inserting “June 30, 2014”.

(3) **REPEAL.**—Effective July 1, 2014, section 1506 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773) is repealed.

SEC. 1472. REPEAL OF DAIRY EXPORT INCENTIVE PROGRAM.

(a) **REPEAL.**—Section 153 of the Food Security Act of 1985 (15 U.S.C. 713a-14) is repealed.

(b) **CONFORMING AMENDMENTS.**—Section 902(2) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7201(2)) is amended—

(1) by striking subparagraph (D); and

(2) by redesignating subparagraphs (E) and (F) as subparagraphs (D) and (E), respectively.

SEC. 1473. EXTENSION OF DAIRY FORWARD PRICING PROGRAM.

Section 1502(e) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8772(e)) is amended—

(1) in paragraph (1), by striking “2012” and inserting “2018”; and

(2) in paragraph (2), by striking “2015” and inserting “2021”.

SEC. 1474. EXTENSION OF DAIRY INDEMNITY PROGRAM.

Section 3 of Public Law 90-484 (7 U.S.C. 4501) is amended by striking “2012” and inserting “2018”.

SEC. 1475. EXTENSION OF DAIRY PROMOTION AND RESEARCH PROGRAM.

Section 113(e)(2) of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4504(e)(2)) is amended by striking “2012” and inserting “2018”.

SEC. 1476. EXTENSION OF FEDERAL MILK MARKETING ORDER REVIEW COMMISSION.

Section 1509(a) of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1726) is amended by inserting “or other funds” after “Subject to the availability of appropriations”.

PART IV—FEDERAL MILK MARKETING ORDER REFORM

SEC. 1481. FEDERAL MILK MARKETING ORDERS.

(a) **AMENDMENTS.**—The Secretary shall provide an analysis on the effects of amending each Federal milk marketing order issued under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing

Agreement Act of 1937 (in this part referred to as a “milk marketing order”), as required by this section.

(b) **USE OF END-PRODUCT PRICE FORMULAS.**—In carrying out subsection (a), the Secretary shall—

(1) consider replacing the use of end-product price formulas with other pricing alternatives; and

(2) submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the findings of the Secretary on the impact of the action considered under paragraph (1).

PART V—EFFECTIVE DATE

SEC. 1491. EFFECTIVE DATE.

Except as otherwise provided in this subtitle, this subtitle and the amendments made by this subtitle take effect on October 1, 2013.

Subtitle E—Supplemental Agricultural Disaster Assistance Programs

SEC. 1501. SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE PROGRAMS.

(a) **DEFINITIONS.**—In this section:

(1) **ELIGIBLE PRODUCER ON A FARM.**—

(A) **IN GENERAL.**—The term “eligible producer on a farm” means an individual or entity described in subparagraph (B) that, as determined by the Secretary, assumes the production and market risks associated with the agricultural production of crops or livestock.

(B) **DESCRIPTION.**—An individual or entity referred to in subparagraph (A) is—

(i) a citizen of the United States;

(ii) a resident alien;

(iii) a partnership of citizens of the United States; or

(iv) a corporation, limited liability corporation, or other farm organizational structure organized under State law.

(2) **FARM.**—

(A) **IN GENERAL.**—The term “farm” means, in relation to an eligible producer on a farm, the total of all crop acreage in all counties that is planted or intended to be planted for harvest, for sale, or on-farm livestock feeding (including native grassland intended for haying) by the eligible producer.

(B) **AQUACULTURE.**—In the case of aquaculture, the term “farm” means, in relation to an eligible producer on a farm, all fish being produced in all counties that are intended to be harvested for sale by the eligible producer.

(C) **HONEY.**—In the case of honey, the term “farm” means, in relation to an eligible producer on a farm, all bees and beehives in all counties that are intended to be harvested for a honey crop for sale by the eligible producer.

(3) **FARM-RAISED FISH.**—The term “farm-raised fish” means any aquatic species that is propagated and reared in a controlled environment.

(4) **LIVESTOCK.**—The term “livestock” includes—

(A) cattle (including dairy cattle);

(B) bison;

(C) poultry;

(D) sheep;

(E) swine;

(F) horses; and

(G) other livestock, as determined by the Secretary.

(b) **LIVESTOCK INDEMNITY PAYMENTS.**—

(1) **PAYMENTS.**—For each of fiscal years 2012 through 2018, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to make

livestock indemnity payments to eligible producers on farms that have incurred livestock death losses in excess of the normal mortality, as determined by the Secretary, due to—

(A) attacks by animals reintroduced into the wild by the Federal Government or protected by Federal law, including wolves; or

(B) adverse weather, as determined by the Secretary, during the calendar year, including losses due to hurricanes, floods, blizzards, disease, wildfires, extreme heat, and extreme cold.

(2) **PAYMENT RATES.**—Indemnity payments to an eligible producer on a farm under paragraph (1) shall be made at a rate of 65 percent of the market value of the applicable livestock on the day before the date of death of the livestock, as determined by the Secretary.

(3) **SPECIAL RULE FOR PAYMENTS MADE DUE TO DISEASE.**—The Secretary shall ensure that payments made to an eligible producer under paragraph (1) are not made for the same livestock losses for which compensation is provided pursuant to section 10407(d) of the Animal Health Protection Act (7 U.S.C. 8306(d)).

(c) **LIVESTOCK FORAGE DISASTER PROGRAM.**—

(1) **ESTABLISHMENT.**—There is established a livestock forage disaster program to provide 1 source for livestock forage disaster assistance for weather-related forage losses, as determined by the Secretary, by combining—

(A) the livestock forage assistance functions of—

(i) the noninsured crop disaster assistance program established by section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333); and

(ii) the emergency assistance for livestock, honey bees, and farm-raised fish program under section 531(e) of the Federal Crop Insurance Act (7 U.S.C. 1531(e)) (as in existence on the day before the date of enactment of this Act); and

(B) the livestock forage disaster program under section 531(d) of the Federal Crop Insurance Act (7 U.S.C. 1531(d)) (as in existence on the day before the date of enactment of this Act).

(2) **DEFINITIONS.**—In this subsection:

(A) **COVERED LIVESTOCK.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), the term “covered livestock” means livestock of an eligible livestock producer that, during the 60 days prior to the beginning date of an eligible forage loss, as determined by the Secretary, the eligible livestock producer—

(I) owned;

(II) leased;

(III) purchased;

(IV) entered into a contract to purchase;

(V) was a contract grower; or

(VI) sold or otherwise disposed of due to an eligible forage loss during—

(aa) the current production year; or

(bb) subject to paragraph (4)(B)(ii), 1 or both of the 2 production years immediately preceding the current production year.

(ii) **EXCLUSION.**—The term “covered livestock” does not include livestock that were or would have been in a feedlot, on the beginning date of the eligible forage loss, as a part of the normal business operation of the eligible livestock producer, as determined by the Secretary.

(B) **DROUGHT MONITOR.**—The term “drought monitor” means a system for classifying drought severity according to a range of abnormally dry to exceptional drought, as defined by the Secretary.

(C) **ELIGIBLE FORAGE LOSS.**—The term “eligible forage loss” means 1 or more forage

losses that occur due to weather-related conditions, including drought, flood, blizzard, hail, excessive moisture, hurricane, and fire, occurring during the normal grazing period, as determined by the Secretary, if the forage—

(i) is grown on land that is native or improved pastureland with permanent vegetative cover; or

(ii) is a crop planted specifically for the purpose of providing grazing for covered livestock of an eligible livestock producer.

(D) ELIGIBLE LIVESTOCK PRODUCER.—

(i) IN GENERAL.—The term “eligible livestock producer” means an eligible producer on a farm that—

(I) is an owner, cash or share lessee, or contract grower of covered livestock that provides the pastureland or grazing land, including cash-leased pastureland or grazing land, for the covered livestock;

(II) provides the pastureland or grazing land for covered livestock, including cash-leased pastureland or grazing land that is physically located in a county affected by an eligible forage loss;

(III) certifies the eligible forage loss; and

(IV) meets all other eligibility requirements established under this subsection.

(ii) EXCLUSION.—The term “eligible livestock producer” does not include an owner, cash or share lessee, or contract grower of livestock that rents or leases pastureland or grazing land owned by another person on a rate-of-gain basis.

(E) NORMAL CARRYING CAPACITY.—The term “normal carrying capacity”, with respect to each type of grazing land or pastureland in a county, means the normal carrying capacity, as determined under paragraph (4)(D)(i), that would be expected from the grazing land or pastureland for livestock during the normal grazing period, in the absence of an eligible forage loss that diminishes the production of the grazing land or pastureland.

(F) NORMAL GRAZING PERIOD.—The term “normal grazing period”, with respect to a county, means the normal grazing period during the calendar year for the county, as determined under paragraph (4)(D)(i).

(3) PROGRAM.—For each of fiscal years 2012 through 2018, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to provide compensation under paragraphs (4) through (6), as determined by the Secretary for eligible forage losses affecting covered livestock of eligible livestock producers.

(4) ASSISTANCE FOR ELIGIBLE FORAGE LOSSES DUE TO DROUGHT CONDITIONS.—

(A) ELIGIBLE FORAGE LOSSES.—

(i) IN GENERAL.—An eligible livestock producer of covered livestock may receive assistance under this paragraph for eligible forage losses that occur due to drought on land that—

(I) is native or improved pastureland with permanent vegetative cover; or

(II) is planted to a crop planted specifically for the purpose of providing grazing for covered livestock.

(ii) EXCLUSIONS.—An eligible livestock producer may not receive assistance under this paragraph for eligible forage losses that occur on land used for haying or grazing under the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.), unless the land is grassland eligible for the conservation reserve program under section 1231(d)(2) of the Food Security Act of 1985 (16 U.S.C. 3831(d)(2)) (as amended by section 2001).

(B) MONTHLY PAYMENT RATE.—

(i) IN GENERAL.—Except as provided in clause (ii), the payment rate for assistance for 1 month under this paragraph shall, in the case of drought, be equal to 60 percent of the lesser of—

(I) the monthly feed cost for all covered livestock owned or leased by the eligible livestock producer, as determined under subparagraph (C); or

(II) the monthly feed cost calculated by using the normal carrying capacity of the eligible grazing land of the eligible livestock producer.

(ii) PARTIAL COMPENSATION.—In the case of an eligible livestock producer that sold or otherwise disposed of covered livestock due to drought conditions in 1 or both of the 2 production years immediately preceding the current production year, as determined by the Secretary, the payment rate shall be 80 percent of the payment rate otherwise calculated in accordance with clause (i).

(C) MONTHLY FEED COST.—

(i) IN GENERAL.—The monthly feed cost shall equal the product obtained by multiplying—

(I) 30 days;

(II) a payment quantity that is equal to the feed grain equivalent, as determined under clause (ii); and

(III) a payment rate that is equal to the corn price per pound, as determined under clause (iii).

(ii) FEED GRAIN EQUIVALENT.—For purposes of clause (i)(II), the feed grain equivalent shall equal—

(I) in the case of an adult beef cow, 15.7 pounds of corn per day; or

(II) in the case of any other type of weight of livestock, an amount determined by the Secretary that represents the average number of pounds of corn per day necessary to feed the livestock.

(iii) CORN PRICE PER POUND.—For purposes of clause (i)(III), the corn price per pound shall equal the quotient obtained by dividing—

(I) the higher of—

(aa) the national average corn price per bushel for the 12-month period immediately preceding March 1 of the year for which the disaster assistance is calculated; or

(bb) the national average corn price per bushel for the 24-month period immediately preceding that March 1; by

(II) 56.

(D) NORMAL GRAZING PERIOD AND DROUGHT MONITOR INTENSITY.—

(i) FSA COUNTY COMMITTEE DETERMINATIONS.—

(I) IN GENERAL.—The Secretary shall determine the normal carrying capacity and normal grazing period for each type of grazing land or pastureland in the county served by the applicable Farm Service Agency committee.

(II) CHANGES.—No change to the normal carrying capacity or normal grazing period established for a county under subclause (I) shall be made unless the change is requested by the appropriate State and county Farm Service Agency committees.

(ii) DROUGHT INTENSITY.—

(I) D2.—An eligible livestock producer that owns or leases grazing land or pastureland that is physically located in a county that is rated by the U.S. Drought Monitor as having a D2 (severe drought) intensity in any area of the county for at least 8 consecutive weeks during the normal grazing period for the county, as determined by the Secretary, shall be eligible to receive assistance under this paragraph in an amount equal to 1 monthly payment using the monthly pay-

ment rate determined under subparagraph (B).

(II) D3.—An eligible livestock producer that owns or leases grazing land or pastureland that is physically located in a county that is rated by the U.S. Drought Monitor as having at least a D3 (extreme drought) intensity in any area of the county at any time during the normal grazing period for the county, as determined by the Secretary, shall be eligible to receive assistance under this paragraph—

(aa) in an amount equal to 3 monthly payments using the monthly payment rate determined under subparagraph (B);

(bb) if the county is rated as having a D3 (extreme drought) intensity in any area of the county for at least 4 weeks during the normal grazing period for the county, or is rated as having a D4 (exceptional drought) intensity in any area of the county at any time during the normal grazing period, in an amount equal to 4 monthly payments using the monthly payment rate determined under subparagraph (B); or

(cc) if the county is rated as having a D4 (exceptional drought) intensity in any area of the county for at least 4 weeks during the normal grazing period, in an amount equal to 5 monthly payments using the monthly rate determined under subparagraph (B).

(iii) ANNUAL PAYMENT BASED ON DROUGHT CONDITIONS DETERMINED BY MEANS OTHER THAN THE U.S. DROUGHT MONITOR.—

(I) IN GENERAL.—An eligible livestock producer that owns grazing land or pastureland that is physically located in a county that has experienced on average, over the preceding calendar year, precipitation levels that are 50 percent or more below normal levels, according to sufficient documentation as determined by the Secretary, may be eligible, subject to a determination by the Secretary, to receive assistance under this paragraph in an amount equal to not more than 1 monthly payment using the monthly payment rate under subparagraph (B).

(II) NO DUPLICATE PAYMENT.—A producer may not receive a payment under both clause (ii) and this clause.

(5) ASSISTANCE FOR LOSSES DUE TO FIRE ON PUBLIC MANAGED LAND.—

(A) IN GENERAL.—An eligible livestock producer may receive assistance under this paragraph only if—

(i) the eligible forage losses occur on rangeland that is managed by a Federal agency; and

(ii) the eligible livestock producer is prohibited by the Federal agency from grazing the normal permitted livestock on the managed rangeland due to a fire.

(B) PAYMENT RATE.—The payment rate for assistance under this paragraph shall be equal to 50 percent of the monthly feed cost for the total number of livestock covered by the Federal lease of the eligible livestock producer, as determined under paragraph (4)(C).

(C) PAYMENT DURATION.—

(i) IN GENERAL.—Subject to clause (ii), an eligible livestock producer shall be eligible to receive assistance under this paragraph for the period—

(I) beginning on the date on which the Federal agency excludes the eligible livestock producer from using the managed rangeland for grazing; and

(II) ending on the last day of the Federal lease of the eligible livestock producer.

(ii) LIMITATION.—An eligible livestock producer may only receive assistance under this paragraph for losses that occur on not more than 180 days per year.

(6) ASSISTANCE FOR ELIGIBLE FORAGE LOSSES DUE TO OTHER THAN DROUGHT OR FIRE.—

(A) ELIGIBLE FORAGE LOSSES.—

(i) IN GENERAL.—Subject to subparagraph (B), an eligible livestock producer of covered livestock may receive assistance under this paragraph for eligible forage losses that occur due to weather-related conditions other than drought or fire on land that—

(I) is native or improved pastureland with permanent vegetative cover; or

(II) is planted to a crop planted specifically for the purpose of providing grazing for covered livestock.

(ii) EXCLUSIONS.—An eligible livestock producer may not receive assistance under this paragraph for eligible forage losses that occur on land used for haying or grazing under the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.), unless the land is grassland eligible for the conservation reserve program under section 1231(d)(2) of the Food Security Act of 1985 (16 U.S.C. 3831(d)(2)) (as amended by section 2001).

(B) PAYMENTS FOR ELIGIBLE FORAGE LOSSES.—

(i) IN GENERAL.—The Secretary shall provide assistance under this paragraph to an eligible livestock producer for eligible forage losses that occur due to weather-related conditions other than—

(I) drought under paragraph (4); and

(II) fire on public managed land under paragraph (5).

(ii) TERMS AND CONDITIONS.—The Secretary shall establish terms and conditions for assistance under this paragraph that are consistent with the terms and conditions for assistance under this subsection.

(7) NO DUPLICATIVE PAYMENTS.—An eligible livestock producer may elect to receive assistance for eligible forage losses under either paragraph (4), (5), or (6), if applicable, but may not receive assistance under more than 1 of those paragraphs for the same loss, as determined by the Secretary.

(8) DETERMINATIONS BY SECRETARY.—A determination made by the Secretary under this subsection shall be final and conclusive.

(d) EMERGENCY ASSISTANCE FOR LIVESTOCK, HONEY BEES, AND FARM-RAISED FISH.—

(1) IN GENERAL.—For each of fiscal years 2012 through 2018, the Secretary shall use not more than \$5,000,000 of the funds of the Commodity Credit Corporation to provide emergency relief to eligible producers of livestock, honey bees, and farm-raised fish to aid in the reduction of losses due to disease, adverse weather, or other conditions, such as blizzards and wildfires, as determined by the Secretary, that are not covered under subsection (b) or (c).

(2) USE OF FUNDS.—Funds made available under this subsection shall be used to reduce losses caused by feed or water shortages, disease, or other factors as determined by the Secretary.

(3) AVAILABILITY OF FUNDS.—Any funds made available under this subsection shall remain available until expended.

(e) TREE ASSISTANCE PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE ORCHARDIST.—The term “eligible orchardist” means a person that produces annual crops from trees for commercial purposes.

(B) NATURAL DISASTER.—The term “natural disaster” means plant disease, insect infestation, drought, fire, freeze, flood, earthquake, lightning, or other occurrence, as determined by the Secretary.

(C) NURSERY TREE GROWER.—The term “nursery tree grower” means a person who

produces nursery, ornamental, fruit, nut, or Christmas trees for commercial sale, as determined by the Secretary.

(D) TREE.—The term “tree” includes a tree, bush, and vine.

(2) ELIGIBILITY.—

(A) LOSS.—Subject to subparagraph (B), for each of fiscal years 2012 through 2018, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to provide assistance—

(i) under paragraph (3) to eligible orchardists and nursery tree growers that planted trees for commercial purposes but lost the trees as a result of a natural disaster, as determined by the Secretary; and

(ii) under paragraph (3)(B) to eligible orchardists and nursery tree growers that have a production history for commercial purposes on planted or existing trees but lost the trees as a result of a natural disaster, as determined by the Secretary.

(B) LIMITATION.—An eligible orchardist or nursery tree grower shall qualify for assistance under subparagraph (A) only if the tree mortality of the eligible orchardist or nursery tree grower, as a result of damaging weather or related condition, exceeds 15 percent (adjusted for normal mortality).

(3) ASSISTANCE.—Subject to paragraph (4), the assistance provided by the Secretary to eligible orchardists and nursery tree growers for losses described in paragraph (2) shall consist of—

(A)(i) reimbursement of 65 percent of the cost of replanting trees lost due to a natural disaster, as determined by the Secretary, in excess of 15 percent mortality (adjusted for normal mortality); or

(ii) at the option of the Secretary, sufficient seedlings to reestablish a stand; and

(B) reimbursement of 50 percent of the cost of pruning, removal, and other costs incurred by an eligible orchardist or nursery tree grower to salvage existing trees or, in the case of tree mortality, to prepare the land to replant trees as a result of damage or tree mortality due to a natural disaster, as determined by the Secretary, in excess of 15 percent damage or mortality (adjusted for normal tree damage and mortality).

(4) LIMITATIONS ON ASSISTANCE.—

(A) DEFINITIONS OF LEGAL ENTITY AND PERSON.—In this paragraph, the terms “legal entity” and “person” have the meaning given those terms in section 1001(a) of the Food Security Act of 1985 (7 U.S.C. 1308(a)).

(B) AMOUNT.—The total amount of payments received, directly or indirectly, by a person or legal entity (excluding a joint venture or general partnership) under this subsection may not exceed \$100,000 for any crop year, or an equivalent value in tree seedlings.

(C) ACRES.—The total quantity of acres planted to trees or tree seedlings for which a person or legal entity shall be entitled to receive payments under this subsection may not exceed 500 acres.

(f) PAYMENTS.—

(1) PAYMENT LIMITATIONS.—

(A) DEFINITIONS OF LEGAL ENTITY AND PERSON.—In this subsection, the terms “legal entity” and “person” have the meanings given those terms in section 1001(a) of the Food Security Act of 1985 (7 U.S.C. 1308(a)).

(B) AMOUNT.—The total amount of disaster assistance payments received, directly or indirectly, by a person or legal entity (excluding a joint venture or general partnership) under this section (excluding payments received under subsection (e)) may not exceed \$100,000 for any crop year.

(C) DIRECT ATTRIBUTION.—Subsections (d) and (e) of section 1001 of the Food Security

Act of 1985 (7 U.S.C. 1308) or any successor provisions relating to direct attribution shall apply with respect to assistance provided under this section.

(2) PAYMENT DELIVERY.—The Secretary shall make payments under this section after October 1, 2013, for losses incurred in the 2012 and 2013 fiscal years, and as soon as practicable for losses incurred in any year thereafter.

Subtitle F—Administration

SEC. 1601. ADMINISTRATION GENERALLY.

(a) USE OF COMMODITY CREDIT CORPORATION.—The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this title.

(b) DETERMINATIONS BY SECRETARY.—A determination made by the Secretary under this title shall be final and conclusive.

(c) REGULATIONS.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, not later than 90 days after the date of enactment of this Act, the Secretary and the Commodity Credit Corporation, as appropriate, shall promulgate such regulations as are necessary to implement this title and the amendments made by this title.

(2) PROCEDURE.—The promulgation of the regulations and administration of this title and the amendments made by this title and sections 11001 and 11011 shall be made without regard to—

(A) the notice and comment provisions of section 553 of title 5, United States Code;

(B) chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”); and

(C) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking.

(3) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this subsection, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

(d) ADJUSTMENT AUTHORITY RELATED TO TRADE AGREEMENTS COMPLIANCE.—

(1) REQUIRED DETERMINATION; ADJUSTMENT.—If the Secretary determines that expenditures under this title that are subject to the total allowable domestic support levels under the Uruguay Round Agreements (as defined in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501)) will exceed the allowable levels for any applicable reporting period, the Secretary shall, to the maximum extent practicable, make adjustments in the amount of the expenditures during that period to ensure that the expenditures do not exceed the allowable levels.

(2) CONGRESSIONAL NOTIFICATION.—Before making any adjustment under paragraph (1), the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the determination made under that paragraph and the extent of the adjustment to be made.

SEC. 1602. SUSPENSION OF PERMANENT PRICE SUPPORT AUTHORITY.

(a) AGRICULTURAL ADJUSTMENT ACT OF 1938.—The following provisions of the Agricultural Adjustment Act of 1938 shall not be applicable to the 2014 through 2018 crops of covered commodities (as defined in section 1104), cotton, and sugar and shall not be applicable to milk during the period beginning on the date of enactment of this Act through December 31, 2018:

(1) Parts II through V of subtitle B of title III (7 U.S.C. 1326 et seq.).

(2) In the case of upland cotton, section 377 (7 U.S.C. 1377).

(3) Subtitle D of title III (7 U.S.C. 1379a et seq.).

(4) Title IV (7 U.S.C. 1401 et seq.).

(b) AGRICULTURAL ACT OF 1949.—The following provisions of the Agricultural Act of 1949 shall not be applicable to the 2014 through 2018 crops of covered commodities (as defined in section 1104), cotton, and sugar and shall not be applicable to milk during the period beginning on the date of enactment of this Act and through December 31, 2018:

(1) Section 101 (7 U.S.C. 1441).

(2) Section 103(a) (7 U.S.C. 1444(a)).

(3) Section 105 (7 U.S.C. 1444b).

(4) Section 107 (7 U.S.C. 1445a).

(5) Section 110 (7 U.S.C. 1445e).

(6) Section 112 (7 U.S.C. 1445g).

(7) Section 115 (7 U.S.C. 1445k).

(8) Section 201 (7 U.S.C. 1446).

(9) Title III (7 U.S.C. 1447 et seq.).

(10) Title IV (7 U.S.C. 1421 et seq.), other than sections 404, 412, and 416 (7 U.S.C. 1424, 1429, and 1431).

(11) Title V (7 U.S.C. 1461 et seq.).

(12) Title VI (7 U.S.C. 1471 et seq.).

(c) SUSPENSION OF CERTAIN QUOTA PROVISIONS.—The joint resolution entitled “A joint resolution relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended”, approved May 26, 1941 (7 U.S.C. 1330 and 1340), shall not be applicable to the crops of wheat planted for harvest in the calendar years 2014 through 2018.

SEC. 1603. PAYMENT LIMITATIONS.

(a) IN GENERAL.—Section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) is amended by striking subsections (b) and (c) and inserting the following:

“(b) LIMITATION ON PAYMENTS FOR PEANUTS AND OTHER COVERED COMMODITIES.—The total amount of payments received, directly or indirectly, by a person or legal entity (except a joint venture or general partnership) for any crop year under subtitle A of title I of the Agriculture Reform, Food, and Jobs Act of 2013 for—

“(1) peanuts may not exceed \$50,000; and

“(2) 1 or more other covered commodities may not exceed \$50,000.”.

(b) LIMITATION ON MARKETING LOAN GAINS AND LOAN DEFICIENCY PAYMENTS FOR PEANUTS AND OTHER COVERED COMMODITIES.—Section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) is amended by striking subsection (d) and inserting the following:

“(d) LIMITATION ON MARKETING LOAN GAINS AND LOAN DEFICIENCY PAYMENTS FOR PEANUTS AND OTHER COVERED COMMODITIES.—The total amount of marketing loan gains and loan deficiency payments received, directly or indirectly, by a person or legal entity (except a joint venture or general partnership) for any crop year under subtitle B of the Agriculture Reform, Food, and Jobs Act of 2013 (or a successor provision) for—

“(1) peanuts may not exceed \$75,000; and

“(2) 1 or more other covered commodities may not exceed \$75,000.”.

(c) CONFORMING AMENDMENTS.—

(1) Section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) is amended—

(A) in subsection (a)(1), by striking “section 1001 of the Food, Conservation, and Energy Act of 2008” and inserting “section 1104 of the Agriculture Reform, Food, and Jobs Act of 2013”; and

(B) in subsection (e)—

(i) in paragraph (1), by striking “subsections (b) and (c) and a program described in paragraphs (1)(C)” and inserting “sub-

section (b) and a program described in paragraph (1)(B)”;

(ii) in paragraph (3)(B), by striking “subsections (b) and (c)” each place it appears and inserting “subsection (b)”;

(C) in subsection (f)—

(i) by striking “or title XII” each place it appears in paragraphs (5)(A) and (6)(A) and inserting “, title I of the Agriculture Reform, Food, and Jobs Act of 2013, or title XII”;

(ii) in paragraph (2), by striking “Subsections (b) and (c)” and inserting “Subsection (b)”;

(iii) in paragraph (4)(B), by striking “subsection (b) or (c)” and inserting “subsection (b)”;

(iv) in paragraph (5)—

(I) in subparagraph (A), by striking “subsection (d)” and inserting “subsection (c)”;

and

(II) in subparagraph (B), by striking “subsection (b), (c), or (d)” and inserting “subsection (b) or (c)”;

(v) in paragraph (6)—

(I) in subparagraph (A), by striking “subsection (d), except as provided in subsection (g)” and inserting “subsection (c), except as provided in subsection (f)”;

(II) in subparagraph (B), by striking “subsections (b), (c), and (d)” and inserting “subsections (b) and (c)”;

(D) in subsection (g)—

(i) in paragraph (1)—

(I) by striking “subsection (f)(6)(A)” and inserting “subsection (e)(6)(A)”;

(II) by striking “subsection (b) or (c)” and inserting “subsection (b)”;

(ii) in paragraph (2)(A), by striking “subsections (b) and (c)” and inserting “subsection (b)”;

(E) by redesignating subsections (d) through (h) as subsections (c) through (g), respectively.

(2) Section 1001A of the Food Security Act of 1985 (7 U.S.C. 1308–1) is amended—

(A) in subsection (a), by striking “subsections (b) and (c)” and inserting “subsection (b)”;

(B) in subsection (b)(1), by striking “subsection (b) or (c)” and inserting “subsection (b)”.

(3) Section 1001B(a) of the Food Security Act of 1985 (7 U.S.C. 1308–2(a)) is amended in the matter preceding paragraph (1) by striking “subsections (b) and (c)” and inserting “subsection (b)”.

(4) Section 1001C(a) of the Food Security Act of 1985 (7 U.S.C. 1308–3(a)) is amended by inserting “title I of the Agriculture Reform, Food, and Jobs Act of 2013,” after “2008,”.

(d) APPLICATION.—The amendments made by this section shall apply beginning with the 2013 crop year.

SEC. 1604. PAYMENTS LIMITED TO ACTIVE FARMERS.

Section 1001A of the Food Security Act of 1985 (7 U.S.C. 1308–1) is amended—

(1) in subsection (b)(2)—

(A) by striking “or active personal management” each place it appears in subparagraphs (A)(i)(II) and (B)(ii); and

(B) in subparagraph (C), by striking “, as applied to the legal entity, are met by the legal entity, the partners or members making a significant contribution of personal labor or active personal management” and inserting “are met by partners or members making a significant contribution of personal labor, those partners or members”; and

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking subparagraph (A) and inserting the following:

“(A) the landowner share-rents the land at a rate that is usual and customary;”;

(ii) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(C) the share of the payments received by the landowner is commensurate with the share of the crop or income received as rent.”;

(B) in paragraph (2)(A), by striking “active personal management or”;

(C) in paragraph (5)—

(i) by striking “(5)” and all that follows through “(A) IN GENERAL.—A person” and inserting the following:

“(5) CUSTOM FARMING SERVICES.—A person”;

(ii) by inserting “under usual and customary terms” after “services”; and

(iii) by striking subparagraph (B); and

(D) by adding at the end the following:

“(7) FARM MANAGERS.—A person who otherwise meets the requirements of this subsection other than (b)(2)(A)(i)(II) shall be considered to be actively engaged in farming, as determined by the Secretary, with respect to the farming operation, including a farming operation that is a sole proprietorship, a legal entity such as a joint venture or general partnership, or a legal entity such as a corporation or limited partnership, if the person—

“(A) makes a significant contribution of management to the farming operation necessary for the farming operation, taking into account—

“(i) the size and complexity of the farming operation; and

“(ii) the management requirements normally and customarily required by similar farming operations;

“(B) is the only person in the farming operation qualifying as actively engaged in farming;

“(C) does not use the management contribution under this paragraph to qualify as actively engaged in more than 1 farming operation; and

“(D) manages a farm operation that does not substantially share equipment, labor, or management with persons or legal entities that with the person collectively receive, directly or indirectly, an amount equal to more than the applicable limits under section 1001(b).”.

SEC. 1605. ADJUSTED GROSS INCOME LIMITATION.

(a) IN GENERAL.—Section 1001D(b) of the Food Security Act of 1985 (7 U.S.C. 1308–3a(b)) is amended by striking paragraph (1) and inserting the following:

“(1) COMMODITY PROGRAMS.—

“(A) LIMITATION.—Notwithstanding any other provision of law, a person or legal entity shall not be eligible to receive any benefit described in subparagraph (B) during a crop, fiscal or program year, as appropriate, if the average adjusted gross income (or comparable measure over the 3 taxable years preceding the most immediately preceding complete taxable year, as determined by the Secretary) of the person or legal entity exceeds \$750,000.

“(B) COVERED BENEFITS.—Subparagraph (A) applies with respect to the following:

“(i) A payment under section 1105 of the Agriculture Reform, Food, and Jobs Act of 2013.

“(ii) A marketing loan gain or loan deficiency payment under subtitle B of title I of the Agriculture Reform, Food, and Jobs Act of 2013.

“(iii) A payment under subtitle E of the Agriculture Reform, Food, and Jobs Act of 2013.”.

“(iv) A payment under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).”.

(b) APPLICATION.—The amendments made by this section shall apply beginning with the 2013 crop year.

SEC. 1606. GEOGRAPHICALLY DISADVANTAGED FARMERS AND RANCHERS.

Section 1621(d) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8792(d)) is amended by striking “2012” and inserting “2018”.

SEC. 1607. PERSONAL LIABILITY OF PRODUCERS FOR DEFICIENCIES.

Section 164 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7284) is amended by striking “and title I of the Food, Conservation, and Energy Act of 2008” each place it appears and inserting “title I of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702 et seq.), and title I of the Agriculture Reform, Food, and Jobs Act of 2013”.

SEC. 1608. PREVENTION OF DECEASED INDIVIDUALS RECEIVING PAYMENTS UNDER FARM COMMODITY PROGRAMS.

(a) RECONCILIATION.—At least twice each year, the Secretary shall reconcile social security numbers of all individuals who receive payments under this title, whether directly or indirectly, with the Commissioner of Social Security to determine if the individuals are alive.

(b) PRECLUSION.—The Secretary shall preclude the issuance of payments to, and on behalf of, deceased individuals that were not eligible for payments.

SEC. 1609. APPEALS.

(a) DIRECTION, CONTROL, AND SUPPORT.—Section 272 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6992) is amended by striking subsection (c) and inserting the following:

“(c) DIRECTION, CONTROL, AND SUPPORT.—

“(1) DIRECTION AND CONTROL.—

“(A) IN GENERAL.—Except as provided in paragraph (2), the Director shall be free from the direction and control of any person other than the Secretary or the Deputy Secretary of Agriculture.

“(B) ADMINISTRATIVE SUPPORT.—The Division shall not receive administrative support (except on a reimbursable basis) from any agency other than the Office of the Secretary.

“(C) PROHIBITION ON DELEGATION.—The Secretary may not delegate to any other officer or employee of the Department, other than the Deputy Secretary of Agriculture or the Director, the authority of the Secretary with respect to the Division.

“(2) EXCEPTION.—The Assistant Secretary for Administration is authorized to investigate, enforce, and implement the provisions in law, Executive order, or regulations that relate in general to competitive and excepted service positions and employment within the Division, including the position of Director, and such authority may be further delegated to subordinate officials.”.

(b) DETERMINATION OF APPEALABILITY OF AGENCY DECISIONS.—Section 272 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6992) is amended by striking subsection (d) and inserting the following:

“(d) DETERMINATION OF APPEALABILITY OF AGENCY DECISIONS.—

“(1) DEFINITION OF A MATTER OF GENERAL APPLICABILITY.—In this subsection, the term ‘a matter of general applicability’ means a matter that challenges the merits or authority of a rule, procedure, local or national program practice, or determination of an agency that applies, or can apply, to more

than 1 interested party as opposed to the particular application of the rule, procedure, or practice to a specific set of facts or the facts themselves as the facts apply to 1 particular interested party.

“(2) MATTERS NOT SUBJECT TO APPEAL.—The Division may not hear appeals—

“(A) unless the determination of the agency is adverse to the appellant;

“(B) that involve matters of general applicability; and

“(C) that involve requests for equitable relief unless the equitable relief has been denied by the agency.

“(3) EQUITABLE RELIEF.—

“(A) IN GENERAL.—An appeal requesting equitable relief may not be granted by the Director to an appellant unless, using the rules and practices that the agency applies to itself, the agency could in fact have granted the relief because the appellant acted in good faith, but failed to fully comply with the requirement of the rule or practice of the agency.

“(B) REMAND.—If it cannot be determined whether the agency would have granted equitable relief because the appellant acted in good faith, but failed to comply with the rule or practice of the agency, the matter shall be remanded to the agency for further consideration.

“(4) DETERMINATION OF APPEALABILITY.—If an officer, employee, or committee of an agency determines that a decision is not appealable and a participant appeals the decision to the Director, the Director shall determine whether the decision is adverse to the individual participant and appealable or is a matter of general applicability and not subject to appeal.

“(5) APPEALABILITY OF DETERMINATION.—The determination of the Director as to whether a decision is appealable is final.”.

(c) EQUITABLE RELIEF.—Section 278 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6998) is amended by striking subsection (d).

(d) CONFORMING AMENDMENT.—Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) is amended—

(1) in paragraph (6)(C), by striking “or” at the end;

(2) in paragraph (7), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(8) the authority of the Secretary to carry out amendments to sections 272 and 278 made by the Agriculture Reform, Food, and Jobs Act of 2013.”.

SEC. 1610. TECHNICAL CORRECTIONS.

(a) Section 359f(c)(1)(B) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ff(c)(1)(B)) is amended by adding a period at the end.

(b)(1) Section 1603(g) of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1739) is amended in paragraphs (2) through (6) and the amendments made by those paragraphs by striking “1703(a)” each place it appears and inserting “1603(a)”.

(2) This subsection and the amendments made by this subsection take effect as if included in the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1651).

SEC. 1611. ASSIGNMENT OF PAYMENTS.

(a) IN GENERAL.—The provisions of section 8(g) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(g)), relating to assignment of payments, shall apply to payments made under this title.

(b) NOTICE.—The producer making the assignment, or the assignee, shall provide the

Secretary with notice, in such manner as the Secretary may require, of any assignment made under this section.

SEC. 1612. TRACKING OF BENEFITS.

As soon as practicable after the date of enactment of this Act, the Secretary may track the benefits provided, directly or indirectly, to individuals and entities under titles I and II and the amendments made by those titles.

SEC. 1613. SIGNATURE AUTHORITY.

(a) IN GENERAL.—In carrying out this title and title II and amendments made by those titles, if the Secretary approves a document, the Secretary shall not subsequently determine the document is inadequate or invalid because of the lack of authority of any person signing the document on behalf of the applicant or any other individual, entity, general partnership, or joint venture, or the documents relied upon were determined inadequate or invalid, unless the person signing the program document knowingly and willfully falsified the evidence of signature authority or a signature.

(b) AFFIRMATION.—

(1) IN GENERAL.—Nothing in this section prohibits the Secretary from asking a proper party to affirm any document that otherwise would be considered approved under subsection (a).

(2) NO RETROACTIVE EFFECT.—A denial of benefits based on a lack of affirmation under paragraph (1) shall not be retroactive with respect to third-party producers who were not the subject of the erroneous representation of authority, if the third-party producers—

(A) relied on the prior approval by the Secretary of the documents in good faith; and

(B) substantively complied with all program requirements.

SEC. 1614. IMPLEMENTATION.

(a) STREAMLINING.—In implementing this title, the Secretary shall, to the maximum extent practicable—

(1) seek to reduce administrative burdens and costs to producers by streamlining and reducing paperwork, forms, and other administrative requirements;

(2) improve coordination, information sharing, and administrative work with the Risk Management Agency and the Natural Resources Conservation Service; and

(3) take advantage of new technologies to enhance efficiency and effectiveness of program delivery to producers.

(b) IMPLEMENTATION.—On October 1, 2013, the Secretary shall make available to the Farm Service Agency to carry out this title \$100,000,000.

TITLE II—CONSERVATION

Subtitle A—Conservation Reserve Program

SEC. 2001. EXTENSION AND ENROLLMENT REQUIREMENTS OF CONSERVATION RESERVE PROGRAM.

(a) EXTENSION.—Section 1231(a) of the Food Security Act of 1985 (16 U.S.C. 3831(a)) is amended by striking “2012” and inserting “2018”.

(b) ELIGIBLE LAND.—Section 1231(b) of the Food Security Act of 1985 (16 U.S.C. 3831(b)) is amended—

(1) in paragraph (1)(B), by striking “the date of enactment of the Food, Conservation, and Energy Act of 2008” and inserting “the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013”;;

(2) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);

(3) by inserting before paragraph (4) the following:

“(3) grassland that—

“(A) contains forbs or shrubland (including improved rangeland and pastureland) for which grazing is the predominant use;

“(B) is located in an area historically dominated by grassland; and

“(C) could provide habitat for animal and plant populations of significant ecological value if the land is retained in its current use or restored to a natural condition;”;

(4) in paragraph (4)(C), by striking “filterstrips devoted to trees or shrubs” and inserting “filterstrips and riparian buffers devoted to trees, shrubs, or grasses”; and

(5) by striking paragraph (5) and inserting the following:

“(5) the portion of land in a field not enrolled in the conservation reserve in a case in which—

“(A) more than 50 percent of the land in the field is enrolled as a buffer or filterstrip or more than 75 percent of the land in the field is enrolled in a practice other than as a buffer or filterstrip; and

“(B) the remainder of the field is—

“(i) infeasible to farm; and

“(ii) enrolled at regular rental rates.”.

(c) **PLANTING STATUS OF CERTAIN LAND.**—Section 1231(c) of the Food Security Act of 1985 (16 U.S.C. 3831(c)) is amended by striking “if” and all that follows through the period at the end and inserting “if, during the crop year, the land was devoted to a conserving use.”.

(d) **ENROLLMENT.**—Section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) is amended by striking subsection (d) and inserting the following:

“(d) **ENROLLMENT.**—

“(1) **MAXIMUM ACREAGE ENROLLED.**—The Secretary may maintain in the conservation reserve at any 1 time during—

“(A) fiscal year 2013, no more than 32,000,000 acres;

“(B) fiscal year 2014, no more than 30,000,000 acres;

“(C) fiscal year 2015, no more than 27,500,000 acres;

“(D) fiscal year 2016, no more than 26,500,000 acres;

“(E) fiscal year 2017, no more than 25,500,000 acres; and

“(F) fiscal year 2018, no more than 25,000,000 acres.

“(2) **GRASSLAND.**—

“(A) **LIMITATION.**—For purposes of applying the limitations in paragraph (1), no more than 1,500,000 acres of the land described in subsection (b)(3) may be enrolled in the program at any 1 time during the 2014 through 2018 fiscal years.

“(B) **PRIORITY.**—In enrolling acres under subparagraph (A), the Secretary may give priority to land with expiring conservation reserve program contracts.

“(C) **METHOD OF ENROLLMENT.**—In enrolling acres under subparagraph (A), the Secretary shall make the program available to owners or operators of eligible land at least once during each fiscal year.”.

(e) **DURATION OF CONTRACT.**—Section 1231(e) of the Food Security Act of 1985 (16 U.S.C. 3831(e)) is amended by striking paragraphs (2) and (3) and inserting the following:

“(2) **SPECIAL RULE FOR CERTAIN LAND.**—In the case of land devoted to hardwood trees, shelterbelts, windbreaks, or wildlife corridors under a contract entered into under this subchapter, the owner or operator of the land may, within the limitations prescribed under this section, specify the duration of the contract.”.

(f) **CONSERVATION PRIORITY AREAS.**—Section 1231(f) of the Food Security Act of 1985 (16 U.S.C. 3831(f)) is amended—

(1) in paragraph (1), by striking “watershed areas of the Chesapeake Bay Region, the Great Lakes Region, the Long Island Sound Region, and other”;;

(2) in paragraph (2), by striking “WATERSHEDS.—Watersheds” and inserting “AREAS.—Areas”; and

(3) in paragraph (3), by striking “a watershed’s designation—” and all that follows through the period at the end and inserting “an area’s designation if the Secretary finds that the area no longer contains actual and significant adverse water quality or habitat impacts related to agricultural production activities.”.

SEC. 2002. FARMABLE WETLAND PROGRAM.

(a) **EXTENSION.**—Section 1231B(a)(1) of the Food Security Act of 1985 (16 U.S.C. 3831b(a)(1)) is amended—

(1) by striking “2012” and inserting “2018”; and

(2) by striking “a program” and inserting “a farmable wetland program”.

(b) **ELIGIBLE ACREAGE.**—Section 1231B(b)(1)(B) of the Food Security Act of 1985 (16 U.S.C. 3831b(b)(1)(B)) is amended by striking “flow from a row crop agriculture drainage system” and inserting “surface and subsurface flow from row crop agricultural production”.

(c) **CLERICAL AMENDMENTS.**—Section 1231B of the Food Security Act of 1985 (16 U.S.C. 3831b) is amended—

(1) by striking the heading and inserting the following:

“**SEC. 1231B. FARMABLE WETLAND PROGRAM;**”

and

(2) in subsection (f)(2), by striking “section 1234(c)(2)(B)” and inserting “section 1234(c)(2)(A)(ii)”.

SEC. 2003. DUTIES OF OWNERS AND OPERATORS.

(a) **LIMITATION ON HARVESTING, GRAZING OR COMMERCIAL USE OF FORAGE.**—Section 1232(a)(8) of the Food Security Act of 1985 (16 U.S.C. 3832(a)(8)) is amended by striking “except that” and all that follows through the semicolon at the end of the paragraph and inserting “except as provided in section 1233(b);”.

(b) **CONSERVATION PLAN REQUIREMENTS.**—Section 1232 of the Food Security Act of 1985 (16 U.S.C. 3832) is amended by striking subsection (b) and inserting the following:

“(b) **CONSERVATION PLANS.**—The plan referred to in subsection (a)(1) shall set forth—

“(1) the conservation measures and practices to be carried out by the owner or operator during the term of the contract; and

“(2) the commercial use, if any, to be permitted on the land during the term.”.

(c) **RENTAL PAYMENT REDUCTION.**—Section 1232 of the Food Security Act of 1985 (16 U.S.C. 3832) is amended by striking subsection (d).

SEC. 2004. DUTIES OF THE SECRETARY.

Section 1233 of the Food Security Act of 1985 (16 U.S.C. 3833) is amended to read as follows:

“SEC. 1233. DUTIES OF THE SECRETARY.

“(a) **COST-SHARE AND RENTAL PAYMENTS.**—In return for a contract entered into by an owner or operator, the Secretary shall—

“(1) share the cost of carrying out the conservation measures and practices set forth in the contract for which the Secretary determines that cost sharing is appropriate and in the public interest; and

“(2) for a period of years not in excess of the term of the contract, pay an annual rental payment in an amount necessary to compensate for—

“(A) the conversion of highly erodible cropland or other eligible land normally de-

voted to the production of an agricultural commodity on a farm or ranch to a less intensive use;

“(B) the retirement of any cropland base and allotment history that the owner or operator agrees to retire permanently; and

“(C) the development and management of grassland for multiple natural resource conservation benefits, including soil, water, air, and wildlife.

“(b) **SPECIFIED ACTIVITIES PERMITTED.**—The Secretary shall permit certain activities or commercial uses of land that is subject to the contract if those activities or uses are consistent with a plan approved by the Secretary and include—

“(1) harvesting, grazing, or other commercial use of the forage in response to drought, flooding, or other emergency without any reduction in the rental rate;

“(2) grazing by livestock of a beginning farmer or rancher without any reduction in the rental rate, if the grazing is—

“(A) consistent with the conservation of soil, water quality, and wildlife habitat (including habitat during the primary nesting season for critical birds in the area); and

“(B) described in subparagraph (B) or (C) of paragraph (3);

“(3) consistent with the conservation of soil, water quality, and wildlife habitat (including habitat during the primary nesting season for critical birds in the area) and in exchange for a reduction of not less than 25 percent in the annual rental rate for the acres covered by the authorized activity—

“(A) managed harvesting and other commercial use (including the managed harvesting of biomass), except that in permitting those activities the Secretary, in coordination with the State technical committee—

“(i) shall develop appropriate vegetation management requirements; and

“(ii) shall identify periods during which the activities may be conducted, such that the frequency is at least once every 5 years but not more than once every 3 years;

“(B) prescribed grazing for the control of invasive species, which may be conducted annually;

“(C) routine grazing, except that in permitting routine grazing, the Secretary, in coordination with the State technical committee—

“(i) shall develop appropriate vegetation management requirements and stocking rates for the land that are suitable for continued routine grazing; and

“(ii) shall identify the periods during which routine grazing may be conducted, such that the frequency is not more than once every 2 years, taking into consideration regional differences such as—

“(I) climate, soil type, and natural resources;

“(II) the number of years that should be required between routine grazing activities; and

“(III) how often during a year in which routine grazing is permitted that routine grazing should be allowed to occur; and

“(D) the installation of wind turbines and associated access, except that in permitting the installation of wind turbines, the Secretary shall determine the number and location of wind turbines that may be installed, taking into account—

“(i) the location, size, and other physical characteristics of the land;

“(ii) the extent to which the land contains threatened or endangered wildlife and wildlife habitat; and

“(iii) the purposes of the conservation reserve program under this subchapter; and

“(4) the intermittent and seasonal use of vegetative buffer practices incidental to agricultural production on land adjacent to the buffer such that the permitted use does not destroy the permanent vegetative cover.

“(C) AUTHORIZED ACTIVITIES ON GRASSLAND.—Notwithstanding section 1232(a)(8), for eligible land described in section 1231(b)(3), the Secretary shall permit the following activities:

“(1) Common grazing practices, including maintenance and necessary cultural practices, on the land in a manner that is consistent with maintaining the viability of grassland, forb, and shrub species appropriate to that locality.

“(2) Haying, mowing, or harvesting for seed production, subject to appropriate restrictions during the primary nesting season for critical birds in the area.

“(3) Fire suppression, rehabilitation, and construction of fire breaks.

“(4) Grazing-related activities, such as fencing and livestock watering.

“(d) RESOURCE CONSERVING USE.—

“(1) IN GENERAL.—Beginning on the date that is 1 year before the date of termination of a contract under the program, the Secretary shall allow an owner or operator to make conservation and land improvements that facilitate maintaining protection of highly erodible land after expiration of the contract.

“(2) CONSERVATION PLAN.—The Secretary shall require an owner or operator carrying out the activities described in paragraph (1) to develop and implement a conservation plan.

“(3) REENROLLMENT PROHIBITED.—Land altered under paragraph (1) may not be reenrolled in the conservation reserve program for 5 years.

“(4) PAYMENT.—The Secretary shall provide an annual payment that is reduced in an amount commensurate with any income or other compensation received as a result of the activities carried out under paragraph (1).”

SEC. 2005. PAYMENTS.

(a) TREES, WINDBREAKS, SHELTERBELTS, AND WILDLIFE CORRIDORS.—Section 1234(b)(3)(A) of the Food Security Act of 1985 (16 U.S.C. 3834(b)(3)(A)) is amended—

(1) in clause (i), by inserting “and” after the semicolon;

(2) by striking clause (ii); and

(3) by redesignating clause (iii) as clause (ii).

(b) INCENTIVES.—Section 1234(b)(3)(B) of the Food Security Act of 1985 (16 U.S.C. 3834(b)(3)(B)) is amended—

(1) in clause (i), by inserting “, practices to improve the condition of resources on the land,” after “operator”;

(2) by adding at the end the following:

“(iii) INCENTIVES.—In making rental payments to an owner or operator of land described in subparagraph (A), the Secretary may provide incentive payments sufficient to encourage proper thinning and practices to improve the condition of resources on the land.”

(c) ANNUAL RENTAL PAYMENTS.—Section 1234(c) of the Food Security Act of 1985 (16 U.S.C. 3834(c)) is amended—

(1) in paragraph (1), by inserting “and other eligible land” after “highly erodible cropland” both places it appears;

(2) by striking paragraph (2) and inserting the following:

“(2) METHODS OF DETERMINATION.—

“(A) IN GENERAL.—The amounts payable to owners or operators in the form of rental payments under contracts entered into under

this subchapter may be determined through—

“(i) the submission of bids for such contracts by owners and operators in such manner as the Secretary may prescribe; or

“(ii) such other means as the Secretary determines are appropriate.

“(B) GRASSLAND.—In the case of eligible land described in section 1231(b)(3), the Secretary shall make annual payments in an amount that is not more than 75 percent of the grazing value of the land covered by the contract.”; and

(3) in paragraph (5)(A)—

(A) by striking “The Secretary” and inserting the following:

“(i) SURVEY.—The Secretary”; and

(B) by adding at the end the following:

“(ii) USE.—The Secretary may use the survey of dryland cash rental rates described in clause (i) as a factor in determining rental rates under this section as the Secretary determines appropriate.”

(d) PAYMENT SCHEDULE.—Section 1234 of the Food Security Act of 1985 (16 U.S.C. 3834) is amended by striking subsection (d) and inserting the following:

“(d) PAYMENT SCHEDULE.—

“(1) IN GENERAL.—Except as otherwise provided in this section, payments under this subchapter shall be made in cash in such amount and on such time schedule as is agreed on and specified in the contract.

“(2) SOURCE.—Payments under this subchapter shall be made using the funds of the Commodity Credit Corporation.

“(3) ADVANCE PAYMENT.—Payments under this subchapter may be made in advance of determination of performance.”

(e) PAYMENT LIMITATION.—Section 1234(f) of the Food Security Act of 1985 (16 U.S.C. 3834(f)) is amended—

(1) in paragraph (1), by striking “, including rental payments made in the form of in-kind commodities,”;

(2) by striking paragraph (3); and

(3) by redesignating paragraph (4) as paragraph (2).

SEC. 2006. CONTRACT REQUIREMENTS.

Section 1235(f) of the Food Security Act of 1985 (16 U.S.C. 3835(f)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “DUTIES” and all that follows through “a beginning farmer” and inserting “TRANSITION TO COVERED FARMER OR RANCHER.—In the case of a contract modification approved in order to facilitate the transfer of land subject to a contract from a retired farmer or rancher to a beginning farmer”;

(B) in subparagraph (D), by striking “the farmer or rancher” and inserting “the covered farmer or rancher”; and

(C) in subparagraph (E), by striking “section 1001A(b)(3)(B)” and inserting “section 1001”; and

(2) in paragraph (2), by striking “requirement of section 1231(h)(4)(B)” and inserting “option provided under section 1234(c)(2)(A)(ii)”.

SEC. 2007. CONVERSION OF LAND SUBJECT TO CONTRACT TO OTHER CONSERVING USES.

Section 1235A of the Food Security Act of 1985 (16 U.S.C. 3835a) is repealed.

SEC. 2008. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by this subtitle shall take effect on October 1, 2013, except, the amendment made by section 2001(d), which shall take effect on the date of enactment of this Act.

(b) EFFECT ON EXISTING CONTRACTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this

subtitle shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) before October 1, 2013, or any payments required to be made in connection with the contract.

(2) UPDATING OF EXISTING CONTRACTS.—The Secretary shall permit an owner or operator with a contract entered into under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) before October 1, 2013, to update the contract to reflect the activities and uses of land under contract permitted under the terms and conditions of paragraphs (1) and (2) of section 1233(b) of that Act (as amended by section 2004).

Subtitle B—Conservation Stewardship Program

SEC. 2101. CONSERVATION STEWARDSHIP PROGRAM.

(a) REVISION OF CURRENT PROGRAM.—Subchapter B of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838d et seq.) is amended to read as follows:

“Subchapter B—Conservation Stewardship Program

“SEC. 1238D. DEFINITIONS.

“In this subchapter:

“(1) AGRICULTURAL OPERATION.—The term ‘agricultural operation’ means all eligible land, whether or not contiguous, that is—

“(A) under the effective control of a producer at the time the producer enters into a contract under the program; and

“(B) operated with equipment, labor, management, and production or cultivation practices that are substantially separate from other agricultural operations, as determined by the Secretary.

“(2) CONSERVATION ACTIVITIES.—

“(A) IN GENERAL.—The term ‘conservation activities’ means conservation systems, practices, or management measures.

“(B) INCLUSIONS.—The term ‘conservation activities’ includes—

“(i) structural measures, vegetative measures, and land management measures, including agriculture drainage management systems, as determined by the Secretary; and

“(ii) planning needed to address a priority resource concern.

“(3) CONSERVATION STEWARDSHIP PLAN.—The term ‘conservation stewardship plan’ means a plan that—

“(A) identifies and inventories priority resource concerns;

“(B) establishes benchmark data and conservation objectives;

“(C) describes conservation activities to be implemented, managed, or improved; and

“(D) includes a schedule and evaluation plan for the planning, installation, and management of the new and existing conservation activities.

“(4) ELIGIBLE LAND.—

“(A) IN GENERAL.—The term ‘eligible land’ means—

“(i) private and tribal land on which agricultural commodities, livestock, or forest-related products are produced; and

“(ii) land associated with the land described in clause (i) on which priority resource concerns could be addressed through a contract under the program.

“(B) INCLUSIONS.—The term ‘eligible land’ includes—

“(i) cropland;

“(ii) grassland;

“(iii) rangeland;
 “(iv) pastureland;
 “(v) nonindustrial private forest land; and
 “(vi) other agricultural land (including cropped woodland, marshes, and agricultural land used for the production of livestock), as determined by the Secretary.

“(5) **PRIORITY RESOURCE CONCERN.**—The term ‘priority resource concern’ means a natural resource concern or problem, as determined by the Secretary, that—

“(A) is identified at the national, State or local level, as a priority for a particular area of the State;

“(B) represents a significant concern in a State or region; and

“(C) is likely to be addressed successfully through the implementation of conservation activities under this program.

“(6) **PROGRAM.**—The term ‘program’ means the conservation stewardship program established by this subchapter.

“(7) **STEWARDSHIP THRESHOLD.**—The term ‘stewardship threshold’ means the level of management required, as determined by the Secretary, to conserve and improve the quality and condition of a natural resource.

“SEC. 1238E. CONSERVATION STEWARDSHIP PROGRAM.

“(a) **ESTABLISHMENT AND PURPOSE.**—During each of fiscal years 2014 through 2018, the Secretary shall carry out a conservation stewardship program to encourage producers to address priority resource concerns and improve and conserve the quality and condition of natural resources in a comprehensive manner—

“(1) by undertaking additional conservation activities; and

“(2) by improving, maintaining, and managing existing conservation activities.

“(b) **EXCLUSIONS.**—

“(1) **LAND ENROLLED IN OTHER CONSERVATION PROGRAMS.**—Subject to paragraph (2), the following land (even if covered by the definition of eligible land) is not eligible for enrollment in the program:

“(A) Land enrolled in the conservation reserve program.

“(B) Land enrolled in the Agricultural Conservation Easement Program in a wetland easement.

“(C) Land enrolled in the conservation security program.

“(2) **CONVERSION TO CROPLAND.**—Eligible land used for crop production after October 1, 2013, that had not been planted, considered to be planted, or devoted to crop production for at least 4 of the 6 years preceding that date shall not be the basis for any payment under the program, unless the land does not meet the requirement because—

“(A) the land had previously been enrolled in the conservation reserve program;

“(B) the land has been maintained using long-term crop rotation practices, as determined by the Secretary; or

“(C) the land is incidental land needed for efficient operation of the farm or ranch, as determined by the Secretary.

“SEC. 1238F. STEWARDSHIP CONTRACTS.

“(a) **SUBMISSION OF CONTRACT OFFERS.**—To be eligible to participate in the conservation stewardship program, a producer shall submit a contract offer for the agricultural operation that—

“(1) demonstrates to the satisfaction of the Secretary that the producer, at the time of the contract offer, is meeting the stewardship threshold for at least 2 priority resource concerns; and

“(2) would, at a minimum, meet or exceed the stewardship threshold for at least 1 additional priority resource concern by the end of the stewardship contract by—

“(A) installing and adopting additional conservation activities; and

“(B) improving, maintaining, and managing existing conservation activities on the agricultural operation in a manner that increases or extends the conservation benefits in place at the time the contract offer is accepted by the Secretary.

“(b) **EVALUATION OF CONTRACT OFFERS.**—

“(1) **RANKING OF APPLICATIONS.**—In evaluating contract offers the Secretary shall rank applications based on—

“(A) the level of conservation treatment on all applicable priority resource concerns at the time of application;

“(B) the degree to which the proposed conservation activities effectively increase conservation performance;

“(C) the number of applicable priority resource concerns proposed to be treated to meet or exceed the stewardship threshold by the end of the contract;

“(D) the extent to which other priority resource concerns will be addressed to meet or exceed the stewardship threshold by the end of the contract period;

“(E) the extent to which the actual and anticipated conservation benefits from the contract are provided at the least cost relative to other similarly beneficial contract offers; and

“(F) the extent to which priority resource concerns will be addressed when transitioning from the conservation reserve program to agricultural production.

“(2) **PROHIBITION.**—The Secretary may not assign a higher priority to any application because the applicant is willing to accept a lower payment than the applicant would otherwise be eligible to receive.

“(3) **ADDITIONAL CRITERIA.**—The Secretary may develop and use such additional criteria that the Secretary determines are necessary to ensure that national, State, and local priority resource concerns are effectively addressed.

“(c) **ENTERING INTO CONTRACTS.**—After a determination that a producer is eligible for the program under subsection (a), and a determination that the contract offer ranks sufficiently high under the evaluation criteria under subsection (b), the Secretary shall enter into a conservation stewardship contract with the producer to enroll the eligible land to be covered by the contract.

“(d) **CONTRACT PROVISIONS.**—

“(1) **TERM.**—A conservation stewardship contract shall be for a term of 5 years.

“(2) **REQUIRED PROVISIONS.**—The conservation stewardship contract of a producer shall—

“(A) state the amount of the payment the Secretary agrees to make to the producer for each year of the conservation stewardship contract under section 1238G(d);

“(B) require the producer—

“(i) to implement a conservation stewardship plan that describes the program purposes to be achieved through 1 or more conservation activities;

“(ii) to maintain and supply information as required by the Secretary to determine compliance with the conservation stewardship plan and any other requirements of the program; and

“(iii) not to conduct any activities on the agricultural operation that would tend to defeat the purposes of the program;

“(C) permit all economic uses of the eligible land that—

“(i) maintain the agricultural nature of the land; and

“(ii) are consistent with the conservation purposes of the conservation stewardship contract;

“(D) include a provision to ensure that a producer shall not be considered in violation of the contract for failure to comply with the contract due to circumstances beyond the control of the producer, including a disaster or related condition, as determined by the Secretary;

“(E) include provisions where upon the violation of a term or condition of the contract at any time the producer has control of the land—

“(i) if the Secretary determines that the violation warrants termination of the contract—

“(I) to forfeit all rights to receive payments under the contract; and

“(II) to refund all or a portion of the payments received by the producer under the contract, including any interest on the payments, as determined by the Secretary; or

“(ii) if the Secretary determines that the violation does not warrant termination of the contract, to refund or accept adjustments to the payments provided to the producer, as the Secretary determines to be appropriate;

“(F) include provisions in accordance with paragraphs (3) and (4) of this section; and

“(G) include any additional provisions the Secretary determines are necessary to carry out the program.

“(3) **CHANGE OF INTEREST IN LAND SUBJECT TO A CONTRACT.**—

“(A) **IN GENERAL.**—At the time of application, a producer shall have control of the eligible land to be enrolled in the program. Except as provided in subparagraph (B), a change in the interest of a producer in eligible land covered by a contract under the program shall result in the termination of the contract with regard to that land.

“(B) **TRANSFER OF DUTIES AND RIGHTS.**—Subparagraph (A) shall not apply if—

“(i) within a reasonable period of time (as determined by the Secretary) after the date of the change in the interest in all or a portion of the land covered by a contract under the program, the transferee of the land provides written notice to the Secretary that duties and rights under the contract have been transferred to, and assumed by, the transferee for the portion of the land transferred;

“(ii) the transferee meets the eligibility requirements of the program; and

“(iii) the Secretary approves the transfer of all duties and rights under the contract.

“(4) **MODIFICATION AND TERMINATION OF CONTRACTS.**—

“(A) **VOLUNTARY MODIFICATION OR TERMINATION.**—The Secretary may modify or terminate a contract with a producer if—

“(i) the producer agrees to the modification or termination; and

“(ii) the Secretary determines that the modification or termination is in the public interest.

“(B) **INVOLUNTARY TERMINATION.**—The Secretary may terminate a contract if the Secretary determines that the producer violated the contract.

“(5) **REPAYMENT.**—If a contract is terminated, the Secretary may, consistent with the purposes of the program—

“(A) allow the producer to retain payments already received under the contract; or

“(B) require repayment, in whole or in part, of payments received and assess liquidated damages.

“(e) **CONTRACT RENEWAL.**—At the end of the initial 5-year contract period, the Secretary may allow the producer to renew the contract for 1 additional 5-year period if the producer—

“(1) demonstrates compliance with the terms of the existing contract;

“(2) agrees to adopt and continue to integrate conservation activities across the entire agricultural operation as determined by the Secretary; and

“(3) agrees, at a minimum, to meet or exceed the stewardship threshold for at least 2 additional priority resource concerns on the agricultural operation by the end of the contract period.

“SEC. 1238G. DUTIES OF THE SECRETARY.

“(a) IN GENERAL.—To achieve the conservation goals of a contract under the conservation stewardship program, the Secretary shall—

“(1) make the program available to eligible producers on a continuous enrollment basis with 1 or more ranking periods, 1 of which shall occur in the first quarter of each fiscal year;

“(2) identify not less than 5 priority resource concerns in a particular watershed or other appropriate region or area within a State; and

“(3) establish a science-based stewardship threshold for each priority resource concern identified under subparagraph (2).

“(b) ALLOCATION TO STATES.—The Secretary shall allocate acres to States for enrollment, based—

“(1) primarily on each State’s proportion of eligible land to the total acreage of eligible land in all States; and

“(2) also on consideration of—

“(A) the extent and magnitude of the conservation needs associated with agricultural production in each State;

“(B) the degree to which implementation of the program in the State is, or will be, effective in helping producers address those needs; and

“(C) other considerations to achieve equitable geographic distribution of funds, as determined by the Secretary.

“(c) ACREAGE ENROLLMENT LIMITATION.—During the period beginning on October 1, 2013, and ending on September 30, 2022, the Secretary shall, to the maximum extent practicable—

“(1) enroll in the program an additional 10,348,000 acres for each fiscal year; and

“(2) manage the program to achieve a national average rate of \$18 per acre, which shall include the costs of all financial assistance, technical assistance, and any other expenses associated with enrollment or participation in the program.

“(d) CONSERVATION STEWARDSHIP PAYMENTS.—

“(1) AVAILABILITY OF PAYMENTS.—The Secretary shall provide annual payments under the program to compensate the producer for—

“(A) installing and adopting additional conservation activities; and

“(B) improving, maintaining, and managing conservation activities in place at the operation of the producer at the time the contract offer is accepted by the Secretary.

“(2) PAYMENT AMOUNT.—The amount of the conservation stewardship annual payment shall be determined by the Secretary and based, to the maximum extent practicable, on the following factors:

“(A) Costs incurred by the producer associated with planning, design, materials, installation, labor, management, maintenance, or training.

“(B) Income forgone by the producer.

“(C) Expected conservation benefits.

“(D) The extent to which priority resource concerns will be addressed through the installation and adoption of conservation activities on the agricultural operation.

“(E) The level of stewardship in place at the time of application and maintained over the term of the contract.

“(F) The degree to which the conservation activities will be integrated across the entire agricultural operation for all applicable priority resource concerns over the term of the contract.

“(G) Such other factors as determined by the Secretary.

“(3) EXCLUSIONS.—A payment to a producer under this subsection shall not be provided for—

“(A) the design, construction, or maintenance of animal waste storage or treatment facilities or associated waste transport or transfer devices for animal feeding operations; or

“(B) conservation activities for which there is no cost incurred or income forgone to the producer.

“(4) DELIVERY OF PAYMENTS.—In making stewardship payments, the Secretary shall, to the extent practicable—

“(A) prorate conservation performance over the term of the contract so as to accommodate, to the extent practicable, producers earning equal annual stewardship payments in each fiscal year; and

“(B) make stewardship payments as soon as practicable after October 1 of each fiscal year for activities carried out in the previous fiscal year.

“(e) SUPPLEMENTAL PAYMENTS FOR RESOURCE-CONSERVING CROP ROTATIONS.—

“(1) AVAILABILITY OF PAYMENTS.—The Secretary shall provide additional payments to producers that, in participating in the program, agree to adopt resource-conserving crop rotations to achieve beneficial crop rotations as appropriate for the eligible land of the producers.

“(2) BENEFICIAL CROP ROTATIONS.—The Secretary shall determine whether a resource-conserving crop rotation is a beneficial crop rotation eligible for additional payments under paragraph (1), based on whether the resource-conserving crop rotation is designed to provide natural resource conservation and production benefits.

“(3) ELIGIBILITY.—To be eligible to receive a payment described in paragraph (1), a producer shall agree to adopt and maintain the resource-conserving crop rotations for the term of the contract.

“(4) RESOURCE-CONSERVING CROP ROTATION.—In this subsection, the term ‘resource-conserving crop rotation’ means a crop rotation that—

“(A) includes at least 1 resource conserving crop (as defined by the Secretary);

“(B) reduces erosion;

“(C) improves soil fertility and tilth;

“(D) interrupts pest cycles; and

“(E) in applicable areas, reduces depletion of soil moisture or otherwise reduces the need for irrigation.

“(f) PAYMENT LIMITATIONS.—A person or legal entity may not receive, directly or indirectly, payments under the program that, in the aggregate, exceed \$200,000 under all contracts entered into during fiscal years 2014 through 2018, excluding funding arrangements with Indian tribes, regardless of the number of contracts entered into under the program by the person or legal entity.

“(g) SPECIALTY CROP AND ORGANIC PRODUCERS.—The Secretary shall ensure that outreach and technical assistance are available, and program specifications are appropriate to enable specialty crop and organic producers to participate in the program.

“(h) COORDINATION WITH ORGANIC CERTIFICATION.—The Secretary shall establish a

transparent means by which producers may initiate organic certification under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) while participating in a contract under the program.

“(i) REGULATIONS.—The Secretary shall promulgate regulations that—

“(1) prescribe such other rules as the Secretary determines to be necessary to ensure a fair and reasonable application of the limitations established under subsection (f); and

“(2) otherwise enable the Secretary to carry out the program.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

(c) EFFECT ON EXISTING CONTRACTS.—

(1) IN GENERAL.—The amendment made by this section shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under subchapter B of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838d et seq.) before October 1, 2013, or any payments required to be made in connection with the contract.

(2) CONSERVATION STEWARDSHIP PROGRAM.—Funds made available under section 1241(a)(4) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(4)) (as amended by section 2601(a)) may be used to administer and make payments to program participants enrolled into contracts during any of fiscal years 2009 through 2013.

Subtitle C—Environmental Quality Incentives Program

SEC. 2201. PURPOSES.

Section 1240 of the Food Security Act of 1985 (16 U.S.C. 3839aa) is amended—

(1) in paragraph (3)—

(A) in subparagraph (A), by striking “and” at the end;

(B) by redesignating subparagraph (B) as subparagraph (C) and, in such subparagraph, by inserting “and” after the semicolon; and

(C) by inserting after subparagraph (A) the following:

“(B) develop and improve wildlife habitat; and”;

(2) in paragraph (4), by striking “; and” and inserting a period; and

(3) by striking paragraph (5).

SEC. 2202. DEFINITIONS.

Section 1240A of the Food Security Act of 1985 (16 U.S.C. 3839aa-1) is amended—

(1) by striking paragraph (2) and redesignating paragraphs (3) through (6) as paragraphs (2) through (5), respectively; and

(2) in paragraph (2) (as so redesignated), by inserting “established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.)” after “national organic program”.

SEC. 2203. ESTABLISHMENT AND ADMINISTRATION.

Section 1240B of the Food Security Act of 1985 (16 U.S.C. 3839aa-2) is amended—

(1) in subsection (a), by striking “2014” and inserting “2018”;

(2) in subsection (b), by striking paragraph (2) and inserting the following:

“(2) TERM.—A contract under the program shall have a term that does not exceed 10 years.”;

(3) in subsection (d)—

(A) in paragraph (3), by striking subparagraphs (A) through (G) and inserting the following:

“(A) soil health;

“(B) water quality and quantity improvement;

“(C) nutrient management;

“(D) pest management;

“(E) air quality improvement;

“(F) wildlife habitat development, including pollinator habitat;

“(G) invasive species management; or

“(H) other resource issues of regional or national significance, as determined by the Secretary.”; and

(B) in paragraph (4)—

(i) in subparagraph (A) in the matter preceding clause (i), by inserting “, veteran farmer or rancher (as defined in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e))),” before “or a beginning farmer or rancher”; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) ADVANCE PAYMENTS.—

“(i) IN GENERAL.—Not more than 30 percent of the amount determined under subparagraph (A) may be provided in advance for the purpose of purchasing materials or contracting.

“(ii) RETURN OF FUNDS.—If funds provided in advance are not expended during the 90-day period beginning on the date of receipt of the funds, the funds shall be returned within a reasonable time frame, as determined by the Secretary.”;

(4) by striking subsection (f) and inserting the following:

“(f) ALLOCATION OF FUNDING.—

“(1) LIVESTOCK.—For each of fiscal years 2014 through 2018, at least 60 percent of the funds made available for payments under the program shall be targeted at practices relating to livestock production.

“(2) WILDLIFE HABITAT.—For each of fiscal years 2014 through 2018, at least 5 percent of the funds made available for payments under the program shall be targeted at practices benefitting wildlife habitat under subsection (g).”; and

(5) by striking subsection (g) and inserting the following:

“(g) WILDLIFE HABITAT INCENTIVE PRACTICE.—The Secretary shall provide payments under the program for conservation practices that support the restoration, development, and improvement of wildlife habitat on eligible land, including—

“(1) upland wildlife habitat;

“(2) wetland wildlife habitat;

“(3) habitat for threatened and endangered species;

“(4) fish habitat;

“(5) habitat on pivot corners and other irregular areas of a field; and

“(6) other types of wildlife habitat, as determined by the Secretary.”.

SEC. 2204. EVALUATION OF APPLICATIONS.

Section 1240C(b) of the Food Security Act of 1985 (16 U.S.C. 3839aa-3(b)) is amended—

(1) in paragraph (1), by striking “environmental” and inserting “conservation”; and

(2) in paragraph (3), by striking “purpose of the environmental quality incentives program specified in section 1240(1)” and inserting “purposes of the program”.

SEC. 2205. DUTIES OF PRODUCERS.

Section 1240D(2) of the Food Security Act of 1985 (16 U.S.C. 3839aa-4(2)) is amended by striking “farm, ranch, or forest” and inserting “enrolled”.

SEC. 2206. LIMITATION ON PAYMENTS.

Section 1240G of the Food Security Act of 1985 (16 U.S.C. 3839aa-7) is amended—

(1) in subsection (a)—

(A) by striking “by the person or entity during any six-year period,” and inserting “during fiscal years 2014 through 2018”; and

(B) by striking “federally recognized” and all that follows through the period and inserting “Indian tribes under section 1244(l).”; and

(2) in subsection (b)(2), by striking “any six-year period” and inserting “fiscal years 2014 through 2018”.

SEC. 2207. CONSERVATION INNOVATION GRANTS AND PAYMENTS.

Section 1240H of the Food Security Act of 1985 (16 U.S.C. 3839aa-8) is amended—

(1) in subsection (b)(2), by striking “2012” and inserting “2018”; and

(2) by adding at the end the following:

“(c) REPORTING.—Not later than December 31, 2014, and every 2 years thereafter, the Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives a report on the status of projects funded under this section, including—

“(1) funding awarded;

“(2) project results; and

“(3) incorporation of project findings, such as new technology and innovative approaches, into the conservation efforts implemented by the Secretary.”.

SEC. 2208. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by this subtitle shall take effect on October 1, 2013.

(b) EFFECT ON EXISTING CONTRACTS.—The amendments made by this title shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) before October 1, 2013, or any payments required to be made in connection with the contract.

Subtitle D—Agricultural Conservation Easement Program

SEC. 2301. AGRICULTURAL CONSERVATION EASEMENT PROGRAM.

(a) ESTABLISHMENT.—Title XII of the Food Security Act of 1985 is amended by adding at the end the following:

“Subtitle H—Agricultural Conservation Easement Program

“SEC. 1265. ESTABLISHMENT AND PURPOSES.

“(a) ESTABLISHMENT.—The Secretary shall establish an Agricultural Conservation Easement Program for the conservation of eligible land and natural resources through easements or other interests in land.

“(b) PURPOSES.—The purposes of the program are to—

“(1) combine the purposes and coordinate the functions of the wetlands reserve program established under section 1237, the grassland reserve program established under section 1238N, and the farmland protection program established under section 1238I;

“(2) restore, protect, and enhance wetland on eligible land;

“(3) protect the agricultural use, viability, and related conservation values of eligible land by limiting nonagricultural uses of that land; and

“(4) protect grazing uses and related conservation values by restoring and conserving eligible land.

“SEC. 1265A. DEFINITIONS.

“In this subtitle:

“(1) AGRICULTURAL LAND EASEMENT.—The term ‘agricultural land easement’ means an easement or other interest in eligible land that—

“(A) is conveyed for the purposes of protecting natural resources and the agricultural nature of the land, and of promoting agricultural viability for future generations; and

“(B) permits the landowner the right to continue agricultural production and related uses subject to an agricultural land easement plan.

“(2) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) an agency of State or local government or an Indian tribe (including farmland protection board or land resource council established under State law); or

“(B) an organization that is—

“(i) organized for, and at all times since the formation of the organization has been operated principally for, 1 or more of the conservation purposes specified in clause (i), (ii), (iii), or (iv) of section 170(h)(4)(A) of the Internal Revenue Code of 1986;

“(ii) an organization described in section 501(c)(3) of that Code that is exempt from taxation under section 501(a) of that Code; or

“(iii) described in—

“(I) paragraph (1) or (2) of section 509(a) of that Code; or

“(II) section 509(a)(3) of that Code and is controlled by an organization described in section 509(a)(2) of that Code.

“(3) ELIGIBLE LAND.—The term ‘eligible land’ means private or tribal land that is—

“(A) in the case of an agricultural land easement, agricultural land, including land on a farm or ranch—

“(i) that is subject to a pending offer for purchase from an eligible entity;

“(ii) that—

“(I) has prime, unique, or other productive soil;

“(II) contains historical or archaeological resources; or

“(III) the protection of which will further a State or local policy consistent with the purposes of the program; and

“(iii) that is—

“(I) cropland;

“(II) rangeland;

“(III) grassland or land that contains forbs, or shrubland for which grazing is the predominant use;

“(IV) pastureland; or

“(V) nonindustrial private forest land that contributes to the economic viability of an offered parcel or serves as a buffer to protect such land from development;

“(B) in the case of a wetland easement, a wetland or related area, including—

“(i) farmed or converted wetland, together with the adjacent land that is functionally dependent on that land if the Secretary determines it—

“(I) is likely to be successfully restored in a cost effective manner; and

“(II) will maximize the wildlife benefits and wetland functions and values as determined by the Secretary in consultation with the Secretary of the Interior at the local level;

“(ii) cropland or grassland that was used for agricultural production prior to flooding from the natural overflow of a closed basin lake or pothole, as determined by the Secretary, together (where practicable) with the adjacent land that is functionally dependent on the cropland or grassland;

“(iii) farmed wetland and adjoining land that—

“(I) is enrolled in the conservation reserve program;

“(II) has the highest wetland functions and values; and

“(III) is likely to return to production after the land leaves the conservation reserve program;

“(iv) riparian areas that link wetland that is protected by easements or some other device that achieves the same purpose as an easement; or

“(v) other wetland of an owner that would not otherwise be eligible if the Secretary determines that the inclusion of such wetland

in such easement would significantly add to the functional value of the easement; and

“(C) in the case of both an agricultural land easement or wetland easement, other land that is incidental to eligible land if the Secretary determines that it is necessary for the efficient administration of the easements under this program.

“(4) PROGRAM.—The term ‘program’ means the Agricultural Conservation Easement Program established by this subtitle.

“(5) WETLAND EASEMENT.—The term ‘wetland easement’ means a reserved interest in eligible land that—

“(A) is defined and delineated in a deed; and

“(B) stipulates—

“(i) the rights, title, and interests in land conveyed to the Secretary; and

“(ii) the rights, title, and interests in land that are reserved to the landowner.

“SEC. 1265B. AGRICULTURAL LAND EASEMENTS.

“(a) AVAILABILITY OF ASSISTANCE.—The Secretary shall facilitate and provide funding for—

“(1) the purchase by eligible entities of agricultural land easements and other interests in eligible land; and

“(2) technical assistance to provide for the conservation of natural resources pursuant to an agricultural land easement plan.

“(b) COST-SHARE ASSISTANCE.—

“(1) IN GENERAL.—The Secretary shall provide cost-share assistance to eligible entities for purchasing agricultural land easements to protect the agricultural use, including grazing, and related conservation values of eligible land.

“(2) SCOPE OF ASSISTANCE AVAILABLE.—

“(A) FEDERAL SHARE.—Subject to subparagraph (C), an agreement described in paragraph (4) shall provide for a Federal share determined by the Secretary of an amount not to exceed 50 percent of the fair market value of the agricultural land easement or other interest in land, as determined by the Secretary using—

“(i) the Uniform Standards of Professional Appraisal Practices;

“(ii) an area-wide market analysis or survey; or

“(iii) another industry approved method.

“(B) NON-FEDERAL SHARE.—

“(i) IN GENERAL.—Subject to subparagraph (C), under the agreement, the eligible entity shall provide a share that is at least equivalent to that provided by the Secretary.

“(ii) SOURCE OF CONTRIBUTION.—An eligible entity may include as part of its share a charitable donation or qualified conservation contribution (as defined by section 170(h) of the Internal Revenue Code of 1986) from the private landowner if the eligible entity contributes its own cash resources in an amount that is at least 50 percent of the amount contributed by the Secretary.

“(C) WAIVER AUTHORITY.—In the case of grassland of special environmental significance, as determined by the Secretary, the Secretary may provide up to 75 percent of the fair market value of the agricultural land easement.

“(3) EVALUATION AND RANKING OF APPLICATIONS.—

“(A) CRITERIA.—The Secretary shall establish evaluation and ranking criteria to maximize the benefit of Federal investment under the program.

“(B) CONSIDERATIONS.—In establishing the criteria, the Secretary shall emphasize support for—

“(i) protecting agricultural uses and related conservation values of the land; and

“(ii) maximizing the protection of areas devoted to agricultural use.

“(C) BIDDING DOWN.—If the Secretary determines that 2 or more applications for cost-share assistance are comparable in achieving the purpose of the program, the Secretary shall not assign a higher priority to any of those applications solely on the basis of lesser cost to the program.

“(4) AGREEMENTS WITH ELIGIBLE ENTITIES.—

“(A) IN GENERAL.—The Secretary shall enter into agreements with eligible entities to stipulate the terms and conditions under which the eligible entity is permitted to use cost-share assistance provided under this section.

“(B) LENGTH OF AGREEMENTS.—An agreement shall be for a term that is—

“(i) in the case of an eligible entity certified under the process described in paragraph (5), a minimum of 5 years; and

“(ii) for all other eligible entities, at least 3, but not more than 5 years.

“(C) MINIMUM TERMS AND CONDITIONS.—An eligible entity shall be authorized to use its own terms and conditions for agricultural land easements so long as the Secretary determines such terms and conditions—

“(i) are consistent with the purposes of the program;

“(ii) are permanent or for the maximum duration allowed under applicable State law;

“(iii) permit effective enforcement of the conservation purposes of such easements, including appropriate restrictions depending on the purposes for which the easement is acquired;

“(iv) include a right of enforcement for the Secretary if terms of the easement are not enforced by the holder of the easement;

“(v) subject the land purchased to an agricultural land easement plan that—

“(I) describes the activities which promote the long-term viability of the land to meet the purposes for which the easement was acquired;

“(II) requires the management of grassland according to a grassland management plan; and

“(III) includes a conservation plan, where appropriate, and requires, at the option of the Secretary, the conversion of highly erodible cropland to less intensive uses; and

“(vi) include a limit on the impervious surfaces to be allowed that is consistent with the agricultural activities to be conducted.

“(D) SUBSTITUTION OF QUALIFIED PROJECTS.—An agreement shall allow, upon mutual agreement of the parties, substitution of qualified projects that are identified at the time of the proposed substitution.

“(E) EFFECT OF VIOLATION.—If a violation occurs of a term or condition of an agreement under this subsection—

“(i) the agreement may be terminated; and

“(ii) the Secretary may require the eligible entity to refund all or part of any payments received by the entity under the program, with interest on the payments as determined appropriate by the Secretary.

“(5) CERTIFICATION OF ELIGIBLE ENTITIES.—

“(A) CERTIFICATION PROCESS.—The Secretary shall establish a process under which the Secretary may—

“(i) directly certify eligible entities that meet established criteria;

“(ii) enter into long-term agreements with certified eligible entities; and

“(iii) accept proposals for cost-share assistance for the purchase of agricultural land easements throughout the duration of such agreements.

“(B) CERTIFICATION CRITERIA.—In order to be certified, an eligible entity shall demonstrate to the Secretary that the entity will maintain, at a minimum, for the duration of the agreement—

“(i) a plan for administering easements that is consistent with the purpose of this subtitle;

“(ii) the capacity and resources to monitor and enforce agricultural land easements; and

“(iii) policies and procedures to ensure—

“(I) the long-term integrity of agricultural land easements on eligible land;

“(II) timely completion of acquisitions of easements; and

“(III) timely and complete evaluation and reporting to the Secretary on the use of funds provided under the program.

“(C) REVIEW AND REVISION.—

“(i) REVIEW.—The Secretary shall conduct a review of eligible entities certified under subparagraph (A) every 3 years to ensure that such entities are meeting the criteria established under subparagraph (B).

“(ii) REVOCATION.—If the Secretary finds that the certified entity no longer meets the criteria established under subparagraph (B), the Secretary may—

“(I) allow the certified entity a specified period of time, at a minimum 180 days, in which to take such actions as may be necessary to meet the criteria; and

“(II) revoke the certification of the entity, if after the specified period of time, the certified entity does not meet such criteria.

“(c) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance, if requested, to assist in—

“(1) compliance with the terms and conditions of easements; and

“(2) implementation of an agricultural land easement plan.

“SEC. 1265C. WETLAND EASEMENTS.

“(a) AVAILABILITY OF ASSISTANCE.—The Secretary shall provide assistance to owners of eligible land to restore, protect, and enhance wetland through—

“(1) easements and related wetland easement plans; and

“(2) technical assistance.

“(b) EASEMENTS.—

“(1) METHOD OF ENROLLMENT.—The Secretary shall enroll eligible land through the use of—

“(A) 30-year easements;

“(B) permanent easements;

“(C) easements for the maximum duration allowed under applicable State laws; or

“(D) as an option for Indian tribes only, 30-year contracts.

“(2) LIMITATIONS.—

“(A) INELIGIBLE LAND.—The Secretary may not acquire easements on—

“(i) land established to trees under the conservation reserve program, except in cases where the Secretary determines it would further the purposes of the program; and

“(ii) farmed wetland or converted wetland where the conversion was not commenced prior to December 23, 1985.

“(B) CHANGES IN OWNERSHIP.—No easement shall be created on land that has changed ownership during the preceding 24-month period unless—

“(i) the new ownership was acquired by will or succession as a result of the death of the previous owner;

“(ii) (I) the ownership change occurred because of foreclosure on the land; and

“(II) immediately before the foreclosure, the owner of the land exercises a right of redemption from the mortgage holder in accordance with State law; or

“(iii) the Secretary determines that the land was acquired under circumstances that give adequate assurances that such land was not acquired for the purposes of placing it in the program.

“(3) EVALUATION AND RANKING OF OFFERS.—“(A) CRITERIA.—The Secretary shall establish evaluation and ranking criteria to maximize the benefit of Federal investment under the program.

“(B) CONSIDERATIONS.—When evaluating offers from landowners, the Secretary may consider—

“(i) the conservation benefits of obtaining an easement or 30-year contract, including the potential environmental benefits if the land was removed from agricultural production;

“(ii) the cost-effectiveness of each easement or 30-year contract, so as to maximize the environmental benefits per dollar expended;

“(iii) whether the landowner or another person is offering to contribute financially to the cost of the easement or 30-year contract to leverage Federal funds; and

“(iv) such other factors as the Secretary determines are necessary to carry out the purposes of the program.

“(C) PRIORITY.—The Secretary shall place priority on acquiring easements based on the value of the easement for protecting and enhancing habitat for migratory birds and other wildlife.

“(4) AGREEMENT.—To be eligible to place eligible land into the program through a wetland easement, the owner of such land shall enter into an agreement with the Secretary to—

“(A) grant an easement on such land to the Secretary;

“(B) authorize the implementation of a wetland easement plan;

“(C) create and record an appropriate deed restriction in accordance with applicable State law to reflect the easement agreed to;

“(D) provide a written statement of consent to such easement signed by those holding a security interest in the land;

“(E) comply with the terms and conditions of the easement and any related agreements; and

“(F) permanently retire any existing cropland base and allotment history for the land on which the easement has been obtained.

“(5) TERMS AND CONDITIONS OF EASEMENT.—

“(A) IN GENERAL.—A wetland easement shall include terms and conditions that—

“(i) permit—

“(I) repairs, improvements, and inspections on the land that are necessary to maintain existing public drainage systems; and

“(II) owners to control public access on the easement areas while identifying access routes to be used for restoration activities and management and easement monitoring;

“(ii) prohibit—

“(I) the alteration of wildlife habitat and other natural features of such land, unless specifically authorized by the Secretary;

“(II) the spraying of such land with chemicals or the mowing of such land, except where such spraying or mowing is authorized by the Secretary or is necessary—

“(aa) to comply with Federal or State noxious weed control laws;

“(bb) to comply with a Federal or State emergency pest treatment program; or

“(cc) to meet habitat needs of specific wildlife species;

“(III) any activities to be carried out on the owner's or successor's land that is immediately adjacent to, and functionally related to, the land that is subject to the easement if such activities will alter, degrade, or otherwise diminish the functional value of the eligible land; and

“(IV) the adoption of any other practice that would tend to defeat the purposes of the program, as determined by the Secretary;

“(iii) provide for the efficient and effective establishment of wetland functions and values; and

“(iv) include such additional provisions as the Secretary determines are desirable to carry out the program or facilitate the practical administration thereof.

“(B) VIOLATION.—On the violation of the terms or conditions of the easement, the easement shall remain in force and the Secretary may require the owner to refund all or part of any payments received by the owner under the program, together with interest thereon as determined appropriate by the Secretary.

“(C) COMPATIBLE USES.—Land subject to a wetland easement may be used for compatible economic uses, including such activities as hunting and fishing, managed timber harvest, or periodic haying or grazing, if such use is specifically permitted by the wetland easement plan and is consistent with the long-term protection and enhancement of the wetland resources for which the easement was established.

“(D) RESERVATION OF GRAZING RIGHTS.—The Secretary may include in the terms and conditions of an easement a provision under which the owner reserves grazing rights if—

“(i) the Secretary determines that the reservation and use of the grazing rights—

“(I) is compatible with the land subject to the easement;

“(II) is consistent with the historical natural uses of the land and long-term protection and enhancement goals for which the easement was established; and

“(III) complies with the wetland easement plan; and

“(ii) the agreement provides for a commensurate reduction in the easement payment to account for the grazing value, as determined by the Secretary.

“(E) APPLICATION.—The relevant provisions of this paragraph shall also apply to a 30-year contract.

“(6) COMPENSATION.—

“(A) DETERMINATION.—

“(i) IN GENERAL.—The Secretary shall pay as compensation for a permanent easement acquired an amount necessary to encourage enrollment in the program based on the lowest of—

“(I) the fair market value of the land, as determined by the Secretary, using the Uniform Standards of Professional Appraisal Practices or an area-wide market analysis or survey;

“(II) the amount corresponding to a geographical cap, as determined by the Secretary in regulations; or

“(III) the offer made by the landowner.

“(ii) OTHER.—Compensation for a 30-year contract or 30-year easement shall be not less than 50 percent, but not more than 75 percent, of the compensation that would be paid for a permanent easement.

“(B) FORM OF PAYMENT.—Compensation shall be provided by the Secretary in the form of a cash payment, in an amount determined under subparagraph (A).

“(C) PAYMENT SCHEDULE.—

“(i) EASEMENTS VALUED AT LESS THAN \$500,000.—For easements valued at \$500,000 or less, the Secretary may provide easement payments in not more than 10 annual payments.

“(ii) EASEMENTS VALUED AT MORE THAN \$500,000.—For easements valued at more than \$500,000, the Secretary may provide easement payments in at least 5, but not more than 10 annual payments, except that, if the Secretary determines it would further the purposes of the program, the Secretary may

make a lump sum payment for such an easement.

“(c) EASEMENT RESTORATION.—

“(1) IN GENERAL.—The Secretary shall provide financial assistance to carry out the establishment of conservation measures and practices and protect wetland functions and values, including necessary maintenance activities, as set forth in a wetland easement plan.

“(2) PAYMENTS.—The Secretary shall—

“(A) in the case of a permanent easement, pay an amount that is not less than 75 percent, but not more than 100 percent, of the eligible costs; and

“(B) in the case of a 30-year contract or 30-year easement, pay an amount that is not less than 50 percent, but not more than 75 percent, of the eligible costs.

“(d) TECHNICAL ASSISTANCE.—

“(1) IN GENERAL.—The Secretary shall assist owners in complying with the terms and conditions of easements and 30-year contracts.

“(2) CONTRACTS OR AGREEMENTS.—The Secretary may enter into 1 or more contracts with private entities or agreements with a State, non-governmental organization, or Indian tribe to carry out necessary restoration, enhancement or maintenance of an easement if the Secretary determines that the contract or agreement will advance the purposes of the program.

“(e) WETLAND ENHANCEMENT OPTION.—The Secretary may enter into 1 or more agreements with a State (including a political subdivision or agency of a State), nongovernmental organization, or Indian tribe to carry out a special wetland enhancement option that the Secretary determines would advance the purposes of the program.

“(f) ADMINISTRATION.—

“(1) WETLAND EASEMENT PLAN.—The Secretary shall develop a wetland easement plan for eligible land subject to a wetland easement, which will include the practices and activities necessary to restore, protect, enhance, and maintain the enrolled land.

“(2) DELEGATION OF EASEMENT ADMINISTRATION.—

“(A) IN GENERAL.—The Secretary may delegate any of the easement management, monitoring, and enforcement responsibilities of the Secretary to other Federal or State agencies that have the appropriate authority, expertise and resources necessary to carry out such delegated responsibilities or to other conservation organizations if the Secretary determines the organization has similar expertise and resources.

“(B) LIMITATION.—The Secretary shall not delegate any of the monitoring or enforcement responsibilities under the program to conservation organizations.

“(3) PAYMENTS.—

“(A) TIMING OF PAYMENTS.—The Secretary shall provide payment for obligations incurred by the Secretary under this section—

“(i) with respect to any easement restoration obligation as soon as possible after the obligation is incurred; and

“(ii) with respect to any annual easement payment obligation incurred by the Secretary as soon as possible after October 1 of each calendar year.

“(B) PAYMENTS TO OTHERS.—If an owner who is entitled to a payment dies, becomes incompetent, is otherwise unable to receive such payment, or is succeeded by another person or entity who renders or completes the required performance, the Secretary shall make such payment, in accordance with regulations prescribed by the Secretary and without regard to any other provision of

law, in such manner as the Secretary determines is fair and reasonable in light of all of the circumstances.

“SEC. 1265D. ADMINISTRATION.

“(a) **INELIGIBLE LAND.**—The Secretary may not acquire an easement under the program on—

“(1) land owned by an agency of the United States, other than land held in trust for Indian tribes;

“(2) land owned in fee title by a State, including an agency or a subdivision of a State, or a unit of local government;

“(3) land subject to an easement or deed restriction which, as determined by the Secretary, provides similar protection as would be provided by enrollment in the program; and

“(4) land where the purposes of the program would be undermined due to on-site or off-site conditions, such as risk of hazardous substances, proposed or existing rights of way, infrastructure development, or adjacent land uses.

“(b) **PRIORITY.**—In evaluating applications under the program, the Secretary may give priority to land that is currently enrolled in the conservation reserve program in a contract that is set to expire within 1 year and—

“(1) in the case of an agricultural land easement, is grassland that would benefit from protection under a long-term easement; and

“(2) in the case of a wetland easement, is a wetland or related area with the highest functions and values and is likely to return to production after the land leaves the conservation reserve program.

“(c) **SUBORDINATION, EXCHANGE, MODIFICATION, AND TERMINATION.**—

“(1) **IN GENERAL.**—The Secretary may subordinate, exchange, terminate, or modify any interest in land, or portion of such interest, administered by the Secretary, either directly or on behalf of the Commodity Credit Corporation under the program when the Secretary determines that—

“(A) it is in the Federal Government's interest to subordinate, exchange, modify or terminate the interest in land;

“(B) the subordination, exchange, modification, or termination action—

“(i) will address a compelling public need for which there is no practicable alternative, or

“(ii) such action will further the practical administration of the program; and

“(C) the subordination, exchange, modification, or termination action will result in comparable conservation value and equivalent or greater economic value to the United States.

“(2) **CONSULTATION.**—The Secretary shall work with the current owner, and eligible entity if applicable, to address any subordination, exchange, termination, or modification of the interest, or portion of such interest in land.

“(3) **NOTICE.**—At least 90 days before taking any termination action described in paragraph (1), the Secretary shall provide written notice of such action to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

“(d) **LAND ENROLLED IN OTHER PROGRAMS.**—

“(1) **CONSERVATION RESERVE PROGRAM.**—The Secretary may terminate or modify an existing contract entered into under section 1231(a) if eligible land that is subject to such contract is transferred into the program.

“(2) **OTHER.**—Land enrolled in the wetlands reserve program, grassland reserve program, or farmland protection program shall be considered enrolled in this program.

“(e) **ALLOCATION OF FUNDS FOR AGRICULTURAL LAND EASEMENTS.**—Of the funds made available under section 1241 to carry out the program for a fiscal year, the Secretary shall, to the extent practicable, use no less than 40 percent for agricultural land easements.”

(b) **COMPLIANCE WITH CERTAIN REQUIREMENTS.**—Before an eligible entity or owner of eligible land may receive assistance under subtitle H of title XII of the Food Security Act of 1985, the eligible entity or person shall agree, during the crop year for which the assistance is provided and in exchange for the assistance—

(1) to comply with applicable conservation requirements under subtitle B of title XII of that Act (16 U.S.C. 3811 et seq.); and

(2) to comply with applicable wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.).

(c) **CROSS REFERENCE.**—Section 1244 of the Food Security Act of 1985 (16 U.S.C. 3844) is amended—

(1) in subsection (c)—

(A) in paragraph (1)—

(i) by inserting “and” at the end of subparagraph (A);

(ii) by striking “and” at the end of subparagraph (B); and

(iii) by striking subparagraph (C);

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following:

“(2) the Agricultural Conservation Easement Program established under subtitle H; and”;

(2) in subsection (f)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “programs administered under subchapters B and C of chapter 1 of subtitle D” and inserting “conservation reserve program established under subchapter B of chapter 1 of subtitle D and the Agricultural Conservation Easement Program under subtitle H using wetland easements under section 1265C”; and

(ii) in subparagraph (B), by striking “subchapter C of chapter 1 of subtitle D” and inserting “the Agricultural Conservation Easement Program under subtitle H using wetland easements under section 1265C”; and

(B) in paragraph (4), by striking “subchapter C” and inserting “subchapter B”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on October 1, 2013.

Subtitle E—Regional Conservation Partnership Program

SEC. 2401. REGIONAL CONSERVATION PARTNERSHIP PROGRAM.

(a) **IN GENERAL.**—Title XII of the Food Security Act of 1985 is amended by inserting after subtitle H (as added by section 2301) the following:

“Subtitle I—Regional Conservation Partnership Program

“SEC. 1271. ESTABLISHMENT AND PURPOSES.

“(a) **ESTABLISHMENT.**—The Secretary shall establish a Regional Conservation Partnership Program to implement eligible activities through—

“(1) partnership agreements with eligible partners; and

“(2) contracts with producers.

(b) **PURPOSES.**—The purposes of the program are—

“(1) to combine the purposes and coordinate the functions of—

“(A) the agricultural water enhancement program established under section 1240I;

“(B) the Chesapeake Bay watershed program established under section 1240Q;

“(C) the cooperative conservation partnership initiative established under section 1243; and

“(D) the Great Lakes basin program for soil erosion and sediment control established under section 1240P.”

“(2) to further the conservation, restoration, and sustainable use of soil, water, wildlife, and related natural resources on a regional or watershed scale; and

“(3) to encourage partners to cooperate with producers in—

“(A) meeting or avoiding the need for national, State, and local natural resource regulatory requirements related to production; and

“(B) implementing projects that will result in the installation and maintenance of eligible activities that affect multiple agricultural or nonindustrial private forest operations on a local, regional, State, or multi-State basis.

“SEC. 1271A. DEFINITIONS.

“In this subtitle:

“(1) **COVERED PROGRAMS.**—The term ‘covered programs’ means—

“(A) the agricultural conservation easement program;

“(B) the environmental quality incentives program; and

“(C) the conservation stewardship program.

“(2) **ELIGIBLE ACTIVITY.**—The term ‘eligible activity’ means any of the following conservation activities when delivered through a covered program:

“(A) Water quality restoration or enhancement projects, including nutrient management and sediment reduction.

“(B) Water quantity conservation, restoration, or enhancement projects relating to surface water and groundwater resources, including—

“(i) the conversion of irrigated cropland to the production of less water-intensive agricultural commodities or dryland farming; and

“(ii) irrigation system improvement and irrigation efficiency enhancement.

“(C) Drought mitigation.

“(D) Flood prevention.

“(E) Water retention.

“(F) Habitat conservation, restoration, and enhancement.

“(G) Erosion control.

“(H) Other related activities that the Secretary determines will help achieve conservation benefits.

“(3) **ELIGIBLE PARTNER.**—The term ‘eligible partner’ means any of the following:

“(A) An agricultural or silvicultural producer association or other group of producers.

“(B) A State or unit of local government.

“(C) An Indian tribe.

“(D) A farmer cooperative.

“(E) An institution of higher education.

“(F) An organization with an established history of working cooperatively with producers on agricultural land, as determined by the Secretary, to address—

“(i) local conservation priorities related to agricultural production, wildlife habitat development, and nonindustrial private forest land management; or

“(ii) critical watershed-scale soil erosion, water quality, sediment reduction, or other natural resource concerns.

“(4) **PARTNERSHIP AGREEMENT.**—The term ‘partnership agreement’ means an agreement between the Secretary and an eligible partner.

“(5) PROGRAM.—The term ‘program’ means the Regional Conservation Partnership Program established by this subtitle.

“SEC. 1271B. REGIONAL CONSERVATION PARTNERSHIPS.

“(a) PARTNERSHIP AGREEMENTS AUTHORIZED.—The Secretary may enter into a partnership agreement with an eligible partner to implement a project that will assist producers with installing and maintaining an eligible activity.

“(b) LENGTH.—A partnership agreement shall be for a period not to exceed 5 years, except that the Secretary may extend the agreement 1 time for up to 12 months when an extension is necessary to meet the objectives of the program.

“(c) DUTIES OF PARTNERS.—

“(1) IN GENERAL.—Under a partnership agreement, the eligible partner shall—

“(A) define the scope of a project, including—

“(i) the eligible activities to be implemented;

“(ii) the potential agricultural or non-industrial private forest operations affected;

“(iii) the local, State, multi-State or other geographic area covered; and

“(iv) the planning, outreach, implementation and assessment to be conducted;

“(B) conduct outreach and education to producers for potential participation in the project;

“(C) at the request of a producer, act on behalf of a producer participating in the project in applying for assistance under section 1271C;

“(D) leverage financial or technical assistance provided by the Secretary with additional funds to help achieve the project objectives;

“(E) conduct an assessment of the project's effects; and

“(F) at the conclusion of the project, report to the Secretary on its results and funds leveraged.

“(2) CONTRIBUTION.—A partner shall provide a significant portion of the overall costs of the scope of the project as determined by the Secretary.

“(d) APPLICATIONS.—

“(1) COMPETITIVE PROCESS.—The Secretary shall conduct a competitive process to select applications for partnership agreements and may assess and rank applications with similar conservation purposes as a group.

“(2) CRITERIA USED.—In carrying out the process described in paragraph (1), the Secretary shall make public the criteria used in evaluating applications.

“(3) CONTENT.—An application to the Secretary shall include a description of—

“(A) the scope of the project as described in subsection (c)(1)(A);

“(B) the plan for monitoring, evaluating, and reporting on progress made towards achieving the project's objectives;

“(C) the program resources requested for the project, including the covered programs to be used and estimated funding needed from the Secretary;

“(D) the partners collaborating to achieve project objectives, including their roles, responsibilities, capabilities, and financial contribution; and

“(E) any other elements the Secretary considers necessary to adequately evaluate and competitively select applications for funding under the program.

“(4) APPLICATION SELECTION.—

“(A) PRIORITY TO CERTAIN APPLICATIONS.—The Secretary shall give a higher priority to applications that—

“(i) assist producers in meeting or avoiding the need for a natural resource regulatory requirement;

“(ii) significantly leverage non-Federal financial and technical resources and coordinate with other local, State, regional, or national efforts;

“(iii) deliver high percentages of applied conservation to address conservation priorities or local, State, regional, or national conservation initiatives; or

“(iv) provide innovation in conservation methods and delivery, including outcome-based performance measures and methods.

“(B) OTHER APPLICATIONS.—The Secretary may give priority to applications that—

“(i) have a high percentage of producers in the area to be covered by the agreement; or

“(ii) meet other factors that are important for achieving the purposes of the program, as determined by the Secretary.

“SEC. 1271C. ASSISTANCE TO PRODUCERS.

“(a) IN GENERAL.—The Secretary shall enter into contracts to provide financial and technical assistance to—

“(1) producers participating in a project with an eligible partner as described in section 1271B; or

“(2) producers that fit within the scope of a project described in section 1271B or a critical conservation area designated pursuant to section 1271F, but who are seeking to implement an eligible activity independent of a partner.

“(b) TERMS AND CONDITIONS.—

“(1) CONSISTENCY WITH PROGRAM RULES.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall ensure that the terms and conditions of a contract under this section are consistent with the applicable rules of the covered programs to be used as part of the project, as described in the application under section 1271B(d)(3)(C).

“(B) ADJUSTMENTS.—Except for statutory program requirements governing appeals, payment limitations, and conservation compliance, the Secretary may adjust the discretionary program rules of a covered program—

“(i) to provide a simplified application and evaluation process; and

“(ii) to better reflect unique local circumstances and purposes if the Secretary determines such adjustments are necessary to achieve the purposes of the program.

“(2) ALTERNATIVE FUNDING ARRANGEMENTS.—

“(A) IN GENERAL.—For the purposes of providing assistance for land described in subsection (a) and section 1271F, the Secretary may enter into alternative funding arrangements with a multistate water resource agency or authority if—

“(i) the Secretary determines that the goals and objectives of the program will be met by the alternative funding arrangements;

“(ii) the agency or authority certifies that the limitations established under this section on agreements with individual producers will not be exceeded; and

“(iii) all participating producers meet applicable payment eligibility provisions.

“(B) CONDITIONS.—As a condition on receipt of funding under subparagraph (A), the multistate water resource agency or authority shall agree—

“(i) to submit an annual independent audit to the Secretary that describes the use of funds under this paragraph;

“(ii) to provide any data necessary for the Secretary to issue a report on the use of funds under this paragraph; and

“(iii) not to use any funds for administration or contracting with another entity.

“(C) LIMITATION.—The Secretary may enter into not more than 10 alternative funding arrangements under this paragraph.

“(c) PAYMENTS.—

“(1) IN GENERAL.—In accordance with statutory requirements of the covered programs involved, the Secretary may make payments to a producer in an amount determined by the Secretary to be necessary to achieve the purposes of the program.

“(2) PAYMENTS TO CERTAIN PRODUCERS.—The Secretary may provide payments for a period of 5 years—

“(A) to producers participating in a project that addresses water quantity concerns and in an amount sufficient to encourage conversion from irrigated to dryland farming; and

“(B) to producers participating in a project that addresses water quality concerns and in an amount sufficient to encourage adoption of conservation practices and systems that improve nutrient management.

“(3) WAIVER AUTHORITY.—To assist in the implementation of the program, the Secretary may waive the applicability of the limitation in section 1001D(b)(2) of this Act for participating producers if the Secretary determines that the waiver is necessary to fulfill the objectives of the program.

“SEC. 1271D. FUNDING.

“(a) AVAILABILITY OF FUNDS.—The Secretary shall use \$100,000,000 of the funds of the Commodity Credit Corporation for each of fiscal years 2014 through 2018 to carry out the program established under this subtitle.

“(b) DURATION OF AVAILABILITY.—Funds made available under subsection (a) shall remain available until expended.

“(c) ADDITIONAL FUNDING AND ACRES.—

“(1) IN GENERAL.—In addition to the funds made available under subsection (a), the Secretary shall reserve 8 percent of the funds and acres made available for a covered program for each of fiscal years 2014 through 2014 in order to ensure additional resources are available to carry out this program.

“(2) UNUSED FUNDS AND ACRES.—Any funds or acres reserved under paragraph (1) for a fiscal year from a covered program that are not obligated under this program by April 1 of that fiscal year shall be returned for use under the covered program.

“(d) ALLOCATION OF FUNDING.—Of the funds and acres made available for the program under subsections (a) and (c), the Secretary shall allocate—

“(1) 25 percent of the funds and acres to projects based on a State competitive process administered by the State conservationist, with the advice of the State technical committee;

“(2) 40 percent of the funds and acres to projects based on a national competitive process to be established by the Secretary; and

“(3) 35 percent of the funds and acres to projects for the critical conservation areas designated in section 1271F.

“(e) LIMITATION ON ADMINISTRATIVE EXPENSES.—None of the funds made available under the program may be used to pay for the administrative expenses of partners.

“SEC. 1271E. ADMINISTRATION.

“(a) DISCLOSURE.—In addition to the criteria used in evaluating applications as described in section 1271B(d)(2), the Secretary shall make publicly available information on projects selected through the competitive process described in section 1271B(d)(1).

“(b) REPORTING.—Not later than December 31, 2014, and for every 2 years thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on

the status of projects funded under the program, including—

“(1) the number and types of partners and producers participating in the partnership agreements selected;

“(2) the number of producers receiving assistance;

“(3) total funding committed to projects, including Federal and non-Federal resources; and

“(4) a description of how the funds under section 1271C(b)(3) are being administered, including—

“(A) any oversight mechanisms that the Secretary has implemented;

“(B) the process through which the Secretary is resolving appeals by program participants; and

“(C) the means by which the Secretary is tracking adherence to any applicable provisions for payment eligibility.

“SEC. 1271F. CRITICAL CONSERVATION AREAS.

“(a) IN GENERAL.—When administering the funding described in section 1271D(d)(3), the Secretary shall select applications for partnership agreements and producer contracts within designated critical conservation areas.

“(b) CRITICAL CONSERVATION AREA DESIGNATIONS.—

“(1) IN GENERAL.—The Secretary shall designate up to 6 geographical areas as critical conservation areas based on the degree to which an area—

“(A) includes multiple States with significant agricultural production;

“(B) is covered by an existing regional, State, binational, or multistate agreement or plan that has established objectives, goals and work plans and is adopted by a Federal, State, or regional authority;

“(C) has water quality concerns, including concerns for reducing erosion, promoting sediment control, and addressing nutrient management activities affecting large bodies of water of regional, national, or international significance;

“(D) has water quantity concerns, including—

“(i) concerns for groundwater, surface water, aquifer, or other water sources; or

“(ii) a need to promote water retention and flood prevention; or

“(E) is subject to regulatory requirements that could reduce the economic scope of agricultural operations within the area.

“(2) EXPIRATION.—Critical conservation area designations under this section shall expire after 5 years, subject to redesignation, except that the Secretary may withdraw designation from an area if the Secretary finds the area no longer meets the conditions described in paragraph (1).

“(c) ADMINISTRATION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall administer any partnership agreement or producer contract under this section in a manner that is consistent with the terms of the program.

“(2) RELATIONSHIP TO EXISTING ACTIVITY.—The Secretary shall, to the maximum extent practicable, ensure that eligible activities carried out in critical conservation areas designated under this section complement and are consistent with other Federal and State programs and water quality and quantity strategies.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

Subtitle F—Other Conservation Programs

SEC. 2501. CONSERVATION OF PRIVATE GRAZING LAND.

Section 1240M(e) of the Food Security Act of 1985 (16 U.S.C. 3839bb(e)) is amended in-

serting “and \$30,000,000 for each of fiscal years 2014 through 2018” before the period at the end.

SEC. 2502. GRASSROOTS SOURCE WATER PROTECTION PROGRAM.

Section 1240O(b) of the Food Security Act of 1985 (16 U.S.C. 3839bb-2(b)) is amended by inserting “and \$15,000,000 for each of fiscal years 2014 through 2018” before the period at the end.

SEC. 2503. VOLUNTARY PUBLIC ACCESS AND HABITAT INCENTIVE PROGRAM.

(a) FUNDING.—Section 1240R(f)(1) of the Food Security Act of 1985 (16 U.S.C. 3839bb-5(f)(1)) is amended—

(1) in the heading, by striking “FISCAL YEARS 2009 THROUGH 2012” and inserting “MANDATORY FUNDING”; and

(2) by inserting “and \$40,000,000 for the period of fiscal years 2014 through 2018” before the period at the end.

(b) REPORT ON PROGRAM EFFECTIVENESS.—Not later than 2 years after the date of enactment of this Act, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report evaluating the effectiveness of the voluntary public access and habitat incentive program established by section 1240R of the Food Security Act of 1985 (16 U.S.C. 3839bb-5), including—

(1) identifying cooperating agencies;

(2) identifying the number of land holdings and total acres enrolled by State;

(3) evaluating the extent of improved access on eligible land, improved wildlife habitat, and related economic benefits; and

(4) any other relevant information and data relating to the program that would be helpful to such Committees.

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2504. AGRICULTURE CONSERVATION EXPERIENCED SERVICES PROGRAM.

(a) FUNDING.—Section 1252 of the Food Security Act of 1985 (16 U.S.C. 3851) is amended by striking subsection (c) and inserting the following:

“(c) FUNDING.—

“(1) IN GENERAL.—The Secretary may carry out the ACES program using funds made available to carry out each program under this title.

“(2) EXCLUSION.—Funds made available to carry out the conservation reserve program may not be used to carry out the ACES program.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2505. SMALL WATERSHED REHABILITATION PROGRAM.

Section 14(h)(2)(E) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)(2)(E)) is amended by striking “2012” and inserting “2018”.

SEC. 2506. TERMINAL LAKES ASSISTANCE.

Section 2507 of the Food, Security, and Rural Investment Act of 2002 (43 U.S.C. 2211 note; Public Law 107-171) is amended to read as follows:

“SEC. 2507. TERMINAL LAKES ASSISTANCE.

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE LAND.—The term ‘eligible land’ means privately owned agricultural land (including land in which a State has a property interest as a result of state water law)—

“(A) that a landowner voluntarily agrees to sell to a State; and

“(B) which—

“(i)(I) is ineligible for enrollment as a wetland easement established under the Agricultural Conservation Easement Program under subtitle H of the Food Security Act of 1985;

“(II) is flooded to—

“(aa) an average depth of at least 6.5 feet; or

“(bb) a level below which the State determines the management of the water level is beyond the control of the State or landowner; or

“(III) is inaccessible for agricultural use due to the flooding of adjoining property (such as islands of agricultural land created by flooding);

“(ii) is located within a watershed with water rights available for lease or purchase; and

“(iii) has been used during at least 5 of the immediately preceding 30 years—

“(I) to produce crops or hay; or

“(II) as livestock pasture or grazing.

“(2) PROGRAM.—The term ‘program’ means the voluntary land purchase program established under this section.

“(3) TERMINAL LAKE.—The term ‘terminal lake’ means a lake and its associated riparian and watershed resources that is—

“(A) considered flooded because there is no natural outlet for water accumulating in the lake or the associated riparian area such that the watershed and surrounding land is consistently flooded; or

“(B) considered terminal because it has no natural outlet and is at risk due to a history of consistent Federal assistance to address critical resource conditions, including insufficient water available to meet the needs of the lake, general uses, and water rights.

“(b) ASSISTANCE.—The Secretary shall—

“(1) provide grants under subsection (c) for the purchase of eligible land impacted by a terminal lake described in subsection (a)(3)(A); and

“(2) provide funds to the Secretary of the Interior pursuant to subsection (e)(2) with assistance in accordance with subsection (d) for terminal lakes described in subsection (a)(3)(B).

“(c) LAND PURCHASE GRANTS.—

“(1) IN GENERAL.—Using funds provided under subsection (e)(1), the Secretary shall make available land purchase grants to States for the purchase of eligible land in accordance with this subsection.

“(2) IMPLEMENTATION.—

“(A) AMOUNT.—A land purchase grant shall be in an amount not to exceed the lesser of—

“(i) 50 percent of the total purchase price per acre of the eligible land; or

“(ii)(I) in the case of eligible land that was used to produce crops or hay, \$400 per acre; and

“(II) in the case of eligible land that was pasture or grazing land, \$200 per acre.

“(B) DETERMINATION OF PURCHASE PRICE.—A State purchasing eligible land with a land purchase grant shall ensure, to the maximum extent practicable, that the purchase price of such land reflects the value, if any, of other encumbrances on the eligible land to be purchased, including easements and mineral rights.

“(C) COST-SHARE REQUIRED.—To be eligible to receive a land purchase grant, a State shall provide matching non-Federal funds in an amount equal to 50 percent of the amount described in subparagraph (A), including additional non-Federal funds.

“(D) CONDITIONS.—To receive a land purchase grant, a State shall agree—

“(i) to ensure that any eligible land purchased is—

“(I) conveyed in fee simple to the State; and

“(II) free from mortgages or other liens at the time title is transferred;

“(ii) to maintain ownership of the eligible land in perpetuity;

“(iii) to pay (from funds other than grant dollars awarded) any costs associated with the purchase of eligible land under this section, including surveys and legal fees; and

“(iv) to keep eligible land in a conserving use, as defined by the Secretary.

“(E) LOSS OF FEDERAL BENEFITS.—Eligible land purchased with a grant under this section shall lose eligibility for any benefits under other Federal programs, including—

“(i) benefits under title XII of the Food Security Act of 1985 (16 U.S.C. 3801 et seq.);

“(ii) benefits under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); and

“(iii) covered benefits described in section 1001D(b) of the Food Security Act of 1985 (7 U.S.C. 1308–3a).

“(F) PROHIBITION.—Any Federal rights or benefits associated with eligible land prior to purchase by a State may not be transferred to any other land or person in anticipation of or as a result of such purchase.

“(d) WATER ASSISTANCE.—

“(1) IN GENERAL.—The Secretary of the Interior, acting through the Commissioner of Reclamation, may use the funds described in subsection (e)(2) to administer and provide financial assistance to carry out this subsection to provide water and assistance to a terminal lake described in subsection (a)(3)(B) through willing sellers or willing participants only—

“(A) to lease water;

“(B) to purchase land, water appurtenant to the land, and related interests; and

“(C) to carry out research, support and conservation activities for associated fish, wildlife, plant, and habitat resources.”

“(2) EXCLUSIONS.—The Secretary of the Interior may not use this subsection to deliver assistance to the Great Salt Lake in Utah, lakes that are considered dry lakes, or other lakes that do not meet the purposes of this section, as determined by the Secretary of the Interior.

“(3) TRANSITIONAL PROVISION.—

“(A) IN GENERAL.—Notwithstanding any other provision of this section, any funds made available before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 under a provision of law described in subparagraph (B) shall remain available using the provisions of law (including regulations) in effect on the day before the date of enactment of that Act.

“(B) DESCRIBED LAWS.—The provisions of law described in this section are—

“(i) section 2507 of the Farm Security and Rural Investment Act of 2002 (43 U.S.C. 2211 note; Public Law 107–171) (as in effect on the day before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013);

“(ii) section 207 of the Energy and Water Development Appropriations Act, 2003 (Public Law 108–7; 117 Stat. 146);

“(iii) section 208 of the Energy and Water Development Appropriations Act, 2006 (Public Law 109–103; 119 Stat. 2268, 123 Stat. 2856); and

“(iv) section 208 of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85; 123 Stat. 2858, 123 Stat. 2967, 125 Stat. 867).

“(e) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out subsection (c) \$25,000,000, to remain available until expended.

“(2) COMMODITY CREDIT CORPORATION.—As soon as practicable after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Secretary shall transfer to the Bureau of Reclamation Water and Related Resources Account \$150,000,000 from the funds of the Commodity Credit Corporation to carry out subsection (d), to remain available until expended.”

Subtitle G—Funding and Administration

SEC. 2601. FUNDING.

(a) IN GENERAL.—Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended by striking subsection (a) and inserting the following:

“(a) ANNUAL FUNDING.—For each of fiscal years 2014 through 2018, the Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out the following programs under this title (including the provision of technical assistance):

“(1) The conservation reserve program under subchapter B of chapter 1 of subtitle D, including, to the maximum extent practicable—

“(A) \$10,000,000 for the period of fiscal years 2014 through 2018 to provide payments under paragraph (3) of section 1234(b) in connection with thinning activities conducted on land described in subparagraph (B)(iii) of that paragraph; and

“(B) \$50,000,000 for the period of fiscal years 2014 through 2018 to carry out section 1235(f) to facilitate the transfer of land subject to contracts from retired or retiring owners and operators to beginning farmers or ranchers and socially disadvantaged farmers or ranchers.

“(2) The Agricultural Conservation Easement Program under subtitle H using to the maximum extent practicable—

“(A) \$223,000,000 for fiscal year 2014;

“(B) \$702,000,000 for fiscal year 2015;

“(C) \$500,000,000 for fiscal year 2016;

“(D) \$525,000,000 for fiscal year 2017; and

“(E) \$250,000,000 for fiscal year 2018.

“(3) The conservation security program under subchapter A of chapter 2 of subtitle D, using such sums as are necessary to administer contracts entered into before September 30, 2008.

“(4) The conservation stewardship program under subchapter B of chapter 2 of subtitle D.

“(5) The environmental quality incentives program under chapter 4 of subtitle D, using, to the maximum extent practicable—

“(A) \$1,455,000,000 for fiscal year 2014;

“(B) \$1,645,000,000 for fiscal year 2015; and

“(C) \$1,650,000,000 for each of fiscal years 2016 through 2018.”

(b) GUARANTEED AVAILABILITY OF FUNDS.—Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended—

(1) by redesignating subsections (b) through (h) as subsections (c) through (i), respectively; and

(2) by inserting after subsection (a) the following:

“(b) AVAILABILITY OF FUNDS.—Amounts made available by subsection (a) shall be used by the Secretary to carry out the programs specified in such subsection for fiscal years 2014 through 2018 and shall remain available until expended. Amounts made available for the programs specified in such subsection during a fiscal year through modifications, cancellations, terminations, and other related administrative actions and not obligated in that fiscal year shall remain available for obligation during subsequent fiscal years, but shall reduce the amount of additional funds made available in the subse-

quent fiscal year by an amount equal to the amount remaining unobligated.”

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013.

SEC. 2602. TECHNICAL ASSISTANCE.

Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended by striking subsection (c) (as redesignated by section 2601(b)(1)) and inserting the following:

“(c) TECHNICAL ASSISTANCE.—

“(1) AVAILABILITY OF FUNDS.—Commodity Credit Corporation funds made available for a fiscal year for each of the programs specified in subsection (a)—

“(A) shall be available for the provision of technical assistance for the programs for which funds are made available as necessary to implement the programs effectively; and

“(B) shall not be available for the provision of technical assistance for conservation programs specified in subsection (a) other than the program for which the funds were made available.

“(2) REPORT.—Not later than December 31, 2013, the Secretary shall submit (and update as necessary in subsequent years) to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report—

“(A) detailing the amount of technical assistance funds requested and apportioned in each program specified in subsection (a) during the preceding fiscal year; and

“(B) any other data relating to this provision that would be helpful to such Committees.”

SEC. 2603. REGIONAL EQUITY.

Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended by striking subsection (e) (as redesignated by section 2601(b)(1)) and inserting the following:

“(e) REGIONAL EQUITY.—

“(1) EQUITABLE DISTRIBUTION.—When determining funding allocations each fiscal year, the Secretary shall, after considering available funding and program demand in each State, provide a distribution of funds for conservation programs under subtitle D (excluding the conservation reserve program under subchapter B of chapter 1), subtitle H (excluding wetland easements under section 1265C), and subtitle I to ensure equitable program participation proportional to historical funding allocations and usage by all States.

“(2) MINIMUM PERCENTAGE.—In determining the specific funding allocations under paragraph (1), the Secretary shall—

“(A) ensure that during the first quarter of each fiscal year each State has the opportunity to establish that the State can use an aggregate allocation amount of at least 0.6 percent of the funds made available for those conservation programs; and

“(B) for each State that can so establish, provide an aggregate amount of at least 0.6 percent of the funds made available for those conservation programs.”

SEC. 2604. RESERVATION OF FUNDS TO PROVIDE ASSISTANCE TO CERTAIN FARMERS OR RANCHERS FOR CONSERVATION ACCESS.

Subsection (h) of section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) (as redesignated by section 2601(b)(1)) is amended—

(1) in paragraph (1) by striking “2012” and inserting “2018”; and

(2) by adding at the end the following:

“(4) PREFERENCE.—In providing assistance under paragraph (1), the Secretary shall give preference to a veteran farmer or rancher (as defined in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990

(7 U.S.C. 2279(e)) that qualifies under subparagraph (A) or (B) of paragraph (1).”

SEC. 2605. ANNUAL REPORT ON PROGRAM ENROLLMENTS AND ASSISTANCE.

Subsection (i) of section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) (as redesignated by section 2601(b)(1)) is amended—

(1) in paragraph (1), by striking “wetlands reserve program” and inserting “agricultural conservation easement program”;

(2) by striking paragraphs (2) and (3) and redesignating paragraphs (4), (5), and (6) as paragraphs (2), (3), and (4), respectively;

(3) in paragraph (3) (as so redesignated)—

(A) by striking “agricultural water enhancement program” and inserting “regional conservation partnership program”; and

(B) by striking “section 1240I(g)” and inserting “section 1271C(c)(3)”; and

(4) by adding at the end the following:

“(5) Payments made under the conservation stewardship program.

“(6) Waivers granted by the Secretary under section 1265B(b)(2)(C).”

SEC. 2606. ADMINISTRATIVE REQUIREMENTS FOR CONSERVATION PROGRAMS.

Section 1244 of the Food Security Act of 1985 (16 U.S.C. 3844) is amended—

(1) in subsection (a)(2), by adding at the end the following:

“(E) Veteran farmers or ranchers (as defined in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e)))”;

(2) in subsection (d), by inserting “, H, and I” before the period at the end;

(3) in subsection (f)—

(A) in paragraph (1)(B), by striking “county” and inserting “county”; and

(B) in paragraph (3), by striking “subsection (c)(2)(B) or (f)(4)” and inserting “subsection (c)(2)(A)(ii) or (f)(2)”; and

(4) by striking subsection (i) and inserting the following:

“(i) CONSERVATION APPLICATION PROCESS.—

“(1) INITIAL APPLICATION.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall establish a single, simplified application for eligible entities to use in initially requesting assistance under any conservation program administered by the Secretary (referred to in this subsection as the ‘initial application’).

“(B) REQUIREMENTS.—To the maximum extent practicable, the Secretary shall ensure that—

“(i) a conservation program applicant is not required to provide information that is duplicative of information or resources already available to the Secretary for that applicant and the specific operation of the applicant; and

“(ii) the initial application process is streamlined to minimize complexity and redundancy.

“(2) REVIEW OF APPLICATION PROCESS.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall review the application process for each conservation program administered by the Secretary, including the forms and processes used to receive assistance requests from eligible program participants.

“(B) REQUIREMENTS.—In carrying out the review, the Secretary shall determine what information the participant is required to submit during the application process, including—

“(i) identification information for the applicant;

“(ii) identification and location information for the land parcel or tract of concern;

“(iii) a general statement of the need or resource concern of the applicant for the land parcel or tract; and

“(iv) the minimum amount of other information the Secretary considers to be essential for the applicant to provide personally.

“(3) REVISION AND STREAMLINE.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall carry out a revision of the application forms and processes for each conservation program administered by the Secretary to enable use of information technology to incorporate appropriate data and information concerning the conservation needs and solutions appropriate for the land area identified by the applicant.

“(B) GOAL.—The goal of the revision shall be to streamline the application process to minimize the burden placed on applicants.

“(4) CONSERVATION PROGRAM APPLICATION.—

“(A) IN GENERAL.—Once the needs of an applicant have been adequately assessed by the Secretary, or a third party provider under section 1242, based on the initial application, in order to determine the 1 or more programs under this title that best match the needs of the applicant, with the approval of the applicant, the Secretary may convert the initial application into the specific application for assistance for the relevant conservation program.

“(B) SECRETARIAL BURDEN.—To the maximum extent practicable, the Secretary shall—

“(i) complete the specific application for conservation program assistance for each applicant; and

“(ii) request only that specific further information from the applicant that is not already available to the Secretary.

“(5) IMPLEMENTATION AND NOTIFICATION.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate written notification that the Secretary has fulfilled the requirements of this subsection.”; and

(5) by adding at the end the following:

“(j) IMPROVED ADMINISTRATIVE EFFICIENCY AND EFFECTIVENESS.—In administering a conservation program under this title, the Secretary shall, to the maximum extent practicable—

“(1) seek to reduce administrative burdens and costs to producers by streamlining conservation planning and program resources; and

“(2) take advantage of new technologies to enhance efficiency and effectiveness.

“(k) RELATION TO OTHER PAYMENTS.—Any payment received by an owner or operator under this title, including an easement payment or rental payment, shall be in addition to, and not affect, the total amount of payments that the owner or operator is otherwise eligible to receive under any of the following:

“(1) This Act.

“(2) The Agricultural Act of 1949 (7 U.S.C. 1421 et seq.).

“(3) The Agriculture Reform, Food, and Jobs Act of 2013.

“(4) Any law that succeeds a law specified in paragraph (1), (2), or (3).

“(l) FUNDING FOR INDIAN TRIBES.—In carrying out the conservation stewardship program under subchapter B of chapter 2 of subtitle D and the environmental quality incentives program under chapter 4 of subtitle D, the Secretary may enter into alternative funding arrangements with Indian tribes if

the Secretary determines that the goals and objectives of the programs will be met by such arrangements, and that statutory limitations regarding contracts with individual producers will not be exceeded by any Tribal member.”

SEC. 2607. RULEMAKING AUTHORITY.

Subtitle E of title XII of the Food Security Act of 1985 (16 U.S.C. 3841 et seq.) is amended by adding at the end the following:

“SEC. 1246. REGULATIONS.

“(a) IN GENERAL.—The Secretary shall promulgate such regulations as are necessary to implement programs under this title, including such regulations as the Secretary determines to be necessary to ensure a fair and reasonable application of the limitations established under section 1244(f).

“(b) RULEMAKING PROCEDURE.—The promulgation of regulations and administration of programs under this title—

“(1) shall be carried out without regard to—

“(A) the Statement of Policy of the Secretary effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

“(B) chapter 35 of title 44, United States Code (commonly known as the Paperwork Reduction Act); and

“(2) shall be made as an interim rule effective on publication with an opportunity for notice and comment.

“(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In promulgating regulations under this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.”

SEC. 2608. STANDARDS FOR STATE TECHNICAL COMMITTEES.

Section 1261(b) of the Food Security Act of 1985 (16 U.S.C. 3861(b)) is amended by striking “Not later than 180 days after the date of enactment of the Food, Conservation, and Energy Act of 2008, the Secretary shall develop” and inserting “The Secretary shall review and update as necessary”.

SEC. 2609. HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION FOR CROP INSURANCE.

(a) HIGHLY ERODIBLE LAND PROGRAM INELIGIBILITY.—

(1) IN GENERAL.—Section 1211(a)(1) of the Food Security Act of 1985 (16 U.S.C. 3811(a)(1)) is amended—

(A) in subparagraph (C), by striking “or” at the end;

(B) in subparagraph (D), by adding “or” at the end; and

(C) by adding at the end the following:

“(E) any portion of premium paid by the Federal Crop Insurance Corporation for a plan or policy of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).”

(2) EXEMPTIONS.—Section 1212(a)(2) of the Food Security Act of 1985 (16 U.S.C. 3812(a)(2)) is amended—

(A) in the first sentence, by striking “(2) If,” and inserting the following:

“(2) ELIGIBILITY BASED ON COMPLIANCE WITH CONSERVATION PLAN.—

“(A) IN GENERAL.—If,”;

(B) in the second sentence, by striking “In carrying” and inserting the following:

“(B) MINIMIZATION OF DOCUMENTATION.—In carrying”; and

(C) by adding at the end the following:

“(C) CROP INSURANCE.—In the case of payments that are subject to section 1211 for the first time due to the amendment made by section 2609(a) of the Agriculture Reform, Food, and Jobs Act of 2013, any person who produces an agricultural commodity on the

land that is the basis of the payments shall have until January 1 of the fifth year after the date on which the payments became subject to section 1211 to develop and comply with an approved conservation plan.”.

(b) **WETLAND CONSERVATION PROGRAM ELIGIBILITY.**—Section 1221(b) of the Food Security Act of 1985 (16 U.S.C. 3821) is amended by adding at the end the following:

“(4) Any portion of premium paid by the Federal Crop Insurance Corporation for a plan or policy of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).”.

Subtitle H—Repeal of Superseded Program Authorities and Transitional Provisions

SEC. 2701. COMPREHENSIVE CONSERVATION ENHANCEMENT PROGRAM.

Section 1230 of the Food Security Act of 1985 (16 U.S.C. 3830) is repealed.

SEC. 2702. EMERGENCY FORESTRY CONSERVATION RESERVE PROGRAM.

(a) **REPEAL.**—Section 1231A of the Food Security Act of 1985 (16 U.S.C. 3831a) is repealed.

(b) **TRANSITIONAL PROVISIONS.**—

(1) **EFFECT ON EXISTING CONTRACTS.**—The amendment made by this section shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under section 1231A of the Food Security Act of 1985 (16 U.S.C. 3831a) before October 1, 2013, or any payments required to be made in connection with the contract.

(2) **FUNDING.**—The Secretary may use funds made available to carry out the conservation reserve program under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) to continue to carry out contracts referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts as in existence on September 30, 2013.

(c) **EFFECTIVE DATE.**—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2703. WETLANDS RESERVE PROGRAM.

(a) **REPEAL.**—Subchapter C of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.) is repealed.

(b) **TRANSITIONAL PROVISIONS.**—

(1) **EFFECT ON EXISTING CONTRACTS AND EASEMENTS.**—The amendment made by this section shall not affect the validity or terms of any contract or easement entered into by the Secretary of Agriculture under subchapter C of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.) before October 1, 2013, or any payments required to be made in connection with the contract or easement.

(2) **FUNDING.**—

(A) **USE OF PRIOR YEAR FUNDS.**—Notwithstanding the repeal of subchapter C of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.), any funds made available from the Commodity Credit Corporation to carry out the wetlands reserve program under that subchapter for fiscal years 2009 through 2013 shall be made available to carry out contracts or easements referred to in paragraph (1) that were entered into prior to October 1, 2013 (including the provision of technical assistance), provided that no such contract or easement is modified so as to increase the amount of the payment received.

(B) **OTHER.**—The Secretary may use funds made available to carry out the agricultural conservation easement program under subtitle H of title XII of the Food Security Act of 1985, as added by section 2301, to continue to carry out contracts and easements referred to in paragraph (1) using the provisions of law and regulation applicable to

such contracts and easements as in existence on September 30, 2013.

(c) **EFFECTIVE DATE.**—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2704. FARMLAND PROTECTION PROGRAM AND FARM VIABILITY PROGRAM.

(a) **REPEAL.**—Subchapter C of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838h et seq.) is repealed.

(b) **TRANSITIONAL PROVISIONS.**—

(1) **EFFECT ON EXISTING AGREEMENTS AND EASEMENTS.**—The amendment made by this section shall not affect the validity or terms of any agreement or easement entered into by the Secretary of Agriculture under subchapter C of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838h et seq.) before October 1, 2013, or any payments required to be made in connection with the agreement or easement.

(2) **FUNDING.**—

(A) **USE OF PRIOR YEAR FUNDS.**—Notwithstanding the repeal of subchapter C of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838h et seq.), any funds made available from the Commodity Credit Corporation to carry out the farmland protection program under that subchapter for fiscal years 2009 through 2013 shall be made available to carry out agreements and easements referred to in paragraph (1) that were entered into prior to October 1, 2013 (including the provision of technical assistance).

(B) **OTHER.**—On exhaustion of funds made available under subparagraph (A), the Secretary may use funds made available to carry out the agricultural conservation easement program under subtitle H of title XII of the Food Security Act of 1985, as added by section 2301, to continue to carry out agreements and easements referred to in paragraph (1) using the provisions of law and regulation applicable to such agreements and easements as in existence on September 30, 2013.

(c) **EFFECTIVE DATE.**—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2705. GRASSLAND RESERVE PROGRAM.

(a) **REPEAL.**—Subchapter D of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838n et seq.) is repealed.

(b) **TRANSITIONAL PROVISIONS.**—

(1) **EFFECT ON EXISTING CONTRACTS, AGREEMENTS, AND EASEMENTS.**—The amendment made by this section shall not affect the validity or terms of any contract, agreement, or easement entered into by the Secretary of Agriculture under subchapter D of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838n et seq.) before October 1, 2013, or any payments required to be made in connection with the contract, agreement, or easement.

(2) **FUNDING.**—

(A) **USE OF PRIOR YEAR FUNDS.**—Notwithstanding the repeal of subchapter D of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838n et seq.), any funds made available from the Commodity Credit Corporation to carry out the grassland reserve program under that subchapter for fiscal years 2009 through 2013 shall be made available to carry out contracts, agreements, or easements referred to in paragraph (1) that were entered into prior to October 1, 2013 (including the provision of technical assistance), provided that no such contract, agreement, or easement is modified so as to increase the amount of the payment received.

(B) **OTHER.**—The Secretary may use funds made available to carry out the agricultural conservation easement program under subtitle H of title XII of the Food Security Act of 1985, as added by section 2301, to continue to carry out contracts, agreements, and easements referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts, agreements, and easements as in existence on September 30, 2013.

(c) **EFFECTIVE DATE.**—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2706. AGRICULTURAL WATER ENHANCEMENT PROGRAM.

(a) **REPEAL.**—Section 1240I of the Food Security Act of 1985 (16 U.S.C. 3839aa-9) is repealed.

(b) **TRANSITIONAL PROVISIONS.**—

(1) **EFFECT ON EXISTING CONTRACTS AND AGREEMENTS.**—The amendment made by this section shall not affect the validity or terms of any contract or agreement entered into by the Secretary of Agriculture under section 1240I of the Food Security Act of 1985 (16 U.S.C. 3839aa-9) before October 1, 2013, or any payments required to be made in connection with the contract or agreement.

(2) **FUNDING.**—

(A) **USE OF PRIOR YEAR FUNDS.**—Notwithstanding the repeal of section 1240I of the Food Security Act of 1985 (16 U.S.C. 3839aa-9), any funds made available from the Commodity Credit Corporation to carry out the agricultural water enhancement program under that section for fiscal years 2009 through 2013 shall be made available to carry out contracts and agreements referred to in paragraph (1) that were entered into prior to October 1, 2013 (including the provision of technical assistance).

(B) **OTHER.**—On exhaustion of funds made available under subparagraph (A), the Secretary may use funds made available to carry out the regional conservation partnerships program under subtitle I of title XII of the Food Security Act of 1985, as added by section 2401, to continue to carry out contracts and agreements referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts and agreements as in existence on September 30, 2013.

(c) **EFFECTIVE DATE.**—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2707. WILDLIFE HABITAT INCENTIVE PROGRAM.

(a) **REPEAL.**—Section 1240N of the Food Security Act of 1985 (16 U.S.C. 3839bb-1) is repealed.

(b) **TRANSITIONAL PROVISIONS.**—

(1) **EFFECT ON EXISTING CONTRACTS.**—The amendment made by this section shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under section 1240N of the Food Security Act of 1985 (16 U.S.C. 3839bb-1) before October 1, 2013, or any payments required to be made in connection with the contract.

(2) **FUNDING.**—

(A) **USE OF PRIOR YEAR FUNDS.**—Notwithstanding the repeal of section 1240N of the Food Security Act of 1985 (16 U.S.C. 3839bb-1), any funds made available from the Commodity Credit Corporation to carry out the wildlife habitat incentive program under that section for fiscal years 2009 through 2013 shall be made available to carry out contracts referred to in paragraph (1) which were entered into prior to October 1, 2013 (including the provision of technical assistance).

(B) OTHER.—On exhaustion of funds made available under subparagraph (A), the Secretary may use funds made available to carry out the environmental quality incentives program under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) to continue to carry out contracts referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts as in existence on September 30, 2013.

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2708. GREAT LAKES BASIN PROGRAM.

(a) REPEAL.—Section 1240P of the Food Security Act of 1985 (16 U.S.C. 3839bb-3) is repealed.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2709. CHESAPEAKE BAY WATERSHED PROGRAM.

(a) REPEAL.—Section 1240Q of the Food Security Act of 1985 (16 U.S.C. 3839bb-4) is repealed.

(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING CONTRACTS, AGREEMENTS, AND EASEMENTS.—The amendment made by this section shall not affect the validity or terms of any contract, agreement, or easement entered into by the Secretary of Agriculture under section 1240Q of the Food Security Act of 1985 (16 U.S.C. 3839bb-4) before October 1, 2013, or any payments required to be made in connection with the contract, agreement, or easement.

(2) FUNDING.—

(A) USE OF PRIOR YEAR FUNDS.—Notwithstanding the repeal of section 1240Q of the Food Security Act of 1985 (16 U.S.C. 3839bb-4), any funds made available from the Commodity Credit Corporation to carry out the Chesapeake Bay watershed program under that section for fiscal years 2009 through 2013 shall be made available to carry out contracts, agreements, and easements referred to in paragraph (1) that were entered into prior to October 1, 2013 (including the provision of technical assistance).

(B) OTHER.—The Secretary may use funds made available to carry out the regional conservation partnerships program under subtitle I of title XII of the Food Security Act of 1985, as added by section 2401, to continue to carry out contracts, agreements, and easements referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts, agreements, and easements as in existence on September 30, 2013.

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2710. COOPERATIVE CONSERVATION PARTNERSHIP INITIATIVE.

(a) REPEAL.—Section 1243 of the Food Security Act of 1985 (16 U.S.C. 3843) is repealed.

(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING CONTRACTS AND AGREEMENTS.—The amendment made by this section shall not affect the validity or terms of any contract or agreement entered into by the Secretary of Agriculture under section 1243 of the Food Security Act of 1985 (16 U.S.C. 3843) before October 1, 2013, or any payments required to be made in connection with the contract or agreement.

(2) FUNDING.—

(A) USE OF PRIOR YEAR FUNDS.—Notwithstanding the repeal of section 1243 of the Food Security Act of 1985 (16 U.S.C. 3843), any funds made available from the Commodity Credit Corporation to carry out the cooperative conservation partnership initia-

tive under that section for fiscal years 2009 through 2013 shall be made available to carry out contracts and agreements referred to in paragraph (1) that were entered into prior to October 1, 2013 (including the provision of technical assistance).

(B) OTHER.—On exhaustion of funds made available under subparagraph (A), the Secretary may use funds made available to carry out the regional conservation partnerships program under subtitle I of title XII of the Food Security Act of 1985, as added by section 2401, to continue to carry out contracts and agreements referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts and agreements as in existence on September 30, 2013.

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2711. ENVIRONMENTAL EASEMENT PROGRAM.

Chapter 3 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839 et seq.) is repealed.

SEC. 2712. TECHNICAL AMENDMENTS.

(a) Section 1201(a) of the Food Security Act of 1985 (16 U.S.C. 3801(a)) is amended in the matter preceding paragraph (1) by striking “E” and inserting “I”.

(b) Section 1211(a) of the Food Security Act of 1985 (16 U.S.C. 3811(a)) is amended by striking “predominate” each place it appears and inserting “predominant”.

(c) Section 1242(i) of the Food Security Act of 1985 (16 U.S.C. 3842(i)) is amended in the sub1413 by striking “SPECIALTY” and inserting “SPECIALTY”.

TITLE III—TRADE

Subtitle A—Food for Peace Act

SEC. 3001. SET-ASIDE FOR SUPPORT FOR ORGANIZATIONS THROUGH WHICH NON-EMERGENCY ASSISTANCE IS PROVIDED.

Effective October 1, 2013, section 202(e)(1) of the Food for Peace Act (7 U.S.C. 1722(e)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking “13 percent” and inserting “15 percent”; and

(2) in subparagraph (A), by striking “new” and inserting “and enhancing”.

SEC. 3002. FOOD AID QUALITY.

Section 202(h) of the Food for Peace Act (7 U.S.C. 1722(h)) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—The Administrator shall use funds made available for fiscal year 2014 and subsequent fiscal years to carry out this title—

“(A) to assess the types and quality of agricultural commodities and products donated for food aid;

“(B) to adjust products and formulations, including potential introduction of new fortificants and products, as necessary to cost-effectively meet nutrient needs of target populations;

“(C) to test prototypes;

“(D) to adopt new specifications or improve existing specifications for micronutrient fortified food aid products, based on the latest developments in food and nutrition science, and in coordination with other international partners;

“(E) to develop new program guidance to facilitate improved matching of products to purposes having nutritional intent, in coordination with other international partners;

“(F) to develop improved guidance for implementing partners on how to address nutri-

tional deficiencies that emerge among recipients for whom food assistance is the sole source of diet in emergency programs that extend beyond 1 year, in coordination with other international partners; and

“(G) to evaluate, in appropriate settings and as necessary, the performance and cost-effectiveness of new or modified specialized food products and program approaches designed to meet the nutritional needs of the most vulnerable groups, such as pregnant and lactating mothers, and children under the age of 5.”; and

(2) in paragraph (3), by striking “2011” and inserting “2018”.

SEC. 3003. MINIMUM LEVELS OF ASSISTANCE.

Section 204(a) of the Food for Peace Act (7 U.S.C. 1724(a)) is amended—

(1) in paragraph (1), by striking “2012” and inserting “2018”; and

(2) in paragraph (2), by striking “2012” and inserting “2018”.

SEC. 3004. REAUTHORIZATION OF FOOD AID CONSULTATIVE GROUP.

Section 205(f) of the Food for Peace Act (7 U.S.C. 1725(f)) is amended by striking “2012” and inserting “2018”.

SEC. 3005. OVERSIGHT, MONITORING, AND EVALUATION OF FOOD FOR PEACE ACT PROGRAMS.

Section 207(f) of the Food for Peace Act (7 U.S.C. 1726a(f)) is amended—

(1) by striking paragraph (4) and redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively; and

(2) in subparagraph (A) of paragraph (5) (as so redesignated)—

(A) by striking “2012” and inserting “2018”; and

(B) by striking “during fiscal year 2009” and inserting “during the period of fiscal years 2014 through 2018”.

SEC. 3006. ASSISTANCE FOR STOCKPILING AND RAPID TRANSPORTATION, DELIVERY, AND DISTRIBUTION OF SHELF-STABLE PREPACKAGED FOODS.

Section 208(f) of the Food for Peace Act (7 U.S.C. 1726b(f)) is amended by striking “2012” and inserting “2018”.

SEC. 3007. LIMITATION ON TOTAL VOLUME OF COMMODITIES MONETIZED.

Section 403 of the Food for Peace Act (7 U.S.C. 1733) is amended by adding at the end the following:

“(m) LIMITATION ON MONETIZATION OF COMMODITIES.—

“(1) LIMITATION.—

“(A) IN GENERAL.—Unless the Administrator grants a waiver under paragraph (2), no commodity may be made available under this Act unless the rate of return for the commodity (as determined under subparagraph (B)) is at least 70 percent.

“(B) RATE OF RETURN.—For purposes of subparagraph (A), the rate of return shall be equal to the proportion that—

“(i) the proceeds the implementing partners generate through monetization; bears to

“(ii) the cost to the Federal Government to procure and ship the commodities to a recipient country for monetization.

“(2) WAIVER AUTHORITY.—The Administrator may waive the application of the limitation in paragraph (1) with regard to a commodity for a recipient country if the Administrator determines that it is necessary to achieve the purposes of this Act in the recipient country.

“(3) REPORT.—Not later than 90 days after a waiver is granted under paragraph (2), the Administrator shall prepare, publish in the Federal Register, and submit to the Committees on Foreign Affairs, Agriculture, and Appropriations of the House of Representatives,

and the Committees on Appropriations, Foreign Relations, and Agriculture, Nutrition, and Forestry of the Senate a report that—

“(A) contains the reasons for granting the waiver and the actual rate of return for the commodity; and

“(B) includes for the commodity the costs of bagging or further processing, ocean transportation, inland transportation in the recipient country, storage costs, and any other information that the Administrator determines to be necessary.”.

SEC. 3008. FLEXIBILITY.

Section 406 of the Food for Peace Act (7 U.S.C. 1736) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

“(c) FLEXIBILITY.—Notwithstanding any other provision of law and as necessary to achieve the purposes of this Act, funds available under this Act may be used to pay the costs of up to 20 percent of activities conducted in recipient countries by nonprofit voluntary organizations, cooperatives, or intergovernmental agencies or organizations.”.

SEC. 3009. PROCUREMENT, TRANSPORTATION, TESTING, AND STORAGE OF AGRICULTURAL COMMODITIES FOR PREPOSITIONING IN THE UNITED STATES AND FOREIGN COUNTRIES.

Section 407 of the Food for Peace Act (7 U.S.C. 1736a) is amended—

(1) in subparagraph (c)(4)(A)—

(A) by striking “2012” and inserting “2018”; and

(B) by striking “for each such fiscal year not more than \$10,000,000 of such funds” and inserting “for each of fiscal years 2001 through 2012 not more than \$10,000,000 of such funds and for each of fiscal years 2014 through 2018 not more than \$15,000,000 of such funds”; and

(2) by adding at the end the following:

“(g) FUNDING FOR TESTING OF FOOD AID SHIPMENTS.—Funds made available for agricultural products acquired under this Act and section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1) may be used to pay for the testing of those agricultural products.”.

SEC. 3010. DEADLINE FOR AGREEMENTS TO FINANCE SALES OR TO PROVIDE OTHER ASSISTANCE.

Section 408 of the Food for Peace Act (7 U.S.C. 1736b) is amended by striking “2012” and inserting “2018”.

SEC. 3011. MINIMUM LEVEL OF NONEMERGENCY FOOD ASSISTANCE.

Section 412 of the Food for Peace Act (7 U.S.C. 1736f) is amended by striking subsection (e) and inserting the following:

“(e) MINIMUM LEVEL OF NONEMERGENCY FOOD ASSISTANCE.—

“(1) IN GENERAL.—Subject to paragraph (2), of the amounts made available to carry out emergency and nonemergency food assistance programs under title II, not less than 20 nor more than 30 percent for each of fiscal years 2014 through 2018 shall be expended for nonemergency food assistance programs under title II.

“(2) MINIMUM LEVEL.—The amount made available to carry out nonemergency food assistance programs under title II shall not be less than \$275,000,000 for any fiscal year.”.

SEC. 3012. COORDINATION OF FOREIGN ASSISTANCE PROGRAMS REPORT.

Section 413 of the Food for Peace Act (7 U.S.C. 1736g) is amended—

(1) by striking “(a) IN GENERAL.—To the maximum” and inserting “To the maximum”; and

(2) by striking subsection (b).

SEC. 3013. MICRONUTRIENT FORTIFICATION PROGRAMS.

(a) ELIMINATION OF OBSOLETE REFERENCE TO STUDY.—Section 415(a)(2)(B) of the Food for Peace Act (7 U.S.C. 1736g-2(a)(2)(B)) is amended by striking “, using recommendations” and all that follows through “quality enhancements”.

(b) EXTENSION.—Section 415(c) of the Food for Peace Act (7 U.S.C. 1736g-2(c)) is amended by striking “2012” and inserting “2018”.

SEC. 3014. JOHN OGWONSKI AND DOUG BEREUTER FARMER-TO-FARMER PROGRAM.

Section 501 of the Food for Peace Act (7 U.S.C. 1737) is amended—

(1) in subsection (d)—

(A) by striking “0.5 percent” and inserting “0.6 percent”; and

(B) by striking “2012” and inserting “2018”; and

(2) in subsection (e)(1), by striking “2012” and inserting “2018”.

SEC. 3015. PROHIBITION ON ASSISTANCE FOR NORTH KOREA.

(a) IN GENERAL.—No amounts may be obligated or expended to provide assistance under title II of the Food for Peace Act (7 U.S.C. 1721 et seq.) to the Democratic People's Republic of Korea.

(b) NATIONAL INTEREST WAIVER.—The President may waive subsection (a) if the President determines and certifies to the Committees on Agriculture, Nutrition, and Forestry and Foreign Relations of the Senate and the Committees on Agriculture and Foreign Affairs of the House of Representatives that the waiver is in the national interest of the United States.

Subtitle B—Agricultural Trade Act of 1978

SEC. 3101. EXPORT CREDIT GUARANTEE PROGRAMS.

Section 211 of the Agricultural Trade Act of 1978 (7 U.S.C. 5641) is amended by striking subsection (b) and inserting the following:

“(b) EXPORT CREDIT GUARANTEE PROGRAMS.—The Commodity Credit Corporation shall make available for each of fiscal years 2014 through 2018 credit guarantees under section 202(a) in an amount equal to not more than \$4,500,000,000 in credit guarantees.”.

SEC. 3102. FUNDING FOR MARKET ACCESS PROGRAM.

Section 211(c)(1)(A) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641(c)(1)(A)) is amended by striking “2012” and inserting “2018”.

SEC. 3103. FOREIGN MARKET DEVELOPMENT CO-OPERATOR PROGRAM.

Section 703(a) of the Agricultural Trade Act of 1978 (7 U.S.C. 5723(a)) is amended by striking “2012” and inserting “2018”.

Subtitle C—Other Agricultural Trade Laws

SEC. 3201. FOOD FOR PROGRESS ACT OF 1985.

(a) EXTENSION.—The Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended—

(1) in subsection (f)(3), by striking “2012” and inserting “2018”; and

(2) in subsection (g), by striking “2012” and inserting “2018”; and

(3) in subsection (k), by striking “2012” and inserting “2018”; and

(4) in subsection (l)(1), by striking “2012” and inserting “2018”.

(b) REPEAL OF COMPLETED PROJECT.—Subsection (f) of the Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended by striking paragraph (6).

(c) FLEXIBILITY.—The Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended in subsection (l) by adding at the end the following:

“(5) FLEXIBILITY.—Notwithstanding any other provision of law and as necessary to achieve the purposes of this Act, funds available under this Act may be used to pay the costs of up to 20 percent of activities conducted in recipient countries by nonprofit voluntary organizations, cooperatives, or intergovernmental agencies or organizations.”.

(d) LIMITATION ON TOTAL VOLUME OF COMMODITIES MONETIZED.—The Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended by adding at the end the following:

“(p) LIMITATION ON MONETIZATION OF COMMODITIES.—

“(1) LIMITATION.—

“(A) IN GENERAL.—Unless the Secretary grants a waiver under paragraph (2), no eligible commodity may be made available under this section unless the rate of return for the eligible commodity (as determined under subparagraph (B)) is at least 70 percent.

“(B) RATE OF RETURN.—For purposes of subparagraph (A), the rate of return shall be equal to the proportion that—

“(i) the proceeds the implementing partners generate through monetization; bears to

“(ii) the cost to the Federal Government to procure and ship the eligible commodities to a recipient country for monetization.

“(2) WAIVER AUTHORITY.—The Secretary may waive the application of the limitation in paragraph (1) with regard to an eligible commodity for a recipient country if the Secretary determines that it is necessary to achieve the purposes of this Act in the recipient country.

“(3) REPORT.—Not later than 90 days after a waiver is granted under paragraph (2), the Secretary shall prepare, publish in the Federal Register, and submit to the Committees on Foreign Affairs, Agriculture, and Appropriations of the House of Representatives, and the Committees on Appropriations, Foreign Relations, and Agriculture, Nutrition, and Forestry of the Senate a report that—

“(A) contains the reasons for granting the waiver and the actual rate of return for the eligible commodity; and

“(B) includes for the commodity the costs of bagging or further processing, ocean transportation, inland transportation in the recipient country, storage costs, and any other information that the Secretary determines to be necessary.”.

SEC. 3202. BILL EMERSON HUMANITARIAN TRUST.

Section 302 of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f-1) is amended—

(1) in subsection (b)(2)(B)(i), by striking “2012” both places it appears and inserting “2018”; and

(2) in subsection (h), by striking “2012” both places it appears and inserting “2018”.

SEC. 3203. PROMOTION OF AGRICULTURAL EXPORTS TO EMERGING MARKETS.

(a) DIRECT CREDITS OR EXPORT CREDIT GUARANTEES.—Section 1542(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101-624; 7 U.S.C. 5622 note) is amended by striking “2012” and inserting “2018”.

(b) DEVELOPMENT OF AGRICULTURAL SYSTEMS.—Section 1542(d)(1)(A)(i) of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101-624; 7 U.S.C. 5622 note) is amended by striking “2012” and inserting “2018”.

SEC. 3204. MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM.

(a) REAUTHORIZATION.—Section 3107(1)(2) of the Farm Security and Rural Investment

Act of 2002 (7 U.S.C. 1736o-1(1)(2)) is amended by striking "2012" and inserting "2018".

(b) TECHNICAL CORRECTION.—Section 3107(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1(d)) is amended by striking "to" in the matter preceding paragraph (1).

SEC. 3205. TECHNICAL ASSISTANCE FOR SPECIALTY CROPS.

(a) PURPOSE.—Section 3205(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5680(b)) is amended by striking "related barriers to trade" and inserting "technical barriers to trade".

(b) FUNDING.—Section 3205(e)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5680(e)(2)) is amended—

(1) by inserting "and" at the end of subparagraph (C); and

(2) by striking subparagraphs (D) and (E) and inserting the following new subparagraph:

"(D) \$9,000,000 for each of fiscal years 2011 through 2018.".

SEC. 3206. GLOBAL CROP DIVERSITY TRUST.

Section 3202(c) of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 22 U.S.C. 2220a note) is amended by striking "2008 through 2012" and inserting "2014 through 2018".

SEC. 3207. LOCAL AND REGIONAL FOOD AID PROJECTS.

Section 3206 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 1726c) is amended—

(1) in subsection (b)—

(A) by striking "(b) STUDY; FIELD-BASED PROJECTS.—" and all that follows through "(2) FIELD-BASED PROJECTS.—" and inserting the following:

"(b) FIELD-BASED PROJECTS.—";

(B) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and indenting appropriately;

(C) in paragraph (1) (as so redesignated), by striking "subparagraph (B)" and inserting "paragraph (2)"; and

(D) in paragraph (2) (as so redesignated), by striking "subparagraph (A)" and inserting "paragraph (1)";

(2) in subsection (c)(1), by striking "subsection (b)(2)" and inserting "subsection (b)";

(3) by striking subsections (d), (f), and (g); by redesignating subsection (e) as subsection (d);

(5) in subsection (d) (as so redesignated)—

(A) in paragraph (2)—

(i) by striking subparagraph (B); and

(ii) in subparagraph (A)—

(I) by striking "(A) APPLICATION.—" and all that follows through "To be eligible" in clause (i) and inserting the following:

"(A) IN GENERAL.—To be eligible";

(II) by redesignating clause (ii) as subparagraph (B) and indenting appropriately; and

(III) in subparagraph (B) (as so redesignated), by striking "clause (i)" and inserting "subparagraph (A)"; and

(B) by striking paragraph (4); and

(6) by adding at the end the following:

"(e) FUNDING.—

"(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$40,000,000 for each of fiscal years 2014 through 2018.

"(2) PREFERENCE.—In carrying out this section, the Secretary may give a preference to eligible organizations that have, or are working toward, projects under the McGovern-Dole International Food for Education and Child Nutrition Program established under section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1).

"(3) REPORTING.—Each year, the Secretary shall submit to the appropriate committees of Congress a report that describes the use of funds under this section, including—

"(A) the impact of procurements and projects on—

"(i) local and regional agricultural producers; and

"(ii) markets and consumers, including low-income consumers; and

"(B) implementation time frames and costs.".

SEC. 3208. DONALD PAYNE HORN OF AFRICA FOOD RESILIENCE PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Agency for International Development.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(A) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(B) the Committee on Agriculture of the House of Representatives;

(C) the Committee on Foreign Relations of the Senate; and

(D) the Committee on Foreign Affairs of the House of Representatives.

(3) ELIGIBLE ORGANIZATION.—The term "eligible organization" means an organization that is—

(A) a private voluntary organization or cooperative that is, to the extent practicable, registered with the Administrator; or

(B) an intergovernmental organization, such as the World Food Program.

(4) HORN OF AFRICA.—The term "Horn of Africa" means the countries of—

(A) Ethiopia;

(B) Somalia;

(C) Kenya;

(D) Djibouti;

(E) Eritrea;

(F) South Sudan;

(G) Uganda; and

(H) such other countries as the Administrator determines to be appropriate after providing notification to the appropriate committees of Congress.

(5) RESILIENCE.—The term "resilience" means—

(A) the capacity to mitigate the negative impacts of crises (including natural disasters, conflicts, and economic shocks) in order to reduce loss of life and depletion of productive assets;

(B) the capacity to respond effectively to crises, ensuring basic needs are met in a way that is integrated with long-term development efforts; and

(C) the capacity to recover and rebuild after crises so that future shocks can be absorbed with less need for ongoing external assistance.

(b) PURPOSE.—The purpose of this section is to establish a pilot program to effectively integrate all United States-funded emergency and long-term development activities that aim to improve food security in the Horn of Africa, building resilience so as—

(1) to reduce the impacts of future crises;

(2) to enhance local capacity for emergency response;

(3) to enhance sustainability of long-term development programs targeting poor and vulnerable households; and

(4) to reduce the need for repeated costly emergency operations.

(c) STUDY.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Administrator shall initiate a study of prior programs to support resilience in the Horn of Africa conducted by—

(A) other donor countries;

(B) private voluntary organizations;

(C) the World Food Program of the United Nations; and

(D) multilateral institutions, including the World Bank.

(2) REQUIREMENTS.—The study shall—

(A) include all programs implemented through the Agency for International Development, the Department of Agriculture, the Department of Treasury, the Millennium Challenge Corporation, the Peace Corps, and other relevant Federal agencies;

(B) evaluate how well the programs described in subparagraph (A) work together to complement each other and leverage impacts across programs;

(C) include recommendations for how full integration of efforts can be achieved; and

(D) evaluate the degree to which country-led development plans support programs that increase resilience, including review of the investments by each country in nutrition and safety nets.

(3) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report containing the results of the study.

(d) FIELD-BASED PROJECT GRANTS OR COOPERATIVE AGREEMENTS.—

(1) IN GENERAL.—The Administrator shall—

(A) provide grants to, or enter into cooperative agreements with, eligible organizations to carry out field-based projects that build resilience in the Horn of Africa in accordance with this section; and

(B) develop a project approval process to ensure full integration of efforts.

(2) REQUIREMENTS OF ELIGIBLE ORGANIZATIONS.—

(A) APPLICATION.—To be eligible to receive a grant from, or enter into a cooperative agreement with, the Administrator under this subsection, an eligible organization shall submit to the Administrator an application by such date, in such manner, and containing such information as the Administrator may require.

(B) COMPLETION REQUIREMENT.—To be eligible to receive a grant from, or enter into a cooperative agreement with, the Administrator under this subsection, an eligible organization shall agree—

(i) to collect, not later than September 30, 2016, data containing the information required under subsection (f)(2) relating to the field-based project funded through the grant or cooperative agreement; and

(ii) to provide to the Administrator the data collected under clause (i).

(3) REQUIREMENTS OF ADMINISTRATOR.—

(A) PROJECT DIVERSITY.—

(i) IN GENERAL.—Subject to clause (ii) and subparagraph (B), in selecting proposals for field-based projects to fund under this section, the Administrator shall select a diversity of projects, including projects located in—

(I) areas most prone to repeated crises;

(II) areas with effective existing resilience programs that can be scaled; and

(III) areas in all countries of the Horn of Africa.

(ii) PRIORITY.—In selecting proposals for field-based projects under clause (i), the Administrator shall ensure that the selected proposals are for field-based projects that—

(I) effectively integrate emergency and long-term development programs to improve sustainability;

(II) demonstrate the potential to reduce the need for future emergency assistance; and

(III) build targeted productive safety nets, in coordination with host country governments, through food for work, cash for work, and other proven program methodologies.

(B) AVAILABILITY.—The Administrator shall not award a grant or cooperative agreement or approve a field-based project under this subsection until the date on which the Administrator promulgates regulations or issues guidelines under subsection (e).

(e) REGULATIONS; GUIDELINES.—

(1) IN GENERAL.—Not later than 180 days after the date of completion of the study under subsection (c), the Administrator shall promulgate regulations or issue guidelines to carry out field-based projects under this section.

(2) REQUIREMENTS.—In promulgating regulations or issuing guidelines under paragraph (1), the Administrator shall—

(A) take into consideration the results of the study described in subsection (c); and

(B) provide an opportunity for public review and comment.

(f) REPORT.—

(1) IN GENERAL.—Not later than November 1, 2016, the Administrator shall submit to the appropriate committees of Congress a report that—

(A) addresses each factor described in paragraph (2); and

(B) is conducted in accordance with this section.

(2) REQUIRED FACTORS.—The report shall include baseline and end-of-project data that measures—

(A) the prevalence of moderate and severe hunger so as to provide an accurate accounting of project impact on household access to and consumption of food during every month of the year prior to data collection;

(B) household ownership of and access to productive assets, including at a minimum land, livestock, homes, equipment, and other materials assets needed for income generation;

(C) household incomes, including informal sources of employment; and

(D) the productive assets of women using the Women's Empowerment in Agriculture Index.

(3) PUBLIC ACCESS TO RECORDS AND REPORTS.—Not later than 90 days after the date on which the report is submitted under paragraph (1), the Administrator shall provide public access to the report.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2014 through 2018.

SEC. 3209. AGRICULTURAL TRADE ENHANCEMENT STUDY.

(a) DEFINITION OF AGRICULTURE COMMITTEES AND SUBCOMMITTEES.—In this section, the term “agriculture committees and subcommittees” means—

(1) the Committee on Agriculture of the House of Representatives;

(2) the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

(3) the subcommittees on agriculture, rural development, food and drug administration, and related agencies of the Committees on Appropriations of the House of Representatives and the Senate.

(b) DEVELOPMENT.—The Secretary, in consultation with the agriculture committees and subcommittees, shall develop a study that takes into consideration a reorganization of international trade functions for imports and exports at the Department of Agriculture.

(c) IMPLEMENTATION.—In implementing the study under this section, the Secretary—

(1) in recognition of the importance of agricultural exports to the farm economy and the economy as a whole, may include a recommendation for the establishment of an Under Secretary for Trade and Foreign Agricultural Affairs;

(2) may take into consideration how the Under Secretary described in paragraph (1) would serve as a multiagency coordinator of sanitary and phytosanitary issues and nontariff trade barriers in agriculture with respect to imports and exports of agricultural products; and

(3) shall take into consideration all implications of a reorganization described in subsection (b) on domestic programs and operations of the Department of Agriculture.

(d) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the agriculture committees and subcommittees a report describing the results of the study under this section.

TITLE IV—NUTRITION

Subtitle A—Supplemental Nutrition Assistance Program

SEC. 4001. FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS.

Section 4(b)(6)(F) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b)(6)(F)) is amended by striking “2012” and inserting “2018”.

SEC. 4002. STANDARD UTILITY ALLOWANCES BASED ON THE RECEIPT OF ENERGY ASSISTANCE PAYMENTS.

(a) STANDARD UTILITY ALLOWANCES IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—Section 5(e)(6)(C) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e)(6)(C)) is amended—

(1) in clause (i), by inserting “, subject to clause (iv)” after “Secretary”; and

(2) in clause (iv)(I), by striking “the household still incurs” and all that follows through the end of the subclause and inserting “the payment received by, or made on behalf of, the household exceeds \$10 or a higher amount annually, as determined by the Secretary.”.

(b) CONFORMING AMENDMENT.—Section 2605(f)(2)(A) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(f)(2)(A)) is amended by inserting before the semicolon at the end “, except that, for purposes of the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), such payments or allowances exceed \$10 or a higher amount annually, as determined by the Secretary of Agriculture in accordance with section 5(e)(6)(C)(iv)(I) of that Act (7 U.S.C. 2014(e)(6)(C)(iv)(I)).”.

(c) EFFECTIVE AND IMPLEMENTATION DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section and the amendments made by this section shall take effect beginning on October 1, 2013, for all certification periods beginning after that date.

(2) STATE OPTION TO DELAY IMPLEMENTATION FOR CURRENT RECIPIENTS.—A State may, at the option of the State, implement a policy that eliminates or minimizes the effect of the amendments made by this section for households that receive a standard utility allowance as of the date of enactment of this Act for not more than a 180-day period beginning on the date on which the amendments made by this section would otherwise affect the benefits received by a household.

SEC. 4003. ELIGIBILITY DISQUALIFICATIONS.

Section 6(e)(3)(B) of Food and Nutrition Act of 2008 (7 U.S.C. 2015(e)(3)(B)) is amended

by striking “section” and inserting the following: “section, subject to the condition that the course or program of study—

“(i) is part of a program of career and technical education (as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)) that may be completed in not more than 4 years at an institution of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)); or

“(ii) is limited to remedial courses, basic adult education, literacy, or English as a second language.”.

SEC. 4004. ENDING SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS FOR LOTTERY OR GAMBLING WINNERS.

(a) IN GENERAL.—Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015) is amended by adding at the end the following:

“(r) INELIGIBILITY FOR BENEFITS DUE TO RECEIPT OF SUBSTANTIAL LOTTERY OR GAMBLING WINNINGS.—

“(1) IN GENERAL.—Any household in which a member receives substantial lottery or gambling winnings, as determined by the Secretary, shall lose eligibility for benefits immediately upon receipt of the winnings.

“(2) DURATION OF INELIGIBILITY.—A household described in paragraph (1) shall remain ineligible for participation until the household meets the allowable financial resources and income eligibility requirements under subsections (c), (d), (e), (f), (g), (i), (k), (l), (m), and (n) of section 5.

“(3) AGREEMENTS.—As determined by the Secretary, each State agency, to the maximum extent practicable, shall establish agreements with entities responsible for the regulation or sponsorship of gaming in the State to determine whether individuals participating in the supplemental nutrition assistance program have received substantial lottery or gambling winnings.”.

(b) CONFORMING AMENDMENTS.—Section 5(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(a)) is amended in the second sentence by striking “sections 6(b), 6(d)(2), and 6(g)” and inserting “subsections (b), (d)(2), (g), and (r) of section 6”.

SEC. 4005. RETAIL FOOD STORES.

(a) DEFINITION OF RETAIL FOOD STORE.—Subsection (o)(1)(A) of section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012) (as redesignated by section 4017(a)(4)) is amended by striking “at least 2” and inserting “at least 3”.

(b) ALTERNATIVE BENEFIT DELIVERY.—Section 7(f) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(f)) is amended—

(1) by striking paragraph (2) and inserting the following:

“(2) IMPOSITION OF COSTS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall require participating retail food stores (including restaurants participating in a State option restaurant program intended to serve the elderly, disabled, and homeless) to pay 100 percent of the costs of acquiring, and arrange for the implementation of, electronic benefit transfer point-of-sale equipment and supplies, including related services.

“(B) EXEMPTIONS.—The Secretary may exempt from subparagraph (A)—

“(i) farmers’ markets, military commissaries, nonprofit food buying cooperatives, and establishments, organizations, programs, or group living arrangements described in paragraphs (5), (7), and (8) of section 3(k); and

“(ii) establishments described in paragraphs (3), (4), and (9) of section 3(k), other

than restaurants participating in a State option restaurant program.”; and

(2) by adding at the end the following:

“(4) TERMINATION OF MANUAL VOUCHERS.—

“(A) IN GENERAL.—Effective beginning on the date of enactment of this paragraph, except as provided in subparagraph (B), no State shall issue manual vouchers to a household that receives supplemental nutrition assistance under this Act or allow retail food stores to accept manual vouchers as payment, unless the Secretary determines that the manual vouchers are necessary, such as in the event of an electronic benefit transfer system failure or a disaster situation.

“(B) EXEMPTIONS.—The Secretary may exempt categories of retail food stores or individual retail food stores from subparagraph (A) based on criteria established by the Secretary.

“(5) UNIQUE IDENTIFICATION NUMBER REQUIRED.—The Secretary shall require all parties providing electronic benefit transfer services to provide for and maintain unique terminal identification number information through the supplemental nutrition assistance program electronic benefit transfer transaction routing system.”.

(c) ELECTRONIC BENEFIT TRANSFERS.—Section 7(h)(3)(B) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)(3)(B)) is amended by striking “is operational—” and all that follows through “(ii) in the case of other participating stores,” and inserting “is operational”.

(d) APPROVAL OF RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS.—Section 9 of the Food and Nutrition Act of 2008 (7 U.S.C. 2018) is amended—

(1) in subsection (a)—

(A) in the second sentence of paragraph (a)(1), by striking “; and (C)” and inserting “; (C) whether the applicant is located in an area with significantly limited access to food; and (D)”;

(2) by adding at the end the following:

“(4) RETAIL FOOD STORES WITH SIGNIFICANT SALES OF EXCEPTED ITEMS.—

“(A) IN GENERAL.—No retail food store for which at least 45 percent of the total sales of the retail food store is from the sale of excepted items described in section 3(k)(1) may be authorized to accept and redeem benefits unless the Secretary determines that the participation of the retail food store is required for the effective and efficient operation of the supplemental nutrition assistance program.

“(B) APPLICATION.—Subparagraph (A) shall be effective—

“(i) in the case of retail food stores applying to be authorized for the first time, beginning on the date that is 1 year after the date of enactment of this paragraph; and

“(ii) in the case of retail food stores participating in the program on the date of enactment of this paragraph, during periodic reauthorization in accordance with paragraph (2)(A).”; and

(3) by adding at the end the following:

“(g) EBT SERVICE REQUIREMENT.—An approved retail food store shall provide adequate EBT service as described in section 7(h)(3)(B).”.

SEC. 4006. IMPROVING SECURITY OF FOOD ASSISTANCE.

Section 7(h)(8) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)(8)) is amended—

(1) by striking the paragraph heading and inserting “REPLACEMENT OF CARDS.—”;

(2) by striking “A State” and inserting the following:

“(A) FEES.—A State”; and

(3) by adding after subparagraph (A) (as so designated by paragraph (2)) the following:

“(B) PURPOSEFUL LOSS OF CARDS.—

“(i) IN GENERAL.—Subject to terms and conditions established by the Secretary in accordance with clause (ii), if a household makes excessive requests for replacement of the electronic benefit transfer card of the household, the Secretary may require a State agency to decline to issue a replacement card to the household unless the household, upon request of the State agency, provides an explanation for the loss of the card.

“(ii) REQUIREMENTS.—The terms and conditions established by the Secretary shall provide that—

“(I) the household be given the opportunity to provide the requested explanation and meet the requirements under this paragraph promptly;

“(II) after an excessive number of lost cards, the head of the household shall be required to review program rights and responsibilities with State agency personnel authorized to make determinations under section 5(a); and

“(III) any action taken, including actions required under section 6(b)(2), other than the withholding of the electronic benefit transfer card until an explanation described in subclause (I) is provided, shall be consistent with the due process protections under section 6(b) or 11(e)(10), as appropriate.

“(C) PROTECTING VULNERABLE PERSONS.—In implementing this paragraph, a State agency shall act to protect homeless persons, persons with disabilities, victims of crimes, and other vulnerable persons who lose electronic benefit transfer cards but are not intentionally committing fraud.

“(D) EFFECT ON ELIGIBILITY.—While a State may decline to issue an electronic benefits transfer card until a household satisfies the requirements under this paragraph, nothing in this paragraph shall be considered a denial of, or limitation on, the eligibility for benefits under section 5.”.

SEC. 4007. TECHNOLOGY MODERNIZATION FOR RETAIL FOOD STORES.

(a) MOBILE TECHNOLOGIES.—Section 7(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)) (as amended by section 4015(e)) is amended by adding at the end the following:

“(14) MOBILE TECHNOLOGIES.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall approve retail food stores to redeem benefits through electronic means other than wired point of sale devices for electronic benefit transfer transactions, if the retail food stores—

“(i) establish recipient protections regarding privacy, ease of use, access, and support similar to the protections provided for transactions made in retail food stores;

“(ii) bear the costs of obtaining, installing, and maintaining mobile technologies, including mechanisms needed to process EBT cards and transaction fees;

“(iii) demonstrate the foods purchased with benefits issued under this section through mobile technologies are purchased at a price not higher than the price of the same food purchased by other methods used by the retail food store, as determined by the Secretary;

“(iv) provide adequate documentation for each authorized transaction, as determined by the Secretary; and

“(v) meet other criteria as established by the Secretary.

“(B) DEMONSTRATION PROJECT ON ACCEPTANCE OF BENEFITS OF MOBILE TRANSACTIONS.—

“(i) IN GENERAL.—Before authorizing implementation of subparagraph (A) in all

States, the Secretary shall pilot the use of mobile technologies determined by the Secretary to be appropriate to test the feasibility and implications for program integrity, by allowing retail food stores to accept benefits from recipients of supplemental nutrition assistance through mobile transactions.

“(ii) DEMONSTRATION PROJECTS.—To be eligible to participate in a demonstration project under clause (i), a retail food store shall submit to the Secretary for approval a plan that includes—

“(I) a description of the technology;

“(II) the manner by which the retail food store will provide proof of the transaction to households;

“(III) the provision of data to the Secretary, consistent with requirements established by the Secretary, in a manner that allows the Secretary to evaluate the impact of the demonstration on participant access, ease of use, and program integrity; and

“(IV) such other criteria as the Secretary may require.

“(iii) DATE OF COMPLETION.—The demonstration projects under this subparagraph shall be completed and final reports submitted to the Secretary by not later than July 1, 2015.

“(C) REPORT TO CONGRESS.—The Secretary shall—

“(i) by not later than January 1, 2016, authorize implementation of subparagraph (A) in all States, unless the Secretary makes a finding, based on the data provided under subparagraph (B), that implementation in all States is not in the best interest of the supplemental nutrition assistance program; and

“(ii) if the determination made in clause (i) is not to implement subparagraph (A) in all States, submit a report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate that includes the basis of the finding.”.

(b) ACCEPTANCE OF BENEFITS THROUGH ON-LINE TRANSACTIONS.—

(1) IN GENERAL.—Section 7 of the Food and Nutrition Act of 2008 (7 U.S.C. 2016) is amended by adding at the end the following:

“(k) OPTION TO ACCEPT PROGRAM BENEFITS THROUGH ON-LINE TRANSACTIONS.—

“(i) IN GENERAL.—Subject to paragraph (4), the Secretary shall approve retail food stores to accept benefits from recipients of supplemental nutrition assistance through on-line transactions.

“(2) REQUIREMENTS TO ACCEPT BENEFITS.—A retail food store seeking to accept benefits from recipients of supplemental nutrition assistance through on-line transactions shall—

“(A) establish recipient protections regarding privacy, ease of use, access, and support similar to the protections provided for transactions made in retail food stores;

“(B) ensure benefits are not used to pay delivery, ordering, convenience, or other fees or charges;

“(C) clearly notify participating households at the time a food order is placed—

“(i) of any delivery, ordering, convenience, or other fee or charge associated with the food purchase; and

“(ii) that any such fee cannot be paid with benefits provided under this Act;

“(D) ensure the security of on-line transactions by using the most effective technology available that the Secretary considers appropriate and cost-effective and that is comparable to the security of transactions at retail food stores; and

“(E) meet other criteria as established by the Secretary.

“(3) STATE AGENCY ACTION.—Each State agency shall ensure that recipients of supplemental nutrition assistance can use benefits on-line as described in this subsection as appropriate.

“(4) DEMONSTRATION PROJECT ON ACCEPTANCE OF BENEFITS THROUGH ON-LINE TRANSACTIONS.—

“(A) IN GENERAL.—Before the Secretary authorizes implementation of paragraph (1) in all States, the Secretary shall carry out a number of demonstration projects as determined by the Secretary to test the feasibility of allowing retail food stores to accept benefits through on-line transactions.

“(B) DEMONSTRATION PROJECTS.—To be eligible to participate in a demonstration project under subparagraph (A), a retail food store shall submit to the Secretary for approval a plan that includes—

“(i) a method of ensuring that benefits may be used to purchase only eligible items under this Act;

“(ii) a description of the method of educating participant households about the availability and operation of on-line purchasing;

“(iii) adequate testing of the on-line purchasing option prior to implementation;

“(iv) the provision of data as requested by the Secretary for purposes of analyzing the impact of the project on participant access, ease of use, and program integrity;

“(v) reports on progress, challenges, and results, as determined by the Secretary; and

“(vi) such other criteria, including security criteria, as established by the Secretary.

“(C) DATE OF COMPLETION.—The demonstration projects under this paragraph shall be completed and final reports submitted to the Secretary by not later than July 1, 2015.

“(5) REPORT TO CONGRESS.—The Secretary shall—

“(A) by not later than January 1, 2016, authorize implementation of paragraph (1) in all States, unless the Secretary makes a finding, based on the data provided under paragraph (4), that implementation in all States is not in the best interest of the supplemental nutrition assistance program; and

“(B) if the determination made in subparagraph (A) is not to implement in all States, submit a report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate that includes the basis of the finding.”.

(2) CONFORMING AMENDMENTS.—

(A) Section 7(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(b)) is amended by striking “purchase food in retail food stores” and inserting “purchase food from retail food stores”.

(B) Section 10 of the Food and Nutrition Act of 2008 (7 U.S.C. 2019) is amended in the first sentence by inserting “retail food stores authorized to accept and redeem benefits through on-line transactions shall be authorized to accept benefits prior to the delivery of food if the delivery occurs within a reasonable time of the purchase, as determined by the Secretary,” after “food so purchased.”.

(C) SAVINGS CLAUSE.—Nothing in this section or an amendment made by this section alter any requirements of the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) unless specifically authorized in this section or an amendment made by this section.

SEC. 4008. USE OF BENEFITS FOR PURCHASE OF COMMUNITY-SUPPORTED AGRICULTURE SHARE.

Section 10 of the Food and Nutrition Act of 2008 (7 U.S.C. 2019) (as amended by section

4007(b)(2)(B)) is amended in the first sentence by inserting “agricultural producers who market agricultural products directly to consumers shall be authorized to redeem benefits for the initial cost of the purchase of a community-supported agriculture share for an appropriate time in advance of food delivery as determined by the Secretary,” after “as determined by the Secretary.”.

SEC. 4009. RESTAURANT MEALS PROGRAM.

(a) IN GENERAL.—Section 11(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)) is amended—

(1) in paragraph (22), by striking “and” at the end;

(2) in paragraph (23), by striking the period at the end of subparagraph (C) and inserting “; and”; and

(3) by adding at the end the following:

“(24) if the State elects to carry out a program to contract with private establishments to offer meals at concessional prices, as described in paragraphs 3, 4, and 9 of section 3(k)—

“(A) the plans of the State agency for operating the program, including—

“(i) documentation of a need that eligible homeless, elderly, and disabled clients are underserved in a particular geographic area;

“(ii) the manner by which the State agency will limit participation to only those private establishments that the State determines necessary to meet the need identified in clause (i); and

“(iii) any other conditions the Secretary may prescribe, such as the level of security necessary to ensure that only eligible recipients participate in the program; and

“(B) a report by the State agency to the Secretary annually, the schedule of which shall be established by the Secretary, that includes—

“(i) the number of households and individual recipients authorized to participate in the program, including any information on whether the individual recipient is elderly, disabled, or homeless; and

“(ii) an assessment of whether the program is meeting an established need, as documented under subparagraph (A)(i).”.

(b) APPROVAL OF RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS.—Section 9 of the Food and Nutrition Act of 2008 (7 U.S.C. 2018) (as amended by section 4005(d)(3)) is amended by adding at the end the following:

“(h) PRIVATE ESTABLISHMENTS.—

“(1) IN GENERAL.—Subject to paragraph (2), no private establishment that contracts with a State agency to offer meals at concessional prices as described in paragraphs 3, 4, and 9 of section 3(k) may be authorized to accept and redeem benefits unless the Secretary determines that the participation of the private establishment is required to meet a documented need in accordance with section 11(e)(24).

“(2) EXISTING CONTRACTS.—

“(A) IN GENERAL.—If, on the day before the date of enactment of this subsection, a State has entered into a contract with a private establishment described in paragraph (1) and the Secretary has not determined that the participation of the private establishment is necessary to meet a documented need in accordance with section 11(e)(24), the Secretary shall allow the operation of the private establishment to continue without that determination of need for a period not to exceed 180 days from the date on which the Secretary establishes determination criteria, by regulation, under section 11(e)(24).

“(B) JUSTIFICATION.—If the Secretary makes a determination to terminate a contract with a private establishment that is in

effect on the date of enactment of this subsection, the Secretary shall provide justification to the State in which the private establishment is located for that termination.

“(3) REPORT TO CONGRESS.—Not later than 90 days after September 30, 2013, and 90 days after the last day of each fiscal year thereafter, the Secretary shall report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate on the effectiveness of a program under this subsection using any information received from States under section 11(e)(24) as well as any other information the Secretary may have relating to the manner in which benefits are used.”.

(c) CONFORMING AMENDMENTS.—Section 3(k) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(k)) is amended by inserting “subject to section 9(h)” after “concessional prices” each place it appears.

SEC. 4010. QUALITY CONTROL ERROR RATE DETERMINATION.

Section 16(c) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(c)) is amended by adding at the end the following:

“(10) TOLERANCE LEVEL.—For the purposes of this subsection, the Secretary shall set the tolerance level for excluding small errors at \$25.”.

SEC. 4011. PERFORMANCE BONUS PAYMENTS.

Section 16(d) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(d)) is amended by adding at the end the following:

“(5) USE OF PERFORMANCE BONUS PAYMENTS.—A State agency may use a performance bonus payment received under this subsection only to carry out the program established under this Act, including investments in—

“(A) technology;

“(B) improvements in administration and distribution; and

“(C) actions to prevent fraud, waste, and abuse.”.

SEC. 4012. AUTHORIZATION OF APPROPRIATIONS.

Section 18(a)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2027(a)(1)) is amended in the first sentence by striking “2012” and inserting “2018”.

SEC. 4013. ASSISTANCE FOR COMMUNITY FOOD PROJECTS.

Section 25 of the Food and Nutrition Act of 2008 (7 U.S.C. 2034) is amended—

(1) in subsection (a)(1)(B)(ii)—

(A) by striking subclause (I); and

(B) by redesignating subclauses (II) and (III) as subclauses (I) and (II), respectively; and

(2) in subsection (b), by adding at the end the following:

“(3) FUNDING.—

“(A) IN GENERAL.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section not less than \$5,000,000 for fiscal year 2014 and each fiscal year thereafter.

“(B) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under subparagraph (A), without further appropriation.

“(C) MAINTENANCE OF FUNDING.—The funding provided under subparagraph (A) shall supplement (and not supplant) other Federal funding made available to the Secretary to carry out this section.”.

SEC. 4014. EMERGENCY FOOD ASSISTANCE.

(a) PURCHASE OF COMMODITIES.—Section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)) is amended—

(1) in paragraph (1), by striking “2008 through 2012” and inserting “2014 through 2018”;

(2) by striking paragraph (2) and inserting the following:

“(2) AMOUNTS.—The Secretary shall use to carry out paragraph (1)—

“(A) for fiscal year 2013, \$260,250,000; and

“(B) for each subsequent fiscal year, the dollar amount of commodities specified in subparagraph (A) adjusted by the percentage by which the thrifty food plan has been adjusted under section 3(u)(4) between June 30, 2013, and June 30 of the immediately preceding fiscal year, and subsequently increased by—

“(i) for fiscal year 2014, \$28,000,000;

“(ii) for fiscal year 2015, \$44,000,000;

“(iii) for fiscal year 2016, \$24,000,000;

“(iv) for fiscal year 2017, \$18,000,000; and

“(v) for fiscal year 2018 and each fiscal year thereafter, \$10,000,000.”; and

(3) by adding at the end the following:

“(3) FUNDS AVAILABILITY.—For purposes of the funds described in this subsection, the Secretary shall—

“(A) make the funds available for 2 fiscal years; and

“(B) allow States to carry over unexpended balances to the next fiscal year pursuant to such terms and conditions as are determined by the Secretary.”.

(b) EMERGENCY FOOD PROGRAM INFRASTRUCTURE GRANTS.—Section 209(d) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7511a(d)) is amended by striking “2012” and inserting “2018”.

SEC. 4015. NUTRITION EDUCATION.

Section 28(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036a(b)) is amended by inserting “and physical activity” after “healthy food choices”.

SEC. 4016. RETAIL FOOD STORE AND RECIPIENT TRAFFICKING.

The Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is amended by adding at the end the following:

“SEC. 29. RETAIL FOOD STORE AND RECIPIENT TRAFFICKING.

“(a) PURPOSE.—The purpose of this section is to provide the Department of Agriculture with additional resources to prevent trafficking in violation of this Act by strengthening recipient and retail food store program integrity.

“(b) USE OF FUNDS.—Additional funds are provided under this section to supplement the retail food store and recipient integrity activities of the Department.

“(c) FUNDING.—

“(1) IN GENERAL.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section not less than \$18,500,000 for fiscal year 2014 and each fiscal year thereafter.

“(2) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under paragraph (1), without further appropriation.

“(3) MAINTENANCE OF FUNDING.—The funding provided under paragraph (1) shall supplement (and not supplant) other Federal funding for programs carried out under this Act.”.

SEC. 4017. TECHNICAL AND CONFORMING AMENDMENTS.

(a) Section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012) is amended—

(1) in subsection (g), by striking “coupon,” and inserting “coupon”;

(2) in subsection (k)(7), by striking “or are” and inserting “and”;

(3) by striking subsection (l);

(4) by redesignating subsections (m) through (t) as subsections (l) through (s), respectively; and

(5) by inserting after subsection (s) (as so redesignated) the following:

“(t) ‘Supplemental nutrition assistance program’ means the program operated pursuant to this Act.”.

(b) Section 4(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(a)) is amended in the last sentence by striking “benefits” and inserting “Benefits”.

(c) Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in the last sentence of subsection (i)(2)(D), by striking “section 13(b)(2)” and inserting “section 13(b)”;

(2) in subsection (k)(4)(A), by striking “paragraph (2)(H)” and inserting “paragraph (2)(G)”.

(d) Section 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4)) is amended in subparagraphs (B)(vii) and (F)(iii) by indenting both clauses appropriately.

(e) Section 7(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)) is amended by redesignating the second paragraph (12) (relating to interchange fees) as paragraph (13).

(f) Section 9(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2018(a)) is amended by indenting paragraph (3) appropriately.

(g) Section 12 of the Food and Nutrition Act of 2008 (7 U.S.C. 2021) is amended—

(1) in subsection (b)(3)(C), by striking “civil money penalties” and inserting “civil penalties”; and

(2) in subsection (g)(1), by striking “(7 U.S.C. 1786)” and inserting “(42 U.S.C. 1786)”.

(h) Section 15(b)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2024(b)(1)) is amended in the first sentence by striking “an benefit” and inserting “a benefit”.

(i) Section 16(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(a)) is amended in the proviso following paragraph (8) by striking “as amended.”.

(j) Section 18(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2027(e)) is amended in the first sentence by striking “sections 7(f)” and inserting “section 7(f)”.

(k) Section 22(b)(10)(B)(i) of the Food and Nutrition Act of 2008 (7 U.S.C. 2031(b)(10)(B)(i)) is amended in the last sentence by striking “Food benefits” and inserting “Benefits”.

(l) Section 26(f)(3)(C) of the Food and Nutrition Act of 2008 (7 U.S.C. 2035(f)(3)(C)) is amended by striking “subsection” and inserting “subsections”.

(m) Section 27(a)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)(1)) is amended by striking “(Public Law 98-8; 7 U.S.C. 612c note)” and inserting “(7 U.S.C. 7515)”.

(n) Section 509 of the Older Americans Act of 1965 (42 U.S.C. 3056g) is amended in the section heading by striking “food stamp programs” and inserting “supplemental nutrition assistance programs”.

(o) Section 4115(c)(2)(H) of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1871) is amended by striking “531” and inserting “454”.

Subtitle B—Commodity Distribution Programs

SEC. 4101. COMMODITY DISTRIBUTION PROGRAM.

Section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note; Public Law 93-86) is amended in the first sentence by striking “2012” and inserting “2018”.

SEC. 4102. COMMODITY SUPPLEMENTAL FOOD PROGRAM.

Section 5 of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note; Public Law 93-86) is amended—

(1) in paragraphs (1) and (2)(B) of subsection (a), by striking “2012” each place it appears and inserting “2018”;

(2) in the first sentence of subsection (d)(2), by striking “2012” and inserting “2018”;

(3) by striking subsection (g) and inserting the following:

“(g) ELIGIBILITY.—Except as provided in subsection (m), the States shall only provide assistance under the commodity supplemental food program to low-income persons aged 60 and older.”; and

(4) by adding at the end the following:

“(m) PHASE-OUT.—Notwithstanding any other provision of law, an individual who receives assistance under the commodity supplemental food program on the day before the date of enactment of this subsection shall continue to receive that assistance until the date on which the individual is no longer eligible for assistance under the eligibility requirements for the program in effect on the day before the date of enactment of this subsection.”.

SEC. 4103. DISTRIBUTION OF SURPLUS COMMODITIES TO SPECIAL NUTRITION PROJECTS.

Section 1114(a)(2)(A) of the Agriculture and Food Act of 1981 (7 U.S.C. 1431e(2)(A)) is amended in the first sentence by striking “2012” and inserting “2018”.

SEC. 4104. TECHNICAL AND CONFORMING AMENDMENTS.

Section 3 of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note; Public Law 100-237) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking subparagraph (B) and inserting the following:

“(B) the program established under section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b));”;

(B) in paragraph (3)(D), by striking “the Committee on Education and Labor” and inserting “the Committee on Education and the Workforce”;

(2) in subsection (b)(1)(A)(ii), by striking “section 32 of the Agricultural Adjustment Act (7 U.S.C. 601 et seq.)” and inserting “section 32 of the Act of August 24, 1935 (7 U.S.C. 612c)”;

(3) in subsection (e)(1)(D)(iii), by striking subclause (II) and inserting the following:

“(II) the program established under section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b));”;

(4) in subsection (k), by striking “the Committee on Education and Labor” and inserting “the Committee on Education and the Workforce”.

Subtitle C—Miscellaneous

SEC. 4201. PURCHASE OF FRESH FRUITS AND VEGETABLES FOR DISTRIBUTION TO SCHOOLS AND SERVICE INSTITUTIONS.

Section 10603(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 612c-4(b)) is amended by striking “2012” and inserting “2018”.

SEC. 4202. SENIORS FARMERS’ MARKET NUTRITION PROGRAM.

Section 4402(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007(a)) is amended by striking “2012” and inserting “2018”.

SEC. 4203. NUTRITION INFORMATION AND AWARENESS PILOT PROGRAM.

Section 4403 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3171 note; Public Law 107-171) is repealed.

SEC. 4204. WHOLE GRAIN PRODUCTS.

Section 4305 of the Food, Conservation, and Energy Act of 2008 (42 U.S.C. 1755a) is amended—

(1) in subsection (a), by striking “2005” and inserting “2010”;

(2) in subsection (d), by striking “2011” and inserting “2015”;

(3) in subsection (e), by striking “Labor of the House of Representative” and inserting “the Workforce of the House of Representatives”; and

(4) by adding at the end the following:

“(f) FUNDING.—

“(1) IN GENERAL.—On October 1, 2013, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section \$10,000,000 for the period of fiscal years 2014 through 2015.

“(2) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under paragraph (1), without further appropriation.

“(3) MAINTENANCE OF FUNDING.—The funding provided under paragraph (1) shall supplement (and not supplant) other Federal funding (including funds made available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c)) for programs carried out under—

“(A) the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except for section 19 of that Act (42 U.S.C. 1769a);

“(B) the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501 et seq.); and

“(C) section 27 of the Food and Nutrition Act of 2008 (7 U.S.C. 2036).”

SEC. 4205. HUNGER-FREE COMMUNITIES.

Section 4405 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7517) is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

“(1) ELIGIBLE ENTITY.—

“(A) COLLABORATIVE GRANTS.—In subsection (b), the term ‘eligible entity’ means a public food program service provider or nonprofit organization, including an emergency feeding organization, that has collaborated or will collaborate with 1 or more local partner organizations to achieve at least 1 hunger-free communities goal.

“(B) INCENTIVE GRANTS.—In subsection (c), the term ‘eligible entity’ means a nonprofit organization (including an emergency feeding organization), an agricultural cooperative, producer network or association, community health organization, public benefit corporation, economic development corporation, farmers’ market, community-supported agriculture program, buying club, supplemental nutrition assistance program retail food store, a State, local, or tribal agency, and any other entity the Secretary designates.”;

(B) by adding at the end the following:

“(4) SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—The term ‘supplemental nutrition assistance program’ means the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

“(5) UNDERSERVED COMMUNITY.—The term ‘underserved community’ has the meaning given the term in section 25 of the Food and Nutrition Act of 2008 (7 U.S.C. 2034).”;

(2) in subsection (b)(1)(A), by striking “not more than 50 percent of any funds made available under subsection (e)” and inserting “funds made available under subsection (d)(1)”; and

(3) by striking subsections (c), (d), and (e) and inserting the following:

“(c) HUNGER-FREE COMMUNITIES INCENTIVE GRANTS.—

“(1) AUTHORIZATION.—

“(A) IN GENERAL.—In each of the years specified in subsection (d), the Secretary shall make grants to eligible entities in accordance with paragraph (2).

“(B) FEDERAL SHARE.—The Federal share of the cost of carrying out an activity under this subsection shall not exceed 50 percent of the total cost of the activity.

“(C) NON-FEDERAL SHARE.—

“(i) IN GENERAL.—The non-Federal share of the cost of an activity under this subsection may be provided—

“(I) in cash or in-kind contributions as determined by the Secretary, including facilities, equipment, or services; and

“(II) by a State or local government or a private source.

“(ii) LIMITATION.—In the case of a for-profit entity, the non-Federal share described in clause (i) shall not include services of an employee, including salaries paid or expenses covered by the employer.

“(2) CRITERIA.—

“(A) IN GENERAL.—For purposes of this subsection, an eligible entity is a governmental agency or nonprofit organization that—

“(i) meets the application criteria set forth by the Secretary; and

“(ii) proposes a project that, at a minimum—

“(I) has the support of the State agency;

“(II) would increase the purchase of fruits and vegetables by low-income consumers participating in the supplemental nutrition assistance program by providing incentives at the point of purchase;

“(III) agrees to participate in the evaluation described in paragraph (4);

“(IV) ensures that the same terms and conditions apply to purchases made by individuals with benefits issued under this Act and incentives provided for in this subsection as apply to purchases made by individuals who are not members of households receiving benefits, such as provided for in section 278.2(b) of title 7, Code of Federal Regulations (or a successor regulation); and

“(V) includes effective and efficient technologies for benefit redemption systems that may be replicated in other for States and communities.

“(B) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to projects that—

“(i) maximize the share of funds used for direct incentives to participants;

“(ii) use direct-to-consumer sales marketing;

“(iii) demonstrate a track record of designing and implementing successful nutrition incentive programs that connect low-income consumers and agricultural producers;

“(iv) provide locally or regionally produced fruits and vegetables;

“(v) are located in underserved communities; or

“(vi) address other criteria as established by the Secretary.

“(3) APPLICABILITY.—

“(A) IN GENERAL.—The value of any benefit provided to a participant in any activity funded under this subsection shall not be considered income or resources for any purpose under any Federal, State, or local law.

“(B) PROHIBITION ON COLLECTION OF SALES TAXES.—Each State shall ensure that no State or local tax is collected on a purchase of food under this subsection.

“(C) NO LIMITATION ON BENEFITS.—A grant made available under this subsection shall not be used to carry out any project that limits the use of benefits under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) or any other Federal nutrition law.

“(D) HOUSEHOLD ALLOTMENT.—Assistance provided under this subsection to households receiving benefits under the supplemental nutrition assistance program shall not—

“(i) be considered part of the supplemental nutrition assistance program benefits of the household; or

“(ii) be used in the collection or disposition of claims under section 13 of the Food and Nutrition Act of 2008 (7 U.S.C. 2022).

“(4) EVALUATION.—

“(A) INDEPENDENT EVALUATION.—The Secretary shall provide for an independent evaluation of projects selected under this subsection that measures the impact of each project on—

“(i) improving the nutrition and health status of participating households receiving incentives under this subsection; and

“(ii) increasing fruit and vegetable purchases in participating households.

“(B) REQUIREMENT.—The independent evaluation under subparagraph (A) shall use rigorous methodologies capable of producing scientifically valid information regarding the effectiveness of a project.

“(C) COSTS.—The Secretary may use funds not to exceed 10 percent of the funding provided to carry out this section to pay costs associated with administering, monitoring, and evaluating each project.

“(d) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (b) \$5,000,000 for each of fiscal years 2014 through 2018.

“(2) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out subsection (c)—

“(A) \$15,000,000 for fiscal year 2014;

“(B) \$20,000,000 for each of fiscal years 2015 through 2017; and

“(C) \$25,000,000 for fiscal year 2018.”

SEC. 4206. HEALTHY FOOD FINANCING INITIATIVE.

(a) IN GENERAL.—Subtitle D of title II of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6951 et seq.) is amended by adding at the end the following:

“SEC. 242. HEALTHY FOOD FINANCING INITIATIVE.

“(a) PURPOSE.—The purpose of this section is to enhance the authorities of the Secretary to support efforts to provide access to healthy food by establishing an initiative to improve access to healthy foods in underserved areas, to create and preserve quality jobs, and to revitalize low-income communities by providing loans and grants to eligible fresh, healthy food retailers to overcome the higher costs and initial barriers to entry in underserved areas.

“(b) DEFINITIONS.—In this section:

“(1) COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION.—The term ‘community development financial institution’ has the meaning given the term in section 103 of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4702).

“(2) INITIATIVE.—The term ‘Initiative’ means the Healthy Food Financing Initiative established under subsection (c)(1).

“(3) NATIONAL FUND MANAGER.—The term ‘national fund manager’ means a community development financial institution that is—

“(A) in existence on the date of enactment of this section; and

“(B) certified by the Community Development Financial Institution Fund of the Department of Treasury to manage the Initiative for purposes of—

“(i) raising private capital;

“(ii) providing financial and technical assistance to partnerships; and

“(iii) funding eligible projects to attract fresh, healthy food retailers to underserved areas, in accordance with this section.

“(4) **PARTNERSHIP.**—The term ‘partnership’ means a regional, State, or local public-private partnership that—

“(A) is organized to improve access to fresh, healthy foods;

“(B) provides financial and technical assistance to eligible projects; and

“(C) meets such other criteria as the Secretary may establish.

“(5) **PERISHABLE FOOD.**—The term ‘perishable food’ means a staple food that is fresh, refrigerated, or frozen.

“(6) **QUALITY JOB.**—The term ‘quality job’ means a job that provides wages and other benefits comparable to, or better than, similar positions in existing businesses of similar size in similar local economies.

“(7) **STAPLE FOOD.**—

“(A) **IN GENERAL.**—The term ‘staple food’ means food that is a basic dietary item.

“(B) **INCLUSIONS.**—The term ‘staple food’ includes—

“(i) bread;

“(ii) flour;

“(iii) fruits;

“(iv) vegetables; and

“(v) meat.

“(c) **INITIATIVE.**—

“(1) **ESTABLISHMENT.**—The Secretary shall establish an initiative to achieve the purpose described in subsection (a) in accordance with this subsection.

“(2) **IMPLEMENTATION.**—

“(A) **IN GENERAL.**—

“(i) **IN GENERAL.**—In carrying out the Initiative, the Secretary shall provide funding to entities with eligible projects, as described in subparagraph (B), subject to the priorities described in subparagraph (C).

“(ii) **USE OF FUNDS.**—Funds provided to an entity pursuant to clause (i) shall be used—

“(I) to create revolving loan pools of capital or other products to provide loans to finance eligible projects or partnerships;

“(II) to provide grants for eligible projects or partnerships;

“(III) to provide technical assistance to funded projects and entities seeking Initiative funding; and

“(IV) to cover administrative expenses of the national fund manager in an amount not to exceed 10 percent of the Federal funds provided.

“(B) **ELIGIBLE PROJECTS.**—Subject to the approval of the Secretary, the national fund manager shall establish eligibility criteria for projects under the Initiative, which shall include the existence or planned execution of agreements—

“(i) to expand or preserve the availability of staple foods in underserved areas with moderate- and low-income populations by maintaining or increasing the number of retail outlets that offer an assortment of perishable food and staple food items, as determined by the Secretary, in those areas; and

“(ii) to accept benefits under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

“(C) **PRIORITIES.**—In carrying out the Initiative, priority shall be given to projects that—

“(i) are located in severely distressed low-income communities, as defined by the Community Development Financial Institutions Fund of the Department of Treasury; and

“(ii) include 1 or more of the following characteristics:

“(I) The project will create or retain quality jobs for low-income residents in the community.

“(II) The project supports regional food systems and locally grown foods, to the maximum extent practicable.

“(III) In areas served by public transit, the project is accessible by public transit.

“(IV) The project involves women- or minority-owned businesses.

“(V) The project receives funding from other sources, including other Federal agencies.

“(VI) The project otherwise advances the purpose of this section, as determined by the Secretary.

“(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out this section \$125,000,000, to remain available until expended.”

(b) **CONFORMING AMENDMENT.**—Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) (as amended by section 1609(d)) is amended—

(1) in paragraph (7), by striking “or” at the end;

(2) in paragraph (8), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(9) the authority of the Secretary to establish and carry out the Health Food Financing Initiative under section 242.”

SEC. 4207. PULSE CROP PRODUCTS.

(a) **PURPOSE.**—The purpose of this section is to encourage greater awareness and interest in the number and variety of pulse crop products available to schoolchildren, as recommended by the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341).

(b) **DEFINITIONS.**—In this section:

(1) **ELIGIBLE PULSE CROP.**—The term “eligible pulse crop” means dry beans, dry peas, lentils, and chickpeas.

(2) **PULSE CROP PRODUCT.**—The term “pulse crop product” means a food product derived in whole or in part from an eligible pulse crop.

(c) **PURCHASE OF PULSE CROPS AND PULSE CROP PRODUCTS.**—In addition to the commodities delivered under section 6 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1755), the Secretary shall purchase eligible pulse crops and pulse crop products for use in—

(1) the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.); and

(2) the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

(d) **EVALUATION.**—Not later than September 30, 2016, the Secretary shall conduct an evaluation of the activities conducted under subsection (c), including—

(1) an evaluation of whether children participating in the school lunch and breakfast programs described in subsection (c) increased overall consumption of eligible pulse crops as a result of the activities;

(2) an evaluation of which eligible pulse crops and pulse crop products are most acceptable for use in the school lunch and breakfast programs;

(3) any recommendations of the Secretary regarding the integration of the use of pulse crop products in carrying out the school lunch and breakfast programs;

(4) an evaluation of any change in the nutrient composition in the school lunch and breakfast programs due to the activities; and

(5) an evaluation of any other outcomes determined to be appropriate by the Secretary.

(e) **REPORT.**—As soon as practicable after the completion of the evaluation under sub-

section (d), the Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Education and the Workforce of the House of Representative a report describing the results of the evaluation.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$10,000,000, to remain available until expended.

SEC. 4208. DIETARY GUIDELINES FOR AMERICANS.

Section 301(a) of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341(a)) is amended by adding at the end the following:

“(3) **PREGNANT WOMEN AND YOUNG CHILDREN.**—Not later than the 2020 report and in each report thereafter, the Secretaries shall include national nutritional and dietary information and guidelines for pregnant women and children from birth until the age of 2.”

SEC. 4209. PURCHASES OF LOCALLY PRODUCED FOODS.

Section 9(j) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(j)) is amended—

(1) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting the subparagraphs appropriately;

(2) by striking “The Secretary” and inserting the following:

“(1) **IN GENERAL.**—The Secretary”;

(3) in paragraph (1) (as so redesignated)—

(A) in subparagraph (B)—

(i) by striking “paragraph (1) of the policy described in that paragraph and paragraph (3)” and inserting “subparagraph (A) of the policy described in that subparagraph and subparagraph (C)”; and

(ii) by striking “and” at the end;

(B) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(D) not later than 1 year after the date of enactment of this subparagraph, in accordance with paragraphs (2) and (3), conduct not fewer than 5 demonstration projects through school food authorities receiving funds under this Act and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) to facilitate the purchase of unprocessed and minimally processed locally grown and locally raised agricultural products.”; and

(4) by adding at the end the following:

“(2) **SELECTION.**—In conducting demonstration projects under paragraph (1)(D), the Secretary shall ensure that at least 1 project is located in a State in each of—

“(A) the Pacific Northwest Region;

“(B) the Northeast Region;

“(C) the Western Region;

“(D) the Midwest Region; and

“(E) the Southern Region.

“(3) **PRIORITY.**—In selecting States for participation in the demonstration projects under paragraph (2), the Secretary shall prioritize applications based on—

“(A) the quantity and variety of growers of local fruits and vegetables in the State;

“(B) the demonstrated commitment of the State to farm-to-school efforts, as evidenced by prior efforts to increase and promote farm-to-school programs in the State; and

“(C) whether the State contains a sufficient quantity of school districts of varying population sizes and geographical locations.”

TITLE V—CREDIT

Subtitle A—Farmer Loans, Servicing, and Other Assistance Under the Consolidated Farm and Rural Development Act

SEC. 5001. FARMER LOANS, SERVICING, AND OTHER ASSISTANCE UNDER THE CONSOLIDATED FARM AND RURAL DEVELOPMENT ACT.

The Consolidated Farm and Rural Development Act (as amended by section 6001) is amended by inserting after section 3002 the following:

“Subtitle A—Farmer Loans, Servicing, and Other Assistance

“CHAPTER 1—FARM OWNERSHIP LOANS

“SEC. 3101. FARM OWNERSHIP LOANS.

“(a) IN GENERAL.—The Secretary may make or guarantee a farm ownership loan under this chapter to an eligible farmer.

“(b) ELIGIBILITY.—A farmer shall be eligible under subsection (a) only—

“(1) if the farmer, or, in the case of an entity, 1 or more individuals holding a majority interest in the farmer—

“(A) is a citizen of the United States; and

“(B) in the case of a direct loan, has training or farming experience that the Secretary determines is sufficient to ensure a reasonable prospect of success in the farming operation proposed by the farmer;

“(2)(A) in the case of a farmer that is an individual, if the farmer is or proposes to become an owner and operator of a farm that is not larger than a family farm; or

“(B) in the case of a lessee-operator of a farm located in the State of Hawaii, if the Secretary determines that—

“(i) the farm is not larger than a family farm;

“(ii) the farm cannot be acquired in fee simple by the lessee-operator;

“(iii) adequate security is provided for the loan with respect to the farm for which the lessee-operator applies under this chapter; and

“(iv) there is a reasonable probability of accomplishing the objectives and repayment of the loan;

“(3) in the case of a farmer that is a cooperative, corporation, partnership, trust, limited liability company, joint operation, or such other legal entity as the Secretary determines to be appropriate, with respect to the entity and each farm in which the entity has an ownership or operator interest—

“(A) if—

“(i) a majority interest is held by individuals who are related by blood or marriage, as defined by the Secretary;

“(ii) all of the individuals are or propose to become owners or operators of a farm that is not larger than a family farm; and

“(iii) at least 1 of the individuals is or proposes to become an operator of the farm; or

“(B) if—

“(i) the entire interest is held by individuals who are related by blood or marriage, as defined by the Secretary;

“(ii) all of the individuals are or propose to become farm operators; and

“(iii) the ownership interest of each individual separately constitutes not larger than a family farm, even if the ownership interests of the individuals collectively constitute larger than a family farm;

“(4) in the case of an entity that is, or will become within a reasonable period of time, as determined by the Secretary, only the operator of a family farm, if the 1 or more individuals who are the owners of the family farm own—

“(A) a percentage of the family farm that exceeds 50 percent; or

“(B) such other percentage as the Secretary determines to be appropriate;

“(5) in the case of an operator described in paragraph (3) that is owned, in whole or in part, by 1 or more other entities, if each of the individuals that have a direct or indirect ownership interest in such other entities also have a direct ownership interest in the entity applying as an individual; and

“(6) if the farmer and each individual that holds a majority interest in the farmer is unable to obtain credit elsewhere.

“(c) DIRECT LOANS.—

“(1) IN GENERAL.—Subject to paragraph (2), the Secretary may make a direct loan under this chapter only to a farmer who has participated in business operations of a farm for not less than 3 years (or has other acceptable experience for a period of time determined by the Secretary) and—

“(A) is a qualified beginning farmer;

“(B) has not received a previous direct farm ownership loan made under this chapter; or

“(C) has not received a direct farm ownership loan under this chapter more than 10 years before the date on which the new loan would be made.

“(2) YOUTH LOANS.—The operation of an enterprise by a youth under section 3201(d) shall not be considered the operation of a farm for purposes of paragraph (1).

“SEC. 3102. PURPOSES OF LOANS.

“(a) ALLOWED PURPOSES.—

“(1) DIRECT LOANS.—A farmer may use a direct loan made under this chapter only—

“(A) to acquire or enlarge a farm;

“(B) to make capital improvements to a farm;

“(C) to pay loan closing costs related to acquiring, enlarging, or improving a farm;

“(D) to pay for activities to promote soil and water conservation and protection described in section 3103 on a farm; or

“(E) to refinance a temporary bridge loan made by a commercial or cooperative lender to a farmer for the acquisition of land for a farm, if—

“(i) the Secretary approved an application for a direct farm ownership loan to the farmer for acquisition of the land; and

“(ii) funds for direct farm ownership loans under section 3201(a) were not available at the time at which the application was approved.

“(2) GUARANTEED LOANS.—A farmer may use a loan guaranteed under this chapter only—

“(A) to acquire or enlarge a farm;

“(B) to make capital improvements to a farm;

“(C) to pay loan closing costs related to acquiring, enlarging, or improving a farm;

“(D) to pay for activities to promote soil and water conservation and protection described in section 3103 on a farm; or

“(E) to refinance indebtedness.

“(b) PREFERENCES.—In making or guaranteeing a loan under this chapter for purchase of a farm, the Secretary shall give preference to a person who—

“(1) has a dependent family;

“(2) to the extent practicable, is able to make an initial down payment on the farm; or

“(3) is an owner of livestock or farm equipment that is necessary to successfully carry out farming operations.

“(c) HAZARD INSURANCE REQUIREMENT.—The Secretary may not make a loan to a farmer under this chapter unless the farmer has, or agrees to obtain, hazard insurance on any real property to be acquired or improved with the loan.

“SEC. 3103. CONSERVATION LOAN AND LOAN GUARANTEE PROGRAM.

“(a) IN GENERAL.—The Secretary may make or guarantee qualified conservation loans to eligible borrowers under this section.

“(b) DEFINITIONS.—In this section:

“(1) CONSERVATION PLAN.—The term ‘conservation plan’ means a plan, approved by the Secretary, that, for a farming operation, identifies the conservation activities that will be addressed with loan funds provided under this section, including—

“(A) the installation of conservation structures to address soil, water, and related resources;

“(B) the establishment of forest cover for sustained yield timber management, erosion control, or shelter belt purposes;

“(C) the installation of water conservation measures;

“(D) the installation of waste management systems;

“(E) the establishment or improvement of permanent pasture;

“(F) compliance with section 1212 of the Food Security Act of 1985 (16 U.S.C. 3812); and

“(G) other purposes consistent with the plan, including the adoption of any other emerging or existing conservation practices, techniques, or technologies approved by the Secretary.

“(2) QUALIFIED CONSERVATION LOAN.—The term ‘qualified conservation loan’ means a loan, the proceeds of which are used to cover the costs to the borrower of carrying out a qualified conservation project.

“(3) QUALIFIED CONSERVATION PROJECT.—The term ‘qualified conservation project’ means conservation measures that address provisions of a conservation plan of the eligible borrower.

“(c) ELIGIBILITY.—

“(1) IN GENERAL.—The Secretary may make or guarantee loans to farmers.

“(2) REQUIREMENTS.—To be eligible for a loan under this section, applicants shall meet the citizenship and training and experience requirements of section 3101(b).

“(d) PRIORITY.—In making or guaranteeing loans under this section, the Secretary shall give priority to—

“(1) qualified beginning farmers and socially disadvantaged farmers;

“(2) owners or tenants who use the loans to convert to sustainable or organic agricultural production systems; and

“(3) producers who use the loans to build conservation structures or establish conservation practices to comply with section 1212 of the Food Security Act of 1985 (16 U.S.C. 3812).

“(e) LIMITATIONS APPLICABLE TO LOAN GUARANTEES.—The portion of a loan that the Secretary may guarantee under this section shall not exceed 75 percent of the principal amount of the loan.

“(f) ADMINISTRATIVE PROVISIONS.—The Secretary shall ensure, to the maximum extent practicable, that loans made or guaranteed under this section are distributed across diverse geographic regions.

“(g) CREDIT ELIGIBILITY.—The provisions of paragraphs (1) and (3) of section 3406(a) shall not apply to loans made or guaranteed under this section.

“(h) AUTHORIZATION OF APPROPRIATIONS.—For each of fiscal years 2013 through 2018, there are authorized to be appropriated to the Secretary such sums as are necessary to carry out this section.

“SEC. 3104. LOAN MAXIMUMS.

“(a) MAXIMUM.—

“(1) IN GENERAL.—The Secretary shall make or guarantee no loan under sections 3101, 3102, 3103, 3106, and 3107 that would cause the unpaid indebtedness under those sections of any 1 borrower to exceed the lesser of—

“(A) the value of the farm or other security, or

“(B)(i) in the case of a loan made by the Secretary, \$300,000; or

“(ii) in the case of a loan guaranteed by the Secretary, \$700,000 (as modified under paragraph (2)).

“(2) MODIFICATION.—The amount specified in paragraph (1)(B)(ii) shall be—

“(A) increased, beginning with fiscal year 2000, by the inflation percentage applicable to the fiscal year in which the loan is guaranteed; and

“(B) reduced by the amount of any unpaid indebtedness of the borrower on loans under chapter 2 that are guaranteed by the Secretary.

“(b) DETERMINATION OF VALUE.—In determining the value of the farm, the Secretary shall consider appraisals made by competent appraisers under rules established by the Secretary.

“(c) INFLATION PERCENTAGE.—For purposes of this section, the inflation percentage applicable to a fiscal year is the percentage (if any) by which—

“(1) the average of the Prices Paid By Farmers Index (as compiled by the National Agricultural Statistics Service of the Department) for the 12-month period ending on August 31 of the immediately preceding fiscal year; exceeds

“(2) the average of that index (as so defined) for the 12-month period ending on August 31, 1996.

“SEC. 3105. REPAYMENT REQUIREMENTS FOR FARM OWNERSHIP LOANS.

“(a) PERIOD FOR REPAYMENT.—The period for repayment of a loan under this chapter shall not exceed 40 years.

“(b) INTEREST RATES.—

“(1) IN GENERAL.—Except as otherwise provided in this title, the interest rate on a loan under this chapter shall be determined by the Secretary at a rate—

“(A) not to exceed the sum obtained by adding—

“(i) the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturity of the loan; and

“(ii) an amount not to exceed 1 percent, as determined by the Secretary; and

“(B) adjusted to the nearest $\frac{1}{4}$ of 1 percent.

“(2) LOW INCOME FARM OWNERSHIP LOANS.—Except as provided in paragraph (3), the interest rate on a loan (other than a guaranteed loan) under section 3106 shall be determined by the Secretary at a rate that is—

“(A) not greater than the sum obtained by adding—

“(i) an amount that does not exceed $\frac{1}{2}$ of the current average market yield on outstanding marketable obligations of the United States with maturities of 5 years; and

“(ii) an amount not to exceed 1 percent per year, as the Secretary determines is appropriate; and

“(B) not less than 5 percent per year.

“(3) JOINT FINANCING ARRANGEMENT.—If a direct farm ownership loan is made under this chapter as part of a joint financing arrangement and the amount of the direct farm ownership loan does not exceed 50 percent of the total principal amount financed under the arrangement, the interest rate on the direct farm ownership loan shall be at least 4 percent annually.

“(4) GUARANTEED LOANS.—The interest rate on a loan made under this chapter as a guaranteed loan shall be such rate as may be agreed on by the borrower and the lender, but not in excess of any rate determined by the Secretary.

“(c) PAYMENT OF CHARGES.—A borrower of a loan made or guaranteed under this chapter shall pay such fees and other charges as the Secretary may require, and prepay to the Secretary such taxes and insurance as the Secretary may require, on such terms and conditions as the Secretary may prescribe.

“(d) SECURITY.—

“(1) IN GENERAL.—The Secretary shall take as security for an obligation entered into in connection with a loan, a mortgage on a farm with respect to which the loan is made or such other security as the Secretary may require.

“(2) LIENS TO UNITED STATES.—An instrument for security under paragraph (1) may constitute a lien running to the United States notwithstanding the fact that the note for the security may be held by a lender other than the United States.

“(3) MULTIPLE LOANS.—A borrower may use the same collateral to secure 2 or more loans made or guaranteed under this chapter, except that the outstanding amount of the loans may not exceed the total value of the collateral.

“(e) MINERAL RIGHTS AS COLLATERAL.—

“(1) IN GENERAL.—In the case of a farm ownership loan made after December 23, 1985, unless appraised values of the rights to oil, gas, or other minerals are specifically included as part of the appraised value of collateral securing the loan, the rights to oil, gas, or other minerals located under the property shall not be considered part of the collateral securing the loan.

“(2) COMPENSATORY PAYMENTS.—Nothing in this subsection prevents the inclusion of, as part of the collateral securing the loan, any payment or other compensation the borrower may receive for damages to the surface of the collateral real estate resulting from the exploration for or recovery of minerals.

“(f) ADDITIONAL COLLATERAL.—The Secretary may not—

“(1) require any borrower to provide additional collateral to secure a farmer program loan made or guaranteed under this subtitle, if the borrower is current in the payment of principal and interest on the loan; or

“(2) bring any action to foreclose, or otherwise liquidate, the loan as a result of the failure of a borrower to provide additional collateral to secure the loan, if the borrower was current in the payment of principal and interest on the loan at the time the additional collateral was requested.

“SEC. 3106. LIMITED-RESOURCE LOANS.

“(a) IN GENERAL.—The Secretary may make or guarantee a limited-resource loan for any of the purposes specified in sections 3102(a) or 3103(a) to a farmer in the United States who—

“(1) in the case of an entity, all members, stockholders, or partners are eligible under section 3101(b);

“(2) has a low income; and

“(3) demonstrates a need to maximize the income of the farmer from farming operations.

“(b) INSTALLMENTS.—A loan made or guaranteed under this section shall be repayable in such installments as the Secretary determines will provide for reduced payments during the initial repayment period of the loan and larger payments during the remainder of the repayment period of the loan.

“(c) INTEREST RATES.—Except as provided in section 3105(b)(3) and in section 3204(b)(3), the interest rate on loans (other than guaranteed loans) under this section shall not be—

“(1) greater than the sum obtained by adding—

“(A) an amount that does not exceed $\frac{1}{2}$ of the current average market yield on outstanding marketable obligations of the United States with maturities of 5 years; and

“(B) an amount not exceeding 1 percent per year, as the Secretary determines is appropriate; or

“(2) less than 5 percent per year.

“SEC. 3107. DOWNPAYMENT LOAN PROGRAM.

“(a) IN GENERAL.—

“(1) ESTABLISHMENT.—Notwithstanding any other provision of this chapter, the Secretary shall establish, under the farm ownership loan program established under this chapter, a program under which loans shall be made under this section to a qualified beginning farmer or a socially disadvantaged farmer for a downpayment on a farm ownership loan.

“(2) COORDINATION.—The Secretary shall be the primary coordinator of credit supervision for the downpayment loan program established under this section, in consultation with a commercial or cooperative lender and, if applicable, a contracting credit counseling service selected under section 3420(c).

“(b) LOAN TERMS.—

“(1) PRINCIPAL.—Each loan made under this section shall be in an amount that does not exceed 45 percent of the lesser of—

“(A) the purchase price of the farm to be acquired;

“(B) the appraised value of the farm to be acquired; or

“(C) \$667,000.

“(2) INTEREST RATE.—The interest rate on any loan made by the Secretary under this section shall be a rate equal to the greater of—

“(A) the difference between—

“(i) 4 percent; and

“(ii) the interest rate for farm ownership loans under this chapter; or

“(B) 1.5 percent.

“(3) DURATION.—Each loan under this section shall be made for a period of 20 years or less, at the option of the borrower.

“(4) REPAYMENT.—Each borrower of a loan under this section shall repay the loan to the Secretary in equal annual installments.

“(5) NATURE OF RETAINED SECURITY INTEREST.—The Secretary shall retain an interest in each farm acquired with a loan made under this section that shall—

“(A) be secured by the farm;

“(B) be junior only to such interests in the farm as may be conveyed at the time of acquisition to the person (including a lender) from whom the borrower obtained a loan used to acquire the farm; and

“(C) require the borrower to obtain the permission of the Secretary before the borrower may grant an additional security interest in the farm.

“(c) LIMITATIONS.—

“(1) BORROWERS REQUIRED TO MAKE MINIMUM DOWN PAYMENT.—The Secretary shall not make a loan under this section to any borrower with respect to a farm if the contribution of the borrower to the down payment on the farm will be less than 5 percent of the purchase price of the farm.

“(2) PROHIBITED TYPES OF FINANCING.—The Secretary shall not make a loan under this section with respect to a farm if the farm is to be acquired with other financing that contains any of the following conditions:

“(A) The financing is to be amortized over a period of less than 30 years.

“(B) A balloon payment will be due on the financing during the 20-year period beginning on the date on which the loan is to be made by the Secretary.

“(d) ADMINISTRATION.—In carrying out this section, the Secretary shall, to the maximum extent practicable—

“(1) facilitate the transfer of farms from retiring farmers to persons eligible for insured loans under this subtitle;

“(2) make efforts to widely publicize the availability of loans under this section among—

“(A) potentially eligible recipients of the loans;

“(B) retiring farmers; and

“(C) applicants for farm ownership loans under this chapter;

“(3) encourage retiring farmers to assist in the sale of their farms to qualified beginning farmers and socially disadvantaged farmers providing seller financing;

“(4) coordinate the loan program established by this section with State programs that provide farm ownership or operating loans for beginning farmers or socially disadvantaged farmers; and

“(5) establish annual performance goals to promote the use of the down payment loan program and other joint financing arrangements as the preferred choice for direct real estate loans made by any lender to a qualified beginning farmer or socially disadvantaged farmer.

“SEC. 3108. BEGINNING FARMER AND SOCIALLY DISADVANTAGED FARMER CONTRACT LAND SALES PROGRAM.

“(a) IN GENERAL.—The Secretary shall, in accordance with this section, guarantee a loan made by a private seller of a farm to a qualified beginning farmer or socially disadvantaged farmer on a contract land sales basis.

“(b) ELIGIBILITY.—To be eligible for a loan guarantee under subsection (a)—

“(1) the qualified beginning farmer or socially disadvantaged farmer shall—

“(A) on the date the contract land sale that is subject of the loan is complete, own and operate the farm that is the subject of the contract land sale;

“(B) have a credit history that—

“(i) includes a record of satisfactory debt repayment, as determined by the Secretary; and

“(ii) is acceptable to the Secretary; and

“(C) demonstrate to the Secretary that the farmer is unable to obtain sufficient credit without a guarantee to finance any actual need of the farmer at a reasonable rate or term; and

“(2) the loan shall meet applicable underwriting criteria, as determined by the Secretary.

“(c) LIMITATIONS.—The Secretary shall not provide a loan guarantee under subsection (a) if—

“(1) the contribution of the qualified beginning farmer or socially disadvantaged farmer to the down payment for the farm that is the subject of the contract land sale would be less than 5 percent of the purchase price of the farm; or

“(2) the purchase price or the appraisal value of the farm that is the subject of the contract land sale is greater than \$500,000.

“(d) PERIOD OF GUARANTEE.—A loan guarantee under this section shall be in effect for the 10-year period beginning on the date on which the guarantee is provided.

“(e) GUARANTEE PLAN.—

“(1) SELECTION OF PLAN.—A private seller of a farm who makes a loan guaranteed by

the Secretary under subsection (a) may select—

“(A) a prompt payment guarantee plan, which shall cover—

“(i) 3 amortized annual installments; or

“(ii) an amount equal to 3 annual installments (including an amount equal to the total cost of any tax and insurance incurred during the period covered by the annual installments); or

“(B) a standard guarantee plan, which shall cover an amount equal to 90 percent of the outstanding principal of the loan.

“(2) ELIGIBILITY FOR STANDARD GUARANTEE PLAN.—To be eligible for a standard guarantee plan referred to in paragraph (1)(B), a private seller shall—

“(A) secure a commercial lending institution or similar entity, as determined by the Secretary, to serve as an escrow agent; or

“(B) in cooperation with the farmer, use an appropriate alternate arrangement, as determined by the Secretary.

“CHAPTER 2—OPERATING LOANS

“SEC. 3201. OPERATING LOANS.

“(a) IN GENERAL.—The Secretary may make or guarantee an operating loan under this chapter to an eligible farmer in the United States.

“(b) ELIGIBILITY.—A farmer shall be eligible under subsection (a) only—

“(1) if the farmer, or an individual holding a majority interest in the farmer—

“(A) is a citizen of the United States; and

“(B) has training or farming experience that the Secretary determines is sufficient to ensure a reasonable prospect of success in the farming operation proposed by the farmer;

“(2) in the case of a farmer that is an individual, if the farmer is or proposes to become an operator of a farm that is not larger than a family farm;

“(3) in the case of a farmer that is a cooperative, corporation, partnership, trust, limited liability company, joint operation, or other such legal entity as the Secretary determines to be appropriate, with respect to the entity and each farm in which the entity has an ownership or operator interest—

“(A) if—

“(i) a majority interest is held by individuals who are related by blood or marriage, as defined by the Secretary;

“(ii) all of the individuals are or propose to become owners or operators of a farm that is not larger than a family farm; and

“(iii) at least 1 of the individuals is or proposes to become an operator of the farm; or

“(B) if—

“(i) the entire interest is held by individuals who are related by blood or marriage, as defined by the Secretary;

“(ii) all of the individuals are or propose to become farm operators; and

“(iii) the ownership interest of each individual separately constitutes not larger than a family farm, even if the ownership interests of the individuals collectively constitute larger than a family farm;

“(4) in the case of an operator described in paragraph (3) that is owned, in whole or in part by 1 or more other entities, if not less than 75 percent of the ownership interests of each other entity is owned directly or indirectly by 1 or more individuals who own the family farm; and

“(5) if the farmer and each individual that holds a majority interest in the farmer is unable to obtain credit elsewhere.

“(c) DIRECT LOANS.—

“(1) IN GENERAL.—Subject to paragraph (3), the Secretary may make a direct loan under this chapter only to a farmer who—

“(A) is a qualified beginning farmer;

“(B) has not received a previous direct operating loan made under this chapter; or

“(C) has not received a direct operating loan made under this chapter for a total of 7 years, less 1 year for every 3 consecutive years the farmer did not receive a direct operating loan after the year in which the borrower initially received a direct operating loan under this chapter, as determined by the Secretary.

“(2) YOUTH LOANS.—In this subsection, the term ‘direct operating loan’ shall not include a loan made to a youth under subsection (d).

“(3) TRANSITION RULE.—If, as of April 4, 1996, a farmer has received a direct operating loan under this chapter during each of 4 or more previous years, the borrower shall be eligible to receive a direct operating loan under this chapter during 3 additional years after April 4, 1996.

“(4) WAIVERS.—

“(A) FARM OPERATIONS ON TRIBAL LAND.—The Secretary shall waive the limitation under paragraph (1)(C) or (3) for a direct loan made under this chapter to a farmer whose farm land is subject to the jurisdiction of an Indian tribe and whose loan is secured by 1 or more security instruments that are subject to the jurisdiction of an Indian tribe if the Secretary determines that commercial credit is not generally available for such farm operations.

“(B) OTHER FARM OPERATIONS.—On a case-by-case determination not subject to administrative appeal, the Secretary may grant a borrower a waiver, 1 time only for a period of 2 years, of the limitation under paragraph (1)(C) or (3) for a direct operating loan if the borrower demonstrates to the satisfaction of the Secretary that—

“(i) the borrower has a viable farm operation;

“(ii) the borrower applied for commercial credit from at least 2 commercial lenders;

“(iii) the borrower was unable to obtain a commercial loan (including a loan guaranteed by the Secretary); and

“(iv) the borrower successfully has completed, or will complete within 1 year, borrower training under section 3419 (from which requirement the Secretary shall not grant a waiver under section 3419(f)).

“(d) YOUTH LOANS.—

“(1) IN GENERAL.—Notwithstanding subsection (b), except for citizenship and credit requirements, a loan may be made under this chapter to a youth who is a rural resident to enable the youth to operate an enterprise in connection with the participation in a youth organization, as determined by the Secretary.

“(2) FULL PERSONAL LIABILITY.—A youth receiving a loan under this subsection who executes a promissory note for the loan shall incur full personal liability for the indebtedness evidenced by the note, in accordance with the terms of the note, free of any disability of minority.

“(3) COSIGNER.—The Secretary may accept the personal liability of a cosigner of a promissory note for a loan under this subsection, in addition to the personal liability of the youth borrower.

“(4) YOUTH ENTERPRISES NOT FARMING.—The operation of an enterprise by a youth under this subsection shall not be considered the operation of a farm under this subtitle.

“(e) PILOT LOAN PROGRAM TO SUPPORT HEALTHY FOODS FOR THE HUNGRY.—

“(1) DEFINITION OF GLEANER.—In this subsection, the term ‘gleaner’ means an entity that—

“(A) collects edible, surplus food that would be thrown away and distributes the

food to agencies or nonprofit organizations that feed the hungry; or

“(B) harvests for free distribution to the needy, or for donation to agencies or nonprofit organizations for ultimate distribution to the needy, an agricultural crop that has been donated by the owner of the crop.

“(2) PROGRAM.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall establish, within the operating loan program established under this chapter, a pilot program under which the Secretary makes loans available to eligible entities to assist the entities in providing food to the hungry.

“(3) ELIGIBILITY.—In addition to any other person eligible under the terms and conditions of the operating loan program established under this chapter, gleaners shall be eligible to receive loans under this subsection.

“(4) LOAN AMOUNT.—

“(A) IN GENERAL.—Each loan issued under the program shall be in an amount of not less than \$500 and not more than \$5,000.

“(B) REDISTRIBUTION.—If the eligible recipients in a State do not use the full allocation of loans that are available to eligible recipients in the State under this subsection, the Secretary may use any unused amounts to make loans available to eligible entities in other States in accordance with this subsection.

“(5) LOAN PROCESSING.—

“(A) IN GENERAL.—The Secretary shall process any loan application submitted under the program not later than 30 days after the date on which the application was submitted.

“(B) EXPEDITING APPLICATIONS.—The Secretary shall take any measure the Secretary determines necessary to expedite any application submitted under the program.

“(6) PAPERWORK REDUCTION.—The Secretary shall take measures to reduce any paperwork requirements for loans under the program.

“(7) PROGRAM INTEGRITY.—The Secretary shall take such actions as are necessary to ensure the integrity of the program established under this subsection.

“(8) MAXIMUM AMOUNT.—Of funds that are made available to carry out this chapter, the Secretary shall use to carry out this subsection a total amount of not more than \$500,000.

“(9) REPORT.—Not later than 180 days after the maximum amount of funds are used to carry out this subsection under paragraph (8), the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the pilot program and the feasibility of expanding the program.

“SEC. 3202. PURPOSES OF LOANS.

“(a) DIRECT LOANS.—A direct loan may be made under this chapter only—

“(1) to pay the costs incident to reorganizing a farm for more profitable operation;

“(2) to purchase livestock, poultry, or farm equipment;

“(3) to purchase feed, seed, fertilizer, insecticide, or farm supplies, or to meet other essential farm operating expenses, including cash rent;

“(4) to finance land or water development, use, or conservation;

“(5) to pay loan closing costs;

“(6) to assist a farmer in changing the equipment, facilities, or methods of operation of a farm to comply with a standard promulgated under section 6 of the Occupa-

tional Safety and Health Act of 1970 (29 U.S.C. 655) or a standard adopted by a State under a plan approved under section 18 of that Act (29 U.S.C. 667), if the Secretary determines that without assistance under this paragraph the farmer is likely to suffer substantial economic injury in complying with the standard;

“(7) to train a limited-resource borrower receiving a loan under section 3106 in maintaining records of farming operations;

“(8) to train a borrower under section 3419;

“(9) to refinance the indebtedness of a borrower, if the borrower—

“(A) has refinanced a loan under this chapter not more than 4 times previously; and

“(B)(i) is a direct loan borrower under this title at the time of the refinancing and has suffered a qualifying loss because of a natural or major disaster or emergency; or

“(ii) is refinancing a debt obtained from a creditor other than the Secretary; or

“(10) to provide other farm or home needs, including family subsistence.

“(b) GUARANTEED LOANS.—A loan may be guaranteed under this chapter only—

“(1) to pay the costs incident to reorganizing a farm for more profitable operation;

“(2) to purchase livestock, poultry, or farm equipment;

“(3) to purchase feed, seed, fertilizer, insecticide, or farm supplies, or to meet other essential farm operating expenses, including cash rent;

“(4) to finance land or water development, use, or conservation;

“(5) to refinance indebtedness;

“(6) to pay loan closing costs;

“(7) to assist a farmer in changing the equipment, facilities, or methods of operation of a farm to comply with a standard promulgated under section 6 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655) or a standard adopted by a State under a plan approved under section 18 of that Act (29 U.S.C. 667), if the Secretary determines that without assistance under this paragraph the farmer is likely to suffer substantial economic injury due to compliance with the standard;

“(8) to train a borrower under section 3419; or

“(9) to provide other farm or home needs, including family subsistence.

“(c) HAZARD INSURANCE REQUIREMENT.—The Secretary may not make a loan to a farmer under this chapter unless the farmer has, or agrees to obtain, hazard insurance on the property to be acquired with the loan.

“(d) PRIVATE RESERVE.—

“(1) IN GENERAL.—Notwithstanding any other provision of this title, the Secretary may reserve a portion of any loan made under this chapter to be placed in an unsupervised bank account that may be used at the discretion of the borrower for the basic family needs of the borrower and the immediate family of the borrower.

“(2) LIMIT ON SIZE OF THE RESERVE.—The size of the reserve shall not exceed the lesser of—

“(A) 10 percent of the loan;

“(B) \$5,000; or

“(C) the amount needed to provide for the basic family needs of the borrower and the immediate family of the borrower for 3 calendar months.

“SEC. 3203. RESTRICTIONS ON LOANS.

“(a) REQUIREMENTS.—

“(1) IN GENERAL.—The Secretary may not make or guarantee a loan under this chapter—

“(A) that would cause the total principal indebtedness outstanding at any 1 time for

loans made under this chapter to any 1 borrower to exceed—

“(i)(I) in the case of a loan made by the Secretary, \$300,000; or

“(II) in the case of a loan guaranteed by the Secretary, \$700,000 (as modified under paragraph (2)); or

“(B) for the purchasing or leasing of land other than for cash rent, or for carrying on a land leasing or land purchasing program.

“(2) MODIFICATION.—The amount specified in paragraph (1)(A)(ii) shall be—

“(A) increased, beginning with fiscal year 2000, by the inflation percentage applicable to the fiscal year in which the loan is guaranteed; and

“(B) reduced by the unpaid indebtedness of the borrower on loans under sections specified in section 3104 that are guaranteed by the Secretary.

“(b) INFLATION PERCENTAGE.—For purposes of this section, the inflation percentage applicable to a fiscal year is the percentage (if any) by which—

“(1) the average of the Prices Paid By Farmers Index (as compiled by the National Agricultural Statistics Service of the Department) for the 12-month period ending on August 31 of the immediately preceding fiscal year; exceeds

“(2) the average of that index (as so defined) for the 12-month period ending on August 31, 1996.

“SEC. 3204. TERMS OF LOANS.

“(a) PERSONAL LIABILITY.—A borrower of a loan made under this chapter shall secure the loan with the full personal liability of the borrower and such other security as the Secretary may prescribe.

“(b) INTEREST RATES.—

“(1) MAXIMUM RATE.—

“(A) IN GENERAL.—Except as provided in paragraphs (2) and (3), the interest rate on a loan made under this chapter (other than a guaranteed loan) shall be determined by the Secretary at a rate not to exceed the sum obtained by adding—

“(i) the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturity of the loan; and

“(ii) an additional charge not to exceed 1 percent, as determined by the Secretary.

“(B) ADJUSTMENT.—The sum obtained under subparagraph (A) shall be adjusted to the nearest $\frac{1}{4}$ of 1 percent.

“(2) GUARANTEED LOAN.—The interest rate on a guaranteed loan made under this chapter shall be such rate as may be agreed on by the borrower and the lender, but may not exceed any rate prescribed by the Secretary.

“(3) LOW INCOME LOAN.—The interest rate on a direct loan made under this chapter to a low-income, limited-resource borrower shall be determined by the Secretary at a rate that is not—

“(A) greater than the sum obtained by adding—

“(i) an amount that does not exceed $\frac{1}{2}$ of the current average market yield on outstanding marketable obligations of the United States with a maturity of 5 years; and

“(ii) an amount not to exceed 1 percent per year, as the Secretary determines is appropriate; or

“(B) less than 5 percent per year.

“(c) PERIOD FOR REPAYMENT.—The period for repayment of a loan made under this chapter may not exceed 7 years.

“(d) LINE-OF-CREDIT LOANS.—

“(1) IN GENERAL.—A loan made or guaranteed by the Secretary under this chapter may be in the form of a line-of-credit loan.

“(2) TERM.—A line-of-credit loan under paragraph (1) shall terminate not later than 5 years after the date that the loan is made or guaranteed.

“(3) ELIGIBILITY.—For purposes of determining eligibility for an operating loan under this chapter, each year during which a farmer takes an advance or draws on a line-of-credit loan the farmer shall be considered as having received an operating loan for 1 year.

“(4) TERMINATION OF DELINQUENT LOANS.—If a borrower does not pay an installment on a line-of-credit loan on schedule, the borrower may not take an advance or draw on the line-of-credit, unless the Secretary determines that—

“(A) the failure of the borrower to pay on schedule was due to unusual conditions that the borrower could not control; and

“(B) the borrower will reduce the line-of-credit balance to the scheduled level at the end of—

“(i) the production cycle; or

“(ii) the marketing of the agricultural products of the borrower.

“(5) AGRICULTURAL COMMODITIES.—A line-of-credit loan may be used to finance the production or marketing of an agricultural commodity that is eligible for a price support program of the Department.

“CHAPTER 3—EMERGENCY LOANS

“SEC. 3301. EMERGENCY LOANS.

“(a) IN GENERAL.—The Secretary shall make or guarantee an emergency loan under this chapter to an eligible farmer (including a commercial fisherman) only to the extent and in such amounts as provided in advance in appropriation Acts.

“(b) ELIGIBILITY.—An established farmer shall be eligible under subsection (a) only—

“(1) if the farmer or an individual holding a majority interest in the farmer—

“(A) is a citizen of the United States; and

“(B) has experience and resources that the Secretary determines are sufficient to ensure a reasonable prospect of success in the farming operation proposed by the farmer;

“(2) in the case of a farmer that is an individual, if the farmer is—

“(A) in the case of a loan for a purpose under chapter 1, an owner, operator, or lessee-operator described in section 3101(b)(2); and

“(B) in the case of a loan for a purpose under chapter 2, an operator of a farm that is not larger than a family farm;

“(3) in the case of a farmer that is a cooperative, corporation, partnership, trust, limited liability company, joint operation, or such other legal entity as the Secretary determines to be appropriate, with respect to the entity and each farm in which the entity has an ownership or operator interest—

“(A) if—

“(i) a majority interest is held by individuals who are related by blood or marriage, as defined by the Secretary;

“(ii) all of the individuals are or propose to become owners or operators of a farm that is not larger than a family farm; and

“(iii) at least 1 of the individuals is or proposes to become an operator of the farm; or

“(B) if—

“(i) the entire interest is held by individuals who are related by blood or marriage, as defined by the Secretary;

“(ii) all of the individuals are or propose to become farm operators; and

“(iii) the ownership interest of each individual separately constitutes not larger than a family farm, even if the ownership interests of the individuals collectively constitute larger than a family farm;

“(4) if the entity is owned, in whole or in part, by 1 or more other entities and each individual who is an owner of the family farm involved has a direct or indirect ownership interest in each of the other entities;

“(5) if the farmer and any individual that holds a majority interest in the farmer is unable to obtain credit elsewhere; and

“(6)(A) if the Secretary finds that the operations of the farmer have been substantially affected by—

“(i) a natural or major disaster or emergency designated by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); or

“(ii) a quarantine imposed by the Secretary under the Plant Protection Act (7 U.S.C. 7701 et seq.) or the Animal Health Protection Act (7 U.S.C. 8301 et seq.); or

“(B) if the farmer conducts farming operations in a county or a county contiguous to a county in which the Secretary has found that farming operations have been substantially affected by a natural or major disaster or emergency.

“(c) TIME FOR ACCEPTING AN APPLICATION.—The Secretary shall accept an application for a loan under this chapter from a farmer at any time during the 8-month period beginning on the date that—

“(1) the Secretary determines that farming operations of the farmer have been substantially affected by—

“(A) a quarantine imposed by the Secretary under the Plant Protection Act (7 U.S.C. 7701 et seq.) or the Animal Health Protection Act (7 U.S.C. 8301 et seq.); or

“(B) a natural disaster; or

“(2) the President makes a major disaster or emergency designation with respect to the affected county of the farmer referred to in subsection (b)(5)(B).

“(d) HAZARD INSURANCE REQUIREMENT.—The Secretary may not make a loan to a farmer under this chapter to cover a property loss unless the farmer had hazard insurance that insured the property at the time of the loss.

“(e) FAMILY FARM.—The Secretary shall conduct the loan program under this chapter in a manner that will foster and encourage the family farm system of agriculture, consistent with the reaffirmation of policy and declaration of the intent of Congress contained in section 102(a) of the Food and Agriculture Act of 1977 (7 U.S.C. 2266(a)).

“SEC. 3302. PURPOSES OF LOANS.

“Subject to the limitations on the amounts of loans provided in section 3303(a), a loan may be made or guaranteed under this chapter for—

“(1) any purpose authorized for a loan under chapter 1 or 2; and

“(2) crop or livestock purposes that are—

“(A) necessitated by a quarantine, natural disaster, major disaster, or emergency; and

“(B) considered desirable by the farmer.

“SEC. 3303. TERMS OF LOANS.

“(a) MAXIMUM AMOUNT OF LOAN.—The Secretary may not make or guarantee a loan under this chapter to a borrower who has suffered a loss in an amount that—

“(1) exceeds the actual loss caused by a disaster; or

“(2) would cause the total indebtedness of the borrower under this chapter to exceed \$500,000.

“(b) INTEREST RATES.—Any portion of a loan under this chapter up to the amount of the actual loss suffered by a farmer caused by a disaster shall be at a rate prescribed by the Secretary, but not in excess of 8 percent per annum.

“(c) INTEREST SUBSIDIES FOR GUARANTEED LOANS.—In the case of a guaranteed loan under this chapter, the Secretary may pay an interest subsidy to the lender for any portion of the loan up to the amount of the actual loss suffered by a farmer caused by a disaster.

“(d) TIME FOR REPAYMENT.—

“(1) IN GENERAL.—Subject to paragraph (2), a loan under this chapter shall be repayable at such times as the Secretary may determine, considering the purpose of the loan and the nature and effect of the disaster, but not later than the maximum repayment period allowed for a loan for a similar purpose under chapters 1 and 2.

“(2) EXTENDED REPAYMENT PERIOD.—The Secretary may, if the loan is for a purpose described in chapter 2 and the Secretary determines that the need of the loan applicant justifies the longer repayment period, make the loan repayable at the end of a period of more than 7 years, but not more than 20 years.

“(e) SECURITY FOR LOAN.—

“(1) IN GENERAL.—A borrower of a loan made under this chapter shall secure the loan with the full personal liability of the borrower and such other security as the Secretary may prescribe.

“(2) ADEQUATE SECURITY.—Subject to paragraph (3), the Secretary may not make or guarantee a loan under this chapter unless the security for the loan is adequate to ensure repayment of the loan.

“(3) INADEQUATE SECURITY DUE TO DISASTER.—If adequate security for a loan under this chapter is not available because of a disaster, the Secretary shall accept as security any collateral that is available if the Secretary is confident that the collateral and the repayment ability of the farmer are adequate security for the loan.

“(4) VALUATION OF FARM ASSETS.—If a farm asset (including land, livestock, or equipment) is used as collateral to secure a loan applied for under this chapter and the governor of the State in which the farm is located requests assistance under this chapter or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) for the portion of the State in which the asset is located, the Secretary shall establish the value of the asset as of the day before the occurrence of the natural or major disaster or emergency.

“(f) REVIEW OF LOAN.—

“(1) IN GENERAL.—In the case of a loan made, but not guaranteed, under section 3301, the Secretary shall review the loan 3 years after the loan is made, and every 2 years thereafter for the term of the loan.

“(2) TERMINATION OF FEDERAL ASSISTANCE.—If, based on a review under paragraph (1), the Secretary determines that the borrower is able to obtain a loan from a non-Federal source at reasonable rates and terms, the borrower shall, on request by the Secretary, apply for, and accept, a non-Federal loan in a sufficient amount to repay the Secretary.

“SEC. 3304. PRODUCTION LOSSES.

“(a) IN GENERAL.—The Secretary shall make or guarantee a loan under this chapter to an eligible farmer for production losses if a single enterprise that constitutes a basic part of the farming operation of the farmer has sustained at least a 30 percent loss in normal per acre or per animal production, or such lesser percentage as the Secretary may determine, as a result of a disaster.

“(b) BASIS FOR PERCENTAGE.—A percentage loss under subsection (a) shall be based on the average monthly price in effect for the

previous crop or calendar year, as appropriate.

“(c) AMOUNT OF LOAN.—A loan under subsection (a) shall be in an amount that is equal to 80 percent, or such greater percentage as the Secretary may determine, of the total calculated actual production loss sustained by the farmer.

“CHAPTER 4—GENERAL FARMER LOAN PROVISIONS

“SEC. 3401. AGRICULTURAL CREDIT INSURANCE FUND.

“The fund established pursuant to section 11(a) of the Bankhead-Jones Farm Tenant Act (60 Stat. 1075, chapter 964) shall be known as the Agricultural Credit Insurance Fund (referred to in this section as the ‘Fund’, unless the context otherwise requires) for the discharge of the obligations of the Secretary under agreements insuring loans under this subtitle and loans and mortgages insured under prior authority.

“SEC. 3402. GUARANTEED FARMER LOANS.

“(a) IN GENERAL.—The Secretary may provide financial assistance to a borrower for a purpose provided in this subtitle by guaranteeing a loan made by any Federal or State chartered bank, savings and loan association, cooperative lending agency, or other legally organized lending agency.

“(b) INTEREST RATE.—The interest rate payable by a borrower on the portion of a guaranteed loan that is sold by a lender to the secondary market under this subtitle may be lower than the interest rate charged on the portion retained by the lender, but shall not exceed the average interest rate charged by the lender on loans made to farm borrowers.

“(c) FEES.—In the case of a loan guarantee on a loan made by a commercial or cooperative lender related to a loan made by the Secretary under section 3107—

“(1) the Secretary shall not charge a fee to any person (including a lender); and

“(2) a lender may charge a loan origination and servicing fee in an amount not to exceed 1 percent of the amount of the loan.

“(d) MAXIMUM GUARANTEE OF 90 PERCENT.—Except as provided in subsections (e) and (f), a loan guarantee under this subtitle shall be for not more than 90 percent of the principal and interest due on the loan.

“(e) REFINANCED LOANS GUARANTEED AT 95 PERCENT.—The Secretary shall guarantee 95 percent of—

“(1) in the case of a loan that solely refinances a direct loan made under this subtitle, the principal and interest due on the loan on the date of the refinancing; or

“(2) in the case of a loan that is used for multiple purposes, the portion of the loan that refinances the principal and interest due on a direct loan made under this subtitle that is outstanding on the date the loan is guaranteed.

“(f) BEGINNING FARMER LOANS GUARANTEED UP TO 95 PERCENT.—The Secretary may guarantee not more than 95 percent of—

“(1) a farm ownership loan for acquiring a farm to a borrower who is participating in the downpayment loan program under section 3107; or

“(2) an operating loan to a borrower who is participating in the downpayment loan program under section 3107 that is made during the period that the borrower has a direct loan outstanding under chapter 1 for acquiring a farm.

“(g) GUARANTEE OF LOANS MADE UNDER STATE BEGINNING FARMER PROGRAMS.—The Secretary may guarantee under this subtitle a loan made under a State beginning farmer program, including a loan financed by the

net proceeds of a qualified small issue agricultural bond for land or property described in section 144(a)(12)(B)(ii) of the Internal Revenue Code of 1986.

“SEC. 3403. PROVISION OF INFORMATION TO BORROWERS.

“(a) APPROVAL NOTIFICATION.—The Secretary shall approve or disapprove an application for a loan or loan guarantee made under this subtitle, and notify the applicant of such action, not later than 60 days after the date on which the Secretary has received a complete application for the loan or loan guarantee.

“(b) LIST OF LENDERS.—The Secretary shall make available to any farmer, on request, a list of lenders in the area that participate in guaranteed farmer program loan programs established under this subtitle, and other lenders in the area that express a desire to participate in the programs and that request inclusion on the list.

“(c) OTHER INFORMATION.—

“(1) IN GENERAL.—On the request of a borrower, the Secretary shall make available to the borrower—

“(A) a copy of each document signed by the borrower;

“(B) a copy of each appraisal performed with respect to the loan; and

“(C) any document that the Secretary is required to provide to the borrower under any law in effect on the date of the request.

“(2) RULE OF CONSTRUCTION.—Paragraph (1) shall not supersede any duty imposed on the Secretary by a law in effect on January 5, 1988, unless the duty directly conflicts with a duty under paragraph (1).

“SEC. 3404. NOTICE OF LOAN SERVICE PROGRAMS.

“(a) REQUIREMENT.—The Secretary shall provide notice by certified mail to each borrower who is at least 90 days past due on the payment of principal or interest on a loan made under this subtitle.

“(b) CONTENTS.—The notice required under subsection (a) shall—

“(1) include a summary of all primary loan service programs, homestead retention programs, debt settlement programs, and appeal procedures, including the eligibility criteria, and terms and conditions of the programs and procedures;

“(2) include a summary of the manner in which the borrower may apply, and be considered, for all such programs, except that the Secretary shall not require the borrower to select among the programs or waive any right to be considered for any program carried out by the Secretary;

“(3) advise the borrower regarding all filing requirements and any deadlines that must be met for requesting loan servicing;

“(4) provide any relevant forms, including applicable response forms;

“(5) advise the borrower that a copy of regulations is available on request; and

“(6) be designed to be readable and understandable by the borrower.

“(c) CONTAINED IN REGULATIONS.—All notices required by this section shall be contained in the regulations issued to carry out this title.

“(d) TIMING.—The notice described in subsection (b) shall be provided—

“(1) at the time an application is made for participation in a loan service program;

“(2) on written request of the borrower; and

“(3) before the earliest of the date of—

“(A) initiating any liquidation;

“(B) requesting the conveyance of security property;

“(C) accelerating the loan;

“(D) repossessing property;

“(E) foreclosing on property; or

“(F) taking any other collection action.

“(e) CONSIDERATION OF BORROWERS FOR LOAN SERVICE PROGRAMS.—

“(1) IN GENERAL.—The Secretary shall consider a farmer program loan borrower for all loan service programs if, not later than 60 days after receipt of the notice described in subsection (b), the borrower requests the consideration in writing.

“(2) PRIORITY.—In considering a borrower for a loan service program, the Secretary shall place the highest priority on the preservation of the farming operations of the borrower.

“SEC. 3405. PLANTING AND PRODUCTION HISTORY GUIDELINES.

“(a) IN GENERAL.—The Secretary shall ensure that appropriate procedures, including, to the extent practicable, onsite inspections, or use of county or State yield averages, are used in calculating future yields for an applicant for a loan, when an accurate projection cannot be made because the past production history of the farmer has been affected by a natural or major disaster or emergency.

“(b) CALCULATION OF YIELDS.—

“(1) IN GENERAL.—For the purpose of averaging the past yields of the farm of a farmer over a period of crop years to calculate the future yield of the farm under this title, the Secretary shall permit the farmer to exclude the crop year with the lowest actual or county average yield for the farm from the calculation, if the farmer was affected by a natural or major disaster or emergency during at least 2 of the crop years during the period.

“(2) AFFECTED BY A NATURAL OR MAJOR DISASTER OR EMERGENCY.—A farmer was affected by a natural or major disaster or emergency under paragraph (1) if the Secretary finds that the farming operations of the farmer have been substantially affected by a natural or major disaster or emergency, including a farmer who has a qualifying loss but is not located in a designated or declared disaster area.

“(3) APPLICATION OF SUBSECTION.—This subsection shall apply to any action taken by the Secretary that involves—

“(A) a loan under chapter 1 or 2; and

“(B) the yield of a farm of a farmer, including making a loan or loan guarantee, servicing a loan, or making a credit sale.

“SEC. 3406. SPECIAL CONDITIONS AND LIMITATIONS ON LOANS.

“(a) APPLICANT REQUIREMENTS.—In connection with a loan made or guaranteed under this subtitle, the Secretary shall require—

“(1) the applicant—

“(A) to certify in writing that, and the Secretary shall determine whether, the applicant is unable to obtain credit elsewhere; and

“(B) to furnish an appropriate written financial statement;

“(2) except for a guaranteed loan, an agreement by the borrower that if at any time it appears to the Secretary that the borrower may be able to obtain a loan from a production credit association, a Federal land bank, or other responsible cooperative or private credit source (or, in the case of a borrower under section 3106, the borrower may be able to obtain a loan under section 3101), at reasonable rates and terms for loans for similar purposes and periods of time, the borrower will, on request by the Secretary, apply for and accept the loan in a sufficient amount to repay the Secretary or the insured lender, or both, and to pay for any stock necessary to be purchased in a cooperative lending agency in connection with the loan;

“(3) such provision for supervision of the operations of the borrower as the Secretary shall consider necessary to achieve the objectives of the loan and protect the interests of the United States; and

“(4) the application of a person who is a veteran for a loan under chapter 1 or 2 to be given preference over a similar application from a person who is not a veteran if the applications are on file in a county or area office at the same time.

“(b) AGENCY PROCESSING REQUIREMENTS.—

“(1) NOTIFICATIONS.—

“(A) INCOMPLETE APPLICATION NOTIFICATION.—If an application for a loan or loan guarantee under this subtitle (other than an operating loan or loan guarantee) is incomplete, the Secretary shall inform the applicant of the reasons the application is incomplete not later than 20 days after the date on which the Secretary has received the application.

“(B) OPERATING LOANS.—

“(i) ADDITIONAL INFORMATION NEEDED.—Not later than 10 calendar days after the date the Secretary receives an application for an operating loan or loan guarantee, the Secretary shall notify the applicant of any information required before a decision may be made on the application.

“(ii) INFORMATION NOT RECEIVED.—If, not later than 20 calendar days after the date a request is made pursuant to clause (i) with respect to an application, the Secretary has not received the information requested, the Secretary shall notify the applicant and the district office of the Farm Service Agency, in writing, of the outstanding information.

“(C) REQUEST INFORMATION.—

“(i) IN GENERAL.—On receipt of an application, the Secretary shall request from other parties such information as may be needed in connection with the application.

“(ii) INFORMATION FROM AN AGENCY OF THE DEPARTMENT.—Not later than 15 calendar days after the date on which an agency of the Department receives a request for information made pursuant to subparagraph (A), the agency shall provide the Secretary with the requested information.

“(2) REPORT OF PENDING APPLICATIONS.—

“(A) IN GENERAL.—A county office shall notify the district office of the Farm Service Agency of each application for an operating loan or loan guarantee that is pending more than 45 days after receipt, and the reasons for which the application is pending.

“(B) ACTION ON PENDING APPLICATIONS.—A district office that receives a notice provided under subparagraph (A) with respect to an application shall immediately take steps to ensure that final action is taken on the application not later than 15 days after the date of the receipt of the notice.

“(C) PENDING APPLICATION REPORT.—The district office shall report to the State office of the Farm Service Agency on each application for an operating loan or loan guarantee that is pending more than 45 days after receipt, and the reasons for which the application is pending.

“(D) REPORT TO CONGRESS.—Each month, the Secretary shall notify the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, on a State-by-State basis, as to each application for an operating loan or loan guarantee on which final action had not been taken within 60 calendar days after receipt by the Secretary, and the reasons for which final action had not been taken.

“(3) DISAPPROVALS.—

“(A) IN GENERAL.—If an application for a loan or loan guarantee under this subtitle is

disapproved by the Secretary, the Secretary shall state the reasons for the disapproval in the notice required under paragraph (1).

“(B) DISAPPROVAL DUE TO LACK OF FUNDS.—

“(i) IN GENERAL.—Notwithstanding paragraph (1), each application for a loan or loan guarantee under section 3601(e), or for a loan under section 3501(a) or 3502(a), that is to be disapproved by the Secretary solely because the Secretary lacks the funds necessary to make the loan or guarantee shall not be disapproved but shall be placed in pending status.

“(ii) RECONSIDERATION.—The Secretary shall retain each pending application and reconsider the application beginning on the date that sufficient funds become available.

“(iii) NOTIFICATION.—Not later than 60 days after funds become available regarding each pending application, the Secretary shall notify the applicant of the approval or disapproval of funding for the application.

“(4) APPROVALS ON APPEAL.—If an application for a loan or loan guarantee under this subtitle is disapproved by the Secretary, but that action is subsequently reversed or revised as the result of an appeal within the Department or to the courts of the United States and the application is returned to the Secretary for further consideration, the Secretary shall act on the application and provide the applicant with notice of the action not later than 15 days after the date of return of the application to the Secretary.

“(5) PROVISION OF PROCEEDS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), if an application for an insured loan under this title is approved by the Secretary, the Secretary shall provide the loan proceeds to the applicant not later than 15 days (or such longer period as the applicant may approve) after the application for the loan is approved by the Secretary.

“(B) LACK OF FUNDS.—If the Secretary is unable to provide the loan proceeds to the applicant during the 15-day period described in subparagraph (A) because sufficient funds are not available to the Secretary for that purpose, the Secretary shall provide the loan proceeds to the applicant as soon as practicable (but in no event later than 15 days unless the applicant agrees to a longer period) after sufficient funds for that purpose become available to the Secretary.

“SEC. 3407. GRADUATION OF BORROWERS.

“(a) GRADUATION OF SEASONED DIRECT LOAN BORROWERS TO THE LOAN GUARANTEE PROGRAM.—

“(1) REVIEW OF LOANS.—

“(A) IN GENERAL.—The Secretary, or a contracting third party, shall annually review under section 3420 the loans of each seasoned direct loan borrower.

“(B) ASSISTANCE.—If, based on the review, it is determined that a borrower would be able to obtain a loan, guaranteed by the Secretary, from a commercial or cooperative lender at reasonable rates and terms for loans for similar purposes and periods of time, the Secretary shall assist the borrower in applying for the commercial or cooperative loan.

“(2) PROSPECTUS.—

“(A) IN GENERAL.—In accordance with section 3422, the Secretary shall prepare a prospectus on each seasoned direct loan borrower determined eligible to obtain a guaranteed loan.

“(B) REQUIREMENTS.—The prospectus shall contain a description of the amounts of the loan guarantee and interest assistance that the Secretary will provide to the seasoned direct loan borrower to enable the seasoned direct loan borrower to carry out a finan-

cially viable farming plan if a guaranteed loan is made.

“(3) VERIFICATION.—

“(A) IN GENERAL.—The Secretary shall provide a prospectus of a seasoned direct loan borrower to each approved lender whose lending area includes the location of the seasoned direct loan borrower.

“(B) NOTIFICATION.—The Secretary shall notify each borrower of a loan that a prospectus has been provided to a lender under subparagraph (A).

“(C) CREDIT EXTENDED.—If the Secretary receives an offer from an approved lender to extend credit to the seasoned direct loan borrower under terms and conditions contained in the prospectus, the seasoned direct loan borrower shall not be eligible for a loan from the Secretary under chapter 1 or 2, except as otherwise provided in this section.

“(4) INSUFFICIENT ASSISTANCE OR OFFERS.—If the Secretary is unable to provide loan guarantees and, if necessary, interest assistance to the seasoned direct loan borrower under this section in amounts sufficient to enable the seasoned direct loan borrower to borrow from commercial sources the amount required to carry out a financially viable farming plan, or if the Secretary does not receive an offer from an approved lender to extend credit to a seasoned direct loan borrower under the terms and conditions contained in the prospectus, the Secretary shall make a loan to the seasoned direct loan borrower under chapter 1 or 2, whichever is applicable.

“(5) INTEREST RATE REDUCTIONS.—To the extent necessary for the borrower to obtain a loan, guaranteed by the Secretary, from a commercial or cooperative lender, the Secretary shall provide interest rate reductions as provided for under section 3413.

“(b) TRANSITION TO PRIVATE COMMERCIAL OR OTHER SOURCES OF CREDIT.—

“(1) IN GENERAL.—In making an operating or ownership loan, the Secretary shall establish a plan and promulgate regulations (including performance criteria) that promote the goal of transitioning borrowers to private commercial credit and other sources of credit in the shortest period of time practicable.

“(2) COORDINATION.—In carrying out this section, the Secretary shall integrate and coordinate the transition policy described in subsection (a) with—

“(A) the borrower training program established by section 3419;

“(B) the loan assessment process established by section 3420;

“(C) the supervised credit requirement established by section 3421;

“(D) the market placement program established by section 3422; and

“(E) other appropriate programs and authorities, as determined by the Secretary.

“(c) GRADUATION OF BORROWERS WITH OPERATING LOANS OR GUARANTEES TO PRIVATE COMMERCIAL CREDIT.—The Secretary shall establish a plan, in coordination with activities under sections 3419 through 3422, to encourage each borrower with an outstanding loan under this chapter, or with respect to whom there is an outstanding guarantee under this chapter, to graduate to private commercial or other sources of credit.

“SEC. 3408. DEBT ADJUSTMENT AND CREDIT COUNSELING.

“In carrying out this subtitle, the Secretary may—

“(1) provide voluntary debt adjustment assistance between—

“(A) farmers; and

“(B) the creditors of the farmers;

“(2) cooperate with State, territorial, and local agencies and committees engaged in the debt adjustment; and

“(3) give credit counseling.

“SEC. 3409. SECURITY SERVICING.

“(a) SALE OF PROPERTY.—

“(1) IN GENERAL.—Subject to this subsection and subsection (e)(1), the Secretary shall offer to sell real property that is acquired by the Secretary under this subtitle using the following order and method of sale:

“(A) ADVERTISEMENT.—Not later than 15 days after acquiring real property, the Secretary shall publicly advertise the property for sale.

“(B) QUALIFIED BEGINNING FARMER.—

“(i) IN GENERAL.—Not later than 75 days after acquiring real property, the Secretary shall offer to sell the property to a qualified beginning farmer or a socially disadvantaged farmer at current market value based on a current appraisal.

“(ii) RANDOM SELECTION.—If more than 1 qualified beginning farmer or socially disadvantaged farmer offers to purchase the property, the Secretary shall select between the qualified applicants on a random basis.

“(iii) APPEAL OF RANDOM SELECTION.—A random selection or denial by the Secretary of a qualified beginning farmer or a socially disadvantaged farmer for farm inventory property under this subparagraph shall be final and not administratively appealable.

“(C) PUBLIC SALE.—If no acceptable offer is received from a qualified beginning farmer or a socially disadvantaged farmer under subparagraph (B) not later than 135 days after acquiring the real property, the Secretary shall, not later than 30 days after the 135-day period, sell the property after public notice at a public sale, and, if no acceptable bid is received, by negotiated sale, at the best price obtainable.

“(2) INTEREST.—

“(A) IN GENERAL.—Subject to subparagraph (B), any conveyance of real property under this subsection shall include all of the interest of the United States in the property, including mineral rights.

“(B) CONSERVATION.—The Secretary may for conservation purposes grant or sell an easement, restriction, development right, or similar legal right to real property to a State, a political subdivision of a State, or a private nonprofit organization separately from the underlying fee or other rights to the property owned by the United States.

“(3) OTHER LAW.—Subtitle I of title 40, United States Code, and title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.) shall not apply to any exercise of authority under this subtitle.

“(4) LEASE OF PROPERTY.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Secretary may not lease any real property acquired under this subtitle.

“(B) EXCEPTION.—

“(i) QUALIFIED BEGINNING FARMER OR SOCIALLY DISADVANTAGED FARMER.—The Secretary may lease or contract to sell to a qualified beginning farmer or a socially disadvantaged farmer a farm acquired by the Secretary under this subtitle if the qualified beginning farmer qualifies for a credit sale or direct farm ownership loan under chapter 1 but credit sale authority for loans or direct farm ownership loan funds, respectively, are not available.

“(ii) TERM.—The term of a lease or contract to sell to a qualified beginning farmer or a socially disadvantaged farmer under clause (i) shall be until the earlier of—

“(I) the date that is 18 months after the date of the lease or sale; or

“(II) the date that direct farm ownership loan funds or credit sale authority for loans becomes available to the qualified beginning farmer or socially disadvantaged farmer.

“(iii) INCOME-PRODUCING CAPABILITY.—In determining the rental rate on real property leased under this subparagraph, the Secretary shall consider the income-producing capability of the property during the term that the property is leased.

“(5) EXPEDITED DETERMINATION.—

“(A) IN GENERAL.—On the request of an applicant, not later than 30 days after denial of the application, the appropriate State director shall provide an expedited review and determination of whether the applicant is a qualified beginning farmer or a socially disadvantaged farmer for the purpose of acquiring farm inventory property.

“(B) APPEAL.—The determination of a State Director under subparagraph (A) shall be final and not administratively appealable.

“(C) EFFECTS OF DETERMINATIONS.—

“(i) IN GENERAL.—The Secretary shall maintain statistical data on the number and results of determinations made under subparagraph (A) and the effect of the determinations on—

“(I) selling farm inventory property to qualified beginning farmers or socially disadvantaged farmers; and

“(II) disposing of real property in inventory.

“(ii) NOTIFICATION.—The Secretary shall notify the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate if the Secretary determines that the review process under subparagraph (A) is adversely affecting the selling of farm inventory property to qualified beginning farmers or socially disadvantaged farmers or the disposing of real property in inventory.

“(b) ROAD AND UTILITY EASEMENTS AND CONDEMNATIONS.—In the case of any real property administered under this subtitle, the Secretary may grant or sell easements or rights-of-way for roads, utilities, and other appurtenances that are not inconsistent with the public interest.

“(c) SALE OR LEASE OF FARMLAND.—

“(1) DISPOSITION OF REAL PROPERTY ON INDIAN RESERVATIONS.—

“(A) DEFINITION OF INDIAN RESERVATION.—In this paragraph, the term ‘Indian reservation’ means—

“(i) all land located within the limits of any Indian reservation under the jurisdiction of the United States, notwithstanding the issuance of any patent, and, including any right-of-way running through the reservation;

“(ii) trust or restricted land located within the boundaries of a former reservation of an Indian tribe in the State of Oklahoma; or

“(iii) all Indian allotments the Indian titles to which have not been extinguished if the allotments are subject to the jurisdiction of an Indian tribe.

“(B) DISPOSITION.—Except as provided in paragraph (3), the Secretary shall dispose of or administer the property as provided in this paragraph when—

“(i) the Secretary acquires property under this subtitle that is located within an Indian reservation; and

“(ii) the borrower-owner is the Indian tribe that has jurisdiction over the reservation in which the real property is located or the borrower-owner is a member of the Indian tribe;

“(C) PRIORITY.—Not later than 90 days after acquiring the property, the Secretary

shall afford an opportunity to purchase or lease the real property in accordance with the order of priority established under subparagraph (D) to the Indian tribe having jurisdiction over the Indian reservation within which the real property is located or, if no order of priority is established by the Indian tribe under subparagraph (D), in the following order:

“(i) An Indian member of the Indian tribe that has jurisdiction over the reservation within which the real property is located.

“(ii) An Indian corporate entity.

“(iii) The Indian tribe.

“(D) REVISION OF PRIORITY AND RESTRICTION OF ELIGIBILITY.—The governing body of any Indian tribe having jurisdiction over an Indian reservation may revise the order of priority provided in subparagraph (C) under which land located within the reservation shall be offered for purchase or lease by the Secretary under subparagraph (C) and may restrict the eligibility for the purchase or lease to—

“(i) persons who are members of the Indian tribe;

“(ii) Indian corporate entities that are authorized by the Indian tribe to lease or purchase land within the boundaries of the reservation; or

“(iii) the Indian tribe itself.

“(E) TRANSFER OF PROPERTY TO SECRETARY OF THE INTERIOR.—

“(i) IN GENERAL.—If real property described in subparagraph (B) is not purchased or leased under subparagraph (C) and the Indian tribe having jurisdiction over the reservation within which the real property is located is unable to purchase or lease the real property, the Secretary shall transfer the real property to the Secretary of the Interior who shall administer the real property as if the real property were held in trust by the United States for the benefit of the Indian tribe.

“(ii) USE OF RENTAL INCOME.—From the rental income derived from the lease of the transferred real property, and all other income generated from the transferred real property, the Secretary of the Interior shall pay the State, county, municipal, or other local taxes to which the transferred real property was subject at the time of acquisition by the Secretary, until the earlier of—

“(I) the expiration of the 4-year period beginning on the date on which the real property is so transferred; or

“(II) such time as the land is transferred into trust pursuant to subparagraph (H).

“(F) RESPONSIBILITIES OF SECRETARIES.—If any real property is transferred to the Secretary of the Interior under subparagraph (E)—

“(i) the Secretary of Agriculture shall have no further responsibility under this title for—

“(I) collection of any amounts with regard to the farm program loan that had been secured by the real property;

“(II) any lien arising out of the loan transaction; or

“(III) repayment of any amount with regard to the loan transaction or lien to the Treasury of the United States; and

“(ii) the Secretary of the Interior shall succeed to all right, title, and interest of the Secretary of Agriculture in the real estate arising from the farm program loan transaction, including the obligation to remit to the Treasury of the United States, in repayment of the original loan, the amounts provided in subparagraph (G).

“(G) USE OF INCOME.—After the payment of any taxes that are required to be paid under

subparagraph (E)(ii), all remaining rental income derived from the lease of the real property transferred to the Secretary of the Interior under subparagraph (E)(i), and all other income generated from the real property transferred to the Secretary of the Interior under that subparagraph, shall be deposited as miscellaneous receipts in the Treasury of the United States until the amount deposited is equal to the lesser of—

“(i) the amount of the outstanding lien of the United States against the real property, as of the date the real property was acquired by the Secretary;

“(ii) the fair market value of the real property, as of the date of the transfer to the Secretary of the Interior; or

“(iii) the capitalized value of the real property, as of the date of the transfer to the Secretary of the Interior.

“(H) HOLDING OF TITLE IN TRUST.—If the total amount that is required to be deposited under subparagraph (G) with respect to any real property has been deposited into the Treasury of the United States, title to the real property shall be held in trust by the United States for the benefit of the Indian tribe having jurisdiction over the Indian reservation within which the real property is located.

“(I) PAYMENT OF REMAINING LIEN OR FAIR MARKET VALUE OF PROPERTY.—

“(i) IN GENERAL.—Notwithstanding any other subparagraph of this paragraph, the Indian tribe having jurisdiction over the Indian reservation within which the real property described in subparagraph (B) is located may, at any time after the real property has been transferred to the Secretary of the Interior under subparagraph (E), offer to pay the remaining amount on the lien or the fair market value of the real property, whichever is less.

“(ii) EFFECT OF PAYMENT.—On payment of the amount, title to the real property shall be held by the United States in trust for the tribe and the trust or restricted land that has been acquired by the Secretary under foreclosure or voluntary transfer under a loan made or insured under this subtitle and transferred to an Indian person, entity, or tribe under this paragraph shall be considered to have never lost trust or restricted status.

“(J) APPLICABILITY.—

“(i) IN GENERAL.—This paragraph shall apply to all land in the land inventory established under this subtitle (as of November 28, 1990) that was (immediately prior to the date) owned by an Indian borrower-owner described in subparagraph (B) and that is situated within an Indian reservation, regardless of the date of foreclosure or acquisition by the Secretary.

“(ii) OPPORTUNITY TO PURCHASE OR LEASE.—The Secretary shall afford an opportunity to an Indian person, entity, or tribe to purchase or lease the real property as provided in subparagraph (C).

“(iii) TRANSFER.—If the right is not exercised or no expression of intent to exercise the right is received within 180 days after November 28, 1990, the Secretary shall transfer the real property to the Secretary of the Interior as provided in subparagraph (E).

“(2) ADDITIONAL RIGHTS.—The rights provided in this subsection shall be in addition to any right of first refusal under the law of the State in which the property is located.

“(3) DISPOSITION OF REAL PROPERTY ON INDIAN RESERVATIONS AFTER PROCEDURES EXHAUSTED.—

“(A) IN GENERAL.—The Secretary shall dispose of or administer real property described

in paragraph (1)(B) only as provided in paragraph (1), as modified by this paragraph, if—

“(i) the real property described in paragraph (1)(B) is located within an Indian reservation;

“(ii) the borrower-owner is an Indian tribe that has jurisdiction over the reservation in which the real property is located or the borrower-owner is a member of an Indian tribe;

“(iii) the borrower-owner has obtained a loan made or guaranteed under this title; and

“(iv) the borrower-owner and the Secretary have exhausted all of the procedures provided for in this title to permit a borrower-owner to retain title to the real property, so that it is necessary for the borrower-owner to relinquish title.

“(B) NOTICE OF RIGHT TO CONVEY PROPERTY.—The Secretary shall provide the borrower-owner of real property that is described in subparagraph (A) with written notice of—

“(i) the right of the borrower-owner to voluntarily convey the real property to the Secretary; and

“(ii) the fact that real property so conveyed will be placed in the inventory of the Secretary.

“(C) NOTICE OF RIGHTS AND PROTECTIONS.—The Secretary shall provide the borrower-owner of the real property with written notice of the rights and protections provided under this title to the borrower-owner, and the Indian tribe that has jurisdiction over the reservation in which the real property is located, from foreclosure or liquidation of the real property, including written notice—

“(i) of paragraph (1), this paragraph, and subsection (e)(3);

“(ii) if the borrower-owner does not voluntarily convey the real property to the Secretary, that—

“(I) the Secretary may foreclose on the property;

“(II) in the event of foreclosure, the property will be offered for sale;

“(III) the Secretary shall offer a bid for the property that is equal to the fair market value of the property or the outstanding principal and interest of the loan, whichever is higher;

“(IV) the property may be purchased by another party; and

“(V) if the property is purchased by another party, the property will not be placed in the inventory of the Secretary and the borrower-owner will forfeit the rights and protections provided under this title; and

“(iii) of the opportunity of the borrower-owner to consult with the Indian tribe that has jurisdiction over the reservation in which the real property is located or counsel to determine if State or tribal law provides rights and protections that are more beneficial than the rights and protections provided the borrower-owner under this title.

“(D) ACCEPTANCE OF VOLUNTARY CONVEYANCE.—

“(i) IN GENERAL.—Except as provided in clause (ii), the Secretary shall accept the voluntary conveyance of real property described in subparagraph (A).

“(ii) HAZARDOUS SUBSTANCES.—If a hazardous substance (as defined in section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601(14))) is located on the property and the Secretary takes remedial action to protect human health or the environment if the property is taken into inventory, the Secretary shall accept the voluntary conveyance of the property only if the Secretary determines that the convey-

ance is in the best interests of the Federal Government.

“(E) FORECLOSURE PROCEDURES.—

“(i) NOTICE TO BORROWER.—If an Indian borrower-owner does not voluntarily convey to the Secretary real property described in subparagraph (A), not less than 30 days before a foreclosure sale of the property, the Secretary shall provide the Indian borrower-owner with the option of—

“(I) requiring the Secretary to assign the loan and security instruments to the Secretary of the Interior, if the Secretary of the Interior agrees to an assignment releasing the Secretary of Agriculture from all further responsibility for collection of any amounts with regard to the loan secured by the real property; or

“(II) requiring the Secretary to assign the loan and security instruments to the tribe having jurisdiction over the reservation in which the real property is located, if the tribe agrees to assume the loan under the terms specified in clause (iii).

“(ii) NOTICE TO TRIBE.—If an Indian borrower-owner does not voluntarily convey to the Secretary real property described in subparagraph (A), not less than 30 days before a foreclosure sale of the property, the Secretary shall provide written notice to the Indian tribe that has jurisdiction over the reservation in which the real property is located of—

“(I) the sale;

“(II) the fair market value of the property; and

“(III) the requirements of this paragraph.

“(iii) ASSUMED LOANS.—If an Indian tribe assumes a loan under clause (i)—

“(I) the Secretary shall not foreclose the loan because of any default that occurred prior to the date of the assumption;

“(II) the loan shall be for the lesser of the outstanding principal and interest of the loan or the fair market value of the property; and

“(III) the loan shall be treated as though the loan was made under Public Law 91-229 (25 U.S.C. 488 et seq.).

“(F) AMOUNT OF BID BY SECRETARY.—

“(i) IN GENERAL.—Except as provided in clause (ii), at a foreclosure sale of real property described in subparagraph (A), the Secretary shall offer a bid for the property that is equal to the higher of—

“(I) the fair market value of the property; or

“(II) the outstanding principal and interest on the loan.

“(ii) HAZARDOUS SUBSTANCES.—If a hazardous substance (as defined in section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601(14))) is located on the property and the Secretary takes remedial action to protect human health or the environment if the property is taken into inventory, clause (i) shall apply only if the Secretary determines that bidding is in the best interests of the Federal Government.

“(4) DETRIMENTAL EFFECT ON VALUE OF AREA FARMLAND.—The Secretary shall not offer for sale or sell any farmland referred to in paragraphs (1) through (3) if placing the farmland on the market will have a detrimental effect on the value of farmland in the area.

“(5) INSTALLMENT SALES AND MULTIPLE OPERATORS.—

“(A) IN GENERAL.—The Secretary may sell farmland administered under this title through an installment sale or similar device that contains such terms as the Secretary considers necessary to protect the investment of the Federal Government in the land.

“(B) SALE OF CONTRACT.—The Secretary may subsequently sell any contract entered into to carry out subparagraph (A).

“(6) HIGHLY ERODIBLE LAND.—In the case of farmland administered under this title that is highly erodible land (as defined in section 1201 of the Food Security Act of 1985 (16 U.S.C. 3801)), the Secretary may require the use of specified conservation practices on the land as a condition of the sale or lease of the land.

“(7) NO EFFECT ON ACREAGE ALLOTMENTS, MARKETING QUOTAS, OR ACREAGE BASES.—Notwithstanding any other law, compliance by the Secretary with this subsection shall not cause any acreage allotment, marketing quota, or acreage base assigned to the property to lapse, terminate, be reduced, or otherwise be adversely affected.

“(8) NO PREEMPTION OF STATE LAW.—If a conflict exists between any provision of this subsection and any provision of the law of any State providing a right of first refusal to the owner of farmland or the operator of a farm before the sale or lease of land to any other person, the provision of State law shall prevail.

“(d) RELEASE OF NORMAL INCOME SECURITY.—

“(1) DEFINITION OF NORMAL INCOME SECURITY.—In this subsection:

“(A) IN GENERAL.—Except as provided in subparagraph (B), the term ‘normal income security’ means all security not considered basic security, including crops, livestock, poultry products, Farm Service Agency payments and Commodity Credit Corporation payments, and other property covered by Farm Service Agency liens that is sold in conjunction with the operation of a farm or other business.

“(B) EXCEPTIONS.—The term ‘normal income security’ does not include any equipment (including fixtures in States that have adopted the Uniform Commercial Code), or foundation herd or flock, that is—

“(i) the basis of the farming or other operation; and

“(ii) the basic security for a farmer program loan.

“(2) GENERAL RELEASE.—The Secretary shall release from the normal income security provided for a loan an amount sufficient to pay for the essential household and farm operating expenses of the borrower, until such time as the Secretary accelerates the loan.

“(3) NOTICE OF REPORTING REQUIREMENTS AND RIGHTS.—If a borrower is required to plan for or to report as to how proceeds from the sale of collateral property will be used, the Secretary shall notify the borrower of—

“(A) the requirement; and

“(B) the right to the release of funds under this subsection and the means by which a request for the funds may be made.

“(e) EASEMENTS ON INVENTORIED PROPERTY.—

“(1) IN GENERAL.—Subject to paragraph (2), in the disposal of real property under this section, the Secretary shall establish perpetual wetland conservation easements to protect and restore wetland or converted wetland that exists on inventoried property.

“(2) LIMITATION.—The Secretary shall not establish a wetland conservation easement on an inventoried property that—

“(A) was cropland on the date the property entered the inventory of the Secretary; or

“(B) was used for farming at any time during the period—

“(i) beginning on the date that is 5 years before the property entered the inventory of the Secretary; and

“(ii) ending on the date on which the property entered the inventory of the Secretary.

“(3) NOTIFICATION.—The Secretary shall provide prior written notification to a borrower considering homestead retention that a wetland conservation easement may be placed on land for which the borrower is negotiating a lease option.

“(4) APPRAISED VALUE.—The appraised value of the farm shall reflect the value of the land due to the placement of wetland conservation easements.

“SEC. 3410. CONTRACTS ON LOAN SECURITY PROPERTIES.

“(a) CONTRACTS ON LOAN SECURITY PROPERTIES.—Subject to subsection (b), the Secretary may enter into a contract related to real property for conservation, recreation, or wildlife purposes.

“(b) LIMITATIONS.—The Secretary may enter into a contract under subsection (a) if—

“(1) the property is wetland, upland, or highly erodible land;

“(2) the property is determined by the Secretary to be suitable for the purpose involved; and

“(3)(A) the property secures a loan made under a law administered and held by the Secretary; and

“(B) the contract would better enable a qualified borrower to repay the loan in a timely manner, as determined by the Secretary.

“(c) TERMS AND CONDITIONS.—The terms and conditions specified in a contract under subsection (a) shall—

“(1) specify the purposes for which the real property may be used;

“(2) identify any conservation measure to be taken, and any recreational and wildlife use to be allowed, with respect to the real property; and

“(3) require the owner to permit the Secretary, and any person or governmental entity designated by the Secretary, to have access to the real property for the purpose of monitoring compliance with the contract.

“(d) REDUCTION OR FORGIVENESS OF DEBT.—

“(1) IN GENERAL.—Subject to this section, the Secretary may reduce or forgive the outstanding debt of a borrower—

“(A) in the case of a borrower to whom the Secretary has made an outstanding loan under a law administered by the Secretary, by canceling that part of the aggregate amount of the outstanding loan that bears the same ratio to the aggregate amount as—

“(i) the number of acres of the real property of the borrower that are subject to the contract; bears to

“(ii) the aggregate number of acres securing the loan; or

“(B) in any other case, by treating as prepaid that part of the principal amount of a new loan to the borrower issued and held by the Secretary under a law administered by the Secretary that bears the same ratio to the principal amount as—

“(i) the number of acres of the real property of the borrower that are subject to the contract; bears to

“(ii) the aggregate number of acres securing the new loan.

“(2) MAXIMUM CANCELED AMOUNT.—The amount canceled or treated as prepaid under paragraph (1) shall not exceed—

“(A) in the case of a delinquent loan, the greater of—

“(i) the value of the land on which the contract is entered into; or

“(ii) the difference between—

“(I) the amount of the outstanding loan secured by the land; and

“(II) the value of the land; or

“(B) in the case of a nondelinquent loan, 33 percent of the amount of the loan secured by the land.

“(e) CONSULTATION WITH FISH AND WILDLIFE SERVICE.—If the Secretary uses the authority provided by this section, the Secretary shall consult with the Director of the Fish and Wildlife Service for the purposes of—

“(1) selecting real property in which the Secretary may enter into a contract under this section;

“(2) formulating the terms and conditions of the contract; and

“(3) enforcing the contract.

“(f) ENFORCEMENT.—The Secretary, and any person or governmental entity designated by the Secretary, may enforce a contract entered into by the Secretary under this section.

“SEC. 3411. DEBT RESTRUCTURING AND LOAN SERVICING.

“(a) IN GENERAL.—The Secretary shall modify a delinquent farmer program loan made under this subtitle, or purchased from the lender or the Federal Deposit Insurance Corporation under section 3902, to the maximum extent practicable—

“(1) to avoid a loss to the Secretary on the loan, with priority consideration being placed on writing-down the loan principal and interest (subject to subsections (d) and (e)), and debt set-aside (subject to subsection (e)), to facilitate keeping the borrower on the farm, or otherwise through the use of primary loan service programs under this section; and

“(2) to ensure that a borrower is able to continue farming operations.

“(b) ELIGIBILITY.—To be eligible to obtain assistance under subsection (a)—

“(1) the delinquency shall be due to a circumstance beyond the control of the borrower, as defined in regulations issued by the Secretary, except that the regulations shall require that, if the value of the assets calculated under subsection (c)(2)(A)(ii) that may be realized through liquidation or other methods would produce enough income to make the delinquent loan current, the borrower shall not be eligible for assistance under subsection (a);

“(2) the borrower shall have acted in good faith with the Secretary in connection with the loan as defined in regulations issued by the Secretary;

“(3) the borrower shall present a preliminary plan to the Secretary that contains reasonable assumptions that demonstrate that the borrower will be able—

“(A) to meet the necessary family living and farm operating expenses of the borrower; and

“(B) to service all debts of the borrower, including restructured loans; and

“(4) the loan, if restructured, shall result in a net recovery to the Federal Government, during the term of the loan as restructured, that would be more than or equal to the net recovery to the Federal Government from an involuntary liquidation or foreclosure on the property securing the loan.

“(c) RESTRUCTURING DETERMINATIONS.—

“(1) DETERMINATION OF NET RECOVERY.—In determining the net recovery from the involuntary liquidation of a loan under this section, the Secretary shall calculate—

“(A) the recovery value of the collateral securing the loan, in accordance with paragraph (2); and

“(B) the value of the restructured loan, in accordance with paragraph (3).

“(2) RECOVERY VALUE.—For the purpose of paragraph (1), the recovery value of the collateral securing the loan shall be based on the difference between—

“(A)(i) the amount of the current appraised value of the interests of the borrower in the property securing the loan; and

“(ii) the value of the interests of the borrower in all other assets that are—

“(I) not essential for necessary family living expenses;

“(II) not essential to the operation of the farm; and

“(III) not exempt from judgment creditors or in a bankruptcy action under Federal or State law;

“(B) the estimated administrative, attorney, and other expenses associated with the liquidation and disposition of the loan and collateral, including—

“(i) the payment of prior liens;

“(ii) taxes and assessments, depreciation, management costs, the yearly percentage decrease or increase in the value of the property, and lost interest income, each calculated for the average holding period for the type of property involved;

“(iii) resale expenses, such as repairs, commissions, and advertising; and

“(iv) other administrative and attorney costs; and

“(C) the value, as determined by the Secretary, of any property not included in subparagraph (A)(i) if the property is specified in any security agreement with respect to the loan and the Secretary determines that the value of the property should be included for purposes of this section.

“(3) VALUE OF THE RESTRUCTURED LOAN.—

“(A) IN GENERAL.—For the purpose of paragraph (1), the value of the restructured loan shall be based on the present value of payments that the borrower would make to the Federal Government if the terms of the loan were modified under any combination of primary loan service programs to ensure that the borrower is able to meet the obligations and continue farming operations.

“(B) PRESENT VALUE.—For the purpose of calculating the present value referred to in subparagraph (A), the Secretary shall use a discount rate of not more than the current rate at the time of the calculation of 90-day Treasury bills.

“(C) CASH FLOW MARGIN.—For the purpose of assessing under subparagraph (A) the ability of a borrower to meet debt obligations and continue farming operations, the Secretary shall assume that the borrower needs up to 110 percent of the amount indicated for payment of farm operating expenses, debt service obligations, and family living expenses.

“(4) NOTIFICATION.—Not later than 90 days after receipt of a written request for restructuring from the borrower, the Secretary shall—

“(A) make the calculations specified in paragraphs (2) and (3);

“(B) notify the borrower in writing of the results of the calculations; and

“(C) provide documentation for the calculations.

“(5) RESTRUCTURING OF LOANS.—

“(A) IN GENERAL.—If the value of a restructured loan is greater than or equal to the recovery value of the collateral securing the loan, not later than 45 days after notifying the borrower under paragraph (4), the Secretary shall offer to restructure the loan obligations of the borrower under this subtitle through primary loan service programs that would enable the borrower to meet the obligations (as modified) under the loan and to

continue the farming operations of the borrower.

“(B) RESTRUCTURING.—If the borrower accepts an offer under subparagraph (A), not later than 45 days after receipt of notice of acceptance, the Secretary shall restructure the loan accordingly.

“(6) TERMINATION OF LOAN OBLIGATIONS.—The obligations of a borrower to the Secretary under a loan shall terminate if—

“(A) the borrower satisfies the requirements of paragraphs (1) and (2) of subsection (b);

“(B) the value of the restructured loan is less than the recovery value; and

“(C) not later than 90 days after receipt of the notification described in paragraph (4)(B), the borrower pays (or obtains third-party financing to pay) the Secretary an amount equal to the current market value.

“(7) NEGOTIATION OF APPRAISAL.—

“(A) IN GENERAL.—In making a determination concerning restructuring under this subsection, the Secretary, at the request of the borrower, shall enter into negotiations with the borrower concerning appraisals required under this subsection.

“(B) INDEPENDENT APPRAISAL.—

“(i) IN GENERAL.—If the borrower, based on a separate current appraisal, objects to the decision of the Secretary regarding an appraisal, the borrower and the Secretary shall mutually agree, to the extent practicable, on an independent appraiser who shall conduct another appraisal of the property of the borrower.

“(ii) VALUE OF FINAL APPRAISAL.—The average of the 2 appraisals under clause (i) that are closest in value shall become the final appraisal under this paragraph.

“(iii) COST OF APPRAISAL.—The borrower and the Secretary shall each pay ½ of the cost of any independent appraisal.

“(d) PRINCIPAL AND INTEREST WRITE-DOWN.—

“(1) IN GENERAL.—

“(A) PRIORITY CONSIDERATION.—In selecting the restructuring alternatives to be used in the case of a borrower who has requested restructuring under this section, the Secretary shall give priority consideration to the use of a principal and interest write-down if other creditors of the borrower (other than any creditor who is fully collateralized) representing a substantial portion of the total debt of the borrower held by the creditors of the borrower, agree to participate in the development of the restructuring plan or agree to participate in a State mediation program.

“(B) FAILURE OF CREDITORS TO AGREE.—Failure of creditors to agree to participate in the restructuring plan or mediation program shall not preclude the use of a principal and interest write-down by the Secretary if the Secretary determines that restructuring results in the least cost to the Secretary.

“(2) PARTICIPATION OF CREDITORS.—Before eliminating the option to use debt write-down in the case of a borrower, the Secretary shall make a reasonable effort to contact the creditors of the borrower, either directly or through the borrower, and encourage the creditors to participate with the Secretary in the development of a restructuring plan for the borrower.

“(e) SHARED APPRECIATION ARRANGEMENTS.—

“(1) IN GENERAL.—As a condition of restructuring a loan in accordance with this section, the borrower of the loan may be required to enter into a shared appreciation arrangement that requires the repayment of amounts written off or set aside.

“(2) TERMS.—A shared appreciation agreement shall—

“(A) have a term not to exceed 10 years; and

“(B) provide for recapture based on the difference between the appraised values of the real security property at the time of restructuring and at the time of recapture.

“(3) PERCENTAGE OF RECAPTURE.—The amount of the appreciation to be recaptured by the Secretary shall be—

“(A) 75 percent of the appreciation in the value of the real security property if the recapture occurs not later than 4 years after the date of restructuring; and

“(B) 50 percent if the recapture occurs during the remainder of the term of the agreement.

“(4) TIME OF RECAPTURE.—Recapture shall take place on the date that is the earliest of—

“(A) the end of the term of the agreement;

“(B) the conveyance of the real security property;

“(C) the repayment of the loans; or

“(D) the cessation of farming operations by the borrower.

“(5) TRANSFER OF TITLE.—Transfer of title to the spouse of a borrower on the death of the borrower shall not be treated as a conveyance for the purpose of paragraph (4).

“(6) NOTICE OF RECAPTURE.—Not later than 12 months before the end of the term of a shared appreciation arrangement, the Secretary shall notify the borrower involved of the provisions of the arrangement.

“(7) FINANCING OF RECAPTURE PAYMENT.—

“(A) IN GENERAL.—The Secretary may amortize a recapture payment owed to the Secretary under this subsection.

“(B) TERM.—The term of an amortization under this paragraph may not exceed 25 years.

“(C) INTEREST RATE.—The interest rate applicable to an amortization under this paragraph may not exceed the rate applicable to a loan to reacquire homestead property less 100 basis points.

“(D) REAMORTIZATION.—

“(i) IN GENERAL.—The Secretary may modify the amortization of a recapture payment referred to in subparagraph (A) of this paragraph on which a payment has become delinquent if—

“(I) the default is due to circumstances beyond the control of the borrower; and

“(II) the borrower acted in good faith (as determined by the Secretary) in attempting to repay the recapture amount.

“(ii) LIMITATIONS.—

“(I) TERM OF REAMORTIZATION.—The term of a reamortization under this subparagraph may not exceed 25 years from the date of the original amortization agreement.

“(II) NO REDUCTION OR PRINCIPAL OR UNPAID INTEREST DUE.—A reamortization of a recapture payment under this subparagraph may not provide for reducing the outstanding principal or unpaid interest due on the recapture payment.

“(f) INTEREST RATES.—Any loan for farm ownership purposes, farm operating purposes, or disaster emergency purposes, other than a guaranteed loan, that is deferred, consolidated, rescheduled, or reamortized shall, notwithstanding any other provision of this subtitle, bear interest on the balance of the original loan and for the term of the original loan at a rate that is the lowest of—

“(1) the rate of interest on the original loan;

“(2) the rate being charged by the Secretary for loans, other than guaranteed loans, of the same type at the time at which the borrower applies for a deferral, consolidation, rescheduling, or reamortization; or

“(3) the rate being charged by the Secretary for loans, other than guaranteed loans, of the same type at the time of the deferral, consolidation, rescheduling, or reamortization.

“(g) PERIOD AND EFFECT.—

“(1) PERIOD.—The Secretary may consolidate or reschedule outstanding loans for payment over a period not to exceed 7 years (or, in the case of loans for farm operating purposes, 15 years) from the date of the consolidation or rescheduling.

“(2) EFFECT.—The amount of unpaid principal and interest of the prior loans so consolidated or rescheduled shall not create a new charge against any loan levels authorized by law.

“(h) PREREQUISITES TO FORECLOSURE OR LIQUIDATION.—No foreclosure or other similar action shall be taken to liquidate any loan determined to be ineligible for restructuring by the Secretary under this section—

“(1) until the borrower has been given the opportunity to appeal the decision; and

“(2) if the borrower appeals, the appeals process has been completed, and a determination has been made that the loan is ineligible for restructuring.

“(i) NOTICE OF INELIGIBILITY FOR RESTRUCTURING.—

“(1) IN GENERAL.—A notice of ineligibility for restructuring shall be sent to the borrower by registered or certified mail not later than 15 days after a determination of ineligibility.

“(2) CONTENTS.—The notice required under paragraph (1) shall contain—

“(A) the determination and the reasons for the determination;

“(B) the computations used to make the determination, including the calculation of the recovery value of the collateral securing the loan; and

“(C) a statement of the right of the borrower to appeal the decision to the appeals division, and to appear before a hearing officer.

“(j) INDEPENDENT APPRAISALS.—

“(1) IN GENERAL.—An appeal may include a request by the borrower for an independent appraisal of any property securing the loan.

“(2) PROCESS FOR APPRAISAL.—On a request under paragraph (1), the Secretary shall present the borrower with a list of 3 appraisers approved by the county supervisor, from which the borrower shall select an appraiser to conduct the appraisal.

“(3) COST.—The cost of an appraisal under this subsection shall be paid by the borrower.

“(4) RESULT.—The result of an appraisal under this subsection shall be considered in any final determination concerning the loan.

“(5) COPY.—A copy of any appraisal under this subsection shall be provided to the borrower.

“(k) PARTIAL LIQUIDATIONS.—If a partial liquidation of a delinquent loan is performed (with the prior consent of the Secretary) as part of loan servicing by a guaranteed lender under this title, the Secretary shall not require full liquidation of the loan for the lender to be eligible to receive payment on losses.

“(l) ONLY 1 WRITE-DOWN OR NET RECOVERY BUY-OUT PER BORROWER FOR A LOAN MADE AFTER JANUARY 6, 1988.—

“(1) IN GENERAL.—The Secretary may provide for each borrower not more than 1 write-down or net recovery buy-out under this section with respect to all loans made to the borrower after January 6, 1988.

“(2) SPECIAL RULE.—For purposes of paragraph (1), the Secretary shall treat any loan

made on or before January 6, 1988, with respect to which a restructuring, write-down, or net recovery buy-out is provided under this section after January 6, 1988, as a loan made after January 6, 1988.

“(m) LIQUIDATION OF ASSETS.—The Secretary may not use the authority provided by this section to reduce or terminate any portion of the debt of the borrower that the borrower could pay through the liquidation of assets (or through the payment of the loan value of the assets, if the loan value is greater than the liquidation value) described in subsection (c)(2)(A)(ii).

“(n) LIFETIME LIMITATION ON DEBT FORGIVENESS PER BORROWER.—The Secretary may provide each borrower not more than \$300,000 in debt forgiveness under this section.

“SEC. 3412. RELIEF FOR MOBILIZED MILITARY RESERVISTS FROM CERTAIN AGRICULTURAL LOAN OBLIGATIONS.

“(a) DEFINITION OF MOBILIZED MILITARY RESERVIST.—In this section, the term ‘mobilized military reservist’ means an individual who—

“(1) is on active duty under section 688, 12301(a), 12301(g), 12302, 12304, 12306, or 12406, or chapter 15 of title 10, United States Code, or any other provision of law during a war or during a national emergency declared by the President or Congress, regardless of the location at which the active duty service is performed; or

“(2) in the case of a member of the National Guard, is on full-time National Guard duty (as defined in section 101(d)(5) of title 10, United States Code) under a call to active service authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days under section 502(f) of title 32, United States Code, for purposes of responding to a national emergency declared by the President and supported by Federal funds.

“(b) FORGIVENESS OF INTEREST PAYMENTS DUE WHILE BORROWER IS A MOBILIZED MILITARY RESERVIST.—Any requirement that a borrower of a direct loan made under this subtitle make any interest payment on the loan that would otherwise be required to be made while the borrower is a mobilized military reservist is rescinded.

“(c) DEFERRAL OF PRINCIPAL PAYMENTS DUE WHILE OR AFTER BORROWER IS A MOBILIZED MILITARY RESERVIST.—The due date of any payment of principal on a direct loan made to a borrower under this subtitle that would otherwise be required to be made while or after the borrower is a mobilized military reservist is deferred for a period equal in length to the period for which the borrower is a mobilized military reservist.

“(d) NONACCRUAL OF INTEREST.—Interest on a direct loan made to a borrower described in this section shall not accrue during the period the borrower is a mobilized military reservist.

“(e) BORROWER NOT CONSIDERED TO BE DELINQUENT OR RECEIVING DEBT FORGIVENESS.—Notwithstanding section 3425 or any other provision of this title, a borrower who receives assistance under this section shall not, as a result of the assistance, be considered to be delinquent or receiving debt forgiveness for purposes of receiving a direct or guaranteed loan under this subtitle.

“SEC. 3413. INTEREST RATE REDUCTION PROGRAM.

“(a) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish and carry out in accordance with this section an interest rate reduction program for any loan guaranteed under this subtitle.

“(b) ENTERING INTO CONTRACTS.—The Secretary shall enter into a contract with, and make payments to, an institution to reduce, during the term of the contract, the interest rate paid by the borrower on the guaranteed loan if—

“(1) the borrower—

“(A) is unable to obtain credit elsewhere;

“(B) is unable to make payments on the loan in a timely manner; and

“(C) during the 24-month period beginning on the date on which the contract is entered into, has a total estimated cash income, including all farm and nonfarm income, that will equal or exceed the total estimated cash expenses, including all farm and nonfarm expenses, to be incurred by the borrower during the period; and

“(2) during the term of the contract, the lender reduces the annual rate of interest payable on the loan by a minimum percentage specified in the contract.

“(c) PAYMENTS.—

“(1) IN GENERAL.—Subject to paragraph (2), in return for a contract entered into by a lender under subsection (b) for the reduction of the interest rate paid on a loan, the Secretary shall make payments to the lender in an amount equal to not more than 100 percent of the cost of reducing the annual rate of interest payable on the loan.

“(2) LIMITATION.—Payments under paragraph (1) may not exceed the cost of reducing the rate by more than 400 basis points.

“(d) TERM.—The term of a contract entered into under this section to reduce the interest rate on a guaranteed loan may not exceed the outstanding term of the loan.

“(e) CONDITION ON FORECLOSURE.—Notwithstanding any other law, any contract of guarantee on a farm loan entered into under this subtitle shall contain a condition that the lender of the loan may not initiate a foreclosure action on the loan until 60 days after a determination is made with respect to the eligibility of the borrower to participate in the program established under this section.

“SEC. 3414. HOMESTEAD PROPERTY.

“(a) DEFINITIONS.—In this section:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Small Business Administration.

“(2) BORROWER-OWNER.—The term ‘borrower-owner’ means—

“(A) a borrower-owner of a loan made or guaranteed by the Secretary or the Administrator who meets the eligibility requirements of subsection (c)(1); or

“(B) in a case in which an owner of homestead property pledged the property to secure the loan and the owner is different than the borrower, the owner.

“(3) FARM PROGRAM LOAN.—The term ‘farm program loan’ means a loan made by the Administrator under the Small Business Act (15 U.S.C. 631 et seq.) for any of the purposes authorized for loans under chapter 1 or 2.

“(4) HOMESTEAD PROPERTY.—The term ‘homestead property’ means—

“(A) the principal residence and adjoining property possessed and occupied by a borrower-owner, including a reasonable number of farm outbuildings located on the adjoining land that are useful to any occupant of the homestead; and

“(B) not more than 10 acres of adjoining land that is used to maintain the family of the borrower-owner.

“(b) RETENTION OF HOMESTEAD PROPERTY.—

“(1) IN GENERAL.—The Secretary or the Administrator shall, on application by a borrower-owner who meets the eligibility requirements of subsection (c)(1), permit the

borrower-owner to retain possession and occupancy of homestead property under the terms set forth, and until the action described in this section has been completed, if—

“(A) the Secretary forecloses or takes into inventory property securing a loan made under this subtitle;

“(B) the Administrator forecloses or takes into inventory property securing a farm program loan made under the Small Business Act (15 U.S.C. 631 et seq.); or

“(C) the borrower-owner of a loan made by the Secretary or the Administrator files a petition in bankruptcy that results in the conveyance of the homestead property to the Secretary or the Administrator, or agrees to voluntarily liquidate or convey the property in whole or in part.

“(2) PERIOD OF OCCUPANCY.—Subject to subsection (c), the Secretary or the Administrator shall not grant a period of occupancy of less than 3 nor more than 5 years.

“(c) ELIGIBILITY.—

“(1) IN GENERAL.—To be eligible to occupy homestead property, a borrower-owner of a loan made by the Secretary or the Administrator shall—

“(A) apply for the occupancy not later than 30 days after the property is acquired by the Secretary or Administrator;

“(B) have received from farming operations gross farm income that is reasonably commensurate with—

“(i) the size and location of the farming unit of the borrower-owner; and

“(ii) local agricultural conditions (including natural and economic conditions), during at least 2 calendar years of the 6-year period preceding the calendar year in which the application is made;

“(C) have received from farming operations at least 60 percent of the gross annual income of the borrower-owner and any spouse of the borrower-owner during at least 2 calendar years of the 6-year period described in subparagraph (B);

“(D) have continuously occupied the homestead property during the 6-year period described in subparagraph (B), except that the requirement of this subparagraph may be waived if a borrower-owner, due to circumstances beyond the control of the borrower-owner, had to leave the homestead property for a period of time not to exceed 12 months during the 6-year period;

“(E) during the period of occupancy of the homestead property, pay a reasonable sum as rent for the property to the Secretary or the Administrator in an amount substantially equivalent to rents charged for similar residential properties in the area in which the homestead property is located;

“(F) during the period of the occupancy of the homestead property, maintain the property in good condition; and

“(G) meet such other reasonable and necessary terms and conditions as the Secretary may require.

“(2) DEFINITION OF FARMING OPERATIONS.—In subparagraphs (B) and (C) of paragraph (1), the term ‘farming operations’ includes rent paid by a lessee of agricultural land during a period in which the borrower-owner, due to circumstances beyond the control of the borrower-owner, is unable to actively farm the land.

“(3) TERMINATION OF RIGHTS.—

“(A) IN GENERAL.—For purposes of paragraph (1)(E), the failure of the borrower-owner to make a timely rental payment shall constitute cause for the termination of all rights of the borrower-owner to possession and occupancy of the homestead property under this section.

“(B) PROCEDURE FOR TERMINATION.—In effecting a termination under subparagraph (A), the Secretary shall—

“(i) afford the borrower-owner or lessee the notice and hearing procedural rights described in subtitle H of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6991 et seq.); and

“(ii) comply with any applicable State and local law governing eviction of a person from residential property.

“(4) RIGHTS OF BORROWER-OWNER.—

“(A) PERIOD OF OCCUPANCY.—Subject to subsection (b)(2), the period of occupancy allowed the borrower-owner of homestead property under this section shall be the period requested in writing by the borrower-owner.

“(B) RIGHT TO REACQUIRE.—

“(i) IN GENERAL.—During the period the borrower-owner occupies the homestead property, the borrower-owner shall have a right to reacquire the homestead property on such terms and conditions as the Secretary shall determine.

“(ii) SOCIALLY DISADVANTAGED BORROWER-OWNER.—During the period of occupancy of a borrower-owner who is a socially disadvantaged farmer, the borrower-owner or a member of the immediate family of the borrower-owner shall have a right of first refusal to reacquire the homestead property on such terms and conditions as the Secretary shall determine.

“(iii) INDEPENDENT APPRAISAL.—The Secretary may not demand a payment for the homestead property that is in excess of the current market value of the homestead property as established by an independent appraisal.

“(iv) CONDUCT OF APPRAISAL.—An independent appraisal under clause (iii) shall be conducted by an appraiser selected by the borrower-owner, or, in the case of a borrower-owner who is a socially disadvantaged farmer, the immediate family member of the borrower-owner, from a list of 3 appraisers approved by the county supervisor.

“(5) TRANSFER OF RIGHTS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), no right of a borrower-owner under this section, and no agreement entered into between the borrower-owner and the Secretary for occupancy of the homestead property, shall be transferable or assignable by the borrower-owner or by operation of law.

“(B) DEATH OR INCOMPETENCY.—In the case of death or incompetency of the borrower-owner, the right and agreement shall be transferable to a spouse of the borrower-owner if the spouse agrees to comply with any terms and conditions of the right or agreement.

“(6) NOTIFICATION.—Not later than the date of acquisition of the property securing a loan made under this title, the Secretary shall notify the borrower-owner of the property of the availability of homestead protection rights under this section.

“(d) END OF PERIOD OF OCCUPANCY.—

“(1) IN GENERAL.—At the end of the period of occupancy allowed a borrower-owner under subsection (c), the Secretary or the Administrator shall grant to the borrower-owner a right of first refusal to reacquire the homestead property on such terms and conditions (which may include payment of principal in installments) as the Secretary or the Administrator shall determine.

“(2) TERMS AND CONDITIONS.—The terms and conditions granted under paragraph (1) may not be less favorable than those offered by the Secretary or Administrator or in-

tended by the Secretary or Administrator to be offered to any other buyer.

“(e) MAXIMUM PAYMENT OF PRINCIPAL.—

“(1) IN GENERAL.—At the time a reacquisition agreement is entered into, the Secretary or the Administrator may not demand a total payment of principal that is in excess of the value of the homestead property.

“(2) DETERMINATION OF VALUE.—To the maximum extent practicable, the value of the homestead property shall be determined by an independent appraisal made during the 180 day period beginning on the date of receipt of the application of the borrower-owner to retain possession and occupancy of the homestead property.

“(f) TITLE NOT NEEDED TO ENTER INTO CONTRACTS.—The Secretary may enter into a contract authorized by this section before the Secretary acquires title to the homestead property that is the subject of the contract.

“(g) STATE LAW PREVAILS.—In the event of a conflict between this section and a provision of State law relating to the right of a borrower-owner to designate for separate sale or redeem part or all of the real property securing a loan foreclosed on by a lender to the borrower-owner, the provision of State law shall prevail.

“SEC. 3415. TRANSFER OF INVENTORY LAND.

“(a) IN GENERAL.—Subject to subsection (b), the Secretary may transfer to a Federal or State agency, for conservation purposes, any real property, or interest in real property, administered by the Secretary under this subtitle—

“(1) with respect to which the rights of all prior owners and operators have expired;

“(2) that is eligible to be disposed of in accordance with section 3409; and

“(3) that—

“(A) has marginal value for agricultural production;

“(B) is environmentally sensitive; or

“(C) has special management importance.

“(b) CONDITIONS.—The Secretary may not transfer any property or interest in property under subsection (a) unless—

“(1) at least 2 public notices are given of the transfer;

“(2) if requested, at least 1 public meeting is held prior to the transfer; and

“(3) the Governor and at least 1 elected county official of the State and county in which the property is located are consulted prior to the transfer.

“SEC. 3416. TARGET PARTICIPATION RATES.

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—The Secretary shall establish annual target participation rates, on a county-wide basis, that shall ensure that members of socially disadvantaged groups shall—

“(A) receive loans made or guaranteed under chapter 1; and

“(B) have the opportunity to purchase or lease farmland acquired by the Secretary under this subtitle.

“(2) GROUP POPULATION.—Except as provided in paragraph (3), in establishing the target rates, the Secretary shall take into consideration—

“(A) the portion of the population of the county made up of the socially disadvantaged groups; and

“(B) the availability of inventory farmland in the county.

“(3) GENDER.—In the case of gender, target participation rates shall take into consideration the number of current and potential socially disadvantaged farmers in a State in proportion to the total number of farmers in the State.

“(b) RESERVATION AND ALLOCATION.—

“(1) RESERVATION.—To the maximum extent practicable, the Secretary shall reserve sufficient loan funds made available under chapter 1 for use by members of socially disadvantaged groups identified under target participation rates established under subsection (a).

“(2) ALLOCATION.—The Secretary shall allocate the loans on the basis of the proportion of members of socially disadvantaged groups in a county and the availability of inventory farmland, with the greatest amount of loan funds being distributed in the county with the greatest proportion of socially disadvantaged group members and the greatest quantity of available inventory farmland.

“(3) INDIAN RESERVATIONS.—In distributing loan funds in counties within the boundaries of an Indian reservation, the Secretary shall allocate the funds on a reservation-wide basis.

“(c) OPERATING LOANS.—

“(1) ESTABLISHMENT.—

“(A) IN GENERAL.—The Secretary shall establish annual target participation rates that shall ensure that socially disadvantaged farmers receive loans made or guaranteed under chapter 2.

“(B) CONSIDERATIONS.—In establishing the target rates, the Secretary shall consider the number of socially disadvantaged farmers in a State in proportion to the total number of farmers in the State.

“(2) RESERVATION AND ALLOCATION.—

“(A) IN GENERAL.—To the maximum extent practicable, the Secretary shall reserve and allocate the proportion of the loan funds of each State made available under chapter 2 that is equal to the target participation rate of the State for use by the socially disadvantaged farmers in the State.

“(B) DISTRIBUTION.—To the maximum extent practicable, the Secretary shall distribute the total loan funds reserved under subparagraph (A) on a county-by-county basis according to the number of socially disadvantaged farmers in the county.

“(C) REALLOCATION OF UNUSED FUNDS.—Any funds reserved and allocated under this paragraph but not used within a State shall, to the extent necessary to satisfy pending applications under this title, be available for use by socially disadvantaged farmers in other States, as determined by the Secretary, and any remaining funds shall be reallocated within the State.

“(d) REPORT.—The Secretary shall prepare and submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the annual target participation rates and the success in meeting the rates.

“(e) IMPLEMENTATION CONSISTENT WITH SUPREME COURT HOLDING.—Not later than 180 days after April 4, 1996, the Secretary shall ensure that the implementation of this section is consistent with the holding of the Supreme Court in *Adarand Constructors, Inc. v. Federico Pena*, Secretary of Transportation, 115 S. Ct. 2097 (1995).

“SEC. 3417. COMPROMISE OR ADJUSTMENT OF DEBTS OR CLAIMS BY GUARANTEED LENDER.

“(a) LOSS BY LENDER.—If the lender of a guaranteed farmer program loan takes any action described in section 3903(a)(4) with respect to the loan and the Secretary approves the action, for purposes of the guarantee, the lender shall be treated as having sustained a loss equal to the amount by which—

“(1) the outstanding balance of the loan immediately before the action; exceeds

“(2) the outstanding balance of the loan immediately after the action.

“(b) NET PRESENT VALUE OF LOAN.—The Secretary shall approve the taking of an action described in section 3903(a)(4) by the lender of a guaranteed farmer program loan with respect to the loan if the action reduces the net present value of the loan to an amount equal to not less than the greater of—

“(1) the greatest net present value of a loan the borrower could reasonably be expected to repay; and

“(2) the difference between—

“(A) the greatest amount that the lender of the loan could reasonably expect to recover from the borrower through bankruptcy, or liquidation of the property securing the loan; and

“(B) all reasonable and necessary costs and expenses that the lender of the loan could reasonably expect to incur to preserve or dispose of the property (including all associated legal and property management costs) in the course of such a bankruptcy or liquidation.

“(c) NO LIMITATION ON AUTHORITY.—This section shall not limit the authority of the Secretary to enter into a shared appreciation arrangement with a borrower under section 3411(e).

“SEC. 3418. WAIVER OF MEDIATION RIGHTS BY BORROWERS.

“The Secretary may not make or guarantee any farmer program loan to a farm borrower on the condition that the borrower waive any right under the mediation program of any State.

“SEC. 3419. BORROWER TRAINING.

“(a) IN GENERAL.—The Secretary shall contract to provide educational training to all borrowers of direct loans made under this subtitle in financial and farm management concepts associated with commercial farming.

“(b) CONTRACT.—

“(1) IN GENERAL.—The Secretary may contract with a State or private provider of farm management and credit counseling services (including a community college, the extension service of a State, a State department of agriculture, or a nonprofit organization) to carry out this section.

“(2) CONSULTATION.—The Secretary may consult with the chief executive officer of a State concerning the identity of the contracting organization and the process for contracting.

“(c) ELIGIBILITY FOR LOANS.—

“(1) IN GENERAL.—Subject to paragraph (2), to be eligible to obtain a direct or guaranteed loan under this subtitle, a borrower shall be required to obtain management assistance under this section, appropriate to the management ability of the borrower during the determination of eligibility for the loan.

“(2) LOAN CONDITIONS.—The need of a borrower who satisfies the criteria set out in section 3101(b)(1)(B) or 3201(b)(1)(B) for management assistance under this section shall not be cause for denial of eligibility of the borrower for a direct or guaranteed loan under this subtitle.

“(d) GUIDELINES AND CURRICULUM.—The Secretary shall issue regulations establishing guidelines and curriculum for the borrower training program established under this section.

“(e) PAYMENT.—A borrower—

“(1) shall pay for training received under this section; and

“(2) may use funds from operating loans made under chapter 2 to pay for the training.

“(f) WAIVERS.—

“(1) IN GENERAL.—The Secretary may waive the requirements of this section for an individual borrower on a determination that the borrower demonstrates adequate knowledge in areas described in this section.

“(2) CRITERIA.—The Secretary shall establish criteria providing for the application of paragraph (1) consistently in all counties nationwide.

“SEC. 3420. LOAN ASSESSMENTS.

“(a) IN GENERAL.—After an applicant is determined to be eligible for assistance under this subtitle, the Secretary shall evaluate, in accordance with regulations issued by the Secretary, the farming plan and financial situation of each qualified farmer applicant.

“(b) DETERMINATIONS.—In evaluating the farming plan and financial situation of an applicant under this section, the Secretary shall determine—

“(1) the amount that the applicant needs to borrow to carry out the proposed farming plan;

“(2) the rate of interest that the applicant would need to be able to cover expenses and build an adequate equity base;

“(3) the goals of the proposed farming plan of the applicant;

“(4) the financial viability of the plan and any changes that are necessary to make the plan viable; and

“(5) whether assistance is necessary under this title and, if so, the amount of the assistance.

“(c) CONTRACT.—The Secretary may contract with a third party (including an entity that is eligible to provide borrower training under section 3419(b)) to conduct a loan assessment under this section.

“(d) REVIEW OF LOANS.—

“(1) IN GENERAL.—Loan assessments conducted under this section shall include biannual review of direct loans, and periodic review (as determined necessary by the Secretary) of guaranteed loans, made under this title to assess the progress of a borrower in meeting the goals for the farm operation.

“(2) CONTRACTS.—The Secretary may contract with an entity that is eligible to provide borrower training under section 3419(b) to conduct a loan review under paragraph (1).

“(3) PROBLEM ASSESSMENTS.—If a borrower is delinquent in payments on a direct or guaranteed loan made under this title, the Secretary or the contracting entity shall determine the cause of, and action necessary to correct, the delinquency.

“(e) GUIDELINES.—The Secretary shall issue regulations providing guidelines for loan assessments conducted under this section.

“SEC. 3421. SUPERVISED CREDIT.

“The Secretary shall provide adequate training to employees of the Farm Service Agency on credit analysis and financial and farm management—

“(1) to better acquaint the employees with what constitutes adequate financial data on which to base a direct or guaranteed loan approval decision; and

“(2) to ensure proper supervision of farmer program loans.

“SEC. 3422. MARKET PLACEMENT.

“The Secretary shall establish a market placement program for a qualified beginning farmer and any other borrower of farmer program loans that the Secretary believes has a reasonable chance of qualifying for commercial credit with a guarantee provided under this subtitle.

“SEC. 3423. RECORDKEEPING OF LOANS BY GENERATOR OF BORROWER.

“The Secretary shall classify, by gender, records of applicants for loans and loan guarantees under this subtitle.

"SEC. 3424. CROP INSURANCE REQUIREMENT.

"(a) IN GENERAL.—As a condition of obtaining any benefit (including a direct loan, loan guarantee, or payment) described in subsection (b), a borrower shall be required to obtain at least catastrophic risk protection insurance coverage under section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) for the crop and crop year for which the benefit is sought, if the coverage is offered by the Federal Crop Insurance Corporation.

"(b) APPLICABLE BENEFITS.—Subsection (a) shall apply to—

"(1) a farm ownership loan under section 3102;

"(2) an operating loan under section 3202; and

"(3) an emergency loan under section 3301.

"SEC. 3425. LOAN AND LOAN SERVICING LIMITATIONS.

"(a) DELINQUENT BORROWERS PROHIBITED FROM OBTAINING DIRECT OPERATING LOANS.—The Secretary may not make a direct operating loan under chapter 2 to a borrower who is delinquent on any loan made or guaranteed under this subtitle.

"(b) LOANS PROHIBITED FOR BORROWERS THAT HAVE RECEIVED DEBT FORGIVENESS.—

"(1) PROHIBITIONS.—Except as provided in paragraph (2)—

"(A) the Secretary may not make a loan under this subtitle to a borrower that has received debt forgiveness on a loan made or guaranteed under this subtitle; and

"(B) the Secretary may not guarantee a loan under this subtitle to a borrower that has received—

"(i) debt forgiveness after April 4, 1996, on a loan made or guaranteed under this subtitle; or

"(ii) received debt forgiveness on more than 3 occasions on or before April 4, 1996.

"(2) EXCEPTIONS.—

"(A) IN GENERAL.—The Secretary may make a direct or guaranteed farm operating loan for paying annual farm operating expenses of a borrower who—

"(i) was restructured with a write-down under section 3411;

"(ii) is current on payments under a confirmed reorganization plan under chapters 11, 12, or 13 of title 11 of the United States Code; or

"(iii) received debt forgiveness on not more than 1 occasion resulting directly and primarily from a major disaster or emergency designated by the President on or after April 4, 1996, under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

"(B) EMERGENCY LOANS.—The Secretary may make an emergency loan under section 3301 to a borrower that—

"(i) on or before April 4, 1996, received not more than 1 debt forgiveness on a loan made or guaranteed under this subtitle; and

"(ii) after April 4, 1996, has not received debt forgiveness on a loan made or guaranteed under this subtitle.

"(c) NO MORE THAN 1 DEBT FORGIVENESS FOR A BORROWER ON A DIRECT LOAN.—The Secretary may not provide to a borrower debt forgiveness on a direct loan made under this subtitle if the borrower has received debt forgiveness on another direct loan made under this subtitle.

"SEC. 3426. SHORT FORM CERTIFICATION OF FARM PROGRAM BORROWER COMPLIANCE.

"The Secretary shall develop and use a consolidated short form for farmer program loan borrowers to use in certifying compliance with any applicable provision of law (including a regulation) that serves as an eli-

gibility prerequisite for a loan made under this subtitle.

"SEC. 3427. UNDERWRITING FORMS AND STANDARDS.

"In the administration of this subtitle, the Secretary shall, to the extent practicable, use underwriting forms, standards, practices, and terminology similar to the forms, standards, practices, and terminology used by lenders in the private sector.

"SEC. 3428. BEGINNING FARMER INDIVIDUAL DEVELOPMENT ACCOUNTS PILOT PROGRAM.

"(a) DEFINITIONS.—In this section:

"(1) DEMONSTRATION PROGRAM.—The term 'demonstration program' means a demonstration program carried out by a qualified entity under the pilot program established in subsection (b)(1).

"(2) ELIGIBLE PARTICIPANT.—The term 'eligible participant' means a qualified beginning farmer that—

"(A) lacks significant financial resources or assets; and

"(B) has an income that is less than—

"(i) 80 percent of the median income of the State in which the farmer resides; or

"(ii) 200 percent of the most recent annual Federal Poverty Income Guidelines published by the Department of Health and Human Services for the State.

"(3) INDIVIDUAL DEVELOPMENT ACCOUNT.—The term 'individual development account' means a savings account described in subsection (b)(4)(A).

"(4) QUALIFIED ENTITY.—

"(A) IN GENERAL.—The term 'qualified entity' means—

"(i) 1 or more organizations—

"(I) described in section 501(c)(3) of the Internal Revenue Code of 1986; and

"(II) exempt from taxation under section 501(a) of such Code; or

"(ii) a State, local, or tribal government submitting an application jointly with an organization described in clause (i).

"(B) NO PROHIBITION ON COLLABORATION.—An organization described in subparagraph (A)(i) may collaborate with a financial institution or for-profit community development corporation to carry out the purposes of this section.

"(b) PILOT PROGRAM.—

"(1) IN GENERAL.—The Secretary shall establish a pilot program to be known as the 'New Farmer Individual Development Accounts Pilot Program' under which the Secretary shall work through qualified entities to establish demonstration programs—

"(A) of at least 5 years in duration; and

"(B) in at least 15 States.

"(2) COORDINATION.—The Secretary shall operate the pilot program through and in coordination with the farmer program loans of the Farm Service Agency.

"(3) RESERVE FUNDS.—

"(A) IN GENERAL.—A qualified entity carrying out a demonstration program under this section shall establish a reserve fund consisting of a non-Federal match of 50 percent of the total amount of the grant awarded to the demonstration program under this section.

"(B) FEDERAL FUNDS.—After the qualified entity has deposited the non-Federal matching funds described in subparagraph (A) in the reserve fund, the Secretary shall provide the total amount of the grant awarded under this section to the demonstration program for deposit in the reserve fund.

"(C) USE OF FUNDS.—Of the funds deposited under subparagraph (B) in the reserve fund established for a demonstration program, the qualified entity carrying out the demonstration program—

"(i) may use up to 10 percent for administrative expenses; and

"(ii) shall use the remainder in making matching awards described in paragraph (4)(B)(ii)(I).

"(D) INTEREST.—Any interest earned on amounts in a reserve fund established under subparagraph (A) may be used by the qualified entity as additional matching funds for, or to administer, the demonstration program.

"(E) GUIDANCE.—The Secretary shall issue guidance regarding the investment requirements of reserve funds established under this paragraph.

"(F) REVERSION.—On the date on which all funds remaining in any individual development account established by a qualified entity have reverted under paragraph (5)(B)(ii) to the reserve fund established by the qualified entity, there shall revert to the Treasury of the United States a percentage of the amount (if any) in the reserve fund equal to—

"(i) the amount of Federal funds deposited in the reserve fund under subparagraph (B) that were not used for administrative expenses; divided by

"(ii) the total amount of funds deposited in the reserve fund.

"(4) INDIVIDUAL DEVELOPMENT ACCOUNTS.—

"(A) IN GENERAL.—A qualified entity receiving a grant under this section shall establish and administer individual development accounts for eligible participants.

"(B) CONTRACT REQUIREMENTS.—To be eligible to receive funds under this section from a qualified entity, an eligible participant shall enter into a contract with only 1 qualified entity under which—

"(i) the eligible participant agrees—

"(I) to deposit a certain amount of funds of the eligible participant in a personal savings account, as prescribed by the contractual agreement between the eligible participant and the qualified entity;

"(II) to use the funds described in subclause (I) only for 1 or more eligible expenditures described in paragraph (5)(A); and

"(III) to complete financial training; and

"(ii) the qualified entity agrees—

"(I) to deposit, not later than 1 month after an amount is deposited pursuant to clause (i)(I), at least a 100-percent, and up to a 200-percent, match of that amount into the individual development account established for the eligible participant; and

"(II) with uses of funds proposed by the eligible participant.

"(C) LIMITATION.—

"(i) IN GENERAL.—A qualified entity administering a demonstration program under this section may provide not more than \$6,000 for each fiscal year in matching funds to the individual development account established by the qualified entity for an eligible participant.

"(ii) TREATMENT OF AMOUNT.—An amount provided under clause (i) shall not be considered to be a gift or loan for mortgage purposes.

"(5) ELIGIBLE EXPENDITURES.—

"(A) IN GENERAL.—An eligible expenditure described in this subparagraph is an expenditure—

"(i) to purchase farmland or make a down payment on an accepted purchase offer for farmland;

"(ii) to make mortgage payments on farmland purchased pursuant to clause (i), for up to 180 days after the date of the purchase;

"(iii) to purchase breeding stock, fruit or nut trees, or trees to harvest for timber; and

"(iv) for other similar expenditures, as determined by the Secretary.

“(B) TIMING.—

“(i) IN GENERAL.—An eligible participant may make an eligible expenditure at any time during the 2-year period beginning on the date on which the last matching funds are provided under paragraph (4)(B)(ii)(I) to the individual development account established for the eligible participant.

“(ii) UNEXPENDED FUNDS.—At the end of the period described in clause (i), any funds remaining in an individual development account established for an eligible participant shall revert to the reserve fund of the demonstration program under which the account was established.

“(c) APPLICATIONS.—

“(1) IN GENERAL.—A qualified entity that seeks to carry out a demonstration program under this section may submit to the Secretary an application at such time, in such form, and containing such information as the Secretary may prescribe.

“(2) CRITERIA.—In considering whether to approve an application to carry out a demonstration program under this section, the Secretary shall assess—

“(A) the degree to which the demonstration program described in the application is likely to aid eligible participants in successfully pursuing new farming opportunities;

“(B) the experience and ability of the qualified entity to responsibly administer the demonstration program;

“(C) the experience and ability of the qualified entity in recruiting, educating, and assisting eligible participants to increase economic independence and pursue or advance farming opportunities;

“(D) the aggregate amount of direct funds from non-Federal public sector and private sources that are formally committed to the demonstration program as matching contributions;

“(E) the adequacy of the plan of the qualified entity to provide information relevant to an evaluation of the demonstration program; and

“(F) such other factors as the Secretary considers to be appropriate.

“(3) PREFERENCES.—In considering an application to conduct a demonstration program under this section, the Secretary shall give preference to an application from a qualified entity that demonstrates—

“(A) a track record of serving clients targeted by the program, including, as appropriate, socially disadvantaged farmers; and

“(B) expertise in dealing with financial management aspects of farming.

“(4) APPROVAL.—Not later than 1 year after the date of enactment of this section, in accordance with this section, the Secretary shall, on a competitive basis, approve such applications to conduct demonstration programs as the Secretary considers appropriate.

“(5) TERM OF AUTHORITY.—If the Secretary approves an application to carry out a demonstration program, the Secretary shall authorize the applicant to carry out the project for a period of 5 years, plus an additional 2 years to make eligible expenditures in accordance with subsection (b)(5)(B).

“(d) GRANT AUTHORITY.—

“(1) IN GENERAL.—The Secretary shall make a grant to a qualified entity authorized to carry out a demonstration program under this section.

“(2) MAXIMUM AMOUNT OF GRANTS.—The aggregate amount of grant funds provided to a demonstration program carried out under this section shall not exceed \$250,000.

“(3) TIMING OF GRANT PAYMENTS.—The Secretary shall pay the amounts awarded under a grant made under this section—

“(A) on the awarding of the grant; or

“(B) pursuant to such payment plan as the qualified entity may specify.

“(e) REPORTS.—

“(1) ANNUAL PROGRESS REPORTS.—

“(A) IN GENERAL.—Not later than 60 days after the end of the calendar year in which the Secretary authorizes a qualified entity to carry out a demonstration program under this section, and annually thereafter until the conclusion of the demonstration program, the qualified entity shall prepare an annual report that includes, for the period covered by the report—

“(i) an evaluation of the progress of the demonstration program;

“(ii) information about the demonstration program, including the eligible participants and the individual development accounts that have been established; and

“(iii) such other information as the Secretary may require.

“(B) SUBMISSION OF REPORTS.—A qualified entity shall submit each report required under subparagraph (A) to the Secretary.

“(2) REPORTS BY THE SECRETARY.—Not later than 1 year after the date on which all demonstration programs under this section are concluded, the Secretary shall submit to Congress a final report that describes the results and findings of all reports and evaluations carried out under this section.

“(f) ANNUAL REVIEW.—The Secretary may conduct an annual review of the financial records of a qualified entity—

“(1) to assess the financial soundness of the qualified entity; and

“(2) to determine the use of grant funds made available to the qualified entity under this section.

“(g) REGULATIONS.—In carrying out this section, the Secretary may promulgate regulations to ensure that the program includes provisions for—

“(1) the termination of demonstration programs;

“(2) control of the reserve funds in the case of such a termination;

“(3) transfer of demonstration programs to other qualified entities; and

“(4) remissions from a reserve fund to the Secretary in a case in which a demonstration program is terminated without transfer to a new qualified entity.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2013 through 2018.

“SEC. 3429. FARMER LOAN PILOT PROJECTS.

“(a) IN GENERAL.—The Secretary may conduct pilot projects of limited scope and duration that are consistent with this subtitle to evaluate processes and techniques that may improve the efficiency and effectiveness of the programs carried out under this subtitle

“(b) NOTIFICATION.—The Secretary shall—

“(1) not less than 60 days before the date on which the Secretary initiates a pilot project under subsection (a), submit notice of the proposed pilot project to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

“(2) consider any recommendations or feedback provided to the Secretary in response to the notice provided under paragraph (1).

“SEC. 3430. PROHIBITION ON USE OF LOANS FOR CERTAIN PURPOSES.

“(a) IN GENERAL.—Except as provided in subsections (b) and (c), the Secretary may not approve a loan under this subtitle to drain, dredge, fill, level, or otherwise manip-

ulate a wetland (as defined in section 1201(a) of the Food Security Act of 1985 (16 U.S.C. 3801(a))), or to engage in any activity that results in impairing or reducing the flow, circulation, or reach of water.

“(b) PRIOR ACTIVITY.—Subsection (a) does not apply in the case of—

“(1) an activity related to the maintenance of a previously converted wetland; or

“(2) an activity that had already commenced before November 28, 1990.

“(c) EXCEPTION.—This section shall not apply to a loan made or guaranteed under this subtitle for a utility line.

“SEC. 3431. AUTHORIZATION OF APPROPRIATIONS AND ALLOCATION OF FUNDS.

“(a) AUTHORIZATION FOR LOANS.—

“(1) IN GENERAL.—The Secretary may make or guarantee loans under chapters 1 and 2 from the Agricultural Credit Insurance Fund for not more than \$4,226,000,000 for each of fiscal years 2013 through 2018, of which, for each fiscal year—

“(A) \$1,200,000,000 shall be for direct loans, of which—

“(i) \$350,000,000 shall be for farm ownership loans; and

“(ii) \$850,000,000 shall be for operating loans; and

“(B) \$3,026,000,000 shall be for guaranteed loans, of which—

“(i) \$1,000,000,000 shall be for guarantees of farm ownership loans; and

“(ii) \$2,026,000,000 shall be for guarantees of operating loans.

“(2) BEGINNING FARMERS.—

“(A) DIRECT LOANS.—

“(i) FARM OWNERSHIP LOANS.—

“(I) IN GENERAL.—Of the amounts made available under paragraph (1) for direct farm ownership loans, the Secretary shall reserve an amount that is not less than 75 percent of the total amount for qualified beginning farmers.

“(II) DOWN PAYMENT LOANS; JOINT FINANCING ARRANGEMENTS.—Of the amounts reserved for a fiscal year under subclause (I), the Secretary shall reserve an amount not less than ⅓ of the amount for the down payment loan program under section 3107 and joint financing arrangements under section 3105 until April 1 of the fiscal year.

“(ii) OPERATING LOANS.—Of the amounts made available under paragraph (1) for direct operating loans, the Secretary shall reserve for qualified beginning farmers for each of fiscal years 2013 through 2018, an amount that is not less than 50 percent of the total amount.

“(iii) FUNDS RESERVED UNTIL SEPTEMBER 1.—Except as provided in clause (i)(II), funds reserved for qualified beginning farmers under this subparagraph for a fiscal year shall be reserved only until September 1 of the fiscal year.

“(B) GUARANTEED LOANS.—

“(i) FARM OWNERSHIP LOANS.—Of the amounts made available under paragraph (1) for guarantees of farm ownership loans, the Secretary shall reserve an amount that is not less than 40 percent of the total amount for qualified beginning farmers.

“(ii) OPERATING LOANS.—Of the amounts made available under paragraph (1) for guarantees of operating loans, the Secretary shall reserve 40 percent for qualified beginning farmers.

“(iii) FUNDS RESERVED UNTIL APRIL 1.—Funds reserved for qualified beginning farmers under this subparagraph for a fiscal year shall be reserved only until April 1 of the fiscal year.

“(C) RESERVED FUNDS FOR ALL QUALIFIED BEGINNING FARMERS.—If a qualified beginning

farmer meets the eligibility criteria for receiving a direct or guaranteed loan under section 3101, 3107, or 3201, the Secretary shall make or guarantee the loan if sufficient funds reserved under this paragraph are available to make or guarantee the loan.

“(3) TRANSFER FOR DOWN PAYMENT LOANS.—

“(A) IN GENERAL.—Subject to subparagraph (B)—

“(i) beginning on August 1 of each fiscal year, the Secretary shall use available unsubsidized guaranteed farm operating loan funds to provide direct farm ownership loans approved by the Secretary to qualified beginning farmers under the down payment loan program established under section 3107, if sufficient direct farm ownership loan funds are not otherwise available; and

“(ii) beginning on September 1 of each fiscal year, the Secretary shall use available unsubsidized guaranteed farm operating loan funds to provide direct farm ownership loans approved by the Secretary to qualified beginning farmers, if sufficient direct farm ownership loan funds are not otherwise available.

“(B) LIMITATION.—The Secretary shall limit the transfer of funds under subparagraph (A) so that all guaranteed farm operating loans that have been approved, or will be approved, by the Secretary during the fiscal year will be made to the extent of available amounts.

“(4) TRANSFER FOR CREDIT SALES OF FARM INVENTORY PROPERTY.—

“(A) IN GENERAL.—Subject to subparagraphs (B) and (C), beginning on September 1 of each fiscal year, the Secretary may use available funds made available under chapter 3 for the fiscal year to fund the credit sale of farm real estate in the inventory of the Secretary.

“(B) SUPPLEMENTAL APPROPRIATIONS.—The transfer authority provided under subparagraph (A) shall not apply to any funds made available to the Secretary for any fiscal year under an Act making supplemental appropriations.

“(C) LIMITATION.—The Secretary shall limit the transfer of funds under subparagraph (A) so that all emergency disaster loans that have been approved, or will be approved, by the Secretary during the fiscal year will be made to the extent of available amounts.

“(5) AVAILABILITY OF FUNDS.—Funds made available to carry out this subtitle shall remain available until expended.

“(b) COST PROJECTIONS.—

“(1) IN GENERAL.—The Secretary shall develop long-term cost projections for loan program authorizations required under subsection (a).

“(2) ANALYSIS.—Each projection under paragraph (1) shall include analyses of—

“(A) the long-term costs of the lending levels that the Secretary requests to be authorized under subsection (a); and

“(B) the long-term costs for increases in lending levels beyond those requested to be authorized, based on increments of \$10,000,000 or such other levels as the Secretary considers appropriate.

“(3) SUBMISSION TO CONGRESS.—The Secretary shall submit to the Committees on Agriculture and Appropriations of the House of Representatives and the Committees on Agriculture, Nutrition, and Forestry and Appropriations of the Senate reports containing the long-term cost projections for the 3-year period beginning with fiscal year 1983 and each 3-year period thereafter at the time the requests for authorizations for those periods are submitted to Congress.

“(c) LOW-INCOME, LIMITED-RESOURCE BORROWERS.—

“(1) RESERVE.—Notwithstanding any other provision of law, not less than 25 percent of the loans for farm ownership purposes for each fiscal year under this subtitle shall be for low-income, limited-resource borrowers.

“(2) NOTIFICATION.—The Secretary shall provide notification to farm borrowers under this subtitle in the normal course of loan making and loan servicing operations, of the provisions of this subtitle relating to low-income, limited-resource borrowers and the procedures by which persons may apply for loans under the low-income, limited-resource borrower program.”.

Subtitle B—Miscellaneous

SEC. 5101. STATE AGRICULTURAL MEDIATION PROGRAMS.

Section 506 of the Agricultural Credit Act of 1987 (7 U.S.C. 5106) is amended by striking “2015” and inserting “2018”.

SEC. 5102. LOANS TO PURCHASERS OF HIGHLY FRACTIONATED LAND.

(a) IN GENERAL.—The first sentence of Public Law 91-229 (25 U.S.C. 488) is amended—

(1) in subsection (a), in the first sentence, by striking “loans from” and all that follows through “1929”) and inserting “direct loans in a manner consistent with direct loans pursuant to chapter 4 of subtitle A of the Consolidated Farm and Rural Development Act”;

(2) in subsection (b)(1)—

(A) by striking “pursuant to section 205(c) of the Indian Land Consolidation Act (25 U.S.C. 2204(c))”; and

(B) by inserting “or to intermediaries in order to establish revolving loan funds for the purchase of highly fractionated land under that section” before the period at the end; and

(3) by adding at the end the following:

“(c) CONSULTATION REQUIRED.—In determining regulations and procedures to define eligible purchasers of highly fractionated land under this section, the Secretary of Agriculture shall consult with the Secretary of the Interior.”.

SEC. 5103. REMOVAL OF DUPLICATIVE APPRAISALS.

Notwithstanding any other law (including regulations), in making loans under the first section of Public Law 91-229 (25 U.S.C. 488), borrowers who are Indian tribes, members of Indian tribes, or tribal corporations shall only be required to obtain 1 appraisal under an appraisal standard recognized as of the date of enactment of this Act by the Secretary or the Secretary of the Interior.

TITLE VI—RURAL DEVELOPMENT

Subtitle A—Reorganization of the Consolidated Farm and Rural Development Act

SEC. 6001. REORGANIZATION OF THE CONSOLIDATED FARM AND RURAL DEVELOPMENT ACT.

Title III of the Agricultural Act of 1961 (7 U.S.C. 1921 et seq.) is amended to read as follows:

“TITLE III—AGRICULTURAL CREDIT

“SEC. 3001. SHORT TITLE; TABLE OF CONTENTS.

“(a) SHORT TITLE.—This title may be cited as the ‘Consolidated Farm and Rural Development Act’.

“(b) TABLE OF CONTENTS.—The table of contents of this title is as follows:

“TITLE III—AGRICULTURAL CREDIT

“Sec. 3001. Short title; table of contents.

“Sec. 3002. Definitions.

“Subtitle A—Farmer Loans, Servicing, and Other Assistance

“CHAPTER 1—FARM OWNERSHIP LOANS

“Sec. 3101. Farm ownership loans.

“Sec. 3102. Purposes of loans.

“Sec. 3103. Conservation loan and loan guarantee program.

“Sec. 3104. Loan maximums.

“Sec. 3105. Repayment requirements for farm ownership loans.

“Sec. 3106. Limited-resource loans.

“Sec. 3107. Downpayment loan program.

“Sec. 3108. Beginning farmer and socially disadvantaged farmer contract land sales program.

“CHAPTER 2—OPERATING LOANS

“Sec. 3201. Operating loans.

“Sec. 3202. Purposes of loans.

“Sec. 3203. Restrictions on loans.

“Sec. 3204. Terms of loans.

“CHAPTER 3—EMERGENCY LOANS

“Sec. 3301. Emergency loans.

“Sec. 3302. Purposes of loans.

“Sec. 3303. Terms of loans.

“Sec. 3304. Production losses.

“CHAPTER 4—GENERAL FARMER LOAN PROVISIONS

“Sec. 3401. Agricultural Credit Insurance Fund.

“Sec. 3402. Guaranteed farmer loans.

“Sec. 3403. Provision of information to borrowers.

“Sec. 3404. Notice of loan service programs.

“Sec. 3405. Planting and production history guidelines.

“Sec. 3406. Special conditions and limitations on loans.

“Sec. 3407. Graduation of borrowers.

“Sec. 3408. Debt adjustment and credit counseling.

“Sec. 3409. Security servicing.

“Sec. 3410. Contracts on loan security properties.

“Sec. 3411. Debt restructuring and loan servicing.

“Sec. 3412. Relief for mobilized military reservists from certain agricultural loan obligations.

“Sec. 3413. Interest rate reduction program.

“Sec. 3414. Homestead property.

“Sec. 3415. Transfer of inventory land.

“Sec. 3416. Target participation rates.

“Sec. 3417. Compromise or adjustment of debts or claims by guaranteed lender.

“Sec. 3418. Waiver of mediation rights by borrowers.

“Sec. 3419. Borrower training.

“Sec. 3420. Loan assessments.

“Sec. 3421. Supervised credit.

“Sec. 3422. Market placement.

“Sec. 3423. Recordkeeping of loans by gender of borrower.

“Sec. 3424. Crop insurance requirement.

“Sec. 3425. Loan and loan servicing limitations.

“Sec. 3426. Short form certification of farm program borrower compliance.

“Sec. 3427. Underwriting forms and standards.

“Sec. 3428. Beginning farmer individual development accounts pilot program.

“Sec. 3429. Farmer loan pilot projects.

“Sec. 3430. Prohibition on use of loans for certain purposes.

“Sec. 3431. Authorization of appropriations and allocation of funds.

“Subtitle B—Rural Development

“CHAPTER 1—RURAL COMMUNITY PROGRAMS

“Sec. 3501. Water and waste disposal loans, loan guarantees, and grants.

“Sec. 3502. Community facilities loans, loan guarantees, and grants.

“Sec. 3503. Health care services.

“CHAPTER 2—RURAL BUSINESS AND COOPERATIVE DEVELOPMENT

“Sec. 3601. Business programs.

"Sec. 3602. Rural business investment program.

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"SEC. 3002. DEFINITIONS.

"In this title (unless the context otherwise requires):

"(1) **ABLE TO OBTAIN CREDIT ELSEWHERE.**—The term 'able to obtain credit elsewhere' means able to obtain a loan from a production credit association, a Federal land bank, or other responsible cooperative or private credit source (or, in the case of a borrower under section 3106, the borrower may be able to obtain a loan under section 3101) at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in the community in or near which the applicant resides for loans for similar purposes and periods of time.

"(2) **AGRICULTURAL CREDIT INSURANCE FUND.**—The term 'Agricultural Credit Insurance Fund' means the fund established under section 3401.

"(3) **APPROVED LENDER.**—The term 'approved lender' means—

"(A) a lender approved prior to October 28, 1992, by the Secretary under the approved lender program established by exhibit A to subpart B of part 1980 of title 7, Code of Federal Regulations (as in effect on January 1, 1991); or

"(B) a lender certified under section 3909.

"(4) **AQUACULTURE.**—The term 'aquaculture' means the culture or husbandry of aquatic animals or plants by private industry for commercial purposes, including the culture and growing of fish by private industry for the purpose of creating or augmenting publicly owned and regulated stocks of fish.

"(5) **BEGINNING FARMER.**—The term 'beginning farmer' has the meaning given the term by the Secretary.

"(6) **BORROWER.**—

"(A) **IN GENERAL.**—Except as provided in subparagraph (B), the term 'borrower' means an individual or entity who has an outstanding obligation to the Secretary under any loan made or guaranteed under this title, without regard to whether the loan has been accelerated.

"(B) **EXCLUSIONS.**—The term 'borrower' does not include an individual or entity all of whose loans and accounts have been foreclosed on or liquidated, voluntarily or otherwise.

"(7) **COUNTY COMMITTEE.**—The term 'county committee' means the appropriate county committee established under section 8(b)(5) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)(5)).

"(8) **DEBT FORGIVENESS.**—

"(A) **IN GENERAL.**—Except as provided in subparagraph (B), the term 'debt forgiveness' means reducing or terminating a loan made or guaranteed under this title, in a manner that results in a loss to the Secretary, through—

"(i) writing down or writing off a loan under section 3411;

"(ii) compromising, adjusting, reducing, or charging-off a debt or claim under section 3903;

"(iii) paying a loss on a guaranteed loan under this title; or

"(iv) discharging a debt as a result of bankruptcy.

"(B) **LOAN RESTRUCTURING.**—The term 'debt forgiveness' does not include consolidation, rescheduling, reamortization, or deferral.

"(9) **DEPARTMENT.**—The term 'Department' means the Department of Agriculture.

"(10) **DIRECT LOAN.**—The term 'direct loan' means a loan made by the Secretary from appropriated funds.

"(11) **ENTITY.**—The term 'entity' means a corporation, farm cooperative, partnership, joint operation, governmental entity, or other legal organization, as determined by the Secretary.

"(12) **FARM.**—The term 'farm' means an operation involved in—

"(A) the production of an agricultural commodity;

"(B) ranching; or

"(C) aquaculture.

"(13) **FARMER.**—The term 'farmer' means an individual or entity engaged primarily and directly in—

"(A) the production of an agricultural commodity;

"(B) ranching; or

"(C) aquaculture.

"(14) **FARMER PROGRAM LOAN.**—The term 'farmer program loan' means—

"(A) a farm ownership loan under section 3101;

"(B) a conservation loan under section 3103;

"(C) an operating loan under section 3201;

"(D) an emergency loan under section 3301;

"(E) an economic emergency loan under section 202 of the Emergency Agricultural Credit Adjustment Act of 1978 (7 U.S.C. prec. 1961 note; Public Law 95-334);

"(F) a loan for a farm service building under section 502 of the Housing Act of 1949 (42 U.S.C. 1472);

"(G) an economic opportunity loan under section 602 of the Economic Opportunity Act of 1964 (Public Law 88-452; 42 U.S.C. 2942 note) (as it existed before the amendment made by section 683(a) of the Omnibus Budget Reconciliation Act of 1981 (Public Law 97-35; 95 Stat. 519));

"(H) a softwood timber loan under section 608 of the Agricultural Programs Adjustment Act of 1984 (7 U.S.C. 1981 note; Public Law 98-258); or

"(I) any other loan described in section 343(a)(10) of this title (as it existed before the amendment made by section 2 of the Agriculture Reform, Food, and Jobs Act of 2013) that is outstanding on the date of enactment of that Act.

"(15) **FARM SERVICE AGENCY.**—The term 'Farm Service Agency' means the offices of the Farm Service Agency to which the Secretary delegates responsibility to carry out this title.

"(16) **GOVERNMENTAL ENTITY.**—The term 'governmental entity' means any agency of the United States, a State, or a unit of local government of a State, or subdivision thereof.

"(17) **GUARANTEE.**—The term 'guarantee' means guaranteeing the payment of a loan originated, held, and serviced by a private financial agency, or lender, approved by the Secretary.

"(18) **HIGHLY ERODIBLE LAND.**—The term 'highly erodible land' has the meaning given the term in section 1201(a) of the Food Security Act of 1985 (16 U.S.C. 3801(a)).

"(19) **HOMESTEAD RETENTION.**—The term 'homestead retention' means homestead retention as authorized under section 3414.

"(20) **INDIAN TRIBE.**—The term 'Indian tribe' means a Federal and State-recognized Indian tribe or other federally recognized Indian tribal group (including a Tribal College or University, as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).

"(21) **LOAN SERVICE PROGRAM.**—The term 'loan service program' means, with respect

to a farmer program loan borrower, a primary loan service program or a homestead retention program.

“(22) NATURAL OR MAJOR DISASTER OR EMERGENCY.—The term ‘natural or major disaster or emergency’ means—

“(A) a disaster due to nonmanmade causes declared by the Secretary; or

“(B) a major disaster or emergency designated by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

“(23) PRIMARY LOAN SERVICE PROGRAM.—The term ‘primary loan service program’ means, with respect to a farmer program loan—

“(A) loan consolidation, rescheduling, or reamortization;

“(B) interest rate reduction, including the use of the limited resource program;

“(C) loan restructuring, including deferral, set aside, or writing down of the principal or accumulated interest charges, or both, of the loan; or

“(D) any combination of actions described in subparagraphs (A), (B), and (C).

“(24) PRIME FARMLAND.—The term ‘prime farmland’ means prime farmland and unique farmland (as defined in subsections (a) and (b) of section 657.5 of title 7, Code of Federal Regulations (1980)).

“(25) PROJECT.—For purposes of section 3501, the term ‘project’ includes a facility providing central service or a facility serving an individual property, or both.

“(26) QUALIFIED BEGINNING FARMER.—The term ‘qualified beginning farmer’ means an applicant, regardless of whether the applicant is participating in a program under section 3107, who—

“(A) is eligible for assistance under this title;

“(B) has not operated a farm, or has operated a farm for not more than 10 years;

“(C) in the case of a cooperative, corporation, partnership, or joint operation, has members, stockholders, partners, or joint operators who are all related to each other by blood or marriage;

“(D) in the case of a farmer who is the owner and operator of a farm—

“(i) in the case of a loan made to an individual, individually or with the immediate family of the applicant—

“(I) materially and substantially participates in the operation of the farm; and

“(II) provides substantial day-to-day labor and management of the farm, consistent with the practices in the State or county in which the farm is located; or

“(ii)(I) in the case of a loan made to a cooperative, corporation, partnership, or joint operation, has members, stockholders, partners, or joint operators who materially and substantially participate in the operation of the farm; and

“(II) in the case of a loan made to a corporation, has stockholders who all qualify individually as beginning farmers;

“(E) in the case of an applicant seeking to become an owner and operator of a farm—

“(i) in the case of a loan made to an individual, individually or with the immediate family of the applicant, will—

“(I) materially and substantially participate in the operation of the farm; and

“(II) provide substantial day-to-day labor and management of the farm, consistent with the practices in the State or county in which the farm is located; or

“(ii)(I) in the case of a loan made to a cooperative, corporation, partnership, or joint operation, will have members, stockholders, partners, or joint operators who will materi-

ally and substantially participate in the operation of the farm; and

“(II) in the case of a loan made to a corporation, has stockholders who will all qualify individually as beginning farmers;

“(F) agrees to participate in such loan assessment, borrower training, and financial management programs as the Secretary may require;

“(G)(i) does not own farm land; or

“(ii) directly or through interests in family farm corporations, owns farm land, the aggregate acreage of which does not exceed 30 percent of the average acreage of the farms, as the case may be, in the county in which the farm operations of the applicant are located, as reported in the most recent census of agriculture taken in accordance with the Census of Agriculture Act of 1997 (7 U.S.C. 2204g et seq.), except that this subparagraph shall not apply to a loan made or guaranteed under chapter 2 of subtitle A; and

“(H) demonstrates that the available resources of the applicant and any spouse of the applicant are not sufficient to enable the applicant to farm on a viable scale.

“(27) RECREATIONAL PURPOSE.—For purposes of section 3410, the term ‘recreational purpose’ has the meaning provided by the Secretary, but shall include hunting.

“(28) RURAL AND RURAL AREA.—

“(A) IN GENERAL.—Subject to any determination made under subparagraph (B), the terms ‘rural’ and ‘rural area’ mean any area other than—

“(i) a city or town that has a population of greater than 50,000 inhabitants; and

“(ii) any urbanized area contiguous and adjacent to a city or town described in clause (i).

“(B) DETERMINATION OF AREAS RURAL IN CHARACTER.—

“(i) IN GENERAL.—If part of an area described in subparagraph (A)(ii) was eligible under the definitions of the terms ‘rural’ and ‘rural area’ in section 343 (as in effect on the day before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013) for community facility, water and waste disposal, and broadband programs, that area shall remain eligible unless the Secretary, acting through the Under Secretary for Rural Development (referred to in this subparagraph as the ‘Under Secretary’), determines the area is no longer rural, based on the criteria described in clause (iii).

“(ii) OTHER AREAS.—On petition of a unit of local government in an urbanized area described in subparagraph (A)(ii), or on the initiative of the Under Secretary, the Under Secretary may determine that part of an area is rural, based on the criteria described in clause (iii).

“(iii) CRITERIA.—In making a determination under clause (i), the Under Secretary shall consider—

“(I) population density;

“(II) economic conditions, favoring a rural determination for areas facing—

“(aa) chronic unemployment in excess of statewide averages;

“(bb) sudden loss of employment from natural disaster or the loss of a significant employer in the area; or

“(cc) chronic poverty demonstrated at the census block or county level compared to statewide median household income; and

“(III) commuting patterns, favoring a rural determination for areas that can demonstrate higher proportions of the population living and working in the area.

“(iv) ADMINISTRATION.—In carrying out this subparagraph, the Under Secretary shall—

“(I) not delegate the authority to carry out this subparagraph;

“(II) not make a determination under clause (i) until the date that is 3 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013;

“(III) consult with the applicable rural development State or regional director of the Department and the Governor of the respective State;

“(IV) provide an opportunity to appeal to the Under Secretary a determination made under this subparagraph;

“(V) release to the public notice of a petition filed or initiative of the Under Secretary under this subparagraph not later than 30 days after receipt of the petition or the commencement of the initiative, as appropriate;

“(VI) make a determination under this subparagraph not less than 15 days, and not more than 60 days, after the release of the notice under subclause (V); and

“(VII) submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report on actions taken to carry out this subparagraph.

“(v) HAWAII AND PUERTO RICO.—Notwithstanding any other provision of this subsection, within the areas of the County of Honolulu, Hawaii, and the Commonwealth of Puerto Rico, the Under Secretary may designate any part of the areas as a rural area if the Under Secretary determines that the part is not urban in character, other than any area included in the Honolulu Census Designated Place or the San Juan Census Designated Place.

“(C) EXCLUSIONS.—Notwithstanding any other provision of this paragraph, in determining which census blocks in an urbanized area are not in a rural area (as defined in this paragraph), the Secretary shall exclude any cluster of census blocks that would otherwise be considered not in a rural area only because the cluster is adjacent to not more than 2 census blocks that are otherwise considered not in a rural area under this paragraph.

“(29) SEASONED DIRECT LOAN BORROWER.—The term ‘seasoned direct loan borrower’ means a borrower who could reasonably be expected to qualify for commercial credit using criteria determined by the Secretary.

“(30) SECRETARY.—The term ‘Secretary’ means the Secretary of Agriculture.

“(31) SOCIALLY DISADVANTAGED FARMER.—The term ‘socially disadvantaged farmer’ means a farmer who is a member of a socially disadvantaged group.

“(32) SOCIALLY DISADVANTAGED GROUP.—The term ‘socially disadvantaged group’ means a group whose members have been subjected to racial, ethnic, or gender prejudice because of the identity of the members as members of a group without regard to the individual qualities of the members.

“(33) SOLAR ENERGY.—The term ‘solar energy’ means energy derived from sources (other than fossil fuels) and technologies included in the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5901 et seq.).

“(34) STATE.—The term ‘State’ means—

“(A) in this title (other than subtitle A), each of the 50 States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau; and

“(B) in subtitle A, each of the 50 States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and, to the extent the Secretary determines it to be feasible and appropriate, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

“(35) STATE BEGINNING FARMER PROGRAM.—The term ‘State beginning farmer program’ means any program that is—

“(A) carried out by, or under contract with, a State; and

“(B) designed to assist qualified beginning farmers in obtaining the financial assistance necessary to enter agriculture and establish viable farming operations.

“(36) VETERAN.—The term ‘veteran’ has the meaning given the term in section 101 of title 38, United States Code.

“(37) WETLAND.—The term ‘wetland’ has the meaning given the term in section 1201(a) of the Food Security Act of 1985 (16 U.S.C. 3801(a)).

“(38) WILDLIFE.—The term ‘wildlife’ means fish or wildlife (as defined in section 2(a) of the Lacey Act Amendments of 1981 (16 U.S.C. 3371(a))).

“Subtitle B—Rural Development

“CHAPTER 1—RURAL COMMUNITY PROGRAMS

“SEC. 3501. WATER AND WASTE DISPOSAL LOANS, LOAN GUARANTEES, AND GRANTS.

“(a) IN GENERAL.—The Secretary may make grants and loans and issue loan guarantees (including a guarantee of a loan financed by the net proceeds of a bond described in section 142(a) of the Internal Revenue Code of 1986) to eligible entities described in subsection (b) for projects in rural areas that primarily serve rural residents to provide for—

“(1) the development, storage, treatment, purification, or distribution of water or the collection, treatment, or disposal of waste; and

“(2) financial assistance and other aid in the planning of projects for purposes described in paragraph (1).

“(b) ELIGIBLE ENTITIES.—Entities eligible for assistance described in subsection (a) are—

“(1) associations (including corporations not operated for profit);

“(2) Indian tribes;

“(3) public and quasi-public agencies; and

“(4) in the case of a project to attach an individual property in a rural area to a water system to alleviate a health risk, an individual.

“(c) LOAN AND LOAN GUARANTEE REQUIREMENTS.—In connection with loans made or guaranteed under this section, the Secretary shall require the applicant—

“(1) to certify in writing, and the Secretary shall determine, that the applicant is unable to obtain sufficient credit elsewhere to finance the actual needs of the applicant at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in the community in or near which the applicant resides for loans for similar purposes and periods of time; and

“(2) to furnish an appropriate written financial statement.

“(d) GRANT AMOUNTS.—

“(1) MAXIMUM.—Except as otherwise provided in this subsection, the amount of any grant made under this section shall not exceed 75 percent of the development cost of the project for which the grant is provided.

“(2) GRANT RATE.—The Secretary shall establish the grant rate for each project in

conformity with regulations issued by the Secretary that shall provide for a graduated scale of grant rates that establish higher rates for projects in communities that have—

“(A) lower community population;

“(B) higher rates of outmigration; and

“(C) lower income levels.

“(3) LOCAL SHARE REQUIREMENTS.—Grants made under this section may be used to pay the local share requirements of another Federal grant-in-aid program to the extent permitted under the law providing for the grant-in-aid program.

“(e) SPECIAL GRANTS.—

“(1) REVOLVING FUNDS FOR FINANCING WATER AND WASTEWATER PROJECTS.—

“(A) IN GENERAL.—The Secretary may make grants to qualified, nonprofit entities in rural areas to capitalize revolving funds for the purpose of providing financing to eligible entities for—

“(i) predevelopment costs associated with proposed water and wastewater projects or with existing water and wastewater systems; and

“(ii) short-term costs incurred for replacement equipment, small-scale extension services, or other small capital projects that are not part of the regular operations and maintenance activities of existing water and wastewater systems.

“(B) MAXIMUM AMOUNT OF FINANCING.—The amount of financing made to an eligible entity under this paragraph shall not exceed—

“(i) \$100,000 for costs described in subparagraph (A)(i); and

“(ii) \$100,000 for costs described in subparagraph (A)(ii).

“(C) TERM.—The term of financing provided to an eligible entity under this paragraph shall not exceed 10 years.

“(D) ADMINISTRATION.—The Secretary shall limit the amount of grant funds that may be used by a grant recipient for administrative costs incurred under this paragraph.

“(E) ANNUAL REPORT.—A nonprofit entity receiving a grant under this paragraph shall submit to the Secretary an annual report that describes the number and size of communities served and the type of financing provided.

“(F) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph \$30,000,000 for each of fiscal years 2014 through 2018.

“(2) EMERGENCY AND IMMINENT COMMUNITY WATER ASSISTANCE PROGRAM.—

“(A) IN GENERAL.—The Secretary shall provide grants in accordance with this paragraph to assist the residents of rural areas and small communities to secure adequate quantities of safe water—

“(i) after a significant decline in the quantity or quality of water available from the water supplies of the rural areas and small communities, or when such a decline is imminent; or

“(ii) when repairs, partial replacement, or significant maintenance efforts on established water systems would remedy—

“(I) an acute or imminent shortage of quality water; or

“(II) a significant or imminent decline in the quantity or quality of water that is available.

“(B) PRIORITY.—In carrying out subparagraph (A), the Secretary shall—

“(i) give priority to projects described in subparagraph (A)(i); and

“(ii) provide at least 70 percent of all grants under this paragraph to those projects.

“(C) ELIGIBILITY.—To be eligible to obtain a grant under this paragraph, an applicant shall—

“(i) be a public or private nonprofit entity; and

“(ii) in the case of a grant made under subparagraph (A)(i), demonstrate to the Secretary that the decline referred to in that subparagraph occurred, or will occur, not later than 2 years after the date on which the application was filed for the grant.

“(D) USES.—

“(i) IN GENERAL.—Grants made under this paragraph may be used—

“(I) for waterline extensions from existing systems, laying of new waterlines, repairs, significant maintenance, digging of new wells, equipment replacement, and hook and tap fees;

“(II) for any other appropriate purpose associated with developing sources of, treating, storing, or distributing water;

“(III) to assist communities in complying with the requirements of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

“(IV) to provide potable water to communities through other means.

“(ii) JOINT PROPOSALS.—

“(I) IN GENERAL.—Subject to the restrictions in subparagraph (E), nothing in this paragraph precludes rural communities from submitting joint proposals for emergency water assistance.

“(II) CONSIDERATION OF RESTRICTIONS.—The restrictions in subparagraph (E) shall be considered in the aggregate, depending on the number of communities involved.

“(E) RESTRICTIONS.—

“(i) MAXIMUM INCOME.—No grant provided under this paragraph shall be used to assist any rural area or community that has a median household income in excess of the State nonmetropolitan median household income according to the most recent decennial census of the United States.

“(ii) SET-ASIDE FOR SMALLER COMMUNITIES.—Not less than 50 percent of the funds allocated under this paragraph shall be allocated to rural communities with populations that do not exceed 3,000 inhabitants.

“(F) MAXIMUM GRANTS.—Grants made under this paragraph may not exceed—

“(i) in the case of each grant made under subparagraph (A)(i), \$500,000; and

“(ii) in the case of each grant made under subparagraph (A)(ii), \$150,000.

“(G) FULL FUNDING.—Subject to subparagraph (F), grants under this paragraph shall be made in an amount equal to 100 percent of the costs of the projects conducted under this paragraph.

“(H) APPLICATION.—

“(i) NATIONALLY COMPETITIVE APPLICATION PROCESS.—

“(I) IN GENERAL.—The Secretary shall develop a nationally competitive application process to award grants under this paragraph.

“(II) REQUIREMENTS.—The process shall include criteria for evaluating applications, including population, median household income, and the severity of the decline, or imminent decline, in the quantity or quality of water.

“(ii) TIMING OF REVIEW OF APPLICATIONS.—

“(I) SIMPLIFIED APPLICATION.—The application process developed by the Secretary under clause (i) shall include a simplified application form that will permit expedited consideration of an application for a grant filed under this paragraph.

“(II) PRIORITY REVIEW.—In processing applications for any water or waste grant or

loan authorized under this section, the Secretary shall afford priority processing to an application for a grant under this paragraph to the extent funds will be available for an award on the application at the conclusion of priority processing.

“(III) TIMING.—The Secretary shall, to the maximum extent practicable, review and act on an application under this paragraph not later than 60 days after the date on which the application is submitted to the Secretary.

“(I) FUNDING.—

“(i) RESERVATION.—

“(I) IN GENERAL.—For each fiscal year, not less than 3 nor more than 5 percent of the total amount made available to carry out this section for the fiscal year shall be reserved for grants under this paragraph.

“(II) RELEASE.—Funds reserved under subclause (I) for a fiscal year shall be reserved only until July 1 of the fiscal year.

“(ii) AUTHORIZATION OF APPROPRIATIONS.—In addition to funds made available under clause (i), there is authorized to be appropriated to carry out this paragraph \$35,000,000 for each of fiscal years 2014 through 2018.

“(3) WATER AND WASTE FACILITY LOANS AND GRANTS TO ALLEVIATE HEALTH RISKS.—

“(A) DEFINITION OF COOPERATIVE.—In this paragraph, the term ‘cooperative’ means a cooperative formed specifically for the purpose of the installation, expansion, improvement, or operation of water supply or waste disposal facilities or systems.

“(B) LOANS AND GRANTS TO PERSONS OTHER THAN INDIVIDUALS.—

“(i) IN GENERAL.—The Secretary shall make or guarantee loans and make grants to provide for the conservation, development, use, and control of water (including the extension or improvement of existing water supply systems) and the installation or improvement of drainage or waste disposal facilities and essential community facilities, including necessary related equipment, training, and technical assistance to—

“(I) rural water supply corporations, cooperatives, or similar entities;

“(II) Indian tribes on Federal or State reservations and other federally recognized Indian tribes;

“(III) rural or native villages in the State of Alaska;

“(IV) native tribal health consortiums;

“(V) public agencies; and

“(VI) Native Hawaiian Home Lands.

“(ii) ELIGIBLE PROJECTS.—Loans and grants described in clause (i) shall be available only to provide the described water and waste facilities and services to communities whose residents face significant health risks, as determined by the Secretary, due to the fact that a significant proportion of the residents of the community do not have access to, or are not served by, adequate affordable—

“(I) water supply systems; or

“(II) waste disposal facilities.

“(iii) MATCHING REQUIREMENTS.—For entities described under subclauses (II), (IV), or (V) of clause (i) to be eligible to receive a grant for water supply systems or waste disposal facilities, the State in which the project will occur shall provide 25 percent in matching funds from non-Federal sources.

“(iv) CERTAIN AREAS TARGETED.—

“(i) IN GENERAL.—Loans and grants under clause (i) shall be made only if the loan or grant funds will be used primarily to provide water or waste services, or both, to residents of a county or census area—

“(aa) the per capita income of the residents of which is not more than 70 percent of

the national average per capita income, as determined by the Department of Commerce; and

“(bb) the unemployment rate of the residents of which is not less than 125 percent of the national average unemployment rate, as determined by the Bureau of Labor Statistics.

“(II) EXCEPTIONS.—Notwithstanding subclause (I), loans and grants under clause (i) may also be made if the loan or grant funds will be used primarily to provide water or waste services, or both, to residents of—

“(aa) a rural area that was recognized as a colonia as of October 1, 1989; or

“(bb) an area described under subclause (II), (III), or (VI) of clause (i).

“(C) LOANS AND GRANTS TO INDIVIDUALS.—

“(i) IN GENERAL.—The Secretary shall make or guarantee loans and make grants to individuals who reside in a community described in subparagraph (B)(i) for the purpose of extending water supply and waste disposal systems, connecting the systems to the residences of the individuals, or installing plumbing and fixtures within the residences of the individuals to facilitate the use of the water supply and waste disposal systems.

“(ii) INTEREST.—Loans described in clause (i) shall be at a rate of interest no greater than the Federal Financing Bank rate on loans of a similar term at the time the loans are made.

“(iii) AMORTIZATION.—The repayment of loans described in clause (i) shall be amortized over the expected life of the water supply or waste disposal system to which the residence of the borrower will be connected.

“(iv) MANNER IN WHICH LOANS AND GRANTS ARE TO BE MADE.—Loans and grants to individuals under clause (i) shall be made—

“(I) directly to the individuals by the Secretary; or

“(II) to the individuals through the rural water supply corporation, cooperative, or similar entity, or public agency, providing the water supply or waste disposal services, pursuant to regulations issued by the Secretary.

“(D) PREFERENCE.—The Secretary shall give preference in the awarding of loans and grants under subparagraphs (B) and (C) to entities described in clause (i) of subparagraph (B) that propose to provide water supply or waste disposal services to the residents of Indian reservations, rural or native villages in the State of Alaska, Native Hawaiian Home Lands, and those rural subdivisions commonly referred to as colonias, that are characterized by substandard housing, inadequate roads and drainage, and a lack of adequate water or waste facilities.

“(E) RELATIONSHIP TO OTHER AUTHORITY.—Notwithstanding any other provision of law, the head of any Federal agency may enter into interagency agreements with Federal, State, tribal, and other entities to share resources, including transferring and accepting funds, equipment, or other supplies, to carry out the activities described in this paragraph.

“(F) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated—

“(i) for grants under this paragraph, \$60,000,000 for each fiscal year;

“(ii) for loans under this paragraph, \$60,000,000 for each fiscal year; and

“(iii) in addition to grants provided under clause (i), for grants under this section to benefit Indian tribes, \$20,000,000 for each fiscal year.

“(4) SOLID WASTE MANAGEMENT GRANTS.—

“(A) IN GENERAL.—The Secretary may make grants to nonprofit organizations for

the provision of regional technical assistance to local and regional governments and related agencies for the purpose of reducing or eliminating pollution of water resources and improving the planning and management of solid waste disposal facilities in rural areas.

“(B) TECHNICAL ASSISTANCE GRANT AMOUNTS.—Grants made under this paragraph for the provision of technical assistance shall be made for 100 percent of the cost of the technical assistance.

“(C) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph \$10,000,000 for each of fiscal years 2014 through 2018.

“(5) RURAL WATER AND WASTEWATER TECHNICAL ASSISTANCE AND TRAINING PROGRAMS.—

“(A) GRANTS TO NONPROFITS.—

“(i) IN GENERAL.—The Secretary may make grants to nonprofit organizations to enable the organizations to provide to associations that provide water and wastewater services in rural areas technical assistance and training—

“(I) to identify, and evaluate alternative solutions to, problems relating to the obtaining, storage, treatment, purification, or distribution of water or the collection, treatment, or disposal of waste in rural areas;

“(II) to prepare applications to receive financial assistance for any purpose specified in subsection (a)(1) from any public or private source; and

“(III) to improve the operation and maintenance practices at any existing works for the storage, treatment, purification, or distribution of water or the collection, treatment, or disposal of waste in rural areas.

“(ii) SELECTION PRIORITY.—In selecting recipients of grants to be made under clause (i), the Secretary shall give priority to nonprofit organizations that have experience in providing the technical assistance and training described in clause (i) to associations serving rural areas in which—

“(I) residents have low income; and

“(II) water supply systems or waste facilities are unhealthful.

“(iii) FUNDING.—

“(i) IN GENERAL.—Except as provided in subclause (II), not less than 1 nor more than 3 percent of any funds made available to carry out water and waste disposal projects described in subsection (a) for any fiscal year shall be reserved for grants under this paragraph.

“(II) EXCEPTION.—The minimum amount specified in subclause (I) shall not apply if the aggregate amount of grant funds requested by applications that qualify for grants received by the Secretary from eligible nonprofit organizations for the fiscal year totals less than 1 percent of those funds.

“(B) RURAL WATER AND WASTEWATER CIRCUIT RIDER PROGRAM.—

“(i) IN GENERAL.—The Secretary shall continue a national rural water and wastewater circuit rider program that—

“(I) is consistent with the activities and results of the program conducted before January 1, 2012, as determined by the Secretary; and

“(II) received funding from the Secretary, acting through the Administrator of the Rural Utilities Service.

“(ii) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subparagraph \$25,000,000 for fiscal year 2014 and each fiscal year thereafter.

“(6) SEARCH PROGRAM.—

“(A) IN GENERAL.—The Secretary may establish a Special Evaluation Assistance for

Rural Communities and Households (SEARCH) program to make predevelopment planning grants for feasibility studies, design assistance, and technical assistance, to financially distressed communities in rural areas with populations of 2,500 or fewer inhabitants for water and waste disposal projects described in this section.

“(B) TERMS.—

“(i) DOCUMENTATION.—With respect to grants made under this paragraph, the Secretary shall require the lowest quantity of documentation practicable.

“(ii) MATCHING.—Notwithstanding any other provision of this section, the Secretary may fund up to 100 percent of the eligible costs of grants provided under this paragraph, as determined by the Secretary.

“(iii) FUNDING.—The Secretary may use not more than 4 percent of the total amount of funds made available for a fiscal year for water, waste disposal, and essential community facility activities under this chapter to carry out this paragraph.

“(C) RELATIONSHIP TO OTHER AUTHORITY.—

“(i) IN GENERAL.—The funds and authorities provided under this paragraph are in addition to any other funds or authorities the Secretary may have to carry out activities described in this section.

“(ii) AUTHORIZED ACTIVITIES.—The Secretary may furnish financial assistance or other aid in planning projects for the purposes described in subparagraph (A).

“(f) PRIORITY.—In making grants and loans, and guaranteeing loans, for water, wastewater, and waste disposal projects under this section, the Secretary shall give priority consideration to projects that serve rural communities that, as determined by the Secretary—

“(1) have a population of less than 5,500 permanent residents;

“(2) have a community water, wastewater, or waste disposal system that—

“(A) is experiencing—

“(i) an unanticipated reduction in the quality of water, the quantity of water, or the ability to deliver water; or

“(ii) some other deterioration in the supply of water to the community;

“(B) is not adequate to meet the needs of the community; and

“(C) requires immediate corrective action;

“(3) are experiencing outmigration;

“(4) have a high percentage of low-income residents; or

“(5) are isolated from other significant population centers.

“(g) CURTAILMENT OR LIMITATION OF SERVICE PROHIBITED.—The service provided or made available through any such association shall not be curtailed or limited by inclusion of the area served by such association within the boundaries of any municipal corporation or other public body, or by the granting of any private franchise for similar service within such area during the term of such loan; nor shall the happening of any such event be the basis of requiring such association to secure any franchise, license, or permit as a condition to continuing to serve the area served by the association at the time of the occurrence of such event.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary.

“SEC. 3502. COMMUNITY FACILITIES LOANS, LOAN GUARANTEES, AND GRANTS.

“(a) IN GENERAL.—The Secretary may make grants and loans and issue loan guarantees (including a guarantee of a loan financed by the net proceeds of a bond de-

scribed in section 142(a) of the Internal Revenue Code of 1986) to eligible entities described in subsection (b) for projects in rural areas that primarily serve rural residents to provide for—

“(1) essential community facilities, including—

“(A) necessary equipment;

“(B) recreational developments; and

“(2) financial assistance and other assistance in the planning of projects for purposes described in this section.

“(b) ELIGIBLE ENTITIES.—Entities eligible for assistance described in subsection (a) are—

“(1) associations (including corporations not operated for profit);

“(2) Indian tribes (including groups of individuals described in paragraph (4) of section 815 of the Native American Programs Act of 1974 (42 U.S.C. 2992c)); and

“(3) public and quasi-public agencies.

“(c) LOAN AND LOAN GUARANTEE REQUIREMENTS.—

“(1) IN GENERAL.—In connection with loans made or guaranteed under this section, the Secretary shall require the applicant—

“(A) to certify in writing, and the Secretary shall determine, that the applicant is unable to obtain sufficient credit elsewhere to finance the actual needs of the applicant; and

“(B) to furnish an appropriate written financial statement.

“(2) DEBT RESTRUCTURING AND LOAN SERVICING FOR COMMUNITY FACILITY LOANS.—The Secretary shall establish and implement a program that is similar to the program established under section 3411, except that the debt restructuring and loan servicing procedures shall apply to delinquent community facility program loans to a hospital or health care facility under subsection (a).

“(d) GRANT AMOUNTS.—

“(1) MAXIMUM.—Except as otherwise provided in this subsection, the amount of any grant made under this section shall not exceed 75 percent of the development cost of the project for which the grant is provided.

“(2) GRANT RATE.—The Secretary shall establish the grant rate for each project in conformity with regulations issued by the Secretary that shall provide for a graduated scale of grant rates that establish higher rates for projects in communities that have—

“(A) low community population;

“(B) high rates of outmigration; and

“(C) low income levels.

“(3) LOCAL SHARE REQUIREMENTS.—Grants made under this section may be used to pay the local share requirements of another Federal grant-in-aid program to the extent permitted under the law providing for the grant-in-aid program.

“(e) PRIORITY.—In making grants and loans, and guaranteeing loans under this section, the Secretary shall give priority consideration to projects that serve rural communities that—

“(1) have a population of less than 20,000 permanent residents;

“(2) are experiencing outmigration;

“(3) have a high percentage of low-income residents; or

“(4) are isolated from other significant population centers.

“(f) TRIBAL COLLEGES AND UNIVERSITIES.—

“(1) IN GENERAL.—The Secretary may make grants to an entity that is a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b))) to provide the Federal share of the cost of developing specific Tribal College or

University essential community facilities in rural areas.

“(2) FEDERAL SHARE.—The Secretary shall establish the maximum percentage of the cost of the project that may be covered by a grant under this subsection, except that the Secretary may not require non-Federal financial support in an amount that is greater than 5 percent of the total cost of the project.

“(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$10,000,000 for each of fiscal years 2014 through 2018.

“(g) TECHNICAL ASSISTANCE FOR COMMUNITY FACILITIES PROJECTS.—

“(1) IN GENERAL.—Subject to paragraph (2), the Secretary may use funds made available for community facilities programs authorized under this section to provide technical assistance to applicants and participants for community facilities programs.

“(2) FUNDING.—The Secretary may use not more than 3 percent of the amount of funds made available to participants for a fiscal year for a community facilities program to provide technical assistance described in paragraph (1).

“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary.

“SEC. 3503. HEALTH CARE SERVICES.

“(a) PURPOSE.—The purpose of this section is to address the continued unmet health needs in the Delta region through cooperation among health care professionals, institutions of higher education, research institutions, and other individuals and entities in the region.

“(b) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term ‘eligible entity’ means a consortium of regional institutions of higher education, academic health and research institutes, and economic development entities located in the Delta region that have experience in addressing the health care issues in the region.

“(c) GRANTS.—To carry out the purpose described in subsection (a), the Secretary may award a grant to an eligible entity for—

“(1) the development of—

“(A) health care services;

“(B) health education programs; and

“(C) health care job training programs; and

“(2) the development and expansion of public health-related facilities in the Delta region to address longstanding and unmet health needs of the region.

“(d) USE.—As a condition of the receipt of the grant, the eligible entity shall use the grant to fund projects and activities described in subsection (c), based on input solicited from local governments, public health care providers, and other entities in the Delta region.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$3,000,000 for each of fiscal years 2014 through 2018.

“CHAPTER 2—RURAL BUSINESS AND COOPERATIVE DEVELOPMENT

“SEC. 3601. BUSINESS PROGRAMS.

“(a) RURAL BUSINESS DEVELOPMENT GRANTS.—

“(1) IN GENERAL.—The Secretary may make grants under this subsection to eligible entities described in paragraph (2) in rural areas that primarily serve rural areas for purposes described in paragraph (3).

“(2) ELIGIBLE ENTITIES.—The Secretary may make grants under this subsection to—

“(A) governmental entities;

“(B) Indian tribes; and

“(C) nonprofit entities.

“(3) ELIGIBLE PURPOSES FOR GRANTS.—Eligible entities that receive grants under this subsection may use the grant funds for—

“(A) business opportunity projects that—

“(i) identify and analyze business opportunities;

“(ii) identify, train, and provide technical assistance to existing or prospective rural entrepreneurs and managers;

“(iii) assist in the establishment of new rural businesses and the maintenance of existing businesses, including through business support centers;

“(iv) conduct regional, community, and local economic development planning and coordination, and leadership development; and

“(v) establish centers for training, technology, and trade that will provide training to rural businesses in the use of interactive communications technologies to develop international trade opportunities and markets; and

“(B) projects that support the development of business enterprises that finance or facilitate—

“(i) the development of small and emerging private business enterprise;

“(ii) the establishment, expansion, and operation of rural distance learning networks;

“(iii) the development of rural learning programs that provide educational instruction or job training instruction related to potential employment or job advancement to adult students; and

“(iv) the provision of technical assistance and training to rural communities for the purpose of improving passenger transportation services or facilities.

“(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this subsection \$65,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.

“(b) VALUE-ADDED AGRICULTURAL PRODUCER GRANTS.—

“(1) DEFINITIONS.—In this subsection:

“(A) MID-TIER VALUE CHAIN.—The term ‘mid-tier value chain’ means a local and regional supply network that links independent producers with businesses and cooperatives that market value-added agricultural products in a manner that—

“(i) targets and strengthens the profitability and competitiveness of small- and medium-sized farms that are structured as family farms; and

“(ii) obtains agreement from an eligible agricultural producer group, farmer cooperative, or majority-controlled producer-based business venture that is engaged in the value chain on a marketing strategy.

“(B) PRODUCER.—The term ‘producer’ means a farmer.

“(C) VALUE-ADDED AGRICULTURAL PRODUCT.—The term ‘value-added agricultural product’ means any agricultural commodity or product—

“(i) that—

“(I) has undergone a change in physical state;

“(II) was produced in a manner that enhances the value of the agricultural commodity or product, as demonstrated through a business plan that shows the enhanced value, as determined by the Secretary;

“(III) is physically segregated in a manner that results in the enhancement of the value of the agricultural commodity or product;

“(IV) is a source of farm-based renewable energy, including E-85 fuel; or

“(V) is aggregated and marketed as a locally produced agricultural food product; and

“(ii) for which, as a result of the change in physical state or the manner in which the agricultural commodity or product was produced, marketed, or segregated—

“(I) the customer base for the agricultural commodity or product is expanded; and

“(II) a greater portion of the revenue derived from the marketing, processing, or physical segregation of the agricultural commodity or product is available to the producer of the commodity or product.

“(2) GRANTS.—

“(A) IN GENERAL.—The Secretary may make grants under this subsection to—

“(i) independent producers of value-added agricultural products; and

“(ii) an agricultural producer group, farmer cooperative, or majority-controlled producer-based business venture, as determined by the Secretary.

“(B) GRANTS TO A PRODUCER.—A grantee under subparagraph (A)(i) shall use the grant—

“(i) to develop a business plan or perform a feasibility study to establish a viable marketing opportunity (including through mid-tier value chains) for value-added agricultural products; or

“(ii) to provide capital to establish alliances or business ventures that allow the producer to better compete in domestic or international markets.

“(C) GRANTS TO AN AGRICULTURAL PRODUCER GROUP, COOPERATIVE OR PRODUCER-BASED BUSINESS VENTURE.—A grantee under subparagraph (A)(ii) shall use the grant—

“(i) to develop a business plan for viable marketing opportunities in emerging markets for a value-added agricultural product; or

“(ii) to develop strategies that are intended to create marketing opportunities in emerging markets for the value-added agricultural product.

“(D) AWARD SELECTION.—

“(i) PRIORITY.—In awarding grants under this subsection, the Secretary shall give priority to projects—

“(I) that contribute to increasing opportunities for operators of small- and medium-sized farms that are structured as family farms; or

“(II) at least ¼ of the recipients of which are beginning farmers or socially disadvantaged farmers.

“(ii) RANKING.—In evaluating and ranking proposals under this subsection, the Secretary shall provide substantial weight to the priorities described in clause (i).

“(E) AMOUNT OF GRANT.—

“(i) IN GENERAL.—The total amount provided to a grant recipient under this subsection shall not exceed \$500,000.

“(ii) MAJORITY-CONTROLLED, PRODUCER-BASED BUSINESS VENTURES.—The total amount of all grants provided to majority-controlled, producer-based business ventures under this subsection for a fiscal year shall not exceed 10 percent of the amount of funds used to make all grants for the fiscal year under this subsection.

“(F) TERM.—The term of a grant under this paragraph shall not exceed 3 years.

“(G) SIMPLIFIED APPLICATION.—The Secretary shall offer a simplified application form and process for project proposals requesting less than \$50,000 under this subsection.

“(3) FUNDING.—

“(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$40,000,000 for each of fiscal years 2014 through 2018.

“(B) RESERVATION OF FUNDS FOR PROJECTS TO BENEFIT BEGINNING FARMERS, SOCIALLY

DISADVANTAGED FARMERS, AND MID-TIER VALUE CHAINS.—

“(i) IN GENERAL.—The Secretary shall reserve 10 percent of the amounts made available for each fiscal year under this subsection to fund projects that benefit beginning farmers or socially disadvantaged farmers.

“(ii) MID-TIER VALUE CHAINS.—The Secretary shall reserve 10 percent of the amounts made available for each fiscal year under this subsection to fund applications of eligible entities described in paragraph (2) that propose to develop mid-tier value chains.

“(iii) UNOBLIGATED AMOUNTS.—Any amounts in the reserves for a fiscal year established under clauses (i) and (ii) that are not obligated by June 30 of the fiscal year shall be available to the Secretary to make grants under this subsection to eligible entities in any State, as determined by the Secretary.

“(C) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this subsection \$12,500,000 for each of fiscal years 2014 through 2018, to remain available until expended.

“(c) RURAL COOPERATIVE DEVELOPMENT GRANTS.—

“(1) DEFINITIONS.—In this subsection:

“(A) NONPROFIT INSTITUTION.—The term ‘nonprofit institution’ means any organization or institution, including an accredited institution of higher education, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

“(B) UNITED STATES.—The term ‘United States’ means—

“(i) the several States; and

“(ii) the District of Columbia.

“(2) GRANTS.—The Secretary shall make grants under this subsection to nonprofit institutions for the purpose of enabling the nonprofit institutions to establish and operate centers for rural cooperative development.

“(3) GOALS.—The goals of a center funded under this subsection shall be to facilitate the creation of jobs in rural areas through the development of new rural cooperatives, value-added processing, and rural businesses.

“(4) APPLICATION.—

“(A) IN GENERAL.—Any nonprofit institution seeking a grant under paragraph (2) shall submit to the Secretary an application containing a plan for the establishment and operation by the institution of 1 or more centers for cooperative development.

“(B) REQUIREMENTS.—The Secretary may approve an application if the plan contains the following:

“(i) A provision that substantiates that the center will effectively serve rural areas in the United States.

“(ii) A provision that the primary objective of the center will be to improve the economic condition of rural areas through cooperative development.

“(iii) A description of the activities that the center will carry out to accomplish the objective, which may include programs—

“(I) for applied research and feasibility studies that may be useful to individuals, cooperatives, small businesses, and other similar entities in rural areas served by the center;

“(II) for the collection, interpretation, and dissemination of information that may be useful to individuals, cooperatives, small businesses, and other similar entities in rural areas served by the center;

“(III) providing training and instruction for individuals, cooperatives, small businesses, and other similar entities in rural areas served by the center;

“(IV) providing loans and grants to individuals, cooperatives, small businesses, and other similar entities in rural areas served by the center;

“(V) providing technical assistance, research services, and advisory services to individuals, cooperatives, small businesses, and other similar entities in rural areas served by the center; and

“(VI) providing for the coordination of services and sharing of information by the center.

“(iv) A description of the contributions that the activities are likely to make to the improvement of the economic conditions of the rural areas for which the center will provide services.

“(v) Provisions that the center, in carrying out the activities, will seek, if appropriate, the advice, participation, expertise, and assistance of representatives of business, industry, educational institutions, the Federal Government, and State and local governments.

“(vi) Provisions that the center will take all practicable steps to develop continuing sources of financial support for the center, particularly from sources in the private sector.

“(vii) Provisions for—

“(I) monitoring and evaluating the activities by the nonprofit institution operating the center; and

“(II) accounting for funds received by the institution under this section.

“(5) AWARDING GRANTS.—

“(A) IN GENERAL.—Grants made under paragraph (2) shall be made on a competitive basis.

“(B) PREFERENCE.—In making grants under paragraph (2), the Secretary shall give preference to grant applications providing for the establishment of centers for rural cooperative development that—

“(i) demonstrate a proven track record in carrying out activities to promote and assist the development of cooperatively and mutually owned businesses;

“(ii) demonstrate previous expertise in providing technical assistance in rural areas to promote and assist the development of cooperatively and mutually owned businesses;

“(iii) demonstrate the ability to assist in the retention of businesses, facilitate the establishment of cooperatives and new cooperative approaches, and generate employment opportunities that will improve the economic conditions of rural areas;

“(iv) commit to providing technical assistance and other services to underserved and economically distressed areas in rural areas of the United States;

“(v) demonstrate a commitment to—

“(I) networking with and sharing the results of the efforts of the center with other cooperative development centers and other organizations involved in rural economic development efforts; and

“(II) developing multiorganization and multistate approaches to addressing the economic development and cooperative needs of rural areas; and

“(vi) commit to providing a 25 percent matching contribution with private funds and in-kind contributions, except that the Secretary shall not require non-Federal financial support in an amount that is greater than 5 percent in the case of a 1994 institution (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382)).

“(6) GRANT PERIOD.—

“(A) IN GENERAL.—A grant awarded to a center that has received no prior funding under this subsection shall be made for a period of 1 year.

“(B) MULTIYEAR GRANTS.—If the Secretary determines it to be in the best interest of the program, the Secretary shall award grants for a period of more than 1 year, but not more than 3 years, to a center that has successfully met the requirements of paragraph (5)(B), as determined by the Secretary.

“(7) AUTHORITY TO EXTEND GRANT PERIOD.—The Secretary may extend for 1 additional 12-month period the period during which a grantee may use a grant made under this subsection.

“(8) TECHNICAL ASSISTANCE TO PREVENT EXCESSIVE UNEMPLOYMENT OR UNDEREMPLOYMENT.—

“(A) IN GENERAL.—In carrying out this subsection, the Secretary may provide technical assistance to alleviate or prevent conditions of excessive unemployment, underemployment, outmigration, or low employment growth in economically distressed rural areas that the Secretary determines have a substantial need for the assistance.

“(B) INCLUSIONS.—The assistance may include planning and feasibility studies, management and operational assistance, and studies evaluating the need for the development potential of projects that increase employment and improve economic growth in the areas.

“(9) GRANTS TO DEFRAY ADMINISTRATIVE COSTS.—

“(A) IN GENERAL.—The Secretary may make grants to defray not to exceed 75 percent of the costs incurred by organizations and public bodies to carry out projects for which grants or loans are made under this subsection.

“(B) COST-SHARING.—For purposes of determining the non-Federal share of the costs, the Secretary shall include contributions in cash and in kind, fairly evaluated, including premises, equipment, and services.

“(10) COOPERATIVE RESEARCH PROGRAM.—The Secretary shall offer to enter into a cooperative research agreement with 1 or more qualified academic institutions in each fiscal year to conduct research on the effects of all types of cooperatives on the national economy.

“(11) ADDRESSING NEEDS OF MINORITY COMMUNITIES.—

“(A) IN GENERAL.—If the total amount appropriated under paragraph (13) for a fiscal year exceeds \$7,500,000, the Secretary shall reserve an amount equal to 20 percent of the total amount appropriated for grants for cooperative development centers, individual cooperatives, or groups of cooperatives—

“(i) that serve socially disadvantaged groups; and

“(ii) a majority of the boards of directors or governing boards of which are comprised of individuals who are members of socially disadvantaged groups.

“(B) INSUFFICIENT APPLICATIONS.—To the extent there are insufficient applications to carry out subparagraph (A), the Secretary shall use the funds as otherwise authorized by this subsection.

“(12) INTERAGENCY WORKING GROUP.—Not later than 90 days after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Secretary shall coordinate and chair an interagency working group to foster cooperative development and ensure coordination with Federal agencies and national and local cooperative organizations that have cooperative programs and interests.

“(13) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$50,000,000 for each of fiscal years 2014 through 2018.

“(d) APPROPRIATE TECHNOLOGY TRANSFER FOR RURAL AREAS PROGRAM.—

“(1) DEFINITION OF NATIONAL NONPROFIT AGRICULTURAL ASSISTANCE INSTITUTION.—In this subsection, the term ‘national nonprofit agricultural assistance institution’ means an organization that—

“(A) is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under 501(a) of that Code;

“(B) has staff and offices in multiple regions of the United States;

“(C) has experience and expertise in operating national agricultural technical assistance programs;

“(D) expands markets for the agricultural commodities produced by producers through the use of practices that enhance the environment, natural resource base, and quality of life; and

“(E) improves the economic viability of agricultural operations.

“(2) ESTABLISHMENT.—The Secretary shall establish a national appropriate technology transfer for rural areas program to assist agricultural producers that are seeking information—

“(A) to reduce input costs;

“(B) to conserve energy resources;

“(C) to diversify operations through new energy crops and energy generation facilities; and

“(D) to expand markets for agricultural commodities produced by the producers by using practices that enhance the environment, natural resource base, and quality of life.

“(3) IMPLEMENTATION.—

“(A) IN GENERAL.—The Secretary shall carry out the program under this subsection by making a grant to, or offering to enter into a cooperative agreement with, a national nonprofit agricultural assistance institution.

“(B) GRANT AMOUNT.—A grant made, or cooperative agreement entered into, under subparagraph (A) shall provide 100 percent of the cost of providing information described in paragraph (2).

“(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$5,000,000 for each of fiscal years 2014 through 2018.

“(e) BUSINESS AND INDUSTRY DIRECT AND GUARANTEED LOANS.—

“(1) DEFINITION OF BUSINESS AND INDUSTRY LOAN.—In this section, the term ‘business and industry loan’ means a direct loan that is made, or a loan that is guaranteed, by the Secretary under this subsection.

“(2) LOAN PURPOSES.—The Secretary may make business and industry loans to public, private, or cooperative organizations organized for profit or nonprofit, private investment funds that invest primarily in cooperative organizations, or to individuals—

“(A) to improve, develop, or finance business, industry, and employment and improve the economic and environmental climate in rural communities, including pollution abatement and control;

“(B) to conserve, develop, and use water for aquaculture purposes in rural areas; and

“(C) to reduce the reliance on nonrenewable energy resources by encouraging the development and construction of renewable energy systems (including solar energy systems, wind energy systems, and anaerobic digestors for the purpose of energy generation), including the modification of existing systems, in rural areas.

“(3) LOAN GUARANTEES FOR CERTAIN LOANS.—The Secretary may guarantee loans made under this subsection to finance the issuance of bonds for the projects described in paragraph (2).

“(4) MAXIMUM AMOUNT OF PRINCIPAL.—

“(A) IN GENERAL.—Except as otherwise provided in this paragraph, no loan may be made or guaranteed under this subsection that exceeds \$25,000,000 in principal amount.

“(B) LIMITATIONS ON LOAN GUARANTEES FOR COOPERATIVE ORGANIZATIONS.—

“(i) PRINCIPAL AMOUNT.—Subject to clause (ii), the principal amount of a business and industry loan made to a cooperative organization and guaranteed under this subsection shall not exceed \$40,000,000.

“(ii) USE.—To be eligible for a guarantee under this subsection for a business and industry loan made to a cooperative organization, the principal amount of the loan in excess of \$25,000,000 shall be used to carry out a project that is in a rural area and—

“(I) provides for the value-added processing of agricultural commodities; or

“(II) significantly benefits 1 or more entities eligible for assistance for the purposes described in paragraph (2), as determined by the Secretary.

“(iii) APPLICATIONS.—If a cooperative organization submits an application for a guarantee under this paragraph, the Secretary shall make the determination whether to approve the application, and the Secretary may not delegate this authority.

“(iv) MAXIMUM AMOUNT.—The total amount of business and industry loans made to cooperative organizations and guaranteed for a fiscal year under this subsection with principal amounts that are in excess of \$25,000,000 may not exceed 10 percent of the total amount of business and industry loans guaranteed for the fiscal year under this subsection.

“(5) FEES.—The Secretary may assess a 1-time fee and an annual renewal fee for any guaranteed business and industry loan in an amount that does not exceed 3 percent of the guaranteed principal portion of the loan.

“(6) INTANGIBLE ASSETS.—In determining whether a cooperative organization is eligible for a guaranteed business and industry loan, the Secretary may consider the market value of a properly appraised brand name, patent, or trademark of the cooperative.

“(7) LOAN APPRAISALS.—The Secretary may require that any appraisal made in connection with a business and industry loan be conducted by a specialized appraiser that uses standards that are comparable to standards used for similar purposes in the private sector, as determined by the Secretary.

“(8) LOAN GUARANTEES FOR THE PURCHASE OF COOPERATIVE STOCK.—

“(A) IN GENERAL.—The Secretary may guarantee a business and industry loan to individual farmers to purchase capital stock of a farmer cooperative established for the purpose of processing an agricultural commodity.

“(B) PROCESSING CONTRACTS DURING INITIAL PERIOD.—A cooperative described in subparagraph (A) for which a farmer receives a guarantee to purchase stock under that subparagraph may contract for services to process agricultural commodities or otherwise process value added for the period beginning on the date of the startup of the cooperative in order to provide adequate time for the planning and construction of the processing facility of the cooperative.

“(C) FINANCIAL INFORMATION.—Financial information required by the Secretary from a farmer as a condition of making a business

and industry loan guarantee under this paragraph shall be provided in the manner generally required by commercial agricultural lenders in the applicable area.

“(9) LOANS TO COOPERATIVES.—

“(A) ELIGIBILITY.—

“(i) IN GENERAL.—The Secretary may make or guarantee a business and industry loan to a cooperative organization that is headquartered in a metropolitan area if the loan is—

“(I) used for a project or venture described in paragraph (2) that is located in a rural area; or

“(II) a loan guarantee that meets the requirements of paragraph (10).

“(ii) EQUITY.—The Secretary may guarantee a loan made for the purchase of preferred stock or similar equity issued by a cooperative organization or a fund that invests primarily in cooperative organizations, if the guarantee significantly benefits 1 or more entities eligible for assistance for the purposes described in paragraph (2)(A), as determined by the Secretary.

“(B) REFINANCING.—A cooperative organization that is eligible for a business and industry loan shall be eligible to refinance an existing business and industry loan with a lender if—

“(i) the cooperative organization—

“(I) is current and performing with respect to the existing loan; and

“(II)(aa) is not, and has not been, in payment default, with respect to the existing loan; or

“(bb) has not converted any of the collateral with respect to the existing loan; and

“(ii) there is adequate security or full collateral for the refinanced loan.

“(10) LOAN GUARANTEES IN NONRURAL AREAS.—The Secretary may guarantee a business and industry loan to a cooperative organization for a facility that is not located in a rural area if—

“(A) the primary purpose of the loan guarantee is for a facility to provide value-added processing for agricultural producers that are located within 80 miles of the facility;

“(B) the applicant demonstrates to the Secretary that the primary benefit of the loan guarantee will be to provide employment for residents of a rural area; and

“(C) the total amount of business and industry loans guaranteed for a fiscal year under this paragraph does not exceed 10 percent of the business and industry loans guaranteed for the fiscal year under this subsection.

“(11) LOCALLY OR REGIONALLY PRODUCED AGRICULTURAL FOOD PRODUCTS.—

“(A) DEFINITIONS.—In this paragraph:

“(i) LOCALLY OR REGIONALLY PRODUCED AGRICULTURAL FOOD PRODUCT.—The term ‘locally or regionally produced agricultural food product’ means any agricultural food product that is raised, produced, and distributed in—

“(I) the locality or region in which the final product is marketed, so that the total distance that the product is transported is less than 400 miles from the origin of the product; or

“(II) the State in which the product is produced.

“(ii) UNDERSERVED COMMUNITY.—The term ‘underserved community’ means a community (including an urban or rural community and an Indian tribal community) that, as determined by the Secretary, has—

“(I) limited access to affordable, healthy foods, including fresh fruits and vegetables, in grocery retail stores or farmer-to-consumer direct markets; and

“(II) a high rate of hunger or food insecurity or a high poverty rate.

“(B) LOAN AND LOAN GUARANTEE PROGRAM.—

“(i) IN GENERAL.—The Secretary shall make or guarantee loans to individuals, cooperatives, cooperative organizations, businesses, and other entities to establish and facilitate enterprises that process, distribute, aggregate, store, and market locally or regionally produced agricultural food products to support community development and farm income.

“(ii) REQUIREMENT.—The recipient of a loan or loan guarantee under this paragraph shall include in an appropriate agreement with retail and institutional facilities to which the recipient sells locally or regionally produced agricultural food products a requirement to inform consumers of the retail or institutional facilities that the consumers are purchasing or consuming locally or regionally produced agricultural food products.

“(iii) PRIORITY.—In making or guaranteeing a loan under this paragraph, the Secretary shall give priority to projects that have components benefitting underserved communities.

“(iv) REPORTS.—Not later than 2 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 and annually thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, and publish on the Internet, a report that describes projects carried out using loans or loan guarantees made under clause (i), including—

“(I) summary information about all projects;

“(II) the characteristics of the communities served; and

“(III) resulting benefits.

“(v) RESERVATION OF FUNDS.—For each of fiscal years 2014 through 2018, the Secretary shall reserve not less than 5 percent of the total amount of funds made available to carry out this subsection to carry out this paragraph until April 1 of the fiscal year.

“(vi) OUTREACH.—The Secretary shall develop and implement an outreach plan to publicize the availability of loans and loan guarantees under this paragraph, working closely with rural cooperative development centers, credit unions, community development financial institutions, regional economic development authorities, and other financial and economic development entities.

“(12) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$75,000,000 for each of fiscal years 2014 through 2018.

“(f) RELENDING PROGRAMS.—

“(1) INTERMEDIATE RELENDING PROGRAM.—

“(A) IN GENERAL.—The Secretary may make or guarantee loans to eligible entities described in subparagraph (B) so that the eligible entities may relend the funds to individuals and entities for the purposes described in subparagraph (C).

“(B) ELIGIBLE ENTITIES.—Entities eligible for loans and loan guarantees described in subparagraph (A) are—

“(i) public agencies;

“(ii) Indian tribes;

“(iii) cooperatives; and

“(iv) nonprofit corporations.

“(C) ELIGIBLE PURPOSES.—The proceeds from loans made or guaranteed by the Secretary pursuant to subparagraph (A) may be relented by eligible entities for projects that—

“(i) predominately serve communities in rural areas; and

“(ii) as determined by the Secretary—
 “(I) promote community development;
 “(II) establish new businesses;
 “(III) establish and support microlending programs; and
 “(IV) create or retain employment opportunities.

“(D) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$50,000,000 for each of fiscal years 2014 through 2018.

“(2) RURAL MICROENTREPRENEUR ASSISTANCE PROGRAM.—

“(A) DEFINITIONS.—In this paragraph:

“(i) MICROENTREPRENEUR.—The term ‘microentrepreneur’ means an owner and operator, or prospective owner and operator, of a rural microenterprise who is unable to obtain sufficient training, technical assistance, or credit other than under this subsection, as determined by the Secretary.

“(ii) MICROENTERPRISE DEVELOPMENT ORGANIZATION.—The term ‘microenterprise development organization’ means an organization that is—

“(I) a nonprofit entity;
 “(II) an Indian tribe, the tribal government of which certifies to the Secretary that—
 “(aa) no microenterprise development organization serves the Indian tribe; and
 “(bb) no rural microentrepreneur assistance program exists under the jurisdiction of the Indian tribe;
 “(III) a public institution of higher education; or

“(IV) a collaboration of rural nonprofit entities serving a region or State, if 1 lead nonprofit entity is the sole underwriter of all loans and is responsible for associated risks.

“(iii) MICROLOAN.—The term ‘microloan’ means a business loan of not more than \$50,000 that is provided to a rural microenterprise.

“(iv) PROGRAM.—The term ‘program’ means the rural microentrepreneur assistance program established under subparagraph (B).

“(v) RURAL MICROENTERPRISE.—The term ‘rural microenterprise’ means a business entity with not more than 10 full-time equivalent employees located in a rural area.

“(vi) TRAINING.—The term ‘training’ means teaching broad business principles or general business skills in a group or public setting.

“(vii) TECHNICAL ASSISTANCE.—The term ‘technical assistance’ means working with a business client in a 1-to-1 manner to provide business and financial management counseling, assist in the preparation of business or marketing plans, or provide other skills tailored to an individual microentrepreneur.

“(B) RURAL MICROENTREPRENEUR ASSISTANCE PROGRAM.—

“(i) ESTABLISHMENT.—The Secretary shall establish a rural microentrepreneur assistance program to provide loans and grants to support microentrepreneurs in the development and ongoing success of rural microenterprises.

“(ii) PURPOSE.—The purpose of the program is to provide microentrepreneurs with—

“(I) the skills necessary to establish new rural microenterprises; and

“(II) continuing technical and financial assistance related to the successful operation of rural microenterprises.

“(iii) LOANS.—

“(I) IN GENERAL.—The Secretary shall make loans to microenterprise development organizations for the purpose of providing fixed-interest rate microloans to microentrepreneurs for startup and growing rural microenterprises.

“(II) LOAN TERMS.—A loan made by the Secretary to a microenterprise development organization under this subparagraph shall—

“(aa) be for a term not to exceed 20 years; and

“(bb) bear an annual interest rate of at least 1 percent.

“(III) LOAN LOSS RESERVE FUND.—The Secretary shall require each microenterprise development organization that receives a loan under this subparagraph to—

“(aa) establish a loan loss reserve fund; and

“(bb) maintain the reserve fund in an amount equal to at least 5 percent of the outstanding balance of such loans owed by the microenterprise development organization, until all obligations owed to the Secretary under this subparagraph are repaid.

“(IV) DEFERRAL OF INTEREST AND PRINCIPAL.—The Secretary may permit the deferral of payments on principal and interest due on a loan to a microenterprise development organization made under this paragraph for a 2-year period beginning on the date on which the loan is made.

“(iv) GRANTS TO SUPPORT RURAL MICROENTERPRISE DEVELOPMENT.—

“(I) IN GENERAL.—The Secretary shall make grants to microenterprise development organizations—

“(aa) to provide training and technical assistance, and other related services to rural microentrepreneurs; and

“(bb) to carry out such other projects and activities as the Secretary determines appropriate to further the purposes of the program.

“(II) SELECTION.—In making grants under subclause (I), the Secretary shall—

“(aa) place an emphasis on microenterprise development organizations that serve microentrepreneurs that are located in rural areas that have suffered significant outward migration, as determined by the Secretary; and

“(bb) ensure, to the maximum extent practicable, that grant recipients include microenterprise development organizations of varying sizes and that serve racially and ethnically diverse populations.

“(v) GRANTS TO ASSIST MICROENTREPRENEURS.—

“(I) IN GENERAL.—The Secretary shall make annual grants to microenterprise development organizations to provide technical assistance to microentrepreneurs that—

“(aa) received a loan from the microenterprise development organization under subparagraph (B)(iii); or

“(bb) are seeking a loan from the microenterprise development organization under subparagraph (B)(iii).

“(II) MAXIMUM AMOUNT OF TECHNICAL ASSISTANCE GRANT.—The maximum amount of a grant under this clause shall be in an amount equal to not more than 25 percent of the total outstanding balance of microloans made by the microenterprise development organization under clause (iii), as of the date the grant is awarded.

“(vi) ADMINISTRATIVE EXPENSES.—Not more than 10 percent of a grant received by a microenterprise development organization for a fiscal year under this subparagraph may be used to pay administrative expenses.

“(C) ADMINISTRATION.—

“(i) MATCHING REQUIREMENT.—As a condition of any grant made under clauses (iv) and (v) of subparagraph (B), the Secretary shall require the microenterprise development organization to match not less than 15 percent of the total amount of the grant in the form of matching funds (including community de-

velopment block grants), indirect costs, or in-kind goods or services.

“(ii) OVERSIGHT.—At a minimum, not later than December 1 of each fiscal year, a microenterprise development organization that receives a loan or grant under this section shall provide to the Secretary such information as the Secretary may require to ensure that assistance provided under this section is used for the purposes for which the loan or grant was made.

“(D) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph \$40,000,000 for each of fiscal years 2014 through 2018.

“(E) MANDATORY FUNDING FOR FISCAL YEARS 2014 THROUGH 2018.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this paragraph \$3,750,000 for each of fiscal years 2014 through 2018, to remain available until expended.

“SEC. 3602. RURAL BUSINESS INVESTMENT PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) ARTICLES.—The term ‘articles’ means articles of incorporation for an incorporated body or the functional equivalent or other similar documents specified by the Secretary for other business entities.

“(2) DEVELOPMENTAL VENTURE CAPITAL.—The term ‘developmental venture capital’ means capital in the form of equity capital investments in rural business investment companies with an objective of fostering economic development in rural areas.

“(3) EMPLOYEE WELFARE BENEFIT PLAN; PENSION PLAN.—

“(A) IN GENERAL.—The terms ‘employee welfare benefit plan’ and ‘pension plan’ have the meanings given the terms in section 3 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002).

“(B) INCLUSIONS.—The terms ‘employee welfare benefit plan’ and ‘pension plan’ include—

“(i) public and private pension or retirement plans subject to this subtitle; and

“(ii) similar plans not covered by this subtitle that have been established, and that are maintained, by the Federal Government or any State (including by a political subdivision, agency, or instrumentality of the Federal Government or a State) for the benefit of employees.

“(4) EQUITY CAPITAL.—The term ‘equity capital’ means common or preferred stock or a similar instrument, including subordinated debt with equity features.

“(5) LEVERAGE.—The term ‘leverage’ includes—

“(A) debentures purchased or guaranteed by the Secretary;

“(B) participating securities purchased or guaranteed by the Secretary; and

“(C) preferred securities outstanding as of the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013.

“(6) LICENSE.—The term ‘license’ means a license issued by the Secretary in accordance with in subsection (d)(5).

“(7) LIMITED LIABILITY COMPANY.—The term ‘limited liability company’ means a business entity that is organized and operating in accordance with a State limited liability company law approved by the Secretary.

“(8) MEMBER.—The term ‘member’ means, with respect to a rural business investment company that is a limited liability company, a holder of an ownership interest, or a person otherwise admitted to membership in the limited liability company.

“(9) OPERATIONAL ASSISTANCE.—The term ‘operational assistance’ means management, marketing, and other technical assistance

that assists a rural business concern with business development.

“(10) PARTICIPATION AGREEMENT.—The term ‘participation agreement’ means an agreement, between the Secretary and a rural business investment company granted final approval under subsection (d)(5), that requires the rural business investment company to make investments in smaller enterprises in rural areas.

“(11) PRIVATE CAPITAL.—

“(A) IN GENERAL.—The term ‘private capital’ means the total of—

“(i)(I) the paid-in capital and paid-in surplus of a corporate rural business investment company;

“(II) the contributed capital of the partners of a partnership rural business investment company; or

“(III) the equity investment of the members of a limited liability company rural business investment company; and

“(ii) unfunded binding commitments from investors that meet criteria established by the Secretary to contribute capital to the rural business investment company, except that—

“(I) unfunded commitments may be counted as private capital for purposes of approval by the Secretary of any request for leverage; but

“(II) leverage shall not be funded based on the commitments.

“(B) EXCLUSIONS.—The term ‘private capital’ does not include—

“(i) any funds borrowed by a rural business investment company from any source;

“(ii) any funds obtained through the issuance of leverage; or

“(iii) any funds obtained directly or indirectly from the Federal Government or any State (including by a political subdivision, agency, or instrumentality of the Federal Government or a State), except for—

“(I) funds obtained from the business revenues (excluding any governmental appropriation) of any Federally chartered or government-sponsored enterprise established prior to the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013;

“(II) funds invested by an employee welfare benefit plan or pension plan; and

“(III) any qualified nonprivate funds (if the investors of the qualified nonprivate funds do not control, directly or indirectly, the management, board of directors, general partners, or members of the rural business investment company).

“(12) QUALIFIED NONPRIVATE FUNDS.—The term ‘qualified nonprivate funds’ means any—

“(A) funds directly or indirectly invested in any applicant or rural business investment company on or before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 by any Federal agency, other than the Department, under a provision of law explicitly mandating the inclusion of those funds in the definition of the term ‘private capital’; and

“(B) funds invested in any applicant or rural business investment company by 1 or more entities of any State (including by a political subdivision, agency, or instrumentality of the State and including any guarantee extended by those entities) in an aggregate amount that does not exceed 33 percent of the private capital of the applicant or rural business investment company.

“(13) RURAL BUSINESS CONCERN.—The term ‘rural business concern’ means—

“(A) a public, private, or cooperative for-profit or nonprofit organization;

“(B) a for-profit or nonprofit business controlled by an Indian tribe; or

“(C) any other person or entity that primarily operates in a rural area, as determined by the Secretary.

“(14) RURAL BUSINESS INVESTMENT COMPANY.—The term ‘rural business investment company’ means a company that—

“(A) has been granted final approval by the Secretary under subsection (d)(5); and

“(B) has entered into a participation agreement with the Secretary.

“(15) SMALLER ENTERPRISE.—

“(A) IN GENERAL.—The term ‘smaller enterprise’ means any rural business concern that, together with its affiliates—

“(i) has—

“(I) a net financial worth of not more than \$6,000,000, as of the date on which assistance is provided under this section to the rural business concern; and

“(II) except as provided in subparagraph (B), an average net income for the 2-year period preceding the date on which assistance is provided under this section to the rural business concern, of not more than \$2,000,000, after Federal income taxes (excluding any carryover losses); or

“(ii) satisfies the standard industrial classification size standards established by the Administrator of the Small Business Administration for the industry in which the rural business concern is primarily engaged.

“(B) EXCEPTION.—For purposes of subparagraph (A)(i)(II), if the rural business concern is not required by law to pay Federal income taxes at the enterprise level, but is required to pass income through to the shareholders, partners, beneficiaries, or other equitable owners of the business concern, the net income of the business concern shall be determined by allowing a deduction in an amount equal to the total of—

“(i) if the rural business concern is not required by law to pay State (and local, if any) income taxes at the enterprise level, the product obtained by multiplying—

“(I) the net income (determined without regard to this subparagraph); by

“(II) the marginal State income tax rate (or by the combined State and local income tax rates, as applicable) that would have applied if the business concern were a corporation; and

“(ii) the product obtained by multiplying—

“(I) the net income (so determined) less any deduction for State (and local) income taxes calculated under clause (i); by

“(II) the marginal Federal income tax rate that would have applied if the rural business concern were a corporation.

“(b) PURPOSES.—The purposes of the Rural Business Investment Program established under this section are—

“(1) to promote economic development and the creation of wealth and job opportunities in rural areas and among individuals living in those areas by encouraging developmental venture capital investments in smaller enterprises primarily located in rural areas; and

“(2) to establish a developmental venture capital program, with the mission of addressing the unmet equity investment needs of small enterprises located in rural areas, by authorizing the Secretary—

“(A) to enter into participation agreements with rural business investment companies;

“(B) to guarantee debentures of rural business investment companies to enable each rural business investment company to make developmental venture capital investments in smaller enterprises in rural areas; and

“(C) to make grants to rural business investment companies, and to other entities,

for the purpose of providing operational assistance to smaller enterprises financed, or expected to be financed, by rural business investment companies.

“(c) ESTABLISHMENT.—In accordance with this subtitle, the Secretary shall establish a Rural Business Investment Program, under which the Secretary may—

“(1) enter into participation agreements with companies granted final approval under subsection (d)(5) for the purposes described in subsection (b);

“(2) guarantee the debentures issued by rural business investment companies as provided in subsection (e); and

“(3) make grants to rural business investment companies, and to other entities, under subsection (h).

“(d) SELECTION OF RURAL BUSINESS INVESTMENT COMPANIES.—

“(1) ELIGIBILITY.—A company shall be eligible to apply to participate, as a rural business investment company, in the program established under this section if—

“(A) the company is a newly formed for-profit entity or a newly formed for-profit subsidiary of such an entity;

“(B) the company has a management team with experience in community development financing or relevant venture capital financing; and

“(C) the company will invest in enterprises that will create wealth and job opportunities in rural areas, with an emphasis on smaller enterprises.

“(2) APPLICATION.—To participate, as a rural business investment company, in the program established under this section, a company meeting the eligibility requirements of paragraph (1) shall submit an application to the Secretary that includes—

“(A) a business plan describing how the company intends to make successful developmental venture capital investments in identified rural areas;

“(B) information regarding the community development finance or relevant venture capital qualifications and general reputation of the management of the company;

“(C) a description of how the company intends to work with community-based organizations and local entities (including local economic development companies, local lenders, and local investors) and to seek to address the unmet equity capital needs of the communities served;

“(D) a proposal describing how the company intends to use the grant funds provided under this section to provide operational assistance to smaller enterprises financed by the company, including information regarding whether the company intends to use licensed professionals, as necessary, on the staff of the company or from an outside entity;

“(E) with respect to binding commitments to be made to the company under this section, an estimate of the ratio of cash to in-kind contributions;

“(F) a description of the criteria to be used to evaluate whether and to what extent the company meets the purposes of the program established under this section;

“(G) information regarding the management and financial strength of any parent firm, affiliated firm, or any other firm essential to the success of the business plan of the company; and

“(H) such other information as the Secretary may require.

“(3) STATUS.—Not later than 90 days after the initial receipt by the Secretary of an application under this subsection, the Secretary shall provide to the applicant a written report describing the status of the application and any requirements remaining for completion of the application.

“(4) MATTERS CONSIDERED.—In reviewing and processing any application under this subsection, the Secretary shall—

“(A) determine whether—

“(i) the applicant meets the requirements of paragraph (5); and

“(ii) the management of the applicant is qualified and has the knowledge, experience, and capability necessary to comply with this section;

“(B) take into consideration—

“(i) the need for and availability of financing for rural business concerns in the geographic area in which the applicant is to commence business;

“(ii) the general business reputation of the owners and management of the applicant; and

“(iii) the probability of successful operations of the applicant, including adequate profitability and financial soundness; and

“(C) not take into consideration any projected shortage or unavailability of grant funds or leverage.

“(5) APPROVAL; LICENSE.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary may approve an applicant to operate as a rural business investment company under this subtitle and license the applicant as a rural business investment company, if—

“(i) the Secretary determines that the application satisfies the requirements of paragraph (2);

“(ii) the area in which the rural business investment company is to conduct its operations, and establishment of branch offices or agencies (if authorized by the articles), are approved by the Secretary; and

“(iii) the applicant enters into a participation agreement with the Secretary.

“(B) CAPITAL REQUIREMENTS.—

“(i) IN GENERAL.—Notwithstanding any other provision of this section, the Secretary may approve an applicant to operate as a rural business investment company under this section and designate the applicant as a rural business investment company, if the Secretary determines that the applicant—

“(I) has private capital as determined by the Secretary;

“(II) would otherwise be approved under this section, except that the applicant does not satisfy the requirements of subsection (i)(3); and

“(III) has a viable business plan that—

“(aa) reasonably projects profitable operations; and

“(bb) has a reasonable timetable for achieving a level of private capital that satisfies the requirements of subsection (i)(3).

“(ii) LEVERAGE.—An applicant approved under clause (i) shall not be eligible to receive leverage under this section until the applicant satisfies the requirements of section 3602(i)(3).

“(iii) GRANTS.—An applicant approved under clause (i) shall be eligible for grants under subsection (h) in proportion to the private capital of the applicant, as determined by the Secretary.

“(e) DEBENTURES.—

“(1) IN GENERAL.—The Secretary may guarantee the timely payment of principal and interest, as scheduled, on debentures issued by any rural business investment company.

“(2) TERMS AND CONDITIONS.—The Secretary may make guarantees under this sub-

section on such terms and conditions as the Secretary considers appropriate, except that the term of any debenture guaranteed under this section shall not exceed 15 years.

“(3) FULL FAITH AND CREDIT OF THE UNITED STATES.—Section 3901 shall apply to any guarantee under this subsection.

“(4) MAXIMUM GUARANTEE.—Under this subsection, the Secretary may—

“(A) guarantee the debentures issued by a rural business investment company only to the extent that the total face amount of outstanding guaranteed debentures of the rural business investment company does not exceed the lesser of—

“(i) 300 percent of the private capital of the rural business investment company; or

“(ii) \$105,000,000; and

“(B) provide for the use of discounted debentures.

“(f) ISSUANCE AND GUARANTEE OF TRUST CERTIFICATES.—

“(1) ISSUANCE.—The Secretary may issue trust certificates representing ownership of all or a fractional part of debentures issued by a rural business investment company and guaranteed by the Secretary under this section, if the certificates are based on and backed by a trust or pool approved by the Secretary and composed solely of guaranteed debentures.

“(2) GUARANTEE.—

“(A) IN GENERAL.—The Secretary may, under such terms and conditions as the Secretary considers appropriate, guarantee the timely payment of the principal of and interest on trust certificates issued by the Secretary or agents of the Secretary for purposes of this subsection.

“(B) LIMITATION.—Each guarantee under this paragraph shall be limited to the extent of principal and interest on the guaranteed debentures that compose the trust or pool.

“(C) PREPAYMENT OR DEFAULT.—

“(i) IN GENERAL.—

“(I) AUTHORITY TO PREPAY.—A debenture may be prepaid at any time without penalty.

“(II) REDUCTION OF GUARANTEE.—Subject to subclause (I), if a debenture in a trust or pool is prepaid, or in the event of default of such a debenture, the guarantee of timely payment of principal and interest on the trust certificates shall be reduced in proportion to the amount of principal and interest the prepaid debenture represents in the trust or pool.

“(ii) INTEREST.—Interest on prepaid or defaulted debentures shall accrue and be guaranteed by the Secretary only through the date of payment of the guarantee.

“(iii) REDEMPTION.—At any time during the term of a trust certificate, the trust certificate may be called for redemption due to prepayment or default of all debentures.

“(3) FULL FAITH AND CREDIT OF THE UNITED STATES.—Section 3901 shall apply to any guarantee of a trust certificate issued by the Secretary under this section.

“(4) SUBROGATION AND OWNERSHIP RIGHTS.—

“(A) SUBROGATION.—If the Secretary pays a claim under a guarantee issued under this section, the claim shall be subrogated fully to the rights satisfied by the payment.

“(B) OWNERSHIP RIGHTS.—No Federal, State, or local law shall preclude or limit the exercise by the Secretary of the ownership rights of the Secretary in a debenture residing in a trust or pool against which 1 or more trust certificates are issued under this subsection.

“(5) MANAGEMENT AND ADMINISTRATION.—

“(A) REGISTRATION.—The Secretary shall provide for a central registration of all trust certificates issued under this subsection.

“(B) CREATION OF POOLS.—The Secretary may—

“(i) maintain such commercial bank accounts or investments in obligations of the United States as may be necessary to facilitate the creation of trusts or pools backed by debentures guaranteed under this subtitle; and

“(ii) issue trust certificates to facilitate the creation of those trusts or pools.

“(C) FIDELITY BOND OR INSURANCE REQUIREMENT.—Any agent performing functions on behalf of the Secretary under this paragraph shall provide a fidelity bond or insurance in such amount as the Secretary considers to be necessary to fully protect the interests of the United States.

“(D) REGULATION OF BROKERS AND DEALERS.—The Secretary may regulate brokers and dealers in trust certificates issued under this subsection.

“(E) ELECTRONIC REGISTRATION.—Nothing in this paragraph prohibits the use of a book-entry or other electronic form of registration for trust certificates issued under this subsection.

“(g) FEES.—

“(1) IN GENERAL.—The Secretary may charge a fee that does not exceed \$500 with respect to any guarantee or grant issued under this section.

“(2) TRUST CERTIFICATE.—Notwithstanding paragraph (1), the Secretary shall not collect a fee for any guarantee of a trust certificate under subsection (f), except that any agent of the Secretary may collect a fee that does not exceed \$500 for the functions described in subsection (f)(5)(B).

“(3) LICENSE.—

“(A) IN GENERAL.—Except as provided in subparagraph (C), the Secretary may prescribe fees to be paid by each applicant for a license to operate as a rural business investment company under this section.

“(B) USE OF AMOUNTS.—Fees collected under this paragraph—

“(i) shall be deposited in the account for salaries and expenses of the Secretary;

“(ii) are authorized to be appropriated solely to cover the costs of licensing examinations; and

“(iii) shall—

“(I) in the case of a license issued before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, not exceed \$500 for any fee collected under this paragraph; and

“(II) in the case of a license issued after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, be a rate as determined by the Secretary.

“(C) PROHIBITION ON COLLECTION OF CERTAIN FEES.—In the case of a license described in subparagraph (A) that was approved before July 1, 2007, the Secretary shall not collect any fees due on or after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013.

“(h) OPERATIONAL ASSISTANCE GRANTS.—

“(1) IN GENERAL.—In accordance with this subsection, the Secretary may make grants to rural business investment companies and to other entities, as authorized by this section, to provide operational assistance to smaller enterprises financed, or expected to be financed, by the entities.

“(2) TERMS.—Grants made under this subsection shall be made over a multiyear period (not to exceed 10 years) under such terms as the Secretary may require.

“(3) USE OF FUNDS.—The proceeds of a grant made under this subsection may be used by the rural business investment company receiving the grant only to provide

operational assistance in connection with an equity or prospective equity investment in a business located in a rural area.

“(4) SUBMISSION OF PLANS.—A rural business investment company shall be eligible for a grant under this subsection only if the rural business investment company submits to the Secretary, in such form and manner as the Secretary may require, a plan for use of the grant.

“(5) GRANT AMOUNT.—

“(A) RURAL BUSINESS INVESTMENT COMPANIES.—The amount of a grant made under this subsection to a rural business investment company shall be equal to the lesser of—

“(i) 10 percent of the private capital raised by the rural business investment company; or

“(ii) \$1,000,000.

“(6) OTHER ENTITIES.—The amount of a grant made under this subsection to any entity other than a rural business investment company shall be equal to the resources (in cash or in kind) raised by the entity in accordance with the requirements applicable to rural business investment companies under this section.

“(i) RURAL BUSINESS INVESTMENT COMPANIES.—

“(1) ORGANIZATION.—For purposes of this subsection, a rural business investment company shall—

“(A) be an incorporated body, a limited liability company, or a limited partnership organized and chartered or otherwise existing under State law solely for the purpose of performing the functions and conducting the activities authorized by this section; and

“(B)(i) if incorporated, have succession for a period of not less than 30 years unless earlier dissolved by the shareholders of the rural business investment company; and

“(ii) if a limited partnership or a limited liability company, have succession for a period of not less than 10 years; and

“(iii) possess the powers reasonably necessary to perform the functions and conduct the activities.

“(2) ARTICLES.—The articles of any rural business investment company—

“(A) shall specify in general terms—

“(i) the purposes for which the rural business investment company is formed;

“(ii) the name of the rural business investment company;

“(iii) the 1 or more areas in which the operations of the rural business investment company are to be carried out;

“(iv) the place where the principal office of the rural business investment company is to be located; and

“(v) the amount and classes of the shares of capital stock of the rural business investment company;

“(B) may contain any other provisions consistent with this section that the rural business investment company may determine appropriate to adopt for the regulation of the business of the rural business investment company and the conduct of the affairs of the rural business investment company; and

“(C) shall be subject to the approval of the Secretary.

“(3) CAPITAL REQUIREMENTS.—

“(A) IN GENERAL.—Each rural business investment company shall be required to meet the capital requirements as provided by the Secretary.

“(B) TIME FRAME.—Each rural business investment company shall have a period of 2 years to meet the capital requirements of this paragraph.

“(C) ADEQUACY.—In addition to the requirements of subparagraph (A), the Secretary shall—

“(i) determine whether the private capital of each rural business investment company is adequate to ensure a reasonable prospect that the rural business investment company will be operated soundly and profitably, and managed actively and prudently in accordance with the articles of the rural business investment company;

“(ii) determine that the rural business investment company will be able to comply with the requirements of this section;

“(iii) require that at least 75 percent of the capital of each rural business investment company is invested in rural business concerns;

“(iv) ensure that the rural business investment company is designed primarily to meet equity capital needs of the businesses in which the rural business investment company invests and not to compete with traditional small business financing by commercial lenders; and

“(v) require that the rural business investment company makes short-term non-equity investments of less than 5 years only to the extent necessary to preserve an existing investment.

“(4) DIVERSIFICATION OF OWNERSHIP.—The Secretary shall ensure that the management of each rural business investment company licensed after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 is sufficiently diversified from and unaffiliated with the ownership of the rural business investment company so as to ensure independence and objectivity in the financial management and oversight of the investments and operations of the rural business investment company.

“(j) FINANCIAL INSTITUTION INVESTMENTS.—

“(1) IN GENERAL.—Except as otherwise provided in this subsection and notwithstanding any other provision of law, the following banks, associations, and institutions are eligible both to establish and invest in any rural business investment company or in any entity established to invest solely in rural business investment companies:

“(A) Any bank or savings association the deposits of which are insured under the Federal Deposit Insurance Act (12 U.S.C. 1811 et seq.), including an investment pool created entirely by such bank or savings association.

“(B) Any Farm Credit System institution described in subsection 1.2(a) of the Farm Credit Act of 1971 (12 U.S.C. 2002(a)).

“(2) LIMITATION.—No bank, association, or institution described in paragraph (1) may make investments described in paragraph (1) that are greater than 5 percent of the capital and surplus of the bank, association, or institution.

“(3) LIMITATION ON RURAL BUSINESS INVESTMENT COMPANIES CONTROLLED BY FARM CREDIT SYSTEM INSTITUTIONS.—If a Farm Credit System institution described in section 1.2(a) of the Farm Credit Act of 1971 (12 U.S.C. 2002(a)) holds more than 25 percent of the shares of a rural business investment company, either alone or in conjunction with other System institutions (or affiliates), the rural business investment company shall not provide equity investments in, or provide other financial assistance to, entities that are not otherwise eligible to receive financing from the Farm Credit System under that Act (12 U.S.C. 2001 et seq.).

“(k) EXAMINATIONS.—

“(1) IN GENERAL.—Each rural business investment company that participates in the program established under this section shall

be subject to examinations made at the direction of the Secretary in accordance with this subsection.

“(2) ASSISTANCE OF PRIVATE SECTOR ENTITIES.—An examination under this subsection may be conducted with the assistance of a private sector entity that has the qualifications and the expertise necessary to conduct such an examination.

“(3) COSTS.—

“(A) IN GENERAL.—The Secretary may assess the cost of an examination under this section, including compensation of the examiners, against the rural business investment company examined.

“(B) PAYMENT.—Any rural business investment company against which the Secretary assesses costs under this subparagraph shall pay the costs.

“(4) DEPOSIT OF FUNDS.—Funds collected under this subsection shall—

“(A) be deposited in the account that incurred the costs for carrying out this subsection;

“(B) be made available to the Secretary to carry out this subsection, without further appropriation; and

“(C) remain available until expended.

“(l) REPORTING REQUIREMENTS.—

“(1) RURAL BUSINESS INVESTMENT COMPANIES.—Each entity that participates in a program established under this section shall provide to the Secretary such information as the Secretary may require, including—

“(A) information relating to the measurement criteria that the entity proposed in the program application of the rural business investment company; and

“(B) in each case in which the entity under this section makes an investment in, or a loan or grant to, a business that is not located in a rural area, a report on the number and percentage of employees of the business who reside in those areas.

“(2) PUBLIC REPORTS.—

“(A) IN GENERAL.—The Secretary shall prepare and make available to the public an annual report on the programs established under this section, including detailed information on—

“(i) the number of rural business investment companies licensed by the Secretary during the previous fiscal year;

“(ii) the aggregate amount of leverage that rural business investment companies have received from the Federal Government during the previous fiscal year;

“(iii) the aggregate number of each type of leveraged instruments used by rural business investment companies during the previous fiscal year and how each number compares to previous fiscal years;

“(iv) the number of rural business investment company licenses surrendered and the number of rural business investment companies placed in liquidation during the previous fiscal year, identifying the amount of leverage each rural business investment company has received from the Federal Government and the type of leverage instruments each rural business investment company has used;

“(v) the amount of losses sustained by the Federal Government as a result of operations under this section during the previous fiscal year and an estimate of the total losses that the Federal Government can reasonably expect to incur as a result of the operations during the current fiscal year;

“(vi) actions taken by the Secretary to maximize recoupment of funds of the Federal Government expended to implement and administer the Rural Business Investment Program under this section during the previous

fiscal year and to ensure compliance with the requirements of this section (including regulations);

“(vii) the amount of Federal Government leverage that each licensee received in the previous fiscal year and the types of leverage instruments each licensee used;

“(viii) for each type of financing instrument, the sizes, types of geographic locations, and other characteristics of the small business investment companies using the instrument during the previous fiscal year, including the extent to which the investment companies have used the leverage from each instrument to make loans or equity investments in rural areas; and

“(ix) the actions of the Secretary to carry out this section

“(B) PROHIBITION.—In compiling the report required under subparagraph (A), the Secretary may not—

“(i) compile the report in a manner that permits identification of any particular type of investment by an individual rural business investment company or small business concern in which a rural business investment company invests; or

“(ii) release any information that is prohibited under section 1905 of title 18, United States Code.

“(m) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$25,000,000 for the period of fiscal years 2008 through 2018.”

CHAPTER 3—GENERAL RURAL DEVELOPMENT PROVISIONS

SEC. 3701. GENERAL PROVISIONS FOR LOANS AND GRANTS.

“(a) PERIOD FOR REPAYMENT.—Unless otherwise specifically provided for in this subtitle, the period for repayment of a loan under this subtitle shall not exceed 40 years.

“(b) INTEREST RATES.—

“(1) IN GENERAL.—Except as otherwise provided in this title, the interest rate on a loan under this subtitle shall be determined by the Secretary at a rate—

“(A) not to exceed a sum obtained by adding—

“(i) the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturity of the loan; and

“(ii) an amount not to exceed 1 percent, as determined by the Secretary; and

“(B) adjusted to the nearest $\frac{1}{8}$ of 1 percent.

“(2) WATER AND WASTE FACILITY LOANS AND COMMUNITY FACILITIES LOANS.—

“(A) IN GENERAL.—Notwithstanding any provision of State law limiting the rate or amount of interest that may be charged, taken, received, or reserved, except as provided in subparagraph (C) and paragraph (5), the interest rate on a loan (other than a guaranteed loan) to a public body or non-profit association (including an Indian tribe) for a water or waste disposal facility or essential community facility shall be determined by the Secretary at a rate not to exceed—

“(i) the current market yield on outstanding municipal obligations with remaining periods to maturity comparable to the average maturity for the loan, and adjusted to the nearest $\frac{1}{8}$ of 1 percent;

“(ii) 5 percent per year for a loan that is for the upgrading of a facility or construction of a new facility as required to meet applicable health or sanitary standards in—

“(I) an area in which the median family income of the persons to be served by the facility is below the poverty line (as defined in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902)); and

“(II) any areas the Secretary may designate in which a significant percentage of the persons to be served by the facilities are low income persons, as determined by the Secretary; and

“(iii) 7 percent per year for a loan for a facility that does not qualify for the 5 percent per year interest rate prescribed in clause (ii) but that is located in an area in a State in which the median household income of the persons to be served by the facility does not exceed 100 percent of the statewide non-metropolitan median household income for the State.

“(B) HEALTH CARE AND RELATED FACILITIES.—Notwithstanding subparagraph (A), the Secretary shall establish a rate for a loan for a health care or related facility that is—

“(i) based solely on the income of the area to be served; and

“(ii) otherwise consistent with subparagraph (A).

“(C) INTEREST RATES FOR WATER AND WASTE DISPOSAL FACILITIES LOANS.—

“(i) IN GENERAL.—Except as provided in clause (ii) and notwithstanding subparagraph (A), in the case of a direct loan for a water or waste disposal facility—

“(I) in the case of a loan that would be subject to the 5 percent interest rate limitation under subparagraph (A), the Secretary shall establish the interest rate at a rate that is equal to 60 percent of the current market yield for outstanding municipal obligations with remaining periods to maturity comparable to the average maturity of the loan, adjusted to the nearest $\frac{1}{8}$ of 1 percent; and

“(II) in the case of a loan that would be subject to the 7 percent limitation under subparagraph (A), the Secretary shall establish the interest rate at a rate that is equal to 80 percent of the current market yield for outstanding municipal obligations with remaining periods to maturity comparable to the average maturity of the loan, adjusted to the nearest $\frac{1}{8}$ of 1 percent.

“(ii) EXCEPTION.—Clause (i) does not apply to a loan for a specific project that is the subject of a loan that has been approved, but not closed, as of the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013.

“(3) INTEREST RATES ON BUSINESS AND OTHER LOANS.—

“(A) IN GENERAL.—Except as provided in paragraph (4), the interest rates on loans under sections 3501(a)(1) (other than guaranteed loans and loans as described in paragraph (2)(A)) shall be as determined by the Secretary in accordance with subparagraph (B).

“(B) MINIMUM RATE.—The interest rates described in subparagraph (A) shall be not less than the sum obtained by adding—

“(i) such rates as determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such loans, adjusted in the judgment of the Secretary of the Treasury to provide for rates comparable to the rates prevailing in the private market for similar loans and considering the insurance by the Secretary of the loans; and

“(ii) an additional charge, prescribed by the Secretary, to cover the losses of the Secretary and cost of administration, which shall be deposited in the Rural Development Insurance Fund, and further adjusted to the nearest $\frac{1}{8}$ of 1 percent.

“(4) INTEREST RATES ADJUSTMENTS.—

“(A) ADJUSTMENTS.—Notwithstanding any other provision of this subsection, in the case of loans (other than guaranteed loans) made or guaranteed under the authorities of this title specified in subparagraph (C) for activities that involve the use of prime farmland, the interest rates shall be the interest rates otherwise applicable under this section increased by 2 percent per year.

“(B) PRIME FARMLAND.—

“(i) IN GENERAL.—Wherever practicable, construction by a State, municipality, or other political subdivision of local government that is supported by loans described in subparagraph (A) shall be placed on land that is not prime farmland, in order to preserve the maximum practicable quantity of prime farmlands for production of food and fiber.

“(ii) INCREASED RATE.—In any case in which other options exist for the siting of construction described in clause (i) and the governmental authority still desires to carry out the construction on prime farmland, the 2-percent interest rate increase provided by this paragraph shall apply, but that increased interest rate shall not apply where such other options do not exist.

“(C) APPLICABLE AUTHORITIES.—The authorities referred to in subparagraph (A) are—

“(i) the provisions of section 3502(a) relating to loans for recreational developments and essential community facilities;

“(ii) section 3601(e)(2)(A); and

“(iii) section 3601(c).

“(c) PAYMENT OF CHARGES.—A borrower of a loan made or guaranteed under this subtitle shall pay such fees and other charges as the Secretary may require, and prepay to the Secretary such taxes and insurance as the Secretary may require, on such terms and conditions as the Secretary may prescribe.

“(d) SECURITY.—

“(1) IN GENERAL.—The Secretary shall take as security for an obligation entered into in connection with a loan made under this subtitle such security as the Secretary may require.

“(2) LIENS TO UNITED STATES.—An instrument for security under paragraph (1) may constitute a lien running to the United States notwithstanding the fact that the note for the security may be held by a lender other than the United States.

“(3) MULTIPLE LOANS.—A borrower may use the same collateral to secure 2 or more loans made or guaranteed under this subtitle, except that the outstanding amount of the loans may not exceed the total value of the collateral.

“(e) LEGAL COUNSEL FOR SMALL LOANS.—In the case of a loan of less than \$500,000 made or guaranteed under section 3501 that is evidenced by a note or mortgage (as distinguished from a bond issue), the borrower shall not be required to appoint bond counsel to review the legal validity of the loan if the Secretary has available legal counsel to perform the review.

SEC. 3702. STRATEGIC ECONOMIC AND COMMUNITY DEVELOPMENT.

“(a) PRIORITY.—In the case of any rural development program authorized by this subtitle, the Secretary may give priority to applications that are otherwise eligible and support strategic community and economic development plans on a multijurisdictional basis, as approved by the Secretary.

“(b) EVALUATION.—In evaluating strategic applications, the Secretary shall give a higher priority to strategic applications for a plan described in subsection (a) that demonstrate—

“(1) the plan was developed through the collaboration of multiple stakeholders in the service area of the plan, including the participation of combinations of stakeholders such as State, local, and tribal governments, nonprofit institutions, institutions of higher education, and private entities;

“(2) an understanding of the applicable regional resources that could support the plan, including natural resources, human resources, infrastructure, and financial resources;

“(3) investment from other Federal agencies;

“(4) investment from philanthropic organizations; and

“(5) clear objectives for the plan and the ability to establish measurable performance measures and to track progress toward meeting the objectives.

“SEC. 3703. GUARANTEED RURAL DEVELOPMENT LOANS.

“(a) **IN GENERAL.**—The Secretary may provide financial assistance to a borrower for a purpose provided in this subtitle by guaranteeing a loan made by any Federal or State chartered bank, savings and loan association, cooperative lending agency, or other legally organized lending agency.

“(b) **INTEREST RATE.**—The interest rate payable by a borrower on the portion of a guaranteed loan that is sold by a lender to the secondary market under this subtitle may be lower than the interest rate charged on the portion retained by the lender.

“(c) **MAXIMUM GUARANTEE OF 90 PERCENT.**—Except as provided in subsections (d) and (e), a loan guarantee under this subtitle shall be for not more than 90 percent of the principal and interest due on the loan.

“(d) **REFINANCED LOANS GUARANTEED AT 95 PERCENT.**—The Secretary shall guarantee 95 percent of—

“(1) in the case of a loan that solely refinances a direct loan made under this subtitle, the principal and interest due on the loan on the date of the refinancing; or

“(2) in the case of a loan that is used for multiple purposes, the portion of the loan that refinances the principal and interest due on a direct loan made under this subtitle that is outstanding on the date on which the loan is guaranteed.

“(e) **RISK OF LOSS.**—

“(1) **IN GENERAL.**—Subject to subsection (b), the Secretary may not make a loan under section 3501 or 3601 unless the Secretary determines that no other lender is willing to make the loan and assume 10 percent of the potential loss to be sustained from the loan.

“(2) **EXCEPTION FOR NONPROFIT GROUPS.**—Paragraph (1) shall not apply to a public body or nonprofit association, including an Indian tribe.

“SEC. 3704. RURAL DEVELOPMENT INSURANCE FUND.

“(a) **DEFINITION OF RURAL DEVELOPMENT LOAN.**—In this section, the term ‘rural development loan’ means a loan provided for by section 3501 or 3601.

“(b) **ESTABLISHMENT.**—There is established in the Treasury of the United States a fund to be known as the ‘Rural Development Insurance Fund’ that shall be used by the Secretary to discharge the obligations of the Secretary under contracts making or guaranteeing rural development loans.

“SEC. 3705. RURAL ECONOMIC AREA PARTNERSHIP ZONES.

“(a) **IN GENERAL.**—The Secretary may designate additional areas as rural economic area partnership zones to be assisted under this chapter—

“(1) through an open, competitive process; and

“(2) with priority given to rural areas—

“(A) with excessive unemployment or underemployment, a high percentage of low-income residents, or high rates of outmigration, as determined by the Secretary; and

“(B) that the Secretary determines have a substantial need for assistance.

“(b) **REQUIREMENTS.**—The Secretary shall carry out those rural economic area partnership zones administratively in effect on the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 in accordance with the terms and conditions contained in the memoranda of agreement entered into by the Secretary for the rural economic area partnership zones.

“SEC. 3706. STREAMLINING APPLICATIONS AND IMPROVING ACCESSIBILITY OF RURAL DEVELOPMENT PROGRAMS.

“‘The Secretary shall expedite the process of creating user-friendly and accessible application forms and procedures prioritizing programs and applications at the individual level with an emphasis on utilizing current technology including online applications and submission processes.

“SEC. 3707. STATE RURAL DEVELOPMENT PARTNERSHIP.

“(a) **DEFINITIONS.**—In this section:

“(1) **AGENCY WITH RURAL RESPONSIBILITIES.**—The term ‘agency with rural responsibilities’ means any executive agency (as defined in section 105 of title 5, United States Code) that implements a Federal law, or administers a program, targeted at or having a significant impact on rural areas.

“(2) **PARTNERSHIP.**—The term ‘Partnership’ means the State Rural Development Partnership continued by subsection (b).

“(3) **STATE RURAL DEVELOPMENT COUNCIL.**—The term ‘State rural development council’ means a State rural development council that meets the requirements of subsection (c).

“(b) **PARTNERSHIP.**—

“(1) **IN GENERAL.**—The Secretary shall support the State Rural Development Partnership comprised of State rural development councils.

“(2) **PURPOSES.**—The purposes of the Partnership are to empower and build the capacity of States, regions, and rural communities to design flexible and innovative responses to their rural development needs in a manner that maximizes collaborative public- and private-sector cooperation and minimizes regulatory redundancy.

“(3) **COORDINATING PANEL.**—A panel consisting of representatives of State rural development councils shall be established—

“(A) to lead and coordinate the strategic operation and policies of the Partnership; and

“(B) to facilitate effective communication among the members of the Partnership, including the sharing of best practices.

“(4) **ROLE OF FEDERAL GOVERNMENT.**—The role of the Federal Government in the Partnership may be that of a partner and facilitator, with Federal agencies authorized—

“(A) to cooperate with States to implement the Partnership;

“(B) to provide States with the technical and administrative support necessary to plan and implement tailored rural development strategies to meet local needs;

“(C) to ensure that the head of each agency with rural responsibilities directs appropriate field staff to participate fully with the State rural development council within the jurisdiction of the field staff; and

“(D) to enter into cooperative agreements with, and to provide grants and other assistance to, State rural development councils.

“(c) STATE RURAL DEVELOPMENT COUNCILS.—

“(1) **ESTABLISHMENT.**—Notwithstanding chapter 63 of title 31, United States Code, each State may elect to participate in the Partnership by entering into an agreement with the Secretary to recognize a State rural development council.

“(2) **COMPOSITION.**—A State rural development council shall—

“(A) be composed of representatives of Federal, State, local, and tribal governments, nonprofit organizations, regional organizations, the private sector, and other entities committed to rural advancement; and

“(B) have a nonpartisan and nondiscriminatory membership that—

“(i) is broad and representative of the economic, social, and political diversity of the State; and

“(ii) shall be responsible for the governance and operations of the State rural development council.

“(3) **DUTIES.**—A State rural development council shall—

“(A) facilitate collaboration among Federal, State, local, and tribal governments and the private and nonprofit sectors in the planning and implementation of programs and policies that have an impact on rural areas of the State;

“(B) monitor, report, and comment on policies and programs that address, or fail to address, the needs of the rural areas of the State;

“(C) as part of the Partnership, facilitate the development of strategies to reduce or eliminate conflicting or duplicative administrative or regulatory requirements of Federal, State, local, and tribal governments; and

“(D)(i) provide to the Secretary an annual plan with goals and performance measures; and

“(ii) submit to the Secretary an annual report on the progress of the State rural development council in meeting the goals and measures.

“(4) FEDERAL PARTICIPATION IN STATE RURAL DEVELOPMENT COUNCILS.—

“(A) **IN GENERAL.**—A State Director for Rural Development of the Department of Agriculture, other employees of the Department, and employees of other Federal agencies with rural responsibilities shall fully participate as voting members in the governance and operations of State rural development councils (including activities related to grants, contracts, and other agreements in accordance with this section) on an equal basis with other members of the State rural development councils.

“(B) **CONFLICTS.**—Participation by a Federal employee in a State rural development council in accordance with this paragraph shall not constitute a violation of section 205 or 208 of title 18, United States Code.

“(d) ADMINISTRATIVE SUPPORT OF THE PARTNERSHIP.—

“(1) **DETAIL OF EMPLOYEES.**—

“(A) **IN GENERAL.**—In order to provide experience in intergovernmental collaboration, the head of an agency with rural responsibilities that elects to participate in the Partnership may, and is encouraged to, detail to the Secretary for the support of the Partnership 1 or more employees of the agency with rural responsibilities without reimbursement for a period of up to 1 year.

“(B) **CIVIL SERVICE STATUS.**—The detail shall be without interruption or loss of civil service status or privilege.

“(2) ADDITIONAL SUPPORT.—The Secretary may provide for any additional support staff to the Partnership as the Secretary determines to be necessary to carry out the duties of the Partnership.

“(3) INTERMEDIARIES.—The Secretary may enter into a contract with a qualified intermediary under which the intermediary shall be responsible for providing administrative and technical assistance to a State rural development council, including administering the financial assistance available to the State rural development council.

“(e) MATCHING REQUIREMENTS FOR STATE RURAL DEVELOPMENT COUNCILS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), a State rural development council shall provide matching funds, or in-kind goods or services, to support the activities of the State rural development council in an amount that is not less than 33 percent of the amount of Federal funds received from a Federal agency under subsection (f)(2).

“(2) EXCEPTIONS TO MATCHING REQUIREMENT FOR CERTAIN FEDERAL FUNDS.—Paragraph (1) shall not apply to funds, grants, funds provided under contracts or cooperative agreements, gifts, contributions, or technical assistance received by a State rural development council from a Federal agency that are used—

“(A) to support 1 or more specific program or project activities; or

“(B) to reimburse the State rural development council for services provided to the Federal agency providing the funds, grants, funds provided under contracts or cooperative agreements, gifts, contributions, or technical assistance.

“(3) DEPARTMENT'S SHARE.—The Secretary shall develop a plan to decrease, over time, the share of the Department of Agriculture of the cost of the core operations of State rural development councils.

“(f) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2014 through 2018.

“(2) FEDERAL AGENCIES.—

“(A) IN GENERAL.—Notwithstanding any other provision of law limiting the ability of an agency, along with other agencies, to provide funds to a State rural development council in order to carry out the purposes of this section, a Federal agency may make grants, gifts, or contributions to, provide technical assistance to, or enter into contracts or cooperative agreements with, a State rural development council.

“(B) ASSISTANCE.—Federal agencies are encouraged to use funds made available for programs that have an impact on rural areas to provide assistance to, and enter into contracts with, a State rural development council, as described in subparagraph (A).

“(3) CONTRIBUTIONS.—A State rural development council may accept private contributions.

“(g) TERMINATION.—The authority provided under this section shall terminate on September 30, 2018.

“CHAPTER 4—DELTA REGIONAL AUTHORITY

“SEC. 3801. DEFINITIONS.

“In this chapter:

“(1) AUTHORITY.—The term ‘Authority’ means the Delta Regional Authority established by section 3802.

“(2) FEDERAL GRANT PROGRAM.—The term ‘Federal grant program’ means a Federal grant program to provide assistance in—

“(A) acquiring or developing land;

“(B) constructing or equipping a highway, road, bridge, or facility; or

“(C) carrying out other economic development activities.

“(3) REGION.—The term ‘region’ means the Lower Mississippi (as defined in section 4 of the Delta Development Act (42 U.S.C. 3121 note; Public Law 100-460)).

“SEC. 3802. DELTA REGIONAL AUTHORITY.

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—There is established the Delta Regional Authority.

“(2) COMPOSITION.—The Authority shall be composed of—

“(A) a Federal member, to be appointed by the President, with the advice and consent of the Senate; and

“(B) the Governor (or a designee of the Governor) of each State in the region that elects to participate in the Authority.

“(3) COCHAIRPERSONS.—The Authority shall be headed by—

“(A) the Federal member, who shall serve as—

“(i) the Federal cochairperson; and

“(ii) a liaison between the Federal Government and the Authority; and

“(B) a State cochairperson, who shall be—

“(i) a Governor of a participating State in the region; and

“(ii) elected by the State members for a term of not less than 1 year.

“(4) ALABAMA.—Notwithstanding any other provision of law, the State of Alabama shall be a full member of the Authority and shall be entitled to all rights and privileges that the membership affords to all other participating States in the Authority.

“(b) ALTERNATE MEMBERS.—

“(1) STATE ALTERNATES.—The State member of a participating State may have a single alternate, who shall be—

“(A) a resident of that State; and

“(B) appointed by the Governor of the State.

“(2) ALTERNATE FEDERAL COCHAIRPERSON.—The President shall appoint an alternate Federal cochairperson.

“(3) QUORUM.—A State alternate shall not be counted toward the establishment of a quorum of the Authority in any instance in which a quorum of the State members is required to be present.

“(4) DELEGATION OF POWER.—No power or responsibility of the Authority specified in paragraphs (2) and (3) of subsection (c), and no voting right of any Authority member, shall be delegated to any person—

“(A) who is not an Authority member; or

“(B) who is not entitled to vote in Authority meetings.

“(c) VOTING.—

“(1) IN GENERAL.—A decision by the Authority shall require a majority vote of the Authority (not including any member representing a State that is delinquent under subsection (g)(2)(C)) to be effective.

“(2) QUORUM.—A quorum of State members shall be required to be present for the Authority to make any policy decision, including—

“(A) a modification or revision of an Authority policy decision;

“(B) approval of a State or regional development plan; and

“(C) any allocation of funds among the States.

“(3) PROJECT AND GRANT PROPOSALS.—The approval of project and grant proposals shall be—

“(A) a responsibility of the Authority; and

“(B) conducted in accordance with section 3809.

“(4) VOTING BY ALTERNATE MEMBERS.—An alternate member shall vote in the case of

the absence, death, disability, removal, or resignation of the Federal or State representative for which the alternate member is an alternate.

“(d) DUTIES.—The Authority shall—

“(1) develop, on a continuing basis, comprehensive and coordinated plans and programs to establish priorities and approve grants for the economic development of the region, giving due consideration to other Federal, State, and local planning and development activities in the region;

“(2) review, and where appropriate amend, priorities in a development plan for the region (including 5-year regional outcome targets);

“(3) assess the needs and assets of the region based on available research, demonstrations, investigations, assessments, and evaluations of the region prepared by Federal, State, and local agencies, universities, local development districts, and other nonprofit groups;

“(4) formulate and recommend to the Governors and legislatures of States that participate in the Authority forms of interstate cooperation;

“(5) work with State and local agencies in developing appropriate model legislation;

“(6)(A) enhance the capacity of, and provide support for, local development districts in the region; or

“(B) if no local development district exists in an area in a participating State in the region, foster the creation of a local development district;

“(7) encourage private investment in industrial, commercial, and other economic development projects in the region; and

“(8) cooperate with and assist State governments with economic development programs of participating States.

“(e) ADMINISTRATION.—In carrying out subsection (d), the Authority may—

“(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute a description of the proceedings and reports on actions by the Authority as the Authority considers appropriate;

“(2) authorize, through the Federal or State cochairperson or any other member of the Authority designated by the Authority, the administration of oaths if the Authority determines that testimony should be taken or evidence received under oath;

“(3) request from any Federal, State, or local department or agency such information as may be available to or procurable by the department or agency that may be of use to the Authority in carrying out duties of the Authority;

“(4) adopt, amend, and repeal bylaws, rules, and regulations governing the conduct of Authority business and the performance of Authority duties;

“(5) request the head of any Federal department or agency to detail to the Authority such personnel as the Authority requires to carry out duties of the Authority, each such detail to be without loss of seniority, pay, or other employee status;

“(6) request the head of any State department or agency or local government to detail to the Authority such personnel as the Authority requires to carry out duties of the Authority, each such detail to be without loss of seniority, pay, or other employee status;

“(7) provide for coverage of Authority employees in a suitable retirement and employee benefit system by—

“(A) making arrangements or entering into contracts with any participating State government; or

“(B) otherwise providing retirement and other employee benefit coverage;

“(8) accept, use, and dispose of gifts or donations of services or real, personal, tangible, or intangible property;

“(9) enter into and perform such contracts, leases, cooperative agreements, or other transactions as are necessary to carry out Authority duties, including any contracts, leases, or cooperative agreements with—

“(A) any department, agency, or instrumentality of the United States;

“(B) any State (including a political subdivision, agency, or instrumentality of the State); or

“(C) any person, firm, association, or corporation; and

“(10) establish and maintain a central office and field offices at such locations as the Authority may select.

“(f) **FEDERAL AGENCY COOPERATION.**—A Federal agency shall—

“(1) cooperate with the Authority; and

“(2) provide, on request of the Federal cochairperson, appropriate assistance in carrying out this chapter, in accordance with applicable Federal laws (including regulations).

“(g) **ADMINISTRATIVE EXPENSES.**—

“(1) **IN GENERAL.**—Administrative expenses of the Authority (except for the expenses of the Federal cochairperson, including expenses of the alternate and staff of the Federal cochairperson, which shall be paid solely by the Federal Government) shall be paid—

“(A) by the Federal Government, in an amount equal to 50 percent of the administrative expenses; and

“(B) by the States in the region participating in the Authority, in an amount equal to 50 percent of the administrative expenses.

“(2) **STATE SHARE.**—

“(A) **IN GENERAL.**—The share of administrative expenses of the Authority to be paid by each State shall be determined by the Authority.

“(B) **NO FEDERAL PARTICIPATION.**—The Federal cochairperson shall not participate or vote in any decision under subparagraph (A).

“(C) **DELINQUENT STATES.**—If a State is delinquent in payment of the State's share of administrative expenses of the Authority under this subsection—

“(i) no assistance under this chapter shall be furnished to the State (including assistance to a political subdivision or a resident of the State); and

“(ii) no member of the Authority from the State shall participate or vote in any action by the Authority.

“(h) **COMPENSATION.**—

“(1) **FEDERAL COCHAIRPERSON.**—The Federal cochairperson shall be compensated by the Federal Government at level III of the Executive Schedule in subchapter II of chapter 53 of title 5, United States Code.

“(2) **ALTERNATE FEDERAL COCHAIRPERSON.**—The alternate Federal cochairperson—

“(A) shall be compensated by the Federal Government at level V of the Executive Schedule described in paragraph (1); and

“(B) when not actively serving as an alternate for the Federal cochairperson, shall perform such functions and duties as are delegated by the Federal cochairperson.

“(3) **STATE MEMBERS AND ALTERNATES.**—

“(A) **IN GENERAL.**—A State shall compensate each member and alternate representing the State on the Authority at the rate established by law of the State.

“(B) **NO ADDITIONAL COMPENSATION.**—No State member or alternate member shall receive any salary, or any contribution to or supplementation of salary from any source other than the State for services provided by the member or alternate to the Authority.

“(4) **DETAILED EMPLOYEES.**—

“(A) **IN GENERAL.**—No person detailed to serve the Authority under subsection (e)(6) shall receive any salary or any contribution to or supplementation of salary for services provided to the Authority from—

“(i) any source other than the State, local, or intergovernmental department or agency from which the person was detailed; or

“(ii) the Authority.

“(B) **VIOLATION.**—Any person that violates this paragraph shall be fined not more than \$5,000, imprisoned not more than 1 year, or both.

“(C) **APPLICABLE LAW.**—The Federal cochairperson, the alternate Federal cochairperson, and any Federal officer or employee detailed to duty on the Authority under subsection (e)(5) shall not be subject to subparagraph (A), but shall remain subject to sections 202 through 209 of title 18, United States Code.

“(5) **ADDITIONAL PERSONNEL.**—

“(A) **COMPENSATION.**—

“(i) **IN GENERAL.**—The Authority may appoint and fix the compensation of an executive director and such other personnel as are necessary to enable the Authority to carry out the duties of the Authority.

“(ii) **EXCEPTION.**—Compensation under clause (i) shall not exceed the maximum rate for the Senior Executive Service under section 5382 of title 5, United States Code, including any applicable locality-based comparability payment that may be authorized under section 5304(h)(2)(C) of that title.

“(B) **EXECUTIVE DIRECTOR.**—The executive director shall be responsible for—

“(i) the carrying out of the administrative duties of the Authority;

“(ii) direction of the Authority staff; and

“(iii) such other duties as the Authority may assign.

“(C) **NO FEDERAL EMPLOYEE STATUS.**—No member, alternate, officer, or employee of the Authority (except the Federal cochairperson of the Authority, the alternate and staff for the Federal cochairperson, and any Federal employee detailed to the Authority under subsection (e)(5)) shall be considered to be a Federal employee for any purpose.

“(i) **CONFLICTS OF INTEREST.**—

“(1) **IN GENERAL.**—Except as provided under paragraph (2), no State member, alternate, officer, or employee of the Authority shall participate personally and substantially as a member, alternate, officer, or employee of the Authority, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in any proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other matter in which, to knowledge of the member, alternate, officer, or employee, there is a financial interest of—

“(A) the member, alternate, officer, or employee;

“(B) the spouse, minor child, partner, or organization (other than a State or political subdivision of the State) of the member, alternate, officer, or employee, in which the member, alternate, officer, or employee is serving as officer, director, trustee, partner, or employee; or

“(C) any person or organization with whom the member, alternate, officer, or employee is negotiating or has any arrangement concerning prospective employment.

“(2) **DISCLOSURE.**—Paragraph (1) shall not apply if the State member, alternate, officer, or employee—

“(A) immediately advises the Authority of the nature and circumstances of the proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other particular matter presenting a potential conflict of interest;

“(B) makes full disclosure of the financial interest; and

“(C) before the proceeding concerning the matter presenting the conflict of interest, receives a written determination by the Authority that the interest is not so substantial as to be likely to affect the integrity of the services that the Authority may expect from the State member, alternate, officer, or employee.

“(3) **VIOLATION.**—Any person that violates this subsection shall be fined not more than \$10,000, imprisoned not more than 2 years, or both.

“(j) **VALIDITY OF CONTRACTS, LOANS, AND GRANTS.**—The Authority may declare void any contract, loan, or grant of or by the Authority in relation to which the Authority determines that there has been a violation of any provision under subsection (h)(4), subsection (i), or sections 202 through 209 of title 18, United States Code.

“**SEC. 3803. ECONOMIC AND COMMUNITY DEVELOPMENT GRANTS.**

“(a) **IN GENERAL.**—The Authority may approve grants to States and public and nonprofit entities for projects, approved in accordance with section 3809—

“(1) to develop the transportation infrastructure of the region for the purpose of facilitating economic development in the region (except that grants for this purpose may only be made to a State or local government);

“(2) to assist the region in obtaining the job training, employment-related education, and business development (with an emphasis on entrepreneurship) that are needed to build and maintain strong local economies;

“(3) to provide assistance to severely distressed and underdeveloped areas that lack financial resources for improving basic public services;

“(4) to provide assistance to severely distressed and underdeveloped areas that lack financial resources for equipping industrial parks and related facilities; and

“(5) to otherwise achieve the purposes of this chapter.

“(b) **FUNDING.**—

“(1) **IN GENERAL.**—Funds for grants under subsection (a) may be provided—

“(A) entirely from appropriations to carry out this section;

“(B) in combination with funds available under another Federal or Federal grant program; or

“(C) from any other source.

“(2) **PRIORITY OF FUNDING.**—To best build the foundations for long-term economic development and to complement other Federal and State resources in the region, Federal funds available under this chapter shall be focused on the activities in the following order or priority:

“(A) Basic public infrastructure in distressed counties and isolated areas of distress.

“(B) Transportation infrastructure for the purpose of facilitating economic development in the region.

“(C) Business development, with emphasis on entrepreneurship.

“(D) Job training or employment-related education, with emphasis on use of existing

public educational institutions located in the region.

“SEC. 3804. SUPPLEMENTS TO FEDERAL GRANT PROGRAMS.

“(a) FINDING.—Congress finds that certain States and local communities of the region, including local development districts, may be unable to take maximum advantage of Federal grant programs for which the States and communities are eligible because—

“(1) the States or communities lack the economic resources to provide the required matching share; or

“(2) there are insufficient funds available under the applicable Federal law authorizing the Federal grant program to meet pressing needs of the region.

“(b) FEDERAL GRANT PROGRAM FUNDING.—Notwithstanding any provision of law limiting the Federal share, the areas eligible for assistance, or the authorizations of appropriations of any Federal grant program, and in accordance with subsection (c), the Authority, with the approval of the Federal co-chairperson and with respect to a project to be carried out in the region—

“(1) may increase the Federal share of the costs of a project under the Federal grant program to not more than 90 percent (except as provided in section 3806(b)); and

“(2) shall use amounts made available to carry out this chapter to pay the increased Federal share.

“(c) CERTIFICATIONS.—

“(1) IN GENERAL.—In the case of any project for which all or any portion of the basic Federal share of the costs of the project is proposed to be paid under this section, no Federal contribution shall be made until the Federal official administering the Federal law that authorizes the Federal grant program certifies that the project—

“(A) meets (except as provided in subsection (b)) the applicable requirements of the applicable Federal grant program; and

“(B) could be approved for Federal contribution under the Federal grant program if funds were available under the law for the project.

“(2) CERTIFICATION BY AUTHORITY.—

“(A) IN GENERAL.—The certifications and determinations required to be made by the Authority for approval of projects under this Act in accordance with section 3809 shall be—

“(i) controlling; and

“(ii) accepted by the Federal agencies.

“(B) ACCEPTANCE BY FEDERAL COCHAIRPERSON.—In the case of any project described in paragraph (1), any finding, report, certification, or documentation required to be submitted with respect to the project to the head of the department, agency, or instrumentality of the Federal Government responsible for the administration of the Federal grant program under which the project is carried out shall be accepted by the Federal co-chairperson.

“SEC. 3805. LOCAL DEVELOPMENT DISTRICTS; CERTIFICATION AND ADMINISTRATIVE EXPENSES.

“(a) DEFINITION OF LOCAL DEVELOPMENT DISTRICT.—In this section, the term ‘local development district’ means an entity that—

“(1) is—

“(A) a planning district in existence on the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 that is recognized by the Secretary; or

“(B) if an entity described in subparagraph (A) does not exist—

“(i) organized and operated in a manner that ensures broad-based community participation and an effective opportunity for other

nonprofit groups to contribute to the development and implementation of programs in the region;

“(ii) governed by a policy board with at least a simple majority of members consisting of elected officials or employees of a general purpose unit of local government who have been appointed to represent the government;

“(iii) certified to the Authority as having a charter or authority that includes the economic development of counties or parts of counties or other political subdivisions within the region—

“(I) by the Governor of each State in which the entity is located; or

“(II) by the State officer designated by the appropriate State law to make the certification; and

“(iv)(I) a nonprofit incorporated body organized or chartered under the law of the State in which the entity is located;

“(II) a nonprofit agency or instrumentality of a State or local government;

“(III) a public organization established before December 21, 2000, under State law for creation of multi-jurisdictional, area-wide planning organizations; or

“(IV) a nonprofit association or combination of bodies, agencies, and instrumentalities described in subclauses (I) through (III); and

“(2) has not, as certified by the Federal co-chairperson—

“(A) inappropriately used Federal grant funds from any Federal source; or

“(B) appointed an officer who, during the period in which another entity inappropriately used Federal grant funds from any Federal source, was an officer of the other entity.

“(b) GRANTS TO LOCAL DEVELOPMENT DISTRICTS.—

“(1) IN GENERAL.—The Authority shall make grants for administrative expenses under this section.

“(2) CONDITIONS FOR GRANTS.—

“(A) MAXIMUM AMOUNT.—The amount of any grant awarded under paragraph (1) shall not exceed 80 percent of the administrative expenses of the local development district receiving the grant.

“(B) MAXIMUM PERIOD.—No grant described in paragraph (1) shall be awarded to a State agency certified as a local development district for a period greater than 3 years.

“(C) LOCAL SHARE.—The contributions of a local development district for administrative expenses may be in cash or in kind, fairly evaluated, including space, equipment, and services.

“(c) DUTIES OF LOCAL DEVELOPMENT DISTRICTS.—A local development district shall—

“(1) operate as a lead organization serving multicounty areas in the region at the local level; and

“(2) serve as a liaison between State and local governments, nonprofit organizations (including community-based groups and educational institutions), the business community, and citizens that—

“(A) are involved in multijurisdictional planning;

“(B) provide technical assistance to local jurisdictions and potential grantees; and

“(C) provide leadership and civic development assistance.

“SEC. 3806. DISTRESSED COUNTIES AND AREAS AND NONDISTRESSED COUNTIES.

“(a) DESIGNATIONS.—Each year, the Authority, in accordance with such criteria as the Authority may establish, shall designate—

“(1) as distressed counties, counties in the region that are the most severely and per-

sistently distressed and underdeveloped and have high rates of poverty or unemployment;

“(2) as nondistressed counties, counties in the region that are not designated as distressed counties under paragraph (1); and

“(3) as isolated areas of distress, areas located in nondistressed counties (as designated under paragraph (2)) that have high rates of poverty or unemployment.

“(b) DISTRESSED COUNTIES.—

“(1) IN GENERAL.—The Authority shall allocate at least 75 percent of the appropriations made available under section 3813 for programs and projects designed to serve the needs of distressed counties and isolated areas of distress in the region.

“(2) FUNDING LIMITATIONS.—The funding limitations under section 3804(b) shall not apply to a project providing transportation or basic public services to residents of 1 or more distressed counties or isolated areas of distress in the region.

“(c) NONDISTRESSED COUNTIES.—

“(1) IN GENERAL.—Except as provided in this subsection, no funds shall be provided under this chapter for a project located in a county designated as a nondistressed county under subsection (a)(2).

“(2) EXCEPTIONS.—

“(A) IN GENERAL.—The funding prohibition under paragraph (1) shall not apply to grants to fund the administrative expenses of local development districts under section 3805(b).

“(B) MULTICOUNTY PROJECTS.—The Authority may waive the application of the funding prohibition under paragraph (1) to a multicounty project that includes participation by a nondistressed county; or any other type of project if the Authority determines that the project could bring significant benefits to areas of the region outside a nondistressed county.

“(C) ISOLATED AREAS OF DISTRESS.—For a designation of an isolated area of distress for assistance to be effective, the designation shall be supported—

“(i) by the most recent Federal data available; or

“(ii) if no recent Federal data are available, by the most recent data available through the government of the State in which the isolated area of distress is located.

“(d) TRANSPORTATION AND BASIC PUBLIC INFRASTRUCTURE.—The Authority shall allocate at least 50 percent of any funds made available under section 3813 for transportation and basic public infrastructure projects authorized under paragraphs (1) and (3) of section 3803(a).

“SEC. 3807. DEVELOPMENT PLANNING PROCESS.

“(a) STATE DEVELOPMENT PLAN.—In accordance with policies established by the Authority, each State member shall submit a development plan for the area of the region represented by the State member.

“(b) CONTENT OF PLAN.—A State development plan submitted under subsection (a) shall reflect the goals, objectives, and priorities identified in the regional development plan developed under section 3802(d)(2).

“(c) CONSULTATION WITH INTERESTED LOCAL PARTIES.—In carrying out the development planning process (including the selection of programs and projects for assistance), a State may—

“(1) consult with—

“(A) local development districts; and

“(B) local units of government; and

“(2) take into consideration the goals, objectives, priorities, and recommendations of the entities described in paragraph (1).

“(d) PUBLIC PARTICIPATION.—

“(1) IN GENERAL.—The Authority and applicable State and local development districts

shall encourage and assist, to the maximum extent practicable, public participation in the development, revision, and implementation of all plans and programs under this chapter.

“(2) REGULATIONS.—The Authority shall develop guidelines for providing public participation described in paragraph (1), including public hearings.

“SEC. 3808. PROGRAM DEVELOPMENT CRITERIA.

“(a) IN GENERAL.—In considering programs and projects to be provided assistance under this chapter and in establishing a priority ranking of the requests for assistance provided by the Authority, the Authority shall follow procedures that ensure, to the maximum extent practicable, consideration of—

“(1) the relationship of the project or class of projects to overall regional development;

“(2) the per capita income and poverty and unemployment rates in an area;

“(3) the financial resources available to the applicants for assistance seeking to carry out the project, with emphasis on ensuring that projects are adequately financed to maximize the probability of successful economic development;

“(4) the importance of the project or class of projects in relation to other projects or classes of projects that may be in competition for the same funds;

“(5) the prospects that the project for which assistance is sought will improve, on a continuing rather than a temporary basis, the opportunities for employment, the average level of income, or the economic development of the area served by the project; and

“(6) the extent to which the project design provides for detailed outcome measurements by which grant expenditures and the results of the expenditures may be evaluated.

“(b) NO RELOCATION ASSISTANCE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), no financial assistance authorized by this chapter shall be used to assist a person or entity in relocating from 1 area to another.

“(2) OUTSIDE BUSINESSES.—Financial assistance under this chapter may be used as otherwise authorized by this title to attract businesses from outside the region to the region.

“(c) REDUCTION OF FUNDS.—Funds may be provided for a program or project in a State under this chapter only if the Authority determines that the level of Federal or State financial assistance provided under a law other than this chapter, for the same type of program or project in the same area of the State within the region, will not be reduced as a result of funds made available by this chapter.

“SEC. 3809. APPROVAL OF DEVELOPMENT PLANS AND PROJECTS.

“(a) IN GENERAL.—A State or regional development plan or any multistate sub-regional plan that is proposed for development under this chapter shall be reviewed and approved by the Authority.

“(b) EVALUATION BY STATE MEMBER.—An application for a grant or any other assistance for a project under this chapter shall be made through and evaluated for approval by the State member of the Authority representing the applicant.

“(c) CERTIFICATION.—An application for a grant or other assistance for a project shall be approved only on certification by the State member that the application for the project—

“(1) describes ways in which the project complies with any applicable State development plan;

“(2) meets applicable criteria under section 3808;

“(3) provides adequate assurance that the proposed project will be properly administered, operated, and maintained; and

“(4) otherwise meets the requirements of this chapter.

“(d) APPROVAL OF GRANT APPLICATIONS.—On certification by a State member of the Authority of an application for a grant or other assistance for a specific project under this section, an affirmative vote of the Authority under section 3802(c) shall be required for approval of the application.

“SEC. 3810. CONSENT OF STATES.

“Nothing in this chapter requires any State to engage in or accept any program under this chapter without the consent of the State.

“SEC. 3811. RECORDS.

“(a) RECORDS OF THE AUTHORITY.—

“(1) IN GENERAL.—The Authority shall maintain accurate and complete records of all transactions and activities of the Authority.

“(2) AVAILABILITY.—All records of the Authority shall be available for audit and examination by the Comptroller General of the United States and the Inspector General of the Department of Agriculture (including authorized representatives of the Comptroller General and the Inspector General of the Department of Agriculture).

“(b) RECORDS OF RECIPIENTS OF FEDERAL ASSISTANCE.—

“(1) IN GENERAL.—A recipient of Federal funds under this chapter shall, as required by the Authority, maintain accurate and complete records of transactions and activities financed with Federal funds and report on the transactions and activities to the Authority.

“(2) AVAILABILITY.—All records required under paragraph (1) shall be available for audit by the Comptroller General of the United States, the Inspector General of the Department of Agriculture, and the Authority (including authorized representatives of the Comptroller General, the Inspector General of the Department of Agriculture, and the Authority).

“SEC. 3812. ANNUAL REPORT.

“Not later than 180 days after the end of each fiscal year, the Authority shall submit to the President and to Congress a report describing the activities carried out under this chapter.

“SEC. 3813. AUTHORIZATION OF APPROPRIATIONS.

“(a) IN GENERAL.—There is authorized to be appropriated to the Authority to carry out this chapter \$30,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.

“(b) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of the amount appropriated under subsection (a) for a fiscal year shall be used for administrative expenses of the Authority.

“SEC. 3814. TERMINATION OF AUTHORITY.

“This chapter and the authority provided under this chapter expire on October 1, 2018.

“CHAPTER 5—NORTHERN GREAT PLAINS REGIONAL AUTHORITY

“SEC. 3821. DEFINITIONS.

“In this chapter:

“(1) AUTHORITY.—The term ‘Authority’ means the Northern Great Plains Regional Authority established by section 3822.

“(2) FEDERAL GRANT PROGRAM.—The term ‘Federal grant program’ means a Federal grant program to provide assistance in—

“(A) implementing the recommendations of the Northern Great Plains Rural Development Commission established by the North-

ern Great Plains Rural Development Act (7 U.S.C. 2661 note; Public Law 103-318);

“(B) acquiring or developing land;

“(C) constructing or equipping a highway, road, bridge, or facility;

“(D) carrying out other economic development activities; or

“(E) conducting research activities related to the activities described in subparagraphs (A) through (D).

“(3) REGION.—The term ‘region’ means the States of Iowa, Minnesota, Missouri (other than counties included in the Delta Regional Authority), Nebraska, North Dakota, and South Dakota.

“SEC. 3822. NORTHERN GREAT PLAINS REGIONAL AUTHORITY.

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—There is established the Northern Great Plains Regional Authority.

“(2) COMPOSITION.—The Authority shall be composed of—

“(A) a Federal member, to be appointed by the President, by and with the advice and consent of the Senate;

“(B) the Governor (or a designee of the Governor) of each State in the region that elects to participate in the Authority; and

“(C) a member of an Indian tribe, who shall be a chairperson of an Indian tribe in the region or a designee of such a chairperson, to be appointed by the President, by and with the advice and consent of the Senate.

“(3) COCHAIRPERSONS.—The Authority shall be headed by—

“(A) the Federal member, who shall serve as—

“(i) the Federal cochairperson; and

“(ii) a liaison between the Federal Government and the Authority;

“(B) a State cochairperson, who shall be—

“(i) a Governor of a participating State in the region; and

“(ii) elected by the State members for a term of not less than 1 year; and

“(C) the member of an Indian tribe, who shall serve as—

“(i) the tribal cochairperson; and

“(ii) a liaison between the governments of Indian tribes in the region and the Authority.

“(4) FAILURE TO CONFIRM.—

“(A) FEDERAL MEMBER.—Notwithstanding any other provision of this section, if a Federal member described in paragraph (2)(A) has not been confirmed by the Senate by not later than 180 days after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Authority may organize and operate without the Federal member.

“(B) TRIBAL COCHAIRPERSON.—In the case of the tribal cochairperson, if no tribal cochairperson is confirmed by the Senate, the regional authority shall consult and coordinate with the leaders of Indian tribes in the region concerning the activities of the Authority, as appropriate.

“(b) ALTERNATE MEMBERS.—

“(1) ALTERNATE FEDERAL COCHAIRPERSON.—The President shall appoint an alternate Federal cochairperson.

“(2) STATE ALTERNATES.—

“(A) IN GENERAL.—The State member of a participating State may have a single alternate, who shall be—

“(i) a resident of that State; and

“(ii) appointed by the Governor of the State.

“(B) QUORUM.—A State alternate member shall not be counted toward the establishment of a quorum of the members of the Authority in any case in which a quorum of the State members is required to be present.

“(3) ALTERNATE TRIBAL COCHAIRPERSON.—The President shall appoint an alternate

tribal cochairperson, by and with the advice and consent of the Senate.

“(4) DELEGATION OF POWER.—No power or responsibility of the Authority specified in paragraphs (2) and (3) of subsection (c), and no voting right of any member of the Authority, shall be delegated to any person who is not—

“(A) a member of the Authority; or

“(B) entitled to vote in Authority meetings.

“(c) VOTING.—

“(1) IN GENERAL.—A decision by the Authority shall require a majority vote of the Authority (not including any member representing a State that is delinquent under subsection (g)(2)(D)) to be effective.

“(2) QUORUM.—A quorum of State members shall be required to be present for the Authority to make any policy decision, including—

“(A) a modification or revision of an Authority policy decision;

“(B) approval of a State or regional development plan; and

“(C) any allocation of funds among the States.

“(3) PROJECT AND GRANT PROPOSALS.—The approval of project and grant proposals shall be—

“(A) a responsibility of the Authority; and

“(B) conducted in accordance with section 3830.

“(4) VOTING BY ALTERNATE MEMBERS.—An alternate member shall vote in the case of the absence, death, disability, removal, or resignation of the Federal, State, or Indian tribe member for whom the alternate member is an alternate.

“(d) DUTIES.—The Authority shall—

“(1) develop, on a continuing basis, comprehensive and coordinated plans and programs for multistate cooperation to advance the economic and social well-being of the region and to approve grants for the economic development of the region, giving due consideration to other Federal, State, tribal, and local planning and development activities in the region;

“(2) review, and when appropriate amend, priorities in a development plan for the region (including 5-year regional outcome targets);

“(3) assess the needs and assets of the region based on available research, demonstrations, investigations, assessments, and evaluations of the region prepared by Federal, State, tribal, and local agencies, universities, regional and local development districts or organizations, and other nonprofit groups;

“(4) formulate and recommend to the Governors and legislatures of States that participate in the Authority forms of interstate cooperation for—

“(A) renewable energy development and transmission;

“(B) transportation planning and economic development;

“(C) information technology;

“(D) movement of freight and individuals within the region;

“(E) federally-funded research at institutions of higher education; and

“(F) conservation land management;

“(5) work with State, tribal, and local agencies in developing appropriate model legislation;

“(6) enhance the capacity of, and provide support for, multistate development and research organizations, local development organizations and districts, and resource conservation districts in the region;

“(7) encourage private investment in industrial, commercial, renewable energy, and

other economic development projects in the region; and

“(8) cooperate with and assist State governments with economic development programs of participating States.

“(e) ADMINISTRATION.—In carrying out subsection (d), the Authority may—

“(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute a description of the proceedings and reports on actions by the Authority as the Authority considers appropriate;

“(2) authorize, through the Federal, State, or tribal cochairperson or any other member of the Authority designated by the Authority, the administration of oaths if the Authority determines that testimony should be taken or evidence received under oath;

“(3) request from any Federal, State, tribal, or local agency such information as may be available to or procurable by the agency that may be of use to the Authority in carrying out the duties of the Authority;

“(4) adopt, amend, and repeal bylaws and rules governing the conduct of business and the performance of duties of the Authority;

“(5) request the head of any Federal agency to detail to the Authority such personnel as the Authority requires to carry out duties of the Authority, each such detail to be without loss of seniority, pay, or other employee status;

“(6) request the head of any State agency, tribal government, or local government to detail to the Authority such personnel as the Authority requires to carry out duties of the Authority, each such detail to be without loss of seniority, pay, or other employee status;

“(7) provide for coverage of Authority employees in a suitable retirement and employee benefit system by—

“(A) making arrangements or entering into contracts with any participating State government or tribal government; or

“(B) otherwise providing retirement and other employee benefit coverage;

“(8) accept, use, and dispose of gifts or donations of services or real, personal, tangible, or intangible property;

“(9) enter into and perform such contracts, leases, cooperative agreements, or other transactions as are necessary to carry out Authority duties, including any contracts, leases, or cooperative agreements with—

“(A) any department, agency, or instrumentality of the United States;

“(B) any State (including a political subdivision, agency, or instrumentality of the State);

“(C) any Indian tribe in the region; or

“(D) any person, firm, association, or corporation; and

“(10) establish and maintain a central office and field offices at such locations as the Authority may select.

“(f) FEDERAL AGENCY COOPERATION.—A Federal agency shall—

“(1) cooperate with the Authority; and

“(2) provide, on request of a cochairperson, appropriate assistance in carrying out this chapter, in accordance with applicable Federal laws (including regulations).

“(g) ADMINISTRATIVE EXPENSES.—

“(1) FEDERAL SHARE.—The Federal share of the administrative expenses of the Authority shall be—

“(A) for each of fiscal years 2012 and 2013, 100 percent;

“(B) for fiscal year 2014, 75 percent; and

“(C) for fiscal year 2015 and each fiscal year thereafter, 50 percent.

“(2) NON-FEDERAL SHARE.—

“(A) IN GENERAL.—The non-Federal share of the administrative expenses of the Authority shall be paid by non-Federal sources in the States that participate in the Authority.

“(B) SHARE PAID BY EACH STATE.—The share of administrative expenses of the Authority to be paid by non-Federal sources in each State shall be determined by the Authority.

“(C) NO FEDERAL PARTICIPATION.—The Federal cochairperson shall not participate or vote in any decision under subparagraph (B).

“(D) DELINQUENT STATES.—If a State is delinquent in payment of the State's share of administrative expenses of the Authority under this subsection—

“(i) no assistance under this chapter shall be provided to the State (including assistance to a political subdivision or a resident of the State); and

“(ii) no member of the Authority from the State shall participate or vote in any action by the Authority.

“(h) COMPENSATION.—

“(1) FEDERAL AND TRIBAL COCHAIRPERSONS.—The Federal cochairperson and the tribal cochairperson shall be compensated by the Federal Government at the annual rate of basic pay prescribed for level III of the Executive Schedule in subchapter II of chapter 53 of title 5, United States Code.

“(2) ALTERNATE FEDERAL AND TRIBAL COCHAIRPERSONS.—The alternate Federal cochairperson and the alternate tribal cochairperson—

“(A) shall be compensated by the Federal Government at the annual rate of basic pay prescribed for level V of the Executive Schedule described in paragraph (1); and

“(B) when not actively serving as an alternate, shall perform such functions and duties as are delegated by the Federal cochairperson or the tribal cochairperson, respectively.

“(3) STATE MEMBERS AND ALTERNATES.—

“(A) IN GENERAL.—A State shall compensate each member and alternate representing the State on the Authority at the rate established by State law.

“(B) NO ADDITIONAL COMPENSATION.—No State member or alternate member shall receive any salary, or any contribution to or supplementation of salary from any source other than the State for services provided by the member or alternate member to the Authority.

“(4) DETAILED EMPLOYEES.—

“(A) IN GENERAL.—No person detailed to serve the Authority under subsection (e)(6) shall receive any salary or any contribution to or supplementation of salary for services provided to the Authority from—

“(i) any source other than the State, tribal, local, or intergovernmental agency from which the person was detailed; or

“(ii) the Authority.

“(B) VIOLATION.—Any person that violates this paragraph shall be fined not more than \$5,000, imprisoned not more than 1 year, or both.

“(C) APPLICABLE LAW.—The Federal cochairperson, the alternate Federal cochairperson, and any Federal officer or employee detailed to duty on the Authority under subsection (e)(5) shall not be subject to subparagraph (A), but shall remain subject to sections 202 through 209 of title 18, United States Code.

“(5) ADDITIONAL PERSONNEL.—

“(A) COMPENSATION.—

“(i) IN GENERAL.—The Authority may appoint and fix the compensation of an executive director and such other personnel as are

necessary to enable the Authority to carry out the duties of the Authority.

“(i) EXCEPTION.—Compensation under clause (i) shall not exceed the maximum rate for the Senior Executive Service under section 5382 of title 5, United States Code, including any applicable locality-based comparability payment that may be authorized under section 5304(h)(2)(C) of that title.

“(B) EXECUTIVE DIRECTOR.—The executive director shall be responsible for—

“(i) the carrying out of the administrative duties of the Authority;

“(ii) direction of the Authority staff; and

“(iii) such other duties as the Authority may assign.

“(C) NO FEDERAL EMPLOYEE STATUS.—No member, alternate, officer, or employee of the Authority (except the Federal cochairperson of the Authority, the alternate and staff for the Federal cochairperson, and any Federal employee detailed to the Authority under subsection (e)(5)) shall be considered to be a Federal employee for any purpose.

“(i) CONFLICTS OF INTEREST.—

“(1) IN GENERAL.—Except as provided under paragraph (2), no State member, Indian tribe member, State alternate, officer, or employee of the Authority shall participate personally and substantially as a member, alternate, officer, or employee of the Authority, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in any proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other matter in which, to knowledge of the member, alternate, officer, or employee, there is a financial interest of—

“(A) the member, alternate, officer, or employee;

“(B) the spouse, minor child, partner, or organization (other than a State or political subdivision of the State or the Indian tribe) of the member, alternate, officer, or employee, in which the member, alternate, officer, or employee is serving as officer, director, trustee, partner, or employee; or

“(C) any person or organization with whom the member, alternate, officer, or employee is negotiating or has any arrangement concerning prospective employment.

“(2) DISCLOSURE.—Paragraph (1) shall not apply if the State member, Indian tribe member, alternate, officer, or employee—

“(A) immediately advises the Authority of the nature and circumstances of the proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other particular matter presenting a potential conflict of interest;

“(B) makes full disclosure of the financial interest; and

“(C) before the proceeding concerning the matter presenting the conflict of interest, receives a written determination by the Authority that the interest is not so substantial as to be likely to affect the integrity of the services that the Authority may expect from the State member, Indian tribe member, alternate, officer, or employee.

“(3) VIOLATION.—Any person that violates this subsection shall be fined not more than \$10,000, imprisoned not more than 2 years, or both.

“(j) VALIDITY OF CONTRACTS, LOANS, AND GRANTS.—The Authority may declare void any contract, loan, or grant of or by the Authority in relation to which the Authority determines that there has been a violation of any provision under subsection (h)(4) or subsection (i) of this chapter, or sections 202 through 209 of title 18, United States Code.

“SEC. 3823. INTERSTATE COOPERATION FOR ECONOMIC OPPORTUNITY AND EFFICIENCY.

“(a) IN GENERAL.—The Authority shall provide assistance to States in developing regional plans to address multistate economic issues, including plans—

“(1) to develop a regional transmission system for movement of renewable energy to markets outside the region;

“(2) to address regional transportation concerns, including the establishment of a Northern Great Plains Regional Transportation Working Group;

“(3) to encourage and support interstate collaboration on federally-funded research that is in the national interest; and

“(4) to establish a Regional Working Group on Agriculture Development and Transportation.

“(b) ECONOMIC ISSUES.—The multistate economic issues referred to in subsection (a) shall include—

“(1) renewable energy development and transmission;

“(2) transportation planning and economic development;

“(3) information technology;

“(4) movement of freight and individuals within the region;

“(5) federally-funded research at institutions of higher education; and

“(6) conservation land management.

“SEC. 3824. ECONOMIC AND COMMUNITY DEVELOPMENT GRANTS.

“(a) IN GENERAL.—The Authority may approve grants to States, Indian tribes, local governments, and public and nonprofit organizations for projects, approved in accordance with section 3830—

“(1) to assist the region in obtaining the job training, employment-related education, and business development (with an emphasis on entrepreneurship) that are needed to build and maintain strong local economies;

“(2) to develop the transportation, renewable energy transmission, and telecommunication infrastructure of the region for the purpose of facilitating economic development in the region (except that grants for this purpose may be made only to States, Indian tribes, local governments, and nonprofit organizations);

“(3) to provide assistance to severely distressed and underdeveloped areas that lack financial resources for improving basic public services;

“(4) to provide assistance to severely distressed and underdeveloped areas that lack financial resources for equipping industrial parks and related facilities; and

“(5) to otherwise achieve the purposes of this chapter.

“(b) FUNDING.—

“(1) IN GENERAL.—Funds for grants under subsection (a) may be provided—

“(A) entirely from appropriations to carry out this section;

“(B) in combination with funds available under another Federal grant program; or

“(C) from any other source.

“(2) PRIORITY OF FUNDING.—To best build the foundations for long-term economic development and to complement other Federal, State, and tribal resources in the region, Federal funds available under this chapter shall be focused on the following activities:

“(A) Basic public infrastructure in distressed counties and isolated areas of distress.

“(B) Transportation and telecommunication infrastructure for the purpose of facilitating economic development in the region.

“(C) Business development, with emphasis on entrepreneurship.

“(D) Job training or employment-related education, with emphasis on use of existing public educational institutions located in the region.

“SEC. 3825. SUPPLEMENTS TO FEDERAL GRANT PROGRAMS.

“(a) FINDING.—Congress finds that certain States and local communities of the region may be unable to take maximum advantage of Federal grant programs for which the States and communities are eligible because—

“(1) the States and communities lack the economic resources to provide the required matching share; or

“(2) there are insufficient funds available under the applicable Federal law authorizing the Federal grant program to meet pressing needs of the region.

“(b) FEDERAL GRANT PROGRAM FUNDING.—Notwithstanding any provision of law limiting the Federal share, the areas eligible for assistance, or the authorizations of appropriations, under any Federal grant program, and in accordance with subsection (c), the Authority, with the approval of the Federal cochairperson and with respect to a project to be carried out in the region—

“(1) may increase the Federal share of the costs of a project under any Federal grant program to not more than 90 percent (except as provided in section 3827(b)); and

“(2) shall use amounts made available to carry out this chapter to pay the increased Federal share.

“(c) CERTIFICATIONS.—

“(1) IN GENERAL.—In the case of any project for which all or any portion of the basic Federal share of the costs of the project is proposed to be paid under this section, no Federal contribution shall be made until the Federal official administering the Federal law that authorizes the Federal grant program certifies that the project—

“(A) meets (except as provided in subsection (b)) the applicable requirements of the applicable Federal grant program; and

“(B) could be approved for Federal contribution under the Federal grant program if funds were available under the law for the project.

“(2) CERTIFICATION BY AUTHORITY.—

“(A) IN GENERAL.—The certifications and determinations required to be made by the Authority for approval of projects under this Act in accordance with section 3830 shall be—

“(i) controlling; and

“(ii) accepted by the Federal agencies.

“(B) ACCEPTANCE BY FEDERAL COCHAIRPERSON.—In the case of any project described in paragraph (1), any finding, report, certification, or documentation required to be submitted with respect to the project to the head of the department, agency, or instrumentality of the Federal Government responsible for the administration of the Federal grant program under which the project is carried out shall be accepted by the Federal cochairperson.

“SEC. 3826. MULTISTATE AND LOCAL DEVELOPMENT DISTRICTS AND ORGANIZATIONS AND NORTHERN GREAT PLAINS INC.

“(a) DEFINITION OF MULTISTATE AND LOCAL DEVELOPMENT DISTRICT OR ORGANIZATION.—In this section, the term ‘multistate and local development district or organization’ means an entity—

“(1) that—

“(A) is a planning district that is recognized by the Economic Development Administration of the Department of Commerce; or

“(B) is—

“(i) organized and operated in a manner that ensures broad-based community participation and an effective opportunity for other nonprofit groups to contribute to the development and implementation of programs in the region;

“(ii) a nonprofit incorporated body organized or chartered under the law of the State in which the entity is located;

“(iii) a nonprofit agency or instrumentality of a State or local government;

“(iv) a public organization established before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 under State law for creation of multijurisdictional, area-wide planning organizations;

“(v) a nonprofit agency or instrumentality of a State that was established for the purpose of assisting with multistate cooperation; or

“(vi) a nonprofit association or combination of bodies, agencies, and instrumentalities described in clauses (ii) through (v); and

“(2) that has not, as certified by the Authority (in consultation with the Federal co-chairperson or Secretary, as appropriate)—

“(A) inappropriately used Federal grant funds from any Federal source; or

“(B) appointed an officer who, during the period in which another entity inappropriately used Federal grant funds from any Federal source, was an officer of the other entity.

“(b) GRANTS TO MULTISTATE, LOCAL, OR REGIONAL DEVELOPMENT DISTRICTS AND ORGANIZATIONS.—

“(1) IN GENERAL.—The Authority may make grants for administrative expenses under this section to multistate, local, and regional development districts and organizations.

“(2) CONDITIONS FOR GRANTS.—

“(A) MAXIMUM AMOUNT.—The amount of any grant awarded under paragraph (1) shall not exceed 80 percent of the administrative expenses of the multistate, local, or regional development district or organization receiving the grant.

“(B) MAXIMUM PERIOD.—No grant described in paragraph (1) shall be awarded for a period of greater than 3 years.

“(3) LOCAL SHARE.—The contributions of a multistate, local, or regional development district or organization for administrative expenses may be in cash or in kind, fairly evaluated, including space, equipment, and services.

“(c) DUTIES.—

“(1) IN GENERAL.—Except as provided in paragraph (2), a local development district shall operate as a lead organization serving multicounty areas in the region at the local level.

“(2) DESIGNATION.—The Federal cochairperson may designate an Indian tribe or multijurisdictional organization to serve as a lead organization in such cases as the Federal cochairperson or Secretary, as appropriate, determines appropriate.

“(d) NORTHERN GREAT PLAINS INC.—Northern Great Plains Inc., a nonprofit corporation incorporated in the State of Minnesota to implement the recommendations of the Northern Great Plains Rural Development Commission established by the Northern Great Plains Rural Development Act (7 U.S.C. 2661 note; Public Law 103-318)—

“(1) shall serve as an independent, primary resource for the Authority on issues of concern to the region;

“(2) shall advise the Authority on development of international trade;

“(3) may provide research, education, training, and other support to the Authority; and

“(4) may carry out other activities on its own behalf or on behalf of other entities.

“SEC. 3827. DISTRESSED COUNTIES AND AREAS AND NONDISTRESSED COUNTIES.

“(a) DESIGNATIONS.—Each year, the Authority, in accordance with such criteria as the Authority may establish, shall designate—

“(1) as distressed counties, counties in the region that are the most severely and persistently distressed and underdeveloped and have high rates of poverty, unemployment, or outmigration;

“(2) as nondistressed counties, counties in the region that are not designated as distressed counties under paragraph (1); and

“(3) as isolated areas of distress, areas located in nondistressed counties (as designated under paragraph (2)) that have high rates of poverty, unemployment, or outmigration.

“(b) DISTRESSED COUNTIES.—

“(1) IN GENERAL.—The Authority shall allocate at least 50 percent of the appropriations made available under section 3834 for programs and projects designed to serve the needs of distressed counties and isolated areas of distress in the region.

“(2) FUNDING LIMITATIONS.—The funding limitations under section 3825(b) shall not apply to a project to provide transportation or telecommunication or basic public services to residents of 1 or more distressed counties or isolated areas of distress in the region.

“(c) TRANSPORTATION, TELECOMMUNICATION, RENEWABLE ENERGY, AND BASIC PUBLIC INFRASTRUCTURE.—The Authority shall allocate at least 50 percent of any funds made available under section 3834 for transportation, telecommunication, renewable energy, and basic public infrastructure projects authorized under paragraphs (1) and (3) of section 3824(a).

“SEC. 3828. DEVELOPMENT PLANNING PROCESS.

“(a) STATE DEVELOPMENT PLAN.—In accordance with policies established by the Authority, each State member shall submit a development plan for the area of the region represented by the State member.

“(b) CONTENT OF PLAN.—A State development plan submitted under subsection (a) shall reflect the goals, objectives, and priorities identified in the regional development plan developed under section 3823(d)(2).

“(c) CONSULTATION WITH INTERESTED LOCAL PARTIES.—In carrying out the development planning process (including the selection of programs and projects for assistance), a State may—

“(1) consult with—

“(A) multistate, regional, and local development districts and organizations; and

“(B) local units of government; and

“(2) take into consideration the goals, objectives, priorities, and recommendations of the entities described in paragraph (1).

“(d) PUBLIC PARTICIPATION.—

“(1) IN GENERAL.—The Authority and applicable multistate, regional, and local development districts and organizations shall encourage and assist, to the maximum extent practicable, public participation in the development, revision, and implementation of all plans and programs under this chapter.

“(2) REGULATIONS.—The Authority shall develop guidelines for providing public participation described in paragraph (1), including public hearings.

“SEC. 3829. PROGRAM DEVELOPMENT CRITERIA.

“(a) IN GENERAL.—In considering programs and projects to be provided assistance under

this chapter, and in establishing a priority ranking of the requests for assistance provided to the Authority, the Authority shall follow procedures that ensure, to the maximum extent practicable, consideration of—

“(1) the relationship of the project or class of projects to overall multistate or regional development;

“(2) the per capita income and poverty and unemployment and outmigration rates in an area;

“(3) the financial resources available to the applicants for assistance seeking to carry out the project, with emphasis on ensuring that projects are adequately financed to maximize the probability of successful economic development;

“(4) the importance of the project or class of projects in relation to other projects or classes of projects that may be in competition for the same funds;

“(5) the prospects that the project for which assistance is sought will improve, on a continuing rather than a temporary basis, the opportunities for employment, the average level of income, or the economic development of the area to be served by the project; and

“(6) the extent to which the project design provides for detailed outcome measurements by which grant expenditures and the results of the expenditures may be evaluated.

“(b) NO RELOCATION ASSISTANCE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), no financial assistance authorized by this chapter shall be used to assist a person or entity in relocating from 1 area to another.

“(2) OUTSIDE BUSINESSES.—Financial assistance under this chapter may be used as otherwise authorized by this title to attract businesses from outside the region to the region.

“(c) MAINTENANCE OF EFFORT.—Funds may be provided for a program or project in a State under this chapter only if the Authority determines that the level of Federal or State financial assistance provided under a law other than this chapter, for the same type of program or project in the same area of the State within the region, will not be reduced as a result of funds made available by this chapter.

“SEC. 3830. APPROVAL OF DEVELOPMENT PLANS AND PROJECTS.

“(a) IN GENERAL.—A State or regional development plan or any multistate sub-regional plan that is proposed for development under this chapter shall be reviewed by the Authority.

“(b) EVALUATION BY STATE MEMBER.—An application for a grant or any other assistance for a project under this chapter shall be made through and evaluated for approval by the State member of the Authority representing the applicant.

“(c) CERTIFICATION.—An application for a grant or other assistance for a project shall be approved only on certification by the State member that the application for the project—

“(1) describes ways in which the project complies with any applicable State development plan;

“(2) meets applicable criteria under section 3829;

“(3) provides adequate assurance that the proposed project will be properly administered, operated, and maintained; and

“(4) otherwise meets the requirements of this chapter.

“(d) VOTES FOR DECISIONS.—On certification by a State member of the Authority of an application for a grant or other assistance for a specific project under this section,

an affirmative vote of the Authority under section 3822(c) shall be required for approval of the application.

“SEC. 3831. CONSENT OF STATES.

“Nothing in this chapter requires any State to engage in or accept any program under this chapter without the consent of the State.

“SEC. 3832. RECORDS.

“(a) RECORDS OF THE AUTHORITY.—

“(1) IN GENERAL.—The Authority shall maintain accurate and complete records of all transactions and activities of the Authority.

“(2) AVAILABILITY.—All records of the Authority shall be available for audit and examination by the Comptroller General of the United States and the Inspector General of the Department of Agriculture (including authorized representatives of the Comptroller General and the Inspector General of the Department of Agriculture).

“(b) RECORDS OF RECIPIENTS OF FEDERAL ASSISTANCE.—

“(1) IN GENERAL.—A recipient of Federal funds under this chapter shall, as required by the Authority, maintain accurate and complete records of transactions and activities financed with Federal funds and report to the Authority on the transactions and activities to the Authority.

“(2) AVAILABILITY.—All records required under paragraph (1) shall be available for audit by the Comptroller General of the United States, the Inspector General of the Department of Agriculture, and the Authority (including authorized representatives of the Comptroller General, the Inspector General of the Department of Agriculture, and the Authority).

“(c) ANNUAL AUDIT.—The Inspector General of the Department of Agriculture shall audit the activities, transactions, and records of the Authority on an annual basis.

“SEC. 3833. ANNUAL REPORT.

“Not later than 180 days after the end of each fiscal year, the Authority shall submit to the President and to Congress a report describing the activities carried out under this chapter.

“SEC. 3834. AUTHORIZATION OF APPROPRIATIONS.

“(a) IN GENERAL.—There is authorized to be appropriated to the Authority to carry out this chapter \$30,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.

“(b) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of the amount appropriated under subsection (a) for a fiscal year shall be used for administrative expenses of the Authority.

“(c) MINIMUM STATE SHARE OF GRANTS.—Notwithstanding any other provision of this chapter, for any fiscal year, the aggregate amount of grants received by a State and all persons or entities in the State under this chapter shall be not less than ⅓ of the product obtained by multiplying—

“(1) the aggregate amount of grants under this chapter for the fiscal year; and

“(2) the ratio that—

“(A) the population of the State (as determined by the Secretary of Commerce based on the most recent decennial census for which data are available); bears to

“(B) the population of the region (as so determined).

“SEC. 3835. TERMINATION OF AUTHORITY.

“The authority provided by this chapter terminates effective October 1, 2018.

“Subtitle C—General Provisions

“SEC. 3901. FULL FAITH AND CREDIT.

“(a) IN GENERAL.—A contract of insurance or guarantee executed by the Secretary

under this title shall be an obligation supported by the full faith and credit of the United States.

“(b) CONTESTABILITY.—A contract of insurance or guarantee executed by the Secretary under this title shall be incontestable except for fraud or misrepresentation that the lender or any holder—

“(1) has actual knowledge of at the time the contract of insurance or guarantee is executed; or

“(2) participates in or condones.

“SEC. 3902. PURCHASE AND SALE OF GUARANTEED PORTIONS OF LOANS.

“(a) IN GENERAL.—Subject to subsections (b) and (c), the Secretary may purchase, on such terms and conditions as the Secretary considers appropriate, the guaranteed portion of a loan guaranteed under this title, if the Secretary determines that an adequate secondary market is not available in the private sector.

“(b) MAXIMUM PAYMENT.—The Secretary may not pay for any guaranteed portion of a loan under subsection (a) in excess of an amount equal to the unpaid principal balance and accrued interest on the guaranteed portion of the loan.

“(c) SOURCES OF FUNDING.—The Secretary may use for the purchases—

“(1) funds from the Rural Development Insurance Fund with respect to rural development loans (as defined in section 3704(a)); and

“(2) funds from the Agricultural Credit Insurance Fund with respect to all other loans under this title.

“(d) SALE OF GUARANTEED LOANS.—

“(1) SALES.—

“(A) REGULATION.—

“(i) IN GENERAL.—The guaranteed portion of any loan made under this title may be sold by the lender, and by any subsequent holder, in accordance with such regulations governing the sales as the Secretary shall establish, subject to clauses (ii) and (iii).

“(ii) FEES TO BE PAID IN FULL.—All fees due the Secretary with respect to a guaranteed loan shall be paid in full before any sale.

“(iii) LOAN TO BE FULLY DISBURSED.—The loan shall be fully disbursed to the borrower before the sale.

“(B) POST-SALE.—After a loan is sold in the secondary market, the lender shall—

“(i) remain obligated under the guarantee agreement of the lender with the Secretary; and

“(ii) continue to service the loan in accordance with the terms and conditions of that agreement.

“(C) PROCEDURES.—The Secretary shall develop such procedures as are necessary for—

“(i) the facilitation, administration, and promotion of secondary market operations; and

“(ii) determining the increase of access of farmers to capital at reasonable rates and terms as a result of secondary market operations.

“(D) RIGHTS TO PREPAY.—This subsection does not impede or extinguish—

“(i) the right of the borrower or the successor in interest to the borrower to prepay (in whole or in part) any loan made under this title; or

“(ii) the rights of any party under any provision of this title.

“(2) ISSUE POOL CERTIFICATES.—

“(A) IN GENERAL.—The Secretary may, directly or through a market maker approved by the Secretary, issue pool certificates representing ownership of part or all of the guaranteed portion of any loan guaranteed by the Secretary under this title.

“(B) APPROVAL.—Certificates under subparagraph (A) shall be based on and backed by a pool established or approved by the Secretary and composed solely of the entire guaranteed portion of the loans.

“(C) GUARANTEE OF POOL.—On such terms and conditions as the Secretary considers appropriate, the Secretary may guarantee the timely payment of the principal and interest on pool certificates issued on behalf of the Secretary by approved market makers for purposes of this subsection.

“(D) LIMITATIONS.—A guarantee under subparagraph (C) shall be limited to the extent of principal and interest on the guaranteed portions of loans that compose the pool.

“(E) PREPAYMENT.—If a loan in a pool is prepaid, either voluntarily or by reason of default, the guarantee of timely payment of principal and interest on the pool certificates shall be reduced in proportion to the amount of principal and interest that the prepaid loan represents in the pool.

“(F) INTEREST ACCRUAL.—Interest on prepaid or defaulted loans shall accrue and be guaranteed by the Secretary only through the date of payment on the guarantee.

“(G) REDEMPTION.—During the term of the pool certificate, the certificate may be called for redemption due to prepayment or default of all loans constituting the pool.

“(H) FULL FAITH AND CREDIT.—The full faith and credit of the United States is pledged to the payment of all amounts that may be required to be paid under any guarantee of the pool certificates issued by approved market makers under this subsection.

“(I) FEES.—

“(i) IN GENERAL.—The Secretary shall not collect any fee for any guarantee under this subsection.

“(ii) SECRETARIAL FUNCTIONS.—Clause (i) does not preclude the Secretary from collecting a fee for the functions described in paragraph (3).

“(J) DEFAULT.—Not later than 30 days after a borrower of a guaranteed loan is in default of any principal or interest payment due for 60 days or more, the Secretary shall—

“(i) purchase the pool certificates representing ownership of the guaranteed portion of the loan; and

“(ii) pay the registered holder of the certificates an amount equal to the guaranteed portion of the loan represented by the certificate.

“(K) PAYMENT OF CLAIMS.—If the Secretary pays a claim under a guarantee issued under this subsection, the claim shall be subrogated fully to the rights satisfied by the payment, as may be provided by the Secretary.

“(L) APPLICATION OF LAWS.—No State or local law, and no Federal law, shall preclude or limit the exercise by the Secretary of the ownership rights of the Secretary in the portions of loans constituting the pool against which the certificates are issued.

“(3) DUTIES OF THE SECRETARY.—

“(A) IN GENERAL.—On the adoption of final rules and regulations, the Secretary shall—

“(i) provide for the central collection of registration information from all participating market makers for all loans and pool certificates sold under paragraphs (1) and (2), including, with respect to each original sale and any subsequent sale—

“(I) identification of the interest rate paid by the borrower to the lender;

“(II) the servicing fee of the lender;

“(III) disclosure of whether interest on the loan is at a fixed or variable rate;

“(IV) identification of each purchaser of a pool certificate;

“(V) the interest rate paid on the certificate; and

“(VI) such other information as the Secretary considers appropriate.

“(ii) before any sale, require the seller (as defined in subparagraph (B) to disclose to each prospective purchaser of the portion of a loan guaranteed under this title and to each prospective purchaser of a pool certificate issued under paragraph (2) information on the terms, conditions, and yield of such instrument;

“(iii) provide for adequate custody of any pooled guaranteed loans;

“(iv) take such actions as are necessary, in restructuring pools of the guaranteed portion of loans, to minimize the estimated costs of paying claims under guarantees issued under this subsection;

“(v) require each market maker—

“(I) to service all pools formed, and participations sold, by the market maker; and

“(II) to provide the Secretary with information relating to the collection and disbursement of all periodic payments, prepayments, and default funds from lenders, to or from the reserve fund that the Secretary shall establish to enable the timely payment guarantee to be self-funding, and from all beneficial holders; and

“(vi) regulate market makers in pool certificates sold under this subsection.

“(B) DEFINITION OF SELLER.—For purposes of subparagraph (A)(ii), if the instrument being sold is a loan, the term ‘seller’ does not include—

“(i) the person who made the loan; or

“(ii) any person who sells 3 or fewer guaranteed loans per year.

“(4) CONTRACT FOR SERVICES.—The Secretary may contract for goods and services to be used for the purposes of this subsection without regard to titles 5, 40, and 41, United States Code (including any regulations issued under those titles).

“SEC. 3903. ADMINISTRATION.

“(a) POWERS OF SECRETARY.—The Secretary may—

“(1)(A) administer the powers and duties of the Secretary through such national, area, State, or local offices and employees in the United States as the Secretary determines to be necessary; and

“(B) authorize an office to serve an area composed of 2 or more States if the Secretary determines that the volume of business in the area is not sufficient to justify separate State offices;

“(2)(A) accept and use voluntary and uncompensated services; and

“(B) with the consent of the agency concerned, use the officers, employees, equipment, and information of any agency of the Federal Government, or of any State, territory, or political subdivision;

“(3) subject to appropriations, make necessary expenditures for the purchase or hire of passenger vehicles, and such other facilities and services as the Secretary may from time to time find necessary for the proper administration of this title;

“(4) subject to subsection (b), compromise, adjust, reduce, or charge-off debts or claims (including debts and claims arising from loan guarantees), and adjust, modify, subordinate, or release the terms of security instruments, leases, contracts, and agreements entered into or administered by the Farm Service Agency, the Rural Utilities Service, the Rural Housing Service, the Rural Business-Cooperative Service, or successor agencies under this title, except for activities conducted under the Housing Act of 1949 (42 U.S.C. 1441 et seq.);

“(5) release mortgage and other contract liens if it appears that the mortgage and liens have no present or prospective value or that the enforcement of the mortgage and liens likely would be ineffectual or uneconomical;

“(6) obtain fidelity bonds protecting the Federal Government against fraud and dishonesty of officers and employees of the Farm Service Agency, the Rural Utilities Service, the Rural Housing Service, or the Rural Business-Cooperative Service in lieu of faithful performance of duties bonds under section 14 of title 6, United States Code, but otherwise in accordance with the section;

“(7) consent to—

“(A) long-term leases of facilities financed under this title notwithstanding the failure of the lessee to meet any of the requirements of this title if the long-term leases are necessary to ensure the continuation of services for which financing was extended to the lessor; and

“(B) the transfer of property securing any loan or financed by any loan or grant made or guaranteed by the Farm Service Agency, the Rural Utilities Service, the Rural Housing Service, or the Rural Business-Cooperative Service under this title, or any other law administered by the Secretary, on such terms as the Secretary considers necessary to carry out the purpose of the loan or grant or to protect the financial interest of the Federal Government, provided that the Secretary shall document the consent of the Secretary for the transfer of the property of a borrower in the file of the borrower; and

“(8) notwithstanding that an area ceases, or has ceased, to be rural, in a rural area, or an eligible area, make loans and grants, and approve transfers and assumptions, under this title on the same basis as though the area still was rural in connection with property securing any loan made or guaranteed by the Secretary under this title or in connection with any property held by the Secretary under this title.

“(b) LOAN ADJUSTMENTS.—

“(1) NO LIQUIDATION OF PROPERTY.—The Secretary may not require liquidation of property securing any farmer program loan or acceleration of any payment required under any farmer program loan as a prerequisite to initiating an action authorized under subsection (a).

“(2) RELEASE OF PERSONAL LIABILITY.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary may release a borrower or other person obligated on a debt (other than debt incurred under the Housing Act of 1949 (42 U.S.C. 1441 et seq.)) from personal liability with or without payment of any consideration at the time of the compromise, adjustment, reduction, or charge-off of any claim.

“(B) EXCEPTION.—No compromise, adjustment, reduction, or charge-off of any claim may be made or carried out after the claim has been referred to the Attorney General, unless the Attorney General approves.

“(3) RURAL ELECTRIFICATION SECURITY INSTRUMENTS.—In the case of a security instrument entered into under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.), the Secretary shall notify the Attorney General of the intent of the Secretary to exercise the authority of the Secretary under paragraph (2).

“(c) SIMPLIFIED APPLICATION FORMS FOR LOAN GUARANTEES.—

“(1) IN GENERAL.—The Secretary shall provide to lenders a short, simplified application form for guarantees under this title of—

“(A) farmer program loans the principal amount of which is \$125,000 or less; and

“(B) business and industry guaranteed loans under section 3601(a)(2)(A) the principal amount of which is—

“(i) in the case of a loan guarantee made during fiscal year 2002 or 2003, \$400,000 or less; and

“(ii) in the case of a loan guarantee made during any subsequent fiscal year—

“(I) \$400,000 or less; or

“(II) if the Secretary determines that there is not a significant increased risk of a default on the loan, \$600,000 or less.

“(2) WATER AND WASTE DISPOSAL GRANTS AND LOANS.—The Secretary shall develop an application process that accelerates, to the maximum extent practicable, the processing of applications for water and waste disposal grants or direct or guaranteed loans under section 3501(a)(1) the grant award amount or principal loan amount, respectively, of which is \$300,000 or less.

“(3) ADMINISTRATION.—In developing an application under this subsection, the Secretary shall—

“(A) consult with commercial and cooperative lenders; and

“(B) ensure that—

“(i) the form can be completed manually or electronically, at the option of the lender;

“(ii) the form minimizes the documentation required to accompany the form;

“(iii) the cost of completing and processing the form is minimal; and

“(iv) the form can be completed and processed in an expeditious manner.

“(d) USE OF ATTORNEYS FOR PROSECUTION OR DEFENSE OF CLAIMS.—The Secretary may use for the prosecution or defense of any claim or obligation described in subsection (a)(5) the Attorney General, the General Counsel of the Department, or a private attorney who has entered into a contract with the Secretary.

“(e) PRIVATE COLLECTION AGENCY.—The Secretary may use a private collection agency to collect a claim or obligation described in subsection (a)(5).

“(f) SECURITY SERVICING.—

“(1) IN GENERAL.—The Secretary may—

“(A) make advances, without regard to any loan or total indebtedness limitation, to preserve and protect the security for, or the lien or priority of the lien securing any loan or other indebtedness owing to or acquired by the Secretary under this title or under any other program administered by the Farm Service Agency, the Rural Utilities Service, the Rural Housing Service, or the Rural Business-Cooperative Service applicable program, as determined by the Secretary; and

“(B)(i) bid for and purchase at any execution, foreclosure, or other sale or otherwise acquire property on which the United States has a lien by reason of a judgment or execution arising from, or that is pledged, mortgaged, conveyed, attached, or levied on to secure the payment of, the indebtedness regardless of whether the property is subject to other liens;

“(ii) accept title to any property so purchased or acquired; and

“(iii) sell, manage, or otherwise dispose of the property in accordance with this subsection.

“(2) OPERATION OR LEASE OF REALTY.—Except as provided in subsections (c) and (e), real property administered under this title may be operated or leased by the Secretary for such period as the Secretary may consider necessary to protect the investment of the Federal Government in the property.

“(g) PAYMENTS TO LENDERS.—

“(1) REQUIREMENT.—Not later than 90 days after a court of competent jurisdiction confirms a plan of reorganization under chapter

12 of title 11, United States Code, for any borrower to whom a lender has made a loan guaranteed under this title, the Secretary shall pay the lender an amount estimated by the Secretary to be equal to the loss incurred by the lender for purposes of the guarantee.

“(2) **PAYMENT TOWARD LOAN GUARANTEE.**—Any amount paid to a lender under this subsection with respect to a loan guaranteed under this title shall be treated as payment towards satisfaction of the loan guarantee.

“SEC. 3904. LOAN MORATORIUM AND POLICY ON FORECLOSURES.

“(a) **IN GENERAL.**—In addition to any other authority that the Secretary may have to defer principal and interest and forgo foreclosure, the Secretary may permit, at the request of the borrower, the deferral of principal and interest on any outstanding loan made or guaranteed by the Secretary under this title, or under any other law administered by the Farm Service Agency, the Rural Utilities Service, the Rural Housing Service, or the Rural Business-Cooperative Service, and may forgo foreclosure of the loan, for such period as the Secretary considers necessary on a showing by the borrower that, due to circumstances beyond the control of the borrower, the borrower is temporarily unable to continue making payments of the principal and interest when due without unduly impairing the standard of living of the borrower.

“(b) **INTEREST.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), the Secretary may permit any loan deferred under this section to bear no interest during or after the deferral period.

“(2) **EXCEPTION.**—If the security instrument securing the loan is foreclosed, such interest as is included in the purchase price at the foreclosure shall become part of the principal and draw interest from the date of foreclosure at the rate prescribed by law.

“(c) **MORATORIUM REGARDING CIVIL RIGHTS CLAIMS.**—

“(1) **IN GENERAL.**—Except as otherwise provided in this subsection, effective beginning on May 22, 2008, there shall be in effect a moratorium, with respect to farmer program loans made under subtitle A, on all acceleration and foreclosure proceedings instituted by the Department against any farmer who—

“(A) has pending against the Department a claim of program discrimination that is accepted by the Department as valid; or

“(B) files a claim of program discrimination that is accepted by the Department as valid.

“(2) **WAIVER OF INTEREST AND OFFSETS.**—During the period of the moratorium, the Secretary shall waive the accrual of interest and offsets on all farmer program loans made under subtitle A, B, or C for which loan acceleration or foreclosure proceedings have been suspended under paragraph (1).

“(3) **TERMINATION OF MORATORIUM.**—The moratorium shall terminate with respect to a claim of discrimination by a farmer on the earlier of—

“(A) the date the Secretary resolves the claim; or

“(B) if the farmer appeals the decision of the Secretary on the claim to a court of competent jurisdiction, the date that the court renders a final decision on the claim.

“(4) **FAILURE TO PREVAIL.**—If a farmer does not prevail on a claim of discrimination described in paragraph (1), the farmer shall be liable for any interest and offsets that accrued during the period that loan acceleration or foreclosure proceedings have been suspended under paragraph (1).

“SEC. 3905. OIL AND GAS ROYALTY PAYMENTS ON LOANS.

“(a) **IN GENERAL.**—The Secretary shall permit a borrower of a loan made or guaranteed under this title to make a prospective payment on the loan with proceeds from—

“(1) the leasing of oil, gas, or other mineral rights to real property used to secure the loan; or

“(2) the sale of oil, gas, or other minerals removed from real property used to secure the loan, if the value of the rights to the oil, gas, or other minerals has not been used to secure the loan.

“(b) **APPLICABILITY.**—Subsection (a) shall not apply to a borrower of a loan made or guaranteed under this title with respect to which a liquidation or foreclosure proceeding was pending on December 23, 1985.

“SEC. 3906. TAXATION.

“(a) **IN GENERAL.**—Except as provided in subsection (b), all property subject to a lien held by the United States or the title to which is acquired or held by the Secretary under this title (other than property used for administrative purposes) shall be subject to taxation by State, territory, district, and local political subdivisions in the same manner and to the same extent as other property is taxed.

“(b) **EXCEPTIONS.**—No tax shall be imposed or collected as described in subsection (a) if the tax (whether as a tax on the instrument or in connection with conveying, transferring, or recording the instrument) is based on—

“(1) the value of any notes or mortgages or other lien instruments held by or transferred to the Secretary;

“(2) any notes or lien instruments administered under this title that are made, assigned, or held by a person otherwise liable for the tax; or

“(3) the value of any property conveyed or transferred to the Secretary.

“(c) **FAILURE TO PAY OR COLLECT TAX.**—The failure to pay or collect a tax under subsection (a) shall not—

“(1) be a ground for—

“(A) refusal to record or file an instrument; or

“(B) failure to provide notice; or

“(2) prevent the enforcement of the instrument in any Federal or State court.

“SEC. 3907. CONFLICTS OF INTEREST.

“(a) **ACCEPTANCE OF CONSIDERATION PROHIBITED.**—No officer, attorney, or other employee of the Department shall, directly or indirectly, be the beneficiary of or receive any fee, commission, gift, or other consideration for or in connection with any transaction or business under this title other than such salary, fee, or other compensation as the officer, attorney, or employee may receive as the officer, attorney, or employee.

“(b) **ACQUISITION OF INTEREST IN LAND PROHIBITED.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), no officer or employee of the Department who acts on or reviews an application made by any person under this title for a loan to purchase land may acquire, directly or indirectly, any interest in the land for a period of 3 years after the date on which the action is taken or the review is made.

“(2) **FORMER COUNTY COMMITTEE MEMBERS.**—Paragraph (1) shall not apply to a former member of a county committee on a determination by the Secretary, prior to the acquisition of the interest, that the former member acted in good faith when acting on or reviewing the application.

“(c) **CERTIFICATIONS ON LOANS TO FAMILY MEMBERS PROHIBITED.**—No member of a

county committee shall knowingly make or join in making any certification with respect to—

“(1) a loan to purchase any land in which the member, or any person related to the member within the second degree of consanguinity or affinity, has or may acquire any interest; or

“(2) any applicant related to the member within the second degree of consanguinity or affinity.

“(d) **PENALTIES.**—Any person violating this section shall, on conviction of the violation, be punished by a fine of not more than \$2,000 or imprisonment for not more than 2 years, or both.

“SEC. 3908. LOAN SUMMARY STATEMENTS.

“(a) **DEFINITION OF SUMMARY PERIOD.**—In this section, the term ‘summary period’ means the period beginning on the date of issuance of the preceding loan summary statement and ending on the date of issuance of the current loan summary statement.

“(b) **ISSUANCE OF STATEMENTS.**—On the request of a borrower of a loan made (but not guaranteed) under this title, the Secretary shall issue to the borrower a loan summary statement that reflects the account activity during the summary period for each loan made under this title to the borrower, including—

“(1) the outstanding amount of principal due on each loan at the beginning of the summary period;

“(2) the interest rate charged on each loan;

“(3) the amount of payments made on, and the application of the payments to, each loan during the summary period and an explanation of the basis for the application of the payments;

“(4) the amount of principal and interest due on each loan at the end of the summary period;

“(5) the total amount of unpaid principal and interest on all loans at the end of the summary period;

“(6) any delinquency in the repayment of any loan;

“(7) a schedule of the amount and date of payments due on each loan; and

“(8) the procedure the borrower may use to obtain more information concerning the status of the loans.

“SEC. 3909. CERTIFIED LENDERS PROGRAM.

“(a) **CERTIFIED LENDERS PROGRAM.**—

“(1) **IN GENERAL.**—The Secretary shall establish a program under which the Secretary shall guarantee loans under this title that are made by lending institutions certified by the Secretary.

“(2) **CERTIFICATION REQUIREMENTS.**—The Secretary shall certify a lending institution that meets such criteria as the Secretary may prescribe in regulations, including the ability of the institution to properly make, service, and liquidate the loans of the institution.

“(3) **CONDITION OF CERTIFICATION.**—

“(A) **IN GENERAL.**—As a condition of the certification, the Secretary shall require the institution to undertake to service the loans guaranteed by the Secretary under this section, using standards that are not less stringent than generally accepted banking standards concerning loan servicing employed by prudent commercial or cooperative lenders.

“(B) **MONITORING.**—The Secretary shall, at least annually, monitor the performance of each certified lender to ensure that the conditions of the certification are being met.

“(4) **EFFECT OF CERTIFICATION.**—Notwithstanding any other provision of law:

“(A) AMOUNT OF LOAN GUARANTEE.—In the case of a loan made or guaranteed under subtitle A, the Secretary shall guarantee 80 percent of a loan made under this section by a certified lending institution as described in paragraph (1), subject to a determination that the borrower of the loan meets the eligibility requirements and such other criteria as may be applicable to loans guaranteed by the Secretary under other provisions of this title.

“(B) CERTIFICATIONS BY LENDING INSTITUTIONS.—In the case of loans to be guaranteed by the Secretary under this section, the Secretary shall permit certified lending institutions to make appropriate certifications (as provided by regulations issued by the Secretary)—

“(i) relating to issues such as creditworthiness, repayment ability, adequacy of collateral, and feasibility of farm operation; and

“(ii) that the borrower is in compliance with all requirements of law, including regulations issued by the Secretary.

“(C) APPROVAL PROCESS.—

“(i) IN GENERAL.—The Secretary shall approve or disapprove a guarantee not later than 14 days after the date that the lending institution applies to the Secretary for the guarantee.

“(ii) DISAPPROVAL.—If the Secretary disapproves the loan application during the 14-day period, the Secretary shall state, in writing, all of the reasons the application was disapproved.

“(5) RELATIONSHIP TO OTHER REQUIREMENTS.—Nothing in this section affects the responsibility of the Secretary to certify eligibility, review financial information, and otherwise assess an application.

“(b) PREFERRED CERTIFIED LENDERS PROGRAM.—

“(1) IN GENERAL.—The Secretary shall establish a Preferred Certified Lenders Program for lenders under this title who establish—

“(A) knowledge of, and experience under, the program established under subsection (a);

“(B) knowledge of the regulations concerning the guaranteed loan program; and

“(C) proficiency related to the certified lender program requirements.

“(2) REVOCATION OF DESIGNATION.—

“(A) IN GENERAL.—Subject to subparagraph (B), the designation of a lender as a Preferred Certified Lender shall be revoked at any time—

“(i) that the Secretary determines that the lender is not adhering to the rules and regulations applicable to the program; or

“(ii) if the loss experiences of a Preferred Certified Lender are excessive as compared to other Preferred Certified Lenders.

“(B) EFFECT.—A suspension or revocation under subparagraph (A) shall not affect any outstanding guarantee.

“(3) CONDITION OF CERTIFICATION.—As a condition of preferred certification, the Secretary shall require the institution to undertake to service the loans guaranteed by the Secretary under this subsection using generally accepted banking standards concerning loan servicing employed by prudent commercial or cooperative lenders.

“(4) MONITORING.—The Secretary shall, at least annually, monitor the performance of each Preferred Certified Lender to ensure that the conditions of certification are being met.

“(5) EFFECT OF PREFERRED LENDER CERTIFICATION.—

“(A) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall—

“(i) guarantee 80 percent of an approved loan made by a certified lending institution as described in this subsection, subject to a determination that the borrower meets the eligibility requirements or such other criteria as may be applicable to loans guaranteed by the Secretary under other provisions of this title;

“(ii) permit certified lending institutions—

“(I) to make all decisions, with respect to loans to be guaranteed by the Secretary under this subsection relating to credit worthiness, the closing, monitoring, collection and liquidation of loans; and

“(II) to accept appropriate certifications, as provided by regulations issued by the Secretary, that the borrower is in compliance with all requirements of law or regulations promulgated by the Secretary; and

“(iii) be considered to have guaranteed 80 percent of a loan made by a preferred certified lending institution as described in paragraph (1), if the Secretary fails to approve or reject the application of such institution within 14 calendar days after the date that the lending institution presented the application to the Secretary.

“(B) REQUIREMENT.—If the Secretary rejects an application under subparagraph (A)(iii) during the 14-day period, the Secretary shall state, in writing, the reasons the application was rejected.

“(c) ADMINISTRATION OF CERTIFIED LENDERS AND PREFERRED CERTIFIED LENDERS PROGRAMS.—The Secretary may administer the loan guarantee programs under subsections (a) and (b) through central offices established in States or in multi-State areas.

“SEC. 3910. LOANS TO RESIDENT ALIENS.

“(a) IN GENERAL.—Notwithstanding the provisions of this title limiting the making of a loan to a citizen of the United States, the Secretary may make a loan under this title to an alien lawfully admitted to the United States for permanent residence under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

“(b) REGULATIONS.—

“(1) IN GENERAL.—No loan may be made under this title to an alien referred to in subsection (a) until the Secretary issues regulations establishing the terms and conditions under which the alien may receive the loan.

“(2) REQUIREMENT.—The Secretary shall submit the regulations to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate at least 30 days prior to the date on which the regulations are published in the Federal Register.

“SEC. 3911. EXPEDITED CLEARING OF TITLE TO INVENTED PROPERTY.

“(a) IN GENERAL.—The Secretary may employ local attorneys, on a case-by-case basis, to process all legal procedures necessary to clear the title to foreclosed properties in the inventory of the Department.

“(b) COMPENSATION.—Attorneys shall be compensated at not more than the usual and customary charges of the attorneys for the work.

“SEC. 3912. TRANSFER OF LAND TO SECRETARY.

“The President may at any time, in the discretion of the President, transfer to the Secretary any right, interest, or title held by the United States in any land acquired in the program of national defense and no longer needed for that purpose that the President finds suitable for the purposes of this title, and the Secretary shall dispose of the transferred land in the manner and subject to the terms and conditions of this title.

“SEC. 3913. COMPETITIVE SOURCING LIMITATIONS.

“The Secretary may not complete a study of, or enter into a contract with a private party to carry out, without specific authorization in a subsequent Act of Congress, a competitive sourcing activity of the Secretary, including support personnel of the Department, relating to rural development or farmer program loans.

“SEC. 3914. REGULATIONS.

“The Secretary may issue such regulations, prescribe such terms and conditions for making or guaranteeing loans, security instruments, and agreements, except as otherwise specified in this title, and make such delegations of authority as the Secretary considers necessary to carry out this title.”.

SEC. 6002. CONFORMING AMENDMENTS.

(a) Section 17(c) of the Rural Electrification Act of 1936 (7 U.S.C. 917(c)) is amended by striking paragraph (1) and inserting the following:

“(1) Subtitle B of the Consolidated Farm and Rural Development Act.”.

(b) Section 305(c)(2)(B)(i)(I) of the Rural Electrification Act of 1936 (7 U.S.C. 935(c)(2)(B)(i)(I)) is amended by striking “section 307(a)(3)(A) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1927(a)(3)(A))” and inserting “section 3701(b)(2) of the Consolidated Farm and Rural Development Act”.

(c) Section 306F(a)(1) of the Rural Electrification Act of 1936 (7 U.S.C. 936f(a)(1)) is amended by striking subparagraph (B) and inserting the following:

“(B) chapter 1 of subtitle B of the Consolidated Farm and Rural Development Act.”.

(d) Section 2333(d) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa-2(d)) is amended—

(1) in paragraph (11), by adding “and” at the end;

(2) by striking paragraph (12); and

(3) by redesignating paragraph (13) as paragraph (12).

(e) Section 601(b) of the Rural Electrification Act of 1936 (7 U.S.C. 950bb(b)) is amended by striking paragraph (3).

(f) Section 602(5) of the Emergency Livestock Feed Assistance Act of 1988 (7 U.S.C. 1471(5)) is amended by striking “section 355(e)(1)(D)(ii) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1985(e)(1)(D)(ii))” and inserting “section 3409(c)(1)(A) of the Consolidated Farm and Rural Development Act”.

(g) Section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) is amended—

(1) in subsection (b)(7)(A), by striking “section 371 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008f)” and inserting “section 3424 of the Consolidated Farm and Rural Development Act”; and

(2) in subsection (n)(2), by striking “subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.)” and inserting “chapter 3 of subtitle A of the Consolidated Farm and Rural Development Act”.

(h) Section 231(a) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a(a)) is amended—

(1) in paragraph (1), by striking “section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a))” and inserting “section 3002 of the Consolidated Farm and Rural Development Act”; and

(2) in paragraph (4), by striking “section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e))” and inserting “section 3002 of the Consolidated Farm and Rural Development Act”.

(i) Section 14204(a) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 2008q-1(a)) is amended by striking “an entity described in section 379C(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008q(a))” and inserting “an entity determined by the Secretary”.

(j) Section 607(c)(6) of the Rural Development Policy Act of 1972 (7 U.S.C. 2204b(c)(6)) is amended in the last sentence—

(1) by striking “, and” and inserting “and any”; and

(2) by striking “required under section 306(a)(12) of the Consolidated Farm and Rural Development Act”.

(k) Section 901(b) of the Agricultural Act of 1970 (7 U.S.C. 2204b-1(b)) is amended by striking “rural areas as defined in the private business enterprise exception in section 306(a)(7) of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1926)” and inserting “rural areas, as defined in section 3002 of the Consolidated Farm and Rural Development Act”.

(l) Section 14220 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 2206b) is amended by striking “section 343(a)(13)(A) of the Consolidated Farm and Rural Development Act” and inserting “section 3002 of the Consolidated Farm and Rural Development Act”.

(m) Section 2501(c)(2)(D) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(c)(2)(D)) is amended by striking “sections 355(a)(1) and 355(c) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(a)(1))” and inserting “paragraphs (1) and (3) of section 3416(a) of the Consolidated Farm and Rural Development Act”.

(n) Section 2501A(b) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279-1(b)) is amended by striking “section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e))” and inserting “section 3002 of the Consolidated Farm and Rural Development Act”.

(o) Section 7405(c)(8)(B) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319f(c)(8)(B)) is amended by striking “section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e))” and inserting “section 3002 of the Consolidated Farm and Rural Development Act”.

(p) Section 1101(d)(2)(A) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8711(d)(2)(A)) is amended by striking “section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e))” and inserting “section 3002 of the Consolidated Farm and Rural Development Act”.

(q) Section 1302(d)(2)(A) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8752(d)(2)(A)) is amended by striking “section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e))” and inserting “section 3002 of the Consolidated Farm and Rural Development Act”.

(r) Section 2375(g) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 6613(g)) is amended by striking “section 304(b), 306(a), or 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1924(b), 1926(a), and 1932(e))” and inserting “subtitle B of the Consolidated Farm and Rural Development Act”.

(s) Section 226B(a)(1) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6934(a)(1)) is amended by striking “section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a))” and inserting “section 3002 of the Consolidated Farm and Rural Development Act”.

(t) Section 196(i)(3)(B) of the Federal Agriculture Improvement and Reform Act of 1996

(7 U.S.C. 7333(i)(3)(B)) is amended by striking “subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.)” and inserting “chapter 3 of subtitle A of the Consolidated Farm and Rural Development Act”.

(u) Section 9009(a)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8109(a)(1)) is amended by striking “section 343(a)(13)(A) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(13)(A))” and inserting “section 3002 of the Consolidated Farm and Rural Development Act”.

(v) Section 9011(c)(2)(B)(v) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8111(c)(2)(B)(v)) is amended by striking subclause (I) and inserting the following:

“(I) beginning farmers (as defined in accordance with section 3002 of the Consolidated Farm and Rural Development Act); or”.

(w) Section 7(b)(2)(B) of the Small Business Act (15 U.S.C. 636(b)(2)(B)) is amended by striking “section 321 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961)” and inserting “section 3301 of the Consolidated Farm and Rural Development Act”.

(x) Section 8(b)(5)(B)(iii)(III)(bb) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)(5)(B)(iii)(III)(bb)) is amended by striking “section 355(e)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C.A. § 2003(e)(1))” and inserting “section 3002 of the Consolidated Farm and Rural Development Act”.

(y) Section 10(b)(3) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2106(b)(3)) is amended in the last sentence by striking “set out in the first clause of section 306(a)(7) of the Consolidated Farm and Rural Development Act” and inserting “given the term in section 3002 of the Consolidated Farm and Rural Development Act”.

(z) Section 1201(a)(2) of the Food Security Act of 1985 (16 U.S.C. 3801(a)(2)) is amended by striking “section 343(a)(8) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(8))” and inserting “section 3002 of the Consolidated Farm and Rural Development Act”.

(aa) Section 1238(2) of the Food Security Act of 1985 (16 U.S.C. 3838(2)) is amended by striking “section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a))” and inserting “section 3002 of the Consolidated Farm and Rural Development Act”.

(bb) Section 5 of Public Law 91-229 (25 U.S.C. 492) is amended by striking “section 307(a)(3)(B) of the Consolidated Farmers Home Administration Act of 1961, as amended, and to the provisions of subtitle D of that Act except sections 340, 341, 342, and 343” and inserting “3105(b)(2) of the Consolidated Farm and Rural Development Act”.

(cc) Section 6(c) of Public Law 91-229 (25 U.S.C. 493(c)) is amended by striking “section 333B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1983b)” and inserting “subtitle H of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6991 et seq.)”.

(dd) Section 181(a)(2)(B)(ii) of the Internal Revenue Code of 1986 is amended by striking “section 2009aa-1 of title 7, United States Code” and inserting “section 3801 of the Consolidated Farm and Rural Development Act”.

(ee) Section 515(b)(3) of the Housing Act of 1949 (42 U.S.C. 1485(b)(3)) is amended by striking “all the provisions of section 309 and the

second and third sentences of section 308 of the Consolidated Farmers Home Administration Act of 1961, including the authority in section 309(f)(1) of that Act” and inserting “section 3401 of the Consolidated Farm and Rural Development Act”.

(ff) Section 517(b) of the Housing Act of 1949 (42 U.S.C. 1487(b)) is amended in the third sentence by striking “(7 U.S.C. 1929)” and inserting “under section 3401 of the Consolidated Farm and Rural Development Act”.

(gg) Section 3(8) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3122(8)) is amended—

(1) by striking subparagraph (B) and inserting the following:

“(B) the Delta Regional Authority established under chapter 4 of subtitle B of the Consolidated Farm and Rural Development Act”; and

(2) by striking subparagraph (D) and inserting the following:

“(D) the Northern Great Plains Regional Authority established under chapter 5 of subtitle B of the Consolidated Farm and Rural Development Act”.

(hh) Section 310(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5153(a)) is amended by striking paragraph (4) and inserting the following:

“(4) Chapter 1 of subtitle B of the Consolidated Farm and Rural Development Act”.

(ii) Section 582(d)(1) of the National Flood Insurance Reform Act of 1994 (42 U.S.C. 5154a(d)(1)) is amended by striking “section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a))” and inserting “section 3301(b) of the Consolidated Farm and Rural Development Act”.

(jj) Section 213(c)(1) of the Biomass Energy and Alcohol Fuels Act of 1980 (42 U.S.C. 8813(c)(1)) is amended in the first sentence by striking “section 309 of the Consolidated Farm and Rural Development Act or the Rural Development Insurance Fund in section 309A of such Act” and inserting “under section 3401 of the Consolidated Farm and Rural Development Act or the Rural Development Insurance Fund under section 3704 of that Act”.

(kk) Section 1323(b)(2) of the Food Security Act of 1985 (Public Law 99-198; 7 U.S.C. 1932 note) is amended—

(1) in subparagraph (A), by inserting “and” at the end;

(2) in subparagraph (B), by striking “; and” at the end and inserting a period; and

(3) by striking subparagraph (C).

Subtitle B—Rural Electrification

SEC. 6101. DEFINITION OF RURAL AREA.

Section 13(3) of the Rural Electrification Act of 1936 (7 U.S.C. 913(A)) is amended by striking subparagraph (A) and inserting the following:

“(A) any area described in section 3002(28)(A)(i) of the Consolidated Farm and Rural Development Act; and”.

SEC. 6102. GUARANTEES FOR BONDS AND NOTES ISSUED FOR ELECTRIFICATION OR TELEPHONE PURPOSES.

Section 313A(f) of the Rural Electrification Act of 1936 (7 U.S.C. 940c-1(f)) is amended by striking “2012” and inserting “2018”.

SEC. 6103. EXPANSION OF 911 ACCESS.

Section 315(d) of the Rural Electrification Act of 1936 (7 U.S.C. 940e(d)) is amended by striking “2012” and inserting “2018”.

SEC. 6104. ACCESS TO BROADBAND TELECOMMUNICATIONS SERVICES IN RURAL AREAS.

Section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb) is amended—

(1) in subsection (a), by striking “loans and” and inserting “grants, loans, and”;

(2) in subsection (b), by striking paragraph (3) and inserting the following:

“(3) **RURAL AREA.**—The term ‘rural area’ means any area described in section 3002 of the Consolidated Farm and Rural Development Act.”;

(3) in subsection (c)—

(A) in the subsection heading, by striking “LOANS AND” and inserting “GRANTS, LOANS, AND”;

(B) in paragraph (1), by inserting “make grants and” after “Secretary shall”;

(C) by striking paragraph (2) and inserting the following:

“(2) **PRIORITY.**—

“(A) **IN GENERAL.**—In making grants, loans, or loan guarantees under paragraph (1), the Secretary shall—

“(i) establish not less than 2, and not more than 4, evaluation periods for each fiscal year to compare grant, loan, and loan guarantee applications and to prioritize grants, loans, and loan guarantees to all or part of rural communities that do not have residential broadband service that meets the minimum acceptable level of broadband service established under subsection (e);

“(ii) give the highest priority to applicants that offer to provide broadband service to the greatest proportion of unserved rural households or rural households that do not have residential broadband service that meets the minimum acceptable level of broadband service established under subsection (e), as—

“(I) certified by the affected community, city, county, or designee; or

“(II) demonstrated on—

“(aa) the broadband map of the affected State if the map contains address-level data; or

“(bb) the National Broadband Map if address-level data is unavailable; and

“(iii) provide equal consideration to all qualified applicants, including those that have not previously received grants, loans, or loan guarantees under paragraph (1).

“(B) **OTHER.**—After giving priority to the applicants described in subparagraph (A), the Secretary shall then give priority to projects that serve rural communities—

“(i) with a population of less than 20,000 permanent residents;

“(ii) experiencing outmigration;

“(iii) with a high percentage of low-income residents; and

“(iv) that are isolated from other significant population centers.”; and

(D) by adding at the end the following:

“(3) **GRANT AMOUNTS.**—

“(A) **ELIGIBILITY.**—To be eligible for a grant under this section, the project that is the subject of the grant shall be carried out in a rural area.

“(B) **MAXIMUM.**—Except as provided in subparagraph (D), the amount of any grant made under this section shall not exceed 50 percent of the development costs of the project for which the grant is provided.

“(C) **GRANT RATE.**—The Secretary shall establish the grant rate for each project in accordance with regulations issued by the Secretary that shall provide for a graduated scale of grant rates that establish higher rates for projects in communities that have—

“(i) remote locations;

“(ii) low community populations;

“(iii) low income levels;

“(iv) developed the applications of the communities with the participation of combinations of stakeholders, including—

“(I) State, local, and tribal governments;

“(II) nonprofit institutions;

“(III) institutions of higher education;

“(IV) private entities; and

“(V) philanthropic organizations; and

“(v) targeted funding to provide the minimum acceptable level of broadband service established under subsection (e) in all or part of an unserved community that is below that minimum acceptable level of broadband service.

“(D) **SECRETARIAL AUTHORITY TO ADJUST.**—The Secretary may make grants of up to 75 percent of the development costs of the project for which the grant is provided to an eligible entity if the Secretary determines that the project serves a remote or low income area that does not have access to broadband service from any provider of broadband service (including the applicant).”;

(4) in subsection (d)—

(A) in paragraph (1)(A)—

(i) in the matter preceding clause (i), by striking “loan or” and inserting “grant, loan, or”;

(ii) by striking clause (i) and inserting the following:

“(i) demonstrate the ability to furnish, improve in order to meet the minimum acceptable level of broadband service established under subsection (e), or extend broadband service to all or part of an unserved rural area or an area below the minimum acceptable level of broadband service established under subsection (e).”;

(iii) in clause (ii), by striking “a loan application” and inserting “an application”; and

(iv) in clause (iii)—

(I) by striking “the loan application” and inserting “the application”; and

(II) by striking “proceeds from the loan made or guaranteed under this section are” and inserting “assistance under this section is”;

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i)—

(aa) by striking “the proceeds of a loan made or guaranteed” and inserting “assistance”; and

(bb) by striking “for the loan or loan guarantee” and inserting “of the eligible entity”;

(II) in clause (i), by striking “is offered broadband service by not more than 1 incumbent service provider” and inserting “are unserved or have service levels below the minimum acceptable level of broadband service established under subsection (e).”;

(III) in clause (ii), by striking “3” and inserting “2”;

(ii) by striking subparagraph (B) and inserting the following:

“(B) **ADJUSTMENTS.**—

“(i) **INCREASE.**—The Secretary may increase the household percentage requirement under subparagraph (A)(i) if—

“(I) more than 25 percent of the costs of the project are funded by grants made under this section; or

“(II) the proposed service territory includes 1 or more communities with a population in excess of 20,000.

“(ii) **REDUCTION.**—The Secretary may reduce the household percentage requirement under subparagraph (A)(i)—

“(I) to not less than 15 percent, if the proposed service territory does not have a population in excess of 5,000 people; or

“(II) to not less than 18 percent, if the proposed service territory does not have a population in excess of 7,500 people.”; and

(iii) in subparagraph (C)—

(I) in the subparagraph heading, by striking “3” and inserting “2”; and

(II) in clause (i), by inserting “the minimum acceptable level of broadband service established under subsection (e) in” after “service to”;

(C) in paragraph (3)—

(i) in subparagraph (A), by striking “loan or” and inserting “grant, loan, or”; and

(ii) in subparagraph (B), by adding at the end the following:

“(iii) **INFORMATION.**—Information submitted under this subparagraph shall be—

“(I) certified by the affected community, city, county, or designee; and

“(II) demonstrated on—

“(aa) the broadband map of the affected State if the map contains address-level data; or

“(bb) the National Broadband Map if address-level data is unavailable.”;

(D) in paragraph (4)—

(i) by striking “Subject to paragraph (1),” and inserting the following:

“(A) **IN GENERAL.**—Subject to paragraph (1) and subparagraph (B),”;

(ii) by striking “loan or” and inserting “grant, loan, or”; and

(iii) by adding at the end the following:

“(B) **PILOT PROGRAMS.**—The Secretary may carry out pilot programs in conjunction with interested entities described in subparagraph (A) (which may be in partnership with other entities, as determined appropriate by the Secretary) to address areas that are unserved or have service levels below the minimum acceptable level of broadband service established under subsection (e).”;

(E) in paragraph (5)—

(i) in the matter preceding subparagraph (A), by striking “loan or” and inserting “grant, loan, or”; and

(ii) in subparagraph (C), by inserting “, and proportion relative to the service territory,” after “estimated number”;

(F) in paragraph (6), by striking “loan or” and inserting “grant, loan, or”;

(G) in paragraph (7), by striking “a loan application” and inserting “an application”; and

(H) by adding at the end the following:

“(8) **TRANSPARENCY AND REPORTING.**—The Secretary—

“(A) shall require any entity receiving assistance under this section to submit quarterly, in a format specified by the Secretary, a report that describes—

“(i) the use by the entity of the assistance, including new equipment and capacity enhancements that support high-speed broadband access for educational institutions, health care providers, and public safety service providers (including the estimated number of end users who are currently using or forecasted to use the new or upgraded infrastructure); and

“(ii) the progress towards fulfilling the objectives for which the assistance was granted, including—

“(I) the number and location of residences and businesses that will receive new broadband service, existing network service improvements, and facility upgrades resulting from the Federal assistance;

“(II) the speed of broadband service;

“(III) the price of broadband service;

“(IV) any changes in broadband service adoption rates, including new subscribers generated from demand-side projects; and

“(V) any other metrics the Secretary determines to be appropriate;

“(B) shall maintain a fully searchable database, accessible on the Internet at no cost to the public, that contains, at a minimum—

“(i) a list of each entity that has applied for assistance under this section;

“(ii) a description of each application, including the status of each application;

“(iii) for each entity receiving assistance under this section—

“(I) the name of the entity;

“(II) the type of assistance being received;

“(III) the purpose for which the entity is receiving the assistance; and

“(IV) each quarterly report submitted under subparagraph (A); and

“(iv) such other information as is sufficient to allow the public to understand and monitor assistance provided under this section;

“(C) shall, in addition to other authority under applicable law, establish written procedures for all broadband programs administered by the Secretary that, to the maximum extent practicable—

“(i) recover funds from loan defaults;

“(ii)(I) deobligate awards to grantees that demonstrate an insufficient level of performance (including failure to meet build-out requirements, service quality issues, or other metrics determined by the Secretary) or wasteful or fraudulent spending; and

“(II) award those funds, on a competitive basis, to new or existing applicants consistent with this section; and

“(iii) consolidate and minimize overlap among the programs;

“(D) with respect to an application for assistance under this section, shall—

“(i) promptly post on the website of the Rural Utility Service—

“(I) an announcement that identifies—

“(aa) each applicant;

“(bb) the amount and type of support requested by each applicant; and

“(II) a list of the census block groups or proposed service territory, in a manner specified by the Secretary, that the applicant proposes to service;

“(ii) provide not less than 15 days for broadband service providers to voluntarily submit information about the broadband services that the providers offer in the groups or tracts listed under clause (i)(II) so that the Secretary may assess whether the applications submitted meet the eligibility requirements under this section; and

“(iii) if no broadband service provider submits information under clause (ii), consider the number of providers in the group or tract to be established by reference to—

“(I) the most current National Broadband Map of the National Telecommunications and Information Administration; or

“(II) any other data regarding the availability of broadband service that the Secretary may collect or obtain through reasonable efforts; and

“(E) may establish additional reporting and information requirements for any recipient of any assistance under this section so as to ensure compliance with this section.”;

(5) in subsection (e)—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—Subject to paragraph (2), for purposes of this section, the minimum acceptable level of broadband service for a rural area shall be at least—

“(A) a 4-Mbps downstream transmission capacity; and

“(B) a 1-Mbps upstream transmission capacity.

“(2) ADJUSTMENTS.—

“(A) IN GENERAL.—At least once every 2 years, the Secretary shall review, and may

adjust, the minimum acceptable level of broadband service established under paragraph (1) to ensure that high quality, cost-effective broadband service is provided to rural areas over time.

“(B) CONSIDERATIONS.—In making an adjustment to the minimum acceptable level of broadband service under subparagraph (A), the Secretary may consider establishing different transmission rates for fixed broadband service and mobile broadband service.”;

(6) in subsection (f), by striking “make a loan or loan guarantee” and inserting “provide assistance”;

(7) in subsection (g), by striking paragraph (2) and inserting the following:

“(2) TERMS.—In determining the term and conditions of a loan or loan guarantee, the Secretary may—

“(A) consider whether the recipient would be serving an area that is unserved; and

“(B) if the Secretary makes a determination in the affirmative under subparagraph (A), establish a limited initial deferral period or comparable terms necessary to achieve the financial feasibility and long-term sustainability of the project.”;

(8) in subsection (j)—

(A) in the matter preceding paragraph (1), by striking “loan and loan guarantee”;

(B) in paragraph (1)—

(i) by inserting “grants and” after “number of”; and

(ii) by inserting “, including any loan terms or conditions for which the Secretary provided additional assistance to unserved areas” before the semicolon at the end;

(C) in paragraph (2)—

(i) in subparagraph (A), by striking “loan”; and

(ii) in subparagraph (B), by striking “loans and” and inserting “grants, loans, and”;

(D) in paragraph (3), by striking “loan”;

(E) in paragraph (5), by striking “and” at the end;

(F) in paragraph (6), by striking the period at the end and inserting “; and”; and

(G) by adding at the end the following:

“(7) the overall progress towards fulfilling the goal of improving the quality of rural life by expanding rural broadband access, as demonstrated by metrics, including—

“(A) the number of residences and businesses receiving new broadband services;

“(B) network improvements, including facility upgrades and equipment purchases;

“(C) average broadband speeds and prices on a local and statewide basis;

“(D) any changes in broadband adoption rates; and

“(E) any specific activities that increased high speed broadband access for educational institutions, health care providers, and public safety service providers.”;

(9) by redesignating subsections (k) and (l) as subsections (l) and (m), respectively;

(10) by inserting after subsection (j) the following:

“(k) BROADBAND BUILDOUT DATA.—

“(1) IN GENERAL.—As a condition of receiving a grant, loan, or loan guarantee under this section, a recipient of assistance shall provide to the Secretary address-level broadband buildout data that indicates the location of new broadband service that is being provided or upgraded within the service territory supported by the grant, loan, or loan guarantee—

“(A) for purposes of inclusion in the semi-annual updates to the National Broadband Map that is managed by the National Telecommunications and Information Administration (referred to in this subsection as the ‘Administration’); and

“(B) not later than 30 days after the earlier of—

“(i) the date of completion of any project milestone established by the Secretary; or

“(ii) the date of completion of the project.

“(2) ADDRESS-LEVEL DATA.—Effective beginning on the date the Administration receives data described in paragraph (1), the Administration shall use only address-level broadband buildout data for the National Broadband Map.

“(3) CORRECTIONS.—

“(A) IN GENERAL.—The Secretary shall submit to the Administration any correction to the National Broadband Map that is based on the actual level of broadband coverage within the rural area, including any requests for a correction from an elected or economic development official.

“(B) INCORPORATION.—Not later than 30 days after the date on which the Administration receives a correction submitted under subparagraph (A), the Administration shall incorporate the correction into the National Broadband Map.

“(C) USE.—If the Secretary has submitted a correction to the Administration under subparagraph (A), but the National Broadband Map has not been updated to reflect the correct by the date on which the Secretary is making a grant or loan award decision under this section, the Secretary may use the correction submitted under that subparagraph for purposes of make the grant or loan award decision.”;

(11) subsection (l) (as redesignated by paragraph (9))—

(A) in paragraph (1)—

(i) by striking “\$25,000,000” and inserting “\$50,000,000”; and

(ii) by striking “2012” and inserting “2018”; and

(B) in paragraph (2)(A)—

(i) in clause (i), by striking “and” at the end;

(ii) in clause (ii), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(iii) set aside at least 1 percent to be used for—

“(I) conducting oversight under this section; and

“(II) implementing accountability measures and related activities authorized under this section.”; and

(12) in subsection (m) (as redesignated by paragraph (9))—

(A) by striking “loan or” and inserting “grant, loan, or”; and

(B) by striking “2012” and inserting “2018”.

Subtitle C—Miscellaneous

SEC. 6201. DISTANCE LEARNING AND TELEMEDICINE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 2335A of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa–5) is amended by striking “2012” and inserting “2018”.

(b) CONFORMING AMENDMENT.—Section 1(b) of Public Law 102–551 (7 U.S.C. 950aaa note) is amended by striking “2012” and inserting “2018”.

SEC. 6202. RURAL ENERGY SAVINGS PROGRAM.

Subtitle E of title VI of the Farm Security and Rural Investment Act of 2002 (Public Law 107–171; 116 Stat. 424) is amended by adding at the end the following:

“SEC. 6407. RURAL ENERGY SAVINGS PROGRAM.

“(a) PURPOSE.—The purpose of this section is to create jobs, promote rural development, and help rural families and small businesses achieve cost savings by providing loans to qualified consumers to implement durable cost-effective energy efficiency measures.

“(b) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) any public power district, public utility district, or similar entity, or any electric cooperative described in section 501(c)(12) or 1381(a)(2) of the Internal Revenue Code of 1986, that borrowed and repaid, prepaid, or is paying an electric loan made or guaranteed by the Rural Utilities Service (or any predecessor agency);

“(B) any entity primarily owned or controlled by 1 or more entities described in subparagraph (A); or

“(C) any other entity that is an eligible borrower of the Rural Utility Service, as determined under section 1710.101 of title 7, Code of Federal Regulations (or a successor regulation).

“(2) ENERGY EFFICIENCY MEASURES.—The term ‘energy efficiency measures’ means, for or at property served by an eligible entity, structural improvements and investments in cost-effective, commercial technologies to increase energy efficiency.

“(3) QUALIFIED CONSUMER.—The term ‘qualified consumer’ means a consumer served by an eligible entity that has the ability to repay a loan made under subsection (d), as determined by the eligible entity.

“(4) SECRETARY.—The term ‘Secretary’ means the Secretary of Agriculture, acting through the Administrator of the Rural Utilities Service.

“(c) LOANS TO ELIGIBLE ENTITIES.—

“(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall make loans to eligible entities that agree to use the loan funds to make loans to qualified consumers for the purpose of implementing energy efficiency measures.

“(2) REQUIREMENTS.—

“(A) IN GENERAL.—As a condition of receiving a loan under this subsection, an eligible entity shall—

“(i) establish a list of energy efficiency measures that is expected to decrease energy use or costs of qualified consumers;

“(ii) prepare an implementation plan for use of the loan funds, including use of any interest to be received pursuant to subsection (d)(1)(A);

“(iii) provide for appropriate measurement and verification to ensure—

“(I) the effectiveness of the energy efficiency loans made by the eligible entity; and

“(II) that there is no conflict of interest in carrying out this section; and

“(iv) demonstrate expertise in effective use of energy efficiency measures at an appropriate scale.

“(B) REVISION OF LIST OF ENERGY EFFICIENCY MEASURES.—Subject to the approval of the Secretary, an eligible entity may update the list required under subparagraph (A)(i) to account for newly available efficiency technologies.

“(C) EXISTING ENERGY EFFICIENCY PROGRAMS.—An eligible entity that, at any time before the date that is 60 days after the date of enactment of this section, has established an energy efficiency program for qualified consumers may use an existing list of energy efficiency measures, implementation plan, or measurement and verification system of that program to satisfy the requirements of subparagraph (A) if the Secretary determines the list, plan, or systems are consistent with the purposes of this section.

“(3) NO INTEREST.—A loan under this subsection shall bear no interest.

“(4) REPAYMENT.—With respect to a loan under paragraph (1)—

“(A) the term shall not exceed 20 years from the date on which the loan is closed; and

“(B) except as provided in paragraph (6), the repayment of each advance shall be amortized for a period not to exceed 10 years.

“(5) AMOUNT OF ADVANCES.—Any advance of loan funds to an eligible entity in any single year shall not exceed 50 percent of the approved loan amount.

“(6) SPECIAL ADVANCE FOR START-UP ACTIVITIES.—

“(A) IN GENERAL.—In order to assist an eligible entity in defraying the appropriate start-up costs (as determined by the Secretary) of establishing new programs or modifying existing programs to carry out subsection (d), the Secretary shall allow an eligible entity to request a special advance.

“(B) AMOUNT.—No eligible entity may receive a special advance under this paragraph for an amount that is greater than 4 percent of the loan amount received by the eligible entity under paragraph (1).

“(C) REPAYMENT.—Repayment of the special advance—

“(i) shall be required during the 10-year period beginning on the date on which the special advance is made; and

“(ii) at the election of the eligible entity, may be deferred to the end of the 10-year period.

“(7) LIMITATION.—All special advances shall be made under a loan described in paragraph (1) during the first 10 years of the term of the loan.

“(d) LOANS TO QUALIFIED CONSUMERS.—

“(1) TERMS OF LOANS.—Loans made by an eligible entity to qualified consumers using loan funds provided by the Secretary under subsection (c)—

“(A) may bear interest, not to exceed 3 percent, to be used for purposes that include—

“(i) to establish a loan loss reserve; and

“(ii) to offset personnel and program costs of eligible entities to provide the loans;

“(B) shall finance energy efficiency measures for the purpose of decreasing energy usage or costs of the qualified consumer by an amount that ensures, to the maximum extent practicable, that a loan term of not more than 10 years will not pose an undue financial burden on the qualified consumer, as determined by the eligible entity;

“(C) shall not be used to fund purchases of, or modifications to, personal property unless the personal property is or becomes attached to real property (including a manufactured home) as a fixture;

“(D) shall be repaid through charges added to the electric bill for the property for, or at which, energy efficiency measures are or will be implemented, on the condition that this requirement does not prohibit—

“(i) the voluntary prepayment of a loan by the owner of the property; or

“(ii) the use of any additional repayment mechanisms that are—

“(I) demonstrated to have appropriate risk mitigation features, as determined by the eligible entity; or

“(II) required if the qualified consumer is no longer a customer of the eligible entity; and

“(E) shall require an energy audit by an eligible entity to determine the impact of proposed energy efficiency measures on the energy costs and consumption of the qualified consumer.

“(2) CONTRACTORS.—In addition to any other qualified general contractor, eligible entities may serve as general contractors.

“(e) CONTRACT FOR MEASUREMENT AND VERIFICATION, TRAINING, AND TECHNICAL ASSISTANCE.—

“(1) IN GENERAL.—Not later than 90 days after the date of enactment of this section, the Secretary—

“(A) shall establish a plan for measurement and verification, training, and technical assistance of the program; and

“(B) may enter into 1 or more contracts with a qualified entity for the purposes of—

“(i) providing measurement and verification activities; and

“(ii) developing a program to provide technical assistance and training to the employees of eligible entities to carry out this section.

“(2) USE OF SUBCONTRACTORS AUTHORIZED.—A qualified entity that enters into a contract under paragraph (1) may use subcontractors to assist the qualified entity in carrying out the contract.

“(f) FAST START DEMONSTRATION PROJECTS.—

“(1) IN GENERAL.—The Secretary shall offer to enter into agreements with eligible entities (or groups of eligible entities) that have energy efficiency programs described in subsection (c)(2)(C) to establish an energy efficiency loan demonstration projects consistent with the purposes of this section.

“(2) EVALUATION CRITERIA.—In determining which eligible entities to award loans under this section, the Secretary shall take into consideration eligible entities that—

“(A) implement approaches to energy audits and investments in energy efficiency measures that yield measurable and predictable savings;

“(B) use measurement and verification processes to determine the effectiveness of energy efficiency loans made by eligible entities;

“(C) include training for employees of eligible entities, including any contractors of such entities, to implement or oversee the activities described in subparagraphs (A) and (B);

“(D) provide for the participation of a majority of eligible entities in a State;

“(E) reduce the need for generating capacity;

“(F) provide efficiency loans to—

“(i) in the case of a single eligible entity, not fewer than 20,000 consumers; or

“(ii) in the case of a group of eligible entities, not fewer than 80,000 consumers; and

“(G) serve areas in which, as determined by the Secretary, a large percentage of consumers reside—

“(i) in manufactured homes; or

“(ii) in housing units that are more than 50 years old.

“(3) DEADLINE FOR IMPLEMENTATION.—To the maximum extent practicable, the Secretary shall enter into agreements described in paragraph (1) by not later than 90 days after the date of enactment of this section.

“(4) EFFECT ON AVAILABILITY OF LOANS NATIONALLY.—Nothing in this subsection shall delay the availability of loans to eligible entities on a national basis beginning not later than 180 days after the date of enactment of this section.

“(5) ADDITIONAL DEMONSTRATION PROJECT AUTHORITY.—

“(A) IN GENERAL.—The Secretary may conduct demonstration projects in addition to the project required by paragraph (1).

“(B) INAPPLICABILITY OF CERTAIN CRITERIA.—The additional demonstration projects may be carried out without regard to subparagraphs (D), (F), or (G) of paragraph (2).

“(g) ADDITIONAL AUTHORITY.—The authority provided in this section is in addition to any other authority of the Secretary to offer loans under any other law.

“(h) EFFECTIVE PERIOD.—Subject to the availability of funds and except as otherwise provided in this section, the loans and other expenditures required to be made under this section shall be available until expended, with the Secretary authorized to make new loans as loans are repaid.

“(i) REGULATIONS.—

“(1) IN GENERAL.—Except as otherwise provided in this subsection, not later than 180 days after the date of enactment of this section, the Secretary shall promulgate such regulations as are necessary to implement this section.

“(2) PROCEDURE.—The promulgation of the regulations and administration of this section shall be made without regard to—

“(A) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

“(B) chapter 35 of title 44, United States Code (commonly known as the ‘Paperwork Reduction Act’).

“(3) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

“(4) INTERIM REGULATIONS.—Notwithstanding paragraphs (1) and (2), to the extent regulations are necessary to carry out any provision of this section, the Secretary shall implement such regulations through the promulgation of an interim rule.”.

SEC. 6203. FUNDING OF PENDING RURAL DEVELOPMENT LOAN AND GRANT APPLICATIONS.

(a) IN GENERAL.—The Secretary shall use funds made available under subsection (b) to provide funds for applications that are pending on the date of enactment of this Act in accordance with the terms and conditions of section 6029 of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1955).

(b) FUNDING.—Notwithstanding any other provision of law, beginning in fiscal year 2014, of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section \$50,000,000, to remain available until expended.

SEC. 6204. STUDY OF RURAL TRANSPORTATION ISSUES.

(a) IN GENERAL.—The Secretary and the Secretary of Transportation shall jointly conduct a study of transportation issues regarding the movement of agricultural products, domestically produced renewable fuels, and domestically produced resources for the production of electricity for rural areas of the United States, and economic development in those areas.

(b) INCLUSIONS.—The study shall include an examination of—

(1) the importance of freight transportation, including rail, truck, and barge, to—

(A) the delivery of equipment, seed, fertilizer, and other products important to the development of agricultural commodities and products;

(B) the movement of agricultural commodities and products to market;

(C) the delivery of ethanol and other renewable fuels;

(D) the delivery of domestically produced resources for use in the generation of electricity for rural areas;

(E) the location of grain elevators, ethanol plants, and other facilities;

(F) the development of manufacturing facilities in rural areas; and

(G) the vitality and economic development of rural communities;

(2) the sufficiency in rural areas of transportation capacity, the sufficiency of competition in the transportation system, the reliability of transportation services, and the reasonableness of transportation rates;

(3) the sufficiency of facility investment in rural areas necessary for efficient and cost-effective transportation; and

(4) the accessibility to shippers in rural areas of Federal processes for the resolution of grievances arising within various transportation modes.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Secretary and the Secretary of Transportation shall submit a report to Congress that contains the results of the study required under subsection (a).

(d) PERIODIC UPDATES.—The Secretary and the Secretary of Transportation shall publish triennially an updated version of the study described in subsection (a).

SEC. 6205. AGRICULTURAL TRANSPORTATION POLICY.

Section 203 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1622) is amended by striking subsection (j) and inserting the following:

“(j) POLICY DEVELOPMENT PROCEEDINGS.—The Secretary shall participate on behalf of the interests of agriculture and rural America in all policy development proceedings or other proceedings of the Surface Transportation Board that may establish freight rail transportation policy affecting agriculture and rural America.”.

TITLE VII—RESEARCH, EXTENSION, AND RELATED MATTERS

Subtitle A—National Agricultural Research, Extension, and Teaching Policy Act of 1977

SEC. 7101. NATIONAL AGRICULTURAL RESEARCH, EXTENSION, EDUCATION, AND ECONOMICS ADVISORY BOARD.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 1408(h) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123(h)) is amended by striking “2012” and inserting “2018”.

(b) DUTIES OF NATIONAL AGRICULTURAL RESEARCH, EXTENSION, EDUCATION, AND ECONOMICS ADVISORY BOARD.—Section 1408(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123(c)) is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) in paragraph (4)(C), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(5) consult with industry groups on agricultural research, extension, education, and economics, and make recommendations to the Secretary based on that consultation.”.

SEC. 7102. SPECIALTY CROP COMMITTEE.

Section 1408A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123a) is amended—

(1) in subsection (b)—

(A) by striking “Individuals” and inserting the following:

“(1) ELIGIBILITY.—Individuals”;

(B) by striking “Members” and inserting the following:

“(2) SERVICE.—Members”; and

(C) by adding at the end the following:

“(3) DIVERSITY.—Membership of the specialty crops committee shall reflect diversity in the specialty crops represented.”;

(2) in subsection (c), by adding at the end the following:

“(6) Analysis of alignment of specialty crop committee recommendations with specialty crop research initiative grants award-

ed under section 412(d) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632).”;

(3) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

(4) by inserting after subsection (c) the following:

“(d) CONSULTATION WITH SPECIALTY CROP INDUSTRY.—In studying the scope and effectiveness of programs under subsection (a), the specialty crops committee shall consult on an ongoing basis with diverse sectors of the specialty crop industry.”; and

(5) in subsection (f) (as redesignated by paragraph (3)), by striking “subsection (d)” and inserting “subsection (e)”.

SEC. 7103. VETERINARY SERVICES GRANT PROGRAM.

The National Agricultural Research, Extension, and Teaching Policy Act of 1977 is amended by inserting after section 1415A (7 U.S.C. 3151a) the following:

“SEC. 1415B. VETERINARY SERVICES GRANT PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) QUALIFIED ENTITY.—The term ‘qualified entity’ means—

“(A) a for-profit or nonprofit entity located in the United States that operates a veterinary clinic providing veterinary services—

“(i) in a rural area, as defined in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)); and

“(ii) in response to a veterinarian shortage situation;

“(B) a State, national, allied, or regional veterinary organization or specialty board recognized by the American Veterinary Medical Association;

“(C) a college or school of veterinary medicine accredited by the American Veterinary Medical Association;

“(D) a university research foundation or veterinary medical foundation;

“(E) a department of veterinary science or department of comparative medicine accredited by the Department of Education;

“(F) a State agricultural experiment station; and

“(G) a State, local, or tribal government agency.

“(2) VETERINARIAN SHORTAGE SITUATION.—The term ‘veterinarian shortage situation’ means a veterinarian shortage situation determined by the Secretary under section 1415A(b).

“(b) ESTABLISHMENT OF PROGRAM.—

“(1) COMPETITIVE GRANTS.—The Secretary shall carry out a program to make competitive grants to qualified entities that carry out programs or activities described in paragraph (2) for the purpose of developing, implementing, and sustaining veterinary services.

“(2) ELIGIBILITY REQUIREMENTS.—To be eligible to receive a grant described in paragraph (1), a qualified entity shall carry out programs or activities that the Secretary determines will—

“(A) substantially relieve veterinarian shortage situations;

“(B) support or facilitate private veterinary practices engaged in public health activities; or

“(C) support or facilitate the practices of veterinarians who are participating in or have successfully completed a service requirement under section 1415A(a)(2).

“(c) AWARD PROCESSES AND PREFERENCES.—

“(1) APPLICATION, EVALUATION, AND INPUT PROCESSES.—In administering the grant program under this section, the Secretary shall—

“(A) use an appropriate application and evaluation process, as determined by the Secretary; and

“(B) seek the input of interested persons.

“(2) GRANT PREFERENCES.—In selecting recipients of grants to be used for any of the purposes described in paragraphs (2) through (6) of subsection (d), the Secretary shall give a preference to qualified entities that provide documentation of coordination with other qualified entities, with respect to any such purpose.

“(3) ADDITIONAL PREFERENCES.—In awarding grants under this section, the Secretary may develop additional preferences by taking into account the amount of funds available for grants and the purposes for which the grant funds will be used.

“(4) APPLICABILITY OF OTHER PROVISIONS.—Sections 1413B, 1462(a), 1469(a)(3), 1469(c), and 1470 apply to the administration of the grant program under this section.

“(d) USE OF GRANTS TO RELIEVE VETERINARIAN SHORTAGE SITUATIONS AND SUPPORT VETERINARY SERVICES.—A qualified entity may use funds provided by grants under this section to relieve veterinarian shortage situations and support veterinary services for the following purposes:

“(1) To assist veterinarians with establishing or expanding practices for the purpose of—

“(A) equipping veterinary offices;

“(B) sharing in the reasonable overhead costs of the practices, as determined by the Secretary; or

“(C) establishing mobile veterinary facilities in which a portion of the facilities will address education or extension needs.

“(2) To promote recruitment (including for programs in secondary schools), placement, and retention of veterinarians, veterinary technicians, students of veterinary medicine, and students of veterinary technology.

“(3) To allow veterinary students, veterinary interns, externs, fellows, and residents, and veterinary technician students to cover expenses (other than the types of expenses described in 1415A(c)(5)) to attend training programs in food safety or food animal medicine.

“(4) To establish or expand accredited veterinary education programs (including faculty recruitment and retention), veterinary residency and fellowship programs, or veterinary internship and externship programs carried out in coordination with accredited colleges of veterinary medicine.

“(5) To assess veterinarian shortage situations and the preparation of applications submitted to the Secretary for designation as a veterinarian shortage situation under section 1415A(b).

“(6) To provide continuing education and extension, including veterinary telemedicine and other distance-based education, for veterinarians, veterinary technicians, and other health professionals needed to strengthen veterinary programs and enhance food safety.

“(e) SPECIAL REQUIREMENTS FOR CERTAIN GRANTS.—

“(1) TERMS OF SERVICE REQUIREMENTS.—

“(A) IN GENERAL.—Grants provided under this section for the purpose specified in subsection (d)(1) shall be subject to an agreement between the Secretary and the grant recipient that includes a required term of service for the recipient, as established by the Secretary.

“(B) CONSIDERATIONS.—In establishing a term of service under subparagraph (A), the Secretary shall consider only—

“(i) the amount of the grant awarded; and

“(ii) the specific purpose of the grant.

“(2) BREACH REMEDIES.—

“(A) IN GENERAL.—An agreement under paragraph (1) shall provide remedies for any breach of the agreement by the grant recipient, including repayment or partial repayment of the grant funds, with interest.

“(B) WAIVER.—The Secretary may grant a waiver of the repayment obligation for breach of contract if the Secretary determines that the grant recipient demonstrates extreme hardship or extreme need.

“(C) TREATMENT OF AMOUNTS RECOVERED.—Funds recovered under this paragraph shall—

“(i) be credited to the account available to carry out this section; and

“(ii) remain available until expended.

“(f) COST-SHARING REQUIREMENTS.—

“(1) RECIPIENT SHARE.—Subject to paragraph (2), to be eligible to receive a grant under this section, a qualified entity shall provide matching non-Federal funds, either in cash or in-kind support, in an amount equal to not less than 25 percent of the Federal funds provided by the grant.

“(2) WAIVER.—The Secretary may establish, by regulation, conditions under which the cost-sharing requirements of paragraph (1) may be reduced or waived.

“(g) PROHIBITION ON USE OF GRANT FUNDS FOR CONSTRUCTION.—Funds made available for grants under this section may not be used—

“(1) to construct a new building or facility; or

“(2) to acquire, expand, remodel, or alter an existing building or facility, including site grading and improvement and architect fees.

“(h) REGULATIONS.—Not later than 1 year after the date of enactment of this section, the Secretary shall promulgate regulations to carry out this section.

“(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$10,000,000 for fiscal year 2014 and each fiscal year thereafter, to remain available until expended.”.

SEC. 7104. GRANTS AND FELLOWSHIPS FOR FOOD AND AGRICULTURE SCIENCES EDUCATION.

Section 1417(m) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3152(m)) is amended by striking “section \$60,000,000” and all that follows and inserting the following: “section—

“(1) \$60,000,000 for each of fiscal years 1990 through 2013; and

“(2) \$40,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 7105. AGRICULTURAL AND FOOD POLICY RESEARCH CENTERS.

Section 1419A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3155) is amended—

(1) in the section heading, by inserting “**AGRICULTURAL AND FOOD**” before “**POLICY**”;

(2) in subsection (a), in the matter preceding paragraph (1)—

(A) by striking “Secretary may” and inserting “Secretary shall, acting through the Office of the Chief Economist,”; and

(B) by inserting “with a history of providing unbiased, nonpartisan economic analysis to Congress” after “subsection (b)”;

(3) in subsection (b), by striking “other research institutions” and all that follows through “shall be eligible” and inserting “other public research institutions and organizations shall be eligible”;

(4) in subsection (c)—

(A) in the matter preceding paragraph (1), by inserting “, with preference given to policy research centers having extensive databases, models, and demonstrated experience in providing Congress with agricultural market projections, rural development analysis, agricultural policy analysis, and baseline projections at the farm, multiregional, national, and international levels,” after “with this section”; and

(B) in paragraph (2) by inserting “applied” after “theoretical”; and

(5) by striking subsection (d) and inserting the following: “

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$5,000,000 for fiscal year 2012 and each fiscal year thereafter.”.

SEC. 7106. EDUCATION GRANTS TO ALASKA NATIVE SERVING INSTITUTIONS AND NATIVE HAWAIIAN SERVING INSTITUTIONS.

Section 1419B of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3156) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “(or grants without regard to any requirement for competition)”;

(B) in paragraph (3), by striking “2012” and inserting “2018”; and

(2) in subsection (b)(1), by striking “(or grants without regard to any requirement for competition)”;

(3) in paragraph (3), by striking “2012” and inserting “2018”.

SEC. 7107. NUTRITION EDUCATION PROGRAM.

Section 1425(f) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3175(f)) is amended by striking “2012” and inserting “2018”.

SEC. 7108. CONTINUING ANIMAL HEALTH AND DISEASE RESEARCH PROGRAMS.

Section 1433 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3195) is amended by striking the section designation and heading and all that follows through subsection (a) and inserting the following:

“SEC. 1433. APPROPRIATIONS FOR CONTINUING ANIMAL HEALTH AND DISEASE RESEARCH PROGRAMS.

“(a) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There are authorized to be appropriated to support continuing animal health and disease research programs at eligible institutions such sums as are necessary, but not to exceed \$25,000,000 for each of fiscal years 1991 through 2018.

“(2) USE OF FUNDS.—Funds made available under this section shall be used—

“(A) to meet the expenses of conducting animal health and disease research, publishing and disseminating the results of such research, and contributing to the retirement of employees subject to the Act of March 4, 1940 (7 U.S.C. 331);

“(B) for administrative planning and direction; and

“(C) to purchase equipment and supplies necessary for conducting research described in subparagraph (A).”.

SEC. 7109. GRANTS TO UPGRADE AGRICULTURAL AND FOOD SCIENCES FACILITIES AT 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE UNIVERSITY.

Section 1447(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222b(b)) is amended by striking “2012” and inserting “2018”.

SEC. 7110. GRANTS TO UPGRADE AGRICULTURAL AND FOOD SCIENCES FACILITIES AND EQUIPMENT AT INSULAR AREA LAND-GRANT INSTITUTIONS.

Section 1447B(d) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222b-2(d)) is amended by striking “2012” and inserting “2018”.

SEC. 7111. HISPANIC-SERVING INSTITUTIONS.

Section 1455(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3241(c)) is amended by striking “2012” and inserting “2018”.

SEC. 7112. COMPETITIVE GRANTS FOR INTERNATIONAL AGRICULTURAL SCIENCE AND EDUCATION PROGRAMS.

Section 1459A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3292b) is amended by striking subsection (c) and inserting the following:

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) such sums as are necessary for each of fiscal years 1999 through 2013; and

“(2) \$5,000,000 for each of fiscal years 2014 through 2018.”

SEC. 7113. UNIVERSITY RESEARCH.

Section 1463 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3311) is amended in each of subsections (a) and (b) by striking “2012” each place it appears and inserting “2018”.

SEC. 7114. EXTENSION SERVICE.

Section 1464 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3312) is amended by striking “2012” and inserting “2018”.

SEC. 7115. SUPPLEMENTAL AND ALTERNATIVE CROPS.

(a) AUTHORIZATION OF APPROPRIATIONS AND TERMINATION.—Section 1473D of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319d) is amended—

(1) in subsection (a), by striking “2012” and inserting “2018”; and

(2) by adding at the end the following:

“(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) such sums as are necessary for each of fiscal years 2012 and 2013; and

“(2) \$1,000,000 for each of fiscal years 2014 through 2018.”

(b) COMPETITIVE GRANTS.—Section 1473D(c)(1) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319d(c)(1)) is amended by striking “use such research funding, special or competitive grants, or other means, as the Secretary determines,” and inserting “make competitive grants”.

SEC. 7116. CAPACITY BUILDING GRANTS FOR NLGCA INSTITUTIONS.

Section 1473F(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319f(b)) is amended by striking “2012” and inserting “2018”.

SEC. 7117. AQUACULTURE ASSISTANCE PROGRAMS.

(a) COMPETITIVE GRANTS.—Section 1475(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3322(b)) is amended in the matter preceding paragraph (1) by inserting “competitive” before “grants”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1477 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3324) is amended to read as follows:

“SEC. 1477. AUTHORIZATION OF APPROPRIATIONS.

“(a) IN GENERAL.—There are authorized to be appropriated to carry out this subtitle—

“(1) \$7,500,000 for each of fiscal years 1991 through 2013; and

“(2) \$5,000,000 for each of fiscal years 2014 through 2018.

“(b) PROHIBITION ON USE.—Funds made available under this section may not be used to acquire or construct a building.”

SEC. 7118. RANGELAND RESEARCH PROGRAMS.

Section 1483(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3336(a)) is amended by striking “subtitle” and all that follows and inserting the following: “subtitle—

“(1) \$10,000,000 for each of fiscal years 1991 through 2013; and

“(2) \$2,000,000 for each of fiscal years 2014 through 2018.”

SEC. 7119. SPECIAL AUTHORIZATION FOR BIOSECURITY PLANNING AND RESPONSE.

Section 1484(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3351(a)) is amended by striking “response such sums as are necessary” and all that follows and inserting the following: “response—

“(1) such sums as are necessary for each of fiscal years 2002 through 2013; and

“(2) \$20,000,000 for each of fiscal years 2014 through 2018.”

SEC. 7120. DISTANCE EDUCATION AND RESIDENT INSTRUCTION GRANTS PROGRAM FOR INSULAR AREA INSTITUTIONS OF HIGHER EDUCATION.

(a) DISTANCE EDUCATION GRANTS FOR INSULAR AREAS.—

(1) COMPETITIVE GRANTS.—Section 1490(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3362(a)) is amended by striking “or noncompetitive”.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 1490(f) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3362(f)) is amended by striking “section” and all that follows and inserting the following: “section—

“(1) such sums as are necessary for each of fiscal years 2002 through 2013; and

“(2) \$2,000,000 for each of fiscal years 2014 through 2018.”

(b) RESIDENT INSTRUCTION GRANTS FOR INSULAR AREAS.—Section 1491(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3363(c)) is amended by striking “such sums as are necessary” and all that follows and inserting the following: “to carry out this section—

“(1) such sums as are necessary for each of fiscal years 2002 through 2013; and

“(2) \$2,000,000 for each of fiscal years 2014 through 2018.”

Subtitle B—Food, Agriculture, Conservation, and Trade Act of 1990

SEC. 7201. BEST UTILIZATION OF BIOLOGICAL APPLICATIONS.

Section 1624 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5814) is amended—

(1) by striking “\$40,000,000 for each fiscal year”; and

(2) by inserting “\$40,000,000 for each of fiscal years 2014 through 2018” after “chapter”.

SEC. 7202. INTEGRATED MANAGEMENT SYSTEMS.

Section 1627 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5821) is amended by striking subsection (d) and inserting the following:

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to

carry out this section through the National Institute of Food and Agriculture \$20,000,000 for each of fiscal years 2014 through 2018.”

SEC. 7203. SUSTAINABLE AGRICULTURE TECHNOLOGY DEVELOPMENT AND TRANSFER PROGRAM.

Section 1628 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5831) is amended by striking subsection (f) and inserting the following:

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary for each of fiscal years 2014 through 2018.”

SEC. 7204. NATIONAL TRAINING PROGRAM.

Section 1629 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5832) is amended by striking subsection (i) and inserting the following:

“(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the National Training Program \$20,000,000 for each of fiscal years 2014 through 2018.”

SEC. 7205. NATIONAL GENETICS RESOURCES PROGRAM.

Section 1635(b) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5844(b)) is amended—

(1) by striking “such funds as may be necessary”; and

(2) by striking “subtitle” and all that follows and inserting the following: “subtitle—

“(1) such sums as are necessary for each of fiscal years 1991 through 2013; and

“(2) \$1,000,000 for each of fiscal years 2014 through 2018.”

SEC. 7206. NATIONAL AGRICULTURAL WEATHER INFORMATION SYSTEM.

Section 1641(c) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5855(c)) is amended by inserting “and \$1,000,000 for each of fiscal years 2014 through 2018” before the period at the end.

SEC. 7207. HIGH-PRIORITY RESEARCH AND EXTENSION INITIATIVES.

Section 1672 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925) is amended—

(1) in the first sentence of subsection (a), by striking “subsections (e) through (i) of”; and

(2) in subsection (b)(2)—

(A) by striking the first sentence and inserting the following:

“(A) IN GENERAL.—To facilitate the making of research and extension grants under subsection (d), the Secretary may appoint a task force to make recommendations to the Secretary.”; and

(B) in the second sentence, by striking “The Secretary may not incur costs in excess of \$1,000 for any fiscal year in connection with each” and inserting the following:

“(B) COSTS.—The Secretary may not incur costs in excess of \$1,000 for any fiscal year in connection with a”; and

(3) in subsection (e)—

(A) by striking paragraphs (1) through (5), (7), (8), (11) through (39), (41) through (43), (47), (48), (51), and (52);

(B) by redesignating paragraphs (6), (9), (10), (40), (44), (45), (46), (49), and (50) as paragraphs (1), (2), (3), (4), (5), (6), (7), (8), and (9), respectively; and

(C) by adding at the end the following:

“(10) CORN, SOYBEAN MEAL, CEREAL GRAINS, AND GRAIN BYPRODUCTS RESEARCH AND EXTENSION.—Research and extension grants may be made under this section for the purpose of carrying out or enhancing research to improve the digestibility, nutritional value, and efficiency of use of corn, soybean meal, cereal grains, and grain byproducts for the

poultry and food animal production industries.”;

(4) by striking subsections (f), (g), and (i);

(5) by inserting after subsection (e) the following:

“(f) PULSE HEALTH INITIATIVE.—

“(1) DEFINITIONS.—In this subsection;

“(A) INITIATIVE.—The term ‘Initiative’ means the pulse health initiative established by paragraph (2).

“(B) PULSE.—The term ‘pulse’ means dry beans, dry peas, lentils, and chickpeas or garbanzo beans.

“(2) ESTABLISHMENT.—Notwithstanding any other provision of law, during the period beginning on the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 and ending on September 30, 2018, the Secretary shall carry out a pulse crop health and extension initiative to address the critical needs of the pulse crop industry by developing and disseminating science-based tools and information, including—

“(A) research in health and nutrition, such as—

“(i) identifying global dietary patterns of pulse crops in relation to population health;

“(ii) researching pulse crop diets and the ability of the diets to reduce obesity and associated chronic disease (including cardiovascular disease, type 2 diabetes, and cancer); and

“(iii) identifying the underlying mechanisms of the health benefits of pulse crop consumption (including disease biomarkers, bioactive components, and relevant plant genetic components to enhance the health promoting value of pulse crops);

“(B) research in functionality, such as—

“(i) improving the functional properties of pulse crops and pulse fractions;

“(ii) developing new and innovative technologies to improve pulse crops as an ingredient in food products; and

“(iii) developing nutrient-dense food product solutions to ameliorate chronic disease and enhance food security worldwide;

“(C) research in sustainability to enhance global food security, such as—

“(i) plant breeding, genetics and genomics to improve productivity, nutrient density, and phytonutrient content for a growing world population;

“(ii) pest and disease management, including resistance to pests and diseases resulting in reduced application management strategies; and

“(iii) improving nitrogen fixation to reduce the carbon and energy footprint of agriculture;

“(D) optimizing pulse cropping systems to reduce water usage; and

“(E) education and technical service, such as—

“(i) providing technical expertise to help food companies include nutrient-dense pulse crops in innovative and healthy foods; and

“(ii) establishing an educational program to encourage the consumption and production of pulse crops in the United States and other countries.

“(3) ELIGIBLE ENTITIES.—The Secretary may carry out the Initiative through—

“(A) Federal agencies, including the Agricultural Research Service and the National Institute of Food and Agriculture;

“(B) National Laboratories;

“(C) institutions of higher education;

“(D) research institutions or organizations;

“(E) private organizations or corporations;

“(F) State agricultural experiment stations;

“(G) individuals; or

“(H) groups consisting of 2 or more entities or individuals described in subparagraphs (A) through (G).

“(4) RESEARCH PROJECT GRANTS.—

“(A) IN GENERAL.—In carrying out this subsection, the Secretary shall award grants on a competitive basis.

“(B) IN GENERAL.—The Secretary shall—

“(i) seek and accept proposals for grants;

“(ii) determine the relevance and merit of proposals through a system of peer review, in consultation with the pulse crop industry; and

“(iii) award grants on the basis of merit, quality, and relevance.

“(C) PRIORITIES.—In making grants under this subsection, the Secretary shall provide a higher priority to projects that—

“(i) are multistate, multiinstitutional, and multidisciplinary; and

“(ii) include explicit mechanisms to communicate results to the pulse crop industry and the public.

“(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$25,000,000 for each of fiscal years 2014 through 2018.

“(g) TRAINING COORDINATION FOR FOOD AND AGRICULTURE PROTECTION.—

“(1) IN GENERAL.—The Secretary shall make grants and enter into contracts or cooperative agreements with eligible entities described in paragraph (2) for the purposes of establishing a Comprehensive Food Safety Training Network.

“(2) ELIGIBILITY.—

“(A) IN GENERAL.—For purposes of this subsection, an eligible entity is a multiinstitutional consortium that includes—

“(i) a nonprofit institution that provides administering food protection training; and

“(ii) 1 or more training centers in institutions of higher education that have demonstrated expertise in developing and delivering community-based training in food and agricultural safety and defense.

“(B) REQUIREMENTS.—To ensure that coordination and administration is provided across all the disciplines and provide comprehensive food protection training, the Secretary may only consider an entire consortium collectively rather than on an institution-by-institution basis.

“(C) MEMBERSHIP.—An eligible entity may alter the consortium membership to meet specific training expertise needs.

“(3) DUTIES OF ELIGIBLE ENTITY.—As a condition of the receipt of assistance under this subsection, an eligible entity, in cooperation with the Secretary, shall establish and maintain the network for an internationally integrated training system to enhance protection of the United States food supply, including, at a minimum—

“(A) developing curricula and a training network to provide basic, technical, management, and leadership training to regulatory and public health officials, producers, processors, and other agrifood businesses;

“(B) serving as the hub for the administration of an open training network;

“(C) implementing standards to ensure the delivery of quality training through a national curricula;

“(D) building and overseeing a nationally recognized instructor cadre to ensure the availability of highly qualified instructors;

“(E) reviewing training proposed through the National Institute of Food and Agriculture and other relevant Federal agencies that report to the Secretary on the quality and content of proposed and existing courses;

“(F) assisting Federal agencies in the implementation of food protection training re-

quirements including requirements contained in the Agriculture Reform, Food, and Jobs Act of 2013, the FDA Food Safety Modernization Act (Public Law 111-353; 124 Stat. 3885), and amendments made by those Acts; and

“(G) performing evaluation and outcome-based studies to provide to the Secretary feedback on the effectiveness and impact of training and metrics on jurisdictions and sectors within the food safety system.

“(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.”;

(6) in subsection (h), by striking “2012” each place it appears and inserting “2018”;

(7) by redesignating subsection (j) as subsection (i); and

(8) in subsection (i) (as so redesignated), by striking “2012” and inserting “2018”.

SEC. 7208. ORGANIC AGRICULTURE RESEARCH AND EXTENSION INITIATIVE.

Section 1672B of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925b) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “, education,” after “support research”;

(B) in paragraph (1), by inserting “and improvement” after “development”;

(C) in paragraph (2), by striking “to producers and processors who use organic methods” and inserting “of organic agricultural production and methods to producers, processors, and rural communities”;

(D) in paragraph (5), by inserting “and researching solutions to” after “identifying”; and

(E) in paragraph (6), by striking “and marketing” and inserting “, marketing, and food safety”;

(2) by striking subsection (e);

(3) by redesignating subsection (f) as subsection (e); and

(4) in paragraph (1) of subsection (e) (as so redesignated)—

(A) in the heading, by striking “FOR FISCAL YEARS 2008 THROUGH 2012”;

(B) in subparagraph (A), by striking “and” at the end;

(C) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(C) \$16,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 7209. FARM BUSINESS MANAGEMENT.

Section 1672D(d) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925f(d)) is amended by striking “such sums as are necessary to carry out this section.” and inserting the following: “to carry out this section—

“(1) such sums as are necessary for fiscal year 2013; and

“(2) \$5,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 7210. REGIONAL CENTERS OF EXCELLENCE.

Subtitle H of the Food, Agriculture, Conservation, and Trade Act of 1990 is amended by inserting after section 1672D (7 U.S.C. 5925) the following:

“SEC. 1673. REGIONAL CENTERS OF EXCELLENCE.

“(a) ESTABLISHMENT.—The Secretary may prioritize regional centers of excellence established for specific agricultural commodities for the receipt of funding.

“(b) COMPOSITION.—A regional center of excellence shall be composed of 1 or more colleges and universities (including land-grant institutions, schools of forestry, schools of veterinary medicine, or NLGCA Institutions

(as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103))) that provide financial support to the regional center of excellence.

“(C) CRITERIA FOR REGIONAL CENTERS OF EXCELLENCE.—The criteria for consideration to be a regional center of excellence shall include efforts—

“(1) to ensure coordination and cost-effectiveness by reducing unnecessarily duplicative efforts regarding research, teaching, and extension;

“(2) to leverage available resources by using public/private partnerships among agricultural industry groups, institutions of higher education, and the Federal Government;

“(3) to implement teaching initiatives to increase awareness and effectively disseminate solutions to target audiences through extension activities;

“(4) to increase the economic returns to rural communities by identifying, attracting, and directing funds to high-priority agricultural issues; and

“(5) to improve teaching capacity and infrastructure at colleges and universities (including land-grant institutions, schools of forestry, and schools of veterinary medicine, and NLGCA Institutions).

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 7211. ASSISTIVE TECHNOLOGY PROGRAM FOR FARMERS WITH DISABILITIES.

Section 1680(c)(1) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5933(c)(1)) is amended—

(1) by striking “is” and inserting “are”; and

(2) by striking “section” and all that follows and inserting the following: “section—

“(A) \$6,000,000 for each of fiscal years 1999 through 2013; and

“(B) \$5,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 7212. NATIONAL RURAL INFORMATION CENTER CLEARINGHOUSE.

Section 2381(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 3125b(e)) is amended by striking “2012” and inserting “2018”.

Subtitle C—Agricultural Research, Extension, and Education Reform Act of 1998

SEC. 7301. RELEVANCE AND MERIT OF AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION FUNDED BY THE DEPARTMENT.

Section 103(a)(2) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7613(a)(2)) is amended—

(1) by striking the paragraph designation and heading and inserting the following:

“(2) RELEVANCE AND MERIT REVIEW OF RESEARCH, EXTENSION, AND EDUCATION GRANTS.—”;

(2) in subparagraph (A)—

(A) by inserting “relevance and” before “merit”; and

(B) by striking “extension or education” and inserting, “research, extension, or education”; and

(3) in subparagraph (B) by inserting “on a continuous basis” after “procedures”.

SEC. 7302. INTEGRATED RESEARCH, EDUCATION, AND EXTENSION COMPETITIVE GRANTS PROGRAM.

Section 406(f) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626(f)) is amended by striking “2012” and inserting “2018”.

SEC. 7303. SUPPORT FOR RESEARCH REGARDING DISEASES OF WHEAT, TRITICALE, AND BARLEY CAUSED BY FUSARIUM GRAMINEARUM OR BY TILLETIA INDICA.

Section 408(e) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7628(e)) is amended by striking “such sums as may be necessary for each of fiscal years 1999 through 2012” and inserting “\$10,000,000 for each of fiscal years 2014 through 2018”.

SEC. 7304. GRANTS FOR YOUTH ORGANIZATIONS.

Section 410(d) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7630(d)) is amended by striking “section such sums as are necessary” and all that follows and inserting the following: “section—

“(1) such sums as are necessary for each of fiscal years 2008 through 2013; and

“(2) \$3,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 7305. SPECIALTY CROP RESEARCH INITIATIVE.

Section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632) is amended—

(1) in subsection (b)(3), by inserting “handling and processing,” after “production efficiency,”;

(2) in subsection (e)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking “and” at the end;

(ii) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(iii) by inserting after subparagraph (C) the following:

“(D) consult with the specialty crops committee authorized under section 1408A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123a) during the peer and merit review process.”; and

(B) in paragraph (3), by striking “non-Federal” and all that follows through the end of the paragraph and inserting “other sources in an amount that is at least equal to the amount provided by a grant received under this section.”; and

(3) in subsection (h), by striking paragraph (3) and inserting the following:

“(3) SUBSEQUENT FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out this section—

“(A) \$25,000,000 for fiscal year 2014;

“(B) \$30,000,000 for each of fiscal years 2015 and 2016;

“(C) \$65,000,000 for fiscal year 2017; and

“(D) \$50,000,000 for fiscal year 2018 and each fiscal year thereafter.”.

SEC. 7306. FOOD ANIMAL RESIDUE AVOIDANCE DATABASE PROGRAM.

Section 604(e) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7642(e)) is amended by striking “2012” and inserting “2018”.

SEC. 7307. OFFICE OF PEST MANAGEMENT POLICY.

Section 614(f) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7653(f)) is amended—

(1) by striking “such sums as are necessary”; and

(2) by striking “section” and all that follows and inserting the following: “section—

“(1) such sums as are necessary for each of fiscal years 1999 through 2013; and

“(2) \$3,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 7308. AUTHORIZATION OF REGIONAL INTEGRATED PEST MANAGEMENT CENTERS.

Subtitle B of title VI of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7651 et seq.) is amended by adding at the end the following:

“SEC. 621. AUTHORIZATION OF REGIONAL INTEGRATED PEST MANAGEMENT CENTERS.

“(a) IN GENERAL.—There are established 4 regional integrated pest management centers (referred to in this section as the ‘Centers’), which shall be located at such specific locations in the north central, northeastern, southern, and western regions of the United States as the Secretary shall specify.

“(b) PURPOSES.—The purposes of the Centers shall be—

“(1) to strengthen the connection of the Department with production agriculture, research, and extension programs, and agricultural stakeholders throughout the United States;

“(2) to increase the effectiveness of providing pest management solutions for the private and public sectors;

“(3) to quickly respond to information needs of the public and private sectors; and

“(4) to improve communication among the relevant stakeholders.

“(c) DUTIES.—In meeting the purposes described in subsection (b) and otherwise carrying out this section, the Centers shall—

“(1) develop regional strategies to address pest management needs;

“(2) assist the Department and partner institutions of the Department in identifying, prioritizing, and coordinating a national pest management research, extension, and education program implemented on a regional basis;

“(3) establish a national pest management communication network that includes—

“(A) the agencies of the Department and other government agencies;

“(B) scientists at institutions of higher education; and

“(C) stakeholders focusing on pest management issues;

“(4) serve as regional hubs responsible for ensuring efficient access to pest management expertise and data available through institutions of higher education; and

“(5) on behalf of the Department, manage grants that can be most effectively and efficiently delivered at the regional level, as determined by the Secretary.”.

Subtitle D—Other Laws

SEC. 7401. CRITICAL AGRICULTURAL MATERIALS ACT.

Section 16(a) of the Critical Agricultural Materials Act (7 U.S.C. 178n(a)) is amended—

(1) by striking “such sums as are necessary”; and

(2) by striking “Act” and all that follows and inserting the following: “Act—

“(1) such sums as are necessary for each of fiscal years 1991 through 2013; and

“(2) \$2,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 7402. EQUITY IN EDUCATIONAL LAND-GRANT STATUS ACT OF 1994.

(a) DEFINITION OF 1994 INSTITUTIONS.—Section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382) is amended to read as follows:

“SEC. 532. DEFINITION OF 1994 INSTITUTIONS.

“In this part, the term ‘1994 Institutions’ means any 1 of the following:

“(1) Aaniiih Nakoda College.

“(2) Bay Mills Community College.

“(3) Blackfeet Community College.

“(4) Cankdeska Cikana Community College.

“(5) Chief Dull Knife Memorial College.

“(6) College of Menominee Nation.

“(7) College of the Muscogee Nation.

“(8) Comanche Nation College.

“(9) D-Q University.

“(10) Dine College.

“(11) Fond du Lac Tribal and Community College.

“(12) Fort Berthold Community College.

“(13) Fort Peck Community College.

“(14) Haskell Indian Nations University.

“(15) Ilisagvik College.

“(16) Institute of American Indian and Alaska Native Culture and Arts Development.

“(17) Keweenaw Bay Ojibwa Community College.

“(18) Lac Courte Oreilles Ojibwa Community College.

“(19) Leech Lake Tribal College.

“(20) Little Big Horn College.

“(21) Little Priest Tribal College.

“(22) Navajo Technical College.

“(23) Nebraska Indian Community College.

“(24) Northwest Indian College.

“(25) Oglala Lakota College.

“(26) Saginaw Chippewa Tribal College.

“(27) Salish Kootenai College.

“(28) Sinte Gleska University.

“(29) Sisseton Wahpeton College.

“(30) Sitting Bull College.

“(31) Southwestern Indian Polytechnic Institute.

“(32) Stone Child College.

“(33) Tohono O’odham Community College.

“(34) Turtle Mountain Community College.

“(35) United Tribes Technical College.

“(36) White Earth Tribal and Community College.”.

(b) ENDOWMENT FOR 1994 INSTITUTIONS.—

(1) IN GENERAL.—Section 533 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382) is amended—

(A) in subsection (a)(2)(A)(ii), by striking “of such Act as added by section 534(b)(1) of this part” and inserting “of that Act (7 U.S.C. 343(b)(3)) and for programs for children, youth, and families at risk and for Federally recognized tribes implemented under section 3(d) of that Act (7 U.S.C. 343(d))”; and

(B) in subsection (b), in the first sentence by striking “2012” and inserting “2018”.

(2) CONFORMING AMENDMENT.—Section 3(d) of the Smith-Lever Act (7 U.S.C. 343(d)) is amended in the second sentence by inserting “and, in the case of programs for children, youth, and families at risk and for Federally recognized tribes, the 1994 Institutions (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382)),” before “may compete for”.

(c) INSTITUTIONAL CAPACITY BUILDING GRANTS.—Section 535 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382) is amended by striking “2012” each place it appears in subsections (b)(1) and (c) and inserting “2018”.

(d) RESEARCH GRANTS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Section 536(c) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382) is amended in the first sentence by striking “2012” and inserting “2018”.

(2) RESEARCH GRANT REQUIREMENTS.—Section 536(b) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382) is amended by striking “with at least 1 other land-grant

college or university” and all that follows and inserting the following: “with—

“(1) the Agricultural Research Service of the Department of Agriculture; or

“(2) at least 1—

“(A) other land-grant college or university (exclusive of another 1994 Institution);

“(B) non-land-grant college of agriculture (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)); or

“(C) cooperating forestry school (as defined in that section).”.

(e) EFFECTIVE DATE.—The amendments made by subsections (a), (b), and (d)(2) take effect on October 1, 2013.

SEC. 7403. RESEARCH FACILITIES ACT.

Section 6(a) of the Research Facilities Act (7 U.S.C. 390d(a)) is amended by striking “2012” and inserting “2018”.

SEC. 7404. COMPETITIVE, SPECIAL, AND FACILITIES RESEARCH GRANT ACT.

Section 2 of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i) is amended—

(1) in subsection (b)(1)(A), in the matter preceding clause (i), by striking “2012” and inserting “2018”; and

(2) by adding at the end the following:

“(1) STREAMLINING GRANT APPLICATION PROCESS.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall submit to Congress a report that includes—

“(1) an analysis of barriers that exist in the competitive grants process administered by the National Institute of Food and Agriculture that prevent eligible institutions and organizations with limited institutional capacity from successfully applying and competing for competitive grants; and

“(2) specific recommendations for future steps that the Department can take to streamline the competitive grants application process so as to remove the barriers and increase the success rates of applicants described in paragraph (1).”.

SEC. 7405. ENHANCED USE LEASE AUTHORITY PILOT PROGRAM UNDER DEPARTMENT OF AGRICULTURE REORGANIZATION ACT OF 1994.

Section 308(b)(6) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 3125a note; Public Law 103-354) is amended by striking subparagraph (A) and inserting the following:

“(A) on September 30, 2018; or”.

SEC. 7406. RENEWABLE RESOURCES EXTENSION ACT OF 1978.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 6 of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1675) is amended in the first sentence by striking “2012” and inserting “2018”.

(b) TERMINATION DATE.—Section 8 of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1671 note; Public Law 95-306) is amended by striking “2012” and inserting “2018”.

SEC. 7407. NATIONAL AQUACULTURE ACT OF 1980.

Section 10 of the National Aquaculture Act of 1980 (16 U.S.C. 2809) is amended by striking “2012” each place it appears and inserting “2018”.

SEC. 7408. BEGINNING FARMER AND RANCHER DEVELOPMENT PROGRAM UNDER FARM SECURITY AND RURAL INVESTMENT ACT OF 2002.

Section 7405 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319f) is amended—

(1) in subsection (c)(8)—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(D) beginning farmers and ranchers who are veterans (as defined in section 101 of title 38, United States Code).”; and

(2) by redesignating subsection (h) as subsection (i);

(3) by inserting after subsection (g) the following:

“(h) STATE GRANTS.—

“(1) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term ‘eligible entity’ means—

“(A) an agency of a State or political subdivision of a State;

“(B) a national, State, or regional organization of agricultural producers; and

“(C) any other entity determined appropriate by the Secretary.

“(2) GRANTS.—The Secretary shall use such sums as are necessary of funds made available to carry out this section for each fiscal year under subsection (i) to make grants to States, on a competitive basis, which States shall use the grants to make grants to eligible entities to establish and improve farm safety programs at the local level.”; and

(4) in subsection (i) (as redesignated by paragraph (2))—

(A) in paragraph (1)—

(i) in the heading, by striking “FOR FISCAL YEARS 2009 THROUGH 2012”; and

(ii) in subparagraph (A), by striking “and” at the end;

(iii) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following:

“(C) \$17,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.”;

(B) in paragraph (2)—

(i) in the heading, by striking “FOR FISCAL YEARS 2009 THROUGH 2012”; and

(ii) striking “2012” and inserting “2018”; and

(C) by striking paragraph (3).

Subtitle E—Food, Conservation, and Energy Act of 2008

PART I—AGRICULTURAL SECURITY

SEC. 7501. AGRICULTURAL BIOSECURITY COMMUNICATION CENTER.

Section 14112 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8912) is amended by striking subsection (c) and inserting the following:

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) such sums as are necessary for each of fiscal years 2008 through 2013; and

“(2) \$2,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 7502. ASSISTANCE TO BUILD LOCAL CAPACITY IN AGRICULTURAL BIOSECURITY PLANNING, PREPARATION, AND RESPONSE.

Section 14113 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8913) is amended—

(1) in subsection (a)(2)—

(A) by striking “such sums as may be necessary”; and

(B) by striking “subsection” and all that follows and inserting the following: “subsection—

“(1) such sums as are necessary for each of fiscal years 2008 through 2013; and

“(2) \$15,000,000 for each of fiscal years 2014 through 2018.”; and

(2) in subsection (b)(2), by striking “is authorized to be appropriated to carry out this subsection” and all that follows and inserting the following: “are authorized to be appropriated to carry out this subsection—

“(1) \$25,000,000 for each of fiscal years 2008 through 2013; and
 “(2) \$15,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 7503. RESEARCH AND DEVELOPMENT OF AGRICULTURAL COUNTERMEASURES.

Section 14121(b) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8921(b)) is amended by striking “is authorized to be appropriated to carry out this section” and all that follows and inserting the following: “are authorized to be appropriated to carry out this section—

“(1) \$50,000,000 for each of fiscal years 2008 through 2013; and

“(2) \$15,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 7504. AGRICULTURAL BIOSECURITY GRANT PROGRAM.

Section 14122(e) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8922(e)) is amended—

(1) by striking “such sums as are necessary”; and

(2) by striking “section” and all that follows and inserting the following: “section—

“(1) such sums as are necessary for each of fiscal years 2008 through 2013, to remain available until expended; and

“(2) \$5,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.”.

PART II—MISCELLANEOUS

SEC. 7511. GRAZINGLANDS RESEARCH LABORATORY.

Section 7502 of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 112 Stat. 2019) is amended by striking “for the 5-year period beginning on the date of enactment of this Act” and inserting “until September 30, 2018”.

SEC. 7512. BUDGET SUBMISSION AND FUNDING.

Section 7506 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7614c) is amended—

(1) in subsection (a)—

(A) by striking “(a) DEFINITION OF COMPETITIVE PROGRAMS.—In this section, the term”; and inserting the following:

“(a) DEFINITIONS.—In this section:

“(1) COMPETITIVE PROGRAMS.—The term”; and

(B) by adding at the end the following:

“(2) COVERED PROGRAM.—The term ‘covered program’ means—

“(A) each research program carried out by the Agricultural Research Service or the Economic Research Service for which annual appropriations are requested in the annual budget submission of the President; and

“(B) each competitive program (as defined in section 251(f)(1) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971(f)(1))) carried out by the National Institute of Food and Agriculture for which annual appropriations are requested in the annual budget submission of the President.

“(3) REQUEST FOR AWARDS.—The term ‘request for awards’ means a funding announcement published by the National Institute of Food and Agriculture that provides detailed information on funding opportunities at the Institute, including the purpose, eligibility, restriction, focus areas, evaluation criteria, regulatory information, and instructions on how to apply for such opportunities.”; and

(2) by adding at the end the following:

“(e) ADDITIONAL PRESIDENTIAL BUDGET SUBMISSION REQUIREMENT.—

“(1) IN GENERAL.—Each year, the President shall submit to Congress, together with the annual budget submission of the President, the information described in paragraph (2)

for each funding request for a covered program.

“(2) INFORMATION DESCRIBED.—The information described in this paragraph includes—

“(A) baseline information, including with respect to each covered program—

“(i) the funding level for the program for the fiscal year preceding the year the annual budget submission of the President is submitted; and

“(ii) the funding level requested in the annual budget submission of the President, including any increase or decrease in the funding level; and

“(iii) an explanation justifying any change from the funding level specified in clause (i) to the level specified in clause (ii);

“(B) with respect to each covered program that is carried out by the Economic Research Service or the Agricultural Research Service, the location and staff years of the program;

“(C) the proposed funding levels to be allocated to, and the expected publication date, scope, and allocation level for, each request for awards to be published under—

“(i) each priority area specified in section 2(b)(2) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 4501(b)(2));

“(ii) each research and extension project carried out under section 1621(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5811(a));

“(iii) each grant awarded under section 1672B(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925b(a));

“(iv) each grant awarded under section 412(b) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632(b)); and

“(v) each grant awarded under 7405(c)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319f(c)(1)); or

“(D) any other information the Secretary determines will increase congressional oversight with respect to covered programs.

“(3) PROHIBITION.—Unless the President submits the information described in paragraph (2)(C) for a fiscal year, the President may not carry out any program during the fiscal year that is authorized under—

“(A) section 2(b) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 4501(b));

“(B) section 1621 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5811);

“(C) section 1672B of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925b);

“(D) section 411 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7631); or

“(E) section 7405 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319f).

“(f) REPORT OF THE SECRETARY OF AGRICULTURE.—Each year on a date that is not later than the date on which the President submits the annual budget submission, the Secretary shall submit to Congress a report containing a description of the agricultural research, extension, and education activities carried out by the Federal Government during the fiscal year that immediately precedes the year for which the report is submitted, including—

“(1) a review of the extent to which those activities—

“(A) are duplicative or overlap within the Department of Agriculture; or

“(B) are similar to activities carried out by—

“(i) other Federal agencies;

“(ii) the States (including the District of Columbia, the Commonwealth of Puerto Rico and other territories or possessions of the United States);

“(iii) institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); or

“(iv) the private sector; and

“(2) for each report submitted under this section on or after January 1, 2013, a 5-year projection of national priorities with respect to agricultural research, extension, and education, taking into account both domestic and international needs.”.

SEC. 7513. NATURAL PRODUCTS RESEARCH PROGRAM.

Section 7525 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 5937) is amended by striking subsection (e) and inserting the following:

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$7,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 7514. SUN GRANT PROGRAM.

(a) IN GENERAL.—Section 7526 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8114) is amended—

(1) in subsection (a)(4)(B), by striking “the Department of Energy” and inserting “other appropriate Federal agencies (as determined by the Secretary)”; and

(2) in subsection (b)(1)—

(A) in subparagraph (A), by striking “at South Dakota State University”; and

(B) in subparagraph (B), by striking “at the University of Tennessee at Knoxville”; and

(C) in subparagraph (C), by striking “at Oklahoma State University”; and

(D) in subparagraph (D), by striking “at Oregon State University”; and

(E) in subparagraph (E), by striking “at Cornell University”; and

(F) in subparagraph (F), by striking “at the University of Hawaii”; and

(3) in subsection (c)(1)—

(A) in subparagraph (B), by striking “multistate” and all that follows through “technology implementation” and inserting “integrated, multistate research, extension, and education programs on technology development and technology implementation”; and

(B) by striking subparagraph (C); and

(C) by redesignating subparagraph (D) as subparagraph (C);

(4) in subsection (d)—

(A) in paragraph (1)—

(i) by striking “gasification” and inserting “bioproducts”; and

(ii) by striking “the Department of Energy” and inserting “other appropriate Federal agencies”; and

(B) by striking paragraph (2);

(C) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(D) in paragraph (1), by striking “in accordance with paragraph (2)”; and

(5) in subsection (g), by striking “2012” and inserting “2018”.

(b) CONFORMING AMENDMENTS.—Section 7526(f) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8114(f)) is amended—

(1) in paragraph (1), by striking “subsection (c)(1)(D)(i)” and inserting “subsection (c)(1)(C)(i)”; and

(2) in paragraph (2), by striking “subsection (d)(1)” and inserting “subsection (d)”.

Subtitle F—Miscellaneous

SEC. 7601. FOUNDATION FOR FOOD AND AGRICULTURE RESEARCH.

(a) DEFINITIONS.—In this section:

(1) **BOARD.**—The term “Board” means the Board of Directors described in subsection (e).

(2) **DEPARTMENT.**—The term “Department” means the Department of Agriculture.

(3) **FOUNDATION.**—The term “Foundation” means the Foundation for Food and Agriculture Research established under subsection (b).

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Agriculture.

(b) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—The Secretary shall establish a nonprofit corporation to be known as the “Foundation for Food and Agriculture Research”.

(2) **STATUS.**—The Foundation shall not be an agency or instrumentality of the United States Government.

(c) **PURPOSES.**—The purposes of the Foundation shall be—

(1) to advance the research mission of the Department by supporting agricultural research activities focused on addressing key problems of national and international significance including—

(A) plant health, production, and plant products;

(B) animal health, production, and products;

(C) food safety, nutrition, and health;

(D) renewable energy, natural resources, and the environment;

(E) agricultural and food security;

(F) agriculture systems and technology; and

(G) agriculture economics and rural communities; and

(2) to foster collaboration with agricultural researchers from the Federal Government, institutions of higher education, industry, and nonprofit organizations.

(d) **DUTIES.**—

(1) **IN GENERAL.**—The Foundation shall—

(A) award grants to, or enter into contracts, memoranda of understanding, or cooperative agreements with, scientists and entities, which may include agricultural research agencies in the Department, university consortia, public-private partnerships, institutions of higher education, nonprofit organizations, and industry, to efficiently and effectively advance the goals and priorities of the Foundation;

(B) in consultation with the Secretary—

(i) identify existing and proposed Federal intramural and extramural research and development programs relating to the purposes of the Foundation described in subsection (c); and

(ii) coordinate Foundation activities with those programs so as to minimize duplication of existing efforts;

(C) identify unmet and emerging agricultural research needs after reviewing the Roadmap for Agricultural Research, Education and Extension as required by section 7504 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7614a);

(D) facilitate technology transfer and release of information and data gathered from the activities of the Foundation to the agricultural research community;

(E) promote and encourage the development of the next generation of agricultural research scientists; and

(F) carry out such other activities as the Board determines to be consistent with the purposes of the Foundation.

(2) **AUTHORITY.**—Subject to paragraph (3), the Foundation shall be the sole entity responsible for carrying out the duties enumerated in this subsection.

(3) **RELATIONSHIP TO OTHER ACTIVITIES.**—The activities described in paragraph (1)

shall be supplemental to any other activities at the Department and shall not preempt any authority or responsibility of the Department under another provision of law.

(e) **BOARD OF DIRECTORS.**—

(1) **ESTABLISHMENT.**—The Foundation shall be governed by a Board of Directors.

(2) **COMPOSITION.**—

(A) **IN GENERAL.**—The Board shall be composed of appointed and ex-officio, nonvoting members.

(B) **EX-OFFICIO MEMBERS.**—The ex-officio members of the Board shall be the following individuals or designees:

(i) The Secretary.

(ii) The Under Secretary of Agriculture for Research, Education, and Economics.

(iii) The Administrator of the Agricultural Research Service.

(iv) The Director of the National Institute of Food and Agriculture.

(v) The Director of the National Science Foundation.

(C) **APPOINTED MEMBERS.**—

(i) **IN GENERAL.**—The ex-officio members of the Board under subparagraph (B) shall, by majority vote, appoint to the Board 15 individuals, of whom—

(I) 8 shall be selected from a list of candidates to be provided by the National Academy of Sciences; and

(II) 7 shall be selected from lists of candidates provided by industry.

(ii) **REQUIREMENTS.**—

(I) **EXPERTISE.**—The ex-officio members shall ensure that a majority of the members of the Board have actual experience in agricultural research and, to the extent practicable, represent diverse sectors of agriculture.

(II) **LIMITATION.**—No employee of the Federal Government may serve as an appointed member of the Board under this subparagraph.

(III) **NOT FEDERAL EMPLOYMENT.**—Appointment to the Board under this subparagraph shall not constitute Federal employment.

(iii) **AUTHORITY.**—All appointed members of the Board shall be voting members.

(D) **CHAIR.**—The Board shall, from among the members of the Board, designate an individual to serve as Chair of the Board.

(3) **INITIAL MEETING.**—Not later than 60 days after the date of enactment of this Act, the Secretary shall convene a meeting of the ex-officio members of the Board—

(A) to incorporate the Foundation; and

(B) to appoint the members of the Board in accordance with paragraph (2)(C)(i).

(4) **DUTIES.**—

(A) **IN GENERAL.**—The Board shall—

(i) establish bylaws for the Foundation that, at a minimum, include—

(I) policies for the selection of future Board members, officers, employees, agents, and contractors of the Foundation;

(II) policies, including ethical standards, for—

(aa) the acceptance, solicitation, and disposition of donations and grants to the Foundation; and

(bb) the disposition of assets of the Foundation, including appropriate limits on the ability of donors to designate, by stipulation or restriction, the use or recipient of donated funds;

(III) policies that would subject all employees, fellows, trainees, and other agents of the Foundation (including members of the Board) to the conflict of interest standards under section 208 of title 18, United States Code;

(IV) policies for writing, editing, printing, publishing, and vending of books and other materials;

(V) policies for the conduct of the general operations of the Foundation, including a cap on administrative expenses for recipients of a grant, contract, or cooperative agreement from the Foundation; and

(VI) specific duties for the Executive Director;

(ii) prioritize and provide overall direction for the activities of the Foundation;

(iii) evaluate the performance of the Executive Director; and

(iv) carry out any other necessary activities regarding the Foundation.

(B) **ESTABLISHMENT OF BYLAWS.**—In establishing bylaws under subparagraph (A)(i), the Board shall ensure that the bylaws do not—

(i) reflect unfavorably on the ability of the Foundation to carry out the duties of the Foundation in a fair and objective manner; or

(ii) compromise, or appear to compromise, the integrity of any governmental agency or program, or any officer or employee employed by or involved in a governmental agency or program.

(5) **TERMS AND VACANCIES.**—

(A) **TERMS.**—

(i) **IN GENERAL.**—The term of each member of the Board appointed under paragraph (2)(C) shall be 5 years.

(ii) **PARTIAL TERMS.**—If a member of the Board does not serve the full term applicable under clause (i), the individual appointed to fill the resulting vacancy shall be appointed for the remainder of the term of the predecessor of the individual.

(iii) **TRANSITION.**—A member of the Board may continue to serve after the expiration of the term of the member until a successor is appointed.

(B) **VACANCIES.**—Any vacancy in the membership of the Board shall be filled in the manner in which the original position was made and shall not affect the power of the remaining members to execute the duties of the Board.

(6) **COMPENSATION.**—Members of the Board may not receive compensation for service on the Board but may be reimbursed for travel, subsistence, and other necessary expenses incurred in carrying out the duties of the Board.

(7) **MEETINGS AND QUORUM.**—A majority of the members of the Board shall constitute a quorum for purposes of conducting business of the Board.

(f) **ADMINISTRATION.**—

(1) **EXECUTIVE DIRECTOR.**—

(A) **IN GENERAL.**—The Board shall hire an Executive Director who shall carry out such duties and responsibilities as the Board may prescribe.

(B) **SERVICE.**—The Executive Director shall serve at the pleasure of the Board.

(2) **ADMINISTRATIVE POWERS.**—

(A) **IN GENERAL.**—In carrying out this section, the Board, acting through the Executive Director, may—

(i) adopt, alter, and use a corporate seal, which shall be judicially noticed;

(ii) hire, promote, compensate, and discharge 1 or more officers, employees, and agents, as may be necessary, and define the duties of the officers, employees, and agents;

(iii) solicit and accept any funds, gifts, grants, devises, or bequests of real or personal property made to the Foundation, including such support from private entities;

(iv) prescribe the manner in which—

(I) real or personal property of the Foundation is acquired, held, and transferred;

(II) general operations of the Foundation are to be conducted; and

(III) the privileges granted to the Board by law are exercised and enjoyed;

(v) with the consent of the applicable executive department or independent agency, use the information, services, and facilities of the department or agency in carrying out this section;

(vi) enter into contracts with public and private organizations for the writing, editing, printing, and publishing of books and other material;

(vii) hold, administer, invest, and spend any gift, devise, or bequest of real or personal property made to the Foundation;

(viii) enter into such contracts, leases, cooperative agreements, and other transactions as the Board considers appropriate to conduct the activities of the Foundation;

(ix) modify or consent to the modification of any contract or agreement to which the Foundation is a party or in which the Foundation has an interest;

(x) take such action as may be necessary to obtain patents and licenses for devices and procedures developed by the Foundation and employees of the Foundation;

(xi) sue and be sued in the corporate name of the Foundation, and complain and defend in courts of competent jurisdiction;

(xii) appoint other groups of advisors as may be determined necessary to carry out the functions of the Foundation; and

(xiii) exercise such other incidental powers as are necessary to carry out the duties and functions of the Foundation in accordance with this section.

(B) LIMITATION.—No appointed member of the Board or officer or employee of the Foundation or of any program established by the Foundation (other than ex-officio members of the Board) shall exercise administrative control over any Federal employee.

(3) RECORDS.—

(A) AUDITS.—The Foundation shall—

(i) provide for annual audits of the financial condition of the Foundation; and

(ii) make the audits, and all other records, documents, and other papers of the Foundation, available to the Secretary and the Comptroller General of the United States for examination or audit.

(B) REPORTS.—

(i) ANNUAL REPORT ON FOUNDATION.—

(I) IN GENERAL.—Not later than 5 months following the end of each fiscal year, the Foundation shall publish a report for the preceding fiscal year that includes—

(aa) a description of Foundation activities, including accomplishments; and

(bb) a comprehensive statement of the operations and financial condition of the Foundation.

(II) FINANCIAL CONDITION.—Each report under subclause (I) shall include a description of all gifts or grants to the Foundation of real or personal property or money, which shall include—

(aa) the source of the gifts or grants; and

(bb) any restrictions on the purposes for which the gift or grant may be used.

(III) AVAILABILITY.—The Foundation shall—

(aa) make copies of each report submitted under subclause (I) available for public inspection; and

(bb) on request, provide a copy of the report to any individual.

(IV) PUBLIC MEETING.—The Board shall hold an annual public meeting to summarize the activities of the Foundation.

(ii) GRANT REPORTING.—Any recipient of a grant under subsection (d)(1)(A) shall provide the Foundation with a report at the conclusion of any research or studies conducted that describes the results of the research or studies, including any data generated.

(4) INTEGRITY.—

(A) IN GENERAL.—To ensure integrity in the operations of the Foundation, the Board shall develop and enforce procedures relating to standards of conduct, financial disclosure statements, conflict of interest (including recusal and waiver rules), audits, and any other matters determined appropriate by the Board.

(B) FINANCIAL CONFLICTS OF INTEREST.—Any individual who is an officer, employee, or member of the Board is prohibited from any participation in deliberations by the Foundation of a matter that would directly or predictably affect any financial interest of—

(i) the individual;

(ii) a relative (as defined in section 109 of the Ethics in Government Act of 1978 (5 U.S.C. App.)) of that individual; or

(iii) a business organization or other entity in which the individual has an interest, including an organization or other entity with which the individual is negotiating employment.

(5) INTELLECTUAL PROPERTY.—The Board shall adopt written standards to govern ownership of any intellectual property rights derived from the collaborative efforts of the Foundation.

(6) LIABILITY.—The United States shall not be liable for any debts, defaults, acts, or omissions of the Foundation nor shall the full faith and credit of the United States extend to any obligations of the Foundation.

(g) FUNDS.—

(1) MANDATORY FUNDING.—

(A) IN GENERAL.—On October 1, 2013, of the funds of the Commodity Credit Corporation, the Secretary shall transfer to the Foundation to carry out this section \$100,000,000, to remain available until expended under the conditions described in subparagraph (B).

(B) CONDITIONS ON EXPENDITURE.—The Foundation may use the funds made available under subparagraph (A) to carry out the purposes of the Foundation only to the extent that the Foundation secures an equal amount of non-Federal matching funds for each expenditure.

(C) PROHIBITION ON CONSTRUCTION.—None of the funds made available under subparagraph (A) may be used for construction.

(2) SEPARATION OF FUNDS.—The Executive Director shall ensure that any funds received under paragraph (1) are held in separate accounts from funds received from nongovernmental entities as described in subsection (f)(2)(A)(iii).

SEC. 7602. OBJECTIVE AND SCHOLARLY AGRICULTURAL AND FOOD LAW RESEARCH AND INFORMATION.

(A) FINDINGS.—Congress finds that—

(1) the farms, ranches, and forests of the United States are impacted by a complex and rapidly evolving web of international, Federal, State, and local laws (including regulations);

(2) objective, scholarly, and authoritative agricultural and food law research and information helps the farm, ranch, and forestry community contribute to the strength of the United States through improved conservation, environmental protection, job creation, economic development, renewable energy production, outdoor recreational opportunities, and increased local and regional supplies of food, fiber, and fuel; and

(3) the vast agricultural community of the United States, including farmers, ranchers, foresters, attorneys, policymakers, and extension personnel, need access to agricultural and food law research and information provided by an objective, scholarly, and neutral source.

(b) PARTNERSHIPS.—The Secretary, acting through the National Agricultural Library, shall support the dissemination of objective, scholarly, and authoritative agricultural and food law research and information by entering into partnerships with institutions of higher education that have expertise in agricultural and food law research and information.

(c) RESTRICTION.—For each fiscal year, the Secretary shall use not more than \$1,000,000 of the amounts made available to the National Agricultural Library to carry out this section.

TITLE VIII—FORESTRY

Subtitle A—Repeal of Certain Forestry Programs

SEC. 8001. FOREST LAND ENHANCEMENT PROGRAM.

(a) REPEAL.—Section 4 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103) is repealed.

(b) CONFORMING AMENDMENT.—Section 8002 of the Farm Security and Rural Investment Act of 2002 (Public Law 107-171; 16 U.S.C. 2103 note) is amended by striking subsection (a).

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013.

SEC. 8002. WATERSHED FORESTRY ASSISTANCE PROGRAM.

(a) REPEAL.—Section 6 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103b) is repealed.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 8003. EXPIRED COOPERATIVE NATIONAL FOREST PRODUCTS MARKETING PROGRAM.

Section 18 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2112) is repealed.

SEC. 8004. HISPANIC-SERVING INSTITUTION AGRICULTURAL LAND NATIONAL RESOURCES LEADERSHIP PROGRAM.

(a) REPEAL.—Section 8402 of the Food, Conservation, and Energy Act of 2008 (16 U.S.C. 1649a) is repealed.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 8005. TRIBAL WATERSHED FORESTRY ASSISTANCE PROGRAM.

(a) REPEAL.—Section 303 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6542) is repealed.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

Subtitle B—Reauthorization of Cooperative Forestry Assistance Act of 1978 Programs

SEC. 8101. STATE-WIDE ASSESSMENT AND STRATEGIES FOR FOREST RESOURCES.

Section 2A(f)(1) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101a(f)(1)) is amended by striking “2012” and inserting “2018”.

SEC. 8102. FOREST STEWARDSHIP PROGRAM.

Section 5(h) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103a(h)) is amended by striking “such sums as may be necessary thereafter” and inserting “\$50,000,000 for each of fiscal years 2014 through 2018”.

SEC. 8103. FOREST LEGACY PROGRAM.

Section 7 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103c) is amended by striking subsection (m) and inserting the following:

“(m) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to

carry out this section \$200,000,000 for each of fiscal years 2014 through 2018.

“(2) **ADDITIONAL FUNDING SOURCES.**—In addition to any funds appropriated for each fiscal year to carry out this section, the Secretary may use any other Federal funds available to the Secretary.”.

SEC. 8104. COMMUNITY FOREST AND OPEN SPACE CONSERVATION PROGRAM.

Section 7A of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103d) is amended by striking subsection (g) and inserting the following:

“(g) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$50,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 8105. URBAN AND COMMUNITY FORESTRY ASSISTANCE.

Section 9(i) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2105(i)) is amended by striking “such sums as may be necessary for each fiscal year thereafter” and inserting “\$50,000,000 for each of fiscal years 2014 through 2018”.

Subtitle C—Reauthorization of Other Forestry-related Laws

SEC. 8201. RURAL REVITALIZATION TECHNOLOGIES.

Section 2371(d)(2) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 6601(d)(2)) is amended by striking “2012” and inserting “2018”.

SEC. 8202. OFFICE OF INTERNATIONAL FORESTRY.

Section 2405 of the Global Climate Change Prevention Act of 1990 (7 U.S.C. 6704) is amended by striking subsection (d) and inserting the following:

“(d) **AUTHORIZATION OF APPROPRIATIONS.**—To carry out this section, there are authorized to be appropriated—

“(1) such sums as are necessary for each of fiscal years 1996 through 2013; and

“(2) \$10,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 8203. INSECT INFESTATIONS AND RELATED DISEASES.

(a) **FINDINGS AND PURPOSES.**—Section 401 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6551) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (3) through (12) as paragraphs (4) through (13), respectively; and

(B) by inserting after paragraph (2) the following:

“(3) the mountain pine beetle is—

“(A) threatening and ravaging forests throughout the Western region of the United States, including Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, and South Dakota;

“(B) reaching epidemic populations and severely impacting over 41,000,000 acres in western forests; and

“(C) deteriorating forest health in national forests and, when combined with drought, disease, and storm damage, is resulting in extreme fire hazards in national forests across the Western United States and endangering the economic stability of surrounding adjacent communities, ranches, and parks;”;

and

(2) in subsection (b)—

(A) in paragraph (2), by striking “and” at the end;

(B) in paragraph (3), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(4) to provide for designation of treatment areas pursuant to section 405.”.

(b) **DESIGNATION OF TREATMENT AREAS.**—Title IV of the Healthy Forests Restoration

Act of 2003 (16 U.S.C. 6551 et seq.) is amended—

(1) by redesignating sections 405 and 406 (16 U.S.C. 6555, 6556) as sections 406 and 407, respectively; and

(2) by inserting after section 404 (16 U.S.C. 6554) the following:

“SEC. 405. DESIGNATION OF TREATMENT AREAS.

“(a) **DESIGNATION OF TREATMENT AREAS.**—Not later than 60 days after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Secretary shall designate treatment areas on at least 1 national forest in each State, if requested by the Governor of the State, that the Secretary determines, based on annual forest health surveys, are experiencing declining forest health due to insect or disease infestation.

“(b) **TREATMENT OF AREAS.**—The Secretary may carry out treatments to address the insect or disease infestation in the areas designated under subsection (a) in accordance with sections 104, 105, 106, and 401.

“(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$200,000,000 for each of fiscal years 2014 through 2018.”.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—Section 407 of the Healthy Forests Restoration Act of 2003 (as redesignated by subsection (b)(1)) is amended by striking “2008” and inserting “2018”.

SEC. 8204. STEWARDSHIP END RESULT CONTRACTING PROJECTS.

(a) **IN GENERAL.**—Title VI of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591) is amended by adding at the end the following:

“SEC. 602. STEWARDSHIP END RESULT CONTRACTING PROJECTS.

“(a) **DEFINITIONS.**—In this section:

“(1) **CHIEF.**—The term ‘Chief’ means the Chief of the Forest Service.

“(2) **DIRECTOR.**—The term ‘Director’ means the Director of the Bureau of Land Management.

“(b) **PROJECTS.**—The Chief and the Director, via agreement or contract as appropriate, may enter into stewardship contracting projects with private persons or other public or private entities to perform services to achieve land management goals for the national forests and the public lands that meet local and rural community needs.

“(c) **LAND MANAGEMENT GOALS.**—The land management goals of a project under subsection (b) may include—

“(1) road and trail maintenance or obliteration to restore or maintain water quality;

“(2) soil productivity, habitat for wildlife and fisheries, or other resource values;

“(3) setting of prescribed fires to improve the composition, structure, condition, and health of stands or to improve wildlife habitat;

“(4) removing vegetation or other activities to promote healthy forest stands, reduce fire hazards, or achieve other land management objectives;

“(5) watershed restoration and maintenance;

“(6) restoration and maintenance of wildlife and fish; or

“(7) control of noxious and exotic weeds and reestablishing.

“(d) **AGREEMENTS OR CONTRACTS.**—

“(1) **PROCUREMENT PROCEDURE.**—A source for performance of an agreement or contract under subsection (b) shall be selected on a best-value basis, including consideration of source under other public and private agreements or contracts.

“(2) **CONTRACT FOR SALE OF PROPERTY.**—A contract entered into under this section

may, at the discretion of the Secretary of Agriculture, be considered a contract for the sale of property under such terms as the Secretary may prescribe without regard to any other provision of law.

“(3) **TERM.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), the Chief and the Director may enter into a contract under subsection (b) in accordance with section 3903 of title 41, United States Code.

“(B) **MAXIMUM.**—The period of the contract under subsection (b) may exceed 5 years but may not exceed 10 years.

“(4) **OFFSETS.**—

“(A) **IN GENERAL.**—The Chief and the Director may apply the value of timber or other forest products removed as an offset against the cost of services received under the agreement or contract described in subsection (b).

“(B) **METHODS OF APPRAISAL.**—The value of timber or other forest products used as an offset under subparagraph (A)—

“(i) shall be determined using appropriate methods of appraisal commensurate with the quantity of products to be removed; and

“(ii) may—

“(I) be determined using a unit of measure appropriate to the contracts; and

“(II) may include valuing products on a per-acre basis.

“(5) **RELATION TO OTHER LAWS.**—Notwithstanding subsections (d) and (g) of section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a), the Chief may enter into an agreement or contract under subsection (b).

“(6) **CONTRACTING OFFICER.**—Notwithstanding any other provision of law, the Secretary or the Secretary of the Interior may determine the appropriate contracting officer to enter into and administer an agreement or contract under subsection (b).

“(e) **RECEIPTS.**—

“(1) **IN GENERAL.**—The Chief and the Director may collect monies from an agreement or contract under subsection (b) if the collection is a secondary objective of negotiating the contract that will best achieve the purposes of this section.

“(2) **USE.**—Monies from an agreement or contract under subsection (b)—

“(A) may be retained by the Chief and the Director; and

“(B) shall be available for expenditure without further appropriation at the project site from which the monies are collected or at another project site.

“(3) **RELATION TO OTHER LAWS.**—

“(A) **IN GENERAL.**—Notwithstanding any other provision of law, the value of services received by the Chief or the Director under a stewardship contract project conducted under this section, and any payments made or resources provided by the contractor, Chief, or Director shall not be considered monies received from the National Forest System or the public lands.

“(B) **KNUTSON-VANDERBERG ACT.**—The Act of June 9, 1930 (commonly known as the ‘Knutson-Vanderberg Act’) (16 U.S.C. 576 et seq.) shall not apply to any agreement or contract under subsection (b).

“(f) **COSTS OF REMOVAL.**—Notwithstanding the fact that a contractor did not harvest the timber, the Chief may collect deposits from a contractor covering the costs of removal of timber or other forest products under—

“(1) the Act of August 11, 1916 (16 U.S.C. 490); and

“(2) and the Act of June 30, 1914 (16 U.S.C. 498).

“(g) **PERFORMANCE AND PAYMENT GUARANTEES.**—

“(1) IN GENERAL.—The Chief and the Director may require performance and payment bonds under sections 28.103-2 and 28.103-3 of the Federal Acquisition Regulation, in an amount that the contracting officer considers sufficient to protect the investment in receipts by the Federal Government generated by the contractor from the estimated value of the forest products to be removed under a contract under subsection (b).”

“(2) EXCESS OFFSET VALUE.—If the offset value of the forest products exceeds the value of the resource improvement treatments, the Chief and the Director may—

“(A) collect any residual receipts under the Act of June 9, 1930 (commonly known as the ‘Knutson-Vanderberg Act’) (16 U.S.C. 576 et seq.); and

“(B) apply the excess to other authorized stewardship projects.

“(h) MONITORING AND EVALUATION.—

“(1) IN GENERAL.—The Chief and the Director shall establish a multiparty monitoring and evaluation process that accesses the stewardship contracting projects conducted under this section.

“(2) PARTICIPANTS.—Other than the Chief and Director, participants in the process described in paragraph (1) may include—

“(A) any cooperating governmental agencies, including tribal governments; and

“(B) any other interested groups or individuals.

“(i) REPORTING.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Chief and the Director shall report to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives on—

“(1) the status of development, execution, and administration of agreements or contracts under subsection (b);

“(2) the specific accomplishments that have resulted; and

“(3) the role of local communities in the development of agreements or contract plans.”

(b) CONFORMING AMENDMENT.—Section 347 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 2104 note; Public Law 105-277) is repealed.

SEC. 8205. HEALTHY FORESTS RESERVE PROGRAM.

(a) DEFINITION OF ACREAGE OWNED BY INDIAN TRIBES.—Section 502(e)(3) of the Healthy Forests Restoration Act (16 U.S.C. 6572(e)(3)) is amended—

(1) in subparagraph (C), by striking “subparagraphs (A) and (B)” and inserting “clauses (i) and (ii)”;

(2) by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively, and indenting appropriately; and

(3) by striking “In the case of” and inserting the following:

“(A) DEFINITION OF ACREAGE OWNED BY INDIAN TRIBES.—In this paragraph, the term ‘acreage owned by Indian tribes’ includes—

“(i) land that is held in trust by the United States for Indian tribes or individual Indians;

“(ii) land, the title to which is held by Indian tribes or individual Indians subject to Federal restrictions against alienation or encumbrance;

“(iii) land that is subject to rights of use, occupancy, and benefit of certain Indian tribes;

“(iv) land that is held in fee title by an Indian tribe; or

“(v) land that is owned by a native corporation formed under section 17 of the Act

of June 18, 1934 (commonly known as the ‘Indian Reorganization Act’) (25 U.S.C. 477) or section 8 of the Alaska Native Claims Settlement Act (43 U.S.C. 1607); or

“(vi) a combination of 1 or more types of land described in clauses (i) through (v).”

“(B) ENROLLMENT OF ACREAGE.—In the case of”

(b) CHANGE IN FUNDING SOURCE FOR HEALTHY FORESTS RESERVE PROGRAM.—Section 508 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6578) is amended—

(1) in subsection (a), by striking “IN GENERAL” and inserting “FISCAL YEARS 2009 THROUGH 2013”;

(2) by redesignating subsection (b) as subsection (d); and

(3) by inserting after subsection (a) the following:

“(b) FISCAL YEARS 2014 THROUGH 2018.—There is authorized to be appropriated to the Secretary of Agriculture to carry out this section \$9,750,000 for each of fiscal years 2014 through 2018.

“(c) ADDITIONAL SOURCE OF FUNDS.—In addition to funds appropriated pursuant to the authorization of appropriations in subsection (b) for a fiscal year, the Secretary may use such amount of the funds appropriated for that fiscal year to carry out the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590a et seq.) as the Secretary determines necessary to cover the cost of technical assistance, management, and enforcement responsibilities for land enrolled in the healthy forests reserve program pursuant to subsections (a) and (b) of section 504.”

Subtitle D—Miscellaneous Provisions

SEC. 8301. MCINTIRE-STENNIS COOPERATIVE FORESTRY ACT.

(a) 1890 WAIVERS.—Section 4 of Public Law 87-788 (commonly known as the ‘McIntire-Stennis Cooperative Forestry Act’) (16 U.S.C. 582a-3) is amended by inserting “The matching funds requirement shall not be applicable to eligible 1890 Institutions (as defined in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601)) if the allocation is below \$200,000.” before “The Secretary is authorized” in the second sentence.

(b) PARTICIPATION.—Section 8 of Public Law 87-788 (commonly known as the ‘McIntire-Stennis Cooperative Forestry Act’) (16 U.S.C. 582a-7) is amended by inserting ‘the Federated States of Micronesia, American Samoa, the Northern Mariana Islands, the District of Columbia,’ before ‘and Guam’.

(c) EFFECTIVE DATE.—The amendments made by this section take effect on October 1, 2013.

SEC. 8302. REVISION OF STRATEGIC PLAN FOR FOREST INVENTORY AND ANALYSIS.

(a) REVISION REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall revise the strategic plan for forest inventory and analysis initially prepared pursuant to section 3(e) of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1642(e)) to address the requirements imposed by subsection (b).

(b) ELEMENTS OF REVISED STRATEGIC PLAN.—In revising the strategic plan, the Secretary of Agriculture shall describe in detail the organization, procedures, and funding needed to achieve each of the following:

(1) Complete the transition to a fully annualized forest inventory program and include inventory and analysis of interior Alaska.

(2) Implement an annualized inventory of trees in urban settings, including the status

and trends of trees and forests, and assessments of their ecosystem services, values, health, and risk to pests and diseases.

(3) Report information on renewable biomass supplies and carbon stocks at the local, State, regional, and national level, including by ownership type.

(4) Engage State foresters and other users of information from the forest inventory and analysis in reevaluating the list of core data variables collected on forest inventory and analysis plots with an emphasis on demonstrated need.

(5) Improve the timeliness of the timber product output program and accessibility of the annualized information on that database.

(6) Foster greater cooperation among the forest inventory and analysis program, research station leaders, and State foresters and other users of information from the forest inventory and analysis.

(7) Availability of and access to non-Federal resources to improve information analysis and information management.

(8) Collaborate with the Natural Resources Conservation Service, National Aeronautics and Space Administration, National Oceanic and Atmospheric Administration, and United States Geological Survey to integrate remote sensing, spatial analysis techniques, and other new technologies in the forest inventory and analysis program.

(9) Understand and report on changes in land cover and use.

(10) Expand existing programs to promote sustainable forest stewardship through increased understanding, in partnership with other Federal agencies, of the over 10 million family forest owners, their demographics, and the barriers to forest stewardship.

(11) Implement procedures to improve the statistical precision of estimates at the sub-State level.

(c) SUBMISSION OF REVISED STRATEGIC PLAN.—The Secretary of Agriculture shall submit the revised strategic plan to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

TITLE IX—ENERGY

SEC. 9001. DEFINITION OF RENEWABLE CHEMICAL.

Section 9001 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101) is amended—

(1) by redesignating paragraphs (13) and (14) as paragraphs (14) and (15) respectively; and

(2) by inserting after paragraph (12) the following:

“(13) RENEWABLE CHEMICAL.—The term ‘renewable chemical’ means a monomer, polymer, plastic, formulated product, or chemical substance produced from renewable biomass.”

SEC. 9002. BIOBASED MARKETS PROGRAM.

(a) IN GENERAL.—Section 9002 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8102) is amended—

(1) in subsection (a)—

(A) in paragraph (2)(A)(i)—

(i) in subclause (I), by striking “and” at the end;

(ii) in subclause (II)(bb), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(III) establish a targeted biobased-only procurement requirement under which the

procuring agency shall issue a certain number of biobased-only contracts when the procuring agency is purchasing products, or purchasing services that include the use of products, that are included in a biobased product category designated by the Secretary.”; and

(B) in paragraph (3)—

(i) in subparagraph (B)—

(I) in clause (v), by inserting “as determined to be necessary by the Secretary based on the availability of data,” before “provide information”;

(II) by redesignating clauses (v) and (vi) as clauses (vii) and (viii), respectively; and

(III) by inserting after clause (iv) the following:

“(v) require reporting of quantities and types of biobased products purchased by procuring agencies;

“(vi) focus on products that apply an innovative approach to growing, harvesting, procuring, processing, or manufacturing biobased products regardless of the date of entry of the products into the marketplace.”; and

(ii) by adding at the end the following:

“(F) REQUIRED DESIGNATIONS.—Not later than 1 year after the date of enactment of this subparagraph, the Secretary shall begin to designate intermediate ingredients or feedstocks and assembled and finished biobased products in the guidelines issued under this paragraph.”;

(2) in subsection (b)—

(A) in paragraph (3)—

(i) by striking “The Secretary” and inserting the following:

“(A) IN GENERAL.—The Secretary”; and

(ii) by adding at the end the following:

“(B) AUDITING AND COMPLIANCE.—The Secretary may carry out such auditing and compliance activities as the Secretary determines to be necessary to ensure compliance with subparagraph (A).”; and

(B) by adding at the end the following:

“(4) ASSEMBLED AND FINISHED PRODUCTS.—Not later than 1 year after the date of enactment of this paragraph, the Secretary shall begin issuing criteria for determining which assembled and finished products may qualify to receive the label under paragraph (1).”; and

(3) by redesignating subsections (d), (e), (f), (g), and (h) as subsections (e), (f), (g), (i), and (j), respectively;

(4) by inserting after subsection (c) the following:

“(d) OUTREACH, EDUCATION, AND PROMOTION.—

“(1) IN GENERAL.—The Secretary may engage in outreach, educational, and promotional activities intended to increase knowledge, awareness, and benefits of biobased products.

“(2) AUTHORIZED ACTIVITIES.—In carrying out this subsection, the Secretary may—

“(A) conduct consumer education and outreach (including consumer and awareness surveys);

“(B) conduct outreach to and support for State and local governments interested in implementing biobased purchasing programs;

“(C) partner with industry and nonprofit groups to produce educational and outreach materials and conduct educational and outreach events;

“(D) sponsor special conferences and events to bring together buyers and sellers of biobased products; and

“(E) support pilot and demonstration projects.”;

(5) in subsection (h) (as redesignated by paragraph (3))—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A) by striking “The report” and inserting “Each report under paragraph (1)”;

(ii) in subparagraph (A), by striking “and” at the end;

(iii) in subparagraph (B)(ii), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

“(C) the progress made by other Federal agencies in compliance with the biobased procurement requirements, including the quantity of purchases made; and

“(D) the status of outreach, educational, and promotional activities carried out by the Secretary under subsection (d), including the attainment of specific milestones and overall results.”; and

(B) by adding at the end the following:

“(3) ECONOMIC IMPACT STUDY AND REPORT.—“(A) IN GENERAL.—The Secretary shall conduct a study to assess the economic impact of the biobased products industry, including—

“(i) the quantity of biobased products sold;

“(ii) the value of the biobased products;

“(iii) the quantity of jobs created;

“(iv) the quantity of petroleum displaced;

“(v) other environmental benefits; and

“(vi) areas in which the use or manufacturing of biobased products could be more effectively used, including identifying any technical and economic obstacles and recommending how those obstacles can be overcome.

“(B) REPORT.—Not later than 180 days after the date of enactment of this subparagraph, the Secretary shall submit to Congress a report describing the results of the study conducted under subparagraph (A).”.

(6) by inserting after subsection (g) (as redesignated by paragraph (3)) the following:

“(h) FOREST PRODUCTS LABORATORY COORDINATION.—In determining whether products are eligible for the ‘USDA Certified Biobased Product’ label, the Secretary (acting through the Forest Products Laboratory) shall—

“(1) review and approve forest-related products for which an application is submitted for the program;

“(2) expedite the approval of innovative products resulting from technology developed by the Forest Products Laboratory or partners of the Laboratory; and

“(3) provide appropriate technical assistance to applicants, as determined by the Secretary.”; and

(7) in subsection (j) (as redesignated by paragraph (3))—

(A) in the heading of paragraph (1), by inserting “FOR FISCAL YEARS 2008 THROUGH 2012” after “FUNDING”;

(B) in the heading of paragraph (2), by inserting “FOR FISCAL YEARS 2009 THROUGH 2013” after “FUNDING”; and

(C) by adding at the end the following:

“(3) FISCAL YEARS 2014 THROUGH 2018.—There is authorized to be appropriated to carry out this section \$2,000,000 for each of fiscal years 2014 through 2018.

“(4) MANDATORY FUNDING FOR FISCAL YEARS 2014 THROUGH 2018.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section \$3,000,000 for each of fiscal years 2014 through 2018.”.

(b) CONFORMING AMENDMENT.—Section 944(c)(2)(A) of the Energy Policy Act of 2005 (42 U.S.C. 16253(c)(2)(A)) is amended by striking “section 9002(h)(1)” and inserting “section 9002(b)”.

SEC. 9003. BIOREFINERY, RENEWABLE CHEMICAL, AND BIOBASED PRODUCT MANUFACTURING ASSISTANCE.

(a) PROGRAM ADJUSTMENTS.—

(1) IN GENERAL.—Section 9003 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8103) is amended—

(A) in the section heading, by inserting “, RENEWABLE CHEMICAL, AND BIOBASED PRODUCT MANUFACTURING” after “BIOREFINERY”;

(B) in subsection (a), in the matter preceding paragraph (1), by inserting “renewable chemicals, and biobased product manufacturing” after “advanced biofuels.”;

(C) in subsection (b)—

(i) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(ii) by inserting before paragraph (2) (as so redesignated) the following:

“(1) BIOBASED PRODUCT MANUFACTURING.—The term ‘biobased product manufacturing’ means development, construction, and retrofitting of technologically new commercial-scale processing and manufacturing equipment and required facilities that will be used to convert renewable chemicals and other biobased outputs of biorefineries into end-user products on a commercial scale.”; and

(D) in subsection (c)—

(i) in paragraph (1), by striking “and” at the end;

(ii) in paragraph (2), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(3) grants and loan guarantees to fund the development and construction of renewable chemical and biobased product manufacturing facilities.”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 1, 2013.

(b) FUNDING.—Section 9003(h) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8103(h)) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) MANDATORY FUNDING.—

“(A) IN GENERAL.—Subject to subparagraph (B), of the funds of the Commodity Credit Corporation, the Secretary shall use for the cost of loan guarantees under this section, to remain available until expended—

“(i) \$100,000,000 for fiscal year 2013; and

“(ii) \$58,000,000 for each of fiscal years 2014 and 2015.

“(B) BIOBASED PRODUCT MANUFACTURING.—Of the total amount of funds made available for the period of fiscal years 2013 through 2015 under subparagraph (A), the Secretary use for the cost of loan guarantees under this section not more than \$25,000,000 to promote biobased product manufacturing.”; and

(2) in paragraph (2), by striking “2013” and inserting “2018”.

SEC. 9004. REPEAL OF REPOWERING ASSISTANCE PROGRAM AND TRANSFER OF REMAINING FUNDS.

(a) REPEAL.—Subject to subsection (b), section 9004 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8104) is repealed.

(b) USE OF REMAINING FUNDING FOR RURAL ENERGY FOR AMERICA PROGRAM.—Funds made available pursuant to subsection (d) of section 9004 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8104) that are unobligated on the day before the date of enactment of this section shall—

(1) remain available until expended;

(2) be used by the Secretary of Agriculture to carry out financial assistance for energy efficiency improvements and renewable energy systems under section 9007(a)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107(a)(2)); and

(3) be in addition to any other funds made available to carry out that program.

SEC. 9005. BIOENERGY PROGRAM FOR ADVANCED BIOFUELS.

Section 9005(g) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8105(g)) is amended—

(1) in the heading of paragraph (1), by inserting “FOR FISCAL YEARS 2009 THROUGH 2012” after “FUNDING”;

(2) in the heading of paragraph (2), by inserting “FOR FISCAL YEARS 2009 THROUGH 2013” after “FUNDING”;

(3) by redesignating paragraph (3) as paragraph (4); and

(4) by inserting after paragraph (2) the following:

“(3) FISCAL YEARS 2014 THROUGH 2018.—There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 9006. BIODIESEL FUEL EDUCATION PROGRAM.

Section 9006(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8106(d)) is amended—

(1) in paragraph (1)—

(A) in the heading, by striking “FISCAL YEARS 2009 THROUGH 2012” and inserting “MANDATORY FUNDING”; and

(B) by striking “2012” and inserting “2018”; and

(2) in paragraph (2), by striking “fiscal year 2013” and inserting “each of fiscal years 2014 through 2018”.

SEC. 9007. RURAL ENERGY FOR AMERICA PROGRAM.

(a) PROGRAM ADJUSTMENTS.—

(1) IN GENERAL.—Section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107) is amended—

(A) in subsection (b)(2)—

(i) in subparagraph (C), by striking “and” at the end;

(ii) by redesignating subparagraph (D) as subparagraph (E); and

(iii) by inserting after subparagraph (C) the following:

“(D) a council (as defined in section 1528 of the Agriculture and Food Act of 1981 (16 U.S.C. 3451)); and”; and

(B) in subsection (c)—

(i) in paragraph (1)(A), by inserting “, such as for agricultural and associated residential purposes” after “electricity”;

(ii) by striking paragraph (3);

(iii) by redesignating paragraph (4) as paragraph (3);

(iv) in paragraph (3) (as so redesignated), by striking subparagraph (A) and inserting the following:

“(A) GRANTS.—The amount of a grant under this subsection shall not exceed the lesser of—

“(i) \$500,000; and

“(ii) 25 percent of the cost of the activity carried out using funds from the grant.”; and

(v) by adding at the end the following:

“(4) TIERED APPLICATION PROCESS.—

“(A) IN GENERAL.—In providing loan guarantees and grants under this subsection, the Secretary shall use a 3-tiered application process that reflects the size of proposed projects in accordance with this paragraph.

“(B) TIER 1.—The Secretary shall establish a separate application process for projects for which the cost of the activity funded under this subsection is not more than \$80,000.

“(C) TIER 2.—The Secretary shall establish a separate application process for projects for which the cost of the activity funded under this subsection is greater than \$80,000 but less than \$200,000.

“(D) TIER 3.—The Secretary shall establish a separate application process for projects

for which the cost of the activity funded under this subsection is equal to or greater than \$200,000.

“(E) APPLICATION PROCESS.—The Secretary shall establish an application, evaluation, and oversight process that is the most simplified for tier I projects and more comprehensive for each subsequent tier.”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 1, 2013.

(b) FUNDING.—Section 9007(g) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107(g)) is amended—

(1) in the heading of paragraph (1), by inserting “FOR FISCAL YEARS 2009 THROUGH 2012” after “FUNDING”;

(2) in the heading of paragraph (2), by inserting “FOR FISCAL YEARS 2009 THROUGH 2012” after “FUNDING”;

(3) in the heading of paragraph (3), by inserting “FOR FISCAL YEARS 2009 THROUGH 2013” after “FUNDING”; and

(4) by adding at the end the following:

“(4) FISCAL YEARS 2014 THROUGH 2018.—There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2014 through 2018.

“(5) MANDATORY FUNDING FOR FISCAL YEARS 2013 THROUGH 2018.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section \$48,200,000 for each of fiscal years 2014 through 2018.”.

SEC. 9008. BIOMASS RESEARCH AND DEVELOPMENT.

Section 9008(h) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8108(h)) is amended—

(1) in the heading of paragraph (1), by inserting “FOR FISCAL YEARS 2009 THROUGH 2012” after “FUNDING”;

(2) in the heading of paragraph (2), by inserting “FOR FISCAL YEARS 2009 THROUGH 2013” after “FUNDING”; and

(3) by adding at the end the following:

“(3) FISCAL YEARS 2014 THROUGH 2018.—There is authorized to be appropriated to carry out this section \$30,000,000 for each of fiscal years 2014 through 2018.

“(4) MANDATORY FUNDING FOR FISCAL YEARS 2014 THROUGH 2018.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section \$26,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 9009. FEEDSTOCK FLEXIBILITY PROGRAM FOR BIOENERGY PRODUCERS.

Section 9010(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8110(b)) is amended—

(1) in paragraph (1)(A), by striking “2013” and inserting “2018”; and

(2) in paragraph (2)(A), by striking “2013” and inserting “2018”.

SEC. 9010. BIOMASS CROP ASSISTANCE PROGRAM.

Section 9011 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8111) is amended to read as follows:

“SEC. 9011. BIOMASS CROP ASSISTANCE PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) BCAP.—The term ‘BCAP’ means the Biomass Crop Assistance Program established under this section.

“(2) BCAP PROJECT AREA.—The term ‘BCAP project area’ means an area that—

“(A) has specified boundaries that are submitted to the Secretary by the project sponsor and subsequently approved by the Secretary;

“(B) includes producers with contract acreage that will supply a portion of the renewable biomass needed by a biomass conversion facility; and

“(C) is physically located within an economically practicable distance from the biomass conversion facility.

“(3) CONTRACT ACREAGE.—The term ‘contract acreage’ means eligible land that is covered by a BCAP contract entered into with the Secretary.

“(4) ELIGIBLE CROP.—

“(A) IN GENERAL.—The term ‘eligible crop’ means a crop of renewable biomass.

“(B) EXCLUSIONS.—The term ‘eligible crop’ does not include—

“(i) any crop that is eligible to receive payments under title I of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702 et seq.) or an amendment made by that title;

“(ii) any plant that is invasive or noxious or species or varieties of plants that credible risk assessment tools or other credible sources determine are potentially invasive, as determined by the Secretary in consultation with other appropriate Federal or State departments and agencies; or

“(iii) algae.

“(5) ELIGIBLE LAND.—

“(A) IN GENERAL.—The term ‘eligible land’ includes—

“(i) agricultural and nonindustrial private forest lands (as defined in section 5(c) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103a(c))); and

“(ii) land enrolled in the agricultural conservation easement program established under subtitle H of title XII of the Food Security Act of 1985.

“(B) EXCLUSIONS.—The term ‘eligible land’ does not include—

“(i) Federal- or State-owned land;

“(ii) land that is native sod, as of the date of enactment of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8701 et seq.);

“(iii) land enrolled in the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.);

“(iv) land enrolled in the Agricultural Conservation Easement Program established under subtitle H of title XII of that Act; or

“(v) land enrolled in the conservation reserve program or the Agricultural Conservation Easement Program under a contract that will expire at the end of the current fiscal year.

“(6) ELIGIBLE MATERIAL.—

“(A) IN GENERAL.—The term ‘eligible material’ means renewable biomass harvested directly from the land, including crop residue from any crop that is eligible to receive payments under title I of the Agriculture Reform, Food, and Jobs Act of 2013 or an amendment made by that title.

“(B) INCLUSIONS.—The term ‘eligible material’ shall only include—

“(i) eligible material that is collected or harvested by the eligible material owner—

“(I) directly from—

“(aa) National Forest System;

“(bb) Bureau of Land Management land;

“(cc) non-Federal land; or

“(dd) land owned by an individual Indian or Indian tribe that is held in trust by the United States for the benefit of the individual Indian or Indian tribe or subject to a restriction against alienation imposed by the United States;

“(II) in a manner that is consistent with—

“(aa) a conservation plan;

“(bb) a forest stewardship plan; or

“(cc) a plan that the Secretary determines is equivalent to a plan described in item (aa) or (bb) and consistent with Executive Order 13112 (42 U.S.C. 4321 note; relating to invasive species);

“(ii) if woody eligible material, woody eligible material that is produced on land other than contract acreage that—

“(I) is a byproduct of a preventative treatment that is removed to reduce hazardous fuel or to reduce or contain disease or insect infestation; and

“(II) if harvested from Federal land, is harvested in accordance with section 102(e) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6512(e)); and

“(iii) eligible material that is delivered to a qualified biomass conversion facility to be used for heat, power, biobased products, research, or advanced biofuels.

“(C) EXCLUSIONS.—The term ‘eligible material’ does not include—

“(i) material that is whole grain from any crop that is eligible to receive payments under title I of the Agriculture Reform, Food, and Jobs Act of 2013 or an amendment made by that title, including—

“(I) barley, corn, grain sorghum, oats, rice, or wheat;

“(II) honey;

“(III) mohair;

“(IV) oilseeds, including canola, crambe, flaxseed, mustard seed, rapeseed, safflower seed, soybeans, sesame seed, and sunflower seed;

“(V) peanuts;

“(VI) pulse;

“(VII) chickpeas, lentils, and dry peas;

“(VIII) dairy products;

“(IX) sugar; and

“(X) wool and cotton boll fiber;

“(ii) animal waste and byproducts, including fat, oil, grease, and manure;

“(iii) food waste and yard waste;

“(iv) algae;

“(v) woody eligible material that—

“(I) is removed outside contract acreage; and

“(II) is not a byproduct of a preventative treatment to reduce hazardous fuel or to reduce or contain disease or insect infestation;

“(vi) any woody eligible material collected or harvested outside contract acreage that would otherwise be used for existing market products; or

“(vii) bagasse.

“(7) PRODUCER.—The term ‘producer’ means an owner or operator of contract acreage that is physically located within a BCAP project area.

“(8) PROJECT SPONSOR.—The term ‘project sponsor’ means—

“(A) a group of producers; or

“(B) a biomass conversion facility.

“(9) SOCIALLY DISADVANTAGED FARMER OR RANCHER.—The term ‘socially disadvantaged farmer or rancher’ has the meaning given the term in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e)).

“(b) ESTABLISHMENT AND PURPOSE.—The Secretary shall establish and administer a Biomass Crop Assistance Program to—

“(1) support the establishment and production of eligible crops for conversion to bioenergy in selected BCAP project areas; and

“(2) assist agricultural and forest land owners and operators with the collection, harvest, storage, and transportation of eligible material for use in a biomass conversion facility.

“(c) BCAP PROJECT AREA.—

“(1) IN GENERAL.—The Secretary shall provide financial assistance to a producer of an eligible crop in a BCAP project area.

“(2) SELECTION OF PROJECT AREAS.—

“(A) IN GENERAL.—To be considered for selection as a BCAP project area, a project sponsor shall submit to the Secretary a proposal that, at a minimum, includes—

“(i) a description of the eligible land and eligible crops of each producer that will participate in the proposed BCAP project area;

“(ii) a letter of commitment from a biomass conversion facility that the facility will use the eligible crops intended to be produced in the proposed BCAP project area;

“(iii) evidence that the biomass conversion facility has sufficient equity available, as determined by the Secretary, if the biomass conversion facility is not operational at the time the proposal is submitted to the Secretary; and

“(iv) any other information about the biomass conversion facility or proposed biomass conversion facility that the Secretary determines necessary for the Secretary to be reasonably assured that the plant will be in operation by the date on which the eligible crops are ready for harvest.

“(B) BCAP PROJECT AREA SELECTION CRITERIA.—In selecting BCAP project areas, the Secretary shall consider—

“(i) the volume of the eligible crops proposed to be produced in the proposed BCAP project area and the probability that those crops will be used for the purposes of the BCAP;

“(ii) the volume of renewable biomass projected to be available from sources other than the eligible crops grown on contract acres;

“(iii) the anticipated economic impact in the proposed BCAP project area;

“(iv) the opportunity for producers and local investors to participate in the ownership of the biomass conversion facility in the proposed BCAP project area;

“(v) the participation rate by—

“(I) beginning farmers or ranchers (as defined in accordance with section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a))); or

“(II) socially disadvantaged farmers or ranchers;

“(vi) the impact on soil, water, and related resources;

“(vii) the variety in biomass production approaches within a project area, including (as appropriate)—

“(I) agronomic conditions;

“(II) harvest and postharvest practices; and

“(III) monoculture and polyculture crop mixes;

“(viii) the range of eligible crops among project areas; and

“(ix) any additional information that the Secretary determines to be necessary.

“(3) CONTRACT.—

“(A) IN GENERAL.—On approval of a BCAP project area by the Secretary, each producer in the BCAP project area shall enter into a contract directly with the Secretary.

“(B) MINIMUM TERMS.—At a minimum, a contract under this subsection shall include terms that cover—

“(i) an agreement to make available to the Secretary, or to an institution of higher education or other entity designated by the Secretary, such information as the Secretary considers to be appropriate to promote the production of eligible crops and the development of biomass conversion technology;

“(ii) compliance with the highly erodible land conservation requirements of subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.) and the wetland conservation requirements of subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.);

“(iii) the implementation of (as determined by the Secretary)—

“(I) a conservation plan;

“(II) a forest stewardship plan; or

“(III) a plan that is equivalent to a conservation or forest stewardship plan; and

“(iv) any additional requirements that Secretary determines to be necessary.

“(C) DURATION.—A contract under this subsection shall have a term of not more than—

“(i) 5 years for annual and perennial crops; or

“(ii) 15 years for woody biomass.

“(4) RELATIONSHIP TO OTHER PROGRAMS.—In carrying out this subsection, the Secretary shall provide for the preservation of cropland base and yield history applicable to the land enrolled in a BCAP contract.

“(5) PAYMENTS.—

“(A) IN GENERAL.—The Secretary shall make establishment and annual payments directly to producers to support the establishment and production of eligible crops on contract acreage.

“(B) AMOUNT OF ESTABLISHMENT PAYMENTS.—

“(i) IN GENERAL.—Subject to clause (ii), the amount of an establishment payment under this subsection shall be not more than 50 percent of the costs of establishing an eligible perennial crop covered by the contract but not to exceed \$500 per acre, including—

“(I) the cost of seeds and stock for perennials;

“(II) the cost of planting the perennial crop, as determined by the Secretary; and

“(III) in the case of nonindustrial private forestland, the costs of site preparation and tree planting.

“(ii) SOCIALLY DISADVANTAGED FARMERS OR RANCHERS.—In the case of socially disadvantaged farmers or ranchers, the costs of establishment may not exceed \$750 per acre.

“(C) AMOUNT OF ANNUAL PAYMENTS.—

“(i) IN GENERAL.—Subject to clause (ii), the amount of an annual payment under this subsection shall be determined by the Secretary.

“(ii) REDUCTION.—The Secretary shall reduce an annual payment by an amount determined to be appropriate by the Secretary, if—

“(I) an eligible crop is used for purposes other than the production of energy at the biomass conversion facility;

“(II) an eligible crop is delivered to the biomass conversion facility;

“(III) the producer receives a payment under subsection (d);

“(IV) the producer violates a term of the contract; or

“(V) the Secretary determines a reduction is necessary to carry out this section.

“(D) EXCLUSION.—The Secretary shall not make any BCAP payments on land for which payments are received under the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) or the agricultural conservation easement program established under subtitle H of title XII of that Act.

“(d) ASSISTANCE WITH COLLECTION, HARVEST, STORAGE, AND TRANSPORTATION.—

“(1) IN GENERAL.—The Secretary shall make a payment for the delivery of eligible material to a biomass conversion facility to—

“(A) a producer of an eligible crop that is produced on BCAP contract acreage; or

“(B) a person with the right to collect or harvest eligible material, regardless of whether the eligible material is produced on contract acreage.

“(2) PAYMENTS.—

“(A) COSTS COVERED.—A payment under this subsection shall be in an amount described in subparagraph (B) for—

“(i) collection;
 “(ii) harvest;
 “(iii) storage; and
 “(iv) transportation to a biomass conversion facility.

“(B) AMOUNT.—Subject to paragraph (3), the Secretary may provide matching payments at a rate of up to \$1 for each \$1 per ton provided by the biomass conversion facility, in an amount not to exceed \$20 per dry ton for a period of 4 years.

“(3) LIMITATION ON ASSISTANCE FOR BCAP CONTRACT ACREAGE.—As a condition of the receipt of an annual payment under subsection (c), a producer receiving a payment under this subsection for collection, harvest, storage, or transportation of an eligible crop produced on BCAP acreage shall agree to a reduction in the annual payment.

“(e) REPORT.—Not later than 4 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the dissemination by the Secretary of the best practice data and information gathered from participants receiving assistance under this section.

“(f) FUNDING.—

“(1) IN GENERAL.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section \$38,600,000 for each of fiscal years 2014 through 2018.

“(2) COLLECTION, HARVEST, STORAGE, AND TRANSPORTATION PAYMENTS.—Of the amount made available under paragraph (1) for each fiscal year, the Secretary shall use not less than 10 percent, nor more than 50 percent, of the amount to make collection, harvest, transportation, and storage payments under subsection (d)(2).”.

SEC. 9011. REPEAL OF FOREST BIOMASS FOR ENERGY.

Section 9012 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8112) is repealed.

SEC. 9012. COMMUNITY WOOD ENERGY PROGRAM.

(a) DEFINITION OF BIOMASS CONSUMER COOPERATIVE.—Section 9013(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8113(a)) is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and
 (2) by inserting before paragraph (2) (as so redesignated) the following:

“(1) BIOMASS CONSUMER COOPERATIVE.—The term ‘biomass consumer cooperative’ means a consumer membership organization the purpose of which is to provide members with services or discounts relating to the purchase of biomass heating products or biomass heating systems.”.

(b) GRANT PROGRAM.—Section 9013(b)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8113(b)(1)) is amended—
 (1) in subparagraph (A), by striking “and” after the semicolon at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; and”; and
 (3) by adding at the end the following:

“(C) grants of up to \$50,000 to biomass consumer cooperatives for the purpose of establishing or expanding biomass consumer cooperatives that will provide consumers with services or discounts relating to—

“(i) the purchase of biomass heating systems;

“(ii) biomass heating products, including wood chips, wood pellets, and advanced biofuels; or

“(iii) the delivery and storage of biomass of heating products.”.

(c) MATCHING FUNDS.—Section 9013(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8113(d)) is amended—

(1) by striking “A State or local government that receives a grant under subsection (b)” and inserting the following:

“(1) STATE AND LOCAL GOVERNMENTS.—A State or local government that receives a grant under subparagraph (A) or (B) of subsection (b)(1)”;

(2) by adding at the end the following:

“(2) BIOMASS CONSUMER COOPERATIVES.—A biomass consumer cooperative that receives a grant under subsection (b)(1)(C) shall contribute an amount of non-Federal funds (which may include State, local, and non-profit funds and membership dues) toward the establishment or expansion of a biomass consumer cooperative that is at least equal to 50 percent of the amount of Federal funds received for that purpose.”.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 9013(e) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8113(e)) is amended by striking “2013” and inserting “2018”.

SEC. 9013. REPEAL OF RENEWABLE FERTILIZER STUDY.

Section 9003 of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 2096) is repealed.

TITLE X—HORTICULTURE

SEC. 10001. SPECIALTY CROPS MARKET NEWS ALLOCATION.

Section 10107(b) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 1622b(b)) is amended by striking “2012” and inserting “2018”.

SEC. 10002. REPEAL OF GRANT PROGRAM TO IMPROVE MOVEMENT OF SPECIALTY CROPS.

Section 10403 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 1622c) is repealed.

SEC. 10003. FARMERS MARKET AND LOCAL FOOD PROMOTION PROGRAM.

Section 6 of the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 3005) is amended—

(1) in the section heading, by adding “AND LOCAL FOOD” after “MARKET”;

(2) in subsection (a)—

(A) by inserting “and Local Food” after “Market”;

(B) by striking “farmers’ markets and to promote”; and

(C) by inserting “and local food capacity development” before the period at the end;

(3) in subsection (b), by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—The purposes of the Program are to increase domestic consumption of and access to locally and regionally produced agricultural products by developing, improving, expanding, and providing outreach, training, and technical assistance to, or assisting in the development, improvement, and expansion of—

“(A) domestic farmers’ markets, roadside stands, community-supported agriculture programs, agritourism activities, and other direct producer-to-consumer market opportunities; and

“(B) local and regional food enterprises that are not direct producer-to-consumer markets but process, distribute, aggregate, store, and market locally or regionally produced food products.”;

(4) in subsection (c)(1)—

(A) by inserting “or other business entity” after “cooperative”; and

(B) by inserting “, including a community supported agriculture network or association” after “association”;

(5) by redesignating subsection (e) as subsection (f);

(6) by inserting after subsection (d) the following:

“(e) PRIORITIES.—In providing grants under the Program, priority shall be given to applications that include projects that—

“(1) benefit underserved communities;

“(2) develop market opportunities for small and mid-sized farm and ranch operations; and

“(3) include a strategic plan to maximize the use of funds to build capacity for local and regional food systems in a community.”;

(7) in subsection (f) (as redesignated by paragraph (5))—

(A) in paragraph (1)—

(i) in the heading, by striking “FISCAL YEARS 2008 THROUGH 2012” and inserting “MANDATORY FUNDING”;

(ii) in subparagraph (B), by striking “and” after the semicolon at the end;

(iii) in subparagraph (C), by striking the period at the end and inserting “; and”; and
 (iv) by adding at the end the following:

“(D) \$20,000,000 for each of fiscal years 2014 through 2018.”;

(B) by striking paragraphs (3) and (5);

(C) by inserting after paragraph (2) the following:

“(3) AUTHORIZATION OF APPROPRIATIONS.—In addition to funds made available under paragraph (1), there is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2014 through 2018.”;

and

(D) by adding at the end the following:

“(5) USE OF FUNDS.—

“(A) IN GENERAL.—Of the funds made available to carry out the Program for each fiscal year, 50 percent shall be used for the purposes described in subsection (b)(1)(A) and 50 percent shall be used for the purposes described in subsection (b)(1)(B).

“(B) COST SHARE.—To be eligible to receive a grant for a project described in subsection (b)(1)(B), a recipient shall provide a match in the form of cash or in-kind contributions in an amount equal to 25 percent of the total cost of the project.

“(6) ADMINISTRATIVE EXPENSES.—Not more than 10 percent of the total amount made available to carry out this section for a fiscal year may be used for administrative expenses.

“(7) LIMITATIONS.—An eligible entity may not use a grant or other assistance provided under the Program for the purchase, construction, or rehabilitation of a building or structure.”.

SEC. 10004. STUDY ON LOCAL FOOD PRODUCTION AND PROGRAM EVALUATION.

(a) IN GENERAL.—The Secretary shall—

(1) collect data on the production and marketing of locally or regionally produced agricultural food products;

(2) facilitate interagency collaboration and data sharing on programs related to local and regional food systems; and

(3) monitor the effectiveness of programs designed to expand or facilitate local food systems.

(b) REQUIREMENTS.—In carrying out this section, the Secretary shall, at a minimum—

(1) collect and distribute comprehensive reporting of prices of locally or regionally produced agricultural food products;

(2) conduct surveys and analysis and publish reports relating to the production, handling, distribution, retail sales, and trend studies (including consumer purchasing patterns) of or on locally or regionally produced agricultural food products;

(3) evaluate the effectiveness of existing programs in growing local and regional food systems, including—

(A) the impact of local food systems on job creation and economic development;

(B) the level of participation in the Farmers' Market and Local Food Promotion Program established under section 6 of the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 3005), including the percentage of projects funded in comparison to applicants and the types of eligible entities receiving funds;

(C) the ability for participants to leverage private capital and a synopsis of the places from which non-Federal funds are derived; and

(D) any additional resources required to aid in the development or expansion of local and regional food systems;

(4) expand the Agricultural Resource Management Survey to include questions on locally or regionally produced agricultural food products; and

(5) seek to establish or expand private-public partnerships to facilitate, to the maximum extent practicable, the collection of data on locally or regionally produced agricultural food products, including the development of a nationally coordinated and regionally balanced evaluation of the redevelopment of locally or regionally produced food systems.

(c) **REPORT.**—Not later than 1 year after the date of enactment of this Act and annually thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the progress that has been made in implementing this section and identifying any additional needs related to developing local and regional food systems.

SEC. 10005. ORGANIC AGRICULTURE.

(a) **ORGANIC PRODUCTION AND MARKET DATA INITIATIVES.**—Section 7407 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5925c) is amended—

(1) in subsection (c)—

(A) in the matter preceding paragraph (1), by inserting “and annually thereafter” after “this subsection”;

(B) in paragraph (1), by striking “and” at the end;

(C) by redesignating paragraph (2) as paragraph (3); and

(D) by inserting after paragraph (1) the following:

“(2) describes how data collection agencies (such as the Agricultural Marketing Service and the National Agricultural Statistics Service) are coordinating with data user agencies (such as the Risk Management Agency) to ensure that data collected under this section can be used by data user agencies, including by the Risk Management Agency to offer price elections for all organic crops; and”;

(2) in subsection (d)—

(A) by striking paragraph (3);

(B) by redesignating paragraph (2) as paragraph (3);

(C) by inserting after paragraph (1) the following:

“(2) **MANDATORY FUNDING.**—In addition to any funds available under paragraph (1), of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section \$5,000,000, to remain available until expended.”; and

(D) in paragraph (3) (as redesignated by subparagraph (B))—

(i) in the heading, by striking “FOR FISCAL YEARS 2008 THROUGH 2012”;

(ii) by striking “paragraph (1)” and inserting “paragraphs (1) and (2)”;

(iii) by striking “2012” and inserting “2018”.

(b) **MODERNIZATION AND TECHNOLOGY UPGRADE FOR NATIONAL ORGANIC PROGRAM.**—Section 2123 of the Organic Foods Production Act of 1990 (7 U.S.C. 6522) is amended—

(1) in subsection (b)—

(A) in paragraph (5), by striking “and” at the end;

(B) by redesignating paragraph (6) as paragraph (7); and

(C) by inserting after paragraph (5) the following:

“(6) \$15,000,000 for each of fiscal years 2014 through 2018; and”;

(2) by adding at the end the following:

“(c) **MODERNIZATION AND TECHNOLOGY UPGRADE FOR NATIONAL ORGANIC PROGRAM.**—

“(1) **IN GENERAL.**—The Secretary shall modernize database and technology systems of the national organic program.

“(2) **FUNDING.**—Of the funds of the Commodity Credit Corporation and in addition to any other funds made available for that purpose, the Secretary shall make available to carry out this subsection \$5,000,000 in fiscal year 2014, to remain available until expended.

“(d) **REPORT.**—Not later than 180 days after the date of enactment of this subsection, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—

“(1) describes the efforts of the Secretary to ensure that activities conducted through commodity research and promotion programs adequately reflect the priorities of all members of the applicable orders; and

“(2) includes an assessment of the feasibility of establishing an organic research and promotion program, including any current barriers to establishment and challenges related to implementation.”.

SEC. 10006. FOOD SAFETY EDUCATION INITIATIVES.

Section 10105(c) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7655a(c)) is amended by striking “2012” and inserting “2018”.

SEC. 10007. COORDINATED PLANT MANAGEMENT PROGRAM.

(a) **IN GENERAL.**—Section 420 of the Plant Protection Act (7 U.S.C. 7721) is amended—

(1) by striking the section heading and inserting “**COORDINATED PLANT MANAGEMENT PROGRAM**”;

(2) by redesignating subsection (e) as subsection (f); and

(3) by inserting after subsection (d) the following:

“(e) **NATIONAL CLEAN PLANT NETWORK.**—

“(1) **IN GENERAL.**—The Secretary shall establish a program to be known as the ‘National Clean Plant Network’ (referred to in this subsection as the ‘Program’).

“(2) **REQUIREMENTS.**—Under the Program, the Secretary shall establish a network of clean plant centers for diagnostic and pathogen elimination services—

“(A) to produce clean propagative plant material; and

“(B) to maintain blocks of pathogen-tested plant material in sites located throughout the United States.

“(3) **AVAILABILITY OF CLEAN PLANT SOURCE MATERIAL.**—Clean plant source material produced or maintained under the Program may be made available to—

“(A) a State for a certified plant program of the State; and

“(B) private nurseries and producers.

“(4) **CONSULTATION AND COLLABORATION.**—In carrying out the Program, the Secretary shall—

“(A) consult with—

“(i) State departments of agriculture; and

“(ii) land-grant colleges and universities and NLGCA Institutions (as those terms are defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)); and

“(B) to the extent practicable and with input from the appropriate State officials and industry representatives, use existing Federal or State facilities to serve as clean plant centers.”.

(b) **FUNDING.**—Subsection (f) of section 420 of the Plant Protection Act (7 U.S.C. 7721) (as redesignated by subsection (a)(1)) is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) in paragraph (4), by striking “and each fiscal year thereafter.” and inserting a semicolon; and

(3) by adding at the end the following:

“(5) \$60,000,000 for each of fiscal years 2014 through 2017; and

“(6) \$65,000,000 for fiscal year 2018 and each fiscal year thereafter.”.

(c) **REPEAL OF EXISTING PROVISION.**—Section 10202 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7761) is repealed.

(d) **CLARIFICATION OF USE OF FUNDS FOR TECHNICAL ASSISTANCE.**—Section 420 of the Plant Protection Act (7 U.S.C. 7721) (as amended by subsection (a)) is amended by adding at the end the following:

“(g) **RELATIONSHIP TO OTHER LAW.**—The use of Commodity Credit Corporation funds under this section to provide technical assistance shall not be considered an allotment or fund transfer from the Commodity Credit Corporation for purposes of the limit on expenditures for technical assistance imposed by section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 7141).”.

SEC. 10008. SPECIALTY CROP BLOCK GRANTS.

Section 101 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108-465) is amended—

(1) in subsection (a)—

(A) by striking “subsection (j)” and inserting “subsection (l)”;

(B) by striking “2012” and inserting “2018”;

(2) by striking subsection (b) and inserting the following:

“(b) **GRANTS BASED ON VALUE AND ACREAGE.**—Subject to subsection (c), in the case of each State with an application for a grant for a fiscal year that is accepted by the Secretary of Agriculture under subsection (f), the amount of a grant for a fiscal year to a State under this section shall bear the same ratio to the total amount made available under subsection (l) for that fiscal year as—

“(1) the average of the most recent available value of specialty crop production in the State and the acreage of specialty crop production in the State, as demonstrated in the most recent Census of Agriculture data; bears to

“(2) the average of the most recent available value of specialty crop production in all States and the acreage of specialty crop production in all States, as demonstrated in the most recent Census of Agriculture data.”;

(3) by redesignating subsection (j) as subsection (l);

(4) by inserting after subsection (i) the following:

“(j) **MULTISTATE PROJECTS.**—

“(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013,

the Secretary of Agriculture shall issue guidance for the purpose of making grants to multistate projects under this section for projects involving—

“(A) food safety;
 “(B) plant pests and disease;
 “(C) crop-specific projects addressing common issues; and
 “(D) any other area that furthers the purposes of this section, as determined by the Secretary.

“(2) FUNDING.—Of the funds provided under subsection (1), the Secretary of Agriculture may allocate for grants under this subsection, to remain available until expended—

“(A) \$1,000,000 for fiscal year 2014;
 “(B) \$2,000,000 for fiscal year 2015;
 “(C) \$3,000,000 for fiscal year 2016;
 “(D) \$4,000,000 for fiscal year 2017; and
 “(E) \$5,000,000 for fiscal year 2018.

“(K) ADMINISTRATION.—
 “(1) DEPARTMENT.—The Secretary of Agriculture may not use more than 3 percent of the funds made available to carry out this section for a fiscal year for administrative expenses.

“(2) STATES.—A State receiving a grant under this section may not use more than 8 percent of the funds received under the grant for a fiscal year for administrative expenses.”; and

(5) in subsection (1) (as redesignated by paragraph (3))—

(A) in paragraph (2), by striking “and” at the end;

(B) in paragraph (3), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(4) \$70,000,000 for fiscal year 2014 and each fiscal year thereafter.”.

SEC. 10009. RECORDKEEPING, INVESTIGATIONS, AND ENFORCEMENT.

The Organic Foods Production Act of 1990 is amended by inserting after section 2120 (7 U.S.C. 6519) the following:

“SEC. 2120A. RECORDKEEPING, INVESTIGATIONS, AND ENFORCEMENT.

“(a) RECORDKEEPING.—

“(1) IN GENERAL.—Except as otherwise provided in this title, all persons, including producers, handlers, and certifying agents, required to report information to the Secretary under this title shall maintain, and make available to the Secretary on the request of the Secretary, all contracts, agreements, receipts, and other records associated with the organic certification program established by the Secretary under this title.

“(2) DURATION OF RECORDKEEPING REQUIREMENT.—A record covered by paragraph (1) shall be maintained—

“(A) by a person covered by this title, except for a certifying agent, for a period of 5 years beginning on the date of the creation of the record; and

“(B) by a certifying agent, for a period of 10 years beginning on the date of the creation of the record.

“(b) CONFIDENTIALITY.—

“(1) IN GENERAL.—Subject to paragraph (2), and except as otherwise directed by the Secretary or the Attorney General for enforcement purposes, no officer, employee, or agent of the United States shall make available to the public information, statistics, or documents obtained from or made available by any person under this title, other than in a manner that ensures that confidentiality is preserved regarding the identity of persons, including parties to a contract, and proprietary business information.

“(2) ALLEGED VIOLATORS AND NATURE OF ACTIONS.—The Secretary may release the name of the alleged violator and the nature of the

actions triggering an order, suspension, or revocation under subsection (e).

“(c) INVESTIGATION.—

“(1) IN GENERAL.—The Secretary may take such investigative actions as the Secretary considers to be necessary to carry out this title—

“(A) to verify the accuracy of any information reported or made available under this title; and

“(B) to determine, with regard to actions, practices, or information required under this title, whether a person covered by this title has committed, or will commit, a violation of any provision of this title, including an order or regulation promulgated by the Secretary.

“(2) INVESTIGATIVE POWERS.—The Secretary may administer oaths and affirmations, subpoena witnesses, compel attendance of witnesses, take evidence, and require the production of any books, papers, and documents that are relevant to the investigation.

“(d) UNLAWFUL ACT.—It shall be unlawful and a violation of this title for any person covered by this title—

“(1) to fail or refuse to provide, or delay the timely provision of, accurate information required by the Secretary under this section;

“(2) to violate—

“(A) an order of the Secretary;

“(B) a suspension or revocation of the organic certification of a producer or handler; or

“(C) a suspension or revocation of the accreditation of a certifying agent; or

“(3) to sell, or attempt to sell, a product that is represented as being organically produced under this title if in fact the product has been produced or handled by an operation that is not yet a certified organic producer or handler under this title.

“(e) ENFORCEMENT.—

“(1) ORDER.—The Secretary may issue an order to stop the sale of an agricultural product that is labeled or otherwise represented as being organically produced—

“(A) until the product can be verified—

“(i) as meeting the national and State standards for organic production and handling as provided in sections 2105 through 2114;

“(ii) as having been produced or handled without the use of a prohibited substance listed under section 2118; and

“(iii) as being produced and handled by a certified organic operation; and

“(B) if a person has committed an unlawful act with respect to the product under subsection (d).

“(2) CERTIFICATION OR ACCREDITATION.—

“(A) SUSPENSION.—

“(i) IN GENERAL.—The Secretary may suspend the organic certification of a producer or handler, or accreditation of a certifying agent, for a period not to exceed 30 days, and may renew the suspension for an additional period, under the circumstances described in clause (ii).

“(ii) ACTIONS TRIGGERING SUSPENSION.—The Secretary may take the suspension or renewal actions described in clause (i), if the Secretary has reason to believe that a person producing or handling an agricultural product, or a certifying agent, has violated or is violating any provision of this title, including an order or regulation promulgated under this title.

“(iii) CONTINUATION OF SUSPENSION THROUGH APPEAL.—If the Secretary determines subsequent to an investigation that a violation of this title by a person covered by this title has occurred, the suspension shall

remain in effect until the Secretary issues a revocation of the certification of the person or of the accreditation of the certifying agent, covered by this title, after an expedited administrative appeal under section 2121 has been completed.

“(B) REVOCATION.—After notice and opportunity for an administrative appeal under section 2121, if a violation described in subparagraph (A)(ii) is determined to have occurred and is an unlawful act under subsection (d), the Secretary shall revoke the organic certification of the producer or handler, or the accreditation of the certifying agent.

“(3) VIOLATION OF ORDER OR REVOCATION.—A person who violates an order to stop the sale of a product as an organically produced product under paragraph (1), or a revocation of certification or accreditation under paragraph (2)(B), shall be subject to 1 or more of the penalties provided in subsections (a) and (b) of section 2120.

“(f) APPEAL.—

“(1) IN GENERAL.—An order under subsection (e)(1), or a revocation of certification or accreditation under subsection (e)(2)(B) shall be final and conclusive unless the affected person files an appeal of the order—

“(A) first, to the administrative appeals process established under section 2121(a); and

“(B) second, if the affected person so elects, to a United States district court as provided in section 2121(b) not later than 30 days after the date of the determination under subparagraph (A).

“(2) STANDARD.—An order under subsection (e)(1), or a revocation of certification or accreditation under subsection (e)(2)(B), shall be set aside only if the order, or the revocation of certification or accreditation, is not supported by substantial evidence.

“(g) NONCOMPLIANCE.—

“(1) IN GENERAL.—If a person covered by this title fails to obey an order, or a revocation of certification or accreditation, described in subsection (f)(2) after the order or revocation has become final and conclusive or after the appropriate United States district court has entered a final judgment in favor of the Secretary, the United States may apply to the appropriate United States district court for enforcement of the order, or the revocation of certification or accreditation.

“(2) ENFORCEMENT.—If the court determines that the order or revocation was lawfully made and duly served and that the person violated the order or revocation, the court shall enforce the order or revocation.

“(3) CIVIL PENALTY.—If the court finds that the person violated the order or revocation, the person shall be subject to a civil penalty of not more than \$10,000 for each offense.”.

SEC. 10010. REPORT ON HONEY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with affected stakeholders, shall submit to the Commissioner of Food and Drugs a report describing how an appropriate Federal standard for the identity of honey would promote honesty and fair dealing and would be in the interest of consumers, the honey industry, and United States agriculture.

(b) CONTENTS.—In preparing the report under subsection (a), the Secretary shall take into consideration the March 2006 Standard of Identity citizens petition filed with the Food and Drug Administration, including any current industry amendments or clarifications necessary to update that 2006 petition.

SEC. 10011. EFFECTIVE DATE.

This title and the amendments made by this title take effect on October 1, 2013.

TITLE XI—CROP INSURANCE**SEC. 11001. SUPPLEMENTAL COVERAGE OPTION.**

(a) **AVAILABILITY OF SUPPLEMENTAL COVERAGE OPTION.**—Section 508(c) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)) is amended by striking paragraph (3) and inserting the following:

“(3) **YIELD AND LOSS BASIS OPTIONS.**—A producer shall have the option of purchasing additional coverage based on—

“(A)(i) an individual yield and loss basis; or

“(ii) an area yield and loss basis;

“(B) an individual yield and loss basis, supplemented with coverage based on an area yield and loss basis to cover all or a part of the deductible under the individual yield and loss policy, as authorized in paragraph (4)(C); or

“(C) a margin basis alone or in combination with—

“(i) individual yield and loss coverage; or

“(ii) area yield and loss coverage.”

(b) **LEVEL OF COVERAGE.**—Section 508(c) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)) is amended by striking paragraph (4) and inserting the following:

“(4) **LEVEL OF COVERAGE.**—

“(A) **DOLLAR DENOMINATION AND PERCENTAGE OF YIELD.**—Except as provided in subparagraph (C), the level of coverage—

“(i) shall be dollar denominated; and

“(ii) may be purchased at any level not to exceed 85 percent of the individual yield or 95 percent of the area yield (as determined by the Corporation).

“(B) **INFORMATION.**—The Corporation shall provide producers with information on catastrophic risk and additional coverage in terms of dollar coverage (within the allowable limits of coverage provided in this paragraph).

“(C) **SUPPLEMENTAL COVERAGE OPTION.**—

“(i) **IN GENERAL.**—Notwithstanding subparagraph (A), in the case of the supplemental coverage option described in paragraph (3)(B), the Corporation shall offer producers the opportunity to purchase coverage in combination with a policy or plan of insurance offered under this subtitle that would allow indemnities to be paid to a producer equal to all or part of the deductible under the policy or plan of insurance, if sufficient area data is available (as determined by the Corporation).

“(ii) **TRIGGER.**—Coverage offered under this subparagraph shall be triggered only if the losses in the area exceed 10 percent of normal levels (as determined by the Corporation).

“(iii) **COVERAGE.**—Subject to the trigger described in clause (ii) and the deductible imposed by clause (iv), coverage offered under this subparagraph shall cover the first loss incurred by the producer, not to exceed the difference between—

“(I) 100 percent; and

“(II) the coverage level selected by the producer for the underlying policy or plan of insurance.

“(iv) **DEDUCTIBLE.**—Coverage offered under this subparagraph shall be subject to a deductible in an amount equal to—

“(I) in the case of a producer who participates in the agriculture risk coverage program under section 1105(c) of the Agriculture Reform, Food, and Jobs Act of 2013, 21 percent of the expected value of the crop of the producer covered by the underlying policy or plan of insurance, as determined by the Corporation; and

“(II) in the case of all other producers, 10 percent of the expected value of the crop of the producer covered by the underlying policy or plan of insurance, as determined by the Corporation.

“(v) **CALCULATION OF PREMIUM.**—Notwithstanding subsection (d), the premium shall—

“(I) be sufficient to cover anticipated losses and a reasonable reserve; and

“(II) include an amount for operating and administrative expenses established in accordance with subsection (k)(4)(F).”

(c) **PAYMENT OF PORTION OF PREMIUM BY CORPORATION.**—Section 508(e)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(2)) is amended by adding at the end the following:

“(H) In the case of the supplemental coverage option authorized in subsection (c)(4)(C), the amount shall be equal to the sum of—

“(i) 70 percent of the additional premium associated with the coverage; and

“(ii) the amount determined under subsection (c)(4)(C)(v)(II) for the coverage to cover operating and administrative expenses.”

(d) **CONFORMING AMENDMENT.**—Section 508(k)(4)(F) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(4)(F)) is amended by inserting “or authorized under subsection (c)(4)(C)” after “of this subparagraph”.

(e) **EFFECTIVE DATE.**—The Federal Crop Insurance Corporation shall begin to provide additional coverage based on an individual yield and loss basis, supplemented with coverage based on an area yield and loss basis, not later than for the 2013 crop year.

SEC. 11002. PREMIUM AMOUNTS FOR CATASTROPHIC RISK PROTECTION.

Section 508(d)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(d)(2)) is amended by striking subparagraph (A) and inserting the following:

“(A) In the case of catastrophic risk protection, the amount of the premium established by the Corporation for each crop for which catastrophic risk protection is available shall be reduced by the percentage equal to the difference between the average loss ratio for the crop and 100 percent, plus a reasonable reserve, as determined by the Corporation.”

SEC. 11003. PERMANENT ENTERPRISE UNIT.

Section 508(e)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(5)) is amended by striking subparagraph (A) and inserting the following:

“(A) **IN GENERAL.**—The Corporation may pay a portion of the premiums for plans or policies of insurance for which the insurable unit is defined on a whole farm or enterprise unit basis that is higher than would otherwise be paid in accordance with paragraph (2).”

SEC. 11004. ENTERPRISE UNITS FOR IRRIGATED AND NONIRRIGATED CROPS.

Section 508(e)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(5)) is amended by adding at the end the following:

“(D) **NONIRRIGATED CROPS.**—Beginning with the 2013 crop year, the Corporation shall make available separate enterprise units for irrigated and nonirrigated acreages of crops in counties.”

SEC. 11005. DATA COLLECTION.

Section 508(g)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(g)(2)) is amended by adding at the end the following:

“(E) **SOURCES OF YIELD DATA.**—To determine yields under this paragraph, the Corporation—

“(i) shall use county data collected by the Risk Management Agency or the National Agricultural Statistics Service, or both; or

“(ii) if sufficient county data is not available, may use other data considered appropriate by the Secretary.”

SEC. 11006. ADJUSTMENT IN ACTUAL PRODUCTION HISTORY TO ESTABLISH INSURABLE YIELDS.

Section 508(g)(4)(B) of the Federal Crop Insurance Act (7 U.S.C. 1508(g)(4)(B)) is amended—

(1) in the matter preceding clause (i), by inserting “for the 2012 crop year or any prior crop year, or 70 percent of the applicable transitional yield for the 2013 or any subsequent crop year,” after “transitional yield”; and

(2) in clause (ii), by striking “60 percent of the applicable transitional yield” and inserting “the applicable percentage of the transitional yield described in this subparagraph”.

SEC. 11007. SUBMISSION AND REVIEW OF POLICIES.

Section 508(h)(1) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)(1)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(2) by striking “(1) **IN GENERAL.**—” and inserting the following:

“(1) **SUBMISSION AND REVIEW OF POLICIES.**—

“(A) **SUBMISSIONS.**—In addition”; and

(3) by adding at the end the following:

“(B) **REVIEW.**—The Corporation shall review any policy developed under section

522(c) or any pilot program developed under section 523 and submit the policy or program to the Board under this subsection if the Corporation, at the sole discretion of the Corporation, finds that the policy or program—

“(i) will likely result in a viable and marketable policy consistent with this subsection;

“(ii) would provide crop insurance coverage in a significantly improved form; and

“(iii) adequately protects the interests of producers.”

SEC. 11008. BOARD REVIEW AND APPROVAL.

(a) **REVIEW AND APPROVAL BY THE BOARD.**—

Section 508(h) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)) is amended by striking paragraph (3) and inserting the following:

“(3) **REVIEW AND APPROVAL BY THE BOARD.**—

“(A) **IN GENERAL.**—A policy, plan of insurance, or other material submitted to the Board under this subsection shall be reviewed by the Board and shall be approved by the Board for reinsurance and for sale by approved insurance providers to producers at actuarially appropriate rates and under appropriate terms and conditions if the Board, at the sole discretion of the Board, determines that—

“(i) the interests of producers are adequately protected;

“(ii) the rates of premium and price election methodology are actuarially appropriate;

“(iii) the terms and conditions for the proposed policy or plan of insurance are appropriate and would not unfairly discriminate among producers;

“(iv) the proposed policy or plan of insurance will, at the sole discretion of the Board—

“(I) likely result in a viable and marketable policy that can reasonably attain levels of participation similar to other like policies or plans of insurance;

“(II) provide crop insurance coverage in a significantly improved form or in a manner that addresses a recognized flaw or problem in an existing policy; or

“(III) provide a new kind of coverage for a commodity that previously had no available

crop insurance, or has demonstrated a low level of participation under existing coverage;

“(v) the proposed policy or plan of insurance will, at the sole discretion of the Board, not have a significant adverse impact on the crop insurance delivery system; and

“(vi) the proposed policy or plan of insurance meets such other requirements as are determined appropriate by the Board.

“(B) PRIORITIES.—

“(i) ESTABLISHMENT.—The Board, at the sole discretion of the Board, may—

“(I) annually establish priorities under this subsection that specify types of submissions needed to fulfill the portfolio of policies or plans of insurance to be reviewed and approved under this subsection; and

“(II) make the priorities available on the website of the Corporation.

“(ii) PROCESS.—

“(I) IN GENERAL.—Policies or plans of insurance that satisfy the priorities established by the Board under this subsection shall be considered by the Board for approval prior to other submissions.

“(II) CONSIDERATIONS.—In approving policies or plans of insurance, the Board shall—

“(aa) consider providing the highest priorities for policies or plans of insurance that address underserved commodities, including commodities for which there is no insurance; and

“(bb) consider providing the highest priorities for existing policies for which there is inadequate coverage or there exists low levels of participation.

“(iii) OTHER CRITERIA.—The Board may establish such other criteria as the Board determines to meet the needs of producers and the priorities of this subsection, consistent with the purposes of this subtitle.”.

SEC. 11009. CONSULTATION.

Section 508(h)(4) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)) is amended by adding at the end the following:

“(E) CONSULTATION.—

“(i) REQUIREMENT.—As part of the feasibility and research associated with the development of a policy or other material conducted prior to making a submission to the Board under this subsection, the submitter shall consult with groups representing producers of agricultural commodities in all major producing areas for the commodities to be served or potentially impacted, either directly or indirectly.

“(ii) SUBMISSION TO THE BOARD.—Any submission made to the Board under this subsection shall contain a summary and analysis of the feasibility and research findings from the impacted groups described in clause (i), including a summary assessment of the support for or against development of the policy and an assessment on the impact of the proposed policy to the general marketing and production of the crop from both a regional and national perspective.

“(iii) EVALUATION BY THE BOARD.—In evaluating whether the interests of producers are adequately protected pursuant to paragraph (3) with respect to an submission made under this subsection, the Board shall review the information provided pursuant to clause (ii) to determine if the submission will create adverse market distortions with respect to the production of commodities that are the subject of the submission.”.

SEC. 11010. BUDGET LIMITATIONS ON RENEGOTIATION OF THE STANDARD REINSURANCE AGREEMENT.

Section 508(k)(8) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(8)) is amended by adding at the end the following:

“(F) BUDGET.—

“(i) IN GENERAL.—The Board shall ensure that any Standard Reinsurance Agreement negotiated under subparagraph (A)(ii), as compared to the previous Standard Reinsurance Agreement—

“(I) to the maximum extent practicable, shall be budget neutral; and

“(II) in no event, may significantly depart from budget neutrality.

“(ii) USE OF SAVINGS.—To the extent that any budget savings is realized in the renegotiation of a Standard Reinsurance Agreement under subparagraph (A)(ii), and the savings are determined not to be a significant departure from budget neutrality under clause (i), the savings shall be used for programs administered or managed by the Risk Management Agency.”.

SEC. 11011. STACKED INCOME PROTECTION PLAN FOR PRODUCERS OF UPLAND COTTON.

(a) AVAILABILITY OF STACKED INCOME PROTECTION PLAN.—The Federal Crop Insurance Act is amended by inserting after section 508A (7 U.S.C. 1508a) the following:

“SEC. 508B. STACKED INCOME PROTECTION PLAN FOR PRODUCERS OF UPLAND COTTON.

“(a) AVAILABILITY.—Beginning not later than the 2013 crop of upland cotton, if practicable, the Corporation shall make available to producers of maximum eligible acres of upland cotton an additional policy (to be known as the ‘Stacked Income Protection Plan’), which shall provide coverage consistent with the Group Risk Income Protection Plan (and the associated Harvest Revenue Option Endorsement) offered by the Corporation for the 2011 crop year.

“(b) REQUIRED TERMS.—The Corporation may modify the Stacked Income Protection Plan on a program-wide basis, except that the Stacked Income Protection Plan shall comply with the following requirements:

“(1)(A) Provide coverage for revenue loss of not more than 30 percent of expected county revenue, specified in increments of 5 percent.

“(B) The deductible is the minimum percent of revenue loss at which indemnities are triggered under the plan, not to be less than 10 percent of the expected county revenue.

“(C) Once the deductible is met, any losses in excess of the deductible will be paid up to the coverage selected by the producer.

“(2) Be offered to producers of upland cotton in all counties with upland cotton production—

“(A) at a county-wide level to the fullest extent practicable; or

“(B) in counties that lack sufficient data, on the basis of such larger geographical area as the Corporation determines to provide sufficient data for purposes of providing the coverage.

“(3) Be purchased in addition to any other individual or area coverage in effect on the producer’s acreage or as a stand-alone policy, except that if a producer has an individual or area coverage for the same acreage, the maximum coverage available under the Stacked Income Protection Plan shall not exceed the deductible for the individual or area coverage.

“(4) Establish coverage based on—

“(A) an expected price that is the expected price established under existing Group Risk Income Protection or area wide policy offered by the Corporation for the applicable county (or area) and crop year; and

“(B) an expected county yield that is the higher of—

“(i) the expected county yield established for the existing area-wide plans offered by

the Corporation for the applicable county (or area) and crop year (or, in geographic areas where area-wide plans are not offered, an expected yield determined in a manner consistent with those of area-wide plans); or

“(ii)(I) the average of the applicable yield data for the county (or area) for the most recent 5 years, excluding the highest and lowest observations, from the Risk Management Agency or the National Agricultural Statistics, or both; or

“(II) if sufficient county data is not available, such other data considered appropriate by the Secretary.

“(5) Use a multiplier factor to establish maximum protection per acre (referred to as a ‘protection factor’) of not more than 120 percent.

“(6) Pay an indemnity based on the amount that the expected county revenue exceeds the actual county revenue, as applied to the individual coverage of the producer. Indemnities under the Stacked Income Protection Plan shall not include or overlap the amount of the deductible selected under paragraph (1).

“(7) To the maximum extent practicable, in all counties for which data are available, establish separate coverage for irrigated and nonirrigated practices.

“(8) Notwithstanding section 508(d), include a premium that—

“(A) is sufficient to cover anticipated losses and a reasonable reserve; and

“(B) includes an amount for operating and administrative expenses established in accordance with section 508(k)(4)(F).

“(c) RELATION TO OTHER COVERAGES.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the Stacked Income Protection Plan is in addition to all other coverages available to producers of upland cotton.

“(2) LIMITATION.—Acreage of upland cotton insured under the Supplemental Coverage Option shall not be eligible for the Stacked Income Protection Plan.

“(d) PAYMENT OF PORTION OF PREMIUM BY CORPORATION.—Subject to section 508(e)(4), the amount of premium paid by the Corporation for all qualifying coverage levels of the Stacked Income Protection Plan shall be—

“(1) 80 percent of the amount of the premium established under subsection (b)(8)(A) for the coverage level selected; and

“(2) the amount determined under subsection (b)(8)(B) to cover administrative and operating expenses.”.

(b) CONFORMING AMENDMENT.—Section 508(k)(4)(F) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(4)(F)) (as amended by section 11001(d)) is amended by inserting “or under section 508B” after “subsection (c)(4)(C)”.

SEC. 11012. PEANUT REVENUE CROP INSURANCE.

The Federal Crop Insurance Act is amended by inserting after section 508B (as added by section 11011(a)) the following:

“SEC. 508C. PEANUT REVENUE CROP INSURANCE.

“(a) IN GENERAL.—Effective beginning with the 2013 crop year, the Risk Management Agency and the Corporation shall make available to producers of peanuts a revenue crop insurance program for peanuts.

“(b) EFFECTIVE PRICE.—

“(1) IN GENERAL.—Subject to paragraph (2), for purposes of the policies and plans of insurance offered under subsections (a) and (b) of section 508, the effective price for peanuts shall be equal to the Rotterdam price index for peanuts, as adjusted to reflect the farmer stock price of peanuts in the United States.

“(2) ADJUSTMENTS.—

“(A) IN GENERAL.—The effective price for peanuts established under paragraph (1) may

be adjusted by the Risk Management Agency and the Corporation to correct distortions.

“(B) ADMINISTRATION.—If an adjustment is made under subparagraph (A), the Risk Management Agency and the Corporation shall—

“(i) make the adjustment in an open and transparent manner; and

“(ii) submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the reasons for the adjustment.”.

SEC. 11013. AUTHORITY TO CORRECT ERRORS.

Section 515(c) of the Federal Crop Insurance Act (7 U.S.C. 1515(c)) is amended—

(1) in the first sentence, by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”;

(2) in the second sentence, by striking “Beginning with” and inserting the following:

“(2) FREQUENCY.—Beginning with”;

and

(3) by adding at the end the following:

“(3) CORRECTIONS.—

“(A) IN GENERAL.—The Corporation shall establish procedures that allow an agent and approved insurance provider within a reasonable amount of time following the applicable sales closing date to correct information regarding the entity name, social security number, tax identification number, or such other eligibility information as determined by the Corporation that is provided by a producer for the purpose of obtaining coverage under any policy or plan of insurance made available under this subtitle to ensure that the eligibility information is consistent with the information reported by the producer to the Farm Service Agency.

“(B) LIMITATION.—In accordance with the procedures of the Corporation, procedures under subparagraph (A) may include any subsequent correction to the eligibility information described in that subparagraph made by the Farm Service Agency if the corrections do not allow the producer—

“(i) to obtain a disproportionate benefit under the crop insurance program or any related program of the Department of Agriculture; or

“(ii) to avoid ineligibility requirements for insurance; or

“(iii) to avoid an obligation or requirement under any Federal or State law.”.

SEC. 11014. IMPLEMENTATION.

Section 515 of the Federal Crop Insurance Act (7 U.S.C. 1515) is amended—

(1) in subsection (j), by striking paragraph (1) and inserting the following:

“(1) SYSTEMS MAINTENANCE AND UPGRADES.—

“(A) IN GENERAL.—The Secretary shall maintain and upgrade the information management systems of the Corporation used in the administration and enforcement of this subtitle.

“(B) REQUIREMENT.—

“(i) IN GENERAL.—In maintaining and upgrading the systems, the Secretary shall ensure that new hardware and software are compatible with the hardware and software used by other agencies of the Department to maximize data sharing and promote the purposes of this section.

“(ii) ACREAGE REPORT STREAMLINING INITIATIVE PROJECT.—As soon as practicable, the Secretary shall develop and implement an acreage report streamlining initiative project to allow producers to report acreage and other information directly to the Department.”; and

(2) in subsection (k), by striking paragraph (1) and inserting the following:

“(1) INFORMATION TECHNOLOGY.—

“(A) IN GENERAL.—For purposes of subsection (j)(1), the Corporation may use, from amounts made available from the insurance fund established under section 516(c), not more than—

“(i)(I) for fiscal year 2014, \$25,000,000; and

“(II) for each of fiscal years 2015 through 2018, \$10,000,000; or

“(ii) if the Acreage Crop Reporting Streamlining Initiative (ACRSI) project is substantially completed by September 30, 2013, not more than \$15,000,000 for each of fiscal years 2015 through 2018.

“(B) NOTIFICATION.—Not later than July 1, 2013, the Secretary shall notify the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate on the status of the substantial completion of the Acreage Crop Reporting Streamlining Initiative (ACRSI) project.”.

SEC. 11015. APPROVAL OF COSTS FOR RESEARCH AND DEVELOPMENT.

Section 522(b)(2) of the Federal Crop Insurance Act (7 U.S.C. 1522(b)(2)) is amended by striking subparagraph (E) and inserting the following:

“(E) APPROVAL.—

“(i) IN GENERAL.—The Board may approve up to 50 percent of the projected total research and development costs to be paid in advance to an applicant, in accordance with the procedures developed by the Board for the making of the payments, if, after consideration of the reviewer reports described in subparagraph (D) and such other information as the Board determines appropriate, the Board determines that—

“(I) the concept, in good faith, will likely result in a viable and marketable policy consistent with section 508(h);

“(II) at the sole discretion of the Board, the concept, if developed into a policy and approved by the Board, would provide crop insurance coverage—

“(aa) in a significantly improved form or that addresses a unique need of agricultural producers;

“(bb) to a crop or region not traditionally served by the Federal crop insurance program; or

“(cc) in a form that addresses a recognized flaw or problem in the program;

“(III) the applicant agrees to provide such reports as the Corporation determines are necessary to monitor the development effort;

“(IV) the proposed budget and timetable are reasonable, as determined by the Board; and

“(V) the concept proposal meets any other requirements that the Board determines appropriate.

“(ii) WAIVER.—The Board may waive the 50-percent limitation and, upon request of the submitter after the submitter has begun research and development activities, the Board may approve an additional 25 percent advance payment to the submitter for research and development costs, if, at the sole discretion of the Board, the Board determines that—

“(I) the intended policy or plan of insurance developed by the submitter will provide coverage for a region or crop that is underserved by the Federal crop insurance program, including specialty crops;

“(II) the submitter is making satisfactory progress towards developing a viable and marketable policy or plan of insurance consistent with section 508(h); and

“(III) the submitter does not have sufficient financial resources to complete the development of the submission into a viable and marketable policy or plan of insurance consistent with section 508(h).”.

SEC. 11016. WHOLE FARM RISK MANAGEMENT INSURANCE.

Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) is amended by adding at the end the following:

“(18) WHOLE FARM DIVERSIFIED RISK MANAGEMENT INSURANCE PLAN.—

“(A) IN GENERAL.—The Corporation shall conduct activities or enter into contracts to carry out research and development to develop a whole farm risk management insurance plan, with a liability limitation of \$1,500,000, that allows a diversified crop or livestock producer the option to qualify for an indemnity if actual gross farm revenue is below 85 percent of the average gross farm revenue or the expected gross farm revenue that can reasonably be expected of the producer, as determined by the Corporation.

“(B) ELIGIBLE PRODUCERS.—The Corporation shall permit producers (including direct-to-consumer marketers, and producers servicing local and regional and farm identity-preserved markets) who produce multiple agricultural commodities, including specialty crops, industrial crops, livestock, and aquaculture products, to participate in the plan in lieu of any other plan under this subtitle.

“(C) DIVERSIFICATION.—The Corporation may provide diversification-based additional coverage payment rates, premium discounts, or other enhanced benefits in recognition of the risk management benefits of crop and livestock diversification strategies for producers that grow multiple crops or that may have income from the production of livestock that uses a crop grown on the farm.

“(D) MARKET READINESS.—The Corporation may include coverage for the value of any packing, packaging, or any other similar on-farm activity the Corporation determines to be the minimum required in order to remove the commodity from the field.

“(E) REPORT.—Not later than 2 years after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results and feasibility of the research and development conducted under this paragraph, including an analysis of potential adverse market distortions.”.

SEC. 11017. STUDY OF FOOD SAFETY INSURANCE.

Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) (as amended by section 11016) is amended by adding at the end the following:

“(19) STUDY OF FOOD SAFETY INSURANCE.—

“(A) IN GENERAL.—The Corporation shall offer to enter into a contract with 1 or more qualified entities to conduct a study to determine whether offering policies that provide coverage for specialty crops from food safety and contamination issues would benefit agricultural producers.

“(B) SUBJECT.—The study described in subparagraph (A) shall evaluate policies and plans of insurance coverage that provide protection for production or revenue impacted by food safety concerns including, at a minimum, government, retail, or national consumer group announcements of a health advisory, removal, or recall related to a contamination concern.

“(C) REPORT.—Not later than 1 year after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subparagraph (A).”.

SEC. 11018. CROP INSURANCE FOR LIVESTOCK.

Section 522(c) of the Federal Crop Insurance Act (as amended by section 11016) is amended by adding at the end the following:

“(19) STUDY ON SWINE CATASTROPHIC DISEASE PROGRAM.—

“(A) IN GENERAL.—The Corporation shall contract with a qualified person to conduct a study to determine the feasibility of insuring swine producers for a catastrophic event.

“(B) REPORT.—Not later than 1 year after the date of the enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subparagraph (A).”

SEC. 11019. MARGIN COVERAGE FOR CATFISH.

Section 522(c) of the Federal Crop Insurance Act (as amended by section 11017) is amended by adding at the end the following:

“(20) MARGIN COVERAGE FOR CATFISH.—

“(A) IN GENERAL.—The Corporation shall offer to enter into a contract with a qualified entity to conduct research and development regarding a policy to insure producers against reduction in the margin between the market value of catfish and selected costs incurred in the production of catfish.

“(B) ELIGIBILITY.—Eligibility for the policy described in subparagraph (A) shall be limited to freshwater species of catfish that are propagated and reared in controlled or selected environments.

“(C) IMPLEMENTATION.—The Board shall review the policy described in subparagraph (B) under subsection 508(h) and approve the policy if the Board finds that the policy—

“(i) will likely result in a viable and marketable policy consistent with this subsection;

“(ii) would provide crop insurance coverage in a significantly improved form;

“(iii) adequately protects the interests of producers; and

“(iv) the proposed policy meets other requirements of this subtitle determined appropriate by the Board.”

SEC. 11020. POULTRY BUSINESS DISRUPTION INSURANCE POLICY.

Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) (as amended by sections 11016, 11017, and 11018) is amended by adding at the end the following:

“(21) POULTRY BUSINESS DISRUPTION INSURANCE POLICY AND CATASTROPHIC DISEASE PROGRAM.—

“(A) DEFINITION OF POULTRY.—In this paragraph, the term ‘poultry’ has the meaning given the term in section 2(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 182(a)).

“(B) AUTHORITY.—The Corporation shall offer to enter into 1 or more contracts with qualified entities to carry out—

“(i) a study to determine the feasibility of insuring commercial poultry production against business disruptions caused by integrator bankruptcy; and

“(ii) a study to determine the feasibility of insuring poultry producers for a catastrophic event.

“(C) BUSINESS DISRUPTION STUDY.—The study described in subparagraph (B)(i) shall—

“(i) evaluate the market place for business disruption insurance that is available to poultry producers;

“(ii) assess the feasibility of a policy to allow producers to ensure against a portion of losses from loss under contract due to business disruption from integrator bankruptcy; and

“(iii) analyze the costs to the Federal government of a Federal business disruption insurance program for poultry producers.

“(D) REPORTS.—Not later than 1 year after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of—

“(i) the study carried out under subparagraph (B)(i); and

“(ii) the study carried out under subparagraph (B)(ii).”

SEC. 11021. CROP INSURANCE FOR ORGANIC CROPS.

(a) IN GENERAL.—Section 508(c)(6) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)(6)) is amended by adding at the end the following:

“(D) ORGANIC CROPS.—

“(i) IN GENERAL.—As soon as possible, but not later than the 2015 reinsurance year, the Corporation shall offer producers of organic crops price elections for all organic crops produced in compliance with standards issued by the Department of Agriculture under the national organic program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) that reflect the actual retail or wholesale prices, as appropriate, received by producers for organic crops, as determined by the Secretary using all relevant sources of information.

“(ii) ANNUAL REPORT.—The Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report on progress made in developing and improving Federal crop insurance for organic crops, including—

“(I) the numbers and varieties of organic crops insured;

“(II) the progress of implementing the price elections required under this subparagraph, including the rate at which additional price elections are adopted for organic crops;

“(III) the development of new insurance approaches relevant to organic producers; and

“(IV) any recommendations the Corporation considers appropriate to improve Federal crop insurance coverage for organic crops.”

(b) CONFORMING AMENDMENT.—Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) (as amended by section 11018) is amended—

(1) by striking paragraph (10); and

(2) by redesignating paragraphs (11) through (20) as paragraphs (10) through (19), respectively.

SEC. 11022. RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) is amended—

(1) in the subsection heading, by striking “Contracting”; and

(2) in paragraph (1), in the matter preceding subparagraph (A), by striking “may enter into contracts to carry out research and development to” and inserting “may conduct activities or enter into contracts to carry out research and development to maintain or improve existing policies or develop new policies to”;

(3) in paragraph (2)—

(A) in subparagraph (A), by inserting “conduct research and development or” after “The Corporation may”; and

(B) by striking subparagraph (B) and inserting the following:

“(B) CONSULTATION.—Before conducting research and development or entering into a

contract under subparagraph (A), the Corporation shall follow the consultation requirements described in section 508(h)(4)(E).”

(4) in paragraph (5), by inserting “after expert review in accordance with section 505(e) and procedures of the Board” after “approved by the Board”; and

(5) in paragraph (6), by striking “a pasture, range, and forage program” and inserting “policies that increase participation by producers of underserved agricultural commodities, including sweet sorghum, sorghum for biomass, specialty crops, sugarcane, and dedicated energy crops”.

(b) FUNDING.—Section 522(e) of the Federal Crop Insurance Act (7 U.S.C. 1522(e)) is amended—

(1) in paragraph (2)—

(A) by striking “(A) AUTHORITY.—” and inserting “(A) CONDUCTING AND CONTRACTING FOR RESEARCH AND DEVELOPMENT.—”; and

(B) in subparagraph (A), by inserting “conduct research and development and” after “the Corporation may use to”; and

(C) in subparagraph (B), by inserting “conduct research and development and” after “for the fiscal year to”;

(2) in paragraph (3), in the matter preceding subparagraph (A), by striking “to provide either reimbursement payments or contract payments”; and

(3) by striking paragraph (4).

SEC. 11023. PILOT PROGRAMS.

Section 523(a) of the Federal Crop Insurance Act (7 U.S.C. 1523(a)) is amended—

(1) in paragraph (1), by inserting “, at the sole discretion of the Corporation,” after “may”; and

(2) by striking paragraph (5).

SEC. 11024. INDEX-BASED WEATHER INSURANCE PILOT PROGRAM.

Section 523(a)(2) of the Federal Crop Insurance Act (7 U.S.C. 1523(a)(2)) is amended—

(1) by striking “Under” inserting the following:

“(A) IN GENERAL.—Under”; and

(2) by adding at the end the following:

“(B) INDEX-BASED WEATHER INSURANCE PILOT PROGRAM.—

“(i) IN GENERAL.—Notwithstanding subparagraph (A), the Corporation, at the sole discretion of the Corporation, may conduct a pilot program to provide financial assistance for producers of underserved crops and livestock (including specialty crops) to purchase an index-based weather insurance product from a private insurance company, subject to the requirements of this subparagraph.

“(ii) PAYMENT OF PREMIUM.—

“(I) IN GENERAL.—Subject to subclause (II) and clause (v), the Corporation may pay a portion of the premium for producers who purchase index-based weather insurance protection from a private insurance company for a crop and policy that is not reinsured under this subtitle, as determined by the Corporation.

“(II) CONDITION.—The premium assistance under subclause (I) shall not exceed 60 percent of the estimated premium amount, based on expected losses, representative operating expenses, and representative profit margins, as determined by the Corporation.

“(iii) ELIGIBLE PROVIDERS.—Before providing premium assistance to producers to purchase index-based weather insurance from a private insurance company pursuant to this subparagraph, the Corporation shall verify that the company has adequate experience—

“(I) to develop and manage the index-based weather insurance products, including adequate resources, experience, and assets or

sufficient reinsurance to meet the obligations of the company under this subparagraph; and

“(II) to support and deliver the index-based weather insurance products.

“(iv) PROCEDURES.—The Corporation shall develop and publish procedures to administer the pilot program under this subparagraph that—

“(I) require each applicable private insurance company to report claim and sales data, and any other data the Corporation determines to be appropriate, to allow the Corporation to evaluate product pricing and performance;

“(II) allow the private insurance companies exclusive rights over the private insurance offered under this subparagraph, including rating of policies, protection of intellectual property rights on the product or policy, and associated rating methodology, for the period during which the companies are eligible under clause (iii); and

“(III) contain such other requirements as the Corporation determines to be necessary to ensure that—

“(aa) the interests of producers are protected; and

“(bb) the program operates in an actuarially sound manner.

“(v) FUNDING.—Of the funds of the Corporation, the Corporation shall use to carry out this subparagraph \$10,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.”.

SEC. 11025. ENHANCING PRODUCER SELF-HELP THROUGH FARM FINANCIAL BENCHMARKING.

(a) DEFINITION.—Section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)) is amended—

(1) by redesignating paragraphs (6) through (9) as paragraphs (7) through (10), respectively; and

(2) by inserting after paragraph (5) the following:

“(6) FARM FINANCIAL BENCHMARKING.—The term ‘farm financial benchmarking’ means—

“(A) the process of comparing the performance of an agricultural enterprise against the performance of other similar enterprises, through the use of comparable and reliable data, in order to identify business management strengths, weaknesses, and steps necessary to improve management performance and business profitability; and

“(B) benchmarking of the type conducted by farm management and producer associations consistent with the activities described in or funded pursuant to section 1672D of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925f).”.

(b) PARTNERSHIPS FOR RISK MANAGEMENT FOR PRODUCERS OF SPECIALTY CROPS AND UNDERSERVED AGRICULTURAL COMMODITIES.—Section 522(d)(3)(F) of the Federal Crop Insurance Act (7 U.S.C. 1522(d)(3)(F)) is amended by inserting “farm financial benchmarking,” after “management.”.

(c) CROP INSURANCE EDUCATION AND RISK MANAGEMENT ASSISTANCE.—Section 524(a) of the Federal Crop Insurance Act (7 U.S.C. 1524(a)) is amended—

(1) in paragraph (3)(A), by inserting “farm financial benchmarking,” after “risk reduction,”; and

(2) in paragraph (4), in the matter preceding subparagraph (A), by inserting “(including farm financial benchmarking)” after “management strategies”.

SEC. 11026. BEGINNING FARMER AND RANCHER PROVISIONS.

(a) DEFINITION.—Section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)) (as amended by section 11025(a)) is amended—

(1) by redesignating paragraphs (3) through (10) as paragraphs (4) through (11), respectively; and

(2) by inserting after paragraph (2) the following:

“(3) BEGINNING FARMER OR RANCHER.—The term ‘beginning farmer or rancher’ means a farmer or rancher who has not actively operated and managed a farm or ranch with a bona fide insurable interest in a crop or livestock as an owner-operator, landlord, tenant, or sharecropper for more than 5 crop years, as determined by the Secretary.”.

(b) PREMIUM ADJUSTMENTS.—Section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) is amended—

(1) in subsection (b)(5)(E), by inserting “and beginning farmers or ranchers” after “limited resource farmers”; and

(2) in subsection (e), by adding at the end the following:

“(8) PREMIUM FOR BEGINNING FARMERS OR RANCHERS.—Notwithstanding any other provision of this subsection regarding payment of a portion of premiums, a beginning farmer or rancher shall receive premium assistance that is 10 percentage points greater than premium assistance that would otherwise be available under paragraphs (2) (except for subparagraph (A) of that paragraph), (5), (6), and (7) for the applicable policy, plan of insurance, and coverage level selected by the beginning farmer or rancher.”; and

(3) in subsection (g)—

(A) in paragraph (2)(B)—

(i) in clause (i), by striking “or” at the end;

(ii) in clause (ii)(III), by striking the period at the end and inserting “; or”; and

(iii) by adding at the end the following:

“(iii) if the producer is a beginning farmer or rancher who was previously involved in a farming or ranching operation, including involvement in the decisionmaking or physical involvement in the production of the crop or livestock on the farm, for any acreage obtained by the beginning farmer or rancher, a yield that is the higher of—

“(I) the actual production history of the previous producer of the crop or livestock on the acreage determined under subparagraph (A); or

“(II) a yield of the producer, as determined in clause (i).”; and

(B) in paragraph (4)(B)(ii) (as amended by section 11006)—

(i) by inserting “(I)” after “(ii)”;

(ii) by striking the period at the end and inserting “; or”; and

(iii) by adding at the end the following:

“(II) in the case of beginning farmers or ranchers, replace each excluded yield with a yield equal to 80 percent of the applicable transitional yield.”.

SEC. 11027. AGRICULTURAL MANAGEMENT ASSISTANCE, RISK MANAGEMENT EDUCATION, AND ORGANIC CERTIFICATION COST SHARE ASSISTANCE.

Section 524 of the Federal Crop Insurance Act (7 U.S.C. 1524) is amended by striking subsection (b) and inserting the following:

“(b) AGRICULTURAL MANAGEMENT ASSISTANCE, RISK MANAGEMENT EDUCATION, AND ORGANIC CERTIFICATION COST SHARE ASSISTANCE.—

“(1) AUTHORITY FOR PROVISION OF ASSISTANCE.—The Secretary shall provide assistance under this section as follows:

“(A) Provision of organic certification cost share assistance pursuant to section 10606 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 6523).

“(B) Activities to support risk management education and community outreach

partnerships pursuant to section 522(d), including—

“(i) entering into futures or hedging;

“(ii) entering into agricultural trade options as a hedging transaction to reduce production, price, or revenue risk; or

“(iii) conducting any other activity relating to an activity described in clause (i) or (ii), including farm financial benchmarking, as determined by the Secretary.

“(C) Provision of agricultural management assistance grants to producers in States in which there has been traditionally, and continues to be, a low level of Federal crop insurance participation and availability, and producers underserved by the Federal crop insurance program, as determined by the Secretary, for the purposes of—

“(i) constructing or improving—

“(I) watershed management structures; or

“(II) irrigation structures;

“(ii) planting trees to form windbreaks or to improve water quality; and

“(iii) mitigating financial risk through production or marketing diversification or resource conservation practices, including—

“(I) soil erosion control;

“(II) integrated pest management;

“(III) organic farming; or

“(IV) to develop and implement a plan to create marketing opportunities for the producer, including through value-added processing.

“(2) PAYMENT LIMITATION.—The total amount of payments made to a person (as defined in section 1001(5) of the Food Security Act (7 U.S.C. 1308(5))) (as in existence before the amendment made by section 1603(b) of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1730)) under paragraph (1) for any year may not exceed \$50,000.

“(3) FUNDING.—

“(A) IN GENERAL.—The Secretary shall carry out this subsection through the Commodity Credit Corporation.

“(B) FUNDING.—For each of fiscal years 2014 through 2018, the Commodity Credit Corporation shall make available to carry out this subsection \$23,000,000.

“(C) DISTRIBUTION OF FUNDS.—Of the amount made available to carry out this subsection for a fiscal year, the Commodity Credit Corporation shall use not less than—

“(i) 50 percent to carry out paragraph (1)(A);

“(ii) 26 percent to carry out paragraph (1)(B); and

“(iii) 24 percent to carry out paragraph (1)(C).”.

SEC. 11028. CROP PRODUCTION ON NATIVE SOD.

(a) FEDERAL CROP INSURANCE.—Section 508(o) of the Federal Crop Insurance Act (7 U.S.C. 1508(o)) is amended—

(1) in paragraph (1)(B), by inserting “, or the producer cannot substantiate that the ground has ever been tilled,” after “tilled”; and

(2) in paragraph (2)(A), by striking “for benefits under—” and all that follows through the period at the end and inserting “for—

“(i) a portion of crop insurance premium subsidies under this subtitle in accordance with paragraph (3);

“(ii) benefits under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333); and

“(iii) payments described in subsection (b) of section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308).”; and

(3) by striking paragraph (3) and inserting the following:

“(3) ADMINISTRATION.—

“(A) IN GENERAL.—During the first 4 crop years of planting on native sod acreage by a producer described in paragraph (2)—

“(i) paragraph (2) shall apply to 65 percent of the applicable transitional yield; and

“(ii) the crop insurance premium subsidy provided for the producer under this subtitle shall be 50 percentage points less than the premium subsidy that would otherwise apply.

“(B) YIELD SUBSTITUTION.—During the period native sod acreage is covered by this subsection, a producer may not substitute yields for the native sod acreage.”.

(b) NONINSURED CROP DISASTER ASSISTANCE.—Section 196(a)(4) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333(a)(4)) is amended—

(1) in subparagraph (A)(ii), by inserting “, or the producer cannot substantiate that the ground has ever been tilled,” after “tilled”;

(2) in subparagraph (B)(i), by striking “for benefits under—” and all that follows through the period at the end and inserting “for—

“(I) benefits under this section;

“(II) a portion of crop insurance premium subsidies under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) in accordance with subparagraph (C); and

“(III) payments described in subsection (b) of section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308).”; and

(3) by striking subparagraph (C) and inserting the following:

“(C) ADMINISTRATION.—

“(i) IN GENERAL.—During the first 4 crop years of planting on native sod acreage by a producer described in subparagraph (B)—

“(I) subparagraph (B) shall apply to 65 percent of the applicable transitional yield; and

“(II) the crop insurance premium subsidy provided for the producer under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) shall be 50 percentage points less than the premium subsidy that would otherwise apply.

“(ii) YIELD SUBSTITUTION.—During the period native sod acreage is covered by this paragraph, a producer may not substitute yields for the native sod acreage.”.

(c) CROPLAND REPORT.—

(1) BASELINE.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the cropland acreage in each county and State, and the change in cropland acreage from the preceding year in each county and State, beginning with calendar year 2000 and including that information for the most recent year for which that information is available.

(2) ANNUAL UPDATES.—Not later than January 1, 2014, and each January 1 thereafter through January 1, 2018, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

(A) the cropland acreage in each county and State as of the date of submission of the report; and

(B) the change in cropland acreage from the preceding year in each county and State.

SEC. 11029. TECHNICAL AMENDMENTS.

Section 508(b) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)) is amended—

(1) by striking paragraph (7); and

(2) by redesignating paragraphs (8) through (11) as paragraphs (7) through (10), respectively.

SEC. 11030. GREATER ACCESSIBILITY FOR CROP INSURANCE.

(a) FINDINGS.—Congress finds that—

(1) due to changes in commodity and other agricultural programs made by the Agriculture Reform, Food, and Jobs Act of 2013, it is more important than ever that agricultural producers be able to fully understand the terms of plans and policies of crop insurance offered under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); and

(2) proposed reductions by the Secretary in the number of State and local offices of the Farm Service Agency will reduce the services available to assist agricultural producers in understanding crop insurance.

(b) REQUIREMENT FOR USE OF PLAIN LANGUAGE.—

(1) IN GENERAL.—In issuing regulations and guidance relating to plans and policies of crop insurance, the Risk Management Agency and the Federal Crop Insurance Corporation shall, to the greatest extent practicable, use plain language, as required under Executive Orders 12866 (5 U.S.C. 601 note; relating to regulatory planning and review) and 12988 (28 U.S.C. 519 note; relating to civil justice reform).

(2) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the efforts of the Secretary to accelerate compliance with the Executive Orders described in paragraph (1).

(c) WEBSITE.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the approved insurance providers (as defined in section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)), shall improve the existing Internet website through which agricultural producers in any State may identify crop insurance options in that State.

(2) REQUIREMENTS.—The website described in paragraph (1) shall—

(A) provide answers in an easily accessible format to frequently asked questions; and

(B) include published materials of the Department of Agriculture that relate to plans and policies of crop insurance offered under that Act.

(d) ADMINISTRATION.—Nothing in this section authorizes the Risk Management Agency to sell a crop insurance policy or plan of insurance.

SEC. 11031. GAO CROP INSURANCE FRAUD REPORT.

Section 515(d) of the Federal Crop Insurance Act (7 U.S.C. 1515(d)) is amended by adding at the end the following:

“(6) GAO CROP INSURANCE FRAUD REPORT.—As soon as practicable after the date of enactment of this paragraph, the Comptroller General of the United States shall conduct, and submit to Congress a report describing the results of, a study regarding fraudulent claims filed, and benefits provided, under this subtitle.”.

SEC. 11032. LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.

Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) (as amended by section 11023(b)) is amended by adding at the end the following:

“(9) LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.—

“(A) DEFINITION OF AVERAGE ADJUSTED GROSS INCOME.—In this paragraph, the term ‘average adjusted gross income’ has the

meaning given the term in section 1001D(a) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(a)).

“(B) LIMITATION.—Notwithstanding any other provision of this subtitle and beginning with the 2014 reinsurance year, in the case of any producer that is a person or legal entity that has an average adjusted gross income in excess of \$750,000 based on the most recent data available from the Farm Service Agency as of the beginning of the reinsurance year, the total amount of premium subsidy provided with respect to additional coverage under subsection (c), section 508B, or section 508C issued on behalf of the producer for a reinsurance year shall be 15 percentage points less than the premium subsidy provided in accordance with this subsection that would otherwise be available for the applicable policy, plan of insurance, and coverage level selected by the producer.

“(C) APPLICATION.—

“(i) STUDY.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Government Accountability Office, shall carry out a study to determine the effects of the limitation described in subparagraph (B) on—

“(I) the overall operations of the Federal crop insurance program;

“(II) the number of producers participating in the Federal crop insurance program;

“(III) the level of coverage purchased by participating producers;

“(IV) the amount of premiums paid by participating producers and the Federal Government;

“(V) any potential liability for participating producers, approved insurance providers, and the Federal Government;

“(VI) different crops or growing regions;

“(VII) program rating structures;

“(VIII) creation of schemes or devices to evade the impact of the limitation; and

“(IX) administrative and operating expenses paid to approved insurance providers and underwriting gains and loss for the Federal government and approved insurance providers.

“(ii) EFFECTIVENESS.—The limitation described in subparagraph (B) shall not take effect unless the Secretary determines, through the study described in clause (i), that the limitation would not—

“(I) significantly increase the premium amount paid by producers with an average adjusted gross income of less than \$750,000;

“(II) result in a decline in the crop insurance coverage available to producers; and

“(III) increase the total cost of the Federal crop insurance program.”.

TITLE XII—MISCELLANEOUS

Subtitle A—Socially Disadvantaged Producers and Limited Resource Producers

SEC. 12001. OUTREACH AND ASSISTANCE FOR SOCIALLY DISADVANTAGED FARMERS AND RANCHERS AND VETERAN FARMERS AND RANCHERS.

(a) OUTREACH AND ASSISTANCE FOR SOCIALLY DISADVANTAGED FARMERS AND RANCHERS AND VETERAN FARMERS AND RANCHERS.—Section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279) is amended—

(1) in the section heading, by inserting “AND VETERAN FARMERS AND RANCHERS” after “RANCHERS”;

(2) in subsection (a)—

(A) in paragraph (2)(B)(i), by inserting “and veteran farmers or ranchers” after “ranchers”; and

(B) in paragraph (4)—

(i) in subparagraph (A)—

(I) in the heading, by striking “FISCAL YEARS 2009 THROUGH 2012” and inserting “MANDATORY FUNDING”;

(II) in clause (i), by striking “and” at the end;

(III) in clause (ii), by striking the period at the end and inserting “; and”; and

(IV) by adding at the end the following:

“(iii) \$5,000,000 for each of fiscal years 2014 through 2018.”; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2014 through 2018.”;

(3) in subsection (b)(2), by inserting “or veteran farmers and ranchers” after “socially disadvantaged farmers and ranchers”; and

(4) in subsection (c)—

(A) in paragraph (1)(A), by inserting “veteran farmers or ranchers and” before “members”; and

(B) in paragraph (2)(A), by inserting “veteran farmers or ranchers and” before “members”.

(b) DEFINITION OF VETERAN FARMER OR RANCHER.—Section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e)) is amended by adding at the end the following:

“(7) VETERAN FARMER OR RANCHER.—The term ‘veteran farmer or rancher’ means a farmer or rancher who served in the active military, naval, or air service, and who was discharged or released from the service under conditions other than dishonorable.”.

SEC. 12002. OFFICE OF ADVOCACY AND OUTREACH.

Section 226B(f)(3) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6934(f)(3)) is amended to read as follows:

“(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection—

“(A) such sums as are necessary for each of fiscal years 2009 through 2013; and

“(B) \$2,000,000 for each of fiscal years 2014 through 2018.”.

Subtitle B—Livestock

SEC. 12101. WILDLIFE RESERVOIR ZOOONOTIC DISEASE INITIATIVE.

Title IV of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621 et seq.) is amended by adding at the end the following:

“SEC. 413. WILDLIFE RESERVOIR ZOOONOTIC DISEASE INITIATIVE.

“(a) DEFINITION OF COVERED DISEASE.—In this section, the term ‘covered disease’ means a zoonotic disease affecting domestic livestock that is transmitted primarily from wildlife.

“(b) ESTABLISHMENT.—There is established within the Department a wildlife reservoir zoonotic disease initiative to provide assistance through Coordinated Agricultural Project grants for research and development of surveillance methods, vaccines, vaccination delivery systems, or diagnostic tests for covered diseases.

“(c) COVERED DISEASE.—

“(1) IN GENERAL.—To be eligible for a grant under this section, an eligible entity shall conduct research and development of surveillance methods, vaccines, vaccination delivery systems, or diagnostic tests for covered diseases in—

“(A) a wildlife reservoir in the United States; or

“(B) domestic livestock or wildlife presenting a potential concern to public health.

“(2) PRIORITY.—In making grants under this section, the Secretary shall give priority to grants that address—

“(A) *Brucella abortus* (Bovine Brucellosis);

“(B) *Mycobacterium bovis* (Bovine Tuberculosis); or

“(C) other zoonotic disease in livestock that is covered by a high-priority research and extension initiative conducted under section 1672 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925).

“(d) ELIGIBLE ENTITIES.—The Secretary shall carry out the initiative established under subsection (b) through public scientific research consortia that may consist of members from—

“(1) Federal agencies;

“(2) National Laboratories;

“(3) institutions of higher education;

“(4) research institutions and organizations; or

“(5) State agricultural experiment stations.

“(e) RESEARCH PROJECTS.—In carrying out this section, the Secretary shall award grants on a competitive basis.

“(f) ADMINISTRATION.—

“(1) IN GENERAL.—In the case of grants awarded under this section, the Secretary shall—

“(A) seek and accept proposals for grants;

“(B) determine the relevance and merit of proposals through a system of peer and merit review in accordance with section 103;

“(C) award grants on the basis of merit, quality, and relevance; and

“(D) manage the initiative established under subsection (b) using a Coordinated Agricultural Project format.

“(2) TERM.—The term of a grant under this section may not exceed 10 years.

“(3) MATCHING FUNDS REQUIRED.—The Secretary shall require the recipient of a grant under this section to provide funds or in-kind support from non-Federal sources in an amount that is not less than 25 percent of the amount provided by the Federal Government.

“(4) OTHER CONDITIONS.—The Secretary may set such other conditions on the award of a grant under this section as the Secretary determines to be appropriate.

“(g) BUILDINGS AND FACILITIES.—Funds made available under this section shall not be used for—

“(1) the construction of a new building or facility; or

“(2) the acquisition, expansion, remodeling, or alteration of an existing building or facility (including site grading and improvement and architect fees).

“(h) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out this section \$7,000,000 for each of fiscal years 2014 through 2018.

“(2) ALLOCATION.—Of the amount made available for a fiscal year under paragraph (1), the Secretary shall use not less than 30 percent of the amount for the fiscal year to carry out activities under each of subparagraphs (A) and (B) of subsection (c)(2).”.

SEC. 12102. TRICHINAE CERTIFICATION PROGRAM.

Section 10405(d)(1) of the Animal Health Protection Act (7 U.S.C. 8304(d)(1)) is amended in subparagraphs (A) and (B) by striking “2012” each place it appears and inserting “2018”.

SEC. 12103. NATIONAL AQUATIC ANIMAL HEALTH PLAN.

Section 11013(d) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8322(d)) is

amended by striking “2012” and inserting “2018”.

SEC. 12104. SHEEP PRODUCTION AND MARKETING GRANT PROGRAM.

(a) IN GENERAL.—Subtitle A of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) is amended by adding at the end the following:

“SEC. 209. SHEEP PRODUCTION AND MARKETING GRANT PROGRAM.

“(a) ESTABLISHMENT.—The Secretary, acting through the Administrator of the Agricultural Marketing Service (referred to in this section as the ‘Secretary’) shall establish a competitive grant program for the purposes of improving the United States sheep industry.

“(b) PURPOSE.—The purpose of the grant program shall be to strengthen and enhance the production and marketing of sheep and sheep products, including improvement of—

“(1) infrastructure;

“(2) business;

“(3) resource development; and

“(4) innovative approaches to solve long-term needs.

“(c) ELIGIBILITY.—The Secretary shall make grants under this section to 1 or more national entities the mission of which is consistent with the purpose of the grant program.

“(d) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section \$1,500,000 for fiscal year 2014, to remain available until expended.”.

(b) CONFORMING AMENDMENT.—Section 374 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008j) (as in existence on the day before the date of enactment of this Act) is—

(1) amended in subsection (e)—

(A) in paragraph (3)(D), by striking “3 percent” and inserting “10 percent”; and

(B) by striking paragraph (6); and

(2) redesignated as section 210 of the Agricultural Marketing Act of 1946; and

(3) moved so as to appear at the end of subtitle A of that Act (as amended by subsection (a)).

SEC. 12105. FERAL SWINE ERADICATION PILOT PROGRAM.

(a) IN GENERAL.—To eradicate or control the threat feral swine pose to the domestic swine population, the entire livestock industry, and the destruction of crops and natural plant communities and native habitats, the Secretary of Agriculture may establish a feral swine eradication pilot program.

(b) PILOT.—Subject to the availability of appropriations under this section, the Secretary may provide financial assistance for the cost of carrying out a pilot program—

(1) to study and assess the nature and extent of damage to the pilot area caused by feral swine;

(2) to develop methods to eradicate or control feral swine in the pilot area; and

(3) to develop methods to restore damage caused by feral swine.

(c) COORDINATION.—The Secretary shall ensure that the Natural Resource Conservation Service and the Animal and Plant Health Inspection Service coordinate to carry out the pilot program.

(d) COST SHARING.—

(1) FEDERAL SHARE.—The Federal share of the costs of the pilot program under this section may not exceed 75 percent of the total costs of carrying out the pilot program.

(2) IN-KIND CONTRIBUTIONS.—The non-Federal share of the costs of the pilot program may be provided in the form of in-kind contributions of materials or services.

(e) **LIMITATION ON ADMINISTRATIVE EXPENSES.**—Not more than 10 percent of financial assistance provided by the Secretary under this section may be used for administrative expenses.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$2,000,000 for each of fiscal years 2014 through 2018.

Subtitle C—Other Miscellaneous Provisions

SEC. 12201. MILITARY VETERANS AGRICULTURAL LIAISON.

(a) **IN GENERAL.**—Subtitle A of the Department of Agriculture Reorganization Act of 1994 is amended by inserting after section 218 (7 U.S.C. 6918) the following:

“SEC. 219. MILITARY VETERANS AGRICULTURAL LIAISON.

“(a) **AUTHORIZATION.**—The Secretary shall establish in the Department the position of Military Veterans Agricultural Liaison.

“(b) **DUTIES.**—The Military Veterans Agricultural Liaison shall—

“(1) provide information to returning veterans about, and connect returning veterans with, beginning farmer training and agricultural vocational and rehabilitation programs appropriate to the needs and interests of returning veterans, including assisting veterans in using Federal veterans educational benefits for purposes relating to beginning a farming or ranching career;

“(2) provide information to veterans concerning the availability of and eligibility requirements for participation in agricultural programs, with particular emphasis on beginning farmer and rancher programs;

“(3) serving as a resource for assisting veteran farmers and ranchers, and potential farmers and ranchers, in applying for participation in agricultural programs; and

“(4) advocating on behalf of veterans in interactions with employees of the Department.

“(c) **CONTRACTS AND COOPERATIVE AGREEMENTS.**—For purposes of carrying out the duties under subsection (b), the Military Veterans Agricultural Liaison may enter into contracts or cooperative agreements with the research centers of the Agricultural Research Service, institutions of higher education, or nonprofit organizations for—

“(1) the conduct of regional research on the profitability of small farms;

“(2) the development of educational materials;

“(3) the conduct of workshops, courses, and certified vocational training;

“(4) the conduct of mentoring activities; or

“(5) the provision of internship opportunities.”.

(b) **CONFORMING AMENDMENTS.**—Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) (as amended by section 4206(b)) is amended—

(1) in paragraph (8), by striking the “or” at the end;

(2) in paragraph (9), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(10) the authority of the Secretary to establish in the Department the position of Military Veterans Agricultural Liaison in accordance with section 219.”.

SEC. 12202. INFORMATION GATHERING.

Section 1619(b)(3) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8791) is amended by adding at the end the following:

“(B) **COOPERATION WITH STATE AND LOCAL GOVERNMENTS.**—

“(i) **IN GENERAL.**—Subject to clause (ii), in the case of a State agency, political subdivision, or local governmental agency that is charged with implementing an agriculture or

conservation program under State law, on request of the State agency, political subdivision, or local governmental agency, the information described in paragraph (2) shall be disclosed to the State agency, political subdivision, or local governmental agency if the Secretary determines that the State agency, political subdivision, or local governmental agency demonstrates that the disclosure is required for implementing the State program.

“(ii) **RESTRICTION.**—Any information disclosed to a State agency, political subdivision, or local governmental agency under clause (i) shall be—

“(I) used solely by the State agency, political subdivision, or local governmental agency; and

“(II) exempt from disclosure to the public, including under any State law that allows a citizen to petition a State agency for that information.”.

SEC. 12203. GRANTS TO IMPROVE SUPPLY, STABILITY, SAFETY, AND TRAINING OF AGRICULTURAL LABOR FORCE.

Section 14204(d) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 2008q-1(d)) is amended to read as follows:

“(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section—

“(1) such sums as are necessary for each of fiscal years 2008 through 2013; and

“(2) \$10,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 12204. NONINSURED CROP ASSISTANCE PROGRAM.

(a) **IN GENERAL.**—Section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

“(1) **IN GENERAL.**—

“(A) **COVERAGES.**—In the case of an eligible crop described in paragraph (2), the Secretary of Agriculture shall operate a non-insured crop disaster assistance program to provide coverages based on individual yields (other than for value-loss crops) equivalent to—

“(i) catastrophic risk protection available under section 508(b) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)); or

“(ii) additional coverage available under subsections (c) and (h) of section 508 of that Act (7 U.S.C. 1508) that does not exceed 65 percent.

“(B) **ADMINISTRATION.**—The Secretary shall carry out this section through the Farm Service Agency (referred to in this section as the ‘Agency’).”; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter before clause (i), by striking “(except livestock)” and inserting “(except livestock and crops and grasses used for grazing)”;;

(II) in clause (i), by striking “and” after the semicolon at the end;

(III) by redesignating clause (ii) as clause (iii); and

(IV) by inserting after clause (i) the following:

“(ii) for which additional coverage under subsections (c) and (h) of section 508 of that Act (7 U.S.C. 1508) is not available; and”; and

(ii) in subparagraph (B)—

(I) by inserting “(except ferns)” after “floricultural”;;

(II) by inserting “(except ferns)” after “ornamental nursery”;; and

(III) by striking “(including ornamental fish)” and inserting “(including ornamental fish, but excluding tropical fish)”;;

(2) in subsection (d), by striking “The Secretary” and inserting “Subject to subsection (1), the Secretary”;;

(3) in subsection (k)(1)—

(A) in subparagraph (A), by striking “\$250” and inserting “\$260”;; and

(B) in subparagraph (B)—

(i) by striking “\$750” and inserting “\$780”;; and

(ii) by striking “\$1,875” and inserting “\$1,950”;; and

(4) by adding at the end the following:

“(1) **PAYMENT EQUIVALENT TO ADDITIONAL COVERAGE.**—

“(1) **IN GENERAL.**—The Secretary shall make available to a producer eligible for noninsured assistance under this section a payment equivalent to an indemnity for additional coverage under subsections (c) and (h) of section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) that does not exceed 65 percent, computed by multiplying—

“(A) the quantity that is less than 50 to 65 percent of the established yield for the crop, as determined by the Secretary, specified in increments of 5 percent;

“(B) 100 percent of the average market price for the crop, as determined by the Secretary; and

“(C) a payment rate for the type of crop, as determined by the Secretary, that reflects—

“(i) in the case of a crop that is produced with a significant and variable harvesting expense, the decreasing cost incurred in the production cycle for the crop that is, as applicable—

“(I) harvested;

“(II) planted but not harvested; or

“(III) prevented from being planted because of drought, flood, or other natural disaster, as determined by the Secretary; or

“(ii) in the case of a crop that is produced without a significant and variable harvesting expense, such rate as shall be determined by the Secretary.

“(2) **PREMIUM.**—To be eligible to receive a payment under this subsection, a producer shall pay—

“(A) the service fee required by subsection (k); and

“(B) a premium for the applicable crop year that is equal to—

“(i) the product obtained by multiplying—

“(I) the number of acres devoted to the eligible crop;

“(II) the yield, as determined by the Secretary under subsection (e);

“(III) the coverage level elected by the producer;

“(IV) the average market price, as determined by the Secretary; and

“(ii) 5.25-percent premium fee.

“(3) **LIMITED RESOURCE, BEGINNING, AND SOCIALLY DISADVANTAGED FARMERS.**—The additional coverage made available under this subsection shall be available to limited resource, beginning, and socially disadvantaged producers, as determined by the Secretary, in exchange for a premium that is 50 percent of the premium determined for a producer under paragraph (2).

“(4) **ADDITIONAL AVAILABILITY.**—

“(A) **IN GENERAL.**—As soon as practicable after October 1, 2013, the Secretary shall make assistance available to producers of an otherwise eligible crop described in subsection (a)(2) that suffered losses—

“(i) to a 2012 annual fruit crop grown on a bush or tree; and

“(ii) in a county covered by a declaration by the Secretary of a natural disaster for production losses due to a freeze or frost.

“(B) ASSISTANCE.—The Secretary shall make assistance available under subparagraph (A) in an amount equivalent to assistance available under paragraph (1), less any fees not previously paid under paragraph (2).”.

(b) TERMINATION DATE.—

(1) IN GENERAL.—Effective October 1, 2018, subsection (a) and the amendments made by subsection (a) (other than the amendments made by clauses (i)(I) and (ii) of subsection (a)(1)(B)) are repealed.

(2) ADMINISTRATION.—Effective October 1, 2018, section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) shall be applied and administered as if subsection (a) and the amendments made by subsection (a) (other than the amendments made by clauses (i)(I) and (ii) of subsection (a)(1)(B)) had not been enacted.

SEC. 12205. REGIONAL ECONOMIC AND INFRASTRUCTURE DEVELOPMENT.

Section 15751 of title 40, United States Code, is amended—

(1) in subsection (a), by striking “2012” and inserting “2018”; and

(2) in subsection (b)—

(A) by striking “Not more than” and inserting the following:

“(1) IN GENERAL.—Except as provided in paragraph (2), not more than”; and

(B) by adding at the end the following:

“(2) LIMITED FUNDING.—In a case in which less than \$10,000,000 is made available to a Commission for a fiscal year under this section, paragraph (1) shall not apply.”.

SEC. 12206. CANADA GEESE REMOVAL.

(a) IN GENERAL.—On a determination by the Administrator of the Federal Aviation Administration that the population of Canada geese residing on land under the jurisdiction of the National Park Service that is located within 5 miles of any commercial airport poses a risk to flight safety, the Secretary (acting through the Administrator of the Animal and Plant Health Inspection Service), in consultation with the Secretary of the Interior and the Administrator of the Federal Aviation Administration, shall—

(1) by the first subsequent molting period for Canada geese that occurs after the date of enactment of this Act, publish a management plan that provides for the removal, by not later than 1 year after the date of publication, of all Canada geese residing on the applicable land; and

(2) as soon as practicable after the date of publication of the management plan under paragraph (1), commence removal of Canada geese from the applicable land.

(b) JFK INTERNATIONAL AIRPORT.—Not later than June 1, 2012, the Secretary (acting through the Administrator of the Animal and Plant Health Inspection Service) shall—

(1) issue a record of decision for the document entitled “Supplement to the Environmental Impact Statement Bird Hazard Reduction Program: John F. Kennedy International Airport”; and

(2) commence consultation with the Secretary of the Interior to complete the collection and removal of Canada geese from the applicable National Park Service land to ensure that the removal is completed by not later than August 1, 2012.

SEC. 12207. OFFICE OF TRIBAL RELATIONS.

(a) IN GENERAL.—Title III of the Department of Agriculture Reorganization Act of 1994 is amended by adding after section 308 (7 U.S.C. 3125a note; Public Law 103-354) the following:

“SEC. 309. OFFICE OF TRIBAL RELATIONS.

“The Secretary shall establish in the Office of the Secretary an Office of Tribal Relations.”.

(b) CONFORMING AMENDMENTS.—Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) (as amended by section 12201(b)) is amended—

(1) in paragraph (8), by striking “or” at the end;

(2) in paragraph (9), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(10) the authority of the Secretary to establish in the Office of the Secretary the Office of Tribal Relations in accordance with section 309.”.

SEC. 12208. REPEAL OF DUPLICATIVE PROGRAM.

(a) IN GENERAL.—Effective on the date of enactment of the Food, Conservation, and Energy Act (7 U.S.C. 8701 et seq.), section 11016 of that Act (Public Law 110-246; 122 Stat. 2130) and the amendments made by that section are repealed.

(b) APPLICATION.—The Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) and the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) shall be applied and administered as if section 11016 of the Food, Conservation, and Energy Act (Public Law 110-246; 122 Stat. 2130) and the amendments made by that section had not been enacted.

SEC. 12209. SENSE OF THE SENATE.

It is the sense of the Senate that nothing in this Act or an amendment made by this Act should manipulate prices or interfere with the free market.

SEC. 12210. ACER ACCESS AND DEVELOPMENT PROGRAM.

(a) GRANTS AUTHORIZED; AUTHORIZED ACTIVITIES.—The Secretary of Agriculture may make grants to States and tribal governments to support their efforts to promote the domestic maple syrup industry through the following activities:

(1) Promotion of research and education related to maple syrup production.

(2) Promotion of natural resource sustainability in the maple syrup industry.

(3) Market promotion for maple syrup and maple-sap products.

(4) Encouragement of owners and operators of privately held land containing species of tree in the genus *Acer*—

(A) to initiate or expand maple-sugaring activities on the land; or

(B) to voluntarily make the land available, including by lease or other means, for access by the public for maple-sugaring activities.

(b) APPLICATIONS.—In submitting an application for a grant under this section, a State or tribal government shall include—

(1) a description of the activities to be supported using the grant funds;

(2) a description of the benefits that the State or tribal government intends to achieve as a result of engaging in such activities; and

(3) an estimate of the increase in maple-sugaring activities or maple syrup production that the State or tribal government anticipates will occur as a result of engaging in such activities.

(c) RELATIONSHIP TO OTHER LAWS.—Nothing in this section preempts a State or tribal government law, including any State or tribal government liability law.

(d) DEFINITION OF MAPLE SUGARING.—In this section, the term “maple-sugaring” means the collection of sap from any species of tree in the genus *Acer* for the purpose of boiling to produce food.

(e) REGULATIONS.—The Secretary of Agriculture shall promulgate such regulations as are necessary to carry out this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2012 through 2015.

SEC. 12211. DEFINITION OF RURAL AREA FOR PURPOSES OF THE HOUSING ACT OF 1949.

The second sentence of section 520 of the Housing Act of 1949 (42 U.S.C. 1490) is amended—

(1) by striking “1990 or 2000 decennial census shall continue to be so classified until the receipt of data from the decennial census in the year 2010” and inserting “1990, 2000, or 2010 decennial census, and any area deemed to be a ‘rural area’ for purposes of this title under any other provision of law at any time during the period beginning January 1, 2000, and ending December 31, 2010, shall continue to be so classified until the receipt of data from the decennial census in the year 2020”; and

(2) by striking “25,000” and inserting “35,000”.

SEC. 12212. PROHIBITION ON ATTENDING AN ANIMAL FIGHT OR CAUSING A MINOR TO ATTEND AN ANIMAL FIGHT; ENFORCEMENT OF ANIMAL FIGHTING PROVISIONS.

(a) PROHIBITION ON ATTENDING AN ANIMAL FIGHT OR CAUSING A MINOR TO ATTEND AN ANIMAL FIGHT.—Section 26 of the Animal Welfare Act (7 U.S.C. 2156) is amended—

(1) in subsection (a)—

(A) in the heading, by striking “SPONSORING OR EXHIBITING AN ANIMAL IN” and inserting “SPONSORING OR EXHIBITING AN ANIMAL IN, ATTENDING, OR CAUSING A MINOR TO ATTEND”; and

(B) in paragraph (1)—

(i) in the heading, by striking “IN GENERAL” and inserting “SPONSORING OR EXHIBITING”; and

(ii) by striking “paragraph (2)” and inserting “paragraph (3)”; and

(C) by redesignating paragraph (2) as paragraph (3); and

(D) by inserting after paragraph (1) the following new paragraph:

“(2) ATTENDING OR CAUSING A MINOR TO ATTEND.—It shall be unlawful for any person to—

“(A) knowingly attend an animal fighting venture; or

“(B) knowingly cause a minor to attend an animal fighting venture.”; and

(2) in subsection (g), by adding at the end the following new paragraph:

“(5) the term ‘minor’ means a person under the age of 18 years old.”.

(b) ENFORCEMENT OF ANIMAL FIGHTING PROHIBITIONS.—Section 49 of title 18, United States Code, is amended—

(1) by striking “Whoever” and inserting “(a) IN GENERAL.—Whoever”; and

(2) in subsection (a), as designated by paragraph (1) of this section, by striking “subsection (a),” and inserting “subsection (a)(1).”; and

(3) by adding at the end the following new subsections:

“(b) ATTENDING AN ANIMAL FIGHTING VENTURE.—Whoever violates subsection (a)(2)(A) of section 26 of the Animal Welfare Act (7 U.S.C. 2156) shall be fined under this title, imprisoned for not more than 1 year, or both, for each violation.

“(c) CAUSING A MINOR TO ATTEND AN ANIMAL FIGHTING VENTURE.—Whoever violates subsection (a)(2)(B) of section 26 (7 U.S.C. 2156) of the Animal Welfare Act shall be fined under this title, imprisoned for not more than 3 years, or both, for each violation.”.

By Mr. LEAHY (for himself and Mr. GRASSLEY):

S. 42. A bill to provide anti-retaliation protections for antitrust whistleblowers; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, I am pleased to once again join with Senator GRASSLEY and today introduce the Criminal Antitrust Anti-Retaliation Act. This legislation, which is identical to our legislation from last Congress, will provide important protections to employees who come forward and disclose to law enforcement price fixing and other criminal antitrust behavior that harm consumers. This legislation is a continuation of the long partnership that I have had with Senator GRASSLEY on whistleblower issues.

Congress should encourage employees with information about criminal antitrust activity, such as price fixing, to report that information by offering meaningful protection to those who blow the whistle rather than leaving them vulnerable to reprisals. Throughout our history, whistleblowers have been instrumental in alerting the public, Congress, and law enforcement to wrongdoing in a variety of areas. These individuals take risks in stepping forward, and many times their actions result in important reforms and have even saved lives.

The legislation we are introducing today is based on recommendations from the Government Accountability Office, which interviewed key stakeholders in the antitrust community and found widespread support for anti-retaliatory protection in criminal antitrust cases. The provisions in this bill are modeled on the whistleblower protections that Senator GRASSLEY and I authored as part of the Sarbanes Oxley Act, and are narrowly tailored to ensure that whistleblowers are not provided with an economic incentive to bring forth false claims.

The antitrust laws protect consumers and serve to promote our free enterprise system. Our bipartisan bill will help to ensure that criminal violations of these laws do not go unreported. I urge the Senate to act quickly to pass this important legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 42

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Criminal Antitrust Anti-Retaliation Act of 2013".

SEC. 2. AMENDMENT TO ACPERA.

The Antitrust Criminal Penalty Enhancement and Reform Act of 2004 (Public Law 108-237; 15 U.S.C. 1 note) is amended by adding after section 215 the following:

"SEC. 216. ANTI-RETALIATION PROTECTION FOR WHISTLEBLOWERS.

"(a) WHISTLEBLOWER PROTECTIONS FOR EMPLOYEES, CONTRACTORS, SUBCONTRACTORS, AND AGENTS.—

"(1) IN GENERAL.—No person, or any officer, employee, contractor, subcontractor, or agent of such person, may discharge, demote, suspend, threaten, harass, or in any other manner discriminate against a whistleblower in the terms and conditions of employment because—

"(A) the whistleblower provided or caused to be provided to the person or the Federal Government information relating to—

"(i) any violation of, or any act or omission the whistleblower reasonably believes to be a violation of the antitrust laws; or

"(ii) any violation of, or any act or omission the whistleblower reasonably believes to be a violation of another criminal law committed in conjunction with a potential violation of the antitrust laws or in conjunction with an investigation by the Department of Justice of a potential violation of the antitrust laws; or

"(B) the whistleblower filed, caused to be filed, testified, participated in, or otherwise assisted an investigation or a proceeding filed or about to be filed (with any knowledge of the employer) relating to—

"(i) any violation of, or any act or omission the whistleblower reasonably believes to be a violation of the antitrust laws; or

"(ii) any violation of, or any act or omission the whistleblower reasonably believes to be a violation of another criminal law committed in conjunction with a potential violation of the antitrust laws or in conjunction with an investigation by the Department of Justice of a potential violation of the antitrust laws.

"(2) LIMITATION ON PROTECTIONS.—Paragraph (1) shall not apply to any whistleblower if—

"(A) the whistleblower planned and initiated a violation or attempted violation of the antitrust laws;

"(B) the whistleblower planned and initiated a violation or attempted violation of another criminal law in conjunction with a violation or attempted violation of the antitrust laws; or

"(C) the whistleblower planned and initiated an obstruction or attempted obstruction of an investigation by the Department of Justice of a violation of the antitrust laws.

"(3) DEFINITIONS.—In the section:

"(A) PERSON.—The term 'person' has the same meaning as in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12(a)).

"(B) ANTITRUST LAWS.—The term 'antitrust laws' means section 1 or 3 of the Sherman Act (15 U.S.C. 1, 3) or similar State law.

"(C) WHISTLEBLOWER.—The term 'whistleblower' means an employee, contractor, subcontractor, or agent protected from discrimination under paragraph (1).

"(b) ENFORCEMENT ACTION.—

"(1) IN GENERAL.—A whistleblower who alleges discharge or other discrimination by any person in violation of subsection (a) may seek relief under subsection (c) by—

"(A) filing a complaint with the Secretary of Labor; or

"(B) if the Secretary has not issued a final decision within 180 days of the filing of the complaint and there is no showing that such delay is due to the bad faith of the claimant, bringing an action at law or equity for de novo review in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy.

"(2) PROCEDURE.—

"(A) IN GENERAL.—A complaint filed with the Secretary of Labor under paragraph

(1)(A) shall be governed under the rules and procedures set forth in section 42121(b) of title 49, United States Code.

"(B) EXCEPTION.—Notification made under section 42121(b)(1) of title 49, United States Code, shall be made to the person named in the complaint and to the employer.

"(C) BURDENS OF PROOF.—A complaint filed with the Secretary of Labor under paragraph (1) shall be governed by the legal burdens of proof set forth in section 42121(b) of title 49, United States Code.

"(D) STATUTE OF LIMITATIONS.—A complaint under paragraph (1)(A) shall be filed with the Secretary of Labor not later than 180 days after the date on which the violation occurs.

"(E) CIVIL ACTIONS TO ENFORCE.—If a person fails to comply with an order or preliminary order issued by the Secretary of Labor pursuant to the procedures in section 42121(b), the Secretary of Labor or the person on whose behalf the order was issued may bring a civil action to enforce the order in the district court of the United States for the judicial district in which the violation occurred.

"(c) REMEDIES.—

"(1) IN GENERAL.—A whistleblower prevailing in any action under subsection (b)(1) shall be entitled to all relief necessary to make the whistleblower whole.

"(2) COMPENSATORY DAMAGES.—Relief for any action under paragraph (1) shall include—

"(A) reinstatement with the same seniority status that the whistleblower would have had, but for the discrimination;

"(B) the amount of back pay, with interest; and

"(C) compensation for any special damages sustained as a result of the discrimination including litigation costs, expert witness fees, and reasonable attorney's fees.

"(d) RIGHTS RETAINED BY WHISTLEBLOWERS.—Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any whistleblower under any Federal or State law, or under any collective bargaining agreement."

By Mr. LEAHY (for Mr. CRAPO, Ms. MURKOWSKI, Ms. MIKULSKI, Ms. AYOTTE, Mr. COONS, Ms. COLLINS, Mr. DURBIN, Mr. BENNET, Ms. KLOBUCHAR, Mrs. SHAHEEN, Mrs. MCCASKILL, Mr. UDALL of Colorado, Mr. KIRK, Mrs. MURRAY, Ms. CANTWELL, and Mr. CASEY):

S. 47. A bill to reauthorize the Violence Against Women Act of 1994; read the first time.

Mr. LEAHY. Mr. President, on the first day for bill introductions this year I once again join with Senator CRAPO and a distinguished, bipartisan group of Senators to introduce the Violence Against Women Reauthorization Act of 2013. This life-saving legislation should be a top priority of the new 113th Congress. It is our hope that the Senate will act quickly to pass this strong, bipartisan bill to help all victims of domestic and sexual violence.

The Senate acted just 9 months ago to approve the Leahy-Crapo Violence Against Women Reauthorization Act of 2012 with 68 bipartisan votes. Despite our best efforts, the House did not join in our bipartisan efforts and enact that bill into law.

By now, the litany of VAWA's successes is familiar, but important. Since this historic legislation first passed in 1994, States have strengthened criminal rape statutes, and every State has made stalking a crime. The annual incidence of domestic violence has dropped more than 50 percent. We have helped to provide victims with critical services like housing and legal protection. Those are just a few highlights. We need to remember that behind those numbers are thousands of lives made immeasurably better.

Despite VAWA's success, there is a pressing need to update and strengthen its protections. The Center for Disease Control and Prevention's 2010 National Intimate Partner and Sexual Violence Survey found that one in four women has been the victim of severe physical domestic violence and one in five women has been raped in her lifetime. These numbers are almost too awful to contemplate.

Real life cases remind us that this reauthorization is long overdue. Last month, I read in the Burlington Free Press the story of Carmen Tarleton, a woman from Thetford, VT. Five years ago, Carmen's estranged husband broke into her home, beat her with a baseball bat, and poured industrial-strength lye on her, severely burning a great deal of her body and nearly blinding her. Her doctors said that she had suffered "the most horrific injury a human being could suffer." Today, she is nearly blind, disfigured, and continues to experience pain from her injuries. Despite this, Carmen is courageously sharing her story.

Stories like this one remind us that every day that we do not pass legislation that will help to prevent horrific violence and assist victims, more people are suffering. Late last year while Congress failed to act on our bipartisan bill, we saw tragic domestic violence-related murder-suicides in Missouri and Colorado. We also learned of harrowing new accounts of sexual assaults on college campuses. These are just more examples of the kind of tragedies that unfold every day across the country.

The Leahy-Crapo bill would support the use of techniques proven to help identify high-risk cases and prevent domestic violence homicides. It would increase VAWA's focus on sexual assault and push colleges to strengthen their efforts to protect students from domestic and sexual violence.

This reauthorization will allow us to make real progress in addressing the horrifying epidemic of domestic violence in tribal communities, where one recent study found that almost three in five native women have been assaulted by their spouses or intimate partners. It will allow services to get to those in the LGBT community who have had trouble accessing services in the past.

Every VAWA reauthorization Congress has passed has taken steps to help immigrant victims of violence, who are often particularly vulnerable. Last year's bill included a modest increase in the number of U visas available to immigrant victims who help law enforcement, which is good for victims and for law enforcement. Unfortunately, that provision led to a technical objection from House Republican leaders. In the interest of making quick and decisive progress, we introduce the bill today without that provision in order to remove any excuse for House inaction. We have retained other important improvements for immigrant victims in the bill we introduce today as part of our commitment to ensuring that all victims are protected.

I still believe strongly in the U visa increase that was in last year's Leahy-Crapo bill. I authored that provision after hearing from law enforcement and the experts in the field. I think it is needed to encourage assistance to law enforcement and to protect immigrant women and I remain committed to enacting it and ensuring that the needed U visa increase is adopted. I intend to work to include it in comprehensive immigration reform legislation that we should consider early in this Congress. It will be part of our immigration reform effort.

We have included, as well, in this year's bill the specific provisions of the SAFER bill that I worked out with Senator CORNYN and Senator GRASSLEY last year and that then passed the Senate unanimously late in the session. I hope that Senators who opposed VAWA last year while supporting those provisions will now join with us in our effort to enact VAWA reauthorization that includes those provisions, as well.

All of the provisions in our bill were developed with the help of victims and with those who assist them every day. They are commonsense measures that will help real people. It is past time for Congress to move beyond partisan politics in order to provide help to victims of domestic and sexual violence.

We can make these concrete and important changes in the law that will prevent terrible violence and provide more help to victims. There is no excuse for delay. I hope all Senators will join me in quickly moving this bill through the Senate and that the House will quickly work with us to get a strong VAWA bill to the President.

I thank Senator CRAPO, the lead Senate Republican cosponsor of our bill and Senators MURKOWSKI, MIKULSKI, AYOTTE, COLLINS, COONS, DURBIN, BENNETT, KLOBUCHAR, SHAHEEN, KIRK, CANTWELL, MURRAY, UDALL (CO), CASEY, and MCCASKILL, who join us as original cosponsors and have all been strong supporters of VAWA. I look forward to many others joining us to move forward on this vital legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 47

To reauthorize the Violence Against Women Act of 1994.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Violence Against Women Reauthorization Act of 2013".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Universal definitions and grant conditions.
- Sec. 4. Effective date.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

- Sec. 101. Stop grants.
- Sec. 102. Grants to encourage arrest policies and enforcement of protection orders.
- Sec. 103. Legal assistance for victims.
- Sec. 104. Consolidation of grants to support families in the justice system.
- Sec. 105. Sex offender management.
- Sec. 106. Court-appointed special advocate program.
- Sec. 107. Criminal provision relating to stalking, including cyberstalking.
- Sec. 108. Outreach and services to underserved populations grant.
- Sec. 109. Culturally specific services grant.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

- Sec. 201. Sexual assault services program.
- Sec. 202. Rural domestic violence, dating violence, sexual assault, stalking, and child abuse enforcement assistance.
- Sec. 203. Training and services to end violence against women with disabilities grants.
- Sec. 204. Enhanced training and services to end abuse in later life.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

- Sec. 301. Rape prevention and education grant.
- Sec. 302. Creating hope through outreach, options, services, and education for children and youth.
- Sec. 303. Grants to combat violent crimes on campuses.
- Sec. 304. Campus sexual violence, domestic violence, dating violence, and stalking education and prevention.

TITLE IV—VIOLENCE REDUCTION PRACTICES

- Sec. 401. Study conducted by the centers for disease control and prevention.
- Sec. 402. Saving money and reducing tragedies through prevention grants.

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 501. Consolidation of grants to strengthen the healthcare system's response to domestic violence, dating violence, sexual assault, and stalking.

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 601. Housing protections for victims of domestic violence, dating violence, sexual assault, and stalking.

Sec. 602. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, and stalking.

Sec. 603. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

Sec. 701. National Resource Center on Workplace Responses to assist victims of domestic and sexual violence.

TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS

Sec. 801. U nonimmigrant definition.

Sec. 802. Annual report on immigration applications made by victims of abuse.

Sec. 803. Protection for children of VAWA self-petitioners.

Sec. 804. Public charge.

Sec. 805. Requirements applicable to U visas.

Sec. 806. Hardship waivers.

Sec. 807. Protections for a fiancée or fiancé of a citizen.

Sec. 808. Regulation of international marriage brokers.

Sec. 809. Eligibility of crime and trafficking victims in the Commonwealth of the Northern Mariana Islands to adjust status.

Sec. 810. Disclosure of information for national security purposes.

TITLE IX—SAFETY FOR INDIAN WOMEN

Sec. 901. Grants to Indian tribal governments.

Sec. 902. Grants to Indian tribal coalitions.

Sec. 903. Consultation.

Sec. 904. Tribal jurisdiction over crimes of domestic violence.

Sec. 905. Tribal protection orders.

Sec. 906. Amendments to the Federal assault statute.

Sec. 907. Analysis and research on violence against Indian women.

Sec. 908. Effective dates; pilot project.

Sec. 909. Indian law and order commission; Report on the Alaska Rural Justice and Law Enforcement Commission.

Sec. 910. Limitation.

TITLE X—SAFER ACT

Sec. 1001. Short title.

Sec. 1002. Debbie Smith grants for auditing sexual assault evidence backlogs.

Sec. 1003. Reports to congress.

Sec. 1004. Reducing the rape kit backlog.

Sec. 1005. Oversight and accountability.

Sec. 1006. Sunset.

TITLE XI—OTHER MATTERS

Sec. 1101. Sexual abuse in custodial settings.

Sec. 1102. Anonymous online harassment.

Sec. 1103. Stalker database.

Sec. 1104. Federal victim assistants reauthorization.

Sec. 1105. Child abuse training programs for judicial personnel and practitioners reauthorization.

SEC. 3. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.

(a) **DEFINITIONS.**—Subsection (a) of section 4002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)) is amended—

(1) by striking paragraphs (5), (17), (18), (23), (29), (33), (36), and (37);

(2) by redesignating—

(A) paragraphs (34) and (35) as paragraphs (41) and (42), respectively;

(B) paragraphs (30), (31), and (32) as paragraphs (36), (37), and (38), respectively;

(C) paragraphs (24) through (28) as paragraphs (30) through (34), respectively;

(D) paragraphs (21) and (22) as paragraphs (26) and (27), respectively;

(E) paragraphs (19) and (20) as paragraphs (23) and (24), respectively;

(F) paragraphs (10) through (16) as paragraphs (13) through (19), respectively;

(G) paragraphs (6), (7), (8), and (9) as paragraphs (8), (9), (10), and (11), respectively; and

(H) paragraphs (1), (2), (3), and (4) as paragraphs (2), (3), (4), and (5), respectively;

(3) by inserting before paragraph (2), as redesignated, the following:

“(1) **ALASKA NATIVE VILLAGE.**—The term ‘Alaska Native village’ has the same meaning given such term in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).”;

(4) in paragraph (3), as redesignated, by striking “serious harm.” and inserting “serious harm to an unemancipated minor.”;

(5) in paragraph (4), as redesignated, by striking “The term” through “that—” and inserting “The term ‘community-based organization’ means a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community that—”;

(6) by inserting after paragraph (5), as redesignated, the following:

“(6) **CULTURALLY SPECIFIC.**—The term ‘culturally specific’ means primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u–6(g))).”

“(7) **CULTURALLY SPECIFIC SERVICES.**—The term ‘culturally specific services’ means community-based services that include culturally relevant and linguistically specific services and resources to culturally specific communities.”;

(7) in paragraph (8), as redesignated, by inserting “or intimate partner” after “former spouse” and “as a spouse”;

(8) by inserting after paragraph (11), as redesignated, the following:

“(12) **HOMELESS.**—The term ‘homeless’ has the meaning provided in section 41403(6).”;

(9) in paragraph (18), as redesignated, by inserting “or Village Public Safety Officers” after “governmental victim services programs”;

(10) in paragraph (19), as redesignated, by inserting at the end the following:

“Intake or referral, by itself, does not constitute legal assistance.”;

(11) by inserting after paragraph (19), as redesignated, the following:

“(20) **PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.**—The term ‘personally identifying information’ or ‘personal information’ means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dat-

ing violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including—

“(A) a first and last name;

“(B) a home or other physical address;

“(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

“(D) a social security number, driver license number, passport number, or student identification number; and

“(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.

“(21) **POPULATION SPECIFIC ORGANIZATION.**—The term ‘population specific organization’ means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

“(22) **POPULATION SPECIFIC SERVICES.**—The term ‘population specific services’ means victim-centered services that address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking, and that are designed primarily for and are targeted to a specific underserved population.”;

(12) in paragraph (23), as redesignated, by striking “services” and inserting “assistance”;

(13) by inserting after paragraph (24), as redesignated, the following:

“(25) **RAPE CRISIS CENTER.**—The term ‘rape crisis center’ means a nonprofit, nongovernmental, or tribal organization, or governmental entity in a State other than a Territory that provides intervention and related assistance, as specified in section 41601(b)(2)(C), to victims of sexual assault without regard to their age. In the case of a governmental entity, the entity may not be part of the criminal justice system (such as a law enforcement agency) and must be able to offer a comparable level of confidentiality as a nonprofit entity that provides similar victim services.”;

(14) in paragraph (26), as redesignated—

(A) in subparagraph (A), by striking “or” after the semicolon;

(B) in subparagraph (B), by striking the period and inserting “; or”; and

(C) by inserting at the end the following:

“(C) any federally recognized Indian tribe.”;

(15) in paragraph (27), as redesignated—

(A) by striking “52” and inserting “57”; and

(B) by striking “150,000” and inserting “250,000”;

(16) by inserting after paragraph (27), as redesignated, the following:

“(28) **SEX TRAFFICKING.**—The term ‘sex trafficking’ means any conduct proscribed by section 1591 of title 18, United States Code, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.

“(29) **SEXUAL ASSAULT.**—The term ‘sexual assault’ means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.”;

(17) by inserting after paragraph (34), as redesignated, the following:

“(35) **TRIBAL COALITION.**—The term ‘tribal coalition’ means an established nonprofit,

nongovernmental Indian organization, Alaska Native organization, or a Native Hawaiian organization that—

“(A) provides education, support, and technical assistance to member Indian service providers in a manner that enables those member providers to establish and maintain culturally appropriate services, including shelter and rape crisis services, designed to assist Indian women and the dependents of those women who are victims of domestic violence, dating violence, sexual assault, and stalking; and

“(B) is comprised of board and general members that are representative of—

“(i) the member service providers described in subparagraph (A); and

“(ii) the tribal communities in which the services are being provided.”;

(18) by inserting after paragraph (38), as redesignated, the following:

“(39) **UNDERSERVED POPULATIONS.**—The term ‘underserved populations’ means populations who face barriers in accessing and using victim services, and includes populations underserved because of geographic location, religion, sexual orientation, gender identity, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.

“(40) **UNIT OF LOCAL GOVERNMENT.**—The term ‘unit of local government’ means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.”; and

(19) by inserting after paragraph (42), as redesignated, the following:

“(43) **VICTIM SERVICE PROVIDER.**—The term ‘victim service provider’ means a nonprofit, nongovernmental or tribal organization or rape crisis center, including a State or tribal coalition, that assists or advocates for domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

“(44) **VICTIM SERVICES OR SERVICES.**—The terms ‘victim services’ and ‘services’ mean services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information and referrals, culturally specific services, population specific services, and other related supportive services.

“(45) **YOUTH.**—The term ‘youth’ means a person who is 11 to 24 years old.”.

(b) **GRANTS CONDITIONS.**—Subsection (b) of section 4002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

“(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees’ and subgrantees’ programs, regardless of whether the information has been en-

coded, encrypted, hashed, or otherwise protected; or

“(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.

If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent’s or guardian’s consent, the minor or person with a guardian may release information without additional consent.”;

(B) by amending subparagraph (D), to read as follows:

“(D) **INFORMATION SHARING.**—

“(i) Grantees and subgrantees may share—

“(I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

“(II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and

“(III) law enforcement-generated and prosecution-generated information necessary for law enforcement and prosecution purposes.

“(ii) In no circumstances may—

“(I) an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking be required to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grantee or subgrantee;

“(II) any personally identifying information be shared in order to comply with Federal, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.”;

(C) by redesignating subparagraph (E) as subparagraph (F);

(D) by inserting after subparagraph (D) the following:

“(E) **STATUTORILY MANDATED REPORTS OF ABUSE OR NEGLECT.**—Nothing in this section prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined and specifically mandated by the State or tribe involved.”; and

(E) by inserting after subparagraph (F), as redesignated, the following:

“(G) **CONFIDENTIALITY ASSESSMENT AND ASSURANCES.**—Grantees and subgrantees must document their compliance with the confidentiality and privacy provisions required under this section.”;

(2) by striking paragraph (3) and inserting the following:

“(3) **APPROVED ACTIVITIES.**—In carrying out the activities under this title, grantees and subgrantees may collaborate with or provide information to Federal, State, local, tribal, and territorial public officials and agencies to develop and implement policies and develop and promote State, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking.”;

(3) in paragraph (7), by inserting at the end the following:

“Final reports of such evaluations shall be made available to the public via the agency’s website.”; and

(4) by inserting after paragraph (11) the following:

“(12) **DELIVERY OF LEGAL ASSISTANCE.**—Any grantee or subgrantee providing legal assistance with funds awarded under this title shall comply with the eligibility requirements in section 1201(d) of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg-6(d)).

“(13) **CIVIL RIGHTS.**—

“(A) **NONDISCRIMINATION.**—No person in the United States shall, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity (as defined in paragraph 249(c)(4) of title 18, United States Code), sexual orientation, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103-322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106-386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109-162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2013, and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

“(B) **EXCEPTION.**—If sex segregation or sex-specific programming is necessary to the essential operation of a program, nothing in this paragraph shall prevent any such program or activity from consideration of an individual’s sex. In such circumstances, grantees may meet the requirements of this paragraph by providing comparable services to individuals who cannot be provided with the sex-segregated or sex-specific programming.

“(C) **DISCRIMINATION.**—The authority of the Attorney General and the Office of Justice Programs to enforce this paragraph shall be the same as it is under section 3789d of title 42, United States Code.

“(D) **CONSTRUCTION.**—Nothing contained in this paragraph shall be construed, interpreted, or applied to supplant, displace, preempt, or otherwise diminish the responsibilities and liabilities under other State or Federal civil rights law, whether statutory or common.

“(14) **CLARIFICATION OF VICTIM SERVICES AND LEGAL ASSISTANCE.**—Victim services and legal assistance under this title also include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

“(15) **CONFERRAL.**—

“(A) **IN GENERAL.**—The Office on Violence Against Women shall establish a biennial conferral process with State and tribal coalitions and technical assistance providers who receive funding through grants administered by the Office on Violence Against Women and authorized by this Act, and other key stakeholders.

“(B) **AREAS COVERED.**—The areas of conferral under this paragraph shall include—

“(i) the administration of grants;

“(ii) unmet needs;

“(iii) promising practices in the field; and

“(iv) emerging trends.

“(C) **INITIAL CONFERRAL.**—The first conferral shall be initiated not later than 6

months after the date of enactment of the Violence Against Women Reauthorization Act of 2013.

“(D) REPORT.—Not later than 90 days after the conclusion of each conferral period, the Office on Violence Against Women shall publish a comprehensive report that—

“(i) summarizes the issues presented during conferral and what, if any, policies it intends to implement to address those issues;

“(ii) is made available to the public on the Office on Violence Against Women’s website and submitted to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

“(16) ACCOUNTABILITY.—All grants awarded by the Attorney General under this Act shall be subject to the following accountability provisions:

“(A) AUDIT REQUIREMENT.—

“(i) IN GENERAL.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

“(ii) DEFINITION.—In this paragraph, the term ‘unresolved audit finding’ means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

“(iii) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the following 2 fiscal years.

“(iv) PRIORITY.—In awarding grants under this Act, the Attorney General shall give priority to eligible entities that did not have an unresolved audit finding during the 3 fiscal years prior to submitting an application for a grant under this Act.

“(v) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

“(I) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

“(II) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

“(B) NONPROFIT ORGANIZATION REQUIREMENTS.—

“(i) DEFINITION.—For purposes of this paragraph and the grant programs described in this Act, the term ‘nonprofit organization’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

“(ii) PROHIBITION.—The Attorney General may not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

“(iii) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonable-

ness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

“(C) CONFERENCE EXPENDITURES.—

“(i) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General, or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than \$20,000 in Department funds, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

“(ii) WRITTEN APPROVAL.—Written approval under clause (i) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and any entertainment.

“(iii) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all approved conference expenditures referenced in this paragraph.

“(D) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification that—

“(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

“(ii) all mandatory exclusions required under subparagraph (A)(iii) have been issued;

“(iii) all reimbursements required under subparagraph (A)(v) have been made; and

“(iv) includes a list of any grant recipients excluded under subparagraph (A) from the previous year.”

SEC. 4. EFFECTIVE DATE.

Except as otherwise specifically provided in this Act, the provisions of titles I, II, III, IV, VII, and sections 3, 602, 901, and 902 of this Act shall not take effect until the beginning of the fiscal year following the date of enactment of this Act.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

SEC. 101. STOP GRANTS.

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 1001(a)(18) (42 U.S.C. 3793(a)(18)), by striking “\$225,000,000 for each of fiscal years 2007 through 2011” and inserting “\$222,000,000 for each of fiscal years 2014 through 2018”;

(2) in section 2001(b) (42 U.S.C. 3796g(b))—

(A) in the matter preceding paragraph (1)—

(i) by striking “equipment” and inserting “resources”;

(ii) by inserting “for the protection and safety of victims,” after “women.”;

(B) in paragraph (1), by striking “sexual assault” and all that follows through “dating violence” and inserting “domestic violence, dating violence, sexual assault, and stalking, including the appropriate use of nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a))”;

(C) in paragraph (2), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(D) in paragraph (3), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking, as well as the appropriate treatment of victims”;

(E) in paragraph (4)—

(i) by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(ii) by inserting “, classifying,” after “identifying”;

(F) in paragraph (5)—

(i) by inserting “and legal assistance” after “victim services”;

(ii) by striking “domestic violence and dating violence” and inserting “domestic violence, dating violence, and stalking”; and

(iii) by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(G) by striking paragraph (6) and redesignating paragraphs (7) through (14) as paragraphs (6) through (13), respectively;

(H) in paragraph (6), as redesignated by subparagraph (G), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(I) in paragraph (7), as redesignated by subparagraph (G), by striking “and dating violence” and inserting “dating violence, and stalking”;

(J) in paragraph (9), as redesignated by subparagraph (G), by striking “domestic violence or sexual assault” and inserting “domestic violence, dating violence, sexual assault, or stalking”;

(K) in paragraph (12), as redesignated by subparagraph (G)—

(i) in subparagraph (A), by striking “triage protocols to ensure that dangerous or potentially lethal cases are identified and prioritized” and inserting “the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases”;

(ii) by striking “and” at the end;

(L) in paragraph (13), as redesignated by subparagraph (G)—

(i) by striking “to provide” and inserting “providing”;

(ii) by striking “nonprofit nongovernmental”;

(iii) by striking the comma after “local governments”;

(iv) in the matter following subparagraph (C), by striking “paragraph (14)” and inserting “paragraph (13)”;

(v) by striking the period at the end and inserting a semicolon; and

(M) by inserting after paragraph (13), as redesignated by subparagraph (G), the following:

“(14) developing and promoting State, local, or tribal legislation and policies that

enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking;

“(15) developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault;

“(16) developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;

“(17) developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;

“(18) identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims;

“(19) developing, enlarging, or strengthening programs and projects to provide services and responses targeting male and female victims of domestic violence, dating violence, sexual assault, or stalking, whose ability to access traditional services and responses is affected by their sexual orientation or gender identity, as defined in section 249(c) of title 18, United States Code; and

“(20) developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking, with not more than 5 percent of the amount allocated to a State to be used for this purpose.”;

(3) in section 2007 (42 U.S.C. 3796gg-1)—

(A) in subsection (a), by striking “non-profit nongovernmental victim service programs” and inserting “victim service providers”;

(B) in subsection (b)(6), by striking “(not including populations of Indian tribes)”;

(C) in subsection (c)—

(i) by striking paragraph (2) and inserting the following:

“(2) grantees and subgrantees shall develop a plan for implementation and shall consult and coordinate with—

“(A) the State sexual assault coalition;

“(B) the State domestic violence coalition;

“(C) the law enforcement entities within the State;

“(D) prosecution offices;

“(E) State and local courts;

“(F) Tribal governments in those States with State or federally recognized Indian tribes;

“(G) representatives from underserved populations, including culturally specific populations;

“(H) victim service providers;

“(I) population specific organizations; and

“(J) other entities that the State or the Attorney General identifies as needed for the planning process.”;

(ii) by redesignating paragraph (3) as paragraph (4);

(iii) by inserting after paragraph (2), as amended by clause (i), the following:

“(3) grantees shall coordinate the State implementation plan described in paragraph (2) with the State plans described in section 307 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) and the programs described in section 1404 of the Victims of Crime Act of 1984 (42 U.S.C. 10603) and section 393A of the Public Health Service Act (42 U.S.C. 280b-1b).”;

(iv) in paragraph (4), as redesignated by clause (ii)—

(I) in subparagraph (A), by striking “and not less than 25 percent shall be allocated for prosecutors”;

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D);

(III) by inserting after subparagraph (A), the following:

“(B) not less than 25 percent shall be allocated for prosecutors.”; and

(IV) in subparagraph (D) as redesignated by subclause (II) by striking “for” and inserting “to”;

(v) by adding at the end the following:

“(5) not later than 2 years after the date of enactment of this Act, and every year thereafter, not less than 20 percent of the total amount granted to a State under this subchapter shall be allocated for programs or projects in 2 or more allocations listed in paragraph (4) that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.”;

(D) by striking subsection (d) and inserting the following:

“(d) APPLICATION REQUIREMENTS.—An application for a grant under this section shall include—

“(1) the certifications of qualification required under subsection (c);

“(2) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 2010;

“(3) proof of compliance with the requirements for paying fees and costs relating to domestic violence and protection order cases, described in section 2011 of this title;

“(4) proof of compliance with the requirements prohibiting polygraph examinations of victims of sexual assault, described in section 2013 of this title;

“(5) an implementation plan required under subsection (i); and

“(6) any other documentation that the Attorney General may require.”;

(E) in subsection (e)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking “domestic violence and sexual assault” and inserting “domestic violence, dating violence, sexual assault, and stalking”; and

(II) in subparagraph (D), by striking “linguistically and”;

(ii) by adding at the end the following:

“(3) CONDITIONS.—In disbursing grants under this part, the Attorney General may impose reasonable conditions on grant awards to ensure that the States meet statutory, regulatory, and other program requirements.”;

(F) in subsection (f), by striking the period at the end and inserting “, except that, for purposes of this subsection, the costs of the projects for victim services or tribes for which there is an exemption under section 40002(b)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)(1)) shall not count toward the total costs of the projects.”; and

(G) by adding at the end the following:

“(i) IMPLEMENTATION PLANS.—A State applying for a grant under this part shall—

“(1) develop an implementation plan in consultation with the entities listed in subsection (c)(2), that identifies how the State will use the funds awarded under this part, including how the State will meet the requirements of subsection (c)(5); and

“(2) submit to the Attorney General—

“(A) the implementation plan developed under paragraph (1);

“(B) documentation from each member of the planning committee as to their participation in the planning process;

“(C) documentation from the prosecution, law enforcement, court, and victim services programs to be assisted, describing—

“(i) the need for the grant funds;

“(ii) the intended use of the grant funds;

“(iii) the expected result of the grant funds; and

“(iv) the demographic characteristics of the populations to be served, including age, disability, race, ethnicity, and language background;

“(D) a description of how the State will ensure that any subgrantees will consult with victim service providers during the course of developing their grant applications in order to ensure that the proposed activities are designed to promote the safety, confidentiality, and economic independence of victims;

“(E) demographic data on the distribution of underserved populations within the State and a description of how the State will meet the needs of underserved populations, including the minimum allocation for population specific services required under subsection (c)(4)(C);

“(F) a description of how the State plans to meet the regulations issued pursuant to subsection (e)(2);

“(G) goals and objectives for reducing domestic violence-related homicides within the State; and

“(H) any other information requested by the Attorney General.

“(j) REALLOCATION OF FUNDS.—A State may use any returned or remaining funds for any authorized purpose under this part if—

“(1) funds from a subgrant awarded under this part are returned to the State; or

“(2) the State does not receive sufficient eligible applications to award the full funding within the allocations in subsection (c)(4).”;

(4) in section 2010 (42 U.S.C. 3796gg-4)—

(A) in subsection (a), by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—A State, Indian tribal government, or unit of local government shall not be entitled to funds under this subchapter unless the State, Indian tribal government, unit of local government, or another governmental entity—

“(A) incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) for victims of sexual assault; and

“(B) coordinates with health care providers in the region to notify victims of sexual assault of the availability of rape exams at no cost to the victims.”;

(B) in subsection (b)—

(i) in paragraph (1), by inserting “or” after the semicolon;

(ii) in paragraph (2), by striking “; or” and inserting a period; and

(iii) by striking paragraph (3); and

(C) by amending subsection (d) to read as follows:

“(d) NONCOOPERATION.—

“(1) IN GENERAL.—To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement.

“(2) COMPLIANCE PERIOD.—States, territories, and Indian tribal governments shall have 3 years from the date of enactment of this Act to come into compliance with this section.”; and

(5) in section 2011(a)(1) (42 U.S.C. 3796gg-5(a)(1))—

(A) by inserting “modification, enforcement, dismissal, withdrawal” after “registration,” each place it appears;

(B) by inserting “, dating violence, sexual assault, or stalking” after “felony domestic violence”; and

(C) by striking “victim of domestic violence” and all that follows through “sexual assault” and inserting “victim of domestic violence, dating violence, sexual assault, or stalking”.

SEC. 102. GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS.

(a) IN GENERAL.—Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.) is amended—

(1) in section 2101 (42 U.S.C. 3796hh)—

(A) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking “States,” and all that follows through “units of local government” and inserting “grantees”;

(ii) in paragraph (1), by inserting “and enforcement of protection orders across State and tribal lines” before the period;

(iii) in paragraph (2), by striking “and training in police departments to improve tracking of cases” and inserting “data collection systems, and training in police departments to improve tracking of cases and classification of complaints”;

(iv) in paragraph (4), by inserting “and provide the appropriate training and education about domestic violence, dating violence, sexual assault, and stalking” after “computer tracking systems”;

(v) in paragraph (5), by inserting “and other victim services” after “legal advocacy service programs”;

(vi) in paragraph (6), by striking “judges” and inserting “Federal, State, tribal, territorial, and local judges, courts, and court-based and court-related personnel”;

(vii) in paragraph (8), by striking “and sexual assault” and inserting “dating violence, sexual assault, and stalking”;

(viii) in paragraph (10), by striking “non-profit, non-governmental victim services organizations,” and inserting “victim service providers, staff from population specific organizations,”; and

(ix) by adding at the end the following:

“(14) To develop and implement training programs for prosecutors and other prosecution-related personnel regarding best practices to ensure offender accountability, victim safety, and victim consultation in cases involving domestic violence, dating violence, sexual assault, and stalking.

“(15) To develop or strengthen policies, protocols, and training for law enforcement, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking against immigrant victims, including the appropriate use of applications for nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).

“(16) To develop and promote State, local, or tribal legislation and policies that enhance best practices for responding to the crimes of domestic violence, dating violence, sexual assault, and stalking, including the appropriate treatment of victims.

“(17) To develop, implement, or enhance sexual assault nurse examiner programs or sexual assault forensic examiner programs, including the hiring and training of such examiners.

“(18) To develop, implement, or enhance Sexual Assault Response Teams or similar

coordinated community responses to sexual assault.

“(19) To develop and strengthen policies, protocols, and training for law enforcement officers and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims.

“(20) To provide human immunodeficiency virus testing programs, counseling, and prophylaxis for victims of sexual assault.

“(21) To identify and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

“(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

“(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

“(B) identifying and managing high-risk offenders; and

“(C) providing ongoing victim advocacy and referrals to comprehensive services including legal, housing, health care, and economic assistance.”;

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting “except for a court,” before “certify”; and

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(ii) in paragraph (2), by inserting “except for a court,” before “demonstrate”;

(iii) in paragraph (3)—

(I) by striking “spouses” each place it appears and inserting “parties”; and

(II) by striking “spouse” and inserting “party”;

(iv) in paragraph (4)—

(I) by inserting “, dating violence, sexual assault, or stalking” after “felony domestic violence”;

(II) by inserting “modification, enforcement, dismissal,” after “registration,” each place it appears;

(III) by inserting “dating violence,” after “victim of domestic violence,”; and

(IV) by striking “and” at the end;

(v) in paragraph (5)—

(I) in the matter preceding subparagraph (A), by striking “, not later than 3 years after January 5, 2006”;

(II) by inserting “, trial of, or sentencing for” after “investigation of” each place it appears;

(III) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(IV) in clause (ii), as redesignated by subclause (III) of this clause, by striking “subparagraph (A)” and inserting “clause (i)”;

and

(V) by striking the period at the end and inserting “; and”;

(vi) by redesignating paragraphs (1) through (5), as amended by this subparagraph, as subparagraphs (A) through (E), respectively;

(vii) in the matter preceding subparagraph (A), as redesignated by clause (v) of this subparagraph—

(I) by striking the comma that immediately follows another comma; and

(II) by striking “grantees are States” and inserting the following: “grantees are—

“(1) States”; and

(viii) by adding at the end the following:

“(2) a State, tribal, or territorial domestic violence or sexual assault coalition or a victim service provider that partners with a State, Indian tribal government, or unit of local government that certifies that the State, Indian tribal government, or unit of local government meets the requirements under paragraph (1).”;

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting “, policy,” after “law”; and

(II) in subparagraph (A), by inserting “and the defendant is in custody or has been served with the information or indictment” before the semicolon; and

(ii) in paragraph (2), by striking “it” and inserting “its”; and

(D) by adding at the end the following:

“(f) ALLOCATION FOR TRIBAL COALITIONS.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 5 percent shall be available for grants under section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg).

“(g) ALLOCATION FOR SEXUAL ASSAULT.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 25 percent shall be available for projects that address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.”; and

(2) in section 2102(a) (42 U.S.C. 3796hh-1(a))—

(A) in paragraph (1), by inserting “court,” after “tribal government,”; and

(B) in paragraph (4), by striking “non-profit, private sexual assault and domestic violence programs” and inserting “victim service providers and, as appropriate, population specific organizations”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(19) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is amended—

(1) by striking “\$75,000,000” and all that follows through “2011.” and inserting “\$73,000,000 for each of fiscal years 2014 through 2018.”; and

(2) by striking the period that immediately follows another period.

SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg-6) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking “arising as a consequence of” and inserting “relating to or arising out of”; and

(B) in the second sentence, by inserting “or arising out of” after “relating to”;

(2) in subsection (b)—

(A) in the heading, by inserting “AND GRANT CONDITIONS” after “DEFINITIONS”; and

(B) by inserting “and grant conditions” after “definitions”;

(3) in subsection (c)—

(A) in paragraph (1), by striking “victims services organizations” and inserting “victim service providers”; and

(B) by striking paragraph (3) and inserting the following:

“(3) to implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic violence, dating violence, sexual assault, or stalking, except that not more than 10 percent of the funds awarded under this section may be used for the purpose described in this paragraph.”;

(4) in subsection (d)—

(A) in paragraph (1), by striking “this section has completed” and all that follows and inserting the following: “this section—”

“(A) has demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; or

“(B)(i) is partnered with an entity or person that has demonstrated expertise described in subparagraph (A); and

“(ii) has completed, or will complete, training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide;”;

and

(B) in paragraph (2), by striking “stalking organization” and inserting “stalking victim service provider”; and

(5) in subsection (f) in paragraph (1), by striking “this section” and all that follows and inserting the following: “this section \$57,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 104. CONSOLIDATION OF GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

(a) IN GENERAL.—Title III of division B of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386; 114 Stat. 1509) is amended by striking the section preceding section 1302 (42 U.S.C. 10420), as amended by section 306 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 316), and inserting the following:

“SEC. 1301. GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

“(a) IN GENERAL.—The Attorney General may make grants to States, units of local government, courts (including juvenile courts), Indian tribal governments, nonprofit organizations, legal services providers, and victim services providers to improve the response of all aspects of the civil and criminal justice system to families with a history of domestic violence, dating violence, sexual assault, or stalking, or in cases involving allegations of child sexual abuse.

“(b) USE OF FUNDS.—A grant under this section may be used to—

“(1) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, child sexual abuse, sexual assault, or stalking;

“(2) develop and promote State, local, and tribal legislation, policies, and best practices for improving civil and criminal court functions, responses, practices, and procedures in cases involving a history of domestic violence or sexual assault, or in cases involving allegations of child sexual abuse, including cases in which the victim proceeds pro se;

“(3) educate court-based and court-related personnel and court-appointed personnel (including custody evaluators and guardians ad litem) and child protective services workers on the dynamics of domestic violence, dating violence, sexual assault, and stalking, including information on perpetrator behavior, evidence-based risk factors for domestic and dating violence homicide, and on issues relating to the needs of victims, including safety, security, privacy, and confidentiality, including cases in which the victim proceeds pro se;

“(4) provide appropriate resources in juvenile court matters to respond to dating violence, domestic violence, sexual assault (including child sexual abuse), and stalking and ensure necessary services dealing with the

health and mental health of victims are available;

“(5) enable courts or court-based or court-related programs to develop or enhance—

“(A) court infrastructure (such as specialized courts, consolidated courts, dockets, intake centers, or interpreter services);

“(B) community-based initiatives within the court system (such as court watch programs, victim assistants, pro se victim assistance programs, or community-based supplementary services);

“(C) offender management, monitoring, and accountability programs;

“(D) safe and confidential information-storage and information-sharing databases within and between court systems;

“(E) education and outreach programs to improve community access, including enhanced access for underserved populations; and

“(F) other projects likely to improve court responses to domestic violence, dating violence, sexual assault, and stalking;

“(6) provide civil legal assistance and advocacy services, including legal information and resources in cases in which the victim proceeds pro se, to—

“(A) victims of domestic violence; and

“(B) nonoffending parents in matters—

“(i) that involve allegations of child sexual abuse;

“(ii) that relate to family matters, including civil protection orders, custody, and divorce; and

“(iii) in which the other parent is represented by counsel;

“(7) collect data and provide training and technical assistance, including developing State, local, and tribal model codes and policies, to improve the capacity of grantees and communities to address the civil justice needs of victims of domestic violence, dating violence, sexual assault, and stalking who have legal representation, who are proceeding pro se, or who are proceeding with the assistance of a legal advocate; and

“(8) to improve training and education to assist judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system.

“(c) CONSIDERATIONS.—

“(1) IN GENERAL.—In making grants for purposes described in paragraphs (1) through (7) of subsection (b), the Attorney General shall consider—

“(A) the number of families to be served by the proposed programs and services;

“(B) the extent to which the proposed programs and services serve underserved populations;

“(C) the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community with demonstrated histories of effective work on domestic violence, dating violence, sexual assault, or stalking, including State or tribal domestic violence coalitions, State or tribal sexual assault coalitions, local shelters, and programs for domestic violence and sexual assault victims; and

“(D) the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral.

“(2) OTHER GRANTS.—In making grants under subsection (b)(8) the Attorney General shall take into account the extent to which the grantee has expertise addressing the judicial system’s handling of family violence, child custody, child abuse and neglect, adoption, foster care, supervised visitation, divorce, and parentage.

“(d) APPLICANT REQUIREMENTS.—The Attorney General may make a grant under this section to an applicant that—

“(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual assault, stalking, or child sexual abuse, as appropriate;

“(2) ensures that any fees charged to individuals for use of supervised visitation programs and services are based on the income of those individuals, unless otherwise provided by court order;

“(3) for a court-based program, certifies that victims of domestic violence, dating violence, sexual assault, or stalking are not charged fees or any other costs related to the filing, petitioning, modifying, issuance, registration, enforcement, withdrawal, or dismissal of matters relating to the domestic violence, dating violence, sexual assault, or stalking;

“(4) demonstrates that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, and adequate standards are, or will be, in place (including the development of protocols or policies to ensure that confidential information is not shared with courts, law enforcement agencies, or child welfare agencies unless necessary to ensure the safety of any child or adult using the services of a program funded under this section), if the applicant proposes to operate supervised visitation programs and services or safe visitation exchange;

“(5) certifies that the organizational policies of the applicant do not require mediation or counseling involving offenders and victims being physically present in the same place, in cases where domestic violence, dating violence, sexual assault, or stalking is alleged;

“(6) certifies that any person providing legal assistance through a program funded under this section has completed or will complete training on domestic violence, dating violence, sexual assault, and stalking, including child sexual abuse, and related legal issues; and

“(7) certifies that any person providing custody evaluation or guardian ad litem services through a program funded under this section has completed or will complete training developed with input from and in collaboration with a tribal, State, territorial, or local domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition on the dynamics of domestic violence and sexual assault, including child sexual abuse, that includes training on how to review evidence of past abuse and the use of evidenced-based theories to make recommendations on custody and visitation.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$22,000,000 for each of fiscal years 2014 through 2018. Amounts appropriated pursuant to this subsection shall remain available until expended.

“(f) ALLOTMENT FOR INDIAN TRIBES.—

“(1) IN GENERAL.—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 3796gg–10 of this title.

“(2) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in paragraph (1).”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Subtitle J of the Violence Against Women Act of 1994 (42 U.S.C. 14043 et seq.) is repealed.

SEC. 105. SEX OFFENDER MANAGEMENT.

Section 40152(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13941) is amended by striking “\$5,000,000” and all that follows and inserting “\$5,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 106. COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.

Subtitle B of title II of the Crime Control Act of 1990 (42 U.S.C. 13011 et seq.) is amended—

(1) in section 216 (42 U.S.C. 13012), by striking “January 1, 2010” and inserting “January 1, 2015”;

(2) in section 217 (42 U.S.C. 13013)—

(A) by striking “Code of Ethics” in section (c)(2) and inserting “Standards for Programs”; and

(B) by adding at the end the following:

“(e) **REPORTING.**—An organization that receives a grant under this section for a fiscal year shall submit to the Administrator a report regarding the use of the grant for the fiscal year, including a discussion of outcome performance measures (which shall be established by the Administrator) to determine the effectiveness of the programs of the organization in meeting the needs of children in the child welfare system.”; and

(3) in section 219(a) (42 U.S.C. 13014(a)), by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

SEC. 107. CRIMINAL PROVISION RELATING TO STALKING, INCLUDING CYBERSTALKING.

(a) **INTERSTATE DOMESTIC VIOLENCE.**—Section 2261(a)(1) of title 18, United States Code, is amended—

(1) by inserting “is present” after “Indian Country or”; and

(2) by inserting “or presence” after “as a result of such travel”;

(b) **STALKING.**—Section 2261A of title 18, United States Code, is amended to read as follows:

“§ 2261A. Stalking

“Whoever—

“(1) travels in interstate or foreign commerce or is present within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, and in the course of, or as a result of, such travel or presence engages in conduct that—

“(A) places that person in reasonable fear of the death of, or serious bodily injury to—

“(i) that person;

“(ii) an immediate family member (as defined in section 115) of that person; or

“(iii) a spouse or intimate partner of that person; or

“(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of subparagraph (A); or

“(2) with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, uses the mail, any interactive computer service or electronic communication service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that—

“(A) places that person in reasonable fear of the death of or serious bodily injury to a person described in clause (i), (ii), or (iii) of paragraph (1)(A); or

“(B) causes, attempts to cause, or would be reasonably expected to cause substantial

emotional distress to a person described in clause (i), (ii), or (iii) of paragraph (1)(A),

shall be punished as provided in section 2261(b) of this title.”.

(c) **INTERSTATE VIOLATION OF PROTECTION ORDER.**—Section 2262(a)(2) of title 18, United States Code, is amended by inserting “is present” after “Indian Country or”.

SEC. 108. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS GRANT.

Section 120 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045) is amended to read as follows:

“SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS.

“(a) **GRANTS AUTHORIZED.**—

“(1) **IN GENERAL.**—Of the amounts appropriated under the grant programs identified in paragraph (2), the Attorney General shall take 2 percent of such appropriated amounts and combine them to award grants to eligible entities described in subsection (b) of this section to develop and implement outreach strategies targeted at adult or youth victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations and to provide victim services to meet the needs of adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in underserved populations. The requirements of the grant programs identified in paragraph (2) shall not apply to this grant program.

“(2) **PROGRAMS COVERED.**—The programs covered by paragraph (1) are the programs carried out under the following provisions:

“(A) Section 2001 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Combat Violent Crimes Against Women).

“(B) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program).

“(b) **ELIGIBLE ENTITIES.**—Eligible entities under this section are—

“(1) population specific organizations that have demonstrated experience and expertise in providing population specific services in the relevant underserved communities, or population specific organizations working in partnership with a victim service provider or domestic violence or sexual assault coalition;

“(2) victim service providers offering population specific services for a specific underserved population; or

“(3) victim service providers working in partnership with a national, State, tribal, or local organization that has demonstrated experience and expertise in providing population specific services in the relevant underserved population.

“(c) **PLANNING GRANTS.**—The Attorney General may use up to 25 percent of funds available under this section to make one-time planning grants to eligible entities to support the planning and development of specially designed and targeted programs for adult and youth victims in one or more underserved populations, including—

“(1) identifying, building and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations;

“(2) conducting a needs assessment of the community and the targeted underserved population or populations to determine what the barriers are to service access and what factors contribute to those barriers, using input from the targeted underserved population or populations;

“(3) identifying promising prevention, outreach and intervention strategies for victims from a targeted underserved population or populations; and

“(4) developing a plan, with the input of the targeted underserved population or populations, for implementing prevention, outreach and intervention strategies to address the barriers to accessing services, promoting community engagement in the prevention of domestic violence, dating violence, sexual assault, and stalking within the targeted underserved populations, and evaluating the program.

“(d) **IMPLEMENTATION GRANTS.**—The Attorney General shall make grants to eligible entities for the purpose of providing or enhancing population specific outreach and services to adult and youth victims in one or more underserved populations, including—

“(1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific services;

“(2) strengthening the capacity of underserved populations to provide population specific services;

“(3) strengthening the capacity of traditional victim service providers to provide population specific services;

“(4) strengthening the effectiveness of criminal and civil justice interventions by providing training for law enforcement, prosecutors, judges and other court personnel on domestic violence, dating violence, sexual assault, or stalking in underserved populations; or

“(5) working in cooperation with an underserved population to develop and implement outreach, education, prevention, and intervention strategies that highlight available resources and the specific issues faced by victims of domestic violence, dating violence, sexual assault, or stalking from underserved populations.

“(e) **APPLICATION.**—An eligible entity desiring a grant under this section shall submit an application to the Director of the Office on Violence Against Women at such time, in such form, and in such manner as the Director may prescribe.

“(f) **REPORTS.**—Each eligible entity receiving a grant under this section shall submit to the Director of the Office on Violence Against Women a report that describes the activities carried out with grant funds.

“(g) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to the funds identified in subsection (a)(1), there are authorized to be appropriated to carry out this section \$2,000,000 for each of fiscal years 2014 through 2018.

“(h) **DEFINITIONS AND GRANT CONDITIONS.**—In this section the definitions and grant conditions in section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) shall apply.”.

SEC. 109. CULTURALLY SPECIFIC SERVICES GRANT.

Section 121 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045a) is amended—

(1) in the section heading, by striking “**AND LINGUISTICALLY**”;

(2) by striking “and linguistically” each place it appears;

(3) by striking “and linguistic” each place it appears;

(4) by striking subsection (a)(2) and inserting:

“(2) **PROGRAMS COVERED.**—The programs covered by paragraph (1) are the programs carried out under the following provisions:

“(A) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants

to Encourage Arrest Policies and Enforcement of Protection Orders).

“(B) Section 14201 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-6) (Legal Assistance for Victims).

“(C) Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) (Rural Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Child Abuse Enforcement Assistance).

“(D) Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) (Enhanced Training and Services to End Violence Against Women Later in Life).

“(E) Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-7) (Education, Training, and Enhanced Services to End Violence Against and Abuse of Women with Disabilities).”; and

(5) in subsection (g), by striking “linguistic and”.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(b)) is amended—

(1) in paragraph (1), by striking “other programs” and all that follows and inserting “other nongovernmental or tribal programs and projects to assist individuals who have been victimized by sexual assault, without regard to the age of the individual.”;

(2) in paragraph (2)—

(A) in subparagraph (B), by inserting “or tribal programs and activities” after “nongovernmental organizations”; and

(B) in subparagraph (C)(v), by striking “linguistically and”; and

(3) in paragraph (4)—

(A) by inserting “(including the District of Columbia and Puerto Rico)” after “The Attorney General shall allocate to each State”;;

(B) by striking “the District of Columbia, Puerto Rico,” after “Guam”;

(C) by striking “0.125 percent” and inserting “0.25 percent”; and

(D) by striking “The District of Columbia shall be treated as a territory for purposes of calculating its allocation under the preceding formula.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 41601(f)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(f)(1)) is amended by striking “\$50,000,000 to remain available until expended for each of the fiscal years 2007 through 2011” and inserting “\$40,000,000 to remain available until expended for each of fiscal years 2014 through 2018”.

SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND CHILD ABUSE ENFORCEMENT ASSISTANCE.

Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) is amended—

(1) in subsection (a)(1)(H), by inserting “, including sexual assault forensic examiners” before the semicolon;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “victim advocacy groups” and inserting “victim service providers”; and

(ii) by inserting “, including developing multidisciplinary teams focusing on high risk cases with the goal of preventing domestic and dating violence homicides” before the semicolon;

(B) in paragraph (2)—

(i) by striking “and other long- and short-term assistance” and inserting “legal assistance, and other long-term and short-term victim and population specific services”; and

(ii) by striking “and” at the end;

(C) in paragraph (3), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(4) developing, enlarging, or strengthening programs addressing sexual assault, including sexual assault forensic examiner programs, Sexual Assault Response Teams, law enforcement training, and programs addressing rape kit backlogs.

“(5) developing programs and strategies that focus on the specific needs of victims of domestic violence, dating violence, sexual assault, and stalking who reside in remote rural and geographically isolated areas, including addressing the challenges posed by the lack of access to shelters and victims services, and limited law enforcement resources and training, and providing training and resources to Community Health Aides involved in the delivery of Indian Health Service programs.”; and

(3) in subsection (e)(1), by striking “\$55,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$50,000,000 for each of fiscal years 2014 through 2018”.

SEC. 203. TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN WITH DISABILITIES GRANTS.

Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-7) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting “(including using evidence-based indicators to assess the risk of domestic and dating violence homicide)” after “risk reduction”;;

(B) in paragraph (4), by striking “victim service organizations” and inserting “victim service providers”; and

(C) in paragraph (5), by striking “victim services organizations” and inserting “victim service providers”;;

(2) in subsection (c)(1)(D), by striking “nonprofit and nongovernmental victim services organization, such as a State” and inserting “victim service provider, such as a State or tribal”; and

(3) in subsection (e), by striking “\$10,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$9,000,000 for each of fiscal years 2014 through 2018”.

SEC. 204. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

(a) IN GENERAL.—Subtitle H of the Violence Against Women Act of 1994 (42 U.S.C. 14041 et seq.) is amended to read as follows:

“Subtitle H—Enhanced Training and Services to End Abuse Later in Life

“SEC. 40801. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

“(a) DEFINITIONS.—In this section—

“(1) the term ‘exploitation’ has the meaning given the term in section 2011 of the Social Security Act (42 U.S.C. 1397j);

“(2) the term ‘later life’, relating to an individual, means the individual is 50 years of age or older; and

“(3) the term ‘neglect’ means the failure of a caregiver or fiduciary to provide the goods or services that are necessary to maintain the health or safety of an individual in later life.

“(b) GRANT PROGRAM.—

“(1) GRANTS AUTHORIZED.—The Attorney General may make grants to eligible entities to carry out the activities described in paragraph (2).

“(2) MANDATORY AND PERMISSIBLE ACTIVITIES.—

“(A) MANDATORY ACTIVITIES.—An eligible entity receiving a grant under this section shall use the funds received under the grant to—

“(i) provide training programs to assist law enforcement agencies, prosecutors, agencies of States or units of local government, population specific organizations, victim service providers, victim advocates, and relevant officers in Federal, tribal, State, territorial, and local courts in recognizing and addressing instances of elder abuse;

“(ii) provide or enhance services for victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect;

“(iii) establish or support multidisciplinary collaborative community responses to victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; and

“(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, faith-based advocates, victim service providers, and courts to better serve victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect.

“(B) PERMISSIBLE ACTIVITIES.—An eligible entity receiving a grant under this section may use the funds received under the grant to—

“(i) provide training programs to assist attorneys, health care providers, faith-based leaders, or other community-based organizations in recognizing and addressing instances of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; or

“(ii) conduct outreach activities and awareness campaigns to ensure that victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect receive appropriate assistance.

“(C) WAIVER.—The Attorney General may waive 1 or more of the activities described in subparagraph (A) upon making a determination that the activity would duplicate services available in the community.

“(D) LIMITATION.—An eligible entity receiving a grant under this section may use not more than 10 percent of the total funds received under the grant for an activity described in subparagraph (B)(ii).

“(3) ELIGIBLE ENTITIES.—An entity shall be eligible to receive a grant under this section if—

“(A) the entity is—

“(i) a State;

“(ii) a unit of local government;

“(iii) a tribal government or tribal organization;

“(iv) a population specific organization with demonstrated experience in assisting individuals over 50 years of age;

“(v) a victim service provider with demonstrated experience in addressing domestic violence, dating violence, sexual assault, and stalking; or

“(vi) a State, tribal, or territorial domestic violence or sexual assault coalition; and

“(B) the entity demonstrates that it is part of a multidisciplinary partnership that includes, at a minimum—

“(i) a law enforcement agency;

“(ii) a prosecutor’s office;

“(iii) a victim service provider; and

“(iv) a nonprofit program or government agency with demonstrated experience in assisting individuals in later life;

“(4) **UNDERSERVED POPULATIONS.**—In making grants under this section, the Attorney General shall give priority to proposals providing services to culturally specific and underserved populations.

“(5) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$9,000,000 for each of fiscal years 2014 through 2018.”.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

SEC. 301. RAPE PREVENTION AND EDUCATION GRANT.

Section 393A of the Public Health Service Act (42 U.S.C. 280b-1b) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “, territorial or tribal” after “crisis centers, State”; and

(B) in paragraph (6), by inserting “and alcohol” after “about drugs”; and

(2) in subsection (c)—

(A) in paragraph (1), by striking “\$80,000,000 for each of fiscal years 2007 through 2011” and inserting “\$50,000,000 for each of fiscal years 2014 through 2018”; and

(B) by adding at the end the following:

“(3) **BASILINE FUNDING FOR STATES, THE DISTRICT OF COLUMBIA, AND PUERTO RICO.**—A minimum allocation of \$150,000 shall be awarded in each fiscal year for each of the States, the District of Columbia, and Puerto Rico. A minimum allocation of \$35,000 shall be awarded in each fiscal year for each Territory. Any unused or remaining funds shall be allotted to each State, the District of Columbia, and Puerto Rico on the basis of population.”.

SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH.

Subtitle L of the Violence Against Women Act of 1994 is amended by striking sections 41201 through 41204 (42 U.S.C. 14043c through 14043c-3) and inserting the following:

“SEC. 41201. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH (‘CHOOSE CHILDREN & YOUTH’).

“(a) **GRANTS AUTHORIZED.**—The Attorney General, working in collaboration with the Secretary of Health and Human Services and the Secretary of Education, shall award grants to enhance the safety of youth and children who are victims of, or exposed to, domestic violence, dating violence, sexual assault, or stalking and prevent future violence.

“(b) **PROGRAM PURPOSES.**—Funds provided under this section may be used for the following program purpose areas:

“(1) **SERVICES TO ADVOCATE FOR AND RESPOND TO YOUTH.**—To develop, expand, and strengthen victim-centered interventions and services that target youth who are victims of domestic violence, dating violence, sexual assault, and stalking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order proceedings, services to address the co-occurrence of sex trafficking, population-specific services, and other activities that support youth in finding safety, stability, and justice and in addressing the emotional, cognitive, and physical effects of trauma. Funds may be used to—

“(A) assess and analyze currently available services for youth victims of domestic vio-

lence, dating violence, sexual assault, and stalking, determining relevant barriers to such services in a particular locality, and developing a community protocol to address such problems collaboratively;

“(B) develop and implement policies, practices, and procedures to effectively respond to domestic violence, dating violence, sexual assault, or stalking against youth; or

“(C) provide technical assistance and training to enhance the ability of school personnel, victim service providers, child protective service workers, staff of law enforcement agencies, prosecutors, court personnel, individuals who work in after school programs, medical personnel, social workers, mental health personnel, and workers in other programs that serve children and youth to improve their ability to appropriately respond to the needs of children and youth who are victims of domestic violence, dating violence, sexual assault, and stalking, and to properly refer such children, youth, and their families to appropriate services.

“(2) **SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.**—To enable middle schools, high schools, and institutions of higher education to—

(A) provide training to school personnel, including healthcare providers and security personnel, on the needs of students who are victims of domestic violence, dating violence, sexual assault, or stalking;

(B) develop and implement prevention and intervention policies in middle and high schools, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating domestic violence, dating violence, sexual assault, or stalking, and procedures for handling the requirements of court protective orders issued to or against students;

(C) provide support services for student victims of domestic violence, dating violence, sexual assault or stalking, such as a resource person who is either on-site or on-call;

(D) implement developmentally appropriate educational programming for students regarding domestic violence, dating violence, sexual assault, and stalking and the impact of such violence on youth; or

(E) develop strategies to increase identification, support, referrals, and prevention programming for youth who are at high risk of domestic violence, dating violence, sexual assault, or stalking.

“(c) **ELIGIBLE APPLICANTS.**—

“(1) **IN GENERAL.**—To be eligible to receive a grant under this section, an entity shall be—

(A) a victim service provider, tribal nonprofit, or population-specific or community-based organization with a demonstrated history of effective work addressing the needs of youth who are, including runaway or homeless youth affected by, victims of domestic violence, dating violence, sexual assault, or stalking;

(B) a victim service provider that is partnered with an entity that has a demonstrated history of effective work addressing the needs of youth; or

(C) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(2) **PARTNERSHIPS.**—

(A) **EDUCATION.**—To be eligible to receive a grant for the purposes described in sub-

section (b)(2), an entity described in paragraph (1) shall be partnered with a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(B) **OTHER PARTNERSHIPS.**—All applicants under this section are encouraged to work in partnership with organizations and agencies that work with the relevant population. Such entities may include—

(i) a State, tribe, unit of local government, or territory;

(ii) a population specific or community-based organization;

(iii) batterer intervention programs or sex offender treatment programs with specialized knowledge and experience working with youth offenders; or

(iv) any other agencies or nonprofit, non-governmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

“(d) **GRANTEE REQUIREMENTS.**—Applicants for grants under this section shall establish and implement policies, practices, and procedures that—

(1) require and include appropriate referral systems for child and youth victims;

(2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers all with priority on victim safety and autonomy; and

(3) ensure that all individuals providing intervention or prevention programming to children or youth through a program funded under this section have completed, or will complete, sufficient training in connection with domestic violence, dating violence, sexual assault and stalking.

“(e) **DEFINITIONS AND GRANT CONDITIONS.**—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of fiscal years 2014 through 2018.

“(g) **ALLOTMENT.**—

(1) **IN GENERAL.**—Not less than 50 percent of the total amount appropriated under this section for each fiscal year shall be used for the purposes described in subsection (b)(1).

(2) **INDIAN TRIBES.**—Not less than 10 percent of the total amount appropriated under this section for each fiscal year shall be made available for grants under the program authorized by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968. The requirements of this section shall not apply to funds allocated under this paragraph.

“(h) **PRIORITY.**—The Attorney General shall prioritize grant applications under this section that coordinate with prevention programs in the community.”.

SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAMPUSES.

Section 304 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “stalking on campuses, and” and inserting “stalking on campuses,”;

(ii) by striking “crimes against women on” and inserting “crimes on”; and

(iii) by inserting “, and to develop and strengthen prevention education and awareness programs” before the period; and

(B) in paragraph (2), by striking “\$500,000” and inserting “\$300,000”;

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting “, strengthen,” after “To develop”; and

(ii) by inserting “including the use of technology to commit these crimes,” after “sexual assault and stalking,”;

(B) in paragraph (4)—

(i) by inserting “and population specific services” after “strengthen victim services programs”;

(ii) by striking “entities carrying out” and all that follows through “stalking victim services programs” and inserting “victim service providers”;

(iii) by inserting “, regardless of whether the services are provided by the institution or in coordination with community victim service providers” before the period at the end; and

(C) by adding at the end the following:

“(9) To develop or adapt and provide developmental, culturally appropriate, and linguistically accessible print or electronic materials to address both prevention and intervention in domestic violence, dating violence, sexual violence, and stalking.

“(10) To develop or adapt population specific strategies and projects for victims of domestic violence, dating violence, sexual assault, and stalking from underserved populations on campus.”;

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking “any non-profit” and all that follows through “victim services programs” and inserting “victim service providers”;

(ii) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(iii) by inserting after subparagraph (C), the following:

“(D) describe how underserved populations in the campus community will be adequately served, including the provision of relevant population specific services;” and

(B) in paragraph (3), by striking “2007 through 2011” and inserting “2014 through 2018”;

(4) in subsection (d)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2), the following:

“(3) GRANTEE MINIMUM REQUIREMENTS.—Each grantee shall comply with the following minimum requirements during the grant period:

“(A) The grantee shall create a coordinated community response including both organizations external to the institution and relevant divisions of the institution.

“(B) The grantee shall establish a mandatory prevention and education program on domestic violence, dating violence, sexual assault, and stalking for all incoming students.

“(C) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking.

“(D) The grantee shall train all members of campus disciplinary boards to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking.”; and

(5) in subsection (e), by striking “there are” and all that follows through the period

and inserting “there is authorized to be appropriated \$12,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 304. CAMPUS SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING EDUCATION AND PREVENTION.

(a) IN GENERAL.—Section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C)(iii), by striking the period at the end and inserting “, when the victim of such crime elects or is unable to make such a report.”; and

(B) in subparagraph (F)—

(i) in clause (i)(VIII), by striking “and” after the semicolon;

(ii) in clause (ii)—

(I) by striking “sexual orientation” and inserting “national origin, sexual orientation, gender identity,”; and

(II) by striking the period and inserting “; and”;

(iii) by adding at the end the following:

“(iii) of domestic violence, dating violence, and stalking incidents that were reported to campus security authorities or local police agencies.”;

(2) in paragraph (3), by inserting “, that withholds the names of victims as confidential,” after “that is timely”;

(3) in paragraph (6)(A)—

(A) by redesignating clauses (i), (ii), and (iii) as clauses (ii), (iii), and (iv), respectively;

(B) by inserting before clause (ii), as redesignated by subparagraph (A), the following:

“(i) The terms ‘dating violence’, ‘domestic violence’, and ‘stalking’ have the meaning given such terms in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).”;

(C) by inserting after clause (iv), as redesignated by subparagraph (A), the following:

“(v) The term ‘sexual assault’ means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.”;

(4) in paragraph (7)—

(A) by striking “paragraph (1)(F)” and inserting “clauses (i) and (ii) of paragraph (1)(F)”;

(B) by inserting after “Hate Crime Statistics Act.” the following: “For the offenses of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).”;

(5) by striking paragraph (8) and inserting the following:

“(8)(A) Each institution of higher education participating in any program under this title and title IV of the Economic Opportunity Act of 1964, other than a foreign institution of higher education, shall develop and distribute as part of the report described in paragraph (1) a statement of policy regarding—

“(i) such institution’s programs to prevent domestic violence, dating violence, sexual assault, and stalking; and

“(ii) the procedures that such institution will follow once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported, including a statement of the standard of evidence that will be used during any institutional conduct proceeding arising from such a report.

“(B) The policy described in subparagraph (A) shall address the following areas:

“(i) Education programs to promote the awareness of rape, acquaintance rape, domes-

tic violence, dating violence, sexual assault, and stalking, which shall include—

“(I) primary prevention and awareness programs for all incoming students and new employees, which shall include—

“(aa) a statement that the institution of higher education prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking;

“(bb) the definition of domestic violence, dating violence, sexual assault, and stalking in the applicable jurisdiction;

“(cc) the definition of consent, in reference to sexual activity, in the applicable jurisdiction;

“(dd) safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual;

“(ee) information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; and

“(ff) the information described in clauses (i) through (vii); and

“(II) ongoing prevention and awareness campaigns for students and faculty, including information described in items (aa) through (ff) of subclause (I).

“(ii) Possible sanctions or protective measures that such institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.

“(iii) Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about—

“(I) the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order;

“(II) to whom the alleged offense should be reported;

“(III) options regarding law enforcement and campus authorities, including notification of the victim’s option to—

“(aa) notify proper law enforcement authorities, including on-campus and local police;

“(bb) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and

“(cc) decline to notify such authorities; and

“(IV) where applicable, the rights of victims and the institution’s responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

“(iv) Procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking, which shall include a clear statement that—

“(I) such proceedings shall—

“(aa) provide a prompt, fair, and impartial investigation and resolution; and

“(bb) be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;

“(II) the accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary

proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice; and

“(III) both the accuser and the accused shall be simultaneously informed, in writing, of—

“(aa) the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking;

“(bb) the institution’s procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding;

“(cc) of any change to the results that occurs prior to the time that such results become final; and

“(dd) when such results become final.

“(v) Information about how the institution will protect the confidentiality of victims, including how publicly-available record-keeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

“(vi) Written notification of students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community.

“(vii) Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

“(C) A student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of the student or employee’s rights and options, as described in clauses (ii) through (vii) of subparagraph (B).”;

(6) in paragraph (9), by striking “The Secretary” and inserting “The Secretary, in consultation with the Attorney General of the United States.”;

(7) by striking paragraph (16) and inserting the following:

“(16)(A) The Secretary shall seek the advice and counsel of the Attorney General of the United States concerning the development, and dissemination to institutions of higher education, of best practices information about campus safety and emergencies.

“(B) The Secretary shall seek the advice and counsel of the Attorney General of the United States and the Secretary of Health and Human Services concerning the development, and dissemination to institutions of higher education, of best practices information about preventing and responding to incidents of domestic violence, dating violence, sexual assault, and stalking, including elements of institutional policies that have proven successful based on evidence-based outcome measurements.”; and

(8) by striking paragraph (17) and inserting the following:

“(17) No officer, employee, or agent of an institution participating in any program under this title shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this subsection.”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall take effect with respect to the annual security report under section 485(f)(1) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(1)) prepared by an in-

stitution of higher education 1 calendar year after the date of enactment of this Act, and each subsequent calendar year.

TITLE IV—VIOLENCE REDUCTION PRACTICES

SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 402(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b-4(c)) is amended by striking “\$2,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$1,000,000 for each of the fiscal years 2014 through 2018”.

SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION GRANTS.

(a) **SMART PREVENTION.**—Section 41303 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d-2) is amended to read as follows:

“SEC. 41303. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION (SMART PREVENTION).

“(a) **GRANTS AUTHORIZED.**—The Attorney General, in consultation with the Secretary of Health and Human Services and the Secretary of Education, is authorized to award grants for the purpose of preventing domestic violence, dating violence, sexual assault, and stalking by taking a comprehensive approach that focuses on youth, children exposed to violence, and men as leaders and influencers of social norms.

“(b) **USE OF FUNDS.**—Funds provided under this section may be used for the following purposes:

“(1) **TEEN DATING VIOLENCE AWARENESS AND PREVENTION.**—To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking and provide education and skills training to young individuals and individuals who influence young individuals. The prevention program may use evidence-based, evidence-informed, or innovative strategies and practices focused on youth. Such a program should include—

“(A) age and developmentally-appropriate education on domestic violence, dating violence, sexual assault, stalking, and sexual coercion, as well as healthy relationship skills, in school, in the community, or in health care settings;

“(B) community-based collaboration and training for those with influence on youth, such as parents, teachers, coaches, healthcare providers, faith-leaders, older teens, and mentors;

“(C) education and outreach to change environmental factors contributing to domestic violence, dating violence, sexual assault, and stalking; and

“(D) policy development targeted to prevention, including school-based policies and protocols.

“(2) **CHILDREN EXPOSED TO VIOLENCE AND ABUSE.**—To develop, maintain or enhance programs designed to prevent future incidents of domestic violence, dating violence, sexual assault, and stalking by preventing, reducing and responding to children’s exposure to violence in the home. Such programs may include—

“(A) providing services for children exposed to domestic violence, dating violence, sexual assault or stalking, including direct counseling or advocacy, and support for the non-abusing parent; and

“(B) training and coordination for educational, after-school, and childcare programs on how to safely and confidentially

identify children and families experiencing domestic violence, dating violence, sexual assault, or stalking and properly refer children exposed and their families to services and violence prevention programs.

“(3) **ENGAGING MEN AS LEADERS AND ROLE MODELS.**—To develop, maintain or enhance programs that work with men to prevent domestic violence, dating violence, sexual assault, and stalking by helping men to serve as role models and social influencers of other men and youth at the individual, school, community or statewide levels.

“(c) **ELIGIBLE ENTITIES.**—To be eligible to receive a grant under this section, an entity shall be—

“(1) a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and expertise in the specific area for which they are applying for funds; or

“(2) a partnership between a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and at least one of the following that has expertise in serving children exposed to domestic violence, dating violence, sexual assault, or stalking, youth domestic violence, dating violence, sexual assault, or stalking prevention, or engaging men to prevent domestic violence, dating violence, sexual assault, or stalking:

“(A) A public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1978, a group of schools, or a school district.

“(B) A local community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.

“(C) A community-based organization, population-specific organization, university or health care clinic, faith-based organization, or other non-profit, nongovernmental organization with a demonstrated history of effective work addressing the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking.

“(D) A nonprofit, nongovernmental entity providing services for runaway or homeless youth affected by domestic violence, dating violence, sexual assault, or stalking.

“(E) Healthcare entities eligible for reimbursement under title XVIII of the Social Security Act, including providers that target the special needs of children and youth.

“(F) Any other agencies, population-specific organizations, or nonprofit, nongovernmental organizations with the capacity to provide necessary expertise to meet the goals of the program; or

“(3) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(d) **GRANTEE REQUIREMENTS.**—

“(1) **IN GENERAL.**—Applicants for grants under this section shall prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director may require that

demonstrates the capacity of the applicant and partnering organizations to undertake the project.

“(2) **POLICIES AND PROCEDURES.**—Applicants under this section shall establish and implement policies, practices, and procedures that—

“(A) include appropriate referral systems to direct any victim identified during program activities to highly qualified follow-up care;

“(B) protect the confidentiality and privacy of adult and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers;

“(C) ensure that all individuals providing prevention programming through a program funded under this section have completed or will complete sufficient training in connection with domestic violence, dating violence, sexual assault or stalking; and

“(D) document how prevention programs are coordinated with service programs in the community.

“(3) **PREFERENCE.**—In selecting grant recipients under this section, the Attorney General shall give preference to applicants that—

“(A) include outcome-based evaluation; and

“(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

“(e) **DEFINITIONS AND GRANT CONDITIONS.**—In this section, the definitions and grant conditions provided for in section 4002 shall apply.

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of fiscal years 2014 through 2018. Amounts appropriated under this section may only be used for programs and activities described under this section.

“(g) **ALLOTMENT.**—

“(1) **IN GENERAL.**—Not less than 25 percent of the total amounts appropriated under this section in each fiscal year shall be used for each set of purposes described in paragraphs (1), (2), and (3) of subsection (b).

“(2) **INDIAN TRIBES.**—Not less than 10 percent of the total amounts appropriated under this section in each fiscal year shall be made available for grants to Indian tribes or tribal organizations. If an insufficient number of applications are received from Indian tribes or tribal organizations, such funds shall be allotted to other population-specific programs.”.

(b) **REPEALS.**—The following provisions are repealed:

(1) Sections 41304 and 41305 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d-3 and 14043d-4).

(2) Section 403 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045c).

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 501. CONSOLIDATION OF GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) **GRANTS.**—Section 399P of the Public Health Service Act (42 U.S.C. 280g-4) is amended to read as follows:

“SEC. 399P. GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

“(a) **IN GENERAL.**—The Secretary shall award grants for—

“(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, and allied health professionals;

“(2) the development or enhancement and implementation of education programs for medical, nursing, dental, and other health profession students and residents to prevent and respond to domestic violence, dating violence, sexual assault, and stalking; and

“(3) the development or enhancement and implementation of comprehensive statewide strategies to improve the response of clinics, public health facilities, hospitals, and other health settings (including behavioral and mental health programs) to domestic violence, dating violence, sexual assault, and stalking.

“(b) **USE OF FUNDS.**—

“(1) **REQUIRED USES.**—Amounts provided under a grant under this section shall be used to—

“(A) fund interdisciplinary training and education programs under paragraphs (1) and (2) of subsection (a) that—

“(i) are designed to train medical, psychology, dental, social work, nursing, and other health profession students, interns, residents, fellows, or current health care providers to identify and provide health care services (including mental or behavioral health care services and referrals to appropriate community services) to individuals who are or who have been victims of domestic violence, dating violence, sexual assault, or stalking; and

“(ii) plan and develop culturally competent clinical training components for integration into approved internship, residency, and fellowship training or continuing medical or other health education training that address physical, mental, and behavioral health issues, including protective factors, related to domestic violence, dating violence, sexual assault, stalking, and other forms of violence and abuse, focus on reducing health disparities and preventing violence and abuse, and include the primacy of victim safety and confidentiality;

“(B) design and implement comprehensive strategies to improve the response of the health care system to domestic or sexual violence in clinical and public health settings, hospitals, clinics, and other health settings (including behavioral and mental health), under subsection (a)(3) through—

“(i) the implementation, dissemination, and evaluation of policies and procedures to guide health professionals and public health staff in identifying and responding to domestic violence, dating violence, sexual assault, and stalking, including strategies to ensure that health information is maintained in a manner that protects the patient's privacy and safety, and safely uses health informa-

tion technology to improve documentation, identification, assessment, treatment, and follow-up care;

“(ii) the development of on-site access to services to address the safety, medical, and mental health needs of patients by increasing the capacity of existing health care professionals and public health staff to address domestic violence, dating violence, sexual assault, and stalking, or by contracting with or hiring domestic or sexual assault advocates to provide such services or to model other services appropriate to the geographic and cultural needs of a site;

“(iii) the development of measures and methods for the evaluation of the practice of identification, intervention, and documentation regarding victims of domestic violence, dating violence, sexual assault, and stalking, including the development and testing of quality improvement measurements, in accordance with the multi-stakeholder and quality measurement processes established under paragraphs (7) and (8) of section 1890(b) and section 1890A of the Social Security Act (42 U.S.C. 1395aaa(b)(7) and (8); 42 U.S.C. 1890A); and

“(iv) the provision of training and follow-up technical assistance to health care professionals, and public health staff, and allied health professionals to identify, assess, treat, and refer clients who are victims of domestic violence, dating violence, sexual assault, or stalking, including using tools and training materials already developed.

“(2) **PERMISSIBLE USES.**—

“(A) **CHILD AND ELDER ABUSE.**—To the extent consistent with the purpose of this section, a grantee may use amounts received under this section to address, as part of a comprehensive programmatic approach implemented under the grant, issues relating to child or elder abuse.

“(B) **RURAL AREAS.**—Grants funded under paragraphs (1) and (2) of subsection (a) may be used to offer to rural areas community-based training opportunities, which may include the use of distance learning networks and other available technologies needed to reach isolated rural areas, for medical, nursing, and other health profession students and residents on domestic violence, dating violence, sexual assault, stalking, and, as appropriate, other forms of violence and abuse.

“(C) **OTHER USES.**—Grants funded under subsection (a)(3) may be used for—

“(i) the development of training modules and policies that address the overlap of child abuse, domestic violence, dating violence, sexual assault, and stalking and elder abuse, as well as childhood exposure to domestic and sexual violence;

“(ii) the development, expansion, and implementation of sexual assault forensic medical examination or sexual assault nurse examiner programs;

“(iii) the inclusion of the health effects of lifetime exposure to violence and abuse as well as related protective factors and behavioral risk factors in health professional training schools including medical, dental, nursing, social work, and mental and behavioral health curricula, and allied health service training courses; or

“(iv) the integration of knowledge of domestic violence, dating violence, sexual assault, and stalking into health care accreditation and professional licensing examinations, such as medical, dental, social work, and nursing boards, and where appropriate, other allied health exams.

“(c) **REQUIREMENTS FOR GRANTEES.**—

“(1) **CONFIDENTIALITY AND SAFETY.**—

“(A) **IN GENERAL.**—Grantees under this section shall ensure that all programs developed

with grant funds address issues of confidentiality and patient safety and comply with applicable confidentiality and nondisclosure requirements under section 40002(b)(2) of the Violence Against Women Act of 1994 and the Family Violence Prevention and Services Act, and that faculty and staff associated with delivering educational components are fully trained in procedures that will protect the immediate and ongoing security and confidentiality of the patients, patient records, and staff. Such grantees shall consult entities with demonstrated expertise in the confidentiality and safety needs of victims of domestic violence, dating violence, sexual assault, and stalking on the development and adequacy of confidentiality and security procedures, and provide documentation of such consultation.

“(B) ADVANCE NOTICE OF INFORMATION DISCLOSURE.—Grantees under this section shall provide to patients advance notice about any circumstances under which information may be disclosed, such as mandatory reporting laws, and shall give patients the option to receive information and referrals without affirmatively disclosing abuse.

“(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grantee shall use not more than 10 percent of the amounts received under a grant under this section for administrative expenses.

“(3) APPLICATION.—

“(A) PREFERENCE.—In selecting grant recipients under this section, the Secretary shall give preference to applicants based on the strength of their evaluation strategies, with priority given to outcome based evaluations.

“(B) SUBSECTION (A)(1) AND (2) GRANTEES.—Applications for grants under paragraphs (1) and (2) of subsection (a) shall include—

“(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the health care system to domestic violence, dating violence, sexual assault, or stalking, and which includes at least one of each of—

“(I) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or other health field;

“(II) a health care facility or system; or

“(III) a government or nonprofit entity with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking; and

“(ii) strategies for the dissemination and sharing of curricula and other educational materials developed under the grant, if any, with other interested health professions schools and national resource repositories for materials on domestic violence, dating violence, sexual assault, and stalking.

“(C) SUBSECTION (A)(3) GRANTEES.—An entity desiring a grant under subsection (a)(3) shall submit an application to the Secretary at such time, in such a manner, and containing such information and assurances as the Secretary may require, including—

“(i) documentation that all training, education, screening, assessment, services, treatment, and any other approach to patient care will be informed by an understanding of violence and abuse victimization and trauma-specific approaches that will be integrated into prevention, intervention, and treatment activities;

“(ii) strategies for the development and implementation of policies to prevent and address domestic violence, dating violence, sexual assault, and stalking over the lifespan in health care settings;

“(iii) a plan for consulting with State and tribal domestic violence or sexual assault

coalitions, national nonprofit victim advocacy organizations, State or tribal law enforcement task forces (where appropriate), and population specific organizations with demonstrated expertise in domestic violence, dating violence, sexual assault, or stalking;

“(iv) with respect to an application for a grant under which the grantee will have contact with patients, a plan, developed in collaboration with local victim service providers, to respond appropriately to and make correct referrals for individuals who disclose that they are victims of domestic violence, dating violence, sexual assault, stalking, or other types of violence, and documentation provided by the grantee of an ongoing collaborative relationship with a local victim service provider; and

“(v) with respect to an application for a grant proposing to fund a program described in subsection (b)(2)(C)(ii), a certification that any sexual assault forensic medical examination and sexual assault nurse examiner programs supported with such grant funds will adhere to the guidelines set forth by the Attorney General.

“(d) ELIGIBLE ENTITIES.—

“(1) IN GENERAL.—To be eligible to receive funding under paragraph (1) or (2) of subsection (a), an entity shall be—

“(A) a nonprofit organization with a history of effective work in the field of training health professionals with an understanding of, and clinical skills pertinent to, domestic violence, dating violence, sexual assault, or stalking, and lifetime exposure to violence and abuse;

“(B) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;

“(C) a health care provider membership or professional organization, or a health care system; or

“(D) a State, tribal, territorial, or local entity.

“(2) SUBSECTION (A)(3) GRANTEES.—To be eligible to receive funding under subsection (a)(3), an entity shall be—

“(A) a State department (or other division) of health, a State, tribal, or territorial domestic violence or sexual assault coalition or victim service provider, or any other nonprofit, nongovernmental organization with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care; or

“(B) a local victim service provider, a local department (or other division) of health, a local health clinic, hospital, or health system, or any other community-based organization with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking and health care, including physical or mental health care.

“(e) TECHNICAL ASSISTANCE.—

“(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may make grants or enter into contracts to provide technical assistance with respect to the planning, development, and operation of any program, activity or service carried out pursuant to this section. Not more than 8 percent of the funds appropriated under this section in each fiscal year may be used to fund technical assistance under this subsection.

“(2) AVAILABILITY OF MATERIALS.—The Secretary shall make publicly available materials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

“(3) REPORTING.—The Secretary shall publish a biennial report on—

“(A) the distribution of funds under this section; and

“(B) the programs and activities supported by such funds.

“(f) RESEARCH AND EVALUATION.—

“(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may use not more than 20 percent to make a grant or enter into a contract for research and evaluation of—

“(A) grants awarded under this section; and

“(B) other training for health professionals and effective interventions in the health care setting that prevent domestic violence, dating violence, and sexual assault across the lifespan, prevent the health effects of such violence, and improve the safety and health of individuals who are currently being victimized.

“(2) RESEARCH.—Research authorized in paragraph (1) may include—

“(A) research on the effects of domestic violence, dating violence, sexual assault, and childhood exposure to domestic, dating or sexual violence on health behaviors, health conditions, and health status of individuals, families, and populations, including underserved populations;

“(B) research to determine effective health care interventions to respond to and prevent domestic violence, dating violence, sexual assault, and stalking;

“(C) research on the impact of domestic, dating and sexual violence, childhood exposure to such violence, and stalking on the health care system, health care utilization, health care costs, and health status; and

“(D) research on the impact of adverse childhood experiences on adult experience with domestic violence, dating violence, sexual assault, stalking, and adult health outcomes, including how to reduce or prevent the impact of adverse childhood experiences through the health care setting.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$10,000,000 for each of fiscal years 2014 through 2018.

“(h) DEFINITIONS.—Except as otherwise provided herein, the definitions provided for in section 40002 of the Violence Against Women Act of 1994 shall apply to this section.”

(b) REPEALS.—The following provisions are repealed:

(1) Section 40297 of the Violence Against Women Act of 1994 (42 U.S.C. 13973).

(2) Section 758 of the Public Health Service Act (42 U.S.C. 294h).

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) AMENDMENT.—Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) by inserting after the subtitle heading the following:

“CHAPTER 1—GRANT PROGRAMS”;

(2) in section 41402 (42 U.S.C. 14043e-1), in the matter preceding paragraph (1), by striking “subtitle” and inserting “chapter”;

(3) in section 41403 (42 U.S.C. 14043e-2), in the matter preceding paragraph (1), by striking “subtitle” and inserting “chapter”; and

(4) by adding at the end the following:

"CHAPTER 2—HOUSING RIGHTS**"SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.**

"(a) DEFINITIONS.—In this chapter:

"(1) AFFILIATED INDIVIDUAL.—The term 'affiliated individual' means, with respect to an individual—

"(A) a spouse, parent, brother, sister, or child of that individual, or an individual to whom that individual stands in loco parentis; or

"(B) any individual, tenant, or lawful occupant living in the household of that individual.

"(2) APPROPRIATE AGENCY.—The term 'appropriate agency' means, with respect to a covered housing program, the Executive department (as defined in section 101 of title 5, United States Code) that carries out the covered housing program.

"(3) COVERED HOUSING PROGRAM.—The term 'covered housing program' means—

"(A) the program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q);

"(B) the program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013);

"(C) the program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

"(D) the program under subtitle A of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.);

"(E) the program under subtitle A of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12741 et seq.);

"(F) the program under paragraph (3) of section 221(d) of the National Housing Act (12 U.S.C. 1715(d)) that bears interest at a rate determined under the proviso under paragraph (5) of such section 221(d);

"(G) the program under section 236 of the National Housing Act (12 U.S.C. 1715z-1);

"(H) the programs under sections 6 and 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f);

"(I) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1486, 1490m, and 1490p-2); and

"(J) the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986.

"(b) PROHIBITED BASIS FOR DENIAL OR TERMINATION OF ASSISTANCE OR EVICTION.—

"(1) IN GENERAL.—An applicant for or tenant of housing assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

"(2) CONSTRUCTION OF LEASE TERMS.—An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as—

"(A) a serious or repeated violation of a lease for housing assisted under a covered housing program by the victim or threatened victim of such incident; or

"(B) good cause for terminating the assistance, tenancy, or occupancy rights to housing assisted under a covered housing program of the victim or threatened victim of such incident.

"(3) TERMINATION ON THE BASIS OF CRIMINAL ACTIVITY.—

"(A) DENIAL OF ASSISTANCE, TENANCY, AND OCCUPANCY RIGHTS PROHIBITED.—No person

may deny assistance, tenancy, or occupancy rights to housing assisted under a covered housing program to a tenant solely on the basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking.

"(B) BIFURCATION.—

"(1) IN GENERAL.—Notwithstanding subparagraph (A), a public housing agency or owner or manager of housing assisted under a covered housing program may bifurcate a lease for the housing in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant of the housing.

"(ii) EFFECT OF EVICTION ON OTHER TENANTS.—If public housing agency or owner or manager of housing assisted under a covered housing program evicts, removes, or terminates assistance to an individual under clause (i), and the individual is the sole tenant eligible to receive assistance under a covered housing program, the public housing agency or owner or manager of housing assisted under the covered housing program shall provide any remaining tenant an opportunity to establish eligibility for the covered housing program. If a tenant described in the preceding sentence cannot establish eligibility, the public housing agency or owner or manager of the housing shall provide the tenant a reasonable time, as determined by the appropriate agency, to find new housing or to establish eligibility for housing under another covered housing program.

"(C) RULES OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed—

"(i) to limit the authority of a public housing agency or owner or manager of housing assisted under a covered housing program, when notified of a court order, to comply with a court order with respect to—

"(I) the rights of access to or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or

"(II) the distribution or possession of property among members of a household in a case;

"(ii) to limit any otherwise available authority of a public housing agency or owner or manager of housing assisted under a covered housing program to evict or terminate assistance to a tenant for any violation of a lease not premised on the act of violence in question against the tenant or an affiliated person of the tenant, if the public housing agency or owner or manager does not subject an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate;

"(iii) to limit the authority to terminate assistance to a tenant or evict a tenant from housing assisted under a covered housing program if a public housing agency or owner or manager of the housing can demonstrate that an actual and imminent threat to other

tenants or individuals employed at or providing service to the property would be present if the assistance is not terminated or the tenant is not evicted; or

"(iv) to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, sexual assault, or stalking.

"(c) DOCUMENTATION.—

"(1) REQUEST FOR DOCUMENTATION.—If an applicant for, or tenant of, housing assisted under a covered housing program represents to a public housing agency or owner or manager of the housing that the individual is entitled to protection under subsection (b), the public housing agency or owner or manager may request, in writing, that the applicant or tenant submit to the public housing agency or owner or manager a form of documentation described in paragraph (3).

"(2) FAILURE TO PROVIDE CERTIFICATION.—

"(A) IN GENERAL.—If an applicant or tenant does not provide the documentation requested under paragraph (1) within 14 business days after the tenant receives a request in writing for such certification from a public housing agency or owner or manager of housing assisted under a covered housing program, nothing in this chapter may be construed to limit the authority of the public housing agency or owner or manager to—

"(i) deny admission by the applicant or tenant to the covered program;

"(ii) deny assistance under the covered program to the applicant or tenant;

"(iii) terminate the participation of the applicant or tenant in the covered program; or

"(iv) evict the applicant, the tenant, or a lawful occupant that commits violations of a lease.

"(B) EXTENSION.—A public housing agency or owner or manager of housing may extend the 14-day deadline under subparagraph (A) at its discretion.

"(3) FORM OF DOCUMENTATION.—A form of documentation described in this paragraph is—

"(A) a certification form approved by the appropriate agency that—

"(i) states that an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking;

"(ii) states that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b); and

"(iii) includes the name of the individual who committed the domestic violence, dating violence, sexual assault, or stalking, if the name is known and safe to provide;

"(B) a document that—

"(i) is signed by—

"(I) an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom an applicant or tenant has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse; and

"(II) the applicant or tenant; and

"(ii) states under penalty of perjury that the individual described in clause (i)(I) believes that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b);

"(C) a record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency; or

“(D) at the discretion of a public housing agency or owner or manager of housing assisted under a covered housing program, a statement or other evidence provided by an applicant or tenant.”

“(4) CONFIDENTIALITY.—Any information submitted to a public housing agency or owner or manager under this subsection, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking shall be maintained in confidence by the public housing agency or owner or manager and may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is—

“(A) requested or consented to by the individual in writing;

“(B) required for use in an eviction proceeding under subsection (b); or

“(C) otherwise required by applicable law.

“(5) DOCUMENTATION NOT REQUIRED.—Nothing in this subsection shall be construed to require a public housing agency or owner or manager of housing assisted under a covered housing program to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

“(6) COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.—Compliance with subsection (b) by a public housing agency or owner or manager of housing assisted under a covered housing program based on documentation received under this subsection, shall not be sufficient to constitute evidence of an unreasonable act or omission by the public housing agency or owner or manager or an employee or agent of the public housing agency or owner or manager. Nothing in this paragraph shall be construed to limit the liability of a public housing agency or owner or manager of housing assisted under a covered housing program for failure to comply with subsection (b).

“(7) RESPONSE TO CONFLICTING CERTIFICATION.—If a public housing agency or owner or manager of housing assisted under a covered housing program receives documentation under this subsection that contains conflicting information, the public housing agency or owner or manager may require an applicant or tenant to submit third-party documentation, as described in subparagraph (B), (C), or (D) of paragraph (3).

“(8) PREEMPTION.—Nothing in this subsection shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this subsection for victims of domestic violence, dating violence, sexual assault, or stalking.

“(d) NOTIFICATION.—

“(1) DEVELOPMENT.—The Secretary of Housing and Urban Development shall develop a notice of the rights of individuals under this section, including the right to confidentiality and the limits thereof.

“(2) PROVISION.—Each public housing agency or owner or manager of housing assisted under a covered housing program shall provide the notice developed under paragraph (1), together with the form described in subsection (c)(3)(A), to an applicant for or tenants of housing assisted under a covered housing program—

“(A) at the time the applicant is denied residency in a dwelling unit assisted under the covered housing program;

“(B) at the time the individual is admitted to a dwelling unit assisted under the covered housing program;

“(C) with any notification of eviction or notification of termination of assistance; and

“(D) in multiple languages, consistent with guidance issued by the Secretary of Housing and Urban Development in accordance with Executive Order 13166 (42 U.S.C. 2000d-1 note; relating to access to services for persons with limited English proficiency).

“(e) EMERGENCY TRANSFERS.—Each appropriate agency shall adopt a model emergency transfer plan for use by public housing agencies and owners or managers of housing assisted under covered housing programs that—

“(1) allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to transfer to another available and safe dwelling unit assisted under a covered housing program if—

“(A) the tenant expressly requests the transfer; and

“(B)(i) the tenant reasonably believes that the tenant is threatened with imminent harm from further violence if the tenant remains within the same dwelling unit assisted under a covered housing program; or

“(ii) in the case of a tenant who is a victim of sexual assault, the sexual assault occurred on the premises during the 90 day period preceding the request for transfer; and

“(2) incorporates reasonable confidentiality measures to ensure that the public housing agency or owner or manager does not disclose the location of the dwelling unit of a tenant to a person that commits an act of domestic violence, dating violence, sexual assault, or stalking against the tenant.

“(f) POLICIES AND PROCEDURES FOR EMERGENCY TRANSFER.—The Secretary of Housing and Urban Development shall establish policies and procedures under which a victim requesting an emergency transfer under subsection (e) may receive, subject to the availability of tenant protection vouchers, assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)).

“(g) IMPLEMENTATION.—The appropriate agency with respect to each covered housing program shall implement this section, as this section applies to the covered housing program.”

(b) CONFORMING AMENDMENTS.—

(1) SECTION 6.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(A) in subsection (c)—

(i) by striking paragraph (3); and

(ii) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(B) in subsection (1)—

(i) in paragraph (5), by striking “, and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

(ii) in paragraph (6), by striking “; except that” and all that follows through “stalking.”; and

(C) by striking subsection (u).

(2) SECTION 8.—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended—

(A) in subsection (c), by striking paragraph (9);

(B) in subsection (d)(1)—

(i) in subparagraph (A), by striking “and that an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission if the applicant otherwise qualifies for assistance or admission”; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking “, and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

(II) in clause (iii), by striking “, except that:” and all that follows through “stalking.”;

(C) in subsection (f)—

(i) in paragraph (6), by adding “and” at the end;

(ii) in paragraph (7), by striking the semicolon at the end and inserting a period; and

(iii) by striking paragraphs (8), (9), (10), and (11);

(D) in subsection (o)—

(i) in paragraph (6)(B), by striking the last sentence;

(ii) in paragraph (7)—

(I) in subparagraph (C), by striking “and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking shall not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

(II) in subparagraph (D), by striking “; except that” and all that follows through “stalking.”; and

(iii) by striking paragraph (20); and

(E) by striking subsection (ee).

(3) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, shall be construed—

(A) to limit the rights or remedies available to any person under section 6 or 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f), as in effect on the day before the date of enactment of this Act;

(B) to limit any right, remedy, or procedure otherwise available under any provision of part 5, 91, 880, 882, 883, 884, 886, 891, 903, 960, 966, 982, or 983 of title 24, Code of Federal Regulations, that—

(i) was issued under the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 2960) or an amendment made by that Act; and

(ii) provides greater protection for victims of domestic violence, dating violence, sexual assault, and stalking than this Act; or

(C) to disqualify an owner, manager, or other individual from participating in or receiving the benefits of the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986 because of noncompliance with the provisions of this Act.

SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Chapter 11 of subtitle B of the Violence Against Women Act of 1994 (42 U.S.C. 13975 et seq.) is amended—

(1) in the chapter heading, by striking “CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT” and inserting “VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING”; and

(2) in section 40299 (42 U.S.C. 13975)—

(A) in the header, by striking “CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT” and inserting “VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING”;

(B) in subsection (a)(1), by striking “fleeing”;

(C) in subsection (b)(3)—

(i) in subparagraph (A), by striking “ and” at the end;

(ii) by redesignating subparagraph (B) as subparagraph (C);

(iii) by inserting after subparagraph (A) the following:

“(B) secure employment, including obtaining employment counseling, occupational training, job retention counseling, and counseling concerning re-entry in to the workforce; and”;

(iv) in subparagraph (C), as redesignated by clause (ii), by striking “ employment counseling;”;

(D) in subsection (g)—

(i) in paragraph (1), by striking “\$40,000,000 for each of fiscal years 2007 through 2011” and inserting “\$35,000,000 for each of fiscal years 2014 through 2018”;

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking “eligible” and inserting “qualified”;

(II) by adding at the end the following:

“(D) QUALIFIED APPLICATION DEFINED.—In this paragraph, the term ‘qualified application’ means an application that—

“(i) has been submitted by an eligible applicant;

“(ii) does not propose any activities that may compromise victim safety, including—

“(I) background checks of victims; or

“(II) clinical evaluations to determine eligibility for services;

“(iii) reflects an understanding of the dynamics of domestic violence, dating violence, sexual assault, or stalking; and

“(iv) does not propose prohibited activities, including mandatory services for victims.”.

SEC. 603. ADDRESSING THE HOUSING NEEDS OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) in section 41404(i) (42 U.S.C. 14043e-3(i)), by striking “\$10,000,000 for each of fiscal years 2007 through 2011” and inserting “\$4,000,000 for each of fiscal years 2014 through 2018”;

(2) in section 41405(g) (42 U.S.C. 14043e-4(g)), by striking “\$10,000,000 for each of fiscal years 2007 through 2011” and inserting “\$4,000,000 for each of fiscal years 2014 through 2018”.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE.

Section 41501(e) of the Violence Against Women Act of 1994 (42 U.S.C. 14043f(e)) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS

SEC. 801. U NONIMMIGRANT DEFINITION.

Section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended by inserting “stalking;” after “sexual exploitation;”.

SEC. 802. ANNUAL REPORT ON IMMIGRATION APPLICATIONS MADE BY VICTIMS OF ABUSE.

Not later than December 1, 2014, and annually thereafter, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Com-

mittee on the Judiciary of the House of Representatives a report that includes the following:

(1) The number of aliens who—

(A) submitted an application for nonimmigrant status under paragraph (15)(T)(i), (15)(U)(i), or (51) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) during the preceding fiscal year;

(B) were granted such nonimmigrant status during such fiscal year; or

(C) were denied such nonimmigrant status during such fiscal year.

(2) The mean amount of time and median amount of time to adjudicate an application for such nonimmigrant status during such fiscal year.

(3) The mean amount of time and median amount of time between the receipt of an application for such nonimmigrant status and the issuance of work authorization to an eligible applicant during the preceding fiscal year.

(4) The number of aliens granted continued presence in the United States under section 107(c)(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(3)) during the preceding fiscal year.

(5) A description of any actions being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing, of an application described in paragraph (1) or a request for continued presence referred to in paragraph (4).

SEC. 803. PROTECTION FOR CHILDREN OF VAWA SELF-PETITIONERS.

Section 204(l)(2) of the Immigration and Nationality Act (8 U.S.C. 1154(l)(2)) is amended—

(1) in subparagraph (E), by striking “or” at the end;

(2) by redesignating subparagraph (F) as subparagraph (G); and

(3) by inserting after subparagraph (E) the following:

“(F) a child of an alien who filed a pending or approved petition for classification or application for adjustment of status or other benefit specified in section 101(a)(51) as a VAWA self-petitioner; or”.

SEC. 804. PUBLIC CHARGE.

Section 212(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(4)) is amended by adding at the end the following:

“(E) SPECIAL RULE FOR QUALIFIED ALIEN VICTIMS.—Subparagraphs (A), (B), and (C) shall not apply to an alien who—

“(i) is a VAWA self-petitioner;

“(ii) is an applicant for, or is granted, nonimmigrant status under section 101(a)(15)(U); or

“(iii) is a qualified alien described in section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)).”.

SEC. 805. REQUIREMENTS APPLICABLE TO U VISAS.

(a) IN GENERAL.—Section 214(p) of the Immigration and Nationality Act (8 U.S.C. 1184(p)) is amended by adding at the end the following:

“(7) AGE DETERMINATIONS.—

“(A) CHILDREN.—An unmarried alien who seeks to accompany, or follow to join, a parent granted status under section 101(a)(15)(U)(i), and who was under 21 years of age on the date on which such parent petitioned for such status, shall continue to be classified as a child for purposes of section 101(a)(15)(U)(ii), if the alien attains 21 years of age after such parent’s petition was filed but while it was pending.

“(B) PRINCIPAL ALIENS.—An alien described in clause (i) of section 101(a)(15)(U) shall con-

tinue to be treated as an alien described in clause (ii)(I) of such section if the alien attains 21 years of age after the alien’s application for status under such clause (i) is filed but while it is pending.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if enacted as part of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386; 114 Stat. 1464).

SEC. 806. HARDSHIP WAIVERS.

(a) IN GENERAL.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)) is amended—

(1) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(2) in subparagraph (B), by striking “(1), or” and inserting “(1); or”;

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon and “or”;

(4) by inserting after subparagraph (C) the following:

“(D) the alien meets the requirements under section 204(a)(1)(A)(iii)(II)(aa)(BB) and following the marriage ceremony was battered by or subject to extreme cruelty perpetrated by the alien’s intended spouse and was not at fault in failing to meet the requirements of paragraph (1).”.

(b) TECHNICAL CORRECTIONS.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)), as amended by subsection (a), is further amended—

(1) in the matter preceding subparagraph (A), by striking “The Attorney General, in the Attorney General’s” and inserting “The Secretary of Homeland Security, in the Secretary’s”;

(2) in the undesignated paragraph at the end—

(A) in the first sentence, by striking “Attorney General” and inserting “Secretary of Homeland Security”;

(B) in the second sentence, by striking “Attorney General” and inserting “Secretary”;

(C) in the third sentence, by striking “Attorney General.” and inserting “Secretary.”;

and

(D) in the fourth sentence, by striking “Attorney General” and inserting “Secretary”.

SEC. 807. PROTECTIONS FOR A FIANCEE OR FIANCÉ OF A CITIZEN.

(a) IN GENERAL.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking “crime.” and inserting “crime described in paragraph (3)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in paragraph (3)(B)(i).”;

(B) in paragraph (2)(A), in the matter preceding clause (i)—

(i) by striking “a consular officer” and inserting “the Secretary of Homeland Security”;

and

(ii) by striking “the officer” and inserting “the Secretary”;

(C) in paragraph (3)(B)(i), by striking “abuse, and stalking.” and inserting “abuse, stalking, or an attempt to commit any such crime.”;

(2) in subsection (r)—

(A) in paragraph (1), by striking “crime.” and inserting “crime described in paragraph (5)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in subsection (5)(B)(i).”;

and

(B) by amending paragraph (4)(B)(ii) to read as follows:

“(ii) To notify the beneficiary as required by clause (i), the Secretary of Homeland Security shall provide such notice to the Secretary of State for inclusion in the mailing to the beneficiary described in section 833(a)(5)(A)(i) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(5)(A)(i)).”; and

(3) in paragraph (5)(B)(i), by striking “abuse, and stalking.” and inserting “abuse, stalking, or an attempt to commit any such crime.”.

(b) **PROVISION OF INFORMATION TO K NON-IMMIGRANTS.**—Section 833 of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a) is amended—

(1) in subsection (a)(5)(A)—

(A) in clause (iii)—

(i) by striking “State any” and inserting “State, for inclusion in the mailing described in clause (i), any”; and

(ii) by striking the last sentence; and

(B) by adding at the end the following:

“(iv) The Secretary of Homeland Security shall conduct a background check of the National Crime Information Center’s Protection Order Database on each petitioner for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184). Any appropriate information obtained from such background check—

“(I) shall accompany the criminal background information provided by the Secretary of Homeland Security to the Secretary of State and shared by the Secretary of State with a beneficiary of a petition referred to in clause (iii); and

“(II) shall not be used or disclosed for any other purpose unless expressly authorized by law.

“(v) The Secretary of Homeland Security shall create a cover sheet or other mechanism to accompany the information required to be provided to an applicant for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) by clauses (i) through (iv) of this paragraph or by clauses (i) and (ii) of subsection (r)(4)(B) of such section 214, that calls to the applicant’s attention—

“(I) whether the petitioner disclosed a protection order, a restraining order, or criminal history information on the visa petition;

“(II) the criminal background information and information about any protection order obtained by the Secretary of Homeland Security regarding the petitioner in the course of adjudicating the petition; and

“(III) whether the information the petitioner disclosed on the visa petition regarding any previous petitions filed under subsection (d) or (r) of such section 214 is consistent with the information in the multiple visa tracking database of the Department of Homeland Security, as described in subsection (r)(4)(A) of such section 214.”; and

(2) in subsection (b)(1)(A), by striking “or” after “orders” and inserting “and”.

SEC. 808. REGULATION OF INTERNATIONAL MARRIAGE BROKERS.

(a) **IMPLEMENTATION OF THE INTERNATIONAL MARRIAGE BROKER ACT OF 2005.**—

(1) **FINDINGS.**—Congress finds the following:

(A) The International Marriage Broker Act of 2005 (subtitle D of Public Law 109-162; 119 Stat. 3066) has not been fully implemented with regard to investigating and prosecuting violations of the law, and for other purposes.

(B) Six years after Congress enacted the International Marriage Broker Act of 2005 to regulate the activities of the hundreds of for-profit international marriage brokers operating in the United States, the Attorney General has not determined which compo-

nent of the Department of Justice will investigate and prosecute violations of such Act.

(2) **REPORT.**—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report that includes the following:

(A) The name of the component of the Department of Justice responsible for investigating and prosecuting violations of the International Marriage Broker Act of 2005 (subtitle D of Public Law 109-162; 119 Stat. 3066) and the amendments made by this Act.

(B) A description of the policies and procedures of the Attorney General for consultation with the Secretary of Homeland Security and the Secretary of State in investigating and prosecuting such violations.

(b) **TECHNICAL CORRECTION.**—Section 833(a)(2)(H) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(2)(H)) is amended by striking “Federal and State sex offender public registries” and inserting “the National Sex Offender Public Website”.

(c) **REGULATION OF INTERNATIONAL MARRIAGE BROKERS.**—Section 833(d) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is amended—

(1) by amending paragraph (1) to read as follows:

“(1) **PROHIBITION ON MARKETING OF OR TO CHILDREN.**—

“(A) **IN GENERAL.**—An international marriage broker shall not provide any individual or entity with the personal contact information, photograph, or general information about the background or interests of any individual under the age of 18.

“(B) **COMPLIANCE.**—To comply with the requirements of subparagraph (A), an international marriage broker shall—

“(i) obtain a valid copy of each foreign national client’s birth certificate or other proof of age document issued by an appropriate government entity;

“(ii) indicate on such certificate or document the date it was received by the international marriage broker;

“(iii) retain the original of such certificate or document for 7 years after such date of receipt; and

“(iv) produce such certificate or document upon request to an appropriate authority charged with the enforcement of this paragraph.”;

(2) in paragraph (2)—

(A) in subparagraph (A)(i)—

(i) in the heading, by striking “REGISTRIES.” and inserting “WEBSITE.”; and

(ii) by striking “Registry or State sex offender public registry,” and inserting “Website.”; and

(B) in subparagraph (B)(ii), by striking “or stalking.” and inserting “stalking, or an attempt to commit any such crime.”;

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i), by striking “Registry, or of the relevant State sex offender public registry for any State not yet participating in the National Sex Offender Public Registry, in which the United States client has resided during the previous 20 years,” and inserting “Website.”; and

(ii) in clause (iii)(II), by striking “background information collected by the international marriage broker under paragraph (2)(B);” and inserting “signed certification and accompanying documentation or attestation regarding the background information collected under paragraph (2)(B);”;

(B) by striking subparagraph (C);

(4) in paragraph (5)—

(A) in subparagraph (A)(ii), by striking “A penalty may be imposed under clause (i) by

the Attorney General only” and inserting “At the discretion of the Attorney General, a penalty may be imposed under clause (i) either by a Federal judge, or by the Attorney General”;

(B) by amending subparagraph (B) to read as follows:

“(B) **FEDERAL CRIMINAL PENALTIES.**—

“(i) **FAILURE OF INTERNATIONAL MARRIAGE BROKERS TO COMPLY WITH OBLIGATIONS.**—Except as provided in clause (ii), an international marriage broker that, in circumstances in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States—

“(I) except as provided in subclause (II), violates (or attempts to violate) paragraph (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both; or

“(II) knowingly violates or attempts to violate paragraphs (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 5 years, or both.

“(ii) **MISUSE OF INFORMATION.**—A person who knowingly discloses, uses, or causes to be used any information obtained by an international marriage broker as a result of a requirement under paragraph (2) or (3) for any purpose other than the disclosures required under paragraph (3) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both.

“(iii) **FRAUDULENT FAILURES OF UNITED STATES CLIENTS TO MAKE REQUIRED SELF-DISCLOSURES.**—A person who knowingly and with intent to defraud another person outside the United States in order to recruit, solicit, entice, or induce that other person into entering a dating or matrimonial relationship, makes false or fraudulent representations regarding the disclosures described in clause (i), (ii), (iii), or (iv) of subsection (d)(2)(B), including by failing to make any such disclosures, shall be fined in accordance with title 18, United States Code, imprisoned for not more than 1 year, or both.

“(iv) **RELATIONSHIP TO OTHER PENALTIES.**—The penalties provided in clauses (i), (ii), and (iii) are in addition to any other civil or criminal liability under Federal or State law to which a person may be subject for the misuse of information, including misuse to threaten, intimidate, or harass any individual.

“(v) **CONSTRUCTION.**—Nothing in this paragraph or paragraph (3) or (4) may be construed to prevent the disclosure of information to law enforcement or pursuant to a court order.”; and

(C) in subparagraph (C), by striking the period at the end and inserting “including equitable remedies.”;

(5) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(6) by inserting after paragraph (5) the following:

“(6) **ENFORCEMENT.**—

“(A) **AUTHORITY.**—The Attorney General shall be responsible for the enforcement of the provisions of this section, including the prosecution of civil and criminal penalties provided for by this section.

“(B) **CONSULTATION.**—The Attorney General shall consult with the Director of the Office on Violence Against Women of the Department of Justice to develop policies and public education designed to promote enforcement of this section.”.

(d) GAO STUDY AND REPORT.—Section 833(f) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(f)) is amended—

(1) in the subsection heading, by striking “STUDY AND REPORT.—” and inserting “STUDIES AND REPORTS.—”; and

(2) by adding at the end the following:

“(4) CONTINUING IMPACT STUDY AND REPORT.—

“(A) STUDY.—The Comptroller General shall conduct a study on the continuing impact of the implementation of this section and of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) on the process for granting K nonimmigrant visas, including specifically a study of the items described in subparagraphs (A) through (E) of paragraph (1).

“(B) REPORT.—Not later than 2 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Comptroller General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report setting forth the results of the study conducted under subparagraph (A).

“(C) DATA COLLECTION.—The Attorney General, the Secretary of Homeland Security, and the Secretary of State shall collect and maintain the data necessary for the Comptroller General to conduct the study required by paragraph (1)(A).”.

SEC. 809. ELIGIBILITY OF CRIME AND TRAFFICKING VICTIMS IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS TO ADJUST STATUS.

Section 705(c) of the Consolidated Natural Resources Act of 2008 (Public Law 110-229; 48 U.S.C. 1806 note), is amended by striking “except that,” and all that follows through the end, and inserting the following: “except that—

“(1) for the purpose of determining whether an alien lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20))) has abandoned or lost such status by reason of absence from the United States, such alien’s presence in the Commonwealth, before, on or after November 28, 2009, shall be considered to be presence in the United States; and

“(2) for the purpose of determining whether an alien whose application for status under subparagraph (T) or (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) was granted is subsequently eligible for adjustment under subsection (l) or (m) of section 245 of such Act (8 U.S.C. 1255), such alien’s physical presence in the Commonwealth before, on, or after November 28, 2009, and subsequent to the grant of the application, shall be considered as equivalent to presence in the United States pursuant to a nonimmigrant admission in such status.”.

SEC. 810. DISCLOSURE OF INFORMATION FOR NATIONAL SECURITY PURPOSES.

(a) INFORMATION SHARING.—Section 384(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(b)) is amended—

(1) in paragraph (1)—

(A) by inserting “Secretary of Homeland Security or the” before “Attorney General may”; and

(B) by inserting “Secretary’s or the” before “Attorney General’s discretion”; and

(2) in paragraph (2)—

(A) by inserting “Secretary of Homeland Security or the” before “Attorney General may”;

(B) by inserting “Secretary or the” before “Attorney General for”; and

(C) by inserting “in a manner that protects the confidentiality of such information” after “law enforcement purpose”;

(3) in paragraph (5), by striking “Attorney General is” and inserting “Secretary of Homeland Security and the Attorney General are”; and

(4) by adding at the end a new paragraph as follows:

“(8) Notwithstanding subsection (a)(2), the Secretary of Homeland Security, the Secretary of State, or the Attorney General may provide in the discretion of either such Secretary or the Attorney General for the disclosure of information to national security officials to be used solely for a national security purpose in a manner that protects the confidentiality of such information.”.

(b) GUIDELINES.—Section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)) is amended—

(1) by inserting “, Secretary of State,” after “The Attorney General”; and

(2) by inserting “, Department of State,” after “Department of Justice”; and

(3) by inserting “and severe forms of trafficking in persons or criminal activity listed in section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(u))” after “domestic violence”.

(c) IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Attorney General, the Secretary of State, and Secretary of Homeland Security shall provide the guidance required by section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)), consistent with the amendments made by subsections (a) and (b).

(d) CLERICAL AMENDMENT.—Section 384(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1986 is amended by striking “241(a)(2)” in the matter following subparagraph (F) and inserting “237(a)(2)”.

TITLE IX—SAFETY FOR INDIAN WOMEN

SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

Section 2015(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10(a)) is amended—

(1) in paragraph (2), by inserting “sex trafficking,” after “sexual assault,”;

(2) in paragraph (4), by inserting “sex trafficking,” after “sexual assault,”;

(3) in paragraph (5), by striking “and stalking” and all that follows and inserting “sexual assault, sex trafficking, and stalking,”;

(4) in paragraph (7)—

(A) by inserting “sex trafficking,” after “sexual assault,” each place it appears; and

(B) by striking “and” at the end;

(5) in paragraph (8)—

(A) by inserting “sex trafficking,” after “stalking,”; and

(B) by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following:

“(9) provide services to address the needs of youth who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of youth and children exposed to domestic violence, dating violence, sexual assault, or stalking, including support for the non-abusing parent or the caretaker of the youth or child; and

“(10) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.”.

olence, dating violence, sexual assault, sex trafficking, and stalking.”.

SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.

Section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg) is amended by striking subsection (d) and inserting the following:

“(d) TRIBAL COALITION GRANTS.—

“(1) PURPOSE.—The Attorney General shall award a grant to tribal coalitions for purposes of—

“(A) increasing awareness of domestic violence and sexual assault against Indian women;

“(B) enhancing the response to violence against Indian women at the Federal, State, and tribal levels;

“(C) identifying and providing technical assistance to coalition membership and tribal communities to enhance access to essential services to Indian women victimized by domestic and sexual violence, including sex trafficking; and

“(D) assisting Indian tribes in developing and promoting State, local, and tribal legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.

“(2) GRANTS.—The Attorney General shall award grants on an annual basis under paragraph (1) to—

“(A) each tribal coalition that—

“(i) meets the criteria of a tribal coalition under section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

“(ii) is recognized by the Office on Violence Against Women; and

“(iii) provides services to Indian tribes; and

“(B) organizations that propose to incorporate and operate a tribal coalition in areas where Indian tribes are located but no tribal coalition exists.

“(3) USE OF AMOUNTS.—For each of fiscal years 2014 through 2018, of the amounts appropriated to carry out this subsection—

“(A) not more than 10 percent shall be made available to organizations described in paragraph (2)(B), provided that 1 or more organizations determined by the Attorney General to be qualified apply;

“(B) not less than 90 percent shall be made available to tribal coalitions described in paragraph (2)(A), which amounts shall be distributed equally among each eligible tribal coalition for the applicable fiscal year.

“(4) ELIGIBILITY FOR OTHER GRANTS.—Receipt of an award under this subsection by a tribal coalition shall not preclude the tribal coalition from receiving additional grants under this title to carry out the purposes described in paragraph (1).

“(5) MULTIPLE PURPOSE APPLICATIONS.—Nothing in this subsection prohibits any tribal coalition or organization described in paragraph (2) from applying for funding to address sexual assault or domestic violence needs in the same application.”.

SEC. 903. CONSULTATION.

Section 903 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045d) is amended—

(1) in subsection (a)—

(A) by striking “and the Violence Against Women Act of 2000” and inserting “, the Violence Against Women Act of 2000”; and

(B) by inserting “, and the Violence Against Women Reauthorization Act of 2013” before the period at the end;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “Secretary of the Department of Health and Human Services” and inserting “Secretary of Health and Human Services, the Secretary of the Interior,”; and

(B) in paragraph (2), by striking “and stalking” and inserting “stalking, and sex trafficking”; and

(3) by adding at the end the following:

“(c) ANNUAL REPORT.—The Attorney General shall submit to Congress an annual report on the annual consultations required under subsection (a) that—

“(1) contains the recommendations made under subsection (b) by Indian tribes during the year covered by the report;

“(2) describes actions taken during the year covered by the report to respond to recommendations made under subsection (b) during the year or a previous year; and

“(3) describes how the Attorney General will work in coordination and collaboration with Indian tribes, the Secretary of Health and Human Services, and the Secretary of the Interior to address the recommendations made under subsection (b).

“(d) NOTICE.—Not later than 120 days before the date of a consultation under subsection (a), the Attorney General shall notify tribal leaders of the date, time, and location of the consultation.”.

SEC. 904. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

Title II of Public Law 90-284 (25 U.S.C. 1301 et seq.) (commonly known as the “Indian Civil Rights Act of 1968”) is amended by adding at the end the following:

“SEC. 204. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

“(a) DEFINITIONS.—In this section:

“(1) DATING VIOLENCE.—The term ‘dating violence’ means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

“(2) DOMESTIC VIOLENCE.—The term ‘domestic violence’ means violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, or by a person similarly situated to a spouse of the victim under the domestic- or family- violence laws of an Indian tribe that has jurisdiction over the Indian country where the violence occurs.

“(3) INDIAN COUNTRY.—The term ‘Indian country’ has the meaning given the term in section 1151 of title 18, United States Code.

“(4) PARTICIPATING TRIBE.—The term ‘participating tribe’ means an Indian tribe that elects to exercise special domestic violence criminal jurisdiction over the Indian country of that Indian tribe.

“(5) PROTECTION ORDER.—The term ‘protection order’—

“(A) means any injunction, restraining order, or other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person; and

“(B) includes any temporary or final order issued by a civil or criminal court, whether obtained by filing an independent action or as a pendent lite order in another proceeding, if the civil or criminal order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.

“(6) SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION.—The term ‘special domestic violence criminal jurisdiction’ means the criminal jurisdiction that a participating tribe may exercise under this section but could not otherwise exercise.

“(7) SPOUSE OR INTIMATE PARTNER.—The term ‘spouse or intimate partner’ has the meaning given the term in section 2266 of title 18, United States Code.

“(b) NATURE OF THE CRIMINAL JURISDICTION.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, in addition to all powers of self-government recognized and affirmed by sections 201 and 203, the powers of self-government of a participating tribe include the inherent power of that tribe, which is hereby recognized and affirmed, to exercise special domestic violence criminal jurisdiction over all persons.

“(2) CONCURRENT JURISDICTION.—The exercise of special domestic violence criminal jurisdiction by a participating tribe shall be concurrent with the jurisdiction of the United States, of a State, or of both.

“(3) APPLICABILITY.—Nothing in this section—

“(A) creates or eliminates any Federal or State criminal jurisdiction over Indian country; or

“(B) affects the authority of the United States or any State government that has been delegated authority by the United States to investigate and prosecute a criminal violation in Indian country.

“(4) EXCEPTIONS.—

“(A) VICTIM AND DEFENDANT ARE BOTH NON-INDIANS.—

“(i) IN GENERAL.—A participating tribe may not exercise special domestic violence criminal jurisdiction over an alleged offense if neither the defendant nor the alleged victim is an Indian.

“(ii) DEFINITION OF VICTIM.—In this subparagraph and with respect to a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction based on a violation of a protection order, the term ‘victim’ means a person specifically protected by a protection order that the defendant allegedly violated.

“(B) DEFENDANT LACKS TIES TO THE INDIAN TRIBE.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant only if the defendant—

“(i) resides in the Indian country of the participating tribe;

“(ii) is employed in the Indian country of the participating tribe; or

“(iii) is a spouse, intimate partner, or dating partner of—

“(I) a member of the participating tribe; or

“(II) an Indian who resides in the Indian country of the participating tribe.

“(c) CRIMINAL CONDUCT.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant for criminal conduct that falls into one or more of the following categories:

“(1) DOMESTIC VIOLENCE AND DATING VIOLENCE.—An act of domestic violence or dating violence that occurs in the Indian country of the participating tribe.

“(2) VIOLATIONS OF PROTECTION ORDERS.—An act that—

“(A) occurs in the Indian country of the participating tribe; and

“(B) violates the portion of a protection order that—

“(i) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;

“(ii) was issued against the defendant;

“(iii) is enforceable by the participating tribe; and

“(iv) is consistent with section 2265(b) of title 18, United States Code.

“(d) RIGHTS OF DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant—

“(1) all applicable rights under this Act;

“(2) if a term of imprisonment of any length may be imposed, all rights described in section 202(c);

“(3) the right to a trial by an impartial jury that is drawn from sources that—

“(A) reflect a fair cross section of the community; and

“(B) do not systematically exclude any distinctive group in the community, including non-Indians; and

“(4) all other rights whose protection is necessary under the Constitution of the United States in order for Congress to recognize and affirm the inherent power of the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant.

“(e) PETITIONS TO STAY DETENTION.—

“(1) IN GENERAL.—A person who has filed a petition for a writ of habeas corpus in a court of the United States under section 203 may petition that court to stay further detention of that person by the participating tribe.

“(2) GRANT OF STAY.—A court shall grant a stay described in paragraph (1) if the court—

“(A) finds that there is a substantial likelihood that the habeas corpus petition will be granted; and

“(B) after giving each alleged victim in the matter an opportunity to be heard, finds by clear and convincing evidence that under conditions imposed by the court, the petitioner is not likely to flee or pose a danger to any person or the community if released.

“(3) NOTICE.—An Indian tribe that has ordered the detention of any person has a duty to timely notify such person of his rights and privileges under this subsection and under section 203.

“(f) GRANTS TO TRIBAL GOVERNMENTS.—The Attorney General may award grants to the governments of Indian tribes (or to authorized designees of those governments)—

“(1) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence criminal jurisdiction, including—

“(A) law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);

“(B) prosecution;

“(C) trial and appellate courts;

“(D) probation systems;

“(E) detention and correctional facilities;

“(F) alternative rehabilitation centers;

“(G) culturally appropriate services and assistance for victims and their families; and

“(H) criminal codes and rules of criminal procedure, appellate procedure, and evidence;

“(2) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a crime of domestic violence or dating violence or a criminal violation of a protection order;

“(3) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence criminal jurisdiction,

jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

“(4) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with tribal law and custom.

“(g) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this section shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this section.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$5,000,000 for each of fiscal years 2014 through 2018 to carry out subsection (f) and to provide training, technical assistance, data collection, and evaluation of the criminal justice systems of participating tribes.”.

SEC. 905. TRIBAL PROTECTION ORDERS.

(a) IN GENERAL.—Section 2265 of title 18, United States Code, is amended by striking subsection (e) and inserting the following:

“(e) TRIBAL COURT JURISDICTION.—For purposes of this section, a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving any person, including the authority to enforce any orders through civil contempt proceedings, to exclude violators from Indian land, and to use other appropriate mechanisms, in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.”.

(b) APPLICABILITY.—

(1) IN GENERAL.—Except as provided in paragraph (2), nothing in this Act, including an amendment made by this Act, alters or modifies the jurisdiction or authority of an Indian tribe in the State of Alaska under section 2265(e) of title 18, United States Code (as in effect on the day before the date of enactment of this Act).

(2) STATE OF ALASKA.—In the State of Alaska, subsection (a) shall apply only to the Metlakatla Indian Community, Annette Island Reserve.

SEC. 906. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

“(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.”;

(B) in paragraph (2), by striking “felony under chapter 109A” and inserting “violation of section 2241 or 2242”;

(C) in paragraph (3) by striking “and without just cause or excuse.”;

(D) in paragraph (4), by striking “six months” and inserting “1 year”;

(E) in paragraph (7)—

(i) by striking “substantial bodily injury to an individual who has not attained the age of 16 years” and inserting “substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years”; and

(ii) by striking “fine” and inserting “a fine”; and

(F) by adding at the end the following:

“(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.”; and

(2) in subsection (b)—

(A) by striking “(b) As used in this subsection—” and inserting the following:

“(b) DEFINITIONS.—In this section—”;

(B) in paragraph (1)(B), by striking “and” at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(3) the terms ‘dating partner’ and ‘spouse or intimate partner’ have the meanings given those terms in section 2266;

“(4) the term ‘strangling’ means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

“(5) the term ‘suffocating’ means intentionally, knowingly, or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.”.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking “assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)” and inserting “a felony assault under section 113”.

(c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting “or tribal” after “State”.

SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking “The National” and inserting “Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the National”; and

(B) by inserting “and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))” before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking “and” at the end;

(B) in clause (v), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(vi) sex trafficking.”;

(3) in paragraph (4), by striking “this Act” and inserting “the Violence Against Women Reauthorization Act of 2013”; and

(4) in paragraph (5), by striking “this section \$1,000,000 for each of fiscal years 2007 and 2008” and inserting “this subsection \$1,000,000 for each of fiscal years 2014 and 2015”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

SEC. 908. EFFECTIVE DATES; PILOT PROJECT.

(a) GENERAL EFFECTIVE DATE.—Except as provided in section 4 and subsection (b) of this section, the amendments made by this title shall take effect on the date of enactment of this Act.

(b) EFFECTIVE DATE FOR SPECIAL DOMESTIC-VIOLENCE CRIMINAL JURISDICTION.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (b) through (d) of section 204 of Public Law 90-284 (as added by section 904) shall take effect on the date that is 2 years after the date of enactment of this Act.

(2) PILOT PROJECT.—

(A) IN GENERAL.—At any time during the 2-year period beginning on the date of enactment of this Act, an Indian tribe may ask the Attorney General to designate the tribe as a participating tribe under section 204(a) of Public Law 90-284 on an accelerated basis.

(B) PROCEDURE.—The Attorney General may grant a request under subparagraph (A) after coordinating with the Secretary of the Interior, consulting with affected Indian tribes, and concluding that the criminal justice system of the requesting tribe has adequate safeguards in place to protect defendants’ rights, consistent with section 204 of Public Law 90-284.

(C) EFFECTIVE DATES FOR PILOT PROJECTS.—An Indian tribe designated as a participating tribe under this paragraph may commence exercising special domestic violence criminal jurisdiction pursuant to subsections (b) through (d) of section 204 of Public Law 90-284 on a date established by the Attorney General, after consultation with that Indian tribe, but in no event later than the date that is 2 years after the date of enactment of this Act.

SEC. 909. INDIAN LAW AND ORDER COMMISSION; REPORT ON THE ALASKA RURAL JUSTICE AND LAW ENFORCEMENT COMMISSION.

(a) IN GENERAL.—Section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)) is amended by striking “2 years” and inserting “3 years”.

(b) REPORT.—The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than one year after enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

SEC. 910. LIMITATION.

(a) IN GENERAL.—Except as provided in subsection (b), nothing in this Act or any amendment made by this Act limits, alters, expands, or diminishes the civil or criminal jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.

(b) STATE OF ALASKA.—In the State of Alaska, sections 904 and 905(a) shall apply only to the Metlakatla Indian Community, Annette Island Reserve.

TITLE X—SAFER ACT

SEC. 1001. SHORT TITLE.

This title may be cited as the “Sexual Assault Forensic Evidence Reporting Act of 2013” or the “SAFER Act of 2013”.

SEC. 1002. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

“(7) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.

“(8) To ensure that the collection and processing of DNA evidence by law enforcement agencies from crimes, including sexual assault and other violent crimes against persons, is carried out in an appropriate and timely manner and in accordance with the protocols and practices developed under subsection (o)(1).”;

(2) in subsection (c), by adding at the end the following new paragraph:

“(4) ALLOCATION OF GRANT AWARDS FOR AUDITS.—For each of fiscal years 2014 through 2017, not less than 5 percent, but not more than 7 percent, of the grant amounts distributed under paragraph (1) shall, if sufficient applications to justify such amounts are received by the Attorney General, be awarded for purposes described in subsection (a)(7), provided that none of the funds required to be distributed under this paragraph shall decrease or otherwise limit the availability of funds required to be awarded to States or units of local government under paragraph (3).”; and

(3) by adding at the end the following new subsections:

“(n) USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.—

“(1) ELIGIBILITY.—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(7) only if the State or unit of local government—

“(A) submits a plan for performing the audit of samples described in such subsection; and

“(B) includes in such plan a good-faith estimate of the number of such samples.

“(2) GRANT CONDITIONS.—A State or unit of local government receiving a grant for the purpose described in subsection (a)(7)—

“(A) may not enter into any contract or agreement with any non-governmental vendor laboratory to conduct an audit described in subsection (a)(7); and

“(B) shall—

“(i) not later than 1 year after receiving the grant, complete the audit referred to in paragraph (1)(A) in accordance with the plan submitted under such paragraph;

“(ii) not later than 60 days after receiving possession of a sample of sexual assault evidence that was not in the possession of the State or unit of local government at the time of the initiation of an audit under paragraph (1)(A), subject to paragraph (4)(F), include in any required reports under clause (v), the information listed under paragraph (4)(B);

“(iii) for each sample of sexual assault evidence that is identified as awaiting testing as part of the audit referred to in paragraph (1)(A)—

“(I) assign a unique numeric or alphanumeric identifier to each sample of sexual assault evidence that is in the possession of the State or unit of local government and is awaiting testing; and

“(II) identify the date or dates after which the State or unit of local government would be barred by any applicable statutes of limitations from prosecuting a perpetrator of the sexual assault to which the sample relates;

“(iv) provide that—

“(I) the chief law enforcement officer of the State or unit of local government, respectively, is the individual responsible for the compliance of the State or unit of local government, respectively, with the reporting requirements described in clause (v); or

“(II) the designee of such officer may fulfill the responsibility described in subclause (I) so long as such designee is an employee of the State or unit of local government, respectively, and is not an employee of any governmental laboratory or non-governmental vendor laboratory; and

“(v) comply with all grantee reporting requirements described in paragraph (4).

“(3) EXTENSION OF INITIAL DEADLINE.—The Attorney General may grant an extension of the deadline under paragraph (2)(B)(i) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.

“(4) SEXUAL ASSAULT FORENSIC EVIDENCE REPORTS.—

“(A) IN GENERAL.—For not less than 12 months after the completion of an initial count of sexual assault evidence that is awaiting testing during an audit referred to in paragraph (1)(A), a State or unit of local government that receives a grant award under subsection (a)(7) shall, not less than every 60 days, submit a report to the Department of Justice, on a form prescribed by the Attorney General, which shall contain the information required under subparagraph (B).

“(B) CONTENTS OF REPORTS.—A report under this paragraph shall contain the following information:

“(i) The name of the State or unit of local government filing the report.

“(ii) The period of dates covered by the report.

“(iii) The cumulative total number of samples of sexual assault evidence that, at the end of the reporting period—

“(I) are in the possession of the State or unit of local government at the reporting period;

“(II) are awaiting testing; and

“(III) the State or unit of local government has determined should undergo DNA or other appropriate forensic analyses.

“(iv) The cumulative total number of samples of sexual assault evidence in the possession of the State or unit of local government that, at the end of the reporting period, the State or unit of local government has determined should not undergo DNA or other appropriate forensic analyses, provided that the reporting form shall allow for the State or unit of local government, at its sole discretion, to explain the reasoning for this determination in some or all cases.

“(v) The cumulative total number of samples of sexual assault evidence in a total under clause (iii) that have been submitted to a laboratory for DNA or other appropriate forensic analyses.

“(vi) The cumulative total number of samples of sexual assault evidence identified by an audit referred to in paragraph (1)(A) or under paragraph (2)(B)(ii) for which DNA or other appropriate forensic analysis has been completed at the end of the reporting period.

“(vii) The total number of samples of sexual assault evidence identified by the State or unit of local government under paragraph (2)(B)(ii), since the previous reporting period.

“(viii) The cumulative total number of samples of sexual assault evidence described under clause (iii) for which the State or unit of local government will be barred within 12 months by any applicable statute of limitations from prosecuting a perpetrator of the sexual assault to which the sample relates.

“(C) PUBLICATION OF REPORTS.—Not later than 7 days after the submission of a report under this paragraph by a State or unit of local government, the Attorney General shall, subject to subparagraph (D), publish

and disseminate a facsimile of the full contents of such report on an appropriate internet website.

“(D) PERSONALLY IDENTIFIABLE INFORMATION.—The Attorney General shall ensure that any information published and disseminated as part of a report under this paragraph, which reports information under this subsection, does not include personally identifiable information or details about a sexual assault that might lead to the identification of the individuals involved.

“(E) OPTIONAL REPORTING.—The Attorney General shall—

“(i) at the discretion of a State or unit of local government required to file a report under subparagraph (A), allow such State or unit of local government, at their sole discretion, to submit such reports on a more frequent basis; and

“(ii) make available to all States and units of local government the reporting form created pursuant to subparagraph (A), whether or not they are required to submit such reports, and allow such States or units of local government, at their sole discretion, to submit such reports for publication.

“(F) SAMPLES EXEMPT FROM REPORTING REQUIREMENT.—The reporting requirements described in paragraph (2) shall not apply to a sample of sexual assault evidence that—

“(i) is not considered criminal evidence (such as a sample collected anonymously from a victim who is unwilling to make a criminal complaint); or

“(ii) relates to a sexual assault for which the prosecution of each perpetrator is barred by a statute of limitations.

“(5) DEFINITIONS.—In this subsection:

“(A) AWAITING TESTING.—The term ‘awaiting testing’ means, with respect to a sample of sexual assault evidence, that—

“(i) the sample has been collected and is in the possession of a State or unit of local government;

“(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and

“(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.

“(B) FINAL DISPOSITION.—The term ‘final disposition’ means, with respect to a criminal case or investigation to which a sample of sexual assault evidence relates—

“(i) the conviction or acquittal of all suspected perpetrators of the crime involved;

“(ii) a determination by the State or unit of local government in possession of the sample that the case is unfounded; or

“(iii) a declaration by the victim of the crime involved that the act constituting the basis of the crime was not committed.

“(C) POSSESSION.—

“(i) IN GENERAL.—The term ‘possession’, used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

“(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to create or amend any Federal rights or privileges for non-governmental vendor laboratories described in regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).

“(o) ESTABLISHMENT OF PROTOCOLS, TECHNICAL ASSISTANCE, AND DEFINITIONS.—

“(1) PROTOCOLS AND PRACTICES.—Not later than 18 months after the date of enactment of the SAFER Act of 2013, the Director, in consultation with Federal, State, and local

law enforcement agencies and government laboratories, shall develop and publish a description of protocols and practices the Director considers appropriate for the accurate, timely, and effective collection and processing of DNA evidence, including protocols and practices specific to sexual assault cases, which shall address appropriate steps in the investigation of cases that might involve DNA evidence, including—

“(A) how to determine—

“(i) which evidence is to be collected by law enforcement personnel and forwarded for testing;

“(ii) the preferred order in which evidence from the same case is to be tested; and

“(iii) what information to take into account when establishing the order in which evidence from different cases is to be tested;

“(B) the establishment of a reasonable period of time in which evidence is to be forwarded by emergency response providers, law enforcement personnel, and prosecutors to a laboratory for testing;

“(C) the establishment of reasonable periods of time in which each stage of analytical laboratory testing is to be completed;

“(D) systems to encourage communication within a State or unit of local government among emergency response providers, law enforcement personnel, prosecutors, courts, defense counsel, crime laboratory personnel, and crime victims regarding the status of crime scene evidence to be tested; and

“(E) standards for conducting the audit of the backlog for DNA case work in sexual assault cases required under subsection (n).”

“(2) **TECHNICAL ASSISTANCE AND TRAINING.**—The Director shall make available technical assistance and training to support States and units of local government in adopting and implementing the protocols and practices developed under paragraph (1) on and after the date on which the protocols and practices are published.

“(3) **DEFINITIONS.**—In this subsection, the terms ‘awaiting testing’ and ‘possession’ have the meanings given those terms in subsection (n).”

SEC. 1003. REPORTS TO CONGRESS.

Not later than 90 days after the end of each fiscal year for which a grant is made for the purpose described in section 2(a)(7) of the DNA Analysis Backlog Elimination Act of 2000, as amended by section 1002, the Attorney General shall submit to Congress a report that—

(1) lists the States and units of local government that have been awarded such grants and the amount of the grant received by each such State or unit of local government;

(2) states the number of extensions granted by the Attorney General under section 2(n)(3) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1002; and

(3) summarizes the processing status of the samples of sexual assault evidence identified in Sexual Assault Forensic Evidence Reports established under section 2(n)(4) of the DNA Analysis Backlog Elimination Act of 2000, including the number of samples that have not been tested.

SEC. 1004. REDUCING THE RAPE KIT BACKLOG.

Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(c)(3)) is amended—

(a) in subparagraph (B), by striking “2014” and inserting “2018”; and

(b) by adding at the end the following:

“(C) For each of fiscal years 2014 through 2018, not less than 75 percent of the total grant amounts shall be awarded for a combination of purposes under paragraphs (1), (2), and (3) of subsection (a).”

SEC. 1005. OVERSIGHT AND ACCOUNTABILITY.

All grants awarded by the Department of Justice that are authorized under this title shall be subject to the following:

(1) **AUDIT REQUIREMENT.**—Beginning in fiscal year 2013, and each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this title to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(2) **MANDATORY EXCLUSION.**—A recipient of grant funds under this title that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this title during the 2 fiscal years beginning after the 12-month period described in paragraph (5).

(3) **PRIORITY.**—In awarding grants under this title, the Attorney General shall give priority to eligible entities that, during the 3 fiscal years before submitting an application for a grant under this title, did not have an unresolved audit finding showing a violation in the terms or conditions of a Department of Justice grant program.

(4) **REIMBURSEMENT.**—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

(A) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(B) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(5) **DEFINED TERM.**—In this section, the term “unresolved audit finding” means an audit report finding in the final audit report of the Inspector General of the Department of Justice that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within a 12-month period beginning on the date when the final audit report is issued.

(6) **NONPROFIT ORGANIZATION REQUIREMENTS.**—

(A) **DEFINITION.**—For purposes of this section and the grant programs described in this title, the term “nonprofit organization” means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) **PROHIBITION.**—The Attorney General shall not award a grant under any grant program described in this title to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) **DISCLOSURE.**—Each nonprofit organization that is awarded a grant under a grant program described in this title and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

(7) **ADMINISTRATIVE EXPENSES.**—Unless otherwise explicitly provided in authorizing legislation, not more than 7.5 percent of the amounts authorized to be appropriated under this title may be used by the Attorney General for salaries and administrative expenses of the Department of Justice.

(8) **CONFERENCE EXPENDITURES.**—

(A) **LIMITATION.**—No amounts authorized to be appropriated to the Department of Justice under this title may be used by the Attorney General or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than \$20,000 in Department funds, unless the Deputy Attorney General or the appropriate Assistant Attorney General, Director, or principal deputy as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

(B) **WRITTEN APPROVAL.**—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audio/visual equipment, honoraria for speakers, and any entertainment.

(C) **REPORT.**—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved by operation of this paragraph.

(9) **PROHIBITION ON LOBBYING ACTIVITY.**—

(A) **IN GENERAL.**—Amounts authorized to be appropriated under this title may not be utilized by any grant recipient to—

(i) lobby any representative of the Department of Justice regarding the award of grant funding; or

(ii) lobby any representative of a Federal, state, local, or tribal government regarding the award of grant funding.

(B) **PENALTY.**—If the Attorney General determines that any recipient of a grant under this title has violated subparagraph (A), the Attorney General shall—

(i) require the grant recipient to repay the grant in full; and

(ii) prohibit the grant recipient from receiving another grant under this title for not less than 5 years.

SEC. 1006. SUNSET.

Effective on December 31, 2018, subsections (a)(6) and (n) of section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(a)(6) and (n)) are repealed.

TITLE XI—OTHER MATTERS

SEC. 1101. SEXUAL ABUSE IN CUSTODIAL SETTINGS.

(a) **SUITS BY PRISONERS.**—Section 7(e) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(e)) is amended by inserting before the period at the end the following: “or the commission of a sexual act (as defined in section 2246 of title 18, United States Code)”.

(b) **UNITED STATES AS DEFENDANT.**—Section 1346(b)(2) of title 28, United States Code, is amended by inserting before the period at the end the following: “or the commission of a sexual act (as defined in section 2246 of title 18)”.

(c) **ADOPTION AND EFFECT OF NATIONAL STANDARDS.**—Section 8 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607) is amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following:

“(c) APPLICABILITY TO DETENTION FACILITIES OPERATED BY THE DEPARTMENT OF HOMELAND SECURITY.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Homeland Security shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of aliens detained for a violation of the immigration laws of the United States.

“(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to detention facilities operated by the Department of Homeland Security and to detention facilities operated under contract with the Department.

“(3) COMPLIANCE.—The Secretary of Homeland Security shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Homeland Security.

“(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Homeland Security shall give due consideration to the recommended national standards provided by the Commission under section 7(e).

“(5) DEFINITION.—As used in this section, the term ‘detention facilities operated under contract with the Department’ includes, but is not limited to contract detention facilities and detention facilities operated through an intergovernmental service agreement with the Department of Homeland Security.

“(d) APPLICABILITY TO CUSTODIAL FACILITIES OPERATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

“(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to facilities operated under contract with the Department.

“(3) COMPLIANCE.—The Secretary of Health and Human Services shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Health and Human Services.

“(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Health and Human Services shall give due consideration to the recommended national standards provided by the Commission under section 7(e).”.

SEC. 1102. ANONYMOUS ONLINE HARASSMENT.

Section 223(a)(1) of the Communications Act of 1934 (47 U.S.C. 223(a)(1)) is amended—

(1) in subparagraph (A), in the undesignated matter following clause (ii), by striking “annoy,”;

(2) in subparagraph (C)—

(A) by striking “annoy,”; and

(B) by striking “harass any person at the called number or who receives the commu-

nication” and inserting “harass any specific person”; and

(3) in subparagraph (E), by striking “harass any person at the called number or who receives the communication” and inserting “harass any specific person”.

SEC. 1103. STALKER DATABASE.

Section 40603 of the Violence Against Women Act of 1994 (42 U.S.C. 14032) is amended by striking “\$3,000,000” and all that follows and inserting “\$3,000,000 for fiscal years 2014 through 2018.”.

SEC. 1104. FEDERAL VICTIM ASSISTANTS REAUTHORIZATION.

Section 40114 of the Violence Against Women Act of 1994 (Public Law 103-322; 108 Stat. 1910) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

SEC. 1105. CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS REAUTHORIZATION.

Subtitle C of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024) is amended in subsection (a) by striking “\$2,300,000” and all that follows and inserting “\$2,300,000 for each of fiscal years 2014 through 2018.”.

By Mr. LEAHY (for himself and Mr. DURBIN):

S. 54. A bill to increase public safety by punishing and deterring firearms trafficking; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I am introducing legislation directed at combating the practice of straw purchasing and illegal trafficking in firearms. I thank the law enforcement partners who have contributed ideas and Senator DURBIN for joining me in this effort. I hope that as Senators become familiar with the proposal, they will see it as a focused approach to provide law enforcement officials with the tools they need to go after those who engage in the illegal trafficking. This commonsense measure deserves the bipartisan support that will be critical to any effort in the Senate to reduce gun violence in America.

I have heard again and again from Senators on both sides of the aisle that keeping guns away from those who should not have them is a goal worth pursuing. This bill will further that effort. When the President spoke last week about the need for legislative action in the wake of the horrific events at Sandy Hook Elementary School, strengthening our law enforcement efforts against illegal gun trafficking was one of the key issues he proposed. This bill will answer that call to action.

Next week, the Senate Judiciary Committee will hold the first hearing of the 113th Congress on the issue of gun violence. I expect that part of that discussion will include examining various legislative proposals Senators have put forward. We need to move beyond platitudes and toward solutions. It is my hope that as the Committee proceeds we can find areas of common ground.

There is now broad recognition that the Second Amendment guarantees the

individual right to own a firearm, and that self protection is an essential part of that right. To the extent there used to be a backdrop of uncertainty about the meaning of the Second Amendment, that time is past. I have long believed that the right to bear arms for protection is a fundamental right. The Supreme Court has now confirmed the individual right guaranteed by the Second Amendment. That is no longer questioned. So we can proceed now in this discussion with certainty that Americans’ constitutional rights will be preserved while we seek solutions to prevent gun violence.

There is broad agreement that keeping guns away from those suffering from mental illness and criminals is the right thing to do. I am a responsible gun owner. I know that other responsible gun owners will support better enforcement of the laws that exist to keep guns out of the hands of criminals and the mentally ill. We cannot allow those who are barred from buying guns to circumvent our laws. That is just common sense.

Law enforcement officials have complained for years that they lack the legal tools necessary to effectively combat illegal firearms trafficking. Congressional inquiry during the last Congress should have put a spotlight on the very difficult legal environment within which law enforcement officials currently operate. In fact, one of the whistleblowers who testified about the misguided tactics used by Federal law enforcement in firearms trafficking investigations in Arizona described the current laws as “toothless”. If we are to address gun violence, we must respond to this clear vulnerability.

The Stop Illegal Trafficking in Firearms Act will make important changes to Federal firearms statutes to give law enforcement officials the tools they need to investigate and prosecute the all-too-common practice of straw purchasing and illegal trafficking of firearms. This practice typically involves a person who is not prohibited by Federal law purchasing a firearm on behalf of a prohibited person, or at the direction of a drug trafficking or other criminal organization. It is a problem that must be addressed. It not only results in the support of larger criminal organizations, but also in the proliferation of illegal firearms and gun violence in our communities. It puts both law enforcement officials and law abiding firearms dealers in a very difficult position but more importantly, this makes our citizens and communities less safe.

Under current law, there is no specific statute that makes it illegal to act as a straw purchaser of firearms. Nor is there a law directly on point to address the illegal trafficking of firearms. As a result, prosecutors must cobble together charges against a straw purchaser using so-called “paperwork” violations such as lying on a

Federal form. These laws are imperfect, and do not give prosecutors the leverage needed to encourage straw buyers, often the lowest rungs on a ladder in a criminal enterprise, to provide the information needed for investigators and prosecutors to go after those directing and profiting from such activity.

The bill I introduce today will add a new provision to our Federal criminal code to specifically prohibit serving as a straw purchaser of firearms, and establishes tough penalties for those who purchase firearms for, on behalf of, or with the intent to transfer the firearms to someone prohibited from making that purchase directly. Under current law, it is a crime to transfer a firearm to another with the knowledge that the firearm will be used in criminal activity. This bill would strengthen this existing law by prohibiting such a transfer where the transferor has "reasonable cause to believe" that the firearm will be used in relation to criminal activity. The bill does contain important exemptions from the prohibition, namely, the transfer of a firearm as a gift, or in relation to a legitimate raffle, auction or contest.

This bill will complement existing law that makes it a crime to smuggle firearms into the United States by specifically prohibiting the smuggling of firearms out of the United States.

The provisions laid out in this legislation are focused, commonsense remedies to the very real problem of firearms trafficking and straw purchasing. The bill does not affect Federal firearms licensees, and in no way alters their rights and responsibilities as sellers of a lawful commodity.

As the Senate seeks a way forward to find national solutions to reduce gun violence, I hope Senators from across the political spectrum can work together to find common ground. We have a responsibility and a duty to refine our laws consistent with the rights guaranteed by the Second Amendment. As Chairman of the Judiciary Committee, a Senator, a Vermonter, an American, a father and a grandfather, I am prepared to hear all ideas, listen to all views, and work with Senators from both sides of the aisle. The bill I introduce today is the first of several proposals I expect to support to reduce gun violence. I look forward to discussing it further with fellow Senators and witnesses at the upcoming hearing before the Senate Judiciary Committee.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1. Mr. BAUCUS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 152, making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table.

SA 2. Mr. REID (for Mr. UDALL of Colorado (for himself and Mr. BENNET)) submitted an amendment intended to be proposed by Mr. REID to the bill H.R. 152, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1. Mr. BAUCUS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 152, making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, between lines 16 and 17, insert the following:

SEC. 1012. SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE PROGRAMS.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE PRODUCER ON A FARM.—

(A) IN GENERAL.—The term "eligible producer on a farm" means an individual or entity described in subparagraph (B) that, as determined by the Secretary, assumes the production and market risks associated with the agricultural production of crops or livestock.

(B) DESCRIPTION.—An individual or entity referred to in subparagraph (A) is—

(i) a citizen of the United States;

(ii) a resident alien;

(iii) a partnership of citizens of the United States; or

(iv) a corporation, limited liability corporation, or other farm organizational structure organized under State law.

(2) FARM.—

(A) IN GENERAL.—The term "farm" means, in relation to an eligible producer on a farm, the total of all crop acreage in all counties that is planted or intended to be planted for harvest, for sale, or on-farm livestock feeding (including native grassland intended for haying) by the eligible producer.

(B) AQUACULTURE.—In the case of aquaculture, the term "farm" means, in relation to an eligible producer on a farm, all fish being produced in all counties that are intended to be harvested for sale by the eligible producer.

(C) HONEY.—In the case of honey, the term "farm" means, in relation to an eligible producer on a farm, all bees and beehives in all counties that are intended to be harvested for a honey crop for sale by the eligible producer.

(3) FARM-RAISED FISH.—The term "farm-raised fish" means any aquatic species that is propagated and reared in a controlled environment.

(4) LIVESTOCK.—The term "livestock" includes—

(A) cattle (including dairy cattle);

(B) bison;

(C) poultry;

(D) sheep;

(E) swine;

(F) horses; and

(G) other livestock, as determined by the Secretary.

(b) LIVESTOCK INDEMNITY PAYMENTS.—

(1) PAYMENTS.—For each of fiscal years 2012 and 2013, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to make livestock indemnity payments to eligible producers on farms that have incurred livestock death losses in excess of the normal mortality, as determined by the Secretary, due to—

(A) attacks by animals reintroduced into the wild by the Federal Government or protected by Federal law, including wolves; or

(B) adverse weather, as determined by the Secretary, during the calendar year, including losses due to hurricanes, floods, blizzards, disease, wildfires, extreme heat, and extreme cold.

(2) PAYMENT RATES.—Indemnity payments to an eligible producer on a farm under paragraph (1) shall be made at a rate of 65 percent of the market value of the applicable livestock on the day before the date of death of the livestock, as determined by the Secretary.

(3) SPECIAL RULE FOR PAYMENTS MADE DUE TO DISEASE.—The Secretary shall ensure that payments made to an eligible producer under paragraph (1) are not made for the same livestock losses for which compensation is provided pursuant to section 10407(d) of the Animal Health Protection Act (7 U.S.C. 8306(d)).

(c) LIVESTOCK FORAGE DISASTER PROGRAM.—

(1) ESTABLISHMENT.—There is established a livestock forage disaster program to provide 1 source for livestock forage disaster assistance for weather-related forage losses, as determined by the Secretary, by combining—

(A) the livestock forage assistance functions of—

(i) the noninsured crop disaster assistance program established by section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333); and

(ii) the emergency assistance for livestock, honey bees, and farm-raised fish program under section 531(e) of the Federal Crop Insurance Act (7 U.S.C. 1531(e)) (as in existence on the day before the date of enactment of this Act); and

(B) the livestock forage disaster program under section 531(d) of the Federal Crop Insurance Act (7 U.S.C. 1531(d)) (as in existence on the day before the date of enactment of this Act).

(2) DEFINITIONS.—In this subsection:

(A) COVERED LIVESTOCK.—

(i) IN GENERAL.—Except as provided in clause (ii), the term "covered livestock" means livestock of an eligible livestock producer that, during the 60 days prior to the beginning date of an eligible forage loss, as determined by the Secretary, the eligible livestock producer—

(I) owned;

(II) leased;

(III) purchased;

(IV) entered into a contract to purchase;

(V) was a contract grower; or

(VI) sold or otherwise disposed of due to an eligible forage loss during—

(aa) the current production year; or

(bb) subject to paragraph (4)(B)(ii), 1 or both of the 2 production years immediately preceding the current production year.

(ii) EXCLUSION.—The term "covered livestock" does not include livestock that were or would have been in a feedlot, on the beginning date of the eligible forage loss, as a part of the normal business operation of the eligible livestock producer, as determined by the Secretary.

(B) DROUGHT MONITOR.—The term "drought monitor" means a system for classifying drought severity according to a range of abnormally dry to exceptional drought, as defined by the Secretary.

(C) ELIGIBLE FORAGE LOSS.—The term "eligible forage loss" means 1 or more forage losses that occur due to weather-related conditions, including drought, flood, blizzard, hail, excessive moisture, hurricane, and fire, occurring during the normal grazing period,

as determined by the Secretary, if the forage—

(i) is grown on land that is native or improved pastureland with permanent vegetative cover; or

(ii) is a crop planted specifically for the purpose of providing grazing for covered livestock of an eligible livestock producer.

(D) ELIGIBLE LIVESTOCK PRODUCER.—

(i) IN GENERAL.—The term “eligible livestock producer” means an eligible producer on a farm that—

(I) is an owner, cash or share lessee, or contract grower of covered livestock that provides the pastureland or grazing land, including cash-leased pastureland or grazing land, for the covered livestock;

(II) provides the pastureland or grazing land for covered livestock, including cash-leased pastureland or grazing land that is physically located in a county affected by an eligible forage loss;

(III) certifies the eligible forage loss; and

(IV) meets all other eligibility requirements established under this subsection.

(ii) EXCLUSION.—The term “eligible livestock producer” does not include an owner, cash or share lessee, or contract grower of livestock that rents or leases pastureland or grazing land owned by another person on a rate-of-gain basis.

(E) NORMAL CARRYING CAPACITY.—The term “normal carrying capacity”, with respect to each type of grazing land or pastureland in a county, means the normal carrying capacity, as determined under paragraph (4)(D)(i), that would be expected from the grazing land or pastureland for livestock during the normal grazing period, in the absence of an eligible forage loss that diminishes the production of the grazing land or pastureland.

(F) NORMAL GRAZING PERIOD.—The term “normal grazing period”, with respect to a county, means the normal grazing period during the calendar year for the county, as determined under paragraph (4)(D)(i).

(3) PROGRAM.—For each of fiscal years 2012 and 2013, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to provide compensation under paragraphs (4) through (6), as determined by the Secretary for eligible forage losses affecting covered livestock of eligible livestock producers.

(4) ASSISTANCE FOR ELIGIBLE FORAGE LOSSES DUE TO DROUGHT CONDITIONS.—

(A) ELIGIBLE FORAGE LOSSES.—

(i) IN GENERAL.—An eligible livestock producer of covered livestock may receive assistance under this paragraph for eligible forage losses that occur due to drought on land that—

(I) is native or improved pastureland with permanent vegetative cover; or

(II) is planted to a crop planted specifically for the purpose of providing grazing for covered livestock.

(ii) EXCLUSIONS.—An eligible livestock producer may not receive assistance under this paragraph for eligible forage losses that occur on land used for haying or grazing under the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.), unless the land is grassland eligible for the grassland reserve program established under subchapter D of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838n et seq.).

(B) MONTHLY PAYMENT RATE.—

(i) IN GENERAL.—Except as provided in clause (ii), the payment rate for assistance for 1 month under this paragraph shall, in

the case of drought, be equal to 60 percent of the lesser of—

(I) the monthly feed cost for all covered livestock owned or leased by the eligible livestock producer, as determined under subparagraph (C); or

(II) the monthly feed cost calculated by using the normal carrying capacity of the eligible grazing land of the eligible livestock producer.

(ii) PARTIAL COMPENSATION.—In the case of an eligible livestock producer that sold or otherwise disposed of covered livestock due to drought conditions in 1 or both of the 2 production years immediately preceding the current production year, as determined by the Secretary, the payment rate shall be 80 percent of the payment rate otherwise calculated in accordance with clause (i).

(C) MONTHLY FEED COST.—

(i) IN GENERAL.—The monthly feed cost shall equal the product obtained by multiplying—

(I) 30 days;

(II) a payment quantity that is equal to the feed grain equivalent, as determined under clause (ii); and

(III) a payment rate that is equal to the corn price per pound, as determined under clause (iii).

(ii) FEED GRAIN EQUIVALENT.—For purposes of clause (i)(II), the feed grain equivalent shall equal—

(I) in the case of an adult beef cow, 15.7 pounds of corn per day; or

(II) in the case of any other type of weight of livestock, an amount determined by the Secretary that represents the average number of pounds of corn per day necessary to feed the livestock.

(iii) CORN PRICE PER POUND.—For purposes of clause (i)(III), the corn price per pound shall equal the quotient obtained by dividing—

(I) the higher of—

(aa) the national average corn price per bushel for the 12-month period immediately preceding March 1 of the year for which the disaster assistance is calculated; or

(bb) the national average corn price per bushel for the 24-month period immediately preceding that March 1; by

(II) 56.

(D) NORMAL GRAZING PERIOD AND DROUGHT MONITOR INTENSITY.—

(i) FSA COUNTY COMMITTEE DETERMINATIONS.—

(I) IN GENERAL.—The Secretary shall determine the normal carrying capacity and normal grazing period for each type of grazing land or pastureland in the county served by the applicable Farm Service Agency committee.

(II) CHANGES.—No change to the normal carrying capacity or normal grazing period established for a county under subclause (I) shall be made unless the change is requested by the appropriate State and county Farm Service Agency committees.

(ii) DROUGHT INTENSITY.—

(I) D2.—An eligible livestock producer that owns or leases grazing land or pastureland that is physically located in a county that is rated by the U.S. Drought Monitor as having a D2 (severe drought) intensity in any area of the county for at least 8 consecutive weeks during the normal grazing period for the county, as determined by the Secretary, shall be eligible to receive assistance under this paragraph in an amount equal to 1 monthly payment using the monthly payment rate determined under subparagraph (B).

(II) D3.—An eligible livestock producer that owns or leases grazing land or

pastureland that is physically located in a county that is rated by the U.S. Drought Monitor as having at least a D3 (extreme drought) intensity in any area of the county at any time during the normal grazing period for the county, as determined by the Secretary, shall be eligible to receive assistance under this paragraph—

(aa) in an amount equal to 3 monthly payments using the monthly payment rate determined under subparagraph (B);

(bb) if the county is rated as having a D3 (extreme drought) intensity in any area of the county for at least 4 weeks during the normal grazing period for the county, or is rated as having a D4 (exceptional drought) intensity in any area of the county at any time during the normal grazing period, in an amount equal to 4 monthly payments using the monthly payment rate determined under subparagraph (B); or

(cc) if the county is rated as having a D4 (exceptional drought) intensity in any area of the county for at least 4 weeks during the normal grazing period, in an amount equal to 5 monthly payments using the monthly rate determined under subparagraph (B).

(iii) ANNUAL PAYMENT BASED ON DROUGHT CONDITIONS DETERMINED BY MEANS OTHER THAN THE U.S. DROUGHT MONITOR.—

(I) IN GENERAL.—An eligible livestock producer that owns grazing land or pastureland that is physically located in a county that has experienced on average, over the preceding calendar year, precipitation levels that are 50 percent or more below normal levels, according to sufficient documentation as determined by the Secretary, may be eligible, subject to a determination by the Secretary, to receive assistance under this paragraph in an amount equal to not more than 1 monthly payment using the monthly payment rate under subparagraph (B).

(II) NO DUPLICATE PAYMENT.—A producer may not receive a payment under both clause (ii) and this clause.

(5) ASSISTANCE FOR LOSSES DUE TO FIRE ON PUBLIC MANAGED LAND.—

(A) IN GENERAL.—An eligible livestock producer may receive assistance under this paragraph only if—

(i) the eligible forage losses occur on rangeland that is managed by a Federal agency; and

(ii) the eligible livestock producer is prohibited by the Federal agency from grazing the normal permitted livestock on the managed rangeland due to a fire.

(B) PAYMENT RATE.—The payment rate for assistance under this paragraph shall be equal to 50 percent of the monthly feed cost for the total number of livestock covered by the Federal lease of the eligible livestock producer, as determined under paragraph (4)(C).

(C) PAYMENT DURATION.—

(i) IN GENERAL.—Subject to clause (ii), an eligible livestock producer shall be eligible to receive assistance under this paragraph for the period—

(I) beginning on the date on which the Federal agency excludes the eligible livestock producer from using the managed rangeland for grazing; and

(II) ending on the last day of the Federal lease of the eligible livestock producer.

(ii) LIMITATION.—An eligible livestock producer may only receive assistance under this paragraph for losses that occur on not more than 180 days per year.

(6) ASSISTANCE FOR ELIGIBLE FORAGE LOSSES DUE TO OTHER THAN DROUGHT OR FIRE.—

(A) ELIGIBLE FORAGE LOSSES.—

(i) IN GENERAL.—Subject to subparagraph (B), an eligible livestock producer of covered

livestock may receive assistance under this paragraph for eligible forage losses that occur due to weather-related conditions other than drought or fire on land that—

(I) is native or improved pastureland with permanent vegetative cover; or

(II) is planted to a crop planted specifically for the purpose of providing grazing for covered livestock.

(ii) **EXCLUSIONS.**—An eligible livestock producer may not receive assistance under this paragraph for eligible forage losses that occur on land used for haying or grazing under the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.), unless the land is grassland eligible for the grassland reserve program established under subchapter D of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838n et seq.).

(B) **PAYMENTS FOR ELIGIBLE FORAGE LOSSES.**—

(i) **IN GENERAL.**—The Secretary shall provide assistance under this paragraph to an eligible livestock producer for eligible forage losses that occur due to weather-related conditions other than—

(I) drought under paragraph (4); and

(II) fire on public managed land under paragraph (5).

(ii) **TERMS AND CONDITIONS.**—The Secretary shall establish terms and conditions for assistance under this paragraph that are consistent with the terms and conditions for assistance under this subsection.

(7) **NO DUPLICATIVE PAYMENTS.**—An eligible livestock producer may elect to receive assistance for eligible forage losses under either paragraph (4), (5), or (6), if applicable, but may not receive assistance under more than 1 of those paragraphs for the same loss, as determined by the Secretary.

(8) **DETERMINATIONS BY SECRETARY.**—A determination made by the Secretary under this subsection shall be final and conclusive.

(d) **EMERGENCY ASSISTANCE FOR LIVESTOCK, HONEY BEES, AND FARM-RAISED FISH.**—

(1) **IN GENERAL.**—For each of fiscal years 2012 and 2013, the Secretary shall use not more than \$5,000,000 of the funds of the Commodity Credit Corporation to provide emergency relief to eligible producers of livestock, honey bees, and farm-raised fish to aid in the reduction of losses due to disease, adverse weather, or other conditions, such as blizzards and wildfires, as determined by the Secretary, that are not covered under subsection (b) or (c).

(2) **USE OF FUNDS.**—Funds made available under this subsection shall be used to reduce losses caused by feed or water shortages, disease, or other factors as determined by the Secretary.

(3) **AVAILABILITY OF FUNDS.**—Any funds made available under this subsection shall remain available until expended.

(e) **TREE ASSISTANCE PROGRAM.**—

(1) **DEFINITIONS.**—In this subsection:

(A) **ELIGIBLE ORCHARDIST.**—The term “eligible orchardist” means a person that produces annual crops from trees for commercial purposes.

(B) **NATURAL DISASTER.**—The term “natural disaster” means plant disease, insect infestation, drought, fire, freeze, flood, earthquake, lightning, or other occurrence, as determined by the Secretary.

(C) **NURSERY TREE GROWER.**—The term “nursery tree grower” means a person who produces nursery, ornamental, fruit, nut, or Christmas trees for commercial sale, as determined by the Secretary.

(D) **TREE.**—The term “tree” includes a tree, bush, and vine.

(2) **ELIGIBILITY.**—

(A) **LOSS.**—Subject to subparagraph (B), for each of fiscal years 2012 and 2013, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to provide assistance—

(i) under paragraph (3) to eligible orchardists and nursery tree growers that planted trees for commercial purposes but lost the trees as a result of a natural disaster, as determined by the Secretary; and

(ii) under paragraph (3)(B) to eligible orchardists and nursery tree growers that have a production history for commercial purposes on planted or existing trees but lost the trees as a result of a natural disaster, as determined by the Secretary.

(B) **LIMITATION.**—An eligible orchardist or nursery tree grower shall qualify for assistance under subparagraph (A) only if the tree mortality of the eligible orchardist or nursery tree grower, as a result of damaging weather or related condition, exceeds 15 percent (adjusted for normal mortality).

(3) **ASSISTANCE.**—Subject to paragraph (4), the assistance provided by the Secretary to eligible orchardists and nursery tree growers for losses described in paragraph (2) shall consist of—

(A)(i) reimbursement of 65 percent of the cost of replanting trees lost due to a natural disaster, as determined by the Secretary, in excess of 15 percent mortality (adjusted for normal mortality); or

(ii) at the option of the Secretary, sufficient seedlings to reestablish a stand; and

(B) reimbursement of 50 percent of the cost of pruning, removal, and other costs incurred by an eligible orchardist or nursery tree grower to salvage existing trees or, in the case of tree mortality, to prepare the land to replant trees as a result of damage or tree mortality due to a natural disaster, as determined by the Secretary, in excess of 15 percent damage or mortality (adjusted for normal tree damage and mortality).

(4) **LIMITATIONS ON ASSISTANCE.**—

(A) **DEFINITIONS OF LEGAL ENTITY AND PERSON.**—In this paragraph, the terms “legal entity” and “person” have the meaning given those terms in section 1001(a) of the Food Security Act of 1985 (7 U.S.C. 1308(a)).

(B) **AMOUNT.**—The total amount of payments received, directly or indirectly, by a person or legal entity (excluding a joint venture or general partnership) under this subsection may not exceed \$100,000 for any crop year, or an equivalent value in tree seedlings.

(C) **ACRES.**—The total quantity of acres planted to trees or tree seedlings for which a person or legal entity shall be entitled to receive payments under this subsection may not exceed 500 acres.

(f) **PAYMENTS.**—

(1) **PAYMENT LIMITATIONS.**—

(A) **DEFINITIONS OF LEGAL ENTITY AND PERSON.**—In this subsection, the terms “legal entity” and “person” have the meanings given those terms in section 1001(a) of the Food Security Act of 1985 (7 U.S.C. 1308(a)).

(B) **AMOUNT.**—The total amount of disaster assistance payments received, directly or indirectly, by a person or legal entity (excluding a joint venture or general partnership) under this section (excluding payments received under subsection (e)) may not exceed \$100,000 for any crop year.

(C) **DIRECT ATTRIBUTION.**—Subsections (d) and (e) of section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) or any successor provisions relating to direct attribution

shall apply with respect to assistance provided under this section.

(2) **PAYMENT DELIVERY.**—The Secretary shall make payments under this section after October 1, 2013, for losses incurred in the 2012 and 2013 fiscal years.

SEC. 1013. FRUIT CROP DISASTER ASSISTANCE.

(a) **DEFINITIONS.**—In this section:

(1) **ELIGIBLE CROP.**—The term “eligible crop” means each commercial crop of annual fruit that is grown on a bush or tree—

(A)(i) for which catastrophic risk protection under section 508(b) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)) was not available for the 2012 crop year; and

(ii) that is produced for food or fiber; and

(B) that is located in a county covered by a declaration by the Secretary of a natural disaster for production losses under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)) due to freeze or frost in 2012.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of Agriculture, acting through the Administrator of the Farm Service Agency and using the funds, facilities, and authorities of the Commodity Credit Corporation consistent with this section.

(b) **DISASTER ASSISTANCE.**—

(1) **IN GENERAL.**—In the case of an eligible crop, the Secretary shall provide disaster assistance under this section and to the maximum extent practicable subject to the availability of funds under subsection (c)(3).

(2) **PAYMENT.**—In the case of an eligible crop, the Secretary shall provide disaster assistance under this section in the form of a payment for losses suffered in excess of 35 percent of the established yield for the eligible crop, as determined by the Secretary, compensated at a rate of 100 percent of the average market price for the eligible crop, as determined by the Secretary.

(c) **ADMINISTRATION.**—

(1) **PAYMENT LIMITATIONS.**—

(A) **DEFINITIONS.**—In this subsection, the terms “legal entity” and “person” have the meanings given those terms in section 1001(a) of the Food Security Act of 1985 (7 U.S.C. 1308(a)).

(B) **PAYMENT LIMITATION.**—The total amount of payments received, directly or indirectly, by a person or legal entity (excluding a joint venture or general partnership) for any crop year under this section may not exceed \$100,000.

(C) **LIMITATION ON MULTIPLE BENEFITS FOR SAME LOSS.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), if a producer who is eligible to receive benefits under this section is also eligible to receive assistance for the same loss under any other program administered by the Secretary, the producer shall not receive benefits in excess of 100 percent of the loss, as determined by the Secretary.

(ii) **EXCEPTION.**—Clause (i) shall not apply to emergency loans under subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.).

(2) **REGULATIONS.**—

(A) **IN GENERAL.**—Except as otherwise provided in this paragraph, not later than 90 days after the date of enactment of this Act, the Secretary and the Commodity Credit Corporation, as appropriate, shall promulgate such regulations as are necessary to implement this section and the amendments made by this section.

(B) **PROCEDURE.**—The promulgation of the regulations and administration of this section shall be made without regard to—

(i) the notice and comment provisions of section 553 of title 5, United States Code;

(ii) chapter 35 of title 44, United States Code (commonly known as the "Paperwork Reduction Act"); and

(iii) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking.

(C) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this paragraph, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

(3) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section \$125,000,000, to remain available until expended.

SA 2. Mr. REID (for Mr. UDALL of Colorado (for himself and Mr. BENNET)) submitted an amendment intended to be proposed by Mr. REID to the bill H.R. 152, making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table.

On page 32, line 17, strike "and" and insert "or".

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Tuesday, January 29, 2013, at 10 a.m. in room SD-430 of the Dirksen Senate Office Building to conduct a hearing entitled "30 Million New Patients and 11 Months to Go: Who Will Provide Their Primary Care?"

For further information regarding this meeting, please contact Sophie Kasimow of the committee staff on (202) 224-2831.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, January 24, 2013, at 10 a.m. in room SD-430 of the Dirksen Senate Office Building to conduct a hearing entitled "Assessing the State of America's Mental Health System."

For further information regarding this meeting, please contact Kathleen Laird of the committee staff on (202) 224-6840.

AUTHORITY FOR COMMITTEES TO MEET

SELECT COMMITTEE ON INTELLIGENCE

Mr. INHOFE. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on January 22, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

INAUGURAL CEREMONY

Mr. DURBIN. Mr. President, I ask unanimous consent that the transcript of the inaugural ceremony proceedings for Monday, January 21, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

INAUGURAL CEREMONY

Inauguration of Barack Hussein Obama, January 21, 2013, 11:30 a.m.

Their Excellencies, the Chiefs of Diplomatic Missions, assembled on the President's platform.

The Architect of the Capitol, Stephen T. Ayers, assembled on the President's platform.

The Joint Chiefs of Staff assembled on the President's platform.

The Governors of the United States and its territories and the mayor of the District of Columbia assembled on the President's platform.

Members of the 113th House of Representatives of the United States, led by majority whip KEVIN MCCARTHY and Democratic whip STENY HOYER, and the dean of the House of Representatives, JOHN DINGELL, assembled on the President's platform.

Members of the 113th Senate of the United States assembled on the President's platform.

Former Speaker of the House of Representatives, Newt Gingrich, accompanied by Mrs. Gingrich, assembled on the President's platform.

Former Senate majority leader Tom Daschle, accompanied by Mrs. Daschle, assembled on the President's platform.

Ambassador Matthew Barzun, Ms. Eva Longoria, Ms. Jane Stetson, and Mr. Frank White, Jr., cochairs of the 57th Presidential Inaugural Committee; Mr. Steve J. Kerrigan, chief executive officer; and Mr. David J. Cusack, executive director of the 57th Presidential Inaugural Committee, assembled on the President's platform.

The President's Cabinet and agency designees assembled on the President's platform.

The Chief Justice of the United States, the Honorable John G. Roberts, Jr., and the Associate Justices of the Supreme Court of the United States assembled on the President's platform.

The 39th President of the United States, Jimmy Carter, and Mrs. Rosalynn Carter assembled on the President's platform.

The 42nd President of the United States, William Jefferson Clinton, and Secretary of State Hillary Rodham Clinton assembled on the President's platform.

The children of the Vice President, MAJ Beau Biden, Hunter Biden, and Ashley Biden, accompanied by the House chief administrative officer, Dan Strodel, assembled on the President's platform.

The daughters of the President, Malia Obama and Sasha Obama, also Mrs. Marian Robinson, accompanied by Catlin O'Neill, assembled on the President's platform.

Dr. Jill Biden, accompanied by Mrs. Alexander, Mrs. Boehner, Mrs. Cantor, Assistant Secretary of the Senate Sheila Dwyer, and Deputy Clerk of the House of Representatives Robert Reeves, assembled on the President's platform.

The First Lady of the United States, Mrs. Michelle Obama, accompanied by Secretary of the Senate Nancy Erikson, Clerk of the House of Representatives Karen Haas, Mrs.

Schumer, Mrs. Reid, and Mr. Pelosi, assembled on the President's platform.

The Vice President of the United States, JOSEPH R. BIDEN, accompanied by the inaugural coordinator for the Joint Congressional Committee on Inaugural Ceremonies, Kelly Fado; Senate Deputy Sergeant at Arms, Martine Bradford; House Deputy Sergeant at Arms, Kerry Hanley; Senate majority leader, Senator HARRY REID; and House Democratic leader, Representative NANCY PELOSI, assembled on the President's platform.

The President of the United States, Barack H. Obama, accompanied by the staff director for the Joint Congressional Committee on Inaugural Ceremonies, Jean Parvin Bordewich; Senate Sergeant at Arms, Terrence W. Gainer; the House Sergeant at Arms, Paul Irving; chairman of the Joint Congressional Committee on Inaugural Ceremonies, Senator CHARLES E. SCHUMER; Senator LAMAR ALEXANDER; the Speaker of the House of Representatives, JOHN BOEHNER; Senate majority leader, Senator HARRY REID; House majority leader, Representative ERIC CANTOR; and House Democratic leader, Representative NANCY PELOSI, assembled on the President's platform.

Mr. SCHUMER. Mr. President, Mr. Vice President, Members of Congress, all who are present, and to all who are watching, welcome to the Capitol and to this celebration of our great democracy. This is the 57th inauguration of an American President, and no matter how many times one witnesses this event, its simplicity, its innate majesty, and most of all its meaning, that sacred, yet cautious, entrusting of power from we, the people, to our chosen leader, never fails to make one's heart beat faster as it will today with the inauguration of President Barack H. Obama.

We know we would not be here today were it not for those who stand guard around the world to preserve our freedom. To those in our Armed Forces, we offer our infinite thanks for your bravery, your honor, your sacrifice.

(Applause.)

This democracy of ours was forged by intellect and argument, by activism and blood, and above all, from John Adams to Elizabeth Cady Stanton, to Martin Luther King, Jr., by a stubborn adherence to the notion that we are all created equal and deserve nothing less than a great Republic worthy of our consent.

The theme of this year's inaugural is "Faith in America's Future." The perfect embodiment of this unshakable confidence and the ongoing success of our collective journey is an event from our past. I speak of the improbable completion of the Capitol dome and capping it with the Statue of Freedom which occurred 150 years ago in 1863.

When Abraham Lincoln took office 2 years earlier, the dome above us was a half-built eyesore. The conventional wisdom was it should be left unfinished until the war ended, given the travails and financial needs of the times. But to President Lincoln, the half-finished dome symbolized the half-divided Nation. Lincoln said: If people see the Capitol going on, it is a sign we intend the Union shall go on. So despite the conflict which engulfed the Nation and surrounded the city, the dome continued to rise.

On December 2, 1863, the Statue of Freedom, a woman, was placed atop the dome, where she still stands. In a sublime irony, it was a former slave, now free American, Philip Reid, who helped to cast the bronze statue.

Our present times are not as perilous or despairing as they were in 1863, but in 2013 far too many doubt the future of this great Nation and our ability to tackle our own era's half-finished domes.

Today's problems are intractable, they say; the times are so complex, the differences in the country and the world so deep we will never overcome them. When thoughts such as these produce anxiety, fear, and even despair, we do well to remember Americans have always been, and still are, a practical, optimistic, problem-solving people; that, as our history shows, no matter how steep the climb, how difficult the problems, how half-finished the task, America always rises to the occasion. America prevails and America prospers.

(Applause.)

Those who bet against this country have inevitably been on the wrong side of history. So it is a good moment to gaze upward and behold the Statue of Freedom at the top of the Capitol dome. It is a good moment to gain strength and courage and humility from those who were determined to complete the half-finished dome. It is a good moment to rejoice at this 57th Presidential inaugural ceremony, and it is the perfect moment to renew our collective faith in the future of America.

(Applause.)

Thank you and God bless these United States.

In that spirit of faith, I would now like to introduce civil rights leader Myrlie Evers, who has committed her life to extending the promise of our Nation's founding principles to all Americans.

Mrs. Evers will lead us in the invocation.

Mrs. EVERS. America, we are here, our Nation's Capitol, on this day, January the 21st, 2013, the inauguration of our 45th President, Barack Obama. We come at this time to ask blessings upon our leaders, the President, Vice President, Members of Congress, all elected and appointed officials of the United States of America.

We are here to ask blessings upon our Armed Forces, blessings upon all who contribute to the essence of the American spirit, the American dream, the opportunity to become whatever our mankind, womankind allows us to be. This is the promise of America.

As we sing the words of belief, "This is my country," let us act upon the meaning everyone is included. May the inherent dignity and inalienable rights of every woman, man, boy, and girl be honored. May all Your people, especially the least of these, flourish in our blessed Nation. One hundred fifty years after the Emancipation Proclamation and 50 years after the march on Washington, we celebrate the spirit of our ancestors which has allowed us to move from a nation of unborn hopes and a history of disenfranchised votes to today's expression of a more perfect Union.

We ask, too, Almighty, that where our paths seem blanketed by throngs of oppression and rippled by pangs of despair, we ask for Your guidance toward the light of deliverance, and with the vision of those who came before us and dreamed of this day, that we recognize their visions still inspire us. They are a great cloud of witnesses unseen by the naked eye but all around us thankful that their living was not in vain. For every mountain You gave us the strength to climb, Your grace is pleaded to continue that climb for America and the world.

We now stand beneath the shadow of the Nation's Capitol whose golden dome reflects

the unity and democracy of one Nation, indivisible, with liberty and justice for all.

Approximately 4 miles from where we are assembled, the hallowed remains of men and women rest in Arlington Cemetery; they who believed, fought, and died for this country. May their spirit infuse our being to work together with respect, enabling us to continue to build this Nation, and in so doing we send a message to the world that we are strong, fierce in our strength, and ever vigilant in our pursuit of freedom.

We ask that You grant our President the will to act courageously but cautiously when confronted with danger and to act prudently but deliberately when challenged by adversity. Please continue to vest his efforts, to lead by example in consideration and favor of the diversity of our people. Bless our families all across this Nation.

We thank You for this opportunity of prayer to strengthen us for the journey through the days that lie ahead. We invoke the prayers of our grandmothers who taught us to pray: God make me a blessing. Let their spirit guide us as we claim the spirit of old. There is something within me that holds the reins. There is something within me that banishes pain. There is something within me I cannot explain. But all I know, America, there is something within—there is something within.

In Jesus's name and the name of all who are holy and right, we pray.

Amen.

(Applause.)

Mr. SCHUMER. I am pleased to introduce the award-winning tabernacle choir, the Brooklyn Tabernacle Choir, to sing "Battle Hymn of the Republic."

(Performance by the Brooklyn Tabernacle Choir.)

Mr. SCHUMER. Please join me in welcoming my colleague and friend, the Senator from Tennessee, the Honorable LAMAR ALEXANDER.

Mr. ALEXANDER. Mr. President, Mr. Vice President, ladies and gentlemen, the late Alex Haley, author of "Roots," lived his life by these six words: "Find the good and praise it." Today we praise the American tradition of transferring or reaffirming immense power in the inauguration of the President of the United States. We do this in a peaceful, orderly way. There is no mob, no coup, no insurrection. This is a moment when millions stop and watch, a moment most of us always will remember. It is a moment that is our most conspicuous and enduring symbol of the American democracy. How remarkable that this has survived for so long in such a complex country, when so much power is at stake, this freedom to vote for our leaders and the restraint to respect the results.

Last year, at Mount Vernon, a tour guide told me our first President, George Washington, once posed this question: What is most important of this grand experiment, the United States? Then Washington answered his own question in this way: Not the election of the first President but the election of its second President. The peaceful transfer of power is what will separate our country from every other country in the world.

Today we celebrate the 57th inauguration of the American President: Find the good and praise it.

(Applause.)

It is my honor to introduce Associate Justice of the U.S. Supreme Court Sonia Sotomayor for the purpose of administering the oath of office to the Vice President. Will everyone please stand.

Associate Justice SONIA SOTOMAYOR administered to the Vice President-elect the oath of office prescribed by the Constitution, which he repeated, as follows:

I, JOSEPH R. BIDEN JR., do solemnly swear that I will support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

Justice SOTOMAYOR. Congratulations.

(Applause.)

Mr. SCHUMER. It is my pleasure to introduce renowned musical artist James Taylor.

(Applause.)

(Performance by James Taylor.)

Mr. SCHUMER. It is my honor to present the Chief Justice of the United States, JOHN G. ROBERTS, JR., who will administer the Presidential oath of office.

Everyone, please rise.

The Chief Justice of the U.S. Supreme Court, JOHN G. ROBERTS, JR., administered to the President-elect the oath of office prescribed by the Constitution, which he repeated as follows:

I, BARACK HUSSEIN OBAMA, do solemnly swear that I will faithfully execute the office of President of the United States and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States. So help me God.

The CHIEF JUSTICE. Congratulations, Mr. President.

(Applause.)

Mr. SCHUMER. Ladies and gentlemen, it is my great privilege and distinct honor to introduce the 44th President of the United States of America, Barack H. Obama.

(Applause.)

The PRESIDENT. Thank you. Thank you so much.

Vice President BIDEN, Mr. Chief Justice, Members of the U.S. Congress, distinguished guests, and fellow citizens, each time we gather to inaugurate a President, we bear witness to the enduring strength of our Constitution. We affirm the promise of our democracy. We recall that what binds this Nation together are not the colors of our skin or the tenets of our faith or the origins of our names. What makes us exceptional—what makes us American—is our allegiance to an idea, articulated in a declaration made more than two centuries ago:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

(Applause.)

Today we continue a never-ending journey to bridge the meaning of those words with the realities of our time, for history tells us that while these truths may be self-evident, they have never been self-executing; that while freedom is a gift from God, it must be secured by His people here on Earth.

The patriots of 1776 did not fight to replace the tyranny of a king with the privileges of a few or the rule of a mob. They gave us a republic, a government of and by and for the people, entrusting each generation to keep safe our founding creed. For more than 200 years, we have. Through blood drawn by lash and blood drawn by sword, we learned that no union founded on the principles of liberty and equality could survive half slave and half free. We made ourselves anew and vowed to move forward together. Together,

we determined that a modern economy requires railroads and highways to speed travel and commerce; schools and colleges to train our workers. Together, we discovered that a free market only thrives when there are rules to ensure competition and fair play. Together, we resolve that a great nation must care for the vulnerable and protect its people from life's worst hazards and misfortunes. Through it all, we have never relinquished our skepticism of central authority, nor have we succumbed to the fiction that all society's ills can be cured through government alone. Our celebration of initiative and enterprise, our insistence on hard work and personal responsibility, these are constants in our character.

We have always understood that when times change, so must we; that fidelity to our founding principles requires new responses to new challenges; that preserving our individual freedoms ultimately requires collective action, for the American people can no more meet the demands of today's world by acting alone than American soldiers could have met the forces of fascism or communism with muskets and militias. No single person can train all the math and science teachers we will need to equip our children for the future or build the roads and networks and research labs that will bring new jobs to our shores. Now, more than ever, we must do these things together as one Nation and one people.

(Applause.)

This generation of Americans has been tested by crises that steeled our resolve and proved our resilience. A decade of war is now ending.

(Applause.)

An economic recovery has begun.

(Applause.)

America's possibilities are limitless, for we possess all the qualities this world without boundaries demands: youth and drive, diversity and openness, an endless capacity for risk, and a gift for reinvention.

My fellow Americans, we are made for this moment, and we will seize it so long as we seize it together.

(Applause.)

For we, the People, understand that our country cannot succeed when a shrinking few do very well and a growing many barely make it.

(Applause.)

We believe America's prosperity must rest upon the broad shoulders of a rising middle class. We know America thrives when every person can find independence and pride in their work, when the wages of honest labor liberate families from the brink of hardship. We are true to our creed when a little girl born into the bleakest poverty knows she has the same chance to succeed as anybody else because she is an American, she is free, and she is equal, not just in the eyes of God but also in our own.

(Applause.)

We understand outworn programs are inadequate to the needs of our time. We must harness new ideas in technology to remake our government, revamp our Tax Code, reform our schools, and empower our citizens with the skills they need to work harder, learn more, and reach higher. But while the means will change, our purpose endures. A nation that rewards the effort and determination of every single American, that is what this moment requires. That is what will give real meaning to our creed.

We, the people, still believe that every citizen deserves a basic measure of security and dignity. We must make the hard choices to

reduce the cost of health care and the size of our deficit. But we reject the belief that America must choose between caring for the generation that built this country and investing in the generation that will build its future.

(Applause.)

For we remember the lessons of our past, when twilight years were spent in poverty and parents of a child with a disability had nowhere to turn. We do not believe, in this country, freedom is reserved for the lucky or happiness for the few. We recognize that no matter how responsibly we live our lives, any one of us, at any time, may face a job loss or a sudden illness or a home swept away in a terrible storm. The commitments we make to each other, through Medicare and Medicaid and Social Security, these things do not sap our Nation; they strengthen us.

(Applause.)

They do not make us a nation of takers; they free us to take the risks that make this country great.

(Applause.)

We, the people, still believe our obligations as Americans are not just to ourselves but to all posterity. We will respond to the threat of climate change, knowing the failure to do so would betray our children and future generations.

(Applause.)

Some may still deny the overwhelming judgment of science, but none can avoid the devastating impact of raging fires and crippling drought and more powerful storms. The path toward sustainable energy sources will be long and sometimes difficult, but America cannot resist this transition; we must lead it. We cannot cede to other Nations the technology that will power new jobs and new industries; we must claim its promise. That is how we will maintain our economic vitality and our national treasure, our forests and waterways, our croplands and snow-capped peaks. That is how we will preserve our planet, commanded to our care by God. That is what will lend meaning to the creed our Fathers once declared.

We, the people, still believe that enduring security and lasting peace do not require perpetual war. Our brave men and women in uniform, tempered by the flames of battle, are unmatched in skill and courage. Our citizens, seared by the memory of those we have lost, know too well the price that is paid for liberty. The knowledge of their sacrifice will keep us forever vigilant against those who would do us harm. But we are also heirs to those who won the peace and not just the war, who turned sworn enemies into the surerest of friends, and we must carry those lessons into this time as well.

We will defend our people and uphold our values through strength of arms and rule of law. We will show the courage to try and resolve our differences with other Nations peacefully, not because we are naive about the dangers we face but because engagement can more durably lift suspicion and fear.

America will remain the anchor of strong alliances in every corner of the globe, and we will renew those institutions that extend our capacity to manage crisis abroad, for no one has a greater stake in a peaceful world than its most powerful Nation. We will support democracy from Asia to Africa, from the Americas to the Middle East, because our interests and our conscience compel us to act on behalf of those who long for freedom. We must be a source of hope to the poor, the sick, the marginalized, the victims of prejudice, not out of mere charity but because

peace in our time requires the constant advance of those principles that our common creed describes: tolerance and opportunity, human dignity and justice.

We, the people, declare today that the most evident of truths, that all of us are created equal, is the star that guides us still, just as it guided our forebears through Seneca Falls and Selma and Stonewall, just as it guided all those men and women, sung and unsung, who left footprints along this great Mall to hear a preacher say we cannot walk alone, to hear a "King" proclaim that our individual freedom is inextricably bound to the freedom of every soul on Earth.

(Applause.)

It is now our generation's task to carry on what those pioneers began, for our journey is not complete until our wives, our mothers, and daughters can earn a living equal to their efforts.

(Applause.)

Our journey is not complete until our gay brothers and sisters are treated like anyone else under the law, for if we are truly created equal, then surely the love we commit to one another must be equal as well.

Our journey is not complete until no citizen is forced to wait for hours to exercise the right to vote. Our journey is not complete until we find a better way to welcome the striving, hopeful immigrants who still see America as a land of opportunity; until bright young students and engineers are enlisted in our workforce rather than expelled from our country.

Our journey is not complete until all our children, from the streets of Detroit to the hills of Appalachia, to the quiet lanes of Newtown, know they are cared for and cherished and always safe from harm. That is our generation's task—to make these words, these rights, these values of life and liberty and the pursuit of happiness real for every American.

Being true to our founding documents does not require us to agree on every contour of life. It does not mean we will all define liberty in exactly the same way or follow the same precise path to happiness. Progress does not compel us to settle centuries-long debates about the role of government for all time, but it does require us to act in our time.

(Applause.)

For now decisions are upon us, and we cannot afford delay. We cannot mistake absolutism for principle or substitute spectacle for politics or treat name-calling as reasoned debate. We must act, knowing our work will be imperfect. We must act, knowing today's victories will be only partial and that it will be up to those who stand here in 4 years and 40 years and 400 years hence to advance the timeless spirit once conferred to us in a spare Philadelphia hall.

My fellow Americans, the oath I have sworn before you today, similar to the one recited by others who serve in this Capitol, was an oath to God and country, not party or faction, and we must faithfully execute that pledge during the duration of our service. But the words I spoke today are not so different from the oath that is taken each time a soldier signs up for duty or an immigrant realizes her dream. My oath is not so different from the pledge we all make to the flag that waves above and that fills our hearts with pride. They are the words of citizens and they represent our greatest hope.

You and I, as citizens, have the power to set this country's course. You and I, as citizens, have the obligation to shape the debates of our time, not only with the votes we

cast but with the voices we lift in defense of our most ancient values and enduring ideals. Let each of us now embrace, with solemn duty and awesome joy, what is our lasting birthright. With common effort and common purpose, with passion and dedication, let us answer the call of history and carry into an uncertain future that precious light of freedom.

Thank you. God bless you, and may He forever bless these United States of America.

(Applause.)

Mr. SCHUMER. At this time, please join me in welcoming award-winning artist Kelly Clarkson, accompanied by the U.S. Marine Band.

(Kelly Clarkson and the Marine Band performed.)

Mr. SCHUMER. Wow. Our next distinguished guest is the poet Richard Blanco, who will share with us words he has composed for this occasion.

Mr. BLANCO. Mr. President, Mr. Vice President, America, "One Today."

One sun rose on us today, kindled over our shores, peeking over the Smokies, greeting the faces of the Great Lakes, spreading a simple truth across the Great Plains, then charging across the Rockies. One light, waking up rooftops, under each one, a story told by our silent gestures moving across windows.

My face, your face, millions of faces in morning's mirrors, each one yawning to life, crescendoing into our day: pencil-yellow school buses, the rhythm of traffic lights, fruit stands: apples, limes, and oranges arrayed like rainbows begging our praise.

Silver trucks heavy with oil or paper—bricks or milk, teeming over highways alongside us, on our way to clean tables, read ledgers, or save lives—to teach geometry, or ring up groceries as my mother did for twenty years, so I could write this poem for all of us today.

All of us as vital as the one light we move through, the same light on blackboards with lessons for the day: equations to solve, history to question, or atoms imagined, the "I have a dream" we all keep dreaming or the impossible vocabulary of sorrow that won't explain the empty desks of twenty children marked absent today, and forever. Many prayers, but one light breathing color into stained glass windows, life into the faces of bronzed statues, warmth onto the steps of our museums and park benches as mothers watch children slide into the day.

One ground. Our ground, rooting us to every stock of corn, every head of wheat sown by sweat and hands, hands gleaned coal or planting windmills in deserts and hilltops that keep us warm, hands digging trenches, routing pipes and cables, hands as worn as my father's cutting sugarcane so my brother and I could have books and shoes.

The dust of farms and deserts, cities and plains mingled by one wind—our breath. Breathe. Hear it through the day's gorgeous din of honking cabs, buses launching down avenues, the symphony of footsteps, guitars, and screeching subways, the unexpected song bird on your clothes line.

Hear: squeaky playground swings, trains whistling, or whispers across cafe tables. Hear: the doors we open each day for each other, saying, hello, shalom, buon giorno, howdy, namaste, or buenos dias in the language my mother

taught me—in every language spoken into one wind carrying our lives without prejudice, as these words break from my lips.

One sky: since the Appalachians and Sierras claimed their majesty, and the Mississippi and Colorado worked their way to the sea. Thank the work of our hands: weaving steel into bridges, finishing one more report for the boss on time, stitching another wound or uniform, the first brushstroke on a portrait, or the last floor on the Freedom Tower jutting into a sky that yields to our resilience.

One sky: toward which we sometimes lift our eyes tired from work, some days guessing at the weather of our lives, some days giving thanks for a love that loves you back, sometimes praising a mother who knew how to give, or forgiving a father who couldn't give what you wanted.

We head home: through the gloss of rain or weight of snow, or the plum plush of dusk, but always—home, always under one sky, our sky. And always one moon like a silent drum tapping on every rooftop and every window, of one country—all of us—facing the stars. Hope—a new constellation waiting for us to map it, waiting for us to name it—together.

(Applause.)

Mr. SCHUMER. Ladies and gentlemen, it is now my privilege to introduce Rev. Dr. Luis Leon to deliver the benediction.

Reverend LEON. Let us pray.

Gracious and eternal God, as we conclude the second inauguration of President Obama, we ask for Your blessings as we seek to become, in the words of Martin Luther King, Jr., citizens of a beloved community loving You and loving our neighbors as ourselves.

We pray that You will bless us with Your continued presence because without it, hatred and arrogance will infect our hearts. But with Your blessing, we know that we can break down the walls that separate us.

We pray for Your blessing today because without it, mistrust, prejudice, and rancor will rule our hearts, but with the blessing of Your presence, we know that we can renew the ties of mutual regard which can best form our civic life.

We pray for Your blessing, because without it, suspicion, despair, and fear of those different from us will be our rule of life. But with Your blessing, we can see each other created in Your image, a unit of God's grace, unprecedented, irrepeatable, and irreplaceable.

We pray for Your blessing, because without it, we will see only what the eye can see. But with the blessing of Your blessing, we will see that we are created in Your image whether Brown, Black or White, male or female, first-generation immigrant American or Daughters of the American Revolution, gay or straight, rich or poor.

We pray for Your blessing, because without it, we will only see scarcity in the midst of abundance. But with Your blessing, we will recognize the abundance of the gifts of this good land with which You have endowed this Nation.

We pray for Your blessing. Bless all of us privileged to be citizens and residents of this Nation with a spirit of gratitude and humility that we may become a blessing among the Nations of this world.

We pray that You will shower with Your life-giving spirit the elected leaders of this land, especially Barack, our President, and

Joe, our Vice President. Fill them with the love of truth and righteousness that they may serve this Nation ably and be glad to do Your will. Endow their hearts with wisdom and forbearance so that peace may prevail with righteousness, justice with order so that men and women throughout this Nation can find with one another the fulfillment of our humanity.

We pray that the President, Vice President, and all in political authority will remember the words of the Prophet Micah: What does the Lord require of you but to do justice, to love kindness, and always walk humbly with God.

(Remarks in Spanish.)

Mr. President, Mr. Vice President, may God bless you all your days.

All this we pray in Your most holy Name. Amen.

Mr. SCHUMER. Ladies and gentlemen, please remain standing for the singing of our national anthem by award-winning artist Beyonce, accompanied by the U.S. Marine Band.

Following the national anthem please remain in your place while the Presidential party exits the platform.

(Performance by Beyonce and the U.S. Marine Band.)

(The Inaugural ceremony was concluded at 12:31 p.m.)

MEASURES READ THE FIRST TIME EN BLOC—S. 47 AND H.R. 152

Mr. DURBIN. I understand there are two bills at the desk. I ask for their first reading, en bloc.

The PRESIDING OFFICER. The clerk will read the titles of the bills, en bloc.

The legislative clerk read as follows:

A bill (S. 47) to reauthorize the Violence Against Women Act of 1994.

A bill (H.R. 152) making supplemental appropriations for the fiscal year ending September 30, 2013, to improve and streamline disaster assistance for Hurricane Sandy, and for other purposes.

Mr. DURBIN. I now ask for a second reading, en bloc, and object to my own request, en bloc.

The PRESIDING OFFICER. Objection is heard. The bills will be read for the second time on the next legislative day.

ORDERS FOR WEDNESDAY, JANUARY 23, 2013

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 9:30 a.m. on Wednesday, January 23, 2013; that following the prayer and pledge, the Journal of proceedings be approved to date and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for debate only until 12 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. DURBIN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate recess under the previous order.

There being no objection, the Senate, at 7:02 p.m., recessed until Wednesday, January 23, 2013, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

CHARLES TIMOTHY HAGEL, OF NEBRASKA, TO BE SECRETARY OF DEFENSE, VICE LEON E. PANETTA.
FREDERICK VOLLRATH, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE. (NEW POSITION)
ALAN F. ESTEVEZ, OF THE DISTRICT OF COLUMBIA, TO BE A PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE, VICE FRANK KENDALL III.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

RICHARD J. ENGLER, OF NEW JERSEY, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS, VICE WILLIAM E. WRIGHT, TERM EXPIRED.

DEPARTMENT OF THE TREASURY

CHRISTOPHER J. MEADE, OF NEW YORK, TO BE GENERAL COUNSEL FOR THE DEPARTMENT OF THE TREASURY, VICE GEORGE WHEELER MADISON, RESIGNED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

WILLIAM B. SCHULTZ, OF THE DISTRICT OF COLUMBIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, VICE DANIEL MERON.

DEPARTMENT OF THE TREASURY

JACOB J. LEW, OF NEW YORK, TO BE SECRETARY OF THE TREASURY, VICE TIMOTHY F. GEITHNER.

INTERNATIONAL BANKS

JACOB J. LEW, OF NEW YORK, TO BE UNITED STATES GOVERNOR OF THE INTERNATIONAL MONETARY FUND FOR A TERM OF FIVE YEARS; UNITED STATES GOVERNOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF FIVE YEARS; UNITED STATES GOVERNOR OF THE INTER-AMERICAN DEVELOPMENT BANK FOR A TERM OF FIVE YEARS; UNITED STATES GOVERNOR OF THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT, VICE TIMOTHY F. GEITHNER.

DEPARTMENT OF STATE

JOHN FORBES KERRY, OF MASSACHUSETTS, TO BE SECRETARY OF STATE, VICE HILLARY RODHAM CLINTON.

BROADCASTING BOARD OF GOVERNORS

JEFFREY SHELL, OF CALIFORNIA, TO BE CHAIRMAN OF THE BROADCASTING BOARD OF GOVERNORS, VICE WALTER ISAACSON, RESIGNED.

JEFFREY SHELL, OF CALIFORNIA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2015, VICE WALTER ISAACSON, TERM EXPIRED.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

JENNY R. YANG, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2017, VICE STUART ISHIMARU, RESIGNED.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

ROBERT F. COHEN, JR., OF WEST VIRGINIA, TO BE A MEMBER OF THE FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM OF SIX YEARS EXPIRING AUGUST 30, 2018. (REAPPOINTMENT)

FEDERAL LABOR RELATIONS AUTHORITY

CAROL WALLER POPE, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF FIVE YEARS EXPIRING JULY 1, 2014. (REAPPOINTMENT)

CENTRAL INTELLIGENCE AGENCY

JOHN OWEN BRENNAN, OF VIRGINIA, TO BE DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY, VICE DAVID H. PETRAEUS, RESIGNED.

DEPARTMENT OF JUSTICE

DEREK ANTHONY WEST, OF CALIFORNIA, TO BE ASSOCIATE ATTORNEY GENERAL, VICE THOMAS JOHN PERRELLI, RESIGNED.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

DAVID MEDINE, OF MARYLAND, TO BE CHAIRMAN AND MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR A TERM EXPIRING JANUARY 29, 2018. (NEW POSITION)

DEPARTMENT OF JUSTICE

SYLVIA M. BECKER, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES FOR THE TERM EXPIRING SEPTEMBER 30, 2013, VICE RALPH E. MARTINEZ, TERM EXPIRED.

SYLVIA M. BECKER, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES FOR THE TERM EXPIRING SEPTEMBER 30, 2016. (REAPPOINTMENT)

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. WILLIAM H. ETTER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN W. HESTERMAN III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. JAMES E. MCCLAIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. RICHARD M. MURPHY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIGADIER GENERAL ARNOLD W. BUNCH, JR.
BRIGADIER GENERAL THERESA C. CARTER
BRIGADIER GENERAL SANDRA E. FINAN
BRIGADIER GENERAL JEFFREY L. HARRIGAN
BRIGADIER GENERAL TIMOTHY J. LEAHY
BRIGADIER GENERAL GREGORY J. LENGVEL
BRIGADIER GENERAL LEE K. LEVY II
BRIGADIER GENERAL JAMES F. MARTIN, JR.
BRIGADIER GENERAL JERRY P. MARTINEZ
BRIGADIER GENERAL PAUL H. MCGILLICUDDY
BRIGADIER GENERAL ROBERT D. MCMURRY, JR.
BRIGADIER GENERAL EDWARD M. MINAHAN
BRIGADIER GENERAL MARK C. NOWLAND
BRIGADIER GENERAL TERRENCE J. O'SHAUGHNESSY
BRIGADIER GENERAL MICHAEL T. PLEHN
BRIGADIER GENERAL MARGARET B. POORE
BRIGADIER GENERAL JAMES N. POST III
BRIGADIER GENERAL STEVEN M. SHEPRO
BRIGADIER GENERAL DAVID D. THOMPSON
BRIGADIER GENERAL SCOTT A. VANDER HAMM
BRIGADIER GENERAL MARSHALL B. WEBB
BRIGADIER GENERAL BURKE E. WILSON
BRIGADIER GENERAL SCOTT J. ZOBRIST

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL NINA M. ARMAGNO
COLONEL SAM C. BARRETT
COLONEL STEVEN L. BASHAM
COLONEL RONALD D. BUCKLEY
COLONEL CARL A. BUHLER
COLONEL JOHN A. CHERREY
COLONEL JAMES C. DAWKINS, JR.
COLONEL PATRICK J. DOHERTY
COLONEL DAWN M. DUNLOP
COLONEL THOMAS L. GIBSON
COLONEL JAMES B. HECKER
COLONEL PATRICK C. HIGBY
COLONEL MARK K. JOHNSON

COLONEL BRIAN M. KILLOUGH
COLONEL ROBERT D. LABRUTTA
COLONEL SCOTT C. LONG
COLONEL RUSSELL L. MACK
COLONEL PATRICK X. MORDENTE
COLONEL SHAUN Q. MORRIS
COLONEL PAUL D. NELSON
COLONEL JOHN M. PLETCHER
COLONEL DUKE Z. RICHARDSON
COLONEL BRIAN S. ROBINSON
COLONEL BARRE R. SEGUIN
COLONEL JOHN S. SHAPLAND
COLONEL ROBERT J. SKINNER
COLONEL JAMES C. SLIFE
COLONEL DIRK D. SMITH
COLONEL JEFFREY B. TALIAFERRO
COLONEL JON T. THOMAS
COLONEL GLEN D. VANHERCK
COLONEL STEPHEN N. WHITING
COLONEL JOHN M. WOOD

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. KENNETH E. TOVO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN M. BEDNAREK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. JOHN F. WHARTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY NURSE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COL. BARBARA R. HOLCOMB

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COL. PATRICK D. SARGENT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY MEDICAL CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major general

BRIG. GEN. BRIAN C. LEIN
BRIG. GEN. NADJA Y. WEST

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. PAUL W. BRIER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIGADIER GENERAL JOHN J. BROADMEADOW
BRIGADIER GENERAL HERMAN S. CLARDY III
BRIGADIER GENERAL LEWIS A. CRAPAROTTA
BRIGADIER GENERAL ROBERT F. HEDELUND
BRIGADIER GENERAL FREDERICK M. PADILLA
BRIGADIER GENERAL MICHAEL A. ROCCO
BRIGADIER GENERAL VINCENT R. STEWART

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADMIRAL WILLIAM H. HILARIDES

EXTENSIONS OF REMARKS

HONORING J. GUADALUPE
VALTIERRA

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure that I stand before you today to honor J. Guadalupe Valtierra and to wish him well upon his retirement from his position as Chancellor at Ivy Tech Community College. Chancellor Valtierra's many years of service and expertise in the field of education have been a remarkable asset to the community of Northwest Indiana, where he has been able to positively impact the lives of countless students and educators. In honor of his retirement, a reception will be held on Wednesday, January 23, 2013 at Avalon Manor in Merrillville, Indiana.

J. Guadalupe Valtierra's professional career began with his passion for education and learning. Following his graduation from Purdue University, Lupe went on to earn a law degree, followed by a master's degree in higher education and student affairs, both from Indiana University. Chancellor Valtierra's career with Ivy Tech Community College spans seventeen years. Prior to becoming chancellor, he served as Director of Student Services. In 2002, Mr. Valtierra became chancellor of the college's Northwest Region, which includes the campuses located in Gary, East Chicago, Valparaiso, and Michigan City. In this position, Chancellor Valtierra has been a true leader, supervising and directing the administrative and fiscal operations for the Northwest Region. Under his direction, enrollment in Ivy Tech's Northwest Region grew by more than seventy percent, and today there are more than 16,000 students enrolled in classes. In 2006, the new Valparaiso Ivy Tech campus opened. Chancellor Valtierra oversaw the completion of this project, which included a tremendously successful capital campaign that raised \$3.9 million. During his tenure, the Gerald I. Lamkin Innovation and Entrepreneurship Center, which manages the Society of Innovators and the Dare to Dream Initiative, was also launched. These programs have been a tremendous benefit to the community of Northwest Indiana, fostering a culture of innovation, which is so crucial in today's ever-changing economy.

Additionally, Lupe has selflessly given of his time through his involvement in various organizations and civic activities, including H.O.P.E.—Hispanic Organization Promoting Excellence, the Lake County Good Government Initiative, the Quality of Life Council, Catholic Charities, the Gary Educational Development Foundation Board, the Salvation Army, and the Northwest Indiana Local Government Academy Advisory Board, among many others. For his service and dedication to

serving his community, Lupe is to be commended.

Mr. Valtierra's commitment to education and to the community of Northwest Indiana is exceeded only by his devotion to his amazing family. He and his wonderful wife, Teresa, have one daughter, Adriana.

Today, there are countless citizens throughout Northwest Indiana and beyond whose lives are fuller because of Chancellor Valtierra's life of dedicated public service. They have been educated when otherwise they might not have been. They have fuller careers and loves. I am grateful for Lupe's selflessness, as well as for his friendship.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in commending Chancellor J. Guadalupe Valtierra for his lifetime of leadership, service, and dedication to Ivy Tech and to the field of education. For his uncompromising devotion to his students and his community, Chancellor Valtierra is worthy of the highest praise, and I ask that you join me in wishing him well upon his retirement.

RECOGNIZING THE 50TH ANNIVERSARY OF THE AMSOIL WORLD CHAMPIONSHIP SNOWMOBILE DERBY IN EAGLE RIVER, WISCONSIN

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. DUFFY. Mr. Speaker, I rise today to recognize the 50th Anniversary of the Amsoil World Championship Snowmobile Derby on Sunday, January 20, 2013, in Eagle River, Wisconsin.

Fifty years ago, the sport of snowmobiling had just begun. Today, the sport has a national economic impact of \$24 billion with an additional international economic impact of \$13 billion. Over 100,000 full-time jobs in North America are generated by the snowmobile industry. These American jobs include jobs in manufacturing, sales, and tourism-related services.

I am proud to have a snowmobile manufacturer with facilities located in Wisconsin's Seventh Congressional District. Polaris Industries, Inc. manufactures and distributes quality snowmobiles, among other high-performance motorized products. This employee owned company is just one example of the positive impacts the snowmobile industry has on our economy.

The history of snowmobiling started in Vilas County, 40 years before the very first snowmobile race took place. In fact, Carl Eliason of Sayner, Wisconsin, invented the first snowmobile, which was a snow toboggan, with skis and a track to drive the machine over the

snow. By 1964, John and Betty Alward in Eagle River, along with Walter Goldsworthy of nearby Three Lakes, WI, gave the winter economy a boost with the sport of snowmobile racing. The initial news release called this the "World's First Snowmobile Derby," which at the time, was an entirely new concept in winter sports celebrations. Between 2,000 and 3,000 people attended that event in 1964. Today, the World Championship attracts over 30,000.

I am thankful for those who envisioned the snowmobile derby and for those who have made this event an incredible success. Snowmobiling is an important part of Wisconsin's heritage and I ask my colleagues to join me in extending my congratulations on the 50th Anniversary of the Amsoil World Championship Snowmobile Derby in Eagle River, WI.

IN HONOR OF SANDRA FABER

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. FARR. Mr. Speaker, I rise today to honor Sandra Faber, a University of California, Santa Cruz Professor, who has been selected by the White House to receive the National Medal of Science for her inspiring contributions to the fields of astronomy and astrophysics. Sandra is not only an exceptional and passionate educator; she is an innovative and dedicated scientist.

Sandra is an observational astronomer who specializes in research on cosmology and galaxy formation. She has co-authored nearly 250 scientific papers, which have been cited over 37,000 times. Sandra is currently leading the CANDELS project, the largest project in the history of the Hubble Space Telescope. Her team is making revolutionary discoveries on cosmic evolution and is working to give scientists a view of galaxy formation nearly back to the Big Bang.

A member of the National Academy of Sciences, American Academy of Arts and Sciences, and the American Philosophical Society, Sandra has received many additional awards and honors for her scientific achievements. In 2009, she received the Franklin Institute's Bower Award and Prize for Achievement in Science. In the past year, she was recognized with two lifetime achievement awards, the Bruce Medal of the Astronomical Society of the Pacific, and the Russell Prize of the American Astronomical Society.

Sandra is thrilled to be one of 12 recipients of the National Medal of Science and wants to express her gratitude to the University of Santa Cruz and University of California Observatories. She recognizes that without the collaboration of her fellow scientists and the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

world class equipment provided by these institutions, her amazing contributions would not have been possible.

Mr. Speaker, it is my honor to rise today to honor Sandra Faber for her outstanding commitment and dedication to higher education and the scientific community.

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. SMITH of Washington. Mr. Speaker, on Friday, January 4, 2013, I was unable to be present for a recorded vote. Had I been present, I would have voted "yes" on rollcall vote No. 7 (on the motion to suspend the rules and pass H.R. 41).

IN RECOGNITION OF E. JOHN MOROCCO

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. NEAL. Mr. Speaker, I rise today to recognize Public Safety Commissioner E. John Morocco for 46 years of service to the City of North Adams, Massachusetts. Commissioner Morocco, in a career spanning over four decades, has been an instrumental member of the leadership within the city's and throughout Berkshire County's law enforcement duties. It is the dedication Commissioner Morocco has had to his job and to the people that has made North Adams, Massachusetts a safer place to live and to call "home."

Throughout his tenure with the North Adams Police Department, Commissioner Morocco has held various roles over the years. Notable titles include being appointed Detective in 1986, Lieutenant in 1994 and his retiring title of Commissioner in 1996. Commissioner Morocco also served as one of the founding members of the Berkshire County Drug Task Force and is also a past President of the New England Narcotic Enforcement Officers Association.

Mr. Speaker, please join me in congratulating Commissioner Morocco on his achievements and thanking him for his contribution and dedication to the citizens and City of North Adams, Massachusetts.

BLACK JANUARY

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. SHUSTER. Mr. Speaker, as the Co-Chairman of the Congressional Azerbaijan Caucus, I rise today to join with the people of Azerbaijan to commemorate the tragic events of "Black January."

On January 19, 1990, approximately 26,000 Soviet troops stormed Azerbaijan's capital city

of Baku in tanks and armored vehicles. That night, the Soviet military opened indiscriminate fire on peaceful demonstrators, including women and children. As a result of these merciless acts 131 people were killed, 611 were injured, 841 were arrested, and 5 went missing.

The Human Rights Watch report "Black January in Azerbaijan" states that "among the most heinous violations of human rights during the Baku incursion were the numerous attacks on medical personnel, ambulances, and even hospitals." The report concludes that the violence used by the Soviet Army constituted an exercise in collective punishment and that the punishment inflicted on Baku by Soviet soldiers may have been intended as a warning to nationalists, not only in Azerbaijan, but in other Republics of the Soviet Union.

Far from crushing the spirit of Azeris, the atrocities of Black January instead consolidated the rising independence movements in the country and united the Azerbaijani nation in its quest for freedom. After 23 years Azerbaijan represents a flourishing country where democratic aspirations of Azerbaijani people have been materialized as they continue diplomatic relations with the United States.

It is my honor to thank the Azerbaijani people for their friendship and to offer my thoughts and prayers to the families of those who gave their lives for the independence of Azerbaijan. I encourage my colleagues to visit the very moving memorial to Black January in Baku that honors the memory of those killed in these attacks by the Soviet military and to join with me today in standing with Azerbaijanis as they commemorate this tragedy.

TRIBUTE TO UMATILLA COUNTY SHERIFF JOHN TRUMBO

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. WALDEN. Mr. Speaker, I rise today to pay special tribute to Umatilla County Sheriff John Trumbo. Sheriff Trumbo retired on January 1, 2013 after a career in law enforcement that dates back to 1973. Since he moved to Pendleton, Oregon in 1977, Sheriff Trumbo has dedicated over thirty-five years of service to the citizens of Umatilla County.

Born and raised in Oregon's Willamette Valley, John learned how to work hard in the family business and later as a crane "high flyer". His love for police service began in 1972 when he joined the Benton County Sheriff's Office "Ride Along" program. A year later John became a reserve officer, serving Benton County, Oregon for nearly four years. During this time he joined his colleagues in Benton County who traveled to Pendleton, Oregon and lent a hand with security for the world famous Pendleton Round-Up and Happy Canyon Pageantry Show. Because of these connections and his work, John was offered a job by the Umatilla County Sheriff.

John took the Sheriff up on this invitation and in 1977 moved to Pendleton, an eastern Oregon wheat ranch and rodeo community

which he and his wife Carol never left. His wife Carol, an accomplished school teacher in her own right, was there helping John raise their two sons Nick and Michael who now have blessed them with two loving grandchildren, Presley and Cade. Recently Cade was asked to write about a hero in school and chose his "good grandpa the Sheriff" who would be there "just in case anyone is a criminal."

For nearly twenty years John served in various roles in the Umatilla County Sheriff's office, officer in the jail, having the first K-9 unit, Sergeant, Lieutenant, Captain and Under-Sheriff. In 1997, John was sworn in and began his first of sixteen years of service as Umatilla County Sheriff. Always known for his honest and straightforward approach, Sheriff Trumbo was requested and volunteered to participate in many local and state boards, task forces, and councils, including the Governor's Methamphetamine Task Force and the advisory board for Blue Mountain Community College's criminal justice program. He also served as President of the Oregon State Sheriffs Association.

Sheriff Trumbo also implemented programs to aid the citizens of Umatilla County and the region. He organized the nationally recognized Umatilla County Neighborhood Watch and Rural Crime Prevention Program that now has 19 units and over 800 active members. Recognizing the rural nature of Umatilla County and the challenges that are posed, especially in the winter, John implemented an all-terrain vehicle and snowmobile patrol program, for search, rescue, and patrols. Whether it was creating a program to take meth off the streets or sending a bill to a foreign county for the care and feeding of their citizens, Sheriff Trumbo has always looked for simple, straightforward solutions to solving problems.

Although John has retired as Sheriff, I know he won't be ending his service to Pendleton or Umatilla County. In fact, John remains an active volunteer with the Pendleton Round-Up, serving as the Board of Director who heads up security during the world famous rodeo. In this role he spearheads efforts to provide protection and safety of thousands of people attending the performances and visiting the community, including helping those wayward individuals leaving the "Let'er Buck" room stay out of trouble.

I also know he will be spending plenty of well-earned time on those things he loves, whether it is traveling horseback across the county with his grandchildren, woodworking, or camping with his family. Mr. Speaker, I ask my colleagues to join me in wishing Sheriff John Trumbo the best in his retirement. Sheriff, thanks for all your service to Umatilla County, the region, and our fine State of Oregon. You may be able to turn that cell phone off from time to time now.

PERSONAL EXPLANATION

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Ms. SCHWARTZ. Mr. Speaker, on rollcall No. 7 on H.R. 41 "To temporarily increase the

borrowing authority of the Federal Emergency Management Agency for carrying out the National Flood Insurance Program," I am not recorded because I was absent due to illness.

Had I been present, I would have voted "aye."

RECOGNIZING THE 2012 STONY BROOK UNIVERSITY BASEBALL TEAM

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. BISHOP of New York. Mr. Speaker, I rise today to recognize and congratulate the 2012 Stony Brook University Baseball team on a record-setting season with its "Shock the World" rallying cry.

The Seawolves finished the regular season with a 43-11 record and won their second straight conference regular season title. The team also swept the major conference awards, bringing home Coach of the Year, Player of the Year, and Pitcher of the Year. Twelve players were named all-conference. But the team's success did not end there.

After winning its conference, Stony Brook went on to win the America East Championship for the second time in three seasons. The Seawolves then competed in the Coral Gables Regional of the NCAA tournament. The tournament, attended by four teams, was statistically the toughest regional tournament in the country. The team was able to prevail over the three other competitors and advance to the Super Regional in Baton Rouge.

In the Super Regional, the Seawolves faced the LSU Tigers in a best-of-three tournament. After falling behind in Game 1, the Seawolves won Game 2 to force a winner-take-all Game 3. Although the Tigers took an early lead, the Seawolves won the game to become the first Northeast region school to advance to the College World Series since the end of geographic regional tournaments in 1987.

The Seawolves went to Omaha as the team that had captured the attention and the hearts of observers throughout the country. The team embraced the rallying cry "Shock the World" as a mission; it set out to leave a mark on the national stage and make Stony Brook a household name. Unfortunately, the Seawolves were eliminated from the College World Series after a loss to Florida State, but they were successful in their mission to raise the profile of the Stony Brook University athletic program. The question, "What's a sea wolf?" is now able to be answered by people who have never set foot on the Stony Brook campus.

By the end of the post-season, Stony Brook had compiled an NCAA-best 52 wins. For the 2011 and 2012 seasons combined, the team has a winning percentage of .777, the best in the nation. In addition to its playoff run, the team reached a number of milestones for its program. Coach Matt Senk became the third coach in the history of the conference to win 6,000 games. The program also had a record seven players drafted in the Major League Baseball First-Year Player Draft, including its

first player to be drafted in the first round. All seven players have signed with major league organizations.

Stony Brook's remarkable season of triumphs was recognized by the local news media as among the top sports moments of 2012, and the coaches and members of the team were named People of the Year in Sports by a local newspaper. These are a few among the many ways the team has been honored by organizations across Long Island, and I am so very proud to represent this outstanding baseball team and Stony Brook University as their representative in Congress.

Mr. Speaker, on behalf of New York's first congressional district, I again congratulate the 2012 Stony Brook University Baseball team on its record-breaking season and wish the program continued success. Go Seawolves!

INTRODUCTION OF THE 21ST CENTURY READINESS ACT OF 2013

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. PETRI. Mr. Speaker, in order for our students to be competitive in the global economy, we must do our part to ensure that they are acquiring the knowledge and skills they need for success.

The skills needed for success go beyond the basics of reading, writing, and math, however. When surveyed, employers continually emphasize that, in our 21st century economy, students need to be adept at critical thinking and problem solving; communication; collaboration; and creativity and innovation, in addition to being proficient in core subjects.

Sixteen states, as well as local school districts from across the country, have formed a partnership with over thirty leading education organizations and corporate entities to find ways to strengthen 21st century skills in their K-12 classrooms. However, this momentum isn't sustainable unless federal policy gives states and districts the flexibility to innovate in this direction.

To remedy this, Rep. DAVE LOEBACK and I are introducing the 21st Century Readiness Act. This bill does not create any new programs or authorize additional spending; instead, it would amend the Elementary and Secondary Education Act (ESEA) to emphasize the importance of 21st century skills and give states and districts added flexibility to develop and enhance these skills as part of their own initiatives.

A growing coalition of states and school districts has recognized the importance of giving our students the tools they need to succeed in our 21st century workforce. This bill will give them the flexibility to succeed in these efforts.

I hope that our colleagues will join us in this effort.

A CLARION CALL FOR THE PERSECUTED CHURCH

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. WOLF. Mr. Speaker, I submit a letter I recently sent to over three hundred national faith leaders encouraging them to use their platform and lend their voice to the cause of the persecuted church globally.

DEAR FRIEND: Christians worldwide just celebrated the birth of Jesus. For those of us living in the West, this was a festive season marked by worship services, gift-giving and time with family and friends. But for our brethren in the Middle East, fear of persecution and outright violence or even death cast a long dark shadow over the Christmas holiday.

While most striking in the Middle East, given the ancient roots of Christianity in that part of the world, the challenges facing those believers are by no means isolated, nor are they anything "new under the sun."

Ecclesiastes 4:1 says, "I saw the tears of the oppressed, and they have no comfort; power was on the side of the oppressor." As you well know, oppression has marked the church since its birth. Consider the chilling words of Roman historian Tacitus regarding the early church:

"Besides being put to death they were made to serve as objects of amusement; they were clad in the hides of beasts and torn to death by dogs; others were crucified, others set on fire to serve to illuminate the night when daylight failed . . ."

Every day, around the world, men and women of faith are imprisoned, beaten, detained, tortured and even killed. The book of Hebrews enjoins us to "remember those in prison as if you were their fellow prisoners, and those who are mistreated as if you yourselves were suffering." Do we suffer with our brethren? Have we in the West ceased to be salt and light?

Consider that on our watch a historic exodus of Christians from the Middle East is underway—an exodus fueled by persecution.

German Lutheran pastor Dietrich Bonhoeffer, faced with the tyranny and horror of Nazism, famously said, "Silence in the face of evil is itself evil. Not to speak is to speak. Not to act is to act."

And that is precisely what many in the church did, or failed to do, as Hitler unleashed his murderous plans. I recently encountered this haunting account by a German Christian in the book *When a Nation Forgets God*:

"I lived in Germany during the Nazi Holocaust. I considered myself a Christian. We heard stories of what was happening to the Jews, but we tried to distance ourselves from it, because, what could anyone do to stop it?"

A railroad track ran behind our small church and each Sunday morning we could hear the whistle in the distance and then the wheels coming over the tracks. We became disturbed when we heard the cries coming from the train as it passed by. We realized that it was carrying Jews like cattle in the cars!

Week after week the whistle would blow. We dreaded to hear the sound of those wheels because we knew that we would hear the cries of the Jews en route to a death camp. Their screams tormented us.

We knew the time the train was coming and when we heard the whistle blow we

began singing hymns. By the time the train came past our church we were singing at the top of our voices. If we heard the screams, we sang more loudly and soon we heard them no more.

Years have passed and no one talks about it anymore. But I still hear that train whistle in my sleep. God forgive me; forgive all of us who called ourselves Christians and yet did nothing to intervene."

The parallels are imperfect but the sentiments are the same. Has our comfort led to complacency? Can the church in the West be galvanized to act?

A phrase not often heard outside the majority Muslim world is "First the Saturday people, then the Sunday people." The "Saturday people" are of course the Jews. Their once vibrant communities in countries throughout the region are now decimated. In 1948 there were roughly 150,000 Jews in Iraq; today less than 10 remain. In Egypt, there were once as many as 80,000 Jews; now less than 100 remain.

It appears a similar fate awaits the ancient Christian community in these same lands. Iraq's Christian population has fallen from as many as 1.4 million in 2003 to between 500,000 and 700,000 today. Churches have been targeted, believers kidnapped for ransom and families threatened with violence if they stay. In October 2010, Islamist extremists laid siege on Our Lady of Salvation Catholic Church in Baghdad killing over 50 hostages and police and wounding dozens more.

In Egypt with the ascent of the Muslim Brotherhood, Coptic Christians, numbering roughly 8 to 10 million, are leaving in droves. Ironically, some 2,000 years ago, the Holy Family sought refuge in this same land from the murderous aims of King Herod.

In the midst of devastating bloodshed in Syria, the Christian population is particularly vulnerable. A recent ABC News story reported, "They [Christians] are fearful that Syria will become another Iraq, with Christians caught in the crossfire between rival Islamic groups."

Over the span of a few decades, the Middle East, with the exception of Israel, was virtually emptied of Jews. The same thing will happen to the Christian community if the current trajectory holds true. And yet, the silence of many in the West is deafening. Such stories receive scant attention in the mainstream media, and perhaps more strikingly, are rarely spoken of from our pulpits.

A recent study on Christian persecution released by the British-based think tank Civitas explained the media's seeming ambivalence this way: "Parts of the media have been influenced by the logical error that equates criticism of Muslims with racism, and therefore as wrong by definition. This has further distracted attention away from the hounding of Christians, helping to cement the surprisingly widespread idea that Christianity is a 'Western' faith."

And yet, we in the church ought to know better. The Middle East is the very cradle of Christendom. Consider Iraq: with the exception of Israel, the Bible contains more references to the cities, regions and nations of ancient Iraq than any other country. The patriarch Abraham came from a city in Iraq called Ur. Isaac's bride, Rebekah, came from northwest Iraq. Jacob spent 20 years in Iraq and his sons (the 12 tribes of Israel) were born in northwest Iraq. A remarkable spiritual revival as told in the book of Jonah occurred in Nineveh. The events of the book of Esther took place in Iraq as did the account of Daniel in the Lion's Den. Furthermore, many of Iraq's Christians still speak Aramaic, the language of Jesus.

So how do we account for the Church's indifference? Is it political correctness? Lack of awareness? What tragedy must befall this community before we are propelled to act?

The persecution plaguing the Middle East is no exception. Christians are targeted throughout the world in countries like China, Vietnam and Pakistan. According to the Civitas study, "More Christians are imprisoned in China than in any other country in the world." If the faith community in the West isn't engaged, are we surprised when government leaders turn a blind eye to matters of religious freedom?

Consider the following: bipartisan legislation to create a special envoy position at the State Department charged with advocating on behalf of religious minorities in the Middle East and South Central Asia overwhelmingly passed the House of Representatives more than a year and a half ago. But it remained stalled in the Senate as a result of State Department opposition and the refusal of the chairman of the Senate Foreign Relations Committee, and presumptive secretary of state, John Kerry, to even hold a hearing on the legislation.

I have had the privilege of meeting individuals who boldly follow Jesus despite unbelievably hostile circumstances. Shabbaz Bhatti, Pakistan's federal minister for minority affairs, and the only Christian Member of the cabinet and an outspoken critic of his country's blasphemy laws, was one such man. On March 2, 2011 he was murdered, his car riddled with bullets, leaving his mother's house for work. In a video filmed shortly before his assassination (accessible on my Web site at <http://wolf.house.gov/bhattivideo>), Bhatti appears to sense that the path he has chosen will come with a price.

When asked about the threats against his life, he said, without malice or fear, "I believe in Jesus Christ who has given his own life for us. I know what is the meaning of [the] cross. And I am following the cross. And I am ready to die for a cause." And so he did.

The book of Proverbs tells us to "Speak up for those who cannot speak for themselves . . ." Bhatti can no longer speak. The Chinese bishop under house arrest cannot speak. The North Korean believer enslaved in the gulag can't speak. The Iraqi nun fearing for her life cannot speak.

Will we be their voice? Martin Luther King, Jr. famously said, "In the end, we will remember not the words of our enemies, but the silence of our friends." Are we not their friends?

The Church globally is under assault. Our response must not be to simply sing more loudly, thereby drowning out the cries for help from our brothers and sisters. Rather we must speak out, advocate and act on their behalf.

From my perspective the Church in the West, specifically in America, is failing in this regard. Can you, as a leader in the Church, help? Are you pained by these accounts of persecution? Do you have ideas about how best to respond? Will you use your sphere of influence to raise the profile of this issue—be it through a sermon, writing or media interview? I welcome your thoughts and invite your engagement in this monumental task.

Next week, when Congress reconvenes, I intend to reintroduce the special envoy legislation and press for passage in both houses of Congress. I don't pretend to think that a special envoy will single-handedly solve the problem, but it certainly can't hurt to have a high-level person within the State Department

bureaucracy who is exclusively focused on the protection and preservation of these ancient communities. Furthermore, to do nothing is simply not an option.

We in the West must speak out on behalf of the persecuted church around the world.

Best wishes.

Sincerely,

FRANK R. WOLF,
Member of Congress.

P.S. I know you are busy and have so many competing priorities but your involvement could really make a difference in the lives of believers around the world.

CONGENITAL HEART DEFECT AWARENESS WEEK

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. LONG. Mr. Speaker, I rise today to recognize Congenital Heart Defect Awareness Week, which is February 7th–14th.

This week is dedicated to the millions of Americans who have been diagnosed with Congenital Heart Defects, the challenges their families face and for the families of those who have sadly lost loved ones to this condition. Congenital Heart Disease is considered to be the most common birth defect and is also the leading cause of birth defect related deaths worldwide.

Each year approximately forty thousand babies are born in the United States with Congenital Heart Defects and some remain undiagnosed for months or even years after birth. This dangerous condition, if left undiagnosed, can cause sudden cardiac death especially in young adolescent athletes.

Unfortunately, despite these statistics, newborns and young athletes are not routinely screened for Congenital Heart Defects and funding for research regarding the condition is limited.

Mr. Speaker, Congenital Heart Defects affect millions of Americans and I rise to recognize those affected by this condition and to help bring awareness to this important cause.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. COFFMAN. Mr. Speaker, on January 3, 2009, the day I took office, the national debt was \$10,627,961,295,930.67.

Today, it is \$16,432,619,424,703.06. We've added \$5,804,658,128,772.39 to our debt in 4 years. This is \$5.8 trillion in debt our nation, our economy, and our children could have avoided with a Balanced Budget Amendment. We must stop this unconscionable accumulation of debt.

TRIBUTE TO CLAUDIA LUPPINO

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to southern California are exceptional. Our community has been fortunate to have dynamic and dedicated leaders who willingly and unselfishly give their time and talent to make their communities a better place to live and work. Claudia Luppino is one of these individuals. On Friday, January 4, 2013, Claudia ended her tenure as the Area Director for the Inland Area jurisdiction of the Social Security Administration (SSA) after 37 years of service.

Claudia grew up in Erie, Pennsylvania, where she and her future husband Bud were high school sweethearts. After graduating from Erie Business College, the young military wife began her government career with the U.S. Army Computer Systems Command at Fort Belvoir, Virginia, later transferring to March Air Force Base in Riverside. In 1977, after Bud left the Air Force, she began her career with Social Security as the Administrative Aide in the Riverside District office. Since then, she has held more than a dozen positions with the Agency, including Claims Representative, Operations Analyst and Operations Supervisor.

In 1985 Claudia was selected as the Area Analyst in the Inland Area Director's Office (ADO), and in 1987 she became the District Manager in the Redlands Office, where she served for two years before being selected as the Operations Officer in San Bernardino. In 1993 Claudia rejoined the Inland ADO as the Area Administrative Assistant, and later went on to serve as the Assistant District Manager in Palm Springs, District Manager in North Las Vegas, District Manager in Victorville, Deputy Area Director in the Inland Area Director's Office and the District Manager for the Riverside District. Claudia is a graduate of the Region IX Leadership Development Program and has received numerous awards, including the Regional Commissioner's Citation.

Claudia recently concluded an assignment as the Acting Area Director in the Los Angeles Metro Area. She served for over six months as the Acting Area Director in the Inland Area, where she oversaw 540 employees in 16 offices in Riverside and San Bernardino counties, and all of Nevada. It was a responsibility she took seriously. According to her, "There is no other government agency that provides the critical services SSA does, providing retirement, survivors and disability benefits as well as Supplemental Security Income benefits to the American public." What she will miss most about her job, she said, "is that very ability to make a difference in the lives of so many people."

In her retirement, Claudia plans to help her husband Bud with his business, Bud's Tire and Wheel, Inc. in Riverside, and a shop in Moreno Valley. They will soon begin construction on a third location in Riverside. She also looks forward to traveling more, learning Italian and spending time with her three grandsons.

In light of all Claudia has done for southern California seniors, it is only fitting that she be honored for her many years of dedicated service. Claudia's tireless passion for public service has contributed immensely to the betterment of the Inland Empire and I am proud to call her a fellow community member, American and friend. I know that many community members are grateful for her service and salute her as she retires.

RECOGNITION OF STEVEN
GOLDSTEIN**HON. FRANK PALLONE, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. PALLONE. Mr. Speaker, I rise today to recognize Mr. Steven Goldstein as he embarks on a new venture in life. Mr. Goldstein has worked tirelessly on behalf of the lesbian, gay, bisexual and transgender (LGBT) community in New Jersey and it is my honor to celebrate him at Garden State Equality's Inauguration Brunch.

Steven Goldstein founded Garden State Equality in 2004 and has since led it as CEO and Chair. During his tenure, Garden State Equality has seen 213 LGBT civil rights laws enacted in N.J. A proponent of equal rights for all, Garden State Equality, under Mr. Goldstein's leadership, also advocated for anti-bullying laws and created programs aimed at helping N.J.'s youth. As Mr. Goldstein passes on the torch as CEO and Chair of Garden State Equality to pursue a new career as Associate Chancellor for External Affairs at Rutgers University—Newark, he remains committed to the organization and its cause and will serve as its Honorary Chair on the Board and executive committee.

Mr. Goldstein earned a B.A. from Brandeis University, an M.P.P. from Harvard's John F. Kennedy School of Government, an M.S. from the Columbia School of Journalism and a J.D. from Columbia Law School. In addition to his time at Garden State Equality, Mr. Goldstein's resume includes working as a senior staff member in the U.S. House of Representatives and the U.S. Senate, a co-campaign manager of a U.S. Senate campaign in N.J., a television producer and an educator. He also endeavors to become a rabbi and is working toward that goal.

Mr. Speaker, once again, please join me in thanking Steven Goldstein for his years of service to Garden State Equality and his immeasurable contributions to the State of New Jersey. Mr. Goldstein's leadership and ongoing accomplishments are truly deserving of this body's recognition.

HONORING CONGRESSWOMAN JO
ANN EMERSON ON HER RETIREMENT**HON. WM. LACY CLAY**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. CLAY. Mr. Speaker, I rise today to honor a great American who leaves this body

today to return to the private sector, my wonderful friend from Cape Girardeau . . . Congresswoman JO ANN EMERSON. Her retirement is a great loss to the citizens of southeast Missouri, to our State, and to our Nation.

As the outgoing dean of Missouri's congressional delegation, she has led our group with fairness, respect, and a spirit of cooperation. As she retires today, I know that every member of the Missouri delegation, as well as her many friends on both sides of the aisle, join me in congratulating her on an exceptional career in the U.S. House. Congresswoman JO ANN EMERSON has represented southeast Missouri with honor and integrity and in the face of so much discord, so much distortion, and too often, an inability to compromise,

JO ANN has always been a voice of calm, reason, and good common sense. There is no doubt that the center aisle caucus will miss her strong, principled leadership. Congresswoman EMERSON is a member who searches for common ground . . .

Both out of instinct and because of her deeply held belief that Congress was sent here to work together to solve problems, not to obstruct the government, not to incite intolerance or rancor, not to set one region of the country against the other, but to seek out, and then support a common agenda that will do the most good for America.

That is how JO ANN has lived her life, and that is how she has served. Congresswoman EMERSON is a skilled legislator, she is a wonderful colleague, and she is a great friend of mine. Congresswoman EMERSON represents the best of Missouri.

I will miss her wise voice as Democrats and Republicans seek common ground to move the Nation forward. My only consolation on her retirement, is the knowledge that my good friend, her husband, attorney Ron Gladney, and their wonderful children . . . will finally have their wife and mother back. And that is a great family blessing that we should all understand and appreciate. From the dark days immediately after she assumed the congressional seat of her late husband . . . Congressman Bill Emerson.

JO ANN has brought the Missouri values of common sense, family, community, faith, and freedom to the floor every day.

I shall miss her wisdom, her kindness, and her decency, and I know that our State, this honorable body, and our Nation will be forever grateful for her service.

Congresswoman, I thank you for all your help and friendship, I congratulate you on your retirement. May God bless you and your family.

INTRODUCTION OF THE DISTRICT
OF COLUMBIA BUDGET AUTON-
OMY ACT OF 2013**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Ms. NORTON. Mr. Speaker, District of Columbia residents raise billions of dollars annually for their local budget, and, like Americans everywhere, regard the right to control the

funds they themselves raise to support their city as fundamental to their American citizenship. Therefore, today I introduce the District of Columbia Budget Autonomy Act of 2013, the second bill I have introduced this Congress, to allow the District's local-taxpayer-raised budget to take effect immediately when passed by the city, without being subject to congressional approval.

Control over the dollars raised by local taxpayers is central to local control, the oldest American government principle. Beyond this core principle, permitting the city's local budget to become law without congressional approval would have multiple practical benefits for both the city and Congress. For the city, a timely budget means eliminating the uncertainty of the congressional approval process, which has a negative effect on the city's bond rating, adding unnecessary interest costs for local taxpayers; significantly improving the District's ability to make accurate revenue forecasts; and reducing the countless operational problems that result because the city's budget cannot be implemented until Congress approves it. Also of major importance is that the bill would allow the District to use the typical state and local government fiscal year (July 1–June 30), allowing ample time to prepare for the opening of schools in September, instead of the federal fiscal year (October 1–September 30). Moreover, the D.C. local budget consumes valuable subcommittee, committee, and floor time in both houses of Congress, the most inefficient and redundant annual process in the Congress, yet the D.C. budget is of interest only to those members who use it to promote their own issues, violating a principle of local self-government that they value for their own districts and states.

Increasing recognition of the hardships and delays caused by the congressional approval process has led Congress to begin freeing the city from many congressional constraints. I appreciate that my bill to avoid a D.C. government shutdown when the federal government shuts down is in the Senate Appropriations Committee-passed fiscal year 2013 Financial Services and General Government Appropriations bill. President Obama included this provision in his fiscal year 2013 budget, and the Republican-controlled House Appropriations Committee indicated in its report accompanying its fiscal year 2013 Financial Services and General Government Appropriations bill that legislation to avoid D.C. shutdowns was necessary. In addition, several years ago, I negotiated an agreement with a Republican-led appropriations committee that ensures that the city's local budget is approved in the first continuing resolution (CR) if the D.C. Appropriations bill has not been approved by the start of the fiscal year. This approach ended the annual nightmares of lengthy delay of the budget of a big city until an appropriations bill was passed, often months after the start of the fiscal year. As a result, under CRs, the city

has been able to spend its local funds at the next year's funding level, even though federal agencies must spend at the prior year's funding level. We are appreciative that this process, which eliminated serious problems for the functioning of the D.C. government, has continued.

We nearly secured budget autonomy for the District in the last days of the lame-duck session in the 111th Congress. I used an unusual procedure, getting the House authorizers to agree to the inclusion of budget autonomy in the fiscal year 2011 Financial Services and General Government Appropriations bill, which was passed by the subcommittee. Unfortunately, Congress passed a CR instead of regular appropriations bills in the lame duck.

Most important, we gained critical support for D.C. budget autonomy in the 112th Congress. In an Oversight and Government Reform Committee hearing in May 2011, Chairman DARRELL ISSA (R-CA) endorsed budget autonomy. Since that time, House Majority Leader ERIC CANTOR (R-VA) and Virginia Governor Bob McDonnell (R) have both indicated their support for budget autonomy.

Even if the District of Columbia Budget Autonomy Act of 2013 were enacted, Congress would still retain jurisdiction over the District of Columbia under article I, section 8, clause 17 of the U.S. Constitution. Because this authority allows Congress to make changes to the District's budget and other laws at any time, it is unnecessary to require a lengthy repetition of the District's local budget process in Congress. The time is overdue to permit the city to enact its local budget, the single most important step Congress could take to help the District better manage itself.

Members of Congress were sent here to do the business of the nation. Members have no reason to be interested in or to become knowledgeable about the local budget of a single city. In the past, the House and Senate have more often than not passed the District's budget as is. Our bill takes the Congress in the direction it is already moving in. Congressional interference in one of the most vital rights of self-government should end this year by enacting the District of Columbia Budget Autonomy Act of 2013.

PERSONAL EXPLANATION

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Ms. SCHWARTZ. Mr. Speaker, on rollcall No. 9, on final passage of H.R. 152, "Disaster Relief Appropriations Act, 2013" I am not recorded because I was absent due to illness. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. SMITH of Washington. Mr. Speaker, on Monday, January 14, 2013, I was unable to be present for recorded votes. Had I been present, I would have voted "yes" on rollcall vote No. 8 (on the motion to suspend the rules and pass H.R. 219), "yes" on rollcall vote No. 9 (on approving the journal), "no" on rollcall vote No. 10 (on the motion to adjourn).

HONORING THE HONOREES OF THE PANTHEON-BOURGEOIS GUITARS

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to recognize Pantheon-Bourgeois Guitars, LLC on winning the first annual Achievement Award from the Small Enterprise Growth Fund (SEGF).

Pantheon-Bourgeois Guitars was formed in 2000 after Dana Bourgeois, a well known luthier, and a group of new business investors collaborated over a shared vision. In just over 12 years, the company has built a reputation among professional musicians for being among the finest crafted acoustic guitars in the world. Today, Dana and his craftsmen build about thirty guitars every month in the historic Roy Continental Mill in Lewiston, Maine.

Pantheon-Bourgeois Guitars was recently honored by SEGF with its first annual Achievement Award, which recognizes the company's tremendous revenue growth and exceptional productivity in the past year. This award follows a fruitful collaboration with Maine's Manufacturing Extension Partnership (MEP), which provides business and technical assistance to help our state's small businesses thrive. With the help of Maine MEP, Pantheon-Bourgeois Guitars expanded its weekly production by 50 percent. The company has additional plans to implement improvements that will boost future productivity and efficiency.

A professionally-managed venture capital fund, the SEGF has been investing only in Maine companies who exhibit the potential for growth and public benefit since 1997. This well deserved award solidifies Pantheon-Bourgeois Guitars as valued member of Maine's business community.

Mr. Speaker, please join me again in congratulating Pantheon-Bourgeois Guitars on earning SEGF's Achievement Award.

HOUSE OF REPRESENTATIVES—Wednesday, January 23, 2013

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of Heaven and Earth, we give You thanks for giving us another day.

We ask Your blessing upon the Members of the people's House during these opening days of the first session of the 113th Congress.

Bless the Members of this assembly with wisdom; inspire them to act with justice; and empower them to work toward legislative solutions to the many challenges facing our Nation.

Bless all the people of our Nation as they return to their homes following the celebrations of the past few days. May the work of their hands issue forth to the betterment of their own lives and the strength and vitality of their communities.

And may all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. McCLINTOCK. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. McCLINTOCK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Colorado (Mr. COFFMAN) come forward and lead the House in the Pledge of Allegiance.

Mr. COFFMAN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the resignation of the gentlewoman from Missouri (Mrs. Emerson), the whole number of the House is 432.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

ENDING THE CONGRESSIONAL PENSION

(Mr. COFFMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COFFMAN. Mr. Speaker, today I'm introducing legislation to put an end to the defined benefit retirement plan currently available to Members of Congress.

These are extremely difficult economic times. We are in a debt crisis that will require sacrifices on the part of all Americans. I served in both the U.S. Army and Marine Corps, and I was taught that leaders should never ask others to do anything that they themselves would be unwilling to do. Congress needs to set an example and lead the way for the country. I think ending the congressional pension system is a good start.

My legislation will honor any retirement benefits accrued prior to the passage of this bill and will keep Social Security and the Thrift Savings Plan in place for Members of Congress.

I believe that Members of Congress should feel the same economic pressures the rest of society does, and I firmly believe that the current effort to reduce spending and constrain the size and scope of government requires that all possible solutions be taken, including cuts to the congressional budget.

I urge the passage of this bill.

IN HONOR OF PAT COLLINS

(Mr. GARCIA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GARCIA. Mr. Speaker, I rise to honor a dedicated educator, a true

Miami treasure, a man who inspired me and many others, Mr. Pat Collins.

Mr. Collins has been a social studies teacher and a department head at Belen Jesuit Preparatory School since 1971. Currently teaching AP U.S. Government and Politics and U.S. Government, Mr. Collins moderates Belen's chapter of Amnesty International. Pat is instrumental in the success of Belen Jesuit's model United Nations program, founded the overseas study program in 1994, and teaches civic responsibility to his students.

A charter member of the U.S. Historical Society, Pat has received numerous awards, including the Cornell University Outstanding Educator and the Close Up Foundation's Linda Myers Chosen Award for teaching excellence in civics.

Mr. Collins has inspired and educated many thousands of students, many who serve in public service like myself.

HONORING THE 16TH STREET BAPTIST CHURCH BOMBING VICTIMS

(Mr. BACHUS asked and was given permission to address the House for 1 minute.)

Mr. BACHUS. Mr. Speaker, let me rise to announce bipartisan legislation that my good friend and colleague, TERRI SEWELL, and I are introducing today to honor the four little girls that were killed in the bombing of the 16th Street Baptist Church in Birmingham with the Congressional Gold Medal.

This year marks the 50th anniversary of this pivotal event in the history of the civil rights movement, which less than a year later resulted in the passage of the Civil Rights Act. We know today that the evil that occurred in this place of God on September 15, 1963, galvanized the conscience of the Nation and led to the passage of laws to ensure equal rights for every American.

The innocent young children killed in the bombing—Addie Mae Collins, Carole Robertson, Cynthia Wesley, and Denise McNair—were eulogized as martyred heroines by Dr. Martin Luther King, Jr., and it is fitting and proper that this Congress recognize the historic significance of their lives.

Ironically, they were studying about the love and forgiveness of God at the time of their death. Let us be mindful that despite this act of violence and the killing of a young 16-year-old black boy and 14-year-old black boy the same day, the civil rights leaders were committed to nonviolence, and they kept true to that commitment.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Despite the violence done to them, they showed forgiveness against the people, and our colleague JOHN LEWIS and others helped us avoid, by their commitment to nonviolence, the calamities and replaying of grievances that have destroyed the fabric of many other countries. To them, we should be eternally grateful.

In closing, let this legislation bring us together. I commend your support for it, and I ask for your cosponsorship.

□ 0910

PAYCHECK FAIRNESS ACT

(Ms. ESHOO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ESHOO. Mr. Speaker, consider the following: if the United States had an adopted policy of equal pay, it would put \$200 billion more into the economy every year. That comes out to about \$137 for every white woman per paycheck and to approximately \$300 for every woman of color, who is doubly discriminated against. These women are not going to put their money into a Cayman Islands bank account. Instead, they'll spend it; and this will boost our economy, create jobs and help families.

With a record number of women in the workforce, wage discrimination hurts the majority of American families both in terms of their economic security today and their retirement security tomorrow. The Institute for Women's Policy Research found that wage disparity will cost women anywhere from \$400,000 to \$2 million over a lifetime of lost wages. That means fewer resources to pay the mortgage, to send kids to college, or to have a decent retirement. Also, due to rising employment rates, an unprecedented number of women are now the family breadwinners, making pay equity even more critical, not simply to family economic security but also to the Nation's economic recovery.

As we look for ways to create more jobs and grow the economy, it is astounding to me that Congress has not yet passed legislation ensuring equal pay for equal work. It is a powerful policy with what would be powerful and positive economic outcomes. That is why I support the Paycheck Fairness Act. It ensures that employers who try to justify paying a man more than a woman for the same job must show that the disparity is not sex-based, but job-related and necessary. It prohibits employers from retaliating against employees who discuss or disclose their own salary information with their coworkers, and it strengthens the remedies available to wronged employees.

Pay inequity due to gender discrimination is real, and it should not be tolerated. The House of Representatives should address this issue.

NO BUDGET, NO PAY

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, the primary reason the government is in economic turmoil and is destroying jobs is due to a lack of fiscal responsibility.

The House has fulfilled the most basic responsibility of governing and passing a budget. On the other hand, the liberal-controlled Senate has failed to complete a budget for nearly 4 years. Hardworking American families and small businesses plan to spend within their means and abide by a budget. The Federal Government should do so as well.

Today, House Republicans will consider legislation aimed at putting this fiscal irresponsibility to a halt by voting on the No Budget, No Pay Act. This bill will raise the debt ceiling for 3 months with the provision that both Houses of Congress must pass a budget. If either body fails to achieve the task, the Members' pay will be withheld.

It is past time to hold the President and the liberal-controlled Senate accountable for out-of-control spending. If hardworking Americans strive to succeed in their jobs, the Senate must do so as well.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

40TH ANNIVERSARY OF ROE V. WADE

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, I rise today to commemorate the 40th anniversary of Roe v. Wade, the landmark Supreme Court decision that formally recognized a woman's right to make decisions regarding her own reproductive health care.

On January 22, 1973, this monumental decision came as a result of decades of relentless activism and litigation on the part of great women advocates; but today, there are still those who would prefer to roll back these fundamental rights and turn the clock back on women's health care. We've seen them use the same tactics over and over again during the last 40 years. In fact, according to the Guttmacher Institute, more than 40 laws were passed to restrict access to abortion in 19 States just this past year.

That's why, as we commemorate the 40th anniversary of Roe v. Wade, it is more important than ever to commit ourselves to protecting these basic rights and to ensure that women across our country have full control over their personal well-being and health and that they retain access to any health care services they require.

NO BUDGET, NO PAY

(Mr. McCLINTOCK asked and was given permission to address the House for 1 minute.)

Mr. McCLINTOCK. Mr. Speaker, the House is poised to pass H.R. 325 today. I respect the sincerity of its supporters, but I must firmly dissent.

This bill accommodates spending at ruinous levels far beyond the limits set by the House budget. It sets a terrible precedent by abolishing the debt limit for nearly 4 months, giving an unlimited credit card to this administration. I think Members will be stunned by the borrowing that this moratorium makes possible. Certainly, thousands of dollars of new debt will be heaped on every household in America.

House Republicans have passed two budget plans that put our Nation back on a path toward fiscal solvency. If the debt limit were increased within that trajectory at 2-month intervals, it would require only small and incremental reforms each time. That would both avert default now and the fiscal crisis that we are fast approaching. I believe that it is achievable and far preferable to the bill to be voted on today.

50TH ANNIVERSARY OF CIVIL RIGHTS MOVEMENT

(Ms. SEWELL of Alabama asked and was given permission to address the House for 1 minute.)

Ms. SEWELL of Alabama. Mr. Speaker, this year marks the 50th commemoration of the city of Birmingham's pivotal role in the civil rights movement. We are declaring 2013 as the Year of Birmingham in order to honor the historic events that occurred in our city in 1963. The city of Birmingham serves as a reminder to the rest of the world that, out of despair, there is hope and that justice does, indeed, prevail.

My good friend Congressman SPENCER BACHUS and I, along with the entire Alabama delegation, plan to ask this august body to bestow, on a bipartisan basis, its highest civilian honor, the Congressional Gold Medal, to the four little girls who tragically lost their lives during the 1963 bombing of the 16th Street Baptist Church. We believe it is befitting that during this year, 2013, we posthumously pay tribute to Addie Mae Collins, Cynthia Wesley, Carole Robertson, and Denise McNair, for they have truly paid the ultimate sacrifice.

They are, indeed, emblematic of so many citizens of Birmingham who lost their lives for the cause of freedom. They represent all of those citizens and all of those who fought so hard and courageously, black and white, to make sure that we in this Nation hold up its ideals of equality for all.

I ask that this august body work with SPENCER BACHUS and the entire Alabama delegation to bipartisanship

support and bestow upon them the Congressional Medal of Honor.

NO BUDGET, NO PAY

(Mrs. BLACK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACK. Mr. Speaker, as a charter member of the Fix Congress Now Caucus and as an early supporter of No Budget, No Pay, I am very excited that this legislation will be voted on in the House later today.

We on the House Budget Committee work hard to pass a responsible budget each year, but the Democrat-controlled Senate refuses to do the same. In fact, it has been nearly 4 years since the Senate has passed a budget. Since that time, the Federal Government has racked up annual deficits exceeding \$1 trillion; and, in total, more than \$5 trillion has been added to our national debt in just 4 years. If we stay on our current path of record deficits, big government and unfunded entitlement programs, Greece's present will be America's future.

A massive debt crisis is surely not the future we want for our children or our grandchildren. Fiscal responsibility and accountability in the Halls of Congress cannot wait. Today, we will take an important step in the House to force the Senate to either do its job or face the consequences. It's simple: no budget, no pay.

GUN CONTROL

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Mr. Speaker, after the massacre of 20 children and six educators in Connecticut, we've heard the predictable rantings of people who are convinced beyond all reason and evidence that the Federal Government intends to take their guns away.

I am sad that they have succumbed to the fear-mongering of the National Rifle Association and others who really only want to sell more guns. It's more than sad. Frankly, it's dangerous when a government leader stoops to the same fear-mongering for political purposes.

Last week, Senate Minority Leader MITCH MCCONNELL's campaign sent out an email titled, "Watch out. They're Coming for Your Guns." Among the email's dishonest claims was this blatant distortion:

President Obama is spelling out the 23 different executive orders he will take to get your guns.

Those 23 executive actions are so modest that even gun rights activists have said they have no problem with them. In fact, many of them reflect proposals made by the NRA.

Even if we give Senator MCCONNELL the benefit of the doubt as to whether

he actually knew what his campaign manager was putting out, he is responsible, as we all are, for what our employees do in our name. I call on Senator MCCONNELL to apologize to his supporters, some of whom are my constituents, for stoking totally irrational and unjustifiable fear.

□ 0920

PROVIDING FOR CONSIDERATION OF H.R. 325, NO BUDGET, NO PAY ACT OF 2013

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 39 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 39

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 325) to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes. All points of order against consideration of the bill are waived. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on House Administration; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. WOMACK). The gentleman from Texas is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, I yield the customary 30 minutes to my friend, the gentleman from Worcester, Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. All time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H. Res. 39.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SESSIONS. Today's debate is about one very simple but profoundly important goal, Mr. Speaker, and that is restoring our vibrant economy by reducing the crippling weight of the growing debt caused by our Federal Government.

In the coming months, we face a string of deadlines that will force Congress and the administration to address

the fundamental challenge of our trillion-dollar deficit and its mounting effect on our economy and jobs in America. We've already exceeded \$16 trillion in debt, and Republicans find this debt level absolutely unacceptable and that is why we are here today. By contrast, President Obama seems to be perfectly comfortable with the idea of reaching \$23 trillion, which is where we'll be at the end of his second term if we continue his policies in that direction.

While \$16 trillion in debt is stifling our economy, \$23 trillion would crush it. It would crush the dreams and hopes and aspirations of our great Nation and the people who will certainly follow us, our children and our grandchildren. That's why, today, we're considering this rule and the underlying bill in order to reverse this course. Our great Speaker, JOHN BOEHNER, and our majority leader, ERIC CANTOR, are pleased that this bill is on the floor today to discuss not just this important activity with our Members of Congress, but to let the American people know we are serious about what needs to be done to save this country from this crippling debt.

We will use the upcoming weeks and the looming deadlines before us as a means to enacting a more meaningful and lasting reform so that we can begin to grapple with this skyrocketing debt. At the same time, today's rule and the underlying bill will allow us to turn up pressure on the Senate to join the House in offering real solutions. Together, these actions will help to reignite our engines to grow our economy and to restore discipline and accountability to our Federal budget.

The first of the looming deadlines we face is the debt ceiling limit. The underlying bill would temporarily suspend this limit so that we have the opportunity to craft comprehensive reforms without risking default on the debt that our Nation has incurred. Risking default would be counterproductive to our Republican agenda of restoring economic growth, getting our fiscal house in order, and ensuring that we do not burden future generations with intolerable debt.

We will not risk the full faith and credit of the United States, but neither will we compromise a long-term extension of this debt ceiling without slashing wasteful Federal spending, enacting meaningful entitlement reform, and ending the era of trillion-dollar deficits. By taking this temporary action, we are keeping the focus where it needs to be: resolving the coming debates on sequestration, the expiring continuing resolution, and the fiscal year 2014 budget through fiscal discipline and entitlement reform. Suspending the debt ceiling until May 19 provides the House and the Senate with much-needed time to pass a budget and then consider how best to deal with the sequester.

The underlying bill also takes action to ensure that the Senate becomes an active partner, which we want and need and the American people, I think, expect, in our efforts to reform Federal spending. For nearly 4 years, the Senate has failed to meet its most basic obligation: passing a budget. During this time, the Senate has collected its own paychecks despite being derelict in its most important duty.

In the private sector, there are consequences for failing to do one's job. This resolution will impose the same accountability on Members of Congress that private sector workers face. Oh, yes, and we're putting that same obligation on the House as we would want them to accept in the Senate. That is, if you don't get your work done, you don't get paid.

The power of the purse is the most fundamental duty the Constitution places upon Congress. For far too long, this power has not been wielded with the discipline and accountability necessary to do so responsibly and sustainably. There are a host of challenges that must be addressed, but the entire process begins with a joint budget resolution. As long as the Senate is unwilling or unable to do its job, our efforts in the House to deliver real solutions to the American people will continue to be impeded.

Some have questioned whether the action we are taking is constitutional. The 27th Amendment of the Constitution prohibits legislation that varies the salary of Members of the current Congress. This provision was intended to prevent Members of the House and the Senate from giving themselves a pay raise without first standing before the voters.

This bill upholds both the letter and the spirit of the 27th Amendment. It would not change a Member's rate of compensation in any way; they just don't get to collect it until they do their jobs. And until they get their work done, we simply cannot adopt a permanent extension to that debt ceiling.

This body will work to ensure that the Senate performs the most basic of tasks to pass a budget, and we'll do our job also. We will continue to work for meaningful entitlement and spending reforms to take us beyond our current cycle of crisis and deadlines in favor of long-term solutions. As we do all of this in order to invigorate our economy and put our Nation back to prosperity for ourselves and for future generations, I urge my colleagues to support this rule and the underlying legislation.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from Texas, the new chairman of the Rules Committee, Mr. SESSIONS, for yielding me the customary 30 minutes.

I yield myself such time as I may consume.

Mr. Speaker, first of all, let me say to my colleagues, both Democratic and Republican colleagues, that they ought to vote against this rule. The bill before us today was not the product of deliberation in either the Ways and Means Committee or the House Administration Committee. There were no hearings. It was brought before the Rules Committee last night, and not a single amendment was made in order. This is a closed rule.

□ 0930

So if my friend from Texas wants to usher in a new policy of openness in this Congress, we should have had this rule open so that Members could have an opportunity to express themselves and to have their viewpoints made known. But, again, it is a completely closed rule.

So this rule should be defeated. It should go back to the Rules Committee. We ought to come back with something that allows this Chamber to be able to do its deliberation.

And Mr. Speaker, we ought to be here today to raise the debt ceiling, not because we like the idea of raising the debt ceiling, but because that's the right thing to do. It is the right thing to do for our country and for our economy.

It is the right thing to do for the businesses of this country, so that they have some certainty that we will not default on our debts. And if they had that certainty, they would then invest in our economy and help create more jobs and help create more opportunity for people.

You know, one of the things I have heard from Republicans and Democrats who I've bumped into at all types of occasions, they may have differences on our tax policy, they may have differences on our economic policy, but the one thing that everybody seems to agree on is that Congress ought to provide certainty. And this is anything but certainty, because what we are doing today, thanks to the Republican leadership, is to bring a short-term extension of the debt ceiling to the floor, which means that they have decided, once again, to play partisan politics with the debt ceiling.

This is a bad idea. This is not the way a mature governing body ought to behave. We ought to do our job.

Next month the United States will hit the debt ceiling and, without action, the United States will default on its debts. Now, the last time the Republican leadership played this dangerous game of economic Russian roulette, they threatened the full faith and credit of the United States for the first time in our history. For some reason they seem hell-bent on doing it again.

We need to be clear about one thing. The debt limit is not about new spending, it's not about increasing the def-

icit. The debt limit is simply the way Congress pays for things that we have already bought, things like the wars in Iraq and Afghanistan, by the way, that my friends on the other side continue to insist that we don't pay for; it just goes on a credit card. Things like the Medicare prescription drug benefit that was not paid forward that my friends on the other side of the aisle championed, things that the Republicans have voted for over and over and over again.

Now, we can and we should have an open and thoughtful debate about our spending priorities and our deficit. That is what we're supposed to do. But playing games with the debt limit, threatening to default, should not be an option. But that's just what the bill before us does. It, once again, kicks the can down the road.

Now, instead of passing a clean, long-term debt ceiling bill, one that could ensure that America doesn't default on its debt and obligations, the Republicans have chosen to bring a bill up that would put us right back in the same place that we're in now in May, 3 months from now.

So what's next, Mr. Speaker? A 3-week extension of the debt ceiling? Three days? Three hours?

My Republican friends go on and on about how the business community needs and deserves certainty from Washington, but treating the full faith and credit of the United States like just another political talking point is no way to create certainty.

How ironic, Mr. Speaker, that the Republican Party, the party that took a record surplus and turned it into a record deficit, the party that put two major wars on the Nation's credit card, the party that refused to pay for two rounds of tax cuts and a massive, expansive prescription drug benefit, now wants to pay its bills. Now wants to pay its bills.

The same group of people that got us into this mess are now telling us that they want to get us out of this mess. The fact is, on the issue of the deficit and on the issue of the debt, my friends on the other side of the aisle, I do not believe, have any credibility.

You know, there's an old show business saying, Mr. Speaker: you got to have a gimmick. And my Republican friends never cease to disappoint me. They always have a gimmick. They believe in government by gimmicks. And this No Budget, No Pay bill is another gimmick.

Let's kind of play this out. What their bill says is if the House doesn't pass a budget bill by April 15, we don't get paid. If the Senate doesn't pass a budget bill by April 15, they don't get paid.

Now, I have no doubt that they have the votes to ram whatever they want through the House of Representatives, and I expect that they will bring us yet

another budget bill that has the same extreme, excessive spending cuts in programs that benefit the middle class and poor that they brought before us last year. So I think they will bring a bill to the floor.

And let's say the Senate does bring a budget bill to the floor and they pass it. This bill does not require that there be a conference report that is voted on by both the House and the Senate as a condition of whether or not Members get paid.

So, again, this is not a solution. What this is just more political gamesmanship. You pass something in the House that may be totally irreconcilable, something that will never be able to be conferenced with the Senate. Senate, you pass whatever you want, it doesn't have to be conferenceable with the House, and there we are. And there we are, 3 months from now, in the same position that we are in now.

You know, the way this should be done, and I know this is a radical idea, but the way this should be done is the leadership of the Republican side should speak with the leadership of the Democratic side, and let's see if we can kind of agree on a way to proceed. There ought to be serious discussions.

I'll also point out for my colleagues and for those who are watching, there were a couple of occasions over the last year and a half where Speaker BOEHNER came very close to coming to agreement with the White House on a bigger deal. And on those two occasions the Speaker walked away and said no after he came very close to saying yes.

Why did he say no?

It had nothing to do with the Senate not having passed a budget resolution. It had everything to do with the fact that when the Speaker came back and talked to his Republican rank-and-file Members, they all said no. They said no. It doesn't cut Medicare enough. It doesn't cut Social Security enough. It doesn't cut food stamps enough. It doesn't cut education enough. It doesn't cut job creation enough.

There are people on the other side of the aisle, Mr. Speaker, who are using this not as an opportunity to balance our budget, but they're using this as an opportunity to gut government, to end the public sector. They see this as their opportunity. And as a result, we have this uncertainty. And as a result, the American people pay the price. As a result, this economy is not recovering as quickly as it needs to be.

I would urge my colleagues to vote "no" on this rule, this closed rule. This is not the way we should begin this session.

Mr. Speaker, I would urge my colleagues on the other side of the aisle, enough of the gimmicks. It's time to get serious about doing the people's business, and this is not doing the people's business.

I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I will insert into the RECORD an article from The Washington Post dated January 22, 2013.

Mr. Speaker, I'd like to now discuss, if I can, this Washington Post article which is out today, which says the Senate Majority Leader HARRY REID praised House leaders for moving ahead with a bill that would give the government borrowing authority into the future.

He further said that he not only is very glad that we're going to send a clean debt ceiling bill, but that he felt like it would be good for the Senate to be able to take up this action.

Well, Mr. Speaker, what we're trying to do is to empower those things that we know this institution, the House and the Senate—where we work closer together, where we both do our work.

And yesterday, the gentleman representing the Ways and Means Committee, Mr. RYAN, who's also PAUL RYAN, the chairman of the House Budget Committee, in testimony said that he intended to make sure that he would produce a bill exactly supporting what we are trying to do here today, and would bring that to the floor, and would be faithful in doing that.

Look, maybe people are upset that we're putting their pay at risk. Maybe people are upset because it wasn't their idea. But the bottom line is that PAUL RYAN, JOHN BOEHNER, ERIC CANTOR, the Rules Committee, yesterday said we think it's a good bill, and we were joined by HARRY REID, the Senate Majority Leader.

When the Senate Majority Leader can agree with Republicans about a great direction to go that will empower the Senate and join with them in trying to make sure that we get our job done, I think that's a rare day. I think that's a good day when we can work together, when we can bring legislation that the Senate openly welcomes and, might I add, the President of the United States, President Obama, would sign this legislation. And he said so in the Statement of Administration Policy.

I reserve the balance of my time.

[From the Washington Post, Jan. 22, 2013]

REID SAY'S HE'S PLEASED WITH HOUSE GOP'S 'CLEAN DEBT CEILING BILL'

(By Rosalind S. Helderman)

Senate Majority Leader Harry M. Reid (D-Nev.) praised House leaders Tuesday for moving ahead with a bill that would give the government borrowing authority into May, without demanding deep spending cuts in return.

He said Democrats will discuss in coming days how to deal with a House provision, attached to the bill, that would require the Senate to adopt a budget for the first time in four years or see their pay docked. He said he would be meeting with the Senate Budget Committee Chairwoman Patty Murray (D-Wash.) to discuss the Republicans' "no budget, no pay provision."

"I'm very glad that they're going to send us a clean debt ceiling bill," Reid told re-

porters. "The other stuff on it, we'll approach that when we need to. But I'm glad we're not facing crisis here in the matter of a few days."

The government hit the \$16.4 trillion debt ceiling in December. The Treasury Department has been using extraordinary measures to extend the limit but has said that if Congress doesn't act to raise the limit by the end of February, the United States will be unable to meet its spending obligations and will default.

Republicans had been threatening to refuse to raise the limit unless Democrats offered deep entitlement cuts in return. They announced a new strategy Monday: Suspend the debt ceiling until May 19, while pressuring the Senate to adopt a budget. The House will vote on the temporary lifting of the debt ceiling on Wednesday.

Reid stopped short of saying the Senate would adopt the measure without changes if it passes the House on Wednesday. But by characterizing the House bill as a "clean" increase in the nation's borrowing limit—a longtime demand of the White House and Democrats—he suggested its passage in the Senate will not be difficult.

"I'm happy they sent us a debt ceiling not tied to entitlement cuts and dollar-for-dollar [cuts]," Reid said. "That's a big step in the right direction. The other stuff on it, Sen. Murray is going to be the spokesperson on that for the next 24 hours or so. We'll see how she wants to proceed."

The result of the House action, he said, was to buy time: "We have many months to work through this," he said.

Reid's review was far more positive than that of House Minority Whip Steny Hoyer (D-Md.), who blasted the GOP measure as a diversion tactic to reporters Tuesday. If House Speaker John A. Boehner (R-Ohio) has support from fellow Republicans, however, he can pass the bill Wednesday without the votes of House Democrats.

□ 0940

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I'm glad the gentleman from Texas agrees with HARRY REID. I hope he agrees with HARRY REID on more things in the future. But the fact of the matter is this show business before us does nothing other than postpone this debate on the debt ceiling for 3 months. It doesn't require a finished product. It does not require that we actually have something that amounts to a deal that goes to the President's desk. The House will pass their extreme budget, like they always do. The Senate will probably do something. And then nothing else is required. There's no requirement for a deal in order to get your pay.

This is show business. And what we should be doing is providing certainty to the business community that we're not going to default on our obligations in 3 months. And we ought to come together and figure out a way to be able to get this budget in balance without destroying the social safety net in this country. Again, the problem has always been—and let's be clear about this—as much as I get frustrated with the Senate, the problem on this is not the Senate. The problem is the rank-

and-file Republicans in the House Republican Conference who, every time the Speaker of the House goes to them with a deal, they say, No. They always say it doesn't cut deep enough, it doesn't eliminate programs that help the poor, it doesn't eliminate programs that help the middle class, it doesn't eliminate programs that help create jobs. Because the ultimate goal of so many on the other side is not about a balanced budget. They don't care about balanced budgets. They're the ones who took this balanced budget that Bill Clinton had and turned it into one of the worst deficits and debt in our country. They don't care about that. They care about eliminating the public sector. That's what this is about. Three months? Please. Three months? What kind of certainty is that?

I yield such time as she may consume to the gentlewoman from New York (Ms. SLAUGHTER), the distinguished ranking member of the Rules Committee.

Ms. SLAUGHTER. I thank my colleague for yielding to me. And I want to continue what he was saying, despite the fact I've got a great speech here. But it's terribly important, I think, that we try to make the point one more time that process here is turned upside down and is totally meaningless. So JOHN BOEHNER and PAUL RYAN and HARRY REID and the Rules Committee all agree. That leaves out about 500 more people who have been sent here from the districts to represent what the people who live there think.

This is not the first time this has happened. A couple of weeks ago, on the fiscal cliff, we had a thing that came up from nowhere called Plan B. JOHN BOEHNER liked that. I guess PAUL RYAN liked that. I'm not sure what HARRY REID thought about that. The Rules Committee thought it was okay. But the fact of the matter is that that bill was written while the Rules Committee was in session. There are 13 of us on the Rules Committee. We love the enormous power that we've got. But I don't believe any of us ever suspected that the Rules Committee was going to supersede all of the committees in the House of Representatives. There's been no committee action on any of this.

In addition, I want to make the point, again, that despite what we tried to do, we said, Nobody's talked about this. There's been no discussion on this. Let's have an open rule. Let's let not just the people on our side but the people on the Republican side who've had no input here as well, let's open it up and have a real debate and see what's going on here.

What is going on here? What's going on here, as my colleague points out, is a circus of dubious constitutional validity, frankly. Some people may say what they're doing is okay. Other peo-

ple say, Absolutely not. We certainly should have had that decision before we got this far. What will the Senate do with it? Heavens to Betsy, I don't know. They have to have 60 votes over there before they can get to anything. It is the only legislative body in the world where 60 is the majority, not 51, as it is in every other legislature.

So we've just reached, I think, a new low today. I am very depressed by the fact that the Constitution of the United States, which is very specific, that the rules of the Congress, which are extremely specific, are meaningless here. We have all these people on the committees, people with expertise, and wonderful staff. We can draw on resources from all over probably the world, not just America. But we've got plenty of them here just a block away. All the people we can talk to, all the people we can ask, What is the meaning of this? What will it do to the economy of the United States of America? Are we on the right track? Should we be doing something different? Do we need a debt limit law?

What are we doing? Why can't we have those kinds of discussions in this Congress ever again? It's as though if we give them time to think about it and everybody has a chance to weigh in on it, then maybe we won't be able to move this the way we would like to and play another "gotcha" game, which is really what it comes down to.

I don't care if The Washington Post loves it. They're probably so pleased to see the fact that people believe there's something in the fact that HARRY REID said he liked it, which is not anything that's been heard here lately, and that they thought they would like it as well. But I don't know what it is, and I don't think any of the rest of my Members did. And we certainly did not yesterday in the Rules Committee. We did not have the benefit of the knowledge of any of the other Members of the Congress or the committee process, which could have answered the questions for us that came up yesterday.

In fact, all of us know where this came from. Charles Krauthammer wrote a column in The Washington Post. They maybe like that a whole lot, as well. That's where this came from. He said, Hey, there's a good idea. Instead of going to the committees of the Congress of the United States, where people of knowledge are seated, they decided let's just throw it together over the weekend at a retreat and we'll take it back next week. We're only going to work a couple of days so let's rush it through and get it through and maybe by the time we get to 3 months, something will have straightened out. Or, more likely, Mr. Speaker, in 3 months we will have thought of another way that we can kick the can down the road.

Now it's important to note that this is not an extension of debt limit. It is

a suspension of debt limit. That makes a difference, I think, as well, but we didn't get a chance to discuss that part of it either. We did away with all notions of regular order. I really thought the Plan B, as I'd said earlier—and I don't want anybody to miss this—that bill was being written while the Rules Committee was meeting. I know that all students of government, all the colleges and universities in this country, they're out there teaching people how America runs, how carefully and wonderfully put together it was by the Founding Fathers, how our Constitution is our guiding light. We just celebrated that. Because without doubt, the President's inaugural speech, based so closely on the Declaration of Independence and talking about the Constitution, made us understand that that is what we are here to uphold. And indeed we all held up our hands and swore we would uphold it.

But when it comes to a piece of legislation like this—and this is the same as I said last night in the Rules Committee—it's just lurching around and jerking around and coming up with any kind of crazy gimmick we can think of and making smart remarks. But I will tell you that kicking the can down the road for 3 more months is not a solution. It gives us some breathing room. But I don't have any reason in the world to believe from past performance that the future is going to be any clearer for us.

Until the leaders of the House can start to include the fellow Members in the majority—because they have been cut out as well—and the minority in the legislative process, the regular order will be little more than a dream. And today's bill drops the majority's insistence that increasing the debt limit be matched by cuts to Medicare or reductions to education funding. That's a step forward. But it doesn't answer our questions.

My Democrat colleagues and I are eager to participate in the legislative process for which we came to Washington. And the American people are certainly eager—if not eager, maybe desperate would be a better word—to see an end to the dysfunction in this Congress. I hope that at some point the majority will realize that a completely partisan approach, which is what we've had, is a dead end. That meaningful solutions can only come from negotiation and compromise with those on the other side of the aisle who do have some good ideas. And when the majority comes to that realization, my Democrat colleagues and I will happily join in the effort to craft the serious legislative answers our country needs, our constituents deserve, and the world expects of us.

The bill before us today isn't a serious solution—it is a gimmick of dubious constitutional validity. The legislation is the product of a weekend retreat, and contains all the seriousness one would expect from such origins.

For the last year, the majority has alternatively taken the full faith and credit of our Nation hostage and put forth extreme proposals that do nothing to reduce our deficit in a balanced way.

In the process they have done away with any notion of regular order. Just weeks ago, a so-called "Plan B" to the fiscal cliff was being written at the same time the Rules Committee was meeting—thus forcing us to debate a bill no one had ever seen.

Now we meet to debate a bill that failed to go through a single committee hearing before landing on the Rules Committee desk yesterday afternoon.

Under the process forged by the majority, the Rules Committee has become the place where legislation is unveiled by the majority and brought to the floor 24 hours later, with no input from their colleagues on the other side of the aisle.

This is about as far away from regular order as it gets. Until the leaders of the House start including their fellow members of the majority and minority in the legislative process, regular order will be little more than a dream.

Mr. Speaker, today's bill drops the majority's insistence that any increase in the debt limit be matched by cuts to Medicare or reductions to education funding. This is certainly a noteworthy step forward.

But kicking the can down the road for three months is not the solution that the American people deserve. If today's legislation had been crafted in the halls of Congress, with input from both sides of the aisle, I believe that we could be voting on a serious measure to prevent a debt-limit crisis and reduce our deficit starting today.

My Democratic colleagues and I are eager to participate in the legislative process, and the American people are eager to see an end to the dysfunction in Congress.

I hope that at some point the majority will realize that a completely partisan approach is a dead end. Meaningful solutions can only come from negotiation and compromise with those on the other side of the aisle.

When the majority comes to that realization, my Democratic colleagues and I will happily join in the effort to craft the serious legislative answers that our country needs and our constituents deserve.

□ 0950

Mr. SESSIONS. Mr. Speaker, I appreciate the gentlewoman, the ranking member of the committee, who was very faithful and sat through not only the hearing yesterday, but offered her feedback to our speakers who came to the Rules Committee representing the House Administration Committee and representing the Ways and Means Committee. I thought that her questions and her tone were very appropriate.

I think that yesterday the two Republican lead Representatives—the gentlewoman from Michigan, CANDICE MILLER, representing the House Administration Committee; and the gentleman from the Ways and Means Committee, Mr. RYAN—adequately not only spoke about, Mr. Speaker, a five-page bill—five pages that we could not only

understand, but offer the idea, regardless of who came up with the idea, that represents what I hope will be and believe will be more than 218 votes and I think will be bipartisan. These ideas don't just belong to somebody and we can't share them—they belong to the American people—about a way to move forward, avoiding conflict, working together, coming up with ideas that you can express with great confidence that we believe will work.

Yesterday, during the hearing, we also had some thoughtful conversation.

I'd like to yield 5 minutes to the Rules Committee designee to Chairman RYAN and the Budget Committee, the gentleman from Georgia (Mr. WOODALL).

Mr. WOODALL. I thank my chairman for yielding.

I used to come to this podium, Mr. Speaker, and say I'm just a House freshman, but this is what I think about things. I'm now a House sophomore. It's been 2 years and 1 month since I arrived here; and if you told me 2 years ago when I arrived that we were going to be bringing five-page pieces of legislation to this floor for up-or-down votes by this body, I wouldn't have believed it because I've watched the way this House has operated for over a decade.

I see these bills—and Mr. Speaker, you've seen them too—these bills that folks have to carry down here on a dolly, those bills that they drop them down here on the rostrum with just a thump. Folks can't read those bills; folks can't analyze those bills; folks can't digest those bills. But this one that we have today deals with an incredibly complicated topic, the debt ceiling, an incredibly controversial topic—how it is that the House and the Senate get their business done—and yet we bring it in five pages that every Member of this body has had a chance to read and digest, every Member of this body.

We had a hearing on it in the Rules Committee yesterday. And here on the floor today we're going to debate this bill not just with one committee of jurisdiction, with the Ways and Means Committee getting time, but with two committees of jurisdiction, the Ways and Means Committee getting time and the House Administration Committee getting time.

You know, it's unusual, Mr. Speaker, that we have a bill that the Speaker of the House has decided to bring forward, that the majority leader of the Senate has praised the Speaker for bringing forward, and that the White House has said it doesn't have any objection to. That's unusual. Candidly, it makes me a little suspicious. That's the way it's been around here. I think my colleagues on the Rules Committee would agree. So often we get so used to the controversy that if we can't fight about something, we start to wonder

what's wrong, what's wrong that we can't fight about something. I'll tell you, Mr. Speaker, we're going to have that opportunity to fight. We don't have that roadmap yet. Of course, the House has laid out its budget roadmap year after year after year after year. Certainly, the 2 years I've been here, the House has done its job—much to the credit of my colleagues on both sides of the aisle—and passed a budget. This year, rumor has it the Senate is going to do the same thing.

This bill certainly puts an incentive in place for both the House and the Senate to get their job done, but how is it that we're going to tackle those tough decisions that my friend from New York, the ranking member of the Rules Committee, talked about, those really difficult financial decisions, talking about those obligations we have in the future that we have absolutely no plan or means to pay for. How are we going to grapple with those decisions? Well, I'll tell you, I wish we had gotten a big deal in the debt ceiling debate of August of 2011. We got a step in the right direction, but we didn't get it all done. I wish we had gotten it in the Joint Select Committee. We didn't get it done. I wish we had gotten it in the fiscal cliff debate of last year. We didn't get it done.

But I believe—maybe it's just a hope, Mr. Speaker—but I believe that if the Senate has the courage to lay out its path for America—its path for America's budget and dealing with America's obligations—and if the House has the courage to lay out its vision for America, its vision of dealing with America's obligations, that we're going to find that opportunity to come together to make those decisions that have to happen.

Now, I hope I'm not speaking out of school, Mr. Speaker, but I had a chance for some constituents in town—some of my business leaders, some of the great entrepreneurs from my district, they're in town. I took them by to meet with Speaker JOHN BOEHNER. I'll tell you, I come from one of the most conservative districts in the United States of America; Speaker JOHN BOEHNER is not always the most popular name in my district. But I brought them by to meet him because I wanted them to hear from him directly and he said this to them, he said: We have real opportunities in divided government, real opportunities to come together and do the big things that matter; that only in divided government can you bring together the best ideas from both sides and put everybody's fingerprint and stamp of approval on them and do those things that really make a difference for America. And my goal is to do those things while I'm leading this, the people's House.

I take him at his word, Mr. Speaker. And if giving this 90-day extension so that budgets can be passed gives him that opportunity, I'll do it.

A colleague of mine yesterday said, "That stuck with me." He said, "I've had people I respect a whole lot less ask me for a whole lot more."

I have great respect for our Budget Committee chairman, PAUL RYAN. I have great respect for our Rules Committee chairman, PETE SESSIONS. I have great respect for the Speaker of the House. If they tell me another 90 days is going to give us that opportunity to do those big things I think we on both sides of the aisle want to do, I'm there.

I support this resolution, Mr. Speaker, and I hope folks will support the underlying bill.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I want to tell the gentleman from Georgia that I appreciate his many, many, many, many years working here in Washington, not only as a Member of Congress, but his many years as a congressional aide. So you have a perspective here based on many, many years of service in Washington. But I would just say that if someone were to tell me that the Republican leadership were to bring yet another closed rule to the floor, I'm sad to say that I'd respond: I'm not surprised.

This is a closed rule. This is a bill—whether it's five pages or a hundred pages, it doesn't make any difference—that did not come out of a committee process. The Ways and Means Committee didn't hold hearings or a markup. The House Administration Committee didn't hold hearings or a markup. This did, as my colleague from New York said, basically come out of your retreat, and you hand a bill to all of us here. What's even more startling is that you do not allow anybody, Democrats or Republicans, to amend it. Completely closed. Completely closed.

Look, I would say to my colleagues on the other side of the aisle—especially the freshmen who campaigned on the platform of openness and transparency—you vote for this rule, you're the problem. You're the problem if you vote for this rule. So I would again urge my colleagues, just on the process alone, this is not the way that we should proceed.

The other thing I would remind my friends who are saying that somehow this is going to produce a result, this doesn't require a result. This requires the House to once again pass its budget—which, as we all know from last year's experience, represents the extreme of the extreme; I mean, it's irreconcilable with the Senate—and the Senate can pass whatever they want, but it doesn't require a finished product. What the American people want is a finished product, not a gimmick to kick the can down the road for 3 months. Yeah, everybody is happy we're not going to default today. But 3 months, that's it? I mean, I think we can do a heck of a lot better than this.

At this point, Mr. Speaker, I would like to yield 2 minutes to the gentleman from California (Mr. GEORGE MILLER), the distinguished ranking member of the Committee on Education and the Workforce.

Mr. GEORGE MILLER of California. Mr. Speaker and Members of the House, at the end of the day when we vote today, we will simply be voting to kick the can down the road—which every Member of this House has told their constituents they no longer wanted to do—but we will kick the can down the road on the question of the debt limit of the United States and whether or not the full faith and credit of the United States will stand behind the bills that we owe the rest of the world, the businesses and our companies, individuals, people's retirement plans. That's all this bill does. Under some sort of camouflage about withholding pay, what have you, they kick the can down the road.

You know, Americans are starting to realize that the economy is starting to recover after the devastation of the housing scandals, of the Wall Street scandals. Small businesses are starting to hire; spending over Christmas was reasonably good; the stock market is at a 5-year high; the housing market is coming back; builders are in fact building new homes because of the demand in housing.

□ 1000

All of a sudden, enter the Congress of the United States and it says that we're going to put the full faith and credit of the United States of America on a 90-day leash. We're going to take the greatest economy in the greatest country with the greatest responsibility in the world and we're going to put them on a 90-day leash.

How does a great country respond on a 90-day leash? We know how it responded last time the world saw this happen. We got downgraded in the credit rating. That drove up the borrowing cost of the United States. That drove up the borrowing cost of corporations. That drove up the borrowing cost of counties and cities—the counties and the cities that we represent. And we're told again that should we falter on the credit debt of the United States, that we can expect a downgrade and we can expect a further downgrade in cities and counties all over the country, and somehow we're supposed to believe that this is a good plan.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 2 minutes.

Mr. GEORGE MILLER of California. What this plan does is hold the jobs of America's families and working people all across this country hostage. It holds them hostage to the passage of this legislation, and it holds them hostage 90 days from now.

This bill says if you don't vote for the Ryan budget—because we know the votes are on the other side of the aisle to pass the Ryan budget—then we go back to putting the credit of the United States at risk. The last time the American people looked at the Ryan budget they rejected it overwhelmingly. Do you remember the election of November, just a couple of months ago? They rejected those cuts in Medicare, those cuts in Medicaid, and the tax cuts for the wealthy.

Yet all of this is being put back on the table by holding the debt limit hostage, holding the credit hostage, and holding American jobs hostage. So if you don't vote for that budget, then they get to play with the debt limit again. They get to play with the debt limit again.

We have got big lifts to make between now and then, folks. We have sequestration, we have tax reform, and we have a budget to write. Let's just get down to business and do it. Just do it. Don't play with the credit of this country. Don't play with people's pension plans. Don't play with the interest rates that corporations have to pay to borrow. Don't play with the interest rates that your local municipalities have to pay to borrow for projects in their districts.

This has got to stop. If you really believe that America is a great country, if you really believe that we're an international power, then we ought to start acting like one, and the Congress of the United States ought to start acting like it. And 90-day extensions on the creditworthiness of the United States is not the picture you paint when you're an international power.

It has to stop. It has to stop. We cannot continue to go through this and put all of this at risk and put this recovery that is, in fact, happening at risk because of the actions of the majority here in this House, once again, to fool with the credit.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

Mr. GEORGE MILLER of California. Do you want to shut down the government? Have at it. I was here when it happened before. You'll find all your constituents up close and personal. You'll get to know them. That's a lot different. That's a lot different action. You want to go off with sequestration? You don't like the cuts that come up with its substitute? Fine. We voted for sequestration. You told the American people with your votes you were prepared to have sequestration if we didn't do the job. So you've got a lot of tough votes to make. Don't try to avoid them by holding the creditworthiness of the United States at risk.

It has got to stop, and it should stop today on the floor of the House of Representatives. We should say to the

world that we are prepared to have this country pay the bills. The deficits have been incurred by our actions. It has got to stop today with a "no" vote against this legislation.

Mr. SESSIONS. Mr. Speaker, as always, this floor is open to people who have ideas. I'd like to say to the American people and to my colleagues that are listening that the Republican leadership has decided to bring this bill to the floor today. We have no clue exactly what date the United States actually needs to make sure that we pass this bill to avoid not paying our bills. The Secretary of the Treasury is in active notification with our leadership and the leadership of the Senate and perhaps all Members because of his openness to speak about this in the press.

We don't know when that day is, and because we don't know when that day is, that's a good reason to begin working on ideas to see whether we can even pass this bill. I think we're going to. I think it's going to be a bipartisan bill. I don't think everybody necessarily has the same concerns that the gentleman from California spoke of, but what we're trying to do is work together. Conservative Republicans in our party do support this bill. I support this bill as a conservative Republican. Our Speaker, as a conservative Republican, supports this bill.

What it's about is avoiding the problems of chaos, avoiding the problems of doing things at the last minute, avoiding the problems of not addressing the issue, and avoiding the problems where the marketplace loses confidence in what we're doing.

Chairman PAUL RYAN, chairman of our Budget Committee, a bright young leader for our country, forthrightly brought this idea to our conference and has sold it. It's the right thing to do. We are trying to do here today the right thing, talking with the American people, letting people see that we're moving forward to avoid conflict and avoid problems.

So it was accomplished with this 5-page bill, a 5-page bill which we will then have two committee chairmen, PAUL RYAN representing the Ways and Means committee, perhaps DAVE CAMP, the chairman of the committee, and CANDICE MILLER of House Administration, work through meticulous, thoughtful ideas that really are not difficult to get because it's a 5-page bill.

We think we're doing the right thing, we think we've got the votes, and we think it's going to provide this country and the Senate and this administration, us all working together, the right thing. So if you want to oppose it, I get that. I can understand the positions held. But passing the bill will be a positive thing. It will offer working-together relationships with the Senate. It is supported and not opposed by the

President, and I think that gives us an opportunity to put a good foot forward in this new Congress rather than one where we're fighting, disagreeing, and can't get our act together.

The American people demand that we get things done. The American people are asking, hey, when possible, can you guys work together? Yes, we can. Today is the day where we can say, Mr. Speaker, people from Nebraska, people from Texas, people from Ohio, people from all over this country, can you work together? We're trying to find a way, and I'm proud of that. And with great respect to anybody who would disagree with that, we're going to stand behind our product today with a money-back guarantee—a money-back guarantee: if we don't get our job done, we're not going to take the pay.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself 30 seconds. Let's be clear. This House is not open to new ideas. If it was, we would not be coming to the floor with a bill that is a completely closed rule so that Members cannot offer their ideas in the form of amendments.

Secondly, their gimmick even has a gimmick to it. They say that if the Senate doesn't act or the House doesn't act on a budget, they don't get paid. Really what they do is they get paid at the end of the year. So their pay is not taken away.

This is show business. Instead of show business and instead of gimmicks, we ought to be coming to the House floor in a bipartisan way trying to figure out how to solve some of these budgetary problems. I regret very much that this is the best we can do, kicking the can down the road for 3 months.

Mr. Speaker, at this point, I yield 1 minute to the gentleman from California (Mr. BERA).

□ 1010

Mr. BERA of California. Mr. Speaker, I rise to address Congress' failure to pass a responsible budget.

As an original cosponsor of H.R. 310, the standalone and original No Budget, No Pay Act, I'm pleased to see the 113th Congress begin to address our core obligations to pass a responsible budget that not only honors the promises that we have made to our parents and grandparents, but also secures a prosperous future for our children and grandchildren.

We can do this, but we must do so in a bipartisan way. The great Speaker of the House, the Honorable Tip O'Neill, was able to work with President Ronald Reagan to revamp our Tax Code and strengthen Social Security. The Honorable Speaker Newt Gingrich was able to work with President Bill Clinton to not only balance our budget, but to create a budget surplus.

We can do this, but we must do so in a bipartisan fashion, taking the best

ideas from both sides of the aisle, finding common ground, and moving forward.

Mr. SESSIONS. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the gentleman very much from Massachusetts, and I thank my friend from Texas.

I would hope that all of us would commit to doing our job. And I know that my good friend recognizes that the Constitution in article I, section 8, requires the Congress to have the power to collect taxes and duties and to pay the debts, but also to be concerned about the general welfare.

Really what the administration says is that they support a long-term increase in the debt ceiling. And the reason why the people of the United States have not heard of this controversy is because the normal course of business constitutionally is for the Congress to consult with the Treasury, the Treasury to consult with the Congress, and the debt ceiling is raised in a manner that protects the general welfare of the American people.

But now we have a proposal that is driven by polling and brinksmanship. This is not the way to run a country. I heard a comedian some years ago say, What a great country. We are a great country. I love America. The Constitution emphasizes the greatness of this Nation, but we don't play politics with something that is the ordinary course of business.

Spending cuts is the responsible way to govern, but it is to govern in a way that we sit at the table of reconciliation and we don't break the backs of seniors who utilize Medicare and Social Security and veterans benefits. What we do is we sit at the table and we understand how to deal with the oncoming issue of the deficit. How do we do that? We do it with growth. But the Constitution has nothing in here that suggests, under this article, that we are to do brinksmanship and do 2 weeks or 3 weeks or to May. What happens in May, a crisis where we can't pay our military? The debt ceiling is paying the debt, and I am troubled by the fact that we would use this tactic.

I want bipartisanship. In fact, someone who raises issues about the vulnerable, like myself, has worked with my Republican friends. I look forward to do it. I'm an American. I believe in the Constitution, but you do not raise the debt ceiling in increments. The administration says, We won't stop it, but we want a long-term increase so that we can begin the rebuilding of this Nation.

Growth, the Constitution, that's what we should be talking about, making America better.

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

The gentlewoman from Houston, Texas, is absolutely correct. We do

need long-term growth of our economy. We need jobs. We need job creation. We need to be able to reduce the debt of this country.

The President is well aware, we're well aware here in Congress that each of the years that the President has been our President he increased spending. He wants a massive tax increase, and we have a deficit. We have a deficit of \$1.3 trillion each of these years.

We're trying to work together. We're trying to, as the President said as he addressed a luncheon just an hour after he was sworn in, that he wants to learn from some of the things that he's done and he wants to do better. Some of doing that better is a chance to perhaps reassess: Did I do the right thing the first time? Did I do the right thing when I continue to raise taxes and demand that we do that?

Higher taxes diminish jobs and opportunity and growth in this country, and that's why we are trying to suggest openly, Mr. President, let's grow some jobs. Let's do the things I think that are more in line with what President George W. Bush did, who is referred to as No. 43 in Dallas, Texas. No. 43 had 60 straight months of economic growth, with the underpinning of reducing taxes so that Americans would go and work harder and see the incentive for creating jobs and would want to buy into the philosophy that the harder that we work, our country benefits. The underpinnings of Social Security, of Medicare, of Medicaid, systems that are very important to our country; reducing the number of people who have to receive government assistance is what happens when you have job growth; protecting the long-term interests of this country and growing the American Dream.

The gentlewoman from Houston is absolutely correct. And the methodology towards getting there is not higher taxes, and it is not higher spending. It is giving more freedom and opportunity. It is having a reduced size of government, not a bigger government. It is giving people an opportunity to have fewer rules and regulations, not more rules and regulations.

So the process that the Republican Party believes in deeply is the rights of individuals, freedom and opportunity, and reducing the size of government, which gives more people opportunities to empower their freedom and opportunity for their American Dream.

It's part of what we're doing here today. I think we believe and I think it works. Look at Texas and you will see where we have job growth, job creation, a healthier economy than other places in the country, and an opportunity to say we want more of it for all of America.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mr. TERRY). The gentleman from Massachusetts has 2 minutes remaining.

Mr. MCGOVERN. I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Speaker, I doubt very much that anyone in America is sitting around today saying, I hope Congress sets up another fiscal cliff; I hope they put us in a position again where no one knows what's going to happen the next couple of months.

We ought to listen, but that's what we are doing with this bill. We should listen to the President who said this:

Unfortunately, Congress consistently brings the government to the edge of default before facing its responsibility. This brinksmanship threatens the holders of government bonds, those who rely on Social Security and veterans benefits. Interest rates would skyrocket, instability would occur in financial markets, and the Federal deficit would soar. The United States has a special responsibility to itself and the world to meet its obligations.

We should listen to this President.

Ronald Reagan said this in 1986. In 1986, the Congress listened to him, extended the debt ceiling, and acted responsibly. So should we. This legislation sets up another fiscal cliff, another financial nightmare, another problem for the American people that we should avoid.

I urge all Members to vote "no."

Mr. SESSIONS. Mr. Speaker, I reserve the balance of my time, as I have no additional speakers.

Mr. MCGOVERN. We have a gimmick before us that withholds pay if we don't pass a budget, but not if you don't get a deal. It doesn't matter whether the budget is irreconcilable or partisan. Here is the other gimmick. It doesn't really withhold anybody's pay. It just delays when you get the check.

The problem is not the United States Senate, I want to tell my friends. It is my friends on the other side of the aisle who do not want a deal, who want instead to basically annihilate and eviscerate the public sector. I say to my friends, if you want to balance the budget, pay for your wars, pay for your tax cuts, pay for your giveaways to the very wealthy in this country. What is before us is not a solution.

I urge my colleagues to vote "no," to not kick the can down the road, to deal with the problems as we see them right now. And I also urge my colleagues on both sides of the aisle, those especially who call for transparency, vote "no" on this closed rule. This is a closed rule. Nobody has an opportunity to offer any other ideas. This is not the way we should be dealing with budget issues. Vote "no" on this closed rule.

With that, I yield back the balance of my time.

□ 1020

Mr. SESSIONS. I yield myself the balance of my time.

I appreciate my colleagues—the gentleman, Mr. MCGOVERN; the ranking member of the committee, Ms. SLAUGHTER; and those Democrat Members who came down to express themselves. I also appreciate the Republicans who came down to talk about this important issue.

Mr. Speaker, what we're doing is debating a bill, H.R. 325, that ensures that the obligations of the United States are taken care of. We're not trying to stand in the way. Even the United States Senate majority leader said, Great job, House. Thank you very much. We can work with this bill. We can work with you.

Members of my party have said we think this is a responsible way to begin the process to avoid having to make difficult decisions at the very end. We've laid out a process. Yesterday, the gentleman from Wisconsin, our young leader, PAUL RYAN, who is the chairman of the House Budget Committee, was asked in testimony, Will you produce your end of the bargain that is in here? Will you take care of your part with the knowledge that we're counting on that?

The Senate has said, as to their part of the bargain, whether they pass this bill or not, they can step up to the responsibility. Those leaders have said, Yes, we think we can.

It's not perfect. By golly, I'm not sure what "perfect" is anymore because "perfect" may not get passed in this House, but the fair and proper way to handle things is so the American people have confidence in what we're doing, so the markets have confidence in what we're doing, and so the budget is handled. All of these things are placed in a systematic order so that our Members, the Members of this body, can go home and communicate with people as to here is what we think is going to happen next.

Avoiding problems is what Speaker BOEHNER and our great majority leader, ERIC CANTOR, are trying to do. They are bringing legislation to this floor that adequately begins the process before we get in trouble. It's a 5-page bill. It's ordered up exactly as the doctor would have wanted—in English, where you can understand it, where it doesn't take a legal degree or for you to have to be in the House for 30 years to figure out what we're trying to say.

What we're trying to say is right here, and that is for the House and the Senate to work together. We do a budget. We lay out to the American people what we're trying to do. We work with the President, and we tell this administration and the government what we're doing. The American people can have confidence in this.

I support this. In fact, as chairman of the Rules Committee, I am asking for our Members and all Members of this body to please see this as a responsible way to deal with the problems that are

immediately in front of us but before it becomes a crisis, before it becomes something that we cannot deal with as effectively, and bringing the American people along.

I also want to thank the President of the United States, President Obama, because President Obama said he could live with this.

I want to congratulate Senator HARRY REID, the Senate majority leader. Yes, I'll say that here on the floor because he says it's the right thing to do, and thank you for passing us a clean bill that will give them the authority and the responsibility to do what they really want to do—not playing hardball, not throwing rocks. As a matter of fact, Senator HARRY REID said, A clean bill—a good thing. Now it's up to them. It's up to them to take up their activities that are for us, and it's up to this House of Representatives.

So, as we finish this, PAUL RYAN, the young leader of the Ways and Means Committee, DAVE CAMP, and others will be here debating these ideas. Immediately after that, you will see that CANDICE MILLER, the House Administration chairwoman, will come and talk with this House and the American people about the responsibility that she has to ensure that what we do is correct and proper. Then this body will have a chance to vote “yes” or “no,” and that will be an authority and a responsibility once again for PAUL RYAN, as the chairman of our Budget Committee, and for those members of the committee, Republicans and Democrats, to do their work, get it done and to produce a bill. We will then comply, but if we don't: no work, no pay. That's something the American people can understand. It's simple. It goes back to 1607: no work, no food.

Members of Congress need to understand we've got to get our job done, so I'm proud of what we're doing here today. I can stand behind this product and proudly say that I think this will pass the smell test of the American people and that it's something they can understand and something they will look forward to. Watch us as we do our job.

I yield back the balance of my time, and I move the previous question on the resolution.

PARLIAMENTARY INQUIRY

Mr. MCGOVERN. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. MCGOVERN. Mr. Speaker, isn't it true that no matter what happens with this bill that Members will get paid no matter what?

The SPEAKER pro tempore. The Chair cannot respond to that. It is not a proper parliamentary inquiry.

The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SESSIONS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 39, if ordered, and approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 232, nays 193, not voting 6, as follows:

[Roll No. 26]

YEAS—232

Aderholt	Gibbs	Miller (MI)
Alexander	Gibson	Miller, Gary
Amash	Gingrey (GA)	Mullin
Amodei	Gohmert	Mulvaney
Bachmann	Goodlatte	Murphy (PA)
Bachus	Gosar	Neugebauer
Barber	Gowdy	Noem
Barletta	Granger	Nugent
Barr	Graves (GA)	Nunes
Barton	Graves (MO)	Nunnelee
Benishek	Griffith (AR)	Olson
Bentivolio	Griffith (VA)	Palazzo
Bilirakis	Grimm	Paulsen
Bishop (UT)	Guthrie	Pearce
Black	Hall	Perry
Blackburn	Hanna	Peters (CA)
Bonner	Harper	Petri
Boustany	Harris	Pittenger
Brady (TX)	Hartzler	Pitts
Bridenstine	Hastings (WA)	Poe (TX)
Brooks (AL)	Heck (NV)	Pompeo
Brooks (IN)	Hensarling	Posey
Broun (GA)	Herrera Beutler	Price (GA)
Buchanan	Holding	Radel
Bucshon	Hudson	Reed
Burgess	Huelskamp	Reichert
Calvert	Huizenga (MI)	Renauci
Camp	Hultgren	Ribble
Campbell	Hunter	Rice (SC)
Cantor	Hurt	Rigell
Capito	Issa	Roby
Carter	Jenkins	Roe (TN)
Cassidy	Johnson (OH)	Rogers (AL)
Chabot	Johnson, Sam	Rogers (KY)
Chaffetz	Jones	Rogers (MI)
Coble	Jordan	Rokita
Coffman	Joyce	Rooney
Cole	Kelly	Ros-Lehtinen
Collins (GA)	King (IA)	Roskam
Collins (NY)	King (NY)	Ross
Conaway	Kingston	Rothfus
Cook	Kinzinger (IL)	Royce
Cotton	Kirkpatrick	Runyan
Cramer	Kline	Ryan (WI)
Crawford	Labrador	Salmon
Crenshaw	LaMalfa	Scalise
Culberson	Lamborn	Schock
Daines	Lance	Schweikert
Davis, Rodney	Lankford	Scott, Austin
Denham	Latham	Sensenbrenner
Dent	Latta	Sessions
DeSantis	LoBiondo	Shimkus
DesJarlais	Long	Shuster
Diaz-Balart	Lucas	Simpson
Duffy	Luetkemeyer	Smith (NE)
Duncan (SC)	Lummis	Smith (NJ)
Duncan (TN)	Marchant	Smith (TX)
Ellmers	Marino	Southerland
Farenthold	Massie	Stewart
Fincher	McCarthy (CA)	Stivers
Fitzpatrick	McCaul	Stockman
Fleischmann	McClintock	Stutzman
Fleming	McHenry	Terry
Flores	McKeon	Thompson (PA)
Forbes	McKinley	Thornberry
Fortenberry	McMorris	Tiberi
Fox	Rodgers	Tipton
Franks (AZ)	Meadows	Turner
Frelinghuysen	Meehan	Upton
Gardner	Messer	Valadao
Garrett	Mica	Wagner
Gerlach	Miller (FL)	Walberg

Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland

Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack

Woodall
Yoder
Yoho
Young (FL)
Young (IN)

NAYS—193

Andrews	Green, Gene	Nolan
Barrow (GA)	Grijalva	O'Rourke
Bass	Gutierrez	Owens
Beatty	Hahn	Pallone
Becerra	Hanabusa	Pascarell
Bera (CA)	Hastings (FL)	Pastor (AZ)
Bishop (GA)	Heck (WA)	Payne
Bishop (NY)	Higgins	Pelosi
Blumenauer	Himes	Perlmutter
Bonamici	Hinojosa	Peters (MI)
Brady (PA)	Holt	Peterson
Braley (IA)	Honda	Pingree (ME)
Brown (FL)	Horsford	Pocan
Brownley (CA)	Hoyer	Polis
Bustos	Israel	Price (NC)
Butterfield	Jackson Lee	Quigley
Capps	Jeffries	Rahall
Capuano	Johnson (GA)	Rangel
Carney	Johnson, E. B.	Richmond
Carson (IN)	Kaptur	Roybal-Allard
Cartwright	Keating	Ruiz
Castor (FL)	Kennedy	Ruppersberger
Castro (TX)	Kildee	Ryan (OH)
Chu	Kilmer	Sánchez, Linda T.
Cicilline	Kind	Sanchez, Loretta
Clarke	Kuster	Sarbanes
Clay	Langevin	Schakowsky
Cleaver	Larsen (WA)	Schiff
Clyburn	Larson (CT)	Schneider
Cohen	Lee (CA)	Schrader
Connolly	Lewis	Schwartz
Conyers	Lipinski	Scott (VA)
Cooper	Loebach	Scott, David
Costa	Lofgren	Serrano
Courtney	Lowenthal	Sewell (AL)
Crowley	Lowey	Shea-Porter
Cuellar	Lujan Grisham (NM)	Sherman
Cummings	Luján, Ben Ray (NM)	Sinema
Davis (CA)	DeFazio	Sires
Davis, Danny	DeGette	Slaughter
DeFazio	Delaney	Smith (WA)
DeGette	Maloney	Speier
Delaney	Maloney, Carolyn	Swalwell (CA)
DeBene	Maloney, Sean	Takano
Deuch	Markey	Thompson (CA)
Dingell	Matheson	Thompson (MS)
Dingell	Matsui	Tierney
Doyle	McCarthy (NY)	Titus
Duckworth	McCollum	Tonko
Edwards	McDermott	Tsongas
Ellison	McGovern	Van Hollen
Ellison	McIntyre	Vargas
Engel	McNerney	Veasey
Eshoo	Meeks	Vela
Esty	Meng	Velázquez
Farr	Michaud	Vislosky
Farr	Miller, George	Walz
Fattah	Moore	Wasserman
Foster	Moran	Schultz
Frankel (FL)	Murphy (FL)	Waters
Fudge	Nadler	Watt
Gabbard	Napolitano	Waxman
Gallagher	Neal	Welch
Garamendi	Negrete McLeod	Wilson (FL)
Garcia		Yarmuth
Grayson		
Green, Al		

NOT VOTING—6

Cárdenas	Huffman	Rush
DeLauro	Rohrabacher	Young (AK)

□ 1050

Messrs. HOLT and RUIZ changed their vote from “yea” to “nay.”

Messrs. BACHUS, WILSON of South Carolina, and WHITFIELD changed their vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. McGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 234, noes 190, not voting 7, as follows:

[Roll No. 27]

AYES—234

Aderholt	Gohmert	Nunes
Alexander	Goodlatte	Nunnelee
Amash	Gosar	Olson
Amodei	Gowdy	Palazzo
Bachmann	Granger	Paulsen
Bachus	Graves (GA)	Pearce
Barber	Graves (MO)	Perry
Barletta	Griffin (AR)	Peterson
Barr	Griffith (VA)	Petri
Barton	Grimm	Pittenger
Benishek	Guthrie	Pitts
Bentivolio	Hall	Poe (TX)
Bilirakis	Hanna	Pompeo
Bishop (UT)	Harper	Posey
Black	Harris	Price (GA)
Blackburn	Hartzler	Radel
Bonner	Hastings (WA)	Reed
Boustany	Heck (NV)	Reichert
Brady (TX)	Hensarling	Renacci
Bridenstine	Herrera Beutler	Ribble
Brooks (AL)	Holding	Rice (SC)
Brooks (IN)	Hudson	Rigell
Broun (GA)	Huelskamp	Roby
Buchanan	Huizenga (MI)	Roe (TN)
Bucshon	Hultgren	Rogers (AL)
Burgess	Hunter	Rogers (KY)
Calvert	Hurt	Rogers (MI)
Camp	Issa	Rohrabacher
Campbell	Jenkins	Rokita
Cantor	Johnson (OH)	Rooney
Capito	Johnson, Sam	Ros-Lehtinen
Carter	Jordan	Roskam
Cassidy	Joyce	Ross
Chabot	Kelly	Rothfus
Chaffetz	King (IA)	Royce
Coble	King (NY)	Runyan
Coffman	Kingston	Ryan (WI)
Cole	Kinzinger (IL)	Salmon
Collins (GA)	Kline	Scalise
Collins (NY)	Labrador	Schock
Conaway	LaMalfa	Schweikert
Cook	Lamborn	Scott, Austin
Cooper	Lance	Sensenbrenner
Costa	Lankford	Sessions
Cotton	Latham	Shimkus
Cramer	Latta	Shuster
Crawford	LoBiondo	Long
Crenshaw	Long	Simpson
Culberson	Lucas	Smith (NE)
Daines	Luetkemeyer	Smith (NJ)
Davis, Rodney	Lummis	Smith (TX)
Denham	Maffei	Southerland
Dent	Marchant	Stewart
DeSantis	Marino	Stivers
DesJarlais	Massie	Stockman
Diaz-Balart	McCarthy (CA)	Stutzman
Duffy	McCaul	Terry
Duncan (SC)	McClintock	Thompson (PA)
Duncan (TN)	McHenry	Thornberry
Ellmers	McKeon	Tiberi
Farenthold	McKinley	Tipton
Fincher	McMorris	Turner
Fitzpatrick	Rodgers	Upton
Fleischmann	Meadows	Valadao
Fleming	Meehan	Wagner
Flores	Messer	Walberg
Forbes	Mica	Walden
Fortenberry	Miller (FL)	Walorski
Fox	Miller (MI)	Weber (TX)
Franks (AZ)	Miller, Gary	Wenstrup
Frelinghuysen	Moran	Westmoreland
Gardner	Mullin	Whitfield
Garrett	Mulvaney	Williams
Gerlach	Murphy (PA)	Wilson (SC)
Gibbs	Neugebauer	Wittman
Gibson	Noem	Wolf
Gingrey (GA)	Nugent	

Womack
WoodallYoder
YohoYoung (FL)
Young (IN)

NOES—190

Andrews	Gutierrez	Nolan
Barrow (GA)	Hahn	O'Rourke
Bass	Hanabusa	Owens
Beatty	Hastings (FL)	Pallone
Becerra	Heck (WA)	Pascarell
Bera (CA)	Higgins	Pastor (AZ)
Bishop (GA)	Himes	Payne
Bishop (NY)	Hinojosa	Pelosi
Blumenauer	Holt	Perlmutter
Bonamici	Honda	Peters (CA)
Brady (PA)	Horsford	Peters (MI)
Braley (IA)	Hoyer	Pingree (ME)
Brown (FL)	Huffman	Pocan
Brownley (CA)	Israel	Polis
Bustos	Jackson Lee	Price (NC)
Butterfield	Jeffries	Quigley
Capps	Johnson (GA)	Rahall
Capuano	Johnson, E. B.	Rangel
Carney	Jones	Richmond
Carson (IN)	Kaptur	Roybal-Allard
Cartwright	Keating	Ruiz
Castor (FL)	Kennedy	Ruppersberger
Castro (TX)	Kildee	Ryan (OH)
Chu	Kilmer	Sanchez, Linda
Ciциlline	Kind	T.
Clarke	Kirkpatrick	Sanchez, Loretta
Clay	Kuster	Sarbanes
Cleaver	Langevin	Schakowsky
Clyburn	Larsen (WA)	Schiff
Cohen	Larson (CT)	Schneider
Connolly	Lee (CA)	Schrader
Conyers	Levin	Schwartz
Courtney	Lewis	Scott (VA)
Crowley	Lipinski	Scott, David
Cuellar	Loebbsack	Serrano
Cummings	Lofgren	Sewell (AL)
Davis (CA)	Lowenthal	Shea-Porter
DeFazio	Lowe	Sherman
DeGette	Lujan Grisham	Sinema
Delaney	(NM)	Sires
DeBene	Lujan, Ben Ray	Slaughter
Deutch	(NM)	Smith (WA)
Dingell	Lynch	Speier
Doggett	Maloney,	Swalwell (CA)
Doyle	Carolyn	Takano
Duckworth	Maloney, Sean	Thompson (CA)
Edwards	Markay	Thompson (MS)
Ellison	Matheson	Tierney
Engel	Matsui	Titus
Enyart	McCarthy (NY)	Tonko
Eshoo	McCollum	Tsongas
Esty	McDermott	Van Hollen
Farr	McGovern	Veasey
Fattah	McIntyre	Vela
Foster	McNerney	Velázquez
Frankel (FL)	Meeks	Visclosky
Fudge	Meng	Walz
Gabbard	Michaud	Wasserman
Gallego	Miller, George	Schultz
Garamendi	Moore	Waters
Garcia	Murphy (FL)	Watt
Grayson	Nadler	Waxman
Green, Al	Napolitano	Welch
Green, Gene	Neal	Wilson (FL)
Grijalva	Negrete McLeod	Yarmuth

NOT VOTING—7

Cárdenas	Rush	Young (AK)
Davis, Danny	Vargas	
DeLauro	Webster (FL)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1059

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. WEBSTER of Florida. Mr. Speaker, on rollcall No. 27, I was unavoidably detained off of the House floor. Therefore, I was unable to cast my vote on H. Res. 39 providing for con-

sideration of the bill (H.R. 325). Had I been present, I would have voted "yea."

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. CHAFFETZ. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 291, nays 129, answered "present" 2, not voting 9, as follows:

[Roll No. 28]

YEAS—291

Aderholt	Crenshaw	Issa
Alexander	Culberson	Jackson Lee
Amodei	Daines	Johnson (GA)
Bachmann	Davis (CA)	Johnson, Sam
Bachus	Davis, Danny	Kaptur
Barber	DeGette	Kelly
Barletta	DeBene	Kildee
Barr	DeSantis	Kilmer
Barrow (GA)	DesJarlais	King (IA)
Barton	Diaz-Balart	King (NY)
Beatty	Doggett	Kingston
Becerra	Doyle	Kinzinger (IL)
Bentivolio	Duckworth	Kirkpatrick
Bera (CA)	Duncan (SC)	Kline
Bilirakis	Duncan (TN)	Kuster
Bishop (GA)	Ellison	Labadador
Bishop (UT)	Ellmers	LaMalfa
Black	Engel	Lamborn
Blackburn	Eshoo	Lankford
Blumenauer	Esty	Larsen (WA)
Bonamici	Farenthold	Larson (CT)
Bonner	Farr	Levin
Boustany	Fattah	Lipinski
Brady (TX)	Fleischmann	Loebbsack
Braley (IA)	Fleming	Lofgren
Bridenstine	Flores	Long
Brooks (IN)	Forbes	Lowenthal
Broun (GA)	Fortenberry	Lucas
Brown (FL)	Foster	Luetkemeyer
Brownley (CA)	Frankel (FL)	Lujan Grisham
Buchanan	Franks (AZ)	(NM)
Bucshon	Fudge	Lujan, Ben Ray
Bustos	Gabbard	(NM)
Butterfield	Gallego	Lummis
Calvert	Garamendi	Maffei
Camp	Garcia	Maloney, Sean
Campbell	Garrett	Marino
Cantor	Gerlach	Massie
Capito	Gibbs	Matheson
Capps	Gingrey (GA)	McCarthy (CA)
Carney	Goodlatte	McCarthy (NY)
Carson (IN)	Gosar	McCaul
Carter	Gowdy	McClintock
Cartwright	Granger	McHenry
Cassidy	Grayson	McIntyre
Castro (TX)	Griffith (VA)	McKeon
Chabot	Guthrie	McKinley
Chaffetz	Hahn	McMorris
Chu	Hall	Rodgers
Ciциlline	Hanabusa	McNerney
Clay	Harper	Meadows
Clyburn	Harris	Meng
Coble	Hastings (WA)	Messer
Cohen	Heck (WA)	Mica
Cole	Hensarling	Michaud
Collins (GA)	Himes	Miller (FL)
Collins (NY)	Hinojosa	Miller (MI)
Connolly	Holding	Miller, Gary
Cook	Huizenga (MI)	Moran
Cooper	Hultgren	Mullin
Cramer	Hurt	Mulvaney

Murphy (FL)	Ross	Thompson (PA)
Nadler	Rothfus	Thornberry
Neugebauer	Royce	Tiberi
Noem	Ruiz	Tierney
Nugent	Runyan	Tipton
Nunes	Ruppersberger	Titus
Nunnelee	Ryan (WI)	Tonko
O'Rourke	Salmon	Tsongas
Olson	Scalise	Upton
Palazzo	Schiff	Van Hollen
Pascarell	Schneider	Vargas
Payne	Schock	Vela
Pearce	Schrader	Wagner
Perlmutter	Schwartz	Walden
Perry	Schweikert	Walorski
Peters (CA)	Scott (VA)	Walz
Petri	Scott, Austin	Wasserman
Pingree (ME)	Scott, David	Schultz
Pittenger	Sensenbrenner	Waters
Pitts	Serrano	Watt
Pocan	Sessions	Waxman
Polis	Shea-Porter	Weber (TX)
Pompeo	Sherman	Webster (FL)
Price (NC)	Shimkus	Welch
Quigley	Shuster	Wenstrup
Rangel	Simpson	Westmoreland
Rice (SC)	Smith (NE)	Whitfield
Richmond	Smith (NJ)	Williams
Roby	Smith (TX)	Wilson (FL)
Roe (TN)	Smith (WA)	Wilson (SC)
Rogers (AL)	Southerland	Wolf
Rogers (KY)	Speier	Womack
Rogers (MI)	Stewart	Yarmuth
Rohrabacher	Stivers	Yoho
Rokita	Stockman	Young (FL)
Rooney	Stutzman	Young (IN)
Ros-Lehtinen	Swalwell (CA)	
Roskam	Takano	

NAYS—129

Amash	Hastings (FL)	Neal
Andrews	Heck (NV)	Negrete McLeod
Bass	Herrera Beutler	Nolan
Benishke	Higgins	Pallone
Bishop (NY)	Holt	Pastor (AZ)
Brady (PA)	Honda	Paulsen
Burgess	Horsford	Pelosi
Capuano	Hoyer	Peters (MI)
Castor (FL)	Hudson	Peterson
Clarke	Huelskamp	Poe (TX)
Cleaver	Huffman	Posey
Coffman	Hunter	Price (GA)
Conaway	Israel	Radel
Costa	Jeffries	Rahall
Cotton	Jenkins	Reed
Courtney	Johnson (OH)	Reichert
Crawford	Johnson, E. B.	Renacci
Crowley	Jordan	Ribble
Cuellar	Joyce	Rigell
Cummings	Keating	Roybal-Allard
Davis, Rodney	Kennedy	Ryan (OH)
DeFazio	Lance	Sánchez, Linda
Delaney	Langevin	T.
Denham	Latham	Sanchez, Loretta
Dent	Latta	Sarbanes
Deutch	Lee (CA)	Schakowsky
Dingell	Lewis	Sewell (AL)
Duffy	LoBiondo	Sinema
Edwards	Lowey	Sires
Enyart	Lynch	Slaughter
Fincher	Maloney,	Terry
Fitzpatrick	Carolyn	Thompson (CA)
Fox	Marchant	Thompson (MS)
Gardner	Markey	Turner
Gibson	Matsui	Valadao
Graves (GA)	McCollum	Veasey
Graves (MO)	McDermott	Velázquez
Green, Al	McGovern	Visclosky
Green, Gene	Meehan	Walberg
Griffin (AR)	Meeks	Wittman
Grimm	Miller, George	Woodall
Gutierrez	Moore	Yoder
Hanna	Murphy (PA)	Young (AK)
Hartzler	Napolitano	

ANSWERED "PRESENT"—2

Gohmert	Owens
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NOT VOTING—9

Brooks (AL)	DeLauro	Jones
Cárdenas	Frelinghuysen	Kind
Conyers	Grijalva	Rush

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1107

So the Journal was approved.

The result of the vote was announced as above recorded.

NO BUDGET, NO PAY ACT OF 2013

Mr. CAMP. Mr. Speaker, pursuant to House Resolution 39, I call up the bill (H.R. 325) to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 39, the amendment printed in House Report 113-2 is considered adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 325

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "No Budget, No Pay Act of 2013".

SEC. 2. TEMPORARY SUSPENSION OF DEBT CEILING.

(a) SUSPENSION.—Section 3101(b) of title 31, United States Code, shall not apply for the period beginning on the date of the enactment of this Act and ending on May 18, 2013.

(b) SPECIAL RULE RELATING TO OBLIGATIONS ISSUED DURING SUSPENSION PERIOD.—Effective May 19, 2013, the limitation in section 3101(b) of title 31, United States Code, as increased by section 3101A of such title, is increased to the extent that—

(1) the face amount of obligations issued under chapter 31 of such title and the face amount of obligations whose principal and interest are guaranteed by the United States Government (except guaranteed obligations held by the Secretary of the Treasury) outstanding on May 19, 2013, exceeds

(2) the face amount of such obligations outstanding on the date of the enactment of this Act.

An obligation shall not be taken into account under paragraph (1) unless the issuance of such obligation was necessary to fund a commitment incurred by the Federal Government that required payment before May 19, 2013.

SEC. 3. HOLDING SALARIES OF MEMBERS OF CONGRESS IN ESCROW UPON FAILURE TO AGREE TO BUDGET RESOLUTION.

(a) HOLDING SALARIES IN ESCROW.—

(1) IN GENERAL.—If by April 15, 2013, a House of Congress has not agreed to a concurrent resolution on the budget for fiscal year 2014 pursuant to section 301 of the Congressional Budget Act of 1974, during the period described in paragraph (2) the payroll administrator of that House of Congress shall deposit in an escrow account all payments otherwise required to be made during such period for the compensation of Members of Congress who serve in that House of Congress, and shall release such payments to

such Members only upon the expiration of such period.

(2) PERIOD DESCRIBED.—With respect to a House of Congress, the period described in this paragraph is the period which begins on April 16, 2013, and ends on the earlier of—

(A) the day on which the House of Congress agrees to a concurrent resolution on the budget for fiscal year 2014 pursuant to section 301 of the Congressional Budget Act of 1974; or

(B) the last day of the One Hundred Thirteenth Congress.

(3) WITHHOLDING AND REMITTANCE OF AMOUNTS FROM PAYMENTS HELD IN ESCROW.—The payroll administrator shall provide for the same withholding and remittance with respect to a payment deposited in an escrow account under paragraph (1) that would apply to the payment if the payment were not subject to paragraph (1).

(4) RELEASE OF AMOUNTS AT END OF THE CONGRESS.—In order to ensure that this section is carried out in a manner that shall not vary the compensation of Senators or Representatives in violation of the twenty-seventh article of amendment to the Constitution of the United States, the payroll administrator of a House of Congress shall release for payments to Members of that House of Congress any amounts remaining in any escrow account under this section on the last day of the One Hundred Thirteenth Congress.

(5) ROLE OF SECRETARY OF THE TREASURY.—The Secretary of the Treasury shall provide the payroll administrators of the Houses of Congress with such assistance as may be necessary to enable the payroll administrators to carry out this section.

(b) TREATMENT OF DELEGATES AS MEMBERS.—In this section, the term "Member" includes a Delegate or Resident Commissioner to the Congress.

(c) PAYROLL ADMINISTRATOR DEFINED.—In this section, the "payroll administrator" of a House of Congress means—

(1) in the case of the House of Representatives, the Chief Administrative Officer of the House of Representatives, or an employee of the Office of the Chief Administrative Officer who is designated by the Chief Administrative Officer to carry out this section; and

(2) in the case of the Senate, the Secretary of the Senate, or an employee of the Office of the Secretary of the Senate who is designated by the Secretary to carry out this section.

The SPEAKER pro tempore. Debate shall not exceed 1 hour with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on House Administration.

The gentleman from Michigan (Mr. CAMP) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes. The gentlewoman from Michigan (Mrs. MILLER) and the gentleman from Pennsylvania (Mr. BRADY) each will control 10 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CAMP).

GENERAL LEAVE

Mr. CAMP. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 325.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CAMP. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 325, the No Budget, No Pay Act of 2013. This legislation directs Members of the House and Senate to adopt a budget resolution by April 15, 2013. If either body does not adopt a budget resolution by April 15, 2013, Members of that body will have their pay withheld until they pass a budget. It's simple: no budget, no pay. The American people understand that they don't get paid if they don't do their job, and neither should Members of Congress.

In addition, to ensure the complete and timely payment of the obligations of the U.S. Government, this legislation allows Treasury to issue debt between the date of enactment and May 18, 2013. However, Treasury may only issue enough debt necessary to pay bills coming due before May 18. I want to be perfectly clear on this point: this bill does not allow Treasury to run up an unlimited amount of debt between now and May 18.

The debt authorized under this bill must be tied to bills coming due during that timeframe. Further, on May 19, a new debt limit is automatically established.

So that's what this bill does. The larger question is, why are we even talking about the debt and debt limit? Our Nation's debt is not just some abstract number. It has a direct impact on American families. During the President's fiscal commission, the Simpson-Bowles Commission, we heard nonpartisan testimony that when the debt is this large in comparison to the economy, it costs the country the equivalent of about 1 million jobs. Think about that. If Washington got its debt and spending under control, then 1 million more Americans would be working today.

And if that wasn't sobering enough, Fitch Ratings recently warned that the failure to come up with a plan for reducing our debt would likely still result in a downgrade of the U.S. credit rating. A lower credit rating is sure to mean higher interest rates. That means higher credit card payments, higher car payments, higher student loans, and certainly higher mortgage payments.

Despite these nonpartisan warnings, the Democrat-controlled Senate has not produced a budget in more than 1,300 days. That's 4 years without a budget. How can we begin to get our debt under control when Democrats won't even produce a budget? This bill is the first step in forcing Democrats to put forward a budget so we can start holding Washington accountable for its out-of-control spending.

Every day, American families have to make decisions about their household finances. They have to adjust their spending to cover a whole host of things: groceries, student loan payments, braces for children, and a replacement for that aging refrigerator. Of course, they can't buy everything they want. Every day, they have to make tough choices.

It's time for Congress—the House and the Senate—to make some tough choices. To be honest, Mr. Speaker, this isn't a tough choice where I come from. Where I grew up, if you didn't do your job, you didn't get paid. It's time for Congress to start living with the same facts of life everyone else in America has to live with. I support the No Budget, No Pay Act because it brings back a bit of accountability and common sense to Washington. I urge my colleagues to join me in passing this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I shall consume.

This Republican bill is not a change in policy. It's a change in tactics. House Republicans continue to play with economic fire. They're playing political games with the debt ceiling, and that undermines certainty.

Yesterday, economist Simon Johnson of MIT testified before our committee saying that a short-term increase would only extend uncertainty. He said:

You will continue to undermine the private sector. You will continue to delay investment and to reduce employment relative to what it would be otherwise.

Let's, for a second, remember history, the last time the House Republicans played political games with the debt ceiling. In August 2011, our economy produced the lowest job growth in 3 years. During that 2-month period, the Dow Jones plummeted 2,000 points, including one of its worst single-day drops in history—635 points on August 8. S&P downgraded the U.S. credit rating for the first time in history.

Leading Republicans in June, 2011, criticized the notion of a short-term debt ceiling increase as providing a lack of certainty. The majority leader said:

We feel very strongly that one of the reasons why we continue to see an ailing economy is that people have very little confidence, have very little certainty in terms of where we are headed.

Our Ways and Means chairman echoed that feeling only days later saying about the prospect of a short-term debt ceiling increase, It does not give you certainty.

This bill does not give certainty, but uncertainty.

The action we took New Year's Day to avoid the fiscal cliff brought our total deficit reduction over the past 2 years to \$2.5 trillion. What's more, it

set the stage for future further balanced agreements that include both spending cuts and new revenue. We should proceed with that effort, not plunge into further uncertainty.

I reserve the balance of my time.

□ 1120

Mr. CAMP. I yield myself 15 seconds just to say that Standard & Poor's downgraded the U.S. credit rating on August 5, after the Budget Control Act was passed. In doing so:

The downgrade reflects our opinion that the fiscal consolidation plan that Congress and the administration recently agreed to falls short of what, in our view, would be necessary to stabilize the government's medium-term debt dynamics.

With that, Mr. Speaker, I yield 2 minutes to a distinguished member of the Ways and Means Committee and chairman of the House Budget Committee, the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. I thank the chairman.

Mr. Speaker, you know what we know with certainty? We know with certainty that a debt crisis is coming to America. This is not a question of if; it's a question of when.

What is a debt crisis? It means we can't keep living beyond our means. It means we can't keep borrowing from our children's future. Our generation of Americans, we're being selfish. We are taking from the next generation their future.

We have a moral obligation to fix that. If we have a debt crisis, those who get hurt the first and the worst are those who need government the most: our seniors, the poor, the people living on the safety net, that's who gets hurt in a debt crisis. We have an obligation to do something about this.

What does this bill do? This bill simply says: Congress do your job.

When I grew up in Wisconsin, if you had a job and you did the work, then you got paid. If you didn't do the work you didn't get paid. It's that simple. Here's the point. We have a law, and it's called the Budget Control Act. It requires that Congress pass a budget by April 15. All we're saying is: Congress, follow the law. Do your work. Budget.

The reason for this extension is so that we can have the debate we need to have. It's been a one-sided debate. The House of Representatives has passed budgets. The other body, the Senate, hasn't passed a budget for almost 4 years. We owe our constituents more than that. We owe them solutions. When both parties put their solutions on the table, then we can have a good and clear debate about how to solve the problem. The problem is not going away no matter how much we wish it away. The problem of debt, of deficits, of a debt crisis is here.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CAMP. I yield an additional 30 seconds to the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. We owe it to our children and our grandchildren and we owe it to our constituents to fix this.

This isn't a Republican or Democrat thing. This is a math thing. And the math is vicious, and it's hurting our country, and it's hurting the next generation, and it's hurting our economy. The sooner we can solve this problem, the better off everybody is going to be. That's why this needs to pass.

Mr. LEVIN. I now yield 2 minutes to the ranking member of the Budget Committee, Mr. VAN HOLLEN.

Mr. VAN HOLLEN. Mr. Speaker, I thank the gentleman from Michigan.

This resolution contains some good news, but lots of bad news for the American people. The good news is that our congressional Republican colleagues have finally recognized that America must pay its bills and meet its financial obligations without condition. The bad news is they only want to do that for 3 months. Just read the title: To ensure the complete and timely payment of the obligations of the United States Government until May 19.

If it's a good idea to maintain the obligations of the U.S. Government between now and May 19, it sure is a good idea to make sure that we meet the obligations of the U.S. Government beyond that. And by setting up what amounts to another fiscal cliff, all our Republican colleagues are doing is prolonging economic uncertainty.

For the last 2 years, we've heard from our Republican colleagues that economic uncertainty is bad for the economy. Guess what? It is. Yet that's exactly what you're doing, another big dose of economic uncertainty. This is a political effort simply to increase their negotiating strategy leverage 3 months from now at the expense of jobs in the economy and the American people.

How do we know it's at the expense of jobs in the economy? Because we saw what happened in August of 2011. As the ranking member of the Ways and Means Committee said, it was the worst month in terms of jobs. We saw our credit rating downgraded, and both GAO and the Bipartisan Policy Center have said it cost the taxpayers over \$1 billion. So that's all we're doing right now, another dose of uncertainty.

To my friend and colleague, the chairman of the Budget Committee, yes, we need budgets; yes, we need to reduce our long-term deficits. That's never been the issue. The issue is how. We believe we've got to make targeted cuts in reforms, but we also believe we need to eliminate a lot of the tax breaks and loopholes that we heard a lot from our colleagues about in order to reduce the deficit in a balanced way. If you don't do that, you sock it to everybody else in the country.

Let's pass a balanced approach to reducing our deficit, and not one that takes it out at the expense of our kids and our seniors.

Mr. CAMP. I yield myself such time as I may consume.

I would just say that we've already increased the debt limit over \$5 trillion in the Obama administration. That's an almost 50 percent increase in the debt limit.

Let me also just say that we've had several temporary short-term increases in the debt limit before there's been a more permanent longer-term increase—in 1987, in 1990, and 1996. So it is not unprecedented, the action that we're going to be taking today.

With that, I yield 2 minutes to the distinguished member of the Ways and Means Committee, the gentleman from Washington State (Mr. REICHERT).

Mr. REICHERT. Mr. Speaker, I thank the gentleman.

Let me just see if I can simplify this just a little bit.

There are three branches of government. Two branches of the government have responsibility for the budget, and there are three pieces to those two branches. The White House is one—the administration needs to produce a budget; the House Republicans need to produce a budget; and the Senate Democrats need to produce a budget for the system to work.

Even though we may not agree with it on this side of the aisle, the President has produced his budget. It's increased our deficit from \$11.4 to \$16.4 trillion or \$16.5 trillion. And some people at home may not really grasp the concept of \$16 trillion. Let's just talk about \$1 trillion. If we spent a dollar a second, Mr. Speaker, how long would it take us to spend that \$1 trillion? It would take 36,000 years. We are 16 of those in debt. It's time for the Senate to do their job.

Even though Admiral Mullen has said our greatest national security threat is our deficit, and even though the Senate has raised their right hand and took an oath to protect and defend this great Nation of ours and defend the Constitution, they still have not acted. They still have not done their job to protect and defend, to uphold the oath that they took. Again, Admiral Mullen has said—and I repeat—that national security is at great risk because of our \$16 trillion deficit.

Look, you own a home and you have a \$50,000-a-year job and you're making your payments on a car and a house and you're thinking things are going just fine, but I want to add to that. I'm going to buy a new big screen TV, I'm going to put a pool table in, I'm going to buy two more cars, I'm going to put a pool in the back, I'm just going to fix the place up. All of a sudden you realize, I can't pay for it.

You have some options available. You have to raise revenue. You go out

and get two or three more jobs maybe, or your wife goes to work or your kids have to go to work. And that still doesn't meet your responsibilities. Then you have to stop spending, right? Stop spending.

The only other option now is to get rid of some of the stuff you can't pay for because even though you might have stopped spending and you've taken another job and you've raised some revenue, now you've got to get rid of stuff.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CAMP. I yield an additional 15 seconds to the gentleman from Washington.

Mr. REICHERT. Let's get rid of the pool table, let's get rid of the big screen TV. We've got to start cutting things. We need to stop spending in this country. The Senate needs to do their job.

No budget, no pay.

□ 1130

Mr. LEVIN. I yield 1 minute to the gentleman from New York (Mr. RANGEL).

Mr. RANGEL. I don't think anyone challenges the fact that we have to stop overspending. You just can't simplify it and say, "Stop spending."

The problem that we have now is that the debt ceiling has nothing to do with the full faith and credit of money that has already been spent. We'd have plenty of time to talk about taxes and spending if we'd talk about concurrent resolutions, if we'd talk about sequestration; but if what you're saying is that if there is a budget that I have to vote "yes" or "no" on and if one budget says that one way to close and reduce the deficit is to go after the people who are the poorest, the most sick, and the oldest and call that "entitlement cutbacks" and if I don't vote for that then it means that the government is not going to pay me, well, I can go home very easily and tell them that a bad budget is worse than no budget and that, once again, we are holding hostage the spending cuts that a lot of people want that should be negotiated.

Perhaps we've got a 3-month reprieve, but the fact remains that this is holding up the President and our country from getting on with what we should do when the fiscal impact of this in our country and throughout the world is dangerous.

Mr. CAMP. Mr. Speaker, I yield 1 minute to a distinguished member of the Ways and Means Committee, the gentleman from New York (Mr. REED).

Mr. REED. Thank you, Mr. Chairman.

I rise today in support of this No Budget, No Pay proposal.

This is why we ran for office. This is why I came to Washington, D.C.—to stand for a vision that's going to attack this debt crisis that is upon us

today, the debt crisis that will threaten our children and our grandchildren for generations if we do not get our fiscal house in order in Washington, D.C. It is time to put up the visions of the House Republicans versus those of the Senate Democrats as to what the proposals to move forward to solve this debt crisis are.

We owe it to the American people, to hardworking taxpayers, to be open and honest, and if my colleagues on the other side of the aisle want to stand for budgets that are all about tax increases, so be it. I believe there is a better way, and that better way will be in a House Republican budget that does the responsible thing and lays out a vision of growth and opportunity for generations to deal with this unsustainable debt crisis that is now upon us.

Mr. LEVIN. I yield 1 minute to another member of our committee, the gentleman from Washington (Mr. McDERMOTT).

Mr. McDERMOTT. Mr. Speaker, here we are with another Republican straw man out here—a bill set up to fail. The Senate has not yet adopted its rules. We don't know where the filibuster is going to be used or anything, and you're saying they have to do something by a fixed date. Now, we've had fixed dates in here as long as I've been here, and we never make them; but what we are creating is continuous chaos globally in the economic world, and what you're doing by this is simply saying, hey, let's have another big kerfuffle. We'll be out here in May, 4 months from now, making exactly the same speeches. We'll all bring out the same pieces of paper and read from them and give the same speeches, and we will continue to retard the ability of the American economy to move forward.

We cannot send the message worldwide that the United States has lost the ability to make decisions, to pay its debts. If that's the message you want the world to get, that's what this is about today. I'm voting against this. Bring back one that lifts the debt limit and that gets it out of the way so we can get down to the cost-cutting that needs to happen.

Mr. CAMP. I yield 1 minute to a distinguished member of the Ways and Means Committee, the gentlewoman from Tennessee (Mrs. BLACK).

Mrs. BLACK. As a charter member of the Fix Congress Now Caucus and as an early supporter of the No Budget, No Pay, I am very excited that this legislation will be voted on in the House in just a little bit.

We on the House Budget Committee work hard to pass a responsible budget each year, but the Democrat-controlled Senate refuses to do the same. In fact, it has been nearly 4 years since the Senate has passed a budget, and since that time, the government has racked

up annual deficits exceeding \$1 trillion a year and, in total, more than \$5 trillion in 4 years. If we stay on this current path of record deficits, big government, and unfunded entitlement programs, Greece's present will be America's future.

A massive debt crisis is surely not the future we want for our children or our grandchildren. Fiscal responsibility and accountability in the Halls of Congress cannot wait. Today, we will take an important step in the House, forcing the Senate to either do its job or to face the consequences. It's simple: no budget, no pay.

Mr. LEVIN. I now yield 1 minute to the gentleman from Massachusetts (Mr. NEAL).

Mr. NEAL. Thank you, Mr. LEVIN.

Our job here is to educate the public, not to entertain them. They ran up deficits on the Republican side of \$6 trillion during an 8-year period of time—\$2.3 trillion worth of tax cuts and two wars. Now they come back today with a glitzy proposal of no work, no pay.

Institutional memory. Do you remember their term limits pledge? They invented that. They're all still here. Do you remember their line-item veto? the constitutional theorists? They got rid of that. How about that they were going to pass a balanced budget amendment to the Constitution? My dad used to say, "At least Jesse James had enough personal respect to wear a mask."

The people who put us into this situation are now quibbling about raising the debt ceiling when they almost broke the country with the proposals that they offered during all of those years, and never once did they deny President Bush on those proposals.

Mr. CAMP. I yield 1 minute to a distinguished member of the Ways and Means Committee, the gentleman from Illinois (Mr. ROSKAM).

Mr. ROSKAM. Thank you, Mr. Chairman.

Look, here is an opportunity. There is an opportunity to find common ground. There is an opportunity to do something that makes common sense, that is not just common ground. It is common sense to require people, if they're getting compensation, to do their jobs. It has been 4 years. Ironically, it has been since the day Rod Blagojevich, the Governor of Illinois, was indicted that the United States Senate has passed a budget, and now we have an opportunity to put pressure on the other body, which is for them to do their work.

We don't do ourselves, we don't do our children, we don't do the taxpayers any favors by creating a climate that says "folks don't have to do their work." We don't get to a solution or a remedy unless we pass budgets. This is an opportunity to get on record and put the other body out into the open

field so we can have a discussion and move this country on a pathway that makes sense. We ought to pass this and pass it quickly.

Mr. LEVIN. I now yield 1 minute to a member of our committee and chairman of our caucus, the gentleman from California (Mr. BECERRA).

Mr. BECERRA. If you buy a house, you pay your mortgage—well, at least under this bill, for 3 or 4 months. If you want your kids to go to college, you take out student loans, and you'll tell the bank, well, you'll pay for 3 or 4 months, and then we can talk again. If you want to buy a car, you go in and tell the dealer, Love that beautiful new car. You take out a loan. You pay for 3 or 4 months, and then you tell the dealer, Let's talk in about 3 or 4 months about what we do with the rest of the debt.

This simply creates more uncertainty, another fiscal cliff and yet another economic case of sabotage against the American public. The party that voted for tax cuts for the wealthy, two wars, and a massive new prescription drug benefit program and that put all of the costs of that on a credit card doesn't believe it's important now to honor those obligations of paying those bills and maintaining the full faith and credit of the United States of America. Now, with this new Congress, we have a chance for a fresh start—an opportunity to find common ground, not more conflict. Instead, our Republican colleagues are threatening three strikes against the middle class, against small businesses and the U.S. economy—the U.S. default, a government shutdown, and sequestration.

Let's start talking about what really matters to Americans, the biggest deficit we face—a jobs deficit. Let's get to work putting Americans back to work. Let's be problem solvers, not problem makers. It's time to get America moving again.

Mr. CAMP. Mr. Speaker, I yield 1 minute to a distinguished member of the Ways and Means Committee, the gentleman from Indiana (Mr. YOUNG).

□ 1140

Mr. YOUNG of Indiana. Mr. Speaker, as I travel in my south central Indiana district, I hear frequently two simple requests from my constituents. First, they want us to get our spending and our debt under control. And, second, they want us to work together, collectively, Republicans and Democrats, to get that important job done. That's why I support this proposed legislation, H.R. 325.

The bill strikes me as eminently reasonable because it not only satisfies those simple requests; it asks us to do our job. We are required under law, as has been said before, to pass a budget. The House is required to do it, and the Senate is required to do it. The Senate has not done it for 4 years.

Now, a budget is essentially spending priorities. It lays out your vision for the future. Whatever solutions you may or may not have are revealed in a budget. It's not easy to put together a budget. Sometimes it's unpopular, but it is our duty.

So I say no budget, no pay. I'm tired of the Senate being dilatory in its responsibilities. They need to pass a budget. That's why I urge my colleagues to support this legislation.

Mr. LEVIN. I yield 1 minute to another member of our committee, the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. We continue to talk past one another. The issue isn't passing a budget or not passing a budget. The issue is whether or not we're going to take fundamental steps to reform the way that we spend money around here.

The Republican budget of my good friend, Mr. RYAN, that they've passed on a couple of occasions would have required 9 trillion dollars in additional debt ceiling increase and wouldn't be balanced for two decades.

Let's stop playing games with the form, and let's sit down and work on the things we agree upon. I think the American public would support us if we took out tens of billions of dollars of unnecessary spending for redundant nuclear weapons; to reform the scandal that is the crop insurance program that incents people to plant land that they shouldn't plant and drives up losses. Let's accelerate health care reform like we're doing in Oregon that would save over a trillion dollars if it were applied nationally.

Let's get down and do it. Act, don't debate.

Mr. CAMP. Mr. Speaker, I yield 1 minute to a distinguished member of the Ways and Means Committee, the gentleman from Nebraska (Mr. SMITH).

Mr. SMITH of Nebraska. Mr. Speaker, I rise today in support of H.R. 325. The bill is an important step toward getting our fiscal house in order because it requires the Senate to finally pass a budget, something American families and businesses do each and every day.

The Federal Government is currently in the process of accumulating its fifth consecutive trillion-dollar deficit. We need a serious, forward-looking plan to address the deficit. However, the Senate has gone nearly 4 years without even passing an annual budget.

Taking a year-by-year approach and addressing only discretionary spending will not solve our long-term spending problem. We must take a comprehensive, long-term approach to the Federal budget. A comprehensive approach to spending must also address the long-term solvency issues of entitlements such as Medicare, Medicaid, and Social Security. Without reform, spending will remain on an unsustainable path

while the Medicare and Social Security trust funds are emptied before the majority of Americans who currently are paying in even qualify to become beneficiaries of those programs.

Today's legislation will allow us to work with the Senate in achieving this long-term deficit solution we know would meet the needs of Americans.

Mr. LEVIN. I yield 1 minute to the gentleman from New Jersey (Mr. PASCRELL), a member of our committee.

Mr. PASCRELL. Mr. Speaker, the 14th Amendment of the Constitution states, if I may paraphrase, the public debt of the United States shall not be questioned. In other words, we don't even have the power, really, in section 4 of that amendment. Take a look at it and read it, what our objectives are, rather than bring to debate year after year whether we should raise the debt limit. We have to do our jobs.

It would be foolish if people around the world began to wonder, once again, whether or not the Congress will give the President the ability to pay the debts that we racked up. Both sides voted for much of this. The fact is that the United States, as the President said, is not a deadbeat Nation. We will pay our obligations, both to our bondholders and to seniors and veterans and the middle class.

So while I'm glad my colleagues on the other side have edged slightly away from the precipice of default, they are still leaving themselves room to backtrack if they don't get what they want. And just the fact that the conference chairperson has said if we have to shut down the government to make sure that President Obama understands that we're serious, that's almost treason, according to the 14th Amendment.

Mr. CAMP. At this time I yield 1 minute to the distinguished gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today in support of H.R. 325, which is based on a very simple principle: if Congress does not pass a budget, Congress does not get paid.

We cannot start the process of controlling spending in this country without a budget. We also cannot ask hard-working taxpayers to manage their own budgets when their elected leaders fail to do so.

The House has done its work and passed a budget each of the past 2 years. The other body of this branch must do theirs if we're going to address our out-of-control spending. For nearly 4 years, the Senate has gotten away with not passing a budget, but they've found time to pass laws that increase spending. Failing to budget for our country for the past 4 years is a terrible way to run a government, and I support this bill which will pay for bills already obligated.

We have to stop the political gamesmanship that is occurring here in this town and work together to find com-

monsense solutions to cut spending and find savings in our budget. I look forward to passing this bill that will finally hold Congress accountable and begin putting America on a debt repayment plan and save future generations from paying for the mistakes of the past.

Mr. LEVIN. Mr. Speaker, how much time remains?

The SPEAKER pro tempore. The gentleman from Michigan (Mr. LEVIN) has 9½ minutes, and the other gentleman from Michigan (Mr. CAMP) has 5¼ minutes.

Mr. LEVIN. I now yield 1 minute to the distinguished gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, the legislation before us today solves no problems. In fact, it just maintains the great uncertainty hanging over the U.S. and the global economy—whether or not we're going to jeopardize the full faith and credit of the United States of America and default on our Nation's financial obligations for the first time in our Nation's history. I do not for the life of me understand why anyone would jeopardize that safe haven that's been established in this country.

But we all know what needs to be done to get our fiscal house in order. Both parties are going to have to lock arms and jump into the icy water and make difficult decisions together. Every bipartisan commission that has been formed to address this issue has come up with the same conclusion. There's going to have to be some additional revenue, and there's going to have to be major spending reforms in our budget to make this work.

But my friends on the other side have not been exactly up front with the American people. They've finished two national campaigns promising to restore \$700 billion to the Medicare program and increase defense spending by over \$2 trillion over the next 10 years. That's \$2.7 trillion additional dollars in the two largest spending programs. So we do need an honest conversation about this.

Mr. CAMP. Mr. Speaker, I yield myself 15 seconds to place in the RECORD a letter from the Executive Office of the President, a Statement of Administration Policy, that says:

The administration would not oppose a short-term solution to the debt limit and looks forward to continuing to work with both the House and the Senate to increase certainty and stability for the American economy.

I reserve the balance of my time.

STATEMENT OF ADMINISTRATION POLICY
H.R. 325—TEMPORARY SUSPENSION OF DEBT
CEILING

(Rep. Camp, R-MI, and Rep. Miller, R-MI,
Jan. 22, 2013)

The Administration supports a long-term increase in the debt limit that would increase certainty and economic stability. Although H.R. 325 is a short-term measure and

introduces unnecessary complications, needlessly perpetuating uncertainty in the Nation's fiscal system, the Administration is encouraged that H.R. 325 lifts the immediate threat of default and indicates that congressional Republicans have backed off an insistence on holding the Nation's economy hostage to extract drastic cuts in Medicare, education, and other programs that middle-class families depend on. For these reasons, the Administration would not oppose a short-term solution to the debt limit and looks forward to continuing to work with both the House and the Senate to increase certainty and stability for the economy.

Instead of short-term management of self-inflicted fiscal crises, the President believes there is now an opportunity to strengthen the economy by putting the Nation on a sounder fiscal path. Progress has already been made towards that goal. In 2011, the President signed into law \$1.4 trillion in spending reductions, not counting additional savings from winding down the wars in Iraq and Afghanistan. The fiscal agreement the President signed at the beginning of January increased revenue from high-income households by over \$600 billion. Together with interest savings, these two steps will cut the deficit by more than \$2.5 trillion over the next decade. The President has made clear that he remains willing to work with both parties in the Congress to budget responsibly and to achieve additional deficit reduction consistent with the principles of balance, shared growth, and shared opportunity.

The President has also made clear that he will not have another debate with the Congress over whether or not they should pay the bills that they have already racked up through the laws that they passed. The President has made clear that the Congress has only two options—pay their bills, or fail to do so and put the Nation into default.

H.R. 325 would temporarily allow the Congress to fund commitments to which it has already agreed. A temporary solution is not enough to remove the threat of default that Republicans in the Congress have held over the economy. The Congress should commit to paying its bills and pass a long-term clean debt limit increase that lifts self-inflicted and unnecessary uncertainty from the Nation's economy.

Mr. LEVIN. I yield 1 minute to the gentleman from New York (Mr. CROWLEY), a member of our committee.

Mr. CROWLEY. I thank the gentleman from Michigan for yielding me this time.

The Budget Control Act of 2011 sets the budget for the next 10 years. It actually says it in the name of the bill: the Budget Control Act. Many of my colleagues on either side supported that bill. So we have a budget in place for 10 years. You don't like what you voted for now, I understand that. That's problematic.

But this bill before us today is not a serious proposal by House Republicans, but rather a gimmick. Even the Wall Street Journal called it a gimmick.

□ 1150

This bill does not provide certainty to the business community, the international markets or job creators here in the U.S. that the U.S. Government will pay its bills.

This bill simply sets up another GOP-manufactured crisis in 4 months, put-

ting the economy and the creditworthiness of our Nation at risk. Instead of no cliffs, my Republican colleagues on the other side of the aisle are creating a new cliff.

The American people sent us here to work, not to play more games. But my Republican colleagues are failing America again. Only 38 of my Republican colleagues voted for the Hurricane Sandy relief. Only 85 of their Members voted to provide tax cuts to the middle class. Yet, when it comes to pushing our country over the brink, they're all in.

Mr. CAMP. Mr. Speaker, at this time I yield 1 minute to the distinguished gentleman from Ohio (Mr. BOEHNER), the Speaker of the House.

Mr. BOEHNER. Let me thank my colleague for yielding, and ask my colleagues today to vote for the No Budget, No Pay Act.

You know, the promise here is pretty simple. It says that there should be no long-term increase in the debt limit until there's a long-term plan to deal with the fiscal crisis that faces our country.

Every hardworking taxpayer in America knows that they have to do a budget. Every hardworking taxpayer understands that you can't continue to spend money that you don't have.

We are committed to continue to do a budget every year. And if you think about this, it's not just that we've done a budget the last 2 years that addresses our fiscal crisis. Even when the Democrats had control, in the 2 years before that, you all did a budget. And yet, for 4 years, nearly 4 years, the United States Senate has not done a budget.

And so this bill before us is real simple. It says, Congress, if you don't do a budget, you don't get paid. I have no doubt that we're going to do our work. We're committed to doing a budget and a 10-year plan to solve our budget crisis and to balance our budget.

Frankly, I think it's time for the Senate and the White House to produce a budget that will balance over the next 10 years.

You know, most Americans would look up and go, wait a minute, why do they need 10 years to balance the budget?

But we know with baby boomers retiring, and the fact that it wasn't prepared for, it's going to take a little more time. But my goodness, we ought to be able to balance the budget in the next 10 years.

Balancing the budget over the next 10 years means that we save the future for our kids and our grandkids. It also means that we strengthen programs like Social Security and Medicare and Medicaid that can't continue to exist in the current form without some kind of controls.

It's time for Congress to get serious about this, and this is the first step in an effort to bring real fiscal responsi-

bility to Washington. It's real simple. No budget, no pay.

Mr. LEVIN. I yield 2½ minutes to the gentleman from Maryland (Mr. HOYER), our whip.

Mr. HOYER. I thank the gentleman for yielding.

I want to say to the Speaker before he leaves the floor, I believe the Speaker wants to get to a responsible agreement between our parties, between the House and the Senate, and between the Congress and the President on getting to a responsible way to reduce the budget. This bill is not that vehicle.

This bill, in my view, is an irresponsible waste of our time. This bill does not do what Republicans said they wanted to do over and over and over again, and that is give a sense of certainty to our economy, to our people, and to the international community.

This bill kicks the can down the road for 90 days one more time. This bill simply puts a leverage point another 90 days away, so that we can continue to roil this Congress, roil this country, and roil our people and our economy.

This bill is a political gimmick. This bill was cooked up a few miles from here when, frankly, the majority party said, We're in trouble. The people don't like us. Things aren't going well. How do we fix it?

Well, they came up with this gimmick, and the gimmick was, if you don't vote the way we want you to vote, we won't pay you.

Now, very frankly, the problem with that premise is that we are elected by 435 districts who have different perspectives. And my view is the overwhelming majority of us come here, work very hard on behalf of our constituents, but your constituents may not like what my constituents want. But that doesn't mean you have the right to say you're not going to get paid, Mr. HOYER, because we don't like what you're working for. If that's our premise, we are holding hostage policy in an undemocratic, dictatorial fashion.

Not only that, this 90-day kicking the can down the road has got to stop. We need to come to reality that it's not the debt limit that's the problem—and the President's absolutely right. The President has nothing to do with the debt limit. Only this House and the Senate can spend money. The President can't spend a nickel. Only this House and only this Senate.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 30 seconds.

Mr. HOYER. The other problem with this, of course, is we're now going to spend till 12:30 today discussing this critically important issue. We treat it like just a throwaway. I can't discuss the substance of this issue in the time allotted to me, nor can any other Member.

When I had a magic 1 minute, it was a little better when I was majority leader. I miss that very much.

But I urge both of us, both Republicans and Democrats, to come to grips with making the hard decision, not the political demagoguery decisions that this bill projects. Let us sit down together and come to grips with the fact that, yes, my friend, we need more revenues and, yes, we need to restrain spending and, yes, we need to restrain entitlements.

I say that as a leader of my party.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. LEVIN. I yield the gentleman an additional 30 seconds.

Mr. HOYER. But I say to all of us, you will not get there with gimmicks. You will not get there with pretense. You will not get there with irresponsibility and kick the can down the road.

I understand what you have done. You've taken your most controversial leverage point and put it at the end, rather than at the beginning of the process. But you still have the CR, and you still have the sequester, and we'll have to debate those.

What we ought to be doing is extending this debt limit for 1, 2, 4, or 6 years, or eliminating it all together. When you spend money, it has nothing to do with the debt limit and everything to do with the actions of this Congress.

Mr. CAMP. At this time I yield 1 minute to the distinguished Member from Pennsylvania (Mr. FITZPATRICK).

Mr. FITZPATRICK. I thank the gentleman.

Mr. Speaker, this is not a gimmick. For the past, almost going on now 4 years, our colleagues in the Senate have failed in their most basic responsibility of governance, which is to pass a budget.

The people I represent back in Bucks County and Montgomery County, Pennsylvania, the families and the businesses, they wouldn't survive without being able to operate on a budget. The school districts, the municipalities, the boroughs, the townships, the county government, even the Commonwealth of Pennsylvania, are all required to pass a budget that balances on time.

I'm proud to have, over the course of the past year, been advocating consistently for no budget, no pay in this House. The hardworking men and women that I represent wouldn't be paid if they didn't show up and they didn't do their job, or they didn't get their job done on time. And this place should operate no differently.

So I call on all our Members of the House, all my colleagues, to support no budget, no pay in these very difficult and troubled times.

Mr. LEVIN. I yield 1 minute to the gentleman from Illinois (Mr. DAVIS).

Mr. DANNY K. DAVIS of Illinois. Thank you, Mr. Chairman.

No budget, no pay. No budget, no responsibility. No stability, no confidence. No confidence, no ability to borrow, to attract investors.

H.R. 325 is a gimmick. It is a gimmick. And I've always been taught that if you have a debt, pay it. Delaying it drives up interest rates and is not the best approach to convincing investors and lenders that we have the ability to pay.

If you convince people that you don't have the ability to pay, it is more likely that they're not going to let you have what you want. That's what I've always been taught. They do not want gimmicks. They want solutions.

□ 1200

Mr. CAMP. I reserve the balance of my time.

Mr. LEVIN. Can I ask how much time we have remaining?

The SPEAKER pro tempore. The gentleman from Michigan (Mr. LEVIN) has 3 minutes remaining. The gentleman from Michigan (Mr. CAMP) also has 3 minutes remaining.

Mr. LEVIN. I yield 1 minute to a member of our committee, the Congresswoman from California (Ms. LINDA T. SÁNCHEZ).

Ms. LINDA T. SÁNCHEZ of California. I want to thank my colleagues on the other side of the aisle for understanding the need to stop dancing with default. Recognizing that we can't disregard our obligations to seniors, veterans, and active military is a first big step. But this legislation doesn't create the long-term certainty that our economy needs. The small business owners that I talk to tell me that they need certainty before they can invest in their businesses and hire more employees.

Instead of providing small businesses the long-term certainty they need, the Republican-led House is just playing games. They're stringing the American public along so they can set up yet another dramatic showdown that only hurts our recovery. The mere mention of default sends markets plummeting, dries up hiring, and pulls the rug out from under consumer confidence.

Businesses in my district and all across the country can't afford more tantrums threatening defaults and government shutdowns. It's our job to find a solution and give businesses, the markets, and American families the long-term certainty they deserve. This legislation isn't a long-term solution. It's yet more irresponsible gamesmanship.

Mr. CAMP. I reserve the balance of my time.

Mr. LEVIN. I yield 1 minute to the gentleman from Maryland (Mr. DELANEY).

Mr. DELANEY. There's more cash in U.S. corporations than there's ever

been in our country's history. Corporations have three things they can do with their cash: They can raise their dividends; they can buy back stock; or they can make investments.

To make investments, which require a long-term time horizon, there needs to be certainty. If we care about American families, if we want our corporations to make investments that will create jobs, we will have certainty on the debt ceiling for a reasonable period of time and we will create fiscal certainty in this country in a balanced way. By "balanced," I mean additional revenues. That's what will create certainty in this country. That's what will get U.S. corporations investing.

If U.S. corporations invest, we create jobs, and that helps working families.

Mr. CAMP. I reserve the balance of my time.

Mr. LEVIN. Madam Speaker, how much time do we have remaining?

The SPEAKER pro tempore (Ms. FOXX). The gentleman from Michigan has 1 minute remaining.

Mr. LEVIN. I yield myself the balance of my time.

This isn't: no budget, no pay. This is: 3 months, no certainty. It's been said it kicks the can down the road—a road paved with uncertainty.

What this does, in a few words, is keep default hanging over the heads of this Congress and over the heads of the American economy and the American people. It's unwise to do that. We tried that in the summer of 2011. The Republicans more than flirted with it, and they flirted dangerously. Now they're pulling back.

But instead of meeting this head-on, they essentially bring a bill here that presumes that it moves us ahead, when it moves us into more and more uncertainty. This is unwise. Politically, they think it's smart policy. For the American people, it's very dumb.

Mr. CAMP. I yield myself the balance of my time.

The gentleman, my friend from Michigan, talked about certainty. And yes, there is certainty, because the Senate majority leader just announced they will take up this bill and pass it. And I think every American understands that we must get our debt and deficit under control. We've had over \$5 trillion in increases in deficits in the Obama administration—almost a 50 percent increase in our national debt.

And let me just say that we have had many short-term increases in the debt limit over time. What was business as usual when the Democrats were in the majority? We had nine short-term debt increases—three of them in 1987 and six of them in 1990—before longer, more permanent debt limit increases were made. So what was business as usual for the Democrats they now call "flirting dangerously" for Republicans.

I think it is very important we move forward on increasing the debt limit

for this limited period of time while we can then address the issues that will help affect our long-term debts and deficits, including the sequester and the continuing resolution.

When the long-term debt of the United States was lowered to a AA-plus rating on August 5, 2011, they said that the downgrade, which was after the Budget Control Act was passed, reflected their opinion that the fiscal consolidation plan that Congress and the administration recently agreed to—meaning the Budget Control Act—falls short of what, in our view, would be necessary to stabilize the government's medium-term debt dynamics, meaning we didn't do enough to address the drivers of our long-term debt. We must do that.

I would urge my colleagues to support H.R. 325, to support the No Budget, No Pay Act, and I yield back the balance of my time.

Mrs. MILLER of Michigan. Madam Speaker, I yield myself such time as I may consume.

I rise today in strong support of H.R. 325, the No Budget, No Pay Act.

The Budget Act of 1974 requires each House of Congress to pass a budget each year by April 15. This is important, of course, because the budget that we pass is our blueprint, literally, for how we're going to spend the hard-earned tax dollars that the American people send here to Washington to run our Nation.

Today, we are in a situation where the United States Senate has not passed a budget in nearly 4 full years, leaving the American people with no idea of how the Senate intends to deal with the fiscal crisis that is facing our Federal Government. In the time since the Senate last passed a budget, the Federal Government has experienced deficits of over \$1 trillion each and every year, and we have added more than \$5 trillion to our national debt. Obviously, this is a very serious fiscal crisis, and the American people are demanding answers.

This legislation will allow us room to begin working on a solution that will put our Nation on a much more sound financial footing. This bill will extend our Nation's borrowing authority for 90 days to give each House of Congress, the House and the Senate, the needed time to do what they are legally required to do, which is to pass a budget to show the American people how we intend to deal with the many challenges that we face. But while giving Congress time to do its work, it also has a very important caveat associated with it that says, if we don't do what we are required to do by law, that we will not be paid. Simply put: no budget, no pay.

This idea actually came, Madam Speaker, from previous bipartisan efforts to bring fiscal responsibility to Washington. And now the President

has indicated that if it reaches his desk, he will sign it, that he does not oppose it.

As well, there have been very promising indications coming out of the United States Senate from many Democratic Members that they will also step up, after 4 long years of inaction, and put forward a budget.

□ 1210

I believe that this can be the impetus today for us to begin working together to make the difficult decisions to finally address our fiscal challenges. Today, we can send that very strong message to the American people with a bipartisan vote to show that we are willing to put our paychecks on the line to meet these challenges.

Now, some are concerned about whether or not this legislation is constitutional because of the 27th Amendment's restriction that the pay of Members of Congress cannot be varied—that is really the operative phrase of that amendment, “varied”—that it can neither be raised nor reduced until another election has taken place. This bill, Madam Speaker, was carefully crafted to comply with the requirements of the 27th Amendment.

So this is how it will work:

If either the House or the Senate does not pass a budget by April 15, the deadline, then beginning on April 16, the pay for Members of that Chamber will be placed into an escrow account and will only be paid when that Chamber—either the House or the Senate—has passed a budget or when we reach the end of the 113th Congress. The amount that Members are paid will not be reduced nor will it be raised, so we stay in strict compliance with the terms of the 27th Amendment.

There is no requirement in the 27th Amendment which states that Members have to be paid weekly, biweekly, monthly, or bimonthly or what have you, only that the pay that they receive will not vary.

Now, some have suggested that the escrow account into which the Member pay would be deposited should bear interest so that that could then, as well, be paid to the Members. This cannot happen because that would actually cause Member pay to increase, of course. It would then vary their pay, which would not be in compliance with the strict terms of the 27th Amendment.

So I am extremely hopeful, Madam Speaker, that we will successfully conclude our work in a timely basis here in the House, and I hope that this additional provision, as well, encourages the Senate to also complete our important work and pass a budget.

What we are suggesting certainly is not unreasonable. I'll tell you, I come from southeast Michigan, and one thing I can tell you that is true about the people that I am honored to serve

is that they get up every single day, every morning and work hard all day, every day. They simply do not understand how Congress can fail to do our job for almost 4 years—no budget out of the Senate for almost 4 years—and yet suffer no consequences.

The American people are demanding that their Members of Congress deal effectively with the challenges we face. Our problems are real, and it's time for real solutions or real consequences.

The concept, again, very simple: no budget, no pay. When times are tight, you balance your checkbook. When you run out of money, you stop spending. When your credit card is maxed out, you cut it up or get a plan together to pay it off. And if you don't do your job, you don't get paid. These are the principles, Madam Speaker, that Americans live by, and we certainly should be no exception.

So I would urge my colleagues to join me in supporting this bill.

I reserve the balance of my time.

Mr. BRADY of Pennsylvania. Madam Speaker, I yield myself such time as I may consume.

This bill is not a serious or viable attempt to address the debt ceiling issue and is merely another way to avoid dealing with the difficult choices we need to make.

We have been here before. We know what happens when we govern with this kick-the-can-down-the-road mentality. The most troubling effect, again, is the constitutionality of this bill is also dangerously unclear.

I was not on the floor last week when my colleagues read the Constitution. Maybe they didn't reach the 27th Amendment. I am not a constitutional attorney. I am not an attorney in any way, and I make no apologies for that. But it's real easy:

No law, varying the compensation for the services of the Senators or Representatives, shall take effect, until an election of the Representatives shall have intervened.

“Varying” is the, again, as my friend did say, operative word. If you aren't getting a paycheck in a month and you're going to wait for 18 months, that's varying. So it could be—and, in my opinion, it is—a constitutional problem.

But be that as it may, I do commend the majority for recognizing that Congress must pay its bills, that raising the debt ceiling isn't about spending more money, it's about paying for bills we already incurred.

There is widespread, bipartisan acknowledgement of how difficult and serious the fiscal challenges before us have become. However, this proposal is just another attempt to yet again put the discussion off for another day.

Madam Speaker, I came here and I saw the sign, “No Budget, No Pay.” It probably should say, “No Budget, Delayed Pay,” but it sounds better when you say “No Budget, No Pay.” That

means we may not be getting paid, but we're going to get paid; it will be delayed, but we're going to get paid.

Every year in this house we do pass a budget; although, it's a budget that I can't vote for. It's a budget that hurts the middle class, the working class, the want-to-be-working class, and it also hurts the American people's safety net. We know again this year we will pass that budget. So our friends on the other side of the aisle are putting up a No Budget, No Pay quite well knowing that they will probably pass their budget and we probably will get paid.

On another thought, as my good friend, Mr. DOYLE, from Pittsburgh has said to me, why not no gun control, no pay? Why not no immigration reform, no pay? Why not no DISCLOSE Act, no pay?

So, Madam Speaker, in my opinion—and I think in a lot of my colleagues' opinion—it's a gimmick bill. No Budget, No Pay has no teeth.

With that, I reserve the balance of my time.

Mrs. MILLER of Michigan. Madam Speaker, before I yield time to my good colleague here, a couple of comments in regards to what my ranking member has said from the committee, why not no gun control, no pay, or using some other examples. I would just point out that none of those are required by law, as passing a budget is required by law.

Also, there was some comment again about the significance of the 27th Amendment. I would just add quickly a statement from David Rivkin, Jr., and Lee Casey. These are two constitutional attorneys that served in former administrations who say the bill passes muster. Their comment:

It does not vary Members' compensation instead holding it in escrow until such time that a budget is passed or, at the latest, this Congress comes to an end. It is attentive to the text and structure of the Constitution.

And just one other quote. This is from another constitutional attorney, a Greg Watson—actually, a gentleman who rallied the support to pass the 27th Amendment. I will proudly point out, in 1992 it was my State of Michigan that put it over the three-fourths threshold. But at any rate, he said:

Nowhere in such a proposal do I see any violation of the terms and provisions of the 27th Amendment. Such a proposal does not vary the dollar amount of compensation to Members of Congress. The proposal merely delays the disbursement of that dollar amount.

STATEMENT OF DAVID B. RIVKIN, JR., AND LEE A. CASEY

Members of Congress are accountable not just to serve their constituents but also to support and defend the Constitution of the United States. The House of Representatives' debt ceiling extension furthers both. The American people expect that their elected representatives in Congress will work together to enact a budget resolution, and the House bill's approach holds them personally accountable for doing so. It honors both Ar-

ticle I and the Twenty-Seventh Amendment to the U.S. Constitution because it does not vary Members' compensation, instead holding it in escrow until such time that a budget is passed or, at the latest, this Congress comes to an end. This mechanism is a model for the way that Congress ought to work: it is creative, it is fiscally responsible, and it is attentive to the text and structure of the Constitution.

Madam Speaker, at this time I am very honored and privileged to yield 2 minutes to the gentleman from Mississippi (Mr. HARPER), who is a distinguished member of the Committee on House Administration.

Mr. HARPER. Madam Speaker, the No Budget, No Pay portion of this bill was written specifically to ensure that it complies with the 27th Amendment to the Constitution. The bill does not vary the amount of compensation and is, therefore, constitutional. It only changes when Representatives and Senators are paid if they fail to adopt a budget resolution, as required by law.

Currently, Representatives are paid monthly and Senators are paid twice a month. This bill simply says, if the House does not adopt a budget resolution, the Members of that House, instead, get paid at the end of that term of Congress.

In 1789, James Madison, when he introduced the 27th Amendment, spoke of preventing changes in compensation from being for the benefit of those determining them. The clear purpose of the amendment—which, as we know, was not ratified until 1992—was to prevent Members from drawing higher salaries from the public treasury without giving voters an opportunity to speak on that decision. This bill does not benefit Members at the expense of taxpayers, and it is consistent with the provisions of the 27th Amendment.

Mr. BRADY of Pennsylvania. It is my pleasure to yield 1 minute to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentleman.

We have sharp differences in this body on taxes, on spending, on the best path forward to resolve our fiscal situation. Those are fairly legitimate debates, but there should be absolutely no daylight between us on meeting our obligation to pay our bills. There should be no linkage between the obligation to pay our bills and getting our way on contentious issues in dispute among us.

This is just like a person with a credit card who buys a refrigerator. At the end of the month when the credit card bill arrives, they've used the refrigerator, they see they're above their credit limit, they don't tear up their credit card. What they do is they stiff their credit card company.

□ 1220

We have to pay our bills. That is not negotiable. A year ago August when we went through this spectacle with this linkage, we suffered our first down-

grade in the history of the country. That is outrageous. And it's going to cost taxpayers money. If we mess around with the debt ceiling, creating uncertainty as to whether this is a political tool and gimmick, a 1 percent increase in interest rates will cost the taxpayers \$1 trillion.

Mrs. MILLER of Michigan. Madam Speaker, the reason that we have such an enormous amount of national debt, such a number that you can't even get your mind around it anymore, \$16 trillion, a big component of that is because we have not been following the law in having the Senate pass a budget as we have done in this House.

I would say, having been very proud to participate and sit on the platform watching the President of the United States in his inaugural getting sworn in just the other day, one of the things that he said is that we have to address our debt and we have to work together. And today, the White House is saying they will not oppose this bill. So I am asking my colleagues to work together in a bipartisan way. Passing a budget is the foundation for us to begin to get a handle on this out-of-control spending and the deficit and the debt that we have.

Madam Speaker, I reserve the balance of my time.

Mr. BRADY of Pennsylvania. Madam Speaker, I would like to yield 1 minute to the gentleman from New York, HAKEEM JEFFRIES.

Mr. JEFFRIES. Over the last 2 years, the debt ceiling has been illegitimately demonized, politicized, and mischaracterized. If it were possible to give voice to the debt ceiling, it might reasonably ask the question: Where do I go to get my reputation back?

The debt ceiling is not a forward-looking vehicle designed to give the President the power to spend more. It is a backward-looking vehicle designed to give the administration the ability to pay bills that have already been incurred by the Congress.

We've all sworn an oath to uphold the Constitution. We, therefore, have a constitutional obligation to protect the full faith and credit of the United States to prevent a default and to stop holding the economy hostage to economic and ideological extremism.

The American people deserve a meaningful, long-term increase in the debt ceiling that will give us the stability to create economic growth. That is the reason why I urge a "no" vote on this legislative gimmick.

Mr. BRADY of Pennsylvania. Madam Speaker, it is my pleasure to yield 1 minute to the distinguished Democratic leader, Ms. NANCY PELOSI.

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding. I thank him; our ranking member on the Ways and Means Committee, Mr. LEVIN; and our ranking member on Budget, Mr. VAN HOLLEN, for their

leadership and the clarity they have brought to the debate on the floor today.

It's a curiosity what we have on the floor today. It's a subterfuge to distract from the matter at hand. Madam Speaker, once again, as has happened too often in the last 2 years, we have come to the floor at a moment when our Republican colleagues are threatening the full faith and credit of the United States of America and putting the stability of our economy on the line.

Too often, families and small businesses have faced uncertainty about the debt ceiling, funding our national government, our Tax Code, and the rest. Three months. Where is the certainty in 3 months? We should not even be having a debate. There should be no doubt that the full faith and credit of the United States will be honored, and that is what our Constitution says.

Too often, House Republicans have refused to acknowledge the negative impact of their action, choosing to return to the same tired, failed strategy, one that only serves to, again, weaken our economy and undermine our middle class. That track record must end.

Now, I'm hearing people say that we should go down this path of least resistance. That's what I call it. It's an easy way out, 3 months. But the fact is that that is a path to even more problems and, as Mr. CROWLEY has said, a path to another cliff.

Our country needs a clean, long-term debt ceiling increase and a bipartisan, balanced budget that protects Medicare and Social Security, invests in the future, and responsibly reduces the deficit. We all know that. We know that as we go forward to reduce the deficit we need growth in job creation, we need spending cuts, and we need revenue. Democrats have already agreed to \$1.6 trillion in spending cuts. Democrats have already agreed to more than \$1 trillion in Medicare savings to strengthen Medicare and to protect beneficiaries and not to affect their benefits. Democrats and Republicans came together to avert the fiscal cliff and raise revenues by de-linking the tax cut for the high end from the tax cut for the middle class.

We all agree that more can and must be done to get our fiscal house in order. But we must face the facts. Real, lasting deficit reduction will only be achieved through an approach that is balanced, fair, and focused on jobs and the prosperity of our middle class.

Unfortunately, this bill on the floor today fails to meet those standards. Americans and Members of Congress should remember two words about this legislation—two words: three months. Three months. That's how long Republicans are prepared to raise the debt ceiling. Today they really don't even address the debt ceiling issue—three months.

But Republican leaders are doing more. They have made promises to their fellow Republicans, to get their vote, to even go beyond the Ryan budget. This is like the Ryan budget on steroids. They have called this bill No Budget, No Pay. But who pays under the Republican budget? Seniors pay, ending the Medicare guarantee. Seniors, children, and people with disabilities pay, cutting Medicaid. Children pay because it will cut investments in their education, in their future, in their self-fulfillment, in the competitiveness of our country in the global economy. Veterans pay because of the gutting of our domestic spending priorities.

I don't think that we should ever link what we do here as to whether people get paid. We have a lot of work to do here. This linkage is a gimmick, it's a joke, and it's not right. It's designed to put people on the spot and say, you don't get paid, and in order to get paid, in order for Members of Congress to get paid, you must cut benefits for seniors and their Medicare guarantee, Medicaid and the rest. It's a false link. It shouldn't even be there in the first place, and it is wrong.

Again, this proposal is a missed opportunity. It does not relieve the uncertainty faced by small businesses, the markets, and the middle class. It is a gimmick unworthy of the fiscal and economic challenges that we face. This proposal does not have certainty. It does not have growth, and it does not have my support. I urge a "no" vote.

Mr. BRADY of Pennsylvania. How much time do I have remaining, Madam Speaker?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 4½ minutes remaining.

Mr. BRADY of Pennsylvania. I would like to yield 1 minute to my dear friend from right across the river from me, the gentleman from New Jersey (Mr. ANDREWS).

□ 1230

Mr. ANDREWS. Madam Speaker, an owner of a software company is deciding whether to hire more people today, a manufacturer is deciding whether to buy a new piece of equipment, a restaurant owner is deciding whether to add more tables and jobs to her restaurant. In order for them to decide to grow, they need to know there's going to be a stable financial environment.

What we're doing today is saying to those decisionmakers, don't worry, the government is going to pay all of its bills until May 19. After that, we're not sure.

The way to reduce the deficit is, yes, fiscal restraint and adding revenue, but the way to reduce the deficit is to grow jobs in this country. The people who decide to grow jobs in this country will not make that decision in an atmosphere of financial chaos.

This bill creates another fiscal cliff. Fiscal cliffs are the problem, not the solution. The solution is economic growth.

Let's oppose this bill and oppose yet another unnecessary and contrived fiscal cliff.

Mrs. MILLER of Michigan. I continue to reserve the balance of my time.

Mr. BRADY of Pennsylvania. Madam Speaker, I yield 1 minute to the gentleman from New York, Mr. JERRY NADLER.

Mr. NADLER. Madam Speaker, the gimmick nature of this whole thing I won't elaborate on. It's been done before. The fact that this provision of withholding pay from Members of Congress is unconstitutional as it varies Members' pay is obvious. The argument that withholding pay for a year and a half or a year and three-quarters is not varying compensation. It is constitutionally laughable and beneath respect.

Secondly, this is institutionalized bribery and extortion. It should never be considered. What this provision says is if you vote the way we think you ought to vote, you'll get paid. If you vote the way we think you should not vote, you will not get paid. That's why we have this provision in the Constitution. We should not be bribing Members. We should not say to a Member that if you think the budget before you is not good for the country, vote against it and you won't get paid; if you think it's not good for the country, you better vote for it because you have a mortgage payment coming due.

How dare we.

Finally, the last thing we want to do is say to people thinking of running for the Congress, if you're not a millionaire, don't run because there's no guarantee you'll be paid.

Mrs. MILLER of Michigan. I continue to reserve the balance of my time.

Mr. BRADY of Pennsylvania. Madam Speaker, it's my honor to yield 1½ minutes to the assistant Democratic leader, Mr. CLYBURN.

Mr. CLYBURN. I thank the gentleman for yielding me this time.

In 2011, the majority leader, Mr. CANTOR, said:

We don't need to be governing in 2 month increments.

I agree.

We don't need any more uncertainty.

I agree.

He later said:

Uncertainty prevents entrepreneurs from taking a risk, from starting a business and creating jobs.

I agree. Governing in 3-month increments is no better. It maintains a continuous cloud of uncertainty.

We all saw the damage caused in 2011 when our Republican colleagues risked the full faith and credit of the United States. Businesses slowed and Standard & Poor's downgraded America's credit.

Going down this road again will threaten our ongoing economic recovery and reverse job growth.

My Republican colleagues continue to use the American economy as leverage for their ideological agenda and creating another cliff is not an adequate solution. This is hostage-taking, and this is unacceptable.

This bill merely kicks the can down the road and does nothing to end the uncertainty facing businesses. I urge a "no" vote.

Mrs. MILLER of Michigan. I continue to reserve the balance of my time.

Mr. BRADY of Pennsylvania. As I have no more speakers, I'm prepared to close and yield myself the balance of my time.

I heard the previous speakers on the other side talk about no budget, no pay. It's no budget, delayed pay. They are trying to fool the American people by saying we're not getting paid, which is not true. We are going to be getting paid—which I doubt also—at the end of 18 months. So we're going to get paid.

The reason why I doubt that is because every year my colleagues on the other side of the aisle do pass a budget. Do we pass a budget that we can agree with? No. Do they hurt the middle class? Yes. Do they hurt the working class? Yes. Do they take away safety nets? Yes. Do they hurt our veterans? Yes.

Without question, I will make a bet with anybody who would like to that there will be a budget passed in this session. When that happens, they will try to put some pressure on the Senate, which can easily pass anything they want to pass, and then that makes this no budget, no pay, no teeth.

With that, Madam Speaker, I yield back the balance of my time.

Mrs. MILLER of Michigan. Madam Speaker, I yield myself the balance of my time.

I would just say this, Madam Speaker: what we're hearing from our Democratic colleagues here in the House is really a complete disconnect from what we're hearing from their Senate colleagues about this particular bill.

You have House Democrats saying that this bill is nothing but a gimmick. I've heard it said that this bill is a joke. In other words, it is a gimmick or a joke to suggest that Congress should follow the law.

I think that's different than what Senate Democrats have been saying very vocally, that this bill actually would give them an opportunity to pass a budget and the White House saying that they won't oppose it. Again, it's a complete disconnect from my colleagues here on the floor, some that I'm hearing on the other side there. I would say more pointedly that it's a complete disconnect from what the American people have as an expectation for their government, which is to follow the law, to pass a budget, to get

a handle on our debt and our spending, and to prioritize our spending.

Again, a budget is a blueprint for a path forward. It speaks to the American people of the priorities of their Congress, of their government. We will have lots of other opportunities to address this terrible national debt.

I urge my colleagues to join me in supporting this bill, and I yield back the balance of my time.

Mr. COOPER. Madam Speaker, I rise today to support No Budget, No Pay. The idea behind No Budget, No Pay came from a Nashvillian who approached me two years ago and said, "I don't get paid if I don't do my job, and do it on time. Why should Congress be any different?" I agreed, and I introduced No Budget, No Pay in 2011 during the last Congress with the help of the important non-partisan reform group No Labels. I reintroduced the bill, H.R. 310, last Friday, with 48 original cosponsors, 19 Democrats and 29 Republicans.

The purpose of No Budget, No Pay is to get Congress to do its essential budgeting work on time. This means pay-for-performance, a new concept here on Capitol Hill. Getting the job done on time is a fundamental American principle yet one that has been forgotten in our nation's Capitol. Our No Budget, No Pay proposal aligns incentives of elected officials with those of our citizens back home so that we will start completing our work on time in order to get paid. The purpose of this bill is not punishment, but performance.

We are in an interesting parliamentary situation today because, after stonewalling by both political parties, the Republican Party has now, suddenly and without hearings, adopted a diluted version of No Budget, No Pay for immediate floor consideration. Thankfully, the Democratic Party has decided not to make this a partisan issue, freeing members to vote as their conscience tells them.

I am not defending Republican floor procedures, or the modifications they made to my bill. But the important point is that reform of Congress is long overdue, and this is the way to start, with a new type of reform that brings Congress back in line with the values and the work ethic of the American people. No work, no pay. No budget, no pay.

Mr. DINGELL. Madam Speaker, I rise in opposition to H.R. 325, the No Budget, No Pay Act of 2013.

It frustrates me to no end that my Republican colleagues still have not learned their lesson from their earlier failures on matters of similar character. The American people want results, not political gimmicks, which is precisely what this bill is. H.R. 325 does nothing to ensure the long-term stability of markets, promote sustainable economic growth, and protect the credit rating of the United States. Very much the opposite, it is a "gotcha bill" that allows House Republicans to thumb their noses at the Senate and blame it for faults in which House Republicans share. I have never been a great lover of the other body, but now is not the time for petulant antics. Now is the time for action in the public interest.

I urge my colleagues to vote down H.R. 325. We have time enough—though not much—to negotiate a bipartisan increase to

the debt ceiling that is not just another stop-gap measure creating new problems and risks in the immediate future. That will require good faith and hard work by all who choose to be involved. I choose so, and I hope my colleagues do as well.

Ms. JACKSON LEE. Madam Speaker, this measure will continue to ensure funding for all federal government obligations and allow the government to continue its day to day operations through May of 2013.

The U.S. Constitution is clear on the subject of the debt limit. Section 4 of the 14th Amendment states in clear language that: "the validity of the public debt of the United States . . . shall not be questioned."

The American people and our economy are being held hostage to gimmicks driven by polls, and unfettered brinkmanship. On the cusp of the inauguration of our 44th President—a glorious occasion—the people deserve better.

Americans want a clean debt limit increase, which has been done numerous times, but the normal process by which the Treasury Secretary consults with the President and Congress seems to have hit a major roadblock. This obstructionist governing is based on a practice that seems to put ideology over pragmatism.

The President has stated:

"The Administration supports a long-term increase in the debt limit that would increase certainty and economic stability . . . Instead of short-term management of self-inflicted fiscal crises, the President believes there is now an opportunity to strengthen the economy by putting the Nation on a sounder fiscal path. Progress has already been made towards that goal."

I would hope that my colleagues on the other side realize that these are trying times for the American people and brinkmanship is not the answer. This body must come up with a sensible solution to the pressing financial problems which plague our economy.

It is truly shameful that during the beautiful transcendent inaugural weekend, in which many of my Houston constituents were able to come and enjoy Washington, DC, hospitality; capped off by the celebration of Dr. Martin Luther King's birthday, Congress is back to the same bad sportsmanship which has crippled this body to the point of gridlock.

The measure provides funding authority for the first five months of 2013, through May 2013, to allow the government to service debts and obligations which we have previously incurred.

This legislation is filled with gimmickry because it would require House Members' salaries to be held in escrow if we House do not adopt a budget resolution and Senators' salaries to be held in escrow if the Senate doesn't do the same. It appears that my colleagues on the right have opted for form over substance.

We cannot continue to hold our Nation hostage, keeping the benefits of recipients of Social Security, Medicaid, and Medicare who have must have sleepless nights because they are worried about the disappearance of their monthly checks.

I support a long-term increase in the debt limit that would increase certainty and economic stability. The bill before us this morning,

H.R. 325, is a short-term measure with unnecessary complications, needlessly perpetuating uncertainty in the Nation's fiscal system, though I would note that the Obama administration has given somewhat tepid support, and only because H.R. 325 lifts the immediate threat of default and indicates that my Congressional Republican colleagues have backed off an insistence on holding the Nation's economy hostage to extract drastic cuts in Medicare, education, and other programs that middle-class families depend on.

My colleagues want to buy time so that they can figure out how to squeeze the American taxpayer even more by devising bone-crunching cuts and slashes to entitlement programs—all of which is driven by rabid ideology—as opposed to sitting down and working with Democrats to come up with reasonable budget reforms which do not hurt seniors and the disadvantaged.

That is why Madam Speaker, I submitted an Amendment to the Rules Committee yesterday which:

“Establishes that it is the sense of Congress that the safety net for the most vulnerable among us, the 15.1 percent of Americans living below the poverty line which includes 21 percent of our nation's children, must be protected in any budget negotiations.”

Madam Speaker, Social Security is currently the only source of income for nearly two-thirds of older American households receiving benefits, and roughly one-third of those households depend on Social Security for nearly all of their income.

Half of those 65 and older have annual incomes below \$18,500, and many older Americans have experienced recent and significant losses in retirement savings, pensions, and home values. Today, every dollar of the average Social Security retirement benefit of about \$14,800 is absolutely critical to the typical beneficiary.

Contrary to some claims, Social Security is not the cause of our nation's deficit problem. Not only does the program operate independently, but it is prohibited from borrowing. Social Security must pay all benefits from its own trust fund.

If there are insufficient funds to pay out full benefits, benefits are automatically reduced to the level supported by the program's own revenues.

For reasons like these, I may not oppose a short-term solution to the debt limit and look forward to continuing to work with my colleagues here in the House and the Senate to provide certainty and foment stability for the economy.

I would add that instead of short-term management of self-inflicted fiscal crises, I truly believe we have an opportunity to strengthen the economy by putting the Nation on a sounder fiscal path.

Progress has already been made towards that goal. In 2011, the President signed into law \$1.4 trillion in spending reductions, not counting additional savings from winding down the wars in Iraq and Afghanistan. We need to seize this template and move forward—not backwards.

The fiscal agreement the President signed at the beginning of January increased revenue from high-income households by over \$600

billion. Together with interest savings, these two steps will cut the deficit by more than \$2.5 trillion over the next decade. We should have done more to address our revenue problem.

The President has made clear that he remains willing to work with both parties in the Congress to budget responsibly and to achieve additional deficit reduction consistent with the principles of balance, shared growth, and shared opportunity.

The President has also made clear that he will not have another debate with the Congress over whether or not they should pay the bills that they have already racked up through the laws that they passed. The President has made clear that the Congress has only two options—pay their bills, or fail to do so and put the Nation into default. And I am in complete agreement.

According to the Bipartisan Policy Center, spending for Medicare and Medicaid is projected to increase from 21 percent of non-interest federal spending in 2010 to 31 percent by 2020. The numbers are wonkish sounding but in terms of real dollars, the increase is mammoth. That is why we must address the spending issue in earnest but not using the paltry monthly income of seniors to pay for yachts for millionaires.

National spending on health care has grown about 2 percentage points per year faster than GDP over time. Federal revenues, however, have not kept pace, growing at roughly the same rate as GDP.

As a result, federal deficits will be driven upward by federal health programs unless their rate of growth is tamed. This discrepancy must be dealt with sooner rather than later, but no matter how you couch it, there is no better translation than the word: b-r-o-k-e.

I hasten to add that community health centers provide much needed, high-quality healthcare to over 20 million Americans. These centers are able to serve vulnerable portions of the American population, including racial and ethnic minorities, as well as rural and low-income Americans.

I want to give some pertinent facts about my district and why the certainty provided by H.R. 325 is so important.

The Houston-Sugar Land-Baytown Metropolitan Area consists of 10 counties: Austin, Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, San Jacinto and Waller.

The Houston metro area:

It ranks sixth among U.S. metropolitan statistical areas with a population of 5,867,489 as of mid-2009, and it covers more than 10,000 square miles, and has a gross product of \$403.8 billion, according to The Perryman Group. This area recorded 2.54 million payroll jobs in November 2010, more than the job counts of 31 U.S. states, including Arizona, Colorado and Alabama.

The Houston economy has experienced a resurgence but let's remember the economic history:

The recession hit Houston in September '08. Our region lost 152,800 jobs through January '10. We began to recoup jobs starting in February that year and by October '11, the region had gained 153,000 jobs, or 101.1 percent of what we lost in the recession.

And though Houston faces some challenges in the near term, the long-term outlook is

bright. The challenges are those of managing growth rather than economic stagnation. The long-term outlook for the Houston metro area is positive, and steady growth will be the norm for Houston for the foreseeable future. What Houston cannot afford right now is continued uncertainty from Washington, D.C.

Moreover, given the uncertainty of final funding decisions and the possibility that across-the-board spending cuts will occur in March unless Congress and the President can reach agreement to prevent the currently scheduled “sequester,” it is critical that we work towards bipartisan solutions to our nation's financial woes.

Given the U.S. economy is showing signs of progress, it is crucial that we continue to fund government programs without interruption.

Lastly, as a Senior Member of the Homeland Security and Judiciary Committees I understand the importance of the U.S. Customs and Border Protection mission to enforce drug, trade and travel laws in efforts to keep our borders safe; and the importance of ensuring that our nation remains safe from terrorists and others who would do harm to our nation.

In summation, I urge my colleagues to reject this poll-driven exercise in futility and give a clean debt ceiling vote so that the American people can carry-on with the business of achieving prosperity.

This is not a new law, new outlay, or some random exercise in the fulfillment of the Obama Doctrine. In fact, according to the Congressional Research Service, since March 1962, Congress has enacted 76 separate measures that have altered the limit on federal debt. Typically, the Treasury Secretary consults with the President and Congress, and the limit has been subsequently raised to accommodate our fiscal needs.

And I close with the sacred words from our Constitution. Section 4 of the 14th Amendment states in clear language that: “the validity of the public debt of the United States . . . shall not be question.”

And the President himself was transparent and sincere when he stated:

“H.R. 325 would temporarily allow the Congress to fund commitments to which it has already agreed. A temporary solution is not enough to remove the threat of default that Republicans in the Congress have held over the economy. The Congress should commit to paying its bills and pass a long-term clean debt limit increase that lifts self-inflicted and unnecessary uncertainty from the Nation's economy.”

I echo President Obama's words and wish that this House gets its house in order.

The SPEAKER pro tempore. Pursuant to House Resolution 39, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. MURPHY of Florida. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MURPHY of Florida. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Murphy of Florida moves to recommit the bill H.R. 325 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following new section:

SEC. 4. PROTECTING VETERANS, TROOPS, AND SENIORS FROM BENEFIT CUTS AND COST INCREASES.

A concurrent resolution on the budget shall not be taken into account under section 3 if the concurrent resolution provides for—

(1) any cut in benefits for veterans, members of the Armed Forces, or their families; or

(2) any cut in benefits for seniors, including—

(A) the elimination of guaranteed health insurance benefits for seniors or people with disabilities;

(B) the conversion of Medicare into a voucher plan that provides limited payments to seniors or people with disabilities to purchase health care in the private health insurance market;

(C) cuts in Medicaid health insurance benefits;

(D) cuts in nursing home care; or

(E) privatization of Social Security benefits.

Mrs. MILLER of Michigan. Madam Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The gentleman from Florida is recognized for 5 minutes in support of his motion.

□ 1240

Mr. MURPHY of Florida. Madam Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will be amended and immediately proceed to final passage.

I appreciate that the Republican leadership has put forward legislation that would raise the Nation's debt ceiling, agreeing that it is not an option for the United States to default on its obligations. I also support that Members of Congress should not be paid if they do not do their jobs, part of which is to pass a responsible budget, but I do not agree with the political gamesmanship of, once again, playing politics with our serious fiscal issues and using short-term gimmicks rather than working to find long-term solutions. We need to stop playing games with the debt ceiling and spend our time and energy on job creation.

I supported a clean debt limit bill. However, because in this version congressional pay has been tied directly to passing a budget, it is important to ensure that the budget that is passed is responsible and protects our most vulnerable citizens.

My amendment would not kill the underlying legislation. It would merely

add commonsense protections to the bill for members of our Armed Forces, our veterans, and our seniors from the budget-cutting process. Anyone who supports the underlying legislation has no reason to not also support this amendment. If adopted, the debt limit would still be raised to allow the government to pay its obligations through May 19, and Members of Congress would still have their pay withheld if they fail to agree to a budget resolution by April 15. The amendment simply clarifies that the budget resolution protects our troops, veterans, and seniors.

I recently visited the West Palm Beach VA Medical Center and spoke with both veterans and staff. I heard their very real fears that their benefits, which they fought for, would be threatened by the political gamesmanship in Washington. I saw that same anxiety in the eyes of seniors I recently spoke to from Nettles Island on the Treasure Coast, who worry that cuts to Medicare and the privatization of Social Security could lead to a choice between a meal or medicine. After hearing these concerns, I expressed time and time again throughout my district that I could not understand why anyone would oppose amending the underlying legislation to ensure veterans, troops, and seniors are protected from devastating cuts.

Madam Speaker, this amendment language should have the full support of the House. It simply states that we cannot cut benefits for veterans or members of the Armed Forces or cut benefits for seniors and that we will not gamble our grandparents' futures on Wall Street or turn Medicaid into a for-profit voucher system designed more to help out the big corporations than those who are struggling or disabled.

I also want to express my disappointment that the underlying legislation is another short-term fix when our country needs long-term solutions. I spoke to several business groups last week, and they want stability from our government. If they had certainty, they would begin investing capital back into our economy rather than sitting on it. Our dysfunctional Congress is to blame for slowing our recovery.

Now is the time to work together with courage and purpose and come to a grand bargain that will protect America's greatness for generations to come. Our Nation cannot afford to continue down the path of such fiscal irresponsibility. Such piecemeal approaches will not address our country's long-term fiscal health. Rather, we must look at reducing spending, generating revenue, lowering unemployment, addressing the long-term sustainability of Social Security and Medicare, and creating additional economic growth through job creation.

A real fix to America's long-term fiscal issues and deficit reduction can

only come by truly coming to the table without personal agendas and with the recognition that America needs less political gamesmanship and more leadership. Unfortunately, the underlying legislation in its current form falls short of what our country desperately needs.

That is why I hope my amendment will be adopted here today as a first step towards putting aside partisanship and, instead, protecting our veterans, troops, and seniors. While the underlying legislation is not perfect and while it is not the grand bargain we were hoping for, it would show that there is willingness in the 113th Congress for compromise. As we move forward from the debate over the debt limit and on to other pressing fiscal issues, we can no longer settle for short-term approaches to our public policy but, instead, work together to come to the grand bargains that will ensure America continues to be the greatest country for generations to come.

Madam Speaker, my amendment is an opportunity to show the American people that this Congress is willing to work together and compromise to address our fiscal issues and to protect our troops, veterans, and seniors. I urge my colleagues to vote in support of my commonsense amendment.

I yield back the balance of my time.

Mrs. MILLER of Michigan. Madam Speaker, I withdraw my point of order.

The SPEAKER pro tempore. The reservation is withdrawn.

Mr. RYAN of Wisconsin. Madam Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. RYAN of Wisconsin. Madam Speaker, as I read this motion to recommit, it says that the concurrent resolution on the budget shall not do this, shall not do that, shall do this, shall do that. This debate belongs when we do the budget. We're not at the budget yet.

Look, I'm glad people are excited about actually debating a budget. That's wonderful. Let's hold that enthusiasm until we actually are debating a budget. The purpose of this bill is to actually get us to have that debate, to have a budget.

What's frustrating for Democrats and Republicans in the House, I would like to say, is that the other body hasn't been doing a budget for 4 years. The minority, to their credit, brought a budget to the floor. The majority has brought a budget to the floor and passed it both of the last 2 years. The Senate, no budget. So what we decided to do was to take a piece of legislation from the minority, from a member of the minority—the No Budget, No Pay legislation—and add it to this so that we can get to debating this Nation's fiscal house, which is not in order, Madam Speaker.

So all I would say is we should defeat this motion to recommit. It is premature, and it is prejudging a budget that does not yet exist. So let's get rid of this motion to recommit and be serious about this short-term extension so that we can make sure that we have the debate we deserve.

How are we going to prevent a debt crisis? How are we going to balance the budget? How are we going to have growth and opportunity in this society? How are we going to save Medicare? How are we going to make sure that we can pay our bills and stop our government from living beyond its means? How are we going to secure a future for our children and our grandchildren?

That's the debate surrounding the budget. This is premature. It applies to a budget that hasn't even been written yet and which will be written on a baseline that doesn't even exist yet. So let's defeat this motion to recommit—it's silly, it's partisan, it's process—and move on to the underlying bill.

With that, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. MURPHY of Florida. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 151, nays 277, not voting 3, as follows:

[Roll No. 29]

YEAS—151

Andrews	DeLauro	Honda
Barber	DelBene	Horsford
Barrow (GA)	Deutch	Huffman
Beatty	Doggett	Israel
Becerra	Doyle	Jackson Lee
Bera (CA)	Duckworth	Jeffries
Bishop (GA)	Engel	Johnson (GA)
Bishop (NY)	Enyart	Jones
Bonamici	Eshoo	Kaptur
Brady (PA)	Esty	Keating
Braley (IA)	Farr	Kennedy
Brownley (CA)	Fattah	Kildee
Bustos	Foster	Kilmer
Butterfield	Frankel (FL)	Kind
Capps	Gabbard	Kirkpatrick
Carney	Galleo	Kuster
Cartwright	Garamendi	Langevin
Castor (FL)	Garcia	Larsen (WA)
Castro (TX)	Grayson	Larson (CT)
Chu	Green, Gene	Levin
Cicilline	Grijalva	Lewis
Cooper	Gutierrez	Lipinski
Courtney	Hahn	Loebach
Crowley	Hanabusa	Lofgren
Cuellar	Hastings (FL)	Lowenthal
Davis (CA)	Higgins	Lowey
DeFazio	Hinojosa	Lujan Grisham
Delaney	Holt	(NM)

Luján, Ben Ray	Pallone	Sewell (AL)
(NM)	Pastor (AZ)	Shea-Porter
Lynch	Pelosi	Sinema
Maffei	Peters (CA)	Sires
Maloney,	Peters (MI)	Slaughter
Carolyn	Peterson	Smith (WA)
Maloney, Sean	Pingree (ME)	Speier
Markey	Pocan	Swalwell (CA)
Matheson	Polis	Takano
McCollum	Price (NC)	Tierney
McIntyre	Quigley	Titus
McNerney	Rahall	Tonko
Meng	Rangel	Tsongas
Michaud	Roybal-Allard	Van Hollen
Miller, George	Ruiz	Vargas
Moore	Ryan (OH)	Vela
Murphy (FL)	Sánchez, Linda	Velázquez
Nadler	T.	Visclosky
Napolitano	Schakowsky	Walz
Neal	Schneider	Watt
Negrete McLeod	Schrader	Waxman
Nolan	Schwartz	Wilson (FL)
O'Rourke	Scott (VA)	Yarmuth
Owens	Scott, David	

NAYS—277

Aderholt	Dingell	Labrador
Alexander	Duffy	LaMalfa
Amash	Duncan (SC)	Lamborn
Amodei	Duncan (TN)	Lance
Bachmann	Edwards	Lankford
Bachus	Ellison	Latham
Barletta	Ellmers	Latta
Barr	Farenthold	Lee (CA)
Barton	Fincher	LoBiondo
Bass	Fitzpatrick	Long
Benishek	Fleischmann	Lucas
Bentivolio	Fleming	Luetkemeyer
Bilirakis	Flores	Lummis
Bishop (UT)	Forbes	Marchant
Black	Fortenberry	Marino
Blackburn	Fox	Massie
Blumenauer	Franks (AZ)	Matsui
Bonner	Frelinghuysen	McCarthy (CA)
Boustany	Fudge	McCarthy (NY)
Brady (TX)	Gardner	McCaul
Bridenstine	Garrett	McClintock
Brooks (AL)	Gerlach	McDermott
Brooks (IN)	Gibbs	McGovern
Broun (GA)	Gibson	McHenry
Brown (FL)	Gingrey (GA)	McKeon
Buchanan	Gohmert	McKinley
Bucshon	Goodlatte	McMorris
Burgess	Gosar	Rodgers
Calvert	Gowdy	Meadows
Camp	Granger	Meehan
Campbell	Graves (GA)	Meeks
Cantor	Graves (MO)	Messer
Capito	Green, Al	Mica
Capuano	Griffin (AR)	Miller (FL)
Carson (IN)	Griffith (VA)	Miller (MI)
Carter	Grimm	Miller, Gary
Cassidy	Guthrie	Moran
Chabot	Hall	Mullin
Chaffetz	Hanna	Mulvaney
Clarke	Harper	Murphy (PA)
Clay	Harris	Neugebauer
Cleaver	Hartzler	Noem
Clyburn	Hastings (WA)	Nugent
Coble	Heck (NV)	Nunes
Coffman	Heck (WA)	Nunnelee
Cohen	Hensarling	Olson
Cole	Herrera Beutler	Palazzo
Collins (GA)	Himes	Pascarell
Collins (NY)	Holding	Paulsen
Conaway	Hoyer	Payne
Connolly	Hudson	Pearce
Conyers	Huelskamp	Perlmutter
Cook	Huizenga (MI)	Perry
Costa	Hultgren	Petri
Cotton	Hunter	Pittenger
Cramer	Hurt	Pitts
Crawford	Issa	Poe (TX)
Crenshaw	Jenkins	Pompeo
Culberson	Johnson (OH)	Posey
Cummings	Johnson, E. B.	Price (GA)
Daines	Johnson, Sam	Radel
Davis, Danny	Jordan	Reed
Davis, Rodney	Joyce	Reichert
DeGette	Kelly	Renacci
Denham	King (IA)	Ribble
Dent	King (NY)	Rice (SC)
DeSantis	Kingston	Richmond
DesJarlais	Kinzinger (IL)	Rigell
Diaz-Balart	Kline	Roby

Roe (TN)	Serrano	Veasey
Rogers (AL)	Sessions	Wagner
Rogers (KY)	Sherman	Walberg
Rogers (MI)	Shimkus	Walden
Rohrabacher	Shuster	Walorski
Rokita	Simpson	Wasserman
Rooney	Smith (NE)	Schultz
Ros-Lehtinen	Smith (NJ)	Weber (TX)
Roskam	Smith (TX)	Webster (FL)
Ross	Southerland	Welch
Rothfus	Stewart	Wenstrup
Royce	Stivers	Williams
Runyan	Stockman	Whitfield
Ruppersberger	Stutzman	Wilson (SC)
Ryan (WI)	Terry	Wittman
Salmon	Thompson (CA)	Wolf
Sanchez, Loretta	Thompson (MS)	Womack
Sarbanes	Thompson (PA)	Woodall
Scalise	Thornberry	Yoder
Schiff	Tiberi	Yoho
Schock	Tipton	Young (AK)
Schweikert	Turner	Young (FL)
Scott, Austin	Upton	Young (IN)
Sensenbrenner	Valadao	

NOT VOTING—3

Cárdenas	Rush	Waters
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□ 1310

Messrs. LATTA, OLSON, PERRY, Ms. BASS, Messrs. SERRANO, ADERHOLT, Ms. WASSERMAN SCHULTZ, Messrs. PAYNE, McDERMOTT, Ms. EDWARDS, Mr. VEASEY, Ms. BROWN of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Messrs. DANNY K. DAVIS of Illinois, CUMMINGS, MCGOVERN, CARSON of Indiana, CLAY, RICHMOND, AL GREEN of Texas, PERLMUTTER, THOMPSON of California, Mrs. MCCARTHY of New York, Messrs. MORAN, SCHIFF, RUPPERSBERGER, and BLUMENAUER changed their vote from “yea” to “nay.”

Messrs. HUFFMAN, POLIS of Colorado, McNERNEY, GUTIERREZ, and BEN RAY LUJAN of New Mexico changed their vote from “nay” to “yea.”

Mr. COHEN changed his vote from “present” to “nay.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. BRADY of Pennsylvania. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 285, noes 144, not voting 3, as follows:

[Roll No. 30]

AYES—285

Aderholt	Bera (CA)	Brady (TX)
Alexander	Bilirakis	Braley (IA)
Amodei	Bishop (GA)	Brooks (IN)
Bachus	Bishop (NY)	Brownley (CA)
Barber	Bishop (UT)	Buchanan
Barletta	Black	Bucshon
Barr	Blackburn	Burgess
Barton	Boehner	Bustos
Benishek	Bonner	Butterfield
Bentivolio	Boustany	Calvert

Camp
Campbell
Cantor
Capito
Capps
Carney
Carter
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Cicilline
Coffman
Cole
Collins (NY)
Conaway
Connolly
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
DeFazio
Delaney
DelBene
Denham
Dent
DeSantis
Deutch
Diaz-Balart
Doggett
Duckworth
Duffy
Duncan (SC)
Ellmers
Enyart
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Fox
Foxx
Franks (AZ)
Frelinghuysen
Gallego
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hahn
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (WA)
Hensarling
Higgins
Himes

Hinojosa
Holding
Horsford
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Keating
Kelly
Kilmer
Kind
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Latham
Latta
Lewis
Lipinski
LoBiondo
Loeb
Loeb
Long
Lowenthal
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Lummis
Lynch
Maffei
Maloney, Sean
Marchant
Marino
Markey
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meadows
Meehan
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mulvaney
Murphy (FL)
Murphy (PA)
Neal
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pastor (AZ)
Paulsen
Perry
Peters (CA)

NOES—144

Amash
Andrews
Bachmann
Barrow (GA)
Bass
Beatty
Becerra

Blumenauer
Bonamici
Brady (PA)
Bridenstine
Brooks (AL)
Broun (GA)
Brown (FL)

Peterson
Pittenger
Pitts
Polis
Pompeo
Price (GA)
Quigley
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schneider
Schock
Schradler
Schweikert
Scott, Austin
Scott, David
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stutzman
Takano
Terry
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Upton
Valadao
Vela
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Waxman
Weber (TX)
Webster (FL)
Webstrup
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Clyburn
Coble
Cohen
Collins (GA)
Conyers
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
DeLauro
DesJarlais
Dingell
Doyle
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frankel (FL)
Fudge
Gabbard
Garcia
Gingrey (GA)
Gohmert
Grayson
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heck (NV)
Herrera Beutler
Holt
Honda
Hoyer
Hudson
Huelskamp
Huffman
Jackson Lee
Jeffries
Johnson (GA)

Cárdenas

Johnson, E. B.
Jones
Kaptur
Kennedy
Kildee
King (IA)
King (NY)
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lofgren
Lowey
Lujan, Ben Ray
(NM)
Maloney,
Carolyn
Massie
Matsui
McClintock
McCollum
McDermott
McGovern
Meeks
Miller, George
Moore
Mullin
Nadler
Napolitano
Negrete McLeod
Neugebauer
Pallone
Pascarella
Payne
Pearce
Pelosi
Perlmutter
Peters (MI)
Petri
Pingree (ME)
Pocan
Poe (TX)
Posey

NOT VOTING—3

□ 1320

Messrs. BROOKS of Alabama, DUNCAN of Tennessee and GUTIERREZ changed their vote from "aye" to "no."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GENE GREEN of Texas. Madam Speaker, on rollcall No. 30, had I been present, I would have voted "aye."

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. BECERRA. Madam Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 42

Resolved, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON AGRICULTURE.—Mr. Courtney.

(2) COMMITTEE ON THE BUDGET.—Mr. Schradler.

(3) COMMITTEE ON ETHICS.—Mr. Pierluisi, Mr. Capuano, Ms. Clarke, and Mr. Deutch.

(4) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Mr. Danny K. Davis of Illinois, Mr. Cárdenas, Mr. Horsford, and Ms. Michelle Lujan Grisham of New Mexico.

Price (NC)
Rangel
Richmond
Rohrabacher
Roybal-Allard
Ryan (OH)
Salmon
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Sensenbrenner
Serrano
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stockman
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Turner
Van Hollen
Vargas
Veasey
Velázquez
Wasserman
Schultz
Waters
Watt
Welch
Williams
Wilson (FL)
Yarmuth
Yoho

(5) COMMITTEE ON SMALL BUSINESS.—Mr. Barber, Ms. Kuster, and Mr. Murphy of Florida.

(6) COMMITTEE ON VETERANS' AFFAIRS.—Mr. Walz.

Mr. BECERRA (during the reading). Madam Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADJOURNMENT TO FRIDAY, JANUARY 25, 2013

Mr. WESTMORELAND. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Friday, January 25, 2013, and when the House adjourns on that day, it adjourn to meet at 1 p.m. on Tuesday, January 29, 2013.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

APPOINTMENT OF MEMBERS TO BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to sections 5580 and 5581 of the revised statutes (20 U.S.C. 42–43), and the order of the House of January 3, 2013, of the following Members on the part of the House to the Board of Regents of the Smithsonian Institution:

Mr. SAM JOHNSON, Texas

Mr. COLE, Oklahoma

APPOINTMENTS—OFFICE OF CONGRESSIONAL ETHICS

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 4(d) of House Resolution 5, 113th Congress, and the order of the House of January 3, 2013, of the following individuals to serve as the Governing Board of the Office of Congressional Ethics:

Nominated by the Speaker with the concurrence of the minority leader:

Mr. Porter J. Goss, Florida, Chairman

Mr. James M. Eagen, III, Colorado

Ms. Allison R. Hayward, Virginia

Mr. Bill Frenzel, Virginia, Alternate

Nominated by the minority leader with the concurrence of the Speaker:

Mr. David Skaggs, Colorado, Co-Chairman

Mrs. Yvonne Brathwaite Burke, California

Ms. Karan English, Arizona

Mr. Mike Barnes, Maryland, Alternate

□ 1330

MARCH FOR LIFE

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. THOMPSON of Pennsylvania. Madam Speaker, Friday marks the annual March for Life, and I look forward to joining the thousands of constituents that will journey to Washington to be the voice of the unborn and champions for their protection. Without abortion, we can only imagine what cures, innovations, and discoveries we would have today from those aborted babies who did not grow up to fulfill the purpose that God had for them.

Our country is founded on the principles of Judeo-Christian ethics, including dignity of human life and life is an unalienable right. If we do not respect and protect the born and the unborn, all other values and morals are meaningless.

The dignity of human life is the first principle of any civilized society. Abortion is contrary to one of the basic foundations in this great Nation of equal rights for all and special exemption for none. Abortion is contrary to the beliefs held by most Americans that it is right and moral to help those who are in need and vulnerable. The innocent unborn are among the most vulnerable.

Thank you to the hundreds of thousands who will be in Washington on Friday to march for this country's most vulnerable, the unborn.

THE PAYCHECK FAIRNESS ACT

(Ms. MICHELLE LUJAN GRISHAM of New Mexico asked and was given permission to address the House for 1 minute.)

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise in support of the Paycheck Fairness Act, which is being introduced today by its long-time champion, Congresswoman ROSA DELAUNO.

I am proud to join her and my colleagues in supporting this critical legislation which now protects women in the workforce by strengthening the Equal Pay Act by banning retaliation against workers who discuss their wages, helping employees challenge unequal pay and making available remedies for discriminatory practices.

We all know that women make 77 cents for every dollar earned by men. The number has been repeated often, especially in this House, which has passed Paycheck Fairness twice to correct this injustice.

And in this tough economy, now more than ever before, women are the last line of economic defense for themselves and their children, working to keep a roof over their family's heads and food on the table.

That is why we need the Paycheck Fairness Act without delay. It is time for the Congress to act and give women a fighting chance to receive fair pay for their hard work. It's time to get this legislation to the President's desk.

NATIONAL SCHOOL CHOICE WEEK

(Mr. MESSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MESSER. Mr. Speaker, I rise today to recognize National School Choice Week, which has grown from 200 organizations and 150 events in 2011 to 500 organizations and more than 3,500 events this year.

National School Choice Week highlights the benefits of school choice and the need to provide meaningful school options to students and families across this country. The school choice movement is based on one essential truth: that when parents have a choice, kids have an opportunity. School choice programs empower parents so they can send their kids to schools that best meet their needs.

As the former president of School Choice Indiana, I am proud of the more than 10,000 Hoosier children who have better opportunities today because of Indiana's school choice programs. Those programs work, and I will work for their continued expansion as a member of the Committee on Education and the Workforce.

Mr. Speaker, school choice is an idea that transcends ideology and party affiliation, providing opportunities that every child deserves.

EXPORT LIQUEFIED NATURAL GAS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, there is good news about energy. We have untapped natural resources here at home. In the United States, we have natural gas that can be turned into liquefied natural gas. Other nations don't have this. We have so much natural gas that we can export it by selling it as LNG. Not only will exporting LNG bring money and energy back home; it will create jobs. This means jobs and capital for Americans and American companies.

Even the Department of Energy says that expanded export of LNG will benefit the United States economy. In 2010, the oil and natural gas industry added \$476 billion to our economy. To top it off, the oil and natural gas industry employs 9.2 million people in America. We are missing out on this opportunity by not exporting LNG. We've ignored this opportunity far too long. Let's stop relying on Middle Eastern nations and use more natural gas and export it as LNG.

And that's just the way it is.

NO BUDGET, NO PAY FOR MR. REID

(Mr. STUTZMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STUTZMAN. Mr. Speaker, growing up back home on the farm in Indiana, we all knew that "if you don't work, you don't eat." Unfortunately, that doesn't hold true if you're the majority leader in the United States Senate.

It's been 4 years since Senate Majority Leader HARRY REID has brought a budget to the floor of the United States Senate. You could build the Pentagon three times in that timeframe. It's time to pass a budget out of the United States Senate, and Senator REID should not be paid until it's done.

The House has acted responsibly. We've met our deadlines, and we have set our priorities. I was part of the House Budget Committee when we put together budgets that tried to get our out-of-control spending under control and rein in our \$16 trillion of debt. The Senate has not acted one time in that timeframe.

It's time to make the hard choices and do the work necessary to restore fiscal responsibility to Washington. It's time for Senator REID to pass a budget or withhold his paycheck.

RECOGNIZING EDEN PRAIRIE POLICE 40TH ANNIVERSARY

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise today to recognize the Eden Prairie Police Department as they celebrate their 40th anniversary this year. Since the creation of the Public Safety Department in December of 1972, the Eden Prairie community has been safer and stronger because of the wonderful work of its police officers.

A police department that started with only five officers, a secretary and two patrol cars has grown to be a thriving pillar of our community, employing more than 60 officers today.

Every day, I am amazed by the hard work of police departments and officers across Minnesota, but I am particularly and especially proud of my hometown Eden Prairie Police Department and would like to congratulate them and all of its officers on an impressive 40 years serving our community.

To Chief Reynolds and every Eden Prairie police officer, past and present, thank you for your service and also thank you for providing for our continued safety.

HENRY CLAY, THE GREAT COMPROMISER

The SPEAKER pro tempore (Mr. CRAMER). Under the Speaker's announced policy of January 3, 2013, the gentleman from Kentucky (Mr. BARR) is recognized for 60 minutes as the designee of the majority leader.

Mr. BARR. Mr. Speaker, when I graduated from Henry Clay High School in Lexington, Kentucky, just over 20 years ago, I had little notion that I would stand before you today occupying the seat which the Great Compromiser himself once held.

Henry Clay was first elected to this House in 1811 becoming the only person elected as Speaker the same day he took office. During his remarkable four decades on the national stage, he steered America through a daunting array of crises, each of which might have shattered the Union absent his remarkable leadership.

Indeed, Henry Clay demonstrated that an unwavering dedication to principle and a practical commitment to compromise are not incompatible values. They are, instead, the tools of statesmanship, the implements of progress, and the guardians of freedom.

He was Abraham Lincoln's "beau ideal of a great man." Eulogizing Clay in 1852, Lincoln called him "the man for a crisis," declaring that Clay "desired the prosperity of his countrymen partly because they were his countrymen, but chiefly to show the world that freemen could be prosperous."

Henry Clay understood the indispensable link between liberty, prosperity, and basic human dignity. His struggle to harness our system of checks and balances to serve these goals echoes across the generations. The process was messy, and the path ahead was fraught with danger and uncertainty; but the Great Compromiser governed in the national interest without compromising himself or forgetting who sent him there.

Mr. Speaker, I am honored, indeed I am awed, by the legacy of Henry Clay and the exceptional men who followed him; but I did not come here as the self-styled heir to that legacy.

□ 1340

Instead, I came here as a father concerned about his children's future. I came here as a Kentuckian determined to fight for my State's signature industries. And I came here as an American committed to restoring the American Dream.

My district, in central and eastern Kentucky, offers a panoramic view of the values, dreams, and passions that have animated our Nation since its beginnings. Historically anchored in Kentucky's bluegrass region, the Sixth District now extends to the Appalachian foothills, bordering the coalfields of the Cumberland Plateau.

We are perhaps most recognized as the horse capital of the world. Indeed,

the world came to Kentucky just over 2 years ago when Lexington hosted the Alltech FEI World Equestrian Games. Yet that event offers just the latest example of our State's deep integration with the global economy.

Georgetown, Kentucky, is home to the largest Toyota manufacturing facility outside of Japan, a facility which provides 7,000 well-paying jobs that produces the Camry, the most popular American-made car in the United States.

These jobs in turn rely upon some of the lowest electricity costs in the Nation, which Kentucky's coal industry makes possible. Having endured the astonishing assault of the war on coal during the last 4 years, Kentucky's coal industry continues to offer the reality of affordable energy today and the promise of an affordable, reliable, and clean source of American energy for centuries to come.

Kentuckians are also capitalizing upon our State's enormous potential for tourism through creative initiatives like the Bourbon Trail, which now draws an estimated 400,000 visitors every year. We are introducing the world to our special distilling heritage.

The Sixth District offers a number of historic treasures, such as Daniel Boone's settlement, Fort Boonesborough, and in Frankfort, even our new State capitol and executive mansion are listed on the National Register of Historic Places. Plus, tourists and residents alike can enjoy natural attractions of stunning majesty, such as Red River Gorge, Natural Bridge, and Cave Run, which provide almost limitless opportunities for outdoor recreation.

The Sixth District also remains home to a diverse and thriving agricultural economy. We are best known for tobacco, but many people may not know that Kentucky possesses more head of cattle than any State east of the Mississippi.

These industries are supported with colleges and universities filled with outstanding teaching and research professionals. Institutions like the University of Kentucky—my alma mater—Eastern Kentucky University, Transylvania University, Kentucky State University, Georgetown College, Midway College, and the members of our community and technical college system.

The University of Kentucky is well-known for its proud tradition of college basketball, having won eight national championships, most recently in 2012.

Underlying all of these success stories is the unique pride and attachment to place that distinguishes Kentuckians wherever you find us. Our State's pioneer heritage survives as the well-spring of our determination to survive and excel against overwhelming odds. No matter the challenge, we will persevere. We will lead. And with God's help, we will prosper together.

Mr. Speaker, I am humbled beyond measure to represent a people who embody the spirit, the generosity, and the creativity that define America's greatness. I pray that my service proves equal to their trust.

Through the lens of time, Henry Clay appears larger than life, yet our Republic has a habit of producing the right men and women at the right time. Together, let's strive after Henry Clay's model of leadership. Given the gravity of our challenge, each of us must.

With that, I yield back the balance of my time.

TERRORIST ATTACK IN BENGHAZI

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Virginia (Mr. WOLF) is recognized for the remainder of the hour.

Mr. WOLF. Mr. Speaker, more than 4 months have passed since the terrorist attacks in Benghazi, which killed four Americans, including our ambassador, injured many others, and destroyed two U.S. facilities. Yet, despite the months that have passed, we're hardly closer to bringing those responsible to justice than we were in the weeks immediately following the attack. Put bluntly, the lack of progress in identifying and hunting down the terrorists responsible is stunning.

Consider the current state of the Obama administration's investigation and response to the attack:

Four months later, the administration still cannot or will not name the terrorist groups responsible for the attacks or the names of these group leaders;

Four months later, despite consulate video footage that many Members of Congress have seen and many eyewitnesses, not a single Benghazi terror suspect is in custody;

Four months later, the FBI has had access to only one suspect, Ali Harzi, for just 3 hours, and the Tunisian Government kept the FBI team waiting for more than 5 weeks before finally granting access;

Four months later, the administration still has not disclosed the serious connections between the groups behind the Benghazi attack and the leaders of the attack on the U.S. embassies in Cairo, Tunis, and Sana'a that same week of September 11;

Four months later, following the release of the Pickering report on State Department failures leading up to the attack, not a single State Department employee has been fired and held responsible for their role in denying adequate security for the consulate in Benghazi;

Four months later, despite Secretary Clinton's September 21 declaration when she said, "What happened was a terrorist attack, and we will not rest until we have tracked down and

brought to justice the terrorists who murdered four Americans," this administration seems to have not only rested, but to have moved on and apparently hopes that the Congress and the American people will too.

Just today, the New York Times is reporting:

Several Egyptian members of the squad of militants that lay bloody siege to an Algerian gas complex last week also took part in the deadly attack on the United States Mission in Libya in September.

Mr. Speaker, 4 months later, this is an unacceptable state of affairs. Quite frankly, the Obama administration has failed. They have failed to prioritize this investigation. They have failed to bring the necessary pressure to bear on the Libyan, Tunisian, and Egyptian Governments. But more fundamentally, the administration has failed to respond to a terrorist attack appropriately, treating it as a law enforcement and diplomatic issue, rather than the security issue that it is.

At its core, this is yet another reflection of President Obama's schizophrenic counterterrorism policy, the same administration that unapologetically rains down lethal drone attacks on some al Qaeda affiliate terrorists in Pakistan, Yemen, and Somalia and will not use other counterterrorism resources to identify, locate, and detain the terrorists involved in the death of our ambassador and others in Libya.

This inconsistent policy may stem from the President's hasty campaign promise to shut down Guantanamo Bay in Gitmo and prematurely transfer detention facilities in Iraq and Afghanistan. In doing so, the President effectively ended America's ability to detain and interrogate terrorists, depriving the FBI, the CIA, and other agencies of critical opportunities to obtain information on al Qaeda networks.

Today, as the case of Benghazi suspect Ali Harzi has demonstrated, the United States is completely reliant on the cooperation of host countries to detain on our behalf and selectively allow access to suspects. As in the case of Harzi, as demonstrated, this approach is fraught with diplomatic roadblocks, costing critical time in getting information from suspects to track terrorist networks. Perhaps that is why President Obama so often opts to use lethal drone strikes to kill terrorists, knowing that the U.S. would be unable to get access to interrogate these terror suspects by working through host governments or because he no longer has a way to detain them in U.S. custody short of providing them the full privileges of an article III court.

□ 1350

In short, the President has tied his own hands, compromised U.S. national security and put the FBI in an impossible position. The FBI has been asked to treat the terrorist attack where four

Americans died as if it's a law enforcement activity and has been put in a compromised and very difficult spot, and they have laid the groundwork for the administration's inept response in the wake of the terrorist attack in Benghazi.

To make matters worse, the administration has not even seen any significant success from its diplomatic-focused response. When Tunisia refused to allow the FBI access to Harzi for more than 5 weeks, the administration took no public steps to use diplomatic tools, like U.S. foreign assistance, to pressure the Tunisians to make Harzi available. In fact, the FBI only gained access after Members of Congress threatened amendments to cut off or restrict Tunisia's foreign aid if they continued to obstruct the FBI investigation.

I was among those Members of Congress along with LINDSEY GRAHAM and Senator McCAIN and others. In the interim, I urged the administration to act immediately to suspend foreign assistance if the Tunisian Government persisted in obstructing the investigation. On January 4, I received a tepid—and it was tepid—response from the Acting Deputy Assistant Administrator for Legislative and Public Affairs at USAID with a bland assurance that the Tunisian Government was cooperating. Was cooperating? Five weeks and the FBI had to wait? Then the FBI had 3 hours to talk to him, and we gave this Tunisian Government, Mr. Speaker, \$320 million last year? Days later, Ali Harzi was released.

Today, I again wrote USAID, expressing my disappointment that the administrator himself could not respond directly to a Member of Congress who serves on a committee of jurisdiction and, further, pointed out what should be obvious—that the Tunisian Government did not cooperate. The Tunisian Government never seriously thought the aid—precious taxpayer money—was in jeopardy. The Tunisian Government has not faced a single consequence for undermining U.S. national security. I submit my letter for the RECORD.

Sadly, the failure to respond forcefully and appropriately to the Benghazi attack will undoubtedly encourage our enemies and make the world a more dangerous place for Americans working in hostile environments around the world. This failure to respond has endangered future Embassy staffs and Ambassadors—the Federal employees who serve our country at great risk.

Rather than demonstrating that there will be no quarter, no respite, no safe haven for terrorists who threaten American officials abroad, the message the administration has sent is that there is no apparent consequence for these actions. This will only embolden our enemy to plan the next Benghazi, knowing that under this administration there is less consequence even for their involvement in such an attack.

In this context, perhaps it is not surprising that the al Qaeda-affiliated terrorist group Ansar al-Sharia brazenly took pictures of the FBI agents interviewing Harzi and posted pictures on their Web sites; and when the Tunisian Government released Harzi, Ansar al-Sharia was there to welcome him and post a video of the celebration of his release. Again, these antagonistic actions have been met by silence from this administration.

As Steve Hayes and Tom Joscelyn reported in *The Weekly Standard* this week:

U.S. officials tell *The Weekly Standard* that the release of the photos was a clear attempt to intimidate the Americans and show that the FBI could not act with impunity.

In its posting, Ansar al-Sharia Tunisia warned the Tunisian people that their government had allowed the FBI "to begin investigating your sons under post-revolutionary protection."

Consider that, in the same week of the Benghazi attack, our Embassies in Cairo, Tunis and Sana were also overrun in an increasingly apparent coordinated plot. In each case, the American flag was ripped down and burned, and a black al Qaeda flag was flown in its place. We are fortunate and blessed that none of these incidents resulted in a loss of life. They were, nonetheless, an attack on America by hostile groups.

As the administration's own State Department Web site states: "Any attack on an Embassy is considered an attack on the country it represents." Each Embassy and consulate that was overrun the week of September 11 represents, in its own way, a public attack on America, and in the months that have followed, this administration has demonstrated that there are no consequences for breaching our Embassies or for killing our personnel.

I fear that the latest hostage-taking and killing of Americans and other Westerners in Algeria is a manifestation of a newfound confidence by our enemy in knowing that they may face no serious consequences from this administration for their murderous acts. It is telling that neither President Obama nor any others in his administration have made a public statement on the recent terrorist activities in Algeria, whereas the head of France and the head of England have spoken out over and over and over.

All the while, the Arab Spring, which was fanned by this administration to much fanfare, has become an Arab Winter, and for many of the people in the Middle East and North Africa, this Arab Winter—a new safe haven for al Qaeda-affiliated groups—is forming, ideologically fueled by the release of terrorists and extremists from prisons and flush with weapons provided to anti-Qadhafi rebels last year.

We are witnessing the potential formation of the next front in the war on

terror, but we increasingly have an administration that no longer considers it a war worth fighting no matter the cost to American power or to the safety of our people abroad. While some have described the Obama doctrine as leading from behind, it is increasingly clear that the Obama doctrine means not leading at all. While most of the responsibility falls on the President and his administration, the Congress—the House and the Senate—and the media share some blame for failing to adequately investigate and bring attention to the many questions surrounding the administration's response to Benghazi.

Aside from a handful of reporters who have stayed with this story and have continued to raise questions about the administration's words and deeds, I can't help but wonder: Where are the New York Times, the Washington Post, or the network news programs? Why in the wake of last week's deadly terrorist attack in Algeria are no reporters investigating the serious links between al Qaeda's affiliates in North Africa and the connection between the groups?

Equally important, where has the Congress been in investigating both the circumstances of the attack and the administration's response over the last 4 months? Despite a handful of hearings, many in classified settings and done by very capable and good people, the American people have not been provided with anything close to an adequate answer to the following questions. It is not only important for the Congress to find out; it is important for the American people to find out. Have they been given answers to these questions?

Secretary Panetta, Attorney General Holder and DNI Clapper still have not testified publicly before Congress as to what steps they took during the attack and in the days that followed.

What were the President's activities during the 7-hour period of attack?

Why wasn't the U.S. military deployed to assist?

On the anniversary of the worst terrorist attack in American history and after multiple attacks this year on U.S. and Western interests, why were U.S. military units and assets in the region not ready, alert, and in a position to respond? After all, two of the four people killed were murdered 7 hours after the fighting began.

Why do we still not have the clear answers on the internal process that produced the inaccurate and, frankly, misleading talking points on which Ambassador Rice relied several days after the attack?

Why were the testimonies of the U.S. personnel who were evacuated from Benghazi on September 12—eyewitnesses who knew there was never a demonstration outside the consulate—not immediately factored into the judgments of our intelligence community?

Have the witnesses who were there on the scene, government employees, good people—all risking their lives—been called to come up and been given the opportunity to talk to Members on both sides of the aisle? The answer to date is “no.”

Why hasn't Secretary Clinton been interviewed by the Pickering Commission?

Was the White House aware of the FBI investigation of General Petraeus? If not, why not?

To date, Congress has failed to get these answers, and it has not developed a coordinated or substantial investigative plan to fully explore this critical matter, which has a direct bearing on U.S. national security. In the absence of serious oversight, the media has moved on. In the absence of this, the administration, which has so much to account for to the American people, receives a carte blanche from the legislative branch to continue its questionable policies.

These matters are too serious to be brushed aside. There are critical legislative decisions the next Congress will have to make based on answers to these questions; but, more importantly, the American people deserve the answers to these questions, including open hearings and an unclassified report.

□ 1400

Mr. Speaker, for these reasons I remain convinced that a House select committee on the terrorist attack in Benghazi is needed more than ever. That is why last week I introduced my resolution, H. Res. 36, with 20 of our colleagues joining as cosponsors.

A select committee is essential to combine the myriad existing investigations into a single, comprehensive, and exhaustive review. I believe such a combined effort will yield even more information regarding the true nature of these terrorist attacks and the administration's response will not allow administration officials to offer up siloed accounts to various committees.

The select committee I am proposing should draw from the existing congressional investigations by including the chairman and ranking member of each committee of jurisdiction—the Intelligence Committee, Mr. ROGERS and Mr. RUPPERSBERGER have done a great job; the Foreign Affairs Committee, Mr. ROYCE and Mr. ENGEL do a great job; the Judiciary Committee, the same way; the Armed Services Committee; the Homeland Security Committee; the Oversight and Government Reform Committee; as well as five additional Republican Members appointed by the Speaker and two additional Democrats appointed by the minority leader so it is truly bipartisan.

I appreciate the support I've received for this resolution from the original cosponsors, as well as the Heritage Foun-

dation; former Senator from Tennessee, Fred Thompson, who was counsel on the Watergate Select Committee; former Ambassador John Bolton; and General Jerry Boykin, a former special operations officer and CIA operative who is widely respected in the intelligence community.

Mr. Speaker and Members of this body, we owe it to the families of the victims and the American people to fully investigate this terrorist attack. I urge my colleagues to support my resolution to create a House select committee.

I yield back the balance of my time.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
January 23, 2013.

Dr. RAJIV SHAH,
Administrator, Agency For International Development, Washington, DC.

DEAR DR. SHAH: Ms. Barbara Bennett, acting deputy assistant administrator for legislative and public affairs at USAID recently sent a response to my December 11, 2012 letter to you. I was disappointed you did not respond directly to a Member of Congress who serves on a committee of jurisdiction, especially given that my concern was budgetary in nature.

Just days after I received your response, Tunisian authorities released Ali Harzi, a key suspect in the September 11 terrorist attack on the U.S. consulate and annex in Benghazi, which took the lives of four Americans, including the U.S. ambassador, and resulted in the destruction of two U.S. facilities. This development is completely at odds with USAID's assurances in the response letter that “. . . Tunisian authorities are cooperating with the Department [State] through normal law enforcement channels.” Respectfully, I would also like to remind you that I chair the Commerce-Justice-Science appropriations subcommittee which has jurisdiction over the Federal Bureau of Investigation (FBI). Consequently, while Ms. Bennett indicated that USAID “could not provide further detail,” I am well-versed on the investigation and can say with confidence that releasing Ali Harzi is an affront to U.S. national security and rule of law, given the evidence of his alleged involvement.

Furthermore, your assertion that U.S. assistance is critical to “Tunisia's successful democratic transition” is misguided. Tunisia is not transitioning successfully. I have enclosed for your review a recent piece which ran in Bloomberg Businessweek, “Revolution and Entropy,” which paints a bleak picture of progress in Tunisia. A January 14 Reuters piece described large street protests in the capital city during which protestors chanted, “Where is the constitution? Where is democracy?” Democratic transition aside, the Tunisian government, as evidenced by this most recent development with Ali Harzi, is working at cross-purposes with U.S. national interests.

During these tight budgetary times, when worthy programs face constraints and cuts, our national priorities should undergird our foreign assistance. The administration continues to claim that bringing the perpetrators to justice for the deadly attack on the U.S. consulate is a priority. And yet its actions are inconsistent with such sentiments, particularly in the case of Tunisia.

We must send a clear and unequivocal message to the Tunisian government. U.S. aid must not be taken for granted. U.S. national

security considerations are a cornerstone of our foreign policy. When those interests are undermined, there are consequences.

I look forward to a personal response to this letter and any future correspondence. Best wishes.

Sincerely,

FRANK R. WOLF,
Member of Congress.

[From Bloomberg Businessweek, Jan. 14-20, 2013]

REVOLUTION AND ENTROPY

(By Norman Pearlstine and Tarek el-Tablawy)

In Tunisia, where the Arab Spring began, the transition to democracy is sputtering.

Two years after he set himself on fire, Mohamed Bouazizi remains history's most famous fruit vendor. Like many enterprising Tunisians, Bouazizi, 26, was subject to constant fines of as much as 10 times his daily earnings as he tried to make a living on the streets of Sidi Bouzid. After his scale and cart were seized on Dec. 17, 2010, he doused himself with a liter of paint solvent while standing in front of the provincial governor's office. A flick of a lighter and . . .

What then? Tunisia's revolution and the Arab Spring that followed created a list of dead, imprisoned, or exiled autocrats—including Egypt's Hosni Mubarak, Libya's Muammar Qaddafi, and Tunisia's own Zine el-Abidine Ben Ali. (Syria's Bashar Assad hangs on, brutally.) But hope and vengeance are very different from progress, as Ben Ali's successor as president, the physician and opposition leader Moncef Marzouki, has discovered.

On Dec. 17, 2012, Marzouki went to Sidi Bouzid to commemorate the man and the moment that began all the changes in the region, only to be greeted by angry chants of "Leave! Leave!" When he told the crowd he lacked a "magic wand" to cure Tunisia's ills, the response was a hailstorm of rocks and tomatoes. Marzouki had to be hustled into a car and sped away from the stage.

"Nothing has changed, and that's the sad reality," says Mohamad Amri, a close friend of the Bouazizi family. Unemployment is officially 18 percent, but a September study published by the Middle East Economic Association says about 50 percent of young Tunisians with higher education are without work. At 33, Amri is unemployed and relies on an allowance from his father to cover soaring food and living costs, "I feel like I need to be optimistic, but in the end, I'm pessimistic."

On Dec. 12, Fitch Ratings downgraded Tunisia's sovereign ratings, citing the slow transition to a free economy and "large twin budget and current-account deficits." Standard & Poor's has downgraded the country to junk status, too. Meji Djelloul, a professor of Islamic history at Manouba University in Tunis, the capital, says 80 percent of his students are eager to leave after graduating. "In 25 years of teaching I have never encountered such a sense of helplessness," he says.

It need not be this bleak. The revolution lifted restraints on expression that had existed for decades, and Tunisians seem to agree that even without a functioning constitution, they feel more free—a significant accomplishment. The country has close social and economic ties to Europe, a highly educated populace, and infrastructure that's among the best in the Arab world, with good roads and nine commercial airports serving a country the size of Florida.

Tunisia has the further comfort of knowing it's not alone. In its political and eco-

nomie struggles, Egypt is Tunisia's larger, perhaps more troubled mirror. Both saw Islamists take top government positions while Salafis, who embrace the strictest, most puritanical interpretation of Islam, have pressed for an even greater role for religion in the reborn nations. (Egyptian secularists are angered by a constitution they say was forced upon them, while Tunisia's latest constitutional draft was stripped of references to sharia, or Islamic law.) Both countries also saw their economies contract sharply in reaction to change. Egypt's net international reserves tell almost 60 percent, to \$15 billion, over the past two years. Tunisia's economy contracted 1.8 percent in 2011. Last year growth was likely 2.7 percent and could rise to 3.3 percent this year, says the International Monetary Fund. "We are going through a complicated transition, not unlike what Eastern Europe went through," says Tunisian Foreign Minister Rafik Abdesslem, a former professor of politics in Britain who returned to Tunisia after the revolution. "We need to prove that it is possible to have democracy in the Arab world."

Weaker, economies in Europe have hurt tourism and exports, two of Tunisia's chief sources of revenue. That's left officials appealing to the U.S., the United Arab Emirates, and Qatar, for investment. So far Tunisia hasn't received the support it sought, let alone the aid it was promised. At its May 2011 summit in Deauville, France, the Group of Eight pledged more than \$30 billion to assist new Arab governments. "When we spoke about intentions, it was \$30 billion," jokes Alaya Bettaieb, secretary of state to the minister of investment and international cooperation. "When we spoke about action, it was \$250 million" that was delivered.

Tunisia's transition from dictatorship to democracy would have been easier had the collapse of the Ben Ali regime not been so sudden. Amri, Bouazizi's friend, suggests the man who started it all didn't even know how flammable the paint thinner he poured on himself was, let alone the impact of his act of martyrdom. Other protesters, in Tunisia and across the Arab world, decided to set themselves afire in the weeks and months that followed. Hernando de Soto, the Peruvian economist best known for his work seeking property rights for peasants, has studied the underclass in Tunisia, Egypt, and elsewhere. He documented 164 deaths by self-immolation in the six months following Bouazizi's act. "The ground was fertile socially, economically, and politically for this kind of statement," says Ali Bouazizi, a cousin who played a key role in the revolution by filming and uploading to his Facebook page a video of the protest after the fruit seller's death.

The embers of unrest remain hot. Tunisia's first truly free elections in 2011 yielded a Constituent Assembly charged with drafting the country's new charter and also serving as its parliament. Ennahda, the moderate Islamist party whose name translates to Renaissance, won 41 percent of the seats and together with two smaller secular parties formed a ruling coalition.

The constitution is still a source of great uncertainty, as are Ennahda's broader intentions. Critics on the right maintain that the party has stressed its commitment to Tunisia's secular tradition in public, while urging Salafis to be patient for the realization of their goals behind closed doors. Salafis, including Mouldi Mojahed, who heads the Salafi-controlled al-Asala Party, says Ennahda "has backed away from its principles."

Neither side has been pacified. Salafis have been blamed for the serial arson of stores selling alcohol as well as the September attack on the U.S. embassy amid outrage over a YouTube clip denigrating Islam's prophet. Ahmed Nejib Chebbi, an Official in the opposition Jumhuri, or Republican, Party says, "The Islamists don't know how to govern," and the win by Ennahda in October 2011 was "not very reassuring to the economic stakeholders in the country."

Prime Minister Hamadi Jebali has tried to walk the middle ground. "The Tunisian people have their own identity, and they agreed on this identity," says Jebali in an interview, affirming the country's commitment to secularism. Jebali, who spent 10 years in solitary confinement while Ben Ali controlled the country, says the new constitution won't impose Islamic law and will respect women's rights. He and Ennahda have also pledged to support a market economy, if not a workers' paradise; he rages at those he suggests have riled up labor unions and "who live with the idea of the proletariat revolution, and who believe that the revolution in Tunisia was led by the proletariat."

Sorting out how to improve the lives of ordinary Tunisians, regardless of their politics, is complicated by a lack of economic facts. At a conference organized by Utica, a group representing Tunisia's largest employers, De Soto, the economist, estimated that the black market economy is more than 10 times the size of all companies on the country's stock exchange. Others have suggested off-the-books trade represents as much as 30 percent of Tunisia's GDP. The divisions between the corporate and informal sectors run deeper than matters of accounting. Wided Bouchmaorii, Utica's president and head of one of Tunisia's largest business enterprises, says the informal economy condones violence. "It is disastrous for legitimate businesses serving consumers," she says.

Prime Minister Jebali acknowledges the size of the informal economy and continued problems with corruption. (The nation saw its corruption ranking, issued by Transparency International, slide from 59th in 2010 to 75th in 2012.) He pledges that Tunisia will do more to address these problems as democratic institutions take hold and the economy strengthens. In the meantime, he says priorities include addressing the "heavy taxation of the formal economy" and the inability of a "young economy to absorb unemployed youth."

For those who have been waiting, patience is running short. Habib Kasdalli set himself afire shortly after Bouazizi when a civil servant denied him government benefits for a mental disability. Seated in a Tunis hotel, Kasdalli describes his nervous condition as his burn-scarred hands twitch. When he pulls off a blue knit cap, his scalp is grotesquely scarred. "I felt oppressed, and I felt hopelessness," Kasdalli says. The revolution offered a respite. Relief remains a long way off.

ADMINISTRATION IN REVIEW

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, just very briefly, we had a vote today. There's some wonderfully fine Members of Congress that I have deep respect for who voted "yes," and 32 voted "no" from the Republican side. It's not

because we don't all hold the same belief that we have to cut spending to be responsible, to avoid continuing to add debt to our children and grandchildren, but a matter of difference in strategy. It is a mistake to suspend the debt ceiling increase, just as it would be to raise the debt ceiling without any meaningful cuts, just as Senator Phil Gramm got back in 1985, I believe it was, with Gramm-Rudman and so many of the debt ceiling increases that were accompanied as part of the deal with restrictions on spending.

There're so many things going on in the world today that are just staggering. We know we had Secretary of State Hillary Clinton testifying today. One report here today says that Secretary Clinton interrupted one Senator to contradict him and stress that she did not see requests for additional security to protect the Benghazi mission.

That's extremely unfortunate that people in our State Department, committed to helping this country, would make cries for help over a period of months, over a period of years, even going back to when Ambassador Rice was with the State Department and people were killed at an American embassy and a request had been made for extra security that went unheeded.

Here it came again; and apparently there were a number of people who made requests, including one of the security officials that I met and talked to personally. They could see that we were sitting ducks. And apparently former Senator Clinton, now Secretary Clinton, is saying she never saw the request. The bucks would have stopped with her if they'd ever made it to her. What it says is something has got to be done so that when people who have dedicated their lives to helping and protecting this country cry for help, that months, years after the cries, we don't again come back and say: never heard the cries; never got to me.

Tragic. Tragic.

Senator, now-Secretary, Clinton said that the administration's response to the assault was to be defended, and an independent investigation found that the State's actions saved American lives in real-time.

Well, from what I've seen on the House side and in the news, without going into anything that might be classified, just from the public information we've discerned, the actions of the State Department in failing and ignoring the requests for help did not save lives. It ended up costing lives.

The failure of this President to either receive information when a United States Ambassador he put in harm's way was begging, was under fire and people were begging for help on his behalf, we've had people indicate, gee, that immediately gets to the President himself or someone directly around the President who can get the President's immediate attention. We have an Am-

bassador under attack; that goes straight to the President or somebody right around him.

And just like Secretary Clinton apparently has testified today: I never saw or heard the cries for help. I didn't know.

Well, since this President is going to be in office for 4 more years as of Monday, it is imperative that he clean house and set up new procedures so that even if he's out golfing, even if he's on vacation, body surfing in Hawaii, wherever he is, doing fund-raising in Las Vegas, no matter where he is, that when somebody says Mr. President, people that you put in harm's way are begging for help, they're under attack, they're begging for your help, and I feel sure, you know, he would take time off of one of the greens or body surfing. He would surely take time. I know he would. If somebody would get him the information, your Ambassador is about to be killed, I know he would walk off the green and give some order to protect him, surely. But he's got to get the information.

And since I travel around the world meeting with our military, Special Forces, different branches of our military, from Afghanistan to the very far reaches in the southern part of the Philippines, wherever, Iraq—and I won't be going back to Iraq. Prime Minister Maliki didn't like DANA ROHRABACHER and me questioning him about repaying some of the U.S. money that we spent to give him the opportunity to be elected, especially since they now have all that oil revenue, and he also didn't like us bringing up the fact that they promised the United States when they took over the government that they would protect the people at Camp Ashraf, the refugees from Iran, and that actually the military had gone in and killed some of those people that he and the U.S. had pledged would be safe. And he didn't like that and apparently sent word that we were not welcome in his country anymore.

□ 1410

We're okay with Americans dying so I can get elected here in Iraq, but we don't want anybody making us keep our promises here in Iraq.

I've seen our military in the Kurdish areas of northern Iraq, all around the world. I was in the Army for 4 years. And one thing that they are very concerned about that they can't talk about publicly, but especially after we had two former SEALs killed trying to protect the Ambassador, when it wasn't their job to do that, they did it because they're American heroes, American patriots. But our military sees those things.

You know, when I was in the military, President Carter was President. We knew we had a President who did not have our back, who was more concerned about other things than the

military. And there was a lot of unrest, but it's a crime in the United States military to say anything derogatory about anyone in your chain of command, including the top person, the President, and it needs to be that way.

When you're in the military, you take orders and you follow your orders, and you don't castigate whoever is up your chain of command, even if they don't have a clue what they're doing. It has to be for the good order and discipline of the military.

But we were not stupid. We knew when the President was not protecting us, was not protecting Americans. We knew when the President was not providing the equipment and what we needed to protect Americans. We knew that.

And as I go around the world and talk to different of our military, they notice that we have officials in this administration who, after Americans dedicated to protecting this country are killed, will come forward from the White House down and say, gee, I had no idea that they were in that kind of trouble. I had no idea that our policies subjected them to being killed. I had no idea. I wish somebody had let me know they were in this kind of trouble.

The military knows that. And as I've mentioned, one soldier in Afghanistan said, please let others in Washington know I don't mind laying down my life for my country, but please don't waste it. That's not much of an ask for those who are committed to protecting the rest of us.

And yet this administration still prevents us from getting to the real facts, the real truth. To have someone come forward and say, I really didn't know there was trouble; I didn't know about the request for help, that does not answer the question that this body is demanding answers to and, that is, well, who did know.

Who made the decisions not to protect Americans in harm's way? Who made that call? Who was it that gave orders, because surely there was somebody out there who said, an American Ambassador is under attack. We're going to go protect him.

To attack a consulate is an act of war under anybody's interpretation of international law. It's an act of war. And when somebody commits an act of war against the United States, against a U.S. Ambassador, against our people, they need to know that there's a Commander in Chief, or if he doesn't know because he's busy, somebody that will give the order to protect those that were put in that bad situation.

Our military needs to know that their Commander cares. Our military needs to know that they're not going to lay down their life for nothing.

This is not the kind of testimony that we need. We want the truth. If this is the truth, so be it.

Of course, we'd heard from her doctors after the fall that, gee, it turns

out this could be the kind of thing that would result in memory loss. And I'm glad she's well enough to get along.

My late mother, with a brain tumor, had balance problems. We constantly had to be on the alert for her falling, maybe tripping over a curb and hurting herself. It breaks your heart when you see somebody with bruises from falling. So I'm glad Secretary Clinton's okay.

But we have an Ambassador and other Americans who died. So instead of sending witnesses to say, I don't know what happened, I'll take the blame. I have no clue what happened, but I'm responsible, instead of that, please, Mr. Speaker, we need to be provided with testimony and evidence how did these irresponsible decisions get made, and who made them.

Because, as I say, our military gets it. They see what's going on. Despite some that might say, yeah, if you don't finish high school or don't get an education, you may end up in the military, if you actually spend enough time with the military, instead of being a 90-day wonder and get your Purple Heart and be on your way, if you actually spend substantial time with true military heroes that are dedicated to protecting our way of life, you spend time with them, you know these are smart people.

You spend time with SEALs, as I have, and you find out these are not only incredibly trained people. They're smart people. You spend time with Special Forces, as I have there at Fort Benning where I spent 4 years, that's where the Rangers are trained. They're smart people, and they're smart enough to know when people in their chain of command do not have their back, they do not take actions that make it appear they care.

I know the President cares. I know he does. I know Secretary Clinton cares. But it's not enough to say, "I had no idea that I put people in harm's way and that they were begging for help and I got them killed."

You know, let's find out where the problem is. How come they didn't know that was what was going on and the failure to provide security was going to get them killed? Why didn't they know? Those are the kinds of things we need to find out.

Then we find out that there were Americans killed in the attack in Algeria. How could it be that these people in Algeria had the weapons to carry out this attack?

Well, some of the reports indicate that these weapons probably came from Libya. Well, where would the Libyans have gotten weapons? Could it be that those were American-provided weapons, just like this administration forced the sale of guns that would go to kill at least one American and hundreds of Mexicans before it started claiming we've got to go after entirely, with our full force of the law, anybody that sells guns to criminals?

It's a shame they didn't start with the Department of Justice; but I guess if you're the Department of Justice and you're responsible for forcing the sale of guns for criminals, then you're not exactly interested in looking at whose actions in your Department caused the death of hundreds of Mexicans and one or two Americans.

But it needs to be looked at. That's how you avoid mistakes in the future. You find out what caused the mistakes.

□ 1420

The three Americans were among 38 workers killed in the siege of an Algerian gas plant in which Islamic terrorists used hostages as human shields after their attempted mass kidnapping for ransom went awry.

Some Algerian attackers are placed in Benghazi. This story is from Algeria, in *The New York Times*, dated January 22, by Adam Nossiter:

Several Egyptian members of the squad of militants that lay bloody siege to an Algerian gas complex last week also took part in the deadly attack on the United States mission in Libya in September, a senior Algerian official said Tuesday.

Months and months after a U.S. ambassador was killed, we finally have our FBI director go over to check into it himself. After FBI agents went and did some checking, we had reporters go over there and find actual evidence that somehow the FBI missed or did not bother with. Mistakes that get the United States public servants who have committed their lives to the U.S., and get them killed, requires scrutiny. And this administration, since they will have 4 more years, will, hopefully, be concerned enough about not getting other members of their State Department, their embassies, their consulates, their soldiers, killed for nothing.

Now I know the soldiers. I've been to far too many funerals. And having known so many in harm's way, even if they're sent to the Valley of Death riding with the 600, figuratively speaking, they know they didn't die for nothing. They died devoted to the belief in the things that are set out in the Declaration of Independence—that we are endowed by our Creator with certain unalienable rights. And just like inheritance, if you're going to keep it, you're probably going to have to fight for it. Again, our military begs, If I'm going to lay down my life for my country, don't waste it.

So, Mr. Speaker, I hope and pray this administration will stop obfuscating, will stop the hiding of documents, preventing us from getting them, so we can find out what mistakes were made so that we can prevent them in the future. And the great news for this administration, Mr. Speaker, is that gee, it doesn't have to run for reelection again. So there should be no excuse whatsoever for not bringing the facts forward.

May I inquire how much time is remaining?

The SPEAKER pro tempore. The gentleman has 9 minutes remaining.

Mr. GOHMERT. Since the President doesn't have to run for reelection, there is no reason not to bring out the facts of Fast and Furious and what happened in Benghazi, that has now spilled over and cost American lives in Algeria. Let's get to the bottom of it. And if Secretary Clinton does not know what happened, if she doesn't have a clue, bless her heart, let's get somebody that does. Let's find out how these mistakes were made so we can prevent future lives being lost when they don't have to be.

Mr. Speaker, I want to conclude today, since this week marks the 40th anniversary of the landmark case of *Roe v. Wade*, and those of us who have been involved as a lawyer trying cases such as *Roe v. Wade*, which was a civil case, those of us that have been involved as a judge, as I was also a chief justice, we know that in order for a case to be ripe, that it can be heard in court, there must be a justiciable issue, as there was in *Roe v. Wade*. But the person bringing the case actually has standing to bring the case. It took years, but we ultimately find out that at the time there was no standing. We find out from the person who was *Roe*, a fictitious name, that she deeply regrets what had happened. And that case has been responsible for the killing of millions of lives.

I have so many dear friends on the Democratic side of the aisle. I know their hearts. They don't want people to get killed. They care about life. And so many on both sides of the aisle talk about trying to protect "the most vulnerable among us." I would humbly submit there is no one more vulnerable than an unborn child. There is that cord through which nourishment and oxygen flow as that baby grows and develops. There is a desire in the human heart to live. There is a desire to live. And those precious, innocent children want to live. It's who they are. It's part of their genetic makeup to want to live. There's no baby, born or unborn, who is capable mentally or physically of taking their own lives intentionally. It can't happen. It doesn't happen. They want to live.

So our heart breaks as a Nation, thinking about the spilled blood of innocent, vulnerable children all put to death because someone did not understand what was going on and they were led to believe it's not a life, it's a choice. The children want to live. When our first-born was born, she came 8 to 10 weeks prematurely. Back then, it was uncertain whether she was going to live. We were encouraged at first, but the doctor said, She's in trouble. Her lungs were not developed. And I knew from cases that I had been involved in that if too much oxygen is

given to a preemie, there's a chance they'll go blind. So doctors avoided that, if at all possible. And I saw them go from 20 to 40 to 60 to 80 to 100 percent oxygen. When they got to 100 percent, I knew Katy was in big trouble or they wouldn't risk her blindness.

They said we needed to ship her to either Dallas or Shreveport, where she could get the top-rated neonatal ICU. Shreveport was a little closer. I was torn—my wife was suffering, having given birth prematurely—whether to stay with her or go with the baby. She said, Go with Katy. Do anything you can to help her. So I followed the ambulance to Shreveport. A man named Dr. Tsing was the neonatologist. He cared so deeply for those babies. And I began to understand why the doctor said they seemed to have the best survival rate there in Shreveport.

□ 1430

He had a policy that if you went by a child, you had to observe proper sanitization procedures, but you touched those children, you talked to those children. They hear you. They know you.

When I got there, they sat me on a stool and said you can stay no more than 2 hours, but talk to this child, she knows your voice. She has heard your voice for maybe 7 months. She knows your voice. Talk to her. Caress her arms. Talk to her. Caress her little face. And I did. The monitors were going so fast, so erratic was the heart rate, so erratic was the breathing, the lungs so undeveloped.

As I had been there for a couple of hours, Dr. Tsing came back over. Katy had a grip on my finger, that tiny little hand of hers around the very end of my finger, and she wouldn't let go. He came over after a while and he said, have you looked at the monitors? I looked up. She still had such undeveloped lungs, but her breathing had stabilized. Her heart rate had stabilized. And Dr. Tsing said, she is drawing life, she is drawing strength from you. I couldn't leave. I sat there for 8 hours before they forced me to take a break, but I learned, born or unborn, a child wants to live.

I hope and pray we will not continue to allow the killing of 40, 50, 60 million more precious babies like Katy. Katy is alive today. She is a joy, she is brilliant. There are other children that wanted to live as well. We need to stop deceiving pregnant women that it's not a life. It is a life, and it's endowed by our Creator.

With that, Mr. Speaker, I yield back the balance of my time.

SUNSET MEMORIAL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Arizona (Mr. FRANKS) for 30 minutes.

Mr. FRANKS of Arizona. Mr. Speaker, I know that another legislative day has come to an end and that sunset fast approaches in Washington, D.C.

I stand before this House with what I call a Sunset Memorial. Because, you see, Mr. Speaker, before the sun sets today in America, almost 4,000 more defenseless unborn children will be killed by abortion on demand in the land of the free and the home of the brave. That is more than the number of innocent lives lost on September 11th in this country, and it happens every single day.

Mr. Speaker, it has now been 40 years—an entire generation—since the tragedy called Roe v. Wade was first handed down. Since then, the very foundation of this Nation has been stained by the blood of almost 55 million of its own unborn children. Some of them, Mr. Speaker, cried and screamed as they died, but because it was amniotic fluid going over the vocal cords instead of air, we couldn't hear them.

All of them had at least four things in common, Mr. Speaker. First, they were just nameless little babies who had done wrong to no one, and yet each one of them died a nameless and lonely death. And each one of their mothers, whether she realizes it or not, will never be quite the same. And all the gifts that these children might have brought to humanity in this world are now lost forever.

Yet, even in the glare of such tragedy, this generation still clings to a blind, invincible ignorance while history repeats itself over and over again and our own silent genocide mercilessly annihilates the most helpless of all victims, those yet unborn.

Mr. Speaker, I recently heard Barack Obama speak such poignant words that, whether he knows it or not, apply so profoundly to the tragedy of abortion on demand in America. Let me quote selected, excerpted portions of his comments.

He said:

This is our first task—caring for our children. It's our first job. If we don't get that right, we don't get anything right. That's how, as a society, we will be judged. And by that measure, can we truly say, as a Nation, that we are meeting our obligations? Can we honestly say that we're doing enough to keep our children—all of them—safe from harm?

He went on to quote:

Can we say that we're truly doing enough to give all the children of this country the chance they deserve to live out their lives in happiness and with purpose?

He said:

I've been reflecting on this the last few days, and if we're honest with ourselves, the answer is no. We're not doing enough. And we will have to change.

Oh, Mr. Speaker, how true the President's words were. The President also said:

We can't tolerate this anymore. These tragedies must end. And to end them, we must change.

Then the President asked:

Are we really prepared to say that we're powerless in the face of such carnage, that the politics are too hard? Are we prepared to say that such violence visited on our children year after year after year is somehow the price of our freedom?

What a powerful question, Mr. Speaker. It is the most relevant question we should all be asking in the midst of this genocidal murder of thousands of unborn children in America every day.

The President said:

Our journey is not complete until all our children are cared for and cherished and always safe from harm.

He said:

That is our generation's task—to make these words, these rights, these values of life and liberty and the pursuit of happiness real for every American.

Mr. Speaker, never have I so deeply agreed with any words ever spoken by President Obama as those I have just quoted. And yet this President, in the most merciless distortion of logic and reason and humanity itself, refuses to apply these majestic words to the helpless unborn babies of this Nation. How I wish that somehow Mr. Obama would just open his heart and his ears to his own words, and ask himself in the core of his soul, why his words, that should apply to all children, cannot include the most helpless of all children.

Only a few days ago, no more than 200 yards from this well, Barack Obama put his hand down on the same Bible that Abraham Lincoln was sworn in on when he took his Presidential oath.

□ 1440

Mr. Speaker, we should remember that we honor Abraham Lincoln most because he found the courage as President of the United States in the days of slavery, and the humanity within himself, to recognize the image of God stamped on the soul of slaves that the Supreme Court said were not human and that the tide of public opinion didn't recognize as protectable under the law. Could it still be, could it still be, Mr. Speaker, that President Barack Obama might consider that perspective, as well as his own legacy, and even eternity itself, Mr. Speaker, and recognize that in his day under his Presidency that these little unborn children look so desperately to him now for help?

Could it be that the President might finally remember that on the pages of the Bible on which he laid his hand were the words written in red:

Inasmuch as you have done unto the least of these My brethren, you have done it unto Me.

Mr. Speaker, whether he does or not, it is certainly time for those of us in this Chamber to remind ourselves of why we are really all here. Thomas Jefferson said:

The care of human life and happiness, and not its destruction, is the chief and only object of good government.

The phrase in the 14th Amendment encapsulates our entire Constitution. It says:

No State shall deprive any person of life, liberty or property without due process of law.

Mr. Speaker, protecting the lives of all Americans and their constitutional rights is why we are all here. The bedrock foundation of this Republic is that clarion declaration of that self-evident truth that all human beings are created equal and endowed by their Creator with unalienable rights, the rights of life, liberty and the pursuit of happiness.

Every conflict and battle our Nation has ever faced can be traced to our commitment to this core self-evident truth. It has made us the beacon of hope for the entire world, Mr. Speaker. It is who we are. And yet today another day has passed, and we in this body have failed again to honor that foundational commitment. We have failed our sworn oath and our God-given responsibility as we broke faith with nearly 4,000 more innocent little American babies who died today without the protection we should have given them.

So, Mr. Speaker, let me conclude this sunset memorial in the hopes that perhaps someone new who heard it tonight will finally embrace the very inconvenient truth that abortion really does kill little babies and that it hurts mothers in ways that we can never imagine, and that it is time we stood up together again and looked to our Declaration of Independence and remember that we are the same America that rejected human slavery and marched into Europe to arrest the Nazi Holocaust, and we are still the courageous and compassionate Nation that can find a better way for mothers and their unborn babies than abortion on demand.

It is still not too late for us to make a better world and for America to be the one that leads the rest of the planet, just as we did in the days of slavery, from this tragic genocide of murdering nearly 4,000 of our own children every day.

So, now, Mr. Speaker, as we consider the plight of the unborn after 40 years under *Roe v. Wade*, maybe we can remind ourselves that our own days in this sunshine of life are all numbered, and that all too soon, each one of us will also walk from these Chambers for the very last time. And if it should be that this Congress is allowed to convene on yet another day, may that be the day when we finally find the humanity, the courage, and the will to embrace together our human and our constitutional duty to protect these, the least of our tiny little brothers and sisters in America, from this mur-

derous scourge upon our Nation called abortion on demand.

Mr. Speaker, it is now 40 years since *Roe v. Wade* first stained the foundation of this Nation with the blood of its own children. This, in the land of the free and the home of the brave.

I yield back the balance of my time.

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON RULES FOR THE 113TH CONGRESS

Mr. SESSIONS. Mr. Speaker, I submit the attached copy of the rules of the Committee on Rules for the U.S. House of Representatives for the 113th Congress:

RULE 1—GENERAL PROVISIONS

(a) The Rules of the House are the rules of the Committee and its subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are non-debatable privileged motions in the Committee. A proposed investigative or oversight report shall be considered as read if it has been available to the members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such day).

(b) Each subcommittee is a part of the Committee, and is subject to the authority and direction of the Committee and to its rules so far as applicable.

(c) The provisions of clause 2 of rule XI of the Rules of the House are incorporated by reference as the rules of the Committee to the extent applicable.

(d) The Committee's rules shall be published in the Congressional Record not later than 30 days after the Committee is elected in each odd-numbered year.

RULE 2—REGULAR, ADDITIONAL, AND SPECIAL MEETINGS

Regular Meetings

(a)(1) The Committee shall regularly meet at 5:00 p.m. on the first day on which votes are scheduled of each week when the House is in session.

(2) A regular meeting of the Committee may be dispensed with if, in the judgment of the Chairman of the Committee (hereafter in these rules referred to as the "Chair"), there is no need for the meeting.

(3) Additional regular meetings and hearings of the Committee may be called by the Chair.

Notice for Regular Meetings

(b) The Chair shall notify in electronic or written form each member of the Committee of the agenda of each regular meeting of the Committee at least 48 hours before the time of the meeting and shall provide to each member of the Committee, at least 24 hours before the time of each regular meeting:

(1) for each bill or resolution scheduled on the agenda for consideration of a rule, a copy of—

(A) the bill or resolution;
(B) any committee reports thereon; and
(C) any available letter requesting a rule for the bill or resolution; and

(2) for each other bill, resolution, report, or other matter on the agenda a copy of—

(A) the bill, resolution, report, or materials relating to the other matter in question; and
(B) any report on the bill, resolution, report, or any other matter made by any subcommittee of the Committee.

Emergency Meetings

(c)(1) The Chair may call an emergency meeting of the Committee at any time on any measure or matter which the Chair determines to be of an emergency nature; provided, however, that the Chair has made an effort to consult the ranking minority member, or, in such member's absence, the next ranking minority party member of the Committee.

(2) As soon as possible after calling an emergency meeting of the Committee, the Chair shall notify each member of the Committee of the time and location of the meeting.

(3) To the extent feasible, the notice provided under paragraph (2) shall include the agenda for the emergency meeting and copies of available materials which would otherwise have been provided under subsection (b) if the emergency meeting was a regular meeting.

Special Meetings

(d) Special meetings shall be called and convened as provided in clause 2(c)(2) of rule XI of the Rules of the House.

RULE 3—MEETING AND HEARING PROCEDURES

In General

(a)(1) Meetings and hearings of the Committee shall be called to order and presided over by the Chair or, in the Chair's absence, by the member designated by the Chair as the Vice Chair of the Committee, or by the ranking majority member of the Committee present as Acting Chair.

(2) Meetings and hearings of the Committee shall be open to the public unless closed in accordance with clause 2(g) of rule XI of the Rules of the House of Representatives.

(3) Any meeting or hearing of the Committee that is open to the public shall be open to coverage by television, radio, and still photography in accordance with the provisions of clause 4 of rule XI of the Rules of the House (which are incorporated by reference as part of these rules).

(4) Before a motion to report a rule is offered, a copy of the language recommended shall be furnished to each member of the Committee.

Quorum

(b)(1) For the purpose of hearing testimony on requests for rules, five members of the Committee shall constitute a quorum.

(2) For the purpose of taking testimony and receiving evidence on measures or matters of original jurisdiction before the Committee, three members of the Committee shall constitute a quorum.

(3) A majority of the members of the Committee shall constitute a quorum for the purposes of: reporting any measure or matter; authorizing a subpoena; closing a meeting or hearing pursuant to clause 2(g) of rule XI of the Rules of the House (except as provided in clause 2(g)(2)(A) and (B)); or taking any other action.

Voting

(c)(1) No vote may be conducted on any measure or motion pending before the Committee unless a majority of the members of the Committee is actually present for such purpose.

(2) A record vote of the Committee shall be provided on any question before the Committee upon the request of any member.

(3) No vote by any member of the Committee on any measure or matter may be cast by proxy.

(4) A record of the vote of each Member of the Committee on each record vote on any

measure or matter before the Committee shall be made publicly available in electronic form within 48 hours, and with respect to any record vote on any motion to amend or report, shall be included in the report of the Committee showing the total number of votes cast for and against and the names of those members voting for and against.

Hearing Procedures

(d)(1) With regard to hearings on matters of original jurisdiction, to the greatest extent practicable:

(A) each witness who is to appear before the Committee shall file with the Committee at least 24 hours in advance of the appearance a statement of proposed testimony in written and electronic form and shall limit the oral presentation to the Committee to a brief summary thereof; and

(B) each witness appearing in a non-governmental capacity shall include with the statement of proposed testimony provided in written and electronic form a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years.

(2) The five-minute rule shall be observed in the interrogation of each witness before the Committee until each member of the Committee has had an opportunity to question the witness.

(3) The provisions of clause 2(k) of rule XI of the Rules of the House shall apply to any hearing conducted by the Committee.

Subpoenas and Oaths

(e)(1) Pursuant to clause 2(m) of rule XI of the Rules of the House of Representatives, a subpoena may be authorized and issued by the Committee or a subcommittee in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present.

(2) The Chair may authorize and issue subpoenas under such clause during any period in which the House has adjourned for a period of longer than three days.

(3) Authorized subpoenas shall be signed by the Chair or by any member designated by the Committee, and may be served by any person designated by the Chair or such member.

(4) The Chair, or any member of the Committee designated by the Chair, may administer oaths to witnesses before the Committee.

RULE 4—GENERAL OVERSIGHT RESPONSIBILITIES

(a) The Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within its jurisdiction.

(b) Not later than February 15 of the first session of a Congress, the Committee shall meet in open session, with a quorum present, to adopt its oversight plans for that Congress for submission to the Committee on House Administration and the Committee on Oversight and Government Reform, in accordance with the provisions of clause 2(d) of House rule X.

RULE 5—SUBCOMMITTEES

Establishment and Responsibilities of Subcommittees

(a)(1) There shall be two subcommittees of the Committee as follows:

(A) Subcommittee on Legislative and Budget Process, which shall have general responsibility for measures or matters related

to relations between the Congress and the Executive Branch.

(B) Subcommittee on Rules and Organization of the House, which shall have general responsibility for measures or matters related to process and procedures of the House, relations between the two Houses of Congress, relations between the Congress and the Judiciary, and internal operations of the House.

(2) In addition, each such subcommittee shall have specific responsibility for such other measures or matters as the Chair refers to it.

(3) Each subcommittee of the Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within its general responsibility.

Referral of Measures and Matters to Subcommittees

(b)(1) No special order providing for the consideration of any bill or resolution shall be referred to a subcommittee of the Committee.

(2) The Chair shall refer to a subcommittee such measures or matters of original jurisdiction as the Chair deems appropriate given its jurisdiction and responsibilities.

(3) All other measures or matters of original jurisdiction shall be subject to consideration by the full Committee.

(4) In referring any measure or matter of original jurisdiction to a subcommittee, the Chair may specify a date by which the subcommittee shall report thereon to the Committee.

(5) The Committee by motion may discharge a subcommittee from consideration of any measure or matter referred to a subcommittee of the Committee.

Composition of Subcommittees

(c) The size and ratio of each subcommittee shall be determined by the Committee and members shall be elected to each subcommittee, and to the positions of chairman and ranking minority member thereof, in accordance with the rules of the respective party caucuses. The Chair of the full Committee shall designate a member of the majority party on each subcommittee as its vice chairman.

Subcommittee Meetings and Hearings

(d)(1) Each subcommittee of the Committee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the full Committee on any measure or matter referred to it.

(2) No subcommittee of the Committee may meet or hold a hearing at the same time as a meeting or hearing of the full Committee is being held.

(3) The chairman of each subcommittee shall schedule meetings and hearings of the subcommittee only after consultation with the Chair.

Quorum

(e)(1) For the purpose of taking testimony, two members of the subcommittee shall constitute a quorum.

(2) For all other purposes, a quorum shall consist of a majority of the members of a subcommittee.

Effect of a Vacancy

(f) Any vacancy in the membership of a subcommittee shall not affect the power of the remaining members to execute the functions of the subcommittee.

Records

(g) Each subcommittee of the Committee shall provide the full Committee with copies

of such records of votes taken in the subcommittee and such other records with respect to the subcommittee necessary for the Committee to comply with all rules and regulations of the House.

RULE 6—STAFF

In General

(a)(1) Except as provided in paragraphs (2) and (3), the professional and other staff of the Committee shall be appointed, by the Chair, and shall work under the general supervision and direction of the Chair.

(2) All professional, and other staff provided to the minority party members of the Committee shall be appointed, by the ranking minority member of the Committee, and shall work under the general supervision and direction of such member.

(3) The appointment of all professional staff shall be subject to the approval of the Committee as provided by, and subject to the provisions of, clause 9 of rule X of the Rules of the House.

Associate Staff

(b) Associate staff for members of the Committee may be appointed only at the discretion of the Chair (in consultation with the ranking minority member regarding any minority party associate staff), after taking into account any staff ceilings and budgetary constraints in effect at the time, and any terms, limits, or conditions established by the Committee on House Administration under clause 9 of rule X of the Rules of the House.

Subcommittee Staff

(c) From funds made available for the appointment of staff, the Chair of the Committee shall, pursuant to clause 6(d) of rule X of the Rules of the House, ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the Committee, and, after consultation with the ranking minority member of the Committee, that the minority party of the Committee is treated fairly in the appointment of such staff.

Compensation of Staff

(d) The Chair shall fix the compensation of all professional and other staff of the Committee, after consultation with the ranking minority member regarding any minority party staff.

Certification of Staff

(e)(1) To the extent any staff member of the Committee or any of its subcommittees does not work under the direct supervision and direction of the Chair, the Member of the Committee who supervises and directs the staff member's work shall file with the Chief of Staff of the Committee (not later than the tenth day of each month) a certification regarding the staff member's work for that member for the preceding calendar month.

(2) The certification required by paragraph (1) shall be in such form as the Chair may prescribe, shall identify each staff member by name, and shall state that the work engaged in by the staff member and the duties assigned to the staff member for the member of the Committee with respect to the month in question met the requirements of clause 9 of rule X of the Rules of the House.

(3) Any certification of staff of the Committee, or any of its subcommittees, made by the Chair in compliance with any provision of law or regulation shall be made—

(A) on the basis of the certifications filed under paragraph (1) to the extent the staff is not under the Chair's supervision and direction, and

(B) on his own responsibility to the extent the staff is under the Chair's direct supervision and direction.

RULE 7—BUDGET, TRAVEL, PAY OF WITNESSES

Budget

(a) The Chair, in consultation with other members of the Committee, shall prepare for each Congress a budget providing amounts for staff, necessary travel, investigation, and other expenses of the Committee and its subcommittees.

Travel

(b)(1) The Chair may authorize travel for any member and any staff member of the Committee in connection with activities or subject matters under the general jurisdiction of the Committee. Before such authorization is granted, there shall be submitted to the Chair in writing the following:

(A) The purpose of the travel.

(B) The dates during which the travel is to occur.

(C) The names of the States or countries to be visited and the length of time to be spent in each.

(D) The names of members and staff of the Committee for whom the authorization is sought.

(2) Members and staff of the Committee shall make a written report to the Chair on any travel they have conducted under this subsection, including a description of their itinerary, expenses, and activities, and of pertinent information gained as a result of such travel.

(3) Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, and regulations of the House and of the Committee on House Administration.

Pay of Witnesses

(c) Witnesses may be paid from funds made available to the Committee in its expense resolution subject to the provisions of clause 5 of rule XI of the Rules of the House.

RULE 8—COMMITTEE ADMINISTRATION

Reporting

(a) Whenever the Committee authorizes the favorable reporting of a bill or resolution from the Committee—

(1) the Chair or acting Chair shall report it to the House or designate a member of the Committee to do so, and

(2) in the case of a bill or resolution in which the Committee has original jurisdiction, the Chair shall allow, to the extent that the anticipated floor schedule permits, any member of the Committee a reasonable amount of time to submit views for inclusion in the Committee report on the bill or resolution. Any such report shall contain all matters required by the Rules of the House of Representatives (or by any provision of law enacted as an exercise of the rulemaking power of the House) and such other information as the Chair deems appropriate.

(3) In the case of a resolution providing for consideration of a measure, the Committee report accompanying such resolution shall include an accurate explanation of any waivers of points of order, including a detailed explanation of all points of order.

Records

(b)(1) There shall be a transcript made of each regular meeting and hearing of the Committee, and the transcript may be printed if the Chair decides it is appropriate or if a majority of the Members of the Committee requests such printing. Any such transcripts shall be a substantially verbatim account of remarks actually made during the pro-

ceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks. Nothing in this paragraph shall be construed to require that all such transcripts be subject to correction and publication.

(2) The Committee shall keep a record of all actions of the Committee and of its subcommittees. The record shall contain all information required by clause 2(e)(1) of rule XI of the Rules of the House of Representatives and shall be available for public inspection at reasonable times in the offices of the Committee.

(3) All Committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Chair, shall be the property of the House, and all Members of the House shall have access thereto as provided in clause 2(e)(2) of rule XI of the Rules of the House.

(4) The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with rule VII of the Rules of the House. The Chair shall notify the ranking minority member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on written request of any member of the Committee.

Audio and Video Coverage

(c) The Chair shall provide, to the maximum extent practicable,—

(1) Complete and unedited audio and video broadcasts of all committee hearings and meetings; and

(2) For distribution of such broadcasts and unedited recordings thereof to the public and for the storage of audio and video recordings of the proceedings. Proceedings shall be broadcast live on the Majority Committee website and recordings shall be made available on such website within one calendar day of the proceeding.

Committee Publications on the Internet

(d) To the maximum extent feasible, the Committee shall make its publications available in electronic form.

Journal

(e)(1) The Committee shall maintain a Committee Journal, which shall include all bills, resolutions, and other matters referred to or reported by the Committee and all bills, resolutions, and other matters reported by any other committee on which a rule has been granted or formally requested, and such other matters as the Chair shall direct. The Journal shall be published periodically, but in no case less often than once in each session of Congress. (2) A rule is considered as formally requested when the Chairman of a committee of primary jurisdiction which has reported a bill or resolution (or a member of such committee authorized to act on the Chairman's behalf):

(A) has requested, in writing to the Chair, that a hearing be scheduled on a rule for the consideration of the bill or resolution, and

(B) has supplied the Committee with the bill or resolution, as reported, together with the final committee report thereon.

Other Procedures

(f) The Chair may establish such other Committee procedures and take such actions as may be necessary to carry out these rules or to facilitate the effective operation of the Committee and its subcommittees in a manner consistent with these rules.

RULE 9—AMENDMENTS TO COMMITTEE RULES

The rules of the Committee may be modified, amended or repealed, in the same man-

ner and method as prescribed for the adoption of committee rules in clause 2 of rule XI of the Rules of the House, but only if written notice of the proposed change has been provided to each Member at least 48 hours before the time of the meeting at which the vote on the change occurs. Any such change in the rules of the Committee shall be published in the Congressional Record within 30 calendar days after their approval.

RULES OF THE COMMITTEE ON NATURAL RESOURCES FOR THE 113TH CONGRESS

Mr. HASTINGS of Washington. Mr. Speaker, I submit for publication the attached copy of the rules of the Committee on Natural Resources for the U.S. House of Representatives for the 113th Congress:

RULE 1. RULES OF THE HOUSE; VICE CHAIRMEN

(a) Applicability of House Rules.

(1) The Rules of the House of Representatives, so far as they are applicable, are the rules of the Committee on Natural Resources (hereinafter in these rules referred to as the "Committee") and its Subcommittees.

(2) Each Subcommittee is part of the Committee and is subject to the authority, direction and rules of the Committee. References in these rules to "Committee" and "Chairman" shall apply to each Subcommittee and its Chairman wherever applicable.

(3) House Rule XI is incorporated and made a part of the rules of the Committee to the extent applicable.

(b) Vice Chairmen.—Unless inconsistent with other rules, the Chairman shall appoint Vice Chairmen of the Committee and the Subcommittees. If the Chairman of the Committee or Subcommittee is not present at any meeting of the Committee or Subcommittee, as the case may be, the Vice Chairman shall preside. If the Vice Chairman is not present, the ranking Member of the Majority party on the Committee or Subcommittee who is present shall preside at that meeting.

RULE 2. MEETINGS IN GENERAL

(a) Scheduled Meetings.—The Committee shall meet at 10 a.m. every Wednesday when the House is in session if so noticed by the Chairman under Committee Rule 3(a). The Committee shall also meet at the call of the Chairman subject to advance notice to all Members of the Committee. Special meetings shall be called and convened by the Chairman as provided in clause 2(c)(1) of House Rule XI. Any Committee meeting or hearing that conflicts with a party caucus, conference, or similar party meeting shall be rescheduled at the discretion of the Chairman, in consultation with the Ranking Minority Member. The Committee may not sit during a joint session of the House and Senate or during a recess when a joint meeting of the House and Senate is in progress.

(b) Open Meetings.—Each meeting for the transaction of business, including the markup of legislation, and each hearing of the Committee or a Subcommittee shall be open to the public, except as provided by clause 2(g) and clause 2(k) of House Rule XI.

(c) Broadcasting.—Whenever a meeting for the transaction of business, including the markup of legislation, or a hearing is open to the public, that meeting or hearing shall be open to coverage by television, radio, and still photography in accordance with clause 4 of House Rule XI. The provisions of clause 4(f) of House Rule XI are specifically made part of these rules by reference. To the maximum extent practicable, the Committee shall provide audio and visual coverage of each hearing or meeting for the transaction

of business in a manner that allows the public to easily listen to and view the proceedings, and maintain the recordings of such coverage in a manner that is easily accessible to the public. Operation and use of any Committee Internet broadcast system shall be fair and nonpartisan and in accordance with clause 4(b) of House Rule XI and all other applicable rules of the Committee and the House.

(d) Oversight Plan.—No later than February 15 of the first session of each Congress, the Committee shall adopt its oversight plans for that Congress in accordance with clause 2(d)(1) of House Rule X.

RULE 3. MEETING AND HEARING PROCEDURES IN GENERAL

(a) Notice and Information for Members and the Public.

(1) The Chairman shall publicly announce the date, place and subject matter of: (i) a Committee hearing, which may not commence earlier than one week after such notice; or (ii) a Committee meeting, which may not commence earlier than the third day on which Members have notice thereof.

(2) A hearing or meeting may begin sooner if the Chairman, with the concurrence of the Ranking Minority Member, determines that there is good cause to begin the meeting or hearing sooner, or if the Committee so determines by majority vote. In these cases, the Chairman shall publicly announce the meeting or hearing at the earliest possible time. The Chief Legislative Clerk of the Committee shall promptly notify the Daily Digest Clerk of the Congressional Record and shall promptly make publicly available in electronic form the appropriate information as soon as possible after the public announcement is made.

(3) To the extent practicable, a background memorandum prepared by the Majority staff for the Majority Members and the Minority staff for the Minority Members summarizing the major provisions of any bill being considered by the Committee, including the need for the bill and its effect on current law, will be available for the Members of the Committee no later than 48 hours before the meeting.

(b) Public Availability of Markup Text.—At least 24 hours prior to the markup of any legislation (or at the time of an announcement under paragraph (a)(2) above made within 24 hours before such meeting), the Chairman shall cause the text of such legislation to be made publicly available in electronic form.

(c) Meetings and Hearings to Begin Promptly.—Each meeting or hearing of the Committee shall begin promptly at the time stipulated in the public announcement of the meeting or hearing.

(d) Addressing the Committee.—A Committee Member may address the Committee or a Subcommittee on any bill, motion, or other matter under consideration or may question a witness at a hearing only when recognized by the Chairman for that purpose. The time a Member may address the Committee or Subcommittee for any purpose or to question a witness shall be limited to five minutes, except as provided in Committee Rule 4(f). A Member shall limit his remarks to the subject matter under consideration. The Chairman shall enforce the preceding provision.

(e) Quorums.

(1) A majority of the Members of the Committee shall constitute a quorum for the reporting of any measure or recommendation, the authorizing of a subpoena, the closing of any meeting or hearing to the public under

clause 2(g)(1), clause 2(g)(2)(A) and clause 2(k)(5)(B) of House Rule XI, and the releasing of executive session materials under clause 2(k)(7) of House Rule X. Testimony and evidence may be received at any hearing at which there are at least two Members of the Committee present. For the purpose of transacting all other business of the Committee, one third of the Members shall constitute a quorum.

(2) When a call of the roll is required to ascertain the presence of a quorum, the offices of all Members shall be notified and the Members shall have not less than 15 minutes to prove their attendance. The Chairman shall have the discretion to waive this requirement when a quorum is actually present or whenever a quorum is secured and may direct the Chief Legislative Clerk to note the names of all Members present within the 15-minute period.

(f) Participation of Members in Committee and Subcommittees.—Any Member of the Committee may sit with any Subcommittee during any meeting or hearing, and by unanimous consent of the Members of the Subcommittee, may participate in such meeting or hearing. However, a Member who is not a Member of the Subcommittee may not vote on any matter before the Subcommittee, be counted for purposes of establishing a quorum or raise points of order.

(g) Proxies.—No vote in the Committee or its Subcommittees may be cast by proxy.

(h) Record Votes.—Record votes shall be ordered on the demand of one-fifth of the Members present, or by any Member in the apparent absence of a quorum.

(i) Postponed Record Votes.

(1) Subject to paragraph (2), the Chairman may, after consultation with the Ranking Minority Member, postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment. The Chairman shall resume proceedings on a postponed request at any time after reasonable notice, but no later than the next meeting day.

(2) Notwithstanding any intervening order for the previous question, when proceedings resume on a postponed question under paragraph (1), an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(3) This rule shall apply to Subcommittee proceedings.

(j) Privileged Motions.—A motion to recess from day to day, a motion to recess subject to the call of the Chairman (within 24 hours), and a motion to dispense with the first reading (in full) of a bill or resolution if printed copies are available, are nondebatable motions of high privilege.

(k) Layover and Copy of Bill.—No measure or recommendation reported by a Subcommittee shall be considered by the Committee until two calendar days from the time of Subcommittee action. No bill shall be considered by the Committee unless a copy has been delivered to the office of each Member of the Committee requesting a copy. These requirements may be waived by a majority vote of the Committee at the time of consideration of the measure or recommendation.

(l) Access to Dais and Conference Room.—Access to the hearing rooms' daises (and to the conference rooms adjacent to the Committee hearing rooms) shall be limited to Members of Congress and employees of the Committee during a meeting of the Committee, except that Committee Members' personal staff may be present on the daises if

their employing Member is the author of a bill or amendment under consideration by the Committee, but only during the time that the bill or amendment is under active consideration by the Committee. Access to the conference rooms adjacent to the Committee hearing rooms shall be limited to Members of Congress and employees of Congress during a meeting of the Committee.

(m) Cellular Telephones.—The use of cellular telephones is prohibited on the Committee dais or in the Committee hearing rooms during a meeting of the Committee.

(n) Motion to go to Conference with the Senate.—The Chairman may offer a motion under clause 1 of Rule XXII whenever the Chairman considers it appropriate.

RULE 4. HEARING PROCEDURES

(a) Written Statement; Oral Testimony.—Each witness who is to appear before the Committee or a Subcommittee shall file with the Chief Legislative Clerk of the Committee or Subcommittee Clerk, at least two working days before the day of his or her appearance, a written statement of their proposed testimony. Each witness shall limit his or her oral presentation to a five-minute summary of the written statement, unless the Chairman, in consultation with the Ranking Minority Member, extends this time period. In addition, all witnesses shall be required to submit with their testimony a resume or other statement describing their education, employment, professional affiliations and other background information pertinent to their testimony. Failure to comply with these requirements may result in the exclusion of the written testimony from the hearing record and/or the barring of an oral presentation of the testimony.

(b) Minority Witnesses.—When any hearing is conducted by the Committee or any Subcommittee upon any measure or matter, the Minority party Members on the Committee or Subcommittee shall be entitled, upon request to the Chairman by a majority of those Minority Members before the completion of the hearing, to call witnesses selected by the Minority to testify with respect to that measure or matter during at least one day of hearings thereon.

(c) Information for Members.—After announcement of a hearing, the Committee shall make available as soon as practicable to all Members of the Committee a tentative witness list and to the extent practicable the Majority staff shall make available to the Majority Members and the Minority staff shall make available to the Minority Members a memorandum explaining the subject matter of the hearing (including relevant legislative reports and other necessary material). In addition, the Chairman shall make available to the Members of the Committee any official reports from departments and agencies on the subject matter as they are received.

(d) Subpoenas.—The Committee or a Subcommittee may authorize and issue a subpoena under clause 2(m) of House Rule XI if authorized by a majority of the Members voting. In addition, the Chairman of the Committee may authorize and issue subpoenas during any period of time in which the House of Representatives has adjourned for more than three days. Subpoenas shall be signed only by the Chairman of the Committee, or any Member of the Committee authorized by the Committee, and may be served by any person designated by the Chairman or Member.

(e) Oaths.—The Chairman of the Committee or any Member designated by the Chairman may administer oaths to any witness before the Committee. All witnesses appearing in hearings may be administered the

following oath by the Chairman or his designee prior to receiving the testimony: "Do you solemnly swear or affirm that the testimony that you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?"

Opening Statements; Questioning of Witnesses.

(1) Opening statements by Members may not be presented orally, unless the Chairman or his designee makes a statement, in which case the Ranking Minority Member or his designee may also make a statement. If a witness scheduled to testify at any hearing of the Committee is a constituent of a Member of the Committee, that Member shall be entitled to introduce the witness at the hearing.

(2) The questioning of witnesses in Committee and Subcommittee hearings shall be initiated by the Chairman, followed by the Ranking Minority Member and all other Members alternating between the Majority and Minority parties. In recognizing Members to question witnesses, the Chairman shall take into consideration the ratio of the Majority to Minority Members present and shall establish the order of recognition for questioning in a manner so as not to disadvantage the Members of the Majority or the Members of the Minority. A motion is in order to allow designated Majority and Minority party Members to question a witness for a specified period to be equally divided between the Majority and Minority parties. This period shall not exceed one hour in the aggregate.

(g) Materials for Hearing Record.—Any materials submitted specifically for inclusion in the hearing record must address the announced subject matter of the hearing and be submitted to the relevant Subcommittee Clerk or Chief Legislative Clerk no later than 10 business days following the last day of the hearing.

(h) Claims of Privilege.—Claims of common-law privileges made by witnesses in hearings, or by interviewees or deponents in investigations or inquiries, are applicable only at the discretion of the Chairman, subject to appeal to the Committee.

RULE 5. FILING OF COMMITTEE REPORTS

(a) Duty of Chairman.—Whenever the Committee authorizes the favorable reporting of a measure from the Committee, the Chairman or his designee shall report the same to the House of Representatives and shall take all steps necessary to secure its passage without any additional authority needing to be set forth in the motion to report each individual measure. In appropriate cases, the authority set forth in this rule shall extend to moving in accordance with the Rules of the House of Representatives that the House be resolved into the Committee of the Whole House on the State of the Union for the consideration of the measure; and to moving in accordance with the Rules of the House of Representatives for the disposition of a Senate measure that is substantially the same as the House measure as reported.

(b) Filing.—A report on a measure which has been approved by the Committee shall be filed within seven calendar days (exclusive of days on which the House of Representatives is not in session) after the day on which there has been filed with the Committee Chief Legislative Clerk a written request, signed by a majority of the Members of the Committee, for the reporting of that measure. Upon the filing with the Committee Chief Legislative Clerk of this request, the Chief Legislative Clerk shall transmit immediately to the Chairman notice of the filing of that request.

(c) Supplemental, Additional or Minority Views.—Any Member may, if notice is given by any Member at the time a bill or resolution is approved by the Committee, file supplemental, additional, or minority views. These views must be in writing and signed by each Member joining therein and be filed with the Committee Chief Legislative Clerk not less than two additional calendar days (excluding Saturdays, Sundays and legal holidays except when the House is in session on those days) of the time the bill or resolution is approved by the Committee. This paragraph shall not preclude the filing of any supplemental report on any bill or resolution that may be required for the correction of any technical error in a previous report made by the Committee on that bill or resolution.

(d) Review by Members.—Each Member of the Committee shall be given an opportunity to review each proposed Committee report before it is filed with the Clerk of the House of Representatives. Nothing in this paragraph extends the time allowed for filing supplemental, additional or minority views under paragraph (c).

(e) Disclaimer.—All Committee or Subcommittee reports printed and not approved by a majority vote of the Committee or Subcommittee, as appropriate, shall contain the following disclaimer on the cover of the report:

"This report has not been officially adopted by the {Committee on Natural Resources; Subcommittee; and may not therefore necessarily reflect the views of its Members."

RULE 6. ESTABLISHMENT OF SUBCOMMITTEES; FULL COMMITTEE JURISDICTION; BILL REFERRALS

(a) Subcommittees.—There shall be five standing Subcommittees of the Committee, with the following jurisdiction and responsibilities:

Subcommittee on Public Lands and Environmental Regulation

(1) The National Environmental Policy Act in general.

(2) Measures and matters related to the National Park System and its units, including Federal reserved water rights.

(3) The National Wilderness Preservation System.

(4) Wild and Scenic Rivers System, National Trails System, national heritage areas and other national units established for protection, conservation, preservation or recreational development, other than coastal barriers.

(5) Military parks and battlefields, national cemeteries administered by the Secretary of the Interior, parks in and within the vicinity of the District of Columbia and the erection of monuments to the memory of individuals.

(6) Federal and non-Federal outdoor recreation plans, programs and administration including the Land and Water Conservation Fund Act of 1965 and the Outdoor Recreation Act of 1963.

(7) Preservation of prehistoric ruins and objects of interest on the public domain and other historic preservation programs and activities, including national monuments, historic sites and programs for international cooperation in the field of historic preservation.

(8) Matters concerning the following agencies and programs: Urban Parks and Recreation Recovery Program, Historic American Buildings Survey, Historic American Engineering Record, and U.S. Holocaust Memorial.

(9) Public lands generally, including measures or matters relating to entry, easements, withdrawals, grazing and Federal reserved water rights.

(10) Forfeiture of land grants and alien ownership, including alien ownership of mineral lands.

(11) Cooperative efforts to encourage, enhance and improve international programs for the protection of the environment and the conservation of natural resources otherwise within the jurisdiction of the Subcommittee.

(12) Forest reservations, including management thereof, created from the public domain.

(13) Public forest lands generally, including measures or matters related to entry, easements, withdrawals, grazing and Federal reserved water rights.

(14) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs

(1) All matters regarding insular areas of the United States.

(2) All measures or matters regarding the Freely Associated States and Antarctica.

(3) Fisheries management and fisheries research generally, including the management of all commercial and recreational fisheries (except for the reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act), interjurisdictional fisheries, international fisheries agreements, aquaculture, seafood safety and fisheries promotion.

(4) Wildlife resources, including research, restoration, refuges and conservation.

(5) All matters pertaining to the protection of coastal and marine environments, including estuarine protection.

(6) Coastal barriers.

(7) Oceanography.

(8) Ocean engineering, including materials, technology and systems.

(9) Coastal zone management.

(10) Marine sanctuaries.

(11) U.N. Convention on the Law of the Sea.

(12) Sea Grant programs and marine extension services.

(13) Cooperative efforts to encourage, enhance and improve international programs for the protection of the environment and the conservation of natural resources otherwise within the jurisdiction of the Subcommittee.

(14) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

Subcommittee on Water and Power

(1) Generation and marketing of electric power from Federal water projects by Federally chartered or Federal regional power marketing authorities.

(2) All measures and matters concerning water resources planning conducted pursuant to the Water Resources Planning Act, water resource research and development programs and saline water research and development.

(3) Compacts relating to the use and apportionment of interstate waters, water rights and major interbasin water or power movement programs.

(4) All measures and matters pertaining to irrigation and reclamation projects and other water resources development and recycling programs, including policies and procedures.

(5) Indian water rights and settlements.

(6) Cooperative efforts to encourage, enhance and improve international programs for the protection of the environment and the conservation of natural resources otherwise within the jurisdiction of the Subcommittee.

(7) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

Subcommittee on Energy and Mineral Resources

(1) All measures and matters concerning the U.S. Geological Survey, except for the activities and programs of the Water Resources Division or its successor.

(2) All measures and matters affecting geothermal resources.

(3) Conservation of United States uranium supply.

(4) Mining interests generally, including all matters involving mining regulation and enforcement, including the reclamation of mined lands, the environmental effects of mining, and the management of mineral receipts, mineral land laws and claims, long-range mineral programs and deep seabed mining.

(5) Mining schools, experimental stations and long-range mineral programs.

(6) Mineral resources on public lands.

(7) Conservation and development of oil and gas resources of the Outer Continental Shelf.

(8) Petroleum conservation on the public lands and conservation of the radium supply in the United States.

(9) Measures and matters concerning the transportation of natural gas from or within Alaska and disposition of oil transported by the trans-Alaska oil pipeline.

(10) Rights of way over public lands for underground energy-related transportation.

(11) Cooperative efforts to encourage, enhance and improve international programs for the protection of the environment and the conservation of natural resources otherwise within the jurisdiction of the Subcommittee.

(12) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

Subcommittee on Indian and Alaska Native Affairs

(1) Measures relating to the welfare of Native Americans, including management of Indian lands in general and special measures relating to claims which are paid out of Indian funds.

(2) All matters regarding the relations of the United States with Native Americans and Native American tribes, including special oversight functions under House Rule X.

(3) All matters regarding Native Alaskans.

(4) All matters related to the Federal trust responsibility to Native Americans and the sovereignty of Native Americans.

(b) Full Committee.—The following measures and matters shall be retained at the Full Committee:

(1) Environmental and habitat measures of general applicability, including the Endangered Species Act and reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act.

(2) All matters regarding Native Hawaiians.

(3) Cooperative efforts to encourage, enhance and improve international programs for the protection of the environment and the conservation of natural resources other-

wise within the jurisdiction of the Full Committee under this paragraph.

(4) All other measures and matters retained by the Full Committee, including those retained under Committee Rule 6(e).

(5) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Committee under House Rule X.

(c) Ex-officio Members.—The Chairman and Ranking Minority Member of the Committee may serve as ex-officio Members of each standing Subcommittee to which the Chairman or the Ranking Minority Member have not been assigned. Ex-officio Members shall have the right to fully participate in Subcommittee activities but may not vote and may not be counted in establishing a quorum.

(d) Powers and Duties of Subcommittees. Each Subcommittee is authorized to meet, hold hearings, receive evidence and report to the Committee on all matters within its jurisdiction. Each Subcommittee shall review and study, on a continuing basis, the application, administration, execution and effectiveness of those statutes, or parts of statutes, the subject matter of which is within that Subcommittee's jurisdiction; and the organization, operation, and regulations of any Federal agency or entity having responsibilities in or for the administration of such statutes, to determine whether these statutes are being implemented and carried out in accordance with the intent of Congress. Each Subcommittee shall review and study any conditions or circumstances indicating the need of enacting new or supplemental legislation within the jurisdiction of the Subcommittee. Each Subcommittee shall have general and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

(e) Referral to Subcommittees; Recall.

(1) Except as provided in paragraph (2) and for those measures or matters retained at the Full Committee, every legislative measure or other matter referred to the Committee shall be referred to the Subcommittee of jurisdiction within two weeks of the date of its referral to the Committee. If any measure or matter is within or affects the jurisdiction of one or more Subcommittees, the Chairman may refer that measure or matter simultaneously to two or more Subcommittees for concurrent consideration or for consideration in sequence subject to appropriate time limits, or divide the matter into two or more parts and refer each part to a Subcommittee.

(2) The Chairman, with the approval of a majority of the Majority Members of the Committee, may refer a legislative measure or other matter to a select or special Subcommittee. A legislative measure or other matter referred by the Chairman to a Subcommittee may be recalled from the Subcommittee for direct consideration by the Full Committee, or for referral to another Subcommittee, provided Members of the Committee receive one week written notice of the recall and a majority of the Members of the Committee do not object. In addition, a legislative measure or other matter referred by the Chairman to a Subcommittee may be recalled from the Subcommittee at any time by majority vote of the Committee for direct consideration by the Full Committee or for referral to another Subcommittee.

Consultation.—Each Subcommittee Chairman shall consult with the Chairman of the Full Committee prior to setting dates for

Subcommittee meetings with a view towards avoiding whenever possible conflicting Committee and Subcommittee meetings.

(g) Vacancy.—A vacancy in the membership of a Subcommittee shall not affect the power of the remaining Members to execute the functions of the Subcommittee.

RULE 7. TASK FORCES, SPECIAL OR SELECT SUBCOMMITTEES

(a) Appointment.—The Chairman of the Committee is authorized, after consultation with the Ranking Minority Member, to appoint Task Forces, or special or select Subcommittees, to carry out the duties and functions of the Committee.

(b) Ex-Officio Members.—The Chairman and Ranking Minority Member of the Committee may serve as ex-officio Members of each Task Force, or special or select Subcommittee if they are not otherwise members. Ex-officio Members shall have the right to fully participate in activities but may not vote and may not be counted in establishing a quorum.

(c) Party Ratios.—The ratio of Majority Members to Minority Members, excluding ex-officio Members, on each Task Force, special or select Subcommittee shall be as close as practicable to the ratio on the Full Committee.

(d) Temporary Resignation.—A Member can temporarily resign his or her position on a Subcommittee to serve on a Task Force, special or select Subcommittee without prejudice to the Member's seniority on the Subcommittee.

(e) Chairman and Ranking Minority Member.—The Chairman of any Task Force, or special or select Subcommittee shall be appointed by the Chairman of the Committee. The Ranking Minority Member shall select a Ranking Minority Member for each Task Force, or standing, special or select Subcommittee.

RULE 8. RECOMMENDATION OF CONFEREES

Whenever it becomes necessary to appoint conferees on a particular measure, the Chairman shall recommend to the Speaker as conferees those Majority Members, as well as those Minority Members recommended to the Chairman by the Ranking Minority Member, primarily responsible for the measure. The ratio of Majority Members to Minority Members recommended for conferences shall be no greater than the ratio on the Committee.

RULE 9. COMMITTEE RECORDS

(a) Segregation of Records.—All Committee records shall be kept separate and distinct from the office records of individual Committee Members serving as Chairmen or Ranking Minority Members. These records shall be the property of the House and all Members shall have access to them in accordance with clause 2(e)(2) of House Rule XI.

(b) Availability.—The Committee shall make available to the public for review at reasonable times in the Committee office transcripts of public meetings and hearings, except those that are unrevised or unedited and intended solely for the use of the Committee.

(c) Archived Records.—Records of the Committee which are deposited with the National Archives shall be made available for public use pursuant to House Rule VII. The Chairman of the Committee shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of House Rule VII, to withhold, or to provide a time, schedule or condition for availability of any record otherwise available. At the

written request of any Member of the Committee, the matter shall be presented to the Committee for a determination and shall be subject to the same notice and quorum requirements for the conduct of business under Committee Rule 3.

(d) Records of Closed Meetings.—Notwithstanding the other provisions of this rule, no records of Committee meetings or hearings which were closed to the public pursuant to the Rules of the House of Representatives shall be released to the public unless the Committee votes to release those records in accordance with the procedure used to close the Committee meeting.

(e) Classified Materials.—All classified materials shall be maintained in an appropriately secured location and shall be released only to authorized persons for review, who shall not remove the material from the Committee offices without the written permission of the Chairman.

(f) Committee Information Available for the Public.—In addition to any other requirement of these rules or the Rules of the House of Representatives, the Chairman shall cause to be made available publicly in electronic form the following:

(1) a record of the votes on any question on which a recorded vote is taken which shall be posted no later than 24 hours after the vote is taken that shall include:

(i) a copy of the amendment or a detailed description of the motion, order or other proposition; and

(ii) the name of each Member voting for and each Member voting against such amendment, motion, order, or proposition, the names of those Members voting present, and the names of any Member not present.

(2) copies of all amendments adopted in Committee by voice vote or unanimous consent within 24 hours of the adoption of the amendment.

(3) the rules of the Committee, once adopted, and any amendments thereto, in accordance with clause 2(a)(2) of House Rule XI.

(4) the statements required under the second sentence of clause 2(g)(5) of House Rule XI, with appropriate redactions to protect the privacy of the witness, which shall be posted no later than one day after the witness appears before the Committee.

RULE 10. COMMITTEE BUDGET AND EXPENSES

(a) Budget.—At the beginning of each Congress, after consultation with the Chairman of each Subcommittee and the Ranking Minority Member, the Chairman shall present to the Committee for its approval a budget covering the funding required for staff, travel, and miscellaneous expenses.

(b) Expense Resolution.—Upon approval by the Committee of each budget, the Chairman, acting pursuant to clause 6 of House Rule X, shall prepare and introduce in the House a supporting expense resolution, and take all action necessary to bring about its approval by the Committee on House Administration and by the House of Representatives.

(c) Amendments.—The Chairman shall report to the Committee any amendments to each expense resolution and any related changes in the budget.

(d) Additional Expenses.—Authorization for the payment of additional or unforeseen Committee expenses may be procured by one or more additional expense resolutions processed in the same manner as set out under this rule.

(e) Month Reports.—Copies of each monthly report, prepared by the Chairman for the Committee on House Administration, which shows expenditures made during the report-

ing period and cumulative for the year, anticipated expenditures for the projected Committee program, and detailed information on travel, shall be available to each Member.

RULE 11. COMMITTEE STAFF

(a) Rules and Policies.—Committee staff members are subject to the provisions of clause 9 of House Rule X, as well as any written personnel policies the Committee may from time to time adopt.

(b) Majority and Nonpartisan Staff.—The Chairman shall appoint, determine the remuneration of, and may remove, the legislative and administrative employees of the Committee not assigned to the Minority. The legislative and administrative staff of the Committee not assigned to the Minority shall be under the general supervision and direction of the Chairman, who shall establish and assign the duties and responsibilities of these staff members and delegate any authority he determines appropriate.

(c) Minority Staff.—The Ranking Minority Member of the Committee shall appoint, determine the remuneration of, and may remove, the legislative and administrative staff assigned to the Minority within the budget approved for those purposes. The legislative and administrative staff assigned to the Minority shall be under the general supervision and direction of the Ranking Minority Member of the Committee who may delegate any authority he determines appropriate.

(d) Availability.—The skills and services of all Committee staff shall be available to all Members of the Committee.

RULE 12. COMMITTEE TRAVEL

In addition to any written travel policies the Committee may from time to time adopt, all travel of Members and staff of the Committee or its Subcommittees, to hearings, meetings, conferences and investigations, including all foreign travel, must be authorized by the Full Committee Chairman prior to any public notice of the travel and prior to the actual travel. In the case of Minority staff, all travel shall first be approved by the Ranking Minority Member. Funds authorized for the Committee under clauses 6 and 7 of House Rule X are for expenses incurred in the Committee's activities within the United States.

RULE 13. CHANGES TO COMMITTEE RULES

The rules of the Committee may be modified, amended, or repealed, by a majority vote of the Committee, provided that written notice of the proposed change has been provided each Member of the Committee prior to the meeting date on which the changes are to be discussed and voted on consistent with Committee Rule 3(a). A change to the rules of the Committee shall be published in the Congressional Record no later than 30 days after its approval and made publicly available in electronic form.

RULE 14. OTHER PROCEDURES

The Chairman may establish procedures and take actions as may be necessary to carry out the rules of the Committee or to facilitate the effective administration of the Committee, in accordance with the rules of the Committee and the Rules of the House of Representatives.

RULES OF THE COMMITTEE ON AGRICULTURE FOR THE 113TH CONGRESS

Mr. LUCAS. Mr. Speaker, I am pleased to submit for printing, pursuant to rule XI, clause 2(a) of the Rules of the House, a copy of the Rules of the Committee on Agriculture, which

were adopted at the organizational meeting of the Committee on January 23, 2013.

Appendix A of the Committee Rules will include excerpts from the Rules of the House relevant to the operation of the Committee. Appendix B will include relevant excerpts from the Congressional Budget Act of 1974. In the interests of minimizing printing costs, Appendices A and B are omitted from this submission.

RULE I.—GENERAL PROVISIONS

(a) Applicability of House Rules.—(1) The Rules of the House shall govern the procedure of the Committee and its subcommittees, and the rules of the Committee on Agriculture so far as applicable shall be interpreted in accordance with the Rules of the House, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are non-debatable privileged motions in the Committee and its subcommittees. (See Appendix A for the applicable Rules of the U.S. House of Representatives.)

(2) As provided in clause 1(a)(2) of House Rule XI, each subcommittee is part of the Committee and is subject to the authority and direction of the Committee and its rules so far as applicable. (See also Committee rules III, IV, V, VI, VII and X, *infra*.)

(b) Authority to Conduct Investigations.—The Committee and its subcommittees, after consultation with the Chairman of the Committee, may conduct such investigations and studies as they may consider necessary or appropriate in the exercise of their responsibilities under Rule X of the Rules of the House and in accordance with clause 2(m) of House Rule XI.

(c) Authority to Print.—The Committee is authorized by the Rules of the House to have printed and bound testimony and other data presented at hearings held by the Committee and its subcommittees. All costs of stenographic services and transcripts in connection with any meeting or hearing of the Committee and its subcommittees shall be paid from applicable accounts of the House described in clause 1(i)(1) of House Rule X in accordance with clause 1(c) of House Rule XI. (See also paragraphs (d), (e) and (f) of Committee rule VIII.)

(d) Vice Chairman.—The Member of the majority party on the Committee or subcommittee designated by the Chairman of the full Committee shall be the vice chairman of the Committee or subcommittee in accordance with clause 2(d) of House Rule XI.

(e) Presiding Member.—If the Chairman of the Committee or subcommittee is not present at any Committee or subcommittee meeting or hearing, the vice chairman shall preside. If the Chairman and vice chairman of the Committee or subcommittee are not present at a Committee or subcommittee meeting or hearing the ranking Member of the majority party who is present shall preside in accordance with clause 2(d), House Rule XI.

(f) Publication of Rules.—The Committee's rules shall be publicly available in electronic form and published in the Congressional Record not later than 30 days after the Chair is elected in each odd-numbered year as provided in clause 2(a) of House Rule XI.

(g) Joint Committee Reports of Investigation or Study.—A report of an investigation or study conducted jointly by more than one committee may be filed jointly, provided that each of the committees complies independently with all requirements for approval and filing of the report.

**RULE II.—COMMITTEE BUSINESS MEETINGS—
REGULAR, ADDITIONAL AND SPECIAL**

(a) **Regular Meetings.**—(1) Regular meetings of the Committee, in accordance with clause 2(b) of House Rule XI, shall be held on the first Wednesday of every month to transact its business if notice is given pursuant to clause 2(g)(3) of House Rule XI. The Chairman shall provide each member of the Committee, as far in advance of the day of the regular meeting as practicable, a written agenda of such meeting. Items may be placed on the agenda by the Chairman or a majority of the Committee. This paragraph shall not apply to meetings of any subcommittee. (See paragraph (f) of Committee rule X for provisions that apply to meetings of subcommittees.)

(b) **Additional Meetings.**—(1) The Chairman may call and convene, as he or she considers necessary, which may not commence earlier than the third day on which members have notice thereof after consultation with the Ranking Minority Member of the Committee or after concurrence with the Ranking Minority Member, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such additional meetings pursuant to the notice from the Chairman.

(2) A hearing or meeting may begin sooner than specified in clause (1) (in which case the chair shall make the announcement specified at the earliest possible time) if the committee so determines by majority vote in the presence of the number of members required under the rules of the committee for the transaction of business.

(3) At least 24 hours prior to the commencement of a meeting for the markup of a measure or matter the Chair shall cause the text of such measure or matter to be made publicly available in electronic form.

(c) **Special Meetings.**—If at least three members of the Committee desire that a special meeting of the Committee be called by the Chairman, those members may file in the offices of the Committee their written request to the Chairman for such special meeting. Such request shall specify the measure or matters to be considered. Immediately upon the filing of the request, the Majority Staff Director (serving as the clerk of the Committee for such purpose) shall notify the Chairman of the filing of the request. If, within three calendar days after the filing of the request, the Chairman does not call the requested special meeting to be held within 7 calendar days after the filing of the request, a majority of the members of the Committee may file in the offices of the Committee their written notice that a special meeting of the Committee will be held, specifying the date and hour thereof, and the measures or matter to be considered at that special meeting in accordance with clause 2(c)(2) of House Rule XI. The Committee shall meet on that date and hour. Immediately upon the filing of the notice, the Majority Staff Director (serving as the clerk) of the Committee shall notify all members of the Committee that such meeting will be held and inform them of its date and hour and the measure or matter to be considered, and only the measure or matter specified in that notice may be considered at that special meeting.

**RULE III.—OPEN MEETINGS AND HEARINGS;
BROADCASTING**

(a) **Open Meetings and Hearings.**—Each meeting for the transaction of business, including the markup of legislation, and each hearing by the Committee or a sub-

committee shall be open to the public unless closed in accordance with clause 2(g) of House Rule XI. (See Appendix A.)

(b) **Broadcasting and Photography.**—Whenever a Committee or subcommittee meeting for the transaction of business, including the markup of legislation, or a hearing is open to the public, that meeting or hearing shall:

(1) To the maximum extent practicable the Committee shall provide audio and video coverage of each hearing or meeting for the transaction of business in a manner that allows the public to easily listen to and view the proceedings and shall maintain the recordings of such coverage in a manner that is easily accessible to the public.

(2) Be open to coverage by television, radio, and still photography in accordance with clause 4 of House Rule XI (See Appendix A). When such radio coverage is conducted in the Committee or subcommittee, written notice to that effect shall be placed on the desk of each Member. The Chairman of the Committee or subcommittee, shall not limit the number of television or still cameras permitted in a hearing or meeting room to fewer than two representatives from each medium (except for legitimate space or safety considerations, in which case pool coverage shall be authorized).

(c) **Closed Meetings—Attendees.**—No person other than Members of the Committee or subcommittee and such congressional staff and departmental representatives as the Committee or subcommittee may authorize shall be present at any business or markup session that has been closed to the public as provided in clause 2(g)(1) of House Rule XI.

(d) **Addressing the Committee.**—A Committee member may address the Committee or a subcommittee on any bill, motion, or other matter under consideration (See Committee rule VII (e) relating to questioning a witness at a hearing). The time a member may address the Committee or subcommittee for any such purpose shall be limited to five minutes, except that this time limit may be waived by unanimous consent. A member shall also be limited in his or her remarks to the subject matter under consideration, unless the Member receives unanimous consent to extend his or her remarks beyond such subject.

(e) **Meetings to Begin Promptly.**—Subject to the presence of a quorum, each meeting or hearing of the Committee and its subcommittees shall begin promptly at the time so stipulated in the public announcement of the meeting or hearing.

(f) **Prohibition on Proxy Voting.**—No vote by any Member of the Committee or subcommittee with respect to any measure or matter may be cast by proxy.

(g) **Location of Persons at Meetings.**—No person other than the Committee or subcommittee Members and Committee or subcommittee staff may be seated in the rostrum area during a meeting of the Committee or subcommittee unless by unanimous consent of Committee or subcommittee.

(h) **Consideration of Amendments and Motions.**—A Member, upon request, shall be recognized by the Chairman to address the Committee or subcommittee at a meeting for a period limited to five minutes on behalf of an amendment or motion offered by the Member or another Member, or upon any other matter under consideration, unless the Member receives unanimous consent to extend the time limit. Every amendment or motion made in Committee or subcommittee shall, upon the demand of any Member present, be reduced to writing, and a copy

thereof shall be made available to all Members present. Such amendment or motion shall not be pending before the Committee or subcommittee or voted on until the requirements of this paragraph have been met.

(i) **Demanding Record Vote.**—

(1) A record vote of the Committee or subcommittee on a question or action shall be ordered on a demand by one-fifth of the Members present.

(2) The Chairman of the Committee or Subcommittee may postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment. If the Chairman postpones further proceedings:

(A) the Chairman may resume such postponed proceedings, after giving Members adequate notice, at a time chosen in consultation with the Ranking Minority Member; and

(B) notwithstanding any intervening order for the previous question, the underlying proposition on which proceedings were postponed shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(j) **Submission of Motions or Amendments In Advance of Business Meetings.**—The Committee and subcommittee-Chairman may request and Committee and subcommittee Members should, insofar as practicable, cooperate in providing copies of proposed amendments or motions to the Chairman and the Ranking Minority Member of the Committee or the subcommittee twenty-four hours before a Committee or subcommittee business meeting.

(k) **Points of Order.**—No point of order against the hearing or meeting procedures of the Committee or subcommittee shall be entertained unless it is made in a timely fashion.

(l) **Limitation on Committee Sittings.**—The Committee or subcommittees may not sit during a joint session of the House and Senate or during a recess when a joint meeting of the House and Senate is in progress.

(m) **Prohibition of Wireless Telephones.**—Use of wireless phones during a committee or subcommittee hearing or meeting is prohibited.

RULE IV.—QUORUMS

(a) **Working Quorum.**—One-third of the members of the Committee or a subcommittee shall constitute a quorum for taking any action, other than as noted in paragraphs (b) and (c).

(b) **Majority Quorum.**—A majority of the members of the Committee or subcommittee shall constitute a quorum for:

(1) the reporting of a bill, resolution or other measure (See clause 2(h)(1) of House Rules XI, and Committee rule VIII);

(2) the closing of a meeting or hearing to the public pursuant to clauses 2(g), 2(k)(5) and 2(k)(7) of the Rule XI of the Rules of the House;

(3) the authorizing of a subpoena as provided in clause 2(m)(3), of House Rule XI (See also Committee rule VI.); and

(4) as where required by a rule of the House.

(c) **Quorum for Taking Testimony.**—Two members of the Committee or subcommittee shall constitute a quorum for the purpose of taking testimony and receiving evidence.

RULE V.—RECORDS

(a) **Maintenance of Records.**—The Committee shall keep a complete record of all Committee and subcommittee action which shall include—

(1) in the case of any meeting or hearing transcripts, a substantially verbatim account of remarks actually made during the

proceedings, subject only to technical, grammatical and typographical corrections authorized by the person making the remarks involved, and

(2) written minutes shall include a record of all Committee and subcommittee action and a record of all votes on any question and a tally on all record votes.

The result of each such record vote shall be made available by the Committee for inspection by the public at reasonable times in the offices of the Committee and by telephone request and also made publicly available in electronic form within 48 hours of such record vote. Not later than 24 hours after adoption of an amendment to a measure or matter, the chair of the Committee shall cause the text of such amendment adopted thereto to be made publicly available in electronic form. Information so available for public inspection shall include a description of the amendment, motion, order or other proposition and the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members present but not voting.

(b) Access to and Correction of Records.—Any public witness, or person authorized by such witness, during Committee office hours in the Committee offices and within two weeks of the close of hearings, may obtain a transcript copy of that public witness's testimony and make such technical, grammatical and typographical corrections as authorized by the person making the remarks involved as will not alter the nature of testimony given. There shall be prompt return of such corrected copy of the transcript to the Committee. Members of the Committee or subcommittee shall receive copies of transcripts for their prompt review and correction and prompt return to the Committee. The Committee or subcommittee may order the printing of a hearing record without the corrections of any Member or witness if it determines that such Member or witness has been afforded a reasonable time in which to make such corrections and further delay would seriously impede the consideration of the legislative action that is subject of the hearing. The record of a hearing shall be closed ten calendar days after the last oral testimony, unless the Committee or subcommittee determines otherwise. Any person requesting to file a statement for the record of a hearing must so request before the hearing concludes and must file the statement before the record is closed unless the Committee or subcommittee determines otherwise. The Committee or subcommittee may reject any statement in light of its length or its tendency to defame, degrade, or incriminate any person.

(c) Property of the House.—All Committee and subcommittee records (including hearings data, charts, and files) shall be kept separate and distinct from the congressional office records of the Members serving as Chairman and such records shall be the property of the House and all Members of the House shall have access thereto. The Majority Staff Director shall promptly notify the Chairman and the Ranking Minority Member of any request for access to such records.

(d) Availability of Archived Records.—The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with House Rule VII. The Chairman shall notify the Ranking Minority Member of the Committee of the need for a Committee order pursuant to clause 3(b)(3) or clause 4(b) of such House Rule, to withhold a record otherwise available.

(e) Special Rules for Certain Records and Proceedings.—A stenographic record of a business meeting of the Committee or subcommittee may be kept and thereafter may be published if the Chairman of the Committee, after consultation with the Ranking Minority Member, determines there is need for such a record. The proceedings of the Committee or subcommittee in a closed meeting, evidence or testimony in such meeting, shall not be divulged unless otherwise determined by a majority of the Committee or subcommittee.

(f) Electronic Availability of Committee Publications.—To the maximum extent feasible, the Committee shall make its publications available in electronic form.

RULE VI.—POWER TO SIT AND ACT; SUBPOENA POWER

(a) Authority to Sit and Act.—For the purpose of carrying out any of its function and duties under House Rules X and XI, the Committee and each of its subcommittees is authorized (subject to paragraph (b)(1) of this rule)—

(1) to sit and act at such times and places within the United States whether the House is in session, has recessed, or has adjourned and to hold such hearings, and

(2) to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers and documents, as it deems necessary. The Chairman of the Committee or subcommittee, or any member designated by the Chairman, may administer oaths to any witness.

(b) Issuance of Subpoenas.—(1) A subpoena may be authorized and issued by the Committee or subcommittee under paragraph (a)(2) in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present, as provided in clause 2(m)(3)(A) of House Rule XI. Such authorized subpoenas shall be signed by the Chairman of the Committee or by any member designated by the Committee. As soon as practicable after a subpoena is issued under this rule, the Chairman shall notify all members of the Committee of such action.

(2) Notice of a meeting to consider a motion to authorize and issue a subpoena should be given to all Members of the Committee by 5 p.m. of the day preceding such meeting.

(3) Compliance with any subpoena issued by the Committee or subcommittee under paragraph (a)(2) may be enforced only as authorized or directed by the House.

(4) A subpoena duces tecum may specify terms of return other than at a meeting or hearing of the committee or subcommittee authorizing the subpoena.

(c) Expenses of Subpoenaed Witnesses.—Each witness who has been subpoenaed, upon the completion of his or her testimony before the Committee or any subcommittee, may report to the offices of the Committee, and there sign appropriate vouchers for travel allowances and attendance fees to which he or she is entitled. If hearings are held in cities other than Washington D.C., the subpoenaed witness may contact the Majority Staff Director of the Committee, or his or her representative, before leaving the hearing room.

RULE VII.—HEARING PROCEDURES

(a) Power to Hear.—For the purpose of carrying out any of its functions and duties under House Rule X and XI, the Committee and its subcommittees are authorized to sit

and hold hearings at any time or place within the United States whether the House is in session, has recessed, or has adjourned. (See paragraph (a) of Committee rule VI and paragraph (f) of Committee rule X for provisions relating to subcommittee hearings and meetings.)

(b) Announcement.—The Chairman of the Committee shall after consultation with the Ranking Minority Member of the Committee, make a public announcement of the date, place and subject matter of any Committee hearing at least one week before the commencement of the hearing. The Chairman of a subcommittee shall schedule a hearing only after consultation with the Chairman of the Committee and after consultation with the Ranking Minority Member of the subcommittee, and the Chairmen of the other subcommittees after such consultation with the Committee Chairman, and shall request the Majority Staff Director to make a public announcement of the date, place, and subject matter of such hearing at least one week before the hearing. If the Chairman of the Committee or the subcommittee, with concurrence of the Ranking Minority Member of the Committee or subcommittee, determines there is good cause to begin the hearing sooner, or if the Committee or subcommittee so determines by majority vote, a quorum being present for the transaction of business, the Chairman of the Committee or subcommittee, as appropriate, shall request the Majority Staff Director to make such public announcement at the earliest possible date. The clerk of the Committee shall promptly notify the Daily Digest Clerk of the Congressional Record, and shall promptly enter the appropriate information into the Committee scheduling service of the House Information Systems as soon as possible after such public announcement is made.

(c) Scheduling of Witnesses.—Except as otherwise provided in this rule, the scheduling of witnesses and determination of the time allowed for the presentation of testimony at hearings shall be at the discretion of the Chairman of the Committee or subcommittee, unless a majority of the Committee or subcommittee determines otherwise.

(d) Written Statement; Oral Testimony.—(1) Each witness who is to appear before the Committee or a subcommittee, shall insofar as practicable file with the Majority Staff Director of the Committee, at least two working days before day of his or her appearance, a written statement of proposed testimony. Witnesses shall provide sufficient copies of their statement for distribution to Committee or subcommittee Members, staff, and the news media. Insofar as practicable, the Committee or subcommittee staff shall distribute such written statements to all Members of the Committee or subcommittee as soon as they are received as well as any official reports from departments and agencies on such subject matter. All witnesses may be limited in their oral presentations to brief summaries of their statements within the time allotted to them, at the discretion of the Chairman of the Committee or subcommittee, in light of the nature of the testimony and the length of time available.

(2) As noted in paragraph (a) of Committee rule VI, the Chairman of the Committee or one of its subcommittees, or any Member designated by the Chairman, may administer an oath to any witness.

(3) To the greatest extent practicable, each witness appearing in a non-governmental capacity shall include with the written statement of proposed testimony a curriculum

vitae and disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years. Such statements, with appropriate redactions to protect the privacy of witnesses, shall be made publicly available in electronic form not later than one day after the witness appears.

(e) Questioning of Witnesses.—Committee or subcommittee Members may question witnesses only when they have been recognized by the Chairman of the Committee or subcommittee for that purpose. Each Member so recognized shall be limited to questioning a witness for five minutes until such time as each Member of the Committee or subcommittee who so desires has had an opportunity to question the witness for five minutes; and thereafter the Chairman of the Committee or subcommittee may limit the time of a further round of questioning after giving due consideration to the importance of the subject matter and the length of time available. All questions put to witnesses shall be germane to the measure or matter under consideration. Unless a majority of the Committee or subcommittee determines otherwise, no committee or subcommittee staff shall interrogate witnesses.

(f) Extended Questioning for Designated Members.—Notwithstanding paragraph (e), the Chairman and Ranking Minority member may designate an equal number of Members from each party to question a witness for a period not longer than 60 minutes.

(g) Witnesses for the Minority.—When any hearing is conducted by the Committee or any subcommittee upon any measure or matter, the minority party members on the Committee or subcommittee shall be entitled, upon request to the Chairman by a majority of those minority members before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon as provided in clause 2(j)(1) of House Rule XI.

(h) Summary of Subject Matter.—Upon announcement of a hearing, to the extent practicable, the Committee shall make available immediately to all members of the Committee a concise summary of the subject matter (including legislative reports and other material) under consideration. In addition, upon announcement of a hearing and subsequently as they are received, the Chairman of the Committee or subcommittee shall, to the extent practicable, make available to the members of the Committee any official reports from departments and agencies on such matter. (See Committee rule X(f).)

(i) Open Hearings.—Each hearing conducted by the Committee or subcommittee shall be open to the public, including radio, television and still photography coverage, except as provided in clause 4 of House Rule XI (see also Committee rule III (b)). In any event, no Member of the House may be excluded from nonparticipatory attendance at any hearing unless the House by majority vote shall authorize the Committee or subcommittee, for purposes of a particular series of hearings on a particular bill or resolution or on a particular subject of investigation, to close its hearings to Members by means of the above procedure.

(j) Hearings and Reports.—(1)(i) The Chairman of the Committee or subcommittee at a hearing shall announce in an opening statement the subject of the investigation. A copy of the Committee rules (and the applicable

provisions of clause 2 of House Rule XI, regarding hearing procedures, an excerpt of which appears in Appendix A thereto) shall be made available to each witness upon request. Witnesses at hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights. The Chairman of the Committee or subcommittee may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; but only the full Committee may cite the offender to the House for contempt.

(ii) Whenever it is asserted by a member of the committee that the evidence or testimony at a hearing may tend to defame, degrade, or incriminate any person, or it is asserted by a witness that the evidence or testimony that the witness would give at a hearing may tend to defame, degrade, or incriminate the witness, such testimony or evidence shall be presented in executive session, notwithstanding the provisions of paragraph (i) of this rule, if by a majority of those present, there being in attendance the requisite number required under the rules of the Committee to be present for the purpose of taking testimony, the Committee or subcommittee determines that such evidence or testimony may tend to defame, degrade, or incriminate any person. The Committee or subcommittee shall afford a person an opportunity voluntarily to appear as a witness; and the Committee or subcommittee shall receive and shall dispose of requests from such person to subpoena additional witnesses.

(iii) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Committee or subcommittee. In the discretion of the Committee or subcommittee, witnesses may submit brief and pertinent statements in writing for inclusion in the record. The Committee or subcommittee is the sole judge of the pertinency of testimony and evidence adduced at its hearings. A witness may obtain a transcript copy of his or her testimony given at a public session or, if given at an executive session, when authorized by the Committee or subcommittee. (See paragraph (c) of Committee rule V.)

(2) A proposed investigative or oversight report shall be considered as read if it has been available to the members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such day) in advance of their consideration.

RULE VIII.—THE REPORTING OF BILLS AND RESOLUTIONS

(a) Filing of Reports.—The Chairman shall report or cause to be reported promptly to the House any bill, resolution, or other measure approved by the Committee and shall take or cause to be taken all necessary steps to bring such bill, resolution, or other measure to a vote. No bill, resolution, or measure shall be reported from the Committee unless a majority of Committee is actually present. A Committee report on any bill, resolution, or other measure approved by the Committee shall be filed within seven calendar days (not counting days on which the House is not in session) after the day on which there has been filed with the Majority Staff Director of the Committee a written request, signed by a majority of the Committee, for the reporting of that bill or resolution. The Majority Staff Director of the Committee shall notify the Chairman immediately when such a request is filed.

(b) Content of Reports.—Each Committee report on any bill or resolution approved by

the Committee shall include as separately identified sections:

(1) a statement of the intent or purpose of the bill or resolution;

(2) a statement describing the need for such bill or resolution;

(3) a statement of Committee and subcommittee consideration of the measure including a summary of amendments and motions offered and the actions taken thereon;

(4) the results of the each record vote on any amendment in the Committee and subcommittee and on the motion to report the measure or matter, including the names of those Members and the total voting for and the names of those Members and the total voting against such amendment or motion (See clause 3(b) of House rule XIII);

(5) the oversight findings and recommendations of the Committee with respect to the subject matter of the bill or resolution as required pursuant to clause 3(c)(1) of House Rule XIII and clause 2(b)(1) of House Rule X;

(6) the detailed statement described in House Rule XIII clause 3(c)(2) and section 308(a) of the Congressional Budget Act of 1974 if the bill or resolution provides new budget authority (other than continuing appropriations), new spending authority described in section 401(c)(2) of such Act, new credit authority, or an increase or decrease in revenues or tax expenditures, except that the estimates with respect to new budget authority shall include, when practicable, a comparison of the total estimated funding level for the relevant program (or programs) to the appropriate levels under current law;

(7) the estimate of costs and comparison of such estimates, if any, prepared by the Director of the Congressional Budget Office in connection with such bill or resolution pursuant to section 402 of the Congressional Budget Act of 1974 if submitted in timely fashion to the Committee;

(8) a statement of general performance goals and objectives, including outcome-related goals and objectives, for which the measure authorizes funding;

(9) an estimate by the committee of the costs that would be incurred in carrying out such bill or joint resolution in the fiscal year in which it is reported and for its authorized duration or for each of the five fiscal years following the fiscal year of reporting, whichever period is less (see Rule XIII, clause 3(d)(2), (3) and (h)(2), (3)), together with—(i) a comparison of these estimates with those made and submitted to the Committee by any Government agency when practicable, and (ii) a comparison of the total estimated funding level for the relevant program (or programs) with appropriate levels under current law (The provisions of this clause do not apply if a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and included in the report);

(10) a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the bill or in the report (and the name of any Member, Delegate, or Resident Commissioner who submitted a request to the committee for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits;

(11) the changes in existing law (if any) shown in accordance with clause 3 of House Rule XIII;

(12) the determination required pursuant to section 5(b) of Public Law 92-463, if the

legislation reported establishes or authorizes the establishment of an advisory committee; and

(13) the information on Federal and intergovernmental mandates required by section 423(c) and (d) of the Congressional Budget Act of 1974, as added by the Unfunded Mandates Reform Act of 1995 (P.L. 104-4).

(14) a statement regarding the applicability of section 102(b)(3) of the Congressional Accountability Act, Public Law 104-1.

“(15) a statement indicating whether any provision of the measure establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program. The Statement shall at a minimum explain whether—

“(A) any such program was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139; or

“(B) the most recent catalog of Federal Domestic Assistance, published pursuant to the Federal Program Information Act (Public Law 95-220, as amended by Public Law 98-169), identified other programs related to the program established or reauthorized by the measure”.

“(16) a statement estimating the number of directed rule makings required by the measure.”

(c) Supplemental, Minority, or Additional Views.—If, at the time of approval of any measure or matter by the Committee, any Member of the Committee gives notice of intention to file supplemental, minority, or additional views, all Members shall be entitled to not less than two subsequent calendar days (excluding Saturdays, Sundays, and legal holidays except when the House is in session on such date) in which to file such writing and signed views, with the Majority Staff Director of the Committee. When time guaranteed by this paragraph has expired (or if sooner, when all separate views have been received), the Committee may arrange to file its report with the Clerk of the House not later than one hour after the expiration of such time. All such views (in accordance with House rule XI, clause 2(1) and House rule XIII, clause 3(a)(1)), as filed by one or more Members of the Committee, shall be included within and made a part of the report filed by the Committee with respect to that bill or resolution.

(d) Printing of Reports.—The report of the Committee on the measure or matter noted in paragraph (a) above shall be printed in a single volume, which shall:

(1) include all supplemental, minority or additional views that have been submitted by the time of the filing of the report; and

(2) bear on its cover a recital that any such supplemental, minority, or additional views (and any material submitted under House rule XII, clause 3(a)(1)) are included as part of the report.

(e) Immediate Printing; Supplemental Reports.—Nothing in this rule shall preclude (1) the immediate filing or printing of a Committee report unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by paragraph (c), or (2) the filing by the Committee of any supplemental report on any bill or resolution that may be required for the correction of any technical error in a previous report made by the Committee on that bill or resolution.

(f) Availability of Printed Hearing Records.—If hearings have been held on any reported bill or resolution, the Committee shall make every reasonable effort to have the record of such hearings printed and

available for distribution to the Members of the House prior to the consideration of such bill or resolution by the House. Each printed hearing of the Committee or any of its subcommittees shall include a record of the attendance of the Members.

(g) Committee Prints.—All Committee or subcommittee prints or other Committee or subcommittee documents, other than reports or prints of bills, that are prepared for public distribution shall be approved by the Chairman of the Committee or the Committee prior to public distribution.

(h) Post Adjournment Filing of Committee Reports.—(1) After an adjournment of the last regular session of a Congress sine die, an investigative or oversight report approved by the Committee may be filed with the Clerk at any time, provided that if a member gives notice at the time of approval of intention to file supplemental, minority, or additional views, that member shall be entitled to not less than seven calendar days in which to submit such views for inclusion with the report.

(2) After an adjournment of the last regular session of a Congress sine die, the Chairman of the Committee may file at any time with the Clerk the Committee's activity report for that Congress pursuant to clause 1(d)(1) of rule XI of the Rules of the House without the approval of the Committee, provided that a copy of the report has been available to each member of the Committee for at least seven calendar days and the report includes any supplemental, minority, or additional views submitted by a member of the Committee.

(i) The Chairman is directed to offer a motion under clause 1 of rule XXII of the Rules of the House whenever the Chairman considers it appropriate.

RULE IX.—OTHER COMMITTEE ACTIVITIES

(a) Oversight Plan.—Not later than February 15 of the first session of a Congress, the Chairman shall convene the Committee in a meeting that is open to the public and with a quorum present to adopt its oversight plans for that Congress. Such plans shall be submitted simultaneously to the Committee on Government Reform and to the Committee on House Administration. In developing such plans the Committee shall, to the maximum extent feasible—

(1) consult with other committees of the House that have jurisdiction over the same or related laws, programs, or agencies within its jurisdiction, with the objective of ensuring that such laws, programs, or agencies are reviewed in the same Congress and that there is a maximum of coordination between such committees in the conduct of such reviews; and such plans shall include an explanation of what steps have been and will be taken to ensure such coordination and cooperation;

(2) review specific problems with federal rules, regulations, statutes, and court decisions that are ambiguous, arbitrary, or nonsensical, or that impose severe financial burdens on individuals;

(3) give priority consideration to including in its plans the review of those laws, programs, or agencies operating under permanent budget authority or permanent statutory authority;

(4) have a view toward ensuring that all significant laws, programs, or agencies within its jurisdiction are subject to review at least once every ten years; and

(5) include proposals to cut or eliminate programs, including mandatory spending programs, that are inefficient, duplicative, outdated, or more appropriately administered by State or local governments.

The Committee and its appropriate subcommittees shall review and study, on a continuing basis, the impact or probable impact of tax policies affecting subjects within its jurisdiction as provided in clause 2(d) of House Rule X. The Committee shall include in the report filed pursuant to clause 1(d) of House Rule XI a summary of the oversight plans submitted by the Committee under clause 2(d) of House Rule X, a summary of actions taken and recommendations made with respect to each such plan, and a summary of any additional oversight activities undertaken by the Committee and any recommendations made or actions taken thereon.

(b) Annual Appropriations.—The Committee shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, ensure that appropriations for continuing programs and activities of the Federal government and the District of Columbia government will be made annually to the maximum extent feasible and consistent with the nature, requirements, and objectives of the programs and activities involved. The Committee shall review, from time to time, each continuing program within its jurisdiction for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefor would be made annually.

(c) Budget Act Compliance: Views and Estimates (See Appendix B).—Not later than six weeks after the President submits his budget under section 1105(a) of title 31, United States Code, or at such time as the Committee on the Budget may request, the Committee shall, submit to the Committee on the Budget (1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year (under section 301 of the Congressional Budget Act of 1974—see Appendix B) that are within its jurisdiction or functions; and (2) an estimate of the total amounts of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within its jurisdiction that it intends to be effective during that fiscal year.

(d) Budget Act Compliance: Recommended Changes.—Whenever the Committee is directed in a concurrent resolution on the budget to determine and recommend changes in laws, bills, or resolutions under the reconciliation process, it shall promptly make such determination and recommendations, and report a reconciliation bill or resolution (or both) to the House or submit such recommendations to the Committee on the Budget, in accordance with the Congressional Budget Act of 1974 (See Appendix B).

(e) Conference Committees.—Whenever in the legislative process it becomes necessary to appoint conferees, the Chairman shall, after consultation with the Ranking Minority Member, determine the number of conferees the Chairman deems most suitable and then recommend to the Speaker as conferees, in keeping with the number to be appointed by the Speaker as provided in House Rule I, clause 11, the names of those Members of the Committee of not less than a majority who generally supported the House position and who were primarily responsible for the legislation. The Chairman shall, to the fullest extent feasible, include those Members of the Committee who were the principal proponents of the major provisions of the bill as it passed the House and such other Committee Members of the majority party as the Chairman may designate in consultation with the Members of the majority

party. Such recommendations shall provide a ratio of majority party Members to minority party Members no less favorable to the majority party than the ratio of majority party Members to minority party Members on the Committee. In making recommendations of Minority Party Members as conferees, the Chairman shall consult with the Ranking Minority Member of the Committee.

(f)(1) The Committee, or a subcommittee, shall hold at least one hearing during each 120-day period following the establishment of the committee on the topic of waste, fraud, abuse, or mismanagement in Government programs which the committee may authorize.

(2) A hearing described in subparagraph (1) shall include a focus on the most egregious instances of waste, fraud, abuse, or mismanagement as documented by any report the committee has received from a Federal Office of the Inspector General or the Comptroller General of the United States.

(g) The Committee or a subcommittee, shall hold at least one hearing in any session in which the committee has received disclaimers of agency financial statements from auditors of any Federal agency that the committee may authorize to hear testimony on such disclaimers from representatives of any such agency.

(h) The Committee or a subcommittee, shall hold at least one hearing on issues raised by reports issued by the Comptroller General of the United States indicating that Federal programs or operations that the committee may authorize are at high risk for waste, fraud, and mismanagement, known as the 'high-risk-list' or the 'high-risk series'.

(i)(1) Not later than January 2 of each year, the Committee shall submit to the House a report on the activities of the committee. After adjournment sine die of a regular session of Congress, or after December 15, whichever occurs first, the Chair may file the report, a copy of which shall be made available to each member of the committee for at least seven calendar days, with the Clerk at any time.

(2) Such report shall include separate sections summarizing the legislative and oversight activities of the Committee during that Congress.

(3) The oversight section of such report shall include a summary of the oversight plans submitted by the Committee pursuant to clause 2(d) of House Rule X, a summary of the actions taken and recommendations made with respect to each such plan, and a summary of any additional oversight activities undertaken by the Committee, and any recommendations made or actions taken with respect thereto.

RULE X.—SUBCOMMITTEES

(a) Number and Composition.—There shall be such subcommittees as specified in paragraph (c) of this rule. Each of such subcommittees shall be composed of the number of members set forth in paragraph (c) of this rule, including ex officio members. The Chairman may create additional subcommittees of an ad hoc nature as the Chairman determines to be appropriate subject to any limitations provided for in the House Rules.

(b) Ratios.—On each subcommittee, there shall be a ratio of majority party members to minority party members which shall be consistent with the ratio on the full Committee. In calculating the ratio of majority party members to minority party members, there shall be included the ex officio members of the subcommittees and ratios below reflect that fact.

(c) Jurisdiction.—Each subcommittee shall have the following general jurisdiction and number of members:

General Farm Commodities and Risk Management (___ members, ___ majority and ___ minority)—Program and markets related to cotton, cottonseed, wheat, feed grains, soybeans, oilseeds, rice, dry beans, peas, lentils, the Commodity Credit Corporation, risk management, including crop insurance, commodity exchanges, and specialty crops.

Livestock, Rural Development, and Credit (___ members, ___ majority and ___ minority)—Livestock, dairy, poultry, meat, seafood and seafood products, inspection, marketing, and promotion of such commodities, aquaculture, animal welfare and grazing, rural development, farm security and family farming matters, and agricultural credit.

Department Operations, Oversight, and Nutrition (___ members, ___ majority and ___ minority)—Agency oversight, review and analysis, special investigations, food stamps, nutrition and consumer programs.

Conservation, Energy, and Forestry (___ members, ___ majority and ___ minority)—Soil, water, and resource conservation, small watershed program, energy and biobased energy production, rural electrification, forestry in general and forest reserves other than those created in public domain.

Horticulture, Research, Biotechnology, and Foreign Agriculture (___ members, ___ majority and ___ minority)—Fruits and vegetables, honey and bees, marketing and promotion orders, plant pesticides, quarantine, adulteration of seeds and insect pests, and organic agriculture, research, education and extension, biotechnology and foreign agriculture assistance, and trade promotion programs, generally.

(d) Referral of Legislation.—(1)(a) In General.—All bills, resolutions, and other matters referred to the Committee shall be referred to all subcommittees of appropriate jurisdiction within 2 weeks after being referred to the Committee. After consultation with the Ranking Minority Member, the Chairman may determine that the Committee will consider certain bills, resolutions, or other matters.

(b) Trade Matters.—Unless action is otherwise taken under subparagraph (3), bills, resolutions, and other matters referred to the Committee relating to foreign agriculture, foreign food or commodity assistance, and foreign trade and marketing issues will be considered by the Committee.

(2) The Chairman, by a majority vote of the Committee, may discharge a subcommittee from further consideration of any bill, resolution, or other matter referred to the subcommittee and have such bill, resolution or other matter considered by the Committee. The Committee having referred a bill, resolution, or other matter to a subcommittee in accordance with this rule may discharge such subcommittee from further consideration thereof at any time by a vote of the majority members of the Committee for the Committee's direct consideration or for reference to another subcommittee.

(3) Unless the Committee, a quorum being present, decides otherwise by a majority vote, the Chairman may refer bills, resolutions, legislation or other matters not specifically within the jurisdiction of a subcommittee, or that is within the jurisdiction of more than one subcommittee, jointly or exclusively as the Chairman deems appropriate, including concurrently to the sub-

committees with jurisdiction, sequentially to the subcommittees with jurisdiction (subject to any time limits deemed appropriate), divided by subject matter among the subcommittees with jurisdiction, or to an ad hoc subcommittee appointed by the Chairman for the purpose of considering the matter and reporting to the Committee thereon, or make such other provisions deemed appropriate.

(e) Participation and Service of Committee Members on Subcommittees.—(1) The Chairman and the Ranking Minority Member shall serve as ex officio members of all subcommittees and shall have the right to vote on all matters before the subcommittees. The Chairman and the Ranking Minority Member may not be counted for the purpose of establishing a quorum.

(2) Any member of the Committee who is not a member of the subcommittee may have the privilege of sitting and nonparticipatory attendance at subcommittee hearings or meetings in accordance with clause 2(g)(2) of House Rule XI. Such member may not:

(i) vote on any matter;

(ii) be counted for the purpose of establishing a quorum;

(iii) participate in questioning a witness under the five minute rule, unless permitted to do so by the subcommittee Chairman in consultation with the Ranking Minority Member or a majority of the subcommittee, a quorum being present;

(iv) raise points of order; or

(v) offer amendments or motions.

(f) Subcommittee Hearings and Meetings.—(1) Each subcommittee is authorized to meet, hold hearings, receive evidence, and make recommendations to the Committee on all matters referred to it or under its jurisdiction after consultation by the subcommittee Chairmen with the Committee Chairman. (See Committee rule VII.)

(2) After consultation with the Committee Chairman, subcommittee Chairmen shall set dates for hearings and meetings of their subcommittees and shall request the Majority Staff Director to make any announcement relating thereto. (See Committee rule VII(b).) In setting the dates, the Committee Chairman and subcommittee Chairman shall consult with other subcommittee Chairmen and relevant Committee and Subcommittee Ranking Minority Members in an effort to avoid simultaneously scheduling Committee and subcommittee meetings or hearings to the extent practicable.

(3) Notice of all subcommittee meetings shall be provided to the Chairman and the Ranking Minority Member of the Committee by the Majority Staff Director.

(4) Subcommittees may hold meetings or hearings outside of the House if the Chairman of the Committee and other subcommittee Chairmen and the Ranking Minority Member of the subcommittee is consulted in advance to ensure that there is no scheduling problem. However, the majority of the Committee may authorize such meeting or hearing.

(5) The provisions regarding notice and the agenda of Committee meetings under Committee rule II(a) and special or additional meetings under Committee rule II(b) shall apply to subcommittee meetings.

(6) If a vacancy occurs in a subcommittee chairmanship, the Chairman may set the dates for hearings and meetings of the subcommittee during the period of vacancy. The Chairman may also appoint an acting subcommittee Chairman until the vacancy is filled.

(g) Subcommittee Action.—(1) Any bill, resolution, recommendation, or other matter

forwarded to the Committee by a subcommittee shall be promptly forwarded by the subcommittee Chairman or any subcommittee member authorized to do so by the subcommittee.

(2) Upon receipt of such recommendation, the Majority Staff Director of the Committee shall promptly advise all members of the Committee of the subcommittee action.

(3) The Committee shall not consider any matters recommended by subcommittees until two calendar days have elapsed from the date of action, unless the Chairman or a majority of the Committee determines otherwise.

(h) Subcommittee Investigations.—No investigation shall be initiated by a subcommittee without the prior consultation with the Chairman of the Committee or a majority of the Committee.

RULE XI.—COMMITTEE BUDGET, STAFF, AND TRAVEL

(a) Committee Budget.—The Chairman, in consultation with the majority members of the Committee, and the minority members of the Committee, shall prepare a preliminary budget for each session of the Congress. Such budget shall include necessary amounts for staff personnel, travel, investigation, and other expenses of the Committee and subcommittees. After consultation with the Ranking Minority Member, the Chairman shall include an amount budgeted to minority members for staff under their direction and supervision. Thereafter, the Chairman shall combine such proposals into a consolidated Committee budget, and shall take whatever action is necessary to have such budget duly authorized by the House.

(b) Committee Staff.—(1) The Chairman shall appoint and determine the remuneration of, and may remove, the professional and clerical employees of the Committee not assigned to the minority. The professional and clerical staff of the Committee not assigned to the minority shall be under the general supervision and direction of the Chairman, who shall establish and assign the duties and responsibilities of such staff members and delegate such authority as he or she determines appropriate. (See House Rule X, clause 9)

(2) The Ranking Minority Member of the Committee shall appoint and determine the remuneration of, and may remove, the professional and clerical staff assigned to the minority within the budget approved for such purposes. The professional and clerical staff assigned to the minority shall be under the general supervision and direction of the Ranking Minority Member of the Committee who may delegate such authority as he or she determines appropriate.

(3) From the funds made available for the appointment of Committee staff pursuant to any primary or additional expense resolution, the Chairman shall ensure that each subcommittee is adequately funded and staffed to discharge its responsibilities and that the minority party is fairly treated in the appointment of such staff (See House Rule X, clause 6(d)).

(c) Committee Travel.—(1) Consistent with the primary expense resolution and such additional expense resolution as may have been approved, the provisions of this rule shall govern official travel of Committee members and Committee staff regarding domestic and foreign travel (See House rule XI, clause 2(n) and House Rule X, clause 8 (reprinted in Appendix A)). Official travel for any member or any Committee staff member shall be paid only upon the prior authorization of the Chairman. Official travel may be authorized

by the Chairman for any Committee Member and any Committee staff member in connection with the attendance of hearings conducted by the Committee and its subcommittees and meetings, conferences, facility inspections, and investigations which involve activities or subject matter relevant to the general jurisdiction of the Committee. Before such authorization is given there shall be submitted to the Chairman in writing the following:

- (i) The purpose of the official travel;
- (ii) The dates during which the official travel is to be made and the date or dates of the event for which the official travel is being made;
- (iii) The location of the event for which the official travel is to be made; and
- (iv) The names of members and Committee staff seeking authorization.

(2) In the case of official travel of members and staff of a subcommittee to hearings, meetings, conferences, facility inspections and investigations involving activities or subject matter under the jurisdiction of such subcommittee to be paid for out of funds allocated to the Committee, prior authorization must be obtained from the subcommittee Chairman and the full Committee Chairman. Such prior authorization shall be given by the Chairman only upon the representation by the applicable subcommittee Chairman in writing setting forth those items enumerated in clause (1).

(3) Within 60 days of the conclusion of any official travel authorized under this rule, there shall be submitted to the Committee Chairman a written report covering the information gained as a result of the hearing, meeting, conference, facility inspection or investigation attended pursuant to such official travel.

(4) Local currencies owned by the United States shall be made available to the Committee and its employees engaged in carrying out their official duties outside the United States, its territories or possessions. No appropriated funds shall be expended for the purpose of defraying expenses of Members of the Committee or its employees in any country where local currencies are available for this purpose; and the following conditions shall apply with respect to their use of such currencies;

- (i) No Member or employee of the Committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in applicable Federal law; and
- (ii) Each Member or employee of the Committee shall make an itemized report to the Chairman within 60 days following the completion of travel showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, and any funds expended for any other official purpose, and shall summarize in these categories the total foreign currencies and appropriated funds expended. All such individual reports shall be filed by the Chairman with the Committee on House Administration and shall be open to public inspection.

RULE XII.—AMENDMENT OF RULES

These rules may be amended by a majority vote of the Committee. A proposed change in these rules shall not be considered by the Committee as provided in clause 2 of House Rule XI, unless written notice of the proposed change has been provided to each Committee member two legislative days in advance of the date on which the matter is to be considered. Any such change in the rules of the Committee shall be published in the

Congressional Record within 30 calendar days after its approval.

RULES OF THE COMMITTEE ON ARMED SERVICES FOR THE 113TH CONGRESS

Mr. MCKEON. Mr. Speaker, I submit for publication the attached copy of the rules of the Committee on Armed Services for the U.S. House of Representatives for the 113th Congress, as adopted by the committee on January 15, 2013:

RULE 1. GENERAL PROVISIONS

(a) The Rules of the House of Representatives are the rules of the Committee on Armed Services (hereinafter referred to in these rules as the "Committee") and its subcommittees so far as applicable.

(b) Pursuant to clause 2(a)(2) of rule XI of the Rules of the House of Representatives, the Committee's rules shall be publicly available in electronic form and published in the Congressional Record not later than 30 days after the chair of the committee is elected in each odd-numbered year.

RULE 2. FULL COMMITTEE MEETING DATE

(a) The Committee shall meet every Wednesday at 10:00 a.m., when the House of Representatives is in session, and at such other times as may be fixed by the Chairman of the Committee (hereinafter referred to as the "Chairman"), or by written request of members of the Committee pursuant to clause 2(c) of rule XI of the Rules of the House of Representatives.

(b) A Wednesday meeting of the Committee may be dispensed with by the Chairman, but such action may be reversed by a written request of a majority of the members of the Committee.

RULE 3. SUBCOMMITTEE MEETING DATES

Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the Committee on all matters referred to it. Insofar as possible, meetings of the Committee and its subcommittees shall not conflict. A subcommittee Chairman shall set meeting dates after consultation with the Chairman, other subcommittee Chairmen, and the Ranking Minority Member of the subcommittee with a view toward avoiding, whenever possible, simultaneous scheduling of Committee and subcommittee meetings or hearings.

RULE 4. JURISDICTION AND MEMBERSHIP OF COMMITTEE AND SUBCOMMITTEES

(a) Jurisdiction

(1) The Committee retains jurisdiction of all subjects listed in clause 1(c) and clause 3(b) of rule X of the Rules of the House of Representatives and retains exclusive jurisdiction for: defense policy generally, ongoing military operations, the organization and reform of the Department of Defense and Department of Energy, counter-drug programs, security and humanitarian assistance (except special operations-related activities) of the Department of Defense, acquisition and industrial base policy, technology transfer and export controls, joint interoperability, the Cooperative Threat Reduction program, Department of Energy nonproliferation programs, detainee affairs and policy, force protection policy and inter-agency reform as it pertains to the Department of Defense and the nuclear weapons programs of the Department of Energy. While subcommittees are provided jurisdictional responsibilities in subparagraph (2), the Committee retains the right to exercise oversight and legislative jurisdiction over all subjects within its purview under rule X of the Rules of the House of Representatives.

(2) The Committee shall be organized to consist of seven standing subcommittees with the following jurisdictions:

Subcommittee on Tactical Air and Land Forces: All Army, Air Force and Marine Corps acquisition programs (except Marine Corps amphibious assault vehicle programs, strategic missiles, space, lift programs, special operations, science and technology programs, and information technology accounts) and the associated weapons systems sustainment. In addition, the subcommittee will be responsible for Navy and Marine Corps aviation programs and the associated weapons systems sustainment, National Guard and Army, Air Force and Marine Corps Reserve modernization, and ammunition programs.

Subcommittee on Military Personnel: Military personnel policy, Reserve Component integration and employment issues, military health care, military education, and POW/MIA issues. In addition, the subcommittee will be responsible for Morale, Welfare and Recreation issues and programs.

Subcommittee on Readiness: Military readiness, training, logistics and maintenance issues and programs. In addition, the subcommittee will be responsible for all military construction, depot policy, civilian personnel policy, environmental policy, installations and family housing issues, including the base closure process, and energy policy and programs of the Department of Defense.

Subcommittee on Seapower and Projection Forces: Navy acquisition programs, Naval Reserve equipment, and Marine Corps amphibious assault vehicle programs (except strategic weapons, space, special operations, science and technology programs, and information technology programs), deep strike bombers and related systems, lift programs, seaborn unmanned aerial systems and the associated weapons systems sustainment. In addition, the subcommittee will be responsible for Maritime programs under the jurisdiction of the Committee as delineated in paragraphs 5, 6, and 9 of clause 1(c) of rule X of the Rules of the House of Representatives.

Subcommittee on Strategic Forces: Strategic weapons (except deep strike bombers and related systems), space programs (including national intelligence space programs), ballistic missile defense, the associated weapons systems sustainment, and Department of Energy national security programs (except non-proliferation programs).

Subcommittee on Intelligence, Emerging Threats and Capabilities: Defense-wide and joint enabling activities and programs to include: Special Operations Forces; counter-proliferation and counter-terrorism programs and initiatives; science and technology policy and programs; information technology programs; homeland defense and Department of Defense related consequence management programs; related intelligence support; and other enabling programs and activities to include cyber operations, strategic communications, and information operations. In addition the subcommittee will be responsible for intelligence policy (including coordination of military intelligence programs), national-intelligence programs (excluding national intelligence space programs), and DoD elements that are part of the Intelligence Community.

Subcommittee on Oversight and Investigations: Any matter within the jurisdiction of the Committee, subject to the concurrence of the Chairman of the Committee and, as appropriate, affected subcommittee chairmen. The subcommittee shall have no legislative jurisdiction.

(b) Membership of the Subcommittees

(1) Subcommittee memberships, with the exception of membership on the Subcommittee on Oversight and Investigations, shall be filled in accordance with the rules of the Majority party's conference and the Minority party's caucus, respectively.

(2) The Chairman and Ranking Minority Member of the Subcommittee on Oversight and Investigations shall be filled in accordance with the rules of the Majority party's conference and the Minority party's caucus, respectively. Consistent with the party ratios established by the Majority party, all other Majority members of the subcommittee shall be appointed by the Chairman of the Committee, and all other Minority members shall be appointed by the Ranking Minority Member of the Committee.

(3) The Chairman of the Committee and Ranking Minority Member thereof may sit as ex officio members of all subcommittees. Ex officio members shall not vote in subcommittee hearings or meetings or be taken into consideration for the purpose of determining the ratio of the subcommittees or establishing a quorum at subcommittee hearings or meetings.

(4) A member of the Committee who is not a member of a particular subcommittee may sit with the subcommittee and participate during any of its hearings but shall not have authority to vote, cannot be counted for the purpose of achieving a quorum, and cannot raise a point of order at the hearing.

RULE 5. COMMITTEE PANELS AND TASK FORCES

(a) Committee Panels

(1) The Chairman may designate a panel of the Committee consisting of members of the Committee to inquire into and take testimony on a matter or matters that fall within the jurisdiction of more than one subcommittee and to report to the Committee.

(2) No panel appointed by the Chairman shall continue in existence for more than six months after the appointment. A panel so appointed may, upon the expiration of six months, be reappointed by the Chairman for a period of time which is not to exceed six months.

(3) Consistent with the party ratios established by the Majority party, all Majority members of the panels shall be appointed by the Chairman of the Committee, and all Minority members shall be appointed by the Ranking Minority Member of the Committee. The Chairman of the Committee shall choose one of the Majority members so appointed who does not currently chair another subcommittee of the Committee to serve as Chairman of the panel. The Ranking Minority Member of the Committee shall similarly choose the Ranking Minority Member of the panel.

(4) No panel shall have legislative jurisdiction.

(b) Committee and Subcommittee Task Forces

(1) The Chairman of the Committee, or a Chairman of a subcommittee with the concurrence of the Chairman of the Committee, may designate a task force to inquire into and take testimony on a matter that falls within the jurisdiction of the Committee or subcommittee, respectively. The Chairman and Ranking Minority Member of the Committee or subcommittee shall each appoint an equal number of members to the task force. The Chairman of the Committee or subcommittee shall choose one of the members so appointed, who does not currently chair another subcommittee of the Committee, to serve as Chairman of the task force. The Ranking Minority Member of the

Committee or subcommittee shall similarly appoint the Ranking Minority Member of the task force.

(2) No task force appointed by the Chairman of the Committee or subcommittee shall continue in existence for more than three months. A task force may only be reappointed for an additional three months with the written concurrence of the Chairman and Ranking Minority Member of the Committee or subcommittee whose Chairman appointed the task force.

(3) No task force shall have legislative jurisdiction.

RULE 6. REFERENCE AND CONSIDERATION OF LEGISLATION

(a) The Chairman shall refer legislation and other matters to the appropriate subcommittee or to the full Committee.

(b) Legislation shall be taken up for a hearing or markup only when called by the Chairman of the Committee or subcommittee, as appropriate, or by a majority of the Committee or subcommittee, as appropriate.

(c) The Chairman, with approval of a majority vote of a quorum of the Committee, shall have authority to discharge a subcommittee from consideration of any measure or matter referred thereto and have such measure or matter considered by the Committee.

(d) Reports and recommendations of a subcommittee may not be considered by the Committee until after the intervention of three calendar days from the time the report is approved by the subcommittee and available to the members of the Committee, except that this rule may be waived by a majority vote of a quorum of the Committee.

(e) The Chairman, in consultation with the Ranking Minority Member, shall establish criteria for recommending legislation and other matters to be considered by the House of Representatives, pursuant to clause I of rule XV of the Rules of the House of Representatives. Such criteria shall not conflict with the Rules of the House of Representatives and other applicable rules.

RULE 7. PUBLIC ANNOUNCEMENT OF HEARINGS AND MEETINGS

(a) Pursuant to clause 2(g)(3) of rule XI of the Rules of the House of Representatives, the Chairman of the Committee, or of any subcommittee, panel, or task force, shall make a public announcement of the date, place, and subject matter of any hearing or meeting before that body at least one week before the commencement of a hearing and at least three days before the commencement of a meeting. However, if the Chairman of the Committee, or of any subcommittee, panel, or task force, with the concurrence of the respective Ranking Minority Member, determines that there is good cause to begin the hearing or meeting sooner, or if the Committee, subcommittee, panel, or task force so determines by majority vote, a quorum being present for the transaction of business, such chairman shall make the announcement at the earliest possible date. Any announcement made under this rule shall be promptly published in the Daily Digest, promptly entered into the committee scheduling service of the House Information Resources, and promptly made publicly available in electronic form.

(b) At least 24 hours prior to the commencement of a meeting for the markup of legislation, or at the time of an announcement under paragraph (a) made within 24 hours before such meeting, the Chairman of the Committee, or of any subcommittee,

panel, or task force shall cause the text of such measure or matter to be made publicly available in electronic form as provided in clause 2(g)(4) of rule XI of the Rules of the House of Representatives.

**RULE 8. BROADCASTING OF COMMITTEE
HEARINGS AND MEETINGS**

(a) Pursuant to clause 2(e)(5) of rule XI of the Rules of the House of Representatives, the Committee shall, to the maximum extent practicable, provide audio and video coverage of each hearing or meeting for the transaction of business in a manner that allows the public to easily listen to and view the proceedings. The Committee shall maintain the recordings of such coverage in a manner that is easily accessible to the public.

(b) Clause 4 of rule XI of the Rules of the House of Representatives shall apply to the Committee.

**RULE 9. MEETINGS AND HEARINGS OPEN TO THE
PUBLIC**

(a) Each hearing and meeting for the transaction of business, including the markup of legislation, conducted by the Committee, or any subcommittee, panel, or task force, to the extent that the respective body is authorized to conduct markups, shall be open to the public except when the Committee, subcommittee, panel, or task force in open session and with a majority being present, determines by record vote that all or part of the remainder of that hearing or meeting on that day shall be in executive session because disclosure of testimony, evidence, or other matters to be considered would endanger the national security, would compromise sensitive law enforcement information, or would violate any law or rule of the House of Representatives. Notwithstanding the requirements of the preceding sentence, a majority of those present, there being in attendance no fewer than two members of the Committee, subcommittee, panel, or task force may vote to close a hearing or meeting for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security, would compromise sensitive law enforcement information, or would violate any law or rule of the House of Representatives. If the decision is to proceed in executive session, the vote must be by record vote and in open session, a majority of the Committee, subcommittee, panel, or task force being present.

(b) Whenever it is asserted by a member of the Committee or subcommittee that the evidence or testimony at a hearing may tend to defame, degrade, or incriminate any person, or it is asserted by a witness that the evidence or testimony that the witness would give at a hearing may tend to defame, degrade, or incriminate the witness, notwithstanding the requirements of (a) and the provisions of clause 2(g)(2) of rule XI of the Rules of the House of Representatives, such evidence or testimony shall be presented in executive session, if by a majority vote of those present, there being in attendance no fewer than two members of the Committee or subcommittee, the Committee or subcommittee determines that such evidence may tend to defame, degrade, or incriminate any person. A majority of those present, there being in attendance no fewer than two members of the Committee or subcommittee may also vote to close the hearing or meeting for the sole purpose of discussing whether evidence or testimony to be received would tend to defame, degrade, or incriminate any person. The Committee or subcommittee shall proceed to receive such tes-

timony in open session only if the Committee or subcommittee, a majority being present, determines that such evidence or testimony will not tend to defame, degrade, or incriminate any person.

(c) Notwithstanding the foregoing, and with the approval of the Chairman, each member of the Committee may designate by letter to the Chairman, one member of that member's personal staff, and an alternate, which may include fellows, with Top Secret security clearance to attend hearings of the Committee, or that member's subcommittee(s), panel(s), or task force(s) (excluding briefings or meetings held under the provisions of committee rule 9(a)), which have been closed under the provisions of rule 9(a) above for national security purposes for the taking of testimony. The attendance of such a staff member or fellow at such hearings is subject to the approval of the Committee, subcommittee, panel, or task force as dictated by national security requirements at that time. The attainment of any required security clearances is the responsibility of individual members of the Committee.

(d) Pursuant to clause 2(g)(2) of rule XI of the Rules of the House of Representatives, no Member, Delegate, or Resident Commissioner may be excluded from nonparticipatory attendance at any hearing of the Committee or a subcommittee, unless the House of Representatives shall by majority vote authorize the Committee or subcommittee, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members, Delegates, and the Resident Commissioner by the same procedures designated in this rule for closing hearings to the public.

(e) The Committee or the subcommittee may vote, by the same procedure, to meet in executive session for up to five additional consecutive days of hearings.

RULE 10. QUORUM

(a) For purposes of taking testimony and receiving evidence, two members shall constitute a quorum.

(b) One-third of the members of the Committee or subcommittee shall constitute a quorum for taking any action, with the following exceptions, in which case a majority of the Committee or subcommittee shall constitute a quorum:

- (1) Reporting a measure or recommendation;
- (2) Closing Committee or subcommittee meetings and hearings to the public;
- (3) Authorizing the issuance of subpoenas;
- (4) Authorizing the use of executive session material; and
- (5) Voting to proceed in open session after voting to close to discuss whether evidence or testimony to be received would tend to defame, degrade, or incriminate any person.

(c) No measure or recommendation shall be reported to the House of Representatives unless a majority of the Committee is actually present.

RULE 11. THE FIVE-MINUTE RULE

(a) Subject to rule 15, the time any one member may address the Committee or subcommittee on any measure or matter under consideration shall not exceed five minutes and then only when the member has been recognized by the Chairman or subcommittee chairman, as appropriate, except that this time limit may be exceeded by unanimous consent. Any member, upon request, shall be recognized for not more than five minutes to address the Committee or

subcommittee on behalf of an amendment which the member has offered to any pending bill or resolution. The five-minute limitation shall not apply to the Chairman and Ranking Minority Member of the Committee or subcommittee.

(b)(1) Members who are present at a hearing of the Committee or subcommittee when a hearing is originally convened shall be recognized by the Chairman or subcommittee chairman, as appropriate, in order of seniority. Those members arriving subsequently shall be recognized in order of their arrival. Notwithstanding the foregoing, the Chairman and the Ranking Minority Member will take precedence upon their arrival. In recognizing members to question witnesses in this fashion, the Chairman shall take into consideration the ratio of the Majority to Minority members present and shall establish the order of recognition for questioning in such a manner as not to disadvantage the members of either party.

(2) Pursuant to rule 4 and subject to rule 15, a member of the Committee who is not a member of a subcommittee may be recognized by a subcommittee chairman in order of their arrival and after all present subcommittee members have been recognized.

(3) The Chairman of the Committee or a subcommittee, with the concurrence of the respective Ranking Minority Member, may depart with the regular order for questioning which is specified in paragraphs (a) and (b) of this rule provided that such a decision is announced prior to the hearing or prior to the opening statements of the witnesses and that any such departure applies equally to the Majority and the Minority.

(c) No person other than a Member, Delegate, or Resident Commissioner of Congress and committee staff may be seated in or behind the dais area during Committee, subcommittee, panel, or task force hearings and meetings.

**RULE 12. POWER TO SIT AND ACT; SUBPOENA
POWER**

(a) For the purpose of carrying out any of its functions and duties under rules X and XI of the Rules of the House of Representatives, the Committee and any subcommittee is authorized (subject to subparagraph (b)(1) of this paragraph):

(1) to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, and to hold hearings, and

(2) to require by subpoena, or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers and documents, including, but not limited to, those in electronic form, as it considers necessary.

(b)(1) A subpoena may be authorized and issued by the Committee, or any subcommittee with the concurrence of the full Committee Chairman and after consultation with the Ranking Minority Member of the Committee, under subparagraph (a)(2) in the conduct of any investigation, or series of investigations or activities, only when authorized by a majority of the members voting, a majority of the Committee or subcommittee being present. Authorized subpoenas shall be signed only by the Chairman, or by any member designated by the Committee.

(2) Pursuant to clause 2(m) of rule XI of the Rules of the House of Representatives, compliance with any subpoena issued by the Committee or any subcommittee under subparagraph (a)(2) may be enforced only as authorized or directed by the House of Representatives.

RULE 13. WITNESS STATEMENTS

(a) Any prepared statement to be presented by a witness to the Committee or a subcommittee shall be submitted to the Committee or subcommittee at least 48 hours in advance of presentation and shall be distributed to all members of the Committee or subcommittee as soon as practicable but not less than 24 hours in advance of presentation. A copy of any such prepared statement shall also be submitted to the Committee in electronic form. If a prepared statement contains national security information bearing a classification of Secret or higher, the statement shall be made available in the Committee rooms to all members of the Committee or subcommittee as soon as practicable but not less than 24 hours in advance of presentation; however, no such statement shall be removed from the Committee offices. The requirement of this rule may be waived by a majority vote of the Committee or subcommittee, a quorum being present. In cases where a witness does not submit a statement by the time required under this rule, the Chairman of the Committee or subcommittee, as appropriate, with the concurrence of the respective Ranking Minority Member, may elect to exclude the witness from the hearing.

(b) The Committee and each subcommittee shall require each witness who is to appear before it to file with the Committee in advance of his or her appearance a written statement of the proposed testimony and to limit the oral presentation at such appearance to a brief summary of the submitted written statement.

(c) Pursuant to clause 2(g)(5) of rule XI of the Rules of the House of Representatives, written witness statements, with appropriate redactions to protect the privacy of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

RULE 14. ADMINISTERING OATHS TO WITNESSES

(a) The Chairman, or any member designated by the Chairman, may administer oaths to any witness.

(b) Witnesses, when sworn, shall subscribe to the following oath:

"Do you solemnly swear (or affirm) that the testimony you will give before this Committee (or subcommittee) in the matters now under consideration will be the truth, the whole truth, and nothing but the truth, so help you God?"

RULE 15. QUESTIONING OF WITNESSES

(a) When a witness is before the Committee or a subcommittee, members of the Committee or subcommittee may put questions to the witness only when recognized by the Chairman or subcommittee chairman, as appropriate, for that purpose according to rule 11 of the Committee.

(b) Members of the Committee or subcommittee who so desire shall have not more than five minutes to question each witness or panel of witnesses, the responses of the witness or witnesses being included in the five-minute period, until such time as each member has had an opportunity to question each witness or panel of witnesses. Thereafter, additional rounds for questioning witnesses by members are within the discretion of the Chairman or subcommittee chairman, as appropriate.

(c) Questions put to witnesses before the Committee or subcommittee shall be pertinent to the measure or matter that may be before the Committee or subcommittee for consideration.

RULE 16. PUBLICATION OF COMMITTEE HEARINGS AND MARKUPS

The transcripts of those hearings conducted by the Committee, subcommittee, or panel will be published officially in substantially verbatim form, with the material requested for the record inserted at that place requested, or at the end of the record, as appropriate. The transcripts of markups conducted by the Committee or any subcommittee may be published officially in verbatim form. Any requests to correct any errors, other than those in transcription, will be appended to the record, and the appropriate place where the change is requested will be footnoted. Any transcript published under this rule shall include the results of record votes conducted in the session covered by the transcript and shall also include materials that have been submitted for the record and are covered under rule 19. The handling and safekeeping of these materials shall fully satisfy the requirements of rule 20. No transcript of an executive session conducted under rule 9 shall be published under this rule.

RULE 17. VOTING AND ROLLCALLS

(a) Voting on a measure or matter may be by record vote, division vote, voice vote, or unanimous consent.

(b) A record vote shall be ordered upon the request of one-fifth of those members present.

(c) No vote by any member of the Committee or a subcommittee with respect to any measure or matter shall be cast by proxy.

(d) In the event of a vote or votes, when a member is in attendance at any other committee, subcommittee, or conference committee meeting during that time, the necessary absence of that member shall be so noted in the record vote record, upon timely notification to the Chairman by that member.

(e) The Chairman of the Committee or a subcommittee, as appropriate, with the concurrence of the Ranking Minority Member or the most senior Minority member who is present at the time, may elect to postpone requested record votes until such time or point at a markup as is mutually decided. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, the underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

RULE 18. COMMITTEE REPORTS

(a) If, at the time of approval of any measure or matter by the Committee, any member of the Committee gives timely notice of intention to file supplemental, Minority, additional or dissenting views, all members shall be entitled to not less than two calendar days (excluding Saturdays, Sundays, and legal holidays except when the House is in session on such days) in which to file such written and signed views with the Staff Director of the Committee, or the Staff Director's designee. All such views so filed by one or more members of the Committee shall be included within, and shall be a part of, the report filed by the Committee with respect to that measure or matter.

(b) With respect to each record vote on a motion to report any measure or matter, and on any amendment offered to the measure or matter, the total number of votes cast for and against, the names of those voting for and against, and a brief description of the question, shall be included in the Committee report on the measure or matter.

(c) Not later than 24 hours after the adoption of any amendment to a measure or matter considered by the Committee, the Chairman shall cause the text of each such amendment to be made publicly available in electronic form as provided in clause 2(e)(6) of rule XI of the Rules of the House of Representatives.

RULE 19. PUBLIC INSPECTION OF COMMITTEE ROLLCALLS

The result of each record vote in any meeting of the Committee shall be made available by the Committee for inspection by the public at reasonable times in the offices of the Committee and also made publicly available in electronic form within 48 hours of such record vote pursuant to clause 2(e)(1)B(i) of rule XI of the Rules of the House of Representatives. Information so available shall include a description of the amendment, motion, order, or other proposition and the name of each member voting for and each member voting against such amendment, motion, order, or proposition and the names of those members present but not voting.

RULE 20. PROTECTION OF NATIONAL SECURITY AND OTHER INFORMATION

(a) Except as provided in clause 2(g) of rule XI of the Rules of the House of Representatives, all national security information bearing a classification of Secret or higher which has been received by the Committee or a subcommittee shall be deemed to have been received in executive session and shall be given appropriate safekeeping.

(b) The Chairman of the Committee shall, with the approval of a majority of the Committee, establish such procedures as in his judgment may be necessary to prevent the unauthorized disclosure of any national security information that is received which is classified as Secret or higher. Such procedures shall, however, ensure access to this information by any member of the Committee or any other Member, Delegate, or Resident Commissioner of the House of Representatives, staff of the Committee, or staff designated under rule 9(c) who have the appropriate security clearances and the need to know, who has requested the opportunity to review such material.

(c) The Chairman of the Committee shall, in consultation with the Ranking Minority Member, establish such procedures as in his judgment may be necessary to prevent the unauthorized disclosure of any proprietary information that is received by the Committee, subcommittee, panel, or task force. Such procedures shall be consistent with the Rules of the House of Representatives and applicable law.

RULE 21. COMMITTEE STAFFING

The staffing of the Committee, the standing subcommittees, and any panel or task force designated by the Chairman or chairmen of the subcommittees shall be subject to the Rules of the House of Representatives.

RULE 22. COMMITTEE RECORDS

The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with rule VII of the Rules of the House of Representatives. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of rule VII, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any member of the Committee.

RULE 23. HEARING PROCEDURES

Clause 2(k) of rule XI of the Rules of the House of Representatives shall apply to the Committee.

RULE 24. COMMITTEE ACTIVITY REPORTS

Not later than January 2nd of each year the Committee shall submit to the House a report on its activities, pursuant to clause 1(d) of rule XI of the Rules of the House of Representatives.

RULES OF THE COMMITTEE ON THE JUDICIARY
FOR THE 113TH CONGRESS

Mr. GOODLATTE. Mr. Speaker, I submit for publication the attached copy of the rules of the Committee on the Judiciary for the U.S. House of Representatives for the 113th Congress, as adopted by the Committee on January 23, 2013:

RULE I.

The Rules of the House of Representatives are the rules of the Committee on the Judiciary and its Subcommittees with the following specific additions thereto.

RULE II. COMMITTEE MEETINGS

(a) The regular meeting day of the Committee on the Judiciary for the conduct of its business shall be on Wednesday of each week while the House is in session.

(b) Additional meetings may be called by the Chairman and a regular meeting of the Committee may be dispensed with when, in the judgment of the Chairman, there is no need therefor.

(c) The Chairman shall furnish each Member of the Committee or Subcommittee with the date, place, and a list of bills and subjects to be considered at a Committee or Subcommittee meeting, which may not commence earlier than the third day on which Members have notice thereof (excluding Saturdays, Sundays and legal holidays when the House is not in session).

(d) At least 48 hours prior to the commencement of a meeting for the markup of legislation, the text of such legislation shall be made publicly available in electronic form.

(e) In an emergency that does not reasonably allow for the notice requirements in (c) and (d), the Chairman may waive the notice requirements with the concurrence of the Ranking Minority Member.

(f) To the maximum extent practicable, amendments to a measure or matter shall be submitted in writing or electronically to the designee of both the Chairman and Ranking Member at least 24 hours prior to the consideration of the measure or matter. The Chairman may use his discretion to give priority to amendments submitted in advance.

(g) Committee and Subcommittee meetings for the transaction of business, i.e. meetings other than those held for the purpose of taking testimony, shall be open to the public except when the Committee or Subcommittee determines by majority vote to close the meeting because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person or otherwise would violate any law or rule of the House.

(h) Every motion made to the Committee and entertained by the Chairman shall be reduced to writing upon demand of any Member, and a copy made available to each Member present.

(i) For purposes of taking any action at a meeting of the full Committee or any Subcommittee thereof, a quorum shall be constituted by the presence of not less than one-third of the Members of the Committee or Subcommittee, except that a full majority of the Members of the Committee or Sub-

committee shall constitute a quorum for purposes of reporting a measure or recommendation from the Committee or Subcommittee, closing a meeting to the public, or authorizing the issuance of a subpoena.

(j)(1) Subject to subparagraph (2), the Chairman may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment. The Chairman may resume proceedings on a postponed request at any time.

(2) In exercising postponement authority under subparagraph (1), the Chairman shall take all reasonable steps necessary to notify Members on the resumption of proceedings on any postponed record vote.

(3) When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(k) Transcripts of markups shall be recorded and may be published in the same manner as hearings before the Committee.

(l) Without further action of the Committee, the Chairman is directed to offer a motion under clause 1 of rule XXII of the Rules of the House of Representatives whenever the Chairman considers it appropriate.

RULE III. HEARINGS

(a) The Committee Chairman or any Subcommittee Chairman shall make public announcement of the date, place, and subject matter of any hearing to be conducted by it on any measure or matter at least one week before the commencement of that hearing. If the Chairman of the Committee, or Subcommittee, with the concurrence of the Ranking Minority Member, determines there is good cause to begin the hearing sooner, or if the Committee or Subcommittee so determines by majority vote, a quorum being present for the transaction of business, the Chairman or Subcommittee Chairman shall make the announcement at the earliest possible date.

(b) Committee and Subcommittee hearings shall be open to the public except when the Committee or Subcommittee determines by majority vote to close the meeting because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person or otherwise would violate any law or rule of the House.

(c) For purposes of taking testimony and receiving evidence before the Committee or any Subcommittee, a quorum shall be constituted by the presence of two Members.

(d) In the course of any hearing each Member shall be allowed five minutes for the interrogation of a witness until such time as each Member who so desires has had an opportunity to question the witness.

(e) The transcripts of those hearings conducted by the Committee which are decided to be printed shall be published in verbatim form, with the material requested for the record inserted at that place requested, or at the end of the record, as appropriate. Individuals, including Members of Congress, whose comments are to be published as part of a Committee document shall be given the opportunity to verify the accuracy of the transcription in advance of publication. Any requests by those Members, staff or witnesses to correct any errors other than errors in the transcription, or disputed errors in transcription, shall be appended to the record, and the appropriate place where the change is requested will be footnoted. Prior

to approval by the Chairman of hearings conducted jointly with another congressional Committee, a memorandum of understanding shall be prepared which incorporates an agreement for the publication of the verbatim transcript.

RULE IV. BROADCASTING

Whenever a hearing or meeting conducted by the Committee or any Subcommittee is open to the public, those proceedings shall be open to coverage by television, radio and still photography except when the hearing or meeting is closed pursuant to the Committee Rules of Procedure.

RULE V. STANDING SUBCOMMITTEES

(a) The full Committee shall have jurisdiction over such matters as determined by the Chairman.

(b) There shall be five standing Subcommittees of the Committee on the Judiciary, with jurisdictions as follows:

The Subcommittee on the Constitution and Civil Justice shall have jurisdiction over the following subject matters: constitutional amendments, constitutional rights, Federal civil rights, ethics in government, tort liability, including medical malpractice and product liability, legal reform generally, other appropriate matters as referred by the Chairman, and relevant oversight.

The Subcommittee on Courts, Intellectual Property, and the Internet shall have jurisdiction over the following subject matters: Administration of U.S. Courts, Federal Rules of Evidence, Civil and Appellate Procedure, judicial ethics, copyright, patent, trademark law, information technology, other appropriate matters as referred to by the Chairman, and relevant oversight.

The Subcommittee on Crime, Terrorism, Homeland Security, and Investigations shall have jurisdiction over the following subject matters: Federal Criminal Code, drug enforcement, sentencing, parole and pardons, internal and homeland security, Federal Rules of Criminal Procedure, prisons, criminal law enforcement, and other appropriate matters as referred by the Chairman, and relevant oversight.

The Subcommittee on Immigration and Border Security shall have jurisdiction over the following subject matters: immigration and naturalization, border security, admission of refugees, treaties, conventions and international agreements, claims against the United States, Federal charters of incorporation, private immigration and claims bills, non-border immigration enforcement, other appropriate matters as referred by the Chairman, and relevant oversight.

The Subcommittee on Regulatory Reform, Commercial and Antitrust Law shall have jurisdiction over the following subject matters: bankruptcy and commercial law, bankruptcy judgeships, administrative law, independent counsel, state taxation affecting interstate commerce, interstate compacts, antitrust matters, other appropriate matters as referred by the Chairman, and relevant oversight.

(c) The Chairman of the Committee and Ranking Minority Member thereof shall be ex officio Members, but not voting Members, of each Subcommittee to which such Chairman or Ranking Minority Member has not been assigned by resolution of the Committee. Ex officio Members shall not be counted as present for purposes of constituting a quorum at any hearing or meeting of such Subcommittee.

RULE VI. POWERS AND DUTIES OF
SUBCOMMITTEES

Each Subcommittee is authorized to meet, hold hearings, receive evidence, and report

to the full Committee on all matters referred to it or under its jurisdiction. Subcommittee chairmen shall set dates for hearings and meetings of their respective Subcommittees after consultation with the Chairman and other Subcommittee chairmen with a view toward avoiding simultaneous scheduling of full Committee and Subcommittee meetings or hearings whenever possible.

RULE VII. NON-LEGISLATIVE REPORTS

No report of the Committee or Subcommittee which does not accompany a measure or matter for consideration by the House shall be published unless all Members of the Committee or Subcommittee issuing the report shall have been apprised of such report and given the opportunity to give notice of intention to file supplemental, additional, or dissenting views as part of the report. In no case shall the time in which to file such views be less than three calendar days (excluding Saturdays, Sundays and legal holidays when the House is not in session).

RULE VIII. COMMITTEE RECORDS

The records of the Committee at the National Archives and Records Administration shall be made available for public use according to the Rules of the House. The Chair-

man shall notify the Ranking Minority Member of any decision to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any Member of the Committee.

RULE IX. OFFICIAL COMMITTEE WEBSITE

(a) The Chairman shall maintain an official website on behalf of the Committee for the purpose of furthering the Committee's legislative and oversight responsibilities, including communicating information about the Committee's activities to Committee Members and other Members of the House.

(b) The Chairman shall make the record of the votes on any question on which a record vote is demanded in the full Committee available on the Committee's official website not later than 48 hours after such vote is taken. Such record shall identify or describe the amendment, motion, order, or other proposition, the name of each Member voting for and each Member voting against such amendment, motion, order, or proposition, and the names of the Members voting present.

(c) Not later than 24 hours after the adoption of any amendment to a measure or matter considered by the Committee or its Sub-

committees, the Chairman shall make the text of each such amendment publicly available in electronic form.

(d) Not later than 3 days after the conclusion of a Committee meeting, the transcript of such meeting and the text of all amendments offered shall be made available on the Committee website.

(e) The Ranking Member is authorized to maintain a similar official website on behalf of the Committee Minority for the same purpose, including communicating information about the activities of the Minority to Committee Members and other Members of the House.

ADJOURNMENT

Mr. FRANKS of Arizona. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 45 minutes p.m.), under its previous order, the House adjourned until Friday, January 25, 2013, at 2 p.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the fourth quarter of 2012 pursuant to Public Law 95-384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, CARLOS SANCHEZ, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 30 AND DEC. 2, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Carlos Sanchez	11/30	12/2	Mexico		658.94		(³)				658.94
Committee total											658.94

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

MR. CARLOS SANCHEZ, Dec. 31, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND THE WORKFORCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JOHN KLINE, Chairman, Jan. 2, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ETHICS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. K. MICHAEL CONAWAY, Chairman, Jan. 15, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOUSE ADMINISTRATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. DANIEL E. LUNGREN, Chairman, Dec. 31, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. LAMAR SMITH, Chairman, Jan. 2, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2012

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JOHN L. MICA, Chairman, Jan. 2, 2013.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

97. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Spiromesifen; Pesticide Tolerances [EPA-HQ-OPP-2012-0038; FRL-9374-3] received January 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

98. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports with Korean Air Lines of Seoul, South Korea pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

99. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to LATAM Airlines Group S.A. of Santiago, Chile pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

100. A letter from the Acting Secretary, Federal Trade Commission, transmitting the Commission's Report on Activities Related to Section 1075 of the Dodd-Frank Act; to the Committee on Financial Services.

101. A letter from the Chair, Community Preventive Services Task Force, transmitting the Annual Report to Congress for 2012; to the Committee on Energy and Commerce.

102. A letter from the Secretary, Department of Energy, transmitting the Department's Annual Report for the Strategic Petroleum Reserve covering calendar year 2011, in accordance with section 165 of the Energy

Policy and Conservation Act; to the Committee on Energy and Commerce.

103. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Findings of Failure to Submit a Complete State Implementation Plan for Section 110(a) Pertaining to the 2008 Ozone National Ambient Air Quality Standard [EPA-HQ-OAR-2012-0943; FRL-9769-4] (RIN: 2060) received January 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

104. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Reasonably Available Control Technology Requirements for Volatile Organic Compounds [EPA-R03-OAR-2012-0610; FRL-9770-6] received January 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

105. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Requirements for Determining General Conformity of Federal Actions to Applicable State Implementation Plans [EPA-R03-OAR-2012-0784; FRL-9770-4] received January 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

106. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Mexico; Revisions to the New Source Review (NSR) State Implementation Plan (SIP); Prevention of

Significant Deterioration (PSD) and Non-attainment New Source Review (NNSR) Permitting [EPA-R06-OAR-2011-0033; FRL-9770-8] received January 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

107. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report on gifts given by the United States to foreign individuals for Fiscal Year 2010, pursuant to 22 U.S.C. 2694(2); to the Committee on Foreign Affairs.

108. A letter from the Acting Secretary, Department of Commerce, transmitting the annual report for FY 2012 of the Department's Bureau of Industry and Security (BIS); to the Committee on Foreign Affairs.

109. A letter from the Secretary of the Army, Department of Defense, transmitting annual audit of the American Red Cross consolidated financial statements for the year ending June 30, 2012; to the Committee on Foreign Affairs.

110. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the Department's report on the Uniformed and Overseas Citizens Absentee Voting Act for 2012, amended; to the Committee on House Administration.

111. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Infrastructure and Interstate Transport Requirements for the 2006 PM2.5 NAAQS [EPA-R06-OAR-2009-0710; FRL-9770-9] received January 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

112. A letter from the Deputy Assistant Administrator for Regulatory Programs,

NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Elephant Trunk Area [Docket No.: 121203677-2677-01] (RIN: 0648-BC67) received January 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

113. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Salmon [Docket No.: 120330244-2673-02] (RIN: 0648-BB77) received January 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

114. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XC376) received January 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

115. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Framework Adjustment 5 [Docket No.: 120321209-2643-02] (RIN: 0648-BC08) received January 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

116. A letter from the Attorney General, Department of Justice, transmitting a copy of the decision of the Court of Appeals for Intercollegiate Broadcasting System, Inc. v. Copyright Royalty Board, 684 F.3d 1332 (D.C. Cir. 2012); to the Committee on the Judiciary.

117. A letter from the Trade Representative, Executive Office of the President, transmitting notification that the Administration intends to enter negotiations for a new trade agreement aimed at promoting international trade in services; to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LEWIS (for himself, Mr. CLYBURN, Mr. HOYER, Mr. BRADY of Pennsylvania, Mr. CONYERS, Mr. ANDREWS, Ms. BASS, Mrs. BEATTY, Mr. BECERRA, Mr. BERA of California, Mr. BISHOP of Georgia, Mr. BISHOP of New York, Mr. BLUMENAUER, Ms. BONAMICI, Ms. BORDALLO, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Ms. BROWNLEY of California, Mrs. BUSTOS, Mr. BUTTERFIELD, Mrs. CAPPS, Mr. CÁRDENAS, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Mr. CASTRO of Texas, Mrs. CHRISTENSEN, Ms. CHU, Mr. CICILLINE, Ms. CLARKE, Mr. CLAY, Mr. CLEAVER, Mr. COHEN, Mr. CONNOLLY, Mr. COSTA, Mr. COURTNEY, Mr. CROWLEY, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DEGETTE, Mr. DELANEY,

Ms. DELAURO, Mr. DEUTCH, Mr. DINGELL, Mr. DOGGETT, Mr. DOYLE, Ms. EDWARDS, Mr. ELLISON, Ms. ESHOO, Ms. ESTY, Mr. FALCOMA, Mr. FARR, Mr. FATTAH, Mr. FOSTER, Ms. FRANKEL of Florida, Ms. FUDGE, Ms. GABBARD, Mr. GARAMENDI, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HAHN, Ms. HANABUSA, Mr. HASTINGS of Florida, Mr. HIGGINS, Mr. HIMES, Mr. HINOJOSA, Mr. HOLT, Mr. HONDA, Mr. HORSFORD, Mr. HUFFMAN, Mr. ISRAEL, Ms. JACKSON LEE, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KEATING, Mr. KILDEE, Mr. KIND, Mrs. KIRKPATRICK, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LEVIN, Mr. LOEBSACK, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. LOWEY, Mr. BEN RAY LUJAN of New Mexico, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MAFFEI, Mrs. CAROLYN B. MALONEY of New York, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. McDERMOTT, Mr. MCGOVERN, Mr. MEEKS, Ms. MENG, Mr. MICHAUD, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. MORAN, Mr. MURPHY of Florida, Mr. NADLER, Mrs. NAPOLITANO, Mrs. NEGRETE McLEOD, Mr. NOLAN, Ms. NORTON, Mr. O'Rourke, Mr. PASCARELL, Mr. PAYNE, Mr. PETERS of Michigan, Mr. PIERLUISI, Ms. PINGREE of Maine, Mr. POCAN, Mr. POLIS, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RANGEL, Mr. RICHMOND, Mr. RUIZ, Mr. RUPERSBERGER, Mr. RUSH, Mr. RYAN of Ohio, Mr. SABLAN, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SÁNCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SCHWARTZ, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SEWELL of Alabama, Mr. SHERMAN, Mr. SIREs, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. SWALWELL of California, Mr. TAKANO, Mr. THOMPSON of Mississippi, Mr. THOMPSON of California, Mr. TIERNEY, Ms. TITUS, Mr. TONKO, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. VARGAS, Mr. VEASEY, Ms. VELÁZQUEZ, Mr. VISCLOSKEY, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Mr. WATT, Mr. WAXMAN, Mr. WELCH, Ms. WILSON of Florida, and Mr. YARMUTH):

H.R. 12. A bill to modernize voter registration, promote access to voting for individuals with disabilities, protect the ability of individuals to exercise the right to vote in elections for Federal office, and for other purposes; to the Committee on House Administration, and in addition to the Committees on the Judiciary, Science, Space, and Technology, Veterans' Affairs, Oversight and Government Reform, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROE of Tennessee (for himself, Ms. SCHWARTZ, Mr. BENISHEK, Mr. BILIRAKIS, Mr. BISHOP of New York, Mr. BISHOP of Utah, Mrs. BLACK, Mrs. BLACKBURN, Mr. BOUSTANY, Mr. BUCHANAN, Mr. BUCSHON, Mr. BURGESS, Mrs. CAPITO, Mr. CASSIDY, Mr. CHABOT, Mrs. CHRISTENSEN, Mr.

COURTNEY, Mr. CRAMER, Mr. CULBERSON, Mr. DAINES, Mr. DENHAM, Mr. DENT, Mr. DESJARLAIS, Mr. DUNCAN of Tennessee, Mr. FINCHER, Mr. FITZPATRICK, Mr. FLEMING, Mr. FRANKS of Arizona, Mr. GERLACH, Mr. GIBBS, Mr. GINGREY of Georgia, Mr. GOSAR, Mr. GOWDY, Mr. GRIFFIN of Arkansas, Mr. GRIFFITH of Virginia, Mr. GUTHRIE, Mr. HANNA, Mr. HARPER, Mr. HARRIS, Mrs. HARTZLER, Mr. HECK of Nevada, Mr. HUELSKAMP, Mr. JOHNSON of Ohio, Mr. JONES, Mr. LAMBORN, Mr. LANCE, Mr. LATHAM, Ms. LINDA T. SÁNCHEZ of California, Mr. LONG, Mr. LUETKEMEYER, Mr. MATHESON, Mr. MCKINLEY, Mr. MEEHAN, Mr. MILLER of Florida, Mr. MULVANEY, Mr. MURPHY of Pennsylvania, Mr. NUGENT, Mr. OLSON, Mr. PALAZZO, Mr. PEARCE, Mr. PETRI, Mr. POE of Texas, Mr. POMPEO, Mr. POSEY, Mr. PRICE of Georgia, Mr. REED, Mrs. ROBY, Mr. ROGERS of Michigan, Mr. ROKITA, Mr. ROSKAM, Mr. SCHOCK, Mr. SHIMKUS, Mr. SIMPSON, Mr. SMITH of Texas, Mr. THOMPSON of Pennsylvania, Mr. THORNBERRY, Mr. TIBERI, Mr. WALBERG, Mr. WALDEN, Mr. WEBSTER of Florida, Mr. WENSTRUP, Mr. WESTMORELAND, Mr. WILSON of South Carolina, Mr. WOMACK, and Mr. YOUNG of Florida):

H.R. 351. A bill to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOODLATTE (for himself, Mr. THORNBERRY, Mr. DUNCAN of Tennessee, Mr. GRIFFITH of Virginia, Mr. MCINTYRE, Mr. COFFMAN, Mr. WESTMORELAND, Mr. BURGESS, Mr. SENSENBRENNER, Mr. SIMPSON, Mr. BACHUS, Mr. WITTMAN, Mr. BROUN of Georgia, Mr. BISHOP of Utah, Mrs. McMORRIS RODGERS, Mr. SCALISE, Mr. LUETKEMEYER, Mr. FORBES, Mr. LONG, Mr. HASTINGS of Washington, Mr. MCKEON, Mr. ISSA, Mr. LUCAS, Mr. UPTON, Mr. WALDEN, Mr. MILLER of Florida, Mr. KLINE, Mr. MCCARTHY of California, Mr. ROGERS of Michigan, Mr. MCHENRY, Mr. KING of Iowa, Mr. JOHNSON of Ohio, Mr. POSEY, Mr. LAMBORN, Mr. ROGERS of Kentucky, Mr. KINGSTON, Mr. JORDAN, Mr. BONNER, Mr. PITTS, Mr. CAMPBELL, Mr. CARTER, Mr. FLEMING, Mr. MICA, Mr. SHIMKUS, Mr. CALVERT, Mr. MARCHANT, Mr. BRADY of Texas, Mr. TERRY, Mr. GOHMERT, Mrs. BLACKBURN, Mr. CONAWAY, Mrs. BACHMANN, Mr. ROGERS of Alabama, Mr. GINGREY of Georgia, Mr. ROE of Tennessee, Mr. NEUGEBAUER, Mr. WOODALL, Mr. HURT, Mr. LATTI, Mr. GARRETT, Mr. WALBERG, Mr. LATHAM, Mr. MCCLINTOCK, Mr. PRICE of Georgia, Mr. FRANKS of Arizona, Mr. WEBER of Texas, Mr. AMODEI, Mr. BENISHEK, and Mr. BOUSTANY):

H.R. 352. A bill to terminate the Internal Revenue Code of 1986; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DENT:

H.R. 353. A bill to require the Secretary of the Treasury to implement a program to prevent the fraudulent use of taxpayer identification numbers of residents of United States territories and possessions to be used to obtain a credit or refund on tax returns filed with the United States; to the Committee on Ways and Means.

By Mr. POE of Texas (for himself and Mrs. CAROLYN B. MALONEY of New York):

H.R. 354. A bill to amend the DNA Analysis Backlog Elimination Act of 2000 to provide for Debbie Smith grants for auditing sexual assault evidence backlogs and to establish a Sexual Assault Forensic Evidence Reporting System, and for other purposes; to the Committee on the Judiciary.

By Mr. CRAWFORD:

H.R. 355. A bill to increase the statutory limit on the public debt only upon the certification by the President of the submission to the States for their ratification of the proposed amendment to the Constitution of the United States to balance the Federal Budget or limit Federal spending; to the Committee on Ways and Means.

By Mr. BISHOP of Utah (for himself, Mr. MATHESON, Mr. CHAFFETZ, and Mr. STEWART):

H.R. 356. A bill to clarify authority granted under the Act entitled "An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes"; to the Committee on Natural Resources.

By Mr. MILLER of Florida (for himself and Mr. MICHAUD):

H.R. 357. A bill to amend title 38, United States Code, to require courses of education provided by public institutions of higher education that are approved for purposes of the educational assistance programs administered by the Secretary of Veterans Affairs to charge veterans tuition and fees at the in-State tuition rate; to the Committee on Veterans' Affairs.

By Ms. MCCOLLUM (for herself, Mr. KELLY, Mr. WALZ, Mr. LATTA, Mr. NOLAN, Mr. HIGGINS, Mrs. BACHMANN, Mr. CONYERS, Ms. SLAUGHTER, Mr. PETERSON, and Mr. PAULSEN):

H.R. 358. A bill to direct the United States Fish and Wildlife Service, in coordination with the Army Corps of Engineers, the National Park Service, and the United States Geological Survey, to lead a multiagency effort to slow the spread of Asian Carp in the Upper Mississippi and Ohio River basins and tributaries, and for other purposes; to the Committee on Natural Resources.

By Mr. SCOTT of Virginia (for himself, Mr. WOLF, and Mr. CUMMINGS):

H.R. 359. A bill to establish and operate a National Center for Campus Public Safety; to the Committee on the Judiciary.

By Ms. SEWELL of Alabama (for herself, Mr. BACHUS, Mr. BONNER, Mrs. ROBY, Mr. ROGERS of Alabama, Mr. ADERHOLT, Mr. BROOKS of Alabama, Mr. LEWIS, and Mr. BISHOP of Georgia):

H.R. 360. A bill to award posthumously a Congressional Gold Medal to Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley, in recognition of the 50th commemoration of the bombing of the Sixteenth Street Baptist Church where the 4 little Black girls lost their lives, which served as a catalyst for the Civil Rights Movement; to the Committee on Financial Services.

By Mr. REICHERT (for himself and Ms. DELBENE):

H.R. 361. A bill to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers, and for other purposes; to the Committee on Natural Resources.

By Ms. NORTON (for herself, Mr. HONDA, Mr. FARR, Mr. RANGEL, Mrs. NAPOLITANO, Mrs. CHRISTENSEN, Mr. RUSH, Mr. FALEOMAVAEGA, Mr. CLAY, Mr. ELLISON, Mr. CONYERS, Ms. BORDALLO, Mr. COHEN, Mr. BLUMENAUER, Ms. CHU, Mr. PIERLUISI, and Mr. POLIS):

H.R. 362. A bill to provide for the treatment of the District of Columbia as a State for purposes of representation in the House of Representatives and Senate, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON (for herself, Mr. HONDA, Mr. FARR, Mr. RANGEL, Mrs. NAPOLITANO, Mrs. CHRISTENSEN, Mr. RUSH, Mr. FALEOMAVAEGA, Mr. CLAY, Mr. ELLISON, Mr. CONYERS, Ms. BORDALLO, Mr. COHEN, Mr. BLUMENAUER, Ms. CHU, and Mr. PIERLUISI):

H.R. 363. A bill to provide for the treatment of the District of Columbia as a State for purposes of representation in the House of Representatives, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PIERLUISI (for himself, Mr. FALEOMAVAEGA, Mrs. CHRISTENSEN, Ms. BORDALLO, Mr. SABLON, and Mr. SERRANO):

H.R. 364. A bill to extend the supplemental security income program to Puerto Rico, the United States Virgin Islands, Guam, and American Samoa, and for other purposes; to the Committee on Ways and Means.

By Mr. PIERLUISI (for himself, Mr. FALEOMAVAEGA, Mrs. CHRISTENSEN, Ms. BORDALLO, and Mr. SERRANO):

H.R. 365. A bill to amend the Social Security Act to eliminate the cap on certain payments under the TANF program to Puerto Rico, the Virgin Islands, Guam, and American Samoa, and for other purposes; to the Committee on Ways and Means.

By Mr. MARINO (for himself, Mr. MCGOVERN, Mr. CAMPBELL, Mr. MORAN, Mr. ROSKAM, Mr. GRIMM, Mr. COFFMAN, Mr. TIERNEY, Mr. LANGEVIN, Mr. WELCH, Mr. ISRAEL, Mr. SMITH of New Jersey, Mr. CICILLINE, Mr. GERLACH, Mr. DENT, Mr. GUTIERREZ, Mr. KING of New York, Ms. LORETTA SANCHEZ of California, Mr. LEWIS, and Mr. HIMES):

H.R. 366. A bill to prohibit attendance of an animal fighting venture, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Indiana (for himself, Mr. AMODEI, Mr. BACHUS, Mr. BARR, Mr. BISHOP of Utah, Mrs. BLACK, Mrs. BLACKBURN, Mr. BONNER, Mr. BROOKS

of Alabama, Mr. BUCSHON, Mr. CAMP, Mr. CASSIDY, Mr. CHABOT, Mr. CHAFFETZ, Mr. COLLINS of Georgia, Mr. CRAMER, Mr. CRAWFORD, Mr. RODNEY DAVIS of Illinois, Mr. DESANTIS, Mr. DESJARLAIS, Mr. DUNCAN of Tennessee, Mr. DUNCAN of South Carolina, Mr. FITZPATRICK, Mr. FORBES, Mr. FORTENBERRY, Mr. GARRETT, Mr. GERLACH, Mr. GIBBS, Mr. GINGREY of Georgia, Mr. GOSAR, Mr. GOWDY, Mr. GRAVES of Missouri, Mr. GRIFFIN of Arkansas, Mr. GUTHRIE, Mr. HANNA, Mr. HARPER, Mrs. HARTZLER, Mr. HOLDING, Mr. HUDSON, Mr. HUELSKAMP, Mr. HUIZENGA of Michigan, Mr. HULTGREN, Ms. JENKINS, Mr. JOHNSON of Ohio, Mr. JONES, Mr. KELLY, Mr. KLINE, Mr. LAMBORN, Mr. LATHAM, Mr. LATTA, Mr. LONG, Mr. LUETKEMEYER, Mrs. LUMMIS, Mr. MASSIE, Mr. MCKINLEY, Mr. MESSER, Mr. MILLER of Florida, Mrs. CAPITO, Mr. MULLIN, Mr. MULVANEY, Mr. NEUGEBAUER, Mrs. NOEM, Mr. NUGENT, Mr. NUNNELEE, Mr. OLSON, Mr. PEARCE, Mr. REED, Mr. RIBBLE, Mr. ROE of Tennessee, Mr. ROGERS of Michigan, Mr. ROKITA, Mr. SCALISE, Mr. SCHOCK, Mr. SENSENBRENNER, Mr. SIMPSON, Mr. SMITH of Texas, Mr. SMITH of Nebraska, Mr. STOCKMAN, Mr. STUTZMAN, Mr. THORNBERRY, Mr. TIBERI, Mr. WALBERG, Mr. WALDEN, Mr. WEBSTER of Florida, Mr. WESTMORELAND, Mr. WILSON of South Carolina, Mr. YODER, Mr. YOHIO, Mr. YOUNG of Alaska, Mr. KINZINGER of Illinois, Mr. STIVERS, Mr. TIPTON, Mr. GIBSON, Mr. BOUSTANY, Mr. POE of Texas, Mr. GARDNER, Mr. SCHWEIKERT, Mr. FRANKS of Arizona, Mr. HALL, Mr. RENACCI, Mr. PALAZZO, Mr. ROSKAM, Mr. MARINO, Mr. POSEY, Mrs. ROBY, Mr. FLORES, Mr. BARTON, Mr. CALVERT, Mr. DENHAM, Mr. BARLETTA, Mr. ALEXANDER, Mr. ADERHOLT, Mr. VALADAO, Mr. GOMERT, Mr. COFFMAN, Mr. UPTON, Mr. SESSIONS, Mrs. WAGNER, Mr. KING of Iowa, Mrs. BROOKS of Indiana, Mr. BENISHEK, and Mr. ROSS):

H.R. 367. A bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law; to the Committee on the Judiciary, and in addition to the Committees on Rules, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BENISHEK:

H.R. 368. A bill to amend title 10, United States Code, to require an audiometric test of each member of the Armed Forces before the separation of the member; to the Committee on Armed Services.

By Mr. BENISHEK:

H.R. 369. A bill to amend title 38, United States Code, to establish a presumption of service connection for certain veterans with tinnitus or hearing loss; to the Committee on Veterans' Affairs.

By Mrs. BLACKBURN (for herself, Mr. WESTMORELAND, and Mr. GRIFFIN of Arkansas):

H.R. 370. A bill to amend title II of the Social Security Act to establish a Social Security Surplus Protection Account in the Federal Old-Age and Survivors Insurance Trust Fund to hold the Social Security surplus, to provide for suspension of investment of

amounts held in the Account until enactment of legislation providing for investment of the Trust Fund in investment vehicles other than obligations of the United States, and to establish a Social Security Investment Commission to make recommendations for alternative forms of investment of the Social Security surplus in the Trust Fund; to the Committee on Ways and Means.

By Mr. BROOKS of Alabama (for himself, Mr. BACHUS, Mr. WILSON of South Carolina, Mr. SOUTHERLAND, Mr. STUTZMAN, Mr. MCKINLEY, and Mr. JONES):

H.R. 371. A bill to increase the statutory limit on the public debt by \$1,000,000,000 upon the adoption by Congress of a Balanced Budget Constitutional Amendment and by an additional \$1,000,000,000 upon ratification by the States of that Amendment; to the Committee on Ways and Means.

By Mr. BROUN of Georgia:

H.R. 372. A bill to amend title 31, United States Code, to eliminate the requirement that the President submit a budget to the Congress each year, and for other purposes; to the Committee on the Budget, and in addition to the Committees on House Administration, Oversight and Government Reform, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS (for herself, Mr. FARR, Mr. CONYERS, Mr. HOLT, Ms. LEE of California, and Mr. GRIJALVA):

H.R. 373. A bill to amend title VII of the Oil Pollution Act of 1990, and for other purposes; to the Committee on Science, Space, and Technology.

By Mrs. CHRISTENSEN:

H.R. 374. A bill to amend the Internal Revenue Code of 1986 to assist in the recovery and development of the Virgin Islands by providing for a reduction in the tax imposed on distributions from certain retirement plans' assets which are invested for at least 30 years, subject to defined withdrawals, under a Virgin Islands investment program; to the Committee on Ways and Means.

By Mr. CICILLINE (for himself, Mr. LANGEVIN, Mr. YARMUTH, Ms. NORTON, Mr. GRIJALVA, Mr. RYAN of Ohio, and Mr. LIPINSKI):

H.R. 375. A bill to require the Secretary of Commerce and the Secretary of Labor to establish the Make It In America Incentive Grant Program, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. DAVIS of California (for herself, Mr. BRADY of Pennsylvania, Mr. HONDA, Ms. LEE of California, and Mrs. CAROLYN B. MALONEY of New York):

H.R. 376. A bill to amend the Help America Vote Act of 2002 to allow all eligible voters to vote by mail in Federal elections; to the Committee on House Administration.

By Ms. DELAURO (for herself, Mr. ANDREWS, Ms. BASS, Mr. BECERRA, Mr. BISHOP of New York, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Mrs. BUSTOS, Mr. BUTTERFIELD, Mrs. CAPPS, Mr. CAPUANO, Mr. CÁRDENAS, Mr. CARSON of Indiana, Ms. CASTOR of Florida,

Mrs. CHRISTENSEN, Ms. CHU, Mr. CICILLINE, Ms. CLARKE, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. COHEN, Mr. CONYERS, Mr. COOPER, Mr. COSTA, Mr. COURTNEY, Mr. CUMMINGS, Mrs. DAVIS of California, Mr. DEFazio, Ms. DEGETTE, Mr. DELANEY, Ms. DELBENE, Mr. DEUTCH, Mr. DINGELL, Mr. DOYLE, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Ms. ESTY, Mr. FARR, Mr. FATTAH, Ms. FRANKEL of Florida, Ms. FUDGE, Mr. GARAMENDI, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HAHN, Ms. HANABUSA, Mr. HASTINGS of Florida, Mr. HECK of Washington, Mr. HIGGINS, Mr. HIMES, Mr. HINOJOSA, Mr. HOLT, Mr. HONDA, Mr. HOYER, Mr. ISRAEL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KEATING, Mr. KILDEE, Mr. KILMER, Mr. KIND, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS, Mr. LOEBACK, Ms. LOFGREN, Mrs. LOWEY, Mr. BEN RAY LUJÁN of New Mexico, Ms. MICHELLE LUJÁN GRISHAM of New Mexico, Mr. LYNCH, Mrs. CAROLYN B. MALONEY of New York, Mr. MATHESON, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. McDERMOTT, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MEEKS, Ms. MENG, Mr. MICHAUD, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. MORAN, Mr. NADLER, Mrs. NAPOLITANO, Mr. NOLAN, Ms. NORTON, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR of Arizona, Ms. PELOSI, Mr. PERLMUTTER, Mr. PETERS of Michigan, Mr. PIERLUISI, Ms. PINGREE of Maine, Mr. POCAN, Mr. POLIS, Mr. PRICE of North Carolina, Mr. RANGEL, Mr. RICHMOND, Ms. ROYBAL-ALLARD, Mr. RUPPERSBERGER, Mr. RUSH, Mr. RYAN of Ohio, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SARABANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHNEIDER, Mr. SCHRAEDER, Ms. SCHWARTZ, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SHEA-PORTER, Mr. SHERMAN, Ms. SINEMA, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SPEIER, Mr. THOMPSON of California, Mr. TIERNEY, Mr. TONKO, Ms. TSONGAS, Mr. VAN HOLLEN, Ms. VELÁZQUEZ, Mr. VISCLOSKEY, Mr. WALZ, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Mr. WATT, Mr. WAXMAN, Mr. WELCH, Ms. WILSON of Florida, Mr. YARMUTH, Mrs. BEATTY, and Mr. CONNOLLY):

H.R. 377. A bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; to the Committee on Education and the Workforce.

By Mr. FATTAH:

H.R. 378. A bill to provide for adequate and equitable educational opportunities for students in State public school systems, and for other purposes; to the Committee on Education and the Workforce.

By Mr. FATTAH:

H.R. 379. A bill to amend section 1120A(c) of the Elementary and Secondary Education Act of 1965 to assure comparability of opportunity for educationally disadvantaged students; to the Committee on Education and the Workforce.

By Mr. FATTAH:

H.R. 380. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for contributions to a trust used to provide need-based college scholarships; to the Committee on Ways and Means.

By Mr. FATTAH:

H.R. 381. A bill to amend the Congressional Budget Act of 1974 to require long-term cost benefit analyses of introduced bills; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FOXX (for herself, Mr. SCHWEIKERT, Mr. WEBER of Texas, Mrs. BLACKBURN, Mr. LAMALFA, Mr. GOHMERT, and Mr. MULVANEY):

H.R. 382. A bill to provide for State approval of national monuments, and for other purposes; to the Committee on Natural Resources.

By Mr. GIBSON (for himself, Mr. AMASH, Mr. BENISHEK, Mr. BROOKS of Alabama, Mr. COFFMAN, Mr. DUNCAN of Tennessee, Mr. FITZPATRICK, Mr. FORTENBERRY, Ms. FOXX, Mr. GARAMENDI, Mr. GOSAR, Mr. JOHNSON of Ohio, Mr. JORDAN, Mr. LABRADOR, Mr. LANKFORD, Mr. MILLER of Florida, Mr. MULVANEY, Mr. NUGENT, Mr. REED, Mr. RIBBLE, Mr. ROONEY, Mr. ROSS, Mr. AUSTIN SCOTT of Georgia, Mr. SHIMKUS, Mr. SMITH of Washington, Mr. SMITH of New Jersey, and Mr. STIVERS):

H.R. 383. A bill to amend the War Powers Resolution to limit the use of funds for introduction of the Armed Forces into hostilities, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AL GREEN of Texas (for himself, Ms. BORDALLO, Mr. GENE GREEN of Texas, Mr. GRIMM, Mr. HINOJOSA, Mr. CONYERS, Ms. HAHN, Mr. HASTINGS of Florida, Mr. HOLT, Mr. HONDA, Ms. KAPTUR, Mr. McDERMOTT, Mr. MCGOVERN, Mr. MICHAUD, Ms. PINGREE of Maine, Mr. RANGEL, and Mr. RUSH):

H.R. 384. A bill to establish the position of Special Assistant for Veterans Affairs in the Department of Housing and Urban Development, and for other purposes; to the Committee on Financial Services.

By Mr. AL GREEN of Texas (for himself, Mr. CLAY, Mr. CLEAVER, and Mr. MICHAUD):

H.R. 385. A bill to establish a pilot program to authorize the Secretary of Housing and Urban Development to make grants to non-profit organizations to rehabilitate and modify homes of disabled and low-income veterans; to the Committee on Financial Services.

By Mr. AL GREEN of Texas (for himself, Ms. BORDALLO, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. HINOJOSA, Mr. CONYERS, Ms. HAHN, Mr. HASTINGS of Florida, Mr. HOLT, Mr. HONDA, Ms. KAPTUR, Mr. McDERMOTT, Mr. MCGOVERN, Mr. MICHAUD, Ms. PINGREE of Maine, Mr. RANGEL, Mr. RUSH, Ms. MOORE, and Mr. SERRANO):

H.R. 386. A bill to provide housing assistance for very low-income veterans; to the Committee on Financial Services, and in addition to the Committee on Ways and Means,

for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GENE GREEN of Texas:

H.R. 387. A bill to amend title II of the Social Security Act to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits under such title, and for other purposes; to the Committee on Ways and Means.

By Mr. GRIFFIN of Arkansas (for himself, Mr. WOMACK, Mr. CRAWFORD, and Mr. COTTON):

H.R. 388. A bill to designate the United States courthouse located at 300 West Second Street in Little Rock, Arkansas, as the "Morris Sheppard Arnold United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. GUTHRIE:

H.R. 389. A bill to require the submission to the Congress of annual reports on the tobacco user fees assessed and collected under section 919 of the Federal Food, Drug, and Cosmetic Act; to the Committee on Energy and Commerce.

By Mr. HASTINGS of Florida:

H.R. 390. A bill to direct the Secretary of Homeland Security to establish national emergency centers on military installations; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HERRERA BEUTLER (for herself and Mr. GRIFFITH of Virginia):

H.R. 391. A bill to provide for a 10 percent reduction in pay for Members of Congress, the President, and the Vice President; to the Committee on Oversight and Government Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HONDA (for himself, Mr. CONYERS, Mr. GRIJALVA, Ms. MCCOLLUM, Ms. MOORE, Mrs. NAPOLITANO, Mr. POLIS, and Mr. VAN HOLLEN):

H.R. 392. A bill to amend the Elementary and Secondary Education Act of 1965 to direct local educational agencies to release secondary school student information to military recruiters if the student's parent provides written consent for the release, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HONDA:

H.R. 393. A bill to consolidate, improve, and reauthorize programs that support families and victims in the justice system affected by domestic violence; to the Committee on the Judiciary.

By Mr. HONDA:

H.R. 394. A bill to ensure the development and responsible stewardship of nanotechnology; to the Committee on Science, Space, and Technology, and in addition to the Committees on Energy and Commerce, Ways and Means, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL (for himself, Mr. KING of New York, Ms. NORTON, Mr. HANNA, and Mr. CICILLINE):

H.R. 395. A bill to amend the Internal Revenue Code of 1986 to exclude from gross in-

come amounts paid by an employer on an employee's student loans; to the Committee on Ways and Means.

By Ms. JENKINS:

H.R. 396. A bill to reduce the annual rates of pay for Members of Congress by 20 percent, and to prohibit an adjustment in such rates during a year unless the Federal government did not run a deficit in the previous fiscal year; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATHAM:

H.R. 397. A bill to prohibit the disbursement of funds for salaries and expenses of the offices of Members and committees of Congress and to hold the salaries of Members of Congress in escrow if Congress does not adopt a concurrent resolution on the budget on or before May 15 of each year, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOEBSACK (for himself and Mrs. KIRKPATRICK):

H.R. 398. A bill to reduce the rate of pay for Members of Congress by 10 percent and to eliminate automatic pay adjustments for Members; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MATSUI (for herself, Mr. GARAMENDI, Mr. GEORGE MILLER of California, Mr. GARY G. MILLER of California, Mr. CÁRDENAS, Mr. THOMPSON of California, Ms. LOFGREN, Mr. COSTA, Mrs. NAPOLITANO, Mrs. CAPPS, Ms. ESHOO, Mr. HONDA, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SÁNCHEZ of California, Mr. FARR, Ms. LEE of California, Mrs. NEGRETTE MCLEOD, Ms. ROYBAL-ALLARD, Mrs. DAVIS of California, Ms. BASS, Mr. WAXMAN, Ms. HAHN, Ms. CHU, Mr. BERA of California, Mr. MCNERNEY, and Mr. CALVERT):

H.R. 399. A bill to direct the Secretary of the Army to undertake a comprehensive review of the Corps of Engineers policy guidelines on vegetation management for levees, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. MATSUI (for herself, Mr. DINGELL, Mrs. CAPPS, Mr. MICHAUD, and Mr. SCHIFF):

H.R. 400. A bill to provide for the establishment of a Clean Energy Technology Manufacturing and Export Assistance Fund to assist United States businesses with exporting clean energy technology products and services; to the Committee on Foreign Affairs, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NUGENT (for himself, Mr. SCOTT of Virginia, Mr. CICILLINE, Mr. GRIMM, Mr. GOWDY, Mr. SENSENBRENNER, Mr. REICHERT, Mr. VAN HOLLEN, Mr. CONYERS, and Ms. LOFGREN):

H.R. 401. A bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004; to the Committee on the Judiciary.

By Mr. RYAN of Ohio:

H.R. 402. A bill to provide for the retention of the name of Mount McKinley; to the Committee on Natural Resources.

By Mr. SABLAN:

H.R. 403. A bill to amend the percentage of funds appropriated under title I of the Elementary and Secondary Education Act of 1965 required to be reserved for outlying areas and the Secretary of the Interior; to the Committee on Education and the Workforce.

By Mr. SCHIFF (for himself, Ms. LEE of California, Mr. MEEKS, Mr. PIERLUISI, Ms. NORTON, Mr. MORAN, Mr. DANNY K. DAVIS of Illinois, Ms. DELAURO, Mr. TAKANO, Ms. SLAUGHTER, and Mr. SHERMAN):

H.R. 404. A bill to enhance criminal penalties for straw purchasers of firearms; to the Committee on the Judiciary.

By Mr. SERRANO:

H.R. 405. A bill to permit Members of Congress to administer the oath of allegiance to applicants for naturalization; to the Committee on the Judiciary.

By Mr. SERRANO:

H.R. 406. A bill to provide discretionary authority to an immigration judge to determine that an alien parent of a United States citizen child should not be ordered removed, deported, or excluded from the United States; to the Committee on the Judiciary.

By Mr. SERRANO:

H.R. 407. A bill to amend the Internal Revenue Code of 1986 to provide a business credit relating to the use of clean-fuel and fuel efficient vehicles by businesses within areas designated as nonattainment areas under the Clean Air Act, and for other purposes; to the Committee on Ways and Means.

By Mr. SESSIONS:

H.R. 408. A bill to amend the Internal Revenue Code of 1986 to repeal certain limitations on the expensing of section 179 property, to allow taxpayers to elect shorter recovery periods for purposes of determining the deduction for depreciation, and for other purposes; to the Committee on Ways and Means.

By Mr. SIMPSON:

H.R. 409. A bill to provide for Indian trust asset management reform, and for other purposes; to the Committee on Natural Resources.

By Mr. STOCKMAN:

H.R. 410. A bill to provide that any executive action infringing on the Second Amendment has no force or effect, and to prohibit the use of funds for certain purposes; to the Committee on the Judiciary.

By Mr. TONKO (for himself, Mr. CONYERS, Mr. HUNTER, Ms. SLAUGHTER, Mr. RANGEL, Mr. MICHAUD, Mr. GRIJALVA, Ms. NORTON, Mr. MARINO, Mr. HIGGINS, Mr. CICILLINE, Mr. MCGOVERN, and Ms. SHEA-PORTER):

H.R. 411. A bill to direct the Secretary of Veterans Affairs to establish a registry of certain veterans who were stationed at Fort McClellan, Alabama, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. TSONGAS:

H.R. 412. A bill to amend the Wild and Scenic Rivers Act to designate segments of the mainstem of the Nashua River and its tributaries in the Commonwealth of Massachusetts for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Natural Resources.

By Mr. WELCH (for himself, Mr. HANNA, Mr. COOPER, and Mr. BRALEY of Iowa):

H.R. 413. A bill to eliminate the 2-year delay in including oral-only ESRD-related drugs in the Medicare ESRD prospective payment system, as provided under section 632(b)(1) of the American Taxpayer Relief Act of 2012; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 414. A bill to provide for the continued lease or eventual conveyance of certain Federal land within the boundaries of Fort Wainwright Military Reservation in Fairbanks, Alaska; to the Committee on Natural Resources, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BECERRA:

H. Res. 42. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. FATTAH:

H. Res. 43. A resolution expressing the sense of the House of Representatives in support of the Common Core State Standards Initiative; to the Committee on Education and the Workforce.

By Mr. FATTAH (for himself, Mr. HULTGREN, and Mr. BEN RAY LUJÁN of New Mexico):

H. Res. 44. A resolution expressing the sense of the House of Representatives that Federal laboratories have been and continue to be on the cutting edge of scientific and technological advancement and supporting the designation of 2013 as the "Year of the Federal Lab"; to the Committee on Science, Space, and Technology.

By Mr. FATTAH:

H. Res. 45. A resolution expressing the sense of the House of Representatives that it is imperative that the United States creates a clear vision and goal to be the world leader in innovation, science, technology, engineering, and math to ensure the continued strength, growth, and vitality of this Nation; to the Committee on Science, Space, and Technology.

By Mr. LIPINSKI (for himself, Mr. SMITH of New Jersey, Mr. REED, Mr. JONES, Ms. ROYBAL-ALLARD, Mr. KELLY, Ms. DELAURO, Mr. SABLON, Mr. DANNY K. DAVIS of Illinois, Mr. MICHAUD, Mr. GRIMM, Mr. TIBERI, Ms. BORDALLO, Mr. BARLETTA, Mr. BENISHEK, Mr. FITZPATRICK, Ms. ESHOO, Mr. HIGGINS, Mr. RYAN of Ohio, Ms. KAPTUR, Ms. MCCOLLUM, Mr. HARRIS, Mr. FORBES, Mr. YARMUTH, and Ms. SPEIER):

H. Res. 46. A resolution supporting the contributions of Catholic schools; to the Committee on Education and the Workforce.

Mr. GUTIERREZ introduced a bill (H.R. 415) for the relief of Francisca Lino; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. LEWIS:

H.R. 12.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. ROE of Tennessee:

H.R. 351.

Congress has the power to enact this legislation pursuant to the following:

The repeal of this provision is consistent with the powers that are reserved to the States and to the people as expressed in Amendment X to the United States Constitution.

By Mr. GOODLATTE:

H.R. 352.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 Section 8 of Article 1 of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. DENT:

H.R. 353.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. POE of Texas:

H.R. 354.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 Clause 1, which reads: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Article 1, Section 8, Clause 18, which reads: The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. CRAWFORD:

H.R. 355.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1 and 2 of Section 8 of Article 1 of the United States Constitution.

Article V of the U.S. Constitution, which grants Congress the authority to propose Constitutional amendments.

By Mr. BISHOP of Utah:

H.R. 356.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. MILLER of Florida:

H.R. 357.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Ms. MCCOLLUM:

H.R. 358.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, which gives Congress the power "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing powers."

By Mr. SCOTT of Virginia:

H.R. 359.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution

Clause 18 of section 8 of article I of the Constitution

By Ms. SEWELL of Alabama:

H.R. 360.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8

By Mr. REICHERT:

H.R. 361.

Congress has the power to enact this legislation pursuant to the following:

"The constitutional authority of Congress to enact this legislation is provided by Article 1, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States)."

By Ms. NORTON:

H.R. 362.

Congress has the power to enact this legislation pursuant to the following:

clause 17 of section 8 of article I of the Constitution.

By Ms. NORTON:

H.R. 363.

Congress has the power to enact this legislation pursuant to the following:

clause 17 of section 8 of article I of the Constitution.

By Mr. PIERLUISI:

H.R. 364.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress to provide for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution; to make all laws which shall be necessary and proper for carrying into execution such power, as enumerated in Article I, Section 8, Clause 18 of the Constitution; and to make rules and regulations respecting the U.S. territories, as enumerated in Article IV, Section 3, Clause 2 of the Constitution.

By Mr. PIERLUISI:

H.R. 365.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress to provide for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution; to make all laws which shall be necessary and proper for carrying into execution such power, as enumerated in Article I, Section 8, Clause 18 of the Constitution; and to make rules and regulations respecting the U.S. territories, as enumerated in Article IV, Section 3, Clause 2 of the Constitution.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

By Mr. MARINO:
H.R. 366.

Congress has the power to enact this legislation pursuant to the following:

1) Article I, Section 8, Clause

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

2) Article I, Section 9, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. YOUNG of Indiana:

H.R. 367.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted Congress under Article I of the United States Constitution, including the power granted Congress under Article I, Section 8, Clause 18, of the United States Constitution, and the power granted to each House of Congress under Article I, Section 5, Clause 2, of the United States Constitution.

By Mr. BENISHEK:

H.R. 368.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 14 "To make Rules for the Government and Regulation of the land and naval Forces."

By Mr. BENISHEK:

H.R. 369.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14 "To make Rules for the Government and Regulation of the land and naval Forces" and Article I, Section 8, Clause 18 "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mrs. BLACKBURN:

H.R. 370.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1; Article 1, Section 8, Clause 3; and Article 1, Section 8, Clause 14.

By Mr. BROOKS of Alabama:

H.R. 371.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8. The Congress shall have Power . . . to pay debts. . .

Article V. The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution. . .

By Mr. BROUN of Georgia:

H.R. 372.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mrs. CAPPS:

H.R. 373.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mrs. CHRISTENSEN:

H.R. 374.

Congress has the power to enact this legislation pursuant to the following:

"Article IV, section 3 of the Constitution of the United States grant Congress the authority to make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States and

Article 1, section 7 which provides that all Bills for raising Revenue shall originate in the House of Representatives."

By Mr. CICILLINE:

H.R. 375.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mrs. DAVIS of California:

H.R. 376.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 4:

"The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations. . ."

By Ms. DELAURO:

H.R. 377.

Congress has the power to enact this legislation pursuant to the following:

Fourteenth Amendment, Section 5 Section 1: All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

By Mr. FATTAH:

H.R. 378.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. FATTAH:

H.R. 379.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. FATTAH:

H.R. 380.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. FATTAH:

H.R. 381.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. FOXX:

H.R. 382.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 grants Congress the "Power to dispose of and make all

needful Rules and Regulations respecting the Territory or other Property belonging to the United States."

By Mr. GIBSON:

H.R. 383.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clauses 11, 12, 13, 14, and 18.

By Mr. AL GREEN of Texas:

H.R. 384.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority to enact this legislation can be found in:

General Welfare Clause (Art. 1 Sec. 8 Cl. 1)

Commerce Clause (Art. 1 Sec. 8 Cl. 3)

By Mr. AL GREEN of Texas:

H.R. 385.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority to enact this legislation can be found in:

General Welfare Clause (Art. 1 Sec. 8 Cl. 1),

Commerce Clause (Art. 1 Sec. 8 Cl. 3),

By Mr. AL GREEN of Texas:

H.R. 386.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority to enact this legislation can be found in:

General Welfare Clause (Art. 1 Sec. 8 Cl. 1)

Commerce Clause (Art. 1 Sec. 8 Cl. 3)

By Mr. GENE GREEN of Texas:

H.R. 387.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution (the Commerce Clause).

By Mr. GRIFFIN of Arkansas:

H.R. 388.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of Section 3 of Article IV of the Constitution: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. GUTHRIE:

H.R. 389.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Article I, Section 8, Clause 3

To regulate Commerce with foreign Nations and among the several States, and with the Indian Tribes

By Mr. HASTINGS of Florida:

H.R. 390.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the Constitution of the United States, including but not limited to Article I, Section 8, Clauses 1 and 3.

By Ms. HERRERA BEUTLER:

H.R. 391.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 6, of the Constitution requires Congress to determine its own pay.

By Mr. HONDA:

H.R. 392.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of article I of the Constitution.

By Mr. HONDA:

H.R. 393.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution

By Mr. HONDA:

H.R. 394.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution

By Mr. ISRAEL:

H.R. 395.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Ms. JENKINS:

H.R. 396.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 6 of Article I of the Constitution which states "The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States." and Clause 1 of Section 1 of Article I which states: "All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

By Mr. LATHAM:

H.R. 397.

Congress has the power to enact this legislation pursuant to the following:

Article 1, sections 6 and 9 of the Constitution of the United States.

By Mr. LOEBSACK:

H.R. 398.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 6 of Article I of the Constitution.

By Ms. MATSUI:

H.R. 399.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Ms. MATSUI:

H.R. 400.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. NUGENT:

H.R. 401.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. RYAN of Ohio:

H.R. 402.

Congress has the power to enact this legislation pursuant to the following:

"The Congress enacts this bill pursuant to Clause 18 of Section 8 of Article I of the United States Constitution."

By Mr. SABLAN:

H.R. 403.

Congress has the power to enact this legislation pursuant to the following:

Under Article 1, section 8 of the United States Constitution (clause 1), which grants Congress the power to collect taxes and expend funds to provide for the general welfare of the United States.

By Mr. SCHIFF:

H.R. 404.

Congress has the power to enact this legislation pursuant to the following:

The Straw Purchaser Penalty Enhancement Act is constitutionally authorized

under Article I, Section 8, Clause 3, the Commerce Clause and Article I, Section 8, Clause 18, the Necessary and Proper Clause. Additionally, the Preamble to the Constitution provides support of the authority to enact legislation to promote the General Welfare.

By Mr. SERRANO:

H.R. 405.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4, which gives Congress the power "To establish a uniform Rule of Naturalization," and Article I, Section 8, Clause 18, which gives Congress the power "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers."

By Mr. SERRANO:

H.R. 406.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4, which gives Congress the power "To establish a uniform Rule of Naturalization," and Article I, Section 8, Clause 18, which gives Congress the power "To make all Laws which shall be necessary and proper or carrying into Execution the foregoing Powers."

By Mr. SERRANO:

H.R. 407.

Congress has the power to enact this legislation pursuant to the following:

This legislation is introduced pursuant to Article I, Section 8, Clause 1 of the Constitution, which states that "The Congress shall have power to lay and collect taxes, duties, imposts and excises. . ." In addition, this legislation is introduced pursuant to Article I, Section 8, Clause 18 of the Constitution, which states that Congress shall have the power "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof."

By Mr. SESSIONS:

H.R. 408.

Congress has the power to enact this legislation pursuant to the

Article I, Section 8 Congress has the power to regulate Commerce.

By Mr. SIMPSON:

H.R. 409.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, which grants Congress the power to regulate Commerce with the Indian Tribes.

By Mr. STOCKMAN:

H.R. 410.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1

"All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

Article I, Section 8

"The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. TONKO:

H.R. 411.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. TSONGAS:

H.R. 412.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. WELCH:

H.R. 413.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. YOUNG of Alaska:

H.R. 414.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Mr. GUTIERREZ:

H.R. 415.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 and Amendment I, Clause 3 of the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 11: Ms. PELOSI, Mr. SWALWELL of California, Mr. WATT, Mr. McDERMOTT, and Mr. KIND.

H.R. 21: Ms. SCHWARTZ and Mr. DOYLE.

H.R. 23: Mr. DUNCAN of Tennessee and Mr. WITTMAN.

H.R. 24: Mr. ALEXANDER, Mr. OLSON, Mr. WEBER of Texas, Mr. GARDNER, Mr. NUGENT, Mr. AUSTIN SCOTT of Georgia, Mrs. NOEM, Mrs. BLACKBURN, Mr. LAMALFA, Mr. POMPEO, Mr. ROKITA, Mr. YODER, Mr. POE of Texas, Mr. HURT, Mr. LATHAM, and Mr. FLORES.

H.R. 25: Mr. DESANTIS.

H.R. 36: Mr. MATHESON, Mr. LANGEVIN, Mr. RUPPERSBERGER, Mr. BARR, Mr. HANNA, Mrs. BLACKBURN, Mr. GRAVES of Missouri, Mr. CASSIDY, Mr. DUNCAN of South Carolina, Mr. GRIMM, Mr. SCHOCK, and Mr. BURGESS.

H.R. 55: Mr. GIBBS.

H.R. 61: Mr. POE of Texas, Mr. ROTHFUS, and Mr. RYAN of Wisconsin.

H.R. 93: Ms. BROWNLEY of California, Mr. SARBANES, Mr. MCGOVERN, Mr. BISHOP of New York, Mr. HIMES, and Mr. POCAN.

H.R. 106: Mr. ROKITA.

H.R. 107: Mr. POE of Texas.

H.R. 129: Mr. WELCH and Mr. DOGGETT.

H.R. 134: Mr. PEARCE.

H.R. 140: Mr. ROE of Tennessee, Mr. MARCHANT, Mr. BENTIVOLIO, and Mr. FRANKS of Arizona.

H.R. 148: Ms. EDWARDS, Mr. PERLMUTTER, Ms. TSONGAS, Mr. HIGGINS, and Mr. POLIS.

H.R. 149: Mr. PEARCE, Mr. FINCHER, and Mr. FLORES.

H.R. 164: Mr. YOUNG of Florida, Mr. CONNOLLY, and Mr. PEARCE.

- H.R. 167: Mrs. BLACK and Mr. PEARCE.
H.R. 176: Mr. BENTIVOLIO.
H.R. 178: Mr. YODER and Mr. DESANTIS.
H.R. 181: Mr. HIGGINS and Mr. SEAN PATRICK MALONEY of New York.
H.R. 200: Mr. HASTINGS of Florida.
H.R. 203: Mr. LAMBORN, Mr. LONG, and Mr. WILSON of South Carolina.
H.R. 207: Mr. ROKITA and Mr. HARRIS.
H.R. 217: Mr. MULLIN, Mr. RYAN of Wisconsin, and Mr. WEBSTER of Florida.
H.R. 221: Mr. JONES and Mr. FINCHER.
H.R. 225: Ms. CASTOR of Florida.
H.R. 226: Ms. LEE of California.
H.R. 227: Ms. CASTOR of Florida and Mr. BISHOP of New York.
H.R. 232: Mr. PALAZZO, Mr. GINGREY of Georgia, and Mrs. BLACKBURN.
H.R. 236: Mr. BISHOP of New York.
H.R. 239: Mr. PERRY.
H.R. 241: Mr. BENTIVOLIO.
H.R. 261: Ms. MATSUI, Mr. LEVIN, and Mr. POCAN.
H.R. 270: Ms. EDWARDS.
H.R. 271: Mr. WALBERG.
H.R. 273: Mrs. LUMMIS, Mr. COLLINS of New York, and Mr. MESSER.
H.R. 280: Ms. LEE of California, Mr. HOLT, Ms. NORTON, Mr. FARR, and Mr. POLIS.
H.R. 290: Ms. LEE of California and Mr. HONDA.
H.R. 297: Mr. KING of New York, Ms. CASTOR of Florida, Mr. TIBERI, and Mr. RIBBLE.
H.R. 298: Mr. BARR and Mr. ROE of Tennessee.
H.R. 300: Mr. BENTIVOLIO and Mr. OWENS.
H.R. 303: Mr. SMITH of New Jersey, Ms. NORTON, Mr. RAHALL, Mr. JOHNSON of Ohio, Mr. STIVERS, Mr. COLE, and Mr. SIMPSON.
H.R. 309: Mr. MULLIN and Mr. HUELSKAMP.
H.R. 310: Mr. PETERS of California, Mr. HECK of Nevada, Mr. DAVID SCOTT of Georgia, and Ms. DUCKWORTH.
H.R. 311: Mr. PALAZZO.
H.R. 317: Mr. FLORES.
H.R. 318: Mr. RUSH, Mr. KING of New York, and Mr. TURNER.
H.R. 320: Mr. GRIJALVA, Mr. JOHNSON of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. NORTON, Mr. CONYERS, and Mr. RUSH.
H.R. 321: Mr. CUMMINGS, Mr. COURTNEY, and Mr. BISHOP of New York.
H.R. 322: Mr. ROKITA, Mr. COBLE, and Mr. BARTON.
H.R. 333: Mr. CONYERS, Ms. HANABUSA, Mr. WESTMORELAND, Mr. SCHIFF, Ms. NORTON, Mr. VARGAS, Mr. HONDA, Ms. SLAUGHTER, Mr. JONES, Mr. TONKO, Mr. MCINTYRE, Ms. DEGETTE, Mr. GOSAR, Mr. GRIJALVA, Mr. VAN HOLLEN, Mr. HECK of Nevada, Mr. PETERS of Michigan, Ms. CASTOR of Florida, and Mr. STIVERS.
H.R. 334: Mr. BROOKS of Alabama, Mr. FINCHER, Mr. SESSIONS, Mr. GOHMERT, Mr. CHAFFETZ, Mr. NEUGEBAUER, and Mr. BARTON.
H.R. 335: Mrs. CAPPS, Mr. GERLACH, Mr. ROSKAM, Mr. DENHAM, Mr. MCINTYRE, Mr. PETERS of Michigan, Ms. SLAUGHTER, Mr. KEATING, Ms. CASTOR of Florida, Mr. SARBANES, Mr. FITZPATRICK, and Mr. UPTON.
H.R. 341: Mr. CONYERS, Mr. ELLISON, Mr. GRIJALVA, Mr. THOMPSON of Mississippi, and Ms. LEE of California.
H.R. 342: Mr. FLORES and Mr. GIBBS.
H.J. Res. 21: Mr. LANGEVIN.
H. Res. 12: Mr. PRICE of North Carolina.
H. Res. 19: Ms. WATERS, Mr. NADLER, Ms. LEE of California, Ms. CHU, Mr. FARR, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MCCOLLUM, Mrs. CAPPS, Mr. SMITH of Washington, Mr. DANNY K. DAVIS of Illinois, Ms. PINGREE of Maine, Mr. BLUMENAUER, Mr. MICHAUD, Mr. KEATING, and Mr. HIGGINS.
H. Res. 38: Mr. SABLON, Mr. VEASEY, and Mr. KILDEE.

SENATE—Wednesday, January 23, 2013*(Legislative day of Thursday, January 3, 2013)*

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Honorable HEIDI HEITKAMP, a Senator from the State of North Dakota.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, we shout praises to You, for Your love never fails. You rescue us from trouble with Your loving and mighty providence. We commend our Nation to Your compassionate care, trusting You to guide it with Your merciful hands.

Bless the work of our Senators. Help them to respect and esteem each other as they struggle together for resolution of complex issues.

Lord, we thank You for the many people working on Capitol Hill who support our lawmakers, serving You faithfully, without public recognition. May we never take for granted their labors for liberty.

We pray in Your gracious Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable HEIDI HEITKAMP led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 23, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HEIDI HEITKAMP, a Senator from the State of North Dakota, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Ms. HEITKAMP thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

WELCOMING NEW MEMBERS

Mr. REID. Madam President, yesterday I had the opportunity to meet with my Democratic Senate caucus for the first time this year. It was the first opportunity for all of us to sit down together, to break bread, and to discuss challenges and opportunities we all face. As the majority leader, I was gratified to see so many new faces and to have such an inclusive caucus. It was music to my ears to hear the announcement that the Presiding Officer today would be HEIDI HEITKAMP.

We have nine new Democratic Senators. Four of these new Senators are women, and so about one-third of our Democratic caucus is now women. We have, for example, the first Asian woman. We have expanded our majority. I am particularly satisfied that with each passing election cycle our caucus better reflects the Nation it serves. But despite the diversity of the caucus—and in particular its freshmen—there is one quality shared by each Democratic Senator: deep and abiding patriotism.

As Governor Adlai Stevenson said:

Patriotism is not short, frenzied outbursts of emotion, but the tranquil and steady dedication of a lifetime.

That is true. Patriotism is not short, frenzied outbursts of emotion, but the tranquil and steady dedication of a lifetime. If we look at the records, the careers of these new Senators, that is the way it is.

Each person coming here reminds me of my first few weeks in the House of Representatives when Tip O'Neill—we had a large incoming class, so he called us in these groups of maybe 15 or so, and he told us something I have always remembered. He said: Each of you are successful politicians or you wouldn't be here. And that is true. I say that to each of my new Senators. They are successful politicians, and there is nothing wrong with the word "politician." I am proud I am a politician. I am proud I serve in government, and we should each be proud.

So I am pleased now, and I was pleased yesterday, to be surrounded by so many dedicated public servants, new Members and old alike, who have devoted their lives to making their indi-

vidual States and our shared Nation a better place in which to grow up, grow a family, and grow old.

Each new Democratic Member is accomplished, I repeat, in his or her own right. Our new caucus members include a couple of former Governors, a Harvard law professor, an engineer, just to name a few. While they have each accomplished so much already, their greatest achievements are still ahead of them. I know they will look back with satisfaction on the work we do together in the Senate.

Our caucus, this Congress, and our country face immense challenges. As we approach these tests and trials, this diverse group of new Democratic Senators will be united by a single objective: to fight for fairness and balance on behalf of the middle class.

SENATE RULES REFORM

We are going to continue to work on Senate rules reforms. I will continue to work with the Republican leader on a package of reforms I hope we can agree on. As I have said before, if we don't agree, then we are going to do something as a Democratic caucus alone. I remain cautiously optimistic we will be able to move forward on a bipartisan basis. I hope we can do that. I will have more to say about that if, in fact, we can do that.

We are not going to get everything we want, and the Republicans aren't going to get everything they want. But maybe we can find a sweet spot in the middle and come up with something that will make the Senate more efficient. However, Democrats reserve the right of all Senators to propose changes to the Senate rules. We will explicitly not acquiesce in the carrying over of all the rules from last Congress. There must be some agreement reached or we will have to use every means to make the Congress—especially the Senate—more efficient.

Would the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for debate only until 12 noon, with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. Madam President, I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COATS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FISCAL POLICY

Mr. COATS. Madam President, earlier this week, through the eyes of the Nation watched the inauguration ceremony here in Washington. A week before that, back in Indiana, I was present for the celebration of the inauguration of Indiana's 50th Governor, former Congressman Mike Pence, who is taking over after 8 years of leadership under our former Governor, Mitch Daniels. So back-to-back weekends had two special events.

Inauguration ceremonies are a time for reflection on what has happened in the past and a time for new vision on how we ought to go forward with the future. It is also a time for new opportunity. An opportunity for the kind of change necessary to address the problems and challenges we face.

As I participated in the inauguration events for Governor Pence in Indianapolis just two weekends ago, I couldn't help but think of the remarkable record of achievement and the bold reforms that our former Governor, Mitch Daniels, delivered to the Hoosier State and the lessons they may offer to Washington.

In 2005, Indiana faced a several-hundred-million-dollar deficit. This pales by comparison to the deficit we face here; but, nevertheless, for a State of our size it is a significant amount. Although it is constitutionally mandated in Indiana, we had not balanced our budget for 7 years. Governor Daniels and his team had a vision and the political courage to make much needed changes, and the people of Indiana supported and responded. While other States increased spending and raised taxes, Indiana reduced spending, cut taxes, and paid down our debts.

Governor Daniels, with the help of the legislature and with the support of the people of Indiana, slowed down the rate of spending. The State's expenditures have grown at less than one-quarter the rate of the previous decade. We also reduced the size of State government.

Indiana has the fewest State employees per capita in the country. We paid down the previous debt by 43 percent, and we currently sit with a budget surplus and a rebate program which will give money collected in taxes back to the taxpayer because of our state's efficiency and effectiveness in terms of

running our government. Indiana, as a result of this, has received its first AAA credit rating. This means when we do need to borrow or sell bonds to do certain infrastructure or meet other needs, we can receive low interest rates because of our superb AAA rating. All this has transformed Indiana's balance sheet and made our State one of the most attractive places to live, raise a family, and do business in the Midwest, if not in the Nation.

The story of Indiana and how it got hold of its fiscal issues has been written up in national journals and newspapers and documentaries and others. It is a remarkable story. It is not unique because we see these things happening in other States around the country led not only by Republican Governors but Democrat Governors. These are the kinds of decisions that have to be made and are being made to restore state and local governments. And it has created a much brighter future for the citizens of those States.

Governor Daniels has often said, "You'd be amazed by how much government you'll never miss." The results of his administration back that up.

You can go around Indiana, as I have, and talk to people from big cities to small, rural to urban and everything in between and ask them how we have moved from deficit to surplus in our state. You can ask if they still believe our state performs the necessary functions of government and you can ask Hoosiers what has been cut that you think should have stayed.

Frankly, no one could come up with an answer that says: We have had disastrous consequences from these decisions. The vast majority say that things are working pretty well. In fact, I can get my license renewed through a total revamp of our licensing system in just a few minutes over the Internet or just a few minutes at the DMV. Governor Daniels' measure for that was in and out in less than 7 minutes.

For those of us who have spent hours and hours committing half a day or more to getting our license renewed, this is a remarkable achievement. The use of technology, privatization, and the use of more efficient government demands that our civil servants do more with less and this has proven to be effective.

While the fiscal situation we faced in Indiana is not totally analogous to what we face here, the principles are the same, and there still are many similarities. As Washington seeks answers at the start of this new session of Congress on how we move forward and address our extremely serious debt situation and get our fiscal house back in order so that we too can retain a AAA rating and so we too can provide the opportunity for growth and opportunity not just for the middle class but for all Americans in the future, maybe

there are some lessons to be learned from Indiana. The spend less, borrow less, and tax less Hoosier model has resulted in balanced budgets, job creation, and a AAA credit rating. In contrast, the spend more, borrow more, and tax more approach in Washington during these last several years has resulted in fewer jobs, higher debt, and a threatened downgrade from credit agencies.

So as we reflect back on the last 4 years of this current administration, it is clear to me we must take a different course in the second term of this administration.

Whether lawmakers want to admit it, the crux of our problem is this: Washington has promised Americans far too much and committed well beyond our means. Federal spending and borrowing cannot continue at this current pace without dire consequences.

Whether one is reading or listening to a liberal, conservative or a non-partisan economist or an analyst, there is a consensus that sustaining our current rate or continuing our rate of borrowing and spending simply is not feasible and the consequences will be dire if we do not address it.

As we seek to address these issues, my suggestion for Washington is to take a look at the Hoosier model. It is tested, it is proven, and it is working.

We need to go big and bold. We need to have the political courage to look beyond the short-term political consequences, as we perceive them, to the long-term benefit from sound policies—which, interestingly enough, translate into good politics. Strengthening the economy and getting our country on a track to brighter and more prosperous times should be our priority.

We have proven in Indiana that good policy, no matter how politically difficult it might seem at the time to achieve, does translate into good politics. But much more important than the politics, good policy can translate into strengthening our economy, improving the lives of Americans, and providing opportunity for future generations.

It is time we learn that lesson in Washington that our State of Indiana and many States across the country, as well as other communities, are learning. It is time we exhibit the political courage to stand and do what I think just about everyone in this body understands; that is, to get a hold of runaway spending and borrowing that is putting us in a very deep fiscal hole and will have significant, dire consequences not only on future generations but even our current generation.

The time is now. As I said from this spot yesterday, 2013 is the decisive year. In 2014, we will be back into an election year, and that tired old belief that we cannot make these kinds of changes with the election looming will surface again. If we don't act now,

more people will say that we need to wait until after the next election. It will push us into 2015. Many who have looked at our situation fiscally and analyzed it from a nonpartisan, non-ideological basis have said 2015 is too late.

This is the time when we need to summon our courage, summon our political will, and do what is right for the American people. We cannot continue to bump along at less than 2 percent growth. We cannot continue to keep more than 8 percent or nearly 8 percent of our people unemployed; and, obviously, that number is much higher when we count those who are no longer looking for work who have given up. We cannot continue to keep America on the edge of uncertainty in terms of what our fiscal future will look like.

Let us summon that courage to go forward. Let us use examples from those States, the support of those Governors and the support they have received from people across those States. Let us summon the courage to do what we need to do.

I want to continue talking about how we need to address this with a "go big, go bold" type of approach. Everyone says and concludes that if we can put that package together to address our long-term ills over a period of time and bring us back to balance and stability, we will see a revival of the economy of this country and we will see great hope for the American people going forward.

Madam President, with that, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ROBERTS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ROBERTS. I ask the Acting President pro tempore if we are in morning business, and I assume we are.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. ROBERTS. Thank you, Madam President.

(The remarks of Mr. ROBERTS pertaining to the submission of S. Res. 8 are printed in today's RECORD under "Submitted Resolutions.")

Mr. ROBERTS. I yield back the remainder of my time, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

FISCAL RESPONSIBILITY

Mr. McCONNELL. Madam President, President Obama may have been vague on details in his inaugural speech on Monday, but I will give him this, he couldn't have been clearer about the tone and the direction he has in mind for the second term. Gone is the postpartisan rhetoric that propelled him onto the national stage and into the White House. In its place is an unabashedly leftwing appeal for more bureaucratic control and centralized power here in Washington.

On Monday, we saw a President and a party that appeared to have shifted into reverse and jammed on the gas. For Democrats in the Obama age, the era of big government being over is officially over. And anybody who disagrees with their approach isn't just wrong, they are not just standing in the way of progress, they are malevolent, they are the bad guys, they are the ones who want to take food away from children, they want the old and the infirm to suffer, they want to choose between caring for the people who built this country, as the President put it on Monday, and investing in those who will build our future.

I don't know if the President buys all this stuff; I don't know if he believes his own caricature—I certainly hope not—but one thing I do know is that questioning the intentions of one's political opponents makes it awfully hard to get anything done in a representative democracy. As the President himself said, without so much as a hint of irony, we cannot mistake absolutism for principle or substitute spectacle for politics or treat name calling as reasoned debate.

The President won the election. I congratulate him on his victory. It is his prerogative to lay out an agenda and to make an argument—against all evidence—for the efficacy of big government, more Washington spending, and centralization. It is even his prerogative to argue—mistakenly, in my view—that America's greatness somehow rests not on its communities and voluntary associations, its churches and charities, on civil society, but instead on the dictates of Washington. But to suggest that those of us and our constituents who believe otherwise don't want the best interest of our parents or our children or our country's future is, at best, needlessly provocative; at worst, it suggests a troubling inability to view those who don't happen to share your opinions as beneath you.

To suggest, as one of the President's spokesmen did earlier this week, that

both the American political system and those who belong to the party of Lincoln aren't worthy of this White House or its agenda isn't the way to get things done. It makes it impossible to tend to problems we simply have to face up to and that we will only solve together. Frankly, it calls into question the President's own belief in the wisdom and the efficacy of the constitutional system of checks and balances that the Founders so wisely put in place.

The postinaugural period is usually a chance to pivot to governing after a long campaign. It is an opportunity for Presidents to reach out to the minority and to forge compromises. But that is not what we are seeing this time around. Even before Monday we all noted the harsh change in tone, the reboot of the campaign machine, and how, instead of offering an olive branch to those who disagree with him, the President had already decided to transform his campaign operation into a weapon to bulldoze anyone who doesn't share his vision. Well, I would suggest that one thing the American people don't want is a permanent campaign. That is the last thing the American people are looking for—a permanent campaign. They want us to work together on solutions to our problems. And deficits and debt are right at the top of the list.

I wish to suggest this morning the President rethink the adversarial tone he has adopted in recent weeks. Our problems are simply too urgent and too big for the President to give up on working with us. I appeal to him once again to work with us on the things we can achieve together, and let us start with the deficit and the debt. Because the only way we will be able to tackle these problems is by doing it together. If he refuses, if he insists on spending the next 4 years pushing a polarizing hard-left agenda instead, I assure him he will meet a determined opposition not only from Republicans in Washington but from the very people he seems to believe are squarely on his side in the push to remake government in his image.

The irony in the President's attacks, of course, is that the kind of reforms Republicans are calling for are the only conceivable route to saving the programs the President claims he wants to protect. Failing to reform the entitlement programs of the last century now—right now—is the best way to guarantee they no longer exist in their current form. I mean, one could practically hear the ring of the cash register with every new promise the President made. At a time when we can all see the failure of such policies by simply turning on the news, he seems blissfully—blissfully—unaware of the fact that from Athens to Madrid the sad, slow death of the left's big government dream is on display for all to see.

If we want a less prosperous, less dynamic, less mobile society, that is the way to go—just “Europeanize” America.

The President’s vision of an all-powerful government that rights every wrong and heals every wound may warm the liberal heart, but it is completely divorced from experience and from reality. So today I wish to do my part to bring the President and his allies in Congress a little closer down to Earth. I know it may be hard for them to accept, but the reality is this: We have a spending problem—not a taxing problem, a spending problem.

Let’s take a look at the chart to my right. The green represents historic and projected tax revenue. And we can see it goes right straight across here out to 2040. The tax increases of 3 weeks ago were delivered by operation of law. In other words, the law expired and all of the Bush tax cuts were over. The Congress, 2 hours after everybody’s taxes went up—in other words, after all the Bush tax cuts expired—restored tax relief for 99 percent of the American people, and they did it on a permanent basis to guarantee we wouldn’t have another cliff, as we inevitably have. When a law sunsets, we have a cliff.

So the President was able to get some new revenue by operation of law, and that represents this dark blue line right across here. You can see that is pretty steady out to 2040.

The President, of course, said that wasn’t nearly enough. He said: We need more taxes, and we will be back asking for more taxes later. So as nearly as we can tell, based on what he has said, the taxes he would like to add to the ones he got by operation of law 2½ weeks ago is this light blue line right across here.

If the President were given all the tax increases he says at the moment he wants, that would provide this amount of revenue going out to 2040. As you can see, that doesn’t do anything to solve the problem because the red represents spending in the past and the spending escalation that will occur if we don’t do anything to solve the spending problem.

Look at this line dramatically going up to 2040. So as you can see, there is not enough revenue we can raise without completely shutting down the economy to solve the problem. In fact, it produces a rather static and totally insignificant amount of revenue in order to deal with the massive spending problem.

So this constant demand for more and more tax increases on, I guess, whom people assume is the more successful guy down the street may be a great campaign tactic, but it doesn’t do anything to solve the problem. Even if the President were able to get every bit of taxes he wants, we still have an enormous gap in spending if we don’t deal with the real problem, which is

spending. We have a spending addiction. I didn’t make this up. This is a fact. This is reality.

So the tax issue is over. Congress has restored permanent tax relief for 99 percent of the American people. Even if the President were to get—and he will not—any more tax revenue, it is perfectly obvious that doesn’t do anything to solve the problem.

So the challenge for us—and looking at the chart we can see—is revenue today is just about where it has been for the past 30 years or so. The President spent nearly his entire first term arguing that we needed to tax the so-called rich to solve our fiscal woes. He harangued Congress about it. He argued for it in rallies and debates. He threatened to push us over the cliff if he didn’t get his way.

In the end, by operation of law he got part of what he asked for. And the reason he got it, as I said earlier, is because the tax relief we passed in 2001 and 2003 carried an expiration date. President Obama got some of the tax increases he wanted because the law expired. Then Congress, led by Republicans, voted to make Bush-era tax rates permanent for 99 percent of all Americans. Now, permanency is important. It has been kind of lost on the general public, but the importance is we don’t have another cliff, another expiration date where all of a sudden everything changes.

Given how much time he devoted to that one topic, one would think his tax hike would have closed the deficit, eliminated the entire national debt, and left us with extra cash to spare. But do you see that tiny little blue line I pointed to right here? That is how much additional revenue he got. This blue area is the revenue he says he wants. He will not get it; but if he did, it is pretty apparent it has nothing whatsoever to do with solving the spending addiction.

So if this revenue doesn’t come anywhere close to solving the problem, the real challenge, obviously, is how we are going to control all of this red. What do we do about this? Well, we are clearly spending way more than we take in. The real uptick, interestingly enough, occurs about the time the President took office. It has been hard enough to find ways to close the President’s trillion-dollar deficits. But as I just pointed out, they are nothing next to what is going to hit us when tens of millions of baby boomers reach retirement age—nothing compared to what is heading our way.

I pointed out the massive slope. That is what is headed our way. Nothing short of a bipartisan effort is going to fix this problem, and there is only one way we can do it. We can’t tax our way out of this problem. The revenue question is behind us. The law we voted for, as I said, made current tax rates permanent. I am pretty confident not a

single Republican in the House or Senate will vote to raise any more taxes. But even if we were to do that, all the taxes the President asked for would only put us here in 2040. And look at what would be spent.

So the reality the President needs to face—and quickly—is that there is no realistic way to raise taxes high enough to even begin to address this problem. That is why Republicans are saying we need to start controlling spending, and we need to do it now. That is why if the President wants to do something good right now, he should put us out of the liberal wish list and put us out of the character attacks and join us in this great task. It is the transcendent issue of our time.

If we don’t fix this problem, we don’t leave behind for our children and grandchildren the kind of America our parents left behind for us. There is no bigger issue, even though it got scant mention in the State of the Union.

Now, I have no animus toward the President. I just want to see him do something about the problem because the longer we wait, the worse the problem becomes. The more we delay the inevitable, the less time younger Americans will have to plan for the reforms we make today. That is simply not right.

So the President has a choice. He can paint himself as a warrior of the left and charge into battle with failed ideas we have already tried before; he can demean and blame the opposition for his own failure to lead; he can indulge his supporters in a bitter, never-ending campaign that will only divide our country further; or he could take the responsible road. He can help his own base come to terms with the mathematical reality.

Some people over there are living in a fantasy world—a world that doesn’t exist. He could reach out to leaders in both parties—and all of the members in both parties—and negotiate in good faith. We would be happy to give him credit. That is fine by me. If boosting his legacy is what it takes and it helps the country, that is all the better.

If my constituents believe they are working to help make their future a little better and a little brighter, great. But we can’t waste any more time denying the reality that is staring each of us in the face. There is only one way to solve this problem, and that is to do something about this spending addiction that is going to sink this country and turn us into Greece.

Senate Republicans are ready to help the President solve this problem. I hope we have an opportunity to do so.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I wonder if I might pose a question to the Republican leader, if he would re-take the floor.

Mr. MCCONNELL. I would be happy to respond.

Mr. ALEXANDER. I want to congratulate the Republican leader for his remarks.

Here is my question. We have arrived at a time when we have a newly elected President who has had a fine inaugural day. He has an agenda that he wants to follow which he announced in his inaugural address. It is not an agenda that most of us on this side agree with, but he has an agenda that he wants to follow in his second term, all of which would ensure—in his eyes—his legacy as a President.

But isn't there one thing that in order to get to that agenda—or any other thing—he and we have to do, and that is to address the debt? Isn't the very best time—isn't the very best time to do something difficult, something nobody wants to talk about, something that is hard—the best time to do that is at a time when we have a divided government, a Democratic President, a Republican House, and 30 or 40 or 50 of us Senators on both sides of the aisle who have been saying for 2 years that we are ready to fix the debt?

Isn't this an opportunity now? Not just because it is a divided government, but because the House of Representatives today may very well create a 2-month or 3-month window during which we can address all of these issues if we had Presidential leadership?

Mr. MCCONNELL. I say to my friend from Tennessee, it is counterintuitive. But one could argue that a divided government—which we have had more often than not since World War II—has produced four of the most significant accomplishments for our country in modern times.

In the Reagan administration, President Reagan and Tip O'Neill, the Democratic Speaker of the House, agreed to raise the age for Social Security to save Social Security for another generation. Reagan and Tip O'Neill did the last comprehensive tax reform.

Bill Clinton and a Republican Congress did welfare reform, arguably the most important piece of social legislation in recent times. And Bill Clinton and a Republican Congress actually balanced the budgets in the late 1990s.

My friend from Tennessee is correct. Divided government actually is the perfect time—some would argue even the only time—we can do tough things, hard-to-explain things that need to be done to save the country. So I hate to miss the opportunity presented by a divided government to tackle the transcendent issue of our times.

The President talked about a lot of things, and that is all interesting, but it had nothing to do with fixing the country. Until we fix this problem, we will not have the kind of country for our children and our grandchildren that our parents left behind for us.

Mr. ALEXANDER. Madam President, I wonder if I might pose one more ques-

tion to the Republican leader after making a short statement.

I came to this body as a young lawyer-legislative aide to Senator Howard Baker a long time ago, in 1967. I remember very well Senator Baker's story about how the civil rights bill of 1968 was passed. I have discussed this with the Republican leader before. He knows that era as well or better than I do.

But there was a time when Senator Baker said he was in Everett Dirksen's office—he is the man who had the job that Senator MCCONNELL now has. He was the Republican leader then. He said he heard the telephone ring. He heard only one end of the conversation, but Senator Dirksen was saying: No, Mr. President, I cannot come down and have a drink with you tonight. I did that last night, and Luella is very unhappy with me. And that was the conversation.

About 30 minutes later there was a rustle out in the outer office of the Republican leader's office—the very office that Senator MCCONNELL now holds. Two beagles, followed by the President of the United States, came in. Lyndon Johnson, the President, said to the Republican leader: Everett, if you won't have a drink with me, I am down here to have one with you. And they disappeared in the back room for 45 minutes.

The point of all that is not their socializing. The point was it was in that very office, the Republican leader's office, that in 1968, the next year, the civil rights bill was written and enacted. Lyndon Johnson got the credit for that in history but Everett Dirksen made it possible, and there were at that time many more Democrats in the Senate than Republicans.

What I want to say to Senator MCCONNELL, the Republican leader, the question I want to ask him, is this. He has seen the U.S. Senate and Presidency for the last number of years. He has seen many relationships between the President and leaders of the opposite party. He knows how this place works. My sense of the Republican leader and of the large majority of us is that we wish to see a result. We wish to see a result on this very tough issue of saving Social Security, saving Medicare, saving Medicaid, saving these programs on which seniors depend. I wonder if the Republican leader would agree with me that despite the fact that we engage every day in political matters, that we have big differences of opinion, that on this issue, without Presidential leadership, we cannot get a result and that there are a lot of us on both sides of the aisle who are ready to work with the President to fix the debt?

Mr. MCCONNELL. I say to my friend from Tennessee—in many ways it is a statement of the obvious but a lot of people forget it—there is only 1 person

in America out of 307 million Americans who can sign something into law and only 1 person in America who can deliver the members of his party to support an agreement that he makes. The only way to get an outcome on the biggest issue of our time is with Presidential leadership. So it was disappointing to see scant reference in the State of the Union. Of course that is just one speech and I have not given up hoping that this President can make solving the transcendent issue of our time one of his premier accomplishments.

The point I think the Senator from Tennessee and I are making this morning is there are potential partners on this side of the aisle to make this happen. I hope we will not lose this opportunity once again to deal with the biggest issue in the country.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. I thank the Senator from Kentucky for extending his time on the floor. On my own I wish to continue that line of thinking a little bit.

It is traditional that when we have a new President, a newly inaugurated President, that he has a pretty good opportunity to get what he asks; that it is a time of maximum leverage, it is a time to do important things, it is a time to do difficult things, it is a time to do things that otherwise might not get done.

Presidents are defined by their skills—their communication skills, their electoral ability—but they are also defined by their capacity over a period of years to identify the hard issues that are important to our country and cause people, as the President said in his address day before yesterday, to work together to solve those problems. Now the problem is whether you want to raise taxes on the guy down the street with the biggest house. That is not so hard to do. The problem is to spend money that you do not have—because you can do it; that is not so hard to do. If the problem is to address a disaster to help people who are in desperate shape, there might be some debate about whether it is really a disaster or not but it is not hard to do because in the end it is going to happen. What Presidents are remembered for is dealing with important, difficult crises.

President Clinton is remembered for a number of things but one of the things he did was challenge the conventional thinking in his own party to deal with welfare reform. It would not have happened if he had not done it. It would not have happened if he had not done it because a Republican could not have made the argument. A President's job, according to George Reedy, the former press secretary to Lyndon Johnson, is three things: One is to see an urgent need, two is to develop a

strategy to meet the need, and the third is to persuade at least half the people he is right.

President Nixon in the early 1960s went to China. That seems like ancient history but that was straight against the core of the Republican Party at that time. That was something that was inconceivable for a Republican President to do, given the history of mainland China and Taiwan, as they were both called.

There have been many times in our history when Presidents have had to do the hard work. President George H.W. Bush made a budget agreement which may have caused him to lose the election in 1992 because it angered a number of Republicans. But it also helped balance the budget and gave us a period of time in the 1990s when that budget agreement plus a good economy gave us an actual surplus of funding.

I sense that there is at the White House a feeling, two things I wish to disabuse the White House of. The first is that the budget problem is not a real problem. I cannot believe people at the White House think that. Everybody knows it is. Senator MCCONNELL gave a very good explanation of what was going on there. But let me say it this way: In 2025, according to the Congressional Budget Office, every dollar of taxes we collect will go to pay for Medicare, Medicaid, Social Security, and interest on the debt, and there is nothing left for national defense, National Laboratories, Pell grants for education, highways, or the investments that we need to make in research to grow this country. It all goes for Medicare, Medicaid, Social Security, and the interest on debt, every single penny we collect. And that is only 12 years away. That is not me talking. That is the Congressional Budget Office saying that. The Medicare trustees have said that in 2024 the Medicare Program will not have enough money to pay all of its bills. Whose bills? Bills of seniors, bills of Tennesseans, many of whom are literally counting the days until they are old enough to be eligible for Medicare so they can pay their medical bills. It would be a tragedy if that day arrived and there were not enough money to pay the bills. But the Medicare trustees, who by law are supposed to tell us these things, say that day will come in 2024. It is just 11 years away and that is the day for people already on Medicare and people who are going to be on Medicare.

Medicaid, which is a program for lower income Americans, is an important program. As Governor, I dealt with it in my State. But when I was Governor, it was 8 percent of the State budget. Today it is 26 percent of the State budget. It is soaking up almost every dollar that would go to higher education. As a result, students around the country are wondering: Why are

my tuition fees going up? It is because of Washington's Medicaid Program requiring States to make decisions that soak up money that otherwise would be used to fund education.

In our State of Tennessee, 30 years ago the State paid 70 percent of the cost of going to the University of Tennessee. Today it pays 30. And Medicaid is the chief culprit.

Everyone knows this. The President's own debt commission has told him this and suggested a way to deal with it. Forty or fifty of us on both sides of the aisle have been working together, meeting together, having dinner together, writing bills together, trying to come up with plans to do it. Senator CORKER, my colleague from Tennessee, has developed a bill on which I am his prime cosponsor which says we have found a way to strengthen Medicare and other entitlements by reducing the growth in spending. We understand this.

We passed a Budget Control Act a couple of years ago. People said they didn't like it. It was not so bad because it took 38 percent of the budget, which is all of our discretionary spending—including national defense, national parks, national labs—and said it will go up at about the rate of inflation. This is before we get to the so-called sequester. But what about the rest of the budget? That is the automatic stuff we do not even vote on: Medicare, entitlements, all this? It is going up at about three to four times the rate of inflation. It is going to bankrupt these programs. Seniors will not be able to have their medical bills paid and the country will be bankrupt. That is no overstatement. The former Comptroller of the Currency says that. President Clinton says this is an urgent problem. The former Chairman of the Joint Chiefs of Staff says the national debt is the single biggest threat to our national security. Why are we not dealing with it? I think we are not dealing with it, A, because it is hard to do; B, because on both sides of the aisle we have not been effective in dealing with it before.

I remember when we had an all-Republican cast of characters here in town—President Bush, a Republican majority—we tried to reduce the growth of Medicare and we could not get the votes to do that.

This is not easy to do, but Robert Merry, who wrote a book about President Polk, had lunch with some of us yesterday, made this statement: "In America's history every crisis has been solved by Presidential leadership or not at all."

Whether it was Lincoln in the Civil War or Reagan and Tip O'Neill or Nixon to China or Clinton on welfare reform—we can all identify the crises. But it takes Presidential leadership to do it. It takes that to do it.

I was a Governor, which is much smaller potatoes. If I sat around wait-

ing for the State legislature, with all respect, to come up with a road program we would still be driving on dirt roads. They were waiting for the Governor to do it. That is how our system works.

I wonder if the President thinks that the debt is not a problem? I cannot imagine anybody at the White House thinks that. This is a problem. If the President does not address it during his two terms he will be remembered by history as failing to do that. His legacy may be a failure to address financial matters that put this country on a road to bankruptcy. Or, if he were to do it, if he were to provide the leadership, he would be—as the Australian Foreign Minister has said, "America is one budget agreement away from reasserting its global preeminence." Why wouldn't President Obama want to be known as the President who caused America to reassert its global preeminence by dealing with a budget agreement during the first 3 months of his term and then he can get on with his agenda, about which we can argue? That leaves me with only one thought: That the President thinks we don't want to do it. We do want to do it and it is a misunderstanding if he thinks that.

I know the Republican leader would not mind me saying he is a wily, clever tactician who knows the Senate as well as anyone here. But if you look carefully, when we got down to the last few days of the year and needed an agreement on taxes, the Republican leader was in the middle of the agreement. When we needed an agreement to try to avoid default on the debt, the Republican leader was the one who was in the middle of doing that.

I think if the White House thinks that the Republican leader or we on the Republican side do not want to fix the debt, they are badly misunderstanding where we are and who we are. I do not know how we can say it more clearly. We have written bills that do it. We have held dinners to talk about it. We have made public statements with Democrats, 30 or 40 of us at a time, saying we support Simpson-Bowles, we support Domenici-Rivlin, or we support this or we support that. What is missing? Two words: Presidential leadership. This is not a partisan comment. It just does not work unless the President lays out his plan.

Some say the President does not want to lay out his plan. He has to lay out his plan. He is the President. We are just legislators. Senator CORKER and I have put out our plan. Who pays attention to that? Madam President, \$1 trillion in reductions and a \$1 trillion increase in the debt ceiling—it is out there. That is not going to work. However, if President Obama, with his skills, calls together Simpson and Bowles or his advisers and says: Here is my plan to save Medicare, here is my

plan to save Medicaid, here is my plan to fix the debt, and I want bipartisan support to do that, he will get it. At first, because it is a difficult issue, everybody will say: Oh, no, we can't do it that way. We need to sit down, talk, and come up with a result. I think the Republican leader has shown he is prepared and willing to do that. He has said it and done it on other issues. I don't know what else the rest of us can do to show that.

What I am trying to respectfully say today, as much as anything, to the President of the United States is congratulations on your inauguration. I was there. I was proud to participate in it and have the opportunity to speak for a minute and a half about why we celebrate for the 57th time the inauguration of an American President. We celebrate it because our country is distinguished from most other countries in the world by the peaceful transition or reaffirmation of the largest amount of power in the world. We have our political contests, and then we have the restraint to respect the results.

After winning the election, it is important, first, to get the fiscal house in order. The time to do it is while we have a divided government. The time to do it is while the President is at the peak of his popularity. The time to do it is while the House of Representatives—the Republican House—has created a window of 2 or 3 months to deal with all the fiscal issues. The time to do it is after 2 years of discussion with Republicans and Democrats in a bipartisan way about the need to fix the debt and the importance of it for the country.

My hope is that as the President and his advisers look at the Senate, they see a willingness to solve the problem of fixing the debt in a bipartisan way. I get the feeling they don't believe that about us. I don't know what else we can do to cause them to believe that. There is not the same kind of comfortable, back-and-forth relationship there should be. I have heard some people say: Well, the Johnson-Dirksen days are ancient history. That was a long time ago. However, human nature doesn't change. Human nature doesn't change in 50 years, 100 years, or 500 years.

There is plenty of good will across the aisle and on this side of the aisle, at the beginning of this term, to work with a newly inaugurated President and say: Mr. President, we are ready to fix the debt. Provide us the leadership. No great crisis is ever solved without Presidential leadership in the United States. You are the President; you are the only one who can lay out the plan. We will then consider it, amend it, argue about it, change it, and pass it. After that, we can get onto the President's agenda, about which we will have a difference of opinion, but he will go down in history as the man who was

willing to do something hard within his own party, which was to fix the debt and save the programs seniors depend upon to pay their medical bills.

I hope I can say that in the spirit of someone who participated in the inauguration and admires the President's considerable abilities. I hope he and his advisers stop, take a look, and say: Maybe we were wrong. Maybe this is the time to do it. Maybe we are the only ones who can do it, so let's make a proposal and get started.

I thank the President. I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE BUDGET

Mr. SESSIONS. Madam President, I was pleased to hear a few days ago that Senator SCHUMER said we would have a budget in the Senate. It has been now, I think, about 1,370 days, give or take, since we have had a budget in the Senate, even though plain statutory law requires the Congress to have a budget. Now Senator MURRAY has followed up today, I believe, with a quote saying: "... the Senate will once again return to regular order and move a budget resolution through the Budget Committee and to the Senate floor."

So the Budget Committee has not been meeting. It has not been doing its duty. As the ranking Republican on the Budget Committee, I have been aghast at the process and have talked about it for now for over 1,000 days. So this will be a good step.

My colleagues would like to suggest somehow that they decided to do this out of the goodness of their hearts because it is the right thing to do. But I think the American people have had a belly full of this.

The U.S. House of Representatives has repeatedly passed budgets, but the Senate has refused to even bring one up in committee or on the floor for over 2 years now. They have said they are raising the debt limit for about 3 months, but they have declared that the Senate does not get paid until we have a budget. Right now there is no punishment for not passing a budget. I was a Federal prosecutor for over 15 years and know how to read a code. It has no penalty for failing to pass a budget. It says the Senate should bring up a budget. It should complete the budget process in committee by April 1 and then the full Senate should take it up and it should be completed by April 15. The Senate is given priority: 50

hours of debate, virtually unlimited amendments—an opportunity to debate the financial condition of America.

That is why it has not happened. Senator REID, the Democratic leader for the last several years, has said it would be foolish to have a budget. What he meant was that it would be foolish politically. Because when you bring up a budget, this is a tough thing. The House did that.

PAUL RYAN offered a historic budget that would change the debt course of America and put us on a sound path. They had to make some tough choices. So they were, of course, attacked in the election—Oh, these are horrible people; they want to throw old people off the cliff and that kind of thing and it was irresponsible—while during this entire process, the Senate was in direct violation of Federal law that required us to bring up a budget. We did not bring it up because it would be foolish, foolish politically, because we have to take tough votes. We have to stand and be counted. Numbers have to be analyzed: How much are you truly going to raise taxes? Oh, well, is that going to change the debt course?

Is this latest \$600 billion tax increase going to change the debt course of America? No; it is not. Our deficit last year was about \$1,080 billion. How much would this tax increase, this \$600 billion, have changed that? That is \$60 billion a year. Instead of \$1,080 billion or so in deficit, our deficit would have been \$1,020 billion. Is that going to fix our problem? No, it will not.

These are difficult problems. These are very difficult problems, and it is not going to be easy. But it was easy to attack the House while not producing a budget. It is a pretty flabbergasting thing to me. So I am glad we are now going to have this process. It will not be easy for Republicans. It will not be easy for Democrats. But what are we paid to do? What responsibility do we have as the Congress—that has the power of the purse—if not discussing the great issues of our time?

We are on an unsustainable debt path. Last year there was another trillion-dollar deficit, and they are projecting we will have a trillion-dollar deficit this year. That is 5 consecutive years of trillion-dollar deficits. I know President Bush was criticized, and correctly sometimes, for spending too much. The highest deficit he ever had in 8 years was \$470 billion. The year before he left it was \$160 billion. President Obama has averaged well over \$1,000 billion a year in an annual deficit ever since.

This is not sustainable, as every expert has told us time and time again. So I am worried about it. Maybe we can move out of these secret meetings where the Senate just sits around and we wait for the people to appear, write us a bill at midnight on December 31—actually 1 a.m. on January 1—that is

supposed to handle it and nobody has even read it.

That is what we have been doing for the last 4 years. It has worked out good politically because it has kept an honest discussion of the dangerous path we are on from being part of the public debate. We have to have it part of the public debate. I am not saying this budget, if it moves through the Senate, is going to solve our problems and that it will be adopted. I am not saying that. But I do believe the American people will understand better the challenges we face and Senators will understand better the challenges we face, how deep they are, how systemic they are.

In 2011, after Republicans won a victory in the midterm elections, there was hope we would have a new budget from the President, that he would reach out to the House that had gotten a Republican majority for a change—they took back the majority, and there were more Republicans in the Senate—and that the President was going to produce a budget that would put us on the right path and maybe a historic path that would help make Social Security and Medicare sustainable, preserve those programs so people can go to bed at night and feel confident these programs not going to go bankrupt and there are not going to be dramatic cuts. We can do that. It would take some belt-tightening, but we could do that. Yet the administration refused: You are just partisan, SESSIONS.

I am saying, without fear of contradiction by anybody who knows what has happened, that this administration basically has not wanted to talk about those deep spending issues that amount to more than half the money we spend.

That was a challenge. Maybe that logjam has broken and this budget process will give us an opportunity to move forward.

I do not like to be critical of nominees or anyone. I try to be as courteous and respectful as we can to people whom we deal with on a regular basis in the Congress. But I have to share with my colleagues a deep feeling that we have a serious credibility problem with credibility on debt and financing. We have to end that credibility problem. We have to be honest and deal with real numbers.

In January of 2011, Mr. Jack Lew, the then-Director of the Office of Management and Budget, with a substantial staff—one of their primary duties is to produce a budget every year—submitted the President's Budget to Congress. The President always submits a budget—it has been late, but they have always sent them over. The Senate has not moved budgets like it is required to, but every President has always sent over a budget. There was great hope that the budget would be the kind of breakthrough—with a Republican House and a Democratic President and

a Democratic Senate—that somehow this would be an opportunity for historic agreement to put America on a sound path and get us off these trillion-dollar deficits, put us on a path to a balanced budget and do the kind of things that are necessary for the welfare of our country.

Mr. Lew produced the budget, and he went on television immediately and talked about it. On Wednesday of that week, he was going to be before the Budget Committee, but this is what he said in his CNN Sunday morning interview about his budget. I would ask you to listen to these words, colleagues and friends, anybody who is watching, and see what they mean to you. He said:

Our budget will get us, over the next several years, to the point where we can look the American people in the eye and say we're not adding to the debt anymore; we're spending money that we have each year—

Money that we have each year—and then we can work on bringing down our national debt.

That was on CNN.

So he appeared before the Budget Committee and I asked him if that was an accurate statement; did he stand by that. He said: Yes, sir, and he never wavered from that.

I will just say that as part of the budget process we get a stack of documents—this much—from Mr. Lew's office. The Office of Management and Budget submits them—supporting documents—as part of their process. They are easily ascertainable. The numbers are not in dispute.

The lowest single deficit over 10 years that Mr. Lew projected was more than \$600 billion. In other words, there was never a balanced budget, never paying down the debt, never a single year we were not borrowing at least \$600 billion.

None of what he said is accurate. It is breathtaking. I called it the greatest financial misrepresentation in history. It would have added \$13 trillion to the debt of the United States over 10 years, by his own estimate, not stuff I made up. Yet he said we are not going to be adding to the debt anymore.

So I thought, if a businessman reported to potential stock purchasers, our company is on the right track, we are not adding to our debt anymore—we are going to look the American people in the eye and say we're not adding to the debt anymore, we are spending only money we have—you are borrowing—the least amount of money you have borrowed in a single year is \$600 billion, larger than President Bush ever had in 8 years as President.

When I asked him about it, he insisted that it was true. So we have got a problem here, and that is why I am not going to support Mr. Lew for the Secretary of the Treasury. I am not going to vote for him. I believe he knew exactly what he was saying. He produced a budget that was panned by

virtually every editorial board in America. They hammered it as failing to meet the challenge of our time, and he knew it was that way. He is not a person who doesn't understand these issues. He knew what it was all about. But they decided they would go out and spin it this way. They would say it did what the American people wanted.

I hate to be this harsh, but there is only one conclusion. They decided to produce a budget that did not change the debt course of America and left us on an unsustainable path. Even their own numbers show that, but they would tell the American people this, say it was fixed, and maybe lull them into a false sense of confidence.

Then they attacked PAUL RYAN of the Republican House for producing a realistic budget. It wasn't a dramatic budget, it didn't even balance in 10 years, but it changed us and put us on a sound path. They would attack him as not caring about people, and for 2 years that is what has happened.

Once we bring a budget to the floor of this Senate, Republicans and Democrats are going to find out this is a very difficult situation we are in. The challenge is going to be very difficult, and we are going to have a hard time dealing with it.

Mr. Lew didn't just make that comment to CNN, in case you think I am exaggerating here. He also said this in an NPR, National Public Radio, interview on February 15, 2011, the day, I believe, of a Budget Committee hearing:

If we're able to reduce the deficit to the point where we can pay for our spending and invest in the future, that is an enormous accomplishment. This budget has specific proposals that would do that.

He looked the American people in the eye, or, I guess, talked to their ears on NPR, and said his "budget has specific proposals" that would put us in a position to pay for our spending and invest in the future and reduce our deficit.

He went on to say on February 15, 2011, at the Budget Committee hearing—and I think this was my question, Was this an accurate statement that you made, Mr. OMB Director?

He said:

It's an accurate statement that our current spending will not be increasing the debt. We've stopped spending money that we don't have.

I mean, I almost can't read those words without the hair standing up on the back of my neck. The Director of the Office of Management and Budget appeared before the U.S. Senate Budget Committee, and he said, "it's an accurate statement," this baloney, "it's an accurate statement that our current spending will not be increasing the debt . . . We've stopped spending money that we don't have."

Nothing could be further from the truth—the lowest single deficit was \$600 billion.

What about on a different CNN interview on February 14, 2011:

It [the budget] takes real actions now so that between now and 5 years from now we can get our deficit under control so that we can stabilize things so that we're not adding to the debt anymore.

He promised, and looked the American people in the eye and said, in 5 years, we are not going to be adding to the debt anymore. He knew exactly what he was saying. He knew exactly what he wanted the American people to hear. There is no ambiguity about it, and it was utterly false.

February 13, 2011, on ABC, he said:

This budget has a lot of pain, [but] it does the job, it cuts the deficit in half by the end of the President's first term . . . It's going to take us a lot of hard work just to take us to the point where we're not adding to the debt.

There is not one year that they are not adding to the debt.

In the seventh, eighth, ninth, tenth years of the budget that Jack Lew presented, when you look at his real numbers, the deficit was going up each year. So it was not a fix to our debt problem.

Then he says this on the White House blog, February 13, 2011:

Like every family, we have to tighten our belts and live within our means while we're investing in the things that we need to have a strong and secure future . . . We know that you have to stabilize where we're going before you can move on and solve the rest of the problem. This budget does that.

So it is going to stabilize us and move us forward.

Well, as I say, that was not well received. The New York Times wrote this on February 5, 2011. That was his op-ed. I won't go into the editorials, but a whole list of those were critical of Mr. Lew.

I would just say this, we are in a difficult financial position. We need honesty, we need a budget that is truthful, we need the regular order so the Budget Committee does its work, and then it comes to the floor of the U.S. Senate—this will be first time in over a thousand days—it guarantees 50 hours of debate, it can't be filibustered, it can be passed with a simple majority, we will know what is in it, and people can offer amendments. That is what should have been happening for a long time that has not been happening. That is what the law requires, and that should be completed by April 15 of this year.

As we go forward, I am confident that we will be better served by public discussion of our debt, not secret meetings. I have been critical of them. I had hoped that some of them would ripen into some good solutions, but all we have had is temporary "kick the can down the road" maneuvers, and nothing substantial has been done to change the debt course of America.

By the way, when Mr. Erskine Bowles, whom President Obama appointed to head his fiscal commission, saw this budget in 2011, he said it goes nowhere near where they will have to

go to resolve our fiscal nightmare. Everybody knew this budget wouldn't do the job, and that is why it was never brought through the process, and that is why it wasn't brought to the floor for a full budget analysis in committee and in debate on the floor.

So as we go forward, I will be meeting with our new chairman, Senator MURRAY. She is a great, tough advocate for her values, but she is a good person to work with. I have told her we will try to work with her, but we are going to talk about the great issues of our time, the difficulties we face, and see if we can't make this system work better and try to put this country on a sound financial footing.

We can do it. We can get this country on a sound path. It is not impossible, but anybody who thinks it will be easy is wrong. This is going to take some hard work. As we do that in a bipartisan, open way in the committee, on the floor of the Senate, the American people will be able to digest the difficulty of some of our challenges, and so will our Members in Congress. In the end, that, I think, leaves us in the best position to reach the kind of agreement, compromise, solution, that can put us on the right path, because everybody is going to have to swallow a little bit.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

THE BUDGET AND THE DEFICIT

Mr. HARKIN. Madam President, I couldn't help but listen to the words of my friend from Alabama regarding the debt and deficit, and then to be reminded that we did balance the budget not too long ago. In fact, in 1993, we passed a tax bill here in the Senate and in the House—it was signed into law by President Clinton—which set us on a course to reduce the deficit. In fact, by the years 1999 and 2000, we balanced the budget. We had a surplus. Can you imagine that? We had a surplus for 3 years in a row. The Congressional Budget Office and OMB said that if we had continued on that pathway, we would have fully paid off the national debt by 2010.

When I hear my friends on the Republican side talk about reducing the deficit and the debt, we did that. When the Democrats were in charge of the Senate and the House and we had the Presidency, I would also point out that not one Republican on that side of the aisle voted for that bill in 1993. I can remember standing here and debating with my friend from Texas at that time on this bill, and there were all kinds of dire warnings that if this bill passed, we were going to have depressions and recessions; the business community would stop, and it would be the worst thing that ever happened to this country if we passed the Clinton tax pro-

posal. Well, we passed it, but without one Republican vote.

And what happened? We had the largest spurt of economic growth this country had seen almost since the 1950s and 1960s. This was to the point to where, as I said, by the end of the 1990s we had a balanced budget and we had a surplus.

Then President Bush comes into office, and we had surpluses, enough to retire the entire national debt by the year 2010. So what did President Bush say? Well, now we are going to give tax cuts. They pushed through this big tax cut bill for which this Senator did not vote.

That tax cut bill gave a lot away to corporations and to the wealthy of this country, so that they didn't have to pay their fair share. Also, there were two wars we didn't pay for, plus a recession, and now we are in this huge deficit.

We know how to get ourselves out of this fix. We did it in 1993. It was by having the people in this country pay their fair share of taxes, to make sure that corporations, to make sure that those who enjoy the benefits of living in this free and productive society, pay their fair share. This is for all of us to raise the revenues necessary to meet our obligations in education, health, infrastructure building, the security of our Nation, and also to raise enough revenues so we can reduce the deficit.

But it can only be done with fairness and with fair sharing by all, and that is what President Obama has spoken about. He spoke about that in his inaugural address. That is what we have been talking about here for a long time; that is, shared sacrifice on behalf of all, and to make sure that all pay their fair share of taxes in this country so we can once again do what we did in 1993. We can do it again if only my friends on the Republican side will join with us in making sure we raise the necessary revenues to get us out of this hole.

I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Missouri.

EXTENSION OF MORNING BUSINESS

Mrs. McCASKILL. Madam President, I ask unanimous consent that the period of morning business be extended until 2 p.m. today, and that all provisions of the previous order remain in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Missouri.

REMEMBERING STAN MUSIAL

Mr. BLUNT. Madam President, first of all, this is the first time I have spoken on the floor when you were in the chair. Welcome to the Senate and welcome to the presiding chair.

I want to talk for a few minutes today about a baseball great, a Missouri great, Stan Musial, who passed away on Saturday at the age of 92. Stan Musial was born in November 1920 in Denora, PA. His title was Stan "The Man." He was the youngest of six children. When he wasn't called Stan "The Man," he was just a guy who worked at a company as a young man, whose dad was a Polish immigrant, whose mother was of Czechoslovakian ancestry, and whose dreams were probably not to become a professional baseball player but who was, indeed, a great athlete from the very start.

In his remarks, when he presented Stan Musial the Medal of Freedom in 2011, President Obama said the following:

Stan matched his hustle with humility. He retired with 17 records—even as he missed a season in his prime to serve his country in the Navy. He was the first player to make—get this—\$100,000. Even more shocking, he asked for a pay cut when he didn't perform up to his own expectations.

I don't think that August Busch gave him the pay cut—again, a quote—but I have read the story where Stan Musial was holding out for a pay package somewhere in the mid-90s and August Busch, Jr., who not long before that had bought the Cardinals, called him into the office and said: I'm never going to pay you 90—whatever thousand dollars he was asking for. He said: I'm going to pay you \$100,000, and you are going to be the first baseball player to make \$100,000.

Stan Musial played for the Cardinals from 1941 to 1963, the only Major League team he played for. He entered the majors in 1941 as the fifth youngest player. He ended his career in 1963 as the third oldest player. He had a record of 24 times being named to the Major League Baseball All-Star team. He won seven National League batting titles, three National League Most Valuable Player awards, and he led the Cardinals to three World Series championships in the 1940s.

Stan Musial—No. 6—had a batting average of at least .300 in every 1 of his 17 seasons—a .300 hitter for every 1 of his 17 seasons. His lifetime batting average was .331. He batted .330 in the year before he decided to retire. He had 3,630 career hits, hitting 1,815 hits in St. Louis at Sportsman Park and Busch Stadium, and he hit another 1,815 on the road. He played as well at home as he did away from home. He missed the entire 1945 season while he was serving in the Navy.

It was a fan at Ebbet's Field—with the Dodgers playing at Ebbet's Field—who groaned as he came to the plate one time in a game—he was always particularly good against the Dodgers. The fan said: Here comes the man. And from that point on, his nickname was Stan "The Man."

I had a chance to sit by Tommy Lasorda at a luncheon a few years ago

after I had read a biography of Stan Musial. Tommy was sort of the long-time Dodgers manager who was a player when Stan Musial was playing, and he said he thought Stan Musial was the best ballplayer he ever saw play, and he was death on the Dodgers. The Dodgers fans liked him, but it was a real rivalry.

Stan was elected to the Baseball Hall of Fame the first year he was eligible, in 1969, and he would be one of the great ambassadors to baseball for the rest of his life. When he retired in 1963, Commissioner Ford Frick said:

Here stands baseball's perfect warrior. Here stands baseball's perfect knight.

Stan Musial became an American icon throughout ballparks and over the radio in the 1940s and 1950s. KMOX, in the 1960s, had a booming signal that went almost all the way to the west coast and covered a lot of the South, and the St. Louis Cardinals were the furthest south of any baseball team and the furthest west of any baseball team. Because of that, Stan Musial played on a club that, in many ways, became America's team at that time.

I can remember growing up in southwest Missouri on a dairy farm, and particularly late at night when we were hauling hay—and I can remember this when I was 10 or 12 years old—and whoever was in the truck must have been almost deaf because the driver would have the radio turned as loud as you could turn the radio up, and the St. Louis Cardinals game would be coming out of both windows as we were out there working in the fields or, if we weren't working in the field, we would be sitting on the porch somewhere listening to the Cardinals play, and there was no greater Cardinal than Stan Musial.

Bob Gibson, another great Cardinal and Stan's teammate and fellow Hall of Famer, said:

Stan Musial is the nicest man I ever met in baseball.

And Bob Gibson went on to say he didn't particularly associate nice with baseball, but he associated nice with Stan Musial.

Bob Costas had this to say about Stan Musial:

Stan Musial didn't hit in 56 straight games. He didn't hit .400 for a season. He didn't get 4,000 hits. He didn't get 500 home runs. He didn't hit a home run in his last at bat, just a single. He didn't marry Marilyn Monroe; he married his high school sweetheart. His excellence was a quiet excellence.

ESPN titled Musial the most underrated athlete ever. Only Hank Aaron—thinking about the things Stan Musial didn't do—had more runs than Stan Musial and extra base hits. Only Tris Speaker and Pete Rose had more hits. And only Babe Ruth and Barry Bonds created more runs. But Stan Musial was at the highest levels in all of those areas.

Writing in the St. Louis Post Dispatch this week, Bernie Miklasz wrote:

Let's celebrate Musial's extraordinary life and be thankful for his enduring presence through the decades. Let's keep it simple in honor of this remarkably uncomplicated man. There has never been a more perfect union, a better relationship between an athlete and a town, than Stan Musial and St. Louis. From the time Stan took his first at-bat as a Cardinal, until his death Saturday at his home in Ladue, he was part of the community's soul for 71 years, 4 months, and 2 days.

Many stories about Stan Musial have been told, but I want to mention three that Bernie mentioned in that same article. He talked about when Musial was first inducted into the Baseball Hall of Fame—as I said earlier, as soon as you could possibly be inducted. It was an overcast day in Cooperstown. The crowd was quiet, subdued, and a little bit put off by the day. Moments before Musial's official ceremony, the clouds got out of the way and the sunshine emerged, and Dizzy Dean's widow said: "Stan brought the sun. He always does."

In the 1960s, a second story emerged of Musial and other Major League stars visiting U.S. troops in Vietnam, and they went to the military hospitals to console the wounded soldiers. One seriously injured soldier looked up at Musial from his hospital bed and said: "You're the best." And Musial's response was: "No, you are."

Brooklyn Dodgers pitcher Joe Black, an African American, told a story about being racially taunted by players in the St. Louis dugout during a game. Musial, who was batting at the time, and facing Joe Black, stepped out and angrily kicked the dirt to display his disapproval of his own teammates. He waited after the game to tell Black:

I'm sorry that happened. But don't you worry about it. You're a great pitcher. You will win a lot of games.

Black said Musial's support helped him gain the confidence he needed to become a top pitcher.

The fourth and last story Bernie told was of legendary center fielder Willie Mays, who frequently talked about Musial befriending African-American players, relating that at an All-Star game black players were being ignored by the other players. Mays said:

We were in the back of the clubhouse playing poker and none of the white guys had come back or said, "Hi" or "How's it going?" or "How you guys doing?" or "Welcome to the All Star Game." Nothing. We're playing poker and all of a sudden I look up and here comes Stan towards us. He grabs a chair, sits down and starts playing cards with us. And Stan didn't know how to play poker! But that was his way of welcoming us, of making us feel a part of it. I never forgot that. We never forgot that.

Musial didn't make a lot of fiery speeches. He didn't "lead" a movement or try to promote himself as an angelic humanitarian. He just did good things.

There is one last story, a love story, between Stan and his wife Lil. This may be the best Musial statistic of all.

They were married for 71 years, 4 months, and 2 days until Lil's death on May 3, with Stan following her in January.

I listened to KMOX from the hay truck I talked about earlier, like lots of other Cardinals and Musial fans, but I remember the first time I saw Stan Musial play at Sportsman Park. I remember the first time, 30 years later, I actually met him, when I was the Secretary of State in Missouri. Getting to meet Stan Musial was about as good as it got even then. I remember hearing him play "Take Me Out to the Ball Game" on his harmonica.

Baseball was lucky to have him, Missouri was lucky to have him, and the Cardinals and St. Louis were lucky to have him, and I am pleased to be here today to say how much we appreciate Stan Musial.

I am also pleased to be joined by my colleague from Missouri, Senator McCASKILL.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. McCASKILL. Madam President, I want to thank my colleague. He and I disagree on many things, but we agree on many things also, and one of those things usually begins and ends with the State we love, Missouri, and certainly some of our most famous and beloved people who come from Missouri. Obviously, there is no one who deserves more love and respect than Stan Musial.

There are so many memories about Stan Musial that I want to try to encapsulate today, but the interesting thing about the memories I have about Stan Musial is that I don't have these memories because I am a Senator. They do not belong uniquely to me because I am an elected official. I have these memories that I share with hundreds of thousands of people who were lucky enough to encounter Stan Musial during his time on Earth.

You know, when you meet somebody, and you can tell they are kind of looking over you to try to find the person who is more important behind you or maybe they are impatient because they do not think you are a big enough deal to be taking their time? If you look at our sports icons today who travel with posess and have entourages and certain rules about who can come near them and who can't and when, that was not Stan Musial. Not one day of his career or one day after his career did he consider himself untouchable. He saw it as his duty and obligation to be there for all fans. Whether it was somebody who worked at the ballpark sweeping after the game was over or whether it was a very talented ballplayer from another team, everyone was equal in Stan Musial's eyes. What a wonderful American value.

I could stand here today, Madam President, and talk about his amazing record as a baseball player, his unique

swing, and the beauty of his accomplishments in America's favorite pastime, but what we need to focus on as we mourn the loss of this living legend is his character because it was his character that brought universal love, respect, and devotion to the man, our man, Stan "The Man."

I know Senator BLUNT talked about this story, but I want to elaborate a little bit.

It is 1952. Joe Black has just been called up to the majors after spending 1 year in the minors with the Brooklyn organization. He is facing Stan Musial. Now, keep in mind that this is an accomplished baseball player who had won two championships in the Negro Baseball Leagues, and it had only been a few years since Jackie Robinson had, in fact, broken the color barrier for Major League Baseball. He is facing Stan Musial, who already was the most feared hitter in baseball. He is standing there as a Black man on the mound in this baseball game, and out of the Cardinal dugout come jeers and taunts. In fact, one of the things said was, hey, Stan, you are not going to have any trouble hitting that ball against that dark background.

When the game was over, Stan Musial decided not to stay in the Cardinal dugout. Joe Black told the story that as he sat in the dugout, he felt a hand on his shoulder. He looked up, and there was Stan Musial from the opposing dugout saying to Joe Black: You are going to be a great pitcher.

Now, that encapsulates the character of Stan Musial.

Chuck Connors, "The Rifleman," used to tell this story. He was a struggling hitter for the Chicago Cubs.

I may need to explain to you, Madam President, but I certainly don't need to explain to anybody in Cardinal Nation that the Chicago Cubs are an opponent. Now, we don't like the Chicago Cubs in Cardinal Nation.

Chuck Connors asked a teammate what he should do about his swing. He was struggling with being able to hit in the majors, and they all told him the same thing: The only guy who can help you is Stan Musial. So even though he was reluctant to approach a hitter on the opposing team, he went to Musial and asked for help, and, of course, Stan responded as all of us would expect he would; he spent 30 minutes in the cage with an opposing player trying to help him with his swing. Connors recounted that he really wasn't ever that good of a hitter, but he said he never forgot Stan Musial's kindness.

And when he finished watching me cut away at the ball, Stan slapped me on the back and told me to keep swinging.

After the 1946 season, the promoters from the Mexican League decided it was time for them to up the ante on baseball. At the time, Stan Musial was making the enormous sum of \$13,500 playing for the St. Louis Cardinals.

The Mexican League came to Stan Musial and said: We are going to offer you—a king's ransom at the time—\$125,000 for 5 years. That was a lot of money for Stan Musial and his family, but he turned down the Mexican League. When asked about it later, he said:

Back in my day, we didn't think about money as much. We just enjoyed playing the game. We loved baseball. I didn't think about anybody else but the Cardinals.

Harry Caray knew Stan Musial for over 50 years. He would often tell the story of Stan Musial wandering out of the ballpark after a steaming doubleheader—and trust me, we can have steaming doubleheaders in Missouri—looking as if he had been through 15 rounds in a prize fight and every single thing in his body language signifying that he was exhausted and just wanted to go home and lie down. Instead, when he got to his car, he found fans waiting for him. "Watch this," Harry Caray told a friend. And sure enough, Musial's whole body straightened—like Popeye had just eaten a can of spinach—and he started shouting, "Whaddya Say! Whaddya Say!" And he signed every single autograph of all the fans surrounding his car. Harry Caray loved telling that story not because it was unusual—that is who Stan Musial was—but for the opposite reason: because it was ordinary. Even in his time, when baseball players weren't paid as much and so were more part of the community, Stan Musial stood apart by standing with the people in the community.

It wasn't just Cardinal Nation that worshipped Stan Musial. His opponents, the opposing teams—can you imagine this happening today? Believe it or not, the New York Mets had a Stan Musial Day at their park. And in Chicago, the home of the Cubs, he once finished first in a favorite player survey, edging out the legendary Ernie Banks, who was also a very nice guy who was beloved by the fans of baseball in the Midwest.

I could go on and on with stories that reflect this man's character. Yes, he has amazing statistics. Yes, him hitting a baseball was a thing of beauty to all baseball fans in America. But, really, what this man was about was that phrase we love to throw around in politics way too often; that is, American values. This was a man who didn't have to talk about his values because he lived them—his love for his family and how close they are.

I am very fortunate to be friends with the Musial family and have visited with them in the days since his death. They received messages from every star in the constellation of American baseball, but one stood out. Joe Torre, upon hearing of Stan's death just a few days ago, sent a message to the Musial family, and it simply said this:

Stan Musial was a Hall of Famer in the game of life. We will miss you, Stan Musial.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Virginia.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO FEDERAL EMPLOYEES

Mr. WARNER. Mr. President, as we get started on this next Congress—and I wish to congratulate the Presiding Officer for joining this Chamber. As someone who has had the opportunity to preside during my first 2 years in the Senate, I commend the Presiding Officer for those actions and look forward to working with you on a variety of projects.

What I want to do today is continue a tradition that I actually inherited from one of our former colleagues, Senator Ted Kaufman of Delaware. Senator Kaufman, who had been a long-time employee of the Senate, came to this floor on a fairly regular basis during his time here to basically celebrate and acknowledge—in most cases—the tireless, unsung work of so many of our Federal employees. As we debate budgets, debt, and deficit, we oftentimes recognize we have to make extraordinary and difficult choices in cuts. In many instances, behind all of those cuts are Federal employees who do remarkable work in keeping us safe, providing services, and helping our country grow.

Ted Kaufman used to come down here on a regular basis and celebrate some of those unsung heroes. I was proud to continue his tradition during the last Congress and look forward to carrying it on through another session.

I start this next Congress actually celebrating two great Federal employees, I might add, who both happen to be Virginians who serve as excellent role models. They represent the thousands of professionals who work quietly every day across our intelligence community to keep our Nation safe.

Very often these professionals work in anonymity and many risk their lives in troubled spots far away from the limelight, and that is how it should be. Recently we have seen certain incidents abroad, and sometimes they pay with the highest sign of sacrifice in terms of their lives.

For their service, their late nights and early mornings away from their families, the risks they take, and the sacrifices they make every day—and because they do not hear this nearly

enough—allow me to say thank you to those members of the intelligence community.

JEANNE VERTEFEUILLE

Today I wish to briefly tell the remarkable stories of two extraordinary women who built their careers at the Central Intelligence Agency. Jeanne Vertefeuille, who is pictured here, passed away on December 29 at the age of 80 after a brief illness.

In announcing her death to the CIA family, Acting Director Michael Morell appropriately described Ms. Vertefeuille as an icon within the agency. If her story were not true, it would read like a spy novel.

Jeanne joined the CIA when she graduated from college in 1954. It was the year I was born and a year DICK DURBIN was also young. This was a time when the American intelligence community could be best described as an old boys' club. She was hired at the CIA as a GS-4 typist. This is a woman coming out of college in 1954 hired as a typist.

Over her career, which stretched over nearly a half century, Jeanne Vertefeuille blazed a trail for women in the national clandestine service. She methodically worked her way up to leadership positions. There were overseas postings in Ethiopia, Finland, and The Hague. She became an expert in Soviet intelligence and spycraft. She retired as a member of the Senior Intelligence Service in 1992.

Even after her retirement, she continued her work for the agency as a contractor, making still more valuable contributions and working without a day's break in service until she became ill last summer. As her obituary reads:

She remained a quiet agency soldier . . . purposefully nondescript and selflessly dedicated.

She lived alone and walked to work.

But if she was a great figure at the agency, Ms. Vertefeuille was also a tenacious and effective one, and in October of 1986 was asked to lead a task force to investigate the disappearance of Russians whom the CIA had hired to spy against their own country.

Together, with colleagues at the CIA she invested years in the methodical and painstaking hunt for a mole. It was through her efforts, and the good work of many others, that we ultimately unmasked the notorious traitor Aldrich Ames in 1984. Remember, this is a woman who joined the CIA in 1954 as a typist.

Aldrich Ames turned out to be one of the most dangerous traitors in the Nation's history. Thanks in large measure to Ms. Vertefeuille, he was convicted of espionage and is now serving a life term without parole.

SANDY GRIMES

Jeanne Vertefeuille's story does not end there. The Washington Post recently described how one of her colleagues, Sandy Grimes—another Virginian who worked with her on the Ames task force—stepped up over the

past year to care for Jeanne as she was battling cancer.

Sandy Grimes, a career CIA employee whose parents worked on the Manhattan Project, ultimately served as Jeanne's primary caregiver. She sat with her each day during the final 3 months of her remarkable life. She monitored Jeanne's care and tried to make sure she remained comfortable. She often brought personal messages of support and appreciation from their former colleagues. Ms. Grimes said:

I felt an obligation to be there with her. I can't imagine not doing it. I was the one Jeanne would accept. I owed it to her as a friend.

By all accounts Jeanne Vertefeuille was an intensely private woman, and she doubtless would recoil at the attention she is now receiving. One cannot help but be inspired by this true-life story of service, patriotism, and friendship demonstrated by these two great employees, Sandy Grimes and the late Jeanne Vertefeuille. Their service reflects well on the thousands of other intelligence professionals whose names can never be revealed. Both of them deserve our recognition and thanks.

During the last Congress I joined 14 Senators in a Joint Resolution to mark the U.S. Intelligence Professionals Day. At some point during this Congress, I hope we can gather more supporters so we can have a day designated on a more formalized basis to recognize the enormous contributions made by intelligence professionals. Again, this is an effort to bring respectful attention to these quiet professionals who literally—as a member of the intelligence committee, I can testify to this—keep our Nation safe every day without any thought of recognition.

Again, I look forward to working with my colleagues so we can introduce this resolution in the next Congress.

As I conclude my remarks, I see my friend the distinguished majority whip. We have spent a lot of time over the last 2½ years grappling with the challenges around the debt and deficit and trying to make some of the very hard choices we are going to need to make as a Nation.

While it appears that we may be avoiding some of the immediate consequences of the so-called debt ceiling debate, which I am glad to see, never should the full faith and credit of the United States be used as a political hostage. Again, I want to compliment my friend the Senator from Illinois who has been as stalwart as anyone in this Chamber at stepping up and who has been willing to speak truth to even those who are the most supportive about some of the challenges and choices we have to make.

We are going to have to proceed at a level of spending that is less than what we have had in the past. As we think about cutting back budgets, I think it

is important to remember that behind many of these budgets, there are not just numbers but there are incredible professionals who give their life's service to making this a stronger Nation. So with this tribute to Jeanne and Sandy, I commend these two great Federal employees.

I will be back on a regular basis to celebrate Federal employees throughout this Congress because too often in today's day and life, government service is disparaged. But for Jeanne Vertefeuille and Sandy Grimes we might not have as safe a Nation as we do today.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I will accept my colleague from Virginia's kind words with at least an indirect apology for the defamation which he included in his speech suggesting that I was somehow an Ancient Mariner here in the Senate. I wear my trousers rolled but not quite as rolled as my friend suggested.

I thank the Senator for his leadership on this deficit and debt issue. We have a lot to do and we have to do it thoughtfully. I am glad my colleague highlighted the two employees.

I read the obituary of the one the Senator from Virginia highlighted. It was an extraordinary story of a woman who persevered in an agency which didn't have much use for women beyond the secretarial staff. I am glad the Senator continues this tradition of acknowledging these important Federal employees.

I thank my friend from Virginia.

REMEMBERING STAN MUSIAL

Mr. DURBIN. Mr. President, it has been said in St. Louis, MO, baseball is not a sport, it is a religion. If that is true, Stan Musial was a St. Louis civic patron saint.

Stan Musial was an icon in St. Louis. He was the best ballplayer to wear a Cardinal's uniform and one of the best to play the game of baseball.

Stan Musial was my childhood hero when I was a boy and he remains a hero in my life to this day. When a person reaches my age, and maybe my station in life, they are supposed to be beyond the stage of swooning adolescence. But when it comes to Stan Musial, I am a 10-year-old kid all over again in East St. Louis, IL, buying more bubble gum than I can possibly afford in the hope that I would open one of those packages and find, covered in pink powder, a card that had Stan Musial's picture. It was the treasure of my youth, and it still would be today if my mom had not thrown those cards away.

Stan Musial's death has hit the Cardinals nation like a death in the family. One Cardinal fan spoke for many of us when she said losing Stan Musial "is

like losing a grandparent. It's hard not to tear up."

I grew up in East St. Louis across the river, and my most prized possession when I was a kid was my very first Stan Musial Rawlings baseball glove. As a kid I rubbed that glove with something called Gloveoleum until I was the only one who could still see Stan Musial's name burned in the leather. One of the highlights in my life came 2 years ago when I got to meet Stan Musial in person for the very first time in my life. It was at the White House, February 11, 2011. Stan Musial was there to receive from President Obama the Presidential Medal of Freedom. He is one of only eight other baseball players in the history of America to receive that prestigious honor. Listen to the company he joined: Joe DiMaggio, Jackie Robinson, Ted Williams, Roberto Clemente, Hank Aaron, Frank Robinson, and the famous Buck O'Neill.

At the White House I stood patiently waiting for the moment to ask Stan Musial to sign that old baseball glove, which I still have and have had since I was a kid. He agreed to do so. What a thrill. I was 10 years old all over again.

Outside Busch Stadium in St. Louis is a statue of Stan "The Man" in his playing prime. He is coiled up in his batting style. Every coach said don't bat like Stan "The Man," even though he has great numbers. If you do that, you will never hit the ball. We all tried; the coaches were right. Etched in the base of that statue are words that Major League Baseball Commissioner Ford Frick said when Stan retired in 1963: "Here stands baseball's perfect warrior. Here stands baseball's perfect knight."

On the field and off Stan Musial was always a gentleman, always a champion. He exemplified the values of sportsmanship, discipline, hard work, grace, consistency, and a love of family. Baseball broadcaster Vince Scully, a Hall of Famer himself, once said: "How good was Stan Musial? He was good enough to take your breath away."

Stan Musial played his entire 22-year career for the St. Louis Cardinals. He did take off one season in 1945 to serve our country in the U.S. Navy during World War II. His 3,026 games with the same club are second only to the 3,308 games over 23 years by Carl Yastrzemski.

When Stan Musial retired from baseball after the 1963 season, he held 29 National League records and 17 Major League records. Here are just some of his career numbers: a batting average of .331, an on-base percentage of .417, 3,630 hits, 725 doubles, 177 triples, 475 homers—and the first homer I can ever remember seeing on television was the All-Star game in St. Louis, and darned if Stan Musial didn't get up in the 12th inning, parking a home run into the

outfield stands, winning it for the National League. I couldn't have been more thrilled, my first exposure to baseball on television. He had 1,951 RBIs and 1,949 runs. He is the only baseball player to finish his career in the top 25 in all of these categories.

Where did he get that nickname? It was coined not by a Cardinals fan but by a Brooklyn Dodgers fan in May 1946, after Musial's four hits helped lead the Cardinals to a 13-to-4 drubbing of the Brooklyn Dodgers. Every time Stan Musial came to the plate, the fans in Ebbets Field said, "Here comes the man." And the name stuck.

The legendary baseball writer Red Barber once described the 1947 season as "the year all hell broke loose in baseball." It was the year Jackie Robinson integrated Major League Baseball. Jackie Robinson would later recall when asked about his baseball career that it was Stan Musial and Hank Greenberg, two players who went out of their way to be friendly and encouraging in that historic and difficult year.

Maybe Stan Musial's greatest baseball day came on May 2, 1954. It was a double header in St. Louis against the New York Giants. He hit three homers in the first game and two in the second.

In 1957, Stan Musial became the first Major League Baseball player to earn the amazing salary of \$100,000 a year. Two years later, when his batting average dipped to .255, it was Musial who went to the Cardinals' owners and asked them to cut his salary back to \$80,000. He wasn't playing up to what he thought he had the potential to play up to.

Late in his final season, he stayed up all night waiting for the birth of his first grandchild, and the next day he became the first grandfather to ever homer in the Major Leagues. Umpires—and this says something about what a gentleman he always was—umpires never once ejected Stan Musial from a baseball game in more than 3,000 games.

On January 21, 1969, Stan Musial was elected to the Baseball Hall of Fame on the first ballot. He was named on 92 percent of the ballots—something on which to reflect after what we just went through a few weeks ago when no one made the cut for the Baseball Hall of Fame. Stan Musial was the first player to receive 300 votes on a Hall of Fame ballot.

When he retired, the St. Louis Cardinals retired his number, No. 6. Cardinals manager Mike Matheny has said that when the entire Cardinals team takes the field this year, they will be wearing a No. 6 patch on their uniforms. But then he said:

It will be a call for us to do our very best to live up to that high standard of excellence.

Then he added:

You don't come across names like warrior, prince and knight by just having Hall of Fame statistics. It comes from making an impact in people's lives. I was in that group. Mr. Musial, I say thank you. He's a perfect example of what it means to wear this jersey.

I want to give credit to my colleague, Senator CLAIRE MCCASKILL. She worked with me—in fact, she led the way in terms of the Presidential Medal of Freedom, along with Senator Bond, for Stan Musial. And she came up with a great idea. I don't know if it is going to go anywhere, but I am going to try to help her make it a reality. She has suggested we can honor this American hero, this regional hero and the values he stood for by naming the new bridge being built across the Mississippi River at St. Louis in honor of Stan Musial. I grew up on the Illinois side, and we kind of looked over at Missouri a little differently than most, and they looked at us a little differently too. But if there was one thing that ever united us it was baseball loyalty and Stan Musial. It is a perfect name for a bridge that spans between Illinois and Missouri in that region of the country.

I am proud to join Senator CLAIRE MCCASKILL, and we will be introducing a bill to name the bridge the Stan Musial Memorial Bridge. Other legislation is being considered in the Illinois and Missouri General Assemblies at this time. I wish them the best in honoring this great man. It was my great honor to join him on that historic date when he was given the Presidential Medal of Freedom.

(The remarks of Senator DURBIN pertaining to the introduction of S. 113 and S. 114 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. DURBIN. I yield the floor.

The PRESIDING OFFICER (Mr. COONS). The Senator from Louisiana.

GOOD GOVERNMENT REFORM

Mr. VITTER. Mr. President, more and more Americans from all walks of life, of both political parties, feel there is not just a pond or a sea but an ocean of difference between the real world where they live and Washington, DC. They view—I think correctly—Washington, DC, as a different planet where normal rules do not seem to apply. That is why on the first day I could introduce new legislation in this new Congress, I chose to introduce a package of reform measures—measures aimed at bridging that gap, bringing those two worlds together, returning us—returning Washington to the real world and reconnecting with the American people.

The American people are also concerned—rightly—about the bitter partisanship, the overly ideological tone of almost all of the debate we have here in Washington now, here in Congress.

I believe these sorts of reform measures—the four bills I have introduced in particular—can also help bridge that divide because they are not ideological, they are not partisan, they are good-government reform, things that can and should and, hopefully, will bring us together and bring us together and reconnect us with the American people. Again, it is another reason I chose to introduce this package of four reform measures, four good-government bills on the first day I could introduce legislation this Congress.

The first is a very simple and basic but fundamental idea: term limits for Members of Congress. I am honored to be joined by six other Senators right out of the gate, right out of the box in terms of cosponsoring this important legislation: Senators PAUL, AYOTTE, COBURN, LEE, RUBIO, CRUZ, and JOHNSON. I thank them for their cosponsorship and their support. This measure would limit Members of Congress in the House to three consecutive terms, a total of 6 years, and the Senate to two consecutive terms, a total of 12 years. It is a consensus measure supported by citizens groups very active and supportive of the concept of term limits. The idea, again, is simple: to reconnect Congress with the American people, to do away with the notion of legislating as a career, and to get back to the Founders' vision of citizen legislators.

When I was in the State legislature, I authored and passed term limits for the State legislature. That required a State constitutional amendment—a big deal—a two-thirds vote in each body, and then a vote of the people. But because of the people's voices rising and being heard, we achieved that. With that reform, which was voted overwhelmingly into the State constitution by the people of Louisiana, we have a regular influx now of new, fresh blood, real experience from the real world that reconnects in a very healthy way the State legislature and all of us, the citizens, whom it is supposed to represent. That was needed for the State legislature, and if it was—and it was—it is needed a thousand times more for Congress because that divide, that sea, that ocean, that difference between different planets in the eyes of so many Americans is even greater between Congress and the real world, Congress and the American people.

The second bill I have introduced is a bill to do away with automatic pay increases for Members of Congress. That is present law, that we get regular increases of pay with no proposal, no bill put in the hopper, no debate, no need for an inconvenient vote. I think that is just outright wrong. I think it helps build that distrust on the part of the American people. I am joined by a bipartisan cosponsor, Senator MCCASKILL of Missouri. I thank her for her leadership and her support of this measure.

Again, the measure is very simple: Just repeal, do away with any automatic pay increases for Members of Congress. If there is to be a pay increase, there should be a bill proposing it and open debate and a public vote.

The third measure is also fully bipartisan. I am introducing it with Senator BILL NELSON of Florida. It is reform of the Corps of Engineers—something very important for our two States but also for, indeed, the whole country. In Louisiana, in Florida, and elsewhere, unfortunately, the Corps of Engineers has become a poster child for a dysfunctional Federal Government, a Federal bureaucracy, a Federal system that is just bogged down, does not work. It takes 10 and 20 years to study something, never ever getting to construction. We need to streamline and reform that process, and the Vitter-Nelson bill does just that by greatly streamlining the process by which Corps projects can come to fruition, putting State and local leaders more in charge of that effort, at first on a pilot basis. Hopefully, we will expand that in the future for important Corps of Engineers projects. Again, that is particularly important for our States of Louisiana and Florida, but it is important for so many States and for the country as a whole.

Fourth and finally, I am introducing a measure that I have had before to reform Federal campaign finance law to prohibit PACs and campaign funds from employing Members' spouses or family members.

That is just a way, quite frankly, in some circumstances for Members of Congress, politicians, to pad their family income. I think that is wrong, and that leads directly to the real suspicion and low regard in which so many Americans hold this institution.

Again, this bill is simple, straightforward, but important. It would prohibit spouses and immediate family members of Members of Congress from receiving payments from that Member's campaign accounts or leadership PACs. That is a loophole and an area of abuse we must close. We must prohibit that abuse in the future.

These four bills won't solve every problem out there. They won't be the be-all and end-all of important reform and good-government efforts, but they would be an important start. They would help us truly reconnect with the American people and narrow this divide, which is so vast right now, between the real world, real Americans, and this institution. They would be important, nonpartisan, nonideological reform efforts that we can gather around, Republicans and Democrats alike, to do something positive, to do something productive, and to reconnect with the American people.

I urge my colleagues from both parties to support these measures, to come on as cosponsors. Many of you already have, and I thank you for that.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANCHIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BROWN). Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. MANCHIN. Mr. President, I ask unanimous consent the period of morning business be extended until 5 p.m. today and that all provisions of the previous order remain in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING JOHN "JACK" EDWARD BRESCH

Mr. MANCHIN. Mr. President, I rise today to honor the life, legacy and service of a dear friend—John Edward Bresch. Jack lead a life filled with compassion. He worked tirelessly for everyone to have access to affordable, quality health care, especially needy children and families. His heart was as big as heaven.

But Jack's life was also a life of great humor. Anybody who knew him also knew his warm and infectious laugh. It was a sure sign that Jack was somewhere nearby because you could almost hear his laughter before you saw his face. And everybody was glad to see Jack coming their way. He truly never met a stranger.

Sadly, we won't be able to hear that distinct laughter again. Jack passed away on September 1, 2012, surrounded by his family after a brief and courageous battle with pancreatic cancer. From the moment of his fateful diagnosis until the day he left us, we saw in him grace and courage, dignity and humility, joy and, yes, laughter—and so much love and gratitude lived out on a daily basis that, even in our sorrow, his memory will never be lost.

Tomorrow, Jack will be laid to rest in our Nation's most hallowed ground—Arlington National Cemetery—with full military honors as a decorated Naval Lieutenant who served as a Chaplain during the Vietnam war.

In his life, Jack Bresch was many things but above all, a family man, devoted to his wife, JoAnn; his children, Mary Elizabeth, James Richard, and Jeffrey John; and 10 grandchildren on whom he doted. He also leaves behind countless friends and colleagues whose lives are enriched with memories of this gregarious, energetic, larger-than-life man. But when a loved one is gone, it is often the little things you remember most. Some of us will remember

how much Jack loved neckties. Some of us will remember sharing Jack's favorite drink—a Manhattan, made with Maker's Mark, up, no bitters, with a twist of orange. Some of us will remember how often Jack quoted the 19th century German politician Otto von Bismark—"Politics is the art of the possible." And some of us will remember how proud Jack was to be at the White House when President Obama signed the Affordable Care Act for which he worked so tirelessly. A friend saw Jack on TV and sent him a text to let him know, and Jack texted back, "Just a pleasure to be here."

It was a pleasure for Jack to be anywhere. Simply put, Jack enjoyed being with people, and people enjoyed being with Jack. He was a great person to talk to—probably because he began his adult life as a Roman Catholic priest. Jack was a priest in the Diocese of Pittsburgh, his native city, from 1966 to 1974. In 1968, at the height of the Vietnam war, he entered the U.S. Navy and served as a Navy and Marine Corps Chaplain in posts around the world. During his time in the service, he supervised drug and alcohol rehabilitation programs and worked as a liaison with the American Red Cross. After the war, Jack left the priesthood. But in some ways, he never stopped being a chaplain, in the sense that he never wavered from his steadfast belief in social justice. He carried that belief forward in career that made the world a better place—working for Congress, the Federal Government, the Illinois Hospital Association, the Catholic Health Association, and the American Dental Education Association. Many members of Congress got to know Jack through his work as the lead lobbyist for the Catholic Health Association. They also learned quickly just how hard it was to say "no" to Jack.

While at the Catholic Health Association, Jack worked closely with then First Lady Hillary Clinton and the White House to develop a plan for reforming the Nation's health care system. While at the American Dental Education Association, he was instrumental in improving access to dental care for needy children. For more than a decade, he worked diligently to ensure that policymakers understood the value of oral health to overall health—the reason why he was invited to the White House for the signing of the Affordable Care Act. Jack lived long enough to see the Supreme Court uphold key portions of the Affordable Care Act. He knew the law wasn't perfect, but he was happy to see it move forward. Remember, he believed that "politics is the art of the possible."

To JoAnn and Jack's entire family, my wife Gayle and I extend our deepest sympathy because we are part of that family. Jack and I shared four of his 10 grandchildren, but he lent all the rest of them to me, too. It is hard to think

of this world without Jack being a part of it, making us laugh—and hearing him laugh—and making us care—the way he cared.

There is a wonderful anonymous quote which may well describe how we should think of Jack's passing, especially since he served so courageously in the Navy. It offers great comfort to those who grieve. And it goes something like this:

I am standing upon the seashore. A ship at my side spreads her white sails to the morning breeze and starts for the blue ocean. She is an object of beauty and strength, and I stand and watch her until, at length, she hangs like a speck of white cloud just where the sea and sky come down to mingle with each other. Then someone at my side says, "There! She's gone."

Gone where? Gone from my sight—that is all. She is just as large in mast and hull and spar as she was when she left my side, and just as able to bear her load of living freight to the place of destination. Her diminished size is in me, not in her, and just at the moment when someone at my side says, "There, she's gone,"—there are other eyes watching her coming, and other voices ready to take up the glad shout, "There she comes!"

Jack Bresch was a man whose optimism could overwhelm any doubter and whose joy for life was wonderfully contagious and completely irresistible. The ancient poets tell us that "one must wait until the evening to see how splendid the day has been." Our day with Jack Bresch was splendid indeed.

As we prepare to honor Jack with the military honors due a decorated Navy Chaplain, I would like to end my tribute to Jack's life with a traditional nautical blessing and wish my dear friend "fair winds and following seas."

The PRESIDING OFFICER. The senior Senator from Tennessee is recognized.

REMEMBERING PATTI PAGE

Mr. ALEXANDER. Mr. President, Patti Page died on New Year's Day this year. She was 85 years old. The Senate has not been in session for most of the time since then. I wanted to come to the floor to pay a Tennessean's tribute to Patti Page. Patti Page is best known for our State song, the "Tennessee Waltz." A few years ago, in 2007, when I met her for the first time, she told me the story of the "Tennessee Waltz." I knew some of it, but she completed the rest of it.

In 1946, a couple of Tennesseans, Pee Wee King and Redd Stewart, were driving from Memphis to Nashville. That was before the interstate highways. It took a pretty good amount of time to drive that distance. I don't know whether or not they were drinking a beer on the way from Memphis to Nashville but they were relaxed, and one of them said to the other, Why is it Kentucky and Missouri have a waltz and Tennessee doesn't have a waltz? So on the way from Memphis to Nashville they took out a penny matchbox,

which is one of these big boxes with wooden matches in it, dumped out the matches on the floorboards of the car, and on the back of the penny matchbox, between Memphis and Nashville, in 1946, Pee Wee King and Redd Stewart wrote the "Tennessee Waltz." They sang it around a few places. Pee Wee King sang it at the Grand Ole Opry. Nobody paid much attention to it. Cowboy Copas sang it. They sang it on Red Foley's show in Missouri. Nothing much happened to the "Tennessee Waltz" until 1950, and this is the story Patti Page told me. Mercury Records in New York had a new song they were sure was going to be a big hit. It was called "Boogie Woogie Santa Claus." I don't know whether it was a follow up to "Rudolph the Red-Nosed Reindeer," but the executives in New York were sure it was going to be a big hit so they wanted the hottest young female singer in America to record "Boogie Woogie Santa Claus" so they hired Patti Page. She flew to New York, recorded it for Mercury Records, and then in those days you always had to put a record on the back of the main record. You had to pick a song. It would be the "B" side. Just as a throwaway they put on the back of it the song by Pee Wee King and Redd Stewart, the "Tennessee Waltz."

We know the rest of the story. The "Tennessee Waltz" sold about a million copies. Nobody ever heard of the "Boogie Woogie Santa Claus" except those who bought the "Tennessee Waltz." Mike Curb, who owns Curb Records in Nashville, told me it was the best selling record ever by a female artist. Patti Page eventually sold 100 million records. She was the top selling female artist in record sales in history.

Growing up I heard her songs, "Mockingbird Hill," "I Went To Your Wedding," "Old Cape Cod." In 1952 she had a song called "Doggie in the Window." It sounds like a silly little song, but it sold a lot of records and a great many Americans remember it. When I was Governor of Tennessee I would travel to Japan, recruiting industry. In the evenings I would go to a restaurant bar with friends, and to my astonishment all of my Japanese friends, many of whom did not know much English, could sing every word of the "Tennessee Waltz." When I inquired about it, it was because it was introduced during the time of the American occupation of Japan in 1950 or so, and according to them, the Asian music doesn't have the same kind of standard that American music has. We get a phrase or a theme in our minds and we never forget it, such as the "Tennessee Waltz." So the "Tennessee Waltz" became a song that most Japanese men of that age knew, remembered, and could sing from memory.

I met Patti Page for the first time 6 years ago. It was 2007. She was about 79 or 80 years of age at the time. She told

me the story of the recording of the "Tennessee Waltz" for Mercury Records. It turned out it was her last recording session. Mike Curb, the owner of Curb Records, had invited her to come to Nashville and record an album, "Best of Patti Page." He had invited me to come play the piano while she sang the "Tennessee Waltz," which I did. It was a real thrill and she was very patient to put up with an amateur piano player for her very special song. She told me then it wasn't the first time she had performed with a Tennessee Governor. In 1950 she had performed with Tennessee Governor Gordon Browning at a Memphis theater. This was when she was all the rage, the "Tennessee Waltz" was all the rage, and the Governor wanted to sing it with her.

I asked how it went. She said, "Well, to tell you the truth, the Governor wasn't a very good singer."

I don't know what she said to others about my piano playing, but I think that was probably about as harsh a verdict as Patti Page ever rendered of any other person.

According to the New York Times obituary, Patti Page once said:

But I don't think I've stepped on anyone along the way. If I have, I didn't mean to.

Well, Patti Page is gone now, but her music is not. Whenever we Tennesseans hear our State song, the "Tennessee Waltz," played, or whenever we sing it, we will remember the voice of Patti Page.

Mr. President, I ask unanimous consent that following my remarks that the obituary about Patti Page from the New York Times be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times—Obituary]

PATTI PAGE, HONEY-VOICED '50S POP SENSATION, DIES AT 85

(By Anita Gates)

Patti Page, the apple-cheeked, honey-voiced alto whose sentimental, soothing, sometimes silly hits like "Tennessee Waltz," "Old Cape Cod" and "How Much Is That Doggie in the Window?" made her one of the most successful pop singers of the 1950s, died on Tuesday in Encinitas, Calif. She was 85.

Her death was confirmed by Seacrest Village Retirement Communities, where she lived.

Ms. Page had briefly been a singer with Benny Goodman when she emerged at the end of the big band era, just after World War II, into a cultural atmosphere in which pop music was not expected to be challenging. Critics assailed her style as plastic, placid, bland and antiseptic, but those opinions were not shared by millions of record buyers. As Jon Pareles wrote in The New York Times in 1997, "For her fans, beauty and comfort were one and the same."

"Doggie in the Window," a perky 1952 novelty number written by Bob Merrill and Ingrid Reuterskiöld, featured repeated barking sounds and could claim no more sophisticated a lyric than "I must take a trip to

California." It is often cited as an example of what was wrong with pop music in the early '50s, a perceived weakness that opened the door for rock 'n' roll. But if that is true, and if the silky voice of "the singing rage, Miss Patti Page," as she was introduced during her heyday, was mechanical or sterile, she had significant achievements nonetheless.

"Tennessee Waltz," from 1950, sold 10 million copies and is largely considered the first true crossover hit; it spent months on the pop, country and rhythm-and-blues charts.

Ms. Page was believed to be the first singer to overdub herself, long before technology made that method common. Mitch Miller, a producer for Mercury Records, had her do it first on "Confess," in 1948, when there were no backup singers because of a strike.

The height of her career predated the Grammy Awards, which were created in 1959, but she finally won her first and only Grammy in 1999 for "Live at Carnegie Hall," a recording of a 1997 concert celebrating her 50th anniversary as a performer. Her career was also the basis of recent, short-lived Off Broadway musical, "Flipside: The Patti Page Story."

In the early days of television Ms. Page was the host of several short-lived network series, including "Scott Music Hall" (1952), a 15-minute NBC show that followed the evening news two nights a week, and "The Big Record," which ran one season, 1957-58, on CBS. "The Patti Page Show" was an NBC summer fill-in series in 1956.

Ms. Page defended her demure, unpretentious style as appropriate for its time. "It was right after the war," she told The Advocate of Baton Rouge, La., in 2002, "and people were waiting to just settle down and take a deep breath and relax."

She was born Clara Ann Fowler on Nov. 8, 1927, in Claremore, Okla., a small town near Tulsa that was also the birthplace of Will Rogers. She was one of 11 children of a railroad laborer.

Having shown talent as an artist, Clara took a job in the art department of the Tulsa radio station KTUL, but an executive there had heard her sing and soon asked her to take over a short country-music show called "Meet Patti Page" (Time magazine called it "a hillbilly affair"), sponsored by Page Milk. She adopted the fictional character's name and kept it.

The newly named Ms. Page broke away from her radio career to tour with Jimmy Joy's band and was shortly signed by Mercury Records. She had her first hit record, "With My Eyes Wide Open, I'm Dreaming," in 1950. Other notable recordings were "Cross Over the Bridge," "Mockin' Bird Hill," "Allegheny Moon" and her last hit, "Hush . . . Hush, Sweet Charlotte," which she recorded as the theme for the Bette Davis movie of the same name. That song was nominated for an Oscar, and Ms. Page sang it on the 1965 Academy Awards telecast.

Ms. Page briefly pursued a movie career in her early '30s, playing an evangelical singer alongside Burt Lancaster and Jean Simmons in "Elmer Gantry" (1960), David Janssen's love interest in the comic-strip-inspired "Dondi" (1961) and a suburban wife in the comedy "Boys' Night Out" (1962), with Kim Novak and James Garner. She had one of her earliest acting roles in 1957 on an episode of "The United States Steel Hour."

In later decades her star faded, but she continued to sing professionally throughout her 70s. Early in the 21st century she was performing in about 40 to 50 concerts a year. In 2002 and 2003 she released an album of children's songs, a new "best of" collection and a Christmas album.

Ms. Page married Charles O'Curran, a Hollywood choreographer, in 1956. They divorced in 1972. In 1990 she married Jerry Filiciotto, a retired aerospace engineer, with whom she founded a New Hampshire company marketing maple syrup products. He died in 2009. Survivors include her son, Danny O'Curran; her daughter, Kathleen Ginn; and a number of grandchildren.

Ms. Page's nice-girl image endured. In 1988, when she was 60, she told *The Times*: "I'm sure there are a lot of things I should have done differently. But I don't think I've stepped on anyone along the way. If I have, I didn't mean to."

Mr. ALEXANDER. I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

(The remarks of Mr. COONS pertaining to the introduction of S. 85 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. COONS. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

STARTUP ACT 2.0

Mr. MORAN. Mr. President, I have only been a Member of the Senate for 2 years, but in that short period of time at least seven other countries have taken actions that we have not taken to better support and attract entrepreneurs to their countries' economies. The map beside me shows those countries: the United Kingdom, Russia, Singapore, Australia, Brazil, Chile, and Canada. Those countries have changed their rules, regulations, passed laws, changed their policies to make their country more friendly to startup businesses and to entrepreneurship.

I wish to focus on and visit with my colleagues about what is happening in one of those countries—our neighbor to the north, Canada—and explain why it is in the interests of our own country to act quickly to retain highly skilled and entrepreneurial immigrants.

In 2002, Canada announced plans to create a new visa to attract foreign entrepreneurs to their country. Canada is developing a plan to admit foreign entrepreneurs who have received capital from venture funds to start businesses in Canada and to admit them to Canada within weeks. A spokesman for the Canadian immigration agency was quoted in September as saying: "Canada seeks young, ambitious innovative immigrants who will contribute to Canada's job growth and further drive our economy."

But Canada is not just changing its laws to attract entrepreneurs; it is advertising and trying to lure talent

there. The ad we are now showing—this is a full-page ad that appeared in a publication called *Fast Company*. It is an American magazine dedicated to startups, to technology and innovation. The advertisement for Ontario highlights R&D incentives and innovative and dynamic business environment and the top talent needed to grow new businesses.

We in Congress and in the administration need to take note of this. Other countries, including our friends to the north, are aggressively courting entrepreneurs and talented individuals and they are luring them from here; they are trying to get them from the United States. Canadian Citizenship and Immigration Minister Jason Kenney said: "We need to proactively target a new type of immigrant entrepreneur who has the potential to build innovative companies that can compete on a global scale and create jobs for Canadians."

While we work in the United States to continue educating our children with the skills for a 21st century economy and training the next generation of great American entrepreneurs, we also need to be welcoming to those who want to create a business in the United States and employ Americans now. With respect to Canada, America is the country of entrepreneurs, a place where those with good ideas who are willing to work hard can come and make something for themselves.

There is a global battle for entrepreneurial talent and the United States is falling behind. A story I heard while visiting California, the Silicon Valley, last year, illustrates this point pretty well. A large company that just a few years ago was a small startup told me they had plans to hire 68 highly skilled immigrants but could not get a visa for them to work in the United States. Rather than letting this talent go, the company hired them but hired them at their location in Canada. It is certainly troubling that 68 jobs went outside the United States. They were lost in our country because the United States does not have a visa program that works. What troubles me even more is that some of those 68 people hired in Canada will go on to start a business that may result in significant job creation in Canada. Those jobs that could have been in the United States are now in another country and those individuals who may start a company are no longer in the United States but are now in Canada. When we lose entrepreneurs and highly skilled immigrants, we lose the jobs they create.

The good news is there are steps we can take to attract and retain foreign entrepreneurs and highly skilled immigrants. In a bipartisan effort, Senator WARNER, Senator COONS, Senator RUBIO, and I introduced Startup Act 2.0 last year. Senators BLUNT and Scott Brown of Massachusetts joined as co-sponsors, and an identical bill was in-

troduced in the House of Representatives with an even number of Republican and Democratic supporters. Again, this year, I am working with those colleagues to reintroduce a bill very similar to that in very short order.

Startup Act 2.0 makes changes to the Federal regulatory process to lessen government burdens on job creators, modifies the Tax Code to encourage investment in new businesses and capital formation, seeks to accelerate the commercialization of university research that can lead to new ventures and, most importantly, provides new opportunities for highly educated and entrepreneurial immigrants to stay in the United States where their talent and new ideas can fuel economic growth and, most importantly, create jobs for Americans.

Startup Act 2.0 creates an entrepreneurial visa for foreign-born entrepreneurs currently in the United States—legally in the United States. Those with good ideas, with capital, and the willingness to hire Americans would be able to stay in the United States and grow their businesses. In many instances, foreign-born entrepreneurs, here legally, have an idea and want to begin a company that will employ Americans but are told their visa does not allow them to remain in the United States.

Take the story of Asaf Darash. Asaf was born in Israel and came to the United States in 2007 after being awarded a Fulbright scholarship to study at the University of California. After completing his doctoral thesis, he founded a software company called Regpack. Asaf raised \$1.5 million in financing for the company and hired more than a dozen Americans. His company has the potential to grow quickly and to further create additional jobs. But Asaf, the founder of this dynamic company, is no longer in the United States. My staff contacted him this morning and he said that because of the difficulty in obtaining a visa and the amount of time and effort it was taking, he decided it was easier to move to Israel and take the core of the company, including its jobs, with him. As Regpack grows, new jobs are going to be created in Israel—jobs that could have been in the United States if we had a visa dedicated to foreign entrepreneurs such as Asaf.

Sadly, his story is far from uncommon. Immigrants legally living in the United States who have a good idea and want to start a business have few options available to them. With very few ways to stay, these entrepreneurs, just like Asaf, are forced to move and take their businesses with them and take the jobs they have created and will create to other countries.

I wish to make certain America is the best place for entrepreneurs who

want to build America and hire Americans. Passing Startup Act 2.0 will help make this happen.

Entrepreneurial immigrants have long contributed to the strength of our country by starting companies and creating jobs. Of the current Fortune 500 companies, more than 40 percent were founded by first- or second-generation Americans. Today, 1 in every 10 Americans employed at a privately owned U.S. company works at an immigrant-owned firm.

In our mobile world, entrepreneurs have a choice as to where they start a business. For decades, there was no better place than the land of opportunity—the United States of America. But things are changing. Other countries are aggressively seeking the best and brightest, those with entrepreneurial talent, as a way to grow their economy.

I believe most—in fact, I would say at least 80 percent—of my colleagues in Congress agree with the visa provisions in Startup Act 2.0. They understand that retaining highly skilled entrepreneurial immigrants will lead to economic growth and new jobs for Americans. Unfortunately, there is an approach in Congress that has been here for the last several years that says if we can't do everything, we will not do anything. I urge my colleagues let's pass what we can agree on now and keep working to find common ground on issues that still divide us.

Canada and other countries are creating new opportunities for entrepreneurs, for startup companies, but the United States is still the home of the American dream. We need to pass Startup 2.0 so individuals can pursue their ambitions in America.

Millions of our citizens remain out of work. Our economy is barely growing. One would think, common sense would suggest we would work hard together to deal with the issues we have agreement on that would help jump-start the economy.

Let's do that. Let's jump-start the American economy through entrepreneurship and allow those with talents and skills we need to pursue the American dream in the United States of America and thereby strengthen our economy.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BLUMENTHAL). Without objection, it is so ordered.

DYSFUNCTIONAL LEGISLATING

Mr. WHITEHOUSE. Mr. President, we all know in the Senate and in the

House of Representatives about the low grades Congress receives in public opinion polling. Everybody knows what the public reports: Congress is partisan. Congress is divided. Congress is dysfunctional.

One recent survey that got a lot of media attention reported that Congress is less popular than a root canal. Across the country, people are fed up with Congress. Indeed, Members of Congress are fed up with Congress.

Americans want a Congress that can take on the tough challenges of today. But another recent poll by USA Today and Gallup showed that 77 percent of Americans feel “the way politics works in Washington these days is causing serious harm to the United States.”

Americans think Congress has a problem. Indeed, Americans think Congress is a problem. Well, if we want to fix a problem, we ought to be specific about it. A doctor wouldn't try to fix a patient without a precise understanding of the patient's problem. An engineer wouldn't try to fix a system without a precise understanding of the system's problem. A mechanic wouldn't try to fix your car without a precise understanding of your car's problem. So if we are going to fix what is wrong with Congress, we better have a precise understanding of what Congress' problem is.

Let's start with the Senate. We do have our share of dysfunction in the Senate, I will confess. Undoubtedly, the filibuster is being abused. Certainly, nominees awaiting confirmation are unjustifiably delayed. Indeed, they are held hostage. So everything is not all roses in the Senate.

But we did pass a highway bill, a bipartisan highway bill, that passed the Senate with 74 votes. We did pass a farm bill, a bipartisan farm bill. Although I did not support that particular measure, it was a bipartisan measure that passed the Senate with 64 votes.

We passed the Hurricane Sandy emergency relief bill, also in bipartisan fashion, with 62 votes. We had open debate, we had discussions, we had amendments, and we passed legislation.

Particularly, we passed, by a powerful bipartisan vote of 89 to 8, a bill that avoided tax increases for 99 percent of Americans and extended emergency unemployment benefits for another year and protected us from the fiscal cliff. When it comes to legislating, the Senate actually has a pretty strong bipartisan record.

How did those Senate bills do on the House side? Well, the House couldn't pass its own highway bill. Congress has been doing highway bills since the Eisenhower years. This isn't rocket science. The House couldn't do one. The best the House of Representatives could do was to pass a short-term extension that allowed some of their

Members to get to conference on the Senate bill, but they took no bill into conference because they couldn't pass one. Even then, they delayed the conference negotiations, putting thousands of jobs in jeopardy before they finally came around and passed an amended version of the Senate bipartisan highway bill. So their record on the highway bill is nothing to be proud of.

The House also couldn't pass a farm bill. Farm bills are pretty ordinary legislative business too. We do them all the time, but the House has passed no farm bill. We passed a strong bipartisan Senate farm bill. They can't even agree to call up the bipartisan Senate farm bill and pass it. With 80 percent of the agricultural land of the country in drought, there is no farm bill. It is trapped in the sinkhole of the House.

The House almost couldn't pass a disaster bill. If you go back to Hurricane Katrina, when Katrina hit back in 2005, the House of Representatives then had emergency aid on its way to the 850,000 damaged or destroyed homes of the gulf coast in 11 days. In 11 days aid was on its way. This time, with this House of Representatives, the House balked at the bipartisan Senate disaster bill and, finally, it took them 78 days after the landfall of Hurricane Sandy to send help to the half million homes and businesses damaged or destroyed by that storm.

The condemnation of the House of Republicans was bipartisan. The Republican Governor of New Jersey blamed, and I quote, “the toxic internal politics,” the toxic internal politics, of the House Republicans for this fiasco. “This,” he said, and I will quote again, “is why the American people hate Congress.”

Is there a problem over in the House? You bet there is, to the point where one departing House Republican Member compared the Speaker of the House to the manager of an asylum and the Speaker's House Republican colleagues to the asylum inmates. That is pretty strong criticism from within the Republican Party.

The reason I give this speech is to try to be precise about what the problem is that has driven Congress's approval into the cellar, and what exactly is that problem? Well, I think the House votes on the so-called fiscal cliff bill and on the emergency Hurricane Sandy aid illustrate what the problem is. Those bills passed the House for one reason and one reason only: The Speaker of the House of Representatives waived what is called the Hastert rule.

What is the Hastert rule? The Hastert rule is probably the most significant contributor to dysfunction in Washington right now. It is not even really a rule, it is a policy, a political policy of Republican Speakers. It began under former Republican Speaker Hastert, hence its common name as

the Hastert rule. The rule is that the Speaker will bring no bill to the floor of the House of Representatives without a majority of his own party supporting the bill. It doesn't matter about a majority of Congress; Democratic votes don't count. It is only when the Speaker has a majority of Republican votes supporting it that the Speaker will allow legislation to come to the floor.

It has actually gotten a little bit harder under Speaker BOEHNER, who has said, I don't feel comfortable scheduling any controversial legislation unless I know we have the votes on our side first, which sounds like he is saying he has to be able to produce a majority of the House out of just the Republican caucus before bringing a bill. But whether it is the original Hastert rule requiring a majority of the majority before they will even bring a bill to the floor or what appears to be the Boehner rule, that they have to have the votes on "our side first," it is a rule of obstruction.

There are somewhere between 50 and 60 Members of the House Republican tea party caucus and a whole bunch more House Republicans who are scared of the tea party and scared of what might happen to them if they get a tea party primary challenger. So getting a majority of his party together for anything reasonable is a challenge for Speaker BOEHNER.

House Republicans could not get a majority of their conference to support a highway bill. So the Hastert rule kicked in and there was no House highway bill, none—they couldn't do one at all because they couldn't get it through their conference under the Hastert rule. That is why there was no highway bill.

The House Republicans could not get a majority of their conference to support a farm bill, so under the Hastert rule there is no House farm bill. The Speaker won't bring up the stalled bipartisan Senate farm bill, because under the Hastert rule he can't get a majority of his party to support even the bipartisan Senate farm bill.

We were headed for the exact same result on the fiscal cliff—we were headed for the exact same result on the fiscal cliff. Speaker BOEHNER could not get his party to support protecting America from the fiscal cliff. So, with literally minutes left to spare, and with the House Republican Conference ready, willing, and about to pitch the country off the fiscal cliff, Speaker BOEHNER did what? He ignored the Hastert rule. He ignored the Hastert rule, and he let the fiscal cliff bill come to the floor of the House without having the votes on "our side first," to use the Speaker's language. Two-thirds of House Republicans actually voted to roll America off the fiscal cliff. Here is the vote count. Republican "yes" votes on the fiscal cliff legislation were only

85. Republican "no" votes on the fiscal cliff legislation were 151. He wasn't even close to making the Hastert rule.

That fiscal cliff bill passed the House 257 to 167 because the Democrats came out and voted for it, 172 to 16; 172 Democratic "yes" votes, 16 Democratic "no" votes. Two-thirds of the "yes" votes that put the fiscal cliff bill across and saved America from a 100-percent tax increase and protected our economy from the fiscal cliff—two-thirds of those votes came from Democrats. If the Speaker had enforced the Hastert rule, we would be over the fiscal cliff today.

What happened on Sandy? After nearly 3 months of stalling, while my State, while the Presiding Officer's State of New York, while the States of New York and New Jersey, struck by Sandy, were waiting urgently for the relief that we got to the coast within 11 days, they stalled and they stalled because they could not get a majority of the Republican caucus to support Federal relief for our hurricane-ravaged States. Under the Hastert rule, they couldn't get that bill to the floor. So Speaker BOEHNER once again decided to forgo the Hastert rule. That is how they got the Sandy emergency aid bill passed. Look again at the votes. Republican "yes" votes for the disaster bill, 49; Republican "no" votes for that bill, 179. That bill was dead on arrival under the Hastert rule. The Republican caucus couldn't support it, wouldn't support it, and we would be without any help now if they had followed the Hastert rule.

On the Democratic side, what was the vote on the Hurricane Sandy bill—192 "yes" votes to 1 "no" vote. The final count was 241 ayes, 180 nays. The bill passed, but about three-quarters of the support came from Democratic votes.

If the Speaker had imposed the Hastert rule, not only would we be off the fiscal cliff, but we would have failed at providing disaster relief for Hurricane Sandy. The only reason these critical pieces of legislation avoided the fate of the highway bill and of the farm bill is that the Speaker didn't follow the Hastert rule. He couldn't follow the Hastert rule because he wouldn't have been able to pass legislation. If his tea party caucus had forced America off the fiscal cliff, he knew there would have been hell to pay, so he waived the Hastert rule.

Now, of course, House Republicans are all in a fuss about having waived the Hastert rule. One tea party lawmaker admitted that the New Year's Day tax vote left a lot of his fellow Republicans with a very bad taste in their mouth. So it is probably back to Hastert rule business as usual on the House side, with death by tea party to any major bipartisan Senate legislation.

The tea party over on the House side wanted to vote for extreme things,

such as voting to repeal or defund ObamaCare over 30 times—over 30 times—or voting to turn Medicare into a voucher program. If it is extreme enough, then they will vote for it. But those are actions which are not supported by the American people, and they can't pass the Senate.

For the regular business of government, for the regular business of passing Senate bipartisan legislation, the tea party-Hastert rule combination is deadly.

So back to where I began. If you are concerned about dysfunction in Congress, if you are wondering why we are less popular than a root canal, if you are wondering why 77 percent of Americans look at Congress and think we are actually doing more harm than good, and if you want an explanation of the dysfunction, take a look at the Hastert rule. If you look at this problem the way a doctor would look at a patient, the way an engineer would look at a system, the way a car mechanic would look at an automobile, and you look for what is broken, be specific; it is the application by the Speaker of the Hastert rule that prevents strong, bipartisan Senate legislation from going forward. When something moves, it is because the Hastert rule has been waived.

So if you want to see what is wrong, that quest takes you straight to the House of Representatives, and there it leads you straight to the House Republican conference, and there it leads you to that toxic combination of the tea party and the Hastert rule.

When you understand the problem, the cure is obvious: The House should ditch the Hastert rule. Call things up for a vote. Let everybody's vote count. Don't refuse to proceed unless only your own party will let you. It is the obvious and only solution. The fiscal cliff bill and the Sandy bill and the votes on those bills prove it.

With those tea party extremists dominating the House Republican conference and ready to pitch the country over the fiscal cliff and leave hurricane victims high and dry, the Speaker had to ditch the Hastert rule. The only way the House can do bipartisan business on major issues is to ditch the Hastert rule.

As we saw, the Senate has its problems, but we are actually doing OK, just as our legislative record shows. Over and over, we pass real, significant, bipartisan legislation after a real process on the floor of argument and amendment. As the House's legislative record shows, the problem is over there. More precisely, the problem is within the House Republican conference. Still more precisely, again, the problem is that toxic combination of the tea party and the Hastert rule.

If we want Congress to function effectively, if we want to succeed at doing the work of the American people, such

as the fiscal cliff bill and the hurricane relief bill, and if we don't want to see more important legislation, such as highway bills and farm bills, fail in the House, unable to pass in the House, blocked in the House, the solution for the problem is clear: We have to ditch the Hastert rule and let the House as a body work its will, just as the American people elected it to do.

EXTENSION OF MORNING BUSINESS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the period for morning business be extended until 6:30 p.m. today and that all provisions of the previous order remain in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

(The remarks of Mr. CHAMBLISS pertaining to the introduction of S. 122 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. CHAMBLISS. Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SANDY DISASTER RELIEF

Mr. MENENDEZ. Mr. President, I rise to encourage the Senate to seek quick action on the Sandy relief package that has been long overdue. I know the majority leader is committed to bringing it to the floor as soon as we can get some type of agreement with the other side of the aisle, and I hope that agreement can come quickly because a recovery that is delayed—as this has already been significantly delayed—is a recovery that very likely can fail.

We cannot afford for one of the biggest engines of the national economy, which is the Northeast, to fail in its recovery. This is not only for the sake of the Northeast but for the entire country.

I appreciate the majority leader's steadfast commitment to provide that relief as quickly as possible here in the Senate, but time is a-wasting. It is already Wednesday, and I am concerned we will lose another week before we, in fact, seek passage and then go to the President. From there, it would move on so the resources could begin to flow to communities across the Northeast

that have languished since Sandy took its toll.

There is no excuse for delay. We already had the delay in the House. They could have passed the package the Senate passed in a transparent process that had the Appropriations Committee—on both sides—scrubbing the bill. It was brought before the Senate in a fashion in which we like to see the Senate work. I believe there were 25-some-odd amendments that were considered, a full vetting of the legislation, and there was a strong bipartisan vote at the end of that process. It was then sent to the House, and unfortunately it languished and died at the end of the last Congress.

Now the House has acted in a different fashion. So I am happy at this point to accept the House's version—even though I do believe the Senate version is superior in a variety of ways—so it can be sent to the President. Getting relief to the citizens in the Northeast is critically important.

I look at the package the House has, and I say to myself that \$50.7 billion in resources, in addition to the flood insurance package that has already passed, will allow our residents and small businesses that have been waiting so long to recover and begin to rebuild. Finally, it will show them that they have a strong partner in the Federal Government and that someone is there for them, as we have been whenever and wherever disaster has struck our fellow Americans throughout this Nation.

Obviously, I would have preferred the Senate bill, which was stronger, but we cannot let the perfect be the enemy of the good. We need to get assistance to the victims of Sandy as quickly as possible. This is a vehicle that gets us to that goal.

While the House bill significantly reduces assistance in a couple of areas—including fishery disasters and community development funding, which I think in that respect may stump the recovery of an important industry along our coast and could potentially siphon off billions in CDBG funding that is badly needed right now in New York and New Jersey by amplifying what disasters are eligible for it—I am pleased to say we protected the overall amendment of the CDBG funding from the Senate bill, which is about \$16 billion.

While it is not everything we needed since it will now be spread even thinner across even more disasters, we can certainly help as many communities rebuild and recover as we can because time is of the essence. There is a fierce urgency right now. There are many business owners whom I have spoken to who said to me: Senator, I am at a critical juncture. I don't know whether I can reopen. If the government is not going to give me assistance, then I likely won't open because adding more

debt, even in terms of a long-term, low-interest loan, is still debt. They say: I took out debt to start this business or: I took out debt to get through the great recession, but I don't really have the option to take out more debt without some direct assistance, such as a grant. A grant would give the help I need to jump-start my business so I can get those individuals I had employed reemployed once again and create an opportunity for our community.

That decision right now for those businesses, which are life-and-death decisions, is pending and hanging by the will of the Senate to act.

I am also pleased that the package the House passed recognizes what I have been saying all along—that funding the Army Corps of Engineers' efforts is critical to rebuilding coastal communities, particularly New Jersey's weakened coastal defenses. We are at the lowest of our immune system as a coastal State, and we already see the biting cold. It is cold throughout the Capitol today, which shows how cold it is outside. Think about those residents who are fellow Americans and don't have a place to call home because they don't have the wherewithal to get their home back in a way in which they can once again be able to live there, raise their families there, and meet their challenges as a family in a warm nurturing environment. That does not exist for many of our fellow Americans because they don't have the wherewithal to decide whether they are going to get the type of assistance to help them rebuild their homes. All of that is pending.

Part of that is the Army Corps of Engineers' ability to reengineer our beaches in a way that ultimately provides not only for the potential of tourism, which is a \$37 billion industry in our State, but even more importantly for the protection of lives, property, and protection against repetitive losses. That is what is going to happen when we get this money to the Army Corps of Engineers so they can rebuild our coastal defenses. This package would give Jersey Shore residents and businesses the comfort of knowing they would be better protected in the future than they have been in the past.

It also includes \$13 billion in critical funding I sought to help to restore our transportation systems. For example, it would allow New Jersey Transit to repair extensive damage from the storm and allow the agency to build facilities on higher ground to prevent future flood damage, which is a common-sense option. When we think about fiscal responsibility, why would we rebuild only to the very same status that was allowed to be flooded in the first place and caused all of the damage the government would pay for? The passage of this potential package from the House would allow the port authority to finish repairing the PATH station

and harden electrical equipment to prevent future damages.

If we could get an agreement, the package that would come to the floor would include necessary policy reforms that I have supported that will streamline recovery efforts and improve FEMA's public assistance programs, which is critical to a successful recovery. These reforms would allow us to rebuild what is in place even stronger and better before there is another storm. Again, this is important in terms of the end results. It is important in terms of the fiscal responsibility to ensure we rebuild in such a way that we don't end up with repetitive damage, which would be more costly to the government.

It would allow a third-party dispute resolution process for major projects. Some of the history we have, particularly with Katrina from Senator LANDRIEU's experience, is the reality of not having a dispute resolution process, which ultimately forestalled recoveries and critical projects to that State and in those communities. Also, coverage for childcare costs related to disaster recovery through FEMA individual assistance is a critical element.

Without going through all of the provisions of the House bill, let me just say we need to pass this relief package. People are suffering. They are desperately waiting for certainty so they can start rebuilding their lives, their businesses and communities. They are trying to get back on their feet. They need this aid even if it is late and even if it is ultimately longer than other disasters have had to wait. As I pointed out in the past, I think it was 10 days or so when \$50 billion flowed to Katrina victims. We are nearly 3 months since the worst disaster on the east coast in terms of a natural disaster that has taken place.

The people of the Northeast, the people of my State of New Jersey and our neighbors in New York desperately need this funding, and it is time to help these fellow Americans. It is time to do it now. It is time to do it this week. It is going to take time for this recovery to take place. The longer we delay, the greater the chance of failure we, in fact, create. I think we want success, not failure. I think we want to understand, as an institution, as I have said many times, that this is the United States of America. That means we respond to the challenges and the disasters that take place in other parts of the country. We do it, hopefully, more expeditiously than this, and at the same time we stand by our fellow Americans so they can reclaim their lives, reclaim their commitments to their communities, reclaim the opportunity to reopen their businesses, to contribute to those communities, to our State, to this Nation, to our society.

So I strongly urge our colleagues who have some reticence to agree to mov-

ing forward on a Sandy bill to come to common ground with us, to come to agreement to move this relief package. No American should have to languish months after a disaster to get help. That should not be the standard. The hallmark of our response should be an intelligent but expeditious response to the consequences of a disaster that any American faces. That is our tradition. It is a tradition we should maintain. It is a tradition that, unfortunately, in this particular instance has not been a reality. It is a tradition that I hope we can ultimately embrace once again this week in finally pushing through a Sandy package that can move to the President for signature and bring relief to our communities.

With that, I yield the floor.

ADDITIONAL STATEMENTS

TRIBUTE TO KEN SQUIER

• Mr. SANDERS. Mr. President, I rise today to celebrate Ken Squier, of Stowe, VT, for his historic contribution to motor sports and to broadcasting, and for his deep and abiding commitment to the people of Vermont. On November 29, 2012, NASCAR presented Ken with the prestigious Buddy Shuman Award, given to "an individual who has played a key role in the continued growth and success of Cup racing."

Most Americans know Ken Squier as the "Voice of the Daytona 500." In 1979, Squier convinced CBS Sports to broadcast the Daytona 500 in its entirety. This event was a seminal moment for stock car racing in the United States, later described by ESPN as "NASCAR's most revolutionary event," the one that convinced the national networks that NASCAR had a very wide following around the country.

When he was 14 years old, Ken Squier announced his first race at a small dirt track in northern Vermont—from the back of a logging truck.

In 1960, he opened Thunder Road SpeedBowl, a quarter-mile racetrack in Barre, VT. In summer, the track has hosted stock car races every Thursday night for the last 50 years. These events have become fixtures in the culture of northern Vermont.

As NASCAR developed a national following, Ken Squier became one of its most celebrated personalities. He pioneered the use of in-car cameras during broadcasts, putting viewers right next to the driver during the race. Ken's voice became inseparable from the sport, providing turn-by-turn coverage of all CBS-broadcast races for almost two decades. This included the sport's most prestigious event, the Daytona 500.

Ken Squier is not at all defined solely by his importance to racing. He has deep roots in northern Vermont. In

1969, he became president of Radio Vermont, Inc., a family business that is one of the only independent, family-run radio companies left in the United States. Radio Vermont's stations provide a variety of music, sports, and news; in particular, they focus on local events, the happenings that bind communities together and give them identity. Over the years, Ken has staunchly opposed corporate consolidation of the media because he believes, strongly, that radio stations should serve the community and provide vital conduits for local information. He has practiced what he preaches.

Radio Vermont's immense value to the communities it served was proven during the aftermath of Tropical Storm Irene in August 2011. Irene was the most destructive storm to hit Vermont in decades. Torrential rains and Vermont's mountainous terrain brought flooding on a vast scale, wiping out houses, businesses, and historic downtowns. Roads and bridges were washed away, cutting dozens of towns around Vermont off from the outside world. Ken and his staff, Eric Michaels, Lee Kittell, Tom Beardsley, meteorologist Roger Hill, and others kept the station on the air 24 hours a day in the weeks after the storm to ensure vital emergency information reached Vermonters in towns that had been cut off. With the State of Vermont's emergency communications equipment washed away, Radio Vermont proved that local radio stations are fundamentally important to their communities.

Ken Squier has helped change sports in America, but even more significantly, he has been a true exemplar of a good citizen. Vermont is, and will remain, deeply in his debt.●

REMEMBERING CATHERINE O'NEILL

• Mrs. BOXER. Mr. President, today I ask my colleagues to join me in honoring Catherine O'Neill, the great advocate for refugee women and children who died in Los Angeles last month at age 70. Cathy was my friend and neighbor, and I will miss her.

Catherine was born in 1942 in Queens, NY, the daughter of Irish immigrants Patrick and Bridget Vesey. After graduating from St. Joseph's College in Brooklyn and teaching as a Catholic missionary in Texas, she earned master's degrees in social work from Howard University and in international affairs from Columbia.

Cathy had an extraordinary career as a social worker, writer, editorial director, businesswoman, and director of the UN Information Center in Washington, DC. She was also active in political life, twice running for office in California and serving as finance director for Governor Jerry Brown's 1976 presidential campaign, but she is best

known for her groundbreaking and heroic efforts to help refugee women and children.

In 1989, after visiting refugee camps around the world as a board member of the humanitarian International Rescue Committee, Cathy became a founder of the Women's Commission for Refugee Women and Children, now Women's Refugee Commission.

As the Commission's board chair, Cathy traveled the world to listen to refugee women and children and learn about their most pressing needs. She attracted prominent women journalists, academics, and philanthropists to the Commission and became a leading advocate for refugee issues on Capitol Hill, at the UN, and in the media. Under her leadership, the Women's Refugee Commission has shaped policies and practices in the U.S. and around the world to address the needs of women and children displaced by war, persecution, and natural disasters.

On behalf of the people of California, I send my gratitude and condolences to Cathy's husband, Richard Reeves, her daughter Fiona Reeves, sons Colin and Conor O'Neill, Jeffrey Reeves, her grandchildren, and her sister Mary Ann Garvey. Catherine O'Neill was an amazing person who made our world a better and more compassionate place, and we will miss her dearly.●

REMEMBERING FRANCIS JOSEPH CHASE

● Mr. CARDIN. Mr. President, I wish to pay tribute to a proud veteran, a committed Marylander, a great American, and my good friend, Francis Joseph "Frank" Chase. Frank passed away on December 11, 2012 in his Columbia, MD home after a brief illness. He leaves behind his beloved family: his wife of 50 years, Carole, a daughter Amy, and a granddaughter Grace.

Frank loved his country dearly, and he showed it through years of public service, which began in 1955, when he entered the Army for 3 years. Frank then joined the civil service, beginning at the Social Security Administration and later moving to the Health Care Financing Administration, both in Baltimore. When he retired in January 1993, Frank left government service with far more than his Federal pension. For at SSA and HCFA, he had honed expertise that would for many years guide him to continue, as a volunteer, to improve the lives of retirees, persons with disabilities, and others.

A man of boundless energy, Frank was a valued confidant and a member of my health advisory group for the past 20 years. With nearly perfect attendance at meetings and conference calls, he could always be counted on for a warm greeting, sage advice, and wisdom born of compassion and clear-sightedness.

A graduate of Dartmouth College, Frank maintained strong ties with his

alma mater, serving terms as president of the Dartmouth Alumni Association and president of the Dartmouth Club of Maryland. He also served his community through volunteer work at Common Cause of Maryland, United Seniors of Maryland, and the National Association of Retired Federal Employees.

Through his involvement in Maryland politics, Frank fought tirelessly for fair election practices, propelled by the belief that, regardless of their views, all Marylanders deserved to have their voices heard. Through my many conversations with him over the years, I discovered a man who loved democracy and justice, and who felt compelled to live his life in service to these causes.

In closing, when I think of Frank, I am reminded of the words of Robert Frost in "Stopping by Woods on a Snowy Evening":

The woods are lovely, dark and deep.
But I have promises to keep,
And miles to go before I sleep,
And miles to go before I sleep.

Frank could have led a comfortable, quiet life after retirement, but he chose instead to keep going for many more miles, working for the causes he believed in deeply and the Nation he loved. Like all who were privileged to know him, I will miss my dear friend Frank Chase, and I ask you to join me in celebrating his life.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Armed Services.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 11:43 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 307. An act to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and for other purposes.

At 4:20 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that pursuant to sections 5580

and 5581 of the revised statutes (20 U.S.C. 42-43), and the order of the House of January 3, 2013, the Speaker appoints the following Members of the House of Representatives to the Board of Regents of the Smithsonian Institution: Mr. JOHNSON of Texas and Mr. COLE of Oklahoma.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 307. An act to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 81. A bill to provide guidance and priorities for Federal Government obligations in the event that the debt limit is reached.

S. 82. A bill to provide that any executive action infringing on the Second Amendment has no force or effect, and to prohibit the use of funds for certain purposes.

S. 83. A bill to provide for continuing operations of Government in a fiscally responsible manner.

S. 124. A bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-70. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval, Disapproval and Promulgation of State Implementation Plans; State of Utah; Regional Haze Rule Requirements for Mandatory Class I Areas Under 40 CFR 51.309; Correction" (FRL No. 9771-9) received during recess of the Senate in the Office of the President of the Senate on January 18, 2013; to the Committee on Environment and Public Works.

EC-71. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Determination of Attainment for the San Francisco Bay Area Nonattainment Area for the 2006 Fine Particle Standard; California; Determination Regarding Applicability of Clean Air Act Requirements" (FRL No. 9766-7) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Environment and Public Works.

EC-72. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Determination of Attainment for the

Nogales Nonattainment Area for the 2006 Fine Particle Standard; Arizona; Determination Regarding Applicability of Clean Air Act Requirements" (FRL No. 9766-8) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Environment and Public Works.

EC-73. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, San Diego APCD, Northern Sierra AQMD, and Sacramento Metropolitan AQMD" (FRL No. 9732-9) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Environment and Public Works.

EC-74. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of the Clean Air Act, Section 112(I), Authority for Hazardous Air Pollutants: Asbestos Management and Control; State of New Hampshire Department of Environmental Services" (FRL No. 9697-2) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Environment and Public Works.

EC-75. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; State of Nevada; Redesignation of Clark County to Attainment for the 1997 8-Hour Ozone Standard" (FRL No. 9766-9) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Environment and Public Works.

EC-76. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Determination of Attainment for the Yuba City-Marysville Nonattainment Area for the 2006 Fine Particle Standard; California; Determination Regarding Applicability of Clean Air Act Requirements" (FRL No. 9768-2) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Environment and Public Works.

EC-77. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Interim Final Determination to Stay Sanctions, Imperial County Air Pollution Control District" (FRL No. 9766-4) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Environment and Public Works.

EC-78. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Finding of Substantial Inadequacy of Implementation Plan; Call for California State Implementation Plan Revision; South Coast" (FRL No. 9767-3) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Environment and Public Works.

EC-79. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Commercial and Industrial Solid Waste Incineration Units: Reconsideration and Final Amendments; Non-Hazardous Sec-

ondary Materials That Are Solid Waste: Final Rule" (FRL No. 9764-1) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Environment and Public Works.

EC-80. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants for the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants" (FRL No. 9758-6) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Environment and Public Works.

EC-81. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers" (FRL No. 9698-5) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Environment and Public Works.

EC-82. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Placer County Air Pollution Control District" (FRL No. 9760-4) received during recess of the Senate in the Office of the President of the Senate on January 18, 2013; to the Committee on Environment and Public Works.

EC-83. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Missouri; Control of Sulfur Emissions from Stationary Boilers" (FRL No. 9772-6) received during recess of the Senate in the Office of the President of the Senate on January 18, 2013; to the Committee on Environment and Public Works.

EC-84. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, South Coast Air Quality Management District" (FRL No. 9755-9) received during recess of the Senate in the Office of the President of the Senate on January 18, 2013; to the Committee on Environment and Public Works.

EC-85. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Purposes; Alabama; Redesignation of the Birmingham 2006 24-Hour Fine Particulate Matter Nonattainment Area to Attainment" (FRL No. 9771-2) received during recess of the Senate in the Office of the President of the Senate on January 18, 2013; to the Committee on Environment and Public Works.

EC-86. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Massachusetts and New Hampshire; Enhanced Motor Vehicle Inspection and Maintenance Pro-

gram" (FRL No. 9754-6) received during recess of the Senate in the Office of the President of the Senate on January 18, 2013; to the Committee on Environment and Public Works.

EC-87. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Alabama; Redesignation of the Birmingham 1997 Annual Fine Particulate Matter Nonattainment Area to Attainment" (FRL No. 9771-1) received during recess of the Senate in the Office of the President of the Senate on January 18, 2013; to the Committee on Environment and Public Works.

EC-88. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Labeling of Pesticide Products and Devices for Export; Clarification of Requirements" (FRL No. 9360-8) received during recess of the Senate in the Office of the President of the Senate on January 18, 2013; to the Committee on Environment and Public Works.

EC-89. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines; New Source Performance Standards for Stationary Internal Combustion Engines" (RIN2060-AQ58) received during recess of the Senate in the Office of the President of the Senate on January 18, 2013; to the Committee on Environment and Public Works.

EC-90. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Oil and Hazardous Substances Pollution Contingency Plan; Revision to Increase Public Availability of the Administrative Record File" (FRL No. 9772-9) received during recess of the Senate in the Office of the President of the Senate on January 18, 2013; to the Committee on Environment and Public Works.

EC-91. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Infrastructure and Interstate Transport Requirements for 2006 PM_{2.5}NAAQS" (FRL No. 9770-9) received during recess of the Senate in the Office of the President of the Senate on January 10, 2013; to the Committee on Environment and Public Works.

EC-92. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Requirements for Determining General Conformity of Federal Actions to Applicable State Implementation Plans" (FRL No. 9770-4) received during recess of the Senate in the Office of the President of the Senate on January 10, 2013; to the Committee on Environment and Public Works.

EC-93. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air

Quality Implementation Plans; Maryland; Reasonably Available Control Technology Requirements for Volatile Organic Compounds" (FRL No. 9770-6) received during recess of the Senate in the Office of the President of the Senate on January 10, 2013; to the Committee on Environment and Public Works.

EC-94. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Findings of Failure to Submit a Complete State Implementation Plan for Section 110(a) Pertaining to the 2008 Ozone National Ambient Air Quality Standard" (FRL No. 9769-4) received during recess of the Senate in the Office of the President of the Senate on January 10, 2013; to the Committee on Environment and Public Works.

EC-95. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New Mexico; Revisions to the New Source Review (NSR) State Implementation Plan (SIP); Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NNSR) Permitting" (FRL No. 9770-8) received during recess of the Senate in the Office of the President of the Senate on January 10, 2013; to the Committee on Environment and Public Works.

EC-96. A communication from the Director of Congressional Affairs, Office of Enforcement, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Dispositioning Boiling Water Reactor Licensee Noncompliance with Technical Specification Containment Requirements During Operations with a Potential for Draining the Reactor Vessel" (EGM 11-003, Rev 1) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Environment and Public Works.

EC-97. A communication from the Director of Congressional Affairs, Office of Enforcement, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Dispositioning Violations of NRC Requirements Implementing the Decommissioning Planning Rule" (EGM 12-002) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Environment and Public Works.

EC-98. A communication from the Director of Congressional Affairs, Office of Enforcement, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Determining the Technical Adequacy of Probabilistic Risk Assessment for RISK-INFORMED LICENSE Amendment Requests After Initial Fuel Load (ADAMS) Accession No. ML12193A107" (Updating SRP NUREG-0800 Guidance to Chapter 19.1 Rev. 3) received during recess of the Senate in the Office of the President of the Senate on January 14, 2013; to the Committee on Environment and Public Works.

EC-99. A communication from the Director of Congressional Affairs, Office of Enforcement, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Guidance for Performing a Tsunami, Surge, or Seiche Hazard Assessment" (JLD-ISG-2012006) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Environment and Public Works.

EC-100. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled "Fiscal Year 2011 Superfund Five-Year Review Report to Congress"; to the Committee on Environment and Public Works.

EC-101. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Golden Nematode; Removal of Regulated Areas in Livingston and Steuben Counties, NY" (Docket No. APHIS-2012-0079) received during recess of the Senate in the Office of the President of the Senate on January 18, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-102. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Traceability for Livestock Moving Interstate" (RIN0579-AD24) (Docket No. APHIS-2009-0091) received during recess of the Senate in the Office of the President of the Senate on January 18, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-103. A communication from the Director of the Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Microloan Operating Loans" (RIN0560-A117) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-104. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Epoxy Polymer; Exemption from the Requirement of a Tolerance" (FRL No. 9369-7) received during recess of the Senate in the Office of the President of the Senate on January 18, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-105. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Spiromesifen; Pesticide Tolerances" (FRL No. 9374-3) received during recess of the Senate in the Office of the President of the Senate on January 10, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-106. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; New Qualifying Country—Poland" (RIN0750-AH82) (DFARS Case 2011-D049) received during recess of the Senate in the Office of the President of the Senate on January 15, 2013; to the Committee on Armed Services.

EC-107. A communication from the Secretary of the Army, transmitting, pursuant to law, a report relative to the U.S. Army Audit Agency's review of an audit of the American National Red Cross's Annual Statement; to the Committee on Armed Services.

EC-108. A communication from the Acting Principal Deputy, Office of the Assistant Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, a report relative to a proposed change by the Air Force Reserve to the Fiscal Year 2011 National

Guard and Reserve Equipment Appropriation (NGREA) procurement; to the Committee on Armed Services.

EC-109. A communication from the President of the United States of America, transmitting, pursuant to law, a report relative to the continuation of the national emergency that was declared in Executive Order 12947 with respect to terrorists who threaten to disrupt the Middle East peace process; to the Committee on Banking, Housing, and Urban Affairs.

EC-110. A communication from the Senior Counsel for Regulatory Affairs, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Determination of Foreign Exchange Swaps and Foreign Exchange Forwards Under the Commodity Exchange Act" received during recess of the Senate in the Office of the President of the Senate on January 7, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-111. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2012-0003)) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-112. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Lost Security Holders and Unresponsive Payees" (RIN3235-AL11) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-113. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Removal of Persons From the Entity List Based on Removal Request; Implementation of Entity List Annual Review Changes; and Implementation of Modifications and Corrections to the Entity List" (RIN0694-AF82) received during recess of the Senate in the Office of the President of the Senate on January 10, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-114. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Amendments to Existing Validated End User Authorizations: Advanced Micro Devices China, Inc., Lam Research Corporation, SK hynix Semiconductor (China) Ltd., and SK hynix Semiconductor (Wuxi) Ltd. in the People's Republic of China; Clarification of Scope of Entries in Supplement No. 7 to Part 748 of the EAR" (RIN0694-AF84) received during recess of the Senate in the Office of the President of the Senate on January 10, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-115. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Chile; to the Committee on Banking, Housing, and Urban Affairs.

EC-116. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to South Korea; to the Committee on Banking, Housing, and Urban Affairs.

EC-117. A communication from the Acting Secretary of Commerce, transmitting, pursuant to law, the Annual Report for fiscal year 2012 of the Commerce Department's Bureau of Industry and Security (BIS); to the Committee on Banking, Housing, and Urban Affairs.

EC-118. A communication from the Acting Secretary of Commerce, transmitting, pursuant to law, the Department of Commerce's 2013 Report of Foreign Policy-Based Export Controls; to the Committee on Banking, Housing, and Urban Affairs.

EC-119. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Revisions to Electric Reliability Organization Definition of Bulk Electric System and Rules of Procedure" (RIN1902-AD51) received during recess of the Senate in the Office of the President of the Senate on January 10, 2013; to the Committee on Energy and Natural Resources.

EC-120. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Regional Reliability Standard PRC-006-SERC-01—Automatic Underfrequency Load Shedding Requirements" (RIN1902-AE53) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Energy and Natural Resources.

EC-121. A communication from the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Review of Medicare Contractor Information Security Program Evaluations for Fiscal Year 2010"; to the Committee on Finance.

EC-122. A communication from the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Limited Supplier Solicitation of Prescribing Physicians Under Medicare DMEPOS Competitive Bidding Program"; to the Committee on Finance.

EC-123. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Announcement of the Results of the 2011-2012 Allocation Round of the Qualifying Advance Coal Project Program" (Announcement 2013-2) received during recess of the Senate in the Office of the President of the Senate on January 10, 2013; to the Committee on Finance.

EC-124. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2013 Cost-of-Living Adjustments to Certain Tax Items" (Rev. Proc. 2013-15) received during recess of the Senate in the Office of the President of the Senate on January 15, 2013; to the Committee on Finance.

EC-125. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Patel v. Commissioner" (AOD 2012-05) received during recess of the Senate in the Office of the President of the Senate on January 16, 2013; to the Committee on Finance.

EC-126. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted

Average Interest Rates, Yield Curves, and Segment Rates" (Notice 2013-2) received during recess of the Senate in the Office of the President of the Senate on January 16, 2013; to the Committee on Finance.

EC-127. A communication from the Executive Secretary, U.S. Agency for International Development (USAID), transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development (USAID), received during recess of the Senate in the Office of the President of the Senate on January 10, 2013; to the Committee on Foreign Relations.

EC-128. A communication from the Acting Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of an item not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC-129. A communication from the Acting Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of an item not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC-130. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-188); to the Committee on Foreign Relations.

EC-131. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-089); to the Committee on Foreign Relations.

EC-132. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2013-0000—2013-0006); to the Committee on Foreign Relations.

EC-133. A communication from the Management and Program Analyst, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Provisional Unlawful Presence Waivers of Inadmissibility for Certain Immediate Relatives" (RIN1615-AB99) received in the Office of the President of the Senate on January 4, 2013; to the Committee on the Judiciary.

EC-134. A communication from the Clerk of Court, United States Court of Federal Claims, transmitting, pursuant to law, the Court's annual report for the year ended September 30, 2012; to the Committee on the Judiciary.

EC-135. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Setting and Adjusting Patent Fees" (RIN0651-AC54) received during recess of the Senate in the Office of the President of the Senate on January 15, 2013; to the Committee on the Judiciary.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. VITTER:

S. 64. A bill to prohibit authorized committees and leadership PAC's from employing the spouse or immediate family members of any candidate or Federal office holder connected to the committee; to the Committee on Rules and Administration.

By Mr. VITTER (for himself and Mrs. MCCASKILL):

S. 65. A bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER (for himself and Mr. NELSON):

S. 66. A bill to establish a pilot program to evaluate the cost-effectiveness and project delivery efficiency of non-Federal sponsors as the lead project delivery team for authorized civil works flood control and navigation construction projects of the Corps of Engineers; to the Committee on Environment and Public Works.

By Mr. LAUTENBERG:

S. 67. A bill to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency to reduce or eliminate the risk of releases of hazardous chemicals from public water systems and wastewater treatment works, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LAUTENBERG:

S. 68. A bill to enhance the security of chemical facilities and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEVIN:

S. 69. A bill for the relief of Anton Dodaj, Gjyljana Dodaj, Franc Dodaj, Kristjan Dodaj, and Kanto Macotaj; to the Committee on the Judiciary.

By Mr. LEVIN:

S. 70. A bill for the relief of Marcos Antonio Sanchez-Diaz; to the Committee on the Judiciary.

By Mr. LEVIN:

S. 71. A bill for the relief of Josephina Valera Lopez; to the Committee on the Judiciary.

By Mr. LEVIN:

S. 72. A bill for the relief of Luay Hadad; to the Committee on the Judiciary.

By Mr. LEVIN:

S. 73. A bill for the relief of Miguel Santillan; to the Committee on the Judiciary.

By Mr. LEVIN:

S. 74. A bill for the relief of Momo Krcic; to the Committee on the Judiciary.

By Mr. LEVIN:

S. 75. A bill for the relief of Ibrahim Parlak; to the Committee on the Judiciary.

By Mr. LEVIN:

S. 76. A bill for the relief of Guy Yang, Genevieve Chong Fong, Caroline Yang, and Melanie Vang; to the Committee on the Judiciary.

By Mr. FRANKEN (for himself and Ms. KLOBUCHAR):

S. 77. A bill to amend part D of title XVIII of the Social Security Act to authorize the Secretary of Health and Human Services to negotiate for lower prices for Medicare prescription drugs; to the Committee on Finance.

By Mr. LEVIN:

S. 78. A bill for the relief of Hussein Bazzi; to the Committee on the Judiciary.

By Mr. LEVIN:

S. 79. A bill for the relief of Al-Housseynou Ba; to the Committee on the Judiciary.

By Mr. CORNYN (for himself, Mr. BENNET, Ms. KLOBUCHAR, Mr. BURR, and Mr. KIRK):

S. 80. A bill to amend the DNA Analysis Backlog Elimination Act of 2000 to provide for Debbie Smith grants for auditing sexual assault evidence backlogs and to establish a Sexual Assault Forensic Evidence Reporting System, and for other purposes; to the Committee on the Judiciary.

By Mr. PAUL:

S. 81. A bill to provide guidance and priorities for Federal Government obligations in the event that the debt limit is reached; read the first time.

By Mr. PAUL:

S. 82. A bill to provide that any executive action infringing on the Second Amendment has no force or effect, and to prohibit the use of funds for certain purposes; read the first time.

By Mr. PAUL:

S. 83. A bill to provide for continuing operations of Government in a fiscally responsible manner; read the first time.

By Ms. MIKULSKI (for herself, Mrs. BOXER, Mr. CARDIN, Mr. COONS, Mr. DURBIN, Mrs. GILLIBRAND, Mrs. HAGAN, Mr. HARKIN, Ms. HIRONO, Ms. KLOBUCHAR, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mrs. MCCASKILL, Mr. MERKLEY, Mrs. MURRAY, Mr. REED, Mr. SANDERS, Mrs. SHAHEEN, Ms. STABENOW, Mr. UDALL of New Mexico, Mr. WHITEHOUSE, Mr. HEINRICH, Mr. UDALL of Colorado, Mr. WYDEN, Ms. CANTWELL, Mr. FRANKEN, and Mr. BEGICH):

S. 84. A bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COONS (for himself, Mr. WARNER, Mr. WHITEHOUSE, Mr. BLUMENTHAL, and Mrs. GILLIBRAND):

S. 85. A bill to provide incentives for States to invest in practices and technology that are designed to expedite voting at the polls and to simplify voter registration; to the Committee on Rules and Administration.

By Mr. VITTER:

S. 86. A bill to amend the Internal Revenue Code of 1986 to expand the Coverdell education savings accounts to allow home school education expenses, and for other purposes; to the Committee on Finance.

By Mr. VITTER:

S. 87. A bill to amend the Internal Revenue Code of 1986 to provide a tax deduction for itemizers and nonitemizers for expenses relating to home schooling; to the Committee on Finance.

By Mr. VITTER:

S. 88. A bill to amend the public charter school provisions of the Elementary and Secondary Education Act of 1965, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VITTER:

S. 89. A bill to amend the Migratory Bird Treaty Act to authorize hunting under certain circumstances; to the Committee on Environment and Public Works.

By Mr. VITTER:

S. 90. A bill to amend title II of the Social Security Act to allow workers who attain age 65 after 1981 and before 1992 to choose either lump sum payments over four years totaling \$5,000 or an improved benefit computation formula under a new 10-year rule governing the transition to the changes in benefit computation rules enacted in the Social

Security Amendments of 1977, and for other purposes; to the Committee on Finance.

By Mr. VITTER:

S. 91. A bill to amend the Internal Revenue Code of 1986 to clarify eligibility for the child tax credit; to the Committee on Finance.

By Mr. VITTER:

S. 92. A bill to require that the Government give priority to payment of all obligations on the debt held by the public and payment of Social Security benefits in the event that the debt limit is reached; to the Committee on Finance.

By Mr. VITTER:

S. 93. A bill to provide tax relief with respect to the Hurricane Isaac disaster area; to the Committee on Finance.

By Mr. VITTER:

S. 94. A bill to terminate the \$1 presidential coin program; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. VITTER:

S. 95. A bill to withhold United States contributions to the United Nations until the United Nations formally retracts the final report of the "United Nations Fact Finding Mission on the Gaza Conflict"; to the Committee on Foreign Relations.

By Mr. VITTER:

S. 96. A bill to authorize the use of certain offshore oil and gas platforms in the Gulf of Mexico for artificial reefs, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. VITTER:

S. 97. A bill to amend title 44 of the United States Code, to provide for the suspension of fines under certain circumstances for first-time paperwork violations by small business concerns; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER:

S. 98. A bill to ensure efficiency and fairness in the awarding of Federal contracts in connection with natural disaster reconstruction efforts; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER:

S. 99. A bill to provide for full and open competition for Federal contracts related to natural disaster reconstruction efforts; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER:

S. 100. A bill to amend the Financial Stability Act of 2010 to repeal certain designation authority of the Financial Stability Oversight Council, to repeal the Payment, Clearing, and Settlement Supervision Act of 2010, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. VITTER:

S. 101. A bill to prohibit the provision of Federal funds to State and local governments for payment of obligations, to prohibit the Board of Governors of the Federal Reserve System from financially assisting State and local governments, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. VITTER:

S. 102. A bill to reduce the amount of financial assistance provided to the Government of Mexico in response to the illegal border crossings from Mexico into the United States, which serve to dissipate the political discontent with the higher unemployment rate within Mexico; to the Committee on Foreign Relations.

By Mr. CARDIN (for himself and Ms. MIKULSKI):

S. 103. A bill to authorize the Secretary of the Interior to conduct a special resource

study of P.S. 103 in West Baltimore, Maryland, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. VITTER:

S. 104. A bill to provide for congressional approval of national monuments and restrictions on the use of national monuments; to the Committee on Energy and Natural Resources.

By Mr. VITTER:

S. 105. A bill to direct the General Accountability Office to conduct a full audit of hurricane protection funding and cost estimates associated with post-Katrina hurricane protection; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER:

S. 106. A bill to provide for the establishment, on-going validation, and use of an official set of data on the historical temperature record, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. VITTER:

S. 107. A bill to prohibit the regulation of carbon dioxide emissions in the United States until China, India, and Russia implement similar reductions; to the Committee on Environment and Public Works.

By Mr. VITTER:

S. 108. A bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VITTER (for himself, Ms. AYOTTE, Mr. BURR, Mr. COBURN, Ms. COLLINS, Mr. ISAKSON, Mr. ROBERTS, and Mr. WICKER):

S. 109. A bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER:

S. 110. A bill to establish a procedure to safeguard the Social Security Trust Funds; to the Committee on the Budget.

By Mr. VITTER:

S. 111. A bill to require all public school employees and those employed in connection with a public school to receive FBI background checks prior to being hired, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. 112. A bill to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DURBIN (for himself, Mr. HARKIN, and Mr. FRANKEN):

S. 113. A bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DURBIN (for himself, Mr. WHITEHOUSE, Mr. FRANKEN, Mr. HARKIN, Mr. REED, and Ms. WARREN):

S. 114. A bill to amend title 11, United States Code, with respect to certain exceptions to discharge in bankruptcy; to the Committee on the Judiciary.

By Mr. CASEY:

S. 115. A bill to amend the Internal Revenue Code of 1986 to provide a credit for increasing payroll; to the Committee on Finance.

By Mr. REED (for himself, Ms. MURKOWSKI, Mr. DURBIN, Ms. COLLINS, Mr. UDALL of New Mexico, Mrs. MURRAY, Mr. LAUTENBERG, Mr. BLUMENTHAL, Mr. COONS, Ms. KLOBUCHAR, Ms. STABENOW, and Mr. BEGICH):

S. 116. A bill to revise and extend provisions under the Garrett Lee Smith Memorial Act; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself, Mr. BEGICH, Mr. FRANKEN, Mr. JOHNSON of South Dakota, Mr. SANDERS, and Mrs. SHAHEEN):

S. 117. A bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries; to the Committee on Finance.

By Mr. COBURN (for himself and Mr. UDALL of Colorado):

S. 118. A bill to amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions; to the Committee on Rules and Administration.

By Mrs. BOXER:

S. 119. A bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961; to the Committee on Foreign Relations.

By Mrs. BOXER (for herself and Ms. LANDRIEU):

S. 120. A bill to expand the number of scholarships available to Pakistani women under the Merit and Needs-Based Scholarship Program; to the Committee on Foreign Relations.

By Mrs. BOXER:

S. 121. A bill to establish the United States Advisory Council on Human Trafficking to review Federal Government policy on human trafficking; to the Committee on the Judiciary.

By Mr. CHAMBLISS (for himself, Mr. BURR, Mr. INHOFE, Mr. COBURN, Mr. CORNYN, Mr. MORAN, and Mr. CRUZ):

S. 122. A bill to promote freedom, fairness, and economic opportunity by repealing the income tax and other taxes, abolishing the Internal Revenue Service, and enacting a national sales tax to be administered primarily by the States; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself, Mrs. BOXER, Ms. HIRONO, Mr. SCHATZ, Mr. BEGICH, and Mr. COONS):

S. 123. A bill to modernize voter registration, promote access to voting for individuals with disabilities, protect the ability of individuals to exercise the right to vote in elections for Federal office, and for other purposes; to the Committee on Rules and Administration.

By Mr. HELLER (for himself, Mr. MANCHIN, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BURR, Mr. COBURN, Mr. BOOZMAN, Mr. CORNYN, Mr. ENZI, Mr. CHAMBLISS, Mr. CORKER, Mr. FLAKE, and Mr. VITTER):

S. 124. A bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills; read the first time.

By Mr. VITTER (for himself, Mr. PAUL, Ms. AYOTTE, Mr. COBURN, Mr. LEE, Mr. RUBIO, Mr. CRUZ, Mr. TOOMEY, and Mr. JOHNSON of Wisconsin):

S.J. Res. 2. A joint resolution proposing an amendment to the Constitution of the United States relative to limiting the num-

ber of terms that a Member of Congress may serve; to the Committee on the Judiciary.

By Mr. PAUL (for himself and Mr. VITTER):

S.J. Res. 3. A joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve to 3 in the House of Representatives and 2 in the Senate; to the Committee on the Judiciary.

By Mr. VITTER (for himself and Mr. PAUL):

S.J. Res. 4. A joint resolution proposing an amendment to the Constitution of the United States relating to United States citizenship; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ROBERTS (for himself, Mr. MORAN, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, and Mr. CORNYN):

S. Res. 8. A resolution expressing the sense of the Senate that Congress holds the sole authority to borrow money on the credit of the United States and shall not cede this power to the President; to the Committee on Finance.

By Ms. LANDRIEU (for herself, Mr. ISAKSON, Mr. CARDIN, Mr. CARPER, Mr. LAUTENBERG, Mrs. MURRAY, Mrs. GILLIBRAND, and Mr. WYDEN):

S. Res. 9. A resolution designating January 2013 as "National Mentoring Month"; to the Committee on the Judiciary.

By Mr. VITTER:

S. Res. 10. A resolution expressing the sense of the Senate regarding the Government of Antigua and Barbuda and its actions relating to the Stanford Financial Group fraud; to the Committee on Foreign Relations.

By Mr. VITTER:

S. Res. 11. A resolution expressing support for prayer at school board meetings; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 4

At the request of Mr. REID, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 4, a bill to create jobs and strengthen our economy by rebuilding our Nation's infrastructure.

S. 5

At the request of Mr. UDALL of Colorado, his name was added as a cosponsor of S. 5, a bill to reauthorize the Violence Against Women Act of 1994.

At the request of Mr. REID, the names of the Senator from Washington (Ms. CANTWELL), the Senator from Iowa (Mr. HARKIN) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 5, *supra*.

S. 6

At the request of Mr. REID, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 6, a bill

to reauthorize the VOW to Hire Heroes Act of 2011, to provide assistance to small businesses owned by veterans, to improve enforcement of employment and reemployment rights of members of the uniformed services, and for other purposes.

S. 8

At the request of Mr. ROCKEFELLER, his name was added as a cosponsor of S. 8, a bill expressing the sense of the Senate on the need to enact legislation to eliminate wasteful tax loopholes.

S. 10

At the request of Mr. REID, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 10, a bill to reauthorize agricultural programs through 2018.

S. 21

At the request of Mr. MENENDEZ, his name was added as a cosponsor of S. 21, a bill to secure the United States against cyber attack, to improve communication and collaboration between the private sector and the Federal Government, to enhance American competitiveness and create jobs in the information technology industry, and to protect the identities and sensitive information of American citizens and businesses.

S. 29

At the request of Mr. PORTMAN, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 29, a bill to amend title 31, United States Code, to provide for automatic continuing resolutions.

S. 32

At the request of Mr. PORTMAN, the names of the Senator from Kentucky (Mr. MCCONNELL), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Mississippi (Mr. COCHRAN) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 32, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 40

At the request of Mr. HATCH, the names of the Senator from Alaska (Ms. MURKOWSKI), the Senator from Mississippi (Mr. COCHRAN), the Senator from Wyoming (Mr. ENZI) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 40, a bill to restore Americans' individual liberty by striking the Federal mandate to purchase insurance.

S. 41

At the request of Ms. CANTWELL, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 41, a bill to provide a permanent deduction for State and local general sales taxes.

S. 43

At the request of Mr. PORTMAN, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 43, a bill to require that

any debt limit increase be balanced by equal spending cuts of the next decade.

S. 47

At the request of Mr. LEAHY, the names of the Senator from North Carolina (Mrs. HAGAN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Montana (Mr. TESTER), the Senator from California (Mrs. FEINSTEIN), the Senator from Rhode Island (Mr. REED), the Senator from Minnesota (Mr. FRANKEN), the Senator from New Mexico (Mr. UDALL), the Senator from Maryland (Mr. CARDIN), the Senator from Alaska (Mr. BEGICH), the Senator from Maine (Mr. KING), the Senator from Oregon (Mr. WYDEN) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 47, a bill to reauthorize the Violence Against Women Act of 1994.

S. 51

At the request of Mrs. BOXER, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 51, a bill to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act.

S. RES. 4

At the request of Mr. UDALL of New Mexico, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. Res. 4, a resolution to limit certain uses of the filibuster in the Senate to improve the legislative process.

S. RES. 5

At the request of Mr. HARKIN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. Res. 5, a resolution amending the Standing Rules of the Senate to provide for cloture to be invoked with less than a three-fifths majority after additional debate.

S. RES. 7

At the request of Mr. LAUTENBERG, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. Res. 7, a resolution to permit the Senate to avoid unnecessary delay and vote on matters for which floor debate has ceased.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself, Mr. BENNET, Ms. KLOBUCHAR, Mr. BURR, and Mr. KIRK):

S. 80. A bill to amend the DNA Analysis Backlog Elimination Act of 2000 to provide for Debbie Smith grants for auditing sexual assault evidence backlogs and to establish a Sexual Assault Forensic Evidence Reporting System, and for other purposes; to the Committee on the Judiciary.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 80

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Sexual Assault Forensic Evidence Reporting Act of 2013” or the “SAFER Act of 2013”.

SEC. 2. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by adding at the end the following new paragraphs:

“(7) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.

“(8) To ensure that the collection and processing of DNA evidence by law enforcement agencies from crimes, including sexual assault and other violent crimes against persons, is carried out in an appropriate and timely manner and in accordance with the protocols and practices developed under subsection (o)(1).”;

(2) in subsection (c), by adding at the end the following new paragraph:

“(4) ALLOCATION OF GRANT AWARDS FOR AUDITS.—For each of fiscal years 2014 through 2017, not less than 5 percent, but not more than 7 percent, of the grant amounts distributed under paragraph (1) shall, if sufficient applications to justify such amounts are received by the Attorney General, be awarded for purposes described in subsection (a)(7), provided that none of the funds required to be distributed under this paragraph shall decrease or otherwise limit the availability of funds required to be awarded to States or units of local government under paragraph (3).”; and

(3) by adding at the end the following new subsections:

“(n) USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.—

“(1) ELIGIBILITY.—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(7) only if the State or unit of local government—

“(A) submits a plan for performing the audit of samples described in such subsection; and

“(B) includes in such plan a good-faith estimate of the number of such samples.

“(2) GRANT CONDITIONS.—A State or unit of local government receiving a grant for the purpose described in subsection (a)(7)—

“(A) may not enter into any contract or agreement with any non-governmental vendor laboratory to conduct an audit described in subsection (a)(7); and

“(B) shall—

“(i) not later than 1 year after receiving the grant, complete the audit referred to in paragraph (1)(A) in accordance with the plan submitted under such paragraph;

“(ii) not later than 60 days after receiving possession of a sample of sexual assault evidence that was not in the possession of the State or unit of local government at the time of the initiation of an audit under paragraph (1)(A), subject to paragraph (4)(F), include in any required reports under clause (v), the information listed under paragraph (4)(B);

“(iii) for each sample of sexual assault evidence that is identified as awaiting testing as part of the audit referred to in paragraph (1)(A)—

“(I) assign a unique numeric or alphanumeric identifier to each sample of sexual assault evidence that is in the possession of the State or unit of local government and is awaiting testing; and

“(II) identify the date or dates after which the State or unit of local government would be barred by any applicable statutes of limitations from prosecuting a perpetrator of the sexual assault to which the sample relates;

“(iv) provide that—

“(I) the chief law enforcement officer of the State or unit of local government, respectively, is the individual responsible for the compliance of the State or unit of local government, respectively, with the reporting requirements described in clause (v); or

“(II) the designee of such officer may fulfill the responsibility described in subclause (I) so long as such designee is an employee of the State or unit of local government, respectively, and is not an employee of any governmental laboratory or non-governmental vendor laboratory; and

“(v) comply with all grantee reporting requirements described in paragraph (4).

“(3) EXTENSION OF INITIAL DEADLINE.—The Attorney General may grant an extension of the deadline under paragraph (2)(B)(i) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.

“(4) SEXUAL ASSAULT FORENSIC EVIDENCE REPORTS.—

“(A) IN GENERAL.—For not less than 12 months after the completion of an initial count of sexual assault evidence that is awaiting testing during an audit referred to in paragraph (1)(A), a State or unit of local government that receives a grant award under subsection (a)(7) shall, not less than every 60 days, submit a report to the Department of Justice, on a form prescribed by the Attorney General, which shall contain the information required under subparagraph (B).

“(B) CONTENTS OF REPORTS.—A report under this paragraph shall contain the following information—

“(i) the name of the State or unit of local government filing the report;

“(ii) the period of dates covered by the report;

“(iii) the cumulative total number of samples of sexual assault evidence that, at the end of the reporting period—

“(I) are in the possession of the State or unit of local government at the reporting period;

“(II) are awaiting testing; and

“(III) the State or unit of local government has determined should undergo DNA or other appropriate forensic analyses;

“(iv) the cumulative total number of samples of sexual assault evidence in the possession of the State or unit of local government that, at the end of the reporting period, the State or unit of local government has determined should not undergo DNA or other appropriate forensic analyses, provided that the reporting form shall allow for the State or unit of local government, at its sole discretion, to explain the reasoning for this determination in some or all cases;

“(v) the cumulative total number of samples of sexual assault evidence in a total under clause (iii) that have been submitted to a laboratory for DNA or other appropriate forensic analyses;

“(vi) the cumulative total number of samples of sexual assault evidence identified by an audit referred to in paragraph (1)(A) or under paragraph (2)(B)(ii) for which DNA or other appropriate forensic analysis has been completed at the end of the reporting period;

“(vii) the total number of samples of sexual assault evidence identified by the State or unit of local government under paragraph (2)(B)(ii), since the previous reporting period; and

“(viii) the cumulative total number of samples of sexual assault evidence described under clause (iii) for which the State or unit of local government will be barred within 12 months by any applicable statute of limitations from prosecuting a perpetrator of the sexual assault to which the sample relates.

“(C) PUBLICATION OF REPORTS.—Not later than 7 days after the submission of a report under this paragraph by a State or unit of local government, the Attorney General shall, subject to subparagraph (D), publish and disseminate a facsimile of the full contents of such report on an appropriate internet website.

“(D) PERSONALLY IDENTIFIABLE INFORMATION.—The Attorney General shall ensure that any information published and disseminated as part of a report under this paragraph, which reports information under this subsection, does not include personally identifiable information or details about a sexual assault that might lead to the identification of the individuals involved.

“(E) OPTIONAL REPORTING.—The Attorney General shall—

“(i) at the discretion of a State or unit of local government required to file a report under subparagraph (A), allow such State or unit of local government, at their sole discretion, to submit such reports on a more frequent basis; and

“(ii) make available to all States and units of local government the reporting form created pursuant to subparagraph (A), whether or not they are required to submit such reports, and allow such States or units of local government, at their sole discretion, to submit such reports for publication.

“(F) SAMPLES EXEMPT FROM REPORTING REQUIREMENT.—The reporting requirements described in paragraph (2) shall not apply to a sample of sexual assault evidence that—

“(i) is not considered criminal evidence (such as a sample collected anonymously from a victim who is unwilling to make a criminal complaint); or

“(ii) relates to a sexual assault for which the prosecution of each perpetrator is barred by a statute of limitations.

“(5) DEFINITIONS.—In this subsection:

“(A) AWAITING TESTING.—The term ‘awaiting testing’ means, with respect to a sample of sexual assault evidence, that—

“(i) the sample has been collected and is in the possession of a State or unit of local government;

“(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and

“(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.

“(B) FINAL DISPOSITION.—The term ‘final disposition’ means, with respect to a criminal case or investigation to which a sample of sexual assault evidence relates—

“(i) the conviction or acquittal of all suspected perpetrators of the crime involved;

“(ii) a determination by the State or unit of local government in possession of the sample that the case is unfounded; or

“(iii) a declaration by the victim of the crime involved that the act constituting the basis of the crime was not committed.

“(C) POSSESSION.—

“(i) IN GENERAL.—The term ‘possession’, used with respect to possession of a sample of sexual assault evidence by a State or unit

of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

“(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to create or amend any Federal rights or privileges for non-governmental vendor laboratories described in regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).

“(o) ESTABLISHMENT OF PROTOCOLS, TECHNICAL ASSISTANCE, AND DEFINITIONS.—

“(1) PROTOCOLS AND PRACTICES.—Not later than 18 months after the date of enactment of the SAFER Act of 2013, the Director, in consultation with Federal, State, and local law enforcement agencies and government laboratories, shall develop and publish a description of protocols and practices the Director considers appropriate for the accurate, timely, and effective collection and processing of DNA evidence, including protocols and practices specific to sexual assault cases, which shall address appropriate steps in the investigation of cases that might involve DNA evidence, including—

“(A) how to determine—

“(i) which evidence is to be collected by law enforcement personnel and forwarded for testing;

“(ii) the preferred order in which evidence from the same case is to be tested; and

“(iii) what information to take into account when establishing the order in which evidence from different cases is to be tested;

“(B) the establishment of a reasonable period of time in which evidence is to be forwarded by emergency response providers, law enforcement personnel, and prosecutors to a laboratory for testing;

“(C) the establishment of reasonable periods of time in which each stage of analytical laboratory testing is to be completed;

“(D) systems to encourage communication within a State or unit of local government among emergency response providers, law enforcement personnel, prosecutors, courts, defense counsel, crime laboratory personnel, and crime victims regarding the status of crime scene evidence to be tested; and

“(E) standards for conducting the audit of the backlog for DNA case work in sexual assault cases required under subsection (n).

“(2) TECHNICAL ASSISTANCE AND TRAINING.—The Director shall make available technical assistance and training to support States and units of local government in adopting and implementing the protocols and practices developed under paragraph (1) on and after the date on which the protocols and practices are published.

“(3) DEFINITIONS.—In this subsection, the terms ‘awaiting testing’ and ‘possession’ have the meanings given those terms in subsection (n).”.

SEC. 3. REPORTS TO CONGRESS.

Not later than 90 days after the end of each fiscal year for which a grant is made for the purpose described in section 2(a)(7) of the DNA Analysis Backlog Elimination Act of 2000, as amended by section 2, the Attorney General shall submit to Congress a report that—

(1) lists the States and units of local government that have been awarded such grants and the amount of the grant received by each such State or unit of local government;

(2) states the number of extensions granted by the Attorney General under section 2(n)(3) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 2; and

(3) summarizes the processing status of the samples of sexual assault evidence identified

in Sexual Assault Forensic Evidence Reports established under section 2(n)(4) of the DNA Analysis Backlog Elimination Act of 2000, including the number of samples that have not been tested.

SEC. 4. REDUCING THE RAPE KIT BACKLOG.

Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(c)(3)) is amended—

(a) in subparagraph (B), by striking “2014” and inserting “2018”; and

(b) by adding at the end the following:

“(C) For each of fiscal years 2014 through 2018, not less than 75 percent of the total grant amounts shall be awarded for a combination of purposes under paragraphs (1), (2), and (3) of subsection (a).”.

SEC. 5. OVERSIGHT AND ACCOUNTABILITY.

All grants awarded by the Department of Justice that are authorized under the SAFER Act of 2013 shall be subject to the following:

(1) AUDIT REQUIREMENT.—Beginning in fiscal year 2013, and each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(2) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the 2 fiscal years beginning after the 12-month period described in paragraph (5).

(3) PRIORITY.—In awarding grants under this Act, the Attorney General shall give priority to eligible entities that, during the 3 fiscal years before submitting an application for a grant under this Act, did not have an unresolved audit finding showing a violation in the terms or conditions of a Department of Justice grant program.

(4) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

(A) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(B) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(5) DEFINED TERM.—In this section, the term “unresolved audit finding” means an audit report finding in the final audit report of the Inspector General of the Department of Justice that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within a 12-month period beginning on the date when the final audit report is issued.

(6) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) DEFINITION.—For purposes of this section and the grant programs described in this Act, the term “nonprofit organization” means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) PROHIBITION.—The Attorney General shall not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant

program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

(7) **ADMINISTRATIVE EXPENSES.**—Unless otherwise explicitly provided in authorizing legislation, not more than 7.5 percent of the amounts authorized to be appropriated under this Act may be used by the Attorney General for salaries and administrative expenses of the Department of Justice.

(8) **CONFERENCE EXPENDITURES.**—

(A) **LIMITATION.**—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than \$20,000 in Department funds, unless the Deputy Attorney General or the appropriate Assistant Attorney General, Director, or principal deputy as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

(B) **WRITTEN APPROVAL.**—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audio/visual equipment, honoraria for speakers, and any entertainment.

(C) **REPORT.**—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved by operation of this paragraph.

(9) **PROHIBITION ON LOBBYING ACTIVITY.**—

(A) **IN GENERAL.**—Amounts authorized to be appropriated under this Act may not be utilized by any grant recipient to—

(i) lobby any representative of the Department of Justice regarding the award of grant funding; or

(ii) lobby any representative of a Federal, state, local, or tribal government regarding the award of grant funding.

(B) **PENALTY.**—If the Attorney General determines that any recipient of a grant under this Act has violated subparagraph (A), the Attorney General shall—

(i) require the grant recipient to repay the grant in full; and

(ii) prohibit the grant recipient from receiving another grant under this Act for not less than 5 years.

SEC. 6. SUNSET.

Effective on December 31, 2018, subsections (a)(7) and (n) of section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(a)(7) and (n)) are repealed.

By Mr. COONS (for himself, Mr. WARNER, Mr. WHITEHOUSE, Mr. BLUMENTHAL, and Mrs. GILLIBRAND):

S. 85. A bill to provide incentives for States to invest in practices and technology that are designed to expedite

voting at the polls and to simplify voter registration; to the Committee on Rules and Administration.

Mr. COONS. Mr. President, we are no longer in an election year, which makes this the perfect time for this Congress to take action on real and meaningful election reform. Regardless of which candidates we voted for last November, we can all agree that in the world's greatest democracy, in the year 2013 we should put in place systems which ensure every voter will be able to cast their ballot without unnecessary delays, redtape, or restriction in our next elections. That is why I am looking forward to working with my colleagues in the Senate, with leaders in State and local governments across the country, and with folks in the U.S. Department of Justice to discuss ways we can reform our election process to make voting more accessible for more Americans.

In his second inaugural address delivered just this Monday, President Obama made a point to tie voting rights to civil rights. President Obama spoke of the long American march toward justice. He said:

And the first steps of that march—of the journey toward a better, fairer, more equal society, one where every American, regardless of their race, gender, sexual orientation or economic status, has the same shot at success—has always started at the ballot box.

President Obama mentioned Seneca Falls, a central moment in the movement for women's suffrage, and Selma, the emotional heart of the fight for equal access to voting rights for African Americans. He said:

Our journey is not complete until no citizen is forced to wait for hours to exercise the right to vote.

He is right.

The 2012 elections were a wake-up call to those of us who treasure the right to vote. All over our country—in blue States and red States—Americans saw their fundamental right to vote eroded by exceptionally long lines, confusing rules, and widespread voting machine malfunctions. There were problems in more than a dozen States documented in the media.

There were voting machine irregularities in Pennsylvania and Colorado; error-ridden voter rolls in Ohio; delays counting ballots in Arizona; voters waiting in lines 5 hours long in Virginia and 8 hours long in Florida. We have to do better than this.

As Americans, the right to vote is in our DNA. So just days after these 2012 elections, which had such widespread problems, I introduced the FAST Voting Act, the Fair, Accurate, Secure, and Timely Voting Act, along with Senator WARNER and colleagues in the House, Congressman CONNOLLY and Congressman LANGEVIN.

Our bill challenges States to implement commonsense changes well before the next election. It would provide in-

centives and competitive grants to those States that can turn around their poorest performing polling places, improve the administration of their elections, and make voting faster and more accessible to all voters.

As a former county executive myself, I know States and local governments are laboratories of democracy. When it comes to administering elections, many States and counties are getting it right. We can learn from them and replicate their successes elsewhere in the country to ensure these same problems do not plague the next national elections.

For example, Florida was one of many States with rampant election problems in 2012. There were long lines, limited early voting, and other issues that may have disenfranchised as many as 49,000 Floridians, according to a study by Professor Theodore Allen of Ohio State University.

Floridians such as Richard Jordan waited more than 3 hours in a line that just was not moving to try and cast his ballot on election day 2012. He had already worked a 10-hour shift that day. He was exhausted, his back hurt, he was hungry, and ultimately in anger decided he could not wait anymore. He simply gave up and walked away. He was denied the opportunity to cast his ballot by an unprepared, underresourced, or just incompetent election system.

On behalf of voters across the State such as Richard, earlier this month Florida's elections administrators presented Florida's Governor Rick Scott with a list of reforms they would like to see implemented to prevent these problems from happening again. Governor Scott admitted that his own State's election process was clearly in need of improvement. He said he agreed with some of the election supervisors' proposals. In my view, this is a very positive step forward, and one which should be undertaken in every State where there is documented need for stronger, fairer, faster, and freer elections.

In my view, the government can and should play a role in incentivizing that process to ensure that election improvements are made to last. It can help States move forward in using available technology, and it can ensure States do a better job of enforcing laws that are already on the books.

For example, the National Voter Registration Act, commonly known as the motor voter law, requires States to allow voters to register when they renew their driver's license at the DMV or at other governmental agencies. Yet there are substantial and credible allegations that some States all across this country—whether blue, red, or purple—are not fulfilling their obligations under this act.

In talking with elections administrators from around the country, it is

clear to me that compliance with existing law is not complete. We have to do more to ensure voters are afforded the rights given to them under current law and that State agencies are doing what is required to simplify the registration process to maintain uniform and non-discriminatory voter rolls and provide widespread registration opportunities. Enforcing existing law is just part of the solution to the voting problems we saw across our country in 2012.

We also have to look forward at ways to deliver the best and most efficient voting process to all Americans. There is still much more we can do to meet that goal, and I think part of the solution is the mechanism of the FAST Voting Act.

Our legislation focuses on cost-effective reforms, such as making it easier to register online and ensuring citizens who move to a new jurisdiction can easily transfer their voter registration. If we use modern technology that we already have at our disposal, we can make it easier for all eligible American citizens to cast their ballot and ensure every vote is counted.

President Obama was right to mention election reform alongside the most essential civil rights struggles in our country's history in his inaugural address on Monday. Making it harder for citizens to vote is a violation of their civil rights. Long lines are just another form of voter disenfranchisement. Running out of ballots can be just another form of voter suppression. The fact is access to vote is denied when registration is cumbersome or inaccessible and when early voter vote-by-mail options are just not available.

Let's do something now when we are no longer hamstrung by election year politics in the Senate so that changes that last and make a difference can be implemented well before the next election.

As someone who serves on the Foreign Relations Committee and who often speaks with foreign heads of State, civil society leaders, and voting advocates from around the world, it is an embarrassment that in 2012 our Nation could not overcome the simple challenges to ensuring fair and accurate elections all across our country.

If we ignore these assaults on America's civil rights that we saw last November, we are certain to have to endure them the next time around. We cannot stand by and allow that to happen. Our democracy needs to be a model to the rest of the world for how to ensure that every citizen gets to exercise the right to vote.

Let's find a way to come together to put meaningful election reforms in place now before we deny one more American their fundamental right to vote for the candidate of their choice.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 85

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Louis L. Redding Fair, Accurate, Secure, and Timely Voting Act of 2013" or the "FAST Voting Act of 2013".

SEC. 2. INCENTIVES FOR STATES TO INVEST IN PRACTICES AND TECHNOLOGY THAT ARE DESIGNED TO EXPEDITE VOTING AT THE POLLS AND SIMPLIFY VOTER REGISTRATION.

(a) PURPOSES.—The purposes of this section are to—

(1) provide incentives for States to invest in practices and technology that are designed to expedite voting at the polls; and

(2) provide incentives for States to simplify voter registration.

(b) RESERVATION OF FUNDS.—From the amount made available to carry out this section for a fiscal year, the Attorney General may reserve not more than 10 percent of such amount to carry out activities related to—

(1) technical assistance; and

(2) outreach and dissemination.

(c) PROGRAM AUTHORIZED.—

(1) IN GENERAL.—From the amounts made available under subsection (h) for a fiscal year and not reserved under subsection (b), the Attorney General shall award grants, on a competitive basis, to States in accordance with subsection (d)(2), to enable the States to carry out the purposes of this section.

(2) NUMBER OF GRANTS.—A State may not receive more than 1 grant under this section per grant period.

(3) DURATION OF GRANTS.—

(A) IN GENERAL.—A grant under this section shall be awarded for a period of not more than 4 years.

(B) CONTINUATION OF GRANTS.—A State that is awarded a grant under this section shall not receive grant funds under this section for the second or any subsequent year of the grant unless the State demonstrates to the Attorney General, at such time and in such manner as determined by the Attorney General, that the State is—

(i) making progress in implementing the plan under subsection (d)(1)(C) at a rate that the Attorney General determines will result in the State fully implementing such plan during the remainder of the grant period; or

(ii) making progress against the performance measures set forth in subsection (e) at a rate that the Attorney General determines will result in the State reaching its targets and achieving the objectives of the grant during the remainder of the grant period.

(d) APPLICATIONS.—

(1) APPLICATIONS.—Each State that desires to receive a grant under this section shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General may reasonably require. At a minimum, each such application shall include—

(A) documentation of the applicant's record, as applicable—

(i) in providing various voter registration opportunities;

(ii) in providing early voting;

(iii) in providing absentee voting;

(iv) in providing assistance to voters who do not speak English as a primary language;

(v) in providing assistance to voters with disabilities;

(vi) in providing effective access to voting for members of the armed services;

(vii) in providing formal training of election officials;

(viii) in auditing or otherwise documenting waiting times at polling stations;

(ix) in allocating polling locations, equipment, and staff to match population distribution;

(x) in responding to voting irregularities and concerns raised at polling stations;

(xi) in creating and adhering to contingency voting plans in the event of a natural or other disaster; and

(xii) with respect to any other performance measure described in subsection (e) that is not included in clauses (i) through (xi);

(B) evidence of conditions of innovation and reform that the applicant has established and the applicant's proposed plan for implementing additional conditions for innovation and reform, including—

(i) a description of how the applicant has identified and eliminated ineffective practices in the past and the applicant's plan for doing so in the future;

(ii) a description of how the applicant has identified and promoted effective practices in the past and the applicant's plan for doing so in the future; and

(iii) steps the applicant has taken and will take to eliminate statutory, regulatory, procedural, or other barriers and to facilitate the full implementation of the proposed plan under this subparagraph;

(C) a comprehensive and coherent plan for using funds under this section, and other Federal, State, and local funds, to improve the applicant's performance on the measures described in subsection (e), consistent with criteria set forth by the Attorney General, including how the applicant will, if applicable—

(i) provide flexible registration opportunities, including online and same-day registration and registration updating;

(ii) provide early voting, at a minimum of 9 of the 10 calendar days preceding an election, at sufficient and flexible hours;

(iii) provide absentee voting, including no-excuse absentee voting;

(iv) provide assistance to voters who do not speak English as a primary language;

(v) provide assistance to voters with disabilities, including visual impairment;

(vi) provide effective access to voting for members of the armed services;

(vii) provide formal training of election officials, including State and county administrators and volunteers;

(viii) audit and reduce waiting times at polling stations;

(ix) allocate polling locations, equipment, and staff to match population distribution;

(x) respond to any reports of voting irregularities or concerns raised at the polling station;

(xi) create contingency voting plans in the event of a natural or other disaster; and

(xii) improve the wait times at the persistently poorest performing polling stations within the jurisdiction of the applicant;

(D) evidence of collaboration between the State, local election officials, and other stakeholders, in developing the plan described in subparagraph (C), including evidence of the commitment and capacity to implement the plan;

(E) the applicant's annual performance measures and targets, consistent with the requirements of subsection (e); and

(F) a description of the applicant's plan to conduct a rigorous evaluation of the effectiveness of activities carried out with funds under this section.

(2) CRITERIA FOR EVALUATING APPLICATIONS.—

(A) AWARD BASIS.—The Attorney General shall award grants under this section on a competitive basis, based on the quality of the applications submitted under paragraph (1), including—

(i) each applicant's record in the areas described in paragraph (1)(A);

(ii) each applicant's record of, and commitment to, establishing conditions for innovation and reform, as described in paragraph (1)(B);

(iii) the quality and likelihood of success of each applicant's plan described in paragraph (1)(C) in showing improvement in the areas described in paragraph (1)(A), including each applicant's capacity to implement the plan and evidence of collaboration as described in paragraph (1)(D); and

(iv) each applicant's evaluation plan as described in paragraph (1)(F).

(B) EXPLANATION.—The Attorney General shall publish an explanation of how the application review process under this paragraph will ensure an equitable and objective evaluation based on the criteria described in subparagraph (A).

(C) PERFORMANCE MEASURES.—Each State receiving a grant under this section shall establish performance measures and targets, approved by the Attorney General, for the programs and activities carried out under this section. These measures shall, at a minimum, track the State's progress—

(1) in implementing its plan described in subsection (d)(1)(C);

(2) in expediting voting at the polls or simplifying voter registration, as applicable; and

(3) on any other measures identified by the Attorney General.

(D) USES OF FUNDS.—Each State that receives a grant under this section shall use the grant funds for any purpose included in the State's plan under subsection (d)(1)(C).

(E) REPORTING.—A State that receives a grant under this section shall submit to the Attorney General, at such time and in such manner as the Attorney General may require, an annual report including—

(1) data on the State's progress in achieving the targets for the performance measures established under subsection (e);

(2) a description of the challenges the State has faced in implementing its program and how it has addressed or plans to address those challenges; and

(3) findings from the evaluation plan as described in subsection (d)(1)(F).

(F) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

By Mr. CARDIN (for himself and Ms. MIKULSKI):

S. 103. A bill to authorize the Secretary of the Interior to conduct a special resource study of P.S. 103 in West Baltimore, Maryland, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. CARDIN. Mr. President, today I am proud to introduce the Justice Thurgood Marshall's Elementary School Study Act. The elementary school that Justice Marshall attended, known as PS 103, located in my hometown of Baltimore, is a place of national significance because it marks the site where one of our Nation's

greatest legal minds began his education.

Thurgood Marshall is well known as one of the most significant historical figures of the American civil rights movement. By the time he was 32, he was appointed the chief legal counsel for the National Association for the Advancement of Colored People, NAACP. He served at the NAACP a total of 25 years and was a key strategist to end racial segregation throughout the United States.

Perhaps the greatest illustration of this effort was his victory before the Supreme Court overturning the Plessy doctrine effectively ending school segregation with the landmark decision in *Brown v. Board of Education of Topeka, KS*, in 1954. Not only did this case open up educational opportunity and sparked the civil rights movement in this Nation, it also marked the beginning of Thurgood Marshall's career, still a young attorney from Baltimore, as one of the greatest legal minds in all the land. This case was just one of the 29 cases he won before the U.S. Supreme Court.

Fittingly, Marshall was the first African American confirmed to the Supreme Court. He was nominated by President Lyndon B. Johnson in 1967 and served 24 years, until 1991. On the high court, Marshall continued his fight for the Constitutional protection of individual human rights.

But Thurgood Marshall was not always a legal giant. He was once a young boy growing up in West Baltimore. He received the first 6 years of his public education at PS 103. An apocryphal story goes that a young Thurgood Marshall studied the U.S. Constitution in the basement of the building while serving detention. Regardless of whether or not this is true, the building powerfully tells the story of racial segregation in America, PS 103 was a "blacks only" school when Justice Marshall was a student, and marks the academic beginning of one of the country's most brilliant legal thinkers and a pioneer of the civil rights movement.

The building is located at 1315 Division Street in the Upton Neighborhood of Old West Baltimore. The building is part of the Old West Baltimore National Register Historic District, and is listed as a contributing historic resource for the neighborhood. The Old West Baltimore historic district is one of the largest predominately African American historic districts in the country, and its significance is centered on the African American experience in the area.

In Baltimore, we are fortunate to have the National Park Service operate two historical sites, Fort McHenry and the Hampton Mansion. Adding PS 103 is a unique opportunity for the National Park Service to work in Baltimore's inner-city and to reach out and

engage people about African American history.

Needless to say, Thurgood Marshall's legacy is one that should be preserved. He was one of our country's greatest legal minds and a prominent historical figure of one chapter of our country's great history—the civil rights movement. This bill authorizes the Secretary of the Interior to conduct a special resource study of PS 103 to evaluate the suitability and feasibility of establishing the building as a unit of the National Park Service. Preserving the building that was Justice Marshall's elementary school will give Americans insight into Justice Marshall's childhood.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 103

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Thurgood Marshall's Elementary School Study Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) STUDY AREA.—The term "study area" means P.S. 103, the public school located in West Baltimore, Maryland, which Thurgood Marshall attended as a youth.

SEC. 3. SPECIAL RESOURCE STUDY.

(a) STUDY.—The Secretary shall conduct a special resource study of the study area.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall—

(1) evaluate the national significance of the study area;

(2) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(3) consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State or local government entities, or private and nonprofit organizations;

(4) consult with interested Federal agencies, State or local governmental entities, private and nonprofit organizations, or any other interested individuals;

(5) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives; and

(6) identify any authorities that would compel or permit the Secretary to influence local land use decisions under the alternatives.

(c) APPLICABLE LAW.—The study required under subsection (a) shall be conducted in accordance with section 8 of the National Park System General Authorities Act (16 U.S.C. 1a-5).

(d) REPORT.—Not later than 3 years after the date on which funds are first made available to carry out the study under subsection (a), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(1) the results of the study; and

(2) any conclusions and recommendations of the Secretary.

By Mr. DURBIN (for himself, Mr. HARKIN, and Mr. FRANKEN):

S. 113. A bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DURBIN. Mr. President, I rise today to reintroduce two pieces of legislation: the Know Before You Owe Act and the Fairness for Struggling Students Act. These bills will take critical steps toward addressing the student debt crisis facing America.

Every week my office is contacted by young people and their families who share with me their horror stories about student debt. Many of them are college students or graduates who are getting crushed by student loans the size of mortgages. All too often, these young people were lured into attending worthless, for-profit colleges that left them with worthless diplomas and mountains of debt. It is disgraceful. But it is not only young people facing this debt crisis, it is their parents, their siblings, even their grandparents who did them a favor by cosigning on these loans. They, too, are being held responsible when the loans go into default.

Many of these people contact my office because they don't know where to turn. Their debt loan leaves them feeling helpless. They are putting off major life decisions such as buying a home or even starting a family because of crushing student debt. We can't stand idly by any longer and ignore this reality. We have to step up and recognize that this student debt bomb is ticking away.

Student loan debt among college students surpassed \$1 trillion last year. The New York Fed reports that balances of student loans have now exceeded the balances on automobile loans and credit card debt in America—student loans. That makes student loans the largest form of consumer debt outside of home mortgages.

Last year, 37 million borrowers held student loan debt. That is more than 10 percent of the population of this country. The average balance is \$24,300. But, remember, that is an average. This is a massive amount of debt, and it is having a profound impact on the lives of students and their families across America.

The overall growth in student debt is troubling. The most pressing concern is what is known as private student loans. If a student goes to college, they could qualify for a government-guaranteed loan with dramatically lower interest rates with accommodations based on their employment and even some loan forgiveness. Not so when it comes to private student loans in most

cases. Students who take out Federal loans receive affordable interest rates, a lot of protections and repayment options. Private student loans are totally different. Private student loans often have high variable interest rates, hefty origination fees, lack of repayment options, and, unfortunately, crushing penalties.

In 2012 the amount of outstanding private student loans exceeded \$150 billion. Students are being steered into these private loans while they are still eligible for the better government loans. Why? Because somebody is making more money when they sign up for private student loans. As a result, many students are being saddled with debt they don't have to be saddled with and sometimes debt they can never repay.

The Consumer Financial Protection Bureau last year reported that at least 850,000 individual private student loans were in default amounting to more than \$8 billion.

Let me tell my colleagues about one of those students. I have opened on my official Web site a place where those who have student loans and want to share their stories can come. Anna Wilcox, who is 31 years old, did. She attended the Brooks Institute of Photography, a for-profit college owned by the Career Education Corporation.

Anna Wilcox saw a TV ad one day about this so-called Brooks Institute of Photography and decided she would call and inquire. The school called her twice a day until she finally enrolled. The recruiter at the school—this Career Education Corporation School—told her that a Brooks degree would help her make \$85,000 a year as a photographer. So Anna enrolled, and when she graduated in 2006, she had a debt of about \$170,000, almost all of it in private student loans.

Anna was 24 years old with \$170,000 in student debt from this for-profit school. With a variable interest rate that went as high as 18 percent, her balance just kept growing. Her monthly payments on her private student loan now exceed \$1,000 a month. Her Federal loans she took out as well had low interest rates. She said those payments are reasonable, and she can handle them. Her parents decided to help her out and cosigned on the loans. Now her parents, in their sixties, are on the hook as well. They have to change their life plans because they wanted to help their daughter, and now they are stuck with a debt of \$170,000 for a worthless diploma from a for-profit school.

Well, Anna did find a job, but the job doesn't pay anywhere near \$85,000 a year. She just can't keep up with these staggering monthly loan payments. She said she would like to file for bankruptcy, clean the slate, and start over. She can't borrow money to go to a real school. She has wasted her bor-

rowing power on these for-profit schools.

It doesn't do her any good to want to file for bankruptcy. Private student loans are not dischargeable for bankruptcy. If a person signs up as a college student for one of these student loans, it is debt that will follow that person for a lifetime. There is no way to escape it. It is something to think about long and hard when students make that decision.

Anna is very blunt and despondent. She said she made a big mistake going to the school. It was a waste. She thought she would get a better life by going to college. She didn't realize these for-profit schools by and large are a waste of money and cause debt that most students can never pay back. She has bad credit now and a mountain of debt to show for it.

So what are we going to do about it? Are we going to say: Well, Anna, you should have been a little bit smarter when you were 19 years old and sat across the desk from somebody who said: We want you as a college student. You made your mistake, girl. That is the way it works in America, and now you have to pay the price. Is that the answer? Is that the answer when these for-profit schools depend on the Federal Government and taxpayers for 85 to 95 percent of all of the revenue they take in?

These for-profit schools, if we took the Federal money we send their way—if these for-profit schools were a Federal agency, it would be the ninth largest Federal agency in America. That is how much money we are pouring into these for-profit schools.

Let me just put three numbers out for people to reflect on: 12 percent of the students out of high school go to for-profit schools. We know their names. They are students who gather in Washington and come to the galleries. They know what I am talking about. Go on the Internet and try to escape an ad for a for-profit school: University of Phoenix, DeVry, Kaplan. Ring a bell? Well, I can tell my colleagues these are the biggies, but there are hundreds of them. Twelve percent of the students after high school go to for-profit schools.

For-profit schools, though, account for 25 percent of all of the Federal aid to education. They just soak it up. Students borrow and turn it over to the for-profit schools. The student is stuck with the debt. The for-profit school may never graduate you, but they have their money.

There is a third number to remember. The first is 12, the second is 25. The third number is 47. Forty-seven percent of the student loan defaults in America are students from for-profit schools, students being dragged into these schools that charge way too much for tuition and then the student either can't finish the school or gets out of

school and can't find a job and they are stuck.

I tell my students back home, if you are not sure, start at a community college. It is affordable. It has a wide array of courses to be offered to you. You will learn a lot about yourself, you will learn a lot about what you want to do in school, and you will not end up sunk in debt like these for-profit schools want to do to you.

We have to do something about Anna Wilcox's plight and many others just like her.

I wish to commend especially one community college in my State, the Elgin Community College. I have been visiting that school regularly and always come home thinking: This college gets it. They have implemented a financial counseling program that goes above and beyond anything I would put into law. All of the students at Elgin Community College in Elgin, IL, must submit a monthly budget detailing all their costs when they are seeking financial aid. The student then has a mandatory, one-on-one meeting with a counselor to review the loan balance, the repayment options, and what happens if they default. This community college has implemented a workshop for students who will be graduating during the upcoming semester to discuss repayment options and give them a complete summary of every loan they have taken out.

These students are facing debt the likes of which they have never seen in their lives. They are motivated by all of the preaching they have heard from their parents, like me, saying: Go to school. Get a degree. They are ready to sign up because they want to do what they think is the right thing. They do not know that the for-profit school is worthless, they do not know that the thousands and thousands of dollars of debt will never be able to be repaid, and they do not know that debt will be with them for a lifetime. So here are some bills I am introducing to address it.

I believe students will benefit more if they have the kind of loan counseling we see at the Elgin Community College. I am joining Senator TOM HARKIN of Iowa, chairman of the HELP Committee, in reintroducing the Know Before You Owe Private Student Loan Act of 2013.

The legislation requires colleges to confirm a student's enrollment status, cost of attendance, and estimated Federal financial aid assistance before any private student loan can be approved for that student. In other words, if you are eligible for the government loan, for goodness' sakes, take that first. The private student loan is much more expensive, and it is tougher to pay it back. So we want to make sure students who are eligible for government loans know that before they sign up for the private student loans. Often, stu-

dents have not even applied for Federal aid before they are encouraged by some of these schools to apply for private student loans, or students have not exhausted their eligibility for Federal aid. Requiring school certification would give the school the opportunity to make students aware of Federal student aid options and the most affordable options.

The bill would also require schools to counsel the students about their loan options. Schools would be required to inform students about the differences between Federal student loans and private student loans, and they are stark and dramatic. For students who decide to take out private student loans, the bill would require lenders to provide them with quarterly up-to-date information about their balance and interest accrued. It is not one of these deals where you just keep borrowing and borrowing and borrowing, and finally when you are about to finish school—or years later—they give you the total, and you look at it and say: My goodness, I did not realize I had signed up for all of that debt.

This legislation is supported by a large coalition of educational, student, and consumer organizations and has been recommended by the Consumer Financial Protection Bureau.

The other bill I am reintroducing today is the Fairness for Struggling Students Act. This bill, cosponsored by Senators WHITEHOUSE, FRANKEN, HARKIN, and JACK REED, would restore the Bankruptcy Code's pre-2005 treatment of private student loans.

As I said earlier, since 2005 private student loans have enjoyed a privileged status under the Bankruptcy Code. They cannot be discharged in bankruptcy except under the most extreme circumstances. Only a few other types of debt cannot be discharged in bankruptcy—criminal fines, child support, taxes, and alimony. In contrast, nearly all types of private, unsecured debt—credit card debt, doctor bills—are dischargeable in bankruptcy, but not student loans.

There was no good reason for Congress to give such preferred treatment to these financial institutions that are peddling these private student loans. It was a provision—a sweetheart provision—tucked into a massive bankruptcy reform bill with very little debate and even less justification. There is no evidence that private student loan borrowers were abusing the bankruptcy system before this law was changed. In fact, the private student loan market has been growing—even before this measure was enacted into law. But the private student loan industry got a sweetheart deal out of Congress, and now we are in a situation where many students have overwhelming private student loan debt, and they cannot repay, and they cannot escape. This is devastating for

those students and a drag on our overall economy.

There was an article a few months ago in the New York Times, and it talked about a grandmother who was having her Social Security check garnished because she had signed on as a cosigner of her granddaughter's student loan. Her granddaughter dropped out of college and could not pay back the loan, and now we are going after grandma's Social Security check. That is how serious this can be.

A large coalition of student, educational, civil rights, and consumer organizations support this bill. I hope we can move forward with legislation this year. It is time to restore fairness to our Bankruptcy Code when it comes to student debt.

Let me be clear: When used appropriately, student loans are valuable and important. I would not be standing here today if I had not borrowed money from the Federal Government to go to college and law school. I never could have afforded it otherwise. It was called the National Defense Education Act. If I told you the numbers that I borrowed, you would realize how old I am. But at the time, it was scary to have that much debt coming fresh out of law school. I paid it back just like I was supposed to so the next generation could take over. But what I faced, the debt I incurred to go to school and law school, does not even come close to matching what many students have to borrow in the first semester, and that, unfortunately, leads to a debt that some will be crushed with for a lifetime. In many instances, student loans help Americans get a quality higher education and the job skills they need to repay their loans and have a rewarding life and career. But, unfortunately, there are far too many Americans who have been steered into high-cost private loans that will burden them for life and prevent them from fully contributing to our economy.

It is about time we woke up to the reality of what students—millions of students—across America are facing, and their families. We have a responsibility to them over and above the profits that are being earned by for-profit schools and the financial institutions peddling these private student loans with these outrageous interest rates and terms. It is time for this Congress to listen to working families and their kids all across America to restore transparency, fairness, and common sense to private student loans. I urge my colleagues to support these bills.

Mr. President, I ask unanimous consent that the text of the bills be printed in the RECORD.

There being no objection, the text of the bills was ordered to be printed in the RECORD as follows:

S. 113

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Know Before You Owe Private Student Loan Act of 2013”.

SEC. 2. AMENDMENTS TO THE TRUTH IN LENDING ACT.

(a) IN GENERAL.—Section 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)) is amended—

(1) by striking paragraph (3) and inserting the following:

“(3) INSTITUTIONAL CERTIFICATION REQUIRED.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), before a creditor may issue any funds with respect to an extension of credit described in this subsection, the creditor shall obtain from the relevant institution of higher education where such loan is to be used for a student, such institution’s certification of—

“(i) the enrollment status of the student;

“(ii) the student’s cost of attendance at the institution as determined by the institution under part F of title IV of the Higher Education Act of 1965; and

“(iii) the difference between—

“(I) such cost of attendance; and

“(II) the student’s estimated financial assistance, including such assistance received under title IV of the Higher Education Act of 1965 and other financial assistance known to the institution, as applicable.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), a creditor may issue funds with respect to an extension of credit described in this subsection without obtaining from the relevant institution of higher education such institution’s certification if such institution fails to provide within 15 business days of the creditor’s request for such certification—

“(i) the requested certification; or

“(ii) notification that the institution has received the request for certification and will need additional time to comply with the certification request.

“(C) LOANS DISBURSED WITHOUT CERTIFICATION.—If a creditor issues funds without obtaining a certification, as described in subparagraph (B), such creditor shall report the issuance of such funds in a manner determined by the Director of the Consumer Financial Protection Bureau.”;

(2) by redesignating paragraphs (9), (10), and (11) as paragraphs (10), (11), and (12), respectively; and

(3) by inserting after paragraph (8) the following:

“(9) PROVISION OF INFORMATION.—

“(A) PROVISION OF INFORMATION TO STUDENTS.—

“(i) LOAN STATEMENT.—A creditor that issues any funds with respect to an extension of credit described in this subsection shall send loan statements, where such loan is to be used for a student, to borrowers of such funds not less than once every 3 months during the time that such student is enrolled at an institution of higher education.

“(ii) CONTENTS OF LOAN STATEMENT.—Each statement described in clause (i) shall—

“(I) report the borrower’s total remaining debt to the creditor, including accrued but unpaid interest and capitalized interest;

“(II) report any debt increases since the last statement; and

“(III) list the current interest rate for each loan.

“(B) NOTIFICATION OF LOANS DISBURSED WITHOUT CERTIFICATION.—On or before the date a creditor issues any funds with respect to an extension of credit described in this subsection, the creditor shall notify the relevant institution of higher education, in

writing, of the amount of the extension of credit and the student on whose behalf credit is extended. The form of such written notification shall be subject to the regulations of the Consumer Financial Protection Bureau.

“(C) ANNUAL REPORT.—A creditor that issues funds with respect to an extension of credit described in this subsection shall prepare and submit an annual report to the Consumer Financial Protection Bureau containing the required information about private student loans to be determined by the Consumer Financial Protection Bureau, in consultation with the Secretary of Education.”.

(b) DEFINITION OF PRIVATE EDUCATION LOAN.—Section 140(a)(7)(A) of the Truth in Lending Act (15 U.S.C. 1650(a)(7)(A)) is amended—

(1) by redesignating clause (ii) as clause (iii);

(2) in clause (i), by striking “and” after the semicolon; and

(3) by adding after clause (i) the following:

“(ii) is not made, insured, or guaranteed under title VII or title VIII of the Public Health Service Act (42 U.S.C. 292 et seq. and 296 et seq.); and”.

(c) REGULATIONS.—Not later than 365 days after the date of enactment of this Act, the Consumer Financial Protection Bureau shall issue regulations in final form to implement paragraphs (3) and (9) of section 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)), as amended by subsection (a). Such regulations shall become effective not later than 6 months after their date of issuance.

SEC. 3. AMENDMENT TO THE HIGHER EDUCATION ACT OF 1965.

(a) AMENDMENT TO THE HIGHER EDUCATION ACT OF 1965.—Section 487(a) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)) is amended by striking paragraph (28) and inserting the following:

“(28)(A) The institution shall—

“(i) upon the request of a private educational lender, acting in connection with an application initiated by a borrower for a private education loan in accordance with section 128(e)(3) of the Truth in Lending Act, provide certification to such private educational lender—

“(I) that the student who initiated the application for the private education loan, or on whose behalf the application was initiated, is enrolled or is scheduled to enroll at the institution;

“(II) of such student’s cost of attendance at the institution as determined under part F of this title; and

“(III) of the difference between—

“(aa) the cost of attendance at the institution; and

“(bb) the student’s estimated financial assistance received under this title and other assistance known to the institution, as applicable; and

“(ii) provide the certification described in clause (i), or notify the creditor that the institution has received the request for certification and will need additional time to comply with the certification request—

“(I) within 15 business days of receipt of such certification request; and

“(II) only after the institution has completed the activities described in subparagraph (B).

“(B) The institution shall, upon receipt of a certification request described in subparagraph (A)(i), and prior to providing such certification—

“(i) determine whether the student who initiated the application for the private education loan, or on whose behalf the applica-

tion was initiated, has applied for and exhausted the Federal financial assistance available to such student under this title and inform the student accordingly; and

“(ii) provide the borrower whose loan application has prompted the certification request by a private education lender, as described in subparagraph (A)(i), with the following information and disclosures:

“(I) The availability of, and the borrower’s potential eligibility for, Federal financial assistance under this title, including disclosing the terms, conditions, interest rates, and repayment options and programs of Federal student loans.

“(II) The borrower’s ability to select a private educational lender of the borrower’s choice.

“(III) The impact of a proposed private education loan on the borrower’s potential eligibility for other financial assistance, including Federal financial assistance under this title.

“(IV) The borrower’s right to accept or reject a private education loan within the 30-day period following a private educational lender’s approval of a borrower’s application and about a borrower’s 3-day right to cancel period.

“(C) For purposes of this paragraph, the terms ‘private educational lender’ and ‘private education loan’ have the meanings given such terms in section 140 of the Truth in Lending Act (15 U.S.C. 1650).”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the effective date of the regulations described in section 2(c).

SEC. 4. REPORT.

Not later than 24 months after the issuance of regulations under section 2(c), the Director of the Consumer Financial Protection Bureau and the Secretary of Education shall jointly submit to Congress a report on the compliance of institutions of higher education and private educational lenders with section 128(e)(3) of the Truth in Lending Act (15 U.S.C. 1638(e)), as amended by section 2, and section 487(a)(28) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)), as amended by section 3. Such report shall include information about the degree to which specific institutions utilize certifications in effectively encouraging the exhaustion of Federal student loan eligibility and lowering student private education loan debt.

S. 114

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Fairness for Struggling Students Act of 2013”.

SEC. 2. EXCEPTIONS TO DISCHARGE.

Section 523(a)(8) of title 11, United States Code, is amended by striking “dependents, for” and all that follows through the end of subparagraph (B) and inserting “dependents, for an educational benefit overpayment or loan made, insured, or guaranteed by a governmental unit or made under any program funded in whole or in part by a governmental unit or an obligation to repay funds received from a governmental unit as an educational benefit, scholarship, or stipend;”.

By Mr. REED (for himself, Ms. MURKOWSKI, Mr. DURBIN, Ms. COLLINS, Mr. UDALL of New Mexico, Mrs. MURRAY, Mr. LAUTENBERG, Mr. BLUMENTHAL, Mr. COONS, Ms. KLOBUCHAR, Ms. STABENOW, and Mr. BEGICH):

S. 116. A bill to revise and extend provisions under the Garrett Lee Smith Memorial Act; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, I am pleased to be joined by Senators MURKOWSKI, DURBIN, COLLINS, TOM UDALL, MURRAY, LAUTENBERG, BLUMENTHAL, COONS, KLOBUCHAR, and STABENOW in the introduction of the Garrett Lee Smith Memorial Act Reauthorization.

This legislation is named for the son of Senator Gordon Smith, our former colleague, who took his own life at the young age of 22. After this tragedy, Senator Smith rallied support from members across the aisle and in both chambers to prevent other children from doing the same with passage of the Garrett Lee Smith Memorial Act in 2004. Since then, it has retained its bipartisan support among Members of Congress and over 40 member organizations of the Mental Health Liaison Group.

However, the recent horrific mass shooting in Newtown, CT shows that more work must be done to address the mental and behavioral health of children and young adults before they hurt themselves and others. Indeed, what is so clear now from this terrible tragedy is that we have young people who desperately need help. Parents also need help in identifying early warning signs of mental illness and accessing the appropriate treatment before it is too late.

The Garrett Lee Smith Memorial Act authorizes critical resources for schools, elementary schools through college where children and young adults spend most of their time, to be able to reach at risk youth. Currently, this law supports 40 States, 38 tribes and tribal organizations, and 85 colleges and universities in their efforts to address mental health and prevent suicides among their youth.

The bill my colleagues and I are introducing today would increase the authorized grant level to States, tribes, and college campuses for the implementation of proven programs and initiatives designed to address mental illness and reduce youth suicide. It will enable more schools to offer critical services to students and provide greater flexibility in the use of funds, particularly on college campuses.

Suicide is now the second leading cause of death for adolescents and young adults age 10 to 24, up from the third leading cause of death in this population just a few years ago, and results in 4,800 lives lost each year, according to the Centers for Disease Control and Prevention. Additionally, the CDC reports that 157,000 young adults in this age group are treated for self-inflicted injuries annually, often as the result of a failed suicide attempt.

We can play a role in helping these children and their families. I am

pleased that President Obama and Vice President BIDEN recognized this and included in their Plan to Protect Our Children and Our Communities by Reducing Gun Violence a recommendation to increase support for young adults ages 16 to 25, a population with high rates of mental illness, substance abuse, and suicide that is unlikely to seek help. Indeed, passing the Garrett Lee Smith Memorial Act Reauthorization is one way we can better address the mental health needs of this population.

My colleague, Chairman HARKIN, will be holding a hearing on the status of the mental health system in our country tomorrow. I look forward to continuing to work with him and others to act on the President's recommendations to improve mental and behavioral health care services, particularly for children and young people. This should be something that we do automatically when it comes to the welfare of our children but is even more urgently required in the wake of the terrible recent tragedies in Connecticut and elsewhere.

By Mr. CHAMBLISS (for himself, Mr. BURR, Mr. INHOFE, Mr. COBURN, Mr. CORNYN, Mr. MORAN, and Mr. CRUZ):

S. 122. A bill to promote freedom, fairness, and economic opportunity by repealing the income tax and other taxes, abolishing the Internal Revenue Service, and enacting a national sales tax to be administered primarily by the States; to the Committee on Finance.

Mr. CHAMBLISS. Mr. President, I rise to speak today about our Tax Code as well as our economic future. There is a problem with our Tax Code, one that hits home with nearly all Americans; that is, its complexity. In the past few years I have met with hundreds of constituents who are worried about this issue. Individuals, small businesses, farms, and large corporations alike struggle with meeting their obligations to the IRS because of the complexity of our current Tax Code.

Earlier this month the IRS Taxpayer Advocate revealed some startling figures in the Agency's annual report to Congress. It estimates that individuals and businesses spend 6.1 billion hours each year complying with the IRS tax filing requirements. The complexity of the Tax Code is so burdensome that 9 out of 10 taxpayers now pay a professional preparer or use often costly commercial software to assist in tax preparation.

Then there is the problem with our corporate taxes. The United States has the highest marginal effective tax rate among the largest developed nations in the Organization for Economic Cooperation and Development. According to recent studies by the Cato Institute, that rate for U.S. corporations is al-

most 36 percent. In fact, only Argentina, Chad, and Uzbekistan have higher tax rates than does the United States. While the U.S. corporate rates have remained high, other countries are lowering their rates. Sweden, for example, has become the latest country to announce that it will lower corporate tax rates, in part to help attract more foreign investment. Our corporate tax rates continue to be higher than they should, and we lose our competitive advantage to other nations in part because of that high tax rate.

I want to talk about a way to fix both these problems. Since joining the Senate, I have introduced in each new Congress the Fair Tax Act. Today I am reintroducing this legislation because of my belief that the Fair Tax Act can fix the problems built into our current Tax Code. The fair tax will promote freedom and economic opportunity by eliminating our current archaic and inefficient Tax Code and replacing it with a simpler, fairer means of collecting tax revenue. It will repeal the individual income tax, the corporate income tax, capital gains taxes, all payroll taxes, self-employment taxes, and the estate and gift tax in lieu of a 23-percent tax on the final sale of goods and services. Elimination of these inefficient taxing mechanisms will not only bring about equality within our tax system, it will also bring about simplicity. It will provide tax relief for business-to-business transactions. These transactions, including those for used goods that have already been taxed, are not subject to the sales tax, so there would be no double taxation.

Some of my colleagues have asked how the fair tax would affect our revenue on our entitlement programs. Social Security and Medicare benefits would remain untouched under the Fair Tax Act. There would be no financial reductions to either of these vital programs. Instead, the source of the trust fund revenue for these two programs would be replaced simply by the sales tax revenue instead of by payroll tax revenue.

Another question I get is how the fair tax would affect impoverished Americans. Under the Fair Tax Act, every American would receive a monthly rebate check equal to the spending up to the Federal poverty level, according to Department of Health and Human Services guidelines. This rebate would ensure that no American pays taxes on the purchase of necessities.

We have made nearly 5,000 changes to the Tax Code since 2001—I have supported some of them, and I have not supported others—all in the name of improvement and economic benefit. I believe we can do better than simply lowering our taxes. I know we can make a bigger impact on our economic future by ridding ourselves of a tax structure that is holding us back.

Ronald Reagan once said:

I believe we really can, however, say that God did give mankind virtually unlimited gifts to invent, produce and create. And for that reason alone, it would be wrong for governments to devise a tax structure or economic system that suppresses and denies those gifts.

With that statement, I could not agree more.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 8—EXPRESSING THE SENSE OF THE SENATE THAT CONGRESS HOLDS THE SOLE AUTHORITY TO BORROW MONEY ON THE CREDIT OF THE UNITED STATES AND SHALL NOT CEDE THIS POWER TO THE PRESIDENT

Mr. ROBERTS (for himself, Mr. MORAN, Mr. JOHANNIS, Mr. JOHNSON of Wisconsin, and Mr. CORNYN) submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 8

Whereas it is Congress' prerogative and duty to decide how much the Nation will borrow and for what purposes;

Whereas Congress has the responsibility under the Constitution to regulate the terms and conditions under which the Nation borrows funds;

Whereas Congress has the power and the obligation to ensure that payments are made on the national debt;

Whereas Congress is directly accountable to the people concerning any tax and spending burdens placed upon the public;

Whereas these Constitutional powers and responsibilities create an appropriate check on the executive branch and preclude the President from raising taxes and issuing debt;

Whereas on November 29, 2012, the Secretary of the Treasury, on behalf of the President, proposed that Congress should surrender its authority to establish the debt limit of the United States to the executive branch; and

Whereas for 6 decades Congress and the President have routinely used the necessity of increasing the debt limit as a vehicle for debate and broader reforms on the path of spending and future deficits: Now, therefore, be it

Resolved, That it is the sense of the Senate that Congress—

(1) should not relinquish its long utilized authority vested in article 1, section 8 of the Constitution to "borrow money on the credit of the United States" by refusing to debate, amend, and vote on a bill to address the debt limit; and

(2) should not provide the executive branch with exclusive power to issue debt on behalf of the United States Government.

Mr. ROBERTS. Mr. President, I am rising to submit a resolution making it absolutely clear that Congress, and only Congress, has the authority and responsibility to set the Federal debt limit. I should not even have to submit a resolution such as this, but I feel it is absolutely necessary.

Raising the Federal debt limit—the limit we place on government borrowing—as everybody knows, has been

a hot topic around Washington. It is a key issue for the start of the 113th Congress. It is another case where if we could just maintain regular order, regular authority to address our problems, that is the best way for us to approach the task of getting our fiscal house in order.

I know there is a lot of dispute over what breaching the limit means. There is a lot of talk about that. It is clear a great deal of the public and our financial markets are extremely concerned about the Federal Government's ability to meet its financial obligations once we do hit the limit.

The President has asked for a very large increase in the debt ceiling, and some in the administration have called for no limit at all. Others of the administration and in the House are calling for Congress to give up its authority to set the debt limit—rather amazing—thus giving the executive branch unilateral authority to borrow. This is not a good idea.

If the Federal Government does not collect enough revenue to pay for all its spending obligations, it must borrow to make up the shortfall. Everybody knows that. We are borrowing now about 42 cents of every \$1 we are obligated to spend.

This is clearly—I think everybody would agree on either side of the aisle and the public—an unsustainable situation which will only get worse if we do not begin meaningful discussions over our spending priorities, including—including entitlement spending to strengthen and preserve those programs for future generations.

The national debt is growing. Everybody has seen that chart. It is about \$16.4 trillion. The total public debt outstanding at the end of the third quarter just passed was \$16.07 trillion. That is up from \$15.86 trillion reported in June 2012. We are on the wrong path.

The Federal debt is now equivalent to at least 73 percent of the Nation's gross domestic product—nearly double the level as a percentage of GDP that we had back in 1990. That is not too long ago.

According to some measures, there has been a 60-percent increase in the debt limit since 2009. At the rate we are going, in a few short years we will be spending more to pay interest on the debt than we will on all discretionary programs outside of defense. Even defense now is going through a very difficult time with the sequester and has already been cut about one-half trillion dollars.

Let me just say that means no money for education. That means no money for agriculture. That means no money for the environment. That means no money for health care. It all goes to pay off interest on the debt.

The Federal debt is the accumulation of this borrowing, including all bills, notes, and bonds issued by the Department of the Treasury.

The current statutory debt limit is \$16.394 trillion, which was established on January 28 of last year, 2012—about 1 year ago—under the procedures of the Budget Control Act of 2011.

According to the Department of the Treasury, as of December 31—just last month—total debt outstanding subject to the limit was only \$25 million—million; it used to be a lot of money—below the current limit.

Once the amount of outstanding debt reaches the debt limit, the government can no longer issue additional debt to cover the cash shortfalls needed to fund government operations and meet legal obligations.

Similar to the power of the purse, Congress's powers over borrowing are firmly rooted in our constitutional traditions. The Founders understood the potential danger of permitting the executive branch to unilaterally incur new public debt. Article I of the Constitution empowers only—only—Congress "to borrow money on the credit of the United States."

The debt limit is the means by which Congress—Congress—exercises this critical legislative responsibility.

I can remember well that lesson, that lecture, if you will, from Robert C. Byrd of West Virginia, the institutional flame of the Senate, who would have repeated that Congress cannot give debt limit authority to the executive, should not, cannot. It is not constitutional.

To implement this congressional prerogative, the amount of money the Federal Government is allowed to borrow is subject to a specific statutory limit.

From time to time, Congress considers and adopts legislation to change this limit and has done so more than 100 times since the first modern debt limit was set way back in 1939, and we will do so again shortly. We have to.

So preserving this role and establishing the debt limit is vital to encourage deficit reduction and to uphold our constitutional tradition of legislative control over borrowing. Not only does the debt limit provide an essential check on executive borrowing, it provides public accountability—everybody is talking about transparency—for Congress's borrowing and debt management practices. We cannot duck that responsibility. We cannot pass this debt limit simply to the Executive and duck our responsibility and the public accountability.

In other words, debates over the debt limit, as difficult and as contentious as they are—and they are; I know that—shed the light of day on the overall financial condition of the Federal Government. Precluding these discussions by removing Congress's authority over the debt limit would lead to a less well-informed decisionmaking over fiscal policy. That is probably the understatement of my remarks. It is a nice way to put it.

We can do this. In the past, legislation to raise the debt limit has frequently been coupled with legislation to reduce the overall Federal debt and deficit. That is the way we should do it. These extensions, often approved on a bipartisan basis, have been important catalysts for fiscal reform. In this respect, the debt limit is a strong mechanism, a strong tool, a way for Congress to evaluate fiscal policy and to maintain control over such policy.

Abdicating this role would fundamentally alter the checks and balances embedded in the Constitution. This is a power that should not be bargained away.

The necessary and critical battle to control spending is far from over. I view the debt ceiling debate as a critical means in what has to be an ongoing effort to tighten the government's fiscal belt—if we can just do that. But we cannot settle our national finances by fundamentally altering the constitutional structure and processes governing those finances. We cannot cavalierly give up one of our most important tools in evaluating and reining in the Federal Government's runaway spending.

Equally clear, we cannot keep spending what we do not have. We must continue to fight for spending cuts, for debt reduction, and against tax increases and, I might add, the tidal wave of regulations that continue to pour out of Washington.

In response to calls to give up this vital congressional authority over debt issuance, I am submitting today a simple resolution. Let's put the Senate on record. The Congress holds the sole authority to borrow money on the credit of the United States and cannot cede this power to the President.

I invite everybody to cosponsor this important measure and look forward to passage of this resolution. This should be a bipartisan effort, and it is absolutely necessary.

SENATE RESOLUTION 9—DESIGNATING JANUARY 2013 AS “NATIONAL MENTORING MONTH”

Ms. LANDRIEU (for herself, Mr. ISAKSON, Mr. CARDIN, Mr. CARPER, Mr. LAUTENBERG, Mrs. MURRAY, Mrs. GILLIBRAND, and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 9

Whereas mentoring is a longstanding tradition in which a dependable, caring adult provides guidance, support, and encouragement to facilitate the social, emotional, and cognitive development of a young person;

Whereas continued research on mentoring shows that formal, high-quality mentoring focused on developing the competence and character of the mentee promotes positive outcomes, such as improved academic achievement, self-esteem, social skills, and career development;

Whereas further research on mentoring provides strong evidence that mentoring successfully reduces substance use and abuse, academic failure, and delinquency;

Whereas mentoring, in addition to preparing young people for school, work, and life, is extremely rewarding for the people who serve as mentors;

Whereas more than 5,000 mentoring programs in communities of all sizes across the United States focus on building strong, effective relationships between mentors and mentees;

Whereas approximately 3,000,000 young people in the United States are in formal mentoring relationships due to the remarkable vigor, creativity, and resourcefulness of the thousands of mentoring programs in communities throughout the United States;

Whereas, in spite of the progress made in increasing mentoring, the United States has a serious “mentoring gap”, with nearly 15,000,000 young people in need of mentors;

Whereas mentoring partnerships between the public and private sectors bring State and local leaders together to support mentoring programs by preventing duplication of efforts, offering training in industry best practices, and making the most of limited resources to benefit young people in the United States;

Whereas the designation of January 2013 as “National Mentoring Month” will help call attention to the critical role mentors play in helping young people realize their potential;

Whereas a month-long celebration of mentoring will encourage more individuals and organizations, including schools, businesses, nonprofit organizations, faith institutions, and foundations, to become engaged in mentoring across the United States; and

Whereas, most significantly, National Mentoring Month—

(1) will build awareness of mentoring; and
(2) will encourage more people to become mentors and help close the mentoring gap in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the month of January 2013 as “National Mentoring Month”;

(2) recognizes with gratitude the contributions of the millions of caring adults and students who are already volunteering as mentors; and

(3) encourages more adults and students to volunteer as mentors.

SENATE RESOLUTION 10—EXPRESSING THE SENSE OF THE SENATE REGARDING THE GOVERNMENT OF ANTIGUA AND BARBUDA AND ITS ACTIONS RELATING TO THE STANFORD FINANCIAL GROUP FRAUD

Mr. VITTER submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 10

Whereas the Government of Antigua and Barbuda has committed numerous acts against the interests of United States citizens and operated the financial sector and judicial system of Antigua and Barbuda in a manner that is manifestly contrary to the public policy of the United States;

Whereas 20,000 investors, including many United States citizens, lost \$7,200,000,000 in an alleged Ponzi scheme involving fictitious certificates of deposit from Stanford International Bank, an offshore bank chartered in Antigua and Barbuda;

Whereas the Government of Antigua and Barbuda violated the order of the United States District Court for the Northern District of Texas regarding the receivership proceeding initiated at the request of the United States Securities and Exchange Commission (referred to in this preamble as the “Securities and Exchange Commission”), in which the court took exclusive control of all the assets owned by Allen Stanford and Stanford-affiliated entities around the world and documents relating to those assets;

Whereas the Government of Antigua and Barbuda challenged the authority of the United States District Court for the Northern District of Texas by—

(1) initiating a separate and competing liquidation proceeding for Stanford International Bank; and

(2) appointing liquidators who have defied the orders of the court in multiple jurisdictions around the world by litigating for control of hundreds of millions of dollars in bank accounts in the United Kingdom, Switzerland, and Canada;

Whereas the Government of Antigua and Barbuda challenged the authority of the United States Department of Justice by seeking to obtain control of hundreds of millions of dollars in bank accounts in the United Kingdom, Switzerland, and Canada that had been frozen at the request of the Department of Justice in accordance with multilateral criminal asset forfeiture treaties;

Whereas the courts of Antigua and Barbuda have denied recognition of the United States district court-appointed receiver for all assets of Allen Stanford and Stanford-affiliated entities;

Whereas the Stanford International Bank liquidators appointed by the Eastern Caribbean Court of Appeals now seek recognition of the Antigua and Barbuda liquidation proceeding as a foreign insolvency proceeding under chapter 15 of title 11, United States Code, in the United States District Court for the Northern District of Texas;

Whereas the Government of Antigua and Barbuda acknowledged in a statement in March 2010 that—

(1) Stanford International Bank “was operating in Antigua as a transit point and for purposes of registration and regulation”; and

(2) “[t]he business of Stanford International Bank, Ltd. was run from Houston, Texas, and its books maintained in Memphis, Tennessee”;

Whereas Allen Stanford, the Stanford Financial Group, and the Government of Antigua and Barbuda enjoyed a mutually beneficial business relationship involving numerous economic development projects and loans to the government of at least \$85,000,000, and forensic accounting reports have identified those loans as having been made from Stanford International Bank certificate of deposit funds;

Whereas, in June 2010, the Securities and Exchange Commission alleged that Allen Stanford bribed Leroy King, the chief executive officer of the Financial Services Regulatory Commission of Antigua and Barbuda, to persuade Leroy King to—

(1) not investigate Stanford International Bank;

(2) provide Allen Stanford with access to the confidential files of the Financial Services Regulatory Commission;

(3) allow Allen Stanford to dictate the response of the Financial Services Regulatory Commission to inquiries by the Securities and Exchange Commission about Stanford International Bank; and

(4) withhold information from the Securities and Exchange Commission;

Whereas, in June 2010, the United States Department of Justice indicted Leroy King on criminal charges and ordered Leroy King to be extradited to the United States;

Whereas the Government of Antigua and Barbuda has failed to complete the process of extraditing Leroy King to the United States to stand trial;

Whereas Dr. Errol Cort, who served as the Minister of Finance of Antigua and Barbuda from 2004 to 2009, allegedly received more than \$1,000,000 of fraudulently transferred Stanford investor funds either directly or indirectly through his law firm, Cort & Cort;

Whereas Cort & Cort, the law firm of Dr. Errol Cort, served as the official registered agent for Stanford International Bank until June 2009;

Whereas the Government of Antigua and Barbuda, along with the Eastern Caribbean Central Bank—

(1) seized control and possession of the Allen Stanford-owned Bank of Antigua without compensation to the United States district court-appointed receiver;

(2) renamed that bank the “Eastern Caribbean Amalgamated Bank”; and

(3) allocated a 40 percent ownership position to the Government of Antigua and Barbuda and 60 percent ownership to 5 Eastern Caribbean Central Bank member banks;

Whereas, after the fraud that the Stanford Financial Group allegedly perpetrated was made public, the Government of Antigua and Barbuda expropriated numerous Allen Stanford-owned properties in Antigua and Barbuda worth up to several hundred million dollars, and the government has not turned over those properties to the United States district court-appointed receiver;

Whereas the Government of Antigua and Barbuda expropriated without compensation the property known as the Half Moon Bay Resort, which is owned by a group of 12 United States citizens; and

Whereas the Government of Antigua and Barbuda—

(1) has sought and obtained loans from the International Bank for Reconstruction and Development and the International Development Association (commonly known as the “World Bank”) and the International Monetary Fund; and

(2) is the recipient of other direct and indirect aid from the United States: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) provision of all further direct or indirect aid or assistance, including assistance derived from Federal funds, by the United States Government to the Government of Antigua and Barbuda should be suspended until the Government of Antigua and Barbuda provides complete redress of the issues described in the preamble, including through—

(A) the full cooperation of the Government of Antigua and Barbuda and any appointee of that government, including the joint liquidators of Stanford International Bank, with the United States Securities and Exchange Commission, the United States Department of Justice, the United States district court-appointed receiver, and the United States district court-appointed Stanford Investors Committee, in investigating the Stanford Financial Group fraud and marshaling the assets of Allen Stanford and all Stanford-affiliated entities;

(B) an agreement by the Government of Antigua and Barbuda to be subject to the ju-

risdiction and bound by the judgment of any United States court that adjudicates the claims relating to the Stanford Financial Group fraud;

(C) the transfer of the assets seized by the Government of Antigua and Barbuda, or obtained by the joint liquidators of Stanford International Bank, to the United States district court-appointed receiver for the benefit of victims of the Stanford Financial Group fraud;

(D) a contribution by the Government of Antigua and Barbuda to the United States receivership estate for the benefit of victims of the Stanford Financial Group fraud, in an amount equal to the amount of any funds that Allen Stanford or any Stanford-affiliated entity provided to the Government or government officials of Antigua and Barbuda;

(E) a contribution by the Government of Antigua and Barbuda to the United States receivership estate for the benefit of victims of the Stanford Financial Group fraud, in an amount equal to any payments that Allen Stanford or the Stanford Financial Group made to Leroy King or any other official of the Government of Antigua and Barbuda for the purpose of subverting regulatory oversight of Stanford International Bank;

(F) the fulfillment by the Government of Antigua and Barbuda of its obligations relating to the expropriation of the Half Moon Bay Resort; and

(G) an agreement by the Government of Antigua and Barbuda to not—

(i) interfere with the receivership commenced by the United States Government; and

(ii) seek control of assets claimed by the United States Government; and

(2) the Secretary of the Treasury should direct the United States Executive Directors of the International Bank for Reconstruction and Development and the International Development Association (commonly known as the “World Bank”) and the International Monetary Fund to use the voice and vote of the United States to ensure that any future loan made by the World Bank or the International Monetary Fund to the Government of Antigua and Barbuda is conditioned on providing complete redress of the matters, and satisfaction of the requirements, described under paragraph (1).

SENATE RESOLUTION 11—EXPRESSING SUPPORT FOR PRAYER AT SCHOOL BOARD MEETINGS

Mr. VITTER submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 11

Whereas the freedom to practice religion and to express religious thought is acknowledged to be a fundamental and unalienable right belonging to all individuals;

Whereas the United States was founded on the principle of freedom of religion and not freedom from religion;

Whereas the framers of the Constitution of the United States intended that the First Amendment to the Constitution would prohibit the Federal Government from enacting any law that favors one religious denomination over another, not that the First Amendment to the Constitution would prohibit any mention of religion or reference to God in civic dialogue;

Whereas, in 1983, the Supreme Court held in *Marsh v. Chambers*, 463 U.S. 783, that the practice of opening legislative sessions with prayer has become part of the fabric of our society and invoking divine guidance on a public body entrusted with making the laws is not a violation of the Establishment Clause of the First Amendment to the Constitution, but rather is simply a tolerable acknowledgment of beliefs widely held among the people of the United States;

Whereas voluntary prayer by elected bodies should not be limited to prayer in State legislatures and Congress;

Whereas school boards are deliberative bodies of adults, similar to a legislature in that they are elected by the people, act in the public interest, and hold sessions that are open to the public for voluntary attendance; and

Whereas voluntary prayer by an elected body should be protected under law and encouraged in society because voluntary prayer has become a part of the fabric of our society, voluntary prayer acknowledges beliefs widely held among the people of the United States, and the Supreme Court has held that it is not a violation of the Establishment Clause of the First Amendment to the Constitution for a public body to invoke divine guidance: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that prayer before school board meetings is a protected act in accordance with the fundamental principles upon which the United States was founded; and

(2) expresses support for the practice of prayer at the beginning of school board meetings.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mrs. McCASKILL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on January 23, 2013, at 9 a.m., to hold a hearing entitled, “Benghazi: The Attacks and the Lessons Learned.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mrs. McCASKILL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on January 23, 2013, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Judicial Nominations.”

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that Jacqueline Emanuel, who is a fellow in Senator MARK UDALL's office, be granted floor privileges for the Senate's sessions of the 113th Congress for the remainder of the month of January 2013.

The PRESIDING OFFICER. Without objection, it is so ordered.

SIGNING AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that from Wednesday, January 23, through Monday, January 28, the majority leader be authorized to sign duly enrolled bills or joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURES READ THE FIRST TIME EN BLOC—S. 81, S. 82, S. 83, AND S. 124

Mr. REID. Mr. President, I am told there are four bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the titles of the bills en bloc.

The legislative clerk read as follows:

A bill (S. 81) to provide guidance and priorities for Federal Government obligations in the event that the debt limit is reached.

A bill (S. 82) to provide that any executive action infringing on the Second Amendment has no force or effect, and to prohibit the use of funds for certain purposes.

A bill (S. 83) to provide for continuing operations of Government in a fiscally responsible manner.

A bill (S. 124) to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

Mr. REID. Mr. President, I now ask for a second reading en bloc, and I object to my own request on all four of these measures.

The PRESIDING OFFICER. Objection is heard.

The bills will be read for the second time on the next legislative day.

ORDERS FOR THURSDAY, JANUARY 24, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 9:30 a.m. on Thursday, January 24, 2013; that following the prayer and pledge, the Journal of proceedings be approved to date and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for debate only until 12 noon, with Senators permitted to speak for up to 10 minutes each during that time, with the majority controlling the first half-hour and the Republicans controlling the second half-hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it recess under the previous order.

There being no objection, the Senate, at 6:39 p.m., recessed until Thursday, January 24, 2013, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GENERAL LLOYD J. AUSTIN III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LIEUTENANT GENERAL ROBERT L. CASLEN, JR.

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

KORY D. BINGHAM

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MICHAEL A. COOPER
LOREN J. JANKE
SUSAN MICHELLE MILLER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

VICTOR DOUGLAS BROWN
DAVID P. DOROFF
DAVID L. MOYER
RODNEY M. WAITE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

WALTER S. ADAMS
RANDY A. MARSHALL
DAVID L. SUMRALL
CARL E. SUPPLEE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JOHN J. BARTRUM
WILLIAM H. CRAIG
KRISTIN A. HILLERY
GREGORY C. STAUDENMAIER
ANTHONY A. TREZZA
GEORGE L. VALENTINE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

KIMBERLY L. BARBER
DIANE DIFRANCESCO
MARY C. GOETTER
THOMAS M. HANSEN
JO ANNE HOWARD
LIESELOTTE J. KENNEDY
DOROTHY ANNE KLEINERT
JANET L. SETNOR

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

DINA L. BERNSTEIN
CHRISTOPHER DAVID CAREY
MICHELLE S. CRAMER
GEORGE A. KIRKPATRICK
LORRAINE M. MINK

JULIA D. RIVERA
DANIEL L. ROUSE
CHRISTOPHER A. SANTORO
RANDALL G. SNOW
CORNELIA P. WEISS
WILLIAM R. YOUNGBLOOD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

TIMOTHY LEE BRININGER
JEANINE M. CZECH
DAVID L. DAWSON
KARL J. EDELMANN
ERIC S. JOHNSON
COLLEEN ELIZABETH KELLEY
JOHN T. LANGELL
DAVID J. LUTHER
MARY E. NEWMAN
BRIAN S. PINKSTON
THOMAS E. QUINN, JR.
CHRISTOPHER J. RYAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

FRANCIS XAVIER ALTIERI
MICHAEL EDWARD AMIRAULT
BRYAN G. ANDERS
BRADFORD T. ANDERSON
ANTHONY P. ANGELLO
DAVID SCOTT ARGYLE
CHARLES D. ASSUMMA
KEVIN J. AUNAPU
ROBERT E. BALSERAK
PAUL NATHAN BARNES
BRIAN CHRISTOPHER BATAILLE
DAVID B. BAYSINGER
LESLIE A. BEAVERS
PAMELA ANNE BERGESON
RICARDO J. BERUVIDES
ROBERT M. BLAKE
BRETT A. BOLAN
BRIAN S. BOWMAN
ANN L. BROWN
STEPHEN M. BROWNING
PAMELA JUNE BRUNER
ROBERT OTIS BUCHANAN
MICHAEL ALPHONS BUONICONTI
GREGORY P. BUTLER
ERIC MARTIN BUTTER
DEAN C. CALDWELL
LEE WILLIAM CAREY
BARBARA ELISABETH CARSON
JOHN YOUNG CHOL CARTER
ELIZABETH J. CHAMBERLAIN
TODD WILLIAM CHAVANNE
MICHAEL A. CHRISTOPH
MELISSA ANN COBURN
CHRISTINA M. COLLINS
GLENN COLLINS
JOSEPH A. COLLINS
DAVID J. CONDIT
MATTHEW CHRISTOPHER CONRAD
ARTHUR T. COPPAGE
STANLEY D. CROW, JR.
PETER V. CULLINAN
CHRISTOPHER C. CUNNINGHAM
RAYMOND J. DANOWSKI
LISA D. DAY
MICHAEL P. DAY
JOSEPH LOUIS DELLARCIPRETE
LAWRENCE R. DISALVI
TIMOTHY SEAN DONNELLY
VANESSA J. DORNHOEFER
BARNABAS DUDAS
ROBERT GREEN DUNHAM
SAM T. DUPRE
ALAN M. EDMIASTON
BRIAN M. FARRAR
TERRY J. FRADY
KENNETH T. FRANKENBURY
RALPH L. FREED
CHESTER V. FROST III
DARRIN L. GAMBLIN
SEAN ALAN GARRETT
ROBERT P. GRAHAM
MARK M. GRUENEWALD
ROBERT A. HADDIX
GREGORY D. HALEN
JEROME S. HAYES
LYNNETTE J. HEBERT
WILLIAM M. HEISER
DIANE L. HIGGINBOTHAM
JEFFREY FRANK HILL
MARK D. HOLTEN
MELANI S. HOWARD
PAUL B. HOWARD
GERALD L. HROMOWYK
WILLIAM T. HUBBARD
THOMAS WILSON HUDNALL
MARTY A. HUGHES
BRYAN D. HUNTLEY
ERIC P. JENKINS
ERIC R. JENKINS
BARRY K. JONES
FRANCEEN KAKAVOULISPERERA
CATHERINE J. KASSUBE
JAMES W. KELLOGG, JR.
JOSEPH W. KING

JOHN L. KITCHELL III
DETLEF KLANN
ANN P. KNABE
STEPHEN R. KOENIG
ROBERT BRYAN KOWNACKY
TANYA R. KUBINEC
NEAL J. LANDEEN
MICHAEL J. LATTANZI
ANDREW J. LEONE
HAROLD W. LINNEAN III
JEFFREY S. LONG
KAREN L. MAGNUS
JAMES D. MARSHALL
DOUGLAS S. MARTIN
JACQUELYN L. MARTY
THOMAS C. MATSCHEK, JR.
KURT A. MATTHEWS
JEANINE M. MCANANEY
TERRY W. MCCLAIN
SCOTT T. MCLEAN
THOMAS CHRIS MCNURLIN
RUTH MEYER
JOEL M. MILTON
THOMAS O. MOFFATT, JR.
MARTHA M. MONROE
LEON H. MORRIS
CHARLES E. MORTON
BRIAN J. MUELLER
NICHOLAS W. MYERS
MARK A. NEVILLE
CHRISTOPHER D. OGREN
SHANNON OHARREN
ERIC J. OISTAD
MICHAEL J. OTT
RAYMOND C. OTTO
DAVID A. OWENS, JR.
EDWARD G. PAYLOR
JAMES M. PAYNE II
REX EUGENE PELTO
LINDA N. PEPIN
ROBERT L. PERCY
ROBERT E. PEREZ
ANTHONY M. PERKINS
DEAN E. PETERS
KURT M. PETERS
MICHAEL H. PHAN
DAVID A. PIFFARERIO
PAUL RICHARD PINKSTAFF
RAYMOND M. PLATT
DAVID C. POLACHECK
ANTHONY G. POLASHEK
RICHARD C. POSTON
SCOTT M. REED
JOSEPH MATTHEW REVIT
DAVID WAYNE ROBERTSON
STANLEY ROGERS
KATHRYN A. RUSSEL
PAUL A. SAINSBURY
SCOTT D. SANDBERG
GREGORY R. SAUNDERS
JOHN L. SCHMIDT III
DAVID E. SCHOBEL
TODD MICHAEL SEGER
LORENZA H. SHAW III
JAMES M. SHEALY II
CRAIG B. SHENKENBERG
DORNEEN W. SHIPP
JEFFREY B. SHORES
LENNIE J. SIMPSON
MARK V. SLOMINSKI
DAVID L. SMITH
GEORGE HUMPHREY SMITH III
MICHAEL J. SMITH
SCOTT A. SNYDER
ADAM J. SPEARS
RANDY P. SPEARS
ROBERT J. STANTON
CLIFTON D. STARGARDT
STEPHEN J. STASO
ROBERT J. STEFANOWICZ
CHRISTOPHER L. STEGNER
ANDREW H. STEPHAN
PAUL K. STERNAL
CAROLYN ANN STICKELL
MICHAEL A. STOLT
MICHAEL LEROY TAYLOR
SHERRY L. TEAGUE
KIMBERLY G. TEBRUGGE
KEVIN B. THOMAS
STUART A. TOFT
MIGUEL F. TORREALDAY
STEVEN G. TREE
CHARLES D. TUCK
LUTHER L. UPTON, JR.
ANTHONY DOMINIC VALLERA
CAROL ANN MARIE VELDHIJZEN
SAMUEL R. VENY
NICHOLAS A. VOLPE
ANNE M. VONLUHRTE
JEFFREY S. WALLACE
CLIFFORD W. WALLER
ROBERT J. WALTZ
JAMES F. WARD
JOHN K. WELCH
CRAIG R. WELLS
ADRIAN K. WHITE
MARIA EARNHARDT WHITE
CHRISTOPHER T. WHITEHEAD
ROBERT D. WHITEHOUSE
STEPHANIE W. WILLIAMS
ADAM B. WILLIS
GARY A. WOLF

SHANNON L. YENCHESKY
KEVIN M. ZELLER

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JONATHAN A. FOSKEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MARION J. PARKS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

KAREN A. PIKE

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

DEREK S. REYNOLDS
BRIAN D. VOGT

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

EDWARD A. FIGUEROA
MICHAEL C. VANHOVEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JACK C. MASON
TODD B. WAYTASHEK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

RUTH E. APONTE
EDWARD R. ARMSTRONG
WARREN F. BACOTE
TIMOTHY O. BANE
MARSHALL D. BANKS
CRAIG A. BARKLEY
ROSBELL BARRERA
THOMAS E. BARTOW
HARRY C. BLANCO
ROBERT I. BLAND
CURTIS T. BOTH
NORMA J. BRADFORD
MIGUEL A. CASTELLANOS
DOUGLAS A. CHERRY
TYRONE D. CLIFTON
ELIZABETH A. COBLE
MARK W. COLVIS
ROSANNA L. DOLPHIN
MICHAEL J. FAGNANT
JON M. GOFORTH
NIKKI L. GRIFFINOLIVE
WILLIAM I. GRYMES
KENNETH M. HAMMOND
MICHAEL T. HARVEY
CURTIS R. HENRY
SEAN P. HIGGINS
DEBRA A. HOWER
DAVID R. JAMES
RICARDO A. JAVIER
CHARLES M. JENKS
LINDA C. JOHNSON
PATRICK N. JOYNER
MICHAEL L. KASNIC
DANIEL A. KELLER
ROBERT J. KENNEDY
ERIC A. LAWSON
SAMUEL E. LICORISH, JR.
TERRY D. LINDON
RONALD L. LUNDY
JOSE M. MADERA
GASPARE MAGADDINO
JOHN D. MANNING
EDWARD B. MCEACHERN
THOMAS P. MCLEARY
GREGORY S. MCMILLAN
ELIZABETH A. MEDINA
DONNA M. MIKULIC
WILLIAM N. NUTTER
JAMES R. ORBOCK
THOMAS B. PENTECOST
WILLIAM PHILLIPS
LUIS POMALES
DEREK W. PRUITT
DEREK J. REMINGTON
DALE B. RIVERS
PAUL R. ROSEWITZ
MICHAEL C. ROWELLS
GLENN W. SANDERS
EDUARDO C. SANNICOLAS
EASTER K. SHARPE
RICHARD T. SHEVLIN
DUSTIN A. SHULTZ

ROBERT F. SINGLER, JR.
GREGORY W. SMITH
PAUL M. SOEHNLEIN
MICHAEL P. SPEARS
MARK A. TOWNE
MICHAEL J. TROMBLEY
MICHAEL J. VARGAS
FRANCISCO S. VELEZ III
JOHN B. VINZANT
THERESA J. WALSH
FLETCHER V. WASHINGTON
KURT H. L. WEINAND
BRADLEY P. WELCH
MATTHEW Z. WEST
PAMELA L. WRIGHT
TWANDA E. YOUNG
MICHAEL J. ZINNO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

LESLIE E. AKINS
RONALD ALCALA
ADRIAN T. ALLISON
NATHANIEL H. BABB
JASON S. BALLARD
SEAMUS K. BARRY
KRISTA L. BARTOLOMUCCI
CHRISTOPHER B. BERNOW
TRICIA L. BIRDSSELL
KENNETH W. D. BORGNINO
CARL J. BROMLEY
JAY S. BURNS
JOHN W. CAULWELL
CINNAMON J. CHIELENS
JOHN CIULLA, JR.
GILBERT J. COMLEY
BRENDAN R. CRONIN
CHRISTOPHER J. CURRAN
MELISSA DASGUPTASMITH
NICHOLAS D. DEMBINSKI
JOHN G. DOYLE
BRADLEY ENDICOTT
CHAD M. FISHER
CHRISTOPHER T. FRANCA
JEFFREY A. GILBERG
MEGHAN D.B. GLUSHENKO
BRENT A. GOODWIN
CLYDE B. GORE
TERRY J. GRIDER
JOHN R. GUENARD
RAUDEL GUERRA
BRAD T. GWILLIM
JEREMY A. HAUGH
JENNIFER M. HEALY
THOMAS S. HONG
LARRIS HUTTON
STEWART HYDERKHAN
MATTHEW W. JEPPOSON
DURWARD JOHNSON
JOSHUA W. JOHNSON
ASHLEY A. JOLISSAINT
JOSEPH E. JORGENSEN
CAOILTE K. JOY
TAKASHI KAGAWA
BRIAN J. KARGUS
SAMUEL K. KIM
MICHAEL KORTE
JOSHUA W. KRUPA
CHRISTOPHER A. LACOUR
BRETT A. LAMBORN
MICHAEL H. LAMPHIER
SANDRA N. LEEBER
SHAUN B. LISTER
MARK W. MALCOLM
ROBERTO C. MARTENS
DANIEL D. MAURER
ALLISON D. MCFEATERS
JENNIFER A. MCKEEL
MARCUS L. MISINEC
JODEAN MORROW
DUSTIN P. J. MURPHY
ALAN J. NEF
WILLIAM A. OBRINGER
GREGORY T. OMALLEY
MEGHAN OSULLIVAN
BENJAMIN M. OWENSFILICE
JOY L. PREMO
ARMANDO RANCANO
JESS R. RANKIN
THEODORE B. REITER
JAMAL RHINEHARDT
STEPHEN J. RUETER
ANDREW W. SCOTT
BRETT C. SHEPARD
JOSHUA J. SMITH
NATHANIEL G. SMITH
SHAHARA T. TIMBROOK
VIRGINIA H. TINSLEY
BRUCE TYLER
KYLE C. VANDEWATER
STEVEN VARGO
CHRISTOPHER C. WAITE
RYAN T. WARDLE
JOSEPH H. WHEELER
MELVIN L. WILLIAMS
JASON D. WRIGHT
MATTHEW E. WRIGHT
MARC W. ZELNICK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

TIMOTHY G. ABRELL
SCOTT E. ADAMS
ROBERT C. ALLISON, JR.
JOHN C. ANDONIE
RAMON M. ANGELUCCI
GARY P. APPEL
NICHOLAS R. ARANDA
BRUCE C. BALZANO
THOMAS C. BARNETT, JR.
MARTIN J. BASHAM
JEFFREY K. BECKER
MATTHEW J. BEDWELL
MAUREEN E. BELLAMY
JANEEN L. BIRCKHEAD
ROBYN J. BLADER
RONALD L. BRAZELL II
THERESA L. BROWN
JONATHAN D. BUONAMICI
JOHN E. BURICK
TODD R. BURTON
JAMES J. CARUOLO
DAVID G. CHACON
PAUL B. CHAUNCEY III
KENNETH D. CHAVEZ
PHILIP W. CLAYTON
DENNIS S. CLEAVELAND
CHRISTOPHER J. COLE
SCOTT E. COLLINS
MARGARET L. COMPTON
DAVID M. COOLEY
JEFFREY L. COPELAND
ROBERT C. COVERT
HOLLIE A. CRISSEY
LISA CRUM
DAVID M. DAHLE
DARRELL W. DANIELS
JONATHAN T. DAVENPORT
MATTHEW L. DAVIS
BARRY A. DEATON
DARRELL W. DEMENT
JODY L. DEW
MICHAEL P. DIETZ
AMANDA E. DIGRE
MARTIN C. DINAN
TONY D. DIVISH
JONATHAN R. DOLS
ROBERT A. DWAN, SR.
ANITA R. EASLEY
ROBERT D. EDGERLY
FRANK D. EMANUEL
DAVID H. ESTES
GREGORY L. ESTES
MICHAEL V. ETCHEVERRY
CURTIS W. FAULK
RICHARD B. FENNELL
KYLE G. FERLEMAN
JOHN W. FINDLEY
MICHAEL S. FINER
GEORGE L. FISHER
THOMAS C. FISHER
ADAM R. FLASCH
CHRISTOPHER M. FLEMING
DANIEL M. FRICKENSCHMIDT
MARTIN S. FRIES
MARK S. FRITZ
DOUGLAS C. GAGNON
ELIZABETH K. GAYTON
FREDERICK P. GILSON
NEIL C. GLAD
NORBERT L. GLADNICK, JR.
MICHAEL J. GLISSON
SETH M. GOLDBERG
CHRISTOPHER M. GOLNICK
ESTEBAN L. GONZALES
SAMUEL W. GOULD
DOUGLAS T. GRAGERT
RODNEY M. GRAHAM
ANDREW L. GRANTHAM
JON R. GREENHAW
WARREN R. GRIFFIS
STEVEN T. GRIGSBY
FORREST M. GRIMES, JR.
DAVID A. GUIDO
JEFFREY J. HAFNER
WILLIAM M. HALL
JOHN P. HARDY
TODD R. HARLESS
TERRY B. HARPER
GEORGE J. HARRINGTON
CYRO D. HARRISON
JOHN F. HARRISON
JET M. HAYS
ROBERT F. HEPNER, JR.
BARBARA A. HERRINGTONCLEMENS
STEVEN L. HIBLER
GARY M. HOFFMANN
DEDRICK W. HOSKINS
ANDREW F. HUTCHINSON
ENIS A. JAMES
ROGER L. JENNINGS, JR.
DANIEL M. JOHNSON
ANDREA J. JOHNSONHARVEY
JOHN D. JOHNSON
LYNDON C. JOHNSON
ANGELA B. JONES
DAVID V. JORDAN
PETER D. JORDAN
TROY D. JOSLIN

JOHN E. KAJANDER
RAYMOND M. KENT
THOMAS J. KILMARTIN
CECIL W. KING
DANIEL J. KNIGHT
JOHN D. KOVAC
GARY D. LADD
GENE K. LAMBRECHT
RICHARD J. LEBEL
JOHN J. LEE
DAVID A. LEGER
DAVID C. LEONARD
THOMAS R. LEONARD
TODD W. LEWIS
JAMES D. LORD
SONJA M. LUCAS
CLYDE A. LYNN III
AMY S. LYONS
MICHAEL A. LYONS
MICHAEL D. LYTLE
THOMAS M. MALEE II
BARRY W. MANLEY
TERRY L. MAST, JR.
JUDY M. MAVROLEON
SCOTT C. MAYLATH
DANIEL C. MCCARROLL
GARY L. MCGINNIS
EDWARD M. MCINNIS
LES A. MELNYK
MICHAEL K. MESSICK
STEVEN E. METZE
MARK K. MIERA
MILO W. MOODY
RENE MORENO
ALBERT C. MORRIS
ROBERT E. MOSCARELLO
MAX E. MOSS, JR.
ERIC T. MULLAI
RALPH R. MYERS, JR.
MARTY R. NICHOLS
LEE G. NORDIN
DANIEL A. NORMAN
NATALIE D. NORTHERN
JEFFREY A. OLIVE
KEVIN A. OLSON
JOHN E. PARKER
MICHAEL E. PATTERSON
LISA A. PEAKE
WILLIAM H. POPPLER
DAVID C. POULTON
ROGER A. PRESLEY, JR.
RICKY C. PRESSNELL
MIGUEL A. RAMOSNIEVES
JASON J. RECKARD
RAFAEL A. RIBAS
MARK T. RICCARDI
RYON A. RICHMOND
TIMOTHY R. RICKERT
TIMOTHY L. RIEGER
GARY A. ROBINSON II
ROBERT D. ROBINSON II
JEFFREY L. RYAN
MARK J. SCHINDLER
RONALD J. SCHWICKERATH
LAWRENCE P. SEABERG
JAMES S. SELCHERT
JOHN A. SEPRODI
DAVID P. SHAFFER
DAVID R. SHAUL
TODD C. SHEALY
JAMES T. SHUTO
JAMES B. SLAGOWSKI
ELIZABETH B. SMART
RONALD J. SPENCER
DEAN T. SPENZOS
CHRISTOPHER S. STANGER
JEFFREY S. STEVENS
JOHN A. STEVENS
LORI A. STRODE
ANTHONY K. SUTTER
GERALD A. TAKASE
WILLIAM H. TAYLOR
STUART J. TOMASA
KENNETH S. TOUSSAINT
DANIEL L. TOWNSEND
THEODORE F. TRACY
TRYGVE B. TROSPER
HERMAN P. VALENTINE
VINCENT L. VANNOORBEECK
LARRY B. VAUGHN
KEVIN A. VEDDER
ADAM C. VOLANT
MICHELE R. VOORHEES
DAVID L. WARD
LOREN A. WEEKS
JOHN M. WELLS
ROBERT M. WHITE
MICHAEL D. WICKMAN
DAVID L. WILLIAMS
MICHAEL W. WILLIAMS
WARREN R. WINTRODE
STEVEN F. WOLF
ANDREW M. WOOD
RUSSELL W. WOODLIEF
JOHN J. WRANEK III
RICHARD M. WRIGHT
WILLIAM R. YOUNG
JAMES A. ZOLLAR
JOHN A. ZULFER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

RAFAEL E. ABREU
LESLIE L. ACHTERBERG
THOMAS B. ADAMS
DAVID F. ALBANESE
RANDELL ALICEAORTIZ
DERRIC H. ANDERSON
JON T. ANDERSON
TRAVIS J. ANGLIN
TROY J. ANHALT
MICHAEL T. ANSAY
DANIEL E. ARZONICO
EDGARDO AVILES
LISA D. A. BACA
MICHELLE M. BAILEY
GREGORY L. BAISCH
HARLAN E. BALLARD
DANIEL J. BASIK
MILLER L. BELMONT
CURTIS A. BENNETT
JAMES M. BERRY
KARL J. BERSCHIED
ANDREW P. BESSMER
HERALD E. BIRCHFIELD, JR.
BARRY N. BIRDWELL
GARY A. BISSELL
MICHAEL L. BLAND
JON T. BLATT
RICHARD J. BOEHNING
GLENN A. BOGDANSKI
JIMMY D. BOWIE
MICHAEL W. BRANER
STEPHEN J. BROADFOOT
BUDDY B. BROOK
MICHAEL E. BROWNE
JAMES C. BULKOWSKI
JOHN W. BUSTERUD
CLARENCE D. BUTLER
WINDSOR S. BUZZA
KENNETH W. CARLSON
ANGELO J. CARMELLO
DONALD E. CARTER, JR.
WILLIAM E. CARTER
WALTER C. CATLETT
SHAWN R. CHENEY
WALTER J. CHWASTYK
RICHARD E. CIOCHON
ELIZABETH L. COFFMAN
ROYELLE D. COMER
GEORGE W. COOK, JR.
TIMOTHY P. COON
THOMAS M. COONEY
MICHAEL D. CRADER
GEORGE C. CRESSMAN, JR.
KENNETH R. DASILVA
GLENN M. DAVIS
STEVEN A. DAVIS
DONALD L. DEAS
STEVEN J. DEBRUIN
GENE J. DELBIANCO
STEVEN E. DEVORE
TERRY L. DEWITT
BRIAN T. DIEFFENBACHER
GEORGE K. DIXON
RONALD D. DIZ
ROY J. DOWNEY
JOHN M. DRESKA
TIMOTHY D. DYE
JOSEPH F. DZIEZYNSKI
MATTHEW P. EASLEY
VALERIE D. ECHOLS
HOWARD W. ECKSTEIN
ANNE D. EDGECOMB
JOSEPH A. EDWARDS II
GREGORY T. ELPERS
JOHN T. FARNSWORTH
RICHARD A. FAULKNER, JR.
MICHAEL A. FITZGERALD
KENNETH W. FORMELLA
LOVOYD L. FOUNTAIN
MITCHELL H. FRIDLEY
SAMUEL A. FRYER
JAMES W. FULKS
GERALD J. GAFFORD
DANIEL A. GAJEWSKI
WILLIAM H. GALBREATH
THOMAS M. GANTT
THOMAS C. GEORGES
DARREL A. GERMAN
SCOTT A. GIACOBBI
TONI A. GLOVER
SCOTT J. GORDON
PETER GORKY
SUZANNE M. GOULETTE
ELIZABETH L. GROSSI
MICHAEL W. GROSZ
ROBERT A. GRUMBERG
MICHELE M. HABERBLACH
TYRA A. HARDING
JEROME R. HEATH
RALPH D. HENNING
JON A. HEWITT
ROBERT HILDEBRANDT
JOHN A. HILL
EDWARD HRICZOV, JR.
TEDDY R. HUGHART
RONALD S. HUNTER
GARTHA INGRAM III
LAWRENCE M. IWANSKI
BRYDON D. JACKSON
JAY S. JACKSON
MATTHEW A. JENKINS

SHAWN M. JIRIK
GARRETT P. JOHNSON
KIT D. JONES
REX W. JONES
WOLFGANG E. JUNG
TIMOTHY W. KELLEY
PHILIP E. KEYES
GOTTFRIED H. KOBLITZ
STANLEY J. KORYTA, JR.
FRANK A. KUCZYNSKI
KELLY E. KYBURZ
STEVE J. LANCASTER
RUBY R. LARDENT
RICHARD E. LAUBER
KENNETH J. LAVOY
TODD M. LAZAROSKI
SCOTT R. LEATHERMAN
PETER H. LEE
BRUCE R. LEMOINE
BETHANY I. LENDERMAN
EVAN K. LITTMAN
WILLIAM S. LONGINO
JOHN C. LOOMIS
DOUGLAS A. LUEHE
MARK J. MAIER
GAYNA C. MALCOLMPACKNETT
RODNEY C. MANOR
PABLO MANZO
DANIEL J. MAROUN
DANIEL F. V. MCCARTHY
JULIANA K. MCCAULIN
REX E. MCCULLOUGH
JAMES A. MCDONALD
FRANCESCA M. MCFADDEN
MOLLY S. MCGLAUGHLIN
ERIC J. MCGRAW
KEVIN W. MCKELVY
JEFFERY W. MCKONE
WILLIAM J. MC LAEN
WILLIAM H. MILLARD
CAROL S. MOMOHARA
THOMAS O. MONAHAN
JOHN C. MOORE, JR.
DION B. MOTEN
DAVID C. MUNDFROM
KARL E. NELL
GARY L. NICHOL
MILFORD C. NICHOLS
LUIS F. NIEVES
MICHAEL D. NYENHUIS
MICHAEL A. OHEARN
CLARE P. OKEEFFE
MICHAEL G. OLIVERI
TERI L. OMAN
ANDREW PARKER
MICHAEL D. PARRISH
RICHARD A. PEMBER
ELDON D. PENCE III
GEORGE C. PENROD
JOHN H. PHILLIPS
JOHN S. PHILLIPS
LAURENCE K. PIKE
JAMES O. POSEY, JR.
JONATHAN M. PULEO
RONALD QUIETT
PETER J. RAYNA
GEORGE W. REAGAN
ANNA L. REGO
DAVID A. ROSCOE
RONALD A. SALAS
DAVID W. SCHEIDELER
KARL R. SCHELLY
MARTIN C. SCHULZ
WILLIAM P. SCHWAB
KIMBERLY G. SELL
CHARLES S. SENTELL III
MITCHELL R. SHAFFER
DARYL N. SHRYOCK
JOHN W. SIMMA, JR.
DOUGLAS S. SMITH
JAMES E. SMITH
GEOFFREY M. SMYTH
SUSAN M. SOISSON
JOHN C. SPEAR
GREGORY W. SPEARS
ROBERT W. SPINELLI
JOHN E. STEFULA
DONALD P. STEWART
KEITH F. STUBBS
PETER T. SULLIVAN
BRIAN TACKETT
AMY M. TAITANO
AMY L. TALBERT
CARL D. TAYLOR
JEANETTE L. THOMPSON
DAVID G. TORGERSEN
ANDREW J. TROSKE
LAWRENCE L. TUBBS
DARRYL L. UNDERWOOD
ALOK K. UPADHYAYA
PETER A. VANDERLAND, JR.
ALEXANDER J. VERRRET, JR.
EDWARD D. WAGNER
HOWARD G. WENGER
RICHARD P. WHITAKER
ROBERT M. WILKINSON
JOHN D. WILLIAMSON
CHRISTOPHER J. WILSON
GARY W. WINCH, JR.
TERESA B. WOLFGANG
MICHAEL J. WORTH
HARRY G. YOUNGER

JAMIE D. ZUCKER

IN THE MARINE CORPS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DARREN M. GALLAGHER

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DUSTY C. EDWARDS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JACKIE W. MORGAN, JR.

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

DANA R. FIKE

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

SAMUEL W. SPENCER III

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

LARRY MIYAMOTO

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

SAL L. LEBLANC

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MAURO MORALES

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

GEORGE L. ROBERTS

PAUL A. SHIRLEY

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

RICHARD D. KOHLER

GARY J. SPINELLI

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JAMES B. THOMPSON

JASON A. WOODWORTH

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ERIC T. CLINE

ROBERT S. SCHMIDT, JR.

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JOSE L. SADA

BRIAN J. SPOONER

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

FREDERICK L. HUNT

PARIMA IN

CHAD E. TIDWELL

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE

UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

TODD E. LOTSPEICH
DAVID L. OGDEN, JR.
DONALD E. WILLIAMS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JASON B. DAVIS
JOHN DIGIOVANNI
JOHN F. REYNOLDS, JR.

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

TRAVIS M. FULTON
MARK L. HOBIN
GARY S. LIDDELL

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

BRYAN DELGADO
MARK R. DOEHRMANN
KELLY M. JONES
RODOLFO D. QUISPE

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DAVID B. BLANN
KEVIN J. GOODWIN
WILLIAM W. INNS III
ALLEN L. LEWIS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MICHAEL GASPERINI
THESOLINA D. HUBERT
ERIC S. KIRCHNER
DAVID P. KRAKLOW
TIMOTHY W. WILLIAMS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

STEPHEN R. BYRNES
LUKE A. CROUSON
CRAIG A. ELLIOTT
JASON C. FLORES
MICHAEL J. MALONE
JAMES N. TIMMER, JR.

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

PETER K. BASABE, JR.
JAMES R. BURNS, JR.
KENNETH E. CUPP
KURT D. GARRIOTT
BRIAN KOVAL
SEAN M. MELANPHY
MICHAEL A. YOUNG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MICHAEL A. BROWN
DAVID W. EDSON
STEVEN G. GODINHO
DERRICK R. HEYL
BART L. PESTER
FRANCIS P. PICCOLI
MICHAEL E. SAMPLES, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

CHRISTOPHER C. ABRAMS
GEOFFREY M. ANTHONY
STEPHEN P. ARMES
JOHN B. ATKINSON
STEPHEN C. AUGUSTIN
PAUL D. BAKER
SCOTT A. BALDWIN
JOHN M. BARNETT
TIMOTHY E. BARRICK
WILLIAM C. BERRIS
CHAD A. BLAIR
BRET A. BOLDING

ROBERT J. BRAATZ
DAVID P. BRADNEY
RONALD C. BRANEY
ROLLIN D. BREWSTER III
VICTOR J. BUNCH
RUSSELL C. BURTON
MICHAEL J. CALLANAN
JENNIFER E. CARTER
MELVIN G. CARTER
IAN R. CLARK
WILLIAM P. CLARK
JAIME O. COLLAZO
SAMUEL C. COOK
ROBERT D. COOPER
PAUL D. CUCINOTTA
DREW E. CUKOR
MATTHEW C. CULBERTSON
ROMIN DASMALCHI
CHARLES M. DUNNE
THOMAS C. EULER III
THOMAS M. FAHY, JR.
TODD W. FERRY
CHRISTOPHER A. FEYEDELEM
JAMES W. FREY
ROBERT C. FULFORD
JAMES R. FULLWOOD, JR.
PETER S. GADD
DOUGLAS V. GLASGOW
DAVID P. GRANT
DANIEL Q. GREENWOOD
JAMES F. HARP
CLARENCE T. HARPER III
MARK D. HOROWITZ
LAWRENCE E. HUGGINS, JR.
PETER D. HUNTLEY
JAN M. JANUARY
JEFFREY L. JAROSZ
DAVID E. JONES
SEKOU S. KAREGA
DANIEL R. KAZMIER
PATRICK J. KEANE III
JEFFREY J. KENNEY
SCOTT S. LACY
FRANK N. LATT
WENDELL B. LEIMBACH, JR.
JOSEPH P. LEVREAU
JOSEPH A. LORE
LORNA M. MAHLOCK
GEORGE G. MALKASIAN
THOMAS G. MCCANN II
WILLIAM P. MCCLANE
DONALD B. MCDANIEL
JOHN E. MCDONOUGH
ELDON E. METZGER
MICHAEL J. MOONEY
JASON L. MORRIS
PAUL J. NUGENT
DAVID S. OWEN
PATRICK R. OWENS
LOUIS J. PALAZZO
CHRISTOPHER D. PATTON
THOMAS A. PECINA
SCOTT W. PIERCE
ROBERT J. PLEVELL
MARVIN REED
BRENDAN REILLY
GEORGE B. ROWELL IV
JOSEPH J. RUSSO
JOHN M. SCHAAR
FREDERICK G. SCHENK
WILLIAM H. SWAN
MICHAEL J. TARGOS III
TODD S. TOMKO
CASEY C. TRAVERS
HENRY E. VANDERBORGH
WILLIAM H. VIVIAN
GAINES L. WARD
MICHAEL R. WATERMAN
PAUL R. WEAVER
JAMES B. WELLONS
STEVEN M. WOLF
CRAIG R. WONSON
KEVIN S. WOODARD
MICHAEL P. WYLIE
DANIEL L. YAROSLASKI
JOSEPH J. ZARBA, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JESSICA L. ACOSTA
BRIAN S. ALBON
MICHAEL F. ARNONE
ERIC M. ASCHENBRENNER
RICHARD B. ASHFORD
SHERIF A. AZIZ
MICHAEL J. BABILOT
MATTHEW A. BALDWIN
DAX C. BATTAGLIA
GINGER E. BEALS
BRADLEY P. BEAN
JAMES M. BECHTEL
DAVID A. BECKER
ERIC M. BECKMANN
EDWARD Y. BLAKISTON
DAVID A. BOGLE
JONATHAN A. BOSSIE
KEVIN H. BRIGHT
CHRISTIAN J. BROADSTON
KAREN B. BROCKMEIER
BRANDON C. BROOKS

JEFFREY T. BROOKS
MICHAEL L. BROOKS
JOSEPH D. BROOME
MAURICE A. BROWN
DESMOND F. BROWNE, JR.
CHRISTOPHER A. BROWNING
SAMUEL G. BRYCE
BENEDICT G. BUERKE
ASHLEY K. BURCH
DOUGLAS R. BURKE, JR.
GREGORY K. BUTCHER
TAMARA L. CAMPBELL
TROY H. CAMPBELL
CHRISTOPHER K. CANNON
EDWARD M. CARICATO, JR.
FOSTER T. CARLILE
BRADFORD R. CARR
ROBERT E. CATO II
JOSHUA B. CHARTIER
JOHN R. CHERRY
DARREL L. CHOAT
ANDREW CHRISTIAN
LEE K. CLARE
CHRISTOPHER J. COLLINS
JAMES A. COOPER
LEE K. COOPER
MARK E. COVER
ROBERTO CUEVAS
GREGORY R. CURTIS
ROBERT B. DAVIS
TIMOTHY A. DAVIS
JOSE M. DELEON, JR.
ANDREW M. DELGAUDIO
BRIAN P. DENNIS
SAMUEL N. DEPUTY
KEVIN B. DEWITT
PATRIZIA M. DIENHARTSTABILE
JEFFREY S. DINSMORE
JOHN F. DOBRYDNEY
KEVIN M. DOHERTY
HENRY DOLBERRY, JR.
LINA M. DOWNING
CHARLES E. DUDIK
DAVID D. FAIRLEIGH
JENNIFER M. FARINA
RORY M. FEELY
WILLIAM B. FENWICK
FRANK E. FILLER
RYAN M. FINN
MARY K. FLATLEY
DUANE C. FORSBERG
JOHN M. FRASER
JASON A. GADDY
ROBERT B. GARRISON
WILLIAM J. GIBBONS
CARL D. GIDEON
BRIAN J. GILBERTSON
MAXX GODSEY
MATTHEW J. GORBATY
BRANDON W. GRAHAM
MICHAEL A. GRAZIANI
CHRISTOPHER D. HAFFER
DENNIS L. HAGER II
JASON M. HAMILTON
AMEDE I. HANSON
DANE HANSON
GREGORY A. HANWECK
DAVID J. HART
CRAIG L. HARVEY
BRYAN C. HATFIELD
TREVOR A. HEIDENREICH
MONROE H. HENDERSON
PHILIP R. HERSCHELMAN
JASON W. HEUER
BRENT E. HEYL
JIMMY S. HICKS
BRADLEY D. HITCHCOCK
SEAN P. HOEWING
MARK D. HOWARD
HENRY E. HURT III
DAVID C. HYMAN
TIMOTHY W. IRWIN
JOHN J. JAKESKI
CHARLES D. JENNINGS
FERNANDO V. JIMENEZ
GRANT M. JOHNSON
JASON JOHNSON
KIMBERLY A. JOHNSON
PAUL K. JOHNSON III
GREGORY L. JONES
KEMPER A. JONES
DAVID C. JOSEFORSKY
GREGORY K. JOSEPH
JAY J. KAJA
ANDREW M. KELLEY
MARK A. KIEHLE
JOHN P. KIRBY
JONATHAN D. KNOTTS
NOAH J. KOMNICK
PAUL B. KOPACZ
SPEROS C. KOUMPARAKIS
PETER J. LANG II
LANCE J. LANGFELDT
JEFFREY J. LARSON
GOTTFRIED H. LAUBE, JR.
ISAAC G. LEE
SAMUEL K. LEE
ADAM V. LEFRINGHOUSE
LEONARD J. LEVINE
CARL A. LEWANDOWSKI
JON B. LIVINGSTON
ROBERT J. LIVINGSTON, JR.

DAVID S. LOWERY
JOHN P. MAHER
MICHAEL J. MANIFOR
RHONDA C. MARTIN
DAVID M. MARTINEZ
IRVIN MARTINEZ
JAMES K. MCBRIDE
JOHN S. MCCALMONT
MATTHEW N. MCCONNELL
JEFFREY S. MCCORMACK
FREDERICK J. MCELMAN
AMY M. MCGRATH
JAMES R. MCGRATH
GREGORY A. MCGUIRE
ELVINO M. MENDONCA, JR.
JASON B. MITCHELL
JAMES D. MULLIN
BRIAN T. MULVIHILL
PETER J. MUNSON
GERALD E. MURPHY
CHRISTOPHER M. MURRAY
KATHRYN M. NAVIN
ANDREW J. NELSON
LAWRENCE D. NICHOLS
EDWIN NORRIS
CHARLES M. NUNALLY III
NICHOLAS C. NUZZO
DEREK S. OST
ANDREW M. OTERO
MICHAEL C. PALMER
VASILIOS E. PAPPAS
ANDREW J. PETRUCCI
STEPHANIE M. POLESNAK
CASEY J. POLKINGHORNE
JAMES P. POPPY
MONTE S. POWELL
EDWARD W. POWERS
CARL C. PRIECHENFRIED
CHRISTOPHER D. PRITCHETT
RONALD J. REGA, JR.
JACOB L. REYNOLDS
PATRICK J. REYNOLDS, JR.
JAMES E. RICHARDSON, JR.
DUANE T. RIVERA
CHRISTOPHER D. ROBERSON
NATHANIEL K. ROBINSON
GREGORY S. ROOKER
COLLEEN J. SABAT
MARK D. SADOWSKY
ANDRE P. SALVANERA
AARON C. SAMSEL
BRIAN K. SANCHEZ
KURT M. SANGER, JR.
TODD R. SCHIRO
KARL T. SCHMIDT
TIMOTHY W. SCHNELLE
WILLIAM J. SCHRANTZ
ANTONIO SCOFFIELD
ROBERTO C. SCOTT
GEORGE J. SEEDEL
MARISA P. SERANO
JACK A. SILE
DAVID B. SLAY
TIMOTHY M. SLINGER
LISA M. SOUDERS
DAVID W. SPANGLER
ROBERT A. STEELE
DAVID R. STENGRIEM
JONATHAN M. STOFKA
ERIC A. STRONG
JOSEPH C. TAMMINEN
BRIAN R. TAYLOR
THOMAS N. TAYLOR
ROGER N. THOMAS
ROBERT A. TOMLINSON
RENE TORRES
JONATHAN E. TOWLE
RENE TREVINO
RANDALL G. TURNER
JOSHUA B. TUTTLE
QUENTIN R. VAUGHN
ROMAN P. VITKOVITSKY
JARED C. VONEIDA
MATTHEW L. WALKER
MELVILLE J. WALTERS IV
MICHAEL P. WARD
LARRY R. WARFIELD II
THOMAS M. WARREN
ALTON A. WARTHEN
LISA M. WEBB
MICHAEL E. WEBB
PATRICK WEINERT
JAMES W. WEIRICK
JODY E. WHITE
JOHNNY J. WIDENER
ANDRE L. WILLIAMS
HILARY H. WILLIAMS
WADE L. WORKMAN
MATTHEW S. YOUNGBLOOD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

RICO ACOSTA
MICHAEL L. ADKINSON
KYLE J. ANDREWS
MATTHEW A. ANKER
PETER E. ANKNEY
ANDREW R. APETZ
ROBIN J. ARANT
RICHARD M. ARBOGAST

JAMES G. ARGENTINA, JR.
 KELLY R. ATTWOOD
 MICHAEL J. AUBRY
 DOUGLAS P. BAHRNS
 LUCAS A. BALKE
 DAVID S. BARBER
 BRANDON W. BARNETT
 NEWEL R. BARTLETT
 MATTHEW J. BAUMANN
 GARY R. BECHTOLD
 JOSEPH C. BEGLEY
 BRIDGET N. BEMIS
 CASEY BENEFIELD
 STEVEN G. BERCH
 PAUL R. BERTOLONE
 DAVID C. BJERKE
 JUSTIN L. BLACKMON
 CASEY R. BLASINGAME
 MATTHEW D. BOHMAN
 WYATT J. BORSHEIM
 STEVEN M. BOST
 OWEN M. BOYCE
 JONATHAN H. BRANDT
 AMANDA M. BRANNON
 MATTHEW D. BRONSON
 STEVEN R. BROUSSARD
 JASON P. BROWN
 ANDREW M. BUDENZ
 SCOTT S. BUERSTATT
 JOSEPH T. BUFFAMANTE
 AARON D. BURCIAGA
 KIMBERLY R. BYRD
 JOHN A. CACIOPPO
 JEFFREY J. CAHILL
 MOLLY S. CAHILL
 BRENT J. CANTRELL
 JAMES W. CARLSON
 JUSTIN E. CARLSON
 ERIC A. CATTO
 RYAN M. CAULDER
 ARTHUR CHAPMAN III
 JOSEPH E. CLEMMERY, JR.
 MATTHEW P. COOK
 BRANDON A. CORDILL
 TRAVIS J. COVEY
 ERIC P. CRECELIUS
 JOSEPH C. DADIOMOFF
 ANDREW D. DAMBROGI
 BRAD A. DANKS
 RAMIRO DEANDA, JR.
 ANTHONY C. DELLACOSTA III
 THOMAS J. DENEVAN
 ANDREW P. DIMITRUK
 NATHAN P. DMOCHOWSKI
 THOMAS R. DOLAN
 CASEY C. DORAN
 BRYAN A. DUDLEY
 IAN J. DUNCAN
 WESLEY J. EARHART
 BARRY L. EDWARDS
 DUSTIN B. ELLIOTT
 JASON M. ELLIS
 PATRICK J. FAHEY
 JOSEPH I. FARINA
 STEPHEN R. FELTS
 TIMOTHY J. FENTON
 JOHN L. FERRITER
 DEREK A. FILIPE
 CAMERON A. FITZSIMMONS
 DANIEL L. FLATLEY
 RAYMOND A. FORBES
 ROBERT A. FOULKES
 MAX D. FRANK
 RYAN J. FRANZEN
 JAMES R. FRIEDLEIN
 ANTHONY L. FRIEL
 PETER K. FUKUSHIMA
 DONALD L. GALLOWAY
 CLAYTON D. GARD III
 JEFFREY A. GARZA
 LYLE L. GILBERT
 MARC H. GINEZ
 DANIEL E. GOOD
 EVAN R. GORDON
 NATHANIEL D. GREEN
 JOSHUA A. GREGORY
 MATTHEW E. GREY
 WILLIAM H. GRIMBALL
 GIDEON P. GRISSETT
 JEREMY H. GROEFSEMA
 MATTHEW S. GUNESCH
 JOHN D. HAFEMANN
 RHETT A. HANSEN
 JOHN P. HARLEY
 EDWARD B. HART
 TYLER J. HART
 KIRBY C. HARWELL
 JEREMY C. HAWKINS
 JASON P. HAYES
 JEREMY L. HENDERSON
 JOSE R. HERNANDEZ
 ROBERT J. HILLERY
 ALDEN E. HINGLE III
 BRIAN E. HOLLIER
 JOHN A. HOOKS, JR.
 JOSEPH L. HORNACKY
 DOUGLAS H. HOWARD
 ETHAN M. HOWELL
 MICHAEL S. HRTTZ
 JASON A. HVIZDAK
 LEIGH G. IRWIN
 MARVIN L. JACKSON

KIRK A. JOHNSON
 CHARLES R. JOHNSTON
 MICHAEL L. JONES
 SEAN D. JONES
 CHRISTOPHER M. KAPRIELIAN
 ANDRE A. KARPOWICH
 KEVIN M. KEENE
 ERIK A. KEIM
 TRAVIS B. KEMPF
 JUSTIN O. KENNEDY
 SUNG G. KIM
 RYAN T. KING
 MICHAEL T. KINGEN
 PATRICK E. KINSER
 ADAM W. KINTOP
 BRET J. KNICKERBOCKER
 ZACHARY M. KNIGHT
 TOPHER S. KOREIS
 ROMAN Y. KOSHKIN
 CHIP D. KOSKINIEMI
 KEVIN H. KOYAMA
 MICHAEL P. KUSNERAK
 MARK A. LAQUIHON
 PATRICK V. LAVOIE
 BENJAMIN D. LAWLESS
 JARED W. LEDBETTER
 BOBBY W. LEE, JR.
 DOUGLAS G. LEE
 TIMOTHY J. LEONARD
 GARY A. LINGEN
 GARRETT G. LITFIN
 THOMAS R. MACKESY
 ROGELIO MAESE
 MATTHEW J. MAHONEY
 JASON J. MARAFFI
 DANIEL C. MARTIN
 QUINCI D. MARTIN
 TRISTAN G. MARTINEZ
 JESSICA G. MARTZ
 ROHIT Y. MASIH
 SETH W. MCCOLLOUGH
 MICHAEL J. MCDONALD
 BLAISE T. MCFADDEN
 SCOTT J. MCGUIGAN
 GREGORY S. MCSWEEN
 MATTHEW T. MELLOTT
 MELINA MESTA
 JOHN R. MILLSAP
 DIEGO A. MIRANDA
 JOSEPH F. MONAHAN
 PETER S. MOON
 JASON C. MOORE
 NATHAN M. MOORE
 SAMUEL C. MOORE
 MATTHEW S. MORENO
 JASON L. MORRIS
 BRET W. MORRIS
 CHRISTOPHER J. MYETTE
 JAMES R. NEAGLE
 CHRISTOPHER M. NELSON
 DENNIS R. NICHOLS
 JOSHUA N. NUNN
 STEVEN D. NYLAND
 BRANDON J. OATES
 DANA R. OGLE
 DOUGLAS R. ORR
 BYRON J. OWEN
 JUSTIN D. OWENS
 ROBERT E. PATMORE
 JEFFREY J. PATTERSON II
 NICHOLAS R. PERGAR
 MICHELLE L. PETERS
 JONATHAN L. PETERSON
 TROY M. PETERSON
 JONATHAN J. PFUNTNER
 MICHAEL A. PIGFORD
 CHRISTOPHER F. POLIDORA
 LOTTIE A. PORTELLI
 JASON W. POTTER
 MICHAEL J. PRUDEN
 MICHAEL A. REEL
 KELLY J. REPAIR
 LAWRENCE G. RIBBLE, JR.
 CHRISTOPHER R. RICHARDELLA
 CATHERINE E. RICHARDSON
 JAMES A. RICHARDSON
 ANDREW S. ROBERSON
 PHILLIP G. ROBERTS, JR.
 JOSHUA J. ROBINSON
 ERIC R. RODRIGUEZ
 ROBERT A. ROGERS
 DOUGLAS M. ROSENSTOCK
 PETER B. ROTTKAMP
 GIANOULIS ROUSSOS
 DUSTIN R. ROWLAND
 GREGG SAFINSKI
 DANIEL M. SCHIERLING
 KARL W. SCHLEGEL
 SCOTT M. SCHMITZ
 AARON P. SCHNETZLER
 RYAN D. SCHRAMMEL
 DANIEL H. SCHWARTZ
 GREGORY R. SCOTT
 MATTHEW A. SEAVITTE
 DAVID C. SEGRAVES
 MORRIS M. SHARBER, JR.
 CHRISTOPHER R. SHERWOOD
 NATHAN B. SHIVELY
 DOUGLAS B. SHORES
 CURTIS I. SHREVE
 ROBERT E. SHUFORD
 MICHAEL J. SHULL

CHRISTOPHER M. SIEKMAN
 MICHAEL D. SIMON
 JENNIFER A. SIMPSON
 DANIEL M. SINGER
 COREY J. SMITH
 JAMES N. SNYDER
 GREGORY S. SORELLE
 MICHAEL J. SOUZA
 REBECCA G. SPAHR
 ROBERT E. SPALLA
 RICHARD B. STANDARD
 JEFFERY L. STARR
 ROLLIN A. STEELE
 JEFF M. STEINKAMP
 CHRISTOPHER A. STEPHENSON
 JILL L. STEPHENSON
 THOMAS J. STONA
 JOSHUA T. SUMMERS
 BRETT R. SWAIM
 MARK C. SYKES
 PAULA D. TAIBI
 RYAN E. THOMPSON
 KURT R. THORMAHLEN
 MARC E. TILNEY
 RALPH B. TOMPKINS
 JOHN W. TORRESALA
 CHRISTOPHER A. TRENT
 JULIAN M. TSUKANO
 JUAN O. TURNER
 DAVID W. VANDYNE
 MICHAEL J. VANWYK
 SABRINA M. VILLARREAL
 MICHAEL E. VINCENT
 MICHAEL F. WATTS
 MICHAEL A. WEATHERS
 MATTHEW J. WEAVER
 JUSTIN M. WELAN
 NATHAN E. WERVE
 ROBERT A. WILHELMSEN
 ERIC M. WILLIAMS
 SEAN M. WILLIAMS
 GREGORY A. WILSON
 SCOTT A. WILSON
 WILLIAM C. WOODWARD, JR.
 JUSTIN M. WORTENDYKE
 GREGORY J. YOUNGBERG
 JOHN A. ZAAL
 ESTEBAN ZAMORA
 ANDREW J. ZETTS

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

HARRY E. HAYES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

SHEMEYA L. GRANT

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

CHRISTOPHER J. KANE

To be lieutenant commander

LUKE C. SUBER

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

JEANINE F. BENJAMIN
 TIMOTHY S. BREWER
 JUSTIN M. BUMMARA
 LLOYD R. EDWARDS
 BRIAN J. EHRHARDT
 PAUL K. EVANS
 BALTAZAR FERNANDEZ III
 ALEXANDER J. FRANZ
 DAEHYUN J. GILLESPIE
 NICHOLAS E. GURLEY
 FREDERICK G. HETTLING
 NICHOLAS G. HOFFMAN
 MICHAEL JACKSON
 DEREK C. JASKOWIAK
 JADA E. JOHNSON
 RYAN D. JOHNSON
 DAVID W. KING
 LUCIAN D. KINS
 DONALD E. LEE II
 GREGORY E. LEVEQUE
 TYLER B. MCDONALD
 ERNEST L. MILLER III
 JOHNNY L. MINCEY
 DANIEL C. PATRICK
 ANDREW D. PYLE
 JOSEPH R. SHERMAN
 MARK D. STANLEY
 JAMIE E. VANDYKE
 BENJAMIN F. VISGER

EXTENSIONS OF REMARKS

ROOSEVELT'S PANAMA CANAL
AND TAXES

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. POE of Texas. Mr. Speaker, I submit the following. Disease. Death. Bankruptcy. That's how the Panama Canal got started. At the time, the nineteenth century, trade and economic activity boomed in this part of the world and with it, other nations tried to cash in. As the U.S., Britain and France competed to assert their influence in the region, they ran into one problem: land. They didn't have a way to ship goods from the Atlantic to the Pacific without making the treacherous and lengthy journey around the tip of Cape Horn in South America. All three nations knew there was a need for a shorter sea lane connecting the two oceans. Unfortunately, the French got there first.

In 1881, the French sent veteran builder Ferdinand de Lesseps, who oversaw the successful construction of the Suez Canal in Egypt, to build a canal in Panama, then a province of Colombia. In the first nine years of construction, the French spent hundreds of millions of dollars, lost 20,000 workers to malaria and yellow fever and only completed eleven miles of the canal. The project went bankrupt and failed. The dream of a connection between east and west seemed all but dead . . . then came Teddy Roosevelt. The former Roughrider knew an opportunity when he saw one and seized upon it.

The U.S. was emerging as a world power and Roosevelt saw that having a shorter route to the Pacific and beyond was a way to expand American Naval Power and Economic opportunity. Such foresight proved correct in WWII. Roosevelt quickly got to work, having his Secretary of State, John Hay negotiate the Hay-Herran Treaty to purchase land in the Colombia province of Panama. The U.S. Senate ratified the treaty. But there was a big hiccup: the Colombians wanted more money and refused to approve the treaty.

Roosevelt wasn't about to be duped and pour more money in the project, perhaps ending up like the French. He knew that the Panamanians wanted the U.S. to complete the 51-mile canal and he knew that they wanted independence. (Some claim that Roosevelt took advantage of the unrest and stirred up Panama's revolution against the Colombians, but that's for historians to debate). The U.S. did not get involved in the fight, but helped the Panamanians by sending the gunboat, the U.S.S. *Nashville*, and ten other warships from both the Atlantic and Pacific to show support. This is now known as "gunboat diplomacy". Panama's non-violent coup-de-tat was successful, and the nation of Panama was born. With that, the U.S. and Panama ratified a treat-

ty and construction of the canal began. One revolution, \$700 million and ten years later the Panama Canal Zone—now U.S. Territory—was completed in 1914.

Fast forward 99 years. After President Carter returned the canal zone to Panama, it has since maintained control of the security and operation of the canal. Panama has undertaken a critically important expansion of the canal. One that will add a third channel and a new set of locks, allowing larger cargo ships to pass through. Approved in 2006, this new expansion—dubbed PanamEx—will finally be completed next year. Surprisingly, no Panamanian chapter of the EPA held it up, and only a few environmental groups opposed. Perhaps it's a transportation miracle.

Of course, Panama benefits from this widening and deepening of the canal, but so will the United States. The recent implementation of the U.S.–Panama Free Trade Agreement approved by Congress, along with this \$5.25 billion canal expansion project, ensures that free trade between the U.S. and Panama will continue to grow. And, because of our geographic location, this expansion will "expand Texas' position as a global gateway for the nation," according to the Panama Canal Working Group. That means a huge increase in exports from the gulf coast and our Great State, including the Port of Houston, to countries around the world.

Trade in Texas and Houston drives our economy, and the engine for trade is ports. With that, we'll see more exports of dry and liquid bulk, agriculture products, coal, petrochemicals, military cargo, and consumer goods. Larger and wider vessels, like tankers carrying liquefied natural gas, will now be able to enjoy quick, reliable transit through the canal. That's good news for us here in Houston and good news for our State.

Next year, we celebrate 100 years since Roosevelt's dream became a reality. Thanks to Teddy's dream, the U.S. built the canal and our economy and security have benefitted from the opportunities that it created. God bless Teddy. And that's just the way it is.

HONORING THE CAREER OF
RICHARD EDWARDS, SR.

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. HIGGINS. Mr. Speaker, I rise today to honor the career and accomplishments of a distinguished member of my Western New York community, Richard Edwards, Sr.

Richard has been a lifelong resident of Amherst, New York, where he has served for over 50 years as a dedicated and valued member of Main-Transit Fire Department. During his years at Main-Transit, Richard served

as the Fire Police Lieutenant and Fire Police Captain.

Richard and his colleagues are American heroes. Every day they courageously place themselves in harm's way to protect the lives and properties of others. Their sacrifices are invaluable to our community and I thank him for his half-century of service.

Mr. Speaker, it is with great pride that I rise today to honor Richard Edwards, Sr. on his exemplary career.

HONORING THE HONOREES OF THE
ANDROSCOGGIN COUNTY CHAMBER
OF COMMERCE AWARDS

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to recognize the Honorees of the 2013 Androscoggin County Chamber of Commerce Annual Banquet Dinner. The Androscoggin County Chamber of Commerce serves the people and business community of the greater Lewiston/Auburn area, working hard to strengthen economic opportunity throughout the region and the State.

Each year, the Androscoggin Chamber of Commerce recognizes local businesses, business leaders, and individuals who promote and advance a vital and healthy business environment. These individuals and businesses are committed to strengthening opportunity and prosperity in Maine.

This year's award recipients include Barbara Dagley of Carbonite Inc., recipient of Business Leadership Award for a Larger Company; Kurk Lalemand of Next Level Business Coaching and John Stass of Katahdin Furniture, recipients of the Business Leadership Awards for Smaller Companies; Larry Raymond of Issacson and Raymond, recipient of the Ray Geiger Award; Rita Dube, Julia Sleeper and Kim Pelletier, recipients of the Community Service Leadership Awards; Rick Jones of Jones Associates, recipient of the Poland Business Award; Nick Benoit of Benoit's Bakery and Wine Cellar, recipient of the Lisbon Business Award; Nancy Ricker of Ricker Hill Orchards, recipient of the Turner Business Award; Russ Barlow, Principal of the Franklin Alternative School in Auburn is the recipient of the Education Award; Sherry Spencer of Proctor and Gamble-Tambrands, recipient of the "Cool Chamber Award;" Dick Roy of Mechanics Savings Bank, recipient of the Ken Addition Small Business Advocate Award; Kim Jacques of Revelation Massage, recipient of the 2013 New Member of the Year Award; and Susan Hall of The Vault and Kevin Dean and Emil Clavet of Electricity Maine, recipients of the President's Award.

These recipients are among the best that Maine has to offer. Through their leadership

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

and incredible commitment to their communities and the region, Maine is a better place to live and do business.

Mr. Speaker, please join me again in congratulating the Androscoggin Chamber of Commerce and these individuals on their outstanding service and achievement.

REMEMBERING RALPH FRESE

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. QUIGLEY. Mr. Speaker, last month the city of Chicago lost a legendary canoe-maker and conservationist. Ralph Frese, known as "Mr. Canoe," got his first boat when he was just 14, and spent the next 50 years championing the conservation of Chicago-region rivers.

Starting in the 1960s, Ralph was active with the Clean Streams Committee, reporting waterway conditions, pollution and blockages to government agencies. In recognition of his efforts, he was inducted into the National Rivers Hall of Fame, and in 2007 a stretch of the Chicago River was renamed "The Ralph Frese River Trail."

Ralph is responsible for introducing thousands of people to the pleasures of paddling a canoe across Illinois' waterways and loved nothing more than sharing his knowledge with other would-be conservationists.

I once had the pleasure of canoeing down the Chicago River with Ralph and learned so much during our time together. More than anything, I left fully inspired by his love for the natural world around us, even in big cities like Chicago.

We will miss Ralph cracking jokes or sharing his stories on the river trail. But his environmental legacy will live on for generations, and for that we should be forever thankful.

INTRODUCTION OF THE "TAX CODE TERMINATION ACT"

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. GOODLATTE. Mr. Speaker, our Nation watched as we recently ended another battle over our Nation's tax-and-spend policies. While many Americans are now left trying to decipher how their taxes will be changing for the coming year, all Americans are, yet again, forced to comply with a tax code that is no longer working in a fair manner for our Nation's citizens. While almost every Member would acknowledge that our tax code is no longer working in a fair manner for Americans, nothing has been done to create a more equitable tax code. So today I rise to reintroduce the Tax Code Termination Act.

The Tax Code Termination Act will force Congress to finally debate and address fundamental tax reform. This bi-partisan legislation is simple. It will abolish the Internal Revenue Code by December 31, 2017, and call on

Congress to approve a new Federal tax system by July of the same year.

As recently shown, Congress will not reach a consensus on a contentious issue, such as tax reform, unless it is forced to do so. My bill will do exactly that: force Congress to finally address fundamental tax reform.

Though many questions and ideas remain about the best way to reform our tax system, I am certain that if Congress is forced to address the issue we can create a tax code that is simpler, fairer, and better for our economy than the one we are forced to comply with today.

Whichever tax system is adopted, the key ingredients should be: a low rate for all Americans; tax relief for working people; protection of the rights of taxpayers and reduction in tax collection abuses; promotion of savings and investment; and encouragement of economic growth and job creation. Taxes may be unavoidable but they don't have to be unfair and overcomplicated.

Once the Tax Code Termination Act becomes law, today's oppressive tax code would survive for only 4 more years, at which time it would expire and be replaced with a new tax code that will be determined by Congress, the President, and the American people. This legislation will allow us, as a nation, to collectively decide what the new tax system should look like. Having a date-certain to end the current tax code will force the issue to the top of the national agenda.

America cannot continue down this path of irresponsible tax-and-spend policies. There is widespread consensus that the current system is broken, and keeping it is not in America's best interest. The American people deserve a certainty, fairness, and assurance that our current tax code cannot provide them. I urge my colleagues to support this legislation and end the broken tax system that exists today and provide a tax code that the American people deserve.

HONORING BILL MCBRIDE

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Ms. CASTOR of Florida. Mr. Speaker, I rise today to honor and highlight the distinguished life of Bill McBride. Mr. McBride's contributions to the Tampa Bay community, the State of Florida, and the country are worthy of recognition by all.

Born on May 10, 1945, Mr. McBride moved to Florida at the age of 9 and spent most of his childhood in Leesburg, Florida where he attended high school and distinguished himself on the football field as a fullback and line-backer. While attending the University of Florida on a football scholarship, his football career was derailed by a knee injury. Mr. McBride then turned to public service, becoming an active member in Florida Blue Key honor society and president of Alpha Tau Omega fraternity.

At the height of the Vietnam War, Mr. McBride dropped out of law school and enlisted in the U.S. Marines. He volunteered for

combat duty, rose to the rank of captain, and was awarded a Bronze Star with a Combat V for valor for his wartime service. After returning from Vietnam, Mr. McBride finished law school. At that time, he became a civic leader in such organizations as the United Way and the Florida Holocaust Museum. He also became a managing partner of Holland and Knight, one of Florida's largest law firms.

Bill McBride was a force for good in the Tampa Bay community and a strong advocate for public education and civil rights in Florida. As a gubernatorial candidate in 2002, he championed smaller class sizes, greater support for teachers, and encouraged greater investment in education. Throughout his life he promoted equality in Florida as well, advocating for the survivors of the Rosewood racial massacre, pro bono legal work, and gay rights. His mission in life was to serve Florida, and he accomplished that in innumerable ways. His selfless dedication to our community and State will be greatly missed.

The Tampa Bay community is proud to recognize Bill McBride for his lifelong dedication to improving the lives of Floridians. His outstanding commitment to the State made him an inspirational community leader. I ask that you and all Americans recognize such a remarkable citizen for his service to our community and our State.

HONORING THE LIFE AND LEGACY OF MR. JAMES A. COOGAN

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. HIGGINS. Mr. Speaker, today I rise to honor the extraordinary life and legacy of Mr. James A. Coogan, who passed away on January 5, 2013, at the age of 73.

A resident of the city of Tonawanda for the better part of his life, James Coogan was very active in community affairs and local Democratic politics, serving the people of Tonawanda for many years.

James was a dedicated public servant who was Second Ward Alderman for the City of Tonawanda for two terms, from 1980 to 1983. In 1984, James was appointed Tonawanda City Clerk and held the position for ten years, until 1993. Additionally, James was a member of the Erie County Town Clerk's Association.

Mr. Speaker, I ask that you join me and Members of the House to express our deepest condolences to the family of the late James Coogan, and join with me in recognizing the many good works of service he performed during his long and full life.

BLACK JANUARY IN AZERBAIJAN

HON. DANIEL B. MAFFEI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. MAFFEI. Mr. Speaker, I rise to commemorate the 23rd anniversary of the events that marked the beginning of the end of Soviet

rule over our ally Azerbaijan, an occupation that existed for much of the 20th Century.

This time period is referred to in Azerbaijan as "Black January," when violence erupted in Azerbaijan's capital city of Baku on January 19th and 20th, 1990. During the conflict, Soviet troops killed over 100 nationalist demonstrators and wounded another 700 Azeri citizens demanding freedom. Azerbaijan eventually declared its independence from the U.S.S.R. on October 18, 1991.

I ask the House of Representatives to join me in commemorating—with our ally, Azerbaijan—the events of Black January in 1990, events which began in tragedy but culminated in the birth of an independent nation and ally of the United States.

HONORING SLAIN POLICE OFFICER
KEVIN TONN

HON. JERRY MCNERNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. MCNERNEY. Mr. Speaker, it is with great sadness that I make this statement today to recognize the life and service of police officer Kevin Tonn. Officer Tonn served in the Galt police department for three years, protecting a community in California that I am honored to represent. Tragically, Officer Tonn was killed in the line of duty this past week while pursuing a criminal suspect.

Officer Tonn was the example of a model citizen. As a teenager who grew up in Roseville, California, he joined the Roseville Police Explorers; after he graduated high school, he joined the U.S. Army as a military police officer. Officer Tonn also served as a firefighter in New York before returning to California to join the Sacramento Sheriff's Academy. In 2009, he was sworn into the Galt police force as a K-9 officer. Kevin Tonn's character and selfless commitment to his fellow citizens is evidenced by his years of service, working in multiple capacities and uniforms.

Anyone who encountered Officer Tonn was impressed by his integrity, his ability to use humor to diffuse difficult situations, and his dedication to serving the community, especially our younger citizens. The Galt community was fortunate to have such a dedicated individual, and his memory will live on. It is never easy to lose a loved one, but my thoughts and prayers are with his family and the community at this difficult time, as I know the Nation has lost a true American hero.

INTRODUCTION OF THE NANO-
TECHNOLOGY ADVANCEMENT
AND NEW OPPORTUNITIES ACT

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. HONDA. Mr. Speaker, I rise today to introduce the Nanotechnology Advancement and New Opportunities (NANO) Act.

The NANO Act is a comprehensive bill to promote the development and responsible

stewardship of nanotechnology in the United States. The legislation draws upon the findings of the Blue Ribbon Task Force on Nanotechnology, which I convened. The Task Force included nanotechnology experts with backgrounds in established industry, startup companies, consulting groups, non-profits, academia, government, medical research, and venture capital from around my home State of California, which is a leader in the field of nanotechnology.

Nanotechnology has the potential to create entirely new industries and radically transform the basis of competition in other fields, and I am proud of my work with former Science Committee Chairman Sherry Boehlert on the Nanotechnology Research and Development Act of 2003 to foster research in this area.

But one of the things I have heard from experts in the field is that while the United States is a leader in nanotechnology research, our foreign competitors are focusing more resources and effort on the commercialization of those research results than we are.

In its report Thinking Big About Thinking Small, which can be found on my website, the Blue Ribbon Task Force on Nanotechnology made a series of recommendations for ways that the nation can promote the development and commercialization of nanotechnology. The NANO Act includes a number of these recommendations.

In addition, the bill addresses concerns that have been raised about whether the Federal Government is doing enough to address potential health and safety risks associated with nanotechnology. The NANO Act requires the development of a nanotechnology research strategy that establishes research priorities for the Federal Government and industry that will ensure the development and responsible stewardship of nanotechnology. This strategy will help to resolve the uncertainty that is one of the major obstacles to the commercialization of nanotechnology—uncertainty about what the risks might be and uncertainty about how the Federal Government might regulate nanotechnology in the future.

The NANO Act also includes a number of provisions to create partnerships, raise awareness, and implement strategic policies to resolve obstacles and promote nanotechnology. It will: create a public-private investment partnership to address the nanotechnology commercialization gap; establish a tax credit for investment in nanotechnology firms; authorize a grant program to support the establishment and development of nanotechnology incubators; establish a Nanoscale Science and Engineering Center for "nano-CAD" tools; establish grant programs for nanotechnology research to address specific challenges in the areas of energy, environment, homeland security, and health; establish a tax credit for nanotechnology education and training program expenses; establish a grant program to support the development of curriculum materials for interdisciplinary nanotechnology courses at higher education institutions; direct NSF to establish a program to encourage manufacturing companies to enter into partnerships with occupational training centers for the development of training to support nanotechnology manufacturing; and call for the development of a strategy for increasing interaction on nano-

technology interests between DOE national labs and the informal science education community.

I look forward to working with Science, Space and Technology Committee Chairman LAMAR SMITH and Ranking Member EDDIE BERNICE JOHNSON on this bill and their committee's other efforts to reauthorize the Nation's nanotechnology research and development program.

IN HONOR OF LT. MIKE "CHIP"
CHIAPPERINI, TOMASZ
KACZOWKA AND THE WEST WEB-
STER FIRE DEPARTMENT

HON. LOUISE MCINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Ms. SLAUGHTER. Mr. Speaker, I rise today to honor Lieutenant Mike "Chip" Chiapperini and Tomasz Kaczowka of Webster, NY. These two heroes will be forever remembered for their brave and selfless commitment to the people they called neighbors, friends and family and the place they were proud to call home.

Chip and Tomasz devoted their lives to public service. For 19 years, Chip worked his way through the ranks of the Webster Police Department—from Dispatcher, to Police Officer, Investigator, Sergeant and Lieutenant. Yet when each shift at the Police Department was complete, Chip's public service continued as a volunteer firefighter with the West Webster Fire Department. For 25 years Chip served as a volunteer firefighter and rose to be Fire Chief and advisor to the Fire Department's Fire Explorer Post.

It was in his role as a firefighter that Chip oversaw a young volunteer firefighter and good family friend.

Tomasz Kaczowka had the passion bestowed by youth, yet a dedication to service that went far beyond his years. From serving as an emergency dispatch operator for the City of Rochester, to responding to calls as a volunteer firefighter with the West Webster Fire Department, Tomasz showed an unrivaled commitment to helping others and a selflessness that set the bar high for future generations to come.

As brothers in service, Tomasz viewed Chip as a mentor; in turn, Chip tutored and protected Tomasz as if he were a son.

It is in the line of public service that these two friends would be taken from this Earth. On December 24, 2012, Chip and Tomasz were responding to a fire in the early morning darkness when a gunman opened fire and took their lives. Tomasz, as was his selfless nature, was on duty that morning so that other firefighters who are fathers could be at home with their families on Christmas Eve.

There is little we can say to provide comfort to the neighbors, friends and family of Chip and Tomasz. Words, no matter their eloquence, fail to heal a pain which cannot be forgotten, and a loss that cannot be undone.

Together Chip and Tomasz served alongside the distinguished men and women of the West Webster Fire Department—a family they

loved like their own. When Chip and Tomasz were fallen by gun fire, their fellow firefighters had to persevere through the fear and pain, and bravely put out the fires that threatened to take more lives. Now, these brave firefighters grieve for the loss of their family members, while honoring them the best way they know how—through the work they do every day.

I urge my fellow Members of Congress to follow the example of the West Webster Fire Department and honor Chip and Tomasz with the actions we take. Over the last two months, more than 900 Americans, including Chip and Tomasz, have been killed with a gun. This endless string of tragedies must be no more. Now is the time for Congress to enact a comprehensive and commonsense reform to our nation's gun laws, and renew our commitment to a mental health system that has been neglected for far too long.

While no legislation can bring back Chip and Tomasz, nor fill the void left at their dinner tables every night, putting an end to senseless acts of gun violence can ensure that even in death, these two brave heroes will continue to save lives.

Chip and Tomasz were a shining example of what we know to be true: that in America we are united, that as long as we walk this Earth we are committed to protecting one another and in so doing we will realize the promise of a better world. In their brave and selfless actions Chip and Tomasz lived this promise to each other, and now it is our turn to do the same.

HONORING THE LIFE AND SERVICE OF JOHN MARKOWICZ

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. COURTNEY. Mr. Speaker, I rise today with a heavy heart to honor a fierce and passionate advocate for southeastern Connecticut, John Markowicz.

John was well known in southeastern Connecticut for the many hats he wore over the course of his life. Graduating the U.S. Naval Academy in 1965, John achieved the rank of captain in the Navy where he served in the submarine force in a variety of posts, including the USS *Pargo* (SSN 650) and USS *Guitarro* (SSN 665). Following active duty service, John continued in the Naval Reserve to achieve 34 years in the service of our Nation. In his life in the private sector, John helped found Sonalysts in 1976, a defense contractor in Waterford, Connecticut that is one of the region's largest employers today. Following his time at Sonalysts, John served in a number of positions to promote economic development in eastern Connecticut, most notably as Executive Director of the Connecticut Enterprise Region (seCTer).

As impressive as these achievements are, he is best and rightly remembered by the southeastern Connecticut region as the leader of the fight to save Naval Submarine Base New London from closure during the 2005 Base Realignment and Closure (BRAC) process.

When the submarine base was placed on the BRAC list in 2005, John activated a non-partisan and diverse group of experts tasked with the seemingly insurmountable challenge of overturning the Pentagon's recommendation. John and his team burrowed into the data, found critical flaws, and constructed the airtight argument against closing this unique and irreplaceable naval asset.

Although I was not in Congress at the time, I vividly remember attending the Boston regional meeting of the BRAC commission in the summer of 2005. With John and his case at the lead, Connecticut's delegation picked apart the misguided decision to close the base—stressing the economic harm, the strategic impact and, most importantly, the various flaws underpinning the case to close the base.

It worked. In September 2005 the base was removed from the list and spared closure. While there were many involved in the successful effort to save the base, it was John's leadership, attention to detail, and unsparing devotion to the mission that was rightly credited with making it possible.

As importantly, John understood that the work of promoting and defending the base did not end with the decision to remove the base from the BRAC list. In the years following, John stressed the need for the creation of a state Office of Military Affairs and a historic new partnership between Connecticut and the Navy to invest in the infrastructure of the base—both of which are in place now and under way. He also worked closely with my staff and me in monitoring the latest rumors about new BRACs and following Congressional debates about submarine production like a box score.

In my years of knowing him, I always found John to be a quiet but effective professional. He never pursued the spotlight, never wanted the glory—he sought only to accomplish the mission. In his passing, eastern Connecticut has lost a fierce advocate for the "Submarine Capitol of the World" and all of us will long remember all he gave to our region and our state. His memory will live on in the thousands of people at work every day at a more modest submarine base that he helped to save—and the countless businesses and employees across the region that rely on it.

Mr. Speaker, I ask all my colleagues to join me in honoring the life and service of John Markowicz and sharing our condolences with the family he leaves behind.

HONORING THE VILLAGE OF MINOA, NEW YORK

HON. DANIEL B. MAFFEI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. MAFFEI. Mr. Speaker, I rise to extend my congratulations to the Village of Minoa on the occasion of its Centennial Celebration. I am honored to join the Central New York community in celebrating Minoa on this historic occasion.

The Village of Minoa's founding tells an interesting story about the character of the people who have lived there and about Central

New York as a whole. In 1913, during the incorporation of the Village of Minoa, a group of Minoa women banded together in solidarity to vote for incorporation in the village election. Although national law prohibited these women from voting, village law afforded them the ability to do so in this local election. These united women were able to have their voices heard several years before the 19th amendment was passed. As a result of this group's support and solidarity, Minoa officially became incorporated on January 12, 1913. The Village of Minoa demonstrates how then and now, Central New Yorkers have unlimited potential when every person has a fair shot.

For 100 years, Minoa has served as a vital part of Onondaga County and Central New York. It was a prominent railroad community for many years and continues to be a wonderful place to live and raise a family. I am grateful and fortunate to have such a vibrant community within the district I represent.

Once again, congratulations to the Village of Minoa and I wish its residents the best of luck in the next 100 years.

TRIBUTE TO DAPHNE MAYOR BAILEY YELDING

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. BONNER. Mr. Speaker, I rise to pay tribute to a beloved public servant who defined leadership in his community by reaching out to all points of view. I am speaking of Daphne, Alabama Mayor Bailey Yelding, who passed away on January 22, 2013, after a brief illness.

Born and raised in Daphne, Mayor Yelding loved his community so much that he never really left it. He was always proud of his home town, noting to the Mobile Press-Register, "You live and work in a place where it's all been great for you, why not love it?"

And he gave back so much to the community he loved. After graduating from the Baldwin County Training School in Daphne in 1957, and receiving a degree from Alabama State University, he set his sights on helping young people in Daphne. He soon began a career in local education that would encompass 39 years of his life, changing lives and racking up an impressive record as both a football and basketball coach.

At Baldwin County Training School, Coach Yelding earned a 49-16-1 record at the helm of the school's football program. After he transitioned to Fairhope High School in 1970, he went on to become the first African American coach of an integrated high school team in Baldwin County. As head varsity basketball coach, he led the team to a 302-130 record.

After nearly four decades of educating the young people of Baldwin County, Coach Yelding then turned his attention to a different challenge—serving his community in elected office. In 2000 he ran for and was elected to the Daphne City Council. For the next 11 years, Councilman Yelding was a reliable voice for all the people of Daphne, reaching out to his fellow councilmen and the community to put the city first.

In 2011, the Daphne City Council appointed Yelding to serve the unexpired term of Mayor Fred Small who retired early from office. In 2012, Mayor Yelding ran for a full term on the platform of experience and stability. He survived a lively campaign and a runoff in October 2012 to become Daphne's first popularly elected African American mayor.

To everyone who knew him and worked with him, Mayor Yelding was more than the chief executive of the city. He was a pillar of integrity and a consensus builder. In short—a leader. It's not surprising that he was successful in public office. He took the skills he honed as a winning football and basketball coach to city hall, forging teamwork while motivating city employees and the community to greater heights.

Mayor Yelding will be remembered not only as a trail blazer, but also as a wise and steady hand at Daphne City Hall.

On behalf of the people of South Alabama, I wish to extend my condolences to Mayor Yelding's family, many friends and to the people of Daphne. You are all in our thoughts and prayers.

IN RECOGNITION OF THE MERCER
COUNTY GOLDEN EAGLES FOOT-
BALL TEAM

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mrs. BUSTOS. Mr. Speaker, I rise today to recognize the outstanding results achieved by the Mercer County Golden Eagles against the Alhoff Crusaders in the 2A Illinois state football championship game this past month.

The game was a defensive battle with both sides tied at 7 in the second half. During the third quarter Mercer County linebacker Devin Morford recovered a fumble at his own five yard line, and returned it 95 yards for the game winning touchdown. It was the type of moment that seemed as if it was straight from a movie!

I congratulate the Golden Eagles for winning the Illinois 2A state championship. This hard fought victory by Mercer County gives the school its fourth state title. The school and the entire community should be very proud to see such a hard earned trophy added to their case.

Mr. Speaker, I am extremely proud of the accomplishments of the Mercer County football team, both on and off the field, and I am honored to salute them today.

TRIBUTE TO EAGLE SCOUT ALEX
BARRETT

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Alex Barrett of Boy Scout Troop 188 in Ankeny, Iowa for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. For his project, Alex constructed and installed duck nesting platforms at the Chichaqua Bottoms Greenbelt in Polk County. The work ethic Alex has shown in his Eagle Project and every other project leading up to his Eagle Scout rank speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Alex and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him on obtaining the Eagle Scout ranking, and I wish him continued success in his future education and career.

A TRIBUTE TO KENTUCKY RIGHT
TO LIFE

HON. GARLAND "ANDY" BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. BARR. Mr. Speaker, it is with great respect that I rise today to recognize my friends and members of the Kentucky Right to Life Association, who in 2013 will celebrate 40 years of nobly and steadfastly defending the rights of all human life, born and unborn, young and old, regardless of ability or disability.

The Kentucky Right to Life Association came together 40 years ago in response to the 1973 Roe vs. Wade U.S. Supreme Court decision which disregarded the ethical traditions of countless Americans by superseding the traditional prerogative of states and local communities to protect life. Today, the Kentucky Right to Life Association is comprised of thousands of individuals working together to restore the law to protect the lives of the unborn and the most vulnerable among us, and to uphold the belief that every human being has a right to live—a belief that I strongly share. Right to Life is comprised of individuals of different faiths, political beliefs, and backgrounds, all united in one purpose. Their special union sets a strong example of organizational leadership for other movements and causes of moral consequence.

Today, I congratulate my friends with the Kentucky Right to Life Association for their 40 years of leadership on this, the most consequential moral issue of our time. I also would like to personally welcome those members joining me in Washington, DC this Friday, January 25, 2013, to participate in the annual March for Life on the National Mall. I hold each and every one of you in the highest regard and firmly stand behind you in this great endeavor.

HONORING THE LIFE AND LEGACY
OF JAMES HOOD: A CIVIL
RIGHTS PIONEER

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to recognize and pay tribute to the life and legacy of Dr. James Hood, one of the first African-Americans to attend The University of Alabama, who passed away Thursday, January 17 at the age of 70. Dr. Hood was a trailblazer in the quest for civil rights and equality. I am deeply saddened by his passing but I am comforted in knowing that his legacy will live on.

Dr. Hood was born on November 10, 1942 in Gadsden, Alabama. He attended Gadsden public schools and he enrolled at the University of Alabama in 1963.

On June 11, 1963, Dr. Hood along with fellow student Vivian Malone attempted to enroll at the University of Alabama. Upon his arrival to the Tuscaloosa campus, then Alabama Governor George Wallace physically blocked Dr. Hood from entering Foster Auditorium to register for classes. As the world watched, Gov. Wallace's efforts to block Dr. Hood and Ms. Malone were recorded in our Nation's history as "The Stand in the Schoolhouse Door." Later that day, Dr. Hood, with the support of a federal court order and members of the Alabama National Guard, was eventually allowed to register for classes and pursue his degree.

However, despite his bravery and courage, Dr. Hood's time as a student at the University of Alabama was short. On August 11, 1963, Dr. Hood left the University after numerous threats and constant harassment. He would later return to the University of Alabama in 1997 to obtain a doctorate in interdisciplinary studies.

After his short time at the University of Alabama, Dr. Hood went on to obtain a bachelor's degree from Wayne State University and a master's degree from Michigan State. Dr. Hood also studied at the University of London. He later served as deputy police chief in Detroit and as a chairman of the police science program at the Madison Area Technical College in Wisconsin before retiring in 2002. During his extraordinary life, Dr. Hood was also a devoted father to five children and nine grandchildren.

Today, as we mourn the passing of this American hero, we are reminded of his sacrifices for our Nation. Dr. Hood's courage was a testament to his commitment to education and equality. On behalf of a grateful Nation, we honor Dr. Hood's personal sacrifices and commit to sharing his story with future generations.

Today, "The Stand in the Schoolhouse Door" is remembered as a pivotal moment in the Civil Rights Movement. Dr. Hood's quest for educational equality served as a catalyst for the opportunities that many of us enjoy today. As a benefactor of Dr. Hood's contributions, I am humbled by this opportunity to further solidify his place in American history. As the first African-American woman elected to Congress from the state of Alabama, I know

that my journey would not be possible without the contributions of foot soldiers like Dr. Hood. Let his life serve as a testament to the courage and strength of one individual's ability to change the trajectory of our Nation. On behalf of the 7th Congressional District, the State of Alabama and this Nation, I ask my colleagues to join me in honoring the life and legacy of Dr. James Hood.

RECOGNIZING MRS. PURA
DELGADO ANDINO

HON. ALAN GRAYSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. GRAYSON. Mr. Speaker, I rise today to recognize Mrs. Pura Delgado Andino, a shining example of leadership and inspiration to us all. Mrs. Delgado's distinguished career in community advocacy deserves our acknowledgment.

Mrs. Delgado was born in Yabucoa, Puerto Rico on February 2, 1931. At age sixteen, she moved from Puerto Rico to New York. There Mrs. Delgado met her late husband, Jose Caraballo, and became a mother to two wonderful children.

In 1967, Mrs. Delgado moved to Connecticut, where her lasting commitment to civic engagement and community participation began. Mrs. Delgado was instrumental in the creation of the Hill Health Center for Children and Youth at Yale University. Recognizing the need for a youth-oriented and minority-focused health care center, Mrs. Delgado obtained a grant to better serve these children and her community. Because of her leadership on this issue, Mrs. Delgado served as Health Education Assistant to the Center's Director.

Working alongside the Dean of the Yale School of Medicine, Mrs. Delgado helped guide the school's implementation of its affirmative action program. At the time, affirmative action policies were often limited to African American students, but Mrs. Delgado encouraged the school to extend their efforts to other minority communities, such as Puerto Ricans and Mexicans. Thanks to Mrs. Delgado's involvement, the school graduated twenty-five minority students. One of these students who went on to serve his community is the Honorable Judge Wilfredo Martinez of Orlando, Florida.

Drawing again on her intimate knowledge of the community and innate ability to express its needs, Mrs. Delgado obtained another grant to begin operation of the Fair Haven Health Clinic. This clinic recently celebrated its forty-third anniversary.

Though Mrs. Delgado retired at age seventy-two, her record of accomplishments in the physical and mental health areas remains impressive. She has served on a variety of public service and community advisory boards, including on the Board for Progressive Action, which aimed to empower low-income communities through education, counseling, and occupational training.

In 1991 Mrs. Delgado relocated to Irma Shores Lake in Orlando, Florida, where she began several small businesses and became

an active member of the community. Mrs. Delgado served as a Regional Field Operator for President Bill Clinton in 1996 and helped coin the term "I-4 Corridor".

Mrs. Delgado is a proud member of the Asociación Borinqueña de la Florida Central and currently serves as Vice Chair for the Black-Latino and Puerto Rican Alliance for Justice of Florida.

Please join me in recognizing Mrs. Delgado's lifetime of civic achievement and community involvement.

HONORING MONA REIS

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to honor Mona Reis, a courageous advocate for women's reproductive freedom. Ms. Reis runs the Presidential Women's Center in West Palm Beach, Florida which has provided quality individualized health care for thousands of women since its founding in 1980. Without this exceptional resource, many women in South Florida would go without needed wellness and reproductive health care services.

Today, as we commemorate the 40th Anniversary of the Supreme Court's landmark *Roe v. Wade* decision, which affirmed a woman's right to reproductive choice, I thank Mona Reis for her compassionate, dedicated, and unrelenting pursuit of women's reproductive freedom.

THE DEDICATION OF A MONUMENT
HONORING NAVY SEAL AARON
VAUGHN

HON. PATRICK MURPHY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. MURPHY of Florida. Mr. Speaker, I rise today to honor the life and legacy of Navy SEAL Aaron Vaughn, whose memory was recently honored by a monument being dedicated in tribute to his service and sacrifice at the Sailfish Splash Water Park in Stuart, Florida.

It is most appropriate that the memorial is located at the Sailfish Splash Water Park. As Aaron's mother, Karen Vaughn, described at the memorial service, it is "most fitting since inside those gates there will always be living, breathing representations of the things Aaron held most dear—love, laughter, family, friends and fun."

Aaron Vaughn grew up in Florida's 18th Congressional district, where he attended Martin County High School and was a member of the football team. Aaron then received his Associate's Degree from Indian River State College, studying turf grass science. Aaron later enlisted in the Navy and became a member of the elite Navy SEALs.

Aaron bravely served as a Navy SEAL, a lifelong dream of his. Aaron's father, Billy

Vaughn, said that "the commander of SEAL Team Six said he was a fearless leader who was headed to the top." In August 2011, Aaron lost his life when his helicopter was shot down in Afghanistan.

Mr. Speaker, Aaron Vaughn dedicated his life to this country and I am proud that the city of Stuart has recognized his service by dedicating this memorial in his honor. It is truly humbling to recognize his life and his great service to our country here today.

THE INTRODUCTION OF H.R. 12,
THE VOTER EMPOWERMENT ACT

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. LEWIS. Mr. Speaker, I rise today to reintroduce the Voter Empowerment Act.

I am proud to be joined by my friends and colleagues—the Gentleman from South Carolina (Mr. CLYBURN), the Gentleman from Maryland (Mr. HOYER), the Gentleman from Pennsylvania (Mr. BRADY), the Gentleman from Michigan (Mr. CONYERS), and over 160 of our Democratic colleagues in sponsoring this landmark legislation. Our good friend, Senator GILLIBRAND, is also introducing the companion to the Voter Empowerment Act in the Senate.

Today, January 23rd marks the 49th anniversary of the 24th Amendment to the U.S. Constitution. This is the amendment which ended poll taxes, a tool used to undermine the right to vote for millions of African Americans. On this day, we must recommit ourselves in mind, body, and spirit to fight both overt and covert impediments to the most powerful non-violent tool we have in a democratic society.

The right to vote is precious, almost sacred, yet millions of Americans are still not registered to vote. How can we continue to be global leaders in promoting democratic values and principles, when so many citizens still face barriers to participating in an electoral democracy?

When my colleagues and I introduced this legislation last year, we urged prompt action to ensure access, accountability, and integrity in our nation's electoral system. Last November, we all watched aghast as Americans stood in line for hours on end determined to cast their vote. Some were able to weather the difficulties, while others were forced to give up. Mr. Speaker, this is unacceptable. Earlier this week, the President stated in his inaugural address that, "Our journey is not complete until no citizen is forced to wait for hours to exercise the right to vote."

The Voter Empowerment Act responds to that call to action with a plan. H.R. 12 modernizes the voter registration system in this nation. It helps voters with disabilities, members of the military and young people to fully access their right to vote and to have their vote counted.

The VEA also restores the integrity of the voting system, by providing well-informed, well-trained poll workers who know the law, and ensuring that election officials don't have a vested interest in the outcome of political campaigns. This bill protects voters from deceptive practices and intimidation and prohibits

voter caging, and will ensure that every vote is counted. H.R. 12 creates a national hotline so that problems are reported, corrected and prevented in real time, and it reauthorizes the Election Assistance Commission, the only agency with election administration expertise, to ensure the highest standards are being met nationwide.

People sacrificed their lives for this precious right. We have a duty to honor this legacy and the lives that were lost by ensuring this sacred right. We must all come together to guarantee open, fair, free access to democracy in our great country. I hope that each and every one of my colleagues will join me in support of this landmark legislation.

THE INTRODUCTION OF CENTER
TO ADVANCE, MONITOR, AND
PRESERVE UNIVERSITY SECUR-
ITY SAFETY ACT OF 2013

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. SCOTT of Virginia. Mr. Speaker, today I am introducing the Center to Advance, Monitor and Preserve University Security ("CAMPUS") Safety Act of 2013. The CAMPUS Safety Act previously passed the House of Representatives by voice vote as a standalone bill in the 110th and 111th Congresses and was included in the House-passed versions of the College Opportunity and Affordability Act of 2008 in the 110th Congress and the Violence Against Women Reauthorization Act of 2012 in the 112th Congress. It is my hope that the CAMPUS Safety Act will be signed into law during the 113th Congress.

The purpose of the legislation is to enable our institutions of higher education to more easily obtain the best information available on how to keep our campuses safe and how to respond in the event of a campus emergency. The bill creates a National Center for Campus Public Safety ("Center"), which will be administered through the Department of Justice. The Center is designed to train campus public safety agencies in state of the art practices to assure campus safety, encourage research to strengthen college safety and security, and serve as a clearinghouse for the dissemination of relevant campus public safety information. The Director of the Center will have authority to award grants to institutions of higher learning to help them meet their enhanced public safety goals.

Over the past few years we have seen numerous tragedies occur at colleges and universities, including the disastrous events that occurred at Virginia Tech, Northern Illinois University and more recently at Old Dominion University that took the life of Congressman ELIJAH CUMMINGS' nephew. Unfortunately, these events were the first of their kind at their schools and there was insufficient knowledge on how to prevent the tragedies or how to most effectively respond in their aftermath. While there is growing awareness that such threats are possible anywhere, many schools still have not developed safety protocols that would prepare them to maximize the pros-

pects of preventing such tragedies or to effectively respond to them should they occur despite sound prevention efforts.

Our nation's colleges and universities play a large role in the development of our next generation of leaders and we should assist them in their efforts to keep our campuses and our students safe. The Clery Act already requires schools to have safety plans in order to participate in the Title IV deferral student aid programs; unfortunately there is no one place for schools to obtain reliable and useful information. It makes little sense to require the thousands of institutions of higher education to start from scratch and individually go through the cost and effort to develop comprehensive plans. Instead, they ought to be able to obtain guidance and assistance, including best practices, from a "one stop shop" like the Center.

The CAMPUS Safety Act will help institutions of higher learning understand how to prevent such tragedies from occurring, and how to respond immediately and effectively in case they do. Although this bill was originally drafted in direct response to the Virginia Tech shootings to specifically assist college and university campuses, I should note that in the wake of the tragedy at Sandy Hook Elementary School in Newtown, Connecticut, public elementary and secondary schools and their governing agencies will be able to access the informational and training benefits of the Center.

I urge my colleagues to cosponsor and support this important legislation to ensure that our institutions of higher education have access to the information necessary to keep their schools safe.

IN RECOGNITION OF THE COMMU-
NITY AND PUBLIC SERVICE OF
WILLIAM J. UGGIANO

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. CARTWRIGHT. Mr. Speaker, this Saturday, January 26, marks the 115th anniversary of Council 302 of the Wilkes-Barre Knights of Columbus, and I rise today to congratulate the Knights of Columbus on this remarkable accomplishment and to recognize the leadership and community service of William J. Uggiano, the immediate past Grand Knight of the organization. Mr. Uggiano served the Council for the period July 2010–June 2012, and he is being honored by the Knights of Columbus as part of the 115th anniversary celebration.

William Uggiano previously served his country with distinction during a long career in the Navy, which included tours of duty on four different warships, the last of which was the USS *Guam*. He was even baptized at sea on the *Guam* off the coast of Liberia. He retired in 1999 and enrolled in Luzerne Community College where he received an Associates degree in computer information systems. While attending college to get the degree, he began working at the Wilkes-Barre Veterans Administration hospital as an IT specialist in the Office of Information and Technology, and he is still employed there today.

Mr. Uggiano is a past Commander of the Italian American Veterans of Luzerne County—Post No. 1, Treasurer of the American Federal of Government Employees (AFGE)—Local 1699, and Treasurer of the Diamond City chapter of the American Wine Society. He is married to the former Javette Swinney of Portsmouth, Virginia, and he and Javette have six children and thirteen grandchildren.

William Uggiano exemplifies the Knights of Columbus founding core principles of charity toward others, unity for the good of us all, fraternity with one another, and patriotism marked by devotion to both God and country. Please accept my congratulations on this momentous occasion.

TO PROVIDE FOR THE CONTINUED
LEASE OR EVENTUAL CONVEY-
ANCE OF CERTAIN FEDERAL
LAND WITHIN THE BOUNDARIES
OF FORT WAINWRIGHT MILI-
TARY RESERVATION IN FAIR-
BANKS, ALASKA

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. YOUNG of Alaska. Mr. Speaker, I rise today to introduce legislation to continue the conversation on how to preserve and protect an important neighborhood in Fairbanks, Alaska from eventual destruction.

In 1987, the Army entered into a Section 801 build-to-lease housing contract for a 400-home community on 76 acres of land. These homes, consisting of 3, 4, and 5 bedroom units, a maintenance and leasing facility, associated roads and parking areas, landscaping, 18 playgrounds, and a central heating system including 39 boiler houses, are an important source of housing for military families and the local area. This group of homes is more than just housing or a neighborhood, it is a community.

The housing lease for this Section 801 contract expired in 2007 and the ground lease is scheduled to expire on June 26, 2018. Without an extension of the ground lease, the 400 houses must be removed from their current location no later than 180 days following the expiration of the lease. The most likely outcome of this situation is a complete demolition of these properties.

Currently, these 400 houses are nearly 100% occupied (99% in August of 2012) which is an unbiased testament to the value of these houses. Additionally, the four and five bedroom units are a valuable but very limited resource for the large number of military families with multiple children stationed in the area. In fact, seeing the value of these homes to both the military community and the local tax base, several community leaders and interests have written to me over the past couple of years to express their support for extending the ground-lease under these homes.

While I understand that this is a sensitive issue, it simply does not make sense for 400 high-use and high-value homes to be torn down. There must be a better solution. This bill may not be that solution, but it is a critical step in the direction to finding one.

HONORING ROTARY INTER-
NATIONAL FOR 108 YEARS OF
SERVICE

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. BILIRAKIS. Mr. Speaker, I rise today to honor and congratulate Rotary International for selflessly working for 108 years to improve communities around the world and to recognize the Rotary Clubs of the State of Florida for the important work they do in our communities. The organization's motto of "Service Above Self" inspires its members to provide humanitarian service, encourage high ethical standards, and promote good will and peace in the world.

Founded in 1905, Rotary International has become one of the world's largest non-profit service organizations. In my home State of Florida, there are nearly 400 Rotary clubs throughout 8 Rotary districts. These clubs represent thousands of Floridians who actively sponsor service projects throughout the State and internationally. Through their charitable spirit, these clubs provide solutions to problems impacting society, including poverty, hunger, illiteracy, and more. Since its founding, Rotary has contributed more than one billion dollars and countless volunteer hours in the fight to eradicate polio. Last year alone, the organization raised more than \$200 million for global polio eradication.

Rotary is also the world's largest privately-funded source of international scholarships. Annually, more than 7,000 secondary school students are able to study abroad through the organization's Youth Exchange Programs.

Mr. Speaker, for more than 100 years, Rotary International has represented the best of the human spirit, and the organization and its State and local chapters have become pillars in their communities. Their humanitarian efforts and successes exemplify the strength of compassion, and I commend them for their contributions.

IN HONOR OF THE 25TH
ANNIVERSARY OF UPS AIRLINES

HON. JOHN A. YARMUTH

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. YARMUTH. Mr. Speaker, I rise today in recognition of UPS Airlines, which on January 25, 2013, celebrates 25 years of exemplary service.

This anniversary date marks an inauspicious beginning. A quarter-century ago, the Federal Aviation Authority offered its initial approval of the UPS Air Carrier Operating Certificate. Starting with two DC-8s, UPS Airlines would quickly become one of the largest airlines in the world. And with Worldport, UPS Airlines' innovative international hub, they have helped make Louisville, KY—my District and hometown—a global leader in logistics.

Today, United Parcel Service delivers more than 15 million packages every day in more

than 220 countries and territories around the world. And Louisville's Worldport has revolutionized American logistics through technological advancements that are the envy of innovators across the globe. At Worldport, more than 20,000 local employees process 416,000 packages an hour in a facility the size of 90 football fields. The operation is as extraordinary as it is expansive.

Not only have UPS Airlines and Worldport made Louisville a world leader in logistics; the company has been pivotal in generating economic development throughout our community. Countless businesses have moved to Louisville and are now thriving because of what UPS Airlines brings—and ships out. And through the Metropolitan College partnership with the University of Louisville and Jefferson Community and Technical College, UPS has provided more than 2,600 employees tuition reimbursement since 1998.

Good corporate citizenship means creating high-quality, good-paying jobs and new economic opportunities for communities. But it also means contributing to the greater whole, whether through strategic investments or programs that help expand opportunity beyond the walls of any single institution. UPS and Worldport have spent decades providing a model for corporate citizenship in Louisville.

Mr. Speaker, I ask my colleagues to join me in honoring this corporate leader on the 25th anniversary of UPS Airlines.

IN CELEBRATION OF THE LIFE
AND LEGACY OF SAMUEL KEKER

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. VAN HOLLEN. Mr. Speaker, I rise to celebrate the remarkable life and legacy of a great American, Samuel Keke.

Sam was born to Greek immigrants in Pueblo, Colorado in 1917. He attended American University, where he was elected vice-president of the student government and wrote for the college newspaper.

A member of the "greatest generation", Sam served with distinction in the Navy during World War II, escorting convoys in the Atlantic and commanding a minesweeper in the Pacific. Sam's commitment to country would later cause him to return to duty during the Korean War, where he served as an executive officer on destroyers. He remained in the naval reserve until 1962, retiring with the rank of Commander.

Sam spent the entirety of his professional career at U.S. News and World Report, rising from the position of assistant to the circulation manager in 1946 to becoming Chairman and Chief Executive Officer in 1982. Under Sam's leadership, U.S. News and World Report reached over two million readers and earned a well-deserved reputation for high-quality reporting and excellence in journalism.

Sam Keke was the embodiment of the American Dream—a person who through hard work, motivation and smarts rose to the highest level of his profession. Throughout that journey, he remained humble and treated those around him with dignity and kindness.

I was privileged to know Sam Keke and will miss his intelligence, counsel and extraordinary wit. He was an inspiration to me, and his life was a good example for all. Sam and his loving wife Lucy have been leaders in our community, giving generously of their time and resources to help the less fortunate.

I extend my deepest sympathies to Lucy, Sam's sons John and Jerry, and the rest of the Keke family. As we mourn Sam's loss, we are also grateful for the lessons he taught and the life that he lived.

DEFENSE OF A WOMAN'S RIGHT
TO CHOOSE

HON. TULSI GABBARD

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Ms. GABBARD. Mr. Speaker, forty years ago this month, the U.S. Supreme Court affirmed a woman's constitutional right to choose in *Roe v. Wade*. This landmark decision ensures that women can make their own health decisions, and if they want to, consult with their doctor, family, and faith.

Four decades later, even though abortion remains legal, women still face enormous barriers—barriers that wholly violate the spirit of the *Roe v. Wade* decision. I support efforts to increase access to affordable healthcare services which can contribute to fewer unplanned and teen pregnancies, a goal we should all support.

This monumental Supreme Court ruling remains under attack, as the ability for women to be free to make what is often the most difficult decision in their lives, is constantly challenged. Now more than ever, we must remain steadfast in our defense of a woman's right to choose.

INTRODUCTION OF THE DISTRICT
OF COLUMBIA EQUAL REPRESENTATION ACT AND THE DISTRICT
OF COLUMBIA HOUSE VOTING
RIGHTS ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Ms. NORTON. Mr. Speaker, I rise today to introduce two bills that provide different approaches for obtaining voting representation for the more than 600,000 American citizens who reside in the nation's capital and pay the full array of federal taxes that support the government of the United States, but have no voting representation in Congress. These bills are the District of Columbia Equal Representation Act and the District of Columbia House Voting Rights Act. I have introduced these bills during different periods in the past. I introduce them today after listening to residents at the many Community Conversations I have held in each ward of the District since a dangerous gun amendment—which would have eliminated all of the District's gun safety laws and would have done much more—forced us to decline

to move to final passage of the District of Columbia House Voting Rights Act in April 2010.

I introduce these bills today, in the same month that the House majority again eliminated the District's vote in the Committee of the Whole, despite rulings by the federal courts that this vote is constitutional. It therefore is clear that the House would not consider any approach to representation and full democracy for D.C. residents at this time. As my first bill of the 113th Congress, I introduced the New Columbia Admission Act, to make the District of Columbia the 51st state, the only option that affords the residents of the District of Columbia equality with other American citizens, and the option we will always seek. However, today, I am reintroducing two bills that residents have indicated would have their continued support on the way to statehood, which they deserve. Residents embraced these approaches because they were possible at the time. Today's bills will help ensure that there is no weakening in the momentum that these bills helped build here and throughout the country over the past several years.

The District of Columbia Equal Representation Act would give the District of Columbia two senators and, initially, one House member. With statehood delayed, then-Senator Joseph Lieberman and I introduced this bill for several years as the No Taxation Without Representation Act. The House, which was controlled by Republicans, did not act on the bill. The Senate held hearings and marked up the bill in 2002, but did not bring it to the floor.

The second bill, the District of Columbia House Voting Rights Act, to give D.C., initially, one House member, almost became law. In 2005, when I continued to be in the minority, then-Representative Tom Davis and I partnered on a bipartisan bill giving House votes to Democratic D.C. and Republican Utah. The D.C. House Voting Rights Act marked the first time in decades that we achieved large majority votes in the House and Senate for voting rights for D.C. residents, and brought the city closer than we have ever come to voting representation in more than two centuries. This bill likely would be law today had the gun lobby not insisted on adding an amendment that would not only have eliminated the District's gun safety laws, but also would have added measures making the nation's capital one of the most permissive gun jurisdictions in the country.

In introducing these bills, we lay down a marker of our determination to never relent or retreat until we have obtained each and every right to which we are entitled, whether through the frustration and anguish of the incrementalism that Congress has always forced upon the District or through statehood. We will be watchful to both make and seize every opportunity to pursue our rights, regardless of who controls Congress. We accept no imposed limit on our equal rights as American citizens, and we will pursue them all until the day when there is no difference in citizenship between residents of the District of Columbia and other American citizens.

REINTRODUCING THE NATIONAL EMERGENCY CENTERS ESTABLISHMENT ACT

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to reintroduce the National Emergency Centers Establishment Act, a bill that I first introduced in the 109th Congress. This legislation authorizes the Federal Emergency Management Agency (FEMA) to make use of already closed military facilities to coordinate emergency response and provide voluntary humanitarian assistance to Americans displaced by natural disasters.

From Hurricane Katrina to Hurricane Sandy, and numerous other destructive disasters, we have seen time and time again how emergency relief efforts can be complex, expensive, and oftentimes chaotic. Despite the extraordinary efforts of agencies like FEMA, the American Red Cross, and other local and national organizations to provide immediate relief, natural disasters can leave tens of thousands of Americans struggling for long periods of time. Sixteen months after Hurricane Katrina, 60,000 Americans were still ill-housed, and struggling to access adequate food and health care, education and jobs. I have seen similar effects following hurricanes in my home state of Florida.

While disaster preparedness, response, and recovery has improved greatly in recent years, difficult challenges remain. I believe that we must increase the availability of temporary housing in times of national emergencies, and improve training and preparedness for national emergencies in order to ensure that we can mitigate as much as possible the humanitarian catastrophes that occurred in the Gulf Coast, the Atlantic Coast, and elsewhere in the nation.

My legislation authorized FEMA to establish six National Emergency Centers throughout the United States. The Centers will be used to provide temporary housing, medical and humanitarian assistance for individuals and families displaced due to an emergency. The Centers will also serve as a centralized location for the training and coordination of first responders in the instance of an emergency. In addition, the Centers will improve the coordination of preparedness, response, and recovery efforts between governments, private companies, not-for-profit entities and faith-based organizations.

I would like to point out, Mr. Speaker, that the use of these facilities would be totally voluntary on the part of displaced Americans. No federal agency is authorized under this legislation to force anyone to evacuate to these facilities, nor to force those who voluntarily arrive there to remain longer than they wish. The goal is to provide the facility and means for Americans displaced by disasters to continue leading their lives as much as possible.

The National Emergency Centers will be located on military bases that have been closed during the most recent Base Realignment and Closures (BRAC) round. I am proposing these sites because the necessary infrastructure to

house, feed, and care for evacuees over an extended period of time is already in place, thus limiting the cost and time needed to construct these facilities. Military bases often contain large warehouses or hangars, ideal locations for storing large amounts of supplies and equipment. Finally, military bases are often accessible by a wide range of transportation links, and may themselves have train yards or airstrips capable of facilitating the rapid disbursement of supplies or relief efforts.

Mr. Speaker, we have an obligation to better prepare and more adequately respond to the needs of communities hit by natural disasters. Furthermore, we must ensure that basic needs of disaster victims are met immediately following the devastation. The goal of this legislation is to improve humanitarian relief to individuals and families displaced and suffering from the effects of a natural disaster. The idea is to have an accessible central location that can house large numbers of people while providing for their immediate medical and daily needs.

I ask my colleagues to support this legislation, and urge the House Leadership to bring this bill to the floor for its swift consideration.

A TRIBUTE IN HONOR OF EVELYN FILICE STANTON

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Ms. ESHOO. Mr. Speaker, I rise today to honor the life of Evelyn Filice Stanton who died peacefully while on a family vacation on December 29, 2012.

Evelyn was born on December 17, 1926, in Hollister, California, at the apricot and prune ranch of her parents. She lived there until World War II when her father moved the family to San Francisco, where she entered Lowell High School, graduating with the Class of 1944. She earned her A.B. degree from U.C. Berkeley where she met her future husband, returning war veteran Emmett Stanton, whom she married in 1949.

Evelyn earned a teaching credential from San Francisco State University, and taught at El Cerrito High School while Emmett practiced dentistry. The couple moved to San Mateo County in 1952, where they raised their four sons.

Evelyn Stanton served as the President or as a board member of the United Way of the Bay Area; Mills Peninsula Hospital; Belmont Hills Psychiatric Center; AAUW Education Foundation; San Mateo County League of Women Voters; Family Services Association; American Heart Association; Poplar Center for the Developmentally Disabled; the Hillsborough Concours D'Elegance, which she co-chaired with her husband, and for which they were honored as Hillsborough's Citizens of the Year in 1979; San Mateo High School and Crocker Middle School PARENT Groups; Admiralty Home Owners Association; and the Citizen Task Force to study county government operations in 1975-1977.

In 1979, Evelyn began working for the Mental Health Association of San Mateo, her first

foray into the paid workforce since her years as a teacher. She became Executive Director in 1979 and served in that post until 2003. Evelyn Stanton distinguished herself in every community organization she was part of but her extraordinary leadership in the mental health community of San Mateo County was legendary. She was "Mrs. Mental Health", shaping and making the system the best in California.

Together we were founding members of the San Mateo County General Hospital Foundation. She was a member of the AIDS Community Board, and Chair of the Mental Health Contract Agencies. Evelyn earned and was awarded many honors—the Soroptomist Woman of the Year; the Evelyn F. Stanton Endowed Fellowship established by AAUW; the Seaton Manning Outstanding Agency Professional Award; and she was inducted into the San Mateo County Women's Hall of Fame in 1987.

Evelyn will be deeply missed by her four devoted sons, Gary of San Mateo, Greg of San Diego, Dave of San Francisco, Emmett of San Francisco and her nine beloved grandchildren.

Mr. Speaker, I ask my colleagues to join me in honoring a great and good woman who served the people of San Mateo County with honor and generosity, earning the respect of the entire community, as well as her colleagues in public service. I ask my colleagues to extend to her family our most sincere sympathy for their loss. Evelyn Stanton will be missed by everyone who had the good fortune to know her, and I count myself among those so blessed. Our community has been strengthened by her life and her service, and our country has been immensely bettered by her extraordinary contributions and a life lived exceedingly well.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. COFFMAN. Mr. Speaker, on January 3, 2009, the day I took office, the national debt was \$10,627,961,295,930.67.

Today, it is \$16,432,619,424,703.06. We've added \$5,804,658,128,772.39 to our debt in 4 years. This is a \$5.8 trillion in debt our nation, our economy, and our children could have avoided with a Balanced Budget Amendment. We must stop this unconscionable accumulation of debt.

THE INDUCTION OF JACQUELINE DOUGLAS INTO THE CALIFORNIA OUTDOORS HALL OF FAME

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. GEORGE MILLER of California. Mr. Speaker, I rise today to pay tribute to Jacqueline Douglas upon her induction into the

California Outdoors Hall of Fame. This is a terrific and well-deserved honor for a mainstay of the California sport fishing community.

Jacky, known affectionately as "Wacky Jacky," is a San Francisco native and the only female fishing charter boat skipper in the Bay Area. She is a legendary voice within San Francisco's sport fishing community, respected by fisherman of both Golden Gate and Pacific Coast Salmon fisheries, and one of the Bay Area's most passionate voices for protecting salmon and their habitat. She is a fervent fighter for conservation and water issues, as well as a tremendous advocate for salmon, wildlife, and the California coast.

Jacky has also been a great help to the members of the Bay Area congressional delegation in our efforts to achieve a water policy in California that will sustain all of our state's interests, including the important fisheries that yield so many jobs for people up and down the west coast.

Wacky Jacky was confirmed by a record 40 of 41 votes from peers, the highest vote tally of any member to gain entry into the California Outdoors Hall of Fame. She was nominated due to the fact that she has inspired thousands of Californians to take part in the great outdoors and conservation. She was also previously inducted at the International Sportsmen's Exposition at Sacramento's Cal Expo and honored by the Bay Institute for her dedicated advocacy. And in further recognition of her many accomplishments, Jacky was also inducted into her high school's Abraham Lincoln High School Wall of Fame in May 2002.

With 29 years of fishing experience, she is still taking people from all over the world fishing out the Golden Gate. At 84, she is a hero among her fellow fishing captains, and is one of the most popular party boat captains in America. She was the first and remains the only woman to own and skipper her own commercial boat in the San Francisco Bay Area.

Douglas passed her Coast Guard examination in 1972, purchased her first party boat and has mastered boating, safety and fishing ever since. She started fishing on San Francisco area boats in 1955, and became a deckhand in 1970, after which she skippered a private boat and fished commercially for several years. She became the skipper of the Wacky Jacky in 1973, unheard of for a woman at the time.

Jacky is well known for taking good care of her customers, and says the most important thing is, "to have my customers leave with a smile on their face." In the meantime, Jacky, continually improves her sailing skills, has now earned her master mariner's license which permits her to skipper boats up to 100 tons. Over her career, she has taken an estimated 150,000 people out to fish.

Her unique position on the bay has made Jacky a part of what makes San Francisco such an incredible place. She has inspired numerous newspaper articles as well as television spots on CNN and National Geographic. During her career, Jacky has won a number of awards, including honors from the Commonwealth Club and the Golden Gate Fisherman's Association. Her work with newspapers, radio show hosts and TV broadcasts has made it easier for Californians to connect to the world of the outdoors. She was married to George Douglas and has four daughters.

I invite our colleagues to join me in congratulating Jacqueline Douglas, a woman beloved by all that meet her, for her lifelong efforts in fishing and conservation and her dedication to educating others about the outdoors.

HONORING CONGRESSWOMAN JO ANN EMERSON

HON. ANN WAGNER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mrs. WAGNER. Mr. Speaker, I rise today to pay tribute to an incredible woman, role model, public servant, and friend.

Over the past several decades putting people before politics has been a way of life for Congresswoman Jo Ann Emerson. Whether it was an agricultural issue, flood control problems, a small business in trouble or a Veteran who needed help—there were no Democrats or Republicans to Jo Ann, just constituents.

Jo Ann truly represents the people of Missouri's 8th District by listening to them and then working hard to make a difference. Putting people before politics was not just a slogan to her—it was the way the gentlelady from Missouri's sprawling 8th District operates. She epitomized what being a Member of the People's House should be.

Her legacy of service and that of her late husband Bill Emerson will not be forgotten and she remains an example for all of us in this body. Her service will be remembered because of the lives she has touched by doing what was right because it was right.

While I am excited for Congresswoman Emerson in her new endeavor, I am sad for the great loss to this chamber and to the people of Missouri's 8th District.

INTRODUCING A BILL TO REQUIRE THE SECRETARY OF AGRICULTURE TO SUBMIT A REPORT TO CONGRESS ON PAYMENT RATES FOR SCHOOL MEALS AND SUPPLEMENTS

HON. GREGORIO KILILI CAMACHO SABLAN

OF THE NORTHERN MARIANA ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. SABLAN. Mr. Speaker, today, I am introducing legislation that will provide this Congress with the information we need to determine whether the U.S. Department of Agriculture is correctly reimbursing schools in the Northern Mariana Islands, Guam, American Samoa, Puerto Rico, and the U.S. Virgin Islands for student meals.

Congress has already recognized that there may be costs in the insular and non-contiguous areas of our nation that are different than those in the continental United States and for this reason gave the Secretary of Agriculture the authority to set adjusted reimbursement rates in 42 U.S.C. 1760(f):

In providing assistance for breakfasts, lunches, suppers, and supplements served in

Alaska, Hawaii, Guam, American Samoa, Puerto Rico, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands, the Secretary may establish appropriate adjustments for each such State to the national average payment rates prescribed under sections 1753, 1759a, 1761 and 1766 of this title and section 4 of the Child Nutrition Act of 1966, to reflect the differences between the costs of providing meals and supplements in those States and the costs of providing meals and supplements in all other States.

[Here "States" means the 50 States, the District of Columbia, and the named U.S. insular areas.]

The Secretary has used this authority to set adjusted—and place-appropriate rates—for both Alaska and Hawaii, where transportation and other factors add to the cost of providing meals in the schools. In the other insular areas—the Northern Mariana Islands, Guam, American Samoa, Puerto Rico, and the U.S. Virgin Islands—however, where distance and reverse economies of scale can increase costs just as in Alaska and Hawaii, schools are reimbursed at the standard national rate that applies throughout the continental U.S.

Those of us who shuttle between our duties in Congress and the insular areas we represent are familiar with the costs of food and other services both here and at home. We know that there are differences. And, if these differences mean that children in our areas are receiving less food or less nutritious food or no food at all because the current reimbursement rates are inadequate, then we need that information. By the same token—though this is not my expectation—if the federal government is overpaying, then Congress needs to know that, as well.

The legislation I am introducing today requires the Secretary of Agriculture to report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate on:

1. the difference between the costs of providing meals and supplements under the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 in the Northern Mariana Islands, Guam, American Samoa, Puerto Rico, and the U.S. Virgin Islands and the average cost of providing these meals and supplements in the 50 States and the District of Columbia; and

2. the relationship of those cost differences and the reimbursement rates offered to the insular areas.

Accurate information, such as this legislation will provide to Congress, is essential for accurate policy-making. I urge my colleagues to co-sponsor this bill and thank them for their support.

PERSONAL EXPLANATION

HON. TULSI GABBARD

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Ms. GABBARD. Mr. Speaker, on January 22, 2013, I was unavoidably detained and was unable to record my vote for rollcall Nos. 24

and 25. Had I been present I would have voted:

Rollcall No. 24: "yes"—On Motion to Suspend the Rules and Pass H.R. 307

Rollcall No. 25: "no"—On Motion to Adjourn

HONORING ROSA PARKS' 100TH BIRTHDAY

HON. JERRY MCNERNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. MCNERNEY. Mr. Speaker, today I rise to ask my colleagues to join me in honoring Rosa Parks' 100th Birthday.

Rosa Parks is a true American icon and a civil rights activist. She is best known for refusing to give up her seat on a bus in Alabama to a white passenger in 1955. Consequently, she was arrested for civil disobedience.

Rosa Parks' actions were a catalyst for the Montgomery Bus Boycott. African Americans in Montgomery, Alabama boycotted local buses and used other methods of transportation to get to work. The boycott lasted 381 days and helped bring about the repeal of the law requiring segregation on public buses. Her actions helped bring additional national attention to race inequality throughout the United States.

Her courage and resolve was emblematic of the efforts made during the civil rights movement. Her actions remain part of the story of the fight to secure every individual's right to share the American dream.

Rosa Parks' legacy continues to resonate throughout the country. For example, in my own district, the Aspire Rosa Parks Academy in Stockton, California celebrates Rosa Parks' birthday. This tremendous event serves as an important reminder of how far we have come as a nation and serves as an educational and historical tool. It brings the community together to recognize one of the true pioneers of the civil rights movement.

Today, I ask my colleagues to join me in recognizing not only one of our nations' most well-regarded activists and her contributions to American history, but the countless schools and groups like the Aspire Rosa Parks Academy who celebrate her legacy every year.

HONORING 40TH ANNIVERSARY OF ROE V. WADE

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2013

Mr. QUIGLEY. Mr. Speaker, I rise today because 40 years ago our Supreme Court determined that every woman has the right to decide whether or not to continue her pregnancy. While that ruling stands today, we must remain vigilant.

As we speak, anti-choice activists are working to erode that right, not only by making abortions illegal, but by making them unavailable. In 2011, a record 92 abortion-regulating

laws passed in 24 states, imposing onerous waiting periods, invasive ultrasounds, and dangerous parental consent requirements—all in an effort to make such services inaccessible.

As President Obama said on Monday, "while these truths may be self-evident, they have never been self-executing." Yes, abortion is legal, but we have to fight to ensure it remains accessible. The good news is, most Americans are with us. A recent Wall Street Journal/NBC News Poll found 7 in 10 Americans believe Roe v. Wade should stand.

On the 40th Anniversary of Roe v. Wade let's reflect on the rights we have won, and renew the fight to protect them.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, January 24, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JANUARY 29

10 a.m.

Committee on Foreign Relations
Business meeting to consider pending calendar business.

S-116

Committee on Health, Education, Labor, and Pensions
Subcommittee on Primary Health and Aging

To hold hearings to examine primary care.

SD-430

2:30 p.m.

Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters.

SH-219

JANUARY 30

10 a.m.

Committee on Foreign Relations
Business meeting to consider pending calendar business.

S-116

Committee on the Judiciary
To hold hearings to examine gun violence in America.

SH-216

JANUARY 31	with the possibility of a closed session	2:30 p.m.
9:30 a.m.	in SVC-217 following the open session.	Select Committee on Intelligence
Committee on Armed Services	SD-G50	To hold closed hearings to examine cer-
To hold hearings to examine the nomina-	10 a.m.	tain intelligence matters.
tion of Charles Timothy Hagel, of Ne-	Committee on Foreign Relations	SH-219
braska, to be Secretary of Defense;	Business meeting to consider pending	
	calendar business.	
	S-116	

SENATE—Thursday, January 24, 2013*(Legislative day of Thursday, January 3, 2013)*

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord, You alone deserve all our praise because of Your love and faithfulness. Inspire our Senators to trust You to help protect and guide them. May they learn and depend upon Your promises, believing that Your blessings will keep America strong. Reveal to them Your priorities and plans so that they will stay within the circle of Your will. Lord, make them agents of Your visible impact on our Nation and world as You guard their hearts and minds with Your peace.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BRIAN SCHATZ led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 24, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. SCHATZ thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business, with Senators allowed to speak for up to 10 minutes each. The majority will control the first 30 minutes and the Republicans the final 30 minutes.

Would the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for debate only until 12 noon, with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first half hour.

Mr. REID. Mr. President, I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

CONFRONTING FISCAL CHALLENGES

Mr. MCCONNELL. Mr. President, I do not know if you know anyone who has climbed to the top of Mount Everest, but I am told it is quite an undertaking. It apparently took Sir Edmund Hillary several weeks to do it back in the 1950s. I am told my friends across the aisle could have scaled Everest almost 300 times in the nearly 4 years that have gone by since they last passed a budget. They could have taken 179 trips to the Moon or built three Pentagons.

Well, today it looks like that is all about to change. It is nice to see that

after years of playing budget peekaboo, Senate Democrats are finally ready to take up their most basic of responsibilities—and only a few weeks after the chairwoman of the Budget Committee indicated they might skip it, for the fourth year in a row.

There is an indication now that the majority is committed to passing a budget. What is unfortunate is that it has required so much pressure for them to do so. It is in stark contrast to the House of Representatives, who have taken their duties very seriously.

Over there, committee hearings have been held, budget resolutions have been marked up, amendments have been considered. More importantly, the House has passed serious budgets annually, as the law requires. They have laid out their priorities for the public to see: their plans to control spending, to save our most important social programs from collapse, to reform an outdated anticompetitive Tax Code, and to streamline government bureaucracies that are literally suffocating job creation.

They have done their jobs while Senate Democrats have tried to keep their priorities a secret.

We know Senate Democrats do not like the House budgets. And we know they do not even support the President's budgets—at least not with their votes. What we have not known for nearly 4 years is what they are for because they have refused to put their plans for the country down on paper and actually vote for them.

It is my hope the Democrats' sudden interest in passing a budget is not just another attempt to actually raise taxes. As I have said repeatedly, we are done with the revenue issue. The President has already said the so-called rich are now paying their "fair share," and, of course, middle-income families are already on the hook for new taxes as a result of ObamaCare.

So the question is, Who would be in the firing line this time? And at what cost?

Look, struggling families should not have to pick up the tab again for Washington's inability to live within its means. We need to start solving the actual problem, which is spending, and we need to do it together.

So if—and I say if—Democrats are finally ready to confront the massive fiscal and economic challenges facing our country, and to do so in a serious way, I assure them they will find partners on this side of the aisle.

As for the debt limit, there is no need to wait for final resolution of the

House's short-term legislation before we start putting a long-term debt reduction solution together in the Senate. If the bill the House passed yesterday is signed into law, Congress will have another 3 months to take the debt challenge—to take it on seriously—but that does not mean we should wait a minute longer to start working on it. There is no reason, for instance, that the Finance Committee should not begin preparing the critical spending reforms that will be necessary, for example, to get my vote and the vote of many of my colleagues for any kind of long-term increase in the debt ceiling.

So let's get the process moving. No more brinksmanship. No more last-minute deals. The American people have already had to wait 4 years—4 years—for a budget from Senate Democrats. They should not have to wait nearly as long for us to confront a debt that threatens the economy, our jobs, and the future of our Nation.

Yesterday I laid out the realities of the fiscal challenges we face as a country. We have delayed facing them long enough. Let's put the politics aside and finally do the work we were sent here to do.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. UDALL of Colorado. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that I be recognized to speak for 10 minutes as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WILDFIRE RELIEF

Mr. UDALL of Colorado. Mr. President, I rise to speak in favor of a critical issue for my State; that is, much needed wildfire relief.

I wish to be more specific. Colorado has been in dire need of emergency watershed protection funds since fires raged in my State just 6 months ago. Just 6 months ago we were in the news not only in our country but around the world because of fires in our State.

This is an important issue, one of the most important issues confronting my State because the last fire season was the worst, literally, on record. Although the fires no longer burn, the threats they pose to entire communities persist long after the final embers are extinguished. Literally, hundreds of thousands of Coloradans remain vulnerable to flooding and tainted water supplies in the aftermath of these fires.

To people not from the West, the reason why this is an emergency may not be immediately clear, so let me explain. In my State, the Hyde Park and the Waldo Canyon fires—these are two fires that were all over the news—tragically took lives, burned more than 100,000 acres, and led to catastrophic property loss. President Obama declared them national disasters, and he actually came to Colorado and joined me and the rest of the delegation to visit the scenes of destruction, where over 300 homes were destroyed in Colorado's second largest city, Colorado Springs.

But that initial impact in those initial scenes could pale in comparison to threats these communities will face in the coming days, months, and years. Why is that so? Because once a mountainside is stripped of all its trees and foliage and the soil is burned down to bedrock, there is nothing left to hold back the water and debris as it races downhill toward our communities.

Without rehabilitation and restoration, the watersheds that provide municipal and agricultural water are at risk from landslides, flooding, and erosion. In turn, that could result in serious infrastructure damage, water supply disruptions, and even loss of life.

Stabilizing and protecting these communities' watersheds is simply the right thing to do and, moreover—and this is important—taking action now is also fiscally responsible. Quite simply, if we do not do the repairs now, we will pay more later.

When Coloradans came to Senator BENNET and me to share these needs confronting our State, we immediately went to work. We delivered on the promise of providing fire relief when the Senate passed the emergency supplemental spending bill in December of last year, which also provided much needed relief funds for Hurricane Sandy victims. That was a bipartisan bill supported by Senate Republicans and Democrats alike. But the Republicans in the House regrettably gutted the bill and sent back legislation that explicitly cut out wildfire relief.

In that context, let me make one point absolutely clear. This is an emergency. Some people question the need for funding and have asked why we wouldn't limit dollars to just Hurricane Sandy areas, such as the bill does before us today. The short answer is it is a fiscally smart thing to do, the right thing to do, and the fair thing to do.

This bill is an emergency appropriations bill for all national disasters, not just Hurricane Sandy. It is our best hope of seeing wildfire relief.

I emphatically note the Colorado emergencies occurred before Hurricane Sandy, and the West should not have to continue to wait. Very few emergency supplemental bills pass Congress. This bill is passing now, and it should in-

clude aid for Colorado and other States across our country.

We, as Americans, are in this together. When deadly disasters strike, we all support each other. I know the Presiding Officer's home State of Hawaii has experienced natural disasters. We stand together when we get into these situations. That is why I am so frustrated that the House of Representatives dismissed Colorado's needs and ruined our chances, the West's chances, of immediate wildfire relief when lawmakers there failed to include emergency watershed protection funding for Colorado in this disaster relief legislation.

This neglect is particularly disappointing, because if the House had quickly taken up the Senate-passed disaster assistance bill at the end of last year, we would not be in this desperate position today. I say this somewhat reluctantly; I served in the House for 10 years. But I have to say the House is setting a dangerous precedent of arbitrarily legislating disaster relief funds. Communities across this country, and not just those affected by Hurricane Sandy, are at risk of catastrophic flooding and contaminated drinking water.

But House Republicans are either sending a message that the West doesn't matter or saying they don't care about certain communities once the TV cameras are focused elsewhere.

What is the latest development in this ongoing fight to help wildfire victims? Yesterday, I introduced an amendment to the House-passed disaster relief legislation that would help national disaster areas repair their drinking water supplies and the systems that back up those water supplies. This amendment would not add a single cent to the bill and instead simply reverses the House's decision to exclude all States other than those affected by Hurricane Sandy.

No one questions that we need to help hurricane victims in the Northeast. But wildfire relief is not pork. I will say that again. Wildfire relief is not pork. Colorado's record-setting wildfires in 2012 displaced tens of thousands, destroyed more than 600 homes statewide and tragically resulted in deaths. Wildfires destroy communities, and their devastation persists for decades.

These restoration projects of which I speak must get started now before our spring snow melt sends tons of ash and sediment into our water supplies and buries homes and infrastructure under mudslides and floodwaters.

As I said earlier, I know these fires may seem to be old news for some, but Coloradans are living under the ongoing threats every day. I wish to remind all of my colleagues that in the past the Natural Resources Conservation Service, the NRCS, had the flexibility to provide EWP assistance for earlier

disasters before moving on to the needs created by subsequent events.

As of December, 2012, an estimated \$47 million was needed to mitigate damaged watersheds in the aftermath of other Presidentially declared Stafford Act disaster areas in Arizona, Colorado, Louisiana, Florida, Minnesota, Mississippi, New York, Utah, and Wisconsin, North, South, East, and West.

Of the \$180 million the House approved for Sandy-related emergency watershed protection relief, only \$30 million has been requested. Yet the House bill is saying other communities cannot have access to these funds to protect their own people. It is senselessly wasteful to leave these other communities behind to suffer the effects of less-recent disasters, whether they faced wildfire, hurricane or flood.

Mr. President, I am not being an alarmist. Coloradans unfortunately have already experienced some of these effects. For example, the usually crystal-clear Poudre River has been flowing black—literally flowing black due to ash and runoff from the fires. This forced the downstream city of Fort Collins to shut off its water intake for over 100 days. Senator BENNET was on site just a week ago, and the pictures were tragic and they compel action.

Further downstream on that important water course, the Poudre, the city of Greeley shut off its water intakes for 36 days and is still only able to take a small fraction of its normal intake.

I have a photo here that shows a water main that supplies 75 percent of the backup drinking water supply for the city of Colorado Springs, our second largest city, south of Denver. This pipeline used to be buried 8 feet deep but is now exposed due to runoff. It has been exposed because of the runoff from the fire area, and, of course, it will be exposed to more runoff.

You can see the effect of what is happening after these fires. How much more of an emergency do we need, when our most basic resource—drinking water supplies for three of Colorado's largest cities and its families and businesses—is threatened?

Let me share one more example. The flood potential in the burned areas is now 20 times higher than before the fire, which means that areas are experiencing 100-year floods from the same amount of rainfall that would have caused a 5-year flood before the wildfires.

Look at this photo. This is Highway 14, which is the major east-west artery through northern Colorado. This mudslide is one of many that occurred during one very minor rainstorm after the High Park fire. These mudslides on our major roads put people, property, and commerce at risk. Already families in the Colorado Springs vicinity, which I mentioned earlier, have received at least four flash flood warnings since the Waldo Canyon fire. Stabilizing this

ground and restoring the burned areas on both Federal and private land is critical to public safety, public health, and the prevention of another disaster.

So as I begin to close, I would just say, don't get me wrong, I support the recovery of the communities devastated by Hurricane Sandy, but I want to ensure that my colleagues understand the gravity of the situation we are facing in Colorado and in other States that are confronting disaster needs. The Senate delivered when it came to providing fire relief, in part because of my colleague Senator BENNET's great work on the Agriculture Committee, but the House unwisely sent us a package that turns a blind eye to Colorado and the West. If we do not act soon, communities across this Nation will see unnecessary flood risks, contaminated water supplies, and the potential looms for tragic deaths caused by our inaction. That is simply not acceptable.

So when someone asks whether the EWP—the emergency watershed protection provisions and program—is necessary, critical, or even an emergency, the answer is an emphatic yes. For many of our communities in Colorado, this is their No. 1 priority in Congress, and I, for one, am not going to let their critical needs go unmet. Mark my words. This is not an issue I am going to let die. It is not an issue Senator BENNET will let die. We are going to keep at it until we stabilize these soils, protect our water supplies, and stand up for the people of Colorado and the people of our country.

I thank the Acting President pro tempore for his attention, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Colorado.

Mr. BENNET. Mr. President, I ask unanimous consent to speak for 7 minutes on the same topic as my colleague.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BENNET. Mr. President, I wish to thank my colleague, the senior Senator from Colorado, for his remarks and for his commitment to this important issue, and I rise today to speak briefly about the disaster bill that is in front of the Senate and to address an issue of enormous importance to the people of Colorado.

We have in front of us a disaster bill to respond to the widespread damage caused by Hurricane Sandy along the east coast, and we should obviously pass this bill to help our fellow citizens in their time of need. It is in that exact same spirit that the Senate passed a disaster relief bill at the end of last year that helped victims of natural disasters all across this country—not just the victims of Hurricane Sandy but also the victims of the devastating wildfires in my home State of Colorado and other States across the West.

We worked very hard to get that money into the bill the Senate passed in December. With the leadership of MARK UDALL, we were able to successfully make the case that Colorado has a significant need for resources to help protect communities affected by the wildfires. We worked closely with the Senate Appropriations Committee, and they answered Colorado's call for help, and I thank those Members—Members from both sides of the aisle—who supported us. That was hard to do. It was hard to do, but in the end the idea that we are all in this together prevailed.

The House, however, let that bipartisan bill die at the end of last session, and now Congress has to start anew. Now here we are, asked to consider a House-passed bill that leaves Colorado behind, a bill where the House arbitrarily stripped out the money that would help our struggling communities in Colorado, and we are told this bill is unamendable. We are told the House has drawn a line in the sand and won't take any changes. Like my senior Senator, I am stunned by this and profoundly disappointed.

So let me tell my colleagues what this means for the people of Colorado. The Waldo Canyon and High Park fires in the summer of 2012 were the first and second most destructive fires in Colorado's history. They tragically resulted in the loss of life for several Coloradans. The fires destroyed hundreds of homes and caused millions of dollars of damage to critical infrastructure and some of the worst and most lasting damage to our watersheds. As anyone from Colorado or the West knows, our watersheds and the clean water they provide are the lifeblood of our communities.

Here is a hilltop that was completely devastated by the fires of 2012 and a road near Fort Collins that was overrun with sediment and debris in a mudslide after the High Park fire.

Here is the Poudre River after the fire, running completely black as the sediment, ash, and soot are washed off the singed hillsides into the water. This river provides drinking water for the cities of Fort Collins and Greeley, CO, home to one-quarter of a million people—home to 250,000 people—and home to agriculture and businesses that rely on having clean water to get through the day.

I recently met with the water providers at the treatment plant for this area, situated just yards from the charred mountains. They showed me a mason jar of black water, just like this. It could have been pulled directly from the Poudre. That is, unfortunately, because of our inaction and our foolishness, our shortsightedness, and that is what communities can expect if we don't start recovery work in these watersheds.

The resources provided under the USDA's emergency watershed protections—the EWP Program—would directly help these communities in Colorado. We fought for those resources, for the EWP Program, in the Senate bill last December, and reason prevailed. Republicans and Democrats came together and said: We understand the people of Colorado need this; they need our help. And I again thank our friends on the Senate Appropriations Committee for helping to make that happen. Yet we stand here today with a bill that doesn't include these funds, the funding stripped out, while an unmet need of \$20 million persists in Colorado alone. And it is not just our State, there are 51 other projects across 19 other States that need these resources to recover from their disasters. This is a major national issue, and it is crazy that we are standing here in this position today. Lest anybody think this is a decision that somehow is fiscally disciplined, let me stand on this floor and guarantee you that as these hillsides wash into the river in the spring snowmelt, the cost of restoring these water treatment plants, the cost of making sure we have clean water will dwarf the \$20 million we are talking about today.

To conclude, it is incredibly unfortunate, given the history we have in this country of coming together after a disaster, that the House would not follow our lead in the Senate and provide us these resources. There are reasons we are the United States of America, and one of those reasons is that we come to each other's aid at moments of natural disasters and help our friends and neighbors in other States. We make sure they get through to the next year.

Perhaps adding insult to injury is that funding for Colorado was stripped under the rationale, as I said, that the House was somehow being fiscally responsible, even though the exact opposite is true. The reality of this situation is that it is fiscally irresponsible because we can say with 100 percent certainty that the cost of fixing these problems later will be significantly more than it is now. So an ounce of prevention in this case is clearly worth a pound of cure. Any household or small business understands that making these investments today is the right move, instead of just waiting for the next disaster to happen, instead of waiting for matters to get worse, although that is the habit of this town, as the Acting President *pro tempore* will come to learn. The House just couldn't put rigid ideology aside and do something for the country as a whole.

Mr. President, I am not going to oppose the Sandy bill. We need to help our fellow citizens on the east coast. But this is a real head-scratcher for me and I know for the senior Senator from Colorado, even for this place. We are going to continue to work with our col-

leagues in the Senate to get these resources signed into law, but the fact is we had it done. We had it done in the Senate, in a bipartisan way, with the help of our friends on the Appropriations Committee and both Republicans and Democrats on this Senate floor. The House of Representatives let Colorado down, and now we are going to have to go back and find a way to make it right.

With that, Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT *pro tempore*. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT *pro tempore*. Without objection, it is so ordered.

THE NATIONAL DEBT

Mr. CORNYN. Mr. President, in 2008, a prominent Democratic politician said that adding \$4 trillion to the national debt was "irresponsible and unpatriotic."

In 2009, this same politician said, "I refuse to leave our children with a debt they cannot repay. We cannot simply spend as we please."

Again, in 2010, this same individual said, "It keeps me awake at night looking at all that red ink."

Then in 2011, he echoed the statements of the Chairman of the Joint Chiefs of Staff, ADM Mike Mullen, when he said, "The greatest long-term threat to America's national security is America's debt."

And then finally, in 2012, this same politician said he was running for reelection "to pay down our debt in a way that is balanced and responsible."

Well, you might have guessed who this was. These are statements made by President Barack Obama.

Unfortunately, the President's actions have not come close to matching his own rhetoric. Since he took office, the gross national debt has increased by nearly \$6 trillion. Indeed, the President has served at a time when we have accumulated far more debt than any other President in American history.

After spending his first term maxing out America's credit card, the President is demanding yet another increase in the debt limit. The President argues he is merely asking lawmakers to pay the bills that have already been racked up. And he continues to blame others—certainly not himself—for trillion-dollar annual deficits and skyrocketing debt. But he fails to acknowledge that his stimulus bill borrowed more than \$1 trillion, increasing the debt by that amount; and, secondly, that Obamacare will spend more than \$2 trillion in its first decade.

Those on this side of the aisle, Republicans, have shown our willingness to pass a budget that stabilizes our public finances. Indeed, I applaud the reaction of the White House and of Democrats in the Senate saying that for the first time since 2009 they are willing to take up and pass a budget in the Senate—the first time since 2009. It is long overdue but welcome news.

Likewise, we are willing to make compromises—not on principle, but we are willing to find common ground, and we are willing to take tough votes. Indeed, that is part of the budget process because we know—whether it is a family budget; whether it is a small business; whether it is a county, city, State or the Federal Government—priorities have to be established in a budget because we know they always involve tough decisions: What is the most important? What do you have to have? What are the things you want but you need to delay because you don't have the money to pay for it now? What are the things you would like to have but you simply cannot afford?

Those are decisions that are made by every family in America on a daily basis, and the Federal Government, particularly the Senate, has not been willing to make those sorts of hard choices since 2009.

In this cloud I guess there is a silver lining. Finally, we are going to see some movement in the Senate which is long overdue. The only way, though, to get the real spending cuts we need to bring our budget into balance and real deficit reduction over the next 4 years is if the President takes the lead. This is not something Congress can do without the President. We need the President's leadership and, indeed, that is something that many of us on a bipartisan basis have been looking for since the Simpson-Bowles Commission report came down in December 2010. I am still astonished that rather than embrace that bipartisan commission report—not all of which I agree with, by the way, but at least it was a start. The President could have done something important that had bipartisan support, and it actually would have enhanced his chances of getting reelected because people would have seen it as statesmanship and leadership.

We have had an unfortunate set of experiences here as recently as the end of last year, New Year's Eve, because we approached a manufactured crisis, a deadline known as the fiscal cliff. But I don't think anybody in America, certainly not anybody in this body, wants another 2 a.m. Senate vote—not because it is inconvenient, but because it is not a good thing in the people's House, the Senate and the House of Representatives, to be voting in the dark of night when people are not able to watch. Nobody wants another cliff hanger that weakens public trust in our government or in our willingness

to meet our responsibilities. Most of all, no one wants another credit downgrade. This is important.

The President talks about the importance of lifting the debt ceiling because he said we do not want to suffer another downgrade in our credit standing. But, indeed, one of the reasons we have already suffered a negative response to our credit rating is because we have not dealt with the real problems that confront our country, the \$16.4 trillion in debt, and we have not come together in a bipartisan way to save and preserve Social Security and Medicare and to keep the promises that we have made to our seniors. That has caused the credit downgrade.

Most of all, what Americans want, I believe, is a serious, good-faith, open, transparent discussion over America's long-term budget strategy. They want both parties to work together. Ironically, the best time to actually do that is when we have divided government, like we have. They want both parties to demonstrate that we are capable of having an adult conversation about balancing our budget.

Unfortunately, the President has given very little indication that he is prepared to negotiate on these important issues. Indeed, his inaugural speech, eloquent as it was, barely mentioned the preeminent challenge facing America today; that is, our \$16.4 trillion debt and millions, tens of millions of Americans either unemployed or underemployed. The President barely touched on those issues.

Instead, at a recent press conference the President suggested that certain unnamed Republicans really do not care about poor children, the elderly, or medical research. Rather than taking the high road of Presidential leadership, unfortunately, the President chose the low road. This is the same President who frequently bemoans the poisonous atmosphere and toxic partisanship of Washington, DC.

When President Obama is ready to quit slandering his opponents and quit knocking down straw men, when he is ready to make serious arguments and serious compromises, we might finally be able to work together to make some real progress on long-term fiscal consolidation. Americans are yearning for that kind of leadership. They are yearning to see real solutions to the challenges that face our country. They are looking forward to seeing concrete proposals from the White House that cut spending and reduce our national debt.

The President said he wanted a balanced approach. He wanted revenue to go along with the cuts and the reform of Social Security and Medicare. The President got his pound of flesh in the fiscal cliff negotiations. Unfortunately, because of the expiration of a number of temporary tax provisions, taxes were going to go up in the \$3 trillion-plus

range, if Congress did nothing. We were able, fortunately, to mitigate some of that and to eliminate tax increases on the vast majority of Americans and to make many temporary provisions permanent. But it is going to require genuine leadership from the President, which I hope he will provide soon, because Americans cannot afford to wait much longer.

I yield the floor.

THE ACTING PRESIDENT pro tempore. The Senator from Indiana.

Mr. COATS. Mr. President, I appreciate the remarks of my colleague from Texas. I want to add my thoughts to much the same issue. I rise, once again, to address what I believe and what many believe is the most important issue that faces this Congress and faces the Nation as a whole; that issue is, the out-of-control Federal Government spending that continues to pile up unsustainable debt and threaten our economic future.

Both Republicans and Democrats and conservatives and liberals have acknowledged that unless we get the debt under control, we will eventually reach a tipping point where investors either stop buying our debt or insist on higher interest rates to account for their greater risk. This can trigger a crisis of confidence, a crisis that would likely happen if we do not take action, and take action soon to address this problem.

We have witnessed what happens in a number of European nations. Greece comes to mind, of course. That country is in chaos based on promises made that cannot be kept, based on spending that could not be covered, based on a country that defied the math and the laws of economics. But it is not just Greece. I just heard earlier this morning the latest numbers on unemployment in Spain: over 25 percent and rising among all workers, and for those under the age of 25—those coming out of universities and colleges and the educational system looking to start their lives and begin their roles as breadwinners, the providers for their families and holding down a job so they can participate in life as people capable of paying their bills, buying a house, getting married, raising their children, and providing for their education—that number for those young people is over 55 percent. More than one of every two young people in Spain is without employment—on the streets, nothing to do, no job to go to every day.

We see the austerity measures having to be imposed in the United Kingdom. Italy is in and out of the news in terms of its financial status. There are questions about France, questions about other countries. Germany is struggling along with very little growth, even though it is seen as an economic provider and dynamo, at a level of growth which is so anemic there are questions raised as to whether and how much it

can do to help the European situation. But even aside from the potentially catastrophic debt bomb that continues to tick away, if we fail to get spending under control in the short term, our economy will remain in the doldrums because of this cloud of economic uncertainty it creates among businesses, investors, and consumers—created by our inability to grasp the fiscal plight of our excessive and reckless spending.

The fact is that we are not going to be able to get our economy out of the rut we have been in unless we tackle the Federal Government's spending addiction. Washington's reckless spending and failure to produce even a budget plan over the last 4 years undermines confidence in our economic prospects and causes investors, businesses, and consumers to sit on the sidelines rather than take risks with their money. As my colleagues know very well, our spending addiction in Washington has at long last led us to the point where we now face the process of record deficits as far as the eye can see into the future, a spiraling Federal debt that is now nearly \$16.5 trillion, and a possible further downgrading of the credit rating of the United States.

Were interest rates not being held at historically, artificially low levels by the Fed we might already be facing our day of reckoning. According to the nonpartisan Congressional Budget Office, even a 1 percentage point increase in interest rates would add \$1.3 trillion to our debt over a period of 10 years. If borrowing costs return to their 20-year average, which certainly they will at some point, deficits over the next 10 years will increase by \$4.9 trillion. If interest rates were to rise to the level of the 1980s, the total U.S. debt in 2021 would be \$5.3 trillion greater. That is \$5.3 trillion in new debt that would occur without any changes in spending or taxes. Interest rates would simply drive our debt out of control.

Make no mistake that this is a spending problem and not a revenue problem. The President campaigned on the false narrative that taking more from the top earners would alleviate the economic burdens we face. As a result of winning the election, he was able to get higher taxes on Americans at the higher end of the income scale. But no one is fooled and math does not lie. Increasing taxes on higher income earners is not going to make much of a dent in our \$1 trillion deficits.

The fact is, even if the President had received all of the revenue from the expiration of all of the 2001 and 2003 tax cuts in tax rates, Federal revenue would have come in at this historical average of just over 18 percent of GDP, but spending continues to rise, on average, 23 percent of GDP over the same period of time—more than 2 points ahead of its historical average. Thus, the problem: the fact that we are spending more than we can afford. We are spending more than we receive.

Actions speak louder than words. President Obama may talk about the need to rein in spending—although lately he has even rejected that—but his administration refuses to act. Instead, the President started off his second term doubling down on—what? The need for more taxes. Are not the American people being taxed to death? It is not just the Federal income tax, it is the State tax added to that, it is the sales tax, it is the excise tax, it is the car tax, it is the alcohol tax—it is any number of things that add up to a burden of taxation on the American people that is severely hampering our ability to grow and our economy to provide the necessary employment and the necessary jobs for people so desperately in need of and looking for that work.

While the President has not truly recognized that spending is the problem, the business community has. A recent survey of chief executives said they are considerably less optimistic about the short-term growth process for their companies than they were just a year ago. The reason is uncertainty. The business community does not have confidence in the growth prospects for our country because there is little confidence that Washington can get its act together and deal with the spending crisis that is dragging down this economy.

In an atmosphere of uncertainty, investors, businesses, and consumers proceed with caution. They hold back in making significant investments or expenditures. Also, they don't hire people, and they will not until they get more clarity about the future and our ability to address our problems.

As I traveled across Indiana and talked to business owners' large, small, and in between, as well as farmers, to owners of restaurants, to CEOs of major companies, they all said the same thing. They all said the lack of certainty and the prospects for the future—unless we get control of our spending—are such that they have no choice but to just sit on their hands and hold back.

The big credit agencies are saying the same thing. They know that without significant spending reform and spending cuts the United States will be unable to pay its bills at some point. Refusing to make the tough choices now just hastens the day of reckoning when markets decide the United States has become a bad credit risk. Standard & Poor's, Moody's, and Fitch Ratings all have a negative outlook on the United States' prospects and are threatening a further downgrade of our credit rating unless we get our fiscal house in order. Other downgrades would follow in short order: Fannie Mae and Freddie Mac, as well as many State governments. As a result, this would irreparably damage many State and local pension funds. They are all at risk.

It is a nightmare scenario that is not far away from happening if we don't start getting a handle on our reckless, runaway spending. We need to get a handle on it now not later. There is no more reason for excuses. We have done all we can on the revenue side. The President got what he wanted. He got his taxes, but now is the time when we need to focus on the real problem, which is runaway spending. Big spending and small, everything from the need to reform our mandatory entitlement spending to the smaller, duplicative, wasteful, yet important, spending that Washington specializes in and is not necessary particularly at a time of austerity.

I intend to get into some more detail about spending reforms in future speeches, but the overall point is undeniable: Unless we get our spending under control, we are going to continue to stagger forward with a weak economy, high unemployment, and draw ever closer to the day when our investors and creditors lose faith in our ability to pay our debts.

The next time I come to the floor—and I am not sure when since it depends on what our schedule might be—I want to talk not about what DAN COATS is saying, not what the Senator from Indiana is saying; I want to talk about what others are saying. I want to hear from those who are not saying it from a political perspective or trying to reflect their party's position but from those who spend their time analyzing our current situation. I want to hear from those who understand the map of where we are and what the implications and consequences are for our country. I don't just want to hear statements by those of us here but statements made by others and the importance and need for us to address this most serious of problems and challenges.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. HATCH. Mr. President, I ask that following my remarks, the senior Senator from Rhode Island be granted permission to speak.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MEDICARE AND MEDICAID REFORM

Mr. HATCH. Mr. President, I rise to speak on a matter that is of the greatest importance. Our Nation is on an unsustainable fiscal path. The national debt stands at a current whopping \$16.4 trillion with annual trillion-dollar deficits having become the norm with the current administration. Put simply, unless we change our course, our debt threatens to cripple our economy and saddle future generations with bills they will not be able to pay.

Federal spending has been growing and will continue to grow at a rate that outpaces government revenues by leaps and bounds. Despite some claims to the contrary, the difference simply cannot be made up by increasing taxes. We do not face a problem with not taxing enough in this country; we have a spending problem.

Moreover, in the runup to the fiscal cliff, we had a national discussion on increasing taxes. Taxes were increased and the revenue discussion is done. It is time to turn our attention to our country's runaway spending problem and our unsustainable entitlement programs. The only way we can make meaningful progress toward reducing our deficits and eliminating our massive debt is to focus on the main drivers of these problems. The main drivers of our debts and deficits is not a lack of revenue; it is our entitlement programs.

Let's take a look at our two main health care entitlements, Medicare and Medicaid. In just the next 10 years, the Federal Government will spend more than \$12 trillion on Medicare and Medicaid. Let's put that in perspective. That is \$12 trillion on just two programs. That is more than the entire economies of Germany, France, the UK, Italy, and Spain combined. If we do not act to slow the rate of growth in these two programs, they will consume roughly 10 percent of our entire economy by the year 2035.

Medicare, by itself, spent nearly \$480 billion last year. Over the next 10 years, it will spend more than \$7 trillion. In fact, by the end of that same 10 years, we will be spending more on Medicare than on our entire national defense. The prospects for Medicare solvency only get worse as time goes on. Over the long term, Medicare has nearly \$39 trillion in unfunded liability. That is \$328,404 for every American household in this country. Fixing Medicare will not just be a matter of trimming off some fat and waste. The problems with the program are systemic.

Let's talk about Medicaid for a moment. Things are not much better with that program. The Federal Government spent \$261 billion on Medicaid in 2012 and the States themselves spent about \$196 billion, bringing the total cost of the program to \$457 billion in a single year. In the next 10 years, Federal Medicaid spending as a share of the U.S. economy is set to grow by 37 percent. The Federal Government will spend more than \$4.4 trillion on the program over that time.

According to the National Governors Association, Medicaid represents the single largest portion of total State spending, which accounted for an estimated 23.6 percent of State budgets last year. Between Medicare and Medicaid, we have two programs that

threaten to swallow not only the Federal Government but State governments as well. We simply cannot afford to keep these programs running on autopilot, nor can we afford to tinker around the edges when we talk about reform. If we are serious about addressing our Nation's debt, Medicare and Medicaid need structural reforms.

Today, I wish to lay out five specific reform proposals that could help to rein in entitlement spending and put our Nation on a better fiscal course. These are reasonable, rational ideas that have all enjoyed bipartisan support over the years. I believe they should be included in any deficit reduction package.

No. 1: We need to adjust the Medicare eligibility age from 65 to 67. Raising the retirement age is simply common sense. It would reflect increases in life expectancy and align Medicare eligibility with that of Social Security. This idea was supported by the Simpson-Bowles Commission, and it was included in the bipartisan deficit negotiations in 2011.

In addition, prominent Democrats, including former Senate Budget Committee chairman Kent Conrad and House Budget Committee ranking member CHRIS VAN HOLLEN, have expressed support for raising the retirement age as part of the discussion on retirement reform. Raising the retirement age is not just a Republican idea. Members of both parties have supported it.

No. 2: We need to modernize the Medigap Program by limiting supplemental Medicare insurance plans from covering initial out-of-pocket expenses for Medicare beneficiaries. In 2010, on average, Medicare made \$9,765 per beneficiary. The average out-of-pocket expense coming from copayments, coinsurance, and deductibles for beneficiaries was \$1,679. Almost 90 percent of Medicare recipients use some kind of supplemental insurance to offset some of their out-of-pocket costs. Almost 30 percent of beneficiaries have so-called Medigap policies that provide first-dollar coverage.

Multiple studies have found that this 30 percent—the ones with Medigap insurance policies—use about 25 percent more services than those without similar coverage. This overutilization of services leads directly to higher costs for all seniors on Medicare. Limiting first-dollar coverage will encourage seniors to make better health care choices and ensure the highest quality outcome while lowering costs for the entire Medicare Program.

This policy was supported by the Simpson-Bowles Commission, and it was part of the Biden-Cantor deficit reduction negotiations in 2011. In addition, the Democratic members of the House Ways and Means Committee included this idea as part of a set of cost-sharing reforms in their 2011 deficit re-

duction proposal. The President's own 2011 deficit reduction package included a similar proposal to reduce costs associated with Medigap insurance plans.

Once again, this is a policy that both Democrats and Republicans should be willing to get behind.

No. 3: We need to simplify Medicare beneficiary cost sharing while protecting seniors from catastrophic health costs. Currently, Medicare cost sharing—copays, deductibles, et cetera—varies significantly depending on the type of service being provided. Beneficiaries now have separate deductibles for inpatient care under Part A and physician and outpatient services under Part B. This overly complex benefit structure is difficult for beneficiaries to navigate, and it promotes overutilization. By streamlining the cost sharing and creating a single combined deductible for both Part A and Part B, we can make it easier for seniors to use Medicare more efficiently and reduce costs associated with overutilization.

At the same time, we should institute an annual catastrophic cap to protect seniors who face serious health events which will provide seniors with much needed financial security. This was another policy supported by the Simpson-Bowles Commission. It was also a part of the Coburn-Lieberman Medicare proposal introduced in the last Congress. It is, in every sense, a bipartisan proposal.

No. 4: We need to increase quality and lower costs on Medicare by introducing competitive bidding into the program. By allowing private health plans to compete with traditional fee-for-service Medicare, we can provide seniors with their guaranteed Medicare benefit while at the same time reducing costs and improving the quality of care.

Entitlement reforms should draw upon market-oriented solutions. Increased competition will allow seniors to choose for themselves based on transparent cost and quality information—if they want to use the traditional Medicare program or a private health plan. This is the type of structure seniors enjoy under the Medicare Part D which has controlled costs and is very popular among beneficiaries.

This is not a Republican fantasy or a conservative plan to gut Medicare, as some may claim. Democrats have supported this approach over the years as well. President Clinton proposed a major set of Medicare reforms in 1999 that included a version of a premium support system. Alice Rivlin, OMB Director under President Clinton, recently worked with Senator Pete Domenici on a Medicare reform bill that included a defined premium support plan. In addition, Democratic Senator RON WYDEN worked with the House Budget Committee Chairman PAUL RYAN to develop a similar pro-

posal in the 112th Congress. So while there may be some resistance to this particular idea, it has enjoyed bipartisan support.

Finally, No. 5: We need to strengthen Medicaid for patients and States through realistic reforms. Setting per capita limits on Federal Medicaid spending would put the Medicaid Program on a sustainable budget and, when combined with increased flexibility for patient-centered reforms at the State level, would reduce costs and improve patient care across the board. As with other ideas I have mentioned, this is a bipartisan proposal.

In 1995, President Clinton introduced a Medicaid reform plan that included a per capita cap on Federal Medicaid spending. At that time, all 46 Democratic Senators, including several who are still serving today, signed a letter to President Clinton expressing support for this proposal. In addition, in October of last year, former Democratic Senate majority leader Tom Daschle publicly expressed support for per capita caps on Medicaid spending as a way of “guaranteeing the benefits of the Medicaid program.”

So there we have it—a concrete, bipartisan approach to reforming our health care entitlement programs and restoring fiscal sanity here in Washington.

I know it is popular to talk in abstractions around here when it comes to reforming our entitlement system, but these are specific ideas that have enjoyed the support of both Republicans and Democrats over the years. This is precisely what has been missing from the current debate over deficit reduction.

Entitlement reform is not a matter of choice; it is a necessity. That being the case, it is not a Republican or Democratic issue; it is a challenge facing our entire country. My proposals, which have all enjoyed bipartisan support, will help ensure future generations have a viable and sustainable safety net in place. Far from being offered out of any sense of “suspicion” about government safety net programs, as a cynic might suggest, my proposals are designed to help sustain these important programs.

I believe these types of proposals are a good starting point for a serious discussion about entitlement reform. I hope my colleagues on both sides of the aisle will want to be part of this conversation.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I will yield the floor for my distinguished friend from Florida, Senator NELSON, with the understanding that I will be recognized at the conclusion of his remarks.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

GUN VIOLENCE

Mr. NELSON. Mr. President, I wish to address the issue of gun violence. I think my colleague from Rhode Island is going to be addressing this issue on which he has shown tremendous leadership. It will be a continuing issue over the next several weeks as we get ready to consider legislation.

My approach is one of common sense and moderation. I come to this issue as a hunter, as a kid who grew up on a ranch having guns all my life, being very familiar and comfortable with guns and to this day enjoying hunting, although my hunting has primarily been limited to quail, but I enjoy that so much with my son, although I might say that I was hunting Burmese pythons in the Everglades last week, but people do not have to hunt them with guns. Since they are taking over the Everglades, they are caught and then euthanized and, hopefully, we can stop this proliferation of Burmese pythons that are eating up everything in the Everglades, including alligators. But that is a subject for another day.

The subject before us is gun violence. Is there anybody who does not realistically, with common sense, think we should do a criminal background check for anyone who is purchasing a gun? That is about as common sense, as moderate a position one can take given the circumstances we find ourselves in with people who go in and start slaughtering innocent children. Maybe that is the one thing we can get over 60 votes for in this Chamber in order to pass and maybe they will consider it in the other body, the House of Representatives.

Secondly, is there anybody who thinks we should have clips which I showed with the sheriff of Orange County in Orlando last week—clips that are this long and hold 60 rounds? The law I voted to extend back in 2004 said clips of more than 10 would not be allowed. Is that not reasonable? Is that not common sense? I know how people say, Oh, a person can change a clip in a few seconds. But should we make it easier for a killer so he does not have to change the clip?

The question is one of balance, one of common sense. When I go hunting, I don't have any need for anything more than 10; indeed, I don't have any need for anything more than a few. In quail hunting, of course, if it is an over-and-under, a hunter has two shells because that is basically the number of shots he is going to get off when the quail flush.

The third element is also one of common sense. The sheriff of Orange County and I held up two guns they confiscated from people using them for criminal purposes. I held up an AK-47. The sheriff held up a Bushmaster. The AK-47 is a derivative of the same weapon used by the North Vietnamese against us in the Vietnam war. I sim-

ply asked the question: Are these guns for hunting or are they for killing? The legitimate answer is they are not for hunting, they are for killing. That is what they were designed for, as an assault-type weapon in a combat circumstance.

So how do we approach the legitimate recognition of the second amendment, the right to bear arms, with assault weapons? It seems as though among people of good will using common sense and moderation, we can come to some definitions that would ban those types of assault weapons.

I wish to conclude my remarks by saying this is a lot of politics. Some of us are portrayed, as a result of taking this position of moderation and common sense, as if we were not for the second amendment. That is totally false. Of course I support the second amendment. I just gave my history: growing up in the country, having guns all my life, and still having a number of guns in my house. I support the second amendment. I do so in light of the circumstances in our society today that have changed.

My final comment: In all of the politics going on about this issue, the advocacy organization called the National Rifle Association is not the same NRA that grew up representing the interests of hunters and sportsmen. It has become an advocacy group for gun manufacturers that want to sell more of their manufactured products. So it becomes an economic issue to people instead of one of common sense and moderation.

We need to draw that distinction. This organization—the NRA—has gone to the extreme not only, as we saw, in their response to the elementary school killings in Connecticut, but they have gone to the extreme in my State by advocating in the State legislature getting in between the doctor-patient relationship as to what a doctor can inquire about with regard to a patient concerning a wound that might have come from a gunshot.

This is extremism in the extreme. We ought to call it what it is as we are debating this issue.

Moderation and common sense is the answer to this issue facing us.

Mr. President, I wish to thank my colleague from Rhode Island for his courtesies extended, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

NATIONAL CLIMATE ASSESSMENT

Mr. WHITEHOUSE. The Senator from Florida is welcome. It was one of my great pleasures to sit next to him on the Intelligence Committee for these many years. To tell a brief story, whenever Senator NELSON said, Well, I am just a country lawyer from Florida, everybody on the committee perked up,

because they had learned from experience that one of the more withering and devastating cross-examinations of a witness was about to ensue. It is always my pleasure to extend courtesy to the Senator from Florida.

I am here once again to talk about climate change. Alarms are ringing, including the voices of the overwhelming majority of scientists, and indeed the voices of the overwhelming majority of Americans. But here in Congress, it is still time for us to wake up.

Climate change is not a problem that will go away; human activity is driving global change. Climate change is not a problem that can wait; we see its effects all around us. But climate change is a problem that can be solved.

We can and we must leave a healthy environment and clean energy sources to our children and grandchildren. The missing piece is Congress. Congress is sleepwalking through history. It is time to wake up.

The National Oceanic and Atmospheric Administration has confirmed that 2012 was the hottest year in the contiguous United States on record, ever. This one wasn't a close call; it did not come down to the wire; 2012 was a full degree Fahrenheit higher than the previous record year—a full degree Fahrenheit higher than the previous record year. To put that into context, 1 degree may not sound like a lot, but when you average it across an entire year, it is a huge shift. The previous warmest U.S. year on record, 1998, was 4.2 degrees Fahrenheit warmer than the coldest year on record, 1917. If you take the warmest year on record—1998 until now—and you take the coldest year on record—1917—the entire span between them is only 4.2 degrees Fahrenheit. This is a jump of a full degree in Fahrenheit in just 1 year. By the way, 2.1 degrees Fahrenheit over 2011 is a seriously big change.

We are just starting to heat up. The most optimistic estimate for the end of the century is a 2-degrees-Fahrenheit increase. That is the most optimistic estimate. More likely scenarios—ones that assume continued current levels of greenhouse gas emissions—project for the continental United States an increase of between 4 and 10 degrees Fahrenheit. Worldwide, last year was the 36th year in a row with an annual global temperature above the 20th-century average—36 straight years above average. In fact, the 12 years of this century, of the 21st century, 2000 to 2012, every single one of them is in the top 14 warmest global averages on record. Mr. President, 12 for 12, they are in the top 14 warmest global average years on record. Since 1970, global average temperatures have increased more than one-quarter of a degree Fahrenheit every decade.

As the vast majority of climate scientists have confirmed, natural climate forces alone simply do not explain this global temperature trend,

nor do they explain regional temperature trends. They do not explain the land surface temperature trends. They do not explain the ocean surface temperature trends. Only models that include the greenhouse effect caused by carbon dioxide emissions explain these trends. When I use the word “explain,” I use it in its scientific sense—i.e., establish a significantly, statistically meaningful correlation between the two.

The United States does a regular national climate assessment. The assessment is based on scientific, peer-reviewed research and technical reports from top scientists at Federal agencies such as NOAA and NASA, the Departments of Agriculture and Energy, and the U.S. Geological Survey. Now, bear in mind that NASA scientists have just put a rover on to the surface of the planet Mars. These aren't people who get things very badly wrong.

The recent draft assessment paints a clear picture of what is happening in America right now. It says:

U.S. average temperature has increased by about 1.5 degrees Fahrenheit since 1895; more than 80 percent of this increase has occurred since 1980. The most recent decade was the nation's hottest on record.

The National Climate Assessment is also required by law to project what is to come. The draft assessment says:

U.S. temperatures will continue to rise, with the next few decades projected to see another 2 degrees Fahrenheit to 4 degrees Fahrenheit of warming in most areas. The amount of warming by the end of the century is projected to correspond closely to the cumulative global emissions of greenhouse gases up to that time: roughly . . . 5 degrees Fahrenheit to 10 degrees Fahrenheit . . . assuming continued increases in emissions.

I represent the Ocean State, Rhode Island. I see that the new senior Senator from Hawaii is presiding, and certainly he represents an ocean State too, so let's talk about oceans.

Atmospheric warming brings sea level rise, and as global sea levels rise, storms, waves, and tides wash ever higher against the coast, putting our coastal infrastructure at greater and greater risk of storm surges, flooding, and erosion. Five million Americans live within 4 feet of the high-tide line—it is not just us in Rhode Island, it is not just your folks in Hawaii—and it has real human consequences. Hurricane Sandy, I hope, reminded us of that.

Already, sea level rise is up about 8 inches over the past century. These changes are very evident to Rhode Islanders. We have been monitoring the ocean for centuries. Just outside Narragansett Bay, the crew of the Brenton Reef Lightship took nearly 22,000 ocean temperature measurements between 1878 and 1942. We have been at this a while. Alarming, the modern temperature record from points around Narragansett Bay shows that since the 1960s, the annual temperature in Narra-

gansett Bay has increased about 4 degrees Fahrenheit. This has real-life effect—crushing our winter flounder fishery, for instance. Long-term data from the tide gauges in Newport, RI, show an increase in average sea level of nearly 10 inches since 1930. The rate of sea level rise at Newport is accelerating too. In southern Rhode Island, local erosion rates doubled from 1990 to 2006. Some of our freshwater wetlands near the coast are already transitioning to salt marsh.

Oceans warm and expand. Snow, glaciers, and icecaps melt into the sea. And the sea level is projected to rise between 1 and 4 feet by the end of this century.

Deniers should look to the assessments of our defense and intelligence agencies. Diego Garcia, a small island south of India, is the home to a logistics hub for U.S. and British forces in the Middle East and to Air Force Satellite Control Network equipment. The average elevation of Diego Garcia is approximately 4 feet. This installation is threatened by inundation from slow, steady, sea level rise, set aside storms. Norfolk naval air station and naval base on the southern end of the Chesapeake Bay is the Navy's largest supply center and home to the U.S. Atlantic fleet. Eglin Air Force Base on Florida's gulf coast is the largest Air Force base in the world. Both bases are threatened by rising seas.

The oceans are rising because they are getting warmer. Water expands as it warms. Warmer seas also threaten multibillion-dollar maritime industries here in our country, industries such as fishing, tourism, and energy. When water is too warm, it stresses fish, coral, and other sea life. As I said, the winter flounder catch in Rhode Island has been crushed by warming water. When water is too warm, it can't be used for cooling powerplants. That is what caused last summer's shutdown of Unit 2 at the Millstone powerplant in Connecticut. The temperature of the water in Long Island Sound climbed to over 75 degrees Fahrenheit—too warm to cool a nuclear reactor.

Carbon dioxide, of course, doesn't just warm the atmosphere and warm the oceans, carbon dioxide also gets absorbed into the oceans, and the oceans become more acidic. Carbon pollution by humans has caused a nearly 30 percent increase in the acidity of the ocean, and this ocean acidification is certainly caused by human activity.

As the draft National Climate Assessment explains, ocean acidification harms species such as oysters, coral, and even the plankton—like the humble pteropod I have spoken about before on this floor—that comprise the base of the ocean food chain, a food chain to which humankind is inextricably linked.

For my ocean State, carbon pollution presents a triple whammy from the

sea: higher seas, warming seas, and more acidic seas. But the draft National Climate Assessment shows that you don't have to be an ocean State to be at risk. In the far North, Alaska is threatened by the loss of permafrost. Most of the permafrost in Alaska is tens of thousands of years old. It is a natural wonder whose loss threatens structures, such as buildings and roads, as well as plants and wildlife that over many centuries have adapted to that frozen tundra environment. In the Midwest, the draft assessment warns of “the occurrence of extreme events such as heat waves, droughts, and floods. In the long term, combined stresses associated with climate change are expected to decrease agricultural productivity, especially without significant advances in genetic and agronomic technology.”

The dangers of carbon pollution are bearing down on us all. In the face of the clear warning of this national assessment, there are some who counsel surrender. The oil industry-backed Institute for Energy Research says this:

If the worst-case scenarios are correct, then even very strong action by the Federal, State, and local governments in the United States will do very little to alter the global climate.

The polluters deny the ability of the United States to lead. Well, they are wrong. They are wrong. They are very wrong. With our vast economy, with our ingenuity, and with the trust the rest of the world has put on our experiment in democracy, we can lead. We can lead the world toward a cleaner future. To do any less would be, as President Obama said in his inaugural address, to betray our children and future generations. I will not countenance that betrayal, and neither will most Americans. A recent poll conducted by Yale University and George Mason University found that a large majority of Americans—77 percent—say climate change should be a priority for President Obama and for all of us here in Congress. Yet, for the last 2 years, opponents and skeptics, polluters and lobbyists, special interests and their paid-for front organizations have blocked Congress from acting to reduce carbon pollution and reduce the threat of climate change.

Today, a very distinguished Member of the House of Representatives who has worked on environmental issues for 38 years in this building, Representative HENRY WAXMAN, and I announced the formation of a bicameral House and Senate climate change task force to fight back. We welcome all Members of Congress, regardless of political party, who recognize the urgency of what is happening to our world all around us and who feel a duty to our descendants. We intend to focus sufficient attention on what is happening in the world around us to at last—at long last—reduce the carbon pollution that is causing it.

It is time to wake up. Carbon pollution from fossil fuels is threatening our future. Unless we take serious action to scale back the pollution, the consequences may well be dire. Congress is sleepwalking through history. It is time to hear the alarms, roll up our sleeves, and do what needs to be done. It is time to wake up.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BLUNT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE BUDGET

Mr. BLUNT. Mr. President, I want to talk a little about the bill that is coming over from the House that would require the Senate to—surprise—have a budget. I know the law already requires the Senate to have a budget, but apparently that law wasn't good enough for us to have a budget for the last 3 years. So I am supportive of the House decision to do that. In fact, I am supportive of almost any discussion that requires us to talk about what we are going to do about spending.

You know, if you have been living outside your means, if you can't pay your bills and you go to a credit counselor, the credit counselor is highly unlikely to say: Your problem is you need another credit card. The credit counselor is going to say: You need to figure out how you are going to pay your bills, and that includes things such as having a budget, it includes things such as figuring out what you are spending money on that you can stop spending money on. That is what we need to do, and it is what we need to do with a budget.

Somehow in the face of unprecedented spending and record Federal debt, the President and even Senate Democrats for a few years now have been saying that in Washington all we need to do is get another credit card. Our problem, I hear, is not a spending problem, it is a health care problem or it is a whatever kind of problem it is. It is clearly a spending problem.

There is no doubt that Washington is living outside its means. The Federal debt has skyrocketed to a record \$16.5 trillion. President Obama's first term added almost \$6 trillion to that total. There is no reason to believe we have done anything to slow down the spending and debt path we have been on. Meanwhile, it has been 1,360 days since the majority in the Senate and the Senate itself has managed to pass a budget. In fact, I think during that 1,316 days we haven't even had the

Budget Committee report a budget out for the Senate to vote on.

Last summer Vice President BIDEN said: Show me your budget and I will tell you what you value. Well, let's find out what we value. Let's find out what the majority in the Senate values. When the Vice President talked about showing the budget, he was talking about the Republican budget, because there actually was one. The Republican House had passed a budget. In fact, the Senate and the House both passed a budget every single year from the passage of the Budget Control Act in the mid-1970s until 2010. In 2010, both the House and the Senate—the House with Speaker PELOSI and the Senate with the current majority—said: We don't care what the law says, we are not going to pass a budget. That lasted 1 year in the House, but it has lasted now 3 years in the Senate. In 2011 and 2012 the House came back and passed a budget.

The Republicans have voted for serious budgets that make tough choices, and even those choices were choices that made us go out and explain what we were for. And, of course, that is exactly what the Vice President was talking about when he said: Show me your budget, I will show you your values. There was only one side that had a budget. So that was a pretty harmless position, from the point of view of the Vice President, because he was saying: Let's look at the budget the other guys have put on the table because we don't have one on the table; we have not said what we are for.

The Senate Democrats have ignored the law, ignored their legal obligation to pass a budget, while House Republicans have now said the Senate should either pass a budget or not be paid, and I agree with that. It is a fundamental step toward planning.

The second step is to vote on appropriations bills. We haven't voted on a single appropriations bill in the Senate in over a year. We don't have a budget, so there is no plan to try to get spending under control; and then we don't vote on how we are going to spend the money in any way other than some big continuing resolution, which basically is a bill that says we are going to continue spending money as we have been spending money, and here are the two or three exceptions. But we are not going to have the debate I think the Senate needs to have. Frankly, I believe our new Appropriations chairman, BARBARA MIKULSKI, is going to be insisting we bring appropriations bills to the floor, and I think that is a good thing.

The failure to have a Senate budget has too often been described as a minor procedural matter. Senator SCHUMER said recently: Well, the Democrats didn't have a budget because there was a budget that came out of the sequester agreement in mid-2011. Never mind

the Senate hadn't had a budget that spring or the spring before that or that the Parliamentarian said the sequester deal wasn't a budget, somehow coming up with one number was supposedly good enough to come up with a budget.

That is like sitting around the kitchen table to decide how you are going to spend your money, and here is how the discussion would go: OK, I think we ought to spend X amount of money. That is the meeting. We have just decided that is what we are going to do. And somehow that is the budget? Particularly when X amount of money didn't relate at all to the amount of money coming into your family. Nobody believes that would make sense.

We will see whether Senator SCHUMER's words this weekend will produce a budget. The House has acted. The President says he wants the debt ceiling increased. Hopefully, the majority has decided to pass a budget. The new budget chairman, Senator MURRAY, said yesterday that her committee will draft a budget. Now let's let the Senate produce a budget. Let's have a budget drawn up, let's have a budget debated, and let's figure out what our plans are.

Budgets lay out plans. We will see if a budget that a majority in the Senate would vote for will pass the straight-face test with the American people. We will see if this is just another budget that says: OK, here is the amount of money we want to spend; it has no relationship to the amount of money we have, but let's let that be our budget.

The people will no longer tolerate, I am convinced, the amount of debt and taxes that that type of spending plan would require. For them to think about that, they have to have a spending plan, and so I am grateful the House passed legislation that says we have to have that plan. When the majority in the Senate—Democrats in the Senate—have a budget, we will see how they feel about continuing to attack the budget the House has been willing to come up with for the last two Congresses. Right now they can talk about the cuts that Republicans in the House want because there are no Senate cuts. There is no Senate budget.

So let's have an apples-to-apples comparison. Let's compare what Republicans in the House would do compared to what Democrats in the Senate would do and figure out what our plan needs to be. It is often said that when you fail to plan, you plan to fail. Not having a budget is sort of the entry level of failing to plan. We have failed to do the first thing you would do if you were going to have a plan, if you were going to get your spending under control.

My Republican colleagues and I in the Senate have—even though there wasn't a Budget Committee product—actually found ways to vote for and support the Republican-passed budget from the House and, of course, we paid

the price for that. People were out there saying: Here is what you want to do about this program and here is what you want to do about that program. But we are going to move quickly from where, rather than just attacking one side that has a plan, we are talking about what the two plans are, and we will see what the American people want to do.

President Obama and our friends in the Senate should work with Republicans in the Senate to cut spending and to pass a budget in a transparent way. Republicans have been willing to do that. Democrats may be willing to join in that. And if they are, the American people can begin to see more than a last-minute, back-room deal. I am tired of seeing this planned crisis, one right after another, and I have a feeling the people I work for are even more tired of it than I am.

A divided government is a good opportunity to make tough choices. The President will never have more political capital than he has right now. Let's take those two things together and let's see what that formula would produce. A divided government—Republicans and Democrats both have to take responsibility—and a President with maximum political capital could equal a good and long-term result. I hope the President and the majority in the Senate get serious about working together and solving the problems we face as a country.

I look forward to being part of that, and I am appreciative that the House of Representatives has passed legislation that appears to have forced the Senate to do its job on a budget for the first time in 4 years.

EXTENSION OF MORNING BUSINESS

Mr. BLUNT. Madam President, I ask unanimous consent that the period of morning business be extended until 12:30 p.m. today and that all provisions of the previous order remain in effect.

The PRESIDING OFFICER (Ms. BALDWIN). Is there objection?

Without objection, it is so ordered.

Mr. BLUNT. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RETIREMENT OF REV. DR. LINWOOD "WOODY" H. CHAMBERLAIN, JR.

Mr. BROWN. Madam President, I rise today to celebrate the career and the calling of a remarkable Ohioan and a

close friend, the Reverend Dr. Linwood H. Chamberlain, Jr. Our Pastor Woody and his wife Peggy are important to Connie and me and to our whole community in Lorain.

The Evangelical Lutheran Church in America, of which I am a member, embraces the motto, "God's work, our hands." It means moral imperatives must be the concern of every citizen. In his 31 years of service to the First Lutheran Church of Lorain, OH, Pastor Woody has labored for love and for justice. He has been doing God's work, as has his wife Peggy, supporting those who suffer, celebrating our community's joys, and being concerned with every citizen.

Pastor Woody has been a counselor and a friend to many. His words, his attentiveness, his patient understanding, and his gentle encouragement have helped members of my home church tackle seemingly intractable problems with poise and with confidence. He supported the First Lutheran family through weddings and funerals, through baptisms and celebrations, and I am especially grateful for his prayers and wisdom over the years.

Pastor Woody has been so valuable to our church, and his leadership will be missed as he just retired. His retirement will be celebrated this coming Sunday.

My mother, whose faith was especially important to her, passed away 4 years ago, around this time of year. She was in hospice care in her final days. My wife Connie and I were at her bedside—and my brothers Bob and Charlie and their wives Anne and Catherine were at her bedside over the past 6 weeks—and one day when I was with my Mom I asked if there was anything I could do to comfort her. She was 88 years old. She was just a remarkable woman as a mother and as a wife and an activist in the community. She asked me to sing an old Lutheran hymn to her, which I did. The song was "Beautiful Savior."

She took my hand in hers as I sang. She said, "That was very nice, Sherrod." She said, "But you really do sound better in a group."

My mom was right. We all sound better in a group, work better in a group, and that was exemplified in so many ways by Pastor Woody's leadership at First Lutheran. It is a lesson we all can learn in this body as we go about our daily lives.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. BROWN. Madam President, I ask unanimous consent the Senate recess until 2 p.m. to allow for caucus meetings today.

There being no objection, the Senate, at 12:21 p.m., recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Ms. HEITKAMP).

Mr. THUNE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. THUNE. I ask unanimous consent that the period for morning business be extended until 3 p.m. today and that all provisions of the previous order remain in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

FISCAL PLANNING

Mr. THUNE. Madam President, I come to the floor to talk about the debt crisis facing this country and the opportunity we have to address this issue in a way that balances the budget and ensures the long-term fiscal solvency for future generations.

The recent fiscal cliff agreement which enacted tax relief for 99 percent of Americans addressed the revenue side of the equation. But as everyone knows, revenue increases alone are not going to solve the debt crisis. In fact, the tax increases that went into effect as a part of the fiscal cliff deal generate enough revenue over the next 10 years—and I should say if we annualize that over the next year—to fund the government for less than 1 week next year. So all the talk about the higher revenues and what that will do to address our long-term fiscal solvency and what it will do to address the deficit, if we think about it in those terms, it puts into perspective what the real problem is.

We have a debate in this city and in the Congress all the time about whether we can address the huge debt we have in front of us—the trillion-dollar annual deficits—by raising taxes on the so-called rich and people in the higher income categories. That was done. That was done as part of the fiscal cliff negotiations that occurred. Remember, those taxes were all scheduled to go up. They were scheduled to go up on everybody—anybody who had income tax liability on January 1. Because of the agreement that was reached, we were able to protect 99—in my case in South Dakota more than 99—percent of taxpayers from those tax increases. That being said, there are those in the higher income categories and some businesses that will see higher taxes as a

result of that. But those higher taxes represent enough revenue next year to fund the Federal Government for less than 1 week.

The question before us is, What do we do for the other 358 days of the year? That is what we have to start talking about, the real problem: What truly affects and afflicts Washington and our fiscal situation for the foreseeable future and for the long-term future; that is, government spending.

The reality is the Federal Government doesn't tax too little; it spends too much. Over the past 4 years, the deficit has exceeded \$1 trillion each year. The long-term outlook is even worse. This country faces unsustainable fiscal imbalances largely because of entitlement programs such as Social Security and Medicare that have not been reformed in a way that aligns our current demographics with the needs of these programs, which must be done if we are going to save and protect these programs for future generations.

Entitlement spending is the largest driver of our national debt over the long term. While it is true Federal revenues as a percentage of GDP have declined over the past few years, this was true because of the great recession, not because tax rates were too low. The average ratio of Federal revenue to GDP over the past 40 years has been roughly in the 18-percent range. Based on Congressional Budget Office data, it is expected that Federal revenues will exceed their historical averages within the next 10 years and remain there for the foreseeable future, even without additional tax increases.

I wish to illustrate with this chart which I think tells the story. We always talk about a picture telling a story in exchange for a thousand words. I can talk a lot about this, but I think this visually illustrates it perhaps as well as anything.

If we look at the green part, that represents Federal revenue historically, and this goes back to 1980. If we took this chart back to literally the 1970s, late 1960s, we would find, I think over that time period, the revenues stayed pretty static. They go up and down a little bit based on what is happening in the economy, and of course we have a downturn in the 2007 and 2008 timeframe, but revenues are starting to climb back up to that historical average. So it is about, give or take, 18 percent of GDP. That is what historical revenues are.

The black strip, which may be perhaps hard to see, is what was enacted in the fiscal cliff negotiation. Those are enacted tax increases that will add a little bit to the total as we project out. This chart takes us out literally to 2040.

The purple represents the additional taxes the President would like to get. If the President got everything he wanted in the form of taxes, the rev-

enue picture would be about right here. Again, this takes us from where we are today out to about 2040. As we can see, even if the President got all the tax increases he wanted, represented by this line right here, it still doesn't come anywhere close to dealing with the spending that is going to explode in the outyears if we don't do something to rein that in by reforming many of these programs I just mentioned.

If we are going to save and protect Social Security and Medicare for future generations, we have to reform those programs in a way that doesn't create this huge red line that spikes into the future and literally bankrupts the country. In fact, Social Security ran a cash deficit in 2010. Medicare, we are told by the actuaries, will be insolvent by the year 2024. In fact, in the hospital portion of the Medicare trust fund, we are told it may be insolvent by the year 2016. These are important dates to remember because those are the dates at which the revenue coming in from the payroll taxes that support Social Security and Medicare no longer pay for the benefits paid out to beneficiaries.

We have this sort of train wreck coming. We know what drives Federal spending are these entitlement programs. What we call mandatory spending in the Federal budget is about 60 percent now of all Federal spending, largely imposed by Social Security, Medicare, and Medicaid. We have this crisis looming. We see the way this thing just starts exploding in the out-years because of the demographics of the country. We have more baby boomers who are reaching retirement age, people living longer—all good things—but we have to align those programs with the demographics of this country and today they are not. Today we are headed on a path that will take us toward a fiscal train wreck unless we do something about that.

I think it is important to point out the reason we are where we are, the reason we are running nearly \$1 trillion deficits or north of \$1 trillion deficits every single year for the past 4 years is because spending has increased dramatically over that timeframe. Again, just to put that into perspective, before the great recession in 2007, the Federal Government was generating about \$2.5 trillion annually in tax revenue. At that time, the government was spending about \$2.7 trillion each year. So we had somewhere on the order of a couple hundred billion dollars in annual deficits.

As I said, revenues dropped off a little bit from that period in 2008 in the financial meltdown, but those have started to pop back up to a more historic and traditional level. So now revenues are back up to roughly that \$2.5 trillion annual range. What has changed over that same period of time, between 2007 and 2012, is the amount

the Federal Government spends annually.

I just mentioned that in 2007 the Federal Government spent \$2.7 trillion. We are now at the end of fiscal year 2012, which ended on September 30 of this year, and the Federal Government spent \$3.5 trillion. We saw almost a \$1 trillion increase in spending over that 5-year period at a time when revenues have stayed somewhat static, although they dipped into recession, but now they have come back, as I said, to that more historic level.

Essentially, what is driving these deficits is the massive runup in spending. What caused them? We had a stimulus program that was going to be one-time spending, much of which I think has gotten factored into the baseline. Eventually, we are going to have with the new health care mandates enormous amounts of new spending associated with that, which I think is going to make this picture much worse than it looks already. But my point is we have a fiscal crisis in this country which needs to be addressed. We have been kicking that can down the road for way too long and we have run out of road.

The Congressional Budget Office has made it abundantly clear that in each of their assessments of our fiscal situation as a country, most recently in November of 2012, a couple months ago, they said the following:

With the population aging and health care costs per person likely to keep growing faster than the economy, the United States cannot sustain the Federal spending programs that are now in place.

That is from the CBO. They track this stuff on a daily basis for us.

We have a real challenge ahead of us. We have a major problem. I would argue, again, this is predominantly a spending problem, and I think it is illustrated, again, by this chart. When we look at government revenues, it is a fairly flat line. Even with the ups and downs in the economy, it averages about 18 percent of revenue. Actually, without any changes in the baseline, I think it ends up at about 18.6 percent of revenue a decade from now. But what we see is spending, which historically has been in the 20- to 25-percent range if we go back over the past 40 years, is going to explode. The spike we see right here is why we have a fiscal crisis on our hands and why it is so important we act to rein in out-of-control Federal spending.

I suggest to my colleagues in the Senate, as I have for a long time, that where this starts is with passing a budget. We have to go back a long time now. I mentioned this the other day, but the last time the Senate passed a budget the iPad didn't even exist. Most of us now take iPads for granted. Many Americans—not all but some Americans—have iPads. They came on the scene around April of 2010. There hasn't

been a budget passed in the Senate since April of 2009.

We are going on 4 years and now 1,360-some days since the last time the Senate acted on a budget. That is irresponsible. It is especially irresponsible in light of this problem. We have a responsibility to the taxpayers of this country, as stewards of their tax dollars, to do what we can to ensure that we are putting the fiscal house of this country in order in a way that will ensure that future generations of Americans have at least as good, if not better, standard of living and quality of life than what the generation that came before us had.

That is not going to happen because we are piling on the backs of future generations enormous amounts of debt. In fact, the \$16.4 trillion in debt the Nation has today, if you break that down on an individual basis, that is about \$53,000 for every man, woman, and child in America. That is what every individual owes, every individual in this country owes of that \$16.4 trillion in debt. That is not fair to future generations.

It is up to us as leaders to look at these things and make decisions today that are in the best interests of future generations. I think it has been sort of a tradition in this country, a heritage, if you will, for one generation of Americans to sacrifice so that the future generation, the next generation of Americans may have a better life, a better standard of living, a better quality of life.

That is certainly something that is true where I come from in South Dakota and where the Chair comes from in North Dakota. We represent people who understand that you sacrifice so that the next generation and those who come after you have a better life than you had.

If we don't change the way we are doing things, this next generation will be the first generation of Americans where that is not true. Literally, they will have a lower standard of living and a lower quality of life than what we experienced because we weren't willing to live within our means. This is because we continued to spend money we didn't have, we continued to borrow money from China, and we will hand the bill to future generations.

It is unconscionable, given this picture—and, again, a picture speaks a thousand words—that we haven't done a budget in the Senate in the last 4 years. There is always a blame game played in Washington, DC, and I understand that both sides have contributed over the years. When my party was in charge of the Congress we spent too much. Obviously, since that time, since we have been out of the majority in Congress the numbers have increased dramatically.

If you look at the amount of debt we piled up just in the last 4 years under

the current administration, it is about \$6 trillion that we have added to the debt in that amount of time. The spending is exploding. The tax revenues are staying fairly steady over time, as I have pointed out with this particular graphic.

One thing we know for certain is that raising taxes doesn't solve the problem. If the President got everything he wanted in terms of additional tax increases, and that would be this purple line right here, it doesn't come anywhere close to addressing the amount of spending we have already put on the books. We are going to have to borrow to pay and hand that bill to future generations. You can only do that for so long. It is high time that the Senate got on board and started doing the budget.

I served on the Budget Committee for the last 2 years. I had hoped that being on the Budget Committee would be a place where a lot of big debates would occur about how to deal with these big fiscal issues that are facing our country. I turned out to be wrong. We didn't do a budget, we didn't mark up one, we didn't put one on the floor of the Senate. We didn't vote, we didn't have amendments, and we didn't do anything to address this fiscal crisis. To be fair, the House of Representatives, every single year, on time, has passed a budget.

The President of the United States, who needs to be a party to this, is the only 1 of 307 million Americans who can sign a bill into law, can engage the American public and the Congress in a way that would address this. The budgets he submitted to the Congress, when they have been voted on in the Senate and the House, haven't received a single vote, not a single vote. Neither Republicans or Democrats in the House or the Senate have voted for the budgets the President has submitted.

Why? Because they are not serious. The President hasn't taken this issue seriously. Neither has the majority in the Senate, where we haven't had a budget now for 4 consecutive years.

It is high time that changed. I hope it will. I am encouraged, actually, by what I have been hearing from my colleagues. This year, perhaps now, finally, after 4 years, we will actually do a budget. We may put a plan in place for how we are going to address this fiscal crisis, this amount of spending that is going to bankrupt the country unless we take steps to avert it.

There are lots of ideas out there. It is not like we don't know what the issues are, like we don't know what the problems are. We do. There have been many bipartisan commissions that have studied this and have examined it thoroughly, that have all come to the same conclusion with regard to what the various problems are—and, frankly, for that matter, what the solutions are.

My colleague, Senator HATCH, was down here earlier this morning talking

about some of those suggestions. Many of those suggestions, as I have said, have come from bipartisan commissions. We know if we do nothing, we are going to bankrupt the country and ensure that the programs that many Americans rely on today are not going to be available to future generations of Americans.

I would hope this is the year in which we do a budget, and this is the year in which the President engages in this discussion in a meaningful way that allows us to put in place a path that will avert what is going to be a major crisis. The problem is not that we tax too little, it is that we spend too much.

Madam President, I yield the floor.

THE PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I would note that, of course, we have passed a budget, and that is why we are facing sequestration now. That wasn't just a resolution; that was an actual law, signed by the President. A lot of people who voted for it don't like it, but we voted for it.

KERRY NOMINATION

Mr. LEAHY. Madam President, I want to commend President Obama for nominating Senator KERRY to be our next Secretary of State. There are few, if any, people in America today who have had the breadth of experience that Senator KERRY has had: as a military officer, as a highly decorated veteran, as a Lieutenant Governor, as a U.S. Senator, and as chairman of the Foreign Relations Committee. He is exceptionally well qualified to be the next Secretary of State.

JOHN KERRY is a leader of extraordinary intellect, wisdom, and insight. To those of us who have watched him, worked with him, and traveled with him over the years, it is crystal clear that he is a natural diplomat. He lives and breathes the art of diplomacy. He is instinctively drawn to understanding and addressing the global security challenges of our time.

He is also multilingual. I have heard Senator KERRY in meetings in other capitals of the world, and I have watched those who were there pay special attention to what he had to say as he conversed in their language. This is someone who does not need on-the-job training. He has been learning the job over the course of four decades of public service.

I chair the Appropriations Subcommittee on the Department of State and Foreign Operations. In that role, I will look forward to working closely with Senator KERRY in his new position as Secretary of State, to provide the resources necessary to promote and protect U.S. interests around the world.

It is a formidable assignment. We face daunting threats from religious

extremism, nuclear proliferation, climate change, growing competition for energy, water, and other natural resources—all amid the obligations of deficit and debt reduction. But these threats and challenges present opportunities if we approach them intelligently.

Some in Congress have an almost xenophobic attitude. They would have us retreat. They would slash our contribution to the United Nations and weaken our ability to build alliances, which would only embolden our adversaries.

They would cut the State Department's budget at a time when our diplomats and consular officers, many of whom work long hours in dangerous places, already are stretched to the limit. Then they criticize and politicize when tragedies happen.

We saw that yesterday, when members of the other body criticized Secretary of State Clinton for lapses in diplomatic security, only a week after they prevented passage of my amendment that would have allowed for the transfer of unused State Department funds to improve security at U.S. embassies around the world. Let's stop the hypocrisy.

Some here would roll back funding for international development programs, which help to create political stability in conflict-prone regions and build markets for U.S. exports, on the grounds that these funds would be better spent at home.

They miss the point. Ninety-nine percent of the Federal budget is spent on domestic programs. The notion that somehow the wealthiest, most powerful nation on Earth is an island, and that we can ignore what is happening in the world around us is foolhardy, and is dangerous.

JOHN KERRY understands this, and he knows that appropriations begin with Congress. In times of close scrutiny of all aspects of the Federal budget and fierce competition for funds among Federal agencies, he will need to make his case up here repeatedly, and I will work with him to do that. We have to convince Congress and the American people why the State Department's budget is important. As Secretary of State one can have the best policies and the best plans to implement them. But if you don't have the resources, if you don't have the people to do it, the best plans in the world don't go very far.

Secretary Clinton has done an outstanding job. I have told her that I stand in awe of what she has accomplished throughout the world and within the State Department. We all owe her a debt of gratitude for her steady hand and tireless energy as Secretary of State. I have traveled with her to other countries. I have seen how she approaches problems, always prepared and with such energy. Every American

should be proud to be represented by her. She has done an extraordinary job in reintroducing America to the world after the missteps following 9/11 that caused so much damage to our image and authority abroad.

Her successor also has not only a hard act to follow, but he also understands, as we all do, that America must continuously demonstrate to the rest of the world what we stand for as a people.

I believe the Congress and the American people, and I think, in a way, the world, is fortunate to have a nominee for the position as qualified as Senator KERRY. I will enthusiastically vote for him when his name comes before the Senate.

Madam President, seeing no other person seeking recognition, as President pro tempore of this body, I am glad to see you in the role of Presiding Officer. I realize you can't respond to this, but in your first month in the Senate you are actually filling the pivotal role in this body, and I appreciate it.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. BARRASSO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. BARRASSO. Madam President, I ask unanimous consent that the period of morning business be extended until 3:30 p.m. today, and that all provisions of the previous order remain in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE DEBT LIMIT

Mr. BARRASSO. Madam President, I rise today to, No. 1, welcome you and welcome all of the other new Senators who have just joined this historic body.

Along with the rest of us, you have all watched the difficult negotiations over the fiscal cliff that dominated the last few weeks of the 112th Congress. That debate was an important opportunity to talk to the American people about Washington's addiction to spending. We made clear in that debate that no amount of tax increases—no amount—would come close to wiping out Washington's debt. So as we begin the 113th Congress, we are faced with fresh opportunities to continue that conversation with the American people.

This time the debate is over whether to raise the Nation's debt limit. Last week, the President opened negotiations on this important issue by saying

that he wouldn't negotiate. He did not announce this by calling the Republicans in Congress; he did it, instead, by calling a press conference.

In the last days of 2012, President Obama, in my opinion, failed to lead in the talks over avoiding the fiscal cliff. Now the President plans not to lead on the Nation's debt limit either. Whether the President leads, follows, or just gets out of the way, Washington needs real budget reform. We can't continue President Obama's pattern of untold trillions of dollars in wasteful government spending.

Over the past 4 years, President Obama has added so much to our national debt that he has already had to increase our Nation's debt limit four separate times. This includes the two largest increases in our history. No other President of the United States has needed an increase of over \$1 trillion. President Obama has asked for that much twice. While he once promised to cut the deficit in half by now, he has done just the opposite. He has added as much debt in 4 years as all the previous Presidents racked up in our country's first 225 years.

President Obama has maxed out the national credit card and now he wants a new one. In return, the President isn't willing to offer any commitments that he will try to be more responsible with that next credit card. In fact, under his latest budget, the President wants to add another \$6.4 trillion to our debt over the next 5 years. That is the wrong direction for our Federal budget and for the Nation's future.

The President could take this opportunity to reassure hardworking American taxpayers, as well as world financial markets, that he is finally serious about reining in Washington's out-of-control spending. Instead, he has chosen to try to score political points.

This isn't the first time the President has voiced an opinion on the debt limit debate. Last December, he spoke on this subject as he, in my opinion, misrepresented decades of precedence regarding congressional consideration of the debt limit. He said that connecting debt ceiling votes and budget negotiations—connecting debt ceiling votes and budget negotiations—was something that “we had never done in our history until we did it last year.”

That statement is false. Frankly, we should be talking about responsible spending reform every time we debate any measure in Congress that involves spending money. We should certainly do it when we are debating borrowing more money.

The debt limit has been used at least 20 times in the past 60 years specifically tied to debating fiscal reform. For example, in 1954, Congress passed a temporary increase specifically as a way to control future finances. In 1967, the House actually defeated a debt limit increase so that it could force

President Johnson to quit using some of the budget tricks he had been using. In 1970, the debate over the debt limit included amendments to cut defense spending, imposing a spending cap, and freezing congressional pay until Congress passed a balanced budget.

In 1983, Congress actually defeated a debt limit increase bill. Senator Russell Long, a Democrat, told his colleagues if they voted for the increase, "you are voting to continue the biggest deficits in the history of this country as far as the eye can see."

Incidentally, the debt at that time was \$1.3 trillion. That is about how much we have added to our debt every year since President Obama was sworn in for the first time. Democrats balked at Washington having a debt over \$1.3 trillion back then. Today, the President says Republicans are doing something irresponsible for even wanting to talk about a debt of more than \$16.4 trillion.

I could go on and on with more examples, but I think you have the idea. The President says it is unprecedented for us to even ask to have this debate. Well, the President is not correct. It is not unprecedented. It is actually very common and absolutely appropriate.

There is nobody on the Republican side of the aisle here in the Senate who is saying we should not pay our bills. There is also nobody on this side of the aisle who thinks we should keep wasting taxpayer dollars without even trying to act responsibly and slow down Washington's spending. Yes, the debt limit is about paying for past obligations, but our history shows the debate over the debt limit is an absolutely appropriate time to talk about reforming Washington's future spending.

President Obama agreed to spending cuts the last time he asked for an increase in the debt limit. Now the President says he wants his credit limit increased without any effort to reduce future spending. And, of course, we all remember when he was a Senator he spoke out against raising the debt limit. He once called the need to increase the debt limit "a failure of leadership." But that was then. This is now.

The White House has floated gimmicks such as issuing a \$1 trillion coin or using the 14th amendment to raise the debt limit without congressional approval. And now the President won't negotiate responsible spending at all. His policies—his policies of the past 4 years—have buried our children and our grandchildren under a mountain of debt. America needs real budget reform, but President Obama insists on playing politics with our country's credit rating. Hard-working American taxpayers have to balance their budgets. They understand what the President does not.

The President bragged in his press conference last week that "it's been a

busy and productive 4 years, and I expect the same for the next 4 years." Well, it looks like he means we can count on 4 more years of wasteful Washington spending.

This has to stop. It is time for President Obama to finally keep his promise to get America's finances in order.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. WARREN). The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MURPHY). Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. HARKIN. I ask unanimous consent that the period for morning business be extended until 5:30 p.m. today and that all provisions of the previous order remain in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE FILIBUSTER

Mr. HARKIN. Mr. President, I come to the floor today to give some remarks that I give about every 2 years, I guess, when the Senate reconvenes for a new Congress. Now this is a new Congress, so once again I come here to point out that we need to make some changes in the way we operate.

I have been in this body for 28 years. I am currently eighth in seniority. As soon as Senator KERRY becomes Secretary of State, I will be seventh in seniority. I am proud to represent the great State of Iowa; I am proud to be a Senator, to serve in this illustrious body. I have been in the majority and minority I think up to five times in the Senate. Before that, I served 10 years in the House. I love the Senate. It is a wonderful institution—it is, as envisioned by our Founders.

The Senate at times has been frustratingly slow to encompass the changes necessary to the smooth functioning of our country. I mention in particular the long, long struggle for civil rights and how that was held up by a small minority—which happened to be in my party, by the way, at that time.

Nonetheless, the Senate through the years has really been the Chamber that takes a long and hard look at legislation, where we have the right to amend, where we have the right to discuss and to embark upon discourse on legislation in a manner that allows even the smallest State to be represented as much as a large State. That is not true in the body that both the occupant of the chair and I used to

serve in, the House. There, as you know, large States tend to dominate because we have most of the Members. But here, a Senator from Connecticut is just as important as a Senator from California or a Senator from Iowa or—let's see, what is the least populous State? I think Wyoming or Alaska—is equal to a Senator from New York or Florida or Texas or California. This has been a great equalizing body.

Having served here for this time, I think I have some perspective on this Senate. As I said, at its best, this Senate is where our great American experience in democratic self-government most fully manifests itself. It is in this body that the American people, through their elected officials, can come together collectively to debate, deliberate, and address the great issues of our time. Through our Nation's history, it has done so. In the nearly quarter of a century I have been here—well, wait, it is 28 years that I have been here, so it is over a quarter of a century—the rights of Americans have been expanded: Americans with disabilities; we have ensured health insurance for millions of Americans.

In the early 1990s we voted here on the course to eliminate the national deficit in a generation, and we are on our way to doing that.

It is because of my great reverence for this institution and my love for our country that I come to the floor today. One does not need to read the abysmal approval ratings of Congress to know that Americans are fed up and angry with this broken government. In too many critical areas, people see a Congress that is riven with dysfunction. Citizens see their legislature going from manufactured crisis to manufactured crisis. They see a legislature that is simply unable to respond effectively to the most urgent challenges of our time.

Of course, there are a myriad of reasons for this gridlock—increased partisanship; a decline in civility and comity; too much power, I believe, in the hands of special interest groups; a polarizing instant-news media; and, I might add, the increasing time demands on all of us here involved in raising large amounts of money to run for reelection. But make no mistake, a principal cause of dysfunction here in the Senate is the rampant abuse of the filibuster.

It is long past time to make the Senate a more functional body, one that is better able, as I said, to respond to our Nation's challenges. The fact is that I am not a Johnny-come-lately to filibuster reform. In January of 1995—when I was in the minority, I might add—I first introduced legislation to reform the filibuster. We got a vote on it. Obviously, we did not win, but I made my points then, and I engaged in a very good debate with Senator Byrd at that time, in 1995. You can read it in

the RECORD. I think it was probably January 8, if I am not mistaken, of 1995.

At that time, I submitted a resolution because, as I said, I saw an arms race in which each side would simply escalate the use of the filibuster and abuse procedural rules to a point where we would just cease to function here in the Senate. I said that at the time. I said that what happens is when the Democrats are in the minority, they abuse the filibuster against the Republicans. Then when the Republicans become the minority, they say: You Democrats did it to us 20 times, we will do it to you 30 times. Then when it switches again and the Democrats are in the minority, they say: Republicans did it to us 30 times, we will do it 50 times. We will teach them a lesson.

On and on, the arms race is escalated. I said at the time that we might get to a point where this body simply cannot function, and sadly that is what happened.

That is why 18 years after I first submitted my proposal, I believe reform is never more urgent and necessary. The minority leader stated that reformers advocate "a fundamental change to the way the Senate operates." To the contrary, it is the abuse of the filibuster, not the reforms being advocated, that has fundamentally changed the character of this body and our entire system of government. Again, I will point out now and I will point out repeatedly in my remarks that Democrats are not guiltless in this regard by any means, but the real power grab and the real abuse has come about when the Republicans have abused this tool—one that was used sparingly for nearly 200 years.

What has happened is that effective control of the Senate and of public policy has been turned over to the minority, not to the majority that has been elected by the American people. In many cases, those who are warning of a fundamental change to the nature and culture of the Senate are the very ones who have already carried out a revolutionary change. Those of us who are seeking to reform the filibuster rules are not the ones who are doing a nuclear option or blowing up the Senate. Those who have abused the filibuster are the ones who have already changed the character of the Senate. What we are trying to do is restore some functionality to the Senate so that the Senate can operate with due regard for the rights of the minority. I will talk about that more in a moment.

The minority leader has recently called the filibuster "near sacred." I am sorry, he could not be more incorrect. The notion that 60 votes are required to pass any measure or confirm any nominee is not in the Constitution and until recently would have been considered a ludicrous idea, flying in the face of any definition of government by democracy.

Far from considering the filibuster "near sacred," it is safe to say that the Founders would have considered a supermajority requirement sacrilegious. After all, they experimented with a supermajority requirement under the Articles of Confederation, and it was expressly rejected in the Constitution because the Framers believed it had proven unworkable. That is right, the Articles of Confederation basically had a supermajority requirement, and they found that did not work. That is why, as I will mention in a moment also, the Framers of the Constitution set out explicitly five different times that this Senate requires a supermajority. You would have thought that if they wanted a supermajority for everything, they would have said so. No, they specified treaties, impeachments, expelling a Member—those require a supermajority as expressly spelled out in the Constitution.

The filibuster was once a tool used only in rare instances—most shamefully, as I said earlier, to block civil rights legislation. But across the entire 19th century, there were only 23 filibusters, in 100 years. From 1917, when the Senate first adopted rules to end filibusters, until 1969 there were fewer than 50—during all those years. That is less than one filibuster a year. In his 6 years as majority leader, Lyndon Johnson only faced one filibuster.

According to one study, in the 1960s just 8 percent of major bills were filibustered. Think about all the legislation that was passed—civil rights, Voting Rights Act, Medicare, Medicaid, Older Americans Act, Pell grants, Higher Education Act, Elementary and Secondary Education Act. Think of all the legislation passed in the 1960s. Just 8 percent was filibustered. In contrast, since 2007 when Democrats regained control of the Senate, there have been over 380 motions to end filibusters—380. This does not even include the countless bills and nominations on which the majority has not even tried to obtain cloture either because of a lack of time or because we knew it would be fruitless.

The fact is that for the first time in history, on almost a daily basis, the minority—and in many cases, just one Senator—routinely is able to and does use the threat of a filibuster to stop bills from even coming to the floor for debate and amendment. Unfortunately, moreover, because of outdated rules, an actual filibuster rarely occurs. Too often it is merely the threat of a filibuster, and that is the end of it; it is not debated or anything.

Let's get beyond the outrageous idea that Democrats, in proposing rules reform, would be initiating a revolution. In actuality, the changes that are seriously under discussion right now are simply a modest reaction to decades of escalating warfare which has cul-

minated in 6 years of unrelenting minority obstructionism.

Because I feel so passionately that reform is so badly needed, I fully support the commonsense proposals from Senator MERKLEY and Senator UDALL. Their proposals would simply require the minority to actually filibuster, actually debate. A Senator would have to come to the floor and explain his or her opposition or offer his or her views on how a bill could be improved. Under the proposed reforms, the Senators would actually have to make arguments, debate, and deliberate. Senators would have to obstruct in public and be held accountable for that obstructionism.

Perhaps because this is such a commonsense reform, Republicans who have come to the floor have not addressed why they oppose rules that would require more transparency. Republicans have failed to explain to this body or to the public why a minority—again, the group the public chose not to govern here—why should they be able to kill a nominee by stealth? Republicans have failed to explain why they oppose more debate and more deliberation. Why do they oppose more debate, more deliberation, which is puzzling given that they profess that their sincere concerns are animated by the desire to foster debate and deliberation. But that is not what is happening. In stealth, they oppose a bill. They do not come to the floor, and they fail to defend why they do not even do that, why they will not even come to the floor and speak.

Instead, Republican after Republican has come to the floor and denounced what they claim are Democratic efforts to eliminate the filibuster and to, in their words, "fundamentally change" this body. The fact is that they are attacking the wrong plan. The truth is, under the reforms proposed either by Senator UDALL or Senator MERKLEY or one they have together or even under my proposal, the filibuster would still be a tool. Sixty votes would be needed to enact a measure, to confirm a nominee. Under their proposal, it would still require 60 votes.

Under my proposal as I first laid out in this body in 1995, I said: You know, sure, OK, on the first vote after you have the cloture motion filed, the first vote would require 60 votes.

If they didn't have 60 votes, they would have to wait 3 days, file another cloture motion, and then they would need 57 votes. If they didn't get 57 votes, they would have to file another cloture motion, wait 3 days, and they would need 54 votes. If they didn't get that, they would file another cloture motion, wait 3 days, and they would need 51 votes.

Under this proposal I have worked out with other groups and other people over the last almost 20 years, the fact is the filibuster could be used for what

it was intended—slow things down. I believe the Senate ought to be a place where we slow things down. It should not be a place where just a few Senators can kill a bill. This should be a place where the filibuster is used not to slow things down but is actually used to kill a bill.

What I have proposed would be a period of time—actually up to about 16 days—where someone could slow a bill down, but eventually the majority would be able to act. I mean, what a revolutionary idea. The majority should be able to prevail. Think about our own elections. I guess maybe it could be extended further to say it is not enough to get 51 percent, or the majority of votes, we have to get 60; if they don't get that, they don't take office. What a revolutionary idea that somehow the majority should be able to move legislation.

I also agree there should be the rights of the minority to debate, discuss, and amend legislation. Again, the majority, after ample debate and deliberation, should have the power to govern, to enact the agenda the voters voted for, and to be held accountable at the ballot box. I guess I fundamentally believe in democracy. Maybe that is a failing on my part. I fundamentally believe the majority should rule, with respect for rights of the minority.

As I have noted, a revolution has already occurred in the Senate in recent years. Never before in the history of this Senate was it accepted that a 60-vote threshold was required for everything. This did not occur as a constitutional amendment or through any great public debate. Rather, this occurred because of the abuse of the filibuster. The minority party has assumed for itself absolute and virtually unchecked veto power over all legislation; over any executive branch nominee, no matter how insignificant the position; over all judges, no matter how uncontroversial.

In other words, because of the filibuster, even when a party has been resoundingly repudiated at the polls, that party retains the power to prevent the majority from governing and carrying out the agenda the public elected it to implement. In this regard, over 380 filibusters is not some cold statistic. Each filibuster represents a minority of Senators—sometimes a mere handful—who are preventing the majority of the people's representatives from governing.

As one example, Republicans repeatedly filibustered a motion to proceed to legislation that would require more disclosure of campaign donations. The DISCLOSE Act is what it was called. A substantial majority of Senators supported the bill. Polling showed that 80 percent of the public believed the Supreme Court's decision in *Citizens United* was wrong, that we needed to know more disclosure of campaign con-

tributions. Yet a small minority of Senators was able to prevent the bill from even being debated on the floor of the Senate, let alone receiving an up-or-down vote. That is just one example.

In the last two Congresses, consider some of the measures blocked by the minority, measures that received majority support on a cloture vote: the DREAM Act, Bring Jobs Home Act, Small Business Jobs and Tax Relief Act, Paying a Fair Share Act of 2012, Repeal Big Oil Tax Subsidies Act, Teachers and First Responders Back to Work Act, American Jobs Act of 2011, Public Safety Employer-Employee Cooperation Act, Paycheck Fairness Act, Creating American Jobs and Ending Offshoring Act.

Again, it is not that the bills were filibustered. The right to even debate these bills and vote on them was filibustered. It is one thing if we are on the bill and have a filibuster. No, we could not even debate them even though a majority of Senators voted for cloture. Not 60 votes but a majority. So the majority was thwarted from the ability to even bring these up and debate them or even letting people offer amendments.

It used to be that if a Senator opposed a bill, he or she would engage in a spirited debate, try to change people's minds, attempt to persuade the public, offer amendments, vote no, and then try to hold Members who voted yes accountable at the ballot box. Isn't that what it is about? In contrast, today—and to quote former Republican Senator Charles McC. Mathias in 1994:

The filibuster has become an epidemic, used whenever a coalition can find 41 votes to oppose legislation. The distinction between voting against legislation and blocking a vote, between opposing and obstructing, has nearly disappeared.

When Senator McC. Mathias spoke and described it as an epidemic, in that Congress there were 80 motions to end filibusters. That is a number which pales in comparison to today, when we have had 380 motions to end the filibuster. To grind this body to a halt, all the minority party has to do is resort to the filibuster of a motion to proceed.

Under the critical jobs legislation, all the minority party had to do was block the motion to proceed and then they turn around and blame the majority for failing to address the jobs crisis. We had jobs bills; we could not get them up. We had jobs bills, but then they blamed us for failing to address the jobs crisis. It is no surprise that Americans are fed up with the broken government. As that list of blocked bills demonstrates, the anger is fully justified. In too many critical areas what people see is a dysfunctional Congress that is unable to respond collectively to the urgent challenges we face.

As the Des Moines Register recently noted:

One message candidates heard from voters this election was contempt for partisan grid-

lock in Congress. One of the biggest obstacles to congressional action is the profusion of filibusters in the Senate.

It is no surprise that editorials throughout the country have recognized that the use of the filibuster must be changed.

USA Today has noted that the "filibuster has become destructively routine."

The Roanoke Times noted that "filibuster reform alone will not fix everything that is wrong with Washington, but it would remove one of the chief impediments to governing."

The Minnesota Star Tribune stated:

Most Americans live under the impression that representative democracy's basic precept is majority rule. Sadly, that's no longer the case in the U.S. Senate, where the minority party has so abused the filibuster that it (the minority) now controls the action—or more accurately, the inaction. This perverts the will of the voters and should not be allowed to stand.

Mr. President, I ask unanimous consent that the copies of these editorials, and others from around the country, in support of filibuster reform be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the StarTribune, Dec. 25, 2012]

FILIBUSTER IN NEED OF MAJOR OVERHAUL

(By Editorial Board)

Most Americans live under the impression that representative democracy's basic precept is majority rule. Sadly, that's no longer the case in the U.S. Senate, where the minority party has so abused the filibuster that it (the minority) now controls the action—or more accurately, the inaction.

This perverts the will of the voters and should not be allowed to stand. As its first order of business next month, the new Senate should reform the filibuster rules in a way that restores fairness to the majority, preserves reasonable rights for the minority and keeps faith with the intent of the Constitution and the voting public. Democrats Jeff Merkley of Oregon and Tom Harkin of Iowa have solid proposals for their fellow senators to consider. What they should not consider is keeping the filibuster rules the way they are.

Let's be clear. This is not a partisan matter. The abusers in this case happen to be Republicans. They have masterfully mounted hundreds of filibusters in recent years to frustrate the majority Democrats and, in the process, have remade their leader, Mitch McConnell, into the Senate's de facto majority leader. But Democrats could—and probably would—stoop to the same depths the next time they're relegated to minority status.

As an idea, the filibuster has merit, and when used more sparingly in the past, it has won support from this page. Not rushing to judgment is a main function of the Senate, which was intended as a deliberative body. Extending debate also protects important rights for minority views. But the minority's clear abuse of those rights has gone beyond reason.

Here's the problem. On nearly every major bill, rather than accept a loss by a simple majority, the minority party launches a filibuster—a procedure that pushes the bill into

a limbo of theoretically endless “debate” unless a supermajority of 60 votes can be rounded up to stop it. Getting 60 senators to agree on anything is nearly impossible. So the wheels of government grind to a halt. It’s a perfect tactic for the minority, because the public tends to blame the majority for ineffectual leadership.

But it’s worse than that. To mount and maintain a filibuster takes no real effort or conviction. The minority party never has to stand up on the Senate floor to defend its position. There is no real debate, no real deliberation on the nation’s important business, or on the scores of judges and other federal officials whose nominations the Senate must confirm.

Not since 1970, when “silent filibusters” were adopted, have senators had to hold the floor in the manner made famous by the film “Mr. Smith Goes to Washington” (1939) or the endless tag-team ordeals that Strom Thurmond and other southern senators employed against civil-rights legislation in the 1960s.

Even in those bygone days, senators reserved filibusters for extraordinary moments. But now they are routine. In his six years as majority leader, Harry Reid has faced 380 filibusters. Lyndon Johnson, in his six years as majority leader (1955–1961), dealt with one.

“If you had a child acting like this, you’d worry about him,” former Vice President Walter Mondale told a University of Minnesota audience last week. As a senator, Mondale led efforts to reform the filibuster in 1975, but clearly his changes weren’t enough to halt the abuse.

Merkley’s proposal would bring back the traditional “talking filibuster.” If more than half of senators voted to end debate, but not the 60 votes required, then senators would have to hold the floor with talking marathons.

Harkin offers a “sliding filibuster.” If the 60-vote threshold to halt a filibuster isn’t met, a 57-vote threshold kicks in three days later, then a 54-vote threshold three days after that. Finally, after nine days, the bill could pass by a simple majority.

A third option is to get rid of the filibuster altogether. A pending lawsuit from Common Cause proposes just that, arguing that requiring a supermajority is unlawful except on treaties and other matters enumerated in the Constitution.

As currently practiced, the filibuster is a cynical affront to voters and to the precepts of representative democracy. It does not extend debate in a meaningful way. It does not make the Senate’s deliberative body. It does more harm than good. It should be reformed at the earliest possible moment.

[From the Des Moines Register, Dec. 6, 2012]

TIME HAS COME TO END SENATE LOGJAM

(By The Register’s Editorial Staff)

One message candidates heard from voters this election was contempt for partisan gridlock in Congress. One of the biggest obstacles to congressional action is the profusion of filibusters in the Senate.

Now is the time to reform Senate rules to break that legislative logjam.

It’s a longstanding tradition for senators to block legislation by merely talking it to death, known as a filibuster. Though by definition a filibuster means literally obstructing Senate procedures by continuous speech by members on the floor, a senator can have the same effect these days by simply threatening to filibuster. That is increasingly common.

The only way to stop a filibuster, according to the Senate’s rules, is by a “cloture” vote, which requires the support of three-fifths of the body, or 60 senators. The upshot is a minority of senators can block the will of the majority.

In the past six years alone, 385 cloture motions have been filed in the Senate calling for votes to end filibusters. That is more than all of such motions filed in the 70-year period after the cloture-vote rule was created, according to a report by the Brennan Center for Justice. This has become so common that it is assumed a 60 percent supermajority is required for all votes.

That was not the intent of the framers, however. The Constitution requires a supermajority vote for a limited number of issues, which means only a majority is necessary on all others.

Still, the filibuster is deeply rooted in Senate tradition. The Senate cherishes the right of any senator to be fully heard. Thus, the rules say no senator “shall interrupt another senator in debate without his consent.” In other words, one senator can hold the floor as long as he or she has the capacity to speak.

Originally one had to actually talk continuously to prevent a bill coming to a vote, which Southerners did to great effect to block civil rights laws in the 1950s. Indeed, the late Sen. Strom Thurmond of South Carolina still holds the record for talking 24 hours and 18 minutes in August 1957. The previous record holder was Louisiana Sen. Huey Long who would read aloud recipes, instructions on how to fry oysters and the occasional “rambling discourse on the subject of ‘potlikker,’” according to one account.

The Senate has sought to curb the filibuster before. In 1917, the rules were changed to provide for a way to end a filibuster if two-thirds of the body is in favor, or 67 votes. The threshold was lowered to three-fifths, 60 votes, in 1975.

Some argue that changing the rules would destroy the Senate, but the party making that case is usually in the minority and is using the filibuster to frustrate the majority. Both parties are guilty of abusing the rules to make it next to impossible for the Senate to perform its duty, which is to act on legislation. Both parties should agree on a compromise to reform the filibuster.

The Senate should agree on a rule change that recognizes the Senate’s respect for hearing the views of the minority and to preserve the Senate’s role in slowing reckless proposals from the House for more thoughtful consideration.

But it should not preserve the status quo, which means that nothing gets done in the Senate, and by extension nothing gets done in Congress. That is neither the intent of the Constitution or of the American people.

[From the Los Angeles Times, Dec. 12, 2012]

GO NUCLEAR ON THE FILIBUSTER

(Editorial)

Harry Reid offers a plan to curb a tactic that has created gridlock in Congress. It’s a good start.

Nothing exposes partisan hypocrisy quite like the filibuster, that irksome parliamentary rule that allows a minority of U.S. senators to block legislation, judicial appointments and other business by requiring a 60-vote majority to proceed to a vote. Almost invariably, the party in power considers the filibuster to be an enemy of progress that must be squashed, while the minority fights to preserve it at all cost. That the same players often find themselves arguing from

opposite sides depending on whether they control the Senate or are in the minority hardly seems to trouble most lawmakers.

So comes now Senate Majority Leader Harry Reid (D-Nev.) with a campaign to alter the filibuster rule using the so-called nuclear option, which if invoked on the opening day of the new legislative session would allow senators to change the rules by majority vote. Republicans are appalled that he would consider such a ploy, even though they floated the same proposal when they held the majority in 2005. Back then, reform was blocked when a Gang of 14 senators led negotiations that kept the filibuster largely intact, and top Senate Republicans are reportedly reaching out to their Democratic counterparts in an effort to repeat that “success.” We hope they fail.

For the record, we were rooting for the Republicans to go nuclear in 2005, and we feel the same way with Democrats in control. This is not a venerable rule created by the Founding Fathers to protect against the tyranny of the majority, but a procedural nicety that has been altered many times throughout history. In its current incarnation, it goes much too far and has produced gridlock in Congress.

Reid reportedly aims to return to the era of the “talking filibuster,” when senators who wanted to hold up a bill had to stand up and debate it ceaselessly, day and night. This doesn’t go quite far enough; Reid should also place limits on the number of opportunities for senators to mount filibusters, and put the burden on minority opponents by forcing them to come up with 40 votes to sustain a filibuster, rather than requiring the majority to drum up 60 votes to end it. Nonetheless, Reid’s plan is a nice start, requiring those who want to hold up legislation to do so publicly and to use their oratorical skills to explain why such a move is justified.

Even many Democrats realize that someday they’ll be in the minority, and fret that a future Republican-dominated chamber will use Reid’s precedent to put even stricter limits on filibusters. But that’s no reason not to approve Reid’s proposal. If some future Senate majority wants to go thermonuclear, that’s a debate for another day.

[From the Baltimore Sun, Dec. 11, 2012]

ENDING FILIBUSTER ABUSE

Our view: In a matter of weeks, incoming Senators can strike a blow for democracy and approve badly needed reforms to the chamber’s dysfunctional filibuster rule.

The announcement last week that South Carolina’s Jim DeMint is leaving his Senate seat to run the Heritage Foundation caused some in Washington to wishfully think that perhaps the move might usher in a more congenial, if not cooperative, outlook in the U.S. Senate. But while Mr. DeMint set the gold standard for ideological purity (denouncing his own party’s candidates from time to time when they failed to measure up to his tea party, ultraconservative viewpoint), there are still plenty in the GOP with the flexibility of a ramrod.

The Senate’s legislative logjam was well-documented long before the “fiscal cliff” approached. Democrats may hold a majority—and will even enjoy a slightly larger one next year courtesy of the nation’s voters—but the filibuster has become so abused that it’s simply become a given in the chamber that passing legislation of any substance requires a 60-vote supermajority. That’s the minimum required to invoke cloture and prevent or curtail a filibuster. Even getting a presidential nominee approved has become mad-difficult, no matter how qualified

or uncontroversial the prospective judge or appointee may be.

[From Cleveland.com, Nov. 27, 2012]
GET THE SENATE OUT OF ITS OWN WAY
(By the Plain Dealer Editorial Board)

The founders clearly intended the U.S. Senate—with its six-year terms, its guarantee of equal representation for every state and, initially, the indirect election of its membership—to be a brake on the presumably more populist House of Representatives. There is no evidence the Constitution's architects envisioned it as a place where legislation goes to die.

And yet that's what it has become.

According to the Brennan Center for Justice at the New York University School of Law, the Senate has passed a record-low 2.8 percent of bills introduced during the current 112th Congress. Judicial nominations have languished on average for more than six months.

That inaction can be tied to the increased use of filibusters—or even the threat of them—a tactic that, operationally, means it takes a supermajority of 60 votes to pass anything.

That's not only anti-democratic—a point made in the Federalist Papers by Alexander Hamilton and James Madison—it also is embarrassing. The Senate has simply stopped making decisions on critical issues. Each party uses procedural tactics to frustrate the other, and as a result, the work of the American people isn't getting done.

Now some junior Democrats want to vote on changing the Senate's rules when the 113th Congress opens in January, and Majority Leader Harry Reid says they'll get that vote. The suggested changes make sense: No more blocking motions to bring a bill to the floor or convene conference committees. And a requirement that senators who wish to filibuster a bill once again stand and talk for hours on end to block its consideration. We'd add an idea from the nonpartisan No Labels group: a 90-day deadline for confirmation votes.

Republicans who favored similar reforms when Democrats used the rules to frustrate their majority during the Bush years now complain that Reid would destroy the Senate's culture if he rams through changes by a majority vote—and some veteran Democrats, who recall being in the minority, agree. There must be a way for Senate to resolve this impasse in a way that respects minority views, yet allows real work to proceed.

[From the Columbian, Dec. 18, 2012]

Many changes will be required for Congress to overcome its current soul-crushing and will-sapping partisan divide. But even the longest journey begins with a single step, which is why the Senate should enact two quick and easy reforms when the 113th Congress convenes in January.

No, this has nothing to do with the so-called "fiscal cliff," which is a crisis that for now is wholly owned by the House of Representatives. But it is a reminder that there are pressing issues in addition to the nation's financial crisis. Among them is the fact that there is gridlock in the Senate. Yes, the austere, august Senate, originally designed as a refuge of nobility and decorum, is no more noble than the sandbox fight that is the House.

During the past six years, Republicans used the parliamentary procedure known as a filibuster almost 400 times to waylay legis-

lation. That is about twice as often as the procedure was used during the previous six years, and it included the filibustering of simple procedural motions. All of this suggests the Republicans have been more interested in obstructionism than productivity, and we would hope for a little less paralysis and a lot more action from the next Senate.

To be sure, the filibuster is a necessary and often-productive method for preventing tyranny of the majority. The party that is not in power must have some means to prevent being bulldozed by an overzealous ruling party that wishes to limit debate. But the modern filibuster isn't the filibuster they taught about in your grandfather's high school Civics class.

The traditional filibuster evokes images of a courageous legislator righteously standing up for his or her beliefs, speaking for hours on the Senate floor and resorting to reading the phone book if necessary to prevent a bill from coming to a vote. Yet the modern filibuster consists of little more than a notification that a filibuster is in effect—and that notification can be delivered anonymously. The filibuster then prevents a vote and effectively kills legislation unless a cloture vote can be passed to end the "debate." This essentially means that 60 votes are required to pass any legislation out of the Senate, providing the minority party with more power than voters have willed to them.

That brings us to our proposals:

Restore the rule requiring actual floor debate to sustain a filibuster. Not only would this force senators to act on their convictions rather than their partisan predilections, but in a world of 24/7 media coverage it would allow voters to see exactly who is holding up legislation and to consider why they are doing so. If a senator wishes to read recipes in order to prevent a vote on the Paycheck Fairness Act, so be it. But let the country watch.

Prohibit anonymous filibusters. If a senator wishes to prevent a vote on the Dream Act, fine. But he or she should own it, for the whole world to see. The trick is that any procedural changes governing Senate business can be passed by a simple majority—if the change is made on the first day of a new session. The 113th Congress will convene on Jan. 3, 2013, and we urge the new Senate to show that it is interested in a new way of doing business—one that actually welcomes debate and accountability rather than allowing legislators to silently and anonymously block the people's business.

We should expect nothing less from those we send to Washington.

[From the San Bernardino County Sun,
Dec. 7, 2012]

BACK TO THE FUTURE ON FILIBUSTER REFORM
(By the San Jose Mercury News)

The Senate needs to go back to the future on filibuster reform. Senators should have to stand their ground and raise their voices on the Senate floor, around the clock if necessary, a la Jimmy Stewart in "Mr. Smith Goes to Washington," to keep legislation from coming to a vote.

Back in the day, a minority senator had to have strong personal convictions against legislation to undertake the onerous, sleep-depriving filibuster, talking and talking and talking to block action. Today, a senator, or a group of senators, can merely threaten a filibuster, and suddenly the legislation requires a 60-vote supermajority to move forward to a vote. It's outrageous. Senate Majority Leader Harry Reid wants to change the rules, and President Obama should be

helping to persuade the handful of Democratic senators who are on the fence.

California Sen. Dianne Feinstein is one of them. She told the publication *The Hill* that she thinks it would be a mistake to use the Senate's power to change the filibuster rules, but she said, "I'll listen to arguments."

Senate Republicans' record should be argument enough. And if the parties' control of the Senate were reversed, that would be just as wrong.

Not one filibuster was recorded in the Senate until 1841. The average in the decade of the Reagan and Carter years was about 20 per year. Senate Republicans used the filibuster a record 112 times in 2012 and have used it 360 times since 2007.

They have stopped legislation that has widespread public support. GOP senators blocked a major military spending bill, a badly needed veterans' jobs bill and the Dream Act, all of which would have passed with a majority. They stifled the Disclosure Act, which would require greater transparency in campaign advertising. In a particularly craven abuse of the system, they have halted the nominations of nearly two dozen judicial appointments, causing backlogs in courts that delay justice for people and businesses across the country.

Some Democrats fear that Republicans will win control of the body in 2014, when 20 Senate Democrats will have to defend their seats, and they'll want the power minority Republicans have now. But then Republicans could change the rules.

In "Mr. Smith," an idealistic Jimmy Stewart used the filibuster in an admirable way. But it has an ugly history, often as a last-ditch attempt to stop overdue change. In 1957, Sen. Strom Thurmond spoke for a record 24 hours and 18 minutes against the Civil Rights Act, which he labeled unconstitutional and "cruel and unusual punishment."

The Senate is supposed to debate the great issues of the day, not stop them from being debated. Senators should change the rules and get back to work.

[From the Contra Costa Times, Dec. 3, 2012]
FILIBUSTER RULES MUST CHANGE AND
LAWMAKERS NEED TO GET BACK TO WORK
(Contra Costa Times editorial)

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The Senate is supposed to debate the great issues of the day, not stop them from being debated. Senators should change the rules and get back to work.

Mr. HARKIN. At issue in this debate is a principle at the heart of our representative democracy. This is from Alexander Hamilton in *Federalist Paper No. 22*:

The fundamental maxim of republican government . . . requires that the sense of the majority should prevail.

The Framers, to be sure, put in place important checks to temper pure majority rule. For example, the Bill of Rights protects fundamental rights and liberties. Moreover, the Framers imposed structural requirements. For example, to become a law, a bill must pass both Houses of Congress and then it is subject to the President's veto power, and then, of course, there are always the courts and the Supreme Court to rule on the constitutionality of legislation.

The Senate itself was a check on pure majority rule. As James Madison said:

The use of the Senate is to consist in its proceeding with more coolness, with more system, and with more wisdom, than the popular branch.

Meaning the House of Representatives.

To achieve this purpose, citizens from the smallest States have the same number of Senators as citizens from the largest States, which I commented on earlier. Further, Senators are elected every 6 years, not every 2 years. These provisions in the Constitution are ample to protect minority rights and to restrain pure majority rule.

What is not necessary and what was never intended is an extraconstitutional empowerment of the minority through a *de facto* requirement that a supermajority of Senators be needed to

even consider a bill or nominee, let alone to enact a measure or confirm an individual for office.

As I said earlier, the Constitution was expressly framed and ratified to correct the glaring defects of the Articles of Confederation. The Articles of Confederation required a two-thirds supermajority to pass any law and a unanimous consent of all States to ratify any amendment. Well, we know that the experience under the Articles of Confederation was a dismal failure, one that crippled the national government. The Framers were determined to remedy those defects under our new Constitution.

It is not surprising that the Founders specifically rejected the idea that more than a majority would be needed for most decisions. In fact, the Framers were crystal clear about when a supermajority is needed—five times. It is spelled out clearly in the Constitution: ratification of a treaty, the override of a veto, votes of impeachment, passage of a constitutional amendment, and the expulsion of a Member. It is expressly pointed out in the Constitution.

It should be clear, especially to those who worship at the shrine of "original intent," that if the Framers wanted a supermajority for moving legislation or confirming a nominee, they would have done so. They would have written it in there. Not only did they not do so, until 1806 the Senate had a rule that allowed for a motion for the previous question. That goes back to the British Parliament. It permitted a majority to stop debate and bring up an immediate vote.

It was Vice President Aaron Burr, as he was leaving the Senate and they were reforming the rules, who said: You know, this is never used. We might as well do away with it because it is never used, anyway. So they did away with the motion for the previous question, but the point being that the first Congress in the first Senate enacted that. They had that motion for the previous question. The Founders were very clear why a supermajority requirement was not included. As Hamilton explained, a supermajority requirement would mean that a small minority could "destroy the energy of government."

That is what Madison said. A supermajority would mean that a small minority could "destroy the energy of government." Government would, in Hamilton's words, be subject to the "pleasure, caprice or artifices of an insignificant, turbulent or corrupt junta."

James Madison, as I said, said this:

It would no longer be the majority that would rule, the power would be transferred to the minority.

Federalist Paper No. 58. When James Madison—sort of the author of our Constitution—said, no, you cannot

have a supermajority; if you do that, then the minority would rule, the power would be transferred to the minority—unfortunately, Madison's warning has come true. In the Senate today—the United States Senate—the minority, not the majority, controls. In today's Senate, American democracy is turned on its head. The minority rules, the majority is blocked. The majority has responsibility and accountability, but the majority lacks the power to govern. The minority has the power but lacks accountability and responsibility. This means the minority can block bills and prevent confirmation of officials and then turn around and blame the majority for not solving the Nation's problems. The minority can block popular legislation and then accuse the majority of being ineffective.

I firmly believe we need to restore the tradition of majority rule to the Senate. Elections, I believe, should have consequences. That is why I developed my plan, as I said, almost 20 years ago to amend the standing rules to permit a decreasing majority of Senators over a period of days to invoke cloture on a given matter. I believe it is clear in the history of the Senate and of the Framers of the Constitution.

There is the story, of course, that has been told many times. It may be a popular story, I don't know. Thomas Jefferson, of course, was not here for the drafting of the Constitution. He was in France. He came back home and looked at the Constitution. He was having breakfast with George Washington. As the story goes, Jefferson was upset about the Senate. He looked upon it as another House of Lords. So he asked Washington why he allowed such a thing to happen, that the Senate would be created. Washington supposedly said to him: Why did you pour your tea into the saucer? Jefferson said: To cool it down. Washington purportedly said: Just so. That is why we created the Senate, to cool things down, to slow down legislation, apart from that popular body over there, so there could be a more sober second look at things. What Washington did not say, as far as I know, was that the Senate was created to be a trash can where legislation could be killed and stopped. The idea was to slow things down, to deliberate.

Senator George Hoar noted in 1897 the Framers designed the Senate to be a deliberative forum in which a "sober second thought of the people might find expression." That is what the Senate is supposed to be about. But at the end of ample debate and with the right of the minority to be able to offer amendments and have them voted on, the majority should be allowed to act with an up-or-down vote on legislation or on a nominee. In this way, we could restore this body to one where government can actually function and where we can actually legislate.

I think this plan also has another advantage. Recently, the minority leader defended the abuse of the filibuster on the grounds that it forces the majority to compromise and to “resolve the great issues of the moment in the middle.” I strongly disagree with the minority leader. Right now, the fact is, because of the abuse of the filibuster, the minority has no incentive to compromise. Why should they? They can stop it. They have the power to block legislation without even coming to the floor to explain themselves. In such a world, as we have seen over the past few years, why would the minority come to the table to cut a deal? I showed my colleagues the list of all the legislation they have blocked the last couple years. There wasn’t any overture from the minority to compromise. They just said: We are going to kill it; the majority is not going to be able to bring it up.

The DREAM Act, for example. What are those other bills on the chart? The DREAM Act, and the other ones listed we wanted to bring up. Here is the list again. The DREAM Act. Did the Republicans say we want to compromise? No, they just killed it. The Bring Jobs Home Act, just kill it. The Paycheck Fairness Act, just kill it. Creating American Jobs and Ending Offshoring Act, just kill it. There was no real attempt to compromise because they didn’t have to compromise.

In contrast, under my proposal, where we would have 60 votes at the beginning and if we didn’t have 60 votes, we would file another cloture motion and wait 3 days, then we would have another vote. Then we would need 57 votes. Then, if we didn’t get 57, we could file another cloture motion and then we would wait 3 days and need 54 votes. If we didn’t get that, we would wait 3 more days, file another cloture motion and only need 51 votes.

This would be a period of about 16 days, plus 30 hours of debate, that would be allowed under my proposal. Here is why that would be a true compromise. The minority wants the right to offer amendments to be heard on a bill. I understand that. They should have that right. The most important thing to the majority leader—whether Republican or Democrat, whoever the majority leader may be—the most important thing for the majority leader is time on the floor. So someone files a bill, it is filibustered by the minority, they have a cloture vote, and let’s say there are only 53 votes for it. The minority knows that at some point, this bill is going to come to the floor. We will get a vote on it. The majority leader knows that will happen, but it is going to chew up a couple weeks’ time. The most important thing to the majority leader is time, so the majority leader would like to collapse that time. The minority leader would like to have the right to offer amendments, and

therein is the compromise. The minority leader comes and says: If we can offer these amendments, we will collapse the time; if not, we will chew up a couple weeks’ time. That provokes compromise. But when one side knows that with 41 votes they can absolutely trash can something, why should they compromise if they have the 41 votes?

Again, I wish to emphasize another fact about my proposal. The Republicans have said the filibuster is necessary because Democrats increasingly employ procedural maneuvers to deprive them of their right to offer amendments. I want my colleagues to know I am sympathetic to that argument. That is why in the last Congress I included in my resolution the guaranteed right to offer germane amendments; the inherent right of the minority to offer those amendments.

Unfortunately, of course, every Republican voted against my proposal, and that is because Republicans currently want the best of both worlds: the right to offer nongermane amendments and the right to obstruct, and that doesn’t make sense.

Again, no one should be fooled. The fact is the radicals who now hold sway in the Republican Party are not concerned with making the government or the Senate function better. That is because the current use of the filibuster has nothing to do with ensuring minority rights to debate and deliberate or the right to amend; otherwise, they could support either one of these proposals, either mine or Senator MERKLEY’s or Senator UDALL’s. Nor have I ever heard one Republican come to the floor and unequivocally state that if the majority leader stopped filling the amendment tree, they would routinely vote for cloture, even if they opposed the underlying bill. I have not heard one of them say that because the current use of the filibuster has nothing to do with minority rights. It has everything to do with obstruction, hijacking democracy, and a pure power grab designed to nullify elections in which the public has rejected the minority’s ideas and placed them in the minority so the majority could act.

The minority leader, I must say, has been frank about this approach to governing. In a speech about the balanced budget amendment, he said the following. Listen to this. This is our minority leader:

The time has come for a balanced budget amendment that forces Washington to balance its books. The Constitution must be amended to keep the government in check. We have tried persuasion. We have tried negotiations. We have tried elections. Nothing has worked.

Think about that. In other words, when elections—when democracy doesn’t work, what does the minority leader want? The ability to undermine the majority from acting in the Senate. Imagine that. We have tried elec-

tions and the elections didn’t go their way. They have tried elections. So if they can’t do that, then they have to do something else. It seems to me the ballot box ought to be determinative of what kind of government we have.

Republicans have repeatedly filibustered motions to proceed. How can they offer amendments if we can’t even bring it up? They filibuster judicial nominees. Of course, nominations can’t be amended; again, belying the argument that many Republicans use because of filling the tree. There is no tree when it comes to nominations.

I want to now emphasize something. I have been saying all along the Republicans and how they have been using the filibuster. I want to say unequivocally the Democrats don’t come to this with clean hands, I can tell my colleagues. It has been both sides. It depends on who is in the majority and who is in the minority. That is all it depends on. As I said earlier when I first brought this up in the 1990s, I warned then of an escalating arms race. I have been in the Senate long enough to have five different changes in the Senate between majority and minority, and every single time the number of filibusters goes up—every time. Democrats say to Republicans: You filibustered 30 times last Congress. We are now in power; we will filibuster you 60 times. The Democrats get kicked out and the Republicans come back and they say: They did it 60 times and we will do it 100 times, on and on and on.

It is akin to an arms race. So any time I use the word “Republican” generically, we can just substitute minority. I don’t care what minority, Democrats or Republicans. It doesn’t make any difference. The minority in the Senate should not have the absolute power to trash can something. It should have the power to slow things down, to debate, to amend, to deliberate, but eventually the majority—the people whom the people at the ballot box in this country have put in charge to govern—should at some point be allowed to govern. If I am in the minority, all I want is the right to be able to debate, have my views heard, offer amendments.

I might also say this: The right of the minority is not to win. The minority doesn’t have the right to win, but it sure has the right to offer amendments and to be heard and to be able to try to sway people. I have been in the Senate when we have had amendments and, amazingly enough, we get some Republicans and some Democrats and it passes, even though some Democrats and some Republicans oppose it. That very rarely happens any longer.

Again, I have been talking mostly about Republicans generically, and that is because they are in the minority now. I said the same thing about Democrats when the Democrats were

in the minority. This is not a minority right. It is nothing less than a form of tyranny by the minority. Who said that? That was Senator Frist, the Republican leader, again, in November of 2004, when he was in the majority and we were in the minority: "This filibuster is nothing less than a formula for tyranny by the minority." He was right. It just depends on who is in the minority and who is in the majority.

That is why we have to make a change. It could be Democrats, it could be Republicans, it could be—even a bipartisan coalition, if it is a minority, a small minority.

As I said, I don't think there is anything radical about what I have introduced. As I noted, the filibuster was not in the Constitution. It was rejected by the Founders. There is nothing sacred about requiring 60 votes to end debate. The Senate has adopted rules and laws that prevent the filibuster in numerous circumstances. Get that. This Senate has adopted rules that forbid the filibuster in certain cases. The budget cannot be filibustered, war powers cannot be filibustered, international trade acts—imagine that. International trade acts cannot be filibustered. Congressional Review Act, disapproval of regulations, cannot be filibustered. So if the filibuster is so sacred, why have we carved out exceptions for international trade acts?

Moreover, article I, section 5, clause 2 of the Constitution, the rules of proceedings clause, specifies: "Each House may determine the rules of its proceedings." Again, my resolution, far from being unprecedented, stands squarely within the tradition of updating Senate rules as appropriate to fostering more effective and functioning legislation. For example, beginning in 1917, the Senate passed four significant amendments to its standing rules, the latest in 1975, to narrow, to shape the filibuster. In 1979, Senator Robert Byrd made clear that the Constitution allows a majority of the Senate to change its rules. He said:

[t]he Constitution, in Article I, section 5, specifies that each House may determine the rules of its proceedings. Now we are at the beginning of a Congress.

Senator Byrd said:

This Congress is not obliged to be bound by the dead hand of the past . . . It is my belief—which has been supported by rulings of Vice Presidents of both parties and by votes of the Senate in essence upholding the power and right of a majority of the Senate to change the rules of the Senate at the beginning of a new Congress.

Senator Byrd: "This Congress is not obliged to be bound by the dead hand of the past." He said that. " . . . power and right of a majority of the Senate to change the rules of the Senate at the beginning of a new Congress."

Again, this was also the opinion of the Republican Party. As I mentioned, in 2005 the Republican policy committee, chaired by our former colleague Senator Kyl, stated:

The Senate has always had, and repeatedly has exercised, the constitutional power to change the Senate's procedures through a majority vote.

That is a statement from the Republican policy committee in 2005.

Those who say this is some kind of nuclear option, blow up the Senate, all these terms about nuclear options—no, it is not a nuclear option. As Senator Byrd said and as Senator Kyl said, "The Senate has always had, and repeatedly has exercised, the constitutional power to change the Senate's procedures through a majority vote."

There are those now—I must admit, some in my own party on this side of the aisle in the Senate—who say that in order to change the rules, we have to have a two-thirds vote. Now, why is that? Well, because some Senate in the past set down the rules. They said that in order to change these rules, you need a two-thirds vote. Are we bound by that dead hand of the past? Not at all. Not at all. Each new Congress—each time the Senate convenes after a new Congress forms—can by majority vote change its own rules. It is not a nuclear option at all.

To be very clear, I opposed the Frist motion at that time in 2005, and I made it clear why—because they were attempting to change the rules in the middle of a Congress.

While I believe the Congress has the power—I'm sorry, it was the Republican policy committee. It is at the beginning of a Congress.

Senator Byrd said:

It is my belief—which has been supported by rulings of Vice Presidents of both parties and by votes of the Senate in essence upholding the power and right of the majority of the Senate to change the rules of the Senate at the beginning of a new Congress.

I mean, you can't go changing rules every other week. How do you know what is going to happen? But at the beginning of a Congress every 2 years, the Senate has the right by a majority vote to set down the rules, and you operate by those rules for 2 years. What Senator Frist was trying to do was change it in the middle of the game. Well, if you go down that pathway, my goodness, the majority could change the rules next week and the week after, do it one time one week and one time the next. How would you ever know what the rules of the road were? The only reason I opposed the Frist motion at that time was because it was changing it in the middle of a Congress.

Here is a letter from numerous constitutional scholars, including Charles Fried, Solicitor General under President Reagan, and Michael McConnell, a former Federal judge nominated by President George W. Bush. These scholars make clear that at the beginning of a new Congress, a majority of the Senate can change its rules. Here is the letter, and it reads in part:

Some, however, have sought to elevate the debate to constitutional dimensions by sug-

gesting that it is institutionally improper for a new Senate to alter the Senate's rules by majority vote because the internal procedures adopted by prior Senates have required a two-third majority to allow a vote on a motion to alter the rules.

With respect, such a concern confuses the power to change the Senate rules during a session with the unquestioned constitutional power of each incoming Senate to fix its own rules unencumbered by the decisions of past Senates. The standing two-thirds requirement for altering the Senate's rules is a sensible effort at preventing changes to the rules in the midst of a game. It cannot, however, prevent the Senate, at the beginning of a new game, from adopting rules deemed necessary to permit the just, efficient and orderly operations of the 113th Senate. . . .

This letter from Charles Fried, Solicitor General under President Reagan, and Michael McConnell, a former Federal judge nominated by President George W. Bush, states:

We agree with the overwhelming consensus of the academic community that no pre-existing internal procedural rule can limit the constitutional authority of each new Senate to determine by majority vote its own rules of procedure.

We agree with the overwhelming consensus of the academic community that no pre-existing internal procedural rule can limit the constitutional authority of each new Senate to determine by majority vote its own rules of procedure.

That is very profound. So it is not just me as a Democrat. Here are two Republicans, very prominent Republicans, saying the same thing.

The last significant rules change, I might point out, was in 1975, when the number of votes necessary for cloture was set at 60. There is only one Senator today—Senator LEAHY—who was in the Senate in 1975 to vote on that current version of rule XXII. No one else was here then. We have had how many different Senates since that time, and yet that dead hand of the past continues to rule.

Mr. President, I would like to emphasize that I firmly agree that amending the standing rules is necessary. Informal agreements are insufficient to return the Senate to functionality. We had this last time—sort of a handshake agreement to make the Senate a better institution through fewer filibusters, procedural delays, et cetera. Looking back over the last 2 years, I don't think anyone would agree that this gentleman's agreement was very effective.

The minority leader recently stated that the reforms being advocated by me and others are being done with the "purpose of consolidating power and further marginalizing the minority voice." Nothing—nothing—could be further from the truth. I want to be clear that the reforms I advocate are not about one party or one agenda gaining an unfair advantage. It is about the Senate as an institution operating more fairly, effectively, and democratically. Those of us who went to law school all remember that if you

come into the court of equity, you have to come in with clean hands. I hope that I have clean hands since I first offered this when I was in the minority. I was in the minority.

Again, I would point out that it belies belief that sometime in the future, Democrats won't be in the minority again. It is going to happen, and it should. No one party should rule here for long periods of time. We need to have that kind of change. But what we need is the ability of whoever is in the majority to be able to govern. That is what the people elected them to do.

Well, the truth is that we do not function here. We do not function in the way we are supposed to under the Constitution—something both Democrats and Republicans should care about. What was never envisioned and what should not be allowed to continue is a system where bills are prevented from being debated or the idea that a small minority can block legislation or nominees without even coming to the floor to explain themselves.

Finally, there is one other red herring that keeps coming up, and that is that somehow the reform I am proposing or any reform will somehow make the Senate like the House. I have heard that from Members from the other side of the aisle—oh, we will just become like the House of Representatives.

I have to ask the question, since when did the Senate become defined by rule XXII, the cloture rule? Why does that define the Senate? It seems to me the Senate was designed in the Constitution where we have two Senators from every State, small and large; where we are reelected every 6 years, not every 2; where the Senate has certain functions on treaties and on nominations that the House of Representatives doesn't have; and where the Constitution is very clear; there are five times where the Senate must have a supermajority to act.

Again, I would point out that the Senate will, by its very nature—even under my proposed reform or even that of Mr. UDALL or Mr. MERKLEY—still operate based on unanimous consent, and each Senator will continue to understand that maintaining good relationships with all Senators, working hard to become experts in issues, and drafting legislation and amendments will remain the essence of what it means to be a Senator, not the ability to filibuster.

To those who say we have become more like the House, I say that is not going to happen. Well, it could. Sure it could. Some future Senate could wipe out all the rules—wipe out all the rules. Now, they couldn't do away with the constitutional aspect. They couldn't make us elected every 2 years, for example, but take away the function of the Senate in terms of treaties, impeachments, and things like that,

sure. Any future Congress can change the rules.

I think that because of the nature of the Senate, the way it is established, because of the way it is set in the Constitution—two from every State, not popularly elected every 2 years—that means Senators will have to work with one another. They will have to exhibit that kind of comity—c-o-m-i-t-y, not comedy—of recognizing that each Senator should have the right to amend, to debate, to discuss the question, to offer amendments.

Again, we were told that somehow the filibuster—this idea that the filibuster somehow defines the Senate, again, until 1970 there was approximately one filibuster per Congress. Did anyone ever suggest then that because there was not the rapid use of a filibuster, the Senate was no different from the House? Was the Senate of Clay, Wagner, Vandenberg, Johnson, and Taft just another House of Representatives? Were the giants in the Senate who came before us—the Daniel Websters, the Henry Clays, the Robert Tafts, the Hubert Humphreys—were they any less a Senator because they were not defined by a de facto 60-vote supermajority requirement?

I believe the Senate should embrace George Washington's vision of this body, if that story is true about him and Jefferson and the saucer and the tea. The Senate was set up to slow things down to ensure proper debate and deliberation. That is what the Founders intended. That is what we have advocated and I advocate. We will not become the House. As one author has noted, however, the increasing use of the filibuster has converted the Senate from the saucer George Washington intended into a deep freeze and a dead weight.

At the heart of this debate is a central question: Do we believe in democracy?

Republicans and, sadly, many of my colleagues in my own caucus repeatedly warn about advancing these reforms because Democrats will find themselves in the minority one day and we may want to stop something. Well, I am sorry, I don't fear democracy. If the people of this country at the ballot box put the Republicans in charge of the Senate, the Republicans ought to have the right to govern. We should have the right to be able to offer amendments and debate and deliberate, but we should not have the right to absolutely obstruct what the majority is doing. Issues of public policy should be decided at the ballot box, not by the manipulation of archaic procedural rules.

The truth is that neither party should be afraid of majority rule, afraid of allowing a majority of the people's representatives to work its will. After ample protections for minority rights, the majority in the Sen-

ate, whether Democratic, Republican, or a bipartisan coalition, duly elected by the American people, should be allowed to carry out its agenda, to govern, and to be held accountable at the ballot box.

I wish to conclude by noting that it is often said—and it is true—that the power of a Senator comes not by what we can do but by what we can stop. That is true. The Senate is a body in which one individual Senator has an enormous amount of power to stop things. No one wants to give up that power. But I believe it is time for us Senators to take a look at ourselves. For the good of the Senate and, more importantly, for the good of the country, we need to give up that power—not all of it but a little bit of it. I am willing to give it up.

All Senators should have fundamental confidence in democracy and the good sense of the American people. We must have confidence in our ability to make our case to the people and to prevail at the ballot box. We must not be afraid of democracy. I am not afraid of it. I, quite frankly, believe my ideas, my support of certain measures, is more widely supported by the American people than my friends on the other side of the aisle. They believe just the opposite. That is good. That is the way we should operate here in grinding out legislation and then at the ballot box every 2 years.

Healthy debate is about the direction of the country and which way we should go. We should have the confidence—the Republicans should have their own confidence and we should have our own confidence—in our ability to make our case to the people and to prevail at the ballot box. I say: Don't be afraid. Don't be afraid of the American people and their inherent ability to make wise and just decisions. Things may go awry one time or another time, but in the great history of our country, the American people—as Winston Churchill once said: After we try everything else, we always do the right thing—the American people make the right decisions. Sometimes I may not agree with it, but then it is my business to go out and try to convince my constituents and others they made the wrong choice; that we should be going in a different direction.

That is the essence of democracy, not the power of me, a Senator from Iowa, being able to stop what the majority wants to do; not me, just with a handful of other people saying: I don't care what they want to do; we can stop it, put it in the trash can.

All I want is the right to debate, to discuss, to be able to offer amendments that are germane to the legislation. So, again, I am not afraid of living with these reforms, both as a member of the majority party and as a member of the minority party, which I am sure we will once again become at some point in the future.

So, Mr. President, as I have over the last, I guess it makes 17 years now, I come to the floor knowing that my proposal will not win. Well, it hasn't thus far. And that is all right. A lot of times people say: Why do you offer it? You know you are going to lose.

I offer it because I believe so deeply in this, and I believe sometimes you just have to stand for what you believe in, and you have to make your case as forcefully, as intelligently as possible. I hope I have done that both in my words and in my statement and in the past debates I have had on this Senate floor that occur about every 2 years when the Senate convenes.

I don't carry this beyond the first day of legislative business. I don't think we should. If we set the rules down on the first day, after that I don't think we should be changing the rules in the middle of the game. But we are still in the first legislative day, and I think now is the time to do this.

Mr. President, before I yield the floor, I know our distinguished minority and majority leaders have been working hard on some reforms on the filibuster. I am not privy to all of that. I don't know exactly all the details of it, although it was discussed in our policy caucus today. But I will say this about it—at least what I understand to be the essence of the reforms that our majority leader has worked so hard on—it is better than what we have right now. From what I understand—and I don't know all the details—it is a step in the right direction.

I want to make it clear that I might vote for it—as soon as I find out exactly what it all is. I might vote for it because it is probably better than what we have right now. But I just want to be clear that my vote for that does not signify that I prefer that over doing away with this absolute 60-vote threshold because under the reformed rules that I understand are being promulgated by the majority and minority leaders, we still have a 60-vote threshold on anything except for the motion to proceed.

So on any amendment, any bill, we still have 60 votes. So a small group, a handful, can still put bills and amendments and everything else in the trash can. I just fundamentally disagree with that. So if I do vote for that—like I say, I probably will—it is because it looks like it might be better than what we have now.

I know it is tough. I do not denigrate for one minute the effort and the work of the majority leader and the minority leader in trying to reach these agreements. These are tough things. I just think we have to be more forthright in constantly—every 2 years—going after this idea that somehow this dead hand of the past that says we need a two-thirds vote to change the rules and that somehow that controls us—it shouldn't; it doesn't control us—that

somehow we have to adhere to this 60-vote threshold forever. That shouldn't control us.

Every 2 years, according to the Constitution, according to Senator Byrd, according to constitutional scholars of both parties, we have the constitutional right at the beginning of a Congress to change our rules with a majority vote. That is what we ought to be about doing.

So, Mr. President, I look forward to seeing the proposed rules reform the majority leader and minority leader have been working on. Again, I know it is tough to work these things out, but I think this body has to move ahead and do away with that dead hand of the past and provide for rules changes that allow us to function, that allow the majority to act, with the right of the minority to debate, to slow things down and to amend—but not the right to win. I have never said the minority has to have the right to win. But the minority ought to have the right to make their voices and their votes heard in this body.

That is what my proposal would do. Again, as I said, I don't expect it to win, but I want people to be able to express themselves if they believe we should move in that direction, and I offer it in that vein. I know there are those who believe somehow that we have to abide by that two-thirds vote, by this dead hand of the past. I just don't believe so.

Mr. President, with that, I yield the floor.

The PRESIDING OFFICER (Mr. KING). The Senator from Maryland.

EXTENSION OF MORNING BUSINESS

Mr. CARDIN. Mr. President, I ask unanimous consent that the period of morning business be extended until 6:30 p.m. today, and that all provisions of the previous order remain in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. Mr. President, first, let me compliment Senator HARKIN for his incredible leadership in bringing to the attention of this body something I think everyone understands; that is, with the procedures of the Senate and the way it is operating today, there is a problem. There is a very serious problem.

All one needs to do is to turn on C-SPAN to see the Senate in a quorum call for hours to know there is a better way for us to operate. All one has to do is to look at a week that goes by where there are very few recorded votes to know there is opportunity for debate and action that is being lost in the Senate. We can do better. The procedures we are following today, the way that is being honored by the Members of the Senate, we need to change the rules and procedures of the Senate.

I want to thank the majority leader and the Republican leader for negotiating and getting together to understand the frustrations that are out there in both of our caucuses and to try to come up with reasonable changes in our rules. I see Senator MCCAIN is on the floor, and I acknowledge his leadership, along with that of Senator LEVIN. I was honored to work with that group, along with Senators PRYOR, SCHUMER, BARRASSO, ALEXANDER, and our former colleague, Senator Kyl. We sat for hours debating, and it was very educational for me, Mr. President, because I listened to the concerns of my Republican colleagues—and it was a lot different than what I heard in the Democratic caucus—and I think we both learned a lot from each other.

But there was general agreement that there is a real problem in the operation of the Senate, and we have an obligation to take a look at our rules and see whether we can't modify the rules so we can have the type of deliberation, debate, and voting that is expected of the Senate.

One of the problems that became very apparent to all of us is that individual Senators are able to block the consideration of amendments and bills on the floor of the Senate indefinitely. That is wrong. My colleague from Arizona pointed out that someone could be in their home State and offer an objection, and a bill could be brought to a standstill. That is not how the Senate should operate. We should be able to consider legislation, and individual Senators should not be able to block the consideration of that legislation.

I could give examples of hundreds of bills that have been reported out of our committees in the Senate that have never reached the floor of the Senate. Quite frankly, the reason is an individual Senator blocked consideration, and it would take the majority leader too much time to go through cloture motions in order to bring those issues to the floor of the Senate.

We also have seen an abuse of the 60-vote threshold. The 60-vote threshold shouldn't be the standard working procedure of the Senate. A simple majority should control our actions. Yet in too many cases we have used the 60-vote threshold in order to move legislation forward.

We have also seen that it is very difficult to bring amendments up for consideration. It has been very difficult to get action on individual amendments on the floor of the Senate. So we need to change our procedures. We need to be the great deliberative body which historically the Senate has been.

I want to compliment many of my colleagues—I already mentioned the group that worked on some suggested rules changes and made those recommendations to the majority leader and the Republican leader—but I also want to thank my colleague, Senator

HARKIN, who just spoke, for his leadership on this issue, as well as Senators MERKLEY and TOM UDALL, who have been leaders on this matter. We have brought this to the attention not only of our colleagues but to the attention of the American people, and they expect us to take action to improve the operation of the Senate.

Let me talk a moment about the negotiated agreement between the Democratic leader and the Republican leader—between the majority and minority leaders—and what I understand will be recommended to us very shortly, and I hope we can act on it as early as this evening.

First, one of the frustrations is that we find it difficult to bring a bill to the floor of the Senate in a motion to proceed. The threat of a filibuster on the motion to proceed has denied us the opportunity to even start debating an issue. Under the agreement I expect will be brought forward, the majority leader will have two additional opportunities to start debate on an issue.

First, if the Republican leader is in agreement, they can bring that bill to the floor immediately, without any preconditions. That could particularly work well on institutional issues that need to be dealt with, such as appropriations bills, so that we can get onto appropriations bills a lot sooner than we can today.

There is then another opportunity where the majority leader could bring a bill to the floor without the fear of a filibuster, without having to file cloture, by offering amendments. There would be a guaranteed right to offer up to four amendments: two by the minority, two by the majority. That gets us started on legislation.

Now, it is very interesting, if one looks at the process that has been used where bills come to the floor and where we are most pleased by how the process has worked—such as in the case of the national defense authorization bill, postal reform, and the Agriculture bill in the 112th Congress—in each of those cases the committees voted on the bills, they came to the floor with the managers, we started on the bills, and we completed the bills. I think we were all pretty proud with the manner in which those issues were handled on the floor of the Senate.

Under this process, the majority leader could get us started. The managers can get us started on legislation. Once we start on legislation, once we start debating the issues, we can see what amendments are out there, and we can try to manage the time appropriately and actually get action and debate and votes on the floor of the Senate on the amendments and on final passage.

I do think this empowers our committees. We all spend a lot of time in our committees. We are there for the hearings, we want to see committee

markups, but we also like to see the products we bring up in the committee be the major work on the floor of the Senate. Well, now, with this reform and the ability of the leader to bring forward a bill that has come out of our committees, our committee products will be more respected, and we will have a better legislative process because we are using the products that come out of our committee. We are respecting the work of our committees. We are rewarding our chairmen and ranking members working together and bringing legislation to the floor of the Senate.

I think that is a real major improvement and something that will allow the Senate to operate in the way it should.

We also allow for conference committees to be formed in a more expedited way. Right now it could take three cloture votes to get into conference. We contract that into one. I think that is going to be the recommendation.

I had the honor in the 112th Congress to serve on a conference committee that dealt with the payroll tax extension. We got our work done, brought a bill to the floor of the Senate and the House, and got it enacted into law because we were able, in a very open and transparent way, to work with our colleagues in the other body, resolve our differences, and bring legislation forward. I might be wrong, but I think that was the only conference committee that operated in the 112th Congress. There haven't been many. I think most Members of this body would be hard-pressed to remember when they last served on a conference committee. Yet we know there are significant differences between the products that come out of this body and the products that come out of the other body. We need to reconcile those differences. Being able to go into conference allows us the opportunity to let the legislative process work the way it should.

One of the procedures the majority leader is going to talk about is that once cloture is invoked, if you have to use cloture, you have 30 hours. But you don't guarantee 30 hours. That 30 hours is the maximum. Each Member is entitled to only 1 hour to speak, and a quorum call during postcloture can be considered dilatory if we have already established a quorum.

The majority leader and the minority leader are going to talk about the fact that postcloture, if you want to speak, come to the floor and speak. If you don't, the Presiding Officer should put the issue to the membership for vote so we can expedite issues and not waste a full day letting the 30 hours expire.

There will also be recommendations to deal with nominations. We were extremely frustrated. I served on the Judiciary Committee. I had the opportunity to recommend to the President

several appointments to the Federal bench. It took months for these non-controversial nominees to be approved on the floor of the Senate. It truly affects our ability to recruit the very best to serve on our courts.

The same thing is true with the President on his team to have in place, and there will be recommendations to shorten the postcloture time if a cloture vote is needed on judicial nominations to, I think, 2 hours, and sub-Cabinet appointments to around 8 hours. That allows the leader to be able to bring these issues to the floor without the threat that it would tie us up for weeks to take up just a couple appointments.

These are all major improvements. Let me make it clear. If I were writing the rules of the Senate, I would go a lot further. I know I might be in the minority in this body, but I happen to believe in majority rule. I happen to believe the majority should make the decisions. I think there should be adequate time for debate, et cetera. The Senate is different than the House. I accept that. But at the end of the day, I am in favor of majority rule. But I am also in favor of trying to get our rules done in a bipartisan manner because, quite frankly, the Democrats may not be in the majority forever.

If we look since 1981 through the end of this Congress, but for Senator Jeffords' decision in May of 2001 to become an Independent and caucus with the Democrats, the Senate would have been divided as follows: Sixteen years under Democratic control, 16 years under Republican control, and 2 years split 50-50.

I think it is very important we all understand these rules need to work regardless of which party is in the majority. That is why it is the right thing to do to negotiate between the Democrats and Republicans rules that can withstand the test of time and be fair to both the majority and the minority.

Once again, I would have majority rule. That is what I believe and I know there will be a chance to vote on that and that is how I will express my vote. But I do believe it is best for us to work together, Democrats and Republicans, and come together with a true compromise on the rules changes. I think that is exactly what Leader REID and Leader MCCONNELL have done. They have taken the recommendations of many of us, they have listened to a lot of us, they have listened to both caucuses, and they will come forward with recommendations that will allow this body to carry out its responsibilities in a more effective way—in a way that is better understandable to the American people, where we can get on legislation a lot sooner, debate issues a lot quicker, take up amendments and actually vote on amendments and be able to move legislation that comes out of our committee and approve

nominations in a much more efficient way.

To me, that gives us an opportunity for a new start in the Senate as we begin the 113th Congress. Let's hope the cooperation we see developing on the changes of the rules will allow us to work together to deal with the problems of the Nation in a more collegial way, recognizing that compromise is how this country was formed, listen to each other, and move legislation in the best traditions of the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, before the Senator from Maryland leaves the floor, I would like to tell him how much I appreciate the remarks he just made. I think he gave a very accurate depiction of the agreement we reached after many hours of always pleasant conversation. The fact is we showed our colleagues and many others it is still possible for a group of us to join together on a very difficult issue and a very complex one.

The Senator from Maryland stated his preference just a minute ago that he is for majority rule. But he also understood that in order for us to come together, that we had to move—each of us—in a more centrist direction. Without his input, his efforts, and his willingness, in my view, it is very likely we would not have agreed.

I ask unanimous consent that the Senator from Maryland and I engage in a colloquy.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. I think the Senator from Maryland and I would agree that even though this is not a headline-grabbing issue and a lot of people in America have no real idea what was at stake, that if we hadn't reached this agreement amongst us, it could have had repercussions for a very long period of time in the Senate; would the Senator agree to that?

Mr. CARDIN. I certainly agree with my friend from Arizona. They may not have understood what caused the problems, but when they see the type of gridlock where the Senate can't take up amendments for 1 week or can't take up a bill for 2 weeks or debating how to proceed on a motion to proceed, not only on substance, they wonder what is going on here. So the Senator is absolutely right.

Also, we are going to be in a much better start to this Senate with Democrats and Republicans agreeing on the rules collectively. That is certainly a better place for us to start to work with this Congress, and it gives us the opportunity to work together with more confidence, beyond just rules but also dealing with the difficult issues this country faces.

Mr. MCCAIN. Wouldn't the Senator from Maryland agree that the whole

purpose of this is not to block? In fact, with our numerous meetings with the Parliamentarians, I think we reached a greater and fuller understanding that if someone really, really wants to block progress in the Senate, given the incredible—if the word isn't "arcane," it is certainly "detailed"—rules of the Senate, they can.

But the real purpose of this and the outcome that the Senator from Maryland and I and Senator Kyl, Senator BARRASSO, Senator LEVIN, Senator SCHUMER, Senator PRYOR—and I note the presence of the Senator from Michigan on the floor; I think he would agree that this fix, this compromise we have all now agreed to—and hopefully we will agree to and pass shortly—is also intended to change an attitude in the Senate.

Instead of blocking everything moving forward and blocking amendments, perhaps we could create a new environment in the Senate where we will let the minority have their amendments, but also the minority party will let the process move forward. I think that is the tradeoff that was the fundamental aspect of the negotiations we continued in the office of the Senator from Michigan for many days and many hours.

I think the Senator from Michigan and the Senator from Maryland would agree; if someone wants to block the Senate from moving forward, they can at least do it for some short period of time. What has happened, looking back 10, 15 years ago, the tree wasn't filled. But at the same time, on the other side, amendments were not produced by the hundreds. I believe the object and I believe the outcome of this hard-earned compromise will be that there will be a greater degree of comity in the Senate which would allow us to achieve the legislative goals that all of us seek.

I ask unanimous consent that the Senator from Michigan join the Senator from Maryland and me in this colloquy.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, first, let me thank my dear friend from Arizona for helping to lead this bipartisan effort, where eight of us spent weeks to try to come up with a bipartisan proposal to our leaders. Senator CARDIN was one of the eight, and I am grateful to him and to all the eight Members, including one who has now left, Senator Kyl.

Its purpose was twofold. The first purpose was to address the specific hurdles that have created gridlock, the specific mechanisms which have been overused in this Senate that have led to gridlock. There are a number of things that have led to gridlock, but the most significant problem we have faced is the excessive use of the threat of the filibuster on the motion to proceed to a bill.

The reason it was used—according to many Members of the minority—was because of a fear that the tree would be filled by the majority leader and then there would be no opportunity to offer amendments. So what the eight of us strived to do was to find a balance where we could protect the minority's rights to offer some amendments at the same time that we finally got rid of a roadblock which was being abused, which was a threat to filibuster a motion to proceed. So we devised this approach which is now part of the leadership proposal to do exactly that.

The other purpose is the one which my friend from Arizona has just identified; that if we could come together, the eight of us, four Democrats and four Republicans—Senator SCHUMER is now on the floor and he was one of the eight. If we could come together and come up with a bipartisan proposal on this issue, we could hopefully begin to change the dynamic that has so divided this Senate. That is, hopefully, a very important and, I hope, successful outcome of those discussions and of the leadership then coming together, because those two leaders have to come together if this Senate is to come together and be able to move legislation in the ordinary course.

I agree with Senator MCCAIN's assessment as to the second goal we had, which was to show that on the thorniest procedural issue we face, that four Democrats and four Republicans, meeting in a very thorough and personal way, without a lot of staff around, could find a way through this procedural thicket and then make recommendations to the majority and to the Republican leader. I do agree with the Senator from Arizona.

Mr. MCCAIN. I think my friend from Maryland would also agree that we have found, for example, on the Defense authorization bill, that once we get onto a bill and once we have some amendments—in the case of our agreement it was four—that now the Members are sort of invested in moving the process forward. The logjam has always appeared before the bill is ever taken up for debate and amendments. By expediting that process, without depriving Members of their rights but expediting that process, hopefully, we will get onto the bill and some amendments that are already—four in one option—are already agreed to, and then we can move forward.

I would like to point out one other thing, and I think my two colleagues would agree; that is, we are fairly well paid around here, and maybe sometimes we should work a 5-day workweek; and maybe, if absolutely necessary, God forbid, a 6-day workweek. We should be taking up legislation and completing that legislation before the end of the week or, depending on how massive the legislation is, at least 2 weeks. But there should be dates certain. It is funny how this body operates

when there are deadlines as opposed to just extended periods of debate and amending.

Mr. CARDIN. Could I inquire because I want to use the two Senators as the example. They did that on the Defense Authorization Act. They were able to get the bill to the floor. They started on the bill, had a little rough start, but started on the bill and then set up a series of votes. We were able to vote on I don't know how many amendments. But it is interesting, if my memory is correct, there was no requirement for a 60-vote threshold on any of those amendments. You voted them all on majority so there was no need for a cloture vote because we started on it and people believed the process was fair. They had the opportunity, they had a chance to debate. So we had full and open debate on many issues.

National defense authorization opens a whole host of issues which are very controversial: What do we do with detainees? What do we do with our civil liberty rights? What do we do with our troop levels? There were a lot of issues that could have divided us, and we had the type of debate that I think was in the best interests of the Senate and we completed that bill in a timely way.

I think the way the two Senators were able to come forward—there are a lot of other committees. I serve on the Senate Foreign Relations Committee. We talked today, yesterday, during—Senator MCCAIN is also on that committee. We talked—Secretary Clinton—wouldn't it be nice to get a State Department authorization bill on the floor of the Senate?

Mr. MCCAIN. It is a disgrace that we have not—in how many years?

Mr. CARDIN. A long time. Certainly, I have not been in the Senate since that happened. But I do think now we have a better opportunity. If our committee could mark up a Defense authorization bill—and maybe it would take a week or two. Maybe we would have to work Friday or Saturday to get it done, but we should do that. But we now have the opportunity for the leader to bring that to the Senate floor immediately and allow the amendment process to start. Once it starts, normally we can get the type of consideration by all of us as to a reasonable number of amendments, and we can get the bill, hopefully, through the Senate. That is what I think is the real plus of the type of reforms we are talking about that allow the right legislative process to work.

As I said, it doesn't cover everything I wanted to cover. I would have gone further. But I do think it does give us a chance, allows us to do our work in the way that we should.

Mr. MCCAIN. I, again, would like to express my appreciation to Senator SCHUMER and Senator CARDIN, Senator PRYOR and my Republican colleagues, Senator Kyl and Senator BARRASSO.

But I would especially like to thank Senator LEVIN. We have known each other and worked together now for many years. We had very spirited and open and honest disagreements, but there is a level of trust and friendship that allows us, when committed to the same goal, to be able to—I believe, hopefully, in a very short period of time—achieve it.

Maybe I am being a little bit too optimistic. Hopefully, because of this, we can start moving legislation through the Senate. The record that we have achieved over the last 2 years is less than admirable. We know that filling the tree has dramatically increased, but we also know the objections to moving forward also have. I am not placing any responsibility on either side. I am placing the responsibility on both sides. Maybe we can start a new day, take up some legislation, pass it, and do the people's will. Maybe we would improve our favorability ratings to exceed that of—I saw a poll the other day; I don't know if my colleagues did. A colonoscopy is more favorable than Members of the Congress. I don't know if they saw that.

I hope we can at least raise it to some level above that. By getting things done around here I think that will probably enhance our chances of regaining some more favorability amongst the American people.

Again, I thank the Senator from Maryland and my friend from Michigan and, hopefully, in a couple of hours we will have achieved something that, in my view, could avert a fundamental change in the Senate which maybe could never have been repaired. I view it with the utmost seriousness. I have never been involved in an issue that impacted this body to the degree that the nuclear option would have caused. We would have regretted it for a long time. Hopefully, in a few hours we will have avoided it.

I just want to remind my friend from Maryland and the Senator from Michigan, this is going to be for 2 years. So we are in kind of an experimental phase. If we are unable to do the things that we aspire to, then I think you could see further Draconian measures considered by the majority. It is up to both sides to make this work.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, first of all, let me comment on what Senator CARDIN said about one of the purposes of this effort, which is to get a bill to the floor so the managers can work on it.

As we have proven in the last couple of months on a number of bills, and the Senator has pointed this out, if we can get the bill to the floor for the managers to be able to work with our colleagues on amendments, we can legislate. The problem has been that we have not been able to get bills to the

floor because of this blockage, the blockage caused by the overuse of the filibuster and, more accurately, the threat of a filibuster on the motion to proceed, which, in turn—and my Republican friends believe this very keenly—was caused by the use of filling the tree, which meant that they would not have the opportunity to offer amendments. So they would then use that threat of a filibuster in order to try to gain assurance that they would be able to offer some amendments.

That is the heart of the compromise we proposed. There are a lot of other aspects to it, including trying to get rid of these filibusters on going to conference; including these filibusters that tied up nominations with postcloture 30-hours, nominations that were going to pass with votes of 90 to 0.

There are a lot of other parts to the recommendations and what the leaders are recommending to us, but the key thing—and Senator REID said it to us repeatedly—the key thing that this compromise addresses, and it is a bipartisan approach, is trying to overcome that barrier to getting legislation to the floor. We know—the Senator from Maryland has pointed out and Senator MCCAIN knows it because we have lived it—if you can get a bill to the floor with managers, they can work out amendments, sometimes by the hundreds.

I think Senator MCCAIN and I probably had over 100 amendments filed to our bill.

Mr. MCCAIN. I think it was about 383.

Mr. LEVIN. OK. I am glad I exaggerated in the downward direction. In any event, we were able not to work through all of them but to deal with that challenge, to probably deal with about 100 of them, as I remember. We did it in about 3 days.

That doesn't mean we are magicians. It means we are capable, all of us are capable, if we can get the bill to the floor. Particularly when the bill has come out of committee with broad bipartisan support, we can get bills passed here. So the heart of what we have proposed to the leadership, this group of 8, and what they have adopted and incorporated in their bipartisan approach to the Senate and to the country, is exactly what Senator CARDIN has talked about: getting bills to the floor. We can then watch the momentum work.

I want to add one other thing. Senator MCCAIN just made reference to it. That has to do with the so-called nuclear option, or the constitutional option, depending on what your view of it is. I have always believed the threat of that option was troublesome. I was troubled by it because it is inconsistent with the rules of the Senate which require a two-thirds vote for amendments to the rules and because we are a continuing body, not just by

our rules but by even a Supreme Court opinion which so ruled.

I believe if the constitutional or the nuclear option were utilized here, if we ended up with the utilization of that option, that what we now have, which is gridlock, would have resulted instead in a meltdown. I want to remind my Democratic friends and folks around the country that not too many years ago when the Republicans threatened to use a constitutional option, the reaction on this side of the aisle was intense. The words of Senator Kennedy, Senator BIDEN, Senator Byrd resonated through this Chamber in strong opposition to the use of a nuclear option.

I have just a few examples of what our reaction was on this side of the aisle when there was a threat to use the nuclear option when it was threatened relative to judges. What I am not going to do tonight is go through the history of the constitutional or the nuclear option, what happened over the century when it has been threatened, how it has not been adopted by the Senate. It is a long, detailed history.

I know some of my colleagues have argued that the constitutional option is based on the Constitution. It is very much the opposite in terms of the history of this Chamber and the rejection of any idea that the Constitution somehow requires that at the beginning of a session of a Senate that rules can be amended by majority vote. It is a long history.

I want to just quote, if I can find these quotes, what the reaction was on this side of the aisle when there was a threat on the Republican side of the aisle to use this approach of getting a ruling from the Chair, somehow, that the rules, although they say they can only be amended by two-thirds, can in fact be amended by a majority.

EXTENSION OF MORNING BUSINESS

Mr. LEVIN. Mr. President, while I am looking for these quotes, let me ask unanimous consent the period for morning business be extended until 7 p.m. today and that all provisions of the previous order remain in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

I wish to quote Senator Byrd as to what he said when the actual issue was before the Senate. He said:

Now, if we go down this road—

That is the road which says rules can be adopted by a majority vote, even though the rules say it takes 67 votes. He said:

Now, if we go down this road, I can guarantee that every Senator in this body will rue this day . . . Senators, do we want to do it this way? If this is done today, it can be done any day. If it can be done on the constitutional question, it can be done on any other constitutional question. It can be done

on any other point of order which the Chair wishes for the Senate for decision . . . I believe that there is a danger here that, if Senators will reflect upon it for but a little while, they could foresee a time when they say that we went the wrong way to achieve an otherwise notable purpose . . . Put this power in the hands of a tyrannical leadership, and a tyrannical majority of 51 Senators, and we are going to be sorry on both sides of the aisle.

This is what Senator Inouye said in his maiden speech in this Chamber. They were discussing civil rights legislation. The question was whether there would be a ruling of the Chair which would allow the rules to be changed by the majority vote. This is a Senator who had been discriminated against in probably one of the most dramatic and massive ways that anyone could be discriminated against, being denied freedom because of his Japanese-American ancestry while he was fighting to defend this country.

What he said in his maiden speech was the Senate needs to preserve its protections for minority views, even though those protections allowed a misguided minority to obstruct our Nation's progress.

He supported the civil rights legislation, but he would not allow it to be addressed in violation of the rights of the minority of this body. This is what Danny Inouye said in his maiden speech:

The philosophy of the Constitution and the Bill of Rights is not simply to grant the majority the power to rule, but it is also to set out limitation after limitation upon that power. Freedom of speech, freedom of the press, freedom of religion: What are these but the recognition that at times when the majority of men would willingly destroy him, a dissenting man may have no friend but the law? This power given to the minority is the most sophisticated and the most vital power bestowed by our Constitution.

He was not willing to end a grave injustice, which is what civil rights legislation would have achieved, by a method that he felt ran roughshod over the rights of the minority. He warned us against the attempts, in his words, "to destroy the power of the minority . . . in the name of another minority."

Mike Mansfield, leader of the Senate, supported a modification in the rule to reduce the number of Senators needed to end debate from 67 to 60. Although he supported the change in the rules, he opposed the use of the nuclear option, or the constitutional option, to achieve it.

This is what Mike Mansfield said in arguing for the reform:

[The] urgency or even wisdom of adopting the three-fifths resolution does not justify a path of destruction to the Senate as an institution and its vital importance to our scheme of government. And this, in my opinion, is what the present motion to invoke cloture by simple majority would do.

He added:

I simply feel the protection of the minority transcends any rule change however desir-

able. . . . The issue of limiting debate in this body is one of such monumental importance that it reaches, in my opinion, to the very essence of the Senate as an institution. I believe it compels a decision by more than a majority.

Senator Kennedy's words were extremely powerful in this regard. I quoted some of Senator Byrd's words and Senator BIDEN's words vehemently opposing the effort to change the rules of this body by majority vote when the rules themselves provide it takes two-thirds of the vote to amend the rules.

We have to be consistent. The rules cannot just be simply what the majority wants them to be, whatever the current majority is. This is a body that has continuity. It is one of the few bodies in this country that has continuity. The only other one is the Supreme Court.

Two-thirds of us were not elected last November. Two-thirds of us continued from the last Senate. Over the centuries, this body has been looked to as a source of continuity, where the rules cannot be changed at the will or whim of a majority but where the rules stay in place until amended. The rules don't end when a Congress ends, in terms of Senate rules. House rules do because all the House Members are elected every 2 years. Senate rules are permanent until amended or changed. It is critically important that we not say those rules can be modified whenever the majority wishes to modify those rules or else we will lose not just the protection of the minority, which is so critically important to the history and purpose of the Senate, but it is critically important to the very continuity and stability of the Senate.

This is a unique position, where most of us—two-thirds of us—stay from Congress to Congress to Congress. It is not always the same two-thirds, but it is always two-thirds. That has created an institution which is unique in protecting minority rights as well as holding out to the American public that continuity. In the last few years, we have fallen terribly short of what we should be. There are many reasons for that, and I will not go into all of them or even any of them right at the moment. We have fallen terribly short. We have not carried out our duties for lots of reasons; again, most of which, frankly, are not acceptable to me.

We talk about how the filibuster has been abused—and it has been. In part, it has been abused because we, in the majority, have allowed it to be abused. We have not made the filibusterers filibuster. As Senator Byrd put it, it is just the whiff of a threat of a filibuster which has tied up the Senate. It doesn't have to be that way, and it should not be that way.

I see Senator ALEXANDER is here. He is such an important part of this group of eight.

What has happened is that eight of us came together with a very specific purpose. There were four Democrats and

four Republicans. I have mentioned everybody who was in that group already. We came together to try and see if we could get through this thicket, where we have this threat of a filibuster on the motion to proceed which takes weeks to dispose of. What that means is it has been a huge problem in terms of getting things done.

Eight of us got together and said: Let's just reason together and see if we cannot get rid of the roadblock and the abuse of the threat of a filibuster but protect the rights of the minority at the same time to offer amendments. As I said before, it was that which drove many Republicans to use that threat because of the fear the tree would be filled and there would be no opportunity to offer amendments. Unless there was some assurance that there could be amendments offered, they then stood their ground and said: We are not going to proceed to that bill unless there is some assurance in terms of amendments. It is that balance that we struck, and that is where the two amendments on each side came from and where some of the suggestions we made to the majority came from.

I wish to thank Senator ALEXANDER and all the other Members. I am going to repeat the names of this group who spent so many hours together to try and come together not just to solve the problem of getting through this thicket, but also to help restore a climate in the Senate which might help us be more fruitful in our work.

Again, I wish to thank Senators MCCAIN, SCHUMER, KYL, KIRK, ALEXANDER, PRYOR, and BARRASSO for all the work they put in on this bipartisan proposal to reform Senate procedures.

I ask unanimous consent that the bipartisan proposal we made to the leadership—and which they have embraced in large measure in their own extraordinarily important effort to offer the Senate and the Nation a bipartisan approach of getting through this rules morass—be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BIPARTISAN PROPOSAL TO REFORM SENATE PROCEDURES

We propose the Senate adopt a Standing Order at the beginning of the next Congress, which would provide two additional alternatives to the existing rules for the Majority Leader to proceed to the consideration of a measure on the Senate Calendar. It also streamlines procedures relative to going to conference and consideration of nominations. The two additional methods for the Majority Leader to proceed, at his option, would sunset at the end of the 113th Congress. The current rule relative to proceeding to a bill would remain an option. We also propose a number of recommendations relative to current practices and comity including that the Leaders inform their conferences that existing rules which require Senators to come to the floor to debate or object to a matter will be enforced.

HIGHLIGHTS

Two Additional Methods for the Majority Leader to Proceed, at his option

(1) No filibuster of the motion to proceed (debate on the motion would be limited to 4 hours, equally divided.) The amendment tree could not be filled at the time the Senate proceeds to the consideration of such bills where this option is used. The process by which this option would be implemented is in attachment A. It includes a guaranteed amendment at the beginning of the bill's consideration for each of the following in the order indicated: the Minority Manager, the Majority Manager, the Minority Leader and the Majority Leader. (Those amendments would not be subject to amendment or division.)

(2) When a cloture motion is filed that is signed by both the Majority Leader and the Minority Leader on a motion to proceed, and where the cloture motion is signed by at least five additional Senators from each caucus, the motion ripens after two hours of debate, equally divided and, if cloture is invoked by three-fifths affirmative vote, there will be no post-cloture debate.

Going to Conference

(3) All three initial motions relative to going to conference (insist, request, appoint) would be collapsed into one nondivisible motion. Cloture on such a motion would ripen after up to two hours of debate, equally divided, with no post-cloture debate if cloture is invoked.

Nominations

(4) The list of nominees subject to the current expedited process of putting nominations directly on the Calendar (S. Res. 116, 1126 Congress) unless a nomination is objected to by any Senator would be expanded by 531 nominations leaving 448 nominations to go through the traditional committee review process. Committee Chairs and Ranking Members would be able to strike nominations from the list of 531 before the Standing Order is put to a vote.

(5) A cloture motion on nominations would ripen after up to two hours of debate, equally divided, with no post-cloture debate if cloture is invoked. This change would not apply to Cabinet Officers, Cabinet-level Officers, or Article III judges. However, relative to district court nominations, post-cloture consideration would be limited to 2 hours.

CURRENT PRACTICES AND COMITY

In addition to the adoption of the Standing Order, the leaders, at their respective conference meetings, should address changing some practices to make the Senate operate more efficiently. They should notify their members about the following:

Leaders and bill managers should not honor requests to object or threats to filibuster on behalf of another Senator unless, after reasonable notice, that Senator comes to the floor and exercises his or her rights himself or herself. This also applies to all objections to unanimous consent requests. Members should be required to come to the floor and participate in the legislative process—to voice objections, engage in debate, or offer amendments.

When the two cloakrooms send out hotlines agreed to by the two leaders, any Senator may object, but the Senator should lose his or her objection if, after appropriate notice, the Senator fails to object to the request on the floor the next session day.

Rule XXII makes provision for 30 hours of debate after cloture is invoked. Within the 30 hours, Senators have strict limitations on

the amount of time each Senator is allowed to speak. These limits should be enforced by the leaders and bill managers. Rule XXII further says, "After no more than thirty hours of debate . . .", so 30 hours will be considered the outside limit of post-cloture debate time.

When the Majority Leader or bill manager has reasonably alerted the body of the intention to do so and the Senate is not in a quorum call and there is no order of the Senate to the contrary, the Presiding Officer may ask if there is further debate, and if no Senator seeks recognition, the Presiding Officer may put the question to a vote. This is consistent with precedent of the Senate and with Riddick's Senate Procedure, 1992. (See p. 716; see also footnotes 385 and 386 on p. 764) This can be done pre-cloture or post-cloture on any amendment, bill, resolution or nomination.

ATTACHMENT A

(1) The first amendments in order to any measure shall be one amendment for each of the two Leaders and two Managers. Such amendments shall be offered in the following order: Minority Manager, Majority Manager, Minority Leader, Majority Leader. If an amendment is not offered in its designated order, the right to offer the amendment is forfeited.

(2) Each paragraph 1 amendment must be disposed of before the next amendment may be offered.

(3) Paragraph 1 amendments are not subject to amendment or division.

(4) Each paragraph 1 amendment, if adopted, would be considered original text for purpose of further amendment.

(5) No points of order would be waived by virtue of this procedure.

(6) No motion to recommit shall be in order during the pendency of any amendment offered pursuant to paragraph 1.

(7) Notwithstanding Rule XXII, if cloture is invoked before all paragraph 1 amendments are disposed of, any amendment in order under paragraph 1 but not considered upon the expiration of post-cloture time may be offered and is guaranteed up to 1 hour of debate, equally divided.

Mr. LEVIN. Our proposal was born out of the sincere belief that, even in today's hyper-partisan environment, it is still possible for Senators from both parties to work together to restore the deliberative traditions for which the Senate was once known. It took many days of discussions over two months among our group to reach an agreement we could present to our Leaders. We looked past our frustrations with the recent practices of the Senate and acted together for the sake of this vital institution. I would also like to thank our former and current Parliamentarians, Alan Frumin and Elizabeth MacDonough, who answered our questions and provided their expert advice throughout our discussions.

Perhaps the most significant reform in the bipartisan leadership proposal, as in our bipartisan proposal to the leadership, is a reform designed to end the abuse of the threat of a filibuster on the motion to proceed to a bill—that is, the abuse of the Senate's minority protections to obstruct the Senate from even taking up and debating legislation. Reform in this area is

vital, because abuse of the rules on the motion to proceed has prevented the Senate from engaging in what our rules are supposed to promote: Debate of the important issues our nation must face. Over the previous two Congresses, we have had to hold 59 cloture votes on motions to proceed, and the very threat of the filibuster on the motion to proceed has on countless occasions derailed the Senate's legislative process. Reforming the procedures regarding the motion to proceed will allow this body to deliberate as it is intended to do.

The proposal before us will give the majority leader two alternatives to the method in the existing rules for proceeding to a bill. The first alternative, in the form of a standing order effective for the 113th Congress, would limit debate on the motion to proceed to 4 hours. When used by the majority leader, this alternative would guarantee consideration of some minority amendments. Specifically, two amendments each for both the majority and the minority would be the first amendments in order at the beginning of consideration of a measure. The order of those amendments would be the first minority amendment, the first majority amendment, the second minority amendment, and the second majority amendment. Each amendment would need to be disposed of prior to the offering of the next amendment in order. These amendments would not be subject to amendment or division, and if adopted, the amendments would be considered original text for purpose of further amendment. They could be tabled or filibustered. If an amendment is not offered in its designated order, the right to offer that amendment would be forfeited. Filing deadlines would occur on these amendments if a cloture motion is filed. If cloture is invoked, any of these amendments not offered prior to the expiration of post-cloture time could be offered and would be guaranteed up to 1 hour of debate.

The second alternative would allow the Senate to move quickly when both the majority and minority leaders agree we should proceed to a matter. Specifically, where eight Senators from each side, including the two Leaders, sign a cloture petition on the motion to proceed to a measure, then the cloture vote would occur the day following the filing of the motion with no post-cloture debate if cloture is invoked.

The bipartisan proposal before us would also reform the process of going to conference by collapsing the three motions currently required by the rules to be adopted in order to go to conference into a single motion and shrinking the cloture process on that conference motion from 30 to 2 hours. This change would be in the form of an amendment to the Standing Rules, and was part of our bipartisan group's recommendations to the leaders.

In addition, the proposal before us would reform the consideration of nominations. First, for district court nominations, it would reduce post-cloture time from 30 to 2 hours, as recommended by our bipartisan group of eight. Second, it would shrink the cloture process on subcabinet nominations by reducing post-cloture time from 30 to 8 hours. This change would be in the form of a standing order and would be effective for the 113th Congress.

When a few Senators threaten to filibuster or object to proposed unanimous consent agreements, those Senators should have to come to the floor to speak or object. Our bipartisan group's reform proposal urged the leaders to give notice that the existing rules of the Senate will be used more vigorously to force filibusterers to show up on the Senate floor to speak, and their colloquy on this matter reflects the leaders' intention to do so.

This proposal includes reasonable protections for the minority, and it reforms our procedures in ways that can end the gridlock that bedevils us. And as it accomplishes those important reforms, this proposal allows the Senate to avoid a process that would break the rules of the Senate and do untold damage to this institution. Amending our procedures in this way, without use of the nuclear option, avoids having the Senate go from gridlock to meltdown. I want to spend some time discussing this process because the issue is extremely important and not fully understood.

The greatest difference between the Senate and the House of Representatives is the approach to minority rights. Senate rules protect the rights of the minority and the House rules do not. With those rights, a minority or even a single Senator can influence the legislative process. Without those rights, a simple majority can render a minority irrelevant and powerless to influence the legislative process.

The current Standing Rules of the Senate spell out clearly the process by which the rules of the Senate may be amended. Rule 5 states that the rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules. Rule 22 states that an affirmative vote by two-thirds of the Senators present and voting is required to end debate on a proposal to amend the rules.

Some Senators have argued that the Constitution empowers a simple majority of Senators to force a change in the rules at the beginning of a Congress, although the change would occur in violation of rule 5 and rule 22. Supporters of this position refer to this procedure as the "constitutional option." Others, including many of us who have served here for longer periods of time in both the majority and in the

minority, refer to it as the "nuclear option" because we can see the damage this procedure would do to the Senate. Indeed, many of us who are deeply concerned about its use vehemently opposed Republican threats to use this procedure in 2005.

How worried were we in 2005? Senator Kennedy was worried enough to tell his colleagues: "By the time all pretense of comity, all sense of mutual respect and fairness, all of the normal courtesies that allow the Senate to proceed expeditiously on any business at all will have been destroyed by the preemptive Republican nuclear strike on the Senate floor . . . They will have broken the Senate compact of comity, and will have launched a preemptive nuclear war."

And here's what Senator BIDEN said on this floor: "I say to my friends on the Republican side: You may own the field right now, but you won't own it forever. I pray God when the Democrats take back control, we don't make the kind of naked power grab you are doing."

Why were our esteemed former colleagues so concerned about walking this path? Here are some of the dangers inherent in the "constitutional" or "nuclear" option, and some explanation of why and how the Senate has consistently rejected this approach in the past.

Supporters of the nuclear option claim a simple majority of Senators can force a rules change at the beginning of a Congress, but do not argue that they can do so at other times. There is no basis for the argument that the beginning of a Congress enjoys a special status for rules adoption or amendment that the remainder of a term of Congress does not. If the Constitution grants a simple majority of Senators the right to amend the rules of the Senate at the beginning of a Congress, when and how does that majority lose that right? This temporal distinction cannot be found anywhere in the Constitution. Article I, section 5 of the Constitution says that each House may determine the rules of its proceedings. It makes no distinction as to when.

That provision of the Constitution, which governs the Senate, also governs the House. The House adopts its rules at the opening of every Congress, but it can and does amend its rules in the middle of a Congress. If the Constitution grants a simple majority of Senators the power to adopt rules, what would stop that simple majority from amending those rules in the middle of a Congress, just as our House colleagues do? And if that is the case, the Senate would no longer be able to fulfill its historic distinction of protecting the rights of the minority.

Some supporters of the constitutional or nuclear option claim that rule 22's supermajority threshold to

end debate on a proposed rules change is unconstitutional because it inhibits the Senate from exercising its constitutional power to determine its rules under article I, section 5.

But the power to set its own rules is just one of the many powers granted the Senate by the Constitution. For instance, the Senate is empowered to provide advice and consent on nominations and to consider legislation to collect taxes, to pay the nation's debts, to provide for the common defense and general welfare of the United States. Yet, filibusters have delayed or prevented the Senate from acting on those important measures and nominations that fall within the Senate's constitutional duties.

In testimony before the Senate Rules Committee, CRS expert Stanley Bach argued:

Adopting and amending its own rules is not the only thing, and arguably not the most important thing, that the Constitution empowers and expects the Senate to do. If filibusters are unconstitutional because they impede the Senate in its efforts to exercise its authority under section 5 of Article I to adopt or amend its rules, then why are filibusters constitutional when they impede the Senate's efforts to exercise its equally or more important authority under Article I, especially section 8, to legislate on matters committed to it and the House of Representatives?

In other words, if the filibuster of a rules change is unconstitutional, as nuclear option advocates contend, then a filibuster on any matter would also be unconstitutional because it would delay or prevent the Senate from discharging its constitutional duties. So by declaring the filibuster unconstitutional on a rules change, advocates of the nuclear option are thereby swinging the door wide open to eliminate the filibuster altogether from the Senate.

Some supporters of the nuclear option say that the Founders never intended for the Senate to have filibusters. They claim that the original Senate's rules included a motion for the previous question, which they further claim was used to end debate and bring a matter to an immediate vote. So, they argue, the early Senate supported the ability to close debate and bring a matter to immediate vote by simple majority vote.

The problem is that they have their history wrong. The early form of the motion for the previous question is unlike its modern day version. In the first Congress, both Chambers had a motion for the previous question in their rules—the Senate dropped the motion from its rules in 1806. But the early version of the motion was not used to bring a question to an immediate vote. The motion, which was phrased “shall the question be now put,” was used to suppress or postpone a question. It was moved by Senators who would then vote against the motion in order to suppress or postpone the pending question.

The modern day version of the motion for the previous question in the House serves as a simple majority cloture device. However, in the early House, just as in the Senate, if the motion for the previous question was decided in the negative, then the question was suppressed and the House moved on to other business; if the motion was decided in the affirmative, then the House would continue debate on the pending question, not immediately proceed to a vote. That practice continued until 1811, when a new precedent was set that the motion, when agreed to, would immediately end debate and bring a vote on the question. That was the origin of simple majority cloture in the House.

The early history of the motion for the previous question is set forth in the House of Representatives official guide to procedure, *House Practice: A Guide to the Rules, Precedents and Procedures of the House*:

In early Congresses, the previous question was used in the House for an entirely different purpose than it is today, having been modeled on the English parliamentary practice. As early as 1604, the previous question had been used in the Parliament to suppress a question that the majority deemed undesirable for further discussion or action. The Continental Congress adopted this device in 1778, but there was no intention of using it as a means of closing debate in order to bring the pending question to a vote. Early interpretations of the rule in the House were consistent with its usage in the Continental Congress. (*House Practice*, page 690)

Just as in the House, the early Senate rules had a motion for the previous question, which, just as in the House, was used only to end debate and move to another matter, not put a question to an immediate vote. This motion was eventually dropped from the Senate rules. In his speech to the Senate on March 2, 1805, Vice President Aaron Burr recommended changes to the rules of the Senate. Among those, he suggested that the Senate drop the motion for the previous question on the basis that it was duplicative to the motion for indefinite postponement. The diary of John Quincy Adams contains the following account of Burr's speech:

He [Burr] mentioned one or two of the rules which appeared to him to need a revision, and recommended the abolition of that respecting the previous question, which he said had in the four years been only once taken, and that upon an amendment. That was proof that it could not be necessary, and all its purposes were certainly much better answered by the question of indefinite postponement. (*Memoirs of John Quincy Adams*, edited by Charles Francis Adams, vol. I, p. 365)

Supporters of the nuclear option often reference advisory opinions and rulings by Vice Presidents Nixon, Humphrey, and Rockefeller that the Senate may adopt its rules by simple majority vote at the opening of Congress. These advisory rulings and opinions were rendered during actual attempts to change

the rules, but the proposed changes were rejected, for good reason.

For example, Vice President Nixon believed the constitution granted a simple majority of Senators the power to force a rules change in violation of Senate rules. In 1957, when an attempt to change the rules was made at the beginning of a new Congress, Nixon made reference to his belief, but his advisory opinion recognized no special status for the beginning of a Congress. Nixon believed a simple majority of Senators could amend the rules at any point during a Congress. In his advisory opinion, Nixon said, “The Constitution also provides that ‘each House may determine the rules of its proceedings.’ This constitutional right is lodged in the membership of the Senate and it may be exercised by a majority of the Senate at any time.” Vice President Nixon also acknowledged that his opinion was merely advisory, and not binding upon the Senate.

Vice President Humphrey advised the Senate in 1969 that if a simple majority of Senators, but fewer than the two-thirds required by the rules, voted to invoke cloture on a proposed rules change, then he would rule that cloture had been invoked. On January 16, 1969, the Senate voted 51–47 in favor of a motion to invoke cloture. Vice President Humphrey ruled that cloture had been invoked by the majority. Humphrey's decision was appealed and the Senate reversed Humphrey's decision by a vote of 53–45. In doing so, the Senate established a clear precedent rejecting Vice President Humphrey's ruling that a simple majority could end debate.

Supporters of the constitutional argument point to statements by Vice Presidents Humphrey and Rockefeller in 1967 and 1975, respectively. In both these instances, the Vice Presidents advised the Senate that tabling a point of order against a motion to end debate by simple majority would validate the motion to end debate and cause it to self-execute. It is my understanding that both former and current Senate Parliamentarians disagree with the advisory opinions of Humphrey and Rockefeller. Tabling a point of order lodged against a motion to end debate by simple majority does not validate that motion or cause it to self-execute. In tabling the point of order, the question simply recurs on the underlying motion, and that question is debatable. At the end of my remarks I intend to propound several parliamentary inquiries that, I believe, will address the errors of the Humphrey and Rockefeller rulings.

Let's examine more closely these two advisory rulings.

In 1967, it was Senator McGovern who offered a motion to end debate by a simple majority on the question of proceeding to a rules change. Senator Dirksen raised a point of order that the motion was out of order because it violated the rules of the Senate. Vice

President Humphrey advised the Senate that if the Senate tabled the Dirksen point of order, that act would serve to validate the constitutionality of the McGovern motion. But in any event, the Senate rejected the motion to table the Dirksen point of order by a vote of 37-61. Then the Senate sustained Dirksen's point of order by a vote of 59-37. This is yet another example of the Senate establishing a clear precedent rejecting simple majority cloture of debate on a rules change.

Then, again, in 1975, the Senate faced a very similar question. Senator Mondale offered a motion that would end debate with a simple majority. Majority Leader Mansfield raised a point of order against the motion. Vice President Rockefeller advised that if the Senate tabled the Mansfield point of order, he would interpret that act as an expression of the Senate that the motion was proper—again, as I will show in a moment, a dubious position. After considerable intervening action and debate, the Senate ultimately sustained the Mansfield point of order by a vote of 53-43. Once again, the Senate established a clear precedent of its rejection of simple majority cloture of debate on a rules change.

The danger of the advisory rulings by Humphrey and Rockefeller in 1967 and 1975 is made clear in a grave warning issued by our former colleague, Senator Robert C. Byrd of West Virginia, the longest serving Senator in the history of the Senate and the author of its definitive history. During the debate in 1975 on the question of whether a simple majority could end debate on a proposed rules change, Senator Byrd gave the following remarks that I believe we should heed carefully today.

May I say to those of us on our side that the day may come—although I hope it will not be in my time—when we will be in the minority, and it will take only 51 Senators from the other side of the aisle to stop debate immediately, without one word, on some matter which we may consider vital to our States or to the Nation. Let me show the Senate how this would work. ...

Suppose it were the Bay of Tonkin resolution, which involved a declaration of war by the Congress of the United States. Any Senator could contrive his own—and I do not use that word disrespectfully—any Senator could write a similarly phrased divisible motion, a multiple motion, sent it to the Chair and all someone would have to do is raise a point of order, another Senator would move to table the point of order; if the point of order were tabled, the matter, without debate, would immediately be put to a vote. If a majority were to sustain that vote, debate would be closed on the basic motion to move to consideration of the matter, or if the matter were already before the Senate, to proceed to vote immediately on the matter without further debate.

Senator Byrd that same day said:

I must say that I have to disagree respectfully with the Chair. We are today operating by the rules of the Senate, which rules and precedents provide that a motion before the Senate, against which a point of order has

been made and tabled, remains before the Senate and is debatable. I cannot for the life of me understand how, in this instance, the motion, if the point of order is tabled, will not still be before the Senate and will not be debatable. I cannot understand that. I cannot understand how the Chair can logically state that the Senate, by this motion, and by virtue of its tabling a point of order, which is a separate matter, ipso facto shuts off debate on the motion.

Now, if we go down this road, I can guarantee that every Senator in this body will rue this day ... Senators, do we want to do it this way? If this is done today, it can be done any day. If it can be done on this constitutional question, it can be done on any other constitutional question. It can be done on any other point of order the Chair wishes to refer to the Senate for decision. ... I believe that there is a danger here that, if Senators will reflect upon it for but a little while, they can foresee a time when we would say that we went the wrong way to achieve an otherwise very notable purpose ... Put this power in the hands of a tyrannical leadership, and a tyrannical majority of 51 Senators, and we are going to be sorry on both sides of the aisle. (121 Congressional Record 3842-3844)

So in 1975, the Senate did what it has always done when confronted with the question of simple majority cloture on debate of a motion to amend the rules. It rejected it.

The reason that the constitutional approach to rules changes has never been implemented is that every time it has been attempted, the Senate has not gone along.

When Vice President Humphrey explicitly ruled that the Senate could end debate by a simple majority, the Senate voted to overturn that ruling. In those instances when a Vice President has advised that tabling a point of order against a motion to limit debate on a rules change by a simple majority amounted to Senate approval of that motion, the Senate has either voted to reject that interpretation outright or voted against tabling the point of order.

The very basis for minority rights in the Senate is the absence of simple majority cloture, which would allow a majority of Senators to end debate. The absence of simple majority cloture is the only ground on which a minority, and sometimes a single Senator, can stand to demand they be heard on any given issue.

I believe by the letter and spirit of our rules, and the history and practice of this body, the bipartisan leadership proposal before us merits support. But I also recognize that these arguments alone may not suffice for the millions of Americans who understandably do not know or care much about the procedures and rules of the Senate, and who have watched for the last 4 years with mounting frustration as abuse of those rules has obstructed progress and mired the Senate in seemingly endless delay.

The foundation of Democratic governance is rule by majority consent.

Indeed, democracy arose as a response to centuries of rule by a privileged and self-interested minority imposing its will on the majority. And the need for a system that protects minority rights is counter-intuitive to many Americans, who find it hard to understand why the majority's will does not always carry the day in the Senate.

But while the foundation of our Democratic system is rule by the will of the people, our Founding Fathers were careful to enshrine protections against what they warned was a dangerous threat to true political liberty. They called it "majority faction," the possibility that a majority of the public would, in pursuit of its own interests, infringe upon the rights of their fellow citizens.

They crafted our system with a series of checks and balances to protect against the dangers of majority faction. And since the founding, many of the most important steps forward for our country have involved protecting minorities from the harms of majority faction.

The giants of the Senate have recognized the vital importance of protecting minority rights. Senator Daniel Inouye was rightly eulogized recently in this chamber as a wise and experienced presence in the Senate. He demonstrated that wisdom from the very beginning of his career here. In his maiden speech on this floor, he explored the Senate to preserve its protections for minority views, even when those protections allowed a misguided minority to obstruct our Nation's progress. This is what he said:

The philosophy of the Constitution and the Bill of Rights is not simply to grant the majority the power to rule, but is also to set out limitation after limitation upon that power. Freedom of speech, freedom of the press, freedom of religion: What are these but the recognition that at times when the majority of men would willingly destroy him, a dissenting man may have no friend but the law? This power given to the minority is the most sophisticated and the most vital power bestowed by our Constitution.

Understand what was taking place here. Senator Inouye spoke as the Senate was debating whether to weaken the rights of the Senate minority, so that the Senate majority could end grave injustice by enacting civil rights legislation. Senator Inouye, a man who had himself felt the pain of racial discrimination, even during and after his remarkable service to this nation during World War II, used his first speech on this floor to warn against the attempts "to destroy the power of the minority . . . in the name of another minority."

I want to make clear to my colleagues my belief that defense of the minority's rights in the Senate is not defense of the current use, and abuse, of those rights. It is not a defense of a few who threaten routinely to prevent consideration of judicial nominees

unanimously approved in committee, or to prevent debate on legislation. We need to act so that the Senate can function again.

But we can't save the Senate by destroying its very nature and role. In the past, Senators strongly committed to reforming the Senate rules have been equally committed to preserving its institutional strengths. Listen to the words of Senator Mansfield, who, in 1967, worked to reform the cloture rule so the Senate would function more normally—but, importantly, urged his colleagues not to pursue those reforms by the destructive means of establishing simple majority cloture to end debate on a rules change. While arguing strongly for reform, Senator Mansfield said, “[The] urgency or even wisdom of adopting the three-fifths resolution does not justify a path of destruction to the Senate as an institution and its vital importance to our scheme of government. And this, in my opinion, is what the present motion to invoke cloture by simple majority would do.” Senator Mansfield added: “I simply feel the protection of the minority transcends any rule change, however desirable. . . . The issue of limiting debate in this body is one of such monumental importance that it reaches, in my opinion, to the very essence of the Senate as an institution. I believe it compels a decision by more than a majority.”

In 1975, Senator Byrd argued in favor of the rule change reducing the number of votes needed to end debate from 67 to 60. But he strongly opposed using simple-majority cloture of the debate on that rules change. “I feel that a three-fifths cloture vote would protect the minority, protect the uniqueness of this institution, and preserve a fair and equitable way to close debate. But I am not for destroying the Senate as a unique institution in an effort to reach that end.”

In 2010, in testimony before the Rules Committee on this subject, Senator Byrd said:

During this 111th Congress, in particular, the minority has threatened to filibuster almost every matter proposed for Senate consideration. I find this tactic contrary to every Senator's duty to act in good faith. I share the profound frustration of my constituents and colleagues as we confront this situation. The challenges before our nation are too grave, too numerous, for the Senate to be rendered impotent to address them, and yet be derided for inaction by those causing the delays. . . . Does the difficulty reside in the construction of our rules, or does it reside in the ease of circumventing them? A true filibuster is a fight, not a threat, not a bluff. . . . Now, unbelievably, just the whisper of opposition brings the ‘world's greatest deliberative body’ to a grinding halt. . . . Forceful confrontation to a threat to filibuster is undoubtedly the antidote to the malady.

There have without question been times when a self-interested or hide-bound minority in the Senate has frustrated American progress. But there

have also been times when a Senate majority has attempted to impose its will in ways that would have been harmful. Those instances resonate far less loudly when one is a supporter of a frustrated majority. But those of us who have served in the minority in this body, as I have for nearly half my time in the Senate, remember them well.

In the recent past, Senate Democrats in the minority used the protections afforded the minority to block a series of bills that would have unwisely restricted the reproductive rights of American women. We beat back special-interest efforts to limit Americans' ability to seek justice in our courts when harmed by corporate wrongdoing. We used those protections to seek an extension of unemployment benefits for millions of Americans. We used them to oppose the nomination of nominees to the Federal courts who we thought would do great harm to the law. Progressives distressed that the recent fiscal cliff agreement raised the estate tax exemption to more than \$5 million should recall that without the protections afforded the Senate minority, a total repeal of the estate tax would have passed the Senate in 2006. Forty-one Senators prevented that from happening.

Over the history of this body, giants of the Senate have repeatedly warned us against the danger of damaging, even with the best of intentions, the Senate's protections for minority rights and extended debate. Time and again, the Senate has heeded those warnings. While it is necessary to reasonably preserve those minority rights, it also is urgent that we restore the Senate's ability to function. Unless we do that, the Senate's character and function within our system of government will remain threatened by constant gridlock. The bipartisan proposal before us holds the promise of restoring the Senate's deliberative and legislative process, without going down a “nuclear” path that might severely damage the Senate in an attempt to save it. This proposal holds the promise of demonstrating to a nation hungering for bipartisan cooperation that we are capable of providing it. I urge my colleagues to embrace a bipartisan approach that will allow us to end the gridlock of which we have seen too much, and to do so with the bipartisan spirit of which our people have seen too little.

Mr. LEVIN. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I wish to thank Senator LEVIN for his leadership, as well as Senator MCCAIN, Senators SCHUMER, CARDIN, PRYOR, and Senator KYL—who has now retired from the Senate—and Senator BARRASSO. We are hopeful the leaders will be able to recommend to us a set of changes in

our rules and procedures and practices that will help the Senate operate in a fairer and more efficient way. That is what all of us want. It is surprising how many of us want that.

We all worked pretty hard to get here. We all understand we are political accidents. The Senator from Maine, the Senator from Arkansas—we all know that. We are very fortunate to be here. While we are here, we would like to contribute something. That gets down to a couple things. Let's make it easy for a committee bill to come to the floor, and let's make it easier for Senators from the various States and from various points of view to have their say. Allow them to offer their amendment and have it voted up or down and to have a final vote. That is all.

I often use the analogy of the Grand Ole Opry. A person is lucky to be on the Grand Ole Opry. If you are there, you want to sing. Sometimes being in the Senate has been like being in the Grand Ole Opry and not being able to sing. We have all done the finger-pointing. The Democrats—the majority—say: You Republicans are filibustering. You are blocking things and keeping things from happening.

What we are saying is the majority leader has used the gag rule 69 times. Senator Daschle only used it once. What the eight of us found very quickly when we sat down in the first meeting a few weeks ago was that we were of the same mind. We honored this institution and we believe our country has serious problems. We want to get to those problems, and we want to serve our country well in the position we have.

If we are from Michigan, we want to be able to offer the voices of Michigan on the floor of the Senate. If we are from Nashville or the mountains of Tennessee or Maine, we want to be able to do the same. We want our voices heard—not our voices but the voices of the people whom we represent. That is the importance of the discussion we are having today.

My hope is the majority leader and the Republican leader—and I congratulate them for sort of sticking their necks out in their respective conferences—recommend a way that we can do two things: make it easier for bills to come to the floor and make it easier for Senators to get their amendments in. I believe if that happens, this Senate will see a new day.

On this side of the aisle, we believe we don't need rules changes; that we just need a change in behavior. On the other side of the aisle, there are those who say: Let's get rid of the filibuster. I think once we get back into what we call regular order, all that talk will go away. I think Senator MIKULSKI and Senator SHELBY are going to have 10 or 11 or 12 appropriations bills ready to come to the floor within a few weeks,

and I think they are going to want them to be considered by this body. If they do, we will be busy for 8 or 10 weeks and we will have dozens of amendments. I heard the chairman of the Budget Committee say she intended to have a budget and, if she does, we will have dozens of amendments. Then the voices of the people of this country will be heard here on the floor of the U.S. Senate. We will have votes, we will have amendments, and we will be doing our job, and all of this talk we are having right now will be pushed into the background.

There is a reason for a Senate that is different than the House of Representatives. It goes all the way back to the founding of our country. It was noticed by the first observers of our country. Alexis de Tocqueville, in his fascinating view of America in "Democracy in America" which he wrote in the early part of the 19th century, said America faced two great challenges. One was Russia. The other one was the tyranny of the majority. This is a democracy. This is a majority rules country. But he saw in a great, big, complex country the danger of the tyranny of the majority. And this institution, the U.S. Senate, has from the beginning of the country protected the minority and protected the unpopular view. If a Senator didn't like the Vietnam war, he or she could stand up and say something here and maybe do something about it. Or if a Senator was on the other side, maybe he or she could do something about it. They could make people slow down and stop and think before the country rushes ahead.

Senators of both parties eloquently, as Senator LEVIN has pointed out, have defended that right. We Republicans in the Bush administration were so upset about the Democrats' blocking of judges that we said we might use the nuclear option, that we might turn this into a majority body. Now there are a number of Democrats who feel the same way here. I hope we put that away and realize that this is the body that stands up for minority views in this country and says, don't run over minorities. Stop and think. Stop and think before you do that. Then we forge a consensus.

To conclude my remarks—because I see the Senator from Arkansas, who has been an outstanding contributor to this effort, as he has been through his time in the Senate—I came to the Senate as a young staff aide in 1967. That was a long time ago. I saw a little bit of how important it is to have a body that gains a consensus when we are talking about a big, difficult issue for the whole country. In 1967, the issue was civil rights. The Senator from Maine knows about those early days in the Senate. The Senator from Michigan does as well. There were a minority of Republicans at that time. Everett Dirksen was the Republican leader. But

the civil rights bill of 1968 was written in the Republican leader's office. Why? Because at that time they had to get 67 votes to pass it.

One might say, Well, that shows what is wrong with the Senate, because it slowed things down. But looking back over history, those last 8 or 10 years of civil rights laws, the Voting Rights Act, eventually all of the laws that changed our country and continue to change it, were big steps. And what happened in 1968 once the Senate gained a consensus on civil rights? Senator Russell, who led the opposition to the civil rights bill through his whole career, got on the airplane, went home to Georgia and said, It is the law of the land. Now we obey it.

So the value of having a body in our government that respects the minority and forces a consensus is that once we reach that consensus—once we reach it—we then have a better chance of having the country behind what we do on the very controversial and difficult issues we face.

So if this works out as I hope it does today, I pledge my part to work with the majority, as one Senator, to help make sure bills come to the floor, and to work with Republican Senators in the minority to help make sure they get their amendments. If we do, I think we will do our job better, we will gain more respect, the country will have a stronger government, and the rights of the minority will be protected.

I thank Senator LEVIN for his leadership, as well as Senator PRYOR and the others with whom I have worked.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Mr. President, I wish to thank Senator LEVIN and Senator ALEXANDER for their kind comments about me. The Senator from Tennessee and I came to the U.S. Senate at the same time. That was 10 years ago.

One of the things I think everyone would agree with is we have seen over the last 10 years a waning of effectiveness in the Senate. A large part of that is the fact that this floor is not used as it should be. This floor has been used to block and obstruct. Both parties are guilty of that. This floor should be the marketplace of ideas. It should be where we come together and we work to resolve our differences. Our differences may be partisan, they may be regional, they may be philosophical, they may be generational, whatever, but our Founding Fathers set up our system of government where there would be one place where difficult, complex, thorny, even sometimes politically treacherous issues can be resolved, and that is on the floor of the U.S. Senate.

When we, again Democrats and Republicans, abuse the rules around here and we stymie the Senate from acting, we get gridlock, and gridlock is not

good for the country. I firmly believe one of the reasons the American public is so disgusted with Congress right now is because of the things that are happening and not happening on this floor.

When we think about our system of government and when our Founding Fathers set it up, of course we have the three branches, but as a practical matter, the floor, right here, is the only place in our government where the American people—the people we represent—can actually see their law being made. Americans don't see law being made at the White House. They go out there and they huddle up in their conference rooms and they come out to the Rose Garden and they make the announcement. We never see the process. We don't see the process in the U.S. Supreme Court or in the courts of appeals. What happens there is the lawyers and the parties come in and make their cases and then the Justices and judges go back and conference and they talk about it back in their chambers, and they come out with their decision, and that is what we have. We don't always know what the deliberations are. We don't know all the considerations. The same thing in the U.S. House of Representatives, with all due respect to our other Chamber down the hall. Because of the way their rules operate, because of the Rules Committee and the way it is structured and their history and, quite frankly, their DNA, it is a majoritarian body. But not the U.S. Senate. In the Senate we allow Senators to amend and debate and to vote. That has been one of the problems here in the last 10 years. The Senator from Tennessee—and I see the Senator from Texas on the floor—we all came in together. This Senate has lost a lot of ability to do that.

I am firmly convinced we have sufficient verbiage in rule XXII of the Senate Rules to require a talking filibuster. I think that is critically important. It is not a new interpretation, but it is utilizing the existing interpretations, the longstanding history of the Senate, based on parliamentary decisions, based on decades of things that have happened here on the floor, where we have the authority already in rule XXII. But we have asked our two leaders to clarify and state and notify all of us how we are going to handle issues during this Congress. The way we are going to handle it when it comes to the talking filibuster is we are going to require Senators to be here to object. No more phone-in filibusters. We are going to require Senators to come down and state their objections, to come down and actually speak. If they have a problem with moving forward, they need to come and speak about it. If they want to start a filibuster, they should be here to speak on the floor. What is going to happen is the majority of Senators who want to see legislation get done may have to do a little

work and be here late nights, but that is part of it. That is what we signed up for. It is like the Senator from Tennessee said a few moments ago. We all worked very hard to get here, and we came here to work for the country. If we are ever going to have a chance of resolving the big and difficult issues that face our Nation—issues such as our debt and deficit; issues such as the fiscal cliff; a whole set of issues including tax reform, entitlement reform—we can bet our last dollar those things are going to happen in the Senate. That is where things get done.

The fiscal cliff, with all due respect to the House, didn't happen in the House, it happened in the Senate. The minority leader and the Vice President worked it out. That is the way things have always gotten done, for the most part, in American history, and that is the way we need to allow things to get done in this Congress, because we have too many big issues to block everything that is coming through on the Senate floor.

Again, I wish to thank Senator LEVIN and Senator MCCAIN for leading this effort. They are great leaders. I thank Senator Kyl, Senator BARRASSO, Senator ALEXANDER. Participating in those meetings with my Republican colleagues was a great experience, to listen to them, listen to their concerns. I think it was an education for all the Democrats to have that quality time where we did listen and then they listened to us. I think that was very important. We need to do more of that around here. We will get a lot more done if we do.

Also, our Democratic colleagues, of course led by Senator LEVIN, Senator SCHUMER, and Senator CARDIN, everybody contributed, and I think it is something we should be proud of and it is also a great victory for bipartisanship. It is a great victory for bipartisanship. I think that is what the American people are screaming out for: for us to work together to get things done, and this is a good example of that.

EXTENSION OF MORNING BUSINESS

Mr. PRYOR. Mr. President, I ask unanimous consent that the period of morning business be extended until 7:15 p.m. today, and that all provisions of the previous order remain in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Georgia.

THANKING OUR COLLEAGUES

Mr. ISAKSON. Mr. President, as I walked to the Capitol, I had not intended to speak. But when I came in and started listening to Senator PRYOR and Senator LEVIN, and I listened earlier today to Senator MCCAIN and now Senator ALEXANDER, it made me want

to come to the floor and thank them for the effort they have made to hopefully make us a better working body in the next 2 years than we would have been otherwise preceding this agreement.

When Senator ALEXANDER made the remarks about our predecessor, Richard Russell, and when he came home to Georgia after a rigorous debate, an arduous debate, that took place on civil rights, it made me recognize the appreciation and respect our predecessors had for the result of the debating process.

As I listened to Senator PRYOR, I had a flashback to 2 weeks ago when a number of us attended the movie "Lincoln." It was a screening of the movie downstairs, and Steven Spielberg was there. I thought about those great scenes in the movie "Lincoln" where the U.S. Congress debated slavery and whether we were going to abolish it. We came to a decision, we had a vote, we debated it, and the abolition of slavery took place, all because the Congress functioned, all because politicians took the issues to the floor. They challenged one another. They worked hard for what they thought was best for the country. I think tonight when we vote on the changes that will be adopted, we preserve the interests of the minority. We preserve the best heritage of this body. We put ourselves in a state where we will debate on the floor of the Senate and make decisions for the American people, and the result will be a better country and a better product by the U.S. Senate.

So I thank, Senator ALEXANDER, Senator PRYOR, Senator MCCAIN, wherever you might be, and Senator CARL LEVIN, for a job well done.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MERKLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. SHAHEEN). Without objection, it is so ordered.

Mr. MERKLEY. Madam President, I rise to share a few comments on the votes that we are about to take. In particular, I am struck by the enormous amount of conversation over the last few days over how we make this body, our beloved Senate, work more effectively in addressing the big issues facing America.

I think all of us have had the experience of our constituents back home recognizing that the last 2 years, and many years before, were ones that we had a particular growing element of paralysis that we had a responsibility to address. Tonight the Senate is going to be speaking in a bipartisan fashion and saying this cannot continue in the

same way; that we need to take steps toward having a more functional Senate.

I don't think it will come as a surprise to anyone in this Chamber that I had hoped we would go a little further in addressing the silent filibuster that has been haunting us in these Halls. But here is the important thing. The important thing is that this Chamber is speaking tonight in a bipartisan voice, in a strong voice, saying we must take steps for this deliberation to work better. I think that message reverberates with the American people who are looking at the many challenges we face as a nation and who have been watching through the courtesy of C-SPAN and seeing that often, when they want us to be addressing these challenges, we are here in quorum calls.

A substantial amount of that can change, both with the modest steps we are taking tonight and, hopefully, in the collaboration between the two parties in the spirit of having a functioning legislature.

I want to thank a number of groups who have worked very hard to bring to us the importance of making change: the Communications Workers of America, the Sierra Club, the Alliance for Justice, the entire Fix the Senate Coalition, Daily Coast, Credo, the Progressive Campaign Committee, and the nearly half million Americans who have signed petitions to say: Please, Dear Senators, work hard on this. It matters. I think their voices were heard.

So I extend my appreciation to the leadership on both sides who have been working so hard to figure out these steps forward, to try to have a series of tools on the motion to proceed, to figure out how we can get more effectively to conference committee with the House, how we can cut down on the number of hours that are often wasted after a cloture vote on a nomination. So there is significant progress in a number of areas.

I certainly pledge to my majority leader and to my colleagues on both sides of the aisle to remain engaged in this conversation about the functioning of the Senate. I appreciate the work they have done. I appreciate the steps we are taking tonight. I also appreciate the spirit in which many folks are saying: Let's make these things work. We hope they work. And if they don't get us there, let's return to this conversation because we do have that underlying responsibility to the citizens of the Nation to have a Senate that can act. In the words of the President just outside a few days ago, it is time to act. He called upon the Nation and he calls upon us, and we make significant steps in that direction tonight.

Mr. UDALL of New Mexico. Mr. President, I rise today to talk about our efforts to change the Senate rules.

For the second time since I have been in the Senate, the constitutional option has been crucial. It has pushed this body to seriously look at changing the way we do business.

This week the majority leader and majority whip declared majority support for the constitutional option. As a result, the Republican leader has finally agreed to some Senate rule changes.

As I said more than 3 years ago when I first proposed the constitutional option, it is time for reform. There are many great traditions in this Chamber that should be protected and respected. But the paralyzing abuse of filibusters is not one of them.

Senators MERKLEY, HARKIN, and I introduced a package of reforms that is fair, that reins in the abuse, and that protects the voice of the minority.

While I believe our reform package is a much better way to restore debate and deliberation to the Senate, I appreciate the leadership's efforts to get a bipartisan agreement. To move forward to reform the filibuster and reduce Senate gridlock.

I have carefully considered the compromise proposal that Leaders REID and MCCONNELL have crafted. I don't believe their proposal does enough to reform the Senate, but it does show that there is consensus, that both sides of the aisle recognize that the Senate is broken, that we must have change.

The leaders' proposal is a step in the right direction. I am most concerned that it does not eliminate the fundamental cause of Senate dysfunction—the fact that any Member can halt Senate business without even showing up on the Senate floor. We shouldn't do away with the filibuster, but we should demand greater responsibility from senators who use it.

The majority leader and the Republican leader are telling us that they will make Senators who object or threaten filibusters come to the floor and actually debate, using the existing rules. The proof of this will be over the next 2 years. We will be watching.

I believe we could have achieved more substantive reform by using the constitutional option to amend the rules with a majority vote. I know several of my colleagues think this would set a dangerous precedent. I disagree.

I know that we may serve in the minority at some point in our Senate careers. Senators MERKLEY, HARKIN, and I have not proposed any rules changes that we are not willing to live with in the minority.

Senator HARKIN made his proposal when he was in the minority. I served in the minority in the House—which is a lot worse than the minority around here. So I don't think looking at our rules and amending them by a majority vote at the beginning of a Congress is dangerous. On the contrary. It is a healthy exercise to make sure we can still function as a legislative body.

We started this effort over 3 years ago. We have made progress. But rules reform is not over. Our work is not complete. We should always seek to find ways to be a better institution. That is why I believe we should review and adopt our rules at the beginning of every Congress.

One of the resolutions today is a standing order—it applies for only this Congress. We will have an opportunity to revisit this in two years.

I want to close by saying this. Since the beginning of this process, my actions have been guided by the great respect I have for the institution of the United States Senate, my reverence for the many great men and women who have served here, and my sincere affection for my colleagues.

That remains true today. I want to thank my colleagues for their consideration of our proposals, for their willingness to listen, and for their friendship.

And I want to make clear to all those who have supported this effort—our work will continue. Our cause endures. History has made clear that substantial reform is more often than not the work of many Congresses, not just one.

I commit to doing all I can to ensure that the Senate is not a graveyard for good ideas, that it is once again the world's greatest deliberative body, and that we have a government that truly responds to the real needs of the American people.

Mr. GRASSLEY. Mr. President, we are facing major changes in how the Senate operates and even minor changes can have big consequences.

Since the Senator even from the smallest State represents hundreds of thousands of Americans, any change to how senators are able to represent their constituents' views is of great importance.

We have heard plenty of talk from the other side of the aisle about how the Senate's current dysfunction simply boils down to Republican abuse of the filibuster.

If you are a partisan Democrat and inclined to think the worst of Republicans, then that explanation may hold water for you.

On the other hand, those who are more fair minded will find themselves wondering if there isn't more to the story.

A fair analysis of what is wrong with the Senate must look at the situation from both sides.

From the Republican point of view, the main gripe with how the Senate has been operating recently is the inability of the minority party to offer amendments and receive a fair hearing for our ideas.

The Senate rules provide that any Senator may offer an amendment regardless of party affiliation.

The longstanding tradition of the Senate is that members of the minor-

ity party have an opportunity to offer amendments for a vote by the Senate, even if those votes don't fit the agenda of the leadership of the majority party.

Of course, if those amendments don't receive a majority of votes in the Senate, they cannot be passed.

No one is arguing for some sort of right of a minority of senators to advance a minority agenda.

However, it is not uncommon for an idea that comes from the minority party to attract votes from the majority party, even enough to pass.

This can be inconvenient or even embarrassing to the leadership of the majority party.

Perhaps there is a Republican amendment that would reveal a split within the Democratic caucus.

Perhaps a Republican might offer an amendment that has broad public support and it would be hard for certain Democrats to explain to the people they represent why they voted against it.

What's wrong with taking tough votes and showing the American people where you stand?

Those who lecture us about majority rule can't have it both ways.

If an amendment gets the votes of 45 Republicans and 6 Democrats, that is a majority, but that is exactly the scenario the majority leader has been trying to avoid.

Minority amendments have routinely, systematically been blocked in recent years in the Senate.

The Majority Leader has consistently used a tactic called "filling the tree" where he offers blocker amendments that block any other senator from offering their own amendment unless he agrees to set his blocker amendments aside.

He is able to get in line first to put his blocker amendments in place because of a tradition that the Majority Leader has priority to be recognized by the presiding officer.

This doesn't appear anywhere in the Senate rules and it arguably contrary to the rules.

This so called filling the tree tactic used to be relatively rare, but it has become routine under this Democratic leadership.

So what are Republicans to do if they have amendments they want to offer?

We can ask the majority leader to allow us to set aside his blocker amendments so we can offer an amendment.

His response has been to ask us what amendments we want to offer, and he will only agree to set aside his blocker amendments if he approves of the particular Republican amendment.

If there are amendments that he doesn't like, he says "No."

Then, with amendments blocked, he makes a motion to bring debate to a close, or "cloture".

When cloture is invoked, it sets up a limited time before a final vote must take place.

By keeping amendments blocked while running out that clock, the majority leader can force a final vote on a bill without having to consider any amendments.

Naturally, under these circumstances, members of the minority party who wish to offer amendments will vote against the motion to end debate and force a final vote until they have had an opportunity to have their amendments considered.

However, when Republicans vote against the majority leader's motion to end debate, we are accused of "launching a filibuster".

Many Americans may be surprised to learn that the Senate rules do not define what constitutes a filibuster.

The Merriam-Webster Dictionary defines a filibuster as "the use of extreme dilatory tactics in an attempt to delay or prevent action especially in a legislative assembly."

The fact is, a filibuster can refer to any procedure perceived as dilatory, which is in the eye of the beholder.

In the case I have described, if Republicans refuse to go along with the majority leader's attempt to deny Senators the right to offer amendments, is that an extreme dilatory tactic?

I would say it is a logical response to an assault on our rights.

Republicans can't be expected to vote for the majority leader's motion to end consideration of a bill before we have had a chance to offer any amendments.

That brings us to the so called "talking filibuster" proposal that has been mentioned so much on the Senate floor.

Some have proposed that Senators be required to talk non-stop on the Senate floor or a final vote can be forced, even if there have been no amendments allowed.

In other words, when the majority leader has amendments blocked, if Republicans want to defend their basic right to offer amendments, they would have to go to the floor and debate non-stop.

That doesn't make any sense.

What does non-stop debate have to do with giving up your right to offer amendments?

Here is where advocates of the so called "talking filibuster" confuse the issue.

As I mentioned, a filibuster can refer to any tactic perceived as dilatory, but when most Americans think of the filibuster, they think of Jimmy Stewart in the classic film *Mr. Smith Goes to Washington* standing and talking without stopping for an extended period of time to delay proceedings and make a point. It just makes sense that if you want to engage in this type of filibuster, you should have to actually speak.

Some Senators would have us believe that somewhere along the line the filibuster was mysteriously transformed

so Senators no longer had to talk on the floor of the Senate, but that is not the case.

The filibuster itself hasn't changed, just what we call a filibuster.

When Democrats complain about Republican filibusters, they aren't talking about Mr. Smith Goes to Washington filibusters.

They are talking about Republicans refusing to vote for the majority leader's motion to end consideration of bills without the opportunity for amendments.

Again, the rules and traditions of the Senate dictate that Senators have a right to offer amendment.

What justification can there be for forcing Senators to speak for hours on the floor or lose the right to offer amendments?

That would just encourage the majority leader to block amendments even more and use this new tool to jam legislation through the Senate without considering alternative views. Such a situation would only make the underlying problem worse.

This isn't just Republicans saying this.

Listen to what the New York Times said: "The use of filibusters has risen since the 1970s, especially when Republicans have been in the Senate minority. But the most recent spike of Republican filibusters has coincided with the Democrats' unprecedented moves to limit amendments on the Senate floor."

The current majority has moved to cut off debate and amendments on a measure other than the motion to proceed over 100 times.

This doesn't even tell the whole story because much of the time, the Senate Majority Leader doesn't have to actually use his amendment blocking tactic.

He simply informs Republicans that he will block amendments, or refuses to commit to allow Republican amendments before making the motion to consider a bill.

Republicans can hardly be expected to vote in favor of taking up a bill under these conditions.

I should point out that it isn't just members of the minority party who have been affected by the blocking of amendments.

There have been far fewer opportunities for Democrat Senators to offer amendments in recent years than used to be the case.

Not all Democrats will agree with every aspect of a bill brought before the Senate by their own leadership.

Rank and file Democrats might also have ideas to improve a bill that had not yet been considered before being taken up by the Senate.

Those who claim to want to fix the dysfunction of the Senate but who focus only on the alleged dilatory tactics by the minority party and ignore

the heavy handed tactics by the current majority party are at best only addressing half the problem.

Moreover, to the extent any change to the Senate rules strengthens the ability of the majority to steamroll the minority, partisanship will only get worse.

The rules of the Senate, which protect the rights of the minority, force the majority to work with the minority if they want to get things done.

As a result, the Senate has historically been a more bipartisan place than the House.

That is a positive feature of the Senate that we should not discard lightly.

The role the Senate was intended to play by our Founding Fathers is clear.

I have described before how the Senate, with its longer staggered terms and other features, was specifically structured to act as a check on the passions of temporary majorities as represented in the House of Representatives.

I won't go into detail on that subject again because it is already in the CONGRESSIONAL RECORD, but I quoted James Madison, the Father of the Constitution, at length.

I have heard some select quotes from the Federalist Papers also used by some on the other side to argue that the Framers of the Constitution actually favored a more strictly majoritarian system.

One common quote is from Federalist 58, which discusses how only a simple majority is required for a quorum in the House of Representatives. Madison explains that this is to prevent a situation where a minority of Members can halt action by walking out, as happened with Democrat State legislators during the redistricting fight in 2003 and more recently in Wisconsin during the debate about collective bargaining for public employees.

In context, I see nothing that would contradict the expressed concerns elsewhere in the Federalist Papers about tyranny of the majority.

I have also heard a reference to Federalist 75, which ironically discusses the supermajority requirement in the Constitution for ratifying treaties.

The discussion is about whether the supermajority ought to be two-thirds of Senators present or two-thirds voting, not whether there ought to be a supermajority requirement.

We can never know what the Framers would have thought of the cloture rule as it currently exists.

However, we know that the Senate was specifically intended to prevent the majority from steamrolling the minority.

The fact is, our Constitution is a compromise between a purely majoritarian system where the rights of the minority are threatened by what Madison called the "superior force of an interested and overbearing majority" and the system under the Articles

of Confederation where nothing could be done unless it was practically unanimous.

Our goal should be to return to the tradition of the Senate as a deliberative body where all Senators have an opportunity to put forward proposals, and the Senate can work its collective will.

Any reform of the Senate rules must balance the interests of the majority with the rights of the minority, not tip the balance toward one or the other.

If we fail to strike that balance, partisanship will only get worse.

That is easier said than done.

I know several Senators put forward proposals that they think are fair and will fix the Senate.

However, it takes more than assurances that you are willing to live under the rules you are prepared to impose should you find yourself in the minority.

You can't say that for sure until you are in that position.

Any serious attempt at a fair approach to the Senate's problems must involve engaging members of the other party and addressing their legitimate concerns.

That means that any reform of the Senate rules must restore a full and open amendment process where individual senators of any party can offer amendments.

Does the deal before us meet that test?

I am not sure.

The deal the two leaders have struck does include a guarantee of two amendments for the minority party, presumably picked by the minority leader.

That at least acknowledges the legitimate concerns on my side of the aisle about the blocking of amendments.

Two amendments is better than none, which is what we have had in practice.

It is also better than a unilateral rules changes imposed by the majority on an unwilling minority.

However, I have described how the right to offer amendments is a fundamental right of individual Senators representing their respective States.

There are 45 Republicans in the Senate, not 2.

It is also true that rank and file Democrats have plenty of proposals they have a right to put forward.

They shouldn't have to ask their leader's permission to do so any more than Republicans should.

Perhaps knowing that he will have to deal with two Republican amendments, the majority leader will decide to allow more bills to be considered under an open amendment process the way they should be. I hope so.

However, it is also possible that the majority leader will decide that there is no reason to ever go back to the traditional open amendment process now

that we have this new process that only guarantees two amendments.

Two amendments could become the new ceiling rather than the floor.

If that is the case, we will have made the Senate more partisan and more dysfunctional.

It remains to be seen these changes will work in practice and I will be watching closely.

Mr. LEAHY. Mr. President, during my 38 years in the Senate, I have served with Democratic majorities and Republican majorities, during Republican administrations and Democratic ones. Whether in the majority or the minority, whether the chairman or ranking member of a committee, I have always stood for the protection of the rights of the minority. Even when the minority has voted differently than I have or opposed what I have supported, I have defended their rights and held to my belief that the best traditions of the Senate would win out and that the 100 of us who stand in the shoes of over 300 million Americans would do the right thing.

Yet over the last 4 years, Senate Republicans have come dangerously close to changing something central to the character of the Senate and threatening its ability to do its work for the American people.

As a caucus, instead of trying to work with us on efforts to help the American people at a time of economic challenges, Senate Republicans have engaged in an across-the-board procedural barricade. On issue after issue, from the DISCLOSE Act to efforts to curb massive subsidies for big oil companies, from the American Jobs Act to the Paycheck Fairness Act, from legislation to help small businesses to providing support for our veterans, Senate Republicans have relied on the unprecedented use of the filibuster to thwart the majority from making progress. They have long since crossed the line from use of the Senate rules to abuse of the rules, exploiting them to undermine our ability to solve national problems.

Filibusters that were once used rarely have now become a common occurrence, with Senate Republicans raising procedural barriers to even considering legislation or voting on the kinds of noncontroversial nominations the Senate once confirmed regularly and quickly by unanimous consent. The leader has been required to file cloture just to ensure that the Senate makes any progress at all to address our national and economic security, and a supermajority of the Senate is now needed even to force a vote on mundane issues.

That is not how the Senate should work or has worked. The Senate is built on a tradition of comity, with rules that only function based on the kind of consent commonly and traditionally given. The rules are not built

to aid and abet Senators using across-the-board filibusters and obstruction at every turn. The Senate does not function if an entire caucus takes every opportunity to use obscure procedural loopholes to stand in the way of a vote because they might disagree with the result. Without serious steps to curtail these abuses, the approach taken the last four years by Senate Republicans risks turning the rules of the Senate into a farce and calls into question the ability of the Senate to perform its constitutional functions.

In an earlier period of Senate history, when the filibuster was widely regarded as having become too great an obstacle for long-overdue reforms—for which there was a wide and general national consensus—I had the honor of playing a small part as a freshman senator during Senator Walter Mondale's heroic and successful efforts to lower the cloture bar from 67 votes to 60 votes. Then, as now, reform came through arduous, bipartisan negotiation.

I am hopeful that the agreement reached today by the majority leader and the Republican leader represents that kind of serious step toward restoring the tradition of the Senate and its ability to work for the American people. I am hopeful that the Republican Senators who join today with Senate Democrats follow through on the commitment they are making to curtail the abuse of Senate rules and practices that have marked the last four years.

The progress we are making today is a credit to Senator MERKLEY, Senator UDALL, Senator HARKIN, and others whose efforts to reform the Senate rules are justified by the abuses we have seen. The diligence and energy of these reformers provided the impetus for the agreement reached today by the majority leader and the Republican leader. In my view the agreement does not go far enough to address abuses, and I wish it included more of the commonsense proposals put forward by the reformers to make the Senate run more efficiently. As I did at the beginning of the last Congress, I support their proposals to put the burden of maintaining a filibuster on those seeking to obstruct the Senate, rather than on those seeking to overcome the obstruction. However, I am willing to accept today's agreement as a meaningful compromise with concessions by both sides that will have the support of senators from both parties, rather than the support of only one party. I will support it because it can be adopted by a supermajority vote instead of the kind of extended and damaging floor fight over the rules that would undermine any progress we hope to make. With so many urgent issues to tackle for the American people, we cannot risk giving opponents of progress another excuse for inaction.

I am encouraged by the verbal agreement between the majority leader and

the Republican leader to change the practices of how the Senate handles filibusters. Under this agreement, the bill managers and leadership would call on Senators who are threatening a filibuster to come to the floor, which will properly put the burden of a filibuster on those seeking to obstruct, rather than those seeking to make progress. The leaders will also press that postcloture debate time be used for debate and will bring votes to produce a quorum to avoid delay. These commonsense steps will help build on today's rules changes to help curtail the abuses we have seen and restore the Senate's ability to work for the American people.

I also believe the Standing Order that is part of today's agreement will give the majority leader new tools for overcoming the wholesale Republican obstruction of President Obama's judicial nominations. As chairman of the Judiciary Committee, I have been especially concerned about the damage being done by Republican obstruction to the Senate's unique responsibility for ensuring that the judicial branch has the judges it needs to do its job. Over the last 4 years, Senate Republicans have abandoned this constitutional responsibility, using unprecedented filibusters to delay and obstruct President Obama from appointing to the Federal bench even judicial nominations that have bipartisan support. As a result of this brand of Republican obstruction, we begin President Obama's second term with the Judiciary nearly 20 percent below where it needs to be in terms of judges, and a prescription for overburdened courts and a Federal justice system that does not serve the interests of the American people.

Senate Republicans have already forced the majority leader to file cloture on 30 of President Obama's judicial nominations, almost all of which were noncontroversial and were ultimately confirmed overwhelmingly. Yet the Senate rules give the minority the ability to demand 30 hours of floor time even after a supermajority of the Senate has voted to end the filibuster of a judicial nomination. This extended debate time is meant to give the Senate a chance to consider amendments that are germane to a bill so it serves no purpose for judicial nominations. Rather, it has been used by Senate Republicans as a threat to obstruct the Senate for days just to get to a vote on each of these noncontroversial nominations. Such an approach has made it easier for a silent minority of Senate Republicans to make the costs too high for the majority leader to push for votes on nominees and has led directly to the unnecessary and damaging backlog of judicial nominations we have seen for years on the Senate calendar.

The agreement reached today has a good chance of curtailing this type of

abuse of the rules in this Congress by reducing this extended debate time after the end of a filibuster on district court nominations from 30 hours to two hours. I believe this change will increase the ability of the majority leader to push for votes on district court nominations, where the threat by Senate Republicans of extended debate time has been particularly damaging.

Federal district court judges hear cases from litigants across the country and handle the vast majority of the caseload of the Federal courts. Nominations to fill these critical positions, whether made by a Democratic or Republican President, have always been considered with deference to the home State Senators who know the nominees and their States best and have been confirmed promptly with that support. Never before in the 38 years I have been in the Senate have I seen anything like what has happened in the last 4 years, when we have seen district court nominees blocked for months and opposed for no good reason. Senate Republicans have politicized even these traditionally non-partisan positions, needlessly stalling them for months with no explanation.

Until 2009, Senators deferred to the President and to home State Senators on district court nominees. During the 8 years that George W. Bush served as President, only five of his district court nominees received any opposition on the floor. In just 4 years, Senate Republicans have voted against 39 of President Obama's district court nominees, and the majority leader has been forced to file cloture on 20 of them, with many more left to linger month after month without a vote on the Senate calendar due to the threat by Republicans to require half a legislative week or more just to confirm one of them. As a result, it has taken the Senate more than three times as long to vote on President Obama's district court nominees as it did to vote on President Bush's.

The agreement reached today will blunt the ability of Senate Republicans to block important legislation and district court nominations without accountability merely by the threat of burning so much Senate time. I wish that the proposal also applied to Federal circuit court or Supreme Court nominations, where the extended postcloture debate time also serves no purpose. But the progress I believe we will make as a result of this bipartisan compromise is a good first step towards helping us reduce the extended backlog of judicial nominations created by Republican obstruction and should result in more judges serving the American people.

There is no question that the reforms sought by many Democratic Senators are justified by the extended and unprecedented abuse of the Senate rules and practices by Senate Republicans

that began when President Obama took office. However, I hope that by reaching this bipartisan agreement we build a foundation for restoring the Senate's ability to fulfill its constitutional duties and do its work for the American people. Now the burden is on Senate Republicans to work with us rather than hide behind an abuse of the rules to block progress.

The American people want Congress to be able to solve national problems like disaster relief, comprehensive immigration reform, and the reauthorization of the Violence Against Women Act. They want us to work together on commonsense solutions to reduce gun violence and to ensure that all Americans have access to a working Federal court system. I hope that today's bipartisan compromise holds the promise of getting more done to help the American people. I look forward to working with those on both sides of the aisle in the coming months.

The PRESIDENT pro tempore. The majority leader is recognized.

AMENDING THE STANDING RULES AND PROCEDURE OF THE SENATE

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to the consideration of the following resolutions en bloc: S. Res. 5, Harkin; S. Res. 15, a resolution providing a standing order to improve procedures for the consideration of legislation and nominations in the Senate; and S. Res. 16, a resolution amending the Standing Rules of the Senate relative to conference motions and bipartisan cloture motions on the motion to proceed.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Further, Mr. President, that the time until 7:55 p.m. be equally divided between the two leaders or their designees for the purpose of debating these resolutions concurrently; that the only amendment in order to any of the resolutions is a Lee amendment to S. Res. 15, that upon use or yielding back of time, the Senate proceed to vote in relation to S. Res. 5; that upon disposition of S. Res. 5, the Senate vote in relation to the Lee amendment to S. Res. 15; that upon disposition of the Lee amendment, the Senate proceed to vote in relation to S. Res. 15, as amended, if amended, and S. Res. 16, in that order with no intervening action of debate; that S. Res. 15 be subject to a 60-vote threshold for adoption; further, that S. Res. 16 be subject to a threshold of two-thirds of those voting for adoption; that there be no other amendments, motions, or points of order in order to any of these resolutions prior to the votes in relation to the resolutions; finally, none of the resolutions be divisible.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the resolutions by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 5) amending the Standing Rules of the Senate to provide for cloture to be invoked with less than a three-fifths majority after additional debate.

A resolution (S. Res. 15) providing a Standing Order to improve procedures for the consideration of legislation and nominations in the Senate.

A resolution (S. Res. 16) amending the Standing Rules of the Senate relative to conference motions and bipartisan cloture motions on the motion to proceed.

The PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. I yield the time on this side to the Senator from Utah.

The PRESIDENT pro tempore. The Senator from Utah is recognized.

Mr. LEE. Mr. President, in just a moment I will be offering an amendment to S. Res. 15. The purpose of this amendment is to protect this institution as the world's greatest deliberative legislative body. The hallmark characteristics of this body that make it distinct, that make it both great and deliberative, include the fact that as individual Senators we are supposed to have the right to participate in an open and robust debate that includes an open amendment process. This is historically one of the things that has defined this institution. It is naturally the outgrowth of the fact that pursuant to article V of the Constitution, each State of the Union is entitled to equal representation in the Senate.

So as we are talking tonight, we have to remember that we are not talking about the rights of the minority or the majority. We are talking about the rights of each individual Senator having been duly elected by the voters in his or her State. I have a concern that some of the implications of S. Res. 15 could undermine this characteristic of the Senate. In other words, S. Res. 15, while crafted with the very best of intentions, could be applied at some point so as to undermine this right of each and every Senator to offer an amendment.

What my amendment does is to guarantee that once this procedure, the procedure under the standing order created by S. Res. 15—once it has been invoked, every Senator in this body would have the right to file, postcloture, a germane amendment to the pending legislation.

I think the history, the custom, and the tradition of this body and all the things that have made this body great require nothing less than that.

I urge my colleagues to support this amendment once we bring it up.

I yield my time.

Mr. REID. I yield 1 minute to the Senator from Iowa.

The PRESIDENT pro tempore. The Senator from Iowa is recognized.

Mr. HARKIN. Mr. President, I have long believed that rule XXII does not define the Senate. The Senate is de-

fined in the Constitution, and it does not mention rule XXII or filibusters.

Second, I do not believe the dead hand of the past should control any Senate now or in the future.

Third, I believe the filibuster should be used to slow things down, to make sure the minority has the right to offer amendments and to have them debated and voted on. It does not mean the minority has a right to win, but they have the right to debate and slow things down. The filibuster should not be used as a method to put things in the trash can.

As George Washington supposedly said to Jefferson, it was to cool things down. I can understand that. But the filibuster has been used, and it will still be used even in the future, so that the minority can stop the majority. I have long believed the majority should have the right to enact legislation with due regard for the rights of the minority to be able to offer amendments and slow things down. But that is not what is happening and that is what my proposal I first offered in 1995, and continue to offer today, would do.

Yes, it would protect the filibuster as a means of slowing things down, but eventually the majority would be able to act, and that is as I think the Founders and the drafters of our Constitution really meant it to be.

The PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, I believe I have no further requests for time on this side. If that, in fact, is the case, and the Republican leader has no request for time, I yield whatever time I have.

Mr. MCCONNELL. I yield whatever time we have.

The PRESIDENT pro tempore. All time is yielded back. The question is on agreeing to S. Res. 5.

The resolution (S. Res. 5) was rejected.

The PRESIDENT pro tempore. The pending business is S. Res. 15.

AMENDMENT NO. 3

Mr. LEE. I call up my amendment.

The PRESIDENT pro tempore. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Utah [Mr. LEE] proposes an amendment numbered 3.

Mr. LEE. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To amend the Standing Rules of the Senate to reform the filibuster rules to improve the daily process of the Senate)

At the end of the resolution, insert the following:

SEC. _____. REFORM THE FILIBUSTER RULES.

(a) MOTIONS TO PROCEED.—Paragraph 2 of rule VIII of the Standing Rules of the Senate is amended by striking “to proceed to the

consideration of bills and resolutions are debatable.” and inserting the following: “to proceed to the consideration of any matter, and any debatable motion or appeal in connection therewith, shall be limited to not more than 4 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees except for—

“(a) a motion to proceed to a proposal to change the Standing Rules which shall be debatable; and

“(b) a motion to proceed to executive session to consider a specified item of executive business and a motion to proceed to consider any privileged matter which shall not be debatable.”.

(b) NO FILIBUSTER AFTER COMPLETE SUBSTITUTE IS AGREED TO.—Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended by adding at the end the following:

“If a complete substitute amendment for a measure is agreed to after consideration under cloture, the Senate shall proceed to the disposition of the measure without intervening action or debate except one quorum call if requested.”.

(c) ONE MOTION RELATED TO COMMITTEES ON CONFERENCE.—Rule XXVIII of the Standing Rules of the Senate is amended by adding at the end the following:

“10. (a) A single motion to disagree with a House amendment or amendments or insist on a Senate amendment or amendments, request a conference with the House, or agree to the conference requested by the House on the disagreeing votes of the two Houses, and authorize the Chair to appoint conferees on the part of the Senate shall be in order, shall not be divisible, and shall not be subject to amendment.”.

(d) TIME PRE-CLOTURE.—Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended—

(1) in the first undesignated subparagraph—

(A) by inserting “for a measure, motion, or other matter that is subject to amendment, at any time after the end of the 12-hour period beginning at the time the Senate proceeds to consideration of the measure, motion, or other matter and, for any other measure, motion, or other matter,” before “at any time”;

(B) by striking “any measure” and inserting “the measure”; and

(C) by striking “one hour after the Senate meets on the following calendar day but one” and inserting “24 hours after the filing of the motion”; and

(2) in the third undesignated subparagraph, by striking the second sentence and inserting “Except by unanimous consent, no amendment shall be proposed after the vote to bring the debate to a close, unless it had been submitted in writing to the Journal Clerk 12 hours following the filing of the cloture motion if an amendment in the first degree, and unless it had been so submitted at least 1 hour prior to the beginning of the cloture vote if an amendment in the second degree.”.

(e) ABILITY OF SENATORS TO OFFER AMENDMENTS.—Rule XV of the Standing Rules of the Senate is amended by adding at the end the following:

“6. (a) If cloture is invoked on a measure or matter that is subject to amendment, each Senator who has not offered an amendment during consideration of the measure or matter may offer 1 amendment to the measure or matter (without regard to whether the amendment is actually pending and notwithstanding the expiration of the time for consideration of the measure or matter under

paragraph 2 of rule XXII or any other rule of the Senate) if—

“(1) the Senator submitted written notice of the intent of the Senator to offer an amendment in accordance with this paragraph not later than 12 hours after the filing of the motion to invoke cloture on the measure or matter; and

“(2) the amendment is timely filed, germane, and otherwise meets the requirements for an amendment under paragraph 2 of rule XXII.

“(b) If a Senator fails to submit written notice in accordance with subparagraph (a), the right to offer an amendment under this paragraph is forfeited.

“(c) An affirmative vote of three-fifths of the Senators duly chosen and sworn shall be required to sustain an appeal of a ruling by the Chair that an amendment offered under this paragraph is not germane.”.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment (No. 3) was rejected.

The PRESIDENT pro tempore. The question is now on agreeing to S. Res. 15.

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second. There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Louisiana (Ms. LANDRIEU) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Indiana (Mr. COATS), the Senator from Oklahoma (Mr. COBURN), and the Senator from South Carolina (Mr. GRAHAM).

The PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 78, nays 16, as follows:

[Rollcall Vote No. 1 Leg.]

YEAS—78

Alexander	Franken	Merkley
Ayotte	Gillibrand	Mikulski
Baldwin	Grassley	Moran
Barrasso	Hagan	Murkowski
Baucus	Harkin	Murphy
Begich	Heinrich	Murray
Bennet	Heitkamp	Nelson
Blumenthal	Hirono	Portman
Blunt	Hoehn	Pryor
Boozman	Inhofe	Reed
Boxer	Isakson	Reid
Brown	Johanns	Roberts
Cantwell	Johnson (SD)	Rockefeller
Cardin	Kaine	Schatz
Carper	Kerry	Schumer
Casey	King	Shaheen
Cochran	Kirk	Stabenow
Collins	Klobuchar	Tester
Coons	Lautenberg	Thune
Corker	Leahy	Udall (CO)
Cornyn	Levin	Udall (NM)
Donnelly	Manchin	Warner
Durbin	McCaill	Warren
Enzi	McCaskill	Whitehouse
Feinstein	McConnell	Wicker
Fischer	Menendez	Wyden

NAYS—16

Crapo	Lee	Sessions
Cruz	Paul	Shelby
Flake	Risch	Toomey
Hatch	Rubio	Vitter
Heller	Sanders	
Johnson (WI)	Scott	

NOT VOTING—6

Burr	Coats	Graham
Chambliss	Coburn	Landrieu

The PRESIDENT pro tempore. The 60-vote threshold having been achieved, the resolution is agreed to.

Mr. REID. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The resolution (S. Res. 15) reads as follows:

S. RES. 15

Resolved,

SECTION 1. CONSIDERATION OF LEGISLATION.

(a) MOTION TO PROCEED AND CONSIDERATION OF AMENDMENTS.—A motion to proceed to the consideration of a measure or matter made pursuant to this section shall be debatable for no more than 4 hours, equally divided in the usual form. If the motion to proceed is agreed to the following conditions shall apply:

(1) The first amendments in order to the measure or matter shall be one first-degree amendment each offered by the minority, the majority, the minority, and the majority, in that order. If an amendment is not offered in its designated order under this paragraph, the right to offer that amendment is forfeited.

(2) If a cloture motion has been filed pursuant to rule XXII of the Standing Rules of the Senate on a measure or matter proceeded to under this section, it shall not be in order for the minority to propose its first amendment unless it has been submitted to the Senate Journal Clerk by 1:00 p.m. on the day following the filing of that cloture motion, for the majority to propose its first amendment unless it has been submitted to the Senate Journal Clerk by 3:00 p.m. on the day following the filing of that cloture motion, for the minority to propose its second amendment unless it has been submitted to the Senate Journal Clerk by 5:00 p.m. on the day following the filing of that cloture motion, or for the majority to propose its second amendment unless it has been submitted to the Senate Journal Clerk by 7:00 p.m. on the day following the filing of that cloture motion. If an amendment is not timely submitted under this paragraph, the right to offer that amendment is forfeited.

(3) An amendment offered under paragraph (1) shall be disposed of before the next amendment in order under paragraph (1) may be offered.

(4) An amendment offered under paragraph (1) is not divisible or subject to amendment while pending.

(5) An amendment offered under paragraph (1), if adopted, shall be considered original text for purpose of further amendment.

(6) No points of order shall be waived by virtue of this section.

(7) No motion to commit or recommit shall be in order during the pendency of any amendment offered pursuant to paragraph (1).

(8) Notwithstanding rule XXII of the Standing Rules of the Senate, if cloture is invoked on the measure or matter before all

amendments offered under paragraph (1) are disposed of, any amendment in order under paragraph (1) but not actually pending upon the expiration of post-cloture time may be offered and may be debated for not to exceed 1 hour, equally divided in the usual form. Any amendment offered under paragraph (1) that is ruled non-germane on a point of order shall not fall upon that ruling, but instead shall remain pending and shall require 60 votes in the affirmative to be agreed to.

(b) SUNSET.—This section shall expire on the day after the date of the sine die adjournment of the 113th Congress.

SEC. 2. CONSIDERATION OF NOMINATIONS.

(a) IN GENERAL.—

(1) POST-CLOTURE CONSIDERATION.—If cloture is invoked in accordance with rule XXII of the Standing Rules of the Senate on a nomination described in paragraph (2), there shall be no more than 8 hours of post-cloture consideration equally divided in the usual form.

(2) NOMINATIONS COVERED.—A nomination described in this paragraph is any nomination except for the nomination of an individual—

(A) to a position at level I of the Executive Schedule under section 5312 of title 5, United States Code; or

(B) to serve as a judge or justice appointed to hold office during good behavior.

(b) SPECIAL RULE FOR DISTRICT COURT NOMINEES.—If cloture is invoked in accordance with rule XXII of the Standing Rules of the Senate on a nomination of an individual to serve as a judge of a district court of the United States, there shall be no more than 2 hours of post-cloture consideration equally divided in the usual form.

(c) SUNSET.—This section shall expire on the day after the date of the sine die adjournment of the 113th Congress.

STANDING ORDER

Mr. REID. Mr. President, I ask unanimous consent for the Republican leader and me to have a brief colloquy about the application of the standing order related to motions to proceed and nominations that the Senate will consider. The template for this order was a bipartisan proposal developed by Senators LEVIN and MCCAIN and other Members on both sides of the aisle.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCONNELL. The proposal, as initially developed, provided that the bill managers and the floor leaders of the respective parties would be able to offer one amendment each if the motion to proceed to a matter were employed as it is available in the standing order. The majority leader and I thought it important not to codify who would offer those amendments on each side of the aisle.

Mr. REID. In addition, the amendment process set out in this order is not to be understood as establishing a ceiling for offering amendments, but instead setting a floor for offering them. The order sets out a structure for beginning the amendment process, not ending it.

Mr. MCCONNELL. I agree. The Senate works best when all Members have a reasonable opportunity to offer amendments and put forth the views of their constituents.

Mr. REID. And although the order provides that in the amendment sequence, the majority party has the ability to offer the last amendment, the majority will not use that last amendment to eliminate or remove language, if any, that the minority was able to add to the underlying matter through the Senate adopting any of the minority's preceding amendments.

Mr. McCONNELL. On the subject of nominations, Senate Republicans will continue to work with the majority to process nominations, consistent with the norms and traditions of the Senate. One of those customs is for home-State senators to be consulted on, and approve of, nominations from their States before the committee on the Judiciary moves forward with considering those nominations, be it a nomination to serve as a U.S. Attorney, U.S. Marshall, or judicial officer. It is my understanding that the order does not change, in any way, the Senate's "blue slip" process.

Mr. REID. I agree. Furthermore, it is our expectation that this new process for considering nominations as set out in this order will not be the norm, but that the two leaders will continue to work together to schedule votes on nominees in a timely manner by unanimous consent, except in extraordinary circumstances.

Mr. McCONNELL. Finally, I would confirm with the majority leader that the Senate would not consider other resolutions relating to any standing order or rules this Congress unless they went through the regular order process?

Mr. REID. That is correct. Any other resolutions related to Senate procedure would be subject to a regular order process including consideration by the Rules Committee.

Mr. McCONNELL. I thank the majority leader for confirming my understanding of the application of the standing order.

Mr. REID. In addition to the standing order, I will enforce existing rules to make the Senate operate more efficiently. After reasonable notice, I will insist that any Senator who objects to consent requests or threatens to filibuster come to the floor and exercises his or her rights himself or herself. This will apply to all objections to unanimous consent requests. Senators should be required to come to the floor and participate in the legislative process—to voice objections, engage in debate, or offer amendments.

In addition, Rule XXII makes provision for 30 hours of debate after cloture is invoked. Within the 30 hours, Senators have strict limitations on the amount of time each Senator is allowed to speak. These limits should be enforced and Rule XXII further says, "After no more than thirty hours of debate," so 30 hours will be considered the outside limit of post-cloture debate time.

Finally, we will also announce that when the majority leader or bill manager has reasonably alerted the body of the intention to do so and the Senate is not in a quorum call and there is no order of the Senate to the contrary, the Presiding Officer may ask if there is further debate, and if no Senator seeks recognition, the Presiding Officer may put the question to a vote. This is consistent with precedent of the Senate and with Riddick's Senate Procedure, 1992. See page 716 in Riddick's and footnotes 385 and 386 on page 764. This can be done pre-cloture or post-cloture on any amendment, bill, resolution or nomination.

Mr. McCONNELL. This is consistent with the precedent of the Senate with the understanding that Senators are given the timely notification of the Presiding Officer's intention so that they will be able to come to the floor to exercise their rights under the rules.

MOTION TO PROCEED

Mr. McCain. Mr. President, I ask that Senators ALEXANDER and BARRASSO engage in a colloquy with me about our understanding of the operation of the standing order that the Senate just adopted related to motions to proceed and nominations, and our intent in drafting it.

The prospect of the majority, for the first time, changing the Standing Rules of the Senate by violating the provisions of those very rules was jarring to me and several of my colleagues, on both sides of the aisle, who care about this institution and the uniquely important role it serves in our Republic. Use of this unprecedented tactic for changing the standing rules would be a nuclear option, for it would irreparably damage the institution just to accommodate the desires of the current majority. Over the years Senators of both parties have eloquently stated where doing this would, in the words of the current majority leader in 2005, be: "The end of the U.S. Senate."

Mr. McCain. Some of the most vociferous proponents of this approach have never served in the minority. They do not appreciate that the course of action they were urging, if undertaken, ultimately would be to their disadvantage when they served in the minority, which inevitably some of them will. So Senators ALEXANDER, BARRASSO and I, along with our former colleague, Jon Kyl, began working with like-minded Members of the majority to diffuse this situation to meet the goals of making it easier for the majority to bring legislation to the floor and making it easier for a member of the minority to offer amendments to that legislation. We worked together to develop recommendations for the majority and minority leaders which we all believed would allow the Senate to function in a fairer and more effective way.

Mr. ALEXANDER. The Senate works best when committee-approved bills

move to the floor in an orderly way and Senators are freely able to debate and amend and vote upon the legislation. Unfortunately, under the current Democratic majority, committee work has been marginalized, as the majority has too often bypassed committees in the legislative process.

And on the Senate floor, the twin hallmarks of the Senate, the right to debate and the right to amend legislation, are barely recognizable: to an unprecedented extent the majority has moved to shut off debate on a matter as soon as the Senate has begun to take up the matter, and it has blocked Members—of both parties—from offering their legislative ideas for the body to consider.

The proposal we developed addressed a concern of the majority—namely, the ability of a majority to take up a matter—but it conditioned its ability to bring that matter to conclusion by giving the minority the right to have the Senate consider at least two amendments of the minority's choosing—without any requirement of germaneness—as well as two amendments of the majority's choosing.

The minority, in fact, would get to offer the first amendment under this procedure. And while the majority would get to offer the last amendment, all eight of the Members who developed this idea—four Republicans and four Democrats—agreed that the majority could not use its final amendment to strike or eliminate legislative language, if any, that the Senate adopted from one of the minority's amendments.

Mr. McCain. That is correct. And I want to underscore that the amendment construct we developed is not to be used as a ceiling to limit the ability of Members of the majority or the minority to offer just two amendments per side. Rather, we intend it to be used as an amendment floor—a minimum guarantee of amendments—that would serve to start the amendment process so as many Members as possible could participate in that process. Having a robust amendment process, especially on legislation of major consequence, is how the Senate has traditionally operated. It is something that has been sorely lacking for the last several years. And it is something that, when it has occurred, has invariably led to legislative achievement. It is for the purpose of strengthening the right to amend legislation that we helped draft the new procedure of a majority motion to proceed. If the majority instead begins to use this procedure to limit the minority to just two amendments before seeking to bring consideration of a bill to a close, then we would view that as an abuse of this procedure. It would break faith with us who worked in good faith. Under those circumstances, we would oppose cloture on the bill and would urge that our colleagues do the same.

Mr. ALEXANDER. I strongly agree with the understanding of my friend, the senior Senator from Arizona. I, too, would oppose cloture on a matter if the majority abused the motion to proceed set out in the order by using that procedure as the high-water mark for the consideration of amendments, rather than as a starting point for a robust amendment process.

Mr. BARRASSO. I agree with the views expressed by my good friends from Arizona and Tennessee. They and I, and our Democratic colleagues, worked in good faith on the concepts embodied in the order the Senate has just adopted. I am hopeful that the majority will use the procedures in this order in harmony with our good intentions. If not, I will oppose cloture on legislation or nominations.

The PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, thank you very much.

We are going to have one more vote tonight. The next vote will be on Sandy and matters relating to Sandy on Monday night at 5:30.

I have spoken with the soon-to-be chair of the Foreign Relations Committee and Ranking Member CORKER. We are going to have a vote after the business meeting sometime on Tuesday on the new Secretary of State.

The PRESIDENT pro tempore. The question is on agreeing to S. Res. 16.

Mr. CORKER. I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second? There appears to be a sufficient second. There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Indiana (Mr. COATS), the Senator from Oklahoma (Mr. COBURN), and the Senator from South Carolina (Mr. GRAHAM).

The PRESIDING OFFICER (Mr. KING). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 86, nays 9, as follows:

[Rollcall Vote No. 2 Leg.]

YEAS—86

Alexander	Coons	Heller
Ayotte	Corker	Hirono
Baldwin	Cornyn	Hoeven
Barrasso	Crapo	Inhofe
Baucus	Donnelly	Isakson
Begich	Durbin	Johanns
Bennet	Enzi	Johnson (SD)
Blumenthal	Feinstein	Kaine
Blunt	Fischer	Kerry
Boozman	Flake	King
Boxer	Franken	Kirk
Brown	Gillibrand	Klobuchar
Cantwell	Grassley	Landrieu
Cardin	Hagan	Lautenberg
Carper	Harkin	Leahy
Casey	Hatch	Levin
Cochran	Heinrich	Manchin
Collins	Heitkamp	McCain

McCaskill	Pryor	Thune
McConnell	Reed	Toomey
Menendez	Reid	Udall (CO)
Merkley	Risch	Udall (NM)
Mikulski	Roberts	Vitter
Moran	Rockefeller	Warner
Murkowski	Schatz	Warren
Murphy	Schumer	Whitehouse
Murray	Shaheen	Wicker
Nelson	Stabenow	Wyden
Portman	Tester	

NAYS—9

Cruz	Paul	Scott
Johnson (WI)	Rubio	Sessions
Lee	Sanders	Shelby

NOT VOTING—5

Burr	Coats	Graham
Chambliss	Coburn	

The PRESIDING OFFICER. On this vote the yeas are 86 and the nays are 9. Two-thirds of those voting having voted in the affirmative, the resolution is agreed to.

Mr. REID. Mr. President, I move to reconsider the vote and lay that motion on the table.

The motion to lay on the table was agreed to.

The resolution (S. Res. 16) reads as follows:

S. RES. 16

Resolved,

SECTION 1. BIPARTISAN CLOTURE ON THE MOTION TO PROCEED.

Rule XXII of the Standing Rules of the Senate is amended by inserting at the end the following:

“3. If a cloture motion on a motion to proceed to a measure or matter is presented in accordance with this rule and is signed by 16 Senators, including the Majority Leader, the Minority Leader, 7 additional Senators not affiliated with the majority, and 7 additional Senators not affiliated with the minority, one hour after the Senate meets on the following calendar day, the Presiding Officer, or the clerk at the direction of the Presiding Officer, shall lay the motion before the Senate. If cloture is then invoked on the motion to proceed, the question shall be on the motion to proceed, without further debate.”.

SEC. 2. CONFERENCE MOTIONS.

Rule XXVIII of the Standing Rules of the Senate is amended—

(1) by redesignating paragraphs 2 through 9 as paragraphs 3 through 10, respectively;

(2) in paragraph 3(c), as so redesignated, by striking “paragraph 4” and inserting “paragraph 5”;

(3) in paragraph 4(b), as so redesignated, by striking “paragraph 4” and inserting “paragraph 5”;

(4) in paragraph 5(a), as so redesignated, by striking “paragraph 2 or paragraph 3” and inserting “paragraph 3 or paragraph 4”;

(5) in paragraph 6, as so redesignated—

(A) in subparagraph (a), by striking “paragraph 2 or 3” and inserting “paragraph 3 or paragraph 4”;

(B) in subparagraph (b), by striking “paragraph (4)” each place it appears and inserting “paragraph (5)”;

(6) inserting after paragraph 1 the following:

“2. (a) When a message from the House of Representatives is laid before the Senate, it shall be in order for a single, non-divisible motion to be made that includes—

“(1) a motion to disagree to a House amendment or insist upon a Senate amendment;

“(2) a motion to request a committee of conference with the House or to agree to a

request by the House for a committee of conference; and

“(3) a motion to authorize the Presiding Officer to appoint conferees (or a motion to appoint conferees).

“(b) If a cloture motion is presented on a motion made pursuant to subparagraph (a), the motion shall be debatable for no more than 2 hours, equally divided in the usual form, after which the Presiding Officer, or the clerk at the direction of the Presiding Officer, shall lay the motion before the Senate. If cloture is then invoked on the motion, the question shall be on the motion, without further debate.”.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business with Senators allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE FUNDING

Mr. REID. Mr. President, 2 years ago my friend the Republican leader and I expressed our intention that the funding allocation adopted for the 112th Congress would serve for that and future Congresses. Over the prior 20 years, the apportionment of committee funding had gone from a straight two-thirds for majority and one-third for minority during the 1990s, regardless of the size of the majority and minority, to biannual negotiations during the following decade. The new funding allocation for Senate committees was based on the party division of the Senate, with 10 percent of the total majority and minority salary baseline going to the majority for administrative expenses. However, regardless of the party division of the Senate, the minority share of the majority and minority salary baseline will never be less than 40 percent, and the majority share will never exceed 60 percent. This approach met our needs for the last Congress, and I would like to see it continue.

Mr. MCCONNELL. Mr. President, I, too, would like to continue this approach for the 113th and future Congresses. It serves the interest of the Senate and the public by helping to retain core committee staff with institutional knowledge, regardless of which party is in the majority. We made a transition in the last Congress to restore special reserves to its historic purpose, but appropriations cuts prevented special reserves from being funded. To the extent possible, we should try to fund special reserves in order to be able to assist committees that face urgent, unanticipated, non-recurring needs. We know that we will

continue to face tight budgets for the foreseeable future, and we have to bring funding authorizations more in line with our actual resources while ensuring that committees are able to fulfill their responsibilities. I look forward to continuing to work with my friend the majority leader to accomplish this.

Mr. REID. I thank my friend the Republican leader and ask unanimous consent that a joint leadership letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JOINT LEADERSHIP LETTER

We mutually commit to the following for the 113th Congress:

The budgets of the Committees of the Senate, including Joint and Special Committees, and all other subgroups, shall be apportioned to reflect the ratio of the Senate as of this date, including an additional ten percent (10%) from the majority and minority salary baseline to be allocated to the Chairman for administrative expenses, to be determined by the Rules Committee.

Special Reserves has been restored to its historic purpose. Requests for funding will only be considered when submitted by a Committee Chairman and Ranking Member for unanticipated, non-recurring needs. Such requests shall be granted only upon the approval of the Chairman and Ranking Member of the Rules Committee.

Funds for Committee expenses shall be available to each Chairman consistent with Senate rules and practices of the 112th Congress.

The Chairman and Ranking Member of any Committee may, by mutual consent, modifying the apportionment of Committee funding and office space.

The division of Committee office space shall be commensurate with this funding agreement.

TRIBUTE TO REV. JOHNNY SCOTT

Mr. DURBIN. Mr. President, Reverend Johnny Scott has announced his retirement after 31 years as president of the NAACP East St. Louis Chapter. As a faith leader, businessman, civil rights activist, husband and father, Rev. Scott has dedicated his life to justice and equality. He is a man who cares about making sure things are done right. East St. Louis—my hometown—is a better place for Reverend Scott's years of service.

A native of Indianola, MS, Johnny Scott went to Mildred Louise Business College in East St. Louis and later LaSalle University in Chicago. He completed his theological studies at the Midwest Theological Seminary.

Rev. Scott was working as bookkeeper by trade, when he was approached about serving as president of the East St. Louis Chapter of the NAACP in 1982. He accepted, but didn't expect to be in the role for more than a year. At the time, he believed that it "was not his type of work."

It turned out to be exactly his type of work. He kept his office doors open

8 hours a day, 6 days a week for the following 32 years.

While he was with the NAACP, Reverend Scott led the effort to create opportunity for and prevent indignities against people of color. He made sure there was scholarship support for thousands of students over the years he served. He played a key role in the U.S. Department of Justice's settlement with the City of Belleville over racial bias in hiring. He helped with sensitivity training for local police. He played a part in mediating disputes around racial epithets used in public. And he represented communities of color on issues from cross burnings to State control of local schools. It is no surprise that membership in the NAACP Chapter in East St. Louis grew under his leadership.

On behalf of a grateful community, I thank the Reverend Scott, his wife Gretta Scott and his three children. He stood and gave voice to a community through 30 years of progress and setbacks, celebration and injury. His leadership has touched East St. Louis deeply. It has been an honor to work alongside Reverend Scott, and Loretta and I wish him and his family the best as he opens the next chapter in his life.

TRIBUTE TO JOE HUBBARD

Mr. DURBIN. Mr. President, I want to take a moment to thank a man that some in my hometown of East St. Louis call a saint and others call "Reverend Joe" although he is not a minister.

Joe Hubbard is the man you call in East St. Louis when you need help and have nowhere else to turn. When Joe was born his parents wanted to name him Raymond Lee. But the Irish priest who baptized him said he should have a good Irish name and so declared him Joseph Patrick, after St. Joseph the Worker. It turned out to be a fitting choice because Joe Hubbard has spent nearly his entire life doing the Lord's work.

He started 50 years ago as a volunteer with the St. Vincent DePaul Society in East St. Louis. Joe was 20 years old back then. He was working as a bookkeeper for the East Side Levee and Sanitary District to help support his widowed mother, but his real joy was helping the poor. Every minute that Joe wasn't working, he was volunteering with St. Vincent DePaul.

After a while Joe quit his job to volunteer full-time to help the people he calls "God's broken people," the poor, the homeless and the friendless of East St. Louis. He did this for a decade.

In 1972, about a dozen priests, nuns and lay leaders in the Roman Catholic Diocese of Belleville drafted a petition that was later signed by every priest then serving East St. Louis. The petition asked the bishop of the diocese to create a small salary for Joe so that he

could continue his good works under the auspices of the Catholic Church. Thus was born in 1973 a new social service agency, Catholic Urban Programs or CUP, as it is sometimes called—with Joe Hubbard as coordinator and sole employee.

CUP's purpose is to perform the works of mercy that Jesus asked of his followers when he told them, "For I was hungry and you gave me food, I was thirsty and you gave me drink, a stranger and you welcomed me, naked and you clothed me, ill and you cared for me, in prison and you visited me."

CUP helps "the in-between people." It fills needs that other organizations, public and private, don't address. In the beginning CUP's services included emergency help, prison ministries and advocacy and guardianships for people who could not manage their own affairs.

Over the decades its programs have grown to include shelters for homeless women, children and families in East St. Louis, a food pantry and a neighborhood law office to provide poor people with legal assistance. Another program, the Griffin Center, offers tutoring and afterschool programs for more than 450 children living in four housing projects in East St. Louis.

On any given day, Joe might give someone money for bus tickets, visit a lonely person in a nursing home, tell stories to children at a day care center, find housing for a family that has been evicted, serve meals at a soup kitchen, attend a funeral and sit up all night at the bedside of someone who is dying and alone.

Above all, what CUP and Joe Hubbard offer is unconditional love. Joe does not hesitate to do work that others might consider too menial or dirty. He will mop up after a sick alcoholic. Twenty years ago, Joe and his right-hand man at CUP, Gerry Hasenstab, found a man living in his car. He was in his 50s and dying. He had open sores and maggots in his arms. His only wish was not to die dirty, in a car. Joe and Gerry got him admitted to a hospital to spend his last hours in a clean bed.

Support for the programs comes from churches and individuals, including many who have been helped by CUP agencies in the past. One woman gave part of her first paycheck to CUP after she got a job. A widow paid CUP back for the money it gave her to help with her husband's funeral.

After the Mississippi River overflowed its banks in 1993, CUP gave a farmer \$400 to buy seed and school supplies. That farmer has sent CUP \$100 every quarter—\$400 a year every year for the last 20 years.

Joe's compassion for others is partly rooted in his own family's misfortune.

Joe is the youngest of four children of Edward and Olga Hubbard. His dad was a steamfitter. When Joe was in

grade school his father was badly injured on the job. He lived with constant wrenching pain for 8 years before dying of cancer.

The loss of his father's income hit Joe's family hard. Men and women from the St. Vincent de Paul Society brought food and coal to help the Hubbards survive. Joe said those volunteers inspired him.

He said, "I remember the dedication they showed, the way they reached out and helped others in need through their love of Christ. And I appreciated that they did it in a quiet manner that enabled people to keep their dignity. Their love of God and love of people inspired me to want to do God's work, too." And that is what Joe Hubbard has done his entire life.

In early November, after 40 years of selfless service, Joe Hubbard announced that he was stepping down as coordinator of CUP. At 70, Joe is starting to get a little tired. He's got diabetes, high blood pressure and bad feet, and the arthritis that has pained him his whole life is getting worse.

On Jan. 1, Gerry Hasenstab, Joe's right hand man at CUP for the last 36 years ago, took over as the agency's new coordinator. But don't think for a minute that Joe Hubbard is finished helping people. Joe also still maintains the Belleville Diocese's two cemeteries. And he still volunteers regularly for the St. Vincent DePaul Society and has a small office in their building, which is right next door to CUP.

When CUP started, they got about two dozen calls a day for help. Now they get about 60 calls a day. Last year, CUP programs helped more than 24,000 people in East St. Louis and St. Clair County.

In a letter announcing his decision to step down, Joe wrote: "As I sit here and realize how the times have changed over the past 40 years of Catholic Urban Programs' existence, I am both amazed and discouraged. Technology has made our lives so much easier and efficient in so many ways. High-efficiency furnaces lower our utility bills. But if a family can't pay for the gas or electric, they are useless."

Technological advances are great for some, Joe added. But they've made life even harder for the needy because non-skilled jobs they used to count on to make a living have nearly disappeared.

A couple years ago, Joe noticed violets blooming on a hill near a burned-out house. He thought it was a sign of hope.

He said: "You have to be a believer to be a survivor."

Joe's belief is that God is in every person and that it is not just a responsibility but a privilege to help those he calls "God's broken people." That belief has defined his life and it has made life kinder and better for countless others in East St. Louis and St. Clair County.

Besides helping people, Joe's other great joy in life is eating good meals with good friends in small, locally owned restaurants. On Saturday, about 400 of Joe's friends will gather at one of Joe's favorites, Fischer's Restaurant in Belleville, to celebrate his retirement as head of CUP. More than that, they will celebrate Joe's unconditional love and unbreakable faith. I want to add my thanks to theirs.

In closing, I would like to read a short editorial about Joe that ran in this past Sunday's Belleville News-Democrat.

Martin Luther King Jr. would have considered Joe Hubbard a kindred spirit. King and Hubbard both spent their careers championing the cause of social justice. King focused on the spirit while Hubbard helped provide for people's physical needs in East St. Louis and throughout the metro-east. Hubbard is retiring after leading Catholic Urban Programs for 40 years.

King considered service to others to be a measure of greatness: "You don't have to have a college degree to serve. . . . You only need a heart full of grace. A soul generated by love."

Hubbard has the sort of heart and soul that King envisioned. Even in retirement, we have no doubt that he will continue his life of service to the poor of our area.

Thank you to Hubbard. May the rest of us learn from his example.

TRIBUTE TO RUSS SULLIVAN

Mr. BAUCUS. Mr. President, Benjamin Franklin once said:

The noblest question in the world is, "What good may I do in it?"

I rise today to honor the service of Russ Sullivan, who was a distinguished member of my staff for more than a decade until his departure earlier this month.

Most of us come to the Senate because it is a place where, despite the many challenges, there remains a capacity to do great good. And too often people forget that. But Russ Sullivan never did. Every day he came to work in the Senate and for the Finance Committee, Russ led by asking our staff how can we do good here? And how can we make this country and the world a better place?

Russ's leadership proves that by working to do good and working together to find solutions we can get things done.

Russ is well known here on Capitol Hill. He has earned the respect and admiration of Senators and staff on both sides of the aisle.

Russ's political career started early. He was twice elected Student Body President—once at McClellan High School and again at Baylor University. He had his sights set on a life of public service in Washington. In 1995, he became tax counsel and Legislative Director to Senator Bob Graham. In 1999, he moved to the Finance Committee staff to serve as Chief Tax Counsel to Senator Daniel Patrick Moynihan.

Russ stayed on at the committee when I became chairman in 2001. Through his proven abilities, he was promoted to the staff director of my team in 2004.

During the past 8 years, Russ led the Finance Committee staff to pass major bills that give real help to families across the country. We cut taxes for middle-class families and small businesses. We defended Social Security from privatization. We opened new markets to U.S. exports to create more jobs here at home. We passed health reform to bring top-notch, affordable care to millions of Americans. And we are currently at work on a plan to modernize the U.S. tax code to reinvigorate the economy and create jobs.

True to his style, Russ did all this without a hint of partisanship. He maintained a laser-like focus on solutions. That focus made the Finance Committee more productive, and it strengthened the bills we passed.

I know there are many people here—including my colleagues in the Senate—who share my deep respect for Russ. Senator REID once called Russ "instrumental" and a "problem-solver."

Former Senator Blanche Lincoln once said, "We could not do our job without him," and boy, is she right. Russ has earned the trust of his colleagues and the admiration of his staff.

People who meet with Russ are often surprised to see his desk tucked between filing cabinets and boxes right alongside interns, assistants and law clerks. Russ is a true team player.

It would be impossible to honor Russ without recognizing his public service off of Capitol Hill. In his life outside the Senate, Russ truly embodies the question of "What good may I do?" For many years, he has been a mentor to young people, making a difference in hundreds of lives.

Several years ago, Russ became a foster parent and legal guardian to help teenage boys secure a better future. Since then, he has been a legal or designated guardian for 18 teenage boys. Thirteen are currently in college, and several more have already earned degrees. One of Russ's sons, Abu Kamara, spoke to the Arkansas Democrat-Gazette when it profiled Russ in 2010. Abu said, "[Russ] kept telling me, keep your head up. He got people to tutor me because my grades weren't good. He kept me focused and made sure I was doing the right thing. He's the reason I graduated from high school."

Abu is the first person from his family to go to college. And there are several other young men who could tell you similar stories.

Last summer, Russ lost one of his sons in a tragic incident. AJ Hassan, who was a student at the University of West Virginia, was assaulted one night and suffered a brain injury. Russ rushed to be at AJ's side, but AJ soon slipped into a coma.

Washington was in the midst of a contentious deficit reduction debate. Somehow, Russ spent months juggling work, AJ's medical condition, and the needs of his other boys. I will never know where he found the time and energy to have all these bases covered so well. But AJ's condition wavered, and there were complications. AJ passed away in July.

There was an outpouring of support for Russ and his family. Russ's friends and colleagues wanted to show him the same kind of caring and support he always shows others.

Russ continues to mentor and help young people, and he is still changing lives. He helped found the Capital Area REACH program, an organization dedicated to helping young people find success.

REACH connects students with job training, internships, tutors and scholarships. Some of these kids come from tough backgrounds. But REACH helps them find a pathway toward a stable and successful life.

In the spirit of extending the same opportunities he had early in his career, Russ started a program for interns, law clerks and fellows to serve on the Finance Committee. It now has hundreds of alumni who got their first shot at work in Congress thanks to Russ.

That includes a large number of people who have moved up the ladder on my staff. Russ fostered a culture where hard work gets the recognition it deserves.

Like any great staffer, Russ would not leave me without an ace replacement to take on his role. We have a deep bench on the Finance Committee, and I am thrilled to have Amber Cottle as my new Staff Director. She has been on my staff for 6 years, most recently as my Chief Trade Counsel. Amber is a pro. She is whip-smart. And she is a master negotiator.

Russ leaves some big shoes to fill. But Amber is more than capable and, as she likes to say, her shoes are much more stylish. I know without a doubt that she will do a great job.

There is one more thing I would like to say about Russ. Rule number one in my office is to remember the people we serve. They are hard-working people back in Montana and around the country, and it is our job to help them out. Russ never forgot that. A southern boy, Russ adopted Montana as his home State. He thinks of the people of Montana as his neighbors. And Russ always rolled up his sleeves and got results. I truly appreciate all he has done.

I know I am not alone in saying: thank you, Russ, for all your service all your hard work over the years. You did good, Russ.

REMEMBERING THEODORE GARDNER

• Mr. PORTMAN. Mr. President, today I wish to honor the life of Theodore

"Ted" Harbison Gardner. He was a devoted husband, father, a proud veteran of the U.S. Navy and a consummate community volunteer whose contributions will have long lasting impacts in the Greater Cincinnati community, and beyond.

Born and raised in Hillsboro, OR, Mr. Gardner was the only child of Vesey Gardner, a prominent community leader and a lumber company owner, and Ruth Gardner, a popular singer. He is a graduate of Oregon State University.

A proud and decorated veteran of World War II, Mr. Gardner withdrew from college to serve in the U.S. Navy the day after the attack on Pearl Harbor. He survived one of the largest and most brutal battles in history—The Battle off Samar—earning his unit aboard the USS *Kalinin Bay* the Presidential Unit Citation, one of the Navy's highest honors.

Ted was an active member of the U.S. Navy League, The Hornet Foundation, and was a member of the advisory board of the Warbird Museum. He was passionate about the importance of oral history and personally interviewed over 150 World War II veterans and recorded and videotaped their stories for the Cincinnati Public Library and for the U.S. Library of Congress.

Following his graduation from Oregon State University, Mr. Gardner got a job with a lumber distributor in Columbus, OH and then later moved to Cincinnati, where he and his wife, Naomi, raised their three children. Mr. Gardner changed careers in the 1970s and worked as a local art dealer until he retired.

Ted was a 30-year member of the Cincinnati Rotary Club, where he was involved in programs to welcome international students studying at area universities and where he participated in events benefiting children with disabilities and youth in government.

A talented musician, Mr. Gardner shared his vocal talents as a member of the Rotary chorus, the choir of the Church of the Redeemer and the Cincinnati May Festival Chorus, where he served as a board member. For 25 years, he sang all four verses of "Taps" in his rich bass voice on Veterans Day at the public library.

Ted was an historian, a lover of art and literature, a musician and an avid sports enthusiast. He is greatly missed, and his extraordinary legacy and giving spirit will not be forgotten.●

PUTTING OUR VETERANS BACK TO WORK

Mr. SANDERS. Mr. President, as incoming chairman of the Senate Veterans' Affairs Committee, one of my top priorities will be to evaluate and improve the training and employment programs afforded to our Nation's servicemembers and veterans.

Every day, far too many young veterans face the harsh realities of unem-

ployment. These are brave men and women who have put their lives on the line defending our country who now struggle to find employment and provide for their families. The Putting Our Veterans Back to Work Act of 2013 will ensure we provide them with much needed support.

This legislation would reauthorize several of the transition, retraining, and employment services created by the VOW to Hire Heroes Act of 2011. That legislation is making a real impact in the lives of countless veterans by providing them with the training opportunities they need in order to secure meaningful employment.

Too often I hear from veterans that the government provides great resources for them to find training and employment opportunities, but they are not sure where to start in order to tap into those resources. Those Departments charged with helping to provide veterans with employment assistance must make certain that they are conducting appropriate outreach so that veterans know where to turn when they need help.

Assisting in this effort, the Putting Our Veterans Back to Work Act would also provide veterans with a new, unified, online employment portal for veterans seeking information regarding employment and job training resources. This online portal would make it easier for veterans to take advantage of the services and opportunities available to them.

At a time when 85 percent of law enforcement agencies were forced to reduce their budget, according to a 2011 survey by the International Association of Chiefs of Police, answering the Nation's public safety needs is also a priority. That is why this legislation would provide potential employers with additional grants for first responder hiring and re-hiring needs.

This legislation would also direct agency heads to favorably consider contractors that employ a significant number of veterans for all contracts over \$25 million. This provision would ensure that contractors, who are doing their part to help veterans find good paying jobs, have a competitive advantage when doing business with the Federal government.

Finally, the Putting Our Veterans Back to Work Act would strengthen our commitment to protecting the employment rights of servicemembers and veterans. These commonsense provisions would build upon existing law by providing the government with additional tools to carry out its obligation to safeguard veterans' employment rights. This legislation would enable the Attorney General to investigate and file suit against a pattern or practice in violation of the Uniformed Services Employment and Reemployment Rights Act and to issue limited civil investigative demands for relevant documentary material. It would

also allow Federal agencies to suspend and debar contractors who repeatedly violate the employment and reemployment rights of members of the uniformed services. Finally, it would provide the Special Counsel with authority to subpoena attendance, testimony, and documents from Federal employees and agencies in order to carry out investigations related to USERRA.

Mr. President, there are a number of great training and employment programs available to veterans. This legislation would strengthen such programs and make certain that veterans have and maintain access to those programs. That is what our veterans are entitled to and that is what we must deliver.

ADDITIONAL STATEMENTS

RECOGNIZING MARILYN AND ALAN BERGMAN

• Mrs. BOXER. Mr. President, the great song lyricists Alan and Marilyn Bergman are being honored by the New West Symphony with its Bravo Award for their extraordinary leadership, their contributions to the Visions of America multimedia project, and their deep and longstanding commitment to music education and the performing arts. I look forward to paying tribute to them at the New West Symphony's event in Los Angeles.

Alan and Marilyn Bergman are two of the world's best-known and best-loved lyricists. From the 1950s calypso hit "Yellow Bird" and Frank Sinatra's "Nice 'n' Easy" to Oscar-winning lyrics for "The Way We Were" and "The Windmills of Your Mind" to themes for many of America's favorite television series, the Bergmans have been contributing to the Great American Songbook for more than 50 years. They have won three Academy Awards (including one for the score of *Yentl*), four Emmys, two Grammys, and two Golden Globe Awards.

They have also worked tirelessly to promote the arts and champion our creative community. Marilyn served for 15 years as President and Chairman of the Board of the American Society of Composers, Authors and Publishers (ASCAP), the world's foremost performing rights organization. In 2002, she was appointed the first chairman of the Library of Congress National Sound Recording Preservation Board.

Alan serves as a member of the Library of Congress National Film Preservation Board, the Johnny Mercer Foundation Board, the Artists' Rights Foundation Board, and the Jazz Bakery Board of Directors.

And together, Alan and Marilyn serve on the executive committee of the Music Branch of the Academy of Motion Picture Arts & Sciences.

They are also strong supporters of music education, including the New

West Symphony's outstanding efforts to provide quality outreach and educational opportunities for our communities and our schools.

Mr. President, I know that you and all our colleagues will join me in saluting two great American artists and this year's Bravo Award winners, Alan and Marilyn Bergman. •

REMEMBERING DR. CARL EVERETT DRAKE, SR.

• Mrs. FEINSTEIN. Mr. President, Dr. Carl Everett Drake, Sr. died peacefully of natural causes at his home in Sacramento Thursday evening. He was 99. Carl Drake was born on August 21, 1913 in Neptune, NJ, the second son of James and Lucy Bingham Drake. Carl was educated in the public schools where he was an outstanding student and even better multisport athlete. His State high school long jump mark of 21' 10" stood for over 25 years. His talents brought him to the attention of coaches from Morgan State College in Baltimore, MD, the top ranked college football program available to African American players in the 1930s. His combination of size, speed, and ferocity won him a starting spot on the championship football team. At 6' 1" and 205 pounds—huge at the time—he was a bruising, standout guard, playing both offense and defense. The team went undefeated for his entire career. He was team captain, had the honor of wearing jersey No. 1, and held the team ball in the national championship photos.

At Morgan he was active in several student organizations, including the Alpha Phi Alpha fraternity, which he joined in 1933. He began dating an attractive and studious coed who worked as the dean's secretary, even joining the glee club to demonstrate to her his "softer" side. Carl and Beatrice Hayes were married in September 1937. They settled in Baltimore, she began work as a social worker, and he, having left school after football a few credits short of graduation, took a job in the post office. Professional football was not available, but his training made him valuable at handling mail sacks. Two children, Carl Jr., 1939, and Beatrice, 1940, followed, along with a chronic back injury that led to a job shift that relied more on his college schooling than his strength.

Ruled out of active military service due to his back injury, he re-enrolled in school to complete his college degree, and in 1944, at the urging of Bea, applied to medical school. He could not attend the segregated University of Maryland, but under the "separate but equal" concept of Jim Crow laws, the State of Maryland instead paid his tuition to attend Meharry Medical College, in Nashville, TN, one of the two medical schools in the county to educate more than the occasional person of color.

He moved to Nashville to begin study, working an 11 p.m. to 7 a.m. graveyard shift as a hospital orderly to save enough money to send for his wife and family, which he was able to do by 1946. He finished Meharry in 1949 and moved to New York City to begin internship at Harlem Hospital. He had wanted to return to Baltimore, but the city hospital there paid interns \$15 per month with free room. Harlem paid \$50 per month, enough to rent a one bedroom apartment for the family. After internship and a new baby—Michael, 1950—the family moved across the George Washington Bridge to Englewood, NJ. Carl began his life as a working physician with a grueling schedule that consisted of steady employment in the ER at Harlem Hospital, a graveyard shift, 11 p.m. to 7 a.m., followed by a junior partnership in a local New York physician's office from 9 to noon, then home to Jersey to sleep, dinner at 6, and then a few private patients seen in a room converted to a makeshift medical office in the house until 9, before returning to work for the 11 p.m. shift in Harlem. When asked later about this level of commitment he replied that he was mainly "grateful for a chance to actually work."

This schedule was of course unsustainable, and a fascination with the newly emerging field of psychiatry led him to, at 40, begin training in psychiatry at Graystone State Hospital. During residency he continued his home office practice after dinner to help support a family that had grown to four children with the addition of Barry in 1952. In 1957, after completing residency he looked nationally, and made the bold decision to move to Sacramento to join a newly burgeoning State mental health system. Prior to this, no one in the family had ever been west of Tennessee. Arriving in Sacramento in July 1958, he worked for the State during the day, and as had always been the case set up a small private practice in rented space in the evenings. Financial obligations included supporting a son in college and stiff mortgage payments on a modern house in an upscale, and for the first time integrated, neighborhood.

In Sacramento Carl and Bea joined a small circle of middle class African Americans who had also moved west to make a new life. A handful of doctors, lawyers, a defense contractor, and a funeral home owner formed a social group anchored by the "Couples Club," which met on Saturdays once a month for a rotating house party. There were also civic activities like the Lions Club, competitive chess, and the NAACP, as well as the local chapter of Alpha Phi Alpha, Inc. The names of these pioneers: Colley, Jones, Morris, Morrissey, Nance, Rutland, Stewart, Trent, West, and a few others, are now a part of Sacramento history. In 1967 a reduction in State supported mental

health services affected clinics, including the Sacramento branch where Carl was chief of psychiatry. The new Medicare and Medicaid programs made private practice more viable for physicians caring for low income patients. He converted to full time private practice, and the late 1960s and 1970s became a time of relative prosperity. A pool was added to the backyard, and Carl learned, for the first time, to swim. He remained health conscious, and he and Bea were in the pool every day from May to October until they were both in their 90s.

With the children finally grown and on their own Carl and Bea travelled—Alaska, Mexico, Hawaii, and Scandinavia were highlights—entertained friends, and watched their ever expanding cadre of grandchildren and great grandchildren grow. Bea retired in 1975, but Carl kept his active practice going, seeing patients five days a week until he was 90. Bea suffered from mild macular degeneration and progressive Alzheimer's disease, ultimately requiring full time supervision. Carl closed his practice—regretfully—to come home to care for her. He moved from many patients to just one. They continued to play backgammon as long as she could, exercised in the pool, and when that was no longer safe took walks around the courtyard, until Bea passed away in March 2008. They had been married for just over 70 years.

In the months following Bea's death, Carl, now 94, began a series of home refurbishing projects including a new roof and painting inside and out. His oldest grandson John, a professional house painter, came north to help, and ultimately moved in to help manage the house and yard. In August 2008 Carl renewed his medical license and his driver's license as he put it "just in case." He became active in his fraternity once again. He did a few legal consultations in 2009, and then with John to type reports on the new computer, began seeing patients again, on a regular basis, working for the State of California as he had when he moved to Sacramento in 1958, this time doing disability evaluations. He pulled the office shingle bearing the name "Carl E. Drake, Sr. MD" from the garage—the same shingle used at the house in New Jersey 60 years ago—and mounted it near the back door. The kitchen table became his consultation office. He scheduled a light but steady stream of patients, three or four a week. He saw his last patient on December 12, 2012, before taking a break for the holidays. New visits were on the books for January 2013.

On December 26, all four of his children, along with five grandchildren and two daughters-in-law, visited without fanfare for a traditional post-Christmas gathering. He was in great spirits, holding court, albeit with less energy than usual. On December 27, after a

light dinner, he walked into the living room to sit in his favorite easy chair and watch a few bowl games. He dozed off, never to wake again.

Dr. Carl Drake left this life as he lived it, with great dignity and grace. He came through the Depression, was an All-American athlete, educated himself, raised a family, and was an active working psychiatrist until the very last days of a life that spanned the 20th century and more. He was calm, open, and cheerful, always. His physical stature was imposing, but his gentle steadfastness and serenity were the traits that made him a joy to be with. He never raised his voice; he never needed to. He was universally admired, respected, and loved. He is survived by 4 children, 11 grandchildren, 17 great grandchildren, 16 great-great grandchildren, and thousands of patients. He lived to see his 100th Christmas; he leaves the world a better place.●

HONORING SILVERIO CUARESMA, SR.

● Mr. HELLER. Mr. President, today I wish to honor the life 2LT Silverio Cuaresma, Sr., whose passing on January 20, 2013, has brought great sadness to the Silver State. As a member of the World War II Mighty Five Nevadans and the State's oldest unrecognized Filipino-American World War II veteran, Mr. Cuaresma dedicated his life to honoring Filipino veterans for their sacrifices. I am grateful for his service to our country and advocacy on behalf of our heroes. While in the Senate, I will continue fighting to guarantee that all veterans and their families are properly thanked for their sacrifices.

As one of the Mighty Five, Mr. Cuaresma fought tirelessly to secure proper military recognition and compensation for our Nation's nearly 24,000 Filipino World War II veterans. We must continue the fight to ensure that Filipino veterans like Mr. Cuaresma are honored for their sacrifices. That is why I introduced the Filipino Veterans Fairness Act. This bill would establish a process for Filipinos who have fought alongside the U.S. military during World War II to work with military historians to determine eligibility for military benefits. I believe we have a responsibility to ensure that individuals who served honorably alongside U.S. troops are recognized for their contributions to our Nation.

My thoughts and prayers are with Mr. Cuaresma's family and friends during this difficult time. Today, I ask my colleagues to join me in celebrating the life of an honorable man who was devoted to providing justice for our Nation's heroes.●

TRIBUTE TO SUE EVERHART

● Mr. ISAKSON. Mr. President. I would like to honor in the RECORD Ms. Sue

Everhart of Marietta, GA. Sue is a dear friend of mine who is one of the hardest working individuals in Georgia politics. In fact, Sue was elected chairman of the Georgia Republican Party in 2007 and re-elected in 2009 and again in 2011, making her the first chairman to serve three consecutive terms. In 2009, Sue was also chosen as one of ten women in the United States to be honored as a Woman of Achievement by the Republican National Committee.

Sue is an effective leader who has worked tirelessly to elect Republicans in the State of Georgia. In 2010, her efforts over the years came to a crescendo when Republicans swept the State, winning every statewide contest. In fact, Sue has been instrumental in my political campaigns, and I am forever grateful for her support throughout the years.

Although Sue will be ending her successful run as chairman of the Georgia Republican Party in May of this year, I am sure that this will not be the end of her involvement in Georgia politics. Our party will be forever better because of Sue, and I wish her the best in her future endeavors.●

TRIBUTE TO MR. STEVE TINDELL

● Mr. UDALL of Colorado. Mr. President, I speak today in honor of Mr. Steven L. Tindell, who retired on January 11, 2013, at Peterson Air Force Base, CO. Mr. Tindell served 30 years in uniform and for over 10 years in Federal civil service as the director of the Commander's Action Group and the Chief of Legislative Affairs for Air Force Space Command. He has been an enduring presence and a subject-matter expert for all congressional matters related to Air Force space and cyberspace issues and has facilitated countless congressional interactions with Headquarters Air Force Space Command and its numerous subordinate centers, wings and units.

Air Force Major Command Legislative Liaisons facilitate communication between their commands and Congress, effectively bridging our organizational cultures and promoting clear and open communication. These professionals require in depth knowledge of congressional procedures, committee structures and the legislative process. They also must have detailed understanding of the missions, challenges and organizational structures of the commands they represent. My office depends heavily on the rapport we have with our military liaisons for timely information and candid dialogue.

During his tenure as a legislative liaison, Mr. Tindell enhanced the Air Force Space Command mission by delivering space, missile and cyberspace capabilities to the U.S. armed forces and its warfighting commands. He was the architect of Space Command's legislative game plan, which coordinated

vital communications concerning the command's space and cyberspace programs. He prepared countless pages of testimony and orchestrated hundreds of congressional notifications and visits, including many for me and my staff to our bases throughout the Colorado Front Range.

Mr. Tindell leaves an indelible mark on Air Force Space Command. His institutional knowledge and savvy analysis of legislative activity will be difficult to replace; however, he can take great pride, satisfaction and confidence in knowing that his legacy will endure through those he has mentored over the years. Mr. Tindell has exemplified the best of the U.S. Air Force.

On behalf of all Coloradans, I thank Mr. Steven Tindell for his many years of faithful, selfless service, and I offer warm congratulations on the occasion of his retirement. May he and his wife, Nancy, enjoy a very bright future as they begin this new chapter in their lives.●

TRIBUTE TO ROSALIND GRAY

● Ms. MIKULSKI. Mr. President, I rise today to recognize Rosalind "Roz" Gray, who is retiring from government service this month after 32 years at the National Institutes of Health in Bethesda, MD.

Ms. Gray, originally from Richmond, VA, began her career as a laboratory manager with Hoffman-LaRoche Pharmaceuticals in New Jersey. After a few years in the pharmaceutical industry, she moved to Maryland and joined the National Institutes of Health in the Office of Legislation, Policy, and Analysis. For over 30 years, Ms. Gray has been an outstanding representative of the NIH to the public, to congressional staff, and to patients in need of help. Many of us here in Congress have met Roz when she accompanied the NIH leadership to briefings or hearings on the Hill. She has expertly staffed the past five NIH Directors, including current Director Dr. Francis Collins, former NIH Director and current NCI Director Dr. Harold Varmus, and former NIH Director Dr. Bernadine Healy, the first woman appointed to that role.

Ms. Gray and her husband Charles have a daughter, Tracy, a son, Phillip, and two grandchildren. In her retirement, Ms. Gray plans to work with her church and community to help families in crisis and to improve childhood literacy. She is also looking forward to traveling, including taking her first trip to Europe, and spending more time with her children and grandchildren.

Mr. President, Roz Gray has been a dedicated public servant for 32 years and has inspired her colleagues at the NIH with her integrity, professionalism, and kindness. It is appropriate that we honor her today for her many contributions to advancing the mission of the NIH.●

TRIBUTE TO JOSEPH M. SCIMECA

● Mr. VITTER. Mr. President, today I would like to recognize Mr. Joseph M. Scimeca. This July, Mr. Scimeca will enter retirement after 44 years of dedicated service to the Catholic Diocese of Baton Rouge.

Since 1969, when he began his career as a teacher, Mr. Scimeca has contributed to the moral, intellectual, and spiritual development of young people. His time in education has seen him serve as assistant principal, principal, and Assistant Superintendent of the Catholic Diocese of Baton Rouge, a position he has held since 1999. In 1997, he was presented with the Distinguished Secondary Educator award and also received the 1999 Saint Michael the Archangel High School Warrior award.

The National Conference of Catholic Bishops stated, "Education is one of the most important ways by which the Church fulfills its commitment to the dignity of the person and building of community."

In Louisiana, our Catholic schools maintain high academic standards, foster a healthy learning environment for students, and encourage family involvement in the ongoing education of children. Mr. Scimeca has promoted these ideals with extraordinary leadership, professionalism and a vision to provide our children with the tools they will need to go out in to the world and become valuable members of society and their community.

His efforts to bring together adults and children, educators and volunteers, business leaders, and elected officials in a learning environment highlights his ability to impart comprehensive curriculums that stress the importance of education as part of the mission of the Catholic Church and the importance of community in shaping our young people.

While I know he will be missed after his departure later this year, I thank Mr. Scimeca for his selfless commitment to the education of our children, his outstanding contributions to the Catholic Diocese of Baton Rouge and the State of Louisiana, and extend to him our best wishes for continued success and happiness in all of his future endeavors.●

TRIBUTE TO CSM JOHN McDONOUGH

● Mr. WHITEHOUSE. Mr. President, today I wish to recognize the service of Rhode Island's State CSM John McDonough. Command Sergeant Major McDonough is retiring after over 35 years serving the Rhode Island National Guard with honor and distinction, and I am proud to acknowledge his remarkable career today.

Command Sergeant Major McDonough first enlisted in the Rhode Island Army National Guard in 1976, and graduated with honors from basic

combat and advanced individual training at Fort Sill in Oklahoma. He was then assigned as an artilleryman in Battery A, 1st Battalion, 103rd Field Artillery. He quickly became an invaluable member of the Guard's field artillery team and went on to serve in a variety of positions, including cannon crewman, assistant gunner, gunner, howitzer section chief, gunnery sergeant, intelligence sergeant, first sergeant, and operations sergeant major.

Over the years, Command Sergeant Major McDonough received numerous awards commending his superior service, and he was eventually selected to be the State command sergeant major, the highest noncommissioned rank in the Rhode Island National Guard. In this role, Command Sergeant Major McDonough represented all enlisted soldiers in command, and served as the principal enlisted adviser to the adjutant general. His commitment to enforcing standards fairly and improving the quality of life for his fellow enlisted Guardsmen made him a celebrated and valued member of the Rhode Island National Guard community.

I thank Command Sergeant Major McDonough for his dedication to the Guard and to his comrades, a dedication he continues to demonstrate even in retirement. The command sergeant major has taken on a new endeavor to improve the lives of veterans as the director of Supportive Services for Operation Stand Down, an organization that works to combat homelessness among veterans and provide services to help struggling veterans get back on their feet.

Throughout his career in the Rhode Island National Guard, and with his continued service today, Command Sergeant Major McDonough has been an inspiration, advocate and role model for his fellow Guardsmen. I am proud to honor his life's work, and I again thank him for his outstanding commitment to serving our country and our military.●

TRIBUTE TO BRYAN ALMEIDA

● Mr. RUBIO. Mr. President, today I recognize Bryan Almeida, a 2012 intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Bryan is a rising junior at the George Washington University. Currently, he is majoring in political communications and minoring in statistics. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Bryan for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO OLIVIA BARKET

• Mr. RUBIO. Mr. President, today I recognize Olivia Barket, a 2012 intern in my Washington, DC, office for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Olivia is a rising junior at the University of Florida in Gainesville, FL. Currently, she is majoring in finance. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Olivia for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO RYAN BASS

• Mr. RUBIO. Mr. President, today I recognize Ryan Bass, a 2012 intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Ryan is a rising junior at Emory University in Atlanta, GA. Currently, he is studying mathematics and political science. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Ryan for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO MARJORIE BROFFMAN

• Mr. RUBIO. Mr. President, today I recognize Marjorie Broffman, a 2012 intern in my Washington, DC, office for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Marjorie is a rising junior at George Mason University in Fairfax, VA. Currently, Marjorie is double majoring in government and international politics and economics. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Marjorie for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO EILEEN CORKERY

• Mr. RUBIO. Mr. President, today I recognize Eileen Corkery, a 2012 intern in my Washington, DC, office for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Eileen is a rising junior at the College of William and Mary in Williamsburg, VA. Currently, she is majoring in

finance with a concentration in accounting. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Eileen for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO STEFAN DIAZ

• Mr. RUBIO. Mr. President, today I recognize Stefan Diaz, a 2012 intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Stefan Diaz is a rising sophomore at Florida International University in Miami, FL. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Stefan for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO JACOB DRUCKER

• Mr. RUBIO. Mr. President, today I recognize Jacob Drucker, a 2012 intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Jacob is a rising sophomore at Harvard University in Cambridge, MA. Currently, he is studying economics and statistics. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Jacob for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO JOSE GAUDET

• Mr. RUBIO. Mr. President, today I recognize Jose Gaudet, a 2012 intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Jose is a graduate of the Citadel and in 2010 enrolled in the Institute of World Politics, IWP, in Washington, DC, to receive a master's in international relations with a focus on the Middle East and South Asia. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Jose for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO KRYSTOFER HENRY

• Mr. RUBIO. Mr. President, today I recognize Krystofer Henry, a 2012 intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Krystofer is a rising sophomore at Brevard Community College in Florida. Currently, he is pursuing a degree in business administration with a minor in leadership. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Krystofer for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO STEPHANIE MENDY

• Mr. RUBIO. Mr. President, today I recognize Stephanie Mendy, a 2012 legal extern in my Washington, DC, office for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Stephanie is a graduate of Florida International University in Miami, FL. Currently, Stephanie is in her third year of law school at American University in Washington, DC. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Stephanie for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO ALEX MIEHLS

• Mr. RUBIO. Mr. President, today I recognize Alex Miehl, a 2012 intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Alex is a graduate of University of Canton in Canton, OH. Alex also served Ohio as the vice chairman of the Ohio College Republican Federation. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Alex for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO COLIN MILON

• Mr. RUBIO. Mr. President, today I recognize Colin Milon, a 2012 intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Colin is a rising junior at the George Washington University in Washington,

DC. Currently, he is majoring in political science and minoring in history. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Colin for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO AUDREY PARANKA

● Mr. RUBIO. Mr. President, today I recognize Audrey Paranka, a 2012 intern in my Washington, DC, office for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Audrey is a rising junior at the Catholic University of America in Washington, DC. Currently, Audrey is majoring in politics. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Audrey for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO TATIANA PINO

● Mr. RUBIO. Mr. President, today I recognize Tatiana Pino, a 2012 intern in my Washington, DC, office for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Tatiana is a rising junior at Florida State University in Tallahassee, FL. Currently, she is majoring in international affairs and minoring in economics and psychology. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Tatiana for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO MICHELLE STATON

● Mr. RUBIO. Mr. President, today I recognize Michelle Staton, a 2012 intern in my Washington, DC, office for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Michelle is a senior at the University of North Florida in Jacksonville, FL. Currently, she studies political science and international relations. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Michelle for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO MICHAEL VAZQUEZ

● Mr. RUBIO. Mr. President, today I recognize Michael Vazquez, a 2012 intern in my Washington, DC, office for all of the hard work he has done for me, my staff and the people of the State of Florida.

Michael is a rising junior at Villanova University in Villanova, PA. Currently, he is a philosophy and humanities double major, enrolled in the Honors College. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Michael for all the fine work he has done and wish him continued success in the years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the presiding officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 9:39 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 325. An act to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 325. An act to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-136. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Approved

Tests for Bovine Tuberculosis in Cervids" (Docket No. APHIS-2012-0087) received during recess of the Senate in the Office of the President of the Senate on January 18, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-137. A communication from the Deputy Director for Policy, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits" (29 CFR Part 4022) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-138. A communication from the Deputy Director for Policy, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Allocation of Assets in Single-Employer Plans; Valuation of Benefits and Assets; Expected Retirement Age" (29 CFR Part 4022) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-139. A communication from the Deputy Director for Policy, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits" (29 CFR Part 4044) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-140. A communication from the Director of the Policy Issuances Division, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Uniform Compliance Date for Food Labeling Regulations" (RIN0583-AD05) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-141. A communication from the Executive Secretary, Harry S. Truman Scholarship Foundation, transmitting, pursuant to law, the Foundation's Annual Report for 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-142. A communication from the Executive Director, Mississippi River Commission, Department of the Army, transmitting, pursuant to law, the Commission's Annual Report for calendar year 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-143. A communication from the Chief Financial Officer of the Federal Mediation and Conciliation Service, transmitting, pursuant to law, a report relative to financial integrity for fiscal year 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-144. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response and recovery efforts for FEMA-3356-EM in the Commonwealth of Pennsylvania having exceeded the \$5,000,000 limit for a single emergency declaration; to the Committee on Homeland Security and Governmental Affairs.

EC-145. A communication from the Secretary of the American Battle Monuments

Commission, transmitting, pursuant to law, the Commission's annual report for fiscal year 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-146. A communication from the Director, Office of Government Ethics, transmitting, pursuant to law, a report relative to competitions initiated or conducted in fiscal year 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-147. A communication from the Board Chair and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Administration's annual report relative to compliance with the Sunshine Act for fiscal year 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-148. A communication from the Inspector General of the General Services Administration, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from April 1, 2012 through September 30, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-149. A communication from the Comptroller General of the United States, Government Accountability Office, transmitting, pursuant to law, a report entitled "Fiscal Year 2012 Financial Report of the United States Government"; to the Committee on Homeland Security and Governmental Affairs.

EC-150. A communication from the Director, Office of Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, a report relative to the Commission's competitive sourcing efforts during fiscal year 2012; to the Committee on Rules and Administration.

EC-151. A communication from the Acting Secretary of the Federal Trade Commission, transmitting, pursuant to law, a report entitled "Report to Congress Under Section 319 of the Fair and Accurate Credit Transactions Act of 2003"; to the Committee on Commerce, Science, and Transportation.

EC-152. A communication from the Chair of the Aerospace Safety Advisory Panel, National Aeronautics and Space Administration, transmitting, pursuant to law, the Panel's annual report for 2012; to the Committee on Commerce, Science, and Transportation.

EC-153. A communication from the Acting Director, Census Bureau, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Resumption of the Population Estimates Challenge Program" (RIN0607-AA51) received during recess of the Senate in the Office of the President of the Senate on January 7, 2013; to the Committee on Commerce, Science, and Transportation.

EC-154. A communication from the Paralegal Specialist, Federal Transit Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Major Capital Investment Projects" (RIN2132-AB02) received during recess of the Senate in the Office of the President of the Senate on January 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-155. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Tignall, Georgia)" (MB Docket No. 12-237; RM-11672) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-156. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Maysville, Georgia)" (MB Docket No. 12-270; RM-11676) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-157. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Westley, California)" (DA 12-1776) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-158. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Hebbroville, Texas)" (MB Docket No. 11-38; RM-11621) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC-159. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Connect America Fund; High-Cost Universal Service Support" (DA 12-1777) received in the Office of the President of the Senate on January 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-160. A communication from the Deputy Division Chief of the Policy Division, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Parts 2 and 25 of the Commission's Rules to Allocate Spectrum and Adopt Service Rules and Procedures to Govern the Use of Vehicle-Mounted Earth Stations in Certain Frequency Bands Allocated to the Fixed Satellite Service" ((IB Docket No. 07-101) (FCC 13-1)) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC-161. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Salmon" (RIN0648-BB77) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-162. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Surfclam and Ocean Quahog Fishery" (RIN0648-BC21) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-163. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Fisheries; Western and Central Pa-

cific Fisheries for Highly Migratory Species; Transshipping, Bunkering, Reporting, and Purse Seine Discard Requirements" (RIN0648-BA85) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-164. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Framework Adjustment 5" (RIN0648-BC08) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-165. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2013-2014 Biennial Specifications and Management Measures" (RIN0648-BC35) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC-166. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Electronic Dealer Reporting Requirements; Correction" (RIN0648-BA75) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC-167. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Generic Annual Catch Limits/Accountability Measures Amendment for the Gulf of Mexico; Correction" (RIN0648-AY22) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC-168. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "2013-2014 Summer Flounder and Scup Specifications; 2013 Black Sea Bass Specifications; Preliminary 2013 Quota Adjustments; 2013 Summer Flounder Quota for Delaware" (RIN0648-XC287) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC-169. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; 2013 Atlantic Shark Commercial Fishing Season" (RIN0648-XC106) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC-170. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; 2012 Summer Flounder, Scup, and

Black Sea Bass Specifications; Correction" (RIN0648-XA795) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC-171. A communication from the Deputy Assistant Administrator for Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Elephant Trunk Area" (RIN0648-BC67) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-172. A communication from the Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer" (RIN0648-XC396) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC-173. A communication from the Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Central Regulatory Area of the Gulf of Alaska Management Area" (RIN0648-XC415) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC-174. A communication from the Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Bluefish Fishery; Quota Transfer" (RIN0648-XC394) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC-175. A communication from the Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for the State of New Jersey" (RIN0648-XC404) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC-176. A communication from the Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Big Skate in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XC405) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC-177. A communication from the Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Biennial Specifications and Management Measures; Inseason Adjustments" (RIN0648-BC61) received during recess of the Senate in the Of-

fice of the President of the Senate on January 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC-178. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2012 Commercial Accountability Measure and Closure for Atlantic Wahoo" (RIN0648-XC381) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC-179. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XC376) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC-180. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Available for the State of New York To Reopen Fishery" (RIN0648-XC391) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC-181. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2013 Gulf of Alaska Pollock and Pacific Cod Total Allowable Catch Amounts" (RIN0648-XC422) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC-182. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2013 Bering Sea and Aleutian Islands Pollock, Atka Mackerel, and Pacific Cod Total Allowable Catch Amounts" (RIN0648-XC423) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC-183. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Rural Health Care Support Mechanism" ((RIN3060-A185) (FCC 12-150)) received in the Office of the President of the Senate on January 24, 2013; to the Committee on Commerce, Science, and Transportation.

EC-184. A communication from the Chief of the Broadband Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Service Rules for Advanced Wireless Services in the 200-2020 MHz and 2180-2200 MHz Bands, etc." ((WT Docket No. 12-70, 10-142) (FCC 12-151)) received in the Office of the President of the Senate on January 24, 2013; to the Committee on Commerce, Science, and Transportation.

EC-185. A communication from the Deputy Division Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Special Access for Price Cap Local Exchange Carriers; AT and T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services" ((RIN3060-AJ80) (FCC 12-153)) received in the Office of the President of the Senate on January 24, 2013; to the Committee on Commerce, Science, and Transportation.

EC-186. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries" (RIN0648-XC382) received during recess of the Senate in the Office of the President of the Senate on January 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC-187. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Fishing Restrictions and Observer Requirements in Purse Seine Fisheries for 2009-2011 and Turtle Mitigation Requirements in Purse Seine Fisheries" (RIN0648-AX60) received in the Office of the President of the Senate on August 31, 2009; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BROWN (for himself, Mr. TOOMEY, Mr. FRANKEN, Mr. CASEY, and Ms. KLOBUCHAR):

S. 125. A bill to direct the United States Fish and Wildlife Service, in coordination with the Army Corps of Engineers, the National Park Service, and the United States Geological Survey, to lead a multiagency effort to slow the spread of Asian carp in the Upper Mississippi and Ohio River basins and tributaries, and for other purposes; to the Committee on Environment and Public Works.

By Mr. TOOMEY (for himself, Mrs. MCCASKILL, Mr. RUBIO, Ms. AYOTTE, Mr. PORTMAN, Mr. JOHANNES, Mr. FLAKE, Mr. JOHNSON of Wisconsin, Mr. SCOTT, and Mr. UDALL of Colorado):

S. 126. A bill to prohibit earmarks; to the Committee on Rules and Administration.

By Mr. HELLER (for himself and Mr. ENZI):

S. 127. A bill to provide a permanent deduction for State and local general sales taxes; to the Committee on Finance.

By Mr. CASEY (for himself, Mr. BENNET, Mr. LAUTENBERG, Ms. MIKULSKI, Mrs. MURRAY, Mrs. BOXER, Ms. KLOBUCHAR, and Mr. BEGICH):

S. 128. A bill to amend the Higher Education Act of 1965 to improve education and prevention related to campus sexual violence, domestic violence, dating violence, and stalking; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WHITEHOUSE:

S. 129. A bill to save money and reduce tragedies through prevention grants; to the Committee on the Judiciary.

By Mr. ENZI (for himself and Mr. BARRASSO):

S. 130. A bill to require the Secretary of the Interior to convey certain Federal land to the Powell Recreation District in the State of Wyoming; to the Committee on Energy and Natural Resources.

By Mrs. MURRAY (for herself, Mr. BEGICH, and Mr. TESTER):

S. 131. A bill to amend title 38, United States Code, to improve the reproductive assistance provided by the Department of Veterans Affairs to severely wounded, ill, or injured veterans and their spouses, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CARPER (for himself, Mr. DURBIN, Mrs. MURRAY, and Mrs. BOXER):

S. 132. A bill to provide for the admission of the State of New Columbia into the Union; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ROBERTS (for himself, Mr. COBURN, Mr. BARRASSO, Mr. PORTMAN, Mr. CRAPO, Mr. INHOFE, and Mr. VITTER):

S. 133. A bill to protect all patients by prohibiting the use of data obtained from comparative effectiveness research to deny or delay coverage of items or services under Federal health care programs and to ensure that comparative effectiveness research accounts for advancements in personalized medicine and differences in patient treatment response; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROCKEFELLER (for himself, Mr. BLUMENTHAL, Mr. COBURN, Mr. JOHANNIS, and Mr. HELLER):

S. 134. A bill to arrange for the National Academy of Sciences to study the impact of violent video games and violent video programming on children; to the Committee on Commerce, Science, and Transportation.

By Mr. VITTER (for himself, Mr. COATS, Mr. BOOZMAN, Mr. RISCH, Mr. ENZI, Mr. COBURN, and Mr. JOHANNIS):

S. 135. A bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VITTER:

S. 136. A bill to amend the Internal Revenue Code of 1986 to provide a Federal income tax credit for certain stem cell research expenditures; to the Committee on Finance.

By Mr. VITTER (for himself, Mr. COATS, Mr. BOOZMAN, Mr. RISCH, Mr. ENZI, Mr. COBURN, Mr. CHAMBLISS, and Mr. JOHANNIS):

S. 137. A bill to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VITTER (for himself, Mr. COATS, Mr. BOOZMAN, Mr. RISCH, Mr. ENZI, Mr. COBURN, Mr. CHAMBLISS, and Mr. JOHANNIS):

S. 138. A bill to prohibit discrimination against the unborn on the basis of sex or gender, and for other purposes; to the Committee on the Judiciary.

By Mr. VITTER:

S. 139. A bill to impose admitting privilege requirements with respect to physicians who perform abortions; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BAUCUS (for himself and Mr. TESTER):

S. 140. A bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans, to improve the coordination of veteran job training services between the Department of Labor, the Department of Veterans Affairs, and the Department of Defense, to require transparency for Executive departments in meeting the Government-wide goals for contracting with small business concerns owned and controlled by service-disabled veterans, and for other purposes; to the Committee on Finance.

By Mr. BAUCUS (for himself, Ms. STABENOW, and Mr. BLUNT):

S. 141. A bill to make supplemental agricultural disaster assistance available for fiscal years 2012 and 2013, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CASEY:

S. 142. A bill to prohibit the expenditure of Federal funds for abortions, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY:

S. 143. A bill to prohibit discrimination and retaliation against individuals and health care entities that refuse to recommend, refer for, provide coverage for, pay for, provide, perform, assist, or participate in abortions; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY:

S. 144. A bill to amend the Patient Protection and Affordable Care Act to authorize additional funding for the pregnancy assistance fund; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER:

S. 145. A bill to amend title 32, United States Code, to authorize National Guard support for State and local efforts to keep schools safe from violence, and for other purposes; to the Committee on Armed Services.

By Mrs. BOXER:

S. 146. A bill to enhance the safety of America's schools; to the Committee on the Judiciary.

By Mrs. BOXER:

S. 147. A bill to establish minimum standards for States that allow the carrying of concealed firearms; to the Committee on the Judiciary.

By Mrs. BOXER:

S. 148. A bill to safeguard America's schools by using community policing strategies to prevent school violence and improve student and school safety; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself and Mr. SESSIONS):

S. 149. A bill to provide effective criminal prosecutions for certain identity thefts, and for other purposes; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself, Mr. SCHUMER, Mr. DURBIN, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. LEVIN, Mr. ROCKEFELLER, Ms. MIKULSKI, Mrs. BOXER, Mr. REED, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. CARDIN, Mrs. GILLIBRAND, Mr. SCHATZ, Mr. MURPHY, Ms. WARREN, and Mr. CARPER):

S. 150. A bill to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes; to the Committee on the Judiciary.

By Mr. JOHANNIS:

S. 151. A bill to amend the Internal Revenue Code of 1986 to reduce the maximum

rate on the income of corporations to 20 percent; to the Committee on Finance.

By Ms. MURKOWSKI:

S. 152. A bill to require the Secretary of the Air Force to retain the current leadership rank, aircraft, and core functions of the 354th Fighter Wing and the 18th Aggressor Squadron at Eielson Air Force Base and to require reports on proposed activities at such installation; to the Committee on Armed Services.

By Mr. BEGICH (for himself, Mr. BLUMENTHAL, Ms. AYOTTE, Mr. BENNET, Mr. RUBIO, Mrs. SHAHEEN, Mr. REED, Mr. BLUNT, Ms. STABENOW, Mr. TESTER, and Mr. COONS):

S. 153. A bill to amend section 520J of the Public Health Service Act to authorize grants for mental health first aid training programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COBURN (for himself, Mr. THUNE, Mr. PAUL, Mr. JOHNSON of Wisconsin, Mr. INHOFE, Mr. BOOZMAN, Mr. GRASSLEY, Mr. RISCH, Mr. WICKER, Mr. VITTER, and Mr. ROBERTS):

S. 154. A bill to amend title I of the Patient Protection and Affordable Care Act to ensure that the coverage offered under multi-State qualified health plans offered in Exchanges is consistent with the Federal abortion funding ban; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. NELSON (for himself, Mrs. GILLIBRAND, Mr. LAUTENBERG, Mr. CARDIN, Mr. DURBIN, Ms. WARREN, Ms. LANDRIEU, and Mr. HARKIN):

S. Res. 12. A resolution recognizing the third anniversary of the tragic earthquake in Haiti on January 12, 2010, honoring those who lost their lives in that earthquake, and expressing continued solidarity with the people of Haiti; to the Committee on Foreign Relations.

By Mr. BROWN (for himself, Mr. LEAHY, Mr. COCHRAN, Mr. CORNYN, Ms. MIKULSKI, Mr. CARDIN, Ms. LANDRIEU, Mr. MENENDEZ, Mr. WARNER, and Mrs. GILLIBRAND):

S. Res. 13. A resolution congratulating the members of Delta Sigma Theta Sorority, Inc. for 100 years of service to communities throughout the United States and the world, and commending Delta Sigma Theta Sorority, Inc. for its promotion of sisterhood, scholarship, and service; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself, Mr. CHAMBLISS, Mr. WHITEHOUSE, and Mr. FRANKEN):

S. Res. 14. A resolution raising awareness and encouraging prevention of stalking by designating January 2013 as "National Stalking Awareness Month"; to the Committee on the Judiciary.

By Mr. REID (for himself, Mr. LEVIN, and Mr. MCCAIN):

S. Res. 15. A resolution to improve procedures for the consideration of legislation and nominations in the Senate; submitted and read.

By Mr. REID (for himself, Mr. MCCONNELL, Mr. LEVIN, and Mr. MCCAIN):

S. Res. 16. A resolution amending the Standing Rules of the Senate; submitted and read.

By Mr. REID:

S. Res. 17. A resolution to constitute the majority party's membership on certain committees for the One Hundred Thirteenth Congress, or until their successors are chosen; considered and agreed to.

By Mr. McCONNELL:

S. Res. 18. A resolution making minority party appointments for the 113th Congress; considered and agreed to.

ADDITIONAL COSPONSORS

S. 4

At the request of Mr. REID, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 4, a bill to create jobs and strengthen our economy by rebuilding our Nation's infrastructure.

S. 6

At the request of Mr. REID, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 6, a bill to reauthorize the VOW to Hire Heroes Act of 2011, to provide assistance to small businesses owned by veterans, to improve enforcement of employment and reemployment rights of members of the uniformed services, and for other purposes.

S. 22

At the request of Mr. LAUTENBERG, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 22, a bill to establish background check procedures for gun shows.

S. 29

At the request of Mr. PORTMAN, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 29, a bill to amend title 31, United States Code, to provide for automatic continuing resolutions.

S. 31

At the request of Ms. AYOTTE, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 31, a bill to make the moratorium on Internet access taxes and multiple and discriminatory taxes on electronic commerce permanent.

S. 32

At the request of Mr. PORTMAN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 32, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 33

At the request of Mr. LAUTENBERG, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 33, a bill to prohibit the transfer or possession of large capacity ammunition feeding devices, and for other purposes.

S. 40

At the request of Mr. HATCH, the names of the Senator from North Da-

kota (Mr. HOEVEN) and the Senator from Arizona (Mr. FLAKE) were added as cosponsors of S. 40, a bill to restore Americans' individual liberty by striking the Federal mandate to purchase insurance.

S. 43

At the request of Mr. PORTMAN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 43, a bill to require that any debt limit increase be balanced by equal spending cuts of the next decade.

S. 46

At the request of Mr. TOOMEY, the names of the Senator from North Dakota (Mr. HOEVEN), the Senator from Utah (Mr. HATCH), the Senator from South Dakota (Mr. THUNE), the Senator from Kansas (Mr. ROBERTS), the Senator from Texas (Mr. CORNYN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 46, a bill to protect Social Security benefits and military pay and require that the United States Government prioritize all obligations on the debt held by the public in the event that the debt limit is reached.

S. 47

At the request of Mr. LEAHY, the names of the Senator from Montana (Mr. BAUCUS), the Senator from North Dakota (Ms. HEITKAMP), the Senator from Arkansas (Mr. PRYOR) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 47, a bill to reauthorize the Violence Against Women Act of 1994.

S. 66

At the request of Ms. LANDRIEU, her name was added as a cosponsor of S. 66, a bill to establish a pilot program to evaluate the cost-effectiveness and project delivery efficiency of non-Federal sponsors as the lead project delivery team for authorized civil works flood control and navigation construction projects of the Corps of Engineers.

S. 84

At the request of Ms. MIKULSKI, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 84, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 116

At the request of Mr. REED, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 116, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. 117

At the request of Ms. KLOBUCHAR, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 117, a bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health

and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries.

S. 122

At the request of Mr. CHAMBLISS, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 122, a bill to promote freedom, fairness, and economic opportunity by repealing the income tax and other taxes, abolishing the Internal Revenue Service, and enacting a national sales tax to be administered primarily by the States.

S. RES. 4

At the request of Mr. UDALL of New Mexico, the names of the Senator from Virginia (Mr. Kaine) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. Res. 4, a resolution to limit certain uses of the filibuster in the Senate to improve the legislative process.

S. RES. 6

At the request of Mr. MERKLEY, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. Res. 6, a resolution to modify extended debate in the Senate to improve the legislative process.

S. RES. 8

At the request of Mr. ROBERTS, the names of the Senator from Georgia (Mr. CHAMBLISS), the Senator from Wyoming (Mr. ENZI) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. Res. 8, a resolution expressing the sense of the Senate that Congress holds the sole authority to borrow money on the credit of the United States and shall not cede this power to the President.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. MURRAY (for herself, Mr. BEGICH, and Mr. TESTER):

S. 131. A bill to amend title 38, United States Code, to improve the reproductive assistance provided by the Department of Veterans Affairs to severely wounded, ill, or injured veterans and their spouses, and for other purposes; to the Committee on Veterans' Affairs.

Mrs. MURRAY. Mr. President, today I introduce the Women Veterans and Other Health Care Improvement Act of 2013. I am incredibly proud of the women and men who have served or are serving our Nation in uniform, and I am grateful for the sacrifices they make on our behalf. That is why we must do everything in our power to meet the needs of our veterans and servicemembers. As those needs change, we must ensure the care available keeps pace.

That is why I introduced legislation, which was signed into law as part of the Caregivers and Veterans Omnibus Health Services Act of 2010, which helped to transform the way that the

Department of Veterans Affairs addresses the needs of women veterans. Among other things, that law required the VA to provide neonatal care, train mental health professionals to provide mental health services for sexual trauma, and develop a child care pilot program. VA has an obligation to provide veterans with quality care and it is our responsibility to make sure that VA does so. The legislation I am introducing today builds upon that effort to make additional improvements to VA's services for women veterans and veterans with families.

The wars in Iraq and Afghanistan have been characterized by increasing use of improvised explosive devices that leave servicemembers, both male and female, at increased risk for blast injuries including spinal cord injury and trauma to the reproductive and urinary systems. Defense Department data show that between 2003 and 2012 nearly 2,000 women and men suffered these types of injuries while serving in Iraq or Afghanistan.

These devastating and life-changing wounds can destroy the vision these men and women, and their spouses, had for the future. Having a family is one of the cornerstones of life that so many people look forward to and see as a fundamental part of their lives. To have dreams shattered because you were brave enough to put yourself in harm's way for your country is something we can never fully repay. But we must do everything we can.

As our warriors return from the battlefield, the VA system must be equipped to help injured veterans step back into their lives as parents, spouses, and citizens. These veterans have served honorably and have made the ultimate sacrifice for our great Nation. They deserve the opportunity to pursue their goals and dreams, whether that includes pursuing higher education, finding gainful employment, purchasing their first house, or starting their own family. VA has many programs that help veterans pursue the educational, career, or homeownership dreams and goals that they deferred in service to this country, but it falls short when it comes to helping severely wounded veterans who want to start a family. These veterans often need far more advanced services in order to conceive a child.

The Department of Defense and the Tricare program are already able to provide advanced fertility treatments, including assisted reproductive technology, to servicemembers with complex injuries. However, not all injured servicemembers are prepared to have a child at the time they are eligible for that coverage, and some are no longer eligible for Tricare by the time they are ready.

VA's fertility counseling and treatment options are limited and do not meet the complex needs of severely in-

jured veterans. I have heard from seriously wounded veterans whose injuries have made it impossible for them to conceive children naturally. While the details of these stories vary, the common thread that runs through them all is that these veterans were unable to obtain the type of assistance they need. Some have spent tens of thousands of dollars on advanced reproductive treatments in the private sector to get what they need to start a family. Others have watched their marriage collapse because the stress of infertility, in combination with the stresses of readjusting to life after severe injury, drove their relationship to a breaking point. Any servicemember who sustains this type of serious injury deserves much better. It is our responsibility to give VA the tools it needs to serve them, and the Women Veterans and Other Health Care Improvement Act is a start at doing that.

This legislation also requires VA to build upon existing research framework to gain a better understanding of the long-term reproductive health care needs of veterans, from those who experience severe reproductive and urinary tract trauma to those who experience gender-specific infections in the battlefield. An Army task force charged with looking at the needs of female servicemembers reported that women in the battlefield experience higher rates of urinary tract infections and other women's health difficulties.

After a decade at war, many women servicemembers are still at increased risk for women's health problems due to deployment conditions and a lack of predeployment women's health information, compounded by privacy and safety concerns. Little is known about the impact that these issues and injuries have on the long-term health care needs of veterans. Additional research will provide critical information to help VA improve services for veterans.

Caring for children is another frequent problem veterans encounter when trying to get health care. To address this, my legislation provides permanent authority for VA to provide child care to veterans going to medical centers or Vet Centers for health care. A pilot program examining these services is nearing completion and the results have been overwhelmingly positive. Those pilots have been very popular with veterans and VA employees, and have been far less expensive than originally estimated.

This legislation is also fully paid for. VA would be empowered to ask contractors and large corporations to pay a relatively small fee in order to provide the care needed by some of our most seriously wounded veterans. This would not hurt small businesses or veteran owned small businesses, because the Secretary would be given the authority to exempt those small businesses to ensure their ability to compete is not jeopardized.

Finally, I would point out that last Congress, in fact just a little more than a month ago, these provisions were unanimously approved by the Senate. I think the other Members of this body realized then that we must meet the changing needs of all our servicemembers and veterans, and that regardless of gender we must fulfill our obligation to do everything we can to make whole those who have been injured in service to this country.

I hope all of my colleagues will again support this legislation so we can provide care to meet these most serious needs.

By Mr. CARPER (for himself, Mr. DURBIN, Mrs. MURRAY, and Mrs. BOXER):

S. 132. A bill to provide for the admission of the State of New Columbia into the Union; to the Committee on Homeland Security and Governmental Affairs.

Mr. CARPER. Mr. President, I rise to introduce the New Columbia Admissions Act, a bill that seeks to end a longstanding injustice and give full voting representation to the residents of the District of Columbia. More than 600,000 Americans live in Washington, D.C. and bear all the responsibilities of citizenship, yet currently have no vote in either chamber of Congress. This legislation paves the way for the creation of a 51st state from the populated portions of Washington, D.C., giving the citizens who live here in our nation's capital the voice they deserve in our national government.

Washington is not just a collection of government offices, monuments and museums; it is home to more than half a million people who work, study, raise families, and start businesses. These citizens serve in the military and die for our country just like the residents of the 50 States. They pay Federal taxes just like other Americans in fact they pay more per capita than residents of most states. But when it comes to having a voice in our Congress, suddenly these citizens do not count.

We must ask ourselves how we would feel in their place; I think most of us would quickly decide that this is not how we would want to be treated. In fact, the United States is the only democracy in the world that treats the citizens of its capital city this way. We are the only democracy, it is sad to say, that denies voting representation to the people who live in its capital city.

People have been trying to fix this injustice for almost as long as it has existed. In 1801, just one year after residents of the new Federal capital city were denied the vote, a prominent city resident began arguing for a constitutional amendment to give voting rights to residents of the District. Two years later, a House member introduced a bill to "retrocede," or give

back to Maryland and Virginia, the land that was ceded to create the District. Support for the proposal was based in large part on the political injustice of denying representation to the residents of the capital city. Even some opponents reportedly argued that the District might be granted Congressional representation once its population became more substantial, a threshold that clearly seems to have been met by a city of more than half a million people, a number comparable to several states. In 1978, the House and Senate approved a constitutional amendment to give the District full voting representation in Congress that was ratified by 16 states, but the measure died when it failed to win support from the required $\frac{3}{4}$ of the States within 7 years. More recently, in 2009, the Senate approved a bill to give the District a voting representative in the House.

The bill I am introducing today creates a path for the District of Columbia to become the State of "New Columbia" with full voting rights in Congress. Under this bill, a federal district called Washington, D.C. would still remain under the control of Congress, as the Constitution mandates. But it would be a smaller area encompassing the White House, the Capitol, the Supreme Court and the National Mall, an area where few people actually live. The rest of the current District of Columbia, diverse neighborhoods that are home to more than half a million U.S. citizens no different from the ones you and I and our colleagues come here to represent would become a new State provided that its residents vote to set that in motion.

The bill is similar to proposals offered by Senator Edward Kennedy in the early 1990s, and by my former colleague Senator Joseph Lieberman in December 2012. Delegate ELEANOR HOLMES NORTON, the District's sole, non-voting representative in the House who has worked tirelessly for voting rights for the residents of the city, has introduced a companion House bill.

I believe we keep proposing and debating different solutions to the injustice imposed on District residents because we know in our hearts that the situation we have now and have tolerated for so long is not right. It is familiar, but it is not fair and not consistent with the values we all share as Americans. It is incumbent upon those of us who enjoy the right and the privilege of full voting rights to take up the cause of our fellow citizens here in the District of Columbia and find a solution.

Earlier this week, we celebrated the birth of Martin Luther King, Jr. and his legacy of working to bring equality and justice to all Americans. It is in that spirit that I introduce this bill, with my colleagues Senators BARBARA BOXER, RICHARD DURBIN and PATTY

MURRAY. I hope we can work together to find a way to bring the same rights to the residents of the District of Columbia that all of us living in the 50 states cherish so much.

By Mr. ROCKEFELLER (for himself, Mr. BLUMENTHAL, Mr. COBURN, Mr. JOHANNES, and Mr. HELLER):

S. 134. A bill to arrange for the National Academy of Sciences to study the impact of violent video games and violent video programming on children; to the Committee on Commerce, Science, and Transportation.

Mr. ROCKEFELLER. Mr. President, I still well up with deep emotion when I see Newtown parents remembering their lost children, recalling what they wore to school that day or their last sweet words before boarding the school bus. The memory of that horrifying day, and of those children and their teachers, has not waned, nor should it ever. It should be an enduring call to action to do everything we can to save innocent lives.

That is why I have championed a comprehensive approach to combating gun violence, and support the President's plan to protect the Nation's citizens. West Virginians have a proud tradition of hunting and understand the importance of the Second Amendment. I know we can protect those traditions and rights as we look at ways to prevent senseless acts of violence.

One piece of this comprehensive examination concerns violent content, including video games and video programming. I have long had concerns about how the violent content that kids see and interact with every day affects their wellbeing. This is a very important issue, and one that deserves further research, as even the President recognized. That is why, as Chairman of the Senate Commerce Committee, I am introducing today the Violent Content Research Act of 2013. Under this legislation, the National Academy of Sciences would conduct a comprehensive study on the connection between exposure to violent video games and video programming and harmful effects on children.

Recent court decisions demonstrate that some people still do not get it. They believe that violent video games are no more dangerous to young minds than classic literature or Saturday morning cartoons. Parents, pediatricians, and psychologists know better.

These court decisions show we need to conduct additional groundwork on this issue. This report would be a critical resource in this process. It could inform research by other organizations, including the Centers for Disease Control, and provide guidance to lawmakers. I call on my colleagues to join me in passing this important legislation quickly.

Separately, I will be calling on the Federal Trade Commission and the

Federal Communications Commission to expand their work in this area. The FTC has reviewed the effectiveness of the video game ratings system. The FCC has looked at the impact of violent programming on children. Changes in technology now allow kids to access violent content on-line and increasingly from mobile platforms with less parental involvement. It is time for these two agencies to take a fresh look at these issues.

Major corporations, including the video game industry, make billions on marketing and selling violent content to children. They have a responsibility to protect our children. If they do not, you can count on the Congress to take a more aggressive role.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 134

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Violent Content Research Act of 2013".

SEC. 2. STUDY; NATIONAL ACADEMY OF SCIENCES.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Federal Trade Commission, the Federal Communications Commission, and the Department of Health and Human Services, jointly, shall undertake to enter into appropriate arrangements with the National Academy of Sciences to conduct a comprehensive study and investigation of—

(1) whether there is a connection between exposure to violent video games and harmful effects on children; and

(2) whether there is a connection between exposure to violent video programming and harmful effects on children.

(b) CONTENTS OF STUDY AND INVESTIGATION.—

(1) VIOLENT VIDEO GAMES.—The study and investigation under subsection (a) shall include—

(A) whether the exposure listed under subsection (a)(1)—

(i) causes children to act aggressively or causes other measurable harm to children;

(ii) has a disproportionately harmful effect on children already prone to aggressive behavior or on other identifiable groups of children; and

(iii) has a harmful effect that is distinguishable from any negative effects produced by other types of media;

(B) whether any harm identified under subparagraph (A)(i) has a direct and long-lasting impact on a child's well-being; and

(C) whether current or emerging characteristics of video games have a unique impact on children, considering in particular video games' interactive nature and the extraordinarily personal and vivid way violence might be portrayed in such video games.

(2) VIOLENT VIDEO PROGRAMMING.—The study and investigation under subsection (a) shall include—

(A) whether the exposure listed under subsection (a)(2)—

(i) causes children to act aggressively or causes other measurable harm to children;

(ii) has a disproportionately harmful effect on children already prone to aggressive behavior or on other identifiable groups of children; and

(iii) has a harmful effect that is distinguishable from any negative effects produced by other types of media; and

(B) whether any harm identified under subparagraph (A)(i) has a direct and long-lasting impact on a child's well-being.

(3) FUTURE RESEARCH.—The study and investigation under subsection (a) shall identify gaps in the current state of research which, if closed, could provide additional information regarding any causal connection—

(A) between exposure to violent video games and behavior; and

(B) between exposure to violent video programming and behavior.

(c) REPORT.—In entering into any arrangements with the National Academy of Sciences for conducting the study and investigation under this section, the Federal Trade Commission, the Federal Communications Commission, and the Department of Health and Human Services shall request the National Academy of Sciences to submit, not later than 15 months after the date on which such arrangements are completed, a report on the results of the study and investigation to—

- (1) Congress;
- (2) the Federal Trade Commission;
- (3) the Federal Communications Commission; and
- (4) the Department of Health and Human Services.

By Mr. BAUCUS (for himself, Ms. STABENOW, and Mr. BLUNT):

S. 141. A bill to make supplemental agricultural disaster assistance available for fiscal years 2012 and 2013, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. BAUCUS. Mr. President, last year the U.S. experienced the most severe and extensive drought in at least 25 years.

While the impacts of the drought affected both crop and livestock sectors, our commodity farmers have had some protection under crop insurance. With the House not passing a 5 year reauthorization of the Farm Bill last year, we have left one sector of agriculture to fend for themselves.

Our ranchers across the country and in my home State of Montana have experienced the most extensive drought since the 1950. About 80 percent of agricultural land experienced drought in 2012.

As last year came and went, a drought stretched across the United States.

Wheat and corn fields dried up. Without enough forage, ranchers faced the decision to either to sell their herds or purchase extra feed, cutting into their thin margins.

As of this week, over 2,000 counties have been designated as drought disaster areas by the USDA.

In my state of Montana, 36 counties, or well over half of our State, are in disaster. Compound that with one of the worst droughts in recent history

and our cattle and sheep producers are hanging on by a thread.

Where our corn, wheat, and soybean farmers have crop insurance as a backstop, we have left our ranchers without any assistance.

Pastureland last year was scarce and the cost of feed, when it was even available, was often unaffordable. Many ranchers are responding by culling their herds.

That is why I have introduced the supplemental agricultural disaster assistance. This bill takes the three livestock disaster program I created in the 2008 Farm Bill and extends them for 2012 and 2013 losses.

Covering losses from 2012 and 2013 will give our livestock producers some assistance through one of the worst droughts anyone in this chamber can remember. It will also cover our ranchers until the House and Senate can complete the 2013 Farm Bill.

These livestock disaster programs expired in September 2011, leaving our livestock producers with no safety net. For over a year and a half, through one of the worst droughts in recent memory, our producers have been left to fend for themselves.

Congress must make the responsible decision and pass this standalone bill I introduce today with Senator DEBBIE STABENOW, Chairwoman of the Senate Agriculture Committee, and Senator ROY BLUNT.

We must do our jobs and pass this basic safety net for ranchers.

By Mrs. FEINSTEIN (for herself, Mr. SCHUMER, Mr. DURBIN, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. LEVIN, Mr. ROCKEFELLER, Ms. MIKULSKI, Mrs. BOXER, Mr. REED, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. CARDIN, Mrs. GILLIBRAND, Mr. SCHATZ, Mr. MURPHY, Ms. WARREN, and Mr. CARPER):

S. 150. A bill to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Assault Weapons Ban of 2013. This legislation is urgently needed to help end the mass shootings that have devastated countless families and that lead too many Americans to live their lives in fear.

Imagine that you receive a call from your child's school that there has been a shooting. How would you feel? Panicked? Terror-stricken? Helpless? Those were the feelings experienced by hundreds of parents whose children attend Sandy Hook Elementary School in Newtown, CT.

Now imagine that, after rushing to the school, you receive the terrible news that your child is not coming back. On December 14, 20 sets of parents heard those devastating words. Their lives will never be the same.

I remain horrified by the mass murders that were committed that day in Newtown. But I am even more incensed that our weak gun laws allow mass killings to be carried out again and again in our country. Since 1982, there have been at least 62 mass shootings across the United States. Even worse, the rate of these shootings has been accelerating: Twenty-five of these shootings have occurred since 2006, and 7 took place in 2012.

These massacres don't stop—they just continue on and on. They have become tragically common in our society.

For each shooting that occurs, there are parents and grandparents, brothers and sisters, and aunts and uncles who have forever lost someone special in their lives: In Newtown, 26 families will never hear the laughter of their son or daughter again. In Aurora, Colorado, 12 people who attended a movie on a July night will never be able to enjoy another night out. At Virginia Tech, 32 families will never see their son or daughter again. In Tucson, AZ, 6 people never returned home from meeting their Congresswoman one Saturday morning 2 years ago. My friend, Gabby Giffords, will never be the same.

The one common thread running through all of these shootings is that the gunman used a semiautomatic assault weapon or large capacity ammunition magazine or drum.

These military-style weapons have but one purpose: to kill as many people as possible as quickly as possible. Since the last assault weapons ban expired in 2004, over 350 people have been killed with assault weapons. Over 450 have been injured.

I do not intend to sit by while these killings continue. That is why today I am joining with my colleagues Senators SCHUMER, DURBIN, WHITEHOUSE, BLUMENTHAL, LEVIN, ROCKEFELLER, MIKULSKI, BOXER, REED, LAUTENBERG, MENENDEZ, CARDIN, GILLIBRAND, SCHATZ, MURPHY, and WARREN to introduce legislation to prohibit the sale, transfer, manufacture, and importation of assault weapons and large capacity ammunition feeding devices that can accept more than 10 rounds.

As the members of this body know, we had an assault weapons ban in place from 1994–2004. I was the author of that ban in the Senate, and Senator SCHUMER carried that ban as the then-Chairman of the House Crime Subcommittee.

The 1994 law was not perfect, but it was working when it expired in 2004. The supply of assault weapons was drying up, and crime committed with those weapons was decreasing. Don't take my word for it; scientific studies bear this about.

The 1994 law required the Justice Department to study and report on its effectiveness. That study, completed in 1997, found that the ban was responsible for a 6.7 percent decrease in total

gun murders, holding all other factors equal.

The Justice Department sponsored a subsequent follow-on study in 2004, as the law was getting ready to expire. That study, carried out by the University of Pennsylvania, found that by about 9 years after the law took effect, the use of assault weapons in crime had declined by more than $\frac{2}{3}$ —70 percent.

The Washington Post found that the percentage of firearms seized by police in Virginia that had high-capacity magazines dropped significantly during the ban. That figure has doubled since the ban expired.

The Police Executive Research Forum found that 37 percent of police departments reported seeing a noticeable increase in criminals' use of assault weapons since the ban expired.

Studies of state-level assault weapons bans also show that these bans DO work. A study of Maryland's State ban on assault pistols found that in the first six months after the ban was enacted, "the Baltimore City Police Department recovered 55 percent fewer assault pistols than would have been expected had there been no ban."

Let me just address for a moment the arguments of some of the opponent of this legislation. They point to overall crime rates, and say the 1994 ban did not affect them. But that overstates the purpose of the ban. It was never intended to reduce all crime. It was intended to reduce gun murders, and specifically mass shootings. And the research found that it did just that.

A 6.7 percent decrease is not a complete solution. But if one of the lives saved was your child, your husband, your sister, your parent, it makes all the difference in the world. As President Obama has said, if we can save even one life, then we must try. And a 6.7 percent decrease in total gun murders—that is a lot more than one life.

Our police officers, the men and women who pledge their lives to protect us, are particularly at risk from assault weapons. A study by the Violence Policy Center found that, between 1998 and 2001, one in five law enforcement officers slain in the line of duty was killed with an assault weapon.

Recognizing this, I am proud to have the support of the Major Cities Chiefs of Police Association and several other organizations representing law enforcement. Every day, they must stare down ever-more-powerful military-style assault weapons.

The legislation we are introducing today will strengthen the 1994 law, allowing it to be even more effective:

The 1994 law prohibited semiautomatic weapons that could accept a detachable magazine, and had at least two military characteristics. The bill we are introducing today tightens this test to prohibit semiautomatic rifles, handguns, and shotguns that can ac-

cept a detachable magazine and have one military characteristic. One criticism of the 1994 law was that its "two-characteristic" test was too easy to "work around": a manufacture could simply remove one of the characteristics, and the firearm was legal. The bill we are introducing today will be much more difficult to work around.

The bill also accounts for specific "work-arounds" that the gun industry developed to avoid the 1994 law and similar State bans.

The bill prohibits "thumbhole stocks", which manufacturers developed to allow a stock to function like a pistol grip, which is a standard military feature in State bans and the expired Federal ban.

It also prohibits "bullet buttons", a feature that certain manufacturers developed to evade state restrictions on detachable ammunition magazines. Some state laws describe a "detachable magazine" as one that can be removed without the use of a tool. So these gun manufacturers developed so-called "bullet buttons" that allow magazines to be removed with the use of the simplest of tools, such as a key, another bullet, or even a magnet. With these "bullet buttons", what is supposed to be a fixed magazine becomes in practical application a detachable magazine. Our bill contains tight language to close this loophole.

Other changes to the bill include updating the list of specifically-named military-style firearms that are prohibited, to account for new models that have been developed since 1994. We now prohibit 158 weapons by name.

The bill prohibits semiautomatic rifles and handguns with a fixed magazine that can accept more than 10 rounds.

The bill adds a ban on the importation of assault weapons and large-capacity magazines; and eliminates the 10-year sunset that allowed the original law to expire.

Like the 1994 law, our legislation will prohibit large-capacity ammunition feeding devices capable of accepting more than 10 rounds. These large magazines and drums are so dangerous because they allow a shooter to fire 15, 30, even 100 rounds without having to reload.

Now, let me tell you what the bill will not do.

It will not affect hunting or sporting firearms. Instead, the bill protects legitimate hunters by protecting 2,258 specifically-named firearms used for hunting or sporting purposes, and exempting antique, manually-operated, and permanently disabled weapons.

Let me be clear: the bill will not take away weapons you currently own. Anybody who says otherwise is simply trying to deceive you. Instead, the bill protects the rights of existing gun owners by grandfathering weapons legally possessed on the date of enactment.

An important change from the 1994 law is that we address the millions of assault weapons that currently exist. While, as in 1994, they would remain legal after our bill takes effect, any future sale or transfer of such a weapon would require a background check to be conducted of the purchaser or recipient. We do have an exception for intra-family transfers. Keeping these powerful weapons out of the hands of known criminals and people with adjudicated mental problems is a no-brainer.

The bill also imposes a safe storage requirement for grandfathered firearms to ensure they don't get into the hands of people who would be prohibited from possessing them.

While the bill permits the continued possession of high-capacity ammunition magazines that are legally possessed on the date of enactment, it would ban the future transfer of these magazines.

Finally, the bill allows local jurisdictions to use existing Federal Byrne JAG grant money to support voluntary buy-back programs for grandfathered assault weapons and large-capacity ammunition feeding devices.

Opponents charge that this legislation impinges upon rights protected by the Second Amendment. I recognize that the Supreme Court has clearly held that there is an individual right to possess firearms that is protected by the Second Amendment to the Constitution, and I respect that right.

However, the Supreme Court was also very clear that, like other rights protected by other amendments in the Bill of Rights, this is not an unlimited right. For instance, the First Amendment's protection of free speech does not allow someone to falsely yell "Fire!" in a crowded theater. Justice Scalia, the author of the majority opinion in the seminal case of *District of Columbia v. Heller*, said this plainly: "Like most rights, the right secured by the Second Amendment is not unlimited."

Justice Scalia, no flaming liberal he, went on to say: "We also recognize another important limitation on the right to keep and carry arms. [*United States v.*] Miller said, as we have explained, that the sorts of weapons protected were those 'in common use at the time.' We think that limitation is fairly supported by the historical tradition of prohibiting the carrying of 'dangerous and unusual weapons.'"

The muskets of the 18th Century bear little resemblance to the rapid-fire military-style assault weapons today, and their single-shot weapons are a far cry from the 100-round ammunition drum that was used to inflict such carnage at a movie theater in Aurora, CO. These are particularly dangerous weapons, which the Government is well within its rights to regulate under the Second Amendment and the *Heller* decision. The Second Amendment protects an individual's ability to own a

weapon; it does not protect their ability to own any weapon. Any reasonable person would recognize limitations on this right: an individual should not own a nuclear weapon, they should not own a rocket launcher, and they should not own a military-style assault weapon.

Let me conclude with these thoughts:

The most important duty that government has to its citizens is to provide for their safety.

When 20 kindergarteners are slaughtered by an assault weapon, our government has failed to provide for their safety.

When 12 people are gunned down in a movie theater by an assault weapon, our government has failed to provide for their safety.

The firearms used in these massacres are weapons of war. They are weapons designed to kill the maximum number of people in the shortest period of time. We should be outraged by how easy it is for the perpetrators of these horrific crimes to purchase powerful weapons.

Let me say it as plainly as I can: weapons of war do not belong on our streets, in our schools, in our malls, in our theaters, or in our workplaces.

We know the common denominator in these deadly massacres and these daily shootings: easy access to killing machines designed for the battlefield. The circumstances may differ, but the one constant is always the guns.

These weapons not only take away the lives of our loved ones. They also take away our freedom—our freedom to live without fear.

When a child is fearful of walking down the street outside his home, he has lost his freedom.

When Americans wonder whether the next massacre with an assault weapon will take place in their town, they have lost their freedom.

I ask all of my colleagues to join me in this fight.

Join with our chiefs of police who say “no” to assault weapons.

Join with teachers from across our nation who say “no” to assault weapons.

Join with the emergency room doctors and medical professionals from every corner of our country who say “no” to assault weapons.

Join with clergy from all denominations who say “no” to assault weapons.

Join with the 58 percent of Americans who support an Assault Weapons Ban.

I am proud that the bill we are introducing has been endorsed by so many organizations and public officials:

Law Enforcement: International Association of Campus Law Enforcement Administrators; International Association of Chiefs of Police; Major Cities Chiefs Association; National Law Enforcement Partnership to Prevent Gun Violence; Police Foundation; Women in Federal Law Enforcement; Charlie

Beck, Chief, Los Angeles Police Department; Lee Baca, Sheriff, Los Angeles County; Scott Knight, Chief of Police, Chaska Police Department (MN), and former chair, Firearms Committee, International Association of Chiefs of Police; and Bill Lansdowne, Police Chief, San Diego;

Localities: U.S. Conference of Mayors; Boston City Council; City of Stockton (CA); County of Los Angeles Board of Supervisors; Ventura County Board of Supervisors (CA); Mayor David Glass, Petaluma, CA; Mayor Emmett O'Donnell, Tiburon, CA; Mayor Jill Hunter, Saratoga, CA; Mayor Hilary Bryant, Santa Cruz, CA; Mayor Bob Filner, San Diego, CA; Mayor Bob Foster, Long Beach, CA; Mayor Michael Harris, Pleasant Hill, CA; Mayor Kevin Johnson, Sacramento, CA; Mayor Edwin M. Lee, San Francisco, CA; Mayor Jean Quan, Oakland, CA; Mayor Chuck Reed, San Jose, CA; Mayor Antonio R. Villaraigosa, Los Angeles, CA; Superintendent Anthony Smith, Oakland Unified School District; Mayor Miguel Pulido, Santa Ana, CA; City of Lemon Grove; Mayor Cheryl Cox, Chula Vista, CA; San Diego Unified School District; City of Calabasas; City of Ventura; City of Los Angeles; City of West Hollywood; Mayor Rob Schroder, Martinez, CA; and Mayor Amanda Gilmore, Alameda, CA;

Gun Safety: Brady Campaign to Prevent Gun Violence; Coalition to Stop Gun Violence; Law Center to Prevent Gun Violence; Mayors Against Illegal Guns; Violence Policy Center; and Washington CeaseFire;

Education/Child Welfare: American Academy of Pediatrics; American Federation of Teachers; Boys & Girls Clubs of America; Child Welfare League of America; Children's Defense Fund; Every Child Matters; Moms Rising; National Association of Social Workers; National PTA; National Education Association; and 20 Children;

Religious Community: African Methodist Episcopal Church; Alliance of Baptists; American Baptist Churches of the South; American Baptist Home Mission Societies; American Friends Service Committee; Baptist Peace Fellowship of North America; Camp Brotherhood; Catholic Charities USA; Catholic Health Association; Catholic Health Initiatives; Catholics in Alliance for the Common Good; Catholics United; Church of the Brethren; Church Women United, Inc.; Conference of Major Superiors of Men; Disciples Home Missions, Christian Church (Disciples of Christ); Dominican Sisters of Peace; FaithsAgainstGunViolence.org; Franciscan Action Network; Friends Committee on National Legislation; Health Ministries Association; Heeding God's Call; Hindu American Foundation; Interfaith Alliance of Idaho; Islamic Society of North America; Jewish Council for Public Affairs; Jewish

Reconstructionist Movement; Leadership Conference of Women Religious; Mennonite Central Committee, Washington Office; National Advocacy Center of the Sisters of the Good Shepherd; National Council of Churches; National Episcopal Health Ministries; NETWORK, A National Catholic Social Justice Lobby; Pax Christi USA; PICO Network Lifelines to Healing; Presbyterian Church (U.S.A.) Office of Public Witness; Progressive National Baptist Convention; Rabbinical Assembly; Religious Action Center of Reform Judaism; San Francisco Interfaith Council; Sikh Council on Religion and Education, USA; Sisters of Mercy of the Americas; Sojourners; Unitarian Universalist Association of Congregations; United Church of Christ; United Methodist Church; United Methodist Women; United States Conference of Catholic Bishops Committee on Domestic Justice and Human Development; United Synagogue of Conservative Judaism; Washington National Cathedral; and Women of Reform Judaism;

Medical Community: American Academy of Pediatrics; American Congress of Obstetricians and Gynecologists; American College of Surgeons; American Public Health Association; Doctors for America; and National Association of School Nurses;

Other Organizations: Alliance for Business Leadership; American Bar Association; Black American Political Association of California; Grandmothers for Peace International; National Parks Conservation Association; Sierra Club; TASH; Viet Nam Veterans in the Media; VoteVets.org; and Washington Office on Latin America.

But we should have no illusions. This will be a big fight.

It will be an uphill battle—all the way. I know this.

But we need to ask ourselves:

Do we let the gun industry take over and dictate policy to this country? Do we let those who profit from increasing sales of these military style-weapons prevent us from taking commonsense steps to stop the carnage?

Or should we empower our elected representatives to vote their conscience based on their experience, based on their sense of right and wrong and based on their need to protect their schools, their malls, their workplaces and their businesses?

This legislation is my life's goal. As long as I am a member of the Senate, I will work night and day to pass this bill into law. No matter how long it takes, I will fight until assault weapons are taken off our streets.

Put simply, we cannot allow the rights of a few to override the safety of all. That is not the America that our founding fathers envisioned. And that is not the America I want my children and grandchildren to live in.

So I ask everyone watching at home: please get involved and stay involved.

The success or failure of this bill depends not on me, but on you. If the American people rise up and demand action from their elected officials, we will be victorious. If the American people say “no” to military-style assault weapons, we will rid our Nation of this scourge.

Please, talk to your senator and your member of Congress.

By Mr. BEGICH (for himself, Mr. BLUMENTHAL, Ms. AYOTTE, Mr. BENNET, Mr. RUBIO, Mrs. SHAHEEN, Mr. REED, Mr. BLUNT, Ms. STABENOW, Mr. TESTER, and Mr. COONS):

S. 153. A bill to amend section 520J of the Public Health Service Act to authorize grants for mental health first aid training programs; to the Committee on Health, Education, Labor, and Pensions.

Mr. BEGICH. Mr. President, today I rise to introduce a very important piece of legislation—the Mental Health First Aid Act of 2013. The bill authorizes grants for mental health first aid, similar to the first aid training offered by Red Cross chapters across the United States.

I introduced this bill last Congress and focused on higher education because many common mental illnesses happen at late adolescence or young adulthood. However, as the recent tragedy in Newtown reminded us in horrific detail, violence is not limited to college campuses.

My colleague on the House side, Rep. RON BARBER of Arizona, has already introduced a companion bill in the House of Representatives. As you know, he was critically wounded in a tragic shooting 2 years ago with then Congresswoman Gabrielle Giffords.

Mental health first aid teaches the warning signs and risk factors for schizophrenia, major clinical depression, panic attacks, anxiety disorders, trauma, and other common mental disorders, crisis de-escalation techniques and equips college and university staff with a five-step action plan to help individuals in psychiatric crisis connect to professional mental health care.

One in four adults and 10 percent of children in the United States will suffer from a mental illness this year. We know what to do if someone has a heart attack, but how do we react to someone having a panic disorder? Why do we wait for a tragic event to take notice and then bring out emergency measures?

When I was Mayor of Anchorage, we worked with local mental health organizations to train our police in Crisis Intervention Teams, a great improvement for police officers responding to a crisis. But now we need to go further.

You have heard me say this before, and it is not something to be proud of: In Alaska we have one of the highest suicide prevalence rates in the country.

Further, we are a very rural State, where access to mental health care and medical services is often very difficult.

Even today, it is not widely known that fully ⅓ of Alaska can only be accessed by airplane. By educating the general public about the warning signs of common mental disorders, we can intervene early, facilitate access to care, improve clinical outcomes, reduce costs, and maybe save lives.

Mental disorders are more common than heart disease and cancer combined and a recent *Governing* magazine article reports that many States and localities are moving ahead—teaching their employees how to recognize the signs of mental health problems and how to help. Wouldn't you run to perform the Heimlich maneuver if a person was choking in a restaurant? Of course. We should all learn how to intervene with someone who is having a mental health crisis.

In the Alaska tradition, I seek to work across the aisle and believe this legislation merits bipartisan support. I am honored to be joined by my cosponsors on this bill, Senators BLUMENTHAL, BENNET, AYOTTE, RUBIO, SHAHEEN, BLUNT, STABENOW and JACK REED. I invite you and all of our colleagues to join me in supporting this vital program. My great hope is it will avert suffering, prevent violence and ultimately save lives.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 12—RECOGNIZING THE THIRD ANNIVERSARY OF THE TRAGIC EARTHQUAKE IN HAITI ON JANUARY 12, 2010, HONORING THOSE WHO LOST THEIR LIVES IN THAT EARTHQUAKE, AND EXPRESSING CONTINUED SOLIDARITY WITH THE PEOPLE OF HAITI

Mr. NELSON (for himself, Mrs. GILLIBRAND, Mr. LAUTENBERG, Mr. CARDIN, Mr. DURBIN, Ms. WARREN, Ms. LANDRIEU, and Mr. HARKIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 12

Whereas, on January 12, 2010, an earthquake measuring 7.0 on the Richter scale struck the country of Haiti, followed by 59 aftershocks measuring 4.5 or greater;

Whereas more than 220,000 people died as a result of the earthquake, more than 300,000 people were injured, and more than 3,000,000 people were directly affected by the disaster;

Whereas the total cost in terms of human lives, infrastructure damage, and economic losses makes the earthquake one of the worst urban disasters in modern history;

Whereas President Barack Obama vowed the “unwavering support” of the United States Government and pledged a “swift, coordinated, and aggressive effort to save lives and support the recovery in Haiti”;

Whereas the initial emergency response of the men and women of the United States

Government, led by the United States Agency for International Development and United States Southern Command, was swift and resolute;

Whereas the Haitian diaspora, other individuals, businesses, and philanthropic organizations throughout the United States and the international community overwhelmingly responded to the crisis by sending emergency relief supplies and significant financial contributions;

Whereas the Senate passed 3 successive resolutions expressing its profound sympathy and unwavering support for the people of Haiti and urging all nations to assist the people of Haiti with their long-term needs;

Whereas, 3 years later, significant challenges still remain in Haiti as it works to recover and rebuild;

Whereas, according to the International Organization for Migration, approximately 360,000 people remain in spontaneous and organized camps in Haiti and hundreds of thousands of poor people in Haiti continue to live in non-permanent housing, conditions that make them vulnerable to future natural disasters;

Whereas, according to an independent panel investigation by the United Nations, on October 19, 2010, an imported strain of cholera was detected in the Lower Artibonite region of Haiti;

Whereas, according to the Haitian Ministry of Public Health and Population, as of December 31, 2012, more than 7,900 people in Haiti have died from cholera and more than 635,000 have been infected with the disease since the earthquake on January 12, 2010;

Whereas the United Nations Secretary-General announced a plan to eliminate cholera from the island of Hispaniola through enhanced treatment and prevention efforts and through the development of clean water and sanitation infrastructure that is accessible to all people in Haiti;

Whereas gender-based violence against women and girls in Haiti continues to be a chronic problem, and judicial barriers that have prevented victims from finding redress remain a significant issue of concern;

Whereas, in 2012 alone, Haiti faced a long drought period and 2 major tropical storms that destroyed 70 percent of agricultural crops in Haiti, impacting the lives of millions of people in Haiti facing food insecurity and further crippling the economy of Haiti;

Whereas the sustained assistance to Haiti from the United States and the international community bolsters the efforts of the Government of Haiti to confront these challenges; and

Whereas, since the earthquake on January 12, 2010, the people of Haiti have demonstrated unwavering resilience, dignity, and courage: Now, therefore, be it

Resolved, That the Senate—

(1) mourns the loss of lives as a result of the tragic earthquake in Haiti on January 12, 2010, and the subsequent cholera epidemic;

(2) honors the sacrifice made by the men and women of the Government of Haiti, civil society, the United States Government, the United Nations, and the international community in their response to those affected by the calamity;

(3) reaffirms its solidarity with the Government and people of Haiti as they work to rebuild their country and livelihoods;

(4) supports the long-term reconstruction efforts of the United States Government to improve housing, energy, job creation, food security, health care, education, governance, and rule of law in Haiti in full cooperation

with the Government of Haiti and civil society, and with the support of the private sector;

(5) urges the President and the international community to continue—

(A) to focus assistance on increasing the capacity of the public sector of Haiti to sustainably provide services to the people of Haiti;

(B) to develop, improve, and increase communication and participation to more substantially involve civil society in Haiti and the Haitian diaspora at all stages of the post-earthquake response;

(C) to provide programs that protect and involve vulnerable populations, including internally displaced persons, children, women and girls, and persons with disabilities; and

(D) to work to enhance the ability of the Government of Haiti, at all stages of the democratic process, to improve economic development, attract private sector investment, pursue judicial reform, enhance the rule of law, reduce incidences of gender-based violence, improve water and sanitation systems, develop a civil registry, and reform land tenure policies;

(6) welcomes evidence of progress in building a better future for Haiti, including—

(A) significant improvements in agricultural yields via the Feed the Future initiative;

(B) the opening of the Caracol Industrial Park in northern Haiti, which is projected to create approximately 20,000 jobs by 2016;

(C) programs to support economic opportunities for women and survivors of sexual violence through microcredit, short term jobs programs and leadership training, health services, and reintegration and repatriation assistance to Haitian migrants;

(D) the reduction of the cholera mortality rate to lower than one percent, and the provision of sophisticated HIV and AIDS prevention and treatment services; and

(E) the recruitment, training, and provisioning of new officers for the Haitian National Police; and

(7) urges the President—

(A) to continue reconstruction and development efforts, closely coordinated with the Government of Haiti, the Haitian diaspora, and international actors who share in the goal of a better future for Haiti;

(B) to ensure close monitoring of the implementation of aid programs funded by the United States Government; and

(C) to work with the Government of Haiti and private landowners to prevent the forced eviction of internally displaced people and communities and to provide sustainable and safe housing solutions for the most vulnerable people in Haiti.

SENATE RESOLUTION 13—CONGRATULATING THE MEMBERS OF DELTA SIGMA THETA SORORITY, INC. FOR 100 YEARS OF SERVICE TO COMMUNITIES THROUGHOUT THE UNITED STATES AND THE WORLD, AND COMMENDING DELTA SIGMA THETA SORORITY, INC. FOR ITS PROMOTION OF SISTERHOOD, SCHOLARSHIP, AND SERVICE

Mr. BROWN (for himself, Mr. LEAHY, Mr. COCHRAN, Mr. CORNYN, Ms. MIKULSKI, Mr. CARDIN, Ms. LANDRIEU, Mr. MENENDEZ, Mr. WARNER, and Mrs. GILLIBRAND) submitted the following

resolution; which was referred to the Committee on the Judiciary:

S. RES. 13

Whereas, on January 13, 1913, Delta Sigma Theta Sorority, Inc. was founded at Howard University in the District of Columbia by Osceola Macarthy Adams, Marguerite Young Alexander, Winona Cargile Alexander, Ethel Cuff Black, Bertha Pitts Campbell, Zephyr Chisom Carter, Edna Brown Coleman, Jessie McGuire Dent, Frederica Chase Dodd, Myra Davis Hemmings, Olive Jones, Jimmie Bugg Middleton, Pauline Oberdorfer Minor, Vashti Turley Murphy, Naomi Sewell Richardson, Mamie Reddy Rose, Eliza Pearl Shippen, Florence Letcher Toms, Ethel Carr Watson, Wertie Blackwell Weaver, Madree Penn White, and Edith Motte Young;

Whereas, on January 13, 2013, Delta Sigma Theta Sorority, Inc. celebrated 100 years of thoughtful service to and conscientious leadership in communities throughout the United States and the world in diverse fields relating to public service and the organization's five-point programmatic thrust: economic development, educational development, international awareness and involvement, physical and mental health, and political awareness and involvement;

Whereas, in March 1913, the founders of Delta Sigma Theta Sorority, Inc. participated in the Women's Suffrage March in the District of Columbia, the sorority's first public act;

Whereas, in its infancy, Delta Sigma Theta Sorority, Inc. established its Beta chapter at Wilberforce University in Wilberforce, Ohio, its Gamma chapter at the University of Pennsylvania in Philadelphia, Pennsylvania, its Delta chapter at the University of Iowa in Iowa City, Iowa, and its Epsilon chapter at the Ohio State University in Columbus, Ohio;

Whereas Delta Sigma Theta Sorority, Inc. has more than 900 chapters in the United States, England, Japan, Germany, the Virgin Islands, Bermuda, the Bahamas, and South Korea;

Whereas the women of Delta Sigma Theta Sorority, Inc. have distinguished themselves in the endeavor for civil rights, including Mary McLeod Bethune, Fannie Lou Hamer, Betty Shabazz, Lena Horne, and Dorothy Irene Height;

Whereas the women of Delta Sigma Theta Sorority, Inc. have distinguished themselves as public servants, including—

(1) Stephanie Tubbs-Jones, a Member of the House of Representatives from Ohio;

(2) Marcia Fudge, a Member of the House of Representatives from Ohio;

(3) Joyce Beatty, a Member of the House of Representatives from Ohio;

(4) Carrie P. Meek, a Member of the House of Representatives from Florida;

(5) Shirley Chisholm, the first African-American woman elected to Congress and the first African-American and woman to run as a major party candidate for President of the United States;

(6) Barbara Jordan, the first African-American woman from the South to serve in the House of Representatives;

(7) Carol Mosley Braun, the first and only African-American woman elected to the Senate;

(8) Mary Church Terrell, a founder of the National Association for the Advancement of Colored People and an adviser to the Republican National Committee and the Herbert Hoover presidential campaign;

(9) Jewel Stradford LaFontant, United States Representative to the United Nations and the first female Deputy Solicitor Gen-

eral of the United States in the administration of President Richard M. Nixon, later serving as the United States Coordinator for Refugee Affairs and Ambassador-at-Large in the administration of President George H.W. Bush;

(10) Patricia Roberts Harris, the first African-American woman to serve as an Ambassador of the United States, later serving as Secretary of Housing and Urban Development and Secretary of Health and Human Services under President Jimmy Carter;

(11) The Honorable Ann Claire Williams, the first African-American woman appointed to the United States District Court for the North District of Illinois in 1985 by President Ronald Reagan, the first African-American appointed to the United States Court of Appeals for the Seventh Circuit in 1999 by President William J. Clinton, and the third African-American woman to serve as a judge on a United States Court of Appeals;

(12) Alexis Herman, Secretary of Labor under President William J. Clinton; and

(13) Regina Benjamin, the 18th Surgeon General of the United States, serving in the administration of President Barack Obama; and

Whereas Delta Sigma Theta Sorority, Inc. commemorated its history and promoted service during its centennial celebration, January 11 through January 13, 2013, in the District of Columbia: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates Delta Sigma Theta Sorority, Inc. for 100 years of service to communities throughout the United States and the world; and

(2) commends Delta Sigma Theta Sorority, Inc. for its promotion of sisterhood, scholarship, and service.

SENATE RESOLUTION 14—RAISING AWARENESS AND ENCOURAGING PREVENTION OF STALKING BY DESIGNATING JANUARY 2013 AS "NATIONAL STALKING AWARENESS MONTH"

Ms. KLOBUCHAR (for herself, Mr. CHAMBLISS, Mr. WHITEHOUSE, and Mr. FRANKEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 14

Whereas 1 in 6, or 19,200,000, women in the United States have at some point during their lifetime experienced stalking victimization, during which they felt very fearful or believed that they or someone close to them would be harmed or killed;

Whereas, during a 1-year period, an estimated 3,400,000 persons in the United States reported that they had been victims of stalking, and 75 percent of those victims reported that they had been stalked by someone they knew;

Whereas 11 percent of victims reported having been stalked for more than 5 years, and 23 percent of victims reported having been stalked almost every day;

Whereas 1 in 4 victims reported that stalkers had used email, instant messaging, blogs, bulletin boards, Internet sites, chat rooms, or other forms of electronic monitoring against them, and 1 in 13 victims reported that stalkers had used electronic devices to monitor them;

Whereas stalking victims are forced to take drastic measures to protect themselves, including changing identity, relocating, changing jobs, and obtaining protection orders;

Whereas 1 in 7 victims reported having relocated in an effort to escape a stalker;

Whereas approximately 1 in 8 employed victims of stalking missed work because they feared for their safety or were taking steps to protect themselves, such as by seeking a restraining order;

Whereas less than 50 percent of victims reported stalking to police, and only 7 percent of victims contacted a victim service provider, shelter, or hotline;

Whereas stalking is a crime under Federal law and under the laws of all 50 States, the District of Columbia, and the territories of the United States;

Whereas stalking affects victims of every race, age, culture, gender, sexual orientation, physical and mental ability, and economic status;

Whereas national organizations, local victim service organizations, campuses, prosecutor's offices, and police departments stand ready to assist stalking victims and are working diligently to develop effective and innovative responses to stalking;

Whereas there is a need to improve the response of the criminal justice system to stalking through more aggressive investigation and prosecution;

Whereas there is a need for increased availability of victim services across the United States, and such services must include programs tailored to meet the needs of stalking victims;

Whereas persons aged 18 to 24 experience the highest rates of stalking victimization, and rates of stalking among college students exceed the prevalence rates found in the general population;

Whereas as many as 75 percent of women in college who experience stalking-related behavior experience other forms of victimization, including sexual or physical victimization, or both;

Whereas there is a need for effective responses to stalking on campuses; and

Whereas the Senate finds that "National Stalking Awareness Month" provides an opportunity to educate the people of the United States about stalking: Now, therefore, be it

Resolved, That the Senate—

(1) designates January 2013 as "National Stalking Awareness Month";

(2) applauds the efforts of the many stalking victim service providers, police, prosecutors, national and community organizations, campuses, and private sector supporters to promote awareness of stalking;

(3) encourages policymakers, criminal justice officials, victim service and human service agencies, college campuses and universities, and nonprofit organizations to increase awareness of stalking and the availability of services for stalking victims; and

(4) urges national and community organizations, businesses in the private sector, and the media to promote awareness of the crime of stalking through "National Stalking Awareness Month".

SENATE RESOLUTION 15—TO IMPROVE PROCEDURES FOR THE CONSIDERATION OF LEGISLATION AND NOMINATIONS IN THE SENATE

Mr. REID (for himself, Mr. LEVIN, and Mr. MCCAIN) submitted the following resolution; which was submitted and read:

S. RES. 15

Resolved,

SECTION 1. CONSIDERATION OF LEGISLATION.

(a) MOTION TO PROCEED AND CONSIDERATION OF AMENDMENTS.—A motion to proceed to the consideration of a measure or matter made pursuant to this section shall be debatable for no more than 4 hours, equally divided in the usual form. If the motion to proceed is agreed to the following conditions shall apply:

(1) The first amendments in order to the measure or matter shall be one first-degree amendment each offered by the minority, the majority, the minority, and the majority, in that order. If an amendment is not offered in its designated order under this paragraph, the right to offer that amendment is forfeited.

(2) If a cloture motion has been filed pursuant to rule XXII of the Standing Rules of the Senate on a measure or matter proceeded to under this section, it shall not be in order for the minority to propose its first amendment unless it has been submitted to the Senate Journal Clerk by 1:00 p.m. on the day following the filing of that cloture motion, for the majority to propose its first amendment unless it has been submitted to the Senate Journal Clerk by 3:00 p.m. on the day following the filing of that cloture motion, for the minority to propose its second amendment unless it has been submitted to the Senate Journal Clerk by 5:00 p.m. on the day following the filing of that cloture motion, or for the majority to propose its second amendment unless it has been submitted to the Senate Journal Clerk by 7:00 p.m. on the day following the filing of that cloture motion. If an amendment is not timely submitted under this paragraph, the right to offer that amendment is forfeited.

(3) An amendment offered under paragraph (1) shall be disposed of before the next amendment in order under paragraph (1) may be offered.

(4) An amendment offered under paragraph (1) is not divisible or subject to amendment while pending.

(5) An amendment offered under paragraph (1), if adopted, shall be considered original text for purpose of further amendment.

(6) No points of order shall be waived by virtue of this section.

(7) No motion to commit or recommit shall be in order during the pendency of any amendment offered pursuant to paragraph (1).

(8) Notwithstanding rule XXII of the Standing Rules of the Senate, if cloture is invoked on the measure or matter before all amendments offered under paragraph (1) are disposed of, any amendment in order under paragraph (1) but not actually pending upon the expiration of post-cloture time may be offered and may be debated for not to exceed 1 hour, equally divided in the usual form. Any amendment offered under paragraph (1) that is ruled non-germane on a point of order shall not fall upon that ruling, but instead shall remain pending and shall require 60 votes in the affirmative to be agreed to.

(b) SUNSET.—This section shall expire on the day after the date of the sine die adjournment of the 113th Congress.

SEC. 2. CONSIDERATION OF NOMINATIONS.

(a) IN GENERAL.—

(1) POST-CLOTURE CONSIDERATION.—If cloture is invoked in accordance with rule XXII of the Standing Rules of the Senate on a nomination described in paragraph (2), there shall be no more than 8 hours of post-cloture consideration equally divided in the usual form.

(2) NOMINATIONS COVERED.—A nomination described in this paragraph is any nomina-

tion except for the nomination of an individual—

(A) to a position at level I of the Executive Schedule under section 5312 of title 5, United States Code; or

(B) to serve as a judge or justice appointed to hold office during good behavior.

(b) SPECIAL RULE FOR DISTRICT COURT NOMINEES.—If cloture is invoked in accordance with rule XXII of the Standing Rules of the Senate on a nomination of an individual to serve as a judge of a district court of the United States, there shall be no more than 2 hours of post-cloture consideration equally divided in the usual form.

(c) SUNSET.—This section shall expire on the day after the date of the sine die adjournment of the 113th Congress.

SENATE RESOLUTION 16—AMENDING THE STANDING RULES OF THE SENATE

Mr. REID (for himself, Mr. MCCONNELL, Mr. LEVIN, and Mr. MCCAIN) submitted the following resolution; which was submitted and read:

S. RES. 16

SECTION 1. BIPARTISAN CLOTURE ON THE MOTION TO PROCEED.

Rule XXII of the Standing Rules of the Senate is amended by inserting at the end the following:

"3. If a cloture motion on a motion to proceed to a measure or matter is presented in accordance with this rule and is signed by 16 Senators, including the Majority Leader, the Minority Leader, 7 additional Senators not affiliated with the majority, and 7 additional Senators not affiliated with the minority, one hour after the Senate meets on the following calendar day, the Presiding Officer, or the clerk at the direction of the Presiding Officer, shall lay the motion before the Senate. If cloture is then invoked on the motion to proceed, the question shall be on the motion to proceed, without further debate."

SEC. 2. CONFERENCE MOTIONS.

Rule XXVIII of the Standing Rules of the Senate is amended—

(1) by redesignating paragraphs 2 through 9 as paragraphs 3 through 10, respectively;

(2) in paragraph 3(c), as so redesignated, by striking "paragraph 4" and inserting "paragraph 5";

(3) in paragraph 4(b), as so redesignated, by striking "paragraph 4" and inserting "paragraph 5";

(4) in paragraph 5(a), as so redesignated, by striking "paragraph 2 or paragraph 3" and inserting "paragraph 3 or paragraph 4";

(5) in paragraph 6, as so redesignated—

(A) in subparagraph (a), by striking "paragraph 2 or 3" and inserting "paragraph 3 or paragraph 4";

(B) in subparagraph (b), by striking "paragraph (4)" each place it appears and inserting "paragraph (5)"; and

(6) inserting after paragraph 1 the following:

"2. (a) When a message from the House of Representatives is laid before the Senate, it shall be in order for a single, non-divisible motion to be made that includes—

"(1) a motion to disagree to a House amendment or insist upon a Senate amendment;

"(2) a motion to request a committee of conference with the House or to agree to a request by the House for a committee of conference; and

"(3) a motion to authorize the Presiding Officer to appoint conferees (or a motion to appoint conferees).

“(b) If a cloture motion is presented on a motion made pursuant to subparagraph (a), the motion shall be debatable for no more than 2 hours, equally divided in the usual form, after which the Presiding Officer, or the clerk at the direction of the Presiding Officer, shall lay the motion before the Senate. If cloture is then invoked on the motion, the question shall be on the motion, without further debate.”.

SENATE RESOLUTION 17—TO CONSTITUTE THE MAJORITY PARTY'S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED THIRTEENTH CONGRESS, OR UNTIL THEIR SUCCESSORS ARE CHOSEN

Mr. REID submitted the following resolution; which was considered and agreed to:

S. RES. 17

Resolved, That the following shall constitute the majority party's membership on the following committees for the One Hundred Thirteenth Congress, or until their successors are chosen:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY: Ms. Stabenow (Chairman), Mr. Leahy, Mr. Harkin, Mr. Baucus, Mr. Brown, Mr. Casey, Ms. Klobuchar, Mr. Bennett, Mrs. Gillibrand, Mr. Donnelly, and Ms. Heitkamp.

COMMITTEE ON APPROPRIATIONS: Ms. Mikulski (Chairman), Mr. Leahy, Mr. Harkin, Mrs. Murray, Mrs. Feinstein, Mr. Durbin, Mr. Johnson, Ms. Landrieu, Mr. Reed, Mr. Lautenberg, Mr. Pryor, Mr. Tester, Mr. Udall of New Mexico, Mrs. Shaheen, Mr. Merkley, and Mr. Begich.

COMMITTEE ON ARMED SERVICES: Mr. Levin (Chairman), Mr. Reed, Mr. Nelson, Mrs. McCaskill, Mr. Udall of Colorado, Mrs. Hagan, Mr. Manchin, Mrs. Shaheen, Mrs. Gillibrand, Mr. Blumenthal, Mr. Donnelly, Ms. Hirono, Mr. Kaine, and Mr. King.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS: Mr. Johnson (Chairman), Mr. Reed, Mr. Schumer, Mr. Menendez, Mr. Brown, Mr. Tester, Mr. Warner, Mr. Merkley, Mrs. Hagan, Mr. Manchin, Ms. Warren, and Ms. Heitkamp.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION: Mr. Rockefeller (Chairman), Mr. Kerry, Mrs. Boxer, Mr. Nelson, Ms. Cantwell, Mr. Lautenberg, Mr. Pryor, Mrs. McCaskill, Ms. Klobuchar, Mr. Warner, Mr. Begich, Mr. Blumenthal, and Mr. Schatz.

COMMITTEE ON ENERGY AND NATURAL RESOURCES: Mr. Wyden (Chairman), Mr. Johnson, Ms. Landrieu, Ms. Cantwell, Mr. Sanders, Ms. Stabenow, Mr. Udall of Colorado, Mr. Franken, Mr. Manchin, Mr. Coons, Mr. Schatz, and Mr. Heinrich.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS: Mrs. Boxer (Chairman), Mr. Baucus, Mr. Carper, Mr. Lautenberg, Mr. Cardin, Mr. Sanders, Mr. Whitehouse, Mr. Udall of New Mexico, Mr. Merkley, and Mrs. Gillibrand.

COMMITTEE ON FINANCE: Mr. Baucus (Chairman), Mr. Rockefeller, Mr. Kerry, Mr. Wyden, Mr. Schumer, Ms. Stabenow, Ms. Cantwell, Mr. Nelson, Mr. Menendez, Mr. Carper, Mr. Cardin, Mr. Brown, and Mr. Bennett.

COMMITTEE ON FOREIGN RELATIONS: Mr. Kerry (Chairman), Mrs. Boxer, Mr. Menendez, Mr. Cardin, Mr. Casey, Mrs. Shaheen, Mr. Coons, Mr. Udall of New Mexico, Mr. Murphy, and Mr. Kaine.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS: Mr. Harkin (Chairman), Ms.

Mikulski, Mrs. Murray, Mr. Sanders, Mr. Casey, Mrs. Hagan, Mr. Franken, Mr. Bennett, Mr. Whitehouse, Ms. Baldwin, Mr. Murphy, and Ms. Warren.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Mr. Carper (Chairman), Mr. Levin, Mr. Pryor, Ms. Landrieu, Mrs. McCaskill, Mr. Tester, Mr. Begich, Ms. Baldwin, and Ms. Heitkamp.

SELECT COMMITTEE ON INTELLIGENCE: Mrs. Feinstein (Chairman), Mr. Rockefeller, Mr. Wyden, Ms. Mikulski, Mr. Udall of Colorado, Mr. Warner, Mr. Heinrich, Mr. King, and Mr. Levin (ex officio).

COMMITTEE ON THE JUDICIARY: Mr. Leahy (Chairman), Mrs. Feinstein, Mr. Schumer, Mr. Durbin, Mr. Whitehouse, Ms. Klobuchar, Mr. Franken, Mr. Coons, Mr. Blumenthal, and Ms. Hirono.

COMMITTEE ON THE BUDGET: Mrs. Murray (Chairman), Mr. Wyden, Mr. Nelson, Ms. Stabenow, Mr. Sanders, Mr. Whitehouse, Mr. Warner, Mr. Merkley, Mr. Coons, Ms. Baldwin, Mr. Kaine, and Mr. King.

COMMITTEE ON RULES AND ADMINISTRATION: Mr. Schumer (Chairman), Mrs. Feinstein, Mr. Durbin, Mrs. Murray, Mr. Pryor, Mr. Udall of New Mexico, Mr. Warner, Mr. Leahy, Ms. Klobuchar, and Mr. King.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP: Ms. Landrieu (Chairman), Mr. Levin, Mr. Harkin, Mr. Kerry, Ms. Cantwell, Mr. Pryor, Mr. Cardin, Mrs. Shaheen, Mrs. Hagan, and Ms. Heitkamp.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Sanders (Chairman), Mr. Rockefeller, Mrs. Murray, Mr. Brown, Mr. Tester, Mr. Begich, Mr. Blumenthal, and Ms. Hirono.

SPECIAL COMMITTEE ON AGING: Mr. Nelson (Chairman), Mr. Wyden, Mr. Casey, Mrs. McCaskill, Mr. Whitehouse, Mrs. Gillibrand, Mr. Manchin, Mr. Blumenthal, Ms. Baldwin, Mr. Donnelly, and Ms. Warren.

JOINT ECONOMIC COMMITTEE: Mr. Casey (Vice Chairman), Ms. Klobuchar, Mr. Warner, Mr. Sanders, Mr. Murphy, and Mr. Heinrich.

SELECT COMMITTEE ON ETHICS: Mrs. Boxer (Chairman), Mr. Pryor, and Mr. Brown.

COMMITTEE ON INDIAN AFFAIRS: Ms. Cantwell (Chairman), Mr. Johnson, Mr. Tester, Mr. Udall of New Mexico, Mr. Franken, Mr. Begich, Mr. Schatz, and Ms. Heitkamp.

SENATE RESOLUTION 18—MAKING MINORITY PARTY APPOINTMENTS FOR THE 113TH CONGRESS

Mr. MCCONNELL submitted the following resolution; which was considered and agreed to:

S. RES. 18

Resolved, That the following be the minority membership on the following committees for the remainder of the 113th Congress or until their successors are appointed:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY: Mr. Cochran, Mr. McConnell, Mr. Roberts, Mr. Chambliss, Mr. Boozman, Mr. Hoeven, Mr. Johanns, Mr. Grassley, and Mr. Thune.

COMMITTEE ON APPROPRIATIONS: Mr. Shelby, Mr. Cochran, Mr. McConnell, Mr. Alexander, Ms. Collins, Ms. Murkowski, Mr. Graham, Mr. Kirk, Mr. Coats, Mr. Blunt, Mr. Moran, Mr. Hoeven, Mr. Johanns, and Mr. Boozman.

COMMITTEE ON ARMED SERVICES: Mr. Inhofe, Mr. McCain, Mr. Sessions, Mr. Chambliss, Mr. Wicker, Ms. Ayotte, Mrs. Fischer, Mr. Graham, Mr. Vitter, Mr. Blunt, Mr. Lee, and Mr. Cruz.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS: Mr. Crapo, Mr. Shelby, Mr.

Corker, Mr. Vitter, Mr. Johanns, Mr. Toomey, Mr. Kirk, Mr. Moran, Mr. Coburn, and Mr. Heller.

COMMITTEE ON THE BUDGET: Mr. Sessions, Mr. Grassley, Mr. Enzi, Mr. Crapo, Mr. Graham, Mr. Portman, Mr. Toomey, Mr. Johnson, Ms. Ayotte, and Mr. Wicker.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION: Mr. Thune, Mr. Wicker, Mr. Blunt, Mr. Rubio, Ms. Ayotte, Mr. Heller, Mr. Coats, Mr. Scott, Mr. Cruz, Mrs. Fischer, and Mr. Johnson.

COMMITTEE ON ENERGY AND NATURAL RESOURCES: Ms. Murkowski, Mr. Barrasso, Mr. Risch, Mr. Lee, Mr. Heller, Mr. Flake, Mr. Scott, Mr. Alexander, Mr. Portman, and Mr. Hoeven.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS: Mr. Vitter, Mr. Inhofe, Mr. Barrasso, Mr. Sessions, Mr. Crapo, Mr. Wicker, Mr. Boozman, and Mrs. Fischer.

COMMITTEE ON FINANCE: Mr. Hatch, Mr. Grassley, Mr. Crapo, Mr. Roberts, Mr. Enzi, Mr. Cornyn, Mr. Thune, Mr. Burr, Mr. Isakson, Mr. Portman, and Mr. Toomey.

COMMITTEE ON FOREIGN RELATIONS: Mr. Corker, Mr. Risch, Mr. Rubio, Mr. Johnson, Mr. Flake, Mr. McCain, Mr. Barrasso, and Mr. Paul.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS: Mr. Alexander, Mr. Enzi, Mr. Burr, Mr. Isakson, Mr. Paul, Mr. Hatch, Mr. Roberts, Ms. Murkowski, Mr. Kirk, and Mr. Scott.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Mr. Coburn, Mr. McCain, Mr. Johnson, Mr. Portman, Mr. Paul, Mr. Enzi, and Ms. Ayotte.

COMMITTEE ON THE JUDICIARY: Mr. Grassley, Mr. Hatch, Mr. Sessions, Mr. Graham, Mr. Cornyn, Mr. Lee, Mr. Cruz, and Mr. Flake.

COMMITTEE ON RULES AND ADMINISTRATION: Mr. Roberts, Mr. McConnell, Mr. Cochran, Mr. Chambliss, Mr. Alexander, Mr. Shelby, Mr. Blunt, and Mr. Cruz.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP: Mr. Risch, Mr. Vitter, Mr. Rubio, Mr. Paul, Mr. Scott, Mrs. Fischer, Mr. Enzi, and Mr. Johnson.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Burr, Mr. Isakson, Mr. Johanns, Mr. Moran, Mr. Boozman, and Mr. Heller.

COMMITTEE ON INDIAN AFFAIRS: Mr. Barrasso, Mr. McCain, Ms. Murkowski, Mr. Hoeven, Mr. Crapo, and Mrs. Fischer.

SELECT COMMITTEE ON ETHICS: Mr. Isakson, Mr. Roberts, and Mr. Risch.

SELECT COMMITTEE ON INTELLIGENCE: Mr. Chambliss, Mr. Burr, Mr. Risch, Mr. Coats, Mr. Rubio, Ms. Collins, and Mr. Coburn.

SPECIAL COMMITTEE ON AGING: Ms. Collins, Mr. Corker, Mr. Hatch, Mr. Kirk, Mr. Heller, Mr. Flake, Ms. Ayotte, Mr. Scott, and Mr. Cruz.

JOINT ECONOMIC COMMITTEE: Mr. Coats, Mr. Lee, Mr. Wicker, and Mr. Toomey.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3. Mr. LEE proposed an amendment to the resolution S. Res. 15, to improve procedures for the consideration of legislation and nominations in the Senate.

SA 4. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 152, making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3. Mr. LEE proposed an amendment to the resolution S. Res. 15, to

improve procedures for the consideration of legislation and nominations in the Senate; as follows:

At the end of the resolution, insert the following:

SEC. _____. REFORM THE FILIBUSTER RULES.

(a) **MOTIONS TO PROCEED.**—Paragraph 2 of rule VIII of the Standing Rules of the Senate is amended by striking “to proceed to the consideration of bills and resolutions are debatable.” and inserting the following: “to proceed to the consideration of any matter, and any debatable motion or appeal in connection therewith, shall be limited to not more than 4 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees except for—

“(a) a motion to proceed to a proposal to change the Standing Rules which shall be debatable; and

“(b) a motion to proceed to executive session to consider a specified item of executive business and a motion to proceed to consider any privileged matter which shall not be debatable.”.

(b) **NO FILIBUSTER AFTER COMPLETE SUBSTITUTE IS AGREED TO.**—Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended by adding at the end the following: “If a complete substitute amendment for a measure is agreed to after consideration under cloture, the Senate shall proceed to the disposition of the measure without intervening action or debate except one quorum call if requested.”.

(c) **ONE MOTION RELATED TO COMMITTEES ON CONFERENCE.**—Rule XXVIII of the Standing Rules of the Senate is amended by adding at the end the following:

“10. (a) A single motion to disagree with a House amendment or amendments or insist on a Senate amendment or amendments, request a conference with the House, or agree to the conference requested by the House on the disagreeing votes of the two Houses, and authorize the Chair to appoint conferees on the part of the Senate shall be in order, shall not be divisible, and shall not be subject to amendment.”.

(d) **TIME PRE-CLOTURE.**—Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended—

(1) in the first undesignated subparagraph—

(A) by inserting “for a measure, motion, or other matter that is subject to amendment, at any time after the end of the 12-hour period beginning at the time the Senate proceeds to consideration of the measure, motion, or other matter and, for any other measure, motion, or other matter,” before “at any time”;

(B) by striking “any measure” and inserting “the measure”; and

(C) by striking “one hour after the Senate meets on the following calendar day but one” and inserting “24 hours after the filing of the motion”; and

(2) in the third undesignated subparagraph, by striking the second sentence and inserting “Except by unanimous consent, no amendment shall be proposed after the vote to bring the debate to a close, unless it had been submitted in writing to the Journal Clerk 12 hours following the filing of the cloture motion if an amendment in the first degree, and unless it had been so submitted at least 1 hour prior to the beginning of the cloture vote if an amendment in the second degree.”.

(e) **ABILITY OF SENATORS TO OFFER AMENDMENTS.**—Rule XV of the Standing Rules of the Senate is amended by adding at the end the following:

“6. (a) If cloture is invoked on a measure or matter that is subject to amendment, each Senator who has not offered an amendment during consideration of the measure or matter may offer 1 amendment to the measure or matter (without regard to whether the amendment is actually pending and notwithstanding the expiration of the time for consideration of the measure or matter under paragraph 2 of rule XXII or any other rule of the Senate) if—

“(1) the Senator submitted written notice of the intent of the Senator to offer an amendment in accordance with this paragraph not later than 12 hours after the filing of the motion to invoke cloture on the measure or matter; and

“(2) the amendment is timely filed, germane, and otherwise meets the requirements for an amendment under paragraph 2 of rule XXII.

“(b) If a Senator fails to submit written notice in accordance with subparagraph (a), the right to offer an amendment under this paragraph is forfeited.

“(c) An affirmative vote of three-fifths of the Senators duly chosen and sworn shall be required to sustain an appeal of a ruling by the Chair that an amendment offered under this paragraph is not germane.”.

SA 4. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 152, making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a)(1) There is hereby rescinded an amount equal to .49 percent of—

(A) the budget authority provided (or obligation limitation imposed) for fiscal year 2013 for any discretionary account in any fiscal year 2013 appropriation Act;

(B) the budget authority provided in any advance appropriation for fiscal year 2013 for any discretionary account in any prior fiscal year appropriation Act; and

(C) the contract authority provided in fiscal year 2013 for any program that is subject to a limitation contained in any fiscal year 2013 appropriation Act for any discretionary account.

(2) Any rescission made by paragraph (1) shall be applied proportionately—

(A) to each discretionary account and each item of budget authority described in such paragraph; and

(B) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying reports for the relevant fiscal year covering such account or item, or for accounts and items not included in appropriation Acts, as delineated in the most recently submitted President's budget).

(3) In the case of any fiscal year 2013 appropriation Act enacted after the date of enactment of this section, any rescission required by paragraph (1) shall take effect immediately after the enactment of such Act.

(4) Within 30 days after the date of enactment of this subsection (or, if later, 30 days after the enactment of any fiscal year 2013 appropriation Act), the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the account and amount of each rescission made pursuant to paragraph (1).

(b) The discretionary caps provided in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as modified by section 251A of such Act, are reduced as follows for the respective fiscal year and the respective category:

(1) for fiscal year 2014—

(A) \$2,704,800,000 in security; and
(B) \$2,497,400,000 in non-security;

(2) for fiscal year 2015—

(A) \$2,773,400,000 in security; and
(B) \$2,548,000,000 in non-security;

(3) for fiscal year 2016—

(A) \$2,827,300,000 in security; and
(B) \$2,597,000,000 in non-security;

(4) fiscal year 2017—

(A) \$2,891,000,000 in security; and
(B) \$2,650,900,000 in non-security;

(5) for fiscal year 2018—

(A) \$2,954,700,000 in security; and
(B) \$2,709,700,000 in non-security;

(6) for fiscal year 2019—

(A) \$3,018,400,000 in security; and
(B) \$2,773,400,000 in non-security;

(7) for fiscal year 2020—

(A) \$3,087,000,000 in security; and
(B) \$2,832,200,000 in non-security; and

(8) for fiscal year 2021—

(A) \$3,155,600,000 in security; and
(B) \$2,891,000,000 in non-security;

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled “Assessing the State of America's Mental Health System” on January 24, 2013, at 10 a.m., in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on January 24, 2013, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on January 24, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. BENNET. Mr. President, I ask unanimous consent that Laura Pence, Rina Shah, and Stephanie Aarthun, legislative fellows in my office, be granted the privilege of the floor for the remainder of this session.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that an Army

fellow in Senator CORNYN's office, MAJ Malcolm Warbrick, be granted floor privileges for the remainder of this legislative session.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WHITEHOUSE. I also ask unanimous consent that two fellows in my office, Mr. Todd Bianco and Mr. Benjamin Cady, be granted floor privileges for the remainder of this Congress.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Stephanie Lin and Justin Clayton, law clerks, be granted the privilege of the floor for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—H.R. 152

Mr. REID. Mr. President, I ask unanimous consent that at 4:30 p.m. Monday, January 28, the Senate proceed to the consideration of H.R. 152, the supplemental appropriations bill to provide disaster assistance for Hurricane Sandy; that the only amendment in order to the bill be a Lee amendment, the text of which is at the desk; that there be 1 hour of debate on the amendment and the bill, to run concurrently, equally divided between the two leaders or their designees prior to a vote in relation to the Lee amendment; that upon disposition of the Lee amendment, the Senate proceed to vote on passage of the bill as amended, if amended; that the Lee amendment and the bill be subject to a 60-affirmative-vote threshold; and finally that no other amendments be in order.

The PRESIDING OFFICER. Without objection, it is so ordered.

MAKING MAJORITY PARTY APPOINTMENTS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 17, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 17) to constitute the majority party's membership on certain committees for the 113th Congress, or until their successors are chosen.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 17) was agreed to, as follows:

S. RES. 17

Resolved, That the following shall constitute the majority party's membership on the following committees for the One Hundred Thirteenth Congress, or until their successors are chosen:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY: Ms. Stabenow (Chairman), Mr. Leahy, Mr. Harkin, Mr. Baucus, Mr. Brown, Mr. Casey, Ms. Klobuchar, Mr. Bennett, Mrs. Gillibrand, Mr. Donnelly, and Ms. Heitkamp.

COMMITTEE ON APPROPRIATIONS: Ms. Mikulski (Chairman), Mr. Leahy, Mr. Harkin, Mrs. Murray, Mrs. Feinstein, Mr. Durbin, Mr. Johnson, Ms. Landrieu, Mr. Reed, Mr. Lautenberg, Mr. Pryor, Mr. Tester, Mr. Udall of New Mexico, Mrs. Shaheen, Mr. Merkley, and Mr. Begich.

COMMITTEE ON ARMED SERVICES: Mr. Levin (Chairman), Mr. Reed, Mr. Nelson, Mrs. McCaskill, Mr. Udall of Colorado, Mrs. Hagan, Mr. Manchin, Mrs. Shaheen, Mrs. Gillibrand, Mr. Blumenthal, Mr. Donnelly, Ms. Hirono, Mr. Kaine, and Mr. King.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS: Mr. Johnson (Chairman), Mr. Reed, Mr. Schumer, Mr. Menendez, Mr. Brown, Mr. Tester, Mr. Warner, Mr. Merkley, Mrs. Hagan, Mr. Manchin, Ms. Warren, and Ms. Heitkamp.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION: Mr. Rockefeller (Chairman), Mr. Kerry, Mrs. Boxer, Mr. Nelson, Ms. Cantwell, Mr. Lautenberg, Mr. Pryor, Mrs. McCaskill, Ms. Klobuchar, Mr. Warner, Mr. Begich, Mr. Blumenthal, and Mr. Schatz.

COMMITTEE ON ENERGY AND NATURAL RESOURCES: Mr. Wyden (Chairman), Mr. Johnson, Ms. Landrieu, Ms. Cantwell, Mr. Sanders, Ms. Stabenow, Mr. Udall of Colorado, Mr. Franken, Mr. Manchin, Mr. Coons, Mr. Schatz, and Mr. Heinrich.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS: Mrs. Boxer (Chairman), Mr. Baucus, Mr. Carper, Mr. Lautenberg, Mr. Cardin, Mr. Sanders, Mr. Whitehouse, Mr. Udall of New Mexico, Mr. Merkley, and Mrs. Gillibrand.

COMMITTEE ON FINANCE: Mr. Baucus (Chairman), Mr. Rockefeller, Mr. Kerry, Mr. Wyden, Mr. Schumer, Ms. Stabenow, Ms. Cantwell, Mr. Nelson, Mr. Menendez, Mr. Carper, Mr. Cardin, Mr. Brown, and Mr. Bennett.

COMMITTEE ON FOREIGN RELATIONS: Mr. Kerry (Chairman), Mrs. Boxer, Mr. Menendez, Mr. Cardin, Mr. Casey, Mrs. Shaheen, Mr. Coons, Mr. Udall of New Mexico, Mr. Murphy, and Mr. Kaine.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS: Mr. Harkin (Chairman), Ms. Mikulski, Mrs. Murray, Mr. Sanders, Mr. Casey, Mrs. Hagan, Mr. Franken, Mr. Bennett, Mr. Whitehouse, Ms. Baldwin, Mr. Murphy, and Ms. Warren.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Mr. Carper (Chairman), Mr. Levin, Mr. Pryor, Ms. Landrieu, Mrs. McCaskill, Mr. Tester, Mr. Begich, Ms. Baldwin, and Ms. Heitkamp.

SELECT COMMITTEE ON INTELLIGENCE: Mrs. Feinstein (Chairman), Mr. Rockefeller, Mr. Wyden, Ms. Mikulski, Mr. Udall of Colorado, Mr. Warner, Mr. Heinrich, Mr. King, and Mr. Levin (ex officio).

COMMITTEE ON THE JUDICIARY: Mr. Leahy (Chairman), Mrs. Feinstein, Mr. Schumer, Mr. Durbin, Mr. Whitehouse, Ms. Klobuchar, Mr. Franken, Mr. Coons, Mr. Blumenthal, and Ms. Hirono.

COMMITTEE ON THE BUDGET: Mrs. Murray (Chairman), Mr. Wyden, Mr. Nelson, Ms. Stabenow, Mr. Sanders, Mr. Whitehouse, Mr. Warner, Mr. Merkley, Mr. Coons, Ms. Baldwin, Mr. Kaine, and Mr. King.

COMMITTEE ON RULES AND ADMINISTRATION: Mr. Schumer (Chairman), Mrs. Feinstein, Mr. Durbin, Mrs. Murray, Mr. Pryor, Mr. Udall of New Mexico, Mr. Warner, Mr. Leahy, Ms. Klobuchar, and Mr. King.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP: Ms. Landrieu (Chairman), Mr. Levin, Mr. Harkin, Mr. Kerry, Ms. Cantwell, Mr. Pryor, Mr. Cardin, Mrs. Shaheen, Mrs. Hagan, and Ms. Heitkamp.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Sanders (Chairman), Mr. Rockefeller, Mrs. Murray, Mr. Brown, Mr. Tester, Mr. Begich, Mr. Blumenthal, and Ms. Hirono.

SPECIAL COMMITTEE ON AGING: Mr. Nelson (Chairman), Mr. Wyden, Mr. Casey, Mrs. McCaskill, Mr. Whitehouse, Mrs. Gillibrand, Mr. Manchin, Mr. Blumenthal, Ms. Baldwin, Mr. Donnelly, and Ms. Warren.

JOINT ECONOMIC COMMITTEE: Mr. Casey (Vice Chairman), Ms. Klobuchar, Mr. Warner, Mr. Sanders, Mr. Murphy, and Mr. Heinrich.

SELECT COMMITTEE ON ETHICS: Mrs. Boxer (Chairman), Mr. Pryor, and Mr. Brown.

COMMITTEE ON INDIAN AFFAIRS: Ms. Cantwell (Chairman), Mr. Johnson, Mr. Tester, Mr. Udall of New Mexico, Mr. Franken, Mr. Begich, Mr. Schatz, and Ms. Heitkamp.

MAKING MINORITY PARTY APPOINTMENTS

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of S. Res. 18.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 18) making minority party appointments for the 113th Congress.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 18) was agreed to, as follows:

S. RES. 18

Resolved, That the following be the minority membership on the following committees for the remainder of the 113th Congress or until their successors are appointed:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY: Mr. Cochran, Mr. McConnell, Mr. Roberts, Mr. Chambliss, Mr. Boozman, Mr. Hoeven, Mr. Johanns, Mr. Grassley, and Mr. Thune.

COMMITTEE ON APPROPRIATIONS: Mr. Shelby, Mr. Cochran, Mr. McConnell, Mr. Alexander, Ms. Collins, Mr. Murkowski, Mr. Graham, Mr. Kirk, Mr. Coats, Mr. Blunt, Mr. Moran, Mr. Hoeven, Mr. Johanns, and Mr. Boozman.

COMMITTEE ON ARMED SERVICES: Mr. Inhofe, Mr. McCain, Mr. Sessions, Mr. Chambliss, Mr. Wicker, Ms. Ayotte, Mrs. Fischer, Mr. Graham, Mr. Vitter, Mr. Blunt, Mr. Lee, and Mr. Cruz.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS: Mr. Crapo, Mr. Shelby, Mr. Corker, Mr. Vitter, Mr. Johanns, Mr. Toomey, Mr. Kirk, Mr. Moran, Mr. Coburn, and Mr. Heller.

COMMITTEE ON THE BUDGET: Mr. Sessions, Mr. Grassley, Mr. Enzi, Mr. Crapo, Mr. Graham, Mr. Portman, Mr. Toomey, Mr. Johnson, Ms. Ayotte, and Mr. Wicker.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION: Mr. Thune, Mr. Wicker, Mr. Blunt, Mr. Rubio, Ms. Ayotte, Mr. Heller, Mr. Coats, Mr. Scott, Mr. Cruz, Mrs. Fischer, and Mr. Johnson.

COMMITTEE ON ENERGY AND NATURAL RESOURCES: Ms. Murkowski, Mr. Barrasso, Mr. Risch, Mr. Lee, Mr. Heller, Mr. Flake, Mr. Scott, Mr. Alexander, Mr. Portman, and Mr. Hoeven.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS: Mr. Vitter, Mr. Inhofe, Mr. Barrasso, Mr. Sessions, Mr. Crapo, Mr. Wicker, Mr. Boozman, and Mrs. Fischer.

COMMITTEE ON FINANCE: Mr. Hatch, Mr. Grassley, Mr. Crapo, Mr. Roberts, Mr. Enzi, Mr. Cornyn, Mr. Thune, Mr. Burr, Mr. Isakson, Mr. Portman, and Mr. Toomey.

COMMITTEE ON FOREIGN RELATIONS: Mr. Corker, Mr. Risch, Mr. Rubio, Mr. Johnson, Mr. Flake, Mr. McCain, Mr. Barrasso, and Mr. Paul.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS: Mr. Alexander, Mr. Enzi, Mr. Burr, Mr. Isakson, Mr. Paul, Mr. Hatch, Mr. Roberts, Ms. Murkowski, Mr. Kirk, and Mr. Scott.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Mr. Coburn, Mr. McCain, Mr. Johnson, Mr. Portman, Mr. Paul, Mr. Enzi, and Ms. Ayotte.

COMMITTEE ON THE JUDICIARY: Mr. Grassley, Mr. Hatch, Mr. Sessions, Mr. Graham, Mr. Cornyn, Mr. Lee, Mr. Cruz, and Mr. Flake.

COMMITTEE ON RULES AND ADMINISTRATION: Mr. Roberts, Mr. McConnell, Mr. Cochran, Mr. Chambliss, Mr. Alexander, Mr. Shelby, Mr. Blunt, and Mr. Cruz.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP: Mr. Risch, Mr. Vitter, Mr. Rubio, Mr. Paul, Mr. Scott, Mrs. Fischer, Mr. Enzi, and Mr. Johnson.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Burr, Mr. Isakson, Mr. Johannis, Mr. Moran, Mr. Boozman, and Mr. Heller.

COMMITTEE ON INDIAN AFFAIRS: Mr. Barrasso, Mr. McCain, Ms. Murkowski, Mr. Hoeven, Mr. Crapo, and Mrs. Fischer.

SELECT COMMITTEE ON ETHICS: Mr. Isakson, Mr. Roberts, and Mr. Risch.

SELECT COMMITTEE ON INTELLIGENCE: Mr. Chambliss, Mr. Burr, Mr. Risch, Mr. Coats, Mr. Rubio, Ms. Collins, and Mr. Coburn.

SPECIAL COMMITTEE ON AGING: Ms. Collins, Mr. Corker, Mr. Hatch, Mr. Kirk, Mr. Heller, Mr. Flake, Ms. Ayotte, Mr. Scott, and Mr. Cruz.

JOINT ECONOMIC COMMITTEE: Mr. Coats, Mr. Lee, Mr. Wicker, and Mr. Toomey.

MEASURE READ THE FIRST TIME—H.R. 325

Mr. REID. Mr. President, H.R. 325 has been received from the House and is at the desk. I would ask the clerk to read this matter if the Presiding Officer so advises.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The bill clerk read as follows:

A bill (H.R. 325) to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes.

Mr. REID. Mr. President, I now ask for a second reading but object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, and in consultation with the Chairman of the Senate Committee on Finance, pursuant to Public Law 103-296, appoints Bernadette Franks-Ongoy, vice Marsha Katz, as a member of the Social Security Advisory Board.

The Chair, on behalf of the Vice President, pursuant to Public Law 94-304, as amended by Public Law 99-7, appoints the following Senators as members of the Commission on Security and Cooperation in Europe during the 113th Congress: the Honorable BENJAMIN L. CARDIN of Maryland (Chairman); the Honorable SHELDON WHITEHOUSE of Rhode Island; the Honorable TOM UDALL of New Mexico; the Honorable JEANNE SHAHEEN of New Hampshire; and the Honorable RICHARD BLUMENTHAL of Connecticut.

The Chair, on behalf of the Majority Leader, pursuant to Public Law 96-114, as amended, appoints the following individuals to the Congressional Award Board: Rita Vaswani of Nevada, vice Patrick Murphy, and Raul Magdaleno of Texas, vice Andrew Ortiz.

ORDERS FOR MONDAY, JANUARY 28, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, January 28, 2013; that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that the Senate proceed to a period of morning business until 4:30 p.m., with Senators permitted to speak during that period of time for up to 10 minutes; further, that following morning business, the Senate proceed to H.R. 152 under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. There will be two rollcall votes at 5:30 p.m. on Monday to complete action on Hurricane Sandy.

ADJOURNMENT UNTIL MONDAY, JANUARY 28, 2013, AT 2 P.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 9 p.m., adjourned until Monday, January 28, 2013, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL MEDIATION BOARD

NICHOLAS CHRISTOPHER GEALE, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2013, VICE ELIZABETH DOUGHERTY, RESIGNED.

DEPARTMENT OF JUSTICE

BYRON TODD JONES, OF MINNESOTA, TO BE DIRECTOR, BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES. (NEW POSITION)

CONSUMER PRODUCT SAFETY COMMISSION

MARIETTA S. ROBINSON, OF MICHIGAN, TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION FOR A TERM OF SEVEN YEARS FROM OCTOBER 27, 2010, VICE THOMAS HILL MOORE, TERM EXPIRED.

HOUSE OF REPRESENTATIVES—Friday, January 25, 2013

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. HARRIS).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 25, 2013.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Gracious God, we give You thanks for giving us another day.

You have blessed us with all good gifts, and with thankful hearts we express our gratitude. You have created us with opportunities to serve other people in their need, to share together in respect and affection, and to be faithful in the responsibilities we have been given.

In this moment of prayer, please grant to the Members of this people's House the gifts of wisdom and discernment, that in their words and actions they will do justice, love with mercy, and walk humbly with You.

May all that is done this day be for Your greater honor and glory.
Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF MEMBER TO COMMISSION ON SECURITY AND COOPERATION IN EUROPE

The SPEAKER pro tempore. The Chair announces the Speaker's ap-

pointment, pursuant to 22 U.S.C. 3003, and the order of the House of January 3, 2013, of the following Member on the part of the House to the Commission on Security and Cooperation in Europe: Mr. HASTINGS, Florida.

APPOINTMENT OF MEMBER TO BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to sections 5580 and 5581 of the revised statutes (20 U.S.C. 42-43), and the order of the House of January 3, 2013, of the following Member on the part of the House to the Board of Regents of the Smithsonian Institution:

Mr. BECERRA, California.

PUBLICATION OF COMMITTEE RULES AND BUDGETARY MATERIAL

RULES OF THE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE FOR THE 113TH CONGRESS

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, January 25, 2013.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to clause 2(a) of rule XI of the Rules of the House of Representatives and clause (b) of rule I of the Rules of the Committee on Transportation and Infrastructure, I submit the Rules of the Committee on Transportation and Infrastructure for the 113th Congress for publication in the Congressional Record. On January 23, 2013, the Committee on Transportation and Infrastructure met in open session and adopted these Committee Rules by voice vote with a quorum present.

Sincerely,

BILL SHUSTER,
Chairman.

RULE I. GENERAL PROVISIONS

(a) Applicability of House Rules.—

(1) In general.—The Rules of the House are the rules of the Committee and its subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are non-debatable privileged motions in the Committee and its subcommittees.

(2) Subcommittees.—Each subcommittee is part of the Committee, and is subject to the authority and direction of the Committee and its rules so far as applicable.

(3) Incorporation of house rule on committee procedure.—Rule XI of the Rules of the House, which pertains entirely to Committee procedure, is incorporated and made

a part of the rules of the Committee to the extent applicable. Pursuant to clause 2(a)(3) of Rule XI of the Rules of the House, the Chairman of the Committee is authorized to offer a motion under clause 1 of Rule XXII of the Rules of the House whenever the Chairman considers it appropriate.

(b) Publication of Rules.—Pursuant to clause 2(a) of Rule XI of the Rules of the House, the Committee's rules shall be publicly available in electronic form and published in the Congressional Record not later than 30 days after the Chairman is elected in each odd-numbered year.

(c) Vice Chairman.—The Chairman shall appoint a vice chairman of the Committee and of each subcommittee. If the Chairman of the Committee or subcommittee is not present at any meeting of the Committee or subcommittee, as the case may be, the vice chairman shall preside. If the vice chairman is not present, the ranking member of the majority party on the Committee or subcommittee who is present shall preside at that meeting.

RULE II. REGULAR, ADDITIONAL, AND SPECIAL MEETINGS

(a) Regular Meetings.—Regular meetings of the Committee shall be held on the first Wednesday of every month to transact its business unless such day is a holiday, or the House is in recess or is adjourned, in which case the Chairman shall determine the regular meeting day of the Committee for that month. A regular meeting of the Committee may be dispensed with if, in the judgment of the Chairman, there is no need for the meeting. This paragraph shall not apply to meetings of any subcommittee.

(b) Additional Meetings.—The Chairman may call and convene, as he or she considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other committee business. The Committee shall meet for such purpose pursuant to the call of the Chairman.

(c) Special Meetings.—If at least three members of the Committee desire that a special meeting of the Committee be called by the Chairman, those members may file in the offices of the Committee their written request to the Chairman for that special meeting. Such request shall specify the measure or matter to be considered. Immediately upon the filing of the request, the clerk of the Committee shall notify the Chairman of the filing of the request. If, within 3 calendar days after the filing of the request, the Chairman does not call the requested special meeting to be held within 7 calendar days after the filing of the request, a majority of the members of the Committee may file in the offices of the Committee their written notice that a special meeting of the Committee will be held, specifying the date and hour thereof, and the measure or matter to be considered at that special meeting. The Committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk of the Committee shall notify all members of the Committee that such meeting will be held and inform them of its date and hour and the measure or matter to be

considered; and only the measure or matter specified in that notice may be considered at that special meeting. Such notice shall also be made publicly available in electronic form and shall be deemed to satisfy paragraph (d)(1).

(d) Notice.—

(1) Minimum Notice Period.—Pursuant to clause 2(g)(3) of Rule XI of the Rules of the House, the Chairman shall make a public announcement of the date, place, and subject matter of a Committee or subcommittee meeting, which may not commence earlier than the third day on which members have notice thereof.

(2) Changes in Meeting Times.—A meeting may commence sooner than announced if the Chairman, with concurrence of the ranking minority member, determines there is good cause to begin the meeting sooner or the Committee or subcommittee so determines by majority vote, a quorum being present for the transaction of business. The Chairman shall make a public announcement of the meeting time change at the earliest possible opportunity.

(3) Notification of daily digest clerk.—The clerk of the Committee shall notify the Daily Digest Clerk of the Congressional Record as soon as possible after a public announcement of a time change for a Committee or subcommittee meeting is made under this paragraph.

(e) Prohibition on Sitting During Joint Session.—The Committee may not sit during a joint session of the House and Senate or during a recess when a joint meeting of the House and Senate is in progress.

RULE III. MEETINGS AND HEARINGS GENERALLY

(a) Minimum Period for Availability of Committee Markup Text.—Pursuant to clause 2(g)(4) of Rule XI of the Rules of the House, the Chairman shall make publicly available, in electronic form, the text of any legislation to be marked up at least 24 hours prior to the commencement of a meeting for the markup of legislation, or at the time of a meeting announcement under paragraph (a)(2)(B) of Committee Rule II if made within 24 hours before such meeting.

(b) Open Meetings.—Each meeting for the transaction of business, including the markup of legislation, and each hearing of the Committee or a subcommittee shall be open to the public, except as provided by clause 2(g) of Rule XI of the Rules of the House.

(c) Meetings to Begin Promptly.—Each meeting or hearing of the Committee shall begin promptly at the time so stipulated in the public announcement of the meeting or hearing.

(d) Addressing the Committee.—Except as provided under paragraph (e) of Committee Rule VI, a Committee member may address the Committee or a subcommittee on any bill, motion, or other matter under consideration—

(1) only when recognized by the Chairman for that purpose; and

(2) only for 5 minutes, or for a period of time designated by the Chairman with concurrence of the ranking minority member, until such time as each member of the Committee or subcommittee who so desires has had an opportunity to address the Committee or subcommittee.

A member shall be limited in his or her remarks to the subject matter under consideration. The Chairman shall enforce this paragraph.

(e) Participation of Members in Subcommittee Meetings and Hearings.—All members of the Committee who are not members of a particular subcommittee may,

by unanimous consent of the members of such subcommittee, participate in any subcommittee meeting or hearing. However, a member who is not a member of the subcommittee may not vote on any matter before the subcommittee, be counted for purposes of establishing a quorum, or raise points of order.

(f) Broadcasting.—Whenever a meeting for the transaction of business, including the markup of legislation, or a hearing is open to the public, that meeting or hearing shall be open to coverage by television, radio, and still photography in accordance with clause 4 of Rule XI of the Rules of the House. Operation and use of any Committee Internet broadcast system shall be fair and non-partisan and in accordance with clause 4(b) of Rule XI of the Rules of the House and all other applicable rules of the Committee and the House. Further, pursuant to clause 2(e)(5) of Rule XI of the Rules of the House, the Committee shall provide audio and video coverage of each hearing or meeting for the transaction of business in a manner that allows the public to easily listen to and view the proceedings. The Committee shall also maintain the recordings of such coverage in a manner that is easily accessible to the public.

(g) Access to the Dais and Lounges.—Access to the hearing rooms' daises and to the lounges adjacent to the Committee hearing rooms shall be limited to Members of Congress and employees of Congress during a meeting or hearing of the Committee unless specifically permitted by the Chairman or ranking minority member.

(h) Use of Cellular Telephones.—The use of cellular telephones in the Committee hearing room is prohibited during a meeting or hearing of the Committee.

(i) Availability of Text of Amendments in Electronic Form.—Pursuant to clause 2(e) of Rule XI of the Rules of the House, not later than 24 hours after the adoption of any amendment to a measure or matter considered by the Committee, the Chairman shall cause the text of the amendment to be made publicly available in electronic form.

RULE IV. POWER TO SIT AND ACT; POWER TO CONDUCT INVESTIGATIONS; OATHS; SUBPOENA POWER

(a) Authority to Sit and Act.—For the purpose of carrying out any of its functions and duties under Rules X and XI of the Rules of the House, the Committee and each of its subcommittees, is authorized (subject to paragraph (d)(1))—

(1) to sit and act at such times and places within the United States whether the House is in session, has recessed, or has adjourned and to hold such hearings; and

(2) to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary.

(b) Authority to Conduct Investigations.—

(1) In general.—The Committee is authorized at any time to conduct such investigations and studies as it may consider necessary or appropriate in the exercise of its responsibilities under Rule X of the Rules of the House and (subject to the adoption of expense resolutions as required by Rule X, clause 6 of the Rules of the House) to incur expenses (including travel expenses) in connection therewith.

(2) Major investigations by subcommittees.—A subcommittee may not begin a major investigation without approval of a majority of such subcommittee.

(c) Oaths.—The Chairman, or any member designated by the Chairman, may administer oaths to any witness.

(d) Issuance of Subpoenas.—

(1) In general.—A subpoena may be issued by the Committee or subcommittee under paragraph (a)(2) in the conduct of any investigation or activity or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present. Such authorized subpoenas shall be signed by the Chairman of the Committee or by any member designated by the Committee. If a specific request for a subpoena has not been previously rejected by either the Committee or subcommittee, the Chairman of the Committee, after consultation with the ranking minority member of the Committee, may authorize and issue a subpoena under paragraph (a)(2) in the conduct of any investigation or activity or series of investigations or activities, and such subpoena shall for all purposes be deemed a subpoena issued by the Committee. As soon as practicable after a subpoena is issued under this rule, the Chairman shall notify all members of the Committee of such action.

(2) Enforcement.—Compliance with any subpoena issued by the Committee or subcommittee under paragraph (a)(2) may be enforced only as authorized or directed by the House.

(e) Expenses of Subpoenaed Witnesses.—Each witness who has been subpoenaed, upon the completion of his or her testimony before the Committee or any subcommittee, may report to the offices of the Committee, and there sign appropriate vouchers for travel allowances and attendance fees. If hearings are held in cities other than Washington, D.C., the witness may contact the counsel of the Committee, or his or her representative, before leaving the hearing room.

RULE V. QUORUMS AND RECORD VOTES; POSTPONEMENT OF VOTES

(a) Working Quorum.—One-third of the members of the Committee or a subcommittee shall constitute a quorum for taking any action other than the closing of a meeting pursuant to clauses 2(g) and 2(k)(5) of Rule XI of the Rules of the House, the authorizing of a subpoena pursuant to paragraph (d) of Committee Rule IV, the reporting of a measure or recommendation pursuant to paragraph (b)(1) of Committee Rule VII, and the actions described in paragraphs (b), (c) and (d) of this rule.

(b) Quorum for Reporting.—A majority of the members of the Committee or a subcommittee shall constitute a quorum for the reporting of a measure or recommendation.

(c) Approval of Certain Matters.—A majority of the members of the Committee or a subcommittee shall constitute a quorum for approval of a resolution concerning any of the following actions:

(1) A prospectus for construction, alteration, purchase or acquisition of a public building or the lease of space as required by section 3307 of title 40, United States Code.

(2) Survey investigation of a proposed project for navigation, flood control, and other purposes by the Corps of Engineers (section 4 of the Rivers and Harbors Act of March 4, 1913, 33 U.S.C. 542).

(3) Construction of a water resources development project by the Corps of Engineers with an estimated Federal cost not exceeding \$15,000,000 (section 201 of the Flood Control Act of 1965).

(4) Deletion of water quality storage in a Federal reservoir project where the benefits attributable to water quality are 15 percent or more but not greater than 25 percent of the total project benefits (section 65 of the Water Resources Development Act of 1974).

(5) Authorization of a Natural Resources Conservation Service watershed project involving any single structure of more than

4,000 acre feet of total capacity (section 2 of P.L. 566, 83rd Congress).

(d) Quorum for Taking Testimony.—Two members of the Committee or subcommittee shall constitute a quorum for the purpose of taking testimony and receiving evidence.

(e) Record Votes.—A record vote may be demanded by one-fifth of the members present.

(f) Postponement of Votes.—

(1) In general.—In accordance with clause 2(h)(4) of Rule XI of the Rules of the House, the Chairman of the Committee or a subcommittee, after consultation with the ranking minority member of the Committee or subcommittee, may—

(A) postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment; and

(B) resume proceedings on a postponed question at any time after reasonable notice.

(2) Resumption of proceedings.—When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(g) Availability of Record Votes in Electronic Form.—Pursuant to clause 2(e)(1)(B)(i) of Rule XI of the Rules of the House, the Chairman shall make the result of any record vote publicly available for inspection at reasonable times in the offices of the Committee and in electronic form within 48 hours of such record vote.

RULE VI. HEARING PROCEDURES

(a) Announcement of Hearing.—

(1) Minimum notice period.—Pursuant to clause 2(g)(3) of Rule XI of the Rules of the House, the Chairman shall make a public announcement of the date, place, and subject matter of a Committee or subcommittee hearing, which may not commence earlier than the one week after such notice.

(2) Changes in hearing times.—A hearing may commence sooner than announced if the Chairman, with concurrence of the ranking minority member, determines there is good cause to begin the hearing sooner or the Committee so determines by majority vote, a quorum being present for the transaction of business. The Chairman shall make a public announcement of the hearing time change at the earliest possible opportunity.

(3) Notification of daily digest clerk.—The clerk of the Committee shall notify the Daily Digest Clerk of the Congressional Record as soon as possible after a public announcement of a time change for a Committee or subcommittee hearing is made under this paragraph.

(b) Written Statement; Oral Testimony.—

(1) Filing of statement.—So far as practicable, each witness who is to appear before the Committee or a subcommittee shall file with the clerk of the Committee or subcommittee, at least 2 working days before the day of his or her appearance, a written statement of proposed testimony and shall limit his or her oral presentation to a summary of the written statement.

(2) Truth in testimony information.—Pursuant to clause 2(g)(5) of Rule XI of the Rules of the House, in the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include a curriculum vitae and a disclosure of the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the

witness or by an entity represented by the witness.

(3) Availability of information in electronic form.—Statements filed under this paragraph, with appropriate redaction to protect the privacy of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

(c) Minority Witnesses.—When any hearing is conducted by the Committee or any subcommittee upon any measure or matter, the minority party members on the Committee or subcommittee shall be entitled, upon request to the Chairman by a majority of those minority members before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon.

(d) Summary of Subject Matter.—Upon announcement of a hearing, to the extent practicable, the Committee shall make available immediately to all members of the Committee a concise summary of the subject matter (including legislative reports and other material) under consideration. In addition, upon announcement of a hearing and subsequently as they are received, the Chairman shall make available to the members of the Committee any official reports from departments and agencies on such matter.

(e) Opening Statements; Questioning of Witnesses.—

(1) Opening Statements.—

(A) Chairman and Ranking Member.—At a hearing of the Full Committee, the Chairman and ranking minority member of the Committee shall each be entitled to present an oral opening statement of five minutes. At a hearing of a subcommittee, the Chairman and ranking minority member of the Committee and the Chairman and ranking minority member of the subcommittee shall each be entitled to present an opening statement of five minutes.

(B) Other Members.—At a hearing of the Full Committee or a subcommittee, other members of the Committee or subcommittee, as appropriate, may submit written opening statements for the record. The Chairman presiding over the hearing may permit oral opening statements by other members of the Committee or subcommittee, as appropriate, with the concurrence of the ranking minority member.

(2) Questioning of Witnesses.—The questioning of witnesses in Committee and subcommittee hearings shall be initiated by the Chairman, followed by the ranking minority member and all other members alternating between the majority and minority parties. In recognizing members to question witnesses in this fashion, the Chairman shall take into consideration the ratio of the majority to minority members present and shall establish the order of recognition for questioning in such a manner as not to disadvantage the members of the majority nor the members of the minority. The Chairman may accomplish this by recognizing two majority members for each minority member recognized.

(f) Procedures For Questions.—

(1) In general.—A Committee member may question a witness at a hearing—

(A) only when recognized by the Chairman for that purpose; and

(B) subject to subparagraphs (2) and (3), only for 5 minutes until such time as each member of the Committee or subcommittee who so desires has had an opportunity to question the witness.

A member shall be limited in his or her remarks to the subject matter under consider-

ation. The Chairman shall enforce this subparagraph.

(2) Extended questioning of witnesses by members.—The Chairman of the Committee or a subcommittee, with the concurrence of the ranking minority member, or the Committee or subcommittee by motion, may permit a specified number of its members to question a witness for longer than 5 minutes. The time for extended questioning of a witness under this subdivision shall be equal for the majority party and minority party and may not exceed one hour in the aggregate.

(3) Extended questioning of witnesses by staff.—The Chairman of the Committee or a subcommittee, with the concurrence of the ranking minority member, or the Committee or subcommittee by motion, may permit committee staff for its majority and minority party members to question a witness for equal specified periods. The time for extended questioning of a witness under this subdivision shall be equal for the majority party and minority party and may not exceed one hour in the aggregate.

(4) Right to question witnesses following extended questioning.—Nothing in subparagraph (2) or (3) affects the right of a Member (other than a Member designated under subparagraph (2)) to question a witness for 5 minutes in accordance with subparagraph (1)(B) after the questioning permitted under subparagraph (2) or (3).

(g) Additional Hearing Procedures.—Clause 2(k) of Rule XI of the Rules of the House (relating to additional rules for hearings) applies to hearings of the Committee and its subcommittees.

RULE VII. PROCEDURES FOR REPORTING BILLS, RESOLUTIONS, AND REPORTS

(a) Filing of Reports.—

(1) In general.—The Chairman of the Committee shall report promptly to the House any measure or matter approved by the Committee and take necessary steps to bring the measure or matter to a vote.

(2) Requests for reporting.—The report of the Committee on a measure or matter which has been approved by the Committee shall be filed within 7 calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the clerk of the Committee a written request, signed by a majority of the members of the Committee, for the reporting of that measure or matter. Upon the filing of any such request, the clerk of the Committee shall transmit immediately to the Chairman of the Committee notice of the filing of that request.

(b) Quorum; Record Votes.—

(1) Quorum.—No measure, matter, or recommendation shall be reported from the Committee unless a majority of the Committee was actually present.

(2) Record votes.—With respect to each record vote on a motion to report any measure or matter of a public character, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of those members voting for and against, shall be included in the Committee report on the measure or matter.

(c) Required Matters.—The report of the Committee on a measure or matter which has been approved by the Committee shall include the items required to be included by clauses 2(c) and 3 of Rule XIII of the Rules of the House.

(d) Additional Views.—If, at the time of approval of any measure or matter by the Committee, any member of the Committee gives notice of intention to file supplemental, minority, or additional views, all members

shall be entitled to not less than two additional calendar days after the day of such notice (excluding Saturdays, Sundays, and legal holidays) in which to file such written and signed views in accordance with clause 2(1) of Rule XI of the Rules of the House.

(e) Activities Report.—

(1) In general.—Not later than January 2 of each year, the Committee shall submit to the House a report on the activities of the Committee.

(2) Contents.—The report shall include—

(A) separate sections summarizing the legislative and oversight activities of the Committee under Rules X and XI of the Rules of the House during the applicable period;

(B) in the case of the first such report in each Congress, a summary of the oversight plans submitted by the Committee under clause 2(d) of Rule X of the Rules of the House;

(C) a summary of the actions taken and recommendations made with respect to the oversight plans specified in subdivision (B);

(D) a summary of any additional oversight activities undertaken by the Committee and any recommendations made or actions taken thereon; and

(E) a delineation of any hearings held pursuant to clauses 2(n), (o), or (p) of Rule XI of the Rules of the House.

(3) Filing.—After an adjournment sine die of a regular session of a Congress, or after December 15, whichever occurs first, the Chairman may file the report described in subparagraph (1) with the Clerk of the House at any time and without approval of the Committee, provided that—

(A) a copy of the report has been available to each member of the Committee for at least seven calendar days; and

(B) the report includes any supplemental, minority, or additional views submitted by a member of the Committee.

(f) Other Committee Materials.—

(1) In general.—All Committee and subcommittee prints, reports, documents, or other materials, not otherwise provided for under this rule, that purport to express publicly the views of the Committee or any of its subcommittees or members of the Committee or its subcommittees shall be approved by the Committee or the subcommittee prior to printing and distribution and any member shall be given an opportunity to have views included as part of such material prior to printing, release, and distribution in accordance with paragraph (d) of this rule.

(2) Documents containing views other than member views.—A Committee or subcommittee document containing views other than those of members of the Committee or subcommittee shall not be published without approval of the Committee or subcommittee.

(3) Disclaimer.—All Committee or subcommittee reports printed pursuant to legislative study or investigation and not approved by a majority vote of the Committee or subcommittee, as appropriate, shall contain the following disclaimer on the cover of such report: "This report has not been officially adopted by the Committee on Transportation and Infrastructure (or pertinent subcommittee thereof) and may not therefore necessarily reflect the views of its members."

(4) Compilations of laws.—To the maximum extent practicable, the Committee shall publish a compilation of laws under the jurisdiction of each subcommittee.

(g) Availability of Publications.—Pursuant to clause 2(e)(4) of Rule XI of the Rules of the House, the Committee shall make its

publications available in electronic form to the maximum extent feasible.

RULE VIII. ESTABLISHMENT OF SUBCOMMITTEES; SIZE AND PARTY RATIOS

(a) Establishment.—There shall be 6 standing subcommittees. These subcommittees, with the following sizes (including delegates) and majority/minority ratios, are:

(1) Subcommittee on Aviation (32 Members: 18 Majority and 14 Minority).

(2) Subcommittee on Coast Guard and Maritime Transportation (18 Members: 10 Majority and 8 Minority).

(3) Subcommittee on Economic Development, Public Buildings, and Emergency Management (18 Members: 10 Majority and 8 Minority).

(4) Subcommittee on Highways and Transit (45 Members: 25 Majority and 20 Minority).

(5) Subcommittee on Railroads, Pipelines, and Hazardous Materials (32 Members: 18 Majority and 14 Minority).

(6) Subcommittee on Water Resources and Environment (32 Members: 18 Majority and 14 Minority).

(b) Ex Officio Members.—The Chairman and ranking minority member of the Committee shall serve as ex officio voting members on each subcommittee.

(c) Ratios.—On each subcommittee there shall be a ratio of majority party members to minority party members which shall be no less favorable to the majority party than the ratio for the full Committee. In calculating the ratio of majority party members to minority party members, there shall be included the ex officio members of the subcommittees.

RULE IX. POWERS AND DUTIES OF SUBCOMMITTEES

(a) Authority To Sit.—Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it or under its jurisdiction. Subcommittee chairmen shall set dates for hearings and meetings of their respective subcommittees after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of full Committee and subcommittee meetings or hearings whenever possible.

(b) Consideration By Committee.—Each bill, resolution, or other matter favorably reported by a subcommittee shall automatically be placed upon the agenda of the Committee. Any such matter reported by a subcommittee shall not be considered by the Committee unless it has been delivered to the offices of all members of the Committee at least 48 hours before the meeting, unless the Chairman determines that the matter is of such urgency that it should be given early consideration. Where practicable, such matters shall be accompanied by a comparison with present law and a section-by-section analysis.

RULE X. REFERRAL OF LEGISLATION TO SUBCOMMITTEES

(a) General Requirement.—Except where the Chairman of the Committee determines, in consultation with the majority members of the Committee, that consideration is to be by the full Committee, each bill, resolution, investigation, or other matter which relates to a subject listed under the jurisdiction of any subcommittee established in Committee Rule VIII referred to or initiated by the full Committee shall be referred by the Chairman to all subcommittees of appropriate jurisdiction within two weeks. All bills shall be referred to the subcommittee of proper jurisdiction without regard to whether the au-

thor is or is not a member of the subcommittee.

(b) Recall From Subcommittee.—A bill, resolution, or other matter referred to a subcommittee in accordance with this rule may be recalled therefrom at any time by a vote of a majority of the members of the Committee voting, a quorum being present, for the Committee's direct consideration or for reference to another subcommittee.

(c) Multiple Referrals.—In carrying out this rule with respect to any matter, the Chairman may refer the matter simultaneously to two or more subcommittees for concurrent consideration or for consideration in sequence (subject to appropriate time limitations in the case of any subcommittee after the first), or divide the matter into two or more parts (reflecting different subjects and jurisdictions) and refer each such part to a different subcommittee, or make such other provisions as he or she considers appropriate.

RULE XI. RECOMMENDATION OF CONFEREES

The Chairman of the Committee shall recommend to the Speaker as conferees the names of those members (1) of the majority party selected by the Chairman, and (2) of the minority party selected by the ranking minority member of the Committee. Recommendations of conferees to the Speaker shall provide a ratio of majority party members to minority party members which shall be no less favorable to the majority party than the ratio for the Committee.

RULE XII. OVERSIGHT

(a) Purpose.—The Committee shall carry out oversight responsibilities as provided in this rule in order to assist the House in—

(1) its analysis, appraisal, and evaluation of—

(A) the application, administration, execution, and effectiveness of the laws enacted by the Congress; or

(B) conditions and circumstances which may indicate the necessity or desirability of enacting new or additional legislation; and

(2) its formulation, consideration, and enactment of such modifications or changes in those laws, and of such additional legislation, as may be necessary or appropriate.

(b) Oversight Plan.—Not later than February 15 of the first session of each Congress, the Committee shall adopt its oversight plan for that Congress in accordance with clause 2(d)(1) of Rule X of the Rules of the House.

(c) Review of Laws and Programs.—The Committee and the appropriate subcommittees shall cooperatively review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within the jurisdiction of the Committee, and the organization and operation of the Federal agencies and entities having responsibilities in or for the administration and execution thereof, in order to determine whether such laws and the programs thereunder are being implemented and carried out in accordance with the intent of the Congress and whether such programs should be continued, curtailed, or eliminated. In addition, the Committee and the appropriate subcommittees shall cooperatively review and study any conditions or circumstances which may indicate the necessity or desirability of enacting new or additional legislation within the jurisdiction of the Committee (whether or not any bill or resolution has been introduced with respect thereto), and shall on a continuing basis undertake future research and forecasting on matters within the jurisdiction of the Committee.

(d) Review of Tax Policies.—The Committee and the appropriate subcommittees shall cooperatively review and study on a continuing basis the impact or probable impact of tax policies affecting subjects within the jurisdiction of the Committee.

**RULE XIII. REVIEW OF CONTINUING PROGRAMS;
BUDGET ACT PROVISIONS**

(a) Ensuring Annual Appropriations.—The Committee shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, ensure that appropriations for continuing programs and activities of the Federal Government and the District of Columbia government will be made annually to the maximum extent feasible and consistent with the nature, requirements, and objectives of the programs and activities involved.

(b) Review of Multi-Year Appropriations.—The Committee shall review, from time to time, each continuing program within its jurisdiction for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefore would be made annually.

(c) Views and Estimates.—In accordance with clause 4(f)(1) of Rule X of the Rules of the House, the Committee shall submit to the Committee on the Budget—

(1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year which are within its jurisdiction or functions; and

(2) an estimate of the total amount of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within its jurisdiction which it intends to be effective during that fiscal year.

(d) Budget Allocations.—As soon as practicable after a concurrent resolution on the budget for any fiscal year is agreed to, the Committee (after consulting with the appropriate committee or committees of the Senate) shall subdivide any allocations made to it in the joint explanatory statement accompanying the conference report on such resolution, and promptly report such subdivisions to the House, in the manner provided by section 302 of the Congressional Budget Act of 1974.

(e) Reconciliation.—Whenever the Committee is directed in a concurrent resolution on the budget to determine and recommend changes in laws, bills, or resolutions under the reconciliation process, it shall promptly make such determination and recommendations, and report a reconciliation bill or resolution (or both) to the House or submit such recommendations to the Committee on the Budget, in accordance with the Congressional Budget Act of 1974.

RULE XIV. RECORDS

(a) Keeping of Records.—The Committee shall keep a complete record of all Committee action which shall include—

(1) in the case of any meeting or hearing transcripts, a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks involved; and

(2) a record of the votes on any question on which a record vote is taken.

(b) Public Inspection.—The result of each such record vote shall be made available by the Committee for inspection by the public at reasonable times in the offices of the Committee. Information so available for

public inspection shall include a description of the amendment, motion, order, or other proposition and the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members present but not voting.

(c) Property of the House.—All Committee records (including hearings, data, charts, and files) shall be kept separate and distinct from the congressional office records of the member serving as Chairman of the Committee; and such records shall be the property of the House and all members of the House shall have access thereto.

(d) Availability of Archived Records.—The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House. The Chairman shall notify the ranking minority member of the Committee of any decision, pursuant to clause 3(b)(3) or clause 4(b) of such rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on written request of any member of the Committee.

(e) Authority to Print.—The Committee is authorized to have printed and bound testimony and other data presented at hearings held by the Committee. All costs of stenographic services and transcripts in connection with any meeting or hearing of the Committee shall be paid as provided in clause 1(c) of Rule XI of the House.

RULE XV. COMMITTEE BUDGETS

(a) Biennial Budget.—The Chairman, in consultation with the chairman of each subcommittee, the majority members of the Committee, and the minority members of the Committee, shall, for each Congress, prepare a consolidated Committee budget. Such budget shall include necessary amounts for staff personnel, necessary travel, investigation, and other expenses of the Committee.

(b) Additional Expenses.—Authorization for the payment of additional or unforeseen Committee expenses may be procured by one or more additional expense resolutions processed in the same manner as set out herein.

(c) Travel Requests.—The Chairman or any chairman of a subcommittee may initiate necessary travel requests as provided in Committee Rule XVII within the limits of the consolidated budget as approved by the House and the Chairman may execute necessary vouchers thereof.

(d) Monthly Reports.—Once monthly, the Chairman shall submit to the Committee on House Administration, in writing, a full and detailed accounting of all expenditures made during the period since the last such accounting from the amount budgeted to the Committee. Such report shall show the amount and purpose of such expenditure and the budget to which such expenditure is attributed. A copy of such monthly report shall be available in the Committee office for review by members of the Committee.

RULE XVI. COMMITTEE STAFF

(a) Appointment by Chairman.—The Chairman shall appoint and determine the remuneration of, and may remove, the employees of the Committee not assigned to the minority. The staff of the Committee not assigned to the minority shall be under the general supervision and direction of the Chairman, who shall establish and assign the duties and responsibilities of such staff members and delegate such authority as he or she determines appropriate.

(b) Appointment by Ranking Minority Member.—The ranking minority member of

the Committee shall appoint and determine the remuneration of, and may remove, the staff assigned to the minority within the budget approved for such purposes. The staff assigned to the minority shall be under the general supervision and direction of the ranking minority member of the Committee who may delegate such authority as he or she determines appropriate.

(c) Intention Regarding Staff.—It is intended that the skills and experience of all members of the Committee staff shall be available to all members of the Committee.

RULE XVII. TRAVEL OF MEMBERS AND STAFF

(a) Approval.—Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, the provisions of this rule shall govern travel of Committee members and staff. Travel to be reimbursed from funds set aside for the Committee for any member or any staff member shall be paid only upon the prior authorization of the Chairman. Travel shall be authorized by the Chairman for any member and any staff member in connection with the attendance of hearings conducted by the Committee or any subcommittee and meetings, conferences, and investigations which involve activities or subject matter under the general jurisdiction of the Committee. Before such authorization is given there shall be submitted to the Chairman in writing the following:

(1) The purpose of the travel.

(2) The dates during which the travel is to be made and the date or dates of the event for which the travel is being made.

(3) The location of the event for which the travel is to be made.

(4) The names of members and staff seeking authorization.

(b) Subcommittee Travel.—In the case of travel of members and staff of a subcommittee to hearings, meetings, conferences, and investigations involving activities or subject matter under the legislative assignment of such subcommittee, prior authorization must be obtained from the subcommittee chairman and the Chairman. Such prior authorization shall be given by the Chairman only upon the representation by the chairman of such subcommittee in writing setting forth those items enumerated in subparagraphs (1), (2), (3), and (4) of paragraph (a) and that there has been a compliance where applicable with Committee Rule VI.

(c) Travel Outside the United States.—

(1) In general.—In the case of travel outside the United States of members and staff of the Committee or of a subcommittee for the purpose of conducting hearings, investigations, studies, or attending meetings and conferences involving activities or subject matter under the legislative assignment of the Committee or pertinent subcommittee, prior authorization must be obtained from the Chairman, or, in the case of a subcommittee from the subcommittee chairman and the Chairman. Before such authorization is given there shall be submitted to the Chairman, in writing, a request for such authorization. Each request, which shall be filed in a manner that allows for a reasonable period of time for review before such travel is scheduled to begin, shall include the following:

(A) The purpose of the travel.

(B) The dates during which the travel will occur.

(C) The names of the countries to be visited and the length of time to be spent in each.

(D) An agenda of anticipated activities for each country for which travel is authorized

together with a description of the purpose to be served and the areas of Committee jurisdiction involved.

(E) The names of members and staff for whom authorization is sought.

(2) Initiation of requests.—Requests for travel outside the United States may be initiated by the Chairman or the chairman of a subcommittee (except that individuals may submit a request to the Chairman for the purpose of attending a conference or meeting) and shall be limited to members and permanent employees of the Committee.

(d) Reports by Members and Staff.—Within 15 legislative days from the conclusion of any hearing, investigation, study, meeting, or conference for which travel has been authorized pursuant to this rule, each member and staff member involved in such travel shall submit a written report to the Chairman covering the activities and other pertinent observations or information gained as a result of such travel.

(e) Applicability of Laws, Rules, Policies.—Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, or regulations of the House and of the Committee on House Administration pertaining to such travel, and by the travel policy of the Committee.

RULE XVIII. COMMITTEE PANELS

(a) Designation.—In accordance with clause 5(b)(2)(C) of Rule X of the Rules of the House, the Chairman of the Committee, with the concurrence of the ranking minority member, may designate a panel of the Committee consisting of members of the Committee to inquire into and take testimony on a matter or matters that fall within the jurisdiction of more than one subcommittee and to report to the Committee.

(b) Duration.—No panel designated under paragraph (a) shall continue in existence for more than six months after the date of the designation.

(c) Party Ratios and Appointment.—The ratio of majority members to minority members on a panel designated under paragraph (a) shall be as close as practicable to the ratio of the Full Committee. All majority members of the panels shall be appointed by the Chairman of the Committee, and all minority members shall be appointed by the ranking minority member of the Committee. The Chairman of the Committee shall choose one of the majority members so appointed to serve as Chairman of the panel. The ranking minority member of the Committee shall similarly choose the ranking minority member of the panel.

(d) Ex Officio Members.—The Chairman and ranking minority member of the Committee may serve as ex-officio members of a

panel designated under paragraph (a). The Chairman and ranking minority member are authorized to vote on matters that arise before the panel and shall be counted to satisfy the quorum requirement for any purpose.

(e) Jurisdiction.—No panel designated under paragraph (a) shall have legislative jurisdiction.

(f) Applicability of Committee Rules.—A panel designated under paragraph (a) shall be subject to all Committee Rules herein.

STATUS REPORT ON CURRENT SPENDING LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FY 2013 AND THE 10-YEAR PERIOD FY 2013 THROUGH FY 2022

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, January 25, 2013.

Hon. JOHN A. BOEHNER,
Speaker, Office of the Speaker, U.S. Capitol,
House of Representatives, Washington, DC.

DEAR MR. SPEAKER: To facilitate application of sections 302 and 311 of the Congressional Budget Act, I am transmitting an updated status report on the current levels of on-budget spending and revenues for fiscal year 2013, and for the 10-year period of fiscal year 2013 through fiscal year 2022. This status report is current through January 21, 2013.

The term “current level” refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President’s signature.

The first table in the report compares the current levels of total budget authority, outlays, and revenues with the overall limits set in H. Con. Res. 112 for fiscal year 2013. This comparison is needed to implement section 311(a) of the Budget Act, which creates a point of order against measures that would breach the budget resolution’s aggregate levels. The table does not show budget authority and outlays for years after fiscal year 2013 because appropriations for those years have not yet been considered.

The second table compares the current levels of budget authority and outlays for action completed by each authorizing committee with the “section 302(a)” allocations made under H. Con. Res. 112 for fiscal year 2013 and fiscal years 2013 through 2022. “Action” refers to legislation enacted after the adoption of the budget resolution. This comparison is needed to enforce section 302(f) of the Budget Act, which creates a point of order against measures that would breach the section 302(a) allocation of new budget authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a).

The third table compares the current status of discretionary appropriations for fiscal

year 2013 with the “section 302(b)” suballocations of discretionary budget authority and outlays among Appropriations subcommittees. The comparison is also needed to enforce section 302(f) of the Budget Act because the point of order under that section equally applies to measures that would breach the applicable section 302(b) suballocation.

The fourth table gives the current level for fiscal year 2014 of accounts identified for advance appropriations under section 501 of H. Con. Res. 112. This list is needed to enforce section 501 of the budget resolution, which creates a point of order against appropriation bills that contain advance appropriations that are: (i) not identified in the statement of managers or (ii) would cause the aggregate amount of such appropriations to exceed the level specified in the resolution.

Sincerely,

PAUL RYAN,
Chairman.

STATUS OF THE FISCAL YEAR 2013 CONGRESSIONAL BUDGET ADOPTED IN H. CON. RES. 112, REFLECTING ACTION COMPLETED AS OF JAN. 21, 2013

(On-budget amounts, in millions of dollars)

	Fiscal year 2013 ¹	Fiscal years 2013–2022
Appropriate Level:		
Budget Authority	2,793,848	n.a.
Outlays	2,891,589	n.a.
Revenues	2,089,540	28,957,333
Current Level:		
Budget Authority	3,013,339	n.a.
Outlays	3,063,277	n.a.
Revenues	2,015,873	28,846,212
Current Level over (+)/under (–):		
Appropriate Level:		
Budget Authority	+219,491	n.a.
Outlays	+171,688	n.a.
Revenues	–73,667	–111,121

¹ Notes for 2013: The appropriate level for FY2013 was established in H. Con. Res. 112, which was subsequently deemed to be in force in the House of Representatives pursuant to H. Res. 5. The current level for FY2013 starts with the baseline estimates contained in Updated Budget Projections: Fiscal Years 2012 to 2022, published by the Congressional Budget Office, and makes adjustments to those levels for enacted legislation.

n.a. = Not applicable because annual appropriations Acts for fiscal years 2013 through 2022 will not be considered until future sessions of Congress.

BUDGET AUTHORITY

Budget authority for FY 2013 is above the appropriate levels set by H. Con. Res. 112.

OUTLAYS

Outlays for FY 2013 are above the appropriate levels set by H. Con. Res. 112.

REVENUE

Revenue for FY 2013 is below the appropriate levels set by H. Con. Res. 112. Revenue for the period FY 2013 through FY 2022 is below the appropriate levels set by H. Con. Res. 112.

DIRECT SPENDING LEGISLATION

COMPARISON OF CURRENT LEVEL WITH AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR RESOLUTION CHANGES, REFLECTING ACTION COMPLETED AS OF JAN. 1, 2012

(Fiscal years, in millions of dollars)

House committee	2013		2013–2022	
	BA	Outlays	BA	Outlays
Agriculture:				
Allocation	–1,577	–1,503	–179,410	–177,871
Current Level	–106	–106	–1,070	–1,070
Difference	+1,471	+1,397	+178,340	+176,801
Armed Services:				
Allocation	0	0	0	0
Current Level	+77	+94	+95	+57
Difference	+77	+94	+95	+57
Education and the Workforce:				
Allocation	–18,098	–7,096	–227,471	–210,669
Current Level	+2,580	+3,275	+1,125	–8,940
Difference	+20,678	+10,371	+228,596	+201,729
Energy and Commerce:				
Allocation	–20,137	–4,661	–1,802,097	–1,767,601
Current Level	+9,762	+11,695	+10,875	+13,105
Difference	+29,899	+16,356	+1,812,972	+1,780,706

COMPARISON OF CURRENT LEVEL WITH AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR RESOLUTION CHANGES, REFLECTING ACTION COMPLETED AS OF JAN. 1, 2012—

Continued

(Fiscal years, in millions of dollars)

House committee	2013		2013–2022	
	BA	Outlays	BA	Outlays
Financial Services:				
Allocation	– 8,562	– 8,495	– 65,193	– 65,098
Current Level	+5,245	+5,245	+9,700	+9,700
Difference	+13,807	+13,740	+74,893	+74,798
Foreign Affairs:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Homeland Security:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
House Administration:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Judiciary:				
Allocation	– 8,490	– 594	– 15,645	– 13,737
Current Level	+0	+0	+6	+6
Difference	+8,490	+594	+15,651	+13,743
Natural Resources:				
Allocation	– 460	– 229	– 8,242	– 8,076
Current Level	+259	+596	– 201	+134
Difference	+719	+825	+8,041	+8,210
Oversight and Government Reform:				
Allocation	– 8,146	– 8,113	– 140,709	– 140,829
Current Level	– 9	– 9	– 427	– 427
Difference	+8,137	+8,104	+140,282	+140,402
Science, Space and Technology:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Small Business:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Transportation and Infrastructure:				
Allocation	– 36,626	– 9,354	– 130,371	– 28,397
Current Level	+6,588	+6,200	+31,388	+20,428
Difference	+43,214	+15,554	+161,759	+48,825
Veterans' Affairs:				
Allocation	0	0	0	0
Current Level	– 36	– 36	– 250	– 250
Difference	– 36	– 36	– 250	– 250
Ways and Means:				
Allocation	– 5,970	– 8,211	– 612,080	– 619,002
Current Level	+23,031	+23,031	+293,999	+293,999
Difference	+29,001	+31,242	+906,079	+913,001

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2013—COMPARISON OF CURRENT STATUS WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUB ALLOCATIONS AS OF JAN. 21, 2013

(Figures in millions)¹

	302(b) allocations (H. Rept. 112–465)		302(b) for GWOT		Current status as of Oct. 5, 2012		Current status GWOT		Current status less 302(b)		Current status GWOT less 302(b)	
	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	19,405	22,759	0	0	19,405	22,759	0	0	0	0	0	0
Commerce, Justice, Science	51,129	62,853	0	0	51,129	62,853	0	0	0	0	0	0
Defense	519,220	573,770	88,480	48,420	518,147	573,430	87,376	48,084	– 1,073	– 340	– 1,104	– 336
Energy and Water Development	32,098	40,682	0	0	35,535	41,008	0	0	+3,437	+326	0	0
Financial Services and General Government	21,150	23,939	0	0	21,150	23,939	0	0	0	0	0	0
Homeland Security	44,598	45,194	0	0	49,975	46,307	0	0	+5,377	+1,113	0	0
Interior, Environment	28,000	31,058	0	0	28,025	31,064	0	0	+25	+6	0	0
Labor, Health and Human Services, Education	150,002	162,699	0	0	24,645	112,117	0	0	– 125,357	– 50,582	0	0
Legislative Branch	4,289	4,381	0	0	3,331	3,611	0	0	– 958	– 770	0	0
Military Construction and Veterans Affairs	71,747	79,069	0	2	71,747	79,069	0	2	0	0	0	0
State, Foreign Operations	40,132	48,569	8,245	2,454	40,132	48,569	8,245	2,454	0	0	0	0
Transportation, HUD	51,606	115,161	0	0	51,604	114,857	0	0	– 2	– 304	0	0
Full Committee Allowance	2	0	0	249	0	0	0	0	– 2	0	0	– 249
Total	1,033,377	1,210,134	96,725	51,125	914,825	1,159,583	95,621	50,540	– 118,553	– 50,551	– 1,104	– 585
Comparison 302(a) and 302(b) Allocations:												
302(a) Allocation Issued to HAC	1,033,377	1,210,134	96,725	51,125								
Total 302(b) Allocations Issued by HAC	1,033,377	1,210,134	96,725	51,125								
302(b) Total Allocations vs. 302(a) Allocation	0	0	0	0								
Memorandum	Amounts assumed in 302(b)		Emergency requirements		Disaster funding		Program integrity					
Spending in Excess of Base Budget Control Act Caps	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	0	0	224	72	0	0	0	0	0	0	0	0
Commerce, Justice, Science	0	0	363	97	0	0	0	0	0	0	0	0
Defense	0	0	88	42	0	0	0	0	0	0	0	0
Energy and Water Development	0	0	1,889	327	0	0	0	0	0	0	0	0
Financial Services and General Government	0	0	811	430	0	0	0	0	0	0	0	0
Homeland Security	5,481	274	6,693	286	10,860	1,404	0	0	0	0	0	0
Interior, Environment	0	0	1,443	153	0	0	0	0	0	0	0	0
Labor, Health and Human Services, Education	0	0	827	108	0	0	0	0	0	0	0	0
Legislative Branch	0	0	0	0	0	0	0	0	0	0	0	0
Military Construction and Veterans Affairs	0	0	261	24	0	0	0	0	0	0	0	0
State, Foreign Operations	0	0	0	0	0	0	0	0	0	0	0	0
Transportation, HUD	0	0	29,070	588	0	0	0	0	0	0	0	0
Totals	5,481	274	41,669	2,127	10,860	1,404	0	0	0	0	0	0

¹ Spending designated as emergency is not included in the current status of appropriations shown above.

2014 ADVANCE APPROPRIATIONS PURSUANT TO H. CON.
RES. 112 AS OF OCT. 5, 2012
(Budget authority in millions of dollars)

Section 501(c)(1) Limits	2,014
Appropriate Level	54,462
Enacted Advances:	
Accounts Identified for Advances:	
Department of Veterans Affairs:	
Medical Services	0
Medical Support and Compliance	0
Medical Facilities	0
Subtotal, enacted advances ¹	0
Section 502(c)(2) Limits	2014
Appropriate Level	28,852
Enacted Advances:	
Accounts Identified for Advances:	
Employment and Training Administration	0
Education for the Disadvantaged	0
School Improvement Programs	0
Special Education	0
Career, Technical and Adult Education	0
Tenant-based Rental Assistance	0
Project-based Rental Assistance	0
Subtotal, enacted advances ¹	0
Previously Enacted Advance Appropriations ²	2,014
Corporation for Public Broadcasting	445
Total, enacted advances¹	445

¹ Line items may not add to total due to rounding.

² Funds were appropriated in Public Law 112-74.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 1 p.m. on Tuesday, January 29, 2013.

There was no objection.

Thereupon (at 2 o'clock and 3 minutes p.m.), under its previous order, the House adjourned until Tuesday, January 29, 2013, at 1 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

118. A letter from the President, Charles Stewart Mott Foundation, transmitting the Foundation's 2011 Annual Report "Picturing Success: The Transformative Power of After-school"; to the Committee on Education and the Workforce.

119. A letter from the Honorary Secretary, Foundation of Japanese Honorary Debts, transmitting the 217th petition to the Prime Minister of Japan; to the Committee on Foreign Affairs.

120. A letter from the Executive Secretary, Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

121. A letter from the Management and Program Analyst, Department of Homeland Security, transmitting the Department's final rule — Provisional Unlawful Presence Waivers of Inadmissibility for Certain Immediate Relatives [CIS No.: 2519-2011: DHS Docket No.: USCIS-2012-0003] (RIN: 1615-AB99) received January 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

122. A letter from the Director, Office of Standards, Regulations and Variances, Department of Labor, transmitting the Department's final rule — Criteria and Procedures for Proposed Assessment of Civil Penalties;

Inflation Adjustment (RIN: 1219-AB81) received January 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

123. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2013-2] received January 17, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

124. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Patel v. Commissioner 138 T.C. No. 23 (June 27, 2012) [Docket No.: 11694-09] received January 17, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

125. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — 2013 Cost-of-Living Adjustments to Certain Tax Items (Rev. Proc. 2013-15) received January 17, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

126. A letter from the Inspector General, Department of Health and Human Services, transmitting Community Living Assistance Services and Supports Program: 2012 Report to Congress; jointly to the Committees on Energy and Commerce and Ways and Means.

127. A letter from the Secretary, Department of Health and Human Services, transmitting a report on the activities of the Center for Medicare and Medicaid Innovation; jointly to the Committees on Energy and Commerce and Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. ROS-LEHTINEN:

H.R. 416. A bill to condition security assistance and economic assistance to the Government of Egypt in order to advance United States national security interests in Egypt, including encouraging the advancement of political, economic, and religious freedom in Egypt; to the Committee on Foreign Affairs.

By Ms. ROS-LEHTINEN (for herself, Mr. DIAZ-BALART, Ms. WASSERMAN SCHULTZ, Ms. WILSON of Florida, and Mr. GARCIA):

H.R. 417. A bill to direct the Secretary of Agriculture to convey to Miami-Dade County certain federally owned land in Florida, and for other purposes; to the Committee on Agriculture.

By Ms. ROS-LEHTINEN:

H.R. 418. A bill to reduce Medicare waste, fraud, and abuse by providing for enhanced penalties to combat Medicare and Medicaid fraud, for a Medicare data-mining system, for a study on applying biometric technology, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN (for herself, Mr. SIRE, Mr. DIAZ-BALART, Mr. CONNOLLY, and Mr. CARTER):

H.R. 419. A bill to strengthen and clarify the commercial, cultural, and other relations between the people of the United States and the people of Taiwan, as codified

in the Taiwan Relations Act, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RODNEY DAVIS of Illinois (for himself, Mr. SHIMKUS, Mrs. WAGNER, and Mr. LIPINSKI):

H.R. 420. A bill to designate the new Interstate Route 70 bridge over the Mississippi River connecting St. Louis, Missouri and southwestern Illinois as the "Stan Musial Memorial Bridge"; to the Committee on Transportation and Infrastructure.

By Mr. REICHERT (for himself, Mr. KING of New York, Mr. PASCRELL, and Mr. CONYERS):

H.R. 421. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, and for other purposes; to the Committee on the Judiciary.

By Mr. FRANKS of Arizona (for himself, Mr. GOSAR, Mr. SCHWEIKERT, Mr. SALMON, Mr. MULVANEY, Mrs. BLACKBURN, Mr. MESSER, Mr. LAMALFA, Mr. HULTGREN, and Mr. WEBER of Texas):

H.R. 422. A bill to amend the Internal Revenue Code of 1986 to provide for a credit which is dependent on enactment of State qualified scholarship tax credits and which is allowed against the Federal income tax for charitable contributions to education investment organizations that provide assistance for elementary and secondary education; to the Committee on Ways and Means.

By Mr. COFFMAN (for himself, Mr. POLIS, Mr. SCHWEIKERT, Mr. FLEMING, Ms. FOXX, and Mr. CICILLINE):

H.R. 423. A bill to amend title 5, United States Code, to provide for the termination of further retirement benefits for Members of Congress, except the right to continue participating in the Thrift Savings Plan, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSAR (for himself and Mr. FRANKS of Arizona):

H.R. 424. A bill to include the county of Mohave, in the State of Arizona, as an affected area for purposes of making claims under the Radiation Exposure Compensation Act based on exposure to atmospheric nuclear testing; to the Committee on the Judiciary.

By Mr. GRAVES of Missouri (for himself, Mr. JONES, Mr. WESTMORELAND, Mr. LONG, Mrs. HARTZLER, Ms. FOXX, and Mr. BARLETTA):

H.R. 425. A bill to prohibit the use of funds for the rule entitled "Provisional Unlawful Presence Waivers of Inadmissibility for Certain Immediate Relatives" published by the Department of Homeland Security on January 3, 2013 (78 Fed. Reg. 535); to the Committee on the Judiciary.

By Mr. POLIS (for himself, Mrs. DAVIS of California, and Mr. RANGEL):

H.R. 426. A bill to provide incentives for States and local educational agencies to implement comprehensive reforms and innovative strategies that are designed to lead to significant improvement in outcomes for all students and significant reductions in achievement gaps among subgroups of students, and for other purposes; to the Committee on Education and the Workforce.

By Mr. QUIGLEY (for himself, Ms. CHU, Ms. NORTON, Mr. GRIJALVA, Mr. DEUTCH, Ms. LEE of California, and Mr. MORAN):

H.R. 427. A bill to prevent the illegal sale of firearms, and for other purposes; to the Committee on the Judiciary.

By Mr. SABLAN:

H.R. 428. A bill to require the Secretary of Agriculture to report on the cost differences between providing school meals and supplements in each of the territories of the United States and the 50 States and the District of Columbia, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SABLAN:

H.R. 429. A bill to permit the Delegate from the Commonwealth of the Northern Mariana Islands to designate Federal depository libraries; to the Committee on House Administration.

By Ms. SPEIER (for herself and Mr. HECK of Nevada):

H.R. 430. A bill to amend the Uniform Code of Military Justice to protect new members of the Armed Forces who are undergoing basic training from the sexual advances of the members of the Armed Forces responsible for their instruction; to the Committee on Armed Services.

By Ms. SPEIER (for herself, Mr. BISHOP of New York, Ms. BONAMICI, Mr. CICILLINE, Ms. CLARKE, Mr. CONYERS, Mr. ELLISON, Mr. FARR, Mr. GRIJALVA, Ms. NORTON, Mr. HOLT, Ms. MATSUI, Mr. MEEKS, Ms. PINGREE of Maine, Ms. SCHAKOWSKY, Ms. SCHWARTZ, Ms. SLAUGHTER, and Mr. VAN HOLLEN):

H.R. 431. A bill to restore certain authorities of the Bureau of Alcohol, Tobacco, Firearms, and Explosives to administer the firearms laws, and for other purposes; to the Committee on the Judiciary.

By Mr. DUFFY:

H.J. Res. 23. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of consecutive terms that a Member of Congress may serve; to the Committee on the Judiciary.

By Ms. ROS-LEHTINEN (for herself, Mr. KIND, Ms. SPEIER, Mr. SRES, Mr. MORAN, Ms. NORTON, Mr. SABLAN, Mr. POLIS, Mr. CICILLINE, Mr. POCAN, Ms. SINEMA, Ms. SCHAKOWSKY, and Mr. HONDA):

H. Con. Res. 10. Concurrent resolution supporting the goals and ideals of No Name-Calling Week in bringing attention to name-calling of all kinds and providing schools with the tools and inspiration to launch an on-going dialogue about ways to eliminate name-calling and bullying in their communities; to the Committee on Oversight and Government Reform.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Ms. MENG, and Mr. BERA of California):

H. Res. 47. A resolution expressing the sense of the House of Representatives that the Citizens' Stamp Advisory Committee, as an entity of the United States Postal Service, should issue a commemorative stamp in honor of the holiday of Diwali; to the Committee on Oversight and Government Reform.

tives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. ROS-LEHTINEN:

H.R. 416.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Ms. ROS-LEHTINEN:

H.R. 417.

Congress has the power to enact this legislation pursuant to the following:

Article IV: States' Powers and Limits

Section 3: New States and Federal Property

Clause 2: Federal Property and the Territorial Clause

The Congress shall have power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.

By Ms. ROS-LEHTINEN:

H.R. 418.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution

By Ms. ROS-LEHTINEN:

H.R. 419.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Mr. RODNEY DAVIS of Illinois:

H.R. 420.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. REICHERT:

H.R. 421.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. FRANKS of Arizona:

H.R. 422.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. COFFMAN:

H.R. 423.

Congress has the power to enact this legislation pursuant to the following:

The power of Congress to make law regarding the compensation for the services of Senators and Representatives, as enumerated in Article I, Section 6, Clause 1 of the United States Constitution, as amended by the 27th Amendment to the United States Constitution.

By Mr. GOSAR:

H.R. 424.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

"The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;"

By Mr. GRAVES of Missouri:

H.R. 425.

Congress has the power to enact this legislation pursuant to the following:

Clause 4 of Section 8 of Article I of the Constitution, in creating the authority of

the Congress, "To establish an uniform Rule of Naturalization."

and

The 14th Amendment of the Constitution stating that, "All persons born or naturalized in the United States," are, "citizens of the United States and of the State wherein they reside."

By Mr. POLIS:

H.R. 426.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. QUIGLEY:

H.R. 427.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. SABLAN:

H.R. 428.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

Article IV, Section 3, Clause 2. The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

By Mr. SABLAN:

H.R. 429.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Ms. SPEIER:

H.R. 430.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Ms. SPEIER:

H.R. 431.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: Congress shall have the power to regulate commerce among the states, and provide for the general welfare.

By Mr. DUFFY:

H.J. Res. 23.

Congress has the power to enact this legislation pursuant to the following:

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representa-

Article V: The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which in either Case, shall be valid to all Intents and Purposes, as Part of this, Constitution, when ratified by the Legislatures of three fourths of the several States or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. LATTA, Mr. GOHMERT, and Mr. ROKITA.

H.R. 24: Mr. FORBES, Mr. DUNCAN of Tennessee, Mr. McCAUL, Mr. JOHNSON of Ohio, and Mr. GIBSON.

H.R. 32: Mr. O'ROURKE, Mr. WOMACK, and Mr. STIVERS.

H.R. 61: Mr. HALL.

H.R. 137: Mr. KEATING, Mr. LYNCH, Mr. CAPUANO, Mr. KENNEDY, Mr. NEAL, Ms. CASTOR of Florida, Ms. FUDGE, Mr. SMITH of Washington, Ms. JACKSON LEE, Mr. POCAN, Mr. BRADY of Pennsylvania, Ms. SCHAKOWSKY, Mr. LANGEVIN, Mr. ISRAEL, and Mr. SIRES.

H.R. 138: Mr. SMITH of Washington, Mr. POCAN, Ms. JACKSON LEE, Mr. BISHOP of New York, Mr. LANGEVIN, and Mr. PALLONE.

H.R. 139: Mr. FITZPATRICK.

H.R. 141: Mr. CAPUANO, Ms. CASTOR of Florida, Mr. POCAN, Ms. JACKSON LEE, Mr. BISHOP of New York, Mr. LANGEVIN, and Mr. PALLONE.

H.R. 142: Ms. CASTOR of Florida, Mr. POCAN, Ms. JACKSON LEE, Mr. BISHOP of New York, Mr. LANGEVIN, and Mr. PALLONE.

H.R. 149: Mr. LUETKEMEYER, Mr. STEWART, and Mr. STIVERS.

H.R. 164: Mr. BUCSHON.

H.R. 228: Mr. LUETKEMEYER and Mr. JONES.

H.R. 257: Ms. KUSTER.

H.R. 301: Mr. GOWDY and Mrs. CAROLYN B. MALONEY of New York.

H.R. 309: Mr. STEWART.

H.R. 310: Mr. ENYART, Mr. MARCHANT, and Mr. STIVERS.

H.R. 317: Mr. HASTINGS of Washington and Mr. MEADOWS.

H.R. 321: Ms. ROYBAL-ALLARD and Mrs. CAPPAS.

H.R. 351: Mr. CAPUANO, Mr. FLORES, Mr. HURT, Mrs. BROOKS of Indiana, Mr. STIVERS, Mr. HENSARLING, Mr. TURNER, Mr. NUNNELEE, Mr. MCCLINTOCK, Mr. FORBES, Mr. SCALISE, Mr. LATTA, Mr. McCAUL, Mr. FLEISCHMANN, Mr. CHAFFETZ, and Mr. WITTMAN.

H.R. 352: Mr. PETERSON.

H.R. 366: Mr. FITZPATRICK, Mr. MEEHAN, Mr. BLUMENAUER, Ms. TSONGAS, and Mr. HANNA.

H.R. 367: Mr. MCHENRY, Mr. MICA, Mr. HENSARLING, Mr. MURPHY of Pennsylvania, Ms. GRANGER, Mr. RADEL, and Mr. MCCLINTOCK.

H.R. 382: Mr. STEWART, Mr. FRANKS of Arizona, Mr. CRAMER, Mrs. LUMMIS, Mr. MCCLINTOCK, Mr. ROHRABACHER, and Mr. BISHOP of Utah.

H. Con. Res. 5: Mr. KIND and Mr. PETERSON.

H. Res. 30: Ms. PINGREE of Maine, Mr. MICHAUD, and Mr. RAHALL.

H. Res. 41: Ms. NORTON, Mr. MARKEY, Mr. HONDA, Ms. SLAUGHTER, and Mr. POLIS.

H. Res. 46: Mr. DOYLE, Mr. COURTNEY, Mr. LATTA, and Mr. PETRI.

EXTENSIONS OF REMARKS

HONORING THE SERVICE OF DR. CHRISTOPHER M. THOMFORDE, PRESIDENT OF MORAVIAN COLLEGE AND MORAVIAN THEOLOGICAL SEMINARY

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Mr. DENT. Mr. Speaker, I rise today to honor Dr. Christopher M. Thomforde, who has ably served as the 15th President of Moravian College and Moravian Theological Seminary in Bethlehem, Pennsylvania, for the past seven years, and will be stepping down in July.

When Dr. Thomforde announced his intention to retire, he expressed that Moravian College and Seminary needs a president with "abounding energy, aspiration, and imagination." He has surely exemplified those values in his years of service to Moravian College, its students, faculty, the Bethlehem community and the greater Lehigh Valley.

One of Dr. Thomforde's most steadfast pursuits during his tenure has been recruiting and supporting a diverse student body that reflects the surrounding community and honors the College's founding principles and mission. The Moravian tradition is exemplified by the words of the Unity of Brethren Bishop John Amos Comenius, the "father of modern education," who wrote in 1632 that "not the children of the rich or of the powerful only, but of all alike, boys and girls, both noble and ignoble, rich and poor, in all cities and towns, villages and hamlets, should be sent to school." Dr. Thomforde has continued to challenge Moravian College to live by those values even during difficult economic times.

During his presidency, Dr. Thomforde has overseen the renovation of the Collier Hall of Science, the construction of the 231-bed Hurd Integrated Living and Learning Community between East Church and Lehigh streets, the construction of a state of the art Fitness Center and the renovation of the Hauptert Union Building on the main campus. His vision has been instrumental in establishing Advancing Into Moravian, a three-week summer program that helps incoming freshmen transition from high school to college life, and IN FOCUS, a year-long program to promote in-depth examination of complex issues, such as poverty, sustainability, health care, and war & peace, from multidisciplinary perspectives.

Dr. Thomforde came to Moravian after a distinguished career which included: serving as the president of St. Olaf College in Northfield, Minnesota for five years; president of Bethany College in Lindsborg, Kansas; chaplain and teaching in the Department of Philosophy and Religion at Susquehanna University; pastor at St. Paul's Lutheran Church in Dansville; assistant chaplain and instructor in philosophy and religion at Colgate University;

and teaching Western languages and medieval European history at Tunghai University, Taichung, Taiwan.

Dr. Thomforde earned a B.A. in medieval and Russian history from Princeton University in 1969. He received a Master of Divinity degree from Yale University Divinity School in 1974, with concentrations in biblical studies, church history, and philosophy. Dr. Thomforde was awarded a D. Min. from Princeton Theological Seminary in 2000, and Susquehanna University awarded him an honorary D.D. in 2001.

I wish Chris and his wife, Kathy, the best as they pursue the next chapter of their life, and I thank them for their service to Moravian College, the Moravian community as a whole, and the Lehigh Valley.

A PROCLAMATION HONORING
COUNTY COMMISSIONER PETER
F. RUNYON

HON. JARED POLIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Mr. POLIS. Mr. Speaker, it is with great honor that I rise before this body of Congress and this nation today to recognize Mr. Peter Runyon of Edwards, Colorado. Peter has just stepped down as a two-term county commissioner for the great county of Eagle, Colorado.

Being a commissioner in one of the country's premier resort communities has its challenges, but Peter approached the job with integrity and passion. He served his citizens with a steadfast commitment to making the place they call home a better place in which to live and work. Peter's concerns about community growth and sustainability were the hallmark of his tenure and many important things resulted from his labors.

His pursuit of smart growth, collaborative governing, transportation planning and open space have resulted in important changes in land use regulations, intergovernmental cooperation and a very successful voter-approved open space program, to name a few.

Mr. Speaker, it is with great pride that I rise to pay tribute to Mr. Peter Runyon on behalf of the residents of the 2nd Congressional District and myself. His contributions to Eagle County will remain his legacy for many years to come.

HONORING THE LIFE AND DEDICATED SERVICE OF COLONEL DEAN F. SCHNOOR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the life of Northwest Florida's beloved Colonel Dean F. Schnoor. Colonel Schnoor was a proud resident of Northwest Florida where he retired after serving his nation with honor and distinction.

Colonel Schnoor was born in the small town of Perry, Iowa on June 3, 1925. Colonel Schnoor's service to his country began with his studies at the United States Military Academy at West Point, New York. After graduating in 1950, Colonel Schnoor embarked on more than 28 years of faithful service to our great country as an Army officer. During his career, Colonel Schnoor earned a Master's in Public Administration at Shippensburg State College, Shippensburg, Pennsylvania and also graduated from both the Army Command and General Staff College and the Army War College. Colonel Schnoor's outstanding leadership, service and sacrifice contributed significantly in the defense of our nation while assigned to numerous overseas duty locations including the Panama Canal Zone, Puerto Rico, Korea, Germany, and Vietnam.

In addition to his outstanding leadership as a member of our Armed Forces, Colonel Schnoor was also a devoted leader in the Northwest Florida community. Following Colonel Schnoor's retirement from the Army in 1979, he established and managed a small business called Whispering Pines Christmas Tree Farm in Allentown, Florida. This family-run farm is a treasured institution in Northwest Florida where residents often gather year after year to select their family Christmas tree. Colonel Schnoor's farm also includes a petting zoo with animals such as goats and turkeys which has been cherished by countless families from across the region.

To some, Colonel Dean Schnoor will be remembered as a patriot, who answered the call of duty on numerous occasions with honor, distinction and bravery. To others, he will be remembered as an integral part of the Northwest Florida community who left behind a lasting legacy. To his family, Colonel Schnoor will always be remembered as a loving husband, devoted father to his children, and as a proud grandfather and great-grandfather. His contributions to our nation, and his community will not be forgotten.

Mr. Speaker, on behalf of the United States Congress, it gives me great pride to honor the life and service of Colonel Dean F. Schnoor. My wife Vicki joins me in extending our most sincere condolences to Colonel Schnoor's wife, Joyce, his 10 children, 26 grandchildren,

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

12 great-grandchildren and the entire Schnoor family.

SEPTA

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize the achievements of the Southeastern Pennsylvania Transportation Authority. I am proud to congratulate SEPTA on receiving the 2012 American Public Transportation Association's 2012 Award for "Outstanding Public Transportation System."

There has been much debate in our nation's capital as to the most effective way to grow our economy in these difficult times. However, lawmakers from both parties agree that without a modern transportation infrastructure, we cannot compete in a 21st century global economy.

SEPTA has taken the lead in the Philadelphia region and in the nation by making effective investments to modernize its own infrastructure and by providing a more complete and enhanced customer service experience.

I have seen firsthand the result of these efforts with the opening of improved stations in Langhorne and Croydon, two Bucks County communities served by SEPTA's regional rail system. These upgrades have a real impact on the day-to-day lives of thousands of commuters and are an asset to our region. The hard work and dedication of the men and women and SEPTA are evident not just in increasing ridership, but also in their recognition by the APTA as our nation's leading public transportation system. Congratulations once again to everyone at SEPTA. I am confident that you will continue to lead the nation in 2013.

IN HONOR OF THE LIFE OF
FORMER PEORIA MAYOR JIM
MALOOF

HON. AARON SCHOCK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Mr. SCHOCK. Mr. Speaker, I rise to honor the memory of former mayor of Peoria, Illinois, Jim Maloof, who passed away at the age of 93 on January 19, 2013. There is no doubt that Peoria will sorely miss its greatest champion, but his legacy lives on in the city he rebuilt and in the hearts of all who were touched by his generosity. It is difficult to capture a life that was as impactful as Jim Maloof's, but many noteworthy tributes have been written. I want to share just some of the high points in the life of this extraordinary man.

Born in the back of his parents' Peoria grocery store in 1919, Jim would live his life as a true son of the city. Even as a child, his warm spirit and merry character drew people to him, and his legendary penchant for singing began in childhood. As he grew up, Jim became a successful businessman in Peoria, op-

erating a dry cleaner and then a real estate firm that continues to thrive today.

One of Jim's most enduring and powerful legacies is his contributions to St. Jude's Children's Hospital. In 1971, he met Danny Thomas, the founder of St. Jude, and agreed to help raise funds for an expansion of the hospital. Jim proved to be a prolific fundraiser, and one of my favorite stories about him from this time was his use of song and dance routines in his pitches. Just one year later, in 1972, he became the national Executive Vice-President of St. Jude's and opened the first affiliated clinic in the country right in Peoria, Illinois.

The impact of Jim's work with St. Jude is difficult to overstate. St. Jude has given thousands of children a chance at long and healthy lives after receiving a diagnosis that was once considered a death sentence. The research done by St. Jude has advanced treatments and cures for dozens of diseases. But beyond the material, as in all things, Jim's most important contribution to the children and families of St. Jude was hope. Jim's passion for healing manifested itself in a different way in 1984 when he decided to run for mayor of Peoria. At that time, Peoria was experiencing a period of economic downturn, with thousands of layoffs, a diminishing population, and a dying downtown area. "Would the last one to leave Peoria turn out the lights?" was a common saying in the area at the time.

As with all great figures in history, from Abraham Lincoln to Martin Luther King, Jim Maloof was uniquely suited to his time. When most people looked around Peoria in 1985, they saw a dying city and little reason for hope. Jim Maloof looked around the same city—his city—and saw something worth saving. His vision looked past the boarded up downtown and the vacant houses to the people who, with just a little inspiration, could turn it all around.

And that is exactly what happened. After being elected, Mayor Maloof threw open the doors of government to the citizens and businesses of Peoria and gave everyone a role in revitalizing their hometown. Committees of volunteers developed and implemented projects to revamp the downtown area, including the addition of the Peoria Civic Center, draw new businesses to Peoria, and grow existing ones. Jim's faith in the city was boundless and infectious. Another of my favorite stories about Jim is the mugs he had made listing the great cities of the world: New York, Paris, London, and Peoria, and he affectionately referred to Peoria as the "Little Apple". In 1989, only four years after Mayor Maloof took office, Peoria was named an All-American City.

But the real gift that Jim gave to Peoria was pride. He was an unabashed champion for the city, using his gift for song and his limitless energy to revive the spirits of a dejected town. After serving three terms as mayor, Jim reentered the private sector, but his presence as a Peoria landmark remained undiminished as he hosted telethons for St. Jude, Christmas carol singing every year in the downtown he rebuilt, and participated in community events.

Jim Maloof played in Peoria. He inspired us and challenged us to do more and reach higher, and to do everything with a cheerful heart and a song. His music will live on in the lives

of the children saved by his work with St. Jude and in the city he loved.

RECOGNIZING PAUL PLATTNER'S
CAREER OF CREATING WORK OP-
PORTUNITIES FOR PEOPLE WITH
DISABILITIES

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize Mr. Paul Plattner on the occasion of his retirement after 39 years of service to NISH and the AbilityOne Program, through which he has helped identify and create work opportunities for the blind and for people with disabilities here and in communities across America.

Mr. Plattner began his career at NISH in 1974, working as a part-time bookkeeper two and a half days a month. It wasn't long before he advanced from that humble beginning to take on a number of other roles and duties, currently serving as Vice President for Operations. He has worked directly with, and earned the respect of, staff in every major federal agency. He also has developed close working relationships with community rehabilitation programs across the Nation.

Under the Javits-Wagner-O'Day Act, the AbilityOne Program harnesses the purchasing power of the Federal Government to buy products and services from community-based nonprofits that train and employ individuals who are blind or have significant disabilities. Whether it is performing custodial services, packing medical kits for our troops, working in food service or one of many other duties, AbilityOne workers are making a positive difference in our community. I and many of my colleagues here in the House, both Democrat and Republican, are AbilityOne Champions, and we know firsthand the positive effect this program has not only for the individuals and their families, but also for us as well.

Mr. Plattner has dedicated his life's work to helping provide residents with disabilities in every community with the opportunity to learn new skills, to succeed in a workplace environment, and to gain greater independence and quality of life. Mr. Speaker, I ask my colleagues to join me in thanking Mr. Plattner for his heartfelt commitment to improving the lives of those with disabilities and in wishing him well in his retirement.

HONORING THE 125TH ANNIVER-
SARY OF SAINT PATRICK PAR-
ISH

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Saint Patrick Parish in Chatham, New Jersey, which is celebrating its 125th Anniversary in January of 2013.

The Township of Chatham gained a local, stable Irish population in response to the terrible potato famine in Ireland, in the 1840s.

These Catholic families picked up and settled in Chatham, regularly attending mass in a local Madison Parish. However, these immigrants decided they needed a local parochial school for their children since all other options were deemed to be too far. The St. Patrick Catholic School was incorporated in 1875, followed by the completion of a new building for parishioners in 1887, marking the birth of the St. Patrick Parish. After renovations due to fires in the early 20th century, the Parish built a new church in 1955. As the church continued to grow, it decided to establish a new Parish Center in 1989 which would house a rectory, convent and youth ministry in addition to providing resources for program expansion. This center, in 2009, was named after the late, beloved Father Hinds.

The demographics of the once predominantly Irish church have grown significantly to include members of many different heritages such as Italian, Polish, Asian, and Hispanic that reside in Chatham. The parishioners have also begun several ministry programs such as Environmental Stewardship, Christmas in a Box, Basket Bonanza, Cooking at Eva's Village in Paterson, and a Health Ministry providing information and assistance. The church is also very well known for its annual social events consisting of a St. Patrick's Day Celebration, an Oktoberfest Celebration, and a "Breakfast with Santa" that aim to bring families and friends together to enjoy the holidays. With the help of Msgr. Tom Coletta, St. Patrick Parish has become a sister church to Our Lad of Victories Parish in Paterson. The Catholic places of worship have garnered a shared spirituality through combined Masses, retreats, ministry training, and youth activities.

St. Patrick Parish is recognized as one of the strongest religious institutions in Morris County. Having encountered much adversity through the years, the members of the Parish have always been able to guide themselves through the hardships with their strong bond of community and unwavering faith. The St. Patrick Catholic School has provided the Chatham Catholic community with an excellent opportunity to obtain education and faith for young men and women of the community.

Former St. Patrick pastors: Bishop Dominic Marconi of Newark, Monsignor Ronald Amandolare, and Monsignor John J. Carroll frequently celebrate mass with the church to honor its parishioners and their departed, good friend Father Edward Hinds. This collaboration has been led by current pastor, Father Robert Mitchell. The contagious, unbreakable connection can be defined by Father Mitchell's description of the members of his parish: "All who find a home at St. Patrick's share a common bond that unites them through joys and sorrows, challenges, surprises and the success and failures of life. This makes real the wisdom of our founding members and the generosity of those who followed." Through this message, the community has built long-lasting relationships.

Mister Speaker, I ask you and your colleagues to join me in congratulating the Saint Patrick Parish as it celebrates its 125th Anniversary.

IN HONOR OF ALPHA KAPPA
ALPHA GOLDEN SOROR MAGGIE
PARRISH WILLIAMS

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to extend my sincerest congratulations to Golden Soror Maggie Parrish Williams of the Gamma Tau Omega Chapter of Alpha Kappa Alpha Sorority, Inc. for fifty years of service to this great sisterhood. A reception will be held in her honor on Saturday, January 26, 2013 at 4:00 p.m. at the Columbus Community Center in Columbus, Georgia.

Born in Swainsboro, Georgia to the late Ruben and Anna Gibbons Parrish, Mrs. Williams is the eighth of thirteen children. She graduated with honors from Emmanuel County High School in 1961 and went on to attend The Fort Valley State University in Fort Valley, Georgia. While a student at Fort Valley State, she participated in the Drama Club and Chorus, all while maintaining an above average GPA. As a sophomore, she was initiated into the Alpha Beta Chapter of Alpha Kappa Alpha Sorority, Inc. on November 10, 1962.

After graduating from Fort Valley State in 1965 with a Bachelor's degree in Science in Education and minors in Science and Mathematics, she was awarded the National Science Foundation grant to continue her studies at the University of Detroit, where she earned a Master's of Art in the Teaching of Mathematics in 1971. Her still unquenched thirst for knowledge and education led Mrs. Williams to complete additional coursework at Colgate University in Hamilton, New York, Georgia State University in Atlanta, Georgia, and Columbus State University in Columbus, Georgia.

In 1965, Mrs. Williams worked as a Mathematics teacher at Pineville High School in Valdosta, Georgia. In 1967, she moved to Columbus, where she worked as a Mathematics teacher at George Washington Carver High School. In 1969, she met the love of her life, the late Mark A. Williams, and they were married in 1970. They were married for over 41 years.

Mrs. Williams continued her service to the Muscogee County School District as a Mathematics teacher at Kendrick High School, Rothschild Middle School and Spencer High School. She retired in 2002 after 37 years of devotedly teaching and mentoring young adults and children.

While teaching in Muscogee County, Mrs. Williams joined Gamma Tau Omega, a graduate chapter of Alpha Kappa Alpha Sorority, Inc., in 1972. She has faithfully supported and made various contributions to sorority activities and events such as city-wide tutorial programs, the Senior Citizens' Christmas Party, and Founder's Day. Mrs. Williams has supported scholarships and awards for deserving high school seniors in Columbus and surrounding areas through the chapter's foundation, SISTERS, Inc. She has also served on the Archives, Leadership, Programs and Heritage committees. Through the years, she has made generous donations to the chapter, including donations she made in the 1970s to

ward the purchase of the first Gamma Tau Omega sorority house on Broadway, and other chapter-owned properties in Columbus.

In addition to her work and service through Alpha Kappa Alpha Sorority, Inc., Mrs. Williams has been a devoted member of First African Baptist Church in Columbus for well over 41 years. She has served and still serves in many ministries, including the General Mission Society, the Senior Choir, the Deaconesses, the Budget and Finance Committee and Rebekah Mission Circle, where she served as Secretary for nine years. She has achieved the status of "life member" in several organizations, including Alpha Kappa Alpha Sorority, Inc., the Fort Valley State University National Alumni Association, Inc., and the Georgia Teachers of Mathematics. She is also a member of the Muscogee County Retired Educators Association, the Georgia Retired Educators Association, United Way of the Chattahoochee Valley, and the Urban League.

The presence of Alpha Kappa Alpha is evident in Mrs. Williams' family. Her only daughter, Monica Williams Smith, followed in her mother's footsteps and was initiated into the Kappa Upsilon Chapter of Alpha Kappa Alpha at Valdosta State University in 1996. Her sister-in-law, Marguerite Parrish, and four nieces, Yvonne Prater, Vanessa Parrish, Tiffany Parrish and Bakia Parrish, have also all been initiated into the great sisterhood.

Mrs. Williams lives by the following words: "Our God has done great things for all people and we should strive to love more and continue to help each other through Jesus Christ Our Savior."

Mr. Speaker, I ask my colleagues to join me today in paying tribute to an outstanding citizen and woman of faith, Mrs. Maggie Parrish Williams, as she is honored for her fifty years of dedicated service to Alpha Kappa Alpha Sorority, Inc. and the Columbus, Georgia community.

RECOGNIZING MICHAEL D.
FEZZEY'S COMMITMENT AND
SERVICE TO THE GREATER DETROIT AREA OF MICHIGAN

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Mr. PETERS of Michigan. Mr. Speaker, I rise today to honor long time philanthropist and community advocate Michael Fezzey for his deep commitment and years of service to the Greater Detroit area. I've had the honor of knowing and working with Mike for many years.

Currently, Mike Fezzey is the president of Huntington National Bank's East Michigan region. Prior to joining Huntington, Mike was the president and general manager of WJR-AM radio. In addition to leading WJR from 1994 through 2010, he also launched and ran Radio Disney Detroit programming for ABC.

A native of Detroit, Mike's service to the community has been broad based with particular emphasis on improving the region's philanthropic giving and the image and reputation of Southeast Michigan. He has served on

a number of boards including Cornerstone Schools, New Detroit, the Children's Center, Habitat for Humanity, the Detroit Economic Club, the Parade Company, For the Kids Foundation, Sweet Dreamzzz Detroit and Forgotten Harvest. Mike is the former chair of the Detroit Regional Chamber's marketing committee and former president of the Detroit Advertising Association.

In his role with WJR, Mike earned the prestigious Peabody Award from the University of Georgia and the Neil Shine award for philanthropy in journalism. He and his wife were awarded the John Dingell Heroes for Babies award in 2010 and were the Michigan Arthritis Foundation's Tribute to Excellence honorees in 2011. Mike also holds an Honorary Doctorate in Public Service from Central Michigan University and was named a John Aldinger Honorary Professor by Michigan State University in 2008.

In his current position at Huntington Bank, Mike Fezzey was instrumental in creating a public private partnership that included Huntington Bank, the city of Hamtramck, state officials, the Greater Metropolitan Association of Realtors and the Michigan Association of Home Builders. This partnership produced a \$50-million initiative to complete construction of 104 homes around Hamtramck. This initiative fulfilled the federal court-ordered construction of 200 single-family homes that stemmed from a decades-long racial discrimination lawsuit. Under Mike's leadership, Huntington Bank was the only financial institution to help resolve this oldest housing discrimination lawsuit in America.

As I close, I can say with confidence that our community is a better place thanks to the ongoing, selfless service of people like Michael Fezzey. His leadership in the area of housing has earned the admiration of those throughout Southeast Michigan and I am pleased to recognize that leadership today in the United States Congress.

EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES THAT THE CITIZENS' STAMP ADVISORY COMMITTEE, AS AN ENTITY OF THE UNITED STATES POSTAL SERVICE, SHOULD ISSUE A COMMEMORATIVE STAMP IN HONOR OF THE HOLIDAY OF DIWALI

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise today to introduce the House Resolution Expressing the sense of the House of Representatives that the Citizens' Stamp Advisory Committee, as an entity of the United States Postal Service, should issue a commemorative stamp in honor of the holiday of Diwali. I am proud to be joined in this effort by my colleagues Congresswoman GRACE MENG and Congressman AMI BERA.

This House Resolution urges the United States Postal Service to issue a stamp in honor of the holiday Diwali. Meaning "row of

lights," Diwali celebrates the triumph of good over evil, the awareness of one's inner light, the dispelling of ignorance, and bringing peace and joy through the awakening gained from this higher knowledge. Also marking the beginning of the Hindu New Year, this festive and important Indian holiday is observed in America, and across the globe, by Hindus, Sikhs, Christians, Jains, and Buddhists.

But despite the significance of this holiday, the United States Postal Service has yet to merit Diwali with the same recognition as other major religious holidays for which stamps are issued such as Christmas, Kwanzaa, Hanukkah, and Eid.

As one of the world's oldest religious holidays, Diwali has survived political, economic and social changes throughout history, while always carrying the universal symbolism of the victory of light, goodness, knowledge and truth. It is long overdue that we honor this significant holiday with a postage stamp of its own.

BALTIMORE CITY FIRE DEPARTMENT

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Ms. PELOSI. Mr. Speaker, 45 years ago, history was made in the City of Baltimore. On January 23, 1968, Mayor Thomas D'Alesandro III—my brother—watched over the swearing-in of his appointee, Reverend Marion Bascom Jr., as the Baltimore City Fire Department's first African-American Commissioner.

Alongside his colleague and partner in the cause of equality, Konstantine Prevas, Commissioner Bascom took the oath of office. In a single act, he changed the face of the city's public servants and heroes—becoming, in his words, "the first black man to wear a white hat in the Baltimore City Fire Department." In a single moment, he altered the course of local history. In the years to come, he and his fellow members of the Board of Fire Commissioners would do more than become a model of racial harmony; they would advance the professionalism and effectiveness of Baltimore's firefighters.

Though progress was slow at times—though a history of segregation and bigotry and racism still weighed heavily on the shoulders of Commissioners Bascom and Prevas and others—these leaders fought, step-by-step, to ensure that Baltimore's force of firefighters would exemplify our highest ideals of equality and our highest degree of excellence.

Under the leadership of Commissioners Bascom and Prevas, the Baltimore City Fire Department gave African-American members of its ranks a fair hearing—listening and responding to their concerns about living and working conditions, and unfair treatment in areas of discipline, assignments, training, and promotions. It formally recognized the Vulcan Blazers, Baltimore's chapter of the International Association of Black Professional Fire Fighters.

To enhance its service to the city, the department expanded community outreach ef-

forts and helped create a new unit in the City Hospital to deal strictly and exclusively with fire victims and their injuries—and today, City Hospital still stands as the first and only burn center in the state of Maryland.

The Board of Commissioners oversaw the land acquisition, zoning, historic preservation, and construction of what's now called Steadman Station—located in the heart of downtown Baltimore and once considered the busiest station in the nation.

Today, the Baltimore City Fire Department is defined by the legacy of Commissioner Bascom: by fairness, equal rights, professional action, and a wholehearted devotion to public safety. No longer beset by racist policies; no longer held back by the scourge of segregation; no longer deterred by a past of Jim Crow—all because a mayor had the vision to appoint commissioners based on their merits, not simply their race, and all because his appointees had the courage to promote a future of progress.

Our family takes pride in its association with this extraordinary era of history for the people of Baltimore. My father, Mayor Thomas D'Alesandro Jr., oversaw the desegregation of the fire department. My brother appointed its first African-American Commissioner. Together, they created a department that reflected the diversity and character of the community it served and protected.

Today, 45 years after Commissioner Bascom took his oath, we can all be proud of this legacy. We can take inspiration from the acts of our predecessors. We can pledge to advance our heritage of opportunity, our commitment to fairness and justice, and our promise of equality for all.

HONORING THE 2013 ACADEMY NOMINEES OF THE 11TH CONGRESSIONAL DISTRICT NEW JERSEY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, every year, more high school seniors from the 11th Congressional District trade in varsity jackets for navy pea coats, Air Force flight suits, and Army brass buckles than most other districts in the country. But this is nothing new—our area has repeatedly sent an above average portion of its sons and daughters to the nation's military academies for decades.

This fact should not come as a surprise. The educational excellence of area schools is well known and has long been a magnet for families looking for the best environment in which to raise their children. Our graduates are skilled not only in mathematics, science, and social studies, but also have solid backgrounds in sports, debate teams, and other extracurricular activities. This diverse upbringing makes military academy recruiters sit up and take note—indeed, many recruiters know our towns and schools by name.

Since the 1830's, Members of Congress have enjoyed meeting, talking with, and nominating these superb young people to our military academies. But how did this process

evolve? In 1843, when West Point was the sole academy, Congress ratified the nominating process and became directly involved in the makeup of our military's leadership. This was not an act of an imperial Congress bent on controlling every aspect of Government. Rather, the procedure still used today was, and is, a further check and balance in our democracy. It was originally designed to weaken and divide political coloration in the officer corps, provide geographical balance to our armed services, and to make the officer corps more resilient to unfettered nepotism and handicapped European armies.

In 1854, Representative Gerritt Smith of New York added a new component to the academy nomination process—the academy review board. This was the first time a Member of Congress appointed prominent citizens from his district to screen applicants and assist with the serious duty of nominating candidates for academy admission. Today, I am honored to continue this wise tradition in my service to the 11th Congressional District.

The Academy Review Board is composed of six local citizens who have shown exemplary service to New Jersey, to their communities, and to the continued excellence of education in our area. Many are veterans and Academy graduates. Though from diverse backgrounds and professions, they all share a common dedication that the best qualified and motivated graduates attend our academies. And, as true for most volunteer panels, their service goes largely unnoticed.

I would like to take a moment to recognize these men and women and thank them publicly for participating in this important panel. Being on the board requires hard work and an objective mind. Members have the responsibility of interviewing upwards of 50 outstanding high school seniors every year in the academy review process.

The nomination process follows a general timetable. High school seniors submit personal information directly to the Military Academy, the Naval Academy, the Air Force Academy, and the Merchant Marine Academy once they become interested in attending. Information includes academic achievement, college entry test scores, and other activities. At this time, they also inform me of their desire to be nominated.

The academies then assess the applicants, rank them based on the data supplied, and return the files to my office with their notations. In late November, our Academy Review Board interviews all of the applicants over the course of two days. They assess a student's qualifications and analyze character, desire to serve, and other talents that may be hidden on paper.

This year the board interviewed over 50 applicants. Nominations included 10 to the Naval Academy, 10 to the Military Academy, 8 to the Merchant Marine Academy and 7 to the Air Force Academy—the Coast Guard Academy does not use the Congressional nomination process. The recommendations are then forwarded to the academies by January 31, where recruiters reviewed files and notified applicants and my office of their final decision on admission.

As these highly motivated and talented young men and women go through the acad-

emy nominating process, never let us forget the sacrifice they are preparing to make: to defend our country and protect our citizens. This holds especially true at a time when our nation is fighting the war against terrorism. Whether it is in Afghanistan or other hot spots around the world, no doubt we are constantly reminded that wars are fought by the young. And, while our military missions are both important and dangerous, it is reassuring to know that we continue to put America's best and brightest in command.

ACADEMY NOMINEES FOR 2013, 11TH DISTRICT CONGRESSIONAL DISTRICT

MERCHANT MARINE ACADEMY

Kyle J Asman, Livingston, Livingston H.S.
Duncan R. Brown, Brookside, West Morris Mendham H.S.

Justin C. Diesso, Sparta, Pope John VIII H.S.

Clay C. Dundas, Sparta, Blair Academy.
Aidan R. Groll, Boonton, Boonton H.S.
Patrick T. Keyes, Parsippany, Seton Hall Prep.

Gabriella S.L. Roselle, West Caldwell, James Caldwell H.S.

Ryan F. Wood, Budd Lake, Home Schooled.

AIR FORCE ACADEMY

Mathieu L. Gaydos, Randolph, Randolph H.S.

Louis R. Kete, Morristown, Delbarton School.

Yonjun D. Kim, Montville, Osan DOD Dependents H.S.

Jennifer E. Lam, Mountain Lakes, Mountain Lakes H.S.

Christian S. Longhi, Succasunna, Seton Hall Prep.

Liam F. McEneaney, Basking Ridge, Ridge H.S.

Philip J. Zurek, Denville, Academy of Math, Science & English.

MILITARY ACADEMY

Dominique A. Fortes, Parsippany, Parsippany H.S.

Michael J. Herbert, Jr., Whippany, Seton Hall Prep.

Gregory R. Horne, Denville, Morris Knolls H.S.

Adam B. Kratch, Millington, Seton Hall Prep.

Jared H. Love, Florham Park, Episcopal H.S.

Kirsten V. Mayer, Morris Twp., Morris Catholic H.S.

Ryan T. Mellody, Millington, Seton Hall Prep.

Michelle E. Miller, Chester, West Morris Mendham H.S.

Joseph M. Presti, Kinnelon, Kinnelon H.S.

Joshua W. Tomlinson-Aaron, Flanders, Pope John VIII H.S.

Richard-Vinh Nguyen-Le, Dover, Morris Knolls H.S.

NAVAL ACADEMY

Charlotte K. Asdal, Chester, West Morris Mendham H.S.

Cameron M. Ellis, Stanhope, Lenape Valley H.S.

Aaron J. Hanko, Montville, Trinity Christian Academy.

Benjamin R. Keegan, Flanders, Mt. Olive H.S.

Thomas D. Kim, Livingston, Seton Hall Prep.

Connor O. Lam, Chester, West Morris Mendham H.S.

Thomas P. Mahala, Far Hills, USN Foundation.

Michael E. McGlone, Boonton, Seton Hall Prep.

Luis N. Rodriguez, Denville, Academy for Math, Science & English.

Rahul Singh, Hackettstown, Mt. Olive H.S.

RECOGNIZING THE 2013 OFFICERS OF THE OCCOQUAN WOODBRIDGE LORTON VOLUNTEER FIRE DEPARTMENT

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the 2013 Officers of the Occoquan Woodbridge Lorton Volunteer Fire Department. The 2013 officers and members of the board of directors are taking leadership roles in one of Northern Virginia's longest standing volunteer fire departments. The O.W.L. Volunteer Fire Department was created to address the need for organized fire response capabilities in the growing suburbs of Northern Virginia. In 1938, the Department officially formed to become the only fire department between Fredericksburg and Alexandria. In the subsequent decades O.W.L. has expanded to staff three stations and provide emergency medical services.

The members of O.W.L. are dedicated community volunteers, and the 2013 officers and directors will be diligent stewards of this tradition of service. The over 300 active O.W.L. members answer 14,000 calls and serve 60,000 people each year. Their job is demanding and the hours are long, but these brave men and women are driven by their dedication to public safety and the communities that they serve. We would all do well to follow their example.

I congratulate and commend the following 2013 incoming officers:

Department Chief: James F. McAllister.

Fire Assistant Chiefs: Karl F. Fippinger, Wayne A. Haight, David S. Halman, Michael Clark, and Steve Godin.

EMS Assistant Chief: Edward A. Craig.

Fire Captains: Justin W. Witt, David P. Williams, Brian J. Smith, John M. Roberts, Ernie M. Firkin, Jr. and Kurt E. Bolland.

EMS Captain: Richard T. Ruggieri.

Fire Lieutenants: Mike Nazionale, Derick N. Ondra, Richard P. Moore, Alexander R. Moody, Billy Campbell, Harold F. Griffith, Nathan Potter, Joshua Culp, Jon R. Colpitts, Mark A. Chandler, Robert L. Brown, and Jonathan W. Baldwin.

EMS Lieutenants: Cynthia M. Young, Kelly Shaw, David Darrach, Julia Jordano, Tammy L. Hill, and Erika Estrella.

President: William Spicer.

Executive Vice President: Jim Dart.

Admin Vice Presidents: William L. Carter, Ernest Desantis, Henry J. Neyhouse, and George W. Smith.

Membership Secretary: Melissa L. Payne.

Treasurer: George J. Nazionale, Jr.

Election Officer: Valoree A. Brown.

Sergeant at Arms: John McMahon.

Board of Directors: Ron Miller, Chris McIntosh, and Barry King.

Mr. Speaker, I ask that my colleagues join me in congratulating these remarkable volunteers on their new leadership positions, and in

thanking all the members of The Occoquan Woodbridge Lorton Volunteer Fire Department for the vital service they provide to the Prince William County community.

NEWTOWN SHOOTING

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Mr. WOLF. Mr. Speaker, I recently read an article by Maureen Downey of the Atlanta Journal-Constitution sharing the thoughts of Mr. Frederick Assaf, headmaster at Pace Academy, an independent K–12 school in Atlanta, Georgia.

As Congress and the Obama administration continue to address mass violence, I found merit in Assaf's concerns about the desensitizing impacts of violent media, such as video games and Hollywood films. I believe these graphic images are far too easily accessed by our children and lack any notion of real-life consequences to violent death. I submit for the RECORD Mr. Assaf's thoughtful comments.

[From the Atlanta Journal-Constitution, Jan. 2, 2013]

NEWTOWN SHOOTING DEMANDS WE CONSIDER OUR "CALL OF DUTY" AS PARENTS

(By Maureen Downey, AJC Get Schooled Blog)

I admire Fred Assaf, head of Pace Academy in Atlanta, because he doesn't shy away from the tough issues. Here is another example of his willingness to speak out on behalf of children.

In the wake of the Newtown school shooting, Assaf questions the popularity of violent video games, which many kids received as Christmas gifts last week.

Please note that all comments to the blog will be moderated and appear only after they are read and approved.

(By Fred Assaf)

Because I come to know 6-year-olds every year by having lunch with them in our Lower School, I know the boundless joy and optimism they have in the heart. They raise their hands when they don't know the answer. When they run out of knock-knock jokes they know, they make up more on the spot.

They still need help opening their milk cartons. They look forward to holidays, visiting cousins, and seeing grandparents. They love their teachers, crave the structure of a school setting, and are learning to read fast and compute math at an incredible pace.

They will laugh at all of your jokes, even when they aren't funny. They understand the needs of those around them, they play with all their classmates, and they respect their parents, their teachers, and their god.

I'm headmaster at an independent school in Atlanta. Our school begins in Pre-First (Kindergarten) and ends with 12th grade. My wife and I also have five children of our own. The events in Newtown, Conn., are unimaginable to us and our entire prayer is for sympathy and healing; there is no justice in a situation like this.

It is my tradition to have lunch with the Pre-First students (they are 5 and 6). In so doing I remind myself about my vocation and come to know the boundless energy and

potential of children. It is why I teach. I know more Knock-Knock jokes than any adult my age and I like it!

And I'm plagued now by this thought—who shoots 6-year-olds? Because I lead a school I'm always searching for answers, finding a new path forward, and engineering compromise. But this idea of shooting 6-year-olds doesn't compute; I'm not in search of a motive, as it cannot possibly explain why.

When we had our first child, our family doctor gave us a good piece of advice: "Es-kimo children get used to the cold." As parents we understood that our attitudes and behaviors would shape our children. Though all five of our sons are different, they are shaped by our values and behaviors.

And so I wonder what behaviors we as parents can change. Certainly, we can improve school security. We can provide better training. We can make it harder to get a gun than it is to get Sudafed. I don't know all the political answers, but I'd favor anything that makes gratuitous murder more difficult.

Which brings me to my point. As parents, we need to do our best to stop our children from the desensitizing impact of video games. A quick survey of the most popular video games includes the following top 10 games: "Halo," "Assassin's Creed," "Call of Duty," "World of Warcraft," "Grand Theft Auto."

Each of these games, simply put, eats away at a child's sensitivity toward killing. We have "gamified" the murder of people, and our children shoot, steal, and bomb in their virtual worlds. Like the basketball player who practices foul shots, we get better at things when we practice. Their habits become automatic, reactive, and second-nature.

Raising children is a labor of love. Working in a school is a joy. When I reflect on President Obama's query to ask myself what we can do better as parents, educators, and communities—it seems to me that we can stop letting our children kill people over and over and over again—and call it a GAME.

If you know teenagers like I know teenagers, they will find other things to do once you take away their shooting games—perhaps they will even work on their free throws.

TRIBUTE TO BEVERLY J. BLOCH

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to a dear friend of mine, Beverly Jean Bloch. Beverly passed away on Wednesday, January 16, 2013. A resident of Corona for over a decade, she was a pillar of the community and will be deeply missed.

Beverly was born November 9, 1952 in Meeker, Colorado, the daughter of Calvin and Arlene (Gulliford) Fritzlan. Beverly grew up on a cattle and guest ranch, where her work ethic and values were formed. She attended school in Meeker and graduated with highest honors from Meeker High School in 1971. Beverly received an Associate's Degree at Seward Community College and a Bachelor of Science degree in Business Administration and Accounting at Oklahoma State University. In 1995, Beverly earned a Juris Doctor degree from Southwestern University Law School in Los

Angeles, California and began practicing family law in Anaheim Hills. She opened her second law office in Corona in 2000.

Beverly served on the Corona Regional Hospital Board of Directors, the Corona Library Foundation Board and was the Board President for the Corona YMCA. She was a member of the Norco Area Chamber of Commerce as well as the Corona Chamber of Commerce, where she served as Chairman of the Board of Directors in 2007. Beverly was a member of and served as Bequest and Living Trusts Chairman of the Southeast District California-Hawaii Elks Association, Corona 2045. She was a member of the Orange, Riverside and Los Angeles Counties Bar Associations as well as the California State Bar Association.

It is hard to imagine that Beverly would have any free time on her hands, yet she always found time for her community. She was a member of the Corona Rotary Club, the Corona Women's Improvement Club, the Norco Horsemen Association and the Riverside/Corona Council of the Navy League, serving as the Vice Adjutant. She loved to travel and visited many countries all over the world, but she always said that the most beautiful place on earth was her family's home at Fritzlan's Guest Ranch in Northwest Colorado's White River Valley.

Beverly is survived by her son Joseph Bloch; mother Arlene Fritzlan; sisters Mona (Al) Avey, Betsie (Leonard) Thompson, Jackie (Roger) Bissell and Sandie Fritzlan; granddaughters Anna and Madeline Bloch; friend Dean Herigstad; many nieces and nephews; and all of Meeker, Colorado. She was preceded in death by her father Calvin Fritzlan and nephew Gene Scritchfield.

On Saturday, January 26, 2013, a memorial honoring Beverly's extraordinary life will be held. Beverly will always be remembered for her incredible work ethic, generosity, contributions to the community and love of family. Her dedication to her family, work, and community are a testament to a life lived well and a legacy that will continue. I extend my condolences to Beverly's family and friends. Although Beverly may be gone, the light and goodness she brought to the world remain and will never be forgotten.

HONORING CITY OF ENUMCLAW

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Mr. REICHERT. Mr. Speaker, as the member with the honor of representing this city, I rise to honor the centennial anniversary of the City of Enumclaw, celebrated Sunday, January 27, 2013.

Enumclaw was platted on October 31, 1885, when the railroad decided to come through the area, and was incorporated in 1913. With a population of 11,490, they are the "Gateway" to Mt. Rainier, lying just on the north edge of the national park.

Over the last century, Enumclaw evolved from a railroad town, reliant on the logging industry, to a vibrant community contributing

much to the economic growth of the region. Today, it is home to a wide range of companies large and small such as the Helac Corporation, Mutual of Enumclaw, and Enumclaw Regional Hospital. Enumclaw is a small city with a big heart and fully embraces its role helping people from around the world experience the beauty of Mount Rainier National Park.

With all this growth and change, Enumclaw continues to maintain a deep sense of friendship and community. For example, Mr. Speaker, the Pacific Northwest Highland Games, a city celebration that grew from a group of Scots eager to keep their ethnic origin alive.

I have enjoyed participating in many activities and events, going back to my days as a King County Sheriff Deputy working the King County Fair in beautiful Enumclaw and am honored to represent the great people of this city.

Enumclaw held on to its agricultural roots, evident by the large number of farms and equestrian activities. The city is recognized as a great place to live, work and raise a family. As Mayor Reynolds, along with all of Enumclaw's dedicated City Council members, continue to build on Enumclaw's rich history, we look forward to partnering with and aiding the city's success in years to come.

Mr. Speaker, I again offer congratulations to the City of Enumclaw for a wonderful, rich first century and wish them the best as they move into their second century of prosperity.

HONORING THE 200TH ANNIVERSARY OF THE TOWNSHIP OF LIVINGSTON

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Township of Livingston, Essex County, New Jersey, which is celebrating its bicentennial in 2013.

Livingston's history can date back all the way to the year 1699, where settlers from Newark decided they wanted to move west. By 1702, the land that has come to be known as Livingston, as well as over eight currently neighboring municipalities, was officially purchased from the Lenape Native Americans. By 1740, many disputes over land ownership had begun in response to a lack of deed of purchase. William Livingston, a prominent proprietor, defended many victims of eviction and left a powerful mark on the area. His actions on behalf of the residents of the area, gave the eventual town of Livingston its name.

Following the Revolutionary War, the addition of permanent settlers to the area gave the people reason to file for incorporation as a township. On February 5th, 1813, Livingston was officially incorporated under the Township Committee system. Much of the original boundaries have been changed through the years, breaking off into towns such as Roseland and Millburn. Major industries of Livingston, during its early years, included lumber and farming. After the Civil War had concluded, Livingston became a chief producer of

dairy and a commonplace for shoemakers to make their living. With only one major transportation route in and out of the town, the difficult travel method became a problem as easier accessible towns began to progress.

However, the population did eventually grow as the abundance of automobiles increased, providing easier access into the town. As a suburb of Newark, the end of the Second World War provided the town with a remarkable new group of people. By 1970 it had reached over 30,000 residents.

When the first schools were officially built 1898, they provided opportunity for children to stay in town to receive an education. This began to attract a great deal of families. During this period of expansion, the town began to take its shape. A volunteer fire department was established in 1922, followed by the creation of a Chief Police position in 1929. Two hospitals were opened in consecutive years between 1959 and 1960 complementing the construction of a library in 1961 and a municipal complex in 1963.

Volunteerism has been a cornerstone of Livingston and its citizens. Currently, there are over forty volunteer organizations that help the town function on a daily basis. Some of these organizations include the Livingston Municipal Alliance Committee, Veterans of Foreign War Posts, Holiday Committee, Neighborhood Grievance Committee, a Consumer Affairs Office, the Planning Board, the Zoning Board of Adjustment, and the Committee for Diversity. Additionally, as reiterated above, the Fire Department is a completely volunteer-based group of individuals along with Auxiliary Police and the First Aid Squad.

Livingston is the notable birthplace of several famous individuals including Governor Chris Christie, actor Jason Alexander, talk show host Chelsea Handler, Cleveland Cavaliers coach Byron Scott, and Super Bowl XLII hero, David Tyree.

As of 2013, over 28,000 people currently reside in Livingston. It provides a comfortable atmosphere for New York City commuters to come home to. With exceptional schools, services, and diversity, new residents continually flock to the township in order to take advantage of the benefits.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Township of Livingston as it celebrates its 200th anniversary.

CONGRATULATING THE NATIONAL ASSOCIATION OF TRAILER MANUFACTURERS ON ITS 25TH ANNIVERSARY

HON. LYNN JENKINS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Ms. JENKINS. Mr. Speaker, I rise today to recognize the National Association of Trailer Manufacturers (NATM) on its twenty-fifth anniversary, which will be celebrated at its annual convention and trade show this year. I am proud to have this excellent organization headquartered in my Congressional district in Topeka, Kansas.

NATM was founded in 1987 by a small group of 5 horse and livestock trailer manufacturers, and it has now grown to represent more than 400 trailer manufacturing companies and 350 supplier companies across the country. Many are small businesses, and these members collectively employ more than 270,000 workers who produce hundreds of thousands of trailers each year and contribute billions of dollars to our economy.

The core purpose of this association is to promote safety and best manufacturing processes across the light and medium duty trailer industry. Since its inception, NATM has worked to advance industry and public recognition of the importance of compliance with Federal Motor Vehicle Safety Standards, National Highway Transportation Safety Administration requirements, and industry guidelines. In order to advance this goal, NATM created a voluntary Compliance Verification Program in 2002. The program is designed to enhance safety in the industry by helping manufacturers to comply with federal safety requirements. Last year, association members voted unanimously to make participation in the program a condition of membership.

NATM and its members demonstrate dedication to improving safety and performance in the trailer industry by working with legislators and regulators alike to address issues of concern. I congratulate them on the milestone achievement of their 25th annual convention and trade show, and wish them many years of continued successes.

TRIBUTE TO "HOT AS HELL"

HON. GEORGE HOLDING

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Mr. HOLDING. Mr. Speaker, on January 25, 1944 a B-24 assigned to the Air Force's 425th Bombardment Squadron set out on a resupply mission to Chabua, India from Kunming, China as part of the Pacific campaign in World War II. Tragically this plane named "Hot as Hell"—and its crew—never reached their final destination.

I rise to honor the 69th anniversary of the fatal crash that took the lives of the eight crew members proudly serving in the United States Air Force. Extreme weather conditions caused the formation that day to separate and eventually led to the downing of five B-24's—two of which were not immediately recovered.

For years the families of those brave servicemen remained without answers and closure. In the post-war years, the Army conducted search operations in an attempt to locate the downed aircraft but failed to discover any signs of the aircraft. Eventually, all the members of the crew—1st Lt. William A. Swanson, F/O Sheldon L. Chambers, 1st Lt. Irwin Zaetz, 1st Lt. Robert E. Oxford, SSgt. Harry B. Queen, SSgt. Charles D. Ginn, Sgt. Alfred H. Gerrans, Jr., and Sgt. James A. Hinson—had their names inscribed on the Tablets of the Missing at the Manila American Cemetery in Manila, Philippines.

In 2006, over sixty years after the fact, the families of those airmen received some closure. Arizona native Clayton Kuhles, who has

dedicated part of his life to locating and recovering missing-in-action US airmen from World War II in China, Burma, and India, successfully located the aircraft that went down in the mountains of northeast India. This incredible discovery is one example of the work Mr. Kuhles continues to do on behalf of those families and friends who lost loved ones defending our nation.

RECOGNIZING THE RECIPIENTS OF THE 2013 PRINCE WILLIAM COUNTY HUMAN RIGHTS COMMISSION AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the recipients of the 2013 Prince William County Human Rights Commission Awards.

The Prince William Board of County Supervisors, BOCS, implemented the Human Rights Ordinance January 15, 1993, formally establishing the Human Rights Commission. Two years prior, the BOCS formed the Human Rights Study Committee to explore the needs of a community that was growing in population and diversity. An exhaustive effort that included numerous Committee meetings and public hearings identified a strong community desire for a human rights ordinance and an agency to enforce it. The Human Rights Ordinance prohibits discriminatory practices based on race, color, sex, national origin, religion, marital status or disability, in employment, housing, public accommodations, education and credit, in Prince William County.

The BOCS approved the Ordinance in September 1992 to ensure that "each citizen is treated fairly, provided equal protection of the law and equal opportunity to participate in the benefits, rights, and privileges of community life." Residents enlist the services of the Commission if they feel their rights have been violated in the areas of employment, fair housing, credit, education and public accommodation.

In celebration of Universal Human Rights Day, the Human Rights Commission recognizes individuals and organizations that promote the principles of human rights in Prince William County. It is my honor to enter into the CONGRESSIONAL RECORD the recipients of the 2013 Prince William County Human Rights Commission Awards: Stephen Dittmer, Connie Moser, Lillian Garland, Ralph Smith, Lydia Stewart.

The Human Rights Commission Hall of Fame honorees:

Police Chief Charlie T. Deane is a two-time Commission award recipient. He is being honored for his 42-years of service to the Prince William County Police Department and for providing equitable services to all county residents.

Mary Porter, Maxine Coleman, Zella Brown and Fannie Fitzgerald constituted "The Courageous Four," a group of four African-American teachers who integrated the Prince William County Public Schools in 1964. They are being honored for promoting the smooth transition to desegregated schools.

The Human Rights Study Committee: Donald T. Poe, Chair, Fred Allen, Richard Brown, Jr., Ethel Georges, Provi Gonzales, Bob Prevatte, Herbert A. Rountree, Rajendra P. Singh, Eric Tatum, and Manual L. Velasquez.

Mr. Speaker, I ask that my colleagues join me in commending the recipients of the 2013 Prince William County Human Rights Commission Awards. We owe a deep debt of gratitude to these honorees for their efforts to safeguard our most basic rights and remind us of our common humanity. Let us use their example to rededicate ourselves to the fight against inequity and injustice.

HONORING STEPHANIE KLANG'S DEDICATION TO PUBLIC SAFETY

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Mr. LONG. Mr. Speaker, I rise today to recognize and honor a distinguished and accomplished individual from the 7th Congressional District of Missouri, Stephanie Klang.

Stephanie Klang was selected to be a Captain of America's Road Team for 2013–2014. America's Road Team is the premier group of professional truck drivers, with millions of accident free miles, a commitment to community service, and superb record of safety. Stephanie will spend the next two years traveling our nation representing the trucking industry and promoting highway safety to the public.

Stephanie, a resident of Diamond, Missouri and employee of Con-way Truckload in Joplin, Missouri, is an outstanding driver who is passionate about truck safety advocacy. She exemplifies safety consciousness as the first female in Con-way Truckload history to log more than 2,000,000 miles on America's highways without a preventable crash.

With 32 years of truck driving experience, Stephanie represents her company and the industry with the utmost professionalism. She values her role in ensuring the safety of the motoring public and delivering a highly valuable service to our nation's economy.

Leading by example, Stephanie has helped to elevate the reputation of professional truck drivers everywhere as safe, conscientious professionals. In March, 2012, National Transportation Safety Board Chairman Deborah Hersman was Stephanie's passenger for the first leg of her trip from Washington, D.C., to the Mid-America Trucking Show in Kentucky. At the show, Chairman Hersman called Stephanie out by name during a Women In Trucking event to praise her for staying calm while safely navigating her truck through some of the nation's most congested roadways.

Stephanie has proven that she is a top-notch driver, employee, and safety proponent for the trucking industry. She is highly dedicated, qualified, and ready to lead on safety issues as she embarks on her new mission as a member of America's Road Team. I am proud of the example that she has set and honored to call her a neighbor in the 7th Congressional District of Missouri.

40TH ANNIVERSARY OF ROE V. WADE

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Mr. VAN HOLLEN. Mr. Speaker, I rise today to commemorate the 40th anniversary of Roe v. Wade. On January 22, 1973, the Supreme Court recognized a woman's right to privacy and protected her freedom to make her own reproductive decisions. With the support of a majority of Americans, my colleagues and I will continue to defend this right and oppose efforts to interfere in a decision between a woman, her family, and her doctor. Let's work together to ensure quality, affordable health care, reduce unplanned pregnancies, and expand assistance to pregnant women and options for adoption.

IN HONOR OF LOIS "PAULINE" NOLAN LARSON

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Mr. LARSON of Connecticut. Mr. Speaker, Thoreau famously said most men lead lives of quiet desperation. My mother led a life of quiet inspiration. Thousands gave witness to that and stood in line for more than three hours to pay their final respects to Lois Nolan Larson, affectionately known as Pauline. My family was deeply touched by the outpouring of the community. It was a great tribute to my mother's lifetime commitment to her community. Several kind statements of appreciation were made by elected officials—from the President of the United States to the Governor of our state; from Senators to House Leaders in Congress and members of the Connecticut General Assembly. It was, however, two articles—one by Tom Condon of The Hartford Courant, the other by Bill Doak of our hometown paper, The East Hartford Gazette, that captured the sentiment, feeling and appreciation of an everyday mom who gave to her community and set an example to emulate. The following are those two articles:

[From the Hartford Courant, Oct. 12, 2012]

EAST HARTFORD MOTHER LEFT LEGACY OF
INVOLVEMENT AND ACTION
(By Tom Condon)

Democracy works because good people give their time and get involved. At the municipal level, few epitomized the ethic of participation quite like Lois Pauline Nolan Larson of East Hartford, who died this week at 87.

For decades starting in the 1960s, Mrs. Larson, known to all as Pauline, served the town in most of the ways it is possible to serve. She was a member of the town council and the Democratic town committee, on which she served as vice chairwoman and treasurer. She served on the town's parks and visiting nurse association boards and the cemetery commission. The community center in the Mayberry Village neighborhood where she lived is named in her honor.

She volunteered her time while she and her husband were raising eight children, and while she was battling multiple sclerosis. She inspired two of her children to go into public life. Her son Timothy Larson was mayor of East Hartford for eight years and is now a state representative. Her son John Larson is the seven-term U.S. representative from the 1st District.

John Larson spoke of his mother's battle with declining health in a televised speech at the recent Democratic National Convention, and how she wanted not to be a burden to her family. "Mom, you're not a burden," Larson told the convention crowd. "You're an inspiration."

Many in East Hartford nodded.

[From the East Hartford Gazette, Oct. 18, 2012]

PAULINE LARSON: 'THE LILLY OF MAYBERRY VILLAGE'

(By Bill Doak)

Mayberry Village is many things. As Congressman John Larson points out, the former apple orchard laid out with a tight-knit net of streets was a federal housing project, cinder block and wood-frame coal-heated homes needed to power The Aircraft with a supply of workers, then returning veterans from World War II. Emigrants from the Canadian provinces and Maine settled in Mayberry along with workers from other factory towns all over Connecticut and Massachusetts, attracted by steady, well-paying work here in East Hartford. Others came displaced by massive highway redevelopment projects right here in East Hartford where Route 2 plowed through the flimsier wood-framed East Hartford Estates located down by the Riverfront and took two-thirds of the town's large mobile home community which extended from Pratt & Whitney to the river, and the wooden, barracks-style homes in what is now McAuliffe Park.

Above the then-new, modern Mayberry Village, roads and homes covered the top of the hill where Laurel Park, a rustic entryway over a bridge across the Hockanum River greeted trolley car day trippers. Homes and families replaced apples and arcades. One constant solidified Mayberry Village: its moms.

One of those fell from the tree of life last Wednesday. Lois "Pauline" Nolan Larson. Yes, she is known to the thousand or so who waited outside D'Esopo's East Hartford Funeral Chapel Sunday as the mother of Mayberry Village, and East Hartford's, only United States Congressman John Larson; former East Hartford Mayor Timothy D. Larson, the first mayor to come out of the Village. But for the other 500 she was also Pauline Larson, the grand dame of East Hartford politics for the past 50 years. Indeed, without her example, Congressman Larson acknowledged from the pulpit of St. Isaac Jogues church Monday, he would not have become the person he is—not the politician he has become—today. And how proud East Hartford would be to hear our John give a "shout out" to his hometown of East Hartford, to Mayberry Village and to his mother specifically on the national stage of the Democratic National Convention last month.

We have heard it suggested that East Hartford would be better off demolishing Mayberry Village. Could happen. East Hartford is far from being a sentimental place. You only have to look at every Redevelopment proposal to see that demolition is right at the top of every suggested improvement here. Preservation is treated as if it were a disease one might catch by spending too

much time in South Glastonbury, South Windsor or admiring a covered bridge. Bucket loaders are on speed dial at Town Hall.

And yet Mayberry Village, problems or no, survives—and, to those who attended Monday night's Mayberry School Literacy Night, thrives.

Perhaps that is because "The Village" is very much still a village of moms. Pauline and her husband Ray raised 8 children, moving three times in Mayberry, settling into what Mayberry residents still call "The New Village," on Chandler Street. Mayberry School, named after a well-known East Hartford family doctor, Dr. Franklin F. Mayberry, replaced the Little Red Schoolhouse first organized in the Community Building, now the Lois Nolan Larson Community Center.

It was moms such as Pauline Larson who kept the children occupied. Moms organized the PTA for the Little Red Schoolhouse located where St. Isaac Jogues is today. Mrs. Miles, Mrs. Jordan, Mrs. Larson; moms such as Mrs. Korngiebel and Mrs. Jamo and Mrs. Mazolli. They kept an eye on all the children, not just their own. They called one another when someone was playing not where they were supposed to be, or would be late for dinner. They exchanged clothing that was outgrown, chipped in to help a family in need, shared venison or fresh Maine potatoes just picked by local children returning back from the fields up north. The school and the church are central to Mayberry Village, not politics. More families pay attention to what is going on down Cannon Road than to happenings at Town Hall.

But Pauline Larson realized the political process was and is vital to the lifeblood of a community. She taught her children that it was important for them to get involved, to participate, to take part in the system their father, Raymond, fought for in the Navy, his ship torpedoed by a kamikaze attack 30 miles off the coast of Japan near the end of World War II. Call it divine intercession of a girl from Lawrence, Massachusetts versus the divine wind of the Japanese, but John became a history teacher, state senator and is now one of the country's top leaders as chairman of the House Democratic Caucus. This did not happen by magic but by dint of hard work and never forgetting where you are from; by staying humble and remembering to pray and to give thanks and credit where credit was due. All values instilled by a Mayberry Village mom, by all the neighborhood moms as well, an army of mothers reminding you to wipe your shoes and wash your hands and do your homework.

The Larson family lost Ray Larson 24 years ago. Pauline found herself with multiple sclerosis, and battled this debilitating illness for the last third of her life without complaint. She still stayed involved in her beloved Democratic party, in her town and in her growing family's lives. David Larson became her caregiver for which he earned the enduring appreciation of his family until she had to move from Chandler Street to the Riverside Health Care Center where she also received great and loving care, the congressman said, in a eulogy that was a tribute not just to one woman but to a place and time where an ordinary mom could make a difference, and an extraordinary difference in terms of raising a mayor and a congressman—not to mention the rest of the Larson clan, all contributing, hard-working citizens in our society.

A Jesuit missionary might have his name on the church—October 21 Blessed Kateri Tekakwitha, Jogues guide and the bronze

statue on the eastern corner of the church on Home Terrace will be canonized in Rome as the first American Indian saint in the Catholic Church by Pope Benedict XVI—but Mayberry Village's moms also deserve a place of honor. And it is no small coincidence that an Ave Maria was sung inside St. Isaacs so close to the day 356 years ago—October 18, 1646—when Jogues was martyred and when Kateri, who died in 1680 at age 24, "The Lilly of the Mohawks," will be canonized Sunday, an event of significance for native tribes in the U.S., Canada and Mexico.

Women have a significant role in keeping the faith of Mayberry Village together. Far too many haven't any other choice, somehow making ends meet. As our ongoing poor economy continues to plague us, places such as Mayberry feel it, but are accustomed to it. They know hard times are one check away. Indeed the Monday stop by the Foodshare truck, which typically sees a line of hundreds lining up for free food, was cancelled Monday, a hand-written sign under the gaze of Blessed Kateri's statue stated.

Being a true Mayberry Village mom, Lois "Pauline" Nolan Larson would likely have hated being a cause of such an inconvenience.

That is a Mayberry Village mom.

HONORING THE 40TH ANNIVERSARY OF THE ARTS COUNCIL OF THE MORRIS AREA

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Arts Council of the Morris Area, located in Morristown, Morris County, New Jersey, which is celebrating its 40th Anniversary in 2013.

The Arts Council of the Morris Area is a private, non-profit organization founded in 1973. Their mission has been to "engage and build community through the arts." Taking great pride in the importance of the arts, the organization desired to showcase the work of artists to the area. Their lasting goal has been to inspire positive change in people through the realization and appreciation of different forms of artistry.

The Arts Council contains numerous services aimed at making the Morris County area a more vivacious and intellectual place to live through the various programs it puts forth and the support of local artists who donate their work to The Arts Council. The Council also serves as the central resource to help improve artistic learning experiences for children in school and providing general information to the public.

The Arts Council has directly assisted more than 4,000 students in understanding and appreciating art through its programs that utilize professional teaching artists. Additionally, the council has funded a program for Middle School students called "Telling Our Stories," with the goal in mind of improving oral and written communication skills. They hope that this program will improve students' self-esteem, conflict resolution abilities, and problem-solving characteristics. The council also awards two scholarships, for artistic excellence, annually to graduating Morris County

high school seniors who have chosen to pursue an art concentration in college. These scholarships provide these students with the wonderful opportunities they need to succeed.

Over the past four decades since its beginnings, the Arts Council has grown each year in its recognition, size, and impact on the community. The council has continuously earned honors for the programs and services it provides. Amazingly, over the past 15 consecutive years, the Arts Council has received the "Citation of Excellence" award. This award is given to organizations that demonstrate themselves as a "Major Service Organization" towards members of their community and has been handed out annually by the New Jersey State Council of the Arts to The Arts Council for its "solid history of service excellence, substantial activity and broad public service." Moreover, the Morris County Board of Chosen Freeholders, in their Arts and Humanities Month Proclamation, identified the Arts Council as, "a leader in developing, supporting and promoting artists, the arts and experiences that enhance and transform the lives of Morris County citizens." Undoubtedly respected amongst the entire community, it is easy to see why this council has gained such notice.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Arts Council of the Morris Area, in Morristown, NJ, as it celebrates its 40th Anniversary.

IN CELEBRATION OF MRS. LILLIE
BELL CARSON MOORE'S 100TH
BIRTHDAY

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to extend my sincerest congratulations and Happy Birthday wishes to Mrs. Lillie Bell Carson Moore, who celebrated her 100th birthday on Wednesday, January 2, 2013. She will be honored with a birthday celebration on Sunday, January 27, 2013, at 11:30 a.m. at Shady Grove Baptist Church in Richland, Georgia.

Known as "Shug," Mrs. Moore was born in Brooklyn, Georgia on January 2, 1913. She is the fifth of 23 siblings.

At an early age, Mrs. Moore's family moved from Stewart County to the Seminole Community in Webster County, where her father pur-

chased land for the family. No stranger to hard work, Mrs. Moore would toil in the fields of the farm from dawn until dusk. She also maintained a garden and canned and preserved food for her family.

Mrs. Moore joined Shady Grove Baptist Church as a young girl and was educated by night in the sanctuary of the church. They were not allowed to attend school during the day as there was always farm work to be done. Mrs. Moore loved to praise the Lord through song and she added her voice to the choir in 1973.

Mrs. Moore married John Moore and gave birth to five children: Charlie, Fannie Mae, Annie, Jessie and Leroy. She has seven grandchildren and eleven great-grandchildren.

Mrs. Moore was known as the first African-American woman in the area to drive a Model T car. Having lived under the administration of seventeen United States presidents, her greatest joy was to live long enough to see the first African-American president elected. She well remembers a time when she was not allowed to vote and now thoroughly enjoys exercising that precious right. She is proud that her hands, which once picked cotton, aided in picking the first African-American president, not just once, but twice. She has always taught others to "treat people the way you want to be treated, no matter what color they are."

George Washington Carver once said, "How far you go in life depends on your being tender with the young, compassionate with the aged, sympathetic with the striving and tolerant of the weak and strong because someday in your life you will have been all of these." Mrs. Moore has advanced far in life because she never forgot these lessons and always kept God first.

The race of life isn't given to the swift or to the strong, but to those who endure until the end. Mrs. Moore has run the race of life with grace and dignity and God has blessed her over her lifetime.

Mr. Speaker, I ask my colleagues to join me today in paying tribute to an outstanding citizen and woman of faith, Mrs. Lillie Bell "Shug" Carson Moore, as she, her family and the congregation of Shady Grove Baptist Church prepare to celebrate her 100th birthday.

RECOGNIZING THE 23RD ANNUAL
DR. MARTIN LUTHER KING, JR.,
YOUTH ORATORICAL COMPETITION

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 25, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the 23rd Annual Dr. Martin Luther King, Jr. Youth Oratorical Competition hosted by the Prince William Alumnae Chapter of Delta Sigma Theta Sorority, Inc. and its Education Foundation.

The Reverend Dr. Martin Luther King, Jr. left an indelible mark on our nation in his pursuit of civil rights through civil dialogue. Despite the violence perpetrated against Dr. King and other leaders of the Civil Rights Movement, Dr. King responded with reverent oratory and nonviolent resistance to condemn the injustice of social inequality. His legacy is one of tolerance and steadfast commitment to principled and peaceful communication.

Contestants in the MLK Youth Oratorical Contest pay tribute to Dr. King's legacy with their ability to exercise the strength of the spoken word. This skill will serve them well as they seize future leadership opportunities and forge the personal relationships necessary for effective community engagement and organizing.

I congratulate and applaud the following contestants of the 23rd Annual Dr. Martin Luther King, Jr. Youth Oratorical Competition:

Middle School Contestants:

Norman Jones—Stonewall Middle School.

Hazma Mir—Mary G. Porter Traditional School.

Nathaniel Raffier—Herbert J. Saunders Middle School.

High School Contestants:

Jacob Gonzalez—Thomas Jefferson High School.

Abbas Idris—Osborn Park High School.

Cynthia Johnson—Stonewall Jackson High School.

Mr. Speaker, I ask that my colleagues join me in commending Delta Sigma Theta Sorority, Inc. for recognizing the benefit that Dr. King's teachings bring to the development of our youth. We lay the foundations of a more tolerant society when we nurture the ability to engage and communicate with one another in a way that respects our common humanity.

SENATE—Monday, January 28, 2013

The Senate met at 2 p.m. and was called to order by the Honorable TIM Kaine, a Senator from the Commonwealth of Virginia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, Lord of our lives, Your mighty power provides us with strength for today and bright hopes for tomorrow. Bring Your wisdom and order into this legislative Chamber today, sustaining our lawmakers with the knowledge of Your abiding providence.

Lord, release them from the tightly wound springs of pressure and stress through their daily communion with You. Keep Your hand upon our Senators, to uphold and guide them along the pathway of life. Strengthen them to think clearly, serve creatively, and endure consistently.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TIM Kaine led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. Leahy).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 28, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TIM Kaine, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. Kaine thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a

period of morning business until 4:30 p.m. During that time Senators will be permitted to speak for up to 10 minutes each. At 4:30 p.m. the Senate will begin consideration of the Hurricane Sandy emergency supplemental, H.R. 152. At 5:30 p.m. there will be at least two roll-call votes. The first vote is expected to be in relation to the Lee amendment to H.R. 152, and the second vote will be on passage of H.R. 152.

**MEASURES PLACED ON THE CAL-
ENDAR EN BLOC—S. 47, H.R. 152,
S. 81, S. 82, S. 83, S. 124, AND H.R.
325**

Mr. REID. Mr. President, there are seven bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bills by title for the second time.

The legislative clerk read as follows:

A bill (S. 47) to reauthorize the Violence Against Women Act of 1994.

A bill (H.R. 152) making supplemental appropriations for the fiscal year ending September 30, 2013, to improve and streamline disaster assistance.

A bill (S. 81) to provide guidance and priorities for Federal Government obligations in the event that the debt limit is reached.

A bill (S. 82) to provide that any executive action infringing on the Second Amendment has no force or effect, and to prohibit the use of funds for certain purposes.

A bill (S. 83) to provide for continuing operations of Government in a fiscally responsible manner.

A bill (S. 124) to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

A bill (H.R. 325) to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings with respect to these bills en bloc.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bills will be placed on the calendar.

**COMPREHENSIVE IMMIGRATION
REFORM**

Mr. REID. Mr. President, last week, after the Nation celebrated the second inauguration of President Obama, I expressed a hope that this Congress would be characterized by its commitment to finding common ground.

I am pleased that a bipartisan group of eight Senators—four Democrats and four Republicans—will announce an agreement on a framework for com-

prehensive immigration reform as early as this afternoon.

No one denies America's immigration system is broken. As I have said, this is one of the most important legislative missions Congress will undertake this year. I applaud these eight Senators for setting aside partisanship to tackle a crucial issue facing our Nation.

This is a positive first step, but the true test of our congressional leadership will be to pass a comprehensive bill.

As a Senator from Nevada who has for years witnessed firsthand the difficulties our broken immigration system presents for immigrants and their families, it is very important to me personally that we finally resolve this issue. So I pledge that I will do everything in my power as the majority leader to get a bill across the finish line. Nothing short of bipartisan success is acceptable to me.

President Obama has already taken commendable executive action to suspend deportation of outstanding young men and women who were brought to this country illegally by their parents. I thank President Obama for his leadership and for making comprehensive immigration reform a top priority of his administration.

I am also pleased President Obama will present to the Nation his own ideas to fix the current broken immigration system during a visit to Las Vegas tomorrow. With bipartisan support building in both Houses of Congress, and a President who is eager to solve this issue, there is no reason we should not pass comprehensive immigration reform immediately. It will be good for our economy and good for immigrant families. But successful immigration reform cannot be piecemeal, and it must include a path to citizenship for an estimated 11 million undocumented individuals in our country.

Legislators must craft a comprehensive solution that, among other things, continues to secure our borders; punishes unscrupulous employers who exploit immigrants and undercut American wages; improves our dysfunctional legal immigration system; and requires the 11 million people who are undocumented to register with the government, pay fines and taxes, and go to the back of the line—not to the front of the line. They have to learn English, work, pay taxes, and stay out of trouble. Only then they, as I have indicated, get to go to the back of the line. But they do obtain legal status, which is so important.

The framework proposed by the bipartisan group of eight Senators meets

these criteria. I hope we will soon have a bill to send through the committee process and bring to the floor for a vote.

I have long said when my Republican colleagues were truly ready to craft a commonsense legislative solution that was tough, fair, and practical, we would stand ready to cooperate. We have been doing this alone. It is good to have some friends and partners in this effort.

For years Democrats have been eager to pass comprehensive immigration reform, but the Republicans have been unwilling to work to find common ground. I am glad things have changed. I am so happy to see that my Republican colleagues—at least some of them—finally seem ready to find a bipartisan way to correct the flaws in this Nation's immigration system instead of just complaining that the system is broken.

RESERVATION OF LEADER TIME

Mr. REID. Would the Chair announce the business of the day.

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 4:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FEDERAL SPENDING

Mr. GRASSLEY. Mr. President, during the next few weeks and months Congress and the President will again have an opportunity to demonstrate that we are serious about dealing with deficits and debt by reducing spending. We have the debt limit issue coming up, we have the sequestration issue coming up by March 2, and we have the continuing resolution issue coming up on March 27. So those are three very real times—and important times—to deal with deficit and spending.

The reason we need to address the Federal runaway spending is obvious to everybody who has a family budget and wonders why Congress cannot live the same as families live—within our income.

The reason we need to address the Federal spending is obvious—because it is the real driver of our deficits and our debt. Spending is the reason we are up against the \$16.4 trillion debt limit. Spending was the reason Congress and President Obama raised the debt ceiling by \$2.1 trillion just a year and a half ago.

In 2006 the junior Senator from Illinois, Mr. Obama, came to the floor and made a very passionate and thoughtful statement here on the Senate floor in opposition to raising the debt limit. Many of the reasons he gave then are relevant today. In fact, they are even more appropriate because the debt is much higher and we have a fiscal mess.

It is instructive for my colleagues to hear the words straight from then-Senator Obama. He delivered these remarks on March 16, 2006. At that time, the Senate was debating raising the debt limit by \$781 billion to a new limit then that seems very small today—about half of what it is today—raising the limit in 2006 to \$8.9 trillion. So I thought it would be worth—for the President's benefit as well as our benefit—going over what then-Senator, now-President Obama had to say, so I am going to quote partially from his speech. This is from the 2006 debt ceiling debate:

The fact that we are here today to debate raising America's debt limit is a sign of leadership failure. It is a sign that the U.S. Government can't pay its own bills. It is a sign that we now depend on ongoing financial assistance from foreign countries to finance our Government's reckless fiscal policies.

He goes on to say:

Over the past 5 years, our federal debt has increased by \$3.5 trillion to \$8.6 trillion. That is "trillion" with a T. That is money that we have borrowed from the Social Security trust fund, borrowed from China and Japan, borrowed from American taxpayers. And over the next 5 years, between now and 2011, the President's budget will increase the debt by almost \$3.5 trillion.

Numbers that large are sometimes hard to understand. Some people may wonder why they matter. Here is why: This year, the Federal Government will spend \$220 billion on interest. That is more money to pay interest on our national debt than we will spend on Medicaid and the State Children's Health Insurance Program. That is more money to pay interest on our debt this year than we will spend on education, homeland security, transportation, veterans benefits combined.

It is more money in one year than we are likely to spend to rebuild the devastated gulf coast in a way that honors the best of America. And the cost of our debt is one of the fastest growing expenses in the Federal budget.

Senator Obama went on to say:

This rising debt is a hidden domestic enemy, robbing our cities and States of critical investment in infrastructure like bridges, ports, levees; robbing our families and our children of critical investments in education, health care reform; robbing our seniors of the retirement and health security they have counted on.

Every dollar we pay in interest is a dollar that is not going to investment in America's

priorities. Instead, interest payments are a significant tax on all Americans—a debt tax that Washington doesn't want to talk about. If Washington were serious about honest tax relief in this country, we would see an effort to reduce our national debt by returning to responsible fiscal policies.

So what he said in 2006 is still very much true today, only we are in a worse situation. We are in a situation where he is now President of the United States, and through his leadership, something can be done about it.

I wish to continue to quote him by saying—this is what he said in 2006:

Our debt also matters internationally. My friend, the ranking member of the Senate Budget Committee, likes to remind us that it took 42 Presidents 224 years to run up only \$1 trillion of foreign-held debt. This administration did more than that in just 5 years.

The administration he refers to was the Bush administration at that time, and he was legitimately finding fault with that.

Now, there is nothing wrong with borrowing from foreign countries. But we must remember that the more we depend on foreign nations to lend us money, the more our economic security is tied to the whims of foreign leaders whose interests might not be aligned with ours.

Increasing America's debt weakens us domestically and internationally. Leadership means that "the buck stops here". Instead, Washington is shifting the burden of bad choices today onto the backs of our children and grandchildren.

America has a debt problem and a failure of leadership. Americans deserve better.

That is what Senator Obama said in 2006. That pretty much applies today as well. For these reasons, Senator Obama announced his position to oppose the effort to increase America's debt limit in 2006.

The national debt today is nearly double what it was in 2006 when President Obama called it a sign of leadership failure and a hidden domestic enemy. During President Obama's first 4 years, we added \$6 trillion to the national debt—more than was added under President Bush's entire 8 years. Yet, under President Obama's recent budgets, he'd add another \$10 trillion to the debt over the next 10 years. That is his plan, to add another \$10 trillion. Perhaps that is why, when given a chance, not a single Democrat in the Congress voted in favor of President Obama's budgets.

When President Obama announced his vote against that debt limit increase in 2006, if we had a debt problem then and a failure of leadership in 2006, what do we have today?

Surely President Obama, after 4 years of trillion-dollar deficits each year, believes that now is the time to reduce our debt by returning to responsible fiscal policies, as he stated as a Senator. At more than \$16 trillion, President Obama must know that our national and economic security are undermined by our dependence on foreign countries to lend us money.

In the summer of 2008, while on the campaign trail, Senator Obama made this statement when answering a question about deficits and debt. This will be the last quote I give. This is not from the floor of the Senate, this is from the campaign trail. He was asked about deficits and debt.

The problem is, is that the way Bush has done it over the last eight years is to take out a credit card from the Bank of China in the name of our children, driving up our national debt from \$5 trillion for the first 42 presidents—number 43 added \$4 trillion by his lonesome, so that we now have over \$9 trillion of debt that we are going to have to pay back—\$30,000 for every man, woman and child. That's irresponsible. It's unpatriotic.

Remember, he made these statements when annual deficits were a couple hundred billion dollars per year rather than the \$1 trillion-plus deficits of each of the past 4 years. He made these statements when our national debt was \$8 to \$9 trillion rather than today's \$16 trillion. That is close to \$50,000 for every man, woman, and child, not the \$30,000 it was when he spoke to us in 2008.

So it is time for the President to acknowledge what he realized in 2006—that we have a spending problem—when he voted against increasing the debt limit.

Earlier this month the President got his campaign wish to raise taxes on the so-called wealthy, even though it will do next to nothing to reduce deficits. But that is done. Now it is time to focus on the real driver of our deficits and debt: runaway Federal spending.

I look forward to working with my colleagues and hopefully with President Obama over the next few months to finally take action to get our fiscal house in order. Leadership means the buck stops with him. It is time to stop shifting the burden of bad choices today onto the backs of our children and grandchildren. It is what Americans deserve, and with Presidential leadership, it can be accomplished.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

SOLVING THE DEBT PROBLEM

Mr. MCCONNELL. Mr. President, there are many complex issues facing Congress at the moment, many of which have vexed us literally for years. But one issue that demands our immediate attention is the national debt because if we do not do something now to rein in our Nation's out-of-control debt, we may never be able to put America back on a sustainable fiscal and economic path. If that happens, then many of the other issues we face will be largely irrelevant.

We need to give this issue everything we have, and we need to start right now. We need to devote the same kind of energy to this issue that we devoted to other great national threats in the past. That means serious bipartisan negotiation, careful committee consideration, and, yes, tough decisions on the kinds of votes that reflect that. This work will take time. That is why I have been urging Senate Democrats to set the legislative gears into motion right away.

Last week the House passed a bill that would give us 3 months to work out an effective solution to the debt crisis we face. On Wednesday we will take it up here in the Senate. If the House bill passes here and is signed into law, the Finance Committee should immediately—immediately—begin laying the foundation for a solution. Negotiations should begin, hearings should be scheduled, and legislation should actually be marked up.

Three months, as you know, is not very much time in Congress, especially considering the fiscal deadlines we have to address in the coming weeks. Let's use this additional time to develop a plan, a serious, effective, bipartisan plan that can put the debt on a downward trajectory. Let's put together a proposal that gives new confidence to the American people in our ability to work together, with an eye toward improving their lives and their prospects rather than our own. That gives new confidence to the markets and to the ratings agencies that have warned us against doing anything that doesn't address our long-term problem, which is, of course, Washington spending.

I know a number of Democrats view this exercise as little more than an opportunity to raise taxes. What I am saying is that they need to put their preoccupation with taxes aside and focus on the root problem. Raising taxes is something you do when you lack the will or the courage to reform a government that has become entirely too expensive.

It is time to make some tough decisions for a change, and we will only do it if we get started right now, in a bipartisan fashion, through the regular order. I know my constituents are tired of seeing us careen from one crisis to another around here. Regular order is how we will avoid that. Let's avoid the eleventh-hour deals, and that means getting started right now on a legislative plan that can actually pass.

Some pundits claim that Washington is simply incapable of ever solving a challenge as big as this one. They say that our democratic institutions are broken, that divided government precludes us from passing things that matter to the future of our country. I say the opposite is true. History shows that divided government offers actually the best opportunity to finally surmount this challenge.

The President came to office in his first term with a promise to unify our country, to work with Democrats and Republicans to take on America's greatest challenges. Unfortunately, his rhetoric was just that. Four years later, polls show we are more divided as a nation than we were when the President first took office.

As I said last week, I believe the beginning of a second term actually presents a real opportunity to change course, to do the work so many have refused to do for the past 4 years. This is our chance. This is our chance to prove the pundits wrong and actually get something accomplished.

Let's be clear about something up front: Solving our debt problem isn't about austerity, it is about opportunity. It is not about austerity, it is about opportunity. It is about creating some space for businesses to grow and for our rising generation of Americans to feel as though they can look to the future with optimism rather than with dread. But that only comes after some hard work on the debt is done. Let's get to work.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. It seems lately that I come to the floor when the Republican leader is making especially reasonable, sensible proposals. I heard him say the same thing last week, and I agree with him.

I saw a number of my Democratic friends this weekend in different places, and I said: Look, the President has been elected. He deserves credit for that, and he now has a chance to define his legacy. He told us what that is in his inaugural address. Isn't this the right time to get out of the way this difficult problem of dealing with entitlements that every single one of us knows we have to do? Hasn't the House of Representatives actually given us an unexpected 3 or 4 months in which we can do it?

If President Obama wants, as I am sure he must, to begin to work on the other issues he talked about in his inaugural address—immigration, for example, and his other important issues—why would we not go to work right now, as the Republican leader says, and deal with the runaway, out-of-control entitlement spending that is going to bankrupt the program the seniors depend upon to pay their medical bills? We know that is going to happen. The Medicare trustees have said it is going to happen in 12 years, and we have all made speeches saying what we should do with it. Let's just do it. As the Republican leader says, this isn't about austerity.

The Australian Foreign Minister came to this country about a month ago, and in his first address—he is a great friend of America's. He said the United States of America is one budget

agreement away—one budget agreement away—from reasserting its global preeminence. That is his view from Down Under. Looking at Asia, looking at China, looking at Japan, he wants us to succeed. He thinks that if we succeed, Australia succeeds. He wants us to get this done.

Average families want us to get this done. They don't know why we don't get it done. They understand we can't keep spending money we don't have.

We have had recommendations from the President's debt commission, from the Domenici-Rivlin group, and from the Ryan-Wyden proposal. We have had all of these different ideas. We know exactly what to do, and suddenly we have 3 months to do it. I urge the President to make a proposal, show us what to do. There are 40 or 50—there might be 60 or 70 of us here on both sides of the aisle ready to go the work and to do it now.

I congratulate the Republican leader for his reasonableness and his comments, and I hope he continues to offer this. I might say, without trying to embarrass him, that every time we have had a crisis we need to solve, it has been the Republican leader and the White House that have gotten it done. So why don't they try again? Why don't they try again? That is my wish.

I came here to talk about something else today, but I am glad I was here to hear that, and I congratulate the Republican leader.

Mr. MCCONNELL. Would the Senator yield?

Mr. ALEXANDER. I yield to the Senator.

Mr. MCCONNELL. As we have discussed before, and I think it is worth repeating, divided government is actually the best time to do difficult things. We have had four excellent examples in the last 25 years: Ronald Reagan and Tip O'Neill raised the age of Social Security, which saved that important program for another generation. Ronald Reagan and Tip O'Neill did the last comprehensive tax reform. Bill Clinton and the Republicans did welfare reform and actually balanced the budgets, believe it or not, in the late 1990s.

There is ample evidence that divided government is the best time to do really difficult things. When you join hands and do it, the American people understand that surely it must have been something we needed to do because these guys actually were able to agree on it.

I hope we won't miss another opportunity. Sometimes I think we are a little bit like the early Israeli Foreign Minister, Abba Eban, who said of the Palestinians that they "never miss an opportunity to miss an opportunity." It appears as if we have rarely missed an opportunity to miss an opportunity. Hopefully, we won't miss this one as well.

I thank my friend from Tennessee.

Mr. ALEXANDER. I thank the Senator from Kentucky.

As we spoke on the floor, another example is President Johnson and Everett Dirksen on civil rights. That would not have happened if the government hadn't been divided, and it wouldn't have been as easily accepted by the American people if it had not been divided.

If the Republicans and the Democrats—if this Democratic President and this mixture of Republicans and Democrats in Congress say to the American people: We have a real fiscal cliff for you; all the programs you depend upon to pay your medical bills aren't going to have enough money to pay them, and we are going to have to make some changes to deal with that, people will accept that, especially if it comes from both of us.

As far as who is supposed to propose it, well, Senator CORKER and I have proposed it. We proposed what to do, but we are not President. We are not President. I don't know what the experience of the Governor of Virginia was, but if in Tennessee I had waited around for the legislature to come up with a road program, we would still be driving on dirt roads.

The President has to lay it out there and say: Let's do it this way. Then the legislators, all 535 of us, will say: No, Mr. President, we couldn't possibly do it that way. Let's do it a little bit differently, and we will come to a result. That is the way our system works. We have 3 months to do it, and I hope the Republican leader will continue to make his point.

RECESS APPOINTMENTS

Mr. ALEXANDER. Mr. President, last Friday a three-judge Federal appellate court made an important decision. It said that the President of the United States, President Obama, on January 4, 2012, made some recess appointments when the Senate wasn't in recess. In other words, they were constitutionally invalid.

The President made four appointments on January 4, 2012—three to the National Labor Relations Board and one to the consumer finance agency. He did it under his so-called recess appointment authority, which is defined in article II of the Constitution.

But the Court said: No, Mr. President. The Senate wasn't in recess. The only time you can make those appointments is between the annual sessions of Congress, and the Constitution also says that those vacancies to which you appoint have to happen during that recess.

The Chairman of the National Labor Relations Board made a remarkable response to the order of the Court. The order of the Court, by the way, vacated an important decision the Board made

and said the two remaining NLRB members who are still on the Board are unconstitutionally there, so they vacated the order. Instead of recognizing the authority of the Court, the NLRB Chairman said, in effect: I am going to hang up a sign that says "Open for business. We have important work to do." And they are going to keep going despite the fact that the NLRB has made 219 decisions with these two unconstitutionally appointed members since the month of January 2012, all of which, I would say, are invalid because the members who voted on the decisions were unconstitutionally appointed.

I am here today to call for Sharon Block and Richard Griffin—the two members of the National Labor Relations Board who were unconstitutionally appointed by the President according to the Federal appellate court—calling on them to resign their positions and calling on the President of the United States to nominate a full slate of members to the National Labor Relations Board, and then let's do what the Constitution says we are supposed to do.

The best known authority of this body, the Senate, is likely to be the advice and consent provisions of the Constitution. Article II, section 2: With the advice and consent of the Senate, the President shall appoint Ambassadors and others. There are about 1,100 of those whom the President appoints.

Two years ago and then just last week, we streamlined the confirmation process a little bit to narrow the focus on the most important appointees and make it easier to get them confirmed. Those are the checks and balances the Constitution meant to establish. They did that so we would have liberty from a tyrannical executive branch, which is what the Founders were worried about. The Court has said the President has exceeded that. Therefore, these two remaining members of the NLRB should resign immediately and pack their bags and go home with our thanks for their hard work, despite the fact that the 219 cases they voted on ought to be vacated and probably will be when someone challenges those cases.

A new sign needs to go up at the National Labor Relations Board. Take down the sign that says "Open for business" and put up a sign that says "Help wanted. Nominations accepted."

The three-judge court of appeals did an interesting thing: They actually read the Constitution in its plain English. Here is what the Constitution says:

The President shall have power to fill up all Vacancies that may happen during the Recess of the Senate.

Now, what is the recess of the Senate? Well, let's go back to the beginning of our country and for many years thereafter.

Sam Houston, Senator Sam Houston of Texas, had to go from Texas to New

Orleans, get on a boat, come up the Mississippi River, and then ride a horse and take a stagecoach to get here. It took him weeks—same to go home.

James K. Polk of Tennessee, Speaker of the House, would take a stagecoach up to Pennsylvania and then follow the road or go on the river up to Pennsylvania and follow the road to the House of Representatives.

At one time, President Polk, after he became the President, had a vacancy in the Attorney General's Office, and he wrote to some person up in New Hampshire and asked him to take the job. It took 2 or 3 weeks to receive the letter, and it took 2 or 3 weeks to get the answer, and the answer was no.

In those days, there were long, extended periods in this country between the annual sessions of the Congress, when the Members of Congress were spread all over the country. The Founders anticipated that, and they wisely put into the Constitution a provision that said that during those times, the President may make a recess appointment while the Senate is in recess. And that person may hold the position until the end of the session.

Well, over the years, that has changed. Various Presidents have tried various ways to fill vacancies during a recess, and that has become something different in the last while. This hasn't been just Democratic Presidents who have done it. Presidents have become frustrated because sometimes Senators don't give their advice and consent. I know about that; I was nominated by President Bush the first to be the Education Secretary, and the Senator from Ohio at the time thought I needed a little examination and held me up for 3 months. Finally, the Senate agreed to my confirmation unanimously.

But that is what we are for. We are supposed to consider the President's nomination of Senator KERRY to be Secretary of State, as we are. We are supposed to consider the nomination of Senator Hagel as Secretary of Defense. And according to the law, we are supposed to consider the President's nominees for the very important National Labor Relations Board. But what the President did was to make three appointments to the Board the day after we went into our annual session. We went into session on January 3, 2012, and he made these appointments on January 4.

The court said the Senate was clearly in session—clearly in session. So if the President disagrees with the Senate, if he is afraid he is about to nominate somebody who the Senate won't like, well, then, he had better get somebody the Senate will approve or else he is not going to get that nominee. But the President said: No, I am going to do it my way, so I will try to change this recess appointment and do it in a way that is more extreme than has ever been done before.

I want to hasten to add there is no excuse here that if the President hadn't acted in this way the Senate might have held up the nomination for too long. Of course, the Senate has that right, if it chooses to do so. But in this case the nominations only arrived 3 weeks before the President made his appointments. So we have a straight-out set of facts here, says the court. According to the Constitution, valid appointments may only be made during the recess between annual sessions of Congress, and these were not. Secondly, it may only be made to a vacancy that occurred during the recess, and two of the three vacancies which we are talking about occurred months before the recess.

The Chairman of the National Labor Relations Board effectively says "open for business." In fact, the board should not be open for business, because the board only has one member who has been constitutionally appointed and confirmed, unanimously by the Senate. So the board, without a full quorum of three members, which it does not have—two are unconstitutionally appointed—can't issue regulations and can't decide cases, including appeals of decisions of unfair labor practices.

Let me give an example that might affect the State of Tennessee. We were very concerned last year—I was; Tennesseans were—when a complaint began to make its way through the National Labor Relations Board affecting the Boeing Company and its decision to put a plant in South Carolina. In other words, Boeing, from a State that does not have a right-to-work law, wanted to put a new plant in a State that does have a right-to-work law, and a complaint was filed, which, on the face of it, made it look like as if, in trying to do that, it is *prima facie* evidence they were violating national labor laws. That is a very expensive delay for the Boeing Company—or any company. Well, that eventually got settled after a lot of expense.

But let's say we have a small supplier in the State of Illinois, which is not a right-to-work State, that might want to work in Tennessee or Virginia, which are, and someone files a complaint. Do we want a board there that is unconstitutionally placed that might rule that is a *prima facie* violation of Federal law? To have members of the NLRB who are not confirmed by the U.S. Senate raises the prospect that would undermine the right-to-work law in Tennessee and Virginia and all the other States that have chosen to have one.

So this has very practical, everyday application in the State of Tennessee.

But even though the board can't issue regulations or decide cases, the rest of the NLRB can be open for business while the President makes nominations and the Senate considers those nominations under regular order. For

example, the NLRB could conduct elections, it could investigate allegations of unfair labor practices, it could issue a complaint, administrative law judges could hold hearings, regional directors can settle cases, the general counsel may seek to enforce orders, and the general counsel could issue enforcement guidance memoranda.

They are all open for business, but the National Labor Relations Board is not open for business. Its "open for business" sign needs to come down, and a new one needs to go up that says: Help wanted. Nominations accepted.

Finally, there is a larger issue here. At the beginning of last year, I visited Mount Vernon. I mentioned it in the 2 minutes I had at the President's inaugural last week, because it made such an impression on me. I was reminded that the American Revolution was about tyranny by a king. That was the danger. That was what caused people to sacrifice their lives.

I saw in the National Archives this weekend the oath of allegiance signed by George Washington and his troops, which swore allegiance to a country that was not even formed yet—an allegiance that would have caused him to be executed if we had lost the American Revolution. So there was a lot at stake when our country was founded, and so much of it was about liberty and about an ability to resist a king or an imperial leader.

George Washington himself imposed his own character upon the American character by his modesty and restraint, by his decision to step down as general of the American army. He could have been general for the rest of his life. He made the decision to step down as President of the United States after two terms. He could have been President for the rest of his life. But at the beginning of our country, liberty, to many people, meant avoiding an executive that was too strong, that didn't have proper checks and balances. And our Founders put into our Constitution checks and balances with the court and with the legislature.

Of course, as we like to point out, article 1 is about the Congress, about the legislature. And as I said earlier, perhaps the best known function the Senate has is the ability to advise and consent. The President may nominate, but those important people—men and women—may not take their offices until they have been confirmed by the Senate.

This administration, I am sorry to say, has not respected those checks and balances, as I had hoped it would. I would suggest maybe a retreat to Mount Vernon for President Obama and the White House staff. The Obama administration has appointed more czars than the Romanovs. We have always had some czars, such as the drug czars, but they have three dozen—three dozen who aren't subject to the usual

restrictions that we have through the appropriations process.

The most blatant example of the imperial Presidency are the recess appointments at a time when the Senate, according to this court, was not in recess, in order to put into those positions men and women with whom the Senate would not agree. If the President could do what the President did on January 4, 2012, on a regular basis, we might take a recess break for lunch and come back and find we have a new Supreme Court Justice.

I am here to suggest the right thing to do would be to respect the tradition of checks and balances that is built into our Constitution. It is at work here, because the President took an action, we didn't like it, and the third branch of government has made a decision the President was wrong. The way to go forward is for the two remaining members of the National Labor Relations Board who were appointed unconstitutionally to resign their position and for the President to nominate as rapidly as he can men or women to fill the remaining vacancies on the board. And to the extent the committee on which I am the ranking Republican, which oversees labor matters, has anything to do with that, I will pledge speedy consideration of those nominees.

Let's get the National Labor Relations Board back in business. But it cannot be open for business today. It cannot be properly open for business today. Those two members should resign their positions and recognize the court has said we still have in America a Constitution that provides checks and balances. So take down the sign that says: Open for business, and put up the sign that says: Help wanted. Nominations accepted.

Mr. President, I commend my colleagues to read my floor remarks of February 2, 2012, about recess appointments, which I made following the President's so-called recess appointments and following my visit to Mount Vernon.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—H.R. 152

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that no points of order be in order to the Lee amendment or H.R. 152, prior to a vote on passage of the bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HEALTH CARE COSTS

Mr. WHITEHOUSE. Mr. President, we are now entering a postfiscal cliff phase of budget negotiations, and a troubling but familiar refrain is already beginning to echo through this Chamber which goes something like this: In order to fix our deficit, we must cut Medicare and Medicaid benefits. This is wrong. This is flatout wrong and it is factually wrong.

A recent Providence Journal editorial touched on the dangers of that misguided approach. The editorial read: We need a better run Medicare and Medicaid, not one that covers fewer people. Quality can be improved and costs contained without throwing people off the rolls and into the streets and back into the free care of emergency rooms mandated for the uninsured and into expensive private insurance. In the end, we all pay in some way, in quality of life and in money, for the gaps we tolerate in our health care system.

Attacking Medicare and Medicaid is consistent with a particular political ideology—it has been part of that political ideology for decades now—but it is not consistent with the facts. It ignores the fact that our health care spending problem is systemwide, not just in Federal programs. It ignores the fact that we operate in this country a wildly inefficient health care system. It is not just Medicare.

For example, Secretary of Defense Robert Gates said, in reference to the defense budgets: We are being eaten alive by health care.

New data from the Centers for Medicare and Medicaid Services shows our national health care spending increased to \$2.7 trillion in 2011, which is about 18 percent of America's gross domestic product. This is more than three times what it was in 1992, and it is about 100 times what it was back in 1960. The Presiding Officer, the new Senator from Virginia, and I were probably around in 1960. So in our lifetime it has gone up 100 times.

At this rate, by 2020, \$1 out of every \$5 in this country will go toward health care. This is a rocketing pace of increase.

In 1979, the year after I graduated from college, \$221 billion; 1987, \$519 billion; 1992, \$857 billion; and now \$2.7 trillion. Anybody looking at that graph of our exploding national health care costs who can think that Medicare is the problem simply does not have a grasp of the facts.

Let's compare U.S. spending to other developed countries. This is us, "pre" the last report when we were still at 17.6 percent of GDP. The next least efficient developed country is the Nether-

lands at 12 percent of GDP in 2010. Germany and France were at 11.6 percent of GDP.

This margin right here is the margin by which we are more inefficient than the least efficient of our industrialized competitors—\$800 billion a year. We could save \$800 billion a year on our national health care system just by becoming as efficient as the least efficient of our national competitors.

For all of this extra spending, the extra \$800 billion a year, one might expect that we would have paid for and earned longer and healthier lives, but that is not the case. Our National Institute of Medicine recently compared the United States to 17 peer countries. We were worst for prevalence of diabetes among adults among those 17 countries, worst for obesity across all age groups of those 17 countries, and had the worst infant mortality of all 17 countries. We suffer higher death rates and worse outcomes for conditions such as heart disease and chronic lung disease.

This chart from that National Institute of Medicine report shows all these dots of the other countries grouped around cost—expenditure per capita—and life expectancy. That is the United States of America, the dot with the red circle around it. We are an outlier, below virtually all of these countries except Poland and Turkey and Hungary, below them all on life expectancy. They are all above 78 and we are just below it, and we are wildly out of the grouping on cost. We are at way higher cost than the grouping of all of our industrialized competitors. We are wild outliers in a very bad direction of high cost and poor outcomes. This is a stark and unsettling disparity of us from virtually all the other nations. It is not to our benefit.

The real issue is the fact that we have to deal with the cost and the performance of our health care system. Another fact that I know the Presiding Officer is well aware of is how hard this is on American families. From 2000 to 2009 the average family premium for health insurance more than doubled from around \$6,500 to more than \$13,000. I can assure you the average family income did not double during that same period, unless maybe you were an average family on Wall Street.

Health care costs are a leading cause of family bankruptcy in this country. Thankfully, the Affordable Care Act will help millions of uninsured Americans purchase health coverage. But we should add, in addition to the kneejerk reaction to target Medicare and Medicaid being out of step with these facts, it will also hurt these families more without grappling with the real health care system cost problem.

Again, going after Medicare is wrong. It is a misdiagnosis of the problem, and, of course, when you miss the diagnosis you prescribe the wrong cure.

Medicare is actually one of the most efficient parts of our inefficient health care system. From 2007 to 2011, for the same set of health benefits, the annual growth rate in health spending per Medicare enrollee was 2.8 percent; for private plans, 5.6 percent, twice as much, a 100-percent higher cost than for Medicare.

The Congressional Budget Office has found that for every dollar we spend on Medicare, 98 cents of it goes through to people in the form of health care, actual health care. Spend \$1, get 98 cents' worth of health care. For Medicare Advantage that the private insurance sector runs that operates under similar rules and treats the same population as Medicare, every \$1 delivers only 89 cents in health care, with the rest spent on administrative cost and CEO salaries and marketing. So not only is Medicare not the problem, it is actually one of the best ways we have for delivering health care through this wildly inefficient outlier of a health care system.

I am not alone in saying that a correct diagnosis of the problem will lead us to health care system reform, not Medicare benefit cuts. Gail Wilensky, the former CMS Administrator under President George H.W. Bush, said in 2011:

If we don't redesign what we are doing, we can't just cut unit reimbursement and think we are somehow getting a better system.

A lot of my colleagues give great credence to the private sector. In the private sector, one of the leaders in health care is George Halvorson, who recently stepped down as chairman and CEO of Kaiser Permanente, one of the biggest and best health care companies in the country. Here is what he said:

There are people right now who want to cut benefits and ration care and have that be the avenue to cost reduction in this country and that's wrong. It's so wrong, it's almost criminal. It's an inept way of thinking about health care.

So from Republican administrators to private sector leaders, the message is the same: We have to solve this as a system problem.

Let me give a couple of examples of how we might want to go about doing this. As one example of the significant savings to be found in our health care system, a Washington Post columnist recently wrote:

Few people realize that Medicare spends wildly different amounts per senior depending on where the senior happens to live. . . . Medicare spends 2.5 times more per senior in Miami than in Minneapolis.

I repeat, 2½ times more per senior in Miami than in Minneapolis—

Yet there is no difference in quality or health outcomes associated with this extra spending. In other words, Medicare redistributes billions from regions where doctors practice cost effectively to regions where the local Medical Industrial Complex pads its income with excess services and procedures.

Our colleague, Senator FRANKEN, often says: If we could just deliver

health care the way we do in Minnesota, we could solve our problem. And this column and this information bears it out. If they are not getting better health care in Miami, then why do we tolerate letting Miami absorb 2.5 times the cost per senior than they are able to provide it for in Minneapolis? We should be driving Miami toward Minneapolis, where we know they can do it in Minneapolis. Make that the model and force the change.

This graph uses data from the Dartmouth Atlas Project to illustrate this point. Not only is there significant variation in health care cost and quality—each of these dots is a State, and they are rated on overall quality and spending per beneficiary. As we can see, they spread out from very high cost and very poor quality States, such as Louisiana, to very low cost and very high quality States, such as New Hampshire. But if we draw a statistical line through this array of dots, here is the line we get. It shows the reverse correlation: The more you spend the worse your care.

A second example, and it is consistent with this, is how poorly our health care system performs on basic measures of quality and safety and prevention. For example, according to the news magazine "The Week," avoidable infections passed on due to poor hospital hygiene kill as many people in the United States—about 103,000 people killed every year—as are killed by AIDS, breast cancer, and auto accidents combined. We are killing more people in this country through hospital-acquired infection than through AIDS, breast cancer, and auto accidents combined. These deaths are tragic to those families, but they are tragic in another sense because they are preventable.

As we have shown, in Rhode Island, when hospital staff follow a checklist of basic instructions—washing hands with soap, cleaning the patient's skin with antiseptic, placing sterile drapes widely over the patient—rates of infection plummet and the costs of treating those infections disappear. The costs of treating the 100,000 Americans who die every year from those hospital-acquired infections are huge, and they would disappear if we do not have the infections in the first place and the cost of treating the hundreds of thousands who get those infections and do not die, who are not among the 103,000 who die but nevertheless have to be treated, those costs also disappear. It is a pretty big number. We don't know exactly what it is, but the Center for Disease Prevention reported that from 2001 to 2009, there were State and Federal efforts to improve these efforts to prevent hospital-acquired infections, and that contributed to a 58-percent decrease in the number of central line bloodstream infections among intensive care unit patients. That, in turn,

represents up to 27,000 saved and approximately \$1.8 billion in cost savings to our health care system. Let's do more of that before we go after Medicare benefits.

A third example is managing and preventing chronic disease. Compare the United States to France on the treatment of lung disease and you will find that although France has more smokers and therefore higher rates of lung disease than the United States, levels of severity and fatality are three times lower in France. France spends eight times less on treatment per person than we do.

Compare the United States to Britain on diabetes. You will find that Britain spent only half of what we spend per person on diabetes, but it is five times more productive in managing diabetes than we are.

Dr. Daniel Vasella, who is the chairman of Novartis, explains that "in America, no one has incentives to make quality and cost-effective outcomes the goal."

France and Britain give their health care providers incentives to focus on early detection and cost-effective treatment that make wellness the goal, not treatment. To paraphrase George Washington University Professor Thomas J. Schoenbaum: "Make virtue profitable and everyone's a saint."

Saving money by reforming how we deliver health care is not just possible, it is happening. A 2008 report from the Dartmouth Atlas Project predicted that "using the Mayo Clinic as a benchmark, the nation could reduce health care spending by as much as 30 percent for acute and chronic illnesses." A benchmark based on Intermountain Healthcare, which is a great provider based in Utah, predicts a reduction of more than 40 percent. So we are doing it; it is happening. We just need to spread it more widely. During a 2011 Senate HELP hearing that I chaired, Greg Poulsen of Intermountain Healthcare said:

Intermountain and other organizations have shown that improving quality is compatible with lowering costs and, indeed, high-quality care is generally less expensive than substandard care.

Take a look at what various experts estimate as the potential annual savings that could be found in our health care system. The President's Council of Economic Advisers says that we could annually save \$700 billion a year. The National Institute of Medicine recently reported that we could save \$750 billion a year. The New England Healthcare Institute has estimated that a savings of \$850 billion a year is possible, and the Lewin Group—a private group that focuses extensively on health care and does research and analysis—together with George Bush's Treasury Secretary Paul O'Neill, have come up with an estimate of \$1 trillion a year. We don't know what the exact number is. These

are estimates, but for sure there is a huge potential for savings in our health care system.

These savings flow through to our Federal budget. The Federal Government does 40 percent of America's health care spending. If the estimate by the Council of Economic Advisers is correct, the national health care expenditure is \$2.7 trillion, Federal health care spending is \$1.1 trillion. After we do the math, it is 40 percent.

Of the four estimates, let's take the most conservative one. Let's take the Council of Economic Advisers' estimate of \$700 billion—the lowest of the four—and multiply it by 40 percent. The Federal share would be \$280 billion per year for the Federal Government. It would be \$280 billion per year just by getting those kinds of savings.

Let's say we cannot get the \$700 billion, that it is too hard to lift; we tried and cannot get there. Let's say we can only get half of those estimated savings. That is \$350 billion times 40 percent. We could set a target of \$140 billion of savings in the Federal budget in health care having assumed a 50-percent failure rate in getting there from the lowest of the four major estimates. That is pretty conservative to start from the lowest of the four major estimates, assume a 50-percent failure rate, and there we are, we still get \$140 billion a year we could target as savings coming back into the Federal budget and the Federal health care system.

Let's say we set the target at \$350 billion, the halfway target, and we failed at meeting even that target. Let's say we failed again by half, which is not close. That is a huge miss. Let's say the best we could do is to get \$175 billion of the \$700 billion in savings, which was the most conservative of those four estimates. If we multiply that by 40 percent, guess what. That is \$70 billion a year.

What do we do when we get into budget discussions? We multiply by 10 because it is a 10-year budget estimate. If we are going to take that \$70 billion and move into a budget discussion, it becomes \$700 billion. So this is real money.

Let me add that most recently the Commonwealth Fund released a report that outlines a set of distinct policies that would accelerate health care delivery system reform and slow health spending by \$2 trillion over 10 years. So that is not just \$700 billion but \$2 trillion over 10 years, from 2014 to 2023.

How do we get there? Well, many of the tools necessary to drive down costs and improve the quality of patient care are already in the law. The Affordable Care Act, the famous ObamaCare, included 45 provisions which have virtually never been discussed on this Senate floor—because they were not controversial—that were dedicated to redesigning how health care is deliv-

ered. These delivery system reforms cover five priority areas: payment reform, making sure that people are paid to keep us well and not wait until we get sick and have to treat us more; primary and preventive care, making sure we are taking care of chronic patients, less specialists, more care upfront; measuring and reporting quality so we are not dealing with the hospital-acquired infections so much; administrative simplification because for doctors it is a bear to try to keep up with the insurance companies that try to continue to deny them payment; and health information technology so we have an electronic health record that loads with data and is sensible and state of the art.

These Affordable Care Act delivery system reforms span our health care system and engage all stakeholders in the effort—for example, patients, physicians, hospitals, State governments, and the Federal Government—which is good because working together is the right way to achieve these reforms.

There is even evidence that the Affordable Care Act is already working to slow the growth of health care spending. In a Washington Post op-ed this summer, Secretary of Health and Human Services Kathleen Sebelius wrote:

In the decade before the law passed, national health expenditures increased about 7 percent a year. But in the past two years, those increases have dropped to less than 4 percent per year.

At the top of this graph, it is actually starting to tip down a little bit, thanks to that. Dropping it to less than 4 percent per year has saved Americans more than \$220 billion.

Peter Orszag, the former Director of the Office of Management and Budget, said the same thing in a recent Providence Journal editorial. He said—

The ACTING PRESIDENT pro tempore. The Senator needs to begin to wrap up.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent for an additional 2 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I know the distinguished Senator from Alabama is waiting and I will wrap up.

Peter Orszag wrote in the Providence Journal:

In January 2009, [CMS] projected that expenditures would reach 19.8 percent of gross domestic product in 2017. This year, the projection for 2017 is down to 18.4 percent of GDP. That difference amounts to a whopping \$280 billion. In other words, relative to the projections issued three years earlier, today's forecasts suggest health savings of \$3,500 per family of four by 2017.

I did this report for the Senate HELP Committee last year on the Affordable Care Act delivery system reform provisions. Anybody who is watching and wants a copy, contact my office; we will mail or e-mail it to you.

In the report we found that the administration has made fairly considerable progress on the 45 delivery system reform provisions in the law, but much more can and must be done. Specifically, the report calls upon the Obama administration to set a cost savings target for health care delivery system reform. A cost savings target will focus and guide and spur the administration's efforts in a manner that vague intentions to bend the health care cost curve will not. It would also provide a measurable goal by which we can evaluate the progress of the Affordable Care Act.

In a report I mentioned earlier, the Commonwealth Fund has reported that "the establishment of targets . . . can serve both as a metric to guide policy development and as an incentive for all involved parties to act to make them effective."

One of the best examples of a clear target was President Kennedy declaring that within 10 years the U.S. Government would put a man safely on the Moon and bring him home. That message and the mission that was outlined were clear. The result was a mobilization of private and public resources to achieve that purpose because the goal was clear and specific.

This administration has a similar opportunity, particularly now at the height of the implementation of the Affordable Care Act: Set a serious cost savings target for our Nation's health care system—none of this spongy bending the health care cost curve stuff—and put the full force of American innovation and ingenuity into achieving that target. That approach has a triple benefit: protecting Medicare and Medicaid benefits that don't need to be cut if we are doing this right; second, improving patient outcomes, making people healthier; and third, dialing back health care spending by potentially hundreds and hundreds of billions of dollars. The alternatives to that will harm seniors and those least able to afford adequate health care.

I conclude by urging the administration to set a real cost savings target with a number and a date, and then let's get to work to give the American families the health care system they deserve. Instead of waste and inefficiency and being a disgraceful outlier from all the rest of the world on quality and cost, let's make for America the health care system that is the envy of the world. That should be our goal and that could be our destiny.

I thank the Presiding Officer, and I yield the floor.

I express my appreciation to the distinguished Senator from Alabama for his patience during my remarks.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

IMMIGRATION REFORM

Mr. SESSIONS. Mr. President, I know there is a group of Senators who announced today that they have ideas, a plan, an outline, and a framework for a new comprehensive immigration bill. Indeed, the fact that our current immigration system is not working effectively and is failing on a daily basis cannot be denied. It certainly needs to be fixed. It is a challenge for us to do so and it will not be easy. I want to warn my colleagues that a framework is not a bill.

In 2006 and 2007, with the full support of the Republican President of the United States, a bipartisan group announced with great confidence that they had a plan that was going to fix our immigration system and we were all going to just line up and vote for it. The masters of the universe had decided, met in secret, had all the special interest groups gathered and worked out a plan that was going to change our immigration system for the better, and we should all be most grateful.

It came up in 2006, and it did not pass. It came back again in 2007 with even more emphasis, and it failed colossally. It failed because it did not do what they said it would do. It did not end the illegality, it did not set forth a proper principle of immigration for America, and it did not sufficiently alter the nature of our immigration system to advance the national interest of the United States. It did not, and that is why it didn't pass. They had all the powerful forces, including the TV and newspaper guys, the Wall Street guys, the agriculture guys, the civil rights group, La Raza, and the politicians. But the American people said no. It was a challenge, and there was a long debate, but it didn't pass. I thought the lesson learned from that was there needs to be a demonstration that the law is being enforced, end the illegality, and then we can wrestle with how to compassionately treat people who have been in America a long time. I thought that was kind of what we had decided.

Now my colleagues say: Don't worry, this is going to be a better piece of legislation that can work for us. I hope that is true. We do need to fix the immigration system. There are things we can do on a bipartisan, nonpartisan basis which would make our country's immigration policy better and more effective, and I hope that is what will result from this.

But no one should expect that Members of the Senate are just going to rubberstamp what a group of Members have decided. We are not going to just rubberstamp what the President of the United States has just decided because we need to analyze it. Each one of us, every Member of this Senate has a responsibility, a firm duty to evaluate this proposal to ensure that it enhances our ability as a nation to do the right thing.

We are a nation of immigrants, and we are going to continue to be a nation of immigrants. We admit over 1 million people into our country every single year legally. But now we are told that after 1986, when they had that immigration bill, that amnesty bill, that we have allowed 11 million more people, give or take a few million, into the country illegally. They have entered the country illegally. In 1986 Congress promised the American people that if they would give amnesty to the people who were here and who entered illegally, they would stop illegal immigration in the future and we wouldn't face this challenge again. In fact, our colleagues basically said that in their piece they put out promoting the bill: We are never going to have to worry about immigration again if Members pass our legislation. That was the promise made in 1986 when the bill did pass, but it did not fulfill its promise.

So once again I think we are in a situation where the promise will be made that people will be given immediate regularized status and they won't be given full rights of citizenship until certain laws are enforced, and don't worry about it—it is all going to work out sometime off in the distant future. But questions do need to be asked, and we will ask those questions, and it will be important for us to do the right thing.

I know there are people who like low wages. I know there are people who believe that it is hard to get Americans to do certain jobs and that we can use immigrants and they will do those jobs at less pay and ask fewer questions and demand fewer benefits. I know that is out there. We have talked about that in the past. I am hoping this legislation is not designed for the special interests but designed to advance American interests.

What are some of the principles I think need to be in this system? I like Canada's system of immigration. It seems to work very well. They ask a number of questions. They give points when one applies to come into Canada, and a person gets more points for meeting the goals they have. One of the goals they have is that the potential immigrant speak the language. In Canada, they have two—French and English. If a person speaks French or English, they get more points or maybe they don't even get in if they don't have some grasp of the language before they come in on a permanent basis. Then they give more points, more preference to people with education, skills they need in Canada.

This proposal suggests it does that. It should do that. It should be a major part of any immigration reform that focuses on trying to get people who will be most successful in America, the ones we know are going to be able to do better here.

The plan should not admit a person who is likely to be a public charge.

However, that is already the current law. A person is not supposed to be admitted to America if they are likely to be a public charge; that is, they will need government aid to take care of themselves. Some people will be turned down because of this. We should take the ones who are not going to be a public charge.

We discovered in looking at the numbers recently that less than one-tenth of 1 percent of applicants that come to the United States are turned down on the basis that they might be a public charge. So, in effect, that is not being enforced. Basically, it is just not being enforced.

So how can we be sure of that? My friend Stephen Moore was on the TV today. He is at the Wall Street Journal. He said: You don't have to worry about people coming in and being a public charge. There is a law against that.

Well, Mr. Moore, there may be a law against it, but it is not being enforced. We need to know it is going to be enforced in the future.

Younger people in Canada get a priority. Pretty soon, people will be on Social Security and Medicare when they reach those ages. Shouldn't we as a rational nation look to give priority to younger people who will work a little longer and pay more into the system before they draw these benefits?

They give preferences to investors, those who create jobs and bring factories and manufacturing to their country. Those are the kinds of things I think we ought to be talking about.

This proposal makes reference to guest workers. It is a very delicate issue. Let me tell my colleagues what was in the bill in 2007 and the reason. In my mind, it was one of the greater errors in the legislation. People would come into the country for 3 years. They could bring their families. If they were still working at the place at which they came in to work, they could extend for another 3 years and then another 3 years and then another 3 years. So I would ask, somebody who had been in the country 8, 9, 10 years, could we just easily ask them to leave? Not likely. What if they have had two children and the children are automatic citizens?

This is a very impractical system. So we need to examine how a guest worker plan will actually be carried out. In my view, a guest worker should come without family for less than a year at a time to do seasonal—to do particular work and then return to their country. Otherwise, we create an entirely new system, and it will be very difficult to enforce.

We need to know pretty much what the Nation can rightly absorb in terms of the number of people who come each year, and as a result of that, we need to make sure any legislation has a limit that would make common sense in the world in which we live.

Finally, I would say that we face a particular hurdle this time. We faced this hurdle last time, but I believe it is even more serious this time. That is, if the chief law enforcement officer of the country—then President Bush, now President Obama—President Obama has particularly acted to undermine the ability of the law enforcement community to actually enforce existing laws—

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. SESSIONS. I ask unanimous consent for an additional 2 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SESSIONS. The Immigration and Customs Enforcement officers have voted unanimously “no confidence” in Mr. John Morton, the Director of ICE, because of his failure to lead and his, in fact, undermining of their ability to do their jobs, and they sued him for interfering with their ability to do their jobs in enforcing the laws of this country. Actually, a federal court just recently upheld the lawsuit and allowed it to proceed. What a terrible thing it is that law enforcement officers have to sue their leadership to be able to do their jobs.

So we need to be sure we have in the President someone who is committed to enforcing the law if it is passed. If that had been so, we would be in a lot better position today.

I see my colleague from Louisiana, and I believe he is to be recognized next. He has been such a good student of this issue. He is a fabulous lawyer, editor of the Tulane Law Review, and he understands this, and I am really glad he could be here today.

There is one more thing I would note. In addition to the fact that we have a President less willing to enforce the law, the labor participation rate in 2007 when the last comprehensive reform bill that included amnesty was defeated was 66 percent. Today, labor participation has dropped to 63.6 percent. Unemployment in 2007, when the last proposal failed, was 4.5 percent. It is now 7.9 percent.

So I think we need to ask serious questions about any proposal, and maybe we can move forward with some legislation that would serve the national interests. Maybe we can do it on a bipartisan basis, but it is going to take real attention to details. The details are what make the difference, and that is what I am concerned about.

I thank the Chair, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. Mr. President, I ask unanimous consent to speak for up to 8 minutes, and I ask the Chair to alert me when 6 minutes has elapsed.

Mr. DURBIN. Mr. President, reserving the right to object, and I will not

object, but I ask unanimous consent to follow the Senator from Louisiana to speak.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. VITTER. Thank you, Mr. President. Through the Chair, I wish to thank Senator DURBIN for his courtesy in light of another engagement I have.

I rise to join my colleague from Alabama and to join many others to express real concern on this topic of illegal immigration and the desperate need to fix this problem, to solve this problem.

I believe we all want to cherish and hold up and continue the proud tradition of this country which is founded on immigration. One of the many things that make America unique is that we are a nation of—all of us—immigrants. None of us somehow has some blood oath or blood tie to this land that goes back from time immemorial. We all came here relatively recently in the grand scheme of things from other lands, all of our families. We are a nation of immigrants and immigration, and we cherish and celebrate that.

But, of course, historically, that has been a system of legal immigration. It is so worrisome to me and so many others that over the last 30 years in particular, it has really evolved into a wide open, relatively little enforcement system of illegal immigration that flourishes and abounds and grows as our traditional legal immigration system gets less and less workable for the folks trying to follow the rules. That is my concern as I look at many of these immigration reform proposals, particularly proposals for so-called comprehensive reform such as the one outlined today.

I think the test is pretty simple: How do we uphold our tradition of immigration and fix the problem, solve the problem, and not allow it to continue or, worse yet, grow and mushroom? To me, that is the bottom line. Will any proposal we make be debated—will the proposal outlined by some of my colleagues today fix the problem or will it perpetuate the problem or, God forbid, even grow the problem dramatically?

What heightens my concern is that we have history as a guide, and history suggests that brand of so-called comprehensive immigration reform—this promise of enforcement as long as we have an amnesty—all of those things put together are a recipe for failure. Of course, the most notable case of this was in 1986 under President Reagan. There was a so-called comprehensive immigration reform proposal passed into law. The promise, the model was very simple: We are going to get serious about enforcement—we really, really are—and we are going to have a one-time leniency or amnesty. It will fix the problem once and for all. We

will never have to look back, and that will be done.

As we know from bitter experience since then, it didn't quite turn out that way. The promised enforcement never fully materialized. In fact, in my opinion, it never materialized to any significant extent. However, the leniency, the amnesty happened immediately. It happened the second that bill was signed into law.

So did it fix the problem estimated at about 3 million illegal aliens then? No. It not only perpetuated the problem, it grew the problem to 12 million-plus—some people think as high as 15 million to 20 million illegal aliens now. So it grew the problem enormously because we had promised enforcement which never adequately materialized but an amnesty which happened immediately. That is the fundamental concern. That is the deadly scenario I am concerned about with regard to virtually all of these so-called “comprehensive” solutions.

There is one thing—at least one thing—that has changed since 1986. It is this: Compared to 1986, we have a President and an administration in power which has proved time and time again that they have no will, no focus on real enforcement. Why do I say that?

Well, this is the administration that sued States attempting to enforce immigration laws and get control of the border. It did not support those States, did not try to find a Federal fix. It did one thing: sued States such as Arizona trying to deal with a flow across the border and all of the violence and crime that is an aspect of that.

This is the administration that ended the 32 287(g) local law enforcement programs that were fairly effective, at least in focused limited ways, with regard to enforcement. They scuttled that program, completely threw it out the window. This is the administration, of course, that propagated the Fast and Furious gun-walking scandal and still has not answered questions about that adequately, in my opinion.

The ACTING PRESIDENT pro tempore. The Senator has consumed 6 minutes.

Mr. VITTER. Thank you, Mr. President.

This is the administration that unconstitutionally put into effect the DREAM Act by administrative fiat. Congress would not pass that. A Democratic House and a Democratic Senate failed to pass it. President Obama at the time said he did not have adequate powers to put it into law administratively, and yet when it came time to run for election, he did it by administrative fiat, in my opinion—in many people's opinion—well beyond his legal authority.

So that is the main thing that is different from 1986. We have a President and an administration that has proved

to be completely opposed to aggressive and real enforcement. So I hope, as we continue this debate with my distinguished colleague from Illinois and many others, we focus on that central question: Will this solve the problem?

In my opinion, we have seen this movie before. We have tried this so-called comprehensive approach before—this marriage of promises of enforcement with leniency or amnesty. History suggests that does not work. The enforcement never adequately shows up. The amnesty immediately does. In this proposal, although it might not be immediate citizenship, it is immediate legal protection and many benefits that flow from that.

Mr. President, I look forward to continuing this discussion.

The ACTING PRESIDENT pro tempore. The assistant majority leader.

Mr. DURBIN. Mr. President, it was July of 1911. A boat arrived in Baltimore. It came over from Germany. And among the passengers getting off that boat were a small number of people from Lithuania. They included my grandmother, my aunt, my uncle, and my mom. My mother was 2 years old in 1911, and she was brought to America along with her family as an immigrant.

I wish I had asked the questions before everyone passed on about how much anyone remembered from that experience because I have always wondered about it. I always wondered how this family who spoke no English got off that boat and got to East St. Louis, IL, which is where I grew up, and where a lot of Lithuanian immigrants went to work in the packinghouses, in the steel mills, and coal mines nearby. But that is the story of the Durbin family, at least my mother's side of it. It is not a unique story. It is a story of America.

My mother came to this country 2 years of age, with a mother who did not speak English, and today her son serves in the U.S. Senate. It is a great story about this great country. It also tells the story of how many millions such as her came to these shores looking for something that was important in their lives—first and foremost, to feed their children, to get a job. That is always the No. 1 reason.

But up in my office here, just a few steps away from the Senate floor, in a desk drawer I have one thing that was carried in the luggage by my grandmother when she came over from Lithuania. It is a prayer book. It is a Catholic prayer book. We are Roman Catholics. They were leaving Lithuania where the Russian czar had come in and said to the Roman Catholics: If you are not Russian Orthodox, you are going to have to play by different rules. And one of the rules is, you can't have any of your prayer books written in Lithuanian. They must be written in Russian.

Well, my grandmother, whom I never knew, must have been a defiant and

risk-taking woman because she had one of these contraband prayer books and brought it with her to America because she knew she could use it here without a problem because of the freedoms in this country.

That again is a little family story from my life experience, my family experience, but one that could be replicated in many different ways.

We just had a press conference upstairs, and you may see some coverage a little later on. There were five of us representing six Senators who had been sitting together and working on this immigration issue—three Democrats and three Republicans. On the Democratic side, I have been honored to join CHUCK SCHUMER of New York and BOB MENENDEZ of New Jersey. On the Republican side is JOHN MCCAIN of Arizona, LINDSEY GRAHAM of South Carolina, and MARCO RUBIO of Florida. It is a pretty interesting group, right? It is a pretty interesting political spectrum represented by these six Senators.

For the last few months, we have been sitting down and working out a statement of principles about immigration reform. And today we unveiled those principles. We have a lot of work to do. We still have to write the law, and we still have to bring it to the Senate to be debated and to be passed.

I do not assume for a minute that we are going to have the support of every Senator on both sides of the aisle. That would be too much to consider or to ask. But I know from listening to the speeches that were given by Senator SESSIONS of Alabama and Senator VITTER of Louisiana, they have many questions they want to ask about how we approach immigration reform. So let me try, if I can, to speak to some of the basics that are included in our effort.

First, when I listened to the Senator from Louisiana, he said that President Obama had done little to enforce immigration laws. I think you will find, for the record, that this President has deported more people in his tenure than predecessors, particularly those who have been associated with criminal activity. In fact, he has received some criticism saying he is going too far. So to argue that he is not enforcing the law is not supported by the facts and the statistics.

The Senator from Louisiana also said that President Obama was the author of the Fast and Furious program, which was a border effort to try to stop the flow of guns that blew up in the face of those who engineered it, and ended up in the tragic death of one of our own. I would say for the record that program began under President Bush, not under President Obama. So there are some facts that we need to put on the record. But I wish to also speak to a couple elements here that have been raised about this effort on immigration reform.

Let's get down to basics. Immigration is part of who we are in America. It is the reason we are such a diverse Nation. My family story, as I said, could be repeated over and over. Every generation has faced a new wave of immigration coming into this country.

I think it is healthy. I think there is something in the DNA of those people who get up and come here who are determined to improve their lives. These people turn out to be the entrepreneurs and the teachers and the leaders of our Nation because they were not content staying in someplace where they did not achieve their goals. They wanted to come to America.

So immigration is part of who we are, and the debate over immigration is part of who we are. It has been going on forever. I think as soon as the first boat to America landed with immigrants, they started questioning whether we needed another boatload of immigrants. That debate has gone on throughout our history. There have been some terrible things done in the name of immigration reform and some good things as well.

Secondly, immigration and the demand for immigration says a great deal about America. People want to come here. It says a lot about it, doesn't it? Here we are in a democracy with the freedoms we enjoy and an economy that offers such wonderful opportunities, and people from all over the world, given a choice, would come here for their future. That is a positive.

But the third thing is, our immigration system is broken. I got elected about 16 years ago to the Senate. One of the first phone calls came from Senator Ted Kennedy, chair of the Immigration Subcommittee in the Judiciary. He said: Welcome to the Judiciary Committee. Please come on my Immigration Subcommittee. I said: Well, thank you. I am honored you would ask. He said: We are about to rewrite the immigration laws. We have not done it for 10 years. The last time was under President Reagan. Now we are going to do it again, and we need you to be part of it.

Oh, I signed up in a hurry. It did not happen and 16 years have passed.

So for 25 years-plus, we have not looked at this immigration law. It is broken. It is broken badly. It is broken when we have 11 or 12 million people living here who are undocumented. Many of them came here on a legal visa and overstayed their visa. Some did sneak across the border to come into the United States. There are a variety of explanations, but they are here. I have come to know them. For many people who are not in this business, maybe you do not know them. But I will tell who they are.

They happen to be the person who just took the plates off your table at the restaurant. They are the ones who

are unloading the food at the dock behind the restaurant. They will be making the beds in the hotel rooms across America tonight. A lot of them are in the day-care centers every day with our children and grandchildren, whom we dearly love. Some are tending to our parents and grandparents who are in nursing homes. And some of them have sat down next to you in church on a regular basis. They are undocumented. They do not talk about it. They do not wear it on their sleeves. Many of them are afraid to say anything. And they do not live in a house full of undocumented people. By and large, you are going to find families split up. You may find dad, who has been here the longest, who qualified under the Reagan amnesty in 1986. He is a legal citizen. Mom is not. All three children born here are. There is a family that is literally split by our immigration system.

That is the reality of what we see in America today. The question is, how did we reach this point? What can we do about it? We now are sitting down on a bipartisan basis to address it.

First, we need to make sure we are doing everything we reasonably can do at the border to keep illegal immigration down, to reduce it as low as possible. I know, as I said earlier, there are people from all over the world who want to come here.

But for those who suggest we are not doing enough at the border, I wish to call their attention to a recent press release from the Migration Policy Institute. This press release is from January 7 of this year. It says: "The U.S. government spends more on federal immigration enforcement than on all other principal federal criminal law enforcement agencies combined, with the nearly \$18 billion spent in fiscal 2012 approximately 24 percent higher than collective spending for the FBI, Drug Enforcement Administration, Secret Service, U.S. Marshals Service and Bureau of Alcohol, Tobacco, Firearms and Explosives. . . ."

So to argue that this President is not enforcing the law, when we have so many deportations, and to argue that he is not taking it seriously, when we are spending record-breaking amounts on the borders is not backed up by the facts. But still we need to make sure we are doing everything we can to keep the borders safe and to reduce illegal immigration. That is the first thing.

The second thing is to say that those who are here, if they want to be legal, have to earn their way to legal status. How do they earn it? First they go through a criminal background check. We do not want anyone here who is a threat to our Nation or to the people who live here. They will be asked to leave. In fact, they will be forced to leave.

But for those who pass the criminal background check, they will need to

pay a fine, they have to pay their taxes, and then they can stay and work in a probationary legal status while we make the borders safe. Ultimately, they have to be able to speak English, learn our history and civics, and then go through a lengthy process before they are granted—even possibly granted—citizenship.

We also say at the same time that we are going to build into this system enforcement for the workplace. What brings most people to America? Jobs. It is all about a job. If in the workplace we have real enforcement, where we have an identification card from those who are seeking a job, and an obligation on the part of the employer to make sure they are registered in this country, then we can start to have a system of enforceability.

We also need—and Senator RUBIO of Florida has been pushing this—we also need to make sure that when it comes to visas in the United States, when we allow people to travel here to be tourists or students or for business purposes, and they have an expiring visa, they leave when they are supposed to. Our system now is not as good as it should be. We want to strengthen that system. That is part of what we need to do.

I think immigration reform is long overdue. This immigration system we have is badly broken and needs to be fixed.

We need to take the leadership in Washington. This bipartisan group of Senators has started an effort in that direction. We have a long way to go. We have to write the bill. We hope to have it done by March. We hope to bring it through the committee process for regular hearings, for the amendment process and everything that entails. That, to me, will make sense in the long run. In the meantime, I want to say a word about the DREAM Act.

I introduced that bill 12 years ago. It was referred to on the Senate floor. It is worth a minute or two to recount why I introduced the bill.

We received a phone call in our office from a program in Chicago known as the Merit Music Program. It is a wonderful program. A lady left some money for it and said to use the money to buy musical instruments for kids in poor schools and to give them music lessons.

What an amazing transformation it has created in their lives. One hundred percent of the graduates of the Merit Music Program go to college, all of them. It is an amazing thing what a musical experience will do for a young person.

Well, there was a young Korean girl named Tereza Lee who came from an extremely poor family. She became part of the Merit Music Program and turned out to be an accomplished pianist. She was encouraged to apply to go to Julliard School of Music and Man-

hattan Conservatory of Music she was so good.

As she started to fill out the application, she stopped and turned to the person at the program and said: I don't know why I am doing this. I am undocumented. I have never told anybody that. But I do not know why I am wasting my time with this—at which point they called our office and said: What can we do for Tereza?

Well, it turned out the law was very clear. She had to leave the United States for 10 years, go back to Brazil, which was the last country she was in, and then apply to come to the United States. That seemed unfair. She was brought here when she was 2 years old. She did not vote on that. Her parents picked her up and brought her here.

I started thinking: I bet there are others just like her. It turns out there are—hundreds of thousands. So I introduced the DREAM Act.

Here is what it said: If you were brought to the United States before the age of 16, you finish high school, you have no serious criminal issues, and you are prepared to either enlist in our military or finish at least 2 years of college, we will give you a chance to become a citizen. I introduced it 12 years ago.

I have called it up on the Senate floor over and over. The Senator from Louisiana is correct; the Senate did not pass it. We could not get 60 votes to break the Republican filibuster on the DREAM Act. We had a majority, we just did not have 60. That was several years ago.

So President Barrack Obama, who was my colleague in the Senate before he was elected President and was a cosponsor of the DREAM Act, said: I am going to suspend the deportation of those young people who would be eligible under the DREAM Act. He did. It went into effect last August.

Congressman LUIS GUTIERREZ of Chicago is a great leader on immigration reform. He and I held a workshop in August at Navy Pier, which is a big gathering place in Chicago, for those who would be eligible for this deferral of deportation under the DREAM Act. We never dreamed they would start lining up at midnight the night before. They would stay out there all night long with their families waiting for a chance to sign up. It was such a heartwarming experience to know how much this meant not only to the young persons but many times to their undocumented parents who thought: At least my child will get this chance.

So some criticized the President for making this decision. But two-thirds of the American people, Democrats and Republicans alike, think it was the right decision. I do too. I have met those DREAMers. I have talked about them on the floor of the Senate over and over. I will continue. But these young people will make this a better

country. They deserve a chance to do just that.

So those who are critical of the DREAM Act are basically saying these young people are not needed in this country. I think they are. They have spent their whole life being educated here. They have gotten up every morning and in school put their hands on their hearts and pledged allegiance to that great flag, believing this is their country too. They deserve a chance to make it such.

MARCO RUBIO of Florida and I have worked on this DREAM Act issue. He said something I remember and would like to recount. He said: This is not an immigration issue; this is an issue of compassion, humanitarianism. These people were kids when they were brought here. They deserve this chance. So I know this will be included in any immigration reform. I certainly hope we will pass it and pass it soon.

We spoke to the President last night. Senator SCHUMER and I had a conversation with him. Tomorrow he will be making a statement in Nevada about immigration. He is committed to immigration reform. He is committed to fixing this system. He told us what we are setting out to do is generally consistent with what he wants to see done. But he did tell us: Get it done. Do not let this drag out again. Seize the moment and move forward with it.

Well, we have that chance. We have to do it. We have to do it because this Nation of immigrants, this Nation that will still attract immigrants, needs a legal system that works for those who are here and for those who want to come here. We have to make sure we are sensitive to the fact that Americans should receive the first preference for jobs, and that will be included in our bill, but also beyond that jobs that some Americans do not want. In agriculture, for example, and in other areas, we need some people coming in to help. They can be part of this immigration reform as well.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. HEITKAMP). The clerk will call the roll.

The bill clerk proceeded to call the roll:

Mr. NELSON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. Madam President, I want to speak on one of the topics of the day. A group of bipartisan Senators has had a press conference today announcing their support for a comprehensive immigration reform piece of legislation. This is a significant step. Perhaps the biggest step was—on the way to immigration reform—the result of the November 6 election. As a matter of fact, it has been chronicled in all of the newspapers that the Hispanic

community in every State voted overwhelmingly for the candidate that was perceived to be fair on the immigration issue.

I think that has propelled political motivation to address this issue and to address it fairly. I want to commend that bipartisan group of Senators for doing this. There are a number of key elements that as we get into the specifics of the legislation are going to be important. Notice they want to lay everything on the predicate that there is going to be the essence of a real border security effort done.

It is hard to patrol a border of thousands and thousands of miles like we have, particularly where there is no geographical barrier and people can merely walk across the border. But it has to be done in the context of overall immigration reform. Another interesting part that has been very thorny in the business community is the fact of verification by employers.

When this Senator was a young congressman and voting on immigration back in the 1980s, as a matter of fact there was supposed to be verification by employers of those they were hiring that they were here in a documented status. Well, that never happened. As a result, you see all of these head fakes in implementing the law about whether somebody was here in a documented status. Then when they were found not to be, everybody was pointing like this: Well, it is the other guy's fault.

There has to be a verification system put in place. Some have suggested electronic verification. That needs to be explored. There are going to have to be a lot of new things being explored in order to make sure, if we are going to have comprehensive immigration reform, those who are being employed here, in fact, are in a documented status. But the big question in the past politically has been, What about the 11 million who are estimated to be in this country working and in an undocumented status?

I think the principles laid out by the group earlier today are very good: They must play by the rules; they must not have a criminal record; they must pay back taxes; They must pay a fine; and then go to the end of the line. Even though they would be allowed a legal status to stay here and to continue working—and that is another one of the elements—they must have a job and demonstrate they have had a job in the past. It would not be fair for all of them to suddenly get at the head of the line when others have been waiting patiently in the legal process to get a green card. Thus, we would not have this economic upheaval as some here have approached this issue in the past year.

We have not heard a lot about this since the election, but previous to that we heard a lot about, for example, sending them all home, self-deporta-

tion, deporting all of the illegals. Well, first of all, there would be an economic collapse of part of the economy of this country if we suddenly eliminated all of those workers upon whom the economy certainly is dependent. It, also, in many cases would not be fair.

There is another part of this that needs to be added. This is the fairness question for the children who came here through no fault of their own. They have grown up thinking they are only an American, and then the current law is they have to be deported. Well, this Senator has intervened in a number of cases for children who wanted to go into the military after high school, wanted to go on to college. They were at the point of being deported.

As a matter of fact, we had a Bahamian child who came when he was 6 months old. He only knew he was American. He served two tours in Iraq in the U.S. Army, came back, went into the Navy Reserve, had a top secret clearance and was a photographer for the Navy at Guantanamo prison. When he came back, the authorities put him in jail—a veteran, someone who was still Active-Duty U.S. Navy Reserve.

A U.S. Federal judge of Cuban-American descent made a very harsh statement in Miami toward the prosecutors for them putting a child, now an adult, now a veteran, having served both the Army and the Navy, with a top secret clearance, putting that Bahamian, now adult, in jail.

This is how ridiculous the system has gotten. This Senator had to intervene in this case, and once we raised enough Cain, finally people came to their senses and said: What is the commonsense thing to do?

The commonsense thing now for us to do is all to pass a comprehensive immigration reform law and, hopefully, that is going to occur.

The question is, though, what is going to happen at the other end of the hall, down there in the House of Representatives? Because there are a lot of people in the other party down there who haven't changed their attitude since the election. They still are expressing that they don't want anything but deportation. I think we are just going to have to use common sense and moderation and try to explain why this is the fair thing to do.

As a young Congressman, I favored this comprehensive approach decades ago. I voted for it as a Senator. I will gladly, once they knit together the legislation, be one of the cosponsors of this legislation.

I wish to thank the bipartisan group of Senators who got together, which includes my colleague from Florida, Mr. RUBIO, for their willingness to take the initiative and to start plowing new ground of legislation that ought to be able to be passed this year.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2013

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 152, which the clerk will report by title.

The legislative clerk read as follows:

A bill (H.R. 152) making supplemental appropriations for the fiscal year ending September 30, 2013, to improve and streamline disaster assistance.

Ms. MIKULSKI. Madam President, I rise to urge my colleagues to immediately pass this urgent supplemental bill without further delay. I remind my colleagues and those who are watching us on global C-SPAN, this is the bill that will pay for disaster relief to help our citizens, both as individuals, businesses, and communities, rebuild their lives after the devastating, horrific impact of Hurricane Sandy. Particularly, it will impact the residents of New York and New Jersey.

My own State was affected also. In my own State, we had two things happen: a hurricane in the old-fashioned definition of that word, where it hit the Eastern Shore; and up in western Maryland, right up in our Appalachian part; we had a blizzard, and it took the National Guard to be able to go into the streets. We had people being rescued on Swift Boats and on snowmobiles. It was something.

At the same time, I think all America watched what was going on up the coast but particularly in New Jersey and New York.

Many other States were also impacted by this storm. Homes and businesses were damaged and destroyed, and they have been waiting for 90 days for help from their government to help them rebuild their lives and rebuild their livelihoods.

I, therefore, tonight ask immediate, urgent action to move this bill. It is not perfect, but it is a very sound bill. The bill that was passed by the Senate in December was a superior bill. The House bill, which is before us, eliminates many important provisions that the Senate passed.

I will go into that, but I urge my colleagues, let's not make the perfect the enemy of the good. We have to get started. We have to help our communities. They have been waiting, waiting, waiting. Governor Cuomo, Governor Christie, Governor O'Malley have all said move it. We need help to move it. We need to.

I say there are things that came back from the House on the Senate-passed bill that I am not too excited about. They reduced the cost-share requirements for Army Corps projects. In other words, the government, the local government, will have to pay more. They reduced funding for fisheries, for flexibility to help our State Department. In a perfect world, I would seek to amend this bill and ask for a conference with the House so we could work out these differences. But even though this House bill is not perfect, it does give critical relief to the people who need it; therefore, passing this bill is my top priority.

This bill totals \$50.5 billion for Hurricane Sandy recovery efforts. When combined with the \$9.7 billion of flood insurance we passed earlier this month, along with assistance for Hurricane Sandy related to recovery, this bill meets the current needs of the recovery efforts and should be approved without delay.

Let me take a few minutes to discuss some of the important issues. There is \$16 billion in there for community development block grant funding to restore infrastructure and housing to help people rebuild their lives. There is \$11.5 billion in the FEMA disaster fund for ongoing disaster response. There is \$10 billion for public transportation—particularly crucial in the New York and New Jersey area—and \$5.3 billion for the Army Corps of Engineers to help protect communities along our shorelines, as well as \$500 million for the social services block grants to help meet compelling human needs such as childcare, mental health services, and also for programs that will help with very damaged facilities that meet a compelling need.

As I said, Governors Cuomo and Christie have identified needs totaling billions of dollars more than this legislation provides, and that doesn't even include other States such as my own State of Maryland. The funding in this bill is urgently needed. Every dollar has been examined.

Hurricane Sandy was one of the most destructive storms to have hit the United States. Hundreds of thousands of families have seen their lives turned upside down. They have waited far too long for this legislation to reach the President. I strongly urge the support of this legislation.

This is the very first bill that, as the full chair of the Appropriations Committee, I am moving. I would like to acknowledge the role of the subcommittee chairmen because in that committee, the subcommittees really carry the bulk of the work. Senator LANDRIEU of the Subcommittee on Homeland Security has FEMA in her jurisdiction, and she has done an outstanding job of making sure we meet compelling human need at the same time we get value for our dollar. Sen-

ator PATTY MURRAY chairs the subcommittee that funds housing and transportation, again making sure we are rebuilding homes and livelihoods. Senator FEINSTEIN, whose subcommittee oversees the Army Corps of Engineers, which has been doing a heroic job keeping the Mississippi River open, wants to make sure the shorelines of New York and New Jersey and Maryland are open for business as well. I could name all of them, but those three have done an outstanding job.

I particularly wish to acknowledge the help of my colleagues from New York and New Jersey. Senator SCHUMER led the way, particularly when there was this difficult time with Senator Inouye's illness, to move this bill, but Senators GILLIBRAND, MENENDEZ, and LAUTENBERG have really been outstanding.

This is about colleagues, and I thank my colleagues on the other side of the aisle who helped us.

I would now like to yield the floor to Senator LANDRIEU, who has done such a great job through her subcommittee, and ask her to elaborate particularly on the aspects of the disaster response and recovery.

Ms. LANDRIEU. I thank my colleague for her extraordinary, robust, and enthusiastic leadership on this important piece of legislation that will send hope and help to the Northeast, to the dozens of counties throughout New York, New Jersey, and even the State of Maryland and other States that are waiting on pins and needles for our action.

It has been too long. We have sent too many different signals out from this Capitol. The people following this debate—the mayors, the county commissioners, the school board members, the citizens, the pastors of churches, the principals of schools—need to hear today a big yes from Congress and a yes from the President that help is on the way.

Believe me, as a Senator from Louisiana, I have unfortunately become an expert on disasters and disaster recovery, and I can tell you from personal experience and testimony the importance of every action we take regarding this recovery so that the private sector—and I want my colleagues on the other side of the aisle to hear this—not taxpayer money but the private sector will have the confidence that the government will be there, and they themselves will begin to invest.

This is a big effort, and we have already delayed this far longer than it should have been because we have been arguing over offsets.

I want to put in the RECORD this statement:

When our troops in Iraq and Afghanistan needed ammunition, equipment, and better protection against roadside bombs, we sent them what they needed as quickly as we could get it there. We

didn't make them wait, sitting around bandaging their wounds, while we debated about offsets and how we were going to deal with those explosives. We should respond with the same sense of urgency to our fellow citizens and address emergency needs on U.S. soil.

It has already been 3 months since Hurricane Sandy. If this Lee amendment is adopted, it will be delayed further. I strongly oppose the Lee amendment, and I wish to talk a minute more about why, and then I will turn it over to Senator SCHUMER and others on the floor.

We should not use disasters as an excuse to push ideology, and that is, I am afraid, what the other side is doing. They want to look for any excuse to cut the budget. I want to say again that we have already cut this budget by \$1.5 trillion. And I want to say for the 11th, 12th, 13th time that we are never going to cut our way to a balanced budget. I want my colleagues on the other side of the aisle to hear it. We are not going to cut our way to a balanced budget. It is going to be a combination of revenue increases and cuts, which I am all for. And the last negotiation we did was exactly that. Vice President BIDEN and President Obama negotiated a combination of revenues and reductions.

All the Lee amendment does is reduce again. He does not offer one new penny to pay for this. He wants to cut it from veterans, he wants to cut it from firefighters, he wants to cut it from police officers. I am not going to join him. It is a wrongheaded approach. If we want to find a way to pay for disasters, I will show up and negotiate with anybody, but it is not going to be just by cutting the defense budget or discretionary budgets. If it is going to be about raising additional revenues and cutting, you will have me. Until then, put me down as a no.

I suggest to all my colleagues today that they vote no on the Lee amendment, if we get to these votes, and yes on the underlying bill.

One more word about the underlying bill because the Senators from the region know it much better than I do. I agree with our chairman, the Senator from Maryland. The Senate bill was far better in some ways. Not only did it have a little more money in it, but it had some important tools for reform. Unfortunately, the House stripped some of those out, and some of them will affect the gulf coast in a negative way.

There were commonsense things, such as a loan modification provision that would have forced FEMA to actually calculate the repayment in a rational way instead of an irrational way, which would have helped some of the parishes in Louisiana. Senator VITTER and I fought very hard for that. We think it is fiscally responsible. We think it is the right thing to do. But

the House stripped it. We are still going to vote—I hope he will, and I know I will—for this bill because, again, we can't make perfect the enemy of the good. This is a good bill which the people need. We are not going to get every reform we had sought, but we are going to get the bulk of them.

I thank Republicans and Democrats on the House side—PETER KING, NITA LOWEY—who came together to preserve some of the reforms because it would have been like sending money with dull tools. That is a waste of taxpayer money. We want to send the money and the toolbox with sharp tools that people can use, and that is what we put in this bill. So I am proud to have worked on that part.

There are many other parts. No leader was better than Senator SCHUMER, Senator GILLIBRAND, Senator MENENDEZ, and Senator LAUTENBERG, but I am proud of the part we worked on, preserving the reforms we learned we needed. Now I am happy to be able to give some of that help to the people of the Northeast even though some of our provisions were stripped out.

So again, Madam President, I oppose the Lee amendment that is made in order in the consent agreement. I want to re-state my position that we should not insist on budget offsets as a prerequisite for helping disaster victims in this country.

Since 2011, Congress has already approved \$1.5 trillion of spending cuts on discretionary programs over 10 years. We approved cuts in the fiscal year 2011 Continuing Resolution and in the fiscal year 2012 Omnibus spending bill. We established long-term caps on discretionary spending in the Budget Control Act of 2011 and we further reduced those caps in the American Taxpayer Relief Act of 2012.

For fiscal year 2013 alone, we have cut discretionary spending by over \$109 billion, or over 9 percent.

The Lee amendment would lay on another \$6.3 billion cut in fiscal year 2013, including cuts in defense, veterans programs, homeland security programs, critical infrastructure programs that will generate job growth, cuts in small business programs, and even \$250 million of cuts in the Hurricane Sandy response and rebuilding funding that is now before us. On top of those cuts, the Lee amendment would require cutting another \$44.9 billion by fiscal year 2021.

I urge a "no" vote on the Lee amendment.

I support H.R. 152 and urge Members to oppose the Lee amendment. The bill includes \$50.5 billion of critical and timely assistance following Hurricane Sandy. If approved, Congress will have provided \$60.2 billion to help the victims of Hurricane Sandy rebuild their homes and businesses and to make their communities more resilient from future disasters.

This is no status quo bill. The victims of Hurricane Katrina and Rita learned the hard way that some of our Nation's disaster rebuilding laws are needlessly bureaucratic. Having learned these lessons, the Stafford Act reforms contained in this bill will help ensure that the victims of Hurricane Sandy will not have to repeat this history. The key reforms included in the bill will dramatically improve our Nation's ability to cope with catastrophic events like Hurricane Sandy. In addition to these reforms, this bill contains significant funding to mitigate future losses of life and property.

It has now been more than 3 months since Hurricane Sandy claimed the lives of more than 130 Americans, severely impacting over 340,000 homes and 200,000 businesses, and leaving more than 8.5 million families without power, heat, or running water. The scale of this disaster has created significant housing and transportation challenges, and successful recovery will require a sustained effort at the Federal, State, and local level, from government, private businesses, and voluntary organizations.

By and large, the Federal Government's response to Hurricane Sandy has been robust. Over 525,000 people have registered for temporary housing and other individual assistance, FEMA has provided 14 million meals, over 16 million liters of water, over 1.6 million blankets, and over 100,000 tarps. DOD delivered over 9.3 million gallons of gasoline to 300 gas stations. Over 470 million gallons of salt water were pumped out of transit and highway tunnels and other structures. At the peak of the response, 17,000 Federal personnel and over 11,000 National Guardsmen were involved: I commend the thousands of first responders, volunteers, and neighbors who have worked tirelessly to help those in need.

Twelve States and the District of Columbia have been declared major disaster areas as a result of Hurricane Sandy, and their citizens will require significant resources to recover.

While FEMA has sufficient funds in the Disaster Relief Fund to make it to March—the current balance is \$3.4 billion—the victims of Hurricane Sandy should not have to wait any longer to know that Congress is committed to rebuilding their communities and helping small businesses come back to life. FEMA has already spent over \$3.3 billion responding to Hurricane Sandy and as we move from the response and recovery phases to the rebuilding phase, there will be significant costs for housing, highways, transit, hospitals, beach restoration and other public infrastructure, and for mitigation efforts to reduce loss of life and damage to property from future disasters, by backing up power supplies, strengthening flood protection infrastructure, retrofitting facilities, and

other measures. The bill that is before us contains \$11.5 billion for the Disaster Relief Fund to continue these efforts.

SBA has approved more than \$1.2 billion in loans to more than 16,000 homeowners and small businesses. Funding provided in the supplemental will enable SBA to continue processing and approving loan applications at the pace of over 1,000 new loan closings per week. H.R. 152 contains over \$800 million to continue this assistance.

The Federal funding contained in this bill is necessary, appropriate, and important to helping the victims of Hurricane Sandy recover. But money isn't the only thing our government must provide. Effective tools and smartly designed programs will be equally vital to the northeast region's recovery.

I co-authored these reforms to facilitate a faster, smarter, more strategic, and more cost-effective recovery process. FEMA has estimated they will save hundreds of millions of taxpayer dollars and reduce construction delays, protracted funding disputes, and bureaucratic waste.

They are the product of dozens of hearings I held over the course of 6 years as chair of the Subcommittee on Disaster Recovery and the Subcommittee on Homeland Security Appropriations, as well as extensive consultation with State and local officials across the country, private and non-profit organizations, engaged in disaster relief, numerous Federal agencies including FEMA and HUD, and stakeholders throughout the emergency management community.

Many were drawn from legislation I introduced in 2011 with my friend and colleague from the State of Mississippi, Senator COCHRAN, who has endured the same disasters as my own State of Louisiana, and whose contributions to the gulf coast's recovery and the development of this legislation have been tremendous. I am grateful for his partnership in this endeavor.

I would also like to note the considerable contributions of the House of Representatives, which passed FEMA reform legislation last year that included several of these provisions. Following Senate passage of these reforms on December 28 by a vote of 62-32, the House adopted the package by a vote of 403-0 and agreed to include it in the comprehensive Supplemental legislation that is now before us.

I am particularly grateful to Senator COCHRAN, Senator Lieberman, Senator COLLINS, and Congressmen SHUSTER, RAHALL, DENHAM, Congresswoman HOLMES NORTON, Congressman MICA, Congresswomen SLAUGHTER, LOWEY, and Congressmen ALEXANDER and RICHMOND for their considerable efforts to advance these critical reforms.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act au-

thorizes the majority of FEMA's disaster assistance programs. It was enacted in 1988, amended in 2000 to incorporate several mitigation programs, and revised again in 2006 to address response failures after Hurricane Katrina.

These were important changes, but the law has never been re-visited to address recovery, and our emergency management system remains woefully inadequate in that respect.

Senator COCHRAN and I succeeded in enacting several key reforms in the months and years that followed Hurricanes Katrina and Rita to facilitate a smarter approach to recovery, but those reforms only applied to the 2005 hurricanes.

The State I represent has been battered by disasters during my time in the Senate. We endured Hurricane Katrina and Rita in 2005, Hurricane Gustav and Ike in 2008, the Deepwater Horizon Oil Spill in 2010, historic Mississippi River flooding and Tropical Storm Lee in 2011, and Hurricane Isaac last August. Through the course of these harrowing events, I have witnessed numerous systemic failures, misguided policies, bottlenecks, management gaps, and squandered opportunities in the way we go about facilitating community recovery after a disaster.

As a result of those experiences, I have dedicated a significant amount of my time and energy in the Senate to fixing these problems so the people of the gulf coast and Americans everywhere can rely on Federal programs that are sensibly designed and effectively managed to help families and communities in their time of need.

That time has come for millions in the northeastern United States still reeling from the devastating impacts of Hurricane Sandy. For their sake, we cannot afford to wait any longer for these critical reforms.

Let me highlight these reforms:

Reauthorization of two expired pilot programs from the Post-Katrina Emergency Management Reform Act that allow FEMA to repair rental units as a cost-effective temporary housing alternative to trailers and mobile homes and to utilize expedited debris removal procedures. Both programs were determined by FEMA to speed recovery and save taxpayers millions of dollars; allowing a State to draw down a portion of its hazard mitigation funding from FEMA, in order to leverage mitigation opportunities earlier in the reconstruction process. Under the current program, it typically takes 18 to 36 months for funding to become available. By then, most reconstruction is already complete or underway, and numerous mitigation opportunities have been lost; providing grants on the basis of reliable fixed estimates for expedited removal of storm-related debris and reconstruction of damaged facilities and

infrastructure. This approach will be faster, cheaper, and more effective for everyone involved. The Public Assistance program as currently designed may be the most dysfunctional program in the entire Federal Government, and it simply will not work for this disaster. Under the current approach, initial damage estimates are often incomplete, projects must be reversioned multiple times, decisions are often not made in writing, frequent staff turnover leads to decision reversals, hundreds of meetings result in incalculable administrative waste, and it takes years for a project to be completed. Individual paper tickets are filled out for each tree limb collected off a roadway, which are measured and photographed by debris contractors, who are in turn followed around by monitoring contractors. A \$1.2 million Youth Study Center in New Orleans that was damaged by Katrina has been the subject of 182 meetings over the course of 8 years. The process is severely broken. FEMA and communities across the gulf coast, who have suffered through this bureaucratic quagmire, are in agreement that there is a better way to clean-up and rebuild. It's up to the Congress to provide that smarter approach; codifying temporary legislative measures that were enacted to facilitate a smarter recovery after Hurricanes Katrina and Rita, including third-party arbitration of disputes over project eligibility and cost, eliminating the penalty on alternate projects that stifles smarter rebuilding, and authority to consolidate facilities into a single project so school districts, police, fire, and public works departments can strategically plan reconstruction without having to rebuild everything exactly as it was before. After Rita for example, these reforms allowed the Iberia Parish School Board in Louisiana to relocate Peebles Elementary School to a new location outside the floodplain without paying a Federal penalty for rebuilding safer and smarter. It also allowed the Orleans Parish School Board to reduce the number of schools in New Orleans by one-third after determining through its Master Plan that dozens were no longer needed; allowing families to use FEMA Individual Assistance funds for disaster-related child care expenses so parents can get back to work and rebuild their home or business sooner; reducing bureaucratic waste by eliminating duplicative agency reviews for the same project and the same set of laws governing environmental, historic preservation, and benefit-cost requirements; helping the environment by incentivizing recycling of debris and allowing locals to keep the proceeds; eliminating a perverse incentive in the law to use high-priced contract labor for emergency work instead of local government employees, such as firefighters and police officers, which will

save the Federal Government millions of dollars; correcting a gap in current law that prohibits tribal governments from requesting Federal assistance after a disaster in the same way that States are authorized to do.

This legislation does not eliminate State or local cost-share requirements, establish new grant programs, or provide Stafford Act assistance to private sector entities. Instead, it sharpens the tools in the Federal Government's toolbox so that disaster-affected communities can recover more quickly.

The legislation's potential to reduce future property damage, strengthen local capacity, expedite rebuilding, and eliminate duplication and administrative waste, will save taxpayers a tremendous amount of money on Hurricane Sandy as well as future disasters. It will also save communities in the northeast a tremendous amount of time, paperwork, and unnecessary agony.

I urge my colleagues to support these important reforms and the supplemental appropriations measure now before the Senate.

While I commend the House of Representatives for providing robust funding for Sandy recovery efforts and including important reforms to the Stafford Act, I am disappointed that the House leadership decided to strip out provisions to help disaster-affected communities in other parts of the country.

Some people have referred to those provisions as "pork." I think we should be careful what we refer to as "pork" around here. The Senate's provisions were all disaster-related, and this was a disaster assistance bill. For communities around the country that have been failed by Federal programs that ignore legitimate disaster-related needs, and failed also by a Congress that continues to underfund or zero out Federal disaster accounts, they expect their representatives in Congress to stand up and fight for them to deliver relief.

The House of Representatives blocked that relief when it stripped out 97 percent of the fisheries assistance money, struck language authorizing the Corps of Engineers to address critical needs along the Mississippi River, and eliminated a provision to correct FEMA's deeply flawed Federal formula for local governments' disaster-related debt relief. It was wrong of the House leadership to turn their backs on the rest of the country by terminating these provisions, and the record should reflect that fact very clearly.

Finally, Madam President, I thank Senator MIKULSKI for her support of this critical legislation and urge a "yea" vote on the bill. I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Madam President, I know there is a lot of passion here on

the floor regarding this particular legislation. There is probably not a Member on this floor who has not had some semblance of a disaster in the State and for the people they represent. Sandy clearly rises to one of the top categories of something truly catastrophic, but many of us have experienced tornadoes and destruction and floods and a number of other disasters.

One of the essential functions of government is to address those in immediate need and meet some of those emergency needs. With the cooperation of local and State and Federal authorities stepping up, we have been able to assure the American people that help is on the way, and hopefully help is on the way in an expeditious manner so that it gets to those who need that emergency help quickly.

It is regrettable it has taken this long for some of this money to be appropriated. I personally think we could have expedited this had we gained support for an amendment I offered in December which would have immediately met those emergency needs, yet given the Congress time to work through the process of examining other aspects of the bill that, No. 1, were not related to Sandy and, No. 2, that fell on various Members' wish lists of things they wanted done for their States. Of course, that is their responsibility to do so, but we all know that when we see a train moving out of the station—a bill that is going to be passed and going to become law, there has been a temptation through the years to add unrelated matters in these types of bills knowing it is a train leaving the station and ultimately will be supported. We saw what happened during the fiscal cliff debate. At the last minute, all of these egregious examples of spending that had nothing to do with the issue itself were tacked on to the final bill.

So really what we were trying to talk about here is a process that I believe and I think a number of Members believe is necessary to vet every spending appropriation that comes before this body to ensure that it meets the essential function of government, to ensure that it is not loaded with extraneous matters, and to ensure that we are careful with taxpayer dollars.

This is not about ideology. This is about some very basic math that shows us that we have a decreasing capacity to address these types of emergencies and other necessary items like education, medical research, transportation to pave roads and rebuild bridges, and any number of discretionary items whose value we can debate. That is shrinking dramatically. So if we don't apply at least some discipline to how we evaluate and examine our spending, we will continue to plunge into debt and to borrow money, which is ultimately unsustainable. If we continue this type of spending with-

out proper oversight, I think we are shirking our duty to the public.

I am not down here to talk against funding for this disaster. I am down here to discuss how we, together, Republicans and Democrats, need to apply some discipline to how we make decisions. It has been a time-honored practice here to load up necessary bills with extraneous matters, and it has been a time-honored practice not to provide the oversight necessary to go back and look at how effectively we have spent the taxpayers' dollars in the past and what kinds of things we can do to ensure we don't make those mistakes in the future.

I think it is also worthwhile to at least examine the possibility of paying for expenditures, particularly when we are borrowing 40 cents of every dollar, when we are careening deeper into debt that the younger generations are not going to be able to pay off without serious adverse consequences. There is a moral issue here about what kind of country we are leaving for the future and what we are turning over to our children.

I think it is worthwhile to at least acknowledge that those of us who raise these kinds of questions should not be labeled or targeted as trying to throw people on the street or not respond to legitimate needs but are simply trying to say that we need some standards here to apply to a situation where our spending is out of control. Every business in America has to do this and has had to do this these past 4 or 5 years in order to survive.

Families have had to do this in order to make sure they could make their mortgage payments, or Dad has lost his job. There has been enforced discipline on the basis of an economy that has been stagnant for about 4 years. In the meantime, the Federal Government keeps plunging into debt.

So if someone brings forward an alternative to at least give us the opportunity to provide effective oversight and to make sure this money does go to emergency needs and doesn't just fulfill a wish list for what some cities would like to do in the future to prevent against future storms—not that we shouldn't be debating that, but it doesn't qualify as the emergency need of getting money to the people who need it now. These are future decisions, and we haven't had time to assess those. We haven't had time to examine those in detail, and we haven't used a process that is in place in the Senate to go through committees and let the committees work through. Is this essential to meeting the emergency needs or can we set this aside and spend a little more time examining it and looking at it to make sure this is how we want to go forward?

We have a habit here of throwing money at things under an emergency category, and then later finding out

that, one, it wasn't an emergency where the money went; and, two, it was misspent and not effective. We just simply can't afford to keep doing this.

Once again, I want to state we are not here trying to undermine funding that is needed for Sandy. So I think some of the things the House did are legitimate in terms of saying let's set aside unrelated matters. It doesn't mean we cast them into the dust bin never to be seen again. It simply means let's let those that are not emergency situations be more carefully examined in terms of whether we need that. If someone does come to the floor—as I understand Senator LEE is going to do—and offers a potential offset, let's at least look at that possibility.

The debt clock is ticking, and ticking ever faster, and it is destroying the hopes and dreams of future generations. I think we have a moral responsibility to at least be as conscious and effective with dealing with the taxpayers' dollars in terms of how they are spent, whether it is an emergency supplemental related to a disaster or whether it is just a normal appropriation that comes along every year through our appropriations process.

We haven't exercised that kind of discipline, and our country is going to pay a very serious series of consequences as a result of that. Most importantly, we are denying young people in this country a future that we have enjoyed but we are not going to be able to pass on to others.

Mr. President, I yield the floor.

Ms. MIKULSKI. Mr. President, I yield 5 minutes to Senator SCHUMER.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from New York.

Mr. SCHUMER. Mr. President, I thank the chair of the Appropriations Committee for the wonderful job she has done. We have worked together as a team, and she has been great. This is her first major bill as chair of the Appropriations Committee, and I think it bodes well for the future, if you will, of the strengthening of that committee on into the year as we do appropriations bills.

I thank my colleague from Alabama, my gym mate, Senator SHELBY, for his help and support. I think he and Senator MIKULSKI will make a great team as chair and ranking member on the Appropriations Committee.

I thank MARY LANDRIEU and the other subcommittee chairs. They did an amazing job for us, and I thank them. MARY'S assistance and advice, given what she went through several years ago in Louisiana with Katrina, was invaluable to those of us in New York and New Jersey.

Finally, I see Senator GILLIBRAND is here; Senator BLUMENTHAL is in the chair; in addition, Senator MURPHY, Senator MENENDEZ, Senator LAUTENBERG—we have all worked as a team, and I thank them for their efforts.

It has been 91 days since Sandy struck. It has taken far too long, but we are finally one vote away from getting the much needed aid we so desperately depend on in New York and New Jersey. It was 3 months ago that Superstorm Sandy tore up the east coast, obliterating hundreds of thousands of homes in New York. It was 91 days ago that this hurricane, coupled with a cold front, uprooted small businesses that are the lifeblood of middle-class communities on Long Island, Staten Island, Queens, Brooklyn, and Lower Manhattan.

As you may recall, Sandy's wrath was wide, and it was deep. Nearly 300,000 families had their homes damaged or destroyed by Sandy; 131 people were killed, 60 in New York; 2 million individuals lost power; and our Nation's public transportation system witnessed catastrophic flooding. Despite overwhelming damage from wind and water, snow, and in some neighborhoods even fire, New Yorkers are ready to move forward.

Not one day has passed since Sandy made landfall that I haven't heard from my constituents wondering when Washington will remember them. I heard the words of my good friend from Indiana. I know he is a caring person. But for decades, taxpayers from New York have sent their money when disasters occurred, such as fires on the west coast or floods in the Missouri and Mississippi Valleys, hurricanes in Louisiana or Florida, and other disasters. We have sent our tax dollars—billions of them—and now, all of a sudden, some are suggesting we should change the rules when we are hit by the first major disaster to hit the New York City region in a very long time? That is not fair. That is not right. We have argued against it, and I hope my colleagues will defeat the Lee amendment.

I also say to my colleagues that this is not just about dollars and cents. This is about people who care and are waiting—homeowners who are waiting to rebuild their homes so they can move back into them. This is about small business owners who are hanging on by a thread after building a business for 25 years. We know when the hand of God strikes, it is overwhelming.

Take Rita from Emerald Magic Lawn Care. Her company helps local families, schools, and businesses with lawn care in the spring and summer, and around the holidays they help with decorations and lights. But Emerald Magic's business was interrupted for many weeks, and the client base dried up. Rita's business will be in huge trouble. It may not survive if she doesn't get a lifeline—and get one now. So this is very important.

Week after week, month after month, New Yorkers have been told this is “a waiting game.” That is not an answer we can live with, and neither can they.

We can't wait any longer because nothing about this disaster was a game for the family in Breezy Point or in Rockaway or in Long Island or in Queens or Staten Island. It wasn't a game for them or for the more than 265,000 small businesses whose doors are currently shuttered or the hundreds of thousands of homeowners who have severe damage to their homes. Many don't have their homes anymore. They can't wait either.

And they are not the only ones. Our schools and hospitals are still combating Sandy-related repairs. The damage to our roads and transit systems hasn't gone away in 3 months. Our coastline must be rebuilt so we are not naked if, God forbid, another Sandy occurs. New York has waited, but we can't wait any longer.

We know too well that when a major disaster strikes, it is too much for any one State or any one region to tackle. But that is what we have been left to do so far in New York, and I know the same goes for my colleagues in New Jersey. So Senators LAUTENBERG, MENENDEZ, GILLIBRAND, and I are making a plea to our colleagues: Please, we have waited 91 long days. We can't wait any longer. Simply put, we must pass this bill today. Ninety-one days ago, Sandy struck a body blow against New York. Today, finally, we can strike back and give our people the help they need to get back on their feet and rebuild our communities.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I rise to continue this discussion about Superstorm Sandy.

I start by saying there isn't any doubt whatsoever about the severity of this tragedy or about the human suffering. It is absolutely the case that the needed emergency money should have been there already. There is a real, genuine need, and that need needs to be met. That is part of the reason I voted in favor of spending \$24 billion, which could legitimately prescribe the kind of emergency funding that suffering people needed.

But I am concerned about two things: One is the fact that some people have used the occasion of the misery these people are suffering through to add on all kinds of spending that has absolutely nothing to do with Superstorm Sandy, and none of it is offset. So we have a \$1.1 trillion budget deficit, and we are just adding another \$60 billion right on top of that.

These are the items I would suggest that certainly don't have much to do with Superstorm Sandy: \$15 million for NASA repairs at the Kennedy Space Center in Florida; \$274 million for the Coast Guard acquisitions in the Bahamas and Great Lakes; \$2 million for Smithsonian repairs. Then there is another whole category of items, which is

tens of billions of dollars, which is long-term construction projects for the mitigation against future storms and disasters.

Is that an important expenditure by the Federal Government? It probably is. It probably should be a high priority. But is it an emergency? Of course not. It is infrastructure. It is going to be spent over years, maybe decades, as we build seawalls to protect beaches off the coast from future storms which are years away.

Is that an important consideration? I think it is. But when we are running trillion-dollar deficits, I think it has to compete with the other legitimate demands for long-term spending and infrastructure spending and the ways that we are going to protect our country as well. But we have no such process here. And that is part of what is wrong. That is part of what is wrong with this town and why we are in such a mess. It is because this body—and Congress generally—just refuses to make choices.

So I can understand completely all of this money being spent, if that is the determination that every one of these projects that have nothing to do with Sandy still nevertheless need to be funded. But couldn't we offset that by trimming spending elsewhere so that we don't further accelerate this decline? We are heading toward a fiscal crisis. Unfortunately, I guess not—unless we adopt the Lee amendment.

The Lee amendment says let's trim all discretionary spending by one-half of 1 percent over the next 9 years. So can we find half a penny of every dollar that we would otherwise spend so that we would fully fund everything in this bill. Not a dime would get cut from this bill, but we wouldn't add to our deficit and further accelerate this path we are on to a fiscal crisis.

We don't have to wait any longer. We can do this right now. We don't have to cut a dime from this bill; we can fully fund this bill. But at some point we need to start making choices around here. At some point we can't just have everything. That is how you get trillion-dollar deficits. That is how you end up like Greece.

So I would just suggest, let's pass this bill. Let's spend all the money in the Sandy supplemental. But let's offset it with a cut of one-half of 1 percent in discretionary spending over the next 9 years. That is what the Lee amendment does, and I urge my colleagues to support it.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I thank Senator MIKULSKI for her leadership, not only leading the charge for aid that our families in New York so desperately need but, as chair of the Appropriations Committee, making sure this bill is as strong as it possibly

can be. I agree with her remarks that the bill would have been better if they left in place what the Senate had written, but I thank the chairwoman for her dedication to helping our families and businesses recover. It has made such a difference.

I also thank Senator LANDRIEU for her experience and expertise in meeting the needs of States devastated by natural disasters. She has had to live through these tragedies before. She knows what it is like to talk to constituents whose loved ones have been lost, whose families and businesses have been destroyed and torn apart, and whose lives are just in the beginning of being rebuilt. I thank her for what she has done.

I thank Senator MENENDEZ, who will be following me with remarks, and Senator LAUTENBERG, and Senator CHUCK SCHUMER for the work he has done on behalf of New Yorkers, being a clarion call for common sense and immediate action and for bringing our colleagues together to meet the needs of so many families who are so much in need.

I rise today to urge my colleagues from both sides of the aisle to support our efforts to finally come to the relief of millions of Americans who are suffering in the wake of Superstorm Sandy. New Yorkers in my home State have had to wait far too long for Congress to act.

Superstorm Sandy was a weather event unlike anything we in New York have ever seen before. It claimed the lives of 60 New Yorkers, left hundreds of thousands with significant damage to their homes and their businesses, their neighborhoods and their families. This body came together just before the New Year to provide the desperately needed aid families require to rebuild their homes, their businesses, and their lives; the aid our small businesses so desperately need to get their businesses up and running, the lifeblood of our communities flowing again, and getting our families back on their feet.

This bill should be neither controversial nor partisan. We have already debated and passed an almost identical package that was passed by the Republican-led House of Representatives. Once again, the American people are watching us to see if we can come together and stand by families in need, just as we have done for every natural disaster in our Nation's history. They are watching once again to see if this body will do the right thing or turn its back on them and not give them the support they need to rebuild.

This was always an emergency spending bill. It is an emergency, it is urgent, and it needs our action now. We have to seize the opportunity without causing any further delay and we have to show the American people that we can rise on an occasion such as this,

when duty calls, to do the right thing. I assure you, there is no one who wants to spend a single cent more than is actually necessary, which is why we took such pains and effort to make sure this bill was transparent, had accountability and the right kind of oversight. We are urging that we fully fund this proposal that was so carefully put together.

Since 1989, Congress has passed 36 emergency appropriations bills for disaster relief without specifically designating any offsets. There is no reason why we should treat this disaster, this emergency, this horror, any differently than we have past disasters.

When disasters do strike, we have always found the good will and the care for one another to do what is right. Protecting people, looking after them, making sure they are safe, allowing businesses to grow is what we should be doing. Our Federal Government's role is to protect the people first. It is our duty as public servants.

I urge my colleagues once again, find that good will, help others, do the right thing.

WORKING TOGETHER

Mr. President, I wish to engage in a colloquy with the Senator from Maryland, the chairwoman of the Appropriations Committee, as well as the Senator from New Jersey, Senator MENENDEZ.

I thank the chairwoman for her leadership in bringing the disaster supplemental appropriations bill to the Senate floor to address the urgent recovery needs of New York, New Jersey, and the rest of the Northeast that was affected by Superstorm Sandy. It is my hope we will pass this bill quickly so that our communities can begin to rebuild.

It is also important that as we rebuild, agencies of the Federal Government work in a collaborative way, across agencies and in concert with our State and local governments. We should not have multiple agencies studying the same problem separately, but rather the Federal Government should be working together to develop the best models for rebuilding our battered coasts as well as planning for the long-term sustainability and resilience of these vulnerable areas.

Mr. MENENDEZ. Mr. President, I agree completely with Senator GILLIBRAND's sense of urgency regarding this vitally needed plan. I also know that my good friend from New York and I agree on the need to recognize and, to the greatest extent possible, to enhance the value of our coastal natural resources to the recovery of our storm-ravaged communities.

It is our understanding—and we request the Chair's clarification—that the language we have before us directs the Army Corps of Engineers to take the integrated, collaborative approach discussed by the Senator from New

York. It is our hope and expectation that the Corps will go well beyond the usual level of coordination in order to take maximum advantage of the expertise and commitment its Federal and non-Federal partners bring to this legislation's explicit goals of flood risk reduction and ecological sustainability.

Ms. MIKULSKI. I appreciate the Senators from New York and New Jersey raising this issue. The language in the bill we currently have before us directs the Army Corps to conduct their study in coordination with other Federal agencies, and State, local and Tribal officials. It is the intent of Congress for the Army Corps of Engineers to adopt a multiagency approach and work in close collaboration with other relevant agencies in studying and planning for the reconstruction of the coastal areas destroyed by Superstorm Sandy. In making its supplemental funding request to Congress, the Administration specifically requested funding for an "inter-agency planning process in conjunction with State, local, and Tribal officials, and to develop plans to address long-standing challenges and ensure the health and prosperity of the areas affected by Sandy . . . for innovative approaches to reduce the future flood risk, in ways that will promote the long-term sustainability of the coastal ecosystem and communities." It is our expectation that the administration would adopt that approach with the funding provided in this legislation.

Mrs. GILLIBRAND. I thank the chairwoman for making this clarification. It is my hope that as the Army Corps and other agencies work to assess the region's needs post-Sandy, they will work collaboratively to develop the best techniques to rebuild our coasts to reduce flood risks and provide for long-term sustainability of the coastal ecosystem.

Mr. MENENDEZ. Again, I agree with my friend from New York. I would also note that this collaborative study should take into account the particular needs of disadvantaged communities within our States, many of which face unique challenges as they seek to reverse the damages of this storm and to prevent future catastrophes. These communities were among the most damaged by this storm and the Army Corps, the Department of Housing and Urban Development, and other Federal agencies would be remiss not to carefully consider, and balance, the needs of these underserved residents with the need to rebuild commercial areas and critical infrastructure, including industrial facilities, along our coastline. I would urge all agencies funded in this bill to provide for the special needs of these neighborhoods and the shorelines which they depend on.

GREAT LAKES NAVIGATION

Mr. LEVIN. Mr. President, Hurricane Sandy was one of the costliest storms

in our Nation's history, resulting in at least 125 deaths, the destruction of tens of thousands of homes and businesses, electricity losses for millions of people, disruption of fuel supplies, and devastating damage to public infrastructure. When Hurricane Sandy struck land on October 29, hurricane-force winds covered 900 miles, wreaking havoc across a broad stretch of the Eastern seaboard. While the impact of Hurricane Sandy was most severe in New Jersey and New York, the storm impacted 24 States, including Michigan. Across the Great Lakes, gale force winds caused damage to breakwaters and silted in harbors and channels. On Lake Huron, wave heights reached 23 feet, in Lake Michigan the waves peaked at 22 feet, and the storm caused waves of 14 feet in Lake Erie.

Ms. MIKULSKI. The storm was one of the most devastating in our Nation's history, and the assistance that is so needed to address the widespread damage is long past due.

Mr. LEVIN. The supplemental appropriations bill before us today includes \$821 million for necessary expenses related to Hurricane Sandy to dredge Federal navigation channels and repair damage to Corps projects. Great Lakes channels, harbors, breakwaters, and piers were damaged by gale-force winds caused by Hurricane Sandy. The Army Corps of Engineers estimates damage to the Great Lakes System of \$17 million, including in my State of Michigan. This system transports over 160 million tons of commodities and hundreds of thousands of jobs are tied to the system. It is vital that repairs be made promptly. Madam Chairwoman, will these Great Lakes navigational projects damaged by Hurricane Sandy be eligible for some of the \$821 million in funding?

Ms. MIKULSKI. Yes. The funding is for necessary expenses related to the consequences of Hurricane Sandy, and since Great Lakes Federal navigation projects were damaged as a result of that storm, they would indeed be eligible.

Mr. LEVIN. I thank the Senator for her assurances.

Mr. President, I will vote in support of the disaster assistance bill to aid the victims of Hurricane Sandy, who number in the millions. Hurricane Sandy covered over 900 miles, took over 125 lives, destroyed homes and businesses, demolished breakwaters, piers, boardwalks, and other infrastructure, and left millions without transportation. This superstorm occurred nearly 3 months ago, and assistance is long past due for the victims who remain homeless and communities trying to rebuild.

Hurricane Sandy left such far-reaching devastation that its destruction reached into the Great Lakes. Gale force winds across the Great Lakes caused damage to breakwaters and silted in harbors and channels. The bill

before us provides \$821 million to dredge Federal navigation channels and repair damage to Corps projects impacted by Hurricane Sandy. I entered into a colloquy with Chairwoman MIKULSKI to ensure that the damage incurred to Great Lakes harbors as a result of Hurricane Sandy would be eligible for that funding. I thank Senator MIKULSKI for clarifying that funding could go to the Great Lakes, and I hope the Corps will prioritize funding for those Great Lakes projects, which are estimated to require about \$17 million in repairs.

We have a responsibility to help our fellow Americans who have lost homes and businesses through no fault of their own, and I hope we will pass this bill and immediately send it to the President for his signature. Hurricane Sandy is estimated to be the second or third most costly disaster in U.S. history. We need to provide the assistance promptly to those affected by Hurricane Sandy.

Ms. COLLINS. Mr. President, I rise in support of efforts to restore to the supplemental appropriations bill \$150 million in disaster funding for officially declared fisheries disasters. The bill that the Senate passed in December, with overwhelming bipartisan support, included this \$150 million in necessary disaster funding to address federally declared fisheries disasters. Unfortunately, the bill before us, passed by the House, did not include this critical funding.

It is important to note that this funding would be used to respond to fishery disasters declared by the Acting Commerce Secretary in 2012 under the authority provided by the Magnuson-Stevens Fisheries Conservation and Management Act and the Interjurisdictional Fisheries Act. This is authorized funding in response to declared disasters.

The funding for declared fisheries disasters is necessary to address the devastating economic consequences of significant projected reductions in the total allowable catch for critical groundfish stocks. In September of last year, the Acting Secretary of Commerce, recognizing the economic difficulty that fishing communities have and will continue to face, declared a Federal fisheries disaster for Maine, Rhode Island, Massachusetts, New Hampshire, New York, and Connecticut for the 2013 fishing year.

Fishing is more than just a profession in New England. Fishing is a way of life and a significant part of Maine's heritage. There are 45 vessels based in Maine that are actively fishing with Federal groundfish permits. Last year, more than 5 million pounds of groundfish, with a dockside value approaching \$5.8 million, were landed in Maine. The projected reductions, which may be as high as 73 percent, could devastate these fishing communities and come

despite strict adherence to rigorous management practices by fishermen.

The requested funding would be used to provide economic relief to the region's struggling groundfish industry and to make targeted investments that will allow the fleet to survive and become more sustainable in the years ahead. These funds could also be productively used to fully cover the costs of at-sea monitoring and to address long-term overcapacity in the fishing industry. This is critical to rebuilding fish stocks and preserving a thriving fishing industry well into the future.

Slow recovery and declining fish stocks continue to have a negative impact on commercial fishing, harming local communities and economies. This Federal disaster assistance is vital to the long-term success and short-term survival of fishing communities throughout the region.

Mr. REED. Mr. President, after so much time has passed due to the delay in consideration by the other body, it is critical that we move ahead to provide needed assistance to communities in the Northeast that were affected by Superstorm Sandy.

I want to commend Chairwoman MIKULSKI, as well as our late colleague, Chairman Inouye, for their leadership in developing a bipartisan bill that would have provided critical assistance to respond to the hurricane and its aftermath, as well as other disasters. Indeed, the bill that passed the Senate last year was a superior product. It is regrettable that bill is not before us again today.

The Senate bill would have delivered a significant amount of relief to communities in New York and New Jersey, while recognizing the substantial challenges faced by the other ten States that received major disaster declarations due to the storm. For example, the Senate bill included \$810 million in water infrastructure grants to address the \$2.8 billion in Sandy-related water infrastructure needs identified by the Environmental Protection Agency, allocating a minimum of 2 percent to each affected State.

In addition, the Senate bill would have required the Department of Housing and Urban Development—HUD—to establish minimum allocations of Community Development Block Grant—CDBG—funds so that every State that was hit by Sandy would receive funding to address its impacts. Finally, the bill included \$150 million to address a series of fisheries disasters that were declared in 2012.

Regrettably, the House, after failing to bring a bill to the floor before the end of the 112th Congress, went in a different direction on these matters. The House bill cuts funding for water infrastructure by \$210 million and limits funding to only two States, setting a dangerous precedent that Congress will provide assistance to some States that

are affected by a disaster but not to others. With respect to CDBG funding, the House bill provides no minimum allocation and no assurance that States with significant damages from Sandy will receive the assistance they need. Paradoxically, the bill threatens to dilute assistance for Sandy by making the CDBG funding available for all disasters that occurred in 2011, 2012, and 2013 even though funding had been provided for some of these disasters in earlier appropriations laws. Finally, as fishermen from New York to Maine face dramatic catch reductions, the House bill strips the \$150 million in fisheries disaster funding from the bill.

While it is unfortunate that the House bill makes these changes, the people of the Northeast should not be forced to wait any longer for the help this bill does provide. This includes much needed funds for highway, port and harbor repairs, as well as repairs to national parks and wildlife refuges. Equally important is funding to begin the long-term analysis and work to help prevent this kind of damage from occurring again. Even as I continue to believe we should be able to do more, I urge my colleagues to support this bill.

Mr. McCAIN. Mr. President, when we debated the Hurricane Sandy Supplemental bill in the Senate prior to Christmas, I was unable to support the spending bill because much of the taxpayer funding in the bill had little or nothing to do with meeting the immediate needs of individuals misplaced by Hurricane Sandy. Unfortunately, not much has changed with the House bill that we will soon vote on. At a time when we face ongoing trillion-dollar deficits and a \$16.4 trillion debt, we cannot justify this type of spending.

While some of the projects included in this bill may hold merit on their own, many of the projects included should go through the normal budget and appropriations process, where Congress has time to vet the need for such spending requests. To drive home this point, the Congressional Budget Office—CBO—analysis of the bill tells us that only 7 percent of the funding in this bill will be spent this year—FY 2013—and roughly 70 percent of the funding will not be spent until FY 2015 and beyond.

After examining this bill, I have found numerous examples of questionable spending:

Millions to replace automobiles owned by the Federal Government, including:

\$1 million for DEA to replace 15 vehicles;

\$230,000 for ATF to replace three vehicles;

\$300,000 for the Secret Service vehicles; and

\$855,000 for ICE vehicles.

The Federal Government currently owns or leases over 660,000 vehicles—surely we can find replacements within

our current inventory. Shouldn't we focus on providing relief directly to those still trying to rebuild their lives before replacing a bureaucrat's car?

There is \$16 billion for Community Development Block Grant funds for 47 States and Puerto Rico that can be used for events in 2011, 2012 and 2013.

There is \$2 million to repair damage to the roofs of museums in Washington, D.C., while many in Hurricane Sandy's path still have no permanent roof over their own heads.

The bill includes \$50 million for National Park Service Historic Preservation grants, which was not included in the President's request; \$180 million for the Department of Agriculture's Emergency Watershed Protection program, which helps restore watersheds damaged by wildfires and droughts for areas including Colorado; highway funding for the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands; \$15 million for NASA facilities, though NASA itself has called its damage from the hurricane "minimal." On the day after the storm hit, NASA's Wallops Island put out a statement stating that "an initial assessment team surveyed roads and facilities at NASA's Wallops Flight Facility today reporting a number of downed trees but otherwise minimal impact in the wake of Hurricane Sandy."

The bill includes \$111 million for a weather satellite data mitigation gap reserve fund, a controversial program created by President Obama by executive order for ocean zoning planning; \$8.5 million for weather forecasting equipment; \$23 million for the USDA "Forest Restoration Program" for planting trees on private property. This program is actually a Farm Bill subsidy program that's run by a relatively unknown agency called the "Farm Service Administration" which is primarily responsible for managing crop insurance. Under this program, private landowners with about 50 acres of land can apply for up to \$500,000 in free grants for tree planting activities.

The bill also includes \$118 million for taxpayer-supported AMTRAK, \$86 million more than the President's request. While some of the funding will go for repairs, money will also go to increasing passenger capacity to New York and future mitigation efforts. In a 2-page letter from AMTRAK that gives a broad description of how the money will be spent, almost all of it falls under funding for future capital projects. This includes funding for the "Gateway Program."

According to AMTRAK, the Gateway Program, which was started in 2011 and is projected to cost over \$13 billion, is "a comprehensive program of infrastructure improvements to increase track, tunnel, bridge, and station capacity serving New York City that will improve current assets and allow the

eventual doubling of passenger trains into Manhattan.” I am not here to debate the merits or the need for new tunnels, but this is clearly a capital improvement project—unrelated to Hurricane Sandy.

AMTRAK is up and running so it is not apparent why this funding is deemed “emergency” spending and included in this spending package. Keep in mind, AMTRAK receives roughly \$1 billion in annual funding. Future mitigation projects should be debated in next year’s budget process.

The bill includes \$100 million for Head Start; \$1 million for Legal Services Corporation; \$3.5 billion for the Army Corps of Engineers—with little clarity on how the money will be spent. More projects are not something the Army Corps can handle. They are currently experiencing a backlog of construction and maintenance projects of approximately \$70 billion. Furthermore, a 2010 report released by the Government Accountability Office noted that carryover funds have increased “due to the large amount of supplemental funding the Corps has received in recent years.” Clearly, supplemental spending on the Army Corps has not paid off.

As a nation, we are \$16.4 trillion in debt and dealing with trillion-dollar deficits. We do need to come to the aid of those who lost everything in Hurricane Sandy and are struggling to get their lives back together. Congress, however, cannot continue down this road of irresponsible spending. We must pass a true disaster spending bill that only spends money on disaster recovery and response, not pet projects.

Mr. PRYOR. Mr. President, Hurricane Sandy was the most devastating storm to hit the northeast United States in recorded history. Rebuilding after the storm will be a formidable challenge and this aid bill will go a long way towards meeting that challenge.

When Hurricane Sandy struck the East Coast, it flooded electrical substations and knocked down trees onto power lines, shutting off power for 8.2 million customers, and causing billions of dollars in damage. Over 300,000 homes in New York City and 72,000 homes and businesses in New Jersey were damaged or destroyed. Four New York City hospitals had to shut their doors.

The storm sent floodwater gushing into New York’s five boroughs, flooding tunnels and the subway system and making the equipment inoperable. In many hard-hit areas wireless networks suffered widespread outages primarily due to lack of power.

When smart technologies are in place, power outages can be avoided and lives, homes and businesses are protected. As the massive rebuilding effort gets under way, decision makers should rebuild the smart way by ensur-

ing that reconstruction funds maximize the deployment of technologies to improve the resilience of the electric grid, mitigate future power outages and ensure continued operation of facilities critical to public health, safety and welfare. Resilient and reliable power is critical for first responders, communications, health care, transportation, financial systems, homeland security, water and waste-water treatment, emergency food and shelter, and other vital services.

Examples of relevant technologies include smart grid technologies to isolate problems and repair them remotely, such as smart meters, high-tech sensors, grid monitoring and control systems, and remote reconfiguration and redundancy systems; microgrids, energy storage, distributed and backup generation to power critical facilities and operations; wiring, cabling, submersible and other distribution components and enclosures to prevent outages; and electronic controlled re-closers and similar technologies for power restoration.

The funding provided by the Hurricane Sandy disaster relief appropriations bill should enable these States to wisely make cost-effective investments in these technologies for their long-term infrastructure resiliency. Rebuilding these essential infrastructure systems with technology that is equipped to deal with extreme weather should make recovery from any future storm faster, cheaper, and better.

Mr. DURBIN. Mr. President, several weeks ago, before the end of the 112th Congress, the Senate voted to help the victims of Hurricane Sandy with a supplemental appropriations bill. The \$60.4 billion supplemental emergency bill passed in the Senate by a vote of 62-32. Unfortunately, the House did not pass the bill before the end of the 112th Congress, and we must pass this bill again.

This aid is desperately needed. Hurricane Sandy ranks second only to Hurricane Katrina in terms of damage. Insurers estimate that the damage will make the storm the sixth costliest in the world for their industry.

In New York and New Jersey, more than 651,000 homes were damaged or destroyed, 463,000 businesses were hurt and need assistance. Hundreds of miles of roads and rail were damaged and will need to be repaired. We have a responsibility to help our fellow Americans recover from this disaster. Congress has always stepped up and helped States and communities deal with natural disasters.

Hurricane Sandy is also a time for us to be honest, face facts, and state the obvious: the climate is changing. The weather is getting worse extreme weather events are happening with increased frequency and intensity. It’s time for Congress to get serious about addressing the causes and effects of climate change we can no longer afford to ignore this issue.

The vast majority of Americans view the recent extreme weather events as evidence that the problem of global warming is no longer some vague or distant threat. In a recent poll, nearly 4 out of 5 Americans stated that they now think temperatures are rising and that global warming will be a serious problem if nothing is done about it. The existence of manmade climate change is not a debatable issue for the overwhelming majority of scientists more than 98 percent of all working climate scientists believe that human activities have led to climate change.

Over the previous decades, scientists have measured a consistent increase in global temperatures, which has led to rising sea levels, warmer air and, as a result, more extreme weather. The National Climatic Data Center just announced 2012 was the hottest year on record in the continental United States. Our changing climate means that the storms and heat waves we are seeing will become stronger and more extreme in the future causing greater amounts of damage.

The insurance and defense sectors have looked at this scientific data and are making some changes. They are adjusting their operations to prepare for worse weather and bigger losses. Nationwide, the financial consequences of weather-related disasters and climate change hit a historic new high last year U.S. disasters caused over \$55 billion in damages.

The federal government needs to rethink how we protect federal assets and provide disaster assistance to communities on a more regular basis. And right now, passing this bill for supplemental appropriations for Sandy victims is a great first step. Because in addition to providing aid to help rebuild houses, schools, and business, the bill also includes billions for mitigation programs. Mitigation programs help us rebuild in a way that’s smarter than the first time, adding defenses against storms and protecting property by moving it out of flood zones or rebuilding with flood protection features.

These policies make sense. They better prepare us for the next big storm, and they will save a lot of taxpayer money by reducing the damage of the next disaster.

After that, we in the Senate need to face the reality of greenhouse gas emissions and create energy and environmental policies that reduce their destructive impact, including investments in renewable energy and pollution control technologies.

The President challenged all of us in his inaugural address to respond to the threat of climate change, “knowing that the failure to do so would betray our children and future generations.” We need to answer the President’s challenge by passing this bill now and passing climate change legislation

soon that will help us leave a sustainable planet to our children and grandchildren.

AMENDMENT NO. 4

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I have an amendment at the desk. I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Utah (Mr. LEE) proposes an amendment numbered 4.

Mr. LEE. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To offset the cost of the bill with rescissions and discretionary cap reductions)

At the appropriate place, insert the following:

SEC. _____. (a)(1) There is hereby rescinded an amount equal to .49 percent of—

(A) the budget authority provided (or obligation limitation imposed) for fiscal year 2013 for any discretionary account in any fiscal year 2013 appropriation Act;

(B) the budget authority provided in any advance appropriation for fiscal year 2013 for any discretionary account in any prior fiscal year appropriation Act; and

(C) the contract authority provided in fiscal year 2013 for any program that is subject to a limitation contained in any fiscal year 2013 appropriation Act for any discretionary account.

(2) Any rescission made by paragraph (1) shall be applied proportionately—

(A) to each discretionary account and each item of budget authority described in such paragraph; and

(B) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying reports for the relevant fiscal year covering such account or item, or for accounts and items not included in appropriation Acts, as delineated in the most recently submitted President's budget).

(3) In the case of any fiscal year 2013 appropriation Act enacted after the date of enactment of this section, any rescission required by paragraph (1) shall take effect immediately after the enactment of such Act.

(4) Within 30 days after the date of enactment of this subsection (or, if later, 30 days after the enactment of any fiscal year 2013 appropriation Act), the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the account and amount of each rescission made pursuant to paragraph (1).

(b) The discretionary caps provided in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as modified by section 251A of such Act, are reduced as follows for the respective fiscal year and the respective category:

(1) for fiscal year 2014—

(A) \$2,704,800,000 in security; and

(B) \$2,497,400,000 in non-security;

(2) for fiscal year 2015—

(A) \$2,773,400,000 in security; and

(B) \$2,548,000,000 in non-security;

(3) for fiscal year 2016—

(A) \$2,827,300,000 in security; and

(B) \$2,597,000,000 in non-security;

(4) fiscal year 2017—

(A) \$2,891,000,000 in security; and

(B) \$2,650,900,000 in non-security;

(5) for fiscal year 2018—

(A) \$2,954,700,000 in security; and

(B) \$2,709,700,000 in non-security;

(6) for fiscal year 2019—

(A) \$3,018,400,000 in security; and

(B) \$2,773,400,000 in non-security;

(7) for fiscal year 2020—

(A) \$3,087,000,000 in security; and

(B) \$2,832,200,000 in non-security; and

(8) for fiscal year 2021—

(A) \$3,155,600,000 in security; and

(B) \$2,891,000,000 in non-security;

Mr. LEE. Mr. President, I stand today and urge my colleagues' support for my amendment to this bill. I appreciate the eloquent arguments made by my friend and colleague, the Senator from New York, a moment ago. She is correct to point out that people have suffered as a result of this storm. My heart goes out to them. Anytime my fellow Americans find themselves in a position of need, we want to address that situation very carefully and make sure we do the right thing, make sure people are not overlooked.

As we do that, and especially as we do something such as that in the way we are being asked to do it here, we must also consider how our actions here might have other implications down the road. We have to stop and consider that we are more than \$16 trillion in debt and we are adding to that debt at a rate of more than \$1 trillion every single year. The amount of money we spend in interest on our national debt now stands at a little over \$200 billion a year and is expected to grow significantly in the next few years, such that by the end of this decade—perhaps much sooner—we are likely to be paying close to \$1 trillion a year just to pay the interest on our national debt.

It is because of considerations such as these that we put in place certain spending caps, in connection with the Budget Control Act, in the summer of 2011. It is for this same reason I am asking that we consider capping this, subjecting this same amount, this money we are being asked to spend here, to the same caps. In other words, what I am suggesting is that we find a way to offset our spending for this bill by stretching it out over the next 9 years, capping what we spend. All we have to do to offset what we are being asked to spend here is to cut our discretionary spending by one-half of 1 percent over the next 9 years.

As we look at our economic realities, as we look at the fact it is going to be very difficult in coming years to fund everything we need to do through the Federal Government, this is the approach we have to take with regard to new spending. If we are being asked to spend money, no matter how important the cause, to the tune of more than \$50

billion in one fell swoop, I think we owe it to the good people of the United States of America, the good people who depend on so many things the Federal Government does—things as wide ranging as defense at one end of the spectrum and entitlements at the other end of the spectrum and everything in between—we owe it to them to consider how our actions today might forestall, might complicate, might impair our ability to fund those programs down the road. It is for this reason I think we need to offset this spending. We can do it by cutting only one-half of 1 percent of our discretionary spending over the next 9 years. For that reason I urge each of my colleagues to support this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, first of all, I thank the distinguished chair of the Appropriations Committee for all of her incredible work and help here, as well as that of the staff, in bringing us to this moment. We would not be here without her tremendous work, especially in light of Chairman Inouye's passing. I appreciate the ranking member, someone who understands the challenges, having come from a Gulf State that saw the consequences of disasters.

There are a couple of important dates here. The first one is 91 days, 91 days since Superstorm Sandy hit the Northeast; 91 days we have been languishing, waiting for our Government to respond to the critical issues, life-and-death situations, of fellow Americans. It is 91 days in which people who largely lost their home, or at least the ability to be back in their home, have been waiting for their government to say: Here is how we are going to help you. It is 91 days in which we now have the biting cold of the winter and the defenselessness of a coastline that cannot be subject to a northeaster that will ultimately have real-life consequences to people's lives, to people's properties, to repetitive loss.

It is 91 days compared to what happened during Hurricane Katrina, where \$60 billion was moved in 11; 91 days in which people have not been able to get their lives back on track, looking to their government—people who are good citizens, pay their taxes, obey the rules, follow the law, and ultimately say: We have been left behind. It is enough.

Another 118 days. That is all we have left to Memorial Day and the beginning of a critically important season for New Jersey's economy, a \$37 billion tourism industry that cannot get back on its feet unless the Federal Government says here is how we are going to help businesses reopen, here is how we are going to help people get back into their homes, here is how we are going to help you rebuild the infrastructure

that is not only important to the economy of the State but to the national economy, for which New Jersey and of course New York are such big drivers—well over 10 to 11 percent. We only have 118 days and we have been languishing.

I personally am tired of listening to the voices for patience and delay, suggesting that somehow we as citizens of the United States are second-class citizens waiting for this government to respond to the needs of fellow Americans. That is not what I envision when I think about the United States of America.

Another number: 36 times; 36 times in which we in fact have looked at an emergency in this Nation squarely in the face and said it is an emergency. An emergency is an emergency is an emergency. For over two decades the Congress has looked at this set of disasters and said it is an emergency. But when it comes to the Northeast, somehow it is not an emergency, 91 days later.

Offsets? We didn't have offsets for those over two decades. And when we talk about these offsets we use the words discretionary spending. I think America should know what it means. It means education, it means health care, it means the National Institutes of Health, it means law enforcement, it means a whole host of things we care about in our lives every day, across-the-board cuts, indiscriminate, without anything about what the consequences are—only when it comes to the Northeast.

I want my colleagues to understand that personally this Senator will judge the future by how we are ultimately responded to. We already feel chagrined but it is what it is. We need to act today. Adoption of this amendment would not only create an across-the-board cut that has consequences to critical things Americans broadly depend on and does it indiscriminately, but also sets us farther back because we would have to go back to the House again, delays and more delays. I cannot look in the face of any American, whether in my State or any State in the country, and say, no, your government has abandoned you, you will have to wait. I cannot look at business owners who are making a life decision about whether what little they have they can reinvest and whether they will get any help from the government to open, hire people, and contribute to our economy. I cannot look in the face of a fellow New Jerseyan and say I still can't tell you what the Government will do to get you back in your home. I suggest to any of my colleagues that you would not want to look in the face of your citizens and have to be in the same position.

The time has come to pass this bill without amendment in an up-or-down vote in what I hope will be the same bipartisan vote that we had when we originally passed the Senate bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, we are just moments from voting on both the Lee amendment and on final passage. I rise to oppose the Lee amendment, the amendment of the junior Senator from Utah. His amendment would cut \$6.3 billion from fiscal year 2013. That is \$6 billion that is in addition to the \$3.4 billion we already have as an offset in the bill that is charged against the Corps of Engineers, plus he wants to reduce spending by another \$44 billion over an 8-year period by lowering the discretionary budget caps that were agreed to in the 2011 Budget Control Act.

Overall, he pays for \$50.5 billion in emergency aid with \$51.2 billion in cuts. That is \$700 million more in cuts than the disaster rate in this bill. I think that is going too far. I think when we cut more than we are going to spend, that is going too far. The \$6.3 billion is an unspecified cut in discretionary programs in the middle of fiscal year 2013. It will cut national defense, it will cut law enforcement, housing assistance, agricultural assistance, and, guess what. The way it is written, it will even cut veterans' benefits, which are ordinarily viewed as mandatory spending.

This \$44.9 billion is a reduction to the caps set by the Budget Control Act of 2011. For my colleagues who don't seem to remember, we actually did pass a Budget Control Act. It says we in the Appropriations Committee will cut \$1 trillion over the next 9 years. So the cap is already on us on what we could spend, and that is \$100 billion a year. The Lee amendment would add even more to that.

They cannot tell us to pass a budget the way they did in the House bill on the debt limit and then say: Pass the budget. We did pass the Budget Control Act, and now the Lee amendment will shred that agreement. It will just shred it. Every time something comes up—while we are working to pass a budget—are they going to shred it?

I would like to follow what Senator COATS has talked about: Let's get back to regular order. Let's not be kind of doing cuts de jour, cuts on the fly, and who can outcut whom. Senator COATS has many good ideas in his presentation. As an appropriator and a gentleman on my committee, I look forward to working with him.

Ms. LANDRIEU. Will the Senator yield?

Ms. MIKULSKI. If I could just finish my remarks, and I will turn to the gentlelady from Louisiana.

Also, this amendment is terrible in terms of process. If we pass the Lee amendment, not only will it shred the Budget Control Act of 2011—just shred it—it will then send this bill, which meets compelling human need, back to

the House. The House has already shrunk this bill. It will further embroil this process, and very likely this bill may die due to some of the extreme elements in the House.

To me, the answer is obvious: Let's defeat the Lee amendment and pass this bill. There are people who are suffering in New York, New Jersey, Maryland, and Connecticut. Let's acknowledge the validity of the arguments that have been raised by many Members on the other side about how we look at disaster assistance, and I am more than open to it on our committee.

I hope we can defeat the Lee amendment and pass the urgent supplemental that is pending before us even though it already has an additional \$3.4 billion offset, which is essentially a cut of fiscal year 2013—cutting the Army Corps of Engineers—which, by the way, has only \$5 billion. If they are going to cut, learn math and learn how to read the bills and the chart. Math is good. I like math. We are going to follow math.

With that, I ask that we pass the bill. Let's not cut more than is in the bill. Let's do the math and know we are already cutting. Let's do the job the American people want.

This concludes my remarks. But before I yield the floor to the gentlelady from Louisiana, there are two sunshine issues I am going to mention.

First, I see the return of Senator MARK KIRK. I cannot share with my colleagues the pleasure I have in seeing him. He is a member of the Appropriations Committee. We have worked together on many issues. We have disagreed, we have duked it out, and we have had some good times. It is just a pleasure to see him back on the Senate floor and ready to vote.

Also, I note that now joining us as the ranking member of the Appropriations Committee is Senator SHELBY of Alabama. I have worked with the Senator from Alabama over the years. I think we can pledge—though we will differ on policy or matters—there will be more on which we can agree in this Appropriations Committee. There will be an effort for bipartisanship, civility, intellectual rigour, robust debate, and transparency. We look forward to working together and with our colleagues.

With that, I yield for the gentlelady from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I thank the chairlady. Is it not the opinion of the Senator from Maryland that if the Lee amendment gets on this bill, it will, in fact, kill the Sandy supplemental? Isn't that the Senator's understanding of what will happen if the Lee amendment is adopted?

Ms. MIKULSKI. Mr. President, the Senator from Louisiana was asking me a question while I was getting a copy of my speech. What was the question?

Ms. LANDRIEU. Is it not the understanding of the Senator from Maryland that if the Lee amendment gets adopted—which I don't believe it will—the bill will be either killed or in serious danger of passing?

Ms. MIKULSKI. I think it will be in very serious danger of passing because the impact of the cuts is significant, severe, even Armageddon, and it would send it back to the House for further negotiation. The House is out this week, and then they kind of come back. I think this bill very likely will die in a conference, and that cannot happen as it will affect the economy and lives of the people in our States.

I know the gentlelady has had a history of looking at how to have a more frugal and sensible government. We funded two wars on a credit card, and that is part of the reason we are in this mess. We have plenty of money to rebuild Iraq, and now we are debating and nickel-and-diming over rebuilding New York, New Jersey, parts of Connecticut, and little, poor rural parts of Maryland.

So, yes, I think it will have a terrible effect.

Ms. LANDRIEU. Mr. President, how much time is remaining?

The PRESIDING OFFICER. No time is remaining on the Democratic side. The Republicans have 5 minutes remaining.

Ms. LANDRIEU. Mr. President, I ask unanimous consent for 1 of those 5 minutes?

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. I thank my colleagues.

Let me say that it is my clear view and opinion that if the Lee amendment is passed, the Sandy supplemental will die. There is strong feeling—led by this Senator from Louisiana, to the Senators who are arguing for that position—that if we want to debate about how to pay for a disaster, I will do that. We will do 50 percent cuts and 50 percent revenue, but they never will offer one penny of new revenues to pay for anything. I am not budging on this point. This amendment, if adopted, will kill this bill.

I will go 50 percent revenue. We will raise \$25 billion, and \$25 billion we will cut, but I am not going to keep cutting the discretionary budget—which, by the way, is not out of control despite what we hear on Fox News. It is mandatory spending that is rising rapidly because the “greatest generation,” which gave us the greatest Nation the world has ever heard of, is aging, and they need hospice care, Social Security, and hospitals. If they want to cut them, go right ahead. I am going to be a little more gentle.

No. 2, we can do this together if we want. So just know this argument is not a small argument for the chair of the Homeland Security Subcommittee

of the Appropriations Committee nor for our colleagues.

I yield the floor.

Mr. LEE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the amendment offered by the Senator from Utah, Mr. LEE. The yeas and nays have been requested.

Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING), the Senator from Washington (Mrs. MURRAY), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER (Mr. DONNELLY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 35, nays 62, as follows:

[Rollcall Vote No. 3 Leg.]

YEAS—35

Alexander
Barrasso
Blunt
Boozman
Burr
Chambliss
Coats
Coburn
Corker
Cornyn
Crapo
Cruz

Enzi
Fischer
Flake
Grassley
Heller
Hoeven
Isakson
Johanns
Johnson (WI)
Kirk
Lee
McConnell

Moran
Paul
Portman
Risch
Roberts
Rubio
Scott
Sessions
Thune
Toomey
Vitter

NAYS—62

Ayotte
Baldwin
Baucus
Begich
Bennet
Blumenthal
Boxer
Brown
Cantwell
Cardin
Carper
Casey
Cochran
Collins
Coons
Donnelly
Durbin
Feinstein
Franken
Gillibrand
Graham

Hagan
Harkin
Hatch
Heinrich
Heitkamp
Hirono
Inhofe
Johnson (SD)
Kaine
Kerry
Klobuchar
Landrieu
Lautenberg
Leahy
Levin
Manchin
McCain
McCaskill
Menendez
Merkley
Mikulski

Murkowski
Murphy
Nelson
Pryor
Reed
Reid
Rockefeller
Schatz
Schumer
Shaheen
Shelby
Stabenow
Tester
Udall (CO)
Udall (NM)
Warner
Warren
Whitehouse
Wicker
Wyden

NOT VOTING—3

King Murray Sanders

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. Under the previous order, the bill having been read the third time, the question is, Shall the bill pass?

Ms. MIKULSKI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) and the Senator from Washington (Mrs. MURRAY) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 62, nays 36, as follows:

[Rollcall Vote No. 4 Leg.]

YEAS—62

Alexander
Baldwin
Baucus
Begich
Bennet
Blumenthal
Boxer
Brown
Cantwell
Cardin
Carper
Casey
Cochran
Collins
Coons
Donnelly
Durbin
Feinstein
Franken
Gillibrand
Hagan

Harkin
Heinrich
Heitkamp
Heller
Hirono
Hoeven
Johnson (SD)
Kaine
Kerry
Klobuchar
Landrieu
Lautenberg
Leahy
Levin
Manchin
McCaskill
Menendez
Merkley
Mikulski
Murkowski
Murphy

Nelson
Pryor
Reed
Reid
Rockefeller
Sanders
Schatz
Schumer
Shaheen
Shelby
Stabenow
Tester
Udall (CO)
Udall (NM)
Vitter
Warner
Warren
Whitehouse
Wicker
Wyden

NAYS—36

Ayotte
Barrasso
Blunt
Boozman
Burr
Chambliss
Coats
Coburn
Corker
Cornyn
Crapo
Cruz

Enzi
Fischer
Flake
Graham
Grassley
Hatch
Inhofe
Isakson
Johanns
Johnson (WS)
Kirk
Lee
Toomey

NOT VOTING—2

King Murray

The PRESIDING OFFICER. The 60-vote threshold having been achieved, the bill (H.R. 152) is passed.

MORNING BUSINESS

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FISHERIES DISASTER FUNDING

Ms. MURKOWSKI. Mr. President, the bill we just passed out of the Senate, a bill to aid the victims of Superstorm Sandy, is important. It is important

when we are faced with a disaster—whether it is a hurricane, whether it is an earthquake, whether it is a drought, whether it is a flood—that we step forward and find those ways that we can help citizens who have faced immeasurable loss. The effort that has gone back and forth between two bodies now, and will, hopefully, move forward, is one which will certainly help to address the needs of those families who lost so much in Superstorm Sandy.

I think we all recognize this was not the only disaster this country faced last year. In my State of Alaska we faced a fish disaster. For those of you who are from States that do not rely on your fisheries as a source of income, a source of jobs or a source of daily sustenance, you might think: Fish disasters; well, that is not really much to talk about. That is not a true disaster.

In my State, when fisheries have declined to the extent we have seen—the loss of the Chinook salmon on the Yukon River, the Kuskokwim River, the Upper Cook Inlet—this has a dramatic impact on our State's economy, a dramatic impact on the livelihoods of so many Alaskans. Whether they be commercial fishermen, sport fishermen, our subsistence-based fisheries, our fisheries communities, those businesses that are dependent on our salmon fisheries, these were all impacted this past year.

As I had gone around the State, basically from about midsummer through the end of the year, everywhere I went, whether I was in an urban center such as Anchorage, Homer, or down in Seward, up in the Matanuska Valley, or out in the rural parts of the State up along the Yukon, out along the Kuskokwim out in the southwest, people were talking about two things: People were talking about our cost of energy because our energy costs remained the highest in the Nation, but they were also talking about fish. Pretty basic stuff: fuel, fish, and food. When we had a disaster this summer, it was an imperative around our State.

We, in September of this past year, had an official declaration from the Secretary of Commerce—actually the Acting Secretary of Commerce, Rebecca Blank—that recognized this fish disaster, and this is a disaster that is statutorily authorized by section 308 of the Interjurisdictional Fisheries Act and section 31 of the Magnuson-Stevens Fishery Conservation and Management Act.

These are designations that are statutorily authorized. These are not earmarks. They are not to be labeled as pork or something special for an area. These are disasters subject to a statutory authorization, a process that has been clearly laid out. They are authorized in law for fish failures that require affirmative action from the Secretary of Commerce. The Secretary has taken that action. Congress then needs to do its part by funding for these disasters.

I mentioned at the outset that some of my colleagues might not appreciate the importance of these fish disasters. But, again, these disasters are no less important than disasters for which we provide for other industries, such as drought disaster or drought assistance for our farmers. I think the Acting Secretary, when she signed these fisheries designations, recognized them for essentially what they are: fish droughts, fish droughts in our rivers and our oceans. She responded to the fisheries disasters not only in my State of Alaska, but she also moved forward with disaster determinations for Rhode Island, for New York, for Maine, Massachusetts, New Hampshire, Connecticut, and Mississippi. The disaster declaration the Acting Secretary advanced opens the door, then, for the financial assistance from the Federal Government.

You might notice those funds were not included in this disaster relief bill. That does not mean I will back down from attempting to do my best to make sure the disaster that Alaska faced with its fisheries, and that so many of our other States faced with their fisheries, that these needs will not be addressed.

We didn't advance it in this package. It is important that the Sandy provision move forward, and that is why I eventually cast my vote in support of it. I know many of my colleagues—the Senator from Rhode Island is with me tonight. I know the Senator from New Hampshire is very concerned about it. The Senator from Maine is very concerned about it. I think it is fair to say we will continue our efforts to ensure the disasters that our fishermen have faced will be addressed as is statutorily provided in law. We will work to find that funding to make sure that disasters, however they present themselves in this country—whether it is storm, flood, drought, hurricane, or earthquake—are addressed.

I commit to working with my colleagues to continue to find those sources of funding so we address these revenues.

I note that my colleague from Rhode Island is here, and I know he too wishes to address this important issue.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I very much appreciate the remarks of my friend, the Senator from Alaska. This is truly a bipartisan concern. There are Senators on both sides who feel very aggrieved by what took place, Senators from Alaska and Maine, on the two sides of the country, and a great number of us.

The sheet that rests on the front table during the votes to make sure people coming in know what the current measure is describes the last vote as passage of H.R. 152, the Disaster Relief Appropriations Act of 2013—not the

Hurricane Sandy Relief Appropriations Act of 2013 but the Disaster Relief Appropriations Act.

We have had a disaster. We didn't make this up. This wasn't something that was snuck into the bill or we tried to do an earmark on.

The Governors of Rhode Island, Massachusetts, Maine, New Hampshire, New York, Connecticut—six Governors petitioned the government for a fisheries disaster declaration, and they received one. The Secretary of Commerce declared the New England Multispecies Groundfish Fishery disaster. The Senator from Alaska described it as a drought.

It is like a drought. What has happened in our waters is that they have warmed. They have had some chemical changes. Fisheries have moved northward, and some of them have moved clean out of the U.S. continental waters. The result is that Georges Bank cod, Yellowtail flounder, Gulf of Maine cod and haddock have all had to face Draconian catch reductions to try to keep those species alive.

We have a fishing tradition that goes back even longer than Alaska's, I will guess. Certainly, we started fishing back in the 17th century, the 1600s, in Rhode Island. It is a long tradition. But the changes we are wreaking on this planet are moving the fish around. They are creating these localized disasters for our fishermen who have worked hard all their lives, who have invested their life savings into expensive boats they have to take care of, the maintenance and the repair, and they risk their health and their lives and their limbs out at sea in all kinds of weather in order to bring in the catch to us. When the catch isn't there, it is a disaster.

This is what the Governors have asked for, all six of them. That is what the U.S. Government, through the Secretary of Commerce, declared. Why on Earth the fisheries disaster that affects our fishermen doesn't matter—\$150 million; it was not a big piece in a \$60 billion bill. Yet we were left out. We were completely left out.

I will continue to fight to get this done. I think there has been a wrong committed in this body, and I intend to make sure it gets righted. I will work hard with the Senator from Alaska. I see the Senator from New Hampshire, who is equally affected by this, on the Senate floor. It makes no sense to let people in the House of Representatives pick and choose among disasters in a bill and strip out disasters that have been declared by the U.S. Government and the Governors of six States.

Do they know better? I don't think so. But they took it out. For whatever reason, we weren't able to get it in back here. I have had strong conversations with some of the lead supporters of the Sandy bill and the States that most benefit, with the chairman of the

committee and the floor manager of the bill and with colleagues from nearby States. This is not over, but I am extremely upset that we would pass something called a Disaster Relief Appropriations Act and leave out of it the disaster that has befallen fisheries up and down the east coast, from Maine down through New Hampshire, through Massachusetts, through Rhode Island, through Connecticut and New York. That is a pretty wide-scale disaster.

For the men and the women who go out and put their boats and themselves at risk for this catch when it is not there, you bet it is a disaster. It is just as much of a disaster as a farmer who looks out at parched fields and can't grow what he needs to grow. We are not there for them, not when it is fishermen, for some reason. We are not there for them. We have done it over and over. Since 1994 Federal fishery failures have been declared on 29 different occasions, and nearly \$827 million has been appropriated for relief. But not now. For some reason, not now.

I yield now for the Senator from New Hampshire, who I know feels strongly about this issue. The Senator from Massachusetts was speaking with me earlier. She feels very strongly about this, and we need to get this set right. This is a day for celebration in some quarters but not in all.

For those of us who have a responsibility to the men and women who have fished the waters off of our States, this is not an acceptable result.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am here to join my colleagues, Senator MURKOWSKI from Alaska and Senator WHITEHOUSE from Rhode Island, to express my disappointment and frustration along with them that the disaster relief funding for our Nation's fishermen has been stripped from this emergency relief bill. I agree with all of those who want to make sure the victims of Hurricane Sandy along the east coast get the help they need. I think that is something to which we all are committed. But the fact is that fishermen in New England and Alaska and other parts of this country are also facing hard times. They are grappling with onerous regulations that are designed to end overfishing, and in spite of these restrictions, the amount of codfish in the Gulf of Maine has declined drastically. It has a huge impact on New Hampshire, and the problem for fishermen in my State is now one of survival.

Our fishermen have already seen their incomes decrease significantly in recent years. They depend on cod more than fishermen from any other State in New England. Cod accounts for more than 90 percent of the revenues of the fishing industry in New Hampshire. This is because our fishermen use small

day boats, they fish close to shore, and most don't have the boats or equipment to catch other deep-sea species to compensate for the lack of cod. Our fishing businesses are small, and they are mostly owned by families who have been fishing for generations.

For 400 years, we have been fishing in New Hampshire. Generations of fishermen in New Hampshire have continued this proud tradition. Yet, under what is happening with the fishing regulations, we are going to lose this industry. Our coastline is short in New Hampshire—it is only 18 miles—but the fishing industry is still a crucial driver of the economy. It generates \$106 million in economic activity, it supports 5,000 full-time and part-time jobs in the State, and it provides our stores and our restaurants with a local and fresh supply of fish, just as it does in Alaska and Rhode Island. This historic way of life is going to become extinct if we don't help the fishing industry.

I welcomed the decision of the Secretary of Commerce back in September to declare a Federal disaster for the Northeast fishing industry for the upcoming fishing year, but this declaration, as well as those already provided for Alaska, Mississippi, New Jersey, New York, Rhode Island, and other States, is meaningless if Congress does not provide relief funding to these fishing communities.

As my colleagues have said so eloquently, the Senate voted last month to appropriate \$150 million in funding for these disasters, and as Senator WHITEHOUSE said, it was not a large percentage of the emergency relief bill. I am disappointed and, like the fishermen and women in New Hampshire who depend on this industry, frustrated that this funding has been taken out of the bill we voted on today.

It is critical that we provide relief to the fishermen and to the coastal economies in New England—and in New Hampshire as a part of the New England economy—and Mississippi and New Jersey and New York and Alaska and the other States that are affected. We have to work to ensure the long-term sustainability of these vital resources and of this historic way of life. I intend to continue to work with my colleagues from those States that are affected to make sure the fishing industry gets the help it needs to survive.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. As I heard the compilation from the distinguished Senator from New Hampshire, it was a pretty small percentage of the bill, and I was going through the math in my head. If it was a \$60 billion bill, with a \$150 million appropriation that would have supported the disaster for the fishermen, I think that is 0.25 percent

of the total of the bill—one-quarter of 1 percent. Yet somebody over on the House side had to target that and take it out and leave the fishermen high and dry while the rest all went through?

I think it is really important that we as a group stand for the fishermen and try to force some recognition in this body that the disaster they are facing is a real one.

Mrs. SHAHEEN. Will the Senator yield?

Mr. WHITEHOUSE. Yes.

Mrs. SHAHEEN. It is not just the people who are fishing directly who are affected by this, it is also all of the other jobs that depend on that fishing industry that are going to be lost.

Mr. WHITEHOUSE. The engine repair people, the net repair people, the folks who process the fish that are caught, the folks who sell fuel to the fishermen, the people who do maintenance on the boats—there is an entire economic ecosystem that is knocked down when the fishermen can't bring the catch home. Yes, the Senator is absolutely correct.

Mrs. SHAHEEN. And in my small State of New Hampshire, where we only have 18 miles of coastline, we have 5,000 jobs dependent on this industry. So in Rhode Island and Alaska, I am sure my colleagues have a significant number of jobs dependent on the fishing industry. What happens to those jobs if the industry doesn't survive? They are gone.

Mr. WHITEHOUSE. I think Alaska may actually have more coastline than Rhode Island.

Ms. MURKOWSKI. I think we have 33,000 miles of coastline, not to be bragging on a coastline. But what is so important as part of this discussion—and my colleague Senator SHAHEEN has stated this—our fishermen often are not included when we think about areas of disaster. Yet, in terms of those industries, those parts of our economy that are making things happen as folks are kind of chugging along, it is our fisheries that for decades—and for centuries, as Senator WHITEHOUSE noted—have been producing good jobs and providing a source of sustenance for our families.

Alaska is in somewhat of a unique situation in that we still have so many families who rely on their fisheries for subsistence. This is not just an income source for many. For so many in rural Alaska, this means whether or not you are going to be able to eat this winter. The situation on the Yukon and on the Kuskokwim—when those rivers were shut down to fishing, we had actions of civil disobedience, where individuals just came to the river and said: We have to put our nets in because we have to be able to feed our families. Down in the Cook Inlet region, it is not so much a subsistence lifestyle there but a commercial fishery as well as sport fishing. So sport guides who are

required to be off the river cannot take that tourist who has come to Alaska for their dream fishing trip. They have to cancel that and lose their revenue, and so guides can no longer stay in place.

So Senator SHAHEEN is correct about the ripple effect to the economy. It affects all of our fishing communities and those who support them. So when we talk about disasters in areas and \$150 million that was to be split between all of these different regions and States, it is a recognition that it is quite slight in comparison to the true loss to our economies, the true loss to our families who have suffered.

Again, I appreciate the commitment we have from so many who have been impacted that we don't give up on this. We have gone through the process, we have jumped the hurdles to get the designation that is required by our government through the Secretary of Commerce. We have done that. Now the step is for Congress to provide that funding that makes the difference. It is one thing to get a disaster declaration on paper; it is another to be able to provide the relief. And I certainly intend to push until that relief is provided not only for the families in Alaska but for those who have been impacted by fisheries disasters throughout the country.

Mrs. SHAHEEN. And I will certainly join my colleague in that effort.

Ms. MURKOWSKI. I thank my colleague.

With that, Mr. President, I yield the floor.

DATA PRIVACY DAY

Mr. LEAHY. Mr. President, today, I join privacy advocates, industry leaders and National, State and local government officials from across our Nation in celebrating Data Privacy Day—a day to recognize the need to better secure our privacy and security in cyberspace. I am also pleased to join Senators on both sides of the aisle in cosponsoring a Senate resolution to commemorate Data Privacy Day.

In the Digital Age, Americans face new threats to their digital privacy and security as consumers and businesses alike collect, share and store more and more information in cyberspace. Data Privacy Day is an important reminder about the need to improve data privacy as we reap the many benefits of new technologies.

Last year the Judiciary Committee approved digital privacy legislation that I authored to update the Electronic Communications Privacy Act, ECPA, to improve the privacy protections for Americans' email and other electronic communications. That bill would, among other things, require that the Government obtain a search warrant, based upon probable cause, before obtaining email and other elec-

tronic communications from a third-party service provider. When I and others in Congress authored ECPA in 1986, email was a novelty and most Americans had never heard of the Internet. Today, communication by email is commonplace and many of us store email and other electronic communications with service providers or "in the cloud" for extended periods of time.

After 3 decades, it is essential that Congress update ECPA to ensure that this critical law keeps pace with new technologies and the way Americans use and store email today. Digital privacy is important to all Americans, regardless of party affiliation or ideology. That is why when Congress first enacted ECPA, we did so with strong bipartisan support. I appreciate the willingness of House Judiciary Committee Chairman GOODLATTE to work in partnership with me to examine and update this critical privacy law. I look forward to working closely with Chairman GOODLATTE and others in Congress to update this law so that it keeps pace with the many new threats to our privacy.

I again thank and commend the many stakeholders and leaders from across the Nation who are holding events to commemorate Data Privacy Day. I look forward to working with them and with Members of Congress on both sides of the aisle, in both Chambers, to enact reforms to the Electronic Communications Privacy Act.

TRIBUTE TO JUDGE CHARLES ROMANI, JR.

Mr. DURBIN. Mr. President, I would like to acknowledge recently retired Illinois Judge Charles Romani, Jr., who served on the bench for 30 years in Illinois' third circuit. Among many achievements over those years of service, Judge Romani's work setting up a veterans' court stands out.

Veterans' issues have always been close to Judge Romani's heart. Having served in the U.S. Army himself, as a sergeant during the Vietnam War, Judge Romani knows firsthand the difficulties that veterans face when returning home from war.

Judge Romani was born and raised in Greenville, IL. He attended Western Illinois University, before continuing on to law school at St. Louis University. Upon graduation, Romani accepted a position as Assistant State's Attorney for Madison County. Two years later, in 1974, he ran for State's Attorney in Bond County. He was elected and served with great distinction for 7 years.

Romani first became an associate judge of the Third Judicial Circuit in 1983. Five years later, he became a circuit court judge. And, in 1989, Judge Romani became Chief Judge of the Third Judicial Circuit in Illinois.

In 2009, a growing number of veterans of the wars in Iraq and Afghanistan

began appearing on court dockets around the country. Many of these veterans have special needs, including mental health needs, and many of them greatly benefit from specialized services. It was then that Judge Romani began modeling an innovative, new veteran's court based on a successful model in Buffalo.

Since 2009, the court that Judge Romani created has helped innumerable veterans turn their lives around. The Court consistently sees between 30 and 40 veterans go through its program at a time. There are now approximately 104 veteran's courts, like Judge Romani's, around the country helping those who served the United States in its time of need.

Judge Romani identifies this court as his "most rewarding achievement as a judge."

Judge Romani's last day on the court was November 5, when he completed an impressive career that spanned 39 years. He has been married to his lovely wife Karen for 38 years. They have three children, two of whom were recently married.

I add my voice to many others when I say thank you, Judge Romani, for your years of distinguished public service and the indelible mark you have left on Madison County.

VOTE EXPLANATION

Ms. LANDRIEU. Mr. President, I regret having missed the January 24, 2013, vote on S. Res. 15, a resolution to improve procedures for the consideration of legislation and nominations in the Senate. Had I been present, I would have voted in favor of S. Res. 15.

TRIBUTE TO LARRY J. GOLDBERG

Mr. BAUCUS. Mr. President, Senator HATCH and I would like to recognize the outstanding career of Mr. Larry J. Goldberg, Principal Deputy Inspector General for the Department of Health and Human Services, HHS. Mr. Goldberg retired on January 3, after more than 35 years of distinguished government service.

Mr. Goldberg began his career of government service in 1976 as Associate Legal Director for the National Center for Law and Deafness at Gallaudet College. He continued his work defending civil rights for persons with disabilities as a trial attorney in the Justice Department and later as an Assistant Attorney General for the State of Maryland's Department of Health and Mental Hygiene. In 1989, Mr. Goldberg joined HHS in the Inspector General Division of the Office of General Counsel. He transferred to the HHS Office of Inspector General, OIG, at the inception of its independent Office of Counsel in 1996, and has risen through the ranks to Principal Deputy Inspector General, managing a staff of more than

1,700 auditors, criminal investigators, analysts, and attorneys, and a budget of more than \$300 million.

Throughout his career, Mr. Goldberg has demonstrated the essence of what it means to serve and protect the public. Most notably, he has accomplished systemic and institutional reforms that have enhanced HHS programs by strengthening protections against fraud, waste, and abuse and promoting efficient and effective program operations. His visionary leadership and perseverance in driving change has resulted in billions of dollars of erroneously paid and misused funds being returned to the critical programs that serve our most needy. Mr. Goldberg's career achievements also include establishing landmark legal rights for people with disabilities in employment, education, health care, and social services. His many contributions have had a far-reaching and lasting impact.

During his 23 years with OIG, Mr. Goldberg's efforts and skill in fostering collaboration within OIG and with government partners have positioned OIG to meet vastly expanded responsibilities and to achieve results in priority areas. The depth and range of his professional knowledge and expertise are appreciated and respected throughout HHS, by the larger OIG community, by Congress, and by the health care industry. His dynamic leadership has had a direct and measurable effect on OIG's ability to align its resources, work plans and products, compliance initiatives, and investigative and enforcement activities to carry out its mission.

Mr. HATCH. Mr. President, I join with Senator BAUCUS in commending Mr. Goldberg for his service. As Principal Deputy Inspector General, and throughout his career with OIG, Mr. Goldberg's efforts have directly benefited the American people by protecting Federal health care, public health, and social programs from waste, fraud, and abuse, and recommending to HHS actions to improve program effectiveness. Mr. Goldberg has led OIG to achieve unprecedented results in combating health care fraud and abuse. He has marshaled OIG's resources to counter this epidemic through a sophisticated, multifaceted, and innovative strategy.

For example, Mr. Goldberg has spearheaded OIG's efforts to join with the Justice Department to establish Medicare Fraud "Strike Force" operations—elite teams of investigators and prosecutors, supported by advanced data analysis—in 9 key locations. These Strike Forces have charged more than 1,400 defendants, who collectively have billed Medicare for more than \$4 billion. Simultaneously, OIG has pursued more traditional civil, administrative, and criminal cases. Under Mr. Goldberg's leadership, OIG has generated record-break-

ing returns for the Medicare Trust Fund and taxpayers—including court-ordered recoveries, fines, restitution, and settlements totaling more than \$6 billion in 2012.

But not all of his results can be measured in dollars. During Mr. Goldberg's tenure, OIG produced a landmark measurement of adverse events from hospital stays; reported and testified on overutilization of antipsychotic drugs for nursing home patients; and recommended actions to protect the safety of the Nation's food supply. Mr. Goldberg has also championed fraud prevention by taking the message directly to the health care industry. He has built coalitions with industry to promote a culture of compliance and transparent practices to safeguard Federal health care programs, and he pioneered a series of guidances that set the standards for how to meet Federal health care program requirements.

We wish Mr. Goldberg the very best in his retirement and thank him for his exemplary record of service to the government and the American people in protecting Federal programs from fraud, waste, and abuse and in promoting the health, well-being, and civil rights of all Americans.

REMEMBERING CAROL WALTER

Mr. BLUMENTHAL. Mr. President, today I wish to remember Carol Walter. Carol was known throughout Connecticut and the Nation as a force for good and a supporter of the homeless. I worked with her for many years to address the homeless population in Connecticut, and no one advocated more relentlessly and tirelessly for this cause.

An ambassador for social justice, she took positions at various nonprofits, including homeless shelters throughout the State as well as at the Connecticut AIDS Resource Coalition. In 2006, she was named executive director of the Connecticut Coalition to End Homelessness.

At the Connecticut Coalition to End Homelessness, Carol introduced a new way of approaching homelessness. Carol regarded this unacceptable human condition as something that could be prevented and addressed it on a national scale through community organizing, advocacy, research, leadership, and education. She empowered the greater community, building grassroots leadership, advocating for new research and policies, and leading these efforts with grace and resolve. According to her colleagues at the Coalition, Carol truly listened to the voices of people who experience homelessness.

She did not stop at the prevention and cessation of homelessness, but rather took the next step towards long-term sustainability. Carol dedicated most of her career to efforts to include securing permanent affordable housing

and housing subsidies for the afflicted, providing support systems in the community, and offering career services to support independence and self-help. She worked to prevent and eliminate homelessness on local, State, and Federal levels. She partnered with local communities and Statewide organizations, such as Supportive Housing WORKS and Opening Doors Connecticut, to unify everyone in this collective effort.

Carol was beloved by her family and friends, and will always be remembered as a beacon of light and hope. Her exuberance for her mission will be carried on by her colleagues, and her charity will inspire many others. I invite my colleagues to join me in honoring the tremendous work of Carol Walter and preserving her legacy so that others may see her tremendous importance and continue her efforts. Indeed, it is through the good works of others in the fight against homelessness that she would choose to be remembered.

ADDITIONAL STATEMENTS

AMERICAN RED CROSS MONTH

• Mr. BEGICH. Mr. President, I would like to take the time to recognize and thank those who volunteer, take life saving courses or provide financial donations to support an organization whose mission is to help those in need, and in their honor, recognize March 2013 as American Red Cross Month.

In Alaska the Red Cross works tirelessly statewide through its 18 employees and hundreds of volunteers to help when disaster strikes and when someone needs the comfort of a helping hand. It provides 24-hour support to members of the military, veterans and their families, and provides training in CPR, aquatics safety, and first aid.

Across the country, the American Red Cross responds to nearly 70,000 disasters a year. It provides some 400,000 services to military members, veterans and civilians, collects and distributes about 40 percent of the Nation's blood supply and trains more than seven million people in first aid, water safety and other lifesaving skills every year.

Alaska, and the rest of the country, relies on the American Red Cross and the work of their supporters. I hope that by recognizing March as American Red Cross Month we can highlight their exemplary work and ensure they can continue to help Americans for years to come. •

FEBRUARY HOCKEY IN ALASKA

• Mr. BEGICH. Mr. President, ice hockey is a popular activity in Alaska year round and especially in the winter. Today, I want to highlight hockey in my home State.

You can find someone passing the puck around in nearly any community

or military installation with a frozen lake, pond or ice rink, whether it's organized play or a pickup game. There are dozens of leagues and camps for players of all ages from the squirts and midgets to Anchorage's Aces and Seawolves and Fairbanks' Ice Dogs and Nanooks.

At the professional level, the National Hockey League recognizes the importance of hockey in the lower ranks by sponsoring the "Hockey Is for Everyone" program in February. This program helps young girls and boys learn essential life skills such as commitment and perseverance.

The NHL, along with USA Hockey, participates in the Presidential Active Lifestyle Award program, to promote activity and good nutrition. Anyone who has ever skated hard for more than a few minutes knows how healthy it can be, whether your goal is to have fun, stay fit or to play in the NHL, on the U.S. Olympic team or at the 2014 Arctic Winter Games in Fairbanks.

Not only does playing hockey teach the ideals of teamwork, fair play and loyalty, when Alaskans get involved in fund raising, coaching, and event chaperoning, they are practicing good civics and citizenship.

And it's exciting to watch live or broadcasted games because the sport is so fast paced, yet graceful and athletic at the same time.

Three cheers for the players, coaches and supporters of hockey in Alaska.●

REMEMBERING CHESTER REITEN

● Mr. HOEVEN. Mr. President, today I wish to honor the life of Chester Reiten who passed away January 22, 2013, in his beloved hometown, Minot, ND.

Chester "Chet" Reiten was born in Hastings, ND, in 1923 and served in the U.S. Navy during World War II. He graduated from North Dakota State University in Fargo, ND, with a degree in agriculture and worked as a county agent until entering the radio and television field in 1951. His company, Reiten Broadcasting Co., eventually owned four television and three radio stations in North Dakota.

In 1978, Chester Reiten and some of his Norwegian friends sat down to discuss a way in which they could celebrate their ancestry. Their discussion led to the birth of Norsk Høstfest, with Reiten serving as the founding father. More than 35 years since its founding, Norsk Høstfest has become an international phenomenon due to Reiten's tireless leadership and efforts to steer the course of a Nordic festival that is both an ethnic celebration and a great source of entertainment. Annually, the event draws approximately 60,000 people from throughout North America and abroad. Over the years, royalty, ambassadors, national war and sports heroes, Members of Congress, a former Vice President of the United States,

and many of North Dakota's Governors have attended the festival.

As a result of the success of Norsk Høstfest, His Majesty King Olav V of Norway awarded Reiten the St. Olav Medal, one of the highest honors bestowed by the Norwegian Government to individuals living outside of Norway. In 2011, Reiten was also inducted into the Scandinavian-American Hall of Fame in recognition of his efforts to preserve and maintain our Nation's rich Scandinavian heritage.

Reiten also was a dedicated public servant who devoted a considerable amount of his time and energy to serving his community and State. His efforts included lengthy tenures as a State senator and mayor of Minot.

Chester Reiten was a great North Dakotan and a great American. He especially loved the city of Minot. I feel privileged to have known Chet all my life, and I am thankful to have called him a friend. He has left an indelible impact on our State and country, leaving a legacy of service, first serving our Nation during World War II and returning home to become a pioneer North Dakota broadcaster, mayor of Minot, State legislator and the heart and soul of Høstfest, which today remains the largest Scandinavian festival in North America.

These many accomplishments, and more, made Chet an easy choice for the Theodore Roosevelt Rough Rider Award, North Dakota's highest honor, which I was proud to present to him in 2002.

Chet truly was an all-around great guy who will be deeply missed. Mikey and I give thanks to God for the life of Chester Reiten, and we extend our thoughts and prayers to his wife of more than 65 years, Joy, and his family and friends.●

RECOGNIZING LINDSEY HEWARD

● Mr. ROBERTS. Mr. President, I want to thank a young Kansan for sharing her thoughts and opinions regarding the U.S. Department of Agriculture's implementation of new school meal requirements.

Ms. Lindsey Heward wrote to me last fall to express her and fellow Osage City High School students' frustrations with the amount of food they were getting to eat at lunch and their choices for food. She outlined several areas that the USDA could focus on to prevent obesity rather than solely school meal programs. Among her suggestions were to have the USDA encourage families to share meals together, develop budgeting skills for shoppers, and encourage nutritious meal planning. I would like to submit a copy of her letter into the CONGRESSIONAL RECORD.

After hearing from parents, school administrators, and students like Lindsey, I shared the concerns I was receiving with USDA Secretary Tom

Vilsack. These comments and concerns were heard by the USDA and the administration ultimately provided additional flexibility in implementing changes to school meals.

I am still concerned USDA doesn't fully understand the estimated costs to schools and plate waste. I will continue to monitor the implementation of this rule, and its impact on schools in Kansas as well as the rest of the country. I look forward to working with Secretary Vilsack to continue to improve school nutrition while ensuring our students are adequately fed.

I ask that Ms. Lindsey Heward's letter be printed in the RECORD.

The letter follows.

LINDSEY HEWARD,

Osage City, Kansas, October 15, 2012.

PAT ROBERTS,

U.S. Senator for Kansas, Frank Carlson Federal Building, Topeka, KS.

DEAR SENATOR ROBERTS: There is a lot of talk going on in our community of Osage City, Kansas about all of the changes in our school food service program due to the Healthy, Hunger-Free Kids Act of 2010. When the changes in the nutrition of the available vending machine items in our school took out pop, any type of sugar drinks, candy bars, cookies, most chips, pastries, etc., I could agree with that. A lot of those items aren't going to help a student in their day; it's not going to be what gives them the fuel they need. I didn't have a problem with that because the lunches that we were having always satisfied me for the day, it would actually get me through after school practice until supper time. But now that the school lunch program has been greatly altered, the majority of the students, especially in the high school, are not receiving enough calories to sustain them through school, after school practices, and events.

What really frustrates me is that the Healthy, Hunger-Free Kids Act of 2010 is not correctly addressing the reduction of our nation's obesity rate. What is not being addressed is education of the parents who are the main consumers of the family's grocery items or parents modeling healthy eating habits. As an employee of Jerry's Thriftway, this is something that I witness daily. I especially see the purchasing of unhealthy food choices by welfare recipients when using their Vision cards. For example, this last Saturday, a customer was at my check-out line with a cart of hot dogs, chips, pizza, pop, and a lot of frozen items loaded with preservatives. These items were purchased with funds provided by our tax payers. It is obvious that this parent does not go home to prepare a healthy meal for her children and she certainly doesn't model healthy eating habits. This is something that occurs regularly throughout my six hour shift. No matter what takes place at school, it is not changing the way these parents are providing (through somebody else's money) for their children's meals. I fear that there isn't even a family meal time in those homes, but rather a time to binge on junk food throughout the evenings or on weekends. This is where nutrition needs to change to reduce the obesity in our nation, not by unrealistically restricting our school breakfast and lunch program.

Instead of focusing on school meal programs, I strongly feel that it's time to focus on the following:

1. Creating a greater work ethic in all citizens

2. Developing budgeting skills for shoppers
3. Nutritious meal planning
4. Food preparation skills
5. Valuing family togetherness at the dinner table
6. Family physical fitness

The family is the basic unit in every community. Let's start with changes in the daily life of families . . . that's the ground level. Once that happens, then we will see true, positive changes in the health of our nation.

I would appreciate hearing your thoughts on my suggestions of how this change needs to start with each family instead of through the restricted school meal service. Do you have any ideas on how my concerns can be put into action to make real, meaningful change happen?

Sincerely yours,

LINDSEY HEWARD,
Osage City High School Senior.●

RECOGNIZING VICTORIA HANZO

● Mr. VITTER. Mr. President, today I recognize Ms. Victoria Michelle Hanzo, a bright and talented young Louisianian.

Each year since 1743, the carnival celebration known as Mardi Gras, French for "Fat Tuesday," has been celebrated by the people of New Orleans. The season officially begins on January 5, the Twelfth Night of Christmas and the Feast of the Epiphany. Also recognized in many countries around the world with large Roman Catholic populations, Mardi Gras is the final party prior to the ritual fasting of the Lenten Season, which begins on Ash Wednesday.

Over the many decades that New Orleanians have celebrated Mardi Gras, "krewes" or private Mardi Gras social organizations have also contributed to the merriment and glee surrounding the festive season. In Greek mythology, Endymion was known for his everlasting youth and beauty. In 1966, the Krewe of Endymion was established and has annually paraded through the streets of New Orleans. Today, Endymion is known for being the largest parade in New Orleans, both for the number of members—more than 2,600—and also for the incredible size and spectacle of its floats. This krewe has meant a lot to me since I had one of my first jobs as a high school student painting Endymion's floats—white primer only, as I wasn't trusted with colors.

During the Krewe of Endymion's 47th year, Ms. Victoria Michelle Hanzo will reign as queen. Ms. Hanzo is a senior at Archbishop Chapelle High School and has been on the distinguished honor roll each year while a student at Chapelle. She is also a member of the National Society of High School scholars, has been a student ambassador for 4 years, is a student representative for her senior class on the student council, and is an active member in Health Nuts, an organization that promotes fitness and nutrition. Lastly, Victoria is a member of the prolife club and has

traveled to Washington, DC, recently with over 600 high school students from the New Orleans area for the March for Life Rally, an occasion and cause for which I will continue to be a strong advocate.

She is the daughter of Mr. and Mrs. James Hanzo and the granddaughter Mr. and Mrs. Edmond J. Muniz, the founder and captain of the Krewe of Endymion. Next year she plans to continue her education at Louisiana State University in Baton Rouge. It is exciting for such an accomplished young person to have this honor and will be something she will cherish for a lifetime. She joins a long line of family members who have also had the honor of serving as queen of Endymion: her mother Michelle in 1986, her Aunt Mary in 1984, her aunt Margie in 1991, and her cousin Erica in 2012.

As we celebrate the 2013 Mardi Gras season, it is my pleasure to honor Ms. Victoria Michelle Hanzo as the 47th queen of the Krewe of Endymion.●

CATHOLIC SCHOOLS WEEK

● Mr. VITTER. Mr. President, today I would like to recognize and honor the valuable contributions of Catholic schools in educating our youth throughout our great Nation. From January 27 to February 2, we will celebrate Catholic Schools Week to bring attention to the exceptional work and contributions to society that Catholic education programs across the country provide.

These schools provide a comprehensive education that emphasizes moral, intellectual, and physical development in our youth and that fosters responsible individuals who positively contribute to our communities while leading lives grounded in the Catholic tradition. This year's theme, "Catholic Schools Raise the Standards," demonstrates the high standard to which the Catholic schools of our Nation hold themselves and their unwavering commitment to promoting academic excellence and Catholic identity.

Catholic schools in Louisiana have continued to support this tradition of academic excellence and physical and spiritual well-being, while allowing families to be involved and supportive in the educational process. Today, more than 2 million students attend Catholic schools around the country. More than 99 percent of attending students graduate, with more than 85 percent pursuing college degrees at 4-year institutions.

I am in strong agreement with the U.S. Conference of Catholic Bishops, which stated:

Education remains critically important in the formation of the human person by teaching how to live well now so as to be able to live with God for all eternity . . . Our schools serve both the faith community and society by educating children, young people

and adults to contribute to the common good by becoming active and caring members of the communities, cities, and nation in which they live.

As a Catholic school alumnus, I know that Catholic school educators and administrators deserve recognition for their steadfast commitment not only to educating minds, but also to shaping hearts and cultivating the virtues that make our country and local communities stronger. In that respect, I am hopeful that the Senate will again pass my bipartisan resolution recognizing the valuable contributions of Catholic schools in the United States.

This week, we recognize the students, their families, teachers, administrators, all of our parish leaders, and our communities for their efforts to support our Catholic schools and continued achievement toward the education of our young people.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry privileged nominations which were placed on the Executive Calendar.

(The messages received today are printed at the end of the Senate proceedings.)

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 47. A bill to reauthorize the Violence Against Women Act of 1994.

S. 81. A bill to provide guidance and priorities for Federal Government obligations in the event that the debt limit is reached.

S. 82. A bill to provide that any executive action infringing on the Second Amendment has no force or effect, and to prohibit the use of funds for certain purposes.

S. 83. A bill to provide for continuing operations of Government in a fiscally responsible manner.

S. 124. A bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

H.R. 152. An act making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes.

H.R. 325. An act to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 164. A bill to prohibit the United States from providing financial assistance to Pakistan until Dr. Shakil Afridi is freed.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. MURKOWSKI:

S. 155. A bill to designate a mountain in the State of Alaska as Denali; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI:

S. 156. A bill to allow for the harvest of gull eggs by the Huna Tlingit people within Glacier Bay National Park in the State of Alaska; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI:

S. 157. A bill to allow for certain improvements to the Denali National Park and Preserve in the State of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PAUL:

S. 158. A bill for the relief of Dr. Shakil Afridi; to the Committee on the Judiciary.

By Mr. HELLER (for himself and Mr. REID):

S. 159. A bill to designate the Wovoka Wilderness and provide for certain land conveyances in Lyon County, Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MERKLEY (for himself, Mr. BLUMENTHAL, Mr. BROWN, Mr. DURBIN, Mr. HARKIN, Mr. MENENDEZ, and Mr. SCHUMER):

S. 160. A bill to exclude from consumer credit reports medical debt that has been in collection and has been fully paid or settled, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. TESTER (for himself and Mr. BAUCUS):

S. 161. A bill to extend the Federal recognition to the Little Shell Tribe of Chippewa Indians of Montana, and for other purposes; to the Committee on Indian Affairs.

By Mr. FRANKEN (for himself, Mr. JOHANNES, Mr. LEAHY, Mr. GRAHAM, Mr. DURBIN, Ms. AYOTTE, Mr. COONS, Mr. HATCH, Mr. BLUNT, Ms. COLLINS, Mr. PORTMAN, Mrs. SHAHEEN, Mr. WYDEN, Mrs. GILLIBRAND, Mr. BROWN, Ms. WARREN, Mr. REED, Mr. SCHUMER, and Mrs. BOXER):

S. 162. A bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004; to the Committee on the Judiciary.

By Mr. VITTER (for himself and Mr. INHOFE):

S. 163. A bill to prohibit any regulation regarding carbon dioxide or other greenhouse gas emissions reduction in the United States until China, India, and Russia implement similar reductions; to the Committee on Environment and Public Works.

By Mr. PAUL:

S. 164. A bill to prohibit the United States from providing financial assistance to Pakistan until Dr. Shakil Afridi is freed; read the first time.

By Mr. CRAPO (for himself and Mr. RISCH):

S. 165. A bill to provide for Indian trust asset management reform, and for other purposes; to the Committee on Indian Affairs.

By Mrs. MCCASKILL (for herself, Mr. DURBIN, Mr. BLUNT, and Mr. KIRK):

S. 166. A bill to designate the new Interstate Route 70 bridge over the Mississippi River connecting St. Louis, Missouri and southwestern Illinois as the "Stan Musial Memorial Bridge"; to the Committee on Environment and Public Works.

By Mr. BAUCUS (for himself and Mr. TESTER):

S.J. Res. 5. A joint resolution proposing an amendment to the Constitution of the United States relative to authorizing regulation of contributions to candidates for State public office and Federal office by corporations, entities organized and operated for profit, and labor organizations, and expenditures by such entities and labor organizations in support of, or opposition to such candidates; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SHELBY (for himself and Mr. SESSIONS):

S. Res. 19. A resolution congratulating the University of Alabama Crimson Tide for winning the 2012 Bowl Championship Series National Championship; considered and agreed to.

By Mr. VITTER (for himself, Mr. COCHRAN, Mr. BLUNT, Mr. LEE, Mr. MORAN, Mr. MCCONNELL, Mr. JOHNSON of Wisconsin, Mr. BARRASSO, Mr. INHOFE, Mr. COBURN, Mr. CORNYN, Mr. WICKER, Mr. BOOZMAN, Mr. RISCH, Mr. ROBERTS, Mr. HELLER, Mr. ENZI, and Mr. JOHANNES):

S. Con. Res. 4. A concurrent resolution expressing the sense of Congress that a carbon tax is not in the economic interest of the United States; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 28

At the request of Mr. HATCH, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 28, a bill to provide for the conveyance of a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, and for other purposes.

S. 29

At the request of Mr. PORTMAN, the names of the Senator from Texas (Mr. CORNYN), the Senator from Arizona (Mr. MCCAIN) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 29, a bill to amend title 31, United States Code, to provide for automatic continuing resolutions.

S. 46

At the request of Mr. TOOMEY, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 46, a bill to protect Social Security benefits and military pay and require that the United States Government prioritize all obligations on the debt held by the public in the event that the debt limit is reached.

S. 47

At the request of Mr. LEAHY, the names of the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Oregon (Mr. MERKLEY), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Nevada (Mr. REID), the Senator from Wisconsin (Ms. BALDWIN), the Senator from New York (Mr. SCHUMER), the Senator from Ohio (Mr. BROWN), the Senator from New Mexico (Mr. HEINRICH), the Senator from Iowa (Mr. HARKIN), the Senator from Hawaii (Ms. HIRONO), the Senator from Vermont (Mr. SANDERS), the Senator from New York (Mrs. GILLIBRAND), the Senator from Virginia (Mr. WARNER), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from West Virginia (Mr. MANCHIN), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Michigan (Mr. LEVIN) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 47, a bill to reauthorize the Violence Against Women Act of 1994.

S. 114

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 114, a bill to amend title 11, United States Code, with respect to certain exceptions to discharge in bankruptcy.

S. 128

At the request of Mr. CASEY, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 128, a bill to amend the Higher Education Act of 1965 to improve education and prevention related to campus sexual violence, domestic violence, dating violence, and stalking.

S. 133

At the request of Mr. ROBERTS, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 133, a bill to protect all patients by prohibiting the use of data obtained from comparative effectiveness research to deny or delay coverage of items or services under Federal health care programs and to ensure that comparative effectiveness research accounts for advancements in personalized medicine and differences in patient treatment response.

S. 140

At the request of Mr. BAUCUS, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 140, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans, to improve the coordination of veteran job training services between the Department of Labor, the Department of Veterans Affairs, and the Department of Defense, to require transparency for Executive departments in meeting the Government-wide goals for contracting with small business concerns owned

and controlled by service-disabled veterans, and for other purposes.

S. 141

At the request of Mr. BAUCUS, the name of the Senator from Missouri (Mrs. McCASKILL) was added as a cosponsor of S. 141, a bill to make supplemental agricultural disaster assistance available for fiscal years 2012 and 2013, and for other purposes.

S. RES. 9

At the request of Ms. LANDRIEU, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. Res. 9, a resolution designating January 2013 as "National Mentoring Month".

S. RES. 12

At the request of Mr. NELSON, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. Res. 12, a resolution recognizing the third anniversary of the tragic earthquake in Haiti on January 12, 2010, honoring those who lost their lives in that earthquake, and expressing continued solidarity with the people of Haiti.

AMENDMENT NO. 4

At the request of Mr. LEE, the names of the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Indiana (Mr. COATS) and the Senator from Arizona (Mr. FLAKE) were added as cosponsors of amendment No. 4 proposed to H.R. 152, a bill making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes.

At the request of Mr. CRUZ, his name was added as a cosponsor of amendment No. 4 proposed to H.R. 152, *supra*.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. MURKOWSKI:

S. 155. A bill to designate a mountain in the State of Alaska as Denali; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to introduce legislation that would officially rename Mount McKinley in Alaska, simply, Denali.

Mount McKinley is one of the most iconic geographical features in the country, and certainly Alaska. It is the tallest mountain in the United States, and we Alaskans are not all that shy about reminding folks the mountain is ours.

Here is the problem: In Alaska, Mount McKinley is referred to as something else. We just call it "Denali." That is what we have always called it. Denali is an Alaska Native word, an Athabaskan word, and its meaning is fairly straightforward. The High One. All my bill does is make the name official. I know the name Mount McKinley

has a special meaning of its own to some folks, specifically the good people of Ohio, the home State of our 25th President, William McKinley. My response to those people is this: You are more than welcome to go right on referring to the mountain as Mount McKinley, just as Alaskans have long called it Denali. All that is changing is that the Alaskan name is becoming, technically, correct for an Alaskan landmark.

In the big picture, this is a little bill. I understand that. But I also understand, as I know my colleagues do, that it is the little things that sometimes matter a great deal to communities. Making Denali, the name all Alaskans use anyway, the official name of America's tallest mountain means something to Alaska. Officially being able to call an Alaskan landmark by its Alaskan name means something to Alaskans.

By Ms. MURKOWSKI:

S. 156. A bill to allow for the harvest of gull eggs by the Huna Tlingit people within Glacier Bay National Park in the State of Alaska; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to introduce legislation, the Huna Tlingit Traditional Gull Egg Use Act which represents an important step forward in allowing the Huna Tlingit people access to enjoy their traditional subsistence activity of gull egg collection.

The collection and consumption of gull eggs is an integral part of the culture of the Tlingit people of Southeast Alaska, and eggs were gathered at rookeries long before Glacier Bay National Park and Preserve's establishment in 1925. A Legislative Environmental Impact Statement was completed in 2010 regarding this proposal to allow limited harvests of gull eggs in Glacier Bay National Park and Preserve, and the preferred alternative authorized the implementation of a cooperative management program for gull egg collection and emphasized a traditional harvest strategy for the collections.

My bill will authorize this harvest of gull eggs at five nesting areas on two separate days each calendar year within the Park. This would allow a large number of tribal members to interact with their traditional homeland and provide an opportunity for as many as 12 young people to participate annually and spend time with elders learning about traditional egg harvest practices in addition to other aspects Tlingit culture.

This bill is widely supported throughout the environmental and conservation communities, as well as the Alaska Native community. The harvesting of gull eggs would only have minor effects on the gulls, but the cultural benefits that would be realized by the Native community would be great.

It is my hope that this bill will receive quick but careful consideration as the local tribe members have been eagerly awaiting passage of this measure for quite a long time.

By Ms. MURKOWSKI:

S. 157. A bill to provide for certain improvements to the Denali National Park and Preserve in the State of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to reintroduce legislation that represents an important step in the conversion to renewable energy sources in rural Alaska and towards honoring the first individual to reach the summit of our Nation's tallest peak, Denali.

Today I introduce the Denali National Park Improvement Act of 2013, comprised of three important provisions relating to Denali National Park and Preserve.

The first provision is the Kantishna Hills Renewable Energy Act.

The Kantishna Roadhouse, owned by Doyon Tourism, Inc., is located 100 miles inside Denali National Park and Preserve. The settlement of Kantishna was founded in 1905 as a mining camp near the juncture of Eureka and Moose Creeks. Gold in the region brought a flurry of prospectors in the early days, but as the gold began to run out, so did interest in mining the Kantishna Hills. The original roadhouse at Kantishna was built in the early 1900s, serving as a private residence, a community center, post office, and informal hotel accommodations for those who visited Kantishna in Denali Park.

The Roadhouse, like many structures within Denali National Park, is entirely off the grid and generates all of its electricity needs with a diesel generator. As a result, all guests and supplies, including diesel, are trucked through the park to the Roadhouse over National Park roads. The construction of the micro hydro project would allow the Roadhouse to cut down their diesel usage by approximately 50 percent, which would result in a decrease in diesel truck traffic on the Park Road, improved local air quality, and less sound pollution in this remote area, as well as reduce disturbance and vehicle impacts on park wildlife, allowing for an enhanced visitor experience for tourists within the National Park.

My bill will authorize the National Park Service to exchange roughly 10 acres of National Park land for an equivalent amount of land currently owned by Doyon Tourism, and would allow the National Park Service to obtain the highly desired Galena tract of land, located just off the Park Road in the Kantishna region. Doyon Tourism would obtain land over which the hydro project would be implemented. In the interim period, prior to completion of the land exchange, the National

Park Service will issue a permit to allow Doyon Tourism, Inc., to construct the micro hydro unit.

I want to emphasize how important I believe that this bill is. The benefit to the citizens of Alaska, especially rural Alaska, of reducing their dependence on expensive diesel generation through access to renewable and clean sources of energy is enormous. This type of Micro-Hydro project within Denali provides an excellent blueprint for others around the State to follow suit.

The next portion of my bill will allow a natural gas pipeline to be placed inside Denali National Park. I am reintroducing legislation that I first offered in 2009 and that passed the Senate, but not the House of Representatives in the 112 Congress, which will authorize a right-of-way for construction of an Alaska instate natural gas pipeline to run along the State's main highway from Fairbanks to Anchorage. This bill will provide a right-of-way for a natural gas pipeline near the shoulder of the Parks Highway for the roughly 7 miles that the highway runs through Denali National Park and Preserve.

I wish to explain why I am introducing the bill now, and why, rather than being an infringement on Alaska's most famous national park, the measure is actually the favored route by many in the environmental community to bring natural gas from the foothills of Alaska's North Slope to Southcentral and coastal Alaska.

While many in this body have heard about plans for a large-volume natural gas pipeline to run from the Prudhoe Bay oil fields to the Lower 48 States, the project for which many in this body voted to approve a loan guarantee, tax credits and permitting improvements in 2004, there is concern that the big pipeline will not be finished in time to get gas to Southcentral Alaska, gas that is vital for electric generation in Fairbanks, Anchorage, the Mat-Su Borough and Kenai Peninsula. Currently electricity in Alaska's southern Railbelt, as it is called, is largely generated by burning natural gas that has been produced since the 1960s from the gas fields in Cook Inlet, south of Anchorage. But production from Cook Inlet, while the province theoretically holds far more gas, has been falling for years, currently by about 10 percent annually. A major fertilizer plant near Kenai, for example, had to close in 2007 because there was not enough natural gas being produced to allow it to obtain the raw product it needed for urea production at a reasonable price.

While there are contract issues and storage concerns involving getting sufficient gas quantities for Railbelt utilities starting as early as next year, there are serious concerns about the ability of the region to produce sufficient gas for electric generation and

home heating for Alaska's most populated area as early as the winter of 2014-15, and especially by the winter of 2015-2016.

To provide a new, reliable natural gas supply, one proposal, is the so-called "bullet" gas pipeline that involves constructing a relatively small diameter-natural gas line, probably 24-inches in size, to run from Alaska's North Slope region, past Fairbanks along the Parks Highway, and terminate near Wasilla, Alaska. This pipeline would tie into existing transmission systems and would bring about 500 million cubic feet of gas a day to Southcentral Alaska. This project could be completed well in advance of when a larger-diameter pipeline might be in service to deliver 4 to 4.5 billion cubic feet a day to Lower 48 markets or a different project could bring between 3 and 4.5 billion cubic feet a day to tidewater in Alaska before the gas could be liquefied for water-borne deliveries. Given the pace of planning for construction of a larger line project, it is unlikely that a larger Alaska natural gas pipeline will be able to deliver gas until 2022 or later 6 or more years too late to aid Southcentral Alaska's growing need for natural gas.

There are several potentially competing proposals for a small-diameter, in-state gas pipeline. I have just described the "bullet" line proposal along the Parks Highway. A second proposal would run a similarly sized pipeline along the Richardson and Glenn Highways to the east, also tying into existing transmission systems near Palmer, Alaska. There are advantages to both routes, the Parks route delivering gas to communities along the Parks Highway while perhaps providing clean natural gas to Denali National Park, while the Richardson/Glenn project would help provide economic activity to differing towns, such as Delta and Glennallen to the east. Now there is a third proposal by Fairbanks Pipeline Co. based on the assumption that routes for either of the two larger "bullet" lines won't be available in time to meet gas demand. That project would build a "mini" 12-inch line from the North Slope to Fairbanks to supply the Interior with natural gas and not attempt to provide any gas for use in southern areas of the state.

It is not my desire to prejudge the outcome of which project or route should be selected, since that decision will be made by Alaska state regulators and financial markets. It is my desire, however, to reintroduce legislation that would clear the lone legal impediment to planning for the Parks Highway route, that being how to get the gas economically through the mountainous central region of the State past Denali National Park and Preserve.

According to a 2008 analysis of routing options through this area, there are

three feasible routes for a pipeline through or around the roughly 10-mile bottleneck of the Nenana River Canyon and Denali National Park and Preserve. The shortest and most logical route follows the existing highway through this entire area, 7-miles of which passes through Denali National Park. This route causes the least environmental and visual impact due to its location in an existing corridor, and provides a route that is easily accessible for routine pipeline maintenance. A second feasible pipeline route diverts from the highway to stay outside of the national park boundaries on the east, but in so doing skirts along a steep hillside that dominates a park visitor's view. A third route proposed in 2009 would travel far to the west around the national park, increasing costs, and potentially moving natural gas closer to proposed mineral ventures in southwest Alaska. Either of the latter two proposals will create a new disturbed corridor in remote locations, and will cause pipeline operation issues and reliability challenges due to the remoteness and the ruggedness of the routes. The route that avoids the park to the east is estimated to cost twice as much as the route along the highway and through the park. The western route's cost has been harder to quantify.

Besides being less expensive to construct and operate, the pipeline along the existing, previously disturbed Parks Highway right-of-way, could well allow electricity generation for the park facilities at Denali to come from natural gas. And for the first time reasonably priced compressed natural gas, CNG, could become available to power park vehicles, another environmental benefit of the Parks Highway route. Currently National Park Service permitted diesel tour buses travel 1 million road miles annually taking visitors into the park. Converting the buses to operate on CNG can significantly reduce air emissions in the park. A third benefit is that for the pipe to cross the Nenana River, not far from the park's entrance, will require a new bridge to be built that could carry not just the pipe, but provide a new pedestrian access/bicycle path for visitors that today need to walk along the heavily traveled highway rather than on separated, pedestrian path toward visitors attractions and nearby hotels. In all probability the installation work will be conducted in the shoulder seasons to make sure there are no visitor dislocations for tourists visiting the park.

For those reasons and others, a group of eight environmental groups: The National Parks and Conservation Association, the Alaska Conservation Alliance, the Denali Citizens Council, The Wilderness Society, Cook Inlet Keeper, the Alaska Center for the Environment, the Wrangell Mountain Center and the

Alaska Wildlife Alliance in 2009 generally supported the granting of a gas line right-of-way through Denali Park, along the existing highway right-of-way.

The granting of a permanent 20-foot easement, and probably a 100-foot construction easement, is not precedent setting. The National Park Service already has granted a permit for an installed fiber-optic cable along the same basic alignment for an Alaska communications company. Obviously the exact right-of-way will have to be delineated to avoid the existing cable and to accommodate park goals, such as routing around a vernal pond viewing area located along the general right-of-way. Just earlier this year the 112 Congress gave approval for a similar bill that allows a gas line to pass through Glacier National Park in Montana.

I am proposing this bill simply to authorize the right-of-way for a Parks Highway route soon so that the decision on which route is best for the state and its citizens—if the “bullet line option is chosen—can be made based on greater certainty in the cost estimates and the timing for a project. Removing the uncertainty of permitting and regulatory delays will at least permit the Parks Highway route to be on a level playing field with the Richardson and Glenn Highway or other potential projects. The State of Alaska in 2010 finished a preliminary study of the project and continues to consider whether to permit and finance a “bullet” line project, compared to other options, including importing liquefied natural gas or building other renewable energy project to attempt to meet Southcentral power needs in the future. But approval of the right-of-way would remove a key unknown and allow the decision on which project makes the most sense for all Alaskans to be made without fear that right-of-way acquisition delays could inflate costs unreasonably.

If the Parks route is chosen and the project proceeds, then the national park may well benefit from the environmental benefits of natural gas and compressed natural gas being more readily available for park activities, cutting air quality concerns, and improving pedestrian access—depending upon final economic considerations involving the cost and location for a gas conditioning plant.

In 2009 when this bill was first introduced, it was modified after initial introduction to meet all concerns voiced by the environmental community and congressional staff and the National Parks Service. The version being reintroduced in this joint bill was approved unanimously by the Senate Energy and Natural Resources Committee and added to the American Clean Energy Leadership Act that passed from the Committee on June 17, 2009, and again on Dec. 17, 2011. The provision,

according to the Congressional Budget Office, had nominal—less than \$5,000 in cost impacts—when scored.

I truly believe there are no environmental issues with this legislation. I think anyone who has ever traveled on the Parks Highway in Alaska through Denali National Park would agree, and I hope it can be approved by Congress early in the 113 session given the increasing severity of the need for power generation in the Alaska Railroad in coming years.

The third and final section of my bill is the Walter Harper Talkeetna Ranger Station Renaming Act.

The Talkeetna Ranger Station, which is the home of Denali National Park’s mountaineering rangers, sits just about 100 miles south of the entrance to the park. Of course, the landmark that’s most commonly linked to both the park and the ranger station itself happens to be the mountain that features a summit which represents the highest point in North America: Denali. In fact, anybody who intends to attempt a climb of Mt. McKinley is required to first stop at the Talkeetna Ranger Station for their permit and mountain orientation.

It is only fitting, then, that we honor the memory of Alaska Native Walter Harper by forever linking his name with this specific ranger station. It was Mr. Harper that 100 years ago next year became the first person to reach the summit of Mt. McKinley.

My bill is a simple one, and it is not likely to gain much notice outside of Alaska. Within my home state, however, this small gesture means a great deal. Alaskans, like the people who call any other state home, are proud of the historical accomplishments of their fellow Alaskans. Walter Harper was one such Alaskan, and his feat is one that will always be remembered.

Certainly, officially designating the Talkeetna Ranger Station—the very building where any hiker today planning to climb Mt. McKinley is required to first stop—the Walter Harper Talkeetna Ranger Station is a fitting tribute to the man himself, as well as his spot in our state’s history books.

June 7 of next year, 2013, will mark the 100 year anniversary of Mr. Harper’s historic climb. It would truly be special for Alaska and Alaskans to have this designation in place by that date.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 19—CONGRATULATING THE UNIVERSITY OF ALABAMA CRIMSON TIDE FOR WINNING THE 2012 BOWL CHAMPIONSHIP SERIES NATIONAL CHAMPIONSHIP

Mr. SHELBY (for himself and Mr. SESSIONS) submitted the following res-

olution; which was considered and agreed to:

S. RES. 19

Whereas the University of Alabama Crimson Tide won the 2013 Discover Bowl Championship Series (referred to in this preamble as “BCS”) National Championship Game, defeating the University of Notre Dame Fighting Irish by a score of 42-14 at the Sun Life Stadium in Miami Gardens, Florida, on January 7, 2013;

Whereas this victory marks the second consecutive BCS championship, the third BCS championship in the last 4 years, and the 15th national championship overall in college football for the University of Alabama;

Whereas the 2013 BCS National Championship Game was the 60th postseason bowl appearance and the 34th bowl victory for the University of Alabama, both of which extend existing NCAA records held by the University of Alabama;

Whereas the victory by the University of Alabama marks the fourth consecutive BCS championship for the State of Alabama and the seventh consecutive BCS championship for the Southeastern Conference;

Whereas the University of Alabama exhibited an almost perfectly balanced offensive performance, with 265 rushing yards and 264 passing yards;

Whereas running back Eddie Lacy rushed for 140 yards on 20 carries and scored 2 touchdowns, earning the award for most valuable player on offense;

Whereas linebacker C.J. Mosley led the Crimson Tide defense with 8 tackles, earning the award for most valuable player on defense;

Whereas quarterback A.J. McCarron completed 20 of 28 passes for a total of 264 yards and threw 4 touchdowns without an interception;

Whereas the Crimson Tide held the Fighting Irish to 32 rushing yards and, in 2012, led the entire nation in total defense for the second consecutive year;

Whereas Chance Warmack, Dee Milliner, C.J. Mosley, and Barrett Jones were recognized as first-team All-Americans by the Associated Press in 2012;

Whereas Barrett Jones, a senior at the University of Alabama, was awarded the 2012 Rimington Trophy as the best center in the nation and the 2012 William V. Campbell Trophy as the best scholar-athlete in the nation;

Whereas the 2012 Crimson Tide senior class won an unprecedented 3 BCS national championships and 49 total games, tying an NCAA record for class victories;

Whereas the leadership and vision of head coach Nick Saban has propelled the University of Alabama back to the pinnacle of college football;

Whereas Chancellor Robert Witt, President Judy Bonner, and Athletic Director Mal Moore have emphasized the importance of academic success to the Crimson Tide football team and to all student-athletes at the University of Alabama; and

Whereas the Crimson Tide football team has brought great pride and honor to the University of Alabama, its loyal fans, and the entire state of Alabama: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of Alabama Crimson Tide for winning the 2012 Bowl Championship Series National Championship;

(2) recognizes the achievements of all the players, coaches, and staff who contributed to the 2012 championship season; and

(3) requests that the Secretary of the Senate prepare an official copy of this resolution for presentation to—

(A) the President of the University of Alabama, Dr. Judy Bonner;

(B) the Athletic Director of the University of Alabama, Mal Moore; and

(C) the Head Coach of the University of Alabama Crimson Tide football team, Nick Saban.

SENATE CONCURRENT RESOLUTION 4—EXPRESSING THE SENSE OF CONGRESS THAT A CARBON TAX IS NOT IN THE ECONOMIC INTEREST OF THE UNITED STATES

Mr. VITTER (for himself, Mr. COCHRAN, Mr. BLUNT, Mr. LEE, Mr. MORAN, Mr. MCCONNELL, Mr. JOHNSON of Wisconsin, Mr. BARRASSO, Mr. INHOFE, Mr. COBURN, Mr. CORNYN, Mr. WICKER, Mr. BOOZMAN, Mr. RISCH, Mr. ROBERTS, Mr. HELLER, Mr. ENZI, and Mr. JOHANNES) submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 4

Whereas a carbon tax is regressive in nature and would unfairly burden those vulnerable individuals and families in the United States that are already struggling under a stagnating economy;

Whereas a carbon tax would increase the cost of every good manufactured in the United States;

Whereas a carbon tax would harm the entire United States manufacturing sector;

Whereas the increase in production of domestic energy resources on private and State-owned land has created significant job growth and private capital investment; and

Whereas affordable and reliable energy sources are critical to maintaining the United States' global competitiveness: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that a carbon tax would be detrimental to American families and businesses, and is not in the interest of the United States.

PRIVILEGES OF THE FLOOR

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that a fellow in my office, Mr. Derek Griffing, be granted floor privileges for the remainder of this Congress.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NATIONAL MENTORING MONTH

Mrs. SHAHEEN. Mr. President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of S. Res. 9, and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows: A resolution (S. Res. 9) designating January 2013 as "National Mentoring Month."

There being no objection, the Senate proceeded to consideration of the resolution.

Mrs. SHAHEEN. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 9) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of Thursday, January 3, 2013 under "Submitted Resolutions.")

CONGRATULATING THE UNIVERSITY OF ALABAMA CRIMSON TIDE

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 19, which was submitted earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 19) congratulating the University of Alabama Crimson Tide for winning the 2012 Bowl Championship Series National Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 19) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

MEASURE READ THE FIRST TIME—S. 164

Mrs. SHAHEEN. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 164) to prohibit the United States from providing financial assistance to Pakistan until Dr. Shakil Afridi is freed.

Mrs. SHAHEEN. I now ask for a second reading, but in order to place the bill on the calendar under the provi-

sions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

ORDERS FOR TUESDAY, JANUARY 29, 2013

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, January 29, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that the Senate proceed to a period of morning business until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mrs. SHAHEEN. We anticipate the Foreign Relations Committee will report out Senator KERRY's nomination and look forward to full Senate consideration tomorrow.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mrs. SHAHEEN. If there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 7:02 p.m., adjourned until Tuesday, January 29, 2013, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

GERALD LYN EARLY, OF MISSOURI, TO BE A MEMBER OF NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2018, VICE JOSIAH BUNTING, III, TERM EXPIRED.

PATRICIA NELSON LIMERICK, OF COLORADO, TO BE A MEMBER OF NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2018, VICE ROBERT S. MARTIN, TERM EXPIRED.

SHELLY COLLEEN LOWE, OF ARIZONA, TO BE A MEMBER OF NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2018, VICE JANE M. DOGETT, TERM EXPIRED.

DANIEL IWAO OKIMOTO, OF CALIFORNIA, TO BE A MEMBER OF NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2018, VICE MARY HABECK, TERM EXPIRED.

KATHERINE H. TACHAU, OF IOWA, TO BE A MEMBER OF NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2018, VICE JAY WINIK, TERM EXPIRED.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, January 29, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JANUARY 30

- 10 a.m.
Committee on Foreign Relations
Business meeting to consider pending calendar business. S-116
- Committee on the Judiciary
To hold hearings to examine gun violence in America. SH-216

JANUARY 31

- 9:30 a.m.
Committee on Armed Services
To hold hearings to examine the nomination of Charles Timothy Hagel, of Nebraska, to be Secretary of Defense; with the possibility of a closed session in SVC-217 following the open session. SD-G50
- 10 a.m.
Committee on Environment and Public Works
To hold hearings to examine the Harbor Maintenance Trust Fund and the need to invest in the nation's ports. SD-406

Committee on Foreign Relations

Business meeting to consider pending calendar business. S-116

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine pension savings, focusing on if workers are saving enough for retirement. SD-430

Committee on the Judiciary

Organizational business meeting to consider the nominations of Robert E. Bacharach, of Oklahoma, to be United States Circuit Judge for the Tenth Circuit, William J. Kayatta, Jr., of Maine, to be United States Circuit Judge for the First Circuit, Richard Gary Taranto, to be United States Circuit Judge for the Federal Circuit, and an original resolution authorizing expenditures by the Committee and rules of procedure for the 113th Congress. SD-226

2:30 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters. SH-219

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

SENATE—Tuesday, January 29, 2013

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, before whom the morning stars first sang together, we praise Your holy Name. Replenish our Senators with new hope as they deal with the difficult issues of our time. Remind them that all things are possible to those who believe and that nothing can separate them from Your love. May they call to You for help, knowing that You will answer, inclining Your ear to hear their cry. Lord, give them the hearts and minds of servants who strive to please You. May the words they speak be an echo of Your voice as You help them to remember that no perplexity can successfully resist Your solutions.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable PATRICK J. LEAHY led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, I am so used to the President pro tempore allowing someone else to preside that I was speechless. I am very glad the President pro tempore is here. We have not seen him a lot, and it kind of keeps us on our toes. I am glad he is here.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business until 12:30 p.m., with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes. The Senate will recess, as we always do, for our weekly caucus meetings today at 12:30 p.m. until 2:15 p.m. We expect that the Foreign Relations Committee will report out Senator KERRY's nomination to be Secretary of State, and I look forward to full Senate consideration of that very important nomination today.

MEASURE PLACED ON THE CALENDAR—S. 164

Mr. REID. Mr. President, I am told S. 164 is at the desk and due for a second reading.

The PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 164) to prohibit the United States from providing financial assistance to Pakistan until Dr. Shakil Afridi is freed.

Mr. REID. Mr. President, I object to any further proceedings with respect to this legislation at this time.

The PRESIDENT pro tempore. Objection is heard.

The bill will be placed on the calendar.

PAYCHECK FAIRNESS ACT

Mr. REID. Mr. President, today women make up nearly half of the American workforce. More women graduate from college today than do men, more women were sworn in to the 113th Congress than any Congress before that, and there are more women in the Democratic caucus than ever before—and that is an understatement. Millions of women in the United States are the primary wage earners for their families, and women are now free to fight for this county on the front lines of battle. Yet, for millions of American women, no amount of valor, talent, or dedication will bring pay equality with their male peers. Women still bring home 77 cents for every \$1 their male colleagues earn for doing exactly the same work.

I have five children. My oldest child is a girl, my daughter Lana. I mean, it is hard to comprehend that she is worth less than one of my boys who does the same work. It is unfair. And that is true regardless of whether a woman has a college degree, regardless of what job she holds, and regardless of how many hours she spends at the office or factory each week. They get paid 77 cents on average for every \$1 a man makes.

Four years ago President Obama signed the Lilly Ledbetter Fair Pay Act. I have gotten to know this dynamic, courageous woman, Lilly Ledbetter. She has campaigned around the country for people she likes and believe in her. I am so impressed with her and what she has been able to accomplish. This one woman has accomplished a great deal.

The Lilly Ledbetter legislation—the first bill President Obama signed as President of the United States—was the single greatest legislative step to

ensure women have every chance to be full, equal participants in the workplace since the Equal Pay Act of 1963 was passed. But while this landmark legislation built on the legacy of the Equal Pay Act and narrowed the pay gap, it has not closed the pay gap, as I have just indicated. So the senior Senator from Maryland, BARBARA MIKULSKI, introduced the Paycheck Fairness Act last Congress. The Paycheck Fairness Act is a logical extension of protections under the Equal Pay Act and the Lilly Ledbetter Fair Pay Act. It would help close the wage disparity by empowering women to negotiate for equal pay and creating strong incentives for employers to obey the laws already in place. It would give workers stronger tools to combat wage discrimination and bar retaliation against workers for discussing salary information. And it would help secure adequate compensation for victims of gender-based pay discrimination. It is simply not fair that any woman working the same hours in the same job should make less money than her male co-worker.

Unfortunately, this commonsense legislation was blocked by a Republican filibuster last Congress. But Senator MIKULSKI, who has done so much to advance the pay equity issue, reintroduced the measure last week, for which I am grateful.

As we mark the fourth anniversary of the signing of the Lilly Ledbetter Act, I applaud Senator MIKULSKI and the women of the Democratic caucus for their dedication to American women and families—and to the principle of equality.

Would the Chair announce the business of the day.

Oh, I am sorry, I did not see the Republican leader here, so my apology, Mr. President.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. SCHATZ). The Republican leader is recognized.

GROWTH AND OPPORTUNITY

Mr. MCCONNELL. Mr. President, over the past several days, I have spoken of the need for the two parties to come together to address the Federal debt. We need to act quickly if we are going to avert a European-style debt crisis and avoid the harsh austerity that would bring.

But this is about more than just avoiding a calamity, as serious as that

prospect has become. What this debate offers is a once-in-a-generation opportunity to update government for the 21st century, to modernize programs that work, and to reform ones that do not. Many Federal bureaucracies have not been reformed in any real way since the age of black-and-white television. Even if we did not have a debt crisis, we should want to reform them. This debate is an opportunity to do so.

By making government leaner and more efficient, we can sweep away outdated and heavyhanded regulations that have impeded private sector growth and the job creation we so desperately need. And by reducing the debt, we can eliminate an additional drag on our economy.

So this is not a conversation about austerity; it is a conversation about growth and opportunity. That does not mean we are all going to agree on the path forward. Americans certainly expect a serious policy debate. They expect both parties to offer competing plans to preserve and protect long-term entitlement programs, and they expect both sides to propose different plans to get our fiscal house in order and our country back to economic health.

Republicans have done their part. The budgets passed by House Republicans over the past couple of years contain fresh ideas that would help solve our fiscal crisis. Policymakers from both Chambers and from statehouses across the country have put forward a number of their own ideas and proposals as well. But from the Democrats? So far, not much. Four years on, President Obama and congressional Democrats still have yet to offer a serious plan to address the economic challenges we face. They have been content to wage political war instead.

It is my hope, however, that the debate over the debt ceiling will finally move our friends on the other side beyond their preoccupation with the horse race. Already, Senate Democrats have committed to developing a budget this year, after years of ducking their responsibility to do so. Hopefully, this will be a serious exercise and not simply an excuse for them to try to raise taxes, which, as we all know, is just another way to avoid solving core problems. Last week I came to the floor with a chart which showed that even if the President got every single tax increase he asked for, every one of them, we would still not even come close to solving the problem—not even close.

So let's not waste time with more pointless arguments about tax increases. We had that debated already. It is done. It is over. Instead, I call on Democrats to approach the spending debate with the seriousness it demands and to do it through regular order. We have to break this penchant among Democrats for putting off all important work until the final hour. We need to get back to regular order, and that

takes time, and that is why we need to get started right now. Let the tough work of developing a budget and putting together long-term policies to control government spending begin today—not 1 minute or 1 hour before we come up against a deadline but today.

Americans deserve better than what they have been getting from Washington the past few years. Democrats were reelected, and I congratulate them. It is time now to get serious about actually governing.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. I thank the Chair.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I understand I might be recognized for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. I ask I be notified after 12 minutes.

The PRESIDING OFFICER. The Chair will do so.

IMMIGRATION REFORM

Mr. SESSIONS. Mr. President, as we consider the serious issue of immigration reform, it is important for us to understand where we are as a country with regard to the laws we have and how they are being enforced. I will share some thoughts about that today because the American people and Members of Congress need to fully understand what is happening. It is well documented that the Obama administration has either unilaterally weakened or outright waived the enforcement of existing immigration law at the border, in the interior, at the worksite and at the welfare office. That is just a fact.

Last year, I joined with my colleagues at a press conference with the top representatives of the Nation's rank-and-file immigration law enforcement officers—the presidents of the ICE—Immigration, Customs and Enforcement—and Border Patrol unions. Those men, who are elected to serve as the voice of their fellow officers, gave a chilling report at that press conference—right over in the Senate building, with several other Senators—they gave a chilling report about the administration's systematic effort to dismantle the enforcement of our Nation's immigration laws. It is not just an effort, it is an effective plan and action to do so.

At the center of this misconduct is John Morton, the Director of ICE. The evidence I am about to share with you leads me to the unfortunate conclusion that Mr. Morton can no longer effectively serve at this post and, perhaps more importantly, there can be no comprehensive immigration reform as long as he is the person charged with enforcing it. What purpose is served to pass new laws if the ones we have are ignored by the officials charged with enforcing them?

This timeline shows how Mr. Morton and the administration have undermined enforcement. Most Americans do not fully understand the real effect of these immigration policies. In reality, right now, if a State law enforcement officer apprehends someone for speeding and discovers, for example, that he is illegally in the country, the result is that nothing happens. They do not even bother to call the Federal law enforcement officers to report they have apprehended someone who is in violation of our immigration law. And the reason they do not call is because nobody will come and get them.

This is something I have discovered over a number of years. When I was attorney general of Alabama, and for 12 years, the top Federal prosecutor in the Southern District of Alabama, the U.S. attorney, and I discovered how the system works—and it is not working. What happens is they release them. At townhall meetings I would ask the people who showed up, citizens: What happens if your local police officer apprehends someone who is illegally in the country? They say they call the Federal people or they arrest them and take them to jail. The answer is, no, they do not; they release them. That is what they do because the system is utterly broken and not working.

Let me run through a series of events that have occurred in the last several years that further undermine the ability of America to enforce its laws. Let me just say, parenthetically, the only way to have a real effective law enforcement system is to welcome support and affirm the willingness of local law enforcement to participate and assist. There are, for example, some

600,000 State and local law officers out there every day enforcing our laws, protecting their communities. There are far fewer, maybe 15,000 or 30,000 Federal officers, dealing with immigration. The real eyes and ears in law enforcement in America are those State and local people. States have been sued by this administration for even attempting to assist. This administration is denying and refusing to renew the cooperative agreements that are necessary for Federal and State and local authorities to work together to effectively enforce the laws of our country, and this is what is causing our problem.

Let me run through some of these areas and problems that have occurred recently. I may not be able to finish, and I will make the rest of my remarks available in the RECORD. In a 2010 interview with the Chicago Tribune, Director Morton announced ICE may not even process or accept illegal aliens transferred to the agency's custody by Arizona officials. They were not happy with Arizona, presumably, so they would not even accept people local law enforcement turned over.

On May 27, 2010, an ICE e-mail revealed that low-risk, short-term detainees would be able to have visitors stay for an unlimited amount of time during a 12-hour window, would be given access to unmonitored phone lines, e-mails, and free internet calling. They would also be entertained with movie nights, bingo, arts and crafts, dance and cooking classes, tutoring and computer training.

On June 25, 2010, the National ICE Council, the union that represents more than 7,000 detention and removal agents within ICE, cast a unanimous vote of no confidence in Director Morton. According to the officers, their vote reflects "the growing dissatisfaction among ICE employees and union leaders that Director Morton . . . has abandoned the agency's core mission of enforcing United States immigration laws and enforcing public safety and have, instead, directed [his] attention to campaigning for programs and policies leading to amnesty. . . ."

That is not a good thing for the chief immigration law enforcement officer of the country, for his people, the rank and file, putting their necks on the line every day, issuing such a report—and it is true. Unfortunately, it is. In August of 2010, ICE began circulating a draft policy that would significantly limit the circumstances under which ICE agents would take custody of illegal aliens. The memo provides that immigration officers shall issue detainers or official notification to law enforcement agencies that ICE intends to assume custody of the alien only after a law enforcement agency has independently arrested the alien for a criminal violation.

A detainer is a big deal. A detainer, if anyone understands how law enforce-

ment works, is a critical component of modern law enforcement. If a State has a charge against an individual, or if the Federal Government has a claim against an individual being held by a different law enforcement agency, they place a detainer on that person and when the arresting jurisdiction completes its work with the person, they are not released on the streets; they are detained until they are turned over to the other legitimate law enforcement agency that has pending charges. If we do not have that, dangerous criminals are released, and it is really an improvement in law enforcement over the last 50 years.

This is a diminishment of that, significantly. In effect, no longer will ICE pick up an illegal alien for illegally entering the country or having false identification, or false immigration documents, if they are being held by State and local people for some local crime.

On October 8, 2010—according to ICE deportation statistics, from October 2009 through September 2010, the agency deported 390,000 aliens. But most, half of those at least, were people who were convicted of serious criminal offenses, independent of the immigration violations.

On December 6, 2010, interviews and internal communications cited in the Washington Post indicated that number, 390,000, was a padded number. First, the article charged that ICE included almost 20,000 removals in fiscal year 2010 that were for the previous year and should not have been counted. It also described how ICE extended a Mexican repatriation program beyond its normal operating dates, which, in effect, added 6,500 removals to the numbers that were not properly added.

On March 2, 2011, in a departmental memorandum, Director Morton outlined new enforcement priorities that encouraged ICE agents not to enforce the law against most illegal aliens but only to take action against those who meet his priorities. Director Morton issued a second memorandum on June 17, 2011, further directing ICE agents to refrain from enforcing U.S. immigration laws against certain segments of the illegal population, criteria similar to that under the DREAM Act, despite having no legal or congressional authority to do so and despite the fact that the DREAM Act was three times defeated in Congress.

What they did was they altered the enforcement policies of the Federal immigration officers to effect the DREAM Act that had been explicitly offered and rejected in Congress on three different occasions.

On June 17, 2011, Director Morton issued a third memorandum, instructing ICE personnel to consider refraining from enforcing the law against individuals engaged in a protected activity—

The PRESIDING OFFICER. The Senator has used 12 minutes.

Mr. SESSIONS. I thank the Chair—related to civil or other rights, for example union organizing, complaining about employment discrimination or housing conditions, and who may be in some nonfrivolous dispute with an employer, landlord or contractor. ICE agents were directed not to take action against someone who doesn't pay their rent and has a dispute with their landlord, apparently. They get special exemption.

On June 23, 2011, leaders of the national ICE union express outrage over the June 17 administrative amnesty memorandum authored by Director Morton. The law officers say that since the administration was "unable to pass its immigration agenda through legislation, [it] is now implementing it through agency policy." It also accuses top ICE officials of working "hand-in-hand" with the open-borders lobby, while excluding its own officers from the policy development process. In plain words, they are saying the political appointees of ICE are advancing the agenda of those here illegally and maneuvering against their own law officers trying to do their duty.

On June 27, 2011, internal memoranda confirm that once the Houston Chronicle on August 24, 2010—exposed DHS' directive to review and dismiss valid deportation cases then in process, ICE officials attempted to publicly distance themselves from such lenient policies and deny that they ever existed.

On October 12, 2011, in testimony before the House Judiciary Committee, Director Morton admits that White House Director of Intergovernmental Affairs and former National Council of La Raza employee now—White House Domestic Policy Director—Cecilia Muñoz, assisted in preparation of the administrative amnesty memoranda.

On October 18, 2011, ICE refuses to take any action after the Santa Clara County, California, Board of Supervisors votes 3-1 to stop using county funds to honor ICE detainers, except in limited circumstances.

On October 19, 2011, ICE refuses to act after District of Columbia Mayor Vincent C. Gray issues an executive order to prevent D.C. police from enforcing U.S. immigration law. Among other things, the order prohibits all public safety agencies from inquiring about an individual's immigration status or from contacting ICE if there is no nexus to a criminal investigation.

On November 22, 2011, ICE refuses to act after Mayor Michael Bloomberg signs a measure ordering all city jails to ignore certain ICE detainers issued to deport illegal aliens from those jails. As a result, New York City jails now release many illegal aliens back into the community instead of handing them over to ICE for removal.

On December 15, 2011, without an opportunity to defend itself, and little regard for the maintenance of public

safety or the rule of law, DHS rescinds Maricopa County, Arizona's 287(g) agreement—a cooperative agreement whereby local law enforcement receive training in identifying and apprehending illegal aliens. Director Morton tells the Maricopa County Attorney that ICE will no longer respond to calls from the Maricopa County Sheriff's Office involving traffic stops, civil infractions or "other minor offenses." However, it is unclear how ICE can refuse to respond to inquiries from the deputies and not directly violate federal law, which requires the federal government to respond to inquiries by law enforcement agencies to verify immigration status.

On December 29, 2011, ICE creates a 24-hour hotline for illegal alien detainees to be staffed by the Law Enforcement Support Center—the same organization that ICE says is too understaffed to keep up with immigration status check requests from state and local law enforcement. ICE then revises its detainer form to include a new provision that says ICE should "consider this request for a detainer operative only upon the subject's conviction." This shift in policy to a discretionary "post-conviction" model ignores the fact that being in the country illegally is a violation of federal law while simultaneously welcoming criminal aliens back onto the streets.

On January 19, 2012, ICE attorneys in Denver and Baltimore recommend that the agency voluntarily close 1,667 removal cases, resulting in the release of illegal aliens already in proceedings without consequence for violating U.S. immigration laws.

On February 7, 2012, ICE announces the creation of the ICE Public Advocate, who is to serve as a point of contact for aliens in removal proceedings, community and advocacy groups, and others who have concerns, questions, recommendations, or other issues they would like to raise about the administration's executive enforcement and amnesty efforts.

On April 25, 2012, ICE officials announce it has offered to voluntarily close over 16,500 illegal alien deportation cases pending background checks in connection with the administration's review of 300,000 pending immigration cases. The administration also announces that the number of illegal aliens whose cases it has already dismissed is up to 2,700 from just over 1,500 the previous month.

On April 27, 2012, ICE shifts its policy on Secure Communities, where local officers report arrests of persons who are here illegally, to stop the enforcement of immigration law against illegal aliens apprehended for "minor traffic offenses." When Secure Communities identifies illegal aliens pursuant to a traffic offense, ICE will no longer ask the local jails to detain the illegal aliens so that ICE may begin deporta-

tion proceedings; rather, ICE will only consider detaining an alien if the alien is ultimately convicted of the offense. Moreover, despite claims of limited resources, ICE also announced it plans to take action against jurisdictions with arrest rates the agency deems too high.

On June 5, 2012, ICE releases its latest statistics in its case-by-case review of pending deportation cases and states the Agency's attorneys have reviewed over 288,000 cases. Of those reviewed, ICE says it plans to voluntarily dismiss 20,648; it states over 4,300 of these cases have already been processed and the remaining will be closed pending background checks.

As I noted earlier, last year, I joined several of my colleagues in a press conference with the President of the ICE Officers Association, Chris Crane. What he said corroborated our worst fears—it was a chilling report about the administration's systematic effort to dismantle our nation's immigration laws. Here is just some of what he had to say:

As one example, prosecutorial discretion for [those qualifying for DREAM Act amnesty] is solely based on the individuals' claims. Our orders are, if an alien says they went to high school, then let them go. If they say they have a GED, then let them go. Officers have been told that there is no burden for the alien to prove anything. Even with the greatly relaxed new policies, the alien isn't even required to prove that they meet any of the new criteria.

There is no requirement, or burden to prove anything, on the part of the alien. We believe that significant numbers of people, who [do not meet DREAM Act criteria], are taking advantage of this practice to avoid arrest.

The administration's new policies do not provide officers with new options or increased flexibility, but instead order officers not to enforce laws and not to take enforcement actions against specific groups, with officers under threat of losing their jobs if they do so.

We were the only safety net between the community and these [criminal alien] predators, until now. Now, those folks, more and more, are walking out the back doors of these jails. We're walking away from them out in the field, we're encountering them in houses, and we're not allowed to talk to them. We're not allowed to do basic investigative work. And because of that, we're walking away from a lot of bad guys. This is not about individuals who are here to work, or whatever the case may be, there is a much larger problem and everybody is getting wrapped up in the same situation. When you take an officer's ability in the field to distinguish between those types of things, you place the public at risk.

The situation is so dire that these brave men and women saw no choice but to file suit against their leadership, including Director Morton. Last Friday, a federal judge ruled that ICE agents and officers have the right to challenge the administrative amnesty policies instituted by Director Morton and President Obama, which command the agents to violate federal law and refrain from detaining most all illegal

aliens, or face disciplinary action or worse—losing their jobs.

According to the complaint, even violent offenders are eligible for automatic release under these non-enforcement policies. For example, ICE agent Samuel Martin, along with another ICE agent, picked up an illegal alien from the El Paso County, Texas jail on July 17, 2012. While the agents were trying to place the individual in the vehicle, he attempted to escape and physically assaulted the agents. Although the agents regained custody of the alien and transported him to the El Paso Criminal Alien Program office for processing, the agents' supervisors ordered them to release the alien without charges and specifically to not issue a Notice to Appear, as required by federal law. The agents protested the release of the alien but were told "it was a management decision, based on the President's new immigration policies." Anyone with the slightest experience in law enforcement can see that these actions are devastating to law enforcement personnel.

Let's take a minute and put ourselves in the position of these agents. Let's say you stop a 34-year old man for speeding. He speaks little English, has no identification, and has no proof that he meets any of the criteria of the President's DREAM Act amnesty. But he knows enough to say he has been in the country since he was a child. You have no way of confirming this or whether he has a criminal record in this or any other country, but you have to let him go. This is what is happening every day. What a devastating indictment of this administration's willful and reckless dismantling of enforcement.

On August 3, 2012, I wrote to Director Morton regarding reports that ICE suspended an agent in the Philadelphia field office for arresting a 35-year old Mexican citizen unlawfully present in the U.S. with ten misdemeanor traffic violations, no driver's license, and apparent ties to a fugitive. The alien arrived in the U.S. at the age of 25, meaning that he should not qualify for "deferred action," even under the administration's unlawfully imposed DREAM Act directive. Yet, according to reports, the acting field director, a supervisor, advised the criminal alien that he would be let go because he was not a "presidential priority."

On August 15, 2012, Director Morton responded to my letter, stating that the agent was in trouble for failing to obey "chain of command."

On September 11, 2012, I responded that the issue was not "chain of command" but rather the agent's sworn duties under the law and the administration's "priorities" that contradict that sworn obligation. The supervisors' actions in this matter, and Director Morton's support for them, disastrously undermine the effectiveness of

our immigration law enforcement officers in the field and their ability to enforce our nation's laws. I stated that his apparent failure to support his officers in these incidents and his evident lack of concern for the administration's decision to nullify the very laws they were sworn to enforce, raised serious questions about his ability to lead the agency.

Director Morton never responded to that letter.

There is much more that I could say about this, and I have many more examples of actions taken by Mr. Morton that have been demoralizing to our agents. It is just not good as a Federal law officer, and it is not healthy.

As I noted earlier, this is what ICE agents are telling us they have essentially been told: If an individual claims DREAM Act status—even though it never passed into law—they are directed to let them go on the spot. It is an evisceration of the law of the United States. Mr. Morton has no authority to do so, and he should not be doing that. A huge percentage of the people who are arrested are in their thirties or below. How are you going to tell? They make the assertion, they make the claim, and—according to the testimony and statements of these officers—they are told to accept that statement, accept that claim, and not detain or deport the person they have apprehended.

The ICE union vote of no confidence and the detailed charges against ICE's leadership are corroborated by those inside the administration who are afraid to speak out because they fear retaliation by the Obama administration. That is a sad state of affairs.

In the coming days, these facts and more will come to light. The administration has to realize there can be no comprehensive immigration reform as long as it is the policy of the Director of ICE, John Morton, to refuse to enforce existing law. We can't have an agreement. That is why, given everything that we have learned, Director Morton cannot continue in office.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. I ask unanimous consent for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. We cannot make progress on immigration reform as long as the man in charge of enforcing our laws continues to undermine those very laws and the efforts and work of his own agents, and refuses to act to protect them even when they have been assaulted by people. Aliens who have been released have assaulted agents. As I noted, ICE agents have filed a lawsuit against Director Morton for undermining their ability to do their sworn duty, and the court has just recently upheld the validity of that lawsuit to go forward, and it is now going forward. These officers are suing Mr. Morton.

So the Federal Government is abdicating its responsibility. It is violating the laws of the United States. It is punishing officers who try to do their duty. They are creating a larger illegal population in this country. They are encouraging more people to come to the country by not enforcing our laws, and at a time of high unemployment, the result is we are lowering wages and creating more unemployment.

They are suing States who try to cooperate. They are explicitly eviscerating the 287(g) program—a program I worked hard on a decade ago and was expanded—to train State law enforcement officers who can help the Federal agents to do their jobs.

Now the President is making a speech today in Las Vegas, taking 9 hours to get out there, I understand, to make a speech. He is saying again, I guess: Trust me. We need to change the law, and then I will enforce it. Then we will have our people follow the rules that you passed.

Well, this failure to deal in good faith and to actually follow the laws that Congress has passed is one of the biggest obstacles we face. We just have to say it. It is one of the biggest obstacles we face in being able to craft some sort of reform of our immigration laws and make it worthy of a great nation. We are a nation of immigrants. We believe in immigration. But we believe in the law. We believe that people should wait their turn and people should be able to be accepted here—over 1 million a year—in an orderly process, not a disorderly process, and that we shouldn't be rewarding those who violate the law and making it even harder for those who comply with the law.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

THE DEBT CRISIS

Mr. COATS. Mr. President, I have been coming to the Senate floor just about every day that we have been in session so far this year, and I am going to continue to do so to talk about what I believe is our most pressing crisis that this body faces and that our country faces; that is, the uncontrolled runaway Federal spending and accumulated debt and how it is dragging our economy down and how it threatens to provoke a major economic disaster if it is not addressed.

In previous remarks I have made on this floor, I tried to make the point that if we fail to get Federal spending under control in the short term, our economy will continue to remain in the doldrums because of this cloud of economic uncertainty that hangs over investors, businesspeople, and consumers. But I don't want my colleagues to just take my word for it. A host of experts, commentators, businesspeople, and investors around the country—and,

frankly, around the world—people from both sides of the political spectrum have been and will continue to make this same point.

The message is this: Unless Washington stops punting this problem and begins to demonstrate the will to cut spending in serious ways to reduce our long-term debt, the economy will continue to limp along; investors will continue to remain on the sidelines; business owners will continue not to hire new employees; and, we will hasten the day when investors lose confidence in the United States as a worthy credit risk.

I know the market has responded in a favorable way recently. I hope that continues. But the fundamentals underlying our current economy don't justify that continuing far into the future.

So today I would like to quote from what others are saying, not just what a Senator from Indiana believes and has been saying on this floor. I want to talk about what they are saying about our debt and spending crisis.

First, I believe we can all—or most of us can—agree with this fact: that the first and the most essential function of the U.S. Government is to defend and protect its citizens from threats to their national security. As our national debt continues to rise unrestrained, we are putting our children's future and our country's future in a very vulnerable state.

Perhaps the most dire and frightening warning has come from one of our Nation's highest ranking officials, former Chairman of the Joint Chiefs of Staff, Admiral Mike Mullen, who said:

The continually increasing debt is the biggest threat we have to our national security.

Not al-Qaida, not suicide bombers, not Islamic fundamentalists. According to the former Chairman of the Joint Chiefs, someone who has made a career leading our country through tumultuous battles of war, the largest threat to our national security is our very own red ink.

Erskine Bowles, former White House Chief of Staff to President Bill Clinton, also recognizes the imperative need to address our spending and debt crisis. As we all know, Bowles was tapped by President Obama to lead a bipartisan deficit commission with former Republican Senator Alan Simpson. The two men, along with the commission, proposed recommendations for a big and bold plan to reduce our long-term debt. Rather than heed some of these recommendations and build off of this bipartisan momentum several years ago, the President ignored it completely and since has done nothing and offered no plan of his own to fix our dire fiscal plight other than to propose new taxes.

As I mentioned in previous remarks, the President got his tax increases on millionaires and billionaires, but no one should be fooled into thinking this

solves our fiscal crisis. Recently, in an interview, former Chief of Staff Erskine Bowles rightfully criticized the administration and the Congress for not striking a significant budget deal and called that failure, "The most disappointing thing in my life." He went on to say:

They're bouncing from one crisis to another. . . . It's nuts. We have an enormous fiscal problem in this country. . . . We've got to put our big boy and big girl pants on and go to work.

He also added:

. . . the problems are real, the solutions painful, and there's no easy way out.

Finally, he said:

We got to do stuff that's real. I mean there's no sense in, you know, just working at the edges. . . . If we don't slow the rate of growth in healthcare programs, it's going to eat up the entire budget and virtually bankrupt the country.

The warning signs and the calls for action are coming from all sectors.

From the business sector, Gary Loveman, chairman of the Business Roundtable's Health and Retirement Committee, said the following:

Keeping the U.S. economy from careening over the fiscal cliff was the first step, but our elected leaders must not stop there. Although economic recovery has been stalled, renewed expansion is possible if conditions are set in a comprehensive budget agreement that includes entitlement reform and long-term changes to reduce deficits. In this way we will ensure the viability health and retirement safety net for future generations of Americans.

John Mauldin, president of Millenium Wave Advisors, an investment advisory firm, publisher of Mauldin Economics, and author of "End Game," a book many of us have heard about and read, said this:

The real issue is the deficit. The leaders of both parties recognize that the current path spelled out on our fiscal balance sheet is unsustainable. The deficit must be brought under control . . . or we will find ourselves all too soon in the situation now facing much of Europe and Japan. The options at that point become far more dire.

Business owners in my home State of Indiana also recognize these dangers. Reflecting the sentiment of virtually every businessperson I have talked to over the past 2 years, Rick Zehr, a business owner in Fort Wayne, IN, said:

We all need to manage our income and not borrow beyond what we can afford. I look at our country's deficit spending and it's so far beyond what the rest of us have to live like every day. As a business owner, it makes me nervous. Everyone is paying for deficit spending.

Economists are sounding the alarm as well. Kenneth Rogoff, a respected Harvard economist, said:

The idea that one should just ignore all these problems and apply crude Keynesian stimulus is a dangerous one. It matters a great deal how the government taxes and spends, not just how much. The U.S. debt level is a constraint. A growing number of empirical studies, including my own joint

work with Carmen Reinhart, suggests that the U.S. has already reached a debt level that has been associated with slower growth in advanced countries.

Our own Treasury Department and some credit rating agencies have also weighed in. These warnings alone should be enough to urge Congress and the administration to act.

According to the U.S. Treasury Department's Financial Report of the U.S. Government for Fiscal Year 2012:

While these projections are subject to considerable uncertainty, the debt-to-GDP ratio would continue to rise unsustainably under current policy.

Can I state that again? Our own U.S. Treasury report said that while these projections are subject to considerable uncertainty, the debt-to-GDP ratio will continue to rise unsustainably under current policy.

Does that not suggest to us that current policy is not working when the U.S. Treasury puts out a report saying: What the administration and Congress are doing is unsustainable? Unless we grasp the reality of what is happening with our spending and our debt, we are headed for a crisis if we are not in one already.

When Standard & Poor's downgraded the U.S. Federal Government debt in August 2011, they said:

Our lowering of the rating was prompted by our view on the rising public debt and our perception of greater policymaking uncertainty.

There is that word again, "uncertainty." There is that implication again: failure to take action. The time to act is now. We can no longer sit back and hope this problem is going to go away. Too many people want to just think, well, if we just sort of stumble along the way we are stumbling along, it is all going to work itself out.

We can no longer, and should no longer, accept double-digit unemployment. Yes, I said double-digit. While the official number is hovering around 8 percent, we all know millions of Americans have given up looking for work, and millions of others have dropped out of the employment lines or settled for jobs below their qualifications. The real numbers are far higher, and the distress is far greater than what is admitted.

This is not a new problem. It has been long recognized even by the President. In February 2009, 4 years ago, President Obama held a fiscal responsibility summit, and here is what he said:

And that's why today I'm pledging to cut the deficit we inherited in half by the end of my first term in office. This will not be easy. It will require us to make difficult decisions and face challenges we've long neglected. But I refuse to leave our children with a debt that they cannot repay—and that means taking responsibility right now, in this administration, for getting our spending under control.

Here we are, 4 years from those remarks where the President's own budg-

et and bipartisan deficit commission was dismissed, 4 years from the time when he pledged to the American people that he would cut the deficit in half, 4 years from the time when he said responsibility needs to be taken now.

Mr. President, I ask unanimous consent for 3 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COATS. It has been 4 years since the President made those statements, and here we are where we have added trillions of dollars of new debt—the greatest increase in the history of America, and we have ignored and pushed spending down the road without a real budget proposal or a long-term deficit plan. Experts and economists from both sides of the aisle agree that spending reductions must be a part of the equation to address our dangerous debt. The President has called for a balanced approach but is showing no signs of leadership on restructuring mandatory runaway spending.

Even the Washington Post editorial board, which is not necessarily conservative, acknowledged this in a piece just recently on November 27, and I quote:

Elections do have consequences, and Mr. Obama ran on a clear platform of increasing taxes on the wealthy. But he was clear on something else, too: Deficit reduction must be "balanced," including spending cuts as well as tax increases. Since 60 percent of the federal budget goes to entitlement programs such as Medicare, Medicaid and Social Security, there's no way to achieve balance without slowing the rate of growth in those programs.

In conclusion, let me say this: There is a widespread consensus about the seriousness of this problem and the fact that we must take significant measures to rein in our deficit spending and do it now. We need a bold plan that will reduce spending, reform and simplify our tax system, and, most of all, restructure Medicare, Medicaid, and Social Security to preserve those benefits for future generations. In subsequent remarks, I intend to address how Congress can get with it and become part of the solution instead of part of the problem. We need to create a long-term deficit reduction plan that begins by fulfilling our constitutional obligation to pass a budget, which this body has not done in more than 1,300 days. Let's be honest with ourselves—this will only happen if we, the Senate, summon the political courage and the will to engage in direct, good-faith, bipartisan efforts to deal with our Nation's No. 1 challenge.

Perhaps Alice Rivlin, budget director under President Bill Clinton, summed it up best:

There's no mystery about what we ought to do, we just need to get on with it.

Mr. President, Senate colleagues—Republicans and Democrats—let's get on with it.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

(The remarks of Mr. HATCH, Ms. KLOBUCHAR, Mr. RUBIO, and Mr. COONS pertaining to the introduction of S. 169 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Iowa.

GUN CONTROL

Mr. GRASSLEY. Madam President, the Judiciary Committee will be holding hearings soon—and many times—on responding to mass killings such as the recent school shooting in Newtown, CT. Admittedly, that was a terrible tragedy. We are all sympathetic to the families of the victims of that horrendous crime.

President Obama has asked Congress to pass legislation in response to that event. I look forward to the hearings the Judiciary Committee will hold on this very important subject because we need to know more about the problem and potential legislative action.

There will be plenty of occasions to discuss specific gun, mental health, and other legislative responses to Newtown. Today, I would like to address the President's rhetoric when he announced his proposals.

I was surprised at a number of the President's statements. For instance, he is directing the Centers for Disease Control to conduct research into the causes of gun violence. But gun violence is not a disease, and lawful gun ownership is not a disease. It is a constitutionally protected individual right—the famous second amendment right, not only part of the Constitution for 225 years but reinforced by two recent Supreme Court decisions.

The President said we suffer from an "epidemic of violence." Although there is too much violence in America, violent crime rates are at their lowest level in 50 years—not at epidemic levels, at least epidemic when compared to the last 50 years. There is a reason for that.

Police practices and investigative techniques have improved, and we in the Congress have helped with grants to assist local law enforcement, higher incarceration rates for violent criminals, and an end to parole in the Federal system. Notably, crime rates are at their lowest level in 50 years at the very same time more guns are in circulation than ever before. But what has not declined is mass killings, such as we had in Newtown, CT. Of course, this should be our focus.

But what the President said that most surprised me concerned the Constitution and the Declaration of Independence.

Let us consider principles first. The Declaration of Independence listed

grievances against British Government action that violated individual natural rights of the colonists at that time.

Even the declaration did not raise grievances against individuals or grant powers to government. The Constitution exists to create a limited federal government. As Madison wrote in *Federalist* 51:

In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself.

In other words, the Government of the United States under the Constitution is a limited government, and the Constitution is to protect the people from the government, not for the government to give people rights and powers that the government then in turn could take away. On the other hand, the Constitution does give broad powers to the Federal Government, but it separates them among branches and between the State and National Governments.

The Framers believed these structures would adequately control the government so as to protect individual liberty, but the American people disagreed. They believed the Constitution gave the Federal Government so much power that it could be tyrannical and violate individual rights. So as a condition of ratification, they demanded, and received, assurances that a bill of rights would be added to the Constitution. Each of those rights, including the second amendment dealing with guns, was adopted to yet further limit government power and to protect individual rights.

In other words, the people who wrote the Constitution in 1787, in the spirit that they believed at the time, the Constitution, just the way it was originally written, was adequate to protect individual rights. But we were not going to get the Constitution adopted without the promise of a bill of rights. So the Bill of Rights went yet further, but the Bill of Rights is not a limiting factor as evidenced by the ninth amendment, which said none of the previous eight amendments in any way disparages the rights of citizens, all of those natural rights that are too big that we cannot even enumerate.

Then, of course, the tenth amendment went on to say all powers not specifically given to the Federal Government are reserved to the States and the people thereof. Nothing in the Bill of Rights applied to the actions of private individuals or granted power to the Federal Government. So how far were the President's remarks from the intent of the Constitution's Framers?

President Obama's remarks turned the Constitution on its head because he said:

The right to worship freely and safely, that right was denied to Sikhs in Oak Creek, Wisconsin.

The right to assemble peacefully, that right was denied shoppers in Clackamas, Oregon, and moviegoers in Aurora, Colorado.

That most fundamental set of rights to life and liberty and the pursuit of happiness—[are] fundamental rights that were denied to college students at Virginia Tech and high school students at Columbine, and elementary school students in Newtown.

This is incorrect because except for its prohibition on slavery, the Constitution limits only the actions of government, not individuals. When a criminal commits murder, no constitutional right is violated. So, for instance, the right to peacefully assemble is all about protecting individual rights to organize, to protest, or seek to change government action. It is violated, for instance, when government officials hose down civil rights protesters on the sidewalk. That right is trivialized and mischaracterized as protecting shopping and watching movies. Those constitutional rights are not a source of government power to enact legislation, as I think the President has suggested. Quite the opposite. They are designed solely to preserve individual autonomy as against the government.

Protecting individual rights rather than expanding governmental power may be particularly appropriate in addressing mass killings. One of the reasons so many people died in some of the tragedies the President cited was the failure of the Federal Government, the State government, or the local government, but government generally to protect its citizens.

Police not on the scene cannot arrive at a mass shooting such as Newtown in time to stop it. At Columbine the police employed techniques that are no longer used because they did not stop killings that occurred after their arrival. At Virginia Tech, government officials made decisions after the shooting started that some even have argued may well have led to unnecessary deaths.

The President cited constitutional protection of individual rights as a basis for expanding Federal power against private individuals. No wonder millions of Americans fear that Congress may enact legislation that could lead to a tyrannical Federal Government.

I cannot accept the President's claim that "there will be politicians and special interest lobbyists publicly warning of a tyrannical, all-out assault on liberty[,] not because that's true, but because they want to gin up fear."

The President reads the Constitution differently than it has ever been understood: as a source of power against individual rights rather than a check on government power that guarantees those individual rights. This necessarily and understandably leads many citizens to fear that their individual rights will be violated, and that extends well beyond the second amendment.

It should be a matter of deep concern to all of us when the President wants to use the power of government to curtail individual rights. For 225 years the Constitution has established a government that is a servant of the people, not its master. As the Judiciary Committee and all of us consider and debate legislation arising from the tragedy at Newtown, I hope we will proceed with the proper understanding of the relationship that the Constitution establishes between governmental power and individual liberty.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

TRIBUTE TO SECRETARY OF STATE CLINTON

Mr. NELSON. Madam President, I want to speak about the extraordinary public service that has been rendered by the Secretary of State and whose long record of public service I want to commend. I rise on behalf of my friend, our former colleague, our honorable Secretary of State, Hillary Clinton.

She has represented the United States. She is a world figure. She has represented America to the world, especially with her diligence, her grace, her hard work, and her incredible diplomatic skills. She has traveled to 112 countries. She has racked up 1 million miles, met with thousands of foreign dignitaries. She has reached nearly every corner of the globe and made history on the way.

In each assignment she has left an indelible mark empowering women, supporting sustainable development, supporting the establishment of civil societies, and promoting the tenets of democracy: one man, one vote; one woman, one vote; human rights; and the rule of law.

I might also note that she particularly has underscored the plight of women. Of course, we know we see societies that live almost in another time and age centuries before in the way they treat women. The Secretary of State has tried to help modernize those societies. She has done so by empowering and appointing one of her personal friends, Melanne Vermeer, to be the Global Ambassador for Women's Affairs. That position has taken Ambassador Vermeer all over the globe.

I might say it has been my privilege to have a glimpse of that by seeing my wife Grace Nelson work with Melanne on the plight of poor women in so many different countries across this planet.

When our Secretary of State confronts major national security challenges, her support has been pivotal—from the support she gave the President in the raid that took out bin Laden, to the drawdown of U.S. troops in Iraq and Afghanistan. She has been at the forefront of some of the toughest decisions of our time.

The Secretary has also been steadfast in persuading the international community to enact crippling sanctions on Iran to isolate and to punish the regime for its pursuit of nuclear weapons. I might say on a personal note, a Floridian has been missing for almost 6 years who was suddenly swept up and disappeared on the Iranian tourist island of Kish in the Persian Gulf. The Secretary has kept very vigilant in continuing to search for any piece of evidence of Bob Levinson and to ultimately bring him home. I thank the Secretary not only for Floridians such as myself, but for his wife, Christine Levinson, and seven children who want their father home. That quest continues unrelentingly by many people. I wanted to say thank you to Secretary Clinton for the efforts she has lent to this effort.

She has been one of the driving forces behind NATO's no-fly zone over Libya in order to prevent Qadhafi from massacring his own people. Through deft diplomacy, she has slowly opened Burma to the outside world. She is encouraging them to free political prisoners, hold parliamentary elections, and finally permit foreign investment. It is happening before our eyes.

Of course, she has taken special interest in the poorest nation in the Western Hemisphere, an island nation right off of the east coast of the United States, also less than an hour-and-a-half flight from Miami; that is, the island of Haiti.

The island nation of Haiti—which is the island that Christopher Columbus was expected to have landed on, Hispaniola—now encompasses Haiti and the Dominican Republic. She has made Haiti one of the top foreign policy priorities, helping the impoverished island build back better after the devastating earthquake that killed over one-quarter of a million people. In no small measure has her husband President Clinton been a part of that attempt at restoration of Haiti from that devastating earthquake.

Last week, during Secretary Clinton's final appearance before the Senate Foreign Relations Committee, she said:

Every time that blue and white airplane carrying the words "United States of America" touches down in some far-off capital, I feel again the honor it is to represent the world's indispensable nation.

Madam Secretary, you have truly honored us with your indispensable leadership. On behalf of all our Senate colleagues, we thank you for your extraordinary service to this country. I want to say that your position will be in capable hands with our colleague and your former colleague, Senator JOHN KERRY, who will serve, as we confirm him in the next 24 hours, as the 68th Secretary of State.

Senator KERRY has served in this Senate in a distinguished amount of

public service since 1985. He grew up traveling the world with his father in the Foreign Service. He fought in Vietnam and was awarded the Bronze and Silver Stars, along with three Purple Hearts. I know he is going to build upon and continue the legacy and the extraordinary record of Secretary Clinton and will enhance America's leadership in the world. I look forward to his speedy confirmation.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

IMMIGRATION

Mr. RUBIO. Madam President, let me begin by thanking the senior Senator from the State of Florida, who a few moments ago made some very kind remarks about me, and I appreciate that very much. Let me just say he is the best python hunter in the Senate. For those who don't know what I am talking about, they can look it up in the newspaper accounts of Senator NELSON's endeavors of a few weeks ago in the Everglades. So I look forward to working with him, and I thank him for his friendship and his kind words.

Madam President, I wish to take a few moments. I have heard a lot of discussion here on the floor today. A moment ago, we were talking about the STEM visas and the need to reform that process. I would like to take a step back and talk a little about the immigration issue in general. There has been a lot of conversation about that here in the Senate, certainly out in the public. This is a contentious issue, and it is clearly important to understand where we stand today, what it is that is happening, what is not happening, and the way forward in that regard. I hope I can do that in under 10 minutes here this afternoon.

Let me begin by saying something that I think unifies all of us, and that is the belief that legal immigration is good for America. Legal immigration is a good thing for our country. The vast majority of Americans would agree with that. Legal immigration has been a critical part of our heritage, and it is a critical part of our future. We just discussed one aspect of legal immigration that is critical to our future, and that is in the technology field. I guarantee that if you go to the agricultural industry, they will tell you the same thing. Legal immigration is good and important for our country.

The second thing people will tell you is that illegal immigration is not good for America. I know both sides of this coin firsthand. I didn't read about this in a book. I didn't watch some movie last week about immigration. I live this issue on a daily basis. I live in a family of immigrants, married into a family of immigrants, in a neighborhood of immigrants, in a community of immigrants.

I see all the good things legal immigration has done for America, and I see the strain illegal immigration places on our country.

We have a fundamental problem in our country today; that is, we have a broken legal immigration system and we have a very serious illegal immigration problem. That is what we are trying to address in a commonsense way that is good for America.

What we saw yesterday was the release of some principles. It is not a bill, it is some principles. It is basically the architecture of the work we hope to undertake in conjunction with every one of my colleagues here. It is not a secret group who will meet and force some issue upon us to take or leave. It is the beginning of a process we hope will lead to a real solution.

Part 1 of that process is that we need a legal immigration system that works. In fact, our broken legal immigration system is a significant contributor to illegal immigration. It is so expensive, it is so complicated sometimes to legally immigrate to the United States or to renew a visa that it is encouraging people to do it the wrong way. We have a system that doesn't reflect the reality of the 21st century, and that needs to be addressed. That is one of the top priorities of this system.

The second priority is this: This is a sovereign country. As a sovereign nation, the United States of America has a right to have immigration laws, and it has a right to enforce our immigration laws. That is important to point out. Sometimes we lose sight of this. We have 1 million people a year who immigrate legally to the United States permanently. No other country in the world is nearly as generous. There isn't even a close second. A million people a year wait in line and pay the fees and come here the right way, and if we don't enforce our immigration laws, we are undermining that effort. In fact, we are discouraging it, and we are being unfair to it. So we need to have immigration laws that work and that are enforced.

But we have a third problem; that is, right now, in this country at this very moment, estimates say that as many as 11 million human beings are in the United States without proper immigration documentation. Now, let me be clear: On the one hand, the vast majority of these folks are not victims. They knew what they were doing, and what they did was wrong. They do not have a right to illegally immigrate to the United States. There is no such thing as a legal right to illegally immigrate to the United States. On the other hand, these are 11 million human beings, 11 million people who, irrespective of how they did it, came here, and the vast majority of them in pursuit of what every one of us would recognize as the American dream.

As a policymaker, as someone who passionately loves this country, as do

all my colleagues and everyone watching, I realize we have 11 million people here who are undocumented. What they did was wrong, but they will probably be here—almost all of them—for the rest of their lives with or without documents. So I want to deal with this. We need to modernize our legal immigration system. We have to deal with the 11 million people who are here now in a way that makes sense, not in a talking-point way. We have to make sure that this never happens again, that we never find ourselves back where we are now. I hope I never again in the future have to come back here and say: Guess what, folks. We have another 5 million people who are here undocumented. And let me be clear. I will not support—I personally will not support any immigration bill that does not prevent that from happening. But it all starts with dealing with the reality that we have 11 million human beings who will be here for the rest of their lives with or without documents. We have to deal with that.

What these principles say is, No. 1, let's modernize our legal immigration system. Let's have an agricultural program that works. Let's have a high-tech visa program that works. We have to have a 21st-century immigration system, which means we can no longer afford to have less than 10 percent of the people who come here based on skills. We need to change that, and not by undermining family-based immigration but by reforming the programs we use for skill-based immigration. We need to modernize it.

Secondly, we need real enforcement mechanisms. There are three things that work. No. 1 is securing and getting operational control of the border. And by the way, this is not just an immigration issue. The border is not just an immigration issue. I am not in favor of a housekeeper or a landscaper coming across the border illegally. I am not in favor of that. But what keeps me up at night are the terrorists coming across the border, and a porous border at the north or south leads to that possibility. So the border is as much about our sovereignty and national security as it is about immigration.

Third is a workplace enforcement mechanism. In the 21st century, we can't come up with a reliable way to verify whether the people being hired are here legally?

Fourth is visa tracking. We have all these people coming to the United States on visas. We track when they come in but not when they leave—or not successfully enough. So we don't know where they are or whether they are here. We have no idea. As much as 40 percent of our illegal immigrants, 40 percent of our undocumented folks are here on visa overstays. They didn't sneak across the border.

We have to deal with those four things as well. Then we have to deal

with the 11 million, and the way to deal with it is not blanket amnesty. What my principles outline, what the group's principles outline is a process that works this way: If you are here undocumented, you must come forward. There will be a background check on you. If you have ever committed serious crimes in the United States, you will be deported. If you have not committed serious crimes in the United States, you will then have to pay back taxes and you will have to pay a fine. What you will then get is basically the equivalent of a non-resident visa that allows you to work here. You do not qualify for Federal financial benefits, so you are not a strain.

I have heard that concern raised—this is going to place a strain on our social services. As nonimmigrant visa holders, they do not qualify, under existing law right now, for Federal benefits.

What you get is a work permit, the ability to be here legally. We know where you are, we know where you live, we know where you work, you pay taxes, you have paid a fine—this is not amnesty—and you have a non-immigrant visa. And there is nothing you can do with that nonimmigrant visa but stay here, work, and travel to visit relatives. But you can't turn that into citizenship. It is a nonimmigrant visa.

They will have to remain in this probationary phase for a significant period of time—not an unreasonable period of time but a significant period of time. After that period of time has elapsed and if they have complied with all the requirements of that probationary period and if it is certified that the enforcement mechanisms are in place and have happened—that is critical—then and only then do we then move to phase 2.

This is what phase 2 is, and it is very simple. Phase 2 is that we go to these folks and say: OK, you will now be given the opportunity to apply for a green card using the same process as anybody else anywhere in the world would use to apply—the same process.

In essence, all we are going to give them is a chance to do what they should have done in the beginning, to apply the way they should have applied in the beginning. Here is what is important: They have to get in line. People say: What is the big deal about the line? The big deal about the line is that all those people who have done it the right way, it is not fair to them to allow someone who didn't do it the right way to leapfrog them. In essence, we can't make it cheaper and faster to immigrate here illegally than it is to immigrate here legally. Ultimately, they will have to get in line, they will have to qualify for the visa they have applied for, and if all that works out, then they will get a green card. Once

they get a green card, depending on how they got it, they will have to wait about 5 years before they can even apply for citizenship.

This is the process and these are the principles we have outlined. I have heard concerns, and they are all legitimate concerns. Just because someone raises concerns about our principles, that doesn't mean they will ultimately be against them. It means they have legitimate concerns. People say it is wrong to reward people who have done this the wrong way. We agree, and that is why we can't allow them to leapfrog anyone. That is why the line is important and the waiting period is important.

I heard Senator SESSIONS earlier say that we are not even enforcing our current laws. That is true. And one of the reasons they are not being enforced is because the current system doesn't exist. It doesn't work. What we have now is *de facto* amnesty. If we do nothing, what we have is *de facto* amnesty because we don't know who the undocumented are. We couldn't enforce it even if we wanted to. That is why we have to deal with this issue.

We talk about the cost of social programs. If you are on a nonimmigrant visa, you don't qualify for the social programs by current law.

Look, there is a lot of work to be done. What we announced yesterday is not a plan, it is a framework. And that framework has to now be turned into legislative language. That is a lot of hard work, but I hope people will take this as an opportunity to come up with a solution to an issue that is solvable, that we can address and bring to a conclusion. It will have to be done the right way, and it will not be easy.

In a few hours the President will give a speech in Nevada, and early press accounts concern me. I don't want to turn this into a partisan thing, though, so let me just say this: If this endeavor becomes a bidding war to see who can come up with the easiest, quickest, and cheapest pathway to a green card possible, this will not go well. We now have a commonsense and reasonable set of principles. And I hope what the President will say today is he hopes that process succeeds. But if his intentions are to trigger a bidding war to see who can come up with the easiest process, this is not a good start. But let's give him the benefit of the doubt. I hope my colleagues will do the same.

I am deeply committed to the rule of law and to having an immigration system that works. I hope we can work together to accomplish that.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that at 2:15 p.m. today, the Senate proceed to executive session to consider Executive Calendar No. 1, the nomination of Senator JOHN KERRY to be Secretary of State, with 2 hours of debate equally divided in the usual form; that upon the use or yielding back of that time, the Senate proceed to vote without intervening action or debate on the nomination; that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; and that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:30 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

EXECUTIVE SESSION

NOMINATION OF JOHN FORBES KERRY TO BE SECRETARY OF STATE

The PRESIDING OFFICER (Ms. BALDWIN). Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of JOHN FORBES KERRY, of Massachusetts, to be Secretary, Department of State.

The PRESIDING OFFICER. Under the previous order, there will be 2 hours of debate on the nomination equally divided in the usual form.

The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I rise to speak to the nomination of Senator KERRY to be the next Secretary of State.

It has been more than 100 years since a member of the Senate Foreign Relations Committee was directly nominated to be the Secretary of State. The last was Senator John Sherman of Ohio, who was selected to serve as Secretary of State to President McKinley. It is important to note that this historical fact exists because Senator KERRY's path isn't one commonly taken but one that is earned by a se-

lect few, and he has earned this opportunity.

From the first time JOHN testified before Chairman Fulbright as a young returning Vietnam war hero in 1971 to the day the President announced his nomination as Secretary of State, he has invested himself in all of his endeavors, always looking for the truth, for answers, uncovering the facts, hearing all the evidence, and then publicly speaking truth to power based solely on what was best for this Nation. I know he will carry those leadership traits with him into his new position, and I can think of no one better prepared to take on the challenges of this position.

As a Senator, as a member of this committee, and as a chairman, JOHN has already built strong relationships with leaders across the world, which will allow him to step seamlessly into the role of Secretary of State. Senator KERRY will need no introduction to the world's political and military leaders and will begin day one fully conversant not only with the intricacies of U.S. foreign policy but with the understanding of the nuanced approach necessary to effectively interact on a multinational stage.

When Vice President BIDEN was chairman of the Foreign Relations Committee, he said on more than one occasion that "good international relationships are always predicated on strong interpersonal relationships." JOHN KERRY understands there is no substitute for strong interpersonal relationships, whether in Senate politics or international diplomacy. Secretary of State is not a desk job. It requires constant personal interactions in the furtherance of American foreign policy.

During his 30 years in public life and more than 25 years in the Senate, Senator KERRY has championed many issues. Earlier today the Senate Foreign Relations Committee favorably reported his nomination to the Senate unanimously and presented Senator KERRY with an honorary resolution highlighting a few of his many accomplishments.

Amongst his accomplishments are the partnership he formed with Senator JOHN MCCAIN that led to an effort to investigate the fate of American soldiers unaccounted for in Vietnam and normalize relations with a former enemy—which is, in essence, Vietnam; his leadership of difficult, sensitive, and comprehensive investigations in the Senate on everything from the Bank of Credit and Commerce International and illegal money laundering, to the Noriega regime in Panama which is well known; advocating for democratic elections in the Philippines and serving with Senator Lugar as part of a Senate delegation that uncovered the fraud that led to the ouster of President Ferdinand Marcos; working

with the Cambodian Government and the United Nations to facilitate the creation of the genocide tribunal in Cambodia to prosecute key members of the Khmer Rouge; advocating for programs that help secure nuclear, biological, and chemical weapons stockpiles and materials so they don't fall into the hands of hostile states or terrorists; and leading the Senate to provide its advice and consent to ratification of the New START treaty with Russia.

During the Arab spring, Senator KERRY supported a no-fly zone over Libya, which helped to save thousands of civilians from being massacred, and he was a voice of courage and conscience in calling for President Hosni Mubarak to step aside and begin an orderly and peaceful transition to a democratic political system in Egypt.

JOHN has been a tireless advocate for the cause of peace in the Sudan and South Sudan and played an instrumental role in the successful referendum in 2011.

JOHN is well known for his bipartisan work with former majority leader Bill Frist on comprehensive HIV/AIDS legislation that laid the foundation for the President's Emergency Plan for AIDS Relief, a program that provides lifesaving treatment for people with HIV/AIDS and supports broad prevention efforts that save lives every day.

Many of you know that JOHN is a tireless and most convincing advocate for addressing global climate change and supporting the transition to a clean energy future. As chairman of the Committee on Foreign Relations, he convened eight major hearings and roundtables on climate change and energy security, underscoring their connection to global stability, economic competitiveness, and America's national security.

In his new role, his portfolio will be greatly expanded as he represents the interests of the Nation, from securing our Embassies and protecting our overseas personnel to promoting commerce, enhancing cross-cultural ties, and keeping America secure through cooperation where possible and isolation where necessary, as in the cases of Iran and North Korea.

Whatever the challenges we will face as a nation, in my view, the State Department could not be in better hands. When it comes to America's role in world affairs, I know we all agree that it is critical that the United States remain fully engaged, that we project not only the power of our military strength when necessary but the wisdom of our democratic ideas. I have no doubt that Senator KERRY will rise to meet these challenges as he has so consistently in his many years of service to his State and this country.

I see the distinguished ranking member on the committee, Senator CORKER, whom I look forward to working with as we move forward in the days ahead.

I think all Members will say that even when they did not agree with Chairman KERRY on a given issue, they always felt he had an open ear, an open door, an opportunity for full debate, an effort to seek the common ground, particularly in U.S. foreign policy. I believe those traits are going to serve him extraordinarily well in his role as Secretary of State as he deals with the Senate and the House of Representatives as part of promoting U.S. foreign policy in a way that brings us as cohesively together as we can to promote the national interests and securities of the United States.

I look forward at the end of this time period to a strong confirmation vote to send a message to the world that this is our Secretary of State, and he speaks for America on behalf of the Obama administration and the people of the United States.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Madam President, I wish to thank the chairman for holding the business meeting the way he held it today and the hearings last week for this confirmation.

I know a lot of people think that because of the way partisan politics are here in Washington, sometimes we can't be happy for someone on the other side of the aisle when they do well. Nothing could be further from the truth.

I just want to say that I thought Senator KERRY acquitted himself exceptionally well in the hearings we had last week. I thought they were wide-ranging, and I think he had the opportunity to display the depth of knowledge he has on many issues. I don't know of anybody who has lived a life that has been more oriented toward ultimately being Secretary of State than JOHN KERRY, and for that I also am happy for him and his family and the fact that very soon he is going to be able to express himself on behalf of our Nation in this way.

I think most of you know that his dad was a Foreign Service officer. I know that you know he certainly made a splash. Some people thought it was negative, some people, positive, but he certainly made a splash here during the Vietnam era and from that point on has been very, very active. So, again, I thought he acquitted himself exceptionally well.

There are four points I want to bring out. I know that he knows—and many of us have seen recently just because of some of the things that have happened in Libya—we have a State Department that needs some oversight, and we haven't provided it. Neither side of the aisle has provided it now for over a decade.

I know he sees the need for the Senate, through its authorization process—and the House doing the same—to

be involved and to be partners with him as we try to cause this organization, which over the years has just built into a sporadic stovepipe entity, to be assisted. A lot of times when a political person comes into an organization, the bureaucracy tries to wait it out until the next person comes along. I don't think it can happen any more in any agency than it does in the State Department.

So I look forward to working with the chairman in whatever way he ends up deciding we are going to work together on this particular issue to really look at the State Department. I know Senator KERRY certainly welcomes that.

We most recently had a hearing with Senator Clinton on Benghazi, and there have been Accountability Review Board recommendations that have been put forth, and I know Senator KERRY has said he is certainly going to see those through and make sure they are fully implemented.

I know we talked a great deal in the hearing—and certainly we have done so personally—about our nuclear posture and nuclear modernization, which is a big part of what we discussed during the START Treaty—something I supported and worked with him on—and I found his comments about where we need to be in that regard certainly reassuring.

I also think he is very clear-eyed as it relates to the threat we face as a nation, especially in north Africa now but in many places as it relates to terrorist groups such as al-Qaida. As a matter of fact, I look at Senator KERRY as a realist. While we have not always agreed on every issue, as the chairman just mentioned, I have always found him to be someone who is open to discussion. I think he wants only the best for our Nation. There is no question that as he moves ahead over the next several years, I am sure he will take positions that in some cases I and others—maybe Senator MENENDEZ—may view as not exactly the course of action that ought to be taken on behalf of our country. But my sense is that he will be open to listening, and I think he will be willing to sit down and talk about that as we move ahead.

He came out of the committee today by voice vote unanimously. As the chairman mentioned, I think he is going to receive a very strong vote of support today here on the Senate floor. As the chairman mentioned, I think that it is good for our Nation, as he goes out across the world representing us, for people to understand that this is someone who received overwhelming support from the Senate.

All of us know we live in a dangerous world. We live in a world that is changing dramatically. We live in a world in which things come over the transom on

a daily and weekly basis that are unexpected. I mean, we look at what is happening right now throughout the country of Egypt, which we might not have expected to occur a week ago. To have someone like Senator KERRY, who has spent a lifetime on these issues and understands the history and institutional issues that have bound us or separated us from these countries—having someone like him representing us will be a very good thing.

I join the chairman in supporting him. I know numbers of people will have comments regarding his service here in the Senate but also his future service, and I look forward to listening to that.

Madam President, I yield the floor.

THE PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, I would like to join with Senator MENENDEZ and Senator CORKER in urging our colleagues to promptly confirm Senator KERRY as our next Secretary of State.

It is a great honor to serve in the Senate. It is a great privilege and honor to represent the people of Maryland here in the Senate. Part of that special privilege is the people we serve with, the incredible public servants we have had the privilege of serving with in the Senate, and I put Senator KERRY at the top of that list.

He has devoted his life to public service in the finest manner. He is so qualified to assume the responsibilities of Secretary of State. He understands this complex world in which we live and the differences among countries. Many are strategically important to the United States. Yet they don't share our values. Senator KERRY understands that and understands the importance to advance U.S. interests—we need to understand the concerns of other countries and we need to establish relations with other countries.

He has made a personal commitment to understand the world in which we live. I do not think there has been a Member of this body who has spent more time, gone to more places, met with more people in order to represent our Nation on the international stage. Senator KERRY has always done that with the greatest degree of competency and representing our country in the finest traditions. He has broad experience: experience as a soldier serving in Vietnam, experience as a Senator, 28 years representing the people of Massachusetts in the Senate. We know about his service on the Senate Foreign Relations Committee. I want to talk about two other committees on which he served.

One is the Senate Finance Committee on which I had the pleasure of serving with him. There is no Senator who has taken the fiscal challenges of our country more seriously or understands the impact our fiscal condition

has on our national security interests. In fact, during his confirmation hearings he mentioned the need to get our fiscal house in order. I think he understands that and understands the commitment he has, once confirmed and once heading the State Department, to help us bring about fiscal sanity in the United States to do what is necessary worldwide, but also to do it in a most cost effective way.

I also served with Senator KERRY on the Small Business Committee. The small business community did not have a better advocate when Senator KERRY was chairman of that committee. I was pleased how many times we brought out initiatives to help America and small businesses grow because we know the growth engine for jobs has come from small companies. But, clearly, it has been in the last few years that I had the privilege of serving with Senator KERRY as he chaired the Senate Foreign Relations Committee that I got to see so up close and personal his extraordinary commitment to our country and his ability to carry out so many important responsibilities.

Senator KERRY understands our national security, yes, depends upon a strong military, but that also the other key ingredients to national security are diplomacy and development assistance.

We had Secretary Clinton before our committee. Someone mentioned that was about 1.5 percent of the budget, and she corrected it and said it is really less than 1 percent of the budget. Diplomacy and international assistance is less than 1 percent of the budget. We know what we spend on our military is a lot larger than that. All three are important to national security.

Senator KERRY understands that. He understands through diplomacy we can avoid unnecessary military action. He understands through diplomacy we can make America safer. He understands through international development assistance we can strengthen countries, make them more stable, and be less likely to need to use our military. That is the type of leader we need as Secretary of State. We have a great leader today, Secretary Clinton. I think Senator KERRY will follow in that tradition.

Take a look at Senator KERRY's record of advancing America's interests. We have a safer world today through Senator KERRY's efforts. As you know, we approved the New START treaty with Russia, reducing the amount of nuclear weapons between Russia and the United States. That makes this world safer. His record on human rights is well known. From Cambodia to Burma to Kosovo and many other places around the world, Senator KERRY has been a leader in advancing the cause of human rights.

We already heard Senator MENENDEZ point out his efforts in Vietnam. He

represented America to get an accounting of our POW/MIAs. It was unprecedented in modern times to be able to go to a country with which we are at war and have that kind of accounting. Senator KERRY used his talent in order to bring closure for many American families, and that was an incredible accomplishment. Then he was able to improve the relationship between the United States and Vietnam, recognizing it is in America's interests that we are able to communicate with other countries.

I particularly appreciate his work on elevating the importance internationally of human trafficking. The United States has taken the leadership in saying, whether you are a receiving country or an origin country or a country of transport, we all have a responsibility to stop what we call modern slavery: the trafficking, usually of young girls, but also sometimes boys. The United States has taken the leadership there.

I like to think Senator KERRY's taking leadership on this started with his position on the Helsinki Commission. He is a former member of the Helsinki Commission. I now have an opportunity of being the Senate chair of the Helsinki Commission. We raised the issue of human trafficking and Senator KERRY was one of the great advocates to advance America's leadership internationally to stop human trafficking. He has protected people with disabilities.

As Senator MENENDEZ mentioned, he has been our leader on energy and climate issues, recognizing the importance of the United States to demonstrate international leadership in order to deal with a global problem, a problem that is important for us to deal with as a citizen of the world but also important for us to deal with in regard to America's economy and America's energy needs and America's security responsibilities. Senator KERRY has been a great leader on that.

He has provided U.S. leadership for humanitarian assistance. I remember the hearings we had in the committee on Haiti and the personal commitment he made to make sure America was in the leadership for a country in our own hemisphere that suffered such a horrible disaster, and his work there was extremely important.

He led our efforts in dealing with HIV/AIDS, in doing the responsible things as far as America's position on that problem. He understands the importance of international development assistance to advance gender equality. It is interesting, if you want to take a look at the health of a country, look at the way they treat their women. We have a pretty strong commitment as far as international development assistance around the world. We need to make sure countries advance the rights of women. It is not only the right thing to do from what we believe as Americans, but it also provides a more stable

country for us to have relations with. Senator KERRY understands that.

He has been one of the leaders in fighting corruption in other countries. I will always remember the hearing we had in our committee when former President Clinton and Bill Gates testified before us. These are two individuals who have headed a lot of international development assistance. They have a zero policy in dealing with countries that cannot control corruption because they want to make sure their assistance doesn't go to fuel corruption. Senator KERRY understands we don't want America's international development assistance to be used to fuel corruption. That is the type of leadership we have in the Secretary of State.

The list goes on of what he has been able to do to advance the rights and interests of the United States. I am confident that Senator KERRY's legacy of fighting for democracy, human rights, and global peace will continue as he assumes his new responsibilities as the Secretary of State for the United States of America.

I urge my colleagues to support his nomination.

I thank Chairman MENENDEZ for bringing this nomination to the floor so quickly and thank Senator CORKER for accommodating it. It is important that President Obama has his security team in place as quickly as possible. I am proud the Senate will be doing its share, its work by voting on this nomination later today.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MENENDEZ. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Madam President, I ask unanimous consent—it has been agreed to by the Republican side as well—that any time spent during debate time in a quorum call be equally charged against both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from Texas.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PASSING A BUDGET

Mr. CORNYN. Madam President, I rise to speak about taxes, debt, and spending. It is time for President

Obama to show real leadership on the biggest threat America faces to our future prosperity. As my good friend the Republican leader has said: If we don't get a handle on spending and debt, not much else matters.

It has now been 1,371 days—almost 4 years—since Democrats, who control the Senate, have brought a budget to the floor and had a vote and passed the budget. Over that time, our national debt has grown by more than \$5.2 trillion. Our credit rating has been downgraded because of fears we may not be able to pay back our debt when it is ultimately due, and we have experienced the longest period of high unemployment since the Great Depression.

Since the end of the official recession in 2009, Americans' median household income has fallen by roughly \$2,500, while the cost of employer-provided family health insurance has increased by more than \$2,300—roughly a comparable amount. Not only has income fallen by \$2,500 but costs have gone up—thanks to ObamaCare—by \$2,300 for the average family.

Until recently, passing a budget was considered not optional. It was considered a basic responsibility under the law. In fact, the Budget Act requires that Congress pass a budget each year, but this law has been defied for almost 4 years in the Senate.

I realize the Democratic leader—the majority leader—has said he did not want to bring a budget to the floor because he did not want to put his Members through a series of politically tough votes.

We cannot get to this problem by dealing with tax increases. This seems to be the preferred method of dealing with our deficits and debt by raising taxes, which, of course, happened as a result of the fiscal cliff negotiations where taxes have gone up on Americans by roughly \$60 billion a year, which will amount to almost \$600 billion over the next 10 years. Nevertheless, the President's budgets continue to ask for more revenue, but the message from this side of the aisle has been: The President has gotten his pound of flesh on taxes. Now it is time to deal with spending.

Unfortunately, we no longer have the luxury of delaying our toughest fiscal decisions. Our gross national debt is now larger than our entire economy, and we are now facing more than \$100 trillion in unfunded liabilities for things such as Medicare and Social Security. Those are promises we will not be able to keep unless we act now to put them on a fiscally sustainable path.

I am glad our House colleagues have passed the no budget, no pay bill. I think most Americans appreciate the fact that if Congress doesn't do its basic work such as passing a budget—something every family and every small business in America has to do—then it should not be paid.

That has already prompted Senate Democrats to say they are going to take up a budget this year. Senator MURRAY, chairman of the Budget Committee in the Senate, says she intends to mark up a budget. Senator REID and Senator SCHUMER have said they intend to see that a budget is passed by the Chamber. But they have also said they are going to attempt to extract more taxes from hard-working, middle-class taxpayers in order to double down on Washington's spending binge.

Our biggest fiscal problem is excessive spending, not insufficient taxation. We can't raise taxes high enough to close the trillion-dollar-plus annual deficits or to make up this \$16.5 trillion hole we have dug. If we don't reduce spending and save Social Security and Medicare, then we will eventually find ourselves in a debt crisis. When that happens is when our creditors—the people who lend us money, including the Chinese and other governments—demand more interest on our loans and, eventually, interest rates go up to historic norms, the debt spirals out of control, and we reach a crisis of monumental proportions: It strangles the economy; it destroys jobs; it destroys our standard of living.

Don't take my word for it. President Obama himself has acknowledged that no amount of tax increases could sustain Medicare in its current form. He has also said public officials who are concerned about preserving government assistance for the elderly and the vulnerable have an obligation—those are his words—have an obligation to reform our entitlement programs and ensure their long-term viability. In other words, the debt is not only the single greatest threat to our national security, as former Chief of Staff Mike Mullen has said, it is also a threat to our ability to provide a safety net to the most vulnerable in our country.

I know Democrats and Republicans alike in this body understand the problem. The President himself understands the problem. In December of 2010, his bipartisan fiscal commission known as Simpson-Bowles reported the nature of the problem and a proposed beginning of a solution. Three of the most conservative Republican Members of the Senate agreed with that commission report. However, rather than embrace it, the President walked away from it, and he has not come back to the table.

We also have another bipartisan commission headed by Alice Rivlin, who was the Director of the Office of Management and Budget under Bill Clinton, and Senator Pete Domenici, longtime chair of the Senate Budget Committee—people who understand these matters better than just about anybody. So there are solid, bipartisan proposals on the table. Yet here we are, trillions of dollars later since the Obama administration began, with no solution in sight.

The President had the American people with their back against the wall with the expiring tax provisions on December 31 which led to the so-called fiscal cliff. If we hadn't acted, taxes would have gone up more than \$3 trillion on all Americans. There would have been an enormously negative impact on the economy and jobs. So we had to come up with some sort of stop-gap solution. But the President got his pound of flesh. He got his revenue: \$600 billion over 10 years.

Now is the time to return to what the President himself has called a balanced approach to deficit reduction. Unfortunately, the President has never even proposed a balanced approach, much less a balanced budget. I can only hope that with his final election campaign behind him and with the new term ahead of him, the President can begin to grapple with and join us as we deal with our long-term fiscal challenges.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, I am here to speak first and very personally in support of the nomination of Senator KERRY to be our next Secretary of State. There is a time when the man and the moment come together in a profoundly historic way. Senator KERRY's nomination to be Secretary of State of the United States at such a time when his leadership can be pivotal in shaping America's role in the world, as a leader for human rights, as well as the use of its extraordinary strategic power for peace.

There is also a time when the woman and a moment come together and that has been so for Hillary Clinton, who has done such extraordinary work, incomparable in transforming America's role in world history. I believe that just as she has met the challenges in guiding American foreign policy and leading the dedicated men and women of our Foreign Service, so will Senator KERRY rise to the difficult challenges ahead. Senator KERRY's whole life has prepared him for this job, and I have every confidence he will help keep America safe and secure and build our capacity and alliances in pursuit of democracy and a more peaceful world.

Last week, I met with Senator KERRY to share my experiences from a recent visit to the Middle East and Afghanistan and to urge him to immediately take up the issue of the unfolding humanitarian catastrophe occurring within Syria and across its borders in Turkey and Jordan. My experiences came from a trip I took with Senator

MCCAIN and Senator WHITEHOUSE, and others of my colleagues who share my impression that drastic and dramatic humanitarian aid must be provided for those refugees.

I am pleased the President has announced an additional \$155 million for the Syrian people today. I believe we must also provide aid and assistance to the Syrian Opposition Council. It matters as much how we provide this aid as the total amount we provide. I am very encouraged by Senator KERRY's listening and hearing us, and I look forward to continuing our work with soon-to-be Secretary of State KERRY on this issue and many other vital security concerns.

IMMIGRATION REFORM

One of those concerns on which I also rise concerns and affects American immigration policy. We are truly at a moment when Secretary KERRY and the administration can transform this debate and national conversation with the leadership of Members of this body, including most prominently my colleagues Senator SCHUMER, Senator MCCAIN, and the other members of their bipartisan group who recently unveiled a bipartisan blueprint for comprehensive immigration reform.

One of the things I do as a Senator and did when I was attorney general of our State is to visit the citizenship and immigration ceremonies where people become new citizens of our Nation. It is one of the most moving and powerful of experiences I have seen in public life. The tears in the eyes of these new citizens and their families, in celebration and joy and pride of their becoming citizens of the United States and looking forward to contributing, giving back to this country, reaffirmed my faith not only in this Nation—in its strength and decency and generosity—but also in the men and women who want to come here because they see it as a beacon of freedom and democracy. That is the tradition and ethos that should guide us in seeking comprehensive immigration reform. We have a unique opportunity now—and I will work to fulfill it, to reform our broken immigration system as a member of the Judiciary Committee and most particularly its Immigration Subcommittee. I look forward to playing a leading role in achieving this group's working blueprint for comprehensive reform.

Establishing a path to citizenship, securing our borders, making employers more accountable, ensuring that the DREAMers—young people brought to this country as infants and young children—can find a way to citizenship are all goals that are fulfilled by this blueprint.

We have an obligation, an opportunity that is compelling, absolutely historic, to change the discussion and debate, but also the outcome, and we should seize that opportunity, make

sure this moment is fulfilled, I think, particularly for those DREAMers. For them, this moment and every moment is precious. They are young people who are in our schools, in our military, seeking a way to be citizens of the only country many of them know. They speak English. It is the only language most of them know. They have friends and a life here. It is the only life they have.

The administration, rightly and commendably, has provided an administrative route to temporary reprieve from the laws that would result in their deportation. But they need the certainty and security of a law that gives them a real path to citizenship, not at some point in the indefinite future but now.

The DREAM Act that Senator DURBIN has fought so hard and valiantly over so many years to achieve deserves passage now. I will continue to come to the floor with photographs of the DREAMers, as I have done week after week, to make sure their fate and future is on our minds.

Today, I also want to speak about another related immigration issue—the Immigration Innovation Act of 2013, known as the I-squared bill, which was introduced in the U.S. Senate today.

I am proud to be an original cosponsor of it. I know firsthand from talking to employers in the State of Connecticut, and all around not only our State but the country, how significant this measure could be to attracting and retaining people with the skills America needs to remain the greatest Nation in the history of the world.

I thank Senators KLOBUCHAR, HATCH, COONS, and RUBIO for their leadership on this issue. The I-squared bill has a very simple objective, which is to ensure that America's innovative companies are able to access high-skilled workers who would go back to their countries of origin when we need them here.

In some areas, such as computer science, the demand for workers greatly exceeds the labor pool available of U.S.-born workers. Senator HATCH described on the floor of the Senate how in this decade the American economy will create a demand for an estimated 120,000 computer science jobs requiring at least a bachelor's degree, but U.S. universities will generate only an estimated 40,000 graduates in that field.

So just to take that one example—just that one example—there is a gap we need to fill to keep our companies competitive. I have heard about this issue from Connecticut employers big and small. There are jobs. They exist. We need the people who have the skills to fill them.

The I-squared bill seeks to fill that gap, most importantly, by allowing high-skilled workers, who are foreign born but often U.S. educated, to fill some of those jobs in high-need areas. The legislation makes sense because it

makes it easier for U.S.-educated holders of advanced degrees in science, technology, engineering, and math to obtain green cards.

The bill also, importantly, generates new revenue through fees that visas and employment-based green cards will provide, and it directs funds to promote STEM education and worker retraining at the State level—STEM being science, technology, engineering, and math.

This measure is about American competitiveness. We ought to make a priority of STEM education for young people in our country who are born here and raised in the United States. But we must be open to creating jobs for American workers in the most innovative sectors of society and making it easier for those industries to thrive by attracting people from throughout the world to the United States as a beacon of opportunity, a land of unlimited potential accomplishment.

We are a nation of immigrants. We are great because of our diversity. We are strong because we have always attracted people who want freedom and the potential to do their best, accomplish the most, and realize the full extent of what they can achieve.

I again thank Senators KLOBUCHAR, HATCH, COONS, and RUBIO for their leadership. As a member of the Judiciary Committee, as well as the Immigration Subcommittee, I look forward to working with them on this important legislation in the months ahead.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I rise today to express my strong support for the nomination of JOHN KERRY to be our next Secretary of State.

As a friend and colleague for more than 20 years, I can think of no one who is more qualified and better prepared to be our Nation's chief diplomat.

He has the intelligence, judgment, compassion, determination, and above all, leadership experience to help the administration confront and find common sense solutions to the multitude of foreign policy challenges now before us.

His story is well known to those of us who have worked side by side with him for so many years.

The son of a distinguished foreign service officer, his understanding of the world and America's critical role in it began at an early age. He learned the value of American diplomacy and the indispensable role played by our diplomats here in Washington and at our consulates and embassies around the world.

He served with distinction and honor in Vietnam, earning a Bronze Star, a

Silver Star, and three Purple Hearts. He saw first hand the costs of war, and he recognized that military force must be used wisely and only after all other options have been exhausted.

After 2 years as Lieutenant Governor of Massachusetts, he came to the Senate in 1985 and took his place on the Senate Foreign Relations Committee, rising to the position of chairman in 2009.

As a member of that committee and its leader, he demonstrated the qualities that will serve him well as Secretary of State.

He did his homework, and he asked tough questions. He traveled the world and engaged key leaders, gaining their respect and confidence. He developed an admirable track record of listening carefully to both sides of an issue and developing the relationships on both sides of the aisle necessary to forge bipartisan agreements.

From re-establishing diplomatic relations with Vietnam and organizing the ratification of the New START Agreement to managing our relationship with Pakistan and Afghanistan, fighting the HIV/AIDS pandemic, and addressing the threat posed by climate change, Senator KERRY has clearly left his mark on United States foreign policy.

As President Obama noted, "John has played a central role in every major foreign policy debate for nearly 30 years."

And that experience will serve him well as Secretary of State.

Indeed, we live in challenging and constantly evolving times.

We have ended the war in Iraq, and our mission in Afghanistan is winding down. But the threat of global terror endures.

We have seen the Arab Spring topple autocrats and bring hope for a new future. But the ultimate fate of those countries and their commitment to democracy, human rights, and the rule of law remains uncertain.

We have enacted a robust set of bilateral and multilateral sanctions on Iran and launched a diplomatic initiative through the P5+1 process, but its nuclear program continues.

We have built a close and mutually beneficial relationship with China, but there are lingering questions about its human rights record and its growing military assertiveness, particularly in the South China Sea.

And we have seen how our humanitarian and development assistance programs can lift people out of poverty in the developing world; yet nearly 2.5 billion people still live on less than \$2 a day.

These are just some of the items that will be on Senator KERRY's agenda as Secretary of State.

I know he understands that in facing these challenges American leadership is essential but we will also need the

help and cooperation of our friends, allies, and partners in the international community.

I know he understands that the strength of this country lies not just in our military but in the power of our ideas.

And I know he understands that in order for the United States to lead, we must maintain a strong and effective international affairs budget.

We will certainly miss Senator KERRY's leadership and experience in the Senate. But I am heartened to know that he will continue to serve his country and bring those skills to the State Department, representing the United States around the world.

I urge my colleagues to support Senator KERRY's nomination to be our next Secretary of State.

Ms. MIKULSKI. Mr. President, I am pleased to stand here today to support President Obama's nomination of my esteemed colleague, Senator JOHN KERRY, to serve as our Nation's next Secretary of State.

Senator KERRY has had a long career of service to the American people. We have served together in the Senate for 26 years and I look forward to continuing our relationship. As a Senator he has always approached his work with seriousness and dedication. Nowhere can this be seen more than in his work as a member of the Senate Foreign Relations Committee, where he has shown a mastery of the challenges that face our global community.

As the Chairman of the Foreign Relations Committee he has played a prominent role in the establishment of U.S. foreign policy. He has traveled the globe and built relationships and coalitions with international leaders. Most importantly, he has demonstrated an ability to balance our Nation's long history of diplomacy with our changing national security needs. The unanimous support given to him by the Foreign Relations Committee exhibits the respect and confidence he has earned from this body.

The Department of State faces evolving challenges that reflect our increasingly interconnected world and require a modern approach to diplomacy. Senator KERRY will lead a team that must confront global security challenges and ensure the security of our diplomatic corps and their families. I am confident that Senator KERRY will meet these challenges, and I will work with him to ensure that the State Department and its employees have the resources they need to serve their mission.

While I am sorry to see Secretary Clinton leave her post after 4 successful and productive years, I am pleased to know that Senator KERRY will take on the role with the same dedication. I call on my colleagues to join me in approving his nomination to Secretary of State.

Mr. LEVIN. Mr. President, JOHN KERRY is a valued colleague and a loyal

friend, and we will miss him in the Senate. But at a time when our Nation faces complex and difficult challenges around the globe, he is especially well qualified to serve as Secretary of State, and I strongly support his confirmation.

Unquestionably, Iran is at the top of the list of challenges the next Secretary of State will face. Senator KERRY has supported efforts in the Senate, including sanctions language included in the defense authorization acts for 2012 and 2013, that have helped isolate the Iranian regime. At his confirmation hearing, Senator KERRY succinctly stated the Obama administration's policy on Iran:

We will do what we must do to prevent Iran from obtaining a nuclear weapon and I repeat here today: Our policy is not containment, it is prevention and the clock is ticking on our efforts to secure responsible compliance.

Senator KERRY will be an effective and dedicated executor of that policy as we unify the international community in our efforts to prevent the Iranian government from developing nuclear weapons.

Another significant challenge for our foreign policy is the volatile Afghanistan-Pakistan region. Here again, Senator KERRY's unique qualifications will serve our Nation well. He strongly supports the plan for transitioning the security lead to Afghan forces so they can provide for their own security. He has established a critical relationship with President Karzai that will strengthen our bilateral relations as we define the enduring strategic relationship between the United States and Afghanistan for post-2014. Senator KERRY understands the importance of negotiating a bilateral security agreement that provides our troops the necessary protections, including legal immunity, for a limited force to continue to train, advise and assist the Afghan forces and conduct counterterrorism operations after 2014. Senator KERRY also has significant experience engaging with Pakistan, which remains key to efforts to establish security and stability in South Asia. Through the Kerry-Lugar-Berman Act and other efforts, Kerry has led efforts to strengthen civilian institutions in Pakistan and to reset our bilateral relations.

Senator KERRY also recognizes, as he said during his confirmation hearing, that "[m]ore than ever, foreign policy is economic policy." Those words will hearten working families in my State and across the Nation whose well-being is increasingly connected to our economic competitiveness around the world, our ability to engage with other nations to ensure that our companies and workers have the opportunity to compete in the global marketplace on an equal footing, and our recognition that economic competition today is not just among companies, but also

among the countries that support their companies and workers. I look forward to working with Senator KERRY as we bring all the levers of American policy to bear on this issue of paramount importance to American prosperity.

Another issue on which I look forward to cooperating with Senator KERRY is our policy toward Cuba. Senator KERRY and I have similar voting records on United States policy towards Cuba. We also both recognize the need for policy that places maximum pressure on the Cuban regime to democratize. However, our voting records maintain that our Cuba policy is counter-productive in promoting change in Cuba. I look forward to working with Senator KERRY to rebalance our approach to Cuba as we look forward to a new era in that nation's history and its relations with us.

Throughout his public career, JOHN KERRY has proven his dedication not just to America's interests, but to its values. Indeed, he recognizes that our ability to defend our interests around the world depends on adherence to the values that make the United States a beacon of freedom and opportunity. He has spoken with eloquence about the need to combat violence and extremism around the world not just with our military might, but with the power of our ideas. As he said in his confirmation hearing, "America lives up to her values when we give voice to the voiceless." His commitment to aiding those around the world whose lives have been shattered by war, repression or disaster is in keeping with those values.

Senator KERRY knows personally the cost of war and the value of peace. He knows the difficulty of the challenges we face, and the importance of American leadership in facing those challenges—leadership important not just to our Nation's security and prosperity, but to the world's. He has been an outstanding servant of the American people, and I am confident he will continue that record of extraordinary service as our next Secretary of State.

Ms. KLOBUCHAR. Mr. President, I am proud to support the confirmation of our colleague Senator KERRY to be Secretary of State. Senator KERRY is one of our Nation's great leaders in foreign affairs, and has been since he arrived in the Senate 28 years ago. His remarkable record speaks for itself, but I would especially like to recognize and thank him for his service as chairman of Foreign Relations Committee over the past 4 years.

In addition to his hands-on diplomacy in Afghanistan, Pakistan, Sudan, and elsewhere around the globe, Senator KERRY has fought to bring up more treaties for Senate consideration. We of course remember his leadership during the consideration of the New START treaty in 2010, which has enabled a responsible reduction of our nuclear arsenal in concert with Russia.

But he also worked to bring forward the Convention on the Rights of Persons with Disabilities and held hearings on the Convention on the Law of the Sea, two important international agreements that the United States has not ratified. Trying to shepherd treaties through the Senate is a much less glamorous task than traveling to summits overseas, but Senator KERRY approached them with the same level of passion and energy. He fought for these treaties because he truly believes in the importance of American leadership in the world, and he understands that that leadership does not come solely from our military strength but our commitment to dialogue and diplomacy.

Senator KERRY will undoubtedly serve as Secretary of State with the same honor and integrity that have defined his career. It will be up to us to continue his legacy in the Senate, and I look forward to continuing to work with him as he takes on this new challenge.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I believe the business before the Senate is the confirmation of JOHN KERRY as Secretary of State, to which I would like to speak. I actually rise in support of two Senators, one former and one current, as America's Secretary of State.

Last week, both were guests at the Foreign Relations Committee which I served on and both did an outstanding job. The Secretary of State, former Senator from New York, Hillary Clinton, has served the U.S. interests with distinction. She championed a diversity of causes that strengthen our security and at the same time improved the lives of so many around the world, particularly women and children.

Secretary Clinton leaves an incredible legacy in her diplomatic efforts. There is no one more suited or more qualified to take up the challenges and promise than my friend and colleague and our mutual friend Senator JOHN KERRY of Massachusetts.

JOHN KERRY came to the Senate almost 30 years ago. From his first days as a freshman, he served with distinction on the Senate Foreign Relations Committee. As a Navy patrol boat captain in the Vietnam war, he had notable and lasting exposure to complex foreign policy challenges and the wars that result when diplomacy fails.

Certainly one lesson he brought back with him was the heavy and all too personal knowledge of the consequences of war. But his experience in representing the U.S. interests abroad did not begin in this institution. Rather, the journey to his nomination for Secretary of State began when JOHN KERRY was a child, when his own father

was a Foreign Service officer. JOHN tells fond stories about his time as a child living in Berlin while his father was stationed there.

During those years, he developed a profound respect for the men and women of the Foreign Service, their sacrifice, their dedication, and their ability to demonstrate the values of our democracy. During his tenure as a Senator from Massachusetts and from 2009 as the chairman of the Senate Foreign Relations Committee, JOHN KERRY has been a tireless leader on behalf of the American people to ensure that our security remains strong and our interests well represented around the world.

He has been a leading voice on the Iran-Contra investigation, the war and fragile peace in Afghanistan, arms control and verification, building lasting ties with Pakistan, and perhaps in his most personal contribution, opening diplomatic relations with Vietnam. I would like to speak to that for a moment, if I can, because it is a personal story I would like to share.

It was JOHN KERRY and JOHN MCCAIN, more than any others, who moved us from that stage in our history where we shunned the people of Vietnam to the point where we recognized their country, established normal relations with them, and built a new relationship. There were no better Senators to do it than JOHN KERRY and JOHN MCCAIN, both of whom were decorated veterans of the Vietnam war, both of whom gave so much in that conflict, particularly Senator MCCAIN, spending 5 years as a prisoner of war in Vietnam. They worked hard to establish normal relations with that country and to put behind the bitterness and the war that had divided the two countries, the United States and Vietnam.

It was not easy. One of the issues front and center was the question of prisoners of war and missing in action. There were all sorts of rumors and speculation that, in fact, there were still Americans being held prisoner in Vietnam. That rumor was very strong across America. There was a lot of criticism of the Vietnamese in not cooperating with us in trying to identify anyone still remaining or the remains of American soldiers who died in that conflict.

JOHN MCCAIN and JOHN KERRY came together and put an incredible bipartisan voice to resolving these issues. It came to my attention because it was about the time when I was elected to the Senate in 1996. I served in the House of Representatives with an extraordinary individual, Pete Peterson of Florida.

Pete Peterson had been an Air Force pilot in the Vietnam war, shot down, and himself imprisoned in a POW camp for more than 5 years. He was a quiet person and did not talk much about it. But one day, I kind of provoked him at lunch, and he started talking about

what it meant to live in isolation for 5 years, how they coped, how they survived, and the impact it still had on his life.

President Clinton at that moment decided it would be a significant symbol that the first Ambassador of the United States to Vietnam would be Pete Peterson of Florida, a man who had been held as a POW by the Vietnamese would return as American's voice in that new country. He was brought before the Senate for confirmation.

I remember saying to my staff when I came over here: Be sure and tell me when Pete Peterson's nomination comes to the floor. I want to say a few words about my friendship with him and what he means to me and how important this appointment is. Time passed. I did not hear anything. Then there was a "60 Minutes" program on that I happened to watch. It was all about Pete Peterson becoming the Ambassador to Vietnam. I came back to my staff. I was upset. I said: You were supposed to tell me when this happened so I could get up and give a speech and say something nice. They said: It never happened. "60 Minutes" is speculating. The fact is, Pete Peterson's nomination has been put on hold—a secret hold in the Senate.

I could not believe it. I called Pete Peterson. I think he lived in Jupiter, FL, at the time. I said to him: Pete, what is going on here?

He said: DICK, I am about to give up. It has been almost 1 year since President Clinton named me to the spot and I cannot clear the Senate. Somebody is holding me up. I do not know who it is. I have to get on with my life.

I said: Let me at least talk to some people. So I came to the floor. The first person I looked for was JOHN KERRY and then JOHN MCCAIN. They said: Yes; there is a hold, but we are trying to work through it.

I said: You know, if you cannot get this done and done quickly, then I think there has to be a speech on the floor that says: Holding Pete Peterson in a POW camp for 5 years is bad enough, but the Senate holding his nomination as Ambassador is unforgivable. We need to vote on Pete Peterson. He has given so much to this country.

It is credit to JOHN KERRY and JOHN MCCAIN that they quieted down this new Member of the Senate and said: Let us get this done quietly. They did. Pete Peterson went on to serve as Ambassador in Vietnam. He was a widower at the time. He met a lovely young Vietnamese-Australian woman. They married. They now live in Australia and we keep in touch from time to time. But I think of that moment in time in our history when JOHN KERRY and JOHN MCCAIN showed what diplomacy and careful consideration can do.

We not only established relations with Vietnam, we sent a great indi-

vidual to serve as its first Ambassador. They did it quietly and effectively. Can he be a great Secretary of State? You bet he can. I will be the first to tell you that I saw his skill firsthand when I came to the Senate. If confirmed, he will bring a breadth of experience to global challenges, some new and some which we cannot even anticipate as we debate this matter. The list is vast and formidable: Iran, Syria, North Korea, cyber security, failed and fragile states, and democratic backsliding in Russia, to name a few.

One of the issues JOHN KERRY has tackled for many years that will desperately need attention, and the President highlighted in his inaugural address, is that of climate change. As was mentioned during his nomination hearing last week, climate change is one of the most pressing and consequential issues of our time. It is not just an environmental issue, it is a moral issue. What kind of planet will our generation leave for our children and grandchildren? How will history judge us if we ignore the evidence and warning signs and do nothing to head off climate catastrophes? Senator KERRY is uniquely qualified to address this great moral challenge. He knows if we are ever going to get China and India to take responsibility for their carbon emissions, we have to start from a strong position of legitimacy, having taken these steps ourselves.

He knows when the United States tackles climate change, it also increases our diplomatic standing and reputation around the world. He knows tackling climate change will help prevent a host of terrible global problems, from famine, water shortages to political instability, any of which can draw the United States into a costly or bloody conflict.

Addressing climate change is in our vital national, economic, and security interests. I know JOHN KERRY will tackle this and many other challenges that await him at the State Department. He has been a trusted and admired colleague of mine and so many others in the Senate. I have enjoyed his work on the Senate Foreign Relations Committee. I wish to especially thank him for calling the Convention on Disability Treaty for consideration by the Senate. I am sorry it did not pass, but it was not for lack of effort by JOHN KERRY.

His passionate pursuit of a safe and just Nation and world, his deep sense of patriotism and commitment to America's most challenged values are well documented. While I am sorry to lose him in the Senate as a colleague, I can think of no better person to serve as our Nation's next Secretary of State. I congratulate JOHN KERRY on his nomination. As a friend and colleague, I urge my fellow Senators to swiftly confirm JOHN KERRY so he can get about the work of making America a safer nation.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, it is my understanding we are coming to the end of the time on this debate—or consideration, I should say. There has really been no debate. I think that speaks to Senator KERRY's tremendous standing in the Senate on his nomination as Secretary of State.

This is a Member of the Senate who has an extraordinary American history. After volunteering for the U.S. Navy during the Vietnam war, Senator KERRY was awarded a Silver Star, a Bronze Star, and three Purple Hearts. Upon returning home, he continued his efforts to fight for and protect the veterans who served beside him in combat, joining with others to found the Vietnam Veterans for America organization, working tirelessly for veterans' benefits.

With over three decades of foreign policy and national security experience under his belt, Senator KERRY is uniquely qualified to serve as the next Secretary of State. A decorated Vietnam combat veteran, dedicated public servant, with deep experience in international affairs and close relationships with Presidents and Prime Ministers throughout the world, he will have an extraordinary beginning to his job as Secretary of State.

He has demonstrated time and time again his ability to build coalitions and craft compromises. He has amassed a broad record of foreign policy accomplishments and has distinguished himself as one of the Nation's most respected voices on national security.

I look forward to a very strong bipartisan vote that sends a very clear message to the world: This is America's representative. This is our Secretary of State. I believe he has earned that vote and that respect through a lifetime of work and the tremendous collegiality he has had among Members on both sides of the aisle, including those who may not agree with him on any given issue but have always respected the manner in which he has approached that issue.

Mr. President, understanding there are no other speakers wishing to come before the Senate on this matter, I yield back all time.

The PRESIDING OFFICER. The question is, Shall the Senate advise and consent to the nomination of John Forbes Kerry to be Secretary of State?

Mr. MENENDEZ. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KERRY (when his name was called). Present.

Mr. DURBIN. I announce that the Senator from Washington (Mrs. MURRAY) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from North Dakota (Mr. HOEVEN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 3, as follows:

[Rollcall Vote No. 5 Ex.]

YEAS—94

Alexander	Gillibrand	Murphy
Ayotte	Graham	Nelson
Baldwin	Grassley	Paul
Barrasso	Hagan	Portman
Baucus	Harkin	Pryor
Begich	Hatch	Reed
Bennet	Heinrich	Reid
Blumenthal	Heitkamp	Risch
Blunt	Heller	Roberts
Boozman	Hirono	Rockefeller
Boxer	Isakson	Rubio
Brown	Johanns	Sanders
Burr	Johnson (SD)	Schatz
Cantwell	Johnson (WI)	Schumer
Cardin	Kaine	Scott
Carper	King	Sessions
Casey	Kirk	Shaheen
Chambliss	Klobuchar	Shelby
Coats	Landrieu	Stabenow
Coburn	Lautenberg	Tester
Cochran	Leahy	Thune
Collins	Lee	Toomey
Coons	Levin	Udall (CO)
Corker	Manchin	Udall (NM)
Crapo	McCain	Vitter
Donnelly	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Fischer	Mikulski	Wyden
Flake	Moran	
Franken	Murkowski	

NAYS—3

Cornyn Cruz Inhofe

ANSWERED "PRESENT"—1

Kerry

NOT VOTING—2

Hoeven Murray

The nomination was confirmed.

The PRESIDING OFFICER. The motion to reconsider is considered made and laid upon the table.

Under the previous order, the President will be immediately notified of the Senate's action.

Mr. SCHUMER. Mr. President, I know Senator KERRY will be speaking tomorrow, so I will be brief. I think I speak on behalf of every one of us here that we so admire the job Senator KERRY has done in the many different phases of his past life. We are excited he will be our Secretary of State, and for JOHN KERRY I think the best is yet to come.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from New York.

MORNING BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask to speak in morning business for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSPARENCY AT HUD

Mr. GRASSLEY. Mr. President, my fellow Members know the issue of transparency is a very favorite topic of mine, and I come to the floor to speak about transparency as it relates to a very specific problem within the Department of Housing and Urban Development. It is no secret I have worked to bring greater transparency and accountability to all parts of the Federal Government because with transparency I think we get more accountability.

The voters of Iowa have entrusted me to continue my oversight responsibilities no matter who occupies the White House, and since I am a Republican, people might think I am doing it because we have a Democratic President. I think I have a reputation for being an equal opportunity overseer of the executive branch of government.

For several years I have been conducting oversight of the U.S. Department of Housing and Urban Development; everybody knows this is commonly referred to as HUD, H-U-D. HUD's core mission, according to its Web site, is to "create strong, sustainable, inclusive communities and quality, affordable homes for all." These responsibilities have grown larger and more complex over the last few years. The mortgage crisis continues to affect the housing market.

Secretary Donovan was recently tapped to oversee the Hurricane Sandy recovery in the Northeast. HUD's yearly budget is nearly \$38 billion. Secretary Donovan should understand the importance of oversight and transparency to combat waste, fraud, and abuse. I have my doubts, though, because while I have sent dozens of letters to HUD, the Secretary has not signed a single reply. The responses I do receive are often months late and don't answer some of my most pressing concerns.

For instance, last August I sent a letter requesting information on conference spending and employee bonuses. HUD provided no conference spending documents but instead urged me to review a list of inspector general

audit reports. My staff has reviewed these audit reports, but none of the audit reports provide a comprehensive review of conference spending. What is even more frustrating is that the response never referenced bonus spending at all. It seems oversight and transparency are not high priorities at the Department of Housing and Urban Development.

Every year HUD provides at least \$4 billion to public housing authorities across the country—along with nearly \$19 billion of section 8 vouchers. In 2009, the Obama administration provided yet another \$4 billion in stimulus funding for the housing authorities—all with little or no oversight. Public housing authorities operate in a gray area. HUD argues that they are State and local government entities, and it is thus—according to HUD—State and local governments that bear the primary responsibility for the housing authority actions. Up to 90 percent of their total funding comes from the Federal Government, thus making it HUD's responsibility to ensure the money is spent as intended.

My office went to work to determine the compensation packages for a handful of housing authorities spread around the country—mostly in the larger cities. Some authorities would not provide responses, but others responded with some troubling answers. It became apparent many executive directors were living very high on the hog. The fact is executive salaries, and other compensation at some public housing authorities, were a major problem and the amounts were then hidden from the taxpayers.

Some housing authority executive directors were earning high six-figure salaries and benefits that sometimes included a vehicle, housing allowance, and lucrative bonuses. Many of the executive directors were making more than even the Governor of the State they were located in. From Los Angeles, CA, to Boston, MA, they were raking in huge salaries. Unfortunately, no one at the HUD Headquarters in Washington, DC, was watching or even showed any concern.

In Philadelphia, the executive director's salary was \$300,000, plus a \$45,000 bonus. He had a housing authority car and driver, and the housing authority actually paid his mortgage. This money is supposed to help people with very low incomes afford safe and decent housing, but instead they were concerned about their own salary and their own housing. The taxpayers' money was meant to go to the lower income people for safe and decent housing and all the money was not being used for that. It is not supposed to subsidize the housing costs of a government bureaucrat in Philadelphia who already makes \$345,000 a year. In Chelsea, MA, the executive director's salary was \$360,000. He cashed out weeks of

unused leave and sick time while only spending about 15 full days per year in the office.

These executive directors used taxpayers' money to build and protect their own fiefdoms, usually at the expense of the poor. In Philadelphia, this included spending millions of dollars on an army of well-connected lawyers. Ironically, these lawyers were paid with taxpayers' money to thwart investigations that were aimed at safeguarding taxpayer money. The HUD Office of Inspector General had done battle with these armies of lawyers over and over around the entire country, and the taxpayers are funding both sides of the fight.

In addition, no-bid contracts and contracts steered toward friends seemed to be common at many housing authorities.

As early as October 2010, I asked HUD to provide salary and compensation information for executive directors at the 25 largest housing authorities. Instead of numbers, I received the following statement:

In response to your questions related to Executive Directors' salaries, currently HUD does not regulate compensation for Housing Authority executive directors. However, in light of what has taken place with the Philadelphia Housing Authority, HUD is working closely with our Office of General Counsel to assess this policy.

It is pretty obvious that is not an answer to anything I asked. HUD needs to take this issue far more seriously.

Last Wednesday, the director of the Chelsea Housing Authority was charged with four felony counts. According to the Boston Globe, he was indicted for deliberately concealing his salary from State and Federal entities. I hope this is a warning to other housing authorities that abuse of taxpayers' dollars is totally unacceptable. I commend HUD Inspector General David Montoya, the U.S. Attorney's Office in Massachusetts, and, of course, the FBI for vigorously investigating the problems in Chelsea. Others around the country need to take note of what happened in Chelsea. I understand this investigation continues, so stay tuned.

The No. 1 priority for HUD and these directors should be to provide what the law intends with the taxpayers' money—to provide safe, decent, and sanitary housing for people in need instead of lining the pockets of directors. Feathering their own nests seems to have been the focus of some for far too long. Unfortunately, instead of getting straight answers from HUD, I must rely on courageous whistleblowers and newspaper accounts to actually get these facts.

Due to mounting pressure, HUD requested the compensation data for the top five highest compensated employees at housing authorities across the country. The results must be really embarrassing because the Obama administration would make only aggre-

gate data available to the public. That way, the administration has made it impossible to tell which authorities are the worst offenders.

I asked that HUD make all salary data public in a June 2000 letter I wrote to Secretary Donovan. It is one of many letters the Secretary has failed to answer. In fact, no one at HUD responded to the letter at all. I have also sent letters to HUD requesting information about conference and travel spending, as well as the number and the cost of take-home vehicles for HUD and all public housing authorities. Letters were also sent about problems at New York City, Houston, and Port Arthur, TX, housing authorities in those cities. I am still waiting for responses from Secretary Donovan.

Most recently, I sent letters in October of 2012 to Senate appropriators and the Senate Banking Committee with jurisdiction over these issues. There needs to be public hearings into the massive waste of taxpayers' money at HUD. My colleagues need to know the extent of the problems and that I am ready to work with Members of this body to address these issues.

Mr. President, before I finish, I ask unanimous consent to have the referenced letters printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, October 17, 2012.

Hon. ROBERT MENENDEZ,
Chairman, Subcommittee on Housing, Transportation, and Community Development, Committee on Banking, Housing and Urban Affairs, U.S. Senate, Washington, DC.

Hon. JIM W. DEMINT,
Ranking Member, Subcommittee on Housing, Transportation, and Community Development, Committee on Banking, Housing and Urban Affairs, U.S. Senate, Washington, DC.

DEAR CHAIRMAN MENENDEZ AND RANKING MEMBER DEMINT: Since March 15, 2010, I have been investigating the Department of Housing and Urban Development (HUD). During those two years I have been writing to HUD Secretary Shaun Donovan regarding concerns about waste, fraud, and abuse of taxpayer money by Public Housing Authorities (PHAs). Many of those letters have gone unanswered, and I ask for your help to receive responses from HUD. I have attached copies of the most recent correspondence for your review.

Many PHAs continue to receive funding despite having a long track record of such problems. Over the weekend the Boston Globe reported on numerous issues that plague PHAs in Massachusetts, and I have attached the article for your review. These problems have been found at PHAs large and small across the country. Most recently, I have raised concerns about HUD conference spending, PHA take-home vehicle abuses and the need for greater transparency of PHA executive director compensation packages.

Given your responsibilities as Chairman and Ranking Member of the Housing, Transportation, and Community Development Subcommittee with jurisdiction over HUD

programs, I'm seeking your help. These issues need to be investigated thoroughly, and it is your subcommittee's responsibility to ensure that tax dollars meant to provide housing to the poor are not further wasted or diverted to other purposes. Ultimately, it is the residents of public housing who are being cheated and abused as a result of this mismanagement.

Thank you for your prompt attention to these important issues.

Sincerely,

CHARLES E. GRASSLEY,
Ranking Member.

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, October 17, 2012.

Hon. PATTY MURRAY,
*Chairman, Subcommittee on Transportation,
Housing, and Urban Development, and Related
Agencies, Committee on Appropriations,
U. S. Senate, Washington, DC.*

Hon. SUSAN M. COLLINS,
*Ranking Member, Subcommittee on Transportation,
Housing and Urban Development, and Related
Agencies, Committee on Appropriations,
U. S. Senate, Washington, DC.*

DEAR CHAIRMAN MURRAY AND RANKING MEMBER COLLINS: Since March 15, 2010, I have been investigating the Department of Housing and Urban Development (HUD). During those two years I have been writing to HUD Secretary Shaun Donovan regarding concerns about waste, fraud, and abuse of taxpayer money by Public Housing Authorities (PHAs). Many of those letters have gone unanswered, and I ask for your help to receive responses from HUD. I have attached copies of the most recent correspondence for your review.

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Given your responsibilities as Chairman and Ranking Member of the Appropriations Subcommittee with jurisdiction over HUD funding, I'm seeking your help. These issues need to be investigated thoroughly, and it is your subcommittee's responsibility to ensure that tax dollars meant to provide housing to the poor are not further wasted or diverted to other purposes. Ultimately, it is the residents of public housing who are being cheated and abused as a result of this mismanagement.

Thank you for your prompt attention to these important issues.

Sincerely,

CHARLES E. GRASSLEY,
Ranking Member.

Mr. GRASSLEY. To sum up, oversight, whether it is about HUD or any government bureaucracy, is necessary to protect the taxpayers. I take this duty seriously. I am not going away and will continue to vigorously oversee problems at HUD. I urge Secretary Donovan to make executive compensation and all funding data available to the public. It would shed light in an area that has rarely been seen with the light shining in. As some Supreme Court Justice said sometime, sunlight

keeps mold from happening, or something to that effect.

Transparency is not the only solution, though. HUD also needs to put controls in place to prevent waste, fraud, and abuse. But transparency may be the quickest and most effective way to curb the worst abuses. The Obama administration could release that executive compensation data today if it wanted to, and it should release that data.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KING). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. WARREN). Without objection, it is so ordered.

(The remarks of Mr. HARKIN pertaining to the introduction of S. 168 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

TRIBUTE TO SECRETARY OF STATE HILLARY CLINTON

Mr. HARKIN. Madam President, on what is her final day as Secretary of State, I would like to express my admiration and gratitude to Hillary Rodham Clinton for the extraordinary job she has done over the last 4 years. I agree wholeheartedly with President Obama who said she has been one of the finest Secretaries of State in our Nation's history.

When she took on this responsibility in January 2009, Hillary Clinton was already one of the most celebrated and accomplished women in the world. Certainly her reputation and renown have been tremendous assets as she worked to restore America's standing in the world.

Over the last 4 years, Hillary Clinton has been the ultimate workhorse public servant as opposed to the showhorse. This comes as no surprise to me and other former colleagues in the Senate. We know she is a leader of extraordinary substance and a talent with an amazing work ethic.

Secretary of State Clinton has set records as the most traveled Secretary for time in office, visiting some 42 countries just in the last year alone. She will be remembered for her tireless efforts to promote the empowerment of women worldwide and for her many demonstrations that "smart power" and assertive diplomacy can be far more effective than so-called "hard power" and military interventions.

I am especially grateful to Secretary of State Clinton for insisting on robust assistance to Haiti in the wake of the devastating earthquake of 2010. In addition, following my visit to Vietnam in

2010, and just prior to her own visit, we talked and I had urged her to pledge America's commitment to helping Vietnam clean up the sites contaminated by Agent Orange. She agreed wholeheartedly, and this is one way she has been very successful in repairing the breach with our former adversary and doing what is right and just for the victims of Agent Orange in Vietnam.

I have many fond memories of Hillary Clinton's 8 years here in the Senate. During that entire tenure, we served together on the Committee on Health, Education, Labor, and Pensions. In that role, as in her previous role as First Lady, she was an outspoken advocate for health care reform, fighting tirelessly to secure quality affordable health care for all Americans. Although she was no longer in the Senate when the Affordable Care Act passed and was signed into law, she shares enormous credit for laying the groundwork of that historic achievement.

Hillary Clinton has been a wonderful friend to my wife Ruth and to me, and, of course, from her many campaigns in my State, she has so many friends all across the State of Iowa. So she is retiring from the Department of State, but we all know that by no means is she a retiring person. There are many vivid chapters yet to be written in the story of Hillary Rodham Clinton. I wish her a richly deserved rest and much success and happiness in the years ahead.

CONGRATULATING JOHN KERRY

Mr. HARKIN. Madam President, as we say goodbye to Secretary Clinton in her capacity as Secretary of State, we say welcome aboard and congratulations to my good friend Senator JOHN KERRY on the resounding confirmation of his nomination to serve as our next Secretary of State. His departure will be a tremendous loss to the Senate, but I respect President Obama's decision to tap him for this absolutely critical position. There is no one in the United States better qualified by experience, knowledge, and temperament to step into this extraordinarily demanding job.

To repeat what my colleagues already know, but it always bears repeating, after volunteering to serve in the U.S. Navy during the Vietnam war, JOHN KERRY was awarded the Silver Star, a Bronze Star, and three Purple Hearts. Upon returning home, he became a national leader in the fight for justice for veterans who served beside him in Vietnam as well as for veterans of wars before and since Vietnam. He joined with others to found the Vietnam Veterans of America organization. He has worked hard here in the Senate over all of these years to secure veterans' benefits, for an extension of the

GI bill for higher education, and for appropriate treatment for veterans with post-traumatic stress disorder.

As we all know, Senator KERRY has played a leading role in shaping American foreign policy for many years in his position on the Foreign Relations Committee and as chair of that distinguished committee. As chair of that committee, he was instrumental in securing passage of the New START treaty, a vital arms accord with Russia that is helping to reduce the danger of nuclear proliferation. He has served as a trusted special envoy to Afghanistan, Sudan, and Pakistan at crucial moments. Senator KERRY advocated for democratic elections in the Philippines. He was part of a delegation that uncovered the fraud that ultimately led to the removal of President Ferdinand Marcos. He was a strong proponent of U.S. action to end ethnic cleansing in Kosovo and to oppose sanctions on Burma tied to human rights abuses. Senator KERRY has been a leader in promoting economic development and recovery in Haiti, fighting global HIV/AIDS, supporting democracy and human dignity, poverty assistance, and the advancement of women's empowerment throughout the world.

In his early days in the Senate, Senator KERRY and I—in fact, we were elected together in 1984; we came to the Senate together. But shortly after that, Senator KERRY and I went on a factfinding mission to Nicaragua and unearthed information regarding the activities of the Contra guerillas, which he presented to the Committee on Foreign Relations. Based in part on his groundbreaking findings, the committee launched an investigation into the funding of the Contra guerillas that ultimately uncovered the Reagan administration's Iran-Contra scandal, a scheme to divert profits from illegal arms sales to Iran to support the Contra guerillas.

Senator KERRY and I, as I said, were both Members of the class of 1984 here in the Senate. We worked together to end illegal support of the Contras in Nicaragua, and we have collaborated on a range of human rights issues since then.

In particular, I salute his tireless and valiant attempt last year to pass the Convention on the Rights of Persons with Disabilities. I can't tell my colleagues how hard he worked to get it through the committee and before that worked with others to make sure we had a good convention to the U.N. that mirrored our own Americans With Disabilities Act. JOHN KERRY worked tirelessly on this, and I am deeply grateful for all that work and the passionate commitment he made to this treaty. I know he shares my disappointment that the Senate failed to give its consent to this treaty, but I look forward to working with him in his new role as

Secretary of State and with Senator MENENDEZ, our new chair of the Senate Foreign Relations Committee, not only to promote the convention around the world, which I know Senator KERRY will do in his position as Secretary of State, but to once again bring this convention to the floor of the Senate and this time to prevail and pass it.

There is no question in my mind that JOHN KERRY will be a great Secretary of State. I wish him and Teresa the very best, and I look forward to working with him in the years ahead.

Madam President, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NO BUDGET, NO PAY ACT

Mr. BROWN. Madam President, last week the House of Representatives passed a plan to prevent the risk of another credit rating downgrade. By ensuring that the United States will not default on its obligations, the House made the responsible decision to stop playing politics—at least for a while—with our Nation's creditworthiness and to prevent self-inflicted harm on our economy. Despite this effort, the House couldn't pass up the opportunity to try, while doing the right thing, to score at least one political point. We are now considering the measure they passed.

This legislation, the No Budget, No Pay Act, coming directly off a campaign document, insists that congressional pay be linked with the passage of a budget by April 15. I am fine with that, that we should do that and if we don't, we don't get paid. But let's not forget that the Senate passed something even stronger than a budget for the past 2 years; we passed the Budget Control Act, which reduced the deficit by \$2 trillion. Despite this, House Republicans have no problem misleading the American people with their language, preventing Senators from being paid until we pass a budget.

I have no problem with no budget, no pay, but why stop there? What about no jobs bills, no pay? In 2011 the Senate passed my legislation, bipartisanly cosponsored with Senator GRAHAM and a number of other Republican Senators, including Senator BURR, and a group of Democratic Senators, we passed my legislation to punish China when it cheats, when it manipulates its currency. The bill could create more than 2 million jobs, mostly in manufacturing, knowing what happened in places such as the Presiding Officer's State of Massachusetts and in my

State of Ohio with lost manufacturing jobs.

Despite the clear evidence that leveling the playing field with stopping currency manipulation would create jobs, despite the clear evidence of an overwhelming vote in the Senate and, 2 years ago, an overwhelming vote in the House on the same issue, this legislation has languished in the House for the past 2 years.

But why stop at the budget? Why not a no farm bill, no pay bill? Congress is obligated to pass a farm bill every 5 years. The Senate passed our bipartisan farm bill, which, among other things, saves some \$20 billion of direct savings by eliminating the longtime-discredited direct payment program. It would save \$20 billion, but, again, the House refused to act.

What about my legislation linking the age at which Members of Congress can collect their pensions to the age at which working Americans are eligible for Social Security? Some people, especially in the House of Representatives, want to raise the retirement age for Social Security, yet for themselves—ourselves, if we retire earlier—collect pensions before that age. If people here are going to raise the eligibility age for Social Security, nobody here should be able to collect any retirement benefits until that same age.

Citizens in my home State of Ohio in places such as Middletown, where workers have watched paper factories get priced out of the market because of unfair competition with places such as China; in Cincinnati, where call center workers are watching their jobs get contracted to the Philippines; and in Worcester, where there are too many cases of shutdown plants, moving overseas, simply or mostly because of currency, not to mention tax breaks that encourage companies, that allow companies to deduct the cost of moving their plant overseas against their Federal tax, those are the kinds of things average Americans are waiting for the House of Representatives to act on, legislation that will make a real difference in their lives right now.

I am fine with the No Budget, No Pay Act. We should pass a budget. We should move forward on that. We need to raise the debt ceiling and stop playing politics with this, but let the House of Representatives get moving on the issues that affect everyday Americans. That is all about jobs. That is all about this economic recovery.

ADDITIONAL STATEMENTS

RECOGNIZING BIG DADDY'S BARB-Q

• Mr. BEGICH. Madam President, there is nothing like a good meal in a favorite restaurant to make your day. When I travel to Fairbanks, the second

largest city in my home State, I often go to Big Daddy's BarB-Q owned by Harold Groetsema.

There are many good barbeque establishments in Alaska. Barbeque has long been a part of our Nation's culinary history. Few people know that our own Library of Congress holds dozens of old drawings, posters and prints depicting barbecued meats at picnics, high society events, fairs and the like. The Library of Congress has barbeque recipes, stories, cookbooks and books on the history of barbeque. Its collection is large because it is a popular subject whether you like your sauce sweet, spicy or vinegar sour.

It would be hard to pick an absolute favorite of mine back home. I like them all. Big Daddy's southern-style barbeque is consistently top quality. Big Daddy's has won competitions in Alaska, done well nationally and was featured on a Food Network TV show. Maybe it's the secret sauce. Maybe it's the meat. Maybe it's the way he slow cooks over a hickory fire.

Harold and his team are heading to the World Championship Barbecue Cooking Contest in Memphis later this year. With his skills and dedication, I wouldn't be surprised if they return with a high ranking. I wish Harold and his team well and I know they will make Alaska proud.●

REMEMBERING MURRAY GALINSON

● Mrs. BOXER. Madam President, today I ask my colleagues to join me in honoring Murray Galinson, an extraordinary San Diego community leader who died earlier this month in California at age 75. Murray was a dear friend of mine, and I will miss him terribly.

Murray Galinson's accomplishments were legendary—as a businessman, philanthropist, teacher, political activist and adviser, friend of Israel, and, above all, family man. But even these amazing achievements do not begin to capture the person Murray was or the life that he lived.

As Rabbi Michael Berk told a 1,000 mourners at San Diego's Temple Beth Israel, Murray was “a man of substance and loyalty . . . a man who loved family and friends, a man of character and integrity, a man devoted to his people and his community, a man of national stature, a man whom we Jews would call a mensch, a fine example of what a human being should be, a man who leaves this world with the highest attainment: a shem tov, a good name.”

Murray was a remarkable person who was loved and admired by all who knew him and whose countless acts of charity, kindness, and public service touched thousands of people who never met him.

Murray Galinson was a proud Democrat who always sought to build

bridges and consensus across party lines. As Rabbi Berk noted, Murray exemplified “what it means to serve in the noble cause of bettering the lives of those with whom we share this country and this planet by seeking answers to our problems, not just winning.”

On behalf of the people of California, who benefitted so much from his life and works, I send my love, gratitude, and deepest sympathy to Murray's beloved wife, Elaine, and their children, daughters-in-law, and grandchildren.

One measure of Murray's profound impact on his community is how difficult it is to imagine San Diego without him—yet I know that he will live on through his good works and in the hearts of all of us who knew and loved this remarkable man.●

TRIBUTE TO JUDGE ELIZABETH A. HACKER

● Mr. LEVIN. Madam President, public service is a noble endeavor, and there are many individuals across our great nation that dedicate their lives to making our communities better and function smoothly. I am pleased today to recognize the illustrious career of one such public servant, a talented and well-respected judge from my home State of Michigan. Elizabeth A. Hacker's legal career has spanned more than three decades, and her tenure on the bench has been defined by her sound judgment, wisdom, and expansive knowledge of the law.

Judge Hacker is retiring from the Federal bench after 32 years of distinguished service to the Detroit Immigration court and to the U.S. Department of Justice. Her family, friends, and colleagues from the court and the Michigan bar gathered this past weekend to celebrate this milestone and to honor her distinguished career. I am delighted to honor her impressive record of public service to our Nation, the Justice Department, the City of Detroit and our great State of Michigan.

Elizabeth Hacker is a proud daughter of Detroit. She received her B.A. from Wayne State University in 1974 and a law degree from the Detroit College of Law in 1978. Following a brief period in private practice, Judge Hacker joined the Detroit office of the Immigration and Naturalization Service in 1980. She rose quickly within the INS, serving as a naturalization attorney; a trial attorney; a chief attorney; and finally assistant regional counsel for the western region for three immigration districts, including Los Angeles, where she supervised dozens of other immigration attorneys.

Elizabeth Hacker is currently the senior United States immigration judge for the Immigration Court with jurisdiction over Michigan, Ohio, and northern Kentucky. Notably, Judge Hacker re-established the Detroit Im-

migration Court when she was appointed to the bench in July of 1995.

While affiliated with the Immigration Service, Judge Hacker acted as an instructor at both Federal law enforcement training academies, teaching a range of subjects, including the law of arrest, search and seizure, employer sanctions and general immigration law.

During her long tenure on the Detroit Immigration Court, Judge Hacker handled numerous noteworthy and high-profile cases, many of which were covered extensively by the news media. Of particular note was the role she played in the deportation of Nazi war criminals that were discovered residing in the United States living under false pretenses.

In 2011, Judge Hacker wrote the opinion in the trial of Ivan Kalymon for his participation in Nazi-sponsored acts of persecution while serving as an armed member of the Ukrainian Auxiliary Police during World War II. Hacker ordered Kalymon deported.

In the months following the attacks of September 2001, Judge Hacker handled several cases involving terrorists and terrorist organizations plotting in the United States. Many high-stakes cases came before her court. Her colleagues on immigration courts across the country came to rely on her expertise and experience. They would frequently solicit her opinion on complex matters involving national security.

Her colleague on the bench, Judge Marsha Nettles, describes Judge Hacker as someone who ensured that everyone who came before her “received a full, fair and complete hearing. She never forgot the mission of the Immigration Service or the Court. She always put the mission first, no matter the public pressure or media scrutiny.”

By all accounts, Judge Hacker is looking forward to her retirement and to spending more time on Grosse Ile with her loving husband Brian Munson and doing more cooking, which outside of the law, is her true life's passion.

Judge Hacker is a trailblazer. Through her tireless dedication, sense of purpose and unfailing fidelity to the mission of the Justice Department and the court, Elizabeth Hacker has set a high standard. I know my colleagues join me in congratulating Elizabeth Hacker as she concludes her long and distinguished legal career.●

MESSAGES FROM THE HOUSE

At 10:12 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that pursuant to sections 5580 and 5581 of the revised statutes (20 U.S.C. 42-43), and the order of the House of January 3, 2013, the Speaker appoints the following Member on the part of the House of Representatives to

the Board of Regents of the Smithsonian Institution: Mr. BECERRA of California.

The message also announced that pursuant to 22 U.S.C. 3003, and the order of the House of January 3, 2013, the Speaker appoints the following Member on the part of the House of Representatives to the Commission on Security and Cooperation in Europe: Mr. HASTINGS of Florida.

ENROLLED BILL SIGNED

At 3:18 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker pro tempore (Mr. UPTON) had signed the following enrolled bill:

H.R. 152. An act making supplemental appropriations for the fiscal year ending September 30, 2013, to improve and streamline disaster assistance for Hurricane Sandy, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 164. A bill to prohibit the United States from providing financial assistance to Pakistan until Dr. Shakil Afridi is freed.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 177. A bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 entirely.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-188. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to the Air-Sea Battle Concept (ASBC) (OSS-2013-0090); to the Committee on Armed Services.

EC-189. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of nineteen (19) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-190. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13348 relative to the former Liberian regime of Charles Taylor; to the Committee on Banking, Housing, and Urban Affairs.

EC-191. A communication from the Chief Counsel, Federal Emergency Management

Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2012-0003)) received in the Office of the President of the Senate on January 22, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-192. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2012-0003)) received in the Office of the President of the Senate on January 22, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-193. A communication from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Escrow Requirements Under the Truth in Lending Act (Regulation Z)" ((RIN3170-AA16) (Docket No. CFPB-2013-0001)) received in the Office of the President of the Senate on January 22, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-194. A communication from the Administrator, Arizona Public Safety Personnel Retirement System, transmitting, pursuant to law, a report relative to compliance with the Arizona Terror Country Divestment Act; to the Committee on Banking, Housing, and Urban Affairs.

EC-195. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Appraisal Requirements for Higher-Priced Mortgage Loans Joint-Agency Rule" (RIN2590-AA58) received in the Office of the President of the Senate on January 23, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-196. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, a report entitled "Energy Conservation Program: Test Procedures for Microwave Ovens" (RIN1904-AB78) received in the Office of the President of the Senate on January 22, 2013; to the Committee on Energy and Natural Resources.

EC-197. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Adequacy of Massachusetts Municipal Solid Waste Landfill Permit Program" (FRL No. 9771-7) received in the Office of the President of the Senate on January 24, 2013; to the Committee on Environment and Public Works.

EC-198. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Ohio and Indiana; Cincinnati-Hamilton, Ohio; Ohio and Indiana 1997 8-Hour Ozone Maintenance Plan Revisions to Approved Motor Vehicle Emissions Budgets" (FRL No. 9773-5) received in the Office of the President of the Senate on January 24, 2013; to the Committee on Environment and Public Works.

EC-199. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Technical Corrections Regarding the Methods of Collection of Certain User Fees

by CBP" (CBP Dec. 13-3) received during recess of the Senate in the Office of the President of the Senate on January 18, 2013; to the Committee on Finance.

EC-200. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2013 Cost-of-Living Adjustments to Certain Tax Items" (Rev. Proc. 2013-15) received in the Office of the President of the Senate on January 22, 2013; to the Committee on Finance.

EC-201. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—February 2013" (Rev. Rul. 2013-3) received in the Office of the President of the Senate on January 22, 2013; to the Committee on Finance.

EC-202. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Extension of Guidance in Notice 2011-14 and Rev. Proc. 2011-55 for Participants in the HFA Hardest Hit Fund, the Emergency Homeowners' Loan Program, and Substantially Similar State Programs" (Notice 2013-7) received in the Office of the President of the Senate on January 22, 2013; to the Committee on Finance.

EC-203. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Regulations Relating to Information Reporting by Foreign Financial Institutions and Withholding on Certain Payments to Foreign Financial Institutions and Other Foreign Entities" ((RIN1545-BK68) (TD 9610)) received in the Office of the President of the Senate on January 22, 2013; to the Committee on Finance.

EC-204. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Application of Retroactive Increase in Excludible Transit Benefits" (Notice 2013-8) received in the Office of the President of the Senate on January 22, 2013; to the Committee on Finance.

EC-205. A communication from the Acting Executive Director, Office of the Chairman, Federal Labor Relations Authority, transmitting, pursuant to law, the fiscal year 2012 Competitive Sourcing annual report; to the Committee on Homeland Security and Governmental Affairs.

EC-206. A communication from the Acting Director, Office of Government Ethics, transmitting, pursuant to law, the Performance and Accountability Report for the Office of Government Ethics for fiscal year 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-207. A communication from the Federal Co-Chair, Appalachian Regional Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from April 1, 2012 through September 30, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-208. A communication from the Acting Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the 2012 Information Collection Budget of the United States Government (ICB); to the

Committee on Homeland Security and Governmental Affairs.

EC-209. A communication from the Acting Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of an item not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC-210. A communication from the Acting Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of an item not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC-211. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Internet Publication of Administrative Seizure and Forfeiture Notices" ((CBP Dec. 13-04) (RIN1651-AA94)) received in the Office of the President of the Senate on January 24, 2013; to the Committee on the Judiciary.

EC-212. A communication from the Chief of Staff, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of the Commission's Rules Concerning Commercial Radio Operators" (FCC 13-4) received in the Office of the President of the Senate on January 24, 2013; to the Committee on Commerce, Science, and Transportation.

EC-213. A communication from the Attorney-Advisor, Office of the General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Transportation Policy, received in the Office of the President of the Senate on January 23, 2013; to the Committee on Commerce, Science, and Transportation.

EC-214. A communication from the Assistant Secretary for Communications and Information, National Telecommunications and Information Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Relocation of and Spectrum Sharing by Federal Government Stations—Technical Panel and Dispute Resolution Boards" (RIN0660-AA26) received in the Office of the President of the Senate on January 22, 2013; to the Committee on Commerce, Science, and Transportation.

EC-215. A communication from the Secretary of the Commission, Bureau of Competition, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Commission Reporting Requirements Under Section 7A of the Clayton Act, 15 U.S.C. Section 18a" received in the Office of the President of the Senate on January 24, 2013; to the Committee on Commerce, Science, and Transportation.

EC-216. A communication from the Secretary of the Commission, Bureau of Competition, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Commission Reporting Requirements Under Section 8 of the Clayton Act, 15 U.S.C. Section 19(a) (5)" received in the Office of the President of the Senate on January 24, 2013; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. MENENDEZ for the Committee on Foreign Relations.

*John Forbes Kerry, of Massachusetts, to be Secretary of State.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. VITTER (for himself, Mr. HOEVEN, Mr. CRAPO, and Mr. THUNE):
S. 167. A bill to suspend sales of petroleum products from the Strategic Petroleum Reserve until certain conditions are met; to the Committee on Energy and Natural Resources.

By Mr. HARKIN (for himself, Mr. LEAHY, Mrs. BOXER, Mrs. MURRAY, Mr. LAUTENBERG, Mr. BROWN, Mr. BLUMENTHAL, and Mrs. GILLIBRAND):

S. 168. A bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH (for himself, Ms. KLOBUCHAR, Mr. RUBIO, Mr. COONS, Mr. FLAKE, Mrs. SHAHEEN, Mr. HELLER, Mr. BLUMENTHAL, Mr. HOEVEN, Mr. WARNER, Mr. NELSON, and Mr. SCHATZ):

S. 169. A bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes; to the Committee on the Judiciary.

By Ms. MURKOWSKI (for herself and Mr. MANCHIN):

S. 170. A bill to recognize the heritage of recreational fishing, hunting, and recreational shooting on Federal public land and ensure continued opportunities for those activities; to the Committee on Energy and Natural Resources.

By Mr. UDALL of Colorado (for himself, Mr. MORAN, and Mr. UDALL of New Mexico):

S. 171. A bill to appropriate such funds as may be necessary to ensure that members of the Armed Forces, including reserve components thereof, and supporting civilian and contractor personnel continue to receive pay and allowances for active service performed when a Governmentwide shutdown occurs; to the Committee on Appropriations.

By Mr. MERKLEY (for himself, Mr. UDALL of New Mexico, Mr. DURBIN, and Mr. BLUMENTHAL):

S. 172. A bill to amend the Truth in Lending Act to address certain issues related to the extension of consumer credit, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SHELBY:

S. 173. A bill to repeal the current Internal Revenue Code and replace it with a flat tax, thereby guaranteeing economic growth and fairness for all Americans; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself, Mr. MURPHY, and Mr. LAUTENBERG):

S. 174. A bill to appropriately restrict sales of ammunition; to the Committee on the Judiciary.

By Mr. ROBERTS (for himself, Mr. JOHANNES, Mr. GRASSLEY, Mr. THUNE, Mr. VITTER, Mr. BARRASSO, Mr. MORAN, Mr. BLUNT, Mr. ENZI, Mr. INHOFE, and Mr. BOOZMAN):

S. 175. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve the use of certain registered pesticides; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. VITTER (for himself, Mr. CORNYN, and Mr. SESSIONS):

S. 176. A bill to reject the final 5-year Outer Continental Shelf Oil and Gas Leasing Program for fiscal years 2013 through 2018 of the Administration and replace the plan with a 5-year plan that is more in line with the energy and economic needs of the United States; to the Committee on Energy and Natural Resources.

By Mr. CRUZ (for himself, Mr. JOHNSON of Wisconsin, Mr. VITTER, Mr. ROBERTS, Mr. GRASSLEY, Mr. CORNYN, Mr. PORTMAN, Mr. PAUL, Mr. RUBIO, Mr. JOHANNES, Mr. WICKER, Mr. COBURN, Mr. ISAKSON, Mr. BLUNT, Mr. CHAMBLISS, Mr. BARRASSO, Mr. MCCONNELL, Mr. INHOFE, Mr. FLAKE, Mr. COATS, Mr. BOOZMAN, Mr. RISCHE, Mr. BURR, Mr. COCHRAN, Mrs. FISCHER, Ms. COLLINS, Mr. SCOTT, Mr. TOOMEY, Mr. ALEXANDER, Mr. LEE, Mr. HATCH, Ms. AYOTTE, Mr. MCCAIN, and Mr. SESSIONS):

S. 177. A bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 entirely; read the first time.

By Mr. SHELBY (for himself and Mr. BOOZMAN):

S.J. Res. 6. A joint resolution proposing an amendment to the Constitution of the United States which requires (except during time of war and subject to suspension by Congress) that the total amount of money expended by the United States during any fiscal year not exceed the amount of certain revenue received by the United States during such fiscal year and not exceed 20 percent of the gross domestic product of the United States during the previous calendar year; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REID:

S. Res. 20. A resolution designating Chairman of the Senate Committee on Foreign Relations; considered and agreed to.

ADDITIONAL COSPONSORS

S. 2

At the request of Mr. REID, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2, a bill to reduce violence and protect the citizens of the United States.

S. 5

At the request of Mr. REID, the names of the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 5, a bill to reauthorize the Violence Against Women Act of 1994.

S. 6

At the request of Mr. REID, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 6, a bill to reauthorize the VOW to Hire Heroes Act of 2011, to provide assistance to small businesses owned by veterans, to improve enforcement of employment and reemployment rights of members of the uniformed services, and for other purposes.

S. 46

At the request of Mr. TOOMEY, the names of the Senator from Oklahoma (Mr. COBURN) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 46, a bill to protect Social Security benefits and military pay and require that the United States Government prioritize all obligations on the debt held by the public in the event that the debt limit is reached.

S. 47

At the request of Mr. LEAHY, the names of the Senator from Kansas (Mr. MORAN), the Senator from Indiana (Mr. DONNELLY), the Senator from Connecticut (Mr. MURPHY) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 47, a bill to reauthorize the Violence Against Women Act of 1994.

S. 51

At the request of Mrs. BOXER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 51, a bill to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act.

S. 63

At the request of Mrs. GILLIBRAND, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 63, a bill to require the Secretary of Commerce and the Secretary of Labor to establish the Made In America Incentive Grant Program, and for other purposes.

S. 84

At the request of Ms. MIKULSKI, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 84, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 135

At the request of Mr. VITTER, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 135, a bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes.

S. 137

At the request of Mr. VITTER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 137, a bill to amend the Public

Health Service Act to prohibit certain abortion-related discrimination in governmental activities.

S. 150

At the request of Mrs. FEINSTEIN, the names of the Senator from Minnesota (Mr. FRANKEN), the Senator from Hawaii (Ms. HIRONO) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 150, a bill to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes.

S. 152

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 152, a bill to require the Secretary of the Air Force to retain the current leadership rank, aircraft, and core functions of the 354th Fighter Wing and the 18th Aggressor Squadron at Eielson Air Force Base and to require reports on proposed activities at such installation.

S. CON. RES. 4

At the request of Mr. VITTER, the names of the Senator from Indiana (Mr. COATS) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. Con. Res. 4, a concurrent resolution expressing the sense of Congress that a carbon tax is not in the economic interest of the United States.

S. RES. 12

At the request of Mr. NELSON, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. Res. 12, a resolution recognizing the third anniversary of the tragic earthquake in Haiti on January 12, 2010, honoring those who lost their lives in that earthquake, and expressing continued solidarity with the people of Haiti.

S. RES. 13

At the request of Mr. BROWN, the names of the Senator from Florida (Mr. NELSON) and the Senator from North Carolina (Mrs. HAGAN) were added as cosponsors of S. Res. 13, a resolution congratulating the members of Delta Sigma Theta Sorority, Inc. for 100 years of service to communities throughout the United States and the world, and commending Delta Sigma Theta Sorority, Inc. for its promotion of sisterhood, scholarship, and service.

At the request of Mr. PORTMAN, his name was added as a cosponsor of S. Res. 13, *supra*.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HARKIN (for himself, Mr. LEAHY, Mrs. BOXER, Mrs. MURRAY, Mr. LAUTENBERG, Mr. BROWN, Mr. BLUMENTHAL, and Mrs. GILLIBRAND):

S. 168. A bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national ori-

gin, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Madam President, on January 29, 2009, President Obama signed the Lilly Ledbetter Fair Pay Act. It was a proud day and I was there for that. A critical law, the first legislation signed into law by President Obama after his first election, reversed the outrageous Supreme Court decision in *Ledbetter v. Goodyear* and made clear that a worker such as Lilly Ledbetter, who does not learn of her pay inequities for years, still had recourse to challenge her wage discrimination.

Today we celebrate the anniversary of the enactment of this important law, but at the same time we must recognize it was only a first step. We need to do much more to ensure that all workers in our society are paid fairly for their work and are not short-changed because of their gender, race or other personal characteristic. That is why, 4 years after enactment of the Lilly Ledbetter Fair Pay Act, I am proud to introduce once again the Fair Pay Act, a bill I have introduced in every Congress since 1996.

Let me give some background. In 1963, Congress enacted the Equal Pay Act to end unfair discrimination against women in the workplace. At that time, 25 million female workers earned just 60 percent of the average pay for men. While we have made progress toward the goal of true pay equity fully a half century later, too many women still do not get paid what men do for the same or nearly the same work. Let's be clear about this. The Equal Pay Act of 1963 has to do with women doing the same jobs as men. But still, on average, as we know, for every \$1 a full-time male worker earns, a woman earns just 77 cents. So we have gone from 60 cents, in all those 60 years, to 77 cents for every \$1 a man makes.

What does that translate into? You might say, OK, 7 cents is that a big deal? Yes, it is. Over a lifetime of work it means an average of \$400,000 that a woman loses because of the unequal pay practices.

I will say that again later on, but that \$400,000 is not just the pay she loses during her lifetime. Think about the retirement benefits that woman loses because she has been underpaid all those years. That is why we have a system in America, when a woman retires, a man retires, they had the same kind of work, a man gets a lot more retirement than a woman because they were paid more because they were paid more during their lifetime.

This system is wrong, it is unjust, and it threatens the economic security of our families. The fact is millions of American families are dependent on a woman's paycheck just to get by, to put food on the table, to pay for

childcare, to deal with rising health care costs.

In today's economy, few families have a stay-at-home mother. In fact, 71 percent of mothers are in the labor force. They are a major contributor to their family's income. Two-thirds of mothers bring home at least one-quarter of their family's earnings and in more than 4 of 10 families with children, a woman is the majority or sole breadwinner.

That means in today's economy, when a mother earns less than her male colleagues, her family must sacrifice basic necessities, as well as face greater difficulty for these kids to save for college, afford a home, live the American dream. The lifetime of earning losses all women face, including those who are without children or whose children are grown, affects not only their well-being during their working lives, as I said earlier, but it affects their ability to save and have a decent retirement.

The evidence shows that discrimination accounts for much of the pay gap. In fact, according to one study, when we look at all the reasons there is a wage gap—we have race, 2.4 percent; 3.5 percent union status; labor force experience; industry category; occupational category—41 percent unexplained. They cannot explain why it is. The fact is, that is because of discrimination. It is because our laws have not done enough to prevent this discrimination from occurring. That is why the Lilly Ledbetter Fair Pay Act was a critical first step. That is why it is important to pass the Paycheck Fairness Act.

That bill was introduced last week by Senator MIKULSKI. I am proud to be an original cosponsor. She has always championed that. What that does is start to close a lot of the loopholes and barriers to effective enforcement in our existing law to close that 41 percent unexplained gap. We need to strengthen penalties and give women the tools they need to confront discrimination.

It is outrageous that the Senate has not yet passed the Paycheck Fairness Act. In the last two Congresses this bill got more than a majority of support. In 2010 58 United States Senators, a large majority, voted to pass this legislation. If we had 58 votes, why didn't we get it? Because of Republican obstructionism, we could not even proceed to debate the bill. This was a filibuster on a motion to proceed to the bill. We got 58 votes, but we could not even debate it.

Since we just went through a recent debate on rules reform, I want the American people to understand this. The Republicans, the minority party has continuously prevented the Senate from even considering the issue of unequal wages and gender discrimination. Millions of women and their families are concerned about the fact that they get paid less than their male colleagues. It is unfair; it is unjust. Never-

theless, repeatedly, the Republicans have filibustered even debating the issue.

Just last week we had a vote in the Senate to change the rules. We made some modifications of the rules. I truly hope those modifications which were made will now enable us to get over this hurdle so we can bring up the Paycheck Fairness Act and debate it. If they want to offer amendments, that is fine, but let's debate it. Let's have amendments and then let's vote to pass the bill. I hope the changes in the rules last week will enable us to do so.

As I said, the Lilly Ledbetter bill was a first step. The Paycheck Fairness Act will start to close some of the loopholes and make sure the penalties will be enforced. But there is one more step which needs to be taken, and I think it is the most critical one of all—equal pay, yes. We have had that since 1963; that is, women and men doing the same job. The Lilly Ledbetter Act allows us to go back and get the back wages that were due, but that is sort of after the fact.

The Paycheck Fairness Act will make sure we have penalties and enforceability. However, there is one other huge, glaring discrimination that is ongoing in our society today against women; that is, as a nation we unjustly devalue jobs traditionally performed by women even when they require comparable skills to the jobs traditionally performed by men.

Today millions of what we call female-dominated jobs, such as social workers, teachers, childcare workers, nurses, those who care for our elderly in assisted living care or in nursing homes—most of these jobs are equivalent in skills and working conditions to male-dominated jobs, but the female-dominated jobs pay significantly less. This is unfair and unjust discrimination.

Why is a housekeeper worth less than a janitor? Why is a maid worth less than a janitor? Eighty-nine percent of maids are female; 67 percent of janitors are male. While the jobs are equivalent in skills, effort, responsibility, and working conditions, the median weekly earnings for a maid are \$387 and for a janitor it is \$463. Computer-support workers—a job that is 72 percent male—have median weekly earnings of \$949. In contrast, secretaries and administrative assistants, which is 96 percent female, have median weekly earnings of \$659. Why do we value someone who helps with computers more than someone who makes the entire office function? That is not to say the men are overpaid, it is just to say that jobs we have long considered in our country as “women's work” or “women's jobs” are grossly underpaid.

Now to address this more subtle, deep-rooted discrimination, today I introduced the Fair Pay Act. As I said, this is a bill I have introduced—along

with Congresswoman NORTON—every year since 1996. The bill will ensure that employers provide equal pay for jobs that are equivalent in skill, effort, responsibility, and working conditions.

People have asked: How do we do that? Well, we have some history. In 1982 the State of Minnesota implemented a pay equity plan for its State, and I think, also, municipal employees. The State found that women were segregated into historically female-dominated jobs and that women's jobs paid 20 percent less than male-dominated jobs. Pay equity wage adjustments were phased in over 4 years, leading to an average pay increase of \$200 per month for women in female-dominated jobs.

In 1983, in my home State of Iowa, the Iowa Legislature—a Republican legislature and a Republican Governor, I might add—passed a bill stipulating that the State shall not discriminate in compensation between predominantly male and female jobs deemed to be of comparable worth. That was in 1983. I am proud of Iowa. I just want to say this was passed by a Republican legislature and signed by a Republican Governor.

Toward that end, the State engaged a professional accounting firm to evaluate the value of 800 job classifications in State government. The final recommendations, which were made in April of 1984, proposed that 10,751 employees should be given a pay increase. After being implemented in March 1985, female employees' pay had increased at that time by about 1.5 percent. Think of what that means from 1985 to now and how much more those women are paid over all those years. This can be done as well for the women in this country who are currently being paid less, not because of their skills or education but simply because they are in undervalued “female jobs.” Making sure they receive their real worth will make a real difference for them and the family who rely on their wages.

Again, many of these jobs are jobs that we don't know what we would do without them. Have you ever visited someone in your family who was in a nursing home? Who is taking care of those people? Women. If we take someone who is in a situation like that, they have to lift and move heavy people. They have to be strong, and they care for people. Then we look at truckdrivers. Most truckdrivers are men. Truckdrivers have power steering and power brakes. A person doesn't have to be strong to drive a truck. They are making a lot more money than that woman who is working in a nursing home and taking care of our grandparents. Why? Skills, effort, responsibility, and working conditions are about the same.

What my bill would do would be very simple. It would require employers to publicly disclose their job categories

and their pay scales. Got it? Employers would publicly disclose their job categories and pay scales without requiring specific information on individual employees. I am not asking anyone to say what they are paying an individual employee. We just want to know job categories and pay scales. If we give women information about what their male colleagues are earning, they can insist on a better deal for themselves in the workplace.

Right now women who believe they are the victim of pay discrimination must file a lawsuit and endure a drawn-out legal discovery process to find out whether they make less than the man working beside them. With pay statistics readily available, this process could be avoided. In fact, I remember when Lilly Ledbetter first testified before our committee—the committee I now chair and the committee on which the distinguished occupant of the chair is proud to serve.

I had provided Lilly Ledbetter information on the Fair Pay Act—the one I am talking about. I asked her if the Fair Pay Act had been law, would it have averted her wage discrimination case. She made it very clear that had she had the information about pay scales, which our bill provides, this would have given her the information she needed to insist on being paid a fair salary from the beginning rather than having to resort to litigation years after the discrimination began.

Four years after President Obama signed the Lilly Ledbetter Fair Pay Act, let's make sure what happened to Lilly never happens again by recommitting ourselves to eliminating discrimination in the workplace and making equal pay for equivalent work a reality.

I have introduced this bill in every Congress since 1996. We get focused on Lilly Ledbetter, and that is important. We are focused on paycheck fairness as well. Let's think about the millions of American women out there who are in these traditional women's jobs which require the skill, effort, responsibility, and working conditions that are similar to a man and yet they are grossly underpaid.

If Minnesota and Iowa—and there may be some other States I don't know about; I just know about those two. If they can do it—and they did this in the 1980s for State employees as well as municipal employees in Minnesota—surely we can do this nationwide. If we really want to stop the discrimination in pay in this country between women and men, the Fair Pay Act is the one that will do it.

I am going to continue to push for this as long as I am here. Hopefully, we can have some hearings on it again, which I will, and hopefully we can begin to move on it.

By Mr. HATCH (for himself, Ms. KLOBUCHAR, Mr. RUBIO, Mr.

COONS, Mr. FLAKE, Mrs. SHAHEEN, Mr. HELLER, Mr. BLUMENTHAL, Mr. HOEVEN, Mr. WARNER, Mr. NELSON, and Mr. SCHATZ):

S. 169. A bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes; to the Committee on the Judiciary.

Mr. HATCH. Mr. President, I rise today to introduce the Immigration Innovation—or I-Squared—Act of 2013. I am pleased to be joined by my colleagues Senator AMY KLOBUCHAR, Senator MARCO RUBIO, and Senator CHRIS COONS, without whom this bill would not have materialized. All four of us worked very closely together, and each one of us deserves total credit for this bill. Together, we have crafted one of the first bipartisan immigration bills in this Congress, one that is designed to address the shortage of high-skilled labor we face in this country. This shortage has reached a crisis level. For too long, our country has been unable to meet the ever-increasing demand for workers trained in science, technology, engineering, and mathematics—or STEM—fields. As a result, some of our Nation's top technology markets, such as Silicon Valley, Seattle, Boston, New York, and Salt Lake City, are in desperate need for qualified STEM workers.

It is critical that we not only recognize this shortage of high-skilled workers but also understand why it exists. Increasingly, enrollment in U.S. universities in the STEM fields comes from foreign students, and despite our urgent need for workers in these fields, we continue to send these foreign students—potential high-skilled workers trained at American universities—back to their home countries after graduation.

Recently I was in a meeting with several leaders in the technology industry where it was mentioned that between 2010 and 2020, the American economy will annually create more than 120,000 additional computer science jobs that will require at least a bachelor's degree, and that is just mentioning one aspect of this. This is great news for many of our computer science students. Unfortunately, that is the end of the good news. Each year only about 40,000 American students received bachelor's degrees in computer science. In other words, there are approximately 80,000 new computer science positions every year in the United States that cannot be filled by the available American workforce. I might add that these are positions which need to be filled so that our technology industry can continue to thrive. Simply put, U.S.-based companies have a great need for those trained in the science, technology, engineering, and mathematics field, but at least right now, there are

not enough Americans trained and ready to fill these jobs.

We cannot continue to simply hope American companies do not move operations to countries where they have greater access to individuals trained in these STEM fields. We cannot continue to ignore this problem; it is that simple. Continued inaction causes us to miss out on an important opportunity, especially since, as the American Enterprise Institute has confirmed, 100 foreign-born workers with STEM degrees create an average of 262 additional jobs for native-born workers. Those countries would love to have their American-educated Ph.D.s and other highly educated individuals return and boost their economy—not only from their acquired skills but also by creating these new jobs as well. An updated, high-skilled immigration system is directly tied to creating jobs and spurring growth across all sectors of our economy. We cannot afford any further inaction on this issue.

The I-Squared Act of 2013 addresses the immediate short-term need to provide American employers with greater access to high-skilled workers while also addressing the long-term need to invest in America's STEM education. I am confident that this two-step approach will enable our country to thrive and help us compete in today's global economy.

I mentioned my three prime cosponsors on this bill, each one of whom deserves credit for this bill, each one of whom has been a pleasure to work with, each one of whom adds a great deal to getting this bill passed. I personally thank the Senators for working with me on this issue and allowing me the privilege of working with them on this issue.

Let me turn some time over to Senator KLOBUCHAR, who, along with Senators COONS and RUBIO, has been a prime mover on this piece of legislation.

THE PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I wish to thank Senator RUBIO and Senator COONS. I also thank the Senator from Utah for his incredible leadership. We have worked as a team. I think that is what this is, a team—team America. We must be a country that makes stuff again, invents things, and exports to the world. In order to do that, we need the world's talent, and that is what this bill is about.

As everyone can see by looking at the four of us here on the Senate floor, it is something on which both parties can agree. In order to get this done and get comprehensive immigration reform done, we must work in a bipartisan manner. I support the comprehensive immigration principles that were outlined yesterday for reform and look forward to working with my colleagues on the Judiciary Committee to get this done.

The I-squared bill is about encouraging engineers, inventors, innovators, and entrepreneurs to work here in this country and discouraging companies from contracting out with people in other countries. I cannot say how many Minnesota companies—small companies—have told me that they could not bring someone over because of the caps and they contracted with that person in another country. Well, guess what. That person then hired assistants and other people to work with them, but in one case they hired French people instead of hiring Americans.

In fact, a recent study headed by Mayor Bloomberg of New York, Mayor Castro of San Antonio, Mayor Nutter of Philadelphia, and others showed that every H-1B visa creates 1.8 American jobs. Those are jobs in Hawaii and those are jobs in Minnesota.

Take a look at the Fortune 500 companies. Ninety of those companies were founded by immigrants, and over 200 were founded by immigrants or their children, including Medtronic and 3M in my home State. This has meant an extraordinary number of good American jobs, and we want more. We want the next pacemaker or Post-it note, which were invented in my State, to be invented again in the United States of America.

I want to quickly lay out the four areas of reform that are included in the I-squared bill.

First of all, we reformed the H-1B visa system to meet the needs of a growing science, engineering, tech, and medical community and to help the workers who form the backbone of those businesses.

Second, we make changes to student visas to encourage students who get degrees here to stay in this country so we don't just say: Hey, go back to India or China or some other country and start the next Google over there. We want them to start it here.

Third, we improve the green card system.

Finally, and one of the most important aspects of this bill, we actually change the visa funding structure so that companies that bring in these high-tech and science and engineering immigrant workers will also be spending some money on funding all of the education efforts we need to do in this country for science, engineering, technology, and math, the STEM education that is going on in this country. Even by a conservative estimate, that would be \$300 million a year and something like \$3 billion in 10 years. That is real change, and it can change the system.

I am very appreciative of the work of my colleagues. I know Senator RUBIO, who has shown great leadership on this issue, is next and will talk about the H-1B and student visa reforms. I thank Senator HATCH and Senator COONS for their leadership on this issue. We are

very excited about moving ahead on this bill.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. I thank the Senator.

Mr. President, there has been a lot in the news over the last 24 hours about immigration as an issue that confronts our country. I wanted to put this in the context of that and then talk specifically about the details that are within this.

First of all, in the context of immigration reform, there are things I think the vast majority of Americans would agree. One is this: We have a legal immigration system that is not working for the country. I think that despite the debate which exists about illegal immigration and how to deal with that reality—and that is a real debate that needs to happen—one of the things everyone agrees on is that legal immigration is good for this country. It is an important part of our history and critical part of our future. The legal immigration system we have in place right now does not work for America, and it really does not work for the 21st century.

Let me be clear about one thing: I support family-based immigration. That is how my parents came to this country. I don't want us to do anything that undermines it. I also know that in the 21st century, we can no longer afford to have an immigration system where literally less than 10 percent of the people who come here do so based on the skills they bring to this country.

Think about this for a moment: If I said to my colleagues that the NBA should be a collection of the best basketball players in the world, who would disagree with that? If I said Major League Baseball should be a collection of the best baseball players in the world, who would disagree with that? How, then, can we disagree about that when it comes to our economy? How can we disagree that we should want the smartest, hardest working, most talented people on this planet to come here? I, for one, have no fear our country is going to be overrun by Ph.Ds. I have no fear this country is going to be overrun by nuclear physicists and inventors and entrepreneurs. We have to create a system where that can happen in a rational, organized, and legal way. That is what we are attempting to do because that is not what we have right now in the United States.

What we have, in fact, is a system—and Senator HATCH has discussed this. It was startling when I heard this. Yearly, our Nation has a demand for 120,000 computer science engineers, but our universities only produce 40,000 people a year. This is an indictment of our educational system. We need to fix that. We need to get to a point in this country where we have 120,000 people graduating to meet the demand. But in

the short term—right now—we have to deal with the fact that if those 80,000 graduates for those jobs are not created here, those jobs are still going to exist; they are just not going to exist here. Those companies are not going to wait for us to produce more graduates. These countries are not going to wait for us to fix our immigration system. They have a business to run. If they can't find the people they need to fill these jobs, they will send those jobs to another country.

What that means in practical terms is these high-paying jobs in these industries will be paying the taxes in some other country, will be stimulating the economy in some other country, will be laying down roots in some other nation. Do people want to know why one of the reasons America is special? Because for over 200 years we have been a collection of the world's best and brightest, a magnet that attracts people here. Now we have an immigration system that in the 21st century is making that very difficult to achieve. That is what this effort does.

The other concern I have heard is what about the folks in this country now. This is a legitimate concern. When people raise it, I don't get upset because it is a very legitimate concern: The kids who are born here and raised here and go into these industries, will they be hurt? As we have seen, the need far exceeds what we are producing, so that is not an immediate concern. But here is the other, and that is the startling figure that was used earlier; that for every 100 foreign-born STEM workers, we are creating 260-some-odd jobs. It is indisputable that these jobs create jobs for people right down the line in this process. If someone is an entrepreneur who is an immigrant, they create jobs for all kinds of people, and most of them were born here. If someone creates some new technology or develops it, they create jobs and opportunities for people who work here, live here, and were born here. This is a net positive for our economy. That is why this issue is so critical to be confronted.

By the way, as we talk about meeting the demand with our entire immigration system, we can't modernize America's legal immigration system if we don't have a way to get the world's best and brightest to come here in a way that is expedient and in a way that is cost-effective, in a way that is safe, and in a way that is legal. That is what we are attempting to do.

This bill is not in competition with any other effort; it compliments it. In fact, it is an indispensable part of it. We cannot comprehensively reform America's legal immigration system if it does not include VISA provisions for graduates in science, technology, engineering, and math.

My final point: It makes no sense to invite people to come to the United

States, to study at our universities, to become the best and brightest in the world at their subject matter, and then ask them to leave. Think about that for a moment. We tell people: Come to America. We are going to let you go to our best schools and teach you everything we know and then we want you to go somewhere else and use the knowledge you gained here. That is crazy. That is not just nonsensical, it is crazy. We can't keep doing that. Hopefully, we will begin to change it now.

It has been a pleasure to work with all the folks involved with this effort. The leadership of Senator HATCH has been extraordinary, as well as that of Senator KLOBUCHAR. We have a good group working together. Our final colleague who has been a part of this, and an indispensable one, who has also worked in the context of another piece of legislation which we are hopeful to get moving soon—startup 2.0—which is an issue for another day, we are obviously interested in hearing from Senator COONS from Delaware about this issue.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I greatly appreciate the opportunity to work with the Senator from Florida on this legislation and other legislation we are focused on about how to create jobs and how to drive our economy forward. I am grateful for the leadership of Senator HATCH and Senator KLOBUCHAR as well as for their companionship as we serve together on the Judiciary Committee and as the four of us this day introduce this bill of which we are so proud, the Immigration Innovation Act of 2013.

For decades, the United States enjoyed the commanding advantage of being home to all the world's top universities, particularly in science and technology, engineering and math, and the so-called STEM fields; and we were the best place for the graduates of those universities and their advanced science programs to stay and launch a new business.

But today that field has changed. Our competitors are vying to provide more supportive environments for innovators, inventions, and startup companies. There has been a sea change in the field of opportunity back home for those foreign nationals who, in increasing numbers, are educated in the United States and whom we then force to return to their nation of origin.

Even though many of the most talented young people from around the globe still pour into the United States to obtain their master's or doctoral degrees in STEM, now more than ever they are not just tempted to take their education home with them and start businesses elsewhere, but they are attracted by their home countries and

forced by our outdated immigration system. What an unwise way to compete in the global economy. Our outdated immigration system hasn't adapted to the modern world.

Half of all master's and doctoral degrees in STEM fields at American universities are today earned by foreign-born students who then face an uncertain, expensive, and unwieldy path to pursuing their dreams in the United States. Our country is hemorrhaging innovations and the inventors who make them and the jobs that come with them because America's immigration laws have failed to keep up with the demands of the modern age. We cannot afford to keep educating the world's brightest students at our leading universities which, I will remind my colleagues, are subsidized by U.S. tax dollars and American charitable giving, and then tell them they cannot repay those investments by contributing to the U.S. workforce. It is both bad policy and bad business.

That is why I have been working on this issue since I arrived in the Senate, introducing three bills and calling for the creation of a new class of green card for immigrants who have earned an advanced STEM degree from American universities.

I was especially glad to see the bipartisan framework released yesterday by Senators McCain, Schumer, Rubio, and others, which moves us toward comprehensive immigration reform and embraces this vital core premise. I also welcome President Obama's contributions to this discussion and look forward to hearing what he has to say today in Las Vegas.

There is, indeed, broad bipartisan agreement that it is long past time to reform our immigration system to make room for foreign-born, American-educated experts who want to apply their skills, start businesses, and raise their families here. At the same time, we have to dramatically improve STEM education available to American citizens to fill this dramatic gap in these fields. As Senator HATCH said just a few minutes ago, if we take the example of computer science, by 2020, the U.S. economy will need 120,000 men and women to fill these jobs. Yet just 40,000 graduates with degrees in computer science will be Americans. How to fill that gap?

The bipartisan legislation we introduce today tackles both sides of this problem, by reforming our outdated immigration system to allow highly skilled engineers and researchers to stay, rather than leaving and taking their jobs and future opportunities with them and by funneling the hundreds of millions of dollars in fees these experts pay for their green cards back into improving U.S.-based STEM education. It is a win-win.

The Immigration Innovation Act of 2013 will open the door, will recapture

unused green cards, and will move away from the outdated model of country caps and overall caps to better compete with countries such as our neighbors to the north in Canada where these caps don't exist, and where Microsoft is eager to open a new massive development facility at our expense and loss.

One of the most important parts of this legislation, as I mentioned, is that we are using fees from these newly expanded H-1B visas and green cards to fund State initiatives on STEM. This will keep America at the cutting edge of science and technology and fuel economic growth for this country and generations to come.

While each of the coauthors of this legislation have made substantial contributions, I am especially grateful to Senator HATCH of Utah for his leadership.

I yield to the Senator from Utah to tell us a little bit more about this legislation.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I wish to thank Senator COONS, Senator KLOBUCHAR, and Senator RUBIO. As my colleagues can see, it is a real pleasure to work with these three partners and others as well. I particularly wish to thank each of my colleagues for the helpful overview they have given on this bill. It has been a real pleasure for me to work with these three very innovative leaders in the Senate.

As a number of my colleagues have mentioned, by eliminating per-country limits for employment-based green cards, recapturing lost employment-based immigrant visas, exempting certain classes of immigrants from the annual green card limit, and creating a new and sustainable funding stream to enhance the U.S. STEM education pipeline, we will help America's innovative industries recruit and retain high-skilled talent to more effectively compete in today's global marketplace, and it will make us more competitive.

We have heard from many industry stakeholders that support the I-Squared Act of 2013. To date, we have received letters of support from the following organizations that support this bill: Microsoft, Oracle, Intel, IBM, Hewlett-Packard Company, Facebook, Texas Instruments, Qualcomm, U.S. Chamber of Commerce, the National Association of Manufacturers, BSA The Software Alliance, Compete America, the Semiconductor Industry Association, TechNet, the Technology Association of America, the Consumer Electronics Association, the Software and Information Industry Association, the Internet Association, the Computer and Communications Industry Association, the Information Technology Industry Council, the Information Technology and Innovation Foundation, TechServe Alliance, the Association

for Competitive Technology, the Telecommunications Industry Association, CTIA—The Wireless Association, Sabre Holdings, the Council of Chief State School Officers, and just to mention one other, Immigration Voice.

Mr. President, working with Senators KLOBUCHAR, RUBIO, and COONS, I have to say is a real privilege for me. These are three very fine additions to the Senate. In the case of Senator KLOBUCHAR and Senator COONS, they are two respected members of the Senate Judiciary Committee and Senator RUBIO, in my view, is one of the most knowledgeable Senators we have on immigration policy and, as we can see, a terrific leader in so many other ways. We send a strong message that both sides of the aisle can come together to craft bipartisan legislation to address one of our country's most urgent economic needs.

Yesterday, eight of our colleagues unveiled a framework to overhaul our Nation's immigration system. I am proud of them. I commend them for their willingness to work in a bipartisan way to reform our immigration laws. It is very much needed. One of the leaders is, of course, our own Senator RUBIO, as well as Senator SCHUMER and Senator MCCAIN, and others as well whom I hate to not mention, but I think my colleagues get the point. Similarly, the work of Senators KLOBUCHAR, RUBIO, COONS, and I have done in crafting the I-Squared Act of 2013 was no easy task and represents hours of negotiations with interested stakeholders and has garnered, as my colleagues can see, widespread industry support.

The I-Squared Act makes sense. I hope our language to reform the high-skilled immigration system is considered by this body in the immediate future. I would surely like to hear a little bit more from Senator KLOBUCHAR, if she would care to make some additional points. I don't mean to take all the time.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank the Senator for his kind words. I wanted to actually follow up a little bit with Senator RUBIO's analogy on the teams and the sports because I did note he mentioned basketball and baseball but not hockey. As my colleagues know, Minnesota is a State of hockey. In fact, we are very happy the NHL is back playing again and that our team The Wild is playing. I actually looked at some of the numbers similar to what Senator RUBIO was talking about and, in fact, a significant number of our players on our professional hockey team come from other countries. As my colleagues know, there are a lot of Canadian hockey players and players from all over the world in all these sports.

You wonder: Why is that? With all the talk about immigration backlogs

and the visa shortages, you wonder how all these great athletes are contributing to our teams. The answer is, there is no cap on visas for athletes. Again, there is no limit on how many athletes can come over and play on our sports teams. As a result, athletes from across the globe can compete here, and we have the best sports leagues in the world.

Why shouldn't we apply the same principles to engineering, to innovation, to science, to medical development? That is what we should be doing. In this bill, we do have some caps. But we are raising those caps because we think it is time to compete with the rest of the world.

Immigrants have always played a crucial role in these disciplines in the United States. In fact—and this was an interesting statistic we got—of the U.S. Nobel Prize winners, 30 percent of them, I say to Senator HATCH, have been immigrants—30 percent of them.

One of those was Mario Capecchi. He was born in Italy in 1937. His mother survived a Nazi concentration camp and was eventually able to bring him to the United States. In 2007, he won the Nobel Prize in medicine for his work on altering genes in mice through the use of stem cells. Obviously, this is an exciting area of work that gives us great hope to solve many diseases.

Medtronic, a Minnesota institution that has pioneered medical devices for years, started in a garage and was started by the child of an immigrant.

So why would we want to prevent the next person who would come in who could cure cancer, who would create a new energy source, who would bring in new means of communication to our country? This bill is about moving our country forward. This bill is about competing in the world economy. If we can do it in baseball, in basketball, and I would add, I say to Senator RUBIO, hockey, we can do it in engineering, science, technology, and math.

I thank my colleagues and turn it over to Senator RUBIO.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Mr. President, let the RECORD reflect I did not mean to offend hockey fans. On the contrary, we have two hockey teams, the Florida Panthers and the Lightning in the Tampa Bay area, which actually has won the Stanley Cup before, and the Florida Panthers were in the playoffs last year. So we like hockey too. We cannot play it outdoors in Florida. But in any event, I think the point is well taken that we do want the best and brightest.

The one point I wish to make is the one point I have picked up on, on the immigration issue, in general, over the last 24 to 48 hours; that is, how important it is that accurate information reach the American people about what it is we are working on and what it is we are not working on.

Immigration is a complicated issue. We hear a lot of discussion about immigration. I will have more to say about it later today. But immigration is a complicated process. The one we have now is complicated. It is important for people to understand what it is we are trying to do and what it is not. I think that is true for the entire issue of immigration but particularly important for this one.

To that end, I guess I wish to issue a public challenge to the companies that in the past have gotten engaged in the public discourse and in the public debate on issues that involve the issues of technology.

Just a few months ago—and it is a sore spot in some places, I imagine—we had this issue of SOPA and PIPA and all these other things that were going to impact the freedom of the Internet and the freedom of communicating online, and a lot of groups got involved to speak about that and to try to clear up the record about what they were for and what they were against.

I hope they will do the same thing on this. I hope they will use the platforms on this to openly discuss what this is about.

I guess this is a challenge to the Facebooks and the Googles and the Twitters of the world: Get engaged in letting people know what is at stake. If we like these innovations that have radically changed the way we live in this country—just think about this for a moment. If a decade ago we would tell someone we are going to Google them, they would be offended because that did not mean anything a decade ago. Now it means something. If we were to say a decade ago that we were going to tweet something, people would look at us funny. Now it actually means something.

These are innovations that happened in America that have not only changed the way we live and made our lives more interesting and in some ways more productive but are transforming the world.

Think about the political movements here and around the world. There was a time when one could not even engage in public discourse in America if they did not have an organization to back them. Now any single individual can become the leader of a movement fairly quickly by using the platforms that have been created by innovators.

A disproportionate number of the people who develop this stuff are immigrants or the children of immigrants or children or people we have trained in this country who, thank God, we did not send back home.

We have a chance to do that, and I hope those who have a vested interest in this issue passing will use the platforms they own and operate to clearly inform the American people about what is at stake on the issue of immigration as a whole but in particular on this issue of high-skill immigration.

I guess for some additional thoughts, I wish to turn it over to Senator COONS, who has a unique insight into innovation. We worked on the Startup 2.0. I will plug it again because it is an important piece of legislation we would like to get done fairly soon. A lot of it is based on investor visas and things of that nature.

I think Senator COONS has more to add about our effort here today.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. NELSON. Mr. President, I say to Senator COONS, would the Senator yield just for a moment for a compliment?

Mr. COONS. Certainly. I yield to the Senator from Florida.

Mr. NELSON. Mr. President, I just wish to compliment my colleague from Florida. As I gave a number of interviews yesterday on his initiatives with regard to comprehensive immigration—not to speak of the issue at hand, more about the specialized necessity of visas, but on overall comprehensive immigration, which I certainly favor and have voted for in the past—a huge step was taken because of the initiative of a number of courageous Senators, among whom I would include my colleague from Florida.

Thank you.

Mr. COONS. I thank Senator NELSON. The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I join the Senator from Florida in thanking and recognizing the junior Senator from Florida, Mr. RUBIO, for his great work on the issues of job creation and innovation through Startup 2.0 and other bills we have worked on together but also through the comprehensive framework that was released yesterday. The framework released by Senators SCHUMER, MCCAIN, RUBIO, and others takes the right approach to ensuring that the United States has a modern, efficient, effective, and compassionate immigration system.

I was glad to see it addressed family-based immigration challenges, including creating an expedited path to citizenship for young people brought here as children through no fault of their own—people we rightly call DREAMers.

While the Immigration Innovation Act we are introducing today recognizes the vital, the critical contributions immigrants have made and will continue to make in highly technical fields, we also must recognize the essential contributions immigrants make along the entire labor spectrum, across the whole breadth of this country—to building up this country in the past and to giving it a brighter future.

As you heard from Senator KLOBUCHAR before, if Team USA is to play competitively globally, we need the best and the brightest contributors to our future. Why would we educate the

best inventors and innovators in the world and send many of them back to compete against us from other countries rather than embracing them and allowing them to invent, to invest, and create companies and jobs in the United States?

While I am eager to move ahead on family-focused reform, I am equally eager to have us move ahead with reform for STEM degree holders. Comprehensive immigration reform is a necessity for the hard-working people of Delaware and around the country, for those who want nothing more than to play by the rules, build a better life for their children, and contribute to the American dream.

That is what any of us would want, the chance to work hard, to see our children grow up happy and healthy, with the education and opportunities that make their dreams come true, and to contribute to a stronger America.

That is why I am committed to a comprehensive overhaul of our immigration system, one that supports children and families, as well as our economy and our vital technology sector, and that welcomes immigrants into the rich fabric of this country, as the United States has done since our founding.

As someone who trained in chemistry, as someone who worked for a high-technology, materials-based science company, as someone who met just yesterday with a Delaware company complaining of the challenges that visa caps and limits place on their ability to do research and development and to compete in the global economy, I am grateful for the leadership Senator HATCH and Senator KLOBUCHAR and Senator RUBIO have shown in crafting this piece—this vital piece—of the total picture of comprehensive immigration reform.

I thank the Presiding Officer.

I say to Senator HATCH, does the Senator have some closing comments as we conclude this colloquy?

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I wish to particularly thank my colleagues—Senator COONS and Senator RUBIO and Senator KLOBUCHAR—for their work on this bill. It is obvious from their statements here today they have a great deal of commitment to these important issues.

I-squared is a commonsense approach to ensuring that those who have come to be educated in our American universities have the ability to stay with their families and contribute to our economy and our society.

This bill is good for workers, it is good for businesses trying to grow, and it is good for our economy.

I am pleased with the momentum we already have seen on this bill through industry support and within the Senate itself.

I am pleased to announce that Senators FLAKE, SHAHEEN, HELLER, BLUMENTHAL, HOEVEN, NELSON, and WARNER have agreed to be original cosponsors of the I-Squared Act, and I encourage many more of my colleagues to support and help pass this bill. It is long overdue. It is well thought out. We have run it by the top people in this country. Frankly, it has a lot of support so far. We have not even gone out and tried to get cosponsors, and they are starting to come naturally. I hope we can get the Senate to call up this bill. Of course, I think we are all interested in going beyond this bill too, in doing true immigration reform that will help our country to continue to maintain itself as the greatest country in the world.

I wish to thank my colleagues. This has been a real privilege to serve with them on the floor today.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 169

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Immigration Innovation Act of 2013” or the “I-Squared Act of 2013”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—EMPLOYMENT-BASED NONIMMIGRANT VISAS

Sec. 101. Market-based H-1b visa limits.

Sec. 102. Employment authorization for dependents of H-1b non-immigrants.

Sec. 103. Eliminating impediments to worker mobility.

TITLE II—STUDENT VISAS

Sec. 201. Authorization of dual intent.

TITLE III—EMPLOYMENT-BASED IMMIGRANT VISAS

Sec. 301. Elimination of per-country numerical limitations.

Sec. 302. Recapturing lost employment-based immigrant visas.

Sec. 303. Aliens not subject to direct numerical limitation.

TITLE IV—STEM EDUCATION FUNDING

Sec. 401. Funding for STEM education and training.

Sec. 402. Promoting American Ingenuity Account.

Sec. 403. STEM education grant application process.

Sec. 404. Approved activities.

Sec. 405. National evaluation.

Sec. 406. Rule of construction.

TITLE I—EMPLOYMENT-BASED NONIMMIGRANT VISAS

SEC. 101. MARKET-BASED H-1B VISA LIMITS.

(a) IN GENERAL.—Section 214(g) of the Immigration and Nationality Act (8 U.S.C. 1184(g)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “(beginning with fiscal year 1992)”;

(B) by amending subparagraph (A) to read as follows:

“(A) under section 101(a)(15)(H)(i)(b) may not exceed the sum of—

“(i) the base allocation calculated under paragraph (9)(A); and

“(ii) the allocation adjustment calculated under paragraph (9)(B); and”;

(2) in paragraph (5)—

(A) in subparagraph (B), by striking “or” at the end; and

(B) in subparagraph (C), by striking “, until the number of aliens who are exempted from such numerical limitation during such year exceeds 20,000,” and inserting “; or”;

(3) in paragraph (8), by striking subparagraphs (B)(iv) and (D);

(4) by redesignating paragraph (10) as subparagraph (D) of paragraph (9);

(5) by redesignating paragraph (9) as paragraph (10); and

(6) by inserting after paragraph (8) the following:

“(9)(A) The base allocation of nonimmigrant visas under section 101(a)(15)(H)(i)(b) for each fiscal year shall be equal to—

“(i) the sum of—

“(I) the base allocation for the most recently completed fiscal year; and

“(II) the allocation adjustment for the most recently completed fiscal year;

“(ii) if the number calculated under clause (i) is less than 115,000, 115,000; or

“(iii) if the number calculated under clause (i) is more than 300,000, 300,000.

“(B)(i) If the number of cap-subject nonimmigrant visa petitions approved under section 101(a)(15)(H)(i)(b) during the first 45 days petitions may be filed for a fiscal year is equal to the base allocation for such fiscal year, an additional 20,000 such visas shall be made available beginning on the 46th day on which petitions may be filed for such fiscal year.

“(ii) If the base allocation of cap-subject nonimmigrant visa petitions approved under section 101(a)(15)(H)(i)(b) for a fiscal year is reached during the 15-day period ending on the 60th day on which petitions may be filed for such fiscal year, an additional 15,000 such visas shall be made available beginning on the 61st day on which petitions may be filed for such fiscal year.

“(iii) If the base allocation of cap-subject nonimmigrant visa petitions approved under section 101(a)(15)(H)(i)(b) for a fiscal year is reached during the 30-day period ending on the 90th day on which petitions may be filed for such fiscal year, an additional 10,000 such visas shall be made available beginning on the 91st day on which petitions may be filed for such fiscal year.

“(iv) If the base allocation of cap-subject nonimmigrant visa petitions approved under section 101(a)(15)(H)(i)(b) for a fiscal year is reached during the 185-day period ending on the 275th day on which petitions may be filed for such fiscal year, an additional 5,000 such visas shall be made available beginning on the date on which such allocation is reached.

“(v) If the number of cap-subject nonimmigrant visa petitions approved under section 101(a)(15)(H)(i)(b) for a fiscal year is at least 5,000 fewer than the base allocation, but is not more than 9,999 fewer than the base allocation, the allocation adjustment for the following fiscal year shall be -5,000.

“(vi) If the number of cap-subject nonimmigrant visa petitions approved under section 101(a)(15)(H)(i)(b) for a fiscal year is

at least 10,000 fewer than the base allocation, but not more than 14,999 fewer than the base allocation, the allocation adjustment for the following fiscal year shall be -10,000.

“(vii) If the number of cap-subject nonimmigrant visa petitions approved under section 101(a)(15)(H)(i)(b) for a fiscal year is at least 15,000 fewer than the base allocation, but not more than 19,999 fewer than the base allocation, the allocation adjustment for the following fiscal year shall be -15,000.

“(viii) If the number of cap-subject nonimmigrant visa petitions approved under section 101(a)(15)(H)(i)(b) for a fiscal year is at least 20,000 fewer than the base allocation, the allocation adjustment for the following fiscal year shall be -20,000.”

(b) REPORTING REQUIREMENT.—The Secretary of Homeland Security shall—

(1) timely upload to a public website data that summarizes the adjudication of nonimmigrant petitions under section 101(a)(15)(H)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(b)) during each fiscal year; and

(2) allow the timely adjustment of visa allocations under section 214(g)(9)(B) of such Act, as added by subsection (a).

SEC. 102. EMPLOYMENT AUTHORIZATION FOR DEPENDENTS OF H-1B NON-IMMIGRANTS.

Section 214(c) of the Immigration and Nationality Act (8 U.S.C. 1184(c)) is amended—

(1) by striking “Attorney General” each place such term appears and inserting “Secretary of Homeland Security”; and

(2) in paragraph (2), by amending subparagraph (E) to read as follows:

“(E) The Secretary of Homeland Security shall—

“(i) authorize an alien spouse admitted under subparagraph (H)(i)(b) or (L) of section 101(a)(15) who is accompanying or following to join the principal alien to engage in employment in the United States; and

“(ii) provide the spouse with an ‘employment authorized’ endorsement or other appropriate work permit.”

SEC. 103. ELIMINATING IMPEDIMENTS TO WORKER MOBILITY.

(a) DEFERENCE TO PRIOR APPROVALS.—Section 214(c) of the Immigration and Nationality Act (8 U.S.C. 1184(c)) is amended by adding at the end the following:

“(9) The Secretary of Homeland Security may not deny a petition to extend the status of a nonimmigrant admitted under subparagraph (H)(i)(b) or (L) of section 101(a)(15) in which the petition involves the same alien and petitioner unless the Secretary determines that—

“(A) there was a material error with regard to the previous petition approval;

“(B) a substantial change in circumstances has taken place that renders the nonimmigrant ineligible for such status under this Act; or

“(C) new material information has been discovered that adversely impacts the eligibility of the employer or the nonimmigrant.”

(b) EFFECT OF EMPLOYMENT TERMINATION.—Section 214(n) of the Immigration and Nationality Act (8 U.S.C. 1184(n)) is amended by adding at the end the following:

“(3) A nonimmigrant admitted under section 101(a)(15)(H)(i)(b) whose employment relationship terminates before the expiration of the nonimmigrant’s period of authorized admission shall be deemed to have retained such legal status throughout the entire 60-day period beginning on the date such employment is terminated if an employer files a petition to extend, change, or adjust the

status of the nonimmigrant at any point during such period.”

(c) VISA REVALIDATION.—Section 222(c) of the Immigration and Nationality Act (8 U.S.C. 1202(c)) is amended by inserting “The Secretary of State shall authorize an alien admitted under subparagraph (E), (H), (L), (O), or (P) of section 101(a)(15) to renew his or her nonimmigrant visa in the United States if the alien has remained eligible for such status.”

TITLE II—STUDENT VISAS

SEC. 201. AUTHORIZATION OF DUAL INTENT.

(a) DEFINITION.—Section 101(a)(15)(F)(i) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)(i)) is amended by striking “which he has no intention of abandoning”.

(b) PRESUMPTION OF STATUS; INTENTION TO ABANDON FOREIGN RESIDENCE.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended—

(1) in subsection (b), by striking “(L) or (V)” and inserting “(F), (L), or (V)”;

(2) in subsection (h), by striking “(H)(i)(b) or (c)” and inserting “(F), (H)(i)(b), (H)(i)(c)”.

TITLE III—EMPLOYMENT-BASED IMMIGRANT VISAS

SEC. 301. ELIMINATION OF PER-COUNTRY NUMERICAL LIMITATIONS.

(a) IN GENERAL.—Section 202(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1152(a)(2)) is amended to read as follows:

“(2) PER COUNTRY LEVELS FOR FAMILY-SPONSORED IMMIGRANTS.—Subject to paragraphs (3) and (4), the total number of immigrant visas made available to natives of any single foreign state or dependent area under section 203(a) in any fiscal year may not exceed 15 percent (in the case of a single foreign state) or 2 percent (in the case of a dependent area) of the total number of such visas made available under such section in that fiscal year.”

(b) CONFORMING AMENDMENTS.—Section 202 of the Immigration and Nationality Act (8 U.S.C. 1152) is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking “both subsections (a) and (b) of section 203” and inserting “section 203(a)”;

(B) by striking paragraph (5); and

(2) by amending subsection (e) to read as follows:

“(e) SPECIAL RULES FOR COUNTRIES AT CEILING.—If the total number of immigrant visas made available under section 203(a) to natives of any single foreign state or dependent area will exceed the numerical limitation specified in subsection (a)(2) in any fiscal year, the number of visas for natives of that state or area shall be allocated under section 203(a) so that, except as provided in subsection (a)(4), the proportion of the visa numbers made available under each of paragraphs (1) through (4) of section 203(a) is equal to the ratio of the total number of visas made available under the respective paragraph to the total number of visas made available under section 203(a).”

(c) COUNTRY-SPECIFIC OFFSET.—Section 2 of the Chinese Student Protection Act of 1992 (8 U.S.C. 1255 note) is amended—

(1) in subsection (a), by striking “subsection (e)” and inserting “subsection (d)”;

and

(2) by striking subsection (d) and redesignating subsection (e) as subsection (d).

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013, and shall apply to fiscal years beginning with fiscal year 2014.

SEC. 302. RECAPTURING LOST EMPLOYMENT-BASED IMMIGRANT VISAS.

Section 201(d) of the Immigration and Nationality Act (8 U.S.C. 1151(d)) is amended to read as follows:

“(d) WORLDWIDE LEVEL OF EMPLOYMENT-BASED IMMIGRANTS.—

“(1) IN GENERAL.—The worldwide level of employment-based immigrants under this subsection for a fiscal year is equal to the sum of—

“(A) 140,000; and

“(B) the number computed under paragraph (2).

“(2) UNUSED VISAS.—The number computed under this paragraph is the difference, if any, between—

“(A) the sum of the worldwide levels established under paragraph (1) for fiscal years 1992 through the current fiscal year; and

“(B) the number of visas actually issued under section 203(b), subject to this subsection, during such fiscal years.”.

SEC. 303. ALIENS NOT SUBJECT TO DIRECT NUMERICAL LIMITATION.

(a) IN GENERAL.—Section 201(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(1)) is amended by adding at the end the following:

“(F) Aliens who are the spouse or a child of an alien admitted as an employment-based immigrant under section 203(b).

“(G) Aliens who have earned a master’s or higher degree in a field listed on the STEM Designated Degree Program List published by the Department of Homeland Security on the Student and Exchange Visitor Program website from an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))).

“(H) Aliens for whom a petition for an employment-based immigrant visa under paragraph (A) or (B) of section 203(b)(1) has been approved.”.

(b) CONFORMING AMENDMENTS.—Section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)) is amended—

(1) in paragraph (1), by striking “28.6 percent” and inserting “12 percent”;

(2) in paragraph (2)(A), by striking “28.6 percent” and inserting “36.9 percent”; and

(3) in paragraph (3)—

(A) in subparagraph (A), by striking “28.6 percent” and inserting “36.9 percent”;

(B) by striking subparagraph (B); and

(C) by redesignating subparagraph (C) as subparagraph (B).

TITLE IV—STEM EDUCATION FUNDING**SEC. 401. FUNDING FOR STEM EDUCATION AND TRAINING.**

(a) NONIMMIGRANT FEE ADJUSTMENT AND ALLOCATION.—Section 214(c)(9) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(9)) is amended—

(1) by amending subparagraph (B) to read as follows:

“(B) The amount of the fee imposed under this paragraph shall be—

“(i) \$1,250 for each such petition filed by an employer with not more than 25 full-time equivalent employees who are employed in the United States (determined by including any affiliate or subsidiary of such employer); and

“(ii) \$2,500 for each such petition filed by an employer with more than 25 such employees.”; and

(2) by amending subparagraph (C) to read as follows:

“(C) Fees collected under this paragraph shall be distributed as follows:

“(i) Of the amounts collected pursuant to subparagraph (B)(i)—

“(I) \$750 shall be deposited in the Treasury in accordance with section 286(s); and

“(II) \$500 shall be deposited in the Treasury in accordance with section 286(w).

“(ii) Of the amounts collected pursuant to subparagraph (B)(ii)—

“(I) \$1,500 shall be deposited in the Treasury in accordance with section 286(s); and

“(II) \$1,000 shall be deposited in the Treasury in accordance with section 286(w).”.

(b) CONFORMING AMENDMENT.—Section 286(s)(1) of the Immigration and Nationality Act (8 U.S.C. 1356(s)(1)) is amended by striking the last sentence and inserting “There shall be deposited as offsetting receipts into the account a portion of the fees collected under paragraphs (9) and (11) of section 214(c).”.

(c) IMMIGRANT FEE.—Section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)) is amended by adding at the end the following:

“(7) FUNDING FOR STEM EDUCATION AND TRAINING.—The Secretary of Homeland Security shall impose a fee of \$1,000 on each I-140 immigrant visa petition filed under this subsection. Amounts collected under this paragraph shall be deposited into the Treasury in accordance with section 286(w).”.

SEC. 402. PROMOTING AMERICAN INGENUITY ACCOUNT.

Section 286 of the Immigration and Nationality Act (8 U.S.C. 1356) is amended by adding at the end the following:

“(w) PROMOTING AMERICAN INGENUITY ACCOUNT.—

“(1) IN GENERAL.—There is established in the general fund of the Treasury a separate account, which shall be known as the ‘Promoting American Ingenuity Account’. There shall be deposited as offsetting receipts into the account fees collected under section 203(b)(7) and a portion of the fees collected under section 214(c)(9). Amounts deposited into the account shall remain available to the Secretary of Education until expended.

“(2) PURPOSES.—The purposes of the Promoting American Ingenuity Account are to enhance the economic competitiveness of the United States by—

“(A) strengthening STEM education, including in computer science, at all levels;

“(B) ensuring that schools have access to well-trained and effective STEM teachers;

“(C) supporting efforts to strengthen the elementary and secondary curriculum, including efforts to make courses in computer science more broadly available; and

“(D) helping colleges and universities produce more graduates in fields needed by American employers.

“(3) ALLOCATION OF FUNDS.—

“(A) NATIONAL ACTIVITIES.—The Secretary of Education may reserve up to 5 percent of the amounts deposited into the Promoting American Ingenuity Account for national research, development, demonstration, evaluation, and dissemination activities carried out directly or through grants, contracts, or cooperative agreements, including—

“(i) activities undertaken jointly with other Federal agencies, such as STEM mission agencies; and

“(ii) grants to non-profit organizations for nationally significant activities consistent with the purposes of the Immigration Innovation Act of 2013.

“(B) ALLOCATIONS TO STATES.—

“(i) IN GENERAL.—Subject to clause (ii), the Secretary of Education shall proportionately allocate the remaining amounts deposited into the account to the States each fiscal year in an amount that bears the same relationship to the remainder as the amount the

State received under subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6331 et seq.) for the preceding fiscal year bears to the amount all States received under that subpart for the preceding fiscal year.

“(ii) MINIMUM ALLOCATIONS.—No State shall receive less than an amount equal to 0.5 percent of the total amount made available to all States from the Promoting American Ingenuity Account. If a State does not request an allocation from the Account for a fiscal year, the Secretary shall reallocate the State’s allocation to the remaining States in accordance with this section.”.

SEC. 403. STEM EDUCATION GRANT APPLICATION PROCESS.

(a) APPLICATION.—Each State desiring to receive an allocation from the Promoting American Ingenuity Account established under section 286(w) of the Immigration and Nationality Act (8 U.S.C. 1356(w)) submit an application to the Secretary of Education that describes how the State plans to improve STEM education to meet the needs of employers in the State, at such time, in such form, and including such information as the Secretary may prescribe.

(b) APPROVAL.—The Secretary of Education shall approve any application submitted under subsection (a) that meets the requirements prescribed by the Secretary if the Secretary determines, after evaluating the recommendations of peer reviewers, that the State’s plan for the use of funds would be successful in making progress toward meeting the purposes set forth in section 286(w)(2) of the Immigration and Nationality Act (8 U.S.C. 1356(w)(2)).

SEC. 404. APPROVED ACTIVITIES.

A State or other entity that receives funding from the Promoting American Ingenuity Account may use such funding—

(1) to strengthen the State’s academic achievement standards in science, technology, engineering, and mathematics (STEM);

(2) to implement strategies for the recruitment, training, placement, and retention of teachers in STEM fields, including computer science;

(3) to carry out initiatives designed to assist students in succeeding and graduating from postsecondary STEM programs;

(4) to improve the availability and access to STEM-related worker training programs, including community college courses and programs; and

(5) for other activities approved by the Secretary of Education to improve STEM education.

SEC. 405. NATIONAL EVALUATION.

(a) IN GENERAL.—Using amounts reserved under section 286(w)(3)(A) of the Immigration and Nationality Act, as added by section 402, the Secretary of Education shall conduct, directly or through a grant or contract, an annual evaluation of the implementation and impact of the activities funded by the Promoting American Ingenuity Account.

(b) ANNUAL REPORT.—The Secretary shall submit a report describing the results of each evaluation conducted under subsection (a) to—

(1) the President;

(2) the Committee on the Judiciary of the Senate

(3) the Committee on the Judiciary of the House of Representatives

(4) the Committee on Health, Education, Labor, and Pensions of the Senate; and

(5) the Committee on Education and the Workforce of the House of Representatives.

(c) DISSEMINATION.—The Secretary shall make the findings of the evaluation widely

available to educators, the business community, and the public.

SEC. 406. RULE OF CONSTRUCTION.

Nothing in this title may be construed to permit the Secretary of Education or any other Federal official to approve the content or academic achievement standards of a State.

By Ms. MURKOWSKI (for herself and Mr. MANCHIN):

S. 170. A bill to recognize the heritage of recreational fishing, hunting, and recreational shooting on Federal public land and ensure continued opportunities for those activities; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to introduce the bipartisan Recreational Fishing and Hunting Opportunities Act.

My bill is cosponsored by my friend from West Virginia, Senator MANCHIN, and is a commonsense, bipartisan piece of legislation. It enjoys support from over 39 separate organizations from the hunting, shooting, recreational fishing and wildlife conservation community. In addition, my staff has worked diligently with environmental and conservation organizations such as the Wilderness Society and the National Parks Conservation Association to alleviate their concerns with previous versions of the bill by removing references to the Wilderness Act and the National Environmental Policy Act. Furthermore, this legislation specifically exempts National Park Units, National Wildlife Refuges and land held in trust for the benefit of Native Americans.

Our bill would acknowledge the importance of hunting and fishing on our BLM lands and in our National Forests by requiring hunting and fishing to be recognized activities on those lands. We are talking about traditional American activities, and they are activities that deserve the same consideration as other traditional uses of our public lands. Our legislation would establish an "open unless closed" policy for recreational hunting, fishing and shooting on BLM and Forest Service land. It is important to note, though, that this would not give these activities special priority, but merely level the current playing field between these traditional activities and other uses of our public lands.

I would like to thank Senator MANCHIN, an original cosponsor of this bill, for his and his staff's hard work in moving this bill forward. It is our hope that this bill will receive quick but careful consideration as many sportsmen across this country have been eagerly awaiting passage of this measure for quite a long time.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 20—DESIGNATING CHAIRMAN OF THE SENATE COMMITTEE ON FOREIGN RELATIONS

Mr. REID submitted the following resolution; which was considered and agreed to:

S. RES. 20

Resolved, The Senator from New Jersey, Mr. Menendez, shall be the Chairman of the Committee on Foreign Relations for the One Hundred Thirteenth Congress, or until his successor is chosen.

Sec. 2. *Provided*, That this resolution shall be effective upon the resignation of the Senator from Massachusetts (Mr. Kerry).

AMENDMENTS SUBMITTED AND PROPOSED

SA 5. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 325, to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 5. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 325, to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ FISCAL YEAR 2013 BUDGET SEQUESTER.

(a) IN GENERAL.—Notwithstanding any other provision of law, the budget sequester of the security category required by section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 for fiscal year 2013 shall be implemented as determined by the Secretary of Defense.

(b) REPORT.—On the date of the commencement of the budget sequester described in subsection (a), the Secretary of Defense shall submit a report to Congress detailing the reductions to discretionary appropriations in the security category required by this section.

SEC. ____ TRANSFER AUTHORITY FOR FUNDING OF DEPARTMENT OF DEFENSE UNDER CONTINUING RESOLUTION AND SEQUESTER CONSISTENT WITH AMOUNTS AUTHORIZED BY NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013.

(a) IN GENERAL.—In the event in fiscal year 2013 of a sequester during funding for the Department of Defense by continuing resolution, the Secretary of Defense may transfer amounts appropriated for the Department of Defense by the Continuing Appropriations Resolution, 2013 (Public Law 112-175) among accounts of the Department of Defense.

(b) TRANSFERS CONSISTENT WITH AMOUNTS AUTHORIZED BY PL 112-239.—In the event of any transfers under subsection (a), the total amount in any account of the Department of Defense that is available for obligation and expenditure in fiscal year 2013 may not ex-

ceed the amount authorized to be appropriated for that account for that fiscal year by applicable provisions of division A of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239).

(c) NOTICE TO CONGRESS.—Not later than 15 days after any transfer under subsection (a), the Secretary of Defense shall submit to the congressional defense committees a report setting forth a description of the transfer, including the amount of the transfer and the accounts from and to which the funds were transferred.

(d) TRANSFER AUTHORITY.—The transfer authority provided by subsection (a) is in addition to any other transfer authority provided by law.

(e) DEFINITIONS.—In this section:

(1) The term "congressional defense committees" has the meaning given that term in section 101(a)(16) of title 10, United States Code.

(2) The term "sequester during funding for the Department of Defense by continuing resolution" means the coming into effect of discretionary spending reductions under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 pursuant to section 251(a)(1) of that Act while funding for the Department of Defense is provided by section 101(a)(3) of the Continuing Appropriations Resolution, 2013.

NOTICE OF HEARING

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, January 31, 2013, at 10 a.m. in room SD-430 of the Dirksen Senate Office Building to conduct a hearing entitled "Pension Savings: Are Workers Saving Enough for Retirement?"

For further information regarding this meeting, please contact Michael Kreps of the committee staff on (202) 224-5111.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. NELSON. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on January 29, 2013, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. NELSON. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate to conduct a hearing entitled "30 Million New Patients and 11 Months to Go: Who Will Provide Their Primary Care?" on January 29, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. NELSON. Mr. President, I ask unanimous consent that the Select

Committee on Intelligence be authorized to meet during the session of the Senate on January 29, 2013, at 3 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES

Mr. HARKIN. Mr. President, I ask unanimous consent that Ben Smitton and Rich Vickers of my staff be granted floor privileges for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, I ask unanimous consent that Bryan Seeley, a Department of Justice detailee on the Judiciary Committee staff be given Senate floor privileges for the remainder of calendar year 2013.

The PRESIDING OFFICER. Without objection, it is so ordered.

LETTER OF RESIGNATION

The PRESIDING OFFICER. The Chair lays before the Senate the letter of resignation of Senator JOHN F. KERRY of Massachusetts, effective Friday, February 1, at 4 p.m.

Without objection, the letter is deemed read and spread upon the Journal.

The letter follows:

U.S. SENATE,
Washington, DC, January 29, 2013.
Hon. JOSEPH R. BIDEN,
President of the United States Senate, U.S. Capitol, Washington, DC.

DEAR MR. VICE PRESIDENT: This letter is to inform you that with great gratitude to the people of Massachusetts for the privilege of serving them for over 28 years and with great pride in what I have been able to contribute to Massachusetts and our country, I hereby resign my seat in the United States Senate effective Friday, February 1st at 4:00 p.m. in order to assume the responsibility of Secretary of State.

Respectfully,

JOHN F. KERRY.

NATIONAL STALKING AWARENESS MONTH

Mr. BROWN. Madam President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 14, and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 14) raising awareness and encouraging prevention of stalking by

designating January 2013 as "National Stalking Awareness Month."

There being no objection, the Senate proceeded to consider the resolution.

Mr. BROWN. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 14) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of Thursday, January 24, 2013, under "Submitted Resolutions.")

DESIGNATING CHAIRMAN OF THE SENATE COMMITTEE ON FOREIGN RELATIONS

Mr. BROWN. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 20, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 20) designating Chairman of the Senate Committee on Foreign Relations.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BROWN. Madam President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 20) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

MEASURE READ THE FIRST TIME—S. 177

Mr. BROWN. Madam President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 177) to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 entirely.

Mr. BROWN. Madam President, I now ask for a second reading and, in order

to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

ORDERS FOR WEDNESDAY, JANUARY 30, 2013

Mr. BROWN. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, January 30, 2013; that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business for 2 hours with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first hour and the Republicans controlling the final hour; further, that at 2:30 p.m. Senator KERRY be recognized for up to 30 minutes for the purpose of delivering his farewell address.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BROWN. Madam President, I congratulate the Presiding Officer on becoming the senior Senator from Massachusetts in almost record time.

We hope to complete consideration of the debt limit legislation before the end of the week.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BROWN. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:47 p.m., adjourned until Wednesday, January 30, 2013, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate January 29, 2013:

DEPARTMENT OF STATE

JOHN FORBES KERRY, OF MASSACHUSETTS, TO BE SECRETARY OF STATE.

HOUSE OF REPRESENTATIVES—Tuesday, January 29, 2013

The House met at 1 p.m. and was called to order by the Speaker pro tempore (Mr. UPTON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 29, 2013.

I hereby appoint the Honorable FRED UPTON to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Eternal God, we give You thanks for giving us another day.

We thank You once again that we, Your creatures, can come before You and ask guidance for the men and women of this assembly. Send Your Spirit of peace as they visit their families and constituencies back home. May their ears and hearts be open to listen to the hopes and needs of those whom they represent.

Bless the people of this great Nation with wisdom, knowledge and understanding, that they might responsibly participate in our American democracy by making their interests known to their Representatives.

Please keep all who work for the people's House in good health, that they might faithfully fulfill the great responsibility given them in their service to the work of the Capitol.

Bless us this day and every day, and may all that is done here be done for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ADJOURNMENT TO FRIDAY, FEBRUARY 1, 2013

The SPEAKER pro tempore. Without objection, when the House adjourns today, it shall adjourn to meet at 11 a.m. on Friday, February 1, 2013; and further when the House adjourns on that day, it shall adjourn to meet at 2 p.m. on Monday, February 4, 2013.

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 28, 2013.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 28, 2013 at 5:05 p.m.:

Appointments:
Social Security Advisory Board.
Congressional Award Board.
Commission on Security and Cooperation in Europe.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 29, 2013.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 29, 2013 at 9:12 a.m.:

That the Senate passed without amendment H.R. 152.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON HOMELAND SECURITY FOR THE 113TH CONGRESS

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington DC, January 28, 2013.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to clause 2(a) of rule XI of the Rules of the House of Representatives, I submit the Rules of the Committee on Homeland Security for the 113th Congress for publication in the Congressional Record. On January 23, 2013, the Committee on Homeland Security met in open session and adopted these Committee Rules by unanimous consent, a quorum being present.

Sincerely,

MICHAEL T. McCaul,
Chairman.

RULE I.—GENERAL PROVISIONS.

(A) *Applicability of the Rules of the U.S. House of Representatives.*—The Rules of the U.S. House of Representatives (the "House") are the rules of the Committee on Homeland Security (the "Committee") and its subcommittees insofar as applicable.

(B) *Applicability to Subcommittees.*—Except where the terms "Full Committee" and "subcommittee" are specifically mentioned, the following rules shall apply to the Committee's subcommittees and their respective Chairmen and Ranking Minority Members to the same extent as they apply to the Full Committee and its Chairman and Ranking Minority Member.

(C) *Appointments by the Chairman.*—Clause 2(d) of Rule XI of the House shall govern the designation of a Vice Chairman of the Full Committee.

(D) *Recommendation of Conferees.*—Whenever the Speaker of the House is to appoint a conference committee on a matter within the jurisdiction of the Full Committee, the Chairman shall recommend to the Speaker of the House conferees from the Full Committee. In making recommendations of Minority Members as conferees, the Chairman shall do so with the concurrence of the Ranking Minority Member of the Committee.

(E) *Motions to Disagree.*—The Chairman is authorized to offer a motion under clause 1 of Rule XXII of the Rules of the House whenever the Chairman considers it appropriate.

(F) *Committee Website.*—The Chairman shall maintain an official Committee web site for the purposes of furthering the Committee's legislative and oversight responsibilities, including communicating information about the Committee's activities to Committee Members, other Members, and the public at large. The Ranking Minority Member may maintain a similar web site for the same purposes. The official Committee web site shall display a link on its home page to the web site maintained by the Ranking Minority Member.

(G) *Activity Report.*—Not later than January 2 of each year, the Committee shall submit to the House a report on the activities of

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

the Committee. After adjournment sine die of a regular session of Congress, or after December 15, whichever occurs first, the Chair may file the report with the Clerk at any time and without approval of the Committee provided that a copy of the report has been available to each Member of the Committee for at least seven calendar days and the report includes any supplemental, minority, or additional views submitted by a Member of the Committee.

RULE II.—COMMITTEE PANELS.

(A) *Designation*.—The Chairman of the Full Committee, with the concurrence of the Ranking Minority Member, may designate a panel of the Committee consisting of Members of the Committee to inquire into and take testimony on a matter or matters that warrant enhanced consideration and to report to the Committee.

(B) *Duration*.—No panel appointed by the Chairman shall continue in existence for more than six months after the appointment.

(C) *Party Ratios and Appointment*.—Consistent with the party ratios established by the Majority party, all Majority members of the panels shall be appointed by the Chairman of the Committee, and all Minority members shall be appointed by the Ranking Minority Member of the Committee. The Chairman of the Committee shall choose one of the Majority Members so appointed who does not currently chair another Subcommittee of the Committee to serve as Chairman of the panel. The Ranking Minority Member of the Committee shall similarly choose the Ranking Minority Member of the panel.

(D) *Ex Officio Members*.—The Chairman and Ranking Minority Member of the Full Committee may serve as ex-officio Members of each committee panel but are not authorized to vote on matters that arise before a committee panel and shall not be counted to satisfy the quorum requirement for any purpose other than taking testimony.

(E) *Jurisdiction*.—No panel shall have legislative jurisdiction.

(F) *Applicability of Committee Rules*.—Any designated panel shall be subject to all Committee Rules herein.

RULE III.—SUBCOMMITTEES.

(A) *Generally*.—The Full Committee shall be organized into the following six standing subcommittees and shall have specific responsibility for such measures or matters as the Chairman refers to it:

(1) Subcommittee on Counterterrorism and Intelligence

(2) Subcommittee on Border and Maritime Security

(3) Subcommittee on Cybersecurity, Infrastructure Protection and Security Technologies

(4) Subcommittee on Oversight and Management Efficiency

(5) Subcommittee on Transportation Security

(6) Subcommittee on Emergency Preparedness, Response and Communications

(B) *Selection and Ratio of Subcommittee Members*.—The Chairman and Ranking Minority Member of the Full Committee shall select their respective Members of each subcommittee. The ratio of Majority to Minority Members shall be comparable to the Full Committee, except that each subcommittee shall have at least two more Majority Members than Minority Members.

(C) *Ex Officio Members*.—The Chairman and Ranking Minority Member of the Full Committee shall be ex officio members of each subcommittee but are not authorized to vote

on matters that arise before each subcommittee. The Chairman and Ranking Minority Member of the Full Committee shall only be counted to satisfy the quorum requirement for the purpose of taking testimony and receiving evidence.

(D) *Powers and Duties of Subcommittees*.—Except as otherwise directed by the Chairman of the Full Committee, each subcommittee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the Full Committee on all matters within its purview. Subcommittee Chairmen shall set hearing and meeting dates only with the approval of the Chairman of the Full Committee. To the greatest extent practicable, no more than one meeting and hearing should be scheduled for a given time.

(E) *Special Voting Provision*.—If a tie vote occurs in a Subcommittee on the question of forwarding any measure to the Full Committee, the measure shall be placed on the agenda for Full Committee consideration as if it had been ordered reported by the Subcommittee without recommendation.

RULE IV.—TIME OF MEETINGS.

(A) *Regular Meeting Date*.—The regular meeting date and time for the transaction of business of the Full Committee shall be at 10:00 a.m. on the first Wednesday that the House is in Session each month, unless otherwise directed by the Chairman.

(B) *Additional Meetings*.—At the discretion of the Chairman, additional meetings of the Committee may be scheduled for the consideration of any legislation or other matters pending before the Committee or to conduct other Committee business. The Committee shall meet for such purposes pursuant to the call of the Chairman.

(C) *Consideration*.—Except in the case of a special meeting held under clause 2(c)(2) of House Rule XI, the determination of the business to be considered at each meeting of the Committee shall be made by the Chairman.

RULE V.—NOTICE AND PUBLICATION.

(A) *Notice*.—

(1) *Hearings*.—Pursuant to clause 2(g)(3) of rule XI of the Rules of the House of Representatives, the Chairman of the Committee shall make public announcement of the date, place, and subject matter of any hearing before the Full Committee or subcommittee, which may not commence earlier than one week after such notice. However, if the Chairman of the Committee, with the concurrence of the Ranking Minority Member, determines that there is good cause to begin the hearing sooner, or if the Committee so determines by majority vote, a quorum being present for the transaction of business, the Chairman shall make the announcement at the earliest possible date. The names of all witnesses scheduled to appear at such hearing shall be provided to Members no later than 48 hours prior to the commencement of such hearing.

(2) *Meetings and Briefings*.—The date, time, place and subject matter of any meeting, other than a hearing or a regularly scheduled meeting, may not commence earlier than the third day on which Members have notice thereof except in the case of a special meeting called under clause 2(c)(2) of House Rule XI. These notice requirements may be waived if the Chairman with the concurrence of the Ranking Minority Member, determines that there is good cause to begin the meeting or briefing sooner or if the Committee so determines by majority vote, a quorum being present for the transaction of business.

(a) Copies of any measure or matter to be considered for approval by the Committee at any meeting, including any mark, print or amendment in the nature of a substitute shall be provided to the Members at least 48 hours in advance. Any substitute amendment in the nature of a substitute shall be provided to the Members at least 24 hours in advance.

(b) At least 48 hours prior to the commencement of a meeting for the markup of a measure or matter, the text of such measure or matter, including any mark, print or amendment in the nature of a substitute, shall be made publicly available in electronic form and posted on the official Committee web site. Any substitute amendment in the nature of a substitute shall be made publicly available in electronic form at least 24 hours prior to the commencement of a meeting for the markup of a measure or matter.

(c) Not later than 24 hours after concluding a meeting to consider a measure or matter, the text of such measure or matter as ordered forwarded or reported, including any amendments adopted or defeated, shall be made publicly available in electronic form and posted on the official Committee web site.

(3) *Publication*.—The meeting or hearing announcement shall be promptly published in the Daily Digest portion of the Congressional Record. To the greatest extent practicable, meeting announcements shall be entered into the Committee scheduling service of the House Information Resources.

RULE VI.—OPEN MEETINGS AND HEARINGS; BROADCASTING.

(A) *Open Meetings*.—All meetings and hearings of the Committee shall be open to the public including to radio, television, and still photography coverage, except as provided by rule XI of the Rules of the House or when the Committee, in open session and with a majority present, determines by recorded vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger the national security, compromise sensitive law enforcement information, tend to defame, degrade or incriminate a witness, or violate any law or rule of the House of Representatives.

(B) *Broadcasting*.—Whenever any hearing or meeting conducted by the Committee is open to the public, the Committee shall permit that hearing or meeting to be covered by television broadcast, internet broadcast, print media, and still photography, or by any of such methods of coverage, in accordance with the provisions of clause 4 of rule XI of the Rules of the House. Operation and use of any Committee operated broadcast system shall be fair and nonpartisan and in accordance with clause 4(b) of rule XI and all other applicable rules of the Committee and the House. Priority shall be given by the Committee to members of the Press Galleries. Pursuant to clause 2(e) of rule XI of the Rules of the House of Representatives, the Committee shall, to the greatest extent practicable, provide audio and video coverage of each hearing or meeting in a manner that allows the public to easily listen to and view the proceedings and shall maintain the recordings of such coverage in a manner that is easily accessible to the public.

(C) *Transcripts*.—A transcript shall be made of the testimony of each witness appearing before the Committee during a Committee hearing. All transcripts of meetings or hearings that are open to the public shall be made available.

RULE VII.—PROCEDURES FOR MEETINGS AND HEARINGS.

(A) *Opening Statements.*—At any meeting of the Committee, the Chairman and Ranking Minority Member shall be entitled to present oral opening statements of five minutes each. Other Members may submit written opening statements for the record. The Chairman presiding over the meeting may permit additional opening statements by other Members of the Full Committee or of that subcommittee, with the concurrence of the Ranking Minority Member.

(B) *The Five-Minute Rule.*—The time any one Member may address the Committee on any bill, motion, or other matter under consideration by the Committee shall not exceed five minutes, and then only when the Member has been recognized by the Chairman, except that this time limit may be extended when permitted by unanimous consent.

(C) *Postponement of Vote.*—The Chairman may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment. The Chairman may resume proceedings on a postponed vote at any time, provided that all reasonable steps have been taken to notify Members of the resumption of such proceedings, including circulation of notice by the Clerk of the Committee, or other designee of the Chair. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(D) *Contempt Procedures.*—No recommendation that a person be cited for contempt of Congress shall be forwarded to the House unless and until the Full Committee has, upon notice to all its Members, met and considered the alleged contempt. The person to be cited for contempt shall be afforded, upon notice of at least 72 hours, an opportunity to state why he or she should not be held in contempt prior to a vote of the Full Committee, with a quorum being present, on the question whether to forward such recommendation to the House. Such statement shall be, in the discretion of the Chairman, either in writing or in person before the Full Committee.

(E) *Record.*—Members may have 10 business days to submit to the Chief Clerk of the Committee their statements for the record, and, in the case of a hearing, additional questions for the hearing record to be directed towards a witness at the hearing.

RULE VIII.—WITNESSES.

(A) *Questioning of Witnesses.*—

(1) Questioning of witnesses by Members will be conducted under the five-minute rule unless the Committee adopts a motion permitted by clause 2(j)(2) of House rule XI.

(2) In questioning witnesses under the five-minute rule, the Chairman and the Ranking Minority Member shall first be recognized. In a subcommittee meeting or hearing, the Chairman and Ranking Minority Member of the Full Committee are then recognized. All other Members that arrive before the commencement of the meeting or hearing will be recognized in the order of seniority on the Committee, alternating between Majority and Minority Members. Committee Members arriving after the commencement of the hearing shall be recognized in order of appearance, alternating between Majority and Minority Members, after all Members present at the beginning of the hearing have been recognized. Each Member shall be recognized at least once before any Member is given a second opportunity to question a witness.

ognized at least once before any Member is given a second opportunity to question a witness.

(3) The Chairman, in consultation with the Ranking Minority Member, or the Committee by motion, may permit an extension of the period of questioning of a witness beyond five minutes but the time allotted must be equally apportioned to the Majority party and the Minority and may not exceed one hour in the aggregate.

(4) The Chairman, in consultation with the Ranking Minority Member, or the Committee by motion, may permit Committee staff of the Majority and Minority to question a witness for a specified period of time, but the time allotted must be equally apportioned to the Majority and Minority staff and may not exceed one hour in the aggregate.

(B) *Minority Witnesses.*—Whenever a hearing is conducted by the Committee upon any measure or matter, the Minority party Members on the Committee shall be entitled, upon request to the Chairman by a majority of those Minority Members before the completion of such hearing, to call witnesses selected by the Minority to testify with respect to that measure or matter during at least one day of hearing thereon.

(C) *Oath or Affirmation.*—The Chairman of the Committee or any Member designated by the Chairman, may administer an oath to any witness.

(D) *Statements by Witnesses.*—

(1) Consistent with the notice given, witnesses shall submit a prepared or written statement for the record of the proceedings (including, where practicable, an electronic copy) with the Clerk of the Committee no less than 48 hours in advance of the witness's appearance before the Committee. Unless the 48 hour requirement is waived or otherwise modified by the Chairman, after consultation with the Ranking Minority Member, the failure to comply with this requirement may result in the exclusion of the written testimony from the hearing record and/or the barring of an oral presentation of the testimony. The Clerk of the Committee shall provide any such prepared or written statement submitted to the Clerk prior to the hearing to the Members of the Committee prior to the commencement of the hearing.

(2) To the greatest extent practicable, the written testimony of each witness appearing in a non-governmental capacity shall include a curriculum vita and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years by the witness or by an entity represented by the witness. Such disclosures shall be made publicly available, with appropriate redactions to protect the privacy of the witness, in electronic form not later than one day after the witness appears.

RULE IX.—QUORUM.

Quorum Requirements.—Two Members shall constitute a quorum for purposes of taking testimony and receiving evidence. One-third of the Members of the Committee shall constitute a quorum for conducting business, except for (1) reporting a measure or recommendation; (2) closing Committee meetings to the public, pursuant to Committee Rule IV; (3) authorizing the issuance of subpoenas; and (4) any other action for which an actual majority quorum is required by any rule of the House of Representatives or by law. The Chairman's staff shall consult with the Ranking Minority Member's staff when

scheduling meetings and hearings, to ensure that a quorum for any purpose will include at least one Minority Member of the Committee.

RULE X.—DECORUM.

(A) *Breaches of Decorum.*—The Chairman may punish breaches of order and decorum, by censure and exclusion from the hearing; and the Committee may cite the offender to the House for contempt.

(B) *Access to Dais.*—Access to the dais before, during, and after a hearing, markup, or other meeting of the Committee shall be limited to Members and staff of the Committee. Subject to availability of space on the dais, Committee Members' personal staff may be present on the dais during a hearing if their employing Member is seated on the dais and during a markup or other meeting if their employing Member is the author of a measure or amendment under consideration by the Committee, but only during the time that the measure or amendment is under active consideration by the Committee, or otherwise at the discretion of the Chairman, or of the Ranking Minority Member for personal staff employed by a Minority Member.

(C) *Wireless Communications Use Prohibited.*—During a hearing, mark-up, or other meeting of the Committee, ringing or audible sounds or conversational use of cellular telephones or other electronic devices is prohibited in the Committee room.

RULE XI.—REFERRALS TO SUBCOMMITTEES.

Referral of Bills and Other Matters by Chairman.—Except for bills and other matters retained by the Chairman for Full Committee consideration, each bill or other matter referred to the Full Committee shall be referred by the Chairman to one or more subcommittees within two weeks of receipt by the Committee. In referring any measure or matter to a subcommittee, the Chair may specify a date by which the subcommittee shall report thereon to the Full Committee. Bills or other matters referred to subcommittees may be reassigned or discharged by the Chairman.

RULE XII.—SUBPOENAS.

(A) *Authorization.*—Pursuant to clause 2(m) of rule XI of the House, a subpoena may be authorized and issued under the seal of the House and attested by the Clerk of the House, and may be served by any person designated by the Full Committee for the furtherance of an investigation with authorization by—

(1) a majority of the Full Committee, a quorum being present; or

(2) the Chairman of the Full Committee, after consultation with the Ranking Minority Member of the Full Committee, during any period for which the House has adjourned for a period in excess of 3 days pursuant to a concurrent resolution when, in the opinion of the Chairman of the Full Committee, authorization and issuance of the subpoena is necessary to obtain the material or testimony set forth in the subpoena. The Chairman of the Full Committee shall notify Members of the Committee of the authorization and issuance of a subpoena under this rule as soon as practicable, but in no event later than one week after service of such subpoena.

(B) *Disclosure.*—Provisions may be included in a subpoena with the concurrence of the Chairman and the Ranking Minority Member of the Full Committee, or by the Committee, to prevent the disclosure of the Full Committee's demands for information when deemed necessary for the security of information or the progress of an investigation,

including but not limited to prohibiting the revelation by witnesses and their counsel of Full Committee's inquiries.

(C) *Subpoena duces tecum*.—A subpoena duces tecum may be issued whose return to the Committee Clerk shall occur at a time and place other than that of a regularly scheduled meeting.

(D) *Affidavits and Depositions*.—The Chairman of the Full Committee, in consultation with the Ranking Minority Member of the Full Committee, or the Committee may authorize the taking of an affidavit or deposition with respect to any person who is subpoenaed under these rules but who is unable to appear in person to testify as a witness at any hearing or meeting. Notices for the taking of depositions shall specify the date, time and place of examination. Depositions shall be taken under oath administered by a Member or a person otherwise authorized by law to administer oaths. Prior consultation with the Ranking Minority Member of the Full Committee shall include written notice three business days before any deposition is scheduled to provide an opportunity for Minority staff to be present during the questioning.

RULE XIII.—COMMITTEE STAFF.

(A) *Generally*.—Committee staff members are subject to the provisions of clause 9 of House Rule X and must be eligible to be considered for routine access to classified information.

(B) *Staff Assignments*.—For purposes of these rules, Committee staff means the employees of the Committee, detailees, fellows, or any other person engaged by contract or otherwise to perform services for, or at the request of, the Committee. All such persons shall be either Majority, Minority, or shared staff. The Chairman shall appoint, determine remuneration of, supervise, and may remove Majority staff. The Ranking Minority Member shall appoint, determine remuneration of, supervise, and may remove Minority staff. In consultation with the Ranking Minority Member, the Chairman may appoint, determine remuneration of, supervise and may remove shared staff that is assigned to service of the Committee. The Chairman shall certify Committee staff appointments, including appointments by the Ranking Minority Member, as required.

(C) *Divulgence of Information*.—Prior to the public acknowledgement by the Chairman or the Committee of a decision to initiate an investigation of a particular person, entity, or subject, no member of the Committee staff shall knowingly divulge to any person any information, including non-classified information, which comes into his or her possession by virtue of his or her status as a member of the Committee staff, if the member of the Committee staff has a reasonable expectation that such information may alert the subject of a Committee investigation to the existence, nature, or substance of such investigation, unless authorized to do so by the Chairman or the Committee.

RULE XIV.—COMMITTEE MEMBER AND COMMITTEE STAFF TRAVEL.

(A) *Approval of Travel*.—Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, travel to be reimbursed from funds set aside for the Committee for any Committee Member or Committee staff shall be paid only upon the prior authorization of the Chairman. Travel may be authorized by the Chairman for any Committee Member or Committee staff only in connection with official Committee business, such as the at-

tendance of hearings conducted by the Committee and meetings, conferences, site visits, and investigations that involve activities or subject matters under the general jurisdiction of the Full Committee.

(1) *Proposed Travel by Majority Party Committee Members and Committee Staff*.—In the case of proposed travel by Majority party Committee Members or Committee staff, before such authorization is given, there shall be submitted to the Chairman in writing the following: (a) the purpose of the travel; (b) the dates during which the travel is to be made and the date or dates of the event for which the travel is being made; (c) the location of the event for which the travel is to be made; (d) the estimated total cost of the travel; and (e) the names of Members and staff seeking authorization. On the basis of that information, the Chairman shall determine whether the proposed travel is for official Committee business, concerns a subject matter under the jurisdiction of the Full Committee, and is not excessively costly in view of the Committee business proposed to be conducted.

(2) *Proposed Travel by Minority Party Committee Members and Committee Staff*.—In the case of proposed travel by Minority party Committee Members or Committee staff, the Ranking Minority Member shall provide to the Chairman a written representation setting forth the information specified in items (a), (b), (c), (d) and (e) of subparagraph (1) and his or her determination that such travel complies with the other requirements of subparagraph (1).

(B) *Foreign Travel*.—All Committee Members and Committee staff requests for foreign travel must include a written representation setting forth the information specified in items (a), (b), (c), (d) and (e) of subparagraph (A)(1) and be submitted to the Chairman not fewer than ten business days prior to the start of the travel. Within thirty days of the conclusion of any such foreign travel authorized under this rule, there shall be submitted to the Chairman a written report summarizing the information gained as a result of the travel in question, or other Committee objectives served by such travel. The requirements of this section may be waived or abridged by the Chairman.

(C) *Compliance with Committee Travel Policy and Guidelines*.—Travel must be in accordance with the Committee Travel Policy and Guidelines, as well as with House Rules, the Travel Guidelines and Regulations and any additional guidance set forth by the Committee on Ethics and the Committee on House Administration. Committee Members and staff shall follow these rules, policies, guidelines, and regulations in requesting and proceeding with any Committee-related travel.

RULE XV.—CLASSIFIED AND CONTROLLED UNCLASSIFIED INFORMATION.

(A) *Security Precautions*.—Committee staff offices, including Majority and Minority offices, shall operate under strict security precautions administered by the Security Officer of the Committee. A security officer shall be on duty at all times during normal office hours. Classified documents and controlled unclassified information (CUI)—formerly known as sensitive but unclassified (SBU) information—may be destroyed, discussed, examined, handled, reviewed, stored, transported and used only in an appropriately secure manner in accordance with all applicable laws, executive orders, and other governing authorities. Such documents may be removed from the Committee's offices only in furtherance of official Com-

mittee business. Appropriate security procedures, as determined by the Chairman in consultation with the Ranking Minority Member, shall govern the handling of such documents removed from the Committee's offices.

(B) *Temporary Custody of Executive Branch Material*.—Executive branch documents or other materials containing classified information in any form that were not made part of the record of a Committee hearing, did not originate in the Committee or the House, and are not otherwise records of the Committee shall, while in the custody of the Committee, be segregated and maintained by the Committee in the same manner as Committee records that are classified. Such documents and other materials shall be returned to the Executive branch agency from which they were obtained at the earliest practicable time.

(C) *Access by Committee Staff*.—Access to classified information supplied to the Committee shall be limited to Committee staff members with appropriate security clearances and a need-to-know, as determined by the Chairman or Ranking Minority Member, and under the direction of the Majority or Minority Staff Directors.

(D) *Maintaining Confidentiality*.—No Committee Member or Committee staff shall disclose, in whole or in part or by way of summary, to any person who is not a Committee Member or authorized Committee staff for any purpose or in connection with any proceeding, judicial or otherwise, any testimony given before the Committee in executive session. Classified information and controlled unclassified information (CUI) shall be handled in accordance with all applicable laws, executive orders, and other governing authorities and consistently with the provisions of these rules and Committee procedures.

(E) *Oath*.—Before a Committee Member or Committee staff may have access to classified information, the following oath (or affirmation) shall be executed:

I do solemnly swear (or affirm) that I will not disclose any classified information received in the course of my service on the Committee on Homeland Security, except as authorized by the Committee or the House of Representatives or in accordance with the Rules of such Committee or the Rules of the House.

Copies of the executed oath (or affirmation) shall be retained by the Clerk of the Committee as part of the records of the Committee.

(F) *Disciplinary Action*.—The Chairman shall immediately consider disciplinary action in the event any Committee Member or Committee staff member fails to conform to the provisions of these rules governing the disclosure of classified or unclassified information. Such disciplinary action may include, but shall not be limited to, immediate dismissal from the Committee staff, criminal referral to the Justice Department, and notification of the Speaker of the House. With respect to Minority staff, the Chairman shall consider such disciplinary action in consultation with the Ranking Minority Member.

RULE XVI.—COMMITTEE RECORDS.

(A) *Committee Records*.—Committee Records shall constitute all data, charts and files in possession of the Committee and shall be maintained in accordance with clause 2(e) of House Rule XI.

(B) *Legislative Calendar*.—The Clerk of the Committee shall maintain a printed calendar for the information of each Committee Member showing any procedural or legislative

measures considered or scheduled to be considered by the Committee, and the status of such measures and such other matters as the Committee determines shall be included. The calendar shall be revised from time to time to show pertinent changes. A copy of such revisions shall be made available to each Member of the Committee upon request.

(C) *Members Right To Access.*—Members of the Committee and of the House shall have access to all official Committee Records. Access to Committee files shall be limited to examination within the Committee offices at reasonable times. Access to Committee Records that contain classified information shall be provided in a manner consistent with these rules.

(D) *Removal of Committee Records.*—Files and records of the Committee are not to be removed from the Committee offices. No Committee files or records that are not made publicly available shall be photocopied by any Member.

(E) *Executive Session Records.*—Evidence or testimony received by the Committee in executive session shall not be released or made available to the public unless agreed to by the Committee. Members may examine the Committee's executive session records, but may not make copies of, or take personal notes from, such records.

(F) *Availability of Committee Records.*—The Committee shall keep a complete record of all Committee action including recorded votes and attendance at hearings and meetings. Information so available for public inspection shall include a description of each amendment, motion, order, or other proposition, including the name of the Member who offered the amendment, motion, order, or other proposition, and the name of each Member voting for and each Member voting against each such amendment, motion, order, or proposition, as well as the names of those Members present but not voting. Such record shall be made available to the public at reasonable times within the Committee offices and also made publicly available in electronic form and posted on the official Committee web site within 48 hours of such record vote.

(G) *Separate and Distinct.*—All Committee records and files must be kept separate and distinct from the office records of the Members serving as Chairman and Ranking Minority Member. Records and files of Members' personal offices shall not be considered records or files of the Committee.

(H) *Disposition of Committee Records.*—At the conclusion of each Congress, non-current records of the Committee shall be delivered to the Archivist of the United States in accordance with Rule VII of the Rules of the House.

(I) *Archived Records.*—The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the Rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any member of the Committee. The Chairman shall consult with the Ranking Minority Member on any communication from the Archivist of the United States or the Clerk of the House concerning the disposition of noncurrent records pursuant to clause 3(b) of the Rule.

RULE XVII.—COMMITTEE RULES.

(A) *Availability of Committee Rules in Electronic Form.*—Pursuant to clause 2(a) of rule

XI of the Rules of the House of Representatives, the Committee shall make its rules publicly available in electronic form and posted on the official Committee web site and shall submit such rules for publication in the Congressional Record not later than 30 days after the Chairman of the Committee is elected in each odd-numbered year.

(B) *Changes to Committee Rules.*—These rules may be modified, amended, or repealed by the Full Committee provided that a notice in writing of the proposed change has been given to each Member at least 48 hours prior to the meeting at which action thereon is to be taken and such changes are not inconsistent with the Rules of the House of Representatives.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 11 a.m. on Friday, February 1, 2013.

There was no objection.

Thereupon (at 1 o'clock and 3 minutes p.m.), under its previous order, the House adjourned until Friday, February 1, 2013, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

128. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Contracting Activity Updates (DFARS Case 2012-D045) (RIN: 0750-AH81) received January 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

129. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; New Qualifying Country-Poland (DFARS Case 2012-D049) (RIN: 0750-AH82) received January 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

130. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Definition of Cost or Pricing Data (DFARS Case 2011-D040) (RIN Number: 0750-AH49) received January 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

131. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Determining the Technical Adequacy of Probabilistic Risk Assessment for Risk-Informed License Amendment Requests After Initial Fuel Load received January 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

132. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Amendments to Existing Validated End User Authorizations: Advanced Micro Devices China, Inc., Lam Research Corporation, SK hynix Semiconductor (China) Ltd., and SK hynix Semiconductor

(Wuxi) Ltd. In the People's Republic of China; Clarification of scope of entries in Supplement No. 7 to Part 748 of the EAR [Docket No.: 121220730-2730-01] (RIN: 0694-AF84) received January 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

133. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Removal of Persons From the Entity List Based on Removal Request; Implementation of Entity List Annual Review Changes; and Implementation of Modifications and Corrections to the Entity List [Docket No.: 121113624-2624-01] (RIN: 0694-AF82) received January 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

134. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-186, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

135. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-188, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

136. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-155, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

137. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-159, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

138. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-142, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

139. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-164, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

140. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-089, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

141. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-174, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

142. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-120, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

143. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-153, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

144. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule —

International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Transshipping, Bunkering, Reporting, and Purse Seine Discard Requirements [Docket No.: 110209128-2641-02] (RIN: 0648-BA85) received January 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

145. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Surfclam and Ocean Quahog Fishery [Docket No.: 120604138-2672-02] (RIN: 0648-BC21) received January 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

146. A letter from the Director Office of Standards, Regulations and Variances, Department of Labor, transmitting the Department's final rule — Criteria and Procedures for Proposed Assessment of Civil Penalties; Inflation Adjustment (RIN: 1219-AB81) received January 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

147. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Technical Corrections Regarding the Methods of Collection of Certain User Fees By CBP [CBP Dec. 13-03] received January 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. AMODEI:

H.R. 432. A bill to prohibit the further extension or establishment of national monuments in Nevada except by express authorization of Congress; to the Committee on Natural Resources.

By Mr. AMODEI:

H.R. 433. A bill to designate the Pine Forest Range Wilderness area in Humboldt County, Nevada; to the Committee on Natural Resources.

By Mr. CHABOT:

H.R. 434. A bill to make the moratorium on Internet access taxes and multiple and discriminatory taxes on electronic commerce permanent; to the Committee on the Judiciary.

By Mr. COFFMAN:

H.R. 435. A bill to amend title 10, United States Code, to authorize the enlistment in the Armed Forces of additional persons who are residing in the United States and to lawfully admit for permanent residence certain enlistees who are not citizens or other nationals of the United States; to the Committee on Armed Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HARRIS (for himself, Mr. ADERHOLT, Mr. ALEXANDER, Mr. AMASH, Mr. AMODEI, Mrs. BACHMANN, Mr. BACHUS, Mr. BARTON, Mrs. BLACK, Mrs. BLACKBURN, Mr. BROOKS of Alabama, Mr. BROUN of Georgia, Mr. BUCSHON, Mr. BURGESS, Mr. CALVERT,

Mr. COFFMAN, Mr. DESJARLAIS, Mr. DUNCAN of South Carolina, Mr. DUNCAN of Tennessee, Mr. FINCHER, Mr. FLEISCHMANN, Mr. FORTENBERRY, Mr. GARRETT, Mr. GOSAR, Mr. HARPER, Mr. HUELSKAMP, Mr. HUIZENGA of Michigan, Mr. HURT, Mr. JORDAN, Mr. KING of Iowa, Mr. LATTA, Mr. GARY G. MILLER of California, Mr. MILLER of Florida, Mr. MULVANEY, Mr. NEUGEBAUER, Mr. NUNNELEE, Mr. PALAZZO, Mr. PEARCE, Mr. POE of Texas, Mr. RIBBLE, Mr. ROE of Tennessee, Mr. ROSS, Mr. SCALISE, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SMITH of Texas, Mr. STIVERS, Mr. STUTZMAN, Mr. THOMPSON of Pennsylvania, Mr. THORNBERY, Mr. WEBSTER of Florida, Mr. WESTMORELAND, Mr. WILSON of South Carolina, Mr. WOLF, Mr. WOMACK, and Mr. YOUNG of Indiana):

H.R. 436. A bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects; to the Committee on Oversight and Government Reform.

By Mrs. MCCARTHY of New York (for herself, Mr. PERLMUTTER, Mr. SCHIFF, Mr. VAN HOLLEN, Mr. DEUTCH, Mr. CARNEY, Ms. SPEIER, Mr. NADLER, Mr. LARSON of Connecticut, Mr. PASCRELL, Mr. CICILLINE, Mr. TIERNEY, Ms. DELAURO, Mr. COHEN, Ms. SCHAKOWSKY, Mr. BLUMENAUER, Mr. TAKANO, Mr. SWALWELL of California, Mrs. LOWEY, Mrs. CAROLYN B. MALONEY of New York, Mr. BRADY of Pennsylvania, Ms. MATSUI, Ms. FRANKEL of Florida, Mr. MEEKS, Mr. SIREs, Mr. MCGOVERN, Ms. TSONGAS, Mr. KENNEDY, Mr. HUFFMAN, Mr. GEORGE MILLER of California, Mr. HIMES, Ms. SLAUGHTER, Ms. MCCOLLUM, Mr. HOLT, Mr. MORAN, Mr. GRIJALVA, Ms. DEGETTE, Mr. LEVIN, Mr. SERRANO, Mr. QUIGLEY, Mr. LOWENTHAL, Ms. ESTY, Ms. ESHOO, Mr. SHERMAN, Ms. LOFGREN, Ms. HAHN, Mr. CARTWRIGHT, Mr. BISHOP of New York, Ms. JACKSON LEE, Mr. PALLONE, Mr. SCOTT of Virginia, Mr. CONYERS, and Ms. MENG):

H.R. 437. A bill to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes; to the Committee on the Judiciary.

By Ms. NORTON:

H.R. 438. A bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin, and for other purposes; to the Committee on Education and the Workforce.

By Ms. NORTON:

H.R. 439. A bill to ensure that the Metropolitan Washington Airports Authority complies with certain Federal regulations and statutes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POSEY:

H.R. 440. A bill to amend title 18, United States Code, to extend the post-employment restrictions on lobbying by Members of Congress and officers and employees of the legislative branch; to the Committee on the Judiciary.

By Mr. POSEY:

H.R. 441. A bill to amend the Consolidated Omnibus Budget Reconciliation Act of 1985 to authorize the Commissioner of U.S. Customs and Border Protection to enter into reimbursable fee agreements for the provision of additional services at Customs ports of entry, and for other purposes; to the Committee on Ways and Means.

By Mr. POSEY:

H.R. 442. A bill to provide that a former Member of Congress or former Congressional employee who receives compensation as a lobbyist shall not be eligible for retirement benefits or certain other Federal benefits; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. AMODEI:

H.R. 432.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. AMODEI:

H.R. 433.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. CHABOT:

H.R. 434.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution, which states: "The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States;

By Mr. COFFMAN:

H.R. 435.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 14 states that "Congress shall have the power to make

rules for the government and regulation of the land and naval forces.”

This Act amends the enlistment rules to include selected individuals who are not natural citizens or legal permanent residents.

Article 1 Section 8 Clause 4 states that “Congress shall have the power to establish a uniform rule of naturalization.”

Congressional power over naturalization is an exclusive power and this power is the only one free from constitutional limitations on its exercise. Citizenship by naturalization is a privilege to be given, qualified or withheld as Congress may determine and an individual may claim it as a right only upon compliance with the terms Congress imposes.

By Mr. HARRIS:

H.R. 436.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Article I, Section 8, Clause 1 of the United States Constitution.

By Mrs. MCCARTHY of New York:

H.R. 437.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. NORTON:

H.R. 438.

Congress has the power to enact this legislation pursuant to the following: clauses 3 and 18 of section 8 of article I of the Constitution.

By Ms. NORTON:

H.R. 439.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution.

By Mr. POSEY:

H.R. 440.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 5, Clause 2

Article 1, Section 8, Clause 18

By Mr. POSEY:

H.R. 441.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the forgoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department of Officer thereof.

By Mr. POSEY:

H.R. 442.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 5, Clause 2

Article I, Section 6, Clause 1

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 54: Mr. COFFMAN.

H.R. 55: Mr. KEATING and Mr. THOMPSON of Pennsylvania.

H.R. 107: Mr. LATTA.

H.R. 164: Mr. NUGENT and Mr. WALZ.

H.R. 166: Mrs. ELLMERS and Mr. JONES.

H.R. 311: Mrs. ELLMERS, Mr. HUELSKAMP, Mr. MULLIN, Mr. BENTIVOLIO, Mr. STEWARD, and Mr. COTTON.

H.R. 321: Mr. DEUTCH, Mr. TIERNEY, Ms. CLARKE, and Mrs. MCCARTHY of New York.

H.R. 322: Mrs. ELLMERS, Mr. MCCLINTOCK, and Mr. FLEMING.

H.R. 324: Mr. TURNER and Mr. LANCE.

H.R. 334: Mr. STOCKMAN, Mr. STEWARD, Mr. JONES, Ms. GRANGER, and Mr. DESJARLAIS.

H.R. 335: Mr. SCOTT of Virginia, Mr. CONNOLLY, Mr. AUSTIN SCOTT of Georgia, Mr. WITTMAN, Mr. SIRES, Mr. LATTA, Mr. YOUNG of Indiana, Mr. CRAWFORD, Mr. RICHMOND, Mr. HUIZENGA of Michigan, Mr. LEVIN, Mr. DUFFY, and Ms. DELAURO.

H.R. 339: Mr. YOUNG of Alaska.

H.R. 366: Mr. KEATING, Ms. HAHN, Mr. HASTINGS of Florida, Mr. RYAN of Ohio, Mr. RANGEL, Mr. WAXMAN, Mr. CUMMINGS, Mr. GRIJALVA, Mr. HOLT, Mr. SARBANES, Mr. LEVIN, Mr. NADLER, Ms. NORTON, Ms. SLAUGHTER, Mrs. CAPITO, Mr. BUCHANAN, Mr. WILSON of South Carolina, Mr. DENHAM, Mr. ELLISON, Ms. MCCOLLUM, and Ms. PINGREE of Maine.

H.R. 367: Mr. MEADOWS, Mr. WENSTRUP, and Mr. COTTON.

H.R. 400: Mr. ISRAEL and Mr. CICILLINE.

H. Con. Res. 10: Mr. HOLT.

H. Res. 31: Mr. AL GREEN of Texas.

PROCEEDINGS OF THE HOUSE OF REPRESENTATIVES PRIOR TO SINE DIE ADJOURNMENT OF THE 112TH CONGRESS 2D SESSION

BILLS PRESENTED TO THE PRESIDENT PRIOR TO SINE DIE ADJOURNMENT

Karen L. Haas, Clerk of the House, reported that on December 30, 2012, she presented to the President of the United States, for his approval, the following bills:

H.R. 5949. To extend the FISA Amendments Act of 2008 for five years.

H.R. 4310. To authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

BILLS AND A JOINT RESOLUTION APPROVED BY THE PRESIDENT PRIOR TO SINE DIE ADJOURNMENT

The President, prior to sine die adjournment of the 2d Session, 112th Congress, notified the Clerk of the House that on the following dates, he had approved and signed bills and a joint resolution of the following titles:

December 7, 2012:

H.R. 6634. An Act to change the effective date for the Internet publication of certain financial disclosure forms.

H.R. 915. An Act to establish a Border Enforcement Security Task Force program to enhance border security by fostering coordinated efforts among Federal, State, and local border and law enforcement officials to protect United States border cities and communities from trans-national crime, including violence associated with drug trafficking, arms smuggling, illegal alien trafficking and smuggling, violence, and kidnapping along and across the international borders of the United States, and for other purposes.

December 14, 2012:

H.R. 6156. An Act to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to products of the Russian Federation and Moldova and to require reports on the compliance of the Russian Federation with its obligations as a member of the World Trade Organization, and for other purposes.

December 18, 2012:

H.R. 3187. An Act to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

H.R. 6582. An Act to allow for innovations and alternative technologies that meet or exceed desired energy efficiency goals, and to make technical corrections to existing Federal energy efficiency laws to allow American manufacturers to remain competitive.

December 20, 2012:

H.R. 2467. An Act to take certain Federal lands in Mono County, California, into trust for the benefit of the Bridgeport Indian Colony.

H.R. 2838. An Act to authorize appropriations for the Coast Guard for fiscal years 2013 through 2014, and for other purposes.

H.R. 3319. An Act to allow the Pascua Yaqui Tribe to determine the requirements for membership in that tribe.

H.R. 4014. An Act to amend the Federal Deposit Insurance Act with respect to information provided to the Bureau of Consumer Financial Protection.

H.R. 4367. An Act to amend the Electronic Fund Transfer Act to limit the fee disclosure requirement for an automatic teller machine to the screen of that machine.

December 28, 2012:

H.J. Res. 122. A joint resolution establishing the date for the counting of the electoral votes for President and Vice President cast by the electors in December 2012.

H.R. 3477. An Act to designate the facility of the United States Postal Service located at 133 Hare Road in Crosby, Texas, as the "Army First Sergeant David McNerney Post Office Building".

H.R. 3783. An Act to provide for a comprehensive strategy to counter Iran's growing hostile presence and activity in the Western Hemisphere, and for other purposes.

H.R. 3870. An Act to designate the facility of the United States Postal Service located at 6083 Highway 36 West in Rose Bud, Arkansas, as the "Nicky 'Nick' Daniel Bacon Post Office".

H.R. 3912. An Act to designate the facility of the United States Postal Service located at 110 Mastic Road in Mastic Beach, New York, as the "Brigadier General Nathaniel Woodhull Post Office Building".

H.R. 5738. An Act to designate the facility of the United States Postal Service located at 15285 Samohin Drive in Macomb, Michigan, as the "Lance Cpl. Anthony A. DiLisio Clinton-Macomb Carrier Annex".

H.R. 5837. An Act to designate the facility of the United States Postal Service located at 26 East Genesee Street in Baldwinsville, New York, as the "Corporal Kyle Schneider Post Office Building".

H.R. 5954. An Act to designate the facility of the United States Postal Service located at 320 7th Street in Ellwood City, Pennsylvania, as the "Sergeant Leslie H. Sabo, Jr. Post Office Building".

H.R. 6116. An Act to amend the Revised Organic Act of the Virgin Islands to provide for direct review by the United States Supreme Court of decisions of the Virgin Islands Supreme Court, and for other purposes.

H.R. 6223. An Act to amend section 1059(e) of the National Defense Authorization Act for Fiscal Year 2006 to clarify that a period of employment abroad by the Chief of Mission or United States Armed Forces as a translator, interpreter, or in a security-related position in an executive or managerial capacity is to be counted as a period of residence and physical presence in the United States for purposes of qualifying for naturalization, and for other purposes.

December 30, 2012:

H.R. 5949. An Act to extend the FISA Amendments Act of 2008 for five years.

January 2, 2013:

H.R. 8. An Act entitled the "American Taxpayer Relief Act of 2012".

H.R. 4310. An Act to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

SENATE BILLS APPROVED BY THE PRESIDENT PRIOR TO SINE DIE ADJOURNMENT

The President, prior to sine die adjournment of the 2d Session, 112th Congress, notified the Clerk of the House that on the following dates, he had approved and signed bills of the Senate of the following titles:

December 18, 2012:

S. 3486. An Act to implement the provisions of the Hague Agreement and the Patent Law Treaty.

December 20, 2012:

S. 1998. An Act to obtain an unqualified audit opinion, and improve financial accountability and management at the Department of Homeland Security.

S. 3542. An Act to authorize the Assistant Secretary of Homeland Security (Transportation Security Administration) to modify screening requirements for checked baggage arriving from preclearance airports, and for other purposes.

December 28, 2012:

S. 285. An Act for the relief of Sopuruchi Chukwueke.

S. 1379. An Act to amend title 11, District of Columbia Official Code, to revise certain administrative authorities of the District of Columbia courts, and to authorize the District of Columbia Public Defender Service to provide professional liability insurance for officers and employees of the Service for claims relating to services furnished within the scope of employment with the Service.

S. 2170. An Act to amend the provisions of title 5, United States Code, which are commonly referred to as the "Hatch Act", to scale back the provision forbidding certain State and local employees from seeking elective office, clarify the application of certain provisions to the District of Columbia, and modify the penalties which may be imposed for certain violations under subchapter III of chapter 73 of that title.

S. 2367. An Act to strike the word "lunatic" from Federal law, and for other purposes.

S. 3193. An Act to make technical corrections to the legal description of certain land to be held in trust for the Barona Band of Mission Indians, and for other purposes.

S. 3311. An Act to designate the United States courthouse located at 2601 2nd Avenue North, Billings, Montana, as the "James F. Battin United States Courthouse".

S. 3315. An Act to repeal or modify certain mandates of the Government Accountability Office.

S. 3564. An Act to extend the Public Interest Declassification Act of 2000 until 2014 and for other purposes.

S. 3642. An Act to clarify the scope of the Economic Espionage Act of 1996.

S. 3687. An Act to amend the Federal Water Pollution Control Act to reauthorize the Lake Pontchartrain Basin Restoration Program, to designate certain Federal buildings, and for other purposes.

PROCEEDINGS OF THE HOUSE OF REPRESENTATIVES AFTER SINE DIE ADJOURNMENT OF THE 112TH CONGRESS 2D SESSION

HOUSE BILLS APPROVED BY THE PRESIDENT AFTER SINE DIE AD- JOURNMENT

The President, after sine die adjournment of the 2d Session, 112th Congress, notified the Clerk of the House that on the following dates, he had approved and signed bills of the following titles:

January 10, 2013:

H.R. 1339. An Act to designate the City of Salem, Massachusetts, as the Birthplace of the National Guard of the United States.

H.R. 1845. An Act to provide a demonstration project providing Medicare coverage for in-home administration of intravenous immune globulin (IVIG) and to amend title XVIII of the Social Security Act with respect to the application of Medicare secondary payer rules for certain claims.

H.R. 2338. An Act to designate the facility of the United States Postal Service located at 600 Florida Avenue in Cocoa, Florida, as the "Harry T. and Harriette Moore Post Office".

H.R. 3263. An Act to authorize the Secretary of the Interior to allow the storage and conveyance of nonproject water at the Norman project in Oklahoma, and for other purposes.

H.R. 3641. An Act to establish Pinnacles National Park in the State of California as a unit of the National Park System, and for other purposes.

H.R. 3869. An Act to designate the facility of the United States Postal Service located at 600 East Capitol Avenue in Little Rock, Arkansas, as the "Sidney 'Sid' Sanders McMath Post Office Building".

H.R. 3892. An Act to designate the facility of the United States Postal Service located at 8771 Auburn Folsom Road in Roseville, California, as the "Lance Corporal Victor A. Dew Post Office".

H.R. 4053. An Act to intensify efforts to identify, prevent, and recover payment error, waste, fraud, and abuse within Federal spending.

H.R. 4057. An Act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop a comprehensive policy to improve outreach and transparency to veterans and members of the Armed Forces through the provision of information on institutions of higher learning, and for other purposes.

H.R. 4073. An Act to authorize the Secretary of Agriculture to accept the quitclaim, disclaimer, and relinquishment of a railroad right of way within and adjacent to Pike National Forest in El Paso County, Colorado, originally granted to the Mt. Manitou Park and Incline Railway Company pursuant to the Act of March 3, 1875.

H.R. 4389. An Act to designate the facility of the United States Postal Service located at 19 East Merced Street in Fowler, California, as the "Cecil E. Bolt Post Office".

H.R. 5859. An Act to repeal an obsolete provision in title 49, United States Code, requiring motor vehicle insurance cost reporting.

H.R. 6014. An Act to authorize the Attorney General to award grants for States to implement DNA arrestee collection processes.

H.R. 6260. An Act to designate the facility of the United States Postal Service located at 211 Hope Street in Mountain View, California, as the "Lieutenant Kenneth M. Ballard Memorial Post Office".

H.R. 6379. An Act to designate the facility of the United States Postal Service located at 6239 Savannah Highway in Ravenel, South Carolina, as the "Representative Curtis B. Inabinett, Sr. Post Office".

H.R. 6587. An Act to designate the facility of the United States Postal Service located at 225 Simi Village Drive in Simi Valley, California, as the "Postal Inspector Terry Asbury Post Office Building".

H.R. 6620. An Act to amend title 18, United States Code, to eliminate certain limitations on the length of Secret Service Protection for former Presidents and for the children of former Presidents.

H.R. 6671. An Act to amend section 2710 of title 18, United States Code, to clarify that a videotape service provider may obtain a consumer's informed, written consent on an ongoing basis and that consent may be obtained through the Internet.

January 14, 2013:

H.R. 443. An Act to provide for the conveyance of certain property from the United States to the Manillaq Association located in Kotzebue, Alaska.

H.R. 1464. An Act to express the sense of Congress regarding North Korean children and children of one North Korean parent and to require the Department of State regularly to brief appropriate congressional committees on efforts to advocate for and develop a strategy to provide assistance in the best interest of these children.

H.R. 2076. An Act to amend title 28, United States Code, to clarify the statutory authority for the longstanding practice of the Department of Justice of providing investigatory assistance on request of State and local authorities with respect to certain serious violent crimes, and for other purposes.

H.R. 4212. An Act to prevent the introduction into commerce of unsafe drywall, to ensure the manufacturer of drywall is readily identifiable, to ensure that problematic drywall removed from homes is not reused, and for other purposes.

H.R. 4365. An Act to amend title 5, United States Code, to make clear that accounts in the Thrift Savings Fund are subject to certain Federal tax levies.

H.R. 4606. An Act to authorize the issuance of right-of-way permits for natural gas pipelines in Glacier National Park, and for other purposes.

H.R. 6029. An Act to amend title 18, United States Code, to provide for increased penalties for foreign and economic espionage, and for other purposes.

H.R. 6060. An Act to amend Public Law 106-392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2019.

H.R. 6328. An Act to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to transfer unclaimed clothing recovered at airport security checkpoints to local veterans organizations and other local charitable organizations, and for other purposes.

H.R. 6364. An Act to establish a commission to ensure a suitable observance of the centennial of World War I, to provide for the designation of memorials to the service of members of the United States Armed Forces in World War I, and for other purposes.

H.R. 6586. An Act to extend the application of certain space launch liability provisions through 2014.

H.R. 6621. An Act to correct and improve certain provisions of the Leahy-Smith America Invents Act and title 35, United States Code.

H.R. 6655. An Act to establish a commission to develop a national strategy and recommendations for reducing fatalities resulting from child abuse and neglect.

SENATE BILLS AND JOINT RESOLUTIONS APPROVED BY THE PRESIDENT AFTER SINE DIE AD- JOURNMENT

The President, after sine die adjournment of the 2d Session, 112th Congress, notified the Clerk of the House that on the following dates, he had approved and signed bills and joint resolutions of the following titles:

January 10, 2013:

S. 925. An Act to designate Mt. Andrea Lawrence.

S. 3202. An Act to amend title 38, United States Code, to ensure that deceased veterans with no known next of kin can receive a dignified burial, and for other purposes.

S. 3666. An Act to amend the Animal Welfare Act to modify the definition of "exhibitor".

S.J. Res. 49. A joint resolution providing for the appointment of Barbara Barrett as a citizen regent of the Board of Regents of the Smithsonian Institution.

January 14, 2013:

S. 3331. An Act to provide for universal intercountry adoption accreditation standards, and for other purposes.

S. 3454. An Act to authorize appropriations for fiscal year 2013 for intelligence and intelligence-related activities of the United States Government and the Office of the Director of National Intelligence, the Central Intelligence Agency Retirement and Disability System, and for other purposes.

S. 3472. An Act to amend the Family Educational Rights and Privacy Act of 1974 to provide improvements to such Act.

S. 3630. An Act to designate the facility of the United States Postal Service located at 218 North Milwaukee Street in Waterford, Wisconsin, as the "Captain Rhett W. Schiller Post Office".

S. 3662. An Act to designate the facility of the United States Postal Service located at 6 Nichols Street in Westminster, Massachusetts, as the "Lieutenant Ryan Patrick Jones Post Office Building".

S. 3677. An Act to make a technical correction to the Flood Disaster Protection Act of 1973.

Province Emergency Management Assistance Memorandum of Understanding.

January 15, 2013:

S.J. Res. 44. A joint resolution granting the consent of Congress to the State and

S. 2318. An Act to authorize the Secretary of State to pay a reward to combat

transnational organized crime and for information concerning foreign nationals wanted by international criminal tribunals, and for other purposes.

EXTENSIONS OF REMARKS

INTRODUCTION OF THE FAIR PAY ACT OF 2013

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 29, 2013

Ms. NORTON. Mr. Speaker, the 1963 Equal Pay Act (EPA), the first of the great civil rights statutes of the 1960s, was successful for close to 20 years, but it is too creaky with age to be useful today. It is long past time to amend the EPA to reflect the new workforce, which women work almost as much as men. Every Congress, Representative ROSA DELAUNO and I, along with scores of other members of Congress, introduce the Paycheck Fairness Act, to amend the EPA to make its basic procedures equal to those used in other anti-discrimination statutes. I was an original co-sponsor of, and attended the signing ceremony at the White House for, the 2009 Lilly Ledbetter Fair Pay Act, which further strengthens the EPA by restoring its original interpretation. However, the Fair Pay Act of 2013 (FPA), which Senator TOM HARKIN, and I have also introduced in prior Congresses, picks up where the EPA and the Lilly Ledbetter Act leave off by taking on workplace gender discrimination in which gender-influenced wages leave the average female worker without any remedy. I have long pressed for passage of the Paycheck Fairness Act and the FPA, based on my own experience as the first female chair of the Equal Employment Opportunity Commission (EEOC), when President Jimmy Carter moved the EPA and other civil rights statutes under the EEOC's jurisdiction as part of a historic reorganization. My colleague Senator HARKIN, who is retiring at the end of this Congress, has also worked tirelessly on the FPA. He has always been a great friend of equality. Senator HARKIN's work on the Americans with Disabilities Act is a landmark of his service and the Senator has brought the same zeal to issues facing women in the workplace.

Along with my indispensable Senate partner, TOM HARKIN, I again introduce the FPA on behalf of the average female worker, who is often first steered to, and then locked into, jobs with wages that are deeply influenced by the gender of those who have traditionally held such jobs. Much of the wage inequality women experience today is because of employer-steering and because of deeply rooted wage stereotypes, which result in wages being paid by gender and not according to the skills and efforts necessary to do the job. I introduce the FPA because the pay disparity most women face today stems mainly from the segregating of women and men in different jobs. Two-thirds of white women and three quarters of African-American women work in just three areas: sales/clerical, service and factories. We need more aggressive strategies to break through the societal habits present throughout

history, the world over, as well as employer-steering based on gender, which is as old as paid employment itself.

The FPA requires that if men and women are doing comparable work, they are to be paid comparable wages. If a woman, for example, is an emergency services operator, a female-dominated profession, she should not be paid less than a fire dispatcher, a male-dominated profession, simply because each of these jobs has been dominated by one sex. If a woman is a social worker, a traditionally female occupation, she should not earn less than a probation officer, a traditionally male job, simply because of the gender associated with each of these jobs.

The FPA, like the EPA, will not tamper with the legal burden. Under the FPA, as under the EPA, the burden will be on the plaintiff to prove discrimination. The plaintiff must show that the reason for the disparate treatment is gender discrimination, not legitimate market factors.

Corrections to achieve comparable pay for men and women are not radical or unprecedented. State governments, in red and blue states alike, have demonstrated with their own employees that they can eliminate the part of the pay gap that is due to discrimination. Twenty states have adjusted wages for female-dominated professions, raising pay for teachers, nurses, clerical workers, librarians, and other female dominated-jobs that paid less than comparable male-dominated jobs. Minnesota, for example, implemented a pay equity plan when it found that traditionally female jobs paid 20 percent less than comparable traditionally male jobs. There may well be some portion of a gender wage gap that is traceable to market factors, but twenty states have shown that you can tackle the gender discrimination-based wage gap without interfering in the market system. The states generally have closed the wage gap over a period of four to five years at a one-time cost of no more than three to four percent of payroll.

In addition, many female workers routinely achieve pay equity through collective bargaining, and countless employers provide it on their own as they see women shifting out of vital female-dominated occupations as a result of the shortage of skilled workers, as well as because of the unfairness to women. Unequal pay has been built into the way women have been treated since Adam and Eve. To dislodge such deep-seated and pervasive treatment, we must go to the source, the traditionally female occupations, where pay is linked with gender and always has been.

The best case for a strong and updated EPA, with at least the Paycheck Fairness Act, occurred here in the Congress in 2003, when female custodians in the House and Senate won an EPA case after showing that female workers were paid a dollar less for doing the same or similar work as men. Had these women not been represented by their union,

they would have had an almost impossible task of using the rules for bringing and sustaining an EPA class action suit. The FPA simply modernizes the EPA to bring it in line with subsequent civil rights statutes. From my tenure as EEOC chair, I know all too well the several ways that this historic legislation needs a 21st century makeover.

Let us start with the Paycheck Fairness Act, so we can be prepared to go further with the FPA, which we introduce today. Let us start now to make the pay worthy of the American women we have asked to go to work.

IN RECOGNITION OF MR. OMER D. SIMMS

HON. MICHAEL C. BURGESS

OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 29, 2013

Mr. BURGESS. Mr. Speaker, I rise today to honor one of the fallen crewmembers of the Essex-class carrier U.S.S. *Franklin*, Mr. Omer D. Simms, a Seaman First Class.

On March 19, 1945, the U.S.S. *Franklin* was instantly hit by a Japanese bomb that killed, wounded, and trapped many crew members on board. Mr. Simms, one of the confined men, heroically put his comrades' life before his own by creating a hatch for them escape. Letting the twelve other men go before him, Mr. Simms never made it to safety. Instead, he tragically lost his life on the U.S.S. *Franklin* from a second bomb that hit the ship while the other crewmembers' lives were saved.

I am proud to honor Mr. Omer D. Simms' service aboard the U.S.S. *Franklin* and the ultimate sacrifice he made for this country.

IN HONOR OF JAMES J. SWEENEY

HON. PATRICK MEEHAN

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 29, 2013

Mr. MEEHAN. Mr. Speaker, today I rise to honor James J. Sweeney of Havertown, Pennsylvania. Mr. Sweeney entered the United States Navy after graduating from high school in 1943, and served aboard the USS *Hancock*. The *Hancock* took part in some of World War II's most pivotal battles, including the invasions of the Philippines, Iwo Jima, and Okinawa. Mr. Sweeney was honored for his heroic service and awarded the Philippines Liberation Medal, 5 Battles Stars and a Presidential Unit Commendation.

It was during his time in the Navy that Mr. Sweeney befriended his shipmate, John Finn. Lt. Finn received the Medal of Honor for his heroic actions at Pearl Harbor. During the Japanese surprise attack, Lt. Finn manned his

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

machine gun and fought off the Japanese Zeroes for 2½ hours even as he took an onslaught of bullets and shrapnel. And for the past 9 years, James Sweeney has tirelessly worked to honor Lt. John Finn, who passed away in 2009. On February 15, 2011, those efforts proved successful as the Navy announced that a new guided missile destroyer will be named the USS *John Finn*. For these efforts Mr. Sweeney is being honored by American Legion Post 667 in Havertown. On behalf of a grateful nation, I congratulate Mr. Sweeney on his efforts to ensure that Lt. Finn's name and legacy lives on, and for his service during World War II, reflecting great credit upon himself and the United States Navy.

CONGRATULATING THE NATIONAL ALLIANCE FOR HISPANIC HEALTH ON ITS 40TH ANNIVERSARY

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2013

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in congratulating the National Alliance for Hispanic Health on its 40th anniversary of service to the residents of the District of Columbia and the national capital region.

Founded in 1973, the National Alliance for Hispanic Health is the nation's foremost source of information on Hispanic health. Throughout its 40-year history, the National Alliance for Hispanic Health has been committed to improving the health of Hispanic communities throughout the United States. Growing from a small coalition of mental health providers, the National Alliance for Hispanic Health has become the largest network of Hispanic health and human services providers in the country.

We appreciate the National Alliance for Hispanic Health's long presence in the District and its continued service to our city's growing Hispanic population. We are particularly pleased with the National Alliance for Hispanic Health's contributions to health-related research and its continued commitment to building a base of knowledge, increasing public awareness, sponsoring collaborative networks and strengthening community infrastructure not only in the District, but throughout the nation, too.

Mr. Speaker, I ask the House of Representatives to join me in celebrating the 40th anniversary of the National Alliance for Hispanic Health.

HONORING LONG-TIME
COMMUNITY LEADER

HON. JUDY CHU

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2013

Ms. CHU. Mr. Speaker, I rise today to recognize a great loss to our community, Mr. Wil-

bur Kuotung Woo, who passed away on November 12, 2012 at the age of 96. My heart goes out to his wife of 74 years, Beth; his five children; his six grandchildren; his seven great-grandchildren; and the rest of his family and friends.

I had the great pleasure of knowing Mr. Woo. He was an extraordinary citizen, a role model for community activism and a tireless advocate for the Chinese American community.

Mr. Woo's life stands as a living testament to the American Dream. He was born in China in 1915 and immigrated to the United States at age 5. He went on to study at UCLA and graduated with a degree in business administration. Mr. Woo then went to work at his family's business, the Chungking Produce Company, where he would often begin work around midnight in order to prepare for a full day at the produce market.

In 1962, Mr. Woo became Vice President of Cathay Bank during a time when many local banks refused to lend to Chinese Americans. Thanks in part to his leadership and incredible business acumen, Cathay Bank would go on to become one of the largest independent financial institutions in Los Angeles County.

Mr. Woo also served his community as chairman of the board at The Chinese Times, president of the Chinese Chamber of Commerce and founder of the California-Taiwan Trade & Investment Council.

Mr. Woo was known as a bridge between the halls of power in Washington, DC and the underserved Chinese American community. As President of the Chinese American Citizens Alliance, he lobbied for a shift in U.S. immigration policy and met with Senators Hiram Fong and Edward Kennedy. Woo would see his dream accomplished in 1965, when the United States finally lifted legal barriers limiting immigration from China and Taiwan. This historic act would open the doors for a new wave of immigrants and greatly contribute to our nation's cultural fabric.

I urge all my House colleagues to join me in honoring our community hero, Mr. Wilbur K. Woo, for his remarkable service, indomitable spirit and contributions to his community and to our nation.

IN HONOR OF ELWOOD RUSH

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2013

Mr. FITZPATRICK. Mr. Speaker, I rise today to honor a man who has made significant contributions to Pennsylvania's 8th District and to our country. Mr. Elwood W. "Woody" Rush passed away on Sunday, January 20, 2013 at the age of eighty-three. While his family, friends, and community members mourn his passing, they find comfort in remembering his legacy. Woody was born and raised in Bucks County, Pennsylvania. He went on to serve in the United States Army in 1951 during the Korean War era. Upon completion of his military service, Woody returned to Pennsylvania's 8th District to begin a lifelong career with Sherwin Williams Paint Company.

Woody was also dedicated to making his community a better place. He was a member of St. Luke's United Church of Christ in Dublin, PA, where he taught Sunday school and served as President of the church consistory. In addition, he served on St. Luke's Union Cemetery Committee for many years. Mr. Rush is an example of a leader and a true patriarch. Over the years, I have had the pleasure of getting to know two of his sons within whom Woody has undoubtedly instilled his strong family values. His service to both his country and his community will always be venerated.

INTRODUCTION OF A BILL TO ENSURE THAT THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY COMPLIES WITH FEDERAL ACQUISITION REGULATION

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2013

Ms. NORTON. Mr. Speaker, I rise today to introduce a bill to require the Metropolitan Washington Airports Authority (MWAA) to adopt the Federal Acquisition Regulations, which govern all aspects of the acquisition process for virtually every federal executive branch agency, and to adopt the federal anti-nepotism rules. Significant failures in MWAA's contracting and hiring policies and practices point to a need for substantial reform in MWAA's acquisition and hiring processes. Despite being created by Congress, leasing federally owned land, and benefiting from significant federal taxpayer funds, MWAA is not subject to federal procurement or anti-nepotism laws. This omission has left MWAA without ample guidance for its board members and employees. Many of the problems that have drawn criticism of MWAA could be eliminated if the Federal Acquisition Regulations and federal anti-nepotism regulations were made applicable to MWAA.

MWAA is an independent public body created by Congress under the Metropolitan Washington Airports Act of 1986 (Airports Act). MWAA, with 1,400 employees, leases Ronald Reagan Washington National Airport and Washington Dulles International Airport from the Federal Government. In addition to managing the airports, MWAA is responsible for the Dulles Corridor Metrorail Project, which has an estimated cost of \$5.8 billion, including \$977 million in federal funds.

A recent Department of Transportation (DOT) Inspector General report, "MWAA's Weak Policies and Procedures Have Led to Questionable Procurement Practices, Mismanagement, and a Lack of Overall Accountability" (Report Number: AV-2013-006), or IG Report, found that "MWAA's contracting policies and practices are insufficient to ensure compliance with the Airports Act and the lease agreement between DOT and MWAA." For example, the Airports Act and lease agreement require MWAA to award contracts over \$200,000 competitively to the maximum extent practicable. However, the IG Report found that

MWAA recently awarded two-thirds of its contracts exceeding \$200,000 with limited competition. The IG Report also noted that MWAA awarded many contracts with no formal solicitation, and that MWAA's Contracting Manual does not require public notification of sole-source contracts over \$200,000.

A January 15, 2013, Washington Post article reported that at least 10 percent of MWAA employees have family members working there, including spouses, and children. The IG

report also noted that MWAA lacks "sufficient controls to detect and prevent nepotism." It is clear that changes are imperative and overdue.

The lack of transparency and competition on MWAA's contracts and hiring are inconsistent with continuing ownership of the airports by the Federal Government, MWAA's creation by Congress, and the significant federal taxpayer dollars MWAA receives. The IG Report's conclusion that current procurement procedures

and hiring policies are inadequate requires a response that definitively fixes these issues. It makes no sense for MWAA to attempt to reinvent a new set of procurement procedures and ignore the very thorough and tested Federal Acquisition Regulations, which provide legal guidelines for every aspect of procurement and maximize fairness and transparency of the federal anti-nepotism regulations.

I urge my colleagues to support the bill.

SENATE—Wednesday, January 30, 2013

The Senate met at 9:30 a.m. and was called to order by the Honorable HEIDI HEITKAMP, a Senator from the State of North Dakota.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Gracious Father, Your loving kindness and faithfulness draw us to You, for You deserve our complete trust and allegiance. Thank You for giving us so much more than we deserve in blessings and withholding what we deserve for our transgressions.

Lord, work through our lawmakers today, making them Your partners in solving the problems that confront our Nation. May they do justly, love mercy, and walk humbly with You. Tune their minds to the frequency of Your guidance, surpassing human understanding with the gift of Your knowledge. When trying times provoke doubts and anxieties, remind them that You hold the future in Your hands.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable HEIDI HEITKAMP led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 30, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HEIDI HEITKAMP, a Senator from the State of North Dakota, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Ms. HEITKAMP thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following leader remarks, the Senate will be in a period of morning business for 2 hours. The majority will control the first half and the Republicans will control the second half. At 2:30 p.m. Senator KERRY will be recognized to deliver his farewell remarks. We hope to complete action on the debt limit legislation very soon.

MEASURE PLACED ON THE CALENDAR—S. 177

Mr. REID. Madam President, I am told that S. 177 is at the desk and due for a second reading. Is that correct?

The ACTING PRESIDENT pro tempore. That is correct.

The clerk will read the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 177) to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 entirely.

Mr. REID. Madam President, I object to any further proceedings with respect to this bill.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

HONORING SENATOR JOHN KERRY

Mr. REID. Madam President, I rise today to honor JOHN KERRY, our colleague, the senior Senator from Massachusetts. I congratulate Senator KERRY on his confirmation as our Nation's next Secretary of State.

I am pleased he will continue to serve his country in this important role. He will be missed by his Senate colleagues, that is for sure.

Senator KERRY said at his confirmation hearing that the Senate is in his blood, and that is true. As he represents America's interests around the world, his experience as a Senator will serve him and our country well.

For 28 years, Senator KERRY has been a dedicated representative of the people of Massachusetts in the Senate. Senator KERRY has also rendered distinguished service to his country in the Navy, to the Commonwealth of Massachusetts as Lieutenant Governor and as Senator, and to the Democratic Party and the people of this country as the 2004 Presidential nominee for the Democratic Party.

He is a brilliant man. He was a debater at Yale and won awards for his skilled oratory over a number of years.

That talent has allowed him to speak for freedom and justice at each stage of his career.

Before he graduated college, he was a vocal critic of the Vietnam war. But upon graduation, Senator KERRY volunteered to serve in the U.S. Navy, and serve he did. Later he said he did it because "it was the right thing to do."

Senator KERRY learned the value of service at home. His father was a Foreign Service officer, and his mother was a nurse during World War II. He served two tours as a Navy lieutenant in the jungles and rivers of Vietnam. He was awarded the Silver Star for his gallantry, a Bronze Star for valor also, and three Purple Hearts. But even after his service in the war, his opposition continued.

On April 22, 1971, Senator KERRY became the first Vietnam veteran to testify before Congress about the war when he appeared before the Senate Foreign Relations Committee, which was chaired by the famous Senator William Fulbright—a committee he would later chair. It was a remarkable appearance. He was the first veteran to testify.

He went on to attend Boston College Law School. He worked as a prosecutor in Middlesex County before he was elected Lieutenant Governor in 1982. Just 2 years later he was elected to the U.S. Senate. He has served in the Senate for five terms. He has always been an unflinching advocate for veterans. He helped found the Vietnam Veterans for America and has worked tirelessly to secure treatment for servicemembers dealing with post-traumatic stress.

Senator KERRY has served 6 years on the Senate Intelligence Committee and, remarkably, 28 years on the Foreign Relations Committee. He has been a leading advocate of doing something about global climate change.

Senator KERRY has convened eight major hearings and roundtables on climate change and energy security since taking the gavel as chair of the Foreign Relations Committee, replacing Vice President BIDEN.

It was in the early 1990s that Senator KERRY's brilliant mind and exceptional dedication came to my attention. I had the good fortune of being chosen by Leader Mitchell to be a member of the select committee on MIAs—missing in action—and POWs. It was very controversial at that time. There was a belief by many that there were live Americans either in Cambodia, Laos—maybe in Vietnam. We had not done as much as people thought we should do about those missing in action, and it

was a very volatile period of time in the history of this country.

I saw him with patience, with wisdom, serve as chairman of that select committee. As I have indicated, it was a difficult assignment, an important assignment, and he handled it—as he has done everything I have watched him do—thoughtfully and with integrity.

Since coming to the Senate I have been fortunate to be invited to his home for lengthy but fascinating foreign policy discussions with Senate colleagues and foreign policy experts. In recent years, Senator KERRY was also instrumental in securing passage of the New START treaty with Russia, which is helping to reduce the danger of nuclear proliferation.

He has served as an unofficial envoy for President Obama to Afghanistan, Sudan, Pakistan, and some countries probably none of us even know where he went. There were many times he came to me and said: I have to go, and he tells me where he is going, and there was nothing in the newspapers about where he had gone. But he is a great evaluator of people, and because of that, the President has trusted him and has sent him on all these missions. Now he will do that as Secretary of State.

He has authored numerous pieces of legislation to prevent the global spread of HIV/AIDS. He has also played a central role in crafting American policy in Iraq and Afghanistan, the war on terror. I can remember one very difficult time when he spent days and days, principally with President Karzai, working out a difficult issue following the elections they had there. He has been focused on the Middle East peace process and Israel's security for his entire time as a member of that committee, the Foreign Relations Committee.

For more than 30 years, Senator KERRY has been a powerful voice for his constituents in Massachusetts as well as an engaged citizen of the world. Throughout those years, JOHN has matched his unflinching passion for democratic values with forward-thinking actions to advance those values.

No one is better qualified than JOHN KERRY to continue the exceptional work of Secretary of State Hillary Clinton. While we are saddened to lose his leadership in the Senate, we saw yesterday the support he has, where virtually every Senator voted to support him as the next Secretary of State. I wish him well as he embarks on this next challenge, and I am confident he will meet the challenge.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

SPENDING REFORM

Mr. MCCONNELL. Madam President, a few weeks ago, President Obama reportedly said America does not have a spending problem. Well, of course, we know that is not accurate. This is completely at odds with what independent experts tell us and what is perfectly apparent to anybody who is alert. Last week, I brought this chart behind me to the floor to illustrate the point.

As everyone knows, we are running trillion-dollar annual deficits. What this chart shows is that the gap between government spending and revenue just keeps getting wider and wider and wider. So let's take a look at it.

The occupant of the chair is relatively new to the Senate but not new to the facts. The green area here represents both historic and projected tax revenue. The dark blue area—as you can see, the really kind of flat lines out here to 2040—is the new revenue the President received at the end of the year as a result of operation of the law. The tax rates sunsetted, expired at midnight on New Year's Eve. The Congress then wisely continued the current tax rates for 99 percent of Americans, made those rates permanent so we would not have another event like New Year's Eve where we came to an abrupt conclusion. Most importantly, for States such as the State of the occupant of the chair and my own, a \$5 million per person exemption on the death tax was made permanent and indexed to inflation.

The President wanted more revenue than that and continues to talk about more revenue. So if we take all the revenue the President said he wants to get, over and above the revenue he got as a result of the law expiring—that is this dark blue area—if we gave him every bit of new tax revenue he wanted over and above that, we would have this light blue area like this.

So we can see, colleagues, that even if the President got all the revenue he wanted, it only produces this much in a pretty flat line going way out into the future.

So, clearly, what one can conclude from this—whether you think the revenue the President got is enough or you think the President ought to have as much revenue as he wants—factually, it does not solve the problem. It does not solve the problem because we do not have this problem because we tax too little; we have it because we spend way too much because the red area is the spending trajectory.

So it is perfectly obvious for anybody who is not going to ignore the facts that this is not a revenue problem; this is a spending problem. And until we solve this problem, we cannot leave behind for our children and our grandchildren the kind of country our parents left behind for us.

This, my colleagues, is the Europeanization of America. This is

the pathway to Greece and Italy and Spain, and maybe now even France as well—perpetual high unemployment, an economy kind of in a death spiral that just kind of bumps along like ours, which is now bumping along at a 1.5-percent growth rate.

It is time to get serious about solving this problem. This “red” rises like a mountain over a relatively flat plain of green.

Now, I know there is almost an article of faith on the other side with some—maybe not all—that it is a revenue problem. Clearly, it is not a revenue problem. More to the point, tax revenue as a share of our gross domestic product is today about the same as it has been over the last four decades. Spending, on the other hand, averaged just 18.5 percent over that same period but today stands at about 23 percent of gross domestic product—one of the highest spending levels since World War II. It is about to get much worse, growing to nearly 40 percent of GDP in just a few decades—40 percent of GDP. There is simply no other way to solve this problem—no other way to solve the problem—than to get our spending under control.

A significant portion of the dramatic spending increase to come is the result of tens of millions of baby boomers reaching retirement age. We know this. Erskine Bowles, the Chairman of the Bowles-Simpson Commission, said it was the most predictable crisis in American history.

We are in a position to do something about this. We should. But that is only one part of the problem. It is the biggest part of the problem, but it is only one part of it. We need to shine a light into every corner of the budget, especially the dark corners that often evade real scrutiny. Programs that do not work should be scrapped, and when considering those that do, we still need to ask the question, Can it be done better, faster, more efficiently?

We need to root out waste, which will serve as the first real test of the Democrats' seriousness in this debate. I mean, why is the Federal Government funding Chinese studies on pig manure—why—and research into the smoking habits of Jordanian college students and reality TV shows in India? Are our friends on the other side prepared to cut this kind of waste? Because if they are not, if they demand a 1-to-1 ratio between tax increases and pig manure cuts, then there is really no hope of ever putting our country back on the path to prosperity.

The Senate will soon begin consideration of H.R. 325. If it passes, we will have a few more months to come up with the kinds of spending reforms necessary to secure a longer extension of the debt ceiling. That extra time will give us a chance to break the Democrats' other bad habit of leaving everything—literally everything—until the

last minute. But we can only do it if we get to work now and return to what we call around here the regular order. Remember, regular order is how the Senate is supposed to function. Committees are supposed to be allowed to evaluate legislation. Amendments are supposed to be considered. The public is supposed to have a chance to scrutinize the proposals that are actually before us.

Look, I know that solving the debt challenge is not going to be easy. Putting our country on a sustainable fiscal and economic path is going to require both parties committing to serious spending reforms. But this is a challenge we must overcome. By doing the hard work today, we can avoid a European-style catastrophe tomorrow. By reforming the functions of government that no longer make sense in 2013, we can do more than just control spending, we can encourage private sector growth and job creation and finally get the economy back on its feet. And by ridding ourselves of this massive burden of debt, we can remove the greatest obstacle to recovery.

As I said yesterday, this is ultimately a conversation about growth and opportunity. It is not a conversation about austerity. It is one that Republicans are eager to have. For those who want to pretend our country does not have a spending problem, this is a pretense which is not borne out by the facts. Now is the time to face reality. We have known this for literally years. When are we going to face it? There is no better time than now.

We can take on this challenge together if both sides are ready to do the necessary work to reform spending, but we need to get started today—not next week, not in April—today.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 2 hours, with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first half.

The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I am delighted to see the Presiding Officer in that seat. I ask unanimous consent to speak for up to 20 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ECONOMIC MELTDOWN

Mr. WHITEHOUSE. Madam President, I actually came to speak on an-

other subject, but I had the opportunity to hear the minority leader's remarks as I was waiting to speak. I would point out in response that our friends on the other side love to characterize the spending that has taken place in recent years as something that was the will and choice and desire of President Obama. What they fail to recall is that during that period, we actually had an economic meltdown. Most Americans remember that economic meltdown. States such as Rhode Island are still in the aftermath of that economic meltdown—an economic meltdown, by the way, that occurred at the end of the last Republican administration and was caused by those policies.

The economic meltdown was relatively global. We have very practical examples of countries that went the path of spending cuts that the Republicans recommend—recommended through the whole economic meltdown. Just take a tour of Europe and you will see where the austerity plan was followed, the results have been far worse: lower GDP growth, higher unemployment. We are actually struggling through better in America by understanding that when the economy is collapsing, if the Federal Government withdraws even more money from it, it just collapses faster and you postpone the period of growth and recovery.

This business us only having a spending problem—well, you can look at the revenues as adequate, but it depends what you are measuring it against. If you are measuring revenues against the times when we had a balanced budget, it has always averaged 20 percent. It averaged around 20 percent of GDP. We are at 16 percent right now. This is a huge gap. If we drop and try to balance the budget, which is what I think we would like to achieve at 16 percent, we are going back to the social conditions of the early 1950s, conditions where many seniors still lived in poverty. I know the party on the other side likes looking back, but I do not think they want to look back to that. I really do not think most Americans want to live in a country in which that is the case.

So, do we have a spending problem? Yes, of course, we do. But when revenues are at 16 percent of GDP and we have never balanced the budget in recent history at 16 percent of GDP—in recent history, it has always been with revenues around 20 percent of GDP.

When you have these unbelievable revenue giveaways to special interests—Big Oil getting these huge subsidies, hedge fund managers paying these favored low tax rates, tax rates lower than their chauffeurs and their doormen and their maids pay—the Tax Code is riddled with those kinds of special interest giveaways, and if we can bring some of that back into the equation, not only does that add revenue and move us better toward the goal of

a balanced budget and a reduced deficit but, frankly, in most of those cases, it is the right thing to do all on its own. It is the fair thing to do all on its own.

Yes, there are things that are idiotic buried away in the Federal budget. I am not here to defend studies about pig manure or reality TV shows. But the problem is that once you actually get into discussions on this subject with the other side, it is not long until their guns turn on Medicare, it is not long until their guns turn on Social Security. We have seen it before. They tried to privatize Social Security. They thought they had the power to do it, and the American people told them: Heck no. But that is where the discussion goes. It may start with reality TV shows and pig manure, but before you know it, they have their guns trained on Medicare and Social Security. We need to defend programs such as those on which families depend.

CLIMATE CHANGE

Mr. WHITEHOUSE. So on the subject of what we leave to our children and grandchildren, let me turn to the point of my remarks, which is that it is time to wake up in this body to the reality of what we are doing to our climate. It is time to wake up.

Madam President, 2012 was the warmest year in the continental United States since records began being kept in 1895. It is not a unique single anomaly of a year. If you look at the first 12 years of this century, 2000 to 2012, they are all in the 14 warmest years on record. This is not just about future generations, it is not just about polar bears and sea turtles. These trends are being felt right now in real places by real people.

The recent draft of the Federal Government's National Climate Assessment shows, at a local level, why every one of us should care that carbon emissions are causing climate change.

Let's take a little tour. I will start in the Northeast, which includes my home State of Rhode Island. In this region, which is defined in the assessment as from West Virginia to Maine—that is not the Northeast we usually talk about, but that is the way it is defined in this report—annual temperatures have increased by almost 2 degrees Fahrenheit since records began. The entire range between high and low is only about 4.2 degrees, so an increase of 2 full degrees is a big deal in that scale.

If greenhouse gas emissions remain at current levels, the projection is another 4.5 degrees to 10 degrees Fahrenheit of warming by the end of the century. That will change all of our lives in very significant ways. Even if we do reduce emissions, the Northeast is still projected to experience an increase in the frequency, intensity, and duration of heat waves.

By as soon as 2050, Delaware, Maryland, and West Virginia could experience twice as many days per year—that is 15 more days in some places—with temperatures over 95 degrees Fahrenheit. In western New York and Massachusetts, where 95-degree days are rare, there may be an additional 5 days per year over that mark. In Rhode Island, a lot of people stay cool in the summer by opening the windows at night, letting the cool night air fill the house, and then closing the drapes or the screens or the shades in the morning. That is not going to work any longer when persistent high nighttime temperatures allow no relief from the heat.

Without significant upgrades, our region's electric grid will not be able to sustain the power demand as more and more air-conditioning becomes necessary for people to be comfortable in the summertime. As we see more hot days, we also see more bad ozone days, which still keep people indoors in Rhode Island or even send them to the hospital, as pollution from Midwest coal plants settles in on us.

In addition to heat, precipitation in the Northeast increased almost one-half of an inch per decade over the last century. Extreme precipitation—very heavy rain or snow—has increased 74 percent between 1958 and 2010. That is the sharpest increase in the Nation.

On our shores—we are a very coastal State—due to a combination of warming and expanding oceans and other tectonic conditions, sea level has risen about 1 foot in the Northeast since 1900.

That is higher than the 8-inch global average sea-level rise. Sea-level rise is actually up 10 inches at the Newport tide gauge since our terrible hurricane of 1938. Because of extreme precipitation and sea-level rise, more and more populated areas are at risk of flooding.

Let's move to the Southeast where the draft assessment predicts more extreme heat with the number of 95-degree or hotter days in the region from Louisiana through central Florida expected to quadruple by mid-century. If you like it hot down there, you are a lucky person because you are going to get a lot more of it.

Southerners will likely see something much less appealing, which is more ground-level ozone, better known as smog, which poses serious health risks especially to children and the elderly. But the real story of the Southeast is one of disastrous weather. Between 1980 and 2011, the Southeast was struck by more billion-dollar disasters than any other part of the country. The region is particularly vulnerable to extreme weather, and sea-level rise makes things worse.

The RAND Corporation notes that 1,800 square miles of Louisiana have been lost to the sea since the 1930s. Entergy, a regional utility, predicts \$23

billion in losses by 2030, factoring just a 6-inch increase in sea level and a 3-percent increase in hurricane wind speed. Communities in the Southeast need to take real steps to become more resilient in the changing environment. North Carolina, for instance, is raising highway bridges out to the Outer Banks as seas rise and storms worsen.

In the Midwest, temperatures are increasing rapidly. From 1900 to 2010, average temperatures increased about 1 degree Fahrenheit, and the rate of warming tripled between 1980 and 2010. Under the assessment's worst-case scenarios, temperatures across the Midwest are projected to rise 8.5 degrees Fahrenheit by the year 2100. If you are a farmer, that means everything will have changed.

Hotter temperatures are having a far-reaching impact on the Great Lakes. According to the Cleveland Plain Dealer, scientists at NOAA's Great Lakes Environmental Research Laboratory have found that the Great Lakes are taking in more heat from the air during the summer and storing it longer. The result: On average, ice on the Great Lakes is forming later in the winter and disappearing earlier. In fact, total ice cover has fallen 71 percent on the Great Lakes from 1973 to 2010.

That is not good for the lakes, the people, and species of this region. Ice cover protects the lakes from evaporation, and it protects the eggs of fall-spawning fish from winter weather. Coastal areas unprotected by shore ice are more susceptible to erosion. Less ice means less snowmobiling or ice fishing. As anyone in Cleveland or Buffalo can tell you, open water fuels the dread lake-effect snows that wallop leeward shores. All of this can be traced, in part, to climate change driven by greenhouse gases.

In the Great Plains, the most significant consequence of a changing climate will be changes in rainfall. This is already beginning to happen. Total rain is expected to increase in Wyoming, Montana, North Dakota, South Dakota, and Nebraska, while Kansas, Oklahoma, and Texas are projected to get less. Farming and the energy sector, including oil and gas exploration, will feel increased pressure and competition for water supplies. Eighty percent of the population of the Great Plains depends on the High Plains aquifer for drinking water. Projected temperature increases, more frequent droughts, and higher rates of evaporation spell serious trouble for the region's water supply if water isn't managed better.

The availability of water, and even snow, will also affect the Southwest. People of the Southwest are acutely aware of how their history and their fate is tied to the availability of water. According to the draft assessment:

Over the past 50 years across most of the Southwest, there has been less late-winter

precipitation falling as snow, earlier snow melt, and earlier arrival of most of the year's streamflow.

These changes can ripple through the economy and the health of the region.

In the western mountains, massive forests stand dead on the mountainsides, as warmer winters allow the killer bark beetle to swarm northward into higher latitudes and uphill into higher altitudes. Ominously, the draft assessment says that the combined impact of increasing wildfire, insect outbreaks, and diseases will cause:

Almost complete loss of subalpine forests . . . by the 2080s.

Separate studies by scientists at NASA and at the University of Washington predict increasing frequency of severe wildfires.

The Park City Foundation in Utah predicted an annual local temperature increase of 6.8 degrees Fahrenheit by 2075, which would cause a total loss of snowpack in the Park City resort area. This would result, obviously, in thousands of lost jobs, tens of millions in lost earnings, and hundreds of millions in lost economic output.

In the coastal zone of the Pacific Northwest, erosion inundation and ocean acidity are all major threats. More than 140,000 acres of coastal Washington and Oregon lie within 3.3 feet of high tide. Sea-level rise of 4 feet or more is entirely plausible by the end of the century.

Ocean acidification caused a 70- to 80-percent loss of oyster larvae at an oyster hatchery in Oregon from 2006 to 2008. Wild oyster stocks in Washington State have also failed as weather patterns caused more acidic water to rise to the surface at the shore. This is an industry worth about \$73 million annually.

For Hawaii, the rapidly changing climate presents a unique threat. Tourism and agriculture, among Hawaii's top economic sectors, are each distinctly vulnerable. Changes in precipitation, erosion, ocean warming, and acidification will irreversibly alter Hawaiian ecosystems, home to about one-quarter of all threatened and endangered species in the United States.

For example, we know that warm enough water causes corals to bleach. Bleaching is a technical term that I won't go into right now. Bleaching can help coral survive short-term stresses, but in response to persistent ocean warming, bleaching signals the start of a long-term downward spiral toward the death of the coral and the reefs, the incubators of the oceans.

Perhaps no other region of the United States is experiencing the effects of climate change more dramatically than Alaska. Alaska is, of course, supposed to be cold. The animals and plants have adapted to that, and so have the people.

Since the 1960s, however, Alaska has been warming twice as fast as the rest

of the United States. Annual air temperature has already increased by 3 degrees Fahrenheit. Winter temperatures are up 6 degrees.

According to the draft assessment highlights, Alaska is seeing—and this is a graph of the sea ice:

Earlier spring snow melt, reduced sea ice, widespread glacier retreat, warmer permafrost, and dryer landscapes.

By mid-century, summer sea ice could disappear altogether. As in the Great Lakes, less ice along the Alaska coast means more severe coastal erosion without the ice to buffer the shores from storms. Most of the permafrost in Alaska is tens of thousands of years old, but it too is disappearing as the Alaska climate warms. Permafrost is a natural wonder whose loss threatens structures such as buildings, roads, as well as plants and wildlife that have adapted to the frozen tundra. Thawing permafrost buckles roads and air strips, causing costly disruptions in transportation.

It appears, as we take this tour of the country, that there is only one region that isn't yet awakening to the effects of climate change, and that is here, Capitol Hill. History is calling out to us to meet our duty, and the call is loud and clear, but we are sleepwalking. It is time to wake up. The public has every reason to want to grab us and give us a good shake. An AP poll out in December found that 83 percent of Democrats, 77 percent of Independents, and 70 percent of Republicans accept the reality of climate change and understand that it will be a serious problem for our United States.

A recent poll conducted by Yale University and George Mason University found that a large majority of Americans, 77 percent, say climate change should be a priority for President Obama and for all of us in Congress. But we snooze on, listening to the lullabies of the pollsters.

Carbon pollution from fossil fuels is threatening our future, and unless we take serious action to scale back the pollution, the consequences are looking increasingly dire all across our country. It is time to hear the alarms, to roll up our sleeves, to get to work, and to do what needs to be done. It is time, indeed, to wake up.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. CANTWELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PAYCHECK FAIRNESS ACT

Ms. CANTWELL. Madam President, I come to the Senate floor to join my

colleagues on the women's side of the Senate who will be coming to the floor this morning, along with Senator MIKULSKI—and I thank her for her leadership—to talk about pay equity and the issue of equal pay for equal work.

I am proud to stand here on what is the 4-year anniversary of the historic Lilly Ledbetter legislation that we were able to pass. What an unbelievable moment that was, to work for what is equal treatment for women in our court system. Lilly Ledbetter went across the Nation and came to Congress and communicated very well to many Americans on this issue that sometimes you could be discriminated against and not even know it until your retirement, which was the case with her. Yet the legal system failed to take any action at that point. So we passed the Lilly Ledbetter legislation to make sure that in our court system women could find out and have those remedies brought before our system and fight for equal pay.

My State of Washington has been a leader in increasing the minimum wage. We have a minimum wage that is indexed to inflation, and I am proud of that. But pay disparity continues to persist between men and women, and that is why I am here, to urge my colleagues to help close this gap. We are here to advocate for the Paycheck Fairness Act because full-time working women still earn 75 percent of what their male counterparts earn for the same job, according to a report by the Economic Opportunity Institute.

While the Lilly Ledbetter Fair Pay Act was a step forward, we need to pass this additional legislation to help end pay inequity and take the next steps toward helping women. The Paycheck Fairness Act will help us move toward closing the gap between men and women, and it does the following things: It requires employers to provide justification other than gender for paying men higher wages than for women; it protects employees who share the same salary information from potential retaliation from their employers; and it provides victims of pay discrimination the same remedies available to victims of other kinds of discrimination, including punitive and compensatory damages.

This bill also helps create outreach programs for employers to help them understand this issue and to help end pay disparity. I certainly look forward to the passing of this legislation because closing this gap means women in my State will be able to afford 13 more months of rent or 39 more months of family health insurance premiums, according to an estimate by the National Partnership for Women and Families.

We have to level the playing field so these kinds of estimates are not just projections but they are realities. We can't support the status quo while the economic security of women and fami-

lies is undermined. One-third of families headed by women in my State are in poverty. This can be attributed, in part, to policies that perpetuate lower pay for women. So we must end unequal pay practices and level the playing field.

It is in this spirit of fair play that we ask for the passage of the Paycheck Fairness Act. I know Senator MIKULSKI and others who have fought hard on this legislation will be here to speak this morning, and I am proud we are sponsors of the Paycheck Fairness Act that was introduced just last week. Today, almost 50 years after passage of the Equal Pay Act and 4 years after the passage of the Lilly Ledbetter Fair Pay Act, we still need to hit another giant milestone in helping women get fair pay in America.

We made a big step toward all this with Lilly Ledbetter's leadership, but now we need to pass this new legislation. It was an important milestone that will help women be confident they will be treated fairly in the workplace and to make sure they continue to have access to the courts. Whether they are an engineer or a lawyer or a police officer, women should not have to earn less doing the same job as a co-worker. That is why we need to pass this Paycheck Fairness Act today.

I want women who grow up in the United States of America to know there is no doubt they will earn the same pay they deserve for their work. That is what our country is all about, and that is why we are going to work hard this session to pass this legislation.

I thank the President pro tempore, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. STABENOW. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. STABENOW. Madam President, I am so pleased to be joining colleagues in celebrating the anniversary of the passage of the Lilly Ledbetter Fair Pay Act and to move on to what we need to do on full paycheck fairness with the passage of the Paycheck Fairness Act.

I wish to start by thanking our leader, the dean of the women in the Senate and the House, the longest serving woman, who is Senator BARBARA MIKULSKI. She has led us through the Lilly Ledbetter legislation and is now leading us as we move forward to the next step in making sure women receive equal pay for equal work. Her extraordinary leadership is something that has touched every woman, every man, and every family in America. I wish to thank her for her leadership, as well as the efforts of all my colleagues.

It has been nearly 50 years since President Kennedy signed the Equal Pay Act into law—a law that made it illegal for an employer to pay women less than men for the same work. With the stroke of a pen, he ushered in a new era of opportunities for women and the American economy as a whole. In those 50 years, many millions of American women entered the workforce and we have truly changed the nature of employment in our country, including in the Senate, where we now have a woman sitting as the distinguished Acting President pro tempore, and we have 20 women who are a part of leading the country through the Senate, with 7 of us now chairing committees.

I remember coming to the Senate in 2000, when it was the first time we had enough women to even sit on every committee in the Senate. Imagine that. It was the first time our experiences, our voices, our backgrounds, our values, and our priorities were represented on every committee. So we have come a long way since that time 50 years ago, but there is more to do.

In 1963, women were often very limited in the jobs we could participate in. There were outrageous working conditions and limitations that made absolutely no sense. Today, nearly 40 percent of full-time managers in our country are women. I am proud to look around my great State and see two of the great universities in our country—the University of Michigan and Michigan State University—both led by women presidents. We are seeing women moving up in every area. We have made great strides, but we also know pay for women continues to be unequal, even though we have seen strides being made. That is why the Paycheck Fairness Act is absolutely critical.

This bill gives women tools to negotiate better pay and it stops employers from using workplace gag rules to prevent women from discovering their pay is actually less than the pay of the men working beside them. It strengthens the remedies women can use when they are discriminated against and ensures that discrimination based on sex is treated the same as any other kind of discrimination in the workplace.

Four years ago this week, we passed the Lilly Ledbetter Fair Pay Act that overturned the Supreme Court's decision limiting the ability of women to get justice when they were discriminated against. At that time, Lilly Ledbetter did not know for a couple decades that she, in fact, was being paid less than the men she not only worked with but supervised. When she went to the Supreme Court, they said: You can't come before the Court. You have no standing because you should have done that 20 years ago. But 20 years earlier, she didn't know.

We have fixed that loophole in the law, but now we need to go on and com-

pletely revamp and be focused on putting in place all the tools available to women to keep the promise of the law that was passed 50 years ago, which is equal pay for equal work.

In my State of Michigan, women are paid only 74 cents on every dollar that a man makes. Even though we have made strides, we are still at 74 cents of what a man makes. And women are either participating as the sole breadwinner in their families now or part of a two-parent family trying to hold things together and make ends meet.

It is not fair to the family that one of those who are working is only getting 74 cents on a dollar of what males in the workplace are getting. Over a lifetime, in Michigan that 26-cent difference equals over \$½ million that women are losing because we don't really yet have equal pay for equal work in every part of our economy.

When we look at this, it becomes very much about whether women are going to be able to pay their mortgage, their rent. When you walk into the store, the grocer doesn't say: You only have to pay 74 percent of the cost of this because you get paid less. The last time I looked, we pay the same for gas, food, rent, or the mortgage, and yet too many women find themselves disadvantaged because they are not being paid equally for their work. That is just not right. Everybody knows it is not right.

The Lilly Ledbetter Act took an important step 4 years ago in overturning a situation that the courts I believe inaccurately, unfairly decided as relates to women. But the Paycheck Fairness Act gives women the tools they need legally to be able to remedy unequal pay situations and have the confidence that we are going to truly enforce equal pay for equal work in this country.

Fifty years ago, Congress and the President came together and agreed that women should get equal pay for equal work. Right now, we need to reaffirm that. We need to make it real for all women in every part of our country who are working hard to make ends meet, to take care of their families, and to be able to move forward and realize their dreams. Passing the Paycheck Fairness Act is going to bring us closer to that reality.

I again thank the senior Senator from Maryland for her incredible leadership in bringing us to this point with the Lilly Ledbetter Act and now taking the next step, which is to realize the dream of 50 years and longer in America, which is to fully benefit from the ideas, the strengths, and the talents of every individual and to make sure they are equally paid for what they are worth.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I rise to speak on the Paycheck Fairness

Act. I would ask how much time is remaining.

The ACTING PRESIDENT pro tempore. There is 17 minutes remaining.

Ms. MIKULSKI. I ask unanimous consent that we extend for another 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. MIKULSKI. Madam President, I join with my colleagues you have already heard from—Senator CANTWELL of Washington State, Senator STABENOW of Michigan—and today I know other Senators will be coming to the floor to say: We want to finish the job. We want to finish the job that started 50 years ago when Lyndon Johnson introduced the first of three civil rights bills that were designed to change America.

In the mid-1960s, there was turmoil. Change was in the air. People wanted equality. They were marching on the streets, they were pounding on the tables, and they were organizing in civil disobedience. Dr. King marched on Washington and Lyndon Johnson was laying the groundwork for the famous Civil Rights Act that would open the doors for minorities. But the very first bill he introduced was to guarantee equal pay for equal work for women. He did that as the first bill because he thought that would be one of the easiest to pass.

Well, 50 years later we are still being redlined, sidelined, pink-slipped because we fight for equal pay for equal work. Every time we make an advance, they bring in the lawyers—the corporate lawyers—who then hide behind small business exemptions, and they fret on how it will wreck the economy of the United States.

Well, I know what wrecked the economy of the United States, and it wasn't women wanting equal pay for equal work. That is not what brought us fraud, scams, and greed in the mortgage market. That did not cause the great collapse of the banks. We didn't cause that. Their hubris and greed did. But when they bring in the lawyers, we have to pass legislation.

Four years ago, the first bill that we passed during the Obama administration was the Lilly Ledbetter Fair Pay Act. It repaired the right of women to address pay inequality in the courts. What it did was correct a misinterpretation by the court on what is the statute of limitations when women seek redress.

But let me tell you that the fight continues. The fight continues now. The reason we need the Paycheck Fairness Act is the fact that women continue to be discriminated against and economically harassed and punished if they even ask: How much do the guys get paid?

So if you are standing at the water cooler or if you go to your human resources and say: What do I get—if

Georgette asks: What do I get, and she wants to know what George gets, she could be punished. She could be fired. She could be penalized. She could be isolated for being too aggressive. Haven't we heard that? Too uppity—my God, daring to ask what George gets paid. Well, the Lillies, the Georgettes, and everybody who gets up every day and takes pride in their work, does the job they were hired to do, they want to get the pay they have every right to. So our legislation will keep employers from retaliating against employees who share information about pay.

Remember how Lilly Ledbetter's bill got triggered? Lilly was working at Goodyear, doing a good job, even promoted. But guess what, finally some men, some great guys—and there are great guys—came and said: Guess what, Lilly. We get a better deal than you do. That is how Lilly Ledbetter found out, and when she went to ask, she was punished. So our Paycheck Fairness Act would keep employers from retaliating against employees who share information.

It will also close a loophole in the current law that allows employers to use just about any reason for paying a woman less than a man by requiring that the reason be unrelated to sex and it has to be job related. The fact is that they will say: Well, we pay George more because you really should be 5-foot-8 to do the job, and most women might only be 5-foot-6. Well, have you seen those title IX gals lately? Anyway, they always invent the reasons. That is where, instead of solving the problem, they bring in the lawyers. They always bring in the lawyers. Now we are bringing in the votes, and what we want to say is that we want to close that loophole.

We also want to improve the remedies available for victims of discrimination by simply putting the Equal Pay Act on par with other laws to combat equal treatment.

Everyone wants to say what this bill is about. They all have opinions. It is not about politics; it is about a pay gap. It is not about only gender; it is about an agenda. What is our country? Are we going to be fair with each other in the marketplace? This bill is about our families, it is about our economy, it is about bread-and-butter decisions.

So what are the consequences of paying equal pay for equal work? No. 1, it will put more money in the family checkbook. More money in the family checkbook means more spending in the economy. It is actually good economic policy in the real economy. Now, it might result in lower executive compensation, but it will result in fair compensation to the women who work. As we know, women now are really a significant part of the workforce, and we should be paid equal pay for equal work and not harassed when we want

to ask questions, and close the loopholes to make sure they don't make up phony excuses.

This is very, very important. When we look at it, 50 years—50 years—after Lyndon Johnson introduced his legislation, we are still at 77 cents for every dollar a man makes. For women of color, it is even less, and for Hispanic women, it is only 60 percent. That is not enough.

So we want to change the lawbooks so we can put more money in the family checkbook and more money in our economy and make sure that the dream of 50 years ago that was started by Lyndon Johnson we rectify in the passage of this legislation, which I hope we do expeditiously between now and Mother's Day.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. BOXER. Madam President, I wish to thank the Senator from Maryland, who has been such a remarkable leader on all of these issues. We have so much work to do, as she has outlined, and I will add a few specific cases to what she said.

This is the 4-year anniversary of the Lilly Ledbetter law, and we were able to push it forward, and it was the first bill President Obama signed in his first term. I think that said a lot about its importance.

Because Lilly Ledbetter is pretty well known in the country, we know her story. You can imagine the feelings she had when she found out that after all the work she was putting in, simply because she was a woman she was getting paid less than the men doing the exact same thing. And, yes, thank you to the men who respected Lilly Ledbetter enough to let her know. There was a notice in her locker that essentially informed her that she was working for way less than they were. Over the course of her lifetime, it was a huge amount of money that made a huge difference.

When Lilly tells the story, you can just see the anguish in her face. And she, of course, went all the way to the Supreme Court trying to get redress. Finally, the Court decided, and they said: You know what. You have a really good case, but you didn't move forward fast enough. You were supposed to come and file this lawsuit much sooner.

Well, she didn't know much sooner. She couldn't have filed the lawsuit. And that is what led to our corrective legislation, so that in the future a woman who has faced pay discrimination will have her day in court and will

have the time necessary to proceed with the court case and get justice. The court had said she had to file from the minute the discrimination started, but Lilly didn't know she was being discriminated against until years later. So thank goodness this Congress and the President remedied that.

But we have unfinished business. We have a bill called the Paycheck Fairness Act, and I hope that all will get involved as well because the fact is that women, after all the progress we have made, earn 77 cents for every dollar earned by a man. We women in the Senate are fortunate in the sense that is one battle we don't have to wage because a Senator is a Senator is a Senator. Imagine if they had a rule saying men Senators get this and women Senators get that. People would say something is very wrong with this picture. But that is the way it is on the outside. It is undercover. People do not know about it, but women who do the same job as a man on average will make 23 cents less.

You could say: Seventy-seven cents for every dollar—is that really a lot? Let me tell you, it is a lot. Over a lifetime it is about \$434,000 less that she will have at the end of her career.

This pay gap persists across all occupation and income levels. A Bloomberg analysis found that women earned less than their male counterparts in 264 out of 265 major occupation categories. Women earned less than their male counterparts in virtually all of the occupation categories. So the wage gap clearly hurts women, but it also hurts their families. Think about families where the major wage earner is a woman. Those children and grandchildren will feel the pain.

Of course the economy is hurt because there are fewer dollars circulating in the economy. A woman is going to spend a lot of the money she earns right out there, supporting her family, going to the store, organizing visits to camps and vacations, and all that money helps the economy.

I am going to close this by reading a couple of stories, real-life stories. A woman from California had an identical advanced degree as her husband. She landed the exact same job as her husband but at a different worksite. The woman's husband was offered \$5,000 more in starting salary for the same job with the exact same resume.

A health care worker in Long Island discovered she had been earning \$10 an hour less than her male colleagues with the same experience. When she brought this up to her superiors, she was reprimanded for asking about the wage gap.

That goes to what Senator MIKULSKI said. Imagine the nerve of someone finding out they were paid \$10 an hour less and trying to find out why, and for that she is reprimanded, put in her place.

Then a female employee for a major corporation in Florida was told when she was hired that if she disclosed her salary to other workers, that would be grounds for dismissal. She soon realized that her male counterparts made more than she did but she did not have any written proof. A fellow female employee at the company was told that because her husband picked her up from work in a nice car, she did not need to get a salary increase.

We need to pass the Paycheck Fairness Act. It closes loopholes that have allowed employers to avoid responsibility for discriminatory pay. It prohibits employers from retaliating against employees who share salary information with their coworkers, and it puts gender-based discrimination sanctions on equal footing with other forms of wage discrimination such as race, disability, or age, so women would be eligible for the same remedies available to other victims of discrimination, such as punitive damages.

It is simply a matter of fairness. Every American deserves equal pay for equal work. We have to end this practice of shortchanging half of our country—more than half of the people are female. This means we are hurting our country, we are hurting their families.

In 2010, Senate Republicans filibustered our efforts to proceed to this bill. All we wanted to do was proceed to it and get an up-or-down vote. We faced a filibuster. In June 2012, Senate Republicans blocked us again. We are calling on them in a spirit of fairness and justice to work with us in this Congress and give all the women of America the same chance for success as their male counterparts. Remember, \$400,000-plus over a career is a tremendous amount of money for people. That can make the difference in having a decent retirement. We heard today that the vast majority of Americans, if they lost their job, have no savings at all. It is not as if we are paying people lavish salaries. Let's make sure, whatever the salaries are, that they are fair, that they are equal to each other. If a woman is doing the same job, much as a Senator, as a male, they get the same pay. It is simple. It should not be a problem.

If there is a filibuster, I will never understand it. I will say this. No woman in America today will understand why anyone would filibuster such a bill—equal pay for equal work. And no man in America who loves a woman, be it their mom or their aunt or their wife or their daughter, would understand it either. Let's hope we get to a vote on this measure.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Mr. BEGICH. Madam President, I thank my colleague from California for making those important remarks. I am also here to talk about the Paycheck

Fairness Act for a few minutes, if I could. As she said in her last remarks, it is very important to note the last few times this issue has come up it was filibustered. We did not even get to the bill. So hopefully, according to the new rules we agreed on here and coordinated in a bipartisan way, we will get to the bill and we will debate it on its merits, not on whether it should proceed. Let's see how that works. Again, I thank her for coming down here today.

I rise here on the anniversary of the Lilly Ledbetter Fair Pay Act of 2009 to lend my support to the next bill we need to pass, the Paycheck Fairness Act. I thank Senator MIKULSKI for organizing this important discussion.

Four years ago I entered this Chamber fresh from Alaska. Madam President, you are fresh from North Dakota. I probably sat right there during that debate in 2009. I was finishing my second term as mayor of Anchorage and was excited to take on the new challenges in the Senate on behalf of all Alaskans. I am honored to say one of my first votes in the Senate as a new Senator was the Lilly Ledbetter Fair Pay Act. I was proud to add my support to the cause.

At the same time it was—and is—disheartening to continue hearing about pay inequity as a major economic problem, that there are still drastic wage gaps for women, that women on average still earn about one-fifth less than their male counterparts.

We all know the numbers. That is why I have cosponsored Senator MIKULSKI's Paycheck Fairness Act each time it was introduced. It provides women with the tools to close this long-standing gap. Her bill is an important companion to the Lilly Ledbetter Act, which kept the courthouse door open to demand justice over pay discrimination.

This was a crucial victory, but we must continue the fight and finish the job by passing paycheck fairness. At its core, the bill is really very simple: It says employees and employers can share wage information and that discrepancies in pay must be based on experience and qualifications—not on gender.

What is more fair than that?

Unfortunately, my State is not a leader on pay equity. In Alaska, women earn 78 cents for every dollar paid to men. Unless that changes, Alaska women will earn \$623,000 less than men during their working careers. This pay gap has harmed the families of roughly 155,000 women in the Alaska workforce. Women in Alaska have higher rates of economic insecurity than men: In 2010, women working full time not only earned lower average wages but also were more likely to live in poverty—more than 10 percent of Alaska women compared to about 7 percent of men.

Women in Alaska make up 47 percent of the state workforce and nearly half

of them are married mothers who are the primary wage earners in their families. When they earn less than men, that burden falls on the entire family—including about 112,000 Alaska children who are dependent on their mother's earnings.

The State's highest-paying industries—including manufacturing, natural resources and mining—are mostly dominated by men. Jobs such as miners, mobile heavy equipment mechanics and electrical power line installers pay much better than State average wages, but few women are getting those jobs.

Our Alaska Department of Labor puts it bluntly: "Women seem to be funneled into lower-pay occupations."

Listen to these numbers. If the gap between men's and women's wages in Alaska were eliminated, each full-time working woman could suddenly afford to pay for 2 more years of groceries, buy 3,700 more gallons of gas or pay the mortgage and utility bills for 8 more months.

So on this 4th anniversary of the signing of the Lilly Ledbetter Fair Pay Act, I say to my colleagues on both sides of the aisle: Let's finish the job and pass the Paycheck Fairness Act. As I said, it's so simple. The bill will close loopholes in the Equal Pay Act and establish stronger workplace protections for women.

In the real world there should be nothing complicated or controversial about this, but sometimes we wonder where we are; it is not always the real world. As I said at the beginning of my comments, hopefully the issue of filibuster will not be part of this equation, that we actually get on the bill, have the debate, and people can vote up or vote down, amend it or not, and determine where we stand on this issue.

I am from a household where we were raised by a mother, the six of us. My father died when I was 10. She survived raising four boys, which is a miracle in itself, and two girls. The problem was not the girls, it was the boys. But she raised six of us at a very young age. Hopefully some would consider us productive parts of society. But when I saw what my mom had to struggle through, what she had to earn to make sure we had food on the table, make sure we had opportunities in our lives, it is clear to me that this is not a complicated issue. This is a simple fairness issue.

I hope my colleague on the other side, again, would allow it to come forward. We will debate it and then we will vote on it, and the American people, Alaskans, will see what we think of fairness in the sense of a paycheck for a woman working the same job—equal job as a man does.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

THE ECONOMY

Mr. COATS. Madam President, breaking news. Just a short time ago the Bureau of Economic Analysis issued its report for the fourth quarter of 2012 in terms of our economy. I am sorry to say that the report said we have contracted—not gained, but our economy contracted—during this fourth quarter, 0.1 percent at an annual rate last fall.

Here we are, about 3½ years from a deep recession, and in normal recessions recovery occurs at a significant rate. That is what gets people back to work. That is what gets our economy moving again. This is the growth we need to address our fiscal situation. Yet after nearly 3½ years of stumbling along and bumping along in the most tepid recovery since before World War II, we now learn that despite some of the optimism that has been projected lately that things are getting better, things are growing, and unemployment is going to start coming down, we get this distressing report that in the fourth quarter, the quarter where we all go out and buy Christmas presents and spend money at the end of the year, that fourth quarter contracted; it did not grow.

The average rate of growth following recessions is about 4 percent growth per year. Sometimes it has been 6, 7, and even 8 percent. The average rate we have had as a Nation following the previous recession has been around a 2-percent level or even a little less. So, this is not good news for the American people. This is not good news for all those hoping to get back to work. This is not good news for those hoping to raise money to pay for their mortgage or try to keep their house or provide for their children's education going forward. This is not good news for the American people. I think it says a lot about our failure here in Congress to do what most people understand we need to do and that is to get our fiscal house in order.

There is a cloud of uncertainty settled over the American economy over the last 3½ years that is destroying the hopes and dreams of young people and middle-aged people and those nearing retirement. They are worried about their savings, their ability to pay their bills, and their ability to maintain meaningful employment.

If we are going to get our fiscal house in order, we need to do some fundamental things. One, we need to summon the will to address this problem—this challenge—and define it as the No. 1 challenge facing the Congress and have the political will to do something about it. Doing something about it means we start with having a budget. It has been 1,372 days since the Senate passed a budget. That is nearly 4 years. This is completely irresponsible. To deny the American people the transparency of how we are spending tax-

payers' dollars and how we are addressing this fiscal situation we are in which drives us into more debt and more deficit is totally irresponsible. As I said, it starts with passing a budget.

Every Hoosier family and every business in Indiana knows they cannot be successful and financially sound without creating a budget on which to operate. Restaurants and coffee shops have budgets, Little League Baseball organizations have budgets, and our communities, States must have a budget in terms of how much we are able to spend.

The reason a budget is so important is it forces us to determine how we spend the revenue we have in a sensible way without having to go and continue to borrow and drive ourselves more deeply into debt. There are a lot of things we would like to do. Everyone has their priorities, their interests, such as, education, medical research, more funding for social programs, more defense funding, funding for transportation needs, paving roads, and repairing bridges. It goes on and on. We all have those priorities. These are things we would like to do, but we have not faced the fact that we cannot do everything we would like to do. We have to do the essential things and prioritize our spending at a time when we don't have the revenue to do everything we would like.

It is no different than a family with financial difficulties sitting down and saying: Our annual trip to Disney World cannot happen this year. Dad's paycheck is not bringing in the kind of money it used to. Maybe they are not in the financial position to be able to do what they would like to do, therefore, they have to make some changes and adjustments. Maybe instead of Disney World, they decide to go to Brown County State Park, which, by the way, is a great place for family vacations. Priority decisions are the kind of decisions families have to make when they don't have the revenue to do everything they would like to do.

We also have a legal duty—and personally I think a moral duty—to present to the American people a budget plan indicating how we are going to spend their taxpayer dollars. Section 301(a) of the Congressional Budget Act of 1974 states—and this is the law of the land—“On or before April 15 of each year, the Congress shall complete action on a concurrent resolution on the budget for the fiscal year beginning on October 1 of such year.”

When we passed that law, we didn't say Congress may pass a budget or that Congress has the ability to avoid having a budget. The word “shall” means we shall have a budget. Yet the failure to bring forth a budget under the leadership of this Senate for 1,372 days—nearly 4 years—has created even more dysfunction in an already dysfunctional Senate. It has helped lead to a broken appropriations process.

Last year, we did not pass a single appropriations bill through the Senate, which left us with what we call continuing resolutions. Continuing resolutions essentially fund the Federal Government on autopilot at previous levels without the type of scrutiny and oversight that would be administered through the regular appropriations process. This is no way to govern a country. We are not fulfilling our duty to the people we represent and, most important, it hinders any attempt at real spending reform.

The Republican-led House has passed a budget annually and fulfilled their duty. We have failed in fulfilling our duty. They have presented their priorities to the public. They have described how they will rein in spending, save programs from collapse, and reform the tax system. They are being heavily criticized because they have a budget out there which tells the American people what they are going to do, and some of it is painful because we don't have the money to do everything we would like to do.

People like to be able to come home and promise them everything they ask for. We don't have that luxury. Perhaps we never did, but we did it anyway. No longer do we have the luxury of being able to even think that. So all the criticism goes to the House because they want to cut this or they want to modify that or the priority decision is for one thing over another thing. In the mean time, the majority and the administration just sit back and say: We are not going to put out any numbers; therefore, you cannot criticize us. We will just go along criticizing the other team.

I know PAUL RYAN is again working with Speaker BOEHNER on a 10-year budget plan to put our country on a path to a balanced budget. They will be heavily criticized for that, but they are stepping up to their legal responsibilities and stepping up to the moral responsibilities we have to do the job we were elected to do. I mean, that is why we were sent here. The Senate is going to have to get the will to make these tough choices, which we have been avoiding for years, or the market is going to force us to act. The more we prolong the challenges we face and the longer we wait to act, the harder it is going to be.

If we don't put a Senate budget plan together, if we don't lay out our priorities and create a long-term economic plan to reform our spending habits, we are going to face a debt-induced catastrophe that will make the economic downturn we experienced a few years ago look like child's play. The fact is our failure to seriously grapple with our runaway deficit spending is already having huge detrimental effects on our economy, and I just mentioned one of those. Sooner or later this body needs to stand and get this done and it starts with a budget.

The President has made it clear over the past few years that when he proposed his budgets, he is not serious about leading the discussions on the fiscal challenges facing us. He didn't mention it in his inauguration address, and he has publicly stated we don't have a spending problem. How he comes to that conclusion defies credibility.

Interestingly enough, by law, the administration is forced to produce a budget which has been brought before this body. It is interesting that the lack of seriousness of this is indicated by the fact that not even one Member of his own party voted for the President's budget.

I am just about ready to finish. I ask unanimous consent for 3 more minutes to finish.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. COATS. Madam President, thank you. Not one Democratic Senator voted for the President's budget in the last few years. His own party didn't support his budget. It is hard for us to take the President's budget seriously, and that is why the Senate—under the leadership of Democrats—needs to put forward a serious budget, one we can debate, amend, talk about, share with the American people, get their opinion as to whether this is an important priority program or one we can use as the basis to make tough choices and explain why we made those choices. After all, that is why we are here.

So why am I here? I am urging my colleagues in the majority to act. Let's do our jobs. Let's perform our legal responsibility and duty. One of the most basic duties in Congress is to create a budget so we can begin to get our fiscal books in order. It is our generation's duty also to repair our Nation's financing and ensure we are not leaving behind this dangerous debt burden on future generations. This is the time to act. This serious debt threatens our national security and the future of our country, and this is the challenge both sides of the aisle need to face.

Strengthening our country and putting us back on a sustainable path will not be easy. It will require some sacrifices, but these are the responsibilities we have to address. We need to be honest with the American people. We must take the first step and it starts with a budget.

With that, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EVENHANDED LAW ENFORCEMENT

Mr. ALEXANDER. Madam President, I am expecting the Senator from Louisiana, whom I had planned to follow, but since he is not here yet I will go ahead with my remarks unless he walks in the door just now, and then he can follow me.

We are both speaking today about selective enforcement of the law as it relates to the Department of Justice enforcing the law against certain types of energy producers but not other types of energy producers. Senator VITTER from Louisiana will talk about a letter he and I will be sending to the Attorney General of the United States asking why he does it.

I see Senator VITTER coming in just now, so now that I have given him a preamble and a warm-up of about 2 minutes, I think I will sit down and listen to what he has to say, and then I will add my comments to his when he finishes.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. Thank you, Madam President.

Through the Chair, I also wish to thank my distinguished colleague from Tennessee for joining me. Together, as he mentioned, we are writing the Attorney General today about a matter of real concern, and that is why we come to the floor. We are both very troubled by recent reports that the Department of Justice is targeting whom to prosecute for the incidental killing of migratory birds under the Migratory Bird Treaty Act. They are not targeting whom to prosecute by looking at birds killed; they are targeting whom to prosecute based on the type of business these various people are in—legal business—and, in particular, the type of legal energy these companies produce.

What am I talking about? Well, on the one hand, oil and gas producers—traditional energy producers—are clearly being targeted. They are being targeted for prosecution, as I say, under the Migratory Bird Treaty Act. They are being charged with the incidental killing—in a particular case that a court has dealt with—with the killing of four mallards, one northern pintail, one redneck duck, and one Say's phoebe.

Now, in that case, the Federal judge involved correctly recognized that this prosecution was off-base because it wasn't about trying to kill these birds—it wasn't about any willful act. It was about a completely incidental killing of these birds because they were doing things in the normal course of business. Nobody wants any of these birds to be killed, but that is not what criminal sanctions under the Migratory Bird Treaty Act are about.

As the judge said, "then many everyday activities [would] become unlawful—and subject to sanctions—" with "fines" under these sorts of prosecutions.

The judge pointed out that "ordinary activities such as driving a vehicle, owning a building with windows, or owning a cat" could be subject to criminal prosecutions if this precedent were set.

So that is on the one hand: the Department of Justice, I think, clearly targeting these companies who are oil and gas producers. On the other hand, they have a very different approach to other types of energy producers, such as wind producers. To our knowledge, there is not a single Department of Justice prosecution regarding the killing of birds because of windmills. That clearly happens. In fact, it happens a lot. I am not saying these wind producers want that to happen. I am not saying they are trying to kill birds, but it happens and it happens a lot. And to our knowledge, the Department of Justice has never launched a similar prosecution against a wind farm.

The U.S. Fish and Wildlife Service's fiscal year 2013 budget justification actually estimated the annual bird mortality from wind energy production. Do my colleagues know what the estimate was? It was 440,000. I just mentioned this criminal prosecution on the oil and gas side for seven birds. On that side, total, we have this estimate of 440,000.

But wait; it gets even more ridiculous. It appears the administration is also choosing to sanction this in the case of wind production because they are actually considering granting permits to wind energy producers who state in their permits they will kill bald eagles. So in southeastern Minnesota the administration is considering a permit for a wind farm that states in its permit it has the potential to kill between 8 and 15 bald eagles each and every year.

So on the one hand we have an oil and gas producer who is gone after with a criminal prosecution because they didn't intend but incidentally killed seven birds—of course, none of them the status of a bald eagle, none of them in danger. On the other hand, the administration is considering granting a permit where the wind producer says it is going to probably kill 8 to 15 bald eagles a year, the symbol of our Nation's greatness.

It is pretty clear to us that what this is about is not evenhanded enforcement of the law. What this is about is targeting one type of energy producer and favoring a different type of energy producer.

Here is a picture of a bald eagle. The wind farm has stated it will kill perhaps 8 to 12 of those a year. We also have photographs of birds that were unfortunately killed at a wind farm. This is one victim. We have another photograph of an eagle that was killed at a wind farm. This is not a bald eagle; this is a golden eagle, an absolutely beautiful bird.

All of these bird deaths are bad, but all of them are unintended. The point is that the Migratory Bird Treaty Act did not intend criminal prosecutions for this unintended incidental effect. The judge ruled that. We think the judge is right. But the broader concern is that the Justice Department seems to be targeting the companies it goes after not based on what they do with regard to migratory birds but based on what they do as a legal business and what sort of energy they produce.

Is this really a policy that reflects an "all of the above" energy strategy? We think not. We think it is pretty darn obvious it is not an "all of the above" approach. That is something very different than an "all of the above" energy strategy. It is strategy that says this sort of legal business, this sort of legal production of energy is evil and is to be gone after and combated in any way possible, and that sort of legal business, that sort of production of a different form of energy is to be favored in any way possible. That is our broader concern, and it is a pretty darn important one.

This is important in and of itself. It is an important part of the law. It is important that prosecutions be appropriate and evenhanded, but the broader issue with regard to a true "all of the above" energy strategy is even more important.

As I turn to my colleague from Tennessee, let me simply ask unanimous consent to have printed in the RECORD of the Senate this letter which we are both sending today to Attorney General Eric Holder.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JANUARY 30, 2012.

Attorney General ERIC HOLDER,
U.S. Department of Justice, Pennsylvania Avenue NW., Washington, DC.

DEAR ATTORNEY GENERAL HOLDER: We write today seeking clarification of the Department of Justice's policy for prosecuting alleged violations of the Migratory Bird Treaty Act (MBTA). As you know, the MBTA is a criminal statute that makes it unlawful to "kill" or "take" a migratory bird, nest, or egg, except as permitted under the statute. We are concerned by what seems to be a trend of the Department pursuing MBTA enforcement actions against oil and gas companies for conduct that is otherwise overlooked when it is undertaken by renewable energy companies. Fair and consistent application of federal enforcement authority is fundamental to equal justice under the law as well as to the President's and Congress' call for an "all of the above" energy policy that pursues all forms of energy production.

On one hand, the Department of Justice chose to prosecute three oil and gas production companies for the incidental killing of migratory birds in North Dakota. In those cases, the companies were charged with the incidental killing of four mallards, one northern pintail, one red-necked duck, and a say's phoebe. By determining that the MBTA "only covers conduct directed against wildlife," a Court rejected your Department's claim that these producers had violated the MBTA.

The Court noted, and we agree, that "it is highly unlikely that Congress ever intended to impose criminal liability on acts or omissions of persons involved in lawful commercial activity, which may indirectly cause the death of birds protected by the Migratory Bird Treaty Act." Furthermore, the Judge reasoned that, if the Department's interpretation of the MBTA was adopted, "then many everyday activities [would] become unlawful—and subject to criminal sanctions—when they cause the death of pigeons, starlings, and other common birds. For example, ordinary land uses which may cause bird deaths include cutting brush and trees, and planting and harvesting crops. In addition, many ordinary activities such as driving a vehicle, owning a building with windows, or owning a cat, inevitably cause bird deaths."

On the other hand, you have not prosecuted a single wind producer for migratory bird deaths that occur as a result of wind energy production. The U.S. Fish and Wildlife Service's fiscal year 2013 budget justification estimated annual bird mortality from wind energy production at approximately 440,000. This number suggests that a significant number of birds, some of which have additional protections under the Endangered Species Act, are harmed by wind turbines on wind farms.

We were recently made aware that Federal officials have decided to allow a wind energy farm in southeastern Minnesota to apply for a permit to allow for the death of bald eagles, who are obviously the symbol of the United States. If allowed to proceed, the project has the potential to kill between eight and fifteen bald eagles each year. We find it absurd that the Department of Justice, in conjunction with the Fish and Wildlife Service, could reasonably conclude that three oil and gas operators should face prosecution for the incidental killing of seven birds at the same time it considers permits to kill between eight and fifteen bald eagles. This does not pass the common-sense test, and suggests the Administration is hostile towards traditional energy production.

We do not condone the indiscriminate killing of birds from any sort of energy production. Nor do we believe the Department should target businesses because of the type of energy being produced. To that end, we seek to understand why your Department has chosen to selectively prosecute oil and gas producers at the same time the Administration considers granting permits that will result in the killing of bald eagles. In order to help us better understand and analyze your policy, please provide us with answers to the following questions:

1. In the past four years, how many criminal prosecutions has the Department undertaken against oil and gas producers who have allegedly violated the MBTA? Of those prosecutions, how many prosecutions involved a felony for a knowing MBTA violation and how many prosecutions have involved a misdemeanor prosecution?

2. In the past four years, how many criminal prosecutions has the Department undertaken against wind energy producers who have allegedly violated the MBTA? Of those prosecutions, how many prosecutions involved a felony for a knowing MBTA violation and how many prosecutions have involved a misdemeanor prosecution?

3. Last year, Stacey Mitchell, Chief of the Environmental Crimes Section, stated at a public conference that the Department brings prosecutions based on the willingness of a company to cooperate as opposed to the

number of birds that are killed. Please provide us with any guidelines the Department considers when making the determination to prosecute an energy producer under the MBTA. Do your guidelines or any policy directives distinguish between oil and gas producers and wind energy producers?

4. Please explain the apparent targeting of oil and gas producers for violations under the MBTA. Do you believe it is inconsistent to prosecute energy producers for the deaths of seven animals among three producers at the same time the Administration condones an energy project that plans to kill between eight and fifteen bald eagles each year?

We hope that you will provide us a prompt response so that we can understand the Department's decision-making processes on this important issue. Should you have any questions, please feel free to contact us.

Sincerely,

DAVID VITTER,
*Ranking Member, U.S.
Senate EPW Com-
mittee.*

LAMAR ALEXANDER,
United States Senate.

Mr. VITTER. Thank you, Madam President. With that I close and thank, again, my colleague from Tennessee.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I am here to join with and congratulate the Senator from Louisiana for his leadership on this issue. These are important matters for a couple of reasons. One is, as the Senator from Louisiana said, the rule of law is one of the fundamental principles of the American character. We expect laws to be enforced evenly, whether it is a little law or whether it is a big law. Obviously, here, the Department of Justice is enforcing a law against oil and gas companies but not against wind companies. It is the same law; it should be applied in the same way.

The second is the matter of birds. Someone might say: Why would Senators take the time to talk about birds?

I am reading one of President Teddy Roosevelt's books. This is about his African game hunt after he was President of the United States. He wrote a lot of books, and he was a great President. All of us concede that. We remember him for many things, but if we read carefully Teddy Roosevelt's biography, his entry into political life was because of his concern for birds. He was a bird man. He protected birds. He captured them and brought them to various museums of America to serve as exhibits. He helped enact the laws that protect birds.

In one of the biographies of Teddy Roosevelt I read, the author pointed out that the single largest spectator sport in the United States is not football, it is not NASCAR, it is bird watching. I am not much of a bird watcher, but these laws are important for that reason as well.

The Senator has spoken very specifically and clearly about what is going on here. We have the Migratory Bird

Treaty Act, almost 100 years old. A person can go to jail if they violate the Migratory Bird Treaty Act. Then there is the Bald and Golden Eagle Act. That protects one of our national symbols. A person can go to jail for that too, and be fined \$100,000 and imprisonment of 1 year for killing bald eagles and golden eagles.

The letter Senator VITTER and I sent today to the Attorney General asks: If you are enforcing that law against one kind of energy company, why aren't you enforcing it against another kind of energy company? Or if you think you are not going to enforce the law—and sometimes this administration just decides that it will not enforce the law—then at least enforce the law in an evenhanded way.

The Senator from Louisiana mentioned the energy farm in southeastern Minnesota that has applied for a permit that will allow the wind farm to kill the protected bald eagles. Basically, what is happening here is the wind farm is applying for a federal hunting license to kill eagles, and the U.S. Government is considering granting a hunting license to a wind farm to kill these protected bald eagles. How does that fit with an evenhanded system of justice, equal treatment of the law?

ExxonMobil, in 2009, pled guilty to killing 85 birds that had come into contact with crude oil. Exxon paid \$600,000 in fines and fees. PacifiCorp in Oregon paid \$1.4 million in fines for killing over 200 eagles in Wyoming. Yet a wind farm in Minnesota is applying for a hunting license to put up Cuisinarts in the sky to kill protected eagles. That is not evenhanded.

It is no excuse to say, well, cats kill birds, windows kill birds, other things kill birds. That may be, but we have Federal laws against those who set out and set up machines that deliberately kill birds. We need to have a rational policy for treating all energy companies the same.

So that is our discussion today. We believe it is important. The head of the Audubon Society in Los Angeles says the threat to golden eagles by wind farms has the potential to wipe this large, long-lived species out of the sky.

I think all of us know these are not our grandmothers' windmills. These are giant turbines that are three times as tall as the sky boxes at one of the most recognizable features in Tennessee, which is the University of Tennessee football stadium. These are huge monstrosities, and they have many detriments to the environment. They destroy viewscapes, they are noisy, and we can see their flashing lights for miles. We don't want to see them on the scenic mountains of east Tennessee where people come to see the Great Smoky Mountains—not to see these big white towers.

In their enthusiasm for wind power as a solution to our electricity needs in

the United States, I am afraid the administration is destroying the environment in the name of saving the environment and producing at the same time a type of electricity that is intermittent, that only operates when the wind blows, is expensive, and has huge subsidies from the Federal taxpayer that would make any tax subsidy for oil companies look small by comparison.

Let's put all the questions about wind power to one side except this one: Why is the U.S. Department of Justice enforcing the migratory bird laws against one set of energy producers—oil and gas—and not against another—wind farms? That is what Senator VITTER and I would like to know. That is why we are sending the letter today.

I ask unanimous consent to have printed in the RECORD two articles: one from the Wall Street Journal and one other article from the Los Angeles Times about the effect of wind farms on protected birds.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Los Angeles Times, Aug. 3, 2011]

FEDERAL OFFICIALS INVESTIGATE EAGLE DEATHS AT DWP WIND FARM

(By Louis Sahagun)

Pine Tree facility in the Tehachapi Mountains faces scrutiny over the deaths of at least six golden eagles, which are protected under federal law. Prosecution would be a major blow to the booming industry.

Federal authorities are investigating the deaths of at least six golden eagles at the Los Angeles Department of Water and Power's Pine Tree Wind Project in the Tehachapi Mountains, the U.S. Fish and Wildlife Service said Tuesday.

So far, no wind-energy company has been prosecuted by federal wildlife authorities in connection with the death of birds protected by the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. A prosecution in the Pine Tree case could cause some rethinking and redesigning of this booming alternative energy source. Facilities elsewhere also have been under scrutiny, according to a federal official familiar with the investigations.

"Wind farms have been killing birds for decades and law enforcement has done nothing about it, so this investigation is long overdue," said Shawn Smallwood, an expert on raptor ecology and wind farms. "It's going to ruffle wind industry feathers across the country."

Wildlife Service spokeswoman Lois Grunwald declined to comment on what she described as "an ongoing law enforcement investigation regarding Pine Tree."

Joe Ramallo, a DWP spokesman, said, "We are very concerned about golden eagle mortalities that have occurred at Pine Tree. We have been working cooperatively and collaboratively with the U.S. Fish and Wildlife Service and the California Department of Fish and Game to investigate these incidents."

"We have also actively and promptly self-reported raptor mortalities to both authorities," he said. "Moving forward, we will be ramping up further our extensive field monitoring and will work with the agencies to develop an eagle conservation plan as part of

more proactive efforts to monitor avian activities in the Pine Tree area."

An internal DWP bird and bat mortality report for the year ending June 2010 indicated that compared to 45 other wind facilities nationwide, bird fatality rates were "relatively high" at Pine Tree, which has 90 towers generating 120 megawatts on 8,000 acres.

Golden eagles weigh about 14 pounds and stand up to 40 inches tall. Their flight behavior and size make it difficult for them to maneuver through forests of wind turbine blades spinning as fast as 200 mph—especially when they are distracted by the sight of prey such as squirrels and rabbits.

DWP officials acknowledged that at least six golden eagles have been struck dead by wind turbine blades at the two-year-old Kern County facility, about 100 miles north of Los Angeles, which was designed to contribute to the city's renewable energy goal of 35% by 2020.

Although the total deaths at Pine Tree pale in comparison with the 67 golden eagles that die each year in Northern California's Altamont Pass Wind Resource Area, the annual death rate per turbine is three times higher at the DWP facility. The Altamont Pass facility has 5,000 wind turbines—55 times as many as Pine Tree.

Nationwide, about 440,000 birds are killed at wind farms each year, according to the Wildlife Service. The American Wind Energy Assn., an industry lobbying group, points out that far more birds are killed by collisions with radio towers, tall buildings, airplanes and vehicles, and encounters with household cats.

Attorney Allan Marks, who specializes in renewable energy projects, called the Pine Tree deaths "an isolated case. If their golden eagle mortality rate is above average, it means the industry as a whole is in compliance."

About 1,595 birds, mostly migratory songbirds and medium-sized species such as California quail and western meadowlark, die each year at Pine Tree, according to the bird mortality report prepared for the DWP last year by Ojai-based BioResource Consultants.

BioResource spokesman Peter Cantle suggested that those bird deaths may be unrelated to Pine Tree's wind turbines.

"It's hard to tease out those numbers," he said. "Basically, we walked around the site to find bird mortalities, which could have been attributable to a number of things including natural mortality and predators."

The death count worries environmentalists because the \$425-million Pine Tree facility is in a region viewed as a burgeoning hot spot for wind energy production.

"We believe this problem must be dealt with immediately because Pine Tree is only one of several industrial energy developments proposed for that area over the next five to 10 years," said Los Angeles Audubon President Travis Longcore. "Combined, they have the potential to wipe this large, long-lived species out of the sky."

[From the Wall Street Journal, Sept. 7, 2009]

WINDMILLS ARE KILLING OUR BIRDS
ONE STANDARD FOR OIL COMPANIES, ANOTHER
FOR GREEN ENERGY SOURCES
(By Robert Bryce)

On Aug. 13, ExxonMobil pleaded guilty in federal court to killing 85 birds that had come into contact with crude oil or other pollutants in uncovered tanks or wastewater facilities on its properties. The birds were protected by the Migratory Bird Treaty Act, which dates back to 1918. The company agreed to pay \$600,000 in fines and fees.

ExxonMobil is hardly alone in running afoul of this law. Over the past two decades, federal officials have brought hundreds of similar cases against energy companies. In July, for example, the Oregon-based electric utility PacifiCorp paid \$1.4 million in fines and restitution for killing 232 eagles in Wyoming over the past two years. The birds were electrocuted by poorly-designed power lines.

Yet there is one group of energy producers that are not being prosecuted for killing birds: wind-power companies. And wind-powered turbines are killing a vast number of birds every year.

A July 2008 study of the wind farm at Altamont Pass, Calif., estimated that its turbines kill an average of 80 golden eagles per year. The study, funded by the Alameda County Community Development Agency, also estimated that about 10,000 birds—nearly all protected by the migratory bird act—are being whacked every year at Altamont.

Altamont's turbines, located about 30 miles east of Oakland, Calif., kill more than 100 times as many birds as Exxon's tanks, and they do so every year. But the Altamont Pass wind farm does not face the same threat of prosecution, even though the bird kills at Altamont have been repeatedly documented by biologists since the mid-1990s.

The number of birds killed by wind turbines is highly variable. And biologists believe Altamont, which uses older turbine technology, may be the worst example. But that said, the carnage there likely represents only a fraction of the number of birds killed by windmills. Michael Fry of the American Bird Conservancy estimates that U.S. wind turbines kill between 75,000 and 275,000 birds per year. Yet the Justice Department is not bringing cases against wind companies.

"Somebody has given the wind industry a get-out-of-jail-free card," Mr. Fry told me. "If there were even one prosecution," he added, the wind industry would be forced to take the issue seriously.

According to the American Wind Energy Association, the industry's trade association, each megawatt of installed wind-power results in the killing of between one and six birds per year. At the end of 2008, the U.S. had about 25,000 megawatts of wind turbines.

By 2030, environmental and lobby groups are pushing for the U.S. to be producing 20% of its electricity from wind. Meeting that goal, according to the Department of Energy, will require the U.S. to have about 300,000 megawatts of wind capacity, a 12-fold increase over 2008 levels. If that target is achieved, we can expect some 300,000 birds, at the least, to be killed by wind turbines each year.

On its Web site, the Wind Energy Association says that bird kills by wind turbines are a "very small fraction of those caused by other commonly accepted human activities and structures—house cats kill an estimated one billion birds annually." That may be true, but it is not much of a defense. When cats kill birds, federal law doesn't require marching them to our courthouses to hold them responsible.

During the late 1980s and early '90s, Rob Lee was one of the Fish and Wildlife Service's lead law-enforcement investigators on the problem of bird kills in Western oil fields. Now retired and living in Lubbock, Texas, Mr. Lee tells me that solving the problem in the oil fields "was easy and cheap." The oil companies only had to put netting over their tanks and waste facilities.

Why aren't wind companies prosecuted for killing eagles and other birds? "The fix here is not easy or cheap," Mr. Lee told me. He

added that he doesn't expect to see any prosecutions of the politically correct wind industry.

This is a double standard that more people—and not just bird lovers—should be paying attention to. In protecting America's wildlife, federal law-enforcement officials are turning a blind eye to the harm done by "green" energy.

RECESS APPOINTMENTS

Mr. ALEXANDER. Madam President, last Friday, a three-judge panel of the U.S. Court of Appeals for the District of Columbia issued a decision that basically said the era of recess appointments is over. The three-judge court unanimously ruled that President Obama, on January 4, 2012, made three recess appointments which were unconstitutional, and, therefore, said the court, these three individuals—one who is already gone from the NLRB—so two NLRB individuals who were in the case that was before this court hold their seats unconstitutionally.

The Chairman of the National Labor Relations Board nevertheless said, in effect, that the NLRB is open for business. I respectfully suggest that a different sign should go up—"help wanted; nominations needed"—and that the two NLRB members whose recess appointments were unconstitutional should leave the NLRB because the decisions in which they participated—and there were 219 of them—cannot be valid if they are challenged, just as this 1 decision was vacated, because since they were unconstitutionally there, the NLRB did not have a quorum, and therefore, when those decisions are challenged, under the ruling of this court, those decisions cannot stand. They are important decisions. As the Senator from Wyoming undoubtedly will mention more about, they involved some controversial issues.

Several observers have said the court's decision is broad. In fact, it is a breathtaking decision. It is a bold decision. But by all standards, it seems to be the correct decision. This is why I say that if you take an American history book in one hand and the U.S. Constitution in the other and you read them both at the same time, you see that the Constitution, which was ratified a long time ago—before 1800—has in it article II, section 2, which says that the President may make nominations of a number of people, such as soon-to-be Secretary of State KERRY, who was confirmed yesterday—a number of people—but that those nominations require the advice and consent of the Senate.

We have done some work here in the Senate over the last 2 years, and we have improved the nomination process. We have eliminated a number of the nominations that are subject to advice and consent. We have made it easier for people to move through, and we have expedited a large number of those. For

example, 273 of the 1,100 nominations that require advice and consent can be sent right to the desk by the President, and if a single Senator does not want it to go through the entire process, after the relevant committee gets all the relevant information, the majority leader can just move, after 10 days, to confirm that person. But if it is a Secretary of State or if it is a Secretary of Defense or if it is a member of the National Labor Relations Board, the Senate has a constitutional responsibility to consider those nominees.

I would suspect that the advice and consent role of the Senate is probably our best known power. It is the title of a book that Allen Drury wrote that came out, I think, in the late 1950s. Most Americans know about the advice and consent role of the Senate, and they know why we have it. We have it because our Founders put their necks on the line in a revolution against a King, and they did not want an imperial Presidency. So they put into place a system of checks and balances, which is being exercised this very moment because of the courts saying that the President's use of the—I ask unanimous consent for another 3 minutes, please.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. ALEXANDER. Madam President, I believe we have 30 minutes for this discussion; is that right?

The ACTING PRESIDENT pro tempore. Twenty-three minutes remains.

Mr. ALEXANDER. Yes. I thank the Chair.

So as we look back over the history of checks and balances and the imperial Presidency and the importance of making certain we do not have an imperial Presidency, we are reminded the reason we did that was a single word: liberty—the revulsion by the Founders who created this system and who then made sure our President was a President, not a King. And George Washington, who exercised great modesty and restraint, impressed into the American character his own modesty and restraint when he asked that he be called "Mr. President," not something more grand, when he retired to Mount Vernon after two terms, when he could have been President of the United States for life.

So that is what the Constitution talked about. It said that for these important positions, the President may nominate, but if the Senate does not confirm them, they cannot serve.

There is also a provision toward the end of article II, section 2 about recess appointments. Here is what the court said when it got out its American history book and began to compare that with the Constitution: This was written for a time when it took Senator Houston of Texas—I ask, Madam President, that I have time to speak in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ALEXANDER. So this was written at a time when Senator Sam Houston of Texas had to ride a horse, get on a steamboat, get in a stagecoach, and make his way to Washington over a period of 5 or 6 or 7 weeks, and the same to go home; and when President Polk had a vacancy in 1846 in the Attorney General's Office and wrote a letter to someone in New Hampshire and invited him to take the position and that took 2 or 3 weeks to get the letter, and then in 2 or 3 weeks back came the answer: No.

Communication was a little different back then, so it was necessary, for the government to operate, to put into the Constitution that when the Congress, the Senate was home—which meant all over this big, grand country, before the days of communication and travel—that during a 4- or 5- or 6-month period, the President could appoint someone to that position during the recess, the Constitution says.

The Constitution says, according to the court, that when a vacancy occurs during the recess, the President may make an appointment during that recess. So the court was talking about only one recess, and that is the one between the annual sessions of Congress—the one between when we end in 2012 and start in 2013.

Since that time, starting right after the Civil War, the President and Congress have been inventing these various ideas about other recesses. We even got down to the idea where we created having a recess for 3 days and then having a pro forma session to prevent the President from making any, quote, recess appointment during that time. But what the court has said is that all that does not really matter, that the only recess during which a President may make an appointment is between the end of an annual session and the beginning of the next.

I believe the ruling is correct. I believe it will be affirmed. I have no idea whether the Supreme Court will affirm it in whole, but surely they will at least say that the Senate itself—not the President—will decide when the Senate is in session and when the Senate is in recess, and if they do that, the era of the recess appointment is likely over. There is no need for a recess appointment in a modern era where the Senate is in session almost all the time. And the recess appointment has become used by Presidents to get around the checks and balances that are in article II, section 2 of the Constitution that provide liberty for the citizens of this country by avoiding an imperial Presidency.

So I call on the NLRB to take down the “open for business” sign and put up one that says “help wanted; nominations accepted.” The NLRB can do a

number of things, but the Board cannot as long as it does not have a quorum. And the two members who are there unconstitutionally should leave their positions immediately, and accept no more pay.

Madam President, the Senator from Wyoming has been a leader on this issue, and I would like to now yield the floor and listen to his remarks.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. BARRASSO. Madam President, I agree completely with my colleague, who has really shown significant leadership in this area, worked closely on it. He has been a Governor for two terms, knows about appointments, knows about advice and consent.

What we have seen from this President of the United States, just last January, is a flagrant disregard for the Constitution and the laws of this land by bypassing the Senate and appointing three members to the National Labor Relations Board, claiming—the Senate was in recess, even though the Senate was meeting regularly in pro forma sessions. So last week the U.S. Court of Appeals for the District of Columbia ruled unanimously—unanimously—that those unilateral appointments were unconstitutional.

It is interesting because I saw the whip of the Senate Democrats on one of the television shows this weekend, and he said: Well, we need to make sure people have plenty of time for hearings. They did not have hearings.

Madam President, the Democrats are in control of the Senate. They could have called hearings but chose not to. The President let these vacancies sit for long periods of time, and only in the middle of December of 2011 did he even put names up and then summarily, just a few weeks later, went and unilaterally appointed them. The Senate was really never consulted. The Senate did not have an opportunity to advise and consent. That is why I use the word “flagrant” in terms of the President's bypassing of the Senate in making these alleged recess appointments.

Well, over the weekend, newspapers across this country reported on this consequential ruling by the court and what it will mean for the administration going forward.

The Wall Street Journal called it “Obama's Abuse of Power”—abuse—abuse of power.

Politico said: “President Obama's Recess Appointment Bet Sours.”

Investor's Business Daily reported: “Court Finally Reins in Obama's Imperial Presidency.”

The Washington Post explained: “Court Says Obama Exceeded Authority in Making Appointments.”

The Los Angeles Times reported: “Court Rules Obama's Recess [Appointments] Are Illegal”—illegal.

After we go on reading through all of this, after this court ruling, the White House should finally realize—finally realize—that the President's power to use recess appointments is not unlimited.

The court's decision reaffirms that America's Founding Fathers provided the Senate—the Senate—a responsibility, a duty to advise and consent, and they did it with the strong, co-equal responsibility on important nominations.

Well, let's take a look at what the U.S. Court of Appeals for the District of Columbia actually ruled when they talked about the President's so-called recess appointments.

The court said:

An interpretation of “the Recess” that permits the President to decide when the Senate is in recess would demolish—

“Demolish,” the court said—

the checks and balances inherent in the advice-and-consent requirement, giving the President free rein to appoint his desired nominees at any time he pleases, whether that time be a weekend, lunch, or even when the Senate is in session and he is merely displeased with its inaction.

The court went on to say: “This cannot be the law.”

I agree completely with the court, which is why I am here on the floor of the Senate with my colleagues. Senator JOHANNIS, also a former Governor, is with us today. These are individuals who understand the importance of advice and consent. And again, as to Senator JOHANNIS, he has been a Cabinet member. He has been subjected to the process of advice and consent, and he knows how important that is in the balance of power, in how Washington and our Nation are supposed to work by the Constitution.

As the court wrote, “Allowing the President to define the scope of his own appointments power would eviscerate the Constitution's separation of powers.”

The court added, “It would make little sense to extend [the recess appointment authority] to any intrasession break” because the ability to make recess appointments would swallow the advice-and-consent role of the Senate.

Because of the President's illegitimate appointments, the NLRB is now operating under a cloud of uncertainty all across the country in all of their regulations and rules. That is why shortly after the appointments, the President's appointees to the NLRB—Sharon Block, Terence Flynn, and Richard Griffin—began issuing orders and opinions in labor disputes. So they have been doing that now for over a year.

All of those decisions that the Board issued by a quorum made up by those members—there were over 200 of those rulings coming out in the past year—are subject to challenge and to invalidation. We have heard from Senator

ALEXANDER on one of those having to do with micro unions. Another had to do with collection of union dues even after the contracts had expired. On and on and on, numbers of rulings, over 200 have been made. They are all subject to challenge and invalidation because there was no legitimate quorum for the National Labor Relations Board. At this moment it is practically impossible for anyone to know which NLRB decisions are valid and which are not. It is my opinion that none of them should be valid. But it is time to stop this regulatory train wreck from getting any worse. That is why this week I am introducing a bill that will freeze any decisions, any regulations, any rulings made by this unconstitutionally appointed and invalid quorum of the National Labor Relations Board. Until we have final resolution from the courts, the NLRB should not be able to move forward and create even more uncertainty across this country.

We would not be in this position if the President of the United States had done what legally he is mandated to do, which is work with Congress and follow the Constitution. I hope that court ruling serves as a wakeup call for President Obama and for his entire administration. Instead of going around Congress, instead of going around the Constitution, it is time for the Obama administration to work with us on nominations.

I see the Senator from Nebraska is here, the former Governor, former Cabinet member. I look forward to hearing his comments as well.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

Mr. JOHANNIS. Madam President, I rise today, first of all, to say thank you to Senator BARRASSO and Senator ALEXANDER for speaking so forcefully on this issue. All of us in this body are elected officials and we take an oath. In that oath, we raise our right hand and we promise our Nation that we will uphold the Constitution of the United States, this very sacred document that has so soundly guided our great country from one decade to another, one century to another, one generation to another.

In fact, many of my colleagues in Congress took that oath earlier this month. Just 10 days ago, President Obama took the Presidential oath of office with great pomp and circumstance. We were all on the platform with him. He promised the Nation that he would preserve and defend the Constitution of the United States. But I fear that now what we are seeing is a flaunting of that very document.

You see, the DC Court of Appeals ruled that the President violated the Constitution with his appointment of three members to the National Labor Relations Board. I read the opinion. I saw no other solution than to ask these

individuals to leave. The truth of the matter is they are not constitutionally there and need to leave.

This request was not about a personal preference or an attitude about any one individual. It was not about their qualifications. It was about the oath of office we take. And that oath of office says we will uphold the Constitution. The NLRB appointments were unconstitutional because the President only has the power to bypass our advice-and-consent role here in the Senate under the language of the Constitution. The court unequivocally found that the appointments were made last January while the Senate was not in recess, and were therefore void. Therefore, the President could not use the recess appointments clause of the Constitution to appoint these individuals. The ruling correctly concludes: "Allowing the President to define the scope of his own appointments power would eviscerate the Constitution's separation of powers."

The separation of powers is a critical safeguard to ensure that one branch of government does not overstep the other. The court goes on to say that allowing these nominations to stand "would wholly defeat the purpose of the Framers in the careful separation of powers."

Additionally, because these appointments were unconstitutional, the board lacked the quorum necessary to make decisions over the past year. This calls into question over 200 rulings of the board since last January. I personally believe that there is no doubt, if they are not constitutionally there, if they are there violating the Constitution, then all of their rulings, all of their regulations, all of their actions as a board are invalid and void.

That is why I wrote last Friday to the Government Accountability Office asking them to report to us every single decision they had made that was in excess of their powers to be there. You would think it would be common sense that the board would suspend all further action. You know, as a former member of the Cabinet, it never occurred to me that I had the right to ignore court decisions. I cannot imagine. The Chairman of the NLRB said this, "The board respectfully disagrees with the decision." The Chairman indicates they will continue to conduct business as usual, even though a unanimous appeals court has deemed the appointments of all but one member of the board to be unconstitutional. I find their action absolutely appalling. Decisions by the NLRB are felt across the country.

It is not fair for the Board to say to the court: Go pound sand, which is exactly what they are telling this court. It is already awful that 200 litigants now have to go through the time and expense to appeal their rulings. Instead of continuing business as usual and

issuing more bogus rulings, the Board should recognize that it is time to leave and to honor the Constitution.

I will wrap up with this. The D.C. appeals court ruling was a victory for our system of government. I believe it was a victory for the Constitution. It ensures that no one, including the President of the United States, is above the Constitution. I simply ask the NLRB, its members who were unconstitutionally appointed, to recognize the sanctity of our Constitution and vacate their offices immediately. Leave. Let us in the Senate have the powers granted to us by the U.S. Constitution to offer advice and consent to the President of the United States.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New York.

(The remarks of Mrs. GILLIBRAND pertaining to the introduction of S. 179 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

EXTENSION OF MORNING BUSINESS

Mrs. GILLIBRAND. Madam President, I ask unanimous consent that the period of morning business be extended until 3 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. GILLIBRAND. I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. BALDWIN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BLUNT. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Missouri is recognized.

(The remarks of Mr. BLUNT pertaining to the introduction of S. 188 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. BLUNT. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HEINRICH). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KERRY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FAREWELL TO THE SENATE

Mr. KERRY. Mr. President, I want to begin by thanking my colleagues—all of them—for their unbelievably generous comments to me personally, in

the committee, on the floor, and in the halls and at meetings over the course of the last weeks. I will always be grateful for our friendships.

I thank my wife Teresa, who is here with us, and my entire family for their unbelievable support through this journey.

Five times Massachusetts has voted to send me to the U.S. Senate. Yesterday, nearly three decades after the people of Massachusetts first voted me into this office, the people with whom I work in the Senate voted me out of it. As always, I accept the Senate's sound judgment.

Eight years ago, I admit that I had a slightly different plan to leave the Senate, but 61 million Americans voted that they wanted me to stay here with you. So staying here I learned about humility, and I learned that sometimes the greatest lesson in life comes not from victory but from dusting oneself off after defeat and starting over when you get knocked down.

I was reminded throughout this journey of something that is often said but not always fully appreciated: All of us Senators are only as good as our staff—a staff that gives up their late nights and weekends, postpones vacations, doesn't get home in time to tuck children into bed, and all of those lost moments because they are here helping us serve. They are not elected. They didn't get into public service to get rich. That is for sure. And their names are rarely in the newspapers. But from the staff in the mailrooms to the people who answer the front phones to the policy experts and the managers, the legislative correspondents who write the letters, the caseworkers who make government accountable, and the people everywhere in between, they make the Senate work for people.

I have been blessed to have a spectacular staff. And while I know every one of my colleagues would say the same thing about their staff, it is true about mine.

If I start naming names, I am going to miss somebody, so I am not going to. But I think every one of my staff will understand why I want to acknowledge five who are not with us any longer. They are up in heaven looking down on all of us, and Ted Kennedy has probably drafted all of them; Jayona Beal, Jeanette Boone, Bill Bradley, Louise Etheridge, and Gene Heller—the latter two of whom were senior citizen volunteers in my Boston office who opened our mail for over a decade. They were not paid. They just did this out of love of country. We miss them all, and we thank them for their selfless contribution.

I ask unanimous consent to have printed in the RECORD at this point a list of names of the people who have helped me serve this Nation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

George Abar, Nardos Abebe, Adam Abrams, Alex Abrams, Corey Ahearn, Robert Ahearn, Alexandra Ajemian, Paige Alexander, Beverly Allen, Katrina Anderson, John Anthony, Margaret Anthony, Sharde Armstrong, Felix Arroyo, Geoffrey Arvanitis, Samuel Asher, Kerri Axelrod, Christopher Badger, Zachary Bamberg, Diane Baranik, Janice Barbato, Timothy Barnicle, Camilla Bartels, Janice Bashford, Shannon Batten, Lauren Bazel, Jayona Beal, Jeffrey Bean, Camille Bedin, Jesse Belcastro, Richard Bell, Ifetayo Belle, Daniel Benaim, Kelley Benander, Hannah Bennett, Michael Beresik, Jennifer Bergman, Jonathan Berman, Shideh Biela, Guljed Birce, Geoffrey Boehm, Alison Bonebrake, Jeanette Boone.

Ryan Bounsly, Kelly Bovio, Tomeika Bowden, Charles Bowman, April Boyd, Jim Boyle, Barbara Bracken, William Bradley, Brigid O'Rourke-Brady, Jeremy Brandon, James Brenner, Felicia Brinson, Amanda Brown, Geoffrey Brown, Amy Brundage, Daniel Brundage, Richard Bryers, Scott Bunton, Sarah Buss, Joseph Bykowski, Brian Cafferty, Ann Cahill, Joseph Callahan, Sean Callahan, Janice Camacho, Joseph Canty, Nicole Caravella, John Carey, Larry Carpman, Cynthia Carroll, Meghan Carroll, Mary Carter, Jeffrey Cassin, Janeen-Marie Castetter, John Cavanaugh, Larry Chartienitz, Adam Chase, Theodore Chiodo, James Chisholm, Abraham Cho, Eliza Chon, Nicholas Christiansen, Michelle Ciccolo.

Patrick Coan, Colleen Coburn, Bonnie Coder, Elizabeth Coleman, Briana Collier, Marissa Condon, Erika Conway, Monica Conyngham, Jasiel Correia, Amy Corrigan, Alexandra Costello, Amanda Coulombe, Patricia Council, Arthur Coviello, Lisa Coyle, Stephen Crane, Bonnie Cronin, Veronica Crowe, Francis Crowley, Joan Crownover, Elizabeth Cummings, Kevin Curtis, Amy Dacey, Jeremy D'Aloisio, Lauren Daniel, Andrew Davis, Christopher Dawe, Andrea Defelice, Evan Dellolio, April Dempsey, Monique Deragon, John Desimas, David Di Martino, Richard DiMartino, Benedict Dobbs, Toni Dockett, Quentin Donohue, Paul Donovan II, Christine Dooley, Michael Doonan, Sarah Dugas, John Dukakis, Tracie Durden.

Amy Elsbree, Kathryn English, Audrey Epstein, Jonathan Epstein, Sally Ericsson, Meredith Fahey, Mark Falzone, Leslie Feinberg, Patricia Ferrone, Ronald Finlayson, John Finn, Simon Fischer, Roger Fisk, Maura Fitzpatrick, Christopher Flanagan, Gordon Fletcher, Michael Flynn, Kate Foley, Patricia Foley, Eileen Force, Marcia Ford, Dia Forman, Judith Foster, Lynn Foster, Taylor Francois, Kathleen Frangione, Matthew Frank, Joseph Fritz, Ross Frommer, Douglas Frost, Gordon Fung, Jennie Ganz, Lisa Garcia, Joanna Garelick, Denise Garriss, Renee Gasper, Stephanie Gerard, John Gerlach, Erica Giers, Scott Giese, Maria Giesta, Lisa Gluffing, Jennifer Glynn.

Ian Goldin, Samantha Goldman, Caitlin Gollop, James Gomes, John Gomperts, Augusto Grace, Justin Grad, Patricia Gray, Tennie Gray, Christopher Greeley, Meagan Greene, Daniel Gross, Carole Grunberg, Sasha Gsovski, Adrienne Guide, Larry Gurwin, Dillon Guthrie, Therron Hagen, Kevin Haggerty, Susie Hagins, Melissa Haluptzok, Eric Hamburg, Alexandra Harper, Whitney Harrelson, Shelly Harrington, Jonathan Harris, Morgan Harris, Jamar Harrison, Sebastian Hazzard, James Healy, James Hedberg, Jennifer Heilig, Kevin Herbert, Elohim Hernandez-Camacho, AJ Hetzner, Devon Hewitt, Carmen Hicks, Heather Higginbottom, Kaaren Hinck, Maura Hogan,

Meaghan Hohl, Ryan Honeyman, Mirah Horowitz.

Kristian Horvei, Vanessa Householder, Richard Houser, James Houton, Marcus Howard, Matthew Howard, Thomas Hubbard, Celes Hughes, Jeremy Hunt, James Hunter, Nisharna Jackson, Jeffrey Jacobs, David Jansen, Stanley Jean-Charles, Vanessa Jean-Simon, Aaron Jenkins, Lorrie Jenkins, Jon Jennings, Tiffany Jilek, Patrick Johnson-Cheatham, William Johnson, Diane Jones, James Jones, James Jordan, Kathleen Joyce, Jeremy Kane, Mary Kane, Helen Kanovsky, Jonathan Kaplan, Moses Karugu, David Kass, Deborah Katz, Deborah Kearney, Antionetta Kelley, Kimberley Kendall, Lee Kennedy, Shailagh Kennedy, Suzannah Kerr, Amy Kerrigan, Kathleen Kerrigan, Conor Kilroy, Haeyun Kim, Renee Kinder.

James King, Evan Kirsch, Cornell Knox, Amy Kobeta, Jackie Kohn, Karen Kornbluh, Alexandra Kougentakis, Peter Kovar, David Kowal, Paula Kowalczyk, Joan Kraus, Connor Kuratek, Zachary Kurland, Thomas LaFauci, Bonnie LaRue, Rachelle Lacque Love, Alexander Landin, Annette Larkin, Barry Lasala, Roger Lau, Dawn Lavallee, Meghan Leahy, Janet Lebel, Michael Leighs, David Leiter, Robin Lerner, Matthew Levin, Richard Levitt, Carissa Lewis, Jeffrey Lewis, Shaunda Lewis, Susan Lewis, Leslie Lillard, Simon Limage, Colleen Lineweaver, Ann Linnehan, Sylvia Liotta, Katharine Lister, Jonathan Litchman, Nancy Lo, Jennifer Lockhart, Frank Lowenstein, Danielle Luber.

James Ludes, Sandra Lumpkin, Lisa Lynch, Nathan Mackinnon, Brandon Macneill, Ian Macpherson, John Madigan, Marion Magraw, Kristina Malek, Rachel Mann, Katherine Manning, Mary Marcuss, Alexandra Marks, Sarah Marks, Mary Marsh, Matthew Martin, Roy Martin, Alyssa Mastromonaco, Jennifer Masuret, D. Gray Maxwell, Megan McCafferty, Richard McCall, William McCann, Sybil McCarthy, Ryan McCormick, Elizabeth McEvoy, Kelly McGovern, Kara McGuire, Kevin McGuire, David McKean, Patrick McKiernan, Christopher McMahon, Gregory McMorrow, Barbara McQueen, Bradford Meacham, Lisa Mead, Michael Meehan, Jason Meininger, Dora Menefee, Stephen Meunier, Johanna Michaels, Dimitri Michaud, Heather Mizour.

Evelyn Monteiro, William Moody, Linda Moore, Keshia Morall, Erik Morrill, Cara Morris, Vincent Morris, Tim Morrow, Greg Moscow, Nassar Mufdi Ruiz, Khalifah Muhammad, Sarah Mulkem, Marie Murphy, Harry Nathanson, Brendan Neal, Andrew Nelson, Charlene Neu, Karena Neubauer, Joseph Newman, Kerry Newman, David Nibert, Marvin Nicholson, Eric Niloff, Paul Nissenbaum, Edward Noonan, Jessica Nordstrom, Ashley O'Neill, Tyler Obenaus, Andrew O'Brien, Thomas O'Connor, Brendan O'Donnell, Christopher Olson, Eric Olson, Leigh O'Neill, Brittney Opacak, Barbara Opacki, Mary O'Reilly, Kathryn Ousley, Mary Pappey, Michael Paroby, Jon Patsavos, Megan Perkins, Alexis Perlmutter.

John Phillips, Anna-Liviya Piccione, Mary Lou Pickel, Evan Pinsonnault, Cathryn Piscitelli, Carlos Polanco, Gareth Porter, Jeanne Poulter, Ayanna Pressley, Daniel Prince, Colleen Puma, Michael Queenan, David Quinn, Nancy Ramsey, Haley Rauch, Tovah Ravitz-Meehan, Lisa Reid, Andrea Retzky, Kathryn Rhudy, Brian Rice, John Richards, Elizabeth Richardson, Charles Riley, Alex Rinder, Elizabeth Rios, Jennifer Ritter, Lauren Robertson, Andrew Robichaud, Dana Robinson, Gerri-Lynn Robinson, Rima Robinson, Theresa Robinson,

Edward Rogers, Nancy Rogers, Shauvi Rogers, Cheryl Rolfe, Frank Rose, Lisa Rosenberg, Renita Rosenberg, Ronald Rosenblith, Lindsay Ross, Kenneth Rossman, Gregg Rothschild.

George Rudenauer, Caitlin Russi, Jennifer Ryan, Allison Sandera, Kristen Sarri, Aaron Saunders, Brett Schenker, Eugene Schlesinger, Jack Schnirman, Charles Scheuler, Eric Schwager, Heather Sears, Wendy Sears, Daniel Sepulveda, Jodi Seth, James Shaer, Robert Shapiro, Patrick Shearns, Charles Shepard, John Sherman, Margaret Sherry, Rebecca Shore-Suslowitz, Zachary Shore, Michelle Shwimer, Clare Sierawski, George Sifakis, Alison Silberman, Hadid Simmons, Kyle Simon, Kristen Simpson, Beatrice Smith, Hilleary Smith, Kathleen Smith, Nancy Smith, Richard Smith, Whitney Smith, Alexander Soto, Christine Spencer, Kathryn Stack, Rachele Stasny, Mark Sternman, Nancy Stetson, Jesse Stevens.

Gregory Stewart, David Stone, Mary Strain, Casey Suchors-Field, Kristine Sudano, Keerthi Sugumaran, Brendan Sullivan, Kevin Sullivan, Kyle Sullivan, Nancy Sullivan, Paul Sullivan, Matthew Summers, Katherine Swan, Shelli Sweeney, Mary Szpak, Brandon Tabassi, Tristan Takos, Mary Tarr, Carmina Taylor, Theresa Theobald, Megan Thompson, Lauren Tighe, Stephani Tindall, Timothy Todreas, Jose Toirac, Atman Trivedi, Lawrence Trundle, Christina Tsafoulas, Yakov Tsisis, Eva Tsui, Brendan Tully, Alper Tunca, Sharon Updike, Kelsey Utne, Ellen Vallon, Brady Van Engelen, Paul Veidenheimer, Carmen Velazquez, Kevin Verge, Karen Vigliano, Varun Vira, Michael Vito, Jennifer Vuona.

David Wade, Bridgette Walker, Krysten Wallace, Meghan Walsh, Lumay Wang, Catherine Ward, Setti Warren, Joan Wasser, Maria Wassum, Sharon Waxman, Stephanie Wayne, Michael Wayno, Thomas Weber, John Whiteside, Michael Whouley, Scott Wiener, Jodi Williams, Karen Willis, Elsie Wilson, Jonathan Winer, Hope Winship, Julie Wirkkala, James Wise, Christina Wiskowski, Roger Wolfson, David Wood, Sarah Woodhouse, Nancy Woodruff, Randi Woods, Diann Woods, William Woodward, Elizabeth Wright, Sheila Wulsin, Anthony Wyche, Christopher Wyman, Sarah Yedinsky, Shawna Yen, David Yohn, Brian Young, Sally Yozell, Krista Zalatores, Juan Zavala, Heather Zichal, Anna Ziskend, Frances Zwenig.

Mr. KERRY. As I thank an entire staff of 561 incredible men and women in Massachusetts and Washington with whom I have been privileged to work through these 28 years, I also think about the interns, 1,393, who have come in and out of our offices from Washington to Worcester. I am especially proud of those who started as interns and ended up as my chief of staff, a legislative director, and senior policy staffers, or the Kerry interns who went on to work not just for me but who have for the last 4 years been top speech writers, trip directors, and senior communications staff at the White House for the President of the United States. I am proud of our internship program, and I am grateful to the people who built it and who sustain it.

I also thank the incredible group of unsung heroes who literally make the Senate work, people who work not for individual Senators but work for all of

us, in every room and nook and cranny of this great series of buildings. The men and women who operate the Senate subways—Daryl and many others—the trains and elevators, they take us to the votes and meetings. They are really the glue, and we couldn't function without them; they are an extraordinary group of people; the Capitol Police who protect us—police, whom a lot of people around here started to notice a little bit more after that awful day in 1998 when two were shot and killed on a busy Wednesday afternoon; the Parliamentarians and the clerks and staff here on the floor, including Gary, Tim, Trisha, Meredith, and all the folks in the cloakroom. And Dave on the other side and all the folks in the Republican cloakroom—all of whom help to keep us going and are unfailingly patient when we call for the umpteenth time to find out whether the vote schedule is going to let us go home to a child's dance recital or birthday party or any kind of family event.

I want to thank the many Bertie Bowmans who came here more than 40 years ago, dug in, and made the Senate their cause and their concern; people such as Meg Murphy of the Foreign Relations Committee, who makes everybody's life easier.

I thank the reporters who catch us in the hallways—trap us, ambush us in the hallways, and who, despite all the changes and challenges in their own business, still dutifully document the first drafts of American history. I thank all the incredible people who travel through these Halls working incredibly hard to get it right, people of character who cover this place as a public service, not a sport. I thank them.

I thank David Rogers for all that he has stood for so long in this institution. It is hard to imagine my job without seeing him in that long green coat waiting by the elevator after a late-night vote.

Sometimes in politics it is now almost a sport in America to dismiss the contributions of people who work in government, people who make the Senate work, but people whom the public never sees. I have admired the way our former colleague, Ted Kaufman, used to come down to the floor once a week and tell the story of one individual Federal worker. The stories are legion. Instead of tearing these people down, we ought to be lifting them up. And I thank them all for the part they play in our democracy.

I will share with you, now that I have come to this moment in the journey, I can say without reservation that nothing prepares you for it. Many times now in 29 years I have been at my desk on the Senate floor—starting way over there, No. 99—listening as colleagues bid the Senate farewell. Sometimes a farewell speech signals a complete de-

parture from public life, sometimes a new journey altogether, sometimes forced departure, sometimes a leap for freedom.

I am grateful that at this moment, thanks to my colleagues, serendipity, and the trust of our President, while I am closing a chapter, it is not the final one. But I assure you, amid the excitement and the possibility, I do feel a wistfulness about leaving the Senate; and that is because, despite the obvious frustrations of recent days and years—a frustration that we all share—this place remains one of the most extraordinary institutions of any kind on the face of the Earth.

On occasion we have all heard a Senator leave here and take their leave condemning the Senate for being broken, for having become an impossible setting in which to try to do the people's business. Well, I want to be very clear about my feelings. I do not believe the Senate is broken—certainly not as an institution. There is nothing wrong with the Senate that can't be fixed by what is right about the Senate—the predominant and weighty notion that 100 American citizens, chosen by their neighbors to serve from States as different as Massachusetts and Montana, can always choose to put parochial or personal interests aside and find the national interest.

I believe it is the honor of a lifetime—an extraordinary privilege—to have represented the Commonwealth of Massachusetts in the Senate for more than 28 years. What a remarkable gift it has been to carry the banner of "Senator from Massachusetts," just as each of you feel that way about your States—a banner, in our case, that was passed from the sons of the American Revolution, such as Daniel Webster, to the sons of immigrants such as Paul Tsongas, and to know that a State where the abolitionists crusaded at Faneuil Hall and the suffragettes marched at Quincy Market could send to Washington sons, such as Ted Kennedy and Ed Brooke, who fought to expand civil rights; now, a woman, ELIZABETH WARREN, who proved that in Massachusetts the glass ceiling has finally been forever shattered. And what a remarkable gift Massachusetts has given me to come here and learn so much about the rest of our country.

I have had the privilege of learning what truly makes our Nation tick. What a gift, to have been the nominee of my party, to have come within a whisper of winning the Presidency against a wartime incumbent; but more important, to have experienced the magic of our Nation in such a personal way, to experience the gift of traveling along the banks of the mighty Mississippi through Iowa and South Dakota and along the rivers where Louis and Clark marked and measured the dream of our first Secretary of State, Thomas Jefferson, who

foresaw an America that would advance into the West; to experience a journey that took me to Alabama, where I stood silently in the very pulpit from which Dr. King preached his dream of an America united, and dipped my fingers into the fountain in Birmingham where water flows over the names of those murdered trying to vote or just registering to vote, to see the water trickle over the words of Dr. King's prayer that "justice might roll down like waters and righteousness like a mighty stream." I drove across the Hoover Dam, and I wondered, as I did, at what America can accomplish when we want to, when we put our minds to it. Driving across the Golden Gate Bridge at dawn I was reminded it was built at the height of the Great Depression, when so many feared our best days were behind us. What I have seen and heard and learned in traveling across our country as a Senator from Massachusetts has prepared me more for my travels to other countries as Secretary of State than any travel to any foreign Capitol.

I already know I will miss the best reward of carrying the title "Senator," and that is when you open a letter from someone who has traveled every route and exhausted every option and who ultimately turned to you as the last resort in public life and they finally got the help they needed. I know my colleagues who have experienced this will say there is nothing better than getting that "I have tried everything, but nobody would listen to me, but you got it done" letter or sometimes when you are walking a street in a community at home and somebody comes up to you and thanks you for a personal response they never expected to receive. That is when public service has more meaning than the war of words our constituents dodge on the cable news.

Standing at this desk that once belonged—at this desk that once belonged to President Kennedy and to Ted Kennedy, I can't help but be reminded that even our Nation's greatest leaders and all the rest of us are merely temporary workers. I am reminded this Chamber is a living museum, a lasting memorial to the miracle of the American experiment.

No one has captured this phenomenon more eloquently or comprehensively than Robert Caro did in his masterpiece about the Senate called "Master of the Senate." I am sure many in this room—I know most people have read it. In that book, before we learned of the levers Lyndon Johnson pulled to push our Nation toward civil rights, Caro described the special powers the Founders gave the Senate and only the Senate, powers, Caro writes, "designed to make the Congress independent of the President and to restrain and act as a check on his authority, power to approve his ap-

pointments, even the appointments he made within his own administration, even the appointments to his own Cabinet."

This body has now exercised that power on my behalf and I will always be grateful.

Another master of the Senate, Massachusetts' Daniel Webster, delivered 183 years ago this week what has often been praised as the greatest speech in Senate history. He stood at the desk that now belongs to the senior Senator from New Hampshire and argued forcefully in favor of the very idea that makes us the United States, that we are all in this together, that we each have a stake in the successes and failures of our countrymen, that what happens in Ohio matters to those in South Carolina or in Massachusetts or to Montanans. "Union and liberty," Webster shouted, "now and forever, one and inseparable."

As Caro retells it, those words spoken among the desks in the Senate left those in the gallery in tears and cast a model for how those of us in this Chamber must consider the constituents of our colleague's as well as our own. But the truth is that none of us ran for this office because of a great debate held centuries ago. None of us moved here because of the moving words of a Senator long since departed. We honor this history because we are here because of the legacy that we can and want to leave. It is up to us, to my colleagues here today and to those who come after us, it is up to us to keep the Senate great.

I fully believe we will meet that obligation if, as the President told the Nation and the world last week, we seize this moment together. Yes, Congress and public life face their difficulties these days but not because the structure our Founding Fathers gave us is inherently flawed. For sure there are moments of much great frustration, for the American people and for everybody in this place. But I don't believe they are the fault of the institution itself. It is not the rules that confound us *per se*. It is the choices people make about those rules.

The rules we work by now are essentially the same ones that existed when I joined the Senate and found things to move much more easily than they do today. They are essentially the same rules under which Daniel Webster and Lyndon Johnson operated, and they did great things. They are almost the same rules Mike Mansfield and Everett Dirksen and Ted Kennedy and ORRIN HATCH used to pass great pieces of legislation. They are the same rules under which the Senate Democrats and President George Herbert Walker Bush passed an agreement, including tax increases, to at least begin to tackle the deficit. I remind everyone, as I take my leave from the Senate, when President George H.W. Bush returned from agree-

ing to a deficit reduction agreement at Andrews Air Force Base, he wrote in his personal diary that he might well have sealed his fate as a one-term President. He did what he thought was right for the country, and he laid the groundwork for our ability to three times balance the budget at the end of the 1990s. That is courage, and the Senate and the Congress and the country need more of it.

Frankly, the problems we live through today come from individual choices of Senators themselves, not the rules. When an individual Senator or a colluding caucus determines that the comity essential to an institution such as the Senate is a barrier to individual ambition or party ambition, the country loses. Those are the moments in which the Senate fulfills, not its responsibility to the people but its reputation as a sanctuary of gridlock.

I ask colleagues to remember the words of Ben Franklin, as that long Philadelphia summer yielded our remarkable Constitution. Late at night, after their work was complete, Dr. Franklin was walking down the steps of Constitution Hall, of Independence Hall, and a woman called out to him and she said: Well, Doctor, what have we got, a Republic or a monarchy? Franklin answered: "A Republic, if you can keep it."

Sustaining a functioning Republic is work and it is, more than ever, I believe, our challenge today. I am hardly the first and I will, I hope, probably not be the last to call on Congress to remember why we are here, to prioritize our shared interests above the short term, to bridge the breadth of the partisan divide and to reach across the aisle and take the long view. Many have stood here delivering farewell speeches and lamented what became of the Washington where President Reagan and Speaker O'Neill could cultivate an affiliation stronger than party or a Congress that saw true friendships between Senators such as Kennedy and HATCH, Inouye and Stevens, Obama and COBURN; the odd couples, as they have been dubbed.

I cannot tell you why, but I do think it is possible this moment may see a turn in the spirit of the Senate. There are new whispers of desire for progress, rumors of new coalitions, and a sense of possibility—whether it is on energy or immigration.

I am deeply impressed by a new generation of Senators who seem to have come here determined not to give in to the cynicism but to get the people's business done. I am confident that when today's freshmen take their turns in leaving the Senate, they will be able to tell of new Senators added to that estimable list of odd couples, and with any luck by then it will not be odd.

So I leave here convinced we can keep our Republic strong. When President Kennedy observed that "our problems are manmade; therefore they can

be solved by man," he was talking about a much more literal kind of nuclear option than the euphemism we use today to discuss Senate rules. But his vision is just as important for us to recognize in our time, whether we are talking about the ability of Senators to debate and vote or about the issues on which they do so. It is still true today, as he said 50 years ago, that "reason and spirit have often solved the seemingly unsolvable, and we believe," he said, "they can do it again." I believe that too.

So what effort do we need to put into our reason and spirit in order to do it? I believe there are three most significant challenges that have conspired to bring about a dangerous but reversible erosion in the quality of our democracy: the decline of comity, the deluge of money, and the disregard for facts.

First, I have witnessed what we all have, a loss of simple comity, the respect that we owe one another, and the sense of common cause that brings all of us here. The Senate as a body can change its rules to make itself more efficient, sure. But only Senators, one by one in their own hearts, can change the approach to legislating which Henry Clay correctly defined as the art of consensus.

I came to the Senate in 1985 as a Member of a hopeful and hard-charging class of freshmen. Paul Simon, TOM HARKIN, Al Gore, Phil Gramm, JAY ROCKEFELLER, and I all have at least three things in common. We were all sworn in as Senators at the same time. We each explored running or ran for the White House, and none of us made it there.

(Laughter.)

The last remaining Member of that class, Senator MITCH MCCONNELL, has now again been elevated by his peers as the Republican leader.

I see a lot of a very similar aspiration that we felt when I came here in 1985 in today's freshmen and sophomores. Many came to the Senate running on the premise that it is broken beyond repair. I encourage each and every one of them to reject that premise in order to restore the promise of the Senate. The Senate cannot break unless we let it. After all, the value of this institution, similar to any instrument of power, is how you use it. But we can't ignore the fact that today, treaties that only a few years ago would have passed 100 to nothing, don't pass at all. People who want to vote for something they believe in actually don't do so for fear of retribution. That is a reflection on all of us. As I prepare to represent our Nation in capitals around the world, I am more than conscious that my credibility as a diplomat and ours as a country is determined, to a great degree, by what happens right here in our own Capital City.

The antidote to the current narrative of American decline—and you will hear

it in China, in Iran, in other parts of the world—the antidote to that, and it is pushed by rival countries, is to demonstrate that we can get our economic house in order because we can be no stronger abroad than we are here at home. It is that simple. The unwillingness of some to yield to the national interest is damaging to America's prospects in the world. We are quick to talk about the global economy and about global competition, but it is our own procrastination and outright avoidance of obvious choices that threatens our own future. Other nations are both quick and glad to fill the vacuum that is brought about by our inaction.

If the Senate favors inaction over courage and gimmicks over common ground, the risk is not that we will fail to move forward, it is that we will fall behind, we will stay behind, and we will surrender our promise to those who are more than willing to turn our squandered opportunity into their advantage.

The world keeps turning. The Senate cannot afford to forever stand still. Just as failing to deal with our deficit and our debt puts our long-term interests at risk, so does taking America to the brink of default. Our self-inflicted wounds reduce our leverage and our influence in the world. By failing to act, Congress is making it harder to actually advance America's interests and making it harder for American business to compete and for American workers to succeed. If America is to continue to lead the free world, this must end.

We have all bemoaned the lack of comity in the Senate. Those of you who remain here will have the power to restore it. The choice to work respectfully with one another is about as simple as it gets. I have one suggestion, perhaps. While I am honored by the presence of so many colleagues who are here now—Republicans and Democrats—I have to say we all look forward to more days when the U.S. Senate desks are full with Senators debating, deliberating, learning, listening, and leading. We would all be stronger if this Chamber is once again crowded because it is the world's greatest deliberative body, the home of debate and deliberation, and not only when it becomes a departure lounge.

There is another challenge we must address, and it is the corrupting force of the vast sums of money necessary to run for office. The unending chase for money, I believe, threatens to steal our democracy itself. I used the wording—and I want to be clear about it—I mean by it not the corruption of individuals but corruption of a system itself that all of us are forced to participate in against our will.

The alliance of money and the interest it represents, the access it affords to those who have it at the expense of

those who don't, the agenda it changes or sets by virtue of its power, is steadily silencing the voice of the vast majority of Americans who have a much harder time competing or who cannot compete at all.

The insidious intention of that money is to set the agenda, change the agenda, block the agenda, define the agenda of Washington. How else could we possibly have a U.S. Tax Code of some 76,000 pages? Ask yourself: How many Americans have their own page, their own tax break, their own special deal?

We should not resign ourselves to a distorted system that corrodes our democracy. This is what is contributing to the justifiable anger of the American people. They know it, they know we know it, and yet nothing happens. The truth requires that we call the corrosion of money and politics what it is: It is a form of corruption and it muzzles more Americans than it empowers. It is an imbalance that the world has taught us can only sow the seeds of unrest.

Like the question of comity in the Senate, the influence of money in our politics also influences our credibility around the world. So too does the unacceptable and extraordinary difficulty we continue to have in 2013 operating the machinery of our own democracy here at home. How extraordinary and how diminishing it is that more than 40 years after the Voting Rights Act so many of our fellow citizens still have great difficulty when they show up on election day to cast their vote and have their voices heard. That too matters to all of us.

For a country that can and should extol the virtues of democracy around the world, our job is made more difficult through long lines and overt voter suppression and efforts to suppress people's ability to exercise the right that we extol. So many still struggle to exercise that right here at home.

The last of the three obstacles we have the ability, if not the will, to overcome is the unbelievable disregard for facts, for science in the conduct of our affairs. It, like the first two, degrades our credibility abroad as well as at home.

My friends, the persistent shouting match of the perpetual campaign—one that takes place in parallel universes, thanks to our polarized, self-selected media, to some degree—makes it harder and harder to build consensus among people. The people don't know what to believe. So in many ways it encourages an oversimplification of problems that too often retreat to slogans and not ideas for real solutions.

America, I regret to say, is increasingly defaulting rather than choosing, and so we fail to keep pace with other nations in the renewal of our infrastructure, in the improvement of our

schools, in the choice of our energy sources, in the care and nurturing of our children, in the fulfillment of our God-given responsibility to protect life here on Earth. That too must change or our experiment is at risk.

To remain a great Nation we must do the business of our country, and that begins by putting our economic house in order. It begins by working from the same set of facts. Although I believe we cannot solve any of these problems unless we solve all of them, I note these three challenges because I believe the Senate is going to be locked into stalemate or our politics are going to be irreversibly poisoned unless we break out of it. I say this hopefully as someone who respects and loves this institution and loves this country and wants to see us move forward.

Some things we know are moving forward. In the same time that comity has decreased and the influence of money has increased, I have seen the Senate change for the better. This Chamber used to be filled with the voices of men, and men only. Decisions affecting more than half the population were made by people representing the other half. When I walked into the Senate Chamber to take my first oath 28 years ago, I was joined by my two teen-aged daughters. It struck me that I had twice as many daughters as there were women in the U.S. Senate. Today, with the service of 20 women—including Massachusetts' new junior Senator—this is a stronger and smarter place, more representative of our belief that out of many, we are one; more capable of fulfilling the vision carried from Washington to Webster to our current President; that we are a stronger Nation when our leadership reflects our population.

We have made huge strides on turning the page on gay rights. In 1993, I testified before Strom Thurmond's Armed Services Committee, pushing to lift the ban on gays serving in the military, and I ran into a world of misperceptions. I thought I was on a "Saturday Night Live" skit. Today, at last, that policy is gone forever, and we are a country that honors the commitment of all willing to fight and die for our country. We have gone from a Senate that passed DOMA—over my objections—to one that just welcomed its first openly gay Senator.

These are good changes for our Senate and our country, but we have more work to do. This place needs more women, more people of color, more diversity of background and experience, but it is still a remarkable place.

I am reminded of the letters of Harry Truman that he used to write home to wife Bess as he sat in the back row of the Chamber. Late one night after the great debate of the New Deal Era, he wrote:

I hear my colleagues, and I pinch myself and ask, How did I get here?

Several months later, he wrote Bess once more:

Again it is late at night and I am sitting here listening to the debate, I look across the aisle at my colleagues and I listen and listen, and I hear my colleagues, and I ask myself, How did they get here?

Well, I have no doubt that colleagues have asked that question about me or any one of us, and it has been back and forth. But 29 years later I have learned something about myself. I learned that the Senate runs on relationships. I know that some of my more recent colleagues—sent here in tumultuous election cycles—hear that and think it is code for checking their beliefs at the door and going Washington. It is not. And I would add: Don't kid yourself; no one got here on a platform of pledging to join an exclusive club and forget where they came from.

When I say that relationships matter, I don't mean back-slapping, glad-handing, hail-fellow-well-met, go-along-to-get-along relationships; I mean real relationships. And to today's hard-charging colleagues who came to Washington to shake things up, I would remind them, so did I, so did TOM HARKIN, and the others I mentioned. If I told you that a 40-year-old newly minted Senator JOHN KERRY was going to tell you that relationships mattered most, I would have looked at you as if you had three heads. I cut my teeth in grassroots activism. I didn't come up through the political ranks. I burst onto the scene as an activist, and when you are an activist, all that singularly matters to you—to the exclusion of almost everything else—are the issues. Where are you on an issue? Right or wrong, that is the ballgame.

Wrong. It is not the ballgame. That is not what makes a good Senator. That is not what makes the Senate work. My late colleague of 25 years Ted Kennedy taught me that. I saw him late at night on the Senate floor sitting with his colleagues talking and listening. He wanted to know about your State; he wanted to know about your family; he wanted to know why you came here. He had a unique ability to know not just what he needed from you on a vote or a piece of legislation but to know what you needed on a personal level as a friend, as a colleague, as a partner.

My old friend—now Vice President JOE BIDEN—had a saying in his family: If you have to ask, it is too late. With Teddy, you never had to ask. He always knew, and he was there. He was there on a foggy morning on Nantucket when my father passed away, and Teddy materialized almost out of nowhere. There he was at my porch door. He didn't call ahead; he didn't ask. He came to mark the passage. He was there. It was an instinct for people and an impulse to help.

He taught so many of us during that period of time. Somewhere along the

line, he passed it on not only to me but to every colleague here who was privileged to work with him.

I will never forget in 2007 on the day I announced I would not be running again for President. Another rough day, another passage. I got a call. TOM HARKIN wanted to see me. My staff surmised that he was probably coming to ask for money for the Iowa Democratic party. They were wrong. It was a visit where TOM just came to share a few words that were very simple but which meant the world to me; a colleague visiting just to say he was proud that I had been the nominee of the party in 2004, and he looked forward to working with me more in this institution.

Let me tell you, those are the conversations that make the difference, those are the conversations you never forget, and that is the U.S. Senate at its best. It is a place where relationships matter the most. And it matters because Teddy, TOM, and so many others here understood instinctively that if 100 Senators knew each other—and our leader has worked very hard to try to find a way to make this happen—then you can find the ways to work together.

To my surprise, I learned it here in a way that I never could have predicted, alongside people I never thought I would count as one of my proudest friends. Last week JOHN MCCAIN introduced me at my confirmation hearing. JOHN and I met here in the Senate, coming from very different positions and perspectives. We both loved the Navy; I still do to this day. But I have different feelings from JOHN about a war.

For both of us, Vietnam was a demarcation point in our lives, the way it was for so many of our generation. Well, late one night on a CODEL—for people who are listening and don't know about CODELs, it is a trip of Senators and Congressmen going somewhere in the world—to Kuwait after the first gulf war, JOHN and I found ourselves in a C-130 sitting opposite each other. Neither of us could sleep, so we talked. We talked late into the night about our lives and our war. Shortly thereafter, George Mitchell and Bob Dole flew us together on a select committee to investigate the fate of Americans missing from the war in which we had fought. It was a tough time, an emotional issue in an era where Rambo was a box office smash and a Newsweek magazine cover printed provocative photos which asked whether Americans were still alive over there.

Into that cacophonous cauldron, JOHN MCCAIN and I were thrown together. Some were suspicious of both of us, but together we found common ground. I will never forget standing with JOHN in the very cell in the Hanoi Hilton in which he spent a number of years of his life, just the two of us

alone in this cell, listening to him talk about that experience.

I will always be grateful for his partnership in helping to make real peace with Vietnam by establishing the most significant process in the history of our country—or of any country—for the accounting of the missing and dead in any war and afterwards and then working to lift the embargo and ultimately normalize relations with an old enemy. JOHN had every reason to hate them, but he didn't. We were able to heal deep wounds and end a war that divided an awful lot of people for much too long. That is a common experience, and only the relationships that are forged in the Senate could have made that happen.

JOHN has this great expression: A fight not joined is a fight not enjoyed. He loves to debate, he loves to battle, and so do I. But I will tell my colleagues, having fought beside him and having fought against him, it is a heck of a lot better and more fun to have JOHN fighting alongside of you. We still have differences. There has been a lot of newsprint used up covering some of them, but I will tell my colleagues this: We both care about the Senate as an institution, and we both care about the country's leadership and the world even when we see it differently, and we both know that at some point America has to come together.

We shared this common experience, and we have seen a lot together. We both were able to travel the country as Presidential nominees for our party, and both returned to the Senate to carry on in a different way. Few people know what that feels like. But just being by his side in Hanoi made it impossible for me not to be overwhelmed by his sense of patriotism and his devotion to country. It meant something else: If you can stand on the kind of common ground that we found in the Hanoi Hilton, then finding common ground on issues here at home isn't hard at all. I will always thank JOHN MCCAIN for that lesson.

One of the magical things about the Senate is this amazing mix of people and how they could come together to make something happen. I have learned and been impressed by the experiences of every single one of my colleagues, and I honestly marvel at the reflection of each State's special character in the people they send here. I have learned from all—from a fiery, street-smart social worker from Maryland; from a down-to-earth, no-nonsense farmer from Montana; from a principled, conservative doctor from Oklahoma; from an amazingly tenacious advocate for women and the environment who blazed a trail from Brooklyn to Rancho Mirage and the Senate, who teams with a former mayor of San Francisco who took office after the assassination of Harvey Milk, committed to stand against violence and for equality; from

a cantankerous, maverick patriot and former prisoner of war from Arizona, whom I just talked about; to a song-writing, original, compassionate conservative from Utah; from a fervent, gravel-voiced people's champion from Ohio; from a soft-spoken, loyal, Medal of Honor winner from Hawaii who used to sit right here; and from a college professor turned proud prairie populist and Senate Pied Piper who was taken from us far too soon and far too quickly. From every Member of the Senate, there are characteristics, passions, quirks, and beliefs that bring this place alive and unite to make it the most extraordinary legislative body on Earth. That is what I love about the Senate.

I love that instead of fighting against each other, Bill Frist, the former Republican leader, and I were able to join forces to fight HIV and AIDS around the globe and to convince an unlikely conservative named Jesse Helms to support and pass a bill unanimously that saved millions of lives on our planet. That is what makes this place so special.

Instead of ignoring a freshman Senator, Chairman Claiborne Pell allowed me to pass my very first amendment to change our policy on the Philippines. So I found myself with Dick Lugar, paired as Senate election observers who helped expose the voter fraud of the Marcos regime, ending a dictatorship and giving a nation of more than 90 million people the opportunity to know democracy again. That is what the Senate can do, and that is what I love about it.

Instead of focusing on our different accents and opposite ideologies, Jesse Helms and I found that our concern for illegal drugs was greater than any political differences between us. So Jesse made it possible for an investigation to proceed and for the Senate to expose the linkages between the Contras in Nicaragua and the flow of drugs to American cities. That is what the Senate can do.

The Senate can still work if we learn from and listen to each other—two responsibilities that are, like Webster said about liberty and union, one and inseparable.

So as I offer my final words on the Senate floor, I remember that I came of age in a Senate where freshman Senators didn't speak that often. Senators no longer hold their tongues through whole sessions of Congress, and they shouldn't. Their voices are just as valuable and their votes count just as much as the most tenured Member of this body. But being heard by others does not exempt them from listening to others.

I came to the National Mall in 1971 with fellow veterans who wanted only to talk to our leaders about the war. President Nixon tried to kick us off The Mall. We knocked on door after door on Capitol Hill but too often

couldn't get an audience of representatives. A precious few, including Ted Kennedy and Hubert Humphrey, came to where we were camped out and heard what we had to say. I saw firsthand that our political process works only when leaders are willing to listen to each other but also to everyone else. That is how I first came to the Senate—not with my vote but with my voice—and that is why the end of my tenure here is in many ways a bookend.

Forty-two years ago, I testified before Senator Fulbright's Foreign Relations Committee about the realities of war in Vietnam. It wasn't until last week that I would sit before that committee again, this time testifying in my own confirmation hearing. It completed a circle which I never could have imagined drawing but one our Founders surely did. That a citizen voicing his opinion about a matter of personal and national consequence could one day use that voice as a Senator, as the chairman of that same committee before which he had once testified as a private citizen, and then as the President's nominee for Secretary of State, that is a fitting representation of what we mean when we talk about a government "of the people, for the people, and by the people."

In the decades between then and now, this is what I have learned above all else: The privilege of being here is in being able to listen to your constituents. It is the people and their voices much more than the marble buildings and the inimitable institutions they house that determine whether our democracy works.

In my first appearance before the Senate, at the Fulbright hearings, I began by saying, "I am not here as John Kerry. I am here as one member of the group of 1,000, which is a small representation of a very much larger group."

I feel much the same way today as I leave. We are still symbols, representatives of the people who have given us the honor to speak and advocate and vote in their name, and that, as the Bible says, is a "charge to keep." One day, the 99 other Senators who continue on for now—and soon to be 100 again in a few days—will also leave in their own turn—in your own turn—some by their own choosing and some by the people's. Our time here is not meant to last forever. If we use the time to posture politically in Washington, we weaken our position across the world. If democracy deadlocks here, we raise doubts about democracy everywhere. If we do not in our deeds prove our own ideals, we undermine our security and the sacred mission as the best hope of Earth. But if we do our jobs right, if we treat our colleagues with respect and build the relationships required to form consensus and find the courage to follow through on our promises of compromise, the work we do here will long endure.

So let us in the Senate or in the House be bigger than our own districts, our own States. Let us in spirited purpose be as big as the United States of America. Let us stand for our beliefs but, above all, let us believe in our common history, our common destiny, in our common obligation to love and lead this exceptional Nation. They say politics stops at the water's edge. That is obviously not always true. But if we care for our country, politics has its limits at home and abroad.

As I leave here, I do so knowing that forever the Senate will be in my soul and that our country is my cause and yours. I thank you all for your friendship and the privilege of serving with you.

(Applause, Senators rising.)

EXTENSION OF MORNING BUSINESS

Mr. LEAHY. Mr. President, I ask unanimous consent that the period for morning business be extended until 4 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HAGEL NOMINATION

Mr. CORNYN. Mr. President, the nomination of Chuck Hagel to be the next Secretary of Defense has already done damage to the credibility of the United States in its attempt to deny Iran a nuclear weapon, thus emboldening one of the most dangerous regimes in the Middle East. To limit that damage, President Obama should choose someone else to lead the Pentagon.

After all, the Nebraska Senator is the same person who has consistently opposed sanctions against Iran. He is the same person who wanted Washington to support Iranian membership in the World Trade Organization. He is the same person who voted against designating the Iranian Revolutionary Guard Corps as a terrorist group at a time when it was orchestrating the murder of U.S. troops in Iraq.

He is the same person who refused to sign a letter asking the European Union to label Hezbollah—an Iranian proxy—as a terror group, even though it is so designated by the U.S. State Department. He is the same person who urged President Bush to offer Iran “di-

rect, unconditional, and comprehensive talks.” He is the same person who called for establishing a U.S. diplomatic mission in Tehran.

He is the same person who dismissed “a military strike against Iran” as “not a viable, feasible, responsible option.” And he is the same person who suggested that the United States might be able to live with a nuclear Iran.

During his years in this Chamber, Senator Hagel’s opposition to Iran sanctions placed him in a very small minority. For example, only one other Senator joined him in voting against sanctions in 2001, and only one other Senate Banking Committee member joined him in rejecting a different sanctions package in 2008.

Simply put, Senator Hagel has no credibility on perhaps the biggest foreign policy challenge facing the Obama administration’s second term and on American national security interests in the Middle East and around the world.

Consider how his nomination was interpreted by Iranian journalists and government officials. Press TV, a Tehran-based propaganda network, noted with satisfaction that Senator Hagel is known for “his criticism of Washington’s anti-Iran policies” and “has consistently opposed any plan to launch [a] military strike against Iran.”

The point is, not that we should be threatening military strikes against Iran, but to take this off the table entirely completely undercuts any diplomatic efforts we might take to deny Iran a nuclear weapon.

Meanwhile, a spokesman for the Iranian foreign ministry responded to the Hagel announcement by declaring:

We hope that practical changes will be created in the U.S. foreign policy and . . . that the U.S. officials will favor peace instead of warmongering.

The Iranians are claiming we are the ones warmongering, while they are building a nuclear weapon.

Just for good measure, the Al Jazeera Web site published an article headlined: “Obama defeats the Israel Lobby.” Is this really the impression we want to give our adversaries and our allies in the Middle East? Is this how we encourage our friends, to say we will be there to support our allies? Is this the message we want to convey to our adversaries such as Iran, that has threatened the annihilation of Israel, to wipe it off the map? Unfortunately, that is the message that is conveyed by the nomination of Senator Hagel as Secretary of Defense.

Not only has Senator Hagel been a persistent critic of Iran sanctions, he has also displayed a stubborn hostility toward America’s closest Middle Eastern ally.

In October 2000, shortly after Yasser Arafat launched the second Intifada, 96 Senators signed a letter to President

Clinton affirming their solidarity with Israel. Senator Hagel was not among them. Six months later, after a relentless onslaught of Palestinian terrorism, 87 Senators signed a different letter asking President Bush to “initiate a reassessment of our relations with the Palestinians.” Once again, Senator Hagel refused to sign. He also refused to join 89 other Senators in signing a November 2001 letter that urged President Bush to maintain strong support for Israel and to continue snubbing Arafat until the Palestinian leader ended his terror campaign.

On April 12, 2002, a Palestinian suicide bomber killed 6 people and injured more than 100 others in Jerusalem. That same day, Senator Hagel went to the Senate floor and suggested a moral equivalence between Palestinian terrorism and Israeli self-defense.

Three months later, he published an article in the Washington Post bemoaning “the endless cycle of violence” and declaring that “Israel must take steps to show its commitment to peace.”

In a 2003 interview with a local newspaper in Lincoln, NE, Senator Hagel ratcheted up his rhetoric even further, saying the Israelis “keep Palestinians caged up like animals.”

In 2009, Senator Hagel coauthored a policy paper that advised President Obama to pursue a dialog with Hamas—again, a State Department-designated terrorist organization; Iran’s primary proxy in the area. More specifically, the paper recommended that Washington “offer [Hamas] inducements that will enable its more moderate elements to prevail, and cease discouraging third parties from engaging with Hamas in ways that might help clarify the movement’s views and test its behavior.”

Most of us believe, including the U.S. State Department, that Hamas’ views and behavior are already clear enough: It is committed to the annihilation of Israel; it fires rockets and Iranian-made missiles at civilian areas; and it indoctrinates Palestinian children in a culture of hatred and violence.

Of course, Senator Hagel’s most famous comments—or I should say infamous comments—on Israel were delivered during a 2006 interview with former Clinton administration official Aaron David Miller. In that interview, Senator Hagel said “the Jewish lobby intimidates a lot of people up here.” These remarks are deeply offensive, but they are also quite revealing, for they confirm that he simply does not understand the true basis of the U.S.-Israeli alliance.

The American people and their elected representatives support Israel for obvious reasons: Both of our countries are pluralistic democracies with a shared commitment to liberty, equality, and basic human rights; both of

our countries are threatened by radical Islam; and both of our countries have responded to that threat while remaining free and open societies.

In other words, we have an alliance based on shared values and a common determination to defend liberal democracy against terrorists and dictators alike.

I realize Senator Hagel is now repudiating many of his past actions and statements, but we have seen this before, unfortunately: individuals approaching the confirmation process undergoing a seeming transformation. But this sudden and convenient transformation beggars belief. Senator Hagel has not undergone an abrupt ideological makeover; he just wants to win approval from Members of this Chamber in what we might call a "confirmation conversion."

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HOEVEN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. HOEVEN. I ask unanimous consent that the period of morning business be extended until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

KEystone XL PIPELINE

Mr. HOEVEN. Mr. President, I rise today to advocate for a secure energy future for our Nation. There is no question that we can achieve energy security or energy independence for our country, and I believe we can do it within the next 5 years.

I define energy security or energy independence as producing more energy than we consume. I mean, this is an interrelated, high-tech global economy. Energy will move back and forth between nations, but we truly become energy secure when we produce more energy than we consume. But to do that, to achieve energy independence or energy security, we must take the commonsense steps necessary to achieve it. That is why today, once again, I call on President Obama to approve the Keystone XL Pipeline project now that Governor Heineman of Nebraska has approved the new route through his State of Nebraska.

The Keystone XL Pipeline is not just about bringing Canadian oil to U.S. refineries, it is also vital to move our own U.S.-produced oil through our re-

fineries. In fact, that is how I got involved with this project in the first place.

Although it is hard to believe, TransCanada first applied for approval of this project 4½ years ago. Let me repeat that—4½ years ago. At that time, I was Governor of North Dakota, and I was working with Governor Brian Schweitzer, of Montana, to make sure that oil producers in the Bakken regions of our States, in North Dakota and Montana, could put light sweet crude oil from the Bakken into the Keystone XL Pipeline. We met with TransCanada, contacted our oil producers, met with TransCanada, and they agreed. TransCanada agreed to an on-ramp so that the Keystone XL Pipeline would move North Dakota and Montana light sweet crude from the Bakken to refineries throughout the United States—to refineries in Illinois, Texas, Oklahoma, and Louisiana, hundreds of thousands of barrels of oil from our oilfields from day one.

That is what this chart shows. Here you see the original Keystone Pipeline that was built during my tenure as Governor. Here we show the route of the Keystone XL Pipeline, and you can see that it comes through North Dakota and Montana—our Bakken region—so that we can put oil into the pipeline. It gives us access to all these refineries in Illinois, Oklahoma, Texas, and Louisiana.

We are talking about U.S. energy, we are talking about U.S. jobs, and we are talking about commerce in our country, getting our economy growing and growing. We are talking about generating tax revenue without raising taxes to help with our debt and our deficit, and we are talking about energy security. Why wouldn't anyone want that? Why wouldn't everyone support this project? Why is it being held up? Why is the President holding up this project? Because the net effect is, with President Obama continuing to hold up this project, we are continuing to rely on oil from the Middle East when we could be relying on oil that we produce here at home and from our closest friend and ally, Canada.

Well, some argue, it is because producing oil from the oil sands in Canada creates more greenhouse gas emissions. Let's look at the facts—not rhetoric, not hype, not spin, let's look at the facts. Oil sands crude produces about 6 percent more carbon dioxide than the U.S. crude supply average—the average. Canadian oil sands crude produces less carbon dioxide than the heavy crude we get from California or the heavy crude we get from the Middle East. Think of that. By blocking the Keystone XL Pipeline, President Obama will continue to require that we rely on heavy crude from the Middle East rather than crude that is produced with less emissions from Canada. How can that make sense?

Furthermore, since 1990 Canada has reduced the greenhouse gas emissions associated with every barrel of oil sands crude by almost 30 percent, and the technology continues to improve. Canada is investing \$3 billion in carbon capture and storage technology—\$3 billion. Eighty percent of the new development in Canadian oil sands is in situ production, meaning drilling—like conventional drilling—rather than the old method of excavation, and that means a smaller environmental footprint.

Still, someone might say: Well, I don't care about that. I don't care. I just don't want the Canadian oil sands produced.

The Canadian oil sands are going to be produced, just as sure as death and taxes. They are going to be produced. The only question is whether the oil comes to us or goes to China.

I want to show my second chart. It is a simple map. The oil is going to be produced, but is it going to come down, pick up oil from our oilfields, and move that product to our refineries, state-of-the-art refineries with lower emissions, or is that oil, as you can see from these green lines, going to go to the west coast of Canada and there be put on ships and sent to refineries in China and be refined in their refineries, which have much higher emissions?

If it goes to China, that means there will be more greenhouse gas emissions as the oil is transported via tankers across the ocean rather than a pipeline, and you also have the added risk of spills in the ocean, affecting the ocean ecosystem. Meanwhile, we will continue to get oil from the Middle East with higher greenhouse gas emissions and the risk of tanker spills rather than the greater safety and the lower cost of pipelines, not to mention the fact that we continue our dependence on oil from the Middle East. How can we continue to depend on energy from the Middle East when we see what is going on, when we see what is going on in Syria, when we see what is going on in Egypt and we see what is going on in Iran?

Recently, I attended the movie "Argo." It is a great movie. If you haven't seen "Argo," I would recommend it. I would recommend it to anyone. It is about the Iran hostage crisis in 1979. Six American diplomats fled to the Canadian Embassy when the U.S. Embassy was stormed by the Iranians. Our people, as you remember, were held at the Embassy in Iran for 444 days. We all remember that terrible time.

This movie is the story of how our government, working through the CIA, working with the Canadian Government, helped the six Americans out who were able to get to the Canadian Embassy. Our governments worked together and helped those hostages—in this case, the six who weren't taken

hostage but the six who were at the Canadian Embassy—took them out of Iran. It really is a great story. It is a story of how the United States and Canada worked together when a Middle Eastern country that defines the United States as the “Great Satan” was holding our people hostage.

Here we are today continuing to rely on oil from the Middle East. We cannot continue to rely on the volatile countries of the Middle East for our energy. The American people couldn't be more clear. We have to stop our addiction to Middle Eastern oil. At the same time, we can't continue to send them billions of our dollars as we buy the oil, billions of dollars that are used against us. We can and we must rely on ourselves. We must rely on those we can count on, such as our closest friend and ally, Canada.

If we don't learn from history, we are doomed to repeat the failures of the past. The time has come to act.

President Obama, the time has come to give us a decision on the Keystone XL Pipeline. The time has come to approve it. On a bipartisan basis, we have worked to address all of the concerns you have raised regarding the project, including the new route through Nebraska.

On a bipartisan basis, we have asked to meet with President Obama, Republicans and Democrats together. The response has been silence and delay. The fact is that we can build a bright energy future for this country, but we need the President to join with us to do that. We can create energy, jobs, tax revenues that will reduce our debt and deficit without raising tax rates, and energy independence for our Nation.

Again, I ask President Obama to work with us, to work with us on a bipartisan basis, and the winners will be the American people.

The PRESIDING OFFICER (Mr. BROWN). The Senator from Kansas is recognized.

TRIBUTE TO STAFFORD, KANSAS

Mr. MORAN. Mr. President, in my home State of Kansas, there are hundreds of small communities that line the highways and county roads that stretch across the prairie part of the country. In many of these towns, the populations are shrinking, but they are still called home by thousands of Kansans.

I grew up in one of those small communities out in western Kansas, a place where folks know their neighbors and they try to take care of them. Much of what I know about people, about human nature, is what I learned by growing up in a small town where we all knew each other. I worked at the local hardware store, swimming pool, the drugstore, and I had a paper route and got to meet almost everybody in my hometown.

In these small communities across America, the people work hard, they come together to find commonsense solutions, and they solve problems. They try to make a difference in the lives of their families and the community. They also strive to provide a better future for their kids so that every child has the opportunity to grow up, pursue the American dream, and reach their goals.

For rural communities to survive and prosper, citizens have to work together to create their own opportunities for success. What happens here in Washington, DC, has a huge consequence on the future of rural communities in my State. The reality is that those communities that are going to have a bright future are those that decide on their own to work together within that community to make certain that is the case.

An example of a community that rallied together in this way to make good things happen and to make the community better for the future is the community of Stafford, population 1,042. I would like to recognize the efforts by this community, the Stafford residents, with the Building Better Communities Award. They made the effort to preserve their town for another generation.

Rural communities across our State have been hit hard by the economic downturn over the last few years. Many towns have encountered the closing of businesses, Main Street looks a lot less appealing, there is a shortage of health care services, and a younger generation is leaving home in search for employment. In light of these challenges, the community leaders of Stafford are taking steps to cure that town's future.

We have a chain of retail stores across our State called Duckwalls. Two years ago they announced that they were closing 20 of their stores across Kansas, and the residents of Stafford were left to drive more than 20 miles to do their routine shopping. What happens in a community like Stafford? The community leaders gathered and they raised the funds to open and operate a new store, a general store on Main Street called Stafford Mercantile.

One of the things that makes this shop unique is it is owned by the community and it features a lot of Stafford's history, including a 1928 soda fountain and the marble-topped counter. In fact, one local resident, Judy Mayes, brought her mother to that store to have ice cream from the same fountain used at their wedding reception in 1934. The new shop brings back fond memories of the past but also now brings a future for younger folks in Stafford to enjoy a store, a mercantile, and a soda fountain. The mercantile has made it possible, once again, for residents to see what can happen when they work together and now they can shop at home.

Another challenge Stafford faced was the likelihood its local hospital would have to close its doors, after more than 50 years of serving that community, due to the pressures of declining population, Medicare reimbursement rates, and the difficult financial circumstances most hospitals across Kansas now face. Access to health care services and hospitals is vital to the survival of a community. If you can't access health care in communities across my State, it is one more circumstance that creates the likelihood senior citizens will reluctantly move away to someplace where there is a doctor and a hospital, and young families will not take the risk of raising their families without access to that health care. But with more than \$½ million in debt, it seemed like, other than closing the hospital, there was no option for Stafford. But rather than throwing in the towel and giving up, the hospital got new leadership, they sought help from the folks in the county, and they worked hard to make ends meet so the hospital doors could remain open and continue that long tradition of serving the residents of Stafford County.

Many rural communities often struggle to add younger generations of residents to their workforce, given the lack of job opportunities. The superintendent of the local school district, Mary Jo Taylor, recognized this challenge in her community, and she decided to do something about it. With the support of the leadership of the community, the citizens, the business community of the town, and the support of local teacher Natalie Clark, the Stafford Entrepreneurship and Economic Development Center was created at Stafford High School in 2003.

The goal of this center is to equip high school sophomores, juniors, and seniors with the training needed to become successful entrepreneurs. Who better to start a business in their hometown than a young person who grew up there and who is now educated and trained and has a desire for entrepreneurship? More likely that person than probably anyone else. By learning what it takes to develop and manage a small business, young people gain those valuable skills that open doors for a wide range of future employment opportunities and, most important, the opportunity to create a business at home.

As part of that learning experience, local store owners hire those students and give them hands-on experience in managing their own business. Those skills are important as those students leave high school and will help enable them to create those jobs the community of Stafford so desperately needs.

These are only a few examples of how the community of Stafford worked together to revitalize their community

and pave the way for its future. Carolyn Dunn, the Stafford County Economic Development Director, summed it up this way when she said: "Stafford is proving that when communities look within themselves for growth, they do have the capability to forge a stronger, more positive future."

The community of Stafford is a success story. It is a role model. It demonstrates how teamwork and creative thinking and how caring about the future of your community can make a positive difference for that community and for all of rural America. I am proud to recognize the efforts of Stafford with what we have called the Building Better Communities Award. Today, in the Senate, I offer my congratulations and gratitude for the kind of leadership and effort among all residents of the community to see that Stafford is a good place to live today and, perhaps even more important, a great place to live tomorrow.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COBURN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Mr. President, I ask unanimous consent to use oversized charts on the floor today because, basically, the information I have will not fit on a standard size chart and still be readable.

The PRESIDING OFFICER. Without objection, it is so ordered.

OUT OF CONTROL SPENDING

Mr. COBURN. Mr. President, in a very short period of time, we are going to be considering an increase in the debt limit. It is for a specific period of time, but it is, at a minimum, going to be \$500 billion. What is in front of our country, especially as we see negative growth in the third quarter, as reported today, and the continued printing of money by the Federal Reserve, is that there is no accountability to rein in either the size, the scope or the spending habits of the Federal Government.

Over the next 2 weeks, I am going to be very succinctly outlining \$1.35 trillion worth of spending reductions that I would imagine the vast majority of Americans would agree with me on. I am going to build the case almost every day as I come out here as to why we can't keep doing what we are doing, and I will demonstrate the stupidity in how the Federal Government is running today.

I know I will have no chance to defeat an increase in the debt limit that is coming forward. I don't expect to ac-

complish that. The votes are here to raise the debt limit and not do anything about our spending. But most Americans realize the Federal Government is twice the size it was 11½ years ago—twice the size. In just the last 4 years, the average family income has declined over 7½ percent. So while family income is declining, our deficits are rising. Our debt is now at almost \$16.5 trillion and we are projected to spend \$1.3 trillion more than we take in this year and we have claims by the President and others that we have already cut something from the Federal Government. The fact is, that is only true using Washington accounting.

As somebody with a degree in accounting and understanding generally accepted accounting principles, what I want America to know is the Federal Government is bigger right now than it was last year at this time. We have not spent \$1 less than we were spending last year at this time. As a matter of fact, we have spent about \$18 billion more. Is that an improvement? Yes. But the claims we have cut \$2.7 trillion from the budget are absolutely bogus. There is no truth in it. There is no reality in it. All anyone has to do is look at the amount of money we are borrowing to recognize that.

I want to lay out in sequential fashion five areas where we can, in fact, make significant changes in the Federal budget and start truly addressing our problems. These changes will have an impact of over \$1.3 trillion over the next 10 years. That doesn't solve our problem immediately, but if in fact we do this, what we will have done is to start down a long road of making the hard decisions. The decisions I will outline are not hard. They are the easy ones. But we will be starting down a road to get our country back and to secure the future of the young people sitting right down here and their children and the expectation that opportunity could be alive and well in America.

There is coming to this country a debt bomb. There will come a time when the world will not loan us additional dollars. When that happens, the consequence of that will be rising interest rates. The Fed will no longer be able to control interest rates, and the interest rate will end up being whatever it takes, whatever the people of the world need in terms of what they require to loan us money. If we go back to historical interest rates, the average over the last 50 years on what we have borrowed—the cost per year for the debt we have today, not after the additional \$500 billion, at a minimum, we will increase with this new debt limit—will be an additional \$640 billion per year added to the must-pays coming from Congress. Once that starts, if we have made none of the adjustments, none of the changes, none of the choices of eliminating some of our wasteful and profligate spending, the

next year it adds another \$150 billion on top of that. So then we would be at \$700-some billion, and pretty soon we will be in a spiral where the debt bomb explodes. That is the last place we want to go. The reason it is the last place we want to go is because the very wealthy aren't going to be harmed by that. The middle class will be destroyed, and with all the programs we have to support the lower class, we will not even be able to fund those.

It is imperative we no longer just have words. It is time for us to act. I know the administration doesn't agree with that. I know a lot of my colleagues on the other side do agree with it but will not offer up the courage that is going to be required to make the tough choices in this country.

We just increased tax rates in this country \$600 billion over the next 10 years.

I voted for that bill. But the problem isn't revenues; the problem is the size and scope of the Federal Government.

I want to spend a little bit of time showing you what the GAO—not Tom COBURN, not my oversight, not my research, but what the GAO has said about where we are in terms of stupidity and duplication. I asked permission for these oversized charts because the detail behind them cannot be seen unless you have it on a chart this size. I will go through these rather quickly so the American people can get a little bit of a flavor of the programs we have.

We have 15 different programs run by 13 different agencies in the Federal Government that cost \$30 million to teach financial literacy to the American people. No. 1, I don't think that falls within the enumerated powers. But let's assume it does. Why in the world would we have 15 sets of administrators, 15 sets of overhead, to spend \$30 million? It makes no sense whatsoever. Let's assume that is a role for the Federal Government. I disagree that it is. But why not one program? If you take away the overhead, you could spend exactly the same amount of money teaching financial literacy and you wouldn't waste it on overhead. The savings just from this one simple program are \$15 million to \$20 million a year. The way you get to 1 billion is 1 million at a time, and the way you get to 1 trillion is 1 billion at a time.

Let's take the next program, green buildings. We have 94 separate programs run by 11 different agencies spending \$1 billion on green buildings. There is nothing wrong with incentivizing green buildings, but anybody with any common sense has to ask the question, Why does the Federal Government need 94 separate programs to incentivize green buildings? And why do we need to run it through 11 different agencies instead of 1? And why do we need to have 11 sets of overhead, administration, and costs associated with it? It makes no sense at all.

The next one, housing assistance. We have 160 programs. Nobody in the administration—nobody in the country—knows all the programs. I am probably the only one in Congress who does, because nobody else has looked at it. Twenty different agencies spending \$170 billion. If we are really interested in housing assistance, why would we have 20 sets of overhead and 20 sets of administration? And what would it cost to accomplish the same thing?

All these numbers come from the Government Accountability Office, by the way. They don't come from me.

The other part of the report is that nobody knows if these programs are working. We have no data to say that with the 160 programs we are actually making a difference on housing assistance through this expenditure of money. So we are not even asking the most basic questions a prudent person would ask—in fact, if it is our role in housing assistance—do we know what we are doing is working? And the GAO says you can't tell. There are no metrics on it. No wonder we have 160 programs. Because the first time somebody sees there is another need out there, rather than reform and oversight the programs we have, we create another one without ever looking at our housing programs.

Department of Justice grants. The Department of Justice is the only agency in the Federal Government where if they don't spend all their money every year, they get to keep it. Most people don't know that. They have 253 different grant programs, and outside of the Department of Justice are 9 other agencies involved in that. Most of these grant programs have no metrics, no measurement on them whatsoever to say whether they are actually accomplishing the purpose Congress created them for in the first place.

So if, in fact, a prudent person would say, We have these grant programs, what are they doing, what are they supposed to do, and how are they measuring up, we don't know, because we don't require the Federal Government to measure the effectiveness of its programs.

If, in fact, it is a legitimate role for the Department of Justice and these 10 other agencies to grant taxpayer dollars to all sorts of State-based criminal defense—prison, police force, investigative—if, in fact, that is a Federal role—which, again, I would go back to the Constitution and the enumerated powers and ask the question, and I think about half of these would fail. But if it is, why would we have this many different grant programs? Why would we have this much overhead? Why would we have absolutely zero measurement on whether they are actually accomplishing their goal?

Where we have been so far, just so we know, we have \$176 billion worth of

spending that is wastefully spent. It is duplicative, one overlaps the other, and we have no knowledge whatsoever about what we are doing. We know from our heart we are trying to accomplish good, but we have no capability to measure what we are doing. And that is just the first four.

Look at diesel emissions. We all want clean air. Why would we have 14 separate programs on diesel emissions run through 3 different agencies? Why not have three—one for agriculture, one for routine surface transportation, and one for stationary? That is all there is out there. There is transportation, there is agriculture, and there is stationary, and yet we have five times as many grant programs as we have utilization.

I hope America can see how incompetent we are as we allow all these things to continue.

We are going to raise the borrowing against your children. In less than a week we are going to raise the borrowing against your children, and we are not going to do anything to fix these problems. Nothing.

Early learning and childcare. We have 50 different programs, 9 different agencies on which we spend \$16 billion.

Employment assistance for disabled individuals. This is job training for disabled people. Fifty different programs run through nine different agencies, and we are going to spend \$16 billion. I think that is an appropriate thing for us to be involved in, but why in the world would we have 50 different training programs for the disabled? Nobody can answer that. There won't be a person come to the floor and answer the question of why we have 50.

What we continue to do is treat the symptoms of our disease and not the real disease. We are going to argue we should have training programs for the disabled, but we are going to deny the fact that the training programs for the disabled that we have oftentimes are marginally working. And if we streamline them and focus them, we would get a whole lot more value for our money, and we would also save money just in the overhead associated with it.

Surface transportation programs, 55, and 5 different agencies. We have a transportation bill every year. It is \$43 billion. And yet we take that money—which, by the way, isn't being adequately funded. We are stealing from other things to keep the transportation funding alive, and we run it through all this bureaucracy rather than say, We took the money from the States, it is for highways and mass transit, and give it back to them and let them prioritize it themselves. Instead, we consume a good portion of it here. We put all sorts of mandates on what they can and can't do with their own money that we collect from them and send it back to them, and then we run it through five different Federal agencies. So they are jumping through five agen-

cies' hoops just to be able to spend their own money—their own tax money.

Support of entrepreneurs. I can guarantee you this one doesn't fit in the enumerated powers of the Constitution.

So we have 53 times that we have said, We don't care what the Constitution says, we are going to go out and support our entrepreneurs. It is not a role for the Federal Government. We are terrible at it. We don't know what we are doing at it. And yet we have 53 programs run through 4 agencies, \$2.6 billion a year, and the vast majority of it is waste and ineffectively spent.

STEM education programs. This is science, technology, engineering, and math. It is an area we need to work on. It is an area we need to incentivize. But 209 different programs, 100 or more of which are in the Defense Department? Two hundred nine programs to incentivize science, technology, engineering, and math? How about a couple of them that really work, that really create the incentives people will really go after that you can really manage and measure whether they are effective—\$3.1 billion a year.

This is just the first of what the GAO has so far outlined, at the request of my office, which became a law which forced GAO to have to do it.

Just a little history on this. Three years ago I asked the Government Accountability Office and Congressional Research Services, Tell me every program in the Federal Government. And both of them said, Impossible; we can't do it. The Congressional Research Service said: We can't do it. We do not have the capability to do it.

So I put into statute a law mandating that the Government Accountability Office over a period of 3 years will identify and seek out every Federal program, and notify Congress where they overlap. So that is how we have gotten this information thus far. In April of this year, we will get the last third. There is no doubt in my mind at all that we are wasting at least \$200 billion a year through duplication coming from the Federal Government.

Think about that for a minute. If I am right—and I dare anybody to come down here and challenge me on it—that is \$2 trillion over the next 10 years. That is 18 percent of our deficit this year.

The question you have to ask is, Where is Congress? Why aren't they doing something about this? We passed one bill out of the Senate in the last 3 years associated with this—it got thrown out in conference—that saved \$5 billion. We could easily save \$20 billion to \$30 billion with minimal work.

I know it is much greater than that. There will be controversy as you go up. But the fact that we have done nothing addressing these issues tells you that

there is a problem in Congress in terms of facing reality.

It also tells you there is a problem in Congress in that the political is much more important than the country; that we dare not offend anybody who is a partaker of any of these programs, especially the people who are employed in the administration in the implementation of these programs—even though some programs have 250 or 209 duplications.

We have met the enemy, and the enemy is the U.S. Senate and the U.S. Congress.

Let me go to the next list.

Unmanned aircraft programs. There is no question in terms of our warfighting and our intelligence services that our unmanned capability has been a tremendous asset to us. But somebody needs to ask the question, Why do we have 15 different sets of programs run from 5 different agencies costing us \$37 billion over 5 years? Where is the explanation for that? Where is the idea that we might concentrate expertise in one or two areas or three areas or four? But to have 15 separate programs means we are wasting money and getting less out of the research and less out of the dollars we invested than if we were to streamline those programs and limit them to targeted objectives. But we refuse to do that.

Domestic food assistance, 18 different programs, 3 agencies; homeless programs, 21 different programs, 7 agencies, \$2.9 billion; transportation services for transportation-disadvantaged persons—that is something we ought to be involved in. I don't have any problem with that. But 80 programs, each with their own overhead, each with their own set of rules that communities have to comply with? Why would we not want to say: How do we make this 20 programs, make it more effective, eliminate the overhead and save the difference? We don't have to cut money. What we have to do is save money, and we could have exactly the same result through efficiency and smart planning by eliminating duplication.

In my hometown there are 78 different programs for transportation for these people that they can access, lapping over each other. It is not that we should not be doing it, but what about the saving? Are we in a crunch or not? Are we going to continue to stick our heads in the sand and say we don't have a difficult time in front of us in terms of our financing the basic needs for our Federal Government?

We are less than 8 years away, where Medicare, Medicaid, Social Security, and interest on the debt will consume every penny of tax revenue this country has. That is less than 8 years away, if we make it that long, before we have hyperinflation. Why would we in Congress not start addressing these very real needs?

Job training and employment—47 different programs, \$18 billion a year, 9 different agencies. In the House subcommittee, Chairwoman VIRGINIA FOXX, last year, I think, took about 35 of these programs and converted them into 6. She did not look at all of them because she did not have the authority or jurisdiction in her committee. It is the only thing that has been done in the last 3 years that addresses anything the GAO has said. Yet we will not even take it up. Saving billions of dollars a year and improving the job training programs, yet we will not take it up. It is not a priority for the HELP Committee.

Teacher quality—82 different programs. We have 82 programs to improve the quality of teachers. Remember, we have a Department of Education, but nine other agencies have teacher improvement programs. Why would we have agencies outside the Department of Education running teacher improvement programs? Is it because some Congressman or Senator wanted a program named after them? Maybe they saw a need and did not want to put it in with the other ones so we expanded it. So we expanded overhead and we expanded the costs and we decreased the efficiency.

I would also make note that Thomas Jefferson, in his inaugural address, addressed the American people when it came to the Federal Government and education. Here is what he said: In order for the Federal Government to be involved in education, you must make an amendment to the United States Constitution.

I don't know a greater authority, other than maybe Madison and Monroe, on the Constitution. But here is one of the authors. In his own inaugural address as President of the United States, he said we have no business being in education. Just so I might enlighten my colleagues and the American people, since the Department of Education was founded, we have spent in excess of \$2 trillion of Federal taxpayer money, and there is not one parameter that we can measure that is better than when we started. Not one—we cannot find one parameter that is better than when we started.

So there was wisdom in our Founders. We have great hearts, but we are not very good at some things, and this is one of them that we are not very good at. Yet here we have 82 different programs from 10 different agencies.

Food safety—a legitimate role for the Federal Government. We have done some work improving food safety in the last few years, but we have multiple agencies. Do you realize if you buy a cheese pizza that the FDA doesn't have any control over that, but if you buy a meat pizza the FDA controls the food quality? But the cheese pizza, that is not FDA. So the Agriculture Department takes care of one

pizza and the FDA takes care of another one. Does that make any sense to anybody in America? Yet we do not have one agency totally responsible for food safety in this country. Instead, we have 15 different agencies with 30 different programs, and the cost of food goes up—not because we are markedly improving food safety, but we are markedly increasing the regulations and requirements from 15 different agencies. There are all sorts of hidden costs in this as well.

Military and veterans health service. I want you to think about this for a minute. We have a Pentagon and we have a Veterans' Administration, two agencies. But we have four different agencies involved in veterans and military health care. Why is that? Can anybody explain that? What is the purpose of that? Why do we have three different sets of rules and regulations within the Pentagon for health care: one for the Army, one for the Navy, and one for the Air Force? All of them are different. They are still taking care of the same diseases among the same group of people, but we are a bureaucracy. Rather than one organization running that we have three giant organizations running that. How stupid is that? Is that pride of keeping everything within the Air Force or in the Navy or in the Army?

When we are facing a \$1.3 trillion deficit this year—that is what it is going to be at a minimum—why would we not streamline that? Why wouldn't we ask the hard questions? Why wouldn't we do the things aligned with common sense and prudence instead of a political spoils system?

Economic development—4 different agencies, 80 separate programs, tons of waste, tons of duplication, tons of overlap, tons of fraud. When we have 80 programs, or 85 programs, and the bureaucracies cannot manage them, the gamers come in. The Federal Government this year will create over \$800 billion worth of grants. I want us to think about that for a minute. Somewhere between one-fourth and one-fifth of our budget will go out of here in terms of grants. There is only one agency that oversees their grants effectively and smartly. The rest of the grants are totally not overseen—effectively. We work at it a little bit.

If we think about it, one-fifth of the Federal budget is run out of Washington in terms of grants that have requirements on them, that have time lines on them, that have specifics on them, and nobody is watching them.

Do you know what happens when you go to look at those? What you find is fraud, mismanagement, some accomplishing exactly what they were supposed to but not in the time, some underbudget, but the money never gets sent back to the Federal Government; some grant money that is sent out and a penny is never spent, and it is lost

out there so it is never recaptured. There are hundreds of billions of dollars of grant money sitting out there that have never been used and never been pulled back to the Federal Government. Why is that? That means hundreds of billions of dollars that we are going to borrow because we have moneys that we do not manage effectively.

Let me just do the third one, and I will wind up in a little bit, and I will come back tomorrow and talk about the details of these. Here is the third sheet. I suspect when we get the report, April 1, from the GAO, I will have another two sheets.

When we start adding up this money, we get real money. We get hundreds of billions of dollars that we are wasting. But nobody is working on it.

Reducing reliance on petroleum fuel for the Federal fleet. We have 20 agencies working on that, but we only have 5 programs. So we have 20 sets of bureaucrats and administrations and everything else for 5 programs, and we are spending—it is not a lot of money in terms of Washington money, but fuel efficiency for the Federal fleet? We put in new CAFE standards. We could replace this \$50 million and say, you would not buy an automobile that doesn't have X mileage; you will limit trips. We can do lots of management things to eliminate the need for a program like this just through sound management and proper management.

Electronic health records system for veterans and the military. The VA has a pretty good program. We have two different agencies, the VA and the military, the Pentagon. We have 10 separate programs. We are spending all this money at the Pentagon right now on electronic medical records when we have a system already at the VA that they could have adopted. Are we just doing one? No. We are doing different ones for each branch of the service.

It makes you want to throw your hands up and get sick to your stomach when you think about what we are doing today that we should stop doing so we protect the future of this country.

Here is an area that I have looked at closely, preparedness grants. Remember when FEMA was started 10, 11 years ago—maybe 15 years ago—preparedness grants, we built all this up so we could prepare for catastrophes—right? We have been doing this a number of years, well over a decade, maybe almost two. Why do we continue to need more preparedness grants?

I have not done this yet, but we plan on going back to look at all the money that has gone out for preparedness. But we just passed a Sandy bill, and 64 percent of the money is going to be spent on preparedness and mitigation for the future on 50-year events. Yet we are continuing to spend money every year on preparedness. Is there ever a time at

which we get prepared, that we can stop spending money? That is a question the average American would probably ask: Is there a point in time when we have prepared enough? Or can we spend enough money to totally prepare against anything? And, of course, the answer is no. So how much is enough? How much is prudent, given our budget situation today.

Anyhow, I think you can see, just from this limited list of words—and this is just one section of what I am going to be talking about. Duplication. I am going to be talking about health care. I am going to be talking about the Defense Department. Republicans have a blind eye to the waste in the Defense Department and the mismanagement and the duplication and the swinging revolving door from retired military officers to the very companies that end up getting the contracts that pay their salaries to get another contract to keep going on things that necessarily are not priorities.

Let me just take an example for a moment, if I can. This is the best one. Here is green buildings. Here are all the programs on green buildings. Does any of that make sense? That is why we had to have a chart this big. What we are doing is absolutely asinine as far as duplication and what we are doing through multiple different departments in terms of incentivizing green buildings.

Just think if we had 5 or 10 people in the administration of each one of these programs and what we could save if we ended up just having 5 or 6 programs. Just think what the benefit would be that would inure through the years in terms of the compounded savings for our kids and young people in this country.

This chart depicts green buildings. The Institute of Standards and Technology has three or four or five or six programs. The Department of Health and Human Services has a multitude of programs. The Department of Agriculture has a multitude of programs. The Department of Transportation has multiple programs for green buildings. Why don't we have a green building department in the Federal Government? If we have that, we can just have one and save the overhead and the money. We can see all the Environmental Protection Agency's programs on the chart. This is lunacy. It is craziness.

I am going to stop at that, but I have this comment for my fellow Oklahomans and fellow Americans: The next time you hear from a Member of the congress that we cannot cut spending, come and play this C-SPAN tape back for them. Either they don't want to or they know nothing about management or efficiency or common sense. There is no longer an excuse to say we cannot get marked savings from our Federal Government.

As I go through this over the next couple weeks, I am going to show ex-

ample after example. It is painful to say the greatest Nation in the world is absolutely incompetent when it comes to managing its bureaucracy, its programs, and its money, but that is a true statement. I am going to show evidence over the next 2 weeks of just how incompetent we are.

I hope to build a case so no Member of Congress can ever tell a constituent again that we cannot cut significant spending by at least \$2 trillion just from duplication over the next 10 years.

The work of the government is hard. The work of the Congress is built on compromise, but there is no longer going to be a bogus set of facts out there that says we cannot cut spending. I am going to prove we can cut spending and the onus is going to be on the rest of the Members of the body to say why we cannot.

With that, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BUDGET AUSTERITY

Mr. WHITEHOUSE. Mr. President, I am here because I was on the floor the other day and I heard—while I was waiting my turn to speak—Senator HATCH give a speech. I have the very highest regard for my friend, the Senator from Utah, and his speech was very thoughtful. It was passionate. It was thorough. I thought it deserved a respectful response and so I am here to respond to that and I hope to begin a debate or engage in a debate, if not begin it.

Senator HATCH was talking about the fiscal situation, and he framed his remarks with the observation that our \$16.4 trillion debt is too high and the observation that “annual trillion-dollar deficits have become the norm with the current administration.”

Senator HATCH is certainly right that debt is too high and annual trillion-dollar deficits have indeed briefly become the norm. But I would suggest that is not the norm recently because of this administration; it is the norm because the economy collapsed.

We all remember the economy collapsed. To withdraw Federal spending from a collapsing economy is only to make things worse. The economic collapse created these deficits and, as the economy recovers, we can draw them down.

There is not agreement on that. Some have preached austerity as the way forward when the economy collapses. When this began, there was lively debate between those who thought

that stimulating the economy and supporting the economy would be more sensible than applying austerity. We are past theory and now we are into experience. The experience of foreign countries belies that austerity works when economies are collapsing. From Spain to Greece, European countries that responded to the economic downturn by slashing their budgets are suffering from shrinking economies and persistent double-digit unemployment rates.

A recent IMF, International Monetary Fund, report estimates that budget austerity in a weak economy might actually inflict significant harm and have a much lower than expected effect on the deficit, consistent with the observations in Europe.

The reason this is this way—I will get into jargon just for a minute—economists measure the effects of changes in government spending on GDP with a metric called the fiscal multiplier. A multiplier of 0.5, for example, means that a \$1 decrease in government spending would reduce GDP by 50 cents.

The higher the fiscal multiplier, the worse the impact a cut in spending has on the overall economy and, therefore, the lower its actual ultimate effect on deficit reduction.

The new IMF report suggests that in the United States—as in other countries that are recovering from the great recession—the fiscal multiplier is actually greater than 1, meaning that a \$1 reduction in government spending shrinks the overall economy by more than \$1, doing net harm.

Oxford Economics puts the fiscal multiplier of the United States at 1.4, which means that for every \$1 we cut, we would lose \$1.40 in gross domestic product. Goldman Sachs, which is not exactly a leftwing outfit, has put the multiplier for the United States close to 1.5—cut \$1; lose \$1.50 in gross domestic product. Economists at the University of California found that during recessions—and it is important, during recessions—the fiscal multiplier in developed countries generally falls between 1.5 and 2.

That complicated economic gobble-dygook boils down to this: \$1 in reduced government spending will reduce gross domestic product by more than \$1—by \$1.40 or \$1.70 or whatever the multiplier is—and damage the economy without accomplishing the intended deficit reduction.

Other countries attempted budget austerity during the economic downturn. Spain, Greece, and Portugal, particularly, have persistent double-digit unemployment—over 26 percent in Spain and Greece—and they have anemic or negative economic growth rates. Contrast that with the United States, where a more balanced approach to the economic crisis yielded an unemployment rate that is still far too high but

markedly lower than the austerity countries and economic growth of 2.1 percent, where all the other countries are experiencing negative economic growth—Spain, Greece, and Portugal.

So let's not fault the President and the administration for deficits that were caused by, A, an economic collapse and, B, the wise decision to avoid the austerity path that has thrown Spain and Greece into nearly 27 percent unemployment rates and all three countries into negative GDP growth.

We will need to address the debt more and more as economic conditions improve, and Senator HATCH was correct to point to health care expense as our biggest national fiscal concern. It would, however, I believe, be a misdiagnosis to focus on Medicare and Medicaid as the source of the health care spending problem. Indeed, Medicare may be the single most efficient health care provider in our entire health care system. Medicare is a place where the health care cost problem hits the Federal budget because the Federal budget pays for Medicare, but Medicare is not the underlying source of the problem. I hope this was what Senator HATCH meant when he said “the problems with the program are systemic,” and when he said the solution is “structural reforms.”

I know that one of the leading health care providers in the country, one of the best at seeing the health care cost problem as systemic and one of the best at addressing it with structural reforms, is the health care system in Senator HATCH's home State of Utah, Intermountain Healthcare. The Senator has a living example at home that health care spending can be addressed through structural reforms, through delivery system reforms.

One example is that just a few weeks ago, Intermountain clinicians in Utah were recognized for their work in greatly reducing the number of patients who die from sepsis, which is the leading cause of death in U.S. hospitals. So it is no small matter. Through a new protocol to better detect and treat sepsis, these doctors and nurses brought the death rate for septic patients entering through the emergency room down from over 20 percent, 5 years ago, to under 9 percent. These advances have saved hundreds of lives in Utah, and they are a model to be applied by hospitals around the world.

That is an example of how the real problem in health care is the total cost of the underlying system. We pay more for health care than any other developed nation. Here is the United States at 17.6 percent of our gross domestic product spent on health care. The most expensive and least efficient other industrialized nation in the world is the Netherlands at 12 percent. Behind it fall France and Germany at 11.6 percent, Switzerland at 11.4 percent, and England and Japan at 9.6 and 9.5 percent, respectively.

If we could simply make our health care in this country as bad as the worst other industrialized country in terms of efficiency, if we could just meet the standard met by the other least efficient country in the world, we would save about \$800 billion a year.

So there is a huge savings opportunity in the health care system for all of that extra spending. For that \$800 billion a year in extra spending that we do, do we get great outcomes? Are Americans healthier and better cared for than people in those other countries? Well, unfortunately, the answer is not at all. Each little dot represents one of the OECD countries. This represents life expectancy from 72 to 84, which is a pretty good measure of how good the health care system is, if it is making you live longer.

This represents the cost per person of health care. As you can see, virtually everybody is grouped kind of around in here, with reasonably good life expectancy between 78 and 82. Japan has actually driven it up to 83. It is roughly \$2,000 to \$4,000 per individual.

Everybody—I can almost cover them all with my hand. This is the United States of America, below all of them in life expectancy, above all of them in cost. So let's not pretend there is not a lot of room for progress.

The worst part is that this is the rate of growth of our U.S. health care system. Look at this: 1960—I will astound the pages who are listening by telling them that I was alive in 1960; I was 5 years old then—\$27.4 billion. Now it is \$2.7 trillion. We spend 100 times as much on health care now as we did when I was 5 years old. We blew through the halfway point probably back in around 1990. We have doubled since then to \$2.7 trillion.

This is what is happening to our national health care costs. This is our national health care cost curve. If you think that with this kind of a rocketing cost structure, we are going to be able to solve this problem by cutting Medicare, that is not going to work. Trying to solve that kind of a cost-increase problem by cutting Medicare benefits is a losing game. It will cut Medicare away to nothing.

We have to address the conditions that caused this increase. We have to address the discrepancy between us and other nations and, indeed, as the Senator from Connecticut who is presiding well knows, the discrepancy between different States. His brother is one of the great experts on the discrepancy that allows Medicare to pay 2½ times more per patient in Miami than it does for a patient in Minneapolis, when the patient in Minneapolis is getting as good or better care.

We have to be able to get those discrepancies out of the system. When we do, when we do it that way, the savings will fall to Medicare and Medicaid. Indeed, 40 percent of those savings will go

into the Federal Government, Medicare, Medicaid, VA, TRICARE, employee benefits. It will also help Blue Cross, Kaiser, and United. It will help all the private companies that pay for private insurance. It will help individuals who have to pay for that skyrocketing cost now because we run a system that is 50 percent more inefficient than the least efficient industrialized country with which we compete.

So this is a big deal. It is not just me saying so; some very credible folks agree. President Obama's Council of Economic Advisers says that you can save annually out of our health care system \$700 billion. The National Institute of Medicine says it is \$750 billion a year. The New England Health Care Institute estimated that it was \$850 billion. And a well-regarded group that studies health care called the Lewin Group, together with George Bush's Treasury Secretary Paul O'Neill, has estimated that it is \$1 trillion a year in savings to be had. So this would look a lot better if instead of \$2.7 trillion you were spending only \$1.7 trillion. And those are the kinds of savings that are conceivable, are possible. We really have to focus on that.

The Commonwealth Fund recently released a report that outlines a variety of policies that would accelerate health care delivery system reform and slow health care spending by \$2 trillion from 2014 to 2023. Those are the policy ideas we should be considering because those ideas go to the real heart of the cost problem. Going after Medicare benefits rather than going directly after the underlying health care cost problem reflects a misdiagnosis of the problem. When you have a misdiagnosis of the problem, you get the cure wrong.

Senator HATCH was very thoughtful, and he offered some specific proposals. I think the proposals to combine deductibles for Parts A and B and the limitation on first-dollar coverage of Medigap plans could well fit into a good health care compromise. I suggest we should also include letting Medicare use its substantial market power to negotiate drug prices just as the VA now does. It is hard to imagine that our deficit problem could be as dire as Senator HATCH has described and at the same time less important than providing this notorious Federal handout to immensely profitable pharmaceutical companies.

Finally, let me say that Senator HATCH indicated he thought the revenue discussion was now done. I would respectfully disagree. The revenue discussion is not done. To date, through the Budget Control Act and through other measures enacted in the last Congress, we have cut the deficit by \$2.4 trillion. In rough numbers, we have achieved \$1.7 trillion of that through spending cuts and then the related interest savings. In contrast, we have

only cut the deficit by \$700 billion through new revenues, by restoring Clinton-era tax rates for the top 1 percent of income earners. That is what we have done so far.

I think it is probably safe to say the tax rate discussion is probably done, but we have not even begun to discuss tax loopholes. Why should millionaires get more tax benefits against their charitable contributions than middle-class families do? Why should a billionaire who builds a wing on a museum and puts his name on it get more tax bang for his charitable buck than the middle-class family who gives to their local church? Is protecting that benefit for high-end charitable donors more important than addressing our deficit?

How about tax subsidies to the most profitable companies in the world, the Big Oil behemoths? The American taxpayers have to provide money to big and often foreign oil companies. Is keeping Big Oil lobbyists happy with subsidies from the American people more important than addressing our deficit?

Should companies and wealthy individuals be allowed to hide their money from the tax man in offshore accounts, while working families pay their taxes fair and square? Is protecting that tax gimmick more important than addressing the deficit?

How about that carried interest trick that allows hedge fund billionaires to treat their income as low-tax capital gains while their chauffeurs, gardeners, maids, and executive assistants pay regular income taxes? Is it more important to keep that sweet deal running than it is to fix the deficit?

Our friends on the other side cannot have it both ways. They cannot say that the deficit is so desperately important that we have to cut Medicare, cut food stamps, cut off scientific research, cut the FBI and the national parks and Big Bird, for Lord's sake—that is how important the deficit is—and then say that the deficit is not such a big deal after all, that it is less important than tax breaks for offshore corporations, special deals for the pharmaceutical industry, favors for high-income Americans that regular families do not get, and subsidies to Big Oil.

It cannot be both things at once. Frankly, even without the deficit, many of those tax deals are the things we should get rid of just on the merits, just because they are sleazy and unfair and the product of Washington insider dealing. We should be rid of them. They cannot be more important to keep than addressing the deficit.

So while there are surely still ways to trim the deficit by improving inefficient programs and cutting wasteful spending, let's not say tax revenue is done before we have even gotten into the rich trove of tax deals and gimmicks that we give away every year through the Tax Code.

In 2012, corporations benefited from an estimated \$127 billion in loopholes and special provisions. In addition, the individual income tax code permitted over \$1 trillion in deductions, exclusions, and credits last year—\$1 trillion in 1 year. Many of those only benefit the wealthiest taxpayers. Overall, there are hundreds of billions of dollars a year in tax expenditures that we can use to address the deficit.

My last point on revenues is this: As our friend Kent Conrad, the former chairman of the Budget Committee, used to point out, every time in recent history that we have had a balanced budget, we balanced it with revenues and spending around 20 percent of gross domestic product. Our revenues are now at about 16 percent of gross domestic product. If we balanced our budget at that level, at 16 percent of gross domestic product, it would be the lowest level of Federal spending since 1951, when half of the Federal budget still went to the Department of Defense and half of American seniors still lived in poverty.

They say the Republican Party wants to go backward, but do they really want to go back to that? That would change our country dramatically and for the worse at a time when, even with Federal student aid, the cost of college remains unaffordable for too many aspiring students, when our energy and technology infrastructure is lagging and our transportation infrastructure is crumbling, and when our international competitors are making greater investments in 21st century innovation than we are.

Saving money by reforming how we deliver health care is not just possible, it is happening around us. A 2008 report from the Dartmouth Atlas Project held up some promising examples, predicting that, using the Mayo Clinic as a benchmark, the Nation could reduce health care spending by as much as 30 percent for acute and chronic illnesses. A benchmark based on Senator HATCH's home State company, Intermountain Healthcare, predicts a reduction of more than 40 percent.

So let's get to work, together in a bipartisan fashion, to give American families the health care system they deserve.

Instead of waste and inefficiency, poor outcomes and missed opportunities, let's have a health care system that is the envy of the world, not an outlier on high costs and low results.

This approach has a triple benefit: It protects seniors and families who rely on Medicare and Medicaid. It improves patient outcomes and makes our experience of the health care system better in terms of results, and it dials back health care spending and helps protect us from that exploding cost.

The alternative, slashing benefits, does nothing to curb the underlying cost problem, and it certainly doesn't

improve care. It only does one thing, harms seniors and degrades the programs they count on.

During a 2011 Senate HELP Committee hearing that I chaired, Greg Poulsen of Utah's Intermountain Healthcare said:

Intermountain and other organizations have shown that improving quality is compatible with lowering costs and, indeed, high-quality care is generally less expensive than substandard care.

Let this be our guiding principle as we work together to ease the burden of excessive health costs on both the Federal balance sheet and on our fellow Americans' pocketbooks.

EXTENSION OF MORNING BUSINESS

Mr. WHITEHOUSE. I ask unanimous consent that the period for morning business be extended until 6:30, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. I yield the floor.

TRIBUTE TO JAIME HERNANDEZ

Mr. REID. Mr. President, I rise to honor a man of great distinction and valor: Maj. Jaime I. Hernandez of the United States Air Force. It is my great honor to acknowledge this American hero on the cusp of his promotion to Lieutenant Colonel.

Jaime is a loving son and a man of perseverance. A loyal Nevadan and American, he hails from Las Vegas. Upon graduating from Bonanza High School in 1994, Jaime entered the Air Force Academy, where he began his noble service to our Nation.

Major Hernandez's promotion to Lieutenant Colonel marks another chapter in his inspiring story. Major Hernandez has risen through the ranks during his time with the Air Force—a testament to his steadfast dedication, unyielding courage, and impressive tactical skill. His career is a decorated one. Major Hernandez has served six combat deployments in support of operations in Afghanistan and Iraq, logging more than 2900 hours in flight, 1300 of which were in combat. His work as Chief of Weapons and Tactics for the 37th Expeditionary Bomb Squadron led to hundreds of successful missions. He has proven himself time and again through his B-1 aircraft expertise.

During one of his six overseas deployments, Major Hernandez earned an Air Medal with 4 Oak Leaf Clusters. While on a mission to safeguard a lost team of Marines in eastern Afghanistan, Jaime and his crew were fired on by a team of insurgents on the ground. In an act of bravery and skill, Jaime and his aerial crew drew fire from the insurgents while the lost Marine ground

team could recover and maneuver around the insurgent squad.

Major Hernandez has demonstrated repeatedly his exceptional skill and courage. He has flown across the desert skies of both Iraq and Afghanistan, to provide support for operations there. Over the course of his career, he has served as a squadron Electronic Warfare Officer, Flight Commander, Instructor and Evaluator Weapon Systems Officer, Wing Weapons Officer, and Instructor at the USAF Weapons School.

Major Hernandez is currently the Deputy Division Chief at Joint Base Langley-Eustis, and is responsible for policies and procedures relating to the Combat Air Forces Information Operations. Among other achievements, he graduated in the top third of his class from Squadron Officer's School and received an Outstanding Flying Award from the U.S. Air Force Weapons School.

I laud Maj. Jaime I. Hernandez's dedication to the United States Air Force and country. His father Phillip Hernandez and their family are happy to celebrate Major Hernandez's upcoming promotion on February 1, 2013, to Lieutenant Colonel.

TRIBUTE TO ROBERT MITCHELL

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to a dear friend of mine and a distinguished citizen of the Commonwealth of Kentucky, Mr. Robert Mitchell. Mr. Mitchell—better known across Kentucky's Fifth Congressional District as Bob—recently received the William Hacker, M.D. 2013 Leader of the Year Award from Kentucky's Leadership Tri-County. This organization, which represents Laurel, Knox, and Whitley counties, recognized Bob for his decades of service to the Bluegrass State.

From 1986 until his retirement last year, Bob served as Congressman HAL ROGERS's district administrator for the Fifth District. In that job, he was HAL's eyes and ears throughout southern and eastern Kentucky. He oversaw three field offices, provided constituent services, and was HAL's liaison to State and local government. It is thanks to him that many people in Kentucky now enjoy the benefits of a multitude of infrastructure, economic development, and tourism projects.

Bob has also served as HAL's top political adviser and campaign manager, and was his field representative from 1981 to 1986. He has served on the executive committee of the Republican Party of Kentucky, been a delegate to Republican National Conventions, and was twice elected magistrate in Knox County.

Bob's father, the late Murrell Mitchell, also served as a magistrate of Knox County and was a member of the Knox County School Board. It was he who in-

spired Bob to seek fulfillment in public service. A graduate of Lynn Camp High School in Corbin, KY, Bob first served his country in the uniform of the U.S. Army. He was in the Army's military police and served in Vietnam.

Bob has been employed in the private sector, too: He has worked for L&N Railroad, United Parcel Service, and as the owner and operator of a grocery store. He has been a member of the Corbin Rotary Club and the Lynn Camp Optimist Club. And the Mountain Laurel Boy Scouts of America District honored him with its first-ever Daniel Boone Visionary Award.

Bob enjoys politics, obviously, as well as fishing and following college sports. He is an avid fan of Keeneland Race Course and has owned racehorses. But I believe what he is most looking forward to is spending more time with his family and spoiling his grandkids. Bob and his wife, Nancy, have two daughters: Stephanie Alsip lives in Louisville with her husband Rick and their two sons, Trenton and Ethan. Jennifer Mitchell lives in Corbin with her two daughters, Tori Beth and Taelor Jade.

Mr. President, I ask my colleagues in the U.S. Senate to join me in saluting Mr. Robert Mitchell for over three decades of service to the people of my State. He is admired and respected across the Commonwealth as an ambassador, not just for Congressman ROGERS, but for everything we're proud of in southern and eastern Kentucky. I wish Bob well in his retirement, and I rest assured he will find success in whatever endeavors lie ahead.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 177. A bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 entirely.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-217. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to transnational criminal organizations that was declared in Executive Order 13581 of July 24, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-218. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Libya that was originally declared in Executive Order 13566 of February 25, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-219. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Alternatives to the Use of Credit Ratings" (RIN3133-AD86) received in the Office of the President of the Senate on January 28, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-220. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Definition of Troubled Condition" (RIN3133-AD97) received in the Office of the President of the Senate on January 28, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-221. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Prompt Corrective Action, Requirements for Insurance, and Promulgation of NCUA Rules and Regulations" (RIN3133-AE07) received in the Office of the President of the Senate on January 28, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-222. A communication from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Electronic Fund Transfers (Regulation E) Temporary Delay of Effective Date" ((RIN3170-AA33) (Docket No. CFPB-2012-0050)) received in the Office of the President of the Senate on January 29, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-223. A communication from the Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; 2013 Commercial and Recreational Quotas for Red Snapper" (RIN0648-XC388) received in the Office of the President of the Senate on January 24, 2013; to the Committee on Commerce, Science, and Transportation.

EC-224. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Roseau River, Minnesota Flood Damage Reduction Project; to the Committee on Environment and Public Works.

EC-225. A communication from the Director of Congressional Affairs, Office of New Reactors, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Assessing the Radiological Consequences of Accidental Releases of Radioactive Materials from Liquid Waste Tanks in Ground and Surface Waters for Combined License Applications" (DC/COL-ISG-014) received in the Office of the President of the Senate on January 28, 2013; to the Committee on Environment and Public Works.

EC-226. A communication from the Director of Congressional Affairs, Office of New Reactors, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Assessing the Radiological Consequences of Accidental Releases of Radioactive Materials from Liquid Waste Tanks for Combined License Applications" (DC/COL-ISG-013) received in the Office of the President of the Senate on January 28, 2013; to the Committee on Environment and Public Works.

EC-227. A communication from the Director of the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, Department of Labor, trans-

mitting, pursuant to law, the report of a rule entitled "Pattern of Violations" (RIN1219-AB73) received in the Office of the President of the Senate on January 28, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-228. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Current Good Manufacturing Practice Requirements for Combination Products" (Docket No. FDA-2009-N-0435) received in the Office of the President of the Senate on January 28, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-229. A communication from the Program Manager, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Self-Contained Breathing Apparatus Remaining Service-Life Indicator Performance Requirements" (RIN0920-AA38) received in the Office of the President of the Senate on January 24, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-230. A communication from the Program Manager, Office for Civil Rights, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Modifications to the HIPAA Privacy, Security, Enforcement, and Breach Notification Rules Under the Health Information Technology for Economic and Clinical Health Act and the Genetic Information Nondiscrimination Act; Other Modifications to the HIPAA Rules; Final Rule" (RIN0945-AA03) received in the Office of the President of the Senate on January 28, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-231. A communication from the Program Manager, Office for Civil Rights, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Modifications to the HIPAA Privacy, Security, Enforcement, and Breach Notification Rules Under the Health Information Technology for Economic and Clinical Health Act and the Genetic Information Nondiscrimination Act; Other Modifications to the HIPAA Rules" (RIN0945-AA03) received in the Office of the President of the Senate on January 28, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-232. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Unallowability of Costs Associated with Foreign Contractor Excise Tax" (RIN9000-AM13) received in the Office of the President of the Senate on January 29, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-233. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Prohibition on Contracting with Inverted Domestic Corporations" (RIN9000-AM22) received in the Office of the President of the Senate on January 29, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-234. A communication from the Senior Procurement Executive/Deputy Chief Acquisition

Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Free Trade Agreement—Colombia" (RIN9000-AM24) received in the Office of the President of the Senate on January 29, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-235. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Extension of Sunset Date For Protests of Task and Delivery Orders" (RIN9000-AM26) received in the Office of the President of the Senate on January 29, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-236. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-65; Introduction" (FAC 2005-65) received in the Office of the President of the Senate on January 29, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-237. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-65; Small Entity Compliance Guide" (FAC 2005-65) received in the Office of the President of the Senate on January 29, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-238. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Technical Amendments" (FAC 2005-65) received in the Office of the President of the Senate on January 29, 2013; to the Committee on Homeland Security and Governmental Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CORNYN:

S. 178. A bill to provide for alternative financing arrangements for the provision of certain services and the construction and maintenance of infrastructure at land border ports of entry, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. GILLIBRAND (for herself and Mr. KIRK):

S. 179. A bill to prevent gun trafficking; to the Committee on the Judiciary.

By Mr. BARRASSO:

S. 180. A bill to delay the enforcement of any rulings of the National Labor Relations Board until there is a final resolution in pending lawsuits; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 181. A bill to authorize the establishment of the Niblack and Bokan Mountain mining area road corridors in the State of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 182. A bill to provide for the unencumbering of title to non-Federal land owned by the city of Anchorage, Alaska, for purposes of economic development by conveyance of the Federal reversion interest to the City; to the Committee on Energy and Natural Resources.

By Mrs. MCCASKILL (for herself and Mr. COBURN):

S. 183. A bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program; to the Committee on Finance.

By Ms. AYOTTE (for herself, Mr. JOHNSON of Wisconsin, and Mr. RUBIO):

S. 184. A bill to amend the Congressional Budget Act of 1974 to provide for macroeconomic analysis of the impact of legislation; to the Committee on the Budget.

By Ms. AYOTTE (for herself, Mr. JOHNSON of Wisconsin, Mr. LEE, and Mr. PORTMAN):

S. 185. A bill to eliminate the automatic inflation increases for discretionary programs built into the baseline projections and require budget estimates to be compared with the prior year's level; to the Committee on the Budget.

By Mr. SHELBY (for himself and Mr. SESSIONS):

S. 186. A bill to award posthumously a Congressional Gold Medal to Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley, in recognition of the 50th anniversary of the bombing of the Sixteenth Street Baptist Church, where the 4 little Black girls lost their lives, which served as a catalyst for the Civil Rights Movement; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MERKLEY (for himself, Mr. BROWN, and Mr. WHITEHOUSE):

S. 187. A bill to amend the Truth in Lending Act to prohibit the distribution of any check or other negotiable instrument as part of a solicitation by a creditor for an extension of credit, to limit the liability of consumers in conjunction with such solicitations, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUNT (for himself, Mr. CRUZ, Mr. LEE, Mr. SCOTT, Mr. INHOFE, Mr. ROBERTS, and Mr. CORNYN):

S. 188. A bill to prevent certain individuals purportedly appointed to the National Labor Relations Board from receiving salaries, and to prevent an unconstitutional quorum of the Board from taking agency actions, until there is a final decision in pending lawsuits regarding the constitutionality of certain alleged recess appointments; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of Colorado (for himself, Mr. FLAKE, Mrs. GILLIBRAND, and Mr. WARNER):

S. 189. A bill to establish an employment-based immigrant visa for alien entrepreneurs who have received significant capital from investors to establish a business in the United States; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LAUTENBERG:

S. Res. 21. A resolution designating February 14, 2013, as "National Solidarity Day for Compassionate Patient Care"; to the Committee on the Judiciary.

By Mr. VITTER (for himself, Ms. LANDRIEU, and Mr. JOHANNES):

S. Res. 22. A resolution recognizing the goals of Catholic Schools Week and honoring the valuable contributions of Catholic schools in the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 29

At the request of Mr. PORTMAN, the names of the Senator from Indiana (Mr. COATS), the Senator from Oklahoma (Mr. COBURN), the Senator from Mississippi (Mr. COCHRAN), the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 29, a bill to amend title 31, United States Code, to provide for automatic continuing resolutions.

S. 32

At the request of Mr. PORTMAN, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 32, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 43

At the request of Mr. PORTMAN, the names of the Senator from Idaho (Mr. RISCH), the Senator from Wyoming (Mr. BARRASSO), the Senator from Alabama (Mr. SESSIONS), the Senator from Florida (Mr. RUBIO), the Senator from Idaho (Mr. CRAPO), the Senator from Illinois (Mr. KIRK), the Senator from South Carolina (Mr. GRAHAM), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kansas (Mr. ROBERTS), the Senator from Kentucky (Mr. McCONNELL), the Senator from Arizona (Mr. McCAIN) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 43, a bill to require that any debt limit increase be balanced by equal spending cuts of the next decade.

S. 46

At the request of Mr. TOOMEY, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 46, a bill to protect Social Security benefits and military pay and require that the United States Government prioritize all obligations on the debt held by the public in the event that the debt limit is reached.

S. 47

At the request of Mr. LEAHY, the name of the Senator from South Da-

kota (Mr. JOHNSON) was added as a cosponsor of S. 47, a bill to reauthorize the Violence Against Women Act of 1994.

S. 51

At the request of Mrs. BOXER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 51, a bill to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act.

S. 63

At the request of Mrs. GILLIBRAND, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 63, a bill to require the Secretary of Commerce and the Secretary of Labor to establish the Made In America Incentive Grant Program, and for other purposes.

S. 84

At the request of Ms. MIKULSKI, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 84, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 123

At the request of Mrs. GILLIBRAND, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 123, a bill to modernize voter registration, promote access to voting for individuals with disabilities, protect the ability of individuals to exercise the right to vote in elections for Federal office, and for other purposes.

S. 124

At the request of Mr. HELLER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 124, a bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

S. 125

At the request of Mr. BROWN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 125, a bill to direct the United States Fish and Wildlife Service, in coordination with the Army Corps of Engineers, the National Park Service, and the United States Geological Survey, to lead a multiagency effort to slow the spread of Asian carp in the Upper Mississippi and Ohio River basins and tributaries, and for other purposes.

S. 137

At the request of Mr. VITTER, the name of the Senator from Kansas (Mr. ROBERTS) was withdrawn as a cosponsor of S. 137, a bill to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities.

At the request of Mr. VITTER, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 137, *supra*.

S. 138

At the request of Mr. VITTER, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 138, a bill to prohibit discrimination against the unborn on the basis of sex or gender, and for other purposes.

S. 141

At the request of Mr. BAUCUS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 141, a bill to make supplemental agricultural disaster assistance available for fiscal years 2012 and 2013, and for other purposes.

S. 154

At the request of Mr. COBURN, the names of the Senator from North Carolina (Mr. BURR), the Senator from Indiana (Mr. COATS) and the Senator from Utah (Mr. LEE) were added as cosponsors of S. 154, a bill to amend title I of the Patient Protection and Affordable Care Act to ensure that the coverage offered under multi-State qualified health plans offered in Exchanges is consistent with the Federal abortion funding ban.

S. 156

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 156, a bill to allow for the harvest of gull eggs by the Huna Tlingit people within Glacier Bay National Park in the State of Alaska.

S. 162

At the request of Mr. FRANKEN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 162, a bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004.

S. 169

At the request of Mr. HATCH, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 169, a bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes.

S. 170

At the request of Ms. MURKOWSKI, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 170, a bill to recognize the heritage of recreational fishing, hunting, and recreational shooting on Federal public land and ensure continued opportunities for those activities.

S. 174

At the request of Mr. BLUMENTHAL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 174, a bill to appropriately restrict sales of ammunition.

S. 175

At the request of Mr. ROBERTS, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 175, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve the use of certain registered pesticides.

S. 177

At the request of Mr. CRUZ, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 177, a bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 entirely.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN:

S. 178. A bill to provide for alternative financing arrangements for the provision of certain services and the construction and maintenance of infrastructure at land border ports of entry, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 178

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Cross-Border Trade Enhancement Act of 2013".

SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR; ADMINISTRATION.—The terms "Administrator" and "Administration" mean the Administrator of General Services and the General Services Administration, respectively.

(2) PERSON.—The term "person" means—

(A) an individual; or

(B) a corporation, partnership, trust, association, or any other public or private entity, including a State or local government.

(3) SECRETARY.—The term "Secretary" means the Secretary of Homeland Security.

SEC. 3. AUTHORITY TO ENTER INTO AGREEMENTS FOR THE PROVISION OF CERTAIN SERVICES AT LAND BORDER PORTS OF ENTRY.

(a) AUTHORITY TO ENTER INTO AGREEMENTS.—

(1) IN GENERAL.—Notwithstanding section 451 of the Tariff Act of 1930 (19 U.S.C. 1451), the Secretary may, during the 10-year period beginning on the date of the enactment of this Act and upon the request of any person, enter into an agreement with that person under which—

(A) U.S. Customs and Border Protection will provide services described in paragraph (2) at a land border port of entry; and

(B) that person will pay a fee imposed under subsection (b) to reimburse U.S. Customs and Border Protection for the costs incurred in providing such services.

(2) SERVICES DESCRIBED.—Services described in this paragraph are any services related to customs and immigration matters

provided by an employee or contractor of U.S. Customs and Border Protection at land border ports of entry.

(3) LIMITATION.—Nothing in this paragraph may be construed to reduce the responsibilities or duties of U.S. Customs and Border Protection to provide services at land border ports of entry that have been authorized or mandated by law and are funded in any appropriation Act or from any accounts in the Treasury of the United States derived by the collection of fees.

(b) FEE.—

(1) IN GENERAL.—The Secretary shall impose a fee on a person requesting the provision of services by U.S. Customs and Border Protection pursuant to an agreement entered into under subsection (a) to reimburse U.S. Customs and Border Protection for the costs of providing such services, including—

(A) the salaries and expenses of the employees or contractors of U.S. Customs and Border Protection that provide such services and temporary placement or relocation costs for those employees or contractors; and

(B) any other costs incurred by U.S. Customs and Border Protection in providing services pursuant to agreements entered into under subsection (a).

(2) FAILURE TO PAY FEE.—U.S. Customs and Border Protection shall terminate the provision of services pursuant to an agreement entered into under subsection (a) with a person that, after receiving notice from the Secretary that a fee imposed under paragraph (1) is due, fails to pay the fee in a timely manner.

(3) RECEIPTS CREDITED AS OFFSETTING COLLECTIONS.—Notwithstanding section 3302 of title 31, United States Code, a fee collected under paragraph (1) pursuant to an agreement entered into under subsection (a) shall—

(A) be credited as an offsetting collection to the account that finances the salaries and expenses of U.S. Customs and Border Protection;

(B) be available for expenditure only to pay the costs of providing services pursuant to that agreement; and

(C) remain available until expended without fiscal year limitation.

SEC. 4. EVALUATION OF ALTERNATIVE FINANCING ARRANGEMENTS FOR CONSTRUCTION AND MAINTENANCE OF INFRASTRUCTURE AT LAND BORDER PORTS OF ENTRY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall establish procedures for evaluating a proposal submitted by any person to—

(1) enter into a cost-sharing or reimbursement agreement with the Administration to facilitate the construction or maintenance of a facility or other infrastructure at a land border port of entry; or

(2) provide to the Administration an unconditional gift of property pursuant to section 3175 of title 40, United States Code, to be used in the construction or maintenance of a facility or other infrastructure at a land border port of entry.

(b) REQUIREMENTS.—The procedures established under subsection (a) shall provide, at a minimum, for the following:

(1) Not later than 90 days after receiving a proposal pursuant to subsection (a) with respect to the construction or maintenance of a facility or other infrastructure at a land border port of entry, the Administrator shall—

(A) make a determination with respect to whether or not to approve the proposal; and

(B) notify the person that submitted the proposal of—

(i) the determination; and
(ii) if the Administrator did not approve the proposal, the reasons for the determination.

(2) In determining whether or not to approve such a proposal, the Administrator shall consider—

(A) the impact of the proposal on reducing wait times at that port of entry and other ports of entry on the same border;

(B) the potential of the proposal to increase trade and travel efficiency through added capacity; and

(C) the potential of the proposal to enhance the security of the port of entry.

By Mrs. GILLIBRAND (for herself and Mr. KIRK):

S. 179. A bill to prevent gun trafficking; to the Committee on the Judiciary.

Mrs. GILLIBRAND. Mr. President, I rise today on behalf of the millions of Americans who are saying: Enough is enough. They have seen too much senseless deadly gun violence and are demanding commonsense solutions out of Congress.

One solution I have been focused on for a long time is ending gun trafficking. This is a critically important public safety issue where I believe Members of both sides of the aisle can come together and agree. We can and should agree that it is time to crack down on the black market of illegal guns that criminals rely upon to obtain weapons that are later used in violent crimes.

Almost 1 month ago, the NYPD suffered one of its bloodiest nights in history when three officers suffered gunshot wounds in two separate crimes an hour apart. According to news reports, one of the handguns recovered from the scene was imported by traffickers from Philadelphia, and one came from North Carolina. Thankfully, these heroes are on their way toward recovery.

Just 1 year ago, New York police officer Peter Figoski, the father of four beautiful girls, was tragically killed on the beat with an illegal weapon purchased on the black market in Virginia.

I will never forget the faces of slain 17-year-old honor student Nyasia Pryear-Yard's parents whom I met just weeks after being sworn into the Senate. Nyasia was also killed by an illegal gun one terrible night when she was doing nothing more than enjoying an evening with friends.

According to the New York City's mayor's office, 85 percent of the guns used in crimes in New York City come from out of State, and 90 percent of those guns are bought through the illegal black market run by traffickers. The sad fact is more than 30 people die every single day due to gun violence. These senseless killings must stop.

We have an obligation to act and prevent tomorrow's senseless deaths by ensuring that guns stay out of the

hands of criminals, and the dangerously mentally ill, and to strengthen our laws so that law enforcement has the ability to go after the gun-runners and take down these illegal markets.

The truth is that supporting the second amendment and reducing gun violence are compatible and consistent. Responsible gun owners vehemently oppose the kind of gun violence that struck Newtown, Aurora, Oak Creek, and to thousands of families across America every single year who suffer. We should be able to find reasonable and commonsense reforms that can preserve our rights but also protect our families.

Keeping our children safe from the scourge of gun violence is not a Democratic or Republican principle, it is not pro-gun or anti-gun. This is an issue that all Americans can support. There is no political ideology that finds this cruel loss of life acceptable. I was incredibly pleased to see President Obama include as part of his comprehensive plan to prevent gun violence a bill that I first introduced in 2009 with Mayor Bloomberg and Commissioner Kelly, called the Gun Trafficking Prevention Act, which would be the first Federal law to define gun trafficking as a Federal crime and prevent scores of illegal guns from being moved into the hands of criminals.

We have thousands of laws, but effectively none of them are directly focused on preventing someone from driving from one State to another State with a load of guns in the back of a truck that they can sell directly to criminals.

It is shocking to me as a mother. It is shocking to me as a lawmaker. But this is something that we can actually fix.

Over the past 3 fiscal years, more than 33,000 guns used in violent crimes showed telltale signs of black market trafficking, 420,000 firearms were stolen, and thousands of guns with obliterated serial numbers were recovered by law enforcement. While law enforcement is working overtime to track down illegal guns and apprehend those who traffic these weapons, current law restricts their ability to investigate and prosecute these crimes. We may all agree this simply makes no sense and leaves all our communities vulnerable.

I am very proud to have worked with my colleague and friend Senator MARK KIRK to introduce a bipartisan bill today, S. 179. This bill takes the problem of gun trafficking head on. Our bipartisan bill would empower local, State, and Federal law enforcement to investigate and prosecute gun traffickers, straw purchasers, and their entire criminal networks. Our bill does nothing to affect the constitutionally protected rights of responsible, law-abiding gun owners.

By cracking down on illegal trafficking and their vast criminal net-

works, we can stop the flow of these illegal guns that are coming into our city neighborhoods and reduce gun violence. Law enforcement officials across the country have said they need this legislation to be able to fight crime.

I urge my colleagues to support this bill, and I urge passage of this commonsense, nonpartisan, bipartisan piece of legislation.

● Mr. KIRK. Mr. President, I rise in support of the Gun Trafficking Prevention Act of 2013, which I am proud to have introduced with Senator GILLIBRAND (D-NY) this morning. There are an estimated 33,000 gangs with 1.4 million active members who live in our neighborhoods, towns and cities across the United States. With more than 100,000 gang members, the city of Chicago has more gang members who terrorize its residents than any other city in the United States. The Chicago Crime Commission also reported the existence of an additional 15,000 gang members operating in our suburbs.

Gangs like the Vice Lords, Gangster Disciples and the Latin Kings are responsible for nearly 80 percent of the city's homicides, which just last summer amounted to 500 deaths in Chicago. These homicides are most often perpetrated with illegal weapons. Law enforcement officers in Chicago confiscate an average of 13,000 illegal weapons each year. It must end.

That is why I have joined with Senator GILLIBRAND of New York to take serious action to prevent weapons trafficking and straw purchasing, where a third-party member legally purchases a firearm, then sells or trades it to a criminal who is legally barred from purchasing such a weapon. Our bill would be the first Federal law to criminalize the trafficking of illegal guns. This legislation also calls upon the sentencing commission to substantially increase the penalties for trafficking when committed by or in concert with gang members.

The Gun Trafficking Prevention Act keeps Americans safe by giving law enforcement the tools it needs to crack down on straw purchases, organizers of trafficking rings, and those involved in the conspiracy of trafficking while protecting the constitutional rights of responsible, law-abiding gun owners. I hope my colleagues will join me in supporting and quickly passing this critical legislation.●

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 181. A bill to authorize the establishment of the Niblack and Bokan Mountain mining area road corridors in the State of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to introduce legislation that would potentially help in solving a significant unemployment problem in my

home state of Alaska. Today, joined by my colleague, Senator MARK BEGICH, I reintroduce the Niblack-Bokan Mountain Mining Area Road Authorization Act to permit road access to two proposed multi-mineral mines on southeast Prince of Wales Island in Southeast Alaska.

Prince of Wales Island, formerly the main area for timber activity in Southeast Alaska, has fallen on hard times during the past decade. In 1990, when Alaska's timber industry in total harvested more than 1.1 billion board feet of timber, Prince of Wales was the center of activity. In 1994, for example, timber jobs accounted for 32.8 percent of all wages on the island. Six years later, with total regional harvests having fallen to about 350 million board feet, timber accounted for less than 19.8 percent of wages on the island, according to the Alaska Department of Labor and Workforce Development. Today, with total harvests of timber being just above 100 million board feet a year in the region, just 35 million board feet being harvested from federal lands in 2011 and just about 50 mmbf sold in 2012, and timber jobs statewide having fallen from about 4,000 to just over 400, Prince of Wales has been particularly hard hit. According to the State, timber jobs have fallen by more than 1,700 positions on the island.

As of November of last year, the unemployment rate on the island was "down" to 12.1 percent, compared to 13.8 percent in November 2011, partly because of the outmigration of some of the unemployed. Those rates are nearly 5 percent higher than the national average.

While the Viking Lumber Co. of Klawock remains the largest private-sector timber employer on the island, the island, the third largest in the United States, is badly in need of new employment opportunities. Fortunately today's high metal prices are encouraging a resurgence of mineral development on the 2,231 square-mile island.

Currently, Heatherdale Minerals of Canada is considering reopening the Niblack Mine, a gold, copper, zinc and silver deposit. The company is in advanced exploration and development study of the estimated 9 million-ton mine, forecast to cost \$150 million to \$200 million to reopen. The mine, likely to last at least 12 years, is forecast to produce 1,500 tons of ore per day and require 130 workers at the mine site, and another 60 to 70 at a processing mill, which could be located near the site, or perhaps in Ketchikan, AK, 40 vessel miles away.

The Niblack property is also close to another mineral deposit that is in the advanced stages of economic feasibility review, the Bokan Mountain Rare Earth Elements, REE, mine. Bokan Mountain, being considered for opening by Ucore Inc. of Canada, likely will

employ 170 workers. It, too, will involve an investment of \$221 million for the mine and processing plant to process the heavy rare earths, REEs, that the site contains. Both mines currently estimate they could be open within three to four years, depending on final economic reviews and current permit approval timeframes. Bokan Mountain is located about 28 air miles south of Niblack and can be accessed by boat by traveling down the relatively protected Moira Sound to the end of South Arm, or by an about 50-mile road that would branch off of a road to the Niblack mine.

The two mines could produce substantial numbers of high-paying jobs for the residents of southern Southeast Alaska. Niblack, for example, predicts the average salary for mine workers at its facility will be \$80,000 a year, compared to the current median income in Craig of \$48,594 a year, according to the U.S. Census Bureau. The problem of getting those jobs to people who need them is one of logistics.

There currently is no road access to reach either mine site, both likely to be supplied by boat from Ketchikan, AK. That means that potential workers on Prince of Wales Island will need to travel by boat or more likely by airplane to Ketchikan, in order to turn around and take a mine boat back to the island to report for work, a costly, time-consuming, often unpleasant and sometimes dangerous process given sea conditions in Southeast Alaska. Or they will need to pilot their own small boats to the mine site, a hazardous process given that reaching Niblack from the community of Thorne Bay to the north, a site that is located on the island's road system, will require a daily 60-mile one-way boat trip down perilous Clarence Strait, a difficult water body during fall, winter and spring storms, when seas can easily top 17 feet waves.

But the problem could be solved, if a road could be extended the roughly 29 miles to connect the Niblack mine, by means of existing logging roads, to the state highway system on the island. Such a road will involve at least 2.5 miles of logging road reconstruction and the construction of 26.3 miles of new road. Those roads, if built to existing logging road standards, are estimated to cost \$7.075 million, the cost certainly rising if the roads are built to Federal Aid Urban Highway standards. The issue is that 18.3 miles of that new construction is across federal lands in the Tongass National Forest and, more importantly, across areas classified as inventoried roadless under the 2001 U.S. Forest Service roadless rule, as it was reimposed on the Tongass in 2009.

Looking at the topography of the area, located inside the Eudora inventoried roadless area, the road would begin at the Haida, Hydaburg, Native village corporation's West,

Cholmondeley, Arm sort yard and head Southeast through the Big Creek Valley and climb to a mountain pass at the roughly 1,400-foot elevation. From there it will drop onto land owned by the Kootznoowoo Native village corporation of Angoon and follow existing logging roads that lie on the western side of the South Arm. The route then runs south and parallels South Arm on the west side until the southern end of the bay is reached. Then the route follows the shoreline of the south end of the South Arm until the far southeast corner of the bay is reached, the location of existing cabins and a State of Alaska Department of Fish and Game fish weir. From this point, there are two potential route alternatives: the 1A route continues to run in a southerly direction through a mountain pass of slightly more than 500-foot elevation passing two unnamed lakes. Once it reaches the shoreline of Dickman Bay, the road turns in a more easterly direction and runs across the south end of Kugel Lake and Luelia Lake, and the north end of Kegan Lake. From the 900-foot elevation pass on the west side of Luelia Lake, the route continues to run in an easterly fashion and must cross 1,200- and 1,400-foot passes before the route turns north to reach the Niblack mine at tidewater. That total route is 26.3 miles of new construction and a total distance of 28.8 miles. There is an alternative, Route 1B, early in the route corridor to reduce the elevation and add switchbacks required to reach the first pass, an alternative that would add 1.9 miles to the road.

There is another alternative route, Route 2A, that leaves from the same location and runs on the same route until the south end of South Arm. The second route then turns in a northerly direction and continues to follow the eastern shoreline of South Arm, Cholmondeley, for roughly 1.5 miles. The route then turns in an eastern direction and climbs through a mountain pass of about 900-foot elevation. From this pass, the route descends into the existing road system on Kootznoowoo lands near the south shores of Miller Lake. At the eastern terminus of these existing roads, the new route picks up again and continues in a southeast direction along the south end of Clarno Cove and Cannery Cove until Cannery Point is reached. From there the route turns into a southerly direction and climbs to another mountain pass of roughly 1,000-foot elevation. The route then follows the hillside to the west of Niblack Lake and meets another mountain pass of the same elevation and then descends in a southerly direction along the west side of Myrtle Lake to reach the Niblack Mine and tidewater. That route involves 24.6 miles of new construction, 6.1 miles of road reconstruction and involves a total length of 30.7 miles, thus costing more. It involves, however, constructing only one

pass higher than 1,200 feet, compared to 3 on the first route, but may have more environmental impacts given its route along Cannery Cove and Niblack Lake.

An additional road, running to the Bokan Mountain mine, would branch from the Niblack road and then run south to the Bokan mine site.

I mention the two detailed routes, and the third branch route, only to indicate that substantial work has been done to select a potential road corridor to the Niblack/Bokan Mountain mines and to make clear that I am not prejudging the route with the fewest environmental impacts. I am leaving that to the Forest Service to decide after an environmental assessment or impact statement is undertaken. The legislation I am introducing simply says that the Forest Service should permit development of a road along one of the two routes and the third branch route, picking the route that both minimizes the costs, while also minimizing the effects on surface resources, prevents unnecessary surface disturbances and that complies with all environmental laws and regulations.

These roads, I need to point out, will not set a precedent in any way weakening the inventoried roadless rule's implementation in Alaska, regardless of how I feel about that rule. Under the original regulations governing roadless areas in Alaska issued by the Clinton administration in January 2001, Section 294.12(b)(7) permits roads to be built across inventoried roadless areas if needed "in conjunction with the continuation, extension or renewal of a mineral lease on lands that are under lease by the Secretary of the Interior. . . . Such road construction or reconstruction must be conducted in a manner that minimizes effects on surface resources, prevents unnecessary or unreasonable surface disturbance, and complies with all applicable lease requirements."

The patents on the Niblack property and on the Bokan Mountain deposit certainly predate the creation of the roadless rule. The mines were discovered in the late 19th and early 20th centuries, according to the U.S. Forest Service. Modest copper production occurred between 1902 and 1908 at Niblack and modern exploration on the 2,000-acre site began in 1974, some 150 patented claims being in place at the mine. Development/production on the uranium/REE deposits at Bokan Mountain began in the 1940s and continued through the 1950s.

The point is that Niblack and Bokan Mountain are certainly real prospects that offer the likelihood of real employment for many who are unemployed on Prince of Wales Island, if they simply can access the sites from their homes in Craig, Klawock, Hydaburg, Thorne Bay, Kasaan, Whale Pass and even Coffman Cove, located on the northeast end of the island. The

need for these jobs has prompted the City Council of Craig to formally request Congress to accelerate the approval of a road corridor to the mines. Such a road could be built by the mines, but more likely funded and built by the Alaska Department of Transportation and Public Facilities at state expense, not federal expense. A road could also allow a power line to be built to either or both mines, allowing non-carbon producing hydropower to power the mines, rather than them relying on expensive diesel generation for energy. That would reduce greenhouse gas production and benefit the environment.

It makes no sense in a state that already contains 58 million acres of formal wilderness, and in the Tongass National Forest contains nearly 6.4 million acres of parks and wilderness areas, to bar construction of a road that does not cross any wilderness areas but could provide a good income to more than half of all of the people, 281 people, unemployed on the island as of November 2012, according to the Alaska Department of Labor and Workforce Development.

I would hope that this Congress would look favorably on allowing these roads to this mining area, so that residents on the island can get the jobs they so desperately need in the years ahead.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 182. A bill to provide for the unencumbering of title to non-Federal land owned by the city of Anchorage, Alaska, for purposes of economic development by conveyance of the Federal reversion interest to the City; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to introduce legislation to clear the title to three small parcels of land owned by the Municipality of Anchorage, AK, my home State, so that the land can be put to more productive uses in the future.

At different times between 1922 and 1991, Anchorage, AK, received a number of parcels of land from the Federal Government, including these three parcels of land, located in downtown Anchorage, comprising 2.65 acres in total. They were conveyed to either the former "City of Anchorage" or more recently the "Municipality of Anchorage." They were transferred by the Federal Government to the local government for a wide variety of specific purposes, but all were transferred for the overarching purpose of helping the then nascent City of Anchorage, which was, and largely still is, surrounded by Federal lands, have sufficient land resources to provide municipal services to the growing community. For reasons that made sense decades ago, all of the deeds for these properties con-

tain reversionary clauses, that should the land not be used for various general "municipal purposes" their ownership would revert to the Federal Government. The problem is that in each case, the tracts are no longer useful for the purposes originally intended, the lands are not needed by the Federal Government, the public purpose for which the reversion clause was put in place has long ago been fulfilled, and in case they were to be returned to the Federal estate, it would cost the Federal Government substantial sums to maintain the properties or prepare them for future sale.

These small tracts are not practical for the Federal Government to repossess for several reasons: the Federal Government is barely able to manage all the land it currently owns in Alaska, including in Anchorage, let alone adding small tracts to burden its responsibility. After more than 50 years since the Statehood Act, and 42 years since the Alaska Native Claims Settlement Act's passage, the State and our Native People still have not received final patent to all their lands. The public purposes for which the Federal reversionary clauses were put in place have been met. These clauses were added to insure that during its earlier, developmental stages, Anchorage would use the Federal land conveyed to it to build the city and the municipal and public infrastructure of the community. After decades of dedicated public use of these properties, the "public purpose" basis for the clauses has been fulfilled. For these properties, my legislation addresses the question of how long is long enough for a reversionary clause to have served its purpose, by recognizing that after decades of living up to its obligations under what are now outdated restrictions from the last century, it is time to let the City move forward with its vision for the new one. The commercial use of the properties will add to the public municipal treasury, and to the Federal treasury, hence continuing the public benefit of the lands, albeit in a different way.

In 1922 the City of Anchorage received a number of properties around Anchorage for municipal/school purposes. One of the properties was the 1.93-acre site in Block 42 downtown that since the early 1980s has been the site of the William A. Egan Convention Center. With the completion in 2010 of the larger Dena'ina Civic and Convention Center, the tract is surplus to municipal needs, and could best be utilized for sale to the private sector that would then be best able to afford the cost of conversion of the property for future use, adding to the Federal income tax base and local property tax base.

The second tract is a lot of .48 acres at Seventh and I Streets downtown, currently being used as a municipal

parking lot. The land, obtained by the city as part of a 1982 land exchange that cleared the site for a major office building across the street, is too small for municipal or Federal office space use, or for park construction, but might be properly sized for a commercial enterprise. It is zoned for business, but cannot be used for business that would contribute to the local property tax base or Federal income tax base, because of the inability of the Municipality to sell the property due to the Federal reversion clause.

The third site at the corner of H Street and Christiansen Drive, .24 acres in size and obtained by the city in 1963, again is too small for municipal or Federal office space, and unneeded for park space, but might be of use for a retail establishment given its location near a municipal parking facility. Likewise, it is zoned for business/commercial, but cannot be used and potentially contribute to the local and Federal tax bases due to the Federal reversion requirement. It currently sits vacant and idle.

In all cases, the best municipal use of the lands would be for sale to provide revenues to the Municipality of Anchorage that could be used for provision of municipal social services. In each case, reversion of the lands to the Federal Government would result in Federal ownership of tracts unneeded for Federal purposes, but lands that would produce greater conveyance and management costs to the Federal treasury than are likely to be recovered through fair market sales.

The Municipality of Anchorage and its Mayor Daniel Sullivan have asked that the reversionary clauses be repealed on the three tracts, the city absorbing all costs connected with surveying, recording and other costs connected with the properties. In these cases, lifting of the reversionary clauses on three of the literally thousands of acres conveyed to Anchorage, partially as a result of the Alaska Statehood Act, makes for good land use, and economic and public policy sense for both the local government and the Federal Government. The Municipality of Anchorage has already established 223 parks containing 82 playgrounds and 250 miles of trails, encompassing 10,946 acres inside its boundaries. There is no shortage of park and open space in the municipality. There is no public policy purpose in the 21st Century not to permit these very limited Federal reversion extinguishments.

Passage of this act would cost the Federal Government nothing, but would aid the citizens of Anchorage by allowing lands to be put on the city's tax rolls. I am introducing this bill now, joined by my Alaska colleague and former Anchorage Mayor MARK BEGICH as cosponsor, to foster action, hopefully, early in this 113th Congress.

By Mr. BLUNT (for himself, Mr. CRUZ, Mr. LEE, Mr. SCOTT, Mr. INHOFE, Mr. ROBERTS, and Mr. CORNYN):

S. 188. A bill to prevent certain individuals purportedly appointed to the National Labor Relations Board from receiving salaries, and to prevent an unconstitutional quorum of the Board from taking agency actions, until there is a final decision in pending lawsuits regarding the constitutionality of certain alleged recess appointments; to the Committee on Health, Education, Labor, and Pensions.

Mr. BLUNT. Mr. President, I rise to talk about a piece of legislation I intend to introduce on behalf of Senator CRUZ and myself, The Advice and Consent Restoration Act, which responds to last week's decision announced on Friday by a three-judge panel on the DC Circuit Court of Appeals, where they unanimously ruled that President Obama violated the Constitution when he made so-called recess appointments to the National Labor Relations Board. They are so-called recess appointments because the Senate was still in session.

The fundamental question is does the President get to decide whether the Senate is in session or does the Senate get to decide whether the Senate is in session. If that question had been debated when the Constitution was being debated, I am sure they would have said: That will never come up; there is no way we are going to develop a system with this separation of powers and the President will decide whether the Senate is in session.

This President did decide that, and the court agreed with the argument that a number of Senators, Senator MCCONNELL and I, along with 40 of our colleagues, filed in an amicus brief that clearly made the point the Senate gets to decide when the Senate is in session. We argued that the Constitution does not empower the President to make this decision. The court agreed with that argument, stating that any other interpretation of the Constitution would give the President free rein to appoint his desired nominees anytime he pleases. In a direct quote, the court said it would give "the President free rein to appoint his desired nominees anytime he pleases, whether that time be a weekend, lunch or even when the Senate is in session and he is merely displeased with its inaction." That is the end of the quote from the three-judge panel's decision.

The right of the Senate to provide advice and consent is an important check on the risk of this type of Presidential overreach and one the Senate should actively exercise. In fact, the Senate actively and consciously made the decision in January to stay in session to do some of the work that needed to be done during the session and, frankly, to be sure that the President couldn't avoid the constitutional requirement of advice and consent.

Allowing the President to determine the Senate's schedule would seriously damage the balance of powers; it would seriously damage the Senate's autonomy. It eliminates an important check on the executive branch.

The court invalidated the one ruling that was being appealed. Of course, the Presiding Officer understands this exactly, that the court case would only have appealed one ruling that impacted one company or one employer, and the court said that ruling can't stand. There are more than 200 other actions this same group, which the court said is not legally functioning, had taken, and all 200 or more of those actions are now in question.

I believe the answer will be clear. Perhaps all those will have to be appealed in some way so that a court can say, No, just as in the first ruling we made, the people who made these decisions were not constitutionally in place; consequently the ruling they made isn't in place. The work of this agency will not pass constitutional muster and, of course, the President needs to now appoint people who would be confirmed by the Senate.

In spite of the three-judge panel's unanimous decision, the National Labor Relations Board recently announced that it intends to ignore the ruling and carry on with business as usual. This is not a very acceptable response. The President first decides he is going to decide whether the Senate is in session. Then the people he appoints in an unconstitutional way decide they are going to ignore the court ruling and continue to do what they have been doing.

The President needs to reappoint, and until the President does reappoint, Congress has a responsibility to block this unconstitutional act by terminating the salaries of those who were illegally appointed and by preventing them from conducting any official business until the Senate acts to approve their appointments.

Senator CRUZ and I urge our colleagues to join us in supporting this effort. The National Labor Relations Board should take down the "open for business" sign they put up on Monday after the court ruling on Friday. Frankly, they need to put up a "help wanted" sign.

The Constitution matters. What the Constitution says matters. The Senate, I hope, will be vigorous in enforcing its constitutional responsibility.

By Mr. UDALL of Colorado (for himself, Mr. FLAKE, Mrs. GILLIBRAND, and Mr. WARNER):

S. 189. A bill to establish an employment-based immigrant visa for alien entrepreneurs who have received significant capital from investors to establish a business in the United States; to the Committee on the Judiciary.

Mr. UDALL of Colorado. Mr. President, it is with great pleasure that I,

along with Mr. FLAKE of Arizona, re-introduce the Startup Visa Act. The Startup Visa Act of 2013 allows immigrant entrepreneurs and foreign graduates of U.S. universities to appeal for a two-year visa on the condition that they secure financing from a qualified U.S. investor and can demonstrate the ability to create jobs in America.

If they are successful in developing their company and hiring American workers, they would be eligible for legal permanent residency and would be free to continue building their companies, creating more home-grown jobs and continuing our legacy of unmatched innovation and entrepreneurship.

The United States has a proud history of providing entrepreneurs from around the world the freedom and resources to turn an idea into a successful venture. Well-known U.S. companies such as Google, Yahoo, Intel, Pfizer and eBay all began as startups that were founded by immigrants. These businesses have grown into multibillion-dollar industry leaders that provide thousands of Americans with high-paying jobs in cutting-edge fields.

The number of jobs offered by startups is dropping off. While this is partly due to the economic downturn it is also because of our Nation's broken immigration system. Many of the world's best and brightest minds are finding that our current visa restrictions discourage them from launching new companies here. This is a major competitive disadvantage, and one that runs counter to our Nation's history of fostering foreign-born innovators, such as Albert Einstein or Andrew Carnegie.

More worrisome is that while we try to work out a solution to our broken immigration laws, our foreign competitors are catching up and, in some cases, passing us by in many of the fields we once dominated. In 2009, for the first time in recent memory, foreign innovators were awarded more patents than American pioneers. Only a decade earlier, U.S.-based entrepreneurs were awarded almost 57 percent of all patents worldwide. We must work quickly and in a bipartisan manner to reverse this trend. The Startup Visa Act of 2013 is a strong and simple step that will reward foreign innovators, pioneers and entrepreneurs for creating jobs in America. Put simply, this legislation will help protect America's position as the global leader in innovation.

We do not have to look far for evidence that our broken immigration system is hurting our economy. We only need to look at our Canadian neighbors. The Canadian founders of Vanilla Forums, an innovative and fast-growing company, whose products are used by websites around the world to host online forum discussions, spent a summer in my home State of Colo-

rado participating in a mentorship program with U.S.-based entrepreneurs and investors. Despite the numerous investors who were interested in funding Vanilla Forums and developing the company in Colorado, concerns about the founders' ability to obtain visas won out. As a result, Vanilla Forums is a successful company that is hiring employees at its headquarters in Montreal, Quebec.

America has tremendous untapped potential for innovation and it is our responsibility to give our Nation every opportunity to remain globally competitive. By passing the Startup Visa Act of 2013 we can create high paying jobs here in the United States, and help ensure that the next globally transformative company is based in America. This legislation is bipartisan and fiscally responsible; it will spur private investment and it will help put our economy back on track. I ask my colleagues to join me in support of this important legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 21—DESIGNATING FEBRUARY 14, 2013, AS “NATIONAL SOLIDARITY DAY FOR COMPASSIONATE PATIENT CARE”

Mr. LAUTENBERG submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 21

Whereas the National Solidarity Day for Compassionate Patient Care promotes national awareness of the importance of compassionate and respectful relationships between health care professionals and their patients as reflected in attitudes that are sensitive to the values, autonomy, cultural, and ethnic backgrounds of patients and families;

Whereas individuals and groups of medical professionals and students stand in solidarity to support compassion in health care as expressed by Dr. Randall Friese, triage physician at the University of Arizona Medical Center who, when queried, stated that the most important treatment he provided to Congress member Gabrielle Giffords after she was shot on January 8, 2011, was to hold her hand and reassure her that she was in the hospital and would be cared for;

Whereas physicians, nurses, all other health care professionals, and medical facilities are charged with providing both the art and science of medicine;

Whereas a greater awareness of the importance of compassion in health care encourages health care professionals to be mindful of the need to treat the patient rather than the disease;

Whereas scientific research illustrates that when health care professionals practice humanistically; demonstrating the qualities of integrity, excellence, compassion, altruism, respect, empathy, and service, their patients have better medical outcomes; and

Whereas February 14th would be an appropriate day to designate as National Solidarity Day for Compassionate Patient Care and to celebrate it by health care students

and professionals performing humanistic acts of compassion and kindness toward patients, families of patients, and health care colleagues: Now, therefore, be it

Resolved, That the Senate—

(1) designates February 14, 2013, as “National Solidarity Day for Compassionate Patient Care”;

(2) recognizes the importance and value of a respectful relationship between health care professionals and their patients as a means of promoting better health outcomes; and

(3) encourages all health care professionals to be mindful of the importance of both—

(A) being humanistic and compassionate; and

(B) providing technical expertise.

SENATE RESOLUTION 22—RECOGNIZING THE GOALS OF CATHOLIC SCHOOLS WEEK AND HONORING THE VALUABLE CONTRIBUTIONS OF CATHOLIC SCHOOLS IN THE UNITED STATES

Mr. VITTER (for himself, Ms. LANDRIEU, and Mr. JOHANNIS) submitted the following resolution, which was considered and agreed to:

S. RES. 22

Whereas Catholic schools in the United States have received international acclaim for academic excellence while providing students with lessons that extend far beyond the classroom;

Whereas Catholic schools present a broad curriculum that emphasizes the lifelong development of moral, intellectual, physical, and social values in the young people of the United States;

Whereas Catholic schools in the United States today educate 2,031,455 students and maintain a student-to-teacher ratio of 13 to 1;

Whereas the faculty members of Catholic schools teach a highly diverse body of students;

Whereas the graduation rate for all Catholic school students is 99 percent;

Whereas 85 percent of Catholic high school graduates go on to college;

Whereas Catholic schools produce students who are strongly dedicated to faith, values, families, and communities by providing an intellectually stimulating environment rich in spiritual character and moral development; and

Whereas in the 1972 pastoral message concerning Catholic education, the National Conference of Catholic Bishops stated, “Education is one of the most important ways by which the Church fulfills its commitment to the dignity of the person and building of community. Community is central to education ministry, both as a necessary condition and an ardently desired goal. The educational efforts of the Church, therefore, must be directed to forming persons-in-community; for the education of the individual Christian is important not only to his solitary destiny, but also the destinies of the many communities in which he lives.”: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the goals of Catholic Schools Week, an event cosponsored by the National Catholic Educational Association and the United States Conference of Catholic Bishops that recognizes the vital contributions of thousands of Catholic elementary and secondary schools in the United States; and

(2) commends Catholic schools, students, parents, and teachers across the United States for ongoing contributions to education and for playing a vital role in promoting and ensuring a brighter, stronger future for the United States.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON THE JUDICIARY

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on January 30, 2013, at 10 a.m., in room SH-216 of the Hart Senate Office Building, to conduct a hearing entitled "What Should America Do About Gun Violence?"

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Ms. CANTWELL. Mr. President, I ask unanimous consent that Sterling Laudon, Sarah Weaver, Rebecca Nolan, Kevin Murray, Will Stein, and Will Kellogg, staff on the Finance Committee, be granted the privilege of the floor for the 113th Congress.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—H.R. 325

Mr. REID. Mr. President, I ask unanimous consent that following leader remarks tomorrow, Thursday, January 31, the Senate proceed to the consideration of Calendar No. 7, H.R. 325; that the following amendments, the text of which is at the desk, be the only first-degree agreements in order to the bill—Portman, dollar for dollar cuts, S. 43 text; Portman, government shutdown prevention, S. 29 text; Toomey, full faith and credit; and Paul, prohibition of F-16s to Egypt; that the only motion to commit in order to the bill be a Vitter motion to commit regarding spending cuts; that the time until 12:15 p.m. be for debate on the amendments, motion, and the bill, to run concurrently and be equally divided between the two leaders or their designees, prior to votes in relation to the amendments and the Vitter motion in the order listed; that upon disposition of the amendments and the Vitter motion, the Senate proceed to a vote on passage of H.R. 325, as amended, if amended; that the amendments and the Vitter motion be subject to a 60-affirmative-vote threshold; that there be no amendments in order to any of the amendments or the Vitter motion prior to the votes; finally, that there will be 2 minutes equally divided prior to each vote and that all after the first vote be 10 minutes or less.

The PRESIDING OFFICER. Is there objection?

Mr. INHOFE. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. First of all, let me make a comment, if I could, to the Chair. It is my hope that we don't have sequestration with the military, with the Defense Department. I have been very much concerned about that. I am going to do everything I can to preclude that from happening. In the event that did happen—we are looking at about a month from now—I have an amendment I wanted to put on this bill. I could do it another way too, but perhaps as a freestanding bill. I wish to explain what it is, and then I wish to ask the distinguished majority leader a couple of questions.

The amendment I had, or that could be in a freestanding bill, would give the Secretary of Defense the flexibility to implement the cuts under the sequestration in the least harmful way possible, that would authorize him to have the power to make adjustments within the confines of the sequestration so if there would not be any more money, it would not change that. It would allow the Chiefs to examine and determine whether they could make some changes to make something that could be catastrophic maybe less catastrophic. I have supplied a copy to the leader's office.

What I wish to do—I don't want to object to this, because I want to make sure this continues. I wish to ask if I could have some latitude to help me to get this before the Senate so we could accomplish this.

I would say this, through the Chair, to the leader, that I have already talked to not just the Chair of the Joint Chiefs but all of the Chiefs. They all say that in a period of 1 month, quite frankly, they are starting right now to see if there is something they could put together to make it less onerous should we have to have that.

So I would like to ask if there is something that could be done through the leadership to help me get this done if the worst should happen and we should be faced with sequestration a month from now.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Through the Chair to the distinguished Senator from Oklahoma, the ranking member of the Armed Services Committee, as the leader for the Republicans on that committee, he understands the importance of the military and what sequestration would do. I have spoken to the distinguished Senator previously—and, in fact, as late as this morning we talked—and there are Democrats who also believe there should be some relief given in regard to sequestration. The issue we have to work through is how we have a balance between the cuts in defense and nondefense.

So there are many different ways we could approach this, but I am committed to approaching it. I have said, and I will continue to say, sequestration was a last resort. We thought we would do better with the supercommittee. We didn't. So this is what we are faced with. I hope we can all work together to lessen the burden on defense spending and, of course, non-defense spending. That is what sequestration is all about. I am committed to doing that.

I am happy to work with my friend from Oklahoma. If he can't find enough allies, either Republicans or Democrats, I will be happy to continue to work with him to figure out a way we can have this issue brought before the Senate.

Mr. INHOFE. Through the Chair, I would make a comment that many times the distinguished leader has been helpful, such as with the highway bill and the pilots bill of rights and others, and I have to say I would not have been able to get them through without that support. What I would ask for is the same support to help me overcome some of the problems that would come with sequestration.

To give an example, sequestration would cancel flying operations for four out of nine aircraft carriers, which would take about 9 to 12 months to restore at a cost of two to three times as much. What they could do with this bill, which I plan to introduce tomorrow, is have the latitude, while spending the same amount of money, to keep the flying hours where they are so they would not have to be restored in another vehicle. Little things such as that are significant.

It also would address the problems we hear of every day from the Secretaries in the military—the various departments and the Chiefs—having to do with the other problems on the CR. So this would address both of them and give latitude and make it better.

I would just say I hope the leader could assist me in getting this bill through in a timely fashion that I will be introducing tomorrow.

Mr. REID. Mr. President, I think it is my choice, and I am confident the choice of the senior Senator from Oklahoma, to avoid sequestration. We need to do this through some type of balanced plan, and I am committed to doing that.

Mr. INHOFE. I appreciate that very much, Mr. President. I do not object.

Mr. REID. Mr. President, I would finally say it is not as if the Senator from Oklahoma is asking that the actual amount of dollars be lessened. He is just saying they should be rearranged. So I appreciate his good will on this legislation.

We need to get this bill to the President. So it is my intention, after the use or yielding back of time, to move to table these amendments and the Vitter motion.

We expect to have one vote tomorrow prior to the Senate recessing for caucus lunch meetings, and the remaining votes will occur after the caucus meetings. Again, I express my appreciation to the Senator from Oklahoma. I know how strongly he feels about the military and that he wants to try to relieve the pain in some way.

The PRESIDING OFFICER. Without objection, the request is agreed to.

CONGRATULATING THE MEMBERS OF DELTA SIGMA THETA SORORITY, INC.

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from S. Res. 13 and that we now proceed to its consideration in the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 13) congratulating the members of Delta Sigma Theta Sorority, Inc. for 100 years of service to communities throughout the United States and the world, and commending Delta Sigma Theta Sorority, Inc. for its promotion of sisterhood, scholarship, and service.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 13) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of Thursday, January 24, 2013, under "Submitted Resolutions.")

RECOGNIZING THE GOALS OF CATHOLIC SCHOOLS WEEK

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 22.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 22) recognizing the goals of Catholic Schools Week and honoring the valuable contributions of Catholic schools in the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 22) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

APPOINTMENTS

The PRESIDING OFFICER. The Chair, pursuant to Executive Order 12131, as amended and extended, appoints the following members to the President's Export Council: the Honorable AMY KLOBUCHAR of Minnesota, the Honorable MARK BEGICH of Alaska, and the Honorable KIRSTEN E. GILLIBRAND of New York.

The Chair, on behalf of the Vice President, pursuant to Public Law 83-420, as amended by Public Law 99-371, reappoints the Senator from Ohio (Mr. BROWN) to the Board of Trustees of Gallaudet University.

The Chair announces, on behalf of the majority leader, pursuant to Public Law 105-83, his reappointment and appointment of the following Senators to serve as members of the National Council on the Arts: the Honorable SHELDON WHITEHOUSE of Rhode Island (reappointment), and the Honorable TAMMY BALDWIN of Wisconsin, vice the Honorable CLAIRE MCCASKILL of Missouri.

ORDERS FOR THURSDAY, JANUARY 31, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, January 31; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to consideration of H.R. 325 under the previous order; further, that following the first vote in relation to the debt limit legislation, the Senate recess until 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, there will be one rollcall vote at about 12:15 tomorrow and as many as five additional rollcall votes after 2:15 p.m.

ORDER FOR ADJOURNMENT

Mr. REID. If there is no further business to come before the Senate, I ask that it adjourn under the previous order following the remarks of Senator CHAMBLISS and Senator ISAKSON, and

they will speak for up to 6 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Georgia.

RECOGNIZING DAVIS LOVE, III

Mr. CHAMBLISS. Mr. President, as a Member of this body representing the State of Georgia, it gives me great pleasure to rise today to recognize a Georgia resident and my good personal friend, Davis Love, III, on being named the recipient of the 2013 Bob Jones Award.

The award, named in honor of another great Georgia golfer, Robert Tyre Jones, Jr.—better known as Bobby Jones—is the U.S. Golf Association's highest honor and recognizes individuals for their distinguished sportsmanship in golf. Since 1955, the Bob Jones Award has been presented annually to an individual who "emulates Jones' spirit, his personal qualities, and his attitude toward the game and its players." Past recipients include some of golf's alltime greats, such as Byron Nelson, Ben Hogan, Arnold Palmer, Jack Nicklaus, and Tom Watson. And it comes as no surprise to see Davis Love's name added to this distinguished list.

Davis and his wife Robin are longtime residents of Georgia, and Davis is receiving an award that embodies much of our State's rich golfing history. He has long been a champion of the game and embraced many of golf's finest traditions.

Throughout his impressive career, Davis has represented our country with dignity and honor. In the 1985 Walker Cup match, Davis helped lead the USA team to a narrow 13-to-11 victory over Great Britain and Ireland by winning two matches on the final day of play. He is also a six-time member of the President's Cup team and has been a member of the U.S. Ryder Cup team seven times and was captain of last year's Ryder Cup team.

Since he earned his PGA Tour card in 1985, Davis Love, III, has won 20 events, including a major, the 1997 PGA Championship. He is also a two-time winner of the prestigious Players Championship and has finished at the top of the leader board in many of golf's other major tournaments.

His respect and love for the game is admired by fellow players and golf fans around the world. I can think of no other professional golfer who is more deserving of this award than is Davis Love, III, and I congratulate him and Robin on being named the recipient of USGA's 2013 Bob Jones Award.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

CONGRATULATING SECRETARY OF
STATE KERRY

Mr. ISAKSON. Mr. President, yesterday the Senate overwhelmingly confirmed the nomination of JOHN KERRY to be the next Secretary of State of the United States of America. I was away from the Capitol during the 2 hours allocated for that debate, and I wanted to add my comments and my commendations to now Secretary KERRY on his confirmation to be Secretary of State of our country.

For the last 4 years, I had the privilege of serving on the Foreign Relations Committee with Senator KERRY as chairman. During that period of time, I got to watch him as a diplomat, as an American, as a Member of the Senate, and as one committed to peace and security around the world. I watched him carefully in the Middle East as he negotiated and worked hard to see to it that we had peace but that

we had peace through strength and we had peace through our partnership with the great State of Israel. I watched him on the comprehensive peace agreement in the Sudan to help shepherd across the creation of the newest nation, South Sudan, and a bloodless election that caused that to take place. I watched him in many other cases dealing with diplomats from Africa, to Europe, to the Middle East, representing the United States of America in all of its best interests. I watched him work hand in hand with Secretary of State Clinton to ensure that there was no division between the Senate Foreign Relations Committee and the policies of this country. But most importantly of all, in those tough, tough issues, like the ratification of the New START treaty, now Secretary KERRY, then Chairman KERRY, made sure that every member of the committee in the entire markup

and hearing process had their questions answered, their concerns answered, and was a part of the process. He never tried to ramrod anything through the committee nor through the Congress but, rather, did his job in an exemplary way.

It is a privilege for me to rise tonight to pay tribute to JOHN KERRY, the next Secretary of State of the United States of America, and commend him on his confirmation to that job.

I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 6:27 p.m., adjourned until Thursday, January 31, 2013, at 9:30 a.m.

EXTENSIONS OF REMARKS**SENATE COMMITTEE MEETINGS**

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and

any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, January 31, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 7

2:30 p.m.

Select Committee on Intelligence

To hold hearings to examine the nomination of John Owen Brennan, of Virginia, to be Director of the Central Intelligence Agency.

SH-216

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

SENATE—Thursday, January 31, 2013

The Senate met at 9:32 a.m. and was called to order by the Honorable HARRY REID, a Senator from the State of Nevada.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, whose attributes are both majestic and manifold, strengthen our Senators, enabling them to live this day to the fullest. Give them the humility to be more concerned about being on Your side than assuming that You are on their side. May they combine confrontation and compromise as they work together to find solutions for our national problems. Lord, help them to give precedence to principle over party, as they seek to honor You with their lives. Today, fill this legislative Chamber with Your presence, so that Your will will be done on Earth even as it is done in Heaven.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable HARRY REID led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 31, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HARRY REID, a Senator from the State of Nevada, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. REID thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. DURBIN). The Senator from Kentucky is recognized.

Mr. MCCONNELL. Mr. President, the majority leader has suggested that I go ahead, and, therefore, I will.

THE ECONOMY

Mr. MCCONNELL. Mr. President, yesterday, we learned our economy contracted for the first time in more than 3 years. This news comes, of course, after President Obama spent an entire election promising Americans that a return to robust economic growth was right around the corner and little more than 1 week after the President said in his inaugural address that “economic recovery has begun.”

I am not so sure the people of Kentucky would agree with that assessment, given that the unemployment rate there is still above 8 percent. But this is not the first or the second time this White House has oversold the recovery. It is not even the third or fourth time. A lot of us remember the “summer of recovery.” A lot of us also remember when the Vice President promised the stimulus would “literally drop-kick” us out of the recession.

Look, if the White House spent nearly as much time trying to actually fix the economy as it did claiming it was fixed—and then finding excuses and scapegoats when its premature pronouncements turned out to be false—I suspect the economy would actually be doing better than it is today. But the President seems not to have learned that lesson because, just yesterday, he tried to pin the latest negative economic news on congressional Republicans once again.

The President can make any excuse he wants, but it is not going to help Americans find jobs.

One thing the President could have done instead of wasting so much time blaming others would have been to convene the Jobs Council he created amidst so much fanfare. He has not done that for more than 1 year. In fact, from what I understand, the Council is expected to actually disband today after having met only four times since 2011.

We have had 4 years of the Obama economy. It has not worked. This would be the time to try something new. But the President seems content to simply double down on more of the same. He wants to spend more, which would only worsen our trillion-dollar deficits. The very same President who warned against raising taxes in a down economy is proposing to raise taxes in a down economy. He is clearly getting a big assist on that front from the chairwoman of the Budget Committee, who says she is going to include tax hikes in the Senate Democrats’ budget plan. That is a bad enough idea to begin with, but it is especially counterproductive considering yesterday’s dis-

mal growth numbers, because there are two things we know about tax increases for sure; first, they reduce jobs and hurt economic growth; second, they distract us from addressing the real problem, which is spending.

As I have explained repeatedly on the floor over the past 2 weeks, government spending is completely out of control—completely out of control—and it is projected to get much worse in years to come. Even if the President got the additional tax increases he is asking for, we still would not even come close—not even close—to solving the problem. We certainly will not get there by wasting time on poll-tested PR gimmicks that will hardly bring in any revenue. Every minute the administration spends talking about corporate jets is 1 less minute we have to discuss serious ways to confront the challenges we face. Clearly, it is the spending we have to deal with, and now is the perfect time to do so.

The key to robust recovery is freeing the private sector to grow and to create jobs. We can do that by making government more efficient, by reforming spending, and by eliminating programs that do not work—which happens to be the very same things we need to do to get our fiscal house in order.

Economic growth and debt reduction can actually go hand in hand but only if we pursue the right policies. As a first step, let’s stop making things worse than they already are. Threatening families and businesses with even more job-killing tax hikes is clearly counterproductive and so is trying to borrow more money from China to fund more failed stimulus packages.

The President and his allies have had 4 years—4—to put their ideas into practice. Those policies have failed. It is time for a new approach. If Democrats are ready to finally get serious—to end the blame game and pursue real growth policies—then Republicans are here to show them the way forward to a stronger economy and to a more secure future.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. SCHATZ). The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will begin consideration of H.R. 325, the debt limit legislation. The time until 12:15

p.m. will be equally divided and controlled. At 12:15 p.m., there will be a rollcall vote in relation to a Portman amendment. Following that vote, the Senate will recess until 2:15 p.m. to allow for caucus meetings. At 2:15 p.m., there will be as many as five additional rollcall votes.

GOVERNMENT SPENDING

Mr. REID. Mr. President, just a brief comment on the statement of my friend, the Republican leader.

He continues bad-mouthing the recovery. We are in a recovery. The moral of the fourth quarter is a repudiation of the Republican playbook. Growth went down in the fourth quarter because of reduced government spending and a reticence of the private sector, as Congress fought over the fiscal cliff. That fight came as a result of the Republicans being so unreasonable. When we were finally able to work something out that was a compromise, it was good for the economy. The economy was rejecting the austerity and brinksmanship.

So let's hope the Republicans will understand that we have to move forward, that the Republican playbook of continually complaining about spending is something—we know we have to do something with spending. We understand that. But there is more to making our economy recover than just continually harping on what is going on with spending.

Everyone recognizes we have to do something with spending, but we also have to do something to have a fair program. Is it fair that to this point all spending cuts have come from non-defense spending? The answer is no. Is it fair that the Republicans continue to want to go after Social Security, Medicare, even food stamps that hits the poorest of the poor?

Let's start talking about fairness. Even Presidential nominee Romney said he had all these tax loopholes that he believed should be closed. We agree with Mitt Romney, and we would hope the Republicans would agree with their nominee for President. That is where we should be looking—to have a fair approach to what we do with sequestration and balancing the budget.

THE DEBT LIMIT

Mr. President, later today the Senate will vote on the House-passed legislation to suspend the debt ceiling until this summer and remove the specter of default hanging over the Nation's economy. I expect this legislation will pass on a strong bipartisan vote, sending the message loudly and clearly that while we are willing to negotiate, we will not engage in another irresponsible debate over whether the U.S. Government should pay its bills.

I would remind my Republican colleagues that most of them voted to incur the debts now coming due. Sus-

pending the debt limit will not authorize a penny of new spending, but it will ensure we pay the bills we have already incurred.

What are some of those bills we have incurred?

We have had two wars going on that have been unpaid for with real money. We borrowed the money. Every Republican voted for these wars. So we should pay our bills.

I was reassured by the House Republicans' decision last week to back off their reckless threat to hold the debt ceiling hostage. Suspending the debt limit will not authorize a penny of new spending, but it will ensure we pay the bills we have already incurred.

The legislation before the Senate sets an important precedent that the full faith and credit of the United States will no longer be used as a pawn to extract painful cuts to Medicare, Social Security, or other initiatives that benefit the middle class. A clean debt ceiling increase that allows the United States to meet its existing obligations should be the standard.

Congress will continue to work to reduce the deficit but will do it without the threat of default. We have already made \$2½ trillion in historic, bipartisan deficit reduction—\$2½ trillion. Democrats believe we should do more. It is critical that we use a balanced approach that couples smart spending cuts with revenue from the wealthiest Americans and from closing the wasteful tax loopholes I have just talked about.

Obviously, Democrats would prefer a longer suspension of the debt ceiling, which would provide additional economic security and stability as we continue to find ways to decrease the deficit. Raising the possibility that the United States could default on its obligations every few months is not an ideal way to run government. But a short-term solution is better than another imminent manufactured crisis.

Every Republican admits that default would rock our financial system to its core. However, injecting uncertainty into the system every few months also has a chilling effect on the economy. This insecurity does not just affect big investment banks or wealthy investors, it costs jobs. All around the country, ordinary Americans with 401(k)s and college savings accounts are affected. I am glad Republicans set aside their plan to gamble with default. It was bad politics and even worse policy.

Middle-class Americans remember the last time the Republicans put us through a protracted fight over the debt ceiling in an effort to force deep cuts to Social Security, Medicare, and other programs important to the middle class. Middle-class Americans remember how the tea party-driven Republicans forced the Nation to the brink of default in 2011, sending the

stock market into a tailspin and prompting a historic downgrade of America's credit rating. Middle-class Americans remember how the economy suffered and our bottom line suffered with it. Middle-class Americans remember the consequences of the Republicans' willingness to threaten a national default. I am relieved that this time Congress was able to reach a compromise and avert a fight so middle-class families can get the certainty they badly need.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

ENSURING THE COMPLETE AND TIMELY PAYMENT OF THE OBLIGATIONS OF THE UNITED STATES GOVERNMENT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 325, which the clerk will report by title.

The assistant legislative clerk read as follows:

A bill (H.R. 325) to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I suggest the absence of a quorum and that the time in quorum call be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BAUCUS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAUCUS. Mr. President, thanks in part to filmmaker Steven Spielberg, there is renewed interest today in America's 16th President, Abraham Lincoln.

A century and a half ago, during one of the most critical times in American history, Lincoln faced a nation divided by ideology and war. Only through fierce determination and moral courage was Lincoln able to preserve the Union.

Today, we again are in an ideological divide. Too often, Congress fails to agree on key social and economic issues.

Politics is winning out over progress. Like the America of the 1860s, the unwillingness to compromise has crippled our ability to move forward as a nation.

As we discuss America's fiscal responsibility today, I would like to

share the words of Lincoln. One of my favorite quotes is this: "You cannot escape the responsibility of tomorrow by evading it today."

As a nation we have a responsibility to fulfill existing commitments to pay our bills, and it is a responsibility we cannot evade. As we know, the Federal Government officially hit its current authorizing spending limit—also known as the debt ceiling—on December 31, 2012.

Over the past month, the Treasury Secretary has been using extraordinary measures to continue funding the government and sending out Social Security checks and veterans' benefits. Treasury's action only bought limited time. The debt limit deadline was moved from December 31 to mid-February or early March. Needless to say, a feeling of uncertainty has spread across the country. However, on January 23, the House of Representatives approved a plan to ensure America can meet our obligations through May 18.

The bill, H.R. 325, which we have before us today, also provides an incentive for action on the Federal budget. The legislation includes a provision that would withhold the pay of lawmakers in the House or the Senate if their Chamber fails to pass the budget blueprint by April 15.

Since 1917, Congress has always taken appropriate action to avoid defaulting on America's bills. We must continue to fulfill our responsibility. We must not fail now. There is too much at stake.

Failure to pass this bill will set off an unpredictable financial calamity that would plunge not only the United States but much of the world back into recession and more. Every single American would feel the economic impact. There would be radical cuts in military salaries, veterans' programs, Social Security benefits, and education. Tax refunds may not be issued, and our country's credit rating would almost certainly be downgraded significantly.

I understand the concern over America's deficits and debt. I share those concerns, and I strongly believe we must develop a long-term plan to cut the debt and get America's fiscal house in order.

Let me remind you, over the past 2 years we have made real progress at cutting deficits and debt. We have done so working together across the aisle.

In 2011, we passed \$1.4 trillion in spending cuts. Earlier this month, Congress passed legislation that reduced the deficit by another \$600 billion. Together, with interest savings, these two actions will cut the deficit by about \$2.5 trillion over the next 10 years.

Add to this the savings from winding down the wars in Iraq and Afghanistan and the savings to America's Federal budget reach almost \$3.5 trillion over 10 years—all together \$3.5 trillion over 10 years—which we already are doing

as a consequence of winding down the wars in Iraq and Afghanistan. That is real progress.

In the coming weeks we will have to confront the deficit issue again when sequestration of spending programs starts on March 1. March 27, the day the continuing resolution for appropriations expires, brings tough choices. That is why we are here, to make the tough decisions, to do the hard work.

The threat of defaulting on our fiscal obligations is extremely dangerous. It puts America on unstable ground. We all are aware how our political brinkmanship of 2011 led to the first ever downgrade of our country's credit rating. It sent shock waves in stock markets across the globe and nearly crashed the American economy.

We have the opportunity today to avoid that calamity. We have the opportunity today to avoid another destructive budget battle. H.R. 325 ensures America can meet our obligations through May 18 and provides the Congress with a necessary calm between fiscal storms.

The House of Representatives adopted the bill by a bipartisan vote, 285 to 144, and it is supported by the administration. The bill before us is necessary to remove the threat of default that would throw the U.S. economy into chaos. It gives us time to work together on a sensible, balanced solution to our Nation's fiscal challenges without undermining the Nation's economy. It deserves our support.

I congratulate Speaker BOEHNER on his leadership with regard to this issue and the House for its bipartisan approach to a tough but necessary vote. Let's pass this legislation today and move on to the debate over what further deficit reduction options we need to help keep America's economy moving forward.

In the words of Lincoln: "The occasion is piled high with difficulty, and we must rise with the occasion."

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, right now the Federal deficit stands at roughly \$16.4 trillion. I don't know how anyone can hear that number and not be appalled, nor do I believe there will be, over 10 years, \$2.5 trillion in deficit reduction. In fact, I don't see any deficit reduction except, perhaps, bringing our soldiers back, but that is not particularly deficit reduction since it looks as though we are going to have difficulty maintaining the military with the strength it has had in the past.

Think about it, \$16.4 trillion. It is incredible. The Federal Government is currently operating with just \$25 million of so-called headroom underneath a statutory debt limit which, to be more precise, is \$16.394 trillion. We are told that we reached the debt ceiling at the beginning of the year, and in order

for the government to pay for obligations without further borrowing, Treasury has been using so-called "extraordinary measures," such as changing the finances of certain Federal savings plans.

Sadly, the use of such measures has become the norm under this administration and under this Senate majority, where budget and debt decisions are continually made through last-minute, closed-door deals. I don't think the American people can stomach another cliff scenario. I don't think they want to turn on the news and see another clock counting down to the latest in a string of perfectly avoidable crises.

There is a better way to legislate. I am not talking about some novel or unheard of approach. I am talking about doing things through the regular order. Anyone watching the Senate operate over the last few years probably doesn't know what I am talking about. There is a process that has been established to facilitate compromise and move even controversial pieces of legislation over the finish line.

Under this process bills are assigned to committees where they are debated and discussed in hearings and markups. Committees are able to consider and process proposals before legislation is brought to the Senate floor. While this system isn't perfect, moving a bill through the committee greatly improves its prospect for passage in a divided Senate.

This isn't meant to be a civic lesson. I know my colleagues understand how the committee process works. As we debate yet another major piece of legislation that hasn't gone through a committee, I don't think a reminder is out of order. We need to return the Senate to regular order, which includes processing budgets through the Senate Budget Committee and processing the debt limit through the Senate Finance Committee.

We are told if we pass this legislation, the administration will be able to borrow to be able to pay off incoming obligations until May 19. Then, presumably, we will be back to the use of "extraordinary measures," which as I understand it will get the government through the end of July before we are once again talking about a possible default.

That is not the way to run a government. Prospects of more debt limit impasses and threats of future defaults serve only to elevate uncertainty among the American people about whether the Federal Government will honor its financial obligations. Unfortunately, this administration has continued to play on this uncertainty for political purposes. Rather than working with Congress to resolve our fiscal mess, the President throws out suggestions that Social Security recipients would not receive their benefits or that

our troops would not get paid. Indeed, it seems that the President is more interested in engaging in political fights and manufacturing straw men than he is in eliminating threats to the fiscal security of our Nation's seniors and our troops.

At the same time, we wait for the first Senate budget in 4 years. I was heartened when I heard the news that the Democratic leadership plans to move forward with a budget this year. However, I am disappointed by indications that no effort will be made in the budget to rein in our unsustainable entitlement programs. I hope that is not true because, to borrow a phrase from the President, "We can't wait." Entitlement reform can't wait.

Even the trustees of Social Security and Medicare have stated that the entitlements are unsustainable, and they urge quick action. Those trustees include senior officials in the Obama administration who could hardly be viewed as deficit hawks.

These are the problems our Nation faces. Our fiscal and economic well-being literally hang in the balance of these debates. If the Senate is going to be up to the challenge of fixing these problems, we are going to have to start doing things differently. We shouldn't wait until the Nation's finances reach yet another cliff sometime this summer before we start talking again and addressing our unsustainable fiscal situation. That is not what the American people want to see, and that is not the direction in which we should be going.

I believe my colleague from Montana feels the same way; that we can start the talks now in committees and do the things we should in committee and report bills to the floor. Even if we can't support them, at least they will be done the right way. A return to regular order would provide a potential solution, but it wouldn't require that we begin work immediately; that we don't just wait until the last minute and have these decisions made in the office of the majority leader.

Even if we were to pass the stop-gap debt limit suspension measure before us, there is precious little time for us to act. I have suggested and will continue to suggest that the Senate Finance Committee begin to engage now on a longer term debt limit solution. The bill before us would only eliminate the prospect of Federal default until sometime in the summer. That means if we go through regular order, we have only a few months at best to debate, have hearings, process proposals, and make decisions.

I am not under any illusions this process will be easy. If we want to avoid another cliff scenario in late July, this is the best way to go forward. It is the best path forward.

We don't need any more last-minute deals to avoid going over cliffs. We certainly don't need any more countdowns

or threats of default and downgrades to our Nation's credit rating. Of course, we don't need to wait in the hopes that President Obama will finally break his string of failures to arrive at a so-called grand bargain. We have the tools at our disposal to address these problems, but, as I said, we need to start now, immediately.

As the ranking member of the Senate Finance Committee, I am committed to working with my colleagues on the committee—those on both sides of the aisle—to reach a long-term solution on the debt limit. I believe this process can put us on a path to tax and entitlement reform, which is the key to righting our Nation's fiscal course and putting us on a better economic footing.

The measure before us is not a long-term solution to the debt ceiling or our fiscal predicament, nor is it intended to be. I am convinced that if we want a long-term solution, and if we want to avoid facing yet another cliff, we need to restore regular order in the Senate. I think anything short of that is not going to work.

We have good people on both sides of the floor, people who love this country, people who really can work together if they will. We have committees set up to take care of these problems, but they are being bypassed. We must find ways of working through the committees.

We have a number of people on both sides who need to deal with the uncertainties, the problems and the difficulties in these fiscal matters. I have confidence in our chairman and in his leadership, and I know this is not his fault. I think he would prefer regular order, as would I. It puts a lot more burden on us as committee members, but that is where it ought to be. We ought to be able to face these problems.

We have excellent people on both sides on the Finance Committee. I would like to see the Finance Committee do its work and have the confidence that we should and get this done in a proper manner, in the right way, before we go off the fiscal cliff again or before we need to be faced with the fiscal cliff.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 6 AND 7, EN BLOC

Mr. PORTMAN. Mr. President, I have two amendments at the desk and I ask for their immediate consideration, en bloc.

The PRESIDING OFFICER. The clerk will report the amendments.

The legislative clerk read as follows:

The Senator from Ohio [Mr. PORTMAN] proposes amendments en bloc numbered 6 and 7.

Mr. PORTMAN. I ask unanimous consent that the reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

(Purpose: To require that any debt limit increase be balanced by equal spending cuts over the next decade)

At the end of the bill, insert the following:

SEC. _____. DOLLAR FOR DOLLAR REQUIREMENT.

(a) DEBT LIMIT CONTROL.—

(1) IN GENERAL.—Subchapter I of chapter 31 of title 31, United States Code, is amended by inserting after section 3101A the following:

“§ 3101B. Debt limit control

“(a) DECLARATION OF A DEBT LIMIT WARNING.—

“(1) IN GENERAL.—In the event of a near breach of the public debt limit established by section 3101, the Secretary of the Treasury shall issue a debt limit warning to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives that shall include a determination as to when extraordinary measures may be necessary in order to prolong the funding of the United States Government.

“(2) DEFINITIONS.—In this subsection:

“(A) EXTRAORDINARY MEASURES.—The term ‘extraordinary measures’ means measures that may be taken by the Secretary of the Treasury in the event of a breach of the debt limit by the United States to prolong the function of United States Government in the absence of a debt limit increase.

“(B) NEAR BREACH.—The term ‘near breach’ means the point at which the Secretary of the Treasury determines that the United States Government will reach the statutorily prescribed debt limit within 60 calendar days notwithstanding the implementation of extraordinary measures.

“(b) PRESIDENTIAL SUBMISSION OF DEBT LIMIT LEGISLATION.—

“(1) SAVINGS RECOMMENDATIONS FROM THE PRESIDENT.—Any formal Presidential request to increase the debt limit under this section shall include the amount of the proposed debt limit increase and be accompanied by proposed legislation to reduce spending over the sum of the current and following 10 years by an amount equal to or greater than the amount of the requested debt limit increase. Net interest savings may not be counted towards spending reductions required by this paragraph.

“(2) CALCULATION.—The spending savings under paragraph (1) shall be calculated against a budget baseline consistent with section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985. This baseline shall exclude the extrapolation of any spending that had been enacted under an emergency designation.”.

(2) SUBCHAPTER ANALYSIS.—The table of sections for chapter 31 of title 31, United States Code, is amended by inserting after the item for section 3101A the following:

“3101B. Debt limit control.”.

(b) CONGRESSIONAL REQUIREMENT TO RESTRAIN SPENDING WHILE RAISING THE DEBT LIMIT.—

(1) IN GENERAL.—Title III of the Congress and Budget Act of 1974 is amended by inserting at the end the following:

“SEC. 316. DEBT LIMIT INCREASE POINT OF ORDER.

“(a) IN GENERAL.—

“(1) POINT OF ORDER.—Except as provided in subsection (b), it shall not be in order in the Senate or the House of Representatives to consider any bill, joint resolution, amendment, motion, or conference report that increases the statutory debt limit unless the bill contains net spending reductions of an equal or greater amount over the sum of the current and next 10 fiscal years. Net interest savings may not be counted towards spending reductions required by this paragraph.

“(2) COMPONENTS OF NET SPENDING REDUCTION.—

“(A) CALCULATION.—The savings resulting from the proposed spending reductions under paragraph (1) shall be calculated by the Congressional Budget Office against a budget baseline consistent with section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985. This baseline shall exclude the extrapolation of any spending that had been enacted under an emergency designation.

“(B) AVAILABILITY.—The Senate and the House of Representatives may not vote on any bill, joint resolution, amendment, motion, or conference report that increases the public debt limit unless the cost estimate of that measure prepared by the Congressional Budget Office has been publicly available on the website of the Congressional Budget Office for at least 24 hours.

“(C) PROHIBIT TIMING SHIFTS.—Any provision that shifts outlays or revenues from within the 10-year window to outside the window shall not count towards the budget savings target for purposes of this subsection.

“(b) SENATE SUPERMAJORITY WAIVER AND APPEAL.—

“(1) WAIVER.—In the Senate, subsection (a)(1) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

“(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a)(1).”

(2) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after section 315 the following new item:

“Sec. 316. Debt limit increase point of order.”

(Purpose: To amend title 31, United States Code, to provide for automatic continuing resolutions)

At the end of the bill, insert the following:

SEC. _____. END GOVERNMENT SHUTDOWNS ACT.

(a) SHORT TITLE.—This section may be cited as the “End Government Shutdowns Act”.

(b) AUTOMATIC CONTINUING APPROPRIATIONS.—

(1) IN GENERAL.—Chapter 13 of title 31, United States Code, is amended by inserting after section 1310 the following new section:

“SEC. 1311. CONTINUING APPROPRIATIONS.

“(a)(1) If any appropriation measure for a fiscal year is not enacted before the beginning of such fiscal year or a joint resolution making continuing appropriations is not in effect, there are appropriated such sums as may be necessary to continue any program, project, or activity for which funds were provided in the preceding fiscal year—

“(A) in the corresponding appropriation Act for such preceding fiscal year; or

“(B) if the corresponding appropriation bill for such preceding fiscal year did not become

law, then in a joint resolution making continuing appropriations for such preceding fiscal year.

“(2) Appropriations and funds made available, and authority granted, for a program, project, or activity for any fiscal year pursuant to this section shall be at a rate of operations not in excess of the lower of—

“(A) 100 percent of the rate of operations provided for in the regular appropriation Act providing for such program, project, or activity for the preceding fiscal year;

“(B) in the absence of such an Act, 100 percent of the rate of operations provided for such program, project, or activity pursuant to a joint resolution making continuing appropriations for such preceding fiscal year; or

“(C) 100 percent of the annualized rate of operations provided for in the most recently enacted joint resolution making continuing appropriations for part of that fiscal year or any funding levels established under the provisions of this Act;

for the period of 120 days. After the first 120 day period during which this subsection is in effect for that fiscal year, the applicable rate of operations shall be reduced by 1 percentage point. For each subsequent 90 day period during which this subsection is in effect for that fiscal year, the applicable rate of operations shall be reduced by 1 percentage point. The 90-day period reductions shall continue beyond the last day of that fiscal year until the new appropriation has been enacted.

“(3) Appropriations and funds made available, and authority granted, for any fiscal year pursuant to this section for a program, project, or activity shall be available for the period beginning with the first day of a lapse in appropriations and ending with the date on which the applicable regular appropriation bill for such fiscal year becomes law (whether or not such law provides for such program, project, or activity) or a continuing resolution making appropriations becomes law, as the case may be.

“(b) An appropriation or funds made available, or authority granted, for a program, project, or activity for any fiscal year pursuant to this section shall be subject to the terms and conditions imposed with respect to the appropriation made or funds made available for the preceding fiscal year, or authority granted for such program, project, or activity under current law.

“(c) Expenditures made for a program, project, or activity for any fiscal year pursuant to this section shall be charged to the applicable appropriation, fund, or authorization whenever a regular appropriation bill or a joint resolution making continuing appropriations until the end of a fiscal year providing for such program, project, or activity for such period becomes law.

“(d) This section shall not apply to a program, project, or activity during a fiscal year if any other provision of law (other than an authorization of appropriations)—

“(1) makes an appropriation, makes funds available, or grants authority for such program, project, or activity to continue for such period; or

“(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such program, project, or activity to continue for such period.”

(2) CLERICAL AMENDMENT.—The table of sections of chapter 13 of title 31, United States Code, is amended by inserting after the item relating to section 1310 the following new item:

“1311. Continuing appropriations.”

Mr. PORTMAN. Mr. President, I rise today to offer first a commonsense amendment to begin to address our Nation's unprecedented national debt. It is hurting jobs in our economy today and is placing an immoral burden on our kids and our grandkids. This is called the Dollar For Dollar Deficit Reduction Act. It ensures every time we raise the debt limit we cut spending by the same amount over a 10-year period.

We all know the growth of the national debt is not sustainable. In the past 4 years our national debt has risen by \$6 trillion and is projected to add another \$9 trillion over the next decade. These numbers are huge, too big to comprehend. So let's put it this way: If we don't do something, we are really in trouble. Between the end of 2008 and 2022—so 9 years from now—the average household share of the national debt will have risen from \$90,000 a household to \$160,000 a household. That is how big the debt will get. Today, it is about \$130,000 per household.

We know we need to do something. Democrats and Republicans alike talk about it a lot. The debt limit is an opportunity to have this debate. Future decades will bring even more debt, with the Congressional Budget Office—a nonpartisan group here in Congress—now projecting the debt will top 200 percent of our economy in 25 years. Again, this is unprecedented. It is about 100 percent of our economy right now.

And, by the way, the projection that the debt will be 200 percent of our economy in 25 years is a rosy scenario that assumes we will have peace, prosperity, and relatively low interest rates. I think we can all agree that saddling our children and grandchildren with this enormous debt is not just bad economics, it is immoral.

In reining in the debt, the Congressional Budget Office makes clear that spending is driving future deficits. When we look at the future deficits, it is spending that is creating a major problem. Again, according to the Congressional Budget Office, revenues will surpass their historic average, which is about 18 percent of our economy, as soon as the economy begins to recover. Spending, which has been historically 20 percent of our economy, has already jumped to over 23 percent of our economy and is projected to rise to 30, 40, 50 percent of GDP over the next several decades. So clearly we have a spending problem.

The amendment I offer today will ensure that debt limit increases are matched with equal cuts in Federal program spending over the next 10 years—so for a decade. There are no gimmicks, no timing shifts, but these will be real cuts in the growth of Federal spending.

This chart shows what the results of this would be for the country. The top

lines are spending. This is the blue line. The bottom line, the red line, is revenue. So here we are today, 2013. Again, the spending as a percent of our economy is just over 23 percent. If we continue to go the way we are going, what will happen, based on these relatively rosy scenarios about our future, is we will see a dip in the spending as a result of our economy and then it goes up and quickly begins to climb further from that over the coming decades. Revenues, again under the current scenario, continue to grow to the point they go above the historic 18 percent. Here it indicates that by 2022 they would be at 19.1 percent. Spending, under the proposal we have before us today—this amendment, the dollar for dollar amendment—goes to 19.6 percent, so just about at the 20-percent historic average.

This of course means we are very close to balance. And it means, again, there is a reasonable result to this, which ends up with spending being very close to the historic average, revenue coming above its historic average, and again we are back on track toward fiscal discipline and toward fiscal sanity. That means we can have a stronger economy—the kind of robust economy we all hope for—bringing back the jobs and not leaving to our kids and grandkids such an enormous debt and deficit.

We would still have a deficit here, a small one, and this would be positioning the deficit to get to balance because it would be such a relatively small deficit compared to what we have had in the past. If enacted, the result will be about \$3 trillion in savings over the next decade. This is roughly consistent with what other groups have talked about, including the Simpson-Bowles Commission and others. Given the \$44 trillion in spending projected over the next decade, this \$3 trillion in savings should not be too much to ask. In fact, simply limiting spending growth to about 3 percent per year would accomplish this same result.

So that is essentially what is being required here when you say there will be a dollar-for-dollar reduction in spending over 10 years every time you raise the debt limit by \$1. The result is that, again, by 2022 the deficit will fall to less than 1 percent of GDP—very close to balance. The debt as a percentage of the economy would actually be declining as well, and it actually declines to the point where, according to the Simpson-Bowles Commission and others, it would be 60-some percent of the economy, which many view as having stabilized our debt. Again, we have a lot of work to do even at that point, but at least it stabilizes it. It actually declines by about 19 points as a percentage of the economy from its peak in terms of our debt. Future generations would be spared this crushing debt and the economic stagnation we

otherwise will face if Washington does nothing.

Some may contend that the debt limit is the wrong place to have this spending debate. I have heard this a lot as I have been promoting this idea. I have to respectfully disagree. The debt limit is about all that has worked. The debt limit is not just about paying past bills, it also presents an opportunity to talk about the future—what should our bills be in the future? It is not about, as the President often says, paying our past bills. Those should be paid. It is about what bills we are going to rack up going forward. We have to make a change. If we don't, the country is headed toward bankruptcy.

Furthermore, nearly every single deficit reduction bill over the past 28 years has been linked to the debt limit. In fact, I would say every single one of the significant deficit reduction packages in the last few decades has been linked to the debt limit. It is all that has worked around here.

In 1985—there are some Members in the Senate today who were here then, and they will tell you that the Gramm-Rudman-Hollings bill, which came out of the Senate, helped reduce the deficit. It was attached to what? A debt limit bill. Since that time, the three largest deficit reduction packages in the 1990s—1990, 1993, and 1997, including the 1997 Balanced Budget Act—were all linked to what? A debt limit discussion. So it is really all that has worked.

The Statutory Pay-As-You-Go Act, which a lot of Democrats were very supportive of, was in 2010. That came out of a debt limit discussion.

Finally, of course, the debt limit was the impetus for the Budget Control Act just 2 years ago, when this Congress made a commitment to save \$2.1 trillion over the decade. So just 2 years ago, we agreed to this dollar-for-dollar provision, and it was done as part of the debt limit.

As we discuss the dollar-for-dollar amendment pending today, we have to remember that this is really where the idea came from. Dollar-for-dollar came out of the Budget Control Act. So for folks who attempt to label this idea as untenable, too aggressive, or without precedent, remember that the dollar-for-dollar legislation passed only 2 years ago with only 95 Democratic votes in the House and 45 of the 51 Democrats here in the Senate voting yes. So the idea certainly has precedent, and given the results we talked about earlier, it is a commonsense way to address the debt limit debate today and in the future if this body is going to be serious about getting Washington's spending and debt under control.

By the way, it wouldn't apply to this first short-term debt limit extension. This would apply to the debt limit extension that we all hope will be a longer term agreement with Repub-

licans and Democrats, including, as the chair and the ranking member of the Finance Committee just talked about, tax reform and entitlement reform—working together to solve these problems. This would provide the impetus to do that.

So whether that is in 3 months or, as some are suggesting, 6 months from now, given the fact that Treasury will be able to use some authorities to help extend that debt limit, that is when this would apply. It would not apply to this short-term debt limit, but it is putting the discipline in place now that we employed only 2 years ago to be able to get real savings for our country.

The debt limit is also an important tool for deficit reduction because it is all we have had. And when you think about it, we haven't had budgets. The only recent restraint came in the context of the debt limit and dollar-for-dollar reductions in the Budget Control Act. This is partly because the Senate has not passed a budget, as we all know and we all have heard about, in over 3 years. I understand the majority is committed to passing a budget in the Senate this year. I commend them for that. I hope they will. But reconciling it with the House, of course, will be a challenge, and future years also remain uncertain. So in the absence of a budget, the fact remains that the debt limit has been the effective tool we have used.

By the way, the fact also remains that now nearly two-thirds of all spending is not even subject to the budget. Why? Because it is on autopilot. It is not annually appropriated. It is the mandatory spending. So even if we have a budget, which I hope we do, still, the debt limit is the most likely way for us to get at the bigger picture since 62 percent of spending is on autopilot—or mandatory—and not subject to the annual appropriations process that would be part of the budget agreement. This is why the debt limit is likely to remain the most successful tool for deficit reduction.

Common sense tells us that while Washington pays its past bills, it also has to take steps to reduce its future bills. Based on one poll I saw, 72 percent of Americans agree that when you increase the debt limit, it should be matched by equal cuts, dollar-for-dollar—72 percent of Americans. It is common sense. We did it 2 years ago. It leads us to a result that seems reasonable.

Most people think we need to get spending under control. The revenues are going to go up based on the CBO projections here, and we get to virtually a balance over 10 years if we put this in place, with the permitting of about 3 percent growth in spending every year. So this is not an unreasonable result. It is a sensible solution. Congress did it a couple years ago.

I hope my colleagues will join me on a bipartisan basis to say that with regard to the longer term debt limit extension we are facing somewhere in the 3- to 6-month period, that we put in place this discipline and then allow the committees to do their work. We should go back to regular order. The Finance Committee chairman has made this point repeatedly, and so has the ranking member. Other members have. We need hearings. We need to have an open process. We don't want these last-minute bills that people haven't had a chance to read and staff hasn't had a chance to review.

This would put us in that position—knowing that we have this discipline in place, we can achieve this, and we must achieve this for the sake of our kids and grandkids. I urge my colleagues to support it.

Mr. President, I now would like to offer a second amendment. I have been asked to offer these two amendments together. The second amendment is another idea because it doesn't have to do with the debt limit per se, but it has to do with how we avoid government shutdowns. This is bipartisan legislation, and it is a bipartisan idea whose time I believe has come.

Every year since 1997 and in all but 2 years since 1985, Congress has reached the October 1 fiscal year-end without doing all the appropriations bills. Think about that. Every year since 1997, we have not been able to reach agreement on all the appropriations bills, and only twice since 1985 have we ended the fiscal year with having all the appropriations bills done.

What is the result? In some years there has been a relatively quick vote on what is called a continuing resolution to continue government spending in those areas where we haven't completed our work. In other years the result has been a real showdown, with the threat of government shutdown. And then in some years we have had an actual government shutdown. In fact, it has happened way too often, and the reason is that, again, we haven't been able to come together as Republicans and Democrats, the House and the Senate, working with the President, to put forward these appropriations bills in regular order, and so we face these shutdowns. And we actually have faced some last-minute budget bills, many of which are full of surprises because Members haven't had a chance to read them and staff has not had a chance to review them.

These shutdowns, by the way, when we have had them, have created real problems. Americans hoping to travel abroad find that their passport applications can't be processed. Disease surveillance ceases at the Centers for Disease Control. Recruitment of Border Patrol agents stops. Families planning to go on vacations to national parks find their destinations closed. It is not

a good way to run a government, and I think we should avoid those shutdowns.

Some make the reasonable argument that these shutdowns are an acceptable price to pay if they lead to spending cuts. I understand that is an argument out there, but in fact, as I look at it, I think the opposite has occurred. The 1996 government shutdown that a lot of people talk about produced such a large backlash that it seems as if a lot of lawmakers decided to abandon spending restraint altogether. A proof point might be that after that 1996 shutdown, nondefense discretionary spending nearly doubled over the next decade. So it seems to me as though the case for spending restraint was harmed, not helped, by the 1996 government shutdown.

The last-minute budget bill that usually results from the threat of government shutdown tends to have a lot of surprises in it. It is a real problem because over the years Congress has found itself just hours away from a government shutdown, often forced to vote on these thousand-plus page bills—an omnibus spending bill that folks have not had a chance to read and our staffs haven't sufficiently reviewed. It is not the fault of our Appropriations committees, which do their best under tight deadlines. I think it is the fault of these artificial deadlines themselves.

With hundreds of billions of dollars at stake, we could all use more time to better understand what we are voting on. This bipartisan amendment would solve these problems.

For all regular programs or activities whose appropriations bills have not been approved—whether it is all the bills or whether it is only one bill—the End Government Shutdown Act would automatically continue the current level of spending, no significant disruption, no crisis for citizens, no furloughed employees, no rush to approve a last-minute budget deal that people haven't had a chance to look at.

Yet we don't want these continuing resolutions to take the pressure off lawmakers to complete their work, so after 120 days there would be a 1-percent reduction in spending. It would be across the board in a normal year. Because the new fiscal year is October 1, this would mean lawmakers would have until January 29—well after the holiday break—to complete their work on the appropriations bills.

And this year, should Washington fail to come to an agreement on the continuing resolution, spending would remain at whatever the current level of spending is for those first 120 days.

Under this amendment, after the 120-day period, spending levels on any remaining unfinished bills would continue to be reduced across the board 1 percent every 90 days. I doubt that would be necessary because I think the

appropriators of the House and Senate would come together to solve the problems. But every 90 days, there would be an additional 1 percent reduction until the appropriations bills for the year-long continuing resolution have been enacted.

These eventual small cuts are designed to keep both sides at the bargaining table. They aren't so small as to be irrelevant, but they are not so large as to gut any programs. Priorities of both Republicans and Democrats would be subject to the same across-the-board cuts, and both parties, therefore, would have an incentive to come to an agreement to fully fund the priority programs and reduce funding for lower priorities.

This bipartisan amendment may not be each lawmaker's idea of perfect. It is certainly not mine. I would rather get all the appropriations bills done, but that is not what is happening. But we should all agree that it improves upon the current situation where we bounce from crisis to crisis, worried about government shutdowns as well as the rushed bills we have to vote on to avoid shutdown. The American people want us to complete our work in a logical way, and this amendment helps us to do that.

I urge my colleagues on both sides of the aisle to support this commonsense, bipartisan approach.

I yield the floor.

AMENDMENT NO. 8

Mr. TOOMEY. Mr. President, I have an amendment at the desk and ask for its consideration.

Ms. MIKULSKI. If the Senator from Pennsylvania will withhold? After he speaks, the Senator from Montana will speak, and then may I be recognized on the Portman amendment? I ask unanimous consent I be recognized after the Senator from Montana.

The PRESIDING OFFICER. Without objection, it is so ordered.

Without objection, the pending amendment is set aside.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Pennsylvania [Mr. TOOMEY] proposes an amendment numbered 8.

The amendment is as follows:

(Purpose: To protect Social Security benefits and military pay and require that the United States Government prioritize all obligations on the debt held by the public in the event that the debt limit is reached)

At the end of the bill, insert the following:

SEC. _____. ENSURING THE FULL FAITH AND CREDIT OF THE UNITED STATES AND PROTECTING AMERICA'S SOLDIERS AND SENIORS ACT.

(a) SHORT TITLE.—This section may be cited as the "Ensuring the Full Faith and Credit of the United States and Protecting America's Soldiers and Seniors Act".

(b) PRIORITIZE OBLIGATIONS ON THE DEBT HELD BY THE PUBLIC, SOCIAL SECURITY BENEFITS, AND MILITARY PAY.—In the event that the debt of the United States Government

reaches the statutory limit as defined in section 3101 of title 31, United States Code, the following shall take equal priority over all other obligations incurred by the Government of the United States:

(1) The authority of the Department of the Treasury contained in section 3123 of title 31, United States Code, to pay with legal tender the principal and interest on debt held by the public.

(2) The authority of the Commissioner of Social Security to pay monthly old-age, survivors' and disability insurance benefits under title II of the Social Security Act.

(3) The payment of pay and allowances for members of the Armed Forces on active duty.

(c) LIMITED DEBT LIMIT AUTHORITY.—

(1) IN GENERAL.—If the Secretary of the Treasury determines, after consultation with the Director of the Office of Management and Budget, that incoming revenue will not be sufficient to finance the priorities listed in subsection (b) over the following 2 weeks, the Secretary, in coordination with the Director of the Office of Management and Budget, shall—

(A) notify Congress of the expected revenue shortfall; and

(B) raise the debt limit by the amount necessary to cover the difference between incoming revenue and the revenue needed to finance the priorities listed in subsection (b) on a 2 week basis.

(2) LIMIT.—The debt limit increase provided by paragraph (1)(B) may not exceed the difference between expected outlays for the listed priorities and expected revenue.

(3) EXCESS REVENUE.—If incoming revenue exceeds the amount projected by the Secretary of the Treasury, in consultation with the Director of the Office of Management and Budget, needed to finance the priorities listed in subsection (b) over the 2-week period, any amount in excess shall be held in reserve and applied to the following 2-week period.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I wish to address the substance of this amendment, but let me start with a little context on this underlying bill. The underlying bill, of course, suspends the debt ceiling from now until May 18. What that means is in the meantime, the administration will be able to borrow as much money as it wants within certain constraints, but a very large sum of money over the next 3½ months, at which point the debt ceiling will be reinstituted at a higher level. We expect the government will probably borrow something on the order of \$400 billion between now and such time as the debt ceiling is reestablished.

We have \$16.4 trillion in debt today, so by the time the debt ceiling is reapplied, reimposed, it will be just under \$17 trillion. At that point we will be right back to the standoff we were at very recently, a standoff over what to do about this massive amount of debt we already have and the massive amount of additional debt the administration would like to create. The administration's position is very clear: They want additional borrowing authority with no strings attached—no conditions, no limits on future spend-

ing. They just want to be able to keep borrowing. Some on our side of the aisle believe very strongly that any increase in the debt ceiling that authorizes still more borrowing needs to be accompanied with some measure of spending discipline so we can at some point begin to regain control over these out-of-control deficits and the debt.

In any case, what we know for sure is that this tension will reemerge and that we do not have a resolution in place now. If this measure passes, which very likely it will, and it will be signed into law, we have just kicked this can down the road until May—maybe June or July at the most—but we surely will be back at this point where we are having this argument.

Here is what else we know. We know that tax revenue, ongoing tax revenue coming into the Government's coffers, is going to be about 75 percent of all the money the Government is planning to spend in the coming year—or is likely to spend. Since 75 percent does not cover everything, the other 25 percent is meant to be borrowed. Therein lies the necessity of raising the debt ceiling, precisely to fund the difference between all the Government wants to spend and the tax revenue it is going to have.

It is important to note, by the way, that raising this debt ceiling is not about paying for past bills incurred. I know that is repeated around here all the time. It is totally untrue. We have a funding for the appropriations process that expires at the end of March. There is no appropriation that is in place going forward. The debt ceiling increase, the authority to borrow more money, is all about funding future spending, which is part of the reason why some of us think this is a very sensible moment to try to bring some discipline to that future spending.

What would happen if we do not raise the debt ceiling right away? If we do not, we would have to have a 25-percent cut in all government spending. That is pretty massive. That is pretty problematic. The administration and some actually go way overboard in the threats they attach to this. They threaten to inflict the maximum possible economic damage if the debt ceiling is not raised promptly upon the point at which they run out of their maneuvering room. So you hear threats about a default on our debt and senior citizens will not get their Social Security check and our military folks will not get paid. All kinds of the most disruptive, most damaging, and most dangerous kinds of outcomes are threatened by the administration. This is unnecessary. This is not true. This is not what would happen. But there is an incentive, of course, to try to scare and intimidate Republicans into giving the administration the unconditional ability to keep on borrowing and spending

as they have been doing, and that is why we hear this.

My amendment is an attempt to absolutely minimize the disruption, the danger, and the drama. It is an attempt to get away from "government by cliff" and to have a sensible approach to bringing our spending under control. It is called the Full Faith and Credit Act. What it does is it says very simply, since none of us can guarantee the debt ceiling is going to be raised on any particular date—we all know how we are going to vote. We cannot control anyone else's vote. We certainly cannot control a single vote in the House and we cannot control what the President is going to do. Therefore, we can never know for sure whether and when and under what circumstances the debt limit will be raised.

My point is the sensible and prudent and responsible thing to do is have a plan to minimize the downside if the debt ceiling is not raised immediately upon reaching it. This has nothing to do, by the way, with the current circumstances of suspending the debt ceiling. This is all about the next time, in May or June or July, when we find ourselves facing these circumstances.

What my bill says is, if we get to that point, the Federal Government would be obligated to prioritize three categories of spending: That would be interest on our debt to make sure we do not default on our debt and create a financial crisis; it would be Social Security payments to everybody who qualifies for a Social Security payment so that no senior citizen has to worry and wait to get their check; and it would be Active-Duty Military personnel so that no soldier has to worry or wonder whether they are going to get paid.

By the way, what my bill does is it goes a step forward and says not only will the Federal Government have to prioritize those three categories, but it says in the event on any given day the tax revenues were not sufficient to cover those three payment obligations, the Treasury Secretary would be authorized to borrow additional amounts to ensure that those payments were made.

What does it do? It guarantees that it would be absolutely impossible, under any circumstances, to default on our debt, to miss a Social Security payment to anyone, or to be late with the military pay to anybody. That is what it would do. It would take a little bit of the drama and the risk and the uncertainty and the potential damage to the economy off the table and allow us to have an honest, sensible discussion about how we are going to get spending under control.

Mind you, these three categories of spending, if you add them all together, cumulatively account for about one-third of all the spending the government is scheduled to engage in over the

course of this fiscal year. Ongoing tax revenue is about three-quarters of all the spending that is going to occur. So clearly there is far more than enough tax revenue to cover these items, but tax revenue comes in in a lumpy fashion. It doesn't come in smoothly and uniformly over the course of the year, hence the provision that allows the Treasury Secretary to borrow in the event that they needed to in the short run to smooth it out.

Let me say something that is of more fundamental importance. This amendment is not intended to be a replacement for raising the debt ceiling. Unfortunately, as long as we are running structural deficits, we are going to have to borrow money to fund them. This amendment, if it were to pass and be signed into law, does not mean we would not have to raise the debt ceiling at some point. Of course we are going to have to until we get to the point where we have balanced budgets and do not have to continue to run deficit spending.

By the way, I do not think it is desirable or optimal to cross into that threshold where we are living under the rules of prioritization, because it is very disruptive to not be paying all the other bills on time as we ought to. That is much better. But my point is, there is something even more important here and that is to fundamentally bring our spending and deficits under control. Trillion dollar deficits, a total debt that now exceeds the total economic output of our country—we have a disastrous fiscal situation on our hands. It is right now costing us jobs, economic growth today, and it is guaranteed to result in a full-blown fiscal crisis and a meltdown if we do not change the path we are on.

The only time we have ever been able to persuade this President to agree to significant spending reductions was the last time we argued over the debt limit and we did end up getting spending cuts as part of that. I think the urgency of getting our spending under control and getting our fiscal house in order so we can avoid a fiscal crisis and have the kind of economic recovery we need is what necessitates a prioritization bill so we can take the shrill excesses and the threats that some are claiming off the table and have a real discussion and real solutions about how we are going to get spending under control.

My strong hope is that we can bring an end to "government by cliff." Senator PORTMAN has an amendment, I believe, that he is going to introduce, which would prevent the danger of a government shutdown in the event that a CR, a continuing resolution, expires. It makes all the sense in the world. We should not find ourselves backed up against the wall at midnight on December 31 with a great calamity threatened if we do not pass some bill

that nobody has ever seen. This is a terrible way to run the government and that is what we have been doing. What my bill does is it eliminates the risk of default and it creates the opportunity for us to bring some spending discipline associated with any future debt limit increase. The bill of Senator PORTMAN will avert the risk of a government shutdown.

I fully support his other efforts to make sure we have a dollar in savings for every new dollar in debt we create. We have an obligation to do that. We have already have too big a debt burden. We have to begin curbing the problem that causes it, and that is too much spending.

I urge my colleagues to support this amendment. As I say, it will not have any effect on the specific bill under consideration to temporarily suspend the debt limit. It will make a much more manageable and a much less disruptive discussion when we address the debt limit once again in May or June—or when that day surely will arrive.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I rise to speak on two amendments. It will be the first amendment offered by the Senator from Ohio, his first amendment, and also I will speak on an amendment offered by the Senator from Pennsylvania. I think the Senator from Maryland, the chairman of the Appropriations Committee, will speak on the second Portman amendment.

I chuckled this morning. I see two new Members, very able Members of the Senate, who are now members of the Senate Finance Committee, follow their urges to offer amendments immediately to bills before the Senate. Senator PORTMAN is doing that, Senator TOOMEY is doing that, and I commend them, very much commend them for being so interested in the subject and allowing their intellectual juices to flow and come up with something that is new and different and in their view might make some sense. I think part of this is because of the newly found efforts here in the Senate, and desire in the Senate, certainly among rank-and-file Members, to do something.

What you hear around here is: "Regular order." That is something I very much subscribe to, namely let the committees do their work. Senator PORTMAN and Senator TOOMEY are certainly following that tradition by offering amendments so the Senate Finance Committee, or in this case the Senate floor, is doing its work with respect to the pending measure.

I want to start by saying how much I appreciate the efforts of the Speaker, Speaker BOEHNER. He has done a good job giving us a few months' breathing room here in the Congress with respect to the debt limit increase; that is, having the House pass on a bipartisan

basis a measure which extends the debt ceiling limit for another several months, to May 18. That gives us a chance to figure out how we are going to get our fiscal house better in order, cut the debt, and deal with some other vexatious issues such as the sequester and the continuing resolution.

The amendment, I must say, though, offered by my good friend from Ohio is a throwback to an effort that was undertaken essentially a year or two ago. With all due respect, it didn't work. What was that? Namely, it was the Sanders amendment, which is for every dollar increase in the national debt there be a dollar cut in Federal spending. This was something that was tried, the House of Representatives tried, the Speaker negotiated with the President, and it didn't work. Frankly, it led to a big confrontation, if you will, on August 11, where the debt was reaching its limit, there was no agreement on spending cuts, and the credit agencies began to downgrade U.S. credit. It didn't work. I again say I am very proud of the Speaker for trying a different approach.

It is also important to point out that if this amendment were to pass, we would have to send this bill back to the House. We are already now on a good track for the Senate to pass, without amendment, the House-passed bill. If that happens, then the world knows that the U.S. Government will not be in debt until at least May 18, and because of measures the Treasury Secretary will not exceed the debt limit until sometime in August.

We will be in debt. We have a big debt. The debt is about a \$16 trillion debt, but we will not reach our debt limit if the House bill is passed by the U.S. Senate. In my judgment, it is very important that we pass this House amendment so that we in the Senate and the House of Representatives can get to work on how we reduce the debt and how we get our house in order as best as we possibly can.

I thank my friend from Ohio for his approach. Dollar for dollar, this has been attempted in the past. It has been rejected by the Speaker in the House of Representatives, and it has been rejected by the majority of the House of Representatives. This is an idea that was once tried, but it didn't work. I submit, with all due respect, it would not work this time either for the reasons I just mentioned and for the additional reason that it would further complicate an effort to increase our debt limit for a short period of time, which allows us to do our work.

I now wish to turn to the Toomey amendment. Again, I thank my colleague from Pennsylvania, a member of the committee, for industriously coming up with an idea. I must say, with total respect, I don't think the idea works. Basically the idea is that when the debt limit is reached, the limit

would be increased only for the purpose of addressing principal and interest on the debt held by the public or Social Security benefits and military pay, and that is it. The debt limit is automatically increased only for those three reasons and not for other reasons; that is, not for other programs the U.S. Government has an obligation to fund.

What are some of the other programs? Medicare, veterans' benefits, disability benefits, Medicaid, Pell grants, special education for disabled children, and highway funding. The list is extremely lengthy. I just mentioned a few.

What happens if the Toomey amendment is law? First of all, we have reached our debt limit. What are the credit markets going to think? What are credit agencies going to think? They are going to think, oh, my gosh, the U.S. Congress has not increased its debt limit but for essentially on a daily basis Social Security, interest on the debt, and military pay. It is not for military procurement or men and women in the Air Guard. It is just military pay. It sounds as though it is just for active-duty pay. Think of what will happen. Think of the chaos. Other agencies are not going to know whether they will be funded. They have no idea. According to the Toomey amendment, it is up to the Treasury Secretary to prioritize. How can he do that when there is no money there and the debt limit is not increased? Frankly, I cannot believe this amendment is even offered. With all due respect to my friend from Pennsylvania, it is so nonsensical.

With respect to the two amendments that are offered here, the first being the Portman amendment, I say to my friends, it has been tried in the past and it didn't work. It didn't work when the President and Speaker were trying to negotiate a deal on August 11. It caused chaos in the markets. That is one of the reasons the markets fell so much in August of 2011.

If this amendment is agreed to, it will have to be sent back to the House. It will mean putting this issue of extending the debt limit increase for 3 months in tremendous jeopardy. I don't think we want to do that. I think it is the wrong thing to do.

The second amendment, the Toomey amendment, is totally unworkable. It will cause even more chaos at a time when we are trying to calm the markets, at a time when we are trying to get more confidence, more credibility, not less. In my judgment, both—especially the latter—will result in a lot more worry in the markets, not more confidence. It will create more worry, more uncertainty, and for those reasons I think these amendments should be rejected.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I stand as the chair of the full Appropriations Committee to respond to two Portman amendments. I will comment on one and speak to the one related to automatic CRs, which is in the jurisdiction of the Appropriations Committee.

First I will speak to the dollar-for-dollar cuts, which the Senator from Montana and chair of the Finance Committee spoke to. I want to say I absolutely support his position. As an appropriator, I agree with his arguments. The dollar-for-dollar cuts would make the Boehner rule permanent. It would raise the debt limit by mandating a \$1 trillion cut in spending. This amendment could allow the minority of 41 Senators to dictate the fiscal policy to the majority.

I also oppose the Portman amendment related to automatic continuing resolutions. What does the amendment do? It sounds good. I must say I have great admiration for the Senator from Ohio. He has a well-known reputation for working on a bipartisan basis. When he was in the House, he worked so well with my colleague Senator CARDIN. I look forward to having these kinds of discussions and seeing how we can work out some of these issues.

In listening to the debate, I think we are all in agreement of our goals, but we disagree on the means.

As I read it, Senator PORTMAN's amendment says if Congress fails to pass an appropriations bill or a continuing resolution related to it, instead of a government shutdown, automatically a continuing resolution would go into effect.

Now that sounds good. However, there is an additional part that says every 3 or 4 months, if Congress fails to replace the CR, it would decrease agency funding by 1 percent across the board.

That sounds pretty good too because, after all, what is 1 percent? Well, 1 percent compounded has Draconian results. This amendment would set up essentially the framework for many sequesters that would go into effect automatically if Congress doesn't pass the appropriations.

I agree with the Senator from Ohio that we need to follow regular order, which means bringing up appropriations bills one by one, open, transparent, debatable. If you want to shave or save, offer amendments. If we had regular order, we would be able to pass our bills.

We cannot have a situation in the Congress where we have not been able to bring up bills because of the filibusters and deleterious tactics of some Members, and then when we can't bring them up, we are punished for it.

I oppose this amendment for three reasons. The amendment is the wrong solution, regular order is the solution.

Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COATS. In deference to the Senator from Maryland, I went through the cold-and-cough crud that caused her to begin coughing, so I fully understand why she needed to take a break. I am more than willing to step aside when she comes back.

In the interest of time, since I am next up—I know we are trying to move toward a vote at 12:15 p.m.—I wish to proceed. I will be happy to suspend when the Senator gets back.

This afternoon the Senate will vote on a bill recently passed by the House to suspend the debt ceiling for 4 months. First, I wish to commend the House on one aspect of the legislation, which I strongly support, and that is the suspension of salary for Members of Congress if we do not pass a budget by April 15.

As I mentioned on the floor yesterday, Congress, by law, is required to pass a budget. It has been nearly 4 years since it has done so. As a result, the Senate has blatantly ignored its legal duty, not to mention its moral duty, to enact a budget. This is completely irresponsible, and, quite frankly, it is embarrassing. If this body cannot fulfill its most fundamental duty under law to pass a budget, then I say we don't deserve to get paid.

However, another aspect of the bill that would suspend enforcement of the Federal debt limit until at least May—and according to recent statements issued by the administration possibly until August—concerns me. I understand why the House is taking this approach for political and tactical reasons, but unfortunately, this decision only continues the practice of governing from crisis to crisis, cliff to cliff, and pushing through flawed, haphazard legislation at the last minute as we did with the vote on the fiscal cliff, which is a great example of how this body should not function.

As a result of this practice, Members are left deciding between choosing the lesser of two evils. Never again will I, nor I believe many of my colleagues, support any legislation that is negotiated in secret, bypasses the regular process where we have an opportunity to take it up in committee and amend it, if necessary, and then present it to the Senate for debate and evaluation or amendment. Never again will I support something that takes us into the wee hours of the night into New Year's Eve and New Year's Day and then just have a few minutes to try to evaluate it with no debate and no opportunity to amend. This is no way to govern a country. It is no way to strengthen a weak economy and spur job creation,

and it is no way to restore confidence among consumers and investors, which is such a critical factor in making for robust growth, which we are not enjoying right now. Eventually all of us have to stand up and say enough is enough. Pushing these debates up until the last minute, creating our fiscal cliffs, and passing short-term measures must cease.

The people of Indiana have had enough. Across the country the American people have had enough of Washington postponing real action on the most serious challenge facing our country, namely the out-of-control plunge into further deficit spending and debt.

Both Republicans and Democrats, the President and the Congress, liberal and conservative economists and non-partisan people, all agree that our continued increase in debt is unsustainable. We all know that what has been fueling this fire that has engulfed our fiscal house is spending. To date our meager efforts to deal with this looming fiscal calamity are like trying to put out a five-alarm fire with the occasional squeeze of a squirt gun.

I note that the Senator from Maryland is on the floor. If she wishes to resume, I would be happy to suspend my remarks.

Ms. MIKULSKI. Is that okay with the Senator?

Ms. MIKULSKI. I thank the Senator for the courtesy. Both the Senator from Montana and I have been hit by this bug.

Mr. COATS. I was hit by it 2 weeks ago so I fully understand what the Senator is going through.

Ms. MIKULSKI. Little germs are doing to me what my opponents couldn't, which is stop me from talking. I thank the Senator for his courtesy.

Mr. President, I oppose the Portman amendment related to automatic Continuing Resolutions with cuts if Congress does not pass appropriations bills. I acknowledge the legitimacy of his concerns, and I agree that we are all tired of governing from crisis to crisis. And I share his goal of keeping the government open so our Federal agencies can carry out their missions, and serve the American people. But I very much oppose this proposed solution.

Now, what does the amendment do? It sounds good, and I must say, I have a great admiration for the Senator from Ohio. And he has a well-known reputation for working on a bipartisan basis. He has worked so well when he was in the House with my colleague, Senator CARDIN. And I look forward to having these kinds of discussions and seeing how we can work out some of these issues. I think in listening to the debate, we all are in agreement of goals, but we disagree on means.

His amendment, as I read it, says if Congress fails to pass an appropriations bill or a Continuing Resolution

related to it, instead of a government shutdown, an automatic Continuing Resolution would go into effect. That sounds good. However, there's an additional part that says, after four months, if Congress fails to replace the Continuing Resolution, it would decrease agency funding by one percent across the board. Well, that sounds pretty good too. Because after all, what is one percent?

Well, one percent every 90 days compounded has draconian results. This amendment would set up essentially the framework for mini-sequesters that would go into effect automatically if Congress doesn't pass appropriations bills.

I oppose this amendment for three reasons. First, the amendment is a wolf in sheep's clothing. The amendment's stated purpose is to establish automatic Continuing Resolutions, but the amendment wouldn't just extend funding for government operations. It would also cut funding one percent across the board for every 90 days that Congress doesn't pass Appropriations bills or a Continuing Resolution. Mr. President, this amendment just creates a new crisis instead of providing confidence and clear direction. This type of robotic-cutting Continuing Resolution would add uncertainty to the operations of the Federal government.

Second, this amendment is the wrong solution to a long-standing problem. A problem we have become too familiar with, and too comfortable with. I'm talking about not operating according to regular order. I agree with the gentleman from Ohio, we need to follow a regular order. Regular order means Congress receives the President's budget. Regular order means the Appropriations Committee holds hearings and marks up bills. Regular order means bringing up appropriations bills on the Senate floor, one by one, a process that is open, transparent, and allows debate. If a Member wants to save money or shave spending on these bills, that Member can offer amendments. If we had regular order, we would be able to pass our bills.

The solution to the problem of governing from crisis to crisis, of avoiding Continuing Resolutions and government shutdowns, is not an automatic Continuing Resolution. The solution is to get back to regular order, where Congress makes smart decisions about where to make needed investments and where to cut. Permanent robotic-cutting Continuing Resolutions are not the solution.

You have a situation in Congress where we haven't been able to bring up bills because of filibusters, and because of the dilatory tactics of some Members. We can't bring our bills up, and we're punished for it. There are those who have thrown sand in the gears of regular order by tying up appropriations bills with controversial riders

and calls for draconian cuts, and then complain when we have to do Continuing Resolutions to keep the government working for the American people. They can't have it both ways. Regular order is the solution.

Third, this amendment simply gives up Congress's Constitutional responsibility, the power of the purse. This amendment would put the government on auto-pilot for months, perhaps even years. In a divided Congress, it is hard to come to an agreement on spending. But every time we pass a Continuing Resolution, we are giving the executive branch more and more control over the federal budget. This means Congress gives up control to OMB and Cabinet officers.

By not passing our bills, we weaken Congressional oversight. The Appropriations Committee is the only committee that reviews every spending account of every agency. The Committee digs down further than any other committee to make sure that agencies are not wasting taxpayer dollars. And when we find things that need to be fixed, we fix them in our bills. But if we can't get our bills to the President's desk, then our efforts at oversight are not realized.

Mr. President, I agree with the Senator from Ohio that we should stop our dependence on Continuing Resolutions, especially long-term Continuing Resolutions. They are a terrible way to govern. It is time for us to show we can govern. The American people want to see us govern. We all need to work together in good faith and in a timely manner. This is what the Appropriations Committee does.

Mr. President, I urge my colleagues to oppose this amendment.

Mr. President, I also oppose the amendment from the Senator from Ohio that demands a dollar in cuts for every dollar increase in the debt limit.

Under this amendment, the debt limit could not be raised without spending cuts equal to the amount to be raised, unless the requirement is waved by a super-majority of 60 votes. This amendment would make the "Boehner Rule" permanent. The amendment means that in order to raise the debt limit by \$1 trillion, Congress would need to cut \$1 trillion in spending over the next ten years.

This is a terrible amendment. The point has been made before, but I make it again. The debt limit is not about cutting spending, it is about paying for spending that Congress has already authorized. If enacted, the Portman amendment would require trillions and trillions of dollars in cuts to earned benefits programs over the next decade. Cuts to Social Security, Medicare and Medicaid, and all of our other mandatory programs. It would also squeeze discretionary spending, including defense, to the point where I doubt our agencies could carry out their most basic responsibilities.

I remind my colleagues that under this amendment, if the Congress were to pass a tax cut, revenues would fall but spending would not. So the next year, when less revenue comes in, Congress would be forced to pay for the tax cut with equal spending cuts. If Congress passed another huge tax cut for the wealthy, like the Bush tax cuts, then Congress would have to cut programs for the middle class to pay for it.

And I also remind my colleagues that if Congress passed emergency spending, like the Sandy bill, then guess what? Next year, Congress would have to find even more cuts to earned benefits or to discretionary spending to pay for that.

The Senate has a history of always protecting the rights of the minority. But it is one thing to protect the interests of the minority party, and it is quite another to allow a minority of 41 Senators to dictate policy to the majority. By requiring an affirmative super-majority of 60 votes to raise the debt without draconian spending cuts, this amendment gives veto power to the minority over most fiscal decisions that the majority supports. Tax changes, spending, earned benefit reforms, Budget Resolutions, and even Reconciliation. That is simply not acceptable.

Mr. President, the objective of this amendment is obvious to me. The American people do not support cuts to their earned benefits, to Social Security and Medicare. This amendment is a way to force huge cuts in these programs without ever having to justify them.

I suggest that if Members want to cut a trillion dollars from Social Security over the next ten years, let them come down and offer an amendment that does just that. And if Members want to change the rules for Medicare, in order to remove Americans from eligibility for Medicare, or from Medicaid, let them come to the floor with legislation in hand to do just that.

We're talking about trillions of dollars here. Chained CPI is not going to do it. Cuts to providers won't do it. And that's the problem. Cuts of this magnitude require immediate cuts to Social Security. And these cuts reduce the number of people helped by Medicare and Medicaid. And of course, they gut non-defense discretionary spending. And I say to my colleagues, if I'm overstating the case, I look forward to someone coming down here and offering legislation that saves trillions of dollars and doesn't do those things.

We need to get our financial house in order. But we need a balanced solution, one that includes revenues, sensible reforms to earned benefits that save money but do not hurt the middle class, and spending cuts.

This amendment could not be less balanced. This amendment is all cuts and no revenues, and contains not one

specific policy that would save a single dollar. Tens of millions of middle class Americans work their whole lives, play by the rules, and pay their taxes every year so one day they can retire with some dignity and some security guaranteed to them. That's the promise this government made, and it's a promise the Congress needs to keep. With reforms to revenues and with reforms to our earned benefits programs. With frugality. With compromise. That's the solution to our fiscal challenges.

Mr. President, this amendment would fundamentally rewrite the social compact between the government and its citizens. Without a single hearing. Without a single witness. This approach is unacceptable, and I urge my colleagues to oppose this amendment.

I yield the floor.

Mr. COATS. Mr. President, I send my sympathy and empathy to the Senator from Maryland. Having gone through the same thing, I fully understand what she is dealing with and trust she will recover quickly.

Picking up where I left off, dare a politician stand here and acknowledge this? Many don't want to. But the truth is this: The main driver of our debt and deficit spending is the runaway mandatory spending on Medicare, Medicaid, and Social Security.

Despite those who claim it is political suicide to touch these programs and despite the fact none of us are saying we should eliminate these programs, this is an area where many don't want to tread. But I believe these programs, which provide much needed benefits for many Hoosiers and Americans, need to be preserved. But our goal and our challenge is to find common ground on not how to eliminate these programs but how to save these programs, both for current retirees and for future generations. If we don't take steps to reform these programs, we risk not only bankrupting our country, we risk having to tell the recipients of the benefits of these programs we no longer can fulfill their needs and our propositions.

It is difficult for me to support any effort to increase the debt limit when we continue to avoid taking the necessary steps to eliminate deficit spending and control our debt in the future. Despite several bipartisan attempts over the last 2 or 3 years, including efforts by the Simpson-Bowles Commission—the President's Commission—the Gang of 6 and the supercommittee of 12, we have failed to put together a credible, long-term deficit reduction package. How then can we continue to raise the debt limit over and over again without agreeing on a way to reduce it in the future?

Repeatedly and thoughtlessly raising the debt limit represents a political moral hazard, a taxpayer bailout for big government politicians who don't want to be bothered by controlling

spending. Congress continually increasing the debt limit is akin to consumers having the ability to increase their own credit borrowing limit with no oversight. We just keep increasing the credit limit to pay for more and more spending. It reminds me of a parent dealing with an irresponsible teenager who was given a credit card, asked to stay within the credit limits but month after month after month continues to exceed the limit as the debt piles and the interest on the debt accumulates. Eventually, the parent has to take away the card and take the scissors and cut it up. At what point do we in the Congress take the congressional credit card, cut it up, and get control of our spending?

I urge my colleagues and the President to focus not on how to get enough votes to raise the borrowing limit again but on how we can truly begin the essential task of eliminating deficit spending and reducing our debt as a percentage of GDP.

Part of what makes America so remarkable is we have the ability in this great country to control our destiny. The problems we face are not insurmountable, but they are not avoidable either. It is time we take a stand and do what the people we represent sent us to do. It is time we make the changes we pledged we would make when we were seeking office, and it is time we take control of our country's financial future and put America on a path to prosperity.

With that, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. VITTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VITTER. Mr. President, I am going to lay out and discuss a motion to commit which I have at the desk, and we are going to be voting on that motion to commit later today. It is very simple, very straightforward. In fact, I will read it:

Mr. VITTER moves to commit the bill H.R. 325—

That is, of course, the debt limit increase which we have at the desk which we are debating—

to the Committee on Finance with instructions to report the same back to the Senate within 7 days with legislative language that makes changes in existing programs that reduce Federal spending by the increase amount required by section 2(b) . . . over the period of fiscal years 2013 to 2022.

It is very simple. By whatever amount we are increasing the debt limit, so too would we reduce spending. The idea is to start actually paying for what we spend or at least paying for the extra we are going to borrow. It is

a commonsense idea, a straightforward approach, and it is not Draconian. We can do it. It starts to put discipline into the process.

This bill before us suspends the debt limit until May 18. That is estimated to mean between \$300 billion and \$400 billion in additional deficit spending. So under this motion to commit, that is the savings we would find. Those are the cuts we would make: \$300 billion to \$400 billion total over 10 years. Obviously, that is \$30 billion to \$40 billion a year. That is thoroughly doable. It is meaningful. It takes some work, but it is thoroughly doable, and those savings would be such a small percentage. The part for this year would only be about 3 percent of the deficit and around 1 percent of total Federal spending.

If we can't find between \$30 billion and \$40 billion a year in savings, is there truly a way we can agree to major budget reforms? If we can't find those modest savings, should we be borrowing more money to just spend and spend and spend?

Let me be clear. My limited motion is not enough. We need more spending cuts and we need more and fundamental budget reform and we need it now. But I am proposing a reasonable first step that is concrete and meaningful as a downpayment toward fiscal soundness.

This bill is short term. It is a patch. It is for 3 months. But it puts us on the right path. It is a concrete, meaningful first step.

Surely, we should have learned by now; Congress passed the last debt limit deal in 2011, but we got a credit downgrade anyway. As we continue to rack up more and more debt—without spending reform, without budget reform—a new downgrade has to be on the way. It is not a question of if; it is a question of when.

All the credit rating agencies have maintained their negative outlook, including after the fiscal cliff deal. The problem, as it was with the deal passed on New Year's Day, is not that we are taxed too little; the problem is we clearly spend too much. Not enough folks in this building recognize that. Everybody in the real world recognizes that, and certainly the credit rating agencies recognize that.

So why don't we take this reasonable, concrete first step? Again, my modest amendment is a small downpayment but an important step, concrete action during the time for which this bill would increase debt, as we work toward a more comprehensive solution.

If we are going to raise the debt limit, we must at least show the taxpayers, the credit rating agencies, and the world that we are serious about getting our fiscal house in order. Without this type of amendment—or in this case a motion to commit—we are not saying that in any way, shape, or form

with this bill. That is why without this sort of motion to commit or a roughly similar amendment, I cannot vote for this debt limit increase.

I urge all of my colleagues to join me in a bipartisan way around this approach. I think it would be a step in the right direction.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, the debt limit alone, under the current administration, had been increased by over \$5 trillion. That is simply unsustainable.

Not to worry, I have recently been told. We have made massive progress toward promising deficit reduction. I hear this even though we have not seen any significant actual reduction.

I have been hearing bold claims by my friends on the other side of the aisle about having attained trillions in budget "savings" and deficit reduction in just the past couple of years alone. They have gone so far as to say that we have had \$2.4 trillion of deficit reduction legislated in the past 2 years. Of course, the deficit reduction has not been realized. It represents promises and plans that even Democrats seek to undo. It is amazing to me that they make these claims.

I have heard bold claims that we have somehow legislated deficit reduction totaling as much as \$3.6 trillion from my friends on the other side. I have heard that deficit reduction that has been promised can be broken down to an 80-to-20 ratio of spending cuts to tax hikes.

While I often applaud creativity, I have to say these deficit reduction claims and the ratio of spending reductions to tax hikes is more than creative. It is more like Enron accounting, and if you were running a company in the private sector and made such claims, you would probably end up in jail.

Let me make a few brief comments on the Democrats' Enron accounting of deficit reduction.

First, the so-called spending cuts they identify have not yet been realized, and even they are working hard to undo some of them, if not all of them.

Second, the so-called spending cuts are only cuts if you are selective in the starting point you use to measure whether spending is being cut. Relative to what spending levels would be, had we not had a Democrat spending spree, spending has increased even if you include plans put forward in the Budget Control Act, which have not yet been realized.

Third, the spending-cut-to-tax-hike number thrown around by my friends on the other side of the aisle counts only one discrete tax hike—the one associated with the fiscal cliff bill.

Why do Democrats want to entirely ignore the massive tax hikes associated with ObamaCare that have already gone into effect, with more to come?

Fourth, spending cuts that my friends on the other side of the aisle are banking on when they devise their Enron accounting have not yet been set in place. Until fiscal year 2013 comes to a close, those spending reductions have not actually occurred, and Congress has a long history of promising cuts without delivering.

It is ironic to me that my friends on the other side of the aisle fight tooth and nail against any true reductions in the outsized spending of the current administration. Then when budget realities force consideration of reductions, and legislation is passed promising reductions, Democrats boast of having cut spending to reduce deficits.

Finally, when it comes to actually implement any spending cuts, Democrats want to undo them and replace them with yet more taxes. That is what we are hearing from the other side with regard to the sequestration.

I believe our country faces a large spending problem and that our debt is too big and grows too fast. I believe presenting a picture of our finances that would pass muster only in the Enron accounting department is a disservice to the American people. If my friends on the other side of the aisle want more tax hikes to pay for more spending, then they should just say so. And some of them do, by the way, and I compliment them for doing that, even though I think it is crazy. Cloaking their desires in manufactured claims that we have somehow cut spending 4 to 1 relative to tax hikes is simply dishonest. And I do not think I have been wrong in calling it Enron accounting.

Frankly, I am getting a little sick of it because they throw these figures around as though they are really tax cuts, and they are not tax cuts, and they never will be according to my friends on the other side in what their actions show. So it is important that we get rid of the fuzz and get rid of the buzz and get rid of the phony stuff and the Enron accounting and start realizing that we need to have some real tax reductions.

Frankly, we need to have some real spending reductions. Even if we cannot get tax reductions, we ought to all be working on spending reductions. We ought to be looking at every aspect of this economy, every aspect of our budget, every aspect of our legislation, and we ought to be looking for as many spending reductions as we can find.

Spending is out of control. Even today, you know they are going to be spending well over 22 percent of GDP, according to the best of estimates. The economic results of yesterday that were in the paper of this slow growth ought to be waking up everybody on both sides of the aisle that we are not doing our job. The reason we are not doing our job is because we phony up these numbers that are not really spending reductions, and then we act

like everything is hunky-dory, when, in fact, things are not hunky-dory.

We are in real trouble in this country, and it is inexcusable to let the greatest country in the world have to go through this type of charade because we are unwilling to face the music that every individual family in this country has to face on balancing their budgets and on balancing ours.

I think it is time to cut the charade and quit talking about spending reductions that do not materialize and amount to nothing but Enron accounting.

Mr. President, I ask that both sides be charged equally for the time we are in a quorum call.

The PRESIDING OFFICER. That is the order.

Mr. HATCH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PAUL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 9

Mr. PAUL. Mr. President, I ask unanimous consent to call up amendment No. 9.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 9.

Mr. PAUL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit the sale, lease, transfer, retransfer, or delivery of F-16 aircraft, M1 tanks, or certain other defense articles or services to the Government of Egypt)

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON CERTAIN MILITARY SALES TO EGYPT.

(a) IN GENERAL.—Notwithstanding any other provision of law, the United States Government shall not license, approve, facilitate, or otherwise allow the sale, lease, transfer, retransfer, or delivery of F-16 aircraft, M1 tanks, or other defense articles or services listed in Category VI, VII, or VIII of the United States Munitions List to the Government of Egypt.

(b) UNITED STATES MUNITIONS LIST DEFINED.—In this section, the term “United States Munitions List” means the list referred to in section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)), as in effect on January 1, 2013.

Mr. PAUL. Mr. President, I rise today to present an amendment that would stop the transfer of F-16s and Abrams tanks to Egypt. I think it particularly unwise to send tanks and our

most sophisticated fighter planes to Egypt at a time in which many are saying the country may be unraveling.

Ironically, a year ago, the Arab spring occurred. Hundreds of thousands of people gathered in Tahir Square to protest against the government that was instituting martial law. Ironically, the current President now has instituted martial law. Once again, the dread “indefinite detention” is threatened to citizens in Egypt.

As the rioting expands, many see Egyptian descending into chaos. What is President Obama’s response to this? To send them some of the most sophisticated weapons we have, F-16 fighters and Abrams tanks. I think this is particularly unwise. This amendment will stop it. I think this is particularly unwise since Egypt is currently governed by a religious zealot, a religious zealot who said recently that Jews were “bloodsuckers” and “descendants of apes and pigs.”

This does not sound like the kind of stable personality to whom we should be sending our most sophisticated weapons. I think it is a grave mistake to send F-16s and Abrams tanks to a country that last year detained American citizens on trumped-up political charges, to a country that currently is still detaining Egyptian citizens on trumped-up political charges.

I think it is a blunder of the first proportion to send sophisticated weapons to a country that allowed a mob to attack our embassy and to burn our flag. I find it objectionable to send weapons, F-16s and tanks, to a country that allowed a mob chanting “death to America” to threaten our American diplomats.

I am concerned that these weapons, some of the most sophisticated weapons in the world, someday may be used against Israel. I am concerned these weapons threaten Israel’s security. I am concerned that we are sending weapons to a country with a President who recently was seen to be chanting “Amen” to a cleric who was saying, “death to Israel” and “death to those who support Israel.”

I think it is foolhardy to support and send arms to both sides of an arms race. We send 20 F-16s to Egypt, which already has 240 F-16s. We send 20 in addition. What does Israel feel? They have to have two for every one Egypt has. It escalates an arms race and makes it more difficult for Israel to defend herself.

Today we have a chance to stop this folly. I urge my colleagues to instruct the President that we will not send any more F-16s and any more Abrams tanks to the current Government of Egypt.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is considering H.R. 325.

Mr. MCCAIN. How much time is remaining?

The PRESIDING OFFICER. Only Democratic time remains.

Mr. MCCAIN. Mr. President, I ask unanimous consent that I be allowed 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I speak in opposition to the amendment evidenced by my friend, the Senator from Kentucky, which would prohibit the sale, licensing, approval, facilitation, transfer, retransfer, or delivery of any defense articles and services to the Government of Egypt, including F-16 aircraft and M-1 tanks.

There are many problems with this amendment. I would like to explain. First, the amendment is not revenue neutral. The Congressional Budget Office has not provided an official score, despite my request, but there is a way to avoid the basic fact that there are numerous costs associated with this amendment. The defense articles the Senator from Kentucky wishes to block and prohibit are manufactured by American workers and defense companies. They have contracts to produce this equipment, and American workers are doing that as we speak.

If the Federal Government steps in, as my colleague’s amendment would mandate, those contracts would have to be immediately broken, and U.S. production lines would have to be shut down immediately. There is a cost of breaching a contract in this country, and there should be. That does not change just because the government is the one doing the breaching. This is also as it should be.

So the Senator’s amendment would obligate the Federal Government to pay the many costs to American businesses and workers for breaking our commitments to them. Furthermore, many of these defense articles have already been produced. They have already been paid for. They are technically the property of the Egyptian Government already. If the Congress prohibits these defense articles from being delivered to Egypt, they become the responsibility of the U.S. Government. We will have to store them somewhere, and that is not free either.

In short, there are a lot of hidden costs in this amendment. If this provision becomes law in its current form, it will add to the national debt. This is fiscally irresponsible, and I cannot support it on these grounds alone.

Second, and more important than the costs associated with this amendment, it is harmful to America’s national security interests. I know as well as anyone that Egypt is beset now with many problems.

I was in Egypt 2 weeks ago with a bipartisan delegation of my colleagues.

The Muslim Brotherhood-led government, which I would remind my colleagues was elected by the Egyptian people, has done a poor job of governing in an exclusive and pluralistic way, establishing the rule of law, and building democratic institutions.

The results of the Egyptian Government's failing are plain to see in the awful street violence and expanding unrest in Egypt. President Morsi's government has not been able to stem the violence and has often made matters worse. Egyptian police seem to have neither the capacity nor the legitimacy to restore order. The fact is, despite its flaws, the Egyptian Army remains one of the major stabilizing forces in Egypt today. If, God forbid, the current unrest worsens, and Egypt tips deeper into civil conflict, the one force in that country that might be capable of pulling Egypt back from the abyss is the Egyptian military.

If the Senate were to adopt the amendment proposed by the Senator from Kentucky, we would not only be harming the effectiveness of the Egyptian military, which, by the way, is not objected to by the Israelis, who probably understand better than anyone what defense capabilities might be used someday to threaten their security, we would be rupturing a decades-long partnership and denying and squandering our influence with the leaders of one of the most important institutions in Egypt.

The ramifications of this decision would be enormous, especially when it comes to the ability of U.S. ships, including U.S. aircraft carriers and other vessels, to transit the Suez Canal securely and effectively. I would urge the Senator from Kentucky to call the Chairman of the Joint Chiefs of Staff and ask him what effect this would have on the U.S. military and America's overall national security.

As I say, this amendment would be even more detrimental to our ally Israel, for which the continuing instability in Egypt is an abiding, clear and present danger. I have seen no objections raised by our Israeli allies to U.S. military assistance to Egypt, nor do I expect to see any. Here too I would urge my colleague to pick up the phone and call the Israeli Ambassador or just recall what I am sure he heard from Israel's leaders during his recent visit there a few weeks ago.

This amendment is absolutely harmful to the national security of our ally Israel. The timing of the amendment is also detrimental because our government is currently engaged in discussions with the Egyptian Government and military about the need to shift our security cooperation more toward the kinds of programs and equipment Egypt needs to combat the threats they increasingly face: porous borders, a rising threat from terrorism, deteriorating conditions in the Sinai, and a

security sector in dire need of reform. It is in Egypt's interest to move in this direction, as they are beginning to do. It is in our interest to help them.

If we adopt this amendment, the promise of this entire endeavor will be destroyed. Egypt will suffer, Israel will suffer, and the United States will suffer.

I oppose this amendment because it is uninformed and oblivious to the world challenges America faces and our continuing need to work with America's partners, imperfect and frustrating though they may be, to defend our Nation, our interests, and our allies in an increasingly dangerous world.

Finally, the Middle East is in a period of transition and change that we have not seen practically in its entire history. The Egyptians are key and vital to what happens in that part of the world. It is the heart, soul, and center of the Arab world. One out of every four Arabs who live in the Arab world lives in Egypt. It is the cultural and historic center of all the Arab world.

It is vital we do whatever we can to see that Egypt makes a transition to a free, democratic, and open society. That is in grave danger today. To pass this amendment today and send this message to Egypt in this very unstable and unsure time, I believe, would be exactly the wrong message at this time. I would also point out that this legislation has nothing to do with Egypt. It has nothing to do with Egypt.

A decision of this magnitude, in my view, requires hearings, debate, and legislation that would stand by itself, rather than in a 15- or 20-minute discussion on the floor of the Senate. For that reason alone, I urge my colleagues to overwhelmingly—as we have other amendments of the Senator from Kentucky—reject this amendment.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. I ask unanimous consent to speak for 5 minutes.

THE PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PAUL. I find the argument spurious and, frankly, absurd that not giving F-16s to Egypt is somehow against the interests of Israel. Imagine this. The President of Egypt has called Jews bloodsuckers and descendants of apes and pigs. The President of Egypt has also said that when we look at the relationship of Israel and her supporters—he stood next to a cleric, chanted “Amen” and said “Amen,” that we should go after and destroy Israel and the supporters of Israel.

Somehow it is a good idea to ship weapons to this country and to this religious zealot? I find it absurd that that would be in Israel's best interests. Somehow, the argument is made that, oh, this will lead to stability in Egypt.

Well, giving F-16s is somehow going to stabilize unrest in Egypt? It makes no sense whatsoever.

I would say that when we look at this and we hear arguments such as this will cost money, do you know whose money it was that bought these F-16? It was our money to begin with. We send the money to Egypt and then they buy the weapons from us.

If we are worried about a place to store the F-16s, why don't we give them to our military? Everybody seems to be saying it is a problem, this sequester, and there is not enough money for our military. Why don't we give the 20 F-16s to our military? Why don't we give the tanks to our military? Apparently, these are more tanks that are being given to Egypt than often different contingents of our Marines have at any one given point in time.

I would say keep the money and keep the weapons in our country. Mark my words, it is a mistake to send these weapons to Egypt. It is not in Israel's best interest.

For people to come down and argue it is in Israel's best interest to send weapons to a country that professes hate, professes a disbelief in the Holocaust, that professes they are in favor of destroying Israel—that is whom we are supposed to send these weapons to? It makes no sense at all.

Our foreign policy often makes no sense at all. I do think we need to reassess. We made this deal with Mubarak. We didn't make this deal with Mursi. Currently, Egypt is unraveling. I think it is a terrible mistake to send these weapons to Egypt, and I hope my colleagues will consider that.

I yield back the remainder of my time, and I suggest the absence of a quorum.

THE PRESIDING OFFICER (Ms. BALDWIN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PORTMAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

THE PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 6

THE PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate, equally divided, prior to a vote on amendment No. 6, offered by the Senator from Ohio, Mr. PORTMAN.

The Senator from Ohio is recognized.

Mr. PORTMAN. Madam President, we had a debate earlier on this. This is the Dollar-for-Dollar Deficit Reduction Act. It makes all the sense in the world.

Here we have a \$16 trillion national debt, now exceeding \$130,000 per household in America. We are told by the Congressional Budget Office that there is \$9 trillion more coming over the next decade.

We have to make this difference here on this bill. We have to take this opportunity to ensure that we are, in

fact, beginning to reduce spending, getting this under control, as we once again are asked to extend the debt limit.

This would not apply to this particular short-term debt limit, by the way; it would set up the discipline for the next debt limit, which is anywhere from 3 to 6 months from now.

Now is the time for us to come together as Republicans and Democrats and determine how we indeed reform the entitlement programs, put tax reform in place, go through regular order in the Finance Committee, as the chairman and others have called for, to ensure that we can get this under control.

It is a commonsense proposal. We did it 2 years ago. Most Democrats and most Republicans here on the floor supported it in the past. About 95 Democrats in the House have also supported it. It is a dollar-for-dollar reduction over 10 years as we raise the debt limit.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Montana.

Mr. BAUCUS. Madam President, on January 23, something marvelous happened. What was that? The House, on a strong bipartisan basis, passed a bill which would raise the debt limit, which would extend the debt limit to May 18. It was bipartisan. Speaker BOEHNER is to be commended.

This town is criticized for its lack of working together because it is just too partisan. Speaker BOEHNER found a solution to help us relieve the pressure so we can get our job done and get the deficit spending under control.

The method suggested by the Senator from Ohio is a step backward. We have tried that. We tried that a couple of years ago, and it didn't work. We all remember August 11, when the markets basically collapsed when the credit agencies began to downgrade our debt.

So I say let's follow the lead of the bipartisan Speaker, who found a way through great leadership to pass a provision. We should pass the same provision because if we don't, then we will be back to chaos.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BAUCUS. Amending the provision means it has to go back to the House. If you think the markets are in disarray today, just think of the lack of confidence that would prevail if this amendment were to succeed.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BAUCUS. Madam President, I move to table the Portman amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KERRY) and the Senator from Washington (Mrs. MURRAY) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 44, as follows:

[Rollcall Vote No. 6 Leg.]

YEAS—54

Baldwin	Harkin	Nelson
Baucus	Heinrich	Paul
Begich	Heitkamp	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Boxer	Kaine	Rockefeller
Brown	King	Sanders
Cantwell	Klobuchar	Schatz
Cardin	Landrieu	Schumer
Carper	Lautenberg	Shaheen
Casey	Leahy	Stabenow
Coons	Levin	Tester
Donnelly	Manchin	Udall (CO)
Durbin	McCaskill	Udall (NM)
Feinstein	Menendez	Warner
Franken	Merkley	Warren
Gillibrand	Mikulski	Whitehouse
Hagan	Murphy	Wyden

NAYS—44

Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Murkowski
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Chambliss	Heller	Rubio
Coats	Hoeven	Scott
Coburn	Inhofe	Sessions
Cochran	Isakson	Shelby
Collins	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Kirk	Vitter
Crapo	Lee	Wicker
Cruz	McCain	

NOT VOTING—2

Kerry Murray

The motion was agreed to.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:30 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. HEITKAMP).

ENSURING THE COMPLETE AND
TIMELY PAYMENT OF THE OBLI-
GATIONS OF THE UNITED
STATES GOVERNMENT—Continued

AMENDMENT NO. 7

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 7 offered by the Senator from Ohio, Mr. PORTMAN.

The Senator from Ohio.

Mr. PORTMAN. Madam President, this amendment is a commonsense amendment that would end government shutdowns as well as keep us from facing these last-minute budget

deals. For all regular programs or activities for which an appropriation bill has not been approved, the End Government Shutdowns Act would automatically continue funding—no significant disruption, no crisis for citizens, no furloughed employees, and no rush to approve a budget agreement that folks simply haven't read.

It doesn't take pressure off lawmakers altogether, however, because it forces us to complete our work by saying that after 120 days, spending would be reduced by one percentage point and then every 90 days by one more percentage point. It would force the administration, Congress, and Members of both parties to come together to make sure we have regular order and we have a process by which we have to get appropriations bills done, which we haven't been doing around here.

Instead of bouncing from crisis to crisis worrying about government shutdowns and having to vote on rush bills that Members haven't read and staff haven't had time to review, this is a more sensible and logical way to proceed. The American people expect us to do it and I hope we get support from both sides of the aisle on this bipartisan approach.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I oppose the amendment. It would trigger an automatic CR if Congress doesn't pass appropriations bills or a CR.

I understand the Senator's goal, but I oppose the amendment for three reasons: One, the amendment is really about cutting; it is not about keeping the government open. It includes an automatic CR with a 1-percent cut every 90 days, which means it would be compounded—these would be compounded cuts by compounded interest—if the Congress does not pass an appropriations bill. So a cut every 90 days would be a 1-percent cut, and then the following 90 days another 1 percent.

The amendment gives up Congress's constitutional responsibility. If we go on auto pilot, it gives the major power of the purse, which is mandated in the Constitution, to OMB and Cabinet officers—essentially nonelected political appointees. I don't think the Congress or the American people want to give the power of the purse to nonelected political appointees. Also, I agree we need to get back to regular order.

Madam President, because I disagree with this amendment, I move to table the Portman amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KERRY) and the Senator from Washington (Mrs. MURRAY) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 46, as follows:

[Rollcall Vote No. 7 Leg.]

YEAS—52

Baldwin	Harkin	Nelson
Baucus	Heinrich	Pryor
Begich	Heitkamp	Reed
Bennet	Hirono	Reid
Blumenthal	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	Shaheen
Carper	Lautenberg	Stabenow
Casey	Leahy	Udall (CO)
Collins	Levin	Udall (NM)
Coons	Manchin	Warner
Donnelly	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden
Franken	Murkowski	
Gillibrand	Murphy	

NAYS—46

Alexander	Flake	Moran
Ayotte	Graham	Paul
Barrasso	Grassley	Portman
Blunt	Hagan	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rubio
Chambliss	Hoeven	Scott
Coats	Inhofe	Sessions
Coburn	Isakson	Shelby
Cochran	Johanns	Tester
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker
Enzi	McCasikill	
Fischer	McConnell	

NOT VOTING—2

Kerry Murray

The motion was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, we have four more votes. They have all been ordered, just like this one was, as 10-minute votes. We are going to stick with that. If people are not here—whether you have been here for 30 years or 3 days—we are going to close the vote. People have a lot of important things to do this afternoon. We cannot delay these votes. This vote was 10, 15 minutes over what it should be. We are not going to do that this afternoon. The next vote will be 10 minutes, plus the 5-minute penalty period. That is it.

AMENDMENT NO. 8

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 8 offered by the Senator from Pennsylvania, Mr. TOOMEY.

The Senator from Pennsylvania.

Mr. TOOMEY. Madam President, the underlying bill we are going to vote on

in a little while suspends the debt ceiling for a period of time, as we all know. My amendment does not change that fact, but it addresses one of the consequences of that fact.

The fact is this bill suspends the debt ceiling, but it does not resolve the underlying problem. So we are going to be back here in a few months with the same impasse we have had in the past: What do we do about the mounting debt? What do we do about having reached the debt ceiling? Will we do anything about curbing the spending that is driving this problem?

My point is we are going to be back at this situation where we will have reached the debt limit once again, we will be at this impasse as to how to resolve this situation, and none of us can possibly know today how quickly that will be resolved. We cannot know how the other body will vote, how this body will vote, the President—we cannot know.

It seems to me, given the inherent uncertainty, we ought to at least have a contingency plan that minimizes any disruption in the event that the debt ceiling is not raised immediately upon reaching the expiration of this period. That is what this amendment is all about.

My amendment is about minimizing the risk of disruption in the event that the debt ceiling is not raised at the moment the time expires. What it does is it instructs the Treasury Secretary to prioritize three categories of payments.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. TOOMEY. Madam President, I ask unanimous consent for 30 seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOOMEY. This amendment would prioritize interest on our debt, Social Security payments, Active-Duty military, and authorize the Treasury to raise the debt ceiling as necessary to cover those three categories.

I urge my colleagues to support the amendment.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Madam President, I appreciate the intent of the Senator from Pennsylvania. When we stop and think about this amendment, it reminds us of the movie and the book "The Hunger Games." In "The Hunger Games," you will recall, children were pitted against each other until one survived.

Under this amendment, there are three categories that are protected: military pay, Social Security, and bondholders. Everybody else is out for him or herself. The Treasury Secretary would have to decide who gets what money, what funds—whether it is food stamps, whether it is Medicare, whether it is Medicaid, whether it is the Coast Guard; whatever it is, it would

be total chaos, and people who would find their food stamps cut would find themselves in greater hunger.

This is a very disruptive amendment. If you think the country is worried about a lack of confidence now, if this were the law, there would be less confidence, there would be total chaos in this country. I cannot think of a more disruptive amendment that would cause so many problems. It truly is a "hunger games" amendment and I urge that we table the amendment.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BAUCUS. Madam President, I move to table the Toomey amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KERRY) and the Senator from Washington (Mrs. MURRAY) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 45, as follows:

[Rollcall Vote No. 8 Leg.]

YEAS—53

Baldwin	Harkin	Nelson
Baucus	Heinrich	Pryor
Begich	Heitkamp	Reed
Bennet	Hirono	Reid
Blumenthal	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	Shaheen
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Coons	Levin	Udall (CO)
Donnelly	Manchin	Udall (NM)
Durbin	McCaskill	Warner
Feinstein	Menendez	Warren
Franken	Merkley	Whitehouse
Gillibrand	Mikulski	Wyden
Hagan	Murphy	

NAYS—45

Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Murkowski
Blunt	Graham	Paul
Boozman	Grassley	Portman
Burr	Hatch	Risch
Chambliss	Heller	Roberts
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker

NOT VOTING—2

Kerry Murray

The motion was agreed to.

AMENDMENT NO. 9

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 9, offered by the Senator from Kentucky, Mr. PAUL.

Mr. PAUL. This amendment would stop the transfer of F-16s and Abrams tanks to Egypt. Egypt is in danger of unraveling. Egypt is currently ruled by martial law. I think it is unwise to give our most sophisticated weaponry to a country in such disarray. I think it is unwise to give our most sophisticated weaponry to a country ruled by a President who recently said that Jews are bloodsuckers and descendants of apes and pigs.

I hope my colleagues will consider the ramifications of continuing to arm such an unstable regime, and I urge a vote in support of ending arms sales at this point to Egypt.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I rise in opposition to the amendment.

Would that this amendment were as simple as the junior Senator from Kentucky described. His amendment would hinder our military assistance program and licenses for commercial sales of all major military equipment, including aircraft, ships, tanks, other armored vehicles, and so on.

Ending these contracts would not only mean a loss of thousands and thousands of American jobs, it would incur more than \$2 billion in contract termination penalties for U.S. taxpayers. We would also put at risk our access to the Suez Canal, the overflights of the U.S. Air Force over Egyptian territory, cooperation on the Sinai, Gaza, Syria, and elsewhere in the Middle East and North Africa—a part of the world where we need all the allies we can get—and our emphasis on the ability to keep the Israeli-Egyptian peace agreement going.

Do I have problems with the way the Morsi government is going? Certainly. But removing our ability to be involved with keeping that peace agreement and our ability to influence, this is not the way to do it.

It is shortsighted and harmful to U.S. security arrangements.

I move to table the amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER (Ms. WARREN). Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KERRY) and the Senator from Washington (Mrs. MURRAY) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 79, nays 19, as follows:

[Rollcall Vote No. 9 Leg.]

YEAS—79

Alexander	Franken	Menendez
Ayotte	Gillibrand	Merkley
Baldwin	Graham	Mikulski
Barrasso	Hagan	Murkowski
Baucus	Harkin	Murphy
Begich	Hatch	Nelson
Bennet	Heinrich	Portman
Blumenthal	Heitkamp	Pryor
Blunt	Hirono	Reed
Boxer	Hoeven	Reid
Brown	Inhofe	Rockefeller
Burr	Isakson	Sanders
Cantwell	Johanns	Schatz
Cardin	Johnson (SD)	Schumer
Carper	Johnson (WI)	Shaheen
Casey	Kaine	Stabenow
Chambliss	King	Tester
Coburn	Kirk	Toomey
Cochran	Klobuchar	Udall (CO)
Collins	Landrieu	Udall (NM)
Coons	Lautenberg	Warner
Corker	Leahy	Warren
Donnelly	Levin	Whitehouse
Durbin	Manchin	Wicker
Enzi	McCain	Wyden
Feinstein	McCaskill	
Flake	McConnell	

NAYS—19

Boozman	Heller	Scott
Coats	Lee	Sessions
Cornyn	Moran	Shelby
Crapo	Paul	Thune
Cruz	Risch	Vitter
Fischer	Roberts	
Grassley	Rubio	

NOT VOTING—2

Kerry	Murray
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The motion was agreed to.

MOTION TO COMMIT WITH INSTRUCTIONS

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to the motion to commit offered by the Senator from Louisiana.

The Senator from Louisiana.

Mr. VITTER. Madam President, I have a very simple, straightforward motion to commit. It would commit the bill back to the Finance Committee for 7 days only with instructions to find savings—cuts—equal to the amount this bill would increase the debt limit—very simple, very straightforward, and very reasonable. This would only take \$30 billion to \$40 billion a year, which is very doable.

The American people are asking when we are going to turn to the spending side of the equation. President Obama talked all through the campaign about balance. Well, we have had the tax increases. Now we are having the debt increases. When are we going to have any new spending cuts? This would at least start, in a modest way, on some reasonable spending cuts.

The PRESIDING OFFICER. Does the Senator wish to call up his motion?

Mr. VITTER. Yes, I call up the motion to commit.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER] moves to commit the bill H.R. 325 to the Committee on Finance.

Mr. VITTER. Madam President, I ask unanimous consent to waive the reading of the motion.

The PRESIDING OFFICER. Without objection, it is so ordered.

The motion is as follows:

MOTION TO COMMIT WITH INSTRUCTIONS

Mr. Vitter moves to commit the bill H.R. 325 to the Committee on Finance with instructions to report the same back to the Senate within 7 days with legislative language that makes changes in existing programs that reduce Federal spending by the increase amount required by section 2(b) (as estimated by CBO) over the period of fiscal years 2013 to 2021.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Madam President, we have essentially already voted on this. It is very similar to the Portman amendment, which lost by a vote of 54-to-44. This approach was rejected by the House of Representatives when the Speaker sent over the debt increase to us, which gives us breathing room. We tried the approach suggested by the Senator in August 2011—to tie in spending. It didn't work. This moves us backward, not forward.

I think we should give praise to the Speaker for putting together a bipartisan approach to, in a way, begin to resolve our debt and debt limit solutions, and so I ask that this motion be tabled.

I move that this motion, the Vitter motion, be tabled, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KERRY) and the Senator from Washington (Mrs. MURRAY) are necessarily absent.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 45, as follows:

[Rollcall Vote No. 10 Leg.]

YEAS—53

Baldwin	Harkin	Nelson
Baucus	Heinrich	Pryor
Begich	Heitkamp	Reed
Bennet	Hirono	Reid
Blumenthal	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	Shaheen
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Coons	Levin	Udall (CO)
Donnelly	Manchin	Udall (NM)
Durbin	McCaskill	Warner
Feinstein	Menendez	Warren
Franken	Merkley	Whitehouse
Gillibrand	Mikulski	Wyden
Hagan	Murphy	

NAYS—45

Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Murkowski
Blunt	Graham	Paul
Boozman	Grassley	Portman
Burr	Hatch	Risch
Chambliss	Heller	Roberts
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker

NOT VOTING—2

Kerry	Murray
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The motion was agreed to.

SEVERABILITY

Mr. REID. Mr. President, I know that some have raised questions about whether Section 2 of the bill is constitutional under the 27th Amendment, though the legislation does not lower pay but rather withholds it temporarily. Of course, as members of the House knew by the time they passed the bill, Section 2 is largely moot since the Senate leadership previously announced our intention to take up a budget resolution, regardless of whether H.R. 325 is enacted.

In any event, does my colleague agree with me that even if the law is challenged in court and Section 2 is found to be unconstitutional for any reason, the first section would remain in force? That is, does he agree that, in such a circumstance, Section 2 should be severed from the rest of the legislation, leaving the debt limit suspension unaffected?

Mr. BAUCUS. I do agree with the majority leader. As we have discussed, it should be obvious that the overriding, critical purpose of this legislation is to suspend the debt limit and avoid the catastrophic implications of a default. This is an entirely different and severable issue from Section 2, which relates to the budget resolution and member pay.

Mr. President, it would make no sense to vitiate the suspension of the debt limit, and risk default, because of an entirely separate issue. It is hard to believe that many, if any, of my colleagues would want that result. In fact, were a court to strike down Section 1 because of problems with Section 2, there could be serious consequences, potentially including uncertainty about the validity of Treasury securities issued with the full faith and credit of the United States. Nobody would want that to happen.

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided prior to a vote on passage of the measure.

Who yields time?

All time has expired.

The bill was ordered to a third reading and was read the third time.

Mr. BEGICH. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KERRY) and the Senator from Washington (Mrs. MURRAY) are necessarily absent.

The PRESIDING OFFICER (Mr. COONS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 64, nays 34, as follows:

[Rollcall Vote No. 11 Leg.]

YEAS—64

Ayotte	Hagan	Nelson
Baldwin	Harkin	Pryor
Baucus	Heinrich	Reed
Begich	Heitkamp	Reid
Bennet	Heller	Rockefeller
Blumenthal	Hirono	Sanders
Blunt	Hoeven	Schatz
Boxer	Johnson (SD)	Schumer
Brown	Kaine	Shaheen
Cantwell	King	Shelby
Cardin	Klobuchar	Stabenow
Carper	Landrieu	Tester
Casey	Lautenberg	Thune
Cochran	Leahy	Udall (CO)
Collins	Levin	Udall (NM)
Coons	McCain	Warner
Donnelly	McCaskill	Warren
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Franken	Mikulski	Wyden
Gillibrand	Murkowski	
Graham	Murphy	

NAYS—34

Alexander	Fischer	Moran
Barrasso	Flake	Paul
Boozman	Grassley	Portman
Burr	Hatch	Risch
Chambliss	Inhofe	Roberts
Coats	Isakson	Rubio
Coburn	Johanns	Scott
Corker	Johnson (WI)	Sessions
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	Manchin	
Enzi	McConnell	

NOT VOTING—2

Kerry	Murray
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The bill (H.R. 325) was passed.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Republican.

THE ECONOMY

Mr. CORNYN. Mr. President, the latest economic report came out yesterday, and it showed that the economy of the United States actually shrank in the last quarter of 2012, with U.S. ex-

ports plunging 5.7 percent. You heard me correctly—the economy is growing more slowly. In fact, it is contracting rather than growing. This news is a sobering reminder that we are still experiencing the weakest economic recovery and the longest period of high unemployment since the Great Depression, and it has very human consequences. Millions of Americans are out of work or they are working part time when they wish they could work full time so they can provide for their families.

We cannot create more jobs in this economy unless the economy grows. We must never accept slow growth and high unemployment as the new normal. As I said, these are not just economic concerns, these are human concerns. When millions of people are unable to get full-time jobs, the social and psychological effects can be devastating for individuals, families, and entire communities. Yet it seems that the President is no longer focused on the economy. By shutting down the White House Jobs Council—with unemployment at 7.8 percent—the President is sending a clear message that the economy and jobs are no longer his top priorities and that his priorities lie elsewhere. This is greatly disappointing.

We must do everything we can within our power to revive the American jobs machine and accelerate the pace of U.S. economic growth. That means doing some simple but apparently complicated things at the same time, such as reforming our Tax Code, abolishing unnecessary and harmful regulations, and removing the obstacles to greater domestic energy production. In other words, we should copy the simple economic blueprint that has proven so successful in my State of Texas: lower taxes, limited government, sensible regulations, and strong support for our domestic energy production. These policies have helped Texas turn a \$5 billion deficit into an \$8.8 billion surplus while creating hundreds of thousands of new jobs in the private sector.

Texas achieved that budget surplus by having the courage to make some hard decisions when it came to spending.

Unfortunately, the Federal Government continues to spend and spend and postpone its own hard decisions about America's long-term finances. When we look back over the past several decades, for example, we see our programs, such as Medicare and Social Security, on an unsustainable path, and we see that virtually all of the increases in Federal spending come from those programs. When we look ahead over the next several decades, we see that these programs are headed for bankruptcy. This is not a Republican issue or a Democratic issue, this is unacceptable to all of us. Why aren't we doing everything in our power to preserve and protect Medicare and Social Security by

taking the steps we all know need to be taken in order to save these for future generations?

I know there are some people in the Chamber and across the Capitol who still believe we can solve all of our problems by raising taxes. Well, we just saw the American people's taxes go up by roughly \$60 billion a year as a result of the fiscal cliff negotiations. The President has gotten his tax increase. The President has gotten his pound of flesh. So now it is time for a little bit of what the President himself likes to call "balance." Where are the spending cuts? Where is the spending restraint that would provide the balance to offset that revenue increase? The President knows these facts as well as anyone. He has acknowledged that tax increases alone cannot save programs such as Medicare. Instead, we all know we need measured structural reforms to make these programs sustainable in the long haul.

With the national debt now roughly around \$16.5 trillion, with the Medicare hospital trust fund projected to be insolvent within 11 years, with our unfunded Medicare liabilities approaching \$27 trillion, and with our total unfunded liabilities exceeding \$100 trillion, America's toughest financial decisions must not be delayed any longer.

The politics, no doubt, are difficult, but the choice is pretty simple: Either we will reform these programs—Medicare and Social Security—gradually, slowing the rate of growth, or we will be forced to slash them abruptly when the bottom drops out of our economy. If we reform them gradually, starting now, we can minimize the impact and protect our most vulnerable citizens. If we wait until a debt crisis ensues and those changes have to be made abruptly, the impact will be much harsher and they will disproportionately affect low-income people and the needy. Nobody wants that. If we continue to kick the can down the road, pretty soon we are going to run out of road.

I have one final point. I read in the Washington Post this morning that people were saying that the contraction of the economy has been because the Federal Government has not been spending enough. Well, I would remind everyone here that about 40 cents out of every dollar the Federal Government spends is borrowed money. That racks up trillion-dollar-plus annual deficits and contributes to the \$16.5 trillion national debt. We cannot keep spending our way out of slow economic growth. Over the past few years, we witnessed an explosion of new Federal spending, and that has not solved our economic problems. We have also seen the weakest economic recovery since the Great Depression. So we have seen a confluence of unprecedented Federal spending and weak economic growth. That is not a coincidence.

In 2008 America ranked No. 1 in the world for global competitiveness. We

were No. 1 in the world. In 2012 we ranked seventh. In 2008 we ranked fifth on the Heritage Foundation's Index of Economic Freedom. Today we rank 10th. This decline is simply unacceptable and can be easily reversed—not with more government spending of borrowed money, thereby exacerbating our deficits and debt and crowding out the private sector, creating uncertainty as to what our tax policy will be or what the fiscal consequences will be when the bottom drops out. Instead, what we need are genuine pro-growth policies designed to help small businesses and middle-class families.

We don't need more government intervention; we need more entrepreneurship and more innovation. Government must simply take its boot off the neck of the great American jobs engine. After all, this is still the most dynamic economy on Earth, and America continues to attract the best and brightest from around the world who want to come to America to achieve their own version of the American dream. With better leadership—particularly from the President, whose leadership is required—there is no reason we cannot turn this slow economic growth around and turn it into fast growth, which in turn will increase private sector job creation. It will create more taxpayers who will pay more money into the Treasury, which will help us close that deficit. In the process, we need to expand economic opportunity for all Americans.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

HAGEL NOMINATION

Mr. COATS. Mr. President, even though the confirmation hearing regarding the nomination of former Senator Chuck Hagel for Secretary of Defense is going on before the Armed Services Committee, I would like to make some comments in terms of my thoughts regarding his potential appointment and the conclusion I have come to based on the 130 pages of written answers to questions posed to Senator Hagel by the Senate Armed Services Committee and some of the information I have gleaned, as my schedule has allowed, from his testimony before the SASC—ongoing, as I said.

Based on his written answers and what I have heard so far, it is clear that Senator Hagel is willing to execute the policies established and endorsed by the President. But the idea floated out of the White House, what the President has described as bipartisan balance—that is why Senator Hagel was selected—to consideration of these critical issues before us regarding the role of the next Secretary of Defense, doesn't hold water.

As I said, Senator Hagel has essentially indicated on a number of occa-

sions—through his written answers and through his answers to the SASC committee—that he is in line with the President's policies and, in fact, in some cases, to the left of some of those policies.

It is obvious that I and many of my Republican colleagues disagree with many of the views and policy positions taken by the administration and Senator Hagel. This is to be expected. Most policy differences should not be sufficient reason to oppose a nomination of a President's preferred Cabinet appointment. Elections have consequences, and the President does have the right to his own advisers. However, this usual tolerance of alternative views has its limits. For me, the limit is when a nominee is of such a high position, such as the Secretary of Defense, and that nominee has a point of view which places the United States in greater danger, which I believe is the case for this nominee, then I think we have to ask ourselves a number of questions before we give our support and before we make our decision.

Senator Hagel's views about the threat posed by Iran's nuclear ambitions and the best way to counter that threat are significantly inconsistent with my own, inconsistent with America's responsibilities, I believe, at this moment in history, and inconsistent with the security needs of our country and the survival of our friends.

I have been focused on the Iranian nuclear threat for more than 5 years. After I left my position as Ambassador to Germany and returned to the private sector, I joined the Bipartisan Policy Center. Together with former Democrat Senator Chuck Robb, we co-chaired a project on Iran. The Bipartisan Policy Center has been on the front lines of those ringing alarm bells about the situation in Iran and its pursuit of nuclear weapons. We issued our first report in 2008 entitled "Meeting the Challenge: U.S. Policy Toward Iranian Nuclear Development." I was involved in producing a second, more urgent report in 2009 entitled, "Meeting the Challenge: Time is Running Out."

After I left the Bipartisan Policy Center and returned to the Senate, the organization produced two more reports on the subject, each more urgent than the last, and each demanding clearer, more vigorous, and more determined U.S. policy to avert this ever present danger. Each year since the beginning of my involvement in this Bipartisan Policy Committee project, I have become increasingly worried about Iran's continuing irresponsible and dangerous behavior and the administration's inconsistent, unsure policies to respond to this growing threat.

Preventing Iran from gaining nuclear weapons capability is the most urgent foreign policy matter facing the United States and international security. The

consequences of a nuclear weapons-capable Iran are not tolerable, not acceptable, and must motivate the most powerful and effective methods and efforts possible to prevent this from happening. Based on his record as a Senator and subsequent public statements, I do not believe Senator Hagel agrees with this assessment.

Since returning to the Senate, I have joined many colleagues in pressing for a robust, comprehensive, three-track effort to raise the stakes for the Iranian regime and compel it to live up to its commitments and halt its weapons program. The first track is enhanced diplomatic efforts—and I mean enhanced. We have pressed the administration to create, invigorate, and motivate a much enhanced international coalition devoted to one single objective: to prevent Iran from gaining nuclear weapons.

This doesn't mean simply repeated outreaches to the Iranian regime itself to engage in dialogue. The Obama administration came into office promising such discussions, but this has gone nowhere, nor have other diplomatic efforts, either unilateral or multilateral. All such diplomatic efforts have failed—for nearly a decade in achieving the goal of preventing Iran from its continuous and relentless pursuit of developing nuclear weapons.

Senator Hagel, whose life story brings him to a justifiable reliance on dialogue before the use of force—a preference which we all understand and we all share—has, in my opinion, an exaggerated and unrealistic belief in what dialogue and diplomacy can accomplish. This is especially so when the dialogue partner is a revolutionary regime of zealots with a self-declared historical mission rather than rational leaders of a nation state—a huge distinction between dialogue with rational states and dialogue with Iran and its irrational leadership.

Senator Hagel has long called for direct, unconditional talks with the Iranian regime, not to mention direct talks with Hamas, Hezbollah, and Syria as well. He has pressed that such talks should proceed without the backing gained from other, more forceful, credible options. This approach is far too weak to be effective and reveals a person less committed to results than this critical moment demands.

The second track of a comprehensive search for a solution is sanctions. I have supported all legislative efforts to create and impose both unilateral and multilateral sanctions on Iran, leveraging similar commitments from our friends and allies when possible, and pursuing unilateral sanctions when necessary. Indeed, it has been our willingness to impose sanctions by unilateral action that arguably has stiffened the spine of the international community and made increasingly harsh multilateral sanctions regimes possible.

Senator Hagel does not see it that way. He repeatedly voted against sanctions legislation, even opposing those aimed at the Iranian Revolutionary Guard Corps, which at the time was killing our troops in Iraq. He has long argued against sanctions imposed by the United States absent an international judgment by others that we are doing the right thing. He has not seen the connection between America's firmness, determination and leadership, and international acquiescence. It is his instinct to give a veto to Brussels or Paris or even Moscow and Beijing, and I cannot support the nomination of a Secretary of Defense who shows such deference to foreign politicians.

Senator Hagel has famously agreed publicly that the United States is a bully. I assume our reliance on unilateral sanctions when necessary may fit his definition of bully. I cannot possibly agree.

The third track of a comprehensive approach to this crucial problem is open discussion of, and early preparation for, military options. It has become increasingly clear over the past several years that diplomacy and sanctions alone are too weak to compel Iranian compliance with the international communities' demands. A frank discussion of military options and preparations give credibility to the rest of our strategy. No one should suppose these steps mean anything other than preparing the ground for the logical and necessary access to measures of last resort.

At the Bipartisan Policy Center, I participated in an exhaustive analysis of all of the means and consequences of a potential military action against Iran's nuclear weapons program. There were no war advocates among us. Nevertheless, if it is true that a nuclear weapons-capable Iran is unacceptable, as now four U.S. Presidents have publicly declared, including the current President, then our Nation and the international community as a whole must see with vivid clarity what measures remain should the first two tracks fail to achieve the objective.

The Iranian regime must be especially clear-eyed and nondelusional about those potential consequences should it not change its behavior. Indeed, to give the diplomatic and sanctions tracks the essential credibility they require, then a military option must be entirely believable if, as the President has repeatedly said, Iranian possession of nuclear arms capability is unacceptable.

I cannot conclude that Senator Hagel views the military option in this credible way. Indeed, he has maintained in recent years that "a military strike against Iran is not a viable, feasible, responsible option."

Many of us have examined Senator Hagel's on-the-record comments care-

fully and parsed each one to determine what his views on these important subjects actually are. In the meantime, he has hastened to apparently amend the record so that his advocates can point to more recent statements that seem to negate the earlier ones. But this is not a court of law, and we are not looking for admissible evidence. Rather, we are defining the basis for our own judgments on how the full pattern of words and behavior define the views and likely future behavior of the nominee.

In so doing, I have concluded that when Senator Hagel pays lip service now to the contention that "all options are on the table," it does not reveal his real, extinctive, and strong disinclination to consider military force if it becomes necessary. For me, that is very nearly a disqualifying position for any Secretary of Defense.

A related concern is what I believe to be Senator Hagel's views about the so-called containment option. This is related to his nearly notorious views about nuclear proliferation in general. He has famously said "the genie of nuclear weapons is already out of the bottle, no matter what Iran does." I fear Senator Hagel holds the mistaken view that a nuclear-armed Iran is more palatable than the consequences of going to war to prevent it. That is a dangerously corrosive idea.

Indeed, my concern was heightened this morning when Senator Hagel, in testimony before the Armed Services Committee, referred twice to his support for containment. It was only when someone handed him a note, presumably reminding him the administration's formal position did not support containment, did he correct himself and say he didn't support it either.

So what are we to conclude relative to what he truly believes and where he actually stands on a number of issues vital to our national security? The supreme fallacy of the containment option as modified is that it severs the spine of all of our friends and allies who are justifiably appalled by the contemplation of real military action. They will eagerly lead toward a containment option should others fail. But we must all see clearly that, in fact, containment means toleration.

A nuclear weapons-capable Iran that we believe can be contained is one that we are, therefore, prepared to tolerate. This is an illusion and one that makes our task all that much harder. If others—especially Iran, but also including our allies and other coalition partners—come to believe that we would consider ever tolerating a nuclear Iran because it can somehow be contained, then none of our efforts to prevent it will work. This is why a nominee for Secretary of Defense who is less than firm on this key point is, in my opinion, a dangerous choice.

It has been said by Senator Hagel's supporters that whatever his personal

views and past statements on these important issues, as Secretary he will toe the line; he will not be making these basic policies himself. In other words, those of us who find his policies objectionable are encouraged to support the nominee despite his views, not because of them.

I cannot bring myself to support a nominee based on the assumption that his own views will become irrelevant once he is under the policy yoke imposed by the White House.

Finally, the most worrisome consequence of confirming Senator Hagel to be Secretary of Defense is something on which the ayatollahs in Tehran and I can agree: The confirmation will tell the Iranian regime that their fear of U.S. military action in Iran is now unjustified. They can rest more comfortably that their pursuit of nuclear weapons is less likely to provoke the military option that, until recently, may have seemed more credible.

The Iranians will, therefore, feel less constrained in pursuing their dangerous nuclear ambitions. That, more than any other reason, is why I am voting no on the Hagel nomination.

Mr. President, with that, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

TRIBUTE TO ADELE HALL

Mr. MORAN. Mr. President, all of us in our lives from time to time hear of the passing, the death of someone we know. Sometimes it is family, often friends, or perhaps someone we are only vaguely acquainted with. This past week, we learned of the death of a Kansas City resident, Adele Hall. Her passing so personally saddens me because Adele Hall was a person with such optimism and so engaged in improving the lives of others.

Kansas City, in fact, lost one of their greatest champions when Adele Hall passed away. Adele was a longtime resident of Kansas City and was well known and well loved, highly respected for her acts of service and kindness to others. When she wasn't serving on a board of a nonprofit, she was raising funds for a worthy cause or volunteering with children. My guess is that she probably was doing all of those things at once.

Adele, I am sure, had the financial resources to live a life different than in service to others, but she chose to commit her life to making sure others had the chance for the success that she had.

She grew up in Lincoln, NE, and she was—I read today, in her honor, that she was an avid Nebraska fan.

In Nebraska, Adele learned the importance of giving back by watching her own parents volunteer, especially with the Salvation Army. As a young woman, she developed a love for chil-

dren and later became involved in so many organizations that cared for their health and education and well-being. Adele never lost faith in the potential of a young person's life. One of her greatest passions was working with children at Children's Mercy Hospital. Adele served as chairman of the board there and together with the help of professional golfer Tom Watson, she established the Children's Mercy Golf Classic, which over a quarter of a century has raised more than \$10 million for Children's Mercy. Adele also used her expertise to bless children nationwide through her work as a member of National Commission for Children.

Those boards and that service was important to her, but it was always the personal touch, not just serving on a board and making decisions about a hospital or the children it cared for, but personally caring for the children in the hospital.

Her actions were guided by a belief in the value of each and every individual. She lived out that Biblical teaching "love your neighbor as yourself," through her service as the first woman president of the United Way of Greater Kansas City. Adele always looked for the best in others and worked to bring people together. Her efforts were always at bringing a diverse group of opinionated people together in a way that would solve a problem.

She was an inspiration for other women, and she cofounded the Central Exchange and the Women's Public Service Network in Kansas City to help women embrace their careers and develop skills to pursue leadership positions.

She also served as the board chairman of the Greater Kansas City Community Foundation and actively participated on boards of the Pembroke Hill School, Salvation Army, Starlight Theatre, and the American Red Cross. To recognize Adele's years of service to the Kansas City community, she was named Kansas Citizen of the Year—the first woman to hold that title.

In an era when we sometimes wonder what difference one person can make, Adele proved that one person is all it takes to touch the lives of others. I have always believed that what we do here in the Nation's Capital is important, but the reality is we change the world one soul, one person at a time. And Adele Hall lived that life and made that difference each and every day.

By investing her time, talents, and treasure in the community where she lived, she made a difference one life at a time. Her involvement in her community and her selflessness serve as an inspiration, a role model to every American.

Adele was loved. I never met a person who did not love and respect Adele Hall, and everyone who knew her loved and admired her and saw her as a special person. No doubt, especially she

was loved by her family. She was known by a saying, "Leave the dishes in the sink and play with your kids," and her family benefited from that kind of philosophy, her wholehearted dedication to each of them.

She was married to her husband Don for nearly 60 years and was a devoted wife and a loving mother to their three children. I ask the Senate to join me today in extending our heartfelt sympathies to her husband Don, her sons Donald and David, her daughter Margaret, and her nine grandchildren. She was loved by them dearly, and she will be greatly missed.

Adele once said that voluntarism is a "belief in love," and her love will be forever remembered by the lives she changed for the better. If your value in life is whether you made a difference while you were here, Adele Hall lived that life and contributed so greatly to others. God bless her for her life and let her be a role model for all of us.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Wyoming.

HEALTH CARE REFORM

Mr. BARRASSO. Mr. President, this past weekend I had the opportunity to attend a conference of the Wyoming American Legion. Many of the veterans I spoke with remain very concerned about their health care and specifically about the impacts of the Obama health care law on their lives and on their health.

The men and women whom I met with are very worried they may lose their health coverage. Why? Because of the law. They wonder what happened to the insurance premium cuts they were supposed to have gotten by now—not in the future but promised to have gotten by now.

These men and women have not gotten many of the benefits they were told to expect, but what they are getting are all the costs. That is why the people I talk with every weekend at home in Wyoming understand what the Democrats in Washington still will not admit: that the President's health care law remains unworkable, unpopular, and absolutely unaffordable.

Remember when the President promised that if you like your health care plan, you can keep it? Well, all of America now knows it was an empty promise, just as when President Obama promised health insurance premiums would go down. Over and over, the President said that his law would lower premiums by \$2,500 a family by the end of his first term in office. The President has not talked much about that lately. I did not hear anything about it in his inaugural address, and I do not expect to hear very much about it in his State of the Union Address. It is because average premiums across the country for families have not gone

down—not by the \$2,500 that the President promised, not by even \$1,000, not even by a cent. Instead, average family premiums have actually gone up by more than \$3,000 during the President's first term. That is a pretty big math error on the part of President Obama, and the American people, unfortunately, are the ones who have to pay for his mistake.

Because of his policies, health insurance is a lot less affordable for a lot of people and for a lot of small businesses. Now many small businesses are facing what is turning out to be an impossible decision. If they expand their business and cross the law's threshold of 50 employees, they will be subject to the employer insurance mandate. If they choose not to expand, then they are holding back potential growth and the opportunities that come with it. In this current economic environment, the last thing we should be doing is making it more difficult for businesses to expand and hire more people. But because of the President's health care law, that is exactly what is happening.

The Wall Street Journal ran a piece recently about a small business owner named Carl Schanstra. He owns a parts assembly factory near Chicago, IL. It is called Automation Systems LLC.

Sales have been growing, and the business is doing well, but he has a problem because he already employs close to 50 people. That means he is getting dangerously close to the law's threshold and the new health care burdens it would place on him, including all the expenses.

As he puts it, he says: "I'll be hammered for having more people at work." The cost of providing insurance would be enormous. The cost of paying the tax penalty for not offering insurance would also be enormous.

That is not a good option for a small business such as Automation Systems—a small business that wants to expand, a small business that has an opportunity to expand and hire more people. So he has to look for ways to stay under the law's limits.

He plans to raise prices to give himself a buffer against the new health care law, and he may even have to break his company into two different companies so they can stay below the limits. He may avoid hiring more people or buy more machinery to replace some of the workers.

A rational and responsible business owner wants to make decisions based on what is best for the business and its employees. Now we have business owners having to make these decisions based on the crushing regulatory burden imposed upon them by Washington.

Carl is not the only business owner who is having to face tough choices because of the health care law. According to a new survey Gallup put out last week, more than half of small business owners say health care costs and taxes

are hurting them a lot. Those two things—health care costs and taxes—led the list of their concerns by a wide margin. When Gallup looked specifically at businesses that were not hiring, 61 percent of them—nearly two out of every three—said it was because of the potential cost of health care.

Washington should be creating policies that encourage businesses to hire and making hiring easier. Again, that is what our economy needs to recover. Instead, this administration has been piling up more costs, more regulations, and more ways to discourage hiring.

That is one person's story. But just down the road from where Carl is trying to do what is best for his business and his workers, the city of Chicago itself is facing some of the same concerns. Chicago has decided it cannot afford to pay the health care costs of its retired city workers. So what is the whole city of Chicago going to do? Well, it is looking at dumping those former workers into the ObamaCare exchange. It would save the city a lot of money, but the taxpayers of Illinois and every other State would have to make up the tab because the city is trying to skip out on paying their own bill.

Federal subsidies for Chicago retirees would be \$44 million in 2014, and that amount would only grow over time. Of course, we know the mayor of Chicago is Rahm Emanuel. He was one of the main figures in the room where ObamaCare was being written, and we all know—all of America knows—that room was behind closed doors. He knew exactly the kinds of incentives the law was creating. He also knew exactly how many people would be affected. And he knew how people such as him could use the law to push health care costs onto someone else.

Chicago takes that step today. Other cities might be right behind and waiting to do the same thing tomorrow and the day after that, and so on.

We need to reduce health care costs in America. But all we do and all we see is cost-shifting, robbing Peter to pay Paul. We need businesses to hire people so our economy can grow. Those businesses are holding back because of the health care law. We need to reduce Washington's out-of-control spending. But cities such as Chicago are trying to shift their health care costs to hard-working taxpayers elsewhere.

Meanwhile, Democrats in the Senate and the White House refuse to accept that we have any problem at all with entitlement spending and the budget deficits we are looking at. It is time for Democrats to take their head out of the sand, to admit that the President's health care law did not solve our problems; in fact, it made things worse.

Then I picked up the paper this morning—today's Wall Street Journal—and a front-page headline is: "Some Unions Grow Wary Of Health

Law They Backed." We all remember the days when unions lobbied for this health care law. Their Web sites said: We need this health care law now. They came to Capitol Hill, lobbying here, members having rallies.

Well, let me read some of the beginning of the article that is on the front page of today's paper.

Labor unions enthusiastically backed the Obama administration's health-care overhaul when it was up for debate. Now that the law is rolling out, some are turning sour.

Union leaders say many of the law's requirements—

Many of the law's requirements—will drive up the costs for their health-care plans and make unionized workers less competitive.

So there we have it. We have what happens to a small business, why the health care law is hurting it. We see how the city of Chicago is responding to the perverse incentives in the health care law to force its costs onto other hard-working taxpayers, and now we see the very unions that supported the health care law during the lobbying phase and during the time of the vote now saying the law's requirements are going to drive up the cost for their health care plans.

It just seems it is time for people on Capitol Hill to realize how bad this health care law is. We need real entitlement reform that preserves vital safety net programs for future generations. We need real health care reform that gives people the care they need, from a doctor they choose, at lower cost.

President Obama continues to give the American people and give all of us empty promises. Congress should give hard-working American taxpayers the solutions they expect and they deserve.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COONS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. BALDWIN). Without objection, it is so ordered.

The Senator from Delaware is recognized.

(The remarks of Mr. COONS pertaining to the introduction of S. 193 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. COONS. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

The PRESIDING OFFICER (Mrs. HAGAN). The majority leader.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013—MOTION TO PROCEED

Mr. REID. Madam President, I move to proceed to Calendar No. 1, S. 47.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

Motion to proceed to the bill (S. 47) to reauthorize the Violence Against Women Act of 1994.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that the Senate now proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

RULES OF PROCEDURE

Mr. LEAHY. Madam President, the Committee on the Judiciary has adopted rules governing its procedures for the 113th Congress. Pursuant to Rule XXVI, paragraph 2, of the Standing Rules for the Senate, I ask unanimous consent that a copy of the Committee rules be printed in the RECORD.

RULES OF PROCEDURE UNITED STATES SENATE COMMITTEE ON THE JUDICIARY—113TH CONGRESS

I. MEETINGS OF THE COMMITTEE

1. Meetings of the Committee may be called by the Chairman as he may deem necessary on three days' notice of the date, time, place and subject matter of the meeting, or in the alternative with the consent of the Ranking Minority Member, or pursuant to the provision of the Standing Rules of the Senate, as amended.

2. Unless a different date and time are set by the Chairman pursuant to (1) of this section, Committee meetings shall be held beginning at 10:00 a.m. on Thursdays the Senate is in session, which shall be the regular meeting day for the transaction of business.

3. At the request of any member, or by action of the Chairman, a bill, matter, or nomination on the agenda of the Committee may be held over until the next meeting of the Committee or for one week, whichever occurs later.

II. HEARINGS OF THE COMMITTEE

1. The Committee shall provide a public announcement of the date, time, place and subject matter of any hearing to be conducted by the Committee or any Subcommittee at least seven calendar days prior to the commencement of that hearing, unless the Chairman with the consent of the Ranking Minority Member determines that good cause exists to begin such hearing at an earlier date. Witnesses shall provide a written statement of their testimony and curriculum vitae to the Committee at least 24 hours preceding the hearings in as many copies as the Chairman of the Committee or Subcommittee prescribes.

2. In the event 14 calendar days' notice of a hearing has been made, witnesses appearing before the Committee, including any witness representing a Government agency, must file with the Committee at least 48 hours preceding appearance written statements of their testimony and curriculum vitae in as many copies as the Chairman of the Committee or Subcommittee prescribes.

3. In the event a witness fails timely to file the written statement in accordance with this rule, the Chairman may permit the witness to testify, or deny the witness the privilege of testifying before the Committee, or permit the witness to testify in response to questions from Senators without the benefit of giving an opening statement.

III. QUORUMS

1. Six Members of the Committee, actually present, shall constitute a quorum for the purpose of discussing business. Eight Members of the Committee, including at least two Members of the minority, shall constitute a quorum for the purpose of transacting business. No bill, matter, or nomination shall be ordered reported from the Committee, however, unless a majority of the Committee is actually present at the time such action is taken and a majority of those present support the action taken.

2. For the purpose of taking down sworn testimony, a quorum of the Committee and each Subcommittee thereof, now or hereafter appointed, shall consist of one Senator.

IV. BRINGING A MATTER TO A VOTE

The Chairman shall entertain a non-debatable motion to bring a matter before the Committee to a vote. If there is objection to bring the matter to a vote without further debate, a roll call vote of the Committee shall be taken, and debate shall be terminated if the motion to bring the matter to a vote without further debate passes with ten votes in the affirmative, one of which must be cast by the minority.

V. AMENDMENTS

1. Provided at least seven calendar days' notice of the agenda is given, and the text of the proposed bill or resolution has been made available at least seven calendar days in advance, it shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless such amendment has been delivered to the office of the Committee and circulated via e-mail to each of the offices by at least 5:00 p.m. the day prior to the scheduled start of the meeting.

2. It shall be in order, without prior notice, for a Member to offer a motion to strike a single section of any bill, resolution, or amendment under consideration.

3. The time limit imposed on the filing of amendments shall apply to no more than three bills identified by the Chairman and included on the Committee's legislative agenda.

4. This section of the rule may be waived by agreement of the Chairman and the Ranking Minority Member.

VI. PROXY VOTING

When a recorded vote is taken in the Committee on any bill, resolution, amendment, or any other question, a quorum being present, Members who are unable to attend the meeting may submit votes by proxy, in writing or by telephone, or through personal instructions. A proxy must be specific with respect to the matters it addresses.

VII. SUBCOMMITTEES

1. Any Member of the Committee may sit with any Subcommittee during its hearings

or any other meeting, but shall not have the authority to vote on any matter before the Subcommittee unless a Member of such Subcommittee.

2. Subcommittees shall be considered de novo whenever there is a change in the Subcommittee chairmanship and seniority on the particular Subcommittee shall not necessarily apply.

3. Except for matters retained at the full Committee, matters shall be referred to the appropriate Subcommittee or Subcommittees by the Chairman, except as agreed by a majority vote of the Committee or by the agreement of the Chairman and the Ranking Minority Member.

4. Provided all members of the Subcommittee consent, a bill or other matter may be polled out of the Subcommittee. In order to be polled out of a Subcommittee, a majority of the members of the Subcommittee who vote must vote in favor of reporting the bill or matter to the Committee.

VIII. ATTENDANCE RULES

1. Official attendance at all Committee business meetings of the Committee shall be kept by the Committee Clerk. Official attendance at all Subcommittee business meetings shall be kept by the Subcommittee Clerk.

2. Official attendance at all hearings shall be kept, provided that Senators are notified by the Committee Chairman and Ranking Minority Member, in the case of Committee hearings, and by the Subcommittee Chairman and Ranking Minority Member, in the case of Subcommittee Hearings, 48 hours in advance of the hearing that attendance will be taken; otherwise, no attendance will be taken. Attendance at all hearings is encouraged.

TRIBUTE TO DAVID KAPPAS

Mr. LEAHY. Madam President, I want to congratulate David Kappos, whose last day as the Director of the Patent and Trademark Office, PTO, is today. Director Kappos's leadership of the PTO has been applauded by all segments of the intellectual property, IP, community. This is no easy feat. The IP community is as diverse as our economy, and the community's views on IP law are hardly uniform.

I have known Director Kappos since well before he entered government service, and I was particularly pleased to chair his confirmation hearing in July 2009. Director Kappos was well suited to understand both how to manage a \$2 billion office and meet the needs of inventors and innovators. He began his career as an engineer and worked in the IP law department of IBM in nearly all of its business units before finally managing all of IBM's IP law interests as vice president and assistant general counsel. IBM is a large employer in Vermont and one of the reasons that Vermont receives more patents per capita than any other State.

Anyone who has met Director Kappos cannot help but be taken with his integrity and his clear passion for an intellectual property system that rewards inventors and creators. Those leadership qualities have motivated

the PTO staff, which has reduced the time it takes to receive responses from the patent office on applications and, according to most experts, simultaneously improved the quality of patents that the PTO issues.

Director Kappos played an instrumental role in the development and passage of the Leahy-Smith America Invents Act—one of the few bipartisan, job-creating bills of the 112th Congress. Soon after being confirmed as Director in August 2009, he sat down to work with me and a bipartisan, bicameral group of Members to work out a consensus on patent reform legislation.

Director Kappos's credibility within the patent community and his leadership was critical in bringing together the different interests to support the changes in the America Invents Act that will speed the time for high quality patents to issue from the PTO while providing more efficient methods for challenging low quality patents. Since enactment, Director Kappos and his team have set the PTO on course to implement the key provisions of the act, which will improve the patent system for decades.

The America Invents Act was the highest profile law on which I worked with Director Kappos, but it was not the only one. Early in his tenure, the PTO recommended legislation that ultimately became the Trademark Technical Correction Act of 2010 and the Patent Law Treaties Implementation Act of 2012.

Director Kappos's full title is Under Secretary of Commerce for Intellectual Property and Director of the U.S. Patent and Trademark Office. This is one of the longest titles in government and underscores the vast responsibility he has had, and which is particularly important because IP is such a key driver of our economy.

I am saddened that Director Kappos has decided to step down but heartened by how he has energized the PTO. The President and the Commerce Department have lost a valuable member of their economic team. I wish Dave all the best.

HONORING SENATOR JOHN KERRY

Mrs. BOXER. Madam President, I rise today to pay tribute to my colleague and friend, Senator JOHN KERRY, as his distinguished career in the U.S. Senate comes to an end.

While I am sad to see him go, I am so proud that Senator KERRY will be continuing his long record of service to the United States as Secretary of State.

For more than 13 years, I have had the privilege of serving with Senator KERRY on the Senate Foreign Relations Committee. Throughout that time, Senator KERRY has consistently shown a tremendous breadth of knowledge regarding the key foreign policy challenges of the day.

Most recently as chairman of the Committee, Senator KERRY championed Senate ratification of the New START treaty—making both our country and the world safer from the threat of nuclear proliferation.

And on a wide range of issues—from United States policy toward Afghanistan and Pakistan to efforts to achieve peace between Israel and the Palestinians—he has offered thought-provoking insight and expertise.

That is why I believe that no one is as prepared as Senator KERRY to serve as our Nation's top diplomat.

I am particularly proud of the many issues we have worked on together, including fighting HIV/AIDS, tuberculosis and malaria, addressing climate change, and working to end human trafficking around the globe.

I am also grateful that Senator KERRY worked with me to establish the first-ever Senate subcommittee dedicated to ending violence against and promoting the advancement of women and girls around the globe.

I look forward to continuing to work on these and the many other foreign policy challenges facing our country with our new Secretary of State, Senator KERRY, and wish him all the best in his new position.

ANNUAL REPORT OF THE SELECT COMMITTEE ON ETHICS

Mrs. BOXER. Madam President, the Honest Leadership and Open Government Act of 2007 calls for the Select Committee on Ethics of the United States Senate to issue an annual report not later than January 31 of each year providing information in certain categories describing its activities for the preceding year. Reported below is the information describing the Committee's activities in 2012 in the categories set forth in the Act:

(1) The number of alleged violations of Senate rules received from any source, including those raised by a Senator or staff of the Committee: 47. In addition, two alleged violations from the previous year were carried into 2012.

(2) The number of alleged violations that were dismissed—

(A) For lack of subject matter jurisdiction or in which, even if the allegations in the complaint are true, no violation of Senate rules would exist: 36.

(B) Because they failed to provide sufficient facts as to any material violation of the Senate rules beyond mere allegation or assertion: 8.

(3) The number of alleged violations for which the Committee staff conducted a preliminary inquiry: 5. The figure includes two matters from the previous calendar year carried into 2012.

(4) The number of alleged violations for which the Committee staff conducted a preliminary inquiry that resulted in an adjudicatory review: 0.

(5) The number of alleged violations for which the Committee staff conducted a preliminary inquiry and the Committee dismissed the matter for lack of substantial merit: 1.

(6) The number of alleged violations for which the Committee staff conducted a preliminary inquiry and the Committee issued private or public letters of admonition: 2.

(7) The number of matters resulting in a disciplinary sanction: 0.

(8) Any other information deemed by the Committee to be appropriate to describe its activities in the previous year:

In 2012, the Committee staff conducted three new Member ethics training sessions; 33 Member and committee office campaign briefings; 18 employee code of conduct training sessions; 11 Member, spouse, and employee STOCK (Stop Trading on Congressional Knowledge) Act briefings; eight public financial disclosure seminars and clinics; 24 ethics seminars and customized briefings for Member DC offices, state offices, and Senate committees; six private sector ethics briefings; and 15 international briefings.

In 2012, the Committee staff handled approximately 9,616 telephone inquiries and 2,097 email inquiries by email for ethics advice and guidance.

In 2012, the Committee wrote approximately 761 ethics advisory letters, including 576 letters regarding travel and gifts matters (Senate Rule 35) and 113 letters regarding conflict of interest matters (Senate Rule 37).

In 2012, the Committee received and reviewed approximately 3,142 Periodic Disclosure of Financial Transactions reports filed by Members, officers, and employees of the Senate.

In 2012, the Committee issued 3,259 advisory letters concerning financial disclosure filings by Senators, staff, and Senate candidates and reviewed 1,915 reports.

UNITED STATES-INDIA RELATIONS

Mr. JOHNSON of South Dakota. Madam President, I rise today to speak on the importance of United States-India relations. President Obama recognizes this valuable partnership, hosting Indian Prime Minister Manmohan Singh at his first state dinner in 2009 and traveling to India in 2010. As President Obama begins his second term, it is vital that the United States remain committed to deepening our strategic partnership with India. In the coming decades, United States-India relations will be among the world's most important.

It is clear that United States-India cooperation on commercial and security initiatives over the past decade has resulted in greater opportunity for both nations. United States bilateral trade with India has increased 4½ times in the last 10 years, and India is now one of the fastest growing export markets for the United States. Last year, India became the world's third largest economy in terms of purchasing power parity. In 2005, the United States and India signed a 10-year defense framework agreement which has greatly expanded bilateral security cooperation between our nations. India now conducts more defense exercises and personnel exchanges with the United States than with any other country.

As the world's largest democracy, India shares with the United States a strong commitment to representative

government and the rule of law, but these are not the only values that bind us. It is my hope that the United States will continue to pursue a course with India that promotes collaboration on security, encourages civic engagement and open governance, and expands bilateral trade and investment. I look forward to a strong United States-India relationship for years to come.

TERRY SANFORD HIGH SCHOOL 100TH ANNIVERSARY

Mr. BURR. Madam President, I am very proud to extend my recognition and congratulations to Terry Sanford High School in Fayetteville, NC, in celebration of its 100th anniversary. As the oldest high school in Cumberland County, Terry Sanford High School continually strives to provide a global and multicultural educational experience to its students and its community.

The school originally opened its doors in 1913 as Fayetteville High School. In 1968, the school was renamed Terry Sanford High School after the late Senator James Terry Sanford, who served as the 65th Governor of North Carolina before going on to honorably serve in this body for 7 years.

The students, faculty, and staff at Terry Sanford High School are led by Principal David Haggerty, and all continue to reflect the proud accomplishments of the Fayetteville community. Throughout the last century, the school has served as a springboard for students interested in the successful pursuit of a variety of academic fields. It has been recognized for its diverse student body, globally focused education, and ability to prepare students for future successes.

Additionally, the school's academic rigor sets it apart from others like it. Its School of Global Studies offers courses that encourage global awareness among students and cultural and social growth. During a time of such increasing globalization, academic institutions such as Terry Sanford High School are invaluable in our efforts to prepare our children for achievement in a 21st century world.

Mr. President, I ask my colleagues to join me in recognizing and congratulating Terry Sanford High School in Fayetteville, NC, for serving as a pioneer for secondary education in Cumberland County and for continuing to uphold such high academic standards in its work to educate its students and community. May Terry Sanford High School's outstanding reputation for an engaging and enriching education be recognized and appreciated by the citizens of North Carolina and this Congress.

ADDITIONAL STATEMENTS

TRIBUTE TO ED WATERSTREET

• Mr. HARKIN. Madam President, on February 9, theater lovers and performers will come together at the Kirk Douglas Theatre in Culver City, CA, to honor Ed Waterstreet, the retiring founding artistic director of Deaf West Theater.

Mr. Waterstreet founded the Deaf West Theater in 1991 with the goal of establishing the first permanent, resident American Sign Language theater company on the west coast. Ed began—as he puts it—“with only one chair, one desk and a typewriter in an office space shared with and donated by the Fountain Theater in Hollywood.” From those humble beginnings, he inspired and led the creation of a theater company that has produced 40 plays and 4 musicals, and has won more than 80 theater awards. Deaf West Theater's production of “Big River: The Adventures of Huckleberry Finn” opened in North Hollywood and ended up in New York City, earning two Tony nominations and a Tony honor for excellence in theater. Equally important, he succeeding in creating a theater whose productions are fully accessible to individuals who are deaf and hard of hearing, as well as others.

I have had the pleasure of attending both “Big River” and other Deaf West performances and, let me tell you, it is a thrilling and unique experience. Productions are presented in American Sign Language, with simultaneous sign-to-voice translation for hearing members of the audience. As Ed explains: “Our deaf audiences can have the pleasure of watching the story unfold in our native American Sign Language. And on the other side of the coin, our hearing audiences have the customary theater experience, enhanced by the visual expressiveness of American Sign Language.”

Ed Waterstreet has had a long and distinguished career in theater. Before founding Deaf West Theater, he was a long-time member of the National Theater for the Deaf. His Hollywood acting credits include the Emmy-winning 1985 drama “Love Is Never Silent.” Throughout his more than two decades at the helm of Deaf West Theater, he has been dedicated to expanding opportunities for deaf artists. And he has pioneered innovative approaches to integrating nonhearing and hearing performers in stage productions.

Ed is now retired from Deaf West Theater, but he is by no means retiring. He says, “The theater is still my baby.” He plans to remain actively involved, as Deaf West continues to strive toward its goal of providing an exhilarating theatrical experience for all audiences, regardless of hearing or signing ability.

Regrettably, it will not be possible for me to join with Ed's many other ad-

mirers as they come together to honor him next month in California. But I, too, want to express my great respect for Ed Waterstreet's excellence as a performer and artistic leader, and for his passionate commitment to creating new opportunities for aspiring deaf performers not only on stage but also in film and television. I wish Ed and his wife, Linda Bove, all the very best in the years ahead.●

TRIBUTE TO DR. FRED HAWTHORNE

• Mr. BLUNT. Madam President, today I wish to honor Dr. Fred Hawthorne, who recently was named as a recipient of the National Medal of Science for his important research involving the use of the chemical element boron in the treatment of cancer, arthritis, and other diseases. On February 1, 2013, Dr. Hawthorne will be one of only 22 recipients from across the country receiving the award from President Obama in a ceremony at the White House. This recognition certainly is well-deserved.

As the director of the International Institute of Nano and Molecular Medicine at the University of Missouri, as well as the Curators' Distinguished Professor of Chemistry and Radiology, Dr. Hawthorne has pioneered the field of boron research throughout his impressive career. The National Medal of Science, the highest award the country can bestow upon our scientists, is a fitting recognition of his critically important and innovative work.

Having grown up in Missouri and Kansas, Fred Hawthorne enrolled in 1944 as a chemical engineering student at the Missouri School of Mines and Metallurgy, now the Missouri University of Science and Technology. Hawthorne later transferred to Pomona College in California, where he completed his degree in chemistry. In 1953, he earned his Ph.D. from UCLA for his work in organic chemistry. In the following years, Hawthorne's work took him across the country—from Iowa to Alabama, Pennsylvania to Massachusetts—before returning him to UCLA in 1969, where he continued his groundbreaking research for more than 37 years.

Upon retiring from his academic career at UCLA in 2009, Hawthorne returned once again to Missouri to help build MU's International Institute of Nano and Molecular Medicine. Thanks to Hawthorne's direction, this research center is an international leader in the field of boron neutron capture therapy, the cell-selective radiation method he helped pioneer. His work has shown incredible promise in developing noninvasive treatments for cancer and other diseases. As a cancer survivor myself, I am especially grateful for the treatments Dr. Hawthorne is exploring to help the many people whom the disease affects.

Fred Hawthorne's years of dedicated research certainly have made lasting contributions to the fields of science and medicine. I thank him again for his important work and congratulate him on this hard-earned recognition.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer, laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on the Judiciary.

(The messages received today are printed at the end of the Senate proceedings.)

MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 201. A bill to prohibit the sale, lease, transfer, retransfer, or delivery of F-16 aircraft, M1 tanks, or certain other defense articles or services to the Government of Egypt.

S. 204. A bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-239. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Styrene-2-Ethylhexyl Acrylate Copolymer; Tolerance Exemption" (FRL No. 9367-2) received in the Office of the President of the Senate on January 30, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-240. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2-Pyrrolidone, 1-ethenyl-, polymer with ethanol; Tolerance Exemption" (FRL No. 9376-1) received in the Office of the President of the Senate on January 30, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-241. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Alpha-Cypermethrin; Pesticide Tolerances" (FRL No. 9376-1A) received in the Office of the President of the Senate on January 30, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-242. A communication from the Assistant Secretary of Defense (Homeland Defense

and Americas' Security Affairs), transmitting, pursuant to law, a report relative to assistance provided by the Department of Defense (DoD) for sporting events during calendar year 2012; to the Committee on Armed Services.

EC-243. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the elimination of the 1994 Direct Ground Combat Definition and Assignment Rule; to the Committee on Armed Services.

EC-244. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2013-0002)) received in the Office of the President of the Senate on January 30, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-245. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2013-0002)) received in the Office of the President of the Senate on January 30, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-246. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2013-0002)) received in the Office of the President of the Senate on January 30, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-247. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Inflation Adjustment of Civil Money Penalty Amounts" (RIN2501-AD59) received in the Office of the President of the Senate on January 30, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-248. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Manufactured Home Construction and Safety Standards, Test Procedures for Roof Trusses" (RIN2502-A172) received in the Office of the President of the Senate on January 30, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-249. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Extension of Exemptions for Security-Based Swaps" (RIN3235-AL17) received in the Office of the President of the Senate on January 29, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-250. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report relative to operation of the Exchange Stabilization Fund (ESF) for fiscal year 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-251. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endan-

gered and Threatened Species; Threatened Status for the Arctic, Okhotsk, and Baltic Subspecies of the Ringed Seal and Endangered Status for the Ladoga Subspecies of the Ringed Seal" (RIN0648-XZ59) received in the Office of the President of the Senate on January 30, 2013; to the Committee on Environment and Public Works.

EC-252. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Species; Designation of a Nonessential Experimental Population for Middle Columbia River Steelhead above the Pelton Round Butte Hydroelectric Project in the Deschutes River Basin, OR" (RIN0648-BB04) received in the Office of the President of the Senate on January 30, 2013; to the Committee on Environment and Public Works.

EC-253. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Species; Threatened Status for the Beringia and Okhotsk Distinct Population Segments of the *Erignathus barbatus* nauticus Subspecies of the Bearded Seal" (RIN0648-XZ58) received in the Office of the President of the Senate on January 30, 2013; to the Committee on Environment and Public Works.

EC-254. A communication from the Chief of the Recovery and State Grants Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Termination of the Southern Sea Otter Translocation Program" (RIN1018-AX51) received in the Office of the President of the Senate on January 30, 2013; to the Committee on Environment and Public Works.

EC-255. A communication from the Chief of the Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Lost River Sucker and Shortnose Sucker" (RIN1018-AX41) received in the Office of the President of the Senate on January 30, 2013; to the Committee on Environment and Public Works.

EC-256. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; Beaumont/Port Arthur Ozone Maintenance Plan Revision to Approved Motor Vehicle Emissions Budgets" (FRL No. 9775-2) received in the Office of the President of the Senate on January 30, 2013; to the Committee on Environment and Public Works.

EC-257. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Minnesota; Flint Hills Resources Pine Bend" (FRL No. 9774-4) received in the Office of the President of the Senate on January 30, 2013; to the Committee on Environment and Public Works.

EC-258. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, San Joaquin Valley

United Air Pollution Control District" (FRL No. 9771-3) received in the Office of the President of the Senate on January 30, 2013; to the Committee on Environment and Public Works.

EC-259. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Information Reporting by Domestic Entities under Section 6038D with Respect to Specified Foreign Financial Assets" (Notice 2013-10) received in the Office of the President of the Senate on January 30, 2013; to the Committee on Finance.

EC-260. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Qualified Zone Academy Bond Allocations for 2012 and 2013" (Notice 2013-3) received in the Office of the President of the Senate on January 30, 2013; to the Committee on Finance.

EC-261. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Correction to Revenue Procedure 2013-6 Employee Plans Determination Letters" (Announcement 2013-13) received in the Office of the President of the Senate on January 30, 2013; to the Committee on Finance.

EC-262. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Health Insurance Premium Tax Credit" (TD 9611) received in the Office of the President of the Senate on January 30, 2013; to the Committee on Finance.

EC-263. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Optional Safe Harbor Method for Deducting Expenses Attributable to Business Use of a Home" (Rev. Proc. 2013-13) received in the Office of the President of the Senate on January 29, 2013; to the Committee on Finance.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Air Force nomination of Maj. Gen. William H. Etter, to be Lieutenant General.

Army nomination of Maj. Gen. Kenneth E. Tovo, to be Lieutenant General.

Army nomination of Col. Barbara R. Holcomb, to be Brigadier General.

Army nomination of Col. Patrick D. Sargent, to be Brigadier General.

Army nominations beginning with Brig. Gen. Brian C. Lein and ending with Brig. Gen. Nadja Y. West, which nominations were received by the Senate and appeared in the Congressional Record on January 22, 2013.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar,

that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nomination of Kory D. Bingham, to be Major.

Air Force nominations beginning with Michael A. Cooper and ending with Susan Michelle Miller, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Air Force nominations beginning with Victor Douglas Brown and ending with Rodney M. Waite, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Air Force nominations beginning with Walter S. Adams and ending with Carl E. Supplee, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Air Force nominations beginning with John J. Bartrum and ending with George L. Valentine, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Air Force nominations beginning with Kimberly L. Barber and ending with Janet L. Setnor, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Air Force nominations beginning with Dina L. Bernstein and ending with William R. Youngblood, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Air Force nominations beginning with Timothy Lee Bringer and ending with Christopher J. Ryan, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Air Force nominations beginning with Francis Xavier Altieri and ending with Kevin M. Zeller, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Army nomination of Jonathan A. Foskey, to be Lieutenant Colonel.

Army nomination of Marion J. Parks, to be Colonel.

Army nomination of Karen A. Pike, to be Colonel.

Army nominations beginning with Derek S. Reynolds and ending with Brian D. Vogt, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Army nominations beginning with Edward A. Figueroa and ending with Michael C. Vanhoven, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Army nominations beginning with Jack C. Mason and ending with Todd B. Waytashek, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Army nominations beginning with Ruth E. Aponte and ending with Michael J. Zinno, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Army nominations beginning with Leslie E. Akins and ending with Marc W. Zelnick, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Army nominations beginning with Timothy G. Abrell and ending with John A. Zulfer, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Army nominations beginning with Rafael E. Abreu and ending with R010075, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Marine Corps nomination of Jackie W. Morgan, Jr., to be Major.

Marine Corps nomination of Dana R. Fike, to be Lieutenant Colonel.

Marine Corps nomination of Samuel W. Spencer III, to be Lieutenant Colonel.

Marine Corps nomination of Larry Miyamoto, to be Lieutenant Colonel.

Marine Corps nominations beginning with George L. Roberts and ending with Paul A. Shirley, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Marine Corps nominations beginning with Richard D. Kohler and ending with Gary J. Spinelli, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Marine Corps nominations beginning with Eric T. Cline and ending with Robert S. Schmidt, Jr., which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Marine Corps nominations beginning with Jose L. Sada and ending with Brian J. Spooner, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Marine Corps nominations beginning with Frederick L. Hunt and ending with Chad E. Tidwell, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Marine Corps nominations beginning with Todd E. Lotspeich and ending with Donald E. Williams, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Marine Corps nominations beginning with Jason B. Davis and ending with John F. Reynolds, Jr., which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Marine Corps nominations beginning with Travis M. Fulton and ending with Gary S. Liddell, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Marine Corps nominations beginning with Bryan Delgado and ending with Rodolfo D. Quispe, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Marine Corps nominations beginning with David B. Blann and ending with Allen L. Lewis, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Marine Corps nominations beginning with Michael Gasperini and ending with Timothy W. Williams, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Marine Corps nominations beginning with Stephen R. Byrnes and ending with James N. Timmer, Jr., which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Marine Corps nominations beginning with Peter K. Basabe, Jr. and ending with Michael A. Young, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Navy nomination of Harry E. Hayes, to be Commander.

Navy nomination of Shemeya L. Grant, to be Lieutenant Commander.

Navy nominations beginning with Christopher J. Kane and ending with Luke C.

Suber, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Navy nominations beginning with Jeanine F. Benjamin and ending with Benjamin F. Visger, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. JOHANNES (for himself, Mr. ALEXANDER, Mr. CORNYN, Mr. ROBERTS, Mr. BLUNT, Mr. BURR, Mr. ENZI, Mr. LEE, and Mr. CHAMBLISS):

S. 190. A bill to prohibit the use of Federal funds for certain activities of the National Labor Relations Board and the Consumer Financial Protection Bureau; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROBERTS (for himself, Mr. PORTMAN, Mr. COATS, Ms. AYOTTE, Mr. GRASSLEY, Mr. PAUL, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. GRAHAM, Mr. SESSIONS, Mr. CRAPO, Mr. WICKER, Mr. MORAN, Mr. CHAMBLISS, Mr. ISAKSON, Mr. BURR, Mr. TOOMEY, Mr. INHOFE, Mr. RISCH, Mr. MCCAIN, Mr. MCCONNELL, Mr. HOEVEN, Mr. COCHRAN, Mr. ALEXANDER, Mr. BOOZMAN, Mrs. FISCHER, Mr. ENZI, Mr. THUNE, Mr. HATCH, Mr. BARRASSO, Mr. BLUNT, Mr. CORKER, Mr. RUBIO, Ms. COLLINS, and Mr. FLAKE):

S. 191. A bill to codify and modify regulatory requirements of Federal agencies; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BARRASSO (for himself, Mr. INHOFE, Mr. CORNYN, Mr. LEE, Mr. COBURN, Mr. ENZI, Mr. BEGICH, Ms. HEITKAMP, Mr. JOHNSON of Wisconsin, Mr. VITTER, and Mr. HOEVEN):

S. 192. A bill to enhance the energy security of United States allies, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. COONS (for himself, Mr. ENZI, Mr. SCHUMER, Mr. RUBIO, Mr. BLUNT, Ms. STABENOW, and Mr. MORAN):

S. 193. A bill to amend the Internal Revenue Code of 1986 to provide for startup businesses to use a portion of the research and development credit to offset payroll taxes; to the Committee on Finance.

By Mr. DURBIN (for himself, Mr. LAUTENBERG, and Mr. BLUMENTHAL):

S. 194. A bill to amend the Internal Revenue Code of 1986 to provide tax rate parity among all tobacco products, and for other purposes; to the Committee on Finance.

By Mr. FRANKEN (for himself, Mr. DURBIN, Mr. BAUCUS, Mr. CARDIN, Ms. HIRONO, Mr. BROWN, Ms. LANDRIEU, Mr. BLUMENTHAL, Mr. TESTER, and Mr. SANDERS):

S. 195. A bill to amend the Public Health Service Act to revise and extend projects relating to children and violence to provide access to school-based comprehensive mental health programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of New Mexico:

S. 196. A bill to assure equity in contracting between the Federal Government and small business concerns, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 197. A bill to authorize improvements to flood damage reduction facilities adjacent to the American and Sacramento Rivers near Sacramento, California, and for other purposes; to the Committee on Environment and Public Works.

By Mr. RISCH (for himself, Mr. CHAMBLISS, Mr. COBURN, Mr. BURR, Mr. RUBIO, Mr. MORAN, Ms. AYOTTE, and Mr. COATS):

S. 198. A bill to require a report on the designation of Boko Haram as a foreign terrorist organization, and for other purposes; to the Committee on Foreign Relations.

By Mr. BEGICH:

S. 199. A bill to amend the Outer Continental Shelf Lands Act to require that oil produced from Federal leases in certain Arctic waters be transported by pipeline to on-shore facilities and to provide for the sharing of certain outer Continental Shelf revenues from areas in the Alaska Adjacent Zone; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI:

S. 200. A bill to amend title 38, United States Code, to authorize the interment in national cemeteries under the control of the National Cemetery Administration of individuals who served in combat support of the Armed Forces in the Kingdom of Laos between February 28, 1961, and May 15, 1975, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PAUL:

S. 201. A bill to prohibit the sale, lease, transfer, retransfer, or delivery of F-16 aircraft, M1 tanks, or certain other defense articles or services to the Government of Egypt; read the first time.

By Mr. GRASSLEY (for himself, Mr. BOOZMAN, Mr. CORKER, Mr. JOHANNES, Mr. LEE, Mr. SESSIONS, Mr. VITTER, Mr. WICKER, Mrs. FISCHER, Mr. HATCH, and Mr. ENZI):

S. 202. A bill to expand the use of E-Verify, to hold employers accountable, and for other purposes; to the Committee on the Judiciary.

By Mr. PORTMAN (for himself, Mr. MANCHIN, Mr. RUBIO, Mr. MORAN, Mr. CORKER, Mr. ALEXANDER, Mr. ISAKSON, and Mr. BOOZMAN):

S. 203. A bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the Pro Football Hall of Fame; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PAUL (for himself, Mr. LEE, Mr. COBURN, Mr. BURR, Mr. RUBIO, Mr. HELLER, Mr. VITTER, Mr. BARRASSO, Mr. INHOFE, Mr. CHAMBLISS, and Mr. RISCH):

S. 204. A bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities; read the first time.

By Mr. MORAN:

S. 205. A bill to replace the Director of the Bureau of Consumer Financial Protection with a 5-person Commission, to bring the Bureau into the regular appropriations process, to provide for a safety and soundness check, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. COLLINS (for herself and Mr. KING):

S. 206. A bill to expand the HUBZone program for communities affected by base realignment and closure, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. INHOFE (for himself, Mr. LEE, Mr. BLUNT, Mr. JOHANNES, and Mr. COBURN):

S. 207. A bill to restrict the sale, lease, transfer, retransfer, or delivery of F-16 aircraft, M1 tanks, or certain other defense articles or services to the Government of Egypt; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. NELSON:

S. Res. 23. A resolution expressing the sense of the Senate that a postage stamp should be issued to commemorate the 500th anniversary of Juan Ponce de Leon landing on Florida; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CORNYN (for himself, Mr. NELSON, Mr. THUNE, Mr. ROCKEFELLER, Mr. ISAKSON, Mr. WARNER, Mr. HELLER, Mr. DURBIN, Mr. COBURN, Ms. MIKULSKI, Mr. RUBIO, Mrs. BOXER, Mr. ENZI, Mr. BROWN, Mr. PRYOR, Mr. ALEXANDER, Mrs. FEINSTEIN, Mr. JOHANNES, Mr. BEGICH, Mr. VITTER, Mrs. SHAHEEN, Mr. MORAN, Mr. HATCH, Mr. WICKER, and Mrs. GILLIBRAND):

S. Res. 24. A resolution commemorating the 10-year anniversary of the loss of the Space Shuttle Columbia; considered and agreed to.

By Ms. CANTWELL (for Mrs. MURRAY (for herself and Ms. CANTWELL)):

S. Res. 25. A resolution honoring Gonzaga University on its 125th anniversary; considered and agreed to.

ADDITIONAL COSPONSORS

S. 29

At the request of Mr. PORTMAN, the name of the Senator from Mississippi (Mr. COCHRAN) was withdrawn as a cosponsor of S. 29, a bill to amend title 31, United States Code, to provide for automatic continuing resolutions.

S. 33

At the request of Mr. LAUTENBERG, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 33, a bill to prohibit the transfer or possession of large capacity ammunition feeding devices, and for other purposes.

S. 40

At the request of Mr. HATCH, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 40, a bill to restore Americans' individual liberty by striking the Federal mandate to purchase insurance.

S. 43

At the request of Mr. PORTMAN, the name of the Senator from Oklahoma

(Mr. COBURN) was added as a cosponsor of S. 43, a bill to require that any debt limit increase be balanced by equal spending cuts of the next decade.

S. 47

At the request of Mr. LEAHY, the names of the Senator from Delaware (Mr. CARPER), the Senator from Nevada (Mr. HELLER), the Senator from Florida (Mr. NELSON) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 47, a bill to reauthorize the Violence Against Women Act of 1994.

S. 84

At the request of Ms. MIKULSKI, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 84, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 109

At the request of Mr. VITTER, the names of the Senator from Kentucky (Mr. PAUL) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 109, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects.

S. 162

At the request of Mr. FRANKEN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 162, a bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004.

S. 169

At the request of Mr. HATCH, the names of the Senator from Utah (Mr. LEE) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 169, a bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes.

S. 171

At the request of Mr. UDALL of Colorado, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 171, a bill to appropriate such funds as may be necessary to ensure that members of the Armed Forces, including reserve components thereof, and supporting civilian and contractor personnel continue to receive pay and allowances for active service performed when a Governmentwide shutdown occurs.

S. 180

At the request of Mr. BARRASSO, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 180, a bill to delay the enforcement of any rulings of the National Labor Relations Board until there is a final resolution in pending lawsuits.

S. 183

At the request of Mrs. MCCASKILL, the names of the Senator from Kentucky (Mr. MCCONNELL), the Senator from Virginia (Mr. WARNER) and the Senator from North Carolina (Mrs. HAGAN) were added as cosponsors of S. 183, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 188

At the request of Mr. BLUNT, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 188, a bill to prevent certain individuals purportedly appointed to the National Labor Relations Board from receiving salaries, and to prevent an unconstitutional quorum of the Board from taking agency actions, until there is a final decision in pending lawsuits regarding the constitutionality of certain alleged recess appointments.

S. 189

At the request of Mr. UDALL of Colorado, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 189, a bill to establish an employment-based immigrant visa for alien entrepreneurs who have received significant capital from investors to establish a business in the United States.

S. RES. 12

At the request of Mr. NELSON, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. Res. 12, a resolution recognizing the third anniversary of the tragic earthquake in Haiti on January 12, 2010, honoring those who lost their lives in that earthquake, and expressing continued solidarity with the people of Haiti.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. COONS (for himself, Mr. ENZI, Mr. SCHUMER, Mr. RUBIO, Mr. BLUNT, Ms. STABENOW, and Mr. MORAN):

S. 193. A bill to amend the Internal Revenue Code of 1986 to provide for startup businesses to use a portion of the research and development credit to offset payroll taxes; to the Committee on Finance.

Mr. COONS. Mr. President, each and every day the folks I represent in Delaware ask me why doesn't the Senate, why doesn't the Congress focus on jobs and focus on getting our economy moving again instead of what seem to be endless partisan struggles over secondary issues.

What I wanted to speak to was a bipartisan bill, which I am introducing, which focuses on how to help create innovation-focused jobs again in the United States.

As you know all too well, our economic recovery has been slower than

we had hoped. Although it has been steady, there are still far too many Americans out of work in my home State of Delaware, more than 30,000, but we are building our way back.

The task before us is to think not just about an immediate economic crisis but to take a breath and, instead, focus strategically on the long-term future, to take account of what kind of an economy we want to build for our children and our grandchildren for the America of today and tomorrow.

The engine of our Nation's greatest economic successes has always been innovation. From the light bulb to the search engine, American inventors and innovators, those who have taken risks and started companies, have created jobs by the thousands and changed lives by the millions. Before new ideas scaled to market and reach out to change the world, they first have to start in a lab or garage.

I know from my own 8 years in the private sector, my work for a materials-based science company in Delaware, the products we take for granted that are today household items in the world marketplace, often started as just the sliver of an idea, an idea that needed refining through determined investment in research and development.

If we want to fuel the next generation of innovation, if we want to lay a strong foundation for job creation through invention, I think we have to start by supporting research and development. Research and development is the lifeblood of great American companies and is what will allow us to make things in this country and to be a leading manufacturer in the world and deserves focused investment.

If we look at it, nearly 70 percent of America's private sector R&D and about 90 percent our patents are actually in manufacturing, a sector that deserves particular attention. Revitalizing American manufacturing will create high-quality, middle-class jobs for the long run, but doing so depends on our ability to take great ideas and turn them into marketable products or improvements in manufacturing processes that can and will result in things being made right here in America. Startups and small businesses all across this country are already taking chances to do just that, and I think it is time for all of us in Congress to take a chance on them.

Last year, I worked in a bipartisan way with Senator ENZI, Senator RUBIO, Senator SCHUMER, and others to introduce a bill that would make startup companies eligible for the existing research and development or R&D tax credit. I am proud to reintroduce that legislation as the Startup Innovation Credit Act of 2013 with our original cosponsors, as well as Senator BLUNT, Senator STABENOW, and Senator MORAN.

This broad bipartisan support suggests a bill whose time has come. Although we represent, among the co-sponsors, very different parts of our country, very different backgrounds, all of us know that to strengthen our economy we have to support innovation and entrepreneurship. Each of us is committed to fostering the kind of environment which supports the private sector and which turns ideas into innovations, innovations into products, and products into companies that help create good jobs.

Under current policy, one way we do that federally is by supporting research and development through the existing R&D tax credit. Companies that invest in R&D generate new products, which sparks new industries with spillover benefits for all kinds of sectors. That is why there has long been strong bipartisan support for the existing R&D tax credit. By all accounts it is working. The R&D has helped tens of thousands of American companies succeed and create jobs.

But there is a critical gap in the existing R&D credit. It isn't available to startups because they are not yet profitable, and thus they don't have an income tax liability against which to take a credit. In fact, more than half the R&D credit last year was taken by companies with revenue over \$1 billion, well-established, profitable companies. There is nothing wrong with that; it is just not targeting these tax expenditures toward the sector of our economy that is taking the greatest risk and in some ways has the greatest potential.

This gaping hole in our policy around R&D can be fixed with a relatively simple tweak. I have been working on finding this solution since I first came here. In fact, the very first bill I introduced included an expanded version of the R&D credit.

Today, we take another step toward seeing this solution implemented with the reintroduction of this bipartisan Startup Innovation Credit Act. It says in order to spur research and development, we should allow companies to claim the R&D tax credit against their employment taxes, against their W-2 instead of their income tax liability. That opens this credit to new companies that don't yet have an income tax liability.

There lots of companies we could choose. Let me pick one example, DeNovix, a small company based in my home State of Delaware that is developing instrumentation for bioresearch with a team that includes molecular biologists and engineering professionals.

The managing director of DeNovix, Fred Kielhorn, said the legislation we are introducing would help that company to offset some of the costs of bringing new, innovative, technology-based products to market and for that this bill earned his strong support.

He is just one of many. There is a remarkable list of outside groups, companies, and organizations that have supported it. I will mention a few: Silicon Valley Leadership Group; Revolution, led by Steve Case of AOL; Delaware Chamber of Commerce; the Association for Manufacturing Technology Policy; American Small Manufacturers Coalition; and BIO, a national organization that supports companies doing research and development in the biotechnology space.

Supporting small innovative companies in critical early stages of research and development, in my view could unleash untold innovations for growth and create new jobs for America. At its heart, today's legislation is a jobs bill.

Between 1980 and 2005, all net new jobs created in the United States were created by firms 5 years old or less, all of them, about 40 million jobs over those 25 years. This credit is specifically designed toward those new, young, risk-taking firms. It does not pick winners and losers, it doesn't focus on a specific area of the economy or technology, but instead supports all private sector investments, judgments, and decisions that prioritize investment in research and development. Cash in the pocket of small startup companies, such as this tax credit, can make a real difference, especially with financing and credit so hard to come by.

It was once said the States are the laboratory of democracy. In fact, that is where this idea has come from. Credits just like this have been done before in Iowa, Arizona, New York, Connecticut, Pennsylvania, and they have been game changers, helping companies get off the ground and keep their doors open during those demanding first years where they invest and spend so much on hiring and growth.

We know this can work. We also know more than half our current Fortune 500 companies were launched during a recession or a bear market. The next great American company that may redefine whole categories that may be known worldwide for its products, its services, may be starting right now in a garage or lab somewhere in this great country. It is an exciting prospect.

In fact, we are depending on our inventors, our innovators, and our small business owners to help innovate our way to a stronger economy and fuel a new generation of job creation. Let's give them the support they need and they deserve at a time when they need it the most.

I am grateful for all the cosponsors of this bipartisan legislation in this Chamber and as well to Congressman GERLACH of Pennsylvania and Congressman KIND of Wisconsin, who will introduce the House version of this legislation next week.

Rather than shutting our startups out of the R&D tax credit, let's open

the doors to these innovators and see what they can do. I am confident they will surprise us yet again with how high they can reach and how far they can go. I think this is a wise investment in opening the doors of innovation, invention, and job creation for our future.

By Mr. DURBIN (for himself, Mr. LAUTENBERG, and Mr. BLUMENTHAL):

S. 194. A bill to amend the Internal Revenue Code of 1986 to provide tax rate parity among all tobacco products, and for other purposes; to the Committee on Finance.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 194

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Tobacco Tax Equity Act of 2013".

SEC. 2. ESTABLISHING EXCISE TAX EQUITY AMONG ALL TOBACCO PRODUCT TAX RATES.

(a) TAX PARITY FOR PIPE TOBACCO AND ROLL-YOUR-OWN TOBACCO.—Section 5701(f) of the Internal Revenue Code of 1986 is amended by striking "\$2.8311 cents" and inserting "\$24.78".

(b) TAX PARITY FOR SMOKELESS TOBACCO.—(1) Section 5701(e) of the Internal Revenue Code of 1986 is amended—

(A) in paragraph (1), by striking "\$1.51" and inserting "\$13.42";

(B) in paragraph (2), by striking "50.33 cents" and inserting "\$5.37"; and

(C) by adding at the end the following:

"(3) SMOKELESS TOBACCO SOLD IN DISCRETE SINGLE-USE UNITS.—On discrete single-use units, \$50.33 per thousand."

(2) Section 5702(m) of such Code is amended—

(A) in paragraph (1), by striking "or chewing tobacco" and inserting "chewing tobacco, or discrete single-use unit";

(B) in paragraphs (2) and (3), by inserting "that is not a discrete single-use unit" before the period in each such paragraph;

(C) by adding at the end the following:

"(4) DISCRETE SINGLE-USE UNIT.—The term 'discrete single-use unit' means any product containing tobacco that—

"(A) is not intended to be smoked; and

"(B) is in the form of a lozenge, tablet, pill, pouch, dissolvable strip, or other discrete single-use or single-dose unit."

(c) TAX PARITY FOR LARGE CIGARS.—Paragraph (2) of section 5701(a) of the Internal Revenue Code of 1986 is amended by striking "but not more than 40.26 cents per cigar" and inserting "but not less than 5.033 cents per cigar and not more than 100.66 cents per cigar".

(d) TAX PARITY FOR ROLL-YOUR-OWN TOBACCO AND CERTAIN PROCESSED TOBACCO.—Subsection (o) of section 5702 of the Internal Revenue Code of 1986 is amended by inserting "or processed tobacco removed or transferred to a person other than a person with a permit provided under section 5713" after "wrappers thereof".

(e) CLARIFYING TOBACCO PRODUCT DEFINITION AND TAX RATE.—

(1) IN GENERAL.—Subsection (c) of section 5702 of the Internal Revenue Code of 1986 is amended to read as follows:

“(c) TOBACCO PRODUCTS.—The term ‘tobacco products’ means—

“(1) cigars, cigarettes, smokeless tobacco, pipe tobacco, and roll-your-own tobacco, and

“(2) any other product containing tobacco that is intended or expected to be consumed.”.

(2) TAX RATE.—Section 5701 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(i) OTHER TOBACCO PRODUCTS.—Any product described in section 5702(c)(2) or not otherwise described under this section, including any product that has been determined to be a tobacco product by the Food and Drug Administration through its authorities under the Family Smoking Prevention and Tobacco Control Act, shall be taxed at a level of tax equivalent to the tax rate for cigarettes on an estimated per use basis as determined by the Secretary.”.

(f) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to articles removed (as defined in section 5702(j) of the Internal Revenue Code of 1986) after the last day of the month which includes the date of the enactment of this Act.

(2) DISCRETE SINGLE-USE UNITS AND PROCESSED TOBACCO.—The amendments made by subsections (b)(1)(C), (b)(2), and (d) shall apply to articles removed (as defined in section 5702(j) of the Internal Revenue Code of 1986) after the date that is 6 months after the date of the enactment of this Act.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 197. A bill to authorize improvements to flood damage reduction facilities adjacent to the American and Sacramento Rivers near Sacramento, California, and for other purposes; to the Committee on Environment and Public Works.

Mrs. FEINSTEIN. Mr. President, I rise today to reintroduce the Natomas Basin Flood Protection Improvements Act of 2013.

This legislation authorizes the U.S. Army Corps of Engineers to improve the flood control infrastructure in the Sacramento area. The improvements will safeguard hundreds of thousands of homes and businesses.

There is a pressing need to improve levees in Sacramento.

The Army Corps perpetually cites the city as one of our nation's most at-risk for severe flooding. A quick review of the Corps' National Levee Database will tell you why. Of the nearly 300 miles of levees within 10 miles of Sacramento the Corps has deemed 94 miles of levees, or 32 percent, “unacceptable.” An unacceptable designation means the levee is deficient to the point where it does not provide the protection it is supposed to.

The Corps has deemed 29 miles of levees, only 10 percent, “minimally acceptable.”

The Corps has yet to even review the remaining 172 miles, 58 percent.

None of the 300 miles of levees within 10 miles of Sacramento received the passing grade of “acceptable.”

But even in this high-risk city, there are priority areas. And the Natomas basin, which lies between the American and Sacramento rivers, is the top priority for Sacramento flood control.

More than 100,000 people in the Natomas flood plain are at high or moderate risk of flooding.

The vast majority of these homes would be inundated with more than 10 feet of water should a levee break.

In some places, inundation levels would exceed 20 feet.

The risks are clear. The Army Corps of Engineers estimates the damage from a single flood could top \$7 billion.

Recognizing the need to upgrade the Natomas levees, the Corps of Engineers completed a Chief's Report in December 2010 that identified \$1.1 billion in essential levee improvements.

According to the report, the principal levee modifications include the widening of 41.9 miles of existing levees; installation of about 34.8 miles of soil bentonite cutoff wall; installation of 8.3 miles of seepage berms, and bridge remediation on State Route 99.

In addition, the report recommends the creation of 75 acres of canal habitat, 200 acres of marsh habitat, and 60 acres of woodland habitat to ensure the project complies with the Endangered Species Act.

The cost of these improvements will be significant, but the burden will be shared.

Understanding the urgency of this work, the Sacramento Area Flood Control Agency, SAFCA, and the California Department of Water Resources have begun work on the levee. They have invested more than \$400 million in the Natomas Basin project, far more than their share, and completed about 18 miles of the basin's 42 miles of levees.

I want to recognize SAFCA and the people of Sacramento for this good work. They have done the right thing, moving ahead before the federal authorization, because people's lives and property are in danger.

I am proud to say the people of Sacramento have really stepped up and contributed. On two occasions county voters approved special tax assessments to begin paying for the repairs on the levee system, first in 2007 and again in 2011.

The most recent assessment passed overwhelmingly with 84.5 percent of voters supporting the measure.

This kind of local commitment should be a model for the Nation. When such major vulnerabilities exist that threaten a community, it is imperative to act quickly.

If the Sacramento levees fail, the results will be devastating Sacramento International Airport, which serves 4.4 million passengers per year and is the primary air-cargo hub for the region, will be largely underwater.

Interstate 5, Interstate 80 and State Route 99 will be closed or restricted.

These roads serve as freight arteries and facilitate the passage of more than 2,500 trucks per day.

Access to the Port of West Sacramento, the city's primary seaport, will be jeopardized.

Just months ago Super-storm Sandy slammed into the East Coast. The destruction in New York and New Jersey reminded us that unpredictable weather events can overwhelm our infrastructure with devastating consequences.

But with well-placed timely investments, much of worst damage can be averted. That's why even during the worst economic downturns in a generation, Sacramento voters stood together and passed the local tax-measure to fund this critical project.

We don't know when the next flood will occur, but we do know Sacramento has a well-documented history of catastrophic flooding.

Record-breaking storms hit the region in 1956, 1964, 1986 and 1997.

During the 1997 storm, levee failures in the nearby cities of Olivehurst, Arboga, Wilton, Manteca and Modesto caused mass evacuations and millions of dollars in damage.

Going back even further, an even more devastating flood in 1861 occurred when the American River Levee failed. California's newly elected Governor, Leland Stanford, was forced to take a row-boat to his inauguration at the State Capitol. The flooding was so bad the state government was temporarily relocated to San Francisco.

U.S. Geological Survey scientists now believe that the 1861 storm may have been an atmospheric river storm, or “ARkStorm.” These events, which occur every 200 to 400 years, can produce truly devastating floods.

In 2011, the USGS conducted a study about the impacts of a large ARkStorm in California's Central Valley. The results were shocking.

The storm would cause a 300 mile long, 20 mile wide flood zone across much of our nation's most productive agriculture lands. It would force the evacuation of 1.5 million residents and cause hundreds of landslides damaging roads, highways, and homes. The study estimates the cost to private homeowners and businesses would be \$725 billion, nearly three times the cost of a major earthquake in the State.

The bottom line is this: the infrastructure currently in place will not stand up to a storm of this magnitude.

And the Natomas Basin Flood Protection Improvements Act of 2011 is one small step toward preparing for such a disaster.

This legislation is nearly identical to the bill I introduced with my friend and colleague Senator BOXER, the Chairwoman of the Environment and Public Works Committee, last Congress. The only change is that the current bill does not include language

from the previous bill that specifically allowed "credits" for non-federal work on the project.

This modification should not be interpreted to reflect a change my support for the work of the local entities; I believe they have done the right thing by beginning construction on this project, and I support them receiving credit for their work.

Instead, the modification was included to comport with work being done by Chairwoman BOXER on the upcoming Water Resources Development Act, or WRDA. That bill will generically address non-Federal crediting provisions and I will work with Chairman BOXER to ensure that Sacramento can still receive credits for the work they have completed.

I urge my colleagues to support this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 197

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Natomas Basin Flood Protection Improvements Act of 2013".

SEC. 2. PROJECT MODIFICATION, AMERICAN AND SACRAMENTO RIVERS, CALIFORNIA.

The project for flood damage reduction, American and Sacramento Rivers, California, authorized by section 101(a)(1) of the Water Resources Development Act of 1996 (Public Law 104-303; 110 Stat. 3662; 113 Stat. 319; 117 Stat. 1839; 121 Stat. 1947), is modified to authorize the Secretary of the Army, acting through the Chief of Engineers, to construct improvements to flood damage reduction facilities adjacent to the American and Sacramento Rivers in the vicinity of Sacramento, California, substantially in accordance with the report of the Chief of Engineers entitled "American River Watershed (Common Features) Project, Natomas Basin, Sacramento and Sutter Counties, California", and dated December 30, 2010, at an estimated total cost of \$1,389,500,000, with an estimated Federal cost of \$921,200,000 and an estimated non-Federal cost of \$468,300,000.

By Mr. BEGICH:

S. 199. A bill to amend the Outer Continental Shelf Lands Act to require that oil produced from Federal leases in certain Arctic waters be transported by pipeline to onshore facilities and to provide for the sharing of certain outer Continental Shelf revenues from areas in the Alaska Adjacent Zone; to the Committee on Energy and Natural Resources.

Mr. BEGICH. Mr. President, I wish to speak about legislation I am introducing today that would restore basic fairness to how our Nation shares revenue from energy produced Federal waters.

The Alaska Adjacent Zone Safe Oil Transport and Revenue Sharing Act

would provide Alaskans with the same share of Federal bonus bid and royalty revenue, 37.5 percent, as residents of Gulf Coast States. This is about fairness and a fix that is long overdue. Alaskans deserve to be treated as well as residents of the Gulf Coast. We bear the risks and the responsibilities of offshore development. It is only fair that we share in the proceeds.

Revenue sharing will provide funding for the State of Alaska, local governments and tribes to mitigate effects of development and provide support for public sector infrastructure required to both develop the resources and respond in terms of emergency.

The measure distributes to Alaska 37.5 percent of the Federal bonus bids and royalty share from any energy development, fossil or renewable. Of that 37.5 percent; 25 percent is directed to local governments; 25 percent is directed to Alaska Native corporations; 10 percent is directed to tribal governments; and 40 percent is directed to the State of Alaska.

Additionally, the Federal share is subdivided with 15 percent of the Federal royalties directed, without further appropriation, to the Land and Water Conservation Fund; and 7.5 percent directly to deficit reduction.

In addition, this legislation requires oil produced in the Federal waters of the Chukchi and Beaufort Seas to be brought ashore by pipeline, a method that is safer than tanker transport and secures future throughput for the Trans-Alaska Pipeline.

I am committed to putting in place all the pieces necessary to responsibly develop oil and gas from the Arctic Ocean. Beyond better permit coordination, that I have worked on in other legislation and with the administration, this includes more accurate marine science and the two main features of this bill: sharing revenue with the state and coastal communities as well as keeping Trans-Alaska Pipeline System, TAPS, flowing into the future.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 199

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Alaska Adjacent Zone Safe Oil Transport and Revenue Sharing Act".

SEC. 2. PRODUCTION OF OIL FROM CERTAIN ARCTIC OFFSHORE LEASES.

Section 5 of the Outer Continental Shelf Lands Act (43 U.S.C. 1334) is amended by adding at the end the following:

"(k) OIL TRANSPORTATION IN ARCTIC WATERS.—The Secretary shall—

"(1) require that oil produced from Federal leases in Arctic waters in the Chukchi Sea planning area, Beaufort Sea planning area,

or Hope Basin planning area be transported by pipeline to onshore facilities; and

"(2) provide for, and issue appropriate permits for, the transportation of oil from Federal leases in Arctic waters in preproduction phases (including exploration) by means other than pipeline."

SEC. 3. REVENUE SHARING FROM AREAS IN ALASKA ADJACENT ZONE.

Section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344) is amended by adding at the end the following:

"(i) REVENUE SHARING FROM AREAS IN ALASKA ADJACENT ZONE.—

"(1) DEFINITIONS.—In this subsection:

"(A) COASTAL POLITICAL SUBDIVISION.—The term 'coastal political subdivision' means a county-equivalent subdivision of the State all or part of which—

"(i) lies within the coastal zone (as defined in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453)); and

"(ii) the closest point of which is not more than 300 statute miles from the geographical center of any leased tract.

"(B) DISTANCE.—The terms 'distance' means minimum great circle distance.

"(C) INDIAN TRIBE.—The term 'Indian tribe' means an Alaska Native entity recognized and eligible to receive services from the Bureau of Indian Affairs, the headquarters of which is located within 300 miles of the geographical center of a leased tract.

"(D) LEASED TRACT.—The term 'leased tract' means a tract leased under this Act for the purpose of drilling for, developing, and producing oil or natural gas resources.

"(E) RENEWABLE ENERGY.—The term 'renewable energy' means solar, wind, ocean, current, wave, tidal, or geothermal energy.

"(F) STATE.—The term 'State' means the State of Alaska.

"(2) REVENUE SHARING.—Subject to paragraphs (3), (4), and (5), effective beginning on the date of enactment of this subsection, the State shall, without further appropriation or action, receive 37.5 percent of all revenues derived from all rentals, royalties, bonus bids, and other sums due and payable to the United States from energy development in any area of the Alaska Adjacent Zone, including from all sources of renewable energy leased, developed, or produced in any area in the Alaska Adjacent Zone.

"(3) ALLOCATION AMONG COASTAL POLITICAL SUBDIVISIONS OF THE STATE.—

"(A) IN GENERAL.—The Secretary shall pay 25 percent of any allocable share of the State, as determined under paragraph (2), directly to coastal political subdivisions.

"(B) ALLOCATION.—

"(i) IN GENERAL.—For each leased tract used to calculate the allocation of the State, the Secretary shall pay the coastal political subdivisions within 300 miles of the geographical center of the leased tract based on the relative distance of the coastal political subdivisions from the leased tract in accordance with this subparagraph.

"(ii) DISTANCES.—For each coastal political subdivision, the Secretary shall determine the distance between the point on the coastal political subdivision coastline closest to the geographical center of the leased tract and the geographical center of the tract.

"(iii) PAYMENTS.—The Secretary shall divide and allocate the qualified outer Continental Shelf revenues derived from the leased tract among coastal political subdivisions in amounts that are inversely proportional to the applicable distances determined under clause (ii).

"(4) ALLOCATION AMONG REGIONAL CORPORATIONS.—

“(A) IN GENERAL.—The Secretary shall pay 25 percent of any allocable share of the State, as determined under this subsection, directly to certain Regional Corporations established under section 7(a) of the Alaska Native Claims Settlement Act (43 U.S.C. 1606(a)).

“(B) ALLOCATION.—

“(i) IN GENERAL.—For each leased tract used to calculate the allocation of the State, the Secretary shall pay the Regional Corporations, after determining those Native villages within the region of the Regional Corporation which are within 300 miles of the geographical center of the leased tract based on the relative distance of such villages from the leased tract, in accordance with this paragraph.

“(ii) DISTANCES.—For each such village, the Secretary shall determine the distance between the point in the village closest to the geographical center of the leased tract and the geographical center of the tract.

“(iii) PAYMENTS.—The Secretary shall divide and allocate the qualified outer Continental Shelf revenues derived from the leased tract among the qualifying Regional Corporations in amounts that are inversely proportional to the distances of all of the Native villages within each qualifying region.

“(iv) REVENUES.—All revenues received by each Regional Corporation under clause (iii) shall be—

“(I) treated by the Regional Corporation as revenue subject to the distribution requirements of section 7(i)(1)(A) of the Alaska Native Claims Settlement Act (43 U.S.C. 1606(i)(1)(A)); and

“(II) divided annually by the Regional Corporation among all 12 Regional Corporations in accordance with section 7(i) of that Act.

“(v) FURTHER DISTRIBUTION TO VILLAGE CORPORATIONS.—A Regional Corporation receiving revenues under clause (iii) or (iv)(II) shall further distribute 50 percent of the revenues received to the Village Corporations in the region and the class of stockholders who are not residents of those villages in accordance with section 7(j) of that Act (43 U.S.C. 1606(j)).

“(5) ALLOCATION AMONG INDIAN TRIBES.—

“(A) IN GENERAL.—The Secretary shall pay 10 percent of any allocable share of the State, as determined under this subsection, directly to Indian tribes.

“(B) ALLOCATION.—

“(i) IN GENERAL.—For each leased tract used to calculate the allocation of the State, the Secretary shall pay Indian tribes based on the relative distance of the headquarters of the Indian tribes from the leased tract, in accordance with this subparagraph.

“(ii) DISTANCES.—For each Indian tribe, the Secretary shall determine the distance between the location of the headquarters of the Indian tribe and the geographical center of the tract.

“(iii) PAYMENTS.—The Secretary shall divide and allocate the qualified outer Continental Shelf revenues derived from the leased tract among the Indian tribes in amounts that are inversely proportional to the distances described in clause (ii).

“(6) CONSERVATION ROYALTY.—After making distributions under paragraph (2) and section 31, the Secretary shall, without further appropriation or action, distribute a conservation royalty equal to 15 percent of Federal royalty revenues derived from an area leased under this subsection for any year, into the land and water conservation fund established under section 2 of the Land

and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-5) to provide financial assistance to States under section 6 of that Act (16 U.S.C. 460l-8).

“(7) DEFICIT REDUCTION.—After making distributions in accordance with paragraph (2) and in accordance with section 31, the Secretary shall, without further appropriation or action, distribute an amount equal to 7.5 percent of Federal royalty revenues derived from an area leased under this subsection from all areas leased under this subsection for any year, into direct Federal deficit reduction.”.

SEC. 4. IMPOSITION OF EXCISE TAX ON BITUMEN TRANSPORTED INTO THE UNITED STATES.

(a) IN GENERAL.—Subsection (a) of section 4612 of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (1), by striking “and natural gasoline” and inserting “, natural gasoline, and bitumen”, and

(2) by inserting at the end the following new paragraph:

“(10) BITUMEN.—The term ‘bitumen’ includes diluted bitumen, bituminous mixtures, or any oil manufactured from bitumen or a bituminous mixture.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to oil and petroleum products received or entered after December 31, 2013.

By Mr. GRASSLEY (for himself, Mr. BOOZMAN, Mr. CORKER, Mr. JOHANNES, Mr. LEE, Mr. SESSIONS, Mr. VITTER, Mr. WICKER, Mrs. FISCHER, Mr. HATCH, and Mr. ENZI):

S. 202. A bill to expand the use of E-Verify, to hold employers accountable, and for other purposes; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, today, along with several colleagues, I am introducing legislation to permanently authorize and expand the E-Verify program. My bill, the Accountability Through Electronic Verification Act, will be a tool for employers who want a legal workforce and it will enhance our ability to hold employers accountable for their hiring practices.

Known as the Basic Pilot Program, E-Verify currently provides employers with a simple, web-based tool to verify the work eligibility of new hires. In 1986, Congress made it unlawful for employers to knowingly hire or employ aliens not eligible to work in the United States. Under current law, if the documents provided by an employee reasonably appear on their face to be genuine, the employer has met its obligation to review the worker's documents.

Because identity theft and counterfeit documents became a thriving industry after the 1986 bill, Congress looked to create a program to help employers verify the work eligibility of its new hires. We created the Basic Pilot Program in 1996. Employers in this program can electronically verify a new hires' employment authorization by checking data of employees with records maintained by the Department

of Homeland Security and the Social Security Administration.

Currently, the E-Verify program is voluntary and free for all employers to use. It is a proven tool in combating illegal immigration. Today, I am proposing that the program be a staple in every workplace so that American workers are on a level playing field with cheaper foreign labor.

My legislation would increase penalties on employers who continue to hire people unauthorized to work in the country. Employers would be required to check the status of current employees within 3 years, and would allow employers to run a check prior to offering a job, saving that employer valuable time and resources. Employers will also be required to re-check those workers whose authorization is about to expire, such as those who come to the United States on temporary visas.

My bill also addresses identity theft concerns. The Social Security Administration would be required to develop algorithm technology that would flag social security numbers that are being used more than once. For those who find themselves victim of identity theft, this bill would amend the criminal code to clarify identity fraud is punishable regardless if the defendant did not have knowledge of the victim. This provision stems from the 2009 Supreme Court decision holding that identity theft requires proof that an individual knew the number being used belonged to an actual person.

While everyone may not agree with every aspect of this bill, it serves as a starting point for a much-needed conversation about worksite enforcement. The President and many members in Congress are going to make it a priority to pass an immigration reform bill this year. We need to act. We need change. We need a better system in place for future generations.

Part of the discussion on immigration will be on a reliable employment verification program. People back home want employers to be held accountable. And, employers want to be responsible. People want to see our government do more to reduce the magnet for people to cross our borders illegally. We must take this opportunity to make sure that employers are abiding by, and able to abide by, the rules. Let us give them the tools they need to do that. I hope more colleagues will join me in my effort to achieve accountability through electronic verification and by making E-Verify a permanent program.

By Ms. COLLINS (for herself and Mr. KING):

S. 206. A bill to expand the HUBZone program for communities affected by base realignment and closure, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Ms. COLLINS. Mr. President, today I am introducing legislation to expand the geographic boundaries of HUBZones located at former U.S. military installations closed through the so-called Base Closure and Realignment—or BRAC—process. This legislation mirrors S. 3675, the HUBZone Expansion Act of 2012, which I introduced with Senator Snowe last session.

I am pleased to have my new colleague from Maine, Senator ANGUS KING, join me in offering this legislation. Senator KING knows the impact a base closing can have on a local community all too well, coming as he does from Brunswick, ME, which recently lost a major military installation through the BRAC process. Military bases are often the economic heart of the towns and cities in which they are located, and communities can struggle for years to overcome the closure of those facilities.

In recognition of this fact, Congress passed legislation providing HUBZone status for 5 years to military facilities closed through the BRAC process. This allows small businesses located within the HUBZone to obtain certain federal contracting preferences. The HUBZone program is also available to small businesses located in “economically distressed communities,” that suffer from low income, high poverty rates, or high unemployment.

According to the Congressional Research Service, there are currently 127 BRAC-related HUBZones in the United States. Unfortunately, for many of the military bases that have been closed, HUBZone status has not brought the benefits we had hoped for. One of the reasons is simple—the law defines the geographic boundaries of a BRAC-related HUBZone to be the same as the boundaries of the base that was closed. When that is combined with the requirement that 35 percent of the employees of a qualifying business must live within the HUBZone, the problem is clear: very few people live on these former bases, so it is difficult or impossible for businesses to get the workers they need to meet the requirements of the HUBZone program.

As I mentioned, one of these HUBZones is located at the former Brunswick Naval Air Station, in Brunswick, Maine. This facility closed in 2011, as a result of the 2005 BRAC round. When the Navy left, Brunswick and its neighbor, Topsham, lost more than 2400 military and civilian personnel. These two towns have a combined population of just 22,000, so losing the Naval Air Station has had a significant economic impact on them. Because so few people actually live within the boundaries of the former base, its HUBZone designation does not provide the help they need, and that we had hoped for.

My legislation would expand the geographic boundaries of BRAC-related

HUBZones to include the town or county where the closed installation is located, or census tracts contiguous to the installation, up to a total population base of 50,000. This would provide a large enough pool of potential workers to enable qualifying businesses to locate within the HUBZone, and to help host communities overcome the loss of military installations closed through the BRAC process.

The Association of Defense Communities has endorsed the concept of expanding BRAC-related HUBZones in this manner. In December, the ADC wrote to Senate Armed Services Committee Chairman LEVIN and Ranking Member MCCAIN, noting how important it is that “Congress restore its intent to support BRAC-impacted communities attracting small businesses to help build and strengthen their local economies.”

Steve Levesque, the Executive Director of the Midcoast Regional Redevelopment Authority, or “MRRA,” which oversees the redevelopment of the former Brunswick Naval Air Station, has also urged Congress to modify the HUBZone program. In a letter to me last month, Steve explained that BRAC facilities do not have the residential areas needed to support the 35 percent residency requirement for businesses located within the HUBZone. As a consequence, these businesses cannot “realize the HUBZone benefits for BRAC’d installations as envisioned by Congress.”

This point was underscored in a letter from Heather Blease, an entrepreneur who is hoping to locate a new business at the former Brunswick Naval Air Station. Ms. Blease describes the HUBZone law as “flawed,” because the 35 percent residency requirement makes it impossible for businesses like hers to achieve HUBZone status.

I ask my colleagues to consider the legislation we are offering today to help communities get back on their feet after the loss of a military installation closed through the BRAC process.

Mr. President, I ask unanimous consent that letters of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ASSOCIATION OF
DEFENSE COMMUNITIES,
Washington, DC, December 11, 2012.

Hon. CARL LEVIN,
Chairman, Committee on Armed Services, U.S. Senate, Washington, DC.

Hon. JOHN MCCAIN,
Ranking Member, Committee on Armed Services, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN AND RANKING MEMBER MCCAIN: The Association of Defense Communities (ADC) admires your longstanding support of current and former military communities. ADC, the leading organization representing those communities, always appreciates the opportunity to share information with you and your staff that may help

strengthen communities with active installations and those that continue to redevelop following base closure or realignment.

Communities that have been impacted by Base Realignment and Closure (BRAC) often face severe economic distress for years, especially during times of national economic difficulty. To assist in these communities’ recovery, Congress authorized in the Small Business Reauthorization Act of 1997 that BRAC-impacted communities would receive Small Business Administration HUBZone certification, a federal initiative that further helps small businesses in disadvantaged areas to compete for federal contracts. The designation gives small businesses relocating to closed military installation areas equal footing with businesses in other disadvantaged areas that receive the designation because of their location in under-utilized census tracts.

While the intent of Congress was to provide the HUBZone designation to help closed military installations attract small businesses, one aspect of the HUBZone program actually works against these redevelopment areas. To maintain HUBZone status, 35 percent of a business’ employees must also live in a HUBZone area. Because a military installation’s HUBZone area encompasses only the base itself, many closed military installations do not have a substantial number of HUBZone-certified residential areas from which to draw sufficient future employees for the businesses desiring to locate on those properties. Thus, it is often impossible for a business to qualify for HUBZone status and compete fairly against other small businesses.

Many defense community leaders are hopeful this issue can be resolved without additional spending, creation of a new government program or a change in government contracting goals. Senator Susan Collins is also working to address this issue during the final stages of the FY 2013 National Defense Authorization Act. We look forward to sharing further information with your office and hers to help explain why it is important to defense communities that Congress restore its intent to support BRAC-impacted communities attracting small businesses to help build and strengthen their local economies.

As always, ADC appreciates your service and support and hopes you will contact us if we may be of further assistance.

Respectfully,

ROBERT M. MURDOCK,
*President, Association of
Defense Communities.*

MIDCOAST REGIONAL
REDEVELOPMENT AUTHORITY,
Brunswick, ME, December 11, 2012.

Hon. SUSAN COLLINS,
*U.S. Senator, Dirksen Senate Office Building,
Washington, DC.*

DEAR SENATOR COLLINS: I represent the Midcoast Regional Redevelopment Authority, which is charged with redeveloping the former Naval Air Station Brunswick, Maine that closed in 2011 and is now known as Brunswick Landing.

We seek your assistance in modifying the current federal program related to SBA HUBZones to make it a more effective tool for businesses locating at Brunswick Landing. Over the past several years, we have had several companies inquire about the current HUBZone status of the former NAS Brunswick. In fact, we are currently working with one company who is willing to locate here and create upwards of 200 jobs, if we are successful in getting the current HUBZone program for closed military installations broadened.

With the implementation of the latest 2005 BRAC round, a number of military installations have been closed across the country resulting in severe economic distress for those communities and States that have realized these closures. Redeveloping these BRAC'd properties proved quite difficult in good economic times, and now it is made even more difficult with the national and State economic recession we are experiencing.

While it would seem that the HUBZone designation for a closed military installation would be an aid to its redevelopment efforts, the 35% residency rule in the existing law actually makes the program not a very effective redevelopment tool for these properties at all. With the exception of closed military installations, most of the HUBZones in the Country are census tract based. Under current law, only the closed military base itself (i.e., the geographic area which used to be the former base) is designated as a HUBZone, which is a much smaller area than the census tract basis. Furthermore, many closed military installations do not have a substantial amount of residential areas from which to draw sufficient future employees (35%) for the businesses desiring to locate on those properties.

In addition to the above, the Small Business Act established a five year time-frame for the duration of the HUBZone from the actual date of base closure. This is of particular concern given that the actual transfer of properties from the military services to the base closure communities often occurs many years following closure. Thus, these properties are not available for business development until actually transferred.

The net effect is that eligible HUB businesses seeking new or expanded opportunities on closed installations cannot meet these requirements and thus are not able to realize the HUBZone benefits for BRAC'd installations as envisioned by Congress. This issue exacerbates the difficulties for us and other similar communities to overcome the devastating economic effects of base closures.

In order to make the BRAC HUBZone designation an effective economic development tool for Brunswick Landing, as well as all the other closed installations across the country, the attached amendment language to the existing law is recommended. It should be noted that these recommendations do not create a new program, require additional government spending, or increase federal contracting goals.

Thank you for your service to our Country and the State of Maine and your thoughtful consideration of this request.

Sincerely,

STEVEN H. LEVESQUE,
Executive Director.

HEATHER D. BLEASE,
Freeport, ME, December 12, 2012.

Hon. SUSAN COLLINS,
U.S. Senator, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR COLLINS: I have established a new contact center business that focuses on providing service to the federal government. A key strategy for our success hinges upon the establishment of my business as a HUBZone certified entity.

As a native of Brunswick, Maine, I am keenly interested in locating my business at the former Brunswick Naval Air Station, now called Brunswick Landing. As a BRAC facility, the SBA rules limit the boundary of the HUBZone geographically to base property which has very few housing units.

In order to achieve HUBZone certification, 35% of my employees need to reside within the HUBZone.

As the law is written, I cannot locate at Brunswick Landing and hope to achieve HUBZone status. The BRAC HUBZone law is flawed as written. Our Congress attempted to create an economic development vehicle to help communities recover from base closures, but unless the law is tweaked, the HUBZone designation is meaningless.

Please help modify the existing definition for BRAC HUBZones by broadening the boundary of the HUBZone for closed military installations to include the surrounding community. In the case of my company, it provides me with HUBZone employees to put to work so I can meet the HUBZone certification requirements.

If the law is changed, I will locate my business at Brunswick Landing and provide hundreds of jobs to the economically depressed area. Otherwise, I will need to seek out other alternatives.

Thank you for your service to our country, the State of Maine and your interest in helping small businesses thrive.

With greatest respect,

HEATHER D. BLEASE,
CEO, Savi Systems, LLC.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 23—EXPRESSING THE SENSE OF THE SENATE THAT A POSTAGE STAMP SHOULD BE ISSUED TO COMMEMORATE THE 500TH ANNIVERSARY OF JUAN PONCE DE LEON LANDING ON FLORIDA

Mr. NELSON submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 23

Resolved, That it is the sense of the Senate that—

(1) the United States Postal Service should issue a postage stamp to commemorate the 500th anniversary of Juan Ponce de Leon landing on Florida; and

(2) the Citizens' Stamp Advisory Committee of the United States Postal Service should recommend to the Postmaster General that such a stamp be issued.

SENATE RESOLUTION 24—COMMEMORATING THE 10-YEAR ANNIVERSARY OF THE LOSS OF THE SPACE SHUTTLE "COLUMBIA"

Mr. CORNYN (for himself, Mr. NELSON, Mr. THUNE, Mr. ROCKEFELLER, Mr. ISAKSON, Mr. WARNER, Mr. HELLER, Mr. DURBIN, Mr. COBURN, Ms. MIKULSKI, Mr. RUBIO, Mrs. BOXER, Mr. ENZI, Mr. BROWN, Mr. PRYOR, Mr. ALEXANDER, Mrs. FEINSTEIN, Mr. JOHANNES, Mr. BEGICH, Mr. VITTER, Mrs. SHAHEEN, Mr. MORAN, Mr. HATCH, Mr. WICKER, and Mrs. GILLIBRAND) submitted the following resolution; which was considered and agreed to:

S. RES. 24

Whereas a sense of adventure is innate to the human spirit;

Whereas the urge to explore continues to motivate the United States as a nation;

Whereas the global leadership of the United States is determined by the resolve of the people of the United States;

Whereas the drive to innovate and explore has led the people of the National Aeronautics and Space Administration and related industry and education leaders to make important discoveries with a broad impact on humanity, in spite of inherent risk;

Whereas the men and women of the space program of the United States have captured the curiosity of the people of the United States, inspiring generations of scientists, engineers, and pioneers, and delivering technological advances and innovation, scientific research, and international partnerships to the benefit of nearly all sectors of the economy of the United States;

Whereas, on February 1, 2003, the United States joined the world in mourning the loss of 7 astronauts who perished aboard the Space Shuttle Columbia as it re-entered the atmosphere of the Earth;

Whereas United States Air Force Colonel Rick D. Husband, Mission Commander; United States Navy Commander William "Willie" C. McCool, Pilot; United States Air Force Lieutenant Colonel Michael P. Anderson, Payload Commander/Mission Specialist; United States Navy Captain David M. Brown, Mission Specialist; United States Navy Commander Laurel B. Clark, Mission Specialist; Dr. Kalpana Chawla, Mission Specialist; and Israeli Air Force Colonel Ilan Ramon, Payload Specialist were killed in the line of duty and in pursuit of discovery during the STS-107 mission;

Whereas the people of the United States are driven to continue the exploration and pursuit of discovery with as much passion and determination as these brave men and women;

Whereas an innate curiosity about what lies beyond our world drives us to expand the limits of human exploration and discovery in space, in the furtherance of the leadership and strategic interests of the United States;

Whereas exploring the heavens and the celestial bodies of the solar system is not without great risk and peril;

Whereas the loss of the 7 brave souls aboard the Space Shuttle Columbia and others who have sacrificed their lives in pursuit of human space exploration shall forever serve as a solemn reminder of the firm commitment of the United States to devote the capacity and resources necessary to improve safety, minimize risk, and do everything possible to protect the next generation of explorers willing to risk themselves in the service of mankind;

Whereas those involved in the Space Shuttle program of the United States have sought to apply the lessons learned from the Space Shuttle Columbia accident to future human spaceflight by the United States, which included 22 additional program missions and shepherding the Space Shuttle program to its safe and successful conclusion;

Whereas the lessons learned from the Space Shuttle Columbia accident should be applied to current policy of the space program of the United States; and

Whereas the people of the United States will not forget the sacrifice of those 7 determined explorers aboard the Space Shuttle Columbia, as well as others who perished in the exploration of the unknown: Now, therefore, be it

Resolved, That the Senate—

(1) remembers the 7 astronauts who tragically lost their lives aboard the Space Shuttle Columbia as it re-entered the atmosphere of the Earth 10 years ago on February 1, 2003;

(2) expresses its condolences to the friends and families of the astronauts who died that day;

(3) commends those who have honored the memory of the Space Shuttle Columbia over the past decade, including the employees of Federal, State, and local agencies, as well as regular citizens and volunteers, who assisted in the debris recovery and accident investigation process; and

(4) reaffirms the commitment of the people and the Government of the United States to provide the leadership and resources necessary to ensure robust and safe human spaceflight capability in low Earth orbit and beyond in the 21st century, to make certain that the sacrifice of those heroes shall not have been in vain.

SENATE RESOLUTION 25—HONORING GONZAGA UNIVERSITY ON ITS 125TH ANNIVERSARY

Ms. CANTWELL (for Mrs. MURRAY (for herself and Ms. CANTWELL)) submitted the following resolution; which was considered and agreed to:

S. RES. 25

Whereas, in 1881, at the request of the citizens of the City of Spokane Falls, Washington, Father Joseph Cataldo, S.J., a Jesuit from the Rocky Mountain Mission, committed to establishing a school along the banks of the Spokane River;

Whereas, on September 17, 1887, Gonzaga College officially opened its doors with an inaugural class of 18 students;

Whereas Gonzaga College, known today as Gonzaga University, has grown into a nationally recognized 4-year liberal arts university, where nearly 8,000 students can choose from more than 75 fields of study, select from 25 master's degree programs, and pursue doctoral degrees in law and leadership studies;

Whereas Gonzaga University is repeatedly listed as one of the best comprehensive regional universities in the western United States, is ranked second in the United States among small universities for alumni serving in the Peace Corps, and consistently earns a place on the President's Higher Education and Community Service Honor Roll;

Whereas Gonzaga University invests more than \$60,000,000 annually in scholarships and in financial assistance to its students; and

Whereas notable Gonzaga alumni include a former Speaker of the United States House of Representatives, a Governor of the State of Washington and the first female Attorney General of the State of Washington, the current Chaplain of the United States House of Representatives, judges of the United States district courts, and members of the Washington State Supreme Court: Now, therefore, be it

Resolved, That the Senate—

(1) honors Gonzaga University on its 125th anniversary;

(2) celebrates the commitment of Gonzaga University to its students and to educating the whole individual, including the mind, body, and spirit;

(3) applauds Gonzaga University for its dedication to instilling the importance of service to others and civic engagement; and

(4) congratulates the students, staff, faculty, alumni, and supporters of Gonzaga University for their many contributions in the United States and abroad.

AMENDMENTS SUBMITTED AND PROPOSED

SA 6. Mr. PORTMAN proposed an amendment to the bill H.R. 325, to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes.

SA 7. Mr. PORTMAN proposed an amendment to the bill H.R. 325, *supra*.

SA 8. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 325, *supra*.

SA 9. Mr. PAUL (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill H.R. 325, *supra*.

TEXT OF AMENDMENTS

SA 6. Mr. PORTMAN proposed an amendment to the bill H.R. 325, to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes; as follows:

At the end of the bill, insert the following:
SEC. _____. DOLLAR FOR DOLLAR REQUIREMENT.

(a) DEBT LIMIT CONTROL.—

(1) IN GENERAL.—Subchapter I of chapter 31 of title 31, United States Code, is amended by inserting after section 3101A the following:

“§ 3101B. Debt limit control

“(a) DECLARATION OF A DEBT LIMIT WARNING.—

“(1) IN GENERAL.—In the event of a near breach of the public debt limit established by section 3101, the Secretary of the Treasury shall issue a debt limit warning to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives that shall include a determination as to when extraordinary measures may be necessary in order to prolong the funding of the United States Government.

“(2) DEFINITIONS.—In this subsection:

“(A) EXTRAORDINARY MEASURES.—The term ‘extraordinary measures’ means measures that may be taken by the Secretary of the Treasury in the event of a breach of the debt limit by the United States to prolong the function of United States Government in the absence of a debt limit increase.

“(B) NEAR BREACH.—The term ‘near breach’ means the point at which the Secretary of the Treasury determines that the United States Government will reach the statutorily prescribed debt limit within 60 calendar days notwithstanding the implementation of extraordinary measures.

“(b) PRESIDENTIAL SUBMISSION OF DEBT LIMIT LEGISLATION.—

“(1) SAVINGS RECOMMENDATIONS FROM THE PRESIDENT.—Any formal Presidential request to increase the debt limit under this section shall include the amount of the proposed debt limit increase and be accompanied by proposed legislation to reduce spending over the sum of the current and following 10 years by an amount equal to or greater than the amount of the requested debt limit increase. Net interest savings may not be counted towards spending reductions required by this paragraph.

“(2) CALCULATION.—The spending savings under paragraph (1) shall be calculated against a budget baseline consistent with section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985. This baseline shall exclude the extrapolation of any spending that had been enacted under an emergency designation.”.

(2) SUBCHAPTER ANALYSIS.—The table of sections for chapter 31 of title 31, United States Code, is amended by inserting after the item for section 3101A the following:
“3101B. Debt limit control.”.

(b) CONGRESSIONAL REQUIREMENT TO RESTRAIN SPENDING WHILE RAISING THE DEBT LIMIT.—

(1) IN GENERAL.—Title III of the Congress and Budget Act of 1974 is amended by inserting at the end the following:

“SEC. 316. DEBT LIMIT INCREASE POINT OF ORDER.

“(a) IN GENERAL.—

“(1) POINT OF ORDER.—Except as provided in subsection (b), it shall not be in order in the Senate or the House of Representatives to consider any bill, joint resolution, amendment, motion, or conference report that increases the statutory debt limit unless the bill contains net spending reductions of an equal or greater amount over the sum of the current and next 10 fiscal years. Net interest savings may not be counted towards spending reductions required by this paragraph.

“(2) COMPONENTS OF NET SPENDING REDUCTION.—

“(A) CALCULATION.—The savings resulting from the proposed spending reductions under paragraph (1) shall be calculated by the Congressional Budget Office against a budget baseline consistent with section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985. This baseline shall exclude the extrapolation of any spending that had been enacted under an emergency designation.

“(B) AVAILABILITY.—The Senate and the House of Representatives may not vote on any bill, joint resolution, amendment, motion, or conference report that increases the public debt limit unless the cost estimate of that measure prepared by the Congressional Budget Office has been publicly available on the website of the Congressional Budget Office for at least 24 hours.

“(C) PROHIBIT TIMING SHIFTS.—Any provision that shifts outlays or revenues from within the 10-year window to outside the window shall not count towards the budget savings target for purposes of this subsection.

“(b) SENATE SUPERMAJORITY WAIVER AND APPEAL.—

“(1) WAIVER.—In the Senate, subsection (a)(1) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

“(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a)(1).”.

(2) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after section 315 the following new item:

“Sec. 316. Debt limit increase point of order.”.

SA 7. Mr. PORTMAN proposed an amendment to the bill H.R. 325, to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes; as follows:

At the end of the bill, insert the following:
SEC. _____. END GOVERNMENT SHUTDOWNS ACT.

(a) SHORT TITLE.—This section may be cited as the “End Government Shutdowns Act”.

(b) AUTOMATIC CONTINUING APPROPRIATIONS.—

(1) IN GENERAL.—Chapter 13 of title 31, United States Code, is amended by inserting after section 1310 the following new section:

“SEC. 1311. CONTINUING APPROPRIATIONS.

“(a)(1) If any appropriation measure for a fiscal year is not enacted before the beginning of such fiscal year or a joint resolution making continuing appropriations is not in effect, there are appropriated such sums as may be necessary to continue any program, project, or activity for which funds were provided in the preceding fiscal year—

“(A) in the corresponding appropriation Act for such preceding fiscal year; or

“(B) if the corresponding appropriation bill for such preceding fiscal year did not become law, then in a joint resolution making continuing appropriations for such preceding fiscal year.

“(2) Appropriations and funds made available, and authority granted, for a program, project, or activity for any fiscal year pursuant to this section shall be at a rate of operations not in excess of the lower of—

“(A) 100 percent of the rate of operations provided for in the regular appropriation Act providing for such program, project, or activity for the preceding fiscal year;

“(B) in the absence of such an Act, 100 percent of the rate of operations provided for such program, project, or activity pursuant to a joint resolution making continuing appropriations for such preceding fiscal year; or

“(C) 100 percent of the annualized rate of operations provided for in the most recently enacted joint resolution making continuing appropriations for part of that fiscal year or any funding levels established under the provisions of this Act;

for the period of 120 days. After the first 120 day period during which this subsection is in effect for that fiscal year, the applicable rate of operations shall be reduced by 1 percentage point. For each subsequent 90 day period during which this subsection is in effect for that fiscal year, the applicable rate of operations shall be reduced by 1 percentage point. The 90-day period reductions shall continue beyond the last day of that fiscal year until the new appropriation has been enacted.

“(3) Appropriations and funds made available, and authority granted, for any fiscal year pursuant to this section for a program, project, or activity shall be available for the period beginning with the first day of a lapse in appropriations and ending with the date on which the applicable regular appropriation bill for such fiscal year becomes law (whether or not such law provides for such program, project, or activity) or a continuing resolution making appropriations becomes law, as the case may be.

“(b) An appropriation or funds made available, or authority granted, for a program, project, or activity for any fiscal year pursuant to this section shall be subject to the terms and conditions imposed with respect to the appropriation made or funds made available for the preceding fiscal year, or authority granted for such program, project, or activity under current law.

“(c) Expenditures made for a program, project, or activity for any fiscal year pursuant to this section shall be charged to the applicable appropriation, fund, or authorization whenever a regular appropriation bill or a joint resolution making continuing appropriations until the end of a fiscal year providing for such program, project, or activity for such period becomes law.

“(d) This section shall not apply to a program, project, or activity during a fiscal year if any other provision of law (other than an authorization of appropriations)—

“(1) makes an appropriation, makes funds available, or grants authority for such program, project, or activity to continue for such period; or

“(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such program, project, or activity to continue for such period.”.

(2) CLERICAL AMENDMENT.—The table of sections of chapter 13 of title 31, United States Code, is amended by inserting after the item relating to section 1310 the following new item:

“1311. Continuing appropriations.”.

SA 8. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 325, to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes; as follows:

At the end of the bill, insert the following:

SEC. _____. ENSURING THE FULL FAITH AND CREDIT OF THE UNITED STATES AND PROTECTING AMERICA'S SOLDIERS AND SENIORS ACT.

(a) SHORT TITLE.—This section may be cited as the “Ensuring the Full Faith and Credit of the United States and Protecting America's Soldiers and Seniors Act”.

(b) PRIORITIZE OBLIGATIONS ON THE DEBT HELD BY THE PUBLIC, SOCIAL SECURITY BENEFITS, AND MILITARY PAY.—In the event that the debt of the United States Government reaches the statutory limit as defined in section 3101 of title 31, United States Code, the following shall take equal priority over all other obligations incurred by the Government of the United States:

(1) The authority of the Department of the Treasury contained in section 3123 of title 31, United States Code, to pay with legal tender the principal and interest on debt held by the public.

(2) The authority of the Commissioner of Social Security to pay monthly old-age, survivors' and disability insurance benefits under title II of the Social Security Act.

(3) The payment of pay and allowances for members of the Armed Forces on active duty.

(c) LIMITED DEBT LIMIT AUTHORITY.—

(1) IN GENERAL.—If the Secretary of the Treasury determines, after consultation with the Director of the Office of Management and Budget, that incoming revenue will not be sufficient to finance the priorities listed in subsection (b) over the following 2 weeks, the Secretary, in coordination with the Director of the Office of Management and Budget, shall—

(A) notify Congress of the expected revenue shortfall; and

(B) raise the debt limit by the amount necessary to cover the difference between incoming revenue and the revenue needed to finance the priorities listed in subsection (b) on a 2 week basis.

(2) LIMIT.—The debt limit increase provided by paragraph (1)(B) may not exceed the difference between expected outlays for the listed priorities and expected revenue.

(3) EXCESS REVENUE.—If incoming revenue exceeds the amount projected by the Secretary of the Treasury, in consultation with the Director of the Office of Management and Budget, needed to finance the priorities

listed in subsection (b) over the 2-week period, any amount in excess shall be held in reserve and applied to the following 2-week period.

SA 9. Mr. PAUL (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill H.R. 325, to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON CERTAIN MILITARY SALES TO EGYPT.

(a) IN GENERAL.—Notwithstanding any other provision of law, the United States Government shall not license, approve, facilitate, or otherwise allow the sale, lease, transfer, retransfer, or delivery of F-16 aircraft, M1 tanks, or other defense articles or services listed in Category VI, VII, or VIII of the United States Munitions List to the Government of Egypt.

(b) UNITED STATES MUNITIONS LIST DEFINED.—In this section, the term “United States Munitions List” means the list referred to in section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)), as in effect on January 1, 2013.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on January 31, 2013, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on January 31, 2013, at 10 a.m., in room 406 of the Dirksen Senate Office Building, a hearing entitled “The Harbor Maintenance Trust Fund and the Need to Invest in the Nation's Ports.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled “Pension Savings: Are Workers Saving Enough for Retirement?” on January 31, 2013, at 10 a.m., in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on January 31, 2013, at 10 a.m., in

SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. BAUCUS. Mr. President, I ask unanimous consent the following staff on the Finance Committee have the privilege of the floor for the 113th Congress: Ashtin Jeney, Daniel West, Eva Hampl, Gavin Mathis, Andrew Vondall, and Bryan Watt.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that Natalie Beckman, a fellow in my office, be granted floor privileges for the remainder of calendar year 2013.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMEMORATING THE LOSS OF SPACE SHUTTLE "COLUMBIA"

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to S. Res. 24.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 24) commemorating the 10-year anniversary of the loss of the Space Shuttle *Columbia*.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 24) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

HONORING GONZAGA UNIVERSITY

Mr. REID. Madam President, I now ask unanimous consent that we proceed to the consideration of S. Res. 25, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 25) honoring Gonzaga University on its 125th anniversary.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 25) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

MEASURES READ THE FIRST TIME—S. 201 AND S. 204

Mr. REID. Madam President, there are two bills at the desk due for their first reading. I ask that those bills' readings take place.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time.

The legislative clerk read as follows:

A bill (S. 201) to prohibit the sale, lease, transfer, retransfer, or delivery of F-16 aircraft, M1 tanks, or certain other defense articles or services to the Government of Egypt.

A bill (S. 204) to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

Mr. REID. Madam President, I now ask for a second reading on both these measures, but I object to both these requests on both measures.

The PRESIDING OFFICER. The objection is heard. The bills will be read a second time on the next legislative day.

ORDERS FOR MONDAY, FEBRUARY 4, 2013

Mr. REID. Madam President, I now ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, February 4, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate be in a period of morning business until 5 p.m. with Senators permitted to speak therein for up to 10 minutes each; further, that following morning business, the Senate resume consideration of the motion to proceed to S. 47, and the time until 5:30 be equally divided and controlled in the usual form; finally, at 5:30 the Senate proceed to vote on the motion to proceed to S. 47.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. The next rollcall vote will be at 5:30 p.m. on the motion to proceed to the Violence Against Women Act.

ADJOURNMENT UNTIL MONDAY, FEBRUARY 4, 2013, AT 2 P.M.

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:09 p.m., adjourned until Monday, February 4, 2013, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

JANE KELLY, OF IOWA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE EIGHTH CIRCUIT, VICE MICHAEL J. MELLOY, RETIRING.

GREGORY ALAN PHILLIPS, OF WYOMING, TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT, VICE TERRENCE L. O'BRIEN, RETIRING.

HOUSE OF REPRESENTATIVES—Friday, February 1, 2013

The House met at 11 a.m. and was called to order by the Speaker pro tempore (Mr. HARRIS).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 1, 2013.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

Reverend Andrew Heintz, Queen of Apostles Catholic Church, Alexandria, Virginia, offered the following prayer:

Almighty and eternal Father, we are gathered here as Your people and Your children. Out of love, You brought us into existence. Out of love, You fashioned each and every one of us in Your image and likeness.

We humbly ask Your blessings upon us today as we open this session of Congress. Grant guidance and wisdom to the Members of this Congress and all of those in public office; may they always do Your will.

God, all-powerful Father, as we go forth today, fill us with the light of Your Holy Spirit.

Bless all of the citizens of this land of the free; may they always seek true freedom and true life.

In Your loving mercy, keep our great Nation, and all of those who defend it, safe from every enemy, both foreign and domestic, so that we may rejoice in singing Your praises.

Grant to us Your light and life and peace. And may the Lord bless us, protect us from all evil, and bring us to everlasting life.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

JANUARY 31, 2013.

Hon. JOHN A. BOEHNER,
*Speaker, U.S. Capitol,
House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 31, 2013 at 5:34 p.m.:

That the Senate passed without amendment H.R. 325.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

JANUARY 31, 2013.

Hon. JOHN A. BOEHNER,
*Speaker, U.S. Capitol,
House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 31, 2013 at 2:00 p.m.:

Appointments:

Board of Trustees of Gallaudet University,
President's Export Council.
National Council on the Arts.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by Speaker pro tempore UPTON on Tuesday, January 29, 2013:

H.R. 152, making supplemental appropriations for the fiscal year ending September 30, 2013, to improve and streamline disaster assistance for Hurricane Sandy, and for other purposes.

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY FOR THE 113TH CONGRESS

Mr. SMITH of Texas. Mr. Speaker, pursuant to clause 2(a)(2) of House of Representatives rule XI, I hereby submit the rules of the Committee on Science, Space, and Technology:

RULE I. GENERAL

(a) RULES OF THE HOUSE.—The Rules of the House of Representatives are the rules of the Committee on Science, Space, and Technology and its Subcommittees with the specific additions thereto contained in these rules.

(b) MOTION TO RECESS.—A motion to recess from day to day, or a motion to recess subject to the call of the chair (within 24 hours), or a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, is a non-debatable motion of privilege in the Committee.

(c) PROPOSED REPORTS.—A proposed investigative or oversight report shall be considered as read if it has been available to the members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such days).

(d) SUBCOMMITTEES.—Each Subcommittee is a part of the Committee and is subject to the authority and direction of the Committee and its rules so far as applicable. Written rules adopted by the Committee, not inconsistent with the Rules of the House, shall be binding on each Subcommittee of the Committee. [See House Rule XI 1(a)].

(e) COMMITTEE RULES.—The Committee's rules shall be publicly available in electronic form and published in the Congressional Record not later than 30 days after the Chairman of the Committee (hereafter in these rules referred to as the "Chairman") is elected in each odd numbered year. [See House Rule XI 2 (a)(2)].

(f) OTHER PROCEDURES.—The Chairman, after consultation with the Ranking Member of the Committee, may establish such other procedures and take such actions as may be necessary to carry out these rules or to facilitate the effective operation of the Committee.

(g) USE OF HEARING ROOMS.—In consultation with the Ranking Member, the Chair of the Committee shall establish guidelines for the use of Committee hearing rooms.

RULE II. REGULAR, ADDITIONAL, AND SPECIAL MEETINGS

(a) REGULAR MEETINGS.—The regular meeting day of the Committee for the conduct of its business shall be on the first Thursday of each month, if the House is in session. If the House is not in session on that day, then the Committee shall meet on the next Thursday of such month on which the House is in session, or at another practicable time as determined by the Chairman.

(1) A regular meeting of the Committee may be dispensed with if, in the judgment of the Chairman, there is no need for the meeting.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

(2) The Chairman may call and convene, as he considers necessary and in accordance with the notice requirements contained in these rules, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. [See House Rule XI 2(c)(1)]

(b) **BILLS AND SUBJECTS TO BE CONSIDERED.**—At least 3 days (excluding Saturdays, Sundays and legal holidays when the House is not in session) before each scheduled Committee or Subcommittee meeting, each Member of the Committee or Subcommittee shall be furnished a list of the bills and subjects to be considered and/or acted upon at the meeting. Bills or subjects not listed shall be subject to a point of order unless their consideration is agreed to by a two-thirds vote of the Committee or Subcommittee.

(1) In an emergency that does not reasonably allow for 3 days' notice, the Chairman of the Committee or Chairperson of a Subcommittee (hereafter in these rules the term "Chair" shall refer to both the Chairman of the Full Committee and each Subcommittee Chairperson) may waive the 3-day notice requirement with the concurrence of the Ranking Member.

(c) **TEXT OF LEGISLATION, AMENDMENTS, AND MOTIONS.**—

(1) At least 48 hours prior to the commencement of a Committee or Subcommittee meeting for the markup of legislation, excluding Saturdays, Sundays and legal holidays, the text of such legislation shall be made publicly available in electronic form.

(2) To the maximum extent practicable, amendments to a measure or matter shall be submitted in writing or electronically to the designee of both the Chair and Ranking Member at least 24 hours prior to the consideration of the measure or matter. The Chair may exercise discretion to give priority to amendments submitted in advance.

(3) Every motion made to the Committee or Subcommittee and entertained by the Chair shall be reduced to writing upon demand of any Member, and a copy made available to each Member present.

(d) **OPEN MEETINGS.**—Committee and Subcommittee meetings shall be open to the public except when the Committee or Subcommittee determines by majority vote to close the meeting because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person or otherwise would violate any law or rule of the House.

(e) **QUORUM FOR TAKING ACTION.**—For purposes of taking any action at a meeting of the Committee or any Subcommittee thereof, a quorum shall be constituted by the presence of not less than one-third of the Members of the Committee or Subcommittee, except that a full majority of the Members of the Committee or Subcommittee shall constitute a quorum for purposes of reporting a measure or recommendation from the Committee or Subcommittee, closing a meeting to the public, or authorizing the issuance of a subpoena.

(f) **POSTPONEMENT OF PROCEEDINGS.**—

(1) The Chair may postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment. The Chair may resume proceedings on a postponed request at any time after reasonable notice.

(2) When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(g) **TIME FOR STATEMENTS AND DEBATE.**—

(1) Insofar as is practicable, the Chair, after consultation with the Ranking Member, shall limit the total time of opening statements by Members at a Committee or Subcommittee meeting to no more than ten minutes, the time to be divided equally between the Chair and Ranking Member.

(2) The time any one Member may address the Committee or Subcommittee on any bill, motion, or other matter under consideration by the Committee or Subcommittee will be limited to five minutes, and then only when the Member has been recognized by the Chair. This time limit may be waived by the Chair pursuant to unanimous consent.

(h) **REQUESTS FOR RECORDED VOTE.**—A record vote of the Members may be had at the request of three or more Members or, in the apparent absence of a quorum, by any one Member.

(i) **TRANSCRIPTS.**—Transcripts of markups shall be recorded and may be published in the same manner as hearings before the Committee. Transcripts shall be included as part of the legislative report unless waived by the Chairman of the Committee.

(j) **MOTION TO GO TO CONFERENCE.**—Without further action of the Committee, the Chairman is directed to offer a motion under clause 1 of rule XXII of the Rules of the House of Representatives whenever the Chairman considers it appropriate.

(k) **PRIVATE BILLS.**—No private bill will be scheduled by the Chair if there are two or more Members who object to its consideration.

RULE III. HEARINGS

(a) **NOTICE OF HEARINGS.**—

(1) The Chair shall publicly announce the date, place, and subject matter of any hearing to be conducted by a Committee or Subcommittee on any measure or matter at least one week before the commencement of that hearing. If the Chair, with the concurrence of the Ranking Member, determines there is good cause to begin the hearing sooner, or if the Committee or Subcommittee so determines by majority vote, a quorum being present for the transaction of business, the Chair shall make the announcement at the earliest possible date.

(2) The Chair shall publicly announce a list of witnesses to testify at a hearing as soon as a complete list of witnesses, including those to be called by the minority, is compiled. When practicable, the Chair and the Ranking Member will seek to have a complete list of witnesses compiled at or as soon as practicable after the time that the hearing is publicly announced.

(b) **OPENING STATEMENTS.**—Insofar as is practicable, the Chair, after consultation with the Ranking Member, shall limit the total time of opening statements by Members to no more than ten minutes, the time to be divided equally between the Chair and Ranking Member.

(c) **WITNESSES.**—

(1) Insofar as is practicable, no later than 48 hours in advance of his or her appearance, each witness who is to appear before the Committee or any Subcommittee shall file in printed copy and in electronic form a written statement of his or her proposed testimony and a curriculum vitae.

(2) Each witness shall limit his or her presentation to a five minute summary, provided

that additional time may be granted by the Chair when appropriate.

(3) The Chair, or any Member of the Committee or Subcommittee designated by the Chair, may administer oaths to witnesses before the Committee. [See House Rule XI 2(m)(2)]

(4) Whenever any hearing is conducted by the Committee or Subcommittee on any measure or matter, the minority Members of the Committee or Subcommittee shall be entitled, upon request to the Chair by a majority of them before the completion of the hearing, to call witnesses selected by the minority to testify with respect to the measure or matter during at least one day of hearing thereon. [See House Rule XI 2(j)(1)]

(5) In the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include a disclosure of the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness. Such statements, with appropriate redactions to protect the privacy of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

(d) **OPEN HEARINGS.**—Committee and Subcommittee hearings shall be open to the public except when the Committee or Subcommittee determines by majority vote to close the meeting because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person or otherwise would violate any law or rule of the House.

(e) **QUORUM FOR HEARINGS.**—For purposes of taking testimony and receiving evidence before the Committee or any Subcommittee, a quorum shall be constituted by the presence of two Members, which shall consist of one Member of the majority and one Member of the minority party unless no Member of the minority party is in attendance 15 minutes after the starting time listed on the notice of hearing, at which time two members of the majority party may constitute a quorum.

(f) **QUESTIONING OF WITNESSES.**—

(1) The right to interrogate a witness before the Committee and Subcommittees shall alternate between Majority and Minority Members of the Committee or Subcommittee. Each Member shall be limited to five minutes in the interrogation of witnesses until such time as each Member present who wishes to be recognized has been recognized once for that purpose. No Member may be recognized for a second period of interrogation until each Member present has been recognized at least once.

(2) Notwithstanding clause 1, upon a motion the Chair, in consultation with the Ranking Member, may:

(i) Designate an equal number of Members of the Committee or Subcommittee from each party to question a witness for a period of time equally divided between the majority party and the minority party, not to exceed one hour in the aggregate; or

(ii) Designate staff from each party to question a witness for equal specific periods that do not exceed one hour in the aggregate.

(iii) Members of the Committee or Subcommittee have two weeks from the date of a hearing to submit additional questions in

writing for the record to be answered by witnesses who have appeared in person. The letters of transmittal and any responses thereto shall be printed in the hearing record.

(g) **PUBLICATION OF TRANSCRIPTS.**—The transcripts of those hearings conducted by the Committee and Subcommittees, when it is decided they will be printed, shall be published in substantially verbatim form, with the material requested for the record inserted at that place requested, or at the end of the record, as appropriate. Individuals, including Members of Congress, whose comments are to be published as part of a Committee document shall be given the opportunity to verify the accuracy of the transcription in advance of publication. Any requests by those Members, staff or witnesses to correct any errors other than errors in the transcript, or disputed errors in transcription, shall be appended to the record, and the appropriate place where the change is requested will be footnoted. Prior to approval by the Chairman of hearings conducted jointly with another congressional Committee, a memorandum of understanding shall be prepared which incorporates an agreement for the publication of the transcript.

RULE IV. REPORTS AND PUBLICATIONS

(a) FILING OF REPORT.—

(1) It shall be the duty of the Chairman to report or cause to be reported promptly to the House any measure approved by the Committee and to take or cause to be taken the necessary steps to bring the matter to a vote. To the maximum extent practicable, the written report of the Committee on such measures shall be made available to the Committee membership for review at least 24 hours in advance of filing. [House Rule XIII 2(b)(1)].

(2) The report of the Committee on a measure which has been approved by the Committee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the Clerk of the Committee a written request, signed by the majority of the Members of the Committee, for the reporting of that measure. Upon the filing of any such request, the Clerk of the Committee shall transmit immediately to the Chairman notice of the filing of that request. [House Rule XIII 2(b)(2)].

(b) CONTENTS OF REPORT.—

(1) The report of the Committee on a measure or matter that has been approved by the Committee shall include the matters required by clauses 2(c) and 3 of rule XIII of the Rules of the House.

(2) Clause 2(I) of House Rule XI pertaining to supplemental, minority, and additional views is hereby incorporated by reference.

(c) IMMEDIATE PRINTING AND SUPPLEMENTAL REPORTS. THIS RULE DOES NOT PRECLUDE.—

(1) The immediate filing or printing of a Committee report unless a timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by this Rule; or

(2) The filing by the Committee of any supplemental report upon any measure or matter which may be required for the correction of any technical error in a previous report made by the Committee upon that measure or matter.

(d) **REPORT LANGUAGE ON USE OF FEDERAL RESOURCES.**—No legislative report filed by the Committee on any measure or matter reported by the Committee shall contain language which has the effect of specifying the use of federal resources more

explicitly (inclusively or exclusively) than that specified in the measure or matter as ordered reported, unless such language has been approved by the Committee during a meeting or otherwise in writing by a majority of the Members.

(e) OTHER COMMITTEE PUBLICATIONS.—

(1) *House Reports.*

(i) Any document published by the Committee as a House Report, other than a report of the Committee on a measure which has been approved by the Committee, shall be approved by the Committee at a meeting, and Members shall have the same opportunity to submit views as provided for in Rule 8(c).

(ii) Not later than January 2nd of each year, the Committee shall submit to the House an annual report on the activities of the Committee.

(iii) After an adjournment sine die of a regular session of a Congress or after December 15th, whichever occurs first, the Chairman may file the annual Activity Report for that Congress with the Clerk of the House at any time and without the approval of the Committee, provided that a copy of the report has been available to each Member of the Committee for at least seven calendar days and that the report includes any supplemental, minority, or additional views submitted by a Member of the Committee. [See House Rule XI 1(d)]

(2) *Other Documents.*

(i) Subject to paragraphs (2) and (3), the Chairman may approve the publication of any document as a Committee print which in the Chairman's discretion he determines to be useful for the information of the Committee.

(ii) Any document to be published as a Committee print that purports to express the views, findings, conclusions, or recommendations of the Committee or any of its Subcommittees, other than a report of the Committee on a measure that has been approved by the Committee, must be approved by the Committee or its Subcommittees, as applicable, in a meeting or otherwise in writing by a majority of the Members, and such Members shall have the right to submit supplemental, minority, or additional views for inclusion in the print within at least 48 hours after such approval.

(iii) Any document to be published as a Committee print, other than a document described in subsection (2) of this Rule, shall:

(a) include on its cover the following statement: "This document has been printed for informational purposes only and does not represent either findings or recommendations adopted by this Committee;" and

(b) not be published following the sine die adjournment of a Congress, unless approved by the Chairman after consultation with the Ranking Member of the Committee.

(iv) A report of an investigation or study conducted jointly by the Committee and one or more other Committees may be filed jointly, provided that each of the Committees complies independently with all requirements for approval and filing of the report. [House Rule XI 1(b)(2)].

(v) After an adjournment of the last regular session of a Congress sine die, an investigative or oversight report approved by the Committee may be filed with the Clerk at any time, provided that if a Member gives notice at the time of approval of intention to file supplemental, minority, or additional views, that Member shall be entitled to not less than seven calendar days in which to submit such views for inclusion with the report. [House Rule XI 1(b)(4)]

RULE V. BROADCASTING

(a) Whenever a hearing or meeting conducted by the Committee is open to the public, the proceedings shall be open to coverage by audio and visual means, except as provided in Rule XI 4(f)(2) of the House of Representatives.

(b) To the maximum extent practicable the audio and video coverage shall be in a manner that allows the public to easily listen to and view the proceedings.

(c) Operation and use of any Committee internet broadcast system shall be fair and nonpartisan and in accordance with all other applicable rules of the Committee and the House.

(d) To the maximum extent practicable, the Committee shall maintain the recordings of the coverage of such hearings or meetings in a manner easily accessible to the public.

(e) The Chair may not limit the number of television or still cameras to fewer than two representatives from each medium (except for legitimate space or safety considerations, in which case pool coverage shall be authorized).

(f) Radio and television tapes, television films, and internet recordings of any Committee hearings or meetings that are open to the public may not be used, or made available for use, as partisan political campaign material to promote or oppose the candidacy of any person for elective public office.

(g) It is, further, the intent of this rule that the general conduct of each meeting or hearing covered under authority of this rule by audio or visual means, and the personal behavior of the Committee Members and staff, other government officials and personnel, witnesses, television, radio, and press media personnel, and the general public at the meeting or hearing, shall be in strict conformity with and observance of the acceptable standards of dignity, propriety, courtesy, and decorum traditionally observed by the House in its operations, and may not be such as to:

(1) distort the objects and purposes of the meeting or hearing or the activities of Committee Members in connection with that meeting or hearing or in connection with the general work of the Committee or of the House; or

(2) cast discredit or dishonor on the House, the Committee, or a Member, Delegate, or Resident Commissioner or bring the House, the Committee, or a Member, Delegate, or Resident Commissioner into disrepute.

(h) The coverage of Committee meetings and hearings by audio and visual means shall be permitted and conducted only in strict conformity with the purposes, provisions, and requirements of this rule.

(1) The following shall apply to coverage of Committee meetings or hearings by audio or visual means:

(i) If audio or visual coverage of the hearing or meeting is to be presented to the public as live coverage, that coverage shall be conducted and presented without commercial sponsorship.

(ii) The allocation among the television media of the positions or the number of television cameras permitted by the Chair in a hearing or meeting room shall be in accordance with fair and equitable procedures devised by the Executive Committee of the Radio and Television Correspondents' Galleries.

(iii) Television cameras shall be placed so as not to obstruct in any way the space between a witness giving evidence or testimony and any member of the Committee or the visibility of that witness and that member to each other.

(iv) Television cameras shall operate from fixed positions but may not be placed in positions that obstruct unnecessarily the coverage of the hearing or meeting by the other media.

(v) Equipment necessary for coverage by the television and radio media may not be installed in, or removed from, the hearing or meeting room while the Committee is in session.

(vi) Floodlights, spotlights, strobe lights, and flashguns may not be used in providing any method of coverage of the hearing or meeting, except that approved television media may install additional lighting in a hearing or meeting room, without cost to the Government, in order to raise the ambient lighting level in a hearing or meeting room to the lowest level necessary to provide adequate television coverage of a hearing or meeting at the current state of the art of television coverage.

(vii) If requests are made by more of the media than will be permitted by the Chair for coverage of a hearing or meeting by still photography, that coverage shall be permitted on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers.

(viii) Photographers may not position themselves between the witness table and the members of the Committee at any time during the course of a hearing or meeting.

(ix) Photographers may not place themselves in positions that obstruct unnecessarily the coverage of the hearing by the other media.

(x) Personnel providing coverage by the television and radio media shall be currently accredited to the Radio and Television Correspondents' Galleries.

(xi) Personnel providing coverage by still photography shall be currently accredited to the Press Photographers' Gallery.

(xii) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner. [House Rule XI(4)]

RULE VI. SUBCOMMITTEES

(a) **FULL COMMITTEE JURISDICTION.**—The full Committee shall have jurisdiction over such matters as determined by the Chairman.

(b) **SUBCOMMITTEES AND JURISDICTION.**—There shall be six standing Subcommittees of the Committee on Science, Space, and Technology, with jurisdictions as follows:

The Subcommittee on Energy shall have jurisdiction over the following subject matters: all matters relating to energy research, development, and demonstration projects therefor; commercial application of energy technology; Department of Energy research, development, and demonstration programs; Department of Energy laboratories; Department of Energy science activities; energy supply activities; nuclear, solar, and renewable energy, and other advanced energy technologies; uranium supply and enrichment, and Department of Energy waste management; fossil energy research and development; clean coal technology; energy conservation research and development, including building performance, alternate fuels, distributed power systems, and industrial process improvements; pipeline research, development, and demonstration projects; energy standards; other appropriate matters as referred by the Chairman; and relevant oversight.

The Subcommittee on Environment shall have jurisdiction over the following subject mat-

ters: all matters relating to environmental research; Environmental Protection Agency research and development; environmental standards; climate change research and development; the National Oceanic and Atmospheric Administration, including all activities related to weather, weather services, climate, the atmosphere, marine fisheries, and oceanic research; risk assessment activities; scientific issues related to environmental policy, including climate change; remote sensing data related to climate change at the National Aeronautics and Space Administration (NASA); earth science activities conducted by the NASA; other appropriate matters as referred by the Chairman; and relevant oversight.

The Subcommittee on Technology shall have jurisdiction over the following subject matters: all matters relating to competitiveness, technology, standards, and innovation; standardization of weights and measures, including technical standards, standardization, and conformity assessment; measurement, including the metric system of measurement; the Technology Administration of the Department of Commerce; the National Institute of Standards and Technology; the National Technical Information Service; competitiveness, including small business competitiveness; tax, antitrust, regulatory and other legal and governmental policies as they relate to technological development and commercialization; technology transfer, including civilian use of defense technologies; patent and intellectual property policy; international technology trade; research, development, and demonstration activities of the Department of Transportation; surface and water transportation research, development, and demonstration programs; earthquake programs (except for National Science Foundation) and fire research programs, including those related to wildfire proliferation research and prevention; biotechnology policy; research, development, demonstration, and standards related activities of the Department of Homeland Security; Small Business Innovation Research and Technology Transfer; voting technologies and standards; other appropriate matters as referred by the Chairman; and relevant oversight.

The Subcommittee on Research shall have jurisdiction over the following subject matters: all matters relating to science policy and science education; the Office of Science and Technology Policy; all scientific research, and scientific and engineering resources (including human resources); all matters relating to science, technology, engineering and mathematics education; intergovernmental mechanisms for research, development, and demonstration and cross-cutting programs; international scientific cooperation; National Science Foundation, including earthquake programs; university research policy, including infrastructure and overhead; university research partnerships, including those with industry; science scholarships; computing, communications, networking, and information technology; research and development relating to health, biomedical, and nutritional programs; research, development, and demonstration relating to nanoscience, nanoengineering, and nanotechnology; agricultural, geological, biological and life sciences research; materials research, development, demonstration, and policy; other appropriate matters as referred by the Chairman; and relevant oversight.

The Subcommittee on Space shall have jurisdiction over the following subject matters: all matters relating to astronautical and

aeronautical research and development; national space policy, including access to space; suborbital access and applications; National Aeronautics and Space Administration and its contractor and government-operated labs; space commercialization, including commercial space activities relating to the Department of Transportation and the Department of Commerce; exploration and use of outer space; international space cooperation; the National Space Council; space applications, space communications and related matters; Earth remote sensing policy; civil aviation research, development, and demonstration; research, development, and demonstration programs of the Federal Aviation Administration; space law; other appropriate matters as referred by the Chairman; and relevant oversight.

The Subcommittee on Oversight shall have general and special investigative authority on all matters within the jurisdiction of the Committee on Science, Space, and Technology.

(c) COMPOSITION OF SUBCOMMITTEES.—

(1) A majority of the majority Members of the Committee shall determine an appropriate ratio of majority to minority Members of each Subcommittee and shall authorize the Chairman to negotiate that ratio with the minority party; provided, however, that the ratio of majority Members to minority Members on each Subcommittee (including any ex officio Members who participate as voting members of the Subcommittee) shall be no less favorable to the majority party than the ratio for the Committee.

(2) The Chairman of the Committee and Ranking Member thereof shall be ex officio Members of each Subcommittee to which such Chairman or Ranking Member has not been assigned by resolution of the Committee. Ex officio Members shall make an election within three weeks of the organizational meeting of the Committee as to whether they will serve as voting or non-voting members of each Subcommittee. A non-voting ex officio member shall not be counted as present for purposes of constituting a quorum at any hearing or meeting of such Subcommittee, and shall not be counted for purposes of calculating the ratio of majority Members to minority Members on the Subcommittee.

(d) **REFERRAL TO SUBCOMMITTEES.**—The Chairman shall refer all legislation and other matters referred to the Committee to the Subcommittee or Subcommittees of appropriate primary and secondary jurisdiction within two weeks of the matters being referred to the Committee, unless the Chairman deems consideration is to be by the full Committee. Subcommittee Chairs may make requests for referral of specific matters to their Subcommittee within the two week period if they believe Subcommittee jurisdiction so warrant.

(e) SUBCOMMITTEE PROCEDURES AND REPORTS.—

(1) No Subcommittee shall meet to consider for markup or approval any measure or matter when the Committee or any other Subcommittee of the Committee is meeting to consider any measure or matter for markup or approval.

(2) Each Subcommittee is authorized to meet, hold hearings, receive testimony or evidence, mark up legislation, and report to the Committee on all matters referred to it. For matters within its jurisdiction, each Subcommittee is authorized to conduct legislative, investigative, forecasting, and general oversight hearings; to conduct inquiries

into the future; and to undertake budget impact studies.

(3) Subcommittee Chairs shall set meeting dates after consultation with the Chairman and other Subcommittee Chairs with a view toward avoiding simultaneous scheduling of Committee and Subcommittee meetings or hearings wherever possible.

(4) During consideration of any measure or matter for markup or approval in a Subcommittee proceeding, a record vote may be had at the request of one or more Members of that Subcommittee.

(5) Each Subcommittee of the Committee shall provide the full Committee with copies of such records of votes taken in the Subcommittee and such other records with respect to the Subcommittee as the Chairman deems necessary for the Committee to comply with the rules and regulations of the House.

(6) After ordering a measure or matter reported, a Subcommittee shall issue a Subcommittee report in such form as the Chairman shall specify. To the maximum extent practicable, reports and recommendations of a Subcommittee shall not be considered by the Committee until after the intervention of 48 hours, excluding Saturdays, Sundays and legal holidays, from the time the report is submitted and made available to the Members of the Committee and printed hearings thereon shall be made available, if feasible, to the Members of the Committee, except that this Rule may be waived at the discretion of the Chairman after consultation with the Ranking Member of the Committee.

RULE VII. SUBPOENAS AND DOCUMENTS

(a) A subpoena may be authorized and issued in the conduct of any investigation or series of investigations or activities to require the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers and documents as deemed necessary when authorized by majority vote of the Committee or Subcommittee (as the case may be), a majority of the Committee or Subcommittee being present. Authorized subpoenas shall be signed only by the Chairman, or by any Member designated by the Chairman. [House Rule XI 2(m)(3)(A)]

(b) During any period in which the House has adjourned for a period longer than three days, the Chairman, after consultation with the Ranking Member of the Committee, or, if the Ranking Member cannot be reached, the Ranking Member of the relevant Subcommittee, may authorize and issue subpoenas to require the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents as the Chairman considers necessary.

(c) Unless otherwise determined by the Committee or Subcommittee, certain information received by the Committee or Subcommittee pursuant to a subpoena or request for documents or information not made part of the record at an open hearing shall be deemed to have been received in Executive Session when the Chairman, in his judgment and after consultation with the Ranking Member of the Committee, deems that in view of all of the circumstances, such as the sensitivity of the information or the confidential nature of the information, such action is appropriate.

(d) All national security information bearing a classification of secret or higher which has been received by the Committee or a Subcommittee shall be deemed to have been received in Executive Session and shall be given appropriate safekeeping. The Chair of

the Committee may establish such regulations and procedures as in the Chair's judgment are necessary to safeguard classified information under the control of the Committee. Such procedures shall, however, ensure access to this information by any Member of the Committee or any other Member of the House of Representatives who has requested the opportunity to review such material.

RULE VIII. VICE CHAIRS

(a) The Chairman of the Committee shall designate a member of the majority party to serve as Vice Chair of the Committee, and shall designate a majority member of each Subcommittee to serve as Vice Chair of the Subcommittee. Vice Chairs of the Committee and each Subcommittee serve at the pleasure of the Chairman, who may at any time terminate his designation of a member as Vice Chair and designate a different member of the majority party to serve as Vice Chair of the Committee or relevant Subcommittee.

(b) The Chairman may, consistent with these rules and the rules of the House of Representatives, from time to time assign duties, privileges, and responsibilities to the Vice Chairs of the Committee or of the various Subcommittees.

RULE IX. OVERSIGHT AND INVESTIGATIONS

(a) The Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within its jurisdiction, including all laws, programs, and Government activities relating to nonmilitary research and development, in accordance with House Rule X.

(b) Not later than February 15th of the first session of the 113th Congress, the Committee shall meet in open session, with a quorum present, to adopt its oversight plan for submission to the Committee on Oversight and Government Reform and the Committee on House Administration, in accordance with the provisions of clause 2(d) of Rule X of the House of Representatives.

(c) The Chairman may undertake any formal investigation in the name of the Committee after consultation with the Ranking Member of the Committee.

(d) The Chair of any Subcommittee shall not undertake any formal investigation in the name of the Committee or Subcommittee without formal approval by the Chairman of the Committee, in consultation with other appropriate Subcommittee Chairs, and after consultation with the Ranking Member of the Committee. The Chair of any Subcommittee shall also consult with the Ranking Member of the Subcommittee before undertaking any investigation in the name of the Subcommittee. Nothing in this subsection shall be interpreted to infringe on a Subcommittee's authority to conduct general oversight of matters within its jurisdiction, short of undertaking a formal investigation.

RULE X. COMMITTEE RECORDS

The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House of Representatives. The Chairman shall notify the Ranking Member of the Committee of any decision, pursuant to Rule VII 3(b)(3) or clause 4(b) of the Rules of the House of Representatives, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any

Member of the Committee. [House Rule XI 2(e)(3)]

RULE XI. OFFICIAL COMMITTEE WEBSITE

The Chairman shall maintain an official Committee website for the purpose of furthering the Committee's legislative and oversight responsibilities, including communicating information about the Committee's activities to Committee Members and other Members of the House. The Ranking Member of the Committee may maintain a similar website for the same purpose, including communicating information about the activities of the minority to Committee Members and other Members of the House.

RULE XII. AMENDMENTS TO COMMITTEE RULES.

The rules of the Committee may be modified, amended or repealed, in the same manner and method as prescribed for the adoption of committee rules in clause 2 of rule XI of the Rules of the House, but only if written notice of the proposed change has been provided to each such Member at least 72 hours before the time of the meeting at which the vote on the change occurs. Any such change in the rules of the Committee shall be published in the Congressional Record within 30 calendar days after their approval.

RULES OF THE COMMITTEE ON ENERGY AND COMMERCE FOR THE 113TH CONGRESS

Mr. UPTON. Mr. Speaker, pursuant to clause 2(a)(2) of rule XI of the Rules of the House of Representatives, I present the Rules of the Committee on Energy and Commerce for the 113th Congress, which were adopted by the Committee on January 22, 2013.

RULE 1. GENERAL PROVISIONS

(a) Rules of the Committee. The Rules of the House are the rules of the Committee on Energy and Commerce (the "Committee") and its subcommittees so far as is applicable.

(b) Rules of the Subcommittees. Each subcommittee of the Committee is part of the Committee and is subject to the authority and direction of the Committee and to its rules so far as is applicable. Written rules adopted by the Committee, not inconsistent with the Rules of the House, shall be binding on each subcommittee of the Committee.

RULE 2. MEETINGS

(a) Regular Meeting Days. The Committee shall meet on the fourth Tuesday of each month at 10 a.m., for the consideration of bills, resolutions, and other business, if the House is in session on that day. If the House is not in session on that day and the Committee has not met during such month, the Committee shall meet at the earliest practicable opportunity when the House is again in session. The chairman of the Committee may, at his discretion, cancel, delay, or defer any meeting required under this section, after consultation with the ranking minority member.

(b) Additional Meetings. The chairman may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purposes pursuant to that call of the chairman.

(c) Notice. The date, time, place, and subject matter of any meeting of the Committee scheduled on a Tuesday, Wednesday, or Thursday when the House will be in session shall be announced at least 36 hours (exclusive of Saturdays, Sundays, and legal holidays except when the House is in session on such days) in advance of the commencement of such meeting. The date, time, place, and

subject matter of other meetings when the House is in session shall be announced to allow Members to have at least three days notice (exclusive of Saturdays, Sundays, and legal holidays except when the House is in session on such days) of such meeting. The date, time, place, and subject matter of all other meetings shall be announced at least 72 hours in advance of the commencement of such meeting.

(d) Agenda. The agenda for each Committee meeting, setting out all items of business to be considered, shall be provided to each member of the Committee at least 36 hours in advance of such meeting.

(e) Availability of Texts. No bill, recommendation, or other matter shall be considered by the Committee unless the text of the matter, together with an explanation, has been available to members of the Committee for three days (or 24 hours in the case of a substitute for introduced legislation). Such explanation shall include a summary of the major provisions of the legislation, an explanation of the relationship of the matter to present law, and a summary of the need for the legislation.

(f) Waiver. The requirements of subsections (c), (d), and (e) may be waived by a majority of those present and voting (a majority being present) of the Committee or by the chairman with the concurrence of the ranking member, as the case may be.

RULE 3. HEARINGS

(a) Notice. The date, time, place, and subject matter of any hearing of the Committee shall be announced at least one week in advance of the commencement of such hearing, unless a determination is made in accordance with clause 2(g)(3) of Rule XI of the Rules of the House that there is good cause to begin the hearing sooner.

(b) Memorandum. Each member of the Committee shall be provided, except in the case of unusual circumstances, with a memorandum at least 48 hours before each hearing explaining (1) the purpose of the hearing and (2) the names of any witnesses.

(c) Witnesses. (1) Each witness who is to appear before the Committee shall file with the clerk of the Committee, at least two working days in advance of his or her appearance, sufficient copies, as determined by the chairman of the Committee of a written statement of his or her proposed testimony to provide to members and staff of the Committee, the news media, and the general public. Each witness shall, to the greatest extent practicable, also provide a copy of such written testimony in an electronic format prescribed by the chairman. Each witness shall limit his or her oral presentation to a brief summary of the argument. The chairman of the Committee or the presiding member may waive the requirements of this paragraph or any part thereof.

(2) To the greatest extent practicable, the written testimony of each witness appearing in a nongovernmental capacity shall include a curriculum vitae and a disclosure of the amount and source (by agency and program) of any federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years by the witness or by an entity represented by the witness.

(d) Questioning. (1) The right to interrogate the witnesses before the Committee shall alternate between majority and minority members. Each member shall be limited to 5 minutes in the interrogation of witnesses until such time as each member who so desires has had an opportunity to question witnesses. No member shall be recognized for

a second period of 5 minutes to interrogate a witness until each member of the Committee present has been recognized once for that purpose. The chairman shall recognize in order of appearance members who were not present when the meeting was called to order after all members who were present when the meeting was called to order have been recognized in the order of seniority on the Committee.

(2) The chairman, with the concurrence of the ranking minority member, or the Committee by motion, may permit an equal number of majority and minority members to question a witness for a specified, total period that is equal for each side and not longer than thirty minutes for each side. The chairman with the concurrence of the ranking minority member, or the Committee by motion, may also permit committee staff of the majority and minority to question a witness for a specified, total period that is equal for each side and not longer than thirty minutes for each side.

(3) Each member may submit to the chairman of the Committee additional questions for the record, to be answered by the witnesses who have appeared. Each member shall provide a copy of the questions in an electronic format to the clerk of the Committee no later than ten business days following a hearing. The chairman shall transmit all questions received from members of the Committee to the appropriate witness and include the transmittal letter and the responses from the witnesses in the hearing record. After consultation with the ranking minority member, the chairman is authorized to close the hearing record no earlier than 120 days from the date the questions were transmitted to the appropriate witness.

RULE 4. VICE CHAIRMEN; PRESIDING MEMBER

The chairman shall designate a member of the majority party to serve as vice chairman of the Committee, and shall designate a majority member of each subcommittee to serve as vice chairman of each subcommittee. The vice chairman of the Committee or subcommittee, as the case may be, shall preside at any meeting or hearing during the temporary absence of the chairman. If the chairman and vice chairman of the Committee or subcommittee are not present at any meeting or hearing, the ranking member of the majority party who is present shall preside at the meeting or hearing.

RULE 5. OPEN PROCEEDINGS

Except as provided by the Rules of the House, each meeting and hearing of the Committee for the transaction of business, including the markup of legislation, and each hearing, shall be open to the public, including to radio, television, and still photography coverage, consistent with the provisions of Rule XI of the Rules of the House.

RULE 6. QUORUM

Testimony may be taken and evidence received at any hearing at which there are present not fewer than two members of the Committee in question. A majority of the members of the Committee shall constitute a quorum for those actions for which the House Rules require a majority quorum. For the purposes of taking any other action, one-third of the members of the Committee shall constitute a quorum.

RULE 7. OFFICIAL COMMITTEE RECORDS

(a)(1) Journal. The proceedings of the Committee shall be recorded in a journal which shall, among other things, show those present at each meeting, and include a record of the vote on any question on which

a record vote is demanded and a description of the amendment, motion, order, or other proposition voted. A copy of the journal shall be furnished to the ranking minority member.

(2) Record Votes. A record vote may be demanded by one-fifth of the members present or, in the apparent absence of a quorum, by any one member. No demand for a record vote shall be made or obtained except for the purpose of procuring a record vote or in the apparent absence of a quorum. The result of each record vote in any meeting of the Committee shall be made publicly available in electronic form on the Committee's website and in the Committee office for inspection by the public, as provided in Rule XI, clause 2(e) of the Rules of the House, within 24 hours. Such result shall include a description of the amendment, motion, order, or other proposition, the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members of the committee present but not voting. The chairman, with the concurrence of the ranking minority member, may from time to time postpone record votes ordered on amendments to be held at a time certain during the consideration of legislation.

(b) Archived Records. The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House. The chairman shall notify the ranking minority member of any decision, pursuant to clause 3 (b)(3) or clause 4 (b) of the Rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any member of the Committee. The chairman shall consult with the ranking minority member on any communication from the Archivist of the United States or the Clerk of the House concerning the disposition of noncurrent records pursuant to clause 3(b) of the Rule.

RULE 8. SUBCOMMITTEES

(a) Establishment. There shall be such standing subcommittees with such jurisdiction and size as determined by the majority party caucus of the Committee. The jurisdiction, number, and size of the subcommittees shall be determined by the majority party caucus prior to the start of the process for establishing subcommittee chairmanships and assignments.

(b) Powers and Duties. Each subcommittee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the Committee on all matters referred to it. Subcommittee chairmen shall set hearing and meeting dates only with the approval of the chairman of the Committee with a view toward assuring the availability of meeting rooms and avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings whenever possible.

(c) Ratio of Subcommittees. The majority caucus of the Committee shall determine an appropriate ratio of majority to minority party members for each subcommittee and the chairman shall negotiate that ratio with the minority party, provided that the ratio of party members on each subcommittee shall be no less favorable to the majority than that of the full Committee, nor shall such ratio provide for a majority of less than two majority members.

(d) Selection of Subcommittee Members. Prior to any organizational meeting held by the Committee, the majority and minority caucuses shall select their respective members of the standing subcommittees.

(e) *Ex Officio Members.* The chairman and ranking minority member of the Committee shall be *ex officio* members with voting privileges of each subcommittee of which they are not assigned as members and may be counted for purposes of establishing a quorum in such subcommittees. The minority chairman emeritus shall be an *ex officio* member without voting privileges of each subcommittee of which the minority chairman emeritus is not assigned as a member and shall not be counted for purposes of establishing a quorum on any such subcommittee.

RULE 9. OPENING STATEMENTS

(a) *Written Statements.* All written opening statements at hearings and business meetings conducted by the committee shall be made part of the permanent record.

(b) *Length.* (1) At full committee hearings, the chairman and ranking minority member shall be limited to 5 minutes each for an opening statement, and may designate another member to give an opening statement of not more than 5 minutes. At subcommittee hearings, the subcommittee chairman and ranking minority member of the subcommittee shall be limited to 5 minutes each for an opening statement. In addition, the full committee chairman and ranking minority member shall each be allocated 5 minutes for an opening statement for themselves or their designees.

(2) At any business meeting of the Committee, statements shall be limited to 5 minutes each for the chairman and ranking minority member (or their respective designee) of the Committee or subcommittee, as applicable, and 3 minutes each for all other members. The chairman may further limit opening statements for Members (including, at the discretion of the Chairman, the chairman and ranking minority member) to one minute.

RULE 10. REFERENCE OF LEGISLATION AND OTHER MATTERS

All legislation and other matters referred to the Committee shall be referred to the subcommittee of appropriate jurisdiction within two weeks of the date of receipt by the Committee unless action is taken by the full Committee within those two weeks, or by majority vote of the members of the Committee, consideration is to be by the full Committee. In the case of legislation or other matter within the jurisdiction of more than one subcommittee, the chairman of the Committee may, in his discretion, refer the matter simultaneously to two or more subcommittees for concurrent consideration, or may designate a subcommittee of primary jurisdiction and also refer the matter to one or more additional subcommittees for consideration in sequence (subject to appropriate time limitations), either on its initial referral or after the matter has been reported by the subcommittee of primary jurisdiction. Such authority shall include the authority to refer such legislation or matter to an *ad hoc* subcommittee appointed by the chairman, with the approval of the Committee, from the members of the subcommittees having legislative or oversight jurisdiction.

RULE 11. MANAGING LEGISLATION ON THE HOUSE FLOOR

The chairman, in his discretion, shall designate which member shall manage legislation reported by the Committee to the House.

RULE 12. COMMITTEE PROFESSIONAL AND CLERICAL STAFF APPOINTMENTS

(a) *Delegation of Staff.* Whenever the chairman of the Committee determines that

any professional staff member appointed pursuant to the provisions of clause 9 of Rule X of the House of Representatives, who is assigned to such chairman and not to the ranking minority member, by reason of such professional staff member's expertise or qualifications will be of assistance to one or more subcommittees in carrying out their assigned responsibilities, he may delegate such member to such subcommittees for such purpose. A delegation of a member of the professional staff pursuant to this subsection shall be made after consultation with subcommittee chairmen and with the approval of the subcommittee chairman or chairmen involved.

(b) *Minority Professional Staff.* Professional staff members appointed pursuant to clause 9 of Rule X of the House of Representatives, who are assigned to the ranking minority member of the Committee and not to the chairman of the Committee, shall be assigned to such Committee business as the minority party members of the Committee consider advisable.

(c) *Additional Staff Appointments.* In addition to the professional staff appointed pursuant to clause 9 of Rule X of the House of Representatives, the chairman of the Committee shall be entitled to make such appointments to the professional and clerical staff of the Committee as may be provided within the budget approved for such purposes by the Committee. Such appointee shall be assigned to such business of the full Committee as the chairman of the Committee considers advisable.

(d) *Sufficient Staff.* The chairman shall ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the Committee.

(e) *Fair Treatment of Minority Members in Appointment of Committee Staff.* The chairman shall ensure that the minority members of the Committee are treated fairly in appointment of Committee staff.

(f) *Contracts for Temporary or Intermittent Services.* Any contract for the temporary services or intermittent service of individual consultants or organizations to make studies or advise the Committee or its subcommittees with respect to any matter within their jurisdiction shall be deemed to have been approved by a majority of the members of the Committee if approved by the chairman and ranking minority member of the Committee. Such approval shall not be deemed to have been given if at least one-third of the members of the Committee request in writing that the Committee formally act on such a contract, if the request is made within 10 days after the latest date on which such chairman or chairmen, and such ranking minority member or members, approve such contract.

RULE 13. SUPERVISION, DUTIES OF STAFF

(a) *Supervision of Majority Staff.* The professional and clerical staff of the Committee not assigned to the minority shall be under the supervision and direction of the chairman who, in consultation with the chairmen of the subcommittees, shall establish and assign the duties and responsibilities of such staff members and delegate such authority as he determines appropriate.

(b) *Supervision of Minority Staff.* The professional and clerical staff assigned to the minority shall be under the supervision and direction of the minority members of the Committee, who may delegate such authority as they determine appropriate.

RULE 14. COMMITTEE BUDGET

(a) *Administration of Committee Budget.* The chairman of the Committee, in consulta-

tion with the ranking minority member, shall for the 113th Congress attempt to ensure that the Committee receives necessary amounts for professional and clerical staff, travel, investigations, equipment and miscellaneous expenses of the Committee and the subcommittees, which shall be adequate to fully discharge the Committee's responsibilities for legislation and oversight.

(b) *Monthly Expenditures Report.* Committee members shall be furnished a copy of each monthly report, prepared by the chairman for the Committee on House Administration, which shows expenditures made during the reporting period and cumulative for the year by the Committee and subcommittees, anticipated expenditures for the projected Committee program, and detailed information on travel.

RULE 15. BROADCASTING OF COMMITTEE HEARINGS

Any meeting or hearing that is open to the public may be covered in whole or in part by radio or television or still photography, subject to the requirements of clause 4 of Rule XI of the Rules of the House. The coverage of any hearing or other proceeding of the Committee or any subcommittee thereof by television, radio, or still photography shall be under the direct supervision of the chairman of the Committee, the subcommittee chairman, or other member of the Committee presiding at such hearing or other proceeding and may be terminated by such member in accordance with the Rules of the House.

RULE 16. SUBPOENAS AND INTERVIEWS

(a) *Subpoenas.* The chairman of the Committee may, after consultation with the ranking minority member, authorize and issue a subpoena under clause 2(m) of Rule XI of the House. If the ranking minority member objects to the proposed subpoena in writing, the matter shall be referred to the Committee for resolution. The chairman of the Committee may authorize and issue subpoenas without referring the matter to the Committee for resolution during any period for which the House has adjourned for a period in excess of 3 days when, in the opinion of the chairman, authorization and issuance of the subpoena is necessary. The chairman shall report to the members of the Committee on the authorization and issuance of a subpoena during the recess period as soon as practicable but in no event later than one week after service of such subpoena.

(b) *Interviews.* The chairman of the Committee may authorize committee staff to conduct transcribed interviews in the furtherance of a Committee investigation.

RULE 17. TRAVEL OF MEMBERS AND STAFF

(a) *Approval of Travel.* Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, travel to be reimbursed from funds set aside for the Committee for any member or any staff member shall be paid only upon the prior authorization of the chairman. Travel may be authorized by the chairman for any member and any staff member in connection with the attendance of hearings conducted by the Committee or any subcommittee thereof and meetings, conferences, and investigations which involve activities or subject matter under the general jurisdiction of the Committee. Before such authorization is given there shall be submitted to the chairman in writing the following: (1) the purpose of the travel; (2) the dates during which the travel is to be made and the date or dates of the event for which the travel is being made; (3) the location of the event for which the travel is to be

made; and (4) the names of members and staff seeking authorization.

(b) Approval of Travel by Minority Members and Staff. In the case of travel by minority party members and minority party professional staff for the purpose set out in (a), the prior approval, not only of the chairman but also of the ranking minority member, shall be required. Such prior authorization shall be given by the chairman only upon the representation by the ranking minority member in writing setting forth those items enumerated in (1), (2), (3), and (4) of paragraph (a).

RULE 18. WEBSITE

The chairman shall maintain an official Committee website for the purposes of furthering the Committee's legislative and oversight responsibilities, including communicating information about the Committee's activities to Committee members and other members of the House. The ranking minority member may maintain an official website for the purpose of carrying out official responsibilities, including communicating information about the activities of the minority members of the Committee to Committee members and other members of the House.

RULE 19. CONFERENCES

The chairman of the Committee is directed to offer a motion under clause 1 of Rule XXII of the Rules of the House whenever the chairman considers it appropriate.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker pro tempore, Mr. UPTON:

H.R. 152. An act making supplemental appropriations for the fiscal year ending September 30, 2013, to improve and streamline disaster assistance for Hurricane Sandy, and for other purposes.

Karen L. Haas, Clerk of the House, also reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 325. An act to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 2 p.m. on Monday, February 4, 2013.

There was no objection.

Thereupon (at 11 o'clock and 5 minutes a.m.), under its previous order, the House adjourned until Monday, February 4, 2013, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

148. A communication from the President of the United States, transmitting accounts in the Disaster Relief Appropriations Act, 2013, with Funding Designated by the Presi-

dent as Emergency Requirements; (H. Doc. No. 113—7); to the Committee on Appropriations and ordered to be printed.

149. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-578, "911 Purity Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

150. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-580, "Albert 'Butch' Hopkins Way Designation Act of 2012"; to the Committee on Oversight and Government Reform.

151. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-588, "UDC Board Meeting Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

152. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-575, "Phebbie Scott Way Designation Act of 2012"; to the Committee on Oversight and Government Reform.

153. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-548, "General Obligation Bonds and Bond Anticipation Notes for Fiscal Years 2013-2018 Authorization Act of 2012"; to the Committee on Oversight and Government Reform.

154. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-552, "Public Vehicle-for-Hire Educational Services Temporary Act of 2012"; to the Committee on Oversight and Government Reform.

155. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-550, "Judicial Adjudication of Parentage Act of 2012"; to the Committee on Oversight and Government Reform.

156. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-551, "District Department of Transportation Bicycle Sharing Fund Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

157. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-535, "Allen Chapel A.M.E. Senior Residential Rental Project Property Tax Exemption Clarification Act of 2012"; to the Committee on Oversight and Government Reform.

158. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-536, "Hire Date Reporting Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

159. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-537, "Fiscal Year 2013 Budget Support Technical Clarification Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

160. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-538, "School-Based Enrichment Programs Temporary Act of 2012"; to the Committee on Oversight and Government Reform.

161. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-539, "Office of the Chief Financial Officer Audit Report Transparency Temporary Act of 2012"; to the Committee on Oversight and Government Reform.

162. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-546, "Health Benefits Plan Members Bill of Rights Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

163. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-547, "Uniform Real Property Transfer on Death Act of 2012"; to the Committee on Oversight and Government Reform.

164. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-549, "Medicaid Fraud Enforcement and Recovery Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

165. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-553, "Local Rent Supplement Program Voucher Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

166. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-554, "NoMA Residential Development Tax Abatement Act of 2012"; to the Committee on Oversight and Government Reform.

167. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-555, "Closing of a Public Alley in Square N-515, S.O. 12-02073, Act of 2012"; to the Committee on Oversight and Government Reform.

168. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-559, "District of Columbia Flag Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

169. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-560, "Water Quality Assurance Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

170. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-561, "District Department of Transportation Accessible Vehicles Fund Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

171. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-562, "Energy Innovation and Savings Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

172. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-563, "Alternative Service of Process Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

173. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-564, "Good Samaritan Overdose Prevention Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

174. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-565, "Department of Motor Vehicles Reciprocity Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

175. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-573, "Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Temporary Act of 2012"; to

the Committee on Oversight and Government Reform.

176. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-574, "Streetscape Reconstruction Second Temporary Act of 2012"; to the Committee on Oversight and Government Reform.

177. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-579, "Senator Charles H. Percy Plaza Act of 2012"; to the Committee on Oversight and Government Reform.

178. A letter from the Executive Director, Mississippi River Commission, Department of the Army, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act, for the Mississippi River Commission covering the calendar year 2012, pursuant to 5 U.S.C. 552b(j); to the Committee on Oversight and Government Reform.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BROOKS of Alabama (for himself, Mr. BACHUS, Mr. JONES, and Mr. SOUTHERLAND):

H.R. 443. A bill to increase the statutory limit on the public debt by \$1 trillion upon the adoption by Congress of a balanced budget Constitutional amendment and by an additional \$1 trillion upon ratification by the States of that amendment; to the Committee on Ways and Means.

By Mr. PRICE of Georgia (for himself, Mr. RYAN of Wisconsin, Ms. JENKINS, and Mr. SESSIONS):

H.R. 444. A bill to require that, if the President's fiscal year 2014 budget does not achieve balance in a fiscal year covered by such budget, the President shall submit a supplemental unified budget by April 1, 2013, which identifies a fiscal year in which balance is achieved, and for other purposes; to the Committee on the Budget.

By Mr. DENT (for himself and Mr. TONKO):

H.R. 445. A bill to authorize a National Heritage Area Program, and for other purposes; to the Committee on Natural Resources.

By Mr. DEUTCH:

H.R. 446. A bill to establish the National Criminal Justice Commission; to the Committee on the Judiciary.

By Mr. FRANKS of Arizona (for himself, Mr. LIPINSKI, Mr. PETERSON, Mr. ALEXANDER, Mr. AMODEI, Mrs. BACHMANN, Mr. BACHUS, Mr. BENISHEK, Mr. BILIRAKIS, Mr. BISHOP of Utah, Mrs. BLACK, Mrs. BLACKBURN, Mr. GIBBS, Mr. BONNER, Mr. BOUSTANY, Mr. BRADY of Texas, Mr. BROUN of Georgia, Mr. BUCHANAN, Mr. BUCSHON, Mr. CARTER, Mr. CASSIDY, Mr. CHABOT, Mr. COLE, Mr. CONAWAY, Mr. COTTON, Mr. CRAMER, Mr. CULBERSON, Mr. DAINES, Mr. DESJARLAIS, Mr. DUNCAN of Tennessee, Mr. DUNCAN of South Carolina, Mrs. ELLMERS, Mr. FARENTHOLD, Mr. FINCHER, Mr. FLEMING, Mr. FLORES, Mr. FORBES, Mr. FORTENBERRY, Mr. GARRETT, Mr. GOHMERT, Mr. GOWDY, Mr. GRAVES of Georgia, Mr. GRIFFIN of Arkansas, Mr. GRIMM, Mr. GUTHRIE, Mr. HALL, Mr. HARRIS, Mrs. HARTZLER, Mr.

HUELSKAMP, Mr. HUIZENGA of Michigan, Mr. HULTGREN, Ms. JENKINS, Mr. JOHNSON of Ohio, Mr. JONES, Mr. JORDAN, Mr. KELLY, Mr. KING of Iowa, Mr. LAMALFA, Mr. LAMBORN, Mr. LATTA, Mr. LONG, Mr. LUETKEMEYER, Mr. MARCHANT, Mr. MCCAUL, Mr. MCKINLEY, Mr. MICA, Mr. MILLER of Florida, Mr. MULLIN, Mr. MULVANEY, Mr. NEUGEBAUER, Mr. NUGENT, Mr. NUNNELEE, Mr. OLSON, Mr. PALAZZO, Mr. PEARCE, Mr. PITTS, Mr. POE of Texas, Mr. POMPEO, Mrs. ROBY, Mr. ROE of Tennessee, Mr. ROGERS of Alabama, Mr. SALMON, Mr. SCHWEIKERT, Mr. SMITH of Texas, Mr. STEWART, Mr. STIVERS, Mr. WALBERG, Mr. WEBER of Texas, Mr. WESTMORELAND, Mr. WILSON of South Carolina, and Mr. YODER):

H.R. 447. A bill to prohibit discrimination against the unborn on the basis of sex or race, and for other purposes; to the Committee on the Judiciary.

By Mr. GOSAR:

H.R. 448. A bill to require that the prevailing wage utilized for purposes of subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the Davis-Bacon Act), be determined by the Bureau of Labor Statistics; to the Committee on Education and the Workforce.

By Mr. MILLER of Florida:

H.R. 449. A bill to provide an amnesty period during which veterans and their family members can register certain firearms in the National Firearms Registration and Transfer Record, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POSEY:

H.R. 450. A bill to amend the Consumer Financial Protection Act of 2010 to bring the Bureau of Consumer Financial Protection into the regular appropriations process, and for other purposes; to the Committee on Financial Services.

By Mr. POSEY:

H.R. 451. A bill to designate the facility of the United States Postal Service located at 500 North Brevard Avenue in Cocoa Beach, Florida, as the "Richard K. Salick Post Office"; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BROOKS of Alabama:

H.R. 443. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8. The Congress shall have Power . . . to pay debts . . .

Article V. The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution . . .

By Mr. PRICE of Georgia:

H.R. 444. Congress has the power to enact this legislation pursuant to the following:

This bill makes changes to existing law relating to Article I, Section 8, Clause 1, which provides that, "The Congress shall have Power To lay and collect Taxes, Duties, Imposts, and Excises, to pay the debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts, and Excises shall be uniform throughout the United States," and Article 1, Section 9, Clause 7, which provides that, "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law, and a regular Statement and Account of the Receipts and Expenditures shall be published from time to time."

Section 1105 (a), of title 31, United States Code, requires the president to submit to Congress each year his budget request no later than the first Monday in February for the upcoming fiscal year. It is within the purview of the Congress to provide oversight and guidance to the president regarding requirements of this statute should, or should he not, meet these obligations as required by law.

By Mr. DENT:

H.R. 445. Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution

By Mr. DEUTCH:

H.R. 446. Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the U.S. Constitution and Clause 18 of Section 8 of Article I of the U.S. Constitution.

By Mr. FRANKS of Arizona:

H.R. 447. Congress has the power to enact this legislation pursuant to the following:

- (1) the Commerce Clause;
- (2) section 2 of the 13th amendment;
- (3) section 5 of the 14th amendment, including the power to enforce the prohibition on government action denying equal protection of the laws; and
- (4) section 8 of article I to make all laws necessary and proper for the carrying into execution of powers vested by the Constitution in the Government of the United States.

By Mr. GOSAR:

H.R. 448. Congress has the power to enact this legislation pursuant to the following:

Because this legislation adjusts the formula the federal government uses to spend money on federal contracts, it is authorized by the Constitution under Article 1, Section 8, Clause 1, which grants Congress its spending power.

By Mr. MILLER of Florida:

H.R. 449. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 & Amendment II to The Constitution of the United States

By Mr. POSEY:

H.R. 450. Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1
Article 1, Section 8, Clause 3

By Mr. POSEY:

H.R. 451. Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 7 (power to establish Post Offices) and Article 1, Section 8, Clause 18 (the Necessary and Proper Clause).

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 36: Mrs. CAPITO, Mr. GUTHRIE, Mr. ROGERS of Michigan, and Mr. HULTGREN.

H.R. 149: Mr. WOODALL.

H.R. 164: Mr. JOYCE.

H.R. 165: Mrs. CHRISTENSEN, Mr. HANNA, Mr. YOUNG of Florida, and Mr. RUNYAN.

H.R. 178: Mr. FITZPATRICK.

H.R. 262: Mr. POSEY and Mr. KIND.

H.R. 309: Mr. CULBERSON.

H.R. 324: Mr. RUSH and Mr. CICILLINE.

H.R. 335: Mr. GENE GREEN of Texas, Mr. RYAN of Ohio, Ms. ESHOO, and Mr. SCALISE.

H.R. 366: Mr. GIBSON, Mr. DOGGETT, Mr. ROGERS of Michigan, Mrs. CAPPS, Mr. QUIGLEY, Mr. JONES, Mrs. CAROLYN B. MALONEY of New York, Mr. SCHIFF, Mr. LARSON of Connecticut, Mr. YOUNG of Florida, Mr. HECK of Nevada, Ms. MATSUI, and Mr. PAYNE.

H.R. 377: Ms. GABBARD, Ms. BROWNLEY of California, Ms. BORDALLO, Ms. TITUS, Mr. CARTWRIGHT, Mrs. NEGRETE McLEOD, Mr. PAYNE, Mr. KENNEDY, Mr. OWENS, and Mr. FOSTER.

H.J. Res. 11: Mr. LONG and Ms. GRANGER.

H. Con. Res. 10: Ms. WASSERMAN SCHULTZ and Mr. MCGOVERN.

H. Res. 30: Mr. BRALEY of Iowa, Mr. SIRES, Mrs. DAVIS of California, Ms. MATSUI, Ms. HANABUSA, Mr. LOEBSACK, Mrs. CHRISTENSEN, Mr. BISHOP of New York, Mr. VISCLOSKY, Mr. HANNA, Mr. HOLT, Mr. PERLMUTTER, Mr. CONYERS, Mr. CICILLINE, Mr. FITZPATRICK, Mr. CLEAVER, Ms. BONAMICI, Ms. NORTON, Ms. WASSERMAN SCHULTZ, and Ms. JENKINS.

H. Res. 47: Mr. ISRAEL, Mr. CROWLEY, Mr. KING of New York, and Ms. GABBARD.

EXTENSIONS OF REMARKS

HONORING THE BICENTENNIAL OF LEBANON COUNTY, PENNSYLVANIA

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 1, 2013

Mr. DENT. Mr. Speaker, I rise today, along with my colleague, Representative JIM GERLACH (PA-6), to honor the County of Lebanon, Pennsylvania which we jointly represent. The citizens of Lebanon County are celebrating the County's Bicentennial this month.

The first German-speaking settlers came to the Lebanon Valley area in the early 1720's. Purchased from Native Americans by the Penn Family in 1732, the area that would become Lebanon County quickly drew the interest of both German and English immigrants seeking rich and inexpensive farmland. Those initial settlers would be proud to know 200 years later that the land they settled is still being used productively in agriculture. To this day, Lebanon County ranks in the top ten of most categories of crop and livestock production in Pennsylvania.

By 1810, the Lebanon Valley area had more than 16,000 inhabitants and they were a civic-minded people. Shortly after the American Revolution the six townships that would become Lebanon County—Annville, Bethel, East Hanover, Londonderry, Heidelberg and Lebanon Townships—felt too removed from the distant seat of government in Harrisburg and sought greater control over their own local affairs. They began petitioning the General Assembly for recognition as a county. On February 16, 1813, Lebanon was granted county status by the Pennsylvania General Assembly.

Two hundred years later, those men and women would be astounded to know that the 2010 census indicated that 133,568 people are living within the County's nearly 363 square miles.

They would be proud to know that Lebanon Valley College, founded in 1866, has consistently provided quality liberal arts education to thousands of students.

The people of the Lebanon Valley region were great patriots and supporters of the American Revolution. The area served as a supply depot for American forces during the War. During the Civil War, the people of Lebanon County raised the 93rd Regiment to support the Union's cause.

They would be proud to know of the role that Ft. Indiantown Gap plays in the role of supporting the Pennsylvania National Guard and the United States Army.

Mr. Speaker, Congressman JIM GERLACH and I are honored to represent Lebanon County in the House of Representatives. We congratulate the people of Lebanon County on their proud heritage and on their numerous contributions to the history and culture of not

only the Commonwealth of Pennsylvania, but of the United States as well.

With the blessings of Providence, may it be that another Congressman from Pennsylvania stands in the Capitol one hundred years from today enjoying the privilege of honoring the people of Lebanon on their Tercentennial.

TOBYHANNA ARMY DEPOT

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 1, 2013

Mr. BARLETTA. Mr. Speaker, I rise to honor the Tobyhanna Army Depot, which will celebrate 60 years of service to the Warfighter on February 1, 2013.

The Tobyhanna Army Depot is the largest fill-service electronics maintenance facility in the Department of Defense and has served all branches of our Armed Forces since 1953. Today, it is a global enterprise specializing in the repair, upgrade and integration of Command, Control, Computer, Communications, Intelligence, Surveillance, and Reconnaissance (C4ISR) systems. It is a leader in the areas of automated test equipment, systems integration and downsizing of electronic systems. The Army has designated Tobyhanna as its "Center of Industrial and Technical Excellence for C4ISR and Electronics, Avionics, and Missile Guidance and Control". The Air Force has designated Tobyhanna as its "Technical Source of Repair for command, control, communications and intelligence systems". Additionally, the depot has received several Shingo Medallions for Excellence in Manufacturing.

The Tobyhanna Army Depot is a crucial component of Pennsylvania's economy, having an estimated annual economic impact of \$4.4 billion. It is the largest employer in Northeastern Pennsylvania, providing employment for roughly 5,800 personnel with 130 different job skills. The depot has created 19,300 jobs in the region and posts 300 personnel at "forward repair activities" to support our military personnel abroad. On a national scale, the depot has saved American taxpayers \$187.1 million since 2002, as a result of their cost-efficient and industrious performance.

Mr. Speaker, for the last 60 years, the Tobyhanna Army Depot has acted as an important asset for our military as well as for Pennsylvania and the United States. Therefore, I commend all those personnel—military and civilian—who have faithfully served our community and our country while stationed at this important C4ISR systems center.

RECOGNIZING JOHNSON CITY COUNTRY CLUB CENTENNIAL ANNIVERSARY

HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, February 1, 2013

Mr. ROE of Tennessee. Mr. Speaker, today I recognize the centennial anniversary of the Johnson City Country Club in Johnson City, Tennessee. Since 1913, the club has been a driving force for social, recreational, and cultural development in Johnson City. Having grown from the vision of a few local leaders into an establishment that has touched many thousands of lives, the club has carried its traditions into the modern era.

The Johnson City Country Club's centennial program began in June 2009 when a group of members envisioned the club to be more than simply a social and recreational entity. These members recognized that the club was sitting on a historic property that had influenced the growth of the city. As of November 15, 2011 the Johnson City Country Club was placed on the National Register of Historic Places in recognition of its rich history and contributions to society.

The club serves as a home to numerous non-profit organizations and has collected funds for both World Wars and other conflicts. Its facilities have helped Johnson City youth develop in golf, swimming, and tennis. As a result, the golfing program at East Tennessee State University is considered one of the top programs in the Nation.

Mr. Speaker, I commend the Johnson City Country Club for their significant impact on both Johnson City and Tennessee's First District. I wish them the very best in their centennial anniversary celebrations and hope to see continued growth in the club's role in the community.

TRIBUTE TO EAGLE SCOUT MATTHEW ALAN CHRISTENSEN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 1, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Matthew Alan Christensen of Boy Scout Troop 550 in Council Bluffs, Iowa for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

well as completing an Eagle Project to benefit the community. For his project, Matthew organized a work crew to remove a half mile of fencing at the Hitchcock Nature Center in Crescent, Iowa. Matthew's efforts will help the center expand its borders as it continues to restore and promote the Loess Hills of Iowa. The work ethic Matthew has shown in his Eagle Project and every other project leading up to his Eagle Scout rank speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Matthew and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him on obtaining the Eagle Scout ranking, and I wish him continued success in his future education and career.

HONORING JACQUELINE LISE
ARLETTE SCOTTI

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 1, 2013

Ms. HAHN. Mr. Speaker, I rise to honor the memory of Jacqueline Scotti who quietly passed away on January 20, 2013 in her beloved San Pedro. Jacqueline grew up during challenging times in Europe. She was born on June 1, 1930 in Chalons-Sur-Marne, Paris, France. After World War II, she met her husband, a proud American soldier by the name of Sgt. Major Louis Mario Scotti. She arrived in the United States and created a loving home and life for her family. In 1958, she proudly became a citizen of this great Nation.

She had many creative talents such as sewing, knitting, cooking and her favorite pastime of all, gardening. She was a strong advocate for our community garden which overlooks northwest San Pedro and she was always kind enough to bring homegrown tomatoes and zucchinis to my office. I was always fond of seeing her, whether she volunteered on my campaign or in my Council Office. She was a true lady and a valued member of our community.

I was privileged to have called her a friend and I will always have fond memories of the legacy she left behind in San Pedro. Jacqueline Scotti is survived by her children, Eveline (Steven) Packer, Allen Scotti, Kenneth (Enza) Scotti, and Lionel Scotti, in addition to her many grand children and great grandchildren. She will be missed by her friends and loved ones.

CONGRATULATIONS TO DR. B.R. DANIELS ON HIS 40TH ANNIVERSARY AS PASTOR OF BETH-EDEN MISSIONARY BAPTIST CHURCH

HON. MARC A. VEASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 1, 2013

Mr. VEASEY. Mr. Speaker, I rise today to honor Dr. B.R. Daniels, Sr. on his 40th anniversary as pastor of Beth-Eden Missionary Baptist Church. The Church is in my hometown of Fort Worth, Texas and I am proud to represent this community in Congress. While this year marks Dr. Daniels' 40th year as pastor of Beth-Eden Missionary Baptist Church, he also previously served as pastor for nearly 4 years at Saint John Baptist Church in Avalon, Texas. Combined, Dr. B.R. Daniels has been ministering to congregations for a total of 44 years.

Pastor Daniels is a native Texan, born in DeKalb, and received his diploma from Marvin Pynes High School. He received a sociology degree from Arlington State College, which is now the University of Texas at Arlington. He also received a degree from the Southern Bible Institute, as well as a masters and Ph.D. from Aspen Theological Seminary in Denver, Colorado. His career in education and service began under the ministry of Dr. N.L. Robinson of the Mount Olive Baptist Church in Arlington, Texas.

Under Dr. Daniels' leadership, the membership of Beth-Eden Missionary Baptist Church has grown from 18 members in 1972, to over 1,500 members today. This growth has been so tremendous that the Church has undertaken and completed a three million dollar building expansion project to house the larger congregation.

As a regional and civic leader, Dr. B.R. Daniels, Sr. has served for 15 years as Moderator of the Northwestern District Baptist Association, various civic leader positions in the City of Fort Worth, and currently serves on the Board of Directors of the Southern Bible Institute where he received his undergraduate degree. In addition, Dr. Daniels serves as President at-Large of the Baptist Missionary and Educational State Convention of Texas.

Dr. Daniels has been married to his wife Pamela for 29 years and is the father of 5 children, Tamela Daniels Jones, Carla Daniels Hill, Reverend B.R. Daniels, Jr., Rhonda Daniels, and Lyncia Daniels, who have given Dr. Daniels 8 grandchildren.

I first met Pastor Daniels during my work for former Congressman Martin Frost of Texas and I am proud to call him my friend and represent him in Congress. Pastor Daniels has lived a life of service to people of faith and his community. I ask my colleagues of the 113th Congress to join me in honoring Pastor Daniels on his 40th anniversary as pastor of Beth-Eden Missionary Baptist Church as well as an exemplary life of service.

TRIBUTE TO MARY SILVEIRA
SANCHEZ LOUMENA

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 1, 2013

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor the life of a beloved leader in the Escalon community, Mary Silveira Sanchez Loumena.

Mary was born in Yountville, California, on June 23, 1920, and passed away surrounded by her family on October 12, 2012, in Escalon, California. Her passing has brought great sorrow and loss to people throughout the community.

Mrs. Sanchez Loumena was an active member of the Young Ladies Institute, Kiwanis, the Ladies of Escalon, and Grandmother's Club. In addition, she was the Chairperson of the 125th anniversary celebration for St. Patrick's Church, and she initiated the children's monthly prayer group.

Mary was a founding charter member of the Escalon Historical Society and Museum. Her instrumental role in its formation will always be her legacy. She also played a fundamental role in locating, purchasing, and bringing the caboose to Escalon's Main Street Park to commemorate the town's railroad beginning and history.

She and her husband, Charles, sold part of Sanchez Ranch to the State of California for the location of El Portal Middle School. They also developed Vintage Estates—a project where they sold remaining portions of their ranch for custom homes.

During the threat of cutbacks in the 1990s, Mrs. Sanchez Loumena donated money to the City of Escalon to keep streetlights lit in residential neighborhoods. Escalon believes that future generations can learn much from the past, and Mrs. Sanchez Loumena played a key role in preserving much of Escalon's history.

Mr. Speaker, please join me in honoring and recognizing Mrs. Mary Silveira Sanchez Loumena for her unwavering leadership and many accomplishments and contributions. Her life serves as an example of excellence to those in our community, and her legacy will not be soon forgotten.

TRIBUTE TO EAGLE SCOUT
TANNER PEARD

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 1, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Tanner Peard of Boy Scout Troop 178 in Waukee, Iowa for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as

well as completing an Eagle Project to benefit the community. For his project, Tanner landscaped Centennial Park in Waukee and also raised enough money to provide a new sign and an illuminated flagpole for the park. The work ethic Tanner has shown in his Eagle Project and every other project leading up to his Eagle Scout rank speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Tanner and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him on obtaining the Eagle Scout ranking, and I wish him continued success in his future education and career.

HONORING LEADERSHIP TURLOCK

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 1, 2013

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Leadership Turlock, as they celebrate 20 years of leadership education in the Central Valley.

Leadership Turlock was established in 1993 by founding member, Sharon Silva. The program was formed through the Turlock Chamber of Commerce to identify new potential Turlock leaders and to provide a ten-month program that would develop knowledge and understanding of the community.

Leadership Turlock has turned out graduates such as Assemblywoman Kristen Olsen, City Attorney Phaedra Norton, Former Councilwoman Beverly Hatcher, Former Councilman Marty Yerby, Former Councilmember Kurt Vander Weide, School Board Member Josh Bernard, and Police Chief Robert Jackson—to name a few. Some of the community efforts and accomplishments include building tiles at the Donnelly Park Play Ground; construction improvements for a regional sports facility; refurbishing a picnic area at Donnelly Park; installing a pad, grills, picnic tables, and a trash receptacle at Centennial Park; refurbishing a room at the Salvation Army into an afterschool learning center; renovating and designing a reception area for the Turlock Pregnancy Center; and providing furniture, paint, a flat-screen television, and \$2,000 dollars in supplies for the Emanuel Cancer Center.

Through participation in the program, members have an opportunity to connect, discuss, and exchange ideas with each other and current community leaders and to motivate and build strong-minded thinkers to assume leadership roles in our community.

Leadership Turlock is building our future and celebrating our past, and it fosters a sin-

cere commitment, motivation, and interest in serving the community. During the ten-month program, members expand their understanding of Turlock and Stanislaus County through exposure to community issues many may not have otherwise had the opportunity to explore. At the same time, members can enhance their leadership and management skills and develop close relationships and mutual concerns with other classmates.

Even in a fragile economy, the Leadership Turlock Program continues to inspire public and private sector interest and participation. One of the key successes to the longevity of the Leadership Turlock Program is the program's personnel infrastructure—led by a committed group of Steering Committee and Day-Chair members. Each Committee member has a direct connection with one of the day topic planning teams. This direct connection enables the program to move quickly when mobilizing and responding to challenges and changes.

Mr. Speaker, please join me in honoring Leadership Turlock for 20 years of delivered premier leadership training for the Turlock community. Leadership Turlock is proud of its 310 graduates who continue to lead in business and industry, elected offices, and non-profit volunteer boards and organizations.

TRIBUTE TO LEROY ORNELLAS

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 1, 2013

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor San Joaquin County Supervisor Leroy Ornellas on his retirement from the San Joaquin County Board of Supervisors and to thank him for his dedicated, lifelong spirit of community service.

Alfred L. "Leroy" Ornellas was born in Tracy, California, on April 3, 1944. The Ornellas Family has been dairy farmers in the Tracy area since the 1930s.

A third generation farmer and dairyman, Ornellas served for several years as a member of the San Joaquin County Agricultural Advisory Board and was selected by his peers to serve as Chair for five of those years. In addition, he served as the Board of Supervisors' representative to the Ag Advisory Board.

Leroy was a founding member of the San Joaquin County Citizens Land Alliance—an organization that advocates for the rights of private property owners. He has been active in land use issues as a member of the first "Tracy Tomorrow" task force and has provided testimony to various legislative bodies engaged in the development of land use plans and agricultural issues.

In recognizing his many contributions to the community and to agriculture, the City of

Tracy and the Tracy Chamber of Commerce honored Leroy as "Agriculturist of the Year" in 1995. Also, in 2010, the Ornellas Dairy was recognized by Dairy Farmers of America, Inc. as part of the Western Area Members of Distinction. This program recognizes members who excel in their operations, in their communities, and in the industry.

Leroy was elected to the Board of Supervisors for District 5 in November of 2002, where he served as Chair for the 2004 and 2009 sessions. At the time of Leroy's election, the Fifth Supervisorial District included the cities of Escalon, Tracy, Ripon, Mountain House, half of Manteca, and a portion of Lathrop. Escalon and Ripon were later removed from District 5 after multiple redistricting cycles.

In 2012, term limits ended Leroy's tenth year of public service on the San Joaquin County Board of Supervisors; but, as Leroy's community service did not begin with his election to the Board of Supervisors, it will not end there either. He currently sits on several boards and commissions affecting the San Joaquin Valley, but he is most proud of those in which he must collaborate with his peers from other cities and counties. Some of such organizations include the Board of Directors for the Sutter/Tracy Community Hospital, the California Partnership for the San Joaquin Valley, the San Joaquin Valley Air Pollution Control District (Chair, 2008), the San Joaquin Council of Governments, and the Regional Airport Planning Committee among several others.

Leroy is a member of the Tracy/Ripon/Manteca Chambers of Commerce, Tracy Noon Rotary, Young Men's Institute, National Rifle Association, and the San Joaquin Farm Bureau. In addition to his business and public service interests, Leroy is a motorsports enthusiast and an admirer of glass and paint art. He enjoys attending sports venues, traveling, and American History.

Leroy and his wife, the former Jennie Deaderick, were married in 1963. They have three sons—Kevin, Mark, and Mathew—all of whom are married and assist in managing the family farming operation. The Ornellases have four grandchildren. Leroy and Jennie, their three sons, and four grandchildren will all have been educated in San Joaquin County public schools. Leroy and his sons attended Modesto Junior College, where the two eldest played football. His eldest granddaughter attended San Joaquin Delta College and graduated from San Jose State in 2011. All of the Ornellas children and grandchildren have been or are members of 4-H.

Mr. Speaker, please join me in honoring San Joaquin County Supervisor Leroy Ornellas on his retirement and in thanking him for his exemplary leadership and service to the community.

SENATE—Monday, February 4, 2013

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord God, You are infinite, unchangeable, and holy. Thank You for this day and the opportunities to be stewards of Your love, grace, and compassion. Use our Senators to respond to the needs in our world, infusing them with a willingness to do Your will. Invade their hearts and minds with Your peace as they envision Your plans and purposes. Lord, give them power to handle the pressures, light for their path, and patience for their challenges. Let Your wisdom guide them, Your hand guard them, and Your shield protect them.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable PATRICK J. LEAHY led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, I am going to have to get used to the President pro tempore presiding over the Senate. That is not the script we have followed for quite a few years. I am very happy to see him here, as usual.

Following leader remarks, the Senate will be in a period of morning business until 5 p.m. Following morning business, the Senate will resume consideration of the motion to proceed to S. 47, the Violence Against Women Act. At 5:30, the Senate will vote on the motion to proceed to the bill.

MEASURES PLACED ON THE CALENDAR—S. 201 and S. 204

Mr. REID. Mr. President, there are two bills at the desk due for a second reading.

The PRESIDENT pro tempore. The clerk will read the titles of the bills for the second time.

The legislative clerk read as follows:

A bill (S. 201) to prohibit the sale, lease, transfer, retransfer, or delivery of F-16 aircraft, M-1 tanks, or certain other defense articles or services to the Government of Egypt.

A bill (S. 204) to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

Mr. REID. Mr. President, with these two bills, I would object to any further proceedings.

The PRESIDENT pro tempore. Objection is heard. The measures will be placed on the calendar.

VIOLENCE AGAINST WOMEN ACT

Mr. REID. Mr. President, in the two decades since the Violence Against Women Act passed—it passed with a very strong vote, a bipartisan vote here in the Senate, and then in the House at the time—incidents of domestic violence have fallen by more than half, by as much as 53 percent. The law has helped millions of women and children escape their attackers and get the justice they deserve. It is a landmark piece of legislation. That is why Congress twice reauthorized this legislation without a hint of controversy or a moment of delay.

But despite the overwhelming evidence this legislation saves lives and protects women, House Republicans used every procedural trick known to Congress to block its reauthorization last Congress. Despite strong bipartisan support here in the Senate, Republicans in the House refused to join the effort to renew our national commitment to ending domestic violence.

Allowing partisan delays to put women's lives at risk is simply shameful. If House Republicans believe domestic violence is no longer a problem in this country, they are wrong. Every day three women in America die at the hands of their abusers. Every day many women escape with their lives but with the physical and emotional scars of the abuse that exists.

More than one-third of women in this country have been victims of violence, sexual assault, or stalking by a partner—one-third of the women in this country have been victims of violence, sexual assault, or stalking by a partner. It is in our power to help, and it is unthinkable that Republicans in the House would prevent us from taking action and again refuse to do anything, as they did last Congress.

Victims of violence and law enforcement officials who support them have already waited too long for Congress to act. This week, the Senate will pass a strong bipartisan reauthorization of

the Violence Against Women Act. This is something that was put forward by the chairman of that committee, the Judiciary Committee, Senator LEAHY. He has worked hard on it. He did everything possible last Congress to get this done. Because of the House's intransigence, they refused to do anything in spite of his work.

I thank Chairman LEAHY, Senator MURRAY, and the women of the Senate for their leadership on this issue. I am pleased so many of my Senate colleagues have expressed support for swift action on this legislation, and especially so many Senate Republicans have supported this legislation. The Senate will not allow women to be denied the protection they need and deserve.

We must ensure law enforcement has the means to stop these horrible crimes. We must guarantee communities have the resources to support victims regardless of sexual orientation, immigration status, or where they live, as they heal. Every victim of domestic violence deserves the same vigorous protections under the law. Because of the unique nature of the crime, combating domestic violence and protecting those affected also requires unique tools. Reauthorizing this act would help law enforcement continue to develop effective strategies to prosecute cases involving violent crimes against women. It would provide funding for shelters and transitional housing programs for victims of domestic violence and sexual assault and help victims become independent. It would make legal assistance available to victims of violence and safeguard children and youth affected by dating violence and stalking.

Although the Violence Against Women Act expired in 2011, many of the programs established under the law have been funded by continuing resolutions. But not everything. A full reauthorization of this law is necessary to ensure authorities have all the resources they need to fight domestic violence. So I hope the Senate's bipartisan action this week will send a strong message to House Republican leaders that further partisan delay is unacceptable.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. MURPHY). The Republican leader is recognized.

SPENDING CONTROL

Mr. McCONNELL. Mr. President, the American people are deeply unhappy with the way Washington operates these days. They are tired of people telling them what they want to hear instead of what they need to hear. They are tired of all of the political games and gimmicks that substitute for real action on the problems we face as a Nation. Given what we have seen from the White House and Congressional Democrats, frankly, it is hard to blame them. As I have said repeatedly in recent weeks, we need to find a way to control runaway Federal spending and debt. We need to do it quickly. This is absolutely essential if we are to avoid a European-style catastrophe. It is what we need to do if we are serious about removing government obstacles that stand in the way of a robust recovery and new jobs.

Reducing the debt will throw off a wet blanket that has been weighing on our economy for entirely too long. This is a serious challenge. It demands serious spending reforms from both parties here in Washington. Yet if you were to listen to the Democrats, you would think all of our ills could be solved by raising taxes on private jets or energy companies.

These are not real solutions. They are poll-tested gimmicks. Just take the tax hike on so-called corporate jets. It would not raise enough revenue to offset more than 1 week—1 week—of the decade-long sequester—1 week. Of course, anytime you have a tax hike, there are going to be negative repercussions for growth and jobs. We do not have to look too far into the past to see how disruptive those consequences can be. In 1990, Washington politicians tried to enact a “luxury tax” on just about everything you could associate with the upper class, including yachts and aircraft. It was a total failure. Not only was it linked to the destruction of literally thousands of jobs in the boating industry, but, according to one study, the government actually—listen to this—spent more in unemployment benefits and in lost taxes than it was able to raise through the luxury tax itself. In other words, while the tax may have seemed to serve as a useful wedge issue for Democratic politicians, it made just about everyone worse off than they were before it passed. Workers, consumers, taxpayers, and the government were all worse off. That is why a number of Members of today’s Senate Democratic caucus voted to repeal that particular tax a few years later in 1993. They even agreed to send refund checks to some of those impacted by it.

So why are they proposing to go down this same sorry road one more time? Well, in a variation of the old saying, you can conclude that they do not want the facts to get in the way of a good political talking point.

But the larger point is this: The challenge we face right now is the fact that government spending is completely and totally out of control. So to focus on a tax of any kind is to miss the point entirely. The amount of revenue we bring in as a percentage of GDP is set to return to the historical average of the past few decades. Spending, on the other hand, is way above historic norms, and spending is projected to actually get much worse in the years to come; that is, unless we do something about it today.

The American people elected a divided government. They expect it to work. That means both parties need to engage and offer serious solutions. Proposing a return to failed tax gimmicks of the past is not by any measure a serious solution. If White House officials want to replace the same sequester they themselves proposed in 2011, it is their responsibility to lay out what concrete spending cuts they would be willing to consider as potential offsets, as House Republicans already have. If they do, then we Republicans are happy to hear them out and to work collaboratively on effective reforms. But if this is just another opportunity to trot out the Democrats’ focus-group-approved policy stunt, if this is another fake fight designed by the White House to push us to the brink, then Republicans are not interested in playing along. We are going to keep fighting for real spending reform, because that is what the American people expect us to do.

Every day spent talking about corporate jets is a day wasted. Given that the President again missed the deadline to submit a budget on time this year, there is not much time to spare. The clock is ticking. It is past time to get serious.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5 p.m. with Senators permitted to speak therein for up to 10 minutes each.

Mr. McCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERTS. I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTS. I ask unanimous consent that I be recognized to proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING ADELE HALL

Mr. ROBERTS. Mr. President, I rise to pay tribute to a most remarkable woman. In just a few hours, a celebration of life service will be held at St. Andrew’s Church in Kansas City for Adele Hall, described by the Kansas City Star in a front-page headline as “first lady” of Kansas City.

Adele was in Hawaii with her husband Don Hall, chairman of Hallmark Cards, when she passed away. To say they were a remarkable couple is an understatement. They met when she was 3 years old and Don was 6. Adele said: I don’t ever remember falling in love with Don. I just grew up being in love with him.

As the Star reported, her priorities were always with her husband and her three children. In addition to her love and caring for her family, Adele Hall had a unique ability to lead, and lead she did. Living a life of caring and contribution, making a difference and demonstrating to all whose lives she touched and made better, she was a wonderful example of honor and respect.

Adele’s many accomplishments were almost legendary. She would demure from that description with her wonderful smile and give credit to others. It was how she accomplished so much that serves as such a wonderful example and why she was so beloved.

The friends of Don and Adele and those with whom she worked describe her best. Henry Bloch, the founder of H&R Block and a lifelong friend, said:

If there ever was a first lady of Kansas City, it was Adele. She was honored and respected by everybody. It’s a major loss for this community.

Irv Hockaday, a former CEO of Hallmark and a friend of Adele and Don’s for close to 50 years, said:

She was like a magnetic sun . . . whose constant warmth and magnetism just had a pull. And people gravitated to her. To me, her most compelling quality, of many, was her empathy.

They say that no one is indispensable. That’s true in a way. But she comes about as close to being someone we can never, ever forget or replicate.

Irv Hockaday certainly captured Adele, as did Steven Doyal, spokesman for Hallmark Cards:

We lost a great human being. Her greatest passion was in the area of children. She believed passionately in the potential of every child.

At Children’s Mercy Hospital, Adele moved easily from rocking sick babies in the nursery to running board meetings and leading multimillion-dollar fundraising campaigns. One of the best known was with Tom Watson, with whom she established the Children’s Mercy Golf Classic.

Jack Ovel, the hospital board chairman, said:

She was quick to give others credit. She was always telling other people, "You are the wind beneath my wings."

Perhaps her most notable collaborative effort was bringing the University of Kansas and Children's Mercy together. Early on she realized what that would mean for residents of Kansas City.

Jim Heeter, president of the Greater City Chamber of Commerce, described the news of Adele's passing, which came in the middle of the monthly chamber board meeting:

The entire room fell into stunned silence when it was announced. She was known and loved by virtually everyone around our board table. We observed a long moment of silence in her honor and her memory.

Mary Shaw "Shawsie" Branton, who was her copartner and close friend in one charitable and/or civic event after another said of Adele:

I have lost a close friend. She touched all our lives. There was an aura around Adele, 'How can I help? What can I do? . . . How can I find a solution?'

"This is a great day of sorrow," said Sarah Rowland, chairwoman of the Nelson-Atkins board of trustees.

Jane Chu, CEO of the Kauffman Center for the Performing Arts said:

Everything she did was about inspiring Kansas City residents. She so believed in these projects because she so believed in this city, she cared about making it a great place to live.

One can clearly see by the many comments of Adele's friends and leaders in Kansas City, with regard to their sense of personal loss, expressions of admiration of love and respect for the world of achievements Adele accomplished, there is only one Adele Hall.

In my case, Mr. President, I was on the floor of this body last Monday during a series of votes taking place when a cloakroom attendant gave me a message to call my office immediately. I did, and my chief of staff, Jackie Cottrell, came over to the cloakroom and told me of the news of Adele's untimely passing.

There are certain people in life where you feel you are privileged just to know them—people who make a difference, really nice people who give you a certain sense of awe, people who are really not aware of their special and unique persona. Adele had that certain something—a unique charisma, comprised of a wonderful smile, charm and grace, but also the determination and ability of a leader.

When she came into a room, those present knew things would get done. She always stood ready in friendship and support and love. Unfortunately, given her strength of purpose, she was also the kind of person you might well take for granted.

Jackie and I immediately called Annie Presley, a good friend and com-

panion-in-arms with Adele. Annie and I couldn't say too much during that phone call, but I did blurt out, "Well, it's the end of an era." And it is. Adele, in addition to all of her civic and art works, had tremendous influence, serving as an adviser, a friend, and supporter to Presidents, Governors, Senators, Congressional Members, and city leaders. Annie was right by her side in these endeavors. Her passion for politics made both Kansas and Missouri a better place to live. Her advice, her guidance, and support were invaluable to so many. Don and Adele's Kansas home was the setting for countless benefactor receptions. The list represents a Who's Who in politics, from both Presidents Bush, Senators Bob Dole, Kit Bond, Nancy Kassebaum, and, yes, somebody by the name of PAT ROBERTS.

My friendship with Don and Adele began more than 20 years ago. I admit I was a bit nervous the first time I was invited to their home. I arrived early and Adele warmly greeted me, welcomed me in. Don took me into the study, and after some discussion we all ended up listening to the Andrews Sisters—I don't know why—until we were informed it was time to greet the other guests. I think Don and I would have been there a lot longer if Don had his way. We have been great friends ever since.

Perhaps the highlight of our efforts together was when First Lady Laura Bush came to Kansas, and together we welcomed her to our great State.

Finally, Mr. President, when I talk about Adele's respect and her humility, I am reminded of the story when President Bush came to Wichita on my behalf. The White House staff and security, God bless them, had names on the floor in the reception room, and those who were greeting the President had to stand on the right name. God knows what would have happened if you didn't stand on the right name.

Adele stood exactly as instructed on her name, without any hesitation. I did not do that. I didn't follow orders quite as well. I met with the President's vehicle and hurriedly told him our special guests were standing at attention at their appropriate spot, which amused the President greatly. The secret, of course, was that Don and Adele often stayed at the White House as guests of both George H.W. Bush and President George W. Bush.

When President Bush came in the room, he asked: Adele, are you standing in the right place?

She replied quickly: Why, Mr. President—George—I will stand wherever you want me to.

That really produced a lot of laughs and prompted a big hug.

Mr. President, today's obligations in the Senate prevent me from attending the celebration of life service, but I am there in spirit. To Don, Don Jr. and

Jill, David and Laura, Margaret and Keith, and Adele's nine grandchildren, our thoughts and prayers are with you.

I feel compelled to say if all of the people in the Kansas City area could be in attendance, those who loved Adele or who have benefited from her many endeavors, the numbers would fill Arrowhead Stadium and then some.

Helen Steiner Rice may well have summed up what Adele would be telling us now:

When I must leave you for a little while, please go on bravely with a gallant smile. And, for my sake and in my name, live on and do all things the same. Spend not your life in empty days, but fill each waking hour in useful ways. Reach out your hand in comfort and in cheer, and I, in turn, will comfort you and hold you near.

Mr. President, the heavens are a little brighter now because they have a shining star in Adele Hall.

I yield the floor, and upon careful study I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COATS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL SPENDING

Mr. COATS. Mr. President, I come to the Senate floor today, as I have virtually every day since we have been back in session, to address what is perhaps the most critical question facing this Nation: how to rein in the out-of-control Federal spending that threatens to bankrupt the country and saddle future generations with a burden of debt that will dramatically reduce the quality of their lives.

Yesterday morning on ABC's "This Week with George Stephanopoulos," Senate Majority Leader REID claimed:

"The American people need to understand that it's not as if we've done nothing for the debt."

I would argue that the American people do understand, but what they disagree with is the majority leader's statement that we have done something to reduce the debt we are accumulating at a record rate. We all know we are spending nearly \$40,000 of taxpayer money per second. We know it has now been 1,377 days since we passed a budget in the Senate or one has even been offered by the Democratic leadership. Our debt continues to accumulate and now stands at nearly \$16.5 trillion, and anybody who looks at the debt clock sees that the numbers are rotating faster than the eye can see. So, no, I don't agree. I don't think we have done much to address our debt. And rather than recognize the real problem of our debt, which is spending, the majority leader talked about the need for yet more taxes and higher revenues.

After all the debate about making the wealthy pay more in order to pay down our debt, the fiscal cliff deal barely changed the Nation's long-term fiscal outlook, particularly if spending continues on its present course.

A report from the Peterson Foundation released this week puts U.S. debt on a track to reach 200 percent of gross domestic product by 2040. Keep in mind that many respected economists—economists without a partisan position to promote, those who have looked at this impartially—have said to us that historically, without exception, once a nation's debt reaches 90 percent of GDP, it becomes very damaging to the economy, and it is something I believe we are now experiencing the early phases of in America. So 200 percent of GDP, if we stay on the present course, will take this country and our economy down, and it will take away our ability to provide the needed and necessary functions of the Federal Government.

The plain fact is that our debt is going to continue to spiral upward until Washington tackles its spending addiction.

The President and some of my colleagues on the other side of the aisle are claiming that in the last few years they have already cut the budget to the bone. These so-called savings they talk about are savings anticipated by drawing down troops in Afghanistan and Iraq that are already set to wind down. So we can't just simply say: Well, we have solved the problem because we are now going to take this money which we anticipate we won't have to spend.

By the way, that assumes there will be no more overseas contingent operations that will have to take place in the next 10 years. If we look at what is happening around the world, if we look at the instability and threats that are happening around the world, it is pretty hard to assume we simply don't or won't need to spend any money over the next 10 years to address something that is a direct threat to the United States.

All of this basically says it is pretty hard to take seriously the suggestion by the majority leader and the President that we have done our job in cutting spending to reduce the debt.

If I were able to take the time to list the wasteful catalog of duplicative spending and wasteful spending of the taxpayer dollars on this floor, I would use up the rest of the day—and more. But let me mention a few examples from my colleague from Oklahoma, Senator COBURN, who I think has done this body and the American public a great service by delineating and outlining some of this unnecessary spending of taxpayer dollars and giving us a route and a roadmap and a pathway towards addressing unneeded wasteful spending of tax dollars, particularly at

a time when we are having to borrow nearly 40 percent or more in order to keep our government functioning. This spending Senator COBURN has listed comes out of official government reports—the Government Accountability Office, the Congressional Research Service, and other government entities. These have been documented by our own official national government agencies:

There is \$1.6 billion spent annually to maintain unneeded Federal property. If it is unneeded, why do we have to maintain it year after year at a cost of \$1.6 billion? Let's put a "for sale" sign up there and receive some revenue from these assets that are documented as being unneeded.

Another \$1.6 billion is spent by the Federal Government to provide free cell phone service. Now, the Congress passed legislation for certain categories of low-income people to receive free cell phones. Whether you are for that or against that or voted for it or voted against it, what has been laid out here is the fact that many of these phones are going to people who don't qualify for this handout, and hundreds of thousands of those go to people who already have at least one phone. Offer somebody a free second phone, and they are going to grab it. But do they need it, and does the taxpayer need to pay for it?

Also, \$50 million of taxpayer money went to the IRS for a public relations effort to try to improve its image with taxpayers. Good luck with that PR program. I think we know their opinion of the IRS. And is this really a necessary expenditure?

The IRS sent a prisoner who filed a bogus tax return a refund for \$327,456, and they even sent it to the correctional facility. You would think that somewhere along the line, somebody would say: Maybe we ought to look into this. Hopefully we will be able to get this one back, along with \$30,000 that was sent to a jail where a murderer collected \$30,000 in claimed unemployment benefits. Well, yes, he was unemployed, but that is not exactly what our unemployment system is designed to do. So while we are going after the \$327,000, maybe we can collect this \$30,000 on the way.

Every day we hear of reports of food stamps being used to pay for beer, cigarettes, cell phone bills, and even cars. That hardly needs to be mentioned because it is something we have come to understand—there is a lot of misuse of tax dollars.

On and on it goes, and I could list more and more.

Just the other day, Senator COBURN listed some duplicative programs, and he thought: Well, maybe we don't need multiple numbers of these. Maybe we can consolidate.

We have 18 domestic food assistance programs, 45 separate job-training pro-

grams. And I love this one, my personal favorite—more than 50 financial literacy programs provided by the Federal Government.

The first question we need to ask is what does the Federal Government have to say about financial literacy, given our current financial situation? Hopefully it is using its own dysfunction as an example of what not to do.

These outrageous spending items and duplicative Federal programs are not isolated examples. Just a few weeks ago the Treasury Department issued its year-end report for fiscal 2012. One of the bombshells in this report that has received virtually no coverage or commentary is the estimate by the Government Accountability Office that \$108 billion was lost to improper payments by the Federal Government.

Since over one-third of all Federal spending wasn't even examined yet by the GAO, the total amount lost obviously will be much higher. The fact that this escaped the notice of much of the media and many of my colleagues is very telling. Unfortunately, we are so used to the notion of inefficient or wasteful Federal spending, a government report verifying over \$100 billion in waste, fraud, and abuse doesn't even register.

When my colleagues come down to offer amendments and are voted down, amendments to offset spending for new programs such as disaster relief and a cacophony of rejections comes their way saying, "How dare you even think about trying to offset this, you are taking money away from babies and children and mothers and essential functions of the Federal Government?" Then you start to read down the list of wasteful programs and duplicative programs and they say they cannot come up with a dime to offset needed expenses.

Let me say we are not here to undermine or destroy the necessary function of running an efficient government. But the key word is efficient. We want to spend taxpayers' dollars in a way so taxpayers understand we are doing the best to spend their hard-earned dollars on essential programs.

I have suggested to the Appropriations Committee that each program for which we appropriate money be put through a system of what I call triage. We ask each agency before it presents its budget to us, annually, for the appropriations to pay for their expenses and distributions, that they first address this question: Is this an essential function of the Federal Government? Is this a function we might like to do but can no longer afford to do? And separate that from those we no longer need or never should have been put there in the first place.

At a time when we are suffering from the plunge into deficit spending and debt, should we not apply some standards and principles as to where and

how we allocate funds that are sent to us by the taxpayer? I have asked each agency to do that. We have not received any reports back. All we hear, from a number of voices around the town, is: Oh, no, we cannot touch any of this; every dime we spend is absolutely necessary.

I think what Senator COBURN has begun to do and what I hope to do, and to work on with him and others, is to identify some of those areas and literally ask the question to my colleagues and to the American people: Do you think this is an essential function of the Federal Government? Is this something that maybe we would wish to do but do not have the money to do? Or is this something that, frankly, has not lived up to its promise, is wasting money, or is this something that never should have been passed in the first place?

If we do not apply those principles to our future spending, we are going to continue down this road. We all know the big three—Social Security, Medicaid, and Medicare—have to be reformed to save these programs, but have to be reformed because they are unsustainable in their current form. I will be talking much more about that later. But what I do want to acknowledge here today is that without getting to those programs, which we have to do if we are going to solve our long-term problem, we also need to seriously look at how we spend money on all the discretionary spending that comes before this body. We have to look at those things that simply do not measure up in terms of a responsible way of handling our taxpayer revenues.

I am going to continue coming to the floor, I am going to continue pointing out areas where I think we can save money, and continue to make the case that this Congress has not begun to do the job it needs to do in terms of dealing with our spending.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

DEBT CEILING EXTENSION

Mr. CARDIN. Mr. President, last week the Senate passed legislation that had already been approved in the House that extended the debt ceiling until late this summer. It was the right thing to do. It was the right thing to extend the debt ceiling of our Nation because it allows us to pay the bills we have already incurred. There is not one dime of new spending that is authorized under the legislation we approved. My only regret is that we did not extend it for a longer period of time, giving greater certainty to the financial markets.

If we were ever to violate the debt ceiling, the consequences would be that the taxpayers of this country would have to pay more for the obligations of

our Nation in interest costs. It would permanently damage the reputation of this Nation as far as our ability to pay our bills. It would be counterproductive to everything we are trying to do to help the taxpayers of America. It was the right thing for us to do, to extend the debt ceiling, but we still have a lot more work we need to do.

Our current accumulation of debt is not sustainable. We cannot continue to spend what we are spending today and collect what we are collecting today in revenue and sustain the fiscal integrity of the United States. We spend too much and we do not bring in enough revenue. That is the issue we need to address. It was not addressed in the debt ceiling. The debt ceiling should have been extended. But we now need to deal with the fundamental problem that our spending and revenues are not in line.

We could talk about the cause of how we got here. We could talk about how the Congress reduced tax revenues while we were at war, a policy I spoke out against and voted against. But our responsibility is to figure out how we go from where we are today, with budget deficits that are not sustainable, to how we can bring our country into better fiscal balance. We need a balanced approach. We need an approach that looks at spending, looks at revenues, that acknowledges that job growth is, first and foremost, our objective. We have to create more jobs in our economy—more people working, less people needing governmental services, more people paying tax revenues; all that helps generate the growth in our economy.

We have to protect the middle class. The middle class has been particularly vulnerable during this slowdown in our economy from which we are now recovering. It has to be real, what we come up with. That means it really does deal with the deficit problems of this country and should be long term. I think all of us are tired of these short-term extensions. They may avoid an immediate problem but they do not give the type of predictability that is necessary for our economy to take off and grow.

If you are an investor, it is tough to invest if you do not know the ground rules, if you do not know what the Tax Code is going to look like, what the Federal budget is going to look like. How do you invest in expanding a plant to deal with expanded Federal needs when you don't know what the budget is going to be? How do you deal with the Tax Code if maybe you want to develop an energy company when you do not know what the tax provisions are going to be for that operation? We need to give predictability. Therefore, long-term solutions are better.

And it needs to be truly bipartisan. I was here on New Year's Eve at midnight. I saw the Democrats and Republicans come together in a true com-

promise that I think put the Nation's interests first rather than our partisan interests. I would have wished to see us do things a lot differently than in that agreement, but it was bipartisan, we compromised, we listened, and did it in the best traditions of the Congress.

I wish to take us back 2 years ago when we started to struggle with how we would deal with our fiscal problems. President Obama appointed the Simpson-Bowles Commission, and we know a lot about that. They made their recommendations. Some of the recommendations' specifics were pretty controversial, but I think as to the overall framework of the Simpson-Bowles recommendations—the amount of additional revenue we need to bring in, the types and parameters of the spending cuts—I think there was general national agreement that that was the framework which would allow us to move forward in the best interests of our economy. I point out in the last Congress the Democrats on the Senate Budget Committee adopted that approach as our framework to move forward. I think that is what we need to look at.

Let me make a couple of points, because I have listened to a lot of my colleagues come to the floor and talk about how we have not made progress, that our deficits are too large. We have made progress. We have. We have gotten about halfway there. Simpson-Bowles was somewhere between \$4 and \$5 trillion of deficit reduction over a 10-year period. We are about halfway there. We have about \$2.5 trillion we have gotten done. We got that done because we passed the Budget Control Act, and the Budget Control Act put in lower caps on discretionary spending on the domestic side. That is now the law of the land. Over \$1 trillion of deficit reduction was accomplished because of the Budget Control Act.

We did another \$1 trillion of deficit reduction on New Year's Eve, the fiscal cliff agreements that brought in more revenue by making permanent the 39.6-percent tax rate for high-income taxpayers and bringing in some additional spending cuts. That is real.

My colleagues say we still have these large deficits and they are larger than they were before, but if we did not do the Budget Control Act and we did not do the fiscal cliff agreements, the deficit would be much higher. Again, using some common baseline, such as Simpson-Bowles did, we have done about half of what, if you agree on the framework of Simpson-Bowles, we need to do. We have to get more done; we are not there yet. The revenues of this country traditionally have been about 19 percent of our economy. That is what it was under President Clinton when we balanced the Federal budget. We actually had surpluses. Our economy was growing. There was job growth. We were moving in the right direction.

Our revenues have dipped to about 15 percent of our economy, so we are not anywhere near having as much revenue as we need in order to have a balanced approach that allows for job growth. And, yes, our spending is too high, particularly on what we call the mandatory side. We agree with that. If you look at our health care costs in this country, they are much higher than those of any other nation in the world and we do not have the health results that would demonstrate why we are spending so much more. We need a more efficient system. That is why a lot of us supported the Affordable Care Act, because we see in it delivery system reform that will make our health care system more efficient, bring down the cost of hospital care by reducing readmissions, bring down the cost of hospital care by reducing hospital infection rates, bring down the cost of high-cost interventions by dealing with people with complicated issues, multiple issues, in a much more managed way; using health technology more efficiently; using preventive care to actually reduce health care costs. We know early intervention saves lives, saves costs, and when you bring down the cost of health care you bring down the cost of Medicaid, you bring down the cost of Medicare, and you help our budget get into better balance.

We also believe we can save money in the military. The baseline for military spending assumes the high level of military operations in Afghanistan. Well, our troops are coming home. I think we can now safely assume that our Active military needs will not be at the high levels they have been over the last decade, and that will save money. I personally think we need to look at a BRAC-like process for our international military facilities, as we did for our domestic military facilities. All of that can save money.

So what do we need to do? We need to get together, Democrats and Republicans, on a balanced approach. We need to do it in the month of February because on March 1 these automatic cuts, known as sequestration, take effect. The automatic cuts were put in during the Budget Control Act as a way to get us to act. None of us wanted to see across-the-board cuts to both our domestic and our military budgets; we didn't think that made a lot of sense. After all, some programs are more important than others, and we should make the hard choices. We should not be using an across-the-board cut.

We need to come together. As I have indicated, there are areas in the spending where I hope we can come together so we can make our system more efficient, particularly on the delivery of health care. There are certain reductions we can make in the overseas contingency accounts in our military.

On the revenue side, we have brought out areas where there are loopholes

and shelters in our Tax Code. We can do a better job. It is interesting that the top 1 percent of the taxpayers of this country receive 25 percent of the benefits on what is known as tax expenditures. I heard my colleagues come to the floor and talk about how we have to bring down the cost of spending. Well, yes, we do spend through appropriations bills, but we also spend through tax expenditures, which are provisions we put in the Tax Code to give breaks to some—not all—of our constituents. When we add up all those tax expenditures, it comes to \$1.2 trillion a year. That is what the tax expenditures come to. That is larger than our entire discretionary spending. We are spending more through the Tax Code than we are through appropriations bills. We can certainly find some savings in those tax expenditures, and we can use that in a balanced approach to be able to avoid the across-the-board cuts and get our budget back into better balance. That is where we need to move as a Congress and as a nation.

It is important for us to take timely action. Let me underscore that. We need to act in February. We don't want to go through the uncertainty of what sequestration means. I have talked to a lot of businesspeople who depend on Federal contracts. Will that contract be let? They don't know. We need to give predictability so that our economy can take off.

I hope we all put our Nation's fiscal interests ahead of any of our partisan objectives, and that means listening to each other. Democrats and Republicans need to listen. My colleagues on the Republican side of the aisle have made some good points in regard to mandatory spending. My colleagues on the Democratic side of the aisle have made some very valid points about the need for revenue. I hope we will listen to each other, resolve our differences, and put a proposal forward that brings our Nation back to a stable fiscal future, which will allow us to create the types of jobs we need by investment and fiscal prudence so our economy can continue to lead the world. We need to act in a responsible, balanced, bipartisan, and timely way.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

VIOLENCE AGAINST WOMEN ACT

Ms. COLLINS. Mr. President, I am honored to be an original cosponsor of the bipartisan legislation to reauthorize the Violence Against Women Act. Let me thank the two leaders of that important bill, Senators LEAHY and CRAPO, for their work to ensure that the Senate makes renewing this important law a high priority early in this Congress.

I also wish to acknowledge the work of the many advocates who have deliv-

ered so strongly the message to Congress and to the public that we must do more to prevent violence from occurring in our homes and in our communities. Our law enforcement officers, counselors, social workers, health care professionals, public educators, and community service providers are truly on the front lines of the effort to help those who are the victims of violence and to help prevent violence from occurring in the first place. Their advocacy on behalf of these victims has helped to make this bill a priority. I commend them all for the work they are doing each and every day.

In my home State of Maine, we are fortunate to have a very low crime rate, but law enforcement officials tell me that the two greatest areas of concern are domestic violence and drugs. Often, these two go hand in hand. In fact, a 2011 study by the University of Southern Maine's Muskie School of Public Service found that 65 percent of victims of crime in Maine believe the offender was under the influence of drugs or alcohol at the time.

Over the last decade, occurrences of domestic violence have resulted in nearly half of all homicides in my State. Nearly half are the result of incidents of domestic violence.

According to statistics from the Maine Department of Public Safety, there were 5,360 reported domestic assaults in the year 2011, which is nearly a 5-percent increase from the previous year. This equates to one domestic assault every 1 hour and 38 minutes, and this is in a State with a very low crime rate.

Nationally, one in four women and one in seven men experience severe physical violence at the hands of an intimate partner.

In addition, Maine's 10-year average is 364 rapes per year. Think about that. That is almost one rape per day in a State with a very low crime rate. Those are only the reported crimes. I suspect the actual number is even higher. According to the Maine Coalition Against Sexual Assault, an estimated 13,000 Mainers will experience some form of sexual violence this year alone. Currently, rape has the lowest reporting, arrest, and prosecution rate of all violent crimes in the United States.

So I am very pleased that this year's reauthorization bill also includes the provisions of the Sexual Assault Forensic Evidence Registry—or SAFER—Act, which was authored by our colleague, Senator JOHN CORNYN. I commend the Senator for his leadership in that area, and I am pleased to be a cosponsor of his bill, which unanimously passed in the last Congress in the Senate and has been incorporated into the Violence Against Women Act reauthorization. This bipartisan bill, the SAFER Act, would authorize the Attorney General to award grants to

State and local governments to audit and reduce the backlog of untested rape kits.

Mr. President, I think you will share my shock and alarm at the number of these kits which are sitting in the possession of law enforcement agencies and which could contain DNA evidence that would lead to prosecutions and help get rapists off the streets and yet have not been analyzed. The estimate is that between 300,000 and 400,000 of these kits are just sitting in the possession of law enforcement agencies but have not been analyzed. That is totally unacceptable.

The reauthorization bill we introduced last week would help ensure that Maine and every other State has the necessary resources to support victims of violence and, whenever possible, to prevent violence from occurring in the first place.

Elizabeth Saxl, the executive director of the Maine Coalition Against Sexual Assault, recently wrote to me in support of the reauthorization of the Violence Against Women Act. She noted this in her letter:

By reauthorizing and making significant improvements to these important programs, this legislation will help fulfill the critical unmet needs of victims of violence and expand protections to currently under-protected populations.

Mr. President, I ask unanimous consent that her letter be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Ms. COLLINS. The Violence Against Women Act has made a significant difference in combating domestic violence, sexual assault, and stalking, through grants to State and local governments and nonprofit organizations. Since it was first passed in 1994, the programs authorized under this law have provided State and local partners with more than \$4.7 billion of assistance. This assistance helps to ensure that the victims of violence get the help they need to recover and has prevented incalculable suffering by stopping violent crimes before they happen.

It is extremely important to pass this legislation because all men and women—and men are victims as well as women. In some ways, the name of this law should be changed. But all women and men, regardless of race, religion, sexual orientation, or disability deserve to be safe and protected from physical violence, and that is what this reauthorization would help to do.

Finally, this is not and never should be a partisan issue. Violence and domestic assaults do not discriminate between Republicans and Democrats, Independents and Greens, or people who are not politically active at all.

This is an equal opportunity crime that harms people regardless of their

political affiliation, their profession, their location, or their status in life. It is an issue that deserves bipartisan support. I hope my colleagues on both sides of the aisle will come together and pass this important bill.

I recognize there may be some provisions of this bill which are controversial; but, surely, we can come together in support of the goal of this vital legislation. We can work out differences if not on the Senate floor then in conference with the House; but, surely, we can come together and reauthorize this law that has made such a difference to so many in our country.

EXHIBIT 1

MAINE COALITION AGAINST SEXUAL ASSAULT, Augusta, ME, February 4, 2013.

Hon. SUSAN M. COLLINS,
U.S. Senate,
Washington, DC.

DEAR SENATOR COLLINS: On behalf of the Maine Coalition Against Sexual Assault (MECASA), and the sexual assault crisis and support centers we represent, I am writing to express our strong support for S. 47, the Violence Against Women Reauthorization Act (VAWA) of 2013. By reauthorizing and making significant improvements to these important programs, this legislation will help fulfill the critical unmet needs of victims of violence and expand protections to currently under-protected populations.

VAWA has provided invaluable support for law enforcement, courts, sexual assault crisis and support centers, domestic violence service providers, prevention efforts, and community outreach. In the past decade, nearly half of Maine's homicides have been the result of domestic violence, many of which included elements of sexual violence. Additionally, nearly 13,000 Mainers will experience sexual violence this year alone while Maine's ten-year average for rapes reported to law enforcement is only 364. The cost of these crimes to Maine is enormous. VAWA helps control these costs by enabling support centers to provide free, necessary, quality services to victims who need help, not to mention the incalculable suffering that these programs help prevent.

Since the original passage of VAWA, Maine has strengthened laws regarding domestic violence, sexual violence, and stalking and has implemented programs which continue to yield tangible results for victims and for public safety. Despite VAWA's success, its criminal justice and community-based programs remain acutely necessary. According to a recent study by the University of Southern Maine's Muskie School of Public Service, nearly one in five Mainers reported having been the victim of sexual assault or an attempted sexual assault in his or her lifetime. Nationally, the Center for Disease Control and Prevention estimates that nearly one in five women and one in 71 men have been raped at some time in their lives, and one in four women and one in seven men experience severe physical violence by an intimate partner.

MECASA supports efforts to further strengthen and improve the response of the criminal justice, legal, and victim support systems for survivors of domestic violence, dating violence, sexual assault, and stalking. We are grateful to you for your steadfast support of VAWA and your commitment to violence prevention and response.

Thank you for all you do on behalf of Maine and our nation.

Sincerely,

ELIZABETH WARD SAXL,
Executive Director.

Ms. COLLINS. Mr. President, seeing no one seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. CORKER. I thank the Chair.

(The remarks of Senator CORKER pertaining to the introduction of S. 215 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. CORKER. Mr. President, I notice the absence of a quorum, and I thank the chair for the time.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KING.) Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I ask unanimous consent that I speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

DOD REFORM

Mr. MCCAIN. Mr. President, this past year, our national debt passed a staggering \$16 trillion, more than \$51,000 for every man, woman, and child in America. Today, several very serious fiscal matters that would seriously impact the Department of Defense and the U.S. defense industrial base, including budget sequestration, the debt limit, and disposition of the defense budget for fiscal year 2013 remain unresolved. Underpinning all of these matters is the larger issue of why the culture of how the Department of Defense does business must change. While daunting, this question provides us with a valuable prism through which Senator Hagel's nomination, now pending consideration by the Armed Services Committee, should be considered.

By "culture," I mean that the mindset that has for years pervaded how the Department of Defense buys goods and services and manages assets and resources without regard to either their affordability or what our service men and women actually need to defend the Nation.

After years of developing legislative initiatives intended to reform how the Department does business, I am convinced that the single most effective agent of cultural change at the Department is the right leadership: leadership

that recognizes that the Department owes to the taxpayer a stewardship obligation to extract maximum value for every defense dollar spent, and a moral responsibility to the warfighter that these dollars are being spent wisely, to effectively procure desired combat capability.

We need strong fiscal leadership to reject the use-or-lose mentality that incentivizes managers of the Department's programs and activities to spend every dollar, no matter what our priorities really are, and replace it with a process that actually rewards sound program management, incentivizes efforts to cut costs, and rewards those who use entrepreneurship and ingenuity to meet mission requirements, while returning taxpayer funds to the U.S. Treasury. In other words, cultural change needs leadership that not only rejects "business-as-usual" but also challenges it. Where Senator Hagel is on this is not clear.

One area that reflects how desperately the Department of Defense needs to change its culture of inefficiency is how it procures goods and services, in particular, how it acquires major weapons systems. While reforms in this area have been attempted for more than 25 years, the same deplorable outcomes—major cost overruns, schedule slips, or failures to perform as promised—all persist. Why? It is because despite these efforts, the underlying culture within the Department of "business-as-usual," which predisposes its largest programs to these outcomes, has been allowed to live on.

In how the Department procures its largest and most expensive weapons systems, this translates into a mindset that so fails to recognize the need for affordability that it has made the Department more willing than it should be to accept (at any cost) more risk than it can responsibly manage. There are far too many examples of where the Department begins a major program without knowing what it really wants or how these requirements should translate into technical specifications that are designed to generate the combat capability it really needs. Also, all too many times, there is no traceability between these specifications through a test regime that is sufficient to ensure that the system the Department is procuring is operational effective, suitable, and survivable before entering operational testing or early production. So what happens? These systems stay "on rails"; blow through their original cost and schedule estimates; and, at the end of the day, bear little resemblance to what the warfighter actually needs.

But program management, fixated on "keeping the money flowing", push the program—many times, reimbursing the contractor for its costs throughout, and with the parochial support of Members of this body—down the develop-

ment pipeline, offering facile excuses for poor performance and, ultimately, less-than-desired capability. All of this happens within an overall management system that is overly cumbersome and costly and provides for no meaningful accountability.

In the aggregate, this has been a "perfect storm". A defense procurement culture that is content with promises of exquisite solutions over actual affordability has squandered literally billions of taxpayer dollars. According to a recent study, since 2004, programs canceled by the Army alone consumed between \$3.3 billion and \$3.8 billion per year. That is 35 to 45 percent of the Army's annual budget for development, testing, and engineering over this period. Obviously, this is simply unacceptable and unsustainable.

Yet it happened again just recently. A couple of months ago, the Air Force, quite rightly, decided to kill a huge logistics supply chain management business system called the Expeditionary Combat Support System, ECSS. But it did so only after, one, sinking about \$1 billion into the program since its start in 2005; two, recently finding that another \$1.1 billion would be needed to field just 25 percent of ECSS's promised capability; and, three, extracting from the taxpayer's total \$1 billion investment less than \$150 million in usable hardware and software. I repeat: A total \$1 billion investment, less than \$150 million was obtained in usable hardware and software. This is a travesty. In terms of how little benefit we realized compared to how much was spent, it is one of the most egregious examples of mismanagement in recent memory.

Some reforms have helped, but much work needs to be done. The Weapons Systems Acquisition Reform Act of 2009 and its prescription to "start programs off right," was a move in the right direction. I am pleased to report that in its last of the three reports focused on how effectively the Department has been implementing that act, the Government Accountability Office recently found that the Department has been taking positive steps to implement this reform act.

It did so having sampled 11 weapons acquisition programs, including the KC-46A tanker, the SSBN(X) *Ohio*-class ballistic missile submarine replacement, and the Ground Combat Vehicle, GCV. But getting rid of poor cost-, schedule-, and performance-outcomes and how the Department procures goods and services will require the sustained and enduring change that only a change in culture can provide. When it comes to defense procurement, a change in culture is possible only with leadership that recognizes that for government to act as a responsible steward over defense dollars, it must be as knowledgeable, skilled, and sophisticated a buyer as industry is a seller.

Whether Senator Hagel would serve as the right leader at the Department of Defense to foster needed cultural changes in the Department's procurement practices is unclear. What we do know is that the right person must embrace the following principles: Set realistic requirements early and manage changes to those requirements aggressively. The Department must enforce better discipline and achieve greater accountability in how it meets its most critical military needs by dismantling stovepipes among the requirements, acquisition policy, and budgeting communities and ensure clear lines of authority within acquisition organizations. With the benefit of robust participation by the uniformed military, requirements should be frozen early, allowing for sufficient trade-space among the program's cost- schedule- and performance-variables to ensure that it is effectively managed throughout its lifecycle. Exquisite high-risk, next-generation solutions should be spiraled out over time. In other words, programs should be set to shorter acquisition timelines and should be managed to them.

Improve the Department's ability to price risk—effectively and independently of industry—and budget to that cost. By "risk," I mean the risk that a system is exposed to throughout its life cycle: technical-, software-, development-, integration-, manufacturing-, and sustainment-risk—all of them. Acquiring weapons systems thoughtfully vis-a-vis risk would minimize funding instability which can absolutely decimate a program's ability to deliver required capability on budget and on time and ultimately result in reliable systems that will be affordable to own and operate.

Revitalize, and where necessary, build-up the Department's "organic" workforce in areas most vital to "buying smart", like cost-estimating, technical- and systems-engineering, developmental testing, et cetera. The Department must be able to conduct proper should-cost analysis to inform its positions when it negotiates contracts and conduct engineering trade-off analysis to manage programs effectively over their lifecycles. With the benefit of this capability, the Department will be able to more effectively target affordability and control cost growth.

Require the use of the type of contract that is most appropriate to the level of risk to be managed in the fee structure that is most appropriate to the type of performance to be incentivized. This requires the Department to know what it needs and, in connection with that requirement, exactly what kind of contractor performance it wants to incentivize. To that extent and as quickly as possible, the Department must get its programs into a low- to moderate-risk environment

where it can use fixed-price contracts to effectively incentivize cost control.

Better incentivize productivity and innovation. Rationalize profit policy and effectively use performance-based contracting and other tools in the contracting toolkit to incentivize and reward contractors for effectively managing costs, successfully managing their supply chains and indirect expenses, and actually delivering promised capability.

Promote real competition, instead of “checking the blocks”. Nothing drives costs down and enhances quality more effectively than competition. The Department has to make sure that competition, or the option of competition, is brought to bear on a program throughout its lifecycle, at both the systems and subsystems level. To the extent that the Department has been recently successful with some of its large, high-profile procurements, it is because it has been able to leverage competition aggressively.

Improve how the Department acquires services. Military departments that have started diving into this area have already found massive opportunities for savings and efficiency—easily amounting to billions of dollars. This initiative should not only continue; it should expand throughout the defense enterprise.

Reform how the Department procures information systems, especially, major automated information systems. While the technical aspects of these products are, of course, fundamentally different from major weapons systems, the basic tradecraft, especially those that reflect best business practices, shouldn't be that different. Procuring cyber-security capability may, however, require greater agility and flexibility than what can be provided under the long and slow “deliberative” acquisition process.

Improve the “rapid acquisitions” process. In support of on-going operations, the war-fighter cannot rely on the “deliberative” acquisition process to satisfy its needs. The process by which these sorts of urgent operational requirements are satisfied reliably and cost-effectively needs to be reformed.

Rein in the Department's ability to reprogram funds. I have been appalled that in fiscal year 2011 alone, the Department of Defense transferred nearly \$27 billion among Defense accounts and that only \$11 billion, or 40 percent of these transfers, received any type of congressional oversight. That oversight was limited to just 8 Senators out of 100. The oversight of the transfer of billions of dollars is confined to the oversight of eight Members of the U.S. Senate. I happened to be one of them for the last 6 years, but I don't think it is appropriate to transfer that kind of money without all 100 percent being apprised of the need to do so. Despite that the Department cannot be au-

ditated—the Department of Defense has never been audited—we continue to provide it with the flexibility to engage in what amounts to budget gamesmanship where certain accounts, such as operation and maintenance and base-operations support, which are intended to satisfy “must-pay” bills, are historically underfunded in the President's annual budget request, with the understanding that the Department will be able to transfer funds between accounts down-the-road. In my view, this type of budget gamesmanship is a big reason why the Department cannot annually produce auditable financial statements and frustrates objectively assessing the priority or urgency of the Department's requirements.

This brings me to the other major area of how the Defense Department “does business” that underscores the need for cultural reform, defense financial management, and the most significant thing that can be done in this area is finally getting the Department auditable.

There can be no doubt that the ability of the Department to be audited independently would help ensure that the defense dollars are not wasted, lost, or otherwise misused. Absent auditability, the Government Accountability Office (GAO) has, since 1995, designated the Department's financial management as “high-risk”.

Today's fiscal challenges bring new urgency to the issue of auditability at the Department of Defense. To navigate successfully through this period of austerity and fiscal uncertainty without inadvertently impinging on military readiness, the Department will have to make management decisions that are fully informed and carefully calibrated. To ensure intended results, the Department has to make sure these decisions are being executed as planned.

From well-managed companies in the private sector, which have to make decisions like this all the time, we know that reliable financial data, effective internal controls, efficient business processes, and sound business systems are needed to support an organization whose finances can be audited.

Granted, the Department won't use auditable financial statements themselves to make important management decisions, but the high quality of the financial information that feeds into financial statements that are ready-for-audit would be incredibly valuable, indeed indispensable, for identifying opportunities for savings and efficiencies; successfully implementing initiatives and management controls to realize these savings and efficiencies; and making sure that increasingly scarce defense dollars are redirected to higher defense priorities. This would give the primary stakeholders in how the Department is managed—the war-fighter and the taxpayer—con-

fidence that the defense management decisions can be relied upon to produce intended results. Given the state of financial management at the Department of Defense today, we do not now have that confidence.

One big reason why we don't is that to date the Department's commitment to achieving financial auditability has been characterized by blown-deadline after blown-deadline. Various statutes, including the Chief Financial Officers Act of 1990, the Government Management Reform Act of 1994, the Federal Financial Management Improvement Act of 1996, and other provisions in various Defense authorization and appropriations acts, have required financial improvements at the Department of Defense for the Department to produce auditable financial statements. After continuous failure, we are at a point now where, for example, when then-Secretary of Defense Gates was trying to find efficiency and reduce waste at the Department a few years ago, he said what he was doing was “something akin to an Easter egg hunt”. He explained, “[M]y staff and I learned that it was nearly impossible to get accurate information and answers to questions such as ‘[h]ow much money do you spend?’ and ‘[h]ow many people do you have?’”

For this reason, after succeeding Secretary Gates, Secretary Panetta immediately elevated financial improvement to a top priority of the Department by directing the Department to cut in half the time to make a key financial statement, called the Statement of Budgetary Resources (SBR), ready-for-audit. This goal must be achieved by fiscal year 2014. Seeking to leverage Secretary Panetta's initiative and with the assistance of Senator AYOTTE, the Senate Armed Services Committee included a provision in its authorization bill this year that formalizes this goal.

I am pleased to say that while much work needs to be done for the Department of Defense to achieve its audit-readiness goals, the Department has made some limited progress, particularly through its Financial Improvement and Audit Readiness (FIAR) plan, which the Senate Armed Services Committee legislated as a requirement a few years ago. The House Armed Services Committee's Panel on Defense Financial Management and Auditability Reform found early this year contained a “reasonable strategy and methodology.”

In my view, it is no longer the case that top defense managers “just don't get it” or that they are dragging their feet because they don't see financial improvement as a priority. Indeed, perhaps the silver-lining in today's fiscal challenges is that it seems to have united top management at the Pentagon into finally realizing how important it is for the Department to become financially auditable.

Indeed, over the last few years, some agencies within the Department, such as the Army Corps of Engineers, the Military Retirement Fund, Defense Contracting Audit Agency, and TRICARE's Contract Management Activity have received clean audit opinions. As GAO's Director of Financial Management and Assurance Asif Khan recently said, Secretary Panetta's directive has resulted in a "change in tone at the top" that has "reset" the Department's efforts to achieve an unqualified audit opinion. How exactly would Senator Hagel, if confirmed, further Secretary Panetta's efforts here?

This is not an academic question. As the Department of Defense's Deputy Inspector General for Auditing Dan Blair recently noted, for the Department to achieve an auditable statement of budgetary resources (SBR) by 2014, it must run what amounts to "a big checking account with thousands of people being able to write checks" and that capturing an "auditable universe" within it will require reconciling between a general ledger and subsidiary ledgers.

A big problem is ongoing delay in implementing very expensive business computer systems called "enterprise resource planning" or ERPs, which perform a number of business-related functions vital to transforming the Department's business operations. The ECSS system I mentioned a few minutes ago is one of these ERPs.

As of December 2009, the Department of Defense has invested over \$5.8 billion in these ERPs and will invest billions more before they are fully implemented. Most of them are over budget and behind schedule or haven't provided promised capability. Yet these ERPs make up more than half of the Department's entire expenditure in the area of business transformation, costing the taxpayers more than \$1 billion per year.

This is vitally important. If the Department doesn't get ERPs right, like a system known as ECSS that cost \$1 billion dollars, not only will the Department have squandered monies that it had already sunk into these programs but it will also severely undermined its ability to improve the efficiency and the effectiveness of scores of business-missions such as logistics and supply chain management, et cetera, that are key to supporting those service-men and -women who defend the Nation.

What needs to be done? From the top down, lines of authority must be clarified. The relevant workforce must be well-versed in government accounting practices and standards and be experienced in related-information technology. Given how vitally important these ERPs are to this mission, people who have actual experience successfully implementing global business systems must be properly mixed into the

workforce, and contractors hired to integrate these business systems into the Department must be the best-qualified partners and held to the same high performance standards that should apply to any other major defense acquisition.

Within this overall structure, there must be sufficient oversight and accountability vis-a-vis a well-defined and federated business enterprise architecture that ensures that, in terms of organizational transformation and systems modernization, all the different elements of the Department are moving in the same direction toward a single goal. These kinds of issues need to have the day-to-day attention of the Department's Chief Management Officer, that is, the Deputy Secretary of Defense and the chief management officers within the military departments.

At this point, I am of the view that, with all of the congressional reforms and mandates in the area of financial improvement over the past few years, the Department of Defense has all the tools it needs to have in its tool-kit to achieve audit-readiness on time and on budget. The issue is leadership and execution. As the House Panel on Financial Management and Auditability Reform noted, a vital part of that is "ensuring that senior leaders are held accountable when audit readiness goals are not met, and conversely, rewarded when goals are achieved". Also, defense financial improvement must no longer be regarded as an activity important only to the Department's financial community. Field commanders have to be fully engaged and interested in driving change outside the Pentagon. If Senator Hagel is confirmed, his setting this tone from the top will be vitally important.

Is all this enormously challenging? It absolutely is, as befits an organization of the size and complexity of the Department of Defense. With an annual budget equal to the 17th largest economy in the world, as the Institute for Defense Analyses recently noted, the Department's "business" of achieving its unique and disparate missions worldwide on an ongoing and contingency basis equates more to an economy than a commercial business.

Be that as it may, with an annual federal budget deficit of \$1.3 trillion and defense reductions of at least \$487 billion and possibly, with sequestration, another \$500 billion over the next 10 years, the Department needs to have reliable financial management data to help it distinguish between defense budget cuts that are prudent and necessary, and those that may impinge on military readiness and, therefore, endanger our national security.

Only a Department that can be audited can give us the assurance that the Department is moving in the right direction in terms of identifying the right opportunities to save defense dollars and eliminate waste, and re-

directing increasingly scarce defense dollars to higher defense priorities.

All I have discussed today illustrates how important sound leadership at the top of the Department of Defense is to "buying smarter" and getting the Department ready-for-audit. Without leadership fundamentally and unalterably mindful of the Department's responsibility to the American people to use defense dollars wisely, this cultural change will forever remain elusive. For this reason, this body's consideration of the President's nominee to serve as the next Secretary of Defense will be more important than it has been in recent memory.

I would like to give credit to the present Secretary of Defense, Mr. Leon Panetta, who brought his knowledge and expertise on budgetary matters to his work at the Pentagon. I will say more about him later on, but I am very appreciative of the outstanding service present Secretary of Defense Panetta has provided to this Nation, with many long years of service both in elected as well as appointed office. We are proud to have Americans such as Secretary Panetta serving our Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

IMMIGRATION

Mr. GRASSLEY. Mr. President, I am glad the Senate is now having some discussion among Members not yet on the floor about the issue of immigration because it is a very important problem that we have to deal with. I look forward to the debate that I think is coming up this year on immigration, and I would like to share my thoughts and my past experiences on this issue. I particularly want to share my personal experience from the 1980s amnesty law and what we can learn from that debate.

But before I go into that history, I wish to commend many Senators who are working together to forge a consensus and produce a product on this terribly difficult issue. I commend them for sitting down and agreeing to a set of principles that were put forth in a news conference last week. As ranking member of the Judiciary Committee, I expect to play a role in brokering an even broader consensus with additional Members.

I have read the bipartisan framework for immigration reform this group has written, and the one thing that struck me—in fact, it is the last sentence in the preamble—is this:

We will ensure that this is a successful, permanent reform to our immigration system that will not need to be revisited.

In other words, the group understands we need a long-term solution to the problem. We need a serious fix so future generations don't have to deal with 11 million or 15 million or 30 million people who have come illegally.

That sentence is the most important part of that document, and we must not lose sight of the goal expressed by the eight Senators who enunciated that.

But we need to learn from our previous mistakes so we truly don't have to revisit the problem. So let us discuss the 1986 amnesty under President Reagan. There are few of us in the Senate today who were present during that debate. In 1980, President Reagan campaigned on a promise that he would work to reform our immigration laws and legalize foreign workers in the United States. The President's policies were further shaped by the Select Commission on Immigration and Refugee Policy that was created in 1978 under President Carter.

President Reagan signed a bill into law on November 6, 1986. So 6 years after he first ran for President, he signed a law. This law was known as the Immigration Reform and Control Act. The process to finalize the bill was long and arduous. It took years—6 years, to be exact.

In 1981, when I was a freshman Senator, I joined the Judiciary Committee and was a member of the Subcommittee on Immigration and Refugee Policy. Back then, subcommittees did real work. They actually sat down and wrote legislation. We had 100 hours of hearings and 300 witnesses before we marked up a bill in May 1982—a mark-up 4 years before the President ever signed it.

Senator Simpson chaired the subcommittee, and other members included Senators Thurmond, Kennedy, and DeConcini. Senator Thurmond was called to the White House and Senator DeConcini had just been hospitalized, so Senators Simpson, Kennedy, and I brought up amendments and we actually voted on them. Senator Kennedy, on that day, said:

Immigration reform is one of the most complicated and difficult issues; it involves human beings, it involves families, it involves loved ones, children and the separation of those individuals.

His words would still resonate today.

In 1982, I told my colleagues on the Judiciary Committee that I wanted to do the right thing for the United States, and this is what I said at that time:

The real issue here is what is best for United States citizens. In trying to maintain that perspective, I have come to the conclusion through the course of attending many hearings on this issue, that increased border and interior enforcement along with employer sanctions and a secure worker eligibility identity system is necessary to regain control of our borders.

This is a philosophy that continues to guide me on this issue of immigration yet today. But I expressed my concerns with the legalization component at the time. I echoed the recommendations of the Select Commission on Im-

migration should, No. 1, be consistent with U.S. interests; and, 2, the program should not encourage further undocumented migration. The commission believed that a legalization program should not begin until new enforcement measures had been instituted.

The Commission knew then, as I did and as I know now, that “without more effective enforcement, legalization could serve as a stimulus to further illegal entry.” Those are the words of the Commission. You see, I didn't think permanent residency should be granted until we had a worker eligibility system. I offered an amendment on that point in 1982, but that amendment failed.

The Judiciary Committee and the full Senate passed a bill in 1982, but it did not pass the House of Representatives. We tried again in the next Congress. The Senate passed a bill in 1983, and the House followed in 1984. We convened a conference committee between the House and the Senate, but Walter Mondale came out opposed. So we adjourned for the elections and failed to finalize a bill that year—2 years before President Reagan finally signed a bill.

We returned in 1985 to pass our bill again. That year, Senator Simpson included a provision to trigger the amnesty program only after enforcement measures to curtail illegal immigration were in place. Doesn't that sound familiar? Congress passed a final bill in November 1986. The vote in the Senate was 63 to 24 and the House vote was 238 to 173.

Over the years, many Members have offered amendments to water down the enforcement provision in the Simpson-Mazzoli Act. That was the name of the legislation. Senator Simpson and Congressman Mazzoli were the leaders of that effort in 1986. There was a lot of opposition to employer sanctions, especially by Senator Kennedy. He wanted, in his words, “criminal penalties to be based only upon injunctive finding of a pattern or practice.” He tried to sunset the employer sanction. Senator Kennedy also fought hard to move the legalization cutoff date from 1980 to 1982 so more people could benefit from the amnesty.

The 1986 bill was supposed to be a three-legged stool: control of illegal immigration, the first leg; a legalization program, the second leg; and the third leg, reform of legal immigration. We authorized \$422 million to carry out the requirements of the Immigration Reform Act and created a special fund for States to reimburse their costs. The 1986 bill included a legalization program for two categories of people: one for individuals who had been present in the United States since 1982; and the second for farm workers who had worked in agriculture for at least 90 days prior to enactment. A total of 2.7 million people were given amnesty.

We also had enforcement. For the first time ever, we made it illegal to

knowingly hire or employ someone here illegally. We set penalties to deter the hiring of people here illegally. We wrote in the bill that “one essential element of immigration control is an increase in the border patrol and other inspection and enforcement activities of the Immigration and Naturalization Service in order to prevent and deter the illegal entry of aliens into the United States and the violation of the terms of their entry.”

So let me again repeat one of the principles the Gang of 8 included in their framework enunciated last week: “We will ensure that this is a successful permanent reform to our immigration system that will not need to be revisited.”

Unfortunately, the same principles from 1986 are being discussed today. Legalize now, enforce later. But it is clear that philosophy doesn't work. Proponents of amnesty today argue we didn't get it right in 1986. I agree the enforcement mechanism in 1986 could have been stronger. That is why they need to be strong this time around. But I am already concerned some will attempt to water down the principles that have been put forth on enforcement measures. President Obama doesn't seem to favor triggers.

The senior Senator from New York said just last week that border security wasn't going to stop legalization. In his words, he said:

We're not using border security as an excuse or block to the path of citizenship.

Advocacy groups are already talking about ensuring that a border security commission doesn't stand in the way or have veto authority over a legalization program.

One theme from 1986 is shining through today. Some say we need to legalize the millions of people who are already on U.S. soil. They say we need to bring them out of the shadows, know who is here, and give them a chance at U.S. citizenship. They imply that this would be a one-time deal because we would get it right this time—like we thought we got it right in 1986 but didn't.

In the 1980s Senator Simpson was convinced that what we did then would be a permanent solution to our immigration problems. He stated:

We are attempting to assure that this is a one-time only program. . . . The purpose of legalization is not to award or reward or include the largest number of persons available. It is to bring forward into a legal status those most deeply entrenched in a society they would be least likely to return home to when the job opportunities no longer are available.

Senator Simpson said that a one-time amnesty would prevent us from a continuing series of amnesties. He said:

The major reason for legalization is to eliminate an illegal sub-class within our society. This is the legislation that will eliminate this exploitable group. Some people like to say that they hope it will clean the slate;

that is what we are trying to do is clean the slate.

Well, those are good intentions by Senator Simpson, but, as I said, they obviously haven't worked. And it is an admonition to those who want to do it right, once and for all, to learn from the mistakes of 1986.

Senator Simpson also said:

The American people, in my mind, will never accept a legalization program unless they can be assured this is a one-shot deal and that this is it, this is a one-time occurrence. And the policymakers in this country are not going to allow it to happen again and will prevent the situation which gave rise to it.

Well, as smart as Senator Simpson is—and he is a smart person. I like to see him on television, particularly when he is talking about why the President didn't back the Simpson-Bowles Commission on budget reform and fiscal reform. But here is a person who worked 6 years to get it right so we would never have to visit it again, when we had 3 million people who had come here, illegally violating our laws—get it fixed once and for all and thought he did. But I think now he would admit—and I have to admit because I was on the subcommittee—we didn't get it right. I voted for that.

So now, as I am looking at a group of eight trying to say in the preamble of their working paper: We are going to fix this once and for all, well, you better check that it is not very easy to do that, and you better do it better than we did.

The INS Commissioner at the time in 1986, Alan Nelson, told the committee that the legalization program was "realistic and humane" and said further that "it is clear that this is meant to be a one-time proposal, and not intended to recur."

In 1986, the committee report said:

... the solution lies in legalizing the status of aliens who have been present in the United States for several years, recognizing that past failures to enforce the immigration laws have allowed them to enter and to settle here.

Also, according to the report, the committee "... strongly believes that a one-time legalization program is a necessary part of an effective enforcement program and that a generous program is an essential part of any immigration reform legislation."

In 1986 the Congress passed the Immigration Reform and Control Act. At the time, President Reagan hailed it as the most comprehensive reform of our immigration laws since 1952. He stated that the legislation was a major step toward meeting the challenge to our sovereignty while at the same time preserving and enhancing the Nation's heritage of legal immigration—a heritage of which we all ought to be proud.

What Congress, the public, and the President did not envision or did not want was another amnesty debate. The American people were told in 1986 that

this would be a one-time shot. The incentive to buy in to the argument was the promise of enforcement.

In 1985 Senator Simpson said:

If legalization should occur before more effective enforcement is available, the illegal population is only going to grow very swiftly again, and that will create pressures for additional legalization. And it will not be a one-time only legalization; it will be a continuing series.

Many believed that employer sanctions were the only way to curtail illegal immigration. One committee report stated that "unless employer sanctions are enacted, the Committee is concerned that the situation will continue to worsen."

In 1985 Senator Metzenbaum of Ohio said:

When push comes to shove, there is only one realistic way that you can stop illegal immigration into this country, and that is by making it illegal and being tough enough that illegal immigrants cannot work in this country.

Knowing what we know now, an immigration reform bill must include tough enforcement measures. We must stop flow at the border. We must expand and enhance legal avenues so that people are not coming here illegally. We must have a strong employment verification program.

Unfortunately, we aren't enforcing the laws we have on the books today. The American people don't trust that we will enforce these laws in the future. We provided amnesty overnight in 1986 and didn't fulfill the other parts of the equation. Border security, enforcement measures, and legal immigration reform need to be the first things on our agenda in 2013.

I chose to talk about this topic today because I believe we can learn from the past. We can learn from our mistakes. This isn't just about our history, it is about our future. Today, people in foreign lands want to be a part of this great Nation. We should feel privileged that people love our country and want to become Americans.

We must make sure the decisions we make with regard to our immigration policies follow our longstanding ideals. We want to welcome new Americans, but we need to live by the rules we have set. We cannot let our welcome mat be trampled on or our system of laws be undermined.

Let me end by echoing the words of President Reagan:

Distance does not discourage illegal immigration to the United States from all around the globe. The problem of illegal immigration should not, therefore, be seen as a problem between the United States and its neighbors. Our objective is only to establish a reasonable, fair, orderly, and secure system of immigration into this country and not to discriminate in any way against particular nations or people. Future generations of Americans will be thankful for our efforts to humanely regain control of our borders and thereby preserve the value of one of the most sacred possessions of our people: American citizenship.

My hope is that we will preserve the value of American citizenship, as President Reagan said. The path we take today will shape our country for years to come. It is my hope that we can find a solution while learning from our mistakes and ensuring that future generations don't have to revisit this problem down the road.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRAPO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VIOLENCE AGAINST WOMEN ACT

Mr. CRAPO. Mr. President, I appreciate the opportunity to be here today to highlight my support for a program that is improving life in Idaho and across the Nation—the Violence Against Women Act.

I appreciate joining my colleague Senator LEAHY, who will be here on the floor in a few minutes, to formally open debate on this legislation, and hopefully we will be able to get this over the finish line this year, as it is so critical to so many people in this country.

For nearly two decades, the Violence Against Women Act has been the centerpiece of our Nation's commitment to ending domestic violence and dating and sexual violence. The Idaho Coalition Against Sexual and Domestic Violence uses vital funds, among many other things, to promote the awareness of healthy relationships in middle and high schools in Idaho. It is heartening to hear that the number of Idaho high school students reporting that they have experienced dating violence has dropped by 5 percent from 2007 to 2011. However, I am sad to report that since just January 1 of this year, four deaths have occurred in my State from the result of domestic violence. And even one is too many. These tragic events serve as a reminder that while we are improving, we are far from ending this terrible abuse.

I am a lifelong champion of the prevention of domestic violence because I believe that while we are improving, we can and will do better. I stand behind this act as it provides critical services to victims of violent crime as well as agencies and organizations that provide important aid to those who are often victims in their own homes. This legislation provides access to legal and social services for survivors. It provides training for law enforcement, prosecutors, judges, attorneys, and advocates to address these crimes in our Nation's communities. It provides

intervention for those who have witnessed abuse and are more likely to be involved in this type of violence. It provides shelter and resources for victims who have nowhere else to turn.

There is significant evidence that these programs are working not just in Idaho but nationwide. The U.S. Department of Justice reported that the number of women killed by an intimate partner decreased by 35 percent between 1993 and 2008. In 2012 it was reported that in 1 day alone, 688 women and their children impacted by violence sought safety in an emergency shelter or received counseling, legal advocacy, or children's support.

While we may not agree on all of the specifics of this reauthorization—and there are portions we will continue to negotiate on and to refine—we all do agree on one very important idea; that is, violence should not happen to anyone. This critical legislation is very effective in helping to address that abuse in our society.

As I said, there are parts of this legislation about which there are still concerns. I am committed, as is Senator LEAHY, to working with those who have concerns to make the bill better and more workable so we can move it through to become law in this session of Congress. But after we debate and after we have worked and refined the legislation, I urge my colleagues to join me in supporting the authorization of this program and to continue the life-changing work this Chamber has been committed to for so many years.

I see my colleague Senator LEAHY is on the Senate floor. I started a little before he got here. I know he is here to open the debate on this legislation. I again thank him for his work on this issue and look forward to working with him in this Congress as we move forward.

Mr. LEAHY. I have enjoyed working with the senior Senator from Idaho. If he wants more time—

Mr. CRAPO. I have concluded my remarks. I yield my time.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 47, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to (S. 47) a bill to reauthorize the Violence Against Women Act of 1994.

The PRESIDING OFFICER. Under the previous order, the time until 5:30

p.m. will be equally divided and controlled in the usual form.

The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, I thank the senior Senator from Idaho for his comments. He has been not only a stalwart supporter, he actually has been essential in the drafting of this legislation. We all share this concern of finding ways to stop violence against women. I realize different parts of the country have different problems, different stresses. I am pleased to have a western view to go with this eastern view. But also, I think, it is a case of the best legislation in this body, legislation supported by both Democrats and Republicans. When we come together as Senators, things get done.

That is one of the reasons we are turning to this bill, S. 47, the Leahy-Crapo Violence Against Women Reauthorization Act, as one of our first bills. It has bipartisan support. I thank Majority Leader REID for making this unfinished business a priority for the Senate.

Congressional enactment of our strong bipartisan bill to help all victims of domestic and sexual violence is long overdue. Our bill has more than 60 bipartisan Senate cosponsors. I think this week we can finally finish what we started last year by passing the bill in the Senate, sending it to the other body, and having them take it up. I know I am deeply indebted—we all are—to the women and men around the country who have been working with us. They have been steadfast in their commitment to the victims and to our efforts to combat domestic violence, dating violence, stalking, and sexual assault.

There is a pressing need to update the Violence Against Women Act. The Centers for Disease Control and Prevention's 2010 National Intimate Partner and Sexual Violence Survey found that one in four women has been the victim of severe physical domestic violence. One in five women has been raped in her lifetime. More than half of the homicides in my State of Vermont are related to domestic violence.

Let me emphasize that just a bit. Vermont has one of the lowest crime rates in the country. But when I look at the source of the crime, more than half of the homicides are related to domestic violence. Those percentages are very high in almost every State. That is simply unacceptable. While the Judiciary Committee has been preparing to consider legislation on the subject of gun violence at the end of this month, we can act now, without delay, in the Senate to strengthen the protections of the Violence Against Women Act.

All of the provisions in our bill passed the Senate last year. In fact, 9 months ago the Senate passed the Leahy-Crapo Violence Against Women Reauthorization Act with 68 votes. The

Senate often has a hard time coming together with 51 votes, but here we had 68 votes from Members of both parties, across the political spectrum.

Last December we worked out with Senator CORNYN and Senator GRASSLEY additional provisions to amend the Debbie Smith Act, which we passed, to reduce the backlog of untested rape kits in order to provide for additional audits and reporting, and increase the capacity of State and local law enforcement to perform DNA analysis. Those provisions are now incorporated into this VAWA bill.

I hope those few Senators who opposed the bill last year will now join with us to enact VAWA reauthorization. I think we should act quickly and decisively to pass this bill, and send it to the House. I know if it reaches the President's desk, from what he has told me, he will sign it without delay.

Our bill will support the use of techniques proven to identify high-risk cases and prevent domestic violence homicides. It is going to increase VAWA'S focus on sexual assault and push colleges to strengthen their efforts to protect students from domestic and sexual violence. It will allow us to make real progress in addressing the horrifying epidemic of domestic violence in tribal communities. A recent study found almost three in five native women had been assaulted by their spouses or intimate partners.

Our bill will allow services to get to those in the LGBT community who have had trouble accessing services in the past. The Centers for Disease Control and Prevention released a few weeks ago that found the rates of domestic and sexual violence in these communities are equal to or greater than those of the general population. We also have key improvements for immigrant victims of domestic and sexual violence.

I did note when we reintroduced this bill at the outset of this year that we will be pressing the increase of U Visas for those victims who assist law enforcement in the context of comprehensive immigration reform. Last year, the House of Representatives refused to consider the Senate-passed bill because the U Visa provision, while fully offset, was seen technically to affect revenues. We removed it from the bill this year. I don't want this bill to be slowed up because of a technical excuse.

When somebody is being abused, they don't need to hear about technicalities. They want us to stop it, and they want us to expedite action on this bill. I remain strongly committed to the U Visa increase. As I said, I will try to include it in the immigration legislation we will be considering in the next couple of months. The reason I will do that, of course, is it will benefit law enforcement and victims, and we should enact it.

I have said so many times on the floor of the Senate that I remember my days as a prosecutor in Vermont—let me state it this way: I remember going to crime scenes at 2 and 3 o'clock in the morning. I remember seeing people being taken out in an ambulance, barely alive, battered to within an inch of their life. But I especially remember those who did not even get that far, lying on the floor, up against a wall, waiting for the medical examiner to come and pronounce the person dead and allow the police to collect evidence and move them.

During that time no police officer ever said: Is this victim gay or straight? Is this victim an immigrant or Native American? They said, as I have said so many times on the floor: A victim is a victim is a victim. How do we stop this from happening to somebody else? How do we catch the person who did this?

Law enforcement wants tools for after the fact. But even more, they want what we have in here: something to stop the abuse from happening in the first place. Every day we do not pass legislation to prevent this violence and assist victims, people are suffering.

I hope all Senators—Democrats, Republicans, Independents—will join us. I have spoken of Senator CRAPO's longstanding commitment to victims. But, also, I have spoken often of the support of Senators MIKULSKI and MURKOWSKI and MURRAY and KLOBUCHAR and COONS and COLLINS and SHAHEEN and FRANKEN and HAGAN and CASEY and so many others who have joined to help to shape this legislation and work to pass it. I also appreciate the support and assistance of the National Task Force to End Sexual and Domestic Violence Against Women and its many member organizations whose insight has been so critical.

I thank the Vermont Network Against Domestic and Sexual Violence. I am so proud of them. They have done great work helping victims in Vermont with support from the VAWA programs. They have been a leader in developing and supporting this legislation.

I ask unanimous consent to have printed in the RECORD at the conclusion of my statement a letter organized by the National Task Force and signed by more than 1,300 local, tribal, and national organizations supporting this important bill.

The PRESIDING OFFICER. Without objection, it is so ordered.
(See exhibit 1.)

Mr. LEAHY. Since we first passed the Violence Against Women Act nearly two decades ago, States have strengthened criminal rape statutes, and every State has made stalking a crime. The annual incidence of domestic violence has dropped more than 50 percent. We have something here that has been a

success. We have helped to provide victims with critical services, such as housing and legal protection.

We have to remember, these are not just statistics. These are thousands of lives made immeasurably better. I might say because of this work these thousands of lives are still lives; they are not statistics of people murdered. All the provisions in our bill were developed with the help of victims and those who assist them every day. They are commonsense measures. They will help real people. Every prosecutor, every support group—all will tell you it is past time for Congress to enact this bill to provide help for victims of domestic violence and rape.

We can make these concrete, important changes in the law. We can do it this week. I have been involved in this for years, and I have seen the results of what we have done. I have seen the lives that have been made immeasurably better because of what we have done. I have seen the lives that have been saved because of what we have done. There is no excuse to delay further.

EXHIBIT 1

NATIONAL TASK FORCE TO END SEXUAL AND DOMESTIC VIOLENCE AGAINST WOMEN,

February 4, 2013.

SENATOR,
U.S. Senate,
Washington, DC.

DEAR SENATOR: We, the undersigned local, tribal, and national organizations, represent and support millions of victims of domestic violence, dating violence, sexual assault and stalking throughout the United States, American Indian Tribes and territories. On behalf of the victims we represent, the professionals who serve them and the communities that sustain them, we ask that you support the Violence Against Women Act's (VAWA) reauthorization by co-sponsoring and voting for S. 47. As you know, VAWA is slated to come to the Senate floor as early as next week and we are asking you to take a leadership role in ensuring that this landmark bi-partisan bill will continue its important work.

VAWA's programs support state, tribal and local efforts to address the pervasive and insidious crimes of domestic violence, dating violence, sexual assault and stalking. These programs have made great progress towards reducing the violence, helping victims to be healthy and feel safe and holding perpetrators accountable. This critical legislation must be reauthorized to ensure a continued response to these crimes.

Since its original passage in 1994, VAWA has dramatically enhanced our nation's response to violence against girls and women, boys and men. More victims report domestic violence to the police and the rate of non-fatal intimate partner violence against women has decreased by 64%. The sexual assault services program in VAWA helps rape crisis centers keep their doors open to provide the frontline response to victims of rape. VAWA provides for a coordinated community approach, improving collaboration between law enforcement and victim services providers to better meet the needs of victims. These comprehensive and cost-effective programs not only save lives, they also save

money. In fact, VAWA saved nearly \$12.6 billion in net averted social costs in just its first six years.

VAWA has unquestionably improved the national response to these terrible crimes. Nonetheless, much work remains to be done to address unmet needs and enhance access to protections and services for all victims. We urge you to sponsor and vote for S. 47 in order to build upon VAWA's successes and continue to enhance our nation's ability to promote an end to this violence, to hold perpetrators accountable and to keep victims and their families safe from future harm. Thank you.

Sincerely,

* * *

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I urge my colleagues, as I will do, to support the motion to proceed to the Violence Against Women Act. I expect that many of my Republican colleagues will also vote to proceed to the bill.

There has long been bipartisan support for the Violence Against Women Act. Too many women are victims of domestic violence, sexual assault, stalking, and dating violence. Federal support for services to these women, and sometimes even men, has been beneficial to our country.

There is overwhelming bipartisan support for 98 percent of what is contained in S. 47, so I favor proceeding to the bill and offering limited amendments. We can then have a Senate vote, allow the other body to work its will, resolve any differences between the bills, pass a compromised reauthorization bill through both Houses, and get it to the President.

The process on the Violence Against Women Act in the last Congress was very disappointing. Previously the Violence Against Women Act was reauthorized unanimously. Something similar could have happened again last year, but it didn't. New provisions were brought forth into the bill. Some of the provisions were very controversial. Some provisions even raised serious constitutional concerns, but those on the other side insisted on these provisions without any change and refused to compromise. It appeared that the debate was more about blame and politics than it was about providing help to women in need.

In the last Congress, both the Republican leader and this Senator offered that the Senate consent to striking a provision which violated the Constitution's origination clause, and then proceed to conference. The majority spurned those efforts on both occasions. Yet today S. 47 has removed the very provision which raised the blue-slip problem with the House of Representatives because, as we all know, under the Constitution all bills raising revenue must start in the House of Representatives. The majority did this only a few months after the majority refused to drop that very same provision and proceed to conference. So this

bill could have been to the President last year. The willingness of the majority today to eliminate that very unconstitutional provision demonstrates that we could have had a bill to the President last year. That ought to be a terrible disappointment not only to this Senator but to all the people in the Senate.

It is not true that unless S. 47 is passed exactly as is various groups will be excluded from protections under the law. Would anyone care to know why? Because the current law protects all victims.

Vice President BIDEN wrote the current law. Every Member of the Senate who was a Member of this body when the Violence Against Women Act was last reauthorized voted for that bill. Neither Vice President BIDEN nor any other Senator passed a discriminatory bill then. It is not the case that unless the controversial provisions are accepted exactly as the majority insists without any compromise whatsoever that any groups will be excluded.

The key stumbling block to enacting a bill at this time is the provision concerning Indian tribal courts. That provision raises serious constitutional questions concerning both the sovereignty of tribal courts and the constitutional rights of defendants who would be tried in those courts. We should focus on providing needed services to Native American women. S. 47 makes political statements and expounds on Native American sovereignty. It raises such significant constitutional problems that its passage might actually not accomplish anything at all for Native American women while failing to protect the constitutional rights of other American citizens.

Even the Congressional Research Service has raised constitutional questions with the tribal provisions in this very bill. Negotiations are continuing, and I am quite confident that if we can reach an agreement on these questions, compromises on the other few remaining issues can also be secured and would allow the bill to pass with overwhelming bipartisan support. If we are unable to reach agreement in the next couple of days, then I intend to offer a substitute that is much more likely to be accepted by the House and become law.

In the meantime, for this very day, all we are talking about is getting to this bill so we can discuss these issues. I will vote for the motion to proceed, and I ask my colleagues to do so as well.

I yield the floor, and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I ask for the yeas and nays on the motion to proceed.

The PRESIDING OFFICER. All time has expired.

Is there a sufficient second?

There appears to be a sufficient second. There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. ISAKSON), the Senator from Kansas (Mr. MORAN), the Senator from Alabama (Mr. SESSIONS), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER (Mr. DONNELLY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 85, nays 8, as follows:

[Rollcall Vote No. 12 Leg.]

YEAS—85

Alexander	Fischer	Menendez
Ayotte	Flake	Merkley
Baldwin	Franken	Mikulski
Barrasso	Gillibrand	Murkowski
Baucus	Graham	Murphy
Bennet	Grassley	Murray
Blumenthal	Hagan	Nelson
Blunt	Harkin	Portman
Boozman	Hatch	Pryor
Boxer	Heinrich	Reed
Brown	Heitkamp	Reid
Burr	Heller	Rockefeller
Cantwell	Hirono	Sanders
Cardin	Hoeven	Schatz
Carper	Inhofe	Schumer
Casey	Johnson (SD)	Shaheen
Chambliss	Johnson (WI)	Shelby
Coats	Kaine	Stabenow
Coburn	King	Tester
Cochran	Kirk	Thune
Collins	Klobuchar	Udall (CO)
Coons	Landrieu	Udall (NM)
Corker	Lautenberg	Warner
Cornyn	Leahy	Warren
Crapo	Levin	Whitehouse
Donnelly	Manchin	Wicker
Durbin	McCain	Wyden
Enzi	McCaskill	
Feinstein	McConnell	

NAYS—8

Cruz	Paul	Rubio
Johanns	Risch	Scott
Lee	Roberts	

NOT VOTING—6

Begich	Moran	Toomey
Isakson	Sessions	Vitter

The motion was agreed to.

VIOLENCE AGAINST WOMEN
REAUTHORIZATION ACT OF 2013

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 47) to reauthorize the Violence Against Women Act of 1994.

The PRESIDING OFFICER. The Senator from Louisiana.

MORNING BUSINESS

Ms. LANDRIEU. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING NEW ORLEANS

Ms. LANDRIEU. I know Senator HARKIN is on the floor with others to present several new pieces of legislation or to speak on items pending. I wanted to take a moment of personal privilege to say just a few words about the spectacular sporting event that took place in our country yesterday in the city of New Orleans. I want to, of course, congratulate the Baltimore Ravens, the Senators from Maryland, particularly Senator MIKULSKI and Senator CARDIN, and Governor O'Malley, who was there, of course, representing Maryland; the Senators from San Francisco and California, the 49ers, Senators FEINSTEIN and BOXER, former Speaker PELOSI was with us yesterday in New Orleans, and thousands of fans from all over the world and, of course, watching on television.

I wanted to make a note on this floor, not because it was just a sporting event, although it was one of the highest watched Super Bowls ever in the history of the game, but because of the role this Congress played and the administration in helping this great city and region and State rebound from what was a devastating body blow 7½ years ago with Hurricane Katrina and then Rita hit 3 weeks later and then the levees broke in over 52 places. The city went virtually underwater—at least two-thirds of the city.

To see, 7½ years later, the city rebound, the people of New Orleans and Louisiana are just foremost in my thoughts right now for their fighting spirit, their resiliency, their unwillingness to give up on this special place that will celebrate its 300th birthday in 2018. I want to say a special thank-you to Mayor Landrieu, John Young, president of Jefferson Parish, the leaders of St. Bernard and Plaquemines Parish. Those parishes were virtually destroyed, the lower part of Jefferson Parish. The whole region has come back. The world could see it for themselves yesterday—the civic leadership, the faith-based leadership. Again, a shout out to President Obama, his Cabinet and the Members on both sides of the aisle who stood by this region, the gulf coast, to rebuild after all these years.

In conclusion, it is my only hope that after passing the Sandy supplemental, we will stand united with the Northeast as they rebuild bigger, better,

stronger, hosting the next Super Bowl which is a real symbol of resurgence and rebuilding and resurrection.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

TWENTIETH ANNIVERSARY OF FMLA

Mr. HARKIN. Mr. President, this week is a milestone for working families across America. Twenty years ago this week, President Bill Clinton signed into law the Family and Medical Leave Act. There are many laws we pass in Washington that most Americans never have reason to know or care about. The FMLA, by contrast, has changed this country in profoundly important ways.

It has touched the lives of millions of working families. It is almost hard to imagine today, but 20 years ago before this landmark law, workers had to risk their jobs and livelihoods when family needs arose. There was no national policy for maternity leave or paternity leave. New mothers were sometimes compelled to return to work just days after giving birth or to quit jobs they would otherwise have liked to keep.

There was no law allowing someone to take leave from work to care for an aging, potentially dying parent or to care for a child with a serious illness. Families had to leave their loved ones in the hands of others or quit their jobs and face dire economic consequences. There was no policy to allow a seriously ill worker to return to work after recovering from cancer or other serious health condition. All these workers risked being fired, having no job to return to, and losing their health insurance as well.

Countless hard-working Americans were forced to make wrenching choices between their or their family's health and their economic well-being.

The passage of the Family and Medical Leave Act changed all that. It has helped new parents bond with their children during those first magical few weeks of life. It has helped to give workers struggling with a difficult diagnosis the time and security they need to recover. It has allowed loving family members to care for relatives with disabilities and elderly parents.

It has ensured that family members of our wounded warriors can be there to help their heroes recover. Just as important, it has helped countless businesses across the country retain good workers and maintain an experienced and dedicated workforce.

The FMLA has been an unqualified success. It has made a real difference in the lives of millions of hard-working Americans. In fact, the FMLA has been used more than 100 million times since its passage 20 years ago.

To be sure, the legislative path to the Family and Medical Leave Act was not

easy nor quick. In the Senate, Senator Chris Dodd was the tireless champion of the Family and Medical Leave Act. From the time of its first introduction in 1986 to its final passage in 1993, we would not have the Family and Medical Leave Act without Senator Chris Dodd. He held multiple subcommittee hearings across the country, hearing from dozens of witnesses. He led the bill through multiple committee markups and led the floor fight year after year. He worked to override two Presidential vetoes and shepherded it to its final passage in 1993, after which it became the first law signed by a new President, President Bill Clinton.

Senator Dodd found a partner in Senator Kit Bond from Missouri, whose strong interest in shoring up the American family led him to work with Senator Dodd on a bipartisan compromise proposal that would garner significant political support in both political parties. As Senator Bond said upon introducing the final version of the bill in 1993:

I believe the single most important step we can take to help all families in America is to try to reestablish individual and family responsibility. To do that, we as a society need to make family obligation something we encourage rather than discourage. That is why I believe we should enact the Family and Medical Leave Act.

Their bipartisan efforts have reaped huge rewards.

My office has heard from people around the country who have benefited from the Family and Medical Leave Act.

The Family and Medical Leave Act meant that Kimberly Jones of Wisconsin was able to help her developmentally challenged son, David, during a critical time. After years of struggling socially and in school, after a misdiagnosis that led to medications that made him worse, David finally received the correct diagnosis of Asperger's syndrome, which allowed him to get the right care and the appropriate treatment. The FMLA allowed Kim to take 12 weeks off from work so she could be with her son, David, to advocate for him, seek out professionals, learn how to help him, and support him through detoxification from his previous medications.

Thanks to the FMLA, Kim was able to get David situated and take the time to do what was best for him. Kim says parents shouldn't have to lose their jobs to do what is best for their children. She adds that children and families are in a better place because of the Family and Medical Leave Act.

Tonya Pinkston from Atlanta, GA, was diagnosed with lupus in 2009, but she was allowed only 3 sick days a year. As the sole earner in her household with her parents and daughter, she absolutely had to keep her job. Her boss suggested the Family and Medical Leave Act. Later, when her lupus flared, she was able to take leave for 4

weeks to allow her 1 week in the hospital and recuperation at home.

Without the Family and Medical Leave Act, Tonya would have been fired for missing so much time and she probably would have had to go on unemployment insurance. Tonya thanks God for the FMLA and feels fortunate that President Bill Clinton signed it and it was there when she needed it.

Right now at a Baltimore hospital, Michelle Marrocco is using FMLA leave to care for her son, Brendan, a wounded warrior injured while serving in the Army in Iraq in 2009. Brendan is the first surviving quadruple amputee and has already faced challenges few of us can imagine. In December, he underwent a double-arm transplant. It has been widely reported in the news media. Brendan will need years of rehabilitation and occupational therapy.

When Brendan was originally injured, Michelle's employer at the time voluntarily paid for 3 months of leave. Michelle's current employer adheres to the FMLA, allowing her up to 12 weeks of unpaid leave to care for Brendan following his transplants.

She expects to take 2 months of leave, followed by intermittent leave to be with her son once a week. Without the FMLA, Michelle would have had to quit her job. With the FMLA, she knows she doesn't have to worry about her job, which is a huge relief for her. The lack of income is a big concern, but it is something she and her husband will worry about later. Thanks to new regulations from the Department of Labor, Michelle will be able to take advantage of a new provision of the Family and Medical Leave Act, allowing up to 26 weeks of leave for the families of veterans injured in the line of duty.

The Family and Medical Leave Act is one of our Nation's most important laws. That is why I will introduce this week a resolution honoring the FMLA and the leaders who made the FMLA a reality.

There are so many. I mentioned those who were here in the Senate; there were those in the House who also helped shepherd this through. I would mention, of course, Connie Morella, a former Congresswoman who was so active in the bill.

I would mention also GEORGE MILLER, Congressman GEORGE MILLER, and Congresswoman ROSA DELAURA, who worked so hard to get this passed in the House. There were people on the outside, Judy Lichtman, in 1993, was the head of something called the Women's Legal Defense Fund. She and her colleague Donna Lenhoff played absolutely critical roles in getting the FMLA written, introduced, and across the finish line. I wanted to mention those heroes who worked so hard for this important bill.

There is still more work to do to ensure that families are fully able to

meet their family responsibilities as well as maintain economic security.

Today, workers are ineligible to take FMLA for a variety of reasons. Some workers do not have enough tenure with their current employer, even if they have been in the workforce for years.

The FMLA requires 1 year of service, but in today's economy, workers more frequently change jobs and, of course, family emergencies happen without warning. Other workers are not able to accumulate the required 1,250 hours of work with a single employer in the preceding year. With the growth in part-time work, both by choice and by necessity, more workers may be ineligible for FMLA even though they are long-term dedicated employees. Millions of people work in businesses with fewer than 50 employees, which means their employer is not covered by the FMLA and does not have to offer that kind of leave.

This also makes it harder for smaller businesses to recruit the best employees because they are not on a level playing field with larger companies that must provide leave and where workers have come to expect it.

Still other workers are excluded from the law because of the nature of their relationship with a loved one. Workers may only take FMLA to care for their minor child, parents or spouses. Under certain circumstances, parents may care for their adult child with a disability. This excludes siblings, grandchildren and grandparents, domestic partners of the same or opposite sex, in-laws, cousins, and everyone else.

That is why the Family and Medical Leave Inclusion Act sponsored by Senator DURBIN is so important. This bill will expand and modernize the definition of family to include many currently excluded relationships. Too many workers will otherwise have no one eligible to care for them in a time of need or the person they rely on most will not be recognized as their family for purposes of the FMLA. This is a commonsense change we can and must accomplish.

One of the most common and critical challenges faced by families is the loss of income while taking unpaid FMLA leave. This obliges parents to cut short maternity and paternity leave. It forces cancer patients to work as much as possible, rather than taking time to fully recuperate or, worse, to forgo leave altogether. Still others are financially devastated when they have no choice but to take unpaid leave.

We cannot allow family responsibilities to jeopardize families' economic security. A social insurance program to provide some wage replacement during family and medical leave would allow families to maintain their economic security while seeing to their families. Research shows this could be done on a universal basis with very small, shared

contributions by workers and their employers. Two States, New Jersey and California, have already implemented such paid leave systems, helping families in those States to be financially secure during family and medical leave.

Today is the day to honor the efforts of so many whose work led to the passage and signing of the Family and Medical Leave Act 20 years ago. This is a time to reflect on how transformative the Family and Medical Leave Act has been for our society. It is also time to look ahead to additional ways we can support families and allow them to stay strong, mutually supportive, and economically secure.

I look forward to future work to expand and strengthen the protections of the Family and Medical Leave Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I wish to thank my colleague Senator HARKIN for his leadership on the Family and Medical Leave Act, along with my predecessor Chris Dodd's very strong dedication to this cause and the historic difference he and Senator HARKIN have made on a truly transformative measure for the United States of America. The Family and Medical Leave Act has made a difference in so many lives and shaped so many futures for the better in our Nation. I will be honored to join his resolution and to support Senator DURBIN's Family and Medical Leave Inclusion Act and simply offer my thanks to him on behalf of Connecticut as well as the country for his leadership on this issue.

This measure is about human beings and the values that define us and make us great as a nation, the greatest Nation in the history of the world.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT

Mr. BLUMENTHAL. Mr. President, the measure we have approved today to move forward, the Violence Against Women Act, so far as it defines us, states our values and articulates the vision we see of our Nation as caring for people who are victims of domestic abuse and sexual assault. I am proud of my colleagues for approving this measure today to go forward by an overwhelming bipartisan vote, 85 to 8.

I hope this day will be followed by final passage here and then in the House of Representatives, avoiding the fate that befell it during the last session, when I similarly supported this measure to reauthorize and strengthen a bill that has served us well for 18 years. It served us well in addressing a problem that is as horrific and heinous as any that afflicts our society, domestic violence and sexual assault, shapes futures and transforms lives for the worse, unless they are followed by the service and law enforcement that

VAWA provides. VAWA is about the organizations that provide those services and need the support in Connecticut and around the country, organizations in Connecticut that provide services to 54,000 victims of domestic violence and sexual assault every year. In our State alone, \$4 million provides those critical services to men and women and children so they can survive and even thrive after domestic assault. We have made great strides on this problem, but there is great work still to be done. We cannot be complacent or overconfident. We cannot be self-satisfied. We must press ahead with VAWA, and that is why today's passage is so important—at least the passage of the motion to proceed.

Groups and organizations in Connecticut and across the nation report to me about critical staff shortages, resources they need to respond to the hundreds of thousands of women every year who face these problems, and the protection they provide to children as well as women who are victims of this crime.

I have been very privileged to join with Interval House in an effort called Men Against Domestic Violence. Men make a difference. They are potential role models, and we have tried to provide those role models to go into schools and provide education—a group of men who are educators, police, and other kinds of leaders in their communities, in business. We helped to start this effort through Interval House, our major domestic shelter in the State. This is only a small example of how these efforts can have a ripple effect through VAWA.

We need to not only renew our commitment to end domestic violence but also to update and strengthen and expand the Violence Against Women Act. I am pleased to join my colleague Senator PORTMAN in offering an amendment that strengthens services for children and youth victims of sex trafficking. Yes, sex trafficking and human trafficking continue to exist in this Nation. It is sometimes invisible, unknown, one of the most heinous crimes imaginable—modern-day slavery, unspeakable indenture of children. We need to do more to ensure that children in our communities who are victims of sex trafficking have access to the life-saving services that are available to other youth victims of domestic violence or sexual assault.

We can make sure agencies and organizations that provide these services access grant funding available for this purpose. Again, this goal ought to be bipartisan, and it is with Senator PORTMAN and myself on this amendment. I hope my colleagues will support it.

Vulnerable communities ought to receive the same kind of protection through VAWA even though they are now overlooked by existing law, and

those protections should be expanded. We have an obligation to ensure that all victims of domestic violence, regardless of their sexual orientation or gender identification, are covered by this law. So this legislation contains protection for gay, lesbian, bisexual, and transgender Americans. The LGBT community ought to know it is covered in the same way as every other part of our population, even though they face discrimination that prevents them from accessing those victim services now.

In fact, a recent survey found that 45 percent of LGBT victims were turned away when they sought help from a violence center. That is simply unacceptable. So this legislation will make sure they have access to these services and also make great improvements in the law enforcement tools available to Native American communities.

Our Nation's tribal communities are literally facing an epidemic of domestic violence and sexual assault. Nearly three out of five Native American women are assaulted by their spouses or intimate partners, and one-third of all Native American women will be raped during their lifetime. I know those statistics are hard to grasp. They seem incredible. Three out of five Native American women are assaulted by their spouses or intimate partners. One-third of all Native American women will be raped during their lifetime.

I wish they were wrong. I would be happy to be corrected. But those numbers tell a searing and unacceptable truth about our Nation. Tribal courts currently cannot prosecute domestic violence crimes against Native American women that are committed on tribal lands by a non-Native American. S. 47 closes that loophole so that all Native American women will have access to justice.

Finally, the 2000 reauthorization of VAWA contained landmark provisions to protect immigrant victims of domestic violence, and S. 47 significantly maintains and expands those provisions, sending a strong message that immigrant women deserve the full protection of the law, the full measure of American justice. It is the reason they have come to this country, the reason that millions of immigrants come to this country, the reason we are a nation of immigrants and strong because of the diversity and the talent they bring to this Nation. We must guarantee justice to immigrant women.

I am still frustrated and disappointed the last Congress did not approve VAWA; that this measure was stalled in the House of Representatives despite a similarly bipartisan vote in this body to approve it. I hope this year the vote in this body will be a prelude to bipartisan approaches on this measure and others where basic human values are at stake; that there will be no stalling

again; that this measure will proceed in the House on a similarly bipartisan basis.

An inclusive bipartisan VAWA should not be postponed. Time is not on the side of victims. They need these services. Law enforcement needs the support to make sure anyone committing domestic violence or sexual assault in this country is held responsible and accountable, and that we send that message to women and children throughout this country.

Mr. President, I yield the floor.

TOBACCO CONTROL ACCOMPLISHMENTS AND TOBACCO TAX PARITY ACT

Mr. DURBIN. Mr. President, last week I was joined by Senators LAUTENBERG and BLUMENTHAL to introduce the Tobacco Tax Parity Act, a bill aimed at closing loopholes in how tobacco products are taxed and reducing the incidence of tobacco use.

It wasn't that long ago when it was common to smoke in offices, airplanes, elevators or even here in congressional hearings. We have made progress since the landmark 1964 Surgeon General's Report showing the negative effects of smoking on health, but there are plenty of signs that the fight continues to protect future generations from suffering the terrible effects of tobacco.

According to a Surgeon General's Report issued in March 2012, tobacco use among youth is a "pediatric epidemic" and is the No. 1 cause of preventable and premature death in this country. Every year, tobacco products account for 443,000—or 1 out of 5—deaths. The report also found that every day, 1,000 young people become new regular smokers and, of these new smokers, one-third will eventually die from tobacco-related causes.

While our Nation pays the physical and financial burden of tobacco use through \$96 billion in annual medical costs and \$97 billion in lost productivity due to premature death, tobacco companies invent new ways to generate profits and entice young people to pick up this deadly habit.

In 2009, the Children's Health Insurance Program Reauthorization Act increased the Federal tax rate on cigarettes and set the tax rate for small cigars and roll-your-own cigarettes at the same level as cigarettes. Cigars, smokeless tobacco, pipe tobacco, and nicotine candies, however, remain at dramatically lower tax rates than cigarettes making them a cheap source of tobacco, particularly among young people. While cigarettes, roll-your-own, and little cigars are taxed about \$1 for a pack of 20 cigarettes, pipe tobacco is only taxed 11 cents for what adds up to 20 cigarettes, a pouch of chewing tobacco is only taxed 9 cents, and a 12-pack can of nicotine tablets or lozenges is taxed less than 1 cent. Not surpris-

ingly, as the tax for cigarettes has increased, cigarette sales dropped and the sales of undertaxed tobacco products went up.

This difference in tax rates doesn't make sense, and we are already seeing tobacco manufacturers abusing them by changing the labels on their products to avoid paying the higher tax. For instance, to avoid paying the higher tax on loose roll-your-own tobacco, some manufacturers simply change the label on that product to pipe tobacco. There are stores popping up across the country, including in Illinois, that allow people to buy undertaxed pipe tobacco or cigarette tobacco intentionally mislabeled as pipe tobacco and rent time on a cigarette making machine where customers can make 200 cigarettes in 8 minutes and not pay the \$10 Federal cigarette tax.

A report released by the Government Accountability Office last year found that the difference in tax rates creates opportunities for tax avoidance and encourages consumers to use products with a lower tax. For instance, the monthly sales of pipe tobacco in September 2011 increased by over 1,200 percent compared to January 2009, while the monthly sales for roll-your-own tobacco dropped 600 percent. Over \$1.4 billion in State and Federal revenue has already been lost due to manufacturers relabeling and selling roll-your-own tobacco as pipe tobacco.

The Tobacco Tax Equity Act will end the exploitation of these tax loopholes by taxing all tobacco products at the same level as cigarettes. Through this legislation roll-your-own tobacco and pipe tobacco would be taxed at the same level of \$1 for 20 cigarettes worth of tobacco. It would also raise the tax on a package of smokeless tobacco from 11 cents or less to \$1—the same as a packet of cigarettes. The same goes for cigars, which are currently taxed no more than 46 cents per a cigar. As new tobacco products come onto the market, this bill ensures that any product defined as a tobacco product by the FDA is taxed at a level equivalent with cigarettes.

According to an estimate by the Joint Committee on Taxation, closing these loopholes will generate \$3.6 billion over the next 10 years. But closing the loophole will not only generate much needed revenue and prevent manufacturers from gaming the system, it will protect children and teens from picking up this dangerous habit. I urge my colleagues to support this important legislation.

ADDITIONAL STATEMENTS

TAFT UNION HIGH SCHOOL

• Mrs. BOXER. Mr. President, today I ask my colleagues to join me in saluting and commending Ryan Heber, Kim

Fields and Mary Murphy, three educators who risked their lives to protect students in Taft, CA.

On Thursday, January 10—less than 4 weeks after the horrific massacre at Sandy Hook Elementary School—a student armed with a shotgun opened fire in a classroom at Taft Union High School and wounded two of his classmates. Today, one student remains hospitalized, recovering from his injuries.

This was a tragic attack, and it is terrifying to think that it could have been even worse had it not been for the brave, swift actions of Taft science teacher Ryan Heber and campus supervisors Kim Fields and Mary Murphy.

When the shooting started, Mr. Heber responded immediately. After ushering his other students out of harm's way, he began talking the shooter into ceasing his attack. Ms. Fields, who rushed to the classroom when she heard gunfire, joined Mr. Heber in persuading the attacker to put down his gun and surrender to police when they arrived on the scene. Meanwhile, Ms. Murphy stayed calm and made sure that students quickly and safely evacuated the classroom.

Like their teacher and supervisors, the students at Taft were also very brave. They stayed calm and followed school safety measures. I commend these young people and the first responders who swiftly responded to the call for help.

The students, faculty, and staff deserve our support in the days and years ahead, and they deserve our action to help curb gun violence and ensure safety at our schools in Taft and across the country.●

TRIBUTE TO AARON MANKIN

● Mr. BOOZMAN. Mr. President, having served on the Rogers School Board, I understand how important the Wall of Distinction is to the school district and the community. This honor highlights the accomplishments of a wide array of people who have proven their commitment to upholding and sharing the values of Rogers.

I can't think of a better person who fits this description than Aaron Mankin.

I have known the Mankin family for much of my life. I grew up with Aaron's dad. Aaron grew up with my three daughters. Our families have a long history together.

Aaron's love for his country led him to join the Marine Corps in 2003, where he served as a combat correspondent. In 2005 he deployed to Iraq, risking his life to protect the interests of his country. I had the opportunity to visit with him during a trip to Iraq. Just a few weeks later, his life changed forever. He suffered intense burns and major lung damage when the armored vehicle he was riding in ran over a land mine

in Northern Iraq. Aaron was sent to Brooke Army Medical Center in San Antonio and placed in the ICU. The damage to his lungs was so extensive that he was placed on a ventilator. He had third-degree burns on his arms and had to have his thumb and two-thirds of his index finger on his right hand amputated.

I have visited with Aaron on several occasions since his devastating injuries and heard him share his experiences. He is one of my heroes, and I am always moved personally regarding my own efforts after seeing how he has fought through his adversity.

Aaron has faced many challenges, but his contagious enthusiasm for life has opened many doors, and I am confident those opportunities will continue. Many programs have benefited Aaron along his path to recovery, and he has shown his appreciation by becoming a champion and spokesperson for UCLA's Operation Mend and the Intrepid Fallen Heroes Fund.

He has a long list of accomplishments and awards, including earning the Purple Heart and the Navy Achievement Medal with Combat Distinguishing Device for Valor. In addition, he was named as one of People Magazine's Heroes of the Year and a 2011 recipient of the Veterans Leadership Award presented by the Iraq and Afghanistan Veterans of America. The next year, Secretary of Defense Leon Panetta invited Aaron to discuss matters affecting wounded veterans.

He has taken his pain and suffering and turned it into a model of perseverance that is helping other soldiers and veterans heal from the pain of battle.

Aaron, we are proud of your visionary leadership and all of your accomplishments. You have always maintained an optimistic attitude and a determination that can be an example to us all. We are excited to see what your future holds, and we are proud to call you a son of Rogers, Arkansas. ●

REMEMBERING GORDON MANSFIELD

● Mr. KIRK. Mr. President, today I rise to honor the legacy of former VA Deputy Secretary Gordon Mansfield; a combat veteran, friend, and tireless advocate for our veterans. He passed away last week. Over the course of his distinguished career Gordon served his nation, its veterans, and those persevering through disabilities. He will be missed but his legacy remembered.

Like many in his generation, Gordon enlisted and served in Vietnam. During the Tet Offensive, while on his second combat tour, Gordon was wounded and sustained a spinal cord injury. He was awarded the Bronze Star, two Purple Hearts, the Combat Infantryman's Badge, and Presidential Unit Citation. While recovering from his injuries, Gordon earned his law degree, and upon

moving back to Florida, began practicing law. He served as a counsel in a legal aid program devoted to assisting his fellow veterans.

From 1981 to 1989, Gordon served as the executive director of the Paralyzed Veterans of America, advocating for disabled veterans' interests on a national level. His work at PVA was instrumental in standing up the U.S. Court of Appeals for Veterans Claims as well as shaping landmark disabilities advocacy legislation. In 1989, Gordon joined the Department of Housing and Urban Development, and served as President George H.W. Bush's Assistant Secretary for Fair Housing and Equal Opportunity. There he served as a strong advocate for accessible housing.

In 2001, Gordon once again answered the call to help veterans, joining Secretary Anthony Principi as the Assistant Secretary for Congressional and Legislative Affairs at the Department of Veterans Affairs. In 2004, he became the Deputy Secretary and Chief Operating Officer, and served as Acting Secretary in 2007. During his time at the VA, Gordon oversaw the implementation of the post-9/11 GI bill and many other major transformation initiatives.

I worked closely with Gordon to establish the Captain James A. Lovell Federal Health Care Center in North Chicago, the Nation's first fully integrated Department of Defense-VA medical center. Only a few years before, a Washington consulting company recommended the closure of the North Chicago VA. Instead, the idea behind the Lovell FHCC was born.

Working with Gordon was a privilege, and through his dedication to this effort, we succeeded. Today, over 100,000 veterans, military servicemembers, and their families have access to state-of-the-art health care at the Lovell FHCC.

It is for this, and his many other accomplishments, that we thank and honor Gordon Mansfield for his service to this Nation.●

RHODE ISLAND'S MARINE ECONOMY

● Mr. WHITEHOUSE. Mr. President, today I wish to pay tribute to one of my State's great traditions and to a wonderful man. The Herreshoff Marine Museum, founded in 1971, preserves today the history of one of our State's most important economic and design legacies, the Herreshoff boat building company of Bristol.

Early Rhode Island settlers took advantage of the State's location on the Narragansett Bay to foster one of Colonial America's most successful marine economies. Newport, RI, was the Colonies' fifth most prosperous commercial center, in part because of its port activity. Since that time, Rhode Islanders have sustained the State's maritime tradition, excelling in

boatbuilding, fishing, shipping, port operation, energy exploration, and marine biology.

The marine trades continue to play a pivotal economic development role in our State today; as many other sectors in Rhode Island struggle to rebound from the recent recession, our marine industry is actually expanding. The Rhode Island Marine Trade Association reports that this industry supports over 6,600 Rhode Island jobs, paying almost \$260 million in wages to Rhode Island workers—and almost 10 percent of private employers in the State are associated with the boating industry.

The Herreshoff family helped shape Rhode Island's maritime legacy. In 1878, John Brown Herreshoff and his brother Nathanael Greene Herreshoff more commonly known as "Captain Nat"—joined forces to form the Herreshoff Manufacturing Company in Bristol, RI. Known for innovative design, superior skills, and efficient manufacturing, the Herreshoff Manufacturing Company quickly became a national leader in the boatbuilding industry. The brothers developed a lighter, faster version of the steam generator boiler, which allowed steamboats to operate at a much higher speed than previously possible. Indeed, Herreshoff built the fastest boats on the water, both steam and sail. Between 1893 and 1920, five of Nathanael Greene Herreshoff's custom-designed racing sloops were chosen to sail in the prestigious America's Cup, and all five emerged as victors.

Notwithstanding these sea-going champions, the Herreshoffs' most acclaimed boat design is arguably the smaller S class. Nathanael Greene Herreshoff first designed the S boat in 1919, and the company built 95 boats before halting production in 1941. So well designed and built are they, that many S boats are still racing today.

It is no wonder the S boat has held up so well. The boat shows speed and agility under all conditions, and its engineering is considered one of the most groundbreaking undertakings in boatbuilding history. The S boat was particularly well suited for the coastal waters of Rhode Island: comfortable for easy day sailing; fast when racing hard. Its deep keel and hull shape made the boat steady in the strong ocean breeze that characterizes summer afternoons on Narragansett Bay, but on mild days its vast mainsail catches the lightest zephyr. The S boat boasted a keel with a high aspect ratio, and a high ballast-to-displacement ratio, allowing for a stiffer boat. Although these features were unusual for the 1900s, other boat designers quickly adopted them after the great success of the S boat became apparent. The S boat transom became a common sight for other sailors.

Ninety-five years after the first S boat splashed into Bristol Harbor at the Herreshoff boatyard, the fleet is ac-

tive and growing, with boats being restored to join the class. This success and growth is much thanks to fleet commodore Fred Roy. Fred brought bouyant enthusiasm and cheerfulness to the Narragansett Bay Herreshoff S Class Association, and the association and all who love our bay and its special sailing traditions join in appreciation of Fred Roy. Fred has brought the spirit of the S boat, rail down and surging forward, to this part of our ongoing history and maritime culture, and I take this opportunity to thank and salute him, and celebrate this tradition of Narragansett Bay.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS DECLARED IN EXECUTIVE ORDER 13396 ON FEBRUARY 7, 2006, WITH RESPECT TO THE SITUATION IN OR IN RELATION TO CÔTE D'IVOIRE—PM 1

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency, unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13396 of February 7, 2006, with respect to the situation in or in relation to Côte d'Ivoire is to continue in effect beyond February 7, 2013.

The situation in or in relation to Côte d'Ivoire, which has been addressed by the United Nations Security Council in Resolution 1572 of November 15, 2004,

and subsequent resolutions, has resulted in the massacre of large numbers of civilians, widespread human rights abuses, significant political violence and unrest, and fatal attacks against international peacekeeping forces. Since the inauguration of President Alassane Ouattara in May 2011, the Government of Côte d'Ivoire has made progress in advancing democratic freedoms and economic development. While the Government of Côte d'Ivoire and its people continue to make progress towards peace and prosperity, the situation in or in relation to Côte d'Ivoire continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency and related measures blocking the property of certain persons contributing to the conflict in Côte d'Ivoire.

BARACK OBAMA.
THE WHITE HOUSE, February 4, 2013.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2013, the Secretary of the Senate, on February 1, 2013, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. HARRIS) had signed the following enrolled bill:

H. R. 325. An act to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes.

Under the authority of the order of the Senate of January 3, 2013, the enrolled bill was signed on February 4, 2013, during the adjournment of the Senate, by the President pro tempore (Mr. LEAHY).

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 201. A bill to prohibit the sale, lease, transfer, retransfer, or delivery of F-16 aircraft, M1 tanks, or certain other defense articles or services to the Government of Egypt.

S. 204. A bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 209. A bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

EXECUTIVE AND OTHER
COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-264. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Certified Business Enterprise Expenditures of Public-Private Development Construction Projects for Fiscal Year 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-265. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-535, "Allen Chapel A.M.E. Senior Residential Rental Project Property Tax Exemption Clarification Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-266. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-536, "Hire Date Reporting Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-267. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-537, "Fiscal Year 2013 Budget Support Technical Clarification Temporary Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-268. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-538, "School-Based Enrichment Programs Temporary Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-269. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-539, "Office of the Chief Financial Officer Audit Report Transparency Temporary Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-270. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-546, "Health Benefits Plan Members Bill of Rights Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-271. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-547, "Uniform Real Property Transfer on Death Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-272. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-548, "General Obligation Bonds and Bond Anticipation Notes for Fiscal Years 2013-2018 Authorization Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-273. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-549, "Medicaid Fraud Enforcement and Recovery Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-274. A communication from the Chairman of the Council of the District of Colum-

bia, transmitting, pursuant to law, a report on D.C. Act 19-550, "Judicial Adjudication of Parentage Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-275. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-551, "District Department of Transportation Bicycle Sharing Fund Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-276. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-552, "Public Vehicle-for-Hire Educational Services Temporary Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-277. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-553, "Local Rent Supplement Program Voucher Temporary Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-278. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-554, "NoMA Residential Development Tax Abatement Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-279. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-555, "Closing of a Public Alley in Square N-515, S.O. 12-02073, Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-280. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-559, "District of Columbia Flag Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-281. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-560, "Water Quality Assurance Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-282. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-561, "District Department of Transportation Accessible Vehicles Fund Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-283. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-562, "Energy Innovation and Savings Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-284. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-563, "Alternative Service of Process Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-285. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-564, "Good Samaritan Overdose Prevention Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-286. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-565, "Department of Motor Vehicles Reciprocity Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-287. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-573, "Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Temporary Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-288. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-574, "Streetscape Reconstruction Second Temporary Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-289. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-575, "Phebbie Scott Way Designation Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-290. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-578, "911 Purity Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-291. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-579, "Senator Charles H. Percy Plaza Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-292. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-580, "Albert 'Butch' Hopkins Way Designation Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-293. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-588, "UDC Board Meeting Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

INTRODUCTION OF BILLS AND
JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 208. A bill to require the Federal Aviation Administration to prescribe regulations to reduce helicopter noise pollution in residential areas in Los Angeles County, California; to the Committee on Commerce, Science, and Transportation.

By Mr. PAUL (for himself, Mr. VITTER, Mr. CRUZ, Ms. AYOTTE, Mr. BARASSO, Mr. BEGICH, Mr. BOOZMAN, Mr. BURR, Mr. CHAMBLISS, Mr. COBURN, Mr. ENZI, Mr. GRASSLEY, Mr. HELLER, Mr. LEE, Mr. RISCH, Mr. ROBERTS, Mr. RUBIO, Mr. CORNYN, and Mr. TOOMEY):

S. 209. A bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes; read the first time.

By Mr. HELLER (for himself and Mr. TESTER):

S. 210. A bill to amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals; to the Committee on the Judiciary.

By Mr. HATCH (for himself and Mr. LEE):

S. 211. A bill to amend certain definitions contained in the Provo River Project Transfer Act for purposes of clarifying certain property descriptions, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. COCHRAN (for himself and Mr. WICKER):

S. 212. A bill to approve the transfer of Yellow Creek Port properties in Iuka, Mississippi; to the Committee on Environment and Public Works.

By Mr. HELLER:

S. 213. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services; to the Committee on Finance.

By Mrs. KLOBUCHAR (for herself, Mr. GRASSLEY, Mr. DURBIN, Mr. FRANKEN, and Mr. JOHNSON of South Dakota):

S. 214. A bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market; to the Committee on the Judiciary.

By Mr. CORKER (for himself and Mr. VITTER):

S. 215. A bill to ensure that the Federal Reserve conducts its policies to ensure long-term price stability and a low rate of inflation; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LAUTENBERG (for himself, Mrs. MURRAY, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. MENENDEZ, and Mr. WYDEN):

S. 216. A bill to prevent harassment at institutions of higher education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY (for herself, Mrs. BOXER, Mr. CARDIN, Mr. BEGICH, and Mr. WYDEN):

S. 217. A bill to amend the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to collect information from coeducational elementary schools and secondary schools on such schools' athletic programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEVIN (for himself, Mr. ISAKSON, Mr. BLUMENTHAL, Mr. CHAMBLISS, Ms. LANDRIEU, Mr. PORTMAN, Ms. STABENOW, Mr. JOHNSON of Wisconsin, Mr. BLUNT, Mr. COONS, Mr. ROBERTS, Mr. WARNER, Mr. BROWN, Mr. HATCH, Mr. FRANKEN, Mr. GRAHAM, Mr. MERKLEY, Ms. KLOBUCHAR, Mr. SCHUMER, Mr. COBURN, Mr. CASEY, Mr. WYDEN, Mr. KIRK, Mr. CORNYN, Mrs. GILLIBRAND, Mr. BEGICH, Mr. CARDIN, Ms. COLLINS, and Mrs. BOXER):

S. 218. A bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance; to the Committee on Environment and Public Works.

By Mr. CASEY:

S. 219. A bill to establish the Susquehanna Gateway National Heritage Area in the State of Pennsylvania, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. NELSON (for himself, Mrs. FEINSTEIN, and Mrs. BOXER):

S. 220. A bill to create a Citrus Disease Research and Developing Trust Fund to support research on diseases impacting the citrus industry, and for other purposes; to the Committee on Finance.

By Ms. AYOTTE:

S. 221. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to permit eligible fishermen to approve certain limited access privilege programs, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. UDALL of New Mexico (for himself, Mr. HEINRICH, Mr. UDALL of Colorado, and Mr. BENNET):

S. 222. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects and acid mine remediation programs; to the Committee on Energy and Natural Resources.

By Ms. MIKULSKI (for herself and Mr. KIRK):

S. 223. A bill to amend section 217 of the Immigration and Nationality Act to modify the visa waiver program, and for other purposes; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 224. A bill to amend the Federal Water Pollution Control Act to establish a grant program to support the restoration of San Francisco Bay; to the Committee on Environment and Public Works.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 225. A bill to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. TESTER (for himself, Mr. BEGICH, Mrs. MCCASKILL, and Mr. BLUMENTHAL):

S. 226. A bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEAHY (for himself, Ms. MIKULSKI, Mr. GRAHAM, Mrs. SHAHEEN, Mr. CASEY, Mr. WHITEHOUSE, Mr. CARDIN, Ms. KLOBUCHAR, Mr. REED, Mr. LAUTENBERG, Mr. DURBIN, Mr. MURPHY, Mr. NELSON, Mrs. FEINSTEIN, Mrs. BOXER, Mr. MENENDEZ, Mr. SCHUMER, and Mr. PAUL):

S. 227. A bill to authorize the transfer of certain funds to improve security at United States embassies and other diplomatic facilities worldwide, and for other purposes; considered and passed.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 228. A bill to establish the Sacramento-San Joaquin Delta National Heritage Area; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 29

At the request of Mr. PORTMAN, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 29, a bill to amend title 31, United States Code, to provide for automatic continuing resolutions.

S. 43

At the request of Mr. PORTMAN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 43, a bill to require that any debt limit increase be balanced by equal spending cuts of the next decade.

S. 47

At the request of Mr. LEAHY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 47, a bill to reauthorize the Violence Against Women Act of 1994.

S. 56

At the request of Mrs. BOXER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 56, a bill to amend the Internal Revenue Code of 1986 to increase the credit for employers establishing workplace child care facilities, to increase the child care credit to encourage greater use of quality child care services, to provide incentives for students to earn child care-related degrees and to work in child care facilities, and to increase the exclusion for employer-provided dependent care assistance.

S. 82

At the request of Mr. PAUL, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 82, a bill to provide that any executive action infringing on the Second Amendment has no force or effect, and to prohibit the use of funds for certain purposes.

S. 84

At the request of Ms. MIKULSKI, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 84, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 109

At the request of Mr. VITTER, the names of the Senator from Alabama (Mr. SESSIONS) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 109, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects.

S. 113

At the request of Mr. DURBIN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 113, a bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes.

S. 114

At the request of Mr. DURBIN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 114, a bill to amend

title 11, United States Code, with respect to certain exceptions to discharge in bankruptcy.

S. 123

At the request of Mrs. GILLIBRAND, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 123, a bill to modernize voter registration, promote access to voting for individuals with disabilities, protect the ability of individuals to exercise the right to vote in elections for Federal office, and for other purposes.

S. 128

At the request of Mr. CASEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 128, a bill to amend the Higher Education Act of 1965 to improve education and prevention related to campus sexual violence, domestic violence, dating violence, and stalking.

S. 153

At the request of Mr. BEGICH, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 153, a bill to amend section 520J of the Public Health Service Act to authorize grants for mental health first aid training programs.

S. 157

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 157, a bill to provide for certain improvements to the Denali National Park and Preserve in the State of Alaska, and for other purposes.

S. 162

At the request of Mr. FRANKEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 162, a bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004.

S. 177

At the request of Mr. CRUZ, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 177, a bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 entirely.

S. 183

At the request of Mrs. McCASKILL, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 183, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 190

At the request of Mr. JOHANNIS, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 190, a bill to prohibit the use of Federal funds for certain activities of the National Labor Relation Board and the Consumer Financial Protection Bureau.

S. 192

At the request of Mr. BARRASSO, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 192, a bill to enhance the energy security of United States allies, and for other purposes.

S. 200

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 200, a bill to amend title 38, United States Code, to authorize the interment in national cemeteries under the control of the National Cemetery Administration of individuals who served in combat support of the Armed Forces in the Kingdom of Laos between February 28, 1961, and May 15, 1975, and for other purposes.

S. 204

At the request of Mr. PAUL, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 204, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 207

At the request of Mr. INHOFE, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 207, a bill to restrict the sale, lease, transfer, retransfer, or delivery of F-16 aircraft, M1 tanks, or certain other defense articles or services to the Government of Egypt.

S. RES. 24

At the request of Mr. CORNYN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. Res. 24, a resolution commemorating the 10-year anniversary of the loss of the Space Shuttle Columbia.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 208. A bill to require the Federal Aviation Administration to prescribe regulations to reduce helicopter noise pollution in residential areas in Los Angeles County, California; to the Committee on Commerce, Science, and Transportation.

Mrs. FEINSTEIN. Mr. President, I rise to introduce the Los Angeles Residential Helicopter Noise Relief Act of 2013.

This legislation, which I introduce with Senator BOXER, would require the Federal Aviation Administration to prescribe regulations for helicopter operations in the skies above Los Angeles in order to reduce helicopter noise pollution in residential areas.

In addition to addressing noise, the FAA's regulations would have to increase safety, minimize commercial aircraft delays, and exempt first responders and military aircraft from their limitations.

The bill also would direct the FAA to consult with local communities and local helicopter operators when developing the regulations.

This legislation is necessary because today the citizens of Los Angeles County suffer intrusive and disruptive low-flying helicopter traffic above their neighborhoods to an unprecedented degree.

The unique terrain of Los Angeles, with its many canyons and valleys, often concentrates the high decibel level noise from low-flying helicopters on many of the millions of homes in the county.

The noise interrupts daily life for Los Angeles County's residents, drowning out conversations and disrupting sleep cycles.

Despite multiple efforts from several community and homeowner organizations in Los Angeles County to address these disturbances over many years, helicopter traffic in Los Angeles County is not currently regulated by the Federal Aviation Administration or any other agency.

As one expert recently explained to The Los Angeles Times, a helicopter pilot is free to hover over a person's home for as many hours as he would like. The only limitation on helicopter hovering, in fact, appears to be fuel supply.

Last year, at my request the Senate Appropriations Committee directed the Federal Aviation Administration to begin developing solutions to this matter.

In response, the Federal Aviation Administration formed an internal working group in July 2012 to solicit input from local communities and stakeholders on helicopter noise and safety issues in Los Angeles County.

As part of that process, FAA Regional Administrator Bill Withycombe hosted several public meetings in the summer and fall of 2012 that have allowed stakeholders and citizens to express their concerns and propose solutions.

The Federal Aviation Administration will release a report in May 2013 evaluating a full set of voluntary and regulatory options to reduce helicopter noise and address safety issues in Los Angeles County.

The study is a necessary first step in order to determine how helicopters can be regulated in Los Angeles County in a manner that provides relief to residents from helicopter noise and increase safety.

But the study is only a first step. It must be followed by meaningful and effective regulations to limit the impacts of these helicopters. I introduce this legislation in order to ensure that the FAA will follow through on the regulatory options it plans to evaluate in its May 2013 report.

This legislation directs the FAA to act in the interest of the millions of

Americans in Los Angeles County. I appreciate the steps the FAA has taken to date, but only regulations appear capable of addressing the quality of life impact caused by helicopters in Los Angeles.

Last August, thousands of people sat in the stands of the Hollywood Bowl for a night of Beethoven.

Nestled into the Hollywood Hills and with little sign of the Nation's second largest city that surrounds it, the Hollywood Bowl is a unique spot to take in a concert.

But just as violinist Renaud Capuçon stood for a solo, an unidentified helicopter flew overhead, drowning out the sound of his music.

It was an upsetting event for the audience, but it is far from unusual.

The people of Los Angeles have had too many wonderful outdoor concerts and other cultural events disrupted by helicopters that fly without restriction.

Choppers in L.A.'s sky have caused too many sleepless nights.

Paparazzi helicopters have too often flown dangerously low and close to homes in their constant pursuit of celebrity images.

The air space above Los Angeles is the exclusive jurisdiction of the Federal Aviation Administration, so to bring some sanity to the skies above L.A. requires Federal action, and Federal leadership.

This legislation directs the FAA to provide that leadership necessary to protect the public interest.

I encourage my colleagues to support it, and I look forward to working with my fellow members to enact this important legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 208

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Los Angeles Residential Helicopter Noise Relief Act of 2013".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Residents throughout Los Angeles County suffer intrusive and disruptive low-flying helicopter traffic above their neighborhoods. The unique terrain of canyons and valleys that surround residential neighborhoods in Los Angeles County often concentrate high decibel level noise from the low-flying helicopters in and around Los Angeles County residences. The concentrated noise interrupts daily life for many Los Angeles County residents by drowning out conversations and disrupting sleep cycles.

(2) Los Angeles County is home to a uniquely large concentration of scenic, historic, entertainment, and transportation venues, including sight-seeing, movie studios, movie star homes, outdoor entertain-

ment facilities, Griffith Park, the Hollywood Sign, freeways, and many others, that generate extensive helicopter activity.

(3) Los Angeles County is home to the world's leading civil helicopter manufacturer that conducts extensive helicopter operational testing across the region.

(4) Despite multiple efforts from several community and homeowner organizations in Los Angeles County to address these disturbances, helicopter traffic in Los Angeles County is not currently regulated by the Federal Aviation Administration or any other agency.

(5) At the request of members of Congress, the Federal Aviation Administration formed an internal working group in July 2012 to solicit input from local communities and stakeholders on helicopter noise and safety issues in Los Angeles County.

(6) As part of that process, several public meetings were held in the fall and summer of 2012 that have allowed the Federal Aviation Administration and stakeholders to hear and better understand the concerns and complaints of affected residents.

(7) The Federal Aviation Administration is scheduled to release a report in May 2013 evaluating a full set of voluntary and regulatory options to reduce helicopter noise and address safety issues in Los Angeles County.

(8) The report is expected to explore how helicopters can be regulated in Los Angeles County in a manner that provides relief to residents from helicopter noise while also meeting the needs of relevant stakeholders, including first responders.

SEC. 3. REGULATIONS TO REDUCE HELICOPTER NOISE POLLUTION IN CERTAIN RESIDENTIAL AREAS.

(a) RULEMAKING.—Not later than 1 year after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall prescribe regulations for helicopter operations in Los Angeles County, California, that include requirements relating to the flight paths and altitudes associated with such operations to reduce helicopter noise pollution in residential areas, increase safety, and minimize scheduled commercial aircraft delays.

(b) EXEMPTIONS.—In prescribing regulations under subsection (a), the Administrator shall exempt helicopter operations related to emergency, law enforcement, or military activities from the requirements described in that subsection.

(c) CONSULTATIONS.—In prescribing regulations under subsection (a), the Administrator shall make reasonable efforts to consult with local communities and local helicopter operators in order to develop regulations that meet the needs of local communities, helicopter operators, and the Federal Aviation Administration.

By Mr. CORKER (for himself and Mr. VITTER):

S. 215. A bill to ensure that the Federal Reserve conducts its policies to ensure long-term price stability and a low rate of inflation; to the Committee on Banking, Housing, and Urban Affairs.

Mr. CORKER. Mr. President, I am here today to introduce the Federal Reserve Mandate Act of 2013 in an effort to begin returning our country to the right place in monetary policy. Senator VITTER is joining me in this effort.

The objective of our bill is simple. Our Central Bank, like other Central

Banks around the world, should be focused on creating an environment of price stability. This should be the guiding principle of monetary policy decisions.

This is neither a radical nor a new idea. Most economists argue that the proper role of the Central Bank is to serve as a lender of last resort in a time of crisis, to supply payment distribution and clearing mechanisms, and to manage the money supply so that inflation stays in check. Managing unemployment is a completely separate task and not appropriate for the blunt tools of monetary policy. That is why almost every developed country's Central Bank has as its mandate the maintenance of price stability. In other words, we are an outlier.

This is not to say that a focus on price stability means the Fed is abandoning unemployment. In fact, just the opposite is true. Monetary policy can and should create an environment where jobs can grow and thrive by giving the economy certainty that prices will remain stable over the long term.

We have strayed a long way from traditional Central Bank actions. We have lost sight of the proper role of monetary policy in our economy. With roughly \$3 trillion in assets—and I think the Presiding Officer knows that by the end of this year it is projected we will have \$4 trillion in assets—sitting on the Fed's balance sheet, there is no question that the Fed is distorting financial markets with multiple rounds of quantitative easing. At a minimum, we have completely lost price signals from instruments such as treasuries and mortgage-backed securities. It is likely, however, we are doing more damage than just that. We may be creating asset bubbles elsewhere as money moves into investments that are risky.

We are also punishing savers. Purchasing assets to drive down rates forces pension funds and retirees to shift money into asset classes that may not be best for them. We are creating "Fed addicts" in our markets. Equity markets go through cycles where they become almost Fed obsessed. In these environments, good news is bad for equity markets because it means less QE buying. Meanwhile, bad economic news is good for markets because it means more easy money is on the way. Now we risk the perils of unwinding this policy.

Economists are beginning to discuss the likelihood that the Fed will take significant losses on assets it has purchased. We just had one of the Fed Governors in our office last week sharing with us that as we begin unwinding these balance sheets, it is very likely, as the Presiding Officer can imagine, as interest rates go up and the Fed begins to buy these securities, we are going to lose money on those assets. So

it is likely the Fed is going to take significant losses on the assets it purchased. Since the Fed is buying these bonds at record low yields, they will likely sell them down the road at higher yields. I don't think there is anybody right now who disagrees with that probability.

The effect of this is a permanent increase in monetary supplies. This is an incredibly perverse situation we have now locked ourselves into.

The employment mandate at the Fed has not always existed. A lot of people believe it has. It was added with the passage of the Humphrey-Hawkins Act in 1978. Humphrey-Hawkins was passed in a moment of self-congratulations, like a lot of things around here are passed. Congress patted itself on the back for "ending unemployment." Obviously, nothing could be further from the truth. The Fed cannot end unemployment by printing money.

The Central Bank should be tasked with maintaining price stability. We must return to this core principle. This is the reason we are offering this piece of legislation today.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 224. A bill to amend the Federal Water Pollution Control Act to establish a grant program to support the restoration of San Francisco Bay; to the Committee on Environment and Public Works.

Mrs. FEINSTEIN. Mr. President, I rise on behalf of myself and Senator BOXER to introduce legislation to further the restoration of the San Francisco Bay.

Over the last 150 years, the water quality and health of the San Francisco Bay Estuary have been diminished by pollution, invasive species, loss of wetland habitat and other factors. The degradation has not only impacted fish and wildlife, but has also reduced the estuary's ability to support important economic activities such as commercial and sport fishing, shipping, agriculture, recreation, and tourism.

Federal funding in recent years has begun the Bay's recovery process by investing in projects which improve water quality and restore critical habitat. These investments, \$28 million between 2008 and 2012 by the U.S. Environmental Protection Agency alone, were critical to spurring \$22 million in matching funds and leveraging \$81 million from other partners. But much work remains.

That is why I am pleased to introduce the San Francisco Bay Restoration Act with Senator BOXER, Chairwoman of the Senate Environment and Public Works Committee. Companion legislation will also be introduced in the U.S. House of Representatives by Congresswoman JACKIE SPEIER.

This bill was first introduced in the 112th Congress. The Senate Committee

on Environment and Public Works reported favorably on the bill and recommended its passage on January 26, 2012.

This bill recognizes the important restoration work that must be done to restore and protect the iconic San Francisco Bay by authorizing \$5 million a year for restoration work between 2013 and 2017, and prioritizing funding for projects that will protect and restore vital estuarine habitat for migratory waterfowl, shorebirds, and wildlife; improve and restore water quality and rearing habitat for fish; and in turn reinvigorate recreation, tourism, and agricultural activities in and around the bay.

I urge my colleagues to join me in their support for this measure.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 224

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "San Francisco Bay Restoration Act".

SEC. 2. SAN FRANCISCO BAY RESTORATION GRANT PROGRAM.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

"SEC. 123. SAN FRANCISCO BAY RESTORATION GRANT PROGRAM.

"(a) DEFINITIONS.—In this section:

"(1) ANNUAL PRIORITY LIST.—The term 'annual priority list' means the annual priority list compiled under subsection (b).

"(2) COMPREHENSIVE PLAN.—The term 'comprehensive plan' means—

"(A) the comprehensive conservation and management plan approved under section 320 for the San Francisco Bay estuary; and

"(B) any amendments to that plan.

"(3) ESTUARY PARTNERSHIP.—The term 'Estuary Partnership' means the San Francisco Estuary Partnership, the entity that is designated as the management conference under section 320.

"(b) ANNUAL PRIORITY LIST.—

"(1) IN GENERAL.—After providing public notice, the Administrator shall annually compile a priority list identifying and prioritizing the activities, projects, and studies intended to be funded with the amounts made available under subsection (c).

"(2) INCLUSIONS.—The annual priority list compiled under paragraph (1) shall include—

"(A) activities, projects, or studies, including restoration projects and habitat improvement for fish, waterfowl, and wildlife, that advance the goals and objectives of the approved comprehensive plan;

"(B) information on the activities, projects, programs, or studies specified under subparagraph (A), including a description of—

"(i) the identities of the financial assistance recipients; and

"(ii) the communities to be served; and

"(C) the criteria and methods established by the Administrator for selection of activities, projects, and studies.

"(3) CONSULTATION.—In developing the priority list under paragraph (1), the Administrator shall consult with and consider the recommendations of—

"(A) the Estuary Partnership;

"(B) the State of California and affected local governments in the San Francisco Bay estuary watershed; and

"(C) any other relevant stakeholder involved with the protection and restoration of the San Francisco Bay estuary that the Administrator determines to be appropriate.

"(c) GRANT PROGRAM.—

"(1) IN GENERAL.—Pursuant to section 320, the Administrator may provide funding through cooperative agreements, grants, or other means to State and local agencies, special districts, and public or nonprofit agencies, institutions, and organizations, including the Estuary Partnership, for activities, studies, or projects identified on the annual priority list.

"(2) MAXIMUM AMOUNT OF GRANTS; NON-FEDERAL SHARE.—

"(A) MAXIMUM AMOUNT OF GRANTS.—Amounts provided to any individual or entity under this section for a fiscal year shall not exceed an amount equal to 75 percent of the total cost of any eligible activities that are to be carried out using those amounts.

"(B) NON-FEDERAL SHARE.—The non-Federal share of the total cost of any eligible activities that are carried out using amounts provided under this section shall be—

"(i) not less than 25 percent; and

"(ii) provided from non-Federal sources.

"(d) FUNDING.—

"(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section \$5,000,000 for each of fiscal years 2013 through 2017.

"(2) ADMINISTRATIVE EXPENSES.—Of the amount made available to carry out this section for a fiscal year, the Administrator shall use not more than 5 percent to pay administrative expenses incurred in carrying out this section.

"(3) RELATIONSHIP TO OTHER FUNDING.—Nothing in this section limits the eligibility of the Estuary Partnership to receive funding under section 320(g).

"(4) PROHIBITION.—No amounts made available under subsection (c) may be used for the administration of a management conference under section 320."

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 225. A bill to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I rise today on behalf of myself and Senator BOXER to introduce the Buffalo Soldiers in the National Parks Study Act. This legislation is an important step in preserving the legacy of the Army's first all-black infantry and cavalry units and their unique role in the creation of our National Park system.

The Buffalo Soldiers served bravely in campaigns both at home and abroad before being stationed at the military Presidio in San Francisco and being given charge of patrolling the National Park system. Although first tasked with taming the frontier, these troops also took on the responsibility of preserving that wilderness for future generations. Each summer, Buffalo Soldier

regiments traveled roughly 320 miles from San Francisco to either Sequoia or Yosemite National Park, where they patrolled the parks for poachers and loggers, built trails, and escorted visitors. They were, in essence if not in name, the nation's first park rangers.

In a time of segregation and adversity, these soldiers served their country bravely and the National Parks they worked to establish are part of the legacy they leave behind. Unfortunately, this unique aspect of their history is neither widely recognized nor remembered. This legislation would address that by authorizing a study to determine the most appropriate way to memorialize the Buffalo Soldiers.

The study would evaluate the suitability and feasibility of establishing a national historic trail commemorating the route traveled by the Buffalo Soldiers from their post in the Presidio of San Francisco to Sequoia and Yosemite National Parks and to any other National Parks where they may have served.

The bill will identify properties associated with the Buffalo Soldiers that could be added to the National Register of Historic Places.

The bill will develop educational initiatives and a public awareness campaign about the contribution of African-American soldiers after the Civil War.

Although the experiences of the Buffalo Soldiers are an important piece of our national history, we are in danger of losing their legacy to the passage of time unless we take conscious steps to preserve the memory. This legislation works to ensure that the contributions of the Buffalo Soldiers will be remembered and shared by all.

Furthermore, as the centennial of the National Park Service in 2016 approaches, it is an especially appropriate time to conduct research and increase public awareness of the stewardship role the Buffalo Soldiers played in the early years of the National Parks.

I urge my colleagues to join me in their support for this measure.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 225

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Buffalo Soldiers in the National Parks Study Act".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) In the late 19th century and early 20th century, African-American troops who came to be known as the Buffalo Soldiers served in many critical roles in the western United States, including protecting some of the first National Parks.

(2) Based at the Presidio in San Francisco, Buffalo Soldiers were assigned to Sequoia and Yosemite National Parks where they patrolled the backcountry, built trails, stopped poaching, and otherwise served in the roles later assumed by National Park rangers.

(3) The public would benefit from having opportunities to learn more about the Buffalo Soldiers in the National Parks and their contributions to the management of National Parks and the legacy of African-Americans in the post-Civil War era.

(4) As the centennial of the National Park Service in 2016 approaches, it is an especially appropriate time to conduct research and increase public awareness of the stewardship role the Buffalo Soldiers played in the early years of the National Parks.

(b) PURPOSE.—The purpose of this Act is to authorize a study to determine the most effective ways to increase understanding and public awareness of the critical role that the Buffalo Soldiers played in the early years of the National Parks.

SEC. 3. STUDY.

(a) IN GENERAL.—The Secretary of the Interior shall conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks.

(b) CONTENTS OF STUDY.—The study shall include—

(1) a historical assessment, based on extensive research, of the Buffalo Soldiers who served in National Parks in the years prior to the establishment of the National Park Service;

(2) an evaluation of the suitability and feasibility of establishing a national historic trail commemorating the route traveled by the Buffalo Soldiers from their post in the Presidio of San Francisco to Sequoia and Yosemite National Parks and to any other National Parks where they may have served;

(3) the identification of properties that could meet criteria for listing in the National Register of Historic Places or criteria for designation as National Historic Landmarks;

(4) an evaluation of appropriate ways to enhance historical research, education, interpretation, and public awareness of the story of the Buffalo Soldiers' stewardship role in the National Parks, including ways to link the story to the development of National Parks and the story of African-American military service following the Civil War; and

(5) any other matters that the Secretary of the Interior deems appropriate for this study.

(c) REPORT.—Not later than 3 years after funds are made available for the study, the Secretary of the Interior shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report containing the study's findings and recommendations.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 228. A bill to establish the Sacramento-San Joaquin Delta National Heritage Area; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I rise on behalf of myself and Senator BOXER to introduce legislation to establish a National Heritage Area in the California Sacramento-San Joaquin Delta. This legislation will create the first Heritage Area in California.

This bill was first introduced in January 2011 during the 112th Congress and received a hearing in the Senate Committee on Energy and Natural Resources Subcommittee on National Parks. Since then, the Delta Protection Commission has completed a feasibility study, as required, and endorsed the legislation. Additionally, the National Park Service has confirmed that the study is consistent with the agency's interim National Heritage Area Feasibility Study Guidelines.

I was pleased to have had the opportunity to work with Senator BOXER, Representative JOHN GARAMENDI, and the County Supervisors from the five Delta Counties to develop this legislation and look forward to continuing to partner with them as well as local, State and Federal agencies to care for and improve the Delta.

This bill will establish the Sacramento-San Joaquin Delta as a National Heritage Area.

The Delta Protection Commission, created by California law and responsible to the citizens of the Delta and California, will manage the Heritage Area. It will ensure an open and public process, working with all levels of Federal, State, and local government, tribes, local stakeholders, and private property owners as it develops and implements the management plan for the Heritage Area. The goal is to conserve and protect the Delta, its communities, its resources, and its history.

It is also important to understand what this legislation will not do.

It will not affect water rights.

It will not affect water contracts.

It will not affect private property.

Nothing in this bill gives any governmental agency any more regulatory power than it already has, nor does it take away regulatory from agencies that have it.

In short, this bill does not affect water rights or water contracts, nor does it impose any additional responsibilities on local government or residents. Instead, it authorizes Federal assistance to a local process already required by State law that will elevate the Delta, providing a means to conserve and protect its valued communities, resources, and history.

The Sacramento-San Joaquin Delta is the largest estuary on the West Coast. It is the most extensive inland delta in the world, and a unique national treasure.

Today, it is a labyrinth of sloughs, wetlands, and deepwater channels that connect the waters of the high Sierra mountain streams to the Pacific Ocean through the San Francisco Bay. Its approximately 60 islands are protected by 1,100 miles of levees, and are home to 3,500,000 residents, including 2,500 family farmers. The Delta and its farmers produce some of the highest quality specialty crops in the United States.

The Delta offers recreational opportunities to the two million Californians

who visit the Delta each year for boating, fishing, hunting, visiting historic sites, and viewing wildlife. It provides habitat for more than 750 species of plants and wildlife. These include sand hill cranes that migrate to the Delta wetland from places as far away as Siberia. The Delta also provides habitat for 55 species of fish, including Chinook salmon—some as large as 60 pounds—that return each year to travel through the Delta to spawn in the tributaries.

These same waterways also channel fresh water to the Federal and State-owned pumps in the South Delta that provide water to 23 million Californians and three million acres of irrigated agricultural land elsewhere in the State.

Before the Delta was reclaimed for farmland in the 19th Century, the Delta flooded regularly with snow melt each spring, and provided the rich environment that, by 1492, supported the largest settlement of Native Americans in North America.

The Delta was the gateway to the gold fields in 1849, after which Chinese workers built hundreds of miles of levees throughout the waterways of the Delta to make its rich peat soils available for farming and to control flooding.

Japanese, Italians, German, Portuguese, Dutch, Greeks, South Asians and other immigrants began the farming legacy, and developed technologies specifically adapted to the unique environment, including the Caterpillar Tractor, which later contributed to agriculture and transportation internationally.

Delta communities created a river culture befitting their dependence on water transport, a culture which has attracted the attention of authors from Mark Twain and Jack London to Joan Didion.

The Delta is in crisis due to many factors, including invasive species, urban and agricultural run-off, wastewater discharges, channelization, dredging, water export operations, and other stressors.

Many of the islands of the Delta are between 10 and 20 feet below sea level, and the levee system is presently inadequate to provide reliable flood protection for historic communities, significant habitats, agricultural enterprises, water resources, transportation and other infrastructure.

Existing levees have not been engineered to withstand earthquakes. Should levees fail for any reason, a rush of seawater into the interior of the Delta could damage the already fragile ecosystem, contaminate drinking water for many Californians, flood agricultural land, inundate towns, and damage roads, power lines, and water project infrastructure.

The State of California has been working for decades on a resolution to the water supply and ecosystem crisis

in the State, and has a long history of partnerships with Federal agencies, working together to resolve challenges to the Delta's historic communities, ecosystem and the water it supplies so many Californians.

The Delta Protection Commission, established under State law, has been tasked by the California State Legislature with providing a forum for Delta residents to engage in decisions regarding actions to recognize and enhance the unique cultural, recreational, agricultural resources, infrastructure and legacy communities of the Delta and to serve as the facilitating agency for the implementation of a National Heritage Area in the Delta.

This legislation will complement the broadly supported State Water Legislation of 2009, which called for a Heritage designation for the Delta.

This legislation authorizes the creation of the Delta Heritage Area and Federal assistance to the Delta Protection Commission in implementing the Area. This legislation is just a small part of the commitment the Federal Government must make to the Delta. I look forward to continuing to work with my colleagues at every level of government to restore and sustain the ecosystem in the Delta, to provide for reliable water supply in the State of California, to recover the native species of the Delta, protect communities in the Delta from flood risk, ensure economic sustainability in the Delta, improve water quality in the Delta, and sustain the unique cultural, historical, recreational, agricultural and economic values of the Delta.

The National Heritage Area designation for the Sacramento-San Joaquin Delta will help local governments develop and implement a plan for a sustainable future by providing Federal recognition, technical assistance and small amounts of funding to a community-based process already underway.

Through the Delta Heritage Area, local communities and citizens will partner with Federal, State and local governments to collaboratively work to promote conservation, community revitalization, and economic development projects.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 228

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sacramento-San Joaquin Delta National Heritage Area Establishment Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) **HERITAGE AREA.**—The term "Heritage Area" means the Sacramento-San Joaquin Delta Heritage Area established by section 3(a).

(2) **HERITAGE AREA MANAGEMENT PLAN.**—The term "Heritage Area management plan" means the plan developed and adopted by the management entity under this Act.

(3) **MANAGEMENT ENTITY.**—The term "management entity" means the management entity for the Heritage Area designated by section 3(d).

(4) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

(5) **STATE.**—The term "State" means the State of California.

SEC. 3. SACRAMENTO-SAN JOAQUIN DELTA HERITAGE AREA.

(a) **ESTABLISHMENT.**—There is established the "Sacramento-San Joaquin Delta Heritage Area" in the State.

(b) **BOUNDARIES.**—The boundaries of the Heritage Area shall be in the counties of Contra Costa, Sacramento, San Joaquin, Solano, and Yolo in the State of California, as generally depicted on the map entitled "Sacramento-San Joaquin Delta National Heritage Area Proposed Boundary", numbered T27/105,030, and dated September 2010.

(c) **AVAILABILITY OF MAP.**—The map described in subsection (b) shall be on file and available for public inspection in the appropriate offices of the National Park Service and the Delta Protection Commission.

(d) **MANAGEMENT ENTITY.**—The management entity for the Heritage Area shall be the Delta Protection Commission established by section 29735 of the California Public Resources Code.

(e) **ADMINISTRATION.**—

(1) **AUTHORITIES.**—For purposes of carrying out the Heritage Area management plan, the Secretary, acting through the management entity, may use amounts made available under this Act to—

(A) make grants to the State or a political subdivision of the State, nonprofit organizations, and other persons;

(B) enter into cooperative agreements with, or provide technical assistance to, the State or a political subdivision of the State, nonprofit organizations, and other interested parties;

(C) hire and compensate staff, which shall include individuals with expertise in natural, cultural, and historical resources protection, and heritage programming;

(D) obtain money or services from any source including any that are provided under any other Federal law or program;

(E) contract for goods or services; and

(F) undertake to be a catalyst for any other activity that furthers the Heritage Area and is consistent with the approved Heritage Area management plan.

(2) **DUTIES.**—The management entity shall—

(A) in accordance with subsection (f), prepare and submit a Heritage Area management plan to the Secretary;

(B) assist units of local government, regional planning organizations, and nonprofit organizations in carrying out the approved Heritage Area management plan by—

(i) carrying out programs and projects that recognize, protect, and enhance important resource values in the Heritage Area;

(ii) establishing and maintaining interpretive exhibits and programs in the Heritage Area;

(iii) developing recreational and educational opportunities in the Heritage Area;

(iv) increasing public awareness of, and appreciation for, natural, historical, scenic, and cultural resources of the Heritage Area;

(v) protecting and restoring historic sites and buildings in the Heritage Area that are consistent with Heritage Area themes;

(vi) ensuring that clear, consistent, and appropriate signs identifying points of public access, and sites of interest are posted throughout the Heritage Area; and

(vii) promoting a wide range of partnerships among governments, organizations, and individuals to further the Heritage Area;

(C) consider the interests of diverse units of government, businesses, organizations, and individuals in the Heritage Area in the preparation and implementation of the Heritage Area management plan;

(D) conduct meetings open to the public at least semiannually regarding the development and implementation of the Heritage Area management plan;

(E) for any year that Federal funds have been received under this Act—

(i) submit an annual report to the Secretary that describes the activities, expenses, and income of the management entity (including grants to any other entities during the year that the report is made);

(ii) make available to the Secretary for audit all records relating to the expenditure of the funds and any matching funds;

(iii) require, with respect to all agreements authorizing expenditure of Federal funds by other organizations, that the organizations receiving the funds make available to the Secretary for audit all records concerning the expenditure of the funds; and

(F) encourage by appropriate means economic viability that is consistent with the Heritage Area.

(3) PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.—The management entity shall not use Federal funds made available under this Act to acquire real property or any interest in real property.

(4) COST-SHARING REQUIREMENT.—The Federal share of the cost of any activity carried out using any assistance made available under this Act shall be 50 percent.

(f) HERITAGE AREA MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the management entity shall submit to the Secretary for approval a proposed Heritage Area management plan.

(2) REQUIREMENTS.—The Heritage Area management plan shall—

(A) incorporate an integrated and cooperative approach to agricultural resources and activities, flood protection facilities, and other public infrastructure;

(B) emphasize the importance of the resources described in subparagraph (A);

(C) take into consideration State and local plans;

(D) include—

(i) an inventory of—

(I) the resources located in the core area described in subsection (b); and

(II) any other property in the core area that—

(aa) is related to the themes of the Heritage Area; and

(bb) should be preserved, restored, managed, or maintained because of the significance of the property;

(ii) comprehensive policies, strategies and recommendations for conservation, funding, management, and development of the Heritage Area;

(iii) a description of actions that governments, private organizations, and individuals have agreed to take to protect the natural, historical and cultural resources of the Heritage Area;

(iv) a program of implementation for the Heritage Area management plan by the management entity that includes a description of—

(I) actions to facilitate ongoing collaboration among partners to promote plans for resource protection, restoration, and construction; and

(II) specific commitments for implementation that have been made by the management entity or any government, organization, or individual for the first 5 years of operation;

(v) the identification of sources of funding for carrying out the Heritage Area management plan;

(vi) analysis and recommendations for means by which local, State, and Federal programs, including the role of the National Park Service in the Heritage Area, may best be coordinated to carry out this Act; and

(vii) an interpretive plan for the Heritage Area; and

(E) recommend policies and strategies for resource management that consider and detail the application of appropriate land and water management techniques, including the development of intergovernmental and interagency cooperative agreements to protect the natural, historical, cultural, educational, scenic, and recreational resources of the Heritage Area.

(3) RESTRICTIONS.—The Heritage Area management plan submitted under this subsection shall—

(A) ensure participation by appropriate Federal, State, tribal, and local agencies, including the Delta Stewardship Council, special districts, natural and historical resource protection and agricultural organizations, educational institutions, businesses, recreational organizations, community residents, and private property owners; and

(B) not be approved until the Secretary has received certification from the Delta Protection Commission that the Delta Stewardship Council has reviewed the Heritage Area management plan for consistency with the plan adopted by the Delta Stewardship Council pursuant to State law.

(4) DEADLINE.—If a proposed Heritage Area management plan is not submitted to the Secretary by the date that is 3 years after the date of enactment of this Act, the management entity shall be ineligible to receive additional funding under this Act until the date that the Secretary receives and approves the Heritage Area management plan.

(5) APPROVAL OR DISAPPROVAL OF HERITAGE AREA MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 180 days after the date of receipt of the Heritage Area management plan under paragraph (1), the Secretary, in consultation with the State, shall approve or disapprove the Heritage Area management plan.

(B) CRITERIA FOR APPROVAL.—In determining whether to approve the Heritage Area management plan, the Secretary shall consider whether—

(i) the management entity is representative of the diverse interests of the Heritage Area, including governments, natural and historic resource protection organizations, educational institutions, businesses, and recreational organizations;

(ii) the management entity has afforded adequate opportunity, including public hearings, for public and governmental involvement in the preparation of the Heritage Area management plan; and

(iii) the resource protection and interpretation strategies contained in the Heritage Area management plan, if implemented, would adequately protect the natural, historical, and cultural resources of the Heritage Area.

(C) ACTION FOLLOWING DISAPPROVAL.—If the Secretary disapproves the Heritage Area

management plan under subparagraph (A), the Secretary shall—

(i) advise the management entity in writing of the reasons for the disapproval;

(ii) make recommendations for revisions to the Heritage Area management plan; and

(iii) not later than 180 days after the receipt of any proposed revision of the Heritage Area management plan from the management entity, approve or disapprove the proposed revision.

(D) AMENDMENTS.—

(i) IN GENERAL.—The Secretary shall approve or disapprove each amendment to the Heritage Area management plan that the Secretary determines make a substantial change to the Heritage Area management plan.

(ii) USE OF FUNDS.—The management entity shall not use Federal funds authorized by this Act to carry out any amendments to the Heritage Area management plan until the Secretary has approved the amendments.

(g) RELATIONSHIP TO OTHER FEDERAL AGENCIES.—

(1) IN GENERAL.—Nothing in this Act affects the authority of a Federal agency to provide technical or financial assistance under any other law.

(2) CONSULTATION AND COORDINATION.—The head of any Federal agency planning to conduct activities that may have an impact on the Heritage Area is encouraged to consult and coordinate the activities with the Secretary and the management entity to the maximum extent practicable.

(3) OTHER FEDERAL AGENCIES.—Nothing in this Act—

(A) modifies, alters, or amends any law or regulation authorizing a Federal agency to manage Federal land under the jurisdiction of the Federal agency;

(B) limits the discretion of a Federal land manager to implement an approved land use plan within the boundaries of the Heritage Area; or

(C) modifies, alters, or amends any authorized use of Federal land under the jurisdiction of a Federal agency.

(h) PRIVATE PROPERTY AND REGULATORY PROTECTIONS.—

(1) IN GENERAL.—Subject to paragraph (2), nothing in this Act—

(A) abridges the rights of any property owner (whether public or private), including the right to refrain from participating in any plan, project, program, or activity conducted within the Heritage Area;

(B) requires any property owner to permit public access (including access by Federal, State, or local agencies) to the property of the property owner, or to modify public access or use of property of the property owner under any other Federal, State, or local law;

(C) alters any duly adopted land use regulation, approved land use plan, or other regulatory authority of any Federal, State or local agency, or conveys any land use or other regulatory authority to the management entity;

(D) authorizes or implies the reservation or appropriation of water or water rights;

(E) diminishes the authority of the State to manage fish and wildlife, including the regulation of fishing and hunting within the Heritage Area; or

(F) creates any liability, or affects any liability under any other law, of any private property owner with respect to any person injured on the private property.

(2) OPT OUT.—An owner of private property within the Heritage Area may opt out of participating in any plan, project, program, or activity carried out within the Heritage

Area under this Act, if the property owner provides written notice to the management entity.

(i) **EVALUATION; REPORT.**—

(1) **IN GENERAL.**—Not later than 3 years before the date on which authority for Federal funding terminates for the Heritage Area, the Secretary shall—

(A) conduct an evaluation of the accomplishments of the Heritage Area; and

(B) prepare a report in accordance with paragraph (3).

(2) **EVALUATION.**—An evaluation conducted under paragraph (1)(A) shall—

(A) assess the progress of the management entity with respect to—

(i) accomplishing the purposes of this Act for the Heritage Area; and

(ii) achieving the goals and objectives of the approved Heritage Area management plan;

(B) analyze the Federal, State, local, and private investments in the Heritage Area to determine the leverage and impact of the investments; and

(C) review the management structure, partnership relationships, and funding of the Heritage Area for purposes of identifying the critical components for sustainability of the Heritage Area.

(3) **REPORT.**—

(A) **IN GENERAL.**—Based on the evaluation conducted under paragraph (1)(A), the Secretary shall prepare a report that includes recommendations for the future role of the National Park Service, if any, with respect to the Heritage Area.

(B) **REQUIRED ANALYSIS.**—If the report prepared under subparagraph (A) recommends that Federal funding for the Heritage Area be reauthorized, the report shall include an analysis of—

(i) ways in which Federal funding for the Heritage Area may be reduced or eliminated; and

(ii) the appropriate time period necessary to achieve the recommended reduction or elimination.

(C) **SUBMISSION TO CONGRESS.**—On completion of the report, the Secretary shall submit the report to—

(i) the Committee on Energy and Natural Resources of the Senate; and

(ii) the Committee on Natural Resources of the House of Representatives.

(j) **EFFECT OF DESIGNATION.**—Nothing in this Act—

(1) precludes the management entity from using Federal funds made available under other laws for the purposes for which those funds were authorized; or

(2) affects any water rights or contracts.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There is authorized to be appropriated to carry out this Act \$10,000,000, of which not more than \$1,000,000 may be made available for any fiscal year.

(b) **COST-SHARING REQUIREMENT.**—The Federal share of the total cost of any activity under this Act shall be determined by the Secretary, but shall be not more than 50 percent.

(c) **NON-FEDERAL SHARE.**—The non-Federal share of the total cost of any activity under this Act may be in the form of in-kind contributions of goods or services.

SEC. 5. TERMINATION OF AUTHORITY.

(a) **IN GENERAL.**—If a proposed Heritage Area management plan has not been submitted to the Secretary by the date that is 5 years after the date of enactment of this Act, the Heritage Area designation shall be rescinded.

(b) **FUNDING AUTHORITY.**—The authority of the Secretary to provide assistance under

this Act terminates on the date that is 15 years after the date of enactment of this Act.

NOTICES OF HEARINGS

**COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS**

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, February 7, 2013, at 10:00 a.m. in room 216 of the Hart Senate Office Building to conduct a hearing entitled “No Child Left Behind: Early Lessons from State Flexibility Waivers.”

For further information regarding this meeting, please contact Leanne Hotek of the committee staff on (202) 228-6685.

**COMMITTEE ON ENERGY AND NATURAL
RESOURCES**

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, February 12, 2013, at 10:00 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to explore opportunities and challenges associated with America’s natural gas resources.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC. 20510-6150, or by e-mail to lauren_goldschmidt@energy.senate.gov.

For further information, please contact Todd Wooten at (202) 224-4971 or Lauren Goldschmidt at (202) 224-5488.

**EMBASSY SECURITY FUNDS
TRANSFER ACT OF 2013**

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 227, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 227) to authorize the transfer of certain funds to improve security at United States embassies and other diplomatic facilities worldwide, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

S. 227

Mr. LEAHY. Today I am pleased the Senate will pass the bipartisan Embassy Security Funds Transfer Act of 2013. This commonsense legislation will enact a provision similar to one passed overwhelmingly by the Senate last December as part of the Sandy Supple-

mental but that was stripped out by House Republicans.

This bill simply provides authority to the State Department to transfer up to \$1.1 billion in overseas contingency operations funds appropriated in Fiscal Year 2012 for operations in Iraq, which are no longer needed due to reduced State operations there, to be used for increased security at U.S. embassies and other overseas posts identified in the Department’s security review after the terrorist attack in Benghazi.

Making such resources available for these purposes is one of the recommendations of the Accountability Review Board chaired by Ambassador Pickering and Admiral Mullen. The bill permits the transfer of funds between the diplomatic and consular programs and embassy security construction and maintenance accounts. Such transfers would otherwise be precluded due to percentage limitations.

To be clear, this legislation appropriates no additional funds. It costs the taxpayers no additional money. It has no scoring impact. It merely allows for the transfer of existing, appropriated funds for this critical purpose. There is nothing controversial about this bill.

We all want to do what we can to prevent another tragedy like what occurred in Benghazi. The State Department has done a review, and these funds will be used to expedite construction of Marine security guard posts at overseas facilities and for the construction of other secure embassies. While it is impossible to guarantee the safety of our diplomats and aid workers, many of whom risk their lives daily in dangerous places, we should protect them as best we can so they can carry out their duties as safely as possible.

As I mentioned, the Senate approved a similar provision last December, overwhelmingly, by voice vote. I thank Chairwoman MIKULSKI, Senator GRAHAM, and the other cosponsors for supporting this bill and for helping to expedite its consideration. I am confident that the chairwoman and ranking member of the House State and Foreign Operations Subcommittee share our view that this is an appropriate use of these funds. I hope the House will act quickly to send this bill to the President.

Mr. PAUL. Mr. President, as a cosponsor of this important legislation, I am pleased the Senate will pass this bill and once again provide for stronger security at our diplomatic facilities.

Numerous reports have documented the security failures that resulted in the tragic deaths of four Americans at the consulate in Benghazi. Both the Administrative Review Board and the report of the Senate Homeland Security Committee found that inexcusable failures of judgment led State Department decisionmakers to ignore the rising threat levels in Benghazi and the repeated requests for enhanced security at the site. Marine Security

Guards were not on site to protect our consulate in one of the most dangerous and unstable regions in the world. The failures of management that led to these decisions are reprehensible; the lapses in judgment indefensible. It is beyond my comprehension why the individuals whose poor decisionmaking directly resulted in the deaths of four Americans remain employed by the State Department, and compensated by the U.S. taxpayers.

One of the most troubling aspects of the Benghazi attack is the complete disregard that State Department leadership gave to the repeated requests for enhanced security from Ambassador Christopher Stevens. Should funding have been an issue, the State Department always has the option available to come to Congress for approval to transfer funds within accounts. In fact, this is what S. 227 accomplishes—it provides the State Department transfer authority to prioritize diplomatic security in our embassies around the world. It is a sad, but necessary postscript to this tragic event—and a step that, if taken earlier by the State Department, may have saved the lives lost in Benghazi.

It is my hope that the Senate takes into consideration my repeated calls for increased Marine security at our embassies in high threat areas of the world. In the two budgets I have authored during my Senate tenure, I not only called for increased funding for military protection, but also for reducing the presence of embassies in the most dangerous areas of the globe. The safety of our men and women in diplomatic service must be prioritized. This means placing more emphasis on involvement in security by the Defense Department, but it also means assessing whether our diplomacy in the most dangerous areas of the world is better done from afar.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the bill be read three times and passed, and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 227) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 228

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Embassy Security Funds Transfer Act of 2013”.

SEC. 2. TRANSFER OF CERTAIN FUNDS FOR IMPROVEMENT OF SECURITY AT UNITED STATES EMBASSIES AND OTHER DIPLOMATIC FACILITIES WORLDWIDE.

(a) TRANSFER AUTHORITY.—Funds appropriated by title VIII of the Department of State, Foreign Operations, and Related Programs Appropriations Act of 2012 (division I of Public Law 112-74; 125 Stat. 1265) under the headings “DIPLOMATIC AND CONSULAR PROGRAMS” and “EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE” may be transferred between such headings.

(b) AVAILABILITY.—

(1) IN GENERAL.—Any funds transferred to a heading under subsection (a) shall be merged with funds in the heading to which transferred, and shall, except as provided in paragraph (2), be available subject to the same terms and conditions as the funds with which merged.

(2) DURATION OF AVAILABILITY.—Any funds transferred under subsection (a) shall be available for the same period for which such funds were originally appropriated.

(c) NOTIFICATION PROCEDURES.—Any transfer of funds under subsection (a) shall be subject to the regular notification procedures of the Committees on Appropriations of the Senate and the House of Representatives.

MEASURE READ THE FIRST TIME—S. 209

Mr. BLUMENTHAL. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title for the first time.

The assistant legislative clerk read as follows:

A bill (S. 209) to require a full audit of the Board of Governors of the Federal Reserve System and the Federal Reserve banks by the Comptroller General of the United States, and for other purposes.

Mr. BLUMENTHAL. I now ask for a second reading, but in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read for the second time on the next legislative day.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 112-240, appoints the following as members of the Commission on Long-Term Care: Dr. Javaid Anwar of Nevada, Laphonza Butler of California, and Judith Feder of Virginia.

ORDERS FOR THURSDAY, FEBRUARY 7, 2013

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, February 7, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of S. 47, the Violence Against Women Act, with the time until noon equally divided and controlled between the two leaders or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BLUMENTHAL. Mr. President, at noon on Thursday, Senator-designate Cowan will be sworn in.

We hope to reach an agreement to complete action on the Violence Against Women Act on Thursday.

ADJOURNMENT UNTIL THURSDAY, FEBRUARY 7, 2013 AT 9:30 A.M.

Mr. BLUMENTHAL. Mr. President, if there is no further business to come before the Senate, I ask that it adjourn under the previous order.

There being no objection, the Senate, at 6:41 p.m., adjourned until Thursday, February 7, 2013, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

ERIC K. FANNING, OF THE DISTRICT OF COLUMBIA, TO BE UNDER SECRETARY OF THE AIR FORCE, VICE ERIN C. CONATON, RESIGNED.

UNITED STATES INTERNATIONAL TRADE COMMISSION

F. SCOTT KIEFF, OF ILLINOIS, TO BE A MEMBER OF THE UNITED STATES INTERNATIONAL TRADE COMMISSION FOR THE TERM EXPIRING JUNE 16, 2020, VICE DANIEL PEARSON, TERM EXPIRED.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

MICHAEL WAYNE HALL, OF KENTUCKY, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2017, VICE SHARON TUCKER, TERM EXPIRED.

DEPARTMENT OF EDUCATION

JANET LORRAINE LABRECK, OF MASSACHUSETTS, TO BE COMMISSIONER OF THE REHABILITATION SERVICES ADMINISTRATION, DEPARTMENT OF EDUCATION, VICE LYNNAE M. RUTTLEDGE, RESIGNED.

HOUSE OF REPRESENTATIVES—Monday, February 4, 2013

The House met at 2 p.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, we give You thanks for giving us another day.

We thank You that we are a Nation fashioned out of diverse peoples and cultures, brought forth on this continent in a way not unlike the ancient people of Israel. As out of a desert, You led our American ancestors to this promised land, where they declared their independence and constituted a new Nation founded upon unalienable rights given to us by You, our Creator.

Bless our Nation with wisdom, knowledge, and understanding, and bless the Members of this people's House. Renew in us the adoption by Your spirit, that we may affirm our freedoms, not only with the conviction in the way we understand others, but in ourselves by actions proven beyond words.

Bless us this day and every day. May all that is done here be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from North Carolina (Ms. FOXX) come forward and lead the House in the Pledge of Allegiance.

Ms. FOXX led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

TIME TO SUBMIT A CREDIBLE PLAN

(Ms. FOXX asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FOXX. Mr. Speaker, families budget, small businesses budget, cities budget, churches budget, schools budget, my state of North Carolina budgets, but Washington does not.

Instead, year after year, budgetless Washington spends every single cent of the money it takes from the American people and \$1 trillion more.

Not since 2009 has the Democrat Senate bothered to pass a budget, and not since 2010 has President Obama submitted his plan for a budget on time.

When you don't plan, it's easy to overcommit. And when a country overcommits year after year after year, it ends up \$16.4 trillion in debt.

That debt doesn't just rob our future; it hurts Americans looking for jobs today. While government spending ballooned, 8.5 million more people have given up looking for work since 2009.

Mr. Speaker, the unchecked spending has got to stop. It's time to get this government on a budget. It's time for the President to submit a credible plan.

SEQUESTRATION

(Mr. COURTNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COURTNEY. Yesterday, Defense Secretary Leon Panetta bluntly warned if sequester happens on March 1 it's going to badly damage the readiness of the United States of America. It will go right at readiness, right at maintenance, right at training.

The Navy has told us too it will cancel maintenance on 23 ships, reduce flying hours on deployed aircraft carriers by 55 percent, cancel submarine deployments, and reduce steaming days by 22 percent.

The Bipartisan Policy Center has warned us that 1 million jobs will be lost if sequester happens.

What is the response of the majority party? The Budget chair, Mr. RYAN, simply said, "Sequester is going to happen. We can't afford to lose those cuts."

For the sake of our economy, for the sake of our national defense, we have to do better than that. Congress must adopt the President's balanced plan and avoid the economic and military calamity, a calamity that can easily be avoided.

REPLACING PRESIDENT OBAMA'S SEQUESTER

(Mr. BOEHNER asked and was given permission to address the House for 1 minute.)

Mr. BOEHNER. Mr. Speaker, President Obama missed a great opportunity

today to help our economy. This was supposed to be the day that the President submitted his budget to the Congress, but it's not coming. It's going to be late. Some reports say that it could be as long as a month late. I think that's too bad. Our economy could use some Presidential leadership right now.

On Thursday, the President disbanded his jobs council after a grand total of four meetings in two years. Then, as Americans got to work on Friday, they learned that our economy still isn't creating enough jobs. The unemployment rate actually went up.

Now, if government spending does cause growth, as the President believes, we shouldn't be having these problems. And then maybe it wouldn't be so disappointing that his budget is late.

Well, we are having trouble, in large part because spending is the problem. It's what's chasing jobs overseas and causing much anxiety about our future.

One example of something the President's budget could have addressed is his sequester. A sequester is Washington-speak for automatic spending cuts. The President first proposed the sequester in 2011 and insisted that it be part of the debt limit agreement.

Now, twice the House has passed legislation to replace the President's sequester with commonsense reforms that would reduce spending and preserve and strengthen our safety net for future generations. We've spelled it all out. We've done our work because we're committed to getting spending under control, and we've long said there's a better way to cut spending.

Unfortunately, our Democratic colleagues in the Senate haven't taken action. They haven't acted on our plan to replace the President's sequester or haven't offered one of their own.

What we should do is replace the President's sequester with responsible reforms that will help balance the budget in 10 years. Our goal is to grow the economy, expand opportunity and prosperity, and ensure America maintains its leading role in the world with a strong national defense.

To do that we need to budget responsibly. We need a budget that reflects those priorities. But to replace the President's sequester, we need our Democratic colleagues to get serious about spending.

I wish I could give the American people more cause for optimism, but we see the President's budget is late and

the Senate hasn't passed a budget in nearly four years.

This week the House will act on a measure introduced by the gentleman from Georgia (Mr. PRICE) that requires the President to submit a balanced budget, because we know—and I think the American people agree—spending is the problem. And the sooner we solve our spending problem, the sooner we'll solve our jobs problem too.

□ 1410

THANK YOU, LIZARD'S THICKET

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, in 1977, Bob and Anna Williams moved back to Columbia, South Carolina, from Alabama and opened a restaurant. Due to their hard work, Lizard's Thicket is now one of South Carolina's finest restaurant chains, celebrating 35 years of service. This real country cooking operation has grown to serve over 12,000 patrons a day at 15 different locations. Not only do people across the Palmetto State choose to dine at Lizard's Thicket for the outstanding home-style cooking, they also return time after time for the exceptional customer service.

For the past few decades, my wife, Roxanne, and I have always cherished taking our children, grandchildren, and mother-in-law to this great restaurant where we enjoy completing the meal with a warm serving of peach cobbler.

I am extremely grateful for the Williams family, their three generations of service, and the jobs they have provided across the Midlands. I wish them future success and look forward to dining with them for another 35 years.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

IN MEMORY OF TED OGLE

(Mr. MESSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MESSER. Mr. Speaker, I rise today to honor the memory of one of my constituents and a dear friend, Ted Ogle.

Ted was a loving husband and father, a loyal friend, and a highly effective public leader with a great passion for his country, his State, and his community. Over the last decade, Ted's work touched the careers of Hoosier elected leaders all across our State.

On a personal note, I will be forever indebted to Ted Ogle. Ted was one of the first and most vocal supporters in my campaign for State representative 10 years ago and, as Sixth District chairman, played a central role in last year's campaign for U.S. Congress.

Ted loved his family, loved his country and State, loved his friends, and loved the Indiana Republican Party. His passing came way too soon. Ted Ogle will never be forgotten, and he will be forever missed.

I ask the entire Sixth District to keep Anne, their children Eric and Nadia, and the entire Ogle family in your thoughts and prayers in the coming weeks and months.

PASS PAYCHECK FAIRNESS ACT

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, last week on the fourth anniversary of the Lilly Ledbetter Fair Pay Act, I met with women leaders in my district to discuss the importance of ensuring women earn equal pay for equal work.

The women I met with told personal and powerful stories of how continued wage disparities have affected their families. In cities like Flint, Saginaw, and Bay City, women still only earn about 74 cents for every dollar that men do. That is unacceptable.

Mr. Speaker, the time is long overdue for women to be paid equal pay for equal work. Women make up half of our workforce, yet they are not paid the same as men for the same work. This means women have less money for groceries, for rent, for child care, and for the everyday needs of their families.

Mr. Speaker, that's why I have co-sponsored the Paycheck Fairness Act, which seeks to close disparities in pay. It's time to pass the Paycheck Fairness Act. Until women receive equal pay for equal work, we will not be the just society that we ought to be.

UNLEASHING ECONOMIC POTENTIAL OF HARDWORKING AMERICANS

(Mr. ROTHFUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHFUS. Mr. Speaker, last week we received troubling economic news. In January, unemployment went up and 169,000 people gave up looking for work. And the economy stopped growing and actually shrank.

I rise today in solidarity with those looking for work and a higher income to pay their bills, loans, and mortgages. Those seeking a better lot want to know: Where are the jobs?

Before we address any other issue grabbing headlines today, Congress and the President need to make a priority of unleashing the potential of hardworking Americans and creating the conditions for a healthy economy. We must balance our budget, reform the Tax Code, reduce excessive regulations, and expand energy production.

I call on my colleagues in this House to refocus their attention and to work to accomplish these goals so that the American people can get back to pursuing their dreams.

AMERICA HAS A SPENDING PROBLEM

(Mr. BENTIVOLIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BENTIVOLIO. Mr. Speaker, America has a spending problem. The numbers don't lie. With the national debt at \$16 trillion and climbing, each American's share is more than \$50,000. Things only stand to get worse. In fact, Federal spending is now projected to double to 40 percent of GDP in the next three decades. This out-of-control spending is a drag on our economy and a threat to our future.

The American people agree. Polls by Gallup, the Winston Group, and Politico last month indicate that Americans overwhelmingly support cutting government spending over raising taxes to address our debt. Despite the facts, President Obama and his fellow Democrats continue to deny we have a spending problem, pointing to more revenue as the answer to our debt crisis.

This Congress, House Republicans are committed to working together to find real spending cuts, meaningful reforms of the entitlement programs that are driving us deeper into debt, and a fairer, cleaner Tax Code. We are committed to saving our economy for future generations, and I hope the President and his fellow Democrats will join us.

RESIGNATION AS MEMBER OF COMMITTEE ON THE BUDGET

The SPEAKER pro tempore (Mr. STUTZMAN) laid before the House the following resignation as a member of the Committee on the Budget:

WASHINGTON, DC,
January 25, 2013.

Hon. JOHN BOEHNER,
Speaker of the House,
The Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: I am writing to inform you of my resignation, effective immediately, from the House Committee on the Budget. It is my intention that this is a leave of absence as I hope to serve on this Committee again in a future Congress. If you have any questions, please feel free to contact me directly, or your staff can contact my Deputy Chief of Staff, Ian Rayder.

Sincerely,
DEBBIE WASSERMAN SCHULTZ,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.
There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 17 minutes p.m.), the House stood in recess.

□ 1705

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SHIMKUS) at 5 o'clock and 5 minutes p.m.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Evans, one of his secretaries.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

CHILDREN'S HOSPITAL GME SUPPORT REAUTHORIZATION ACT OF 2013

Mr. PITTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 297) to amend the Public Health Service Act to reauthorize support for graduate medical education programs in children's hospitals.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 297

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Children's Hospital GME Support Reauthorization Act of 2013".

SEC. 2. PROGRAM OF PAYMENTS TO CHILDREN'S HOSPITALS THAT OPERATE GRADUATE MEDICAL EDUCATION PROGRAMS.

(a) IN GENERAL.—Section 340E of the Public Health Service Act (42 U.S.C. 256e) is amended—

(1) in subsection (a), by striking "through 2005 and each of fiscal years 2007 through 2011" and inserting "through 2005, each of fiscal years 2007 through 2011, and each of fiscal years 2013 through 2017";

(2) in subsection (f)(1)(A)(iv), by inserting "and each of fiscal years 2013 through 2017" after "2011"; and

(3) in subsection (f)(2)(D), by inserting "and each of fiscal years 2013 through 2017" after "2011".

(b) REPORT TO CONGRESS.—Section 340E(b)(3)(D) of the Public Health Service Act (42 U.S.C. 256e(b)(3)(D)) is amended by striking "Not later than the end of fiscal

year 2011" and inserting "Not later than the end of fiscal year 2016".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PITTS) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PITTS. Mr. Speaker, I ask that all Members may have 5 legislative days to revise and extend their remarks and insert extraneous material into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PITTS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Pennsylvanians are fortunate to have several excellent children's hospitals in the State. One of these hospitals is the Children's Hospital of Philadelphia, the country's first hospital to exclusively care for children, and they have remained one of the best for over 150 years.

In a recent survey, the hospital was rated number one in six separate pediatric specialties and ranked no lower than fourth in another four specialty categories.

Other children around the country aren't so fortunate to have access to excellent doctors. A study in the journal *Pediatrics* found that more than 8 million children have no pediatrician in their area. Many other sick children have to drive hundreds of miles to see a doctor who specializes in treating their condition.

Children aren't just miniature adults, and treating them isn't just a matter of working on a smaller scale and shrinking the equipment. A doctor who is experienced in treating adults may not be able to apply that same expertise to a child. Treating children is both a medical and an emotional challenge. Often, doctors have to correctly diagnose an illness in little patients who haven't even learned to speak. It takes a special person to go into pediatrics.

For a time in the 1990s, our Nation was facing an acute shortage of pediatricians. With much of government assistance to train doctors being funneled through the Medicare program, it was becoming significantly more expensive for a doctor to choose to be trained in pediatrics.

To help correct this imbalance, Congress created the Children's Hospital Graduate Medical Education program. This is a program that was created, and has been sustained, with bipartisan support.

Unfortunately, the program is facing elimination. President Obama's budget for the 2012 fiscal year called for elimination of the program, despite the positive results.

I support getting rid of programs that are duplicative, unproven, or unnecessary, especially with the budget pressures we are facing now; however, CHGME has a proven track record. Over 40 percent of pediatricians in the United States are trained through CHGME.

□ 1710

Forty-three percent of those in subspecialties are trained through the program.

The Children's Hospital of Philadelphia runs the largest pediatric residency program in the country. Their residents will treat children in my community and then move across the country to practice in other communities. We need their expertise now more than ever.

Last Congress, I worked with my Democratic counterpart on the Energy and Commerce Health Subcommittee, Representative FRANK PALLONE, to introduce legislation to renew the program. Our legislation passed the House of Representatives twice in the 112th Congress, both times by voice vote.

Unfortunately, the bill was tied up in the Senate and was not considered. Congressman PALLONE and I wasted no time in reintroducing the bill this year, and I'm proud to say that in the very first meeting of the Energy and Commerce Committee, on January 22, the bill was reported out unanimously. The bill is a very simple, 5-year reauthorization of the CHGME program at current funding levels.

H.R. 297 is supported by the Children's Hospital Association, the American Hospital Association, the Academic Pediatric Association, the American Academy of Pediatrics, the American Pediatric Society, the Association of Medical School Department Chairs, the Society for Pediatric Research, the Association of American Medical Colleges, the American Osteopathic Association, and the American College of Surgeons, among others.

Far too many children in our Nation already lack access to a pediatrician or doctor trained in a pediatric subspecialty. Without CHGME, we will once again be discouraging medical residents from choosing pediatrics.

On a personal note, nearly 2 years ago, I met Anna Lipsman, who was receiving treatment for leukemia at the Children's Hospital of Philadelphia. Today, thanks to the excellent care she received, she is happy, energetic and in school full time. She continues to remind me about what is really at stake.

I urge all of my colleagues to vote "yes" on H.R. 297 and reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I'm pleased to rise in support of H.R. 297, the Children's Hospital Graduate Medical Education Support Reauthorization Act of 2013.

As every parent knows, it's very important to have a trusted doctor to turn to when their child gets sick. Since its inception in 1999, the Children's Hospital Graduate Medical Education program, known as CHGME, has helped to make sure that the doctor is there and prepared to diagnose any symptoms that our children face.

In fact, the program has been a true success. In the 1990s, declines in pediatric training programs threatened the stability of the pediatric workforce, and CHGME helped to reverse these dangerous declines. Even then, Congress, in a bipartisan way, recognized that if we didn't create and fund programs that would train doctors to treat these children, there won't be anyone left to take care of them.

That's why the House overwhelmingly supported reauthorization of the program in the 112th Congress, passing stand-alone legislation in September 2011 and also including the reauthorization in broader legislation in December 2012.

With this Federal CHGME support, children's hospitals can play a key role in ensuring the continued growth of our Nation's pediatric workforce. In 2009, the program supported the training of 5,361 resident physicians nationally. The program will also help to enhance hospitals' research capabilities and improve hospitals' ability to provide care to vulnerable and underserved children.

Reauthorizing CHGME continues to be one of my top health priorities, and I want to thank Congressman PITTS, the chairman of our Health Subcommittee, for working with me on this bill. Together with his help and leadership, we were able to move this bill again swiftly through our committee and to the floor upon convening this Congress.

Mr. Speaker, this program has proven results, and it's past time that we finally reauthorize CHGME so that we can provide certainty to hospitals, doctors, and their patients. Children in our communities are counting on this program to train a future generation of pediatricians, and I urge my colleagues to vote "yes" on the bill.

Mr. Speaker, I would like to now yield 3 minutes to my colleague from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the gentleman for yielding.

The reauthorization of the Children's Hospital Graduate Medical Education program is critically important and something we must do. But I rise today to express some frustration with the bill as presented.

Specifically, while our Nation faces an acute need for additional health professionals trained in psychiatry, this reauthorization continues a glaring mental health parity failure within the Children's Hospital Graduate Medical Education program: the failure to

include children's psychiatric teaching hospitals in the program. Because Medicare classifies these hospitals as psychiatric hospitals rather than as children's hospitals, child psychiatric hospitals are ineligible to participate in CHGME.

This presents a particular burden to a spectacular pediatric hospital in my district, Bradley Hospital. And that is why, last Congress, I introduced the Children's Hospitals Education Equity Act, which was designed to fix this oversight by simply expanding the definition of a children's hospital to cover child psychiatric hospitals.

I'm disappointed, therefore, that the CHGME reauthorization is being considered under suspension of the rules today, as it prevents consideration of amendments to improve the program and to correct this omission in the bill.

Our Nation must fulfill its commitment to mental health parity, and Congress must do its part to enhance access to child and adolescent mental health care. Despite this shortcoming, I intend to support the bill, and I look forward to working with my colleagues in both parties and in both Chambers to correct this serious inequity. I thank the gentleman.

Mr. PALLONE. I have no additional speakers. I yield back the balance of my time.

Mr. PITTS. Mr. Speaker, I urge Members to support this legislation. It has tremendous bipartisan support, and, with that, I yield back the balance of my time.

Mr. WAXMAN. Mr. Speaker, I rise today to support H.R. 297, the Children's Hospital GME Support Reauthorization Act of 2013.

H.R. 297 reauthorizes the children's hospital graduate medical education—or CHGME—program at the program's current authorization level. This program provides ongoing and consistent financial support to hospitals such as Children's Hospital of Los Angeles for the training of doctors who want to specialize in pediatrics. Over the years, the CHGME program has been enormously successful in reversing the significant decline in the number of pediatrician trainees across the country. Indeed, today, children's hospitals nationwide that are supported by the program train 40% of all pediatricians and 43% of all pediatric specialists.

Not surprisingly, the CHGME program has a decade-long history of bipartisan support. The program was first established in 1999 and has subsequently been reauthorized on two occasions. During the 112th Congress, the House passed legislation that would have reauthorized the CHGME program for another five years.

I'm sure that Members of both sides of the aisle agree we want to make certain this important program remains in place, and we want to send a strong message about the importance of fully funding it.

I want to commend the work of members of the Energy and Commerce Committee for advancing H.R. 297 to the floor today. I especially want to recognize and applaud the lead-

ership of Ranking Member PALLONE and Chairman PITTS on this bill. I know we are all hopeful the Senate will act quickly to enact H.R. 297, so we can send legislation to the President for his signature.

I urge my colleagues to join me in supporting H.R. 297.

Mr. GENE GREEN of Texas. Mr. Speaker, I strongly support the Children's Hospital Graduate Medical Education program and I am a cosponsor of H.R. 297. This successful program is the most important federal investment in the pediatric workforce and must be reauthorized. Failure to do so would be catastrophic to pediatric care in our country. Since this program began, it has allowed Children's Hospitals across the country, including Texas Children's Hospital in Houston, to increase training by 35%.

I believe we must spend more on Graduate Medical Education entirely, but today we have the opportunity to extend the successful Children's Hospital program which, like other GME funds, is money well spent. Despite the successes of the program, there are still many pediatric specialties that are experiencing shortages. This bill will help address this and will continue to strengthen our pediatric workforce. I look forward to voting in favor of this bill and encourage my colleagues to do the same.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of H.R. 297, the Children's Hospital GME Support Reauthorization Act of 2013. The Children's Hospital Graduate Medical Education Program not only provides a critical investment in the pediatric health workforce, but also helps improve children's access to health care.

The Children's Hospital Graduate Medical Education Program was first authorized in 1999 and has achieved incredible success. The program has enabled children's hospitals to host teaching programs while maintaining high-quality clinical care. It currently supports 56 children's hospitals and is responsible for a significant increase in the number of physicians trained in children's hospitals.

As the first registered nurse in Congress, I know firsthand that a well-trained primary care workforce is crucial to our health system. Only by ensuring the security of pediatric residency programs can we successfully work to promote the health of all Americans.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in support of H.R. 297 the "Children's Hospital Graduate Medical Education (GME) Support Reauthorization Act of 2013" This legislation would authorize the appropriation of \$110 million a year for 2013 through 2017, for payment toward the direct costs of graduate medical education in children's hospitals.

As the Founder and Co-Chair of the Congressional Children's Caucus, I understand the importance of this vital program. The Children's Hospital Graduate Medical Education Program (CHGME) trains 40 percent of our Nation's pediatricians and more than half of our Nation's pediatric subspecialists. Each year, over 5,000 residents take part in this program.

We are all aware that we must continue to support the development and training of all medical professionals. We must do more to ensure that we have enough qualified medical

professional choosing to specialize in key fields in order to address the growth in both our baby boomers and child populations. I believe this legislation is a step in the right direction.

In the early 90's, we witnessed a thirteen percent decrease in the amount of qualified graduate medical students entering into pediatrics. Upon the enactment of the Children's Hospital Graduate Medical Education program we saw a significant increase in the amount of qualified medical school graduates choosing to enter into pediatrics, their numbers increased by 35 percent.

In 1999, Children's Hospital Graduate Medical Education, CHGME, was enacted as part of the Healthcare Research and Quality Act to provide freestanding children's hospitals with discretionary federal support for direct and indirect expenses associated with operating medical residency training programs. Since few children's hospitals receive Medicare funds, the program is designed to correct the exclusion of pediatric training in the Medicare Graduate Medical Education, GME, program.

Under the Children's Hospital Graduate Medical Education Program, direct medical education funding is designed to cover costs associated with stipends for residents, salaries, salaries for faculty, overhead and other costs of running a training program. The CHGME also provides indirect medical education funds that are designed to assist in expenditures such as reduced productivity of staff training residents and the processing of additional diagnostic tests those residents may order.

Graduate Medical Education, GME, begins upon graduation from medical school and passed the examination needed to obtain general board certification. GME in a specialty field (residency) and further specializations in a specific clinical field (fellowship) are generally provided in hospital settings with additional clinical experiences in non-hospital site. This can take between three and seven years to complete, depending on the medical, dental or podiatric specialty track chosen.

Freestanding children's hospitals receiving Federal GME funds have increased the number of residents and fellows that they are training since 2000:

The number of residents and fellows claimed for Federal support for the 2000 Federal fiscal year (FY) was about 4,263.

In the latest Government Performance Results Acts, GPRA, report for Federal FY 2009, the hospitals described training 5,631 pediatricians, pediatric subspecialists, and other physicians in the clinical care of children within the U.S.

Of the 5,631 resident FTEs being trained, about 48 percent were in general pediatrics, 24 percent were in pediatric subspecialties, and 28 percent were non-pediatric residents.

In FY 2009, 56 children's hospitals located in 30 states and Puerto Rico had nearly half a million inpatient discharges. Children's hospitals vary in size and service mix. The number of available beds at these hospitals varies from 30 to 456.

These freestanding children's hospitals provide services ranging from outpatient ambulatory care to inpatient critical care.

TEXAS

In Texas, excluding military and Veterans Affairs programs, there are currently 5,902 resident physicians in Texas training in 468 accredited graduate medical education (GME) programs.

It is likely that many of these resident physicians will join the ranks of the 39,872 licensed physicians currently practicing in Texas.

These practicing and resident physicians, together with 656 resident physicians training in Texas military and Veterans Affairs hospitals, provide health care to Texas 22,016,911 people.

Texas ranks 40th nationally in the number of physicians per 100,000 civilian population and faces serious challenges in attracting physicians to locate and practice in rural, remote, and urban underserved areas.

With Texas' population increasing at both age ends of the population spectrum, the ratio of 158 direct patient care physicians per 100,000 population ratio will likely not improve unless policy changes are implemented to encourage expansion of the Texas physician workforce and foster greater distribution of physicians across the state. As Texas continues to grow in general, pediatric and our aging population we will more physicians—and more specialized physicians—to care for our citizens.

With 25 percent of Texas total population uninsured and 22 percent of its children uninsured, Texas has the highest number of uninsured individuals in the country. Which is one of the many reasons I supported the Affordable Health Care Act.

The majority of under-insured Texans receive health care through the our network of locally tax-funded and privately funded teaching hospitals and clinics.

Uninsured Texans play an important role in graduate medical education; they are one of the groups of patients that residents care for and treat, while honing their medical skills and expertise.

Graduate medical education is just one piece, albeit an important piece, of the complex health-care delivery system. While ensuring the viability of the safety-net hospitals and clinics in Texas is important to the future of Texas, solving all of the problems associated with ensuring that viability is beyond the scope of this. The medical school/hospital partnerships responsible for training many of the next generation of Texas physicians are stressed financially. Especially Children's Hospitals.

The GME and The CHGME programs both train resident physicians while providing essential health-care services to those who might not otherwise receive access to care.

Currently, Five children's hospitals in Texas benefit from the CHGME program: Texas Children's Hospital (Houston), Children's Medical Center of Dallas, Driscoll Children's Hospital (Corpus Christi), Dell Children's Hospital (Austin) and Cook Children's Hospital (Fort Worth). Last year alone, more than \$23 million in CHGME funds was allocated to Texas.

I can say that Texas Children's is the largest pediatric hospital in the nation, providing medical care in more than 40 pediatric subspecialties. It also has the largest pediatric cancer and hematology research and treatment center in the country

As an internationally recognized children's hospital it is the primary pediatric training site for Baylor College of Medicine, which has one of the largest pediatric residency programs in the country.

Baylor College of Medicine, operates the nation's first Children's Nutrition Research Center, a U.S. Department of Agriculture facility that conducts research on the nutritional needs of pregnant and nursing women and their children.

Since opening its doors in 1954, Texas Children's Integrated Delivery System has cared for more than one million children from every corner of the world and has more than 2 million patient encounters a year.

Together with Baylor, Texas Children's participates in approximately 400 research projects annually and received \$59 million in research funding in 2003. Current projects include testing of medications to improve the quality of life for patients with HIV infection and AIDS; diagnostic methods based on DNA analysis for cystic fibrosis, muscular dystrophy, and other genetic disorders; development of treatments through human gene therapy; and other basic and applied research studies.

I must also mention the Lyndon Baines Johnson General Hospital operated by the Harris County Hospital District, it is the second primary teaching facility or the University of Texas at Houston. They have been dedicated to serving the people of Houston for over two decades. Those who are fortunate enough to receive their training under the CHGME program may very well one day be treating children who arrive at this hospital.

We must remember who these soon to be specialists will serve . . . our nation's children. Children like Audrina, who was born in October of last year. Little Audrina was born with her heart outside of her body. After six hours of surgery, baby Audrina is going home. Supporting funding for programs like the CHGME supports the training of specialists who will one day save the lives of countless children.

FAST FACTS—CHILDREN'S HOSPITAL GRADUATE MEDICAL EDUCATION (CHGME)

The Children's Hospital Graduate Medical Education, CHGME, Payment Program currently supports 56 children's hospitals in 30 States.

Train about a third of the Nation's pediatricians.

Trains about 50 percent of pediatric subspecialists.

The CHGME Payment Program has provided more than 2 billion dollars to eligible freestanding children's hospitals since its inception.

Fifty-Six U.S. hospitals participate in the program, which enables them to:

Provide GME to graduates of medical schools.

Enhance research capabilities.

Care for vulnerable and underserved children.

A hospital is eligible to apply for CHGME Payment Program funding if it:

Participates in an approved Graduate Medical Education (GME) program.

Has a Medicare Provider Agreement.

Is excluded from the Medicare Inpatient Prospective Payment System, IPPS, under section 1886(d)(1)(B)(iii) of the Social Security Act, and its accompanying regulations.

Operates as a "freestanding" children's teaching hospital.

Ms. ESHOO. Mr. Speaker, the Children's Hospital Graduate Medical Education program was first created in 1999, because there were not nearly enough pediatricians and pediatric subspecialists to serve the children of our country. The program has been overwhelmingly successful, increasing the number of pediatricians by 35 percent. Today, CHGME provides funding to train more than 40 percent of pediatricians in the U.S. However, at current funding levels, we still don't have enough providers to treat the unique needs of children in our country.

I cannot emphasize enough how critical this funding is to stand-alone children's hospitals, such as Lucile Packard Children's Hospital in my Congressional District. We have a responsibility to help train the next generation of pediatricians who will care for our children through the earliest, and often the most critical time of their lives. Under the Affordable Care Act, all Americans will have access to healthcare, but we have to ensure we have an adequate medical workforce to care for them.

I look forward to the passage of CHGME reauthorization in the House, and I will continue to work with my colleagues in the Senate to see that we move forward with a bill that can swiftly pass both bodies and be sent to the President for his signature.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and pass the bill, H.R. 297.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. PITTS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

NATIONAL PEDIATRIC RESEARCH NETWORK ACT OF 2013

Mr. PITTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 225) to amend title IV of the Public Health Service Act to provide for a National Pediatric Research Network, including with respect to pediatric rare diseases or conditions.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 225

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Pediatric Research Network Act of 2013".

SEC. 2. NATIONAL PEDIATRIC RESEARCH NETWORK.

Section 409D of the Public Health Service Act (42 U.S.C. 284h; relating to the Pediatric Research Initiative) is amended—

(1) by redesignating subsection (d) as subsection (f); and

(2) by inserting after subsection (c) the following:

“(d) NATIONAL PEDIATRIC RESEARCH NETWORK.—

“(1) NETWORK.—In carrying out the Initiative, the Director of NIH, acting through the Director of the Eunice Kennedy Shriver National Institute of Child Health and Human Development and in collaboration with other appropriate national research institutes and national centers that carry out activities involving pediatric research, may provide for the establishment of a National Pediatric Research Network consisting of the pediatric research consortia receiving awards under paragraph (2).

“(2) PEDIATRIC RESEARCH CONSORTIA.—

“(A) IN GENERAL.—The Director of the Institute may award funding, including through grants, contracts, or other mechanisms, to public or private nonprofit entities—

“(i) for planning, establishing, or strengthening pediatric research consortia; and

“(ii) for providing basic operating support for such consortia, including with respect to—

“(I) basic, clinical, behavioral, or translational research to meet unmet needs for pediatric research; and

“(II) training researchers in pediatric research techniques in order to address unmet pediatric research needs.

“(B) RESEARCH.—The Director of NIH shall ensure that—

“(i) each consortium receiving an award under subparagraph (A) conducts or supports at least one category of research described in subparagraph (A)(ii)(I) and collectively such consortia conduct or support all such categories of research; and

“(ii) one or more such consortia provide training described in subparagraph (A)(ii)(II).

“(C) NUMBER OF CONSORTIA.—The Director of NIH may make awards under this paragraph for not more than 20 pediatric research consortia.

“(D) ORGANIZATION OF CONSORTIUM.—Each consortium receiving an award under subparagraph (A) shall—

“(i) be formed from a collaboration of co-operating institutions;

“(ii) be coordinated by a lead institution;

“(iii) agree to disseminate scientific findings, including from clinical trials, rapidly and efficiently; and

“(iv) meet such requirements as may be prescribed by the Director of NIH.

“(E) SUPPLEMENT, NOT SUPPLANT.—Any support received by a consortium under subparagraph (A) shall be used to supplement, and not supplant, other public or private support for activities authorized to be supported under this paragraph.

“(F) DURATION OF SUPPORT.—Support of a consortium under subparagraph (A) may be for a period of not to exceed 5 years. Such period may be extended at the discretion of the Director of NIH.

“(3) COORDINATION OF CONSORTIA ACTIVITIES.—The Director of NIH shall—

“(A) as appropriate, provide for the coordination of activities (including the exchange of information and regular communication) among the consortia established pursuant to paragraph (2); and

“(B) require the periodic preparation and submission to the Director of reports on the activities of each such consortium.

“(4) ASSISTANCE WITH REGISTRIES.—Each consortium receiving an award under para-

graph (2)(A) shall provide assistance to the Centers for Disease Control and Prevention in the establishment or expansion of patient registries and other surveillance systems as appropriate and upon request by the Director of the Centers.

“(e) RESEARCH ON PEDIATRIC RARE DISEASES OR CONDITIONS.—

“(1) IN GENERAL.—In making awards under subsection (d)(2) for pediatric research consortia, the Director of NIH shall ensure that an appropriate number of such awards are awarded to such consortia that agree to—

“(A) focus primarily on pediatric rare diseases or conditions (including any such diseases or conditions that are genetic disorders (such as spinal muscular atrophy and Duchenne muscular dystrophy) or are related to birth defects (such as Down syndrome and fragile X)); and

“(B) conduct or coordinate one or more multisite clinical trials of therapies for, or approaches to, the prevention, diagnosis, or treatment of one or more pediatric rare diseases or conditions.

“(2) DATA COORDINATING CENTER.—

“(A) ESTABLISHMENT.—In connection with support of consortia described in paragraph (1), the Director of NIH shall establish a data coordinating center for the following purposes:

“(i) To distribute the scientific findings referred to in paragraph (1)(C).

“(ii) To provide assistance in the design and conduct of collaborative research projects and the management, analysis, and storage of data associated with such projects.

“(iii) To organize and conduct multisite monitoring activities.

“(B) REPORTING.—The Director of NIH shall—

“(i) require the data coordinating center established under subparagraph (A) to provide regular reports to the Director of NIH and the Commissioner of Food and Drugs on research conducted by consortia described in paragraph (1), including information on enrollment in clinical trials and the allocation of resources with respect to such research; and

“(ii) as appropriate, incorporate information reported under clause (i) into the Director's biennial reports under section 403.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PITTS) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PITTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PITTS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support and urge my colleagues to vote for H.R. 225, the National Pediatric Research Network Act of 2013.

Simply put, this legislation will foster important research on diseases that affect children. The bill will allow the

National Institutes of Health to establish a national research network comprised of pediatric research consortia. According to NIH, there are between 6,000 and 7,000 diseases considered rare that affect 25 to 30 million people. Most of the approximately 7,000 rare diseases are pediatric diseases and often genetic.

Sadly, there are insufficient therapies for doctors to treat such diseases. The use of pediatric research consortia is a proven way to support pediatric applied research and to promote coordinated research activities that focus on translating research to practice. This will help improve care for children.

As an example, it is important to note that this bill will address some devastating diseases such as spinal muscular atrophy. This is a rare pediatric disease that kills more babies than any other genetic disease. Right now, it is incurable, untreatable, and fatal.

H.R. 225, introduced by Representatives LOIS CAPPS and CATHY McMORRIS RODGERS, amends the Public Health Service Act so that the director of the NIH, acting through the director of the National Institute of Child Health and Human Development, could provide for the establishment of a national pediatric research network comprised of pediatric research consortia.

□ 1720

The director could award cooperative agreements to those that strengthen and provide basic support to pediatric research consortia and train researchers. Consortia that receive an award would be comprised of cooperating institutions and coordinated by a lead institution. No more than 20 pediatric research consortia could receive awards.

In addition, the Director of NIH would be able to establish a data-coordinating center to support research and distribute scientific findings and provide reports to the Director of the NIH and the Commissioner of the Food and Drug Administration.

The bill would result in no new or increased budget authority, entitlement authority, tax expenditure, or revenues. Nor does the bill contain any earmarks.

So I am pleased to support this legislation. It is my hope that the National Pediatric Research Network will improve our understanding of pediatric diseases, improve treatment and therapies, and provide better health care outcomes for our Nation's children.

I urge my colleagues to vote in favor of H.R. 225, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 225, the National Pediatric Research Network Act, and commend our colleagues, Congresswoman CAPPS and

Congresswoman McMORRIS RODGERS, for their bipartisan efforts to move this legislation forward.

There are many rare pediatric diseases, and in some of these diseases the children are incredibly fragile. If we can allow for research to occur across the country—not just one single location—research can be done at a larger level because children could then participate without having to travel.

This bill would allow the National Institutes of Health to establish a national pediatric network comprised of up to 20 pediatric research consortia, groups of collaborating institutions. The consortia will conduct basic clinical, behavioral, and translational research on pediatric diseases and conditions.

Among the 20 consortia, the NIH Director is directed to ensure that an appropriate number of awards go to consortia that focus primarily on pediatric rare diseases such as spinal muscular atrophy or birth defects such as Down syndrome.

In addition, we all know too well that traditionally pediatric research has been underfunded. That can make it hard to train and develop the research talent needed to address these devastating illnesses. The consortia can therefore be the training grounds for future researchers helping to fill the pediatric pipeline.

Mr. Speaker, no funds are specifically allocated to this effort under the bill, but it's our hope and expectation that NIH will choose to create the network and build on the important work in pediatric research that it already supports.

In the last Congress, this same bill was considered and approved by the Energy and Commerce Committee and the full House by voice vote. It was also included in a broader children's health bill at the end of the session, but it failed to be considered in the Senate.

I urge my colleagues to support this bipartisan effort to address pediatric research; and with that strong support, it's my hope that we can encourage its passage in the Senate this time.

I reserve the balance of my time.

Mr. PITTS. Mr. Speaker, at this time, I yield such time as he may consume to the chairman of the full committee, the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Mr. Speaker, this legislation, H.R. 225, the National Pediatric Research Network Act of 2013, indeed brings us a step closer to helping kids with unmet health needs, especially those with rare pediatric and genetic diseases. According to the NIH, there are more than 6,800 rare diseases, and most of them have no treatment or cure; and, yes, they primarily affect children.

I've met a number of times with one family in my district, the Kennedys,

who have two precious little girls, Brielle and Brooke. I actually call them Sleeping Beauty and Cinderella. They have the rare disease called spinal muscular atrophy. They're great kids, and Brielle and Brooke have been little warriors in our effort to make the National Pediatric Research Network a reality.

It is so difficult to conduct research into these diseases due to the very small number of people with that disease, but tonight we're working to provide families like the Kennedys and so many others with greater hope for a cure or advances in treatment.

This bill is going to support and coordinate research on rare pediatric and genetic diseases and help improve the health and well-being of these kids afflicted with these diseases.

This bill establishes a national pediatric research network comprised of pediatric research consortia. These consortia are a proven way to overcome the gaps in research. They include leading institutions that act as partners to consolidate and coordinate research efforts. They're going to promote efficiency and collaboration, which is especially important when a disease impacts just a small number of kids.

This bill is in essence the same bill as H.R. 6163 of the last Congress, which passed in September and was part of S. 1440 in December of 2012. Last month, in January, our committee, the Energy and Commerce Committee, passed this legislation on a very broad bipartisan voice vote.

I want to particularly commend the author of the legislation, LOIS CAPPS. I want to thank CATHY McMORRIS RODGERS on our side, the Republican side, for her leadership, as well as JOE PITTS, Mr. WAXMAN, and others. This is a bill that all of us should support, and I would urge my colleagues to do the same thing.

It was unfortunate that last year it took the House a little while to pass this; and in the last waning days of the session, we couldn't get the Senate to move. This year, there's a reason why this is now one of the first bills to pass in the House: to give the Senate the time to get this thing done and get it to the President's desk to have him sign it into law so that he can help not only the Kennedys in my district, but the Kennedys literally in every district around the country and so many kids that deserve our help. We can make a difference tonight, and we will when we pass this on a bipartisan vote.

I thank all those Members and staff, particularly, for getting this to the floor in such a timely fashion.

Mr. PALLONE. Mr. Speaker, I now yield 4 minutes to the sponsor of the legislation, the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague for yielding.

Mr. Speaker, I rise in strong support of H.R. 225, the National Pediatric Research Network Act.

I want to associate myself with the remarks of our committee chairman, Mr. UPTON. He has a family dear to his heart, as I have one too; and they reflect families across this country for whom this bill will provide a stronger glimmer of hope for the future.

This is a bipartisan bill. It will improve research in clinical trials on pediatric diseases, train future pediatric researchers, and disseminate research findings quickly so that all children may benefit.

It does not replace our current pediatric research investments, but instead builds upon the work already being done at the National Institutes of Health and at so many research centers across the country by creating research consortia to form a nationwide network of pediatric researchers. This is important to make sure that we are always working with the most current science and that this information is quickly shared and verified.

This bill will also expand the geographic scope of research, giving sick kids easier access to research programs and clinical trials. Moreover, this bill will help a wider variety of institutions participate in this critical research while providing training grounds for our next generation of pediatric researchers.

Another key feature of this bill is that it will place an added emphasis on researching children's rare diseases and develop new treatments to fight them.

My colleagues have heard me talk before about diseases like spinal muscular atrophy just referenced by our committee chair. This does not just affect a sick child, but it also fundamentally changes the daily lives of their family, their school, their community. The low prevalence of such diseases makes them particularly hard to research. But for those affected, a new cure or treatment could mean a world of difference.

The National Pediatric Research Network Act will be an important step forward to helping these families and those who may develop these diseases long into the future.

□ 1730

I am a nurse, a mother, and a grandmother as well, and I am very pleased to have authored this bill that will help bring more treatments and cures to many children.

Children have unique health care experiences, treatment needs, research challenges; and while public and private research has come a very long way on pediatric diseases over the years, we know that we are still far behind on important diagnostics, cures, and treatments for far too many of our ailing children, which is why this bill is so important.

I especially thank Representative CATHY MCMORRIS RODGERS for co-leading this bill through two Congresses with me and for all her hard work on children's health issues. I want to thank the leadership of the Energy and Commerce Committee. Chairman UPTON I have referenced, but I also thank Ranking Member WAXMAN, Chairman PITTS, Ranking Member PALLONE, and their staffs for their dedication to this bill. I especially thank Ruth Katz for helping us move this bill through the committee quickly. I thank my colleague Congresswoman DEGETTE, who has worked on this bill with me for many years.

Finally, I would like to thank my constituents Bill and Victoria Strong for their tireless work on behalf of their daughter, Gwendolyn, and all the children with spinal muscular atrophy and other rare diseases. For them, I wear a particular bracelet, which reads: "Never give up." Gwendolyn, who it was once thought would never live past age 2, is now in kindergarten. The work her parents, Bill and Victoria, do day in and day out to make their daughter's world a little better is so inspiring. The dedication of her parents and their medical team truly allows Gwendolyn to live life to the fullest. They have shown how entire communities can come together and fight diseases like SMA.

I urge my colleagues to follow their example. Come together, and support this bill today so we can do all we can to make it law.

Mr. Speaker, the National Pediatric Research Network Act is an important bill, not just for current and future researchers, but for sick children and for their families. It is a bipartisan measure that received overwhelming support in the 112th Congress, and it's the right thing to do, so I urge its full support.

Mr. PITTS. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Mississippi (Mr. HARPER).

Mr. HARPER. I rise today to speak about the importance of the National Pediatric Research Network Act of 2013. This bill rightfully develops pediatric research consortia to identify and promote therapies for rare childhood diseases.

One of the disorders that this proposal targets is spinal muscular atrophy, or SMA, which is the number one genetic killer of children under the age of 2. This often unforgiving neurological disease leaves children weak and unable to move, breathe, swallow or talk; but research is promising and a cure is close.

Recently, a friend of mine, Jeff Horton from my home county in Mississippi, shared with my office that his daughter, Evie, who has SMA, had an encouraging visit with an SMA specialist in Dallas. You see, Evie has toured the country and has met with

experts devoted to advancing new and innovative SMA therapies. As a result, Evie's quality of life continues to improve as she gains mobility and a sense of independence.

I urge you today to please support this legislation for Evie and others, such as her cousin, Reese, and the many other families that are affected by rare childhood diseases. This is something that we can do and that we should do.

Mr. PALLONE. Mr. Speaker, I have no further requests for time. At this point, I would urge the passage of the legislation, and I yield back the balance of my time.

Mr. PITTS. Mr. Speaker, I would like to include in the RECORD CBO's cost estimate for H.R. 225. The cost estimate was not available when the committee filed its report on the bill.

I urge all Members to support this important legislation. With that, I yield back the balance of my time.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, February 4, 2013.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 225, the National Pediatric Research Network Act of 2013.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Jamease Miles, who can be reached at 226-9010.

Sincerely,
DOUGLAS W. ELMENDORF.

Enclosure.
H.R. 225—National Pediatric Research Network
Act of 2013

H.R. 225 would authorize the Director of the National Institutes of Health (NIH) to establish a National Pediatric Research Network that could provide support for research and training at up to 20 pediatric research consortia for up to five years. The bill would require the Director of NIH to establish a data coordinating center for the consortia. Upon request by the Centers for Disease Control and Prevention (CDC), consortia participating in the program would be required to provide assistance to the CDC to establish or expand surveillance systems, such as patient registries.

NIH currently supports many research networks that support research and training focused on pediatric health care needs and operates data coordinating centers for those networks. Those networks perform essentially the same activities as the consortia described in the bill. Existing networks do not routinely provide assistance to the CDC to establish surveillance systems. Based on information provided by NIH, CBO estimates that implementing H.R. 225 would have no effect on the number of research consortia or data coordinating centers that NIH would support. CBO expects that CDC would request assistance from a few networks to establish surveillance systems. Based on past coordination involving patient registries, CBO expects that the cost of providing such support would total about \$1 million over five years. Thus, CBO estimates that implementing H.R. 225 would cost \$1 million over the 2014-2018 period, assuming the availability of appropriated funds.

Enacting the bill would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

H.R. 225 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Jamease Miles. The estimate was approved by Holly Harvey, Deputy Assistant Director for Budget Analysis.

Mr. WAXMAN. Mr. Speaker, I am pleased to rise in support of H.R. 225, the National Pediatric Research Network Act of 2013. The House passed legislation similar to H.R. 225 twice last year. I am hopeful that this time around we will get this bill over the finish line.

H.R. 225 represents a bi-partisan effort to allow the National Institutes of Health (NIH) to establish a national pediatric research network dedicated to finding treatments and cures for pediatric diseases and conditions—especially those that are rare. The network would be comprised of up to 20 research consortia or groups of collaborating research institutions such as universities and hospitals. These consortia would be investigator-initiated and would conduct basic, clinical, behavioral, and translational research on pediatric diseases and conditions. NIH funding would be used to create the infrastructure necessary to carry out this research.

Within the network, the NIH Director is instructed to ensure that an appropriate number of awards go to those consortia that focus primarily on pediatric rare diseases such as spinal muscular atrophy—or SMA—or birth defects such as Down syndrome. Because these kinds of diseases and conditions are rare and some of the children who suffer from them are very fragile, it makes it difficult for them to travel great distances to participate in clinical trials or other research. This is often the case when—not infrequently—only one institution is conducting such research. The availability of consortia—by definition, multiple cooperating institutions—should make clinical research opportunities far more accessible to these kids and their families. In turn, we would hope they would help speed up the time and effort in finding treatments and cures for these devastating diseases and conditions.

In addition to the research itself, the consortia are expected to serve as training grounds for future pediatric researchers. Traditionally, pediatric research has been underfunded. This has sometimes resulted in real challenges in recruiting the talent necessary to tackle diseases and conditions that affect kids—again, especially those that are rare. Thus, H.R. 225 places a special emphasis on pediatric research techniques with the goal of helping to “prime the pump” for a greater number of leading edge pediatric researchers.

Taken together, the components of H.R. 225 make for a package that would allow NIH to build on the strong body of pediatric research that it currently conducts and supports. I would encourage NIH to take full advantage of this opportunity.

I want to commend all those members of the Energy and Commerce Committee who have come together to make H.R. 225 happen. I especially want to note the efforts of Congresswoman CAPPS and Congress-

woman MCMORRIS RODGERS—the sponsors of this bill—for their tireless efforts to bring it before us today.

I urge my colleagues to vote “yes” on H.R. 225.

Mr. GENE GREEN of Texas. Mr. Speaker, I support the National Pediatric Research Network Act, H.R. 225. Thank you to Representatives CAPPS and MCMORRIS RODGERS for their continued leadership on this issue.

This important bill will allow the National Institutes of Health to focus funding on researching rare and genetic pediatric diseases such as spinal muscular atrophy, muscular dystrophy, Down syndrome, and Fragile X. Because there are such a small number of incidences of these terrible diseases, they are extremely difficult to study. This bill takes steps toward giving our research community the tools necessary to increase research of an array of diseases that cause so much pain and suffering to children and their families.

Increasing our nation’s commitment to researching rare pediatric diseases is an area that enjoys bipartisan support. I look forward to voting for this bill and urge my colleagues to do the same.

Ms. JACKSON LEE. Mr. Speaker, I rise today in support of H.R. 225, the “National Pediatric Research Action Network Act of 2013.” This legislation would authorize the National Institutes of Health (NIH) to establish an up to 20 national pediatric research consortia. Each consortium will be a collaborative effort involving a leading pediatric medical center and numerous supporting institutions, and each will focus on both basic and translational research as well as training for new researchers. Additionally, this Act seeks to bring much needed attention to pediatric rare diseases. The intent is to expand, enhance, and improve coordinated NIH pediatric research.

As the Founder and Co-Chair of the Congressional Children’s Caucus I have been a tireless advocate on behalf of our nation’s children for decades and an avid supporter of children’s health.

Improved coordination under the guidance of the NIH will only enhance the communication and collaborative efforts between leading regional pediatric medical center and supporting smaller community centers. This will enable researchers to develop and hone their research on rare pediatric diseases such as spinal muscular atrophy, in addition to serving as training centers for new cutting edge research in this field. Researchers like those who work for the Pediatric Research Center.

Located in Houston, TX, the Pediatric Center is the premier research center within the University of Texas Health Science Center. Researchers who work at the center are currently working diligently to identifying the causes of disorders that affect children. They are experts in their fields and working on a variety of issues. One of which is trying to identify genes that result in birth defects.

Across our nation, birth disabilities, developmental disorders, and prematurity are leading cause of death in children, affecting nearly 25% of both newborns and children. We must support efforts to improve research. According to the Texas Department of State Health Services as of 2009, over 19,000 Texas babies are born each year with one or more major struc-

tural malformations or chromosomal anomalies.

For every 10,000 live births, about six births are affected by neural tube defects; 11 babies are born with cleft lip, and 13 are born with Down syndrome. Approximately 28.9% of all babies born from 1999-09-2008 with birth defects have more than one major birth defect. Certain birth defects exhibit higher rates in some racial/ethnic groups than others.

Birth defects are also the leading cause of death among infants in Texas. From 1999-09-2008, 5.3% of all live born babies delivered with a birth defect died; most died before their first birthday (4.6%) and 29% of all deaths to live born babies before their first birthday occurred among babies with a birth defect.

In 2010, birth defects resulted in nearly 42,000 hospitalizations among infants in Texas, with total charges over \$2.2 billion, based on hospital discharge data. The average length of stay was 6.2 days and the average cost was \$53,000 per hospitalization. While the average cost per hospitalization is comparable to national data, due to the large population of Texas relative to other states, total cost of hospitalization for infants with birth defects is high.

Texas has unique concerns about some of the potential causes of birth defects such as those concerning environmental pollutants (hazardous waste sites, air pollution, drinking water contaminants), health disparities (income, ethnicity), and maternal factors (diabetes, obesity).

Effective collaboration with the NIH could result in finding cures and treatments to prevent these deaths. Treatments of diseases like Spinal Muscular Atrophy.

Spinal muscular atrophy (SMA) Types I, II, and III are a group of hereditary diseases that cause weakness and the destruction of voluntary muscles in the arms and legs of infants and children.

An estimated one in 40 people are carriers of SMA and if both parents are carriers, there’s a 25 percent chance of their child having SMA.

Most babies born with SMA Type I, die before their 2nd birthday. It is the number 1 genetic killer of children under the age of 2 in the United States. As it stands, there is no cure for SMA; however, I hope the research that is generated as the result of this bill will lead to great strides in tackling this devastating illness.

As we consider this measure, let us reflect upon the thousands of children’s lives that might be saved as a result of this bill.

STORY OF AVERY

Lives like that of baby Avery, who was born in Texas. Avery, at 5 months old was diagnosed with Type 1 SMA and her parents were given the grim prognosis that their precious child would only live for another 18 months. Sadly for Avery’s time with us was brief. Just prior to her passing, her father Mike pledged that he would work to raise SMA awareness. Today we have an opportunity to help Mike achieve his promise and through research and the debate on the floor today draw further attention to SMA.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and pass the bill, H.R. 225.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. PITTS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE SITUATION IN OR IN RELATION TO CÔTE D'IVOIRE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113-8)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency, unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13396 of February 7, 2006, with respect to the situation in or in relation to Côte d'Ivoire is to continue in effect beyond February 7, 2013.

The situation in or in relation to Côte d'Ivoire, which has been addressed by the United Nations Security Council in Resolution 1572 of November 15, 2004, and subsequent resolutions, has resulted in the massacre of large numbers of civilians, widespread human rights abuses, significant political violence and unrest, and fatal attacks against international peacekeeping forces. Since the inauguration of President Alassane Ouattara in May 2011, the Government of Côte d'Ivoire has made progress in advancing democratic freedoms and economic development. While the Government of Côte d'Ivoire and its people continue to make progress towards peace and prosperity, the situation in or in relation to Côte d'Ivoire continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency and

related measures blocking the property of certain persons contributing to the conflict in Côte d'Ivoire.

BARACK OBAMA.

THE WHITE HOUSE, February 4, 2013.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 6:30 p.m. today.

Accordingly (at 5 o'clock and 36 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SHIMKUS) at 6 o'clock and 30 minutes p.m.

PROVIDING FOR A JOINT SESSION OF CONGRESS TO RECEIVE A MESSAGE FROM THE PRESIDENT

Mr. CULBERSON. Mr. Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration in the House.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 11

Resolved by the House of Representatives (the Senate concurring),

That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, February 12, 2013, at 9 p.m., for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 225, by the yeas and nays;

H.R. 297, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

NATIONAL PEDIATRIC RESEARCH NETWORK ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 225) to amend title IV of the Public Health Service Act to provide for a National Pediatric Research Network, including with respect to pediatric rare diseases or conditions, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 375, nays 27, not voting 29, as follows:

[Roll No. 31]

YEAS—375

Alexander	DeSantis	Jeffries
Amodei	DesJarlais	Jenkins
Andrews	Deutch	Johnson (GA)
Bachmann	Diaz-Balart	Johnson (OH)
Bachus	Dingell	Johnson, E. B.
Barletta	Doggett	Johnson, Sam
Barr	Doyle	Jones
Barrow (GA)	Duckworth	Jordan
Barton	Duffy	Joyce
Bass	Duncan (TN)	Kaptur
Beatty	Edwards	Keating
Becerra	Ellison	Kelly
Benishak	Ellmers	Kennedy
Bentivolio	Engel	Kildee
Bera (CA)	Enyart	Kilmer
Bilirakis	Eshoo	Kind
Bishop (NY)	Esty	King (IA)
Bishop (UT)	Farenthold	King (NY)
Black	Fattah	Kinzing (IL)
Bonamici	Fincher	Kirkpatrick
Bonner	Fitzpatrick	Kline
Boustany	Fleischmann	Kuster
Brady (PA)	Fleming	LaMalfa
Brady (TX)	Flores	Lamborn
Braley (IA)	Forbes	Lance
Brooks (IN)	Foster	Langevin
Brownley (CA)	Frankel (FL)	Lankford
Buchanan	Franks (AZ)	Larson (CT)
Bucshon	Frelinghuysen	Latham
Burgess	Fudge	Latta
Bustos	Gallego	Lee (CA)
Calvert	Garamendi	Levin
Camp	Garcia	Lewis
Campbell	Gardner	Lipinski
Cantor	Garrett	LoBiondo
Capito	Gerlach	Loeback
Capps	Gibbs	Lofgren
Cardenas	Gibson	Long
Carney	Gingrey (GA)	Lowenthal
Carson (IN)	Goodlatte	Lowe
Carter	Gosar	Lucas
Cartwright	Gowdy	Luetkemeyer
Cassidy	Granger	Lujan Grisham
Castor (FL)	Graves (MO)	(NM)
Castro (TX)	Grayson	Lujan, Ben Ray
Chabot	Green, Al	(NM)
Chaffetz	Green, Gene	Lynch
Chu	Griffin (AR)	Maffei
Cicilline	Griffith (VA)	Maloney,
Clarke	Grijalva	Carolyn
Clay	Grimm	Maloney, Sean
Clyburn	Guthrie	Marino
Coble	Gutierrez	Markey
Coffman	Hahn	Matheson
Cohen	Hall	Matsui
Cole	Hanabusa	McCarthy (CA)
Collins (GA)	Hanna	McCarthy (NY)
Collins (NY)	Harper	McCaul
Connolly	Harris	McCollum
Cook	Hartzler	McDermott
Cooper	Hastings (FL)	McGovern
Costa	Hastings (WA)	McHenry
Courtney	Heck (NV)	McIntyre
Cramer	Heck (WA)	McKeon
Crawford	Hensarling	McKinley
Crenshaw	Higgins	McMorris
Crowley	Himes	Rodgers
Cuellar	Hinojosa	Meadows
Culberson	Holding	Meehan
Cummings	Holt	Meng
Daines	Honda	Messer
Davis (CA)	Horsford	Mica
Davis, Danny	Hoyer	Michaud
Davis, Rodney	Huelskamp	Miller (FL)
DeFazio	Huffman	Miller (MI)
DeGette	Hultgren	Miller, Gary
Delaney	Hunter	Miller, George
DeLauro	Hurt	Moore
DelBene	Israel	Mulvaney
Denham	Issa	Murphy (FL)
Dent	Jackson Lee	Murphy (PA)

Nadler
Napolitano
Neal
Negrete McLeod
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascarell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)

Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Sinema
Sires
Slaughter
Wittman
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Speier

Stewart
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walden
Walorski
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Yarmuth
Yoder
Young (IN)

NAYS—27

Amash
Bridenstine
Broun (GA)
Conaway
Cotton
Duncan (SC)
Foxx
Gohmert
Graves (GA)

Hudson
Huizenga (MI)
Labrador
Lummis
Marchant
Massie
McClintock
Mullin
Neugebauer

Poe (TX)
Radel
Ribble
Rohrabacher
Stockman
Stutzman
Weber (TX)
Woodall
Yoho

NOT VOTING—29

Aderholt
Barber
Bishop (GA)
Blackburn
Blumenauer
Brooks (AL)
Brown (FL)
Butterfield
Capuano
Cleaver

Conyers
Farr
Fortenberry
Gabbard
Herrera Beutler
Kingston
Larsen (WA)
McNerney
Meeks
Moran

Richmond
Rush
Scott, David
Simpson
Smith (WA)
Stivers
Walberg
Young (AK)
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1853

Messrs. STOCKMAN, CONAWAY, Mrs. LUMMIS, Messrs. ROHR-ABACHER, STUTZMAN, NEUGEBAUER, POE of Texas, and HUDSON changed their vote from “yea” to “nay.”

Mr. CARTWRIGHT changed his vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CHILDREN'S HOSPITAL GME SUPPORT REAUTHORIZATION ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 297) to amend the Public Health Service Act to reauthorize support for graduate medical education programs in children's hospitals, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 352, nays 50, not voting 29, as follows:

[Roll No. 32]

YEAS—352

Alexander
Amodei
Andrews
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bera (CA)
Bilirakis
Bishop (NY)
Bishop (UT)
Black
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks (IN)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Calvert
Camp
Campbell
Frankel (FL)
Frelinghuysen
Fudge
Gallego
Garamendi
Garcia
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Clyburn
Coble
Coffman
Cohen
Cole
Collins (NY)
Connolly
Cook
Cooper
Costa
Courtney
Crawford
Crenshaw
Crowley
Cuellar

Cummings
Daines
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
Denham
Dent
DeSantis
Deutch
Diaz-Balart
Dingell
Dingell
Doggett
Doyle
Duckworth
Duffy
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Forbes
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
LaMalfa
Lance
Langevin
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maffei
Maloney,
Carolyn
Maloney, Sean

Hastings (WA)
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Joyce
Kaptur
Keating
Kelly
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
LaMalfa
Lance
Langevin
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maffei
Maloney,
Carolyn
Maloney, Sean

Marino
Markes
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascarell
Pastor (AZ)
Paulsen
Payne
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri

Pingree (ME)
Pitts
Pocan
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster

Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Speier
Stewart
Swalwell (CA)
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walden
Walorski
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Webster (FL)
Welch
Wenstrup
Whitfield
Williams
Wilson (FL)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (IN)

NAYS—50

Amash
Bentivolio
Bridenstine
Broun (GA)
Collins (GA)
Conaway
Cotton
Cramer
Culberson
Davis, Rodney
DesJarlais
Duncan (SC)
Duncan (TN)
Fleming
Flores
Foxx
Franks (AZ)

Garrett
Gohmert
Gowdy
Graves (GA)
Hensarling
Huelskamp
Jenkins
Jordan
King (IA)
Labrador
Lamborn
Lankford
Loebach
Lummis
Marchant
Massie
McClintock

Mulvaney
Neugebauer
Pearce
Pittenger
Poe (TX)
Radel
Rice (SC)
Rokita
Salmon
Schweikert
Stockman
Stutzman
Weber (TX)
Westmoreland
Wilson (SC)
Yoho

NOT VOTING—29

Aderholt
Barber
Bishop (GA)
Blackburn
Blumenauer
Brooks (AL)
Brown (FL)
Butterfield
Capuano
Cleaver

Conyers
Farr
Fortenberry
Gabbard
Herrera Beutler
Kingston
Larsen (WA)
McNerney
Meeks
Moran

Richmond
Rush
Scott, David
Simpson
Smith (WA)
Stivers
Walberg
Young (AK)
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1902

Mr. BENTIVOLIO changed his vote from “yea” to “nay.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ADERHOLT. Mr. Speaker, on rollcall No. 31, H.R. 225—National Pediatric Research Network Act of 2013, had I been present, I would have voted “yea.”

On rollcall No. 31, H.R. 297—Children’s Hospital GME Support Reauthorization Act of 2013, had I been present, I would have voted “yea.”

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 444, REQUIRE PRESIDENTIAL LEADERSHIP AND NO DEFICIT ACT

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 113-8) on the resolution (H. Res. 48) providing for consideration of the bill (H.R. 444) to require that, if the President’s fiscal year 2014 budget does not achieve balance in a fiscal year covered by such budget, the President shall submit a supplemental unified budget by April 1, 2013, which identifies a fiscal year in which balance is achieved, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LET’S START BUDGETING RESPONSIBLY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, the only way for Washington to control its spending problem is to start budgeting, and budgeting responsibly.

House Republicans have passed responsible budgets for 2 consecutive years that restore economic growth and reduce our deficits. Unfortunately, the Senate has not passed a budget in 4 years, and today the President missed the deadline for submitting his own budget to Congress for the fourth time in the last 5 years.

You don’t have to look much further than these facts to learn why Washington has such a hard time living within its means. For this reason, the House is advancing a series of initiatives to force Washington’s hand.

On January 23, 2013, the Chamber passed the No Budget, No Pay Act, which forces the Senate to pass a budget or Members of Congress will lose their pay. This week the House will consider legislation forcing the Presi-

dent to produce a balanced budget or submit a plan that indicates the earliest year he believes fiscal balance can be achieved.

Hardworking Americans run their households by setting a budget and then living within those means. It’s time for Washington to do the same.

□ 1910

PULSE OF TEXAS—RONALD FROM KINGWOOD, TEXAS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, Ronald from Kingwood, Texas, writes me this:

My family and I paid taxes, raised a family, contributed to the community and our church. But we are very disappointed in Washington. Our government is spending money it doesn’t have. And our President says, in other words, Tax those Americans who have worked hard, balanced their household budgets, saved, and have been successful.

My wife and I always thought that was the American Dream. In 2013, our taxes have gone up. Why? Why? Why? Because Congress doesn’t cut its spending. There should be no tax increases on any Americans until there are significant spending cuts. Normal Americans can’t simply borrow money. So why should government? I’ve worked hard for what I’ve achieved. Now why should we pay more taxes just because Washington has a spending addiction?

Mr. Speaker, we can’t tax our way and spend our way into prosperity.

And that’s just the way it is.

REMEMBERING THEODORE “TED” W. OGLE

(Mr. ROKITA asked and was given permission to address the House for 1 minute.)

Mr. ROKITA. Mr. Speaker, I rise today to recognize and salute a remarkable Hoosier, Theodore “Ted” W. Ogle. He was a true leader in his home of Columbus, Indiana. He left us way too soon.

Mr. Ogle served his community in many ways, including as a youth sports official and coach, as a board member of the Big Brothers and Big Sisters, and for 16 years on the Columbus City Council. Most recently, he served local Republicans as county and district chair. He was my dear friend.

I got to know Ted best when I first ran for office and needed his support. Ted said he was happy to see me but that his boys had a swim meet, and if I needed to see him, it was going to have to be there. So off I went to see him that day. To be honest, I probably learned more about swimming than politics.

As this Chamber knows, politics can be a tough business. There’s always another meeting, another event, another obligation. It is all too easy to push

our family life to the back burner. In his own quiet but direct way, Ted showed me where he set his priorities, and when it came time for me to have a wife and children, where I should set mine. I try to do that.

That was Ted Ogle—a man truly committed to God, his family, his country, and his party. I will miss his friendship, counsel, and most of all, his good example.

A REMEMBRANCE OF THE HEROES OF THE SPACE SHUTTLE “COLUMBIA—STS” 109

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, on April 12, 1981, the space shuttle *Columbia* blasted off into space to launch America’s space shuttle program. She would complete 28 missions, with over 300 days in space. As every American knows, we lost *Columbia* as she came home on February 1, 2003. We all mourn the seven brave astronauts who lost their lives that day. We’ll never forget Commander Rick Husband, Pilot Willie McCool, and the five mission specialists: Michael Anderson, David Brown, Kalpana Chawla, Ilan Ramon from Israel, and Laurel Clark.

As a Member of Congress who grew up with astronauts, I have been blessed to meet some of the families of *Columbia*’s last crew. One of them said words I’ll never forget:

In their final moments, *Columbia* and her crew came home to Texas.

May the *Columbia* crew rest in peace with our eternal thoughts and blessings.

REMEMBERING FORMER NEW YORK MAYOR ED KOCH

(Mr. ENGEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ENGEL. This morning, I attended the funeral of former Congressman and former mayor Ed Koch in New York City. Ed was larger than life. He was a great mayor of the city of New York, a fantastic Congressman before that, and a personal friend of mine and so many others. It’s generally thought that Ed was the one who brought New York City back from the bad days—starting the good days. He was the quintessential mayor of New York, walking up and down the streets when he was mayor, asking people, “How am I doing?”

I just want to say this body had the good fortune to have had Ed Koch as one of its Members, and New York City had the good fortune to have him as mayor for three terms, and I had the good fortune to have him as my friend.

In later years, he and I would meet periodically and go out for lunch at one of the restaurants downtown in mid-Manhattan. Ed would always pick the restaurant and be as feisty as ever. He was a very proud, proud New Yorker, and we are very proud of Congressman and Mayor Ed Koch. I will miss him dearly, as will all of New York and America. May he rest in peace.

CONGRESSIONAL PRAYER CAUCUS

The SPEAKER pro tempore (Mr. HUDSON). Under the Speaker's announced policy of January 3, 2013, the gentleman from Virginia (Mr. FORBES) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. FORBES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. FORBES. Mr. Speaker, I appreciate the opportunity to come to the floor tonight to discuss our Nation's rich spiritual heritage and the foundation it laid for the religious freedoms we still enjoy today. I'm hosting this Special Order hour as founder and co-chairman of the Congressional Prayer Caucus, a bipartisan group with more than 90 Members of the House of Representatives dedicated to protecting religious freedom in America and preserving our Nation's rich spiritual heritage. I co-chair this caucus with my good friend, Mr. MIKE MCINTYRE, a Democrat Member from North Carolina. We founded the caucus in 2005 to formally acknowledge the important role that faith plays in American life and to recognize our Nation's religious heritage. We're working to guard these legacies for future generations.

Members of the Congressional Prayer Caucus gather each week in the United States Capitol, just a few feet from here, to pray for our Nation. We leave political labels at the door and we join in prayer for one another and our country. We all know how unusual it is in the current political climate for Members to unite across the aisle and work together. Yet throughout the more than 200-year history of our Nation, prayer has played a vital role in strengthening the fabric of our society.

Mr. Speaker, our prayers build upon the legacy that was established by early legislators. In fact, the first act of America's first Congress in 1774 was to ask a minister to open with prayer and lead Congress in the reading of four chapters of the Bible. As our fledgling Nation grew and encountered overwhelming challenges, time and time again we saw our Nation's leaders turn to God in prayer.

We live in a challenging time. Wherever I go, I encounter people who want to know if the future of America is optimistic or pessimistic. When I review the insurmountable challenges our Nation overcame to get to this point—the Civil War, World War II, the Great Depression, and so many more—I believe our future is optimistic. As long as there are men and women in our government and throughout our Nation who continue to turn to God for help, we'll always have hope.

In addition to joining in prayer each week, members of the Prayer Caucus also work together to preserve the presence of religion, faith, and morality in the marketplace of ideas. We're seeing increased efforts to remove references to God and faith from the public square. Activists seek to remove "God" from our national motto and Pledge of Allegiance. They seek to prevent city and county councils from praying and recognizing our Nation's spiritual heritage. And they seek to silence people who wish to live out their faith.

□ 1920

Members of the Prayer Caucus have countered these efforts, successfully ensuring that our history remains intact for future generations.

In the 112th Congress, I introduced a resolution reaffirming our national motto "In God We Trust" and encouraging its public display in public buildings. The measure passed overwhelmingly by a vote of 396-9. Some ask why we needed to reaffirm our national motto; yet if left unstated, the motto could be changed in a de facto manner.

On November 2010, before a worldwide audience in a much publicized speech focusing on the United States' relationship with the Muslim world, President Obama incorrectly proclaimed that our national motto was "E Pluribus Unum." Despite a bipartisan letter from 42 Members of Congress, the President didn't correct his inaccurate statement. Now, thanks to the House passage of the In God We Trust resolution, children across America know that if God can be displayed on the walls of their classroom, they cannot be prevented from talking about him at school.

Members of the Prayer Caucus also worked to correct inaccuracies and omissions in the Capitol Visitor Center. In 2008, the over-half-billion-dollar Capitol Visitor Center opened for the purpose of educating over 15,000 Capitol visitors daily on the legislative process, as well as the history and development of the architecture and art of the U.S. Capitol.

When Members toured the facility, however, CVC historians had censored the building of any references to our Judeo-Christian history. They had replaced the inscription of "In God We Trust" inscribed right behind you on

the Speaker's rostrum with stars and a replica of the House Chamber and had cropped an actual picture of the Chamber so you could not see the words "In God We Trust."

Additionally, a plaque was placed in the CVC falsely educating visitors that the national motto was E Pluribus Unum. They had not included the Pledge of Allegiance in the CVC because it referenced God. Only after Members of Congress intervened publicly and legislatively were these omissions and inaccuracies corrected.

I am proud to partner with my good friend, Mr. MIKE MCINTYRE, in leading this extraordinary group of Members in the Congressional Prayer Caucus, and I'm so pleased to be joined this evening by my colleagues who are working to protect religious freedom in America and around the world.

Mr. Speaker, at this time I would like to yield to my colleague and my good friend from New Mexico (Mr. PEARCE).

Mr. PEARCE. I thank the gentleman for yielding and for his work on the Prayer Caucus. I would also acknowledge my good friend, MIKE MCINTYRE, for his work. This idea of religious freedom and liberty is indeed a bipartisan issue.

Our Founding Fathers came here from countries that had monarchs—kings—kings that could tell a person who they were to marry, what job they could have, what level of education they might attain. They could tell you what church you must be a member of. It was those state-ordained religions that many came to this country to get away from. They came here with an idea of a government that could only declare what your freedoms were, not limit those freedoms. It was that freedom of religion that caused many of the colonies to be organized differently, by different faiths—and some by no faith at all. It was in that backdrop that the Constitution was written which caused our Founding Fathers great pause.

The initial Constitution was written and could not be ratified. It could not be ratified by enough States until more freedoms were added, more freedoms that began with the First Amendment to the Constitution, the amendment that declared that we would have religious freedoms, that the government could make no laws concerning those freedoms.

Our Founding Fathers well understood the value of free and open expression of religious faith, one that was free from the tentacles of government, one that was free for each person to choose, to exercise or to not exercise. Our Founding Fathers were not hesitant to declare their reliance on divine guidance.

Shortly after our Revolution—that revolution of ideas that started this grand experiment of self-governance—

it was amazing that France decided they would try the same thing. But they were oh so uncertain about this divine guidance, this relationship with a higher power; and so they wanted something more tangible.

Their revolution became about reason. The problem with reason was that it was a human-ordained institution. We ourselves, we as people would not acknowledge that we were to comply with a higher power. That reliance on reason among men resulted in the chaos that became the French Revolution. It never found the success that the American Revolution had. I believe that much of that failure—and much of our success—was the difference in reliance, that difference of internal commitment to values and rules outside oneself.

Our Founding Fathers well understood that we, in order to have a Republic, must be a moral Nation. They declared that a Republic or democracy—whichever you would call it—can't impose through tremendous tyrannical restraints. It depends on us having a voluntary compliance with laws.

They feared a Federal Government that was too strong. The Constitution repeatedly limits the power of the Federal Government because they knew what strong centralized governments would do. They had to escape from Europe to get away from those exact things.

Today, we find a central government that is willing to compromise our freedom of religion and the freedom of expression of religion. Whether a person has a religious belief or not, it should cause you concern that this government is willing to take away the conscience protections. To make people buy products that offend their basic core beliefs should be alarming to any single member of this country, any single citizen. To find a government that will declare doctors have to perform acts that offend their very conscience is something that should give us all pause. But, instead, we see a Federal Government charging more heartily into the fray, even to diminishing and dismissing the belief in a higher power.

I think that that's the reason that the Congressional Prayer Caucus is so necessary and so needed at this time, because a Nation that forgets the real values is at risk of much greater catastrophe than what we've seen thus far, much greater catastrophe than an economy sagging brings, the loss of jobs brings. Because right now, we in America are struggling to find out what's in our heart.

We see many who are declaring that people are essentially good. The problem is not the person; the problem is in the guns, for example. I would say that the greater problem in America is not guns. The problem in America is the heart of America. Until we acknowl-

edge and begin to reflect on that, until we begin to teach the new generations the importance of our heart in aligning with the heart of God, I think this Nation is going to go through more turmoil, more questions.

Our recommendation is that this Congress would stay away from limiting religious freedoms. I would request that every single citizen of this country contemplate those limitations that are currently being considered, those attempts to silence those in the faith community. A secular government is far different from a secular society, and yet that appears to be the discussion that we're having.

So, again, I would like to thank the gentleman from Virginia for his leadership in this issue. I would like to thank all of the members of the Congressional Prayer Caucus. But I would especially like to thank the members and the citizens of this country for the unflagging belief that there is something more important than the human ideas. There's something more powerful, more stable, and more permanent than our current viewpoints on policies. Those are the laws of God that are inherent and knowledgeable to each one of us.

Again, I thank the gentleman for his leadership on this issue.

□ 1930

Mr. FORBES. Mr. Speaker, I want to thank the gentleman for his great work on religious freedom and religious liberty issues, and thank you for sharing that tonight.

Mr. Speaker, as individuals watch Congress across the country, one of the big criticisms they always talk about is all of the partisanship that hits here, and they just don't get to see the Congressional Prayer Caucus. If they did, they would see what they are going to see on this floor tonight, and that is my co-chairman, who is also one of my dearest friends in here tonight, and that is MIKE MCINTYRE. He is a Democrat from North Carolina; I'm a Republican from Virginia. But I can tell you that I have just the utmost respect for him, and I think he does for me.

It is my honor to now yield the floor to him.

Mr. MCINTYRE. Thank you, Mr. Speaker, and thank you Congressman FORBES, RANDY, for your friendship and your leadership, undying, uncompromising leadership to help the Congressional Prayer Caucus be the great spiritual force and practical legislative force that it is in its witness and its work.

And I'm thrilled to join my colleague, Congressman FORBES, and my other colleagues from both sides of the aisle who meet regularly for the Congressional Prayer Caucus, and particularly this week, as we get ready for the National Prayer Breakfast coming up this Thursday.

Many Americans don't realize that this is a tradition that has gone on now for many years. In fact, this will be the 61st National Prayer Breakfast coming up this Thursday morning. I hope folks back home will tune in.

This has happened every single year since President Eisenhower, by every single President; and we are excited that the President and First Lady will be with us again, as they have been the last four years, and that this will be a time to see about 3,000 people from around the world gather together from about 140 nations to come and ask God's blessings and wisdom as we begin this new Congress in this new year.

But let me say in even a broader context, as Congressmen FORBES and PEARCE have indicated, the Congressional Prayer Caucus is to carry on that, that in addition to supporting the National Prayer Breakfast this Thursday is to carry it on throughout the year and to affirm our commitment to maintaining and strengthening our great country's religious freedom.

Through the more than 200-year history of our Nation, we know that faith, prayer, and trust in God have played a vital role in strengthening the fabric of our society. We are incredibly blessed to live in a country that was founded on the bedrock of faith and allowing our citizens to worship freely and without fear of persecution, which is guaranteed by our Constitution.

Our Founding Fathers knew the importance of faith to the success of our infant democracy and affirmed it in the Declaration of Independence, declaring that our unalienable rights that we love to talk about as Americans, our rights of life and liberty and the pursuit of happiness, are endowed to us by our Creator.

Indeed, faith was so integral to our new government that on Tuesday, September 6, 1774, the very first act of the first Continental Congress was to pause and join together in prayer. So this tradition doesn't just go back 61 years as we celebrate with the National Prayer Breakfast this week; it goes back to the very beginning of the first Continental Congress.

It's from these historic underpinnings that our Nation has grown and thrived, and we stand here today on the shoulders of those Americans who stood up and boldly fought for our rights to practice our faith freely. And we must never grow complacent, as Congressman FORBES pointed out, in some of the specific areas that we've had some issues recently. It's our duty to defend and protect the rights of all Americans, especially in a place like the U.S. Capitol, where we ought to be able to gladly recognize what our Nation's religious heritage has been.

Today we face many serious challenges as a Nation, and it's never been more important that we join together to ask God for guidance in making the

right decisions. And that's why, during the first vote each week, we gather right across the hall here during that first vote, if it's on Monday night or Tuesday night or sometimes even the middle of the week on Wednesday, but when we gather during that first vote to step across the hall, leave party labels at the door and ask God, like Solomon did in the Old Testament, for wisdom for that week for those decisions that we make.

We hear so much about partisanship. And having gone through an election recently that partisanship was in its full glory, I think it's reassuring to the citizens of this country to know that there are those of us who do want to reach across the aisle and who realize that faith and prayer transcends the partisan divide that we too often hear about here in Washington.

We pray together each week because we recognize, as our Founders did, that the true source of power is not found in the Halls of Congress or in the Oval Office of the West Wing or in the Chambers of the Supreme Court, but on our knees before the throne of grace before Almighty God. And it's with that bold truth in mind that we gather this week with thousands of people of faith during the National Prayer Breakfast. And it's in this spirit that Members of this body gather every week just across the hall in room 219 to reaffirm our trust in God and recognize the profound reconciling power of prayer and to ask God for His grace and His guidance.

I hope for those of you who are here in this Chamber and those who may be listening back home that you will join us, particularly this week, as we pray for God's blessing upon our Nation, for His will to be done throughout the world, for His peace to dwell in all of us, His children, as we gather for the National Prayer Breakfast. But I also hope you'll go to a Web site beyond this week, the Congressional Prayer Caucus Web site, and say, Yes, Mike, yes, Randy, yes, we do want you, men and women up there, to make the right decisions, you better believe it, because our country is that important, our future is that important, and we do want to make sure that we go forth as one Nation, under God, with liberty and justice for all.

With that, I will also submit a copy of a prayer from Thomas Jefferson, the author of the Declaration of Independence and, as we know, our third President, and pray that God's blessings will be upon this great Nation, not only this week during the National Prayer Breakfast, but with the work of the Congressional Prayer Caucus and those of you who will join us back home, individually, through your families, your churches, your places of worship, your fellowship groups or prayer groups, that you too will join us in making sure that we are building a wall of prayer around our Nation's Capitol,

just as Nehemiah built the wall in the Old Testament.

PRAYER OF THOMAS JEFFERSON

Almighty God, Who has given us this good land for our heritage; we humbly beseech Thee that we may always prove ourselves a people mindful of Thy favor and glad to do Thy will. Bless our land with honorable ministry, sound learning, and pure manners. Save us from violence, discord, and confusion, from pride and arrogance, and from every evil way. Defend our liberties, and fashion into one united people, the multitude brought hither out of many kindreds and tongues. Endow with Thy spirit of wisdom those whom in Thy name we entrust the authority of government, that there may be justice and peace at home, and that through obedience to Thy law, we may show forth Thy praise among the nations of the earth. In time of prosperity fill our hearts with thankfulness, and in the day of trouble, suffer not our trust in Thee to fail; all of which we ask through Jesus Christ our Lord. Amen.

With that, Mr. Speaker, I pray God's blessings upon our Nation, and I yield back to our great leader and co-chairman of the Congressional Prayer Caucus, Congressman FORBES.

Mr. FORBES. Thank you so much for your leadership and your courage and your friendship, and we appreciate your words tonight and we'll treasure them.

Mr. Speaker, one of the true leaders in the House of Representatives is a lady from North Carolina. It's often said, when VIRGINIA FOXX speaks, everybody listens, and we're delighted tonight to have her here and to listen to her speak.

With that, I would like to yield the floor to the gentlelady from North Carolina.

Ms. FOXX. I would like to thank the gentleman from Virginia for that nice introduction, but especially thank him for leading this Special Order tonight and for being such a leader with our Congressional Prayer Caucus. He has given great illustrations of the ways the Congressional Prayer Caucus has taken action.

Mr. PEARCE, the gentleman from New Mexico, has given us an excellent history lesson, and our colleague, Mr. MCINTYRE from North Carolina, has helped to round out with information about the National Prayer Breakfast, and one of the reasons why we're focusing on the topic of the Prayer Caucus this week. I think they've given great context.

I want to say, Mr. Speaker, that we realize that God, the author of freedom, has given us a free land, and we praise Him for it. That freedom is the basis of everything else that we do in this country. This week, many people of faith will gather in Washington, D.C., to pray to Almighty God for wisdom and guidance and, above all, for obedient hearts to carry out His will.

The size and scope of the challenges before us would overcome a faithless people, so we acknowledge our desperate need for continued blessing and

direction. We ask God to make us thankful, because ours is a country founded upon religious freedom and deference to our Creator and not to government. We enjoy a societal understanding that dissent is not disloyalty. The United States upholds the God-given rights of its citizens to believe as they are called and to live their faith in accordance with their convictions. That individuals may set their own course so boldly is why creative excellence and individual property are capstones of citizenship.

We ask God for hearts vigilant to observe the numerous blessings He has given. And we ask for mercy not to stray from being good stewards of His gifts, to visit orphans and widows in their distress, to always protect liberties of conscience, to seek justice, love mercy, and follow humbly after God.

Only by His grace do we, who serve in this Congress, have any hope of being able to humble ourselves in service to others.

□ 1940

Only by His grace can we be safeguarded from trite competition and self-exaltation. Only by His grace can we do what my constituent Rob Lee encouraged and go outside our pride to "pray for our leaders, regardless of their political ideologies."

Our God is a loving God, and He is our defense. We ask Him often to keep a hedge of protection around our men and women deployed throughout the world for freedom's sake. We know it is the example of our Savior Jesus Christ, who lived the words "greater love hath no man than this, that he lay down his life for his friend," that inspires the brave generosity of so many of our warriors.

Our Lord is faithful to be near the brokenhearted when evil and sorrow have temporary triumphs in this world. We pray that His justice will be swift, and His righteousness our great relief.

To have even the slightest chance of living up to our oath and doing right by the people we serve, we need the help of Almighty God. This week, as ever, we reflect on that reliance and declare our thanks once again that we continue to be beneficiaries of His most awesome grace.

Mr. FORBES. I would like to thank Congresswoman FOXX for those remarks and for her leadership.

Now, Mr. Speaker, we have a gentleman from Oklahoma who has been a longtime leader in religious freedom and religious liberty issues. It is my privilege to yield the floor to him now, Mr. JAMES LANKFORD.

Mr. LANKFORD. It is my pleasure to be here. Thank you.

The National Prayer Breakfast coming up this week is a great reminder to us as a Nation just to be able to slow down, not as Republicans and Democrats, but as Americans, to be able to

come together and do what we always do: to pray. It's what we've done from the very beginning. We are a people of prayer.

I enjoy getting a chance to tell people at home in Oklahoma about how Members of Congress get together to be able to pray in the Prayer Caucus time. We gather privately just to be able to sit down and pray. The House and the Senate both open every day in prayer.

Sitting on the platform of the inauguration just a few weeks ago, President Obama asked two different individuals to pray during that ceremony time. It should put to rest forever the debate whether we have prayer in public places when you see it in the House, in the Senate, in the executive branch, prayers repeated over and over again, and have from the very beginning.

We have our national optimism because we believe that this world and this Nation, they were created with a purpose, and that the Creator cares for His creation. From our founding documents, we believe that all people are created equal and are given certain rights from God, including life, liberty, and the pursuit of happiness. We're different as America because we believe that our rights come from God, not from men, and our core values come from something greater than ourselves.

For many Americans, prayer is just a normal part of their day. It's like breathing in and out for them. As they go through the course of the day, they pray. That's no different for our many elected leaders, as well. We don't walk away from God because we're elected. We challenge our fellow Americans to do the same. We need His wisdom. We need His love. And it is in the moment when we are most arrogant and think that we meet our own needs that we forget to pray. But it's in the moment when we are needy as a Nation, as we are right now, we remember to pray.

At 8 years old, I remember extremely well sitting in church up in the balcony of our big church and realizing for the first time in my life there is a God and I don't know him. I spent the rest of that day thinking and processing through what it means to know God. As an 8-year-old boy, I laid in bed that night and I prayed to Jesus for the first time in my life that I would be forgiven of my sin, and I began a relationship with this God who made me. It was my first prayer, but it's definitely not been my last.

As a Nation, we understand how it begins, as well. If you walk out in the rotunda here in the Capitol, you'll see a huge painting hanging in the rotunda that's called the "Embarkation of the Pilgrims." It was a painting done and hung in the rotunda in 1843, and it's supposed to depict the beginning of America. You know what the painting is of? The painting is of a group of Pilgrims gathered on the deck of a ship praying. It is the painting that is the beginning of America.

Last week at a town hall meeting in Konawa, Oklahoma, as they're gathered around to deal with a very difficult water issue in their town, do you know how they started their city council meeting? With a prayer. It's quite frankly the same way that I ended my day last night before I headed to Washington, D.C., kneeling beside my daughter's bed to pray. It's what we do as Americans. It's quite frankly when we're at our best. And it's a good thing for us as a Nation to slow down and remember, it's good to pray.

God bless our Nation this week as we do exactly that as a nation in this National Day of Prayer: to pray.

Mr. FORBES. I would like to thank Congressman LANKFORD for his words and for his strong work throughout the year on these issues.

Now it is now my privilege to yield to another individual that's been a passionate leader on religious freedom and religious liberty, Congressman LOUIE GOHMERT from Texas.

Mr. GOHMERT. Mr. Speaker, I thank my good friend from Virginia for having this time tonight. There's no better occasion than the National Prayer Breakfast.

My dear friend from Virginia leads each week when we're in session the first night of the week with bipartisan prayer. There is so much disagreement on this floor. I know my good friend from Texas, AL GREEN, and I have disagreement on issues, but he is my Christian brother and we prayed together tonight. It's a great honor to do that.

There's so much misinformation out there about the starting of this country, and there are always plenty of mistakes made. When you look back to the very beginning, after the rocky start with the Articles of Confederation, 4 years later they talked Washington into coming back and coming to Philadelphia and presiding over a convention. He was very reluctant to do that. He thought he had done his part. But after 4 or 5 weeks of nothing but rancor and a lot of yelling, very difficult times within Independence Hall, finally 80-year-old Benjamin Franklin stood up and was recognized by the president of the Constitutional Convention, George Washington.

Franklin had enjoyed life a great deal, but at that point he was overweight, had arthritis, gout. He was in a lot of trouble, but his mind was quite sharp. He was 2 to 3 years away from meeting his Maker. But he pointed out, we've been going for nearly 4 or 5 weeks, and we have more noes than ayes on virtually every vote. Then he says these words.

Now Madison entered notes to what he said, but Franklin wrote out his whole speech, and that is part of our archives. He said in his own words:

How has it happened, Sir, that we have not once thought of humbly applying to the Fa-

ther of lights to illuminate our understanding?

In the beginning of the contest with Great Britain, when we were sensible of danger, we had daily prayer in this room. Our prayers, Sir, were heard, and they were graciously answered.

And he goes on to point out that all of them should be able to remember specific prayers that they had prayed that were answered. Then he said these words, his words, his handwriting we have, as he spoke to the convention:

I have lived, Sir, a long time, and the longer I live, the more convincing proofs I see of this truth: that God governs in the affairs of men. And if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid? We have been assured, Sir, in the sacred writings, that unless the Lord build the House, they labor in vain that build it.

He urged his colleagues to believe it as he did, and he made a motion that they begin each session with prayer, as they had during the Constitutional Convention. Mr. Sherman seconded it. There was a lot of debate. I heard someone call in to Sean Hannity's show a few months ago, and they were saying, Well, gee, prayer meant nothing in the early days. In essence it was his point that that motion was defeated.

□ 1950

If you go back and look at the history, during the Constitutional Convention, they had money and they hired a chaplain. They agreed on the chaplain, and the chaplain led the prayer. During the Constitutional Convention, as was pointed out after Franklin's motion, they didn't have any money to hire a chaplain. They had no money. So they ended up not passing it because they didn't have money to hire a chaplain; and if they didn't hire a chaplain, they didn't see how they could agree on who would do the prayer.

They ultimately went together to hear a sermon on the anniversary of our independence. They prayed together; they worshiped together; and they came back. Ultimately, the result was our Constitution. When the Congress began to meet, they did have money; they did hire a chaplain; and they did start each session with prayer.

It was interesting when, back a few years ago, we were called into session on a Sunday to vote on the President's health care bill. Well, it was the first time I'd been called into session on a Sunday, and I greatly appreciated my friend from Virginia's leadership. We had a discussion: if we're going to be forced to come to Congress, called into session on a Sunday—what many of us call the Lord's day—then it doesn't seem like there should be a problem reviving a tradition that spanned most of the 1800s, and that was to have church right down the hall here—in Statuary Hall as it's called now—but in what

was the House of Representatives for most of the 1800s, until around 1858, when they moved into this Chamber, although it did not look like this. During those years, they had church service every Sunday. It was the largest Christian church service—non-denominational—in Washington, D.C.

Now, those who know the Constitution know there is no mention of the words “separation of church and State,” “wall of separation.” That was in a letter that Thomas Jefferson wrote to the Danbury Baptists. It had nothing to do with whether or not there should be discrimination against a Christian church as we often see now by the government. It seems that Christians are the only group that it is politically expedient to be prejudiced against anymore—too often. The man who used the words “separation of church and State,” Thomas Jefferson, we had verified by the research that the Congressional Research Service did.

When I just glanced at the report they provided, I saw that Madison didn't do this, and I thought, gee, that's weird. I thought Jefferson and Madison as President both went to church in the House of Representatives down the hall, so I looked more intently at the report. It said that Thomas Jefferson did go to church, and, in fact, Jefferson would often bring the Marine Band to play the hymns for the church service down the hall. That's a little different definition of the “separation of church and State” that's often given now. Just down the hall, they had open prayer and they had open worship, and nothing about any of that offended their sense of the First Amendment.

It turns out what the report said was Jefferson would normally ride to church each Sunday that he was President up to Capitol Hill on horse, on horseback. It pointed out that Madison didn't do this. Madison normally came to church every Sunday here in the House of Representatives in a horse-drawn carriage—he didn't ride a horse; he rode in a carriage—but the man who is given the most credit for the most work of our Constitution, James Madison, was not at all offended, and he didn't think the Constitution was offended by having church down the hall.

So I'll always be grateful to my friend from Virginia (Mr. FORBES) for suggesting let's have church, and we came together. They set it up, and it just reminded us of what it must have been like except they wouldn't have had steel and plastic chairs, but we had a worship service. What was particularly great, I thought, was that the prayers, both from Democrats and Republicans, were historic prayers that had been prayed in this Capitol many, many years ago as part of our history. It was a historical service, but there it was in the same place that the voice of

Thomas Jefferson and James Madison would have echoed in song and in verse and in prayer. Such a rich history we have.

I'm sure my friend from Virginia has heard people call and write nasty notes, saying, Keep your religion at home. This is when I have read historical prayers, historical proclamations by George Washington, Abraham Lincoln and all in between—Adams, John Quincy Adams—by all of these historical heavyweights in our past. People write, Keep that stuff out of government, not realizing, because of their lack of proper education, that those were part of our history. They were part of what made this country the greatest country in the world. It was part of what inspired John Quincy Adams, who Abraham Lincoln credited as having such an impact on him for that brief year they overlapped in the House of Representatives, to ultimately come back and become President—to end that blot, that blight, on this country's history called “slavery.”

Of Dr. Martin Luther King, Jr., whose statue is just down the hall in the Rotunda, the man was an ordained Christian minister. He spent his life, I've heard some say, in order to have all races created equal, and I would go one further as a young Christian white boy: he freed young Christian white boys to treat Christian brothers and sisters like Christian brothers and sisters. He did a great service for all of America.

So I thank my friend from Virginia for hosting this time to talk about the historical importance of prayer. I look forward to this Thursday's prayer breakfast. It's an honor to be the Republican co-chair on the House side, and I look forward to the breakfast on Thursday.

Mr. Speaker, I hope you and all within the sound of my voice who are Members of Congress will be there with us this Thursday morning.

Mr. FORBES. I thank the gentleman for his remarks.

Mr. Speaker, it is with a great deal of humility that we always take the floor in this Chamber. Tonight especially, as I look over your head, I see the inscription of our national motto: “In God We Trust.” Most of the individuals watching from home don't get to see that because the cameras are fixed below it, so they normally don't show it.

You have heard remarks tonight from Republicans and Democrats, and one of the truly great privileges of serving in this body is that we get to serve with some wonderful people. They come from a lot of wonderful States, and each of those States has its own history. We're not only proud of that history, but we learn so much from that history. I come from Virginia. When we look at our history, even before the first colonists ever stepped foot on the shores in Virginia,

it was drafted in the charter of Virginia that one of the major purposes of that colony was going to be to propagate faith and to propagate religion.

As they made that arduous journey across an ocean and didn't know if they were going to live or die, they had a ragtag group of people, and they weren't exactly the people that you'd have teaching Sunday school classes. They were tough individuals. When they landed on the shores, their chaplain, Robert Hunt, was able to convince them to come together and do their first organized act, which was to take an old sail and create a makeshift church, to get on their knees and thank God for delivering them over here and to ask for His wisdom and His blessing. With all of the challenges that they had, Mr. Hunt was able to convince them to come morning and afternoon and have those same prayers. They didn't have to think a lot about what they would pray for; it was just that they could make it to the next day. They did make it to the next day and to the next year.

About 10 years later, they selected the first legislative body in the new world in 1619, and the first act of that body was to go into the church in Jamestown, to get on their knees and to ask for God's blessing and His wisdom and His guidance.

□ 2000

It doesn't surprise us then that 2 years later when they would draft the first charter of the first Constitution of Virginia, that they would have as one of its primary purposes in its dedication for the advancement and service of God and the enlargement of His kingdom. And those years turned into decades and they moved that capital from Jamestown to Williamsburg, and it was a tough several years. They would have great men of faith. Some of them would spend 13 hours a day studying the Bible, praying.

One of those individuals was a guy named Samuel Davies. He would get up oftentimes at his church and preach. One lady liked him so much that she would bring her son and daughters to hear him on a weekly basis. Her young teenage son would sit at his feet and he would learn principles that he would talk about, about God and rights that came from God and not from men. That lady was Sarah Henry, and her son was Patrick Henry.

And when Patrick was 29 years old on his birthday, the first day he was in the Virginia General Assembly, they were debating the Stamp Act. He was supposed to be there and seen and not heard. He was a freshman. He sat there and he listened, and it looked like Virginia was going to do nothing and allow the acts that had taken away so many rights just to slip right between their fingers. And as he listened and listened, he opened up a law book and

there was a blank page and he started making notes. And finally he stood up and he started talking about rights that we had.

Another young man that heard Patrick Henry was a guy by the name of Thomas Jefferson. He said that Patrick Henry was the greatest orator he'd ever heard. And Patrick Henry replied, no, the greatest orator, the person he'd learned all of those concepts of freedom from, was that fellow by the name of Samuel Davies.

Years later, Patrick Henry, Thomas Jefferson, Richard Henry Lee, they would find themselves in that same Virginia General Assembly, but the port of Boston was about to be closed, and the King had issued that order. They came together with a makeshift caucus and they asked themselves: What can we best do to help our fellow colonists in Boston? Of all of the things they thought of, you know what that group came up with? They said the most important thing they could do was ask Virginians all across that Commonwealth to go down and pray for the colonists in Boston.

They spent that night writing a prayer resolution. They didn't know how to do it. They hadn't done it in years. They looked back at old puritan resolutions. They wrote one and went into the General Assembly, and they didn't know how it was going to be received. The next day, the Virginia General Assembly voted it unanimously and didn't change a word. The Governor was so irate, how dare they ask and pray against the King himself, that he stormed in with that proclamation in his hand and he dissolved the Virginia General Assembly.

Well, they were a group of individuals that didn't like the word "no," and so they walked across the street—Thomas Jefferson, Patrick Henry, Peyton Randolph, Richard Henry Lee, and a guy by the name of George Washington and several others, and they wrote a resolution that changed the world, a resolution that said that an attack on one colony was an attack on all of them, and they called for the first ever Congressional Continental Congress.

That Congress, as you know, would meet. And as Mr. GOHMERT pointed out, when they couldn't agree on anything else, the one thing they agreed on was opening with prayer. That Congress led to the Second Congress. In the Second Congress, they appointed a committee—Ben Franklin, John Adams, Thomas Jefferson, Robert Livingston, and Roger Sherman—to write a declaration that would birth this country. And as we are proud of in Virginia, the scrivener of that declaration was Thomas Jefferson. He would later say that he didn't write any new ideas or principles. He wrote concepts that had been heard and preached from pulpits across the Commonwealth and across

this Nation, concepts that said this: Our rights didn't come from any act, any king, any committee, but they came from the Creator himself; and if they came from Him, they could never be taken away.

They went on to win that war, to win their freedom, but it didn't last long before it was challenged. And in 1812, in that war, as you know, Francis Scott Key penned that great poem that became our national anthem, the Star-Spangled Banner, and he wrote what is right behind you, and he said: Our motto will ever be "In God We Trust."

As we went into another great war that would split this country, the Civil War, this Congress declared that that motto, "In God We Trust," could be on our coins. Later, the Supreme Court would have it challenged, but in the 1890s would recount the great history of faith in this country. And almost a half century later, when the greatest battle of freedom that ever was fought on the shores of Normandy was about to take place, Franklin Roosevelt led this entire Nation in prayer asking for blessings upon us.

After that great war and our victory, we came back in this Congress and asked where are we going to put our trust. Are we going to put it in that great atom bomb, in our resources and in our economy? This Congress said, no, our motto would be "In God We Trust," and they adopted that as our motto.

And when I was a young boy, John Kennedy, facing the Cuban missile crisis, came out and said: The guiding principle of this country has always been, is today, and will forever be, in God we trust.

So, Mr. Speaker, with that great history of faith, why is it that faith is under attack so much across this Nation? Well, Mr. Speaker, tune in, because in a few weeks we'll be back on this floor. We'll tell you who's doing it, why they're doing it, and what we need to do to stop it.

With that, Mr. Speaker, I thank you for the time, and I yield back the balance of my time.

CBC HOUR: IMMIGRATION REFORM

The SPEAKER pro tempore (Mr. DAINES). Under the Speaker's announced policy of January 3, 2013, the gentleman from New York (Mr. JEFFRIES) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. JEFFRIES. Mr. Speaker, I ask unanimous consent that all Members be given 5 days to revise and extend their remarks on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JEFFRIES. Today we are here as members of the Congressional Black

Caucus to weigh in on the important issue that confronts this Nation as it relates to the need for comprehensive immigration reform. It's my honor and my privilege to represent the Eighth Congressional District anchored in Brooklyn and parts of southwest Queens, one of the most diverse districts in the country; a district that has blacks and whites, Asians, Latinos, and immigrants from every corner of the world. I recognize in the capacity of my representation in that district the significance that immigrants have given both to the communities that I represent as well as to the city of New York, the State, and the Nation.

I'm proud that we've been joined by several distinguished members of the Congressional Black Caucus which, for more than four decades, has been known as the conscience of the Congress. And in that capacity, the Congressional Black Caucus has, year after year, spent time trying to perfect our democracy and create a more perfect Union. We confront that moment right now, here, in this great country of ours as we try and figure out how we deal with creating a pathway towards citizenship for the more than 11 million undocumented immigrants who are forced to toil in the shadows.

We've been joined today by a co-anchor for this next hour, a distinguished classmate of mine from the great State of Nevada, the gentleman STEVEN HORSFORD, who had the opportunity, I believe, last week to be present while President Barack Obama delivered his remarks as they relate to immigration reform. And so I'd like to ask Mr. HORSFORD if he might comment on the President's remarks and weigh in on the immigration debate from his perspective as a representative from the important State of Nevada.

Mr. HORSFORD. Mr. Speaker, first I'd like to thank my classmate and colleague and say I look forward to serving with him in this historic 113th Congress as we work together to make this a more perfect Union.

I also represent one of the more diverse districts in the United States Congress. My district is 25 percent Latino, 16 percent African American, 7 percent Asian American, 2 percent Native American. It is a district that reflects both the urban as well as the rural components and communities of our great State of Nevada.

□ 2010

In fact, Congressional District 4 reflects the State of Nevada, and Nevada increasingly reflects all of America. And so I believe that is why President Obama decided, of all places that he could visit, he visited Nevada last week to discuss the fierce urgency of now in adopting a comprehensive immigration reform by this Congress; the fact that

Nevada reflects the changing demographics of our country, but it also reflects the broken system which is our immigration system.

And so, as I listened to the President, and as we honor today the 100th birthday of Rosa Parks, I reflect on these issues as a basic fundamental civil right, a human right that is guaranteed to us. So today does mark the 100th birthday of Rosa Parks, an icon in the struggle for justice, a woman who was known as the mother of the civil rights movement.

As an African American woman confronting prejudice and unequal treatment under the law, Mrs. Parks remarked that what pushed her to say “no” on that fateful day in Montgomery was the simple fact that her “mistreatment was just not right,” and she was “tired of it.”

She said, and I quote:

I did not want to be mistreated; I did not want to be deprived of a seat that I had paid for. It was just time . . . There was opportunity for me to take a stand to express the way that I felt about being treated in that manner. I had not planned to get arrested. I had plenty to do without having to end up in jail. But when I had to face that decision, I didn't hesitate to do so because I felt that we had endured that too long. The more we gave in, the more we complied with that kind of treatment, the more oppressive it became.

It was not complicated. It was prejudice. It was unfair, and she was sick of it. She was tired of the constant drumbeat of injustice directing every minute of her day. She was tired of facing inequality in a country founded on principles of liberty and justice for all. Her act of civil disobedience sparked a social movement that changed our country forever, and she did it because “it was just time.”

So today, we honor her courage and her bravery. We remember her legacy and draw lessons from her actions. We take up the cause of promoting more just, fair and humane policy for all, because that's what we owe Mrs. Parks and all our civil rights leaders.

It is our tribute to those larger-than-life pioneers. As Dr. Martin Luther King, Jr. said, “Injustice anywhere is a threat to justice everywhere.” It is that creed of the civil rights movement that still motivates us today.

So today we take up the cause of joining arms with our immigrant brothers and sisters in that spirit. The time is now to lend a hand to those who confront injustice as a result of a broken immigration system. It is just time.

For many undocumented immigrants in our country, they are waiting to start their lives. They are waiting to start a business. They are waiting to reunite with their families, often for years on end.

And while they wait, children see their parents deported. Students get stuck in an educational purgatory and can't attend college and better their

lives or get a job in the country that trained them. And mothers and fathers can't provide for their family or care for their loved ones without keeping them in the shadows.

So they can't wait any longer. We can't wait any longer. And as Rosa Parks said, It is just time.

From Africa to Europe to Asia, our dysfunctional immigration system is a disincentive to the best and the brightest worldwide from coming to our great country. We throw talent away. We tear families apart. We show disregard for those trying to live the American Dream.

For far too long, we have put off comprehensive immigration reform, but now we are taking up the opportunity to do something about it. And we cannot let this moment pass. It is in that spirit that we hold today's discussion.

We will not wait any longer. We have to continue strengthening our border, but we will act on comprehensive immigration reform without delay. We will crack down on employers, but we will make sure that there is a pathway to citizenship for those who are here at no fault of their own. And we will fulfill our heritage as a Nation of immigrants and a Nation of laws.

Justice, compassion, and equal protection are our common cause. We have an opportunity to embrace dynamism that immigrants bring to our country, and now is the time to do it.

As I said, this is a civil rights issue. In fact, it is the civil rights and human rights issue of our generation. Just like the civil rights issues of the sixties that were fought by African Americans, and the women's rights issues before that, this is a civil rights issue that must be advocated by all who believe in a sense of justice, opportunity and equality for every person.

And as we work together, we can move forward on immigration reform for the good of our country and for the good of all of us as human beings.

Mr. JEFFRIES. I thank the gentleman from Nevada.

We've been joined by the distinguished chair of the Congressional Black Caucus, the gentlelady from Cleveland, Ohio, Representative MARCIA FUDGE. I yield her such time as she may consume.

Ms. FUDGE. I thank you so very much. It is indeed a pleasure for me to be with these young gentlemen here today. I want to thank the gentleman from New York, and I look forward to his leadership as he anchors this hour for the 113th Congress, and I'm certain that other members of his class will be joining him on a regular basis.

Mr. Speaker, with that I thank him again. This is a lot of work, which you know, to come down to this floor every week and talk about issues of importance to our Nation. So I thank you.

Mr. Speaker, I rise today to lend my voice to those of my colleagues on the

importance of comprehensive immigration reform.

The United States is a Nation of immigrants. Most Americans trace their lineage beyond our borders. The promise of the American Dream is what brings people from all corners of the world to this Nation. This country was founded on the principle that here lies the land of opportunity, and that anyone can achieve success through hard work.

But for the millions of undocumented immigrants of Hispanic, Asian, and African descent living in America today, the American Dream is just a promise, a promise they hope their children may one day realize.

Many immigrants are confronted with the same harsh realities that plague communities of color every day, namely, racial profiling based on unreasonable suspicion, systematic criminalization in order to fill private prisons, economic injustice that holds many in the bondage of poverty—all examples of pitfalls that unfairly, yet intentionally, trap, uproot and destroy far too many individuals and families.

Children in immigrant families also continue to struggle. According to the Pew Research Center, there are an estimated 1 million unauthorized immigrants under the age of 18 in the United States, and as many as 4.5 million U.S.-born children whose parents are unauthorized. These children live in fear.

Every year, nearly 200,000 non-citizens, many with children who are U.S. citizens, are deported and torn away from their families.

□ 2020

As families are torn apart, children are forced to choose between separation from their parent or leaving the only place they've ever called home.

How does America end the culture of fear among immigrant communities and help preserve families? First, we must create a pathway to citizenship that encourages, not discourages, legalization. Second, we must address the issues of mass detention and unjust criminality of immigrant populations. Third, our laws and justice system must place a premium on keeping families together. By creating flexible and equitable immigration policies that prioritize the unification and stability of immigrant families, we strengthen the fabric that holds our communities together.

Lastly, as a former mayor, I would be remiss if I did not mention the important role our States and local governments will play in immigration reform. As undocumented immigrants come out of the shadows of society, our State and our local governments will need our support more than ever. Dr. Martin Luther King, Jr., once said:

History will have to record that the greatest tragedy of this period of social transition was not the strident clamor of the bad people, but the appalling silence of the good people.

Today, we are in a period of social transition. As the “conscience of the United States Congress,” the CBC cannot and will not stand by in silence. When history is recounted, the record will reflect the stance that the CBC took in supporting comprehensive immigration reform—reform that not only includes individuals of Hispanic and Asian descent, but also thousands of immigrants from within the African diaspora, and reform that dignifies the struggles of the undocumented and reconnects broken family bonds.

I urge my colleagues to unite behind comprehensive immigration reform.

Mr. JEFFRIES. I thank the gentlelady from Ohio, the distinguished CBC chair, for her remarks and her observations.

I think there were several important points that were raised by our chair, Congresswoman FUDGE. First, sometimes the immigration reform debate has been characterized as perhaps just a Latino issue. At other times it's been characterized as perhaps an Asian issue. There are times that the immigration reform debate is characterized as an Eastern European issue. But really, immigration reform is an American issue. It cuts to the heart of who we are and what we will become. It affects every community. And as Congresswoman FUDGE indicated, there are black immigrants in the United States to whom the issue of creating a pathway towards citizenship is extremely important.

It's estimated that there are 3 million black immigrants in this country. Approximately 400,000 are undocumented. Who are these immigrants of African descent? Some are from the Caribbean, two-thirds of which are from nation states such as Jamaica, Trinidad, and Haiti. Others are from the continent of Africa. They are from countries like Nigeria and Ghana, Sudan, Ethiopia, and Eritrea.

I'm pleased that we've been joined by the distinguished gentlelady from the Ninth Congressional District in New York, who represents one of the largest immigrant populations for a congressional district not just in the city of New York, but anywhere in this Nation. She's been a dynamic leader on this issue.

Ms. CLARKE. Mr. Speaker, I rise today to add my voice to the CBC and amplify the message of support for true and real comprehensive immigration reform. First, I would like to thank our newly elected colleagues, the gentleman from Brooklyn, New York, Congressman HAKEEM JEFFRIES, and the gentleman from Las Vegas, Nevada, Mr. STEVEN HORSFORD, for hosting this evening's CBC hour.

Mr. Speaker, I commend President Obama for his commitment to comprehensive immigration reform, and I reaffirm my commitment to working with his administration and our col-

leagues to make true reform a reality. Having said that, I want to challenge the President and all of our colleagues to expand upon the face and the voice of immigration, adding new dimensions to the unfolding debate.

When two major immigration speeches such as those that President Obama made in El Paso, Texas, in 2011, and last week in Las Vegas, Nevada, in Mr. HORSFORD's part of the country, omit the contributions of immigrants from the continent of Africa, it paints an incomplete picture of the idealized gorgeous mosaic or melting pot, if you will, that the United States of America represents. We must embrace the diversity of those who are impacted by reform and understand that this debate cannot solely rest on the shoulders of our Latino sisters and brothers.

The stigmatization of the Latino population as the target immigrant population has resulted in a skewed depiction of the true diversity of the immigrant population resident in our country. We have immigrants represented from almost every Nation around the world, and we must recognize all of those who are building communities and strengthening our Nation.

Since 2009, I've been working with my colleagues to diversify the voice and the face of the immigration debate. The burden of a broken system does not encumber one group of immigrants alone. There are approximately 3 million immigrants from the African diaspora in the United States, the vast majority of whom entered the country with legal documentation. The impact of immigrants of the African diaspora from the continent of Africa, the Caribbean region, and South and Central America has been massive in scale. As the representative of the Ninth Congressional District of New York, I am proud to serve a very significant Caribbean, South and Central American, and continental African immigrant community whose immigration experience is as diverse as the countries from which they've come. In fact, I represent one of the most diverse, immigrant-rich districts in the Nation, with people who have come from the Middle East, South Asia, Asia, Russia, the Eastern European nations. It's a virtual United Nations.

Many entered our shores with student visas, like my parents did, to pursue careers in medicine, science, education, and other professions. Many are proud business owners of law firms, restaurants, grocery stores, shipping companies, and hair braiding venues. There are those who come as asylum seekers, fleeing the tumult of war, famine, and genocide. No matter their reason for immigrating, they've come to the U.S. to be productive, taxpaying members of our civil society and to attain the American Dream.

Unfortunately, immigrants of the African diaspora, like so many other

groups from around the world, are dealing with backlogged immigration processing; families being ripped apart; falling “out of status” because they have aged out of the legal immigration process; racial and status discrimination; unfair criminal aggravated felony laws that prohibit judicial review; deportation processes that violate civil and human rights; an insecure and prohibitive student visa program; limited access to work permits; and much, much more.

You see, many immigrants arrive on our shores during a time in their lives when they are the most productive. Any delay in processing these individuals, in bringing them to the fore, denies us the opportunity to access their talents, their skills, and their ability in the prime of their lives.

□ 2030

Additionally, African Americans, those descendants of the slave trade—whom I fondly call long-time stakeholders of this Nation—have been affected by the broken system as well. Working-class Americans of all backgrounds, races, and ethnicities are adversely affected with a broken immigration system. They are facing depressed wages due to unscrupulous and illegal corporate hiring practices. Urban communities aren't being adequately counted by the Census and other surveys, resulting in the reduction of adequate government services and Federal resources to meet the needs of the actual population in the communities and increasing the strain on current public services.

Urban communities are exposed to more crime, as the undocumented are more reluctant to report crimes; and African Americans are dealing with increased racial and status discrimination, as many are subjected to interrogations based on citizenship.

This is why, as a child of the Caribbean—second-generation American—and a sister of the African diaspora, I believe that it is my duty and that of the Congressional Black Caucus to ensure that the voices of immigrants of the African diaspora will be at the forefront, shoulder to shoulder with the Congressional Hispanic Caucus and the Caucus of the Asian and Pacific Islanders; that the voices of the immigrants of the African diaspora will be heard. We will make sure that this debate is as diverse as the population it encompasses.

The effectiveness of the immigration reform debate will rely heavily on the diversity of its support. That is why I call upon my sisters and brothers within the African diaspora to join with the members of the CBC, myself and our colleagues, in making sure that our voices are heard and our needs are adequately addressed.

Mr. Speaker, the time is now to pass a comprehensive bill that includes

streamlining the immigration process, humane enforcement strategies that address the needs of children and other vulnerable people, use alternatives to detention, create enforceable detention standards, safeguard our investments in our DREAM Act kids, and outline essential due process reforms.

Our national security is at stake. Our moral standing in the world depends upon it. And the American people—many of whom are first- and second-generation immigrants—have demanded it. If we turn our backs on those law-abiding contributors to our civil society that come to our shores only to embrace the American Dream, to labor in rebuilding our great Nation, to strengthen our economy, to serve honorably in our military, we turn our back on ourselves and our future. You don't have to believe me. Just ask the people of Japan, where population growth has been stagnant as a result of a prohibitive immigration policy.

It is time for people of good will to stand for those who fear or are unable to stand for themselves. Let us stand together for comprehensive immigration reform.

Mr. JEFFRIES. Thank you, Congresswoman CLARKE, for those very eloquent and thoughtful remarks.

The Congressional Black Caucus consists of 42 Members representing a variety of communities all across this great Nation. We've been joined today by two Representatives from the Lone Star State, one of whom, Representative SHEILA JACKSON LEE, has distinguished herself in many different areas, but has been a thought leader in the area of comprehensive immigration reform.

She is currently the ranking Member on the House Committee on Homeland Security Subcommittee on the Border and Maritime Security, and also is a senior member of the House Committee on the Judiciary and the important Subcommittee on Immigration and Border Security. We're thankful that she's been a long-time champion of a fair and humane immigration system, and I yield the floor to Congresswoman SHEILA JACKSON LEE.

Ms. JACKSON LEE. I'd like to thank the distinguished gentleman from New York and the distinguished gentleman from Nevada. I particularly want to thank them for hosting this vital discussion, this Special Order, and pay tribute to them for doing a service to the Nation.

When we speak on the floor of the House and we come from disparate States, from New York, Nevada, Texas, and Ohio—in fact, I think we have just about covered America—it has an amazing impact on our colleagues, and certainly constituents. So I owe and we all owe you a debt of gratitude for the forward thinking, and particularly since today has a double meaning. This is the 100th birthday of Rosa Parks.

She is often called the Mother of Civil Rights. And then our President, over the last couple of weeks, and as the gentleman from Nevada knows, spent time with him, to speak eloquently about the need for this pathway of access to legalization going forward.

So I am grateful again for your willingness to host this and to begin to surge forward, collaborate with members of the Congressional Black Caucus, and giving them information in their respective districts, and collaborating with the Asian Pacific Caucus, the Caribbean Caucus, and as well the Hispanic Caucus. I think there are three of us, but we now have a new Caribbean, on which a number of us serve, and as well the African diaspora, which includes our brothers and sisters that have been mentioned already on the floor. We can go vastly beyond them. It's my effort today, and I thank both the gentlemen from New York and from Nevada for some potent posters that I hope that I will share with all of you.

Let me share both words from President Obama and some abbreviated words from Dr. Martin Luther King. But the words from President Obama stated, as it relates to the question of immigration reform, that our journey is not complete until we find a better way to welcome the striving, hopeful immigrants who still see America as the land of opportunity, until bright young students and engineers are enlisted in our workforce rather than expelled from our country.

I think the important part of this discussion tonight is to make sure that the landscape of immigration reform is a landscape of many faces, many heritages, many backgrounds, many regions in the United States, many continents, and that it is important for all of us to have a commitment to better opportunity for all. But as we do that, I think education is crucial. For as this discussion goes forward, I want my friends to know that there will be moments of great contention, there will be moments of disagreement, and there will be moments of misrepresentation.

It is important for the broad diaspora to understand that we are in this leaking boat together, and that when we utilize the term of "civil rights" or we use Rosa Parks or we speak to the words that Dr. King said on April 3, 1968, that said that he could see a Promised Land and that he might not get there with us, but he knew that we as a people would get there some day. I cannot imagine in the 50th year of his "I Have a Dream" speech that he could not foresee that America's diversity would be its strength, and that African Americans who came first to this country as slaves could then join with others who came in fishing boats, in airplanes, that walked across the border for greater opportunity and make America the dream, the great Nation,

the Promised Land of which he predicted.

That is what immigration reform is. It is not to take from someone else and to give to someone else. It is not to diminish the civil rights struggle of the African American population. It is not to ignore the history of others, but it is to say that we have a common ground. That is the way that we're going to pass immigration reform.

□ 2040

If you are a Southerner and a Republican from the South, you have as much invested in an America that gives opportunity to all as you may be from the wonderful districts that are represented on this floor. And until we understand that in the House, and until the Speaker understands and accepts it, that this is not taking away, this is not undermining anyone's view of America, it is to say that the view of America is a promised land that so many come for. It is a recognition that Americans have come through the 1800s when the Irish came because of the famine, the Italians came in the early 1900s. Other groups have come since then, large numbers of Hispanics, Asian Americans, South Asian Americans, those who have come from the Asian Pacific area, those who have come from Pakistan, India and Bangladesh, those who have come from the Caribbean, those who come from Africa. They have all come, and we have to recognize that.

One of the issues that seems to be coming up over and over again as we look at this issue, and I will speak specifically to the Senate's proposal, the general path to citizenship, it talks about the 11 million undocumented individuals, that the path of citizenship will only take place if the border is secured and visa overstays are effectively combated.

Let me be clear that great progress has been made over the Clinton administration, moving into the Bush administration, George Bush, and then on to the Obama administration, particularly in the Obama administration because you can begin to see any suggestion that we have not worked to secure the border is based upon lack of information and lack of facts. So I want to thank my colleague for a poster that, in fact, says that the number of Border Patrol agents has more than doubled in the past 10 years.

When I first began writing legislation in 2004, 2003, 2005, we were shortchanged on border security agents. Working with the Senate and working with Presidents, we funded the increase of border security or Border Patrol agents, and we can see now that the majority of agents are assigned to the U.S.-Mexican border, more than 16,000, and more—and it's growing—that are basically at the border now. I think we

can do more, if you will, for the northern border; and I look forward to working with my chairperson of the subcommittee on that issue.

But we cannot let the discussion get bogged down in talking about we can't provide some access to citizenship. In my legislation, I called it "earned access to citizenship," which means there were fines to be paid, charitable issues to be paid, you must be vetted; but here on the Senate proposal, it talks about securing the border.

I want to be able to be responsive to their concerns, but they should also look at the facts, and they can see that between ICE and CBP, ICE is the internal enforcement, CBP, you can see the increase in the amounts of money that have gone up in the billions of dollars, now close to \$18 billion between ICE and CBP, CBP being a little bit under \$12 billion, that we have truly under the Obama administration been serious about border security. In fact, there is a poster board here that suggests that the deportations have gone up. That's not the right way to proceed.

So my point today is that there must be common ground. In the Senate, they talk about young, undocumented immigrants who were brought to the U.S. when they were children will have a more direct path to citizenship. That must be clear because those are the DREAM Act kids. And, in fact, those individuals are the talent that we are throwing away, young people who are in college who are contributing to society who can help bring their families, reunite their families, have been forced to deportation.

I want to congratulate the President for his executive order that provided a deferred adjudication for DREAM Act youngsters as a basis of saying that the ICE should enforce deportation on those who are a threat to our community and prioritize those distinctive from those who are here who are not doing us any harm who are being educated. So the Senate proposal talks about young people. It talks about the backlogs of legal immigration and family reunification and the employment visa process.

It also allows more immigrants performing lower-skilled occupations to enter the country when we were created. I want to change that word. I don't like the idea of lower skilled. People come to work, if they are skilled, they have something to contribute, that is the basis upon which we should look at it. But I think for the Congressional Black Caucus it is always important to say because our communities suffer unemployment in many parts of the country more so than others, that it is important in any immigration reform that we ensure that the employer has looked very hard for a person who is eligible for that job here in the United States.

That's how we educate our population. That's how we bring together

the right kind of collaboration. High-skilled immigrants should be all of us. High-skilled individuals should be those in historically black colleges, Hispanic-serving colleges. We should encourage them to be part of science, technology, engineering and math. However, when there is an immigrant that is graduating from our top universities, or any of our universities, we should not ask them to leave. It is very important to do. And we should ensure that they have opportunities.

The President's general path to citizenship provides a pathway to citizenship. These immigrants can register for provisional legal status. And his point is, which I believe we should join in, that we should not let border security get in the way of making sure that we move forward on a legal status process. Young people who, again, were brought here as children should have an expedited path to citizenship by attending college or by serving 2 years in the military. Slight differences that we can find a common ground, legal immigrants, he speaks to the plan would increase the percentage of family-sponsored immigrants coming into the country over every 7 years, from 7 to 15 percent.

This goes to a complaint that you will hear from those in Nevada, those in New York, those in your very diverse districts, they complain about—not complain—let me say it differently. They want to be reunited with their family members. And one of the starkest things that happens to any of us who visit with immigrants in our congressional office, what about the immigrant who wants to go home for a dying relative, or the relative wants to come because there is a dying relative here in the United States.

I had that happen in my district. I had a South Korean student who was shot on the streets of Houston, and tragically he became paralyzed. When his father came here to be able to comfort him, his father had been here, he went back out, he was held and detained. We finally got that resolved. But we must find a way to have this punishment, this pain, that so many of our immigrants are experiencing, we must find a way to be able to work on this in a productive and smart manner. This speaks to the fact that we have not been slouches, we have not been slouches as it relates to border security.

I want to speak to the issue of the diversity visa program, which was a target of our friends who maybe did not understand what that means. But the diversity visa program was to allow people who did not get in the normal visa system. It has proven to be a way of helping those who come from the continent of Africa, those who come from a number of other areas where it is very difficult to get a visa. Nearly 15 million people representing about 20

million with family members included were registered late last year for the 2012 diversity visa program under which only 15,000 visa winners were to be selected.

That shows the intensity of the diversity visa. And some want to get rid of it. It's a lot of African immigrants; it's a lot of people trying to come to be with their families. Diversity visa immigrants succeed and contribute to the U.S. economy. According to the Congressional Research Service, in FY 2009, diversity visa immigrants were 2.5 times more likely to report managerial and professional occupations.

The founder of it, Representative Bruce Morrison, said that the heart of the definition of America is what this program is about. All nationalities are welcome. Ambassador Johnny Young said the program engenders hope abroad for those who are too often without it, hope for a better life. And so I hope as we look at immigration reform we will not attempt to eliminate opportunities to bring families together.

Finally, with respect to security issues, there's no significant evidence of a security risk with the diversity visa. The GAO found in 2007 no documented evidence.

These points about the issue of where we can come together and where there are distinctions is to raise the specter of how serious and difficult this process may be. The Congressional Black Caucus will be pivotal in its role, one, because it is the conscience of this Congress; two, because we have the uncanny ability of seeing from a broader perspective what we have gone through in our lifetime, what our communities go through. We've seen discrimination, and we are sympathetic and sensitive to how we can help others.

So I think the challenge is as we proceed on this process that all of us be included in this discussion, that the working group includes members of the Congressional Black Caucus and that as we encourage legislation to come to the Judiciary Committee, which is the committee that I sit on, the Immigration Subcommittee that ZOE LOFGREN chairs and which I'm second on that committee, and as it goes through Homeland Security where the ranking member, Mr. THOMPSON, and Mr. McCAUL share the leadership, in Judiciary Mr. CONYERS and Mr. GOODLATTE, where I am the ranking member on the Border Security Subcommittee, that we, through the Congressional Black Caucus, find a way to uphold the values of our ancestors, uphold the values of the pioneers and leaders who have traveled through the journey of civil rights that we can see the plight and the pain of those who come now.

□ 2050

I want to say in closing that as a Member of the Congress having the

privilege of serving the 18th Congressional District, even in a city like Houston, it is enormously diverse, having a large number of counselor offices, and people who have come from all walks of life, who have come through outdoors in the 18th Congressional District begging for help, pleading for their children not being deported, and I would say to my colleagues you can not, and those of you who come from this diverse background, fully understand what it's like to hear a mother's shrill scream in your office when you said to them that we are going to stop the deportation of your child. We've all understood that pain if we've encountered immigrants who do nothing more and want nothing more than to live the American Dream, who are paying taxes, building houses, and working for the betterment of us all, serving in the military and shedding blood.

For this reason I think it is crucial that we try to overcome the hurdles, the differences of opinion, the tension that will rise, and have a common place to start from and a common ending. And that is the betterment of all people who contribute and make America great.

Comprehensive immigration reform will not hurt those of us who stand on this floor, and we will not allow it to hurt those who we represent. It will be a focus roadmap for all of us to work for a great and wonderful promised land that Martin King dreamed about and spoke about a few years ago.

Mr. JEFFRIES. I thank the gentlelady from Texas for her very pointed observations on a variety of different issues concerning the comprehensive immigration reform issue.

I would just like to amplify for a moment one point that was made as it relates to the significance of the diversity visa lottery program. It's a program that in its conception is designed to make sure that immigrants from underrepresented parts of the world have an opportunity to come to America and participate in the American Dream. And in the context of this diversity visa lottery program, approximately 20 percent of the African immigrants who are here in this country are here as a result of participating in that program.

It has been an instrumental vehicle for ensuring diversity as it relates to the presence of immigrants from the African continent, who by the way, statistics have shown, tend to be more educated in their attainment of college degrees than any other immigrant group. As a result, they are very much contributing to moving the society forward. And for that reason I believe it will be important for the CBC to continue to stand up for this program as we move forward with comprehensive immigration reform, and so I thank the gentlelady for those observations.

Ms. JACKSON LEE. Will the gentleman yield for just one quick mo-

ment. I want to applaud him for that and just add two groups that we did not mention yet that will really be impacted by comprehensive immigration reform: Liberians who came here on deferred enforcement, who are now still in limbo and worked with us over the years. We've been, if you would say, advocates for them. And Haitians, who have a distinctive pathway into citizenship, who have certainly been contributing, fought with us in the Revolutionary War.

And you are absolutely right, the diversity visa has been a lifeline, not for terrorists, but a lifeline for hard-working immigrants. And I hope that when we debate this, as I said, mountains of tension or disagreement, that we can find common ground to include all these groups that will help better America and grow America strong.

Mr. JEFFRIES. One of the things that we hope to accomplish today as we move forward in the context of advancing this immigration reform debate is making sure that the facts surrounding the issue of immigration are well known. This is a Nation of immigrants, and it's a Nation of laws. And some have articulated the concern that we must secure the border before we can move forward and create a pathway toward citizenship for those who are in the country and undocumented.

Much has been made about the southwestern border in particular. And the gentleman from Nevada, I believe, has some statistics that he can speak to as to the progress that has been made in securing the border, points that were also made by the gentlelady from Texas.

Mr. HORSFORD. Mr. Speaker, again, I would like to thank the gentleman from New York for yielding and to expound on some of the points that the gentlelady from Texas made in regards to the tremendous progress that has been made on strengthening the border.

She touched on the doubling of the number of Border Patrol agents from 10,000 to 21,000 agents in just the past year. That's a doubling since 2004 of resources. And this is tremendous in that it actually is the largest per year enforcement of any other federal law enforcement combined. It's \$17.6 billion worth of enforcement on our border. And so progress has been made. And the deportations signify that. Half of these deportations have been to individuals who committed crimes, illegal crimes, and were deported for that reason.

But let me also touch on another element, which the gentlelady also discussed. And that is immigration, and the history of immigration policy in our country has always focused on the family and keeping the family together and reuniting family members. And so we have to be careful when we talk about deportation, what that means for

individuals, because this is a human rights issue.

In my district, in Congressional District 4, I met with a group of citizens on Sunday before the President came, and there was one family there who explained to me a situation where the mother had been deported and the children now are in foster care. They cannot be reunited with their family because of the status issues. And that is something that is having a human toll because we have a broken immigration system that must be fixed. That has always been a cornerstone of our immigration policy in this country, the focus on keeping our families together, not just on labor or economic issues, which should be at the forefront as well.

And so enforcement has been a big cornerstone, and should be a major cornerstone, of the policy going forward. But the pathway to citizenship is the cornerstone. And I believe the Congressional Black Caucus as a stakeholder in this discussion, working with our colleagues on the other side and in the other Chamber, must articulate why there cannot be a precondition, a litmus test on border security, in order to provide for a pathway to citizenship that so many individuals depend on.

Let me also discuss one other element of a comprehensive immigration reform that is necessary, and it's important to my district, in Congressional District 4, and that's the focus on enhancing travel and tourism.

The administration under President Obama is committed to increasing U.S. travel and tourism by facilitating legitimate travel while maintaining our Nation's security. Consistent with the President's executive order on travel and tourism, the President's proposal securely streamlines visa and foreign visitor processing. It also strengthens law enforcement cooperation while maintaining the program's robust counterterrorism and criminal information-sharing initiatives. It facilitates more efficient travel by allowing greater flexibility to designate countries for participation in the visa waiver program, which allows citizens of designated countries to visit the United States without obtaining a visa.

□ 2100

Finally, it permits the State Department to waive interview requirements for certain very low-risk visa applicants, permitting resources to be focused on higher risk applicants, and it creates a pilot for premium visa processing.

So these are all of the components that have to be part of the comprehensive immigration reform. These are the tenets which the Congressional Black Caucus, in working with the Congressional Hispanic Caucus and the Congressional Asian Pacific Caucus, believes to be the cornerstones and the

principles by which any comprehensive immigration bill should be passed.

Mr. JEFFRIES. Thank you, Congressman HORSFORD.

We have been joined by our distinguished classmate, the gentleman from Texas, Congressman MARC VEASEY, who represents an extremely diverse district in the Dallas area and who has been a tremendous thought leader on this issue, and it is my honor to recognize him.

Mr. VEASEY. I want to thank my colleague HAKEEM JEFFRIES, who is from the great State of New York, and Mr. HORSFORD for their leadership on this issue. They, too, understand how important it is that we speak out on this issue. It is not only important to our constituents and our States but to the entire country.

Mr. Speaker, I thank you for the opportunity to address the Chamber on the very important topic of comprehensive immigration reform. I would also like to express my gratitude to the Congressional Black Caucus for not only their leadership on this issue but also for allowing me, as a member of the caucus, to continue this meaningful and urgent discussion. As Members of Congress, it is our duty to be the voices of our constituents by creating and passing legislation that addresses their concerns.

For much too long, 11 million voices have waited for Congress to work together on comprehensive immigration reform. They're in neighborhoods like the ones I represent in Dallas and Fort Worth and Oak Cliff, which is in Dallas on the north side of Fort Worth. This is an issue that is very important, not only to those neighborhoods, but to the neighborhoods in the entirety of the district that I represent. The consensus on this issue has never been stronger, and I am proud to see Members on both sides of the aisle working together and finding a practical solution to this problem while President Obama leads the way.

I applaud the comprehensive immigration reform efforts, including the proposals put forth by the President and bipartisan groups of Senators, which call for protecting our borders while respecting the unity and sanctity of our families. Our undocumented immigrant community includes DREAMer schoolchildren, who are excelling in math and science, wanting to attend college in the only country they've ever known. It also includes hard-working men and women who are only trying to make an honest living and provide for their families.

Comprehensive immigration reform is about accountability and responsible public policy. It is not feasible, economical, or moral to propose the deportation of 11 million people who are living and working hard in our country. What reform calls for is responsible public policy that provides certainty to

employers that the people wanting to work are legally eligible to do so, thereby bringing a significant population of our country out of the shadows.

Mr. Speaker, our borders are more secure than ever before. Border security is a serious issue, and we must continue to enforce our laws, but we can also enact a fair immigration system by working together. Providing appropriate protections to undocumented workers, including fair wages and safe working conditions, is the right thing to do to ensure the development of our economy and our Nation's security.

As the Congressman from the Dallas-Fort Worth metroplex, I understand the necessity of bipartisanship on this issue. My first days in office have been devoted to relationships and coalition-building on both sides of the aisle. I look forward to continuing those efforts, and I will not stop until we achieve a fair and comprehensive immigration reform plan. I will work closely with my friends in the Congressional Hispanic Caucus and in the Congressional Black Caucus and with all of my colleagues who would like to join this effort. The voices of those in my district and across the country are being heard. It's time to make comprehensive immigration reform a reality.

Mr. JEFFRIES. I thank the gentleman from Texas.

As he indicated, the time is now for us to move forward—to find common ground and to figure out how we can advance this issue in a manner that respects the security concerns that have been articulated but which also recognizes that, 6 years ago, several benchmarks were set forth for security measures to be reached in order for comprehensive immigration reform and a pathway towards citizenship to be created.

Six years ago, there was a call for at least 20,000 border protection agents. Right now, there are 21,400 border protection agents. Six years ago, there was a call for a fence to be constructed along the southern border of approximately 670 miles, although our border security folks have said they believe a fence would be adequate that is 652 miles, 651 miles of which have already been constructed. There was a call for video surveillance assets—these are cameras and radar—deployed along the borders of this country. Six years ago, the call was for 105 such video surveillance assets. Mr. Speaker, right now, there are more than 250 deployed in the United States of America. We have met or exceeded the security benchmarks that have been set. That's why it is time for us to move forward with comprehensive immigration reform.

We have also been joined by another distinguished colleague of ours, the gentleman from Newark, New Jersey (Mr. PAYNE), and I recognize him at this time.

Mr. PAYNE. Let me first say “thank you” to the gentleman from New York, the gentleman from across the river with whom we are looking forward to having a great working relationship, as well as with the gentleman from Nevada, who has also distinguished himself very early in this Congress.

As we debate this issue, we must not forget that we are a Nation of immigrants, and it is our rich history of immigration that has strengthened this country generation after generation. Yes, we must secure our borders, but we must also recognize that there have been a record number of deportations and seizures over the last 4 years. This issue of border security cannot be used as a fear tactic to prevent progress. In my district, people migrate from all over the globe, not just from Latin America, but from the Caribbean and Africa and Asia as well, and they are all in search of the same thing—the American Dream.

Children who were brought here through no fault of their own and who think of themselves as Americans wait in limbo, so we have a moral obligation to fix our broken system. It is not only the right thing to do, but it is the practical thing to do. Over 11 million undocumented workers live in our communities. They go to our schools, and they work among us every day. It is time for Congress to provide these 11 million people their chance to come out of the shadows without the specter of deportation hanging over their heads.

It's also time to streamline the legal immigration process and to make it more efficient for high-skilled workers and those working in science fields to be able to stay and keep their talents here.

In my district—the 10th district of New Jersey, and in every corner of America, immigrants are receiving degrees in science, technology, engineering, and math. They are the business leaders and innovators of the future. But when they graduate, they are sent home.

If we want to remain the pre-eminent country in the world—if we want to continue to attract the best talent—if we want to continue to out-innovate the rest of the world—if we want to continue to be a just nation, then we must act now.

Mr. JEFFRIES. I thank the gentleman from New Jersey for his comments. I also want to thank the distinguished members of the CBC, including my colleague from Nevada, Congressman HORSFORD, for his leadership, for his eloquence, and for the facts that he has brought to bear.

Mr. Speaker, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of common-sense immigration reforms that will foster economic growth, keep our families and our communities together, and protect workers' rights. America's immigration system is broken, and we must forge a bipartisan agreement to fix it.

As a member of the Congressional Black Caucus, I will ensure that the needs of all

communities are addressed in immigration reform. Many undocumented immigrants were brought here as children and know the United States as their only home. I support the DREAM Act to allow these bright young people to build their futures here and contribute to our nation's prosperity. Strong families are the cornerstone of our Nation, and I believe provisions to guarantee family unity must be included in any serious immigration reform bill. I am dedicated to keeping families together by supporting a pathway to citizenship for undocumented immigrants.

At the same time, Congress must ensure that immigration reform positively impacts economic and employment opportunities for all Americans. I will prioritize improving access to adult education programs and increasing job training opportunities so that all Americans can pursue their dreams and provide for their families.

It is time to come together to enact fair and reasonable immigration reforms that advance our national interests and honor our history as a country of immigrants. I will work hard in Congress to ensure that these reforms strengthen our communities and drive our economy forward.

Ms. LEE of California. Mr. Speaker, let me thank all of my colleagues in the Congressional Black Caucus for highlighting the importance of immigration reform for our community and our country.

Recognizing immigration reform as a key civil rights issue, the CBC continues to be at the forefront of this important topic.

As someone who represents a district with rich cultural diversity, I have witnessed firsthand the need for comprehensive immigration reform.

I have seen families separated by a backlogged visa system, students denied the opportunity to contribute to the country that gave them the tools to succeed and innovate, and LGBT couples unfairly singled out and denied the opportunity to live together within the borders of this country.

Mr. Speaker we need immigration reform because our system is broken. We need it for family unity, for accountability, for fairness and equality, and for the good of our country and economy.

Most importantly we need to create a roadmap to citizenship for the men, women, children, and students living in our country.

These individuals, Americans in every sense of the word but on paper, are just the latest generation of immigrants to contribute to the cultural diversity and vitality of our Nation.

They are hardworking, they are dedicated, and they came here in search of better lives for themselves and their families; their lives are modern-day tales of the American dream and that echo the experiences of the parents, grandparents, or great-grandparents of each one of us.

And now we are at the brink of reforming this broken system and creating one that reflects our values of hard work, family unity, and equity.

Immigration reform will change things for the better, including in those communities that aren't usually at the forefront of this debate: immigrants from Africa and the Caribbean.

And while these immigrant communities aren't typically acknowledged, they have made

tremendous contributions to getting us where we are today.

Take for example Shirley Chisholm, my dear friend and mentor, whose father was born in British Guiana and mother in Barbados.

She became the first African American woman elected to Congress and was one of the founding members of the Congressional Black Caucus. She was also the person who inspired me to take part in the political process when I was just a young college student.

And there are others, like Colin Powell, who was born to Jamaican parents and rose to the ranks of four-star General and Secretary of State.

And Harry Belafonte, the "King of Calypso," was also born to Jamaican parents.

And Maureen Bunyan, a well-known news anchor and founder of the National Association of Black Journalists and the International Women's Media Foundation, who was born in Aruba. And the list goes on and on.

I am also proud to say that my own district is home to a growing community of immigrants and their families from places like Ethiopia, Eritrea, and the Caribbean.

They are active contributors to the East Bay region, as well as to a vibrant immigrant community that highlights their distinct cultural backgrounds while emphasizing a strong sense of local unity.

With a new immigration system, members of these communities will finally be able to unite with close family members, many after years and even decades of separation, same-sex binational couples will be able to express their love and obtain status equal to that of their neighbors without being separated by a border wall, and we will have an immigration system that people will go through rather than go around.

We also need to make sure that the new system protects and assists workers by increasing the enforcement of workplace standards and antidiscrimination laws.

It must also include more robust programs for job training, including adult education opportunities and programs for low-wage workers.

Lastly, it must make it easier for individuals to compete for jobs and provide resources to take the workers where the jobs are.

I look forward to continuing to work with my colleagues to make this new system a realization and to better the lives of the immigrant groups in my district and throughout the country.

Thank you again to my colleagues in the Congressional Black Caucus for continuing this discussion and working toward a bipartisan solution.

CORRECTION TO THE CONGRESSIONAL RECORD OF FRIDAY, FEBRUARY 1, 2013 AT PAGE 849

(e) OTHER COMMITTEE PUBLICATIONS.—

(1) *House Reports*.

(i) Any document published by the Committee as a House Report, other than a report of the Committee on a measure which has been approved by the Committee, shall be approved by the Committee at a meeting, and Members shall have the same opportunity to submit views as provided for in Rule IV(b).

(ii) Not later than January 2nd of each year, the Committee shall submit to the House an annual report on the activities of the Committee.

(iii) After an adjournment sine die of a regular session of a Congress or after December 15th, whichever occurs first, the Chairman may file the annual Activity Report for that Congress with the Clerk of the House at any time and without the approval of the Committee, provided that a copy of the report has been available to each Member of the Committee for at least seven calendar days and that the report includes any supplemental, minority, or additional views submitted by a Member of the Committee. [See House Rule XI 1(d)]

(2) *Other Documents*.

(i) Subject to paragraphs (ii) and (iii), the Chairman may approve the publication of any document as a Committee print which in the Chairman's discretion he determines to be useful for the information of the Committee.

(ii) Any document to be published as a Committee print that purports to express the views, findings, conclusions, or recommendations of the Committee or any of its Subcommittees, other than a report of the Committee on a measure that has been approved by the Committee, must be approved by the Committee or its Subcommittees, as applicable, in a meeting or otherwise in writing by a majority of the Members, and such Members shall have the right to submit supplemental, minority, or additional views for inclusion in the print within at least 48 hours after such approval.

(iii) Any document to be published as a Committee print, other than a document described in subsection (ii) of this Rule, shall:

(a) include on its cover the following statement: "This document has been printed for informational purposes only and does not represent either findings or recommendations adopted by this Committee;" and

(b) not be published following the sine die adjournment of a Congress, unless approved by the Chairman after consultation with the Ranking Member of the Committee.

(iv) A report of an investigation or study conducted jointly by the Committee and one or more other Committees may be filed jointly, provided that each of the Committees complies independently with all requirements for approval and filing of the report. [House Rule XI 1(b)(2)].

(v) After an adjournment of the last regular session of a Congress sine die, an investigative or oversight report approved by the Committee may be filed with the Clerk at any time, provided that if a Member gives notice at the time of approval of intention to file supplemental, minority, or additional views, that Member shall be entitled to not less than seven calendar days in which to submit such views for inclusion with the report. [House Rule XI 1(b)(4)]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BISHOP of Georgia (at the request of Ms. PELOSI) for today.

Mr. FARR (at the request of Ms. PELOSI) for today through February 25 on account of medical reasons.

Ms. GABBARD (at the request of Ms. PELOSI) for today and the balance of the week on account of reporting for National Guard training duty.

Mr. ADERHOLT (at the request of Mr. CANTOR) for today on account of attending a funeral.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on January 29, 2013, she presented to the President of the United States, for his approval, the following bills:

H.R. 152. Making supplemental appropriations for the fiscal year ending September 30, 2013, to improve and streamline disaster assistance for Hurricane Sandy, and for other purposes.

Karen L. Haas, Clerk of the House, reported that on February 4, 2013, she presented to the President of the United States, for his approval, the following bills:

H.R. 325. To ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes.

ADJOURNMENT

Mr. JEFFRIES. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 9 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, February 5, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

179. A letter from the Director, Policy Issuances Division, Department of Agriculture, transmitting the Department's final rule — Uniform Compliance Date for Food Labeling Regulations [Docket No.: FSIS-2012-0039] (RIN: 0583-AD05) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

180. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Approved Tests for Bovine Tuberculosis in Cervids [Docket No.: APHIS-2012-0087] received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

181. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Golden Nematode; Removal of Regulated Areas in Livingston and Steuben Counties, NY [Docket No.: APHIS-2012-0079] received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

182. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Traceability for Livestock Moving Interstate [Docket No.: APHIS-2009-0091] (RIN: 0579-AD24) (RIN: 0579-AD24) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

183. A letter from the Deputy Secretary, Department of State, transmitting a letter strongly supporting Senator Leahy's amendment included as Section 1107 in H.R. 1 of the 112th Congress; to the Committee on Appropriations.

184. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of 19 officers to wear the authorized insignia of the grade of brigadier general; to the Committee on Armed Services.

185. A letter from the Acting Principal Deputy, Department of Defense, transmitting a proposed change to the Fiscal Year 2011 National Guard and Reserve Equipment Appropriation (NGREA) procurement; to the Committee on Armed Services.

186. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Community Reinvestment Act Regulations (RIN: 3064-AD90) received January 25, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

187. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Lost Security holders and Unresponsive Payees [Release No.: 34-68668; File No. S7-11-11] (RIN: 3235-AL11) received January 17, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

188. A letter from the Assistant Secretary for Communications and Information, Department of Commerce, transmitting the Department's final rule — Relocation of and Spectrum Sharing by Federal Government Stations — Technical Panel and Dispute Resolution Boards [Docket No.: 120620177-2445-02] (RIN: 0660-AA26) received January 23, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

189. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Modifications to the HIPPA Privacy, Security, Enforcement, and Breach Notification Rules Under the Health Information Technology for Economic and Clinical Health Act and The Genetic Information Nondiscrimination Act; Other Modifications to the HIPPA Rules (RIN: 0945-AA03) received January 25, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

190. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Modifications to the HIPPA Privacy, Security, Enforcement, and Breach Notification Rules Under the Health Information Technology for Economic and Clinical Health Act and The Genetic Information Nondiscrimination Act; Other Modifications to the HIPPA Rules (RIN: 0945-AA03) received January 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

191. A letter from the Administrator, Environmental Protection Agency, transmitting the FY 2011 Superfund Five-Year Review Report to Congress, in accordance with the requirements in Section 121(c) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended by the Superfund Amendments and Reauthorization Act of 1986; to the Committee on Energy and Commerce.

192. A letter from the Acting Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

193. A letter from the Acting Secretary, Department of Commerce, transmitting a

certification of export to China; to the Committee on Foreign Affairs.

194. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

195. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report pursuant to section 3 of the Arms Export Control Act; to the Committee on Foreign Affairs.

196. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — February 2013 (Rev. Rul. 2013-3) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. UPTON: Committee on Energy and Commerce. H.R. 297. A bill to amend the Public Health Service Act to reauthorize support for graduate medical education programs in children's hospitals (Rept. 113-3). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 225. A bill to amend title IV of the Public Health Service Act to provide for a National Pediatric Research Network, including with respect to pediatric rare diseases or conditions (Rept. 113-4). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 235. A bill to amend the Public Health Service Act to provide grants to States to streamline State requirements and procedures for veterans with military emergency medical training to become civilian emergency medical technicians (Rept. 113-5). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 267. A bill to improve hydro-power, and for other purposes (Rept. 113-6). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 316. A bill to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects (Rept. 113-7). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOODALL: Committee on Rules. House Resolution 48. Resolution providing for consideration of the bill (H.R. 444) to require that, if the President's fiscal year 2014 budget does not achieve balance in a fiscal year covered by such budget, the President shall submit a supplemental unified budget by April 1, 2013, which identifies a fiscal year in which balance is achieved, and for other purposes (Rept. 113-8). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. RIGELL, Mr. MEEHAN, and Mr. CUMMINGS):

H.R. 452. A bill to prevent gun trafficking; to the Committee on the Judiciary.

By Mr. CASSIDY (for himself and Mr. PALAZZO):

H.R. 453. A bill to provide tax relief with respect to the Hurricane Isaac disaster area; to the Committee on Ways and Means, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FATTAH (for himself, Mr. BRADY of Pennsylvania, and Ms. SCHWARTZ):

H.R. 454. A bill to designate the medical center of the Department of Veterans Affairs located at 3900 Woodland Avenue in Philadelphia, Pennsylvania, as the "Corporal Michael J. Crescenzo Department of Veterans Affairs Medical Center"; to the Committee on Veterans' Affairs.

By Ms. SLAUGHTER (for herself, Ms. BONAMICI, Mrs. CHRISTENSEN, Mr. CICILLINE, Mr. CONYERS, Ms. DELAURO, Ms. EDWARDS, Mr. ELLISON, Ms. ESHOO, Mr. HOLT, Mr. HONDA, Mr. HUFFMAN, Mr. ISRAEL, Mr. LANGEVIN, Mr. LARSEN of Washington, Ms. LOFGREN, Ms. MCCOLLUM, Ms. MOORE, Ms. NORTON, Ms. PINGREE of Maine, Mr. POLIS, Ms. LINDA T. SANCHEZ of California, Ms. SCHWARTZ, Ms. TSONGAS, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Mr. WAXMAN, and Mr. YARMUTH):

H.R. 455. A bill to amend the Elementary and Secondary Education Act of 1965 to direct certain coeducational elementary and secondary schools to make available information on equality in school athletic programs, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SCHIFF (for himself, Mr. SHERMAN, and Mr. WAXMAN):

H.R. 456. A bill to require the Administrator of the Federal Aviation Administration to prescribe regulations to reduce helicopter noise pollution in certain residential areas, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ISSA:

H.R. 457. A bill to amend section 276 of the Immigration and Nationality Act to impose mandatory sentencing ranges with respect to aliens who reenter the United States after having been removed, and for other purposes; to the Committee on the Judiciary.

By Mr. ISSA:

H.R. 458. A bill to amend the Immigration and Nationality Act to provide for non-immigrant status for an alien who is the parent or legal guardian of a United States citizen child if the child was born abroad and is the child of a deceased member of the Armed Forces of the United States; to the Committee on the Judiciary.

By Mr. ISSA:

H.R. 459. A bill to amend the Immigration and Nationality Act to promote innovation, investment, and research in the United States, to eliminate the diversity immigrant program, and for other purposes; to the Committee on the Judiciary.

By Mr. MCKINLEY (for himself, Mrs. CAPPS, Mrs. CAPITO, Mr. YOUNG of Florida, Mr. MORAN, Mr. WOLF, Mr. TONKO, Mr. RUNYAN, Mr. CONYERS,

Ms. BONAMICI, Mr. CICILLINE, Mr. DEFABIO, Mr. MICHAUD, Mr. FARR, Ms. PINGREE of Maine, Mr. RANGEL, and Mr. CRENSHAW):

H.R. 460. A bill to amend title XXVII of the Public Health Service Act to limit co-payment, coinsurance, or other cost-sharing requirements applicable to prescription drugs in a specialty drug tier to the dollar amount (or its equivalent) of such requirements applicable to prescription drugs in a non-preferred brand drug tier, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BISHOP of Utah (for himself, Mr. CHAFFETZ, Mr. MATHESON, and Mr. STEWART):

H.R. 461. A bill to amend title 5, United States Code, to increase the maximum age limit for an original appointment to a position as a Federal law enforcement officer in the case of any individual who has been discharged or released from active duty in the Armed Forces under honorable conditions, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. BISHOP of Utah (for himself, Mr. CHAFFETZ, Mr. MATHESON, and Mr. STEWART):

H.R. 462. A bill to require the conveyance of certain public land within the boundaries of Camp Williams, Utah, to support the training and readiness of the Utah National Guard; to the Committee on Natural Resources.

By Mrs. BLACK:

H.R. 463. A bill to amend the Immigration and Nationality Act to reform the provisions relating to status under section 101(a)(15)(U) of that Act; to the Committee on the Judiciary.

By Mr. CAPUANO:

H.R. 464. A bill to amend the Federal Election Campaign Act of 1971 to reduce the limit on the amount of certain contributions which may be made to a candidate with respect to an election for Federal office; to the Committee on House Administration.

By Mr. CAPUANO:

H.R. 465. A bill to amend the Federal Election Campaign Act of 1971 to prohibit the conversion of leadership PAC funds to personal use; to the Committee on House Administration.

By Mr. CAPUANO:

H.R. 466. A bill to amend title II of the Social Security Act to prohibit the Commissioner of Social Security from publishing the social security numbers of deceased individuals in the Death Master File, and for other purposes; to the Committee on Ways and Means.

By Mr. CONNOLLY:

H.R. 467. A bill to amend title XIX of the Social Security Act to redistribute Federal funds that would otherwise be made available to States that do not provide for the Medicaid expansion in accordance with the Affordable Care Act to those States electing to provide those Medicaid benefits; to the Committee on Energy and Commerce.

By Mr. CONNOLLY:

H.R. 468. A bill to amend title 5, United States Code, to provide that payments under the Federal employees' group life insurance program shall be made in a lump sum, unless the insured or the recipient elects otherwise; to the Committee on Oversight and Government Reform.

By Mr. CONNOLLY:

H.R. 469. A bill to reduce the heat island effect and associated ground level ozone pollution from Federal facilities; to the Committee on Oversight and Government Reform.

By Mr. CONNOLLY:

H.R. 470. A bill to improve the efficiency of Federal Executive Boards to enhance the coordination, economy, and effectiveness of Federal agency activities, including emergency preparedness and continuity of operations, in geographic areas outside the Washington, D.C., metropolitan area; to the Committee on Oversight and Government Reform.

By Mr. CONNOLLY:

H.R. 471. A bill to provide for the more accurate computation of retirement benefits for certain firefighters employed by the Federal Government; to the Committee on Oversight and Government Reform.

By Mr. CONNOLLY:

H.R. 472. A bill to reduce Federal expenditures associated with data center real estate and electricity consumption, to implement savings reductions proposed by Federal employees, to reduce energy costs across Federal Executive agencies, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Armed Services, Transportation and Infrastructure, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONNOLLY:

H.R. 473. A bill to amend titles XVIII and XIX of the Social Security Act with respect to the qualification of the director of food services of a Medicare skilled nursing facility or a Medicaid nursing facility; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONNOLLY:

H.R. 474. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for qualified conservation contributions which include National Scenic Trails; to the Committee on Ways and Means, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GERLACH:

H.R. 475. A bill to amend the Internal Revenue Code of 1986 to include vaccines against seasonal influenza within the definition of taxable vaccines; to the Committee on Ways and Means.

By Mr. GINGREY of Georgia (for himself and Mr. CONAWAY):

H.R. 476. A bill to amend title 31, United States Code, to require the President to submit with the budget an estimate of the deficit using generally accepted accounting principles, and to amend the Congressional Budget Act of 1974 to require the Congressional Budget Office to submit the same with its report to the Committees on the Budget of the House of Representatives and the Senate; to the Committee on the Budget.

By Mr. GINGREY of Georgia (for himself, Mrs. BLACK, Mr. PALAZZO, Mr. JONES, Ms. FOX, Mr. WESTMORELAND, Mr. DUNCAN of South Carolina, Mr. BARLETTA, Mr. ROHRBACHER, and Mr. NUNNELEE):

H.R. 477. A bill to amend the Immigration and Nationality Act to make changes related to family-sponsored immigrants and to reduce the number of such immigrants, and for

other purposes; to the Committee on the Judiciary.

By Mr. GINGREY of Georgia:

H.R. 478. A bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) to make the E-Verify Program permanent and mandatory, and to provide for certain changes to procedures for participants in the Program; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA (for himself, Mr. BLUMENAUER, Mr. DEFazio, Mr. HOLT, Mr. HONDA, Ms. LEE of California, Ms. MCCOLLUM, Mr. MCGOVERN, Mrs. NAPOLITANO, Ms. PINGREE of Maine, Mr. RANGEL, Ms. SLAUGHTER, Mr. FARR, and Mr. ELLISON):

H.R. 479. A bill to prohibit the transfer of defense articles and defense services to the governments of foreign countries that are engaging in gross violations of internationally-recognized human rights, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HASTINGS of Florida:

H.R. 480. A bill to amend the Internal Revenue Code of 1986 to disallow a deduction for amounts paid or incurred by a responsible party relating to a discharge of oil; to the Committee on Ways and Means.

By Mr. HECK of Nevada:

H.R. 481. A bill to direct the Secretary of Veterans Affairs to accept certain documents as proof of service in determining the eligibility of an individual to receive amounts from the Filipino Veterans Equity Compensation Fund, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HOLT (for himself, Mr. CAPUANO, Mrs. DAVIS of California, Mr. McDERMOTT, Ms. CHU, Mr. LARSEN of Washington, Ms. BONAMICI, Ms. SCHWARTZ, Ms. LEE of California, Mr. ELLISON, Mr. SCHIFF, Mr. HASTINGS of Florida, Mr. SIREs, Ms. SHEA-PORTER, Mr. PASCRELL, Mr. HONDA, Mr. PALLONE, Mr. PAYNE, Ms. HAHN, Mr. DOYLE, Mr. GRIJALVA, Mr. POCAN, and Ms. MENG):

H.R. 482. A bill to prevent harassment at institutions of higher education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HUDSON:

H.R. 483. A bill to repeal the Federal estate and gift taxes; to the Committee on Ways and Means.

By Mr. HUNTER (for himself, Mr. HULTGREN, Mr. MULVANEY, Mrs. BACHMANN, Mr. GRIMM, Mr. RADEL, Mr. MICHAUD, Mr. NUNNELEE, Mr. PITTS, Mr. PALAZZO, Mr. KINZINGER of Illinois, Mrs. BLACKBURN, Mr. STUTZMAN, Mr. BROWN of Georgia, and Mr. LONG):

H.R. 484. A bill to recognize a primary measure of national unemployment for purposes of the Federal Government; to the Committee on Education and the Workforce.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. KING of New York, Ms. LINDA T. SANCHEZ of California, Ms. SPEIER, Mr. MORAN, Mr. RANGEL, Mr. CONYERS, Ms. BONAMICI, Mr. DEFazio, Ms. NORTON, Mr. CICILLINE, Ms. BORDALLO, Mr. BLUMENAUER, Ms. ROYBAL-ALLARD, Ms. WILSON of Florida, Ms. JACKSON LEE,

Mr. CONNOLLY, Mr. DOGGETT, Mr. BEN RAY LUJAN of New Mexico, Mr. HONDA, Mr. HOLT, Ms. SLAUGHTER, Mr. GRIJALVA, Mr. YARMUTH, Mr. WALDEN, Mr. RYAN of Ohio, Mr. LARSEN of Washington, Ms. LORETTA SANCHEZ of California, Ms. SCHAKOWSKY, Mr. WELCH, and Mr. SCHRAEDER):

H.R. 485. A bill to establish the position of National Nurse for Public Health, to be filled by the same individual serving as the Chief Nurse Officer of the Public Health Service; to the Committee on Energy and Commerce.

By Mr. KEATING (for himself, Mr. ROGERS of Kentucky, Mr. RAHALL, Mr. LYNCH, Ms. HANABUSA, and Mr. BUCHANAN):

H.R. 486. A bill to amend the Federal Food, Drug, and Cosmetic Act to incentivize the development of abuse-deterrent drugs; to the Committee on Energy and Commerce.

By Mrs. McMORRIS RODGERS (for herself and Mr. THOMPSON of California):

H.R. 487. A bill to provide for a Medicare primary care graduate medical education pilot project in order to improve access to the primary care workforce; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PEARCE (for himself and Mr. BEN RAY LUJAN of New Mexico):

H.R. 488. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects; to the Committee on Natural Resources.

By Ms. PINGREE of Maine (for herself and Mr. MICHAUD):

H.R. 489. A bill to expand the HUBZone program for communities affected by base realignment and closure, and for other purposes; to the Committee on Small Business.

By Mr. QUIGLEY (for himself, Mr. CHABOT, Mr. SCHNEIDER, Mr. HIGGINS, Ms. KAPTUR, Mr. KINZINGER of Illinois, Mr. LIPINSKI, Ms. SCHAKOWSKY, Mr. SCHOCK, Mr. SHIMKUS, Mr. GUTIERREZ, Mr. KEATING, Mr. AMASH, Mr. HECK of Nevada, Ms. NORTON, Mr. SMITH of Washington, Ms. WASSERMAN SCHULTZ, Mrs. CAROLYN B. MALONEY of New York, and Mr. FOSTER):

H.R. 490. A bill to amend section 217 of the Immigration and Nationality Act to modify the visa waiver program, and for other purposes; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey:

H.R. 491. A bill to prevent United States businesses from cooperating with repressive governments in transforming the Internet into a tool of censorship and surveillance, to fulfill the responsibility of the United States Government to promote freedom of expression on the Internet, to restore public confidence in the integrity of United States businesses, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUTZMAN (for himself, Mr. MULVANEY, Mr. MCCLINTOCK, Mr.

WESTMORELAND, Mr. THORNBERRY, Mr. NUGENT, Mr. WOODALL, Mr. PEARCE, and Mr. YOUNG of Indiana):

H.R. 492. A bill to amend the Federal Reserve Act to remove the mandate on the Board of Governors of the Federal Reserve System and the Federal Open Market Committee to focus on maximum employment; to the Committee on Financial Services.

By Mr. CULBERSON:

H. Con. Res. 11. Concurrent resolution providing for a joint session of Congress to receive a message from the President; considered and agreed to.

By Mr. AL GREEN of Texas (for him-

self, Ms. EDWARDS, Mr. HASTINGS of Florida, Mr. HONDA, Ms. CHU, Mr. HINOJOSA, Mr. BUTTERFIELD, Mr. BISHOP of Georgia, Mr. MEEKS, Mr. RUSH, Ms. WILSON of Florida, Ms. MOORE, Mr. JOHNSON of Georgia, Mr. ELLISON, Mrs. CHRISTENSEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RICHMOND, Mr. CUMMINGS, Mr. DAVID SCOTT of Georgia, Mr. CONYERS, Ms. JACKSON LEE, Mr. CARSON of Indiana, Ms. NORTON, Ms. BASS, Ms. LEE of California, Mr. THOMPSON of Mississippi, Ms. CLARKE, Mr. HORSFORD, Mr. JEFFRIES, Mr. PAYNE, Mr. WATT, Mr. FATTAH, Mr. LEWIS, Mr. CLEAVER, Ms. BROWN of Florida, Ms. FUDGE, Mrs. BEATTY, Mr. RANGEL, Mr. VEASEY, Mr. SCOTT of Virginia, Mr. COHEN, Ms. WATERS, Mr. CLYBURN, Mr. CLAY, Mr. DANNY K. DAVIS of Illinois, and Ms. SEWELL of Alabama):

H. Res. 49. A resolution recognizing the significance of Black History Month; to the Committee on Education and the Workforce.

By Mr. ISRAEL (for himself, Ms. BORDALLO, Mr. CARTER, Mr. CICILLINE, Mr. CONNOLLY, Mr. COOPER, Mr. COSTA, Mr. FITZPATRICK, Mr. GRIJALVA, Mr. HIGGINS, Ms. LEE of California, Mr. LEVIN, Ms. MCCOLLUM, Mr. POLIS, Mr. RANGEL, Mr. REED, Ms. LINDA T. SANCHEZ of California, Ms. SLAUGHTER, and Ms. SPEIER):

H. Res. 50. A resolution expressing support for designation of February 4, 2013, as National Cancer Prevention Day; to the Committee on Energy and Commerce.

By Mr. LANGEVIN (for himself, Ms. BONAMICI, Mr. CICILLINE, Mr. SCHOCK, Mr. HOLT, and Mr. POLIS):

H. Res. 51. A resolution expressing the sense of the House of Representatives that adding art and design into Federal programs that target the Science, Technology, Engineering, and Mathematics (STEM) fields encourages innovation and economic growth in the United States; to the Committee on Education and the Workforce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 452.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. CASSIDY:

H.R. 453.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution

By Mr. FATTAH:

H.R. 454.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. SLAUGHTER:

H.R. 455.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1, 3, and 18 of Section 8 of Article I of the Constitution

By Mr. SCHIFF:

H.R. 456.

Congress has the power to enact this legislation pursuant to the following:

The Los Angeles Residential Helicopter Noise Relief Act is constitutionally authorized under Article I, Section 8, Clause 18, the Necessary and Proper Clause. The Necessary and Proper Clause supports the expansion of congressional authority beyond the explicit authorities that are directly discernible from the text.

By Mr. ISSA:

H.R. 457.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 5, Clauses 4 and 18 of the United States Constitution.

By Mr. ISSA:

H.R. 458.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4; 14th Amendment.

By Mr. ISSA:

H.R. 459.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4, which states that Congress has the power to establish a uniform Rule of Naturalization.

By Mr. MCKINLEY:

H.R. 460.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. BISHOP of Utah:

H.R. 461.

Congress has the power to enact this legislation pursuant to the following:

"The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution which grants Congress the power to provide for the general welfare of the United States; to make rules for the government and regulation of the land and naval forces; to provide for organizing the militia, and to make Rules for the Government and Regula-

tion of the land and naval Forces, and to make all laws necessary and proper for carrying out the foregoing powers."

By Mr. BISHOP of Utah:

H.R. 462.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 14 (relating to the power of Congress to make rules for the government and regulation of the land and naval forces), clause 16 (relating to the power of Congress to provide for organizing, arming, and disciplining the militia), and clause 18 (relating to the power of Congress to make all laws necessary and proper for carrying out the powers vested in Congress); and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mrs. BLACK:

H.R. 463.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 4 of the Constitution of the United States, Congress has the power to establish a uniform Rule of Naturalization.

By Mr. CAPUANO:

H.R. 464.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 3, Clause 1: "The Congress shall have the Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States;"

Article I, Section 8, Clause 3: "The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. CAPUANO:

H.R. 465.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 3, Clause 1: "The Congress shall have the Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States;"

Article I, Section 8, Clause 3: "The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. CAPUANO:

H.R. 466.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: Congress shall have the power to make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or any Department or Officer thereof.

By Mr. CONNOLLY:

H.R. 467.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. CONNOLLY:

H.R. 468.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. CONNOLLY:

H.R. 469.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. CONNOLLY:

H.R. 470.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution, and clause 18 of section 8 of article I of the Constitution.

By Mr. CONNOLLY:

H.R. 471.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. CONNOLLY:

H.R. 472.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution, and clause 18 of section 8 of article I of the Constitution.

By Mr. CONNOLLY:

H.R. 473.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. CONNOLLY:

H.R. 474.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution, and clause 18 of section 8 of article I of the Constitution.

By Mr. GERLACH:

H.R. 475.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. GINGREY of Georgia:

H.R. 476.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7, that states ". . . a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

By Mr. GINGREY of Georgia:

H.R. 477.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4 of the Constitution, which states that Congress has the power "to establish a uniform Rule of Naturalization and uniform Laws on the subject of Bankruptcies throughout the United States."

Article 1, Section 8, Clause 18 of the Constitution, which states that Congress has the power to "make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof."

By Mr. GINGREY of Georgia:

H.R. 478.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the Constitution, which states that the Congress has the power "to regulated Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. GRIJALVA:

H.R. 479.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §1 and 8.

By Mr. HASTINGS of Florida:

H.R. 480.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the Constitution of the United States, including but not limited to Article I, Section 8, Clauses 1 and 3.

By Mr. HECK of Nevada:

H.R. 481.

Congress has the power to enact this legislation pursuant to the following:

The power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution, to make all laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other powers vested by the Constitution in the Government of the United States, or in any Department or officer thereof.

By Mr. HOLT:

H.R. 482.

Congress has the power to enact this legislation pursuant to the following:

Article 1 of the United States Constitution.

By Mr. HUDSON:

H.R. 483.

Congress has the power to enact this legislation pursuant to the following:

Enumerated Powers of Congress. Article I, Section 8. The Congress shall have Power to lay and collect Taxes.

By Mr. HUNTER:

H.R. 484.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clauses 1 and 18

"The Congress shall have the power to . . . provide for the common defense and general welfare of the United States."

"To make all laws which shall be necessary and proper for carrying into execution the foregoing powers. . . ."

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 485.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. KEATING:

H.R. 486.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mrs. MCMORRIS RODGERS:

H.R. 487.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority in which this bill rests is the power of the Congress to regulate Commerce as enumerated by Article I, Section 8, Clause 3 as applied to healthcare.

By Mr. PEARCE:

H.R. 488.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States grants Congress the power to enact this law.

By Ms. PINGREE of Maine:

H.R. 489.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution.

By Mr. QUIGLEY:

H.R. 490.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. SMITH of New Jersey:

H.R. 491.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. STUTZMAN:

H.R. 492.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 5 of Section 8 of Article I of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 11: Mr. DEFAZIO, Mr. PETERS of California, Mr. TIERNEY, Mr. SCOTT of Virginia, Mr. GENE GREEN of Texas, Mr. ISRAEL, Mr. TONKO, Mr. BARBER, Mr. KENNEDY, Mr. CROWLEY, Mr. KEATING, Mr. HOYER, Mr. RYAN of Ohio, Mr. AL GREEN of Texas, and Mr. PAYNE.

H.R. 22: Ms. ESHOO and Mr. STOCKMAN.

H.R. 32: Mr. SCHIFF, Mr. BISHOP of New York, Mr. FRANKS of Arizona, Mr. MICA, and Mr. POSEY.

H.R. 44: Ms. GABBARD.

H.R. 61: Mr. HENSARLING and Mr. LATTI.

H.R. 69: Mr. BLUMENAUER.

H.R. 71: Mr. MORAN.

H.R. 102: Mr. DINGELL.

H.R. 117: Mr. BISHOP of New York.

H.R. 124: Ms. BORDALLO, Mr. PALAZZO, and Mr. RYAN of Ohio.

H.R. 146: Mr. HOLT, Mr. GRIJALVA, and Mr. YARMUTH.

H.R. 148: Mr. SCHIFF and Mr. LANGEVIN.

H.R. 149: Mr. TERRY.

H.R. 164: Ms. HANABUSA.

H.R. 165: Mr. GRIMM.

H.R. 182: Mr. GIBSON, Mr. CONYERS, and Mr. POCAN.

H.R. 200: Mr. CICILLINE, Mr. McDERMOTT, and Mr. GEORGE MILLER of California.

H.R. 217: Mr. RAHALL, Mr. McKEON, Mr. CRENSHAW, and Mr. DESJARLAIS.

H.R. 229: Mr. LEWIS and Mr. HONDA.

H.R. 235: Mr. BRALEY of Iowa, Mr. WITTMAN, Mr. MICHAUD, Mr. RAHALL, and Mr. RODNEY DAVIS of Illinois.

H.R. 236: Mr. PRICE of North Carolina and Ms. MCCOLLUM.

H.R. 258: Mr. ROKITA, Mr. YODER, Mr. POE of Texas, Mr. FORBES, Mrs. WAGNER, Mr. RENACCI, Mr. HOLDING, Mr. FORTENBERRY, Mr. WHITFIELD, Mr. MEADOWS, and Mr. KLINE.

H.R. 269: Mr. CONYERS, Mr. DOYLE, Ms. EDWARDS, Mr. ISRAEL, and Mr. SCOTT of Virginia.

H.R. 279: Mr. BACHUS.

H.R. 282: Mr. NUGENT, Mr. CASSIDY, and Mr. BURGESS.

H.R. 285: Mr. DANNY K. DAVIS of Illinois, Ms. LEE of California, Ms. LORETTA SANCHEZ of California, Mr. RANGEL, and Mr. ELLISON.

H.R. 297: Mr. JOHNSON of Ohio, Mr. LATTI, Mr. STIVERS, Mr. WITTMAN, Mr. DENT, Mrs. BEATTY, and Mr. MICHAUD.

H.R. 300: Ms. VELÁZQUEZ, Mr. RADEL, Mr. SCHOCK, Mr. FARENTHOLD, Ms. BORDALLO, Mr. FINCHER, Mr. FOSTER, and Ms. BROWNLEY of California.

H.R. 305: Ms. SEWELL of Alabama.

H.R. 311: Mr. NUNNELEE and Mr. KLINE.

H.R. 317: Mr. WESTMORELAND and Mr. AMASH.

H.R. 321: Mr. JOHNSON of Georgia and Mr. GUTIERREZ.

H.R. 333: Mr. MCGOVERN, Ms. MCCOLLUM, Mr. YARMUTH, Mr. BISHOP of New York, and Ms. BROWNLEY of California.

H.R. 334: Mr. RADEL.

H.R. 335: Mr. BENISHEK and Mr. STOCKMAN.

H.R. 341: Mr. HINOJOSA, Ms. MCCOLLUM, Mr. LEWIS, Ms. SEWELL of Alabama, and Ms. LINDA T. SANCHEZ of California.

H.R. 342: Mr. LATTI, Mr. STEWART, Mr. FORBES, Mr. WITTMAN, Mr. ENYART, and Mr. KLINE.

H.R. 346: Mr. JONES, Mr. ROE of Tennessee, Mr. HULTGREN, Mr. THOMPSON of Pennsylvania, Mr. FINCHER, Mr. HARPER, Mr. BOUTSTANY, Mrs. WAGNER, Mr. MULLIN, Mr. ADERHOLT, Mr. MCCLINTOCK, Mr. WESTMORELAND, Mr. DUNCAN of Tennessee, Mr. DUNCAN of South Carolina, Mr. NEUGEBAUER, Mr. CHABOT, Mr. ALEXANDER, Mr. PEARCE, Mr. LIPINSKI, Mr. BUCHANAN, Mr. FORTENBERRY, Mr. MCINTYRE, Mr. HUELSKAMP, and Mr. BENISHEK.

H.R. 351: Mr. COTTON, Mr. HALL, Mr. BARR, and Mr. STOCKMAN.

H.R. 357: Mr. JONES, Mr. GRIFFIN of Arkansas, and Mr. NUGENT.

H.R. 366: Mr. WHITFIELD, Mr. LANCE, Mr. RUPPERSBERGER, Ms. WILSON of Florida, Ms. CASTOR of Florida, and Mr. CHABOT.

H.R. 367: Mr. CULBERSON and Mr. LAMALFA.

H.R. 370: Mr. HENSARLING and Mr. STUTZMAN.

H.R. 377: Mr. DANNY K. DAVIS of Illinois, Mr. CASTRO of Texas, Mr. SWALWELL of California, and Mr. MAFFEI.

H.R. 427: Mr. CICILLINE and Ms. JACKSON LEE.

H.R. 435: Mr. GUTIERREZ.

H.R. 444: Mr. WILSON of South Carolina, Mr. BUCHANAN, Mr. MESSER, Mr. NUGENT, Mr. CHAFFETZ, Mr. ROKITA, Mr. WESTMORELAND, Mr. GRAVES of Missouri, Mr. CRAMER, Mr. CULBERSON, Mr. POSEY, Mr. HUIZENGA of Michigan, Mr. MULLIN, Mr. STEWART, Mr. SCALISE, Mr. YOUNG of Indiana, Mr. MEADOWS, Mr. SAM JOHNSON of Texas, Mr. HUDSON, Mr. NUNNELEE, Mr. CRAWFORD, Mr. ADERHOLT, Mr. HULTGREN, Mr. WALBERG, Mr. WALDEN, Mr. HENSARLING, Mrs. BLACK, Mr. JOYCE, Mr. BRIDENSTINE, and Mr. LUETKEMEYER, Mr. ROSS, Mr. KING of Iowa, Mr. MCKINLEY, Mrs. BROOKS of Indiana, Mr. SCHWEIKERT, Mr. LANKFORD, Mr. BARR, Mr. BUCHON, Mr. JONES, Mr. FRANKS of Arizona, Mr. AUSTIN SCOTT of Georgia, Mr. RENACCI, Mr. BONNER, and Mr. CHABOT.

H.J. Res. 20: Mr. KENNEDY and Mr. McDERMOTT.

H.J. Res. 21: Mr. KENNEDY and Mr. McDERMOTT.

H. Con. Res. 4: Mrs. MCCARTHY of New York.

H. Res. 24: Mr. GRIFFIN of Arkansas, Mr. OLSON, Mr. MARCHANT, Mr. YOUNG of Indiana, and Mr. GOODLATTE.

H. Res. 47: Mr. SWALWELL of California.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. RYAN OF WISCONSIN

The provisions that warranted a referral to the Committee on the Budget in H.R. 444, Require a PLAN Act of 2013, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

1. The SPEAKER presented a petition of The Township of Edison, New Jersey, relative to Resolution R.839-122012 urging the President, Governor, and Legislators to enact more stringent gun laws; to the Committee on the Judiciary.

2. Also, a petition of The Borough of Roselle, New Jersey, relative to Resolution Number 2012-435 supporting Gun Control; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

HONORING AND CELEBRATING THE
ACCOMPLISHMENTS OF SIG SAN-
CHEZ

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Ms. LOFGREN. Mr. Speaker, I rise to acknowledge and honor Sig Sanchez.

Sig was born to Spanish immigrant parents, as the second of eleven children. His mother worked in a cigarette factory in San Francisco and his father was an agricultural laborer. In 1942, Sig moved to Gilroy because of his involvement in agriculture. For 20 years, Sig owned a melon-packing operation with two of his brothers and a 600-acre farm to the south of Los Banos.

Sig entered public service over 55 years ago when one of his tractors broke down. He went to repair his tractor and the owner of the shop was on the Gilroy City Council. The councilmember proceeded to encourage Sig to join him on the council. Sig served for five years as a councilman and another five years as the mayor. He then served 16 years on the Santa Clara County Board of Supervisors. As a county supervisor, Sig advocated for the merger of the Santa Clara County Flood Control and Water District with the Santa Clara Valley Water Conservation District to better address flood management and water importation. In all his years of public service, he tried to never leave his office without returning every phone call.

In 1980, Sig was appointed as an at-large director to the water district board. He was a key player in the 1987 merger of the Gavilan Water District in South County with the Santa Clara Valley Water District, which allowed for full integration of all the county's reservoirs and groundwater facilities. Sig was a charter board member in the 1992 development of the San Luis and Delta-Mendota Water Authority, a joint organization of 32 water and irrigation agencies that contract with the US Bureau of Reclamation for water from the Central Valley Project. He was also instrumental in water importation into Santa Clara County with the county Board of Supervisors, South Bay Aqueduct, water district board, and the San Felipe project. As the longest serving member of the water district's board of directors, Sig guided the agency on pressing water quality problems, steered the valley through both floods in the 1980s, and helped it survive the 1987–1992 drought.

Sig has served as a board member of HOPE Rehabilitation, Wheeler Hospital Foundation, and the Gilroy Elks Club. As a passionate advocate for water and flood control issues, he has been an active member of national, state, and local water resource organizations, including the Agricultural Water Advisory Committee, Central Valley Project Author-

ity, Pajaro River Watershed Flood Prevention Authority, San Luis & Delta Mendota Water Authority Board and Finance Committee, Uvas/Llagas Flood Control and Watershed Advisory Committee, Santa Clara Valley Water Commission, Santa Clara Valley Water District Board Ad Hoc Audit Committee, and the South County Regional Wastewater Authority.

In recognition of his service and contributions, Sig was inducted into the Gilroy Hall of Fame in 1991. A building in San Martin is named after Sig. He also has a 10-mile portion of state Highway Route 101, the Sig Sanchez Freeway, named in honor of his 12-year effort to lobby various government agencies to build the highway.

Sig is being honored as the Gilroy Chamber of Commerce's 2013 Man of the Year on February 9. I join in honoring his decades of contribution and service to the betterment of our society. The community is very fortunate to have benefited from his dedication, commitment, and advocacy. He has left his mark in the community and I know he will continue to play a positive role in the years to come.

GREAT LAKES EXPLORATION
GROUP

HON. DAN BENISHEK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. BENISHEK. Mr. Speaker, I rise today to recognize the Great Lakes Exploration Group on the occasion of the work they do to discover and preserve the maritime history of the State of Michigan and the Great Lakes. The group has not only worked to identify and save historic artifacts, but do so in a way that preserves the cultural heritage of the Great Lakes.

In particular, I wish to commend the Great Lakes Exploration Group on discovering the possible location of *Le Griffon*, a ship that went missing in 1697. If *Le Griffon* is found, not only will a centuries-long mystery be solved, but, more importantly, the Great Lakes Group will add to the historical treasure trove of our Nation's earliest days of settlement.

Through community-based, non-invasive underwater archaeology and research that leaves the bottomlands intact, the Great Lakes Exploration Group was formed to be a worldwide leader in identifying, protecting, and preserving rare pieces of North American history found in Michigan's waters.

I wish the Great Lakes Exploration Group all the best in locating and preserving the wreck of *Le Griffon* and learning what secrets it may hold.

IN CELEBRATION OF THE 20TH AN-
NIVERSARY OF BAKER AND
O'BRIEN, INC.

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. SESSIONS. Mr. Speaker, I rise today to congratulate Baker and O'Brien, Inc. as they celebrate twenty years of outstanding business.

Founded in 1993, Baker and O'Brien, Inc. started with merely six employees. With their commitment and vision, the company has since flourished to three offices and forty dedicated staffers that have served over 700 different clients. They uphold themselves to the highest standards of professionalism and integrity, which is reflected in the quality of their services and outstanding reputation. I commend Baker and O'Brien, Inc. for holding steadfast to their guiding principles of service, commitment, integrity, and confidentiality in their approach to business. Their success story exemplifies the American Dream; that in this land of great opportunity, hard work and dedication can turn a dream into reality.

Mr. Speaker, I ask my esteemed colleagues to join me in expressing our heartiest congratulations to Baker and O'Brien, Inc. as they celebrate twenty years of success.

HONORING THE LIFE AND SERVICE
OF FORMER MAYOR VICENTE
IGNACIO AGUON

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Ms. BORDALLO. Mr. Speaker, I rise today to honor the life and service of Vicente Ignacio Aguon, the former Mayor of the village of Chalan Pago-Ordot, Guam. Vicente was born on July 6, 1939, to the late Jose Manglona Aguon and Emperatriz Cruz Ignacio Aguon. He married Pacita Baza Aguon and had seven children. Vicente passed away on January 21, 2013, at the age of 73.

Vicente attended Chalan Pago Elementary and graduated from George Washington Senior High School. He then went on to graduate from the National Technical School in Inglewood, California and the Harcourt Learning Direct in Hotel Management. Additionally Vicente studied Electrical Engineering at Guam Community College and he completed seminars from Chicago Technical College in Building Construction.

Vicente was a dedicated public servant. From 1965–1985 he worked for the Guam Department of Public Works as an Electrical and

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Refrigeration Technician, Construction Inspector, Construction Inspector supervisor, construction Project Manager, and Acting Engineer. In 1986, he moved to the Guam Legislature and was a Legislative Consultant for the 18th and 19th Guam Legislature under the Rules Committee. He also served as the manager of the Tumon Village Complex from 1991–1995.

In 2000, Vicente was elected Mayor of Chalan Pago-Ordot. He paid particular attention to the wellbeing of the people of Chalan Pago-Ordot by voicing their concerns. When Vicente was not serving the people of Chalan Pago-Ordot he volunteered his free time as a Parish Council Member of Our Lady of Peace and Safe Journey Catholic Church. He also volunteered as Assistant State Commissioner for Guam Babe Ruth Baseball, and he was a Municipal Planning Council Member at the Chalan Pago-Ordot Community.

Vicente will be missed by all who knew and loved him. I extend my condolences to his wife Pacita Baza Aguon, his family and loved ones, including his children, Peter, Frances, Vicente, Raymond, Anthony, Josephine, and Beatrice.

HONORING THE LIFE OF LIEUTENANT COLONEL JACK REED, USAF

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. DAVID SCOTT of Georgia. Mr. Speaker, it is with a heavy heart that I stand before you today to honor Lt. Col. Jack G. Reed, USAF (Ret.), who passed away at the age of 82 in December of 2012 in Granbury, TX. Lieutenant Colonel Reed was an honorable man who dedicated his life to his country.

Lieutenant Colonel Jack Reed was born near Rio Vista, Texas, on August 25, 1930. After attending Texas Tech, Mr. Reed joined the United States Air Force in January 1951 as an enlisted Soldier during the Korean War. In 1953, his abilities soon won him entrance to the Aviation Cadet program and a commission as a Second Lieutenant.

In 1954, Lieutenant Colonel Reed was selected for assignment to the B-47 program, and transferred to Mather AFB, Sacramento, CA. From 1954 to 1960, Mr. Reed was assigned to the 22nd Bombardment Wing, March AFB, and Riverside, CA. From 1960 to 1965, Mr. Reed was assigned to B-58s with the 63rd Bomb Squadron, 43rd Bombardment Wing, Carswell AFB, and Fort Worth, TX, where he participated in military preparedness for action against Cuba during the missile crisis of 1962.

Lieutenant Colonel Reed performed exceedingly above all that was asked of him as an Airman. In August 1965, Lieutenant Colonel Reed was one of two Air Force officers selected for assignment to the CIA/USAF programs OXCART/TAGBOARD/SENIOR BOWL at Groom Lake, NV, and later Beale AFB, CA.

Lieutenant Colonel Reed was a well rounded individual who consistently went above and beyond for his country. In 1971, Lieutenant Colonel Reed began working for the Pentagon

where he worked on leading edge technology for air and space-based reconnaissance assets, including the U-2R. Mr. Reed promoted the development of many of the first unmanned aircraft flown by the United States military.

Lieutenant Colonel Reed's developmental work in the Air Force, Boeing and at Sperry/Unisys on unmanned air vehicles and remotely piloted aircraft led to the use of these systems today by various military departments and government agencies.

Though committed to service, Jack was not consumed by work. Despite numerous and lengthy absences from home to serve his country, Mr. Reed loved and mentored his children, participated in their activities, was a deacon in church congregations, and found time to travel and enjoy the outdoors, particularly the challenge of fishing. Everybody was drawn to Mr. Reed's charisma, because he genuinely enjoyed helping children, family, and even strangers; learn more about the wonders of this world, how it worked and what made things grow.

I commend Lieutenant Colonel Reed's contributions and his record of service to our Nation, his community and his family. I ask my colleagues to join me in extending heartfelt condolences to his wife of more than 59 years, Norma, his sons Jack W. Reed and Stephen E. Reed and their families.

CONGRATULATING BOB BENNETT

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. BRALEY of Iowa. Mr. Speaker, I rise today to congratulate Bob Bennett for being inducted into the Dubuque Area Labor Hall of Fame. Bob has dedicated his life to improving the relationship between labor and management through his service as a Commissioner of the Federal Mediation and Conciliation Service (FMCS).

Bob spent the early part of his career working at the Clinton Corn Processing Company where he joined the American Federation of Grain Millers union. He was appointed as a FMCS Commissioner in 1973. As Commissioner, Bob mediated over one thousand contracts in the private, public and healthcare sectors. Many of these cases were in the Dubuque area. Bob was also instrumental in providing a start up grant to establish a Labor Management Council in Dubuque.

Bob has the honor of being the namesake for an award given at an annual dinner. The Bob Bennett Good Faith Award is given to a representative from labor or management who lives up to the definition of "good faith". I congratulate Bob on his induction into the Dubuque Area Labor Hall of Fame and wish him all of the best in his future endeavors.

HONORING THE LIFE OF TRACY A. SUGARMAN

HON. JAMES A. HIMES

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. HIMES. Mr. Speaker, on Sunday, January 20, we lost a cherished and dearly loved member of our community. Tracy Sugarman lit up the town of Westport, Connecticut, for 60 years with his ceaseless generosity, well-known sense of humor, and passion for social justice.

Mr. Sugarman served as a naval officer in World War II, leading troops up Normandy during the historic D-Day assault. His courage and fortitude in battle are emblematic of the heroism of the "Greatest Generation."

As an acclaimed illustrator and chronicler of the Civil Rights Movement, Mr. Sugarman bore witness to the many struggles faced by African Americans living in the Deep South. Mr. Sugarman's drawings helped bring to national attention the horrors of 1960's Mississippi, where black Americans faced threats of violence and death for registering to vote or attending a desegregated school.

Mr. Sugarman's sketches of major news events appeared in hundreds of magazines, books, and other media across the country. He brought his skilled and emotional work to the Saturday Evening Post, Forbes Magazine, Louis Armstrong record covers, and hundreds of children's books.

Mr. Sugarman's artwork is, by all counts, his greatest legacy: his drawings of the Civil Rights Movement are permanent archives in Mississippi and New York City. His painting, "The Heroes of Nine-Eleven," is on permanent display in Washington, DC. His painting of the Space Shuttle *Columbia* is part of NASA's archives at Cape Kennedy. And his collection of art from World War II is in use by the Library of Congress' Veterans History Project.

Mr. Sugarman also wrote a number of books, many relating to his experiences in the South. "Stranger at the Gate—A Summer in Mississippi" details the Freedom Summer of 1964, during which more than 1,000 volunteers flooded rural Mississippi to register voters; "We Had Sneakers, They Had Guns: the Kids Who Fought for Civil Rights in Mississippi" recounts the civil rights work of white college students, many of whom were arrested and beaten.

Whether it was in writing or on canvas, Mr. Sugarman brought to his work artful introspection, keen awareness, and brutal honesty. His strong dedication to his fellow man—and particularly to his community here in Connecticut—will be sorely missed.

IN HONOR OF MR. GORDON PROUT

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. PALLONE. Mr. Speaker, I rise today to commemorate the life of Mr. Gordon Prout. Mr. Prout, a resident of Tinton Falls, New Jersey, passed away on December 17, 2012

after decades of public service as a civil engineer for the New Jersey Department of Transportation.

Prior to his 34 years of public service, Mr. Prout served his country honorably in the U.S. Army Air Corps during World War II. He was a navigator on a B-17 Flying Fortress for nine missions over Europe before being shot down and captured. Consequently, he spent 16 months as a prisoner in Stalag Luft I in Germany. Mr. Prout successfully returned home on the *Queen Mary* after being liberated by the Soviets in May, 1945.

Mr. Prout is survived by his devoted wife of 67 years, Anne Bruno Prout; a daughter and son-in-law, Judith and Mickey McCabe of Monmouth Beach and Bayonne; a son and daughter-in-law, Donald and Deborah Prout of VA; four grandchildren, Allison McCabe Matto and her husband Joseph, Michael McCabe and his wife Tina, Derek Prout and his wife Jessica, and Bryan Prout and his fiancée Taylor Little; and five great-grandchildren, Madelyn, Luke, Grace, Aiden and Abigail.

Mr. Speaker, I sincerely hope that my colleagues will join me in honoring Mr. Prout for his lifetime of public service to the State of New Jersey, and his dedicated service to our country.

REMEMBERING JUDGE JAMES H.
TAYLOR

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. HOYER. Mr. Speaker, I rise to remember my friend, the late Judge James H. Taylor, who passed away on October 31 at his home in Upper Marlboro, Maryland. A prosecutor, judge, and family man, Jim was also a trailblazer as the first African-American to serve on the circuit court in Prince George's County.

Raised in Howard County, Maryland, Jim was one of ten children in a family that emphasized hard work and education. As a young man, he attended Carver Vocational-Technical High School in Baltimore to learn bricklaying, and he worked as a postal employee, a railroad oilman, and a cook to help support his widowed mother and his siblings.

After serving the nation in the Army Air Corps in 1945–1946, Jim matriculated at Howard University, where he graduated in 1950. In 1953, he was the first African-American law school graduate at American University.

In practicing law as one of the first African-Americans admitted to the bar in Prince George's County in 1956, Jim was described as a bold prosecutor who took risks and achieved results. Named Maryland's first African-American assistant state's attorney in 1963, Jim rose through the ranks of our state's legal establishment, breaking barriers along the way. In 1969, he was appointed to the bench by Governor Marvin Mandel and served for eighteen years before retiring from Maryland's Seventh Judicial Circuit in 1987.

Much of his casework dealt with family and child custody issues, and Jim drew on the experiences of his youth to help ensure that rulings of the court served the best interests of children and their future success.

An advocate for education in the study and practice of the law, Jim was a trustee of Prince George's Community College, which named a scholarship in his honor for paralegal students in 1992.

Above all else, Jim was a gentle giant who was able to accomplish great things in service to his fellow citizens without seeking attention for himself. He was a master of working behind the scenes to help others climb mountains and overcome hardships.

Jim, who was age 86, is survived by his wife of forty-four years, Jan Johnson Taylor; three children, and one stepdaughter; seven grandchildren; and three great-grandchildren. He also leaves behind his first wife, Lillian Miles Taylor, and a brother, Captain Milton Taylor (Ret.) of the Maryland State Police.

I join in remembering the life of Judge James H. Taylor and in celebrating his groundbreaking achievements as he helped advance the cause of justice in Maryland. He will be dearly missed by me and many others across my home state—but surely never forgotten.

THE HIGH SCHOOL DATA
TRANSPARENCY ACT

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Ms. SLAUGHTER. Mr. Speaker, I am proud to rise today to introduce the High School Data Transparency Act. Since the enactment of Title IX in 1972, the number of women competing in college sports has soared by more than 600 percent while the number of high school girls competing in sports increased by over 1,000 percent. Yet, despite our incredible progress over the years, we still have more work to do.

Young women in high school currently receive 1.3 million fewer opportunities to play sports than young men, and this gap is increasing. The problem stems from a lack of transparency and accountability in our high schools. Federal law requires colleges and universities to report basic information about the funding of athletic programs for men and women and the participation of men and women throughout these sports. Due in part to this public information, American women have unrivaled opportunity at the collegiate level.

Unfortunately, the basic actions required of our universities are not required of our high schools. As a result, we are seeing fewer and fewer high schools realize full equality for male and female athletes, and more young women being denied the opportunity to realize their full potential both on and off the field.

I've met with many Olympic gold medalists who have told me that Title IX—and the accompanying athletic scholarships it made possible—was the reason they were able to attend college and pursue their dreams. These Olympians have emphasized that the benefits of sports participation are not limited to their achievements on the field. Indeed, statistics have shown that young women thrive when they participate in sports and are less likely to get pregnant, drop out of school, do drugs,

smoke, or develop mental illness. Increasing young students' physical activity can also help combat childhood obesity, which is at an all-time high.

To address the lack of reporting at the high school level, the High School Data Transparency Act would require that high schools report basic data on the number of female and male students in their athletic programs and the expenditures made for their sports teams. This would be an easy change for our high schools to make. Several states, including Kentucky, Georgia, and New Mexico, have already implemented similar reporting requirements at the state level, and high school athletics directors from those states tell us that it usually takes just 2–6 hours of one person's time to complete each year.

The extraordinary accomplishments we've achieved together over the past four decades of Title IX are a cause for celebration, but we must look forward and continue our steady march of progress.

I urge my colleagues to build on our advancement and help ensure that young women in high school have equal opportunities to play sports by supporting the High School Data Transparency Act.

Thank you.

INTRODUCING THE DONATE FOR
DISASTER RELIEF ACT

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to introduce the Donate for Disaster Relief Act.

Forty-seven major disasters were declared last year. The year before that, we had 99 major disasters. Three major disasters have already been declared in 2013. On top of that, there were a number of smaller incidents that don't rank on the scale. A tornado that destroys a single house might not be a "super storm," but for the family that lost its home, that tornado certainly is a major disaster.

Things are not going to get better. There are going to be more major disasters. We are going to have to pay for the response and repair. We need to start thinking about what we can do ahead of time to be prepared for when they strike. We don't have to wait for the worst to happen before we actually do something. This bill will help us get ready beforehand. Why wait?

The Donate for Disaster Relief Act creates a completely voluntary check-off on income tax returns that lets taxpayers elect to donate to a disaster relief trust. This bill is an opportunity for us to share our selflessness and generosity before an emergency situation.

The harsh reality of disasters is that while we may not be able to predict when, we certainly can be prepared. The altruism of the American people is on display in their willingness to pitch in and help those in their greatest time of need. This bill creates an easy way for concerned Americans to anticipate the need for disaster relief, wherever and whenever it may be necessary.

CONGRATULATING WALT PREGLER

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. BRALEY of Iowa. Mr. Speaker, I rise today to congratulate Walt Pregler for being inducted into the Dubuque Area Labor Hall of Fame. Walt has been active in both the labor community and local politics in Dubuque since the 1950s.

Walt worked as a Tool Room Machinist at John Deere from 1955 to 1992. After starting at John Deere, Walt became a member of the United Auto Workers (UAW) Local 94. His involvement in the UAW eventually got him involved in Dubuque city politics. In 1965, Walt was elected to the Dubuque City Council where he served for nine years. During his tenure on the City Council, Walt was elected by his colleagues to serve as Mayor in 1966 and 1969. While on the Council, Walt was able to get federal funding to build a floodwall in Dubuque. Walt had a large list of other accomplishments while on the Council including expansion of the Dubuque airport and expansion of the water treatment facilities at Eagle Point.

Throughout his life, Walt has continued to serve Dubuque's labor community. He was a delegate to the Dubuque Federation of Labor and chaired the UAW Local 94 Cope Committee. Walt currently serves as the President of the UAW Local 94 Retiree Chapter. I congratulate Walt on his induction into the Dubuque Area Labor Hall of Fame and wish him all of the best in his future endeavors.

IN RECOGNITION OF DELTA SIGMA THETA SORORITY, INC.'S 100TH ANNIVERSARY

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. PALLONE. Mr. Speaker, I rise today to recognize Delta Sigma Theta Sorority, Inc. as it celebrates its 100th anniversary. Since its inception at Howard University in January 1913, Delta Sigma Theta Sorority, Inc. has striven to serve the community. For 100 years, its leaders and members have continued the legacy and goals of its founders. They are committed to public service, education and social action locally, nationally and worldwide.

Delta Sigma Theta Sorority, Inc. has a rich history to celebrate. Its second chapter was established in 1914 at Wilberforce University and it was incorporated as a national organization in 1930. In 1950, its first foreign chapter was established in Port-au-Prince, Haiti. Delta Sigma Theta Sorority, Inc. celebrated its Golden Anniversary Year in 1963 with President Kennedy and Vice President Johnson and four years later met with President Johnson to discuss community issues and concerns. Over the years, Delta Sigma Theta Sorority, Inc. has continued to grow, and in 2010, welcomed over 16,000 members from across the globe to its 50th National Convention.

Delta Sigma Theta Sorority, Inc. works toward the advancement of civil rights, women's rights and equality and provides support and education to the community and world. Delta Sigma Theta Sorority, Inc. has been responsible for the establishment of numerous schools in the United States and abroad. It has held conferences and summits for women, blacks, single parents and young men. In 1992, Delta Sigma Theta Sorority, Inc. was the first African American organization to become affiliated with Habitat for Humanity.

Mr. Speaker, once again, please join me in congratulating Delta Sigma Theta Sorority, Inc. on its 100th Anniversary and recognizing the Monmouth County Alumnae Chapter for the work they do to progress the mission of Delta Sigma Theta Sorority, Inc.

HONORING THE LIFE AND SERVICE OF FORMER UMATAC MAYOR DEAN SANCHEZ

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Ms. BORDALLO. Mr. Speaker, I rise today to honor the life and service of Dean D. Sanchez, former Mayor of the village of Umatat, Guam. Dean was born on June 21, 1961, and was one of the seven children of a former village Chief Commissioner, Vincente Q. Sanchez, and his wife Priscilla Q. Sanchez. Dean married Jennifer Aguon Sanchez and have two sons, Alexander Dean and Chance Theo. Dean passed away on January 14, 2013, at the age of 51.

Before Dean was appointed Mayor of Umatat by former Governor Joseph F. Ada in 1991 he served as the Administrative Assistant to late former Mayor T. Topasna. Dean served as Mayor of Umatat until January 1993, after which he returned to his position as Administrative Assistant for former Mayor Daniel Q. Sanchez. In 2008, Dean ran for the position of Mayor and was elected by the residents of Umatat.

As Mayor of Umatat, Dean dedicated his life to serving the residents of his village. He paid particular attention to the wellbeing of the people of Umatat by voicing their concerns, such as the closing of F.Q. Sanchez Elementary and increasing cultural awareness in his participation in hosting Discovery Day festivities in Umatat. In addition to his elected role as Mayor of Umatat, Dean wore many hats and served the entire community of Guam as a member of the Commission on Self Determination; the Guam Product 19 Seal Task Force; the Department of Agriculture Aquatic & Wildlife 20 Resources—Fisheries; Civilian/Military Task Force; Association of Mariana Islands Mayors (AMIM), Vice Mayors, and Elected 22 Municipal Council Members.

Dean will be missed by all who knew and loved him. I extend my condolences to wife Jennifer, his family and loved ones, including his children, Alexander and Chance.

RECOGNIZING BRIAN BOATRIGHT, RECIPIENT OF THE BOY SCOUT HONOR MEDAL

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. WEBSTER of Florida. Mr. Speaker, today I am pleased to commend the heroic actions of a young member of our Central Florida community. In recognition of his swift and decisive action in a moment of life or death, Brian Boatright has been awarded the Boy Scout's Honor Medal.

On the fifth day of a tough hike up Big Red, a rugged New Mexico mountain, one of Brian's troop leaders suffered an apparent heart attack and collapsed. Stranded without cell phone reception 11,000 feet up the mountain, Brian and his fellow scouts acted on the skills and knowledge learned during scouting.

While others in the group searched for cell reception and applied CPR, Brian led several of his fellow Scouts as they navigated four miles to the nearest staffed camp. From the camp, a helicopter was called to the site and the leader was evacuated to a hospital where he underwent successful heart bypass surgery. For his actions on Big Red that day, Brian was awarded the Boy Scout's Honor Medal, one of the highest honors awarded by the Boy Scouts.

The Honor Medal is bestowed on scouts who demonstrate unusual heroism and skill or resourcefulness in saving or attempting to save life at considerable risk to self. In the 90-year history of the Boy Scouts, only 2,302 other scouts have been awarded the Honor Medal. Brian is a sophomore at Bishop Moore High School and a member of Troop 6 in Orlando.

I commend Brian for his quick thinking and decisive actions under great pressure. His deeds are a credit to the Boy Scouts and he is well deserving of this recognition.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. COFFMAN. Mr. Speaker, on January 3, 2009, the day I took office, the national debt was \$10,627,961,295,930.67.

Today, it is \$16,433,791,850,294.04. We've added \$5,805,830,554,363.37 to our debt in 4 years. This is \$5.8 trillion in debt our Nation, our economy, and our children could have avoided with a Balanced Budget Amendment. We must stop this unconscionable accumulation of debt.

IN HONOR OF THE UNI-CAPITOL
WASHINGTON INTERNSHIP PRO-
GRAM

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. FARR. Mr. Speaker, I rise today to pay tribute to the Uni-Capitol Washington Internship Program. Since its inception 14 years ago, the program has placed some of Australia's best and most passionate university students with House and Senate offices for two-month full-time internships annually. These internships have enabled me and my staff, who have participated since the program's inception, to share in our common values and ideals while at the same time learning more about the culture and people of Australia.

This year, I am delighted to welcome Elizabeth Flora into my Washington, DC office. I am thrilled to have the opportunity to participate in this valuable exchange program, meeting Australian students that have a passion for American politics. Since its commencement, the program has seen more than 130 young Australians walk the halls of Congress in various capacities and it is with the utmost pride that I recognize the importance of the Uni-Capitol Washington Internship Program in the United States House of Representatives.

Elizabeth joined my office on January 2, 2013 from the University of Canberra where she is pursuing her B.A. in Communications and Media. During her time in my office, Elizabeth has proven herself to be a caring, humorous, intelligent and dedicated intern and I am honored to host her. In addition to serving my constituents with professionalism and respect, she has attended hearings and briefings, drafted legislative correspondence and has assisted my staffers with a variety of important research projects.

In addition to working in offices throughout Congress, all Uni-Capitol Washington interns are given the opportunity to explore our brand of democracy through panel discussions with political correspondents, Members of Congress and representatives from various government offices as well as professionals at non-government agencies.

Founded and directed by former House and Senate staffer, Eric Federing, the program fosters cultural and educational exchanges between the United States and Australia. Mr. Federing deserves distinguished praise for his efforts and dedication in coordinating this program, and the support and opportunities he provides to all participants is truly incredible.

Mr. Speaker, I cannot fully express how critical this program is to strengthening ties with America's allies and offering inspiration for the students of tomorrow. Participating in this program has been a remarkable experience that has inspired Elizabeth for her future endeavors and gave my office the sincere pleasure of having an Australian working among us. I extend my sincere appreciation to Mr. Federing for developing and organizing this program, to my fellow Members of Congress and their dedicated staff for hosting, to Elizabeth for grasping this

opportunity with an open heart and a curious mind and to all participants for engaging in public service. I ask my colleagues to join with me in recognizing the contributions of the Uni-Capitol Washington Internship Program and, again, thanking Elizabeth Flora for her admirable participation and diligent work.

CLAIRTON BEARS PIAA CLASS A
STATE CHAMPIONS

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. DOYLE. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Clairton Bears on another perfect high school football season and their fourth consecutive PIAA Class A state championship victory.

The Bears now have 63 straight wins after their victory in Hershey, PA, giving them the longest winning streak in all of high school, collegiate, and professional football. It is also the longest such streak in Pennsylvania history.

Both the players and the coaches put in years of hard work that led to this sustained success on the field, and in their success they have brought hope to the town and the region.

Tom Nola has now served as the team's head coach for 11 years, and he is assisted by coaches Tim Bukowski, Jim Dumm, Eric Fusco, Marc Gambino, Wayne Wade, Jr., and Remondo Williams, Sr.

The team was led by sixteen seniors—Tyus Booker, Santeaun Sims, Bryon Clifford, Terrish Webb, Titus Howard, Nick Boswell, Vinny Moody, Robert Boatwright, Armani Ford, Tyler Boyd, Sedrick Nash, Devonte Harvey, Diamond Flowers, Jordan Gresse, Kyuss Jeter, and Garret Santoline.

In addition, the team included a number of underclassmen—JoJuan Bray, Ryan Williams, Tyreike Hammonds, Khalil Berry, Aaron Matthews, Vance Allen, Esaias Hammons, Brandon Murphy, James Hines, Deven Fritz, Demar Bell, Jjuan Jackson, Brian Brown, Raymone Clifford, Josh Wilson, Dryan Daverport, Vance Gibson, Israel Melvin, Will Hampton, Jhsia Miles, Devondre Brown, Jayll Hall, Carlito Spence, and Allen Norris.

The Clairton Bears continue to make Pittsburgh proud through the high standard of athletic excellence they have brought to the gridiron. Clairton has a rich history of perseverance and hard work, and the Bears continue to build on that legacy. I give them my hearty congratulations, and I wish them all the best as they look to dive deeper into the record books next season.

IN REMEMBRANCE OF BLACK
JANUARY

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in remembrance of the over 130 inno-

cent men, women, and children who were killed by the Red Army in the days following its invasion of Azerbaijan 23 years ago.

On January 20, 1990, the Soviet Union, in a brutal attempt to end the growing independence movement in Azerbaijan, sent in 26,000 troops under the pretext of restoring public order, while actually aiming to forcefully end peaceful demonstrations for independence.

The invasion and subsequent massacre, which resulted in over 130 killed, 611 injured, and 841 arrests, is remembered as "Black January" in the Republic of Azerbaijan today and has left an indelible mark on that nation's memory.

It was the overt oppression of innocent people by the Soviet government that further inspired the Azerbaijani people to regain its independence after 70 years of foreign rule.

Less than two years later, on October 18, 1991, Azerbaijan gained its independence from the Soviet Union and was soon recognized by the international community.

Today, the United States and Azerbaijan enjoy a close and important relationship, built on trust, understanding, and mutual support. It is important on this day that America remembers the trials and tribulations our friends in Azerbaijan have had to endure for the cause of freedom and continue to support their vital role as a beacon of democracy and prosperity in the Caspian Region.

Mr. Speaker, I ask the House of Representatives to please join me in remembering the tragic events of Black January and honor those who gave their lives in order to give birth to their country.

HONORING ANDERSON HOUSE FOR
ITS PUBLIC SERVICE

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. LANCE. Mr. Speaker, I rise today to congratulate Anderson House for two decades of public service. Anderson House has been a resource for women in need in Hunterdon County. It has a record of accomplishment for which the organization should be very proud. It has have selflessly played a role in lives of countless women and I thank Anderson House for its public service.

Anderson House offers the best in comprehensive care that treats all aspects of the disease of addiction. It offers physical, psychological, emotional and spiritual treatment to provide the top care to those who need it most. The outstanding staff and volunteers help those suffering from addiction obtain the tools necessary to become drug-free, to rejoin their awaiting families and to reenter the community.

I thank all members of the Anderson House family for their fine work. They have made a difference in the lives of many women and those who receive their excellent care will forever remember the fine service and dedication of Anderson House.

I also wish to praise the following honorees for their fine work: Janet Schmidling, Marfy Goodspeed, Dr. Boris Ivovich, and the late Kay Applegate.

I again thank these public servants.

IN RECOGNITION OF ST. JAMES'
CHURCH AND BEATRIZ
OESTERHELD

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. PALLONE. Mr. Speaker, I rise today to congratulate St. James' Church and Beatriz Oesterheld as they are honored by the Long Branch Concordance at their "Success Starts at Home" fundraiser. The work St. James' Church and Beatriz Oesterheld do for their community is truly deserving of this recognition.

Celebrating its 100th anniversary at its current location, which also now houses the Long Branch Concordance Family Success Center, St. James' Church has continued to grow and provide spiritual guidance to the community of Long Branch. St. James' Church was founded in the mid-1850s in response to the need for Episcopal worship services for summer visitors and residents. Since that time, St. James' Church has expanded to include an educational room, choir room, meeting room and many other facilities for the congregation and community at large. The church also houses St. Brigid's Pantry and Kitchen, which provides food and other items to those in need and has been especially helpful to residents in the aftermath of Superstorm Sandy. St. James' Church provides faith, fellowship and solace to its parish and the community.

As Executive Director of the Community Affairs and Resource Center, Beatriz Oesterheld works to ensure all those in need receive assistance. The Community Affairs and Resource Center provides services to Monmouth County residents despite of their language and ethnic background. Ms. Oesterheld is also an outreach coordinator at the Monmouth Family Health Center and an advocate for lead screening and treatment for children. Ms. Oesterheld's work helps advance the well-being of the community.

The Long Branch Concordance is a resource center that provides services, information and support to the community. It works with other organizations to reach and assist the residents of Long Branch. Its "Success Starts at Home" fundraiser honors its community partners for the work they do to strengthen the community.

Mr. Speaker, once again, please join me in congratulating St. James' Church and Beatriz Oesterheld for their contributions to the community and thank the Long Branch Concordance for hosting tonight's "Success Starts at Home" event.

CONGRATULATING FRANCIS
GIUNTA

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. BRALEY of Iowa. Mr. Speaker, I rise today to congratulate Francis Giunta for being

inducted into the Dubuque Area Labor Hall of Fame. Francis has been an active member of the Communication Workers of America (CWA) for over 40 years.

Francis has been an active member of the Dubuque labor community. In 1975, he was elected Chief Union Steward for his CWA local. In 1977, Francis was elected President of his CWA local which is a position he continues to hold today. Francis has served many different roles in the Dubuque labor community. He served as President of the Dubuque Federation of Labor in the 1980s and has sat on various labor boards such as the United Labor Participation Committee and the Dubuque Area Labor Management Council.

Francis has also seen a lot of change throughout his career. When Francis began his career in telecommunications, many Americans were using "party lines" which were shared telephone lines used by multiple households. When he retired, he worked in a digital subscriber age dealing with DSL and Broadband lines. I congratulate Francis on his induction into the Dubuque Area Labor Hall of Fame and wish him all of the best in his future endeavors.

HONORING MR. DANNIEL J. PETRO,
RECIPIENT OF THE FIRST INAUGURAL
DANNIEL J. PETRO—"THE
BRIGHT FUTURE OF WEST ORANGE"
AWARD

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. WEBSTER of Florida. Mr. Speaker, I am pleased to take this opportunity to recognize a close friend of mine and a highly accomplished leader in the electrical contracting field. Mr. Danniel J. Petro is a co-founder and Chief Executive Officer of Bright Future Electric, LLC, and he is a devoted servant to the Central Florida community.

Dan began his electrician career as an Apprentice Electrician for Indiana University in the early 1960's. In 1965, after completing his training and passing his journeyman qualifications test, Dan became supervisor of his father's company, Petro Electric.

Relocating to Florida in 1970, Dan began working for Orange County Schools as an Area Lead Electrician until 1973 when he acquired his Florida Master Electrician License and joined the Local 606 while working with Fishbach & Moore. Continuing his education, Dan earned his Florida Teaching Certificate in 1975 and started an electrician program for Westside Vo-Tech. After several years of teaching others, Dan took his talent and founded Amber Electric in 1979.

Amber Electric became known for its quality and reliable service, and under his leadership, grew into a multi-million dollar company which was sold in 1998 to Integrated Electrical Services, IES, based out of Houston, Texas. In the Amber Electric and IES merger, Dan joined IES as one of their Founding Partners and as the Regional Operating Officer for the State of Florida.

After 17 years of partnership, Dan resigned from his post as President of Eastern Oper-

ations for IES in 2005. In 2006, Dan, Roger Scroggins and Allen McMain founded Bright Future Electric, LLC, with offices located in Florida and Alabama.

Throughout his long career, Dan has established an impressive and storied history of involvement in the Central Florida community. He has served many boards and committees, including the Florida State Department of Education Advisory Committee and the West Orange Chamber of Commerce, where he formally served as Chairman and currently serves as a trustee. Due to his leadership in the community, he has also received many awards and recognitions for his efforts including the Florida Association of Electrical Contractors, FAEC, Lifetime Achievement Award and on several occasions the FAEC Man of the Year Award.

Dan has been a constant source of support for our community. He has promoted an array of community associations including, the Florida Department of Community Affairs, West Orange Boys and Girls Club, Friends of Lake Apopka, Oakland Nature Preserve, Health Alliance Family Care Center, the Winter Garden Heritage Foundation, and Winter Garden Rotary Club. His generous spirit is an example of the life-changing impact a dedicated leader can have on individual lives and a community.

On February 7, 2013, the West Orange Chamber of Commerce will be honoring Mr. Petro with the first inaugural Danniel J. Petro—"The Bright Future of West Orange" Award at the Annual Big Orange Awards Reception in West Orange County. Through his investment in the community, he has created opportunities and served others in our community in a way that keeps our futures bright. There is no doubt that this prestigious award deserves to bear Dan's name.

On behalf of the citizens of Central Florida, I am honored to recognize Dan for the devotion with which he serves our community. His commitment to excellence, leadership and service is to be admired, and his example inspires others to follow in his footsteps.

DR. PETER R. BETZER HONORED
FOR HIS VISIONARY LEADERSHIP

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. YOUNG of Florida. Mr. Speaker, I rise to join the leaders of the science and education community of the Tampa Bay area who are honoring Dr. Peter R. Betzer of St. Petersburg, Florida this Saturday with the 2013 ARCS STEM Visionary Catalyst Award for his life-long work to inspire generations of students to pursue the study of science, technology, engineering and math, STEM.

There is no more appropriate award with which to honor Peter than one that pays tribute to his vision because he has brought vision and strong leadership to every area in which he has been involved over the more than 40 years he has lived and worked in our community.

Peter found his way to St. Petersburg in 1971 after receiving his Ph.D. from the University of Rhode Island. He taught chemical

oceanography at the University of South Florida's Department of Marine Science. By 1982 he became Chairman of the Department and in 2000 he was named Dean of the newly established College of Marine Science. I still remember my first meetings with Peter as the Department and College grew. We agreed at the time that we would do all we could to make the University of South Florida in St. Petersburg a world-class center for the study of marine science. With Peter's vision and his passion we have done just that.

Under Peter's guidance, the College became an important partner of the United States Navy in developing systems to protect our nation's ports and waterways as well as those of our allies. The technology and systems developed there have proven extremely useful to our nation's homeland and environmental security agencies. These include an underwater mass spectrometer and an underwater mapping system that have created tremendous commercial opportunities and were critical to monitoring the impact of oil from the 2010 Deepwater Horizon Oil Spill.

The development of these systems only enhanced the growth of the University's reputation as a world-class center for the study of marine science, and strengthened Peter's efforts to bring other agencies and businesses to St. Petersburg: this to create a true marine science hub in the southeast U.S. Together, the community developed an innovative plan to bring the United States Geological Survey to campus and established an office of NOAA's National Marine Fisheries Service in downtown St. Petersburg. Along with the city, we developed a public/private partnership to bring the world-renowned SRI International to the port and to bring nearby a new division of Draper Labs. Peter was at the center as the architect of all these developments. With each one, the opportunities to study the sciences grew along with the interests of local, national and international students.

It is Dr. Peter Betzer's ability to provide the vision and act as the catalyst that the ARCS Foundation, which stands for Achievement Rewards for College Scientists, will be honoring at a dinner to raise funds to support Tampa Bay area students pursuing the study of science, technology, engineering and math.

As a leader in Marine Science education at the University of South Florida, Peter recognized early-on the importance of promoting the broad spectrum of STEM to USF's students. Back in the early 1990's, a bright marine science student named Mike Morris started with an idea born of studying ocean chemical processes and created a company worth tens of millions of dollars in a few short years—Ocean Optics. Peter is quick to recognize that the success took a team led by Mike Morris, but it would not have happened if not for Peter's leadership, mentorship and behind-the-scenes support.

In the world of business, Ocean Optics was just the beginning. Other companies, like Claro Scientific, came to St. Petersburg because of Peter's efforts. And, Peter's behind-the-scenes support for the "STEM-business" connection was ultimately a deciding element in both SRI International's and Draper Lab's decisions to locate in St. Petersburg. Those organizations brought dozens of high-paying

knowledge jobs to the region and thus helped to establish an emerging regional technology cluster.

While Peter has always understood the importance of developing new businesses, for him an emphasis on education has been his highest priority. While leading the world-class ocean research programs at the College of Marine Science, Peter spearheaded the creation of the Oceanography Camp for Girls to inspire them to consider career opportunities in the sciences, with nearly 1000 "teenaged scientists" attending the camp so far. He also established a marine science-based remote learning program which televises informative middle-school marine science lessons across the country reaching tens of thousands more.

When Peter retired from academic life, he decided to push the throttle further forward. Leading the St. Petersburg Downtown Partnership as its President and CEO, Peter continued to perform miracles. From providing vision for the downtown waterfront, to making international connections with world-class groups such as Cousteau Divers to securing businesses like LumaStream for St. Petersburg, his many accomplishments seem to have no end. Most noteworthy is Peter's passionate championing of the SunBay Digital Math program for Pinellas County middle schools. The SunBay math program, through a collaborative partnership of SRI International and the University of South Florida St. Petersburg, has positively impacted more than 2500 students by enhancing their understanding of the principles of algebra—a crucial element in the future success of anyone in a STEM-related career.

Mr. Speaker, at a time when this Congress and our nation are doing all we can to encourage our youth to consider careers in math and science, let there be no doubt of Dr. Peter Betzer's life-long passion in this regard. For Peter, it has been a multiplier effect as the students he has inspired throughout his career have in turn passed along Peter's passion to their students and coworkers to bring more interest and more focus to STEM education and careers. There is clearly no one more deserving of the ARCS STEM Visionary Catalyst Award than Dr. Peter Betzer and I am proud to say to him thank you for a job well done.

RECOGNIZING THE SERVICE OF CAROL HAFNER

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. COSTA. Mr. Speaker, I rise today to recognize Ms. Carol Hafner for her service, as she prepares to retire from her position as Fresno County's Agricultural Commissioner/Sealer of Weights and Measures. Carol will be leaving the Fresno County Department of Agriculture after more than 34 years of service.

Born into a farming family, Carol has a deep understanding of agriculture—the lifeblood of California's San Joaquin Valley. She earned a Bachelor's degree in Biological Sciences, with an emphasis in botany from California State University, San Jose. In 1979, she was offered

a job as an agricultural biologist/inspector at the Fresno County Department of Agriculture and immediately formed an attachment with the community. After 10 years as an agricultural biologist/inspector she was hired as a deputy and served in that position for 19 years. Carol then worked as assistant commissioner for nine months before becoming the Agricultural Commissioner. She held that position for over four years.

Carol has made many outstanding contributions during her time at the Fresno County Department of Agriculture. The methyl iodide application and the European grapevine moth (EGVM) quarantine was a challenge that Carol encountered. Even though it created an obstacle for the department, she ended the chaos and fixed the problem in a short period of time. Also, while other departments in the County were facing tough budget challenges, Carol found the money to fill four positions in her department. In addition, Carol developed great relations between the Fresno County Department of Agriculture and growers in the surrounding area.

The Agricultural Commissioner plays a vital role in Fresno's multi-billion dollar agriculture industry. Carol's hard work and dedication to our Valley made her perfect for the position, and she served the County of Fresno proudly.

Carol plans to stay active in the agricultural community when she retires. She will serve on the Specialty Crop Block Grant Review Committee, and she will resume her involvement in California Women for Agriculture (CWA). In addition, Carol and her husband, Tye will both be retiring, so they can spend much needed time with their sons and prize winning miniature schnauzers.

Mr. Speaker, I ask my colleagues to join me in recognizing the service of Ms. Carol Hafner. The work she has done for Valley agriculture will have a lasting impact on Fresno County and the entire State of California.

THE EVAN AMENDMENT BY HOLLY SCHEUREN

HON. MARK POCAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. POCAN. Mr. Speaker, I would like to submit the following by Holly Scheuren:

It was 4 years ago and it still feels like it was yesterday.

Our daughter Maia was 2 years old and we were halfway through our second pregnancy. I could feel our baby moving. I had my "20 week ultrasound" when I was actually 21 weeks pregnant. We were so excited.

At the ultrasound, the technician told us that we're having a baby boy! I thought "A boy? I know nothing about raising a boy!"

The technician joked with us that he must have his legs tucked up under him. Then she just got really quiet, finished the ultrasound and led us into the waiting room. We called our moms to tell them that we are having a BOY! They were equally excited.

Minutes later, we were called back. The nurse practitioner was VERY serious. I asked if there was something wrong. And she said "Well, yes. Your baby's limbs are measuring in the 5th percentile and you need to

have another ultrasound with another doctor." My mind was blank . . . what do you mean, his limbs are in the 5th percentile? Is that dwarfism?" I asked. She said the physician would answer my questions. She said don't go on-line looking for answers, but of course that's what I did.

I could not be seen for 3 days. In those 3 days I researched what is meant when a fetus has short limbs . . . it must be some form of dwarfism. I read how it may be associated with Down's syndrome. I was preparing to have a baby with Down's syndrome or dwarfism. I started researching support groups in Madison. I started thinking about how we would eventually have to remodel our kitchen to accommodate a person with dwarfism. I was crying and wondering what kind of life my boy would have. Would it be better to have Dwarfism or Down's syndrome? . . .

When I called my Dad and told him that the baby probably has dwarfism. In his best job to comfort me, he said "well, them are nice people, too." (that actually made me laugh). I knew that both my family and I were ready for this.

We had no idea.

The 3 days until my ultrasound were torture. The day of, I was dizzy with anticipation. I tried to crack jokes but soon, the room was filled only with clicks on the computer. At one point, they turned the screen to show me my baby! They got a shot of my baby giving the "I love you" in sign language! He was telling me he loves me. They printed a picture of my baby. He looked peaceful. He looked normal.

After a long wait, the genetic counselor came in and wrote 2 long words on a piece of paper and turned it towards us and slowly read out loud "Thanatoporic dysplasia". "What's that???" I interrupted.

She said it is a rare form of dwarfism. "Oh, so our baby will be a dwarf." The air was so thick. Pointing at the first word she said "thanatoporic" means "imminent death". WHAT?? What do you mean?? My head was screaming, even though the room was completely silent.

She explained our baby's long bones were short. His skull is strawberry shaped. His jaw is deformed. His brain has a lot of fluid in it. If he was born, he would not be able to breathe because his lungs could not expand in his tiny rib cage. I pleaded "maybe his bone growth will catch up with the rest of his body!! Maybe he will just be very small!!" She said that the baby would not survive much past birth.

I felt like I couldn't breathe. The doctor came back into the room. I showed her the ultrasound picture "But he looks normal and peaceful!!"

They then told us that we have two options. We can choose to terminate the pregnancy, or carry the baby to term, and the delivery staff would be ready with ventilators and pain management until the baby died. My regular doctor happened to be on call that day; she came into the room and hugged me. She said she also looked at the ultrasound, and the baby was not going to live.

We were devastated. What would we do?? Part of me wanted to give birth to him, just so I could hold him. But I knew that the image of seeing him suffer would haunt me for the rest of my life.

We decided we would end the pregnancy.

When the genetic counselor returned I told her we decided to terminate, and wanted it done at a hospital. She said that the hospital refers all abortion procedures to the Planned

Parenthood's health center where abortions are still available. I did NOT want to go to a clinic and walk through protesters on one of the worst days of my life.

The genetic counselor confirmed no hospital would perform this abortion, and she would schedule an appointment for me at Planned Parenthood.

We went to Olin park and just sat in the car, crying. Calling our parents, calling my boss. All this time, I could feel the baby alive moving inside of me. My son. Alive and inside of me.

Our counselor called with more bad news. To comply with Wisconsin's 24 hour waiting period law, I would be too far along to have the procedure at Planned Parenthood. She said there is a clinic in Chicago who could see me in a few days. If they assessed that the baby was too big, then I would have to go to Kansas.

She said the abortion in Chicago is a 3 day process, so I would need to get a hotel. Over this time they would slowly dilate my cervix with bamboo reeds and would do the procedure Friday morning and it would cost \$1500 cash.

Now I am calling my Dad to ask for money. Word of this spread fast at work and someone took up a collection that raised \$200. My Dad gave us \$1000 and we came up with the rest. Our moms bought the hotel room and came with us, along with our 2 year old daughter Maia.

The clinic was in an unfamiliar neighborhood and there were tons of protesters with signs about killing babies. I expected this, but I didn't expect them to SHOUT at me. JESUS!! They have NO CLUE why I am having an abortion. They don't know what I am going through. I wanted to scream SHUT UP!!

The clinic staff were friendly but the 70's decor waiting room had no privacy. I was crying, my mom was holding me, and people were staring at me. I wanted to explain to everyone that my baby was going to die.

My name was called and the nurse did an ultrasound, I finally went to a room that looked like an operating room, put my feet up in the stirrups and had reeds inserted into my cervix. OUCH!! It felt like the worst period cramps ever!

Friday morning, lying on my hotel bed, my partner and our moms all laid their hands on my belly. We said prayers. We said goodbye. Goodbye baby boy. Goodbye Evan.

On Friday there were even more protesters. They must know that this is "abortion day". They yelled that a girl just died here last week.

Inside, the staff was friendly and warm, but I felt like we were cattle, being moved from one room to the next, just wearing a thin gown. No privacy, no loved ones.

Finally, I went into the surgery room, was put under anesthesia and I woke up to a nurse calling my name. "Holly . . . wake up. Holly." I opened my eyes. I was in a room with maybe 20 other women all lined up in beds. I felt like I was dreaming. I remember looking at the floor and it seemed far, far away. I felt so dizzy. I knew something was wrong the minute I threw up the ginger ale that I just drank.

The nurses wanted to bring me back to the recovery room. On the way there, I felt so dizzy, I fell on the floor with one of them. I peed all over!! The anesthesiologist came and asked me some questions, gave me a shot to help me wake up. I started having horrible rib pain and I couldn't stay awake. I could hear the nurse ask me questions, but I felt like I was dreaming.

The doctor said there was nothing unusual about my procedure and would check back with me. I felt so alone. My ribs were killing me. The nurse told me they would allow me to either bring back my mom or my partner. I chose my mom.

My mom stared into my face. She held my hand. She told the nurse that something was very wrong. Then the clinic director came and sat with us. And while they talked, I kept passing out.

My mom suggested to the doctor and anesthesiologist it might be pulmonary embolism. The doctor said when he was done he would call an ambulance and go with us to Northwestern Hospital. If they called an emergency ambulance, they would take us to the nearest hospital, which was Catholic and he wanted me to go to Northwestern.

All the women were recovered and going home. Except me. Around 5 pm, the ambulance came. The EMT lifted me onto the bed. I screamed in pain. WHAT WAS HAPPENING TO ME?

The ride to Northwestern seemed to take forever.

The emergency room doctor said he needed to wait for an emergency OB/GYN, who then did a trans-vaginal ultrasound and told me I would need a CAT scan right away. They put a catheter in me and my urine was brown. My Mom panicked and thought my organs were shutting down. (my Mom watched WAY too many ER shows at the time. . .)

The emergency doctor came back and said my uterus had been perforated during the abortion and I was bleeding internally. He said they may have to take my uterus.

I heard my Mom on the phone to my dad, crying about what was happening. The doctor told me that they had to wait for a special team of OB/GYN doctors and specialized nurses. I waited just staring into darkness. Hearing the fear in my Mom's voice, I just kept thinking about my daughter Maia. Then in walks the anesthesiologist. . .

The next thing I remember, I was in a bed, looking at big Chicago buildings and it looked like dawn. There was a man looking at me. I asked him if I lost my uterus. He said "yes." I remember pleading: "Why didn't they just sew it back up???" I was stunned and crying.

My partner had to take the moms and Maia back to Madison. My mom came in to hug and kiss me, and then they left. I've never felt so alone.

The doctor who did the surgery came in. He held my hand. He told me that I am a very lucky person, that I lost 2 liters of blood and nearly died.

I was in the hospital for 4 days, including Mother's Day. My Mother's Day was spent looking out at a rainy, cold Chicago, again thinking about Maia, who was in Madison with her Grandma. I had no baby boy, no uterus, and I nearly lost my life. Maia almost lost her Mother.

Flash forward a month. The bills start rolling in . . . surgery room \$17,000 . . . Anesthesiologist \$11,000 . . . Facility charges \$75,000. AND . . . my insurance denied EVERYTHING because expenses were related to a non-covered service. My insurance company only covered abortions if the mother's life was in danger. Not if the baby's life was in danger.

It seemed like I was sobbing 20 hours a day. I didn't want to talk to anyone except my mom.

I started going through the appeals process which kept getting denied. I was supposed to appeal, in front of the appeals board, made up of people I work for! I was filled with anxiety and dread THEN, my insurance case

worker called and said someone at my company went up the chain to the top to plead my case. The person at the top decided that our insurance company would cover all my expenses at 100% AND that a new policy would be implemented for all members to cover abortion care for fatal fetal anomalies!!!! I call this the Evan Amendment!!

Hallelujah.

A great way to get through my grief was to bury myself into the world of adoption as I wanted a second child.

A year and a half later, my mom and I flew to Ethiopia to bring home our beautiful daughter Amara Selamawit.

No family should have to go through what I went through. Hospitals should be performing later-term abortions. I can't help but wonder how the outcome would have been different had I been able to have my abortion done at a safe, modern hospital.

No one should have to suffer while trying to do what's right for their children.

IN RECOGNITION OF THE BIRTHDAY OF JANICE JENNINGS

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. ROGERS of Alabama. Mr. Speaker, I would like to ask for the House's attention today to recognize Jan Jennings who is celebrating her 60th birthday on Thursday, February 7th, 2013.

Mrs. Jennings was born on February 7th, 1953 in Anniston, Alabama to Johnny and Ruby Reaves. She is one of seven children. She graduated from Saks High School and went on to attend Gadsden State University, where she got her degree in Nursing. She later received her Business degree from Jacksonville State University in 1989.

In 1983, Jan married Jeff Jennings, also a native of Anniston, Alabama. Later, in 1987, they welcomed their only child, Jessica. In 2010, they adopted their beloved labradoodle, Tully.

For almost 20 years, Jan practiced as a nurse at Regional Medical Center in Anniston, Riverview Medical Center in Gadsden, and Montclair Baptist Hospital in Birmingham. Jan then left to pursue her dreams of traveling the world when she joined the medical sales industry. Jan is still in the industry today, working as a Trainer for EndoGastric Solutions.

After over 40 years of living in Anniston, Alabama, Jan and her family relocated to High Point, North Carolina, where they live today. Although she lives in North Carolina, Jan remains a dedicated fan of the University of Alabama Crimson Tide.

Mr. Speaker, we join her family and friends in celebrating Jan's birthday and wishing her many more.

RECOGNIZING MS. OLLIE LEE MCMILLAN MASON

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise to recognize the life and

achievements of Ms. Ollie Lee McMillan Mason. Ms. Mason lived her life with determination and with a commitment to serving others. As the first black nurse on the staff of Parkland Memorial Hospital in 1937, Ms. Mason was a trailblazer for others who would follow in her path.

A Dallas, Texas, native, Ms. Mason moved to Washington, DC, to study at the Freedmen's Hospital School of Nursing. After graduating in 1929, she served as chief nurse at the McMillan Sanitarium in Dallas, an institute founded by her father, Dr. W. R. McMillan. Ms. Mason later studied obstetrics for a year at Bellevue Hospital Center in New York City. During her time in New York, she married Duane B. Mason.

When Ms. Mason and her husband returned to Dallas, Ms. Mason began working at Parkland Memorial Hospital in the obstetrics department. She became a public health nurse for Dallas in 1941. Ms. Mason continued her nursing education at Michael Reese Hospital in Chicago, and earned her bachelor's degree in nursing at Case Western Reserve University in Cleveland. Ms. Mason always used her education to serve her community in Dallas, whether teaching others to care for premature infants or working for the school district.

Never shying away from a challenge, Ms. Mason joined the Peace Corps in 1972 and served in Mauritius. After working overseas, Ms. Mason came back to Dallas and worked for Tremont Health Care Center until her retirement at the age of 84.

Ms. Mason died last week at the age of 107 in Irving, Texas. Her lifelong dedication to helping others and her love for nursing changed our Dallas community for the better. Ms. Mason is survived by her daughters, Sandra Ruth Dixon and Anne Young, eight grandchildren and two great-grandchildren.

HONORING THE LIFE OF LAURA LASALVIA

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. COSTA. Mr. Speaker, I rise today to pay tribute to the life of Laura LaSalvia, who lived a long and fulfilling life of 95 years. Laura joined her late husband, Tony LaSalvia, on January 5, 2013.

Laura and Tony raised three children together: Antonia, Nicola, and Steven. Laura spent most of her time at home with her children while Tony ran the family business, the Los Banos Abattoir. After Tony's passing, Steven took over the business with Laura's help. She was well-known to both the producers and the customers, keeping a tight watch on the business affairs to ensure they were fulfilled as Tony would have wanted.

Laura was a trailblazer for women in the meat industry. It can be a tough business for women, but her dedication and hard work helped her to accomplish many successes. She passed these strong traits along to her children, grandchildren, great grandchildren, and to all those associated with the family business. Laura's presence at the Los Banos Abattoir will be greatly missed.

Laura was extremely active in her community. She served on school boards and participated in school-related activities for her children and grandchildren. She was also very involved at Saint Joseph's Church in Los Banos. Religion and faith were strong components of her life. In 1957, Laura was a charter parent of Our Lady of Fatima School, and she served as president various times. She was also a member of Altar Society and the Italian Catholic Federation.

Mr. Speaker, I ask my colleagues to join me in paying tribute to the life of Laura LaSalvia. She will undoubtedly be missed by all for her wise and loving counsel. We thank Laura today for her outstanding contributions to the Central Valley and the State of California.

IN SUPPORT OF UNITED STATES POSTAL SERVICE RELEASE OF COMMEMORATIVE ROSA PARKS STAMP

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mrs. BEATTY. Mr. Speaker, today is the 100th birthday of Rosa Parks, the mother of the modern Civil Rights Movement.

In celebration of this year's Black History Month, it is with great honor that I wholeheartedly lend my voice in support of the release of a commemorative stamp, created by the United States Postal Service, to pay respects to her legacy and contributions to this country to ensure the equal treatment of all citizens.

Her civil disobedience in refusing to give up her seat on that bus in Montgomery, Alabama sparked a movement that continues today to push the possibilities of our society into new realms.

As a member of the Ohio General Assembly, where I also served as House Minority Leader, I was proud to have led the efforts that resulted in the 2005 passage of House Bill 421 of the 130th General Assembly to mark December 1st as Rosa Parks Day—the first state to do so in the Nation.

That day in 1955, she started something larger than herself.

Her action sparked the peaceful Montgomery Bus Boycott that lasted 381 days and successfully desegregated the public transportation system across the country. Her fight didn't end there: she continued to champion civil rights all across the country until her passing on October 24, 2005. And with this stamp, we further add to the recognition of her selflessness and pioneering spirit that she deserves.

The unveiling of the stamp will take place in Detroit, Rosa Parks' final place of rest. Detroit is also the location of the Rosa and Raymond Parks Institute for Self Development, an organization she helped found in 1987 to inspire young people—just as her actions inspired many across our nation in Alabama years before.

Now that we are at the start of this year's Black History Month, a year that celebrates the 150th anniversary of the Emancipation

Proclamation and the 50th anniversary Martin Luther King Jr.'s March on Washington, I cannot think of a better 100th birthday memorial to help further etch Rosa Parks' name into the fabric of our nation's history than with this stamp.

"SOMETHING INSIDE" BY MADDIE GREENE

HON. MARK POCAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 2013

Mr. POCAN. Mr. Speaker, I would like to submit the following by Maddie Greene:

SOMETHING INSIDE

(By Maddie Greene)

PLANNED PARENTHOOD OF WISCONSIN PRESENTS
OUR LIVES—OUR STORIES—OUR CELEBRATION:
THE 40TH ANNIVERSARY OF ROE V. WADE

On a sunny, slightly chilly weekend in May of 2000 I was preparing for final exams. Despite the stress of impending tests, it was a beautiful spring.

I woke up early Saturday morning with severe stomach pain. This was a type of pain with which I was entirely unfamiliar. It came in waves, dull but intense. It would recede for a time then return so strong I could barely stand. Pressing my fingers against my lower belly, I determined that the lowest right-hand region was swollen, hot, and hard to the touch. So did I jump out of bed and call the hospital? Oh, heavens, no. Now, a blister—that's a tragedy worth swooning over. A swollen stomach? Eh, I'll ignore that.

That evening, I went to study with a friend. We made jokes about appendix trouble. I laughed—then rushed home and read up on appendicitis. My symptoms weren't quite right. With so much else to worry about, my attitude was this: "It will get worse, or it will get better. I'll adjust to either option as needed."

It got better. I went on about my week as usual. However, by happy chance, I had a routine annual gynecologist appointment scheduled for that Thursday at Planned Parenthood. That appointment was going to change my life.

Thursday morning, May 11, 2000, I took a final exam. A few hours later I was at my appointment at the old Mifflin Street Planned Parenthood a few blocks from my dorm. I mentioned the pain of the previous weekend, expecting little to come of it.

The R.N. conducting my examination was named Elizabeth. She was lovely. One element of my routine checkup involved Elizabeth pressing her fingertips into my lower belly. A few painful presses into the exam, her lips tightened. Then she smiled and said in a bright, cheerful voice, "Well, you're pregnant." I'm pretty sure I gave a witty and decimating retort, probably something like "No, I'm not." She gauged me at about three months pregnant based on the firm swelling. Mind you, the math didn't work out. I couldn't be pregnant. But when a nurse thinks you're having a baby, you entertain the notion. I took a pregnancy test.

Sitting in that exam room awaiting the results of my test constituted the longest five minutes of my life up to that point. When Elizabeth came back she was frowning again.

"Well, you're not pregnant," she informed me, and I punched the air triumphantly. She let me have my little celebration but she didn't smile with me. Instead, she said pointedly "But if you're not pregnant, then I don't know what that thing is inside you."

This disturbed me greatly.

Elizabeth sent me home to relax. "Take the day off work," she said. "Think about your next step." She promised to be in touch. I went back to my dorm and called my parents in tears. "Mom? Dad? I'm not pregnant! . . . But something's wrong." They came to Madison and took me out to lunch. When I got back there was a message on the answering machine from Elizabeth asking what I'd decided. Well, I hadn't decided anything yet. That evening she called again and finally revealed the depth of her concern. She said, "Maddie, I didn't want to scare you too badly earlier. You needed time to cope. But I want to stress to you the importance of contacting someone NOW. Please find a doctor and have that checked out."

So I did. And it was cancer. Just after my final exams I started treatment for a volleyball-sized malignant tumor that used to be my right ovary.

As a college student I was covered under my family's health insurance. But I was at school far from home—and I wanted some agency over my health and my life. For a busy student struggling through full-time coursework and a part-time job, Planned Parenthood was the best option for monitoring my reproductive health privately and affordably.

Without Elizabeth, without the convenience and affordability of that Planned Parenthood on Mifflin St, maybe I'd be dead. Who knows? I know that they wouldn't have caught my cancer until I could no longer avoid the symptoms. Maybe until that fast-growing malignancy had done what it was trying to do.

Planned Parenthood didn't just do what I asked, they did what I needed. They identified that I was very sick and they gently, kindly, but insistently urged me toward seeking specialized care.

Today I'm healthy, cancer-free, and grateful that Planned Parenthood was available to me and that its kind, smart R.N. Elizabeth caught my cancer.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, February 5, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 7

10 a.m.

Committee on Armed Services

To hold hearings to examine the Department of Defense's response to the attack on United States facilities in Benghazi, Libya, and the findings of its internal review following the attack; with the possibility of a closed session in SVC-217 following the open session. SD-G50

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine No Child Left Behind, focusing on early lessons from state flexibility waivers. SH-216

Committee on the Judiciary

Business meeting to consider the nominations of Robert E. Bacharach, of Oklahoma, to be United States Circuit Judge for the Tenth Circuit, William J. Kayatta, Jr., of Maine, to be United States Circuit Judge for the First Circuit, Richard Gary Taranto, of Maryland, to be United States Circuit Judge for the Federal Circuit, Caitlin Joan Halligan, of New York, to be United States Circuit Judge for the District of Columbia Circuit, Patty Shwartz, of New Jersey, to be United States Circuit Judge for the Third Circuit, Pamela Ki Mai Chen, to be United States District Judge for the Eastern District of New York, Katherine Polk Failla, to be United States District Judge for the Southern District of New York, Andrew Patrick Gordon, to be United States District Judge for the District of Nevada, Ketanji Brown Jackson, of Maryland, to be United States District Judge for the District of Columbia, Raymond P. Moore, to be United States District Judge for the District of Colorado, Troy L. Nunley, to be United States District Judge for the Eastern District of California, Beverly Reid O'Connell, to be United States District Judge for the Central District of California, Analisa Torres, to be United States District Judge for the Southern District of New York, Derrick Kahala Watson, to be United States District Judge for the District of Hawaii, and Mark A. Barnett, of Virginia, and Claire R. Kelly, of New York, both to be a Judge of the United States Court of International Trade. SD-226

10:30 a.m.

Committee on Environment and Public Works

To hold an oversight hearing to examine implementation of Corps of Engineers water resources policies. SD-406

2:30 p.m.

Select Committee on Intelligence

To hold hearings to examine the nomination of John Owen Brennan, of Virginia, to be Director of the Central Intelligence Agency. SH-216

FEBRUARY 12 10 a.m. Committee on Energy and Natural Resources	To hold hearings to examine opportunities and challenges associated with America's natural gas resources. Committee on the Judiciary Subcommittee on the Constitution, Civil Rights and Human Rights	To hold hearings to examine proposals to reduce gun violence, focusing on protecting our communities while respecting the Second Amendment. SD-226
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HOUSE OF REPRESENTATIVES—Tuesday, February 5, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. PALAZZO).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 5, 2013.

I hereby appoint the Honorable STEVEN M. PALAZZO to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

LEGALIZING MARIJUANA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, since I was a high school student, I've watched the escalation of the war on drugs, especially marijuana. I slowly became aware of its widespread use. As a freshman legislator in Oregon 40 years ago, my opinion was set by a hog farmer from eastern Oregon who was a State representative named Stafford Hansell.

Stafford held the Oregon House, and the people crowded into the gallery spellbound with his tutorial on marijuana and its comparison to other addictive substances, both legal and illegal. This older gentleman, who didn't smoke, didn't drink alcohol—let alone use marijuana—made his case. He pointed out how tobacco was highly addictive and killed hundreds of thousands of Americans per year. He discussed alcohol, whose damaging properties had once led the country into a foolish, costly and ultimately self-defeating experiment with prohibition. Alcohol use was damaging for some, led

to dependency for many, while contributing to tens of thousands of highway deaths every year, and serious health problems for countless others.

By the time Representative Hansell got to marijuana, he'd convinced me that the bill he was advocating—two plant legalization—was not just worthy of my support, which I was already inclined to do, but something that I should advocate that Oregonians should be allowed this choice, less damaging and addicting than tobacco.

We didn't legalize marijuana in 1973, although I was assured that if the 22 of us who had voted for the bill had been supported by the people who used it but voted no, the measure would have passed easily. We did make Oregon the first State to decriminalize the use of marijuana. Possession of a small amount was made a minor infraction, treated like a traffic ticket. Today, 40 years later, the case is even more compelling. Fourteen States have now decriminalized policies like Oregon passed in 1973.

In 1996, California pioneered the legal use of medical marijuana whose therapeutic qualities have long been known and employed. And since then, 18 States and the District of Columbia have approved medical marijuana initiatives, allowing its use to relieve chronic pain, nausea, and other conditions. Notably, two-thirds of these approvals were a result of voter initiatives.

Last fall, voters in Colorado and Washington approved adult recreational use with 55 percent approval margins. Studies show that a majority of Americans now agree that marijuana should be legalized. It is time that the Federal Government revisit its policies. Drugs with less serious classifications, like methamphetamine and cocaine, have more serious health and behavioral impacts; yet marijuana retains its Schedule I classification.

In 2011, two-thirds of a million people were arrested for using a substance that millions use, many more have tried, and a majority of Americans feel should be legal. Because there are stark racial differences in enforcement and incarceration, there are wide disparities in the legal treatment for communities of color versus their white counterparts. Medical marijuana is widely accepted but subject to inherent conflict with Federal law that is unfair, confusing and costly.

A bipartisan group of legislators is developing a comprehensive package of legislation to clarify and reform out-

dated, ineffective, and unwise Federal policies. In a time of great fiscal stress and a sea change in opinion of voters, this is a unique opportunity to save money on enforcement and incarceration, avoid unnecessary conflict and harsh treatment of users, provide a framework for medical marijuana, and even reduce the deficit—all by honoring the wish of two-thirds of Americans to respect states' rights for marijuana, just like we do for alcohol.

I would invite my colleagues to join this effort in developing a marijuana policy that makes sense for America today.

NEW YEAR'S RESOLUTIONS FOR OBAMA ADMINISTRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. COBLE) for 5 minutes.

Mr. COBLE. Mr. Speaker, January is the traditional month in which New Year's resolutions are developed. I'm suggesting that President Obama and Mrs. Obama adopt a resolution in the event they failed to do so in January. President Obama and Mrs. Obama, it appears to me, Mr. Speaker, regard Air Force One very casually; and I believe that on some occasions two planes, at least two planes, have been dispatched to the same destination.

Air Force One, Mr. Speaker, belongs to the President and Mrs. Obama, but Air Force One also belongs to the American taxpayer, and I would welcome a New Year's resolution that would provide a generous lease of all future Air Force One dispatches with prudence, discipline and, last but certainly not least, fiscal austerity. America's taxpayers will be appreciative.

Incidentally, Mr. Speaker, Air Force One, designated by the Air Force as VC-25, incurred an operational cost per hour of \$179,750. And on some occasions, additional aircraft accompanied Air Force One, naturally adding to the cost.

I'm going to now, Mr. Speaker, insert my oars into waters that involve the former Secretary of State, Mrs. Clinton, during a recent Senate hearing. A Senator who was examining Secretary Clinton suggested or implied that the administration may have misstated the nature of the Benghazi attack, to which Mrs. Clinton responded: "What difference at this point does it make?"

I submit, Mr. Speaker, that the survivors of the four Americans who were murdered in that attack would welcome any and all information surrounding that infamous invasion. The

survivors are grieving, and any information that could illuminate in any way this tragedy that occurred in Benghazi would welcome any and all information, it seems to me.

Yes, Secretary Clinton, at this point it may well make a difference.

HUNGER IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, I rise today to talk about the problem of hunger in America. We are the richest, most prosperous Nation in the world. Yet the sad fact is that in 2013 more than 50 million people in this country are considered food insecure by the United States Department of Agriculture. Food insecurity, Mr. Speaker, is a technical term for the hungry. That's right, there are more than 50 million hungry people in this country. We cannot and we should not stand for this. It is time that we end hunger now.

Certainly, our fragile economy has a lot to do with the high levels of hunger. Millions of people either lost their jobs or saw their wages fall. Food and energy prices went up. For many middle- and low-income families, everyday costs like rent, utilities, and food became more difficult. And in many cases, families were forced to choose between things like food and electricity.

□ 1010

But even before the recession started, tens of millions of Americans went hungry at some point during the year. That, too, is unconscionable. And when we turn this economy around, and our economy will rebound, we need to make sure that people do not fall through the cracks again.

We need to end hunger now. We may not be able to wipe out all disease. We probably can't eliminate all war. But we can end hunger now if we make the commitment to do so. We have the resources. We know what it takes. We just have to muster the will to end hunger once and for all. Hunger is a political condition.

It's important to point out that even though over 50 million people were food insecure, the vast majority had a safety net that prevented them from actually starving. That safety net is called the Supplemental Nutrition Assistance Program, or SNAP. Formerly known as food stamps, SNAP is a program that provides low-income families with food that they otherwise could not afford to buy.

Last year, over 47 million families relied on SNAP to feed their families. SNAP is literally a lifeline for these 47 million people who struggle to make ends meet. Now, I don't deny that this is a big number, but it's a big number because it's a big problem.

Mr. Speaker, America's hunger problem would be dramatically worse without SNAP. Just imagine what this country would look like if we didn't have the safety net that SNAP provides for low-income families in this country.

Our churches, our synagogues and mosques do their best to help feed families who need help, but they cannot do it on their own. There are nonprofits and food banks that do as much as they can, but they cannot do it on their own. The private sector simply cannot meet the need.

And with the economy not expected to fully recover for some time, we know that there will continue to be those who struggle to afford food. These are the people we need to worry about, the people we must help, the people who need their neighbors to lend a helping hand.

SNAP, Mr. Speaker, is a helping hand. Relying on SNAP is no walk in the park. It is not champagne and caviar. No, Mr. Speaker, the truth is that the average SNAP benefit is less than \$1.50 per meal. That doesn't buy a whole lot of healthy, nutritious food.

And there's a common misconception—some would say it's a purposeful mischaracterization—that SNAP promotes a culture of dependency. Some detractors even talk about SNAP like it's a golden ticket, that getting on SNAP is like winning the lottery; everything's taken care of forever.

Give me a break. People don't want a handout. They don't want to rely on government assistance. No, Mr. Speaker, people want to provide for themselves and their families. That's why half of all new SNAP participants receive benefits for 10 months or less, and 74 percent actually left the program entirely within 2 years.

Now, I don't know why there is such a vitriolic opposition to this important program by some here in Congress, nor do I understand why some of my colleagues believe we should balance the budget by cutting programs that help the most vulnerable.

The truth is that without SNAP people would go hungry because they are poor. Eighty-three percent of families on SNAP make less than \$24,000 a year for a family of four. Less than \$24,000 a year. I challenge anyone in this body to live off that income for a year.

Our budgetary challenges are clear. We need to tackle the debt and the deficit, but we need to do so smartly and with reason. There is a reason not a single bipartisan deficit proposal, from Simpson-Bowles to sequester, cuts SNAP. That's because SNAP is the most effective and efficient anti-hunger program we have. That's because cutting SNAP will literally take the food away from families in this country. That's because the authors of these plans, from liberal Democrats to conservative Republicans, all recognize the importance of this program.

Yet there are those who would want to undermine this and other programs that provide a circle of protection for those in need. It is time for a nationwide effort to end the scourge of hunger.

I call on the President of the United States to coordinate a White House conference on food and nutrition so we can devise a plan. I call on the leaders of Congress to support such an initiative. We need to do more. End hunger now. End hunger now. End hunger now.

Mr. Speaker, we can do this. We must do this.

CONFIRMATION OF SENATOR CHUCK HAGEL

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, thank you very much.

I want to thank President Obama for his nomination of Chuck Hagel to be Secretary of Defense.

While we were home last week, I had the opportunity to watch the Senate confirmation hearing, and I was dismayed by the way many of the Republicans in that hearing chastised Mr. Hagel.

Mr. Hagel is a man of integrity. The question from one of the Senators about, do you think the surge worked, and Senator Hagel was such that he didn't want to give him a direct answer. I would have said, no, it didn't work—1,200 Americans killed, I don't know how many Iraqis. And look at the country today. It's totally falling apart. But that was a question toward Senator Hagel.

Mr. Speaker, the Iraq war was very unnecessary. It was manufactured by the previous administration, and there was a general, Marine General Greg Newbold, who had been working with the Department of Defense, who actually wrote an article in *Time* after the war started. And one of the points he made that I'm going to share with you, Mr. Speaker, is "some of the missteps include the distortion of intelligence in the buildup to the war." The distortion of intelligence in the buildup to the war.

In the history of Washington, if ever our government needed integrity, it's now. Chuck Hagel is a man of integrity. No one can question his integrity.

I've had the privilege of knowing Senator Hagel since 2005 when I came out against the unnecessary war in Iraq. Senator Hagel reached out to me in support of my position and encouraged me in my journey to find out the truth, if it was necessary or not.

His record speaks for itself. As a non-commissioned officer, he honorably served this Nation in Vietnam, earning two Purple Hearts, served on the Senate Committee on Intelligence and the

Committee on Foreign Relations, as well as the President's Intelligence Advisory Board and the Secretary of Defense Policy Board. No one can argue Chuck Hagel's experience.

Mr. Speaker, I know that Chuck Hagel is the right man to lead the Department of Defense through this very difficult economic time. He's a man that will uphold the Constitution and do what is right for this country. Our military and the American people need Chuck Hagel to be the Secretary of Defense.

Mr. Speaker, before closing, I must say that, in my many years here in Washington, 18 years, I have never known a person with more integrity than Senator Hagel, and I hope that the Senate will pass on the confirmation of Chuck Hagel to be the Secretary of Defense because America needs him, our military needs him, and it's time for people of integrity to step up and help us fix this problem facing our Nation. And he will speak freely and honestly about what is needed to keep a strong military.

NATIONAL CATHOLIC SCHOOLS WEEK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. LIPINSKI) for 5 minutes.

Mr. LIPINSKI. Mr. Speaker, I rise today in honor of National Catholic Schools Week and to recognize the outstanding contribution that Catholic schools have made to our Nation. Catholic Schools Week was celebrated last week in schools all across the country.

As a proud graduate of St. Symphorosa Grammar School and St. Ignatius College Prep, and a strong supporter of Catholic education, I, once again this year, introduced a resolution honoring Catholic schools. H. Res. 46 expresses support for "the vital contributions of the thousands of Catholic elementary and secondary schools in the United States" and "the key role they play in promoting and ensuring a brighter, stronger future for the Nation." I'd like to thank the 28 Members who cosponsored this bipartisan resolution with me.

Since 1974, the National Catholic Education Association and the United States Conference of Catholic Bishops have organized and planned National Catholic Schools Week. This year's theme, "Catholic Schools Raise the Standards," highlights recent initiatives undertaken by Catholic schools across the country to strengthen their already exemplary standards.

America's Catholic schools produce graduates with the skills and integrity needed by our businesses, governments, and communities, emphasizing a well-rounded educational experience and instilling the values of "giving back to the community" and "helping others."

Nearly every Catholic school has a community service program, and every year their students volunteer half a million hours to their communities. My own decision to pursue a career in public service was fostered, in part, by dedicated teachers throughout my formative years in Catholic schools.

□ 1020

Today over 2 million elementary and secondary students are enrolled in nearly 7,000 Catholic schools. These students typically surpass their peers in math, science, reading, history, and geography in any NAEP test. The graduation rate for Catholic high school students is 99 percent, and 85 percent of graduates enrolled in four-year colleges, rates well above the national average. As we continually hear disturbing reports of our national test scores, these statistics are truly remarkable and should be commended.

Notably, the success of Catholic schools does not depend on selectivity. Catholic schools accept nine out of every 10 students who apply and are highly effective in providing a quality education to students from every socioeconomic category, especially disadvantaged youth in underserved urban communities. Over the past 30 years, the percentage of minority students enrolled in Catholic schools has more than doubled, and today they constitute almost one-third of all Catholic school students. In times of economic hardship, Catholic schools provide an affordable alternative to other forms of private education.

Now, in addition to producing well-rounded students, it is estimated that Catholic schools save taxpayers over \$18 billion annually. The importance of these savings is undeniable as we in Congress, and lawmakers across the country, struggle with budget deficits.

I was born and raised in the Chicago Archdiocese, where more than 87,000 students attend 250 schools. In the Joliet Diocese close by, 22,000 students are educated in 48 elementary and 7 high schools. In my district alone, there are nearly a dozen Catholic high schools and more than 50 grammar schools, including one of the best in my home parish, St. John of the Cross in Western Springs, which last year was named a National Blue Ribbon School by the Department of Education.

The focus of this year's Catholic Schools Week, "Catholic Schools Raise the Standards," demonstrates a continued commitment to excellence. The National Catholic Education Association has launched an initiative called the National Standards and Benchmarks for Effective Catholic Elementary and Secondary Schools which will make sure that standards are consistently high across the country. The dedicated teachers and administrators who work at Catholic schools, many of whom could earn much more else-

where, are instrumental in upholding these standards. In recognizing Catholic Schools Week, we pay a special tribute to these professionals who sacrifice so much for their students.

During Catholic Schools Week last week, I visited several schools in my district, including St. Dennis in Lockport, St. Cajetan in Chicago, and St. Alphonsus/St. Patrick in Lemont. At each of these schools, I was able to visit with students and witness the excellent Catholic education that was being instilled by teachers, administrators, pastors, and volunteer parents. The dedication of all those involved in educating these children demonstrated why Catholic schools are so successful not only in my district but across our Nation.

Mr. Speaker, I hope my colleagues will join me today in honoring Catholic schools and all they contribute to our Nation.

BIDDING FAREWELL TO TWO MEMBERS OF THE LAS VEGAS MIGHTY FIVE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Nevada (Mr. HECK) for 5 minutes.

Mr. HECK of Nevada. Mr. Speaker, I come to the floor today to bid a solemn and respectful farewell to Mr. Romeo Barreras and Mr. Silverio Cuaresma. Messrs. Barreras and Cuaresma were residents of southern Nevada and members of the Las Vegas Mighty Five, a group of Filipino American World War II veterans denied benefits and recognition for their service to the United States.

Romeo Barreras volunteered for the Philippine Army at age 17 and served with the infantry as a Guerrilla fighter. He earned a Purple Heart for wounds sustained in action and received an honorable discharge for his service to both the Republic of the Philippines and the United States. Romeo passed away last month at the age of 85.

Silverio Cuaresma was a guerrilla intelligence officer who served under Army Colonel Edwin Ramsey in the 26th Cavalry. It was this unit that made the last horse charge in cavalry history on January 16, 1942. After his discharge, Silverio took up the cause of his fellow denied veterans and fought for their compensation ever since. That fight ended two weeks ago in Las Vegas. Silverio Cuaresma was 100 years old.

They, along with their countrymen, fought and in many instances died under the command of American troops in the Pacific theater of World War II. After helping the Allies win the war in the Pacific, many of these veterans began seeking the benefits promised to them by President Franklin Roosevelt. But on February 18, 1946, President Harry S. Truman signed the Rescission

Act of 1946 into law, which denied over 200,000 Filipino World War II veterans the benefits promised to them just five years earlier by President Roosevelt.

Congress finally acknowledged the dedicated service of many of these denied veterans when it established the Filipino Veterans Equity Compensation Fund in 2009. But many of these veterans, as many as 24,000, still have not received compensation due to bureaucratic hurdles and paperwork shuffles over the types of records they hold verifying their service.

The Mighty Five is now reduced to two with the passing of Romeo and Silverio. We lost Augusto Oppus last year as well. I fear many more will pass without ever obtaining the recognition they deserve if this body does not act to remove the barriers preventing these veterans from receiving the benefits they have earned.

Yesterday, I introduced legislation to ensure that the remainder of the Mighty Five and denied Filipino veterans everywhere finally receive the benefits promised to them so many years ago.

My bill, Mr. Speaker, is very simple. It directs the Department of the Army to certify the service of any Filipino World War II veteran whose name appears on the Approved Revised Reconstructed Guerrilla Roster or has certified documentation from the U.S. Army or Philippine Government attesting to their service.

Simply put, these men fought so that the Allies could defeat the Japanese in the Pacific. If they can show they fought, let's fulfill our promise to them so they can live out their years knowing that the United States has officially recognized their service.

I have met with the Mighty Five many times in Las Vegas. All they want is to be recognized. It's not about the money to them. They want to know that their service was appreciated, that their sacrifices did not go unnoticed.

As I attended Lieutenant Cuaresma's funeral last week, no flag draped his casket, no honor guard was present, and there was no playing of "Taps." There was no official recognition of his dedicated military service. And that, Mr. Speaker, was wrong.

I would like to thank my friends and brother veterans, Romeo and Silverio, for their service to our country. Their passion and dedication to this cause will be missed. Mr. Speaker, I urge my colleagues to join me in fighting to ensure these honorable World War II veterans are appropriately recognized.

GENDER-BASED VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. WILSON) for 5 minutes.

Ms. WILSON of Florida. Mr. Speaker, "gender-based violence"—a phrase the world has coined to speak internation-

ally about violence, abuse, rape, assault, and disrespect of women. Women like our mothers, grandmothers, sisters, aunts, nieces, friends, and most especially our children.

Gender-based violence permeates the world, generally in far away countries, far from the civilized democratic world that we communicate with and befriend.

To the women of this Congress and the women of the world, take a moment to imagine trying to survive without a response from the police, without the ability to press charges and being able to actually see your assailant day after day if you are a victim of gender-based violence. Contemplate life without access to medical care to address your physical, mental, and emotional trauma. Imagine having nowhere to hide.

This scenario sounds like 100 years ago in a world far from our country, but in reality it is just a two-hour flight away from my congressional district of Miami, Florida. It actually describes gender-based violence in Haiti. But through smart policy and the strength and courage of Haitian women, it's a reality that's within our power to change.

□ 1030

The 2010 earthquake in Haiti brought a striking increase in incidents of gender-based violence. Nearly half of the victims are girls under 18, and many cases involve the use of weapons, gang rape, and death threats for seeking help from authorities. These threats, coupled with the lack of police presence and equipment, hurts the integrity of Haiti's legal system and denies women and girls their basic dignity.

The National Penitentiary was destroyed in the earthquake, freeing countless violent prisoners who now roam the streets. Through the determination and grace of the Haitian people and smart assistance from the Obama administration and international NGOs, some change is coming to Haiti. Most of the rubble has been removed, more than a million Haitians have moved out of tent camps, jobs have been created, schools have been built, yet core challenges, including gender-based violence, remain severe.

Today, I am introducing a resolution calling attention to the plight of Haitian women and children and calling for action on their behalf. With its Strategy to Prevent Gender-Based Violence, the Obama administration is on the right track. Congress and the administration must ensure robust funding for these initiatives, including the U.S. Agency of International Development's Gender Equality and Female Empowerment Policy, to meet the continuing need.

For me, this issue is personal. I have seen the tent cities firsthand. I have spoken to the women. I have counseled

the victims and witnessed the scars of indignation and pain. I feel the anguish in my bones, but I also feel the hope.

Let's work together to ensure that no woman in Haiti, no woman in this hemisphere or in this world, has to bear the indignity of sexual violence.

SECOND AMENDMENT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, the Constitution of the United States of America was written to put in statute the limits of government's authority over citizens. It does not bestow rights or permit freedoms upon American people; rather, it delimits what government of the people, by the people, and for the people can and cannot do.

Since well before our country's founding, Americans have exercised the right to keep and bear arms, a right formally protected by the ratification of the Second Amendment in 1791. As a lifelong defender of Second Amendment freedoms, I am committed to ensuring that any new proposals considered in Washington do not infringe upon the constitutionally guaranteed rights of law-abiding citizens.

In the wake of devastating tragedies, well-meaning people feel compelled to do something, and the government, likewise, to intercede. But good intentions don't often make good or constitutional laws, and they certainly are no match for those set on being lawless.

The Second Amendment reads:

A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

If the text alone were not explicit, our Founding Fathers clarified the purpose of the Second Amendment. James Madison wrote, in Federalist No. 46, that Americans possess:

the advantage of being armed over the people of almost every other nation whose governments are afraid to trust the people with arms.

Even more applicable to our current situation is this excerpt referenced by Thomas Jefferson, which reads:

Laws that forbid the carrying of arms disarm only those who are neither inclined nor determined to commit crimes. Such laws make things worse for the assaulted and better for the assailants.

The rush to action in the wake of tragedies sadly heaps the price of criminal wrongdoing onto law-abiding, responsible gun owners. When such is the case, government flirts with constraining the desire to exercise Second Amendment rights as suspect behavior, it deems some Second Amendment utilities superior to others, and it ignores the root causes of mass violence, focusing instead on the means by

which violence is accomplished. Those mistakes must never be made. Federal proposals must be well-thought, data-driven, and constitutionally sound.

The right to keep and bear arms is not one for hunters and sportsmen alone. For centuries, it has been a right for every American citizen to arm themselves to defend their property and the people they hold dear. And it is a right that cannot be infringed.

MEDICAID EXPANSION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. CONNOLLY) for 5 minutes.

Mr. CONNOLLY. Mr. Speaker, I can't resist saying the Second Amendment right does not preclude background checks to protect the very people we represent.

Mr. Speaker, the Supreme Court ruling last summer on the Affordable Care Act was a victory for all American families—and small businesses especially—by ensuring that our constituents have access to affordable, quality health insurance.

The ruling preserved the integrity of Medicaid partnerships between the States and the Federal Government, giving Governors the option of accepting the Federal Government's generous offer to pay the cost for expanding coverage of low-income residents who might otherwise not have access to health insurance.

Though some of my Republican colleagues remain opposed to the act, I'm pleased to see Republican Governors, including those from Nevada, New Mexico, Arizona, and now Governor Kasich in Ohio, putting policy ahead of politics to support this expansion of Medicaid. Those Governors have acknowledged that they were motivated not only by the desire to reduce the number of uninsured, but also by the compelling business case.

Medicaid expansion is part of the vision for a new continuum of coverage that will begin in 2014, when the major provisions from the Affordable Care Act take effect. This will fill the long-standing gap in Medicaid coverage for low-income adults by expanding eligibility for those earning up to 133 percent of the Federal poverty level.

As of 2011, there were 48 million non-elderly uninsured in America. As an incentive for States to expand coverage for those folks, the ACA commits the Federal Government to paying 100 percent of the additional costs of covering them, and after 2016, 90 percent thereafter.

I wrote the Republican Governor of my State and the General Assembly membership urging them to join us in extending this critical health care coverage. The Virginia General Assembly is currently divided on the matter, but I was encouraged last week by the announcement from our Republican Lieutenant Governor, who said:

There is no State better prepared to move forward with this reform and the coverage expansion of it than the Commonwealth of Virginia.

Like me, Lieutenant Governor Bolling understands the economic benefits for Virginia. Expanding Medicaid will help 300,000 Virginians get access to health care coverage who currently have none and invariably wind up accessing health care through the most expensive portal there is: the emergency room. The cost of that uncompensated care is, of course, borne today by hospitals and those who are insured through their premiums.

The Governor's Advisory Commission on Health Reform said expanding Medicaid, coupled with other reforms in the act, would reduce uncompensated care in Virginia by more than half. Under the Affordable Care Act, Virginia would receive more than \$9.2 billion in the first 5 years. A recent State analysis shows that during that same time period Virginia would actually save \$300 million by expanding coverage. And Virginia's costs for the first 10 years, now estimated at \$137 million, are considerably less than originally estimated and a great return on that investment.

Time is running out, and our residents cannot afford for States to miss this opportunity. In fact, I believe they would be making such a historic mistake that I am proposing an additional incentive to help motivate those Governors who might not yet still be convinced.

This week I introduced the Medicaid Expansion Incentive Act. This simple bill adds a "use it or lose it" provision. If a State doesn't want to expand Medicaid coverage, then we will ship those dollars to other States who are willing to partner with us to help defray costs and expand their coverage.

□ 1040

Just so the residents of a particular State are fully aware of how their Governor's decision is affecting them, my bill will require HHS to publicize the list of States that are not partnering with us and giving up this opportunity and the amount of money their Governor has left on the table and the number of uninsured people who will thereby not be covered.

The Affordable Care Act is the law of the land, and residents of any State should not be penalized because of their Governor's ideological agenda. The choices we face are momentous. Will we move forward together to implement these historic reforms and reverse the unsustainable trajectory of spiraling prices, or will we let slip this once-in-a-lifetime opportunity to help those most in need, realize savings, and spur economic activity? I hope more Republican Governors, including my own, will follow the leader of their colleagues elsewhere and put their citi-

zens' health ahead of partisan orthodoxy.

U VISA REFORM ACT OF 2013

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACK) for 5 minutes.

Mrs. BLACK. Mr. Speaker, in the year 2000, Congress created the U Visa program as a way to allow illegal immigrant crime victims a temporary—a temporary—legal status in order to assist law enforcement in the prosecution of their assailant, which has helped bring thousands of criminals to justice.

However, over time, the U Visa has become a pathway to citizenship for essentially everyone who applies. The rampant abuse of this program is detrimental to law-abiding individuals who seek to immigrate to our country through the proper legal channels.

We are a Nation of immigrants, and we are also a Nation built upon respect for the rule of law. Our heritage and our principles demand of us the courage to reform our broken immigration system so that those who follow the law and want to contribute to the betterment of our Nation will have the opportunity to do so.

That is why I have introduced the U Visa Reform Act of 2013 to stop abuses in the U Visa program. I urge my colleagues to join me in support of this commonsense piece of legislation.

SEQUESTRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. AUSTIN SCOTT) for 5 minutes.

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I rise today to bring note to the fact that for the fourth time in 5 years, President Obama is, once again, late in delivering his budget to Congress and the citizens of America.

Americans throughout this country tell me over and over again that our national debt is unacceptable. They tell me it is holding America back from achieving economic prosperity and robbing their children of the American Dream. They tell me it's time for Washington to pass a budget.

The President has turned a deaf ear to the pleas of these Americans. He has been asked to take this country's economy seriously. He chooses instead to spend his time in other countries, taking family vacations, and playing countless games of golf.

Hardworking taxpayers know that work must come before play, Mr. President. That is the practice of millions of taxpaying Americans who must foot the bill for Presidential vacations while they forfeit their own vacations due to the uncertainty in the economy.

While the President crisscrosses the world avoiding Americans' top priorities, back at home Americans are

nervous. Every year that our country goes without a budget, the national debt skyrockets, the uncertainty for American businesses grows and, with that, unemployment goes up. Without a Federal budget, businessowners cannot plan. They cannot plan for the President's new regulations or his unforeseen tax increases; and, therefore, it is all the more difficult for them to expand their businesses and create jobs in America.

To add to the uncertainty, the President's proposed sequestration is set to take effect this March. Despite his promise—his promise—to the American people that it would never actually happen, the President has yet to take any steps to undo this harmful measure. He has shown absolute indifference to the millions of Americans whose livelihoods would be severely impacted by his sequestration.

House Republicans have twice passed legislation to replace the President's sequester with commonsense reforms that would reduce spending and preserve and strengthen our safety net for future generations and ensure our national defense.

This week, the House will not only renew our commitment to the American people to pass a budget, but it will be a responsible budget that will balance. It will be one that will aim to grow the economy, drive down unemployment, expand opportunity and prosperity for the private sector, and ensure that America maintains its leading role in the world as a strong national defender.

Americans can do this. We just need a President to put work before play.

FREEDOM LEADS TO PROSPERITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. BENTIVOLIO) for 5 minutes.

Mr. BENTIVOLIO. Mr. Speaker, thank you for allowing me to speak today. I have said it before, and I want to say it again: the job of a Member of Congress is to protect the rights of the people, not take them away.

I want to explain what I mean by that. Those rights are outlined in our Declaration of Independence: life, liberty, and the pursuit of happiness. These rights were not given to us by a King or developed after extensive debate by a Congress. They come from God. They exist in the same way that gravity exists. They are natural.

But too often what gets left out is why we must protect those rights and why those rights are still relevant today. The reason is simple, and it's as practical today as it was in 1776: we protect those rights because in America we know that freedom leads to prosperity. Our country was built by Forefathers who believed in, and defended, that idea.

Every generation that came after them has followed their lead, rising to tackle whatever challenge came before them in order to protect the freedom of this Nation. Every American generation has left the country a little better off than they found it and handed it to their sons and daughters with the hope that they would do the same.

Thinking both about those who came before us and those who will follow us long after we're gone is in the very DNA of our country. That's why our Constitution's preamble explicitly states that it doesn't secure liberty for just the founding generation but also for prosperity.

Generations don't simply disappear. Instead, like an aging photograph, they kind of fade away until they are all gone. Right now, one of America's greatest generations is doing just that. In World War II, hundreds of thousands of Americans risked their lives on battlefields half a world away while the rest of them worked and sacrificed at home to make sure our troops had everything they needed.

The reason they acted so valiantly was because they understood the truth to American exceptionalism: that freedom leads to prosperity. They knew it, and they fought for it because it had been passed down to them from their parents, who had received it from their parents and so on. To them it was something worth fighting for, it was worth making sacrifices for, and it was worth dying for. Not a day goes by when I don't think about their sacrifices and remember what they did for me and everyone else in this great country.

They deserve to be taken care of. That is why I urge my fellow Members of the House from both parties to join me in supporting the Full Faith and Credit Act. As we work to cure the government's addiction to debt, we must ensure that the Greatest Generation is protected. They have already made their sacrifices in the defense of our ideals. They have already passed down freedom to us and given us a country that is better off.

We cannot be the first generation to fail America. We must follow the path of our Founding Fathers by preserving the American Dream for our children and grandchildren.

One great idea to preserve our great Nation was developed by our Speaker, JOHN BOEHNER. In the days before the midterm elections of 2010, Speaker BOEHNER proposed "taking a different approach" regarding how Congress voted on budgets. He maintained that rather than having a "comprehensive budget" that encompasses all—or at least most of—government appropriations, the whole Congress should treat every budget for each Federal agency as an independent spending bill.

Speaker BOEHNER said:

Members shouldn't have to vote for big spending increases at the Labor Department

in order to fund Health and Human Services. Members shouldn't have to vote for big increases at the Commerce Department just because they support NASA. Each Department and Agency should justify itself each year to the full House and Senate and be judged on its own.

That is the kind of leadership that Americans across this great land support. Those are the types of ideas that we need to enact in order to take on the challenges that are ahead. I urge my fellow Congressmen to appeal to the better angels of their nature as we spend the next few months talking about our government's addiction to debt. Let's solve this problem.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 49 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving God, You are compassionate and merciful. We give You thanks for giving us another day.

During these days, when the House itself continues to organize itself for the 113th Congress, we ask Your blessing upon the Members of this assembly.

There are many issues which press upon our Nation now, and more lie upon the legislative horizon. Pour forth an abundance of wisdom, knowledge, and understanding upon the Members of Congress and upon Your people so that, together, solutions for the betterment of our Nation might be forged.

Bless us this day and every day. May all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Vermont (Mr. WELCH) come forward and lead the House in the Pledge of Allegiance.

Mr. WELCH led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ELECTING MEMBERS TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. BECERRA. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 52

Resolved, That the following named Members be and are hereby elected to the following standing committee of the House of Representatives:

(1) COMMITTEE ON HOUSE ADMINISTRATION.—Ms. Lofgren and Mr. Vargas.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

THE WHITE HOUSE MUST STICK WITHIN A BUDGET

(Mr. DESJARLAIS asked and was given permission to address the House for 1 minute.)

Mr. DESJARLAIS. Mr. Speaker, it has been more than 4 years since the White House operated under a budget. It's not a coincidence that each of these 4 years has brought a \$1 trillion deficit.

Tennesseans are frustrated over the fact that they must stick to a budget in operating their homes and businesses, yet the Obama administration cannot seem to do the same in running the country with our hard-earned tax dollars.

Last Congress, House Republicans passed two responsible budgets while the Administration and their allies in the Democratic-controlled Senate twiddled their thumbs.

In an effort to finally get this administration to act, Republicans have introduced the Require a PLAN Act. This commonsense proposal will mandate the White House produce a balanced budget within a 10-year window or submit a plan explaining in what year the budget would balance.

Unfortunately, it seems that we have no other choice but to force this administration to finally address the debt crisis that is destroying jobs and mortgaging the future of our children and grandchildren.

20TH ANNIVERSARY OF FAMILY AND MEDICAL LEAVE ACT

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. Mr. Speaker, I rise today to mark the 20th anniversary of the signing of the Family and Medical Leave Act, FMLA. After years of hearing talk about family values, it took President Clinton and the 103rd Congress to adopt policies like FMLA that actually value families.

As many people know, FMLA allows up to 12 weeks of unpaid leave per year due to an employee's own illness, to take care of a sick family member, or to be with a new child. For 20 years, this law has recognized the needs of hardworking families, particularly working women who often are heroically trying to balance their job and their role as primary caregiver.

The latest data from the Department of Labor demonstrate the importance of FMLA. In 2011, over 14 million workers took leave under the Act. And this leave is not disruptive to employers, with 40 percent of workers being away from the job for 10 days or fewer.

I know workers around the country are grateful for the protections of FMLA. Now over 20 years they have felt confident they could take time off as needed without fear of losing their job to care for themselves or their family.

As we debate the fiscal and budgetary issues of the day, I hope FMLA serves as a reminder that we can and should be valuing families, not just in our words, but in our deeds as well.

GOT ROBOT?

(Mr. HULTGREN asked and was given permission to address the House for 1 minute.)

Mr. HULTGREN. Mr. Speaker, on December 8, 2012, "Got Robot?", FTC Team No. 5037, a group of high school students from Elgin, Illinois, won an award at the FIRST Tech Challenge Illinois State Tournament. Now "Got Robot?" will represent Illinois in the FIRST World Championships in St. Louis, Missouri, this upcoming April.

Out of 2,500 participating teams around the world, "Got Robot?" is one of only 128 to qualify for the World Championships.

At a time when we need to do everything possible to promote science education and basic scientific research, I'm so thrilled to be able to say that I've met this team, seen the robot, and it's fantastic. We are so proud of these students and we wish their team the best of luck.

Go, "Got Robot?"

SPENDING AND BUDGET DEFICITS

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, today we will consider a House Republican message bill that makes a point about spending and budget deficits. The problem is all those who support this bill about spending did all the spending: two tax cuts that gave us the worst period of job growth in the past 75 years and our Nation's worst recession; two wars, unpaid for, that took \$1.5 trillion out of the American economy; a drug prescription program, unpaid for, cost \$1 trillion over ten years.

The big spenders, who falsely claim to be concerned about the job creators are, in fact, the debt and deficit makers.

RESPONSIBLE BUDGETING

(Mr. BONNER asked and was given permission to address the House for 1 minute.)

Mr. BONNER. Mr. Speaker, last week unemployment rose to 7.9 percent, and consumer confidence in the economy fell to a 14-month low. During the last 3 months of 2012, the economy shrank for the first time since the depths of the Great Recession.

All of these indicators confirm what the American people know all so well: the economy is still suffering. And yet the President began the new year by raising taxes on hardworking Americans and by closing down his jobs council, confirming another thing that Americans know all too well as well: that Washington truly is disconnected from the struggles of hardworking families who pay their taxes, work hard, and are struggling just to survive.

Now the President is calling for even more revenues to pay for \$4 trillion in new debt that he has heaped on the backs of hardworking Americans during the past 4 years.

More and more, my constituents in south Alabama tell me they don't want to charge more money in their names as taxes rise and red ink pours from the streets of Washington, D.C.

While the House has passed responsible budgets for the last 2 years, it's time for the President and the Democrat Senate to do the same.

□ 1210

NRA LIST OF ANTI-GUN INDIVIDUALS AND ORGANIZATIONS

(Mr. MORAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN. The AARP, the American Medical Association, the Episcopal Church, the Catholic Conference, the Conference of Mayors, Bob Barker, Oprah Winfrey, Tony Bennett, the Kansas City Chiefs, the Sara Lee Corporation, and hundreds of other individuals

and organizations all have something in common: they're all targeted on NRA's Web site as holding anti-gun positions.

And what does the NRA consider to be anti-gun? For one, they say that the listed individuals and groups are opposed to the "repeal of the Brady Act." It's not that they support expanding background checks to include all gun sales, which would seem to be reasonable; it's that they're opposed to the repeal of the current Brady Act which would end all background checks.

With over 30,000 Americans killed every year by guns, it seems that this is the time for swift and focused action to mitigate our Nation's gun violence epidemic. It's not time to be drawing up an enemies list of those who support reasonable gun safety measures. I'd suggest to some of my colleagues in the House: with enemies like these, perhaps it's time to rethink who your friends are.

PRAISING THE LIFE AND LEGACY OF ADELE HALL

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, I rise today to praise the life and legacy of a personal hero of mine. Adele Hall was one of the kindest, warmest and friendliest people I have ever known. Yesterday, Adele was laid to rest amongst the outpouring of family and friends who were touched and inspired by the heartwarming and graceful life that Adele led.

Called the first lady of Kansas City, Adele and her adoring husband, Don, have been staples of the Kansas City community for a generation, providing irreplaceable leadership in both business and civic affairs.

Her obituary states in part:

Adele was interested in a broad range of community needs with a special passion for the needs of children. She was tireless working toward those interests in any capacity needed—as a visionary board chairman, energetic champion and catalyst for change, hardworking committee member, dedicated fundraiser or hands-on volunteer.

We will forever miss Adele's good deeds in our community; but, most of all, I will miss her smile. To Adele Hall, thank you for your life of inspirational leadership. You have forever found a place in our hearts.

BATTLE OF THE BUDGETS

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. So in the middle of a busy legislative week, the Republicans are going to bring up a bill to require the President to submit a balanced budget. It would be good if first per-

haps they looked in the mirror, because this comes from the same House Republicans who in the last Congress passed the Ryan budget which got great accolades from the right.

Unfortunately, the Ryan budget, even with directed scoring, that is, made-up numbers, the pretend "if you cut taxes, you'll increase revenues," wouldn't pretend to balance a budget until 2040—and that was after it did away with Medicare, student financial aid, and a few other domestic programs.

Now let's get real around here. One-third of the deficit is due to high unemployment. We need a strategy to put Americans back to work. That requires investment—investment in education, investment in our roads, bridges, highways, transit systems, jetties, levees, dams, and harbors across the country. That would put Americans back to work. That would get this country moving again, not a bunch of fake bills about a budget that they have no intention of balancing.

UPHOLDING OUR SECOND AMENDMENT RIGHTS

(Mr. MESSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MESSER. Mr. Speaker, the victims of the recent tragedy in Newtown, Connecticut, and the victims of the other recent shootings deserve our solemn prayers for their loss and our deepest sympathy for their pain.

As a Nation, we should focus our collective grief and attention on finding actual solutions to prevent such tragedies in the future. But gun bans are not the answer. History shows that gun bans only keep guns away from law-abiding citizens, not criminals. Blaming a gun for violence is like blaming a pen for a misspelled word.

Mr. Speaker, this week President Obama hosted his latest in an unfortunate series of anti-gun pep rallies. This Nation does not need more political posturing. Instead, we need a serious discussion about how we address mental health as a Nation, and we need to take action to better protect our children in their schools.

I stand ready to protect the Second Amendment rights of our citizens and work with anyone who will support policies that could actually stop future violence.

HONORING JOAN MULHERN

(Mr. WELCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELCH. I rise to honor a person whose time was short, but whose contribution was great. Joan Mulhern passed away this past December at the

age of 51. Joan graduated from the University of Vermont, and she very quickly made a name for herself as a fierce and extremely effective advocate for the environment in her position with the Vermont Public Interest Research Group.

Although Joan then left Vermont to pursue a law degree here in Washington, D.C., and later went on to a very successful and effective career at Earth Justice, Vermont never left Joan.

The values with which she pursued her passion for a clean environment and for a sustainable environment were ones Vermonters know well. She was relentless, she was tenacious, she was tireless, she was kind, and she was very effective.

As Joan's friends have noted, she would have been uncomfortable with all the tributes that have been paid to her, but she'll have to give us a pass on this one because she certainly lived a life worthy of praise and honor.

ADDRESSING THE BUDGET CRISIS

(Mrs. WAGNER asked and was given permission to address the House for 1 minute.)

Mrs. WAGNER. Mr. Speaker, every day, hardworking families and small businessowners from the Second District of Missouri create budgets, set priorities, and live within their means. Yet President Obama and the Senate Democrats keep writing blank checks on the backs of our children and our grandchildren.

Yesterday marked the fourth time in the last 5 years that President Obama has missed his deadline to submit a budget on time to the American people, and the Democrat-led Senate has only exacerbated the debt crisis by not passing a budget in almost 4 years. This is simply unacceptable, and House Republicans stand prepared to address this crisis and offer a responsible budget again this year.

American families deserve better than missed deadlines, more spending, and more debt. They deserve answers and accountability. This week, the House will vote to require the President to show a plan of exactly when and how he would balance the Federal budget.

The 113th Congress was elected to tackle the big problems, and there is no greater problem facing our Nation right now than our out-of-control spending and debt.

HONORING JACK DYSON OF THE RENDEZVOUS

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Memphis, Tennessee, has an iconic restaurant known worldwide, the Rendezvous. And it's iconic

because it's got great ribs, many artifacts about the mid-South, but also a great wait staff that makes everybody feel at home. One of those iconic waiters, Jack Dyson, will be retiring after 45 years.

Jack is 78 years old, and he will retire this week after serving millions of customers from Presidents and First Ladies to the Rolling Stones, to Bill Cosby, and to regular people that come in and are made to feel at home when they come to the Rendezvous for the world-class fare. Jack Dyson has made me feel at home. He's a part of the Rendezvous. When he retires, part of the Rendezvous will go with him.

I thank Jack for his service to his country as a Korean war veteran and to his service to the world at the world-famous Rendezvous.

HONORING BUCKS PROMISE FOR YOUTH AND COMMUNITIES

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute.)

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize the outstanding efforts of an organization in my district in Pennsylvania, Bucks Promise for Youth and Communities. This group is being honored February 7 by the Community Anti-Drug Coalitions of America, which is the Nation's leading substance abuse prevention organization, representing over 5,000 community anti-drug coalitions across the country.

Bucks Promise for Youth and Communities will be receiving the Dose of Prevention Award, an esteemed award which acknowledges community-based organizations that have taken the initiative to raise awareness of the dangers of prescription drug abuse and over-the-counter cough medicine abuse.

Bucks Promise for Youth and Communities consists of individuals who truly exemplify leadership and ingenuity. They have made tremendous strides in educating my district on the dangers of medicine abuse through take-back events and townhall-style community discussions. I congratulate them and applaud the continuous efforts to bring this crucial issue to the forefront of our community.

THE VIOLENCE AGAINST WOMEN ACT

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, later this week, the United States Senate will pick up where Congress left off by passing the Violence Against Women Act. As a cochair of the Victims' Rights Caucus, every day victims' advocates do the hard work of making sure their

voices are heard for the assistance of the programs authorized under the Violence Against Women Act.

Last year alone, the Marjaree Mason Center of Fresno, which I have worked with over the years, and the Valley Crisis Center in Merced provided emergency housing for over 1,100 women and children in their time of need.

We have learned a lot from victims' rights advocates and law enforcement since the law was enacted in 1994. It's time we used those lessons to put the safety of all crime victims first and stop playing politics.

Now the House must follow the Senate's lead by quickly adopting this measure to show that protecting victims is a top priority of this Congress.

□ 1220

20TH ANNIVERSARY OF FAMILY AND MEDICAL LEAVE ACT

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, I rise to commemorate the anniversary of the Family and Medical Leave Act, a critical law that has helped Americans balance the demands of work and family for 20 years.

Over these last two decades, FMLA has helped to foster strong family relationships, ensuring parents could take time with a new child, allowing workers to care for older family members, and permitting military families the time to prepare for new deployments. For this, we are all grateful.

But we must remember that FMLA is only the first step to helping our working families. Too many are still without FMLA's protections, and millions who are eligible can't afford to take unpaid leave.

As we reflect on 20 years of great success, let's recommit to improving this program going forward to help keep all American families strong.

GUN VIOLENCE

(Ms. CLARKE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. CLARKE. Mr. Speaker, Monday, November 26, 2012, is a great day for the residents of my town. New York City went 24 hours without a single person being injured or killed by gun violence. That day, the Brownsville section of Brooklyn within my district, which has experienced more shooting victims last year than any other part of the city, saw a most-needed reprieve from the violence it experiences on a daily basis.

Mr. Speaker, women and children are gunned down every day in urban communities across the country by illegal

handgun violence. In fact, on average, more than 100,000 people in the United States are shot and killed with a gun annually. This is endemic in communities of color where illegal handgun violence has become a very serious public health issue. These numbers are unacceptable, especially in a State and city with some of the strictest gun laws in the Nation.

Lastly, gun violence is not an inevitable problem, yet it continues to plague our communities. We owe it to the people we represent and to future generations to act with urgency and conviction to put an end to this senseless pattern of gun violence.

GUN VIOLENCE

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, I stand with my colleagues today in Congress, the American people, and our President to say that now is the time to end the senseless gun violence that has plagued our neighborhoods from the streets of Compton and Chicago to the schools and movie theaters in Newtown and Aurora.

Now is the time to pass legislation that is necessary to protect our children and our families from these repeated patterns of senseless gun violence. Our children should not have to live in fear while learning their ABCs or college algebra or innocently waiting at a bus stop after school or seeing a movie. I believe America is ready to take commonsense steps to keep our families and our communities safe.

Today, I call upon my colleagues on both sides of the aisle to move quickly and support President Obama's comprehensive gun violence prevention plan that calls for universal background checks and a ban on those military-style assault weapons and high-capacity magazines that have no place in our neighborhoods.

We must continue to take concrete steps toward keeping Americans safe. The time is now.

IMMIGRATION REFORM

(Mr. O'ROURKE asked and was given permission to address the House for 1 minute.)

Mr. O'ROURKE. Mr. Speaker, there are many details yet to divine as we bring our laws in line with our values in the coming debate over immigration reform, but I caution my colleagues against using additional enforcement and security measures as a condition and a pretext to delay much-needed reform.

While we should always seek to improve the security of this country in ways that are consistent with our Constitution, I remind my colleagues of our efforts and the cost borne by border communities as we have worked to

secure the border in the years since 9/11.

After we have spent billions on border walls, seen record-high deportations and record-low immigrant apprehensions, endured endless lines at our international ports of entry that threaten to destroy our economy and our way of life, it is time to focus on immigration reform and the secure, legal flow of people and trade.

The people of El Paso, Texas, a city of immigrants that was recently ranked as the safest in the United States, can tell you this: pass comprehensive immigration reform, and you will have true border security.

THE DANGERS OF SEQUESTRATION

(Mr. BERA of California asked and was given permission to address the House for 1 minute.)

Mr. BERA of California. Mr. Speaker, I rise today to caution again about the dangers of sequestration.

In a few short weeks, automatic across-the-board spending cuts will take place. If allowed, they could forestall our economic recovery. Not only will these cuts cripple many effective programs, but across-the-board cuts on top of already large budget reductions will impact the Department of Defense.

Yes, we need to make strategic budget reductions, eliminate or reduce ineffective programs, and begin to bring our budget under control. But we need to do this in a responsible way, and automatic sequestration cuts are irresponsible.

In my community, we will feel an immediate impact. If sequestration hits, programs that are essential to keeping our community safe and secure would face an automatic 8.2 percent cut. The COPS program in Sacramento would lose over \$1.5 million in funding, which would hurt local law enforcement and impact our community safety.

Yes, we need to get our budget under control. We need to reduce our deficit and begin paying down our debt. But irresponsible across-the-board sequestration cuts are not the way to do it.

MAKE IT IN AMERICA

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, America's manufacturing sector has played an invaluable role over the last century in propelling our economy and creating a strong and vibrant middle class.

Manufacturing continues to be a bright spot in our economic recovery. Since 2010, the U.S. has added over half a million manufacturing jobs. That's progress. But in a time where millions of Americans continue to struggle, we can and must do more.

Congress should be working every day to rebuild our economy and create

good paying jobs right here in America, not overseas. That's why I support the Make it in America agenda, which will strengthen manufacturing and rebuild our infrastructure. It will also maintain our Nation's leadership in innovation and educate a 21st century workforce.

The Make it in America agenda is a real jobs plan for this country. Democrats stand ready to act.

Mr. Speaker, my constituents and all Americans cannot wait any longer.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. YODER) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 5, 2013.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 5, 2013 at 10:58 a.m.:

That the Senate passed S. 227.

Appointments:

Commission on Long-Term Care.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 1 p.m. today.

Accordingly (at 12 o'clock and 28 minutes p.m.), the House stood in recess.

□ 1300

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. YODER) at 1 p.m.

PROVIDING FOR CONSIDERATION OF H.R. 444, REQUIRE PRESIDENTIAL LEADERSHIP AND NO DEFICIT ACT

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 48 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 48

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 444) to require that, if the President's fiscal year 2014 bud-

et does not achieve balance in a fiscal year covered by such budget, the President shall submit a supplemental unified budget by April 1, 2013, which identifies a fiscal year in which balance is achieved, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on the Budget or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

GENERAL LEAVE

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WOODALL. For the purpose of debate only, I yield the customary 30 minutes to my friend from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, we're here today, as you heard from the Clerk, on House Resolution 48, which provides a structured rule for consideration of H.R. 444, which is the Require a PLAN Act. This is a resolution that will require that the President, if he doesn't submit a budget that ultimately comes to balance, submit then a supplementary budget that shows how he would bring the budget to balance.

As you know, Mr. Speaker, we've been grappling with serious budget challenges throughout this President's administration. We go back to FY 2009, the very first year of the administration; the deficit tripled the previous record-high deficit in this country to \$1.4 trillion. It was \$1.3 trillion in FY

2010, \$1.3 trillion in FY 2011, \$1.2 trillion in FY 2012. And, Mr. Speaker, there's no plan that the administration has produced to get us from where we are—fiscal irresponsibility—to a point in the future of fiscal responsibility.

Mr. Speaker, we've been doing our part here in the House. We've been proud to work together across the aisle in order to pass budgets that tackle those hard challenges that are ahead of us. If you read the President's comments, Mr. Speaker, you will see that he recognizes the challenges are hard. The question is: Are we going to deal with those or not?

I hold here, Mr. Speaker, a speech that the President made to the Democratic National Convention on September 6, 2012, where he said this:

I will use the money that we're no longer spending on war to pay down our debt and put more people back to work.

And my notes here said that it was followed by extended cheers and applause. I expect my friend from Massachusetts supports that spirit wholeheartedly, that, "I will use the money we're no longer spending on war to pay down our debt and put more people back to work."

But, Mr. Speaker, I also hold in my hand a transcript from the Budget Committee, on which I have the pleasure of sitting, when we had the President's Treasury Secretary come before the Budget Committee to explain the budget, and I said this:

Can you tell me just in simple terms—in true or false terms, this budget never, ever, ever reduces the debt, is that right?

Treasury Secretary Geithner:

Uh, that is correct. It does not go far enough to bring down the debt, not just as a share of the economy, but overall. You're right.

I then said this:

It doesn't bring down the debt at all.

Mr. Speaker, that's the conflict that we face here as a people, as a country. Not as Republicans, not as Democrats, but as a people. On the one hand, what our politicians are saying is we're going to use the money to pay down our debt. But what the reality is is that proposals are coming out today that never, ever, ever pay down a penny of debt.

Now, Mr. Speaker, if you want to see that for yourself, you can look. The President's budgets each year are posted online on the OMB Web site. In fact, the very first one he submitted—I hold the cover page here—it was called "A New Era of Responsibility." "A New Era of Responsibility" is the first budget that the President ever submitted. But as I go through that budget, Mr. Speaker, what I see is projections for 2020, for 2030, for 2040, for 2060, and for 2080.

Mr. Speaker, hear that. You have got young children—2020, 2030, 2040, 2060, and 2080—and in each one of those years, according to the President's

budget, not only does the budget never balance under his plan, but it continues to get worse. 2020, 2030, 2040, 2050, 2060, 2080—the President's budget. And I think that comes as news to so many of us, Mr. Speaker, I confess, because I've listened to the speeches, just as my friend from Massachusetts has, where we talk about getting the deficit under control, where we talk about paying down the debt. Only when you get into the plan, do you see that we never pay down one penny.

So this rule today, Mr. Speaker, would allow us to take up a bill that would require the President for the very first time to submit a balanced budget. It doesn't have to balance the way I would balance it. It doesn't have to balance the way you would balance it. But to submit a balanced budget. And as you know, Mr. Speaker, the statute actually required the President submit his budget yesterday. He's going to miss that deadline, but I'm expecting it soon and I'm looking forward to reading it soon. It's so that we actually give the American people a plan.

□ 1310

I want to say—because we heard it in the Rules Committee last night, and I believe my friend from Massachusetts brought it up and he was absolutely right—the history of debt and deficits in this country, Mr. Speaker, is not a mark of shame on the Democratic Party and it is not a mark of shame on the Republican Party; it is a mark of shame on all of us collectively.

Candidly, you and I here, Mr. Speaker, in the big freshman class of 2010, I'm less interested in finding out who to blame and I'm more interested in finding out who has a solution to solve the problem. This House passed a solution to solve the problem. I'd like to see the Senate create a solution. I'd like to see the President create a solution. I'd like to see us discuss that solution as the American people, Mr. Speaker.

There were 14 amendments submitted to this piece of legislation, Mr. Speaker. We heard testimony on that in the Rules Committee yesterday. Unfortunately, six of those 14 amendments were nongermane; we were not able to make those in order. But we did make in order three Republican amendments, one Democratic amendment, and one bipartisan amendment. In fact, all the Members who came to the Rules Committee yesterday to testify on behalf of their amendments, we were able to make those amendments in order.

Mr. Speaker, all this bill does, should it become law, is require that if the President doesn't submit a balanced budget—it's certainly my great hope that he will, but if he doesn't, he share with the American people—again, not in 5 years, not in 10 years—whatever number he believes is the right way to set priorities, tell the American people

what steps he will take to get us back on track.

Candidly, Mr. Speaker, it's unconscionable that we can look at projections going out to 2080 and have folks never, ever, ever pay down one penny of debt. Contrast that with what we did here in the House of Representatives, where with a budget that passed this House, the bipartisan vote that passed that budget, passed the only budget that passed anywhere in this town, not only would we have balanced the budget in that time frame, Mr. Speaker, we would have paid back every penny of our \$16.4 trillion Federal debt.

That's no small conversation. It's a conversation that's long overdue on this House floor. It's a conversation that has been too long ignored by both Democrats and Republicans, and I'm pleased to be here today to take that up with my friend from Massachusetts, and then later on, the underlying bill.

With that, I reserve the balance of my time.

Mr. MCGOVERN. I want to thank the gentleman from Georgia, my good friend, for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I urge my colleagues to vote "no" on this restrictive rule and to vote "no" on the underlying bill.

The process here is awful. The bill before us was not even considered by the Budget Committee. They didn't hold a single hearing, no markup, and on a party-line vote last night the Rules Committee denied Mr. VAN HOLLEN, the ranking member of the Budget Committee, the opportunity to offer a meaningful substitute. The Rules Committee also, on a party line, voted against an open rule. To all of the Republican freshmen and sophomores who campaigned on the need for openness and transparency, by voting for this rule, you are officially part of the problem.

This bill before us isn't a meaningful attempt to address the budget; it's a gimmick wrapped in talking points inside a press release.

Two weeks ago, this House passed the so-called "No Budget, No Pay Act," then they went on another recess. There wasn't a holiday, mind you. I guess it was the Super Bowl recess. Now they're back with today's bill. It calls on the President to tell Congress when his budget will come into balance. If his budget doesn't say when it will come into balance, then he must submit a supplemental statement telling Congress when it will come into balance.

Why are we doing this? Because the President is late submitting his budget for the next fiscal year. Okay, fine. The President should submit a budget on time, and I support that. But lost in all of this Republican budget Kabuki theater is the truth: the reason the administration is late with their budget is

because they just spent months trying to avert the disaster that was the fiscal cliff.

As the Speaker was trying in vain to corral House Republicans into doing the right thing, we had Plan B and Plan C and Plan—who knows what. Finally, we reached a deal on January 1, technically after we went over the cliff. In the meantime, back in the real world, we are less than 24 calendar days away from the disastrous sequester taking effect—less than 24 calendar days from massive, arbitrary, and devastating cuts to defense and nondefense discretionary programs, cuts to jobs programs and medical research and education, cuts to military personnel and law enforcement, cuts that will cost jobs and do real harm to the American economy as it struggles to recover.

And the reality is that we don't even have that much time. We only have 9 legislative days left in February to address the issue, 9 days to negotiate a trillion-dollar deal with the Senate and the President. And instead of a meaningful plan to address the crisis that we need to avert, we have this nonsense before us today. This is no way to govern.

The disturbing truth is that many Republicans seem downright giddy when it comes to the sequester cuts. There is news story after news story about how the Republicans are going to allow the sequester to take effect. In the Rules Committee last night, the author of this bill, the gentleman from Georgia, Dr. PRICE, couldn't support these cuts fast enough. I was shocked.

Mr. Speaker, it was only last week that the economic numbers for the fourth quarter of 2012 were released. Unexpectedly, we saw a contraction in those numbers, a contraction fueled by a massive reduction in defense spending. What do you know: huge cuts in government spending during a fragile economic recovery damage economic growth. The Republican response is to double down on this stupid.

These Republican games of Russian roulette with the American economy must come to an end. It is time to replace short-term partisan political interests with the greater good.

The President today is asking us to consider a thoughtful, balanced plan to stop the sequester. I urge the Republican leadership to bring that plan to the floor of the House for a vote as soon as possible. That's what the American people want and that's what they deserve: a real plan. The bill before us today isn't it, and I urge my colleagues to reject it.

I reserve the balance of my time.

Mr. WOODALL. I thank my friend from Massachusetts because he's highlighting exactly what our challenges are and exactly why it's so important that we pass both the rule and H.R. 444 today. He went through item after

item after item that have absolutely tied our economy up in knots. Short-term problems and short-term solutions are trumping the discussion of long-term problems and long-term solutions.

The sequester that he mentioned, Mr. Speaker, do you know that it was the month of May last year that this House first passed a replacement to the sequester? Now, as you know and as history has recorded, the Senate never acted on any replacement of a sequester, and now we talk about what happened on January 1 as if it was something that was created by this House, as if that fiscal cliff was something that this House invented. In fact, we have a very proud history, bipartisan history, of looking further down the road to try to find the best answers and the best solutions to very serious problems. But we can't do it alone, Mr. Speaker.

One of the great successes we've had just early in this year—and by “we,” I mean this entire House, the people's House—is that we appear to have persuaded the Senate to pass a budget for the first time in 4 years. All indication is that this year, unlike last year and the year before that and the year before that, this year they're going to pass a budget to lay out their plan.

But what does it say, Mr. Speaker, about this House, about this process, about the future of this country that it's controversial whether or not the President of the United States should introduce a budget that balances ever? That's the debate today, Mr. Speaker. That's how out of touch Washington has become. That's how confused the speeches have been written. We're debating whether or not the President should introduce a budget that ever balances. I'm advocating, yes, he should. Others are advocating, no, that shouldn't be a requirement; when you take the oath to fully execute the laws of the land, when you take the oath to faithfully protect and defend the United States of America, it shouldn't be a requirement that you balance budgets. In fact, you should be free, not just for 10 years, not just for 20 years, not just for 40 years, not just for 80 years, but forever to deficit spend, to borrow from a generation of children and a generation of grandchildren to pay for our wants today, taking away from their needs tomorrow.

□ 1320

It's controversial, Mr. Speaker. We're going to argue about it.

This rule debate is going to come to a close in 40 minutes and we're going to vote. Then if the rule passes, we're going to go into a vote on the underlying bill. There are going to be “no” votes on the board that say, no, the President should never have to explain to the American people how we're going to make our fiscal tomorrow better than our fiscal today.

I would like to change his mind, Mr. Speaker, but for now I'm going to focus on changing the minds right here in this Chamber. Because if there is anything that unites us in this body, rather than divides us, it is a true love of this country. And I challenge anyone, Mr. Speaker, to define their love of our freedoms and of our country in a way that allows us to continue borrowing from the next generation forever.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I would like to submit for the RECORD a letter sent to the Honorable PAUL RYAN, the chairman of the Committee on the Budget, from the Executive Office of the President in the Office of Management and Budget which explains why the President's budget for this year is delayed—because of the theatrics that my friends on the other side forced us to go through to avoid going over a fiscal cliff. So I think it's understandable why the budget may be a little late.

And I would say to the gentleman, submitting a budget is not controversial. What is controversial to me is the fact that so many of my friends on the other side want to go over this sequester cliff in which millions of jobs will be lost. That to me is controversial. We should be about protecting jobs and creating jobs.

My friends have budgetary plans that would throw people out of work, and I find that unconscionable. I find that unconscionable. We should be about lifting this country up, not trying to put people down.

And the plans that have been proposed by my friends on the other side, including this kind of giddiness about the prospect of going over the sequestration cliff, would cost millions of people in this country jobs. It would hurt our economy.

That's not the way we want to govern. That's what is controversial on our side. We don't want people to lose their jobs. We want people to keep their jobs, and we want to create an economy that creates more jobs.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT
AND BUDGET,

Washington, DC, January 11, 2013.

Hon. PAUL RYAN,
Chairman, Committee on the Budget, U.S.
House of Representatives, Washington, DC.

DEAR CHAIRMAN RYAN: Thank you for your letter dated January 9, 2013, requesting information on when the Administration will submit the President's fiscal year (FY) 2014 Budget.

For over a year and a half, the Administration has been working with Congress to forge agreement on a plan that would both grow our economy and significantly reduce the deficit. The Administration continues to seek a balanced approach to further deficit reduction that cuts spending in a responsible way while also raising revenues.

As you know, the protracted “fiscal cliff” negotiations that led to enactment of H.R. 8,

the American Taxpayer Relief Act of 2012, created considerable uncertainty about revenue and spending for 2013 and beyond. The Act resolved a significant portion of this uncertainty by making permanent the temporary rates on taxable income at or below \$400,000 for individual filers and \$450,000 for married individuals filing jointly; permanently indexing the Alternative Minimum Tax exemption to the Consumer Price Index; extending emergency unemployment benefits and Federal finding for extended benefits for unemployed workers for one year; continuing current Medicare payment rates for physicians' services through December 31, 2013; extending farm bill policies and programs through September 30, 2013; and providing a postponement of the Budget Control Act's sequestration for two months. However, because these issues were not resolved until the American Taxpayer Relief Act was enacted on January 2, 2013, the Administration was forced to delay some of its FY 2014 Budget preparations, which in turn will delay the Budget's submission to Congress.

The Administration is working diligently on our budget request. We will submit it to Congress as soon as possible.

Sincerely,

JEFFREY D. ZIENTS,
Deputy Director for Management.

Mr. Speaker, at this time, I would like to yield 3 minutes to the gentlewoman from New York, the ranking member of the Rules Committee, Ms. SLAUGHTER.

Ms. SLAUGHTER. Mr. Speaker, I do love my country, and my country is begging me, as I'm sure it is all other Members of Congress, to for heaven's sake get some of this taken care of and have some certainty.

Talking with constituents just this morning, they were saying they simply don't know what to do. And what we're doing here again is just theater, as my colleague pointed out. This isn't a plan. It's a gimmick, and it has wasted valuable time.

CBS News reported last year that it cost \$24 million a week to operate the House of Representatives. On behalf of the taxpayers who pay those bills, we should be debating some serious legislation and come up with serious answers to our Nation's problems.

And everybody has known from their grammar school days that the way we pass a bill is that the House proposes a bill, the Senate proposes a bill, they go through the committee processes, they are passed on through the committee, the subcommittees, then the major committee, then to the Rules Committee, in our case, and then we have a conference and we send it to the President. We don't do that anymore.

The last two bills we dealt with on this floor just came directly to the Rules Committee. There was no committee action whatsoever, there was no discussion, there was no input.

And yesterday, what really I think grieves me most is that there was a wonderful substitute put forward with great sincerity by the ranking member of the Budget Committee, Mr. VAN HOLLEN. I think he's respected by all

sides, and most of this country, for his wisdom and for his acuity. But could they put his substitute in order? No. They said they had to have a waiver. Well, that's what the Rules Committee is for. That's what the Rules Committee does.

The Budget Committee itself has had at least 18 waivers in the last term. It just defies imagination. But this is \$24 million again this week, where we're brought in from all of the corners of the United States at an expense to stand here and do absolutely nothing.

If they want to know what the President wants to do, they should call him up and ask him. We don't have to do a resolution or a bill on the floor of the House to find that out if that's so important. What a crazy thing that we could do in this time of communication to say this is the way we're going to try to find out something—and find out what?

The drastic across-the-board spending cuts are going to take effect on March 1. Now, the week after next we're taking another week off. We work about two and a half days here. It's really unfortunate. I think I can use that word without being called down, but I have much stronger words in my head. But instead of solving that looming crisis, again, they propose legislation that tries to change the subject. Try as they might, they can't hide from the fact that they are failing to provide help when American people need it most.

Mr. Speaker, we are days away from a serious self-inflicted wound.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. I yield the gentlewoman an additional 2 minutes.

Ms. SLAUGHTER. Thank you.

If the pending sequester were to take effect, there will be such drastic cuts to important programs, not only domestically, but as you heard Leon Panetta, Secretary of Defense, say, it would "hollow out" the military and leave our military fighting with one hand tied behind its back. Why would we do that? For no earthly reason. Why in the world would we put the United States through that? Taken together, these cuts, as was said before, would destroy jobs, reverse our economic recovery, just reverse it, and destroy the middle class.

To get a glimpse of what drastic spending cuts would do to our economy, just look back to the end of 2012. As leading economists, the White House Council of Economic Advisers and President Obama have all pointed out, the drastic spending cuts at the end of last year are the leading causes—the leading causes—of our recent economic stagnation. Should the sequester take effect, our economy would suffer even more, and jobs would be lost as deeper and deeper spending cuts take effect.

Is that the path the majority wants to walk down? Because if they keep spending our time debating stupid legislation like this, we're going to find ourselves on that path before too long.

I agree with Mr. MCGOVERN that many of our colleagues seem to want to go off that cliff for some kind of foolish exercise, knowing full well what is going to happen, and that is really shameful.

Yesterday, our Democratic colleagues and I proposed legislation that would stop the sequester with Mr. VAN HOLLEN's substitute, but, no, they would not do that. It was simply tossed aside.

The majority chose to move forward with this restrictive and partisan process, closed rule again, that ignores the problems before us and moves forward with a political gimmick.

As the clock continues to tick, I urge my colleagues to stop those gimmicks and get back to work. Again, the people I spoke with just today are saying over and over again some certainty has to be in this government. People have to know what the economic situation is going to be. We do not want to play Russian roulette in here with the American economy day after day and week after week.

I urge my colleagues to stop wasting valuable time and let's provide that certainty.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

I just want to say to my friend from New York, for whom I do have tremendous respect and value her counsel, to call this a stupid piece of legislation I think really misses the point about what we're doing here.

I would encourage you to ask your constituents in New York, and, Mr. Speaker, I would encourage you to ask your constituents back home, do folks realize, because I didn't, that in the four years that the President has been President of the United States, the budgets that he has introduced come to balance never?

My friends on the other side are making a persuasive case, Mr. Speaker, for why it is they would support doing things with different priorities than I would support doing things. And that's absolutely going to be true. When we debate the budget resolution, we're going to have different approaches for getting to balance. But the President's budgets never get there. If we give him every spending cut he asks for, if we give him every tax increase he asks for, if we do absolutely everything that the budget that he is required by law to submit requests, we will begin to pay down the first penny of debt never.

□ 1330

In fact, if we do absolutely everything that the budget he is required by law to submit to us asks, the debt will continue to grow forever.

I agree with so much of what my friends on the other side are saying about the sequester, about the fiscal cliff. That's why we acted in May in this body. That's why we acted in August in this body on this tax bill. That's why we passed another sequester replacement in August. That's why we passed another one in December. I agree. But can't we also agree that if you're going to be Commander in Chief of America, if you're going to be the President of the United States, if you're going to uphold and defend the Constitution—and we have our former Joint Chief of Staff Chairman telling us that our greatest national security threat is our growing debt—shouldn't it be fair to ask the President to tell us when, if ever, he plans to begin paying back the first penny?

Mr. Speaker, it's not a stupid piece of legislation that we're dealing with today. What's almost laughably ridiculous is that it's controversial.

Ms. SLAUGHTER. Will the gentleman yield?

Mr. WOODALL. I believe the gentleman has much more time. I will be happy to reserve the balance of my time, though, and allow my friend to control.

Mr. MCGOVERN. I yield 2 minutes to the gentledady from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. I see a number of my colleagues have come to speak, so I'm going to be as brief as I can.

I know that the chair of the Budget Committee has said that he can balance the budget in 10 years, which most economists and people say would certainly throw us into the worst depression, worse than 1929.

I believe that what we are doing here—I can't prove it—but my suspicions are that this is something intended to cover that. They're trying to get the President into that trick box or something to try to do the same thing.

Don't go, Mr. President. We can do better than that.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

The issue is not whether the President should submit a budget. He should. And he would have submitted a budget by now, but because of the theatrics that my friends on the other side put us through dealing with the fiscal cliff, which was just solved on January 1, things are a little bit delayed. The issue is why is the House wasting time on this while the sword of the sequester hangs over the American people?

The President can submit any budget he wants. That's what the President has the right to do, just like George Bush submitted whatever budget he wanted to do.

We have a job here in this House, and that is to address this looming fiscal crisis called the sequester. What we're doing here today is doing nothing at all to move that ball forward.

In less than a month, arbitrary cuts are going to go into effect, people are going to lose their jobs, and this economy is going to go into a deeper slump. For the life of me, I can't understand why there's not more urgency. We shouldn't be taking vacations. We actually should be working here and trying to resolve this. This is stupid legislation because it is not addressing the crisis. It is doing nothing to advance the cause of trying to get to a solution. This is just a press release. This is yet another gimmick.

I think the reason why Congress and especially the House of Representatives is held in such low regard is because we spend so much time on trivial matters debating passionately, and we skip over debating the important things. We ought to be doing something important here today. We ought to be trying to avert this sequestration. We ought to be trying to keep people in their jobs. And we ought to be trying to create an economy that will create more jobs, not this theater.

I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, there's a reason that we're spending so much time talking about things other than the underlying bill, other than the rule. The reason is because the rule is a good rule, and the bill is a good bill. We can use this time for the political theater that my friend from Massachusetts appears to disdain, but I would say he's got a talent for it and he should not disdain it so rapidly.

Mr. Speaker, we handled the sequester in May. I hope whenever my friend from Massachusetts refers to his friends on the other side, he means the other side of the Chamber, not the other side of this House, because we, you and I, acted, Mr. Speaker, to solve those issues.

Mr. MCGOVERN. Will the gentleman yield?

Mr. WOODALL. I would be happy to yield to the gentleman from Massachusetts.

Mr. MCGOVERN. This is the 113th Congress. We haven't done one thing to solve this fiscal crisis that's looming on March 1st. This is the 113th.

Under the Constitution, when a new Congress begins, we have to start all over again. Okay?

Mr. WOODALL. Reclaiming my time, my friend is exactly right. Of all of the multiple efforts that we did last year that were all rejected by the other side, we have not recreated those efforts again this year. He's exactly right.

What we have done, however, is created a pathway that's going to produce the first budget on the Senate side, the first opportunity for the bodies to come together in conference.

My friend from New York tells us about, I'm just a bill and what schoolchildren are learning all over America. Mr. Speaker, they're going to have to learn on TV because they have not seen

it in this town. We can't. We can't go to conference on a budget unless the Senate passes one. And this year, Mr. Speaker, as governed by the rule book, the United States Constitution that I have right here in my hand, we're going to be able to get that done. That's the kind of work this House is doing. That's the groundwork that we're laying.

My friend from New York is exactly right, Mr. Speaker, when she says that this body, led by Chairman RYAN on the Budget Committee, is going to produce a budget so serious and so responsible, it's going to come to balance, the balance the American people are demanding, faster than any other budget we have seen in this President's administration.

All we're asking, Mr. Speaker: Doesn't it seem reasonable to let the President submit any budget he wants to? We don't want to change the budget he's submitting at all, but just to share with the American people because they don't know when they come to balance.

Who knew, Mr. Speaker, when the budget was entitled a "New Era of Responsibility," that it wasn't going to come to balance in 80 years? Who knew? I didn't. There are people in this Chamber, Mr. Speaker, who did not know that in 4 years of his Presidency, this President has never, ever—assuming a world where he gets everything that he wants—crafted a plan that begins to pay back the very first penny of our debt. That's dangerous, Mr. Speaker.

This bill can put a stop to that process. That is why I know it's going to get support here in the House.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, this bill does nothing. It does absolutely nothing. It's a press release.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to ensure that the House votes on Mr. VAN HOLLEN's replacement for the sequester, which was blocked yesterday in the Rules Committee.

My friend from Georgia talks about this being a good rule and a good process. This bill was not even considered by the Budget Committee, which is the committee of jurisdiction. It had no hearing. It had no markup. It mysteriously appeared at the Rules Committee. We wanted an open rule, and we were denied an open rule. Mr. VAN HOLLEN actually had a substantive amendment to replace the sequester. That was denied.

So I want to yield 5 minutes to the gentleman from Maryland, the ranking member of the Budget Committee, Mr. VAN HOLLEN, to discuss his amendment.

Mr. VAN HOLLEN. Mr. Speaker, I thank my colleague, Mr. MCGOVERN, who said it exactly right. This unfortunately is another political gimmick

we've seen from our Republican colleagues, and it is exactly why the American people hate this Congress so much.

Rather than doing something to create jobs, rather than doing something to help support the economy, this does absolutely nothing other than point fingers at the President because his budget is a little late and then tell the President that he has to submit a budget that meets the Republican requirements rather than what we've done with every other President, which gives them the ability to present the budget they like.

With respect to the delay, our Republican colleagues know very well what the cause of that delay was. The cause of the delay was we were working very hard to try and avoid the fiscal cliff, which would have hurt jobs and the economy.

I'm not surprised some of our Republican House colleagues have forgotten about that because they overwhelmingly voted against the fiscal cliff agreement, which by the way was supported by the overwhelming majority of Senate Republicans. But here in the House, Republicans in great numbers said that they would rather risk the economy and risk jobs than ask the very wealthiest Americans to pay a little bit more.

□ 1340

That's why the fiscal cliff agreement took so long. We didn't get it done until January 2. I would hope my colleagues on the Budget Committee know, if you're putting together a budget, you need to know what you're spending, but you also need to know what your revenues are. Until we were able to get that agreement, the President didn't know what the revenues were. Nonpartisan groups, like the Congressional Budget Office and Joint Tax, were also delayed in their assessments. These are nonpartisan groups.

Now, the shame of it is, instead of playing these political games, we should do what my colleagues have said we should do in that we should be focused on avoiding the sequester—the meat-ax, across-the-board cuts. This House has taken no action in this Congress, in this 113th Congress, to deal with that, so we on the Democratic side said, Hey, let's give our Members an opportunity to vote on something to replace the sequester and to do it in a balanced way so that we don't hurt the economy and so that we don't put jobs at risk.

We brought a substitute amendment to the Rules Committee that would have prevented those across-the-board cuts, that would have replaced them with balanced and sensible alternatives like, for example, eliminating direct payments in agricultural subsidies, like getting rid of the taxpayer subsidies for big oil companies, that we

would replace the across-the-board, meat-ax cuts, which would do great harm to our economy, with those sensible measures.

The response from our Republican colleagues: You don't get a vote. You don't get a vote. They rushed to the floor a measure that hadn't had a single hearing, that did not go through the regular order; and in keeping with that philosophy, we don't even get a vote on something that is important to the American people, which is to replace the across-the-board sequester, which we know is going to hurt jobs because we just heard from the last quarter economic report that even the fear of those across-the-board cuts was having a damaging impact on the economy, even the fear of it. Now, within less than a month, it's going to happen, and here we're talking about a political gimmick bill instead of something that does something real, and we are not even allowed a chance to vote on a proposal to replace the sequester.

Vote against it if you want. Vote against it. That's the way the democratic process works, but allow this House to work its will.

When this House worked its will, we were able to get a fiscal agreement passed and were able to avoid going over the cliff and hurting the economy. Let's do the same thing now. Let's just have a vote, up or down, on the merits of a substitute proposal rather than playing games with this very unfortunate proposal that does nothing but play politics.

Mr. WOODALL. Mr. Speaker, I yield myself 30 seconds just to say to my friends that I haven't actually mentioned that the President's budget was late. You're exactly right. He did miss the statutory deadline. He's not going to make it on time. In fact, the story is that it's not going to get here until March. In the years that I've had a voting card, he has never submitted a budget on time. I'm not asking him to get it here on time. I am only asking him, when it gets here, would he tell us when it's going to balance.

With that, I would like to yield 4 minutes to a colleague on the Rules Committee, the gentleman from Texas, Dr. BURGESS.

Mr. BURGESS. I thank the gentleman for yielding.

This is an important discussion that we're having today, and I urge my colleagues to vote for the rule and to vote for the underlying bill that follows.

Look, the President is going to be here talking to us next week. He'll deliver his State of the Union address. He will do so without a plan on the table. There will be no budget. We will not know about the proposals that are put forward as to whether or not they're reasonable in the context of outlays and allocations. We just simply don't know.

The underlying bill that is being discussed today is that, when the Presi-

dent does submit that plan, when the administration does submit that plan, if that plan does not come into balance within a reasonable period of time—10 years, I think, any American would say would be a reasonable period of time—give us an idea as to when you think that will happen. After all, when there was a campaign being run in 2008, the Presidential candidate for the Democrats said that he'd cut the deficit in half in 4 years, and we're still waiting. We would like to see the plan that is going to achieve these goals.

We're also hearing a lot of talk today about the sequester. It's not the purpose of this legislation to deal with the sequester. We did have reconciliation bills on the floor of this House in May and then again in December. We had a bill dealing with the expiration of the Tax Codes right before the August recess. So there were opportunities to talk about the fiscal cliff. I, for one, felt that the delay in the sequester on January 1 was not in the country's best interest.

These were the cuts that the Congress promised to the American people. When the debt limit was raised in August of 2011, this was the promise that was made, and it was a promise that was made by the President. It was proposed by people within the administration. The bill was signed into law by the President. The President cannot now come back and retroactively veto a bill that has already been signed. This is settled law, and these are cuts on which the American people are depending. They're depending on us to keep our word.

It's very difficult to cut spending. It's very difficult to cut the budget. Every line in the Federal budget has a constituency. Every line in every appropriations bill has a constituency somewhere that cares deeply about that language being retained. So, when all else fails, an across-the-board cut may be the only way that you can ever achieve that spending restraint.

Now, I understand that the White House does not agree with the Republican House that there is a spending problem. They think it's a revenue problem. Well, great. Put that in writing. Put it in the budget. Tell us when that revenue that you wish to achieve will bring this budget into balance. I, for one, don't think it's possible, but I would like to see the academic exercise of their at least trying to get it to balance at some point in the future.

Then, finally, Mr. Speaker, may I just say—and I hate to give a history lesson—when the Republicans were in the minority in this House, there was a very large bill that was passed, and it was called the Affordable Care Act. This was a bill that did not receive a hearing in the House of Representatives. To be sure, H.R. 3200 had received a markup in a hearing in the House, but H.R. 3590, although it had a House

bill number, was not a House bill. It was a housing bill that passed the House of Representatives in July of 2009 and went over to the Senate. It was completely changed in the Senate Finance Committee, and this was the bill that came to the House of Representatives on which we had to vote in a very short period of time. No amendments were allowed. It was a very closed process. I was in the Rules Committee that night. I remember the ranking member being there, and the good ideas that I thought I brought forward were all excluded from discussion.

So don't lecture me about the process that this bill was rushed and didn't have a hearing. For heaven's sake, we have a bill that is now signed law that will cost \$2.6 trillion over the next 10 years that never had a hearing in this House. That's the travesty, and that's why we have to deal with spending.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Let me just respond to the gentleman from Texas by saying he's wrong. He's on the Energy and Commerce Committee. The Affordable Care Act had hearings in the Energy and Commerce Committee—and markups. There were multiple hearings on that bill. I'm not sure what he's talking about.

Then to the gentleman from Georgia who says that he didn't mention the fact that the President missed the deadline, I thought he did, but the bill that he's touting here mentions it in these very political, inspired findings. Read your own bill. It's three pages long. I know that may be too much, but we're all told to read the bill.

Look, rather than being here and telling the President what to do—he's going to submit a budget—we've got to do our job. Our job is to avoid this sequestration because, if we don't, there are millions of people in this country who will be without work. There are programs that will be arbitrarily cut, and this economy will be hurt. Now, if you want sequestration, then you can continue to take your recesses and do this kind of trivial stuff on the House floor, but we ought to be finding a way to avoid going over this sequestration cliff.

At this point, Mr. Speaker, I would like to yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. My friend from Massachusetts is absolutely right. What most of America is waiting for is for us to address the very abyss that we've put ourselves in, the cliff that we've put ourselves in—the fact that we became hostage to this idea of a commission that was necessary because we could not get Members on both sides of the aisle to be able to work together on what should be cut. It was particularly because my friends on the other side of the aisle had Members who did not understand how government functioned. Republicans did

not understand that government, in fact, is a rainy-day umbrella, that we are supposed to serve the American people.

So, while we are fiddling, one could say that Rome is burning, or maybe they could say that the cities and towns of America are asking us to finally answer the question. Under the laws that we adhere to, the President has a right to submit his budget. That should be very clear. No legislation here on the floor is going to dictate the President's budget.

□ 1350

There is a law that says it is supposed to be the first Monday in February. We will admit that. But what President has ever had the hostage-taking of the debt ceiling so that you can't write a budget if there are individuals in the Congress that won't do the normal business, which is to raise the debt ceiling so that the American people can be taken care of?

As we speak, however, the President has introduced, today, a short-term fix to avert the sequester. The Democrats have offered a way of averting the sequester. We have nothing from the Republicans except a resolution that says a request for a plan, the very plan that the President knows by law he is going to submit as long as he knows what the amount of money is we have to work on. And, of course, the budgeting process is going through the House. The chairman of the Budget, Mr. RYAN, the ranking member of the Budget, Mr. VAN HOLLEN, we all know the regular order, and we're going to do our work.

But putting us on the floor today and ignoring what we should be doing, I'm saddened that my amendment that indicated that I wanted to make sure that the most vulnerable in any budget process, 15.1 percent of Americans living below the poverty line, which includes 21 percent of our Nation's children, I wanted to have a sense of Congress that whatever we did, we would not do anything to harm these vulnerable children who, through no fault of their own that they may be suffering from the kind of economy, or their parents are suffering so that they live in poverty, whatever we do, we should not do anything more to make their life more devastating.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. I yield the gentlelady 10 seconds.

Ms. JACKSON LEE. My other amendment had to do with the estate tax to raise revenue, and that would have been a reasonable debate to address what we can do to make the lives of Americans better.

Request a plan; a plan is not action. The President does a budget; we do a budget. Mr. Speaker, let's do our work and help the American people and avoid the sequester.

Mr. WOODALL. Mr. Speaker, I yield myself 30 seconds to say to my colleague that I share her great passion for America's children and protecting America's children. And I would say to my friend that I don't believe we can continue to operate under budgets that borrow from those children, not just this year, not just next year, but forever, and candidly say that we're protecting them. We're putting our most vulnerable at risk with these deficits, and we have to make the tough decisions.

Ms. JACKSON LEE. Will the gentleman yield?

Mr. WOODALL. I'd be happy to yield.

Ms. JACKSON LEE. I thank the gentleman for yielding.

Let me just say, I don't think anyone on this side of the aisle is not prepared to work collaboratively on the question of the deficit, on the question of growing America's economy and working with our children. Can we find common ground that indicates that we must invest in our children at the same time that we are likewise talking about debt and deficit? And that's what the Democrats are talking about, investing in our children, making their lives better.

Mr. WOODALL. I reserve the balance of my time.

Mr. MCGOVERN. I yield myself such time as I may consume.

We all want to make sure that our children are protected, but embracing a sequester that cuts things like Head Start, that's no way to protect our children.

At this point, I'd like to yield 2 minutes to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Speaker, in 23 days, by law, an indiscriminate chain saw is going to go through all quarters, all sectors of the American Government.

Secretary of Defense Leon Panetta on Sunday, along with General Martin Dempsey, the Chairman of the Joint Chiefs, very bluntly warned this country that if sequestration goes into effect, America's military readiness is going to be damaged in a very critical way. The Navy has told us specifically what this means: 23 ships whose repairs are scheduled will be cancelled; 55 percent of flying hours on aircraft carriers will be cancelled; 22 percent of steaming days for the rest of the U.S. fleet will be cancelled; submarine deployments will be cancelled.

Today, right now, we have the USS *Stennis* and the USS *Eisenhower* stationed in the Middle East making sure that our allies, Israel, Turkey, critical missions like protecting the Straits of Hormuz, they have to have aircraft that can fly. They can't cancel 55 percent of their flight time and expect to carry out their mission. Yet in 23 days, because of inaction by this Chamber, we are putting, again, America's national security interests at risk.

The Bipartisan Policy Center, founded by Bob Dole and Tom Daschle, has told us we will lose a million jobs if sequestration goes through. So those shipyards that are planning to do that repair work, they're basically going to get layoff slips.

And we are debating a bill today that has absolutely no connection to those realities. This is a pure political stunt. It has no bearing in terms of whether or not the military readiness of this country or the economic recovery that's headed in the right direction right now is going to be protected and preserved. That's our job. That's what we should be focused on here today. And denying the Van Hollen amendment, which would replace that sequestration, is why this rule must be defeated.

I urge Members of this Chamber to vote "no" on this rule.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume to read from the President's inaugural address. It took place just outside our backdoor here. He said:

We must make the hard choices to reduce the cost of health care and the size of our deficit.

He didn't say we should make the easy choices, because there aren't any easy choices left to make. Every single one of them is hard. And I have such great respect for Members of this body who have taken the hard votes and made those hard decisions.

All this bill says is: Mr. President, put your budget where your speeches are. Make the hard choices, any of the choices you want to make to balance, anytime you want to balance, but we can't begin to pay down the debt until we stop running up the debt. And we have yet to see a budget from this President that puts us on that path.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. Mr. Speaker, I rise today disappointed that my amendment to the Require a PLAN Act has been left out of this rule.

This bill is bad political theater. Not even the devastatingly dangerous Ryan budget could achieve the balanced budget in 2014 this bill demands of the President.

Setting this silliness aside, my amendment would address a separate issue: this bill's use of the phrase "unified budget" and the inclusion of Social Security as part of that unified budget. This is a blatant attempt to nullify Social Security's historic independence from the Federal budget. Social Security is funded by the payroll tax. It was created with its own revenue stream so these hard-earned benefits would never fall victim to the political shenanigans of a Congress like this one.

As President Franklin Roosevelt said:

With those taxes in there, no damn politician can ever scrap my Social Security.

Mr. Speaker, Social Security is not an item in the budget. It is social insurance that protects all Americans against destitution due to old age, a disability or illness, or the death of a breadwinner.

Workers have built up \$2.7 trillion in the Social Security trust fund which ensures that benefits will be paid in full at least until the mid-2030s. I have called for small adjustments to strengthen Social Security for the long term, and I'm ready to have that debate. But to put Social Security on the general budget's ledger as America's largest generation retires is simply beyond the pale.

This bill, Mr. Speaker, puts Social Security on the GOP chopping block. This is a dangerous precedent. We cannot allow the accounting tricks in this bad legislation to endanger the Social Security that keeps so many Americans financially secure.

President Truman said:

Social Security is not a dole or a device for giving everybody something for nothing. True Social Security must consist of rights which are earned rights that are guaranteed by the law of the land.

Today, Mr. Speaker, these earned rights of millions of Americans are in jeopardy, as is that guarantee. We must vote down this rule and we must vote down this bad bill.

Mr. WOODALL. Mr. Speaker, I yield myself 60 seconds to say to my friend that I know his commitment to Social Security is heartfelt, and it's one that I share. I hope it gives him comfort to know that there is absolutely nothing in this legislation that changes any of those commitments that he read there on the House floor. In fact, I would say the opposite is true. As someone who's going to retire after Social Security is projected to have gone bankrupt, I think it is critically important that every budget we look at looks at how it is we're going to pay back all of those government bonds that this Congress has swapped the cash in the Social Security trust fund for. Without paying back those bonds, there is no Social Security check to go out the door.

The reason we talk about balanced budgets is because numbers are important. We talk about balanced budgets because commitments are important. And we cannot, we cannot meet our Medicare commitments. We cannot meet our Social Security commitments, and everyone in this body knows it.

□ 1400

Every budget the President produces shows it. But we can do better; and working together, we will do better, Mr. Speaker.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, may I inquire of the gentleman from Georgia how many more speakers he has.

Mr. WOODALL. I'd say to my friend, I'm prepared to close.

Mr. MCGOVERN. I'm prepared to close as well, Mr. Speaker. I yield myself the balance of my time.

Mr. Speaker, this is a very frustrating debate, in large part because it's much ado about nothing. What we're doing here today is a press release. It's doing nothing at all to avoid this prospect of sequestration in which arbitrary cuts will go into play. This is just more talk and talk and talk and talk.

Again, that's one of the reasons why the American people are so frustrated with this place. They want less talk and more work. We should be working. We should be coming to some sort of agreement to avoid the catastrophe of sequestration; but, instead, we're doing this.

Mr. Speaker, I want to put some things in perspective. The Center for American Progress reported that since the start of fiscal year 2011, President Obama has signed into law approximately \$2.4 trillion of deficit reduction for the years 2013 through 2022. Nearly three-quarters of that deficit reduction is in the form of spending cuts, while the remaining one-quarter comes from revenue increases. Congress and the President have cut about \$1.5 trillion in programmatic spending, raised about \$630 billion in new revenue, and generated about \$300 billion in interest savings, for a combined total of more than \$2.4 trillion in deficit reduction. That's a quote from the Center for American Progress.

So three-fourths of the deficit reduction we've achieved so far was from spending cuts. But my friends on the other side have the nerve to continue to claim that Democrats are "loathe" to agree to spending cuts. I mean, give me a break, Mr. Speaker. Give me a break.

The CBO projects the Federal deficit to be about \$845 billion, which I think is very high; but it's the first time the nonpartisan office forecast a deficit below \$1 trillion. So we are going in the right direction, and the President wants to continue to move in that right direction in a fair and balanced way.

Now, here's the deal. My friends keep on referring to what they did last year which, again, was last year. We have to get them to think about this year because they have to act now; it's a new Congress.

But last year the proposals they came up with to try to bring our budget into balance were all about lowering the quality of life for our citizens. Their budget proposal ended Medicare as we know it. Ended Medicare. It's gone.

My friend from Florida talked about Social Security. Their plan for Social Security is to privatize it. And deep reductions and cuts that provide support

for people who are most vulnerable. That's their plan.

And now, we see, because we're not trying to address this latest fiscal cliff, I think they really do want the sequestration to go into effect. I think that is outrageous. I think it's going to be dangerous to our economy. But their plan, by allowing sequestration to go into effect, is basically to try to balance the budget by making more people unemployed.

You know, we will lose jobs. In the defense sector that's already happening. But then we're going to see losses in jobs in other areas. There'll be cuts in education. Police grants are cut. Payments to Medicare providers are cut. And The New York Times reports that even the aid just approved for victims of Hurricane Sandy will fall under the sequester's axe.

I mean, this is how we're going to solve our budgetary problems?

Yes, we do have a big debt. A lot of it has to do with these unpaid-for wars, with these tax cuts that weren't paid for; and it's going to take us a while to get out of it. But as we get out of it, we can't destroy our country. We need a balanced approach. We need to cut where we can cut, we need to raise revenues where we need to raise revenues, but we also need to invest.

Cutting the National Institutes of Health, which will happen if sequestration goes into effect, will not only cost jobs, but it will prolong human suffering. If we could find a cure to Parkinson's disease or Alzheimer's disease, not only will we prevent a lot of human suffering, you would end up solving the budgetary challenges of Medicare and Medicaid. There's a value in investing in these things, not arbitrarily cutting them.

Now, last night in the Rules Committee, we tried to bring some substance to this debate. Mr. VAN HOLLEN had his amendment, which was blocked. The one substantive thing that we could have done here today to avoid sequestration was blocked.

So, Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to ensure that the House votes on Mr. VAN HOLLEN's replacement for the sequester which was, again, blocked last night in the Rules Committee.

I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous materials immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, again, I would urge my colleagues to reject this rule which, again, is illustrative of how closed this process has become in this House. We ought to reject the rule because it is not open. The Budget

Committee never even considered this bill.

But we ought to also reject the underlying bill because this is nonsense at a time when we should be doing something real to avoid a real catastrophe in this country, to avoid something that will have an adverse impact on our economy. Instead, you know, we're all fiddling while Rome is burning.

This is outrageous. We can do so much better. We ought to work. You know, you're passing resolutions asking the President to do X, Y, and Z. We ought to pass a resolution to instruct us to do our job, and that's what we ought to do. That's what the American people expect.

So, Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question. I urge a "no" vote on the rule.

I yield back the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself the balance of the time to thank my friend from Massachusetts for being down here with me today to get this rule to a place where we can vote on it. I always look to my friend from Massachusetts to find those things that we agree on, and we certainly agree that Congress has an awfully low approval rating.

I would disagree with my friend though, Mr. Speaker, and say it's a low approval rating because we don't deal with important issues like this. It's a low approval rating because folks will say Republicans want to privatize Social Security, even though our budget did no such thing.

It's a low approval rating because folks will say our budget destroys Medicare forever, even though our budget did no such thing. It's a low approval rating because folks say they want to grapple with the tough challenges of the country, and yet they continue to borrow and spend as they always have.

But I'm an optimist, Mr. Speaker. I really do believe that we've come to a place—not just in this country, not just in this House—I think we've come to a place in each individual in this country, where folks are prepared to do those things that must be done to ensure that our children's tomorrow is better than their today.

Mr. Speaker, when my colleagues on the other side of the aisle talk about their deep love and affection for the next generation and how they want to ensure that the most vulnerable are taken care of, they mean it from the heart. They mean it from the heart.

But when the former Chairman of the Joint Chiefs of Staff tells us that our biggest national security concern is our growing debt and deficits, how much love can you show to the next generation, Mr. Speaker, when you continue to dig into their pockets instead of your own?

It's not incumbent upon us to decide how our children set their priorities. It's incumbent upon us to set our priorities so that they don't have to make those tough decisions.

Mr. Speaker, if we went out in the street in front of this Capitol and asked every man and woman who brought their family here to visit the Nation's Capitol how many of them knew that in not one budget, and for not 1 year does the President ever propose that we come to balance, that would be shocking, shocking news. And yet it's the truth.

Mr. Speaker, title 31 lays out in intricate detail congressional requirements for the President's budget. Congressional requirements for the President's budget. H.R. 444 would incorporate those requirements and add one more and, that is, that in this time of economic challenge, you be honest with the American people about the tough choices that we're all facing.

Mr. Speaker, if it was easy, they'd have done it before you and I got here. It's hard, and it's getting worse every single day any one of us fails to deal with it.

We can deal with it today, Mr. Speaker. I know our Budget Committee is committed to dealing with it. I know this House is committed to deal with it. Let's make the President a partner in that today.

With that, Mr. Speaker, I urge strong support for the resolution. I urge strong support for the underlying bill.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 48 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

At the end of the resolution, add the following:

SEC. 2. Notwithstanding any other provision of this resolution, the amendment in the nature of a substitute received for printing in the CONGRESSIONAL RECORD pursuant to clause 8 of rule XVIII and numbered 1 shall be in order as though printed as the last amendment in the report of the Committee on Rules if offered by Representative VAN HOLLEN of Maryland or a designee. That amendment shall be debatable for one hour equally divided and controlled by the proponent and an opponent.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that

"the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WOODALL. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 229, nays 188, not voting 14, as follows:

[Roll No. 33]

YEAS—229

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benish
Bentivolio
Bilirakis
Bishop (UT)
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crenshaw
Crenshaw
Culler
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Elmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallego
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar

Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Lois
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCauley
McClintock
McHenry
McKeon
McKinley
McMorris
McRodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee

NAYS—188

Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Scalise
Schock
Schweikert
Scott, Austin
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Long
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walden
Walorski
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Fattah
Foster
Frankel (FL)
Fudge
Garamendi
Garcia
Grayson
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kennedy

Black
Cicilline
Conyers
Costa
Crawford

Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebach
Lofgren
Lowenthal
Lowe
Lujan Grisham (NM)
Lujan, Ben Ray (NM)
Lynch
Maffei
Maloney
Carolyn
Maloney, Sean
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)

NOT VOTING—14

□ 1430

Mrs. KIRKPATRICK, Messrs. HONDA, PAYNE, POLIS, Mrs. CAPPS and Ms. CASTOR of Florida changed their vote from "yea" to "nay."

Mr. MCHENRY changed his vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER pro tempore (Mr. COTTON). The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in the service of our country in Iraq and

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)

Blumenauer
Bonamici
Brady (IA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps

Capuano
Cardenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Clarke

Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schraeder
Schwartz
Scott (VA)
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

Afghanistan and their families, and of all who serve in our Armed Forces and their families.

PROVIDING FOR CONSIDERATION OF H.R. 444, REQUIRE PRESIDENTIAL LEADERSHIP AND NO DEFICIT ACT

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 228, noes 189, not voting 14, as follows:

[Roll No. 34]

AYES—228

Aderholt	Farenthold	Labrador
Alexander	Fincher	LaMalfa
Amash	Fitzpatrick	Lamborn
Amodei	Fleischmann	Lance
Bachmann	Fleming	Lankford
Bachus	Flores	Latham
Barletta	Forbes	Latta
Barr	Fortenberry	LoBiondo
Barton	Fox	Long
Benish	Franks (AZ)	Lucas
Bentivolio	Frelinghuysen	Luetkemeyer
Billirakis	Gardner	Lummis
Bishop (UT)	Garrett	Maffei
Black	Gerlach	Marchant
Blackburn	Gibbs	Marino
Bonner	Gibson	Massie
Boustany	Gingrey (GA)	McCarthy (CA)
Brady (TX)	Gohmert	McCaul
Bridenstine	Goodlatte	McClintock
Brooks (AL)	Gosar	McHenry
Brooks (IN)	Gowdy	McKeon
Brown (GA)	Granger	McKinley
Buchanan	Graves (GA)	McMorris
Bucshon	Graves (MO)	Rodgers
Burgess	Griffin (AR)	Meadows
Calvert	Griffith (VA)	Meehan
Camp	Grimm	Messer
Campbell	Guthrie	Mica
Cantor	Hall	Miller (FL)
Capito	Hanna	Miller (MI)
Carter	Harper	Miller, Gary
Cassidy	Harris	Mullin
Chabot	Hartzler	Mulvaney
Chaffetz	Hastings (WA)	Murphy (PA)
Coble	Heck (NV)	Neugebauer
Coffman	Hensarling	Noem
Cole	Herrera Beutler	Nugent
Collins (GA)	Holding	Nunes
Collins (NY)	Hudson	Nunnelee
Conaway	Huelskamp	Olson
Cook	Huizenga (MI)	Owens
Cotton	Hultgren	Palazzo
Cramer	Hunter	Paulsen
Crenshaw	Hurt	Pearce
Culberson	Issa	Perry
Daines	Jenkins	Petri
Davis, Rodney	Johnson (OH)	Pittenger
Denham	Johnson, Sam	Pitts
Dent	Jones	Poe (TX)
DeSantis	Jordan	Pompeo
DesJarlais	Joyce	Posey
Diaz-Balart	Kelly	Price (GA)
Duffy	King (IA)	Radel
Duncan (SC)	King (NY)	Reed
Duncan (TN)	Kingston	Reichert
Ellison	Kinzinger (IL)	Renacci
Ellmers	Kline	Ribble

Rice (SC)	Schweikert
Rigell	Scott, Austin
Roby	Sessions
Roe (TN)	Shimkus
Rogers (AL)	Shuster
Rogers (KY)	Simpson
Rogers (MI)	Smith (NE)
Rohrabacher	Smith (NJ)
Rokita	Smith (TX)
Rooney	Southerland
Ros-Lehtinen	Stewart
Roskam	Stivers
Ross	Stockman
Rothfus	Terry
Royce	Thompson (PA)
Runyan	Thornberry
Ryan (WI)	Tiberi
Salmon	Tipton
Scalise	Turner
Schock	Upton

NOES—189

Andrews	Gutierrez	Pallone
Barber	Hahn	Pascrell
Barrow (GA)	Hanabusa	Pastor (AZ)
Bass	Hastings (FL)	Payne
Beatty	Heck (WA)	Pelosi
Becerra	Higgins	Perlmutter
Bera (CA)	Himes	Peters (CA)
Bishop (GA)	Hinojosa	Peters (MI)
Bishop (NY)	Holt	Peterson
Blumenauer	Honda	Pingree (ME)
Bonamici	Horsford	Pocan
Brady (PA)	Hoyer	Polis
Braley (IA)	Huffman	Price (NC)
Brown (FL)	Israel	Quigley
Brownley (CA)	Jackson Lee	Rahall
Bustos	Jeffries	Rangel
Butterfield	Johnson (GA)	Richmond
Capps	Johnson, E. B.	Roybal-Allard
Capuano	Kaptur	Ruiz
Cárdenas	Keating	Ruppersberger
Carney	Kennedy	Rush
Carson (IN)	Kildee	Ryan (OH)
Cartwright	Kilmer	Sánchez, Linda
Castor (FL)	Kind	T.
Castro (TX)	Kirkpatrick	Sanchez, Loretta
Chu	Kuster	Sarbanes
Clarke	Langevin	Schakowsky
Clay	Larsen (WA)	Schiff
Cleaver	Larson (CT)	Schneider
Clyburn	Lee (CA)	Schrader
Cohen	Levin	Schwartz
Connolly	Lewis	Scott (VA)
Cooper	Lipinski	Serrano
Costa	Loeb	Sewell (AL)
Courtney	Loeb	Shea-Porter
Crowley	Lofgren	Sherman
Cuellar	Lowenthal	Sinema
Cummings	Lowe	Sires
Davis (CA)	Lujan Grisham	Slaughter
Davis, Danny	(NM)	Smith (WA)
DeFazio	Luján, Ben Ray	Speier
DeGette	(NM)	Swallwell (CA)
Delaney	Lynch	Takano
DelBene	Maloney,	Thompson (CA)
Deutch	Carolyn	Thompson (MS)
Dingell	Maloney, Sean	Tierney
Doggett	Markey	Titus
Doyle	Matheson	Tonko
Duckworth	Matsui	Tsongas
Edwards	McCarthy (NY)	Van Hollen
Engel	McCollum	Vargas
Enyart	McGovern	Veasey
Eshoo	McIntyre	Vela
Esty	Meeks	Velázquez
Fattah	Meng	Visclosky
Foster	Michaud	Walz
Frankel (FL)	Miller, George	Wasserman
Fudge	Moore	Schultz
Gallego	Moran	Waters
Garamendi	Murphy (FL)	Watt
Garcia	Nadler	Waxman
Grayson	Napolitano	Welch
Green, Al	Neal	Wilson (FL)
Green, Gene	Negrete McLeod	Yarmuth
Grijalva	Nolan	
	O'Rourke	

NOT VOTING—14

Gabbard	Stutzman
McDermott	Walberg
McNerney	Weber (TX)
Scott, David	Young (FL)
Sensenbrenner	

□ 1440

So the resolution was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. WEBER of Texas. Mr. Speaker, on rollcall No. 34 I missed the vote because I was meeting with a constituent in my office. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. CICILLINE. Mr. Speaker, on the Legislative Day of February 5, 2013, upon request of a leave of absence, a series of votes were held. Had I been present for these rollcall votes, I would have cast the following votes: On Ordering the Previous Question for H. Res. 48, Providing for consideration of H.R. 444, to require that, if the President's fiscal year 2014 budget does not achieve balance in a fiscal year covered by such budget, the President shall submit a supplemental unified budget by April 1, 2013, which identifies a fiscal year in which balance is achieved, and for other purposes (rollcall No. 33)—I vote "nay." On Agreeing to the Resolution H. Res. 48, Providing for consideration of H.R. 444, to require that, if the President's fiscal year 2014 budget does not achieve balance in a fiscal year covered by such budget, the President shall submit a supplemental unified budget by April 1, 2013, which identifies a fiscal year in which balance is achieved, and for other purposes (rollcall No. 34)—I vote "no."

ELECTING MEMBERS TO A STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mrs. McMORRIS RODGERS. Mr. Speaker, by direction of the House Republican Conference, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 53

Resolved, That the following Members be, and are hereby, elected to the following standing committee of the House of Representatives:

COMMITTEE ON THE BUDGET: Mr. Garrett, Mr. Campbell, Mr. Calvert, Mr. Cole, Mr. McClintock, Mr. Lankford, Mr. Ribble, Mr. Flores, Mr. Rokita, Mr. Woodall, Mrs. Blackburn, Mr. Nunnelee, Mr. Renacci, Mr. Rigell, Mrs. Hartzler, Mrs. Walorski, Mr. Messer, Mr. Rice of South Carolina, and Mr. Williams.

Mrs. McMORRIS RODGERS (during the reading). Mr. Speaker, I ask unanimous consent the resolution be considered as read.

The SPEAKER pro tempore (Mr. YODER). Is there objection to the request of the gentlewoman from Washington?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HOOR OF MEETING ON TOMORROW

Mrs. McMORRIS RODGERS. Mr. Speaker, I ask unanimous consent that

when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

APPOINTMENT OF MEMBER TO UNITED STATES GROUP OF THE NATO PARLIAMENTARY ASSEMBLY

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 1928a, and the order of the House of January 3, 2013, of the following Member on the part of the House to the United States Group of the NATO Parliamentary Assembly:

Mr. LARSON, Connecticut

REQUIRE PRESIDENTIAL LEADERSHIP AND NO DEFICIT ACT

GENERAL LEAVE

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 48 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 444.

The Chair appoints the gentleman from Utah (Mr. BISHOP) to preside over the Committee of the Whole.

□ 1447

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 444) to require that, if the President's fiscal year 2014 budget does not achieve balance in a fiscal year covered by such budget, the President shall submit a supplemental unified budget by April 1, 2013, which identifies a fiscal year in which balance is achieved, and for other purposes, with Mr. BISHOP of Utah in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Wisconsin (Mr. RYAN) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

□ 1450

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

I commend Congressman PRICE for introducing this bill, and I join my col-

leagues in supporting its passage, but I wish it hadn't come to this.

President Obama has a legal and a moral obligation to offer solutions to our fiscal challenges. So far, that hasn't happened. In using the numbers from his last budget proposal, the Federal budget would not have achieved balance ever, and, just yesterday, he missed the statutory deadline to submit his budget for the fourth time in 5 years. Since this administration started, we've added nearly \$6 trillion to our national debt. That's the largest increase in history.

Look, we can't keep this up, Mr. Chairman. We have to budget responsibly so that we can keep our commitments and expand opportunity. All we are simply saying here is that we need to put our plans on the table.

House Republicans have shown our solutions. The Senate hasn't passed a budget in 4 years. The President hasn't even submitted a budget yet even though it's past the deadline, and when he has submitted a budget, it has proposed that it never, ever, ever balances the budget. Isn't that what budgeting is—showing how you'll get your budget under control so that your expenditures and your revenues eventually, one day, meet? That, unfortunately, hasn't been happening. As a result, we have a debt crisis on our horizon.

In this bill, we don't say what policies the President must propose; we realize that he'll have his own. All we're saying is that he needs to bring ideas to the table. Show us how you'll balance the budget and when you'll balance the budget. It says to simply bring a plan, and show us how you'll balance the budget so that we can have the kind of honest debate we need to have.

The way things ought to be, the way the Framers intended things to be, was that the House passes its solution and that the Senate passes theirs, and in the budget process, the President offers his. When people put their solutions on the table, that's how you find common ground, that's how you get things done. But if it's a one-way conversation in which all you have is one side of the aisle putting solutions on the table and the other side of the aisle simply offering criticisms and no solutions to ever balance the budget, that gets you no progress. Unfortunately, that's precisely where we are today. That's why we're calling for this legislation.

With that, Mr. Chairman, I would like to yield the remainder of my time and the ability to control such time to the distinguished vice chairman of the Budget Committee, the gentleman from Georgia, Dr. PRICE.

The CHAIR. The gentleman from Georgia is recognized as the designee of the gentleman from Wisconsin.

Mr. PRICE of Georgia. At this point, I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Chairman, I yield myself such time as I may consume.

I just have to say to my colleagues that, in looking at this bill, it represents exactly what the American people hate most about this body and this Congress. It's a political gimmick that does absolutely nothing to help create jobs. It does nothing to help boost economic growth. If you read the bill, it is another finger-pointing exercise: blaming the President for the late submission of the 2014 budget and demanding not that the President submit a budget—the President is going to submit a budget—but that he submit it in a form dictated by House Republicans rather than dictated by current law.

Now, our Republican colleagues know very well why the President's 2014 budget is late. It's late because we had a big debate in this country over how to avoid the fiscal cliff, and it wasn't until January 2 that this House and the Senate were able to resolve that issue. If we'd gone over the fiscal cliff, it would have created huge economic problems. It would have created a huge contraction. It would have created a huge loss of jobs.

Now, even though a majority of Republican Senators voted for the agreement to prevent us from going over that fiscal cliff, our House Republican colleagues argued against it and against it, and at the end of the day, they were prepared to let the economy go over that cliff in order to protect tax breaks for very wealthy people. A great majority of our Republican colleagues here in the House voted against that fiscal agreement, but we got it done despite that fact. As a result, the economy has continued to move. Now we need to work to make it move faster, but this bill does absolutely nothing to help do that. That's why the budget is a little late, because most Americans know that, unless you know both what your expenditures are going to be and your revenues, you can't submit a budget, and we didn't know until January 2 what the revenue number would be going forward.

By the way, Mr. Chairman, the nonpartisan Congressional Budget Office and the nonpartisan Joint Tax Committee have also been delayed in presenting their backgrounds, which have just come out today but were delayed from when they had planned to do it, and it was because of that very reason.

What's really a shame is that here we are on the floor of the House, debating this gimmick, when we should be doing things to help the economy and help grow jobs. On March 1, less than 1 month from today, we're going to see these automatic across-the-board, meat-ax cuts take place to both defense and non-defense. Now, those across-the-board cuts are going to do great damage to jobs and the economy.

You don't have to take my word for it. Here are the words of the Republican House leader, Mr. CANTOR, just a few months ago: "Under the sequester, unemployment would soar from its current level up to 9 percent, setting back any progress the economy has made." According to a study which he referred to, "The jobs of more than 200,000 Virginians in my home State are on the line."

And that's just jobs in Virginia. He was just talking about jobs lost from the defense cuts. If we don't act to replace the sequester, you're going to see jobs lost around the country. In fact, we're already seeing what would happen from even the threat of the sequester, because, in the last quarter, we saw the economy slowing. Many analysts have said it's because of the fear of these across-the-board cuts—and not just many analysts. The Republican chairman of the House Armed Services Committee, Mr. McKEON, said this in referring to the last quarter economic report: "This is just the first indicator of the extraordinary economic damage defense cuts will do."

Mr. McKEON is right. So why are we spending our time today on a bill that doesn't address that at all?

We have not in this Congress, the 113th Congress, had any debate on any measure to replace the sequester—our Republican colleagues haven't brought that to the floor—but it gets worse. Even though our Republican colleagues haven't brought their proposal to the floor of this House to replace the sequester in this Congress, we presented an alternative to the Rules Committee to replace the sequester and to do it in a balanced way, and we were denied an opportunity to have an up-or-down vote here in this Chamber today on that proposal to replace the sequester for the remainder of this fiscal year so that we would avoid those across-the-board, meat-ax cuts and avoid the job losses that both Mr. CANTOR and Mr. McKEON talked about.

We had a proposal to avoid all that—not even a vote today—and we proposed to do it in a balanced way, Mr. Chairman: to make some cuts to some of the big agriculture subsidies' direct payments, also with some revenue by closing taxpayer breaks for the big oil companies. Our Republican colleagues continue to stick to the position that they won't close one special interest tax break for the purpose of reducing the deficit, not one. They conceded in the last election that very wealthy individuals benefit from those tax breaks disproportionately, but they don't want to eliminate one of them for the purpose of reducing the deficit in a balanced way, combined with additional spending cuts, which is what our substitute amendment would do. It's important for the people to know that we didn't have a chance to vote on it.

So, Mr. Chairman, it's a sad reflection on this body that we are here de-

bating a meaningless political action and ignoring the real work of the American people in this country to deal with the sequester in a balanced way and to prevent the job losses which Republican Members of this Congress have themselves said are on the horizon if we don't take that action.

I reserve the balance of my time.

□ 1500

Mr. PRICE of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my colleague from Maryland makes some interesting points. The problem with many of them is that they simply aren't true.

For example, the Congressional Budget Office gave their report on the economic situation today, and they have met their deadline, so contrary to what the gentleman from Maryland said.

The gentleman also knows that the amendment that he offered, that he just cited that wasn't to be made in order, was not germane. The rules of the House precluded that.

And then he spent the majority of his time, Mr. Chairman, talking about the sequester, which is an important issue, there's no doubt about it, but it's not this issue. In fact, House Republicans passed a reconciliation bill last year that outlined the spending priorities that we would have, the spending reduction priorities that we would place in place of the sequester, and that sat over in the Senate. So the ball is in the Senate's court, the ball is in the President's court.

Today we're talking about H.R. 444, which is a bill that simply says to the President, Mr. President, when you submit your budget, just let us know when it balances—10 years, 20 years, 40 years, 75 years. When does it balance? Just be honest and transparent with the American people.

Mr. Chairman, as you know, we are the minority party here in Washington. Yes, we have the majority in the House, but we don't have the majority in the Senate. We certainly don't control the White House. One of the roles of the minority is to provide accountability to the other side and to provide a contrast.

Well, as Mr. RYAN said in his opening remarks, it's tough to have a contrast when you have specific legislation and you're comparing it to a speech. It doesn't work. The American people can't tell who's telling the truth and whose policies they would prefer. That's why we believe it's imperative—in fact, it's the only fair thing to do—to have the President, when he submits his budget, to say, in fact, this is when it balances.

And it's instructive to know, Mr. Chairman, as you well know, that the past four budgets that the President has proposed have never come to bal-

ance, never. That's important information, Mr. Chairman. It's time for the President to admit that.

So the record of the President isn't great, as you well know, on this: \$6 trillion of new debt on his watch, 4 straight years of trillion-dollar-plus annual deficits, more borrowing, more spending, more debt, more dreams crushed.

House Republicans have done our job. We put forward two budgets over the past 2 years when we've been in the majority in which we have said this is exactly how we would reform, save, strengthen, and secure the programs that are so necessary for this country, but also how we would get this country on a path to balance, not for balance's sake, but because families do it, businesses do it, and economies that don't demonstrate balance cannot be vibrant, cannot create jobs, cannot allow individuals to realize their dreams. So, Mr. Chairman, H.R. 444 is a common-sense piece of legislation.

The gentleman from Maryland talked a lot about what the American people want. The polling industry, just earlier last month, said 72 percent of the Americans say that reducing the budget deficit is a, quote, top priority for the President and the Congress this year. It should be. Seventy-two percent.

Mr. Chairman, we're on the side of the American people. It's time for the President to show us a budget that balances or to state simply when his budget balances.

With that, I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Chairman, I yield myself such time as I may consume.

There's no doubt that it's a priority of the American people, 72 percent of the American people, to reduce the deficit. We need to reduce the deficit.

In fact, in the last election, both candidates talked about their plans for how to reduce that deficit in a smart and measured way. The American people spoke, and they said they preferred the balanced approach that the President has laid out that includes a combination of cuts. And, by the way, we did more than \$1.5 trillion of cuts through the combination of the Budget Control Act and the supplementals in the last 2 or 3 years. We've already done that. We need to keep making more cuts. And, in fact, our substitute proposal includes additional cuts.

But in the last election, the American people also said that we should close some of these tax breaks for special interests and very wealthy people. And yet our Republican colleagues have taken the position, the ironclad position, that you can't close or eliminate one of those tax breaks that their Presidential candidate and Vice Presidential candidate talked about if you want to use that for the purpose of reducing the deficit. You can't do it.

So, yes, we need to reduce the deficit. The President has a plan to do it. He just doesn't do it the way our Republican colleagues would do it, which is by whacking Social Security and Medicaid, and by shortchanging important investments in our education and in our kids' future.

So, yes, reduce the deficit, but let's do it in a sensible way. And the President has the prerogative of getting to put forward his budget the way he would like to present it to Congress, and then Congress can do its work however it wants.

With that, I yield 4 minutes to my friend and colleague from Maryland, and someone who has been very focused on reducing our deficits in a responsible way, Mr. HOYER.

Mr. HOYER. I thank the gentleman for yielding.

Mr. PRICE of Georgia said what the American people want. What the American people don't want is games. This is a game. This is a sham. This is a shame.

What the American people want is honest legislation to address the challenges that confront us. In 23 or 24 days, we are going to face a sequester. That sequester, as has been pointed out, Mr. CANTOR and I agree on, it will have devastating, adverse, negative consequences for our economy, for the American people, and for the confidence of America.

But we are not spending time to avoid the sequester. Mr. PRICE of Georgia, in fact, says this is not about the sequester. He's right.

Mr. RYAN said the Founding Fathers. The Founding Fathers had no idea and no intention the President of the United States would be involved in the budgeting process, period, none. Read the Constitution, my friends. I've heard a lot about that. The Founding Fathers thought it would be the legislative body, and the legislative body alone, that would have responsibility. It wasn't, frankly, until the last century that the President played a significant role in the budget, because the Founding Fathers, if you read the Constitution, thought, under Article I, we were responsible.

And now, my friends, we have a game. My friend from Georgia, the distinguished gentleman from Georgia, said that we want a contrast. You have a contrast. You didn't want a contrast. You didn't make it in order, because you don't want the contrast.

What you want is your political messaging bill that at the end of the day will do zip, nada, zero to address the problems confronting America. It's a game. Sadly, it's a game because the American people deserve and need better from us—more responsibility, more reality, more honesty in the actions we take on this floor. This is a political messaging bill. It's not even a very big bill.

By the way, the bill to which the gentleman from Georgia referred is not before this Congress. It was the last Congress. That Congress, I tell the gentleman, is over. But we have a responsibility in the 113th Congress to act responsibly, not just to point to what was or was not done in the 112th Congress.

This is a political messaging bill, Mr. Chairman, pure and simple. It does nothing to solve the most immediate problem we are now facing that is the looming sequester and all the uncertainty it is causing.

What we ought to be working on this week is a bipartisan solution to the sequester that averts the negative cuts, the adverse consequences that will take place, as I said, 23 to 24 days from now. Instead, Mr. Chairman, we hear not only silence from many on the Republican side, but irresponsible acquiescence.

Yesterday Republicans blocked consideration of an amendment by the ranking member of the Budget Committee, Mr. VAN HOLLEN, that would replace the sequester with spending cuts and additional revenue, a balanced package. Now, my Republican friends probably would have voted against that, but they didn't even allow the contrast of which the gentleman from Georgia speaks. Why? Because they want a unilateral message for their hardline constituents. That is why, Mr. Chairman. And it's a shame, because the American people and our economy are suffering because of these actions.

□ 1510

This is very disappointing, as Mr. VAN HOLLEN's amendment is exactly the approach we ought to consider on this floor.

The CHAIR. The time of the gentleman has expired.

Mr. VAN HOLLEN. I yield the gentleman an additional minute.

Mr. HOYER. And the President of the United States, for contrast, I tell my friend from Georgia, supports this exact alternative.

Will he support others in a compromise? He will. But this is the alternative that he supports, so it's the contrast that the gentleman seeks.

I suggest perhaps we ask unanimous consent that they change their mind. To do so would be devastating, if we don't fix the sequester, to our economy and our ability to create opportunities for America.

It's time that our friends in the majority in this House stop pretending that the sequester is not dangerous or that it can be a viable tool to achieve the fiscal discipline we need. It's not that tool and, in fact, it's very dangerous.

As we move closer toward the March 1 deadline, I want to tell my friend from Georgia, whom I respect, that I would hope that we could engage in a

positive discussion and consideration on this floor of an alternative like Mr. VAN HOLLEN's, not because you will support it, but because it is a viable, effective alternative, and then you provide an effective alternative. There is no alternative in the bill you provide on this floor today.

Mr. PRICE of Georgia. Mr. Chairman, I look forward to that debate as well, but that's not the debate that we're having today. The debate that we're having today is a serious debate about whether or not we're going to get our fiscal house in order and whether or not the President's going to engage in a positive way. The President has put forward budgets that have not shown balance at all, ever.

This is a serious debate. This is not a game. This is a serious debate about a serious issue. The same words were used by the gentleman on the bill that we had on the floor 2 weeks ago, the No Budget, No Pay Act. That was such a game that the Senate passed it and the President signed it.

No, Mr. Chairman, this is serious business, and the American people know it, and they know that it's time for the President and the Democratic-controlled Senate to step up and do their job.

I'm pleased to yield 2 minutes to my friend from Louisiana (Mr. SCALISE).

Mr. SCALISE. Mr. Chairman, I want to thank my colleague, the gentleman from Georgia, for yielding and for bringing forward the Require a PLAN Act.

You know, when our colleagues on the other side talk about games and all of these things that are frustrating and angering the American people, what angers them the most is when they don't see Washington doing their job.

The law says the President, the House, and the Senate have to produce a budget. Now, the House has met its legal obligation the last 2 years; the Senate, they've failed to produce a budget in 4 years; and the President has missed his legal deadline 4 of the last 5 years.

One of my colleagues said that somehow it's the Republicans' fault this year that the President didn't produce the budget on time. Okay. If that's the case, then that means 3 of the other 4 years is he going to blame, like, maybe the dog ate his homework, or maybe blame it on President Bush? At some point, this President's got to take responsibility and live by the same laws that American families live by.

You know, American families, at the end of each year, they sit around the house kitchen table and they do a budget. They actually figure out what their priorities are going to be. And they look to Washington and they see a President and a Senate that literally ignore the law and say they're not going to produce a budget. They're not going to produce a budget that balances. They're not going to produce a

budget that sets priorities. They're just going to keep borrowing money from China and sending the bill to our kids and our grandkids. And then the President wants to come and demand that Congress give him another credit card.

We absolutely have to pay off the debts of the past. But when the President says not only pay those debts off, but give him another credit card so he can keep spending money, but he doesn't even lay out a plan of how he's going to spend the money—and, oh, by the way, whatever he produces never ever balances.

Is it too much just to ask the President when is your budget going to finally get to balance? If it's not next year, if it's not 10 years from now, if it's not 20 years from now, at least put that transparency out there in public.

He said he was going to be the most transparent President ever, and yet, when it comes time to actually deliver, to produce and to show something to the American people, he always wants to blame somebody else.

We've got to stop living crisis to crisis, and one of the ways you stop this crisis of the moment is to finally produce a plan, lay something out. Let's debate it. We can have disagreements over it, but you have to start with a plan, and that's what this bill does. I urge my colleagues to adopt it.

Mr. VAN HOLLEN. Mr. Chairman, I reserve the balance of my time.

Mr. PRICE of Georgia. Mr. Chairman, how much time remains?

The CHAIR. The gentleman from Georgia has 21 minutes remaining. The gentleman from Maryland has 16½ minutes remaining.

Mr. PRICE of Georgia. Mr. Chairman, I'm pleased to yield 1½ minutes to the gentleman from Mississippi (Mr. NUNNELEE), a new member of the Budget Committee.

Mr. NUNNELEE. Mr. Chairman, we've heard the criticism, this is a game. Well, any family that has found themselves in a financial crisis knows this is not a game. I'm one of those families.

Eighteen years ago, I lost my job in a corporate merger. After 48 hours of depression, my wife and I woke up, made a pot of coffee, drew a line down the middle of the page, and on one side we wrote down, this is what we have coming in, on the other side we wrote down, this is how we're going to spend it.

In an economy when far too many of our friends and family members are out of work, there's no question in my mind that while we're debating this, there are families that are going through that exact exercise. Those families that are making those tough decisions in their family budgets have every reason to expect their policymakers to do the same.

We shed tears around the kitchen table that morning. Those families are

shedding tears around the kitchen table right now. They know that's not a game. They expect Washington to come up with a budget, and that's what this bill does.

This bill says, Mr. President, give us a budget. Show us when it balances. Tell us when you have a balanced budget. We ask the President to do the same thing that American families are doing.

Mr. VAN HOLLEN. I reserve the balance of my time.

Mr. PRICE of Georgia. Mr. Chairman, I'm pleased to yield 1½ minutes to the gentleman from Indiana (Mr. MESSER), a new Member of the House.

Mr. MESSER. Mr. Chairman, I rise today in support of H.R. 444, the Require a PLAN Act, and commend my colleague from Georgia, Dr. PRICE, for his hard work on this issue.

I've been surprised by some of the testimony on the other side of the aisle today. This bill says one very simple thing, that the President, when he submits a budget, must say when or whether it balances. The American people deserve to know when the budget proposed by the President will budget. That's all this bill requires.

It doesn't say the President has to balance the budget, though he should. It doesn't say he needs to stop sending money we don't have, though we must. It just asks him to tell the American people, when, if at all, the budget proposal will not be in deficit.

This should not be a partisan issue. Past Presidents should have submitted balanced budgets. Our current President should submit a balanced budget. Future Presidents should do the same.

The Require a PLAN Act is a straightforward, commonsense step in the right direction. I urge my colleagues to support the bill.

Mr. VAN HOLLEN. I reserve the balance of my time.

Mr. PRICE of Georgia. Mr. Chairman, I'm pleased to yield 1½ minutes to the gentleman from Tennessee (Mr. FLEISCHMANN).

Mr. FLEISCHMANN. Mr. Chairman, I rise in support of the Require a PLAN Act. Each year, law requires the President to submit a budget by the first Monday in February. Yesterday President Obama missed this deadline for the fourth time in 5 years.

Mr. Chairman, the American people know what it's like to work through tough times and to live on a budget. When my wife and I started our small business, we made only \$50 the first month. We worked hard and made sacrifices to live within our means. Families across this great Nation are still doing that, and it's embarrassing that the President and Senate Democrats refuse to put forth a plan.

Republicans have produced a budget that made tough choices but reduces our debt and achieves fiscal responsibility. The Require a PLAN Act de-

mands that the President explain to the American people how he intends to do the same. The great people of our Nation deserve at least that.

□ 1520

Mr. VAN HOLLEN. I reserve the balance of my time.

Mr. PRICE of Georgia. I am pleased to yield 2 minutes to the gentleman from Florida (Mr. ROSS).

Mr. ROSS. I thank the gentleman from Georgia for his exceptional work on this particular act.

Mr. Chairman, I rise today in support of the PLAN Act. For the past few years, our government has been operating off of stopgap measures that have led to frequent partisan debates and negotiations, threatening government shutdowns, and withholding pay from our men and women in uniform. At a time when our country is more than \$16 trillion in debt, all of which is saddled on our children and grandchildren, we must act on the years upon years of rampant, runaway Federal spending that has occurred under both political parties. To be effective, we must create a plan for how we spend the hard-earned taxpayers' dollars. That plan is a budget—a budget that needs to balance over time.

The House has passed legislation each year that would work to balance our budget. Since the Senate will not take up our legislation that the country and the people of Florida so desperately need, we are calling upon the President to do his job: to propose a solution that will balance our budget throughout the next 10 years.

The Senate has not passed a budget in nearly 4 years. On Monday, this President, for the fourth time, missed his legally obligated deadline for filing his budget request. We're requiring the Senate and the President to show some leadership by submitting a budget plan to preserve America's future.

Mr. VAN HOLLEN. May I inquire as to how much time remains on each side.

The CHAIR. The gentleman from Maryland has 16½ minutes remaining. The gentleman from Georgia has 16 minutes remaining.

Mr. VAN HOLLEN. Mr. Chairman, if I could inquire, as I understand, we're doing half of the total time tomorrow. Would the Chairman know how much time remains today on each side?

The CHAIR. The gentleman from Maryland has a maximum of 16½ minutes. The gentleman from Georgia has 16 minutes. The Chair cannot enforce informal agreements, and it is up to the gentlemen how much time they wish to consume today.

Mr. PRICE of Georgia. Mr. Chairman, my understanding is that we're each going to take 15 minutes' time, which would allow the gentleman 1½ minutes, and our side will take 1 minute. And I have no more speakers, other than myself to close.

Mr. VAN HOLLEN. That's my understanding, too.

Mr. Chairman, let me just make a couple comments which are 100 percent accurate, just so people watching this can understand what we're all talking about, since there's a lot of confusion. The President is going to submit a budget. He has submitted a budget every year of his 4 years. Our Republican colleagues don't like the budgets that he submits, but they're free to look at them. They're transparent. They're on the Internet. The President was late this year because we worked frantically to avoid the fiscal cliff and reach an agreement on January 2. You need to know what your revenues are going to be before you can put together a budget, number one.

Number two, the House can take whatever action it wants on the President's budget. You can tell the people you don't like it and you can have your own alternative, as you will. But he's going to submit a budget that's transparent, which is why we shouldn't be wasting time talking about this on the floor of the House when in less than 1 month we're going to see these across-the-board meat-ax cuts take place that our Republican colleagues themselves have acknowledged are going to hurt jobs and hurt the economy, which is why we proposed an alternative, a substitute to prevent those meat-ax cuts from taking place. And, unfortunately, our colleagues who keep saying they want an open and transparent process, put the gavel down and said, no, that this House of Representatives isn't going to have a chance to vote on something to prevent the across-the-board sequester cuts. Instead, they just want to keep on whistling by this problem. They haven't taken it up in this Congress.

So I urge my colleagues to get serious, come back with a plan like ours and that will demonstrate, Mr. Chairman, that we're serious.

I reserve the balance of my time.

Mr. PRICE of Georgia. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, this is what it's about. This is the debt of our country right down here. The red path is where we're headed under this President's proposals. The red path results in extreme hardship to all Americans, but especially those at the lower end of the economic spectrum.

We believe that it's extremely important for the Nation to know that the positive, principled, fair, caring solutions that the Republicans put forward to save, strengthen, and secure the programs are in contrast to a specific proposal from the other side. And to date, we haven't seen that proposal. We've seen a lot of speeches. We've heard a lot of wonderful words. But the American people need to know when the President's budget balances. And this bill simply says, Mr. President, tell us

when your budget balances. Very common sense.

Mr. Chairman, I reserve the balance of my time, and I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. RODNEY DAVIS of Illinois) having assumed the chair, Mr. BISHOP of Utah, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 444) to require that, if the President's fiscal year 2014 budget does not achieve balance in a fiscal year covered by such budget, the President shall submit a supplemental unified budget by April 1, 2013, which identifies a fiscal year in which balance is achieved, and for other purposes, had come to no resolution thereon.

CONGRATULATING DAN FISHER ON HIS RETIREMENT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today I rise to congratulate Dan Fisher, the superintendent for the Bald Eagle School District in Centre County, Pennsylvania, on his upcoming retirement and for his 40 years of education service. Dan Fisher began his education career at Bald Eagle Area School District as a teacher in 1973. I had the privilege of having Mr. Fisher as a teacher, where I first learned the workings of government in a constitutional Republic. Dan later went on to become the assistant principal in 1982, the assistant superintendent in 1985, and the district superintendent in 1989, where he served for 23 years.

I have had the honor of serving on the Bald Eagle Area School Board with Mr. Fisher's leadership as superintendent. Dan has been a visionary for education and improving educational outcomes. Superintendent Fisher has tirelessly served as a leader in our community for the past 40 years.

Thank you, Dan, for being such a tireless advocate for our kids. Thank you for being a friend to me and also my family. I wish you the very best in retirement.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CICILLINE (at the request of Ms. PELOSI) for today on account of illness.

Mr. CRAWFORD (at the request of Mr. CANTOR) for today on account of a family emergency.

Mr. SENSENBRENNER (at the request of Mr. CANTOR) for today on account of illness.

ADJOURNMENT

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 28 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, February 6, 2013, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

197. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Epoxy Polymer; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2012-0615; FRL-9369-7] received January 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

198. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Labeling of Pesticide Products and Devices for Export; Clarification of Requirements [EPA-HQ-OPP-2009-0607; FRL-9360-8] (RIN: 2070-AJ59) received January 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

199. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri; Control of Sulfur Emissions from Stationary Boilers [EPA-R07-OAR-2012-0763; FRL-9772-6] received January 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

200. A letter from the Program Manager, Centers for Disease Control and Prevention, transmitting the Centers' final rule — Self-Contained Breathing Apparatus Remaining Service-Life Indicator Performance Requirements [Docket No.: CDC-2012-0009; NIOSH-285] (RIN: 0920-AA38) received January 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

201. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedures for Microwave Ovens [Docket No.: EERE-2008-BT-TP-0011] (RIN: 1904-AB78) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

202. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval, Disapproval and Promulgation of State Implementation Plans; State of Utah; Regional Haze Rule Requirements for Mandatory Class I Areas under 40 CFR 51.309; Correction [EPA-R08-OAR-2011-0114; FRL-9771-9] received January 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

203. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Placer County Air Pollution Control District [EPA-R09-OAR-2012-0849; FRL-9760-4] received January 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

204. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Massachusetts and New Hampshire; Enhanced Motor Vehicle Inspection and Maintenance Program [EPA-R01-OAR-2009-0433; EPA-R01-OAR-2012-0149; A-1-FRL-9754-6] received January 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

205. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Alabama; Redesignation of the Birmingham 1997 Annual Fine Particulate Matter Non-attainment Area to Attainment [EPA-R04-OAR-2011-0316; FRL-9771-1] received January 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

206. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Alabama; Redesignation of the Birmingham 2006 24-Hour Fine Particulate Matter Non-attainment Area to Attainment [EPA-R04-OAR-2011-0043; FRL-9771-2] received January 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

207. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, South Coast Air Quality Management District [EPA-R09-OAR-2012-0611; FRL-9755-9] received January 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

208. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Oil and Hazardous Substances Pollution Contingency Plan; Revision to Increase Public Availability of the Administrative Record File [EPA-HQ-SFUND-2012-0738; FRL-9772-9] (RIN: 2050-AG73) received January 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

209. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emissions Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines; New Source Performance Standards for Stationary Internal Combustion Engines [EPA-HQ-OAR-2008-0708; FRL-9756-4] (RIN: 2060-AQ58) received January 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

210. A letter from the Secretary, Department of the Treasury, transmitting the Fiscal Year (FY) 2012 Financial Report of the U.S. Government; to the Committee on Oversight and Government Reform.

211. A letter from the Director, Office of Congressional Affairs, Federal Election Commission, transmitting in accordance with Section 647(b) of Title VI of the Consolidated Appropriations Act, FY 2004, Pub. L. 108-199, the Commission's Report to Congress on FY 2012 Competitive Sourcing Efforts; to the Committee on Oversight and Government Reform.

212. A letter from the Administrator, FEMA, Department of Homeland Security,

transmitting a notification that funding under Title V, subsection 503(b)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, has exceeded \$5 million for the cost of response and recovery efforts for FEMA-3356-EM in the Commonwealth of Pennsylvania; to the Committee on Transportation and Infrastructure.

213. A letter from the General Counsel, National Mediation Board, transmitting the Board's final rule — Representation Procedures and Rulemaking Authority [Docket No.: C-7034] (RIN: 3140-ZA01) received January 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

214. A letter from the Branch Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Extension of Guidance in Notice 2011-14 and Rev. Proc. 2011-55 for Participants in the HFA Hardest Hit Fund, the Emergency Homeowners' Loan Program, and Substantially Similar State Programs [Notice 2013-7] received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

215. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — 2013 Cost-of-Living Adjustments to Certain Tax Items (Rev. Proc. 2013-15) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

216. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Application of Retroactive Increase in Excludible Transit Benefits [Notice 2013-8] received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HUIZENGA of Michigan (for himself, Mrs. HARTZLER, Mrs. ROBY, Mr. BACHUS, Mr. CRAMER, Mr. FINCHER, Mr. FLEMING, Mr. FRANKS of Arizona, Mr. HULTGREN, Mr. JONES, Mr. LAMBORN, Mr. LATTA, Mr. LUETKEMEYER, Mr. MARCHANT, Mr. PEARCE, Mr. POMPEO, Mr. KELLY, and Mr. BOUSTANY):

H.R. 493. A bill to prohibit funds appropriated for the Department of Homeland Security from being used to pay for an abortion, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GERLACH (for himself, Mr. NEAL, Mr. PAULSEN, Mr. BLUMENAUER, Mr. DEFAZIO, and Mr. MCHENNY):

H.R. 494. A bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain qualifying producers; to the Committee on Ways and Means.

By Mr. ROSKAM (for himself and Mr. KIND):

H.R. 495. A bill to make the Internal Revenue Service Free File Program permanent; to the Committee on Ways and Means.

By Mr. CAMP:

H.R. 496. A bill to require amounts remaining in Members' representational allowances at the end of a fiscal year to be used for deficit reduction or to reduce the Federal debt, and for other purposes; to the Committee on House Administration.

By Mr. BARLETTA (for himself and Mr. SCHNEIDER):

H.R. 497. A bill to allow that certain Federal job training and career education programs give priority to programs that lead to recognized postsecondary credentials; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROYBAL-ALLARD (for herself, Mr. WOLF, and Ms. DELAURO):

H.R. 498. A bill to provide for programs and activities with respect to the prevention of underage drinking; to the Committee on Energy and Commerce.

By Mr. POLIS (for himself, Mr. BLUMENAUER, Mr. COHEN, Ms. LEE of California, Ms. SCHAKOWSKY, Mr. NADLER, Mr. HUFFMAN, Mr. HONDA, Mr. MORAN, and Ms. NORTON):

H.R. 499. A bill to decriminalize marijuana at the Federal level, to leave to the States a power to regulate marijuana that is similar to the power they have to regulate alcohol, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Ways and Means, Natural Resources, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAYSON:

H.R. 500. A bill to amend title XVIII of the Social Security Act to provide for an option for any citizen or permanent resident of the United States to buy into Medicare; to the Committee on Ways and Means.

By Mr. BLUMENAUER (for himself, Mr. POLIS, and Mr. COHEN):

H.R. 501. A bill to amend the Internal Revenue Code of 1986 to provide for the taxation of marijuana, and for other purposes; to the Committee on Ways and Means.

By Mr. DEFAZIO:

H.R. 502. A bill to create an electronic employment eligibility verification system to ensure that all workers in the United States are legally able to work, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROE of Tennessee (for himself, Mr. DUNCAN of Tennessee, Mr. YOUNG of Alaska, Mr. PALAZZO, Mr. BISHOP of New York, Mr. WOLF, Mr. JONES, Mr. COOK, Mr. WALDEN, Mr. HALL, Mr. JOYCE, Mr. WHITFIELD, and Mr. MEADOWS):

H.R. 503. A bill to authorize the National Desert Storm Memorial Association to establish the National Desert Storm and Desert Shield Memorial as a commemorative work in the District of Columbia, and for other purposes; to the Committee on Natural Resources.

By Mr. CULBERSON (for himself, Mr. CHABOT, Mr. HULTGREN, Mr. MCKINLEY, and Mr. THOMPSON of Pennsylvania):

H.R. 504. A bill to save at least \$10,000,000,000 by consolidating some duplicative and overlapping Government programs; to the Committee on Oversight and Government Reform, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ELLISON (for himself, Mr. GRIJALVA, Mr. CONYERS, Mr. McDERMOTT, Ms. CLARKE, Mr. NADLER, Ms. LEE of California, Mr. MARKEY, Ms. SCHAKOWSKY, Ms. CHU, Mr. COHEN, Mr. CLAY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GRAYSON, and Mr. GUTIERREZ):

H.R. 505. A bill to repeal sequester while achieving balance in deficit reduction between revenue and cuts, and between non-defense cuts and defense cuts, to invest in job creation, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on the Budget, Oversight and Government Reform, Armed Services, Education and the Workforce, Transportation and Infrastructure, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN (for himself, Mr. POE of Texas, Mr. COSTA, Ms. BORDALLO, and Mr. DEUTCH):

H.R. 506. A bill to amend title 18, United States Code, to strengthen enforcement of spousal court-ordered property distributions, and for other purposes; to the Committee on the Judiciary.

By Mr. GRIJALVA:

H.R. 507. A bill to provide for the conveyance of certain land inholdings owned by the United States to the Pascua Yaqui Tribe of Arizona, and for other purposes; to the Committee on Natural Resources.

By Mr. GRIMM (for himself, Mrs. CAROLYN B. MALONEY of New York, Mr. SESSIONS, Mr. CARSON of Indiana, Mr. KING of New York, Mr. MEEKS, Mr. ROSS, Mr. BISHOP of New York, Mr. DUFFY, and Mrs. MCCARTHY of New York):

H.R. 508. A bill to extend the Terrorism Risk Insurance Program for five years; to the Committee on Financial Services.

By Mr. HARPER (for himself and Mrs. McMORRIS RODGERS):

H.R. 509. A bill to amend the Rehabilitation Act of 1973 to authorize grants for the transition of youths with significant disabilities to adulthood, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HARPER (for himself and Mrs. McMORRIS RODGERS):

H.R. 510. A bill to amend the Individuals with Disabilities Education Act to make improvements to the individualized education program under that Act and facilitate the transition of children with disabilities to adulthood, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HARPER (for himself and Mrs. McMORRIS RODGERS):

H.R. 511. A bill to amend the Developmental Disabilities Assistance and Bill of Rights Act of 2000 to provide assistance to States for development and implementation of an individual transition plan for each individual with a developmental disability in the State who is making the transition from the secondary school system into adulthood, and

for other purposes; to the Committee on Energy and Commerce.

By Mr. SABLAN (for himself, Ms. BORDALLO, Mr. FALEOMAVAEGA, and Mrs. CHRISTENSEN):

H.R. 512. A bill to encourage students from American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the United States Virgin Islands to become civically engaged through local and Federal government fellowships; to the Committee on Natural Resources.

By Mr. HARRIS (for himself, Mr. RANGEL, and Mr. HANNA):

H.R. 513. A bill to establish the Harriet Tubman National Historical Park in Auburn, New York, and the Harriet Tubman Underground Railroad National Historical Park in Caroline, Dorchester, and Talbot Counties, Maryland, and for other purposes; to the Committee on Natural Resources.

By Mr. HASTINGS of Florida:

H.R. 514. A bill to amend the Internal Revenue Code of 1986 to allow individuals to designate overpayments of income tax for disaster relief; to the Committee on Ways and Means, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL (for himself, Mr. GRIJALVA, Mr. HONDA, Ms. NORTON, Ms. DELAUNO, Mr. GEORGE MILLER of California, Mr. CLAY, and Mr. SERRANO):

H.R. 515. A bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter; to the Committee on Education and the Workforce, and in addition to the Committees on Oversight and Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MAFFEI:

H.R. 516. A bill to extend the payroll tax reduction; to the Committee on Ways and Means.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Ms. NORTON, Mr. CONNOLLY, Mr. GEORGE MILLER of California, Mr. CONYERS, and Mr. GRIJALVA):

H.R. 517. A bill to provide that 4 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARKEY (for himself, Mrs. NAPOLITANO, Mr. BEN RAY LUJAN of New Mexico, Mr. GRIJALVA, Mr. SABLAN, Mr. HOLT, Ms. HANABUSA, Ms. CHU, Ms. SLAUGHTER, Mr. HINOJOSA, and Mr. RANGEL):

H.R. 518. A bill to amend the Reclamation States Emergency Drought Relief Act of 1991 for the purposes of extending the Reclamation States Emergency Drought Relief Act of 1991 through 2018, and for other purposes; to the Committee on Natural Resources.

By Mr. NADLER (for himself, Mr. HANNA, Mr. GUTIERREZ, Mr. DENT, Mr. POLIS, Mr. CICILLINE, Mr. SEAN PATRICK MALONEY of New York, Mr. POCAN, Ms. SINEMA, Mr. TAKANO, Mr.

CONYERS, Ms. LOFGREN, Ms. PELOSI, Mr. HOYER, Mr. HONDA, Mr. VAN HOLLEN, and Mr. GARCIA):

H.R. 519. A bill to amend the Immigration and Nationality Act to promote family unity, and for other purposes; to the Committee on the Judiciary.

By Ms. SPEIER (for herself, Ms. BORDALLO, Mr. CLAY, Mr. CONYERS, Mr. ELLISON, Ms. ESHOO, Mr. FARR, Mr. ISRAEL, Ms. LEE of California, Mr. McDERMOTT, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. NADLER, Ms. NORTON, Mr. THOMPSON of Mississippi, Mr. HUFFMAN, and Mr. GRIJALVA):

H.R. 520. A bill to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, and for other purposes; to the Committee on Natural Resources.

By Mr. BECERRA:

H. Res. 52. A resolution electing Members to a certain standing committee of the House of Representatives; considered and agreed to.

By Mrs. McMORRIS RODGERS:

H. Res. 53. A resolution electing Members to a standing committee of the House of Representatives; considered and agreed to.

By Mr. CONYERS (for himself, Mrs.

ROBY, Mr. DELANEY, Mr. SCOTT of Virginia, Mr. PETERS of Michigan, Mr. LEWIS, Mr. CAMP, Mr. CLAY, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Ms. CLARKE, Mr. COHEN, Mr. RANGEL, Ms. SEWELL of Alabama, Mr. THOMPSON of Mississippi, Ms. WILSON of Florida, Mrs. BEATTY, Ms. BROWN of Florida, Mr. BISHOP of Georgia, Mr. CLEAVER, Mr. AL GREEN of Texas, Mr. CUMMINGS, Ms. EDWARDS, Ms. FUDGE, Ms. CHU, Mr. DANNY K. DAVIS of Illinois, Mr. DINGELL, Mr. FATTAH, Ms. MCCOLLUM, Ms. MOORE, Mr. NADLER, Ms. NORTON, Mr. MEEKS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUSH, Mr. WATT, Mr. JOHNSON of Georgia, Mr. VELA, Mr. BACHUS, Mr. RUIZ, and Mr. BONNER):

H. Res. 54. A resolution observing the 100th birthday of civil rights icon Rosa Parks and commemorating her legacy; to the Committee on the Judiciary.

By Ms. WILSON of Florida (for herself, Mr. CLEAVER, Mrs. CHRISTENSEN, Ms. SEWELL of Alabama, Mr. RUSH, Ms. LEE of California, Ms. JACKSON LEE, Mr. RICHMOND, Ms. CHU, Mr. BROWN of Florida, Ms. NORTON, Mr. CONYERS, and Mr. DANNY K. DAVIS of Illinois):

H. Res. 55. A resolution honoring the life of Trayvon Martin, urging the repeal of Stand Your Ground laws, and calling on the United States Government to address the crisis of racial profiling; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. HUIZENGA of Michigan:

H.R. 493.

Congress has the power to enact this legislation pursuant to the following:

The Spending Clause in Article I, Section 8, Clause 1 of the Constitution.

By Mr. GERLACH:

H.R. 494.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. ROSKAM:

H.R. 495.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, which states "The Congress shall have Power To lay and collect Taxes," and Article I, Section 7, which states "All Bills for raising Revenue shall originate in the House of Representatives."

By Mr. CAMP:

H.R. 496.

Congress has the power to enact this legislation pursuant to the following:

Clause 7 of section 9 of article 1 of the Constitution.

By Mr. BARLETTA:

H.R. 497.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1, 3, and 18 of the United States Constitution.

By Ms. ROYBAL-ALLARD:

H.R. 498.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. POLIS:

H.R. 499.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States); and Article I, section 8, clause 3 (relating to the power to regulate interstate commerce).

By Mr. GRAYSON:

H.R. 500.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3
The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. BLUMENAUER:

H.R. 501.

Congress has the power to enact this legislation pursuant to the following:

The Constitution of the United States provides clear authority for Congress to pass tax legislation. Article I of the Constitution, in detailing Congressional authority, provides that "Congress shall have Power to lay and collect Taxes . . ." (Section 8, Clause 1). This legislation is introduced pursuant to that grant of authority.

By Mr. DEFAZIO:

H.R. 502.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8:

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

By Mr. ROE of Tennessee:

H.R. 503.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8, Clause 17 of the United States Constitution.

By Mr. CULBERSON:

H.R. 504.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7 which states in part: "No Money shall be drawn from the Treasury but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

By Mr. ELLISON:

H.R. 505.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1, 3, 12, 13, 14, and 18

By Mr. COHEN:

H.R. 506.

Congress has the power to enact this legislation pursuant to the following:

Clauses 3 of Article I, Section 8 of the United States Constitution.

By Mr. GRIJALVA:

H.R. 507.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. GRIMM:

H.R. 508.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3
The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. HARPER:

H.R. 509.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clause 1

By Mr. HARPER:

H.R. 510.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clause 1

By Mr. HARPER:

H.R. 511.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clause 1

By Mr. SABLAN:

H.R. 512.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the Constitution, Congress has the power to collect taxes and expend funds to provide for the general welfare of the United States. Congress may also make laws that are necessary and proper for carrying into execution their powers enumerated under Article I.

By Mr. HARRIS:

H.R. 513.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the U.S. Constitution, relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress. Also this legislation can be enacted under the authority granted in Article 4, Section 3, Clause 2, relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

By Mr. HASTINGS of Florida:

H.R. 514.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the Constitution of the United States, including but

not limited to Article I, Section 8, Clauses 1 and 3.

By Mr. ISRAEL:

H.R. 515.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. MAFFEI:

H.R. 516.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 and Clause 18 of Section 8, of Article 1 of the United States Constitution.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 517.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. MARKEY:

H.R. 518.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8

By Mr. NADLER:

H.R. 519.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 4 and 18 of the Constitution.

By Ms. SPEIER:

H.R. 520.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: Congress shall have the power to regulate commerce among the states, and provide for the general welfare.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 11: Mr. CLYBURN, Mr. PASTOR of Arizona, Mr. RICHMOND, and Mr. CARTWRIGHT.

H.R. 22: Mr. CHAFFETZ.

H.R. 55: Mr. JONES and Mr. WITTMAN.

H.R. 57: Mr. BENTIVOLIO.

H.R. 61: Mr. KLINE.

H.R. 93: Mr. TIERNEY, Mr. PRICE of North Carolina, and Mr. ISRAEL.

H.R. 111: Ms. MCCOLLUM, Mr. MEEKS, Mr. SCOTT of Virginia, Ms. SCHAKOWSKY, Mr. YOUNG of Alaska, Mr. ANDREWS, Mr. TONKO, Mr. TAKANO, Ms. ESHOO, Mr. CLAY, Mr. HASTINGS of Florida, and Mr. HECK of Nevada.

H.R. 137: Ms. HAHN, Ms. LEE of California, Mr. FARR, Mrs. LOWEY, Mr. HIGGINS, Ms. CHU, Mr. FATTAH, and Mr. PASTOR of Arizona.

H.R. 138: Ms. HAHN, Mrs. LOWEY, Ms. CHU, Mr. PASTOR of Arizona, and Mr. LYNCH.

H.R. 141: Ms. HAHN, Mrs. LOWEY, Ms. CHU, Mr. PRICE of North Carolina, and Mr. PASTOR of Arizona.

H.R. 142: Ms. HAHN, Mrs. LOWEY, Ms. CHU, and Mr. LYNCH.

H.R. 168: Mr. BENTIVOLIO and Mr. ROKITA.

H.R. 182: Ms. BORDALLO.

H.R. 203: Mr. ROKITA and Mr. CALVERT.

H.R. 217: Mr. CAMP.

H.R. 258: Mr. GERLACH, Mr. WALDEN, and Mr. ISSA.

H.R. 260: Mr. GINGREY of Georgia.

H.R. 262: Mr. CARTWRIGHT.

H.R. 268: Mr. WAXMAN, Mr. WELCH, and Mr. HUFFMAN.

H.R. 300: Mr. ROSKAM.

H.R. 301: Mr. HUELSKAMP, Mrs. ELLMERS, Ms. SCHAKOWSKY, Mr. WALBERG, Mr. FORTENBERRY, Mr. HUIZENGA of Michigan, Mr. ROGERS of Alabama, Mrs. BACHMANN, and Mrs. HARTZLER.

H.R. 303: Mr. WITTMAN, Mr. WALDEN, Mr. COURTNEY, Mr. LATTA, Mr. PRICE of North Carolina, Mr. YOUNG of Florida, Mr. MCGOVERN, Mr. MURPHY of Pennsylvania, and Mr. CALVERT.

H.R. 312: Ms. BROWNLEY of California and Mr. POCAN.

H.R. 317: Mr. AUSTIN SCOTT of Georgia, Mr. PEARCE, and Mr. FLEMING.

H.R. 318: Mr. KLINE.

H.R. 320: Mr. LOEBSACK, Mr. ENYART, Mr. MCGOVERN, Mr. ELLISON, Mr. HIGGINS, Ms. JACKSON LEE, Mr. LEWIS, Ms. BROWNLEY of California, Ms. ROYBAL-ALLARD, Mr. QUIGLEY, and Mr. SCOTT of Virginia.

H.R. 321: Mr. LARSEN of Washington, Mr. POCAN, and Mr. LYNCH.

H.R. 322: Mr. ISSA and Mr. PAULSEN.

H.R. 324: Mr. LATTA.

H.R. 334: Mr. HUIZENGA of Michigan.

H.R. 352: Mr. HENSARLING.

H.R. 360: Mr. RICHMOND, Mr. DANNY K. DAVIS of Illinois, Mr. NEAL, Mr. JOHNSON of Georgia, Ms. FUDGE, Ms. JACKSON LEE, Mr. RUSH, Mr. THOMPSON of Mississippi, Mr. CONYERS, Mr. CUMMINGS, Ms. MOORE, Ms. NORTON, Mrs. BEATTY, Mr. MEEKS, Ms. SCHWARTZ, Mr. ENYART, Ms. HAHN, Mr. WELCH, Mr. GRIJALVA, Ms. LEE of California, Mr. FATTAH, Mr. CLAY, and Ms. ESHOO.

H.R. 367: Mr. WITTMAN and Mr. PAULSEN.

H.R. 375: Mr. CARSON of Indiana, Mr. DINGELL, Mr. ELLISON, Mr. BRADY of Pennsylvania, and Mr. SEAN PATRICK MALONEY of New York.

H.R. 376: Mr. BISHOP of New York, Mr. PETERS of California, Mrs. NAPOLITANO, Mr. SCHIFF, Mr. FARR, Mr. GRIJALVA, and Ms. BROWNLEY of California.

H.R. 400: Ms. SLAUGHTER.

H.R. 403: Mrs. CHRISTENSEN.

H.R. 411: Ms. BORDALLO.

H.R. 425: Mr. MILLER of Florida.

H.R. 431: Mrs. CAROLYN B. MALONEY of New York, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. RANGEL, Mr. TIERNEY, and Mr. SWALWELL of California.

H.R. 437: Mr. HIGGINS, Ms. CHU, Ms. FUDGE, Mr. MARKEY, Mr. COURTNEY, and Mr. POCAN.

H.R. 444: Mr. CALVERT, Mr. SALMON, Mr. LATTA, Mr. HALL, Mr. GOSAR, Mr. FLORES, Mr. GIBBS, Mr. MULVANEY, Mr. LAMBORN, Mr. BILIRAKIS, Mr. WILLIAMS, Mr. GRIFFIN of Arkansas, Mr. WITTMAN, Mr. REED, Mr. FLEISCHMANN, Mr. DESANTIS, Mrs. WALORSKI, Mr. CASSIDY, Mr. WEBER of Texas, Mr. BARLETTA, Mr. JORDAN, Mr. RICE of South Carolina, Mr. BARTON, Mr. DAINES, Mr. PERRY, Mr. PITTS, Mr. NEUGEBAUER, Mr. CONAWAY, Mr. MARCHANT, Mr. ROE of Tennessee, Mr. HARRIS, Mr. OLSON, Mr. BROOKS of Alabama, Mr. MCCLINTOCK, Mr. GARDNER, and Mr. LAMALFA.

H.R. 455: Mr. DINGELL, Mr. PETERS of Michigan, and Mr. PRICE of North Carolina.

H.R. 475: Mr. NEAL.

H. Con. Res. 10: Ms. LINDA T. SÁNCHEZ of California.

H. Res. 30: Ms. MCCOLLUM, Mrs. CAROLYN B. MALONEY of New York, Mr. RYAN of Ohio, Mr. PETERS of Michigan, Mr. LOBIONDO, Mr. KING of New York, Mr. LEVIN, Mr. GRIMM, Ms. MENG, Mr. SCHIFF, Mr. GIBSON, Mr. DEUTCH, Mr. RANGEL, and Mr. OWENS.

H. Res. 31: Mr. CONYERS.

H. Res. 36: Mr. GOHMERT, Mr. MULVANEY, Mr. STIVERS, and Mr. STOCKMAN.

H. Res. 50: Mr. MCGOVERN.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 444

OFFERED BY: MR. VAN HOLLEN

AMENDMENT NO. 1: Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Balanced Approach to Deficit Reduction”.

SEC. 2. TABLE OF CONTENTS.

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—BUDGET PROCESS AMENDMENTS TO REPLACE FISCAL YEAR 2013 SEQUESTRATION

Sec. 101. Repeal and replace the 2013 sequester.

Sec. 102. Protecting veterans programs from sequester.

TITLE II—AGRICULTURAL SAVINGS

Sec. 201. One-year extension of agricultural commodity programs, except direct payment programs.

TITLE III—OIL AND GAS SUBSIDIES

Sec. 301. Limitation on section 199 deduction attributable to oil, natural gas, or primary products thereof.

Sec. 302. Prohibition on using last-in, first-out accounting for major integrated oil companies.

Sec. 303. Modifications of foreign tax credit rules applicable to major integrated oil companies which are dual capacity taxpayers.

TITLE IV—THE BUFFETT RULE

Sec. 401. Fair share tax on high-income taxpayers.

TITLE V—SENSE OF THE HOUSE

Sec. 501. Sense of the House on the need for a fair, balanced and bipartisan approach to long-term deficit reduction.

TITLE I—BUDGET PROCESS AMENDMENTS TO REPLACE FISCAL YEAR 2013 SEQUESTRATION

SEC. 101. REPEAL AND REPLACE THE 2013 SEQUESTER.

(a) ELIMINATION OF THE FISCAL YEAR 2013 SEQUESTRATION FOR DISCRETIONARY SPENDING.—Section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 is repealed.

(b) ELIMINATION OF THE FISCAL YEAR 2013 SEQUESTRATION FOR DIRECT SPENDING.—Any sequestration order issued by the President under the Balanced Budget and Emergency Deficit Control Act of 1985 to carry out reductions to direct spending for fiscal year 2013 pursuant to section 251A of such Act shall have no force or effect.

(c) SAVINGS.—The savings set forth by the enactment of title II shall achieve the savings that would otherwise have occurred as a result of the sequestration under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 102. PROTECTING VETERANS PROGRAMS FROM SEQUESTER.

Section 256(e)(2)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985 is repealed.

TITLE II—AGRICULTURAL SAVINGS

SEC. 201. ONE-YEAR EXTENSION OF AGRICULTURAL COMMODITY PROGRAMS, EXCEPT DIRECT PAYMENT PROGRAMS.

(a) EXTENSION.—Except as provided in subsection (b) and notwithstanding any other provision of law, the authorities provided by each provision of title I of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1651) and each amendment made by that title (and for mandatory

programs at such funding levels), as in effect on September 30, 2013, shall continue, and the Secretary of Agriculture shall carry out the authorities, until September 30, 2014.

(b) TERMINATION OF DIRECT PAYMENT PROGRAMS.—

(1) COVERED COMMODITIES.—The extension provided by subsection (a) shall not apply with respect to the direct payment program under section 1103 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8713).

(2) PEANUTS.—The extension provided by subsection (a) shall not apply with respect to the direct payment program under section 1303 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7953).

(c) EFFECTIVE DATE.—This section shall take effect on the earlier of—

(1) the date of the enactment of this Act; and

(2) September 30, 2013.

TITLE III—OIL AND GAS SUBSIDIES

SEC. 301. LIMITATION ON SECTION 199 DEDUCTION ATTRIBUTABLE TO OIL, NATURAL GAS, OR PRIMARY PRODUCTS THEREOF.

(a) DENIAL OF DEDUCTION.—Paragraph (4) of section 199(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(E) SPECIAL RULE FOR CERTAIN OIL AND GAS INCOME.—In the case of any taxpayer who is a major integrated oil company (as defined in section 167(h)(5)(B)) for the taxable year, the term ‘domestic production gross receipts’ shall not include gross receipts from the production, transportation, or distribution of oil, natural gas, or any primary product (within the meaning of subsection (d)(9)) thereof.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years ending after December 31, 2013.

SEC. 302. PROHIBITION ON USING LAST-IN, FIRST-OUT ACCOUNTING FOR MAJOR INTEGRATED OIL COMPANIES.

(a) IN GENERAL.—Section 472 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(h) MAJOR INTEGRATED OIL COMPANIES.—Notwithstanding any other provision of this section, a major integrated oil company (as defined in section 167(h)(5)(B)) may not use the method provided in subsection (b) in inventorying of any goods.”.

(b) EFFECTIVE DATE AND SPECIAL RULE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply to taxable years ending after December 31, 2013.

(2) CHANGE IN METHOD OF ACCOUNTING.—In the case of any taxpayer required by the amendment made by this section to change its method of accounting for its first taxable year ending after December 31, 2013—

(A) such change shall be treated as initiated by the taxpayer,

(B) such change shall be treated as made with the consent of the Secretary of the Treasury, and

(C) the net amount of the adjustments required to be taken into account by the taxpayer under section 481 of the Internal Revenue Code of 1986 shall be taken into account ratably over a period (not greater than 8 taxable years) beginning with such first taxable year.

SEC. 303. MODIFICATIONS OF FOREIGN TAX CREDIT RULES APPLICABLE TO MAJOR INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.

(a) IN GENERAL.—Section 901 of the Internal Revenue Code of 1986 is amended by redesignating subsection (n) as subsection (o)

and by inserting after subsection (m) the following new subsection:

“(n) SPECIAL RULES RELATING TO MAJOR INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.—

“(1) GENERAL RULE.—Notwithstanding any other provision of this chapter, any amount paid or accrued by a dual capacity taxpayer which is a major integrated oil company (as defined in section 167(h)(5)(B)) to a foreign country or possession of the United States for any period shall not be considered a tax—

“(A) if, for such period, the foreign country or possession does not impose a generally applicable income tax, or

“(B) to the extent such amount exceeds the amount (determined in accordance with regulations) which—

“(i) is paid by such dual capacity taxpayer pursuant to the generally applicable income tax imposed by the country or possession, or

“(ii) would be paid if the generally applicable income tax imposed by the country or possession were applicable to such dual capacity taxpayer.

Nothing in this paragraph shall be construed to imply the proper treatment of any such amount not in excess of the amount determined under subparagraph (B).

“(2) DUAL CAPACITY TAXPAYER.—For purposes of this subsection, the term ‘dual capacity taxpayer’ means, with respect to any foreign country or possession of the United States, a person who—

“(A) is subject to a levy of such country or possession, and

“(B) receives (or will receive) directly or indirectly a specific economic benefit (as determined in accordance with regulations) from such country or possession.

“(3) GENERALLY APPLICABLE INCOME TAX.—For purposes of this subsection—

“(A) IN GENERAL.—The term ‘generally applicable income tax’ means an income tax (or a series of income taxes) which is generally imposed under the laws of a foreign country or possession on income derived from the conduct of a trade or business within such country or possession.

“(B) EXCEPTIONS.—Such term shall not include a tax unless it has substantial application, by its terms and in practice, to—

“(i) persons who are not dual capacity taxpayers, and

“(ii) persons who are citizens or residents of the foreign country or possession.”.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxes paid or accrued in taxable years beginning after the date of the enactment of this Act.

(2) CONTRARY TREATY OBLIGATIONS UPHOLD.—The amendments made by this section shall not apply to the extent contrary to any treaty obligation of the United States.

TITLE IV—THE BUFFETT RULE

SEC. 401. FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS.

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

“PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS

“SEC. 59B. FAIR SHARE TAX.

“(a) GENERAL RULE.—

“(1) PHASE-IN OF TAX.—In the case of any high-income taxpayer, there is hereby im-

posed for a taxable year (in addition to any other tax imposed by this subtitle) a tax equal to the product of—

“(A) the amount determined under paragraph (2), and

“(B) a fraction (not to exceed 1)—

“(i) the numerator of which is the excess of—

“(I) the taxpayer’s adjusted gross income, over

“(II) the dollar amount in effect under subsection (c)(1), and

“(ii) the denominator of which is the dollar amount in effect under subsection (c)(1).

“(2) AMOUNT OF TAX.—The amount of tax determined under this paragraph is an amount equal to the excess (if any) of—

“(A) the tentative fair share tax for the taxable year, over

“(B) the excess of—

“(i) the sum of—

“(I) the regular tax liability (as defined in section 26(b)) for the taxable year,

“(II) the tax imposed by section 55 for the taxable year, plus

“(III) the payroll tax for the taxable year, over

“(ii) the credits allowable under part IV of subchapter A (other than sections 27(a), 31, and 34).

“(b) TENTATIVE FAIR SHARE TAX.—For purposes of this section—

“(1) IN GENERAL.—The tentative fair share tax for the taxable year is 30 percent of the excess of—

“(A) the adjusted gross income of the taxpayer, over

“(B) the modified charitable contribution deduction for the taxable year.

“(2) MODIFIED CHARITABLE CONTRIBUTION DEDUCTION.—For purposes of paragraph (1)—

“(A) IN GENERAL.—The modified charitable contribution deduction for any taxable year is an amount equal to the amount which bears the same ratio to the deduction allowable under section 170 (section 642(c) in the case of a trust or estate) for such taxable year as—

“(i) the amount of itemized deductions allowable under the regular tax (as defined in section 55) for such taxable year, determined after the application of section 68, bears to

“(ii) such amount, determined before the application of section 68.

“(B) TAXPAYER MUST ITEMIZE.—In the case of any individual who does not elect to itemize deductions for the taxable year, the modified charitable contribution deduction shall be zero.

“(c) HIGH-INCOME TAXPAYER.—For purposes of this section—

“(1) IN GENERAL.—The term ‘high-income taxpayer’ means, with respect to any taxable year, any taxpayer (other than a corporation) with an adjusted gross income for such taxable year in excess of \$1,000,000 (50 percent of such amount in the case of a married individual who files a separate return).

“(2) INFLATION ADJUSTMENT.—

“(A) IN GENERAL.—In the case of a taxable year beginning after 2014, the \$1,000,000 amount under paragraph (1) shall be increased by an amount equal to—

“(i) such dollar amount, multiplied by

“(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting ‘calendar year 2013’

for ‘calendar year 1992’ in subparagraph (B) thereof.

“(B) ROUNDING.—If any amount as adjusted under subparagraph (A) is not a multiple of \$10,000, such amount shall be rounded to the next lowest multiple of \$10,000.

“(d) PAYROLL TAX.—For purposes of this section, the payroll tax for any taxable year is an amount equal to the excess of—

“(1) the taxes imposed on the taxpayer under sections 1401, 1411, 3101, 3201, and 3211(a) (to the extent such taxes are attributable to the rate of tax in effect under section 3101) with respect to such taxable year or wages or compensation received during the taxable year, over

“(2) the deduction allowable under section 164(f) for such taxable year.

“(e) SPECIAL RULE FOR ESTATES AND TRUSTS.—For purposes of this section, in the case of an estate or trust, adjusted gross income shall be computed in the manner described in section 67(e).

“(f) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter (other than the credit allowed under section 27(a)) or for purposes of section 55.”.

(b) CONFORMING AMENDMENT.—Section 26(b)(2) of such Code is amended by redesignating subparagraphs (C) through (X) as subparagraphs (D) through (Y), respectively, and by inserting after subparagraph (B) the following new subparagraph:

“(C) section 59B (relating to fair share tax).”.

(c) CLERICAL AMENDMENT.—The table of parts for subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:

“Part VII—Fair Share Tax on High-Income Taxpayers”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

TITLE V—SENSE OF THE HOUSE

SEC. 501. SENSE OF THE HOUSE ON THE NEED FOR A FAIR, BALANCED AND BIPARTISAN APPROACH TO LONG-TERM DEFICIT REDUCTION.

(a) The House finds that—

(1) every bipartisan commission has recommended—and the majority of Americans agree—that we should take a balanced, bipartisan approach to reducing the deficit that addresses both revenue and spending; and

(2) sequestration is a meat-ax approach to deficit reduction that imposes deep and mindless cuts, regardless of their impact on vital services and investments.

(b) It is the sense of the House that the Congress should replace the entire 10-year sequester established by the Budget Control Act of 2011 with a balanced approach that would increase revenues without increasing the tax burden on middle-income Americans, and decrease long-term spending while maintaining the Medicare guarantee, protecting Social Security and a strong social safety net, and making strategic investments in education, science, research, and critical infrastructure necessary to compete in the global economy.

EXTENSIONS OF REMARKS

HONORING MR. JOEL GORELICK ON HIS RETIREMENT

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 2013

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure that I stand before you today to honor Mr. Joel Gorelick on his retirement from his position as president and chief administrative officer of Peoples Bank. Joel's many years of dedication and expertise in the banking industry have been a remarkable asset to the community of northwest Indiana. In honor of Joel's retirement, a reception will be held on Friday, January 25, 2013, at Briar Ridge Country Club in Schererville, Indiana.

Joel Gorelick was born and raised in northwest Indiana and graduated from Ball State University. He went on to receive a master's degree in business administration from Indiana University and also attended the Graduate School of Banking at the University of Wisconsin at Madison. In 1983, Mr. Gorelick joined Peoples Bank as the vice president for commercial lending. In this role, Joel was able to effectively develop the bank's commercial line of business and established Peoples Bank as a leader in small business lending. For his tremendous success, he was awarded the Small Business Advocate award from the Entrepreneurial Excellence program, hosted by the Northwest Indiana Small Business Development Center, and was named the 2000 Board Member of the Year by the National Association of Development Companies. In 2005, Joel was promoted to president and chief administrative officer of Peoples Bank. He played a major role in the development of the corporate office in Munster, Indiana and in the expansion of the bank throughout Lake and Porter Counties. Joel Gorelick is known for his energetic dedication to serving the people of the community and has been called a mentor and coach for the bank's personnel.

Ever a good man of business, Joel realized that his responsibility was not simply to ensure the success of Peoples Bank, but to leave the world better than he found it. Mr. Gorelick selflessly and passionately gives of his time through his involvement in various community organizations and civic activities, including the Northwest Indiana Regional Development Company, the Indiana Bankers Association, the Lake County Economic Development Corporation, and the Boys and Girls Club of Northwest Indiana, for which he is currently providing direction to the executive committee of the Tolleston Project, a campaign to build a new home for the Boys and Girls Club in Gary, Indiana.

Joel's excellence in his field and commitment to charitable endeavors throughout the community is exceeded only by his devotion to his amazing family. Joel and his wonderful

wife, Marcia, have two beloved sons and two grandchildren.

Mr. Speaker, I ask you and my other distinguished colleagues to join me in honoring Joel Gorelick for his lifetime of leadership and service to the community. His constant effort to improve the quality of life for the people of northwest Indiana is truly inspirational. Joel has been able to positively impact the lives of countless individuals and is worthy of the highest praise. I ask that you join me in wishing him well upon his retirement.

HONORING THE CENTENNIAL OF THE MORRIS MUSEUM

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Morris Museum in Morris County, New Jersey, which is celebrating its Centennial in 2013.

The Morris Museum began as a small exhibit in the Morristown Neighborhood House located on Flagler Street in Morristown. With the collections rapidly growing, by 1927 the exhibit had encompassed seven rooms. At this time the exhibit contained 19th century articles, European and Asian artifacts, along with rocks, minerals, and fossils. Looking to expand to a larger venue, the exhibit moved to the Maple Avenue School and stayed until 1956 where it was officially incorporated in 1946. This venue enabled the Morris Museum to create better programs for children and coordinate these programs with the curriculum being taught in surrounding schools. These programs included use of dioramas, panels, and an outreach program centered on Native American civilization.

Having expanded out of its four prior locations, in 1964 the museum moved to its current location at the historic Twin Oaks Mansion, formally owned by the Frelinghuysen family. This gave the organization the opportunity to expand programs to all ages and add to its visual art exhibits. By 1970, the gallery was enlarged significantly through facility additions and the 312 seat Bickford Theatre was added. The museum received the prestigious honor, in 1973, of being the first New Jersey museum to be recognized by the American Association of Museums. Finally, by 1990 the name had been changed to the current title of the Morris Museum and had expanded to a total of 75,524 square feet.

The Morris Museum mission has continuously been, "to elevate the cultural consciousness, excite the mind and enhance the quality of life by advancing the understanding and enjoyment of the visual and performing arts, natural and physical sciences and humanities." It does this through state-of-the-art programs it

provides to the public. Such programs include Tot Tours and ArtWALK, are designed to instill an early love for art in toddlers and their caregivers, as well as the "Museum Loan Program," which lends over 1,400 exhibit kits to schools, libraries, and district organizations. The Morris Museum also provides an excellent Transportation Program designed to transport children in underprivileged areas, such as Newark, Elizabeth, Jersey City, and Dover, to view the galleries and participate in hands-on activities. Adults can also benefit through the Adult Outreach Programs, which include Adult Tour Programs and Senior Fridays aimed at assisted living facilities and nursing homes. Services include exhibition tours, appealing discussions, and free refreshments.

Today, the museum possesses an average attendance of 438,000 visitors per year and contains a diverse assembly of people from 15 counties and different socio-economic and ethnic groups. Permanent displays include geology, animals, model railroads, historical crafts, pottery, carving, basketry, and textiles of all cultural backgrounds. In addition to these displays is the exhibition of 150 pieces from the expansive and world renowned Murtoth D. Guinness collection of mechanical musical instruments and automata. The Museum also includes natural science, paleontology, and anthropology exhibits for those interested in expanding their scholastic knowledge.

As of 2012, The Morris Museum has won numerous awards such as an award for Excellence in Tourism by the Department of Travel and Tourism, Outstanding Arts Organization by the Arts Council of the Morris Area, and has been recognized by the NJSCA as a Major Arts Institution for the past seven years in a row. Identified as a major influence on society, the museum has clearly exemplified the arts in a positive manner throughout its lifetime.

Mr. Speaker, I ask you and your colleagues to join me in congratulating the Morris Museum as it celebrates its Centennial.

HONORING THE RETIREMENT OF OFFICER RALPH SCHAUF

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 2013

Mr. QUIGLEY. Mr. Speaker, I rise to congratulate Police Officer Ralph Schauf Star Number 2829, on his recent retirement from his position as the Labor Liaison Officer in the Intelligence Section of the Chicago Police Department.

For the last 35 years, Officer Schauf worked to protect the citizens of the City of Chicago. Ralph began his career January 3, 1977 working in the 12th District Monroe Street. Over time, he worked in Special Operations Group

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

and Gang Crimes North, the Intelligence Division with the FBI Joint Terrorism Task Force, the 18th District Chicago Avenue, and the 17th District Albany Park. When he worked at the Education and Training Division, Ralph was the original "Red Man" in the physical skills section. He would put on a protective red suit and during scenario and control tactics training was the subject the recruits had to control and place in custody. He taught recruit and in-service classes in a variety of subjects. While at the 17th and 18th Districts, he worked in Community Policing. In the 18th District, he worked with the Police Explorers and youth programs, and in the 17th District, he was the community and elected officials liaison for quality of life enforcement. He was on a leave of absence for about 2 years as an inspector at the Illinois State Police. Ralph concluded his illustrious career on November 16, 2012 in the Intelligence Section as the Labor Liaison Officer ensuring proper police service for organized labor activities.

His dedication to his fellow officers, his job and the city he loves is an example of why Chicago is known as "The City That Works."

Ralph would be the first to tell you that his family is his first priority, and they have provided support throughout his career. He has been happily married to his wonderful wife, Antoinette, for 15 years. His family also includes his son, Ralph Schauf, Jr., who is now a Trooper with the Illinois State Police, and his wife, Jennifer, his daughter, Adriane, and his granddaughter, Olivia Ruth.

Mr. Speaker, I ask my colleagues to join me in applauding Officer Schauf's years of service to the City of Chicago and the Chicago Police Department. I hope that his dedication and hard work inspire us all to see the difference we can make by serving our local communities. I wish him a happy and successful retirement and all of the best in the future.

INTRODUCING THE DONATE FOR DISASTER RELIEF ACT

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 2013

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to introduce the Donate for Disaster Relief Act.

Forty-seven major disasters were declared last year. The year before that, we had 99 major disasters. Three major disasters have already been declared in 2013. On top of that, there were a number of smaller incidents that do not rank on the scale. A tornado that destroys a single house might not be a "super storm," but for the family that lost its home, that tornado certainly is a major disaster.

Things are not going to get better. There are going to be more major disasters. We are going to have to pay for the response and repair. We need to start thinking about what we can do ahead of time to be prepared for when they strike. We don't have to wait for the worst to happen before we actually do something. This bill will help us get ready beforehand. Why wait?

The Donate for Disaster Relief Act creates a completely voluntary check-off on income

tax returns that lets taxpayers elect to donate to a disaster relief trust. This bill is an opportunity for us to share our selflessness and generosity before an emergency situation.

The harsh reality of disasters is that while we may not be able to predict when, we certainly can be prepared. The altruism of the American people is on display in their willingness to pitch in and help those in their greatest time of need. This bill creates an easy way for concerned Americans to anticipate the need for disaster relief, wherever and whenever it may be necessary.

PERSONAL EXPLANATION

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 2013

Mr. BLUMENAUER. Mr. Speaker, due to a long-scheduled event, I was unable to be in Washington, DC for the votes that occurred on February 4, 2013. As a result, I missed the votes listed below. I regret missing these and had I been in Washington, DC, I would have voted as follows:

H.R. 297: Children's Hospital GME Support Reauthorization Act of 2013—I would have voted yes on H.R. 297. This critical legislation, to extend and reauthorize payments to children's hospitals so that they can continue to educate the next generation of doctors, is essential not just for my district, but the entire country. As we move forward with implementing the Affordable Care Act and expanding access to health services for millions of U.S. citizens, it's essential that we continue to grow our medical workforce by partnering with our local hospitals.

H.R. 225: National Pediatric Research Network Act of 2013—I would have voted yes on H.R. 225. This legislation furthers pediatric medical research by bringing together a spectrum of experts working to advance treatments and cures for our children. By using a consortium model, doctors and researchers will be fighting disease instead of with each other for scarce research dollars.

HONORING THE LIFE OF EMANUEL GOLD

HON. GRACE MENG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 2013

Ms. MENG. Mr. Speaker, I rise today to commemorate the life and service of Emanuel Gold, known to his friends as Manny. After a long fight with cancer, Manny passed away at 77.

Manny Gold began his distinguished career in Albany, New York as Counsel to the Majority Leader of the New York State Senate in 1965. At 35 years old, he was elected to the Assembly, and a year later to the New York State Senate where he would serve for 27 years.

Manny had a great sense of humor and was well regarded on both sides of the aisle. His

tireless work throughout his career permanently bettered New York State, New York City and the Borough of Queens.

One of Manny's greatest legislative accomplishments was the "Son of Sam" law, which prohibited criminals from profiting from their crimes. This landmark legislation helped lay the foundation for similar laws around the country.

Manny was an avid photographer and could often be seen taking pictures of the State Capitol and Executive Office Building in Albany. In his earlier days Manny was a boxer, but he quickly made a transition to the less physically demanding sport of golf which he played over the course of his long life. His love for music was as strong as it was for sports and politics, exemplified by the symphony orchestras he conducted.

Mr. Speaker, Manny was a tireless public servant for the citizens of New York and always made it a priority to put his constituents first. Even with the loss of his beloved sons Adam and Jeffery he continued to be a strong leading voice for the people of New York.

With work that spanned over three decades he exemplified the meaning of courage and strength by sponsoring legislation that touched the lives of many who lived and worked in Queens. These bills included a measure to mandate that New York City hospitals provide Emergency Room treatment and to make public buildings more accessible for the disabled.

The legacy that he leaves reflects the love for his New York family, but more importantly the love he had for wife Judith, his surviving children Sue and Steve, his daughter Bonnie and his granddaughters Emily and Jackie.

Mr. Speaker, for his service to New York State, advocacy for Queens, and devotion to his family and friends, I ask all of my colleagues in the House of Representatives to join me in honoring Emanuel Gold.

CONGRATULATING REV. GREGORY NELSON DAVIS ON HIS RETIREMENT

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 2013

Mr. BRALEY of Iowa. Mr. Speaker, for the past 34 years, Rev. Gregory Nelson Davis has been a familiar figure in Johnston, Iowa. This month marks a bittersweet occasion: it is Rev. Davis' last month of work for the St. James Lutheran Church before he steps down as its pastor.

Joining the ministry was not Davis' first goal in life, but he attributes his career to the love he has for his congregation. After studying philosophy as an undergraduate, Davis decided to continue his education by getting a Master's Degree in Philosophy. He then decided to attend seminary, because he wanted to make a difference in people's lives every day.

For the past 28 years, Davis has been the pastor at St. James Lutheran Church, and has doubled its congregation since he started preaching there.

It is fitting that he now wants to focus on his own family after giving so much of his life to

others. Once he steps down from the pulpit he is excited at the prospect of spending more time as a husband and as a grandfather to his two grandchildren.

Rev. Davis will give his last sermon on February 17th. I thank him for his years of hard work guiding people in the right direction and wish him the best in his retirement.

21ST ANNIVERSARY OF THE TRAGEDY IN KHOJALY, AZERBAIJAN

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 2013

Mr. SHUSTER. Mr. Speaker, as the Co-Chairman of the House Azerbaijan Caucus, I rise today to bring attention to the tragedy that took place in Khojaly, Azerbaijan, a town and townspeople that were destroyed on February 26, 1992.

This month we will mark the 21st anniversary of that devastating and heartbreaking day. Sadly, today there is little attention or interest paid to the plight of Khojaly outside of Azerbaijan. However, one of our greatest strengths as elected officials is the opportunity to bring to light truths that are little known and command recognition. As a friend of Azerbaijan, I am proud to remind my colleagues that we must never forget the tragedy that took place at Khojaly.

At the time, the Khojaly tragedy was widely documented by the international media, including the Boston Globe, Washington Post, New York Times, Financial Times, and many other European and Russian news agencies.

Khojaly, a town in the Nagorno-Karabakh region of Azerbaijan, now under the control of Armenian forces, was the site of the largest killing of ethnic Azerbaijani civilians. With a population of approximately 7,000, Khojaly was one of the largest urban settlements of the Nagorno-Karabakh region of Azerbaijan.

According to Human Rights Watch and other international observers the massacre was committed by the ethnic Armenian armed forces, reportedly with the help of the Russian 366th Motor Rifle Regiment. Human Rights Watch described the Khojaly Massacre as "the largest massacre to date in the conflict" over Nagorno-Karabakh. In a 1993 report, the watchdog group stated "there are no exact figures for the number of Azeri civilians killed because Karabakh Armenian forces gained control of the area after the massacre" and "while it is widely accepted that 200 Azeris were murdered, as many as 500–1,000 may have died."

Azerbaijan has been a strong strategic partner and friend of the United States. The tragedy of Khojaly was a crime against humanity and I urge my colleagues to join me in standing with Azerbaijanis as they commemorate this tragedy.

HONORING THE PECK SCHOOL IN MORRISTOWN

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor The Peck School in Morristown, New Jersey, which is celebrating its 120th Anniversary in 2013.

Originally created as a school for women, Peck School was opened on Franklin Street under the name Miss Sutphen's School for Young Ladies in 1893. After nearly 23 years, the school had become one of the most prestigious in Morris County with over 100 students and 9 teachers. However, in 1917, the school was purchased by Lorraine T. Peck and the name was changed to the Peck School in 1918. In 1920 the school was relocated to Elm Street where it would stay for another quarter of a century. By 1946 the school had assumed its current colors of white and blue and in 1948 moved into where it currently resides, on South Street in the Lindenwold Mansion and adjacent property.

Over the next decade, The Peck School saw rapid expansion and improvement. In 1950 the Mother's Association was created opening up the door to more programs including parent-teacher conferences, Parents Visiting Day, the Student Council, and the Alumni Association. Due to enrollment exceeding 200 students for the first time, the school constructed a new gymnasium/auditorium in order to accommodate the influx of young men and women. Moreover, in 1959 the school was split into two divisions. The first division would include Kindergarten to 4th graders and the second division would include 5th to 8th graders.

As the times changed, Peck School did the same by constantly adapting to the needs of its students, faculty, and parents. With the dawn of technology in the 1980s, Peck was able to add computers to the school, creating new facilities for technological related studies. These facilities included the addition of the "Bridge" and "Fine Arts" wings in 1984. These new sections of the school offered comprehensive group studies on computers, woodworking, and foreign languages. Additionally, the Mother's Association was renamed the Parents' Association to mirror the increased paternal involvement in student academic activities.

After celebrating its 100th Anniversary with the opening of the Deetjen Kindergarten Building in 1993, the school decided to embark on even further expansion. These ground-breaking improvements consisted of the Caspersen-Tomlinson Upper School in 1995 and the F.M. Kirby Lower School on 1998. With new space and resources, Peck integrated an All-School Technology Plan, establishing the school as a quintessential model for computer-based curriculum at the elementary and middle school levels. Finally, in 2006, Peck opened the massive 35,000 square foot Eckert Huff Building complimented by the new 32,000 square feet Athletic Center in 2007.

Today, over 330 students attend the Peck School and study a diverse set of curriculums

comprising of communication arts, drama, English, library studies, math, music, physical education, reading, science, history, technology, family life, visual arts, woodworking, and foreign languages. The school also contains an Individual Development and Community Responsibility Program designed to teach character development and life skills. Additionally, Peck houses one of the most competitive private-school 5th to 8th grade athletic programs in Northern New Jersey.

In its 120 years, Peck School has grown from an organization of 6 children to a nationally recognized institution focused on the development of young minds into successful adolescents.

Mr. Speaker, I ask you and your colleagues to join me in congratulating The Peck School as it celebrates its 120th Anniversary.

INTRODUCTION OF RESOLUTION OBSERVING THE 100TH BIRTHDAY OF CIVIL RIGHTS ICON ROSA PARKS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 2013

Mr. CONYERS. Mr. Speaker, I am pleased to introduce this resolution observing the 100th birthday of civil rights icon Rosa Parks. Through her quiet courage, Mrs. Parks came to symbolize all that is vital about nonviolent protests, enduring threats, yet persisting as an advocate for the basic values of human rights and dignity. Her act of civil disobedience in refusing to give up her seat on a bus in Alabama is credited by historians with sparking the modern day civil rights movement, earning her the title "mother of the freedom movement."

After she left Alabama in 1957, she and her husband Raymond moved to Michigan. I was honored to have her play a significant role in my first election for Congress. Many of you know that Mrs. Parks went on to serve on my congressional staff for more than 20 years. Her presence in my office embodied a tireless spirit of commitment to public service and served as a constant reminder of the power of a single act of courage.

Though she led a more private life in Detroit, her commitment to public service remained strong. In 1987, along with her close associate Elaine Steele, she co-founded the Rosa and Raymond Parks Institute for Self Development, pursuing the mission of motivating and directing young people to achieve their highest potential. Grounded in her philosophy of quiet strength, the Institute continues to build upon the Parks legacy by sponsoring youth programs that teach life skills and promote a cross-cultural perspective.

For her role as the First Lady of Civil Rights, Rosa Parks was the recipient of numerous awards and accolades. This list includes the Congressional Gold Medal, the Spingarn Award for civil rights contributions, the highest honor of the National Association for the Advancement of Colored People, and the Presidential Medal of Freedom, which is the highest civilian honor in the United States. She was

even named one of the 20 most influential and iconic figures of the 20th century. When she died in October 2005, the outpouring of grief and respect was worldwide. In recognition of her historic contributions, this Congress voted to allow Mrs. Parks to lie in honor in the Capitol rotunda so that the people of the United States could pay their last respects to a great American.

In this spirit of honoring her legacy, yesterday the Henry Ford Museum in Dearborn, Michigan, sponsored a program to highlight her contributions to the civil rights movement. The program was designed to reflect on the spirit of Mrs. Parks' commitment, calling for a National Day of Courage.

The day-long event, both virtual and on-site at the museum, featured nationally-recognized speakers, music and dramatic interpretations to commemorate her extraordinary life and accomplishments. I believe that this program will serve as an opportunity to reflect on the value of individual contributions to the struggle for equality and, through reflection on her example, inspire all Americans to stand up for freedom and the principles enshrined in the Constitution.

By refusing to give up her seat and standing for equal rights, Rosa Parks inspired a movement and became a legendary example of the value of a single courageous act. At a time when our nation faces challenges, both domestic and global, I believe that the example of Rosa Parks remains relevant every citizen. We should always use her birthday to reflect on how each of us can contribute to our nation's promise of freedom and equality to ensure that the American dream remains within reach for all who believe.

INTRODUCTION OF THE MARIJUANA TAX EQUITY ACT OF 2013

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 2013

Mr. BLUMENAUER. Mr. Speaker, today, I am pleased to introduce the Marijuana Tax Equity Act of 2013, legislation to create a federal excise tax on marijuana sales and move this industry out of the shadows and into the daylight. Just over 106 million people live in a state or local jurisdiction that has decided that some aspect of marijuana use should be legally permitted. Eighteen states and the District of Columbia currently allow for medical marijuana and two states, Colorado and Washington, recently legalized the recreational use of small amounts of marijuana.

National trends reflect those state efforts. More than 40 percent of Americans over the age of 12 have tried marijuana at least once and public opinion research reveals half of the U.S. population supports legalization. Yet even as states and local governments have taken the lead in finding legal arrangements for marijuana, millions of people have been caught in the justice system for marijuana offenses and more than 660,000 people were arrested for marijuana possession in 2011. At the same time, the federal government spends approximately \$5.5 billion per year on incar-

ceration and enforcement associated with federal marijuana laws.

In addition, many marijuana businesses around the country—despite operating in compliance with state or local law—are not allowed to deduct their legitimate business expenses and often are unable to make deposits or maintain accounts as a result of federal banking laws.

It is time for Congress to end the federal prohibition on marijuana, remove it from the Controlled Substances Act, and create a tax and regulatory framework, similar to the frameworks in place for alcohol and tobacco. This represents a unique opportunity to save ruined lives, wasted enforcement and prison costs, while simultaneously helping to create a new industry, with new jobs and revenues that will improve the federal budget outlook.

The Marijuana Tax Equity Act creates a taxation framework similar to that in place for the tobacco and alcohol industries. It imposes an excise tax of 50 percent on the first sale by a producer, generally the grower, to the next stage of production, generally the processor creating the useable product. Along the supply chain it requires occupational taxes for those operating marijuana businesses. Those who do not comply with the taxation laws face civil or criminal penalties similar to those in place for the tobacco industry. The bill requires the IRS to produce periodic studies of the industry and make recommendations to Congress.

As I work with my colleagues and with our stakeholders to move forward with this legislation, I emphasize that there remain significant questions and challenges. In particular, in the context of legislation, significant changes will ripple through the marijuana industry, with new products created, new business relationships developed, new consumer standards demanded, and wide variations in state and local laws. As this process evolves, we hope to work with the industry to ensure that the tax rate and framework appropriately reflects federal concerns and the needs of this developing industry. I am committed to ensuring that the legislation's terms are adequately tailored to reflect the realities faced by marijuana businesses and consumers in an ever-shifting market.

In addition, the medical marijuana industry has distinct concerns about safe access and those should be adequately addressed in the federal framework. Together with my colleagues, I look forward to continuing our efforts on ensuring safe access for patients within the context of an administrable tax and regulatory regime.

It is important to note that states will remain free to make decisions about marijuana policy. Paired with Representative POLIS' "Ending the Federal Marijuana Prohibition Act," this legislation establishes a starting point for laying out a federal regulatory and taxation framework for marijuana sales that are legal under state law.

CELEBRATING THE 20TH ANNIVERSARY OF THE FAMILY MEDICAL LEAVE ACT

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise in honor of the Family Medical Leave Act. Twenty years ago today, we took an important step to protecting workers that need to take time off to deal with a serious health or family issue. Since then, American workers have used FMLA leave more than 100 million times to address a serious health condition, including pregnancy; to care for a family member with a serious health condition; or to care for a newborn child, newly adopted child or a newly placed foster child. FMLA allows workers to take time from work to care for themselves or their loved ones without jeopardizing their jobs. FMLA does not a salary during the leave—an omission that needs to be corrected—but it does guarantee their job will be there when they return.

In recent years, President Obama has signed into law expansions of FMLA coverage to our brave women and men serving in our armed forces and airline employees. The National Defense Authorization Act of 2010 expanded FMLA leave for military families to include coverage of qualifying exigency leave to employees and families in the Regular Armed Forces, and coverage of military caregiver leave to employees who are a spouse, son, daughter, parent, or next of kin of certain veterans with a serious illness or injury. The Airline Flight Crew Technical Corrections Act makes more airline flight attendants and crew members eligible for FMLA leave.

Yet, despite those expansions, the United States lags behind other countries. A total of 137 countries mandate employers to offer paid leave, while 121 countries guarantee workers at least two weeks of paid leave each year. The absence of a paid leave requirement forces many Americans to choose between protecting their finances and taking time off to deal with a serious health or family crisis. Many of the employees who qualify for FMLA leave cannot financially afford to take leave without pay. 78 percent of employees who wanted to take FMLA leave, but did not, reported it was because they could not afford to lose those extra paychecks. Hardworking Americans—both men and woman—should be free to take the family and medical leave they need without fear of emptying their bank account.

The Family Medical Leave Act took an important step in ensuring workers that their jobs will be secure in the event that they need to take time off to deal with a serious health or family issue but we can and must do more. We must ensure that every job provides paid leave in times of sickness or family emergency.

HONORING BISHOP JAMES NEAUL
HAYNES

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize the extraordinary accomplishments of Bishop James Neaul Haynes. Bishop Haynes is a valued leader and member of the Dallas community, who has dedicated his life to service, with a ministry spanning more than sixty years.

Bishop Haynes was born in Denton, Texas, and graduated as valedictorian from Fred Moore High School. He continued his education at the University of Denver in Colorado and North Texas State University, earning a Bachelor of Science degree. He was awarded an Honorary Doctor of Laws degree from Texas College in 1986.

Bishop Haynes began his ministry at the Open Door Church of God in Christ in Pampa, Texas in 1952. He later served congregations in Dennison, Texas and Wichita Falls, Texas. Since 1979, Bishop Haynes has served at Saintsville Sanctuary Church of God in Christ in Dallas, Texas.

Bishop Haynes was appointed Prelate of Texas Northeast Ecclesiastical Jurisdiction in 1978, after serving the Jurisdiction in multiple different capacities. He also served the Church of God in Christ on the national level in several roles, including as a member of the National Trustee Board, the Assistant General Secretary, the Secretary of the General Board, and the First Assistant Presiding Bishop. Bishop Haynes is now a lifetime member of the General Board with emeritus status.

In 1997, Bishop Neaul Haynes was chosen by over 200 pastors to serve as the Bishop of the Ecclesiastical Jurisdiction. As part of his responsibilities, he presided over more than 400 pastors and 45 districts. Holding this title allowed him to travel the world and appoint other Bishops both locally and internationally. It is very fitting to honor Bishop Haynes among his peers at the 2013 Annual Prayer Breakfast. For more than 6 decades, he has tirelessly served the north Texas community, as well as the Nation as a long-serving member on the General Board of the Church of God In Christ.

Mr. Speaker, Bishop Haynes is a pillar of the Dallas community, and his life's work has been devoted to improving the lives of others. Bishop Haynes is joined in his service by his wife, Ms. Vivian King Haynes. The couple has two daughters, Pia and Vrai, and two sons-in-law, Supt. Reginald Williams and Mr. William C. Morris. Bishop Haynes is the proud grandfather of 4 children: Darius Craig Morris, J. Neaul Williams, Chandler Ellington Williams and D'Aria Jesslyn Morris.

IN HONOR OF CHIEF RICK BRAZIEL

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 2013

Ms. MATSUI. Mr. Speaker, I rise today in honor of Chief Rick Braziel as he retires from

the Sacramento Police Department, an organization he served admirably over three decades. As the Chief of Police since 2008 and a member of the department since 1979, Rick has been pivotal in upholding and carrying out the mission of the Sacramento Police Department and his leadership will be missed. I ask all my colleagues to join me in honoring one of Sacramento's finest public servants.

Prior to serving as Chief of Police, Rick, who is a graduate of California State University-Sacramento and the U.S. Naval Postgraduate School, was appointed as the Deputy Chief of the Offices of Operations, Investigations, Technical Services, and Homeland Security and Emergency Services. Rick is a co-author of the book titled Cop Talk: Essential Communicating Skills for Community Policing and is nationally recognized for his instruction in communication skills on this topic.

Over the past three decades with the department, Rick has rose through the ranks, holding a variety of positions including K9 Handler, Patrol Sergeant and Watch Commander, and Captain of Special Units and Narcotics. He has also received several professional commendations including the Silver Medal of Valor, Distinguished Service Award, and a Unit Citation. Rick is often noted by his colleagues for his innovative leadership guiding the police force to more effective ways of addressing and preventing crime.

Outside of the police department, Rick enjoys competing in marathons and triathlons, and participating in both the Ironman Triathlon World Championships in Hawaii and the three thousand mile, Race Across America, bicycling race in 2012.

Mr. Speaker, I am honored to recognize the numerous contributions made by Chief Rick Braziel during his service to the people of Sacramento and our nation. As Rick, his wife Karen, their children, his friends, and colleagues celebrate his retirement, I ask my colleagues to join me in thanking and recognizing him for his many years of service.

MR. DEAN CORGEY APPOINTED TO
PORT OF HOUSTON AUTHORITY
COMMISSION

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 2013

Mr. AL GREEN of Texas. Mr. Speaker, I would like to acknowledge the appointment of Mr. Dean Corgey to the Port of Houston Authority Commission, on January 16, 2013. Mr. Corgey is well-suited to the position of Port Commissioner, based on his decades of community service, outstanding leadership, and stellar credentials.

Mr. Corgey is a humble man who has worked in various capacities on all four coasts, before he became vice president of the pre-eminent Seafarers International Union's Gulf Coast Region and now a Port Commissioner. I know he will use his numerous talents to ensure the Port of Houston remains a world-class port.

Mr. Speaker, I am blessed to have the opportunity to pay tribute to a dear friend of over

ten years. A man of character who can be an extraordinary agent for change. Mr. Corgey is an indefatigable and hardworking individual, who will continue to serve the city of Houston well.

INTRODUCTION OF FEDERAL EM-
PLOYEES PAID PARENTAL
LEAVE ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, on February 5, 2013 we celebrate the 20th anniversary of the Family and Medical Leave Act. Millions of American families have benefitted from this landmark law that allows workers to take up to 12 weeks of unpaid, job protected leave to care for a new child, a sick family member, or an injured service member in their family.

As we mark this anniversary we also must acknowledge that two decades later our nation's family leave policies have not kept pace with changes to America's families and workforce. FMLA provides unpaid leave, which means families must choose between foregoing a paycheck and caring for a new child or sick loved one.

The Federal government is our nation's largest employer and as such should be leading the way on family-friendly workplace policy. Today, I am introducing the Federal Employees Paid Parental Leave Act, legislation that provides federal employees with 4 weeks of paid leave following the birth, adoption, or fostering of a child. By extending paid parental leave for new parents this bill helps diminish the risk of real economic hardship for the 2 million federal employees following the birth or adoption of a child.

In 2009, the House successfully passed the bill with the bipartisan support of 258 Members. I urge my colleagues in the 113th Congress to focus on job creation efforts while also ensuring that federal leave policy reflects the realities of our nation's workforce in the 21st Century. Thank you to my colleagues Delegate ELEANOR HOLMES NORTON, and Representatives GERALD CONNOLLY, GEORGE MILLER, JOHN CONYERS Jr, and RAUL GRIJALVA for their support of the Federal Employees Paid Parental Leave Act.

RECOGNIZING IAN MONCASTER

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 2013

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Mr. Ian Moncaster, the former President and CEO of the World Affairs Council of Seattle, Washington, for his leadership and achievements over the past eleven years.

Mr. Moncaster has tirelessly devoted himself to enhancing the Seattle World Affairs Council's existing programs and deepening international conversations, helping Americans engage with and understand the world beyond

our borders. Under Mr. Moncaster's leadership, over 1,000 public events were generated, including appearances by international notables ranging from United Nations Secretary-General Ban Ki-Moon and former Secretary of State Condoleezza Rice, to Nobel Prize winning economist Joseph Stiglitz.

With Mr. Moncaster at the helm, the Global Classroom programs, with their focus on K-12 education, reached more than 23,000 teachers and students in the region. Additionally, the International Visitor Program, supported by the State Department, expanded from 500 to more than 1,000 international visitors per year, contributing an estimated \$2 million dollars in economic impact to the community. More importantly, these programs have helped to break down stereotypes, prejudices and promoted greater understanding while building memorable, lasting relationships across the world.

Last but not least, under Mr. Moncaster's guidance, two new initiatives, the World Affairs Fellows Program and the Young Professionals International Network, have matured to identify and cultivate ideas, talent, and leadership potential.

Mr. Speaker, it is with great pleasure that I honor Mr. Ian Moncaster. His eleven year tenure as the CEO of the World Affairs Council of Seattle has inspired and invigorated thousands of citizens in Washington State and around the world to realize a more secure and peaceful world through dialogue and mutual understanding. I wish Mr. Moncaster the very best on his future endeavors.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 2013

Mr. COFFMAN. Mr. Speaker, on January 3, 2009, the day I took office, the national debt was \$10,627,961,295,930.67.

Today, it is \$16,475,048,398,165.79. We've added \$5,847,087,102,235.12 to our debt in 4 years. This is a \$5.8 trillion in debt our nation, our economy, and our children could have avoided with a Balanced Budget Amendment. We must stop this unconscionable accumulation of debt.

HONORING THE MORRIS CHORAL SOCIETY IN MORRISTOWN

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Morris Choral Society of Morristown, New Jersey, which is celebrating its 40th anniversary in the summer of 2013.

The creation of the Morris Choral Society can be likened to that of the birth of a Phoenix bird. Tragically, in 1972, the United Methodist Church, located on the Morristown Green, burned down and as a result the proceeding Methodist congregations were held at Temple

B'nai Or for the next two years as the Church was rebuilt. R. Wayne Walters, a bass soloist who performed at both the Temple and Church, decided to conduct a special Friday evening service dedicated to the generosity of the Temple and its Rabbi, Z. David Levy. In order to perform this service, chorus members from the surrounding area churches were assembled. Due to the success of the performance, Rabbi Levy asked Walters to keep this wonderful group of people together and continue performing. Eventually, under Walters' leadership, this collection of singers was incorporated under the name of Morris Choral Society in the summer of 1973, effectively rising out of the ashes and spawning a new organization.

Since the society has been formed, it has maintained a dual mission statement attempting, "To make available to all residents of the Morris area varied choral musical programs and to give residents an opportunity to perform in the choral organization." Those who have been affected by the Morris Choral Society would say that its contributions to society have gone much farther than initially intended by positively impacting the choral outlook throughout Northern New Jersey. Additionally, MCS has garnered much public attention through appearances on television programs, such as NBC's "First Estate" program, and its two major concerts that are performed in Morris County each year. Through continuing interest, the society has grown in size and is open to new members via auditions.

Furthermore, the Morris Choral Society conducts numerous, smaller performances during Morristown's holidays and special occasions. These shows generally occur during the Independence Day celebrations, the Holly Walk, the Fall Festival on the Green, and the First Night concert. Incredibly, MCS is now internationally recognized after memorable performances in England in 1990, Ireland in 1994, Scotland & Wales in 1996, France in 1998, and Italy during the summer of 2000. Through international travel and a growing interest in different music, the Society has obtained an astounding repertoire of songs dating from the Renaissance period to the present.

Besides annual events, the Morris Choral Society has performed alongside many famous musicians during its lifetime. Unforgettable nights include performing with Judy Collins during her Christmas Show, and with Dave Brubeck in La Fiesta de la Posada in the Community Theatre. MCS has also sung Beethoven's Ninth Symphony under the celebrated Leon Hyman, collaborated with Jazz Pianist Rio Clemente, and performed a sold-out concert at the Morristown Community Theater in front of over 1,300 viewers.

Consistently trying to excel, the Society has emphasized versatility in music styles ranging from contemporary American, to classical Broadway theatre, to even some international folk songs articulated in their native languages. Expanding to different venues and compiling diversified music is what keeps MCS ahead of most other musical organizations in the area.

Mr. Speaker, I ask you and your colleagues to join me in congratulating the Morris Choral Society as it celebrates its 40th anniversary.

TRIBUTE TO AMBASSADOR RON KIRK

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize Ambassador Ron Kirk for his outstanding service as United States Trade Representative. As a member of President Obama's Cabinet, he has led the United States toward a stronger economic future.

A former Texas Secretary of State, Ambassador Kirk became the first African-American mayor of my hometown Dallas, Texas, in 1995. During Ambassador Kirk's tenure as Mayor, he pursued trade policies and economic development initiatives that helped generate over 45,000 jobs and billions of dollars of investment in Dallas. He also prioritized public safety and oversaw the lowest crime rate in Dallas in 20 years.

In his role as U.S. Trade Representative, Ambassador Kirk brought together a broad coalition of Americans to support free trade agreements with Korea, Colombia, and Panama, opening up new markets for American businesses and creating jobs here at home. Ambassador Kirk advanced high stakes regional Trans-Pacific Partnership talks and worked to maintain significant U.S. engagement in the World Trade Organization. His stellar list of accomplishments also includes supporting U.S. businesses and workers with his strong enforcement of U.S. trade rights and assisting small businesses eager to access international markets.

Mr. Speaker, Ambassador Kirk is both a dear friend and an ardent public servant. I applaud Ambassador Kirk's commitment to serving U.S. businesses and workers, and his dedication to moving United States trade policies forward. He has been a devoted advocate for American workers and our economy, and I am thankful for his service to our country.

HONORING THE INTERNATIONAL ASSOCIATION OF SHEET METAL, AIR, RAIL, AND TRANSPORTATION WORKERS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 2013

Mr. VISCLOSKY. Mr. Speaker, it is my distinct honor to congratulate the members of the International Association of Sheet Metal, Air, Rail, and Transportation Workers (SMART), as they celebrate the 125th anniversary of the union's founding. The members and officers of SMART are to be commended for their dedication and recognized for the union's history of remarkable achievements.

SMART, formerly known as the Sheet Metal Workers' International Association and the United Transportation Union, is a truly inventive, progressive, and strong union made up of skilled craftsmen throughout the United States, Canada, and Puerto Rico. Representing construction, sheet metal, transportation, railroad,

shipyard, and production employees in the industry, SMART works tirelessly to ensure safe working conditions, living wages and benefits, and growth opportunities for its employees.

Since its founding in 1888, SMART has been one of labor's most ambitious and diligent organizations. Throughout history, its union leaders and members have been through many struggles and triumphs seeking to bring about hope for workers seeking fair wages, hours, and benefits while contributing to the structural development and building of the United States. Since the late 1920s, members and officers have contributed to the welfare of the country at home and abroad. From their assistance with the production of Charles Lindberg's airplane, the Spirit of Saint Louis, designed for his historic flight across the Atlantic Ocean, to the building and sustaining of America's Navy in our nation's shipyards, as well as the union's support in the World Trade Center tragedy, SMART's members are worthy of the highest praise.

Northwest Indiana has a rich history of excellence in its craftsmanship and loyalty among its tradesmen. The members and officers of SMART are outstanding examples of these qualities. They have demonstrated their loyalty to both the union and communities internationally through their hard work and selfless dedication.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in honoring the past and present hardworking members and officers of SMART and to congratulate the organization on the 125th anniversary of its founding. They have committed themselves to making a significant contribution to the growth and development in Northwest Indiana, throughout the United States, and abroad.

BRYAN WILBURN TAKES THE RANK OF AN EAGLE SCOUT TO ANOTHER LEVEL

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 2013

Mr. POE of Texas. Mr. Speaker, Bryan Wilburn is a young man from Baytown, Texas who has attained the prestigious rank of Eagle Scout. But the way he achieved his ranking isn't something we hear about often, especially for someone his age. He made his way to the top through a unique and much-needed service project. As just an eighth grade student at Barber's Hill Middle School, Bryan initiated a project that has honored those who protect our community. Not limited to just people, but also our four-legged friends. Bryan and a team of volunteers renovated the Baytown Police Department K9 Cemetery.

The need to serve law enforcement stemmed from Bryan's appreciation for the strong bond between officers and police canines, as well as their vital role in protecting the community. Bryan and a group of recruited volunteers of neighbors, friends, family, and other Boy Scouts worked hard to beautify these dogs' final resting place. After researching everything from types of plants to styles of landscaping, Bryan lead his team of volun-

teers as they cleaned the existing burial plots, removed dead shrubbery, replaced fence post tops, and planted new bushes and trees. It was after about 140 hours of hard work that the Baytown Police Department had a cemetery, where they could be proud to lay their beloved dogs to rest.

Bryan's leadership role in this final project is one of the many qualifications needed to obtain his new rank of Eagle Scout—he has had to earn 21 merit badges in subjects including first aid and personal fitness, as well as obtaining letters of recommendation, and going before an Eagle Scout board of review.

This is a prime example of a young man with an outstanding character and a go-getter work ethic. Bryan is well-deserving of his Eagle Scout rank. In honoring the sacrifices and hard work of the police force and their canine companions, Bryan has upheld the Boy Scout tradition of community service and stands as an example of the integrity and honor of a true Eagle Scout.

And that's just the way it is.

IN REMEMBRANCE OF THE LIFE AND LEGACY OF CHIEF PETTY OFFICER CHRIS KYLE

HON. ROGER WILLIAMS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 2013

Mr. WILLIAMS. Mr. Speaker, today I join my colleagues in the United States Congress in honoring the life and legacy of Chief Petty Officer Chris Kyle.

Every warrior has a story . . . Chris Kyle had a legend. Throughout our history, America's military has been served by many but shaped by only a few. From Washington to Petraeus, from Porter to Nimitz, a few great individuals have changed the way we fight wars and the way we view warriors. Now we can add the name of Chris Kyle to that elite list.

For ten years, this Texas native served his country as a member of SEAL Team 3. Along the way, he set the standard for all snipers. Though his innate humility prevented him from talking about the number, Navy records confirm that Chief Kyle successfully took out 160 enemy combatants—the highest number in American military history.

He did it over the course of many years—he served four tours in Iraq during his career. And he did it in difficult circumstances and over long distances—he once perched himself on top of a baby's crib for hours in a house . . . and another time he gunned down an enemy combatant from 1.2 miles away.

No matter the challenge, Chris Kyle always met it. No matter the odds, he always overcame them.

Chief Kyle's incredible courage as a warrior was matched only by his extraordinary grace as a man.

This was a man of faith who believed God had a plan for him.

This was a man of family of who knew being a husband and a father were his important tasks.

And this was an American who thought that his country was worth fighting for and even dying for.

Chief Kyle didn't like to talk about the number of enemies he killed; instead, he would say, I'd like to be known "for the people I saved." And so he is.

He saved so many, more than we will ever know. And he never stopped trying to save people, all the way to the last seconds of his life.

Chief Petty Officer Chris Kyle has left us; but his legacy remains. The people of Texas are rightfully proud of this native son; and the people of America rightfully mourn this national hero.

The U.S. Navy SEALs have a motto: "the only easy day was yesterday." No one personified this more than Chief Kyle. Each day was a new challenge; and each time, it was met with courage and conviction, with devotion and dedication.

Chief Kyle's mission is completed; his tour has ended. Now, the work of carrying on his legacy remains for all of us.

May we always try to live up to the standard of courage set by this great and gallant man . . . and may we never forget his service and sacrifice.

May God bless Chief Petty Officer Chris Kyle and his family.

CONGRATULATORY SPEECH TO INDIANA UNIVERSITY MEN'S SOCCER

HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 2013

Mr. YOUNG of Indiana. Mr. Speaker, I rise today in support of Indiana University's Men's Soccer Team.

I want to congratulate the team, Indiana University, and the greatest college soccer fans in the country—whom we in Indiana affectionately call the Hoosier Army—on their 8th NCAA National Championship. As a resident of Bloomington, the home of IU, I am particularly proud of IU Soccer's achievements this year. They have worked very hard, and merit respect and celebration.

Accomplishments such as this are achieved through diligence and commitment. This being their 8th National Championship, IU's Soccer Program has proven its commitment to creating a strong and enduring tradition of excellence. This win shows that the team benefits now, as in past decades, from exemplary leadership both on and off the field. I commend Coach Todd Yeagley, and the rest of the coaching staff, for instilling confidence in their Hoosier Squad, and for driving them to victory this season.

IU's championship squad also serves as an inspiration to many members of the community of Bloomington, and to Hoosiers across Southern Indiana. Collectively, the student-athletes have shown us what can be achieved through teamwork and perseverance. I commend them on their National Championship, and I salute them for their example. Finally, I join members of the Hoosier Army, and other rank-and-file Hoosiers, in looking forward to many more thrilling seasons in the coming years. Go Hoosiers!

HOUSE OF REPRESENTATIVES—Wednesday, February 6, 2013

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of the Universe, thank You for giving us another day.

As the Democratic Caucus leaves for its retreat, bless each Member with skills and the vision to fashion pathways to bringing about what is needed for the benefit of our Nation.

Bless the Republican Conference, which remains at the Capitol, with the same gifts, consistent with their own defining skills and vision.

In Your wisdom, bless both parties with the grace that is needed to work together to benefit our people. May we all be faithful stewards of the Nation bequeathed to us by our American ancestors.

Please keep all who work for the people's House in good health, that they may faithfully fulfill the great responsibility given them in their service to the work of the Capitol.

Bless us this day and every day. May all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Michigan (Mr. WALBERG) come forward and lead the House in the Pledge of Allegiance.

Mr. WALBERG led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches from each side of the aisle.

A BALANCED BUDGET

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Hardworking taxpayers in Michigan and across the country live within their means in large part because they create responsible budgets. It's only natural that they expect the same from their government. A balanced budget is important to those of us who want to protect and save Medicare and Social Security. It's also important to the young workers and families who cannot afford to see their taxes go up. Unfortunately, the Senate and President have repeatedly failed at this basic duty.

Last year, the President sent Congress a budget that never balanced, while the Senate hadn't the courage to even produce a budget in nearly 4 years. However, since the American people entrusted the Republicans with the majority in the House, my colleagues and I have twice passed a responsible budget to address our mounting debt and promote a healthy economy.

Today, we'll also pass the Require a PLAN Act, which would obligate the President to submit a budget that balances within 10 years, or provide a supplemental budget plan identifying when the Federal budget would balance.

We believe there is a better way to tackle our Nation's debt than higher taxes and the President's sequester. Together we can produce solutions that get our debt crisis under control. Our neighbors and our families deserve our best effort.

NATIONAL BLACK HIV/AIDS AWARENESS DAY

(Mrs. CHRISTENSEN asked and was given permission to address the House for 1 minute.)

Mrs. CHRISTENSEN. Madam Speaker, tomorrow, February 7, is the 13th National Black HIV/AIDS Awareness Day.

We represent 14 percent of the 1.1 million Americans living with HIV, and account for 44 percent of all new infections. My district, the U.S. Virgin Islands, carries a disproportionate burden of this disease.

From 2001 to 2005, the incidence of HIV infection in the territory increased by 19.4 percent, and has increased every year since 1998. In 2008, HRSA estimated the combined HIV infection rate of people living with AIDS in the territory to be 1 percent of our population. And CDC reports that the Virgin Islands has one of the highest newly identified confirmed HIV posi-

tivity rates among African Americans in this country.

Most, if not all of us, know someone who is living with HIV or has died from AIDS. Today no one needs to die. Let's talk openly with our partners, family, and friends; let's get educated; let's get tested; and let's reduce stigma and discrimination.

Tomorrow and every day, we will do more than commemorate those we have lost. We will rededicate ourselves to the work ahead. We can beat this disease. We can win this fight. Together, we can end this epidemic.

CONGRATULATING ALLEN HIGH SCHOOL

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Madam Speaker, I rise today to congratulate Allen High School in my district for a recent victory on December 22. The Allen Eagles won the Texas State Championship with a score of 35-21 against Houston Lamar. Back in 2008, the Allen Eagles clinched their first Class 5A Division I State title, and now in 2012 they've done it again.

After completing their incredible 15-1 season, the Allen Eagles have officially been named to the eighth annual MaxPreps Football Tour of Champions. In the past nine seasons, Tom Westerberg, head coach of the Eagles, has led his team to two State titles with a record of 102 wins to 16 losses. It comes as no surprise that he was named 2012 Dallas Area Coach of the Year.

The Allen Eagles are known to be a team with heart, and it's now proven they have the heart of a champion. Congratulations, Allen Eagles, on a tremendous season. Way to represent the city of Allen and continuing the storied tradition of great high school football in north Texas. God bless you. I salute you.

INTRODUCING THE GOVERNMENT WASTE REDUCTION ACT

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. Madam Speaker, I rise to talk about the first piece of legislation I am introducing as a Member of Congress.

Like many people across Illinois, I learned at a young age that balancing

the family pocketbook and living within our means is a question of values. I want to work together on commonsense solutions that reduce the deficit while preserving the important services on which so many people rely.

The bill I'm introducing today does just that. It is called the Government Waste Reduction Act. This bill moves forward on recommendations the Government Accountability Office made that would reduce duplication in government, save taxpayer money, enhance revenue, and root out waste.

It establishes the independent Government Waste Reduction Board, tasked with recommending legislative proposals that implement these cost-cutting measures and sending them to Congress.

For example, the Federal Government has 47 job training programs, 44 of which overlap. Simply consolidating programs that overlap can save tens of billions of dollars, while not impacting program quality.

Commonsense proposals to cut waste out of government already exist, but they are meaningless and save nothing unless we implement them. My bill will serve as a starting point to lower our deficits by tens of billions of dollars in a responsible, commonsense way that protects the middle class.

MOX IS A NATIONAL ASSET

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, yesterday I sent a letter to the President to encourage him to support the MOX project, the Mixed Oxide Fuel Fabrication Facility, located in Aiken, Barnwell, and Allendale Counties of South Carolina.

This facility at the Savannah River Site plays a vital role in allowing the United States to fulfill our international nonproliferation obligations by turning nuclear bombs into energy. The President has always supported this facility, which was initiated in the Clinton administration.

The facility is over 50 percent completed and promotes our national security. Today's letter is supported by Members from both sides of the aisle, which proves this issue is not partisan politics, but one of grave national security concern. It is my hope, as customers are identified, that the project will be completed, which supports environmental cleanup efforts at the Savannah River Site.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

□ 0910

NATIONAL BLACK HIV/AIDS AWARENESS DAY

(Ms. LEE of California asked and was given permission to address the House for 1 minute.)

Ms. LEE of California. I rise as founding cochair of the bipartisan Congressional Black HIV/AIDS Caucus to mark National Black HIV/AIDS Awareness Day. Tomorrow, individuals and organizations across the Nation, including in my own 13th Congressional District of California, will organize and advocate for HIV testing and treatment.

In the United States, African Americans remain disproportionately affected by HIV/AIDS. This is especially true for young gay and bisexual men of color. While African American teenagers represent 15 percent of teenagers in the United States, they accounted for 69 percent of all cases reported among teenagers in 2010. The same is true for African American women, who accounted for 68 percent of all new HIV cases among women.

Despite the progress we've made in recent years, this Congress has already made unconscionable budget cuts to critical programs that many families and communities rely on. A new analysis by the Foundation for AIDS Research and the National Minority AIDS Council shows, if budget sequestration were to take effect, communities of color would be disproportionately impacted, including more than 6,500 individuals who immediately lose access to HIV treatment.

We must reject these cuts and expand effective prevention, care, and treatment programs so that we can once and for all stamp HIV and AIDS off the face of the Earth.

HONORING FORMER ARMY STAFF SERGEANT CLINTON ROMESHA

(Mr. CRAMER asked and was given permission to address the House for 1 minute.)

Mr. CRAMER. Madam Speaker, as inadequate as words are in expressing our gratitude to our American heroes who wear the uniform of our armed services, I rise to do my best to pay tribute to one very special soldier from North Dakota.

Former Army Staff Sergeant Clinton Romesha will be presented with the Medal of Honor next Monday by President Obama for "acts of gallantry and intrepidity," becoming only the fourth living recipient for actions in Afghanistan or Iraq. With the help of an assistant gunner, he took out a machine-gun team before sustaining shrapnel from a grenade. The citation recalls his acts of heroism this way:

Undeterred by his injuries, Staff Sergeant Romesha continued to fight, and upon the arrival of another soldier to aid him and his

assistant gunner, he again rushed through the exposed avenue to assemble additional soldiers. With complete disregard for his own safety, he completely exposed himself to heavy enemy fire as he moved confidently about the battlefield engaging and destroying multiple enemy targets.

This young husband and father not only fought the enemy after sustaining his own wounds, he organized air attacks and provided cover while three of his wounded comrades could get to aid, then pushed on to retrieve the bodies of fallen soldiers.

Madam Speaker, I'm honored to serve in this prestigious assembly, always aware I do so because people like Staff Sergeant Romesha serve me and our Nation in ways we can't even imagine. May God bless Mr. Romesha and his family and all of our American heroes who serve the cause of freedom around the world.

CONGRATULATING THE BALTIMORE RAVENS

(Mr. RUPPERSBERGER asked and was given permission to address the House for 1 minute.)

Mr. RUPPERSBERGER. Madam Speaker, I rise today to congratulate the world champions of football, the Baltimore Ravens. On February 3, the Vince Lombardi Trophy returned home to "Charm City." Like Coach Harbaugh said, the win wasn't pretty, it wasn't perfect, but it was Baltimore.

We overcame the doubts of a Nation. Baltimore was just an afterthought, playing against a 3½-point favorite.

We overcame injury. Bernard Pollard, our safety, played with not one, not two, not three, not four, not five, but six broken ribs throughout the season.

We overcame an agonizing 34-minute delay, when we seemed to lose not only power in the stadium but the wind in our sails.

We overcame a second-half surge that left us screaming at our televisions, from Dundalk to Havre de Grace.

I watched the game with my family and my 92-year-old mother, and even she was fired up. The team stuck together and got it done.

I want to congratulate the owner, Steve Bisciotti, a class act who does so much for our city on and off the field. Also, Ravens President Dick Cass and General Manager Ozzie Newsome, who has the greatest mind in football. And, of course, the players—especially No. 52, Ray Lewis, and No. 5, Joe Flacco, who won the MVP of the game.

Last Sunday, the lights were out in the Superdome for awhile, but at the end of the day, it was just lights out for the 49ers. Baltimore cannot be more proud to welcome our players and the Vince Lombardi Trophy back home.

I also want to say that our leader, NANCY PELOSI, who is homegrown Baltimore, now a 49ers fan, did accept the

defeat with her regular class and dignity.

CONGRATULATING THE BALTIMORE RAVENS

(Ms. PELOSI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PELOSI. I rise, Madam Speaker, to congratulate Congressman RUPPERSBERGER and the other members of the Maryland delegation and, more importantly, join them in congratulating the Ravens. They beat a mighty champion at the Super Bowl.

As a proud 49ers fan who grew up on Johnny Unitas in Baltimore and going to those games as a teenager and raising my own children on Joe Montana and Steve Young, you can just imagine how exciting this game was for me.

Mr. RUPPERSBERGER quoted Coach Harbaugh. I will quote him in another way. They asked him after the game, Was it hard coaching against your very own brother in the Super Bowl? He said that it was very hard. The only thing that would have been worse is if one of us were not coaching in the Super Bowl.

So while it was hard to lose to the Ravens, it would have been even harder to lose to someone else. If someone had to beat the 49ers, I congratulate the Ravens on a game well played.

I was in the stadium. I wondered who on the Baltimore side decided to pull the plug on the electricity. They were wondering who on the 49ers' side did. In any event, there was good spirit. I think if you were there and you saw that delay in the game and you saw the mood of the people, it was a real tribute to the people of New Orleans, who had extended such gracious hospitality in every way. People were in a good mood and they rode out that time.

I want to join you in commending the owner, Steve Bisciotti, in his leadership of the Ravens, but I also want to acknowledge the wonderful leadership of Art Modell. He passed away in the fall after being such a great leader in the Baltimore community, bringing the Ravens to Baltimore and in being a part of the city in philanthropic and other ways. He was a great man. It was wonderful to see the Ravens and everyone else, including Governor O'Malley and Mayor Rawlings-Blake, with "Art" on their lapels throughout the weekend.

So to Art Modell's family, to the ownership of the Ravens, congratulations. To the people of Baltimore, I know how exciting it is and what it means to Baltimore. I extend my congratulations. And I didn't have a bet, because I said while I'm rooting for the 49ers, I would never bet against Baltimore. So congratulations to all concerned.

REQUIRE PRESIDENTIAL LEADERSHIP AND NO DEFICIT ACT

GENERAL LEAVE

Mr. PRICE of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore (Mr. WILSON of South Carolina). Is there objection to the request of the gentleman from Georgia?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 48 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 444.

Will the gentlewoman from Florida (Ms. ROS-LEHTINEN) kindly take the chair.

□ 0918

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 444) to require that, if the President's fiscal year 2014 budget does not achieve balance in a fiscal year covered by such budget, the President shall submit a supplemental unified budget by April 1, 2013, which identifies a fiscal year in which balance is achieved, and for other purposes, with Ms. ROS-LEHTINEN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, February 5, 2013, 30 minutes remained in general debate.

The gentleman from Georgia (Mr. PRICE) and the gentleman from Maryland (Mr. VAN HOLLEN) each has 15 minutes remaining.

Who yields time?

□ 0920

Mr. PRICE of Georgia. Madam Chair, I yield 1 minute to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. I thank the gentleman for yielding.

Madam Chairman, a family that earns \$27,000 but spends \$36,000 and has run up a credit card debt of \$165,000 is obviously on the brink of financial ruin. Proportionally, that is exactly where our Federal Government is today.

Now, if that family went to see a credit counselor, the first thing he's going to tell them is we've got to sit down and draw up a budget. Now, that family is going to have to make some very difficult choices. It may take several years to work its way back to solvency. But our Senate has not passed a budget in nearly 4 years, and our President has offered only entirely un-serious budgets that continue to spend recklessly and that never balance.

This bill simply requires that if the President can't balance the budget this

year, he tell us how long it will take and what needs to be done to do so. We would expect that from any family. We should demand it from our government.

Mr. VAN HOLLEN. Madam Chairman, as we debated yesterday, the bill before us is unfortunately nothing more than a political gimmick at a time when we're facing huge issues with respect to jobs and the economy.

It's very unfortunate that we did not have an opportunity to vote on an amendment that we proposed to replace the sequester—which is now less than a month away and which will do grave economic harm—our proposal to replace that sequester with a balanced mix of cuts and revenue from closing loopholes. But in this body, which says it wants to be transparent in the people's House, we were denied an opportunity to take a vote on something that's very important to the American people, as opposed to playing the political games we've been playing with this bill.

With that, I yield 1 minute to the distinguished Democratic leader, the Representative from San Francisco and the daughter of Baltimore, the home of the Super Bowl champions, the Ravens.

Ms. PELOSI. Well, if the Ravens' and the 49ers' fans can come together, hopefully so can the Democrats and the Republicans on an issue of this grave concern to our country, our budget, which should be a statement of our national values. Instead, as Mr. VAN HOLLEN said, we see the Republicans playing games with the budget. Playing games—that's what they have been doing and that's what they continue to do as we go into this spring, when we need to find solutions; playing games that give new meaning to the term "March Madness" because that's what will result if we have to face a sequester. It's a very bad idea. A sequester should be out of the question, and we should be talking about how we find a solution instead of a sequester.

Mr. VAN HOLLEN offered a solution. Here we have a debate on the budget, the blueprint for how we go forward. And the Rules Committee, dominated by the Republican majority, has said we won't even let your proposal come to the floor, not in the form of an amendment or a substitute or in any other way. What are they afraid of? They're afraid of common sense because that is what Mr. VAN HOLLEN's proposal is about.

It recognizes that we need to have spending cuts. In fact, we've already agreed to \$1.6 trillion in spending cuts in the Budget Control Act. It recognizes that we must address the entitlement issue. In fact, Democrats have already agreed to more than \$1 trillion in Medicare savings to strengthen Medicare and to protect beneficiaries. So with that as a basis, we go forward with the Van Hollen proposal, which is

a very commonsense solution. It is a plan to replace sequester. It makes further spending cuts in a responsible way. It ends tax breaks for Big Oil, and it ensures that millionaires pay their fair share. Who could be opposed to that?

So let's get serious. It's time for us to get serious. We have a serious challenge. We should be working in a bipartisan way to find a solution. Instead, again, the Republicans are playing games leading up to what will make "March Madness" a term that would be inadequate for the consequences to our children, millions of whom will be affected in terms of their education and their wellbeing; to our seniors, to our veterans, to our safety industry in terms of cops on the beat. The list of cuts across the board and a meat-ax approach with no common sense given to it is ridiculous. It's ridiculous.

Let's stop this march to folly, this "March Madness." Let's get serious. Let's accept the President's challenge that he put forth. If we can't have a big, bold, and balanced solution now, let's at least do something that is balanced and bold as we go forward to the end of the fiscal year, as Mr. VAN HOLLEN has proposed, so that we can do what is right for the American people instead of what is wrong for our economy.

What the Republicans are proposing is a blueprint for a downward spiral in our economy. It's irresponsible. It does not have value in terms of being solution-oriented.

I might add, in conclusion, Madam Chair, that I'm listening attentively to this debate and I hear my colleagues on the Republican side talking about how important it is to reduce the deficit—and we are in total agreement on that subject. I think we have a moral obligation to reduce the deficit. I think we have a moral obligation to create jobs, to put people to work because growth, in addition to spending cuts and revenue increases, growth is what's going to help us reduce the deficit.

But I didn't hear one "boo" out of any of the people, not one little hoot, one little peep, or any other sound an endangered species of a deficit hawk would have made during President Bush's term when most of this deficit was amassed—tax cuts for the wealthiest people, which did not create jobs but increased the deficit; giveaways to the pharmaceutical companies with an ill-advised pharmaceutical plan; and two unpaid-for wars. Just not fair to investments that we should be making in America's future, whether it's biomedical research to create cures and to keep America preminent in terms of science, whether, again, it's invested in the seed corn and the education of our children. The list goes on and on. The list goes on and on of all of the initiatives that are important to growth, to making our future brighter, to keeping

America competitive, to keeping America number one.

So I urge a strong rejection of what the Republicans are proposing. It's, frankly, silly and, as I said before, unworthy of the challenge that our country faces and the bipartisan solutions that we should be trying to achieve.

I urge a "no" vote.

Mr. PRICE of Georgia. Madam Chair, it is probably appropriate to refocus ourselves on the bill that we're discussing today, that's before us today, H.R. 444. It simply does one thing. It says to the President: when you bring a budget to Congress, tell us when it's going to balance. That's all it does.

Now, the sequester is an important issue, there's no doubt about it. President Obama's sequester is an important issue. House Republicans have passed two times spending reductions that prioritize in a much more responsible way. We agree that it ought to be much more responsible. The ball is in the Senate's court. The ball is in the President's court.

This bill, though, simply says to the President: when you bring your budget to us, just let us know when it balances. That's important because the last four budgets that the President has brought to this House, to this Congress, have never, ever balanced.

I'm pleased to yield 1½ minutes to the gentleman from Tennessee (Mr. DESJARLAIS).

Mr. DESJARLAIS. I thank my colleague for his leadership on this issue.

This is the fourth time in 5 years that the White House has proven that it does not take trillion-dollar deficits seriously enough to submit a budget on time. In contrast, House Republicans, since taking the majority in 2010, have done that every year and will do so again in just a couple of weeks.

We still do not know when the President plans on actually submitting his budget. When asked, White House Press Secretary Jay Carney said that the administration favors substance over deadlines. Let me translate that for you: they don't have a solution to addressing the Nation's spending and debt crisis.

Today, the House will pass the Require a PLAN Act. I'm hearing comments that this is a gimmick, this is a ploy. Are you kidding me? We need to do our job. The American people get it. They want Congress to work together. They're not in love with Republicans or Democrats right now. They want us to solve this problem.

□ 0930

It's sad that we have to resort to a Require a PLAN Act to get the other side to work with us. Please work with us. We have submitted budgets. We need the Senate to submit a budget. Every missed deadline is a missed opportunity. We need to get serious about spending now. We cannot continue to

delay choices that we need to make. We owe it to our future generations.

Mr. VAN HOLLEN. Madam Chairman, for those Members of this body who were not focused on this debate yesterday, let's make a couple of things clear. The President will introduce a budget, he is going to submit a budget, and he has submitted a budget every year. Our Republican colleagues don't like his budget because he takes a balanced approach to reducing the deficit, meaning that in addition to cuts, he also calls for additional revenue from taking away special tax breaks for special interests. That's number one.

Number two, what this bill does is, number one, require the President to submit his budget in a certain way; and number two, it criticizes the President for submitting his budget late.

Again, for those who weren't part of the debate yesterday, the reason the President's budget is late is because we had to pass the fiscal cliff agreement. We didn't get that done until January 2. And I have to say, Madam Chairman, we got it done despite the overwhelming opposition of House Republicans. We were pleased to get the overwhelming support of Senate Republicans, but House Republicans continue to take the position that they were prepared to go over the fiscal cliff in order to protect tax breaks for very wealthy people.

That's why the President's budget is late, because as any American family knows, if you don't know what revenue is coming in, you can't put together your household budget. We didn't know what kind of revenue was coming in until January 2.

So, with that, Madam Chairman, I yield 2 minutes to the distinguished ranking member of the Ways and Means Committee, Mr. LEVIN.

Mr. LEVIN. The Republican mantra is no revenues, cuts at any price, whether it damages health research, our kids' education, our national defense, or our national economy. So beneath their new talk of softening their image remains their hard edge.

Now we're less than a month away from a sequester—\$85 billion in arbitrary, across-the-board cuts just in 2013. Just yesterday, the nonpartisan Congressional Budget Office warned us that allowing the sequester budget cuts to take effect would reduce GDP growth by more than 25 percent this year, wiping out hundreds of thousands of jobs—hundreds of thousands of jobs—and pushing the unemployment rate back up to 8 percent.

So I say to the Republicans, instead of opening your arms to the sequester and risking our Nation's economic recovery, Republicans should be opening their minds to a balanced, bipartisan solution.

Mr. PRICE of Georgia. Madam Chair, I'm pleased to yield 1 minute to our

distinguished majority leader, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. I thank the gentleman. Madam Chair, on Monday, the President missed the deadline for submitting his fiscal year 2014 budget. So, unfortunately, we haven't yet seen what the President will propose to address our exploding debt. But if the President's 2014 budget is similar to his plan from last year, it will never achieve balance, not next year, not in 10 years, and not even in 30 or 40 years. Apparently, the President does not believe we have a spending problem in America.

Unfortunately, the facts tell us that we do. Federal spending is 22 percent higher than it was in January of '09, and debt held by the public nearly doubled by the end of the President's first term after four consecutive trillion-dollar deficits.

The seriousness of this problem was underlined yesterday when the CBO told us that unless changes are made, Federal debt held by the public will reach 76 percent of our GDP by the end of this year, the highest level since 1950, when the bills were fresh from winning World War II.

The American people recognize that perpetual large Federal deficits threaten their economic security. That's why a recent Pew Research Center poll showed 72 percent of respondents said reducing the deficit should be a top priority for national leaders. That was second only to the 86 percent who cited strengthening the economy and improving the jobs outlook. Concern about the deficit has risen from ninth among 20 issues 4 years ago to third in last month's survey.

People are worried about what perpetual Federal overspending will mean to their future. Will taxes on low- and middle-income working families have to rise to pay the bills we're racking up? Will inflation kick in, eating away at the incomes of senior citizens living on fixed incomes who already struggle to pay for gas and groceries?

Will our economy stagnate as government demand for capital crowds out private-sector borrowers who want to expand their businesses? Will our kids be condemned to a lower standard of living once our overseas creditors become concerned we won't be able to pay them back? These are real concerns.

These are the reasons we brought the PLAN Act to the floor today. I thank the gentleman from Georgia for his leadership. Life teaches that if you don't have a plan, you're planning to fail. And this President does not have any plans to balance the Federal budget ever.

The House has developed a plan to balance the budget, and we voted on it twice. This year, we intend to improve on that plan and balance the budget even sooner than the 10 years our prior

proposals called for. But we can't do it alone. We need to have the cooperation of the President and the other body to make any meaningful progress.

Last month, we enacted the No Budget, No Pay law which requires both Houses of Congress to adopt a budget by April 15. Now we are hearing that the other body is planning on producing its first budget since '09, so we're making some progress.

The PLAN Act is the next step in this process. It will require the President to tell us when he thinks a balanced budget can be achieved and how he'd get us there. If his budget submission does not balance, he'll have to submit a supplemental budget by April 1 telling us the earliest date when balance can be achieved, and he will have to show us the policies he will use to make that calculation.

This way, we can begin to develop a common destination. Until we are all headed in the same direction, we'll never get there. The public is telling us we need to reduce the deficit and balance the budget. The PLAN Act will help us do that, and I urge adoption of the bill.

Mr. VAN HOLLEN. Madam Chairman, I yield myself such time as I may consume.

This bill is entitled the PLAN Act. What we really need is a plan to avoid the sequester, these across-the-board, indiscriminate cuts that are going to take place on March 1, which we all know are going to hurt jobs and the economy.

We just heard from the Republican leader. Last September, he made a very good point on the floor of this House. He said that if you allow those sequester cuts to take place, you're going to see more than 200,000 jobs lost just in the State of Virginia just in the defense sector. The across-the-board cuts are going to hurt jobs in defense, but they're also going to hurt other jobs as well as important national efforts, whether it's the FBI, whether it's border security, or whether it's medical research at the National Institutes of Health. All those things are going to be cut.

Now, the majority leader just made the point that when the American people are asked what their number one priority is, it's jobs and the economy. So why aren't we doing something about jobs and the economy? Why did the Republican leadership deny us an opportunity just to have a vote on a plan, a plan to prevent that sequester from taking place in less than a month, a plan that would replace that sequester with a mix of long-term, targeted cuts as well as revenues from, for example, getting rid of the taxpayer subsidies for the Big Oil companies?

That's the real plan we need, and yet we haven't seen any plan from our Republican colleagues in this 113th Congress. So, let's focus on what really is

important to the American people. The deficit is, of course, important to the American people. As the Republican leader said, it ranked number two. There's no debate there.

The issue all along has been not whether we reduce the deficit but how we do it, making sure, number one, we don't do it in a way that hurts the economy, like some of the austerity plans in Europe, which apparently our Republican colleagues would like us to copy. That hurt the economy. We saw it didn't work in the U.K., and we believe we need to reduce the deficit in a balanced way—cuts but also revenue, by asking very wealthy people to contribute a little bit more and by closing those tax breaks that we heard about from the Republican Presidential and Vice Presidential candidate all last fall.

□ 0940

Those tax breaks are still out there. We propose to eliminate some of those for the purpose of reducing the deficit in a balanced way. That's the plan we need. That's the plan we've offered. Unfortunately, that's the plan we haven't had a chance to even get a vote on.

I reserve the balance of my time.

Mr. PRICE of Georgia. Madam Chair, how much time remains on each side?

The Acting CHAIR. The gentleman from Georgia has 10¾ minutes remaining, and the gentleman from Maryland has 8 minutes remaining.

Mr. PRICE of Georgia. I want to commend my friend from Maryland on the other side for trying to change the subject. There's a lot of talk over here about the sequester. That's an important issue. There's no doubt about it. We look forward to that debate.

This is about having the President submit a budget to Congress that balances, and we're concerned about that because the last four budgets that this President has submitted to this Congress have never, ever balanced.

With that, I'm pleased to yield 1½ minutes to the gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Madam Chair, I would like to thank the gentleman for yielding.

I'm grateful to Congressman TOM PRICE and his tremendous leadership on this very important issue of balancing the budget. Congressman PRICE has a vision for fiscal responsibility which creates jobs.

Spending money that we do not have is irresponsible. For the past 4 years, the Federal Government has spent over \$1 trillion more each year than it receives. American families know better than spending beyond their means without consequences. The government should stop passing on depressing debt to our younger citizens.

House Republicans recognize that national security risks are at stake if we fail to get our spending under control.

I hope the Senate and President will adopt actual solutions that will decrease the size of skyrocketing national debt.

The passage of Require a PLAN Act will be a significant act by requiring the President to propose a budget that balances over a 10-year period, and the American people will begin to restore their faith in Washington and believe that hope and prosperity are the future for our Nation. Balancing our budget not only protects and preserves entitlement programs for our seniors and future generations, it also provides economic certainty, which helps American small businesses create jobs.

As a grateful cosponsor of this legislation, I urge my colleagues and those across the aisle to put party politics aside and vote in favor of the bill.

Mr. VAN HOLLEN. I reserve the balance of my time.

Mr. PRICE of Georgia. Madam Chair, I'm pleased to yield 1½ minutes to a member of the Budget Committee and the Ways and Means Committee, the gentlelady from Tennessee (Mrs. BLACK).

Mrs. BLACK. Madam Chair, yesterday, the President took to the White House briefing room to lecture, as he has done before, on the virtues of the so-called "balanced approach" to budgeting. However, while he failed to mention that his balanced approach would never lead to a balanced budget, his last 4 years have made that abundantly clear. It's long past time for the President to level with Congress and the American people about when his so-called "balanced approach" will actually balance the budget.

Today, the House will take up the Require a PLAN Act, which will force the President to do just that. By requiring the President to explain when and how he would balance the budget, we can begin to have an honest and constructive discussion about what it is actually going to take to prevent a debt crisis. History and math tell us that our fiscal challenges can only be solved through responsible budgeting that cuts spending and reforms entitlements.

The President's incessant demand for higher taxes is not a solution to our fiscal problems but, rather, a deceptive rhetoric that cannot withstand the scrutiny of basic math or honest budgeting. No amount of tax hikes will ever be able to steer us away from the looming debt crisis we face.

Averting the most predictable crisis in U.S. history is not a question of how, but a question of if the President will have the courage and the foresight to work with the House Republicans to lead our country out of economic stagnation and away from a future limited by mountains of debt.

Mr. VAN HOLLEN. Madam Chairman, I think it's important to remind our colleagues that as part of the

Budget Control Act and other measures we took over the last several years, we have already cut \$1.5 trillion over the 10-year budget period by placing a cap on spending. The President has been very clear, as have Democrats in the Congress. We understand we've got to make some important cuts. We did \$1.5 trillion. We can do more. In fact, the substitute amendment that I proposed would eliminate these direct payments for agribusinesses, over \$29 billion in unnecessary subsidies.

The question isn't whether we should do cuts. Yes, we should do them. We should do them in a smart way and not in an across-the-board way. But we should also generate revenue by closing the tax loopholes to reduce the deficit.

We heard again from our Republican colleagues throughout the last Presidential campaign about all these tax breaks that benefit very wealthy people. Let's close them to help reduce the deficit, and that's exactly what our substitute would do to help replace the sequester.

I'm now pleased to yield 2 minutes to someone who knows these issues well, a terrific new Member of Congress from the State of Maryland (Mr. DELANEY).

Mr. DELANEY. In my judgment, Mr. Simpson and Mr. Bowles are American heroes because they were given a job by the President of the United States. It was a very difficult job, and the assignment required significant vision. Their job was to work in a bipartisan way with experts and come up with a proposal that was in the best interest of the common good of American citizens.

That's exactly what they did. The fact that it was rejected by our government, in my judgment, is a tragedy. If you contrast what they did to what we're considering here today with H.R. 444, it puts into context exactly the problems we have with this Congress. Because what Mr. Simpson and Mr. Bowles did is they came up with a specific proposal that had additional revenues and had important cuts to put the country on a better fiscal trajectory.

We're not here debating what proposal we should put in place to put this country on a better fiscal trajectory. That would be a worthy discussion. Nor are we talking about the things we need to do as a country to make our country more competitive, to create jobs. We're not talking about immigration reform. We're not talking about a national energy policy. We're not talking about investing in our infrastructure. What we're talking about is a gimmick that has nothing to do with the substance of the fiscal debate that we need to have in this country.

This proposal, this bill is a gimmick for career politicians in their game of chess. It has nothing to do with the substance of what the American people need us to do as a Congress. We need to adopt the framework that was put

forth by the Simpson-Bowles Commission, where people actually did their job, and we need to use that as a framing document to deal with our fiscal trajectory. We then need to get on with the business of making this country more competitive so we can create jobs that have a good standard of living. To do that, we need to change important policies in this country around immigration, energy, infrastructure, and education. That's what the business of this Congress should be.

Mr. PRICE of Georgia. Madam Chair, I'm pleased to yield 1½ minutes to a new Member on our side of the aisle, the gentleman from North Carolina (Mr. MEADOWS).

Mr. MEADOWS. Madam Chair, I thank the gentleman for yielding as I rise in support of H.R. 444, the Require a PLAN Act.

As a small business owner, I understand the importance of a balanced budget. Ensuring that you spend within your means is vital to your employees and the success of that business. Spending beyond your means could result in layoffs, mothers and fathers not being able to put food on the table, and it ultimately could mean the demise of that company.

I get it. Families from my district in western North Carolina get it. Just last week, Eric from Asheville wrote to my office saying:

To me it is just basic math. This is how most people that have a budget work. If you are in debt, you either need to spend less and cut back, or make more money. So I spend less, and I cut back on some of the things that are not essential. Why can't our government figure it out?

I agree with Eric from Asheville, North Carolina, and that's why I'm a proud cosponsor of Representative TOM PRICE's Require a PLAN Act, which will force President Obama to explain how he intends to balance our budget.

It's time for the Federal Government to do what hardworking, tax-paying Americans and some businessowners from across the country have to do: balance a budget and live within our means. The time is now.

□ 0950

Mr. VAN HOLLEN. I reserve the balance of my time.

Mr. PRICE of Georgia. Madam Chair, I am pleased to yield 1 minute to another new member of our Conference, the gentleman from Texas, who knows a significant amount about budgets and who is a new member of the Budget Committee, Mr. WILLIAMS.

Mr. WILLIAMS. Madam Chair, I rise today in support of H.R. 444, the Require a PLAN Act. I am a small business owner, and I have submitted a budget to my bank for 41 straight years. It is astounding that the President has shirked his responsibility to submit a budget on time for 4 of the last 5 years.

Our Nation has trillion-dollar deficits. They are threatening the economic future of this great country, yet the President and his Democratic Party leaders in the Senate have made it a habit to ignore their budgetary obligations. Under President Obama, the national debt has increased faster than under any U.S. President in history. Now is not the time to sit back and continue racking up debt that our children and our grandchildren will have to shoulder, not to mention small businesses.

The American people deserve better leadership. They have made it abundantly clear that Congress should balance the Federal budget just like families and business owners do across the country, and they do it every single day. That's why I support the House bill requiring the President to submit a balanced budget and to get Washington's spending under control, so I urge my colleagues on both sides to vote "yes" on this bill.

I remember that Ronald Reagan's birthday is today. May God bless our country.

Mr. VAN HOLLEN. I continue to reserve the balance of my time.

Mr. PRICE of Georgia. I am pleased to yield 1½ minutes to another new member of our Conference, the gentleman from Oklahoma (Mr. BRIDENSTINE).

Mr. BRIDENSTINE. Madam Chair, I rise today to support H.R. 444, the Require a PLAN Act.

It is perfectly appropriate for the President to present a budget that balances within 10 years. If he does not, this bill would require him to tell us when his budget might balance. Trillion-dollar deficits for the foreseeable future are harming seniors, the poor, and middle-income families who are struggling to make ends meet. Here is how:

Our deficits are financed by Treasury bonds, most of which are being purchased by the Fed with newly created money. This drives up the price of bonds and keeps interest rates artificially low. Seniors on fixed incomes, who have saved their whole lives, now cannot make a fair interest on their savings. In addition to squeezing the incomes of our seniors, creating money to fund deficits also drives up prices, which has a disproportionate adverse effect on the seniors, on the poor, and on middle-income families.

Creating money out of thin air to fund the President's spending must stop. The first step is to stop the reckless spending by having the President present a plan to balance the budget. This is a simple request with no reasonable excuse for opposition. I support H.R. 444, the Require a PLAN Act, to protect our seniors, the poor, and middle-income families.

Mr. VAN HOLLEN. I yield myself such time as I may consume.

Madam Chairman, we've heard a number of the last speakers complain about the fact that the President's budget will be a little late this year.

Again, for the new Members joining us—and we welcome all of the new Members, those being Republicans and Democrats—in the last session of Congress, we were here until January 2 trying to put together an agreement to avoid the fiscal cliff. That was the President's priority—to make sure that we didn't hurt jobs and the economy by going over the fiscal cliff.

The overwhelming majority of our Republican colleagues in this House voted against that plan because they were more focused on protecting tax breaks for very wealthy individuals than about protecting jobs and the economy. That's their choice. Their Senate Republican colleagues made a different choice, but our House Republican colleagues can make the choice that they want.

Now, with respect to the budget, the President will submit a budget, and our House Republican colleagues can reject it or do what they want with it. The issue is not whether he'll submit a budget. He will. The issue is whether or not we would dictate to the President what the form of his budget should take, and that is wrong.

It is also a little curious to hear this newfound support for these sort of balanced budgets from our Republican colleagues. I would just remind everybody that the last time we had a balanced budget was at the end of the Clinton administration. Why? Because, in addition to economic growth, they asked the American people to contribute a little bit more in terms of tax revenue. The Bush administration came in and immediately squandered those surpluses. I think it's important to know that, since 1950, we've had a balanced budget on only eight occasions, unfortunately. The last time we had a Republican President who balanced his budget without inheriting it from a Democratic President was Dwight Eisenhower.

So we are pleased that our Republican colleagues are joining us in trying to get back to fiscal responsibility. We see reducing the deficit as a very important part of that, but we disagree that we should do it by cutting important commitments we've made to seniors, by slashing our investment in our kids' educations, by cutting science and research and things that help power our economy and make us competitive. We think that's the wrong approach. We need a balanced approach that combines cuts with revenues from closing these tax breaks for the purpose of reducing the deficit. That's the kind of plan we need.

I reserve the balance of my time.

Mr. PRICE of Georgia. I yield myself such time as I may consume.

Sometimes in these conversations and debates, Madam Chair, it's impor-

tant to set the record straight. My friend from Maryland says that the reason the President hasn't been able to submit his budget on time—by the way, the law is by February 4, the first Monday in February—is due to what happened at the end of last year.

I would remind my colleague that President Obama has missed the budget deadline more than any other President. In the 90 years since the President has been required to submit a budget to Congress by the first Monday in February, President Obama is the only President to miss the deadline 2 years in a row, and he's the only President to miss the deadline 3 out of 4 years in his first term. So that's just to set the record straight.

Secondly, I would remind my friend from Maryland that the last time this country had a balanced budget it was a Republican Congress that did it. In fact, President Clinton vetoed the budget twice and then signed it, but it was a Republican Congress, and we reduced taxes at that time.

I am pleased to yield 2 minutes to our policy chair on the Republican side, the gentleman from Oklahoma (Mr. LANKFORD).

Mr. LANKFORD. I thank the gentleman.

Back home last week, I had a gentleman who came up to me who said, "I make \$80,000 a year between my wife and me. That has always been enough until now. With the economy's slowing down and prices continuing to increase, it's not enough. What is going on?"

The simple statement that I can make to him is that the economy continues to slow down because the Federal Government continues to borrow more and more money for its own debt, taking that money out of the private sector's hands, which would typically increase the economy, increase jobs, increase economic activity; but instead, right now, it's all coming towards the Federal Government as we require more and more money, thus slowing the economy down more and more.

The unemployment rate under this President has been higher longer than any of the last 11 Presidents combined. There is something unique that I can say to the college student coming out of college who can't find a job: This is not a typical American economy.

What's going on? We're borrowing too much money. We're slowing down the economy. It's not stimulating. It's hurting what's going on.

This simple bill just says this: as is already required by law for the House, the Senate, and the President to all put a budget out, this also says let's put a budget out because of the dire times that we are in. It says, at some point in the next 10 years, let's bring it to balance.

When the President sent his folks over last year to the Budget Committee in order to present the President's budget, I asked specifically,

Does this budget balance at any point—10 years? 25 years? 75 years? Is there a point of balance? The response was, No.

We are just asking for things to balance sometime. Tell us when there is a proposed balance out there. Have a plan. Right now, we have no plan to plan, and that needs to change. The Senate hasn't had a budget for the last 4 years at all. The President presents a budget that never balances. After the fiscal cliff issues and after all of the things that have happened, our tax revenues estimated by the CBO will go up 25 percent next year. It is estimated that our revenues next year will be the highest revenues in the history of the United States, yet the President still comes back and says he needs more revenue.

We need to find areas to cut. We need a plan. We need to get into balance.

Mr. VAN HOLLEN. May I inquire as to how much time remains on both sides.

The Acting CHAIR. The gentleman from Maryland has 2½ minutes remaining, and the gentleman from Georgia has 15 seconds remaining.

Mr. VAN HOLLEN. I yield myself the balance of my time.

Madam Chairman, again, just to put all this into perspective, I appreciate the sort of newfound vigor with which our Republican colleagues are approaching this issue. I would just remind them that, in the budget they brought to the floor in the last 2 years, it did not balance, according to the CBO, until 2040. Even then, if you read what the Congressional Budget Office said, it wasn't as a result of the Congressional Budget Office's analysis of their policies; it was simply based on assumptions that our Republican colleagues provided to the CBO.

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So the real question here is: How do we reduce our deficits in a way that does not hurt the economy right now but does make sure that, as the economy improves, public spending and deficit spending does not squeeze out private investment? Actually, for the last couple of years, the problem has been the opposite. We have seen less private investment, and so the moneys the Federal Government has spent have been very important to helping the economy from going into free fall. But there's no doubt that we have to come up with a balanced approach to dealing with this issue in the outyears, and that's where the debate lies, in how we should do that.

And again, our Republican colleagues have said "no" to the balanced approach; they've said "no" to the plan that we offered to prevent the sequester; and they didn't say "no," they wouldn't even allow a vote on the plan we offered to prevent the sequester that's going to hit on March 1 and

which our Republican colleagues in statement after statement on this floor have said is going to hurt the economy, and which we know from the last quarter's economic report is already hurting the economy just because businesses are anticipating the possibility of these across-the-board cuts.

So that's the plan that we should be focused on. That's the plan that helps the economy, that will help save jobs. And it's just unfortunate that we've been denied an opportunity in the people's House to even have a vote on the one plan that's been submitted in this Congress, in this House, to prevent those job losses and prevent harm being done to our economy.

So I would hope, Madam Chairman, that we put aside this political gimmick. The President will submit a budget. Our Republican colleagues can do with it whatever they want, but let's put aside the political games and focus on jobs and the economy and let's have a vote on the plan that we have introduced to prevent that sequester from taking place and prevent the economic damage that it would do.

I yield back the balance of my time.

Mr. PRICE of Georgia. Madam Chair, this is pretty simple stuff. It's what families do across this country. It's what businesses do across this country, and that is to make certain that they don't spend more than they take in. All this bill does is say to the President, When you bring your budget to the Congress, Mr. President, let us know when it balances. And hopefully it's not never, as he's had for the last 4 years.

I yield back the balance of my time.

Mr. HOLT. I rise in opposition to this bill.

Madam Chair, it is already over one month since Congress temporarily avoided the so-called fiscal cliff, and the clock is ticking on sequestration: the across-the-board spending cuts triggered on March 1 that will devastate our economy. Yet the majority in the House is wasting time voting on an unnecessary bill (H.R. 444) which shirks their responsibilities, while pinning the blame on the President.

This legislation does nothing to address the urgent priorities of the American people—to create jobs, grow the economy, and reduce the deficit in a balanced way. It does not prevent the next self-imposed crisis, thereby threatening our recovery, risking job growth, and harming the middle class.

The majority calls this the "Require a PLAN" bill, but this bill is a stunt, not a solution. Now is the time to take action to avoid the harmful effects of sequestration, not for political posturing.

I urge my colleagues to reject this partisan gimmick and join me in voting against it.

Mr. POSEY. Madam Chair, a nation that does not operate on a budget is plagued by irresponsible spending with bloated budgets, unfathomable debts and jeopardizes its long-term sustainability. That's true of any family or business and it's true of governments as well.

Every state is required to have a budget and nearly all states are required to balance

their budget. Sadly, the federal government has failed to operate on a budget for the past four years, and it's past time for that to come to an end.

In four out of the last five years, the President has failed to submit a budget to the Congress by the date required by law. Furthermore, each of those budgets, when eventually submitted, projected trillions of dollars in deficit spending as far as the eye could see. That is a recipe for national bankruptcy and it is morally wrong.

You would not steal from your children or grandchildren and we should not let Washington do it either.

That is why I rise in support of legislation that I have cosponsored, H.R. 444. This bill is really very simple. It requires the President to do what the U.S. House of Representatives has already done—pass a budget that balances.

I am also hopeful that the U.S. Senate will do something that it too has failed to do for the past four years—pass a budget. Any budget. That will enable the House and Senate to do what is required by law: establish a budget for the U.S. Government and live with it that budget.

The House and Senate can have disagreements, but the Senate and the Administration need to go on record with their spending priorities so our system can work.

In 1997, the Balanced Budget Amendment to the U.S. Constitution passed the House of Representatives, but fell one vote short of passage in the Senate. That year the national debt was \$5.4 trillion. Today it is more than three times that amount—\$16.5 trillion. The debt burden for each American citizen has grown from about \$20,000 to over \$52,000.

Back then, liberals in Washington said the same thing that they say today—that we don't need a Balanced Budget Amendment to control spending and responsibly manage the Nation's finances. There are eleven trillion reasons to prove they are dead wrong. Washington needs a spending intervention.

Earlier this week the Administration once again missed the statutory deadline for submitting a budget to Congress. It's been four years since the Senate approved a budget. All the while allowing billions of dollars in wasteful spending to slip through the cracks, further adding to our trillion dollar deficits.

We need a responsible plan to bring federal spending under control and ultimately balance the budget. Washington can no longer afford to fund itself on short-term stop-gap resolutions, last minute deals struck in the wee-hours of the morning and massive, "too big to read" 1,000-page omnibus spending bills.

Washington is literally charging away our children and grandchildren's futures, depriving them of the opportunities that were so readily available to current and previous generations. Let's pass H.R. 444 and set the Nation on a more secure footing. Let's act today, before we are actually confronted with the inevitable debt crisis to come, which we have been warned about and can avoid if we get serious.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered read for amendment under the 5-minute rule and the bill shall be considered read.

The text of the bill is as follows:

H.R. 444

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Require Presidential Leadership and No Deficit Act” or the “Require a PLAN Act”.

SEC. 2. PURPOSE AND FINDINGS.

(a) PURPOSE.—The purpose of this Act is to require the President to submit to Congress a supplemental unified budget if the President’s budget for fiscal year 2014 does not achieve balance in a fiscal year covered by such budget.

(b) FINDINGS.—Congress finds the following:

(1) With this year’s expected failure to meet the statutory deadline for submission of his budget, as stated by the Office of Management and Budget, the President will have only met the statutory deadline in one of his five budget submissions.

(2) Despite a promise to cut the deficit in half, the deficit doubled during the President’s first year in office and has exceeded \$1 trillion for four years now.

(3) Since taking office, the President has allowed the Federal debt to grow by nearly \$6 trillion and total debt now exceeds the size of the entire economy of the United States.

(4) Under the President’s most recent budget submission, the budget never achieves balance.

(5) The President’s fiscal year 2013 budget submission includes the admission that under his own policies the Federal Government’s “fiscal position gradually deteriorates”.

SEC. 3. SUBMISSION OF A SUPPLEMENTAL UNIFIED BUDGET.

(a) IN GENERAL.—If the President’s budget for fiscal year 2014, submitted to Congress pursuant to section 1105(a) of title 31, United States Code, results in a projected deficit in every fiscal year for which estimates are provided in such budget, then the President shall submit a supplemental unified budget pursuant to subsection (b).

(b) CONTENTS OF SUPPLEMENTAL UNIFIED BUDGET.—Not later than April 1, 2013, the President shall submit to Congress a supplemental unified budget that includes—

(1) the information required under section 1105(a) of title 31, United States Code;

(2) an estimate of the earliest fiscal year in which the supplemental budget is not projected to result in a deficit;

(3) a detailed description of additional policies to be implemented in order to achieve such result; and

(4) an explanation of the differences between the President’s budget for fiscal year 2014 and the supplemental unified budget referred to in this subsection.

(c) DEFINITION.—The term “unified budget” means the total level of outlays, total level of receipts, and the resulting deficit or surplus of the United States Government for a fiscal year.

The Acting CHAIR. No amendment to the bill is in order except those printed in House Report 113–8. Each such amendment may be offered only in the order printed in the report, may be offered by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an op-

ponent, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. TAKANO

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 113–8.

Mr. TAKANO. Madam Chair, I have an amendment at the desk made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amend section 2(b)(3) to read as follows:

(3) Since the President took office, Congress has allowed the Federal debt to grow by nearly \$6 trillion and total debt now exceeds the size of the entire economy of the United States.

The Acting CHAIR. Pursuant to House Resolution 48, the gentleman from California (Mr. TAKANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. TAKANO. Madam Chair, I like to call this the “don’t shift blame amendment.” The bill before us today tries to blame President Obama for all our fiscal woes. Judging by the language of this legislation, I’m convinced the House Republicans live in a world where our entire national debt suddenly appeared on January 21, 2009. But let’s be clear: Our debt was not created by the President alone. And while the President may be responsible for spending us a budget blueprint, it is ultimately Congress that holds the power of the purse. I think my colleagues on the other side of the aisle are forgetting a key part of our job: the President does not pass budgets, nor does he appropriate funds; Congress does.

My amendment makes a simple change to the findings section of the bill to clarify that Congress has the constitutional responsibility to fund the Federal Government.

I can guarantee that when the majority introduces its budget this month, it will be so extreme that it has no chance of passing both Houses. The Republican majority seems to be able to come together for meaningless proposals, but they know that when it comes to sensible legislation such as preventing us from going over the fiscal cliff or providing aid to Sandy victims, the 218th vote will come from a Democrat. The only thing allowing the House Republican caucus to govern is the House Democratic Caucus.

It is the majority’s failure to negotiate in good faith on the budget that has gotten us here today. Year after year, the House Republican leadership has chosen to do anything within its power to discredit the President instead of working to solve our Nation’s challenges.

I urge my colleagues to support my amendment, and I reserve the balance of my time.

Mr. PRICE of Georgia. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. PRICE of Georgia. Madam Chair, I appreciate the gentleman’s amendment, and although possibly well-intentioned, we’re not saying at all that this is just on the President’s watch, that this is simply this President that is culpable, but you’d have to ignore the President’s fiscal issues that he’s had over the past 4 years to think that he didn’t have a hand in this.

On taking office, President Obama promised to cut the deficit in half. Madam Chair, the deficit, when the President entered office, was \$458 billion. We all know that the deficit last year was \$1.3 trillion—hardly in half, not even with new math.

Instead, he’s presided over four straight trillion-dollar-plus deficits. Spending is 22 percent higher at the end of this President’s first term than it was when he took office. Under his own budget, spending will be 40 percent higher at the end of his second term if Congress were to go along with the proposals he brings forward. And finally, the President is on track to double the national debt by the end of his term in office.

Now, my new colleague from California says that all you’ve got to do is pass a budget through the Congress and all things will be wonderful, and the House Republicans have passed a budget. And, Madam Chair, it’s been a budget that has put us on a path to balance, yes, and we’ll do that again this year. But I will remind my colleague that the Senate hasn’t passed a budget in nearly 4 years, which is why 2 weeks ago this Congress, this House, passed a bill—No Budget, No Pay—where we finally got the Senate to admit that they hadn’t passed a budget. And, oh, yes, by the way, they’ll do one this year. We got their attention.

So, Madam Chair, though well-intentioned, trying to change the subject and the issue a little bit, this amendment doesn’t—doesn’t—assist in getting us to the point where it is the President’s responsibility to tell the American people—in fact, it’s only fair for the President to tell the American people when he brings his budget forward, when will it balance.

I reserve the balance of my time.

Mr. TAKANO. Madam Chair, the House Republicans have been more focused on passing budgets that message well than introducing a budget that both the House and Senate can agree on. These are budgets that don’t stand a chance of passing the Senate simply because the GOP refuses to compromise on anything. How many of their budgets end Medicare as we know it? What makes them think that the Senate would pass a budget that goes back on the promises we made to our seniors?

The budgets passed by House Republicans are less valuable than the paper they're written on. They do not bring both sides together and are a complete waste of time and the taxpayers' money.

I reserve the balance of my time.

Mr. PRICE of Georgia. Madam Chair, what time remains for each side, please?

The Acting CHAIR. The gentleman from Georgia has 3 minutes remaining, and the gentleman from California has 2½ minutes remaining.

Mr. PRICE of Georgia. Madam Chair, I'm pleased to yield 1½ minutes to the vice chair of our conference, the gentlewoman from Kansas (Ms. JENKINS).

Ms. JENKINS. I thank the gentleman from Georgia for yielding me this time.

Today, there are still more than 12 million Americans unemployed. Parents are taking home lower wages to support their children, and families are paying more for everything from gas to groceries. For these Americans, the recession never ended.

If government spending was the key to economic growth and job creation, the economy would be booming right now. But instead, last week we found out things are getting worse. We all know the problem. For 4 years we racked up trillion-dollar deficits year after year, adding another trillion to the national debt. It's not a partisan issue. We all agree we need to fix it.

Serious problems call for serious discussions, and serious discussions require everyone to put their plan on the table. We took a solid step last week by requiring the Senate to pass a budget for the first time in 4 years, but we must continue moving forward by requiring not just a budget but a plan that actually fixes the problem.

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We need to pass the Require a PLAN Act so the House, Senate, and even the White House are all forced to step away from campaign rhetoric and short-term gimmicks. Unlike the President's previous budget proposals, the PLAN Act will require the President to finally tell the American people when and how his budget will achieve balance.

It's time to get serious. Americans deserve better than gimmicks and campaign rhetoric; they deserve a plan.

Mr. TAKANO. Madam Chair, I yield back the balance of my time.

Mr. PRICE of Georgia. Madam Chair, I urge a rejection of this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. TAKANO).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. TAKANO. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further pro-

ceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. SCHRADER

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 113-8.

Mr. SCHRADER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of section 2(b), add the following:

(6) The President created the National Commission on Fiscal Responsibility and Reform chaired by Erskine Bowles and Senator Alan Simpson, which recommended a balanced package of revenue and spending reforms to bring down projected deficits and stabilize the Federal debt as a share of the economy.

(7) These recommendations enjoy wide bipartisan support and should be considered the basis for meeting the requirements of this Act.

The Acting CHAIR. Pursuant to House Resolution 48, the gentleman from Oregon (Mr. SCHRADER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. SCHRADER. Madam Chair, I yield myself 1 minute.

I'm very pleased to offer the only real bipartisan amendment to this bill, and maybe one of the few bipartisan amendments we'll see this Congress. I hope not.

This is actually an attempt to rectify some of the deficiencies in the underlying bill. I certainly don't agree with the findings. As has been pointed out, the lack of a budget at this point in time is because of the fiscal cliff negotiations. Congress, frankly, is to blame for that. The President usually starts his budget in November or December, and that was impossible.

Also, I think there's a little revisionist history regarding the debt that the President did inherit. Almost one-half to two-thirds of that \$1 trillion he inherited from the previous administration and previous Congresses.

Nevertheless, we do have a huge debt, and the deficit problem needs adjusting and addressing. The only bipartisan solution to that has been put forward by Simpson-Bowles. This has had widespread recognition by folks here in Congress, folks outside of Congress, businessmen and -women, as a possible solution to a long-term, unified approach to our debt and deficit. The tenets of that, of course, deal with the tax expenditures that we have and the health care costs that are going up.

With that, I reserve the balance of my time.

Mr. PRICE of Georgia. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of Georgia. Madam Chair, I want to commend my colleague from Oregon and the colleagues that came together to submit this amendment, as I believe it truly to be well-intentioned, but I think it misses the mark. I think for two reasons, specifically, that it ought not be adopted by this body.

First, it unnecessarily restricts the ability of the President to determine how he would balance the budget. Remember, the underlying bill doesn't tie the President's hands in any way. It simply says to the President when you submit your budget to Congress, just let us know when it's going to balance. And if it's not going to balance within the period of time that's defined by the budget window, then tell us when it's going to balance, and tell us what you're going to do to make it come into balance.

And the reason that balance is important, Madam Chair, is not just because it makes numbers, zero equals zero on a page somewhere. It's because it's about the economy, to get the economy rolling again and get jobs being created. That's why it's important.

Secondly, this amendment would have the President build his balanced budget around a foundation that never balances. A lot of talk about Simpson-Bowles, and I commend them for the wonderful work that they did. However, if you get down into the details of that, there are some things in there that just simply will not work. And the biggest thing is that it never gets to balance.

So the underlying bill again, Madam Chair, is crafted very carefully so that it gives the President the greatest amount of flexibility to propose how he believes the budget ought to be balanced.

And finally, maybe the most important thing about this, the inadequacy of this amendment, is that the President has already rejected the findings in the Simpson-Bowles commission. The President's already rejected it, his own commission; said never mind, that's not the way I want to do it.

So we would suggest that allowing the President the greatest amount of flexibility on how he would propose to balance the budget—something he's never done, but we want to leave him the greatest amount of flexibility, so we ought to retain the underlying bill.

I reserve the balance of my time.

Mr. SCHRADER. Madam Chair, I yield 1 minute to my respected colleague from New York (Mr. GIBSON).

Mr. GIBSON. Madam Chair, I want to thank my colleague, Mr. SCHRADER, for offering this amendment. I rise in support of it.

Madam Chair, we're only about 3 weeks away from the specter of sequestration, always meant to be a forcing function for us to come together to get a grand agreement. And what this amendment says is the President should use the framework, the Simpson-Bowles framework, as a starting point to get that conversation going.

You know, the President said, when he initiated that fiscal commission:

For far too long, Washington has avoided the tough choices necessary to solve our fiscal problems, and they won't be solved overnight. But under the leadership of Erskine and Alan, I'm confident that the Commission I'm establishing today will build a bipartisan consensus to put America on the path toward fiscal reform and responsibility.

Madam Chair, last year, Cooper-LaTourette—we offered a bipartisan budget that was inspired by Simpson-Bowles, although we modified it some. What I'm asking the President to do is to come forward, to recognize this commission as a starting point, so that, once again, we can come together so we can address these unsustainable deficits.

So I'm proud to support this amendment, and ask my colleagues to support it.

Mr. PRICE of Georgia. I reserve the balance of my time.

Mr. SCHRADER. Madam Chair, I yield 1 minute to the distinguished gentleman from Virginia (Mr. WOLF).

Mr. WOLF. America is broke. America is in trouble, and the Simpson-Bowles plan is the only framework out there that truly reforms Social Security and saves it for our children and grandchildren.

When I go into high schools in my district and I ask the students, how many of you believe the Social Security system is sound, in the last 4 years, not one senior has raised their hand. The seniors know more than the Congress, both the Republican and Democratic Party, and more than the President.

Just yesterday, CBO Director Doug Elmendorf noted that the number of seniors receiving Social Security and Medicare benefits will increase by 40 percent over the next decade. In order to preserve Social Security and save it for our children, the President should use Simpson-Bowles as a starting point. He created the commission. It received bipartisan support, and then he walked away.

Some Members on both sides are afraid of this vote. You know what you ought to be afraid of? You ought to be afraid of facing your children and your grandchildren and your constituents when this country goes bankrupt and goes into decline.

I thank the gentleman for offering the amendment, and strongly urge a unanimous "yes" vote.

Madam Chair, I thank Mr. SCHRADER for yielding, and thank the other cosponsors of this amendment, Mr. COOPER and Mr. GIBSON, for their work.

I continue to believe that the only way to address our Nation's massive debt, which is crippling our ability to compete, is by adopting a comprehensive proposal along the lines of the Simpson-Bowles framework. It would put our Nation on a sustainable path by reducing deficits by 4 trillion dollars through a mix of spending reductions—both mandatory and discretionary—and comprehensive, pro-growth reform. By finding these savings, sequestration wouldn't even be necessary.

This amendment is simple. It adds a finding to this legislation that the president created the Simpson-Bowles Commission and suggests using Simpson-Bowles as a starting point, to meet the underlying requirements of the bill.

Quite honestly, I am disappointed that an amendment is even necessary. As Alan Greenspan noted in May, "The worst mistake the president made was not embracing that vehicle [Simpson-Bowles] right away."

I am submitting for the RECORD letters I sent earlier this week to both the president and the speaker asking both to embrace bipartisan efforts to "turn off" sequestration. Simpson-Bowles is a valid approach to deal with this problem, even though the president walked away from his own commission's hard work.

I urge a "yes" vote on the amendment and a "yes" vote on the bill.

HOUSE OF REPRESENTATIVES,
Washington, DC, February 4, 2013.

Hon. JOHN A. BOEHNER,
Speaker of the House, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I want to share the enclosed letter I sent to President Obama today urging him to immediately send a written proposal to the Congress to prevent sequestration. As has been widely reported, sequestration was originally proposed by the president's chief of staff and Treasury Secretary nominee, Jack Lew. Unfortunately, the bluntness of this policy's across-the-board cuts will lead to a hollow military force and a government unable to nimbly respond to the needs of its citizens.

Over the past two years, the House Appropriations Committee, on which I serve, has led the way in reducing discretionary spending by \$98 billion, which will result in \$917 billion in deficit reduction over the next decade. While these discretionary cuts have made a substantial impact, no similar reductions in spending have been made to entitlement programs or tax earmarks and other spending through the tax code. Unfortunately, the impeding sequestration would just continue the process of discretionary spending reductions, which have already been substantially reduced, while essentially leaving all other spending—the real drivers of the deficit—on autopilot. This is the area of the budget that must be reformed in order to preserve and protect them for future generations. These programs are broke. Everyone is to blame, and therefore we all need to be part of the solution. Simply put, if we do nothing, within 25 years, every Social Security recipient, regardless of age, will face an across-the-board cut of 25 percent.

That is why I have called on the president to support the bipartisan Simpson-Bowles proposal, which will "turn off" the need for sequestration by finding the necessary spending reductions. I therefore am offering an amendment with several of our colleagues to H.R. 444, Require a PLAN Act, which will be considered on the floor this week. This

amendment simply adds a requirement that the president use this framework when submitting his budget request. It is disappointing that the president walked away from his own commission, and disappointing that he is again late in submitting his budget request to Congress. That is why, if the president continues to fail to advocate for this bipartisan solution to avert sequestration, the House must lead the way by adopting this amendment.

It is imperative that the Congress find a solution to avert sequestration before it hits at the end of this month. I ask for your support for the amendment my colleagues and I will offer today and for your broader support for the bipartisan Simpson-Bowles recommendations.

Best wishes.

Sincerely,

FRANK R. WOLF,
Member of Congress.

Enclosure.

HOUSE OF REPRESENTATIVES,
Washington, DC, February 4, 2013.

Hon. BARACK H. OBAMA,
The President, The White House,
Washington, DC.

DEAR MR. PRESIDENT: During your October 23, 2012 debate with Governor Romney, you forcefully stated that sequestration "will not happen." Despite your assurance on national television to the American people, we are now less than a month away from sequestration and I am deeply concerned that your administration is failing to exhibit any urgency in addressing this issue.

Sequestration will lead to a hollow military force and a government unable to nimbly respond to the needs of its citizens. I hope that you will not stand by and allow this to happen. The idea of "sequestration" was proposed by your chief of staff and nominee to be Secretary of the Treasury, Jack Lew. I write today to ask that you immediately send a written proposal to the Congress to prevent sequestration.

I am not advocating that spending reductions scheduled for our discretionary military and non-military accounts simply be waived—far from it. Our nation is nearly \$16.5 trillion in debt, and, when added to our unfunded obligations and liabilities, we are facing roughly \$71 trillion in future unsustainable spending commitments. Unless we change course, every penny collected by the federal government will be consumed by spending on entitlements and interest on the debt by 2025. We are spending \$4.2 billion each week on interest payments to finance our debt, and this money is going to nations such as China, one of our strongest competitors which is actively spying on both our public and private sectors and has an abysmal human rights record. Our current path is simply unsustainable and is not the firm foundation our children and grandchildren expect and deserve.

I have repeatedly advocated and voted for the only bipartisan fiscal solution that has been proposed: the recommendations of the Simpson-Bowles Commission, which would have reduced the deficit by more than \$4 trillion, with two-thirds of the savings coming from spending reductions, and one-third through tax reform. More importantly, it would have reduced enough spending to completely "turn off" the need for the sequestration cuts. While you walked away from this bipartisan proposal, I was one of 38 bipartisan members of Congress to vote for it last year.

In addition to voting for bipartisan solutions like the Simpson-Bowles recommendations, I have worked to make the difficult

but necessary cuts to our nation's discretionary spending. During the 112th Congress, as chairman of the Commerce-Justice-Science Appropriations subcommittee, I reduced spending from nearly \$64 billion to nearly \$52 billion for these agencies, nearly a \$12 billion reduction. The House Appropriations Committee recognized the need to lead by example and started the process of reducing unnecessary spending. As subcommittee chairman, I still managed to continue investing in our nation's critical counterterrorism and research and development programs. In fact, I am proud that I was able to make these substantial cuts while funding the National Science Foundation's basic research programs and the Federal Bureau of Investigation's national security work at all-time high levels. This is the type of thoughtful and deliberate allocation of resources we can achieve through a careful process, rather than sequestration.

But a real fiscal solution cannot be reached by focusing only on reductions to discretionary spending accounts, which account for roughly 15 percent of all federal spending. Since Fiscal Year 2010, Congress has enacted \$95 billion in cuts from discretionary accounts, which has resulted in a 10-year savings of more than \$917 billion.

While these discretionary cuts have made substantial progress in reducing the deficit, no similar reductions in spending have been made to entitlement programs or tax earmarks and other spending through the tax code. Unfortunately, sequestration would just continue the process of discretionary spending reductions, which have already been substantially reduced, while essentially leaving all other spending—the real drivers of the deficit—on autopilot. This is the area of the budget that must be reformed in order to preserve and protect it for future generations. These programs are broke. Everyone is to blame, and therefore we all need to be part of the solution. Simply put, if we do nothing, within 25 years, every Social Security recipient, regardless of age, will face an across-the-board cut of 25 percent.

Fortunately, there are bipartisan solutions on the table proposed by your Simpson-Bowles Commission. One of the commission's suggestions to save Social Security was to gradually raise the full Social Security retirement age by one month every two years, to slowly raise the full retirement age from 67 to 69.

What 50-year-old in McLean wouldn't be willing to work just one more month to help ensure a sound program for future generations? And I know a 40-year-old in Winchester is willing to start planning now so that they can be prepared to make the commitment to work just six more months. And, since most 30-year-olds in Clarke County believe Social Security won't even exist when they're ready for retirement—I know they'd be willing to work 11 more months to ensure that they receive benefits. That's the same reason I believe parents in Manassas will work today to prepare their four-year-olds to retire at 69, instead of 67.

I have repeatedly advocated for this bipartisan Simpson-Bowles proposal, despite my misgivings with certain sections, because I believe it is the only proposal that truly can receive the bipartisan support and embrace by the American people. Large proposals of the magnitude that are necessary to address our debt must be bipartisan in order to receive support from the American people. For example, consider the national tone that erupted after your health care reform was signed into law on a party-line-vote. Imagine

how different the discourse would be if this legislation would have incorporated minority views.

It has been frustrating that you have never fully embraced your own commission's recommendations. This commission was based on legislation introduced by Senators Conrad and Gregg, that, in turn, was based off of my bipartisan SAFE Commission Act, which I first introduced in 2006 during the Bush Administration, and since partnered with Democratic Representative Jim Cooper of Tennessee.

I agree with Alan Greenspan's analysis "one of the worst mistakes [you] ever made was not embracing the [Simpson-Bowles] proposal right away." Your leadership would have made a difference. I still believe this proposal is the path forward. I will still advocate for many of the policies presented in this document, because it was a comprehensive approach that recognized that everyone, even the advocates of "political sacred cows," must be asked to contribute to deficit reduction efforts.

Today, I am offering a bipartisan amendment to H.R. 444, Require a PLAN Act. This amendment would require you to incorporate the Simpson-Bowles recommendations into your budget submission to Congress. I am disappointed that this amendment is even necessary, as I would hope you would have done this on your own initiative. It is also equally troubling that, for the fourth time in five years, you have again failed to meet your statutory deadline for filing your annual budget request.

The threat of sequestration is already having an impact on our economy. The economy unexpectedly shrank in the fourth quarter for the first time since 2009, due in large part to reductions in federal defense spending. Contractors—not just the Boeings, Booz Allens and Lockheeds of the world, but the small, women- and minority-owned sub-contractors—are already feeling the pinch.

In addition, federal agencies are already being forced to prepare for this uncertainty. For example, temporary workers are not being rehired, positions sit unfilled and federal employees face the threat of 22 days of furloughs. That's one day a week for the remainder of the fiscal year where they won't get paid.

FBI agents will be pulled out of the field off of active investigations. According to a recent Washington Post article, "New federal grants for medical research are being postponed, resulting in layoffs now and costly paperwork later. And military leaders, who are delaying training for active and reserve forces, are trying to negotiate millions of dollars in penalties that the Defense Department is incurring from canceled contracts."

These are the same federal employees who have already been asked to contribute \$103 billion to the deficit reduction efforts through your two-year pay freeze and decision to partially pay for a 10-month extension of a short-sighted payroll tax holiday by requiring new federal employees, and those with less than five years of credible experience, to spend the rest of their careers paying higher pension contributions.

Today, National Journal Daily reported that it appears that damning news articles may be the only hope to avert sequestration. This is not the way a great nation should act. I am willing to look at all options and find a solution—a solution that truly deals with entitlements and is a long term, not piecemeal, approach. Efficient contracts are not designed to be signed on two-month, six-

month, or for that matter, one-year basis; they are multi-year endeavors.

Under the Constitution, there is only one person who is elected to serve all of the American people: the president. Unlike the Congress, which is elected just by one district or state, your office, as the chief executive, must strive to represent all Americans, including the parts of the country that will be devastated by the thoughtless cuts enacted through sequestration.

Yet over the last month, you have used your "bully pulpit" not to bring the American people and Congressional leadership together on a sequestration solution, but instead to start "national conversations" about guns and immigration. While there may be merit to addressing these issues, the looming sequestration deadline should make resolving this crisis the most important item on your agenda. But both your recent actions and your words do not represent the seriousness of the task at hand.

Mr. President, House Republicans are just a majority of the minority—we control one half of one of three branches of the government. Your leadership is needed. I have always strived to represent my constituents in an honest and open manner. Let's dispense with the straw man arguments. We all bear responsibility for the situation before us, and thus must consider all options, even those that are not ideal. I know you appreciate the severity of the situation. I'm prepared to give full consideration should you propose a serious bipartisan solution.

I suggest you start with the recommendations of your own Simpson-Bowles Commission, which you have thus far failed to support. Its time has come and I hope you will embrace its bipartisan solutions and call on Congress to adopt it.

Best wishes.

Sincerely,

FRANK R. WOLF,
Member of Congress.

Mr. PRICE of Georgia. I continue to reserve the balance of my time.

Mr. SCHRADER. Madam Chairman, I yield 1 minute to the distinguished gentleman from Maryland (Mr. VAN HOLLEN.)

Mr. VAN HOLLEN. Madam Chair, I thank my colleague, Mr. SCHRADER, and his colleagues for offering this amendment.

I support the overall framework of Simpson-Bowles. I've said that many times. If you look at the balance in Simpson-Bowles between the cuts and the revenue, it's something, I think, that is the model that we should be using in this body. And I do want to submit for the RECORD an analysis that was done by the Center For Budget Policy Priorities that shows exactly what that breakdown would be.

I don't support every single recommendation within Simpson-Bowles, but I think we have an obligation, if we don't like one of their cuts, to come up with an alternative cut. If we don't like their revenue, we should come up with alternative revenue.

But what the Simpson-Bowles proposal does is it creates a framework saying that we need to take a balanced approach to reducing our deficit.

I was listening to my friend, Mr. PRICE, explaining his opposition to

this. He didn't want to impose requirements on the President; simply ask the President to consider these proposals. And as the President himself has said, he has incorporated many of the proposals from Simpson-Bowles into his own budget, the ones he submitted last year and the one that he will submit this year. So I support the framework, not every recommendation, but the overall framework.

SUMMARY OF UPDATED BOWLES-SIMPSON ESTIMATES

To assess Bowles-Simpson today so that policymakers can compare it with other plans, one must look at the Bowles-Simpson savings over 2013–2022, relative to a current policy baseline. One must also account for the \$1.5 trillion in discretionary spending cuts that policymakers have since enacted. When that is done, the results show that:

TABLE 1—SUMMARY OF ORIGINAL BOWLES-SIMPSON PLAN

	Total plan	Not yet enacted
Ten-year cumulative totals in trillions of dollars		
Revenue increases	2.6	2.6
Program cuts	2.9	1.4
Interest savings	0.8	0.6
Total deficit reduction	6.3	4.6
Ratio, program cuts to revenue increases		
Not counting interest	1.1 to 1.0	0.5 to 1.0
Counting interest	1.4 to 1.0	0.8 to 1.0

Note: Covers 2013 through 2022; excludes Social Security solvency proposals; measured relative to current policy; may not add due to rounding.

Over 2013–2022, Bowles-Simpson called for \$6.3 trillion in deficit reduction—\$5.5 trillion in policy savings and about \$800 billion in interest savings. (That figure excludes Bowles-Simpson's Social Security solvency proposals, consistent with their presentation of the plan's deficit reduction totals; see the box on page 2.)

The \$5.5 trillion in policy savings in the Bowles-Simpson plan consists of almost \$2.9

trillion in program cuts and almost \$2.6 trillion in revenue increases—that is, 53 percent from budget cuts and 47 percent from revenue increases, or almost a 1-to-1 ratio of program cuts to revenue increases.

This nearly 1-to-1 ratio does not include the interest savings. If one counted interest savings as a spending reduction, the ratio is 59 percent in spending cuts to 41 percent in revenue increases, or a 1.4-to-1 ratio of program cuts to revenue increases.

Bowles-Simpson was typically described as having a 2-to-1 ratio, but that is because the co-chairs assumed the expiration of the upper-income tax cuts as part of their baseline and thus did not count the revenue savings in their ratio. They also estimated higher interest savings (which counted under their plan as a spending reduction) than our analysis does because the interest rates projected at that time were higher than interest rates now are projected to be.

Of the nearly \$2.9 trillion of program cuts in the Bowles-Simpson plan, about half—or just under \$1.5 trillion—have already been enacted. If one excludes the enacted savings:

TABLE 2—DEFICIT REDUCTION UNDER THE ORIGINAL BOWLES-SIMPSON PLAN
(EXTENDED TO COVER 2013–2022; DOLLARS IN BILLIONS)

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	10-yr total
Revenue increases:											
Tax reform	20	40	80	90	105	120	150	180	215	250	1,250
Revenue increases built into baseline	49	62	89	99	110	121	130	138	148	157	1,103
Increase gas tax 15 cents	2	7	11	16	18	18	18	18	18	18	144
Chained CPI ^a ; revenue effect	2	3	5	7	8	10	11	12	14	16	88
Subtotal	73	112	185	212	241	269	309	348	395	441	2,585
Mandatory health programs	19	31	33	37	43	49	58	65	70	75	480
Other mandatory programs/fees:											
Chained CPI ^a	1	2	3	4	5	6	7	8	9	10	55
Other mandatory programs/fees	10	13	18	22	25	29	32	36	38	40	263
Subtotal	11	15	21	26	30	35	39	44	47	50	318
Appropriated (discretionary) programs:											
Security	61	86	101	117	133	148	163	178	193	208	1,386
Non-Security	27	36	48	57	65	73	81	90	98	107	682
Subtotal	88	122	148	174	197	221	244	267	291	316	2,068
Total deficit reduction policies:											
Revenue increases	73	112	185	212	241	269	309	348	395	441	2,585
Program reductions	118	168	203	237	270	305	341	376	408	441	2,866
TOTAL	191	280	388	448	511	574	650	725	803	882	5,450
Resulting reductions in interest costs	1	3	6	17	38	72	107	144	187	234	807
Total: policies and interest savings	191	283	394	466	549	645	756	869	989	1,116	6,257
Addendum: Social Security solvency:											
Increase the "taxable maximum"	5	8	12	15	19	22	26	30	35	40	212
Chained CPI ^a	3	5	8	10	12	15	17	19	22	25	136
Benefit improvements	0	0	0	0	0	–5	–6	–5	–4	–3	–34
Subtotal	8	13	20	25	31	32	37	44	53	62	325
Resulting reductions in interest costs	0	0	0	1	2	4	6	8	11	14	45

May not add due to rounding. Sources: Moment of Truth Project, Updated Estimates of the Fiscal Commissions Proposal, June 29, 2011; author's extension for 2022; adjustments for current policy revenue baseline and CBO's 2010 discretionary baseline based on data from CBO and the Joint Committee on Taxation.

^a The "chained CPI" refers to a proposal to alter the way the Consumer Price Index is measured; a number of analysts believe the proposal would measure inflation more accurately, slightly reducing the measure. Because the tax code, Social Security, and some other federal programs such as Supplemental Security Income are indexed to the CPI, the proposal would cut spending and raise revenues.

The Bowles-Simpson plan would achieve an additional \$4.6 trillion in deficit reduction over ten years. (This doesn't include the small savings in the first ten years from the plan's Social Security proposals.)

The majority of the remaining savings in the plan is on the revenue side: for every \$0.54 of additional spending cuts, there would be \$1.00 in new revenue under the Bowles-Simpson plan (or 35 percent budget cuts and 65 percent revenue increases), excluding interest savings.

If one counts interest savings as a spending reduction, then the ratio of the remaining savings would be 43 percent program reductions and 57 percent revenue increases, or \$0.76 of spending cuts for each \$1.00 of revenue raisers.

The figures in this summary are shown in Table 1.

Mr. PRICE of Georgia. Madam Chair, again, I think the intention of the amendment is sound. However, it's important to appreciate that the Simpson-Bowles approach fails to address the primary driver of spending, and

that's health care. And maybe that was why the President rejected it. I don't know.

□ 1020

But the fact of the matter is that the Simpson-Bowles approach leaves in place the President's health care law with its \$1.7 trillion in higher spending, soon to be over \$2 trillion, and its trillion-plus dollars higher taxes. So I think this amendment, again, ties the President unnecessarily and that it's a step in the wrong direction. I would urge its defeat.

I reserve the balance of my time.

Mr. SCHRADER. Madam Chair, I yield myself the balance of my time.

I appreciate the discussion here. I hope that America would know this is a bipartisan amendment. America should be pleased that some Republicans and some Democrats are coming

together to solve our country's problems.

The good chairman from Georgia is unfortunately misinformed regarding Simpson-Bowles. It did include, of course, a great deal of discussion on health care and health care costs. The ACA, contrary to some misconceptions, actually saved over \$700 billion in taxpayer money over the long haul.

I think at this point in time, the President, whose own debt commission was Simpson-Bowles, would be pleased to have a little direction from the ultimate appropriating budget body, which is Congress, not the President. Give him some direction; enable his commission to guide us with that bipartisan balanced approach, including revenues, including through tax reform, making sure that our health care and safety net is there for our kids and grandkids, as the gentleman from Virginia talked about.

This is a very important point in this Congress' deliberations. We have to come together. I urge an "aye" vote on this amendment.

I yield back the balance of my time.

Mr. PRICE of Georgia. Madam Chair, I commend the gentleman once again, but I would point out that there's nothing in the underlying bill that precludes the President from using this as a model if that is what he so desires. But there isn't any reason why we ought to constrain the President to hopefully bring to this Congress a budget that, for the first time in this administration, actually gets to balance. That's what the underlying bill is all about. Mr. President, bring us a budget. Just tell us when it balances, because, oh, by the way, the last four budgets that you submitted have never gotten to balance.

I urge defeat of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. SCHRADER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SCHRADER. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. FLEMING

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 113-8.

Mr. FLEMING. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Section 3(b)(3) is amended by inserting after "result" the following: "(including an evaluation of duplicative agency functions and agency effectiveness, and proposals for consolidating duplicative functions and programs between agencies in the interests of cost-savings)".

The Acting CHAIR. Pursuant to House Resolution 48, the gentleman from Louisiana (Mr. FLEMING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. FLEMING. Madam Chairman, I rise today to offer an amendment to H.R. 444, the PLAN Act, introduced by my colleague, Dr. TOM PRICE.

Dr. PRICE's bill is straightforward: if the President's budget doesn't balance, tell us when it will and what policies he will use to get us there.

My amendment adds a requirement that the President's supplemental budget, as required by the PLAN Act, must include proposals to consolidate duplicative agency functions and programs.

Here's the good news: Reducing duplication in government is low-hanging fruit. There's bipartisan agreement on this. Even the President in his State of the Union address in 2011 talked about the desire to consolidate the different agencies that oversee salmon.

Now, it's true that the President does submit a document as part of the budget, called, Cuts, Consolidations, and Savings; but in last year's budget, these savings only amounted to \$24 billion, a tiny percentage, 2.2 percent, of our annual trillion-dollar shortfall. That is woefully inadequate.

My amendment would require the President to go back to the drawing board within the context of the PLAN Act, which asks the President to tell us when his budget will balance and how he will get us there.

We are now in receipt of two reports from the GAO that identify opportunities to reduce duplication and overlap in government programs, and we anticipate the third annual report to be released in just a few weeks. The first report identified 81 areas of duplication, and the executive branch and Congress responded with only limited action on many of those areas. The second report identified an additional 51 areas.

In addition, Senator TOM COBURN has produced a helpful report that points out some very obvious ways we could consolidate government programs and reduce government spending.

Suggestions from both of these sources should be added to the President's proposals for cuts. Surely, we can come to some bipartisan agreement about cutting government programs that are duplicative, obsolete, or wasteful.

Sometimes the cause of this is special interests: businesses or industry groups that are arguing for a particular program that benefits them, or a geographic area that benefits from a program that others can't take advantage of, or a group that is adept at leveraging identity politics to protect special preferences. Other times, Congress is its own worst enemy, bickering over jurisdiction and bringing goodies back home.

Regardless of where the problem is, we need to fix it. This is a start in the process, but unfortunately we can't actually force consolidations in this bill. I will be introducing legislation in the coming weeks to do just that: force the elimination or consolidation of duplicative agencies through a BRAC-like process that is fair and bipartisan.

The Realign and Eliminate Duplicative Unnecessary Costly Excess in Government Act, otherwise known as the REDUCE Government Act for short, creates a six-member, evenly split bipartisan commission selected by the congressional leadership and the President. The commission will use resources from GAO and standard pro-

gram evaluation tools to come up with a list of duplicative, ineffective, and wasteful programs and a plan to consolidate or eliminate those programs. After submitting that list to the President, Congress will have 45 days to pass a resolution of disapproval. After that, the consolidation goes into effect.

This process mirrors the highly successful, nonpolitical Base Realignment and Closure process, otherwise known as BRAC, used to take politics out of the highly sensitive and politically charged military basing process. With clear, transparent criteria, a non-partisan agenda, and a streamlined process for action, the BRAC Commission has been able to do what Congress or the President has never been able to do before. Clearly, with our spending problem, we need a mechanism like this to set in motion the reduction in the growth of government.

In the meantime, I urge my colleagues to support my amendment and allow it to be debated in the full House. While I would hope the President would do this, we can't leave it to chance.

I reserve the balance of my time.

Mr. VAN HOLLEN. Madam Chairman, I ask unanimous consent to claim time in opposition, even though I will not ultimately oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Maryland is recognized for 5 minutes.

There was no objection.

Mr. VAN HOLLEN. Madam Chairman, I support this amendment because this is something we all want to see happen and which the President himself has indicated he wants to see happen. In the last fiscal year budget, in fact, the President, through OMB, the Office of Management and Budget, submitted something called Cuts, Consolidations, and Savings to be considered by the Congress and the executive branch; and he also asked that legislation be submitted on his behalf to help give him more authority to reorganize some of these government agencies, which was introduced during the last Congress by Mr. BARROW, who may well intend to reintroduce that.

Madam Chairman, these are things I think we all would like to see, greater efficiencies that help save money in a smart way. The President has indicated not only his intention but specific proposals to do so, and so we do not object. In fact, I support the amendment.

I yield back the balance of my time.

□ 1030

Mr. FLEMING. I want to thank the gentleman from Maryland for agreeing with what is really common sense. We all, I think, want to squeeze out waste in government and certainly take away the duplication that's behind much of it.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. FLEMING).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. MESSER

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 113-8.

Mr. MESSER. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 3(b), strike “and” at the end of paragraph (3), strike the period at the end of paragraph (4) and insert “; and”, and add at the end the following:

(5) an estimate of the cost per taxpayer of the annual deficit for each year in which the supplemental unified budget is projected to result in a deficit.

The Acting CHAIR. Pursuant to House Resolution 48, the gentleman from Indiana (Mr. MESSER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. MESSER. Madam Chairman, I rise today in support of the Require a PLAN Act because the American people deserve to know when or whether the budget proposed by the President would achieve balance and what policies are being pursued to require the Federal Government to live within its means.

My amendment today is based on a very simple principle—that each hardworking American taxpayer deserves to know how much the deficit costs them every year. To achieve this goal, the amendment very simply will require the supplemental unified budget called for in the underlying bill to include the cost per taxpayer of the annual deficit for each year that budget is projected in deficit. This requirement would be a powerful reminder to the President and Congress that our decisions have real world consequences for hardworking taxpayers.

We’ve all heard the question asked, how much is a trillion dollars? It’s very difficult to quantify. It’s very difficult to bring it into a real world context. What this bill will do is allow us to do that for taxpayers.

Our constituents might be surprised by what they learn. According to the Internal Revenue Service, there were about 145 million tax-paying Americans last year. With a trillion-dollar budget deficit that we’ve had in recent years, that would calculate out to about \$6,896 per year per taxpayer to cover our existing deficit. The total tab for the past 4 years of \$1 trillion each year would be about \$27,500 a year. Back in the Sixth District of Indiana where I come from, that is a lot of money. I think we owe it to the taxpayers to let them know what we’re doing here in Washington.

I reserve the balance of my time.

Mr. VAN HOLLEN. Madam Chairman, I ask unanimous consent to claim time in opposition even though I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Maryland is recognized for 5 minutes.

There was no objection.

Mr. VAN HOLLEN. I think it is very useful to let everybody in the country know exactly what the debt and deficit will be on a per capita basis. We in Congress of course can do the math. I think it’s no problem asking the President to run that calculation as well.

Again, I want to emphasize the fact that there’s agreement on reducing the deficit; the real differences here are over how we do it. But regardless of how you want to do it, I think the gentleman has offered a useful amendment. The more information for the American people, the better, and we will not object and in fact support the amendment.

I reserve the balance of my time.

Mr. MESSER. I yield 1 minute to my good friend and classmate, the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. Madam Chair, I rise in strong support of this amendment because in the 60 seconds that I speak before this body, the Federal Government will spend \$7 million. Madam Chair, in the 60 seconds I speak before this body, the Federal Government will borrow \$3 million.

Madam Chair, I rise in support of this amendment because in Washington political will has replaced principled leadership, and our economy is paying the price.

These discussions over spending cuts and fiscal priorities can be difficult. Telling the President that he has failed to lead can make my friends on the other side of the aisle uncomfortable, but we cannot let the emotion of the moment override the honesty of the moment.

Sustainable debt is a myth. The number of people in Federal programs has grown faster than the U.S. population, and continuing to grow our Federal debt is like driving with the emergency brake on—it will not get us where we want to go and do significant damage in the process.

The more government borrows, the more interest it pays. Last year, the U.S. spent \$220 billion in net interest on its debt, and this number will only continue to grow unless serious reforms are made.

This is a commonsense amendment that our constituents deserve to see passed. This amendment forces Washington to confront the very same reality that American taxpayers face every day: you cannot spend more than you earn. I support this amendment and the underlying bill, and thank the gentleman from Indiana and my colleague from Georgia for their leadership.

Mr. VAN HOLLEN. Madam Chairman, I yield back the balance of my time.

Mr. MESSER. I want to thank the gentleman from Maryland for his statement in support of the bill. It’s a commonsense provision, and I appreciate your support.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mr. MESSER).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. SCALISE

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 113-8.

Mr. SCALISE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Section 3(b) is amended by striking “and” at the end of paragraph (3), by striking the period and inserting “; and” at the end of paragraph (4), and by adding at the end the following new paragraph:

(5) under a separate heading entitled “Direct Spending”, which shall include a category for “Means-Tested Direct Spending” and a category for “Nonmeans-Tested Direct Spending” and sets forth—

(A) the average rate of growth for each category in the total amount of outlays during the 10-year period preceding the budget year;

(B) information on the budget proposals for reform of such programs;

(C) a description of programs which shall be considered means-tested direct spending and nonmeans-tested direct spending for purposes of this paragraph; and

(D) an annual estimate of the total amount of outlays for each such program for the period covered by the budget proposal.

The Acting CHAIR. Pursuant to House Resolution 48, the gentleman from Louisiana (Mr. SCALISE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. SCALISE. Madam Chair, the amendment that I bring forward just puts some additional transparency into a piece of legislation that I strongly support that just requires the President to lay out a detailed plan of how his budget would balance.

What this amendment would do would be to specifically carve out direct spending. Direct spending, Madam Chair, represents more than 60 percent of all Federal expenditures. So more than 60 percent of our budget is direct spending, both means tested and nonmeans tested. All we ask for with this amendment is the transparency that as that supplemental budget is produced, that it also breaks out how means-tested spending and non-means-tested spending, number one, was averaged over the prior 10 years, but also, in this supplemental budget the President would lay out, what would happen to those direct spending programs over

the course of the period that the President would lay out in that supplemental budget.

One other thing it does is it makes sure that if there are any reforms, just like in the House budget, if we lay out any reforms, those would have to be spelled out in the language of this amendment. So if any reforms to direct spending would be included in the President's supplemental budget, that those reforms would have to be spelled out in an actual text of that document.

This is something we already included in the House rules package. It's part of the House rules when a House budget is presented, so we felt like the American people deserve this kind of transparency, especially when you're talking about more than 60 percent of the budget. Let's just make sure it's laid out.

With that, I reserve the balance of my time.

Mr. VAN HOLLEN. Madam Chairman, I ask unanimous consent to claim time in opposition even though I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Maryland is recognized for 5 minutes.

There was no objection.

Mr. VAN HOLLEN. Again, what this amendment does is ask the President, when he submits the budget, to provide certain information about mandatory spending and means-tested spending. In fact, the President already does this in his budget. I have in my hand, in fact, the budget for fiscal year 2013—that's the current fiscal year that we're in now—historical tables that were submitted by the President as part of that budget submission. The categories include mandatory spending, and within mandatory spending they break it down: Social Security deposit insurance, means-tested entitlements, and others. So this is information that the President already provides as part of the budget process. I'm happy to support him continuing to do that.

I reserve the balance of my time.

Mr. SCALISE. Madam Chair, at this time I'd like to yield 1 minute to the gentleman from Georgia (Mr. PRICE), the author of the underlying bill.

Mr. PRICE of Georgia. I want to commend my colleague from Louisiana and the chair of the Republican Study Committee for bringing forth this amendment and supporting the underlying bill.

The amendment, as the gentleman from Maryland said, simply provides greater information, more transparency, more information from the President in his budget on the differences between the mandatory and the means-tested in the discretionary side of the budget.

It also, I think, is so important for the American people to gain as much information as possible as we move through this national debate, the na-

tional debate of whether or not it is appropriate for the President to bring a budget to Congress that in the past 4 years has never balanced.

The underlying bill, again, urges the President to bring a budget to the Congress that gets to balance and let's the American people know when it does. So I want to commend my colleague from Louisiana for his amendment and urge adoption of the amendment and the underlying bill.

□ 1040

Mr. SCALISE. Madam Chair, if I may inquire, how much time is remaining?

The Acting CHAIR. The gentleman from Louisiana has 2½ minutes remaining. The gentleman from Maryland has 4¼ minutes remaining.

Mr. SCALISE. At this time, I yield 1 minute to the gentleman from Florida (Mr. RADEL).

Mr. RADEL. I'd like to thank the gentleman from Louisiana for his hard work.

I would like to take a moment to speak, in fact, in support of the Scalise amendment. In doing so, there's a much bigger picture here, a bigger picture that, quite frankly, isn't even being talked about when it comes to the challenges our country faces today. Our problems go beyond Republican and beyond Democrat. Our problems are numbers, debt and deficits that we cannot even begin to wrap our arms around.

So what we must do as a country and beyond party lines is work together as Americans. Today I ask for your support of this amendment to demand accountability and transparency from Washington, accountability when it comes to your money—not tax dollars, not stimulus dollars—your money.

We often hear from the President that we cannot cut, cut, cut, and I agree. This is not about cutting. This is about saving. This is about saving Social Security, saving Medicare, saving our economy and ultimately our government. In the big picture, we must demand that we, as elected officials and servants of the people, are held accountable. Both the Scalise amendment and the Require a PLAN Act do just that.

Mr. SCALISE. At this time, I would like to yield 1½ minutes to the Republican whip from Kendall, California (Mr. MCCARTHY).

Mr. MCCARTHY. Madam Chair, I thank the gentleman for yielding.

I rise in support of the amendment. This amendment will help bring transparency and accountability back to the budget process, something that has been sorely lacking under this President.

Let's just look at the facts:

The last budgets from this President that were voted on have not received one vote in support from the House or the Senate—that's on the Democrat side nor the Republican side;

Every year this President has been in office, he's had deficits of \$1 trillion, adding \$6 trillion to the debt;

Out of the last five budgets, four of them have been late;

The President has never submitted a budget to this House or the other that balances.

That is a record of failure that is distressing to this House and to the American people. We deserve better.

It's unfortunate that this House has to pass bills to get responsible budgeting. That's why I support this amendment and the underlying bill.

Mr. SCALISE. Madam Chair, I'm prepared to close.

I reserve the balance of my time.

Mr. VAN HOLLEN. Madam Chairman, I will not use all the time. As I said, what this amendment requests is information that, in fact, the President already provides as part of the budget submission. I indicated I have in my hand that information from the last fiscal year's budget. I do think that in pursuit of transparency it's important to point out that when the President was first sworn in his first term, before he put his hand on the Bible, he faced a projected deficit of well over \$1 trillion—a record deficit at that time.

As we saw from the Congressional Budget Office in their report just the other day, that deficit is now coming down. As the economy has improved and as the President's policies have begun to take shape, that deficit is on its way down. Is it far enough down? No. And there's a legitimate debate as to the best way to get there, but as part of that debate, certainly the more information, the better. And as I indicated, this information that is being requested is, in fact, already provided to the Congress. So we will not oppose it. In fact, I would support the amendment.

I yield 1 minute to the distinguished gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. I rise in support of this amendment.

As our ranking member has said, this information is already provided. But I also rise in support of the Simpson-Bowles proposal. I voted for it on the floor of the House, one of only three dozen who support it, but hopefully many more will support it.

We need to get our fiscal house in order. The majority party has this kind of selective amnesia, however, about this. When the President was sworn in, we were \$11 trillion in debt at that moment. We had a \$1 trillion deficit for that fiscal year the day he was sworn in. Your party seems to run away from any responsibility for this.

And then you passed a budget the last couple years that doesn't balance until 40 years from now, and now this rush to the floor that we must have balance, we must have transparency. But that's okay. Whatever brings you

to the party. It's like in my church. If you come and you find a belief, a shared belief that a fellowship of faith has, that's great.

So if you're joining this party that we want to get our fiscal house in order and that deficits do matter and that the debt matters, then we welcome that. If this is a political charade, then you should be concerned about your credibility.

Mr. SCALISE. Madam Chair, clearly, if you look at what happened, we don't have the numbers from the President because he missed his statutory deadline, so we're hoping that he at least puts forth a budget. It would be ideal if he puts forth a budget that shows balance in some period of time, as we've done; but at the same time, we also expect transparency so that the American taxpayers can see where more than 60 percent of the budget is spent.

So I urge adoption of this amendment and the underlying bill, and I yield back the balance of my time.

Mr. VAN HOLLEN. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. SCALISE).

The amendment was agreed to.

Mr. PRICE of Georgia. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. COLLINS of Georgia) having assumed the chair, Ms. ROS-LEHTINEN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 444) to require that, if the President's fiscal year 2014 budget does not achieve balance in a fiscal year covered by such budget, the President shall submit a supplemental unified budget by April 1, 2013, which identifies a fiscal year in which balance is achieved, and for other purposes, had come to no resolution thereon.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 10 o'clock and 47 minutes a.m.), the House stood in recess.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia) at 10 o'clock and 57 minutes a.m.

REQUIRE PRESIDENTIAL LEADERSHIP AND NO DEFICIT ACT

The SPEAKER pro tempore. Pursuant to House Resolution 48 and rule

XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 444.

Will the gentleman from Iowa (Mr. LATHAM) kindly take the chair.

□ 1058

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 444) to require that, if the President's fiscal year 2014 budget does not achieve balance in a fiscal year covered by such budget, the President shall submit a supplemental unified budget by April 1, 2013, which identifies a fiscal year in which balance is achieved, and for other purposes, with Mr. LATHAM (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, the amendment offered by the gentleman from Louisiana (Mr. SCALISE) had been disposed of.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6, rule XVIII, proceedings will now resume on those amendments printed in House Report 113-8 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. TAKANO of California.

Amendment No. 2 by Mr. SCHRADER of Oregon.

The Chair will reduce to 2 minutes the time for the second electronic vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. TAKANO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. TAKANO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 194, noes 228, not voting 9, as follows:

[Roll No. 35]

AYES—194

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)

Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu

Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar

Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Fattah
Foster
Frankel (FL)
Fudge
Gallo
Gallagher
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick

Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebach
Lofgren
Lowenthal
Lowe
Lujan Grisham (NM)
Lujan, Ben Ray (NM)
Lynch
Maffei
Maloney
Carolyn
Maloney, Sean
Markey
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascarella
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis

NOES—228

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Billakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway

Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Woodall
Yarmuth

Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Daines
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Kelly
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)

Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen

Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Scalise
Schock
Schweikert
Scott, Austin
Sessions
Shinkus
Shuster

Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—9

Cantor
Crawford
Farr

Gabbard
McNerney
Reed

Scott, David
Sensenbrenner
Wilson (FL)

□ 1122

Mr. PERRY, Mrs. MILLER of Michigan, Messrs. TERRY, FORTENBERRY, WALBERG, ROONEY, and MICA changed their vote from “aye” to “no.”

Messrs. CARSON of Indiana, PETERS of Michigan, GARAMENDI, Ms. MCCOLLUM, Mr. GUTIERREZ, Ms. DUCKWORTH, and Messrs. CLYBURN and YARMUTH changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. WILSON of Florida. Mr. Chair, on rollcall No. 35, had I been present, I would have voted “aye.”

AMENDMENT NO. 2 OFFERED BY MR. SCHRADER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. SCHRADER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 75, noes 348, not voting 8, as follows:

[Roll No. 36]

AYES—75

Barrow (GA)
Bera (CA)
Bishop (GA)
Brownley (CA)
Bustos
Carney
Cassidy
Coble
Connolly
Cooper
Costa
Crowley
Cuellar
Davis (CA)
Davis, Rodney
Delaney
Dent
Fattah
Foster
Gallego
Garcia
Gerlach
Gibson
Hanabusa
Hanna

Heck (NV)
Heck (WA)
Himes
Hoyer
Kilmer
Kind
Kinzinger (IL)
Larsen (WA)
Lipinski
Lummis
Matheson
McIntyre
Meehan
Meeks
Michaud
Moran
Owens
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Polis
Price (NC)

Quigley
Rigell
Rooney
Ross
Ruppersberger
Sanchez, Loretta
Schrader
Schwartz
Scott (VA)
Sewell (AL)
Shinkus
Simpson
Smith (WA)
Speier
Thompson (CA)
Van Hollen
Vela
Visclosky
Walz
Welch
Wolf
Womack
Woodall
Yarmuth
Young (AK)

NOES—348

Aderholt
Alexander
Amash
Amodei
Andrews
Bachmann
Bachus
Barber
Bartlett
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bilirakis
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Burgess
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cárdenas
Carson (IN)
Carter
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Conyers

Cook
Cotton
Courtney
Cramer
Crenshaw
Culberson
Cummings
Daines
Davis, Danny
DeFazio
DeGette
DeLauro
Denham
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Garamendi
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutierrez

Hahn
Hall
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hensarling
Herrera Beutler
Higgins
Hinojosa
Holding
Holt
Honda
Horsford
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly
Kennedy
Kildee
King (IA)
King (NY)
Kingston
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larson (CT)
Latham
Lee (CA)
Levin
Lewis
LoBiondo
Loeb
Loeb
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer

Lujan Grisham
(NM)
Lujan, Ben Ray
(NM)
Lynch
Maffei
Maloney,
Carolyn
Maloney, Sean
Marchant
Marino
Markey
Massie
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKeon
McKinley
McMorris
Rodgers
Meadows
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Palazzo
Pallone

Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Perry
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Rahall
Rangel
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda
T.
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schweikert
Scott, Austin
Serrano
Sessions
Shea-Porter

Sherman
Shuster
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Velázquez
Wagner
Walberg
Walden
Walorski
Wasserman
Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Yoder
Yoho
Young (FL)
Young (IN)

NOT VOTING—8

Crawford
DelBene
Farr

Gabbard
McNerney
Reed

Scott, David
Sensenbrenner

□ 1127

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. DELBENE. Mr. Chair, on rollcall No. 36 I was detained in a meeting. Had I been present, I would have voted “aye.”

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. NUGENT) having assumed the chair, Mr. LATHAM, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 444) to require that, if the President's fiscal year 2014 budget does not achieve balance in a fiscal year covered by such budget, the President shall submit a supplemental unified budget by April 1, 2013, which identifies a fiscal year in which balance is achieved, and for other purposes, and, pursuant to House Resolution 48, he reported the bill back to the House with

sundry amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore (Mr. LATHAM). Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. SCHWARTZ. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. SCHWARTZ. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Schwartz moves to recommit the bill H.R. 444 to the Committee on the Budget with instructions to report the same back to the House forthwith with the following amendment:

Strike section 2(b) and insert the following:

(a) FINDINGS.—Congress finds the following:

(1) Since 2009, every bipartisan commission, including the one appointed by the President, has recommended—and the majority of Americans agree—that we should take a balanced, bipartisan approach to reducing the deficit that addresses both revenue and spending.

(2) Sequestration—established by the Budget Control Act of 2011 that was passed by the Congress and signed by the President—is a meat-ax approach to deficit reduction that imposes deep and mindless cuts, regardless of their impact on vital services and investments.

(3) Congress should immediately pass legislation that the President could sign that replaces the sequester with a balanced approach that would increase revenues without increasing the tax burden on middle-income Americans, and decrease long-term spending while maintaining the Medicare guarantee, protecting Social Security and a strong social safety net, and making strategic investments in education, science, research, and critical infrastructure necessary to compete in the global economy.

The SPEAKER pro tempore. The gentlewoman from Pennsylvania is recognized for 5 minutes.

Ms. SCHWARTZ. I rise in opposition to this bill and to offer the final amendment that will not kill the bill or send it back to committee. If adopted, the bill, as amended, will immediately proceed to final passage.

This amendment rejects the rigid partisan view presented in this legislation that deficit reduction must be achieved by spending cuts alone, regardless of the consequences. Moving from one crisis to another and failing to meet our responsibilities, as Republicans have done time and time again,

has hurt our economic growth. Most recently, in December, our economy contracted for the first time in 3 years as a result of delayed action by Republican leadership in the House.

This amendment makes clear that there's a better way. It recognizes that our Nation faces serious fiscal challenges. We agree, as the President does, that these fiscal challenges must be addressed. We believe that we must reduce the deficit over time and we must work to stabilize the debt. But we must do so in a way that does not hurt our economic recovery, that enables us to meet our obligations to our seniors and to our children and to our future, and ensures our economic competitiveness and economic growth.

Every bipartisan commission has said that the only way we can meet these goals—to reduce the deficit, to meet our obligations, and to make investments necessary for economic growth—is to do so in a balanced way with a combination of spending cuts and new revenues. And the American people agree. American consumers and American businesses agree. Economists and investors, workers and managers, older Americans and young adults all agree. We need a balanced approach. We need to find that common ground and we need to make decisions now that provide certainty and stability for our families, for our businesses, and for our Nation. Yet the Republicans reject this balanced approach. They prefer to place blame and to seek to deflect attention from the realities before us.

The automatic across-the-board cuts of \$85 billion will go into effect in just 22 days. Rather than work with us and to work with the President to find a better way to avoid the sequester with a mix of cuts and revenue, they suggest a new budget process that may not be constitutional and surely will not be productive.

The bill before us is simply a political message. We should reject that narrow message. Instead, we should make clear that we are willing to find that balanced approach that enables us to put our great Nation on sound financial footing by providing certainty during economic recovery, reducing the deficit over time, sustaining Medicare for seniors now and into the future, protecting Social Security, and by creating opportunity for middle class Americans and investing in education, research, science, innovation, and infrastructure to ensure our economic competitiveness. Because if we do, we will not only reduce the deficit, we will expand opportunity and prosperity for all Americans.

I yield back the balance of my time.

□ 1140

Mr. PRICE of Georgia. I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. PRICE of Georgia. Thank you, Mr. Speaker.

Mr. Speaker, my friend from Pennsylvania states that all we look at are spending cuts alone, that that's the way we believe the budget ought to be balanced. Certainly not. In fact, we believe strongly that pro-growth policies will actually assist in getting us to balance much, much sooner.

The CBO yesterday, in fact, said that currently the revenues within a 10-year period of time are going to double; in fact, the revenues this year, this fiscal year, will reach the 10-year average, and the revenues in the next fiscal year will be the highest level of revenues ever recorded in the history of this Nation. Mr. Speaker, we have a spending debt crisis, not a revenue debt crisis.

My colleague says that we reject a balanced approach. On the contrary. In fact, all you've got to do is read our budget. There's a balanced approach. It brings about appropriate spending reductions, appropriate closure of loopholes in credits and reductions of the Tax Code to gain revenue in pro-growth policy so that we can balance the budget.

My friends on the other side of the aisle talk about needing to vote on the sequester right way, to change the sequester right away. In fact, that's exactly what House Republicans have done two times, Mr. Speaker, in the last year, once in May, once in December. In fact, the recent bill we adopted reprioritized the spending reductions included in the sequester so that there was a calculated way to reduce spending that did not have across-the-board spending reductions. Our friends on the other side oppose that.

Mr. Speaker, the President's sequester, the item that he put in place, we have proposed positive solutions for on two occasions and passed through this House. The Senate has refused to act on those.

The President yesterday proposed a plan in a speech, not specific legislation, that, in fact, we've talked about through our proposals that we passed through this House on two occasions, in May and December of last year.

Mr. Speaker, the underlying bill is pretty doggone simple. It only asks the President to do what families do and businesses do all across this Nation every single year, and that is to make certain that we don't spend more money than we take in.

House Republicans on two occasions over the past 2 years have passed a budget that gets us on a path to balance. We will do it again. Two weeks ago we passed a bill out of this House to make certain that we held the Senate to account, to require them to do a budget, something they haven't done in the last 4 years.

The bill before us today simply says to the President, Mr. President, when you bring your budget to Congress, just

let us know when it comes to balance, that's all. And, oh, by the way, the past four budgets that the President has proposed have not ever come to balance.

Mr. Speaker, it is imperative that the House and the Senate and the President work together to get a balanced budget to spend responsibly so we can reinvigorate this economy and create jobs.

Turn down this motion to recommit. I urge my colleagues to accept the underlying bill, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Ms. SCHWARTZ. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on passage, if ordered.

The vote was taken by electronic device, and there were—ayes 194, noes 229, not voting 8, as follows:

[Roll No. 37]

AYES—194

Andrews	DelBene	Kirkpatrick
Barber	Deutch	Kuster
Barrow (GA)	Dingell	Langevin
Bass	Doggett	Larsen (WA)
Beatty	Doyle	Larson (CT)
Becerra	Duckworth	Lee (CA)
Bera (CA)	Edwards	Levin
Bishop (GA)	Ellison	Lewis
Bishop (NY)	Enyart	Lipinski
Blumenauer	Eshoo	Loeb sack
Bonamici	Esty	Lofgren
Brady (PA)	Fattah	Lowenthal
Braley (IA)	Foster	Lowe y
Brown (FL)	Frankel (FL)	Lujan Grisham
Brownley (CA)	Fudge	(NM)
Bustos	Gallego	Luján, Ben Ray
Butterfield	Garamendi	(NM)
Capps	Garcia	Lynch
Capuano	Grayson	Maffei
Cardenas	Green, Al	Maloney,
Carney	Green, Gene	Carolyn
Carson (IN)	Grijalva	Maloney, Sean
Cartwright	Gutierrez	Markey
Castor (FL)	Hahn	Matsui
Castro (TX)	Hanabusa	McCarthy (NY)
Chu	Hastings (FL)	McCollum
Cicilline	Heck (WA)	McDermott
Clarke	Higgins	McGovern
Clay	Himes	McIntyre
Cleaver	Hinojosa	Meeks
Clyburn	Holt	Meng
Cohen	Honda	Michaud
Connolly	Horsford	Miller, George
Conyers	Hoyer	Moore
Cooper	Huffman	Moran
Costa	Israel	Murphy (FL)
Courtney	Jackson Lee	Nadler
Crowley	Jeffries	Napolitano
Cuellar	Johnson (GA)	Neal
Cummings	Johnson, E. B.	Negrete McLeod
Davis (CA)	Kaptur	Nolan
Davis, Danny	Keating	O'Rourke
DeFazio	Kennedy	Owens
DeGette	Kildee	Pallone
Delaney	Kilmer	Pascarell
DeLauro	Kind	Pastor (AZ)

Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.

Sanchez, Loretta
Sarbanes
Shakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)

NOES—229

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Hunter
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson

Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)

Wittman
Wolf
Womack
Woodall
Yoder

NOT VOTING—8

Crawford
Engel
Farr

Gabbard
McNerney
Reed

Scott, David
Sensenbrenner

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1152

Ms. EDWARDS and Mr. HORSFORD changed their vote from “no” to “aye.” So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. SCHWARTZ. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 253, noes 167, not voting 11, as follows:

[Roll No. 38]

AYES—253

Aderholt	Cuellar	Hastings (WA)
Alexander	Culberson	Heck (NV)
Amash	Daines	Hensarling
Amodei	Davis, Rodney	Herrera Beutler
Bachmann	DeFazio	Himes
Bachus	Denham	Holding
Barber	Dent	Hudson
Barletta	DeSantis	Huelskamp
Barr	DesJarlais	Huizenga (MI)
Barrow (GA)	Diaz-Balart	Hultgren
Barton	Duffy	Hunter
Benishek	Duncan (SC)	Hurt
Bentivolio	Duncan (TN)	Issa
Bera (CA)	Ellmers	Jenkins
Bilirakis	Farenthold	Johnson (OH)
Bishop (UT)	Fincher	Johnson, Sam
Black	Fitzpatrick	Jones
Blackburn	Fleischmann	Jordan
Bonner	Fleming	Joyce
Boustany	Flores	Kelly
Brady (TX)	Forbes	King (IA)
Braley (IA)	Fortenberry	King (NY)
Bridenstine	Fox	Kingston
Brooks (AL)	Franks (AZ)	Kinzinger (IL)
Brooks (IN)	Frelinghuysen	Kirkpatrick
Buchanan	Garamendi	Kline
Bucshon	Gardner	Kuster
Burgess	Garrett	Labrador
Bustos	Gerlach	LaMalfa
Calvert	Gibbs	Lamborn
Camp	Gibson	Lance
Campbell	Gingrey (GA)	Lankford
Cantor	Gohmert	Latham
Capito	Goodlatte	Latta
Carter	Gosar	Lipinski
Cassidy	Gowdy	LoBiondo
Chabot	Granger	Loeb sack
Chaffetz	Graves (GA)	Long
Coble	Graves (MO)	Lucas
Coffman	Griffin (AR)	Luetkemeyer
Cole	Griffith (VA)	Lummis
Collins (GA)	Grimm	Maffei
Collins (NY)	Guthrie	Maloney, Sean
Conaway	Hall	Marchant
Cook	Hanna	Marino
Cotton	Harper	Masie
Cramer	Harris	Matheson
Crenshaw	Hartzler	McCarthy (CA)

McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perlmutter
Perry
Peters (CA)
Petri
Pittenger
Pitts
Poe (TX)

Pompeo
Posey
Price (GA)
Radel
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ryan (WI)
Salmon
Scalise
Schock
Schweikert
Scott, Austin
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (NE)
Smith (NJ)

Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth
Crawford
Farr
Gabbard
McCarthy (NY)
McNerney
Meeks
Moore
Negrete McLeod

NOT VOTING—11

□ 1158

Mr. POLIS changed his vote from “aye” to “no.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NATIONAL PRAYER BREAKFAST

(Mr. PALAZZO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PALAZZO. Mr. Speaker, tomorrow morning, right here in our Nation's Capital, your country's leaders will meet to gather in prayer. Yes, I said “in prayer.” For 60 years now, Presidents, Members of Congress, and other leaders have gathered every year for the National Prayer Breakfast.

So today I want to take a moment to stand here and say it is time to acknowledge the importance of faith in God within our Nation and the importance of prayer in our lives. Our Founding Fathers were men of faith, believing that America should be a shining city on a hill for the world to see.

So as we participate in this year's National Prayer Breakfast, I call on our leaders and all Americans to pray for our country. Pray for our men and women in uniform and their families as they sacrifice to help protect our Nation and ensure our freedoms. Pray for our President and our elected officials, that they may remember the people they are elected to serve. Pray not just tomorrow, but every day.

As we gather tomorrow morning for the prayer breakfast, let us pour out our hearts to God, lift one another up, and commit to working toward a better America.

My prayer will be simple. I pray that God will continue to bless the United States of America.

EXCESSIVE PAY AT BAILED-OUT COMPANIES

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, I rise today to call attention to a report by the Special Inspector General for the Troubled Asset Relief Program, or SIGTARP, about compensation at bailed-out companies, bailed-out Wall Street companies, their excessive compensation.

The report shows that the U.S. Treasury Department approved wildly inap-

propriate pay packages of \$3 million or more for over half of the top 25 employees at certain bailed-out Wall Street banks.

Executive compensation at AIG is particularly disturbing, given that the Federal Government financed a \$182.3 billion bailout of that company. In 2012, AIG's top CEO was paid \$10.5 million, and all but one of AIG's top 25 employees received compensation of more than \$2 million. That one AIG executive who was paid less than \$2 million received \$700,000 in total compensation, which is well over 1,000 times more than the average American household earns in a year.

Mr. Speaker, isn't it time for Wall Street and the Treasury Department to wake up and stop abusing the assistance they received from the taxpayer, and isn't it time for the Department of Justice to prosecute?

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to my friend, Mr. CANTOR, for the purposes of telling us the schedule for next week.

Mr. CANTOR. I thank the gentleman from Maryland.

Mr. Speaker, on Monday, the House is not in session.

On Tuesday, the House will meet at noon for morning-hour and 2 p.m. for legislative business. The House will recess no later than 5:30 p.m. to allow for a security sweep of the House Chamber prior to the President's State of the Union address. The House will meet again at approximately 8:35 p.m. in a joint session with the Senate for the purpose of receiving an address from the President of the United States. Members are advised that no votes are expected on Tuesday evening in order to accommodate the State of the Union address.

On Wednesday and Thursday, the House will meet at 10:00 a.m. for morning-hour and noon for legislative business.

On Friday, the House will meet at 9 a.m. for legislative business. The last votes of the week are expected no later than 3 p.m.

Mr. Speaker, we will consider several bills under suspension of the rules on Tuesday and Wednesday, a complete list of which will be announced by the close of business on Friday.

Additionally, I expect the House to consider H.R. 273, legislation that prevents Members of Congress, the President's Cabinet, the Vice President, and other nonmilitary Federal employees from receiving an automatic pay raise under the President's recent executive order. This legislation introduced by freshman Representative RON DESANTIS of Florida would extend the

NOES—167

Andrews
Bass
Beatty
Becerra
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Broun (GA)
Brown (FL)
Brownley (CA)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Fattah
Foster
Frankel (FL)
Fudge
Gallego
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Markey
Matsui
McCollum
McDermott
McGovern
Meng
Miller, George
Moran
Nadler
Napolitano
Neal
Nolan
O'Rourke
Pallone
Pascarell
Pastor (AZ)
Payne
Pelosi
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman
Schultz

current Federal pay freeze that has been in place since 2011.

Hardworking taxpayers and families live within a budget, and it's time that we in Washington do the same.

Mr. HOYER. I thank the gentleman for his information.

I might ask a preliminary question. When the gentleman refers to the bill that is to be considered next week, I presume he is referring to the cost of living adjustment increase?

With that, I yield to my friend.

Mr. CANTOR. I'd respond to the gentleman, Mr. Speaker, that it is the pay increase that is within the President's executive order.

Mr. HOYER. Which deals with a cost of living increase. Am I correct?

And I yield to my friend.

Mr. CANTOR. Mr. Speaker, I would just say it is a pay increase within the President's executive order.

□ 1210

Mr. HOYER. I thank the gentleman for his comments.

I disagree with his conclusion because, clearly, what we're dealing with is a cost-of-living increase similar to that which is given to Social Security recipients and others to make sure that the pay is not degraded that average working people in this country, in this Federal Government, receive, including a large number of people in Virginia and in my State, but that's only 15 percent of the Federal workforce which is around the country. I think it's unfortunate that now, for 2½ years, the only working people in America who have received a freeze or a decrease or who have contributed to solving the debt crisis which confronts us, on which the gentleman and I agree, are Federal workers. I'm not talking about Members of Congress, and I'm not talking about the President or the Vice President. The President doesn't get a COLA adjustment, obviously, but it's a cost-of-living adjustment.

I will say to my friend—and I have worked over the last 20 years with his counterparts, either in the majority or in the minority, to ensure that we made the distinction so that people understood and didn't demagogue that issue—that I regret that we are doing so here again. While it may well be appropriate to, from time to time, freeze even the cost-of-living adjustment, it is also appropriate to refer to it for what it is and not as a pay raise. In fact, the courts have indicated, as the gentleman knows, that it is a cost-of-living adjustment, but we don't need to debate that further unless the gentleman wants to say something.

Mr. CANTOR. I would just say, as to the statement that, perhaps, Federal employees are the only ones who have had to shoulder the burden, I don't necessarily agree with that, because there are millions of people in the private

sector who not only have gone without a pay increase, but many of whom don't have jobs anymore. You also have the instance, Mr. Speaker, that many millions of Americans have just received a significant tax increase due to what happened here on the fiscal cliff bill.

There are a lot of implications and consequences for the downturn in the economy. I dare say that there are a lot of people who are struggling out there in the private sector, so I'd just state a little bit of difference from the gentleman in saying that no one else is sacrificing right now, because there are a lot of people who have no pay increase and a lot of people who have no jobs.

Mr. HOYER. In reclaiming my time, the gentleman, respectfully, misstates what I said. There are a lot of people sacrificing and a lot of people who don't have jobs. I want to talk a little bit about that as we deal—or don't deal—with the sequester.

What I said was that the only people we had, as a policy, reduced—and the gentleman is correct. We did raise taxes on those over \$400,000. There is nobody in the Federal service, of course, who makes over \$400,000. The President makes \$400,000. He is at the top, as he should be, and he doesn't get a COLA adjustment, but there is nobody in the Federal service who makes over \$400,000. They are the only people we've raised contributions on. Others have, in fact, indeed, sacrificed because they've lost their jobs; they've had their pay frozen because of the bad economic times. This sequester is going to make it worse, and we'll discuss that.

What I am simply saying is that the gentleman is not serving the long-term interests of this institution, in my opinion, in not accurately describing what we're doing. That's what I said and that's what I mean.

Mr. CANTOR. I thank the gentleman.

I would say to the gentleman again that there are millions of people who have been impacted by the payroll tax going back into effect, and that affects not just the people making \$400,000 and over—and he knows that as well as I do—but there are also millions of Americans now who are impacted by the ObamaCare tax that has gone into effect. So there are a lot of things that are going on. People in the private sector, the gentleman agrees, are suffering as well.

I just want to say I understand the gentleman. I think, long term, he and I both are interested in trying to get us on a plan to balance this budget so we can see growth return to the economy again and so everyone can see a day of higher wages and a future of better compensation. That's the goal, I think, all of us are driving towards.

Mr. HOYER. Of course, that's what we all agree on, but, frankly, that rhetoric does not substitute for action.

Automatic budget cuts, known as the sequester, as you know, would cut U.S. growth in half in 2013 if allowed to go into effect. The CBO said that what we've already done has harmed the economy.

It is time for us to get on and deal with real solutions, not message bills as we did this week and as we did 2 weeks ago. That's all we've done. We met 6 or 7 days this month and last month in this Congress. We're dealing with message bills. The bill that we considered this week—the only bill of substance that we considered this week other than suspensions—will not have any positive effect on the sequester. The sequester is going to hurt our people; it's going to hurt jobs; it's going to hurt economic growth; it's going to do exactly the opposite of what the gentleman says—and I agree with him—that we agree ought to be our objectives.

As you know, the fiscal cliff deal postponed the sequester until March 1. Now, an overwhelming number of your folks did not vote for that, of course. The gentleman did, and I joined him in that effort. We've postponed that until March 1, the sequester. We're 20 days away from the sequester. We didn't do anything about it 2 weeks ago; we didn't do anything about it this week; and we're apparently not going to do anything about it next week either. There is no legislation which has been proposed by the majority party to make sure that the sequester does not go into effect.

The President of the United States spoke about that yesterday. Mr. VAN HOLLEN had a proposal to specifically deal with the sequester, to specifically preclude the sequester from going into effect, from specifically precluding the adverse effects that are going to occur to our national security structure and to our non-defense discretionary spending structure. We still now haven't seen anything from your party that would help stop the problem of the sequester. I was deeply upset that you did not make in order the Van Hollen alternative. Clearly, that alternative would have made a very substantial difference on the sequester. The President would have signed that, and the Senate, in my view, would have passed it, but we didn't even get to consider it on the floor.

Mr. Majority Leader, we are either going to consider alternatives—and I read the majority leader's speech yesterday about reaching out and doing things in a bipartisan way. One way we can do that is to allow both sides to offer their alternatives and have an up-or-down vote and to let the American people make a judgment on that. Very frankly, I think that the American people would have said that the Van Hollen alternative was the preferable alternative to the sequester. Now, there are a lot of your Members who apparently think the sequester is okay.

In your own quote, Mr. Majority Leader:

Under the sequester, unemployment would soar from its current level up to 9 percent, setting back any progress the economy has made. According to the same study, the jobs of more than 200,000 Virginians, in my home State, are on the line.

That's what you said on September 13, 2012. I think you were right. I applaud you for that statement, but I regret that we had no legislation put on this floor 2 weeks ago, this week, or in your announcement next week to preclude the sequester from going into effect, which you say, Mr. Majority Leader—and I agree with you—will have an adverse effect on up to 200,000 Virginians.

Another quote from Representative ROONEY, with which I agree:

We've tried to replace the sequester with other things, but it seems now that the large portion of our Conference is resigned to the fact that sequestration is okay.

Mr. ROONEY correctly says it's not okay—that it's dangerous, a huge mistake, a threat to our liberty. That's what TOM ROONEY of Florida said, and I applaud him for that statement, and I think he's accurate.

BILL YOUNG, who has made his whole life's career in making sure that we have a strong national security, said this:

"I'm reading what a lot of different Members are saying, and I find," lamentably—that's my word, not his—"there is not as much opposition to sequestration as I thought there might be."

In other words, a lot of your folks are saying that sequestration is the way to go. In fact, Representative JOHN SHIMKUS said:

He, President Obama, can announce all he wants. Sequestration is coming. It's coming. We've got to get spending cuts—no new revenue. It's all about spending.

So he is welcoming the sequester.

TOM COBURN:

I think sequester is going to happen. I think people want it to happen.

I don't want it to happen, Mr. Leader. I don't think it ought to happen. I think it's going to be bad for the country if sequester happens.

□ 1220

The President doesn't want sequester, HARRY REID doesn't want sequester, and I don't want sequester. I would hope, based upon your comment that I just quoted, that you don't want sequester, but we're not going to get away from the sequester unless there's legislation that you bring to this floor—and you have the authority to do that—which will obviate going to sequester and will put in place an alternative which will do what you and I both want to do, and that is address the deficit and debt, both short term and long term.

Senator MIKE JOHANNIS said:

I just have a feeling sequester's going to happen. I just think there's so much concern about the debt and spending that it overrides most issues these days.

Now, those "most issues" are those 200,000 people that you talked about in your statement.

Senator AYOTTE said:

Looks like where we're headed, sequestration.

JOHN CORNYN:

The sequester is the only cuts we've got right now.

So that the consequences of the sequester, apparently, are not something he wants to avoid.

Gridlock is leading to spending reductions. If the government does nothing, spending goes down. We have to claim victory.

Congressman MULVANEY from South Carolina said that.

Now, in terms of the sequester, I want to point out to you that there's been some comments on your side that this is the President's initiative. That is absolutely 100 percent inaccurate. In fact, the alternative in your Cut, Cap and Balance bill—and I know the majority leader knows it—is sequester; that's the fallback. We put sequester in place thinking it was so irrational and would have such a negative effect that clearly we would address the matter in the last 14 months. We didn't. We ought not to quit trying to do it, though—getting an alternative. Mr. VAN HOLLEN had an alternative.

As a matter of fact, in terms of the agreement that we reached, Speaker BOEHNER said, back on August 1, 2011:

When you look at this final agreement that we came to with the White House, I got 98 percent of what I wanted. I'm pretty happy.

That's JOHN BOEHNER's quote.

So it's not as if this was our deal. The Speaker says he got 98 percent of what he wanted. Now he says sequester is happening because the President didn't lead. Respectfully, I think that is totally, absolutely inaccurate. The President was prepared to be supportive of Mr. VAN HOLLEN's alternative yesterday. You can say you want a plan. That was his plan. We offered it. That was Mr. VAN HOLLEN's plan we offered. That was our Democratic alternative, and it would have avoided sequester.

So I say to the gentleman, I'm disappointed that the schedule does not reflect substantive, meaningful legislation to avoid the sequester which we certainly don't want. I don't know about your side based upon the quotes that I've just given you, but I would hope that the majority leader would, with the Speaker and with others in his caucus, seriously think about next week making in order a substantive alternative to the sequester.

Mr. PRICE says we did something in the last Congress. The last Congress is gone. You passed something in the last Congress. If you want to bring that to

the floor and pass it again, you know the Senate won't pass it and the President won't sign it. The fact of the matter is we've got to get to compromise, Mr. Leader; and if we don't get to compromise, we're not going to get a solution to sequester or to bringing our debt and deficit down.

I'm glad to yield to my friend.

Mr. CANTOR. Mr. Speaker, I thank the gentleman.

I would just say simply, Mr. Speaker, once again what we hear from the gentleman and his caucus is let's raise taxes; that'll fix the problem. And we all know the problem is spending.

The gentleman correctly refers to two bills that we had on the floor last year, one earlier in the year and one in the fall, both of which were designed to address the real problems as he suggests we need to do about the spending and the growth in the entitlement areas, which he knows as well as I are the main drivers of the deficit. We passed that bill without any help from the gentleman's side of the aisle and without any reciprocity from the Senate—nothing. The Senate did not move, and the White House did not move.

So if the gentleman suggests there's no compromising going on, I'd ask him how is it that the White House or the Senate is compromising at all if all we hear again and again is just take more money from the American people; that'll fix the problem.

No, Mr. Speaker, that's just kicking the can, and that's why we don't want to take up the other gentleman from Maryland's bill that the Democratic whip suggests, because it's just raising more taxes, not to mention the fact that it was not germane today. And the gentleman, as a protector of this institution knows, you can't bring up an alternative or an amendment that's not germane. You can, but it's not protecting this institution.

So I say to the gentleman, please, let's sit down together and address the real problem, not raise more taxes and kick the can. That's the uncompromising position that seems to dominate the majority party in this town, which is that controlled by the Senate and the White House, Mr. Speaker. The Democrats are constantly saying, Let's just raise more taxes. Take more money from the American people so we can fix the problem and keep spending their money. That's not the direction that we want to go in.

And I'll say to the gentleman, we want to do real fixes. We have consistently, as the gentleman knows, we have put out there and said here's our prescription to balance the budget; right? And we've said, Please, Senate, move. Let's hear your plan. Mr. President, please, you've missed the deadline again. Let's see your plan. Let's show it to the American people and have the discussion about the proper

way to manage down this debt and deficit.

But nothing; nothing yet.

I will say to the gentleman what he calls a message bill is now law. And so with that bill, we'll see what the Senate says about managing down this debt and deficit. And hopefully, if the PLAN Act were to ever be taken up by the Senate, we'd have the President say, Here's how I'm going to balance the budget, here's how long it'll take, and here's how I'm going to do it.

That's the rational way to approach when you have two sides taking different approaches to the same problem.

Mr. Speaker, we just had a one-way effort here asking the gentleman, Please join us. Please join us in fixing the long-term problems; otherwise, we're going to keep mounting the debt that is facing us, our children and theirs, and we're going to be looking at the end of the situation that's just not what the American people want.

So I know the gentleman said, you know, let's just keep spending now, keep taxing. That doesn't help. That doesn't help long term. And we're trying to do long-term planning to get this country back on track.

Mr. HOYER. I thank the gentleman for his comments.

It's good spin, but it's not substance. It was a silly bill. The Senate passed it and the President signed it because it was the only way we could make sure that we did not put the creditworthiness of the United States at risk because we're playing this game of chicken because there are some people in this Congress who believe that putting America's creditworthiness at risk is a worthwhile objective. We reject that out of hand.

And I continue to believe that it was a silly bill that we passed. Yes, it was a bill that the President signed because he wanted to make sure that we didn't default on our debts, and we tried to give some confidence, as the gentleman talked about for years, to the economy. So, yes, he signed the bill, but it had nothing to do with obviating the sequester.

The bill that we passed today affects no substantive progress—none, zero, zip. And the gentleman talks about your plan. The Ryan plan, as the gentleman well knows, does not balance the budget until well into the thirties, late into the thirties, 2030s; and, therefore, heaven knows what's going happen in the next 25 years.

I yield to the gentleman.

Mr. CANTOR. Mr. Speaker, I hear the gentleman's objections to our plan and our prior budget. We're going to come forward with another budget that will balance in 10 years.

Mr. HOYER. I'm looking forward to that.

Mr. CANTOR. Where is the gentleman's plan? Where is the President's plan? Where is the other body's plan to

balance this budget? That's all we're saying. If we can just get down to an equal level of discussion and say let's do the adult thing and try and resolve the mounting unfunded liabilities of this Federal Government, we can actually make some progress and get on about the business of helping people in this country, making their life better and making their future better, and that's the goal, instead of trying to go in and just intermittently kick the can because there's never any attempt to resolve long-term problems. That's where we're coming from.

□ 1230

Mr. HOYER. Well, as the gentleman knows, I've been one of the leaders, certainly on this side, and in this House, to get to a balanced plan. A balanced plan, yes, does include revenues. You want to say get more money from the American people.

We buy things. As a people, we buy things. People send us here, 435 districts, and we vote on buying things. One of the things we bought, of course, was defending ourselves from terrorists, both in Iraq and in Afghanistan. It cost us \$1.3-, \$1.4 trillion when you were fully in charge. We paid zero for it. That's the largest expenditure, other than the two tax cuts which we did in 2001 and 2003, which we did not pay for by cutting spending, which you say is the problem.

You didn't cut spending when you were fully in charge of the House, the Senate, and the Presidency. That's one of the reasons the Tea Party was so angry at some of your people, because they felt you all were in charge and you didn't cut spending. Maybe some of the people in this Chamber share that view.

Mr. CANTOR. Mr. Speaker, will the gentleman yield again?

Mr. HOYER. Let me finish my thought, if I can, Mr. Leader.

So I say to you, right now, you're talking about a plan. PAUL RYAN said yesterday the Founding Fathers would be upset with the President for not coming up with a plan. The Constitution contemplates the President having very little, if any role, other than execution of the budget in the budget process. That didn't come until the last century.

The fact of the matter is it is our responsibility. Not a nickel can be spent in America unless the Congress authorizes it to be spent. The President can't spend money on his own. Not a nickel can be raised in this country, of revenue, without the Congress acting on it. The President can't do that.

It is the Congress of the United States, under article I, that has this responsibility. We're not taking that responsibility. We're trying to shove it off on somebody else, in this case, the President of the United States.

The President has a plan. He's offered it a number of times. I just read a book

that discussed our discussions for some period of time with the President on his plan. He's sent budgets down here. Your side doesn't like his plan because it involves revenues.

There is not a bipartisan commission that I know of that has not suggested, in order to solve our debt and deficit problem, that we don't have to have a balanced plan, which will involve revenues and will involve cuts in spending, cuts in spending to entitlements, cuts in spending to discretionary spending. I agree with that.

I'll now yield to my friend.

Mr. CANTOR. Mr. Speaker, I would just say to the gentleman, we just raised taxes. We just put more revenue in the mix, \$650 billion over 10 years, and got no cuts. No cuts.

And the gentleman talked about the 2001, 2003 tax cuts without paying for them. You know, we just extended most of those tax measures and relief to people under \$400,000 with no cuts. Nothing. So, again, I don't think it's right to be saying that we need more revenues now. We already did revenues, right? We already have \$650 billion.

Why does the gentleman continue to think, Mr. Speaker, that that's what we have to keep doing? It's not the answer.

Let's get to the problem that is causing the mounting deficits. It's a lack of growth, and it's the spending that's out of control.

Mr. HOYER. We're not going to resolve this argument, Mr. Speaker. It's the same litany on both sides. The difference is, the gentleman cannot name a bipartisan commission that doesn't say that we need both sides of the equation addressed if we're going to get from where we are to where we need to be.

On my side, we have to deal across the board with spending. You're correct on that. On your side, you're going to have deal with revenues. A lot of your people understand that, like Mr. COBURN and others. I won't mention anybody on this side of the aisle because I don't want to get them in hot water, but they all understand that.

And what you're saying is, the Senate needs to compromise, the President needs to compromise by doing it your way. That won't work. Your way or the highway is not the way we're going to have compromise.

Mr. CANTOR. What about the revenues we already have now done? These are \$650 billion, Mr. Speaker, already raised, no cuts.

Mr. HOYER. Reclaiming my time if I can, the gentleman voted for the Budget Control Act. How much in cuts were in the Budget Control Act? \$1.2 trillion, as I recall, or \$1 trillion, excuse me, \$1 trillion, which is why we had the Supercommittee to get the additional 1.2 that the Speaker said he wanted.

So your side assumed that we'd already done a trillion of the \$2.2 trillion

that the Speaker said was necessary. So the Speaker and your side, I presume, already adopted the premise that we'd cut \$1 trillion in the Budget Control Act.

Now, do we need more? I think the answer to that is yes.

Mr. VAN HOLLEN, in his proposal, made some cuts. I'm not saying you should have supported it. I'm saying you should have allowed the American people to have that alternative on the floor to consider.

You say it wasn't germane. You and I both know—you know the Rules Committee process as well as I do—we could have waived that because the issue in front of us immediately—we're talking about the long term—immediately, is in 22 days, or 23 days, we're going to have a sequester. Almost everybody agrees that the sequester will have an adverse impact on the economy, and on our national security, and on discretionary programs because it would be irrationally done, across the board, without recognition of priority status.

So that I tell my friend, I regret that we're not dealing with the sequester. I would hope the gentleman would put legislation on the floor next week to deal with the sequester, deal with an alternative to the sequester, not talk about what we did last Congress. We didn't agree with that. You're right. We voted against it. But put something on the floor that deals with the sequester.

And I will tell my friend, I liked his speech. And he said again today he wants to work in a bipartisan fashion.

The fact of the matter is, we had an election, and in the election the American people said they thought the President's view had merit, which was a balanced approach. Yes, revenue, but also cuts in spending. And the Senate expanded its numbers, notwithstanding the fact that they agreed with the President's position and not with yours. And, in fact, more people voted for Democrats in the House of Representatives than voted for Republicans, but the redistricting resulted in your continuing to have the majority.

So we have a joint responsibility to get there. And I would urge the gentleman to please consider putting something on the floor, not these message bills, but putting something on the floor that will substantively deal with avoiding the sequester.

Now let me go on to another issue that I know that the gentleman's been working on, and that's the Violence Against Women Act. I know he's been working, he said, with Vice President BIDEN, who was very involved in this. Can the gentleman tell me the status of that piece of legislation?

Mr. CANTOR. The gentleman knows that my office and his have been in discussions about this bill. I have had daily meetings to try and get to a

point where we can bring this forward. You know, I, as the gentleman does, care very deeply about women and the abuse situation, that we need to get them the relief that this bill offers. That's what we want to do. That's our priority.

We must move and act on this bill, and I've, as well, been in touch with the Vice President and his office about trying to assist in bringing the parties together because, as the gentleman knows, there's been the introduction of some issues that are not directly related to the situation of domestic abuse on tribal lands because that's what we're trying to get at. We want to protect the women who are subject to abuse on tribal lands.

And unfortunately, there are issues that don't directly bear on that that have come up that have complicated it, as the gentleman knows. But in working with his office, as well as the Vice President's, I hope to be able to deal with this, bring it up in an expeditious manner.

Mr. HOYER. I thank the gentleman for his comments. I thank him for his work on this as well. This is a critically important issue, and I am hopeful that we can come to an agreement which will provide for the passage of that piece of legislation and send it to the President. I thank the gentleman.

Mr. Speaker, I yield back the balance of my time.

ADJOURNMENT TO FRIDAY, FEBRUARY 8, 2013

Mr. CANTOR. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 a.m. on Friday, February 8, 2013; and when the House adjourns on that day, it adjourn to meet at noon on Tuesday, February 12, 2013, for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore (Mr. HOLDING). Is there objection to the request of the gentleman from Virginia?

There was no objection.

□ 1240

PROMOTING MANUFACTURING AND A THRIVING ECONOMY

(Mr. COLLINS of Georgia asked and was given permission to address the House for 1 minute.)

Mr. COLLINS of Georgia. Mr. Speaker, I rise to encourage this body to support our Nation's vital manufacturing sector by reducing burdensome regulations. Nearly 12 million Americans—almost 10 percent of the workforce—are employed directly in manufacturing. During last week's district work period, I had the opportunity to visit part of that workforce at the Tenneco facility in Hartwell, as well as the SKF Industries plant in Flowery Branch. I'm

proud of the topnotch work being done by Georgia manufacturers. Companies like SKF have been recognized for the high level of investment the company places in employees. Last month, the Greater Hall Chamber of Commerce awarded SKF for its employee recognition efforts.

Manufacturing provides a great opportunity for folks, including those in Hartwell and Flowery Branch, to work hard and earn a good living so they can provide for their families. We cannot let their livelihood be threatened by out-of-control Federal regulations. I stand ready to work with my colleagues to promote a reasonable regulatory framework that will help manufacturing and our entire economy to thrive.

CELEBRATING PRESIDENT RON- ALD WILSON REAGAN'S 102ND BIRTHDAY

(Mr. ROTHFUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHFUS. Mr. Speaker, today we observe the 102nd birthday of Ronald Reagan, the 40th President of the United States. I take this opportunity to again thank Mrs. Reagan and the Reagan family for sharing their husband and father with this country. Their sacrifices allowed this Nation to move from an era of doubt and decline into one of a brighter future.

Today, we find ourselves facing another era of doubt and decline: chronic unemployment, staggering debt, international crises, and advocates of Big Government pushing for more failed Big Government to fix our problems. I suggest that those who think America cannot turn the state of affairs around to think again. As President Reagan said—and these words are inscribed at his final resting place in California:

I know in my heart that man is good. That what is right will always eventually triumph. And there's purpose and worth to each and every life.

With that perspective, let us again renew our commitment with President Reagan's trademark optimism to a renewal of the American spirit and a re-lighting of the American Dream.

PASSAGE OF THE FARM BILL

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, without reforms, by the year 2020, the interest alone paid on our national debt by American taxpayers will cost \$1 trillion per year—money that could otherwise be used to educate our kids or put aside for those most in need. Most would agree that borrowing on the backs of our children

to pay for promises our government cannot keep must end, and that only together, through the collaboration of both parties, can we assure America begins to live within its means.

During the last Congress there was one area where both parties came together. It was an effort that made improvements in programs resulting in better use of each tax dollar. It was an effort that also achieved deficit reduction. This effort was the farm bill.

Many of us are eager to hear the President's plan to help the Nation achieve fiscal balance during next week's State of the Union. I encourage the President to elevate passage of a new farm bill to the forefront of the speech. It's good policy. It's one area where we can come together and start the path of fiscal balance. I encourage my leaders in the House to welcome this call.

HONORING LEE RUSH

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute.)

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize a true leader in my district back home in Pennsylvania, Mr. Lee Rush, who 10 years ago founded a community nonprofit organization known as justCommunity. Its mission is to provide consultation, education, and training services in the areas of youth development and substance abuse prevention, both very important goals.

In light of his exceptional efforts and initiative, Lee has been named an Advocate of the Year by the Community Anti-Drug Coalitions of America and will be receiving that distinction tomorrow, February 7. I couldn't be more proud of him.

Lee's achievements and steadfast leadership have positively impacted the youth and communities of Pennsylvania. It's been an honor to get to know Lee personally and to witness his accomplishments firsthand. I know that he will keep up the outstanding work.

THE GLOBAL JIHADIST THREAT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Arizona (Mr. FRANKS) is recognized for 60 minutes as the designee of the majority leader.

Mr. FRANKS of Arizona. Mr. Speaker, outgoing Secretary of State Hillary Clinton recently issued a stern warning in her testimony before the House and Senate committees responsible for oversight of U.S. foreign policy. She referred repeatedly to the need for our country to recognize and respond to what she called a "global jihadist threat."

Mr. Speaker, rarely have I agreed more with Secretary Clinton. Yet if

Mrs. Clinton has been worried about this threat before now, she has done an impressive job of concealing it. The same is true of the Obama administration more generally. For the past 4 years, the executive branch has gone to extraordinary lengths to obscure the danger posed by those who practice holy war, or jihad, against our country. The administration has also sought to silence, and in some cases punish, those who have spoken the truth about this menace.

Mr. Speaker, I sincerely welcome the Secretary's warning, belated though it may be. However, it would have served this country and the cause of freedom far more if she had so openly recognized the threat posed by militant Islamic jihad—and to have led in countering it—at any point during her tenure other than its conclusion.

One of the most important architects of that see-no-jihad policy over the past 4 years has been John Brennan, President Obama's homeland security advisor and his pick to become the next Director of the Central Intelligence Agency. In May, 2010, Mr. Brennan publicly declared that:

We do not describe our enemy as "jihadists" or "Islamists" because jihad is a holy struggle, a legitimate tenet of Islam, meaning to purify oneself or one's community, and there is nothing holy or legitimate or Islamic about murdering innocent men, women, and children.

Mr. Speaker, the unavoidable reality is that self-described jihadists have routinely gone about murdering innocent women and children for decades. It should alarm us all that neither John Brennan nor Hillary Clinton—nor seemingly anyone else in the Obama administration—has fully recognized the scope of this jihadist threat. They seem blind to the fact that the Islamic jihadists here and elsewhere in the West are even now engaging in a pre-violent form of holy war against infidels and the free world. And the administration has refused to face the incontrovertible fact that the driving force behind this practice is the Muslim Brotherhood. The brothers themselves call this form of holy war "civilization jihad."

Mr. Speaker, this reality is in direct conflict with the Obama administration's insistence—long-promoted by John Brennan—that we confront only al Qaeda and its affiliates. We are told that we can safely cultivate relations with "moderates" in Islamist groups like Hezbollah and the Muslim Brotherhood. This has led to helping jihadists extend their power elsewhere and allowed them to gain dangerous footholds in America.

□ 1250

Mr. Speaker, we need as a Nation to understand the true nature and ominous implications of the global jihadist threat in both its violent and pre-violent forms.

The unavoidable truth is that there are individuals who adhere to a political Islamist doctrine of shari'a, and they are willing to become involved in the jihad it commands, and they pose a potential mortal threat to this Nation and its people. And Congress has a duty, Mr. Speaker, among other things, to question the ways in which such individuals and organizations tied to the Muslim Brotherhood have been given access to and preferential treatment from the Obama administration.

Mr. Speaker, I believe the success of this stealth jihad has been significantly enhanced by remarks and public statements made by John Brennan over the past 4 years. He should, therefore, not be allowed anywhere near—let alone actually be given responsibility for running—America's premiere intelligence agency.

It is my hope that, among other things, my remarks on the floor today will encourage our colleagues in the Senate to scrutinize critically the record and judgment of John Brennan and his suitability for the job of CIA Director.

Mr. Speaker, may I commend to my colleagues on both sides of Capitol Hill regarding this issue and to the American people a powerful new documentary that examines, in part, some of the issues I have discussed today and their grave implications for our national security, public safety, and freedoms. This documentary, entitled, "The Grand Deception," is a product of counterterrorism expert Steven Emerson's Investigative Project on Terrorism, and it provides critical insights into the true nature of the "global jihadist threat," including its expanding successes overseas and the danger it poses here at home. It chronicles the history of what I believe has been an officially sanctioned and willful blindness to that threat. It also lays bare the various ways in which such a practice is contributing to the emboldening of our enemies, the undermining of our allies, and the steady erosion of our economy and our security.

Mr. Speaker, let me close by noting, as the previous gentleman did, that today is Ronald Reagan's birthday. It is particularly appropriate to recall on Mr. Reagan's birthday his admonition of August 1961. He said:

Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same, or one day we will spend our sunset years telling our children and our children's children what it was once like in the United States when men were free.

Mr. Speaker, today, in our time, we also face the prospect of a generational threat to freedom. We must bend every effort to awakening our countrymen to that threat and equip them to contend with it, and we must ensure that our

government's policies and our capabilities are conducive to and employed effectively to fight for our freedom, to protect it, and to hand it on to future generations in the hope that they will do the same.

Unfortunately, Mr. Speaker, John Brennan has shown himself time and again to be at cross-purposes with those requirements. For that reason alone, his nomination must be rejected.

Mr. Speaker, I yield back the balance of my time.

NATIONAL SECURITY ISSUES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Texas (Mr. GOHMERT) is recognized for 54 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, at this time, the first thing I would like to do is yield to the gentleman from Illinois (Mr. DANNY K. DAVIS).

PAYING TRIBUTE TO CARDISS COLLINS, FORMER MEMBER OF CONGRESS

Mr. DANNY K. DAVIS of Illinois. I want to thank the gentleman from Texas for yielding to me.

I rise to pay tribute to the predecessor of my office, who served for 23 years as a Member of the House, the Honorable Cardiss Collins, who passed away on Saturday evening here in the District area.

I followed Ms. Collins into Congress when she retired. She followed her husband, who was killed in an airplane accident. The amazing thing about her was that she basically had no political involvement and experience from that vantage point. She was an accountant, who also was a housewife and involved a bit in local politics. But she got involved and was a quick study, immediately grasped what takes place here, ultimately became chairman of the Congressional Black Caucus, became chairman of the Congressional Black Caucus Foundation, had an outstanding career, and I simply wanted to acknowledge her work.

People of her community will remember the legacy that she created as a fighter for women's rights, as a defender of children's rights, and a real defender of health care.

Again, I thank the gentleman from Texas.

Mr. GOHMERT. Thank you, Mr. DAVIS. It's my pleasure to have had the opportunity to yield to you. It's one of the things that's good if we do more of, and that is recognizing people for their great contributions to this country.

At this time, I want to pick up where my friend, Mr. FRANKS, left off and follow up on the issue of who will be the next CIA Director. This is an important matter.

Some think, well, what difference does the past make? Today is a new day. Every day is a new day. But those

of us who majored in history, studied history, know that our history is the best indication of future performance.

So with regard to Mr. Brennan, I think it's worth noting that Secretary of State—former Secretary of State now—Hillary Clinton warned on her way out as Secretary of State of the danger of what she called the “global jihadist threat.” I am greatly appreciative to Secretary Clinton for calling this administration's attention to that, as well as the American public. Secretary Clinton should know. We had at least four Americans killed at Benghazi during her watch as Secretary of State.

The question might be: Where is John Brennan today on this central challenge of our time for Western civilization? And by “Western civilization,” I mean the idea that the Founders of this Nation had, many of them depicted in the great mural just outside this floor, 56 signers of the Declaration in the mural that John Trumble did down in the Rotunda. Their idea, when you read their writings, was of a people who would have the chance to govern themselves.

They all knew that prayer was important. That's why as Ben Franklin said during the Constitutional Convention—his own handwriting, he wrote out his speech, but he mentioned that during the revolution, in his words:

We had daily prayer in this room. Our prayers, sir, were heard and they were graciously answered.

They understood that. They prayed for wisdom. They prayed for guidance. They prayed for help in setting up this experiment in democracy. Yes, Rome had had a Senate. Yes, Greece had had a Senate; England had had a Parliament. But they had rulers who could just disband, kill, dismiss. This was going to be different. This was going to be a people who would have the chance to actually govern themselves, a revolutionary idea.

There was still such a class system in so many areas of the world in the 1700s that so many considered that people who were not of the upper crust would not have the ability to govern themselves. That's not what the Founders believed after they prayed each day during the revolution, after they prayed and struggled and argued over the way forward to reaching that goal.

But there is a threat, as Secretary Clinton said, the global jihadist threat, of people who think that the Founders' dream is totally inappropriate, that it leads to degradation; it leads to moral depravity, in their minds.

□ 1300

The Founders knew that was a possibility, but it was worth the risk to give people the freedom of choice as they believed their creator had given all of us, to make decisions for good or bad, and normally to have to live with the consequences of those decisions.

The global jihadist threat that Secretary Clinton pointed out does not have the belief that a democracy is a good idea, that a people electing representatives in a republican form of government is a good idea. They believe that we need some religious leader, like the Ayatollah Khomeini, or now Khamenei in Iran, we need a religious leader like that, that tells us what we can do, that makes all his decisions under shari'a law.

Now, all of those who met during the revolution, they believed in the power of prayer to God, and that's why they prayed during that time. But they wanted everyone to have the chance to worship as they chose, be they Muslim, Hindu, but especially Judeo-Christian beliefs where Jews and Christians had traditionally suffered persecution. They wanted the chance for people to worship as they please, or not worship. But they knew to make that possible they had to pray to God.

And that's why we are observing, once again, tomorrow the National Prayer Breakfast where our President will speak, where we will have a fantastic testimony from one of the great leaders in our country, who earlier in his life, when his life was going astray, dropped to his knees and prayed for help and got it. We will hear about that tomorrow.

But if we don't know the history of this country, if we don't know the dream of the Founders, if we don't understand the Constitution, then we lose it. And people need to understand when there is a global jihadist threat, not of moderate Muslims, like our friends, the Northern Alliance, who fought and defeated the Taliban on our behalf, not the enemy of our enemies, but these are radical Islamic jihadists who want a caliphate in which the United States is subjugated to a religious ruler.

And they're willing to use violence, if necessary. Although the Muslim Brotherhood now seems to indicate that here in America they've made so much progress in infiltrating and getting positions of power in our government, in our State Department, in our Homeland Security Department, in our Justice Department, at the White House directly, direct lines to the President, they have made so much progress in moving toward that goal of a caliphate here in the United States, under shari'a law, not under the Constitution, that they're thinking maybe violence is not the way forward in America to achieve their goal of making this a shari'a compliant caliphate.

But the Muslim Brotherhood around the world believes in many places violence is the way forward in those areas. But we've got to understand who we are facing and what they want to do. And Secretary Clinton, unfortunately it is on her way out that she notes this, instead of being able to spend the last four years with the clarity she had

when she said that we face this danger of a global jihadist threat. It is a threat. She now acknowledges it on her way out.

And the question now is, since Secretary of State Kerry will now be carrying that mantle, for heaven's sake we have got to have somebody in intelligence directing intelligence who understands the threat against us and will ensure that we are protected and understands the global jihadist threat.

The Obama administration has focused almost entirely on al Qaeda, believing people when they came in and said, "Look, the only people who can actually give you advice on dealing with these radical folks are Islamic believers, so you must get advice from us, form partnerships with us, let us give you advice, let us tell you how to deal with this threat." And they made great inroads in this administration in that approach.

But the blindness of the larger jihadist threat, the enterprise that is being pursued by the Muslim Brotherhood abroad, has resulted in the practice of drone-delivered assassinations of al Qaeda figures, with what many are questioning or arguing is due process without that, and this administration's repeated declaration that al Qaeda is being defeated. They know not of what they speak.

The idea that al Qaeda is being defeated is helping recruit others who are radical jihadists, because they're able to point to a United States administration that is so blind and so uninformed of what really is going on, that they think al Qaeda is on the decline when radical jihad is on its way up.

The drone technique of killing American citizens and killing radical jihadists is apparently thought by this administration to be a very advanced and practical approach. Well, it does avoid putting Americans at risk right now. But those same people in this administration that talked about the danger of waterboarding because, yes, some acknowledge we got very critical information by using that, even though there was no threat to their health, you had doctors there, there was no intention to do any harm. The intent was to perform a procedure that did not harm but would gather information.

Well, this administration ran against JOHN MCCAIN, and even though JOHN MCCAIN agreed, yeah, we don't want to waterboard, we don't want to do anything that somebody might someday call torture, they complained, gee, this is allowing radicals to be recruited against the United States because of the unjust nature of doing a procedure that is not harmful to someone's health to gather information to save American lives, which it did.

So here we are now with this administration that thought waterboarding helped jihadists recruit more radicals, using a process of having a high admin-

istration official think to himself or herself, "I don't think this may be enough, yeah, blow them up," without giving adequate consideration to civilians who will be killed, to family members who will be upset, to the ability of our enemies to use that to recruit other radicals many times over to replace those that have been killed with a drone strike.

This administration's systemic failure to understand what the Muslim Brotherhood calls "civilization jihad" is putting this country in severe jeopardy. That's why I appreciate Secretary Clinton, on her way out, unfortunately, pointing back to the danger of this global jihadist threat.

According to the—and this is the name of the document—"Explanatory Memorandum on the General Strategic Goal for the Brotherhood in North America," the mission of the Muslim Brotherhood is this:

"A civilization-jihadist process—a kind of grand jihad in eliminating and destroying the Western civilization from within and sabotaging its miserable house by their," i.e. Americans', "hands and the hands of the believers so that it is eliminated and Allah's religion is made victorious over all other religions."

□ 1310

The mission statement I've just quoted translates into a comprehensive effort to penetrate, to influence, and otherwise subvert our American civil society, our form of government, our governing institutions. And that explanatory memorandum that I just quoted from was written on May 19, 1991 by a top Muslim Brotherhood operative, Mohamed Akram.

Though the Justice Department established in Federal court during the Holy Land Foundation trials in Dallas, Texas, that the groups identified by the Muslim Brotherhood in their memo are "their organizations," a number of them and their successors have been treated by the Obama administration as key interlocutors in dealing with radical jihad, and this administration believes that these Muslim Brotherhood front organizations are legitimate representatives of the Muslim American community.

They have enabled the Muslim Brotherhood to recruit and to show others, Look, we're the ones that the White House trusts. We can call the White House. We can call and tell them there are three people who are giving a seminar at Langley—CIA headquarters—to law officers, hundreds of them, and we believe they will be teaching them things that are offensive to us. Well, yeah, because they call them what they are. They read from their own documents.

These individuals, who have spent their careers learning and teaching about the threat of what Secretary

Clinton called the global jihadist threat, were stopped in August a year and a half ago by a call to the White House. That call also was instrumental in prompting this administration through the intelligence department, the Justice Department, the FBI, all these departments, into purging documents, purging words, purging things from our materials that someone who wants to destroy our way of life and take us over and make us a caliphate may be offended by.

I can't go into what has been purged because they decided to declare it a classified setting when MICHELE BACHMANN and I—and for a while LYNN WESTMORELAND—went through documents to see what had been purged, documents that we knew before we went in had supposedly been purged because someone who wants to destroy our way of life might be offended.

Well, I am offended, every American should be offended, and every Muslim should be offended that a governing administration put the feelings of people who want to destroy us ahead of their oath to protect this Nation and preserve the Constitution. It doesn't mean anything to preserve the Constitution if you preserve the document but you do not preserve the enumerated powers and laws set out in that document.

Last June, four of my colleagues and I wrote to five different departments in this administration. In each separate letter—each was different—we wrote to the inspector general of each department, and we pointed out in each letter specific facts about that department that should give rise to an investigation into the influence of people who have embraced the idea of civilization jihad and taking this country over and subjugating us to sharia law and a religious leader who could tell us how to avoid moral depravity.

There was such an uproar, even by some Republicans—by a few of them, anyway. But some in the media went ballistic. Instead of doing their own investigation, they start blaming the messenger. But I don't hear any of those people attacking Secretary Clinton on her way out for saying, By the way, there is a global jihadist threat. It's what we've been trying to tell people for a couple of years, at least. There is a global jihadist threat. Thank you, Secretary Clinton. You're right.

Now, for this administration to bring people into top positions who do not understand the threat to this country and think that ignoring due process of our Constitution and killing American citizens with drone bombs is somehow preserving the Constitution, it requires another look. It requires oversight. There may be circumstances where that's what needs to be done. But I do find it interesting that this administration and certain leaders here on the Hill had no problem with al Awlaki

leading prayers here at the Capitol, here on Capitol Hill, prayers by al Awlaki that were videotaped, that you can still find. He led prayers on Capitol Hill, and then he goes to Yemen, and this administration thinks we better kill him with a drone without due process. What were they afraid of? Maybe that he would come back and lead prayers on Capitol Hill, or maybe he would be captured and talk about who all he led prayers with on Capitol Hill? What was the need for taking this man out?

We're told he had blood on his hands, and so it does seem. But there seems to be a problem when leaders of this country will say you cannot waterboard to get information, even though it's not a threat to the health of the individual—it scares them—but we will take an American citizen out who not so long before was leading prayers of Muslim staff members here at this Capitol on Capitol Hill.

It would be a grave mistake for our Senate to confirm John Brennan as the chief architect that he has been for his failure to understand and comprehend the global jihadist threat that Secretary Clinton has noted going out.

There was an article today, February 6, by Jim Geraghty, and I'm quoting from the article:

Let me throw you a curveball by quoting Adam Serwer of Mother Jones, reacting to the administration's release of its legal justification to kill Americans believed to be involved with terror without a trial, by drone.

□ 1320

Let me parenthetically note here that I'm not someone who comes to the table without an understanding about trials, about evidence, about due process, about constitutional rights, and about a death sentence. I've signed death sentences. It's a heavy, weighty matter, and as someone who has believed in capital punishment in the right circumstances, it's still a challenging moment when you watch your hand sign an order to have someone put to death. I've done it twice. In both cases, the evidence was overwhelming beyond a reasonable doubt. The evidence was also overwhelming beyond a reasonable doubt that those two individuals murdered an individual or more, knew what they were doing when they murdered one or more individuals, were complicit in actually either murdering or participating in the murder, and that there was no evidence.

The question put to the jury: Is there any evidence that mitigates against the imposition of the death penalty as the Supreme Court has found? Any evidence. It's a "no evidence" question. Is there any evidence that mitigates against the death penalty? That's one of the three questions, and that's the standard. That's what juries in States that allow capital punishment have had to wrestle with, but I'd like to

know who is considering those weighty issues in this administration.

So we go back to Geraghty's article. He quotes from Mother Jones:

"The Obama administration claims that the secret judgment of a single 'well-informed, high-level administration official' meets the demands of due process and is sufficient justification to kill an American citizen suspected of working with terrorists. That procedure is entirely secret. Thus, it's impossible to know which rules the administration has established to protect due process and to determine how closely those rules are followed. The government needs the approval of a judge to detain a suspected terrorist. To kill one, however, it need only give itself permission."

Of course, the hypocrisy of most liberals doesn't get us off the hook on the need to have a coherent view on this. Okay, conservatives. Big question now: If this were President Romney, would we be shrugging, concerned, complaining or screaming? I think "concerned." At the very least, you would want another set of eyes—the House or Senate Intelligence Committees or some independent judges—taking a look at the Presidential "kill list"—right?—at least for the American citizens.

Our Charles C.W. Cooke said, "In case my position isn't obvious, I am appalled by any President processing the unilateral power to kill American citizens extrajudicially."

Senator Ron Wyden, Oregon Democrat, puts it rather bluntly: "Every American has the right to know when their government believes that it is allowed to kill them."

Geraghty finishes his article by saying, "That doesn't seem like too much to ask."

The article in Mother Jones is worth considering. It's dated Tuesday, February 5, posted at 8:53 a.m. Pacific Standard Time by Adam Serwer. It takes a good look at this issue.

So what is the result of this administration's deciding secretly or some bureaucrat's deciding, "Yeah, we've got enough. We'll kill this man. Yeah, we've got enough. We'll kill this person, this American citizen"? How is that working out?

There was an article published on January 31, 2013, by Catherine Herridge. Catherine has a great book out on radical Islam. This article Catherine has entitled, "Al Qaeda affiliate in Africa looking to strike more Western targets, intelligence officials say." She says in her article, quoting Secretary Clinton:

"Yes, we now face a spreading jihadist threat. We have driven a lot of the al Qaeda operatives out of . . . Afghanistan, Pakistan. Killed a lot of them, including, of course, bin Laden, but we have to recognize this is a global movement."

My comment: It's not a movement that is simply attacking overseas in some foreign country. Anyway, it's a good article by Catherine Herridge. She understands the threat.

Let me read a quote directly from White House counterterrorism adviser and nominee for Director of the CIA, Mr. John Brennan. He said:

"Hezbollah started out as purely a terrorist organization back in the early eighties

and has evolved significantly over time, and now it has members of parliament in the cabinet. There are lawyers, doctors, others who are part of the Hezbollah organization . . . and so, quite frankly, I'm pleased to see that a lot of Hezbollah individuals are, in fact, renouncing that type of terrorism and violence and are trying to participate in the political process in Lebanon in a very legitimate fashion."

They have not sworn off violence in Lebanon. They have not sworn off violence in Egypt, in Syria and, as we well know, in Libya, Albania, Tunisia, even in African nations further south.

I've said before and have expressed my concern of this administration in its helping people we didn't know for sure of their identities and in encouraging them to overthrow this Nation's ally, President Mubarak. I expressed concerns before it was done about giving military assistance to people that we knew included al Qaeda to overthrow a man who had blood on his hands but, since 2003, had been this Nation's and this administration's ally, Qadhafi. They participated in taking him out—gave military aid to do so—to protect al Qaeda and other revolutionaries in setting up a government, a situation, that naturally was going to get Americans killed and which happened.

So I applaud Secretary Clinton for noting the global jihadist threat on her way out, but I come back to her question that will ring in people's ears for years to come when Senators were trying to get to the heart of the matter: What happened at Benghazi? Please just tell us what happened. We're not going to prosecute anybody here at the Senate. We just need to know what happened. Of her question, those words will ring: What difference does it make?

What difference does it make? Americans got killed.

I was inquiring: Does anybody know has a fifth person died of his wounds in Benghazi? What's going on? What's happening to those people who were wounded? Who can tell us what really happened?

What difference does it make? So we can avoid Americans being killed like that in the future.

What if we'd have had an adequate investigation about security at our Embassy back when Susan Rice was involved back in the nineties? Did they ask for extra security? Did you deny them that security? Did we have enough security? What happened to allow our Embassy to be bombed and Americans to be killed?

□ 1330

What difference does it make? Because if we'd known in the nineties what went wrong, maybe we could have avoided Chris Stevens, our SEALs, those four Americans that we know of being killed.

What difference does it make? It makes a difference to their families if

they're alive today or dead because we were not properly secured.

What difference does it make? It makes a difference to future families who lose loved ones in the service of their country because people stonewalled and would not give us the information as to what went wrong, what happened. Just tell us.

We're supposed to trust the administration? Not only with a bureaucratic decision by one person that he think he's got enough information to go kill an American citizen without a trial, now we have to say, oh, well, we will trust them to make sure that nobody gets killed again, but it has already happened. And then by the stonewalling, we don't know enough about where the weapons came from. We don't know enough about what went wrong to know how those weapons that we may have provided in a country where we provided the revolutionary help, now has resulted in Americans and others being killed in Algeria.

What difference does it make? I'm sure the people who died in Algeria would like to have their family members back. That makes a difference.

What difference does it make? It doesn't make any difference if you don't care who lives or dies. But if you want to protect Americans in the service of their country, it makes a real difference. And it's our duty to try to protect them.

The New York Times had an article by Gregory Johnsen back in November titled "The Wrong Man for the CIA." He said:

With the resignation of David H. Petraeus, President Obama now has a chance to appoint a new CIA director. Unfortunately, one of the leading candidates for the job is John O. Brennan, who is largely responsible for America's current flawed counterterrorism strategy, which relies too heavily on drone strikes that frequently kills civilians and provide al Qaeda with countless new recruits. Rather than keeping us safe, this strategy is putting the United States at greater risk.

For all of the Obama administration's foreign policy successes—from ending the war in Iraq to killing Osama bin Laden—the most enduring policy legacy of the past 4 years may well turn out to be an approach to counterterrorism that American officials call the Yemen model, a mixture of drone strikes and Special Forces raids targeting al Qaeda leaders.

Mr. Brennan is the President's chief counterterrorism adviser and the architect of this model. In a recent speech, he claimed that there was "little evidence that these actions are generating widespread anti-American sentiment or recruits for AQAP," referring to al Qaeda in the Arabian Peninsula.

Perhaps the initials ought to be, instead of AQAP, the initials the administration, the government likes to use, instead of AQAP, maybe it ought to be MBCH, the Muslim Brotherhood on Capitol Hill, where al Awlaki that this administration killed with a drone strike led prayers.

Back to the article:

Mr. Brennan's assertion was either shockingly naive or deliberately misleading. Testimonies from al Qaeda fighters and interviews I and local journalists have conducted across Yemen attest to the centrality of civilian casualties in explaining al Qaeda's rapid growth there.

Rapid growth there needs to be noted. People that have actually done an objective analysis have found al Qaeda is not diminished. Radicals are growing to the point that Secretary Clinton would note the jihadist threat as she leaves.

The article says:

The United States is killing women, children and members of key tribes. "Each time they kill a tribesman, they create more fighters for al Qaeda," one Yemeni explained to me over tea in Sana, the capital, last month. Another told CNN, after a failed strike, "I would not be surprised if 100 tribesmen joined al Qaeda as a result of the latest drone mistake."

Rather than promote the author of a failing strategy, we need a CIA director who will halt the agency's creeping militarization and restore it to what it does best: collecting human intelligence. It is an intelligence agency, not a lightweight version of Joint Special Operations Command. And until America wins the intelligence war, missiles will continue to hit the wrong targets, kill too many civilians and drive young men into the waiting arms of our enemies.

Without accurate on-the-ground intelligence, our policies will fail. George W. Bush launched two major ground invasions, and Mr. Obama has tried several smaller wars. Neither strategy has worked. In Yemen, which has been the laboratory for Mr. Obama's shadow wars, AQAP has more than tripled in size after 3 years of drone strikes. When the United States started bombing Yemen in 2009, AQAP had just 200 to 300 fighters. Today, the State Department estimates it has a few thousand. Since 2009, the group has attempted to attack America on three occasions, coming closest on December 25, 2009, when a would-be suicide bomber narrowly failed to bring down an airliner over Detroit. When it tries again—and it will—the organization will be available to draw upon much deeper ranks.

Not surprisingly, American officials reject the claim that current policy is exacerbating the problem. In June 2011, Mr. Brennan declared that "there hasn't been a single collateral death because of the exceptional proficiency, precision of the capabilities we've been able to develop." This came almost exactly a year after a botched drone attack in Yemen killed a deputy governor and four of his bodyguards instead of the intended target.

Under Mr. Brennan's guidance, the United States has also adopted a controversial method for determining how many civilians it has killed, counting all military-age males in a strike zone as combatants. This means that Abdulrahman al Awlaki, a 16-year-old American citizen killed by a drone in October, was classified as a militant despite evidence that he was simply a shy teenager whose father happened to be Anwar al Awlaki, who had been killed by American missiles 2 weeks earlier.

The strikes Mr. Brennan asks the President to approve frequently lead to civilian casualties. Indeed, the first strike Mr. Obama ordered on Yemen, in December 2009, destroyed a Bedouin village that was mis-

taken for a terrorist training camp. American missiles killed more than 50 people, including 35 women and children. Watching that strike live on a grainy feed the military calls Kill TV, Jeh Johnson, the Pentagon's top lawyer, later admitted, "if I were Catholic, I'd have to go to confession."

Mr. Petraeus's departure presents Mr. Obama with an opportunity to halt the CIA's drift toward becoming a paramilitary organization and put it back on course. For all of the technological advances America has made in a decade of fighting al Qaeda, it still needs all of the old tricks it learned in the days before spy satellites and drones.

More and better intelligence from sources on the ground would result in more accurate targeting and fewer civilian casualties. That would be a Yemen model that actually worked and a lasting and effective counterterrorism legacy for Mr. Obama's second term.

That's Gregory Johnsen from The New York Times.

Another good article by Patrick Poole on June 6 of 2012, "Meet John Brennan, Obama's Assassination Czar."

A relatively unnoticed article by Associated Press reporter Kimberly Dozier 2 weeks ago outlined new Obama administration policy changes which consolidated power for authorizing drone attacks and assassinations under political appointees within the White House.

The article identifies White House Counterterrorism Chief John Brennan as the official assuming the role of Obama's de facto assassination czar, raising concerns even within the Obama administration that the White House is increasingly turning into "a pseudo-military headquarters" under the direction of just a few senior Obama administration officials.

Adding to these concerns are serious questions about Brennan's qualification for this role.

Even before the 2008 election, eyebrows were raised over Brennan's role in the Obama campaign. An employee of The Analysis Corporation, of which Brennan was CEO, had improperly accessed passport information for Hillary Clinton, Obama's Democratic primary challenger at the time, and GOP nominee John McCain. At the time, Brennan was a top adviser to the Obama campaign, and Brennan's employee was not fired. One of the key witnesses in the case was found murdered in his car outside his church while the investigation was still ongoing.

Brennan was involved in administration intrigue related to the release of convicted Libyan Pan Am Flight 103 bomber from a Scottish jail in August 2009. At the time of Megrahi's release, when he returned to Libya to a national hero's welcome, Brennan described the release as "unfortunate, inappropriate, and wrong" and called for his reimprisonment. However, Obama administration documents obtained by The Sunday Times revealed that the White House had secretly informed Scottish authorities that they found compassionate release more palatable than the reimprisonment of Megrahi in Libya.

Brennan also came under fire after would-be underwear bomber Umar Farouk—and I won't try that last name—nearly brought down a U.S.-bound Northwest Airlines flight on Christmas Day 2009. British intelligence authorities had notified their U.S. counterparts of an "Umar Farouk" meeting with al Qaeda cleric Anwar al Awlaki in Yemen, and

Umar Farouk's father had warned of his son's increasing extremism to CIA officials at the U.S. Embassy in Nigeria. However, Umar Farouk was never added to the U.S. no-fly list, nor was his U.S. visa revoked.

□ 1340

And but for, as I understand it, him sweating too much around his posterior that helped defuse the bomb and then the work of some heroic passengers to stop him once he tried, the crew was—the passengers were saved. But it was certainly no thanks to the Obama administration or Mr. Brennan.

Now, back to the article. Patrick Poole says:

Following this stunning and nearly fatal intelligence failure which prompted members of both the House and Senate Intelligence oversight committees to call for his resignation, Brennan lashed out at the Obama administration's critics in a USA Today editorial. He claimed that the "politically motivated criticism and unfounded fear-mongering only serve the goals of al Qaeda."

Let me insert here, if he thinks, Mr. Brennan thinks that questioning failures of the Obama administration is contributing to al Qaeda, what must bombing innocent people with drones be doing for al Qaeda?

Back to the article. It says:

Brennan also defended treating Umar Farouk as a criminal by having his rights read to him upon arrest and trying him in civilian court, rather than transferring the would-be bomber to military custody as an enemy combatant.

Just days later, Brennan gave a speech to Islamic law students at New York University, where he was introduced by Ingrid Mattson, president of the Islamic Society of North America, at that time. Mattson, who had been involved with the Obama inaugural prayer service, had come under fire then for her organization's longstanding terrorist support.

During his New York University speech, Brennan defended the administration's highly unpopular move to try al Qaeda operations chief Khalid Sheikh Mohammed in Federal court, which the administration eventually backed away from. He claimed that terrorists are the real victims of "political, economic and social forces."

Mr. Speaker, it's important people understand. John Brennan claimed that the terrorists killing Americans, over 3,000 on 9/11, were the real victims of a political, economic, and social force.

Brennan said that Islamic terrorists are not jihadists, referenced "Al-Quds" instead of Jerusalem, and described the 20 percent of former Guantanamo detainees returning to terrorist activities as "not that bad" when compared to ordinary criminal recidivism.

The thousands of people that have likely been killed by the 20 percent of our detainees being returned to terrorist activities probably would not consider Mr. Brennan's assessment as not that bad. They wouldn't consider that all that accurate.

Patrick writes a great article. He has another one January 7, 2013, entitled, "Revisiting 'Jihad' John Brennan."

Another, by my friend, Andrew McCarthy, on February 4, "Oppose Brennan for CIA Director." I will include these articles in the RECORD.

It is time we took a real objective look at people who say their goal is civilization jihad and the elimination of our freedom to choose as we please and to choose our public servants.

[From the PJ Tatler, Jan. 7, 2013]

REVISITING "JIHAD" JOHN BRENNAN

(By Patrick Poole)

This afternoon at a White House ceremony, Obama announced that his nominee for CIA Director will be 'Jihad' John Brennan, his current counterterrorism adviser.

Back in June, I profiled Brennan here at PJ Media. Some of 'Jihad' John's recent highlights include:

March 2008: John McCain's passport information leaked from John Brennan's company during presidential campaign (key witness murdered during investigation)

April 2008: Brennan tells the New York Times that US government official must stop "Iran-bashing"

Feb 2010: Brennan attacks critics of Obama Admin's handling of "underwear bomber" Abdulmutallab as a criminal, not a terrorist, saying that critics are "serving the goals of Al-Qaeda"

May 2010: Brennan says he wants to build up "Hezbollah moderates"

May 2010: Brennan defends 'Jihad' as a 'legitimate tenet of Islam'

June 2010: Washington Times editorial slams Brennan, saying, "President Obama's top counterterrorism adviser knows very little about terrorism, and that's scary for America."

Aug 2010: Brennan storms out of meeting with Washington Times editorial staff after he claims he was misquoted by newspaper and editor begins reading Brennan's own quotes back to him out loud

Sept 2010: Known HAMAS operative given escorted tour of National Counterterrorism Center

May 2012: Brennan implicated in major White House intelligence breach involving UK/Saudi Al-Qaeda infiltrator

Aug 2012: Brennan attacks critics of politically-driven White House intelligence leaks

Sept 2012: House Intel Committee Chairman Mike Rogers says changes in CIA's Benghazi attack talking points blaming Mohammed video happened under deputies committee chaired by Brennan

Again, these are just some of John Brennan's highlights. We could also add his laughable claims of no collateral casualties from his drone assassination program or his defense of trying Al-Qaeda operations chief Khalid Sheikh Mohammed in federal court or his role in the White House back-door dealing with the UK on the release of Libyan Pan Am Flight 103 bomber Abdelbaset al-Megrahi or his reference to Jerusalem as "Al-Quds" in a NYU speech or his claims that the 20 percent recidivism rate for GITMO detainees (those who returned to terrorism) was "not that bad". But that would be piling on.

What should be clear is that John Brennan's role in Barack Obama's disastrous first term should preclude him from any further service in the second term, let alone a promotion.

[From PJ Media, June 6, 2012]

MEET JOHN BRENNAN, OBAMA'S

ASSASSINATION CZAR

(By Patrick Poole)

A relatively unnoticed article by Associated Press reporter Kimberly Dozier two weeks ago outlined new Obama administration policy changes which consolidated power for authorizing drone attacks and assassinations under political appointees within the White House.

The article identifies White House counterterrorism chief John Brennan as the official assuming the role of Obama's de facto assassination czar, raising concerns even within the Obama administration that the White House is increasingly turning into "a pseudo-military headquarters" under the direction of just a few senior Obama administration officials.

Adding to these concerns are serious questions about Brennan's qualifications for this role.

Even before the 2008 election, eyebrows were raised over Brennan's role in the Obama campaign. An employee of The Analysis Corporation, of which Brennan was CEO, had improperly accessed passport information for Hillary Clinton, Obama's Democratic primary challenger at the time, and GOP nominee John McCain. At the time, Brennan was a top adviser to the Obama campaign, and Brennan's employee was not fired. (One of the key witnesses in the case was found murdered in his car outside his church while the investigation was still ongoing.)

Brennan was involved in administration intrigue related to the release of convicted Libyan Pan Am Flight 103 bomber Abdelbaset al-Megrahi from a Scottish jail in August 2009. At the time of Megrahi's release—when he returned to Libya to a national hero's welcome—Brennan described the release as "unfortunate, inappropriate, and wrong" and called for his reimprisonment. However, Obama administration documents obtained by The Sunday Times revealed that the White House had secretly informed Scottish authorities that they found compassionate release more palatable than the reimprisonment of Megrahi in Libya.

Brennan also came under fire after would-be underwear bomber Umar Farouk Abdulmutallab nearly brought down a U.S.-bound Northwest Airlines flight on Christmas Day 2009. British intelligence authorities had notified their U.S. counterparts of an "Umar Farouk" meeting with al-Qaeda cleric Anwar al-Awlaki in Yemen, and Abdulmutallab's father had warned of his son's increasing extremism to CIA officials at the U.S. embassy in Nigeria. However, Abdulmutallab was never added to the U.S. no-fly list, nor was his U.S. visa revoked.

Following this stunning and nearly fatal intelligence failure which prompted members of both the House and Senate Intelligence oversight committees to call for his resignation, Brennan lashed out at the Obama administration's critics in a USA Today editorial. He claimed that the "politically motivated criticism and unfounded fear-mongering only serve the goals of al-Qaeda."

Brennan also defended treating Abdulmutallab as a criminal by having his rights read to him upon arrest and trying him in civilian court, rather than transferring the would-be bomber to military custody as an enemy combatant.

Just days later, Brennan gave a speech to Islamic law students at New York University, where he was introduced by Ingrid

Mattson, president of the Islamic Society of North America. Mattson, who had been involved with the Obama inaugural prayer service, had come under fire then for her organization's longstanding terrorist support.

During his NYU speech, Brennan defended the administration's highly unpopular move to try al-Qaeda operations chief Khalid Sheikh Mohammed in federal court (which the administration eventually backed away from). He claimed that terrorists are the real victims of "political, economic and social forces," said that Islamic terrorists were not jihadists, referenced "Al-Quds" instead of Jerusalem, and described the 20 percent of former Guantanamo detainees returning to terrorist activities as "not that bad" when compared to ordinary criminal recidivism.

During a talk at the Nixon Center in May 2010, Brennan said that the administration was looking for ways to build up "moderate elements" of the Lebanese terrorist organization Hezbollah. Two weeks later, at a speech at the Center for Strategic and International Studies (CSIS), Brennan defended the Islamic doctrines of jihad as "a holy struggle" and "a legitimate tenet of Islam."

These missteps and misstatements by Brennan prompted the Washington Times to editorialize in June 2010 that "President Obama's top counterterrorism adviser knows very little about terrorism, and that's scary for America," and to warn that "Mr. Brennan's curious views may be part of a larger move by the O Force to redefine terrorism".

Rep. Peter King, then-House Homeland Security Committee ranking member (now committee chairman), called for Brennan's firing, saying:

Here's the problem . . . and this is from people from the intelligence community too. John Brennan is running intelligence policy from the White House. He is getting in the weeds in different intelligence organizations that are out there. He's doing this from the White House. Obviously, he is not subject to Congressional scrutiny, because he's on the White House staff, and it's a very dangerous situation, where you have a homeland security advisor who is beyond the reach of Congress actually making, running, and carrying on intelligence policy. It's wrong. I'm not aware of it happening before.

Stung by these criticisms, Brennan demanded to meet with the editorial staff of the Washington Times. During the June 2010 meeting, Brennan claimed that the newspaper had misrepresented his views, even as the editors read his statements directly from his speeches posted on the White House website.

When Brennan was cornered by senior editorial writer Jim Robbins about his views on jihad being a legitimate tenet of Islam, Brennan abruptly ended the interview and stormed out of their offices.

In September 2010, after I broke the story that a known top U.S. Hamas official had been given a guided tour of the top-secret National Counterterrorism Center and FBI Academy at Quantico under Brennan's watch, several former top intelligence and defense officials again called for his resignation.

Last month, it was revealed that Brennan was implicated in a serious intelligence breach detailing an ongoing counterterrorism operation led by British and Saudi intelligence agencies that had placed an operative deep inside the al-Qaeda in the Arabian Peninsula (AQAP) organization. The White House leak forced the termination of the operation and the immediate withdrawal of the double agent, infuriating our foreign intelligence allies.

Just two weeks ago, internal White House documents obtained by Judicial Watch through a FOIA request revealed that Brennan and other White House officials had met twice with Hollywood filmmakers preparing a movie about the killing of Osama bin Laden, providing them unparalleled access including the identity of a SEAL Team 6 operator and commander along with other classified information. Amazingly, these high-level White House meetings between * * *

[From *Ordered Liberty*, Feb. 4, 2013]

OPPOSE BRENNAN FOR CIA DIRECTOR

(By Andrew C. McCarthy)

To cut to the chase, a country that was serious about its national security would never put John Brennan in charge of its premier intelligence service.

Of course, it is by no means clear that the United States is any longer a serious country in this regard. Serious countries do not fund, arm and "partner with" hostile regimes. They do not recruit enemy sympathizers to fill key governmental policy positions. They do not erect barriers impeding their intelligence services from understanding an enemy's threat doctrine—in conscious indifference to Sun Tzu's maxim that defending oneself requires knowing one's enemies. All of these malfeasances have become staples of Obama policy, under the guidance of Brennan, the president's counterterrorism guru.

Still, the installation of a Beltway operator whose métier is misinformation as director of central intelligence would be an epic mismatch of man and mission. It would expand unseriousness to new frontiers of self-inflicted peril.

The reason is as elementary as it gets: The purpose of intelligence is to see what your enemy is trying to hide, to grasp how your enemy thinks, and how he cleverly camouflages what he thinks. That, to be certain, is the only security against stealthy foes who specialize in sabotage, in exploiting the liberties that make free societies as vulnerable as they are worth defending.

Mr. Brennan, to the contrary, is the incarnation of willful blindness. His tenure as Obama's top national security advisor has been about helping our enemies throw sand in our eyes and thus enabling the sabotage.

As I detail in *The Grand Jihad*, which recounts the Muslim Brotherhood's history, ideology, and self-proclaimed "civilization jihad" against the West, sabotage is the Brotherhood's defining practice. Indeed, "sabotage" is the word the Brothers themselves use to describe their work. It appears in an internal memorandum, which elaborates that the organization sees its mission in the United States as "eliminating and destroying Western civilization from within." Besides that long-term goal, the Brotherhood's network of American affiliates have pursued the more immediate aim of materially supporting Hamas, a formally designated terrorist organization to which the provision of material support is a felony under federal law.

None of that is new. It was not merely well known but had been proved in court by the Justice Department a year before Obama took office. I refer to the Justice Department's 2008 Hamas financing prosecution, the Holy Land Foundation case. Yet, counterterrorism czar Brennan remains undeterred, a driving force of the Obama administration's "Islamic outreach"—a campaign to give Islamist organizations influence over U.S. policy. That several of those organizations were proved in the HLF case

to be members of the Muslim Brotherhood's American network is clearly of no moment.

Two such organizations are the Council on American-Islamic Relations (CAIR) and the Islamic Society of North America (ISNA). They were among a slew of Islamist groups who wrote to Brennan in October 2011 to demand a purge of information about Islamist ideology that was being used to train U.S. intelligence and law-enforcement agents. Much of that information was developed in federal investigations that have led to the convictions of violent jihadists. Nevertheless, the Obama administration has slavishly complied (see, e.g., here and here).

Understand: CAIR and ISNA, though never indicted, were proved to be conspirators in the Brotherhood's Holy Land Foundation scheme to promote and finance Hamas. In fact, the FBI formally cut ties with CAIR as a result of the HLF case (although why they had ties with CAIR in the first place remains baffling). The training materials the Islamist groups insisted be removed include documentation of the fact that terrorism committed by Muslims is driven by an ideology rooted in Islamic scripture.

That this irrefutable fact makes us uncomfortable renders it no less a fact. Maybe the State Department and the White House press office have the luxury of trading in convenient fictions in order to reduce international tensions. Not intelligence agencies. The point of intelligence—a bedrock of national security—is to see the world as it is, not as we wish it to be.

Here is how it is: Islamic supremacism, the sharia-based ideology of Islamists, is an interpretation of Muslim doctrine that is entirely mainstream among the world's Muslims. That is why Islamists are winning elections in the Middle East even as they are found aligning with violent jihadists. Islamic supremacism is, in fact, widely promoted by the Brotherhood, and by such tentacles of its American network as CAIR and ISNA, when they are not otherwise deceptively disavowing its existence.

This Islamist ideology is incorrigibly anti-Western and anti-Semitic. It is deeply hostile to principles of equality and individual liberty (free speech, freedom of conscience, privacy, economic freedom, etc.) that undergird our Constitution, the American conception of civil rights, and the West's conception of human rights. Understand Islamist ideology and you will readily understand the ferocity of Islamic resistance to American efforts to promote democracy in the Middle East—not merely jihadist resistance but broad Islamic resistance.

Yet, in a propaganda campaign reminiscent of those waged by the Nazis and the Soviets, Islamists and their fellow travelers (Brennan-types who might be thought of as "anti-anti-Islamists") purport to be champions of human rights. When it suits them, they even feign reverence for individual liberties (particularly when it comes to the rights of Muslim in America . . . but don't you dare ask them how non-Muslims fare in, say, Saudi Arabia).

The counter to such a propaganda campaign is a job for intelligence agencies. The point of having a sprawling intelligence community on which American taxpayers annually lavish \$55 billion—far more than the vast majority of countries spend on national defense—is precisely to see through the deceptions of those who mean us harm, to perceive the threats against us for what they are. That the competent performance of this essential function may be fraught with political complications is supposed to be a challenge for our politicians, not our intelligence

agents. The latter's mission of unearthing hidden and often excruciating truths is hard enough.

Brennan's agenda is the antithesis of the intelligence mission. His goal has been to portray our enemies as a small, unthreatening fringe of charlatan "violent extremists," who kill wantonly and are unconnected to any "legitimate" Islam. Thus, he maintains for example that the only "legitimate" interpretation of the "tenet of Islam" known as jihad is: a "holy struggle . . . to purify oneself or one's community."

Even taken at face value, Brennan's assertion is absurd. There is between Islam and the West no common understanding of the good, and thus no consensus about "purity." In Islam, to "purify" something means to make it more compliant with sharia, Islam's legal code and societal framework. Sharia is anti-freedom and anti-equality, so to purify oneself in an Islamic sense would necessarily mean something very different from what we in the West would think of as struggling to become a better person.

But there is an even more fundamental reason not to take Brennan's remarks at face value: they run afoul of what mainstream Islam itself says about jihad. Have a look at *Reliance of the Traveller*, the popular sharia manual (it is available on Amazon). It is quite straightforward on the matter: "Jihad means to war against non-Muslims." *Reliance*, you should know, has been expressly endorsed by al-Azhar University in Egypt (Islam's center of learning since the tenth century) and the International Institute of Islamic Thought (the Brotherhood's America-based Islamist think-tank). It is a lot more authoritative than John Brennan's wishful meanderings. Maybe the president actually thinks Brennan knows more about Islam than do these scholars who have spent their lives steeped in Islamic doctrine and jurisprudence. I have my doubts . . . and, judging from the profound influence of these scholars, so do many millions of Muslims.

In Brennan's world we're to believe that holy war is not much different from the struggle to remember to brush after every meal. In Brennan's world, there is also no need to fret over * * *

Mr. Speaker, with that, I yield back the balance of my time.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 6, 2013.

Hon. JOHN BOEHNER,
Speaker of the House, U.S. Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to section 643(c) of The American Taxpayer Relief Act (P.L. 112-240), I am pleased to appoint the following individuals to the Commission on Long-Term Care.

Bruce Allen Chernof, Los Angeles, CA

Judith Stein, Storrs, CT

George Vradenburg, Washington, DC

Thank you for your attention to these appointments.

Sincerely,

NANCY PELOSI,
House Democratic Leader.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SENSENBRENNER (at the request of Mr. CANTOR) for today on account of illness.

Mr. CRAWFORD (at the request of Mr. CANTOR) for today on account of a family emergency.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 48 minutes p.m.), under its previous order, the House adjourned until Friday, February 8, 2013, at 11 a.m.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

'I, AB, do solemnly swear (or Affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.'

Has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Members of the 113th Congress, pursuant to the provisions of 2 U.S.C. 25:

ALABAMA

- 1 Jo Bonner
- 2 Martha Roby
- 3 Mike Rogers
- 4 Robert B. Aderholt
- 5 Mo Brooks
- 6 Spencer Bachus
- 7 Terri A. Sewell

ALASKA

At Large, Don Young

ARIZONA

- 1 Ann Kirkpatrick
- 2 Ron Barber
- 3 Raúl M. Grijalva
- 4 Paul A. Gosar
- 5 Matt Salmon
- 6 David Schweikert
- 7 Ed Pastor
- 8 Trent Franks
- 9 Kyrsten Sinema

ARKANSAS

- 1 Eric A. "Rick" Crawford
- 2 Tim Griffin
- 3 Steve Womack

4 Tom Cotton

CALIFORNIA

- 1 Doug LaMalfa
- 2 Jared Huffman
- 3 John Garamendi
- 4 Tom McClintock
- 5 Mike Thompson
- 6 Doris O. Matsui
- 7 Ami Bera
- 8 Paul Cook
- 9 Jerry McNerney
- 10 Jeff Denham
- 11 George Miller
- 12 Nancy Pelosi
- 13 Barbara Lee
- 14 Jackie Speier
- 15 Eric Swalwell
- 16 Jim Costa
- 17 Michael M. Honda
- 18 Anna G. Eshoo
- 19 Zoe Lofgren
- 20 Sam Farr
- 21 David G. Valadao
- 22 Devin Nunes
- 23 Kevin McCarthy
- 24 Lois Capps
- 25 Howard P. "Buck" McKeon
- 26 Julia Brownley
- 27 Judy Chu
- 28 Adam B. Schiff
- 29 Tony Cárdenas
- 30 Brad Sherman
- 31 Gary G. Miller
- 32 Grace F. Napolitano
- 33 Henry A. Waxman
- 34 Xavier Becerra
- 35 Gloria Negrete McLeod
- 36 Raul Ruiz
- 37 Karen Bass
- 38 Linda T. Sánchez
- 39 Edward R. Royce
- 40 Lucille Roybal-Allard
- 41 Mark Takano
- 42 Ken Calvert
- 43 Maxine Waters
- 44 Janice Hahn
- 45 John Campbell
- 46 Loretta Sanchez
- 47 Alan S. Lowenthal
- 48 Dana Rohrabacher
- 49 Darrell E. Issa
- 50 Duncan Hunter
- 51 Juan Vargas
- 52 Scott H. Peters
- 53 Susan A. Davis

COLORADO

- 1 Diana DeGette
- 2 Jared Polis
- 3 Scott R. Tipton
- 4 Cory Gardner
- 5 Doug Lamborn
- 6 Mike Coffman
- 7 Ed Perlmutter

CONNECTICUT

- 1 John B. Larson
- 2 Joe Courtney
- 3 Rosa L. DeLauro
- 4 James A. Himes
- 5 Elizabeth H. Esty

DELAWARE

At Large, John C. Carney, Jr.

FLORIDA

- 1 Jeff Miller
- 2 Steve Southerland II
- 3 Ted S. Yoho
- 4 Ander Crenshaw
- 5 Corrine Brown
- 6 Ron DeSantis
- 7 John L. Mica
- 8 Bill Posey
- 9 Alan Grayson
- 10 Daniel Webster

11 Richard B. Nugent
12 Gus M. Bilirakis
13 C.W. Bill Young
14 Kathy Castor
15 Dennis A. Ross
16 Vern Buchanan
17 Thomas J. Rooney
18 Patrick Murphy
19 Trey Radel
20 Alcee L. Hastings
21 Theodore E. Deutch
22 Lois Frankel
23 Debbie Wasserman Schultz
24 Frederica S. Wilson
25 Mario Diaz-Balart
26 Joe Garcia
27 Ileana Ros-Lehtinen

GEORGIA

1 Jack Kingston
2 Sanford D. Bishop, Jr.
3 Lynn A. Westmoreland
4 Henry C. "Hank" Johnson, Jr.
5 John Lewis
6 Tom Price
7 Rob Woodall
8 Austin Scott
9 Doug Collins
10 Paul C. Broun
11 Phil Gingrey
12 John Barrow
13 David Scott
14 Tom Graves

HAWAII

1 Colleen W. Hanabusa
2 Tulsi Gabbard

IDAHO

1 Raúl R. Labrador
2 Michael K. Simpson

ILLINOIS

1 Bobby L. Rush
2 [Vacant]
3 Daniel Lipinski
4 Luis V. Guterrez
5 Mike Quigley
6 Peter J. Roskam
7 Danny K. Davis
8 Tammy Duckworth
9 Janice D. Schakowsky
10 Bradley S. Schneider
11 Bill Foster
12 William L. Enyart
13 Rodney Davis
14 Randy Hultgren
15 John Shimkus
16 Adam Kinzinger
17 Cheri Bustos
18 Aaron Schock

INDIANA

1 Peter J. Visclosky
2 Jackie Walorski
3 Marlin A. Stutzman
4 Todd Rokita
5 Susan W. Brooks
6 Luke Messer
7 André Carson
8 Larry Bucshon
9 Todd C. Young

IOWA

1 Bruce L. Braley
2 David Loebsack
3 Tom Latham
4 Steve King

KANSAS

1 Tim Huelskamp
2 Lynn Jenkins
3 Kevin Yoder
4 Mike Pompeo

KENTUCKY

1 Ed Whitfield
2 Brett Guthrie

3 John A. Yarmuth
4 Thomas Massie
5 Harold Rogers
6 Garland "Andy" Barr

LOUISIANA

1 Steve Scalise
2 Cedric L. Richmond
3 Charles W. Boustany, Jr.
4 John Fleming
5 Rodney Alexander
6 Bill Cassidy

MAINE

1 Chellie Pingree
2 Michael H. Michaud

MARYLAND

1 Andy Harris
2 C. A. Dutch Ruppersberger
3 John P. Sarbanes
4 Donna F. Edwards
5 Steny H. Hoyer
6 John K. Delaney
7 Elijah E. Cummings
8 Chris Van Hollen

MASSACHUSETTS

1 Richard E. Neal
2 James P. McGovern
3 Niki Tsongas
4 Joseph P. Kennedy III
5 Edward J. Markey
6 John F. Tierney
7 Michael E. Capuano
8 Stephen F. Lynch
9 William R. Keating

MICHIGAN

1 Dan Benishek
2 Bill Huizenga
3 Justin Amash
4 Dave Camp
5 Daniel T. Kildee
6 Fred Upton
7 Tim Walberg
8 Mike Rogers
9 Sander M. Levin
10 Candice S. Miller
11 Kerry L. Bentivolio
12 John D. Dingell
13 John Conyers, Jr.
14 Gary C. Peters

MINNESOTA

1 Timothy J. Walz
2 John Kline
3 Erik Paulsen
4 Betty McCollum
5 Keith Ellison
6 Michele Bachmann
7 Collin C. Peterson
8 Richard M. Nolan

MISSISSIPPI

1 Alan Nunnelee
2 Bennie G. Thompson
3 Gregg Harper
4 Steven M. Palazzo

MISSOURI

1 Wm. Lacy Clay
2 Ann Wagner
3 Blaine Luetkemeyer
4 Vicky Hartzler
5 Emanuel Cleaver
6 Sam Graves
7 Billy Long
8 Jo Ann Emerson

MONTANA

At Large, Steve Daines

NEBRASKA

1 Jeff Fortenberry
2 Lee Terry
3 Adrian Smith

NEVADA

1 Dina Titus

2 Mark E. Amodei
3 Joseph J. Heck
4 Steven A. Horsford

NEW HAMPSHIRE

1 Carol Shea-Porter
2 Ann M. Kuster

NEW JERSEY

1 Robert E. Andrews
2 Frank A. LoBiondo
3 Jon Runyan
4 Christopher H. Smith
5 Scott Garrett
6 Frank Pallone, Jr.
7 Leonard Lance
8 Albio Sires
9 Bill Pascrell, Jr.
10 Donald M. Payne, Jr.
11 Rodney P. Frelinghuysen
12 Rush Holt

NEW MEXICO

1 Michelle Lujan Grisham
2 Stevan Pearce
3 Ben Ray Lujan

NEW YORK

1 Timothy H. Bishop
2 Peter T. King
3 Steve Israel
4 Carolyn McCarthy
5 Gregory W. Meeks
6 Grace Meng
7 Nydia M. Velázquez
8 Hakeem S. Jeffries
9 Yvette D. Clarke
10 Jerrold Nadler
11 Michael G. Grimm
12 Carolyn B. Maloney
13 Charles B. Rangel
14 Joseph Crowley
15 José E. Serrano
16 Eliot L. Engel
17 Nita M. Lowey
18 Sean Patrick Maloney
19 Christopher P. Gibson
20 Paul Tonko
21 William L. Owens
22 Richard L. Hanna
23 Tom Reed
24 Daniel B. Maffei
25 Louise McIntosh Slaughter
26 Brian Higgins
27 Chris Collins

NORTH CAROLINA

1 G. K. Butterfield
2 Renee L. Ellmers
3 Walter B. Jones
4 David E. Price
5 Virginia Foxx
6 Howard Coble
7 Mike McIntyre
8 Richard Hudson
9 Robert Pittenger
10 Patrick T. McHenry
11 Mark Meadows
12 Melvin L. Watt
13 George Holding

NORTH DAKOTA

At Large, Kevin Cramer

OHIO

1 Steve Chabot
2 Brad R. Wenstrup
3 Joyce Beatty
4 Jim Jordan
5 Robert E. Latta
6 Bill Johnson
7 Bob Gibbs
8 John A. Boehner
9 Marcy Kaptur
10 Michael R. Turner
11 Marcia L. Fudge
12 Patrick J. Tiberi
13 Tim Ryan

14 David P. Joyce
15 Steve Stivers
16 James B. Renacci

OKLAHOMA

1 Jim Bridenstine
2 Markwayne Mullin
3 Frank D. Lucas
4 Tom Cole
5 James Lankford

OREGON

1 Suzanne Bonamici
2 Greg Walden
3 Earl Blumenauer
4 Peter A. DeFazio
5 Kurt Schrader

PENNSYLVANIA

1 Robert A. Brady
2 Chaka Fattah
3 Mike Kelly
4 Scott Perry
5 Glenn Thompson
6 Jim Gerlach
7 Patrick Meehan
8 Michael G. Fitzpatrick
9 Bill Shuster
10 Tom Marino
11 Lou Barletta
12 Keith J. Rothfus
13 Allyson Y. Schwartz
14 Michael F. Doyle
15 Charles W. Dent
16 Joseph R. Pitts
17 Matt Cartwright
18 Tim Murphy

RHODE ISLAND

1 David N. Cicilline
2 James R. Langevin

SOUTH CAROLINA

1 [VACANT]
2 Joe Wilson
3 Jeff Duncan
4 Trey Gowdy
5 Mick Mulvaney
6 James E. Clyburn
7 Tom Rice

SOUTH DAKOTA

At Large, Kristi L. Noem

TENNESSEE

1 David P. Roe
2 John J. Duncan, Jr.
3 Charles J. "Chuck" Fleischmann
4 Scott DesJarlais
5 Jim Cooper
6 Diane Black
7 Marsha Blackburn
8 Stephen Lee Fincher
9 Steve Cohen

TEXAS

1 Louie Gohmert
2 Ted Poe
3 Sam Johnson Plano
4 Ralph M. Hall
5 Jeb Hensarling
6 Joe Barton
7 John Abney Culberson
8 Kevin Brady
9 Al Green
10 Michael T. McCaul
11 K. Michael Conaway
12 Kay Granger
13 Mac Thornberry
14 Randy K. Weber, Sr.
15 Rubén Hinojosa
16 Beto O'Rourke
17 Bill Flores
18 Sheila Jackson Lee
19 Randy Neugebauer
20 Joaquin Castro
21 Lamar Smith
22 Pete Olson

23 Pete P. Gallego
24 Kenny Marchant
25 Roger Williams
26 Michael C. Burgess
27 Blake Farenthold
28 Henry Cuellar
29 Gene Green
30 Eddie Bernice Johnson
31 John R. Carter
32 Pete Sessions
33 Marc A. Veasey
34 Filemon Vela
35 Lloyd Doggett
36 Steve Stockman

UTAH

1 Rob Bishop
2 Chris Stewart
3 Jason Chaffetz
4 Jim Matheson

VERMONT

At Large, Peter Welch

VIRGINIA

1 Robert J. Wittman
2 E. Scott Rigell
3 Robert C. "Bobby" Scott
4 J. Randy Forbes
5 Robert Hurt
6 Bob Goodlatte
7 Eric Cantor
8 James P. Moran
9 H. Morgan Griffith
10 Frank R. Wolf
11 Gerald E. Connolly

WASHINGTON

1 Suzan K. DelBene
2 Rick Larsen
3 Jaime Herrera Beutler
4 Doc Hastings
5 Cathy McMorris Rodgers
6 Derek Kilmer
7 Jim McDermott
8 David G. Reichert
9 Adam Smith
10 Denny Heck

WEST VIRGINIA

1 David B. McKinley
2 Shelley Moore Capito
3 Nick J. Rahall II

WISCONSIN

1 Paul Ryan
2 Mark Pocan
3 Ron Kind
4 Gwen Moore
5 F. James Sensenbrenner, Jr.
6 Thomas E. Petri
7 Sean P. Duffy
8 Reid J. Ribble

WYOMING

At Large, Cynthia M. Lummis

PUERTO RICO

Resident Commissioner, Pedro R. Pierluisi

AMERICAN SAMOA

Delegate, Eni F. H. Faleomavaega

DISTRICT OF COLUMBIA

Delegate, Eleanor Holmes Norton

GUAM

Delegate, Madeleine Z. Bordallo

NORTHERN MARIANA ISLANDS

Delegate, Gregorio Kilili Camacho Sablan

VIRGIN ISLANDS

Delegate, Donna M. Christensen

OATH FOR ACCESS TO CLASSIFIED INFORMATION

Under clause 13 of rule XXIII, the following Members executed the oath for access to classified information:

Robert B. Aderholt, Rodney Alexander, Justin Amash, Mark E. Amodei, Robert E. Andrews, Michele Bachmann, Spencer Bachus, Ron Barber, Lou Barletta, Garland "Andy" Barr, John Barrow, Joe Barton, Karen Bass, Joyce Beatty, Xavier Becerra, Dan Benishek, Kerry L. Bentivolio, Ami Bera, Gus M. Bilirakis, Rob Bishop, Sanford D. Bishop, Jr., Timothy H. Bishop, Diane Black, Marsha Blackburn, Earl Blumenauer, John A. Boehner, Suzanne Bonamici, Jo Bonner, Madeleine Z. Bordallo, Charles W. Boustany, Jr., Kevin Brady, Robert A. Brady, Bruce L. Braley, Jim Bridenstine, Mo Brooks, Susan W. Brooks, Paul C. Broun, Corrine Brown, Julia Brownley, Vern Buchanan, Larry Bucshon, Michael C. Burgess, Cheri Bustos, G. K. Butterfield, Ken Calvert, Dave Camp, John Campbell, Eric Cantor, Shelley Moore Capito, Lois Capps, Michael E. Capuano, Tony Cardenas, John C. Carney, Jr., André Carson, John R. Carter, Matt Cartwright, Bill Cassidy, Kathy Castor, Joaquin Castro, Steve Chabot, Jason Chaffetz, Donna M. Christensen, Judy Chu, David N. Cicilline, Yvette D. Clarke, Wm. Lacy Clay, Emanuel Cleaver, James E. Clyburn, Howard Coble, Mike Coffman, Steve Cohen, Tom Cole, Chris Collins, Doug Collins, K. Michael Conaway, Gerald E. Connolly, John Conyers, Jr., Paul Cook, Jim Cooper, Jim Costa, Tom Cotton, Joe Courtney, Kevin Cramer, Eric A. "Rick" Crawford, Ander Crenshaw, Joseph Crowley, Henry Cuellar, John Abney Culberson, Elijah E. Cummings, Steve Daines, Danny K. Davis, Rodney Davis, Susan A. Davis, Peter A. DeFazio, Diana DeGette, John K. Delaney, Rosa L. DeLauro, Suzan K. DelBene, Jeff Denham, Charles W. Dent, Ron DeSantis, Scott DesJarlais, Theodore E. Deutch, Mario Diaz-Balart, John D. Dingell, Lloyd Doggett, Michael F. Doyle, Tammy Duckworth, Sean P. Duffy, Jeff Duncan, John J. Duncan, Jr., Donna F. Edwards, Keith Ellison, Renee L. Ellmers, Jo Ann Emerson, Eliot L. Engel, William L. Enyart, Anna G. Eshoo, Elizabeth H. Esty, Eni F. H. Faleomavaega, Blake Farenthold, Sam Farr, Chaka Fattah, Stephen Lee Fincher, Michael G. Fitzpatrick, Charles J. "Chuck" Fleischmann, John Fleming, Bill Flores, J. Randy Forbes, Jeff Fortenberry, Bill Foster, Virginia Foxx, Lois Frankel, Trent Franks, Rodney P. Frelinghuysen, Marcia L. Fudge, Tulsi Gabbard, Pete P. Gallego, John Garamendi, Joe Garcia, Cory Gardner, Scott Garrett, Jim Gerlach, Bob Gibbs, Christopher P. Gibson, Phil Gingrey, Louie Gohmert, Bob Goodlatte, Paul A. Gosar, Trey Gowdy, Kay Granger, Sam Graves, Tom Graves, Alan Grayson, Al Green, Gene Green, Tim Griffin, H. Morgan Griffith, Raúl M. Grijalva, Michael G. Grimm, Brett Guthrie, Luis V. Gutierrez, Janice Hahn, Ralph M. Hall, Colleen W. Hanabusa, Richard L. Hanna, Gregg Harper, Andy Harris, Vicky Hartzler, Alcee L. Hastings, Doc Hastings, Denny Heck, Joseph J. Heck, Jeb Hensarling, Jaime Herrera Beutler, Brian Higgins, James A. Himes, Rubén Hinojosa, George Holding, Rush Holt, Michael M. Honda, Steven A. Horsford, Steny H. Hoyer, Richard Hudson, Tim Huelskamp, Jared Huffman, Bill Huizenga, Randy Hultgren, Duncan Hunter, Robert Hurt, Steve Israel, Darrell E. Issa, Sheila Jackson Lee, Hakeem S. Jeffries, Lynn Jenkins, Bill Johnson, Eddie Bernice Johnson, Henry C. "Hank" Johnson, Jr., Sam Johnson, Walter B. Jones, Jim Jordan, David P. Joyce, Marcy Kaptur, William R. Keating, Mike Kelly, Joseph P. Kennedy III, Daniel T. Kildee, Derek Kilmer, Ron Kind, Peter T. King, Steve King, Jack Kingston, Adam

Kinzinger, Ann Kirkpatrick, John Kline, Ann M. Kuster, Raúl R. Labrador, Doug LaMalfa, Doug Lamborn, Leonard Lance, James R. Langevin, James Lankford, Rick Larsen, John B. Larson, Tom Latham, Robert E. Latta, Barbara Lee, Sander M. Levin, John Lewis, Daniel Lipinski, Frank A. LoBiondo, David Loebsack, Zoe Lofgren, Billy Long, Alan S. Lowenthal, Nita M. Lowey, Frank D. Lucas, Blaine Luetkemeyer, Ben Ray Lujan, Michelle Lujan Grisham, Cynthia M. Lummis, Stephen F. Lynch, Daniel B. Maffei, Carolyn B. Maloney, Sean Patrick Maloney, Kenny Marchant, Tom Marino, Edward J. Markey, Thomas Massie, Jim Matheson, Doris O. Matsui, Carolyn McCarthy, Kevin McCarthy, Michael T. McCaul, Tom McClintock, Betty McCollum, James P. McGovern, Patrick T. McHenry, Mike McIntyre, Howard P. "Buck" McKeon, David B. McKinley, Cathy McMorris Rodgers, Jerry McNerney, Mark Meadows, Patrick Meehan, Gregory W. Meeks, Grace Meng, Luke Messer, John L. Mica, Michael H. Michaud, Candice S. Miller, Gary G. Miller, George Miller, Jeff Miller, Gwen Moore, James P. Moran, Markwayne Mullin, Mick Mulvaney, Patrick Murphy, Tim Murphy, Jerrold Nadler, Grace F. Napolitano, Richard E. Neal, Gloria Negrete McLeod, Randy Neugebauer, Kristi L. Noem, Richard M. Nolan, Eleanor Holmes Norton, Richard B. Nugent, Devin Nunes, Alan Nunnelee, Pete Olson, Beto O'Rourke, William L. Owens, Steven M. Palazzo, Frank Pallone, Jr., Bill Pascrell, Jr., Ed Pastor, Erik Paulsen, Donald M. Payne, Jr., Stevan Pearce, Nancy Pelosi, Ed Perlmutter, Scott Perry, Gary C. Peters, Scott H. Peters, Collin C. Peterson, Thomas E. Petri, Pedro R. Pierluisi, Chellie Pingree, Robert Pittenger, Joseph R. Pitts, Mark Pocan, Ted Poe, Jared Polis, Mike Pompeo, Bill Posey, David E. Price, Tom Price, Mike Quigley, Trey Radel, Nick J. Rahall II, Charles B. Rangel, Tom Reed, David G. Reichert, James B. Renacci, Reid J. Ribble, Tom Rice, Cedric L. Richmond, E. Scott Rigell, Martha Roby, David P. Roe, Harold Rogers, Mike Rogers, Mike Rogers, Dana Rohrabacher, Todd Rokita, Thomas J. Rooney, Peter J. Roskam, Ileana Ros-Lehtinen, Dennis A. Ross, Keith J. Rothfus, Lucille Roybal-Allard, Edward R. Royce, Raul Ruiz, Jon Runyan, C. A. Dutch Ruppersberger, Bobby L. Rush, Paul Ryan, Tim Ryan, Gregorio Kilili Camacho Sablan, Matt Salmon, Linda T. Sánchez, Loretta Sanchez, John P. Sarbanes, Steve Scalise, Janice D. Schakowsky, Adam B. Schiff, Bradley S. Schneider, Aaron Schock, Kurt Schrader, Allyson Y. Schwartz, David Schweikert, Austin Scott, David Scott, Robert C. "Bobby" Scott, F. James Sensenbrenner, Jr., José E. Serrano, Pete Sessions, Terri A. Sewell, Carol Shea-Porter, Brad Sherman, John Shimkus, Bill Shuster, Michael K. Simpson, Kyrsten Sinema, Albio Sires, Louise McIntosh Slaughter, Adam Smith, Adrian Smith, Christopher H. Smith, Lamar Smith, Steve Southerland II, Jackie Speier, Chris Stewart, Steve Stivers, Steve Stockman, Marlin A. Stutzman, Eric Swalwell, Mark Takano, Lee Terry, Bennie G. Thompson, Glenn Thompson, Mike Thompson, Mac Thornberry, Patrick J. Tiberi, John F. Tierney, Scott R. Tipton, Dina Titus, Paul Tonko, Niki Tsongas, Michael R. Turner, Fred Upton, David G. Valadao, Chris Van Hollen, Juan Vargas, Marc A. Veasey, Filemon Vela, Nydia M. Velázquez, Peter J. Visclosky, Ann Wagner, Tim Walberg, Greg Walden, Jackie Walorski, Timothy J. Walz, Debbie Wasserman Schultz, Maxine Waters, Melvin L. Watt, Henry A. Waxman, Randy K. Weber, Sr.,

Daniel Webster, Peter Welch, Brad R. Wenstrup, Lynn A. Westmoreland, Ed Whitfield, Roger Williams, Frederica S. Wilson, Joe Wilson, Robert J. Wittman, Frank R. Wolf, Steve Womack, Rob Woodall, John A. Yarmuth, Kevin Yoder, Ted S. Yoho, C. W. Bill Young, Don Young, Todd C. Young

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

217. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2012-0003] [Internal Agency Docket No.: FEMA-8263] received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

218. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket No.: FEMA-2012-0003] [Internal Agency Docket No.: FEMA-8265] received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

219. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Adequacy of Massachusetts Municipal Solid Waste Landfill Permit Program [EPA-R01-RCRA-2012-0944; FRL-9771-7] received January 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

220. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Ohio and Indiana; Cincinnati-Hamilton, Ohio; Ohio and Indiana 1997 8-Hour Ozone Maintenance Plan Revisions to Approved Motor Vehicle Emissions Budgets [EPA-R05-OAR-2012-0648; EPA-R05-2012-0834; FRL-9773-5] received January 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

221. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Decommissioning Planning During Operations [Regulatory Guide 4.22] received January 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

222. A letter from the Administrator, Branch of Recovery and State Grants, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Termination of the Southern Sea Otter Translocation Program [FWS-R8-FHC-2011-0046]; [FF09E32000-134-FXES1113090000] (RIN: 1018-AX51) received January 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

223. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — 2013-2014 Summer Flounder and Scup Specifications; 2013 Black Sea Bass Specifications; Preliminary 2013 Quota Adjustments; 2013 Summer Flounder Quota for Delaware [Docket No.: 121009528-2729-02] (RIN: 0648-XC287) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

224. A letter from the Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; 2013 Commercial and Recreational Quotas for Red Snapper [Docket No.: 120213124-1066-02] (RIN: 0648-XC388) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

225. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2013-2014 Biennial Specifications and Management Measures [Docket No.: 120814338-2711-02] (RIN: 0648-BC35) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

226. A letter from the Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Bluefish Fishery; Quota Transfer [Docket No.: 120201086-2418-02] (RIN: 0648-XC394) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

227. A letter from the Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Central Regulatory Area of the Gulf of Alaska Management Area [Docket No.: 111207737-2141-02] (RIN: 0648-XC415) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

228. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2013 Bering Sea and Aleutian Islands Pollock, Atka Mackerel, and Pacific Cod Total Allowable Catch Amounts [Docket No.: 111207737-2141-02] (RIN: 0648-XC423) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

229. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 111220786-1781-01] (RIN: 0648-XC396) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

230. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2013 Gulf of Alaska Pollock and Pacific Cod Total Allowable Catch Amounts [Docket No.: 111207737-2141-02] (RIN: 0648-XC422) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

231. A letter from the Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final

rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Biennial Specifications and Management Measures; Inseason Adjustments [Docket No.: 100804324-1265-02] (RIN: 0648-BC61) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

232. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Internet Publication of Administrative Seizure and Forfeiture Notices [Docket No.: USCBP-2011-0022] [CBP Dec. 13-04] (RIN: 1651-AA94) received January 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

233. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Regulations Relating to Information Reporting by Foreign Financial Institutions and Withholding on Certain Payments to Foreign Financial Institutions and Other Foreign Entities [TD 9610] (RIN: 1545-BK68) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

234. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Health Insurance Premium Tax Credit [TD 9611] (RIN: 1545-BL49) received January 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

235. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Information Reporting by Domestic Entities under Section 6038D with Respect to Specified Foreign Financial Assets [Notice 2013-10] received January 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

236. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Qualified Zone Academy Bond Allocations for 2012 and 2013 [Notice 2013-03] received January 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GEORGE MILLER of California:

H.R. 521. A bill to award grants to encourage State educational agencies, local educational agencies, and schools to utilize technology to improve student achievement and college-and-career readiness, the skills of teachers and school leaders, and the efficiency and productivity of education systems at all levels; to the Committee on Education and the Workforce.

By Mr. DAINES (for himself and Mr. MESSER):

H.R. 522. A bill to reduce a portion of the annual pay of Members of Congress for the failure to adopt a concurrent resolution on the budget which does not provide for a balanced budget, and for other purposes; to the Committee on House Administration, and in addition to the Committees on the Budget, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAULSEN (for himself, Mr. KIND, Mr. GERLACH, Ms. SCHWARTZ, Mr. DENT, Mr. MATHESON, Mr. BRADY of Texas, Mrs. DAVIS of California, Mr. TIBERI, Mr. OWENS, Mr. YOUNG of Indiana, Ms. MCCOLLUM, Mr. ROKITA, Mr. CAPUANO, Mr. STUTZMAN, Mr. PETERS of California, Mr. SAM JOHNSON of Texas, Mr. SCHNEIDER, Mr. PRICE of Georgia, Ms. SEWELL of Alabama, Mr. BOUSTANY, Ms. DELBENE, Mr. MARCHANT, Mr. VARGAS, Mr. REICHERT, Mr. WALZ, Mr. BUCHANAN, Mr. LOEBACK, Mr. ROSKAM, Mr. MCINTYRE, Mr. SCHOCK, Mr. BARROW of Georgia, Ms. JENKINS, Mr. MAFFEI, Mr. GRIFFIN of Arkansas, Ms. TSONGAS, Mr. KELLY, Mr. NOLAN, Mrs. BLACK, Mrs. ELLMERS, Mrs. BACHMANN, Mr. BACHUS, Mr. BARLETTA, Mr. BARR, Mr. BARTON, Mr. BENISHEK, Mrs. BLACKBURN, Mr. BONNER, Mr. BROOKS of Alabama, Mrs. BROOKS of Indiana, Mr. BROUN of Georgia, Mr. BUCSHON, Mr. BURGESS, Mr. CAMPBELL, Mrs. CAPITO, Mr. CARTER, Mr. CASSIDY, Mr. CHABOT, Mr. CHAFFETZ, Mr. COBLE, Mr. COFFMAN, Mr. COLE, Mr. COLLINS of New York, Mr. CONAWAY, Mr. COTTON, Mr. CRENSHAW, Mr. CULBERSON, Mr. DAINES, Mr. DENHAM, Mr. DIAZ-BALART, Mr. DUNCAN of South Carolina, Mr. FARENTHOLD, Mr. FINCHER, Mr. FITZPATRICK, Mr. FLEISCHMANN, Mr. FLEMING, Mr. FLORES, Mr. FORTENBERRY, Ms. FOX, Mr. GARDNER, Mr. GARRETT, Mr. GIBBS, Mr. GIBSON, Mr. GINGREY of Georgia, Mr. GOHMERT, Mr. GOODLATTE, Mr. GOSAR, Mr. GOWDY, Mr. GRAVES of Georgia, Mr. GRIFFITH of Virginia, Mr. GRIMM, Mr. GUTHRIE, Mr. HANNA, Mr. HARPER, Mr. HARRIS, Mrs. HARTZLER, Mr. HECK of Nevada, Mr. HOLDING, Mr. HUELSKAMP, Mr. HUIZENGA of Michigan, Mr. HULTGREN, Mr. ISSA, Mr. JOHNSON of Ohio, Mr. JONES, Mr. JOYCE, Mr. KING of Iowa, Mr. KINGSTON, Mr. KINZINGER of Illinois, Mr. KLINE, Mr. LAMALFA, Mr. LAMBORN, Mr. LANCE, Mr. LATHAM, Mr. LATTA, Mr. LONG, Mr. LUCAS, Mr. LUETKEMEYER, Mr. MARINO, Mr. MASSIE, Mr. MCCAUL, Mr. MCKINLEY, Mrs. MCMORRIS RODGERS, Mr. MEEHAN, Mr. MESSER, Mr. MICA, Mrs. MILLER of Michigan, Mr. MULVANEY, Mr. MURPHY of Pennsylvania, Mr. NEUGEBAUER, Mrs. NOEM, Mr. NUGENT, Mr. NUNNELEE, Mr. OLSON, Mr. PALAZZO, Mr. PITTENGER, Mr. PITTS, Mr. POE of Texas, Mr. POMPEO, Mr. POSEY, Mr. RADEL, Mr. RENACCI, Mr. RIBBLE, Mr. ROE of Tennessee, Mr. ROGERS of Alabama, Mr. ROGERS of Michigan, Mr. ROSS, Mr. ROYCE, Mr. SCALISE, Mr. SCHWEIKERT, Mr. AUSTIN SCOTT of Georgia, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SHIMKUS, Mr. SIMPSON, Mr. STEWART, Mr. STIVERS, Mr. TERRY, Mr. THOMPSON of Pennsylvania, Mr. TIPTON, Mr. TURNER, Mr. VALADAO, Mr. WALBERG, Mr. WALDEN, Mrs. WALORSKI, Mr. WEBER of Texas, Mr. WEBSTER of Florida, Mr. WENSTRUP, Mr. WESTMORELAND, Mr. WHITFIELD, Mr. WILSON of South Carolina, Mr. YOHIO, Mr. YOUNG of Florida, Mr. AMASH, Mr. UPTON, Mr. DUNCAN of Tennessee, Mr. KEATING, Mr. RODNEY DAVIS of Illinois, Mr. BISHOP of Utah, and Mr. PERRY):

H.R. 523. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on

medical devices; to the Committee on Ways and Means.

By Mr. MCKINLEY (for himself, Mr. RAHALL, Mr. GIBBS, Mrs. CAPITO, Mrs. BLACKBURN, Mr. HUELSKAMP, Mr. GRIFFITH of Virginia, Mr. DUNCAN of South Carolina, Mr. JOHNSON of Ohio, Mr. BUCSHON, and Mr. KLINE):

H.R. 524. A bill to amend the Federal Water Pollution Control Act to clarify that the Administrator of the Environmental Protection Agency does not have the authority to disapprove a permit after it has been issued by the Secretary of the Army under section 404 of such Act; to the Committee on Transportation and Infrastructure.

By Mr. MASSIE (for himself, Mr. POLIS, Mr. BLUMENAUER, Mr. HANNA, Mr. ROHRBACHER, Mr. FARR, Mr. GRIJALVA, Mr. AMASH, Mr. SCHRADER, Mr. DEFAZIO, Mr. ELLISON, Ms. NORTON, Mr. CLAY, Mr. COHEN, Mr. MORAN, Ms. BONAMICI, Ms. PINGREE of Maine, Mr. YARMUTH, Mr. PETERSON, Mr. BENISHEK, Mr. MCCLINTOCK, Mr. CAMPBELL, Ms. LEE of California, Mr. POCAN, Ms. SCHAKOWSKY, Mr. NADLER, Mr. GEORGE MILLER of California, Mr. MCDERMOTT, and Mr. YOHIO):

H.R. 525. A bill to amend the Controlled Substances Act to exclude industrial hemp from the definition of marihuana, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YARMUTH (for himself, Ms. SLAUGHTER, Mr. CONYERS, Mr. HOLT, Mr. GRIJALVA, Mr. SARBANES, Mr. MORAN, Ms. EDWARDS, Ms. CHU, Mr. BLUMENAUER, Mr. ELLISON, Mr. RANGEL, Mr. HUFFMAN, Ms. LEE of California, Mr. HONDA, Ms. SCHAKOWSKY, Mr. DEFAZIO, Mr. CARTWRIGHT, Ms. DELAURE, Ms. ROYBAL-ALLARD, Ms. PINGREE of Maine, Mr. MCDERMOTT, Ms. NORTON, and Mr. POLIS):

H.R. 526. A bill to place a moratorium on permitting for mountaintop removal coal mining until health studies are conducted by the Department of Health and Human Services, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Transportation and Infrastructure, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Washington (for himself, Mr. MARKEY, Mr. FLORES, and Mr. HOLT):

H.R. 527. A bill to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes; to the Committee on Natural Resources.

By Mr. BUCSHON:

H.R. 528. A bill to prohibit foreign assistance to countries with a gross domestic product of \$1,500,000,000 or more; to the Committee on Foreign Affairs.

By Ms. JENKINS (for herself and Mr. KIND):

H.R. 529. A bill to amend the Internal Revenue Code of 1986 to allow certain individuals a credit against income tax for contributions to 529 plans, and for other purposes; to the Committee on Ways and Means.

By Mrs. BUSTOS:

H.R. 530. A bill to establish the Independent Government Waste Reduction Board; to the Committee on Oversight and Government Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CASTOR of Florida (for herself and Mr. NUGENT):

H.R. 531. A bill to prevent identity theft and tax crimes; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN (for himself, Mr. DANNY K. DAVIS of Illinois, Mr. GEORGE MILLER of California, Mr. CONYERS, Ms. LOFGREN, Ms. BORDALLO, Ms. CHU, Mr. ELLISON, Mr. HOLT, Mr. JOHNSON of Georgia, Mr. RANGEL, Mr. WAXMAN, Ms. LEE of California, Mr. COURTNEY, and Ms. PINGREE of Maine):

H.R. 532. A bill to amend title 11 of the United States Code to modify the dischargeability of debts for certain educational payments and loans; to the Committee on the Judiciary.

By Mr. CONNOLLY (for himself and Mr. YOUNG of Alaska):

H.R. 533. A bill to provide authorities for the appropriate conversion of temporary seasonal wildland firefighters and other temporary seasonal employees in Federal land management agencies who perform regularly recurring seasonal work to permanent seasonal positions; to the Committee on Oversight and Government Reform.

By Mr. CONNOLLY (for himself and Mr. CICILLINE):

H.R. 534. A bill to establish the National Commission on Intergovernmental Relations to facilitate the fullest cooperation and coordination between all levels of government; to the Committee on Oversight and Government Reform.

By Mr. CONNOLLY:

H.R. 535. A bill to amend the Internal Revenue Code of 1986 to permanently extend the Build America Bonds program; to the Committee on Ways and Means.

By Mrs. DAVIS of California (for herself, Mr. HINOJOSA, Mr. GRIJALVA, and Ms. CASTOR of Florida):

H.R. 536. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize the Secretary of Education to make grants for recruiting, training, and retaining individuals, with a preference for individuals from underrepresented groups, as teachers at public elementary and secondary schools, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ENGEL (for himself, Ms. SCHAKOWSKY, Mr. GRIMM, Mr. TONKO, Mr. ELLISON, and Ms. PINGREE of Maine):

H.R. 537. A bill to prohibit employers and certain other entities from requiring or requesting that employees and certain other individuals provide a user name, password, or other means for accessing a personal account on any social networking website; to the Committee on Education and the Workforce.

By Mr. ENGEL:

H.R. 538. A bill to protect the Nation's law enforcement officers by banning the Five-seveN Pistol and 5.7 x 28mm SS190, SS192,

SS195LF, SS196, and SS197 cartridges, testing handguns and ammunition for capability to penetrate body armor, and prohibiting the manufacture, importation, sale, or purchase of such handguns or ammunition by civilians; to the Committee on the Judiciary.

By Ms. ESHOO (for herself, Mr. SHIMKUS, and Mr. DOYLE):

H.R. 539. A bill to amend the Communications Act of 1934 to authorize a bipartisan majority of Commissioners of the Federal Communications Commission to hold non-public collaborative discussions, and for other purposes; to the Committee on Energy and Commerce.

By Ms. ESHOO (for herself, Mr. ROGERS of Michigan, Mr. WELCH, Mr. MCKINLEY, Mr. TONKO, and Mr. GARDNER):

H.R. 540. A bill to amend the National Energy Conservation Policy Act and the Energy Independence and Security Act of 2007 to promote energy efficiency via information and computing technologies, and for other purposes; to the Committee on Energy and Commerce.

By Ms. ESHOO (for herself, Mr. LANCE, Mr. BURGESS, Mr. GINGREY of Georgia, Mrs. CHRISTENSEN, and Mrs. CAPPS):

H.R. 541. A bill to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity; to the Committee on Energy and Commerce.

By Mr. FLEMING:

H.R. 542. A bill to limit restrictions on deer hunting within the Kisatchie National Forest; to the Committee on Agriculture.

By Mr. GIBSON (for himself, Mr. WALZ, Mr. MASSIE, Mr. HOLT, Ms. PINGREE of Maine, Mr. TIERNEY, Mr. GRIJALVA, Ms. EDWARDS, Mr. CICILLINE, Mr. RAHALL, Ms. CLARKE, Mr. CONYERS, Ms. SCHWARTZ, Mr. YOUNG of Florida, Mr. HANNA, Mr. TONKO, Mr. LEWIS, Mr. COURTNEY, Ms. NORTON, Mr. SCOTT of Virginia, Mr. MCGOVERN, Mr. THORNBERRY, Mr. BRIDENSTINE, Mr. BARLETTA, Mr. GRIFFIN of Arkansas, Mr. RUSH, Mr. BRALEY of Iowa, Mr. POE of Texas, Mr. HIMES, Mr. MEEKS, Mr. GRIMM, Mr. RANGEL, Mr. YOUNG of Alaska, Mr. MICHAUD, Mr. MCINTYRE, Mr. POLIS, Mr. FITZPATRICK, Mr. KING of New York, Ms. ROS-LEHTINEN, Mr. STIVERS, Mr. WELCH, Mr. ISRAEL, and Mr. LARSON of Connecticut):

H.R. 543. A bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GINGREY of Georgia (for himself, Mr. MATHESON, Mr. CASSIDY, Mr. BOUSTANY, Mr. WALDEN, Mr. JONES, Mr. ROGERS of Michigan, Mr. ROE of Tennessee, Mr. HALL, Mrs. BLACKBURN, Mr. JOHNSON of Ohio, Mr. TERRY, and Mr. ROKITA):

H.R. 544. A bill to amend title XXVII of the Public Health Service Act to change the permissible age variation in health insurance premium rates; to the Committee on Energy and Commerce.

By Mr. GRIJALVA (for himself, Mr. CONYERS, and Ms. LEE of California):

H.R. 545. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to create an adjustment to the discretionary spending limits for appropriations for emergency job creation; to the Committee on the Budget.

By Mr. GRIJALVA:

H.R. 546. A bill to amend the Workforce Investment Act of 1998 to prepare individuals with multiple barriers to employment to enter the workforce by providing such individuals with support services, job training, and education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GRIJALVA:

H.R. 547. A bill to provide for the establishment of a border protection strategy for the international land borders of the United States, to address the ecological and environmental impacts of border security infrastructure, measures, and activities along the international land borders of the United States, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Armed Services, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA:

H.R. 548. A bill to restore growth, spur job creation, build momentum toward economic recovery for border communities and the United States, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Ways and Means, Transportation and Infrastructure, Small Business, Oversight and Government Reform, Foreign Affairs, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIMM (for himself, Mr. PASCRELL, Mr. ROONEY, and Mr. DEUTCH):

H.R. 549. A bill to amend the Internal Revenue Code of 1986 to provide for the creation of policyholder disaster protection funds, Catastrophe Savings Accounts, and tax credits for natural disaster mitigation expenditures; to the Committee on Ways and Means.

By Mr. HARPER (for himself and Mr. MATHESON):

H.R. 550. A bill to amend the renewable fuel program under section 211(o) of the Clean Air Act to require the cellulosic biofuel requirement to be based on actual production; to the Committee on Energy and Commerce.

By Mr. HINOJOSA (for himself and Mr. FATTAH):

H.R. 551. A bill to authorize the Secretary of Education to make grants to support early college high schools and other dual enrollment programs; to the Committee on Education and the Workforce.

By Mr. HINOJOSA (for himself, Mr. VELA, Mr. VARGAS, Mr. CASTRO of Texas, Mr. CUELLAR, Mr. VEASEY, Mr. GALLEGOS, Mr. O'ROURKE, Ms. LINDA T. SANCHEZ of California, and Ms. MICHELLE LUJAN GRISHAM of New Mexico):

H.R. 552. A bill to require the Secretary of Veterans Affairs to ensure that the South Texas Veterans Affairs Health Care Center in Harlingen, Texas, includes a full-service Department of Veterans Affairs inpatient health care facility; to the Committee on Veterans' Affairs.

By Mr. ISSA:

H.R. 553. A bill to designate the exclusive economic zone of the United States as the "Ronald Wilson Reagan Exclusive Economic Zone of the United States"; to the Committee on Natural Resources.

By Mr. JEFFRIES:

H.R. 554. A bill to provide relief to homeowners affected by Superstorm Sandy who

have mortgages insured by the FHA, or owned or guaranteed by Fannie Mae or Freddie Mac, and for other purposes; to the Committee on Financial Services.

By Mr. JOHNSON of Ohio (for himself, Mr. DUNCAN of South Carolina, and Mr. BISHOP of Utah):

H.R. 555. A bill to amend the Mineral Leasing Act to authorize the Secretary of the Interior to conduct onshore oil and gas lease sales through Internet-based live lease sales, and for other purposes; to the Committee on Natural Resources.

By Mr. SAM JOHNSON of Texas:

H.R. 556. A bill to amend the Internal Revenue Code of 1986 to require individuals to include their social security numbers on the income tax return as a condition of claiming the refundable portion of the child tax credit, and for other purposes; to the Committee on Ways and Means.

By Mr. KELLY (for himself, Mr. BURGESS, Mr. FINCHER, Mr. POMPEO, Mr. LONG, Mr. MESSER, Mr. FLEMING, Mr. PERRY, Mr. MARCHANT, Mr. FLEISCHMANN, Mr. LAMALFA, Mr. KINGSTON, Mr. PEARCE, Mr. OLSON, Mr. GARDNER, Mr. AUSTIN SCOTT of Georgia, Mr. CHABOT, Mr. BROOKS of Alabama, Mr. COLE, Mr. COTTON, Mr. JONES, Mrs. BLACK, Mr. DESJARLAIS, Mr. WESTMORELAND, Mr. GINGREY of Georgia, Mr. MEADOWS, Mr. ROKITA, Mr. STOCKMAN, Mr. SCALISE, Mr. GOWDY, and Mr. DUNCAN of Tennessee):

H.R. 557. A bill to prevent certain individuals purportedly appointed to the National Labor Relations Board from receiving salaries, and to prevent an unconstitutional quorum of the Board from taking agency actions, until there is a final decision in pending lawsuits regarding the constitutionality of certain alleged recess appointments; to the Committee on Education and the Workforce.

By Mr. KING of New York (for himself, Mr. YOUNG of Alaska, Mr. REICHERT, Mr. GRIMM, Ms. BORDALLO, Mr. LARSON of Connecticut, Mr. RUNYAN, Mr. RUPPERSBERGER, Mr. PASCRELL, Mr. COBLE, and Mr. JONES):

H.R. 558. A bill to provide Capitol-flown flags to the immediate family of fire fighters, law enforcement officers, emergency medical technicians, and other rescue workers who are killed in the line of duty; to the Committee on House Administration.

By Ms. LEE of California (for herself, Ms. SCHAKOWSKY, Mr. ELLISON, Mr. GRIJALVA, Mr. CONYERS, Mr. LEWIS, Mr. HONDA, Ms. CLARKE, Mr. BURGESS, Mr. RUSH, Mr. SCHRADER, and Mr. BLUMENAUER):

H.R. 559. A bill to reduce by 5 percent the discretionary budget authority of any Federal agency for a fiscal year if the financial statement of the agency for the previous fiscal year does not receive a qualified or unqualified audit opinion by an external independent auditor, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 560. A bill to establish the Rio Grande del Norte National Conservation Area in the State of New Mexico, and for other purposes; to the Committee on Natural Resources.

By Mr. MEEHAN (for himself, Mr. CARNEY, Mr. POE of Texas, Ms. CASTOR of Florida, Mr. ISSA, Mr. BRADY of Pennsylvania, and Mr. KING of New York):

H.R. 561. A bill to amend the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to provide further clarity for institutions of higher education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. MILLER of Florida:

H.R. 562. A bill to provide for a three-month extension of the Veterans Retraining Assistance Program administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. MOORE (for herself, Mr. LANGEVIN, Ms. LEE of California, Mr. GRIJALVA, and Ms. SCHAKOWSKY):

H.R. 563. A bill to amend the Elementary and Secondary Education Act of 1965 to establish a grant program to fund additional school social workers and retain school social workers already employed in high-need local educational agencies; to the Committee on Education and the Workforce.

By Mr. PALLONE:

H.R. 564. A bill to amend title V of the Social Security Act to extend funding for family-to-family health information centers to help families of children with disabilities or special health care needs make informed choices about health care for their children; to the Committee on Energy and Commerce.

By Mr. PALLONE:

H.R. 565. A bill to amend title III of the Public Health Service Act to authorize and support the creation of cardiomyopathy education, awareness, and risk assessment materials and resources by the Secretary of Health and Human Services through the Centers for Disease Control and Prevention and the dissemination of such materials and resources by State educational agencies to identify more at-risk families; to the Committee on Energy and Commerce.

By Mr. PETRI (for himself and Mr. ANDREWS):

H.R. 566. A bill to amend title IV of the Employee Retirement Income Security Act of 1974 to provide for a guarantee by the Pension Benefit Guaranty Corporation for qualified preretirement survivor annuities under insolvent or terminated multiemployer pension plans; to the Committee on Education and the Workforce.

By Mr. ROKITA (for himself, Mr. LAMBORN, Mr. GARRETT, Mr. SCALISE, Mr. MULVANEY, Mr. HUELSKAMP, Mr. BROUN of Georgia, Mr. WESTMORELAND, Mr. RADEL, Mr. ROSS, Mr. POE of Texas, Mr. HOLDING, Mr. HENSARLING, Mr. DUNCAN of South Carolina, Mr. COTTON, Mr. CULBERSON, Mr. HUIZENGA of Michigan, Mrs. BLACK, Mr. BUCHSON, Mr. BISHOP of Utah, Mr. STEWART, Mr. FLEMING, Mr. PEARCE, Mr. AUSTIN SCOTT of Georgia, Mr. LAMALFA, Mr. MARCHANT, Mr. ROE of Tennessee, Mr. PALAZZO, Mrs. LUMMIS, Mrs. BLACKBURN, Mr. FLORES, Mr. GOHMERT, Mr. AMODEI, Mr. MCHENNY, and Mr. SCHWEIKERT):

H.R. 567. A bill to amend the Social Security Act to replace the Medicaid program and the Children's Health Insurance program with a block grant to the States, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, the Judiciary, Natural Resources, House Administration, Rules, and

Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSS (for himself and Mr. GINGREY of Georgia):

H.R. 568. A bill to amend title 5, United States Code, to require that the Office of Personnel Management submit an annual report to Congress relating to the use of official time by Federal employees; to the Committee on Oversight and Government Reform.

By Mr. RUNYAN (for himself and Ms. TITUS):

H.R. 569. A bill to increase, effective as of December 1, 2013, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RUNYAN (for himself and Ms. TITUS):

H.R. 570. A bill to amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans; to the Committee on Veterans' Affairs.

By Mr. RYAN of Ohio (for himself and Mr. JOHNSON of Ohio):

H.R. 571. A bill to suspend United States assistance to Brazil until such time as Brazil amends its laws to remove the prohibition on extradition of nationals of Brazil to other countries; to the Committee on Foreign Affairs.

By Mr. RYAN of Ohio (for himself and Mr. JOHNSON of Ohio):

H.R. 572. A bill to suspend the issuance of visas to nationals of Brazil until such time as Brazil amends its laws to remove the prohibition on extradition of nationals of Brazil to other countries; to the Committee on the Judiciary.

By Mr. SABLAN (for himself, Mr.

YOUNG of Alaska, Ms. BORDALLO, Mrs. NAPOLITANO, Mr. RAHALL, Mr. CONNOLLY, Mrs. CHRISTENSEN, Mr. DAVID SCOTT of Georgia, Ms. NORTON, Mr. MORAN, Mr. HONDA, Mr. FALBOMAVEGA, Mr. GRIJALVA, Mr. MARKEY, Mr. PETERSON, Ms. LEE of California, Mr. GUTIERREZ, Mr. GRAYSON, Mr. CARSON of Indiana, Mr. JONES, Mr. COSTA, Mr. PIERLUISI, Ms. HANABUSA, Mr. GEORGE MILLER of California, Ms. CHU, Mr. TONKO, Mr. CARTWRIGHT, Ms. GABBARD, Mr. FARR, Mr. HOLT, Mr. DINGELL, Mr. BISHOP of Utah, Mr. AL GREEN of Texas, Mr. SCOTT of Virginia, and Mr. CASTRO of Texas):

H.R. 573. A bill to amend Public Law 93-435 with respect to the Northern Mariana Islands, providing parity with Guam, the Virgin Islands, and American Samoa; to the Committee on Natural Resources.

By Ms. SCHWARTZ (for herself, Mr. HECK of Nevada, Mr. BLUMENAUER, Mrs. CHRISTENSEN, Mr. CARNEY, Mr. COURTNEY, Mr. POLIS, Mr. FATTAH, and Ms. CASTOR of Florida):

H.R. 574. A bill to amend part B of title XVIII of the Social Security Act to reform Medicare payment for physicians' services by eliminating the sustainable growth rate

system and providing incentives for the adoption of innovative payment and delivery models to improve quality and efficiency; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STOCKMAN:

H.R. 575. A bill to express the sense of the Congress that the United States should not adopt any treaty that poses a threat to national sovereignty or abridges any rights guaranteed by the United States Constitution, such as the right to keep and bear arms, and to withhold funding from the United Nations unless the President certifies that the United Nations has not taken action to restrict, attempt to restrict, or otherwise adversely infringe upon the rights of individuals in the United States to keep and bear arms, or abridge any of the other constitutionally protected rights of citizens of the United States; to the Committee on Foreign Affairs.

By Mr. STOCKMAN:

H.R. 576. A bill to save endangered species; to the Committee on Natural Resources.

By Mr. STOCKMAN:

H.R. 577. A bill to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes; to the Committee on Veterans' Affairs.

By Mr. STUTZMAN:

H.R. 578. A bill to allow reciprocity for the carrying of certain concealed firearms; to the Committee on the Judiciary.

By Mr. THOMPSON of Mississippi:

H.R. 579. A bill to designate the United States courthouse located at 501 East Court Street in Jackson, Mississippi, as the "R. Jess Brown United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. TURNER (for himself, Mr. SHIMKUS, Mr. SAM JOHNSON of Texas, Mr. WESTMORELAND, Mr. MCCLINTOCK, Mr. POMPEO, Mr. JOHNSON of Ohio, Mr. LANKFORD, Mr. LATTA, Mr. BARLETTA, Mrs. LUMMIS, Mr. RENACCI, and Mr. RYAN of Ohio):

H.R. 580. A bill to enhance the energy security of United States allies, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TURNER (for himself, Mr. JONES, Mr. GRIMM, and Mr. CALVERT):

H.R. 581. A bill to amend the Internal Revenue Code of 1986 to exempt certain emergency medical devices from the excise tax on medical devices, and for other purposes; to the Committee on Ways and Means.

By Mr. TURNER (for himself, Mr. COFFMAN, Mr. PALAZZO, Mr. DESJARLAIS, Mr. SIMPSON, Mrs. BLACKBURN, Mr. LANCE, Mr. FRANKS of Arizona, Mr. MICA, Mr. WESTMORELAND, Mr. TERRY, Mr. LONG, Mr. WITTMAN, Mr. GINGREY of Georgia, Mr. JOHNSON of Ohio, Mr. JONES, Mr. CASSIDY, Mr. PEARCE, Mr. SESSIONS, Mr. HARPER, Mr. COBLE, Mr. HECK of Nevada, Mr. STIVERS, Mr. LABRADOR, Mr. BARTON, Mrs. WALORSKI, Mr. CHABOT, Mr. CONAWAY, Mr. KINZINGER of Illinois, Mr. BROUN of Georgia, Mr. CULBERSON, Mr. NUNNELEE, Mr. LANKFORD, Mr. GOODLATTE, Mrs. MILLER of Michigan, Mr. SOUTHERLAND, and Mr. KING of New York):

H.R. 582. A bill to amend the Internal Revenue Code of 1986 to repeal the individual and employer health insurance mandates; to the Committee on Ways and Means.

By Mr. VELA (for himself, Mr. THOMPSON of Mississippi, Mr. CUELLAR, Mr. HINOJOSA, Mr. GENE GREEN of Texas, Ms. JACKSON LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GRIJALVA, Mr. DOGGETT, Ms. ROYBAL-ALLARD, Mr. GALLEGOS, Mr. MICHAUD, Mr. O'ROURKE, Mr. PASTOR of Arizona, and Mr. VARGAS):

H.R. 583. A bill to enhance the safety of ports of entry in the United States, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Ways and Means, Agriculture, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska (for himself, Mr. JONES, Mr. DEFazio, Mr. THOMPSON of California, and Mr. HUFFMAN):

H.R. 584. A bill to amend the Federal Food, Drug, and Cosmetic Act to require labeling of genetically engineered fish; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska:

H.R. 585. A bill to provide for the unencumbering of title to non-Federal land owned by the city of Anchorage, Alaska, for purposes of economic development by conveyance of the Federal reversion interest to the City; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 586. A bill to provide for certain improvements to the Denali National Park and Preserve in the State of Alaska, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 587. A bill to authorize the establishment of the Niblack and Bokan Mountain mining area road corridors in the State of Alaska, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska (for himself,

Mr. GRIJALVA, Ms. HANABUSA, Mr. CLEAVER, Mr. HANNA, Mr. GUTHRIE, Ms. BORDALLO, Mr. ROE of Tennessee, Mr. DEFazio, Mr. WOLF, Mr. VAN HOLLEN, Ms. SHEA-PORTER, Mr. PEARCE, Ms. ROS-LEHTINEN, and Mrs. CAPPs):

H.R. 588. A bill to provide for donor contribution acknowledgments to be displayed at the Vietnam Veterans Memorial Visitor Center, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Florida (for himself and Ms. MATSUI):

H.R. 589. A bill to amend the National Organ Transplant Act to prevent the sale of bone marrow and umbilical cord blood, and for other purposes; to the Committee on Energy and Commerce.

By Mr. AMASH (for himself, Mr. BENTIVOLIO, Mr. BUCHSON, Mr. CHABOT, Mr. CULBERSON, Mr. DUNCAN of South Carolina, Mr. GARDNER, Mr. GOSAR, Mr. GOWDY, Mr. HARRIS, Mr. HUELSKAMP, Mr. HULTGREN, Mr. LABRADOR, Mr. LAMALFA, Mr. LAMBORN, Mr. LIPINSKI, Mr. LOEBACK, Mrs. LUMMIS, Mr. MASSIE, Mr. MICHAUD, Mr. MULVANEY, Mr. PALAZZO, Mr. PEARCE, Mr. QUIGLEY, Mr. RIBBLE, Mr. ROKITA, Mr. AUSTIN SCOTT of Georgia, Mr. STUTZMAN, and Mr. WALBERG):

H.J. Res. 24. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Ms. EDWARDS (for herself, Mr. CONYERS, Mr. BLUMENAUER, Mr. CAPUANO, Mr. CICILLINE, Ms. ESTY, Mr. GRAYSON, Mr. GRIJALVA, Mr. HIMES, Mr. HUFFMAN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. LEE of California, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MEEKS, Ms. NORTON, Ms. PINGREE of Maine, Mr. RUSH, Mr. SARBANES, Ms. SLAUGHTER, Mr. VAN HOLLEN, Mr. WAXMAN, Mr. COHEN, Mr. MARKEY, Ms. SHEA-PORTER, Ms. HAHN, Ms. BASS, Mr. WELCH, and Mrs. DAVIS of California):

H.J. Res. 25. A joint resolution proposing an amendment to the Constitution of the United States to clarify the authority of Congress and the States to regulate the expenditure of funds for political activity by corporations; to the Committee on the Judiciary.

By Mr. FRANKS of Arizona (for himself, Mr. SCHWEIKERT, Mr. SALMON, Mr. GOSAR, Mr. HULTGREN, Mr. HUDSON, Mr. MILLER of Florida, Mr. BENTIVOLIO, Mr. LUETKEMEYER, Mr. NEUGEBAUER, Mr. HARPER, Mr. HALL, Mr. ROE of Tennessee, Mr. OLSON, Mr. MARCHANT, Mr. BARTON, Mr. DAINES, Mr. HARRIS, Mr. COTTON, Mr. SHIMKUS, Mr. BROOKS of Alabama, Mr. STEWART, Mr. FLEMING, Mr. PEARCE, Mr. RADEL, Mr. CHABOT, Mr. AUSTIN SCOTT of Georgia, Mr. WILLIAMS, Mr. GARDNER, Mr. WILSON of South Carolina, Mr. MULVANEY, Mr. LAMBORN, Mr. ROKITA, Mr. GOHMERT, Mr. KINGSTON, Mr. PITTENGER, Mr. CONAWAY, and Mr. FLEISCHMANN):

H. Res. 56. A resolution celebrating the life of President Ronald Wilson Reagan on the anniversary of his birth; to the Committee on Oversight and Government Reform.

By Mr. LATTA:

H. Res. 57. A resolution expressing the sense of the House of Representatives that in order to continue aggressive growth in the Nation's telecommunications and technology industries, the United States Government should "Get Out of the Way and Stay Out of the Way"; to the Committee on Energy and Commerce.

By Mr. LATTA:

H. Res. 58. A resolution expressing the sense of the House of Representatives that any comprehensive plan to reform our national energy policy must promote the expanded use of renewable and alternative energy sources; increase our domestic refining capacity; promote conservation and increased energy efficiency; expand research and development, including domestic exploration; and enhance consumer education; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE of California (for herself, Mr. MCDERMOTT, Ms. SEWELL of Alabama, Mr. HIMES, Ms. ROYBAL-ALLARD, Ms. CASTOR of Florida, Mr. WATT, Ms. WASSERMAN SCHULTZ, Mr. GRIJALVA, Ms. HAHN, Ms. SCHWARTZ, Ms. MCCOLLUM, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. LEWIS, Ms. JACKSON LEE, Ms. BORDALLO, Mr.

BUTTERFIELD, Mr. CUMMINGS, Mrs. BEATTY, Ms. MOORE, Mr. CONYERS, Mr. CLAY, Mr. CICILLINE, Mrs. CHRISTENSEN, Mr. HASTINGS of Florida, Mr. AL GREEN of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. WILSON of Florida, Mr. RICHMOND, Ms. FRANKEL of Florida, Ms. WATERS, Ms. FUDGE, Mr. BISHOP of Georgia, Mr. RUSH, Mr. DANNY K. DAVIS of Illinois, Mr. ELLISON, Ms. NORTON, Mr. JEFFRIES, Mr. RANGEL, Mr. HONDA, Mr. SERRANO, and Ms. EDWARDS):

H. Res. 59. A resolution supporting the goals and ideals of National Black HIV/AIDS Awareness Day; to the Committee on Energy and Commerce.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Ms. BORDALLO, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Mr. CÁRDENAS, Mr. GRIJALVA, Mr. LANGEVIN, Ms. LEE of California, Mr. LOEBSACK, Mr. MICHAUD, Mrs. NEGRETE MCLEOD, Mr. POLIS, Mr. RANGEL, Mr. SCOTT of Virginia, Ms. SEWELL of Alabama, Mr. TAKANO, and Mr. YARMUTH):

H. Res. 60. A resolution expressing support for designation of the week of February 4 through February 8, 2013, as "National School Counseling Week"; to the Committee on Education and the Workforce.

By Ms. WILSON of Florida (for herself, Ms. BROWN of Florida, Mrs. CHRISTENSEN, Mr. CONYERS, Mr. HASTINGS of Florida, Ms. NORTON, Mr. HONDA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEWIS, Mrs. CAROLYN B. MALONEY of New York, Mr. MCGOVERN, Ms. MOORE, Mr. MORAN, Ms. ROYBAL-ALLARD, Ms. SEWELL of Alabama, and Mr. THOMPSON of Mississippi):

H. Res. 61. A resolution expressing the sense of the House of Representatives that the United States should work with the Government of Haiti to address gender-based violence against women and children; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. PASTOR of Arizona:

H.R. 590. A bill for the relief of Nery Antonio Velasquez-Roblero; to the Committee on the Judiciary.

By Mr. PASTOR of Arizona:

H.R. 591. A bill for the relief of Edi Orlando García Armas; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. GEORGE MILLER of California:

H.R. 521.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. DAINES:

H.R. 522.

Congress has the power to enact this legislation pursuant to the following:

Article 1 section 6 of the United States Constitution and the 27th Amendment to the United States Constitution.

By Mr. PAULSEN:

H.R. 523.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8, Article I

By Mr. MCKINLEY:

H.R. 524.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. MASSIE:

H.R. 525.

Congress has the power to enact this legislation pursuant to the following:

This act is justified by the Commerce Clause of the United States Constitution which, by granting Congress the power to regulate commerce among the several states, also allows Congress to prevent the federal government from interfering with Americans' ability to grow and process industrial hemp. This act is also justified by the Ninth Amendment and the Tenth Amendment to the Constitution, which recognize that rights and powers are retained and reserved by the people and to the States.

By Mr. YARMUTH:

H.R. 526.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the Constitution.

By Mr. HASTINGS of Washington:

H.R. 527.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3

By Mr. BUCHSHON:

H.R. 528.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to Congress under Article 1, Section 8, Clauses 1 and 2.

By Ms. JENKINS:

H.R. 529.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI to the United States Constitution.

By Mrs. BUSTOS:

H.R. 530.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Ms. CASTOR of Florida:

H.R. 531.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the U.S. Constitution

By Mr. COHEN:

H.R. 532.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 4 of the United States Constitution

By Mr. CONNOLLY:

H.R. 533.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution, and clause 18 of section 8 of article I of the Constitution.

By Mr. CONNOLLY:

H.R. 534.

Congress has the power to enact this legislation pursuant to the following:

Sections 8 of Article I and Articles 4, 5 and 6 of the United States Constitution and Amendments X and XIV of the United States Constitution.

By Mr. CONNOLLY:

H.R. 535.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Sections 7 & 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mrs. DAVIS of California:

H.R. 536.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. ENGEL:

H.R. 537.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section I of the Constitution.

By Mr. ENGEL:

H.R. 538.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 of the Constitution.

By Ms. ESHOO:

H.R. 539.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

Article IV, Section 3

By Ms. ESHOO:

H.R. 540.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution, specifically, clauses 1, 3, and 18. Article IV, section 3, clause 2.

By Ms. ESHOO:

H.R. 541.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution, Article I, Section 8, the General Welfare Clause.

The PREEMIE Reauthorization Act, to expand research, education and intervention activities related to preterm birth. This legislation will specifically help reduce preterm birth, prevent newborn death and disability caused by premature birth, and expand research into the causes of preterm birth. In addition, it will promote the development, availability, and uses of evidence-based standards of care for pregnant women. This bipartisan, bicameral legislation will reauthorize the legislation signed into law in December 2006.

By Mr. FLEMING:

H.R. 542.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article 4, Section 3, Clause 2 of the U.S. Constitution, which states "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

By Mr. GIBSON:

H.R. 543.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. GINGREY of Georgia:

H.R. 544.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 which states that the Congress has power "to regulate Commerce with the foreign Nations, and among the several States . . ."

By Mr. GRIJALVA:

H.R. 545.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. GRIJALVA:

H.R. 546.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. GRIJALVA:

H.R. 547.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. GRIJALVA:

H.R. 548.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. GRIMM:

H.R. 549.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. HARPER:

H.R. 550.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article 1, Section 8, Clause 18 of the United States Constitution.

By Mr. HINOJOSA:

H.R. 551.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Clauses 1, 3, and 18 of Article 1, Section 8 of the United States Constitution.

By Mr. HINOJOSA:

H.R. 552.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clauses 12, 13, or 14, which grant Congress the power to regulate the Army, Navy, and Military respectively.

By Mr. ISSA:

H.R. 553.

Congress has the power to enact this legislation pursuant to the following:

Article IV Section III: "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States . . ."

By Mr. JEFFRIES:

H.R. 554.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill is based is Congress' power under Article 1, Section 8, Clauses 3 and 18 of the Constitution.

By Mr. JOHNSON of Ohio:

H.R. 555.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. SAM JOHNSON of Texas:

H.R. 556.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. KELLY:

H.R. 557.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, and Article I, Section 8, Clause 18

By Mr. KING of New York:

H.R. 558.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. LEE of California:

H.R. 559.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 560.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. MEEHAN:

H.R. 561.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18, which reads:

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MILLER of Florida:

H.R. 562.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Ms. MOORE:

H.R. 563.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. PALLONE:

H.R. 564.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. PALLONE:

H.R. 565.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. PETRI:

H.R. 566.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1 and 3 of Section 8 of Article I of the Constitution of the United States.

By Mr. ROKITA:

H.R. 567.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 [the Spending Clause] of the United States Constitution states that 'The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay for Debts and provide for the common Defence and general Welfare of the United States.' This bill restores the proper balance of power between the federal and state governments as intended under the 10th Amendment to the Constitution by devolving the responsibility of providing health care assistance for low income citizens to the states. It reinforces the founding constitutional principle that state governments are properly situated with attending to their citizens' health, safety, and general welfare.

By Mr. ROSS:

H.R. 568.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RUNYAN:

H.R. 569.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. RUNYAN:

H.R. 570.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. RYAN of Ohio:

H.R. 571.

Congress has the power to enact this legislation pursuant to the following:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RYAN of Ohio:

H.R. 572.

Congress has the power to enact this legislation pursuant to the following:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SABLON:

H.R. 573.

Congress has the power to enact this legislation pursuant to the following:

Under Article IV, Section 3, Clause 2 of the Constitution, Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United

States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Ms. SCHWARTZ:

H.R. 574.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. STOCKMAN:

H.R. 575.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. STOCKMAN:

H.R. 576.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

“The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.”

By Mr. STOCKMAN:

H.R. 577.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution, and Amendment II of the United States Constitution.

By Mr. STUTZMAN:

H.R. 578.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 3 of Section 8 of Article I of the United States Constitution.

By Mr. THOMPSON of Mississippi:

H.R. 579.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of Section 3 of Article IV of the Constitution: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. TURNER:

H.R. 580.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution: The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. TURNER:

H.R. 581.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. TURNER:

H.R. 582.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section, 8, Clause 1 of the U.S. Constitution, as the Supreme Court of the United States has held that the imposition of the burdensome mandate on hardworking American taxpayers is an action Congress

may take under its power to tax, and that this bill seeks to repeal sections of title 26 U.S.C., the Internal Revenue Code.

By Mr. VELA:

H.R. 583.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 1: The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

Article 1 Section 8 Clause 3: To regulate Commerce with foreign nations, and among the several states, and with the Indian tribes

By Mr. YOUNG of Alaska:

H.R. 584.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. YOUNG of Alaska:

H.R. 585.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2

By Mr. YOUNG of Alaska:

H.R. 586.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2

By Mr. YOUNG of Alaska:

H.R. 587.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2

By Mr. YOUNG of Alaska:

H.R. 588.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. YOUNG of Florida:

H.R. 589.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the United States Constitution.

By Mr. PASTOR of Arizona:

H.R. 590.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 4

By Mr. PASTOR of Arizona:

H.R. 591.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 4

By Mr. AMASH:

H.J. Res. 24.

Congress has the power to enact this legislation pursuant to the following:

This resolution is enacted pursuant to the powers conferred by the United States Constitution upon Congress by

Article V, which provides that “The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution . . . which shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States . . .”

By Ms. EDWARDS:

H.J. Res. 25.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution:

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 11: Mr. GARAMENDI, Mr. GRAYSON, Mr. POLIS, and Mr. SEAN PATRICK MALONEY of New York.

H.R. 12: Mr. KENNEDY, Mr. GRAYSON, and Mr. ENYART.

H.R. 24: Mr. WELCH, Mr. CALVERT, Mr. BILIRAKIS, Mr. FRANKS of Arizona, Mr. BURGESS, Mr. KLINE, Mr. BARR, Mr. FRELINGHUYSEN, Mr. PAULSEN, Mr. DESANTIS, Mr. POSEY, and Mrs. LUMMIS.

H.R. 25: Mr. MULLIN.

H.R. 35: Mr. DUNCAN of South Carolina and Mr. MASSIE.

H.R. 45: Mr. WESTMORELAND, Mr. JONES, Mr. MCCLINTOCK, Mr. HENSARLING, Mr. SALMON, Mr. FRANKS of Arizona, Mr. BURGESS, Mr. CHABOT, Mr. BROOKS of Alabama, Mr. PERRY, Mr. COTTON, Mr. HARRIS, Mr. MARCHANT, Mr. MULLIN, Mr. RICE of South Carolina, Mr. FLORES, Mr. ROKITA, and Mr. KINGSTON.

H.R. 50: Mr. LEWIS, Mr. BRADY of Pennsylvania, Mr. CONYERS, Mr. LARSON of Connecticut, Mrs. BEATTY, Mr. BISHOP of New York, Mr. BLUMENAUER, Ms. BROWN of Florida, Mrs. CHRISTENSEN, Ms. CHU, Mr. CICILLINE, Mr. CLAY, Mr. COHEN, Mr. COURTNEY, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Ms. DEGETTE, Ms. DELAURO, Mr. DINGELL, Mr. DOGGETT, Ms. EDWARDS, Mr. ELLISON, Mr. ENYART, Ms. ESHOO, Mr. FARR, Mr. GRAYSON, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HIMES, Mr. HOLT, Ms. KAPTUR, Ms. LEE of California, Mr. LEVIN, Mr. MCGOVERN, Ms. MOORE, Mr. NOLAN, Ms. NORTON, Mr. PETERS of Michigan, Ms. PINGREE of Maine, Mr. POLIS, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. SCHIFF, Mr. SERRANO, Ms. SEWELL of Alabama, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Mr. WAXMAN, Ms. WILSON of Florida, and Ms. BONAMICI.

H.R. 100: Ms. BASS.

H.R. 101: Ms. BASS.

H.R. 104: Mr. MCCAUL, Mrs. MCCARTHY of New York, and Mr. LAMBORN.

H.R. 129: Mr. CICILLINE, Ms. CHU, Mr. LIPINSKI, and Mr. GEORGE MILLER of California.

H.R. 149: Mr. SESSIONS, Mr. PITTINGER, Mr. AMODEI, Mr. BISHOP of Utah, and Mr. BENISHEK.

H.R. 164: Mr. CALVERT, Mr. RAHALL, Mr. HARPER, Mrs. BEATTY, Ms. ROS-LEHTINEN, Mr. CLYBURN, Mr. WILSON of South Carolina, Mr. BRADY of Pennsylvania, Mr. BISHOP of Georgia, Mr. LATHAM, and Mr. NEAL.

H.R. 165: Mr. LATTA, Mr. WITTMAN, and Mr. BENISHEK.

- H.R. 226: Ms. MCCOLLUM and Mr. HUFFMAN.
H.R. 227: Mr. COURTNEY.
H.R. 229: Mr. GRAYSON.
H.R. 241: Mr. PASTOR of Arizona and Mr. JONES.
H.R. 261: Mr. GRAYSON.
H.R. 276: Mr. PEARCE, Mr. ROKITA, Mr. ROSS, and Mr. TIBERI.
H.R. 278: Mr. HIMES.
H.R. 280: Mr. POCAN and Mr. GRAYSON.
H.R. 282: Mr. WESTMORELAND, Mr. STIVERS, and Mr. BENISHEK.
H.R. 283: Mr. MARCHANT.
H.R. 292: Mr. PIERLUISI.
H.R. 300: Mr. BISHOP of Utah, Mr. SALMON, and Mr. STIVERS.
H.R. 303: Mr. PASTOR of Arizona and Mr. CARTER.
H.R. 311: Mr. LONG, Mr. ROONEY, and Mr. VALADAO.
H.R. 312: Mr. LOWENTHAL and Mr. GRAYSON.
H.R. 321: Mr. SMITH of Washington, Mr. HUFFMAN, Mr. HIGGINS, and Mr. LOWENTHAL.
H.R. 324: Mr. WALBERG.
H.R. 332: Mr. GRIJALVA and Ms. MCCOLLUM.
H.R. 333: Mr. CRENSHAW, Mr. LONG, Ms. BORDALLO, Mr. HUNTER, Mr. HINOJOSA, Mr. PASCRELL, Mr. MEEKS, and Mr. PASTOR of Arizona.
H.R. 334: Mr. LONG, Mr. SAM JOHNSON of Texas, and Mr. GOODLATTE.
H.R. 335: Mr. ISSA, Mr. CICILLINE, Mr. CAMP, Mr. WEBER of Texas, Mr. BILIRAKIS, Mr. JOYCE, and Mr. POSEY.
H.R. 351: Mr. KINGSTON, Mr. ROSS, Mr. VALADAO, Mr. PAULSEN, Mr. PITTENGER, Mr. TERRY, Mr. PASCRELL, Mrs. ELLMERS, Mr. PERRY, Mr. STEWART, Mr. STUTZMAN, Mr. AUSTIN SCOTT of Georgia, and Mr. GOHMERT.
H.R. 357: Mr. PASTOR of Arizona and Mr. O'ROURKE.
H.R. 366: Mr. LOBIONDO, Mr. COBLE, Mr. NUGENT, Mr. FRELINGHUYSEN, Mr. PRICE of North Carolina, Mr. SHERMAN, Mr. FARR, Mr. COURTNEY, Mr. MCDERMOTT, Mr. BISHOP of New York, Mr. TONKO, Ms. SCHWARTZ, and Mr. YARMUTH.
H.R. 376: Mr. HUFFMAN.
H.R. 377: Mr. TAKANO and Mr. HUFFMAN.
H.R. 382: Mrs. HARTZLER, Mr. JONES, Mr. YOUNG of Alaska, and Mr. BENISHEK.
H.R. 383: Mr. ANDREWS.
H.R. 404: Mr. GRIJALVA, Mr. CICILLINE, Ms. MCCOLLUM, and Mr. HUFFMAN.
H.R. 420: Mr. LUETKEMEYER.
H.R. 422: Mr. HARRIS, Mr. LAMBORN, Mr. MARCHANT, Mr. OLSON, Mr. PITTS, Mr. ROKITA, Mr. BARTON, Mr. FLEMING, Mr. PEARCE, Mr. GOHMERT, and Mr. STIVERS.
H.R. 436: Mr. FARENTHOLD, Mr. FRANKS of Arizona, Mr. WALBERG, Mr. CRENSHAW, Mr. SIMPSON, Mr. YOUNG of Florida, Mr. BENISHEK, Mr. KINGSTON, Mr. COLE, Mr. MULLIN, Mr. BISHOP of Utah, Mr. CAMP, Mr. BILIRAKIS, and Mr. COTTON.
H.R. 445: Mr. JOYCE, Mr. RYAN of Ohio, Ms. TSONGAS, Mr. TIERNEY, Mr. GERLACH, and Mr. FITZPATRICK.
H.R. 447: Mr. GOSAR, Mr. MCHENRY, Mr. PITTENGER, and Mrs. MILLER of Michigan.
H.R. 448: Mr. DUNCAN of South Carolina.
H.R. 449: Mr. COTTON.
H.R. 455: Mr. BUTTERFIELD.
H.R. 456: Ms. HAHN.
H.R. 476: Mr. PALAZZO.
H.R. 483: Mr. HULTGREN, Mr. MESSER, Mr. RADEL, Mr. BROUN of Georgia, Mr. MULLIN, Mr. LUETKEMEYER, Mr. NEUGEBAUER, Mr. HARPER, Mr. CONAWAY, Mr. FLEISCHMANN, Mr. MARCHANT, Mrs. HARTZLER, Mr. ROE of Tennessee, Mr. DAINES, Mr. HARRIS, Mr. COTTON, Mr. COLE, Mr. PERRY, Mr. OLSON, Mr. BROOKS of Alabama, Mr. FLEMING, Mr. PEARCE, Mrs. LUMMIS, Mr. CHABOT, Mr. FRANKS of Arizona, Mr. GARDNER, Mr. KINGSTON, Mr. MULVANEY, Mr. RICE of South Carolina, Mr. LAMBORN, Mr. FLORES, Mr. ROKITA, Mr. GOHMERT, Mr. STOCKMAN, Mr. HUIZENGA of Michigan, Mr. COLLINS of Georgia, Mr. JONES, Mr. LAMALFA, Mr. AUSTIN SCOTT of Georgia, Mrs. WALORSKI, Mrs. WAGNER, Mr. GRAVES of Georgia, Mr. NUNNELEE, Mr. HOLDING, and Mr. MEADOWS.
H.R. 484: Mr. ISSA and Mr. STIVERS.
H.R. 485: Mr. YOUNG of Alaska and Ms. HERRERA BEUTLER.
H.R. 492: Mr. FLEMING, Mr. COTTON, Mr. PERRY, Mr. COLE, Mr. GOHMERT, Mr. ROKITA, Mr. LAMBORN, Mr. JORDAN, and Mr. CHAFFETZ.
H.R. 494: Mr. ANDREWS.
H.R. 499: Mr. ROHRABACHER and Mr. POCAN.
H.R. 503: Mr. BROUN of Georgia, Mr. PERLMUTTER, and Mr. PITTENGER.
H.R. 519: Mr. HIMES, Mr. QUIGLEY, Mr. SCHIFF, and Mr. LEVIN.
H.J. Res. 4: Mr. GALLEGO.
H.J. Res. 20: Mr. MARKEY.
H.J. Res. 21: Mr. MARKEY.
H. Res. 13: Mr. BENISHEK.
H. Res. 24: Mr. CAMP, Mr. QUIGLEY, Mr. BISHOP of Utah, and Mr. TIERNEY.
H. Res. 30: Ms. HERRERA BEUTLER, Mr. YODER, Mr. WITTMAN, Mr. LARSEN of Washington, Ms. SLAUGHTER, Mr. MCINTYRE, Mr. COURTNEY, Mrs. NOEM, Ms. MOORE, Mr. SCHOCK, Ms. HAHN, Mr. CARNEY, Ms. FRANKEL of Florida, Mr. LEWIS, Ms. LEE of California, and Mr. MAFFEI.
H. Res. 35: Mrs. HARTZLER.
H. Res. 36: Mr. BROUN of Georgia and Mr. WALBERG.
H. Res. 46: Mr. FRELINGHUYSEN.

EXTENSIONS OF REMARKS

TRIBUTE TO AMBASSADOR
KENNETH QUINN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate Ambassador Kenneth Quinn for receiving the Distinguished Service Award from the American Farm Bureau Federation.

The Distinguished Service Award is the American Farm Bureau Federation's highest honor and is reserved for individuals who have dedicated their careers to the advancement of agriculture. The president of Iowa Farm Bureau, Craig Hill, nominated Ambassador Quinn to receive this esteemed national award.

Dr. Kenneth Quinn's career and achievements are truly ones for the history book. A native Iowan, Kenneth grew up in Dubuque where he obtained his Bachelor's Degree from Loras College. Ambassador Quinn's wide-ranging diplomatic career led to his ascension as one of the federal government's most decorated Foreign Service officers, a top U.S. expert on Indochina, President Ford's Vietnamese interpreter, and ultimately as United States Ambassador to the Kingdom of Cambodia from 1996–1999. Dr. Quinn is regarded as the first person to report on the 1974 Cambodian genocide and is the only civilian to receive an Army Air Medal in Vietnam combat operations. Ambassador Quinn is also among the prestigious recipients of the Secretary of State's Award for Heroism and is the only Foreign Service office to receive the American Foreign Service Association Rivkin and Herter Awards for intellectual courage on three occasions.

Following his 32 year career in the Foreign Service, Dr. Quinn began his role as President of the World Food Prize Foundation in 2000. Since assuming this leadership role, Kenneth has overseen tens of millions of dollars in fundraising and the successful distribution of the annual Nobel Prize Food and Agriculture award. His contribution to the legacy of Dr. Norman Borlaug and the World Food Prize Foundation has been nothing short of remarkable.

Mr. Speaker, I can think of no better recipient for Farm Bureau's Distinguished Service Award than Ambassador Quinn. The dedication Dr. Quinn has displayed to his state and country throughout his career continues to change our world for the better. Ambassador Quinn's efforts embody the Iowa spirit and I am honored to represent him in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him for this achievement, thanking him for his service, and wishing him continued success in the future.

RECOGNIZING THE LOCKPORT
TOWNSHIP HIGH SCHOOL BOYS
BOWLING TEAM'S STATE CHAM-
PIONSHIP

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. LIPINSKI. Mr. Speaker, I rise today to congratulate the Lockport Township High School Boys Bowling Team on winning their first Illinois High School Association championship.

Although they were in 12th place earlier in the tournament and risked elimination, the Porters demonstrated toughness and determination to maintain a qualifying position. Their persistence eventually allowed them to overcome a 300 pin deficit.

The Porters averaged an impressive 214 points per game, with their leading scorer and individual state champion, Shane Matejcek, scoring 286 points in his fifth game to help keep his team in contention for the title. Shane would finish with a total of 2,924 pins, the second highest score in state history. The team entered the second day in 3rd place, but emerged victorious after an impressive display of teamwork on a 12 for 13 run of strikes.

This victory is a reminder of how preparation, practice, and perseverance produce solid results, even when facing difficult challenges. Today, I am pleased to call on all my colleagues to join me in congratulating the young men of Lockport Township High School on winning the IHSA championship. Great job, Porters!

TRIBUTE TO COACH ANDREW
TRENKEL AND THE MAINE
SOUTH HIGH SCHOOL CONSTITU-
TION TEAM

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to congratulate Coach Andrew Trenkel and the Maine South High School Constitution Team for their achievement in winning the Illinois State Title of "We the People: the Citizen and the Constitution." This marks the twenty-first time that Maine South's Constitution Team has won this title. "We the People: the Citizen and the Constitution," a program sponsored by the Center for Civic Education, aims to develop critical thinking, problem solving, and cooperative participation skills through educating students about the American Constitutional democracy. During the competition, students participate in replicated Congressional hearings, present arguments, and re-

spond to complex questions on the United States Constitution.

The primary goal of "We the People" is to encourage civic proficiency and develop responsibility among the students of the United States. Clearly the 2012–2013 Maine South Team members have accepted this challenge and are working to become future leaders.

Congratulations to all of the members of the 2012–2013 Constitution team: Coach Andrew Trenkel, Mark Abtahi, Jane Acker, Hannah Beswick-Hale, Elizabeth Black, Anthony Borkowski, Matthew Brendza, Patrick Devereuz, Claire Dockery, Renee Hannan, Natalie Kirchhoff, Rebecca Klages, Kevin Kohler, Philip Kulas, Michael Martino, Maddie McGrady, Jenny Mocarski, John Moran, Emily Murphy, Gibson Odderstol, Augusta Paulik, Tim Prinz, Paige Sammarco, Michael Solberg, Pavel Tamas, Jack Touhy, Justin Tomczyk, Dragan Trivanovic, Ryan Walek, and Henrik Weber.

On behalf of the 9th Congressional district of Illinois, I congratulate you on your achievement, and wish you the best of luck in the national competition in April 2013.

HONORING MAYOR JOHN REDNOUR

HON. WILLIAM L. ENYART

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. ENYART. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the dedicated community service of Du Quoin, Illinois Mayor John Rednour as he retires after 24 years as mayor.

John Rednour grew up in Cutler, Illinois and began working as an ironworker. He worked on projects throughout the State, from Southern Illinois, to the St. Louis area and Chicago. It was during this phase of his career that John founded Rednour Steel Erectors, a company with which he maintains a partnership to this day.

John moved with his family to Du Quoin in the early 1970s and, in the 1980s he began a successful banking career when he led a group of investors that assumed control of the Du Quoin State Bank. John continues to serve as chairman of the bank.

While John was raising a family and embarking on successful careers, he also showed an early interest in public service. He served six years as a Perry County Commissioner, from 1967 to 1973, and was elected to the Trico School District Board of Education while in his 20s. John was elected mayor of the City of Du Quoin in 1989 and will officiate at his last City Council meeting next Monday, February 11.

In his 24 years as Mayor, John Rednour has left an indelible mark on Southern Illinois.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

He has been able to lead as well as compromise and he is justifiably proud of the infrastructure improvements that have occurred during his tenure as mayor, most notably the Highway 51, Poplar Street overpass, an industrial park and water and sewer improvement projects. All of these infrastructure improvements were completed while maintaining balanced municipal budgets. In evaluating potential projects, John's simple criterion was always, "Is it good for Du Quoin?"

John Rednour's community contributions were not limited to his successful business ventures and service as mayor. John also serves as Chairman of the Illinois State Police Merit Board and is a commissioner of the Perry County Housing Authority. He has been active in politics his entire adult life, having served as a member of the Democratic National Committee for nearly 40 years.

John and his wife, Wanda, have been married for over 60 years and are proud parents, grandparents and great grandparents.

Mr. Speaker, I ask my colleagues to join me in an expression of appreciation to Mayor John Rednour in recognition of his years of service as a community leader and to wish him and his family the very best in the future.

HONORING MRS. HELEN AGNES
WEAVER

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor Mrs. Helen Agnes Weaver, a constituent of my district, who celebrated her 101st birthday on August 1, 2012.

A native of Philadelphia, Mrs. Weaver is devoted to her community and family. She is the proud mother of two children, the grandmother of seven grandchildren, and the great-grandmother of twenty-three great grandchildren, and the great-great-grandmother of seventeen great-great-grandchildren.

I ask that you and my other distinguished colleagues help me in honoring the significant occasion of Mrs. Weaver's 101st birthday. Mrs. Weaver is the epitome of a life-long Philadelphian and a model citizen. We can all learn something from her fortitude and her commitment to her city and family. She will remain an inspiration for many generations to come.

PERSONAL EXPLANATION

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Ms. DeLAURO. Mr. Speaker, I was unavoidably detained and so I missed rollcall vote No. 34 On Agreeing to H. Res. 48. Had I been present, I would have voted, "no."

TRIBUTE TO CPSC EMPLOYEE
BILL MOORE ON HIS RETIREMENT

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. VAN HOLLEN. Mr. Speaker, I rise today to recognize the distinguished career of my constituent William J. (Bill) Moore, Trial Attorney in the Office of the General Counsel at the U.S. Consumer Product Safety Commission, and to congratulate him on his retirement after 36 years of service at the CPSC.

Bill was born in New Jersey and has lived in Maryland most of his life. He began his career at the CPSC in 1974 as a law clerk while studying at American University's Washington College of Law and became one of CPSC's treasured compliance attorneys.

Bill worked chiefly in the Office of Compliance and Administrative Litigation and, most recently, in the Division of Compliance within the Office of the General Counsel. Over the course of his long and distinguished career, he helped to negotiate numerous major product recalls in a variety of product categories, including durable infant goods, toys, furnaces, electrical appliances, and outdoor equipment. He also served as lead counsel in some of the Commission's most prominent corrective action litigations, including those on gas valves, worm probes, BB guns, and toasters.

As an attorney working at the Commission shortly after its inception, Bill was instrumental in ensuring the enforcement of the newly-drafted safety regulations. When the agency banned refuse bins that were tipping over, pinning down, and killing children who were playing around them, Bill was part of the team that travelled the country, engaging in enforcement litigation to have the unstable bins removed from public use. He later worked with the Commission's Office of Compliance to lay the groundwork that led to the guidance to eliminate soft bedding in cribs and to have babies placed on their backs for safe sleep. Bill was also instrumental in drafting the certification requirements for bicycle helmet and cigarette lighter regulations. During his tenure, Bill negotiated over \$16 million in civil penalty fines, the highest cumulative amount of civil penalty fines in the agency's history.

Bill has played a major role in protecting the public from unreasonable risks of injury posed by consumer products. He has provided guidance to other attorneys and compliance staff as they pursue legal strategies against manufacturers, importers, distributors, and retailers of dangerously defective and hazardous products. Over the years, he received many well-deserved distinguished and meritorious awards for his outstanding work.

Mr. Speaker, I ask my colleagues to join me in congratulating Bill Moore and in extending our nation's gratitude to him for his honorable and productive service.

HONORING THE 90TH BIRTHDAY OF
DOROTHY ROCKAITIS

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. LIPINSKI. Mr. Speaker, I rise today to recognize Mrs. Dorothy Rockaitis, a lifelong resident of Chicago who is celebrating her 90th birthday today.

Dorothy Victoria Cichoszewski was born on February 6th, 1923, and was raised in Brighton Park by her parents, Victoria and Michael. She would later move to Garfield Ridge, where she lived for 50 years. In 1963, Dorothy married Frank Rockaitis, her steadfast partner for nearly four decades.

For over forty years, Dorothy was actively involved in government and politics. Not only did she work for Chicago Aldermen Frank Kuta and Bill Krstyniak, she also worked for Illinois State House member Robert Terzich. She later served Illinois' 3rd Congressional District on the staff of Congressman Bill Lipinski. As an office manager, secretary, and Democratic Precinct Captain, Dorothy faithfully served her party, city, and country for nearly half a century.

A vibrant and lively aunt, mother, grandmother, and great grandmother, Dorothy is beloved by so many around her. From her seventeen-year marriage with Frank Miller, Dorothy has three children: Michalene, Patricia, and Charles. Dorothy also has five grandchildren: Gina Glaubke, John Glaubke, Aaron Conrad, Keith Conrad, and Alicia Miller. From her grandchildren come four great grandchildren: Luca Conrad, Odette Conrad, Clare Glaubke, and Emma Glaubke.

Dorothy is a caring, energetic, and dedicated American who is deserving of our recognition and praise. Today, I ask my colleagues to join me in wishing Dorothy Rockaitis a very happy 90th birthday, and to thank her for being such an active contributor to her community.

HONORING THE LIFE AND CONTRIBUTIONS OF HATTIE ELIE
JACKSON

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. COHEN. Mr. Speaker, I rise today to recognize the life and contributions of Mrs. Hattie Elie Jackson, a Memphis educator, a devout woman of faith and a leader in the Civil Rights Movement. An Arkansas native, Mrs. Jackson graduated from Arkansas AM&N College, and obtained her master's degree at Columbia University in New York. She received further graduate-level education at the University of Chicago, and finally obtained her Education Specialist degree from the University of Tennessee at Knoxville.

Mrs. Jackson used her extensive education and many talents to serve and nurture the Memphis community. For 25 years she presided as principal over Double Tree Elementary School, inspiring young hearts, and helping to shape the minds of local luminaries

such as former Memphis Congressman, Harold Ford, Jr. She was a devoted member of St. Andrew AME church, and played an active and energetic role in her faith community. She was the former first lady of St. Andrew AME Church, where she served as a trustee, Sunday school teacher and President of the Ruth Circle Club.

Mrs. Jackson was a leader in the Civil Rights Movement and in the Memphis Sanitation Strike of 1968. In 2004, she was inspired to write and publish an account of her personal recollection of the Sanitation Strike, entitled 65 Dark Days in '68. Her primary purpose in recording her memories, thoughts and feelings was to educate younger and future generations as to what transpired in 1968, and to inspire them to continue to strive for greater things.

Mrs. Hattie Jackson passed away on January 13, 2013 at 88 years of age. She leaves to cherish her memory two daughters and their husbands, Zita and Glenn Blankenship, and Cheri and Joseph Harrell as well as five grandchildren, two great granddaughters, a host of loving and supportive nieces, nephews, cousins, extended family and friends. I extend my heartfelt appreciation for the life and work of Hattie Elie Jackson. Hers was a life well-lived.

LAKE CHARLES AWARDED ACADIANA'S CITY OF THE YEAR

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. BOUSTANY. Mr. Speaker, I rise to applaud the city of Lake Charles for its recent selection by the Acadiana Profile magazine as the city of the year. Lake Charles continues to make major progress improving the economic opportunities and cultural life for its citizens. In the next few years, approximately 34,000 jobs will be generated in the petrochemical industry due to significant and meaningful commitments to the region by international companies including Sasol and Cheniere Energy, Inc. Also, the Calcasieu Parish and the city of Lake Charles' tourism produced \$358 million just last year alone and this number is expected to increase in the future. Furthermore, residents are enjoying the luxuries of a more personable and hospitable community, with the new Millennium Park serving as a pillar of the downtown area.

Due to the redevelopment of the downtown area, the Charpentier Historic District is more inviting than ever. With seventy-five festivals held annually in addition to the construction of the National Hurricane Museum and Science Center, Lake Charles' impressive progress will continue into the future.

I am proud of Lake Charles' improvements and want to commend Mayor Randy Roach and the City Council for their vision and dedication.

PERSONAL EXPLANATION

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. SIMPSON. Mr. Speaker, on rollcall No. 31 on Motion to Suspend the Rules and pass H.R. 225, the National Pediatric Research Network Act of 2013. I was unable to vote.

Had I been present, I would have voted "yea."

INTRODUCTION OF A BILL TO AMEND TITLE IV OF THE EM- PLOYEE RETIREMENT INCOME SECURITY ACT OF 1974 TO PRO- VIDE FOR A GUARANTEE BY THE PENSION BENEFIT GUARANTY CORPORATION FOR QUALIFIED PRERETIREMENT SURVIVOR AN- NUITIES UNDER INSOLVENT OR TERMINATED MULTIEMPLOYER PENSION PLANS

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. PETRI. Mr. Speaker, today I am introducing a bill to rectify an inequity regarding the benefits provided to surviving spouses through the Pension Benefit Guaranty Corporation (PBGC). I am pleased to be joined by Representative ROB ANDREWS in this effort.

PBGC provides pre-retirement survivor coverage, which provides a benefit to the surviving spouse of a pension participant who dies before retirement. However, in the case of a multiemployer pension plan turned over to PBGC, this benefit is guaranteed only if the plan participant dies before the plan is turned over. For single-employer plans the benefit is guaranteed regardless of when the participant dies.

The PBGC website acknowledges this discrepancy, stating

... For the most part, the PBGC guarantees the same type of benefits for multiemployer pension plans as for benefits in the single-employer program, with the exception that preretirement survivor annuities are forfeitable in multiemployer plans if the participant has not died as of the termination date.

The debate over how to best provide income security for older Americans will continue for some time. However, in the meantime, it is unconscionable that a widow or widower would be denied the modest benefits provided under the PBGC multiemployer plan simply because his or her spouse did not die before the plan was turned over to the PBGC.

This discrepancy appears inadvertent and deserves to be corrected by Congress. I ask my colleagues for their support of this legislation so we can address this issue quickly.

HONORING KRISTINA "KRISTY" MARIE SERMERSHEIM

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Ms. LOFGREN. Mr. Speaker, I rise to acknowledge and honor Kristina "Kristy" Marie Sermersheim. I first met Kristy more than 30 years ago. I was a brash candidate for office not backed by the establishment and not expected to win. Kristy was a union activist who didn't know the meaning of the word "no". Together we challenged the conventional wisdom. Voters decided that an emphasis on children and families was what they cared about. I was elected to the Board of Supervisors of Santa Clara County. That same year, in 1981, she became a full-time Service Employees International Union (SEIU) staff member.

The financial roof fell in on the county shortly thereafter, the impact of Proposition 13. Neither of us wanted a reduction in services to people in need. But we faced the imperative of reductions.

We worked together to cut the budget, to make sure that as we dealt with the budget reality we protected the most vulnerable and never scapegoated our employees. Kristy Sermersheim proved her bona fides in those tough times. She was smart, pragmatic but idealistic. She had values. She stood up for her members and she stood up for those in need. She was a star.

She continued to represent workers for another 32 years. As a passionate advocate for workers' rights, she held a range of positions on various local, state, national, and international organizations, including SEIU Local 715, SEIU International Union, South Bay American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) Labor Council, California Labor Federation, SEIU Public Services Division, and SEIU California State Council. Kristy assumed the leadership role of SEIU local 715, the largest union representing employees of Santa Clara County.

Born in New Albany, Indiana, during elementary school, her family lived in Michigan, San Diego, and Long Beach, California. In 1961, her family moved to San Jose. In 1967, she graduated from Leigh High School. Kristy's good grades earned accolades as a National Merit Scholar Finalist and she was voted "Most Likely to Succeed" by her classmates. After she graduated, she took classes at San Jose State University and began working as a Santa Clara County Social Services Eligibility Worker in the Welfare Department.

Kristy has devoted her life to social justice and workers' rights. She served 11 years as a member leader for the Santa Clara County Employees Association.

As head of the former SEIU Local 715 in Santa Clara and San Mateo counties, Kristy expanded the union from 5,000 members working for four employers to more than 30,000 members with over 20 different contracts. She led the consolidation of five unions, including Local 715, to form the new SEIU Local 521. As Chief Elected Office of SEIU 521, she fought on behalf of 57,000 workers throughout North and Central California. Under

her leadership, the County of Santa Clara and SEIU negotiated an \$80 million settlement that established pay equity by removing discrimination in wage-setting for women and people of color.

We worked together for rights for women. Kristy helped make sure that the union represented a female worker in the county roads department in an affirmative action case that went all the way to the United States Supreme Court. County government was her partner in the case. I remember so well listening to the oral arguments on that case as a young County Supervisor. We were proud that local government and the union were partners in the quest for equal rights for women.

The case confirmed that government agencies must consider previous discrimination history as well as qualifications when making hiring decisions. In recognition of over 40 years of contributions to the social and political advancement of women, Kristy was awarded the South Bay AFL-CIO Labor Council's 2012 COPE Award for Service Above Self.

Throughout her career, Kristy worked together with public workers to obtain improvements in working conditions, wages, and benefits. She forged alliances with other unions and community groups to improve public services to the residents union members serve. Kristy is now retired and lives in Morgan Hill with her two sisters, Andrea and Teresa. The three sisters have collectively raised their brother's children after he passed away. They live with their niece Flori, a little dog, and three cats. In her retirement, Kristy wants to help the developmentally disabled community and volunteer where she can make a difference. I join in honoring her decades of contribution and service to the betterment of our society. The community is very fortunate to have benefited from her advocacy, dedication, and leadership. She has left her mark in the community and I know she will continue to play a positive role.

COMMEMORATING THE 21ST ANNIVERSARY OF THE KHOJALY MASSACRE

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. COHEN. Mr. Speaker, I rise today to commemorate the 21st anniversary of the Khojaly massacre perpetrated by Armenian armed forces on February 25–26, 1992 in the town of Khojaly in the Nagorno-Karabakh region of Azerbaijan. Khojaly, now under the occupation of Armenian armed forces, was the site of the largest killing of ethnic Azerbaijani civilians in the course of the Armenia-Azerbaijan conflict.

Khojaly, once the home to 7,000 people, was completely destroyed. Six hundred thirteen people were killed, of which 106 were women, 83 were children and 56 were purported to have been killed with extreme cruelty and torture. In addition, 1,275 people were taken hostage, 150 went missing and 487 people became disabled. Also in the records maintained, 76 of the victims were teenagers,

8 families were wiped out and 25 children lost both of their parents while 130 lost one of their parents. According to Human Rights Watch and other international observers, the Armenian Armed forces were reportedly aided by the Russian 366th Motor Rifle Regiment.

At the time, Newsweek magazine reported: "Azerbaijan was a charnel house again last week: a place of mourning refugees and dozens of mangled corpses dragged to a makeshift morgue behind the mosque. They were ordinary Azerbaijani men, women and children of Khojaly, a small village in war-torn Nagorno-Karabakh overrun by Armenian forces on 25–26 February. Many were killed at close range while trying to flee; some had their faces mutilated, others were scalped."

As part of the Khojaly population that tried to escape, they encountered violent ambushes that led to abuses, torture, mutilation and death. The Russian organization, Memorial, stated that 200 Azerbaijani corpses were brought from Khojaly to Agdam within four days.

Time magazine published the following description: "While the details are argued, this much is plain: something grim and unconscionable happened in the Azerbaijani town of Khojaly 2 weeks ago. So far, some 200 dead Azerbaijanis, many of them mutilated, have been transported out of the town tucked inside the Armenian-dominated enclave of Nagorno-Karabakh for burial in neighboring Azerbaijan. The total number of deaths—the Azerbaijanis claim 1,324 civilians have been slaughtered, most of them women and children—is unknown."

The extent of the cruelty of this massacre against women, children and the elderly was unfathomable. This anniversary reminds us of the need to redouble efforts to help resolve the Armenia-Azerbaijan conflict. The United States as a Co-Chair of the OSCE Minsk Group should intensify its efforts to reach a resolution of this protracted conflict.

Mr. Speaker, Azerbaijan is a strong ally of the United States in a strategically important and complex region of the world. I ask my colleagues to join me and our Azerbaijani friends in commemorating the tragedy that occurred in the town of Khojaly.

TERRITORIAL SEA

HON. GREGORIO KILILI CAMACHO SABLAN

OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. SABLAN. Mr. Speaker, today I am introducing a bill that will return to the people of the Northern Marianas ownership of the three miles of submerged lands surrounding each of our islands. In doing so, this bill also puts the management of these lands back in the hands of those who have the greatest interest in protecting the natural resources there and in developing their economic potential—the people of the Northern Mariana Islands.

I say "return" because, until 2005, we believed we owned these lands around our islands; and we cared for them accordingly. But

in 2005 the Ninth Circuit Court of Appeals ruled that—unlike the case for every other coastal state and territory in our Nation—the submerged lands and waters off our shores did not belong to us, but rather belonged to the federal government.

The Court did acknowledge in its ruling that Congress had the authority to convey these lands to the Commonwealth of the Northern Mariana Islands; and it is that authority that my bill would exercise.

We have been here before. In three previous Congresses legislation has been offered to provide the same ownership of submerged lands to the Northern Mariana Islands as is enjoyed by American Samoa, Guam, and the U.S. Virgin Islands. In 2005 Representative JEFF FLAKE of Arizona—now Senator JEFF FLAKE—introduced H.R. 4255 for this purpose. And in 2009, when for the first time the people of the Northern Mariana Islands themselves were represented in this House, I introduced H.R. 934, conveying these lands. That bill passed the House without dissent, 416–0, in July of 2009, but died in the Senate. Again in 2011 I introduced this legislation, as H.R. 670. Again the House passed the bill without dissent, 397–0. Again the Senate failed to act, although the Senate Energy and Natural Resources Committee held a hearing on a companion measure, S. 590, sponsored by Senator Jeff Bingaman and Senator LISA MURKOWSKI.

In each Congress each bill introduced on this issue has progressed farther down the legislative track.

I hope the fourth time proves to be the charm.

We know from past action that this House supports local control of these local resources in the Northern Mariana Islands. The Obama Administration has testified in favor of the conveyance. And I can attest that my constituents desire equivalent treatment to other U.S. coastal jurisdictions. So, we just have to give the other body one more opportunity to join in this wide agreement.

Let me add that the cost of the measure I have introduced is nothing and that Congress has the Constitutional authority to enact this bill—two threshold questions that we must always answer.

And let me thank the hundreds of Members who voted in favor of this conveyance in the 111th and 112th Congresses and all those Members who are original co-sponsors of today's measure, which provides the right of ownership and responsibility of management for submerged lands and waters to the Northern Mariana Islands that every other coastal area of our Nation enjoys.

RECOGNIZING THE SERVICE OF
REVEREND JAMES S. YOUNG

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. MILLER of Florida. Mr. Speaker, I am privileged to recognize Reverend James S. Young for his selfless service to the Northwest Florida community.

Reverend Young founded the Pensacola chapter of the Southern Christian Leadership Conference more than 50 years ago after an inspirational meeting with Dr. Martin Luther King Jr. in Birmingham, Alabama. The Southern Christian Leadership Conference not only played a critical role in the civil rights movement, but continues to push for effective policy in four major realms: economic development, education, community empowerment, and technology.

Reverend Young's contributions to the civil rights movement include working closely with local ministers and leaders to organize boycotts throughout the city in order to further their cause for justice. Under his leadership, several ministerial and civil leaders were able to conduct meetings with businesses specifically regarding merchants' discrimination practices. Most notably, Reverend Young was selected to meet with the Supreme Court Judges in Washington, DC to participate in a discussion on segregation issues. The list of Reverend Young's accomplishments extends far beyond what is noted here, but they all highlight his devotion to improving the lives of those around him and to bettering his community through service.

In addition to his involvement with the Southern Christian Leadership Conference, Reverend Young serves as the Dean of the Baptist Ministers Union of Pensacola, the Executive Director of the Martin Luther King, Jr. Commemorative Celebration Committee, and senior pastor at Mt. Canaan Ministry Baptist Church. He also offers his leadership and expertise as a member of the NAACP, the Ministerial Association, and the God in Government Committee.

Reverend Young's commitment to service and passion for bettering the lives of others has been recognized through the countless awards bestowed to him; most recently with proclamations from the Pensacola Mayor and County Commission. For the past several decades, Reverend Young has served his community and organization with unwavering dedication. There is no question that Reverend Young has left an invaluable impact on not only Northwest Florida, but to the national human rights and justice movement as well.

Mr. Speaker, on behalf of the United States Congress, it gives me great pride to recognize Reverend James S. Young for his lifetime of service. My wife Vicki joins me in wishing James and his wife Marie all of the best.

IN HONOR OF WILLIE F. MONDAY

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. HUDSON. Mr. Speaker, Bill Monday of Locust, North Carolina, dedicated his life to the service of his country. His military career and civic service make admirers of all those fortunate enough to have known him.

Bill Monday selflessly volunteered for service in June of 1940 and was sent to Ft. Bragg as part of the 4th Field Artillery Battalion in the United States Army Air Corps.

Bill's long and distinguished career in the Corps began with his enlistment and ended

with his promotion to Captain after his skill and commitment to duty qualified him for Officer Candidate School. He went on to qualify and earn his wings as a Field Artillery Liaison Pilot.

During his military career, Bill was stationed throughout the South Pacific though the bulk of the action he saw was in the ferocious campaign for the Philippines in October of 1944. In this campaign Bill's intrepid flying ability allowed him to land on small dirt roads and school yards in order direct fire, provide reconnaissance, and drop supplies to cut off troops. All of this was done with nothing more than a thin layer of plywood to protect him from the rain of anti-aircraft and small arms fire.

It was here, flying up to ten miles behind enemy lines in an unarmed aircraft, that Bill earned a Silver Star in December of 1944. This was followed up by the Air Medal with Oak Leaf Clusters in June and September of 1945.

His Silver Star citation reads: "Flying from short, hazardous fields, he was not able to take an observer with him, but was nonetheless able to make accurate and skilled adjustments of artillery fire. By his outstanding courage and willingness to meet military necessities beyond the call of his normal duties, Lieutenant Monday conducted himself in a manner worthy of the highest traditions of the military service."

After the war ended, Bill returned to Fort Bragg. After being discharged in August of 1949 he settled in Locust, NC with his wife, Virginia, where he lived a long prosperous life.

Bill loved flying and said that even during wartime there was a peace to flying and that he never felt closer to God than when he was in the air alone. As he is laid to rest, let us hope that he finds that same peace.

Mr. Speaker, I rise to call his extraordinary service and devotion to the United States to the attention of my colleagues and other readers of the RECORD.

IN HONOR AND REMEMBRANCE OF TED SCHLOSSMAN

HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. NEUGEBAUER. Mr. Speaker, I rise today to honor and remember Ted Schlossman, a great husband, father, and grandfather. He was an outstanding businessman, a volunteer in his community, and a friend of mine. Ted passed away unexpectedly Sunday, January 20, 2013, while attending a conference. I know the contributions he left us with will not be forgotten by his family, friends, or his community.

I had the privilege of knowing Ted for more than 20 years and his dedication and service to the housing industry has truly made a difference. Ted was not only a strong advocate for the industry, but served in numerous leadership capacities. When you wanted something done, you wanted Ted on your team. It is fitting that Ted departed this earth on the way to chair a meeting.

Ted wore many hats in the residential construction industry throughout his career. He

did everything from serving as a supplier of doors and windows to building houses in both Texas and Virginia. Before he moved to Texas in 1983, Ted served as president of both the Tidewater Builders Association and the Virginia State Home Builders Association in Virginia. Ted was also recognized for his service to the industry with numerous awards. In 2011, he was inducted into the Texas Association of Builders Housing Hall of Honor.

Ted lived the American Dream that so many of us strive for. He enjoyed a loving family and a thriving career. Ted has left a legacy that many people will enjoy for years to come through the homes he built and the lives he touched.

Mr. Speaker, please join me in extending my sincere thanks to Ted Schlossman, for leaving this world a better place than he found it. I am truly honored to recognize my friend and his accomplishments. He will be missed.

HONORING THE 4TH ANNIVERSARY OF THE LILLY LEDBETTER FAIR PAY ACT

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to honor the progress we've made in ensuring equal pay for equal work, and the 4th year anniversary of the Lilly Ledbetter Fair Pay Act. Lilly Ledbetter performed equal work but received less pay than her male colleagues at Goodyear. Despite experiencing pay discrimination over the course of her career, Ledbetter was barred by the Supreme Court from challenging her discriminatory pay because she did not pursue legal action soon enough.

Fortunately, this is no longer the case. On January 29, 2009, President Obama signed the Lilly Ledbetter Fair Pay Act into law. This law restored an employee's right to challenge pay discrimination. Women today have the right to pursue legal action for pay discrimination whenever it occurs.

Despite this victory, challenges still remain for women receiving equal pay for equal work as evidenced by the pay gap that still exists. Today, women are paid only 77 cents to every dollar made by men. And for women of color, that number falls even lower. African American women receive 68 cents and Hispanic women 59 cents to every dollar earned by men. This pay disparity not only affects women during their careers, but follows them into retirement as they receive lower pensions and Social Security benefits based on receiving lower wages than they deserved.

Although today we take a moment to celebrate the restoration of the right to challenge pay discrimination, now more than ever, we must strengthen our resolve to ensure equal pay for equal work. Eliminating pay discrimination not only benefits women—it benefits families. In most American households today, women are either the sole breadwinner or essential co-breadwinner. Those families rely on women's income to meet the daily needs of the family—including groceries, rent, and medical care. As we celebrate the 4th anniversary

of this important law, we must commit to passing the Paycheck Fairness Act now to take another major step in ensuring equal pay for equal work.

HONORING THE LIFE AND SERVICE
OF DELEGATE CHRISTINE M.
JONES

HON. DONNA F. EDWARDS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Ms. EDWARDS. Mr. Speaker, I rise today to recognize the life and service of Christine M. Jones, a resident of Temple Hills in the Fourth Congressional District of Maryland. She unexpectedly passed from this life on January 26, 2013. As her funeral service is this coming Friday at Bethlehem Baptist Church on Martin Luther King Avenue in Southeast Washington, DC, I want to remember the legacy Ms. Jones leaves behind.

Ms. Christine Jones's long and distinguished career served the people of Maryland for over 40 years both as a teacher in Prince George's County and in the Maryland House of Delegates. Delegate Jones served as a mentor and inspiration to countless individuals throughout our state. All of Maryland mourns the loss of a great woman and unparalleled public servant.

Delegate Jones was born in Navasota, Texas, on Christmas Day in 1929. She graduated from the historically black university, Huston—Tillotson University, in Austin, Texas, in 1949 with a Bachelor of Arts degree.

Delegate Jones had a long career as a teacher and educator in the Prince George's County Public Schools system and specialized in physical education. Just as she lived her life, she stressed service to those students that were lucky enough to have her as a teacher and mentor.

After a 30 year career as an educator, Ms. Jones decided to continue her public service on behalf of Prince George's County by becoming the first African American to represent the County in the Maryland General Assembly. She represented the 26th Legislative District in the House of Delegates from 1982–1994. Delegate Jones rose to the position of vice chairman of the County's delegation and was the first woman to serve as chairperson of the Legislative Black Caucus of Maryland. In her last year in office in 1994, she worked as the Assembly's assistant majority floor leader. The Legislative Black Caucus recognized Delegate Jones for her contributions and service to the state of Maryland and its residents in 2010.

After her time in office, Delegate Jones continued to be active in her community through service in political, educational, and religious organizations. With her passing, it is my hope that Christine M. Jones has found the peace earned from such a wonderful life. Delegate Jones made a difference in our community with everything she did, and I am grateful for her life and service to Prince George's County, Maryland, and our country.

On behalf of this House, I extend our condolences to her entire family, especially her son, Robert E. Jones, Jr., her three grand-

children, and three great-grandchildren, and the thanks of a grateful nation.

PERSONAL EXPLANATION

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Ms. ESHOO. Mr. Speaker, I was not present during the rollcall vote No. 5, on January 3, 2013. I would like the RECORD to reflect that I would have voted "yes."

OPINION EDITORIAL WRITTEN BY
MARION P. HAMMER OF FLORIDA

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. HUDSON. Mr. Speaker, I rise today to call to the attention of my colleagues an opinion editorial that was written by Marion P. Hammer, of Tallahassee, Florida.

Marion has diligently served as a staunch advocate for Second Amendment Rights for nearly her entire life. She served as the first female President of the National Rifle Association (NRA) from 1995 through 1998, and remains on the NRA Board of Directors today.

The opinion editorial explains in very plain language, just like our Second Amendment, the glaring problems our nation's one hundred million gun owners, sportsmen and women, and law abiding citizens have with the misguided proposals we are hearing from the President and his Democratic colleagues.

"UNIVERSAL BACKGROUND CHECKS"—
ABSOLUTELY NOT

(By Marion P. Hammer)

Imagine a grandfather who wants to give a family shotgun to his 12-year-old grandson having to do a background check on his grandson before giving him the shotgun.

Or a friend having to do a background check on his lifetime best buddy before lending him a hunting rifle.

Or, if your mother had a prowler at her home, having to do a background check on your own Mom before you could give her one of your guns for protection.

That's what "universal background checks" do. They turn traditional innocent conduct into a criminal offense. They target you, law-abiding gun owners.

Universal background checks are background checks on EVERY transfer, sale, purchase, trade, gift, rental, and loan of a firearm between any and all individuals.

All background checks must be conducted through a federally licensed dealer. Universal background checks have nothing to do with gun shows—they are about you.

It is ALREADY a federal felony to be engaged in the business of buying and selling firearms without having federal firearm dealer's license.

It is ALREADY a crime for a federally licensed dealer to sell a gun without doing a background check—that's all dealers, everywhere, including at retail stores, gun shows, flea markets or anywhere else.

Further, it is ALREADY a federal felony for any private person to sell, trade, give,

lend, rent or transfer a gun to a person you know or should have known is not legally allowed to own, purchase or possess a firearm.

The penalty for selling a gun to a person who is a criminal, mentally ill, mentally incompetent, alcohol abuser or drug abuser is a 10-year federal felony. That's now, today, with no changes to the law.

It is even a federal felony to submit false information on a background check form for the purpose of purchasing a firearm.

Even so, according to a 2012 report to the Department of Justice, more than 72,000 people were turned down on a gun purchase in 2010 because they didn't pass the background check. Yet, only 44 of those cases were prosecuted. Why, when criminals are caught in the act of lying on the form to illegally purchase a firearm are they not prosecuted?

On Thursday, January 10, 2013, in the White House meeting of President Obama's Gun Agenda Task Force, Vice President Joe Biden answered that question, telling NRA's Director of Federal Affairs, James Baker, that the Obama administration didn't have time to prosecute people for lying on the federal background check form.

In an article in The Daily Caller (1/18/2013) Biden said, "And to your point, Mr. Baker, regarding the lack of prosecutions on lying on Form 4473s, we simply don't have the time or manpower to prosecute everybody who lies on a form, that checks a wrong box, that answers a question inaccurately."

If the Obama Administration currently doesn't have the time or manpower to prosecute those who lie on background check forms, then why do they want more background checks, more paperwork and more forms? It's backdoor gun registration.

Universal background check system legislation that we have previously seen, allows the government to keep a computerized government registry of gun owners.

In addition to the absurdity of having to do background checks on people you know are not criminals, would you like to pay up to \$100 or more just to give your grandson a shotgun or lend a hunting rifle to your best friend or give your Mom a gun for protection?

Transfer fees alone could run from \$50 up. Firearms dealers, like other businesses, charge as much as they can get away with. Background check fees for a federally mandated program can be any amount they decide.

The Obama administration's gun ban agenda and universal background check system are unconstitutional regulatory schemes to gut the Second Amendment. These proposals which mandate the government collection of data on lawful gun buyers and sellers amount to universal gun registration and gun owner licensing.

This agenda focuses on peaceable citizens, not violent criminals who obtain guns on the black-market to carry out unspeakable crimes already prohibited under federal and state laws. Instead of stopping crime and eliminating criminal conduct, they are creating more criminals—they are targeting you.

That's why NRA Members and the nation's 100 million firearms owners will stand in solidarity and fight against these misguided and diabolical proposals that have nothing whatsoever to do with curbing criminal violence but everything to do with stripping us of our guaranteed civil rights and our freedom.

Marion P. Hammer is past President of the National Rifle Association and is Executive Director of Unified Sportsmen of Florida

HONORING DONALD VAUGHN,
FORMER CHIEF ENGINEER, ALA-
BAMA DEPARTMENT OF TRANS-
PORTATION

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. BONNER. Mr. Speaker, I am pleased to rise to pay tribute to Mr. Donald W. Vaughn, a distinguished civil servant of the State of Alabama who will be inducted into the Alabama Engineering Hall of Fame on February 23, 2013.

A 1971 graduate of Auburn University's School of Engineering, Don Vaughn served the Alabama Highway Department for more than 40 years before retiring in 2012. His contributions to the enhancement of Alabama's transportation system over the last four decades are reflected in the state's modern highways and continued emphasis on traffic safety.

Don holds a lifelong passion for engineering that began even before he earned his degree. Indeed, he started work as a survey party member for the Alabama Highway Department in 1966 at the same he entered college. He spent summer breaks and between quarters assisting state surveyor crews even as he studied at Auburn University. After graduation in 1972, Don began full-time work in the Alabama Highway Department's Engineering Education Training Program as a Graduate Civil Engineer. He subsequently rose in the ranks, starting as an Interstate Bureau Engineer, 1973–1976, Assistant Location Engineer, 1976–1979, Location Engineer, 1980–1983, Assistant Chief of Design Bureau, 1983–1987, Bureau Chief of Office Engineer Bureau, 1987–1989, and, in July 1989, he was appointed Administrative Engineer to the Transportation Director.

Under Governor Fob James, Don was promoted to Assistant Transportation Director on October 1, 1997. He served in that position until February 1999 when he was appointed Assistant Chief Engineer. Governor Donald Siegelman appointed him Assistant Transportation Director on July 1, 2001. He was appointed to the position of Deputy Director, Operations in February 2003. On June 1, 2005, Don was appointed Chief Engineer by Governor Bob Riley.

An active leader in Alabama and national transportation organizations, Don was President of the Alabama Section of the American Society of Civil Engineers, Chairman of the Traffic Safety Committee, Chairman of the US Route Numbering Committee, and Chairman of the Subcommittee on Safety Management of the Standing Committee on Highways of the American Association of State and Highway Transportation Officials. He also served on the Alabama Enterprise Zone Advisory Council, the Inland Waterways and Intermodal Infrastructure Advisory Board, and the Alabama Toll Road, Bridge and Tunnel Authority.

Don retired at the rank of Commander in the U.S. Naval Reserves Civil Engineer Corps and was the 2009 Auburn University Outstanding Civil Engineer Alumnus.

On behalf of the people of Alabama, I would like to extend personal congratulations to Don

on his induction into the Alabama Engineering Hall of Fame. His service to improving the quality and safety of Alabama's roads, bridges and transportation infrastructure is second to none.

I wish Don and his wife, Becki, and their entire family the very best in their future endeavors.

RECOGNIZING PATRICIA "PATTY"
BENNETT AS THE 2012 CITIZEN
OF THE YEAR FOR THE TOWN OF
NOVATO, CALIFORNIA

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. HUFFMAN. Mr. Speaker, I rise to commemorate Novato resident Patricia (Patty) Bennett as the 2012 Citizen of the Year for the Town of Novato located in Mann County in Northern California.

Patty's enduring service to the town is marked by her quiet presence and many positive outcomes. As a local community activist committed to the growth and care of the Novato community, Patty has been serving on various committees around town for many years. Since 2004, Patty Bennett has served on the board of the Novato Youth Center (NYC), where in addition to her duties as Vice-President of the NYC Board and chairperson of the Development Committee, she founded and co-chairs their biannual fundraising event Cruisin' the Classics.

Patty's strong compassion for working parents motivated her to join NYC board of directors in 2004 to help make accessible quality childcare for these parents. Among her many contributions as a director, Patty played a critical role in transitioning the leadership of the NYC after the retirement of an Executive Director who served 23 years.

Patty's dedication to Novato has remained constant through the years. She currently serves as Treasurer for "Novato 2010—Celebrating 50 years" Birthday Celebration Steering Committee and has worked for many years on the Coordinating Committee for the Paint the Town Red event. She is also an Elder at the Presbyterian Church of Novato and has served as President of the Parent Teacher Association for Pleasant Valley Elementary School and on Leadership Councils for Novato Unified School District schools including Pleasant Valley Elementary, Sinaloa Middle and San Marin High School.

Mr. Speaker and colleagues, it is appropriate that we honor Patty Bennett for her exceptional community service and civic engagement, commend her generosity of spirit and extend to her our congratulations for her selection as the 2012 Citizen of the Year.

WHERE'S THE BUDGET

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. POE of Texas. Mr. Speaker, Groundhog Day has come and gone.

The little fella did not see his shadow, and once again, Congress saw no budget from the White House.

That's right, Mr. Speaker, for the fourth time in five years this Administration has missed its legally required deadline to submit a budget.

The Budget Act of 1974 says: "On or after the first Monday in January but not later than the first Monday in February of each year, the President shall submit a budget of the United States Government for the following fiscal year."

But once again the White House ignores laws it doesn't like.

Ironically, the Administration missed the legal deadline the same day that the "No Budget No Pay" act was signed into law.

That law freezes pay for Members of Congress unless we pass our own budget by April 15.

Last year, the President's tardy budget failed to receive a single vote in either Chamber.

So what's the plan now?

Show us the budget.

Your move, Mr. President.

And that's just the way it is.

PERSONAL EXPLANATION

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. CAPUANO. Mr. Speaker, due to constituent obligations in my district, I was unavoidably detained in Massachusetts on February 4, 2012. I was therefore unable to cast a vote on rollcall votes 31, and 32. Had I been present, I would have voted "yea" on rollcall 31, and "yea" on rollcall 32.

**HONORING THE LIFE OF R. BRIAN
KIDNEY**

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. COSTA. Mr. Speaker, I rise today with my colleagues and former members of the California State Legislature Mr. FARR, Mr. GARAMENDI, Ms. LEE, Mr. MCCLINTOCK, Ms. ROYBAL-ALLARD, Mr. THOMPSON and Mr. WAXMAN to pay tribute to the life of R. Brian Kidney, who passed away on December 22, 2012 at the age of 82. Mr. Kidney was an extraordinary person, and he will always be remembered as a man who lived his life with purpose and a dedication to public service, with almost 30 years in the California State Assembly, Office of the Chief Clerk.

Brian Kidney earned a Bachelor's degree in Russian History from the University of Michigan. He went on to further his education at the University of San Francisco and earned a Master's degree in Government. Upon completion of his Master's degree, Mr. Kidney joined the United States Air Force and served our nation as a Russian Translator in Libya.

His impressive and irreplaceable service to the State of California began in 1963 in the

California State Legislature, where he served as an office messenger for Assembly Speaker Jesse Unruh. Two years later he became assistant clerk, and in 1991, Mr. Kidney retired after serving 25 years as chief clerk.

Mr. Kidney was an expert at his profession, but he brought more than knowledge and expertise to work every day. His understanding of the legislative process was an asset to each member who served in the California State Assembly during his tenure. Mr. Kidney's passion for government positively impacted the State of California in numerous ways.

In 1989, Mr. Kidney created the Assembly Chief Clerk Legislative Internship Program. He recognized the importance of having young minds with innovative ideas in the office, and paid interns began to work full-time alongside staff to gain the most fruitful experience possible. The interns benefit from their involvement and the office gains a fresh perspective from the interns.

Mr. Kidney did not stop working after retirement. He served as a parliamentary consultant to governments in Hungary, Malawi, Namibia, and South Africa, and spent several years as a lobbyist for The Gualco Group.

However, life did not always revolve around politics for Mr. Kidney. He never took for granted the simplicity of a great meal surrounded by conversation and laughter with his family and friends.

Mr. Speaker, it is with great respect that I ask my colleagues in the House of Representatives to join Mr. FARR, Mr. GARAMENDI, Ms. LEE, Mr. MCCLINTOCK, Ms. ROYBAL-ALLARD, Mr. THOMPSON and Mr. WAXMAN in paying tribute to the life and career of R. Brian Kidney. He was a shining example of a true public servant and proud American.

TRIBUTE TO STATE SENATOR
HINTON MITCHEM

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. BONNER. Mr. Speaker, I rise to pay tribute to a long-time Alabama political leader and businessman who dutifully served the Tennessee Valley region for more than 30 years in Montgomery. Former State Senator Hinton Mitchem, of Union Grove, passed away on January 22, 2013, after an extended illness.

A Georgia native and a 1961 graduate of the University of Georgia, Senator Mitchem served in the United States Coast Guard before moving west to Alabama in 1962 to pursue his future. It was not long before he left a mark on his community by becoming both a successful businessman and a respected public official.

In 1965, Senator Mitchem founded Hinton Mitchem Tractor Co., Inc. in Albertville and continued to serve the farming community for 40 years before selling his business in 2005. He first entered politics as a member of the Albertville City Council in 1968. In 1974, he was elected to the Alabama House of Representatives, representing the 25th District,

serving a single four-year term from 1975 through 1979. He then ran and won election for State Senate in 1979. His Senate district included Marshall County and parts of Blount, Madison, and at one time, DeKalb County.

In 1986, Senator Mitchem set his gaze towards higher office, entering the Democrat primary for Lieutenant Governor. After coming in third in the statewide contest, he returned to the Senate a year later easily winning a special election created when a vacancy occurred in his former Senate seat.

A statesman who was respected by politicians on both sides of the aisle, Senator Mitchem was elected President Pro Tempore of the Alabama Senate on January 9, 2007. He chaired the Finance and Taxation and Education Committees and, twice, the General Fund Committee. He was selected as one of the five Outstanding Senators in 1983 and again in 1984. In 1985, he was voted by his colleagues "The Outstanding Senator" in Alabama. When he retired from public office in 2010, he held the distinction of being the longest-serving member in the Alabama House and Senate, having served a total of 36 years.

Upon his retirement in 2010, Senator Mitchem told the Arab Tribune that his single most significant legislative accomplishment for his constituents was the passage of a bill directing TVA "payment in lieu of taxes" funds to the Alabama counties in which the federal utility is located. Prior to the passage of the legislation, the Alabama general fund received the TVA payments. Senator Mitchem also sponsored legislation creating the Alabama Housing Finance Authority, and was a staunch supporter of Alabama's two-year college system and Alabama's State Parks, to name but a few of his many contributions.

Senator Mitchem's public service was not limited to elected office. In 1980, he was appointed by then-Republican Governor Fob James, Jr. to chair the Alabama Governor's Commission on Physical Fitness, serving in that capacity for 28 years. He also served 18 consecutive years as Chairman of the Alabama Special Olympics.

On behalf of the people of Alabama, I wish to extend my personal condolences to his wife, Judy; and their four children, Todd, Tanya, Dee and Brittanie; their three grandchildren and their extended family. You are all in our thoughts and prayers.

TRIBUTE TO THE MOREHEAD
STATE UNIVERSITY'S ELECTRIC
EDGE BAND

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to the talented musicians of the "Morehead State University and Electric Edge" band, which performed at the renowned Kentucky Society of Washington DC's Inaugural Bluegrass Ball on Saturday, January 19, 2013. Known for its high class entertainment, fine food, and Kentucky hospitality, the Bluegrass Ball is our premier inauguration party, made even more memorable when Electric Edge takes the stage.

Great music is synonymous with the Commonwealth of Kentucky, and so it has been my pleasure to welcome these gifted educators and musicians to the nation's Capitol City.

In fact, music has always been an important way of life in Kentucky. We enjoy a rich music heritage from Appalachia on into the cornfields of western Kentucky. In classrooms and on stage, these band members are helping keep our proud musical traditions alive, while training up the next generation of Loretta Lynns and Ricky Scaggs. A couple weekends ago, their abilities were on display at the Bluegrass Ball, indulging us with the melodies of Kentucky right here in Washington, DC.

The band includes nationally and internationally acclaimed members, some of them on the distinguished faculty of Morehead State University. They include hit-chart writer and singer Tony Pence, Professor Glenn Ginn on electric guitar, Professor Gordon Towell on Saxophone, Professor Steven Snyder on piano, Danny Cecil on bass, vocalist-favorite Lisa Ginn, and Paul Deatherage on percussion.

It likewise goes without saying that great food is synonymous with the Commonwealth of Kentucky. So, I'm also very pleased to recognize one of our nation's most celebrated chefs, Edward Lee, of Kentucky's famous "610 Magnolia" restaurant, who smartly found his way from New York to the Kentucky Derby and decided to stay. Chef Lee has a huge following as an alumnus of the "Iron Chef of America" and "Top Chef" television programs. One of his favorite foods is fried chicken, and he loves animals, especially horses. A true Kentucky gentleman, he graciously provided an exquisite three-course dinner for the Bluegrass Ball.

I ask the Congress to join me in thanking the band and chef for showcasing their extraordinary talents and participating in the 57th Presidential Inauguration festivities.

TRIBUTE TO MS. MOLLY F. RYAN

HON. WILLIAM L. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. OWENS. Mr. Speaker, I rise today to honor the service of a friend, constituent, and faithful public servant, Ms. Molly F. Ryan of Rouses Point, New York, and to congratulate her on her new endeavor as Manager of Community Outreach at the Champlain Valley Physicians Hospital (CVPH).

Ms. Ryan was one of the first to join my staff when I was elected to Congress in 2009, and for over three years, loyally served constituents of New York's 23rd Congressional District. While running my Plattsburgh District Office, she successfully assisted hundreds of constituents with their casework, and did so each and every day with an uplifting smile and positive attitude. Although her tenure was short, my constituents and the State of New York are fortunate to have benefitted from her commitment to public service.

It has been a pleasure to work with Ms. Ryan, and I look forward to seeing her in

Plattsburgh in the years to come. I ask that my colleagues join me in congratulating her on her new position and wishing her all the best in what is sure to be a long and prosperous career.

NONADMITTED AND REINSURANCE REFORM ACT (NRRRA)

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. GARRETT. Mr. Speaker, I rise to address an important issue regarding the implementation of the Nonadmitted and Reinsurance Reform Act (NRRRA). The NRRRA is legislation that I co-authored and was signed into law as part of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

The NRRRA was drafted with the specific intention of addressing burdensome and often conflicting regulatory and tax compliance issues facing only two industries—the surplus lines and reinsurance. This legislation received bi-partisan support and was passed by the U.S. House of Representatives in multiple Congresses. At no point during the bill's multi-year consideration was its application to the captive insurance industry ever discussed.

Unfortunately, several states have indicated that they plan to interpret the NRRRA to also apply to the captive insurance industry. This was not the intent of Congress. In drafting this legislation, it was never contemplated to have the captive industry fall under the NRRRA. In addition, this legislation has been subject to numerous Congressional hearings and has been approved by this body on multiple occasions. At no time was the legislation's application to the captive industry addressed or suggested. Furthermore, in the bill's summary, the intent of this legislation was clearly stated to impact only two specific industries—surplus lines and reinsurance.

Inaccurate and inconsistent interpretations will cause confusion throughout the captive insurance industry. Should regulators implement this faulty interpretation, captive insurance companies would be subject to additional taxation and regulation—the exact opposite intent of the underlying legislation.

As one of the authors of this legislation, I am committed to ensuring that this title of Dodd-Frank is implemented as Congress intended, and I look forward to working with my colleagues on the Financial Services Committee to address this issue if necessary in the future.

RECOGNIZING DAVID OLIKER'S THIRTY YEARS OF SERVICE

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. REED. Mr. Speaker, I rise today to celebrate David W. Olikier's 30 years as President and Chief Executive Officer of MVP Health Care. Mr. Olikier has been a successful and

steadfast advocate for improved health care and economic prosperity in my Congressional district, but will be retiring during this calendar year.

Through Mr. Olikier's efforts, MVP Health Care has become a leader in the promotion of wellness and health education in our communities as a vehicle to lower health care costs and drive collective well-being. As a non-profit organization, MVP Health Care demonstrates what a truly successful public-private partnership looks like.

Advancing our nation's educational system has also been a priority of Mr. Olikier's. He has served on multiple boards, including the Advisory Council of Union Graduate College and the Albany College of Pharmacy. His hard work has ensured that generations to come will be well prepared for the future.

It has been an honor and a privilege to work with Mr. Olikier and I wish him the best in his retirement. The health care system in the Northeast will not be the same without him.

CELEBRATING ROSA PARKS' 100TH BIRTHDAY

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Ms. JACKSON LEE. Mr. Speaker, I rise today to express my deepest appreciation for the life, legacy, and actions of Mrs. Rosa Parks on what would have been her 100th birthday.

Our society today, is a far cry from the one into which Mrs. Parks was born. We are now living in a time that is a direct reflection of the efforts of the trailblazers who came before us.

Trailblazers like Rosa Parks, Shirley Chisholm, Frederick Douglass, Martin Luther King, Barbara Jordan and Walter Fauntroy whose actions transformed history and paved the way for a brighter future for all of us. Remembering these remarkable trailblazers is just one way to demonstrate not only our appreciation for their efforts but also to ensure that we continue to move forward in society.

While I believe that our fight is not over and that we must continue to address civil rights issues; I am still in awe of the progress that has been made as the result of decades of work, diligence, sweat and tears of our country's civil rights trailblazers.

One century ago, today, Mrs. Parks was born in Tuskegee, Alabama. As many of you already know, on December 1, 1955 Mrs. Parks refused to give up her seat to a white passenger on a Montgomery city bus.

At that time in our nation's history as an African American woman in Montgomery, Alabama Mrs. Parks was actually risking her life by sitting in a seat that was denied to her because of the color of her skin. Although she knew she risked being beaten, insulted, bullied, and jailed that did not stop her from sitting down in order to stand up against injustice.

The arrest of Mrs. Parks led to the NAACP's boycott of the Montgomery, Alabama bus system. The boycott began on the first day of Mrs. Parks first court hearing on December 5,

1955, and did not end until December 20, 1956. It marks the first of many large-scale demonstrations against segregation.

For 381 consecutive days, men, women, and children stood up against injustice. In lieu of taking the bus, in many instances they elected to walk for miles to work, school, or for errands. Just for a moment envision that amount of dedication and commitment it takes in the hot days of a Alabama summer to opt to walk rather than take the bus for over a year.

Rose Parks by taking a seat was just the public spark needed to bring international attention to the civil rights movement and is in no small measure the genesis for the beginning of desegregation.

Again, because of the fearless actions of women and men, like Rosa Parks, the face of leadership in our nations is now more diverse than at any other point in our nation's history.

This change has been seen here within our own walls as well. Members of Congress are now a stew pot of races, ethnicities, cultures, sexual orientations, religions, and genders. This has only allowed us to have a diversity of perspective and has enabled us to better address the needs of our constituencies. Today, Congress in many ways reflects the America, what we represent.

The actions of Rosa Parks and thousands of other proud Americans and their supporters fueled the civil rights movement that advanced the principles upon which our nation was built. As I have stated before, although, we have come a long way we still have a long way to go. As we honor the life and legacy of Rosa Parks. As we reflect upon those who lost their lives standing up against injustice. As we celebrate what was almost unimaginable in 1955, the second inauguration of our nation's first African American President. We must also look again at our democracy and how in a time when we are making so many steps forward there is still an attempt to limit the votes of Americans. Given the progress that we have made as a result of the civil rights movement it is still incumbent upon each of us to continue to fight for the rights of all Americans. Recently, there have been systematic attempts to limit the rights of Americans to vote. Last year we celebrated the 47th anniversary of the Voting Rights Act, amid efforts by certain states to erode the right of Americans.

Today, most Americans take the right to vote for granted. We assume, as citizens of this fine Nation, that we can register to vote if we are over 18. Most of us learned in school that discrimination based on race, creed or national origin has been barred by the Constitution since the end of the Civil War. We celebrate moments like today, Rosa Parks birthday, that stands as a reminder of our Nation's honored and sometimes troubled past. Yet, at the time Rosa Parks sat down on that bus, the right to vote did not exist in practice for most African Americans. And, until 1975, most American citizens who were not proficient in English faced significant obstacles to voting, because they could not understand the ballot.

Even though the Indian Citizenship Act gave Native Americans the right to vote in 1924, state law determined who could actually vote, which effectively excluded many Native Americans from political participation for decades.

Asian Americans and Asian immigrants also have suffered systematic exclusion from the political process and it has taken a series of reforms, including repeal of the Chinese Exclusion Act in 1943, and passage of amendments strengthening the Voting Rights Act three decades later, to fully extend the franchise to Asian Americans.

It was with this history in mind that the Voting Rights Act of 1965 was designed to make the right to vote a reality for all Americans. And the Voting Rights Act has made giant strides toward that goal. Without exaggeration, it has been one of the most effective civil rights laws passed by Congress.

In 1964, there were only approximately 300 African-Americans in public office, including just three in Congress. Few, if any, black elected officials were elected anywhere in the South.

The Voting Rights Act has opened the political process for many of the approximately 6,000 Latino public officials that have been elected and appointed nationwide, including 263 at the State or Federal level, 27 of whom serve in Congress. And Native Americans, Asians and others who have historically encountered harsh barriers to full political participation also have benefited greatly.

We must not forget the importance of protecting this hard-earned right. I believe that the courage that Mrs. Parks displayed throughout her life helped shaped the United States. I believe that the courage she showed that day, changed our society. I believe that it is our duty to honor the Constitution and to honor the civil rights of all those who stand upon our shores. Today, as we celebrate the life of Rosa Parks, we must continue to push forward in ensuring that all those who have a right to a voice in our society have one. The right to vote is the great equalizer, one person—one vote. Yet, there are those who are attempting to impinge that right by requiring the use of Voter ID cards. Now these photo ID proposals have a forceful momentum that have not seen in years past, as part of broader legislative movements to limit access to the political process for disenfranchised groups at a level not seen since post-reconstruction era laws that implemented poll taxes and literacy tests. In just over the first two months of 2011, photo ID proposals were introduced in 32 states and passed out of one legislative chamber in twelve states. Lawmakers across the Nation have pinpointed photo ID as a top legislative priority. The Governor of Texas designated photo ID as a legislative emergency in order to allow it to be procedurally fast-tracked through the legislature, photo ID proposals were pre-filed before legislative sessions began in half a dozen states, and secretaries of state in a number of states have listed photo ID as a top priority. I was pleased when the Department of Justice took action to stop that flawed piece of legislation.

Photo ID proposals have garnered significant momentum in more than a dozen states and opponents are having difficulty waging effective counterattacks to curb movement on these bills.

The time is now to stand up to protect the rights of the disenfranchised, the elderly, the

disabled, and college student access to the right to vote. Now is the time, to remember the courage of those who participated in the bus boycott, recall their willingness to walk in the hot southern sun for over a year to stand up for their belief is justice, liberty and the pursuit of happiness. Now is the time to truly honor the life of Rosa Parks, who by sitting down, stood up for justice. We must continue to move forward rather than backwards in this country. We must honor our past by standing up to protect every one's right to vote.

Today I remember Mrs. Parks for her courage and for everything she has done to advance civil rights movement. And to remember that although much progress has been made there remains much more to accomplish.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. COFFMAN. Mr. Speaker, on January 3, 2009, the day I took office, the national debt was \$10,627,961,295,930.67.

Today, it is \$16,480,910,656,603.96. We've added \$5,852,949,360,673.29 to our debt in 4 years. This is a \$5.8 trillion in debt our nation, our economy, and our children could have avoided with a Balanced Budget Amendment. We must stop this unconscionable accumulation of debt.

23RD ANNIVERSARY OF BLACK JANUARY

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise to commemorate the 23rd anniversary of a tragic event in the history of the country of Azerbaijan.

On the night of January 19, 1990, Azerbaijan was invaded by thousands of Soviet troops. These troops entered Azerbaijan under the pretext of restoring public order, but with the true aim of ending peaceful demonstrations for independence.

Despite resistance to the Soviet troops by Azerbaijanis, more than 130 Azerbaijani people were killed and hundreds more were wounded or detained indefinitely. This episode came to be known as "Black January," a terrible event that only sharpened the desire for independence among the people of Azerbaijan.

By 1991, popular pressure had restored the independence of Azerbaijan. On August 30, 1991, Azerbaijan's Parliament adopted the Declaration on the Restoration of the State Independence of the Republic of Azerbaijan, and on October 18, 1991, the Constitutional Act on the State Independence of the Republic of Azerbaijan was approved. The United States established diplomatic relations with Azerbaijan in 1992. Since then, Azerbaijan

has been a steadfast ally to the United States and an important strategic partner in the region.

Each year, the people of Azerbaijan remember those who lost their lives on Black January in 1990 and honor their sacrifice through their commitment to the ideals of democracy.

I urge my colleagues to commit to fostering a strong partnership between the United States and Azerbaijan so that together, we can promote freedom and democracy around the world.

RECOGNIZING THE 90TH BIRTHDAY OF MIRIAM LAWLER

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. HUFFMAN. Mr. Speaker, I rise to commemorate San Rafael, California, resident Miriam Lawler on the occasion of her 90th birthday on January 30, 2013.

Miriam Lawler is a native Californian, born in Los Angeles on January 30, 1923. She attended Santa Monica College and moved to San Francisco where she worked for the San Francisco Chronicle. Miriam went on to obtain her bachelor's degree from Dominican College and studied Spanish at the College of Marin.

During WWII, Miriam met William Lawler during his shore leave from his Navy destroyer. They married and settled in San Rafael, California, where she still lives today. Miriam has two sons: Martin and William Jr.

Always active in politics, Miriam worked on the presidential campaigns of Adlai Stevenson, John F. Kennedy, and Robert Kennedy. In Northern California, she also was involved in helping launch Clem Miller's successful congressional election. Throughout her life, Miriam has advocated for social justice and civil rights, has assisted children with learning disabilities, and has volunteered to help children learn to read.

Mr. Speaker and colleagues, it is appropriate that we honor Miriam Lawler as she turns age 90 for her inspirational and prolonged civic engagement.

IMPORTANCE OF FUNDING IN MEDICAL RESEARCH FOR EPITHELIOID HEMANGIOENDOTHELIOMA AND OTHER DISEASES

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Ms. SCHAKOWSKY. Mr. Speaker, today I rise to discuss the importance of funding medical research for epithelioid hemangioendothelioma and other diseases. Epithelioid hemangioendothelioma, known simply as EHE, is a rare cancer affecting both men and women of all ages, causing disability, pain, and often death. The disease causes tumors in the endothelium, often affecting numerous organs at a time.

A study done by the American College of Chest Physicians states that EHE most often affects the lungs, liver, and bones, or a combination of these organs. Moreover, the disease causes a range of symptoms including pain, upper respiratory infections, bone fractures, weakness, and fatigue. The study also cites that while EHE is more common in women, men are more likely to die from it.

Currently, there is no effective treatment for EHE. The American College of Chest Physicians study states that EHE does not respond to chemotherapy and radiation as well as other cancers, causing many sufferers of the disease to resort to surgeries and organ transplants to try to relieve EHE's painful symptoms.

My constituent, Isaac Weinberg, is currently suffering from EHE. Because there is no cure for the disease, Isaac must have a liver transplant to alleviate some of the pain caused by it. Cutting medical research funding and limiting access to affordable healthcare would only hurt Isaac and other people suffering from EHE, as well as those suffering from other diseases.

However, providing funding for medical research would not only help those with EHE, but people with other diseases, as well. EHE

is a sarcoma, a type of cancer that is very common. Therefore, research for EHE would be beneficial in finding effective treatments and cures for many different cancers and diseases, potentially helping thousands of people.

I want to thank my constituent and Isaac's father, Dr. Guy Weinberg, for establishing the Center for Research and Analysis of Vascular Tumors. CRAVAT provides desperately-needed research money dedicated to learning more about EHE. However, we cannot rely on private efforts alone. Federal funding is necessary if we are to make significant advances in discovering ways to treat, cure, and eliminate EHE and other diseases.

Mr. Speaker, I rise to bring awareness to this important cause. Cutting medical research funding will hurt thousands of Americans suffering from diseases both rare and common, and we cannot allow that to happen. Instead, we must provide the crucial funding needed to research EHE and other diseases, allowing us to find cures, save lives, and help families like the Weinbergs.

PERSONAL EXPLANATION

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Mr. SIMPSON. Mr. Speaker, on rollcall No. 32 on Motion to Suspend the Rules and pass H.R. 297, the Children's Hospital GME Support Reauthorization Act of 2011. I was unable to vote.

Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 2013

Ms. DELAURO. Mr. Speaker, I was unavoidably detained and so I missed rollcall vote No. 33 On Ordering the Previous Question (H. Res. 48). Had I been present, I would have voted "no".

SENATE—Thursday, February 7, 2013

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal spirit, the fountain of life and truth, You make our plans succeed. Today, shine the light of Your presence upon our lawmakers, providing them with the wisdom You have promised to all who request it. May they primarily focus on pleasing You rather than on political consequences, trusting You to guide them during these challenging days. May what they declare with their lips be proven with their deeds. Lord, teach our lawmakers to love You as You have loved them.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable PATRICK J. LEAHY led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will resume consideration of the Violence Against Women Act. The time until noon will be divided and controlled equally between the two leaders or their designees. At noon, Senator-designee COWAN of Massachusetts will be sworn in to be a Member of the Senate.

We expect to complete action on the Violence Against Women Act. We hope to be able to do that today. If we cannot, we will do it tomorrow.

MEASURE PLACED ON THE CALENDAR—S. 209

Mr. REID. Mr. President, I am told S. 209 is at the desk and due for a second reading; is that correct?

The PRESIDENT pro tempore. The Senator is correct.

The clerk will read the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 209) to require a full audit of the Board of Governors of the Federal Reserve

System and the Federal Reserve Bank by the Comptroller General of the United States, and for other purposes.

Mr. REID. Mr. President, I would object to any further proceedings with respect to this bill.

The PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

VIOLENCE AGAINST WOMEN ACT

Mr. REID. Mr. President, I am optimistic that today the Senate will complete work on an important bipartisan measure that has been directed by the President pro tempore of the Senate; that is, the reauthorization of the Violence Against Women Act.

But Senate passage means little if our counterparts in the House fail to act on this crucial legislation. They failed once before. Let's hope this year they will get it past the finish line.

The Republican-controlled House, I repeat, failed to act last year, and the women of America do not want them to fail again. I was reassured to hear House Majority Leader CANTOR say yesterday that he "cares very deeply about women." He went on to say the House would act to reauthorize the Violence Against Women Act.

But Americans heard the some promise last year. Despite overwhelming evidence that this legislation saves lives, House Republican leaders used procedural gimmicks and stalling tactics to block its reauthorization. I would remind Leader CANTOR and his Republican colleagues of the seriousness of the delay.

Every minute House Republicans wait to act, another 24 Americans will become victims of domestic violence. Every day House Republicans stall, another three women will die at the hands of their abusers. Every year House Republicans put off action in order to please extremists within their own party, during that period of time more than 200,000 women will be sexually assaulted, more than 2 million will be stalked, and more than 1.3 million women will be abused by their partners.

It has been almost 300 days since the Senate passed a bipartisan bill to help law enforcement officials protect women and their families across this country. But despite strong bipartisan support in the Senate, Republicans in the House refused to join the efforts to end domestic abuse.

Those partisan delays put women's lives at risk. Thousands have written letters and e-mailed and called to support this legislation. One Nevada

woman shared her story of how her partner held a gun to her head and threatened to pull the trigger. She escaped with her life, but many women are not so fortunate. Every year more than 1,000 women are killed by domestic abusers. Since the Violence Against Women Act expired, more than 16 million women have been victimized.

The law is effective. In the two decades since it was enacted, the law has helped millions of women escape their attackers and seek justice. There is obviously much more work to do. I say to my friend Leader CANTOR: It is time for the Republican leaders to stop talking about how much they care about women and start acting to protect women. More than one-third of the women in this country have been the victim of violent sexual assault or stalking. Congress must do everything in its power to help law enforcement officials prevent these terrible crimes and prosecute the perpetrators. Reauthorizing this legislation would help law enforcement improve strategies to prosecute crimes against women. It would provide legal assistance to the victims of violence and funding for shelters to allow women to escape their abusers. It would safeguard youth who are experiencing dating violence and stalking.

Until we fully reauthorize this law, authorities will not have all the tools they need to fight domestic violence. Today—we hope it does not go over until tomorrow—we do not need another day's delay. For the second time in 2 years to protect American women and their children, we hope to take bipartisan action. I hope the House will act quickly to follow suit, as they did not do last year. I trust Leader CANTOR's words that this legislation is a priority. I will not be the only one holding him to his promise he made yesterday, to swiftly reauthorize the Violence Against Women Act. In fact, there will be 160 million American women who are watching and waiting to see if he turns his words into action.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. SCHATZ). Under the previous order, the leadership time is reserved.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 47, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 47) to reauthorize the Violence Against Women Act of 1994.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, first, I wish to applaud the distinguished leader Senator REID for his statement. He has helped us over and over again to get this bill to the floor. The reason it is here is because of the action of the distinguished majority leader in getting it up here. I was pleased to hear his comments about hopefully finishing this today or tomorrow. Anyway, it should be done soon. This is a landmark law.

The Senate has before it a bill to reauthorize the Violence Against Women Act, a landmark law we enacted that has made a difference in women's lives. By providing new tools and resources to communities all around the country, we have helped bring the crimes of rape and domestic violence out of the shadows. The Federal Government stood with the women of this country and sent the message that we would no longer tolerate their treatment as second-class citizens. Our bill renews and reinforces that commitment.

Ending violence against women is not an easy problem to solve but there is a simple and significant step we can take, right now and without delay. I, again, thank Majority Leader REID for making this unfinished business from the last Congress a priority for the Senate early this year.

Senator CRAPO and I have worked hard to make this bill bipartisan and I am proud that it has more than 60 Senate cosponsors. It also has the support of more than 1,300 local, State and National organizations from around the country that work with victims every day and know just how critical this law has been. I included their most recent letter of support with my remarks on Monday. I, again, thank them for their tireless efforts.

On Monday the Senate voted to proceed to consideration of the Violence Against Women Reauthorization Act. I was disappointed to see that 13 Republican Senators did not vote to proceed to the bill. I do not know why. They did not say.

I worry that there are Senators who do not appreciate the role of the Federal Government in helping improve the lives of Americans. That is what the Violence Against Women Act is intended to do and it is what this law has successfully accomplished for nearly 20 years. This is an example of how the Federal Government can help solve problems in cooperation with State and local communities. The fact is, women are safer today because of this law and there is no excuse not to improve upon it and reauthorize it without delay.

We are working to protect victims—all victims—of domestic and sexual violence. I hope that those who previously opposed our efforts to improve

the Violence Against Women Act will join with us and help the Senate send our strong bill to the House of Representatives so that we can get it enacted. Let us not undercut the provisions to help protect Indian women from the serious problems they face.

If anyone needs a reminder of how important government help can be, just think about the way that Federal and local law enforcement worked together earlier this week to rescue Ethan, a 5-year-old kidnapped boy, from an underground bunker in Alabama, where he had been held hostage for almost a week. Ask the family and local law enforcement if they appreciated the help of the FBI, the Defense Department and so many who contributed to the safe return of that innocent victim.

I spent years in local law enforcement and have great respect for the men and women who protect us every day. When I hear Senators say that we should not provide Federal assistance, we should not help officers get the protection they need with bulletproof vests, or that we should not help the families of fallen public safety officers, I strongly disagree. In our Federal system, we can help and when we can, we should help. And that is exactly the opportunity that is before us today. We have the power to help improve the lives of millions of people in this country by renewing and expanding our commitment to end domestic and sexual violence. A recent study from the Centers for Disease Control, CDC, found that more than 24 people per minute are the victims of rape, domestic violence and stalking in this country. We can take action to change that and we must.

I am proud that our bill seeks to support all victims, regardless of their immigration status, their sexual orientation or their membership in an Indian tribe. As I have said countless times on the floor of this chamber, "a victim is a victim."

I appreciate the administration's support for this legislation and our goal in reaching all victims. In particular, I note the support of the administration in its Statement of Administration Policy for our bipartisan proposal, first developed by the Senate Committee on Indian Affairs, to "bring justice to Native American victims." Three out of five Native women have been assaulted by their spouses or intimate partners. We can no longer idly stand by while this epidemic of abuse continues.

The language in the bill is that which the Senate adopted last April. The best legal views of which I am aware believe these provisions are both constructive and constitutional. We are building on the Tribal Law and Order Act and recognizing tribal authorities with respect to domestic violence in Indian country. No one should be able to get away with

domestic violence and rape, not in any community, and not because the victim is a Native American victim in Indian country. I ask unanimous consent that a copy of the Statement of Administration Policy expressing the administration's strong support for this provision and the bill as a whole, be made part of the RECORD at the end of my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1).

Mr. LEAHY. The bottom line is this: While we have made great strides in reducing domestic and sexual violence, there is more to be done and it is incumbent upon us to act now. The Violence Against Women Reauthorization Act has been carefully considered and debated for more than 2 years. It is time we vote and send this bill to the House of Representatives so that it can be enacted. Let us not undermine the provisions to help protect Indian women and other particularly vulnerable victims from the serious problems they face.

I hope the Senate will come together to reauthorize this needed legislation in a bipartisan manner that represents the finest traditions of the Senate. Domestic and sexual violence knows no political party. Its victims are Republican and Democrat, rich and poor, young and old, gay and straight, male and female. Let us come together now—today—to pass this strong reauthorization of the Violence Against Women Act. Let us show the American people what we can accomplish when we work together.

I yield the floor.

EXHIBIT 1

STATEMENT OF ADMINISTRATION POLICY

S. 47—VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

(Sen. Leahy, D-VT, and 59 cosponsors, Feb. 4, 2013)

The Administration strongly supports Senate passage of S. 47 to reauthorize the Violence Against Women Act (VAWA), a landmark piece of bipartisan legislation that first passed the Congress in 1994 and has twice been reauthorized. VAWA transformed the Nation's response to violence against women and brought critically needed resources to States and local communities to address these crimes.

The Administration is pleased that S. 47 continues that bipartisan progress and targets resources to address today's most pressing issues. Sexual assault remains one of the most underreported violent crimes in the country. The bill provides funding through State grants to improve the criminal justice response to sexual assault and to better connect victims with services. Further, the bill seeks to reduce domestic violence homicides and address the high rates of violence experienced by teens and young adults. Reaching young people through early intervention can break the cycle of violence.

The Administration strongly supports measures in S. 47 that will bring justice to Native American victims. Rates of domestic violence against Native American women are now among the highest in the United States.

The bill builds on the Tribal Law and Order Act—which President Obama signed on July 29, 2010—to improve the effectiveness and efficiency of tribal justice systems and also recognize tribal authorities with respect to domestic violence in Indian country. The Administration is pleased that S. 47 recognizes the need to provide protection and services to all victims of abuse and includes proposals to strengthen existing policies that were supported by both Democrats and Republicans last year.

RECOGNITION OF THE MINORITY LEADER

Mr. McCONNELL. Mr. President, I am going to proceed on my leader time.

The PRESIDING OFFICER. The Republican leader is recognized.

FINDING ECONOMIC SOLUTIONS

Mr. McCONNELL. Mr. President, a report this week from Harvard's Institute of Politics reveals just how devastating the President's policies have been for Americans under 30. Despite the fact that most millennials have attended college, only about 60 percent of them have been able to find a job, and half of them are only working part time.

For many young Americans, this suggests the American dream is already drifting out of reach. It should not be this way.

Previous generations of Americans faced great challenges, but until now younger Americans could always expect they would eventually achieve greater prosperity than their parents, and that their children would do even better. Now the opposite appears to be the case. This should be shocking to all of us, especially considering that this generation of young people came into its own in an era of relative peace and prosperity. For many of us, just going to college was a pretty big deal. For today's younger generation, it was the obvious next step.

Many of us watched our parents save diligently for the simplest of luxuries. A lot of today's young people couldn't relate to those stories until now. They grew up in an age of dot-com booms and easy credit.

As college degrees no longer translate into fulfilling careers and as the Obama economy continues its year-long stagnation, much has changed for a generation that once seemed to have everything going for it. Recent figures from the Congressional Budget Office help tell the story. According to CBO, in 2014 the United States will see a sixth consecutive year of 7.5 percent-plus unemployment. The last time the United States jobs picture was that bad, Americans were still huddling around the family radio.

For 2 years, the President has been saying that raising taxes on the rich would solve our problems. Yet CBO notes that while taxes are set to jump above their historic level, the added revenues from taxes that rose due to operation of law last month will mean almost nothing when it comes to dealing with America's long-term fiscal

challenges. This is because CBO has also warned that spending, which already exceeds the historic average, will continue its unsustainable climb in the years ahead.

In fact, over the next decade, red ink will spike by trillions to levels unseen in peacetime America. If interest rates go up, as most expect, it will be even harder for young Americans to purchase a home. The CBO warns that if interest payments on our debt skyrocket, it will be even more difficult to guarantee the eventual availability of Social Security and Medicare for today's graduates. If wages fall as a result of the smaller economy that comes from the government's increased debt payments, then we can be quite certain that today's generation will know less prosperity than their parents do.

These are some of the negative consequences of failing to get spending under control. Things are set to get much worse unless we act quickly.

Has the White House reached out to Republicans to solve these pressing economic and fiscal challenges? I wish. Instead, it has turned once again to gimmicks and tax hikes that only serve to delay solutions. Earlier this week the President even proposed more tax hikes to offset a sequester that he himself proposed and he already signed into law. If he agrees with us there is a smarter way to make these cuts, he should propose it, not just call on others to act.

I will tell you this right now: My constituents in Kentucky and the American people will not accept another tax increase to put off a spending cut that the two parties have already agreed to. We have already agreed to cut this much spending. It is the definition of dysfunction that it might not happen.

This morning I am again calling on the President and his congressional allies to put politics aside at least for once. The election is over. The time to govern is right now, to make divided government work for the American people who chose it. We owe Americans action, not rhetoric. We owe it to the millions of college graduates out of work. We owe it to the strivers who find themselves still living in their parents' basement. They are all counting on us to enact real bipartisan solutions, solutions that can get our economy moving again today and can ensure greater prosperity tomorrow.

Is Washington up to the task? Republicans are, and we are still here ready to work for the President as soon as he is prepared to get down to business.

I yield the floor.

The PRESIDING OFFICER. For the information of the Senate, the time until 12 noon will be equally divided and controlled between the two leaders and their designees.

The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor today to speak about the

legislation we are about to discuss here, the Violence Against Women Act.

Before I do, I want to respond to a comment I heard by the Republican leader on the floor right now talking about the impact of sequestration, which is to go into effect March 1 unless Congress acts to replace it with something that is more balanced. Sequestration was never written into law to go into effect. Sequestration was put into law in order for us, Congress, to come together in a bipartisan way to find a balanced solution. That is still the case. I feel very strongly that if Members of Congress, Republicans and Democrats, can come together with a balanced package that takes into account sequestration causing severe impact to our national defense, to our nondefense programs such as Head Start and education at a time when our economy is very fragile—the impact of the job cuts on that would be very severe. Democrats believe, just as we did throughout this process, if we put forward a balanced replacement that includes revenue, making sure that those wealthy Americans who have done very well and have not had to sacrifice are part of a replacement package that we can move through this Congress, this will ensure, as we put forward a balanced budget approach for the future and work for a long-term deficit stabilization process, we can get past this hurdle.

There is no reason we need to manage crisis by crisis if we can come together on a balanced approach that does include revenue. This is what Americans expect—everybody participates in making sure that our economy gets back on track, we don't just protect the wealthiest, but we ask them to do their part.

I look forward to working with anybody in this body to do this so we don't face the impacts of sequestration that would happen if we don't have that balanced plan.

Speaking about the Violence Against Women Act, which is the order of business today, I come to the floor this morning to continue the efforts that we did start here 9 months ago, efforts that were, in fact, overwhelmingly bipartisan—68 Senators—to finally renew our national commitment to ending domestic violence and reauthorize the Violence Against Women Act. It is a bill that has successfully helped provide life-saving assistance to hundreds of thousands of women and families, and it is a bill that consistently extends protections to new communities of vulnerable Americans each and every time it has been authorized.

I wish to thank Senator LEAHY and Senator CRAPO for making the Violence Against Women Act a priority for reintroduction in the 113th Congress, because there is no reason this critical bill, which has such broad support, should be put on the back burner and

delayed further while there are millions of Americans across our country who are excluded from the current law. In fact, for Native, immigrant women, and LGBT individuals, every moment our inclusive legislation to reauthorize VAWA is delayed is another moment they are left without the resources and protection they deserve.

For women on tribal lands, the challenges are particularly immense. Often in our very rural areas, on tribal lands, these women live hours and hours away from the nearest Federal prosecutors.

For nontribal members on these lands who perpetrate these violent crimes against the women who are living there, it equates to nothing short of a safe haven for them. It is a place where they are free from tribal jurisdiction and repeatedly commit horrific acts without being afraid of being brought to justice.

This is an injustice that Deborah Parker, the vice chairwoman of the Tulalip tribes in my home State, spoke to just outside this Chamber last year in an effort to get House Republicans to listen. Through her tears she told a deeply personal story about how not only was she abused as a young girl, but how she then watched family members and friends suffer similar fates. She spoke about how time and again the abusers went unprosecuted, only to repeat the crime over and over. She called herself "a Native American statistic." Even more sadly, she was right.

In fact, the numbers are staggering. One in three Native women will be raped in her lifetime. One in three. Two in five of them are victims of domestic violence, and they are killed at 10 times the rate of the national average. These shocking statistics aren't isolated to one group of women, as 25 to 35 percent of women in the LGBT community experience domestic violence in relationships. Three in four abused immigrant women never entered the process to obtain legal status, even though they were eligible, because their abuser husbands never filed the paperwork.

It does not need to be this way. I was very proud to be here serving the Senate back in 1994 when we first passed the Violence Against Women Act. Since we took that historic step, VAWA has been a great success in coordinating victims' advocates, social service providers, and law enforcement officials to meet the immediate challenges of combating domestic violence. Along with bipartisan support, this has received praise from law enforcement officers, prosecutors, judges, victim service providers, faith leaders, health care professionals, advocates, and survivors.

VAWA has attained such broad support because it worked. It provides shelter and justice to battered women who need both, and it is the cornerstone of our efforts to combat domestic violence. We can't pick winners and

losers on who gets these critical protections, and we cannot afford any further delay, not on this bill.

Just like the last Congress, we all know what it would take to move this bill forward—leadership from Speaker BOEHNER and Leader CANTOR. The fate of the Violence Against Women Act lies squarely on their shoulders. To date they have refused to listen to countless law enforcement and women's groups, as well as moderate voices in their own party who have called on them to pass the Senate's bipartisan and inclusive bill.

In this new Congress, on this newly introduced bipartisan bill, the House Republican leadership faces the same choice and a second chance. They can either appease those on the far right of their caucus, who would turn battered women away from care, or they can stand with Democrats, moderate Republicans, and the many millions of Americans who believe that who a person loves, where they live, or their immigration status, should not determine whether they are protected from violence in this country.

In fact, in a recent editorial the *Seattle Times* echoed this same sentiment:

House Republican leaders refused to bring the original Senate bill forward for a vote. They must not squander a second chance to save lives.

I couldn't agree more. Too many women have been left vulnerable while House Republican leaders have played politics. It is time for moderate Republican voices in the House to call upon them to pass this bipartisan Senate bill immediately, because women's lives across the country literally depend on it.

The Senator from Vermont, Mr. LEAHY, has led the charge on this bill. I wish to thank him publicly, as he is on the floor right now, for his work, for the first bill he has put forward for this body to consider. It is time to move on it, and I want him to know how much I truly appreciate all of his efforts in getting this done. This is for all women in this country, for Native American women, whom I have talked about, in particular, who have suffered at the hands of their abusers for so long, and for all of our women in this country, whoever they are, wherever they come from, to know that this Senate in a bipartisan way stands behind them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the Senator for her words. The Senator from Washington State has been a consistent and clear supporter of the Violence Against Women Act. I especially applaud what she said: It should apply to all victims. I have said so many times on this floor, and I sometimes wonder if people hear, but certainly in my experience in law enforcement the

police never asked and said, well, we can't help this victim unless they fall into a particular category. They said a victim is a victim is a victim, and a crime is a crime is a crime.

We didn't have the Violence Against Women Act when I and my colleagues around the country were in law enforcement. I cannot help but think of all the deaths that would have been prevented had we had something like this, all the violence that would have been prevented if there had been organizations like some of the actual ones we have in Vermont and other States supported by the Violence Against Women Act that have prevented violence.

I cannot imagine any Member of this body would oppose this law if it affected them or their families. We, as Americans, are all family, so it affects every one of us.

I again thank the Senator from Washington State for her comments.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I ask unanimous consent the letters from advocates and faith-based organizations in support of S. 47, the Violence Against Women Act, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL ALLIANCE TO
END SEXUAL VIOLENCE,

Washington, DC, January 28, 2013.

Hon. PATRICK LEAHY,
Chairman, Senate Judiciary Committee, U.S.
Senate, Russell Senate Office Building,
Washington, DC.

Hon. MICHAEL CRAPO,
U.S. Senate, Dirksen Senate Office Building,
Washington, DC.

DEAR CHAIRMAN LEAHY AND SENATOR CRAPO: On behalf of 56 state and territorial sexual assault coalitions and 1300 rape crisis centers, I want to express our sincere gratitude for the introduction of S. 47. The Violence Against Women Act (VAWA) with the SAFER Act included represents the essential and comprehensive legislative package that is necessary to advance this nation's response to the crime of rape and protect and support victims. S. 47 includes critical enhancements to address sexual assault including criminal justice improvements, housing protections, vital direct service and prevention programs, and SAFER's policies to address the rape kit backlog.

We are urging all Senators to stand with sexual assault survivors and support the swift passage of this far-reaching legislation.

Sincerely,

MONIKA JOHNSON HOSTLER,
Board President.

FEBRUARY 4, 2013.

Hon. PATRICK LEAHY,
Dirksen Senate Office Building, U.S. Senate,
Washington, DC.

Hon. MICHAEL CRAPO,
Dirksen Senate Office Building, U.S. Senate,
Washington, DC.

DEAR SENATOR LEAHY AND SENATOR CRAPO: We, the undersigned sentencing and criminal justice reform organizations, are writing to express our opposition to the inclusion of any mandatory minimum sentencing provisions in S. 47, the Violence Against Women Reauthorization Act of 2013 (VAWA).

We acknowledge that reducing the level of sexual, domestic, and dating violence and stalking directed at victims of violence is a worthwhile objective and an issue of national concern. We recognize and appreciate that many of the proposals contained in S. 47 enjoy broad bipartisan support, as well as the support of the American public. In its current form, S. 47 does not include any mandatory minimum sentences. We think it should remain that way through passage.

We do not believe that including mandatory minimum sentencing provisions for the domestic violence, sexual assault, and stalking offenses in S. 47 would be necessary, appropriate, or cost-effective. In fact, such provisions could be counterproductive in combatting violence. According to the National Task Force to End Sexual and Domestic Violence Against Women, the threat of a lengthy, mandatory prison sentence for an intimate partner abuser could deter a victim from reporting a crime. Because the victim and offender are often related or in an intimate relationship, many of the crimes included in VAWA will involve complex facts and unique circumstances. Such complicated crimes demand that courts have flexibility to ensure that the sentence fits the crime and the offender, protects victims, and best meets the needs of the family or couple impacted.

Finally, more mandatory minimum sentences would only increase the burdens on and high costs of our already overcrowded federal prison system. A recent Congressional Research Service report shows that mandatory minimums are the primary driver of high prison populations and increasing prison costs. Mandatory minimum sentences are unfair, ineffective, and result in extraordinary costs to American taxpayers.

Accordingly, as the Senate considers S. 47, we strongly urge you to oppose the adoption of any mandatory minimums. Thank you for your leadership on this important issue and for considering our views. Please do not hesitate to contact any of us if you should have any questions.

Sincerely,

American Civil Liberties Union, Church of Scientology National Affairs Office, Drug Policy Alliance, Families Against Mandatory Minimums, Human Rights Watch, Justice Fellowship, Lawyers' Committee for Civil Rights Under Law, National Association of Criminal Defense Lawyers, National Legal Aid & Defender Association, The Sentencing Project, United Methodist Church, General Board of Church and Society.

LUTHERAN IMMIGRATION
 AND REFUGEE SERVICE,
Baltimore, MD, February 1, 2013.

Hon. PATRICK J. LEAHY,
U.S. Senate, Russell Senate Office Building,
Washington, DC.

Hon. MIKE CRAPO,
U.S. Senate, Dirksen Senate Office Building,
Washington, DC.

DEAR SENATOR LEAHY AND SENATOR CRAPO: On behalf of Lutheran Immigration and Refugee Service (LIRS), the national organization established by Lutheran churches in the United States to welcome immigrants and refugees, thank you for reintroducing the bipartisan Violence Against Women Reauthorization Act (VAWA) (S. 47).

As you are aware, there are many cases in which immigration status is used as a tool for abuse, leading victims to remain in abusive relationships and contributing to the underreporting of serious crimes to local enforcement officials. The creation of the U visa in 2000 by Congress to encourage migrant victims to report criminal offenses to officials has been extremely helpful in advancing community safety. The need for U visas is significant. In 2012, U.S. Citizenship and Immigration Services ran out of available U visas over a month prior to the end of the fiscal year. Therefore, the lack of a vital increase in the number of available U visas in S. 47 is extremely disappointing. However, I am encouraged by your commitment to increase the cap on U visas as part of immigration reform legislation.

While I applaud efforts to swiftly move VAWA through both chambers of Congress, I caution against any use of VAWA as a means to expand immigration enforcement provisions of the Immigration and Nationality Act. These changes would be detrimental to the central purpose of VAWA—to address the critical issues of domestic violence, sexual assault, dating violence, and human trafficking—and should remain outside of the VAWA debate.

LIRS commends your leadership in advancing this bill and we are excited to continue to work with you to ensure the inclusion of provisions to protect vulnerable migrant victims in upcoming legislation. Please contact Brittney Nystrom, LIRS Director for Advocacy with any questions.

Yours in faith,

LINDA J. HARTKE,
President and CEO,
Lutheran Immigration and Refugee Service.

OFFICE OF PUBLIC WITNESS, PRESBYTERIAN CHURCH (U.S.A.), COMPASSION, PEACE AND JUSTICE MINISTRY,
Washington, DC, February 1, 2013.

Hon. PATRICK LEAHY,
U.S. Senate,
Washington, DC.

DEAR SENATOR LEAHY: In the Presbyterian Church (U.S.A.), we believe that "domestic violence is always a violation of the power God intended for good." We believe that "God the Creator is preeminently a covenant-maker, the One who creates, sustains, and transforms the people of God. Domestic violence and abuse destroys covenants in which people have promised to treat each other with respect and dignity."

Because of these convictions, we strongly support a robust reauthorization of the Violence Against Women Act and we thank you for your leadership in sponsoring S. 47. Further, we wish you to know that we have written to all of your Senate colleagues, asking them to support final passage of this bill,

and urging them to oppose any amendments that you have not endorsed.

As you know, VAWA's programs support state, tribal, and local efforts to address the pervasive and insidious crimes of domestic violence, dating violence, sexual assault, and stalking. These programs have made great progress towards reducing the violence, helping victims to be healthy and feel safe and holding perpetrators accountable. This critical legislation must be reauthorized to ensure a continued response to these crimes.

Again, we thank you for your leadership on this important issue and look forward to the bill's passage, so that we can build upon VAWA's successes and continue to enhance our nation's ability to promote an end to this violence, to hold perpetrators accountable, and to keep victims and their families safe from future harm. For our part, we commit to continued ministry with victims and survivors of violence and to do all we can, through our ministries and our advocacy, to end this desperate cycle of violence and brokenness.

We give thanks for your service to our nation and for your leadership on this issue.

Sincerely,

THE REVEREND J. HERBERT NELSON II,
Director for Public Witness.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum and ask unanimous consent the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I wonder if the distinguished Senator from New Hampshire would yield to me for a moment.

Mrs. SHAHEEN. Always, Mr. President.

Mr. LEAHY. Mr. President, I know the senior Senator from New Hampshire is about to speak regarding the Violence Against Women Act. I would like to take a moment to thank her for all the work she has done in her State and in the Senate to help advance this legislation.

Senator SHAHEEN and I are from rural States. We border each other. The Connecticut River runs down the border between our two States. We have so much in common. We face some of the same difficulties of weather and rural nature, and, of course, in a rural State there is the question of access to transportation. Senator SHAHEEN was the one who brought up, based on her experience in New Hampshire, that women were having trouble getting to crisis centers and courts. Of course, we have a similar challenge in a rural State such as mine. But Senator SHAHEEN worked with the Department of Justice to address this problem. As a result, the Office on Violence Against Women is now allowing rural communities to obtain VAWA grant funding for transportation needs.

A number of the women who are going to be getting this transportation and desperately need it may not know how that came about, but I wish to congratulate Senator SHAHEEN on her successful efforts on behalf of not just women in New Hampshire or Vermont but throughout the country—again, another example of what we are doing with this bill and the necessity to finish this bill. I hope we can finish it today.

I thank the Senator for yielding to me.

Mrs. SHAHEEN. Mr. President, I thank the Senator from Vermont, Mr. LEAHY, both for his kind words and the tremendous leadership he has shown over the years in first passing this legislation and for getting it reauthorized time and again and now, after the bill died in the last Congress because of the unwillingness of the House to act, for his willingness to bring it forward so early in the session so that hopefully we can make sure all of those people who are victims of domestic violence and all of those advocates, the law enforcement community that is working so hard, can have the support they need as a result of this legislation. So I thank Senator LEAHY very much.

One of the reasons I am proud to support this bill is because it takes a truly comprehensive approach to the problem. It supports crisis centers for women and families to provide for immediate needs, such as shelter and counseling.

Last year the New Hampshire Coalition Against Domestic and Sexual Violence reported that they were able to provide shelter for 630 people who needed a place to sleep. Unfortunately, although they helped those 630, they had to turn away 721 because they didn't have room. So even with the help that is in the Violence Against Women Act, they had to turn away more people than they could help.

In the face of this need, sometimes it is easy to feel discouraged, to wonder whether we can really help at all. But when I speak to the brave women who are survivors who reached out for help to the advocates who have helped them rebuild their shattered lives, I know that we can and we must continue to make a difference.

The Violence Against Women Act helps us do this by providing funding for police officers and prosecutors so abusers are held responsible. Time and again, we have heard from law enforcement that the Violence Against Women Act helps them keep our communities safe and helps stop the cycle of abuse—law enforcement officers such as a detective sergeant in New Hampshire's largest city of Manchester, who is an investigator and a domestic violence advocate.

I brought with me today a chart that gives us a real picture of just how pervasive the problem of domestic violence is.

As we can see in the chart, one in four women in the United States is a victim of domestic violence. Three women are murdered every day by their partners. This has been a very big problem in New Hampshire where half of all murders are domestic violence related.

Maybe the worst statistic on this chart shows that 15 million children are exposed to domestic violence every year. I call this maybe the worst because, in fact, the cycle of domestic violence continues because so many children are exposed every year. They are not able to get out of this cycle. Let's recommit to shielding our children from senseless violence.

Another reason I am proud to support this bill is because it treats all victims equally, and it recognizes that members of the LGBT community are just as deserving of our support as any other survivor of domestic violence. A recent study by the Centers for Disease Control shows us that those in LGBT relationships actually experience higher rates of violence than heterosexual couples. Let's recommit to helping all Americans regardless of whom they love or who has abused them.

Finally, I want to end with a quote from a woman in New Hampshire who sought help at a crisis center that receives funds from VAWA, the Monadnock Center for Violence Prevention. Before she left that shelter—as she was putting her life back together—she told the case managers there:

You all have really made my life worth holding onto and not giving up. Please don't ever give up doing what you do because you truly saved my life.

I think that represents what we hear from so many survivors of domestic violence. Just as we are not going to give up on those survivors, we must not give up until this legislation is on President Obama's desk and signed into law. There are too many victims who are counting on us.

I certainly urge all of my colleagues in the Senate—as we did in the last session of Congress—to join me in supporting the Violence Against Women Act. I also hope our colleagues in the House will recognize how significant this challenge is and be willing to take up this legislation and get it done so survivors across this country will get the help they need.

Thank you very much.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

The Senator from Indiana.

Mr. COATS. Mr. President, Indiana has a lot in common with Kansas, so I don't mind that label. I have been in the chair and made similar mistakes, so that doesn't bother me. We have a lot of similarities between Indiana and Kansas. We each hope to have a Final Four team in the basketball tournament coming up in the Final Four.

We have some competitive teams, so it is a nice blend.

THE ECONOMY

I would like to speak about the sequestration issue that is facing us as a Congress in the next few weeks. But, first, let me just say, I returned from the National Prayer Breakfast. Several of our colleagues were there: Senator SESSIONS, a Republican, and Senator PRYOR, a Democrat, representing Alabama and Arkansas, but more importantly they are cochairs of the Senate Prayer Breakfast. They led the effort today. Both the House Prayer Breakfast group, which meets weekly, and the Senate Prayer Breakfast group, which meets weekly, supports and puts together the annual Prayer Breakfast. People from more than 160 countries and all 50 States attended. It is quite a remarkable event.

Beyond the socialization and bringing people together around the issue of faith and prayer, we find in our weekly Prayer Breakfast meetings in the Senate and the House that it is the one time when Republicans and Democrats, Liberals and Conservatives, people of no particular ideology, get together and talk about the common interest on the basis of their faith. It is always very refreshing to do that, and it was a pretty remarkable session this morning.

Senator SCHUMER from New York read from the Old Testament, and our former colleague, Senator Dole from North Carolina, read from the New Testament. Dr. Ben Carson, head of pediatric neurosurgery at Johns Hopkins University—recognized as one of the world's leading pediatric neurosurgeons—spoke to us. I heard him 16 years ago. What a remarkable life story. What a remarkable impact he had on the crowd that was there.

He talked about political correctness and how it is detrimental to the kind of honest, straightforward debate we need in this country over any range of issues, from our religious beliefs to our political beliefs. He talked about how we need to be willing to be transparent and honest with the people we represent, to speak out about what we believe in and how healthy the debate is even if we come to different positions on separate issues.

That is one of the reasons I have been coming down here virtually every day since the Senate came back into session for the 113th Congress. I come here to talk about what I think is one of the challenges—if not the leading challenge—facing us in this 2-year term. Without question, our fiscal crisis and debt has an impact on our people and on the economy, but more importantly, on our people. This has an effect on the average family in America and the young people coming out of high school and college who are looking for a job. The impact of this more than 4-year economic malaise started with a deep

recession. It is now getting to the point where our growth is far below what we need to get everybody back to work and get the economy moving again on a good upward path. We are looking for solutions to the root of our problem. This body, along with the House and the administration, has been dealing with this for well over 2 years. We have been trying to find a solution to get us on the right path to fiscal health. We have taken several steps in that regard, but each step has come up short. There have been several one-step-forward and half-a-step-back efforts, but most of it has simply been pushing it down the road and saving the big debate for another day.

In August 2011 we ended up passing the Budget Control Act, which addressed the debt ceiling at that time. Through that the administration first proposed—President Obama proposed—a measure known as sequestration, which was designed to force the Congress to step up to the plate and deal with the real problem. The real problem is continued deficit spending at a record level that has accumulated year after year.

We are now at the point where the clock is ticking. We have a \$16.5 trillion debt which is up from nearly \$5.5 trillion in just the last 4 years. The math proves and history clearly shows that this is unsustainable. This is the great challenge before this Congress. We need to do what is necessary to get on the right path to fiscal health before it all comes down.

We had a warning shot fired across our bow in 2009 as to the distortions in our economy, and the consequences were grave. We have warning shots being fired every day from virtually across the Atlantic as to what the European Union and the European nations are trying to deal with because they allowed their deficit spending, their debt, and overpromises by politicians to constituents to continue, which simply cannot be fulfilled. Now the bank is running out of money. We simply don't have the resources to continue to pay the debt, and the interest on the debt gets worse every day that goes by.

So we had this Budget Control Act in 2011 that included an enforcement mechanism called the sequester, which is simply an across-the-board cut. However, the sequester was not an across-the-board cut. It was heavily weighted in cuts to defense. There were exemptions to the major drivers of our debt and deficit, which are the mandatory spending programs.

Let me be straight and say the things we are not supposed to say because it is political suicide: If we don't reform Medicare, Medicaid, and Social Security, it doesn't matter what else we do, we cannot solve this problem. That is the conclusion of just about everyone in this body. More importantly, it is

the conclusion of everyone who doesn't have a political stake in mind.

Analysts and economists who look at our fiscal plight and the history of economic performance and nonperformance all come to the same point: We need to address and reform mandatory spending programs. We don't want to impose sacrifice and pain on people; we want to save them from much greater pain down the road. We need to reform programs so they are viable and so that people who are contributing to Social Security and Medicare on every paycheck will be able to receive those benefits when they need them in retirement.

To save those programs and to keep from denying people their hard-earned benefits, we need to take steps and we need to take them sooner rather than later. The Medicare and Social Security trustees keep giving us additional warnings to do it now. It will be less painful than doing it later. It will help keep us from making Draconian cuts to benefits or Draconian increases in taxes that will break the back of the American taxpayer.

Unfortunately, the supercommittee that was formed—six Republicans and six Democrats from each body—was unable to come up with a solution. As a result of that, we have this sequester—across-the-board cuts with certain exceptions—that is to occur soon. It has been delayed once before and now. March 1 is the new date.

We need to step up and put together the big plan that will get us on the path to fiscal health. Republicans in the House of Representatives have been proposing and putting forth their plans, but we have had nothing come out of this body. Unless there is support from both Houses, nothing can be accomplished, and this will fail.

Frankly, we have had a lot of rhetoric coming out of the White House about what we need to do, but we have had no serious attempt to address the part of the equation that needs to be addressed, and that is the excessive spending over the years that we have put into law. As politicians, we have made promises to our constituents over the years which we know cannot be fulfilled.

It is time we stand up and be honest with the American people. We need to be transparent and basically say: Folks, we have a problem. It is simple math. We cannot continue to borrow \$1 trillion or more a year and be in a sound fiscal position. We have to take some steps to address that problem and that challenge before us.

If we don't begin that process now, we are going to see devastating across-the-board cuts. It will have very detrimental effects on our national defense and national security because it is so heavily weighted to slash those areas.

The major three contributors and drivers of the debt are the entitlement

programs: Social Security, Medicare, and Medicaid. If those are not addressed—no matter what else we do here—we cannot solve the problem. Yet the political tendency is to simply pass it along, push it down the road, and get past the next election. It apparently is too politically dangerous to stand up and say these things and be honest with the American people. Well, I think the American people know better and are telling: We are ahead of you. We understand the problem, and we want results. We want you to work together, find a solution to this problem, and put it before us. It is our responsibility to go out and present the plan. But without the President's support, despite his rhetoric—all we hear from the White House is that more taxes will solve the problem. They just got \$630 billion worth of taxes from the fiscal cliff deal. The President's commitment and obsession with taxing the rich and the job creators was fulfilled, and the top percent—the people he described in his campaign and afterward in the negotiations—are now paying higher taxes, but that does not begin to even come close to solving the problem. So what we need to do is be straightforward with what it is we must do and not be afraid of being honest with the American people.

There is now talk about delaying, once again, the sequester. So whether it is the debt limit, whether it is the spending bills, or whether it is the budget, we keep hearing: Push it down the road. Do it some other time. It is too painful to do now. I would suggest the time to do it is now. Even though the sequester is imperfect, even though it imposes more pain and more detriment to one of the essential functions of government; that is, providing for our national security, which is part of the reason I opposed the Budget Control Act, these cuts are going to take place and need to take place if we don't come up with a better solution because it now is the law.

I am pleading with my colleagues: Let's not do this in a way that is not the soundest way to reduce spending and achieve what we need to achieve. By the way, while the sequester, once again, will be an important step forward, it doesn't begin to deal with the real problem. The real problem is finding the political will and courage to be honest with the American people and pass a fiscal package that will reassure investors, consumers and the world that the United States of America has finally taken the steps necessary to address the cause of our debt and put us on a path to return to fiscal soundness.

I think, given our position in relation to where we are with other nations, this type of package would result in an amazing increase in our economy, get people back to work, and send the message that America can return to its place of leadership in the world because it has gotten their economic

house in order. Without that, we will continue to decline, which will have consequences not only for our generation but for generations to come. This also would have potentially dangerous consequences for security around the world because of our inability to lead. It would have serious consequences for young people and for middle-aged people and others who simply want to get back to work. They simply want to get back to a place where they get a paycheck at the end of the week so they can cover the mortgage and save money to send the kids to school and so they can make those necessary payment commitments to lead the kind of life they are aspiring to lead. Without Congress taking action, they are going to continue to live under this cloud of uncertainty about our future and people are going to continue to struggle to find meaningful work.

It all comes down to the individual and to families. It doesn't come down to some accountant's balance sheet. It comes down to the pain and suffering so many people have gone through over the past 4 years and are continuing to encounter because of our lack of responsibility to take the necessary steps to go act.

I am going to keep talking about this. I am going to come to the floor and talk about how we can potentially achieve a much leaner, more effective, and efficient government. I am going to use as a model not just my State but many States with Governors who have had the courage to step forward and do what is necessary to put their State in fiscal balance, in contrast to other States that are doing what we are doing; that is, pushing the tough decisions down the road and trying to deal with it at another time.

As we go through the Federal budget, there are literally hundreds of billions of dollars simply being spent in the wrong place, simply going to programs that are no longer effective and efficient if they ever were in the first place. We are not making priorities in terms of how we spend our money. Senator COBURN and others have been down to this floor talking about egregious examples of overspending, of bloated bureaucracy, talking about programs that perhaps had a value at one point in time but are simply not doing the job anymore and are not necessary. We have been talking about the kinds of things that ought to be done at the State and local level rather than the Federal level. We have been talking about how Congress needs to stop making promises to people that everything we spend is for a vital, national purpose if that isn't the case.

We need to do some serious triage and take a serious look at how we spend taxpayer dollars. We can come up with money to offset necessary programs. We can come up with money to lower the demands so we don't have to

continue to go to the American people and say we have to raise your taxes one more time. We have said that too much.

The burden is not tax revenues; the burden is dealing with our spending issue, and part of that has to be dealing with the mandatory spending that is ever driving this deficit and debt.

With that, I yield the floor.

Mr. BEGICH. Mr. President, I request the time to make my statement as required.

The PRESIDING OFFICER. The Senator has that right.

Mr. BEGICH. Mr. President, I come to the floor to speak on the Violence Against Women Act, but before I do that, I wish to say I appreciate the comments of my friend from Indiana. We all want to get this budget under control. We all recognize we have to get it under control not only for today's generation but for multiple generations to come.

During the last few years we have been able to cut almost \$2 trillion of our budgetary costs over the next 10 years, cuts we have been able to accomplish in a bipartisan way but led a lot by this side. Let me remind folks where we are. Four years ago this economy was flat on its back—an economy that didn't have any air in it. It was in a grave situation. But where are we today? We have a 5-year housing start, incredible activity within the automobile industry, with record-high sales going on there. The stock market has doubled in the last 4½ years. Most recently, the CBO—the Congressional Budget Office, a bipartisan office which doesn't show any favoritism to any side—verifies that in 4 years we have cut the annual deficit by 40 percent. I know that is not where it should be yet because we want to balance it, but a 40-percent reduction in the annual deficit is significant.

So we are on the road. Is it a slower road than we would like? Sure, but it is on the road to recovery. It is having a positive impact. As a matter of fact, now the deficit, as the amount compared to our GDP, is cut in half. So we are making some inroads.

Democrats are not afraid at all to cut the budget where it is necessary, but we need to solve this problem with three types of moves. We have to cut the budget, deal with revenues, and invest in this economy for education, energy, and infrastructure. It is a three-pronged approach. Even if we think we can do one of these and somehow, magically, a \$16 trillion debt will just vanish overnight is in another world that doesn't exist on this planet.

I appreciate the debate that goes on, but we need to be honest, realistic, and practical in dealing with these budgetary issues, and they will be tough. People will not like all of it. I can see it now at my townhall meetings when I go to them. They will say cut the

budget, which we will do—don't get me wrong, we will do that—but then when I go back to my hometown they will say, I didn't actually mean that program. That will be the story.

The fact is we have serious issues with which to deal. So this is not a Democratic issue or a Republican issue. When people come to the floor, we should think about this as an American issue and that we have to resolve this for the right reasons. We have done some exceptional work over the last 4 years, despite the hurdles, the political slogans, and all the other stuff that goes along with it in getting results. A 40-percent reduction in the annual deficit in 4 years is significant. Is it zero? Is it balanced? No; because there have been 40-plus years of not paying attention to the budget.

A lot of us are new around here. As a matter of fact, 60 percent of the Senate is made up of people who haven't been here more than 6 years. I am looking at three Senators on the floor right now. We are here to solve this problem. However, do not be mistaken. We have made progress. The American people should be proud of what we have done. But is it perfect? No. Do we have more work to do? Yes. That is why we are here and that is why we are going to do this with a bipartisan approach.

So I digress from the issue I came to discuss. I like the debates that happen on the floor, and I wish more would happen, but when a Member speaks, I want to make sure all the information is on the table.

I came to speak on an important piece of legislation, the Violence Against Women Act. We debate issues that are important around here, but not too often can we stand on the floor of this Chamber and say our votes are a matter of life and death. In this case, it is absolutely true. This bill saves lives. It is our job to pass it now—today.

The Senate, as we did last year, needs to send a simple and important message that America will not tolerate violence against its women, children, and families. We must do our part to reduce domestic violence and sexual assault. Even though the House has refused to act for over 300 days since we sent the bill over there, we are now in a new session and there is bipartisan support in this Chamber. The VAWA bill passed the Senate with 60 votes last spring and there are at least 60 of us already signed up and cosponsoring this legislation.

We know the reality. The fight to protect women and families from violence is far from over. VAWA was first passed just 20 years ago and it has not been reauthorized since 2006. The law has made a difference. We know a great deal more about domestic violence than when VAWA was first written. Services for victims have improved. Communities offer safer shelter. Local,

State, and Federal laws are stronger. Yet there are still too many awful stories and inexcusable numbers, especially in my home State.

Alaska continues to have some of the worst statistics in the country. Three out of every four Alaskans have experienced domestic or sexual violence or known someone who has. The rate of rape in Alaska is nearly 2½ times the national average, even worse for Alaskan Native women. Child sexual assault in Alaska is almost six times the national average. Out of every 100 adult women in Alaska, nearly 60 have experienced physical or sexual violence or both.

So my colleagues can see why I am standing here today. We need to do something about this not someday, not next year but today.

In one typical day in my State, victim services agencies throughout Alaska serve an average of 464 victims, 114 hotline calls are answered, and 308 people across Alaska attend training sessions offered by local domestic violence and sexual assault programs. Yet people are still turned away because of a lack of funding, a lack of service. On an average day in Alaska, 52 requests for services are not met—basic needs such as transportation, childcare, language translation, counseling and legal representation. The bill before us is critical in ensuring all victims receive the services they need.

I wish to spend just a few more minutes discussing the safety of women and children in Alaska Native and American Indian families. For the sake of our Nation's first peoples, the tribal provisions in this bill need to become law. Yet some of my colleagues on the other side of this Chamber are trying to strip out our expanded authority over domestic violence in Indian Country. Why are we debating this? One out of every three Native American women has suffered rape, physical violence or stalking. Yet some Members want to debate the rights of their abusers. I fully support the tribal provisions in this bill. Yet I must point out that none of the expanded criminal jurisdiction applies to Alaska Native tribes except for one true reservation at the very southern tip of Alaska. Today is not the day to fight that fight, but I will take it up again soon from my seat on the Indian Affairs Committee in the Senate.

Study after study has concluded that the lack of effective local law enforcement in Alaska Native villages contributes to so many problems: increased crime, alcohol and drug abuse, domestic violence, and poor educational achievement. When it comes to protecting those most at risk, Congress must recognize the need for local control, local responsibility, and local accountability. This bill will take a big step forward today on Indian reservations in the lower 48.

At a later time, we will get to my bill, which I have introduced in the past as the Alaska Safe Families and Villages Act.

My bill would establish small demonstration projects so a handful of federally recognized tribes in Alaska's villages can take action. They would be allowed to address domestic violence and alcohol-related cases within their villages and village boundaries.

Our Native villages are vibrant, resilient communities, and we must answer their calls for help. That includes an "all of the above" approach to combating domestic violence and abuse. The one thing we know for sure is the status quo is not working. It is not just about slogans or feel-good statements. We need to act.

But for now—for today—let's vote on VAWA and get this bill passed. Let's protect women and children and families all over this country. And let's send a strong message to our colleagues in the House, that this time there is no hiding. It is time to get the job done. It is time to put politics aside. Pass this bill and truly save lives.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL of New Mexico. Mr. President, I ask the Senator from Iowa, Mr. GRASSLEY, is he in the queue to speak?

Mr. GRASSLEY. For 7 or 8 minutes.

Mr. UDALL of New Mexico. Excuse me?

Mr. GRASSLEY. If I could have 7 or 8 minutes now.

Mr. UDALL of New Mexico. Yes. The Senator is in the queue because Senator BEGICH just spoke. That would be great. I thank the Senator very much. I appreciate it.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, there has long been bipartisan support for the Violence Against Women Act. Too many women are victims of domestic violence, sexual assault, stalking, and dating violence. Federal support for services to these women, and sometimes even men, has been beneficial to our country.

I support many of the provisions in the majority bill. There are consolidations of grants, cyber stalking, rural programs, assistance for individuals with disabilities, older victims, housing protections, and numerous other provisions I wholeheartedly support. There is overwhelming bipartisan support for 98 percent of what is contained in S. 47.

The process on the Violence Against Women Act in the 112th Congress was very disappointing, and I expressed that last year during debate on this issue.

Previously, the Violence Against Women Act was reauthorized unani-

mously—I mean prior to the debate last year and this year.

When new provisions were added in the past, prior to last year, they were consensus items. The law then was reauthorized by consensus. Something similar could have happened again last year, but it did not. New provisions were forced into the bill. Some of these provisions were controversial. Some raised serious constitutional concerns. But those on the other side of the aisle insisted on these provisions without change and refused any sort of middle ground. It appeared that the debate was more about blame and politics than it was about providing help to women in need.

Last Congress, both the Republican leader and this Senator offered that the Senate consent to striking a provision that violated the Constitution's Origination clause and then we would proceed to conference. Everybody knows that the Constitution's Origination clause says that issues involving raising revenue must start in the other body. Well, this bill raised revenue and, consequently, violated that constitutional provision.

Yet today, S. 47 has removed that provision that raised this blue slip problem in the other body. It does this only a few months after the majority refused to drop it and proceed to conference. What I just said tells you, if it had been done as they are doing it right now, we could have gotten this bill to conference and had something to the President in the last Congress. The willingness of the majority today to eliminate that unconstitutional provision demonstrates that we could have had a bill last year, and that is what I want to express to my colleagues as a terribly disappointing proposition for this Senator.

It is not true that unless S. 47 is passed exactly as is, various groups will be excluded from protection under the law. Current law protects all victims. Vice President BIDEN wrote the current law. Every Member of the Senate who was a Member of this body when the Violence Against Women Act last was reauthorized voted for that bill, which backs up what I have been saying several times during my remarks, that this could have passed last year as a consensus piece of legislation and has passed in other reauthorizations as a consensus piece of legislation.

Neither Vice President BIDEN nor any other Senator passed a discriminatory bill in the past. It is not the case that unless the controversial provisions are accepted exactly as the majority insists, without any compromise whatsoever, that any groups will be excluded.

The key stumbling block to enacting a bill at this time is the provision concerning Indian tribal courts. That provision raises serious constitutional

questions concerning both the sovereignty of tribal courts and the constitutional rights of defendants who would be tried in those tribal courts.

We should focus on providing needed services for Native American women. But S. 47 makes political statements and expounds needlessly on Native American sovereignty. It raises such significant constitutional problems that its passage might actually not accomplish anything at all for Native American women, while at the same time failing to protect the constitutional rights of other American citizens.

Even the respected organization, the Congressional Research Service, has raised constitutional questions about the tribal provisions in this bill. I hope that whatever the Senate might do today, negotiations on these questions will continue. I am confident that if we can reach agreement on these questions, compromises on the other few remaining issues can also be secured, allowing the bill to pass with overwhelming bipartisan support.

So following up on some of the concerns I have raised this morning, I will yet today, if possible, offer a substitute that is much more likely to be accepted by the other body and then get to the President for signature.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL of New Mexico. Mr. President, I rise today to express my support for the Violence Against Women Reauthorization Act. It is important that we are doing this early in the 113th Congress and unfortunately that we have to have this debate again. The Senate passed a nearly identical bill last April—a bill with strong bipartisan support—but the House failed to bring it up for a vote, allowing the law to expire at the end of last year.

Many House Republicans opposed the Senate bill because it expanded VAWA protections to three groups: gays and lesbians, Native Americans, and undocumented immigrants. I support all three of these expansions.

Today I want to again stress how crucial this measure is to Native American women. For the past 19 years, the Violence Against Women Act helped protect Native women from domestic violence, from sexual assault, and from stalking. This historic legislation has strengthened the prosecution of these crimes, and it has provided critical support to the victims.

VAWA has long been bipartisan, with broad support. Democrats, Republicans, law enforcement officers, prosecutors, judges, health professionals, all have supported this legislation. Why? Because it has worked. Since VAWA's passage in 1994, domestic violence has decreased by over 50 percent, and the victims of these crimes have been more willing to come forward,

knowing they are not alone, knowing they will get the support they need, knowing that crimes against women will not be tolerated.

Unfortunately, not all women have received the full benefits of the Violence Against Women Act. That is why the tribal provisions now are so important. Native American Women are 2½ times more likely than other U.S. women to be victims of rape. One in three will be sexually assaulted in their lifetimes. And it is estimated that three out of every five Native women will experience domestic violence.

Those numbers are tragic. Those numbers tell a story of great human suffering, of women in desperate situations, desperate for support, and too often we have failed to provide that support. The frequency of violence against Native women is only part of the tragedy. Too often these crimes go unprosecuted and unpunished. Not only is violence inflicted but justice is denied.

Here is the problem: Tribal governments are unable to prosecute non-Indians for domestic violence crimes. They have no authority over these crimes against Native American spouses or partners within their own tribal lands.

Instead, under existing law, these crimes fall exclusively under Federal jurisdiction. But Federal prosecutors have limited resources. They may be located hours away from tribal communities. Non-Indian perpetrators often go unpunished. Yet over 50 percent of Native women are married to non-Indians, and 76 percent of the overall population living on tribal lands is non-Indian.

The result is an escalating cycle of violence. On some tribal lands, the homicide rate for Native women is up to 10 times the national average—10 times the national average. But this starts with small crimes, small acts of violence that may not rise to the attention of a Federal prosecutor.

In 2006 and 2007, U.S. attorneys prosecuted only 45 misdemeanor crimes on tribal lands. For perspective, the Salt River Reservation in Arizona—which is relatively small—reported more than 450 domestic violence cases in 2006 alone. Those numbers are appalling.

Native women should not be abandoned to a jurisdictional loophole. In effect, these women are living in a prosecution-free zone. The tribal provisions in VAWA will provide a remedy.

The bill allows tribal courts to prosecute non-Indians in a narrow set of cases that meet the following specific conditions: The crime must have occurred in Indian country; the crime must be either a domestic violence or dating violence offense or a violation of a protective order; and the non-Indian defendant must reside in Indian country, be employed in Indian coun-

try, or be the spouse or intimate partner of a member of the prosecuting tribe.

This bill does not extend tribal jurisdiction to general crimes of violence by non-Indians. It does not apply to crimes between two non-Indians, crimes between persons with no ties to the tribe. If they do not have any ties to the tribe, it does not apply. Nothing in this provision diminishes or alters the jurisdiction of any Federal or State court.

I know some of my colleagues question whether a tribal court can provide the same protections to defendants that are guaranteed in a Federal or State court. The bill addresses this concern. It provides comprehensive protections to all criminal defendants who are prosecuted in tribal courts, whether or not the defendant is a Native American. Defendants would essentially have the same rights in tribal court as they do in State court. These include, among many others, the right to counsel, the right to a speedy trial, the right to due process, the rights against unreasonable search and seizure, double jeopardy, and self-incrimination. A tribe that does not provide these protections cannot prosecute non-Indians under this provision.

Some have also questioned whether Congress has the authority to expand tribal criminal jurisdiction to cover non-Indians. This issue was carefully considered in drafting the tribal jurisdiction provisions. The Indian Affairs and Judiciary Committees worked closely with the Department of Justice to ensure that the legislation is constitutional.

As a former Federal prosecutor and attorney general of a State with a large Native American population, I know how difficult the legal maze can be for tribal communities. One result of this maze is unchecked crime. In situations where personnel and funding run thin and distances are long, violence often goes unpunished. This legislation will create a local solution for a local problem. Tribes have proven their effectiveness in combating domestic violence committed by Native Americans.

But let me reiterate this very important point: Without an act of Congress, tribes cannot prosecute a non-Indian, even if he lives on the reservation, even if he is married to a tribal member. Without this act of Congress, tribes will continue to lack authority.

This legislation will create a local solution for a local problem. Tribes have proven their effectiveness in combating domestic violence committed by Native Americans. But let me reiterate this very important point—without an act of Congress, tribes cannot prosecute a non-Indian. Even if he lives on the reservation. Even if he is married to a tribal member. Without this act of Congress, tribes will continue to lack authority.

This bill will also promote other important efforts to protect Native women from an epidemic of domestic violence, with increasing grants for tribal programs to address violence, with support for research on violence against Native women, and also by allowing Federal prosecutors to seek tougher sentences for perpetrators who strangle or suffocate their spouses or partners.

All of these provisions are about justice. Right now, Native women do not get the justice they deserve. But these are strong women. They, rightly, demand to be heard. They have identified a desperate need and logical solutions. That is why Native women and tribal leaders across the Nation support the Violence Against Women Reauthorization Act and the proposed tribal provisions.

There are many—far too many—stories of violence against Native women, and of the failure to protect them. Stories that should outrage us all. And that could end through local intervention. Local authority that will only be made possible through an act of Congress. We have the opportunity to support such an act in the tribal provisions of VAWA. With this bill we can close a dark and desperate loophole in criminal jurisdiction. Native women have waited too long already for justice. They should not have to wait any longer.

Senator LEAHY had asked that I put tribal statements in the RECORD. I ask unanimous consent to have printed in the RECORD these letters from tribal and other organizations in support of the tribal provision in S. 47, the Violence Against Women Act.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OFFICE OF THE GOVERNOR,
PUEBLO OF TESUQUE,

Santa Fe, NM, February 5, 2012.

Re Support for S. 47, VAWA Reauthorization

Hon. PATRICK LEAHY,
Senate Committee on the Judiciary,
Washington, DC.

DEAR CHAIRMAN LEAHY: I write on behalf of the Pueblo of Tesuque to voice our strong support for S. 47, the Violence Against Women Reauthorization Act (VAWA) of 2013. This bill will provide local tribal governments with the long-needed control to combat acts of domestic violence against Native women and children on Indian lands regardless of the status of the offender.

The current justice system in place on Indian lands handcuffs the local tribal justice system. Non-Native men who abuse Native women hide behind these federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to Native women and their families.

Nationally, Native women are raped and assaulted at 2.5 times the national average. More than 1 in 3 Native women will be raped in their lifetimes, and more than 3 in 5 will suffer domestic assault. The U.S. Department of Justice (DOJ) has found that the current system of justice, "inadequate to stop the pattern of escalating violence

against Native women." Tribal leaders, police officers, and prosecutors have testified to the fact that when misdemeanor acts of domestic and dating violence go unaddressed, offenders become emboldened and feel untouchable, and the beatings escalate, often leading to death or severe physical injury. A National Institute of Justice-funded analysis of death certificates found that, on some reservations, Native women are murdered at a rate more than ten times the national average. S. 47 will crack down on reservation based domestic violence by all offenders at the early stages before violence escalates.

While the problem of violence against Native women is longstanding and broad, the jurisdictional provisions proposed in S. 47, Section 904, are well-reasoned and limited in scope. They extend only to misdemeanor level crimes of domestic and dating violence. They are limited to enforcement of reservation-based crimes involving individuals that work or live on an Indian reservation and who are in a serious relationship with a tribal citizen from that reservation. S. 47 also provides the full range of constitutional protections to abuse suspects who would be subject to the authority of tribal courts.

In June of 2010, the United States Senate, by unanimous consent, passed the Tribal Law and Order Act (TLOA). On July 27, 2010, the House of Representatives passed the measure under suspension of the rules. The tribal provisions in S. 47 are subject to a more narrow set of crimes, are limited to misdemeanor level punishments, and would provide a broader range of protections to suspects of abuse than those required under TLOA. With such broad support for TLOA, it is troubling that some Members of Congress now claim that the narrowly tailored proposal in S. 47 raises constitutional concerns. Such concerns are unfounded.

In 2004, the U.S. Supreme Court affirmed a similar restoration of tribal government authority through an amendment to the Indian Civil Rights Act. Congress has this authority, and Native women throughout the United States desperately need us to act so that they can be afforded similar access to justice that many others take for granted.

In 1978, the U.S. Supreme Court, in deciding to divest Indian tribes of authority over local reservation-based crimes, made the following statement:

"We recognize that some Indian tribal court systems have become increasingly sophisticated and resemble in many respects their state counterparts. . . . *We are not unaware of the prevalence of non-Indian crime on today's reservations which the tribes forcefully argue requires the ability to try non-Indians.* But these are considerations for Congress to weigh." *Oliphant v. Suquamish Indian Tribe*, 435 U.S. 191, 211 (1978) (emphasis added).

This statement and resulting gaps in criminal jurisdiction on Indian lands have haunted Native women and tribal communities nationwide for more than 35 years. Time has come for Congress to act. S. 47 takes reasonable well-tailored measures to fill the gap in local authority, and will go far in helping to prevent future acts of violence against Native women nationwide. Thank you for again including these vital provisions in your VAWA Reauthorization.

Sincerely,

MARK MITCHELL,
Governor.

SAMISH INDIAN NATION,

Anacortes, WA, February 4, 2012.

Re Support for S. 47, VAWA Reauthorization

Hon. PATRICK LEAHY,
Senate Committee on the Judiciary,
Washington, DC.

DEAR CHAIRMAN LEAHY: I write on behalf of the Samish Indian Nation to voice our strong support for S. 47, the Violence Against Women Reauthorization Act (VAWA) of 2013. This bill will provide local tribal governments with the long-needed control to combat acts of domestic violence against Native women and children on Indian lands regardless of the status of the offender.

The current justice system in place on Indian lands handcuffs the local tribal justice system. Non-Native men who abuse Native women hide behind these federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to Native women and their families.

Nationally, Native women are raped and assaulted at 2.5 times the national average. More than 1 in 3 Native women will be raped in their lifetimes, and more than 3 in 5 will suffer domestic assault. The U.S. Department of Justice (DOJ) has found that the current system of justice, "inadequate to stop the pattern of escalating violence against Native women." Tribal leaders, police officers, and prosecutors have testified to the fact that when misdemeanor acts of domestic and dating violence go unaddressed, offenders become emboldened and feel untouchable, and the beatings escalate, often leading to death or severe physical injury. A National Institute of Justice-funded analysis of death certificates found that, on some reservations, Native women are murdered at a rate more than ten times the national average. S. 47 will crack down on reservation based domestic violence by all offenders at the early stages before violence escalates.

While the problem of violence against Native women is longstanding and broad, the jurisdictional provisions proposed in S. 47, Section 904, are well-reasoned and limited in scope. They extend only to misdemeanor level crimes of domestic and dating violence. They are limited to enforcement of reservation-based crimes involving individuals that work or live on an Indian reservation and who are in a serious relationship with a tribal citizen from that reservation. S. 47 also provides the full range of constitutional protections to abuse suspects who would be subject to the authority of tribal courts.

In June of 2010, the United States Senate, by unanimous consent, passed the Tribal Law and Order Act (TLOA). On July 27, 2010, the House of Representatives passed the measure under suspension of the rules. The tribal provisions in S. 47 are subject to a more narrow set of crimes, are limited to misdemeanor level punishments, and would provide a broader range of protections to suspects of abuse than those required under TLOA. With such broad support for TLOA, it is troubling that some Members of Congress now claim that the narrowly tailored proposal in S. 47 raises constitutional concerns. Such concerns are unfounded.

In 2004, the U.S. Supreme Court affirmed a similar restoration of tribal government authority through an amendment to the Indian Civil Rights Act. Congress has this authority, and Native women throughout the United States desperately need us to act so that they can be afforded similar access to justice that many others take for granted.

In 1978, the U.S. Supreme Court, in deciding to divest Indian tribes of authority over

local reservation-based crimes, made the following statement:

"We recognize that some Indian tribal court systems have become increasingly sophisticated and resemble in many respects their state counterparts. . . . *We are not unaware of the prevalence of non-Indian crime on today's reservations which the tribes forcefully argue requires the ability to try non-Indians.* But these are considerations for Congress to weigh." *Oliphant v. Suquamish Indian Tribe*, 435 U.S. 191, 211 (1978) (emphasis added).

This statement and resulting gaps in criminal jurisdiction on Indian lands have haunted Native women and tribal communities nationwide for more than 35 years. Time has come for Congress to act. S. 47 takes reasonable well-tailored measures to fill the gap in local authority, and will go far in helping to prevent future acts of violence against Native women nationwide. Thank you for again including these vital provisions in your VAWA Reauthorization.

Sincerely,

TOM WOOTEN.

GREAT PLAINS TRIBAL
CHAIRMAN'S ASSOCIATION,

Rapid City, SD, February 4, 2013.

Re Support for S. 47, VAWA Reauthorization

Hon. PATRICK LEAHY,
Senate Committee on the Judiciary,
Washington, DC.

DEAR CHAIRMAN LEAHY: I write on behalf of the Great Plains Tribal Chairman's Association to voice our strong support for S. 47, the Violence Against Women Reauthorization Act (VAWA) of 2013. This bill will provide local tribal governments with the long-needed control to combat acts of domestic violence against Native women and children on Indian lands regardless of the status of the offender.

The current justice system in place on Indian lands handcuffs the local tribal justice system. Non-Native men who abuse Native women hide behind these federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to Native women and their families.

Nationally, Native women are raped and assaulted at 2.5 times the national average. More than 1 in 3 Native women will be raped in their lifetimes, and more than 3 in 5 will suffer domestic assault. The U.S. Department of Justice (DOJ) has found that the current system of justice, "inadequate to stop the pattern of escalating violence against Native women." Tribal leaders, police officers, and prosecutors have testified to the fact that when misdemeanor acts of domestic and dating violence go unaddressed, offenders become emboldened and feel untouchable, and the beatings escalate, often leading to death or severe physical injury. A National Institute of Justice-funded analysis of death certificates found that, on some reservations, Native women are murdered at a rate more than ten times the national average. S. 47 will crack down on reservation based domestic violence by all offenders at the early stages before violence escalates.

While the problem of violence against Native women is longstanding and broad, the jurisdictional provisions proposed in S. 47, Section 904, are well-reasoned and limited in scope. They extend only to misdemeanor level crimes of domestic and dating violence. They are limited to enforcement of reservation-based crimes involving individuals that work or live on an Indian reservation and who are in a serious relationship with a tribal citizen from that reservation. S. 47 also

provides the full range of constitutional protections to abuse suspects who would be subject to the authority of tribal courts.

In June of 2010, the United States Senate, by unanimous consent, passed the Tribal Law and Order Act (TLOA). On July 27, 2010, the House of Representatives passed the measure under suspension of the rules. The tribal provisions in S. 47 are subject to a more narrow set of crimes, are limited to misdemeanor level punishments, and would provide a broader range of protections to suspects of abuse than those required under TLOA. With such broad support for TLOA, it is troubling that some Members of Congress now claim that the narrowly tailored proposal in S. 47 raises constitutional concerns. Such concerns are unfounded.

In 2004, the U.S. Supreme Court affirmed a similar restoration of tribal government authority through an amendment to the Indian Civil Rights Act. Congress has this authority, and Native women throughout the United States desperately need us to act so that they can be afforded similar access to justice that many others take for granted.

In 1978, the U.S. Supreme Court, in deciding to divest Indian tribes of authority over local reservation-based crimes, made the following statement:

"We recognize that some Indian tribal court systems have become increasingly sophisticated and resemble in many respects their state counterparts. . . . *We are not unaware of the prevalence of non-Indian crime on today's reservations which the tribes forcefully argue requires the ability to try non-Indians.* But these are considerations for Congress to weigh." *Oliphant v. Suquamish Indian Tribe*, 435 U.S. 191, 211 (1978) (emphasis added).

This statement and resulting gaps in criminal jurisdiction on Indian lands have haunted Native women and tribal communities nationwide for more than 35 years. Time has come for Congress to act. S. 47 takes reasonable well-tailored measures to fill the gap in local authority, and will go far in ensuring domestic safety for Native women nationwide. We urge you to support and vote for S. 47 when the measure moves to the Senate floor. Thank you for your attention to this matter.

Sincerely,

TEX "RED TIPPED ARROW"
HALL,
Chairman, Mandan,
Hidatsa, Arikara
Nation, Three Affiliated
Tribes, Chairman,
Great Plains
Tribal Chairman's
Association.

NATIONAL COUNCIL OF JUVENILE
AND FAMILY COURT JUDGES,
Reno, NV, February 4, 2013.

Sen. PATRICK LEAHY,
Chairman, Senate Committee on the Judiciary,
Washington, DC.

TO THE MEMBERS OF THE U.S. SENATE: On behalf of the National Council of Juvenile and Family Court Judges (NCJFCJ) and its 2,000 members who represent the nation's 30,000 state family and juvenile court judges, I am writing in support of Title IX of S. 47, the bill to reauthorize the Violence Against Women Act. In particular, I am writing to apprise you of the NCJFCJ's strong support for the recognition of tribes' need for and sovereign authority to establish tribal courts to address the epidemic of domestic violence on tribal lands.

On January 21, 2011, the NCJFCJ adopted an organizational policy that states that we

recognize tribal courts as equal and parallel systems of justice to the state court systems. We did so because our state court judge members have a strong history of working with tribal courts and are aware of their capacity to adjudicate local cases of domestic violence. Our organization has long supported the efforts of tribal courts to address these crimes, whether these crimes are committed by Indian or non-Indian persons, in order to protect the safety of the victims of these crimes, their family members, and the local community.

In our role as state court judges working alongside tribal lands, we are in a unique position to see the shortcomings of the current system of justice afforded to the tribes through the federal district courts. Currently, only the U.S. Attorneys can prosecute these cases—but they seldom do, because there are not enough U.S. Attorneys to handle these cases and because in many cases the nearest office of the U.S. Attorney is several hundred miles away. The remote locations of many tribal communities create serious obstacles to access for victims of these crimes. They have no way to get to federal court and the federal court has no capacity to reach out to these geographically distant communities. Yet we know how dangerous domestic violence cases can be, and cannot stand by and let these crimes go unaddressed. Too many lives are at risk; too many victims and children are left to suffer because the only system of justice afforded to them is utterly out of reach.

We believe that the provisions contained in S. 47 create an excellent path for supporting a system of tribal courts that can quickly, appropriately, and fairly respond to the epidemic of domestic violence on tribal lands. We base this belief on the long history NCJFCJ has had in providing training and technical assistance to tribal courts. There is a dedication and willingness on the part of both tribal and state courts to build the best possible system of justice for Native victims of domestic violence. We ask the Senate to recognize the appropriateness of tribal courts' providing protection to their most vulnerable community members. In the interests of justice for all, we ask you to vote for S. 47 so that its tribal provisions can become law.

If you have any questions, we stand ready to answer with whatever information you may need.

Sincerely,

MICHAEL NASH,
President, National Council of
Juvenile and Family Court Judges.

SUSANVILLE INDIAN RANCHERIA,

Susanville, CA, February 4, 2013.

Re Support for S. 47, VAWA Reauthorization

Hon. PATRICK LEAHY,
Senate Committee on the Judiciary,
Washington, DC.

DEAR CHAIRMAN LEAHY: I write on behalf of the Susanville Indian Rancheria to voice our strong support for S. 47, the Violence Against Women Reauthorization Act (VAWA) of 2013. This bill will provide local tribal governments with the long-needed control to combat acts of domestic violence against Native women and children on Indian lands regardless of the status of the offender.

The current justice system in place on Indian lands handcuffs the local tribal justice system. Non-Native men who abuse Native women hide behind these federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to Native women and their families.

Nationally, Native women are raped and assaulted at 2.5 times the national average. More than 1 in 3 Native women will be raped in their lifetimes, and more than 3 in 5 will suffer domestic assault. The U.S. Department of Justice (DOJ) has found that the current system of justice, “inadequate to stop the pattern of escalating violence against Native women.” Tribal leaders, police officers, and prosecutors have testified to the fact that when misdemeanor acts of domestic and dating violence go unaddressed, offenders become emboldened and feel untouchable, and the beatings escalate, often leading to death or severe physical injury. A National Institute of Justice-funded analysis of death certificates found that, on some reservations, Native women are murdered at a rate more than ten times the national average. S. 47 will crack down on reservation based domestic violence by all offenders at the early stages before violence escalates.

While the problem of violence against Native women is longstanding and broad, the jurisdictional provisions proposed in S. 47, Section 904, are well-reasoned and limited in scope. They extend only to misdemeanor level crimes of domestic and dating violence. They are limited to enforcement of reservation-based crimes involving individuals that work or live on an Indian reservation and who are in a serious relationship with a tribal citizen from that reservation. S. 47 also provides the full range of constitutional protections to abuse suspects who would be subject to the authority of tribal courts.

In June of 2010, the United States Senate, by unanimous consent, passed the Tribal Law and Order Act (TLOA). On July 27, 2010, the House of Representatives passed the measure under suspension of the rules. The tribal provisions in S. 47 are subject to a more narrow set of crimes, are limited to misdemeanor level punishments, and would provide a broader range of protections to suspects of abuse than those required under TLOA. With such broad support for TLOA, it is troubling that some Members of Congress now claim that the narrowly tailored proposal in S. 47 raises constitutional concerns. Such concerns are unfounded.

In 2004, the U.S. Supreme Court affirmed a similar restoration of tribal government authority through an amendment to the Indian Civil Rights Act. Congress has this authority, and Native women throughout the United States desperately need us to act so that they can be afforded similar access to justice that many others take for granted.

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“We recognize that some Indian tribal court systems have become increasingly sophisticated and resemble in many respects their state counterparts. . . . We are not unaware of the prevalence of non-Indian crime on today’s reservations which the tribes forcefully argue requires the ability to try non-Indians. But these are considerations for Congress to weigh.” *Oliphant v. Suquamish Indian Tribe*, 435 U.S. 191, 211 (1978) (emphasis added).

This statement and resulting gaps in criminal jurisdiction on Indian lands have haunted Native women and tribal communities nationwide for more than 35 years. Time has come for Congress to act. S. 47 takes reasonable well-tailored measures to fill the gap in local authority, and will go far in helping to prevent future acts of violence against Native women nationwide. Thank

you for again including these vital provisions in your VAWA Reauthorization.

Sincerely,

STACY DIXON,
Tribal Chairman.

Mr. UDALL of New Mexico. I know my colleague, the Senator from Minnesota, Ms. KLOBUCHAR, is here today—another prosecutor, another Senator who knows the importance of this law. I very much appreciate her hard work in terms of bringing justice to tribal communities and bringing justice to women across this Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I wish to first thank the Senator from New Mexico for his great leadership on this issue. This is a national issue. It is a bipartisan issue. It crosses geographic lines. Those of us who have significant tribal communities know how important these provisions are to this bill.

We tried very hard on the Judiciary Committee to make sure this bill is consistent with the bipartisan work we have done in the past, but we also saw it as an opportunity to consolidate some of the programs to save money and then to look at areas where we needed to be more sophisticated, where we needed to respond to changing issues in the law. Certainly, the tribal jurisdiction issue was one of those major issues.

I rise today to talk about the importance of this bill. It is a law that has changed the way we think about violence against women in the United States of America. The Violence Against Women Act is one of the great legislative success stories in the criminal area in the last few decades. Since it was first passed in 1994, annual domestic violence rates have fallen by 50 percent. Now, you usually cannot say that about criminal prosecution efforts. I usually do not have that kind of number. But that is what we have—since 1994, a 50-percent difference in domestic violence rates.

People have stopped looking at the issue of domestic violence as a family issue, and they have started treating domestic violence and sexual assault as the serious crimes they are. Last year Minnesota recorded the lowest number of domestic-related deaths since 1991—down from 34 in 2011 to 18. This is in no small part due to the Violence Against Women Act. Women have more access to intervention programs, and they feel more empowered to come forward.

I know in my own county, where I was chief prosecutor for 8 years, thanks to the good work of Paul and Sheila Wellstone, and my predecessor Mike Freeman, we set up one of the most unique domestic violence service centers in the country. It has been a model for the rest of the country. Under my leadership, we also made

changes to it to advance it to even higher levels. But the point is that it is a one-stop shop for the victims of domestic violence, so they can come in, see a prosecutor, see a cop, have a place for their kids to play, be able to find a shelter and a place to live, all under one roof instead of walking through the maze of the bureaucracy in the Government Center.

Both prevention and prosecution of domestic violence work were among my top priorities as a prosecutor. I know we have done good work, but there is still a lot of work that needs to be done.

According to a recent survey conducted by the Centers for Disease Control and Prevention, 24 people per minute are victims of rape, physical violence, or stalking by an intimate partner in this country. Approximately one in four women has experienced severe physical violence by an intimate partner at some point in her lifetime, and 45 percent of the women killed in the United States are killed by their partner. Every year close to 17,000 people still lose their lives to domestic violence. These statistics mean that sexual assault, domestic violence, and stalking are still problems in America. That is why it is so important that we move quickly to take up this bill.

Just like the two prior authorizations in 2000 and 2006, this bill strengthens current law and provides solutions to problems that we have learned more about since VAWA first passed in 1994.

The Senate bill continues a tradition of bipartisan sponsorship, with 60 cosponsors, including 7 Republicans. As we know, last April the Senate approved this bill by a 68-to-31 vote. All 17 women Senators—I see my colleague Senator MURKOWSKI here from Alaska. We thank her for her support and vote for that bill. This truly brought the women of the Senate together to stand up against domestic violence.

What does this bill do that is different from the last bill? Well, it consolidates duplicative programs and streamlines others. It provides greater flexibility for the use of grant money. It has new training requirements for people providing legal assistance to victims. As I mentioned, it takes important steps to address the disproportionately high domestic violence rates in Native American communities.

I am disappointed that we were unable to include the modest increase in U visas for immigrant victims of domestic violence. There were technical objections to including that provision. It was removed in order to improve our chances of getting this bill done once and for all. U visas are an important tool for encouraging victims to come forward. I will press to increase the number of U visas available to victims when we work on the comprehensive immigration reform bill in the spring.

One thing I wish to note about this bill is that it closes many gaps in the current system, ways to improve the current system. There was a bill I introduced with Senator Hutchison to address high-tech stalking, cases where stalkers use technology such as the Internet, video surveillance, and bugging to stalk victims. This is not something we probably would be talking about if I were standing here in 1994, but here in 2013, we know it is an issue. We have seen cases across the Nation of this kind of video surveillance and Internet bugging. In fact, we had a very high profile case involving a high profile newscaster who was willing to come forward and work with House and Senate authors on this bill. We are very pleased to have had the support from the Fraternal Order of Police, Federal Law Enforcement Officers Association, National Sheriffs' Association, and the International Association of Chiefs of Police. They have all endorsed this bill.

This provision, the high-tech stalking provision, is included in the Violence Against Women Act, so we are very happy about that. Again, I believe our laws have to be as sophisticated as those who are breaking them. If they are using the Internet, if they are spying with video cameras through peepholes, we have to be able to respond to that.

I wanted to end by telling a story I told when we first started to consider this bill over a year ago. A year ago, over the holidays, I went to one of the saddest funerals I ever attended. It was the funeral for Shawn Schneider. He was a Lake City police officer in Minneapolis. I have since gotten to know his widow. He died responding to a domestic violence case. He went up to the door. He had received a call from the 17-year-old victim—the department had. He went up there to that door, and he got shot in the head. His bulletproof vest did not protect him. Nothing protected him. When I was sitting in that church and saw his three little children, including that little girl in her little blue dress covered in stars, I thought to myself at that moment, the victims of domestic abuse are not just one victim. It is an entire family. It is an entire community. So in their honor today, in the honor of those children, I would like us to have strong bipartisan support for the Violence Against Women Act. I believe we can do it.

I ask unanimous consent to have printed in the RECORD these letters from law enforcement and criminal justice organizations in support of S. 47, the Violence Against Women Act.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AEQUITAS, THE PROSECUTORS' RESOURCE ON VIOLENCE AGAINST WOMEN,

Washington, DC, February 4, 2013.

Hon. PATRICK LEAHY,
Chairman, Senate Committee on Judiciary,
Washington, DC.

Hon. BOB GOODLATTE,
Chairman, House Committee on Judiciary,
Washington, DC.

Hon. CHARLES GRASSLEY,
Ranking Member, Senate Committee on Judiciary,
Washington, DC.

Hon. JOHN CONYERS,
Ranking Member, House Committee on Judiciary,
Washington, DC.

DEAR CHAIRMAN LEAHY, CHAIRMAN GOODLATTE, RANKING MEMBER GRASSLEY AND RANKING MEMBER CONYERS: On behalf of AEQUITAS: The Prosecutors' Resource on Violence Against Women, in support for the Violence Against Women Act's (VAWA) reauthorization. AEQUITAS' mission is to improve the quality of justice in sexual violence, intimate partner violence, stalking, and human trafficking cases by developing, evaluating and refining prosecution practices that increase victim safety and offender accountability.

VAWA has unquestionably improved the nation's justice system response to the devastating crimes of sexual violence, intimate partner violence, and stalking. This critical legislation must be reauthorized to ensure a continued response to these crimes.

Since its original passage in 1994, VAWA has improved the criminal justice system's ability to keep victims safe and hold perpetrators accountable. As a result of this historic legislation, every state has enacted laws making stalking a crime and strengthened criminal rape and sexual assault statutes.

VAWA has undoubtedly had a positive impact on the efforts of prosecutors to hold offenders accountable while supporting victim safety. We urge Congress to reauthorize VAWA to build upon its successes and to expand its ability to improve our response to these crimes, hold perpetrators accountable, and keep victims and their children safe from future harm.

Thank you for your leadership and steadfast commitment to supporting victims of sexual violence, intimate partner violence, and stalking. We look forward to hearing of VAWA's swift reauthorization. If you have any questions, please feel free to contact me. Sincerely,

JENNIFER G. LONG, J.D.,
Director.

AMERICAN PROBATION AND
PAROLE ASSOCIATION,
Lexington, KY, February 1, 2013.

Senator PATRICK LEAHY,
Chairman, Committee on the Judiciary,
Washington, DC.

Senator MIKE CRAPO,
Washington, DC.

DEAR SENATORS LEAHY AND CRAPO: The American Probation and Parole Association (APPA) represents over 35,000 pretrial, probation, parole and community corrections professionals working in the criminal and juvenile justice systems nationally and come from federal, state, local and tribal jurisdictions. On behalf of our membership and constituents we wholeheartedly support your efforts to have the Violence Against Women Act (VAWA) reauthorized.

The VAWA initiatives have supported state, local and tribal efforts to effectively address the crimes of domestic violence, dat-

ing violence, sexual assault and stalking. These efforts have shown great progress and promise towards keeping victims safe and holding perpetrators accountable. The reauthorization of VAWA is critical to maintaining the progress of current initiatives and ensuring comprehensive and effective responses to these crimes in the future for the protection of all victims without consideration of race, ethnicity or sexual orientation.

Domestic violence perpetrators represent a significant proportion of the total population on community supervision. In 2008 there were nearly 86,000 adults on probation for a domestic violence offense in United States, and data from the California Department of Justice indicates that in 2000 approximately 90% of adults convicted of felony domestic violence offenses in that state were sentenced to a period of probation, either alone or coupled with incarceration. Domestic violence offenders are among the most dangerous offenders on community supervision caseloads, and in order to supervise domestic violence offenders effectively, community corrections professionals must receive adequate training.

Since its original passage in 1994, VAWA has been instrumental in increasing our constituents' attention to and understanding of these crimes as well as provided significant assistance in humanizing their responsiveness to victims and improving their practices related to accountability and intervention with perpetrators of these crimes. VAWA has without question been instrumental in developing community supervision practices that keep victims and their families safe from future harm and improved compliance and behavioral change for perpetrators.

We stand ready to assist you throughout the reauthorization process. If you have any questions or require further information or assistance, please feel free to contact me.

Sincerely,
CARL WICKLUND,
Executive Director.

ASSOCIATION OF
PROSECUTING ATTORNEYS,
Washington, DC, February 4, 2013.

Hon. PATRICK LEAHY,
Chairman, Senate Committee on Judiciary,
Washington, DC.

DEAR CHAIRMAN LEAHY: On behalf of the Association of Prosecuting Attorneys, which represents and supports all prosecutors, I am writing today regarding the Violence Against Women Act's (VAWA) reauthorization. VAWA has improved the criminal justice system's response to the devastating crimes of domestic violence, dating violence, sexual assault and stalking. The reauthorization of this critical legislation ensures a continued response to these crimes.

Since its original passage in 1994, VAWA has dramatically enhanced our nation's response to violence against women. More victims report domestic violence to the police, the rate of non-fatal intimate partner violence against women has decreased by 63%, and VAWA saved nearly \$14.8 billion in net averted social costs in just the first six years.

The reauthorization of VAWA builds upon existing efforts to more effectively combat violence against all victims. The reauthorization of VAWA renews a range of important programs and initiatives for law enforcement to address the various causes and far-reaching consequences of domestic violence, sexual assault, dating violence, and stalking. VAWA Reauthorization will further build upon the successes of these programs by including measures to ensure an

increased focus on sexual assault prevention, enforcement, and services; and providing assistance to law enforcement to take key steps to reduce backlogs of rape kits under their control.

VAWA has undoubtedly had a positive impact on the efforts of law enforcement agencies nationwide to keep victims and their children safe and hold perpetrators accountable. Thank you for your leadership and steadfast commitment to supporting victims of domestic violence, dating violence, sexual assault, and stalking. We look forward to hearing of VAWA's swift reauthorization. If you have any questions, feel free to contact me.

Sincerely,

STEVEN JANSEN,
Vice President/COO.

BOARD OF SUPERVISORS,
COUNTY OF SANTA BARBARA,

Santa Barbara, CA, January 31, 2013.

Hon. PATRICK LEAHY,
Chairman, Committee on the Judiciary, U.S.
Senate, Washington, DC.

DEAR MR. CHAIRMAN: I am writing on behalf of the Santa Barbara County Board of Supervisors to urge you to take action on legislation to reauthorize the Violence Against Women Act (VAWA).

Thank you for introducing S. 47, the Violence Against Women Reauthorization Act. Programs authorized by VAWA have saved lives as well as providing resources and training needed in communities like Santa Barbara County to address these reprehensible crimes, and the Board recognizes the importance of reauthorizing and enhancing the resources provided by this important public safety program.

The Violence Against Women Reauthorization Act would expand the law's focus on sexual assault and help ensure access to services for all victims of domestic and sexual violence. It also responds to these difficult economic times by consolidating programs, focusing on the most effective approaches, and adding accountability measures to ensure that Federal funds are used efficiently and effectively.

The Violence Against Women Act has been successful because it has consistently had strong bipartisan support for nearly two decades. Please work with the members of your committee to expedite action on S. 47 or similar legislation to reauthorize VAWA.

Sincerely yours,

THOMAS P. WALTERS,
Washington Representative.

AMERICAN BAR ASSOCIATION,
Chicago, IL, January 30, 2013.

Hon. PATRICK J. LEAHY,
U.S. Senate,
Washington, DC.

Hon. MICHAEL D. CRAPO,
U.S. Senate,
Washington, DC.

DEAR SENATORS LEAHY AND CRAPO: On behalf of the American Bar Association (ABA), with nearly 400,000 members across the country, I write to commend your continued bipartisan leadership in the cause of justice and equal rights with the introduction of the Violence Against Women Reauthorization Act of 2013. The ABA strongly supports your effort to renew proven and effective programs that support victims of domestic, sexual, stalking and dating violence and their families.

The ABA has long supported efforts to address domestic, sexual and stalking violence, and we recognize that the legal profession

fulfills an important role in addressing these crimes. Since 1994, the ABA's Commission on Domestic & Sexual Violence has also worked to increase access to justice for victims of domestic violence, sexual assault and stalking by mobilizing the legal profession.

In recent years, the ABA has adopted policies that specifically address VAWA reauthorization, including some of the more challenging issues that ultimately proved to be barriers to reauthorization during the last Congress:

February 2010: urging reauthorization and highlighting the need for legislation that "provides services, protection, and justice for underserved and vulnerable victims of violence, including children and youth who are victims or are witnesses to family violence, and victims who are disabled, elderly, immigrant, trafficked, LGBT and/or Indian."

August 2012: urging Congress "to strengthen tribal jurisdiction to address crimes of gender-based violence on tribal lands that are committed by non-Indian perpetrators."

VAWA reauthorization was a legislative priority for the association during the 112th Congress and a focus of our annual grassroots lobbying event, ABA Day 2012, when ABA, state, local, and specialty bar leaders from all 150 states met with members of Congress of both parties on this issue.

VAWA reauthorization remains a priority for the American Bar Association during the 113th Congress. We appreciate your leadership and look forward to working with you to ensure passage of this legislation.

Sincerely,

LAUREL G. BELLOWES.

ATTORNEY GENERAL OF MISSOURI,
Jefferson City, MO, February 6, 2013.

DEAR MEMBERS OF CONGRESS: In 1994, this nation's leaders enacted the Violence Against Women Act ("VAWA"). This landmark piece of legislation put in place a legal framework that better enabled states like Missouri to effectively investigate violent crimes against women, prosecute and punish offenders, and protect victims from further harm. In the decades since VAWA's enactment, Congress has twice voted to reauthorize the law. With each reauthorization, Congress not only strengthened the provisions of the law, it also reaffirmed this country's commitment to support survivors of personal violence and sexual assault. It is time to do so again.

Missouri women and their families rely on the programs and services that VAWA makes possible. For example, non-profit, community, and faith-based organizations use federal funds directed through VAWA's Sexual Assault Services Program to provide vital support to victims of sexual assault. And Missouri prosecutors, police officers, and court personnel participate in training funded through the STOP (Services Training Officers Prosecutors) program, equipping them to better address violent crime against women.

But the work is just beginning. In 2011, over 40,000 incidents of domestic violence were reported in Missouri. Thirty women were killed by their husbands or boyfriends. Missouri women reported more than 1,400 forcible rapes or attempted forcible rapes. And although over 10,000 women in need were able to find a place at a shelter, nearly 20,000 more were turned away.

By reauthorizing VAWA, this Congress will continue the effort undertaken nearly twenty years ago—the effort to eliminate violent crime perpetrated against our mothers, our sisters, our daughters, our neighbors, and

our friends. I urge each of you to support this important legislation.

Respectfully,

CHRIS KOSTER,

Attorney General, State of Missouri.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, first I would like to follow my colleague from Minnesota in voicing my support for passage of the Violence Against Women Act. As she noted, I have been a cosponsor of this very important legislation not only this Congress but last. I have urged on multiple occasions that we move forward with reauthorization of this very significant legislation, have urged the House to do the same last year. They failed to do that.

You do not give up when the cause is right. This is far too important to too many around the country. My colleague has cited some of the statistics and the issues and the initiatives she worked on when she was back home in her home State of Minnesota. It is something I think we all share—a concern for the levels of domestic violence within our respective States. In a State such as Alaska where we have so much to be proud of, unfortunately our statistics as they relate to domestic violence are appalling. Appalling.

So anything that we can do, whether it is here in Washington, DC, at the local level, the State level, we must do. We need to act here. So I join not only my colleague from Minnesota but so many who have led the charge here to do right as we work to reauthorize the Violence Against Women Act. I will have an opportunity to speak more on the VAWA reauthorization later.

DECISION BY THE DEPARTMENT OF THE INTERIOR

I wanted to take some time this morning to come to the floor to speak about an issue that has absolutely inflamed me this week. This week I learned that the Fish and Wildlife Service in the Department of the Interior has made a decision to deny the construction of a single-lane gravel emergency access road through a very, very tiny portion of a national wildlife refuge located on the Alaska Peninsula in southwest Alaska.

You might think, well, why is this such a big deal? You have heard me here on the floor or others here in this body have certainly heard me many times advocate on behalf of Alaska and the development of our resources to benefit the people of Alaska, to benefit the country as a whole. This is not a development project I am talking about here today. What I am addressing today is the health and the safety—the safety of the residents of a small Aleut community located in the Aleutian Islands. These are 748 people who really do not have the audiences so

many constituents in Alaska or in other parts of the country enjoy.

They are kind of out of sight, out of mind, if you will. They are not out of sight, out of mind, out of my heart.

One of the most important responsibilities we have as U.S. Senators, as Members of Congress, is to protect the safety of those people we represent.

I wish to tell the story of King Cove, AK, and what is going on. You have seen the picture of the map of Alaska, the big beautiful State. I don't have it superimposed over the rest of the lower 48, because my point today is not to talk about how big we are in comparison to the rest of the Nation as a whole but to put in context what we are talking about here when we talk about the community of King Cove, AK.

You have the Aleutian peninsula here that stretches out approximately 1,000 miles. You might not appreciate the length and scope we are talking about here, but the Aleutian chain is just exactly that.

King Cove is right on the end of this peninsula area in this diagram. It is kind of out there. When I say "kind of out there," there is nothing else around there. There are no roads that connect you to get anywhere when you want to go to "town." Town is Anchorage, AK, probably about 600 miles away, maybe even a little bit longer. It is most likely a \$1,000 airplane ticket to get there. That puts it in context here. This is King Cove, AK.

To put it in a little better context as to what we are speaking about, this is the community of King Cove right on the end of this lagoon, this bay. All the way around the other side of the bay is an area called Cold Bay. Cold Bay was designated during World War II as an air base this country relied on. During the war, they constructed a 10,000-foot runway. It is the second longest runway in the State of Alaska right now, and it is in pretty good shape. It is used as a divert runway. NASA uses it as one of its divert places. It is a pretty good solid airport.

Keep in mind, Cold Bay has about 100, maybe 110 people on a good day who live there. Around here, King Cove is an Aleut community. It has been around for maybe 1,000 years, maybe a couple of thousand years. It has been around a long time. The Aleut people have lived in this part of the country for thousands of years. This community now is host to about 748 people, give or take. During the fishing season you might get it up as high as possibly 1,000 people. It is not a booming metropolis by any stretch of the imagination.

King Cove, as you can see, is kind of isolated. There is water all around it. That is fair, that is good. This is a situation where this community is ringed by mountains.

I have a picture here of King Cove. When you look at the location of the

water, you see where the mountains are. These are pretty fjord-like. These are not timid and tame mountains. These are the types of mountains that get your attention when you are flying in.

The air strip here for King Cove sits right back up in this area. You need to come through these high mountains on all sides. When the cloud layer is low, as it usually is in this area, there are some issues as to whether you have a safe fly-out range.

There are clouds, not only cross currents that hit as you are coming into the airport, but you also have the downdraft coming off these very strong, very prominent mountains. This type of downdraft causes turbulence that particularly impacts helicopters which might be coming into this community for a rescue.

Again, as you look at the options of getting in and out of King Cove, your airport sits about here. You are rimmed with mountains. You may either fly in up this way or you may fly in and out that way. Either way you cut it, you are moving through very high mountainous terrain with winds on all sides coming from above, clouds coming from below. It is as tricky and as difficult a navigational issue as about anywhere in the State.

Going back to where King Cove sits in the ocean here, weather comes in off the Bering Sea up here and there is weather that comes up from the Gulf of Alaska here. It all kind of comes together right around the Aleutians. The Aleutians are known to be one of the areas, at least in this country, of—excuse the expression, but we call it snotty weather. It is foul weather too many times of the year, not just in the winter.

We saw last month the incident with Shell's vessel trying to move from Unalaska across the Gulf of Alaska during January and encountering seas of up to 40 feet. This is the weather we deal with in Alaska. There are difficult seas, and there are difficult flying situations. Yet there are people who call King Cove home and have for thousands of years.

You might ask why I am spending so much time talking about the weather. It sets the stage for this action the Department of Interior has taken and why I feel this decision is so wrong-headed, so shortsighted, and so wrong to the people who call this area home.

Talking again about the weather and what it means, when you are in a small community that doesn't have a hospital—you don't have a hospital if there are 748 people. We have an IHS clinic, an Indian Health Service clinic. To provide for health needs is a community health aid, and we might have a PA every now and again, but not always reliably. We actually did have a doctor out in King Cove some years ago. He was there in 2006, and he left

after 6 months. We don't have the medical assistance we need. When somebody suffers a heart attack, when a woman has a complication with a pregnancy, it is not as if you can stay there in King Cove and seek medical help.

What happens? They have to get out. Well, how do they get out? They can get out by boat. They can move around by boat from King Cove over to Cold Bay, where we have the second largest runway in the State of Alaska. It seems like a pretty simple situation. The problem is that a boat is about as dangerous oftentimes as flying. What happens is if you have weather this stinky, it raises the waves, making getting a fishing vessel across with a sick person, trying to get them to the dock on Cold Bay side and out of that vessel, a harrowing event.

This is a picture we took from a video which had been taken by the residents of King Cove. It might be difficult to see this, but what you are looking at here is a steel ladder, a ladder going up the side of the dock. It is about a 20-foot area there. Way down at the bottom here you see the base of a fishing vessel. What they are trying to do is to haul a sick, elderly gentleman up this metal ladder in the rain, sleet, and snow that is coming. You have a boat that is pitching and heaving here, with somebody up at the top of the dock ready to pick up this individual underneath their arms and haul them up onto the dock. This is not a condition you want if you are feeling at all poorly. The fishing vessel isn't helping, so maybe we could do something else. Congress back in 2005 said maybe we could put a hovercraft there so it can fly the waters between this point here and Cold Bay over here, because there is a road that can take you right along here and take you across to the water.

The problem was not only the seas wouldn't accommodate, but also the operational costs were through the roof. It made no sense, and the people in King Cove and Cold Bay had acknowledged it was not going to make any sense. They tried it, they were game, but it hasn't worked.

What happened was action needed to be taken because we were seeing too many people whose lives were at risk. We were seeing too many people who were killed trying to get out in an effort to seek the medical help they needed.

At some point in time you say this doesn't work. When you have a way out, and it could be a simple road, why wouldn't we do that to address the life safety of the people who live here?

Back in 1979 and 1980, there were a number of airplane crashes that happened as they were trying to take off and land in King Cove. In 1981 we had a medevac plane go down. We lost a nurse, her helper, the patient, and the medevac's pilot—all killed. They were

trying to airlift an individual who had suffered a heart attack. Everybody was killed.

In 2010, there was an airplane crash that occurred well on landing into King Cove. Della Trumble, who has long been an advocate for a solution to help the people of King Cove, was watching that plane land because her daughter was coming home. To be sitting there at the air strip, watching the plane come in to deliver your daughter, knowing the weather is foul, knowing the conditions are sketchy, and then seeing that airplane crash in front of your eyes—fortunately for Della and her daughter, she walked away. Think about that trauma.

In February of 2011, the Coast Guard was forced to dispatch a helicopter out of Kodiak, moving a helicopter from Kodiak over to King Cove. They were trying to transfer a 73-year-old woman who was suffering from chest pains. A few days later the Coast Guard tried and failed to reach King Cove with a helicopter to airlift an 80-year-old woman who was also suffering chest pains. Fortunately, she survived. Two days later, there was another medical airlift that was delayed 6 hours from leaving.

I just received the statistics from the Coast Guard for last year. How many rescue missions did the Coast Guard take on to go into King Cove to help those who needed help—not because the medevacs didn't want to go help or because it was going to be too costly—because the medevacs refused to go in because they will not take those risks.

What do we do? We call on our fabulous Coast Guard to come in and do the job. It was five times last year. It is scary work. The Coast Guard does it, and fortunately nobody was killed last year. How many people need to be killed when you have an option for a road to get you to the second longest runway in the State of Alaska?

Let me share with others what it is we actually did to address this problem. We said this is not acceptable. Five years ago this Congress approved a land exchange. In that exchange the Aleut people and the State of Alaska agreed to give up 56,400 acres of prized waterfowl habitat. They said, okay, we are going to give up 56,000 acres here to add to the Alaska peninsula and Izembek National Wildlife Refuge. We are going to trade this and, in return, the government will give back about 1,800 acres.

Do the quick math on this. This is a 300-to-1 exchange the people agreed to, and it is even less when we isolate it. We are talking about 206 acres that are at issue—206 acres to allow for construction of a one-lane gravel road that will have no commercial use. This is to be used for emergency access. If someone needs to get out of King Cove because they have some kind of a condition, all they would need to do is drive

20 miles—20 miles. Think about that. We drive 20 miles to get from here to wherever. We drive all the time and we don't think about it. We are talking about 20 miles to save people's lives.

But it is even better than that. Because when we are talking about what we are putting through a refuge, it is about a 10-mile road. I hate to even describe it as a road. It is a one-lane gravel area through this lagoon we are talking about and not for commercial use. We have agreed to this. In exchange for this 10-mile road, we said: We are going to give the Federal Government 56,400 acres to add to a wilderness area. What a deal—what a deal.

I hope you can see this, Mr. President, because it is important to understand what we are talking about. This area in the black is what would be subject to the exchange. This is what is going into the wilderness area. All this, plus other acreage that is not shown on this map, in exchange for these red corridors here—about 206 acres.

So back in 2009 we figured in the Senate and over in the House it was important to address the safety needs of the people of King Cove, and if we could do that by allowing for 10 miles, 11 miles of new road through the Izembek Refuge, we could solve a lot of problems. Again, I reiterate, this road is specifically not allowed to be used for economic development. In the omnibus bill we passed the language is specific: "Primarily for health and safety purposes and only for noncommercial purposes."

There were some who were so concerned we were going to see a volume of traffic going back and forth between this community of 748 people and the 110 people over here and that somehow there was going to be this wild traffic going back and forth that was going to disturb the migratory waterfowl, the birds that come through here, the animals in this refuge area. I think it is important to recognize this is not an area that has never been tracked by man; that has never seen a presence. Again, I will remind my colleagues, this was an Air Force base in World War II. This is the second largest runway in the State. This is an area that has seen traffic through vehicles, ATVs, over the years because of the war.

In this chart, we can see the red tracks here. These are all the areas where all-terrain vehicle use is currently in play, and this has been in play since 2005 to 2008. Then the areas that are kind of red dotted are the predicted ATV vehicle travel corridor. We can see this is all within the Izembek Refuge area, the wilderness area. So it is not as if this is without any kind of access that is in place.

If we look at this next picture, this is an example of what we are talking about with this proposed road. It is out in the middle of some pretty amazing,

sweeping landscape, as we can see. But the road is pretty much a one-lane gravel road. There is not going to be any stuff such as street lights. There are not going to be any dividers, meridians, sidewalks. There will not be any overpasses. This is pretty much what we are talking about here.

This next chart shows the existing trails that are currently within the refuge area. Again, it is pretty much a small, narrow, one-track road. It is not like we are going to be able to pass one another moving through the area.

The last picture I wish to show is a view of what the area looks like. It is amazingly flat. It is surrounded by a lagoon area. It is beautiful, absolutely. But these are roads that are currently in existence in the area now. So what we are talking about doing is adding—adding—about a 10-mile strip that would allow us to connect the roads that exist in Cold Bay to connect to a community that needs to have an emergency way out that is safe. They need to be able to connect to those who are on the other side of this lagoon, and the way to do it is this simple road.

I have mentioned the concern about the waterfowl, and this is why the Secretary of the Interior called me and he said: I listened to the biologists, and the biologists tell me the best way to respect this refuge is to not allow any road, to not allow any road so we can respect the refuge. He listened to the biologists, but the Secretary of the Interior did not listen to the people of Alaska. He did not listen to the people of King Cove. He did not even accept a meeting with them the numerous times they have asked to meet with him. They have flown across country to make their case. But he listened to the biologists because he wants to respect the refuge, and, instead, the lives of these people are not being respected.

If this is the attitude of this Department of Interior—that we are going to respect the animals and we are going to respect the birds, but we are not going to respect the people who live there—then this is the wrong way to be going. This is the wrong way to be going, and I will not stand for it.

I want to make sure we have refuge areas. I want to make sure we have wilderness areas. In this exchange we adopted 5 years ago, we allowed for that. We are putting in place wilderness area—the first new wilderness area designated by Congress in a generation, with 45,456 acres of prime waterfowl habitat added to wilderness in Alaska. But you know what, that is gone. Those lands will not remain in wilderness designation unless this road is permitted because the exchange is then going to be nullified if that road is not going to be built.

We have offered a pretty sweet deal—a 300-to-1 exchange—in exchange for the safety of the people who live there.

Anyone who thinks we can't build a one-lane gravel road that will allow for a coexistence between the waterfowl that migrate through there and the people who live there, they have another thing to be thinking about. We will not have a practical impact on the waterfowl in the refuge. While the land exchange involves 206 acres, far less is actually going to be impacted by the construction. It is far less than 1 percent of the refuge. Again, the Federal Government is getting 300 times more land.

It is just inconceivable to me we would not be able to have a resolution that works for both sides. For the Secretary to move forward with a designation that says no road—no road—it is just stunning to me. Some might say it is because it is going to cost us money. There is no cost to the Federal Government. The State of Alaska is going to be building this.

Too many people have died for there to be any legitimate excuse for further delay, and I challenge those officials within the Department of the Interior to come and visit King Cove and don't necessarily come during the good weather—although the people of King Cove would tell us they are not entirely sure when the good weather is—but come and see them. Come and see what we are talking about. I have been there. To Deputy Secretary Hayes' credit, he, too, has been there, and I appreciate that. I appreciate that others have tried and perhaps have not met with success because the weather didn't allow them in because we weren't about to take a risk with them. But at a minimum, the Secretary of the Interior needs to be there. He needs to meet with people—real people, such as Carl Smith, a King Cove elder, an Aleut warrior. He was recognized as one of the amazing veterans. He is an Eskimo Scout with the Territorial Guard. Look these people in the eye and tell them their lives are not worth as much as the lives of the birds, the black brants, that inhabit the area.

It is not too late. While this decision of the Department of the Interior has been made, the Secretary—or if Secretary Salazar is no longer there, his designee—has a legal obligation under this 2009 act to base a decision on the road on what is deemed the "public interest." Right now it seems to me the Department of the Interior has deemed the public is made up solely of birds and sea otters. My public—my public—is the real human beings who live in King Cove.

So we need to make sure a decision is not based on an incomplete and misleading EIS that concludes, with lives at stake, no action is somehow acceptable. I repeat: No action is absolutely not acceptable.

I am going to end my comments by letting you know what has happened in

some other refuges. It was just a few years ago, we will all remember, when we were transfixed by what was called "the miracle on the Hudson." There was a commercial jetliner that hit a flock of Canadian geese, lost power, and landed in the Hudson River. Through the amazing skills of that pilot, nobody was harmed. But what was the result of that?

The PRESIDING OFFICER. The Senator's time has expired.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent to proceed for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. What actually happened a couple years after that incident was that USDA's Wildlife Service agents went into the Jamaica Bay Wildlife Refuge, rounded up and killed 751 Canadian geese. The plan was to kill 1,000, but they couldn't catch them fast enough.

Essentially, we see it is OK to kill birds in New York refuges, but we can't inconvenience the birds in Alaska. Maybe geese are less exotic than black brants or maybe it is because Members of this body and their families and friends fly through La Guardia and they worry about that. Well, I worry about the lives of Alaskans. I worry about the people of King Cove, and I am not going to rest on this. The decision that came out of the Department of the Interior was a travesty. It will not be allowed to stand, and I will do everything I can to ensure it does not.

I ask unanimous consent to have printed in the RECORD the editorial from the Fairbanks Daily News-Miner that also opposes the decision of the Department of the Interior, as well as the press accounts I have referred to of the New York geese story.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Fairbanks Daily News-Miner]
PREFERRED PATHS: AGENCY RECOMMENDS
AGAINST KING COVE ROAD

Almost four years ago, the federal administration signed off on a national wilderness act with a provision offering a small, wind-plagued village on the Alaska Peninsula the possibility of future road access to a safer airport. This week, the Obama administration appears poised to snatch that provision back. It should not do so.

The U.S. Fish and Wildlife Service said Tuesday that the federal government should not proceed with a land swap that would allow construction of a road through the Izembek National Wildlife Refuge. That road would allow the community of King Cove access to a 10,000-foot airfield and cross-wind strip at Cold Bay.

The environmental impact statement was required by the legislation authorizing the land swap, the Omnibus Public Land Management Act of 2009. That legislation proposed that about 56,000 acres now owned by the state and the King Cove Native corpora-

tion would become official federal wilderness in exchange for rights to build a one-lane road through an isthmus separating Cold Bay from Izembek Lagoon. Total road acreage: 206.

It was a generous offer from the state and corporation. Yet the U.S. Fish and Wildlife Service could not accept the road.

Roads and trails have provided decades of access from Cold Bay to other parts of lagoon area for hunters and birdwatchers. However, the agency believes a new road connected to the much larger community of King Cove would greatly increase traffic by off-road vehicles. The agency admits this is just an educated guess, though. "It is impossible to quantify the amount of human use (i.e., hunting, fishing, etc.) or illegal off-road vehicle use that would occur adjacent to the road if it is built," it said in response to public comments that raised the issue. "The analysis presented in the EIS was based on previous experience of the authors and reviewed by staff familiar with the area and other areas in rural Alaska."

Other educated guessers could point to areas set aside in Alaska, near far larger communities, where wildlife thrives and off-road trespassers are kept to a minimum.

The agency discounted the value of the state and Native corporation land it would receive in the exchange. It said those lands weren't such critical wildlife habitat as the isthmus, which is a fair statement. It also said no one was likely to do any development soon on the state and Native lands, which also is fair.

Nevertheless, the mere size of the offer, the potential benefits to King Cove and the uncertainty about the real impacts of off-road vehicles should tip the balance in favor of the exchange.

Secretary of the Interior Ken Salazar, who must issue a record of decision on the swap within 30 days, appears already to have accepted the service's assessment of the swap. "After extensive dialogue and exhaustive scientific evaluation," he said in a news release, "the agency has identified a preferred path forward that will ensure this extraordinary refuge and its wilderness are conserved and protected for future generations."

Unfortunately, that preferred path excludes King Cove's preferred path.

FEDERAL AGENTS KILL 750 GEESE FROM JAMAICA BAY WILDLIFE REFUGE NEAR JFK AIRPORT

(By Carly Baldwin and Daniela Bernal)

NEW YORK.—They're back.

Agents with the U.S. Department of Agriculture removed more than 700 Canada geese from Jamaica Bay Wildlife Refuge Monday morning, at the prodding of U.S. Senator Kirsten Gillibrand.

In the hours between 7 a.m. and noon, 711 of the birds, including possibly goslings, were rounded up and put into crates, said Carol Bannerman, with the Animal and Plant Health Inspection Service, a division within the USDA.

They were then drive to a meat processing plant in upstate New York, where the geese will be killed and their meat will be given to food banks upstate, Bannerman told Metro. In the past carbon dioxide has been used to gas the geese to death.

The more than 700 geese rounded up today comes after USDA agents removed 40 geese from a landfill near John F. Kennedy airport two weeks ago, said Bannerman. In total, 751 geese have been removed from area around JFK in the past two weeks.

That leaves only about 750 Canada geese remaining in the federally protected preserve. Before the round-up, there were 1,500

geese in the park, said Gateway National Recreation area spokesman John Warren.

According to Warren, the feds originally called for killing up to 1,000 geese in the park. But molting season ended before that many could be taken, he said.

Bannerman told Metro there will be no more further cullings planned for this summer.

But today's surprise killing shocked and outraged many New Yorkers.

"I was sick to my stomach," said Brooklynite David Karopkin when he heard of the killings yesterday. Karopkin, 27, runs GooseWatch NYC, which seeks to monitor and record the controversial cullings of geese in the metro area. "New Yorkers have been kept in the dark about what's going on. These operations are done with no transparency, no public approval—for the most part we're told after the fact."

"It's really a disgrace and a shock that New York City's only wildlife and bird sanctuary has been opened up to a wildlife slaughter for no good reason," Edita Birnkrant, the New York director of Friends of Animals, said. "I'm in utter disbelief at the stupidity of some of the people in office."

Gillibrand has been pushing for more than three years to allow agents into the Jamaica Preserve, a 9,000-acre estuary and bird sanctuary that surrounds JFK's runways. The birds are a hazard to planes taking off from JFK and LaGuardia airports, she and others argue.

Just this past April, a Delta jet hit geese when it took off from JFK. The cabin filled with smoke, but the plane made a safe emergency landing.

Gillibrand specifically wanted the geese culled before the end of their June and July molting phase, when the adult birds and goslings cannot fly and can be easily rounded up.

GEESE-PLANE STRIKES

The USDA first started removing geese from the NYC area in July of 2004. In the five years before that, there were nine bird strikes on planes at LaGuardia, said Carol Bannerman.

In the five years after 2004, to July of 2009, there have been three bird strikes.

The most famous of which is when geese brought down the "Miracle on the Hudson" flight in January of 2009.

But according to Karopkin, the geese that brought down that flight were migrating from Canada, and did not nest in the metro area.

"So even if you killed every animal in New York City you would not have prevented that crash," he said.

A HISTORY OF CULLINGS

Number of geese removed from around the city:

2009	1,276 geese removed and killed
2010	1,676 geese removed and killed
2011	575 geese removed and killed
2012	751 killed so far this year

Source: USDA.

Ms. MURKOWSKI. With that, I yield the floor.

Mrs. HAGAN. Mr. President, I ask unanimous consent that the time until 2 p.m. be equally divided and controlled between the two leaders or their designees; that following the swearing in of our new Senator I be recognized; and that following my remarks Senator FRANKEN be recognized.

The PRESIDING OFFICER (Mr. MERKLEY). Is there objection?

Without objection, it is so ordered.

Mrs. HAGAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

CERTIFICATE OF APPOINTMENT

The VICE PRESIDENT. The Chair lays before the Senate a Certificate of Appointment to fill the vacancy created by the resignation of Senator John Kerry of Massachusetts. The certificate, the Chair is advised, is in the form suggested by the Senate. If there is no objection, the reading of the Certificate will be waived and it will be printed in full in the RECORD.

(Applause)

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE COMMONWEALTH OF MASSACHUSETTS

CERTIFICATE OF APPOINTMENT

To the President of the Senate of the United States:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the Commonwealth of Massachusetts, I, Deval L. Patrick, the Governor of said Commonwealth, do hereby appoint William "Mo" Cowan a Senator from said State to represent said State in the Senate of the United States until the vacancy therein caused by the resignation of John F. Kerry, is filled by election as provided by law.

Witness: His excellency our governor Deval L. Patrick, and our seal hereto affixed at Boston, Massachusetts this First day of February, in the year of our Lord 2013.

By the Governor.

DEVAL L. PATRICK,
Governor.

WILLIAM FRANCIS GALVIN,
Secretary of Commonwealth.

(State Seal Affixed.)

ADMINISTRATION OF OATH OF OFFICE

The VICE PRESIDENT. If the Senator-designee will now present himself at the desk, the Chair will administer the oath of office.

The Senator-designee, escorted by Mr. Kerry and Ms. WARREN, advanced to the desk of the Vice President, the oath prescribed by law was administered to him by the Vice President, and he subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations, Senator, and welcome.

(Applause, Senators rising.)

Mrs. HAGAN. I do wish to congratulate the North Carolina native on his new role as a U.S. Senator from Massachusetts.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013—Continued

Mrs. HAGAN. Mr. President, I am proud to join my colleagues today in support of the Violence Against Women Reauthorization Act of 2013. I do so not just as a Senator but also as the mother of two daughters.

This critical legislation has been held up for far too long, and it is past time for reauthorization. We have a serious responsibility to ensure that women and families are protected.

The rates of violence and abuse in our country are astounding and totally unacceptable. According to a 2010 CDC study, domestic violence affects more than 12 million people each year. Across the United States 15½ million children live in homes in which domestic violence has occurred. In my home State of North Carolina alone, 73 women and children are killed on average every year because of domestic violence.

Let me say that number one more time. Seventy-three women and children are killed every year due to domestic violence. These are alarming statistics, and we must act now to address them.

Since 1994, VAWA programs, and in particular the STOP Program that provides grants for services, training, officers, and prosecutors, have made tremendous progress in helping victims of domestic violence and sexual assault and have transformed our criminal justice system and victim support services.

These grants have assisted law enforcement and prosecutors in tracking down perpetrators and bringing them to justice. They have also saved countless lives and provided needed services to victims of these violent acts.

In one instance in my State a man was on pretrial release after being charged with stalking his wife. Thanks to this STOP grant funding, he was being monitored electronically, and he was caught violating the conditions of his release when he went to his estranged wife's home. The supervising officer was immediately notified of this violation, and police officers found the man with the help of a GPS and arrested him in his estranged wife's driveway. Because of this VAWA program, we had one less victim in my State. This is just one example of how VAWA is protecting women and saving lives.

Title V of this bill includes legislation that I sponsored in the last Congress, the Violence Against Women Health Initiative Act, which updates and improves the health care system's response to domestic violence and sexual assault. My provision is simple: It provides training and education to help the health care professionals respond to violence and abuse. By equipping doctors and nurses to recognize the

signs of domestic abuse and make sure they have the training to respond, we can better care for our survivors and prevent future crimes. It also consolidates existing programs to streamline and strengthen the health care system's response to violent crimes.

Since my time in the North Carolina State Senate, I have been dedicated to reducing the backlog of unanalyzed rape kits. This bill includes the bipartisan SAFER Act, which helps fund audits of untested DNA evidence and reduces this backlog of rape kits.

Before my efforts in the State senate, what used to happen in North Carolina, and continues to happen today in many States, is that a woman would be raped, she would go to the hospital, DNA would be collected and then placed in a box. Then that box would go and sit on a shelf in a police department or in a sheriff's department totally unanalyzed unless the woman could identify who attacked her.

I ask you: What other victims in America have to identify the attacker before authorities will take action? None.

When I first brought this issue to the forefront, I was told there was not enough money for all of these rape kits to be tested. We found that funding in North Carolina. Now with the help of the SAFER Act, our law enforcement agencies will have the ability to track and prioritize their untested DNA evidence to ensure that victims can find their perpetrators and hold them accountable, and we can remove violent criminals from the streets.

Unfortunately, until Congress acts to reauthorize the Violence Against Women Act, the well-being of women across the country hangs in the balance. This bill has never been a partisan football, and there is no reason it should be today. I hope we will pass this bill swiftly and without further disputes. We must ensure this bill's passage for victims of domestic violence, dating violence, sexual assault, and stalking not only in North Carolina but around the country.

Finally, I do want to thank the North Carolina Coalition Against Sexual Assault, the North Carolina Coalition Against Domestic Violence, and North Carolina's State and local law enforcement agencies that have truly been leaders in combating this problem. I applaud them for all the work they have done to reduce and address the incidents of domestic violence and sexual assault, and I am grateful for the work they do every day on the front lines of this issue.

So I am asking my colleagues to join me in moving the Violence Against Women Reauthorization Act through the Senate swiftly and without further delay. Millions of victims across the country are waiting for us to enact this lifesaving legislation, and we simply cannot wait any longer.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, last spring, just before the Senate passed the Violence Against Women Reauthorization Act, I came to the floor to share some words from my late dear friend Sheila Wellstone whose commitment to ending domestic violence is an everlasting source of inspiration to my wife Franni and to me.

I shared with my colleagues something Sheila said, which was this:

I have chosen to focus on domestic violence because I find it appalling that a woman's home can be the most dangerous, the most violent, and, in fact, the most deadly place for her. And if she is a mother, it is dangerous for her children. . . . It's time that we tell the secret; it's time that we all come together to work toward ending the violence.

Sheila's words rang true in her time, but they have perhaps never rung more true than they do today. It is time that we all come together to work toward ending the violence.

We passed the VAWA Reauthorization Act in the Senate last April, but the House did not let it go to the President for signature and enactment, so we are back here today voting on the bill again because those of us who believe in VAWA will continue to fight for the bill's passage until it is signed into law. I encourage my colleagues, both in the Senate and in the House, to come together to work toward ending the violence, to support this bill.

The bill's managers, Judiciary Committee chairman PAT LEAHY and Senator MIKE CRAPO, have demonstrated remarkable resolve and leadership. We all are grateful for that. I also thank them for inviting me to author two parts of the VAWA reauthorization bill, which I would like to describe briefly.

First, the VAWA Reauthorization Act includes provisions from the Justice for Survivors of Sexual Assault Act. We just heard Senator HAGAN talk about an aspect of that. This is one of the first bills I introduced after being sworn in to the Senate. When this bill becomes law, never again will survivors of sexual assault suffer the indignity of paying for the forensic medical exam, the rape kit. VAWA provides State and local governments with funding to administer these exams, which are used to collect evidence in sexual assault cases. The problem is that under current law, grant recipients can charge the survivor—the victim—for the up-front cost of administering the exam, leaving her to seek reimbursement later. Too often survivors get lost in a maze of paperwork and they are not reimbursed. Under my bill, grant recipients will be able to charge insurance companies or victims' assistance funds or other sources, but they cannot charge the survivor. I believe survivors of sexual violence have endured enough

already. They should not have to pay for rape kits, and they will not have to once this bill is passed and signed by the President and becomes law.

Second, the VAWA reauthorization bill includes the Housing Rights for Victims of Domestic and Sexual Violence Act, legislation I introduced with Senator COLLINS and Senator MIKULSKI in the fall of 2011. This bill will help women stay in their homes when they are the most vulnerable, when they need a roof over their heads the most. The link between violence and homelessness is undeniable. By one account, nearly 40 percent of women who experience domestic violence will become homeless at some point in their lives. Once a woman becomes homeless, she becomes even more vulnerable to physical or sexual abuse. In my State, nearly one in three homeless women is fleeing domestic violence, and half of those women have children with them. That is unacceptable.

Franni and I have visited battered women's shelters, and I have to tell you it is heartbreaking. They are crowded. They are full. And a lot of mothers are there with their kids. On a bitter-cold Minnesota night, these women often have nowhere to go. Transitional housing is really important. If a woman has a choice between going out in the cold winter night in Minnesota or maybe going back to her abuser and exposing children to that, that is wrong. This can be heartbreaking.

But there is something heartwarming too about seeing people come to each other's aid in their time of need. That is what the people who run the shelters do every day—the staff of Advocates for Family Peace in Itasca County, the Minnesota Coalition for Battered Women, the Casa de Esperanza, and the many other advocacy groups across my State. Talk to these folks about VAWA, and they will tell you what it means for women in Minnesota. It means nights spent under a roof instead of in a tent or in a car or on a street or, even worse, having to go back to live with their abuser and exposing their children to that danger, to witnessing that violence. We need these shelters and transitional housing programs for women who are fleeing danger. The VAWA reauthorization bill provides continued support for these programs.

My housing rights legislation provides additional support. It is a preventive measure that is intended to keep women from becoming homeless in the first place. My bill will make it unlawful to evict a woman from federally subsidized housing just because she is a victim of domestic violence, dating violence, sexual assault, or stalking. A woman may be living away from her abuser in Federal housing and the abuser comes and knocks down the door and the landlord will say: Let's

evict her. Under my bill, that cannot happen in Federally subsidized housing. This bill is for every woman who has hesitated to call the police to enforce a protective order because she is afraid she will be evicted from her home if she does so.

The VAWA Reauthorization Act is a crucial bill. It is a good bill. It is an important bill, and I encourage my colleagues to support it.

Mr. President, I ask unanimous consent to have printed in the RECORD these letters from professional medical organizations in support of S. 47, the Violence Against Women Act.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AMERICAN MEDICAL ASSOCIATION,
Chicago, IL, February 5, 2013.

Hon. PATRICK LEAHY,
*Chairman, Senate Judiciary Committee, Dirksen
Senate Office Building, Washington, DC.*
Hon. MIKE CRAPO,
*U.S. Senate, Dirksen Senate Office Building,
Washington, DC.*

DEAR SENATORS LEAHY AND CRAPO: On behalf of the physician and medical student members of the American Medical Association (AMA), I am writing to express our support for S. 47, the "Violence Against Women Reauthorization Act of 2013." This bill, which reauthorizes the landmark Violence Against Women Act (VAWA), would strengthen and improve existing programs that assist victims and survivors of domestic violence, dating violence, sexual assault, and stalking.

While violence against adult women has decreased 60 percent since VAWA was first passed in 1994, it remains a critical problem in our country and much more work remains to be done. According to the Centers for Disease Control and Prevention's National Intimate Partner and Sexual Violence Survey released in December 2011, one in five women in the United States has been raped in her lifetime and one in four women has been the victim of severe physical violence by a partner. Domestic and sexual violence is a health care problem and one of the most significant social determinants of health for women and girls.

We are pleased that S. 47 would address some of the critical gaps in delivery of health care to victims by strengthening the health care system's identification and assessment of, and response to, victims. We also appreciate and support language in Title V of the bill on the development and testing of quality improvement measures for identifying, intervening, and documenting victims of domestic violence that recognizes and aligns with the important work underway by the AMA, the National Quality Forum, and other stakeholders in the quality improvement arena.

We commend you for your long-standing support for victims of violence and abuse and for your leadership in introducing the Violence Against Women Reauthorization Act of 2013. We urge swift passage of your bill in the Senate and look forward to working with you to ensure enactment of this important legislation this year.

Sincerely,

JAMES L. MADARA, MD.

AMERICAN PSYCHOLOGICAL ASSOCIATION,
Washington, DC, February 4, 2013.

Hon. PATRICK LEAHY,
*Chairman, Senate Judiciary Committee,
Washington, DC.*
Hon. MIKE CRAPO,
*Senator,
Washington, DC.*

DEAR CHAIRMAN LEAHY AND SENATOR CRAPO: On behalf of the 137,000 members and affiliates of the American Psychological Association (APA), I am writing to thank you for your invaluable leadership in introducing the Violence Against Women Reauthorization Act of 2013 (S. 47). As the legislative process advances, APA offers its full support of your efforts to ensure a comprehensive and inclusive reauthorization of the Violence Against Women Act (VAWA).

As you know, nearly one in four women in the United States reports experiencing domestic violence at some point in her life, and 15 million children live in families in which intimate partner violence has occurred within the past year. Domestic violence can result in significant mental and behavioral health consequences including depression, anxiety, post-traumatic stress disorder, relationship problems, diminished self-esteem, social isolation, substance use disorders, and suicidal behavior. VAWA programs can help to mitigate these negative outcomes by providing a vital link to services and supports for survivors and their families.

APA applauds your commitment to protect survivors of intimate partner violence with a comprehensive VAWA reauthorization. In particular, we appreciate the inclusion of essential public health provisions to reauthorize and strengthen the health care system's identification, assessment, and response to violence, as well as provisions to protect vulnerable populations, including Native women, immigrants, and LGBT individuals.

We welcome the opportunity to work with you to address these important issues. For further information, please contact Nida Corry, Ph.D., in our Public Interest Government Relations Office at (202) 336-5931 or ncorry@apa.org.

Sincerely,

GWENDOLYN PURYEAR KEITA, Ph.D.,
*Executive Director, Public Interest
Directorate.*

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, in my previous life, I was attorney general of the State of Texas. In that capacity, I had the opportunity to work with numerous victim rights groups, primarily because part of my responsibility—the office's responsibility—was to administer the Crime Victims Compensation Fund, which took a small portion of the fees paid by criminal defendants who are convicted of crimes or pled guilty to crimes and put it into a fund that could be used then to help victims. As attorney general of Texas, I became a supporter of the crime victims rights community and their interests as well as the VAWA.

This is really an important point. Since it was first enacted in 1994, the VAWA has been reauthorized on two separate occasions, each time by unanimous vote of the Senate. Let me say that again. On the two previous occasions the Senate has voted to reauthorize the VAWA, it has been unanimous.

There were no differences between Democrats and Republicans—we were all together in supporting this legislation. For that reason, I hope Members of both parties will think long and hard before turning this critical law into just another vehicle for scoring political points or bowing to special interests instead of the public interest.

I am enormously proud and grateful that this bill contains a version of the SAFER Act, which I first introduced last year with strong bipartisan support. I had the privilege of meeting several extraordinary Texas women, including Carol Bart, Lennah Frost, and Lavinia Masters, all of whom decided to go public with their story in hopes of helping other victims of sexual assault. It has been a moving experience.

I am delighted that our bill and our effort via the SAFER Act to address the untested rape kit scandal in this country is so close to the finish line. Why is this legislation so important? Right now there are as many as 400,000 untested rape kits sitting in police evidence lockers or labs across the Nation. Each one of those rape kits—which is a sample of DNA that could then be used to match up against an FBI database to make an identification of a sexual assailant—right now 400,000 of them, it is estimated; we really don't know the exact number—are sitting in evidence lockers and police storage facilities all across the Nation. Each one of these kits has the potential to solve a crime, to identify a rapist and deliver justice for a victim.

The SAFER Act would help law enforcement officials reduce that backlog of untested rape kits and improve public safety. Indeed, it would help us address what can only be considered a national scandal. It would help bring peace of mind to rape victims. And it would help get dangerous criminals off the street before they commit another crime. That is why the SAFER Act has been endorsed by a wide range of victim advocacy groups, such as the Rape, Abuse, and Incest National Network; the National Alliance to End Sexual Violence; the Fraternal Order of Police; and the National Organization for Women. That is why we are so eager to see this legislation become law.

But beyond the SAFER Act, the VAWA provides funding for shelters, counseling programs, and legal services that help ensure that our justice system leaves no victim behind.

For all these reasons, we can and we must reauthorize the VAWA. As we have done on previous occasions, we should do so with overwhelming bipartisan support. We could easily do that.

Unfortunately, the underlying bill also contains a separate provision that is blatantly unconstitutional. It would deny U.S. citizens their full constitutional protections under the Bill of Rights in tribal courts. Needless to say, this is a big problem, but it is also

a solvable problem. I have drafted an amendment that would allow Native American tribes to prosecute U.S. citizens for domestic violence as long as those tribes followed the Constitution and allowed all convictions to be appealed in the Federal court system.

This amendment is a sensible compromise, and I have discussed it with all of the various organizations that are interested in passage of a reauthorization of VAWA. We have negotiated in good faith, but unfortunately that good-faith effort to try to find a solution has run into a brick wall of opposition, and the chairman has decided to not change the controversial language that would deny certain Americans full protection of the Bill of Rights. What I cannot understand is why anyone would want to pick a political fight and not find a solution if a solution is at hand and it makes so much sense.

Once again, I passionately support the SAFER Act. I am grateful that provision at long last is included in this law, which will allow us to address that national scandal of hundreds of thousands of untested rape kits. This is a bill which could do so much good in the battle for victims' rights, but unfortunately it is being held hostage by a single provision that would take away fundamental constitutional rights for certain American citizens.

And for what? For what? In order to satisfy the unconstitutional demands of special interests.

I remain hopeful that we can eventually come to a compromise that upholds the Constitution, if not here in the Senate then in a conference committee between the House of Representatives and the Senate, so we reconcile the differences between the two bills passed by each House.

For now I cannot, in good conscience, vote for a bill that violates the U.S. Constitution. I cannot, in good conscience and in fidelity to my oath of office, vote for a provision that I know is unconstitutional. I will, however, vote for the alternative bill that is offered by Senator GRASSLEY which eliminates this unconstitutional provision. It reauthorizes the Violence Against Women Act and contains the SAFER Act which addresses this backlog of untested rape kits.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HEINRICH). Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Thank you, Mr. President. By the way, what a pleasure it is to see the new Senator presiding.

CLIMATE CHANGE

Mr. President, I rise every week on this Senate floor to talk about the dangers of carbon pollution to our atmosphere and to our oceans. This week I want to preface my remarks by talking about America and her role in the world.

I can use some very well-known words to make my point. From John Winthrop to Ronald Reagan, we have described our great American experiment as "a city on a hill." Indeed, our hymn "America the Beautiful" sings about our "alabaster cities' gleam." President Kennedy's inaugural address said that "the glow from [our] fire can truly light the world," and a generation later, President Obama's first inaugural noted that our "ideals still light the world." We Americans have described ourselves as a beacon of hope, a light in the darkness, our lamp lifted up in welcome and in example.

Daniel Webster years ago said that our Founders "set the world an example." That was what the founding of America meant—our Founders "set the world an example." President Clinton has pointed out that the power of our example, the power of that example in the world, has always been greater than any example of our power. That was the way Bill Clinton described it. And when Daniel Webster said that our Founding Fathers had set before the world an example, he went on to say this:

The last hopes of mankind, therefore, rest with us; and if it should be proclaimed, that our example had become an argument against the experiment, the knell of popular liberty would be sounded throughout the earth.

I have spoken before about this small globe of ours, the light of dawn sweeping each morning across its face, lighting cities and cottages, barrios and villages, and across the globe's face people coming forth from homes and hovels into that morning Sun, each knowing, from our American example, that life does not have to be the way it is for them, knowing that an example of liberty and self-government stands free before them, that America stands as an alternative and a rebuke to the tyranny, to the corruption, or to the injustice in which they may be enmired.

So like many of my colleagues, I believe America has a special destiny in the world. America's special destiny does not come easy, and it does not come alone. America's special destiny confers upon us a special duty. What is that duty? That duty is to live up to our own example, to see to it that our lamp gleams brightly, to be the promise that each dawn America offers this small globe.

So let's look at climate change in that light. What if our carbon pollution

is, in fact, changing the planet? What if, in fact, we know this, we know this to any reasonable degree of responsible certainty? And what if, knowing this, we do nothing? And what if the reason we do nothing is the influence of special interests who profit from that very pollution or the groundless ideology of a fringe? What sort of example is that for America to set? How does that meet our special duty? How does that advance our special destiny?

Look at what other continents and nations will experience, particularly those that have not enjoyed the economic development we achieved through our carbon economy.

I will start in Africa, where temperatures are expected to increase faster than the rest of the world. Rainfall patterns are also expected to change, decreasing in some areas, increasing in others. Floods, droughts, and new crop diseases linked to changes in temperature and rainfall will hurt African farmers in a continent where subsistence farming is still so important to so many individuals' way of life. Research shows that production of crops, such as maize—a core staple in Africa—will decrease by 30 percent over the next 20 years due to climate change. More frequent and severe extreme weather will have dire consequences there. We saw, just a few weeks ago, the worst flood in a decade, killing at least 38 people in Mozambique and leaving 150,000 homeless.

Parts of Russia have warmed between 3.5 and 5.5 degrees Fahrenheit just in the last century, leading to the loss of permafrost. Russians, like Alaskans—whom I spoke about before—build homes and roads and infrastructure on the permafrost. When it disappears, communities lose the very foundations on which they are built. NOAA says that the Russian heat wave of 2010, which killed tens of thousands of people, was the most severe since records were first kept back in 1880. And this type of heat wave is now more and more likely.

Go to the Land Down Under, where warmer and more acidic oceans have fueled a widespread coral bleaching in the Great Barrier Reef. The Great Barrier Reef is a natural wonder. It is one of the great wonders of the world. Economically, it is the basis of a \$4 billion tourism industry in Australia, and it is dying before our eyes. Scientists say that climate change heightens the devastation from other natural disasters in Australia, such as the 2009 bushfires that claimed 173 lives, the 2011 flooding that killed dozens, and the wildfires that have already damaged hundreds of homes and displaced thousands of Australians this year.

Europe is getting hotter, with increased risk of summertime droughts in Central Europe and in the Mediterranean. Tree lines creep higher in European mountain ranges. Glaciers in

Central Europe shrink. Alpine ski areas have been forced to adapt to higher temperatures and less snow.

South America has been warming, and glaciers in the Andes are retreating at an increasing rate. I have a symbol of that retreat in my office. Lonnie Thompson of Ohio State University and Clark Weaver of NASA loaned me this artifact. It is a piece of a plant that has been preserved under the Quelccaya Ice Cap in Peru for at least 5,200 years—more than 3,000 years before Jesus Christ walked the Earth. This plant was overcovered by glacier and has stayed that way ever since. Now, thanks to glacial retreat, that piece of plant, which was preserved by the weight and cold of the glacier, is in my office.

Closer to home, in Canada, a tropical fungus that causes lung disease and meningitis has been discovered. Scientists think the deadly yeast likely came to Vancouver Island in ballast water from ships, but now—now—it can survive there because of higher temperatures.

In the Arctic, we are losing sea ice, permafrost, glaciers, and ice sheets. Arctic sea ice is shrinking at about 5 percent per decade. With that shrinkage, there is less ice to reflect sunlight back into space. More heat is captured, and the warming accelerates. At this rate, Arctic summers will be ice free within decades. For the United States, that means new Arctic waterways to defend, an expanded theater of operations in the Arctic, and increased competition for Arctic resources.

Wherever you look around the globe, climate change changes habitats, changes where plants can grow, and loads the dice for more frequent and more severe extreme weather. Heat waves, droughts, floods, and storms create victims and refugees who require humanitarian relief. The poorest nations, those least prepared to weather natural disasters, will suffer the most. Those nations will look to us and to the rest of the developed world for help. They will not look to us for help without reason. The United States is responsible for one-quarter of all industrial-age carbon pollution in the world. Today we no longer emit the most carbon dioxide; China has passed us.

But we have emitted the most over time. Nations all over the world have implemented carbon reduction plans. Some have implemented carbon pricing. Many invest far more than we do in renewable energy. The United States is falling behind rather than leading. Even China, today's biggest polluter, recently committed to reduce the amount of carbon it emits relative to its economic output.

In 2009, China passed the United States of America in renewable energy investment. Looking at all that, it is hard to imagine that those who will suffer, those who will be displaced,

those who will lose their ancient livelihoods all around the world will look benevolently upon our Nation.

It is hard to believe they will not resent that they are forced to bear those burdens at the price of our carbon economy. One can readily imagine extremists who wish to rally disenchanted people against us, even to violence against us, finding fertile opportunity where that resentment festers.

Will it not be, as Daniel Webster said, "an argument against [our] experiment?" Will it not be an argument against our experiment that our democracy, our great American democracy, seized in the grip of polluting special interests or fringe political ideology, was unable to respond to the facts around us to protect ourselves and our world?

Will there not be ready ears easy to fill with that argument against our experiment, among those who have been uprooted from traditional homes and livelihoods or among those whose homes and livelihoods have been disturbed by climate refugees?

Destiny means duty. Destiny means duty, and we are failing in that duty. It is time for us to awake in this moment to that duty. We can expect in the long and blessed future of this country to have to face unpleasant facts, facts more unpleasant than the facts of carbon pollution and climate change and ocean acidification.

We have done this before. With God's help, we will do it again. But if we cannot bring ourselves to our senses now, in this moment, in our day and hour to wake and face these facts, what a terrible admission that is by this generation of Americans.

Stand we a chance of being looked back at as a greatest generation if we fail to address this greatest issue facing our planet? Lord Acton noted "the undying penalty which history has the power to inflict on wrong." Truly, that penalty will be inflicted on us, on our generation, if we do not awaken to these plain facts and to our plain duty.

I see the distinguished chairman of the Judiciary Committee is nearby and may well seek the floor with respect to the Violence Against Women Act.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I thank Senators MURRAY, SHAHEEN, BEGICH, UDALL of New Mexico, KLOBUCHAR, MURKOWSKI, HAGAN and FRANKEN for their statements today in support of the Violence Against Women Reauthorization Act.

I also note that the ranking Republican member on the Judiciary Committee made a statement today from which I take some hope. The Senator from Iowa indicated that this measure could have been enacted last year. I wish it had been enacted last year after the Senate voted with a strong majority to do so and did everything I could, including reaching out to the Republican Speaker of the House, to try to make that happen.

I will not respond to all that my friend from Iowa said but I do want to correct any notion that I have abandoned my efforts to increase U visas to help law enforcement and immigrant women. As I have said repeatedly, I remain committed to these provisions that I originally introduced and will pursue them in the context of comprehensive immigration reform. I hope that the Senator from Iowa will join me and support them. We will need them later this year.

I am encouraged that our bipartisan bill has 62 cosponsors. I am disappointed that Senators who say it should have passed last year are still opposing it. I hope that after a vote on the Republican substitute, remaining opponents will join us and support Violence Against Women Act reauthorization. That is what Senator HUTCHISON did last year when the Senate rejected her alternative; she joined with us. I praised her for it. Let us join together and pass the strong Senate bill.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. KLOBUCHAR. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. KLOBUCHAR. Mr. President, I spoke earlier today about the importance of passing the Violence Against Women Act, how this has been a long-time bipartisan bill back to 1994 when the late Senator Paul Wellstone was involved in this bill, as well as Vice President BIDEN. People came together and said we have to do something about domestic violence. This is no longer a hidden crime behind closed doors.

Do you know what we have seen since then? We have seen a 50-percent reduction—a 50-percent reduction—in domestic violence in this country. This is a victory. We do not want to go backward. Unfortunately, the bill that has been submitted by Senator GRASSLEY, the substitute amendment, I believe would take us backward. Let me explain why.

First of all, we know the VAWA reauthorization bill was months of negotiation between the two lead authors, Senator LEAHY, the chairman of the Judiciary Committee, and Senator

CRAPO. It has bipartisan consensus and was drafted after months of input from numerous stakeholders.

Unfortunately, the Grassley substitute doesn't do a lot of the things that are so important to us in this Violence Against Women bill. This is not an acceptable substitute.

While much of this bill is consistent with past policy in the Violence Against Women Act, there were some changes that we felt necessary to match the times. One of them is a growing problem of tribal domestic violence. Domestic violence in tribal communities, unfortunately, is an epidemic. Four out of five perpetrators of domestic or sexual violence on tribal lands are non-Indian and currently cannot be prosecuted by tribal governments. The only way is to have the U.S. Attorney's Office come in. They do a lot of good work. My United States Attorney's office has done great work historically through several administrations with our tribal communities, but these cases should be able to be prosecuted not only by U.S. attorneys but also by tribal governments. The Leahy-Crapo VAWA reauthorization bill builds on the protections for Indian women by recognizing tribes' authority to prosecute non-Indians who commit domestic violence against their Indian spouses or dating partners. Let me say this was narrowly tailored for these acts of domestic violence with specific requirements.

The Grassley proposal, unfortunately, does not provide the tribes the authority to enforce laws against domestic violence on their own lands. It also takes money away from other Justice Department grant programs to install Federal magistrate judges and prosecutors on tribal lands. Bringing in large numbers of Federal officials goes against the locally based solutions to domestic violence that VAWA has so successfully promoted.

Federal judges and prosecutors already, as I pointed out, have authority to handle cases on tribal lands. This has not stemmed the plague of violence against Indian women. That is what you do with the reauthorizations. That is why you don't have bills go on forever and forever into eternity. You have reauthorizations to try to address some issues which can make things better.

Here we have addressed one. While the Violence Against Women Act has helped so much with so many victims of domestic violence in this country, we still see incredibly tragic numbers when it comes to domestic violence against American Indian women. That is why we have made these changes. It allowed us the reauthorization to adjust.

While the Grassley proposal allows a tribe to petition a Federal court for a protective order to exclude individuals from tribal land, this does not begin to

address the problem of non-Indian perpetrators who are not arrested, prosecuted, or convicted for those heinous crimes. This is a false alternative that does almost nothing to solve the epidemic of violence against Native women.

Another issue. There was a very careful negotiation that went on with where the funding went. We had to make cuts to funding this year in many areas, including this one. We negotiated how much of the funds would go to sexual assault and how much would go to domestic violence. The Leahy-Crapo VAWA reauthorization bill includes a 20-percent set-aside for sexual assault programming in the STOP program, a balance that was achieved after months of discussions with domestic violence and sexual assault service providers. The bill increases the focus on sexual assault without endangering domestic violence victims. It was a big deal that we were able to get it done. Unfortunately, the Grassley proposal makes a change to that and goes against the negotiation we already had in place.

Finally, there is the issue with the Grassley proposal on U visas. As you most likely heard, we actually made changes to the original bill on U visas already in this negotiated bill. We were going to be able to use U visas that had been issued in prior years but not actually used, and be able to use those numbers in the coming years. We ended up taking that out. I didn't agree with that, and I hope it is something we can address and fix in immigration reform. Unfortunately, the Grassley proposal goes even farther. It adds more restrictions on U visas.

Let me stop for a moment to explain what these U visas are. This is when you have an immigrant victim of domestic violence. When I was a prosecutor for 8 years, we would have a number of cases where an immigrant was a victim. What do you think her perpetrator did to get her to be scared to come forward? They said, We are going to deport you if you come forward to law enforcement. You will never be able to stay in this country.

What the U visas do is give that victim a status to remain in the country to make sure this person gets prosecuted and then work on some kind of a permanent immigration status. That is what the U visas are. I think they are a necessary component. There have been agreed-upon numbers for years when this bill has been reauthorized.

Unfortunately, as I said, the Grassley proposal adds restrictions on U visas which are a law enforcement tool to encourage immigrants to report and help prosecute crime. The restrictions are put in there—I am sure Senator GRASSLEY, who is so good at fighting fraud, put them in there for good reason—to deter fraud, but no study or report has been cited to indicate that

there is an issue here. U visas already have fraud protections because law enforcement officers must personally certify that the victim is cooperating with the criminal investigation. I tend to believe the personal certification from a law enforcement officer, and that is the proof that we have to issue the U visas.

No program is perfect. I am sure we can work with Senator GRASSLEY in the future if there are some fraud issues here. At this point, after a year of negotiation in trying to get the bill through here, we have significant bipartisan support. It is not the time to put a substitute in.

I want to thank you for giving me this opportunity. I urge my colleagues to reject the substitute Grassley amendment, embrace this bill, and vote for it. It is a good bill.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, pending before the Senate is the Violence Against Women Reauthorization Act. We considered it over a year ago. The bipartisan reauthorization passed the Senate with 68 votes more than 9 months ago. To someone who has suffered domestic violence abuse and is in need of help, it is amazing to think that what used to be an easy bipartisan issue has been tied up in the obstruction between the House and the Senate since then. There is absolutely no excuse for failing to enact this legislation. Now is the time to do it. We have a strong sensible bill before us.

Senator LEAHY, the chairman of the Senate Judiciary Committee, is guiding it on the Senate floor. This is an interesting issue. It is an emotional issue. If you haven't had domestic violence in your family, you can be grateful. Many people have seen it firsthand, and I don't think it is something they will easily forget.

I was invited a few years back to go to Champaign, IL, to a domestic violence shelter to meet with one of the victims. It was an important meeting for me. Sitting across the table from a woman with two black eyes, her eyes red from crying, she could barely choke out a few words about what life had been like as a victim of domestic violence. She was humiliated by the scars her face and body showed and ashamed she had reached that point in her life. She had nowhere to turn. She didn't trust anybody. She was afraid of her spouse and so she came to this domestic violence shelter with her child. She didn't know where to turn. The shelter

was trying to protect her, No. 1, and give her a chance for a better life.

That is what this bill is about. It is also about a group of people I have come to know personally and really respect in Chicago. There is a group called *Mujeres Latinas En Accion*. What a dynamic group. I met them 14 or 15 years ago. They were operating out of an old house in Pilsen, one of the Hispanic neighborhoods in Chicago. It was one of these beat-up, old places that a lot of charities take on and hope to call home and use for their purposes—in this case a domestic violence shelter primarily for the Hispanic neighborhood. The rooms were all packed. There were cots and diapers and food and all the things you beg for from friends to sustain a family in need of help.

I remember going there with Amalia Rioja Castro, and she explained to me what they were doing in receiving people from the community. These were women most often with children who came in and had been victimized. It was tougher for them than for most. Many of them struggled with English. Many of them struggled with a culture that many times is too patriarchal in these circumstances, and many of them struggled with the same embarrassment as the woman I met in Champaign, IL. But they finally realized they had no choice; they had to ask for help. So they came to that shelter. And, thank goodness, those volunteers and people were there offering them a safe place and willing to take on the issues of protecting this mother and her children from further abuse. They saved a lot of lives in the process.

That is what this bill is about, and it is one of the reasons this bill hasn't passed. You see, the difference between the Senate approach and the approach in the House of Representatives comes down to two or three things, but they are all three important things. One of them relates to the undocumented.

If an undocumented woman—mother—walks into a domestic violence shelter in this country, beaten up, running from an abusive husband, holding her baby, will we help her? That is the question. Ordinarily, one would say: Of course. But some say: No, she is undocumented. We don't help those people.

Really? We don't? Is that who we are in America? It isn't. Of course, we help her. Of course, we help her child. Our bill said we did; the House disagreed.

Native American communities are much more complicated. In Illinois I don't live with these tribal communities and know all of the issues associated with them, but it turns out that many times in cases of domestic violence, the tribal courts are unable, unwilling to deal with the prosecutions in a timely and effective way. We tried, in the Senate version of the bill, to make sure when it came to Native American

populations, tribal populations, the same protections would be there. The House disagreed.

Then, of course, came the question about sexual orientation. What if the abuse is not man to woman, heterosexual abuse, but something else. Will that type of abuse also be protected? The answer is yes. In the Senate version of the bill, it was clearly yes. The House disagreed.

Because of those three basic disagreements, nothing is happening. I shouldn't say nothing is happening. Thank goodness, BARBARA MIKULSKI, now chairman of the Appropriations Committee, chaired the subcommittee that kept funding the bill. So we kept our commitment to these violence shelters around America, but we didn't reauthorize them. We didn't put in new language. We didn't do our job. We just stopped for a year on a bill that shouldn't even be debated, to a great extent. It certainly shouldn't be partisan.

According to a recent survey, in the United States, 24 people every minute become victims of rape, physical violence, or stalking. That means in the time it takes me to finish this statement dozens will have been victimized. Since its passage, the Violence Against Women Act, known as VAWA, has provided valuable and even lifesaving assistance to hundreds of thousands of people in America. The impact is profound.

The Bureau of Justice statistics tell us the rate of domestic violence against women has dropped by more than 50 percent since we first enacted this bill. There aren't many pieces of legislation we can point to with that track record, but there are so many more who need help. That is evident from the statistics.

The Centers for Disease Control tells us approximately one in four women has experienced severe physical violence by an intimate partner, and nearly one in five women has been raped. One in five? In a study of undergraduate women, 19 percent have experienced an attempted or actual sexual assault while in college. All together more than one in three women have experienced rape, stalking, or physical violence by an intimate partner in their lifetime. That is a fact.

The consequences are ongoing. For example, 81 percent of women who have experienced this report significant short- or long-term impacts, and the consequences can be severe. By one report, in 2007, 45 percent of the women killed in the United States died at the hands of an intimate partner.

This reauthorization ensures that funding will continue to go to the organizations and individuals who need help the most. It places increased emphasis on responding to sexual assault, in addition to domestic violence. It does things such as encourage jurisdic-

tions to evaluate rape kit inventories and reduce backlogs. It incorporates important accountability mechanisms, consolidates programs, and actually reduces spending.

It also includes vital provisions to help Native American women and protect immigrant communities. A provision helping to ensure the availability of U visas for victims of crime was taken out. I am sorry it was. It is a budget item; a constitutional item. But we want to make sure other critical provisions in the bill remain—provisions that protect immigrant communities that are strongly supported by those who work with them.

The reauthorization also ensures that lesbian, gay, bisexual, and transgender communities are not discriminated against when it comes to these services. I say this to my colleagues on both sides of the Chamber. Now is the time to pass the Violence Against Women Reauthorization Act. Our country has to come together to make sure all of the victims are protected.

Take the Native American communities, for example. According to a survey by the Centers for Disease Control, 4 out of every 10 American Indian or Alaska Native women—4 out of 10—have been victims of rape, physical violence, or stalking in their lifetime. That is unacceptable in America, a country that prides itself on its commitment to human rights.

This bipartisan bill is supported by victims, experts, and advocates. It is supported by service providers, faith leaders, and health care professionals, prosecutors, judges, law enforcement officials, and it ought to be supported by both Chambers of Congress.

The last two VAWA reauthorization bills have carefully expanded the scope of the law and improved it. This reauthorization is no exception. It implies lessons learned from those working in the field and renews our commitment to reducing domestic and sexual violence. We ought to listen to the people on the front lines protecting those vulnerable populations. We should be able to pass a strong reauthorization that addresses the needs of all women.

I thank Senator LEAHY and many others in this Chamber for their leadership. I want to take a moment to discuss a provision which I mentioned earlier in the bill.

A troubling episode of "Frontline," the PBS program many of us watch and respect, detailed one woman's story in great detail, but that wasn't an isolated incident. The National Prison Rape Elimination Commission, created by Congress, said:

As a group, immigration detainees are especially vulnerable to sexual abuse and its effects while detained.

The Prison Rape Elimination Act of 2003, known as PREA, was designed to eliminate sexual abuse of those in custody. It was bipartisan and championed

by the late Senator Ted Kennedy and Senator SESSIONS of Alabama, and I co-sponsored it. PREA required the promulgation of national standards to prevent, detect, and respond to prison rape in America. There had been questions raised about whether those standards would apply to immigration detainees, and as I have said before, when we drafted and passed PREA it was our intent it would apply to all in Federal detention, including immigration detainees.

I was pleased when President Obama issued a memo clarifying that PREA applies to all Federal confinement facilities and directing agencies to act accordingly. I was also pleased with the Department of Homeland Security drafting standards to comport with PREA. Secretary Napolitano and I have discussed this problem of sexual assault in detention, and I applaud the Secretary for her strong commitment to this issue.

It was critical to me to have a provision in this VAWA reauthorization that clarifies that standards to prevent custodial rape must apply to immigration detainees—all immigration detainees—a provision that codifies the good work DHS is now doing and ensures strong regulations pertaining to immigration will remain in place in the future.

Mr. President, I have visited some of these immigration detainee facilities. They are not quite prisons but almost. Those who are being detained before being deported have little access to the outside. In my case, I went down to deep southern Illinois, 300-plus miles from Chicago—more than 300 miles from Chicago. It was hard for them to get a telephone they could use for access to family or attorneys. It was a pretty isolated situation. They are clearly in a remote place. Many are treated well but many are not.

Custodial sexual assault is just one of the many issues addressed by this VAWA bill. I urge my colleagues to work together and reauthorize this bill. If this is truly a new day after this last election, if we are truly determined to do things on a bipartisan basis, why isn't this the first thing we do? It used to be bipartisan. It didn't even take that much time to pass it because we were all together on it.

Everybody understands domestic violence—if not from their family, certainly from their life experience and watching what happens in these domestic violence shelters. We have had broad bipartisan support for this in the past. This last year, despite Chairman LEAHY's extraordinary efforts, it fell apart in the House of Representatives. We want to give them another chance—a chance to get it right, a chance to join us in passing a bipartisan bill that we are likely to pass from this Chamber.

The dozens of individuals who have been victimized since I stood up to

begin this speech need help now. This is our opportunity. Let's show them that when it comes to protecting America's most vulnerable populations, we will be there.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CARDIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

Mr. CARDIN. Madam President, I take this time because I think it is important people recognize that what we do has such an important impact on local law enforcement and on local agencies.

Last year I hosted a roundtable discussion in Prince George's County, MD, to discuss the importance of reauthorizing the Violence Against Women Act, known as VAWA. This roundtable brought together victims, social service agencies, law enforcement, clergy, and others on the frontline of providing support and protection to victims of domestic violence.

VAWA has a proven track record of protecting women from domestic violence, and it is hard to understand opposition to legislation with the goal of curbing domestic violence. Saving women's lives should not be a partisan issue. The statistics of domestic violence are alarming. Yet domestic violence remains one of the most underreported crimes in the country. These victims need to know they have our support, including access to justice, help with housing, medical care, and economic opportunity.

In 2010, there were 10,574 protective orders in my State, and peace order filings in Prince George's County was one-fifth of the total 50,363 filings in the State of Maryland—so 10,000 in Prince George's County, 50,000 in Maryland.

At the roundtable I held in Prince George's County, I heard a number of examples of the importance of VAWA from those on the frontline of combating domestic violence.

Prince George's County sheriff Melvin High told me the oath he took obligates him to protect all people without political consideration. He strongly stated that VAWA should be reauthorized; that it is an extremely important tool that he uses to help protect the people of Prince George's County.

State attorney Angela Alsobrooks told me that for more than a decade, her office has received funding from VAWA that has allowed her domestic violence unit to provide greater services to the victims of abuse. Without this funding, she told me she would lose a domestic violence advocate and

a prosecutor who is assigned specifically to domestic violence cases, reducing their ability to help victims. She urged the House at that time—because we had passed the bill in the Senate—to pass the Senate version of VAWA in order to ensure they continue to receive this critical funding.

Malinda Miles is the executive director of the Family Crisis Center in Prince George's County, which is the premier domestic violence program in the county, serving women and children for more than 30 years. She stated she believes the House bill, if passed, would set back women 50 years—the bill they were considering last year—and would be a travesty for the women and children of this Nation now and for years to come, urging at that time that the bill we passed last year—the bill we are considering on the floor now—needs to pass as quickly as possible.

Prince George's County police chief Mark Magaw told me that combating domestic violence remains a primary focus of his department, and he is thankful for support provided by the VAWA grant program.

The Violence Against Women Act was passed by Congress and signed into law in 1994 by President Clinton. This law has a proud and bipartisan history. Congress passed this legislation in 1994 after growing awareness of crimes associated with domestic violence, including sexual assault and stalking cases. Congress needed to address the prevailing attitude at the time that domestic violence was a private so-called family matter, which in many cases police were hesitant to arrest abusers and prosecutors were reluctant to send abusers to jail. We have changed that, and VAWA helped us change that. The passage of VAWA will help our local agencies protect women and hold those abusers accountable for their actions.

VAWA enhanced investigators and prosecutors of sex offenses and created a number of new grant programs that included law enforcement, public and private entities, services providers, and victims of crime. Congress approved reauthorizations of VAWA that expanded its protections by bipartisan votes in 2000 and 2005. In 2000, Congress enhanced Federal domestic violence and stalking penalties, added protections for battered immigrants, and added new programs for elderly and disabled women. In 2005, Congress enhanced penalties for repeat stalking offenders, added protection for battered and trafficked immigrants, and added programs for sexual assault victims and American Indian victims, as well as programs designed to improve the public health response to domestic violence.

Now, in 2013, the Senate is trying to approve VAWA once again, since its original passage nearly 20 years ago. The Senate-passed version of the law includes measures to ensure that victims are not denied services because

they are gay or transgender. It protects Native American women from domestic violence and sexual assault and includes nondiscrimination provisions for all victims, regardless of their race, color, religion or gender.

VAWA encourages collaboration among law enforcement, judicial personnel, and public and private service providers to victims of domestic and sexual violence. It also works to increase public awareness.

One in four women will experience domestic violence in their lifetime. An estimated 1.3 million women are victims of physical assault by an intimate partner every year. In Maryland, in 2009, there were more than 18,000 reported cases of domestic abuse and 38 fatalities. That period of time has been the lowest number of domestic violence-related deaths on record for the State, but these numbers are still very much unacceptable.

I am disappointed that last year the House refused to take up this legislation we approved and also refused to allow us to go to conference to work out the differences between the two bills. I urge my colleagues in the Senate to pass this legislation, and I urge my colleagues in the House to quickly take up the Senate bill and enact it into law.

• Ms. HIRONO. Madam President, I am in support of S. 47, the Violence Against Women Reauthorization Act of 2013. I am a cosponsor of this bill and look forward to working with my colleagues to pass this important piece of legislation.

The grants created by this act have helped ensure services to domestic violence victims since 1994. VAWA has helped raise public awareness on an issue that too often went unreported and ignored under the guise of politeness and privacy by family, friends, and neighbors.

Yet, while VAWA has raised awareness, increased reporting, and provided victims of domestic violence and similar crimes with better services and protection against perpetrators, there is still much work to be done to eliminate these crimes. Specifically, I am concerned about the high instances of domestic violence in Indian Country. I am pleased that S. 47 includes language to provide tribal governments the force they need to prosecute non-Indian perpetrators who commit these crimes on tribal land. There is no reason a non-Indian perpetrator should go unpunished because a tribe lacked jurisdiction over him or her, and it is especially egregious that in such cases, the perpetrator may go unpunished for crimes committed on tribal land. Every citizen of this Nation deserves the safety and security that comes with a peaceful home and safe relationship.

Indeed, I believe noncitizen immigrants who have moved to this country and found themselves trapped in an un-

safe relationship or family setting also deserve the protections provided by VAWA. S. 47 provides the types of protections necessary to assist law enforcement in prosecuting crimes that might otherwise have gone unreported by immigrants fearful of losing their status.

I hope my colleagues will join me in supporting S. 47 and will work to make the bill and the services and protections it provides as strong as possible. •

Mrs. FEINSTEIN. Madam President, I rise today to express support for the reauthorization of the Violence Against Women Act, VAWA.

For the last 18 years, VAWA has been the centerpiece of the Federal Government's efforts to combat domestic violence, dating violence, stalking and sexual assault, and it has transformed the response to these crimes at the local, State, and Federal levels.

VAWA was first signed into law in 1994. This body reauthorized it in 2000 and again in 2005 on an overwhelmingly bipartisan basis.

Unfortunately, final approval of the VAWA reauthorization bill came to an abrupt halt in Congress last year, when some Republicans insisted on removing provisions that would provide expanded protections for gay and lesbian individuals and undocumented immigrants who are the victims of domestic abuse.

In my view, these expanded protections are improvements. Domestic violence is domestic violence, regardless of the victim's immigration status or sexual orientation.

Domestic violence and crimes against American women have never been partisan issues in the past. This is why, candidly, I'm surprised that I find myself on this floor urging a vote a vote on a historically bipartisan bill.

Today, as a result of VAWA, more victims report incidents of domestic violence to the police, and the rate of non-fatal partner violence against women has decreased by 53 percent since 1994, according to the Department of Justice.

Because of VAWA, States have the funding to implement "evidence-based" anti-domestic violence programs, including lethality screens, which help law enforcement predict when a person is at risk of becoming the victim of deadly abuse.

In my home State of California, with the help of VAWA funds, we reduced the number of domestic violence homicides committed annually by 30% between 1994—the year of VAWA's enactment—and 2010.

In my days as the mayor of San Francisco, many of the most difficult calls for the city's law enforcement officers were those of domestic abuse. It was a big problem then, and it remains a big problem today.

In California in 2010, there were 166,361 domestic violence calls, including more than 65,000 that involved a weapon.

Fortunately, over 5,000 victims receive assistance each day from local domestic violence service providers in the State. These providers offer services that are essential to ending the cycle of abuse that is faced by so many domestic violence victims.

Let me share a success story about a woman from Lake County, CA who received vital assistance from a local domestic violence center that receives Federal VAWA funding.

Mary—her name has been changed to protect her confidentiality—contacted the Lake Family Resource Center after leaving her abusive husband. Mary was assigned to a domestic violence family advocate who offered her one-on-one counseling and legal assistance.

The family advocate helped Mary file and obtain a temporary restraining order against her husband. This order kept him away from Mary and gave her temporary custody of their children.

The family advocate also accompanied Mary to several court hearings and was able to connect her with other local service providers. This support allowed Mary to remain independent and keep her children safe.

After several months of counseling and assistance, Mary obtained full custody of her children and their lives have improved significantly. For the first time ever, the children are now able to invite friends to their home and participate in normal social activities. In addition, their grades have improved dramatically, with one child receiving the Student of the Month Award from his school.

The positive impact of VAWA funding is undeniable. Yet many California service providers report a critical shortage of funds and staff to assist victims in need.

Reauthorizing VAWA would address these shortages through grant programs administered by the Department of Justice that provide funding for emergency shelters, counseling, and legal services for victims of domestic violence, sexual assault, and stalking.

The bill would also continue support for State agencies, rape crisis centers, and other organizations that provide services to vulnerable women.

The bill we are considering today gives increased attention to victims of sexual violence. This form of violence is particularly destructive because, for many years, our society viewed sexual violence as the fault of the victim, not the perpetrator.

Although VAWA has always addressed the crime of sexual assault, a smaller percentage of grant funding has been allocated to sexual assault victims than is proportional to their rates of victimization. This reauthorization bill does three things to address this imbalance:

1. It provides an increased focus on training for law enforcement and prosecutors to address the ongoing needs of sexual assault victims.

2. The bill extends VAWA's housing protections to these victims.

3. And the bill ensures that those who are living with, but not married to, an abuser qualify for housing assistance available under VAWA.

The bill also updates the Federal criminal code to clarify that cyberstalking is a crime. With increasing frequency, victims are being stalked over the Internet through e-mail, blogs, and Facebook. When stalking is done online, the message sent by the perpetrator is memorialized forever, making it more difficult for victims to put the painful experience in the past and move forward in their lives.

Simply put, VAWA saves lives. It protects American women. And it is a lifeline for women and children who are in distress. To me, this bill is a no-brainer. We must continue our ongoing commitment to ending domestic and sexual violence. This commitment has always been bipartisan, and it should be again. Let's not further victimize at-risk American women because of partisan politics.

Let's do our job and reauthorize the Violence Against Women Act with strong bipartisan support, as we always have.

I yield the floor.

Mr. HATCH. Madam President, today the Senate should have been able overwhelmingly to support reauthorizing the Violence Against Women Act, but the majority made that impossible. In fact, S. 47 is not really a reauthorization bill but a bill to use the Violence Against Women Act to venture into new ideological territory. For that reason, I cannot support S. 47 but am a cosponsor of the true VAWA reauthorization bill introduced by my colleague from Iowa, Senator GRASSLEY.

Two decades ago during the 103rd Congress, as ranking member of the Judiciary Committee, I worked with Chairman JOE BIDEN to develop legislation to combat domestic violence and sexual assault against women. That first passage of the Violence Against Women Act had bipartisan support, although it was by no means without controversy. I took more than my share of criticism from the right, but it was the right thing to do, and I worked to promote a genuine bipartisan consensus behind this legislation.

In 2000, I again cosponsored the Violence Against Women Act which was included in the Victims of Trafficking and Violence Protection Act, and the Senate voted 95-to-0 for the conference report. I cosponsored the VAWA reauthorization bill again in 2005, and this time the Senate passed it by unanimous consent without even a roll call vote. Clearly, the trend has been toward broader support.

Unfortunately, the majority today has deliberately stopped that trend. The majority has insisted on injecting

into this legislation highly controversial and divisive provisions that were guaranteed to fracture the growing support that VAWA has enjoyed in the past. Many of us asked them not to do it this way but to address these issues separately so that there could be hearings and proper debate. Instead, the majority chose to use VAWA as cover for sidestepping the legislative process on these issues.

Let me give just one example. One of those divisive issues concerns the jurisdiction of courts on Native American reservations. Section 904 of S. 47 would give tribal courts jurisdiction over nontribal individuals in domestic violence cases. This presents numerous constitutional problems. Native American reservations are sovereign nations, and key provisions of the U.S. Constitution's Bill of Rights have been interpreted not to apply there. This legislation lists certain rights to be afforded nontribal defendants but not only stops short of guaranteeing all constitutional rights but also does not provide for direct review of convictions in U.S. courts. I simply cannot support depriving American citizens of constitutional rights and judicial protection.

I want to applaud my colleague from Texas, Senator CORNYN, who has been trying mightily to correct this grave constitutional defect in S. 47. He has negotiated in good faith in a principled and fair way. Like me, he wants to support reauthorization of the Violence Against Women Act. But like him, I will do so only on the appropriate constitutional and policy grounds.

I have cosponsored the Violence Against Women Act three times. I voted last year to reauthorize it and will do so again today. But while I support reauthorizing VAWA, I cannot support using VAWA as a vehicle to enact divisive and controversial new measures that have not been properly evaluated on their own terms. Had the majority taken the same approach as we did in 2000 and 2005, this legislation would have been passed and signed into law months ago. Instead, the majority has destroyed the bipartisan consensus in favor of unconstitutional and divisive efforts to favor special interests.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. CANTWELL. Madam President, I thank the leader, Senator LEAHY, for his leadership in trying to get the Violence Against Women Act passed and for being down here and working on an

agreement with the other side of the aisle so we can vote either today or in the near future. Hopefully, we will bring this issue to an end and get along with protecting the rights of women throughout the United States of America.

I am very anxious to help and further that debate. I come to the floor as the chair of the Senate Indian Affairs Committee and as somebody who has spent a lot of time dealing with tribal leadership in the State of Washington and throughout the Pacific Northwest. I know the Presiding Officer has a very large tribal population within her State too. I am sure she has had many experiences with those tribes. Like me, she wants to make sure all victims of domestic violence are protected in America.

In Washington State, we receive over 30,000 domestic violence calls a year. That is more than 500 incidents per week. Our domestic violence programs serve about 1,800 people each day, and that is why we need to move past this debate, get this legislation reauthorized, so we make sure we help protect victims.

A woman named Carissa Daniels came to one of our events recently. She fled from a very abusive domestic violence situation with her 3-year-old daughter. She said she is alive because of the Violence Against Women Act. Those safeguards and protections protected her and her daughter.

I come to the floor, and I am a little frustrated this debate has been bogged down over a few issues, particularly this issue as it relates to Native Americans and the rights of Native Americans.

I think we had the Department of Justice come to the Congress with a very good solution because their point was we have an epidemic of violence against women in Indian country, and we don't have a ready solution as it relates to the necessary law enforcement there to protect them.

I don't mean to be elementary, but going back through our country's history and our relationship with tribal governments, it is a Federal relationship. To secure that Federal relationship, we have basically said these are rights for the Federal Government and not the States. In many ways, we have eliminated what States can do as it relates to tribal land. The challenge we have is that on these tribal reservations we need to make sure the law is enforced—a Federal law—and that there are individuals to carry out that Federal law.

By voting for the underlying amendment, maybe my colleagues on the other side of the aisle have an appropriations authorization that says this is how we are going to deal with it: We are going to give you a Federal prosecutor and a Federal agent on every tribal reservation or in every jurisdiction. I don't know how many that

would be in my State. We have vast and huge amounts of land. I guess, if they thought that was going to be effective, there would have to be a prosecutor and a Federal agent in probably 39 different parts of my State. If we multiply that in the West—or even just in the Presiding Officer's State—we are talking about hundreds of millions of dollars the Federal Government would have to dole out to properly police and enforce Federal law as it relates to crimes against these women.

Why isn't anybody recommending that? Because I think the Department of Justice has adequately seen that the best way to do this is to build a partnership with those tribal jurisdictions to get that done.

In looking over the history of this, I am always amazed at what previous administrations—Republican administrations—said about this tribal relationship. Even George H.W. Bush's Solicitor General Kenneth Starr stated in a filing in the Supreme Court that "it remains true today that the State has no jurisdiction over on-reservation offenses involving Indians. . . ."

George W. Bush's Solicitor General said that "the policy of leaving Indians free from State jurisdiction and control" is one that "is deeply rooted in the Nation's history."

So here are Republican administrations that have basically said the way to deal with this is a Federal relationship. I am saying to my colleagues on the other side of the aisle that unless they are willing to put a Federal prosecutor and a Federal agent on all tribal reservations, who do they think is going to prosecute these crimes? Who? Who is going to prosecute them? That is why the Department of Justice came to us and said: We have an idea on how we might do it. Let's try to get a partnership with tribal jurisdictions to make sure justice is being brought on tribal land but do so by protecting the civil liberties of American citizens as we go through this process.

That is the legislation that is before us. It passed out of the Judiciary Committee and is now on the Senate floor. My colleagues across the aisle are trying to strip those very rights that Native American women would have.

The way this would work is obviously tribal jurisdictions would prosecute these individuals. If there is anyone who doesn't think this is a problem—it is amazing to me to think this concept that one of our other colleagues might be proposing, that somehow we would say: OK. A solution would be to say it is a lesser crime if an Indian woman is assaulted on a tribal reservation, and it would be a misdemeanor. Somehow aggressive abuse and violent attacks against women would be a misdemeanor. I am not going to treat Native American women as second-class citizens in the United States of America.

I get that might have been the cultural norm of the 1700s and 1800s, but it has no place in our history in 2013. This is about legislation that will protect tribal women on Indian reservations and make sure these cases of abuse—whether they are done by a Native American or non-Native American—are protected.

Consider the case of Diane Millich. Her ex-husband was never arrested any of the more than 100 times he had beaten her or attacked her. Finally, he showed up at her workplace with a gun to kill her. She is alive because an individual from her workplace pushed her out of the way. Her husband is being treated as a first-time offender because all those other times he beat her or domestically assaulted her, he was never prosecuted because it took place on a reservation.

This epidemic is so great that now these people who are involved in sex and drug trafficking are targeting reservations and Indian women because they know they will not get prosecuted. They know this.

We are allowing an intolerable situation to grow in great extremes simply because we are missing a vital tool. I get that many of my colleagues may not understand the history of tribal law and the history of our country and securing a relationship with tribes and the treaties we signed.

Again, as I said before, this is a relationship we have preserved for the Federal Government, and the Federal Government is saying this is how we can best solve these crimes by getting the help and support of tribal jurisdictions.

I wish to say to my colleagues on the other side of the aisle, because I have heard some of them say that somehow this violates the civil liberties of non-Native Americans if these crimes happen in Indian Country, that nothing could be further from the truth.

First of all, all tribal courts also adhere to the Indian Civil Rights Act, which is basically our 14th amendment. So the security of the 14th amendment is right there in the law and will protect any non-Native American who is charged with this crime on a reservation.

Secondly, this law has specifically broad language, making sure the defendant would be protected with all rights required by the United States in order for this jurisdiction to have oversight. It is almost like a double protection—saying it twice—that the habeas corpus rights of individuals will be protected under this statute.

The notion that this is somehow abrogating individual rights just because the crime takes place on a tribal reservation is incorrect. So I ask my colleagues: Do we want to continue to have this unbelievable growth and petri dish of crime evolving—when criminals know there is a porous border, that is where they are going to

go—or do we want to partner with a recommendation that has been determined by the Department of Justice, which has the authority to carry out this Federal law on tribal reservations and is asking for this partnership but with due protection so we can root out this evil in our communities.

I would say to my colleagues, it is time to pass this legislation and protect these rights for all individuals. We cannot vote for an amendment on the other side of the aisle that basically strips the rights of Native American women and treats them like second-class citizens, nor can we just go silent on what is an epidemic problem in our country. What we have to do is stand and realize that the relationship between the Federal Government and Indian Country is a very mature relationship with a lot of Federal case law behind it. A lot of Republican administrations recognize it is a Federal relationship and that we can—asking Indian Country to help us—solve this problem and prosecute these individuals under the rights we have as constitutional citizens of the United States.

I am confident we can get to an answer and resolve this issue. I say to my colleagues: We need to do so with urgency. We cannot allow another 1,800 calls to go unanswered or not supported because we have not authorized this legislation. Let's get our job done and protect all women throughout the United States of America.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Ohio.

MR. PORTMAN. Madam President, I would like to speak on the amendment, if I could.

THE PRESIDING OFFICER. The Senator is recognized.

MR. PORTMAN. Earlier this week, my colleague Senator BLUMENTHAL spoke about an amendment we are offering to the Violence Against Women Act, and it is an amendment that has to do with child sex trafficking. I am pleased to join him in offering this important amendment and talking about it today.

This is really a technical correction to the underlying legislation to enhance the safety of our youth and our children in the area of sex trafficking.

Last November, Senator BLUMENTHAL and I started the Senate Caucus to End Human Trafficking. We have been working with our colleagues on both sides of the aisle and have been making bipartisan progress on this issue. In general, we are working to raise awareness of human trafficking, and with regard to the underlying bill, the issue of child sex trafficking.

This issue cuts across all party and philosophical lines. It is something that is more fundamental. It is about who we are as a people, and how we respect and protect basic human dignity.

It is important to acknowledge that human trafficking is not something we hear about that happens overseas; it happens right here in America. Unfortunately, human trafficking is an issue present in communities in Ohio and Connecticut—where Senator BLUMENTHAL is from—and in all of our States.

Children and youth are among the most vulnerable individuals and are at the greatest risk. According to the Federal Bureau of Investigation, there are now nearly 300,000 young Americans who are at risk of commercial sexual exploitation and trafficking.

The Department of Justice reports that between 2008 and 2010, 83 percent of sex trafficking victims found within the United States were U.S. citizens. By the way, 40 percent of those cases involve sexual exploitation of children. Human trafficking has a devastating impact on so many Americans across this country.

One of the reasons we lack data on the definitive number of victims is that there are limited programs and resources available to serve these children nationwide, and this problem is not limited to large cities or metropolitan areas.

In Ohio, the 2012 Human Trafficking Commission Report surveyed more than 300 Ohio youth victims of sex trafficking. The report found that 40 percent were also victims of sexual abuse; 47 percent of the victims surveyed confirmed they had been raped 1 year before being trafficked.

Dr. Celia Williamson, from Toledo, OH, is one of the key individuals responsible for this report and continues to work to strengthen the response to sex trafficking in Ohio. Dr. Williamson developed the program, RESCUE CHILD, which educates first responders and everyday citizens on how to recognize the signs of child sex trafficking.

This is an important issue for Ohio. Toledo, OH, is among the highest in the country in terms of prosecution and investigations of sex trafficking. Dr. Williamson has helped to educate folks to identify signs of sex trafficking and high vulnerability. Some of the key signs of high vulnerability to sex trafficking are youth who have run away from home and children who are victims of sexual assault, emotional abuse, child abuse, or neglect. In order to fight human trafficking, we have to prioritize services to these vulnerable youth and connect victims of sex trafficking with appropriate resources.

So this amendment is really just a technical amendment to ensure that we protect these child victims of sex trafficking and provide them with what is necessary to fully recover from this devastating trauma.

Section 302 of the reauthorization of VAWA is appropriating titled "Creating Hope Through Outreach, Options, Services, and Education for Children

and Youth." The intent of this section is to "develop, expand, and strengthen victim-centered interventions and services that target victim-centered youth who are victims of domestic violence, dating violence, sexual assault, and stalking."

Section 302 omits the term "sex trafficking" except in the context of a "co-occurrence" with one of these other factors I mentioned. So in order to be covered under this section, victims would have to be victims of sexual assault or another violation as well as victims of sex trafficking.

The omission of "sex trafficking" seems to be inadvertent because it is inconsistent with the similar sections of the reauthorization. One example of this is found in Section 902, which provides grants to Indian tribal governments for the safety of women and youth. This section provides for "services to address the needs of youth who are victims of domestic violence, dating violence, sexual assault, sex trafficking, and stalking." So sex trafficking is in one section but not in another. We want to clarify that being a victim of sex trafficking alone should be sufficient to be covered under this act.

I thank Senator BLUMENTHAL for his commitment to this issue, and I thank my colleagues, including the ranking member and the chairman who are here on the floor today. I hope to offer this amendment at the appropriate point in the process, but I wanted to speak a little bit about it and explain why Senator BLUMENTHAL and I would like to offer this. Again, we hope it will be a noncontroversial, technical correction to ensure that sex trafficking is included among those provisions that are listed in Section 302.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, I hope to offer an amendment that would be a Republican substitute, so whenever that happens—I don't know exactly when, but I wish to discuss my amendment at this point.

My amendment does more to protect the rights of victims of domestic violence and sex crimes than does the underlying piece of legislation. There are many ways in which this is so. Under the substitute amendment I will offer, more money goes to the victims and less to bureaucrats. It requires that 10 percent of the grantees be audited every year to ensure that taxpayer funds are actually used to combat domestic violence. It seems to me that when dollars are short, that is a very important point that people ought to take cognizance of.

The Justice Department inspector general conducted a review of 22 VAWA grantees between the years 1998 and 2010. Of these 22, 21 were found to have some form of violation of grant re-

quirements, ranging from unauthorized and unallowable expenditures to sloppy record keeping and failure to report in a timely manner. In 2010 one grantee was found by the inspector general to have questionable costs for 93 percent of the nearly \$900,000 they received from the Department of Justice. A 2009 audit found that nearly \$500,000 of a \$680,000 grant was questionable.

These fiscal irregularities continue. An inspector general audit from last year found that the Violence Against Women Act grant recipient in the Virgin Islands engaged in almost \$850,000 of questionable spending. Also, a grant to an Indian tribe in Idaho had about \$250,000 in improperly spent funds, including \$171,000 in salary for an unapproved position. In Michigan last year, a woman at a VAWA grant recipient used some of those funds to purchase goods and services for her personal use.

After all of those examples, the point is this: We should make sure Violence Against Women Act money goes to victims. That hasn't been the case under the current situation, and the substitute works toward improving that situation.

The substitute also prevents grantees from using taxpayer funds to lobby for more taxpayer funds. That seems to be pretty common sense.

My amendment will ensure that more money is available for victim services. That is where the money is supposed to go. Money that goes to grantees and is squandered helps no woman or other victims.

In addition, the Republican alternative limits the amount of VAWA funds that can go to administrative fees and salaries to just 7.5 percent. The present underlying bill, S. 47, contains no such limit. If we want the money to go to victims and not to bureaucrats, then those overhead expenses should be capped.

The Republican substitute amendment requires that 30 percent of the STOP grants and grants for arrest policies and protection orders are targeted on sexual assault. The underlying bill sets aside only 20 percent for sexual assault.

The substitute requires that training materials be approved by an outside accredited organization to ensure that those who address domestic violence help victims based on knowledge and not on ideology. That will result in more effective assistance to the victims. The underlying bill contains no such requirement.

The substitute protects due process rights the majority bill threatens. Now, I am sure the majority writers don't feel their bill threatens due process rights, so let me explain. The majority bill says that college campuses must provide for "prompt and equitable investigation and resolution" of charges of violence or stalking. This essentially does nothing but codify a

proposed rule of the Department of Education that would have required the imposition of a civil standard or preponderance of the evidence for what is essentially a criminal charge—one that, if proved, rightfully should harm reputation. But if established on a barely-more-probable-than-not standard, reputations can then be ruined unfairly. The substitute eliminates this provision as well as another provision that allowed the victim who could not prove such a charge even under this reduced standard to appeal if she lost, creating a kind of double jeopardy.

The majority bill also would give Indian tribal courts the ability to issue protective orders and full civil jurisdiction over non-Indians based on actions allegedly taken in Indian Country. Noting that the due process clause requires that courts exercise jurisdiction over only those persons who have “minimum contacts” with the forum, the Congressional Research Service has raised constitutional concerns with this provision. The substitute contains provisions that would benefit tribal women and would not run afoul of the Constitution.

Tribes could seek protective orders in Federal court. The substitute establishes up to \$25 million for Federal prosecutors and magistrates to be placed near tribes for criminal domestic violence and sexual assault cases as well as to hear tribal motions for protective orders.

The grant funds are paid for by reducing the overhead of other Justice Department grant funds. However, there will be no reduction in available grants for law enforcement or victims. These programs are not currently funded to their authorized levels, so the reductions will not reduce services provided.

Combating violence against women also means tougher penalties for those who commit these terrible crimes. The substitute I am referring to creates a 10-year mandatory minimum sentence for Federal convictions for forcible rape. The majority bill even eliminates the 5-year mandatory minimum sentence for this crime that was in the bill last year and supported last year by the Judiciary Committee.

Child pornography is an actual record of a crime scene of violence against women. Our alternative amendment establishes a 1-year mandatory minimum sentence for possession of child pornography where the victim depicted is under 12 years of age. I believe the mandatory minimum for this crime should be higher and that in light of the systematically lenient sentences that too many Federal judges hand out, there should be a mandatory minimum sentence for all child pornography possession convictions. But the substitute at least is a start. This is especially true because the majority bill takes no action against child pornography.

Our alternative also imposes a 5-year mandatory minimum sentence for the crime of aggravated sexual assault. This crime involves sexual assault through the use of drugs and by otherwise rendering the victim unconscious. The underlying bill does nothing about aggravated sexual assault. The status quo appears to be fine for the other side.

The Republican substitute establishes a 10-year mandatory minimum sentence for the crime of interstate domestic violence that results in the death of a victim. It increases from 20 to 25 years the statutory maximum sentence for the crime where it results in life-threatening bodily injury to or the permanent disfigurement of the victim. It increases from 10 to 15 years the mandatory maximum sentence for this crime when serious bodily injury to the victim is the result. The underlying bill contains none of these important protections for domestic violence victims.

Also included in my substitute are commonsense immigration reforms that put integrity back into the Violence Against Women Act self-petitioning process and the U visa program.

This last Congress, the Judiciary Committee heard the powerful testimony of Julie Poner. She described her personal experience as a victim of immigration marriage fraud and with the fraudulent use of Violence Against Women Act self-petitions. Ms. Poner told us she married her husband in the Czech Republic and moved her husband and kids back to the United States. Within days of receiving notice of an interview with the immigration service to finalize her husband's immigration status, he told her he was divorcing her. He instructed her to file for the divorce and continue to sponsor him for his green card. He then became abusive toward her children. Her husband was a hockey player—6 feet 2 inches tall. However, he knew he risked deportation if the truth came out, so he turned the tables on his wife and claimed he was the one abused—actually being abused by Ms. Poner. Ms. Poner never was allowed to share her side of the story. The immigration service believed his claims and allowed him to remain in the United States.

Our committee also received written statements from more than 20 individuals who maintained they were victims of marriage fraud or were falsely accused as part of the Violence Against Women Act self-petitions. These witnesses told of their firsthand experiences and how foreign nationals prey on U.S. citizens simply to get a green card. The U.S. citizens thought it was all for love, but after saying “I do,” the foreign national lodged false allegations, sometimes of physical abuse, in order to get out of the marriage, collect alimony, and secure a green card.

Witnesses have said their side of the story was never—never—heard because under the process used by the U.S. Citizenship and Immigration Services, the citizen's side of the story is not considered. The U.S. Citizenship and Immigration Services handles all of these green card applications in one service center that relies exclusively on paper, without interviewing either the alleged abused foreign national or the accused citizen.

To this day, I am disappointed that antifraud measures have not been included in the Violence Against Women Act. We cannot allow a law intended to prevent abuse to be manipulated as a pathway to U.S. citizenship for foreign con artists and criminals. If we are truly concerned about helping and protecting the victims of domestic violence, then we should include a provision that allows our immigration agents to hear both sides of the story when a foreign national applies for a green card after alleging domestic violence by a U.S. citizen.

So my amendment, obviously, addresses this fraud. It would require an interview of the applicant and allow the government to gather other evidence and interview other witnesses, including the accused U.S. citizen or legal permanent resident.

Before adjudicating the self-petition, the government would have to determine whether other investigations or prosecutions are underway for the petitioning alien. If there are other allegations or investigations pending, the immigration adjudication would have to consider all facts.

The second immigration-related section of my amendment would strengthen the requirements of a U visa. Under current law, the requirements for receiving a U visa are generous. My amendment implements some commonsense requirements to guide law enforcement who help sponsor these individuals.

In addition to confirming that the alien has been helpful, each law enforcement certification will also have to confirm that, one, the alien reported the criminal activity to a law enforcement agency within 120 days of its occurrence; two, the statute of limitations for prosecuting an offense based on the criminal activity has not lapsed; three, the criminal activity is actively under investigation or a prosecution has been commenced; and, four, and last, the alien has information that will assist in identifying the perpetrator of the criminal activity and/or the perpetrator's identity is known.

With these changes, U visas will become a true law enforcement tool. The additional requirements will ensure that the help given is real and significantly advances an actual investigation and prosecution.

Another immigration-related section of my amendment includes a Government Accountability Office report to

assess the efficiency and reliability of the process for reviewing applications for U visas and self-petitions under the Violence Against Women Act, including whether the process includes adequate safeguards against fraud and abuse.

It will also identify possible improvements in order to reduce fraud and abuse.

The final immigration provision I want to highlight in my substitute would allow the U.S. Government to deport repeat drunk drivers. Section 1005 would add habitual drunk driving to the list of aggravated felonies for which an alien may be deported.

Every day—every day—an innocent life is taken because someone decides to drink and drive. An individual who gets behind the wheel after drinking is not exercising sound judgment.

Under the Immigration and Nationality Act, foreign nationals are required to be of “good moral character” before they are able to adjust status or become citizens of the United States. Unfortunately, habitual drunk driving does not stand in one’s way from gaining these benefits. In other words, it is not a deportable offense.

There are numerous stories about individuals who have taken innocent lives because they were driving under the influence of alcohol. In 2011, an undocumented alien in Cook County, IL, killed a man in a drunk driving accident. Unfortunately, he was released by the county, absconded, and remains in the United States. There was also a Virginia man who killed a Catholic nun in Prince William County in 2010. He was an illegal immigrant and repeat offender and never should have been allowed to remain in the country.

There are many more cases, and, unfortunately, the law will allow drunk driving to continue without repercussions for foreign nationals who are on a path to citizenship. It is time that these offenses were classified as an aggravated felony. It is time to get these people off the streets. Residing in the United States is a privilege, not a right.

The Congress has every prerogative to dictate which behavior is acceptable, especially for noncitizens who should be of “good moral character.” Last Congress, the Judiciary Committee adopted an amendment to this bill that would have classified habitual drunk driving offenses as aggravated felonies. But in the bill before us now, the majority has dropped that provision. I cannot understand why we would be so lenient with respect to habitual drunk drivers.

When we get to amendments—the substitute I just talked about—I intend to offer that substitute, and I would urge my colleagues to support the amendment.

I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). The Senator from Vermont.

Mr. LEAHY. Madam President, the Republican substitute bill being offered by the Senator from Iowa does not meet the needs of victims of domestic violence, dating violence, sexual assault, and stalking. Respectfully, I must say it is a poor substitute for the bipartisan Violence Against Women Reauthorization Act we developed over the last 2 years that has 62 bipartisan Senate cosponsors. I urge Senators to vote against it.

The Leahy-Crapo Violence Against Women Reauthorization Act already reflects many efforts we have undertaken to address the concerns of Senator GRASSLEY and to meet Republican members halfway, and to accommodate them where we could. Our bill includes significant new accountability provisions modeled on language Senator GRASSLEY had us include in the Trafficking Victims Protection Act.

Our bill significantly reduces authorization levels to all programs. This is the first time a reauthorization reduced authorization levels, and we do so by almost 20 percent. Our bill consolidates and streamlines 13 programs. Our bill limits the percentage of grants that organizations can use for planning purposes. In drafting our bill, we eliminated several provisions that Senator GRASSLEY indicated were problematic. We took these steps in an effort to work together to pass a bipartisan bill.

The proposed substitute bill would remove fundamental points of fairness that are at the core of this legislation. We need to cover everyone who experiences domestic and sexual violence in this country. No exceptions.

About 3½ years ago, the Congress finally adopted the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act which protected those targeted with violence in a similar way to what we are considering today. We should not retreat from that position when we are addressing domestic and sexual violence.

The Republican substitute abandons VAWA’s historic emphasis on abuse of women. Women are still more often the victims of domestic and sexual violence with more catastrophic results. The Republican substitute not only fails women, it also fails to guarantee that services will actually reach those victims who have in the past been unable to access them because of their sexual orientation or gender identity.

We should listen to those on the front lines of these tragedies who have told us about underserved communities needing protection. We should respond to law enforcement when they tell us about the importance of the U visa program, which enables them to take dangerous people off the street. We should not adopt the measures included in the Republican substitute that would make it more difficult for victims to apply for U visas. The Republican substitute would abandon our provisions that ad-

dress domestic and sexual violence in tribal areas, which has reached epidemic proportions with rates of victimization far exceeding those in the general population. Taking money from other Justice Department programs to impose Federal judges and prosecutors on Indian lands is costly, unworkable and a non-solution to the problem. The bipartisan reauthorization bill, by contrast, takes the approach recommended by our Committee on Indian Affairs. We include local, community-based approaches to domestic violence that have worked so well in so many VAWA programs. Federal prosecutors already have authority to prosecute on these lands and have not solved the problem. Federal judges have plenty to do and our Federal courts are stretched thin with 83 current vacancies. Giving tribes the authority to prosecute those who commit violence against Indian victims on Indian land is a better and less costly solution than bringing in large numbers of Federal officials to Indian country.

All these differences are in the wrong direction and would result in leaving victims out. The Grassley substitute also includes costly and inefficient bureaucratic provisions that could cripple the delivery of needed services to victims and tie up the work of the Justice Department’s Office of Inspector General.

In contrast to the Republican substitute, the bipartisan VAWA reauthorization bill responds to the needs we have heard from the professionals, including law enforcement, who work every day to help victims of domestic violence, sexual assault, dating violence, and stalking. No one I have worked with has identified Federal sentencing as an area requiring changes. The sentencing provisions in this substitute, which include mandatory minimum sentences, are unnecessary and counterproductive. In fact, leading sexual assault advocacy groups like the National Alliance to End Sexual Violence oppose mandatory minimum sentences because they have a chilling effect on reporting and prosecution of sexual assaults. The sentencing provisions in the substitute make victims and, by extension, our communities less safe.

We should not include extraneous provisions, as this substitute does, that have nothing to do with domestic violence or sexual assault. Comprehensive immigration reform is coming before us. The Judiciary Committee is hard at work on that. Proposals to change deportations may be appropriate in the context of comprehensive immigration reform. They have nothing to do with VAWA. Yet they are included in the Republican substitute. And when a provision of that type was included in the measure last year, its author nonetheless opposed VAWA reauthorization. It can be considered with comprehensive immigration reform, not here.

Every previous reauthorization of VAWA has contained new protections for immigrants and underserved communities. Our bill builds on that foundation with changes that are modest and widely supported.

The Republican substitute would gut core provisions of our bipartisan legislation that we all know we need and that professionals in the field tell us are needed. I thank Senator CANTWELL, Senator KLOBUCHAR, and Senator DURBIN for their excellent statements in opposition and urge all Senators to oppose the substitute and support the bipartisan Violence Against Women Reauthorization Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, I listened to everything the chairman said. I am not going to rebut point by point. I wish to take a little bit of time to emphasize the key points I have tried to make. In a sense, I might be asking the chairman to think in terms of what we are trying to accomplish just on a couple of points.

First of all, I think this is pointed out with the underlying bill that somehow all victims are not protected. The point is, that for however many years now—I suppose it is 25 years that this legislation has been on the books—all victims are protected under the substitute and, I want to emphasize, under current law.

It was then-Senator BIDEN, now Vice President BIDEN, writing the current law. His law did not discriminate. As Senator LEAHY says, those who provide domestic violence services believe a victim is a victim. They do not discriminate.

On another point about the tribal courts, I made reference to the Congressional Research Service when I gave my longer remarks on this point of questionable constitutional issues. As for the tribal court provisions, the Congressional Research Service has raised serious constitutional problems both with respect to the authority of tribal courts to prosecute non-Indians and the constitutional rights of non-Indians. What is very cruel is to provide tribal women the illusion of a solution that courts may well strike down on constitutional grounds in the future.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Madam President, I ask unanimous consent that the following amendments be the only first-degree amendments in order to the bill: Grass-

ley substitute amendment No. 14, Leahy amendment No. 21, Portman amendment No. 10, Murkowski amendment No. 11, Coburn amendment No. 13, Coburn amendment No. 15, and Coburn amendment No. 16; that the time until 4 p.m. be for debate on the Grassley substitute; that the debate be equally divided between the two leaders or their designees; that at 4 p.m. the Senate proceed to vote in relation to the Grassley substitute amendment; that there be no amendments in order to any of the amendments on this list prior to votes in relation to the amendments; that when the Senate resumes consideration of the bill following any leader remarks on Monday, February 11, the time until 5:30 p.m. be equally divided between the two leaders or their designees prior to votes in relation to the remaining amendments and passage of the underlying bill as amended, if amended; further, that Senator CORNYN have 45 minutes under his control on the Republican side; and there be 2 minutes equally divided prior to each vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Madam President, I suggest the absence of a quorum, and I ask unanimous consent that the time during the quorum be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Madam President, I have spoken on this earlier, but I would just tell my colleagues why I will oppose this substitute which will be voted on in a few minutes. The substitute does not meet the needs of victims of domestic violence or dating violence or sexual assault or stalking. I think it is a poor substitute for the bipartisan Violence Against Women Reauthorization Act that we have developed over the last 2 years, and which has 62 bipartisan Senate cosponsors. That is why I will urge Senators to vote against it.

The proposed substitute bill would remove fundamental points of fairness that are at the core of this legislation. We need to cover everyone who experiences domestic and sexual violence in this country, with no exceptions. Again, I have said 100 times on this floor, a victim is a victim; violence is violence is violence. You can't say this victim will get protection, but this victim won't get protection. The police never do that; we shouldn't do it.

Also, this substitute abandons VAWA's historic emphasis on abuse of women. Women are still more often the

victims of domestic and sexual violence, with more catastrophic results. The substitute not only fails women, it fails to guarantee that services will actually reach those victims who in the past have been unable to access them.

Every previous reauthorization of VAWA has contained new protections for immigrants and underserved communities. Our bill builds on that foundation with changes that are modest and are widely supported by faith-based organizations, the law enforcement community, and those who work against domestic violence.

We have gone all over this country to find the best way to do this. This is what we have done in this bill. And what bothers me the most about the substitute is that it guts the core provisions of our bipartisan legislation. We know we need these services, and professionals in the field tell us they are needed. Look at what we have in our bipartisan reauthorization bill. It responds to the needs we have heard of from the professionals, including law enforcement. These are the people who work every day to help victims of domestic violence and sexual assault and dating violence and stalking.

No one I have worked with has identified Federal sentencing as an area that requires changes, so the sentencing provisions in the substitute are unnecessary and counterproductive.

Earlier I went through this I think point by point. I won't repeat that, but I would say to all the Members of this body, Republicans and Democrats alike, who have worked to craft this bipartisan piece of legislation: Please vote against this substitute amendment, because it is nothing, nothing at all like what we have worked on.

Madam President, what is the amendment before us now?

The PRESIDING OFFICER. The amendment has not yet been offered.

Mr. LEAHY. Madam President, under the unanimous consent request agreement, am I correct the Grassley substitute is to be voted on in about 30 seconds?

The PRESIDING OFFICER. The Senator is correct.

Mr. LEAHY. Madam President, normally I would call it up, but I understand Senator GRASSLEY is almost here. As a matter of courtesy, I will not call it up; but if there is going to be a delay, because people are expecting this 4 o'clock vote—

Mrs. BOXER. Parliamentary inquiry, Madam President: What is the order right now?

The PRESIDING OFFICER. The order is for the Grassley substitute to be offered and voted upon.

Mrs. BOXER. At 4 o'clock?

The PRESIDING OFFICER. At 4 o'clock.

Mrs. BOXER. Due to what is happening here, I would say that if he doesn't make his presentation in 5 minutes that we could vote.

AMENDMENT NO. 14

Mr. MCCAIN. Madam President, on behalf of Senator GRASSLEY, and probably to his dismay, I call up the Grassley amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant bill clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for Mr. GRASSLEY, for himself, Mr. HATCH, and Mr. JOHANNES proposes an amendment numbered 14.

Mr. MCCAIN. I ask unanimous consent that further reading be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. LEAHY. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. COBURN).

The PRESIDING OFFICER (Mr. COONS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 34, nays 65, as follows:

[Rollcall Vote No. 13 Leg.]

YEAS—34

Alexander	Flake	Portman
Barrasso	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hatch	Scott
Burr	Heller	Sessions
Chambliss	Hoeven	Shelby
Coats	Inhofe	Thune
Cochran	Isakson	Toomey
Corker	Johanns	Vitter
Cornyn	Johnson (WI)	Wicker
Enzi	McCain	
Fischer	McConnell	

NAYS—65

Ayotte	Hagan	Murphy
Baldwin	Harkin	Murray
Baucus	Heinrich	Nelson
Begich	Heitkamp	Paul
Bennet	Hirono	Pryor
Blumenthal	Johnson (SD)	Reed
Boxer	Kaine	Reid
Brown	King	Rockefeller
Cantwell	Kirk	Rubio
Cardin	Klobuchar	Sanders
Carper	Landrieu	Schatz
Casey	Lautenberg	Schumer
Collins	Leahy	Shaheen
Coons	Lee	Stabenow
Cowan	Levin	Tester
Crapo	Manchin	Udall (CO)
Cruz	McCaskill	Udall (NM)
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Moran	Wyden
Gillibrand	Murkowski	

NOT VOTING—1

Coburn

The amendment (No. 14) was rejected.

The PRESIDING OFFICER. The majority leader is recognized.

CARL LEVIN'S 12,000TH VOTE

Mr. REID. Mr. President, a few minutes ago Senator CARL LEVIN cast his 12,000th vote. It is my honor to say a few words about CARL LEVIN. He has served the State of Michigan for 35 years and is the longest serving Senator in the history of that State. During his 35 years in the Senate, he has been known as a workhorse. If there is a problem that needs to be looked over by someone who understands the issue, go to Senator LEVIN. He is a person who dots all the I's and crosses all the T's. I depend—and have depended—on him so much for issues that are difficult.

He is a native of Detroit and attended Swathmore College. He graduated—as I always remind him—from Harvard Law School. I called them several times, but obviously my application was lost. I never heard back from them.

He served as general counsel to the Michigan Civil Rights Commission and as assistant attorney general for the State of Michigan. He ran for the Detroit City Council and served two terms there. He was elected in 1978 to the U.S. Senate where he has served six terms and is an effective champion for the people of Michigan.

Public service runs in his family. SANDER LEVIN is his older brother, who came to the House of Representatives in 1982 with me, DURBIN, CARPER, BOXER, to name just a few.

Senator LEVIN has heard me say this several times, and I will continue to say it because it is one of the most impressive, memorable statements I have ever had in a very personal setting. I was in the House of Representatives, and I was thinking about running for the Senate. I went over to meet with CARL LEVIN to get his ideas. As I was trying to establish some rapport with him, I said: I am serving with your brother. He and I came here together. Without hesitation and so sincerely, he looked up at me and said: Yes, he is my brother, but he is also my best friend.

I have never, ever forgotten that. That speaks so well of the Levin family. SANDY has been the chair of the House Ways and Means Committee and is now the ranking member of the House Ways and Means Committee. CARL is very proud of his brother's service, as SANDY is proud of the service of his brother.

CARL LEVIN has been the chair of the Armed Services Committee, which of course is one of the most important and powerful committees in the entire Congress. He is a respected voice on issues dealing with national security. He has done so much to improve the status of men and women in the military for our great country.

The very first bill he introduced as a Senator speaks to the kind of person he is and the issues he cares about. He introduced a bill to end discrimination

by credit card companies. Two Congresses ago we did some real good reforms during the credit card debate. Senator LEVIN was involved in that, as well he should have been, because he was the first to bring to the attention of the American people what needed to be done.

He is also the chairman of the Senate Permanent Subcommittee on Investigations, which for decades has done great work for this country. Under his guidance and leadership, it has done some remarkably good work. He was the one who delved deeply into the Enron collapse. Again, that committee has done a lot of work on abusive credit card practices. It is one of the main reasons we were able to get the credit card reform done.

He led investigations in the 2008 financial crisis. He has looked very closely and did a wonderful report on what I refer to as tax loopholes, and I think that is how he refers to it also. He has been one of the country's leading experts—and certainly one of the leading experts in this body—of American manufacturers. We know that manufacturing has had such strong forces in Michigan in years past and they are coming back as a result of the work the Michigan delegation has done, led by Senator LEVIN.

He is someone who understands that we have a new world, we have global markets, and we have to continue working hard to make sure we are a part of that, and we are.

He has fought to protect the Great Lakes—Michigan's signature natural resource.

He is married to Barbara, a wonderful woman, who has been so thoughtful and kind to me, but especially my wife, during her recent illness. They have been married since 1961. They have three daughters and six grandchildren.

CARL LEVIN is somebody whom I so admire. He has a lot of service left in him. There are so many things he is capable of doing as a result of the positions he now holds in the Senate. The one thing I admire so much about CARL LEVIN—as I have already indicated—is how strongly he feels about his family. He and his brother have a piece of property in Michigan. They call it the tree farm. In Searchlight I still have my hat they gave me that says "Tree Farm." He has talked to me on many occasions—we haven't talked lately—about how he and his brother like to walk on their tree farm. There is nothing there but trees, but it is an occasion for them to be together as brothers.

Congratulations to CARL LEVIN on reaching this impressive milestone of 12,000 votes. Not only has he left that mark—he left that mark in my mind and anyone who has served with him—but he has left his mark as being an extraordinary man.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, it has been my honor to have served with the senior Senator from Michigan for almost three decades now, and I too want to rise and congratulate him on achieving this milestone. There is no Member of the Senate who is brighter or more hard working. We have had a good example of that here in the last couple of months of Senator LEVIN's respect for the institution and his desire to protect the traditions of this institution. I want him to know that he is widely respected all throughout the Senate, and particularly on this side of the aisle.

I congratulate him for this important achievement and look forward to working with him in the future.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I rise to congratulate my friend and colleague, the senior Senator from Michigan. This is the day he has cast his 12,000th vote. What is most significant is not the quantity of his votes, but the quality of his votes. Each one of those has had Michigan's face on it when he cast those votes.

As our majority leader indicated, Senator LEVIN has been a champion for the automotive industry, manufacturing, his beloved Detroit, our beautiful and wonderful Great Lakes, the Department of Defense and, more particularly, the men and women who serve us every day.

I rise on behalf of everyone in Michigan to say how proud we are of Senator LEVIN. We have great confidence in his judgment, integrity, and hard work. In my book, there is nobody better.

Of course, I am very thrilled with the wonderful family he and Barbara have. He is ahead of me on grandchildren, but I am working on it. He is not only someone with the right ethics, integrity, and love for his family, nobody fights harder and does the right thing for Michigan more than CARL LEVIN.

I join in congratulating him. Once again I want to say it is not about the number of votes but the quality of votes. Every one of those 12,000 votes has had Michigan's name on it.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, first I want to thank my dear colleague from Michigan, Senator STABENOW. We have worked so closely together on Michigan issues. She is one great partner, and I am proud to represent Michigan with her at my side and her as a partner.

Talking about partners, my wife Barbara has been married to me for 51 years, and she is my lifelong—excuse me. I have to straighten this out. My brother is my lifelong best buddy. He was there when I was born. I have to modify what Senator REID said. For the last 51 years, my wife has been my best buddy, and my brother has been

my second-best buddy, but I am blessed with family. I would like to thank everyone for mentioning my family.

I am blessed with a staff that is led by David Lyles. I have great friendships here in this body and there is no substitute for the kind of friendships and relationships which make this body work. Even when it doesn't appear to be working, it is working. I know the public gets frustrated with us at times, but this is an extraordinarily resilient body.

Many times during the 34 years I have been here there have been periods when we have been frustrated in terms of getting our work done, but we pull through in this wonderful, noble institution. This venerable institution is being protected here by people who love it, and I cherish those relationships with the people who do cherish this body and what it uniquely stands for in the world. There is no other body like it in the world. I only wish that people such as Robert Byrd and Danny Inouye could live forever to help protect this body, but that is not the case.

I want to mention one other thing. I am very grateful to Senator REID and Senator MCCONNELL for their comments. I wanted to speak about something Senator MCCONNELL referenced.

A few weeks ago this body did something which was very bipartisan and very essential to its health and its survival, and that was to make sure we continue to protect the minority but not to overprotect the few Members if those Members take excessive advantage of our rules.

Eight of us got together. Senator MCCAIN and I pulled together three Democrats and three Republicans. For many weeks we worked together, without staff, and came up with an alternative which the leaders used to work through this complicated situation we found ourselves in relative to the rules.

On the Democratic side, we had Senator SCHUMER, Senator CARDIN, and Senator PRYOR, and on the Republican side we had Senator ALEXANDER, Senator Kyl, and Senator BARRASSO join Senator MCCAIN and me. I believe it was one of the most important things we have done in recent years here, which was to change the procedures. They were not working. They were being used to frustrate efforts to get legislation to the floor.

We had to do that. We had to do something to change the rules which were being misused in terms of postcloture hours. There were judges who were going to be approved by votes of 95 to 1 or 2, and those postcloture hours were being used to stall the Senate. We took care of that situation. We acted on a bipartisan basis, and hopefully that spirit of bipartisanship, which is so essential to making this place work, will continue and be given a boost not just by what the leaders essentially did in accepting our rec-

ommendations on these procedural changes but will now apply and work with other efforts that will be underway in this Congress.

I want to mention that because eight of us, on a bipartisan basis, did something which we believe very deeply about as a way of avoiding what was called the nuclear option. If that were used, it would have led to a change in a way which was not provided for in the rules. Under the rules, this is a continuing body. If that were used, it could have gone around the rules and essentially put the Presiding Officer in the position of ignoring the advice of our Parliamentarian and saying that we could, by majority vote, do something which our rules say could only be done by two-thirds of us. That would have done severe, long-lasting damage to this institution. We were able to avoid that, Democrats and Republicans—well beyond the eight of us—including the Presiding Officer, who was so helpful to me in working through this idea and giving me suggestions. I am very grateful to him for the kind of suggestions and conversations we had. We were able to work through an issue on a bipartisan basis and then the body came together and about 80 or more voted for these procedural changes. I thought it was a great day, personally. I know that. I know the eight of us feel very strongly about the important contribution we made to this body, working together. So we feel very good about it. I hope over time some of the people who were critical of it will see it as being a significant advance in making this body work better, allowing us to work our will. I wanted to mention that because it was mentioned by one of our leaders—Senator MCCONNELL—and I know Senator REID worked so closely with him and his staff, and they helped us through a very difficult situation which would have, if not resolved on a bipartisan basis, created some real problems for the ongoing operations of this body.

So I thank our leaders. I thank Senator REID, of course, who is such a dear friend, and I thank him for not just mentioning my beloved wife Barbara but also my brother Sandy.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

KEYSTONE XL PIPELINE

Mr. HOEVEN. Mr. President, I rise to speak on the Keystone XL Pipeline project.

Gas prices are now about \$3.50—actually, \$3.53—a gallon, which is up over 90

percent since President Obama took office. Economic activity for the fourth quarter of 2012 declined by one-tenth of 1 percent. It was projected to go up by about 1 to 1.2 percent, and actually it declined by one-tenth of 1 percent. Still, the President refuses to approve a multibillion-dollar project—the Keystone XL Pipeline—that will provide energy, create jobs, generate tax revenue, and help reduce our dependence on oil from the Middle East. He is still delaying even though every State on the pipeline route has consented to the project. So every single State on the route has approved the project and will have better environmental stewardship with the project than without it. Let me repeat that. Every State on the route has approved the project and will have better environmental stewardship with the project than without it, and yet the President continues to delay.

Let me elaborate. Recently, a group of 53 Senators, both Republicans and Democrats, signed a letter that I helped organize to President Obama asking him to approve without delay the Keystone XL Pipeline project. The letter was signed by a majority of the Senate within just 1 day—1 day—of Nebraska Governor Dave Heineman's approval of a new route through his State of Nebraska. The new path addressed Nebraska's concerns about the route, as well as the President's, by circumventing the environmentally sensitive Sandhills region, effectively removing the last obstacle to approval.

Prior to sending this letter, in November Senator MAX BAUCUS and myself organized a similar letter—that was in November—signed by nine Republican Senators and nine Democratic Senators asking to meet with the President to discuss the many benefits that accrue to our Nation by building the Keystone XL Pipeline. Now, let me read that letter. It is very short.

With the elections of 2012 behind us, we write to remind you of the continuing importance of the Keystone XL Pipeline. We want to work together to keep creating jobs, and Keystone XL is one vital piece of the puzzle. We would like to meet with you in the near future to discuss this important project.

Setting politics aside, nothing has changed about the thousands of jobs that Keystone XL will create. Nothing has changed about the energy security to be gained through an important addition to the existing pipeline network built with sound environmental stewardship and the best modern technology. Nothing has changed about the security to be gained from using more fuel produced at home and by a close and stable ally. And nothing has changed about the need for America to remain a place where businesses still build things.

We hope that you will follow through on your directive of March 22, 2012, to Federal agencies to move forward vital energy infrastructure like Keystone XL. The state of Nebraska is nearing completion of the new pipeline route within Nebraska. With that process near completion, we look forward to an affirmative determination of national interest soon.

We sent that letter to the President in November—a bipartisan letter, nine Republican Senators, nine Democratic Senators. To date, we have received no direct response from the White House despite the fact that there is clearly strong bipartisan support for the project.

The only response we received was not from the White House but, rather, from the State Department. Let me read that letter. It is very short too. It is from David S. Adams, Assistant Secretary of Legislative Affairs at the U.S. Department of State. Basically, it says:

Thank you for your November 16 letter to President Obama concerning the status of the administration's review of TransCanada's new application for a Presidential Permit for the proposed Keystone XL pipeline project. We have been asked to respond on behalf of the President.

The letter then kind of goes:

Yes, we recognize it is an important project. We are looking at it. We are doing some more draft supplemental reviews, and we hope this information is helpful to you. Please do not hesitate to contact us if we can be of further assistance.

That is the extent of the response.

So it has now been more than 4½ years since the permit applications were submitted to the State Department for this vital energy project. Yet, even with an exhaustive review process, the consent now of every State along the route, the backing of a majority of Congress, and the support of the American people, the Keystone XL Pipeline project is still languishing at the hands of the President of the United States—after 4½ years.

Let me expand on the point about all of the States on the route approving the project. After Governor Heineman, on behalf of the State of Nebraska, sent a letter to the President approving the project, which happened just several weeks ago, after I worked with Senator BAUCUS and others to get 53 Senators in 1 day on a letter saying to the President, let's get this approved, the Governors along the route also sent a letter to the President saying, hey, let's approve the project.

So now you have every single State saying—every single State on the route saying: Hey, fine, let's do the project—every single one.

Here is the letter. It also includes the Honorable Brad Wall, the Premier of Saskatchewan. The pipeline passes through Saskatchewan as well. I am not going to read the whole letter but just a few excerpts.

Dear Mr. President:

As you begin your second term, we are writing to respectfully urge you to move forward on the Keystone XL Pipeline project.

The energy relationship between the United States and Canada is vital to the future of both our countries. It is an interest we share, transcending political lines and geographic boundaries.

The letter goes on and talks about how the project is crucial to U.S. en-

ergy security, working with Canada for our energy rather than getting it from the Middle East.

The letter talks about “thousands of jobs” the project creates not only building this \$7 billion pipeline but then all the jobs that go to the refineries and the other activities that go with it. And it talks about safety, efficiency, and reliability.

The letter concludes:

Mr. President, we consider the Keystone XL Pipeline fundamentally important to the future economic prosperity of both the United States and Canada.

We strongly urge you to issue a Presidential Permit and act swiftly to approve the Keystone XL pipeline.

It is signed by Governors—now, remember, Senator BAUCUS and I have been working on this on behalf of Montana. You have Nebraska here. Governor Heineman just sent in a letter. Here are some of the other Governors on this letter: Gov. Sam Brownback from Kansas, Gov. Jack Dalrymple from North Dakota, Gov. Dennis Daugaard from South Dakota, Gov. Mary Fallin from Oklahoma, Gov. Rick Perry from Texas, in addition to other Governors who are not on the route, such as Gov. Butch Otter of Idaho, Gov. Brian Sandoval of Nevada, Gov. Matt Mead of Wyoming, Gov. Jan Brewer of Arizona—Republicans and Democrats.

But the point is that on the whole route, all the Governors have written and said: Hey, let's do this. Let's do it.

So what is going on here? Why does the President continue to delay the project?

The long wait for approval is dismaying enough, but it represents a larger issue for our Nation and begs a bigger question for policyholders: How will America ever build an “all of the above” energy policy if the President takes nearly 5 years to approve one piece of an inclusive plan, particularly, as I say, after everybody on the route has said: Hey, can we do this after 5 years, please. Can we move forward, Mr. President?

To account briefly, this \$7 billion, 1,700-mile, high-tech pipeline will carry oil not only from Alberta, Canada, to refineries in Oklahoma and the Texas gulf coast, but it will also carry growing quantities of U.S. sweet crude from the Bakken oilfields in North Dakota and Montana. Even by modest estimates, it will create tens of thousands of jobs, boost the American economy, and raise much needed revenues for State and Federal governments. We have a deficit. Here is a project to get substantial tax revenue without raising taxes, through economic activity, through job creation.

Further, and perhaps most importantly, it will help put our country within striking range of a long-sought goal: true energy security. For the first time in generations, the United States, with its friend and ally Canada, will

have the capacity to produce more energy than we use, reducing or eliminating our reliance on the Middle East and other volatile parts of the world.

The argument has been advanced that the oil sands will increase carbon emissions and that failing to build the Keystone XL will somehow reduce emissions. But let's look at that claim. That is the other piece. Let's look at the environmental aspects of this project.

Today, more than 80 percent of all new recovery in the oil sands is being accomplished "in situ," a technology that makes the oil sands' carbon footprint comparable to conventional drilling. In fact, the oil sands industry has reduced greenhouse gas emissions per barrel of oil produced by an average of 26 percent since 1990, with some facilities achieving reductions as high as 50 percent. Today, heavy crude oil from the Middle East and even from California produces more carbon emissions over its life cycle than the Canadian oil sands. Let me repeat that. Today, heavy crude that we import from the Middle East and even some of the California heavy crude produce more carbon emissions over their life cycle than Canadian oil sands.

We also need to factor in that if the pipeline is not built from Alberta to the United States, a similar pipeline will be built to Canada's Pacific coast. That is what I show right here on this chart. From there, the oil will be shipped across the Pacific Ocean, a much larger, sensitive ecosystem than the Sandhills—which we are not even going through now—to be refined at facilities in China with weaker environmental standards and more emissions than facilities in the United States. The United States, moreover, will continue to import oil from the Middle East, again, on tankers. Factor in the cost of trucking and railing the product to market overland, and the result, contrary to the claims of opponents, will be more emissions and a less secure distribution system without the Keystone XL Pipeline project.

Think about it. So we say: OK, we are not going to have this pipeline, even though we have built other pipelines already. We are not going to get oil from Canada. What happens? That oil goes to China, with higher emissions. You are going to take it across the ocean, which is a greater risk than putting it in a pipeline. You are going to have it refined in refineries in China, which have much worse emissions standards than our own. And guess what we get to do. Let's see, we do not get the jobs. We do not get the tax revenues. Do you know what we do get to do? We get to continue to import our oil from the Middle East. How does that sound? Is that a good idea with what is going on in Iran and with what is going on in Egypt and with what is going on in Syria—the risk that the

Strait of Hormuz could be blockaded or that you could have further conflict over there that could cut off oil supplies? Is that what the American people want? They want to continue to get oil from the Middle East rather than our closest friend and ally, Canada? The American people would rather that oil go to China? Of course not. And that is what we are talking about with this project.

Well, that raises another important point. The administration's own State Department completed its 3-year National Environmental Protection Act—NEPA—review of the Keystone XL project back in 2011 and determined that "there would be no significant impacts" on the environment. That is what the administration determined in their own NEPA process.

And that raises another point. The White House says: Well, we do not want to get ahead of the process. But the President effectively abandoned the process more than a year ago when he halted the project by Executive action. Had he not, the State Department, in keeping with the usual process, would have issued a decision on the permit—after 4 years—by December 2011, according to a letter Secretary Clinton sent to me in August 2011.

I have worked toward approval of the Keystone XL Pipeline—first as the Governor of North Dakota and now as a Senator—because I believe it is just the kind of project that will grow our economy and create the jobs our country so desperately needs, and it will do so with good environmental stewardship. At the same time, it will reduce our dependence on the Middle East for oil, which is what the American people have desired for decades. The Keystone XL Pipeline project is long overdue. For the benefit of our economy, our environment, and our long-term energy security, President Obama needs to approve it now, without further delay.

Mr. President, I ask unanimous consent for several minutes on another topic in regard to a recipient of the Medal of Honor from my State of North Dakota.

The PRESIDING OFFICER (Mr. MANCHIN). Without objection, it is so ordered.

TRIBUTE TO ARMY STAFF SERGEANT CLINTON ROMESHA

Mr. HOEVEN. Mr. President, I rise today to honor one of our Nation's true heroes—Army SSG Clinton Romesha.

On Monday the President will present Sergeant Romesha with our country's highest military award—the Medal of Honor—for "acts of gallantry . . . above and beyond the call of duty."

Clint comes from a long line of military heroes. His father is a veteran of the Vietnam war. His grandfather fought in the U.S. Army during World War II. Romesha often cites his grandfather as his greatest hero, so it was

not surprising that Clint followed his example and joined the Army in 1999.

Staff Sergeant Romesha showed courage every day that he donned his Army uniform but especially on October 3, 2009, one of the deadliest days of the war in Afghanistan. On that day hundreds of Taliban fighters ambushed American Combat Outpost Keating from all sides with grenades, machine guns, mortars, and rifles. Heavily outnumbered, Clint Romesha and his fellow soldiers quickly fought back in what would turn out to be a deadly daylong battle.

Sergeant Romesha fought valiantly. He darted into danger to draw out the enemy many times. He himself took out a machine gun team. Staff Sergeant Romesha was working to take out a second when he was wounded by shrapnel from an exploding grenade.

His Medal of Honor citation reads:

Undeterred by his injuries, Staff Sergeant Romesha continued to fight and upon the arrival of another soldier to aid him and the assistant gunner, he again rushed through the exposed avenue to assemble additional soldiers.

With complete disregard for his own safety, he continually exposed himself to heavy enemy fire as he moved confidently about the battlefield engaging and destroying multiple enemy targets.

Staff Sergeant Romesha exemplified the valor that President Theodore Roosevelt—also a Medal of Honor recipient—spoke of when he said: "Courage is not having the strength to go on; it is going on when you don't have the strength."

Despite his wounds, Sergeant Romesha never stopped fighting. He stayed in the battle—leading his team, directing air support, protecting wounded soldiers, and helping to recover the bodies of his fallen friends.

The battle lasted for 12 hours. Eight soldiers lost their lives, and 22 were wounded—a fact that Romesha humbly reminds us of whenever his bravery is touted.

In fact, Sergeant Romesha said:

What I got injured with was nothing. I have buddies who lost their eyesight, who lost limbs. For that, I would rather give them all the credit they deserve for the sacrifices they made. For me, it was nothing.

To Sergeant Romesha, it was just doing his job. To the rest of us, he is a true example of courage and selfless sacrifice. He went above and beyond the call of duty, repeatedly risking his life to defend his post and, more importantly, to help his fellow soldiers. We are grateful for his service and for his example to us all.

Today, Clint resides in Minot, ND, where he and his wife Tamara are raising their three children. I am certain he is every much the hero and inspiration to them that his own grandfather was to him.

My wife Mikey and I join our fellow North Dakotans and Americans in honoring Sergeant Romesha for his heroic

and selfless service. We thank him for his exemplary actions on that dangerous day in Afghanistan and every day he served our great country.

With that, Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we proceed to morning business, with the Senators allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

TIMBUKTU ANTIQUITIES

Mr. LEAHY. Mr. President, there was a lot of attention recently on the French military's operation to repel Islamic extremists and Tuareg nationalist rebels who had terrorized the local population of northern Mali, including in the ancient city of Timbuktu. That operation was widely welcomed by local Malian citizens and the international community. Many of the rebels are believed to be hiding out among the local population until the French soldiers leave, so whether they are ultimately vanquished remains to be seen. It will depend in large measure on the longer term capability of a multinational force of African troops supported by the United States and others.

Besides terrorizing, torturing, mutilating, and slaughtering innocent people, the rebels destroyed ancient tombs, shrines, and manuscripts dating to a period many centuries ago when Timbuktu was a crossroads for commerce and a center of intellectual pursuits in northern Africa. I mention this not only to inform those who may be unaware of Mali's ongoing cultural importance, but also to call attention to the fact that Irina Bokova, Director General of the United Nations Educational, Scientific, and Cultural Organization, commonly known as UNESCO, has already pledged to reconstruct the damaged mausoleums. As she was quoted in the *New York Times* on February 4, 2013, "This is the record of the golden ages of the Malian empire. If you let this disappear, it would be a crime against humanity."

There are also little known heroes in this otherwise humanitarian and cultural disaster. Malian residents, particularly Ali Iman Ben Essayouti, who knew the importance of priceless

manuscripts preserved in a library funded by international donors, including the Library of Congress and Department of State, managed to carefully move some of them to another location where the rebels did not find them. As a result, although the rebels burned the library, only a small portion of the manuscripts were destroyed.

The other point of this is that, as many Senators are aware, the United States, once the largest contributor to UNESCO, including under President George W. Bush, was forced to sever its support last year due to a 1990s law that prohibits U.S. funding to any United Nations-affiliated agency in which the Palestinian Liberation Organization, PLO, obtains the same standing as a member state. After UNESCO's members voted, against the advice of Ms. Bokova, to grant the PLO that standing, the law was triggered and U.S. funding abruptly ended.

This is illogical and self-defeating. First, although the PLO was a terrorist organization in the 1990s, it is no longer. Second, by cutting off our contribution to UNESCO we not only empower its other members, including Russia, Iran, and Syria, we also make it impossible to assist the organization in the kind of cultural preservation activities it is now undertaking in Mali, which are clearly in the national interest of the United States. There are many other examples, including World Heritage Sites like the Great Barrier Reef, which UNESCO designates and protects today without the support of the United States. Finally, if U.S. funding is not restored before the end of this fiscal year, we will lose our vote in the organization. Ironically, despite PLO membership in UNESCO, Israel has paid its dues through 2014. Presumably, Israeli officials recognize, as we should, that their interests are far better served by participating in a U.N. agency, not by watching from the sidelines.

Mr. President, regardless of what one may think about Palestinian President Abbas' effort to obtain U.N. membership for the PLO, and I am among those who regard it as an unhelpful distraction, cutting off U.S. funding to UNESCO and thereby weakening our influence and empowering our adversaries makes no sense. It is time we recognize that a law that might have seemed sensible to some people years ago has had unintended consequences that run directly counter to our interests, and should be amended or repealed.

TRIBUTE TO MARK SULLIVAN

Mr. REID. Mr. President, I rise today to pay tribute to Mark Sullivan, who is retiring from his position as Director of the United States Secret Service on February 22, 2013.

Serving as Director for nearly 7 years, and working for five Presidents, Mark Sullivan leaves his mark on the agency by achieving such benchmarks as the Secret Service Uniformed Division Modernization Act, and the Former Presidents Protection Act. He also oversaw the complete overhaul of the Secret Service IT Modernization and Operation Mission Support, which enhanced White House security. He led the effort to create the National Computer Forensic Institute in Hoover, AL, and established numerous overseas field offices to build partnerships between all levels of law enforcement.

Mark Sullivan began his distinguished 30-year career with the Secret Service as a special agent assigned to the Detroit Field Office in 1983. In 1990, Mr. Sullivan was transferred to the Fraud Division in Washington, DC, where he coordinated and monitored multi-jurisdictional criminal investigations involving credit card fraud, bank fraud, and other criminal activity. In 1991, Mr. Sullivan received his first assignment to the Presidential Protective Division, where he served 4 years.

In 1996, Mr. Sullivan was selected as Assistant Special Agent in Charge of the Office of Protective Operations. He returned to the field in 1997 as the Resident Agent in Charge of the Columbus Resident Office, which oversaw all Secret Service activities in Central Ohio. Twenty months later, Mr. Sullivan was promoted back to Washington, DC as Deputy Special Agent in Charge of the Counterfeit Division, where he managed the agency's investigative activities related to the criminal production and distribution of counterfeit currency and other financial instruments. In July of 1999, he returned to the Presidential Protective Division as an Assistant Special Agent in Charge.

Mr. Sullivan was promoted into the Federal Senior Executive Service in July, 2000, when he was selected as a Deputy Assistant Director in the Office of Protective Operations. In 2002, he was reassigned to the position of Deputy Special Agent in Charge of the Vice Presidential Protective Division. A year later, he was reassigned to the position of Deputy Assistant Director of the Office of Human Resources and Training. He next served as Assistant Director for the Office of Protective Operations, where he oversaw all protective activities for the agency, encompassing 12 divisions and 2,300 employees.

Mr. Sullivan was named Deputy Director in January, 2006 and on May 31, 2006, he was sworn in as the 22nd Director of the U.S. Secret Service.

Prior to joining the Secret Service, Mr. Sullivan spent 3 years as a special agent in the Office of the Inspector General for the Department of Housing and Urban Development.

Mark Sullivan has received numerous awards for superior performance throughout his 34-year career in Federal law enforcement. In 2010 he was recognized by President Obama as the recipient of the Distinguished Presidential Rank Award, which he also received in 2005 from then President George W. Bush. Mr. Sullivan is to be honored for his dedication and commitment to public service, devoting his life to the safety of our first families, our Nation's leaders, and the general public. He has been a steadfast partner to the legislative branch, assisting with State of the Union addresses, Inaugurals and other joint partnerships. He will be greatly missed here in the Capitol and we wish him well in his future endeavors.

A native of Arlington, MA, Mr. Sullivan, who is from a large Irish Catholic family, received his bachelor's degree in Criminal Justice from Saint Anselm College in Manchester, NH. He and his wife of 26 years, Laurie, have three daughters, one of which, Lauren, has followed in her father's footsteps by entering public service after graduating from college. She has worked for the Senate Sergeant at Arms for over 3 years. A former boss once said of Sullivan, "If you were casting someone for the role of director of the Secret Service, he looks the part. He's a tall, handsome Irishman, with grey hair and the demeanor of a born leader." I join with my colleagues from both sides of the aisle in thanking Director Sullivan for his outstanding service to our Nation.

REMEMBERING CARDISS COLLINS

Mr. DURBIN. Mr. President, today, I want to pay tribute to an exceptional, Illinoisan who passed away this weekend.

Congresswoman Cardiss Collins served my State and the city of Chicago with distinction for more than two decades, and I was honored to have served with her in the House.

Representative Collins did not plan for a political life. She was an accountant and a mother. But when her husband, Congressman George Collins, died in a plane crash, Cardiss was convinced to run in a special election to succeed him. And she won, becoming the first African American woman elected to Congress from Illinois.

When she arrived in Washington, she learned the job quickly and became a leader on a variety of issues—from women's rights, to children's rights, to healthcare. Her colleagues quickly recognized her leadership qualities. After just a few terms, they elected her chairwoman of the Congressional Black Caucus. She also soon became the first African American woman to be elected Democratic Majority Whip At-Large.

I am glad that I had the chance to get to know Cardiss Collins. I—and

countless Illinoisans—will remember her fighting spirit, her conviction in what was right and, of course, her sense of humor.

In 1993, a newly elected Illinois Senator by the name of Carol Moseley-Braun had decided—along with Senator BARBARA MIKULSKI—to do something no woman had ever done on the Senate floor: wear pants, instead of a dress or skirt. At the time, women were actually prohibited by the Senate rules from wearing trousers. And these Senators' decision ruffled a few feathers around here.

Well, this didn't sit right with Congresswoman Collins, and she had something to say about it. What she said was, "They shouldn't be concerned about the dress code, unless the men Senators start wearing dresses."

Soon after, the Senate amended its rules.

Congresswoman Collins played a part in tearing down that barrier, just as she did for so many other barriers and inequalities for women and minorities across the country. That is the kind of person she was: a fighter.

I will close by simply acknowledging all the good she did, both here in Congress and back home in Chicago, fighting the good fight. Congresswoman Cardiss Collins will be missed.

TRIBUTE TO JIM MOLINARI

Mrs. FEINSTEIN. Mr. President, I rise today to recognize the service of one of the Senate's most dedicated, loyal and capable employees, James J. Molinari.

Jim has served as my State director for more than a decade, but his public service began many years ago.

In 1967, Jim began his 45-year career in public service when he became a patrol officer with the San Francisco Police Department.

For 27 years he rose through the ranks of the police department, and he did it all. From street patrol to investigations, undercover assignment to a Federal liaison, Jim was given the responsibilities.

From 1977 through 1986, during my tenure as mayor of San Francisco, Jim was a senior staff member in the mayor's office. He was responsible for security for both the mayor and visiting dignitaries, and he served as my advisor on law enforcement matters.

Jim was at my side for many of the most significant moments of my service as mayor.

We hosted two Super Bowl parades, in 1982 and 1985, the 1984 Democratic National Convention, and even visits by the Pope and the Queen of England.

I still remember those days, and I am happy that Jim was there to share them with me.

In 1992 he became a captain and commanding officer of the Planning and Research Division.

I have no doubt that Jim would have kept climbing the ladder in the Police Department, but in 1994 I helped convince him that his talents were suitable for a larger stage and that he would make a fine U.S. Marshal.

On February 11, 1994, President Clinton appointed Jim the United States Marshal for the Northern District of California.

Jim served as a Marshal for 7 years, during which time he was responsible for the administration of Federal law enforcement for 15 northern California counties, or about 12 million people.

He oversaw a \$35 million budget and had a staff of about 130.

In 2001, Jim decided to focus his experience on counternarcotics and became director of the San Francisco Bay Area High Intensity Drug Trafficking Area. As executive director, he oversaw coordination and implementation of the agency's programs and initiatives.

In 2002, I convinced Jim to return to my office as State director.

As State director, Jim advises around 30 employees and oversees operations in my four State offices, in San Francisco, Los Angeles, San Diego and Fresno.

It is an understatement for me to call Jim one of my most trusted public policy and legislative advisors.

I don't know if it's his roots as a police officer or his Italian sensibilities, but Jim is practical, he cuts through the red tape and he calls it how he sees it.

Jim is a real 10.

Mr. President, I ask that you and all of our colleagues join in thanking Jim Molinari for his years of service, not only to the Senate but to the State of California and the Nation.

We wish him a wonderful retirement and want him to know we all appreciate his service and friendship.

CELEBRATING BLACK HISTORY MONTH

Mr. UDALL of Colorado. Mr. President, for more than 150 years, leaders from President Abraham Lincoln to Dr. Martin Luther King, Jr. have challenged us to keep faith with the true spirit of our Constitution. Today we continue the work of these two dynamic men who courageously led the charge—during times of national division and civil strife—in pursuing a more perfect union where all Americans are truly free and have equal access to opportunity.

As we celebrate Black History Month this year, I am honored to reflect on the historical and everyday contributions of African-Americans to the State of Colorado and to our country. Their efforts to ensure equality for all Americans are tightly woven into the fabric of our ever-evolving Nation.

Last month, millions of Americans and I watched as President Barack

Obama took the oath for his second Presidential term. And for the first time in our Nation's history, there are two African-American U.S. Senators serving at the same time—Senators TIM SCOTT of South Carolina and MO COWAN of Massachusetts. Following the 2012 elections, Colorado celebrated a record number of African-American lawmakers in the Colorado House of Representatives, known as the “historic five” who are paving the way for more diversity. I also am proud of how our State set the precedent for the country 4 years ago, when two African-American lawmakers, Rep. Terrance Carroll and Senator Peter Groff, held the top leadership roles in the Colorado General Assembly. These public servants were role models and leaders on so many important issues—one of which was pushing hard to create educational opportunities for all Coloradans.

Creating opportunity through education is critical, and as we work to close achievement and economic opportunity gaps throughout our State and country, I would like to pay homage to two of Colorado's African-American pioneers who have worked tirelessly to guarantee equal access to quality education for all Coloradans.

Omar D. Blair, a member of the Tuskegee Airmen in the 1940s, served as the first African-American president of the Denver Board of Education and went on to become the first African-American president of the Colorado Association of School Boards. During his tenure as president of the Denver Board of Education, Blair championed quality education and led the city through the controversial desegregation of its public schools.

Rachel B. Noel, known as the lion of the African-American civil rights movement in Denver, became the first African-American elected to the Denver Board of Education and was also the first African-American woman elected to office in Colorado. On April 25, 1968, Noel spearheaded a resolution to integrate Denver's public schools. Despite the school board's decision to overturn the resolution in 1969, the U.S. Supreme Court affirmed Noel's historic resolution in its 1973 decision, *Keyes v. Denver Public Schools No. 1*.

These exceptional Coloradans changed the way we educate our youth and supported access to opportunity for all. But while we have seen progress, there is still much work to do.

In this rapidly changing world where we increasingly rely on technology, we must provide our youth with the math and science skills they need to become leaders and keep our Nation on the cutting edge of innovation and ingenuity. That is why I stand with President Obama and Gov. Hickenlooper in supporting science, technology, engineering and mathematics, STEM, education programs to provide our youth with

viable pathways to academic and professional success. With a strong investment in STEM programs, and by ensuring Colorado's students continue to have access to language and arts education, we will give our students the tools they need to be successful in the 21st century.

From Colorado's earliest days as a western territory to the present, African-American community leaders and public servants have been a driving force in transforming the works and vision of our Founding Fathers into reality. I am humbled and inspired by their commitment to pushing our country to reach its fullest potential. I will continue to do my part to honor African-Americans' legacy of triumph over challenge. I hope you will join me in doing the same.

VOTE EXPLANATION

Mr. HOEVEN. Mr. President, please let the record show that I was in Minot, ND, on January 29, 2013, to speak at the funeral and honor the life of Chester Reiten when the confirmation vote on Senator John Kerry to be Secretary of State was held. Chester Reiten was a dedicated public servant who devoted a considerable amount of his time and energy to serving his community and State. His efforts included lengthy tenures as a State senator and mayor of Minot.

TWENTIETH ANNIVERSARY OF FMLA

Mr. BENNET. Mr. President, today I wish to celebrate the 20th Anniversary of the enactment of The Family and Medical Leave Act, FMLA. For 20 years, this historic law has helped individuals balance their family and work obligations. As a husband, and the father of three daughters, the flexibility to care for your family and children without the fear of losing your job is invaluable.

The passage of the FMLA represented a broad, bipartisan Congressional effort to improve working conditions for American families. Since the FMLA was signed into law by President Clinton in 1993, workers have used it more than 100 million times to take job-protected leave. Under the FMLA, an employee may take up to 12 weeks of unpaid leave for the birth or adoption of a child or placement of a foster child. An employee can also use the FMLA to care for a spouse, child or parent suffering from a serious health condition.

At the core of the FMLA is the concept of flexibility. And that idea—not just flexibility in taking leave, but flexibility across the board, in all facets of the workplace experience—is something we must strive for in today's office environment. We must allow our workers to be productive and commit themselves to their jobs, while also allowing them to be great parents.

In my home State of Colorado, we have expanded the benefits under the FMLA by adopting two additional State leave policies—Domestic Abuse Leave and Colorado Small Necessities Leave. Under Domestic Abuse Leave, employees who are victims of domestic violence and sexual assault may take leave in order to seek various medical and legal services. Colorado Small Necessities Leave allows workers to take 18 hours of unpaid annual leave each school year in order to participate in their children's school activities, including attending parent/teacher conferences.

Despite the vast improvements in practices since the enactment of the FMLA, our country still has a ways to go. Most part-time workers and nearly half of full-time workers are not eligible for leave under FMLA. And millions of employees who are eligible cannot afford to take unpaid leave. With this in mind, this law must not be considered an end, but instead a first step in the right direction—there is room for improvement. For example, we should consider expanding the definition of a family to include members of the LGBT community.

But it is a worthwhile start, and so again, I would like to take this opportunity to celebrate the 20th anniversary of the FMLA. I hope we can use the upcoming session of Congress to look for ways to strengthen this important law.

ADDITIONAL STATEMENTS

TRIBUTE TO VINNIE BAIOCCHETTI

• Ms. AYOTTE. Mr. President, I wish to recognize and congratulate chief of police Vinnie Baiocchetti of the Belmont, NH, Police Department for his 37 years of dedicated service to the firefighting and law enforcement professions, the town of Belmont, and the State of New Hampshire.

Beginning his public safety career as a firefighter and emergency medical technician in 1976, Vinnie then joined the Laconia, NH, Police Department in 1983 as a part-time police officer, became a full-time officer for the Gilmanton, NH, Police Department in 1984, and was promoted to sergeant in that agency in 1991. He joined the Belmont, NH, Police Department in 2001, where he was promoted to sergeant in 2002, and appointed chief of police in 2003.

During his long career as a public safety professional, Chief Baiocchetti continued to serve with the Laconia, NH, Fire Department as a call firefighter and fire investigator. Chief Baiocchetti has been a leader in promoting community-oriented policing, improving public safety within the State of New Hampshire, and promoting sound public policies and practices, which have helped keep New

Hampshire one of the safest States in the Nation. Chief Baiocchetti has worked tirelessly with his peers and with other public safety officials to better the administration of justice and to train members of New Hampshire's police and fire communities. He has focused on mentoring young people interested in the law enforcement profession through Law Enforcement Exploring. Chief Baiocchetti served as an adviser, assistant commander, and commander of the New Hampshire Police Cadet Training Academy during his more than 25 years of work with this unique and nationally emulated summer program for teenagers.

As Chief Baiocchetti celebrates his retirement, I want to commend him on a job well done and ask my colleagues to join me in wishing him, his wife Tammy, and daughter Ashley, well in all future endeavors.●

TRIBUTE TO ELAINE BALSLEY

● Mr. THUNE. Mr. President, today I recognize Elaine Balsley, an intern in my Rapid City, SD, office for all of the hard work she has done for me, my staff, and the State of South Dakota over the past few months.

Elaine is a graduate of Stevens High School in Rapid City, SD. Currently, she is attending Black Hills State University where she is majoring in mass communications. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Elaine for all of the fine work she has done and wish her continued success in the years to come.●

REMEMBERING RICHARD WALTON

● Mr. WHITEHOUSE. Rhode Island is mourning the loss of one of our most renowned and accomplished citizens. Richard Walton was an activist, a teacher, a journalist, and a force for good in our State, in our Nation, and indeed in the world.

It would take most of us many lifetimes to achieve as much and to touch as many as Richard did in his 84 years. Richard organized workers to win collective bargaining rights, and he organized communities to win social justice. He helped build houses for homeless Rhode Islanders, and he helped preserve Rhode Island's historic buildings. He volunteered at and helped lead the State's largest soup kitchen, and he emceed concerts for and helped lead the Stone Soup Folks Arts Foundation. He served in the Navy, and he protested against war.

Richard worked to improve our country, promoting third-party politics. He was the Citizens Party candidate for Vice President in 1984, and was a central figure in the founding of the Green Party. Richard worked to improve our

world, documenting movements for independence in Africa and heading up educational and medical initiatives in Central America.

Richard was known for his hospitality. Every year he welcomed hundreds of friends and strangers to his home on Pawtuxet Cove in Warwick for a combination birthday party/folk music jam. And he was known for his generosity. He asked his guests to donate to one of his favorite causes instead of bringing gifts.

One of the many social welfare organizations that benefitted from Richard's passion and brilliance was the George Wiley Center, a grassroots anti-poverty nonprofit. In 2008, the Center asked Richard to compose its statement of philosophy. It begins like this:

The George Wiley Center is, in the short term, "a voice for the voiceless," but our enduring task is to help them find their own voice, to speak out for their own legitimate basic needs and not let those in power treat them as powerless, for they are not powerless once they recognize that their numbers count, that their voices count, that their moral worth as human beings, as residents of the United States, counts.

Richard's allies would attest that this was indeed his own philosophy, lived out each day of his life. Richard will be missed by many, including his children, Cathy and Richard. But his legacy of justice, compassion, and empowerment will be felt by many, for years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the presiding officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 9:34 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 225. An act to amend title IV of the Public Health Service Act to provide for a National Pediatric Research Network, including with respect to pediatric rare diseases or conditions.

H.R. 297. An act to amend the Public Health Service Act to reauthorize support for graduate medical education programs in children's hospitals.

The message also announced that the House has agreed to the following con-

current resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 11. Concurrent resolution providing for a joint session of Congress to receive a message from the President.

The message further announced that pursuant to 22 U.S.C. 1928a, and the order of the House of January 3, 2013, the Speaker appoints the following member on the part of the House of Representatives to the United States Group of the NATO Parliamentary Assembly: Mr. LARSON of Connecticut.

At 11:42 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 444. An act to require that, if the President's fiscal year 2014 budget does not achieve balance in a fiscal year covered by such budget, the President shall submit a supplemental unified budget by April 1, 2013, which identifies a fiscal year in which balance is achieved, and for other purposes.

The message also announced that pursuant to section 643(c) of The American Taxpayer Relief Act (Public Law 112-240), the Minority Leader appoints the following individuals on the part of the House of Representatives to the Commission on Long-Term Care: Bruce Allen Chernof of Los Angeles, California, Judith Stein of Storrs, Connecticut, and George Vradenburg of Washington, DC.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 225. An act to amend title IV of the Public Health Service Act to provide for a National Pediatric Research Network, including with respect to pediatric rare diseases or conditions; to the Committee on Health, Education, Labor, and Pensions.

H.R. 297. An act to amend the Public Health Service Act to reauthorize support for graduate medical education programs in children's hospitals; to the Committee on Health, Education, Labor, and Pensions.

H.R. 444. An act to require that, if the President's fiscal year 2014 budget does not achieve balance in a fiscal year covered by such budget, the President shall submit a supplemental unified budget by April 1, 2013, which identifies a fiscal year in which balance is achieved, and for other purposes; to the Committee on the Budget.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 209. A bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and

were referred or ordered to lie on the table as indicated:

POM-1. A resolution adopted by the Municipal Legislature of Luquillo, Puerto Rico relative to urging the President and the Congress of the United States of America to act on the results from the November 6, 2012 plebiscite by the Commonwealth of Puerto Rico, which would assure democratic justice for 3.7 million U.S. citizens; to the Committee on Energy and Natural Resources.

POM-2. A resolution adopted by the Municipal Legislature of Fajardo, Puerto Rico relative to urging the President and the Congress of the United States of America to act on the results from the November 6, 2012 plebiscite by the Commonwealth of Puerto Rico, which would assure democratic justice for 3.7 million U.S. citizens; to the Committee on Energy and Natural Resources.

POM-3. A resolution adopted by the Municipal Legislature of Naranjito, Puerto Rico relative to urging the President and the Congress of the United States of America to act on the results from the November 6, 2012 plebiscite by the Commonwealth of Puerto Rico, which would assure democratic justice for 3.7 million U.S. citizens; to the Committee on Energy and Natural Resources.

POM-4. A resolution adopted by the Legislature of Rockland County, New York, urging the United States Senate and the House of Representatives to pass legislation granting tax relief to individuals and businesses who suffered financial loss due to Hurricane Sandy; to the Committee on Finance.

POM-5. A communication from the Assistant Secretary, Legislative Affairs, Department of State, forwarding correspondence from the Chairman of the National Assembly of Vietnam expressing condolences to the Senate on the death of Senator Daniel Inouye; to the Committee on Foreign Relations.

POM-6. Communications from the Speaker of the Jogorku Kenesh of the Kyrgyz Republic expressing condolences to the Senate on the death of Senator Daniel Inouye and also conveying wishes of continued friendly Kyrgyz-American relations; to the Committee on Foreign Relations.

POM-7. A resolution adopted by the Township of Edison, New Jersey, urging the President, Governor and Legislators to enact more stringent gun laws; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SANDERS, from the Committee on Veterans' Affairs:

Special Report entitled "Legislative and Oversight Activities During the 111th Congress by the Senate Committee on Veterans' Affairs" (Rept. No. 113-1).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Robert E. Bacharach, of Oklahoma, to be United States Circuit Judge for the Tenth Circuit.

William J. Kayatta, Jr., of Maine, to be United States Circuit Judge for the First Circuit.

Richard Gary Taranto, of Maryland, to be United States Circuit Judge for the Federal Circuit.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. TOOMEY (for himself and Mr. CASEY):

S. 229. A bill to designate the medical center of the Department of Veterans Affairs located at 3900 Woodland Avenue in Philadelphia, Pennsylvania, as the "Corporal Michael J. Crescenz Department of Veterans Affairs Medical Center"; to the Committee on Veterans' Affairs.

By Mr. PORTMAN (for himself and Mr. UDALL of Colorado):

S. 230. A bill to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PORTMAN (for himself and Mr. UDALL of New Mexico):

S. 231. A bill to reauthorize the Multinational Species Conservation Funds Semipostal Stamp; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HATCH (for himself, Ms. KLOBUCHAR, Mr. CORNYN, Mr. DONNELLY, Mr. BURR, Mr. FRANKEN, Mr. TOOMEY, Mr. CASEY, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BLUNT, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Ms. COLLINS, Mr. CRAPO, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNES, Mr. MORAN, Mr. PORTMAN, Mr. RISCH, Mr. ROBERTS, Mr. RUBIO, Mr. THUNE, and Mr. WICKER):

S. 232. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices; to the Committee on Finance.

By Mrs. GILLIBRAND:

S. 233. A bill to designate the facility of the United States Postal Service located at 815 County Road 23 in Tyrone, New York, as the "Specialist Christopher Scott Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. REID:

S. 234. A bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes; to the Committee on Armed Services.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 235. A bill to provide for the conveyance of certain property located in Anchorage, Alaska, from the United States to the Alaska Native Tribal Health Consortium; to the Committee on Indian Affairs.

By Ms. MURKOWSKI (for herself, Mr. COBURN, Mr. PAUL, and Mr. BARRASSO):

S. 236. A bill to amend title XVIII of the Social Security Act to establish a Medicare payment option for patients and physicians or practitioners to freely contract, without penalty, for Medicare fee-for-service items

and services, while allowing Medicare beneficiaries to use their Medicare benefits; to the Committee on Finance.

By Ms. MURKOWSKI (for herself, Mr. JOHNSON of South Dakota, and Mr. BEGICH):

S. 237. A bill to amend the Public Health Service Act to reauthorize and extend the Fetal Alcohol Syndrome prevention and services program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEE (for himself, Mr. CORNYN, and Mr. RUBIO):

S. 238. A bill to amend the Federal Reserve Act to improve the functioning and transparency of the Board of Governors of the Federal Reserve System and the Federal Open Market Committee, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 239. A bill to extend the frontier extended stay clinic demonstration; to the Committee on Finance.

By Mr. TESTER (for himself, Mr. CHAMBLISS, Mr. BEGICH, Mr. BLUMENTHAL, Mr. WYDEN, Ms. KLOBUCHAR, Ms. LANDRIEU, and Mr. BAUCUS):

S. 240. A bill to amend title 10, United States Code, to modify the per-fiscal year calculation of days of certain active duty or active service used to reduce the minimum age at which a member of a reserve component of the uniformed services may retire for non-regular service; to the Committee on Armed Services.

By Mr. UDALL of New Mexico (for himself and Mr. HEINRICH):

S. 241. A bill to establish the Rio Grande del Norte National Conservation Area in the State of New Mexico, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BURR (for himself, Mr. HARKIN, Mr. ENZI, Mr. CASEY, Mr. ALEXANDER, Ms. MIKULSKI, Mr. ISAKSON, Mr. ROBERTS, and Mr. CHAMBLISS):

S. 242. A bill to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET (for himself and Mr. UDALL of Colorado):

S. 243. A bill to provide assistance for watersheds adversely affected by qualifying natural disasters; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HOEVEN (for himself and Ms. HEITKAMP):

S. 244. A bill to amend the Energy Policy Act of 2005 to modify the Pilot Project offices of the Federal Permit Streamlining Pilot Project; to the Committee on Energy and Natural Resources.

By Ms. KLOBUCHAR (for herself and Mr. HELLER):

S. 245. A bill to amend the Communications Act of 1934 to authorize a bipartisan majority of Commissioners of the Federal Communications Commission to hold non-public collaborative discussions, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. 246. A bill to prevent the escapement of genetically altered salmon in the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CARDIN (for himself, Mr. SCHUMER, Ms. MIKULSKI, and Mrs. GILLIBRAND):

S. 247. A bill to establish the Harriet Tubman National Historical Park in Auburn, New York, and the Harriet Tubman Underground Railroad National Historical Park in Caroline, Dorchester, and Talbot Counties, Maryland, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. 248. A bill to amend the Federal Food, Drug, and Cosmetic Act to require labeling of genetically engineered fish; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mrs. BOXER, Mr. LEAHY, Mr. LAUTENBERG, Mr. WHITEHOUSE, Mr. REED, Mrs. SHAHEEN, Mr. FRANKEN, Mr. BEGICH, Mr. DURBIN, Ms. STABENOW, Mr. BLUMENTHAL, Mr. SCHUMER, Mr. WYDEN, Mr. LEVIN, Ms. LANDRIEU, Mr. MERKLEY, Mrs. GILLIBRAND, Mr. CARDIN, Mrs. HAGAN, Mr. SANDERS, and Mrs. FEINSTEIN):

S. 249. A bill to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SANDERS:

S. 250. A bill to amend the Internal Revenue Code of 1986 to modify the treatment of foreign corporations, and for other purposes; to the Committee on Finance.

By Mr. FLAKE (for himself, Mr. CRAPO, and Mr. VITTER):

S. 251. A bill to amend the renewable fuel program under section 211(o) of the Clean Air Act to require the cellulosic biofuel requirement to be based on actual production; to the Committee on Environment and Public Works.

By Mr. ALEXANDER (for himself, Mr. BENNET, Mr. ISAKSON, Ms. MIKULSKI, Mr. REED, Mr. MENENDEZ, and Ms. LANDRIEU):

S. 252. A bill to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of Colorado (for himself, Mr. ROBERTS, and Mr. ENZI):

S. 253. A bill establishing the Committee to Reduce Government Waste; to the Committee on Rules and Administration.

By Mr. MENENDEZ (for himself and Mr. LAUTENBERG):

S. 254. A bill to amend title III of the Public Health Service Act to authorize and support the creation of cardiomyopathy education, awareness, and risk assessment materials and resources by the Secretary of Health and Human Services through the Centers for Disease Control and Prevention and the dissemination of such materials and resources by State educational agencies to identify more at-risk families; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BAUCUS (for himself and Mr. TESTER):

S. 255. A bill to withdraw certain Federal land and interests in that land from location, entry, and patent under the mining laws and disposition under the mineral and geothermal leasing laws; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Ms. MURKOWSKI) (by request):

S. 256. A bill to amend Public Law 93-435 with respect to the Northern Mariana Islands, providing parity with Guam, the Virgin Islands, and American Samoa; to the Committee on Energy and Natural Resources.

By Mr. BOOZMAN (for himself, Mr. NELSON, and Mr. DURBIN):

S. 257. A bill to amend title 38, United States Code, to require courses of education provided by public institutions of higher education that are approved for purposes of the educational assistance programs administered by the Secretary of Veterans Affairs to charge veterans tuition and fees at the in-State tuition rate, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BARRASSO (for himself, Mr. ENZI, Mr. CRAPO, Mr. HATCH, Mr. HELLER, Mr. LEE, and Mr. RISCH):

S. 258. A bill to amend the Federal Land Policy and Management Act of 1976 to improve the management of grazing leases and permits, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. UDALL of New Mexico:

S. 259. A bill to assure equity in contracting between the Federal Government and small business concerns, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mrs. GILLIBRAND:

S. 260. A bill to require the collection of data by officers enforcing immigration law and for other purposes; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself, Mr. SCHUMER, Mr. WHITEHOUSE, Mrs. BOXER, Mr. MENENDEZ, and Mr. LAUTENBERG):

S. 261. A bill to establish and clarify that Congress does not authorize persons convicted of dangerous crimes in foreign courts to freely possess firearms in the United States; to the Committee on the Judiciary.

By Mr. DURBIN:

S. 262. A bill to amend title 38, United States Code, to provide equity for tuition and fees for individuals entitled to educational assistance under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs who are pursuing programs of education at institutions of higher learning, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. AYOTTE (for herself, Mr. INHOFE, Mr. MCCAIN, Mr. GRAHAM, Mr. THUNE, Mr. RUBIO, Mr. JOHNSON of Wisconsin, and Mr. ROBERTS):

S. 263. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to modify the discretionary spending limits to take into account savings resulting from the reduction in the number of Federal employees; to the Committee on the Budget.

By Ms. STABENOW (for herself, Mr. REED, Mr. BLUNT, Mr. RUBIO, Ms. COLLINS, Mrs. BOXER, Mr. ROCKEFELLER, Mr. TESTER, Mr. BEGICH, and Mr. LEAHY):

S. 264. A bill to expand access to community mental health centers and improve the quality of mental health care for all Americans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself and Ms. STABENOW):

S. 265. A bill to amend the Public Health Service Act to provide grants for community-based mental health infrastructure improvement; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself and Mr. HATCH):

S. 266. A bill to provide for the inclusion of Israel in the visa waiver program, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MORAN (for himself and Ms. KLOBUCHAR):

S. Res. 26. A resolution recognizing that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY (for herself, Ms. COLLINS, Mr. ISAKSON, and Mr. LEVIN):

S. Res. 27. A resolution designating the week of February 4 through 8, 2013, as "National School Counseling Week"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 40

At the request of Mr. HATCH, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 40, a bill to restore Americans' individual liberty by striking the Federal mandate to purchase insurance.

S. 46

At the request of Mr. TOOMEY, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 46, a bill to protect Social Security benefits and military pay and require that the United States Government prioritize all obligations on the debt held by the public in the event that the debt limit is reached.

S. 47

At the request of Mr. LEAHY, the name of the Senator from Massachusetts (Mr. COWAN) was added as a cosponsor of S. 47, a bill to reauthorize the Violence Against Women Act of 1994.

S. 54

At the request of Mr. LEAHY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 54, a bill to increase public safety by punishing and deterring firearms trafficking.

S. 80

At the request of Mr. CORNYN, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 80, a bill to amend the DNA Analysis Backlog Elimination Act of 2000 to provide for Debbie Smith grants for auditing sexual assault evidence backlogs and to establish a Sexual Assault Forensic Evidence Reporting System, and for other purposes.

S. 84

At the request of Ms. MIKULSKI, the names of the Senator from Colorado

(Mr. BENNET) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 84, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 91

At the request of Mr. VITTER, the names of the Senator from Alabama (Mr. SESSIONS) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 91, a bill to amend the Internal Revenue Code of 1986 to clarify eligibility for the child tax credit.

S. 116

At the request of Mr. REED, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 116, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. 126

At the request of Mr. TOOMEY, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 126, a bill to prohibit earmarks.

S. 134

At the request of Mr. ROCKEFELLER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 134, a bill to arrange for the National Academy of Sciences to study the impact of violent video games and violent video programming on children.

S. 140

At the request of Mr. BAUCUS, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 140, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans, to improve the coordination of veteran job training services between the Department of Labor, the Department of Veterans Affairs, and the Department of Defense, to require transparency for Executive departments in meeting the Government-wide goals for contracting with small business concerns owned and controlled by service-disabled veterans, and for other purposes.

S. 146

At the request of Mrs. BOXER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 146, a bill to enhance the safety of America's schools.

S. 162

At the request of Mr. FRANKEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 162, a bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004.

S. 164

At the request of Mr. PAUL, the name of the Senator from Nebraska (Mr.

JOHANNIS) was added as a cosponsor of S. 164, a bill to prohibit the United States from providing financial assistance to Pakistan until Dr. Shakil Afridi is freed.

S. 169

At the request of Mr. HATCH, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 169, a bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes.

S. 183

At the request of Mrs. MCCASKILL, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Arkansas (Mr. PRYOR), the Senator from Kansas (Mr. MORAN) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 183, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 190

At the request of Mr. JOHANNIS, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 190, a bill to prohibit the use of Federal funds for certain activities of the National Labor Relation Board and the Consumer Financial Protection Bureau.

S. 191

At the request of Mr. ROBERTS, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 191, a bill to codify and modify regulatory requirements of Federal agencies.

S. 195

At the request of Mr. FRANKEN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 195, a bill to amend the Public Health Service Act to revise and extend projects relating to children and violence to provide access to school-based comprehensive mental health programs.

S. 209

At the request of Mr. PAUL, the names of the Senator from Utah (Mr. HATCH), the Senator from Kentucky (Mr. MCCONNELL) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 209, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

S. 210

At the request of Mr. HELLER, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 210, a bill to amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals.

S. 218

At the request of Mr. LEVIN, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 218, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 223

At the request of Ms. MIKULSKI, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Illinois (Mr. DURBIN), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Connecticut (Mr. MURPHY) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 223, a bill to amend section 217 of the Immigration and Nationality Act to modify the visa waiver program, and for other purposes.

S. RES. 8

At the request of Mr. ROBERTS, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. Res. 8, a resolution expressing the sense of the Senate that Congress holds the sole authority to borrow money on the credit of the United States and shall not cede this power to the President.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID:

S. 234. A bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes; to the Committee on Armed Services.

Mr. REID. Mr. President, I rise today on behalf of our Nation's disabled veterans to once again discuss an end to an unjust and outdated policy known as "concurrent receipt." For the past 122 years, this practice has prevented veterans from receiving the full benefits earned through years of service and personal injury in defense of our Nation. The law requires that a retired disabled veteran reduce their retirement pay dollar-for-dollar by the amount of any disability compensation received, in many cases wiping out retirement pay altogether. This is simply wrong.

I have worked over the past decade to fight to change this outdated policy and commend the progress Congress has made on behalf of our Nation's veterans. In 2002, I was pleased that Congress passed a measure known as combat-related special compensation, or CSRC, allowing for disabled retired

veterans to receive payments that are the financial equivalent of concurrent receipt. In 2003 I was pleased that Congress enacted a 10-year phase-in of concurrent receipt for military retirees whose disability is 50 percent or greater, and in 2004, Congress eliminated the 10-year waiting period for those veterans with 100 percent service-related disability. Moreover, in 2008, concurrent receipt eligibility was expanded to include those who are 100 percent disabled due to un-employability and extended equivalent financial payments to those who are medically retired or have retired prematurely due to force reduction programs. Most recently, in 2012, I was pleased to offer an amendment to the fiscal year 2013 National Defense Authorization Act ensuring that our combat-disabled military retirees receive proper combat-related disability and retirement benefits by eliminating the “glitch” in the CRSC formula that can actually cause a reduction in their compensation amount when the VA increases their disability rating. While I am proud that the 10-year phase-in period for veterans who are rated 50–90 percent will finally come to fruition this year, I still believe that Congress has fallen short of meeting the commitment of providing full concurrent receipt to all of our Nation’s heroes. This is unacceptable and that is why we have to take care of the hundreds of thousands of disabled veterans who still need our help.

For me, this is a simple matter of fairness. No other Federal retiree is forced to forfeit their retirement—only our disabled military retirees. Veterans’ disability compensation is recompense for pain, suffering, and lost future earning power caused by a service-connected illness or injury. Few retirees can afford to live on their retired pay alone, and a severe disability only makes the problem worse by limiting or denying any post-service working life. There is no reason to deny veterans who have served their country honorably the right to the full value of their retirement pay simply because their service also led to disability.

Today I reintroduce the Retired Pay Restoration Act of 2013 in order to eliminate all restrictions to concurrent receipt. I hope my Senate colleagues will join me in supporting this bill. We must take action now and support the veterans who have given so much to our grateful Nation. This is the right thing to do.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 234

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Retired Pay Restoration Act of 2013”.

SEC. 2. ELIGIBILITY FOR PAYMENT OF BOTH RETIRED PAY AND VETERANS’ DISABILITY COMPENSATION FOR CERTAIN MILITARY RETIREES WITH COMPENSABLE SERVICE-CONNECTED DISABILITIES.

(a) EXTENSION OF CONCURRENT RECEIPT AUTHORITY TO RETIREES WITH SERVICE-CONNECTED DISABILITIES RATED LESS THAN 50 PERCENT.—

(1) REPEAL OF 50 PERCENT REQUIREMENT.—Section 1414 of title 10, United States Code, is amended by striking paragraph (2) of subsection (a).

(2) COMPUTATION.—Paragraph (1) of subsection (c) of such section is amended by adding at the end the following new subparagraph:

“(G) For a month for which the retiree receives veterans’ disability compensation for a disability rated as 40 percent or less or has a service-connected disability rated as zero percent, \$0.”.

(b) CLERICAL AMENDMENTS.—

(1) The heading of section 1414 of such title is amended to read as follows:

“§ 1414. Members eligible for retired pay who are also eligible for veterans’ disability compensation: concurrent payment of retired pay and disability compensation”.

(2) The item relating to such section in the table of sections at the beginning of chapter 71 of such title is amended to read as follows:

“1414. Members eligible for retired pay who are also eligible for veterans’ disability compensation: concurrent payment of retired pay and disability compensation.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2014, and shall apply to payments for months beginning on or after that date.

SEC. 3. COORDINATION OF SERVICE ELIGIBILITY FOR COMBAT-RELATED SPECIAL COMPENSATION AND CONCURRENT RECEIPT.

(a) AMENDMENTS TO STANDARDIZE SIMILAR PROVISIONS.—

(1) QUALIFIED RETIREES.—Subsection (a) of section 1414 of title 10, United States Code, as amended by section 2(a), is amended—

(A) by striking “a member or” and all that follows through “retiree)” and inserting “a qualified retiree”; and

(B) by adding at the end the following new paragraph:

“(2) QUALIFIED RETIREES.—For purposes of this section, a qualified retiree, with respect to any month, is a member or former member of the uniformed services who—

“(A) is entitled to retired pay (other than by reason of section 12731b of this title); and

“(B) is also entitled for that month to veterans’ disability compensation.”.

(2) DISABILITY RETIREES.—Paragraph (2) of subsection (b) of section 1414 of such title is amended to read as follows:

“(2) SPECIAL RULE FOR RETIREES WITH FEWER THAN 20 YEARS OF SERVICE.—The retired pay of a qualified retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service is subject to reduction by the lesser of—

“(A) the amount of the reduction under sections 5304 and 5305 of title 38; or

“(B) the amount (if any) by which the amount of the member’s retired pay under such chapter exceeds the amount equal to 2½ percent of the member’s years of creditable service multiplied by the member’s retired pay base under section 1406(b)(1) or 1407 of this title, whichever is applicable to the member.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on

January 1, 2014, and shall apply to payments for months beginning on or after that date.

By Mr. CARDIN (for himself, Mr. SCHUMER, Ms. MIKULSKI, and Mrs. GILLIBRAND):

S. 247. A bill to establish the Harriet Tubman National Historical Park in Auburn, New York, and the Harriet Tubman Underground Railroad National Historical Park in Caroline, Dorchester, and Talbot Counties, Maryland, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. CARDIN. Mr. President, as we start Black History Month, I rise today to discuss a national hero that I have spoken about many times on the Senate floor. 2013 is a particularly remarkable year for Harriet Ross Tubman in that March 13, 2013 will mark the 100th anniversary of her death. This noteworthy anniversary makes it all the more appropriate for me to talk about Maryland’s Harriet Ross Tubman and her dedication to justice, equality and service to this country. It is also why it is important for Congress to take action this year on The Harriet Tubman National Historical Park and The Harriet Tubman Underground Railroad National Historical Park Act that I am reintroducing today.

In my career, I have spoken on the Senate Floor, at events in Maryland, in meetings with constituents and with my colleagues about Harriet Tubman’s legacy. While I hope each opportunity I have taken to discuss the life of this remarkable woman helps raise awareness about her importance to the history of our great Nation, my ultimate goal is to properly commemorate her life and her work by establishing the Harriet Tubman Underground Railroad National Historical Park on the Eastern Shore of Maryland and, in working with my colleagues from New York, also establish the Harriet Tubman National Historical Park in Auburn, NY.

For the last 5 years I have championed the legislation I am reintroducing today. I appreciate the active support and work my sponsors of this bill, Senators MIKULSKI, SCHUMER and GILLIBRAND have put into advancing this bill through the Senate. We all share a deep appreciation for how important establishing these parks is to preserving the legacy of this remarkable historical figure in American History but also to how important these parks will be to the communities where they will be located.

I also greatly appreciate the support this legislation has received in the Senate Energy and Natural Resource Committee. In the last Congress, the bill was reported out of committee with bi-partisan support including the support of Chairman Bingaman and Ranking Member MURKOWSKI. I look forward to working with the Committee’s new Chairman, the Senior Senator from Oregon in reporting this bill

quickly for the full Senate's consideration.

The establishment of the Harriet Tubman Historical Parks has been years in the making and is long overdue. The mission of the National Park Service has evolved over time from not only preserving natural wonders across the U.S. for recreational purposes but also commemorating unique places of significance to historical events and extraordinary Americans that have shaped our nation.

The woman, who is known to us as Harriet Tubman, was born in approximately 1822 in Dorchester County, MD and given the name Araminta, Minty, Ross. She spent nearly 30 years of her life in slavery on Maryland's Eastern Shore. She worked on a number of different plantations on Maryland's Eastern Shore and as a teenager was trained to be a seamstress. As an adult she took the first name Harriet, and when she was 25 years-old married John Tubman.

In her late twenties, Harriet Tubman escaped from slavery in 1849. She fled in the dead of night, navigating the maze of tidal streams and wetlands that, to this day, comprise the Eastern Shore's landscape. She did so alone, demonstrating courage, strength and fortitude that became her hallmarks. Not satisfied with attaining her own freedom, she returned repeatedly for more than 10 years to the places of her enslavement in Dorchester and Caroline counties where, under the most adverse conditions, she led away many family members and other slaves to freedom in the Northeastern United States. She helped develop a complex network of safe houses and recruited abolitionist sympathizers residing along secret routes connecting the Southern slave states and Northern Free States. No one knows exactly how many people she led to freedom or the number of trips between the North and South she led, but the legend of her work was an inspiration to the multitude of slaves seeking freedom and to abolitionists fighting to end slavery. Tubman became known as "the Moses of her people" by African-Americans and white abolitionists alike. Tubman once proudly told Frederick Douglass that in all of her journeys she "never lost a single passenger." She was so effective that in 1856 there was a \$40,000 reward offered for her capture in the South. She is the most famous and most important conductor of the network of resistance known as the Underground Railroad.

During the Civil War, Tubman served the Union forces as a spy, a scout and a nurse. She served in Virginia, Florida and South Carolina. She is credited with leading slaves from those slave states to freedom during those years as well.

Following the Civil War, and the emancipation of all black slaves, Tub-

man settled in Auburn, NY. There she was active in the women's suffrage movement, and she also established one of the first incorporated African-American homes for aged to care for the elderly. In 1903 she bequeathed the Tubman Home to the African Methodist Episcopal Zion Church in Auburn where it stands to this day. Harriet Tubman died in Auburn in 1913 and she is buried in the Fort Hill Cemetery. Fortunately many of the structures and landmarks in New York remain intact and in relatively good condition.

Only recently has the Park Service begun establishing units dedicated to the lives of African-Americans. Places like Booker T. Washington National Monument on the campus of the Tuskegee University in Alabama, the George Washington Carver National Monument in Missouri, The Buffalo Soldiers at Guadalupe Mountains National Park, the National Historical Trail commemorating the March for Voting Rights from Selma to Montgomery Alabama, and most recently the Martin Luther King Jr. memorial on the National Mall are all important monuments and places of historical significance that help tell the story of the African-American experience.

As the National Park Service continues its important work to recognize and preserve African-American history by providing greater public access and information about the places and people that have shaped the African-American experience, there are very few units dedicated to the lives of African-American women, and there are no National Historical Parks commemorating African-American women.

I cannot think of a more fitting hero than Harriet Tubman to be the first African-American woman to be memorialized with National Historical Parks that tell both her personal story and her lifelong fight for justice and freedom starting with her fight against the cruel institution of slavery and work of the Underground Railroad she led to her work in the women's suffrage movement.

I hope that my colleagues will support my effort to honor Harriet Tubman and support passage of my bill to authorize the creation of the Tubman National Historical Parks in New York and Maryland. These parks will hopefully pave the way for the Park Service to develop more National Historical Park commemorating the lives of many other important African-American women in our history.

The vision for the Tubman National Historical Parks is to preserve the places significant to the life of Harriet Tubman and tell her story through interpretative activities and continue to discover aspects of her life and the experience of passage along the Underground Railroad through archaeological research and discovery.

The buildings and structures in Maryland have mostly disappeared.

Slaves were forced to live in primitive buildings even though many slaves were skilled tradesmen who constructed the substantial homes of their owners. Not surprisingly, few of the structures associated with the early years of Tubman's life remain standing today. The landscape of the Eastern Shore of Maryland, however, is still evocative of the time that Tubman lived there. Farm fields and loblolly pine forests dot the lowland landscape, which is also notable for its extensive network of tidal rivers and wetlands that Tubman, and the people she guided to freedom, under the cover of night. In particular, a number of properties including the homestead of Ben Ross, her father, Stewart's Canal, where he worked, the Brodess Farm, where she worked as a slave, and others are within the master plan boundaries of the Blackwater National Wildlife Refuge.

Similarly, Poplar Neck, the plantation from which she escaped to freedom, is still largely intact in Caroline County. The properties in Talbot County, immediately across the Choptank River from the plantation, are currently protected by various conservation easements. Were she alive today, Tubman would recognize much of the landscape that she knew intimately as she secretly led black men, women and children to freedom.

There has never been any doubt that Tubman led an extraordinary life. Her contributions to American history are surpassed by few. Determining the most appropriate way to recognize that life and her contributions, however, has been exceedingly difficult. The National Park Service determined that designating a Historical Park that would include two geographically separate units would be an appropriate tribute to the life of this extraordinary American. The New York unit would include the tightly clustered Tubman buildings in the town of Auburn. The Maryland portion would include large sections of landscapes that are evocative of Tubman's time and are historically relevant.

Harriet Tubman was a true American patriot. She was someone for whom liberty and freedom were not just concepts but values she fought tirelessly for. She lived those principles and so selflessly helped hundreds of other people attain freedom. In doing so, she has earned a nation's respect and honor.

Harriet Tubman is one of many great Americans that we honor and celebrate every February during Black History Month. In schools across the country, American History curriculums teach our children about Tubman's courage, conviction, her fight for freedom and her contributions to the greatness of our Nation during a contentious time in U.S. history. Now it is time to add to Tubman's legacy by preserving and commemorating the places evocative of Harriet Tubman's extraordinary life.

Every year, millions of school children, as well as millions of adults, visit our National Historical Parks gain experiences and knowledge about our Nation's history that simply cannot be found in history books or on the Internet. Our Nation's strength and character comes from the actions of the Americans who came before us and the significant events that shaped our Nation. The National Park Service is engaged in the important work of preserving the places where American history was made and providing a tangible experience for current and future generations to experience and understand. It is one thing to learn about Harriet Tubman from a book, and it is yet a completely different and fulfilling experience to explore, see, listen to and feel the places where she worked as a slave, where she escaped from and where she lived out her life as a free American.

The National Park Service is uniquely suited to honor and preserve these places of historical significance and I urge my colleagues to join me in preserving and growing the legacy of Harriet Tubman by establishing the Harriet Tubman National Historical Parks in her honor.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 247

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Harriet Tubman National Historical Parks Act".

SEC. 2. HARRIET TUBMAN UNDERGROUND RAILROAD NATIONAL HISTORICAL PARK, MARYLAND.

(a) DEFINITIONS.—In this section:

(1) HISTORICAL PARK.—The term "historical park" means the Harriet Tubman Underground Railroad National Historical Park established by subsection (b)(1)(A).

(2) MAP.—The term "map" means the map entitled "Authorized Acquisition Area for the Proposed Harriet Tubman Underground Railroad National Historical Park", numbered T20/80,001, and dated July 2010.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(4) STATE.—The term "State" means the State of Maryland.

(b) HARRIET TUBMAN UNDERGROUND RAILROAD NATIONAL HISTORICAL PARK.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—Subject to subparagraph (B), there is established the Harriet Tubman Underground Railroad National Historical Park in Caroline, Dorchester, and Talbot Counties, Maryland, as a unit of the National Park System.

(B) DETERMINATION BY SECRETARY.—The historical park shall not be established until the date on which the Secretary determines that a sufficient quantity of land, or interests in land, has been acquired to constitute a manageable park unit.

(C) NOTICE.—Not later than 30 days after the date on which the Secretary makes a de-

termination under subparagraph (B), the Secretary shall publish in the Federal Register notice of the establishment of the historical park, including an official boundary map for the historical park.

(D) AVAILABILITY OF MAP.—The official boundary map published under subparagraph (C) shall be on file and available for public inspection in appropriate offices of the National Park Service.

(2) PURPOSE.—The purpose of the historical park is to preserve and interpret for the benefit of present and future generations the historical, cultural, and natural resources associated with the life of Harriet Tubman and the Underground Railroad.

(3) LAND ACQUISITION.—

(A) IN GENERAL.—The Secretary may acquire land and interests in land within the areas depicted on the map as "Authorized Acquisition Areas" by purchase from willing sellers, donation, or exchange.

(B) BOUNDARY ADJUSTMENT.—On acquisition of land or an interest in land under subparagraph (A), the boundary of the historical park shall be adjusted to reflect the acquisition.

(c) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the historical park in accordance with this section and the laws generally applicable to units of the National Park System, including—

(A) the National Park System Organic Act (16 U.S.C. 1 et seq.); and

(B) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(2) INTERAGENCY AGREEMENT.—Not later than 1 year after the date on which the historical park is established, the Director of the National Park Service and the Director of the United States Fish and Wildlife Service shall enter into an agreement to allow the National Park Service to provide for public interpretation of historic resources located within the boundary of the Blackwater National Wildlife Refuge that are associated with the life of Harriet Tubman, consistent with the management requirements of the Refuge.

(3) INTERPRETIVE TOURS.—The Secretary may provide interpretive tours to sites and resources located outside the boundary of the historical park in Caroline, Dorchester, and Talbot Counties, Maryland, relating to the life of Harriet Tubman and the Underground Railroad.

(4) COOPERATIVE AGREEMENTS.—

(A) IN GENERAL.—The Secretary may enter into a cooperative agreement with the State, political subdivisions of the State, colleges and universities, non-profit organizations, and individuals—

(i) to mark, interpret, and restore nationally significant historic or cultural resources relating to the life of Harriet Tubman or the Underground Railroad within the boundaries of the historical park, if the agreement provides for reasonable public access; or

(ii) to conduct research relating to the life of Harriet Tubman and the Underground Railroad.

(B) VISITOR CENTER.—The Secretary may enter into a cooperative agreement with the State to design, construct, operate, and maintain a joint visitor center on land owned by the State—

(i) to provide for National Park Service visitor and interpretive facilities for the historical park; and

(ii) to provide to the Secretary, at no additional cost, sufficient office space to administer the historical park.

(C) COST-SHARING REQUIREMENT.—

(i) FEDERAL SHARE.—The Federal share of the total cost of any activity carried out under this paragraph shall not exceed 50 percent.

(ii) FORM OF NON-FEDERAL SHARE.—The non-Federal share of the cost of carrying out an activity under this paragraph may be in the form of in-kind contributions or goods or services fairly valued.

(d) GENERAL MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date on which funds are made available to carry out this section, the Secretary shall prepare a general management plan for the historical park in accordance with section 12(b) of the National Park Service General Authorities Act (16 U.S.C. 1a-7(b)).

(2) CONSULTATION.—The general management plan shall be prepared in consultation with the State (including political subdivisions of the State).

(3) COORDINATION.—The Secretary shall coordinate the preparation and implementation of the management plan with—

(A) the Blackwater National Wildlife Refuge;

(B) the Harriet Tubman National Historical Park established by section 3(b)(1)(A); and

(C) the National Underground Railroad Network to Freedom.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SEC. 3. HARRIET TUBMAN NATIONAL HISTORICAL PARK, AUBURN, NEW YORK.

(a) DEFINITIONS.—In this section:

(1) HISTORICAL PARK.—The term "historical park" means the Harriet Tubman National Historical Park established by subsection (b)(1)(A).

(2) HOME.—The term "Home" means The Harriet Tubman Home, Inc., located in Auburn, New York.

(3) MAP.—The term "map" means the map entitled "Harriet Tubman National Historical Park", numbered T18/80,000, and dated March 2009.

(4) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(5) STATE.—The term "State" means the State of New York.

(b) HARRIET TUBMAN NATIONAL HISTORICAL PARK.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—Subject to subparagraph (B), there is established the Harriet Tubman National Historical Park in Auburn, New York, as a unit of the National Park System.

(B) DETERMINATION BY SECRETARY.—The historical park shall not be established until the date on which the Secretary determines that a sufficient quantity of land, or interests in land, has been acquired to constitute a manageable park unit.

(C) NOTICE.—Not later than 30 days after the date on which the Secretary makes a determination under subparagraph (B), the Secretary shall publish in the Federal Register notice of the establishment of the historical park.

(D) MAP.—The map shall be on file and available for public inspection in appropriate offices of the National Park Service.

(2) BOUNDARY.—The historical park shall include the Harriet Tubman Home, the Tubman Home for the Aged, the Thompson Memorial AME Zion Church and Rectory, and associated land, as identified in the area entitled "National Historical Park Proposed Boundary" on the map.

(3) PURPOSE.—The purpose of the historical park is to preserve and interpret for the benefit of present and future generations the

historical, cultural, and natural resources associated with the life of Harriet Tubman.

(4) **LAND ACQUISITION.**—The Secretary may acquire land and interests in land within the areas depicted on the map by purchase from a willing seller, donation, or exchange.

(c) **ADMINISTRATION.**—

(1) **IN GENERAL.**—The Secretary shall administer the historical park in accordance with this section and the laws generally applicable to units of the National Park System, including—

(A) the National Park System Organic Act (16 U.S.C. 1 et seq.); and

(B) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(2) **INTERPRETIVE TOURS.**—The Secretary may provide interpretive tours to sites and resources located outside the boundary of the historical park in Auburn, New York, relating to the life of Harriet Tubman.

(3) **COOPERATIVE AGREEMENTS.**—

(A) **IN GENERAL.**—The Secretary may enter into a cooperative agreement with the owner of any land within the historical park to mark, interpret, or restore nationally significant historic or cultural resources relating to the life of Harriet Tubman, if the agreement provides that—

(i) the Secretary shall have the right of access to any public portions of the land covered by the agreement to allow for—

(I) access at reasonable times by historical park visitors to the land; and

(II) interpretation of the land for the public; and

(ii) no changes or alterations shall be made to the land except by mutual agreement of the Secretary and the owner of the land.

(B) **RESEARCH.**—The Secretary may enter into a cooperative agreement with the State, political subdivisions of the State, institutions of higher education, the Home and other nonprofit organizations, and individuals to conduct research relating to the life of Harriet Tubman.

(C) **COST-SHARING REQUIREMENT.**—

(i) **FEDERAL SHARE.**—The Federal share of the total cost of any activity carried out under this paragraph shall not exceed 50 percent.

(ii) **FORM OF NON-FEDERAL SHARE.**—The non-Federal share may be in the form of in-kind contributions or goods or services fairly valued.

(D) **ATTORNEY GENERAL.**—

(i) **IN GENERAL.**—The Secretary shall submit to the Attorney General for review any cooperative agreement under this paragraph involving religious property or property owned by a religious institution.

(ii) **FINDING.**—No cooperative agreement subject to review under this subparagraph shall take effect until the date on which the Attorney General issues a finding that the proposed agreement does not violate the Establishment Clause of the first amendment to the Constitution.

(d) **GENERAL MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—Not later than 3 years after the date on which funds are made available to carry out this section, the Secretary shall prepare a general management plan for the historical park in accordance with section 12(b) of the National Park Service General Authorities Act (16 U.S.C. 1a-7(b)).

(2) **COORDINATION.**—The Secretary shall coordinate the preparation and implementation of the management plan with—

(A) the Harriet Tubman Underground Railroad National Historical Park established by section 2(b)(1); and

(B) the National Underground Railroad Network to Freedom.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out this Act, except that not more than \$7,500,000 shall be available to provide financial assistance under subsection (c)(3).

By Mr. WYDEN (for himself and Ms. MURKOWSKI) (by request):

S. 256. A bill to amend Public Law 93-435 with respect to the Northern Mariana Islands, providing parity with Guam, the Virgin Islands, and American Samoa; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, today I am pleased to introduce, with my colleague LISA MURKOWSKI, the Ranking Member on the Committee on Energy and Natural Resources, and at the request of the Delegate from the Commonwealth of the Northern Mariana Island, CNMI, GREGORIO “KILILIL” SABLAN, legislation to amend Public Law 93-435, the Territorial Submerged Lands Act. This legislation would convey to the CNMI the same rights to off-shore waters and submerged lands that were conveyed to the territories of Guam, the U.S. Virgin Islands, and American Samoa nearly 40 years ago.

This bill is non-controversial. In 2005, it was first introduced by then-Chairman of the Committee on Energy and Natural Resources, Pete Domenici. A companion measure was introduced in the House of Representatives by then-Congressman JEFF FLAKE. In the 111th Congress, this bill passed the House as H.R. 934 on a 416-0 vote, and it was reported by the Senate Committee. In the 112th Congress, it again passed the House unanimously, on a 297-0 vote, and a hearing was held in the Senate on its companion measure, S. 590. I sincerely hope that this will be the year this bill is signed into law and the people of the CNMI will begin to enjoy the economic benefits that will result from gaining ownership of the waters and submerged lands adjacent to their shores, just as those benefits are enjoyed by every other State and territory of the Nation.

The CNMI faces huge economic challenges that began with the phase-out of World Trade Organization garment quotas in 2005 and resulted in the departure of garment manufacturing. Gaining ownership of the waters and submerged lands adjacent to the 14 islands of the CNMI would help to stimulate the CNMI's struggling economy by allowing the use and management of these areas for near-shore infrastructure development, the extraction of minerals, energy development, aquaculture and other activities. Currently, under Federal ownership, there are no such activities in these areas because the Federal Government has no history of such near-shore jurisdiction and there is no Federal agency with responsibility for their management.

Congress granted the States ownership of the waters and submerged lands

out to three miles under the Submerged Lands Act of 1953. In 1974, Congress granted ownership of these areas to the territories. However, the Covenant which established the political union between the U.S. and the CNMI in 1976 was ambiguous on this matter of seaward ownership. Eventually, in 2005, the Ninth Circuit Court of Appeals ruled that the submerged lands and waters off the CNMI's coasts fell under Federal ownership. Importantly, the Court also recognized that Congress had the power to convey these waters and lands to the CNMI. That is what this legislation would do.

The CNMI is the only territory or State that does not have ownership of its adjacent waters and lands out to at least 39les. I urge my colleagues to support prompt passage of this bill to correct this disparity and to assist the CNMI in meeting its economic challenges. I'm not aware of any policy objections to this bill's enactment.

I refer those interested in additional information to Senate Report 111-197. Included in that report is a CBO estimate stating that enactment of H.R. 934, the bill on which the legislation being introduced today is based, would not affect direct spending or revenues.

Mr. President, I ask unanimous consent that the text of the bill and a letter of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 256

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AMENDMENT.

(a) **IN GENERAL.**—The first section and section 2 of Public Law 93-435 (48 U.S.C. 1705, 1706) are amended by inserting “the Commonwealth of the Northern Mariana Islands,” after “Guam,” each place it appears.

(b) **REFERENCES TO DATE OF ENACTMENT.**—For the purposes of the amendment made by subsection (a), each reference in Public Law 93-435 to the “date of enactment” shall be considered to be a reference to the date of the enactment of this section.

CONGRESS OF THE UNITED STATES,

HOUSE OF REPRESENTATIVES,

Washington, DC, January 8, 2013.

Hon. RON WYDEN,
Chairman, Committee on Energy and Natural Resources, 304 Dirksen Senate Building,
U.S. Senate, Washington, DC.

DEAR CHAIRMAN WYDEN: One of the legislative issues for this Congress that we discussed at our recent meeting was the conveyance of submerged lands to the Commonwealth of the Northern Mariana Islands. I would like to follow up on our discussion by asking you to consider sponsoring the necessary legislation.

The Energy and Natural Resources Committee did report out a conveyance bill in the last Congress, H.R. 670 as amended, but time expired before the Senate could act on the measure. With this groundwork in place it would seem that this particular issue could be moved quickly as the 113th Congress gets to work.

I am enclosing a draft bill, which reflects the Energy and Natural Resources Committee amendments. I have reached out to Senator Murkowski, as well, asking her to co-sponsor the legislation, as she did with Chairman Bingaman two years ago; and I am hopeful that this bipartisanship can prevail again.

In the House I will also be introducing the language recommended by the Energy and Natural Resources Committee, though the Senate may well be able to act first.

Thank you for your consideration of this request. Thank you, too, for having taken the time to meet with me to discuss issues of importance to the Northern Mariana Islands that may come before your Committee in the 113th Congress. I look forward to working with you.

Sincerely,
GREGORIO KILILI CAMACHO SABLAN,
Member of Congress.

By Mr. UDALL of New Mexico:

S. 259. A bill to assure equity in contracting between the Federal Government and small business concerns, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Mr. UDALL of New Mexico. Mr. President, I have reintroduced the Assuring Contracting Equity, or ACE Act, with a correction to a drafting error in order to ensure increases in contracting goals for service-disabled veteran owned small businesses and qualified HUBZone small businesses. I look forward to working with my colleagues to address the issues facing entrepreneurs who do business with the Federal Government and hope that we can ensure that more Federal dollars are getting out to main street.

By Mrs. FEINSTEIN (for herself,
Mr. SCHUMER, Mr. WHITEHOUSE,
Mrs. BOXER, Mr. MENENDEZ, and
Mr. LAUTENBERG):

S. 261. A bill to establish and clarify that Congress does not authorize persons convicted of dangerous crimes in foreign courts to freely possess firearms in the United States; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am pleased to introduce the No Firearms for Foreign Felons Act of 2013. This bill would close a loophole in current law, by ensuring that people convicted of foreign felonies and crimes involving domestic violence cannot possess firearms. We must close this gap in our laws before it is exploited by terrorists, drug gangs, and other dangerous criminals who threaten our communities.

Under current Federal law, people who are convicted in the United States of violent felonies like rape, murder, and terrorism are prohibited from possessing firearms. But, shockingly, Federal law does not bar criminals convicted of these same violent crimes in foreign courts from possessing guns. This outrageous loophole for foreign convicts is the result of a 2005 U.S. Supreme Court decision in the case of *Small v. United States*.

In that case, the Court analyzed the 1968 Gun Control Act, which states that anyone who has been convicted of a felony "in any court" cannot possess firearms. The Court concluded that the phrase only applied to American courts, despite the fact that the Gun Control Act had been applied to foreign felonies since 1968, the year it took effect.

At the time, the Supreme Court was very much aware that its ruling could have serious consequences. As Justice Clarence Thomas noted in his dissent, "the majority's interpretation permits those convicted overseas of murder, rape, assault, kidnapping, terrorism, and other dangerous crimes to possess firearms freely in the United States." But whatever one may think of the Court's ruling, it is now the law of the land.

We must make every effort to close this dangerous loophole and the bill I am introducing today would do just that.

Under this bill, section 921 of Title 18 would be amended to state that "[the term 'any court' includes any Federal, State, or foreign court." Similar changes would be made in other sections of the Gun Control Act. Where there are references to "state offenses" or "offenses under state law," the bill would expand these terms to include convictions of offenses under foreign law.

In other words, the bill would make it clear that if someone was convicted in a foreign court of an offense that would have disqualified him from possessing a gun in the U.S., then they will be disqualified from gun possession under U.S. law. The only exception will be if there is reason to think the conviction entered by the foreign jurisdiction is somehow invalid.

Under the bill, a foreign conviction will not constitute a "conviction" under the Gun Control Act, if either: the foreign conviction resulted from a denial of fundamental fairness that would violate due process if committed in the United States, or the conduct on which the foreign conviction was based would be legal if committed in the United States.

I expect that these circumstances will be fairly rare, but the bill does take them into account and will provide a complete defense to anyone with an invalid foreign conviction. In any event, it is clear that we should not keep in place a dangerous policy which essentially treats every foreign conviction as invalid.

Ensuring that foreign convictions count as convictions under U.S. law is important for a second reason. When someone with a felony conviction is arrested for another crime, the government may charge that person with being a felon in possession of a firearm or may seek a sentence enhancement. However, if a foreign conviction is not

treated as a conviction under our law, then the defendant may receive a significantly lower sentence than is appropriate given the number of convictions on his record.

Particularly in these times, America cannot continue to give foreign-convicted murderers, rapists, and even terrorists the right to buy firearms in the United States.

With each passing day, we run a risk that foreign felons are exploiting this loophole in our law. This is unacceptable.

Criminals convicted in foreign courts should not be able to have guns when U.S. law forbids those convicted of the same crimes on U.S. soil from possessing guns. We should not wait for lives to be lost before we act to close this loophole.

I urge my colleagues to support this legislation.

By Mr. DURBIN:

S. 262. A bill to amend title 38, United States Code, to provide equity for tuition and fees for individuals entitled to educational assistance under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs who are pursuing programs of education at institutions of higher learning, and for other purposes; to the Committee on Veterans' Affairs.

Mr. DURBIN. The original GI Bill proved to be a landmark initiative for our troops and an outstanding investment in the future of our nation. The Post 9/11 GI bill, signed into law in 2008, built on the success of the original program by providing helpful and hard-earned educational and economic benefits for our newest generation of veterans.

Just as the veterans of WWII were the engine of economic recovery and expansion in the postwar period, the most recent generation of veterans will continue their service to America by reaching their full educational and economic potential through the Post 9/11 GI Bill.

In January 2011, Congress made further changes to the Post 9/11 GI Bill which caps the amount of education benefits for veterans enrolled in private colleges at \$17,500 and limits the education benefit for veterans enrolled in public colleges to the amount charged for in-state tuition and fees. That seemed reasonable, but what we have learned is that many veterans are not eligible for in-state tuition. And the cost difference between in-state and out-of-state tuition for public universities can be substantial.

Current law unintentionally burdens a significant number of veterans, requiring them to pay thousands of dollars in out of pocket costs for non-resident tuition and fee rates. These costs add up over the course of a college career—so much so that veterans often drop out of college or transfer to another school, with a significant amount

of debt and without an actual degree. But veterans at private schools have their tuition covered up to \$18,077.

I am introducing the Veterans Equity Act of 2013 to remedy the inequality between benefits for those at a private institution and those at a public school charging out-of-state fees. This bill would allow veterans who are considered non-residents of the state school they attend to receive up to \$18,077 in tuition benefits, the same benefit that would be available to that veteran if attending a private institution.

This legislation is supported by American Council on Education, Association of State Colleges and Universities, Association of Public and Land-Grant Universities, Association of American Universities and the American Association of Community Colleges.

I am deeply concerned that some for-profit institutions may be abusing G.I. tuition payments by aggressively targeting veterans for academic programs that may not provide value to students, such as preparation for future employment. The Veterans Equity Act will help more veterans attend public institutions without significant out of pocket costs.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 262

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Veterans Education Equity Act of 2013”.

SEC. 2. PROTECTING EQUITY FOR TUITION AND FEES FOR INDIVIDUALS ENTITLED TO ASSISTANCE UNDER THE POST-9/11 EDUCATIONAL ASSISTANCE PROGRAM WHO ARE PURSUING PROGRAMS OF EDUCATION AT INSTITUTIONS OF HIGHER LEARNING.

(a) IN GENERAL.—Clause (i) of subparagraph (A) of paragraph (1) of subsection (c) of section 3313 of title 38, United States Code, is amended to read as follows:

“(i) In the case of a program of education pursued at a public institution of higher learning, the lesser of—

“(I) the actual net cost for tuition and fees assessed by the institution for the program of education after the application of—

“(aa) any waiver of, or reduction in, tuition and fees; and

“(bb) any scholarship, or other Federal, State, institutional, or employer-based aid or assistance (other than loans and any funds provided under section 401(b) of the Higher Education Act of 1965 (20 U.S.C. 1070a)) that is provided directly to the institution and specifically designated for the sole purpose of defraying tuition and fees; or

“(II) the greater of—

“(aa) the actual net cost for in-State tuition and fees assessed by the institution for the program of education after the application of—

“(AA) any waiver of, or reduction in, tuition and fees; and

“(BB) any scholarship, or other Federal, State, institutional, or employer-based aid or assistance (other than loans and any funds provided under section 401(b) of the Higher Education Act of 1965 (20 U.S.C. 1070a)) that is provided directly to the institution and specifically designated for the sole purpose of defraying tuition and fees; or

“(bb) the amount equal to—

“(AA) for the academic year beginning on August 1, 2011, \$17,500; or

“(BB) for any subsequent academic year, the amount in effect for the previous academic year under this subclause, as increased by the percentage increase equal to the most recent percentage increase determined under section 3015(h) of this title.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the payment of educational assistance for an academic year beginning on or after the date of the enactment of this Act.

By Mr. REED (for himself and Ms. STABENOW):

S. 265. A bill to amend the Public Health Service Act to provide grants for community-based mental health infrastructure improvement; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I introduce, along with my colleague, Senator STABENOW, the Community Based Mental Health Infrastructure Improvements Act.

According to the National Survey on Drug Use and Health, a survey conducted by the Substance Abuse and Mental Health Services Administration in 2011, Rhode Island has the highest rate of serious mental illness among adults in the country. According to this survey, approximately 7.2 percent of adults aged 18 or older in my state have a serious mental illness, above the 4.6 percent national average.

While too often the stigma of mental illness prevents individuals from seeking diagnosis and treatment, thankfully, states like Rhode Island have made strides in meeting this challenge. In Rhode Island, mental health parity laws have been on the books since 2001. Similarly, Rhode Island's Medicaid program, RiteCare, covers mental and behavioral health care for low-income children and families.

Those who need this treatment must have access to it. Community Mental Health Centers play a vital role in helping individuals get the mental and behavioral health care that they need to lead healthier, more productive lives. In 2012, Community Mental Health Centers in Rhode Island treated approximately 45,000 individuals at over 1 million distinct encounters. Next year, the number of individuals treated by Community Mental Health Centers will likely increase, as over 50,000 Rhode Islanders gain access to health insurance.

As more Americans across the country gain access to health insurance, these centers and other providers will see an increased caseload. Yet, many Community Mental Health Centers are

in outdated and outmoded facilities that make it difficult to provide the optimal level of care.

The Community Based Mental Health Infrastructure Improvements Act we are introducing today would support the necessary updates and expansions of some facilities, and the construction of entirely new facilities in other instances in order to meet the growing demand.

I am pleased that this legislation has also been included in a broader bill, the Excellence in Mental Health Act, which I joined Senators STABENOW, BLUNT, BOXER, COLLINS, LEAHY, and RUBIO in introducing today, to make other updates to the way Community Mental Health Centers are reimbursed for services. I look forward to working with my colleagues to address the critical needs of our mental and behavioral health care delivery system.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 26—RECOGNIZING THAT ACCESS TO HOSPITALS AND OTHER HEALTH CARE PROVIDERS FOR PATIENTS IN RURAL AREAS OF THE UNITED STATES IS ESSENTIAL TO THE SURVIVAL AND SUCCESS OF COMMUNITIES IN THE UNITED STATES

Mr. MORAN (for himself and Ms. KLOBUCHAR) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 26

Whereas access to quality health care services determines whether individuals in the United States can remain in the communities they call home and whether their children will return to those communities to raise families of their own;

Whereas more than 60,000,000 individuals in rural areas of the United States rely on rural hospitals and other providers as critical access points to health care;

Whereas rural areas of the United States need quality health care services to attract and retain business and industry;

Whereas, to ensure that communities in the United States survive and flourish, Congress must address the unique health care needs of individuals in rural areas of the United States;

Whereas individuals in rural areas of the United States are, per capita, older, poorer, and sicker than individuals in urban areas of the United States;

Whereas, according to the Department of Health and Human Services, “rural areas have higher rates of poverty, chronic disease, and uninsurance, and millions of rural Americans have limited access to a primary care provider”;

Whereas, according to the Department of Agriculture, individuals in rural areas of the United States have higher rates of age-adjusted mortality, disability, and chronic disease than individuals in urban areas of the United States;

Whereas the 20 percent of the population of the United States that lives in rural areas is

scattered over 90 percent of the landmass of the United States;

Whereas the geography and weather of rural areas of the United States can make accessing health care difficult, and cultural, social, and language barriers compound rural health challenges;

Whereas individuals in rural areas of the United States are more likely to be uninsured and more likely to receive coverage through public sources than individuals in urban areas of the United States;

Whereas the proportion of uninsured and underinsured individuals is rising faster in rural areas of the United States than in urban areas of the United States;

Whereas access to health care continues to be a major challenge in rural areas of the United States, as—

(1) 77 percent of the 2,050 rural counties in the United States are designated as primary care Health Professional Shortage Areas (commonly referred to as “HPSAs”);

(2) rural areas of the United States have fewer than half as many primary care physicians per 100,000 people as urban areas of the United States; and

(3) more than 50 percent of patients in rural areas of the United States travel at least 20 miles to receive specialty medical care, compared to only 6 percent of patients in urban areas of the United States;

Whereas, because rural hospitals and other providers face unique challenges in administering care to patients, Congress has traditionally supported those providers by implementing—

(1) specific programs to address rural hospital closures that occurred in the 1980s by providing financial support to hospitals that are geographically isolated and in which Medicare patients make up a significant percentage of hospital inpatient days or discharges; and

(2) a program established in 1997 to support limited-service hospitals that, being located in rural areas of the United States that cannot support a full-service hospital, are critical access points to health care for rural patients;

Whereas hospitals in rural areas of the United States achieve high levels of performance, according to standards for quality, patient satisfaction, and operational efficiency, for the types of care most relevant to rural communities;

Whereas, in addition to the vital care that rural health care providers provide to patients, rural health care providers are critical to the local economies of their communities and are one of the largest types of employers in rural areas of the United States where, on average, 14 percent of total employment is attributed to the health sector;

Whereas a hospital in a rural area of the United States is typically one of the top 2 largest employers in that area;

Whereas 1 primary care physician in a rural community annually generates approximately \$1,500,000 in total revenue, and 1 general surgeon in a rural community annually generates approximately \$2,700,000 in total revenue;

Whereas the average Critical Access Hospital, a limited-service rural health care facility, creates 107 jobs and generates \$4,800,000 in annual payroll, and the wages, salaries, and benefits provided by a Critical Access Hospital can amount to 20 percent of the output of a rural community's economy;

Whereas hospitals in rural communities play a vital role in caring for the residents of those communities and preserving the special way of life that communities in the United States foster; and

Whereas the closure of a hospital in a rural community often results in severe economic decline in the community and the departure of physicians, nurses, pharmacists, and other health providers from the community, and forces patients to travel long distances for care or to delay receiving care, leading to decreased health outcomes, higher costs, and added burden to patients: Now therefore be it

Resolved, That the Senate—

(1) recognizes that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States;

(2) recognizes that preserving and strengthening access to quality health care in rural areas of the United States is crucial to the success and prosperity of the United States;

(3) recognizes that strengthening access to hospitals and other health care providers for patients in rural areas of the United States makes Medicare more cost-effective and improves health outcomes for patients;

(4) recognizes that, in addition to the vital care that rural health care providers provide to patients, rural health care providers are integral to the local economies and are one of the largest types of employers in rural areas of the United States; and

(5) celebrates the many dedicated medical professionals across the United States who work hard each day to deliver quality care to the nearly 1 in 5 people in the United States living in rural areas, because the dedication and professionalism of those medical professionals preserves the special way of life and sense of community enjoyed and cherished by individuals in rural areas of the United States.

SENATE RESOLUTION 27—DESIGNATING THE WEEK OF FEBRUARY 4 THROUGH 8, 2013, AS “NATIONAL SCHOOL COUNSELING WEEK”

Mrs. MURRAY (for herself, Ms. COLLINS, Mr. ISAKSON, and Mr. LEVIN) submitted the following resolution; which was considered and agreed to:

S. RES. 27

Whereas the American School Counselor Association has designated the week of February 4 through 8, 2013, as “National School Counseling Week”;

Whereas the importance of school counseling has been recognized through the inclusion of elementary- and secondary-school counseling programs in amendments to the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

Whereas school counselors have long advocated that the education system of the United States must provide equitable opportunities for all students;

Whereas personal and social growth results in increased academic achievement;

Whereas school counselors help develop well-rounded students by guiding the students through academic, personal, social, and career development;

Whereas school counselors play a vital role in ensuring that students are college- and career-ready, and are aware of financial aid and college opportunities;

Whereas school counselors assist with and coordinate efforts to foster a positive school culture resulting in a safer learning environment for all students;

Whereas school counselors have been instrumental in helping students, teachers,

and parents deal with personal trauma as well as tragedies in the community and the United States;

Whereas students face myriad challenges every day, including peer pressure, bullying, depression, the deployment of family members to serve in conflicts overseas, and school violence;

Whereas school counselors are one of the few professionals in a school building who are trained in both education and mental-health matters;

Whereas the roles and responsibilities of school counselors are often misunderstood;

Whereas the school-counselor position is often among the first to be eliminated to meet budgetary constraints;

Whereas the national average ratio of students to school counselors of 471 to 1 is almost twice that of the ratio of 250 to 1 recommended by the American School Counselor Association, the National Association for College Admission Counseling, and other organizations; and

Whereas the celebration of National School Counseling Week would increase awareness of the important and necessary role school counselors play in the lives of students in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of February 4 through 8, 2013, as “National School Counseling Week”; and

(2) encourages the people of the United States to observe the week with appropriate ceremonies and activities that promote awareness of the role school counselors play in the school and the community at large in preparing students for fulfilling lives as contributing members of society.

AMENDMENTS SUBMITTED AND PROPOSED

SA 10. Mr. PORTMAN (for himself, Mr. BLUMENTHAL, Ms. COLLINS, Ms. AYOTTE, Mr. RUBIO, and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 47, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table.

SA 11. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 47, supra; which was ordered to lie on the table.

SA 12. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 13. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 14. Mr. GRASSLEY (for himself, Mr. HATCH, and Mr. JOHANNES) submitted an amendment intended to be proposed by him to the bill S. 47, supra.

SA 15. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 16. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 17. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 18. Ms. AYOTTE (for herself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by her to the bill S. 47, supra; which was ordered to lie on the table.

SA 19. Mr. CORNYN (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 20. Mr. WARNER (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 21. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

AMENDMENTS

SA 10. Mr. PORTMAN (for himself, Mr. BLUMENTHAL, Ms. COLLINS, Ms. AYOTTE, Mr. RUBIO, and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 47, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

Strike section 302 and insert the following:
SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH.

Subtitle L of the Violence Against Women Act of 1994 is amended by striking sections 41201 through 41204 (42 U.S.C. 14043c through 14043c-3) and inserting the following:

“SEC. 41201. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH (‘CHOOSE CHILDREN & YOUTH’).

“(a) **GRANTS AUTHORIZED.**—The Attorney General, working in collaboration with the Secretary of Health and Human Services and the Secretary of Education, shall award grants to enhance the safety of youth and children who are victims of, or exposed to, domestic violence, dating violence, sexual assault, stalking, or sex trafficking and prevent future violence.

“(b) **PROGRAM PURPOSES.**—Funds provided under this section may be used for the following program purpose areas:

“(1) **SERVICES TO ADVOCATE FOR AND RESPOND TO YOUTH.**—To develop, expand, and strengthen victim-centered interventions and services that target youth who are victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order proceedings, population-specific services, and other activities that support youth in finding safety, stability, and justice and in addressing the emotional, cognitive, and physical effects of trauma. Funds may be used to—

“(A) assess and analyze currently available services for youth victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking, determining relevant barriers to such services in a particular locality, and developing a community protocol to address such problems collaboratively;

“(B) develop and implement policies, practices, and procedures to effectively respond to domestic violence, dating violence, sexual assault, stalking, or sex trafficking against youth; or

“(C) provide technical assistance and training to enhance the ability of school per-

sonnel, victim service providers, child protective service workers, staff of law enforcement agencies, prosecutors, court personnel, individuals who work in after school programs, medical personnel, social workers, mental health personnel, and workers in other programs that serve children and youth to improve their ability to appropriately respond to the needs of children and youth who are victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking, and to properly refer such children, youth, and their families to appropriate services.

“(2) **SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.**—To enable middle schools, high schools, and institutions of higher education to—

“(A) provide training to school personnel, including healthcare providers and security personnel, on the needs of students who are victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking;

“(B) develop and implement prevention and intervention policies in middle and high schools, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating domestic violence, dating violence, sexual assault, stalking, or sex trafficking, and procedures for handling the requirements of court protective orders issued to or against students;

“(C) provide support services for student victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking, such as a resource person who is either on-site or on-call;

“(D) implement developmentally appropriate educational programming for students regarding domestic violence, dating violence, sexual assault, stalking, and sex trafficking and the impact of such violence on youth; or

“(E) develop strategies to increase identification, support, referrals, and prevention programming for youth who are at high risk of domestic violence, dating violence, sexual assault, stalking, or sex trafficking.

“(c) **ELIGIBLE APPLICANTS.**—

“(1) **IN GENERAL.**—To be eligible to receive a grant under this section, an entity shall be—

“(A) a victim service provider, tribal nonprofit, or population-specific or community-based organization with a demonstrated history of effective work addressing the needs of youth who are, including runaway or homeless youth affected by, victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking;

“(B) a victim service provider that is partnered with an entity that has a demonstrated history of effective work addressing the needs of youth; or

“(C) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(2) **PARTNERSHIPS.**—

“(A) **EDUCATION.**—To be eligible to receive a grant for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be partnered with a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1978, a group of schools, a

school district, or an institution of higher education.

“(B) **OTHER PARTNERSHIPS.**—All applicants under this section are encouraged to work in partnership with organizations and agencies that work with the relevant population. Such entities may include—

“(i) a State, tribe, unit of local government, or territory;

“(ii) a population specific or community-based organization;

“(iii) batterer intervention programs or sex offender treatment programs with specialized knowledge and experience working with youth offenders; or

“(iv) any other agencies or nonprofit, non-governmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

“(d) **GRANTEE REQUIREMENTS.**—Applicants for grants under this section shall establish and implement policies, practices, and procedures that—

“(1) require and include appropriate referral systems for child and youth victims;

“(2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers all with priority on victim safety and autonomy; and

“(3) ensure that all individuals providing intervention or prevention programming to children or youth through a program funded under this section have completed, or will complete, sufficient training in connection with domestic violence, dating violence, sexual assault, stalking, and sex trafficking.

“(e) **DEFINITIONS AND GRANT CONDITIONS.**—In this section, the definitions and grant conditions provided for in section 4002 shall apply.

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of fiscal years 2014 through 2018.

“(g) **ALLOTMENT.**—

“(1) **IN GENERAL.**—Not less than 50 percent of the total amount appropriated under this section for each fiscal year shall be used for the purposes described in subsection (b)(1).

“(2) **INDIAN TRIBES.**—Not less than 10 percent of the total amount appropriated under this section for each fiscal year shall be made available for grants under the program authorized by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968. The requirements of this section shall not apply to funds allocated under this paragraph.

“(h) **PRIORITY.**—The Attorney General shall prioritize grant applications under this section that coordinate with prevention programs in the community.”.

SA 11. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 47, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

Beginning on page 186, strike line 5 and all that follows through page 187, line 3, and insert the following:

SEC. 905. TRIBAL PROTECTION ORDERS.

Section 2265 of title 18, United States Code, is amended by striking subsection (e) and inserting the following:

“(e) **TRIBAL COURT JURISDICTION.**—For purposes of this section, a court of an Indian tribe shall have full civil jurisdiction to

issue and enforce protection orders involving any person, including the authority to enforce any orders through civil contempt proceedings, to exclude violators from Indian land, and to use other appropriate mechanisms, in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.”.

Beginning on page 193, strike line 20 and all that follows through page 194, line 3, and insert the following:

SEC. 910. SPECIAL RULE FOR THE STATE OF ALASKA.

(a) **EXPANDED JURISDICTION.**—In the State of Alaska, the amendments made by sections 904 and 905 shall only apply to the Indian country (as defined in section 1151 of title 18, United States Code) of the Metlakatla Indian Community, Annette Island Reserve.

(b) **RETAINED JURISDICTION.**—The jurisdiction and authority of each Indian tribe in the State of Alaska under section 2265(e) of title 18, United States Code (as in effect on the day before the date of enactment of this Act)—

(1) shall remain in full force and effect; and

(2) are not limited or diminished by this Act or any amendment made by this Act.

(c) **SAVINGS PROVISION.**—Nothing in this Act or an amendment made by this Act limits or diminishes the jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.

SA 12. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 47, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

Beginning on page 177, strike line 1 and all that follows through page 194, line 3, and insert the following:

SEC. 904. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) **IN GENERAL.**—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

“(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.”;

(B) in paragraph (2), by striking “felony under chapter 109A” and inserting “violation of section 2241 or 2242”;

(C) in paragraph (3) by striking “and without just cause or excuse,”;

(D) in paragraph (4), by striking “six months” and inserting “1 year”;

(E) in paragraph (7)—

(i) by striking “substantial bodily injury to an individual who has not attained the age of 16 years” and inserting “substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years”; and

(ii) by striking “fine” and inserting “a fine”; and

(F) by adding at the end the following:

“(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.”; and

(2) in subsection (b)—

(A) by striking “(b) As used in this subsection—” and inserting the following:

“(b) **DEFINITIONS.**—In this section—”;

(B) in paragraph (1)(B), by striking “and” at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(3) the terms ‘dating partner’ and ‘spouse or intimate partner’ have the meanings given those terms in section 2266;

“(4) the term ‘strangling’ means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

“(5) the term ‘suffocating’ means intentionally, knowingly, or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.”.

(b) **INDIAN MAJOR CRIMES.**—Section 1153(a) of title 18, United States Code, is amended by striking “assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)” and inserting “a felony assault under section 113”.

(c) **REPEAT OFFENDERS.**—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting “or tribal” after “State”.

SEC. 905. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) **IN GENERAL.**—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking “The National” and inserting “Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the National”; and

(B) by inserting “and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))” before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking “and” at the end;

(B) in clause (v), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(vi) sex trafficking.”;

(3) in paragraph (4), by striking “this Act” and inserting “the Violence Against Women Reauthorization Act of 2013”; and

(4) in paragraph (5), by striking “this section \$1,000,000 for each of fiscal years 2007 and 2008” and inserting “this subsection \$1,000,000 for each of fiscal years 2014 and 2015”.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

SEC. 906. EFFECTIVE DATES; PILOT PROJECT.

Except as provided in section 4, the amendments made by this title shall take effect on the date of enactment of this Act.

SEC. 907. INDIAN LAW AND ORDER COMMISSION; REPORT ON THE ALASKA RURAL JUSTICE AND LAW ENFORCEMENT COMMISSION.

(a) **IN GENERAL.**—Section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)) is amended by striking “2 years” and inserting “3 years”.

(b) **REPORT.**—The Attorney General, in consultation with the Attorney General of the

State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than one year after enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

SEC. 908. LIMITATION.

Nothing in this Act or any amendment made by this Act limits, alters, expands, or diminishes the civil or criminal jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.

SA 13. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 47, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

Beginning on page 177, strike line 1 and all that follows through page 187, line 3.

Beginning on page 191, strike like 12 and all that follows through page 192, line 22, and insert the following:

Except as provided in section 4, the amendments made by this title shall take effect on the date of enactment of this Act.

Beginning on page 193, strike line 21 and all that follows through page 194, line 3, and insert the following:

Nothing in this Act or any amendment made by this Act limits, alters, expands, or diminishes the civil or criminal jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.

SA 14. Mr. GRASSLEY (for himself, Mr. HATCH, and Mr. JOHANNES) submitted an amendment intended to be proposed by him to the bill S. 47, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Violence Against Women Reauthorization Act of 2013”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Universal definitions and grant conditions.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST VICTIMS

- Sec. 101. Stop grants.
- Sec. 102. Grants to encourage accountability policies and enforcement of protection orders.
- Sec. 103. Legal assistance for victims.
- Sec. 104. Consolidation of grants to support families in the justice system.
- Sec. 105. Sex offender management.
- Sec. 106. Court-appointed special advocate program.
- Sec. 107. Criminal provision relating to stalking, including cyberstalking.

- Sec. 108. Outreach and services to underserved populations grant.
 Sec. 109. Culturally specific services grant.
 Sec. 110. Reauthorization of child abuse training programs for judicial personnel and practitioners.
 Sec. 111. Offset of restitution and other State judicial debts against income tax refund.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

- Sec. 201. Sexual assault services program.
 Sec. 202. Rural domestic violence, dating violence, sexual assault, stalking, and child abuse enforcement assistance.
 Sec. 203. Training and services to end violence against women with disabilities grants.
 Sec. 204. Grant for training and services to end violence against women in later life.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

- Sec. 301. Rape prevention education grant.
 Sec. 302. Creating hope through outreach, options, services, and education for children and youth.
 Sec. 303. Grants to combat violent crimes on campuses.
 Sec. 304. Campus sexual violence, domestic violence, dating violence, and stalking education and prevention.

TITLE IV—VIOLENCE REDUCTION PRACTICES

- Sec. 401. Study conducted by the centers for disease control and prevention.
 Sec. 402. Saving money and reducing tragedies through prevention grants.

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

- Sec. 501. Consolidation of grants to strengthen the healthcare system's response to domestic violence, dating violence, sexual assault, and stalking.

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

- Sec. 601. Housing protections for victims of domestic violence, dating violence, sexual assault, and stalking.
 Sec. 602. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, and stalking.
 Sec. 603. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

- Sec. 701. National Resource Center on Workplace Responses to assist victims of domestic and sexual violence.

TITLE VIII—IMMIGRATION PROVISIONS

- Sec. 801. Application of special rule for battered spouse or child.
 Sec. 802. Clarification of the requirements applicable to U visas.
 Sec. 803. Protections for a fiancée or fiancé of a citizen.

- Sec. 804. Regulation of international marriage brokers.
 Sec. 805. GAO report.
 Sec. 806. Disclosure of information for national security purposes.

TITLE IX—SAFETY FOR INDIAN WOMEN

- Sec. 901. Grants to Indian tribal governments.
 Sec. 902. Grants to Indian tribal coalitions.
 Sec. 903. Consultation.
 Sec. 904. Amendments to the Federal assault statute.
 Sec. 905. Analysis and research on violence against Indian women.
 Sec. 906. Effective date.
 Sec. 907. Tribal protection orders.
 Sec. 908. Alaska Rural Justice and Law Enforcement Commission.
 Sec. 909. Funding for Federal prosecutors and magistrate judges to prosecute and adjudicate domestic violence cases in Indian country.

TITLE X—VIOLENT CRIME AGAINST WOMEN

- Sec. 1001. Sexual abuse in custodial settings.
 Sec. 1002. Report on compliance with the DNA Fingerprint Act of 2005.
 Sec. 1003. Report on capacity utilization.
 Sec. 1004. Mandatory minimum sentence for aggravated sexual abuse.
 Sec. 1005. Removal of drunk drivers.
 Sec. 1006. Enhanced penalties for interstate domestic violence resulting in death, life-threatening bodily injury, permanent disfigurement, and serious bodily injury.
 Sec. 1007. Minimum penalties for the possession of child pornography.
 Sec. 1008. Audit of Office for Victims of Crime.

TITLE XI—THE SAFER ACT

- Sec. 1101. Short title.
 Sec. 1102. Debbie Smith grants for auditing sexual assault evidence backlogs.
 Sec. 1103. Reports to congress.
 Sec. 1104. Reducing the rape kit backlog.
 Sec. 1105. Oversight and accountability.
 Sec. 1106. Sunset.

SEC. 3. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.

(a) DEFINITIONS.—Subsection (a) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)) is amended—

- (1) by striking paragraphs (17), (18), (23), (33), (36), and (37);
 (2) by redesignating—
 (A) paragraph (37) as paragraph (47);
 (B) paragraphs (34) and (35) as paragraphs (43) and (44), respectively;
 (C) paragraphs (24) through (32) as paragraphs (32) through (40), respectively;
 (D) paragraphs (21) and (22) as paragraphs (28) and (29), respectively;
 (E) paragraphs (19) and (20) as paragraphs (25) and (26), respectively;
 (F) paragraph (18) as paragraph (22);
 (G) paragraphs (15) and (16) as paragraphs (20) and (21), respectively;
 (H) paragraph (13) as paragraph (19);
 (I) paragraph (14) as paragraph (18);
 (J) paragraphs (10) through (12) as paragraphs (15) through (17), respectively;
 (K) paragraph (9) as paragraph (13);
 (L) paragraph (6) as paragraph (12);
 (M) paragraphs (7) and (8) as paragraphs (10) and (11), respectively;
 (N) paragraph (1) as paragraph (7);
 (O) paragraph (5) as paragraph (6);
 (P) paragraph (3) as paragraph (5); and
 (Q) paragraph (2) as paragraph (3);
 (3) by inserting before paragraph (3), as redesignated, the following:

“(1) ALASKA NATIVE VILLAGE.—The term ‘Alaska Native village’ has the same meaning given such term in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).”

“(2) CHILD.—The term ‘child’ means a person who is under 11 years of age.”;

(4) in paragraph (3), as redesignated, by striking “serious harm.” and inserting “serious harm to an unemancipated minor.”;

(5) in paragraph (5), as redesignated, by striking “The term” through “that—” and inserting “The term ‘community-based organization’ means a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community that—”;

(6) by inserting after paragraph (7), as redesignated, the following:

“(8) CULTURALLY SPECIFIC.—The term ‘culturally specific’ means primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u-6(g)).”

“(9) CULTURALLY SPECIFIC SERVICES.—The term ‘culturally specific services’ means community-based services that offer culturally relevant and linguistically specific services and resources to culturally specific communities.”;

(7) in paragraph (12), as redesignated, by inserting “or intimate partner” after “former spouse” and “as a spouse”;

(8) by inserting after paragraph (13), as redesignated, the following:

“(14) HOMELESS.—The term ‘homeless’ has the meaning provided in section 41403(6).”;

(9) in paragraph (20), as redesignated, by inserting “or Village Public Safety Officers” after “governmental victim services programs”;

(10) in paragraph (21), as redesignated, by inserting at the end the following:

“Intake or referral, by itself, does not constitute legal assistance.”;

(11) by inserting after paragraph (21), as redesignated, the following:

“(22) PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.—The term ‘personally identifying information’ or ‘personal information’ means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including—

“(A) a first and last name;

“(B) a home or other physical address;

“(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

“(D) a social security number, driver license number, passport number, or student identification number; and

“(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.

“(23) POPULATION SPECIFIC ORGANIZATION.—The term ‘population specific organization’ means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

“(24) POPULATION SPECIFIC SERVICES.—The term ‘population specific services’ means victim-centered services that address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking,

and that are designed primarily for and are targeted to a specific underserved population.”;

(12) in paragraph (25), as redesignated, by striking “services” and inserting “assistance”;

(13) by inserting after paragraph (26), as redesignated, the following:

“(27) RAPE CRISIS CENTER.—The term ‘rape crisis center’ means a nonprofit, nongovernmental, or tribal organization, or governmental entity in a State other than a Territory that provides intervention and related assistance, as specified in section 41601(b)(2)(C), to victims of sexual assault without regard to their age. In the case of a governmental entity, the entity may not be part of the criminal justice system (such as a law enforcement agency) and must be able to offer a comparable level of confidentiality as a nonprofit entity that provides similar victim services.”;

(14) in paragraph (28), as redesignated—

(A) in subparagraph (A), by striking “or” after the semicolon;

(B) in subparagraph (B), by striking the period and inserting “; or”; and

(C) by inserting at the end the following:

“(C) any federally recognized Indian tribe.”;

(15) in paragraph (29), as redesignated—

(A) by striking “52” and inserting “57”; and

(B) by striking “150,000” and inserting “250,000”;

(16) by inserting after paragraph (29), as redesignated, the following:

“(30) SEX TRAFFICKING.—The term ‘sex trafficking’ means any conduct proscribed by section 1591 of title 18, United States Code, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.

“(31) SEXUAL ASSAULT.—The term ‘sexual assault’ means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.”;

(17) by inserting after paragraph (40), as redesignated, the following:

“(41) UNDERSERVED POPULATIONS.—The term ‘underserved populations’ means populations who face barriers in accessing and using victim services, and includes populations underserved because of geographic location, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.

“(42) UNIT OF LOCAL GOVERNMENT.—The term ‘unit of local government’ means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.”; and

(18) by inserting after paragraph (44), as redesignated, the following:

“(45) VICTIM SERVICE PROVIDER.—The term ‘victim service provider’ means a nonprofit, nongovernmental or tribal organization or rape crisis center, including a State or tribal coalition, that assists domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

“(46) VICTIM SERVICES OR SERVICES.—The terms ‘victim services’ and ‘services’ mean

services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information and referrals, culturally specific services, population specific services, and other related supportive services.

“(47) YOUTH.—The term ‘youth’ means a person who is 11 to 20 years old.”.

(b) GRANTS CONDITIONS.—Subsection (b) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(bb)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

“(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees’ and subgrantees’ programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

“(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.

If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent’s or guardian’s consent, the minor or person with a guardian may release information without additional consent.”;

(B) by amending subparagraph (D), to read as follows:

“(D) INFORMATION SHARING.—

“(i) Grantees and subgrantees may share—

“(I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

“(II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and

“(III) law enforcement-generated and prosecution-generated information necessary for law enforcement, intelligence, national security, or prosecution purposes.

“(ii) In no circumstances may—

“(I) an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking be required to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grantee or subgrantee;

“(II) any personally identifying information be shared in order to comply with Federal, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.”;

(C) by redesignating subparagraph (E) as subparagraph (F);

(D) by inserting after subparagraph (D) the following:

“(E) STATUTORILY MANDATED REPORTS OF ABUSE OR NEGLECT.—Nothing in this section prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined by law, where specifically mandated by the State or tribe involved.”; and

(E) by inserting after subparagraph (F), as redesignated, the following:

“(G) CONFIDENTIALITY ASSESSMENT AND ASSURANCES.—Grantees and subgrantees must document their compliance with the confidentiality and privacy provisions required under this section.”;

(2) by striking paragraph (3) and inserting the following:

“(3) APPROVED ACTIVITIES.—In carrying out the activities under this title, grantees and subgrantees may collaborate with, or provide information to Federal, State, local, tribal, and territorial public officials and agencies to develop and implement policies and develop and promote State, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking.”;

(3) in paragraph (7), by inserting at the end the following:

“Final reports of such evaluations shall be made available to the public via the agency’s website.”; and

(4) by inserting after paragraph (11) the following:

“(12) DELIVERY OF LEGAL ASSISTANCE.—Any grantee or subgrantee providing legal assistance with funds awarded under this title shall comply with the eligibility requirements in section 1201(d) of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg-6(d)).

“(13) CIVIL RIGHTS.—

“(A) NONDISCRIMINATION.—No person in the United States shall on the basis of actual or perceived race, color, religion, national origin, sex, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103-322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106-386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109-162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2013, and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

“(B) EXCEPTION.—If gender segregation or gender-specific programming is necessary to the essential operation of a program, nothing in this paragraph shall prevent any such program or activity from consideration of an individual’s gender. In such circumstances, alternative reasonable accommodations are sufficient to meet the requirements of this paragraph.

“(C) DISCRIMINATION.—The provisions of paragraphs (2) through (4) of section 809(c) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789d(c)) apply to violations of subparagraph (A).

“(D) CONSTRUCTION.—Nothing contained in this paragraph shall be construed, interpreted, or applied to supplant, displace, preempt, or otherwise diminish the responsibilities and liabilities under other State or Federal civil rights law, whether statutory or common.

“(14) CLARIFICATION OF VICTIM SERVICES AND LEGAL ASSISTANCE.—Victim services and legal assistance provided under this title may include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

“(15) ACCOUNTABILITY.—All grants awarded by the Attorney General that are authorized under this Act shall be subject to the following accountability provisions:

“(A) AUDIT REQUIREMENT.—Beginning in fiscal year 2014, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct an audit of not fewer than 10 percent of all recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees.

“(B) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the 2 fiscal years beginning after the 12-month period described in subparagraph (E).

“(C) PRIORITY.—In awarding grants under this Act, the Attorney General shall give priority to eligible entities that, during the 3 fiscal years before submitting an application for a grant under this Act, did not have an unresolved audit finding showing a violation in the terms or conditions of a Department of Justice grant program.

“(D) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under subparagraph (B), the Attorney General shall—

“(i) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

“(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

“(E) UNRESOLVED AUDIT FINDING DEFINED.—In this paragraph, the term ‘unresolved audit finding’ means an audit report finding, statement, or recommendation that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within a 12-month period beginning on the date of an initial notification of the finding or recommendation.

“(F) NONPROFIT ORGANIZATION REQUIREMENTS.—

“(i) DEFINITION.—For purposes of this section and the grant programs described in this Act, the term ‘nonprofit organization’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

“(ii) PROHIBITION.—The Attorney General shall not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

“(iii) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the

independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

“(G) ADMINISTRATIVE EXPENSES.—Unless otherwise explicitly provided in authorizing legislation, not more than 7.5 percent of the amounts authorized to be appropriated under this Act may be used by the Attorney General for salaries and administrative expenses of the Department of Justice.

“(H) CONFERENCE EXPENDITURES.—

“(i) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice, or Department of Health and Human Services under this Act may be used by the Attorney General, the Secretary of Health and Human Services, or by any individual or organization awarded funds under this Act, to host or support any expenditure for conferences, unless in the case of the Department of Justice, the Deputy Attorney General or the appropriate Assistant Attorney General, or in the case of the Department of Health and Human Services the Deputy Secretary, provides prior written authorization that the funds may be expended to host a conference.

“(ii) WRITTEN APPROVAL.—Written approval under clause (i) may not be delegated and shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audio/visual equipment, honoraria for speakers, and any entertainment.

“(iii) REPORT.—The Deputy Attorney General and Deputy Secretary shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved and denied.

“(I) PROHIBITION ON LOBBYING ACTIVITY.—

“(i) IN GENERAL.—Amounts authorized to be appropriated under this Act may not be utilized by any grant recipient to—

“(I) lobby any representative of the Department of Justice regarding the award of grant funding; or

“(II) lobby any representative of a Federal, State, local, or tribal government regarding the award of grant funding.

“(ii) PENALTY.—If the Attorney General determines that any recipient of a grant under this Act has violated clause (i), the Attorney General shall—

“(I) require the grant recipient to repay the grant in full; and

“(II) prohibit the grant recipient from receiving another grant under this Act for not less than 5 years.

“(J) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, the Assistant Attorney General for the Office of Justice Programs, the Director of the Office on Violence Against Women, and the Deputy Secretary for Health and Human Services shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives an annual certification that—

“(i) all audits issued by the Office of the Inspector General under subparagraph (A) have been completed and reviewed by the Assistant Attorney General for the Office of Justice Programs;

“(ii) all mandatory exclusions required under subparagraph (B) have been issued;

“(iii) all reimbursements required under subparagraph (D) have been made; and

“(iv) includes a list of any grant recipients excluded under subparagraph (B) from the previous year.”

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST VICTIMS

SEC. 101. STOP GRANTS.

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 1001(a)(18) (42 U.S.C. 3793(a)(18)), by striking “\$225,000,000 for each of fiscal years 2007 through 2011” and inserting “\$222,000,000 for each of fiscal years 2014 through 2018”;

(2) in section 2001 (42 U.S.C. 3796gg), by striking “against women” each place that term appears and inserting “against victims”;

(3) in section 2001(b) (42 U.S.C. 3796gg(b)), as amended by paragraph (2)—

(A) in the matter preceding paragraph (1)—

(i) by striking “equipment” and inserting “resources”; and

(ii) by inserting “for the protection and safety of victims,” before “and specifically,”;

(B) in paragraph (1), by striking “sexual assault” and all that follows through “dating violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(C) in paragraph (2), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(D) in paragraph (3), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking, as well as the appropriate treatment of victims”;

(E) in paragraph (4)—

(i) by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”; and

(ii) by inserting “, classifying,” after “identifying”;

(F) in paragraph (5)—

(i) by inserting “and legal assistance” after “victim services”;

(ii) by striking “domestic violence and dating violence” and inserting “domestic violence, dating violence, and stalking”;

(iii) by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”; and

(iv) by striking “including crimes” and all that follows and inserting “including crimes of domestic violence, dating violence, sexual assault, and stalking”;

(G) by striking paragraph (6) and redesignating paragraphs (7) through (14) as paragraphs (6) through (13), respectively;

(H) in paragraph (6), as redesignated by subparagraph (G), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(I) in paragraph (7), as redesignated by subparagraph (G), by striking “and dating violence” and inserting “dating violence, and stalking”;

(J) in paragraph (9), as redesignated by subparagraph (G), by striking “domestic violence or sexual assault” and inserting “domestic violence, dating violence, sexual assault, or stalking”;

(K) in paragraph (12), as redesignated by subparagraph (G)—

(i) in subparagraph (A), by striking “triage protocols to ensure that dangerous or potentially lethal cases are identified and prioritized” and inserting “the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases”; and

(ii) by striking “and” at the end;

(L) in paragraph (13), as redesignated by subparagraph (G)—

(i) by striking “to provide” and inserting “providing”;

(ii) by striking “nonprofit nongovernmental”;

(iii) by striking the comma after “local governments”; and

(iv) by striking the period at the end and inserting a semicolon;

(M) by inserting after paragraph (13), as redesignated by subparagraph (G), the following:

“(14) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking;

“(15) developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault;

“(16) developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;

“(17) developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;

“(18) identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims; and

“(19) developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking, with not more than 5 percent of the amount allocated to a State to be used for this purpose.”; and

(N) in the flush text at the end, by striking “paragraph (14)” and inserting “paragraph (13)”;

(4) in section 2007 (42 U.S.C. 3796gg-1)—

(A) in subsection (a), by striking “non-profit nongovernmental victim service programs” and inserting “victim service providers”;

(B) in subsection (b)(6), by striking “(not including populations of Indian tribes)”;

(C) in subsection (c)—

(i) by striking paragraph (2) and inserting the following:

“(2) grantees and subgrantees shall develop a plan for implementation and may consult and coordinate with—

“(A) the State sexual assault coalition;

“(B) the State domestic violence coalition;

“(C) the law enforcement entities within the State;

“(D) prosecution offices;

“(E) State and local courts;

“(F) Tribal governments in those States with State or federally recognized Indian tribes;

“(G) representatives from underserved populations;

“(H) victim service providers;

“(I) population specific organizations; and

“(J) other entities that the State or the Attorney General identifies as needed for the planning process.”;

(ii) by striking paragraph (4);

(iii) by redesignating paragraph (3) as paragraph (4);

(iv) by inserting after paragraph (2), as amended by clause (i), the following:

“(3) grantees shall coordinate the State implementation plan described in paragraph (2) with the State plans described in section 307 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) and the plans described in the Victims of Crime Act of 1984 (42 U.S.C. 10601 et seq.) and section 393A of the Public Health Service Act (42 U.S.C. 280b-1b).”;

(v) in paragraph (4), as redesignated by clause (ii)—

(I) in subparagraph (A), by striking “and not less than 25 percent shall be allocated for prosecutors”;

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D);

(III) by inserting after subparagraph (A), the following:

“(B) not less than 25 percent shall be allocated for prosecutors.”;

(IV) in subparagraph (C), as redesignated by subclause (II), by striking “culturally specific community based” and inserting “population specific”; and

(V) in subparagraph (D) as redesignated by subclause (II) by striking “for” and inserting “to”; and

(vi) by adding at the end the following:

“(5) not later than 2 years after the date of enactment of this Act, and every year thereafter, not less than 30 percent of the total amount granted to a State under this part shall be allocated for programs or projects that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.”;

(D) by striking subsection (d) and inserting the following:

“(d) APPLICATION REQUIREMENTS.—An application for a grant under this section shall include—

“(1) the certifications of qualification required under subsection (c);

“(2) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 2010;

“(3) proof of compliance with the requirements for paying fees and costs relating to domestic violence and protection order cases, described in section 2011 of this title;

“(4) proof of compliance with the requirements prohibiting polygraph examinations of victims of sexual assault, described in section 2013 of this title;

“(5) an implementation plan required under subsection (i); and

“(6) any other documentation that the Attorney General may require.”;

(E) in subsection (e)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking “domestic violence and sexual assault” and inserting “domestic violence, dating violence, sexual assault, and stalking”; and

(II) in subparagraph (D), by striking “linguistically and culturally” and inserting “population”; and

(ii) by adding at the end the following:

“(3) CONDITIONS.—In disbursing grants under this part, the Attorney General may impose reasonable conditions on grant awards to ensure that the States meet statutory, regulatory, and other programs requirements.”;

(F) in subsection (f), by striking the period at the end and inserting “, except that, for

purposes of this subsection, the costs of the projects for victim services or tribes for which there is an exemption under section 40002(b)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)(1)) shall not count toward the total costs of the projects.”; and

(G) by adding at the end the following:

“(i) IMPLEMENTATION PLANS.—A State applying for a grant under this part shall—

“(1) develop an implementation plan in consultation with the entities listed in subsection (c)(2), that identifies how the State will use the funds awarded under this part; and

“(2) submit to the Attorney General—

“(A) the implementation plan developed under paragraph (1);

“(B) documentation from each member of the planning committee as to their participation in the planning process;

“(C) documentation from the prosecution, law enforcement, court, and victim services programs to be assisted, describing—

“(i) the need for the grant funds;

“(ii) the intended use of the grant funds;

“(iii) the expected result of the grant funds; and

“(iv) the demographic characteristics of the populations to be served, including age, disability, race, ethnicity, and language background;

“(D) a description of how the State will ensure that any subgrantees will consult with victim service providers during the course of developing their grant applications in order to ensure that the proposed activities are designed to promote the safety, confidentiality, and economic independence of victims;

“(E) demographic data on the distribution of underserved populations within the State and a description of how the State will meet the needs of underserved populations, including the minimum allocation for population specific services required under subsection (c)(4)(C);

“(F) a description of how the State plans to meet the requirements of subsection (c)(5);

“(G) goals and objectives for reducing domestic violence-related homicides within the State; and

“(H) any other information requested by the Attorney General.”;

(5) in section 2010 (42 U.S.C. 3796gg-4)—

(A) in subsection (a), by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—A State, Indian tribal government, or unit of local government shall not be entitled to funds under this part unless the State, Indian tribal government, unit of local government, or another governmental entity—

“(A) incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) for victims of sexual assault; and

“(B) coordinates with health care providers in the region to notify victims of sexual assault of the availability of rape exams at no cost to the victims.”;

(B) in subsection (b)—

(i) in paragraph (1), by inserting “or” after the semicolon;

(ii) in paragraph (2), by striking “; or” and inserting a period; and

(iii) by striking paragraph (3);

(C) in subsection (c), by striking “, except that such funds” and all that follows and inserting a period; and

(D) by amending subsection (d) to read as follows:

“(d) NONCOOPERATION.—

“(1) IN GENERAL.—To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement.

“(2) COMPLIANCE PERIOD.—States, territories, and Indian tribal governments shall have 3 years from the date of enactment of this Act to come into compliance with this subsection.”; and

(6) in section 2011(a)(1) (42 U.S.C. 3796gg-5(a)(1))—

(A) by inserting “modification, enforcement, dismissal,” after “registration,” each place it appears; and

(B) by striking “domestic violence” and all that follows through “sexual assault” and inserting “domestic violence, dating violence, sexual assault, or stalking”.

SEC. 102. GRANTS TO ENCOURAGE ACCOUNTABILITY POLICIES AND ENFORCEMENT OF PROTECTION ORDERS.

(a) IN GENERAL.—Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.) is amended—

(1) in section 2101 (42 U.S.C. 3796hh)—

(A) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking “States,” and all that follows through “units of local government” and inserting “grantees”;

(ii) in paragraph (1), by inserting “and enforcement of protection orders across State and tribal lines but not policies that mandate the arrest of an individual by law enforcement in responding to an incident of domestic violence in the absence of probable cause” before the period;

(iii) in paragraph (2), by striking “and training in police departments to improve tracking of cases” and inserting “data collection systems, and training in police departments to improve tracking of cases and classification of complaints”;

(iv) in paragraph (4), by inserting “and provide the appropriate training and education about domestic violence, dating violence, sexual assault, and stalking” after “computer tracking systems”;

(v) in paragraph (5), by inserting “and other victim services” after “legal advocacy service programs”;

(vi) in paragraph (6), by striking “judges” and inserting “Federal, State, tribal, territorial, and local judges, courts, and court-based and court-related personnel”;

(vii) in paragraph (8), by striking “and sexual assault” and inserting “dating violence, sexual assault, and stalking”;

(viii) in paragraph (10), by striking “non-profit, non-governmental victim services organizations,” and inserting “victim service providers, population specific organizations,”; and

(ix) by adding at the end the following:

“(14) To develop and implement training programs for prosecutors and other prosecution-related personnel regarding best practices to ensure offender accountability, victim safety, and victim consultation in cases involving domestic violence, dating violence, sexual assault, and stalking.

“(15) To develop or strengthen policies, protocols, and training for law enforcement officers, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking.

“(16) To develop and promote State, local, or tribal legislation and policies that enhance best practices for responding to the crimes of domestic violence, dating violence,

sexual assault, and stalking, including the appropriate treatment of victims.

“(17) To develop, implement, or enhance sexual assault nurse examiner programs or sexual assault forensic examiner programs, including the hiring and training of such examiners.

“(18) To develop, implement, or enhance Sexual Assault Response Teams or similar coordinated community responses to sexual assault.

“(19) To develop and strengthen policies, protocols, and training for law enforcement officers and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims.

“(20) To provide human immunodeficiency virus testing programs, counseling, and prophylaxis for victims of sexual assault.

“(21) To identify and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

“(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

“(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

“(B) identifying and managing high-risk offenders; and

“(C) providing ongoing victim advocacy and referrals to comprehensive services including legal, housing, health care, and economic assistance.”;

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting “except for a court,” before “certify”; and

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(ii) in paragraph (2), by inserting “except for a court,” before “demonstrate”;

(iii) in paragraph (4)—

(I) by inserting “modification, enforcement, dismissal,” after “registration,” each place it appears;

(II) by inserting “dating violence,” after “domestic violence.”; and

(III) by striking “and” at the end;

(iv) in paragraph (5)—

(I) in the matter preceding subparagraph (A), by striking “,” not later than 3 years after the date of enactment of this section.”;

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(III) in clause (ii), as redesignated by subclause (III) of this clause, by striking “subparagraph (A)” and inserting “clause (i)”;

(IV) by striking the period at the end and inserting “; and”;

(v) by redesignating paragraphs (1) through (5), as amended by this subparagraph, as subparagraphs (A) through (E), respectively;

(vi) in the matter preceding subparagraph (A), as redesignated by clause (v) of this subparagraph—

(I) by striking the comma that immediately follows another comma; and

(II) by striking “grantees are States” and inserting the following: “grantees are—

“(1) States”; and

(vii) by adding at the end the following:

“(2) a State, tribal, or territorial domestic violence or sexual assault coalition or a victim service provider that partners with a

State, Indian tribal government, or unit of local government that certifies that the State, Indian tribal government, or unit of local government meets the requirements under paragraph (1).”;

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting “,” policy,” after “law”; and

(II) in subparagraph (A), by inserting “and the defendant is in custody or has been served with the information or indictment” before the semicolon; and

(ii) in paragraph (2), by striking “it” and inserting “its”; and

(D) by adding at the end the following:

“(f) ALLOCATION FOR SEXUAL ASSAULT.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 30 percent shall be available for projects that address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.”; and

(2) in section 2102(a) (42 U.S.C. 3796hh-1(a))—

(A) in paragraph (1), by inserting “court,” after “tribal government,”; and

(B) in paragraph (4), by striking “non-profit, private sexual assault and domestic violence programs” and inserting “victim service providers and, as appropriate, population specific organizations”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(19) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is amended—

(1) by striking “\$75,000,000” and all that follows through “2011.” and inserting “\$73,000,000 for each of fiscal years 2014 through 2018.”; and

(2) by striking the period that immediately follows another period.

SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg-6) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking “arising as a consequence of” and inserting “relating to or arising out of”; and

(B) in the second sentence, by inserting “or arising out of” after “relating to”;

(2) in subsection (b)—

(A) in the heading, by inserting “AND GRANT CONDITIONS” after “DEFINITIONS”; and

(B) by inserting “and grant conditions” after “definitions”;

(3) in subsection (c)—

(A) in paragraph (1), by striking “victim services organizations” and inserting “victim service providers”; and

(B) by striking paragraph (3) and inserting the following:

“(3) to implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic violence, dating violence, sexual assault, or stalking, except that not more than 10 percent of the funds awarded under this section may be used for the purpose described in this paragraph.”;

(4) in subsection (d)—

(A) in paragraph (1), by striking “this section has completed” and all that follows and inserting the following: “this section—

“(A) has demonstrated expertise in providing legal assistance or advocacy to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; or

“(B)(i) is partnered with an entity or person that has demonstrated expertise described in subparagraph (A); and

“(ii) has completed, or will complete, training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide;”; and

(B) in paragraph (2), by striking “stalking organization” and inserting “stalking victim service provider”; and

(5) in subsection (f)(1), by striking “this section” and all that follows and inserting the following: “this section \$41,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 104. CONSOLIDATION OF GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

(a) IN GENERAL.—Title III of division B of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386; 114 Stat. 1509) is amended by striking the section preceding section 1302 (42 U.S.C. 10420), as amended by section 306 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 316), and inserting the following:

“SEC. 1301. COURT TRAINING AND SUPERVISED VISITATION IMPROVEMENTS.

“(a) IN GENERAL.—The Attorney General may make grants to States, units of local government, courts (including juvenile courts), Indian tribal governments, nonprofit organizations, legal services providers, and victim services providers to improve the response of all aspects of the civil and criminal justice system to families with a history of domestic violence, dating violence, sexual assault, or stalking, or in cases involving allegations of child sexual abuse.

“(b) USE OF FUNDS.—A grant under this section may be used to—

“(1) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, child sexual abuse, sexual assault, or stalking;

“(2) develop and promote State, local, and tribal legislation, policies, and best practices for improving civil and criminal court functions, responses, practices, and procedures in cases involving a history of domestic violence or sexual assault, or in cases involving allegations of child sexual abuse, including cases in which the victim proceeds pro se;

“(3) educate court-based and court-related personnel (including custody evaluators and guardians ad litem) and child protective services workers on the dynamics of domestic violence, dating violence, sexual assault, and stalking, including information on perpetrator behavior, evidence-based risk factors for domestic and dating violence homicide, and on issues relating to the needs of victims, including safety, security, privacy, and confidentiality, including cases in which the victim proceeds pro se;

“(4) provide appropriate resources in juvenile court matters to respond to dating violence, domestic violence, sexual assault (including child sexual abuse), and stalking and ensure necessary services dealing with the health and mental health of victims are available;

“(5) enable courts or court-based or court-related programs to develop or enhance—

“(A) court infrastructure (such as specialized courts, consolidated courts, dockets, intake centers, or interpreter services);

“(B) community-based initiatives within the court system (such as court watch programs, victim assistants, pro se victim assistance programs, or community-based supplementary services);

“(C) offender management, monitoring, and accountability programs;

“(D) safe and confidential information-storage and information-sharing databases within and between court systems;

“(E) education and outreach programs to improve community access, including enhanced access for underserved populations; and

“(F) other projects likely to improve court responses to domestic violence, dating violence, sexual assault, and stalking;

“(6) collect data and provide training and technical assistance, including developing State, local, and tribal model codes and policies, to improve the capacity of grantees and communities to address the civil justice needs of victims of domestic violence, dating violence, sexual assault, and stalking who have legal representation, who are proceeding pro se, or are proceeding with the assistance of a legal advocate; and

“(7) to improve training and education to assist judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system.

“(c) CONSIDERATIONS.—

“(1) IN GENERAL.—In making grants for purposes described in paragraphs (1) through (6) of subsection (b), the Attorney General shall consider—

“(A) the number of families to be served by the proposed programs and services;

“(B) the extent to which the proposed programs and services serve underserved populations;

“(C) the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community with demonstrated histories of effective work on domestic violence, dating violence, sexual assault, or stalking, including State or tribal domestic violence coalitions, State or tribal sexual assault coalitions, local shelters, and programs for domestic violence and sexual assault victims; and

“(D) the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral.

“(2) OTHER GRANTS.—In making grants under subsection (b)(8) the Attorney General shall take into account the extent to which the grantee has expertise addressing the judicial system’s handling of family violence, child custody, child abuse and neglect, adoption, foster care, supervised visitation, divorce, and parentage.

“(d) APPLICANT REQUIREMENTS.—The Attorney General may make a grant under this section to an applicant that—

“(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual assault, stalking, or child sexual abuse, as appropriate;

“(2) ensures that any fees charged to individuals for use of supervised visitation programs and services are based on the income of those individuals, unless otherwise provided by court order;

“(3) demonstrates that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, and adequate standards are, or will be, in place (including the development of protocols or policies to ensure that confidential information is not shared with courts, law enforcement agencies, or child welfare agencies unless necessary to ensure the safety of any child or adult using the services of a program funded under this section), if the applicant proposes to operate supervised vis-

itation programs and services or safe visitation exchange;

“(4) certifies that the organizational policies of the applicant do not require mediation or counseling involving offenders and victims being physically present in the same place, in cases where domestic violence, dating violence, sexual assault, or stalking is alleged;

“(5) certifies that any person providing legal assistance through a program funded under this section has completed or will complete training on domestic violence, dating violence, sexual assault, and stalking, including child sexual abuse, and related legal issues; and

“(6) certifies that any person providing custody evaluation or guardian ad litem services through a program funded under this section has completed or will complete training developed with input from and in collaboration with a tribal, State, territorial, or local domestic violence, dating violence, sexual assault, or stalking organization or coalition on the dynamics of domestic violence and sexual assault, including child sexual abuse, that includes training on how to review evidence of past abuse and the use of evidenced-based theories to make recommendations on custody and visitation.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$22,000,000 for each of fiscal years 2014 through 2018. Amounts appropriated pursuant to this subsection shall remain available until expended.

“(f) ALLOTMENT FOR INDIAN TRIBES.—

“(1) IN GENERAL.—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 3796gg-10 of this title.

“(2) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in paragraph (1).”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Subtitle J of the Violence Against Women Act of 1994 (42 U.S.C. 14043 et seq.) is repealed.

SEC. 105. SEX OFFENDER MANAGEMENT.

Section 40152(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13941) is amended by striking “\$5,000,000” and all that follows and inserting “\$5,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 106. COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.

Subtitle B of title II of the Crime Control Act of 1990 (42 U.S.C. 13011 et seq.) is amended—

(1) in section 216 (42 U.S.C. 13012), by striking “January 1, 2010” and inserting “January 1, 2015”; and

(2) in section 217 (42 U.S.C. 13013)—

(A) by striking “Code of Ethics” in section (c)(2) and inserting “Standards for Programs”; and

(B) by adding at the end the following:

“(e) REPORTING.—An organization that receives a grant under this section for a fiscal year shall submit to the Administrator a report regarding the use of the grant for the fiscal year, including a discussion of outcome performance measures (which shall be established by the Administrator) to determine the effectiveness of the programs of the organization in meeting the needs of children in the child welfare system.”; and

(3) in section 219(a) (42 U.S.C. 13014(a)), by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

SEC. 107. CRIMINAL PROVISION RELATING TO STALKING, INCLUDING CYBERSTALKING.

Section 2261A of title 18, United States Code, is amended to read as follows:

“§ 2261A. Stalking

“Whoever—

“(1) travels in interstate or foreign commerce or is present within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, and in the course of, or as a result of, such travel or presence engages in conduct that—

“(A) places that person in reasonable fear of the death of, or serious bodily injury to—

“(i) that person;

“(ii) an immediate family member (as defined in section 115) of that person; or

“(iii) a spouse or intimate partner of that person; or

“(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of subparagraph (A); or

“(2) with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, uses the mail, any interactive computer service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that—

“(A) places that person in reasonable fear of the death of or serious bodily injury to a person described in clause (i), (ii), or (iii) of paragraph (1)(A); or

“(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of paragraph (1)(A), shall be punished as provided in section 2261(b) of this title.”.

SEC. 108. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS GRANT.

Section 120 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045) is amended to read as follows:

“SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS.

“(a) GRANTS AUTHORIZED.—

“(1) IN GENERAL.—Of the amounts appropriated under the grant programs identified in paragraph (2), the Attorney General shall take 2 percent of such appropriated amounts and combine them to award grants to eligible entities described in subsection (b) of this section to develop and implement outreach strategies targeted at adult, or youth, victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations and to provide victim services to meet the needs of adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in underserved populations. The requirements of the grant programs identified in paragraph (3) shall not apply to this grant program.

“(2) PROGRAMS COVERED.—The programs covered by paragraph (2) are the programs carried out under the following provisions:

“(A) Section 2001 of the Omnibus Crime Control and Safe Streets Act of 1968 (STOP Grants).

“(B) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Accountability Policies).

“(b) ELIGIBLE ENTITIES.—Eligible entities under this section are—

“(1) population specific organizations that have demonstrated experience and expertise in providing population specific services in the relevant underserved communities or population specific organizations working in partnership with a victim service provider or domestic violence or sexual assault coalition;

“(2) victim service providers offering population specific services for a specific underserved population; or

“(3) victim service providers working in partnership with a national, State, or local organization that has demonstrated experience and expertise in providing population specific services in the relevant underserved population.

“(c) PLANNING GRANTS.—The Attorney General may use up to 20 percent of funds available under this section to make one-time planning grants to eligible entities to support the planning and development of specially designed and targeted programs for adult and youth victims in one or more underserved populations, including—

“(1) identifying, building and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations;

“(2) conducting a needs assessment of the community and the targeted underserved population or populations to determine what the barriers are to service access and what factors contribute to those barriers, using input from the targeted underserved population or populations;

“(3) identifying promising prevention, outreach and intervention strategies for victims from a targeted underserved population or populations; and

“(4) developing a plan, with the input of the targeted underserved population or populations, for implementing prevention, outreach and intervention strategies to address the barriers to accessing services, promoting community engagement in the prevention of domestic violence, dating violence, sexual assault, and stalking within the targeted underserved populations, and evaluating the program.

“(d) IMPLEMENTATION GRANTS.—The Attorney General shall make grants to eligible entities for the purpose of providing or enhancing population specific outreach and services to adult and youth victims in one or more underserved populations, including—

“(1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific victim services;

“(2) strengthening the capacity of underserved populations to provide population specific victim services;

“(3) strengthening the capacity of traditional victim service providers to provide population specific services;

“(4) strengthening the effectiveness of criminal and civil justice interventions by providing training for law enforcement, prosecutors, judges and other court personnel on domestic violence, dating violence, sexual assault, or stalking in underserved populations; or

“(5) working in cooperation with an underserved population to develop and implement outreach, education, prevention, and intervention strategies that highlight available resources and the specific issues faced by victims of domestic violence, dating violence, sexual assault, or stalking from underserved populations.

“(e) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Director of the Office on Violence Against Women at such time, in such form, and in such manner as the Director may prescribe.

“(f) REPORTS.—Each eligible entity receiving a grant under this section shall submit to the Director of the Office on Violence Against Women a report that describes the activities carried out with grant funds.

“(g) AUTHORIZATION OF APPROPRIATIONS.—In addition to the funds identified in subsection (a)(1), there are authorized to be appropriated to carry out this section \$2,000,000 for each of fiscal years 2014 through 2018.

“(h) DEFINITIONS AND GRANT CONDITIONS.—In this section the definitions and grant conditions in section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) shall apply.”.

SEC. 109. CULTURALLY SPECIFIC SERVICES GRANT.

Section 121 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045a) is amended—

(1) in the section heading, by striking **“AND LINGUISTICALLY”**;

(2) by striking “and linguistically” each place it appears;

(3) by striking “and linguistic” each place it appears;

(4) by striking subsection (a)(2) and inserting:

“(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

“(A) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Accountability Policies and Enforcement of Protection Orders).

“(B) Section 1401 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–6) (Legal Assistance for Victims).

“(C) Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) (Rural Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Child Abuse Enforcement Assistance).

“(D) Section 40802a of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) (Enhanced Training and Services to End Violence Against Women Later in Life).

“(E) Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) (Education, Training, and Enhanced Services to End Violence Against and Abuse of Women with Disabilities).”; and

(5) in subsection (g), by striking “linguistic and”.

SEC. 110. REAUTHORIZATION OF CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS.

Section 224(a) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024(a)) is amended by striking “\$2,300,000” and all that follows and inserting “\$2,300,000 for each of fiscal years 2014 through 2018.”.

SEC. 111. OFFSET OF RESTITUTION AND OTHER STATE JUDICIAL DEBTS AGAINST INCOME TAX REFUND.

(a) IN GENERAL.—Section 6402 of the Internal Revenue Code of 1986 (relating to authority to make credits or refunds) is amended—

(1) by redesignating subsections (g) through (l) as subsections (h) through (m), respectively; and

(2) by inserting after subsection (f) the following:

“(g) COLLECTION OF PAST-DUE, LEGALLY ENFORCEABLE RESTITUTION AND OTHER STATE JUDICIAL DEBTS.—

“(1) IN GENERAL.—In any State which wishes to collect past-due, legally enforceable State judicial debts, the chief justice of the State’s highest court shall designate a single State entity to communicate judicial debt information to the Secretary. In making such designation, the chief justice of the State’s highest court shall select, whenever practicable, a relevant State official or agency responsible under State law for collecting the State’s income tax or other statewide excise at the time of the designation. Upon receiving notice from a State designated entity that a named person owes a past-due, legally enforceable State judicial debt to or in such State, the Secretary shall, under such conditions as may be prescribed by the Secretary—

“(A) reduce the amount of any overpayment payable to such person by the amount of such State judicial debt;

“(B) pay the amount by which such overpayment is reduced under subparagraph (A) to such State designated entity and notify such State designated entity of such person’s name, taxpayer identification number, address, and the amount collected; and

“(C) notify the person making such overpayment that the overpayment has been reduced by an amount necessary to satisfy a past-due, legally enforceable State judicial debt.

If an offset is made pursuant to a joint return, the notice under subparagraph (B) shall include the names, taxpayer identification numbers, and addresses of each person filing such return.

“(2) PRIORITIES FOR OFFSET.—Any overpayment by a person shall be reduced pursuant to this subsection—

“(A) after such overpayment is reduced pursuant to—

“(i) subsection (a) with respect to any liability for any internal revenue tax on the part of the person who made the overpayment;

“(ii) subsection (c) with respect to past-due support;

“(iii) subsection (d) with respect to any past-due, legally enforceable debt owed to a Federal agency; and

“(iv) subsection (e) with respect to any past-due, legally enforceable State income tax obligations; and

“(B) before such overpayment is credited to the future liability for any Federal internal revenue tax of such person pursuant to subsection (b).

If the Secretary receives notice from 1 or more State designated entities of more than 1 debt subject to paragraph (1) that is owed by such person to such State agency or State judicial branch, any overpayment by such person shall be applied against such debts in the order in which such debts accrued.

“(3) NOTICE; CONSIDERATION OF EVIDENCE.—Rules similar to the rules of subsection (e)(4) shall apply with respect to debts under this subsection.

“(4) PAST-DUE, LEGALLY ENFORCEABLE STATE JUDICIAL DEBT.—

“(A) IN GENERAL.—For purposes of this subsection, the term ‘past-due, legally enforceable State judicial debt’ means a debt—

“(i) which resulted from a judgment or sentence rendered by any court or tribunal of competent jurisdiction which—

“(I) handles criminal or traffic cases in the State; and

“(II) has determined an amount of State judicial debt to be due; and

“(ii) which resulted from a State judicial debt which has been assessed and is past-due but not collected.

“(B) STATE JUDICIAL DEBT.—For purposes of this paragraph, the term ‘State judicial debt’ includes court costs, fees, fines, assessments, restitution to victims of crime, and other monies resulting from a judgment or sentence rendered by any court or tribunal of competent jurisdiction handling criminal or traffic cases in the State.

“(5) REGULATIONS.—The Secretary shall issue regulations prescribing the time and manner in which State designated entities must submit notices of past-due, legally enforceable State judicial debts and the necessary information that must be contained in or accompany such notices. The regulations shall specify the types of State judicial monies and the minimum amount of debt to which the reduction procedure established by paragraph (1) may be applied. The regulations shall require State designated entities to pay a fee to reimburse the Secretary for the cost of applying such procedure. Any fee paid to the Secretary pursuant to the preceding sentence shall be used to reimburse appropriations which bore all or part of the cost of applying such procedure.

“(6) ERRONEOUS PAYMENT TO STATE.—Any State designated entity receiving notice from the Secretary that an erroneous payment has been made to such State designated entity under paragraph (1) shall pay promptly to the Secretary, in accordance with such regulations as the Secretary may prescribe, an amount equal to the amount of such erroneous payment (without regard to whether any other amounts payable to such State designated entity under such paragraph have been paid to such State designated entity).”

(b) DISCLOSURE OF RETURN INFORMATION.—Section 6103(l)(10) of the Internal Revenue Code of 1986 (relating to disclosure of certain information to agencies requesting a reduction under subsection (c), (d), (e), or (f) of section 6402) is amended by striking “or (f)” each place it appears in the text and heading and inserting “(f), or (g)”.

(c) CONFORMING AMENDMENTS.—

(1) Section 6402(a) of the Internal Revenue Code of 1986 is amended by striking “and (f)” and inserting “(f), and (g)”.

(2) Paragraph (2) of section 6402(d) of such Code is amended by striking “subsections (e) and (f)” and inserting “subsections (e), (f), and (g)”.

(3) Paragraph (3)(B) of section 6402(e) of such Code is amended to read as follows:

“(B) before such overpayment is—

“(i) reduced pursuant to subsection (g) with respect to past-due, legally enforceable State judicial debts, and

“(ii) credited to the future liability for any Federal internal revenue tax of such person pursuant to subsection (b).”

(4) Section 6402(h) of such Code, as so redesignated, is amended by striking “or (f)” and inserting “(f), or (g)”.

(5) Section 6402(j) of such Code, as so redesignated, is amended by striking “or (f)” and inserting “(f), or (g)”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to refunds payable for taxable years beginning after December 31, 2012.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(b)) is amended—

(1) in paragraph (1)—

(A) by striking “governmental and non-governmental”; and

(B) by striking “other programs” and all that follows and inserting “other nongovernmental or tribal programs and projects to assist individuals who have been victimized by sexual assault, without regard to the age of the individual.”; and

(2) in paragraph (2)—

(A) in subparagraph (B), by striking “non-profit, nongovernmental organizations for programs and activities” and inserting “nongovernmental or tribal programs and activities”; and

(B) in subparagraph (C)(v), by striking “linguistically and”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 41601(f)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(f)(1)) is amended by striking “\$50,000,000 to remain available until expended for each of the fiscal years 2007 through 2011” and inserting “\$40,000,000 to remain available until expended for each of fiscal years 2014 through 2018”.

SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND CHILD ABUSE ENFORCEMENT ASSISTANCE.

Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) is amended—

(1) in subsection (a)(1)(H), by inserting “, including sexual assault forensic examiners” before the semicolon;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “victim advocacy groups” and inserting “victim service providers”; and

(ii) by inserting “, including developing multidisciplinary teams focusing on high risk cases with the goal of preventing domestic and dating violence homicides” before the semicolon;

(B) in paragraph (2)—

(i) by striking “and other long- and short-term assistance” and inserting “legal assistance, and other long-term and short-term victim and population specific services”; and

(ii) by striking “and” at the end;

(C) in paragraph (3), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(4) developing, enlarging, or strengthening programs addressing sexual assault, including sexual assault forensic examiner programs, Sexual Assault Response Teams, law enforcement training, and programs addressing rape kit backlogs.”; and

(3) in subsection (e)(1), by striking “\$55,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$50,000,000 for each of fiscal years 2014 through 2018”.

SEC. 203. TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN WITH DISABILITIES GRANTS.

Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-7) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting “(including using evidence-based indicators to assess the risk of domestic and dating violence homicide)” after “risk reduction”; and

(B) in paragraph (4), by striking “victim service organizations” and inserting “victim service providers”; and

(C) in paragraph (5), by striking “victim services organizations” and inserting “victim service providers”;

(2) in subsection (c)(1)(D), by striking “nonprofit and nongovernmental victim services organization, such as a State” and inserting “victim service provider, such as a State or tribal”; and

(3) in subsection (e), by striking “\$10,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$9,000,000 for each of fiscal years 2014 through 2018”.

SEC. 204. GRANT FOR TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN IN LATER LIFE.

Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) is amended to read as follows:

“SEC. 40802. GRANT FOR TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN IN LATER LIFE.

“(a) DEFINITIONS.—In this section—

“(1) the term ‘eligible entity’ means an entity that—

“(A) is—

“(i) a State;

“(ii) a unit of local government;

“(iii) a tribal government or tribal organization;

“(iv) a population specific organization with demonstrated experience in assisting individuals in later life;

“(v) a victim service provider; or

“(vi) a State, tribal, or territorial domestic violence or sexual assault coalition; and

“(B) is partnered with—

“(i) a law enforcement agency;

“(ii) an office of a prosecutor;

“(iii) a victim service provider; or

“(iv) a nonprofit program or government agency with demonstrated experience in assisting individuals in later life;

“(2) the term ‘exploitation’ means domestic violence, dating violence, sexual assault, or stalking;

“(3) the term ‘later life’, relating to an individual, means the individual is 60 years of age or older; and

“(4) the term ‘neglect’ means the failure of a caregiver or fiduciary to provide the goods or services that are necessary to maintain the health or safety of an individual in later life.

“(b) GRANT PROGRAM.—

“(1) GRANTS AUTHORIZED.—The Attorney General may make grants to eligible entities to carry out the activities described in paragraph (2).

“(2) MANDATORY AND PERMISSIBLE ACTIVITIES.—

“(A) MANDATORY ACTIVITIES.—An eligible entity receiving a grant under this section shall use the funds received under the grant to—

“(i) provide training programs to assist law enforcement agencies, prosecutors, agencies of States or units of local government, population specific organizations, victim service providers, victim advocates, and relevant officers in Federal, tribal, State, territorial, and local courts in recognizing and addressing instances of elder abuse;

“(ii) provide or enhance services for victims of elder abuse;

“(iii) establish or support multidisciplinary collaborative community responses to victims of elder abuse; and

“(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, faith-based advocates, victim service providers, and courts to better serve victims of elder abuse.

“(B) PERMISSIBLE ACTIVITIES.—An eligible entity receiving a grant under this section may use not more than 10 percent of the funds received under the grant to—

“(i) provide training programs to assist attorneys, health care providers, faith-based leaders, or other community-based organizations in recognizing and addressing instances of elder abuse; or

“(ii) conduct outreach activities and awareness campaigns to ensure that victims of elder abuse receive appropriate assistance.

“(3) UNDERSERVED POPULATIONS.—In making grants under this section, the Attorney General shall give priority to proposals providing culturally specific or population specific services.

“(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$9,000,000 for each of fiscal years 2014 through 2018.”

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

SEC. 301. RAPE PREVENTION EDUCATION GRANT.

Section 393A of the Public Health Service Act (42 U.S.C. 280b-1b) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “, territorial or tribal” after “crisis centers, State”; and

(B) in paragraph (6), by inserting “and alcohol” after “about drugs”; and

(2) in subsection (c)(1), by striking “\$80,000,000 for each of fiscal years 2007 through 2011” and inserting “\$50,000,000 for each of fiscal years 2014 through 2018”.

SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH.

(a) IN GENERAL.—Subtitle L of the Violence Against Women Act of 1994 is amended by striking sections 41201 through 41204 (42 U.S.C. 14043c through 14043c-3) and inserting the following:

“SEC. 41201. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH. (‘CHOOSE CHILDREN & YOUTH’).

“(a) GRANTS AUTHORIZED.—The Attorney General, working in collaboration with the Secretary of Health and Human Services and the Secretary of Education, shall award grants to enhance the safety of youth and children who are victims of, or exposed to, domestic violence, dating violence, sexual assault, stalking, or sex trafficking and prevent future violence.

“(b) PROGRAM PURPOSES.—Funds provided under this section may be used for the following program purpose areas:

“(1) SERVICES TO ADVOCATE FOR AND RESPOND TO YOUTH.—To develop, expand, and strengthen victim-centered interventions and services that target youth who are victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order proceedings, population-specific services, and other activities that support youth in finding safety, stability, and justice and in addressing the emotional, cognitive, and physical effects of trauma. Funds may be used to—

“(A) assess and analyze currently available services for youth victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking, determining relevant barriers to such services in a particular locality, and developing a community protocol to address such problems collaboratively;

“(B) develop and implement policies, practices, and procedures to effectively respond to domestic violence, dating violence, sexual assault, stalking, or sex trafficking against youth; or

“(C) provide technical assistance and training to enhance the ability of school personnel, victim service providers, child protective service workers, staff of law enforcement agencies, prosecutors, court personnel, individuals who work in after school programs, medical personnel, social workers, mental health personnel, and workers in other programs that serve children and youth to improve their ability to appropriately respond to the needs of children and youth who are victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking, as well as runaway and homeless youth, and to properly refer such children, youth, and their families to appropriate services.

“(2) SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.—To enable middle schools, high schools, and institutions of higher education to—

“(A) provide training to school personnel, including healthcare providers and security personnel, on the needs of students who are victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking;

“(B) develop and implement prevention and intervention policies in middle and high schools, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating domestic violence, dating violence, sexual assault, stalking, or sex trafficking, and procedures for handling the requirements of court protective orders issued to or against students;

“(C) provide support services for student victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking, such as a resource person who is either on-site or on-call;

“(D) implement scientifically valid educational programming for students regarding domestic violence, dating violence, sexual assault, stalking, and sex trafficking and the impact of such violence on youth; or

“(E) develop strategies to increase identification, support, referrals, and prevention programming for youth who are at high risk of domestic violence, dating violence, sexual assault, stalking, or sex trafficking.

“(c) ELIGIBLE APPLICANTS.—

“(1) IN GENERAL.—To be eligible to receive a grant under this section, an entity shall be—

“(A) a victim service provider, tribal nonprofit, or population-specific or community-based organization with a demonstrated history of effective work addressing the needs of youth who are victims of (including runaway or homeless youth affected by) domestic violence, dating violence, sexual assault, stalking, or sex trafficking;

“(B) a victim service provider that is partnered with an entity that has a demonstrated history of effective work addressing the needs of youth; or

“(C) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(2) PARTNERSHIPS.—

“(A) EDUCATION.—To be eligible to receive a grant for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be partnered with a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under

section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(B) OTHER PARTNERSHIPS.—All applicants under this section are encouraged to work in partnership with organizations and agencies that work with the relevant population. Such entities may include—

“(i) a State, tribe, unit of local government, or territory;

“(ii) a population specific or community-based organization;

“(iii) batterer intervention programs or sex offender treatment programs with specialized knowledge and experience working with youth offenders; or

“(iv) any other agencies or nonprofit, non-governmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

“(d) GRANTEE REQUIREMENTS.—Applicants for grants under this section shall establish and implement policies, practices, and procedures that—

“(1) require and include appropriate referral systems for child and youth victims;

“(2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers all with priority on victim safety and autonomy; and

“(3) ensure that all individuals providing intervention or prevention programming to children or youth through a program funded under this section have completed, or will complete, sufficient training in connection with domestic violence, dating violence, sexual assault, stalking, and sex trafficking.

“(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of fiscal years 2014 through 2018.

“(g) ALLOTMENT.—

“(1) IN GENERAL.—Not less than 50 percent of the total amount appropriated under this section for each fiscal year shall be used for the purposes described in subsection (b)(1).

“(2) INDIAN TRIBES.—Not less than 10 percent of the total amount appropriated under this section for each fiscal year shall be made available for grants under the program authorized by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968. The requirements of this section shall not apply to funds allocated under this paragraph.

“(h) PRIORITY.—The Attorney General shall prioritize grant applications under this section that coordinate with prevention programs in the community.”.

(b) VAWA GRANT REQUIREMENTS.—Section 40002(b) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended by adding at the end the following:

“(16) REQUIREMENT FOR SCIENTIFICALLY VALID PROGRAMS.—All grant funds made available by this Act shall be used to provide scientifically valid educational programming, training, and public awareness communications regarding domestic violence, dating violence, sexual assault, and stalking that is produced by accredited entities, as appropriate.”.

SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAMPUSES.

Section 304 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “stalking on campuses, and” and inserting “stalking on campuses,”;

(ii) by striking “crimes against women on” and inserting “crimes on”; and

(iii) by inserting “, and to develop and strengthen prevention education and awareness programs” before the period; and

(B) in paragraph (2), by striking “\$500,000” and inserting “\$300,000”;

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting “, strengthen,” after “To develop”; and

(ii) by inserting “including the use of technology to commit these crimes,” after “sexual assault and stalking,”;

(B) in paragraph (4)—

(i) by inserting “and population specific services” after “strengthen victim services programs”;

(ii) by striking “entities carrying out” and all that follows through “stalking victim services programs” and inserting “victim service providers”;

(iii) by inserting “, regardless of whether the services are provided by the institution or in coordination with community victim service providers” before the period at the end; and

(C) by adding at the end the following:

“(9) To provide scientifically valid educational programming for students regarding domestic violence, dating violence, sexual assault, and stalking that is produced by accredited entities.

“(10) To develop or adapt population specific strategies and projects for victims of domestic violence, dating violence, sexual assault, and stalking from underserved populations on campus.”;

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking “any non-profit” and all that follows through “victim services programs” and inserting “victim service providers”;

(ii) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(iii) by inserting after subparagraph (C), the following:

“(D) describe how underserved populations in the campus community will be adequately served, including the provision of relevant population specific services,”; and

(B) in paragraph (3), by striking “2007 through 2011” and inserting “2012 through 2016”;

(4) in subsection (d)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2), the following:

“(3) GRANTEE MINIMUM REQUIREMENTS.—Each grantee shall comply with the following minimum requirements during the grant period:

“(A) The grantee shall create a coordinated community response including both organizations external to the institution and relevant divisions of the institution.

“(B) The grantee shall establish a mandatory prevention and education program on domestic violence, dating violence, sexual assault, and stalking for all incoming students.

“(C) The grantee shall train all campus law enforcement to respond effectively to domes-

tic violence, dating violence, sexual assault, and stalking.

“(D) The grantee shall train all members of campus disciplinary boards to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking.”; and

(5) in subsection (e), by striking “there are” and all that follows through the period and inserting “there is authorized to be appropriated \$12,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 304. CAMPUS SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING EDUCATION AND PREVENTION.

(a) IN GENERAL.—Section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) is amended—

(1) in paragraph (1)(F)—

(A) in clause (i)(VIII), by striking “and” after the semicolon;

(B) in clause (ii)—

(i) by striking “sexual orientation” and inserting “national origin, sexual orientation,”; and

(ii) by striking the period and inserting “; and”;

(C) by adding at the end the following:

“(iii) of domestic violence, dating violence, and stalking incidents that were reported to campus security authorities or local police agencies.”;

(2) in paragraph (3), by inserting “, that withholds the names of victims as confidential,” after “that is timely”;

(3) in paragraph (6)(A)—

(A) by redesignating clauses (i), (ii), and (iii) as clauses (ii), (iii), and (iv), respectively;

(B) by inserting before clause (ii), as redesignated by subparagraph (A), the following:

“(i) The terms ‘dating violence’, ‘domestic violence’, and ‘stalking’ have the meaning given such terms in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).”;

(C) by inserting after clause (iv), as redesignated by subparagraph (A), the following:

“(v) The term ‘sexual assault’ means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.”;

(4) in paragraph (7)—

(A) by striking “paragraph (1)(F)” and inserting “clauses (i) and (ii) of paragraph (1)(F)”;

(B) by inserting after “Hate Crime Statistics Act.” the following: “For the offenses of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).”;

(5) by striking paragraph (8) and inserting the following:

“(8)(A) Each institution of higher education participating in any program under this title and title IV of the Economic Opportunity Act of 1964, other than a foreign institution of higher education, shall develop and distribute as part of the report described in paragraph (1) a statement of policy regarding—

“(i) such institution’s programs to prevent domestic violence, dating violence, sexual assault, and stalking; and

“(ii) the procedures that such institution will follow once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported.

“(B) The policy described in subparagraph (A) shall address the following areas:

“(i) Possible sanctions or protective measures that such institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.

“(ii) Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about—

“(I) the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order;

“(II) to whom the alleged offense should be reported;

“(III) options regarding law enforcement and campus authorities, including notification of the victim’s option to—

“(aa) notify proper law enforcement authorities, including on-campus and local police;

“(bb) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and

“(cc) decline to notify such authorities; and

“(IV) where applicable, the rights of victims and the institution’s responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

“(iii) Information about how the institution will protect the confidentiality of victims, including how publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

“(iv) Notification of students about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community.

“(v) Notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

“(C) A student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of the student or employee’s rights and options, as described in clauses (ii) through (vii) of subparagraph (B).”;

(6) in paragraph (9), by striking “The Secretary” and inserting “The Secretary, in consultation with the Attorney General of the United States,”;

(7) by striking paragraph (16) and inserting the following:

“(16)(A) The Secretary shall seek the advice and counsel of the Attorney General of the United States concerning the development, and dissemination to institutions of higher education, of best practices information about campus safety and emergencies.

“(B) The Secretary shall seek the advice and counsel of the Attorney General of the United States and the Secretary of Health and Human Services concerning the development, and dissemination to institutions of higher education, of best practices information about preventing and responding to incidents of domestic violence, dating vio-

lence, sexual assault, and stalking, including elements of institutional policies that have proven successful based on evidence-based outcome measurements.”; and

(8) by striking paragraph (17) and inserting the following:

“(17) No officer, employee, or agent of an institution participating in any program under this title shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this subsection.”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall take effect with respect to the annual security report under section 485(f)(1) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(1)) prepared by an institution of higher education 1 calendar year after the date of enactment of this Act, and each subsequent calendar year.

TITLE IV—VIOLENCE REDUCTION PRACTICES

SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 402(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b-4(c)) is amended by striking “\$2,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$500,000 for each of fiscal years 2014 through 2018”.

SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION GRANTS.

(a) **SMART PREVENTION.**—Section 41303 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d-2) is amended to read as follows:

“SEC. 41303. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION (SMART PREVENTION).

“(a) **GRANTS AUTHORIZED.**—The Attorney General, in consultation with the Secretary of Health and Human Services and the Secretary of Education, is authorized to award grants for the purpose of preventing domestic violence, dating violence, sexual assault, and stalking by taking a comprehensive approach that focuses on youth, children exposed to violence, and men as leaders and influencers of social norms.

“(b) **USE OF FUNDS.**—Funds provided under this section may be used for the following purposes:

“(1) **TEEN DATING VIOLENCE AWARENESS AND PREVENTION.**—To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking and provide education and skills training to young individuals and individuals who influence young individuals. The prevention program may use evidence-based, evidence-informed, or innovative strategies and practices focused on youth. Such a program should include—

“(A) scientifically valid age appropriate education that is produced by accredited entities on domestic violence, dating violence, sexual assault, stalking, and sexual coercion, as well as healthy relationship skills, in school, in the community, or in health care settings;

“(B) community-based collaboration and training for those with influence on youth, such as parents, teachers, coaches, healthcare providers, faith-leaders, older teens, and mentors;

“(C) education and outreach to change environmental factors contributing to domestic violence, dating violence, sexual assault, and stalking; and

“(D) policy development targeted to prevention, including school-based policies and protocols.

“(2) **CHILDREN EXPOSED TO VIOLENCE AND ABUSE.**—To develop, maintain or enhance programs designed to prevent future incidents of domestic violence, dating violence, sexual assault, and stalking by preventing, reducing and responding to children’s exposure to violence in the home. Such programs may include—

“(A) providing services for children exposed to domestic violence, dating violence, sexual assault or stalking, including direct counseling or advocacy, and support for the non-abusing parent; and

“(B) training and coordination for educational, after-school, and childcare programs on how to safely and confidentially identify children and families experiencing domestic violence, dating violence, sexual assault, or stalking and properly refer children exposed and their families to services and violence prevention programs.

“(c) **ELIGIBLE ENTITIES.**—To be an eligible to receive a grant under this section, an entity shall be—

“(1) a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and expertise in the specific area for which they are applying for funds; or

“(2) a partnership between a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and at least one of the following:

“(A) A public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1978, a group of schools, or a school district.

“(B) A local community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.

“(C) A community-based organization, population-specific organization, university or health care clinic, faith-based organization, or other non-profit, nongovernmental organization.

“(D) A nonprofit, nongovernmental entity providing services for runaway or homeless youth affected by domestic violence, dating violence, sexual assault, or stalking.

“(E) Healthcare entities eligible for reimbursement under title XVIII of the Social Security Act, including providers that target the special needs of children and youth.

“(F) Any other agencies, population-specific organizations, or nonprofit, nongovernmental organizations with the capacity to provide necessary expertise to meet the goals of the program.

“(d) **GRANTEE REQUIREMENTS.**—

“(1) **IN GENERAL.**—Applicants for grants under this section shall prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director may require that demonstrates the capacity of the applicant and partnering organizations to undertake the project.

“(2) **POLICIES AND PROCEDURES.**—Applicants under this section shall establish and implement policies, practices, and procedures that—

“(A) include appropriate referral systems to direct any victim identified during program activities to highly qualified follow-up care;

“(B) protect the confidentiality and privacy of adult and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers;

“(C) ensure that all individuals providing prevention programming through a program funded under this section have completed or will complete sufficient training in connection with domestic violence, dating violence, sexual assault or stalking; and

“(D) document how prevention programs are coordinated with service programs in the community.

“(3) PREFERENCE.—In selecting grant recipients under this section, the Attorney General shall give preference to applicants that—

“(A) include outcome-based evaluation; and

“(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

“(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2014 through 2018.

“(g) ALLOTMENT.—

“(1) IN GENERAL.—Not less than 25 percent of the total amounts appropriated under this section in each fiscal year shall be used for each set of purposes described in paragraphs (1), (2), and (3) of subsection (a).

“(2) INDIAN TRIBES.—Not less than 10 percent of the total amounts appropriated under this section in each fiscal year shall be made available for grants to Indian tribes or tribal organizations.”

(b) REPEALS.—The following provisions are repealed:

(1) Sections 41304 and 41305 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d-3 and 14043d-4).

(2) Section 403 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045c).

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 501. CONSOLIDATION OF GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) GRANTS.—Section 399P of the Public Health Service Act (42 U.S.C. 280g-4) is amended to read as follows:

“SEC. 399P. GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

“(a) IN GENERAL.—The Secretary shall award grants for—

“(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, and allied health professionals;

“(2) the development or enhancement and implementation of education programs for

medical, nursing, dental, and other health profession students and residents to prevent and respond to domestic violence, dating violence, sexual assault, and stalking; and

“(3) the development or enhancement and implementation of comprehensive statewide strategies to improve the response of clinics, public health facilities, hospitals, and other health settings (including behavioral and mental health programs) to domestic violence, dating violence, sexual assault, and stalking.

“(b) USE OF FUNDS.—

“(1) REQUIRED USES.—Amounts provided under a grant under this section shall be used to—

“(A) fund interdisciplinary training and education programs under paragraphs (1) and (2) of subsection (a) that—

“(i) are designed to train medical, psychology, dental, social work, nursing, and other health profession students, interns, residents, fellows, or current health care providers to identify and provide health care services (including mental or behavioral health care services and referrals to appropriate community services) to individuals who are or who have been victims of domestic violence, dating violence, sexual assault, or stalking; and

“(ii) plan and develop culturally competent clinical training components for integration into approved internship, residency, and fellowship training or continuing medical or other health education training that address physical, mental, and behavioral health issues, including protective factors, related to domestic violence, dating violence, sexual assault, stalking, and other forms of violence and abuse, focus on reducing health disparities and preventing violence and abuse, and include the primacy of victim safety and confidentiality;

“(B) design and implement comprehensive strategies to improve the response of the health care system to domestic or sexual violence in clinical and public health settings, hospitals, clinics, and other health settings (including behavioral and mental health), under subsection (a)(3) through—

“(i) the implementation, dissemination, and evaluation of policies and procedures to guide health professionals and public health staff in identifying and responding to domestic violence, dating violence, sexual assault, and stalking, including strategies to ensure that health information is maintained in a manner that protects the patient's privacy and safety, and safely uses health information technology to improve documentation, identification, assessment, treatment, and follow-up care;

“(ii) the development of on-site access to services to address the safety, medical, and mental health needs of patients by increasing the capacity of existing health care professionals and public health staff to address domestic violence, dating violence, sexual assault, and stalking, or by contracting with or hiring domestic or sexual assault advocates to provide such services or to model other services appropriate to the geographic and cultural needs of a site;

“(iii) the development of measures and methods for the evaluation of the practice of identification, intervention, and documentation regarding victims of domestic violence, dating violence, sexual assault, and stalking, including the development and testing of quality improvement measurements; and

“(iv) the provision of training and follow-up technical assistance to health care professionals, and public health staff, and allied health professionals to identify, assess,

treat, and refer clients who are victims of domestic violence, dating violence, sexual assault, or stalking, including using tools and training materials already developed.

“(2) PERMISSIBLE USES.—

“(A) CHILD AND ELDER ABUSE.—To the extent consistent with the purpose of this section, a grantee may use amounts received under this section to address, as part of a comprehensive programmatic approach implemented under the grant, issues relating to child or elder abuse.

“(B) RURAL AREAS.—Grants funded under paragraphs (1) and (2) of subsection (a) may be used to offer to rural areas community-based training opportunities, which may include the use of distance learning networks and other available technologies needed to reach isolated rural areas, for medical, nursing, and other health profession students and residents on domestic violence, dating violence, sexual assault, stalking, and, as appropriate, other forms of violence and abuse.

“(C) OTHER USES.—Grants funded under subsection (a)(3) may be used for—

“(i) the development of training modules and policies that address the overlap of child abuse, domestic violence, dating violence, sexual assault, and stalking and elder abuse, as well as childhood exposure to domestic and sexual violence;

“(ii) the development, expansion, and implementation of sexual assault forensic medical examination or sexual assault nurse examiner programs;

“(iii) the inclusion of the health effects of lifetime exposure to violence and abuse as well as related protective factors and behavioral risk factors in health professional training schools including medical, dental, nursing, social work, and mental and behavioral health curricula, and allied health service training courses; or

“(iv) the integration of knowledge of domestic violence, dating violence, sexual assault, and stalking into health care accreditation and professional licensing examinations, such as medical, dental, social work, and nursing boards, and where appropriate, other allied health exams.

“(c) REQUIREMENTS FOR GRANTEES.—

“(1) CONFIDENTIALITY AND SAFETY.—

“(A) IN GENERAL.—Grantees under this section shall ensure that all programs developed with grant funds address issues of confidentiality and patient safety and comply with applicable confidentiality and nondisclosure requirements under section 40002(b)(2) of the Violence Against Women Act of 1994 and the Family Violence Prevention and Services Act, and that faculty and staff associated with delivering educational components are fully trained in procedures that will protect the immediate and ongoing security and confidentiality of the patients, patient records, and staff. Such grantees shall consult entities with demonstrated expertise in the confidentiality and safety needs of victims of domestic violence, dating violence, sexual assault, and stalking on the development and adequacy of confidentiality and security procedures, and provide documentation of such consultation.

“(B) ADVANCE NOTICE OF INFORMATION DISCLOSURE.—Grantees under this section shall provide to patients advance notice about any circumstances under which information may be disclosed, such as mandatory reporting laws, and shall give patients the option to receive information and referrals without affirmatively disclosing abuse.

“(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grantee shall use not more than 10 percent of the amounts received under a

grant under this section for administrative expenses.

“(3) APPLICATION.—

“(A) PREFERENCE.—In selecting grant recipients under this section, the Secretary shall give preference to applicants based on the strength of their evaluation strategies, with priority given to outcome based evaluations.

“(B) SUBSECTION (a)(1) AND (2) GRANTEES.—Applications for grants under paragraphs (1) and (2) of subsection (a) shall include—

“(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the health care system to domestic violence, dating violence, sexual assault, or stalking, and which includes at least one of each of—

“(I) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or other health field;

“(II) a health care facility or system; or

“(III) a government or nonprofit entity with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking; and

“(ii) strategies for the dissemination and sharing of curricula and other educational materials developed under the grant, if any, with other interested health professions schools and national resource repositories for materials on domestic violence, dating violence, sexual assault, and stalking.

“(C) SUBSECTION (a)(3) GRANTEES.—An entity desiring a grant under subsection (a)(3) shall submit an application to the Secretary at such time, in such a manner, and containing such information and assurances as the Secretary may require, including—

“(i) documentation that all training, education, screening, assessment, services, treatment, and any other approach to patient care will be informed by an understanding of violence and abuse victimization and trauma-specific approaches that will be integrated into prevention, intervention, and treatment activities;

“(ii) strategies for the development and implementation of policies to prevent and address domestic violence, dating violence, sexual assault, and stalking over the lifespan in health care settings;

“(iii) a plan for consulting with State and tribal domestic violence or sexual assault coalitions, national nonprofit victim advocacy organizations, State or tribal law enforcement task forces (where appropriate), and population specific organizations with demonstrated expertise in domestic violence, dating violence, sexual assault, or stalking;

“(iv) with respect to an application for a grant under which the grantee will have contact with patients, a plan, developed in collaboration with local victim service providers, to respond appropriately to and make correct referrals for individuals who disclose that they are victims of domestic violence, dating violence, sexual assault, stalking, or other types of violence, and documentation provided by the grantee of an ongoing collaborative relationship with a local victim service provider; and

“(v) with respect to an application for a grant proposing to fund a program described in subsection (b)(2)(C)(ii), a certification that any sexual assault forensic medical examination and sexual assault nurse examiner programs supported with such grant funds will adhere to the guidelines set forth by the Attorney General.

“(d) ELIGIBLE ENTITIES.—

“(1) IN GENERAL.—To be eligible to receive funding under paragraph (1) or (2) of subsection (a), an entity shall be—

“(A) a nonprofit organization with a history of effective work in the field of training health professionals with an understanding of, and clinical skills pertinent to, domestic violence, dating violence, sexual assault, or stalking, and lifetime exposure to violence and abuse;

“(B) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;

“(C) a health care provider membership or professional organization, or a health care system; or

“(D) a State, tribal, territorial, or local entity.

“(2) SUBSECTION (a)(3) GRANTEES.—To be eligible to receive funding under subsection (a)(3), an entity shall be—

“(A) a State department (or other division) of health, a State, tribal, or territorial domestic violence or sexual assault coalition or victim service provider, or any other nonprofit, nongovernmental organization with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care; or

“(B) a local victim service provider, a local department (or other division) of health, a local health clinic, hospital, or health system, or any other community-based organization with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking and health care, including physical or mental health care.

“(e) TECHNICAL ASSISTANCE.—

“(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may make grants or enter into contracts to provide technical assistance with respect to the planning, development, and operation of any program, activity or service carried out pursuant to this section. Not more than 8 percent of the funds appropriated under this section in each fiscal year may be used to fund technical assistance under this subsection.

“(2) AVAILABILITY OF MATERIALS.—The Secretary shall make publicly available materials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

“(3) REPORTING.—The Secretary shall publish a biennial report on—

“(A) the distribution of funds under this section; and

“(B) the programs and activities supported by such funds.

“(f) RESEARCH AND EVALUATION.—

“(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may use not more than 20 percent to make a grant or enter into a contract for research and evaluation of—

“(A) grants awarded under this section; and

“(B) other training for health professionals and effective interventions in the health care setting that prevent domestic violence, dating violence, and sexual assault across the lifespan, prevent the health effects of such violence, and improve the safety and health of individuals who are currently being victimized.

“(2) RESEARCH.—Research authorized in paragraph (1) may include—

“(A) research on the effects of domestic violence, dating violence, sexual assault, and childhood exposure to domestic, dating or sexual violence on health behaviors, health conditions, and health status of individuals, families, and populations, including underserved populations;

“(B) research to determine effective health care interventions to respond to and prevent

domestic violence, dating violence, sexual assault, and stalking;

“(C) research on the impact of domestic, dating and sexual violence, childhood exposure to such violence, and stalking on the health care system, health care utilization, health care costs, and health status; and

“(D) research on the impact of adverse childhood experiences on adult experience with domestic violence, dating violence, sexual assault, stalking, and adult health outcomes, including how to reduce or prevent the impact of adverse childhood experiences through the health care setting.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2014 through 2018.

“(h) DEFINITIONS.—Except as otherwise provided herein, the definitions provided for in section 40002 of the Violence Against Women Act of 1994 shall apply to this section.”

(b) REPEALS.—The following provisions are repealed:

(1) Section 40297 of the Violence Against Women Act of 1994 (42 U.S.C. 13973).

(2) Section 758 of the Public Health Service Act (42 U.S.C. 294h).

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) AMENDMENT.—Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) by inserting after the subtitle heading the following:

“CHAPTER 1—GRANT PROGRAMS”;

(2) in section 41402 (42 U.S.C. 14043e-1), in the matter preceding paragraph (1), by striking “subtitle” and inserting “chapter”;

(3) in section 41403 (42 U.S.C. 14043e-2), in the matter preceding paragraph (1), by striking “subtitle” and inserting “chapter”;

(4) by adding at the end the following:

“CHAPTER 2—HOUSING RIGHTS

“SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

“(a) DEFINITIONS.—In this chapter:

“(1) AFFILIATED INDIVIDUAL.—The term ‘affiliated individual’ means, with respect to an individual—

“(A) a spouse, parent, brother, sister, or child of that individual, or an individual to whom that individual stands in loco parentis; or

“(B) any individual, tenant, or lawful occupant living in the household of that individual.

“(2) APPROPRIATE AGENCY.—The term ‘appropriate agency’ means, with respect to a covered housing program, the Executive department (as defined in section 101 of title 5, United States Code) that carries out the covered housing program.

“(3) COVERED HOUSING PROGRAM.—The term ‘covered housing program’ means—

“(A) the program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q);

“(B) the program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013);

“(C) the program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

“(D) the program under subtitle A of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.);

“(E) the program under subtitle A of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12741 et seq.);

“(F) the program under paragraph (3) of section 221(d) of the National Housing Act (12 U.S.C. 1715l(d)) that bears interest at a rate determined under the proviso under paragraph (5) of such section 221(d);

“(G) the program under section 236 of the National Housing Act (12 U.S.C. 1715z-1);

“(H) the programs under sections 6 and 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f);

“(I) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1486, 1490m, and 1490p-2); and

“(J) the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986.

“(b) PROHIBITED BASIS FOR DENIAL OR TERMINATION OF ASSISTANCE OR EVICTION.—

“(1) IN GENERAL.—An applicant for or tenant of housing assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

“(2) CONSTRUCTION OF LEASE TERMS.—An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as—

“(A) a serious or repeated violation of a lease for housing assisted under a covered housing program by the victim or threatened victim of such incident; or

“(B) good cause for terminating the assistance, tenancy, or occupancy rights to housing assisted under a covered housing program of the victim or threatened victim of such incident.

“(3) TERMINATION ON THE BASIS OF CRIMINAL ACTIVITY.—

“(A) DENIAL OF ASSISTANCE, TENANCY, AND OCCUPANCY RIGHTS PROHIBITED.—No person may deny assistance, tenancy, or occupancy rights to housing assisted under a covered housing program to a tenant solely on the basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking.

“(B) BIFURCATION.—

“(i) IN GENERAL.—Notwithstanding subparagraph (A), a public housing agency or owner or manager of housing assisted under a covered housing program may bifurcate a lease for the housing in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant of the housing.

“(ii) EFFECT OF EVICTION ON OTHER TENANTS.—If public housing agency or owner or manager of housing assisted under a covered housing program evicts, removes, or terminates assistance to an individual under

clause (i), and the individual is the sole tenant eligible to receive assistance under a covered housing program, the public housing agency or owner or manager of housing assisted under the covered housing program shall provide any remaining tenant an opportunity to establish eligibility for the covered housing program. If a tenant described in the preceding sentence cannot establish eligibility, the public housing agency or owner or manager of the housing shall provide the tenant a reasonable time, as determined by the appropriate agency, to find new housing or to establish eligibility for housing under another covered housing program.

“(C) RULES OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed—

“(i) to limit the authority of a public housing agency or owner or manager of housing assisted under a covered housing program, when notified of a court order, to comply with a court order with respect to—

“(I) the rights of access to or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or

“(II) the distribution or possession of property among members of a household in a case;

“(ii) to limit any otherwise available authority of a public housing agency or owner or manager of housing assisted under a covered housing program to evict or terminate assistance to a tenant for any violation of a lease not premised on the act of violence in question against the tenant or an affiliated person of the tenant, if the public housing agency or owner or manager does not subject an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate;

“(iii) to limit the authority to terminate assistance to a tenant or evict a tenant from housing assisted under a covered housing program if a public housing agency or owner or manager of the housing can demonstrate that an actual and imminent threat to other tenants or individuals employed at or providing service to the property would be present if the assistance is not terminated or the tenant is not evicted; or

“(iv) to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, sexual assault, or stalking.

“(c) DOCUMENTATION.—

“(1) REQUEST FOR DOCUMENTATION.—If an applicant for, or tenant of, housing assisted under a covered housing program represents to a public housing agency or owner or manager of the housing that the individual is entitled to protection under subsection (b), the public housing agency or owner or manager may request, in writing, that the applicant or tenant submit to the public housing agency or owner or manager a form of documentation described in paragraph (3).

“(2) FAILURE TO PROVIDE CERTIFICATION.—

“(A) IN GENERAL.—If an applicant or tenant does not provide the documentation requested under paragraph (1) within 14 business days after the tenant receives a request in writing for such certification from a public housing agency or owner or manager of housing assisted under a covered housing program, nothing in this chapter may be construed to limit the authority of the public housing agency or owner or manager to—

“(i) deny admission by the applicant or tenant to the covered program;

“(ii) deny assistance under the covered program to the applicant or tenant;

“(iii) terminate the participation of the applicant or tenant in the covered program; or

“(iv) evict the applicant, the tenant, or a lawful occupant that commits violations of a lease.

“(B) EXTENSION.—A public housing agency or owner or manager of housing may extend the 14-day deadline under subparagraph (A) at its discretion.

“(3) FORM OF DOCUMENTATION.—A form of documentation described in this paragraph is—

“(A) a certification form approved by the appropriate agency that—

“(i) states that an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking;

“(ii) states that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b); and

“(iii) includes the name of the individual who committed the domestic violence, dating violence, sexual assault, or stalking, if the name is known and safe to provide;

“(B) a document that—

“(i) is signed by—

“(I) an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom an applicant or tenant has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse; and

“(II) the applicant or tenant; and

“(ii) states under penalty of perjury that the individual described in clause (i)(I) believes that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b);

“(C) a record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency; or

“(D) at the discretion of a public housing agency or owner or manager of housing assisted under a covered housing program, a statement or other evidence provided by an applicant or tenant.

“(4) CONFIDENTIALITY.—Any information submitted to a public housing agency or owner or manager under this subsection, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking shall be maintained in confidence by the public housing agency or owner or manager and may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is—

“(A) requested or consented to by the individual in writing;

“(B) required for use in an eviction proceeding under subsection (b); or

“(C) otherwise required by applicable law.

“(5) DOCUMENTATION NOT REQUIRED.—Nothing in this subsection shall be construed to require a public housing agency or owner or manager of housing assisted under a covered housing program to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

“(6) COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.—Compliance with subsection (b) by a public housing agency or owner or manager of housing assisted under a covered housing program based on documentation received under

this subsection, shall not be sufficient to constitute evidence of an unreasonable act or omission by the public housing agency or owner or manager or an employee or agent of the public housing agency or owner or manager. Nothing in this paragraph shall be construed to limit the liability of a public housing agency or owner or manager of housing assisted under a covered housing program for failure to comply with subsection (b).

“(7) RESPONSE TO CONFLICTING CERTIFICATION.—If a public housing agency or owner or manager of housing assisted under a covered housing program receives documentation under this subsection that contains conflicting information, the public housing agency or owner or manager may require an applicant or tenant to submit third-party documentation, as described in subparagraph (B), (C), or (D) of paragraph (3).

“(8) PREEMPTION.—Nothing in this subsection shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this subsection for victims of domestic violence, dating violence, sexual assault, or stalking.

“(d) NOTIFICATION.—

“(1) DEVELOPMENT.—The Secretary of Housing and Urban Development shall develop a notice of the rights of individuals under this section, including the right to confidentiality and the limits thereof.

“(2) PROVISION.—Each public housing agency or owner or manager of housing assisted under a covered housing program shall provide the notice developed under paragraph (1), together with the form described in subsection (c)(3)(A), to an applicant for or tenants of housing assisted under a covered housing program—

“(A) at the time the applicant is denied residency in a dwelling unit assisted under the covered housing program;

“(B) at the time the individual is admitted to a dwelling unit assisted under the covered housing program;

“(C) with any notification of eviction or notification of termination of assistance; and

“(D) in multiple languages, consistent with guidance issued by the Secretary of Housing and Urban Development in accordance with Executive Order 13166 (42 U.S.C. 2000d-1 note; relating to access to services for persons with limited English proficiency).

“(e) EMERGENCY TRANSFERS.—Each appropriate agency shall adopt a model emergency transfer plan for use by public housing agencies and owners or managers of housing assisted under covered housing programs that—

“(1) allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to transfer to another available and safe dwelling unit assisted under a covered housing program if—

“(A) the tenant expressly requests the transfer; and

“(B)(i) the tenant reasonably believes that the tenant is threatened with imminent harm from further violence if the tenant remains within the same dwelling unit assisted under a covered housing program; or

“(ii) in the case of a tenant who is a victim of sexual assault, the sexual assault occurred on the premises during the 90 day period preceding the request for transfer; and

“(2) incorporates reasonable confidentiality measures to ensure that the public housing agency or owner or manager does not disclose the location of the dwelling unit of a tenant to a person that commits an act of domestic violence, dating violence, sexual assault, or stalking against the tenant.

“(f) POLICIES AND PROCEDURES FOR EMERGENCY TRANSFER.—The Secretary of Housing and Urban Development shall establish policies and procedures under which a victim requesting an emergency transfer under subsection (e) may receive, subject to the availability of tenant protection vouchers, assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)).

“(g) IMPLEMENTATION.—The appropriate agency with respect to each covered housing program shall implement this section, as this section applies to the covered housing program.”.

(b) CONFORMING AMENDMENTS.—

(1) SECTION 6.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(A) in subsection (c)—

(i) by striking paragraph (3); and

(ii) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(B) in subsection (1)—

(i) in paragraph (5), by striking “, and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

(ii) in paragraph (6), by striking “; except that” and all that follows through “stalking.”; and

(C) by striking subsection (u).

(2) SECTION 8.—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended—

(A) in subsection (c), by striking paragraph (9);

(B) in subsection (d)(1)—

(i) in subparagraph (A), by striking “and that an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission if the applicant otherwise qualifies for assistance or admission”; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking “, and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

(II) in clause (iii), by striking “, except that:” and all that follows through “stalking.”;

(C) in subsection (f)—

(i) in paragraph (6), by adding “and” at the end;

(ii) in paragraph (7), by striking the semicolon at the end and inserting a period; and

(iii) by striking paragraphs (8), (9), (10), and (11);

(D) in subsection (o)—

(i) in paragraph (6)(B), by striking the last sentence;

(ii) in paragraph (7)—

(I) in subparagraph (C), by striking “and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking shall not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

(II) in subparagraph (D), by striking “; except that” and all that follows through “stalking.”; and

(iii) by striking paragraph (20); and

(E) by striking subsection (ee).

(3) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, shall be construed—

(A) to limit the rights or remedies available to any person under section 6 or 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f), as in effect on the day before the date of enactment of this Act;

(B) to limit any right, remedy, or procedure otherwise available under any provision of part 5, 91, 880, 882, 883, 884, 886, 891, 903, 960, 966, 982, or 983 of title 24, Code of Federal Regulations, that—

(i) was issued under the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 2960) or an amendment made by that Act; and

(ii) provides greater protection for victims of domestic violence, dating violence, sexual assault, and stalking than this Act; or

(C) to disqualify an owner, manager, or other individual from participating in or receiving the benefits of the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986 because of noncompliance with the provisions of this Act.

SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Chapter 11 of the Violence Against Women Act of 1994 (42 U.S.C. 13975 et seq.) is amended—

(1) in the chapter heading, by striking “CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT” and inserting “VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING”; and

(2) in section 40299 (42 U.S.C. 13975)—

(A) in the header, by striking “CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT” and inserting “VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING”; and

(B) in subsection (a)(1), by striking “fleeing”; and

(C) in subsection (g)—

(i) in paragraph (1), by striking “\$40,000,000 for each of fiscal years 2007 through 2011” and inserting “\$35,000,000 for each of fiscal years 2014 through 2018”; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking “eligible” and inserting “qualified”; and

(II) by adding at the end the following:

“(D) QUALIFIED APPLICATION DEFINED.—In this paragraph, the term ‘qualified application’ means an application that—

“(i) has been submitted by an eligible applicant;

“(ii) does not propose any significant activities that may compromise victim safety;

“(iii) reflects an understanding of the dynamics of domestic violence, dating violence, sexual assault, or stalking; and

“(iv) does not propose prohibited activities, including mandatory services for victims, background checks of victims, or clinical evaluations to determine eligibility for services.”.

SEC. 603. ADDRESSING THE HOUSING NEEDS OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) in section 41404(i) (42 U.S.C. 14043e–3(i)), by striking “\$10,000,000 for each of fiscal years 2007 through 2011” and inserting “\$4,000,000 for each of fiscal years 2014 through 2018”; and

(2) in section 41405(g) (42 U.S.C. 14043e–4(g)), by striking “\$10,000,000 for each of fiscal years 2007 through 2011” and inserting “\$4,000,000 for each of fiscal years 2014 through 2018”.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE.

Section 41501(e) of the Violence Against Women Act of 1994 (42 U.S.C. 14043f(e)) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

TITLE VIII—IMMIGRATION PROVISIONS

SEC. 801. APPLICATION OF SPECIAL RULE FOR BATTERED SPOUSE OR CHILD.

Section 240A(b)(2) of the Immigration and Nationality Act (8 U.S.C. 1229b) is amended by striking subparagraph (D) and inserting the following:

“(D) CREDIBLE EVIDENCE CONSIDERED.—In adjudicating applications under this paragraph, the Secretary of Homeland Security shall consider any credible evidence relevant to the application, including credible evidence submitted by a national of the United States or an alien lawfully admitted for permanent residence accused of the conduct described in subparagraph (A)(i). The determination of what evidence is credible and the weight to be given that evidence shall be within the sole discretion of the Secretary of Homeland Security.

“(E) FRAUD DETECTION EFFORTS.—

“(i) IN GENERAL.—Upon filing of an application under this paragraph, the Director of United States Citizenship and Immigration Services shall—

“(I) review such an application for completeness and clear indicators of fraud or misrepresentation of material fact;

“(II) conduct an in-person interview of the alien who filed the application; and

“(III) facilitate cooperation between the service center that adjudicates all applications under this paragraph and the local service centers that have the resources to investigate and interview the applicant to review any evidence that may pertain to the application.

“(ii) GUIDELINES.—The Director may issue guidelines for alternatives to the in-person interview so long as the guidelines do not jeopardize national security and include measures to detect fraud and abuse.

“(iii) EVIDENCE.—The Director may gather other evidence and interview other witnesses, including the accused United States citizen or legal permanent resident, if such individual consents to be interviewed.

“(F) PRIORITY OF ONGOING IMMIGRATION AND LAW ENFORCEMENT INVESTIGATIONS OR PROSECUTIONS.—

“(i) DETERMINATION.—During the adjudication of an application under this paragraph, the Director shall determine whether any Federal, State, territorial, tribal, or local law enforcement agency has undertaken an investigation or prosecution of the petitioning alien for—

“(I) conduct relating to the battering or abuse alleged by the petitioning alien under this paragraph;

“(II) a violation of any immigration law; or

“(III) a violation of any other criminal law.

“(ii) USE OF INFORMATION.—If such an investigation or prosecution was commenced, the investigative officer of United States Citizenship and Immigration Services shall—

“(I) obtain as much information as possible about the investigation or prosecution; and

“(II) consider that information as part of the adjudication of the application.

“(iii) PENDING INVESTIGATION.—If such an investigation or prosecution is pending, the adjudication of the application shall be stayed pending the conclusion of the investigation or prosecution. If no investigation has been undertaken or if a prosecutor’s office has not commenced a prosecution after the matter was referred to it, that fact shall be considered by the investigative officer as part of the adjudication of the application.

“(iv) EFFECT OF DETERMINATION TO REMOVE OR INDICT.—If such an investigation determines that the alien is removable, or if the alien is indicted, the application under this paragraph shall be denied.

“(v) EFFECT OF NOT GUILTY DETERMINATION.—If an investigation has been undertaken and a determination was made that a prosecution was not warranted or if a criminal proceeding finds the United States citizen or legal permanent resident not guilty of the charges, such determination shall be binding and the application under this paragraph shall be denied.

“(G) EFFECT OF MATERIAL MISREPRESENTATION.—If an alien makes a material misrepresentation during the application process under this paragraph, the Secretary of Homeland Security shall—

“(i) deny the application and remove the alien on an expedited basis; and

“(ii) make the alien ineligible for any taxpayer funded benefits or immigration benefits.”.

SEC. 802. CLARIFICATION OF THE REQUIREMENTS APPLICABLE TO U VISAS.

Section 214(p)(1) of the Immigration and Nationality Act (8 U.S.C. 1184(p)(1)) is amended as follows:

(1) By striking “The petition” and inserting the following:

“(A) IN GENERAL.—The petition”.

(2) By adding at the end the following:

“(B) CERTIFICATION REQUIREMENTS.—Each certification submitted under subparagraph (A) shall confirm under penalty of perjury that—

“(i) the petitioner reported the criminal activity to a law enforcement agency within 120 days of its occurrence;

“(ii) the statute of limitations for prosecuting an offense based on the criminal activity has not lapsed;

“(iii) the criminal activity is actively under investigation or a prosecution has been commenced; and

“(iv) the petitioner has provided to a law enforcement agency information that will assist in identifying the perpetrator of the criminal activity, or the perpetrator’s identity is known.

“(C) REQUIREMENT FOR CERTIFICATION.—No application for a visa under section 101(a)(15)(U) may be granted unless accompanied by the certification as described in this paragraph.”.

SEC. 803. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A CITIZEN.

(a) IN GENERAL.—Section 214 of the Immigration and Naturalization Act (8 U.S.C. 1184) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking “crime.” and inserting “crime described in paragraph (3)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in paragraph (3)(B)(i).”; and

(B) in paragraph (3)(B)(i), by striking “abuse, and stalking.” and inserting “abuse, stalking, or an attempt to commit any such crime.”; and

(2) in subsection (r)—

(A) in paragraph (1), by striking “crime.” and inserting “crime described in paragraph (5)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in subsection (5)(B)(i).”; and

(B) in paragraph (5)(B)(i), by striking “abuse, and stalking.” and inserting “abuse, stalking, or an attempt to commit any such crime.”.

(b) PROVISION OF INFORMATION TO K NON-IMMIGRANTS.—Section 883 of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a) is amended in subsection (b)(1)(A), by striking “or” after “orders” and inserting “and”.

SEC. 804. REGULATION OF INTERNATIONAL MARRIAGE BROKERS.

(a) IMPLEMENTATION OF THE INTERNATIONAL MARRIAGE BROKER ACT OF 2005.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report that includes the name of the component of the Department of Justice responsible for prosecuting violations of the International Marriage Broker Act of 2005 (subtitle D of Public Law 109-162; 119 Stat. 3066) and the amendments made by this title.

(b) REGULATION OF INTERNATIONAL MARRIAGE BROKERS.—Section 833(d) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is amended as follows:

(1) By amending paragraph (1) to read as follows:

“(1) PROHIBITION ON MARKETING OF OR TO CHILDREN.—

“(A) IN GENERAL.—An international marriage broker shall not provide any individual or entity with personal contact information, photograph, or general information about the background or interests of any individual under the age of 18.

“(B) COMPLIANCE.—To comply with the requirements of subparagraph (A), an international marriage broker shall—

“(i) obtain a valid copy of each foreign national client’s birth certificate or other proof of age document issued by an appropriate government entity;

“(ii) indicate on such certificate or document the date it was received by the international marriage broker;

“(iii) retain the original of such certificate or document for 5 years after such date of receipt; and

“(iv) produce such certificate or document upon request to an appropriate authority charged with the enforcement of this paragraph.”.

(2) In paragraph (2)(B)(ii), by striking “or stalking.” and inserting “stalking, or an attempt to commit any such crime.”.

(3) In paragraph (5)(B)—

(A) by striking “In circumstances” and inserting the following:

“(i) IN GENERAL.—In circumstances”; and
(B) by adding at the end the following:

“(ii) FRAUDULENT FAILURES OF UNITED STATES CLIENTS TO MAKE REQUIRED SELF-DISCLOSURES.—A person who knowingly and with intent to defraud another person outside the United States in order to recruit, solicit, entice, or induce that other person into entering a dating or matrimonial relationship, makes false or fraudulent representations regarding the disclosures described in clause (i), (ii), (iii), or (iv) of subsection (d)(2)(B), including by failing to make any such disclosures, shall be fined in accordance with title 18, United States Code, imprisoned for not more than 1 year, or both.”.

SEC. 805. GAO REPORT.

(a) REQUIREMENT FOR REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report regarding the adjudication of petitions and applications under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)) and the self-petitioning process for VAWA self-petitioners (as that term is defined in section 101(a)(51) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(51))).

(b) CONTENTS.—The report required by subsection (a) shall—

(1) assess the efficiency and reliability of the process for reviewing such petitions and applications, including whether the process includes adequate safeguards against fraud and abuse; and

(2) identify possible improvements to the adjudications of petitions and applications in order to reduce fraud and abuse.

SEC. 806. DISCLOSURE OF INFORMATION FOR NATIONAL SECURITY PURPOSES.

(a) INFORMATION SHARING.—Section 384(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(b)) is amended—

(1) in paragraph (1)—

(A) by inserting “Secretary of Homeland Security or the” before “Attorney General may”; and

(B) by inserting “Secretary’s or the” before “Attorney General’s discretion”;

(2) in paragraph (2)—

(A) by inserting “Secretary of Homeland Security or the” before “Attorney General may”; and

(B) by inserting “Secretary or the” before “Attorney General for”; and

(C) by inserting “in a manner that protects the confidentiality of such information” after “law enforcement purpose”;

(3) in paragraph (5), by striking “Attorney General is” and inserting “Secretary of Homeland Security and the Attorney General are”; and

(4) by adding at the end a new paragraph as follows:

“(8) Notwithstanding subsection (a)(2), the Secretary of Homeland Security, the Secretary of State, or the Attorney General may provide in the discretion of either such Secretary or the Attorney General for the disclosure of information to national security officials to be used solely for a national security purpose in a manner that protects the confidentiality of such information.”.

(b) GUIDELINES.—Section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)) is amended by inserting “and severe forms of trafficking in persons or criminal activity listed in section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(u))” after “domestic violence”.

(c) IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the Attorney General and Secretary of Homeland Security shall provide the guidance required by section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)), consistent with the amendments made by subsections (a) and (b).

(d) CLERICAL AMENDMENT.—Section 384(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1986 is amended by striking “241(a)(2)” in the matter following subparagraph (F) and inserting “237(a)(2)”.

TITLE IX—SAFETY FOR INDIAN WOMEN

SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

Section 2015(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10(a)) is amended—

(1) in paragraph (2), by inserting “sex trafficking,” after “sexual assault,”;

(2) in paragraph (4), by inserting “sex trafficking,” after “sexual assault,”;

(3) in paragraph (5), by striking “and stalking” and all that follows and inserting “sexual assault, sex trafficking, and stalking,”;

(4) in paragraph (7)—

(A) by inserting “sex trafficking,” after “sexual assault,” each place it appears; and

(B) by striking “and” at the end;

(5) in paragraph (8)—

(A) by inserting “sex trafficking,” after “stalking,”; and

(B) by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following:

“(9) provide services to address the needs of youth who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking, including support for the nonabusing parent or the caretaker of the child; and

“(10) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.”.

SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.

Section 2001(d) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg(d)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(D) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, stalking, and sex trafficking.”; and

(2) in paragraph (2)(B), by striking “individuals or”.

SEC. 903. CONSULTATION.

Section 903 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045d) is amended—

(1) in subsection (a)—

(A) by striking “and the Violence Against Women Act of 2000” and inserting “, the Violence Against Women Act of 2000”; and

(B) by inserting “, and the Violence Against Women Reauthorization Act of 2013” before the period at the end;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “Secretary of the Department of Health and Human Services” and inserting “Secretary of Health and Human Services, the Secretary of the Interior,”; and

(B) in paragraph (2), by striking “and stalking” and inserting “stalking, and sex trafficking”; and

(3) by adding at the end the following:

“(c) ANNUAL REPORT.—The Attorney General shall submit to Congress an annual report on the annual consultations required under subsection (a) that—

“(1) contains the recommendations made under subsection (b) by Indian tribes during the year covered by the report;

“(2) describes actions taken during the year covered by the report to respond to recommendations made under subsection (b) during the year or a previous year; and

“(3) describes how the Attorney General will work in coordination and collaboration with Indian tribes, the Secretary of Health and Human Services, and the Secretary of the Interior to address the recommendations made under subsection (b).

“(d) NOTICE.—Not later than 120 days before the date of a consultation under subsection (a), the Attorney General shall notify tribal leaders of the date, time, and location of the consultation.”.

SEC. 904. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

“(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.”;

(B) in paragraph (2), by striking “felony under chapter 109A” and inserting “violation of section 2241 or 2242”;

(C) in paragraph (3) by striking “and without just cause or excuse,”;

(D) in paragraph (4), by striking “six months” and inserting “1 year”;

(E) in paragraph (5), by striking “1 year,” and inserting “5 years,”;

(F) in paragraph (7)—

(i) by striking “substantial bodily injury to an individual who has not attained the age of 16 years” and inserting “substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years”; and

(ii) by striking “fine” and inserting “a fine”; and

(G) by adding at the end the following:

“(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.”; and

(2) in subsection (b)—

(A) by striking “(b) As used in this subsection—” and inserting the following:

“(b) DEFINITIONS.—In this section—”;

(B) in paragraph (1)(B), by striking “and” at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(3) the terms ‘dating partner’ and ‘spouse or intimate partner’ have the meanings given those terms in section 2266;

“(4) the term ‘strangling’ means knowingly or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in

any visible injury or whether there is any intent to kill or protractedly injure the victim; and

“(5) the term ‘suffocating’ means knowingly or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.”

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking “assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)” and inserting “a felony assault under section 113”.

(c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting “or tribal” after “State”.

SEC. 905. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking “The National” and inserting “Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the National”; and

(B) by inserting “and in Native villages” (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))” before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking “and” at the end;

(B) in clause (v), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(vi) sex trafficking.”;

(3) in paragraph (4), by striking “this Act” and inserting “the Violence Against Women Reauthorization Act of 2013”; and

(4) in paragraph (5), by striking “this section \$1,000,000 for each of fiscal years 2007 and 2008” and inserting “this subsection \$500,000 for each of fiscal years 2014 and 2015”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

SEC. 906. EFFECTIVE DATE.

The amendments made by this title shall take effect on the date of enactment of this Act.

SEC. 907. TRIBAL PROTECTION ORDERS.

Section 2265(e) of title 18, United States Code, is amended—

(1) in the subsection heading, by striking “COURT JURISDICTION” and inserting “PROTECTION ORDERS”;

(2) by striking “For purposes of this section” and inserting the following:

“(1) TRIBAL COURT JURISDICTION.—For purposes of this section and subject to paragraph (2); and

(3) by adding at the end the following:

“(2) UNITED STATES COURT JURISDICTION.—

“(A) IN GENERAL.—An Indian tribe may petition a district court of the United States in whose district the tribe is located for an appropriately tailored protection order excluding any person from areas within the Indian country of the tribe.

“(B) REQUIRED SHOWING.—The court shall issue a protection order prohibiting the per-

son identified in a petition under subparagraph (A) from entering all or part of the Indian country of the tribe upon a showing that—

“(i) the person identified in the petition has assaulted an Indian spouse or intimate partner who resides or works in such Indian country, or an Indian child who resides with or is in the care or custody of such spouse or intimate partner; and

“(ii) a protection order is reasonably necessary to protect the safety and well-being of the spouse, intimate partner, or child described in clause (i).

“(C) FACTORS TO CONSIDER.—In determining the areas from which the person identified in a protection order issued under subparagraph (B) shall be excluded, the court shall consider all appropriate factors, including the places of residence, work, or school of—

“(i) the person identified in the protection order; and

“(ii) the spouse, intimate partner, or child described in subparagraph (B)(i).

“(D) PENALTY FOR WILLFUL VIOLATION.—A person who willfully violates a protection order issued under subparagraph (B) shall be punished as provided in section 2261(b).”.

SEC. 908. ALASKA RURAL JUSTICE AND LAW ENFORCEMENT COMMISSION.

The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives, and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than 1 year after the date of enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

SEC. 909. FUNDING FOR FEDERAL PROSECUTORS AND MAGISTRATE JUDGES TO PROSECUTE AND ADJUDICATE DOMESTIC VIOLENCE CASES IN INDIAN COUNTRY.

(a) IN GENERAL.—There is authorized to be appropriated for each of fiscal years 2014 through 2018—

(1) \$18,750,000 to the Attorney General for salaries and expenses of assistant United States attorneys who are located in Indian country and prosecute only cases of sexual assault, dating violence, domestic violence, or stalking in Indian country; and

(2) \$6,250,000 to the district courts of the United States for salaries and expenses of United States magistrate judges who are located in Indian country and hear only—

(A) cases of sexual assault, dating violence, domestic violence, or stalking in Indian country; or

(B) petitions for protection orders under paragraph (2) of section 2265(e) of title 18, United States Code, as added by this Act.

(b) OFFSET OF AUTHORIZATIONS.—The amounts authorized to be appropriated for each of fiscal years 2014 through 2018 for any grant administered by the Department of Justice, including amounts authorized to be appropriated by this Act or the amendments made by this Act, is reduced by 1 percent.

TITLE X—VIOLENT CRIME AGAINST WOMEN

SEC. 1001. SEXUAL ABUSE IN CUSTODIAL SETTINGS.

(a) SUITS BY PRISONERS.—Section 7(e) of the Civil Rights of Institutionalized Persons

Act (42 U.S.C. 1997e(e)) is amended by inserting before the period at the end the following: “or the commission of a sexual act (as defined in section 2246 of title 18, United States Code)”.

(b) UNITED STATES AS DEFENDANT.—Section 1346(b)(2) of title 28, United States Code, is amended by inserting before the period at the end the following: “or the commission of a sexual act (as defined in section 2246 of title 18)”.

(c) ADOPTION AND EFFECT OF NATIONAL STANDARDS.—Section 8 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607) is amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following:

“(c) APPLICABILITY TO DETENTION FACILITIES OPERATED BY THE DEPARTMENT OF HOMELAND SECURITY.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Homeland Security shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of aliens detained for a violation of the immigrations laws of the United States.

“(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to detention facilities operated by the Department of Homeland Security and to detention facilities operated under contract with the Department.

“(3) COMPLIANCE.—The Secretary of Homeland Security shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Homeland Security.

“(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Homeland Security shall give due consideration to the recommended national standards provided by the Commission under section 7(e).

“(d) APPLICABILITY TO CUSTODIAL FACILITIES OPERATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

“(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to facilities operated under contract with the Department.

“(3) COMPLIANCE.—The Secretary of Health and Human Services shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Health and Human Services.

“(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Health and Human Services shall give due

consideration to the recommended national standards provided by the Commission under section 7(e).”.

SEC. 1002. REPORT ON COMPLIANCE WITH THE DNA FINGERPRINT ACT OF 2005.

(a) **REPORT REQUIRED.**—Not later than 180 days after date of the enactment of this Act, the Secretary of Homeland Security shall prepare and submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that—

(1) describes, in detail, the measures and procedures taken by the Secretary to comply with any regulation promulgated pursuant to section 3(e)(1) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135a(e)(1)); and

(2) provides a detailed explanation of the circumstances and specific cases, if available, in which—

(A) the Secretary failed to comply with any regulation promulgated pursuant to such section 3(e)(1);

(B) the Secretary requested the Attorney General approve additional limitations to, or exceptions from, any regulation promulgated pursuant to such section 3(e)(1); or

(C) the Secretary consulted with the Attorney General to determine that the collection of DNA samples is not feasible because of operational exigencies or resource limitations.

SEC. 1003. REPORT ON CAPACITY UTILIZATION.

(a) **REPORT REQUIRED.**—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall prepare a study on the availability of services for victims of domestic violence, dating violence, sexual assault, and stalking.

(b) **CONTENT.**—The report required by subsection (a) shall address the following:

(1) The services or categories of services that are currently being offered or provided to victims of domestic violence, dating violence, sexual assault, and stalking.

(2) The approximate number of victims receiving these services.

(3) The approximate number of victims, and the percentage of the total population of victims, who request services but are not provided services.

(4) The reasons why victims are not provided services, including—

(A) shelter or service organization lack of resources;

(B) shelter or organization limitations not associated with funding;

(C) geographical, logistical, or physical barriers;

(D) characteristics of the perpetrator; and

(E) characteristics or background of the victim.

(5) For any refusal to provide services to a victim, the reasons for the denial of services, including victim characteristics or background, including—

(A) employment history;

(B) criminal history;

(C) illegal or prescription drug use;

(D) financial situation;

(E) status of the victim as a parent;

(F) personal hygiene;

(G) current or past disease or illness;

(H) religious association or belief;

(I) physical characteristics of the victim or the provider facility

(J) gender;

(K) race;

(L) national origin or status as alien;

(M) failure to follow shelter or organization rules or procedures;

(N) previous contact or experiences with the shelter or service organization; or

(O) any other victim characteristic or background that is determined to be the cause of the denial of services.

(6) The frequency or prevalence of denial of services from organizations who receive Federal funds.

(7) The frequency or prevalence of denial of service from organizations who do not receive Federal funds.

SEC. 1004. MANDATORY MINIMUM SENTENCE FOR AGGRAVATED SEXUAL ABUSE.

Section 2241 of title 18, United States Code, is amended—

(1) in subsection (a), in the undesignated matter following paragraph (2), by striking “any term of years or life” and inserting “not less than 10 years or imprisoned for life”; and

(2) in subsection (b), in the undesignated matter following paragraph (2), by striking “any term of years or life” and inserting “not less than 5 years or imprisoned for life”.

SEC. 1005. REMOVAL OF DRUNK DRIVERS.

(a) **IN GENERAL.**—Section 101(a)(43)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(F)) is amended by striking “for which the term of imprisonment” and inserting “, including a third drunk driving conviction, regardless of the States in which the convictions occurred or whether the offenses are classified as misdemeanors or felonies under State or Federal law, for which the term of imprisonment is”.

(b) **EFFECTIVE DATE AND APPLICATION.**—

(1) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

(2) **APPLICATION.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), the amendment made by subsection (a) shall apply to a conviction for drunk driving that occurred before, on, or after such date.

(B) **TWO OR MORE PRIOR CONVICTIONS.**—An alien who has received two or more convictions for drunk driving prior to the date of the enactment of this Act may not be subject to removal for the commission of an aggravated felony pursuant to section 101(a)(43)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(F)), as amended by subsection (a), on the basis of such convictions until the date that the alien is convicted of a drunk driving offense after such date of enactment.

SEC. 1006. ENHANCED PENALTIES FOR INTER-STATE DOMESTIC VIOLENCE RESULTING IN DEATH, LIFE-THREATENING BODILY INJURY, PERMANENT DISFIGUREMENT, AND SERIOUS BODILY INJURY.

Section 2261(b) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting “not less than 15 years” after “any term of years”;

(2) in paragraph (2), by striking “20 years” and inserting “25 years”; and

(3) in paragraph (3), by striking “10 years” and inserting “15 years”.

SEC. 1007. MINIMUM PENALTIES FOR THE POSSESSION OF CHILD PORNOGRAPHY.

(a) **CERTAIN ACTIVITIES RELATING TO MATERIAL INVOLVING THE SEXUAL EXPLOITATION OF MINORS.**—Section 2252(b)(2) of title 18, United States Code, is amended by striking “imprisoned for not more than 20 years” and inserting “imprisoned for not less than 1 year and not more than 20 years”.

(b) **CERTAIN ACTIVITIES RELATING TO MATERIAL CONSTITUTING OR CONTAINING CHILD PORNOGRAPHY.**—Section 2252A(b)(2) of title 18, United States Code, is amended by striking “imprisoned for not more than 20 years” and

inserting “imprisoned for not less than 1 year and not more than 20 years”.

SEC. 1008. AUDIT OF OFFICE FOR VICTIMS OF CRIME.

(a) **AUDIT.**—The Comptroller General of the United States shall conduct an objective and credible audit of the expenditure of funds by the Office for Victims of Crime (in this section referred to as the “Office”) from the Crime Victims Fund established under section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601) (in this section referred to as the “Fund”).

(b) **REPORT.**—Not later than 9 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report regarding the audit conducted under subsection (a) that—

(1) addresses whether the Office provides amounts from the Fund to individuals or entities that support individuals who are not victims of crime;

(2) addresses whether the Office is authorized to provide amounts from the Fund to individuals or entities described in paragraph (1);

(3) addresses whether the Office provides amounts from the Fund for legal services for victims of crime; and

(4) if the Office no longer provides amounts from the Fund for the services described in paragraph (3), contains an explanation for why the Office no longer provides amounts for such services.

TITLE XI—THE SAFER ACT

SEC. 1101. SHORT TITLE.

This title may be cited as the “Sexual Assault Forensic Evidence Reporting Act of 2013” or the “SAFER Act of 2013”.

SEC. 1102. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by adding at the end the following new paragraphs:

“(7) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.

“(8) To ensure that the collection and processing of DNA evidence by law enforcement agencies from crimes, including sexual assault and other violent crimes against persons, is carried out in an appropriate and timely manner and in accordance with the protocols and practices developed under subsection (o)(1).”;

(2) in subsection (c), by adding at the end the following new paragraph:

“(4) **ALLOCATION OF GRANT AWARDS FOR AUDITS.**—

“(A) **IN GENERAL.**—Subject to subparagraph (B), for each of fiscal years 2014 through 2017, not less than 5 percent, but not more than 7 percent, of the grant amounts distributed under paragraph (1) shall, if sufficient applications to justify such amounts are received by the Attorney General, be awarded for purposes described in subsection (a)(7).

“(B) **NO EFFECT ON MINIMUM AMOUNTS FOR CERTAIN DNA ANALYSES.**—None of the funds required to be distributed under this paragraph shall decrease or otherwise limit the availability of funds required to be awarded to States or units of local government under paragraph (3).”;

(3) by adding at the end the following new subsections:

“(n) **USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.**—

“(1) **ELIGIBILITY.**—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(7) only if the State or unit of local government—

“(A) submits a plan for performing the audit of samples described in such subsection; and

“(B) includes in such plan a good-faith estimate of the number of such samples.

“(2) **GRANT CONDITIONS.**—A State or unit of local government receiving a grant for the purpose described in subsection (a)(7)—

“(A) may not enter into any contract or agreement with any non-governmental vendor laboratory to conduct an audit described in subsection (a)(7); and

“(B) shall—

“(i) not later than 1 year after receiving the grant, complete the audit referred to in paragraph (1)(A) in accordance with the plan submitted under such paragraph;

“(ii) not later than 60 days after receiving possession of a sample of sexual assault evidence that was not in the possession of the State or unit of local government at the time of the initiation of an audit under paragraph (1)(A), subject to paragraph (4)(F), include in any required reports under clause (v), the information listed under paragraph (4)(B);

“(iii) for each sample of sexual assault evidence that is identified as awaiting testing as part of the audit referred to in paragraph (1)(A)—

“(I) assign a unique numeric or alphanumeric identifier to each sample of sexual assault evidence that is in the possession of the State or unit of local government and is awaiting testing; and

“(II) identify the date or dates after which the State or unit of local government would be barred by any applicable statutes of limitations from prosecuting a perpetrator of the sexual assault to which the sample relates;

“(iv) provide that—

“(I) the chief law enforcement officer of the State or unit of local government, respectively, is the individual responsible for the compliance of the State or unit of local government, respectively, with the reporting requirements described in clause (v); or

“(II) the designee of such officer may fulfill the responsibility described in subclause (I) so long as such designee is an employee of the State or unit of local government, respectively, and is not an employee of any governmental laboratory or non-governmental vendor laboratory; and

“(v) comply with all grantee reporting requirements described in paragraph (4).

“(3) **EXTENSION OF INITIAL DEADLINE.**—The Attorney General may grant an extension of the deadline under paragraph (2)(B)(i) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.

“(4) **SEXUAL ASSAULT FORENSIC EVIDENCE REPORTS.**—

“(A) **IN GENERAL.**—For not less than 12 months after the completion of an initial count of sexual assault evidence that is awaiting testing during an audit referred to in paragraph (1)(A), a State or unit of local government that receives a grant award under subsection (a)(7) shall, not less than every 60 days, submit a report to the Department of Justice, on a form prescribed by the Attorney General, which shall contain the information required under subparagraph (B).

“(B) **CONTENTS OF REPORTS.**—A report under this paragraph shall contain the following information:

“(i) The name of the State or unit of local government filing the report.

“(ii) The period of dates covered by the report.

“(iii) The cumulative total number of samples of sexual assault evidence that, at the end of the reporting period—

“(I) are in the possession of the State or unit of local government at the reporting period;

“(II) are awaiting testing; and

“(III) the State or unit of local government has determined should undergo DNA or other appropriate forensic analyses.

“(iv) The cumulative total number of samples of sexual assault evidence in the possession of the State or unit of local government that, at the end of the reporting period, the State or unit of local government has determined should not undergo DNA or other appropriate forensic analyses, provided that the reporting form shall allow for the State or unit of local government, at its sole discretion, to explain the reasoning for this determination in some or all cases.

“(v) The cumulative total number of samples of sexual assault evidence in a total under clause (iii) that have been submitted to a laboratory for DNA or other appropriate forensic analyses.

“(vi) The cumulative total number of samples of sexual assault evidence identified by an audit referred to in paragraph (1)(A) or under paragraph (2)(B)(ii) for which DNA or other appropriate forensic analysis has been completed at the end of the reporting period.

“(vii) The total number of samples of sexual assault evidence identified by the State or unit of local government under paragraph (2)(B)(ii), since the previous reporting period.

“(viii) The cumulative total number of samples of sexual assault evidence described under clause (iii) for which the State or unit of local government will be barred within 12 months by any applicable statute of limitations from prosecuting a perpetrator of the sexual assault to which the sample relates.

“(C) **PUBLICATION OF REPORTS.**—Not later than 7 days after the submission of a report under this paragraph by a State or unit of local government, the Attorney General shall, subject to subparagraph (D), publish and disseminate a facsimile of the full contents of such report on an appropriate internet website.

“(D) **PERSONALLY IDENTIFIABLE INFORMATION.**—The Attorney General shall ensure that any information published and disseminated as part of a report under this paragraph, which reports information under this subsection, does not include personally identifiable information or details about a sexual assault that might lead to the identification of the individuals involved.

“(E) **OPTIONAL REPORTING.**—The Attorney General shall—

“(i) at the discretion of a State or unit of local government required to file a report under subparagraph (A), allow such State or unit of local government, at their sole discretion, to submit such reports on a more frequent basis; and

“(ii) make available to all States and units of local government the reporting form created pursuant to subparagraph (A), whether or not they are required to submit such reports, and allow such States or units of local government, at their sole discretion, to submit such reports for publication.

“(F) **SAMPLES EXEMPT FROM REPORTING REQUIREMENT.**—The reporting requirements described in paragraph (2) shall not apply to a sample of sexual assault evidence that—

“(i) is not considered criminal evidence (such as a sample collected anonymously

from a victim who is unwilling to make a criminal complaint); or

“(ii) relates to a sexual assault for which the prosecution of each perpetrator is barred by a statute of limitations.

“(5) **DEFINITIONS.**—In this subsection:

“(A) **AWAITING TESTING.**—The term ‘awaiting testing’ means, with respect to a sample of sexual assault evidence, that—

“(i) the sample has been collected and is in the possession of a State or unit of local government;

“(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and

“(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.

“(B) **FINAL DISPOSITION.**—The term ‘final disposition’ means, with respect to a criminal case or investigation to which a sample of sexual assault evidence relates—

“(i) the conviction or acquittal of all suspected perpetrators of the crime involved;

“(ii) a determination by the State or unit of local government in possession of the sample that the case is unfounded; or

“(iii) a declaration by the victim of the crime involved that the act constituting the basis of the crime was not committed.

“(C) **POSSESSION.**—

“(i) **IN GENERAL.**—The term ‘possession’, used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

“(ii) **RULE OF CONSTRUCTION.**—Nothing in clause (i) shall be construed to create or amend any Federal rights or privileges for non-governmental vendor laboratories described in regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).

“(o) **ESTABLISHMENT OF PROTOCOLS, TECHNICAL ASSISTANCE, AND DEFINITIONS.**—

“(1) **PROTOCOLS AND PRACTICES.**—Not later than 18 months after the date of enactment of the SAFER Act of 2013, the Director, in consultation with Federal, State, and local law enforcement agencies and government laboratories, shall develop and publish a description of protocols and practices the Director considers appropriate for the accurate, timely, and effective collection and processing of DNA evidence, including protocols and practices specific to sexual assault cases, which shall address appropriate steps in the investigation of cases that might involve DNA evidence, including—

“(A) how to determine—

“(i) which evidence is to be collected by law enforcement personnel and forwarded for testing;

“(ii) the preferred order in which evidence from the same case is to be tested; and

“(iii) what information to take into account when establishing the order in which evidence from different cases is to be tested;

“(B) the establishment of a reasonable period of time in which evidence is to be forwarded by emergency response providers, law enforcement personnel, and prosecutors to a laboratory for testing;

“(C) the establishment of reasonable periods of time in which each stage of analytical laboratory testing is to be completed;

“(D) systems to encourage communication within a State or unit of local government among emergency response providers, law enforcement personnel, prosecutors, courts, defense counsel, crime laboratory personnel, and crime victims regarding the status of crime scene evidence to be tested; and

“(E) standards for conducting the audit of the backlog for DNA case work in sexual assault cases required under subsection (n).”

“(2) TECHNICAL ASSISTANCE AND TRAINING.—The Director shall make available technical assistance and training to support States and units of local government in adopting and implementing the protocols and practices developed under paragraph (1) on and after the date on which the protocols and practices are published.

“(3) DEFINITIONS.—In this subsection, the terms ‘awaiting testing’ and ‘possession’ have the meanings given those terms in subsection (n).”.

SEC. 1103. REPORTS TO CONGRESS.

Not later than 90 days after the end of each fiscal year for which a grant is made for the purpose described in section 2(a)(7) of the DNA Analysis Backlog Elimination Act of 2000, as amended by section 1102, the Attorney General shall submit to Congress a report that—

(1) lists the States and units of local government that have been awarded such grants and the amount of the grant received by each such State or unit of local government;

(2) states the number of extensions granted by the Attorney General under section 2(n)(3) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1102; and

(3) summarizes the processing status of the samples of sexual assault evidence identified in Sexual Assault Forensic Evidence Reports established under section 2(o)(4) of the DNA Analysis Backlog Act of 2000, including the number of samples that have not been tested.

SEC. 1104. REDUCING THE RAPE KIT BACKLOG.

Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(c)(3)) is amended—

(a) in subparagraph (B), by striking “2014” and inserting “2018”; and

(b) by adding at the end the following:

“(3) For each of fiscal years 2014 through 2018, not less than 75 percent of the total grant amounts shall be awarded for a combination of purposes under paragraphs (1), (2), and (3) of subsection (a).”.

SEC. 1105. OVERSIGHT AND ACCOUNTABILITY.

All grants awarded by the Department of Justice that are authorized under this title shall be subject to the following:

(1) AUDIT REQUIREMENT.—Beginning in fiscal year 2013, and each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this title to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(2) MANDATORY EXCLUSION.—A recipient of grant funds under this title that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this title during the 2 fiscal years beginning after the 12-month period described in paragraph (5).

(3) PRIORITY.—In awarding grants under this title, the Attorney General shall give priority to eligible entities that, during the 3 fiscal years before submitting an application for a grant under this title, did not have an unresolved audit finding showing a violation in the terms or conditions of a Department of Justice grant program.

(4) REIMBURSEMENT.—If an entity is awarded grant funds under this title during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

(A) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(B) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(5) DEFINED TERM.—In this section, the term “unresolved audit finding” means an audit report finding in the final audit report of the Inspector General of the Department of Justice that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within a 12-month period beginning on the date when the final audit report is issued.

(6) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) DEFINITION.—For purposes of this section and the grant programs described in this title, the term “‘nonprofit organization’” means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) PROHIBITION.—The Attorney General shall not award a grant under any grant program described in this title to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this title and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

(7) ADMINISTRATIVE EXPENSES.—Unless otherwise explicitly provided in authorizing legislation, not more than 7.5 percent of the amounts authorized to be appropriated under this title may be used by the Attorney General for salaries and administrative expenses of the Department of Justice.

(8) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this title may be used by the Attorney General or by any individual or organization awarded discretionary funds through a cooperative agreement under this title, to host or support any expenditure for conferences that uses more than \$20,000 in Department funds, unless the Deputy Attorney General or the appropriate Assistant Attorney General, Director, or principal deputy as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audio/visual equipment, honoraria for speakers, and any entertainment.

(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expendi-

tures approved by operation of this paragraph.

(9) PROHIBITION ON LOBBYING ACTIVITY.—

(A) IN GENERAL.—Amounts authorized to be appropriated under this title may not be utilized by any grant recipient to—

(i) lobby any representative of the Department of Justice regarding the award of grant funding; or

(ii) lobby any representative of a Federal, state, local, or tribal government regarding the award of grant funding.

(B) PENALTY.—If the Attorney General determines that any recipient of a grant under this title has violated subparagraph (A), the Attorney General shall—

(i) require the grant recipient to repay the grant in full; and

(ii) prohibit the grant recipient from receiving another grant under this title for not less than 5 years.

SEC. 1106. SUNSET.

Effective on December 31, 2018, subsections (a)(7) and (n) of section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(a)(7) and (n)) are repealed.

SA 15. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 47, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ IDENTIFYING UNNECESSARY DUPLICATION WITHIN THE DEPARTMENT OF JUSTICE.

(a) REQUIREMENT TO IDENTIFY AND DESCRIBE PROGRAMS.—Each fiscal year, for purposes of the report required by subsection (c), the Attorney General shall—

(1) identify and describe every program administered by the Department of Justice;

(2) for each such program—

(A) determine the total administrative expenses of the program;

(B) determine the expenditures for services for the program;

(C) estimate the number of clients served by the program and beneficiaries who received assistance under the program (if applicable); and

(D) estimate—

(i) the number of full-time employees who administer the program; and

(ii) the number of full-time equivalents (whose salary is paid in part or full by the Federal Government through a grant or contract, a subaward of a grant or contract, a cooperative agreement, or another form of financial award or assistance) who assist in administering the program; and

(3) identify programs within the Federal Government (whether inside or outside the agency) with duplicative or overlapping missions, services, and allowable uses of funds.

(b) RELATIONSHIP TO CATALOG OF DOMESTIC ASSISTANCE.—With respect to the requirements of paragraphs (1) and (2)(B) of subsection (a), the Attorney General may use the same information provided in the catalog of domestic and international assistance programs in the case of any program that is a domestic or international assistance program.

(c) REPORT.—Not later than February 1 of each fiscal year, the Attorney General shall publish on the official public Internet website of the agency a report containing the following:

(1) The information required under subsection (a) with respect to the preceding fiscal year.

(2) The latest performance reviews (including the program performance reports required under section 1116 of title 31, United States Code) of each program of the agency identified under subsection (a)(1), including performance indicators, performance goals, output measures, and other specific metrics used to review the program and how the program performed on each.

(3) For each program that makes payments, the latest improper payment rate of the program and the total estimated amount of improper payments, including fraudulent payments and overpayments.

(4) The total amount of unspent and unobligated program funds held by the Department and grant recipients (not including individuals) stated as an amount—

(A) held as of the beginning of the fiscal year in which the report is submitted; and

(B) held for 5 fiscal years or more.

(5) Such recommendations as the Attorney General considers appropriate—

(A) to consolidate programs that are duplicative or overlapping;

(B) to eliminate waste and inefficiency; and

(C) to terminate lower priority, outdated, and unnecessary programs and initiatives.

(d) CONSOLIDATING UNNECESSARY DUPLICATION WITHIN THE DEPARTMENT OF JUSTICE.—Notwithstanding any other provision of law and not later than 150 days after the date of enactment of this section, the Attorney General shall—

(1) use available administrative authority to eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in—

(A) the March 2011 Government Accountability Office report to Congress entitled “Opportunities to Reduce Government Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO 11 318SP);

(B) the February 2012 Government Accountability Office report to Congress entitled “2012 Annual Report: Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO 12 342SP);

(C) the July 2012 Government Accountability Office report to Congress entitled “Justice Grant Programs” (GAO 12 517); and

(D) subsection (a);

(2) identify and report to Congress any legislative changes required to further eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in—

(A) the March 2011 Government Accountability Office report to Congress entitled “Opportunities to Reduce Government Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO 11 318SP);

(B) the February 2012 Government Accountability Office report to Congress entitled “2012 Annual Report: Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO 12 342SP);

(C) the July 2012 Government Accountability Office report to Congress entitled “Justice Grant Programs” (GAO 12 517); and

(D) subsection (c); and

(3) develop a plan that would result in financial cost savings of no less than 20 percent of the nearly \$3,900,000,000 in duplicative grant programs identified by the Government Accountability Office as a result of the actions required by paragraph (1).

(e) ELIMINATING THE BACKLOG OF UNANALYZED DNA FROM SEXUAL ASSAULT,

RAPE, KIDNAPPING, AND OTHER CRIMINAL CASES.—Notwithstanding any other provision of law and not later than 1 year after the enactment of this section, the Director of the Office of Management and Budget in consultation with Attorney General shall—

(1) rescind from the appropriate accounts the total amount of cost savings from the plan required in subsection (d)(3);

(2) apply as much as 75 percent of the savings towards alleviating any backlogs of analysis and placement of DNA samples from rape, sexual assault, homicide, kidnapping and other criminal cases, including casework sample and convicted offender backlogs, into the Combined DNA Index System; and

(3) return the remainder of the savings to the Treasury for the purpose of deficit reduction.

(f) REPORTING THE SAVINGS RESULTING FROM CONSOLIDATING UNNECESSARY DUPLICATION.—Notwithstanding any other provision of law, the Attorney General shall post a report on the public Internet website of the Department of Justice detailing—

(1) the programs consolidated as a result of this section, including any programs eliminated;

(2) the total amount saved from reducing such duplication;

(3) the total amount of such savings directed towards the analysis and placement of DNA samples into the Combined DNA Index System;

(4) the total amount of such savings returned to the Treasury for the purpose of deficit reduction; and

(5) additional recommendations for consolidating duplicative programs, offices, and initiatives within the Department of Justice.

(g) DEFINITIONS.—In this section:

(1) ADMINISTRATIVE EXPENSES.—The term “administrative expenses” has the meaning as determined by the Director of the Office of Management and Budget under section 504(b)(2) of Public Law 111-85 (31 U.S.C. 1105 note), except the term shall also include, for purposes of that section and this section—

(A) costs incurred by the Department as well as costs incurred by grantees, subgrantees, and other recipients of funds from a grant program or other program administered by the Department; and

(B) expenses related to personnel salaries and benefits, property management, travel, program management, promotion, reviews and audits, case management, and communication about, promotion of, and outreach for programs and program activities administered by the Department.

(2) PERFORMANCE INDICATOR; PERFORMANCE GOAL; OUTPUT MEASURE; PROGRAM ACTIVITY.—The terms “performance indicator”, “performance goal”, “output measure”, and “program activity” have the meanings provided by section 1115 of title 31, United States Code.

(3) PROGRAM.—The term “program” has the meaning provided by the Director of the Office of Management and Budget in consultation with the Attorney General and shall include any organized set of activities directed toward a common purpose or goal undertaken by the Department that includes services, projects, processes, or financial or other forms of assistance, including grants, contracts, cooperative agreements, compacts, loans, leases, technical support, consultation, or other guidance.

(4) SERVICES.—The term “services” has the meaning provided by the Attorney General and shall be limited to only activities, assistance, and aid that provide a direct benefit to a recipient, such as the provision of

medical care, assistance for housing or tuition, or financial support (including grants and loans).

SA 16. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 47, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . . SPEEDY NOTICE TO VICTIMS.

(a) IN GENERAL.—Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh) is amended—

(1) in subsection (b)—

(A) in paragraph (13), by striking “human immunodeficiency virus (HIV)” and inserting “sexually transmitted disease”; and

(B) by adding at the end the following:

“(14) To pay for treatment for victims of sexual assault who are diagnosed with a sexually transmitted disease as a result of a test described in subsection (d)(1).”;

(2) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking “5 percent” and inserting “20 percent”; and

(B) in paragraph (1)—

(i) in subparagraph (A), by striking “the immunodeficiency virus (HIV)” and inserting “any sexually transmitted disease for which a diagnostic exists that the victim requests”;

(ii) in subparagraph (B), by inserting “, including the relevant information about any sexually transmitted diseases identified in such results” after “testing results”; and

(iii) in subparagraph (C), by striking “HIV” and inserting “any sexually transmitted disease for which a diagnostic exists that the victim requests”;

(3) by redesignating subsection (e) as subsection (f); and

(4) by adding before subsection (f), as redesignated, the following:

“(e) REQUIREMENT TO USE FUNDS TO TREAT VICTIMS.—A State or unit of local government shall use funds allocated under this part to pay for treatment for a victim of sexual assault who is diagnosed with a sexually transmitted disease as a result of a test described in subsection (d)(1).”.

(b) REPORT.—Not later than 30 days after the date of enactment of this Act, and annually thereafter, the Attorney General shall submit a report to Congress regarding the level of compliance by States and units of local government with—

(1) the speedy notice requirements of section 2101(d) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh(d)), as amended by this Act; and

(2) the requirement to use funds to treat victims under section 2101(e) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh(e)), as amended by this Act, including the number of victims who were exposed to human immunodeficiency virus (HIV) or any other sexually transmitted disease and received assistance under such section.

SA 17. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 47, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ PROHIBITING USE OF PRESIDENTIAL ELECTION CAMPAIGN FUNDS FOR PARTY CONVENTIONS.

(a) IN GENERAL.—Chapter 95 of the Internal Revenue Code of 1986 is amended by striking section 9008.

(b) CLERICAL AMENDMENT.—The table of sections of chapter 95 of such Code is amended by striking the item relating to section 9008.

(c) CONFORMING AMENDMENTS.—

(1) AVAILABILITY OF PAYMENTS TO CANDIDATES.—The third sentence of section 9006(c) of the Internal Revenue Code of 1986 is amended by striking “, section 9008(b)(3),”.

(2) REPORTS BY FEDERAL ELECTION COMMISSION.—Section 9009(a) of such Code is amended—

(A) by adding “and” at the end of paragraph (2);

(B) by striking the semicolon at the end of paragraph (3) and inserting a period; and

(C) by striking paragraphs (4), (5), and (6).

(3) PENALTIES.—Section 9012 of such Code is amended—

(A) in subsection (a)(1), by striking the second sentence; and

(B) in subsection (c), by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(4) AVAILABILITY OF PAYMENTS FROM PRESIDENTIAL PRIMARY MATCHING PAYMENT ACCOUNT.—The second sentence of section 9037(a) of such Code is amended by striking “and for payments under section 9008(b)(3)”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to elections occurring after December 31, 2012.

SA 18. Ms. AYOTTE (for herself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by her to the bill S. 47, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

SEC. 1106. GUIDANCE ON TREATMENT OF INJURIES IN CONNECTION WITH SEXUAL ASSAULT IN THE ARMED FORCES.

(a) GUIDANCE REQUIRED.—The Under Secretary of Defense for Personnel and Readiness shall, acting through the Assistant Secretary of Defense for Health Affairs, issue guidance for the military departments on the procedures and practices to be followed by health care providers in the military medical treatment system in the provision of treatment to members of the Armed Forces for injuries incurred as a result of sexual assault during their service in the Armed Forces.

(b) SCOPE OF GUIDANCE.—The guidance issued pursuant to subsection (a) shall be designed to address the deficiencies identified in the treatment described in that subsection as identified in the January 2013 Government Accountability Office Report to Congressional Addressees entitled “DOD Has Taken Steps to Meet the Health Needs of Deployed Servicewomen, but Actions are Needed to Enhance Care for Sexual Assault Victims”.

(c) ELEMENTS.—The guidance issued pursuant to subsection (a) shall include the following:

(1) A description of the responsibilities of health care providers in the military medical treatment system in the treatment of members of the Armed Forces for injuries incurred as a result of sexual assault during service in the Armed Forces, including responsibilities for observing the rights of

members to disclose such assaults in a confidential manner.

(2) Procedures for the proper collection and preservation of forensic evidence regarding incidents of sexual assault.

(3) Procedures for the minimization of the risk of revictimization of members undergoing treatment.

(4) Such other responsibilities, procedures, and elements as the Under Secretary considers appropriate to address the deficiencies described in subsection (b).

(d) COMPLIANCE WITH REQUIREMENTS FOR ANNUAL TRAINING REFRESHER ON SEXUAL ASSAULT PREVENTION AND RESPONSE.—The Under Secretary shall, in consultation with the Secretaries of the military departments, take appropriate actions to ensure that all members of the Armed Forces comply with requirements to undergo on an annual basis refresher training on the prevention and response to sexual assault in the Armed Forces.

SA 19. Mr. CORNYN (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 47, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

Strike section 904 and insert the following:

SEC. 904. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

(a) IN GENERAL.—Title II of Public Law 90-284 (25 U.S.C. 1301 et seq.) (commonly known as the “Indian Civil Rights Act of 1968”) is amended by adding at the end the following:

“SEC. 204. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

“(a) DEFINITIONS.—In this section:

“(1) DATING VIOLENCE.—The term ‘dating violence’ means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

“(2) DOMESTIC VIOLENCE.—The term ‘domestic violence’ means violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, or by a person similarly situated to a spouse of the victim under the domestic- or family-violence laws of an Indian tribe that has jurisdiction over the Indian country where the violence occurs.

“(3) INDIAN COUNTRY.—The term ‘Indian country’ has the meaning given the term in section 1151 of title 18, United States Code.

“(4) PARTICIPATING TRIBE.—The term ‘participating tribe’ means an Indian tribe that—

“(A) elects to exercise special domestic violence criminal jurisdiction over the Indian country of that Indian tribe; and

“(B) on request of the Indian tribe, is certified by the Attorney General to be a participating tribe for purposes of this section.

“(5) PROTECTION ORDER.—The term ‘protection order’—

“(A) means any injunction, restraining order, or other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person; and

“(B) includes any temporary or final order issued by a civil or criminal court, whether

obtained by filing an independent action or as a pendent lite order in another proceeding, if the civil or criminal order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.

“(6) SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION.—The term ‘special domestic violence criminal jurisdiction’ means the criminal jurisdiction that a participating tribe may exercise under this section but could not otherwise exercise.

“(7) SPOUSE OR INTIMATE PARTNER.—The term ‘spouse or intimate partner’ has the meaning given the term in section 2266 of title 18, United States Code.

“(b) CERTIFICATION OF PARTICIPATING TRIBES.—

“(1) IN GENERAL.—Not later than 120 days after receiving a request from an Indian tribe requesting designation as a participating tribe, the Attorney General shall—

“(A) certify the Indian tribe as a participating tribe if the Attorney General determines that the Indian tribe is capable of providing all the rights afforded a defendant under subsection (e); and

“(B) deny certification of the Indian tribe as a participating tribe if the Attorney General determines that the Indian tribe is not capable of providing all the rights afforded a defendant under subsection (e).

“(2) NOTICE.—If the Attorney General denies certification to an Indian tribe under paragraph (1)(B), the Attorney General shall provide the Indian tribe with written notice of the determination, including the reasons of the Attorney General for not issuing the certification and guidance on how the Indian tribe could be certification.

“(c) NATURE OF THE CRIMINAL JURISDICTION.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, a participating tribe may exercise special domestic violence criminal jurisdiction over all persons.

“(2) CONCURRENT JURISDICTION.—Subject to subsection (e)(2), the exercise of special domestic violence criminal jurisdiction by a participating tribe shall be concurrent with the jurisdiction of the United States, of a State, or of both.

“(3) APPLICABILITY.—Nothing in this section—

“(A) creates or eliminates any Federal or State criminal jurisdiction over Indian country; or

“(B) subject to paragraph (2), affects the authority of the United States or any State government that has been delegated authority by the United States to investigate and prosecute a criminal violation in Indian country.

“(4) EXCEPTIONS.—

“(A) VICTIM AND DEFENDANT ARE BOTH NON-INDIANS.—

“(i) IN GENERAL.—A participating tribe may not exercise special domestic violence criminal jurisdiction over an alleged offense if neither the defendant nor the alleged victim is an Indian.

“(ii) DEFINITION OF VICTIM.—In this subparagraph, with respect to a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction based on a violation of a protection order, the term ‘victim’ means a person specifically protected by a protection order that the defendant allegedly violated.

“(B) DEFENDANT LACKS TIES TO THE INDIAN TRIBE.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant only if the defendant—

“(i) resides in the Indian country of the participating tribe;

“(ii) is employed in the Indian country of the participating tribe; or

“(iii) is a spouse, intimate partner, or dating partner of—

“(I) a member of the participating tribe; or

“(II) an Indian who resides in the Indian country of the participating tribe.

“(d) CRIMINAL CONDUCT.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant for criminal conduct that—

“(1) is punishable by the laws of the participating tribe by a term of imprisonment not to exceed 1 year; and

“(2) is covered by 1 or more of the following categories:

“(A) DOMESTIC VIOLENCE AND DATING VIOLENCE.—An act of domestic violence or dating violence that occurs in the Indian country of the participating tribe.

“(B) VIOLATIONS OF PROTECTION ORDERS.—An act that—

“(i) occurs in the Indian country of the participating tribe; and

“(ii) violates the portion of a protection order that—

“(I) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;

“(II) was issued against the defendant;

“(III) is enforceable by the participating tribe; and

“(IV) is consistent with section 2265(b) of title 18, United States Code.

“(e) RIGHTS OF DEFENDANTS.—

“(1) IN GENERAL.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant—

“(A) all applicable rights under this Act;

“(B) except as provided in subparagraph (C), all rights described in section 202(c); and

“(C) all rights under the Constitution of the United States afforded criminal defendants in State courts, as those rights are interpreted by the courts of the United States.

“(2) OTHER RIGHTS.—In addition to rights described in paragraph (1), a defendant over whom a participating tribe exercises special domestic violence criminal jurisdiction shall have all other rights the protection of which is necessary under the Constitution of the United States in order for the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant.

“(3) JUDICIAL REVIEW OF JUDGMENT AND SENTENCE.—

“(A) IN GENERAL.—Not later than 60 days after the date on which a tribal court enters a final judgment against a defendant in a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the defendant may petition the United States court of appeals for the circuit in which the tribal court is located for review of the judgment and sentence against the defendant.

“(B) ISSUES FOR REVIEW.—The issues for review in a proceeding initiated by a defendant under subparagraph (A) are limited to violations of any right of a defendant secured by this Act, including any right or privilege secured by this section and subsection.

“(C) NOTICE TO DEFENDANT.—At the time of imposition of judgment and sentence, the court in a criminal proceeding in which the participating tribe is exercising special domestic violence criminal jurisdiction shall inform the defendant of the right to petition for review of the judgment and sentence under this paragraph.

“(f) PETITIONS TO STAY DETENTION.—

“(1) IN GENERAL.—A person who has filed a petition for a writ of habeas corpus in a court of the United States under section 203 may petition that court to stay further detention of that person by the participating tribe.

“(2) GRANT OF STAY.—A court shall grant a stay described in paragraph (1) if the court—

“(A) finds that there is a substantial likelihood that the habeas corpus petition will be granted; and

“(B) after giving each alleged victim in the matter an opportunity to be heard, finds by clear and convincing evidence that under conditions imposed by the court, the petitioner is not likely to flee or pose a danger to any person or the community if released.

“(3) NOTICE.—An Indian tribe that has ordered the detention of any person has a duty to timely notify such person of his rights and privileges under this subsection and under section 203.

“(g) SUBJECT TO REMOVAL.—

“(1) IN GENERAL.—A defendant charged with a crime under this section may petition the appropriate district court of the United States for removal pursuant to section 3245 of title 18, United States Code.

“(2) NOTICE.—Not later than the time at which the defendant makes an initial appearance before the court of the participating tribe or 48 hours after the time of arrest, whichever is earlier, the defendant shall be notified of the right of removal under this subsection.

“(h) GRANTS TO TRIBAL GOVERNMENTS.—The Attorney General may award grants to the governments of Indian tribes—

“(1) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence criminal jurisdiction, including—

“(A) law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);

“(B) prosecution;

“(C) trial and appellate courts;

“(D) probation systems;

“(E) detention and correctional facilities;

“(F) alternative rehabilitation centers;

“(G) culturally appropriate services and assistance for victims and their families; and

“(H) criminal codes and rules of criminal procedure, appellate procedure, and evidence;

“(2) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a crime of domestic violence or dating violence or a criminal violation of a protection order;

“(3) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence criminal jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

“(4) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with tribal law and custom.

“(i) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this section shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this section.

“(j) PROHIBITION ON LOBBYING ACTIVITY.—Amounts authorized to be appropriated

under this section may not be used by any grant recipient to—

“(1) lobby any representative of the Department of Justice regarding the award of grant funding under this section; or

“(2) lobby any representative of a Federal, State, local, or tribal government regarding the award of grant funding under this section.

“(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$5,000,000 for each of fiscal years 2014 through 2018 to carry out subsection (h) and to provide training, technical assistance, data collection, and evaluation of the criminal justice systems of participating tribes.”.

(b) REMOVAL OF CRIMINAL PROSECUTIONS.—Chapter 211 of title 18, United States Code, is amended by adding at the end the following:

“§ 3245. Removal of criminal prosecutions brought under the Indian Civil Rights Act

“(a) DEFINITIONS.—In this section:

“(1) COVERED CASE.—The term ‘covered case’ means any tribal domestic violence criminal proceeding brought under section 204 of Public Law 90-284 (commonly known as the ‘Indian Civil Rights Act of 1968’) over which the United States has concurrent jurisdiction under subsection (b)(2) of that section.

“(2) DOMESTIC VIOLENCE.—The term ‘domestic violence’ has the meaning given the term in section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925).

“(b) REMOVAL BROUGHT BY DEFENDANT IN TRIBAL COURT.—

“(1) NOTICE OF REMOVAL.—A defendant charged with a crime pursuant to section 204 of Public Law 90-284 (commonly known as the ‘Indian Civil Rights Act of 1968’) who seeks removal of the case from a tribal court to a district court of the United States shall file in the district court of the United States for the district and division within which the prosecution is pending—

“(A) a notice of removal signed pursuant to Rule 11 of the Federal Rules of Civil Procedure that contains a short and plain statement of the grounds for removal under paragraph (2); and

“(B) a copy of all processes, pleadings, and orders served upon the defendant in that action.

“(2) GROUNDS FOR REMOVAL.—

“(A) IN GENERAL.—Subject to subparagraph (B), no case shall be removed unless the defendant has proven by a preponderance of the evidence that a right guaranteed to the defendant under section 204 of Public Law 90-284 (commonly known as the ‘Indian Civil Rights Act of 1968’) has been or is likely to be violated.

“(B) EXCEPTION.—Subparagraph (A) shall not apply to a past violation if the participating tribe can prove by a preponderance of the evidence that the participating tribe has adequately remedied the violation.

“(3) REQUIREMENTS.—

“(A) FILING.—

“(i) IN GENERAL.—Subject to clause (ii), a defendant seeking removal from a tribal court of a criminal prosecution for domestic violence shall file a notice of removal described in paragraph (1) not later than the time at which a trial begins in the tribal court.

“(ii) RELIEF FOR GOOD CAUSE.—On the request of a defendant seeking removal from a tribal court of a criminal prosecution for domestic violence, the district court of the United States with jurisdiction may, for good cause, enter an order granting the defendant leave to file after the time period described in clause (i) has expired.

“(B) ADMINISTRATION.—

“(i) IN GENERAL.—A notice of removal filed under subparagraph (A) shall include all grounds for the removal.

“(ii) EFFECT.—A failure to state any grounds for removal that exist at the time of the filing of the notice shall constitute a waiver of those grounds.

“(iii) SECOND NOTICE FILING.—A defendant may only file a second notice for removal on grounds that did not exist at the time on which the defendant submitted the original notice.

“(iv) RELIEF FOR GOOD CAUSE.—On the request of a defendant seeking removal from a tribal court of a criminal prosecution for domestic violence, the district court of the United States with jurisdiction may, for good cause, waive the requirements of clauses (i) through (iii).

“(C) EFFECT ON TRIBAL COURT PROCEEDINGS.—Unless otherwise ordered by the relevant district court of the United States, the filing of a notice of removal under this subsection shall not prevent a tribal court in which the prosecution is pending from proceeding further, except that a judgment of conviction shall not be entered in the case unless the prosecution has been remanded.

“(D) DISTRICT COURT DUTIES.—

“(i) IN GENERAL.—The district court of the United States in which a notice is filed under this subsection shall—

“(I) examine the notice promptly; and

“(II) if the district court of the United States determines, based on the notice and any exhibits annexed to the notice, that removal should not be permitted, the district court shall make an order for summary remand of the prosecution.

“(ii) SUMMARY REMAND.—

“(I) IN GENERAL.—If, after a review of the notice under clause (i), the district court of the United States in which the notice is filed determines not to order a summary remand of the prosecution, the district court of the United States shall—

“(aa) order an evidentiary hearing to be held promptly; and

“(bb) after the evidentiary hearing, dispose of the prosecution as justice requires.

“(iii) NOTIFICATION TO TRIBAL COURT.—If the district court of the United States in which the notice is filed determines to grant the removal of the prosecution—

“(I) the district court of the United States shall notify the tribal court in which prosecution is pending of that decision; and

“(II) the tribal court shall proceed no further with the prosecution.

“(E) TRIBAL COURT DUTIES.—

“(i) IN GENERAL.—Not later than 96 hours after a tribal court receives a notice of removal under this subsection, the tribal court shall—

“(I) transfer custody of the defendant to Federal authorities; or

“(II) release the defendant from custody.

“(ii) ORDERS.—On the transfer or release of a defendant under clause (i), the tribal court may issue a protection order (as defined in section 204 of Public Law 90-284) or an order excluding the defendant from the Indian country of the participating tribe.

“(c) REMOVAL BROUGHT BY THE UNITED STATES.—

“(i) IN GENERAL.—The United States attorney for the district and division within which a covered case is pending may remove that covered case to the relevant district court of the United States by filing a notice of removal in the district court of the United States and in the tribal court in which the covered case is pending.

“(2) REQUIREMENTS.—

“(A) IN GENERAL.—A United States attorney shall file a notice of removal under this subsection not later than the time at which a trial begins in the tribal court.

“(B) ADMINISTRATION.—A notice of removal filed under this subsection shall identify the covered case and state that the tribal court proceeding is being removed to the district court of the United States on the grounds that the United States has commenced or intends to commence a criminal proceeding against the defendant based on some or all of the same acts of domestic violence that gave rise to the tribal court proceeding.

“(3) EFFECT OF NOTICE.—Upon receipt of a notice under paragraph (1), the tribal court shall proceed no further with the covered case.

“(d) WRIT OF HABEAS CORPUS.—If a defendant is in actual custody on process issued by the tribal court—

“(1) the district court of the United States with jurisdiction over a proceeding under subsections (b) and (c) shall issue a writ of habeas corpus for the defendant; and

“(2) the marshal of the district court of the United States described in paragraph (1) shall—

“(A) take the defendant into custody; and

“(B) deliver a copy of the writ of habeas corpus to the clerk of the applicable tribal court.”.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 211 of title 18, United States Code, is amended by inserting after the item relating to section 3244 the following:

“Sec. 3245. Removal of criminal prosecutions brought under the Indian Civil Rights Act.”.

SA 20. Mr. WARNER (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 47, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . CAMPUS SAFETY ACT OF 2013.

(a) **SHORT TITLE.**—This section may be cited as the “Center to Advance, Monitor, and Preserve University Security Safety Act of 2013” or the “CAMPUS Safety Act of 2013”.

(b) **NATIONAL CENTER FOR CAMPUS PUBLIC SAFETY.**—Subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.) is amended—

(1) in section 501 (42 U.S.C. 3751)—

(A) in subsection (a)(1)—

(i) in the matter preceding subparagraph (A), by inserting “or purposes” after “one or more of the following programs”; and

(ii) by adding at the end the following:

“(H) Making subawards to institutions of higher education and other nonprofit organizations to assist the National Center for Campus Public Safety in carrying out the functions of the Center required under section 509(b).”; and

(B) in subsection (b)—

(i) in paragraph (1), by striking “or” at the end;

(ii) in paragraph (2), by striking the period and inserting “; or”; and

(iii) by adding at the end the following:

“(3) institutions of higher education and other nonprofit organizations, for purposes of carrying out section 509.”; and

(2) by adding at the end the following:

“SEC. 509. NATIONAL CENTER FOR CAMPUS PUBLIC SAFETY.

“(a) **DEFINITION OF INSTITUTION OF HIGHER EDUCATION.**—In this section, the term ‘institution of higher education’ has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

“(b) **AUTHORITY TO ESTABLISH AND OPERATE CENTER.**—The Attorney General may establish and operate a National Center for Campus Public Safety (referred to in this section as the ‘Center’).

“(c) **FUNCTIONS OF THE CENTER.**—The Center shall—

“(1) provide quality education and training for public safety personnel of institutions of higher education and their collaborative partners, including campus mental health agencies;

“(2) foster quality research to strengthen the safety and security of institutions of higher education;

“(3) serve as a clearinghouse for the identification and dissemination of information, policies, protocols, procedures, and best practices relevant to campus public safety, including off-campus housing safety, the prevention of violence against persons and property, and emergency response and evacuation procedures;

“(4) coordinate with the Secretary of Homeland Security, the Secretary of Education, State, local and tribal governments and law enforcement agencies, private and nonprofit organizations and associations, and other stakeholders, to develop protocols and best practices to prevent, protect against and respond to dangerous and violent situations involving an immediate threat to the safety of the campus community;

“(5) promote the development and dissemination of effective behavioral threat assessment and management models to prevent campus violence;

“(6) identify campus safety information (including ways to increase off-campus housing safety) and identify resources available from the Department of Justice, the Department of Homeland Security, the Department of Education, State, local, and tribal governments and law enforcement agencies, and private and nonprofit organizations and associations;

“(7) promote cooperation, collaboration, and consistency in prevention, response, and problem-solving methods among public safety and emergency management personnel of institutions of higher education and their campus- and non-campus-based collaborative partners, including law enforcement, emergency management, mental health services, and other relevant agencies;

“(8) disseminate standardized formats and models for mutual aid agreements and memoranda of understanding between campus security agencies and other public safety organizations and mental health agencies; and

“(9) report annually to Congress on activities performed by the Center during the previous 12 months.

“(d) **COORDINATION WITH AVAILABLE RESOURCES.**—In establishing the Center, the Attorney General shall—

“(1) coordinate with the Secretary of Homeland Security, the Secretary of Education, and appropriate State or territory officials;

“(2) ensure coordination with campus public safety resources within the Department of Homeland Security, including within the Federal Emergency Management Agency, and the Department of Education; and

“(3) coordinate within the Department of Justice and existing grant programs to ensure against duplication with the program authorized by this section.

“(e) REPORTING AND ACCOUNTABILITY.—At the end of each fiscal year, the Attorney General shall—

“(1) issue a report that assesses the impacts, outcomes and effectiveness of the grants distributed to carry out this section;

“(2) in compiling such report, assess instances of duplicative activity, if any, performed through grants distributed to carry out this section and other grant programs maintained by the Department of Justice, the Department of Education, and the Department of Homeland Security; and

“(3) make such report available on the Department of Justice website and submit such report to the Senate and House Judiciary Committees and the Senate and House Appropriations Committees.”.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall preclude public elementary and secondary schools or their larger governing agencies from receiving the informational and training benefits of the National Center for Campus Public Safety authorized under section 509 of the Omnibus Crime Control and Safe Streets Act of 1968, as added by this Act.

SA 21. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 47, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE XII—TRAFFICKING VICTIMS PROTECTION

Subtitle A—Combating International Trafficking in Persons

SEC. 1201. REGIONAL STRATEGIES FOR COMBATING TRAFFICKING IN PERSONS.

Section 105 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103) is amended—

(1) in subsection (d)(7)(J), by striking “section 105(f) of this division” and inserting “subsection (g)”;

(2) in subsection (e)(2)—

(A) by striking “(2) COORDINATION OF CERTAIN ACTIVITIES.” and all that follows through “exploitation.”;

(B) by redesignating subparagraph (B) as paragraph (2), and moving such paragraph, as so redesignated, 2 ems to the left; and

(C) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and moving such subparagraphs, as so redesignated, 2 ems to the left;

(3) by redesignating subsection (f) as subsection (g); and

(4) by inserting after subsection (e) the following:

“(f) REGIONAL STRATEGIES FOR COMBATING TRAFFICKING IN PERSONS.—Each regional bureau in the Department of State shall contribute to the realization of the anti-trafficking goals and objectives of the Secretary of State. By June 30 of each year, in cooperation with the Office to Monitor and Combat Trafficking, each regional bureau shall submit a list of anti-trafficking goals and objectives for each country in its geographic area of responsibility. Host governments shall be informed of the goals and objectives for their particular country by June 30 and, to the extent possible, host government officials should contribute to the drafting of the goals and objectives.”.

SEC. 1202. REGIONAL ANTI-TRAFFICKING OFFICERS.

Section 106 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104) is amended—

(1) by redesignating subsections (e), (f), (g), (h), and (i) as subsections (f), (g), (h), (i), and (j), respectively; and

(2) by inserting after subsection (d), the following:

“(e) REGIONAL ANTI-TRAFFICKING IN PERSONS OFFICERS.—Under the authority, direction, and control of the President, the Secretary of State, in accordance with the provisions of this Act, and in order to promote effective bilateral and regional anti-trafficking diplomacy, public diplomacy initiatives, and coordination of programs, is authorized—

“(1) to appoint, at United States embassies, anti-trafficking in persons officers, who shall collaborate with other countries to eliminate human trafficking; and

“(2) to assign the officers appointed under paragraph (1) to fulfill tasks such as—

“(A) expanding the anti-trafficking efforts of the Office to Monitor and Combat Trafficking in Persons of the Department of State, including—

“(i) maintaining direct contact with the Office to Monitor and Combat Trafficking in Persons; and

“(ii) undertaking tasks recommended by the Director of the Office to Monitor and Combat Trafficking in Persons;

“(B) monitoring trafficking trends in the region;

“(C) assessing compliance with the provisions of this Act;

“(D) determining and furthering effective anti-trafficking programs and partnerships with foreign governments and foreign nongovernmental organizations;

“(E) strengthening diplomatic outreach on trafficking in persons; and

“(F) assisting and advising United States embassies overseas on their input to the Office to Monitor and Combat Trafficking in Persons for the preparation of the annual Trafficking in Persons Report.”.

SEC. 1203. PARTNERSHIPS AGAINST SIGNIFICANT TRAFFICKING IN PERSONS.

The Trafficking Victims Protection Act of 2000 is amended by inserting after section 105 (22 U.S.C. 7103) the following:

“SEC. 105A. CREATING, BUILDING, AND STRENGTHENING PARTNERSHIPS AGAINST SIGNIFICANT TRAFFICKING IN PERSONS.

“(a) DECLARATION OF PURPOSE.—The purpose of this section is to promote collaboration and cooperation—

“(1) between the United States Government and governments listed on the annual Trafficking in Persons Report;

“(2) between foreign governments and civil society actors; and

“(3) between the United States Government and private sector entities.

“(b) PARTNERSHIPS.—The Director, in coordination and cooperation with other officials at the Department of State involved in corporate responsibility and global partnerships, the Deputy Under Secretary for International Affairs of the Department of Labor, and other relevant officials of the United States Government, shall promote, build, and sustain partnerships between the United States Government and private entities, including foundations, universities, corporations, community-based organizations, and other nongovernmental organizations, to ensure that—

“(1) United States citizens do not use any item, product, or material produced or ex-

tracted with the use and labor from victims of severe forms of trafficking; and

“(2) such entities do not contribute to trafficking in persons involving sexual exploitation.

“(c) ADDITIONAL MEASURES TO ENHANCE ANTI-TRAFFICKING RESPONSE AND CAPACITY.—The President shall establish and carry out programs with foreign governments and civil society to enhance anti-trafficking response and capacity, including—

“(1) technical assistance and other support to improve the capacity of foreign governments to investigate, identify, and carry out inspections of private entities, including labor recruitment centers, at which trafficking victims may be exploited, particularly exploitation involving forced and child labor;

“(2) technical assistance and other support for foreign governments and nongovernmental organizations to provide immigrant populations with information, in the native languages of the major immigrant groups of such populations, regarding the rights of such populations in the foreign country and local in-country nongovernmental organization-operated hotlines;

“(3) technical assistance to provide legal frameworks and other programs to foreign governments and nongovernmental organizations to ensure that—

“(A) foreign migrant workers are provided the same protection as nationals of the foreign country;

“(B) labor recruitment firms are regulated; and

“(C) workers providing domestic services in households are provided protection under labor rights laws; and

“(4) assistance to foreign governments to register vulnerable populations as citizens or nationals of the country to reduce the ability of traffickers to exploit such populations, where possible under domestic law.

“(d) PROGRAM TO ADDRESS EMERGENCY SITUATIONS.—The Secretary of State, acting through the Director of the Office to Monitor and Combat Trafficking in Persons, is authorized to establish a fund to assist foreign governments in meeting unexpected, urgent needs in prevention of trafficking in persons, protection of victims, and prosecution of trafficking offenders.

“(e) CHILD PROTECTION COMPACTS.—

“(1) IN GENERAL.—The Secretary of State, acting through the Director of the Office to Monitor and Combat Trafficking in Persons and in consultation with the Bureau of Democracy, Human Rights, and Labor, the Bureau of International Labor Affairs of the Department of Labor, the United States Agency for International Development, and other relevant agencies, is authorized to provide assistance under this section for each country that enters into a child protection compact with the United States to support policies and programs that—

“(A) prevent and respond to violence, exploitation, and abuse against children; and

“(B) measurably reduce severe forms of trafficking in children by building sustainable and effective systems of justice and protection.

“(2) ELEMENTS.—A child protection compact under this subsection shall establish a multi-year plan for achieving shared objectives in furtherance of the purposes of this Act, and shall describe—

“(A) the specific objectives the foreign government and the United States Government expect to achieve during the term of the compact;

“(B) the responsibilities of the foreign government and the United States Government in the achievement of such objectives;

“(C) the particular programs or initiatives to be undertaken in the achievement of such objectives and the amount of funding to be allocated to each program or initiative by both countries;

“(D) regular outcome indicators to monitor and measure progress toward achieving such objectives; and

“(E) a multi-year financial plan, including the estimated amount of contributions by the United States Government and the foreign government, and proposed mechanisms to implement the plan and provide oversight.

“(3) FORM OF ASSISTANCE.—Assistance under this subsection may be provided in the form of grants, cooperative agreements, or contracts to or with national governments, regional or local governmental units, or non-governmental organizations or private entities with expertise in the protection of victims of severe forms of trafficking in persons.

“(4) ELIGIBLE COUNTRIES.—The Secretary of State, acting through the Office to Monitor and Combat Trafficking in Persons, and in consultation with the agencies set forth in paragraph (1) and relevant officers of the Department of Justice, shall select countries with which to enter into child protection compacts. The selection of countries under this paragraph shall be based on—

“(A) the selection criteria set forth in paragraph (5); and

“(B) objective, documented, and quantifiable indicators, to the maximum extent possible.

“(5) SELECTION CRITERIA.—A country shall be selected under paragraph (4) on the basis of—

“(A) a documented high prevalence of trafficking in persons within the country; and

“(B) demonstrated political will and sustained commitment by the government of such country to undertake meaningful measures to address severe forms of trafficking in persons, including protection of victims and the enactment and enforcement of anti-trafficking laws against perpetrators.

“(6) SUSPENSION AND TERMINATION OF ASSISTANCE.—

“(A) IN GENERAL.—The Secretary may suspend or terminate assistance provided under this subsection in whole or in part for a country or entity if the Secretary determines that—

“(i) the country or entity is engaged in activities that are contrary to the national security interests of the United States;

“(ii) the country or entity has engaged in a pattern of actions inconsistent with the criteria used to determine the eligibility of the country or entity, as the case may be; or

“(iii) the country or entity has failed to adhere to its responsibilities under the Compact.

“(B) REINSTATEMENT.—The Secretary may reinstate assistance for a country or entity suspended or terminated under this paragraph only if the Secretary determines that the country or entity has demonstrated a commitment to correcting each condition for which assistance was suspended or terminated under subparagraph (A).”.

SEC. 1204. PROTECTION AND ASSISTANCE FOR VICTIMS OF TRAFFICKING.

(a) TASK FORCE ACTIVITIES.—Section 105(d)(6) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(6)) is amended by inserting “, and make reasonable efforts to distribute information to enable all relevant Federal Government agen-

cies to publicize the National Human Trafficking Resource Center Hotline on their websites, in all headquarters offices, and in all field offices throughout the United States” before the period at the end.

(b) CONGRESSIONAL BRIEFING.—Section 107(a)(2) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(a)(2)) is amended by inserting “and shall brief Congress annually on such efforts” before the period at the end.

SEC. 1205. MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING.

Section 108(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7106(b)) is amended—

(1) in paragraph (3)—

(A) by striking “peacekeeping” and inserting “diplomatic, peacekeeping.”;

(B) by striking “, and measures” and inserting “, a transparent system for remediate or punishing such public officials as a deterrent, measures”;

(C) by inserting “, effective bilateral, multilateral, or regional information sharing and cooperation arrangements with source, transit, or destination countries in its trafficking route, and effective policies or laws regulating foreign labor recruiters and holding them civilly and criminally liable for fraudulent recruiting” before the period at the end;

(2) in paragraph (4), by inserting “and has entered into bilateral, multilateral, or regional law enforcement cooperation and coordination arrangements with source, transit, and destination countries in its trafficking route” before the period at the end;

(3) in paragraph (7)—

(A) by inserting “, including diplomats and soldiers,” after “public officials”;

(B) by striking “peacekeeping” and inserting “diplomatic, peacekeeping.”;

(C) by inserting “A government’s failure to appropriately address public allegations against such public officials, especially once such officials have returned to their home countries, shall be considered inaction under these criteria.” after “such trafficking.”;

(4) by redesignating paragraphs (9) through (11) as paragraphs (10) through (12), respectively; and

(5) by inserting after paragraph (8) the following:

“(9) Whether the government has entered into transparent partnerships, cooperative arrangements, or agreements with—

“(A) domestic civil society organizations or the private sector to assist the government’s efforts to prevent trafficking, protect victims, and punish traffickers; or

“(B) the United States toward agreed goals and objectives in the collective fight against trafficking.”.

SEC. 1206. BEST PRACTICES IN TRAFFICKING IN PERSONS ERADICATION.

Section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)) is amended—

(1) in paragraph (1)—

(A) by striking “with respect to the status of severe forms of trafficking in persons that shall include—” and inserting “describing the anti-trafficking efforts of governments according to the minimum standards and criteria enumerated in section 108, and the nature and scope of trafficking in persons in each country and analysis of the trend lines for individual governmental efforts. The report should include—”;

(B) in subparagraph (B), by striking “compliance;” and inserting “compliance, including the identification and mention of governments that—

“(A) are on such list and have demonstrated exemplary progress in their efforts to reach the minimum standards; or

“(B) have committed to the Secretary to accomplish certain actions before the subsequent year’s annual report in an attempt to reach full compliance with the minimum standards;”;

(C) in subparagraph (E), by striking “; and”; and inserting a semicolon;

(D) in subparagraph (F), by striking the period at the end and inserting “; and”; and

(E) by inserting at the end the following:

“(G) a section entitled ‘Exemplary Governments and Practices in the Eradication of Trafficking in Persons’ to highlight—

“(i) effective practices and use of innovation and technology in prevention, protection, prosecution, and partnerships, including by foreign governments, the private sector, and domestic civil society actors; and

“(ii) governments that have shown exemplary overall efforts to combat trafficking in persons.”;

(2) by striking paragraph (2);

(3) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(4) in paragraph (2), as redesignated, by adding at the end the following:

“(E) PUBLIC NOTICE.—Not later than 30 days after notifying Congress of each country determined to have met the requirements under subclauses (I) through (III) of subparagraph (D)(ii), the Secretary of State shall provide a detailed description of the credible evidence supporting such determination on a publicly available website maintained by the Department of State.”.

SEC. 1207. PROTECTIONS FOR DOMESTIC WORKERS AND OTHER NONIMMIGRANTS.

Section 202 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1375b) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by inserting “AND VIDEO FOR CONSULAR WAITING ROOMS” after “INFORMATION PAMPHLET”; and

(B) in paragraph (1)—

(i) by inserting “and video” after “information pamphlet”; and

(ii) by adding at the end the following: “The video shall be distributed and shown in consular waiting rooms in embassies and consulates determined to have the greatest concentration of employment or education-based non-immigrant visa applicants, and where sufficient video facilities exist in waiting or other rooms where applicants wait or convene. The Secretary of State is authorized to augment video facilities in such consulates or embassies in order to fulfill the purposes of this section.”;

(2) in subsection (b), by inserting “and video” after “information pamphlet”;;

(3) in subsection (c)—

(A) in paragraph (1), by inserting “and produce or dub the video” after “information pamphlet”; and

(B) in paragraph (2), by inserting “and the video produced or dubbed” after “translated”; and

(4) in subsection (d)—

(A) in paragraph (1), by inserting “and video” after “information pamphlet”;;

(B) in paragraph (2), by inserting “and video” after “information pamphlet”; and

(C) by adding at the end the following:

“(4) DEADLINE FOR VIDEO DEVELOPMENT AND DISTRIBUTION.—Not later than 1 year after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of State shall make available the video developed under subsection (a) produced or dubbed in all the languages referred to in subsection (c).”.

SEC. 1208. PREVENTION OF CHILD TRAFFICKING THROUGH CHILD MARRIAGE.

(a) IN GENERAL.—Section 106 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104), as amended by section 1202, is further amended by adding at the end the following:

“(k) PREVENTION OF CHILD TRAFFICKING THROUGH CHILD MARRIAGE.—The Secretary of State shall establish and implement a multi-year, multi-sectoral strategy—

“(1) to prevent child marriage;

“(2) to promote the empowerment of girls at risk of child marriage in developing countries;

“(3) that should address the unique needs, vulnerabilities, and potential of girls younger than 18 years of age in developing countries;

“(4) that targets areas in developing countries with high prevalence of child marriage; and

“(5) that includes diplomatic and programmatic initiatives.”.

(b) INCLUSION OF CHILD MARRIAGE STATUS IN REPORTS.—The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended—

(1) in section 116 (22 U.S.C. 2151n), by adding at the end the following:

“(g) CHILD MARRIAGE STATUS.—

“(1) IN GENERAL.—The report required under subsection (d) shall include, for each country in which child marriage is prevalent, a description of the status of the practice of child marriage in such country.

“(2) DEFINED TERM.—In this subsection, the term ‘child marriage’ means the marriage of a girl or boy who is—

“(3) younger than the minimum age for marriage under the laws of the country in which such girl or boy is a resident; or

“(4) younger than 18 years of age, if no such law exists.”; and

(2) in section 502B (22 U.S.C. 2304), by adding at the end the following:

“(i) CHILD MARRIAGE STATUS.—

“(1) IN GENERAL.—The report required under subsection (b) shall include, for each country in which child marriage is prevalent, a description of the status of the practice of child marriage in such country.

“(2) DEFINED TERM.—In this subsection, the term ‘child marriage’ means the marriage of a girl or boy who is—

“(3) younger than the minimum age for marriage under the laws of the country in which such girl or boy is a resident; or

“(4) younger than 18 years of age, if no such law exists.”.

SEC. 1209. CHILD SOLDIERS.

Section 404 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (22 U.S.C. 2370c-1) is amended—

(1) in subsection (a), by striking “(b), (c), and (d), the authorities contained in section 516 or 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j or 2347)” and inserting “(b) through (f), the authorities contained in sections 516, 541, and 551 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j, 2347, and 2348)”;

(2) by adding at the end the following:

“(f) EXCEPTION FOR PEACEKEEPING OPERATIONS.—The limitation set forth in subsection (a) that relates to section 551 of the Foreign Assistance Act of 1961 shall not apply to programs that support military professionalization, security sector reform, heightened respect for human rights, peacekeeping preparation, or the demobilization and reintegration of child soldiers.”.

SEC. 1209A. PRESIDENTIAL AWARD FOR TECHNOLOGICAL INNOVATIONS TO COMBAT TRAFFICKING IN PERSONS.

Section 112B(a) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7109b(a)) is amended—

(1) in the section heading, by inserting “AND TECHNOLOGICAL INNOVATIONS” after “EXTRAORDINARY EFFORTS”;

(2) by inserting “and technological innovations” after “extraordinary efforts.”;

(3) in paragraph (1), by striking “and” at the end;

(4) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(5) by adding at the end the following:

“(3) private sector entities; and

“(4) national governments or regional and local governmental units.”.

Subtitle B—Combating Trafficking in Persons in the United States**PART I—PENALTIES AGAINST TRAFFICKERS AND OTHER CRIMES****SEC. 1211. CRIMINAL TRAFFICKING OFFENSES.**

(a) RICO AMENDMENT.—Section 1961(1)(B) of title 18, United States Code, is amended by inserting “section 1351 (relating to fraud in foreign labor contracting),” before “section 1425”.

(b) ENGAGING IN ILLICIT SEXUAL CONDUCT IN FOREIGN PLACES.—Section 2423(c) of title 18, United States Code, is amended by inserting “or resides, either temporarily or permanently, in a foreign country” after “commerce”.

(c) UNLAWFUL CONDUCT WITH RESPECT TO DOCUMENTS.—

(1) IN GENERAL.—Chapter 77 of title 18, United States Code, is amended by adding at the end the following:

“§ 1597. Unlawful conduct with respect to immigration documents

“(a) DESTRUCTION, CONCEALMENT, REMOVAL, CONFISCATION, OR POSSESSION OF IMMIGRATION DOCUMENTS.—It shall be unlawful for any person to knowingly destroy, conceal, remove, confiscate, or possess, an actual or purported passport or other immigration document of another individual —

“(1) in the course of violating section 1351 of this title or section 274 of the Immigration and Nationality Act (8 U.S.C. 1324);

“(2) with intent to violate section 1351 of this title or section 274 of the Immigration and Nationality Act (8 U.S.C. 1324); or

“(3) in order to, without lawful authority, maintain, prevent, or restrict the labor of services of the individual.

“(b) PENALTY.—Any person who violates subsection (a) shall be fined under this title, imprisoned for not more than 1 year, or both.

“(c) OBSTRUCTION.—Any person who knowingly obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be subject to the penalties described in subsection (b).”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 77 of title 18, United States Code, is amended by adding at the end the following:

“1597. Unlawful conduct with respect to immigration documents.”.

SEC. 1212. CIVIL REMEDIES; CLARIFYING DEFINITION.

(a) CIVIL REMEDY FOR PERSONAL INJURIES.—Section 2255 of title 18, United States Code, is amended—

(1) in subsection (a), by striking “section 2241(c)” and inserting “section 1589, 1590, 1591, 2241(c)”;

(2) in subsection (b), by striking “six years” and inserting “10 years”.

(b) DEFINITION.—

(1) IN GENERAL.—Section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102) is amended—

(A) by redesignating paragraphs (1) through (14) as paragraphs (2) through (15), respectively;

(B) by inserting before paragraph (2), as redesignated, the following:

“(1) ABUSE OR THREATENED ABUSE OF LAW OR LEGAL PROCESS.—The term ‘abuse or threatened abuse of the legal process’ means the use or threatened use of a law or legal process, whether administrative, civil, or criminal, in any manner or for any purpose for which the law was not designed, in order to exert pressure on another person to cause that person to take some action or refrain from taking some action.”;

(C) in paragraph (14), as redesignated, by striking “paragraph (8)” and inserting “paragraph (9)”;

(D) in paragraph (15), as redesignated, by striking “paragraph (8) or (9)” and inserting “paragraph (9) or (10)”.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended—

(i) in section 110(e) (22 U.S.C. 7107(e))—

(I) by striking “section 103(7)(A)” and inserting “section 103(8)(A)”;

(II) by striking “section 103(7)(B)” and inserting “section 103(8)(B)”;

(ii) in section 113(g)(2) (22 U.S.C. 7110(g)(2)), by striking “section 103(8)(A)” and inserting “section 103(9)(A)”.

(B) NORTH KOREAN HUMAN RIGHTS ACT OF 2004.—Section 203(b)(2) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7833(b)(2)) is amended by striking “section 103(14)” and inserting “section 103(15)”.

(C) TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2005.—Section 207 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044e) is amended—

(i) in paragraph (1), by striking “section 103(8)” and inserting “section 103(9)”;

(ii) in paragraph (2), by striking “section 103(9)” and inserting “section 103(10)”;

(iii) in paragraph (3), by striking “section 103(3)” and inserting “section 103(4)”.

(D) VIOLENCE AGAINST WOMEN AND DEPARTMENT OF JUSTICE REAUTHORIZATION ACT OF 2005.—Section 111(a)(1) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14044f(a)(1)) is amended by striking “paragraph (8)” and inserting “paragraph (9)”.

PART II—ENSURING AVAILABILITY OF POSSIBLE WITNESSES AND INFORMANTS**SEC. 1221. PROTECTIONS FOR TRAFFICKING VICTIMS WHO COOPERATE WITH LAW ENFORCEMENT.**

Section 101(a)(15)(T)(ii)(III) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T)(ii)(III)) is amended by inserting “, or any adult or minor children of a derivative beneficiary of the alien, as” after “age”.

SEC. 1222. PROTECTION AGAINST FRAUD IN FOREIGN LABOR CONTRACTING.

Section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended by inserting “fraud in foreign labor contracting (as defined in section 1351 of title 18, United States Code);” after “perjury”.

PART III—ENSURING INTERAGENCY COORDINATION AND EXPANDED REPORTING

SEC. 1231. REPORTING REQUIREMENTS FOR THE ATTORNEY GENERAL.

Section 105(d)(7) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)) is amended—

(1) by redesignating subparagraphs (D) through (J) as subparagraphs (I) through (O);

(2) by striking subparagraphs (B) and (C) and inserting the following:

“(B) the number of persons who have been granted continued presence in the United States under section 107(c)(3) during the preceding fiscal year and the mean and median time taken to adjudicate applications submitted under such section, including the time from the receipt of an application by law enforcement to the issuance of continued presence, and a description of any efforts being taken to reduce the adjudication and processing time while ensuring the safe and competent processing of the applications;

“(C) the number of persons who have applied for, been granted, or been denied a visa or otherwise provided status under subparagraph (T)(i) or (U)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) during the preceding fiscal year;

“(D) the number of persons who have applied for, been granted, or been denied a visa or status under clause (ii) of section 101(a)(15)(T) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T)) during the preceding fiscal year, broken down by the number of such persons described in subclauses (I), (II), and (III) of such clause (ii);

“(E) the amount of Federal funds expended in direct benefits paid to individuals described in subparagraph (D) in conjunction with T visa status;

“(F) the number of persons who have applied for, been granted, or been denied a visa or status under section 101(a)(15)(U)(i) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(i)) during the preceding fiscal year;

“(G) the mean and median time in which it takes to adjudicate applications submitted under the provisions of law set forth in subparagraph (C), including the time between the receipt of an application and the issuance of a visa and work authorization;

“(H) any efforts being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing of the applications;”;

(3) in subparagraph (N)(iii), as redesignated, by striking “and” at the end;

(4) in subparagraph (O), as redesignated, by striking the period at the end and inserting “; and”; and

(5) by adding at the end the following:

“(P) the activities undertaken by Federal agencies to train appropriate State, tribal, and local government and law enforcement officials to identify victims of severe forms of trafficking, including both sex and labor trafficking;

“(Q) the activities undertaken by Federal agencies in cooperation with State, tribal, and local law enforcement officials to identify, investigate, and prosecute offenses under sections 1581, 1583, 1584, 1589, 1590, 1592, and 1594 of title 18, United States Code, or equivalent State offenses, including, in each fiscal year—

“(i) the number, age, gender, country of origin, and citizenship status of victims identified for each offense;

“(ii) the number of individuals charged, and the number of individuals convicted, under each offense;

“(iii) the number of individuals referred for prosecution for State offenses, including offenses relating to the purchasing of commercial sex acts;

“(iv) the number of victims granted continued presence in the United States under section 107(c)(3); and

“(v) the number of victims granted a visa or otherwise provided status under subparagraph (T)(i) or (U)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)); and

“(R) the activities undertaken by the Department of Justice and the Department of Health and Human Services to meet the specific needs of minor victims of domestic trafficking, including actions taken pursuant to subsection (f) and section 202(a) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044(a)), and the steps taken to increase cooperation among Federal agencies to ensure the effective and efficient use of programs for which the victims are eligible.”.

SEC. 1232. REPORTING REQUIREMENTS FOR THE SECRETARY OF LABOR.

Section 105(b) of the Trafficking Victims Protection Act of 2005 (22 U.S.C. 7112(b)) is amended by adding at the end the following:

“(3) SUBMISSION TO CONGRESS.—Not later than December 1, 2014, and every 2 years thereafter, the Secretary of Labor shall submit the list developed under paragraph (2)(C) to Congress.”.

SEC. 1233. INFORMATION SHARING TO COMBAT CHILD LABOR AND SLAVE LABOR.

Section 105(a) of the Trafficking Victims Protection Act of 2005 (22 U.S.C. 7112(a)) is amended by adding at the end the following:

“(3) INFORMATION SHARING.—The Secretary of State shall, on a regular basis, provide information relating to child labor and forced labor in the production of goods in violation of international standards to the Department of Labor to be used in developing the list described in subsection (b)(2)(C).”.

SEC. 1234. GOVERNMENT TRAINING EFFORTS TO INCLUDE THE DEPARTMENT OF LABOR.

Section 107(c)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4)) is amended—

(1) in the first sentence, by inserting “the Department of Labor, the Equal Employment Opportunity Commission,” before “and the Department”; and

(2) in the second sentence, by inserting “, in consultation with the Secretary of Labor,” before “shall provide”.

SEC. 1235. GAO REPORT ON THE USE OF FOREIGN LABOR CONTRACTORS.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report on the use of foreign labor contractors to—

(1) the Committee on the Judiciary of the Senate;

(2) the Committee on Health, Education, Labor, and Pensions of the Senate;

(3) the Committee on the Judiciary of the House of Representatives; and

(4) the Committee on Education and the Workforce of the House of Representatives.

(b) CONTENTS.—The report under subsection (a) should, to the extent possible—

(1) address the role and practices of United States employers in—

(A) the use of labor recruiters or brokers; or

(B) directly recruiting foreign workers;

(2) analyze the laws that protect such workers, both overseas and domestically;

(3) describe the oversight and enforcement mechanisms in Federal departments and agencies for such laws; and

(4) identify any gaps that may exist in these protections; and

(5) recommend possible actions for Federal departments and agencies to combat any abuses.

(c) REQUIREMENTS.—The report under subsection (a) shall—

(1) describe the role of labor recruiters or brokers working in countries that are sending workers and receiving funds, including any identified involvement in labor abuses;

(2) describe the role and practices of employers in the United States that commission labor recruiters or brokers or directly recruit foreign workers;

(3) describe the role of Federal departments and agencies in overseeing and regulating the foreign labor recruitment process, including certifying and enforcing under existing regulations;

(4) describe the type of jobs and the numbers of positions in the United States that have been filled through foreign workers during each of the last 8 years, including positions within the Federal Government;

(5) describe any efforts or programs undertaken by Federal, State and local government entities to encourage employers, directly or indirectly, to use foreign workers or to reward employers for using foreign workers; and

(6) based on the information required under paragraphs (1) through (3), identify any common abuses of foreign workers and the employment system, including the use of fees and debts, and recommendations of actions that could be taken by Federal departments and agencies to combat any identified abuses.

SEC. 1236. ACCOUNTABILITY.

All grants awarded by the Attorney General under this title or an Act amended by this title shall be subject to the following accountability provisions:

(1) AUDIT REQUIREMENT.—

(A) DEFINITION.—In this paragraph, the term “unresolved audit finding” means an audit report finding in the final audit report of the Inspector General of the Department of Justice that the grantee has used grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved during the 12-month period beginning on the date on which the final audit report is issued

(B) REQUIREMENT.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this title or an Act amended by this title to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(C) MANDATORY EXCLUSION.—A recipient of grant funds under this title or an Act amended by this title that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this title or an Act amended by this title during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

(D) PRIORITY.—In awarding grants under this title or an Act amended by this title, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this title or an Act amended by this title.

(E) REIMBURSEMENT.—If an entity is awarded grant funds under this title or an Act amended by this title during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) DEFINITION.—For purposes of this paragraph and the grant programs under this title or an Act amended by this title, the term “nonprofit organization” means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) PROHIBITION.—The Attorney General may not award a grant under this title or an Act amended by this title to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this title or an Act amended by this title and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subparagraph available for public inspection.

(3) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this title or an Act amended by this title may be used by the Attorney General, or by any individual or entity awarded discretionary funds through a cooperative agreement under this title or an Act amended by this title, to host or support any expenditure for conferences that uses more than \$20,000 in funds made available to the Department of Justice, unless the Deputy Attorney General or the appropriate Assistant Attorney General, Director, or principal deputy (as designated by the Deputy Attorney General) provides prior written authorization that the funds may be expended to host the conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this Act, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on

the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification indicating whether—

(A) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

(B) all mandatory exclusions required under paragraph (1)(C) have been issued;

(C) all reimbursements required under paragraph (1)(E) have been made; and

(D) includes a list of any grant recipients excluded under paragraph (1) from the previous year.

PART IV—ENHANCING STATE AND LOCAL EFFORTS TO COMBAT TRAFFICKING IN PERSONS

SEC. 1241. ASSISTANCE FOR DOMESTIC MINOR SEX TRAFFICKING VICTIMS.

(a) IN GENERAL.—Section 202 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044a) is amended to read as follows:

“SEC. 202. ESTABLISHMENT OF A GRANT PROGRAM TO DEVELOP, EXPAND, AND STRENGTHEN ASSISTANCE PROGRAMS FOR CERTAIN PERSONS SUBJECT TO TRAFFICKING.

“(a) DEFINITIONS.—In this section:

“(1) ASSISTANT SECRETARY.—The term ‘Assistant Secretary’ means the Assistant Secretary for Children and Families of the Department of Health and Human Services.

“(2) ASSISTANT ATTORNEY GENERAL.—The term ‘Assistant Attorney General’ means the Assistant Attorney General for the Office of Justice Programs of the Department of Justice.

“(3) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a State or unit of local government that—

“(A) has significant criminal activity involving sex trafficking of minors;

“(B) has demonstrated cooperation between Federal, State, local, and, where applicable, tribal law enforcement agencies, prosecutors, and social service providers in addressing sex trafficking of minors;

“(C) has developed a workable, multi-disciplinary plan to combat sex trafficking of minors, including—

“(i) building or establishing a residential care facility for minor victims of sex trafficking;

“(ii) the provision of rehabilitative care to minor victims of sex trafficking;

“(iii) the provision of specialized training for law enforcement officers and social service providers for all forms of sex trafficking, with a focus on sex trafficking of minors;

“(iv) prevention, deterrence, and prosecution of offenses involving sex trafficking of minors;

“(v) cooperation or referral agreements with organizations providing outreach or other related services to runaway and homeless youth; and

“(vi) law enforcement protocols or procedures to screen all individuals arrested for prostitution, whether adult or minor, for victimization by sex trafficking and by other crimes, such as sexual assault and domestic violence; and

“(D) provides assurance that a minor victim of sex trafficking shall not be required to collaborate with law enforcement to have access to residential care or services provided with a grant under this section.

“(4) MINOR VICTIM OF SEX TRAFFICKING.—The term ‘minor victim of sex trafficking’ means an individual who—

“(A) is younger than 18 years of age, and is a victim of an offense described in section

1591(a) of title 18, United States Code, or a comparable State law; or

“(B)(i) is not younger than 18 years of age nor older than 20 years of age;

“(ii) before the individual reached 18 years of age, was described in subparagraph (A); and

“(iii) was receiving shelter or services as a minor victim of sex trafficking.

“(5) QUALIFIED NONGOVERNMENTAL ORGANIZATION.—The term ‘qualified nongovernmental organization’ means an organization that—

“(A) is not a State or unit of local government, or an agency of a State or unit of local government;

“(B) has demonstrated experience providing services to victims of sex trafficking or related populations (such as runaway and homeless youth), or employs staff specialized in the treatment of sex trafficking victims; and

“(C) demonstrates a plan to sustain the provision of services beyond the period of a grant awarded under this section.

“(6) SEX TRAFFICKING OF A MINOR.—The term ‘sex trafficking of a minor’ means an offense described in section 1591(a) of title 18, United States Code, or a comparable State law, against a minor.

“(b) SEX TRAFFICKING BLOCK GRANTS.—

“(1) GRANTS AUTHORIZED.—

“(A) IN GENERAL.—The Assistant Attorney General, in consultation with the Assistant Secretary, may make block grants to 4 eligible entities located in different regions of the United States to combat sex trafficking of minors.

“(B) REQUIREMENT.—Not fewer than 1 of the block grants made under subparagraph (A) shall be awarded to an eligible entity with a State population of less than 5,000,000.

“(C) GRANT AMOUNT.—Subject to the availability of appropriations under subsection (g) to carry out this section, each grant made under this section shall be for an amount not less than \$1,500,000 and not greater than \$2,000,000.

“(D) DURATION.—

“(i) IN GENERAL.—A grant made under this section shall be for a period of 1 year.

“(ii) RENEWAL.—

“(I) IN GENERAL.—The Assistant Attorney General may renew a grant under this section for up to 3 1-year periods.

“(II) PRIORITY.—In making grants in any fiscal year after the first fiscal year in which grants are made under this section, the Assistant Attorney General shall give priority to an eligible entity that received a grant in the preceding fiscal year and is eligible for renewal under this subparagraph, taking into account any evaluation of the eligible entity conducted under paragraph (4), if available.

“(E) CONSULTATION.—In carrying out this section, the Assistant Attorney General shall consult with the Assistant Secretary with respect to—

“(i) evaluations of grant recipients under paragraph (4);

“(ii) avoiding unintentional duplication of grants; and

“(iii) any other areas of shared concern.

“(2) USE OF FUNDS.—

“(A) ALLOCATION.—Not less than 67 percent of each grant made under paragraph (1) shall be used by the eligible entity to provide residential care and services (as described in clauses (i) through (iv) of subparagraph (B)) to minor victims of sex trafficking through qualified nongovernmental organizations.

“(B) AUTHORIZED ACTIVITIES.—Grants awarded pursuant to paragraph (2) may be used for—

“(i) providing residential care to minor victims of sex trafficking, including temporary or long-term placement as appropriate;

“(ii) providing 24-hour emergency social services response for minor victims of sex trafficking;

“(iii) providing minor victims of sex trafficking with clothing and other daily necessities needed to keep such victims from returning to living on the street;

“(iv) case management services for minor victims of sex trafficking;

“(v) mental health counseling for minor victims of sex trafficking, including specialized counseling and substance abuse treatment;

“(vi) legal services for minor victims of sex trafficking;

“(vii) specialized training for social service providers, public sector personnel, and private sector personnel likely to encounter sex trafficking victims on issues related to the sex trafficking of minors and severe forms of trafficking in persons;

“(viii) outreach and education programs to provide information about deterrence and prevention of sex trafficking of minors;

“(ix) programs to provide treatment to individuals charged or cited with purchasing or attempting to purchase sex acts in cases where—

“(I) a treatment program can be mandated as a condition of a sentence, fine, suspended sentence, or probation, or is an appropriate alternative to criminal prosecution; and

“(II) the individual was not charged with purchasing or attempting to purchase sex acts with a minor; and

“(x) screening and referral of minor victims of severe forms of trafficking in persons.

“(3) APPLICATION.—

“(A) IN GENERAL.—Each eligible entity desiring a grant under this section shall submit an application to the Assistant Attorney General at such time, in such manner, and accompanied by such information as the Assistant Attorney General may reasonably require.

“(B) CONTENTS.—Each application submitted pursuant to subparagraph (A) shall—

“(i) describe the activities for which assistance under this section is sought; and

“(ii) provide such additional assurances as the Assistant Attorney General determines to be essential to ensure compliance with the requirements of this section.

“(4) EVALUATION.—The Assistant Attorney General shall enter into a contract with an academic or non-profit organization that has experience in issues related to sex trafficking of minors and evaluation of grant programs to conduct an annual evaluation of each grant made under this section to determine the impact and effectiveness of programs funded with the grant.

“(c) MANDATORY EXCLUSION.—An eligible entity that receives a grant under this section that is found to have utilized grant funds for any unauthorized expenditure or otherwise unallowable cost shall not be eligible for any grant funds awarded under the grant for 2 fiscal years following the year in which the unauthorized expenditure or unallowable cost is reported.

“(d) COMPLIANCE REQUIREMENT.—An eligible entity shall not be eligible to receive a grant under this section if, during the 5 fiscal years before the eligible entity submits an application for the grant, the eligible entity has been found to have violated the terms or conditions of a Government grant program by utilizing grant funds for unau-

thorized expenditures or otherwise unallowable costs.

“(e) ADMINISTRATIVE CAP.—The cost of administering the grants authorized by this section shall not exceed 3 percent of the total amount appropriated to carry out this section.

“(f) AUDIT REQUIREMENT.—For fiscal years 2016 and 2017, the Inspector General of the Department of Justice shall conduct an audit of all 4 eligible entities that receive block grants under this section.

“(g) MATCH REQUIREMENT.—An eligible entity that receives a grant under this section shall provide a non-Federal match in an amount equal to not less than—

“(1) 15 percent of the grant during the first year;

“(2) 25 percent of the grant during the first renewal period;

“(3) 40 percent of the grant during the second renewal period; and

“(4) 50 percent of the grant during the third renewal period.

“(h) NO LIMITATION ON SECTION 204 GRANTS.—An entity that applies for a grant under section 204 is not prohibited from also applying for a grant under this section.

“(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$8,000,000 to the Attorney General for each of the fiscal years 2014 through 2017 to carry out this section.

“(j) GAO EVALUATION.—Not later than 30 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains—

“(1) an evaluation of the impact of this section in aiding minor victims of sex trafficking in the jurisdiction of the entity receiving the grant; and

“(2) recommendations, if any, regarding any legislative or administrative action the Comptroller General determines appropriate.”

(b) SUNSET PROVISION.—The amendment made by subsection (a) shall be effective during the 4-year period beginning on the date of the enactment of this Act.

SEC. 1242. EXPANDING LOCAL LAW ENFORCEMENT GRANTS FOR INVESTIGATIONS AND PROSECUTIONS OF TRAFFICKING.

Section 204 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044c) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A), by striking “, which involve United States citizens, or aliens admitted for permanent residence, and”;

(B) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (C), (D), and (E), respectively; and

(C) by inserting after subparagraph (A) the following:

“(B) to train law enforcement personnel how to identify victims of severe forms of trafficking in persons and related offenses”; and

(D) in subparagraph (C), as redesignated, by inserting “and prioritize the investigations and prosecutions of those cases involving minor victims” after “sex acts”;

(2) by redesignating subsection (d) as subsection (e);

(3) by inserting after subsection (c) the following:

“(d) NO LIMITATION ON SECTION 202 GRANT APPLICATIONS.—An entity that applies for a grant under section 202 is not prohibited from also applying for a grant under this section.”;

(4) in subsection (e), as redesignated, by striking “\$20,000,000 for each of the fiscal

years 2008 through 2011” and inserting “\$10,000,000 for each of the fiscal years 2014 through 2017”; and

(5) by adding at the end the following:

“(f) GAO EVALUATION AND REPORT.—Not later than 30 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study of and submit to Congress a report evaluating the impact of this section on—

“(1) the ability of law enforcement personnel to identify victims of severe forms of trafficking in persons and investigate and prosecute cases against offenders, including offenders who engage in the purchasing of commercial sex acts with a minor; and

“(2) recommendations, if any, regarding any legislative or administrative action the Comptroller General determines appropriate to improve the ability described in paragraph (1).”

SEC. 1243. MODEL STATE CRIMINAL LAW PROTECTION FOR CHILD TRAFFICKING VICTIMS AND SURVIVORS.

Section 225(b) of the Trafficking Victims Reauthorization Act of 2008 (22 U.S.C. 7101 note) is amended—

(1) in paragraph (1), by striking “and” at the end;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

“(2) protects children exploited through prostitution by including safe harbor provisions that—

“(A) treat an individual under 18 years of age who has been arrested for engaging in, or attempting to engage in, a sexual act with another person in exchange for monetary compensation as a victim of a severe form of trafficking in persons;

“(B) prohibit the charging or prosecution of an individual described in subparagraph (A) for a prostitution offense;

“(C) require the referral of an individual described in subparagraph (A) to appropriate service providers, including comprehensive service or community-based programs that provide assistance to child victims of commercial sexual exploitation; and

“(D) provide that an individual described in subparagraph (A) shall not be required to prove fraud, force, or coercion in order to receive the protections described under this paragraph.”

Subtitle C—Authorization of Appropriations

SEC. 1251. ADJUSTMENT OF AUTHORIZATION LEVELS FOR THE TRAFFICKING VICTIMS PROTECTION ACT OF 2000.

The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended—

(1) in section 112A(b)(4) (22 U.S.C. 7109a(b)(4))—

(A) by striking “\$2,000,000” and inserting “\$1,000,000”; and

(B) by striking “2008 through 2011” and inserting “2014 through 2017”; and

(2) in section 113 (22 U.S.C. 7110)—

(A) subsection (a)—

(i) by striking “\$5,500,000 for each of the fiscal years 2008 through 2011” each place it appears and inserting “\$2,000,000 for each of the fiscal years 2014 through 2017”;

(ii) by inserting “, including regional trafficking in persons officers,” after “for additional personnel.”; and

(iii) by striking “, and \$3,000 for official reception and representation expenses”;

(B) in subsection (b)—

(i) in paragraph (1), by striking “\$12,500,000 for each of the fiscal years 2008 through 2011” and inserting “\$14,500,000 for each of the fiscal years 2014 through 2017”; and

(ii) in paragraph (2), by striking “to the Secretary of Health and Human Services” and all that follows and inserting “\$8,000,000 to the Secretary of Health and Human Services for each of the fiscal years 2014 through 2017.”;

(C) in subsection (c)(1)—

(i) in subparagraph (A), by striking “2008 through 2011” each place it appears and inserting “2014 through 2017”;

(ii) in subparagraph (B)—

(i) by striking “\$15,000,000 for fiscal year 2003 and \$10,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$10,000,000 for each of the fiscal years 2014 through 2017”; and

(ii) by striking “2008 through 2011” and inserting “2014 through 2017”; and

(iii) in subparagraph (C), by striking “2008 through 2011” and inserting “2014 through 2017”;

(D) in subsection (d)—

(i) by redesignating subparagraphs (A) through (C) as paragraphs (1) through (3), respectively, and moving such paragraphs 2 ems to the left;

(ii) in the paragraph (1), as redesignated, by striking “\$10,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$11,000,000 for each of the fiscal years 2014 through 2017”; and

(iii) in paragraph (3), as redesignated, by striking “to the Attorney General” and all that follows and inserting “\$11,000,000 to the Attorney General for each of the fiscal years 2014 through 2017.”;

(E) in subsection (e)—

(i) in paragraph (1), by striking “\$15,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$7,500,000 for each of the fiscal years 2014 through 2017”; and

(ii) in paragraph (2), by striking “\$15,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$7,500,000 for each of the fiscal years 2014 through 2017”;

(F) in subsection (f), by striking “\$10,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$5,000,000 for each of the fiscal years 2014 through 2017”; and

(G) in subsection (i), by striking “\$18,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$10,000,000 for each of the fiscal years 2014 through 2017”.

SEC. 1252. ADJUSTMENT OF AUTHORIZATION LEVELS FOR THE TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2005.

The Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109-164) is amended—

(1) by striking section 102(b)(7); and

(2) in section 201(c)(2), by striking “\$1,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$250,000 for each of the fiscal years 2014 through 2017”.

Subtitle D—Unaccompanied Alien Children

SEC. 1261. APPROPRIATE CUSTODIAL SETTINGS FOR UNACCOMPANIED MINORS WHO REACH THE AGE OF MAJORITY WHILE IN FEDERAL CUSTODY.

Section 235(c)(2) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(2)) is amended—

(1) by striking “Subject to” and inserting the following:

“(A) MINORS IN DEPARTMENT OF HEALTH AND HUMAN SERVICES CUSTODY.—Subject to”; and

(2) by adding at the end the following:

“(B) ALIENS TRANSFERRED FROM DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEPARTMENT OF HOMELAND SECURITY CUSTODY.—If a minor described in subparagraph (A)

reaches 18 years of age and is transferred to the custody of the Secretary of Homeland Security, the Secretary shall consider placement in the least restrictive setting available after taking into account the alien’s danger to self, danger to the community, and risk of flight. Such aliens shall be eligible to participate in alternative to detention programs, utilizing a continuum of alternatives based on the alien’s need for supervision, which may include placement of the alien with an individual or an organizational sponsor, or in a supervised group home.”.

SEC. 1262. APPOINTMENT OF CHILD ADVOCATES FOR UNACCOMPANIED MINORS.

Section 235(c)(6) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(6)) is amended—

(1) by striking “The Secretary” and inserting the following:

“(A) IN GENERAL.—The Secretary”; and

(2) by striking “and criminal”; and

(3) by adding at the end the following:

“(B) APPOINTMENT OF CHILD ADVOCATES.—

“(i) INITIAL SITES.—Not later than 2 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Health and Human Services shall appoint child advocates at 3 new immigration detention sites to provide independent child advocates for trafficking victims and vulnerable unaccompanied alien children.

“(ii) ADDITIONAL SITES.—Not later than 3 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary shall appoint child advocates at not more than 3 additional immigration detention sites.

“(iii) SELECTION OF SITES.—Sites at which child advocate programs will be established under this subparagraph shall be located at immigration detention sites at which more than 50 children are held in immigration custody, and shall be selected sequentially, with priority given to locations with—

“(I) the largest number of unaccompanied alien children; and

“(II) the most vulnerable populations of unaccompanied children.

“(C) RESTRICTIONS.—

“(i) ADMINISTRATIVE EXPENSES.—A child advocate program may not use more than 10 percent of the Federal funds received under this section for administrative expenses.

“(ii) NONEXCLUSIVITY.—Nothing in this section may be construed to restrict the ability of a child advocate program under this section to apply for or obtain funding from any other source to carry out the programs described in this section.

“(iii) CONTRIBUTION OF FUNDS.—A child advocate program selected under this section shall contribute non-Federal funds, either directly or through in-kind contributions, to the costs of the child advocate program in an amount that is not less than 25 percent of the total amount of Federal funds received by the child advocate program under this section. In-kind contributions may not exceed 40 percent of the matching requirement under this clause.

“(D) ANNUAL REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, and annually thereafter, the Secretary of Health and Human Services shall submit a report describing the activities undertaken by the Secretary to authorize the appointment of independent Child Advocates for trafficking victims and vulnerable unaccompanied alien children to the Committee on the Judiciary of the Sen-

ate and the Committee on the Judiciary of the House of Representatives.

“(E) ASSESSMENT OF CHILD ADVOCATE PROGRAM.—

“(i) IN GENERAL.—As soon as practicable after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Comptroller General of the United States shall conduct a study regarding the effectiveness of the Child Advocate Program operated by the Secretary of Health and Human Services.

“(ii) MATTERS TO BE STUDIED.—In the study required under clause (i), the Comptroller General shall— collect information and analyze the following:

“(I) analyze the effectiveness of existing child advocate programs in improving outcomes for trafficking victims and other vulnerable unaccompanied alien children;

“(II) evaluate the implementation of child advocate programs in new sites pursuant to subparagraph (B);

“(III) evaluate the extent to which eligible trafficking victims and other vulnerable unaccompanied children are receiving child advocate services and assess the possible budgetary implications of increased participation in the program;

“(IV) evaluate the barriers to improving outcomes for trafficking victims and other vulnerable unaccompanied children; and

“(V) make recommendations on statutory changes to improve the Child Advocate Program in relation to the matters analyzed under subclauses (I) through (IV).

“(iii) GAO REPORT.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit the results of the study required under this subparagraph to—

“(I) the Committee on the Judiciary of the Senate;

“(II) the Committee on Health, Education, Labor, and Pensions of the Senate;

“(III) the Committee on the Judiciary of the House of Representatives; and

“(IV) the Committee on Education and the Workforce of the House of Representatives.

“(F) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary and Human Services to carry out this subsection—

“(i) \$1,000,000 for each of the fiscal years 2014 and 2015; and

“(ii) \$2,000,000 for each of the fiscal years 2016 and 2017.”.

SEC. 1263. ACCESS TO FEDERAL FOSTER CARE AND UNACCOMPANIED REFUGEE MINOR PROTECTIONS FOR CERTAIN U VISA RECIPIENTS.

Section 235(d)(4) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(d)(4)) is amended—

(1) in subparagraph (A),

(A) by striking “either”; and

(B) by striking “or who” and inserting a comma; and

(C) by inserting “, or has been granted status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)),” before “, shall be eligible”; and

(2) in subparagraph (B), by inserting “, or status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)),” after “(8 U.S.C. 1101(a)(27)(J))”.

SEC. 1264. GAO STUDY OF THE EFFECTIVENESS OF BORDER SCREENINGS.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study

examining the effectiveness of screenings conducted by Department of Homeland Security personnel in carrying out section 235(a)(4) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)(4)).

(2) STUDY.—In carrying out paragraph (1), the Comptroller General shall take into account—

(A) the degree to which Department of Homeland Security personnel are adequately ensuring that—

(i) all children are being screened to determine whether they are described in section 235(a)(2)(A) of the William Wilberforce Trafficking Victims Protection Reauthorization Act;

(ii) appropriate and reliable determinations are being made about whether children are described in section 235(a)(2)(A) of such Act, including determinations of the age of such children;

(iii) children are repatriated in an appropriate manner, consistent with clauses (i) through (iii) of section 235(a)(2)(C) of such Act;

(iv) children are appropriately being permitted to withdraw their applications for admission, in accordance with section 235(a)(2)(B)(i) of such Act;

(v) children are being properly cared for while they are in the custody of the Department of Homeland Security and awaiting repatriation or transfer to the custody of the Secretary of Health and Human Services; and

(vi) children are being transferred to the custody of the Secretary of Health and Human Services in a manner that is consistent with such Act; and

(B) the number of such children that have been transferred to the custody of the Department of Health and Human Services, the Federal funds expended to maintain custody of such children, and the Federal benefits available to such children, if any.

(3) ACCESS TO DEPARTMENT OF HOMELAND SECURITY OPERATIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), for the purposes of conducting the study described in subsection (a), the Secretary shall provide the Comptroller General with unrestricted access to all stages of screenings and other interactions between Department of Homeland Security personnel and children encountered by the Comptroller General.

(B) EXCEPTIONS.—The Secretary shall not permit unrestricted access under subparagraph (A) if the Secretary determines that the security of a particular interaction would be threatened by such access.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of the commencement of the study described in subsection (a), the Comptroller General of the United States shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that contains the Commission's findings and recommendations.

NOTICE OF HEARING

Mr. WYDEN. Mr. President, this is to advise you that the Senate Committee on Energy and Natural Resources will hold a business meeting on Tuesday, February 12, 2013, at 9:45 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the business meeting is to approve the Committee's funding resolution for the 113th Congress, assign members to subcommittees, and approve changes to the Committee's rules and questionnaire for executive nominations.

For further information, please contact Sam Fowler at (202) 224-7571.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 7, 2013, at 10:00 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on February

7, 2013, at 10:30 a.m., in room 406 of the Dirksen Senate office building, to conduct a hearing entitled "Oversight Hearing on Implementation of Corps of Engineers Water Resources Policies."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, to conduct a hearing entitled "No Child Left Behind: Early Lessons from State Flexibility Waivers" on February 7, 2013, at 10:00 am, in room 216 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on February 7, 2013, at 10:30 a.m., in SD-216 of the Dirksen Senate Office Building, to conduct an executive meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INTELLIGENCE

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Intelligence be authorized to meet during the session of the Senate on February 7, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. GRASSLEY. Mr. President, I ask unanimous consent that Barrett Anderson, a fellow in my office, be granted privileges of the floor during the debate and votes concerning S. 47.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN TRAVEL FINANCIAL REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following reports for standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Rachelle Johnson:									
Honduras	Lempira		160.00						160.00
Guatemala	Quetzal		936.00						936.00
United States	Dollar			6,921.40					6,921.40
Elizabeth Schmid:									
Japan	Yen		2,053.22						2,053.22
United States	Dollar			12,524.50					12,524.50
Senator Daniel Inouye:									
Japan	Yen		1,180.05						1,180.05
United States	Dollar			11,955.50					11,955.50
Michael Bain:									
Spain	Euro		676.01	37.00					713.01

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2012—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
United States	Dollar				10,640.04				10,640.04
Christina Evans:									
Belgium	Euro		898.88						898.88
Spain	Euro		676.01						676.01
United States	Dollar				10,780.60				10,780.60
Dennis Balkham:									
Belgium	Euro		898.88						898.88
Spain	Euro		676.01						676.01
United States	Dollar				10,700.00				10,700.00
Stacy McBride:									
South Africa	Rand		1,742.00						1,742.00
Mozambique	Metical		274.00						274.00
Italy	Euro		462.00						462.00
United States	Dollar				14,321.90				14,321.90
Carlisle Clarke:									
South Africa	Rand		1,742.00						1,742.00
Mozambique	Metical		274.00						274.00
Italy	Euro		462.00						462.00
United States	Dollar				17,945.90				17,945.90
Paul Grove:									
Tunisia	Dinar		393.22						393.22
Egypt	Pound		856.00						856.00
United States	Dollar				4,802.70				4,802.70
Delegation Expenses:*									
Belgium	Euro					1,157.62			1,157.62
Guatemala	Quetzal				170.00	1,972.00			2,142.00
Japan	Yen				12,000.98	752.82			12,753.80
South Africa	Rand				511.57				511.57
Tunisia	Dinar				56.43	379.10			435.53
Egypt	Pound				176.00				176.00
Total			14,360.28		113,544.52	4,261.54			132,166.34

* Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

SENATOR BARBARA A. MIKULSKI,
Chairman, Committee on Appropriations, Feb. 4, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Elisabeth Whitbeck:									
Guatemala	Quetzal		871.50						871.50
Senator Mary Landrieu:									
Guatemala	Quetzal		871.50						871.50
Rachelle Johnson:									
Dominican Republic	Peso		174.05						174.05
Haiti	Gourde		413.00						413.00
United States	Dollar				1,353.29				1,353.29
Paul Grove:									
Dominican Republic	Peso		174.05						174.05
Haiti	Gourde		413.00						413.00
United States	Dollar				1,353.29				1,353.29
Jennifer Santos:									
Germany	Euro		488.73						488.73
Italy	Euro		1,521.97		646.90	78.00			2,246.87
United States	Dollar				9,336.40				9,336.40
Alycia Farrell:									
Germany	Euro		488.73						488.73
Italy	Euro		1,521.98						1,521.98
United States	Dollar				10,119.30				10,119.30
Teri Spoutz:									
Germany	Euro		488.73						488.73
Italy	Euro		1,521.98						1,521.98
United States	Dollar				10,036.80				10,036.80
Charlie Houy:									
United Kingdom	Pound		5,352.00						5,352.00
Gabrielle Batkin:									
United Kingdom	Pound		5,352.00						5,352.00
Brian Potts:									
United Kingdom	Pound		5,352.00						5,352.00
Gary Myrick:									
United Kingdom	Pound		5,352.00						5,352.00
Dave Schiappa:									
United Kingdom	Pound		5,352.00						5,352.00
Brian Monahan:									
United Kingdom	Pound		5,352.00						5,352.00
Anne Caldwell:									
United Kingdom	Pound		5,352.00						5,352.00
Andrew King:									
United Kingdom	Pound		5,352.00						5,352.00
Senator Richard Shelby:									
United Kingdom	Pound		5,352.00						5,352.00
Senator Barbara Mikulski:									
United Kingdom	Pound		5,352.00						5,352.00
Senator Lindsey Graham:									
United Kingdom	Pound		5,352.00						5,352.00
Senator Roy Blunt:									
United Kingdom	Pound		5,352.00						5,352.00
Senator Jerry Moran:									
United Kingdom	Pound		5,352.00						5,352.00
Janet Stormes:									
Ghana	Cedi		583.08		200.00				783.08

February 7, 2013

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CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2012—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Mali	Franc		366.48						366.48
Liberia	Dollar		377.00						377.00
United States	Dollar				10,204.20				10,204.20
Erik Raven:									
Australia	Dollar		1,231.00						1,231.00
Thailand	Baht		399.00						399.00
United States	Dollar				9,501.00				9,501.00
Terry Snell:									
Germany	Euro		819.63		36.00				855.63
Sweden	Krona		1,298.50						1,298.50
Norway	Krone		761.88						761.88
Senator Daniel Coats:									
Germany	Euro		794.91						794.91
Sweden	Krona		1,289.88						1,289.88
Norway	Krone		747.08						747.08
David Cleary:									
Germany	Euro		279.25						279.25
Sweden	Krona		483.00						483.00
Norway	Krone		352.00						352.00
Senator Lamar Alexander:									
Germany	Euro		279.25						279.25
Sweden	Krona		483.00						483.00
Norway	Krone		352.00						352.00
Laura Friedel:									
Guatemala	Quetzal		226.00						226.00
Brazil	Real		1,956.15						1,956.15
United States	Dollar				8,419.39				8,419.30
Jennifer Santos:									
Russia	Ruble		1,275.17						1,275.17
United States	Dollar				11,109.90		102.00		11,211.90
Alycia Farrell:									
Russia	Ruble		1,275.17						1,275.17
United States	Dollar				11,014.90		102.00		11,116.90
Paul Grove:									
Russia	Ruble		684.00						684.00
Tajikistan	Somoni		83.00						83.00
Azerbaijan	Manat		431.13						431.13
Georgia	Lari		146.41						146.41
United States	Dollar				6,190.35				6,190.35
Leland Cogliani:									
France	Euro		770.60						770.60
Switzerland	Franc		574.40		243.45				817.85
United States	Dollar				10,874.90				10,874.90
Kay Webber:									
Ireland	Euro		348.75						348.75
Greece	Euro		577.25						577.25
Italy	Euro		542.31						542.31
Spain	Euro		339.82						339.82
Portugal	Euro		234.94						234.94
Senator Thad Cochran:									
Ireland	Euro		348.75						348.75
Greece	Euro		577.25						577.25
Italy	Euro		542.31						542.31
Spain	Euro		339.82						339.82
Portugal	Euro		234.94						234.94
Delegation Expenses:*									
Brazil	Real				1,158.00		1,400.00		2,558.00
France	Euro						193.45		193.45
Germany	Euro						3,101.36		3,101.36
Greece	Euro						705.54		705.54
Guatemala	Quetzal						1,267.00		1,267.00
Ireland	Euro						899.70		899.70
Italy	Euro						1,886.76		1,886.76
Norway	Krone						3,101.36		3,101.36
Portugal	Euro						568.12		568.12
Spain	Euro						424.68		424.68
Sweden	Krona						3,101.36		3,101.36
Thailand	Baht				61.24		100.66		161.90
United Kingdom	Pound						5,434.17		5,434.17
Total			100,930.33		101,859.31		22,466.16		225,255.80

*Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

SENATOR DANIEL K. INOUE,
Chairman, Committee on Appropriations, Nov. 19, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON ARMED FORCES FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Adam J. Barker:									
United States	Dollar				9,797.90				9,797.90
United Arab Emirates	Dirham		1,499.44						1,499.44
Afghanistan	Afghani		34.00						34.00
Daniel A. Lerner:									
United States	Dollar				8,761.00				8,761.00
Israel	Shekel		1,675.00						1,675.00
Senator John McCain:									
United States	Dollar				1,712.30				1,712.30
Canada	Dollar		240.43						240.43
Lucian L. Niemeyer:									
United States	Dollar				9,790.90				9,790.90

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMITTEE ON ARMED FORCES FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2012—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
United Arab Emirates	Dirham		1,393.44						1,393.44
Afghanistan	Afghani		34.00						34.00
Senator Mark Udall:									
Canada	Dollar		239.10						239.10
Christopher Howard:									
Canada	Dollar		92.51						92.51
Senator John McCain:									
United States	Dollar				15,090.00				15,090.00
Bahrain	Dinar		1,084.00						1,084.00
Christian D. Brose:									
Canada	Dollar		348.00						348.00
Bahrain	Dinar		302.92		14,218.00				14,520.92
Total			6,942.84		59,370.10				66,312.94

SENATOR CARL LEVIN,
Chairman, Committee on Armed Services, Dec. 21, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John Boozman:									
Czech Republic	Koruna		286.45						286.45
Paul Ordal:									
United States	Dollar				8,965.20				8,965.20
Qatar	Riyal		1,150.52						1,150.52
TOTAL			1,436.97		8,965.20				10,402.17

SENATOR BARBARA BOXER,
Chairman, Committee on Environment and Public Works, Jan. 24, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Ellen Doneski:									
United States	Dollar				12,772.70				12,772.70
United Arab Emirates	Dirham		1,051.78						1,051.78
John Branscome:									
United States	Dollar				12,772.70				12,772.70
United Arab Emirates	Dirham		987.78						987.78
Delegation Expenses:*									
United Arab Emirates	Dirham					213.80			213.80
Total			2,039.56		25,545.40		213.80		27,798.76

* Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

SENATOR JOHN D. ROCKEFELLER IV,
Chairman, Committee on Commerce, Science, and Transportation,
Feb. 4, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2012.

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Max Baucus:									
Spain	Euro		20.92						20.92
Germany	Euro		764.81						764.81
Belgium	Euro		632.90						632.90
United States	Dollar				15,268.30				15,268.30
Amber Cottle:									
Spain	Euro		67.44						67.44
Germany	Euro		751.14						751.14
Belgium	Euro		605.62						605.62
United States	Dollar				15,268.30				15,268.30
Jon Selib:									
Spain	Euro		42.42						42.42
Germany	Euro		738.77						738.77
Belgium	Euro		600.62						600.62
United States	Dollar				15,268.30				15,268.30
Bruce Hirsh:									
Spain	Euro		58.39						58.39
Germany	Euro		738.77						738.77
Belgium	Euro		733.50						733.50
United States	Dollar				15,268.30				15,268.30

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2012.—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Sean Neary:									
Spain	Euro		17.42						17.42
Germany	Euro		772.12						772.12
Belgium	Euro		720.17						720.17
United States	Dollar				15,268.30				15,268.30
Chelsea Thomas:									
Spain	Euro		51.14						51.14
Germany	Euro		738.77						738.77
Belgium	Euro		749.84						749.84
United States	Dollar				15,268.30				15,268.30
Gabriel Adler:									
Spain	Euro		142.32						142.32
Germany	Euro		744.77						744.77
Belgium	Euro		778.67						778.67
United States	Dollar				15,268.30				15,268.30
Delegation Expenses:*									
Germany	Euro						3,077.49		3,077.49
Belgium	Euro						1,604.74		1,604.74
Joseph Adams:									
Canada	Dollar		1,117.96		230.80				1,348.76
Total			11,588.48		107,108.90		4,682.23		123,379.61

* Delegation expenses include transportation, embassy overtime, as well as other official expenses in accordance with the responsibilities of the host country.

SENATOR MAX BAUCUS,
Chairman, Committee on Finance, Jan. 23, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS TRAVEL FROM OCT. 1 TO DEC. 31, 2012.

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John Barrasso:									
Canada	Dollar		559.26						559.26
Delegation Expenses:*									
Canada	Dollar						400.00		400.00
Senator Bob Corker:									
Jordan	Dinar		790.08						790.08
Malta	Euro		148.21						148.21
United States	Dollar				14,329.10				14,329.10
Stacie Oliver:									
Jordan	Dinar		792.44						792.44
Malta	Euro		148.21						148.21
United States	Dollar				15,540.90				15,540.90
Delegation Expenses:*									
Jordan	Dinar						842.65		842.65
Malta	Euro						603.37		603.37
Senator John Kerry:									
United Kingdom	Euro		67.60						67.60
United States	Dollar				9,342.50				9,342.50
William Danvers:									
United Kingdom	Euro		775.85						775.85
United States	Dollar				8,140.70				8,140.70
Delegation Expenses:*									
United Kingdom	Euro						4,700.98		4,700.98
Senator Richard Lugar:									
Thailand	Baht		422.32						422.32
Philippines	Peso		775.01						775.01
Indonesia	Rupiah		651.95						651.95
Japan	Yen		134.20						134.20
Keith Luse:									
Thailand	Baht		508.27						508.27
Philippines	Peso		689.57						689.57
Indonesia	Rupiah		687.07						687.07
Japan	Yen		135.90						135.90
Kenneth Myers:									
Thailand	Baht		422.32						422.32
Philippines	Peso		718.36						718.36
Indonesia	Rupiah		683.07						683.07
Japan	Yen		136.76						136.76
Delegation Expenses:*									
Thailand	Baht						355.90		355.90
Philippines	Peso						37.25		37.25
Indonesia	Rupiah						755.00		755.00
Senator James Risch:									
Georgia	Lari		512.83						512.83
Turkey	Lira		511.63						511.63
United States	Dollar				11,796.80				11,796.80
John Sandy:									
Georgia	Lari		524.83						524.83
Turkey	Lira		523.63						523.63
United States	Dollar				2,088.30				2,088.30
Christopher Socha:									
Georgia	Lari		645.83						645.83
Turkey	Lira		643.63						643.63
Germany	Euro		383.00						383.00
United States	Dollar				3,525.60				3,525.60
Senator Jeanne Shaheen:									
Georgia	Lari		473.97						473.97
Turkey	Lira		861.94						861.94
United States	Dollar				10,174.90				10,174.90
Chad Kreikemeier:									
Georgia	Lari		562.69						562.69
Turkey	Lira		1,111.38						1,111.38

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS TRAVEL FROM OCT. 1 TO DEC. 31, 2012.—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
United States	Dollar				10,467.90				10,467.90
Delegation Expenses:*									
Georgia	Lari						750.00		750.00
Turkey	Lira						899.94		899.94
Neil Brown:									
Mexico	Peso		1,366.00						1,366.00
United States	Dollar				1,086.70				1,086.70
Carl Meacham:									
Mexico	Peso		1,407.00						1,407.00
United States	Dollar				1,086.70				1,086.70
Delegation Expenses:*									
Mexico	Peso						2,762.00		2,762.00
Neil Brown:									
Azerbaijan	Manat		735.37						735.37
Turkmenistan	Manat		1,132.00						1,132.00
Turkey	Lira		1,047.31						1,047.31
United States	Dollar				11,700.74				11,700.74
Marik String:									
Azerbaijan	Manat		735.37						735.37
Turkmenistan	Manat		1,132.00						1,132.00
Turkey	Lira		1,054.31						1,054.31
United States	Dollar				12,368.74				12,368.74
Delegation Expenses:*									
Turkmenistan	Manat						354.00		354.00
Turkey	Lira						113.75		113.75
Perry Cammack:									
Bahrain	Dollar		1,012.79						1,012.79
Jordan	Dinar		757.36		100.00				857.36
Israel	Dollar		916.00						916.00
United States	Dollar				6,138.60				6,138.60
Delegation Expenses:*									
Bahrain	Dollar						2,413.88		2,413.88
Jordan	Dinar						165.43		165.43
Israel	Dollar						546.31		546.31
Ilan Goldenberg:									
Jordan	Dinar		221.41						221.41
Iraq	Dinar				2,800.00				2,800.00
Egypt	Pound		1,130.88						1,130.88
Israel	Shekel		1,312.87						1,312.87
United States	Dollar						3,500.20		3,500.20
Delegation Expenses:*									
Egypt	Pound						184.00		184.00
Israel	Shekel						1,397.20		1,397.20
Christopher Homan:									
Mali	Franc		374.85						374.85
Russia	Ruble		455.00						455.00
Turkmenistan	Manat		464.25						464.25
United States	Dollar				16,224.84				16,224.84
Ann Norris:									
Mali	Franc		374.85						374.85
Russia	Ruble		455.00						455.00
Turkmenistan	Manat		472.00						472.00
United States	Dollar				10,305.75				10,305.75
Delegation Expenses:*									
Turkmenistan	Manat						477.00		477.00
Emily Mendrala:									
Colombia	Peso		1,701.72						1,701.72
United States	Dollar				874.90				874.90
Delegation Expenses:*									
Colombia	Peso						1,250.00		1,250.00
Melanie Nakagawa:									
Switzerland	CHF		2,036.50						2,036.50
United States	Dollar				1,995.80				1,995.80
Melanie Nakagawa:									
Qatar	Riyal		5,375.00		34.34				5,409.34
United States	Dollar				2,194.20				2,194.20
Rolfe Michael Schiffer:									
United Kingdom	Pound		2,874.00						2,874.00
United States	Dollar				1,509.20				1,509.20
Rolfe Michael Schiffer:									
China	Renminbi		578.00						578.00
United States	Dollar				10,538.30				10,538.30
Halie Soifer:									
France	Euro		515.00						515.00
Senegal	CFA		524.44						524.44
Mali	CFA		216.80		200.00				416.80
Burkina Faso	CFA		240.86						240.86
United States	Dollar				12,785.27				12,785.27
Delegation Expenses:*									
France	Euro						337.50		337.50
Senegal	CFA						237.00		237.00
Peter Wisner:									
Japan	Yen		2,364.00						2,364.00
China	Yuan		1,159.00						1,159.00
Philippines	Peso		710.00						710.00
United States	Dollar				3,640.10				3,640.10
Total			50,853.75		180,990.88		23,083.36		254,927.99

* Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

SENATOR JOHN F. KERRY,
Chairman, Committee on Foreign Relations, Jan. 25, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Vance Serchuk:									
United States	Dollar				1,350.00				1,350.00
France	Euro		1,440.00						1,440.00
Senegal	Francs		555.00						555.00
Mali	Francs		211.72						211.72
Burkina Faso	Francs		766.67						766.67
Vance Serchuk:									
Canada	Dollar		758.00						758.00
Margaret Goodlander:									
Canada	Dollar		802.97						802.97
Delegation Expenses:*									
Senegal	Francs						237.00		237.00
Mali	Francs						1,400.00		1,400.00
Burkina Faso	Francs						1,426.03		1,426.03
Total			4,534.36		1,350.00		3,063.03		8,947.39

* Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

SENATOR THOMAS R. CARPER,
Chairman, Committee on Homeland Security and Governmental Affairs,
Jan. 31, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON THE JUDICIARY FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Patrick Leahy:									
United States	Dollar				11,018.20				11,018.20
France	Euro		824.51						824.51
Delegation Expenses:*									
France	Euro						1,968.31		1,968.31
Total			824.51		11,018.20		1,968.31		13,811.02

* Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

SENATOR PATRICK J. LEAHY,
Chairman, Committee on the Judiciary, Jan. 25, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Wallace Hsueh:									
United States	Dollar				4,826.15				4,826.15
Brazil	Real		2,422.00						2,422.00
Panama	Dollar		762.00						762.00
John Sandy:									
United States	Dollar				4,826.15				4,826.15
Brazil	Real		2,389.00						2,389.00
Panama	Dollar		762.00						762.00
Brian van Hook:									
United States	Dollar				4,826.15				4,826.15
Brazil	Real		2,464.00						2,464.00
Panama	Dollar		762.00						762.00
Claire O'Rourke:									
United States	Dollar				4,826.15				4,826.15
Brazil	Real		2,390.00						2,390.00
Panama	Dollar		762.00						762.00
Adam Reece:									
United States	Dollar				4,826.15				4,826.15
Brazil	Real		2,426.00						2,426.00
Panama	Dollar		762.00						762.00
Delegation Expenses:*									
Brazil	Real						3,426.00		3,426.00
Senator Mary L. Landrieu:									
United States	Dollar				8,441.00				8,441.00
Israel	Shekel		1,577.06						1,577.06
David Gillers:									
United States	Dollar				8,613.00				8,613.00
Israel	Shekel		2,357.00						2,357.00
Thomas Bradley Keith:									
United States	Dollar				8,675.00				8,675.00
Israel	Shekel		2,958.00						2,958.00
Delegation Expenses:*									
Israel	Shekel						13,288.00		13,288.00
Total			22,793.06		49,859.75		16,714.00		89,366.81

* Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

SENATOR MARY L. LANDRIEU,
Chairman, Committee on Small Business and Entrepreneurship,
Dec. 18, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Ryan Tully	Dollar		403.00						403.00
Jennifer Barrett			98.00		10,838.10				10,838.10
Tressa Guenov			100.00						100.00
Total			601.00		10,838.10				11,439.10

SENATOR DIANNE FEINSTEIN,
Chairman, Committee on Intelligence, Dec. 20, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE, ADDENDUM TO 2ND QUARTER 2012, FOR TRAVEL FROM APR. 1 TO JUNE 30, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Saxby Chambliss							700.50		700.50
Senator Mark Udall							3,360.10		3,360.10
Total							4,060.60		4,060.60

SENATOR DIANNE FEINSTEIN,
Chairman, Committee on Intelligence, Dec. 20, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMISSION ON SECURITY AND COOPERATION IN EUROPE FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Fred Turner:									
Italy	Euro		1,598.00						1,598.00
United Kingdom	Pound		499.00						499.00
United States	Dollar				2,544.60				2,544.60
Total			2,097.00		2,544.60				4,641.60

SENATOR BENJAMIN L. CARDIN,
Chairman, Commission on Security and Cooperation in Europe,
Jan. 11, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), MAJORITY LEADER FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Thomas Ross:									
United States	Dollar				19,512.37				19,512.37
France	Euro		477.61						477.61
Senegal	CFA		491.44						491.44
Mali	CFA		199.80						199.80
Burkina Faso	CFA		293.86						293.86
Total			1,462.71		19,512.37				20,975.08

SENATOR HARRY REID,
Majority Leader, Dec. 31, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), REPUBLICAN LEADER FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Thomas Hawkins:									
United States	Dollar				9,762.90				9,762.90
Afghanistan	Afghani		112.00						112.00
United Arab Emirates	Dirham		1,353.44						1,353.44
United States	Dollar						35.00		35.00
Total			1,465.44		9,762.90		35.00		11,263.34

SENATOR MITCH MCCONNELL,
Republican Leader, Jan. 11, 2013.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), SENATE CAUCUS ON INTERNATIONAL NARCOTICS CONTROL FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Eric Jacobstein: Colombia	Peso		1,344.44		839.90				2,184.34
Total			1,344.44		839.90				2,184.34

SENATOR DIANNE FEINSTEIN,
Chairman, Senate Caucus on International Narcotics Control, Jan. 2, 2013.

PROVIDING FOR A JOINT SESSION OF CONGRESS TO RECEIVE A MESSAGE FROM THE PRESIDENT

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 11.

The PRESIDING OFFICER. The Clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 11) providing for a joint session of Congress to receive a message from the President.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 11) was agreed to.

NATIONAL SCHOOL COUNSELING WEEK

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 27.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 27) designating the week of February 4 through 8, 2013, as "National School Counseling Week."

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, before I ask unanimous consent to pass this, I would just say it is extremely important this be brought to the attention of the Senate. Around the country we have about 1 school counselor for every 1,400 students. The Presiding Officer and I attended a number of meetings in the last couple days and that is the information we got there.

That is terribly troubling, with all the problems we have with these boys and girls, to think they would have to win some kind of lottery before they could see a counselor. We know class sizes are too big, and we need to do

something about that, but we truly should do something about mandating more counselors for our schools.

I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 27) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Republican leader, pursuant to Public Law 112-272, appoints the following individual to be a member of the World War I Centennial Commission: Jerry L. Hester of North Carolina.

The Chair, on behalf of the President pro tempore, and upon the recommendation of the majority leader, pursuant to Public Law 96-388, as amended by Public Law 97-84, and Public Law 106-292, reappoints and appoints the following Senators to the United States Holocaust Memorial Council: the Honorable FRANK R. LAUTENBERG of New Jersey (reappointment), the Honorable BERNARD SANDERS of Vermont (reappointment), and the Honorable AL FRANKEN of Minnesota.

The Chair, on behalf of the President of the Senate, and after consultation with the majority leader, pursuant to Public Law 106-286, reappoints the following Members to serve on the Congressional-Executive Commission on the People's Republic of China: the Honorable MAX BAUCUS of Montana, the Honorable CARL LEVIN of Michigan, the Honorable DIANNE FEINSTEIN of California, the Honorable SHERROD BROWN of Ohio (Chairman), and the Honorable JEFF MERKLEY of Oregon.

ORDER FOR PRINTING OF TRIBUTES

Mr. REID. Mr. President, I ask unanimous consent that there be printed as

a Senate document a compilation of materials from the CONGRESSIONAL RECORD in tribute to the retiring Members of the 112th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR MONDAY, FEBRUARY 11, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., Monday, February 11, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate resume consideration of S. 47, the Violence Against Women Act, under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, I haven't had an opportunity to speak to the Republican leader, but we are going to have votes, and we could have as many as seven rollcall votes on Monday. I am of the mind, after speaking to the Republican leader, that we may have a couple of those votes and put the other votes over until sometime on Tuesday or some reasonable time. I think that would probably be better, with some of the things I can see on the horizon.

Everyone will need to be here for Monday votes, but we may not have all those votes Monday night. We may try to put some of them over until the next day.

ADJOURNMENT UNTIL MONDAY, FEBRUARY 11, 2013, AT 2 P.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that we adjourn under the previous order.

There being no objection, the Senate, at 5:51 p.m., adjourned until Monday, February 11, 2013, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

RAYMOND T. CHEN, OF MARYLAND, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT, VICE RICHARD LINN, RETIRED.

TODD M. HUGHES, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT, VICE WILLIAM C. BRYSON, RETIRED.

DEPARTMENT OF THE INTERIOR

SARAH JEWELL, OF WASHINGTON, TO BE SECRETARY OF THE INTERIOR, VICE KENNETH LEE SALAZAR.

SECURITIES AND EXCHANGE COMMISSION

MARY JO WHITE, OF NEW YORK, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JUNE 5, 2014, VICE MARY L. SCHAPIRO, RESIGNED.

MARY JO WHITE, OF NEW YORK, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR A TERM EXPIRING JUNE 5, 2019. (REAPPOINTMENT)

DEPARTMENT OF HEALTH AND HUMAN SERVICES

MARILYN B. TAVENNER, OF VIRGINIA, TO BE ADMINISTRATOR OF THE CENTERS FOR MEDICARE AND MEDICAID SERVICES, VICE DONALD M. BERWICK, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 8069:

To be major general

COLONEL DOROTHY A. HOGG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JAMES M. HOLMES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. ROBIN RAND

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

ALAN S. FINE
PAUL R. NEWBOLD

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE VICE CHIEF OF STAFF OF THE ARMY AND APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 3034:

To be general

LT. GEN. JOHN F. CAMPBELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. VINCENT K. BROOKS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED

WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. DAVID M. RODRIGUEZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JASMINE T. N. DANIELS

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

PAUL W. ROECKER

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

JAMES B. BARKLEY
JOHANNA P. CLYBORNE
BRADLEY C. FULLER
DAVID E. GUNDERSON
RICHARD F. JOHNSON
SCOTT M. MACLEOD
DALE E. PEPPER
MICHAEL E. SPRAGGINS

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

LENA M. FABIAN

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

YIMING A. CHING
JOSEPH B. GOLDEN
JOSEPH F. GOODMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

WILLIAM C. ALLEY
IVAN ARREGUIN
CHARLES K. BANKS
ERIC BEY
DEBORAH A. BROWN
JEREMIAH J. CATLIN
TODD A. CLAYPOOL
TERRY D. COBBAN, JR.
MARSHALL A. COEN
KENT S. COFFEY
RUBIN N. CRESPO
MICHAEL A. DERENZIO
PATRICK L. DEVINE
DAVID M. DITOLLA
ARCHIE N. DURHAM
RONALD R. EASTES
RODNEY P. GILLIAM
MARK A. GRESCHER
MICHAEL J. GRIFFITH
ROY A. HAMILTON
REGINO R. HERNANDEZ
ALWYNE O. HUTCHINGS III
TRACY N. KERR
KISUKA C. KILUMBU
JONATHAN J. KNOEDLER
DAVID S. KO
GEUN H. LEE
KENNETH S. LEWIS
WILLIAM A. MARTIN
KARLYN K. MASCHHOFF

NATHAN P. MCLEAN
DAVID L. MONTGOMERY
RAY D. MOONEYHAM, JR.
TROY A. MORKEN
VINCENT T. MYERS
JASON B. PALMER
JUNGHUN PARK
STEVEN G. RINDAHL
JEFFREY B. ROBERSON
CHRISTOPHER S. RUSACK
GERALD A. SHERBOURNE
LIGHT K. SHIN
LEONARD R. SIEMS
JOHN P. H. SMITH, JR.
SOBANA D. SOMARATNA
JERRY S. SQUIRES
MYRON J. TEMKIN
STEVEN H. TOMPKINS
JORGE L. TORRES
JOHN C. VERDUGO
DAVID L. WARD
ALFRED W. WENDEL, JR.
BARRON K. WESTER
CHARLES S. WILLIAMS
GERALD W. WOODFORD, JR.
DOUGLAS A. YATES
CHEUN S. YOO

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

ALISON R. HUPPMAN
ALLEGRA E. LOBELL

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

THOMAS M. GREGO
VICTORIA H. OSHEA
MARSHALL J. ROBINSON
GEORGE J. ZECKLER

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

ANDREW W. DELEY
FREDRICK S. VINCENTZO

To be lieutenant commander

LESLIE A. HATTON
GREGORY E. RINGLER

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. DAVID G. BELLON
COL. RAYMOND R. DESCHENEUX

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL JAMES W. BIERMAN, JR.
COLONEL ROBERT F. CASTELLVI
COLONEL DAVID J. FURNESS
COLONEL MICHAEL S. GROEN
COLONEL KEVIN M. IIAMS
COLONEL JOHN M. JANSEN
COLONEL KEVIN J. KILLEA
COLONEL DAVID A. OTTIGNON
COLONEL THOMAS D. WEIDLEY
COLONEL TERRY V. WILLIAMS

HOUSE OF REPRESENTATIVES—Friday, February 8, 2013

The House met at 11 a.m. and was called to order by the Speaker pro tempore (Mr. THORNBERRY).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 8, 2013.

I hereby appoint the Honorable MAC THORNBERRY to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

Reverend Brian Chrzastek, Dominican House of Studies, Washington, D.C., offered the following prayer:

All powerful and ever-living God, mindful of the peace and prosperity enjoyed by this Nation and the sacrifices of those through whom You have bestowed such bounty, hear the prayers of those who continue to seek Your aid: those gathered in the Chambers of this Congress and all those entrusted with its service.

Strengthen the stirrings of Your grace within them; may they advance in fulfillment of the oaths they have taken at the service of Your people. Continue to guide them in the discharge of their duties of office. Help them to attend to the concerns of those whom they represent. Guide them in their deliberations with their fellow Representatives. Though mindful of particular interests, may they ever seek the benefit of all people of this Nation and even that of humanity itself.

May we always strive to realize the good whose possibility You call us to trust.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 8, 2013.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 8, 2013 at 10:08 a.m.:

That the Senate agreed to without amendment H. Con. Res. 11.

Appointments:
Congressional-Executive Commission on the People's Republic of China.

World War I Centennial Commission.
United States Holocaust Memorial Council.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

APPOINTMENT OF MEMBERS TO PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to clause 11 of rule X, clause 11 of rule I, and the order of the House of January 3, 2013, of the following Members of the House to the Permanent Select Committee on Intelligence:

Mr. THORNBERRY, Texas
Mr. MILLER, Florida
Mr. CONAWAY, Texas
Mr. KING, New York
Mr. LOBIONDO, New Jersey
Mr. NUNES, California
Mr. WESTMORELAND, Georgia
Mrs. BACHMANN, Minnesota
Mr. ROONEY, Florida
Mr. HECK, Nevada
Mr. POMPEO, Kansas

APPOINTMENT AS MEMBERS OF THE COMMISSION ON LONG-TERM CARE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 643(c) of the American Taxpayer Relief Act, Public Law 112-240, and the order of the

House of January 3, 2013, of the following individuals on the part of the House to the Commission on Long-Term Care:

Ms. Judy Brachman, Bexly, OH
Mr. Stephen Guillard, Chatham, MA
Ms. Grace-Marie Turner, Alexandria, VA

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON ETHICS FOR THE 113TH CONGRESS

Mr. CONAWAY. Mr. Speaker, I submit for publication the Committee on Ethics Rules for the 113th Congress.

FOREWORD

The Committee on Ethics is unique in the House of Representatives. Consistent with the duty to carry out its advisory and enforcement responsibilities in an impartial manner, the Committee is the only standing committee of the House of Representatives the membership of which is divided evenly by party. These rules are intended to provide a fair procedural framework for the conduct of the Committee's activities and to help ensure that the Committee serves well the people of the United States, the House of Representatives, and the Members, officers, and employees of the House of Representatives.

PART I—GENERAL COMMITTEE RULES

RULE 1. GENERAL PROVISIONS

(a) So far as applicable, these rules and the Rules of the House of Representatives shall be the rules of the Committee and any subcommittee. The Committee adopts these rules under the authority of clause 2(a)(1) of Rule XI of the Rules of the House of Representatives, 113th Congress.

(b) The rules of the Committee may be modified, amended, or repealed by a vote of a majority of the Committee.

(c) When the interests of justice so require, the Committee, by a majority vote of its members, may adopt any special procedures, not inconsistent with these rules, deemed necessary to resolve a particular matter before it. Copies of such special procedures shall be furnished to all parties in the matter.

(d) The Chair and Ranking Minority Member shall have access to such information that they request as necessary to conduct Committee business.

RULE 2. DEFINITIONS

(a) "Committee" means the Committee on Ethics.

(b) "Complaint" means a written allegation of improper conduct against a Member, officer, or employee of the House of Representatives filed with the Committee with the intent to initiate an inquiry.

(c) "Inquiry" means an investigation by an investigative subcommittee into allegations against a Member, officer, or employee of the House of Representatives.

(d) "Investigate," "Investigating," and/or "Investigation" mean review of the conduct of a Member, officer or employee of the

House of Representatives that is conducted or authorized by the Committee, an investigative subcommittee, or the Chair and Ranking Minority Member of the Committee.

(e) "Board" means the Board of the Office of Congressional Ethics.

(f) "Referral" means a report sent to the Committee from the Board pursuant to House Rules and all applicable House Resolutions regarding the conduct of a House Member, officer or employee, including any accompanying findings or other supporting documentation.

(g) "Investigative Subcommittee" means a subcommittee designated pursuant to Rule 19(a) to conduct an inquiry to determine if a Statement of Alleged Violation should be issued.

(h) "Statement of Alleged Violation" means a formal charging document filed by an investigative subcommittee with the Committee containing specific allegations against a Member, officer, or employee of the House of Representatives of a violation of the Code of Official Conduct, or of a law, rule, regulation, or other standard of conduct applicable to the performance of official duties or the discharge of official responsibilities.

(i) "Adjudicatory Subcommittee" means a subcommittee designated pursuant to Rule 23(a) that holds an adjudicatory hearing and determines whether the counts in a Statement of Alleged Violation are proved by clear and convincing evidence.

(j) "Sanction Hearing" means a Committee hearing to determine what sanction, if any, to adopt or to recommend to the House of Representatives.

(k) "Respondent" means a Member, officer, or employee of the House of Representatives who is the subject of a complaint filed with the Committee or who is the subject of an inquiry or a Statement of Alleged Violation.

(l) "Office of Advice and Education" refers to the Office established by section 803(i) of the Ethics Reform Act of 1989. The Office handles inquiries; prepares written opinions in response to specific requests; develops general guidance; and organizes seminars, workshops, and briefings for the benefit of the House of Representatives.

(m) "Member" means a Representative in, or a Delegate to, or the Resident Commissioner to, the U.S. House of Representatives.

RULE 3. ADVISORY OPINIONS AND WAIVERS

(a) The Office of Advice and Education shall handle inquiries; prepare written opinions providing specific advice, including reviews of requests for privately-sponsored travel pursuant to the Committee's travel regulations; develop general guidance; and organize seminars, workshops, and briefings for the benefit of the House of Representatives.

(b) Any Member, officer, or employee of the House of Representatives may request a written opinion with respect to the propriety of any current or proposed conduct of such Member, officer, or employee.

(c) The Office of Advice and Education may provide information and guidance regarding laws, rules, regulations, and other standards of conduct applicable to Members, officers, and employees in the performance of their duties or the discharge of their responsibilities.

(d) In general, the Committee shall provide a written opinion to an individual only in response to a written request, and the written opinion shall address the conduct only of the inquiring individual, or of persons for whom the inquiring individual is responsible as employing authority.

(e) A written request for an opinion shall be addressed to the Chair of the Committee and shall include a complete and accurate statement of the relevant facts. A request shall be signed by the requester or the requester's authorized representative or employing authority. A representative shall disclose to the Committee the identity of the principal on whose behalf advice is being sought.

(f) Requests for privately-sponsored travel shall be treated like any other request for a written opinion for purposes of paragraphs (g) through (l).

(1) The Committee's Travel Guidelines and Regulations shall govern the request submission and Committee approval process for privately-sponsored travel consistent with House Rules.

(2) A request for privately-sponsored travel of a Member, officer, or employee shall include a completed and signed Traveler Form that attaches the Private Sponsor Certification Form and includes all information required by the Committee's travel regulations. A private sponsor offering officially-connected travel to a Member, officer, or employee must complete and sign a Private Sponsor Certification Form, and provide a copy of that form to the invitee(s).

(3) Any individual who knowingly and willfully falsifies, or who knowingly and willfully fails to file a Traveler Form or Private Sponsor Certification Form may be subject to civil penalties and criminal sanctions pursuant to 18 U.S.C. 1001.

(g) The Office of Advice and Education shall prepare for the Committee a response to each written request for an opinion from a Member, officer, or employee. Each response shall discuss all applicable laws, rules, regulations, or other standards.

(h) Where a request is unclear or incomplete, the Office of Advice and Education may seek additional information from the requester.

(i) The Chair and Ranking Minority Member are authorized to take action on behalf of the Committee on any proposed written opinion that they determine does not require consideration by the Committee. If the Chair or Ranking Minority Member requests a written opinion, or seeks a waiver, extension, or approval pursuant to Rules 3(m), 4(c), 4(e), or 4(h), the next ranking member of the requester's party is authorized to act in lieu of the requester.

(j) The Committee shall keep confidential any request for advice from a Member, officer, or employee, as well as any response thereto. Upon request of any Member, officer, or employee who has submitted a written request for an opinion or submitted a request for privately-sponsored travel, the Committee may release to the requesting individual a copy of their own written request for advice or submitted travel forms, any subsequent written communications between such individual and Committee staff regarding the request, and any Committee advisory opinion or travel letter issued to that individual in response. The Committee shall not release any internal Committee staff work product, communications or notes in response to such a request, except as authorized by the Committee.

(k) The Committee may take no adverse action in regard to any conduct that has been undertaken in reliance on a written opinion if the conduct conforms to the specific facts addressed in the opinion.

(l) Information provided to the Committee by a Member, officer, or employee seeking advice regarding prospective conduct may

not be used as the basis for initiating an investigation under clause 3(a)(2) or clause 3(b) of Rule XI of the Rules of the House of Representatives, if such Member, officer, or employee acts in good faith in accordance with the written advice of the Committee.

(m) A written request for a waiver of clause 5 of House Rule XXV (the House gift rule), or for any other waiver or approval, shall be treated in all respects like any other request for a written opinion.

(n) A written request for a waiver of clause 5 of House Rule XXV (the House gift rule) shall specify the nature of the waiver being sought and the specific circumstances justifying the waiver.

(o) An employee seeking a waiver of time limits applicable to travel paid for by a private source shall include with the request evidence that the employing authority is aware of the request. In any other instance where proposed employee conduct may reflect on the performance of official duties, the Committee may require that the requester submit evidence that the employing authority knows of the conduct.

RULE 4. FINANCIAL DISCLOSURE

(a) In matters relating to Title I of the Ethics in Government Act of 1978, the Committee shall coordinate with the Clerk of the House of Representatives, Legislative Resource Center, to assure that appropriate individuals are notified of their obligation to file reports required to be filed under Title I of the Ethics in Government Act and that such individuals are provided in a timely fashion with filing instructions and forms developed by the Committee.

(b) The Committee shall coordinate with the Legislative Resource Center to assure that information that the Ethics in Government Act requires to be placed on the public record is made public.

(c) Any reports required to be filed under Title I of the Ethics in Government Act filed by Members of the Board of the Office of Congressional Ethics that are forwarded to the Committee by the Clerk shall not be subject to paragraphs (d) through (q) of this Rule. The Office of Congressional Ethics retains jurisdiction over review of the timeliness and completeness of filings by Members of the Board as the Board's supervising ethics office.

(d) The Chair and Ranking Minority Member are authorized to grant on behalf of the Committee requests for reasonable extensions of time for the filing of Financial Disclosure Statements. Any such request must be received by the Committee no later than the date on which the Statement in question is due. A request received after such date may be granted by the Committee only in extraordinary circumstances. Such extensions for one individual in a calendar year shall not exceed a total of 90 days. No extension shall be granted authorizing a non-incumbent candidate to file a statement later than 30 days prior to a primary or general election in which the candidate is participating.

(e) An individual who takes legally sufficient action to withdraw as a candidate before the date on which that individual's Financial Disclosure Statement is due under the Ethics in Government Act shall not be required to file a Statement. An individual shall not be excused from filing a Financial Disclosure Statement when withdrawal as a candidate occurs after the date on which such Statement was due.

(f) Any individual who files a report required to be filed under Title I of the Ethics in Government Act more than 30 days after the later of—

(1) the date such report is required to be filed, or

(2) if a filing extension is granted to such individual, the last day of the filing extension period, is required by such Act to pay a late filing fee of \$200. The Chair and Ranking Minority Member are authorized to approve requests that the fee be waived based on extraordinary circumstances.

(g) Any late report that is submitted without a required filing fee shall be deemed procedurally deficient and not properly filed.

(h) The Chair and Ranking Minority Member are authorized to approve requests for waivers of the aggregation and reporting of gifts as provided by section 102(a)(2)(C) of the Ethics in Government Act. If such a request is approved, both the incoming request and the Committee response shall be forwarded to the Legislative Resource Center for placement on the public record.

(i) The Chair and Ranking Minority Member are authorized to approve blind trusts as qualifying under section 102(f)(3) of the Ethics in Government Act. The correspondence relating to formal approval of a blind trust, the trust document, the list of assets transferred to the trust, and any other documents required by law to be made public, shall be forwarded to the Legislative Resource Center for such purpose.

(j) The Committee shall designate staff counsel who shall review reports required to be filed under Title I of the Ethics in Government Act and, based upon information contained therein, indicate in a form and manner prescribed by the Committee whether the Statement appears substantially accurate and complete and the filer appears to be in compliance with applicable laws and rules.

(k) Each report required to be filed under Title I of the Ethics in Government Act shall be reviewed within 60 days after the date of filing.

(l) If the reviewing counsel believes that additional information is required because (1) the report required to be filed under Title I of the Ethics in Government Act appears not substantially accurate or complete, or (2) the filer may not be in compliance with applicable laws or rules, then the reporting individual shall be notified in writing of the additional information believed to be required, or of the law or rule with which the reporting individual does not appear to be in compliance. Such notice shall also state the time within which a response is to be submitted. Any such notice shall remain confidential.

(m) Within the time specified, including any extension granted in accordance with clause (d), a reporting individual who concurs with the Committee's notification that the report required to be filed under Title I of the Ethics in Government Act is not complete, or that other action is required, shall submit the necessary information or take appropriate action. Any amendment may be in the form of a revised report required to be filed under Title I of the Ethics in Government Act or an explanatory letter addressed to the Clerk of the House of Representatives.

(n) Any amendment shall be placed on the public record in the same manner as other reports required to be filed under Title I of the Ethics in Government Act. The individual designated by the Committee to review the original report required to be filed under Title I of the Ethics in Government Act shall review any amendment thereto.

(o) Within the time specified, including any extension granted in accordance with clause (d), a reporting individual who does

not agree with the Committee that the report required to be filed under Title I of the Ethics in Government Act is deficient or that other action is required, shall be provided an opportunity to respond orally or in writing. If the explanation is accepted, a copy of the response, if written, or a note summarizing an oral response, shall be retained in Committee files with the original report.

(p) The Committee shall be the final arbiter of whether any report required to be filed under Title I of the Ethics in Government Act requires clarification or amendment.

(q) If the Committee determines, by vote of a majority of its members, that there is reason to believe that an individual has willfully failed to file a report required to be filed under Title I of the Ethics in Government Act or has willfully falsified or willfully failed to file information required to be reported, then the Committee shall refer the name of the individual, together with the evidence supporting its finding, to the Attorney General pursuant to section 104(b) of the Ethics in Government Act. Such referral shall not preclude the Committee from initiating such other action as may be authorized by other provisions of law or the Rules of the House of Representatives.

RULE 5. MEETINGS

(a) The regular meeting day of the Committee shall be the second Tuesday of each month, except when the House of Representatives is not meeting on that day. When the Committee Chair determines that there is sufficient reason, meetings may be called on additional days. A regularly scheduled meeting need not be held when the Chair determines there is no business to be considered.

(b) The Chair shall establish the agenda for meetings of the Committee and the Ranking Minority Member may place additional items on the agenda.

(c) All meetings of the Committee or any subcommittee shall occur in executive session unless the Committee or subcommittee, by an affirmative vote of a majority of its members, opens the meeting to the public.

(d) Any hearing held by an adjudicatory subcommittee or any sanction hearing held by the Committee shall be open to the public unless the Committee or subcommittee, by an affirmative vote of a majority of its members, closes the hearing to the public.

(e) A subcommittee shall meet at the discretion of its Chair.

(f) Insofar as practicable, notice for any Committee or subcommittee meeting shall be provided at least seven days in advance of the meeting. The Chair of the Committee or subcommittee may waive such time period for good cause.

RULE 6. COMMITTEE STAFF

(a) The staff is to be assembled and retained as a professional, nonpartisan staff.

(b) Each member of the staff shall be professional and demonstrably qualified for the position for which the individual is hired.

(c) The staff as a whole and each individual member of the staff shall perform all official duties in a nonpartisan manner.

(d) No member of the staff shall engage in any partisan political activity directly affecting any congressional or presidential election.

(e) No member of the staff or outside counsel may accept public speaking engagements or write for publication on any subject that is in any way related to the employment or duties with the Committee of such individual without specific prior approval from the Chair and Ranking Minority Member.

(f) All staff members shall be appointed by an affirmative vote of a majority of the members of the Committee. Such vote shall occur at the first meeting of the membership of the Committee during each Congress and as necessary during the Congress.

(g) Subject to the approval of the Committee on House Administration, the Committee may retain counsel not employed by the House of Representatives whenever the Committee determines, by an affirmative vote of a majority of the members of the Committee, that the retention of outside counsel is necessary and appropriate.

(h) If the Committee determines that it is necessary to retain staff members for the purpose of a particular investigation or other proceeding, then such staff shall be retained only for the duration of that particular investigation or proceeding.

(i) Outside counsel may be dismissed prior to the end of a contract between the Committee and such counsel only by a majority vote of the members of the Committee.

(j) In addition to any other staff provided for by law, rule, or other authority, with respect to the Committee, the Chair and Ranking Minority Member each may appoint one individual as a shared staff member from the respective personal staff of the Chair or Ranking Minority Member to perform service for the Committee. Such shared staff may assist the Chair or Ranking Minority Member on any subcommittee on which the Chair or Ranking Minority Member serves. Only paragraphs (c) and (e) of this Rule and Rule 7(b) shall apply to shared staff.

RULE 7. CONFIDENTIALITY

(a) Before any Member or employee of the Committee, including members of an investigative subcommittee selected under clause 5(a)(4) of Rule X of the House of Representatives and shared staff designated pursuant to Committee Rule 6(j), may have access to information that is confidential under the rules of the Committee, the following oath (or affirmation) shall be executed in writing: "I do solemnly swear (or affirm) that I will not disclose, to any person or entity outside the Committee on Ethics, any information received in the course of my service with the Committee, except as authorized by the Committee or in accordance with its rules."

Copies of the executed oath shall be provided to the Clerk of the House as part of the records of the House. Breaches of confidentiality shall be investigated by the Committee and appropriate action shall be taken.

(b) No member of the staff or outside counsel may make public, unless approved by an affirmative vote of a majority of the members of the Committee, any information, document, or other material that is confidential, derived from executive session, or classified and that is obtained during the course of employment with the Committee.

(c) Committee members and staff shall not disclose any evidence relating to an investigation to any person or organization outside the Committee unless authorized by the Committee.

(d) Members and staff of the Committee shall not disclose to any person or organization outside the Committee, unless authorized by the Committee, any information regarding the Committee's or a subcommittee's investigative, adjudicatory or other proceedings, including but not limited to: (i) the fact or nature of any complaints; (ii) executive session proceedings; (iii) information pertaining to or copies of any Committee or subcommittee report, study or other document which purports to express the views,

findings, conclusions or recommendations of the Committee or subcommittee in connection with any of its activities or proceedings; or (iv) any other information or allegation respecting the conduct of a Member, officer or employee of the House. This rule shall not prohibit the Chair or Ranking Minority Member from disclosing to the Board of the Office of Congressional Ethics the existence of a Committee investigation, the name of the Member, officer or employee of the House who is the subject of that investigation, and a brief statement of the scope of that investigation in a written request for referral pursuant to Rule 17A(k). Such disclosures will only be made subject to written confirmation from the Board that the information provided by Chair or Ranking Minority Member will be kept confidential by the Board.

(e) Except as otherwise specifically authorized by the Committee, no Committee member or staff member shall disclose to any person outside the Committee, the name of any witness subpoenaed to testify or to produce evidence.

(f) Except as provided in Rule 17A, the Committee shall not disclose to any person or organization outside the Committee any information concerning the conduct of a respondent until it has transmitted a Statement of Alleged Violation to such respondent and the respondent has been given full opportunity to respond pursuant to Rule 22. The Statement of Alleged Violation and any written response thereto shall be made public at the first meeting or hearing on the matter that is open to the public after such opportunity has been provided. Any other materials in the possession of the Committee regarding such statement may be made public as authorized by the Committee to the extent consistent with the Rules of the House of Representatives. If no public hearing is held on the matter, the Statement of Alleged Violation and any written response thereto shall be included in the Committee's final report on the matter to the House of Representatives.

(g) Unless otherwise determined by a vote of the Committee, only the Chair or Ranking Minority Member of the Committee, after consultation with each other, may make public statements regarding matters before the Committee or any subcommittee.

(h) The Committee may establish procedures necessary to prevent the unauthorized disclosure of any testimony or other information received by the Committee or its staff.

RULE 8. SUBCOMMITTEES—GENERAL POLICY AND STRUCTURE

(a) Notwithstanding any other provision of these Rules, the Chair and Ranking Minority Member of the Committee may consult with an investigative subcommittee either on their own initiative or on the initiative of the subcommittee, shall have access to evidence and information before a subcommittee with whom they so consult, and shall not thereby be precluded from serving as full, voting members of any adjudicatory subcommittee. Except for the Chair and Ranking Minority Member of the Committee pursuant to this paragraph, evidence in the possession of an investigative subcommittee shall not be disclosed to other Committee members except by a vote of the subcommittee.

(b) The Committee may establish other noninvestigative and nonadjudicatory subcommittees and may assign to them such functions as it may deem appropriate. The membership of each subcommittee shall pro-

vide equal representation for the majority and minority parties.

(c) The Chair may refer any bill, resolution, or other matter before the Committee to an appropriate subcommittee for consideration. Any such bill, resolution, or other matter may be discharged from the subcommittee to which it was referred by a majority vote of the Committee.

(d) Any member of the Committee may sit with any noninvestigative or nonadjudicatory subcommittee, but only regular members of such subcommittee may vote on any matter before that subcommittee.

RULE 9. QUORUMS AND MEMBER DISQUALIFICATION

(a) The quorum for the Committee or an investigative subcommittee to take testimony and to receive evidence shall be two members, unless otherwise authorized by the House of Representatives.

(b) The quorum for an adjudicatory subcommittee to take testimony, receive evidence, or conduct business shall consist of a majority plus one of the members of the adjudicatory subcommittee.

(c) Except as stated in clauses (a) and (b) of this rule, a quorum for the purpose of conducting business consists of a majority of the members of the Committee or subcommittee.

(d) A member of the Committee shall be ineligible to participate in any Committee or subcommittee proceeding in which such Member is the respondent.

(e) A member of the Committee may seek disqualification from participating in any investigation of the conduct of a Member, officer, or employee of the House of Representatives upon the submission in writing and under oath of an affidavit of disqualification stating that the member cannot render an impartial and unbiased decision. If the Committee approves and accepts such affidavit of disqualification, the Chair shall so notify the Speaker and ask the Speaker to designate a Member of the House of Representatives from the same political party as the disqualified member of the Committee to act as a member of the Committee in any Committee proceeding relating to such investigation.

RULE 10. VOTE REQUIREMENTS

(a) The following actions shall be taken only upon an affirmative vote of a majority of the members of the Committee or subcommittee, as appropriate:

- (1) Issuing a subpoena.
- (2) Adopting a full Committee motion to create an investigative subcommittee.
- (3) Adopting or amending of a Statement of Alleged Violation.
- (4) Finding that a count in a Statement of Alleged Violation has been proved by clear and convincing evidence.
- (5) Sending a letter of reproof.
- (6) Adopting a recommendation to the House of Representatives that a sanction be imposed.
- (7) Adopting a report relating to the conduct of a Member, officer, or employee.
- (8) Issuing an advisory opinion of general applicability establishing new policy.

(b) Except as stated in clause (a), action may be taken by the Committee or any subcommittee thereof by a simple majority, a quorum being present.

(c) No motion made to take any of the actions enumerated in clause (a) of this Rule may be entertained by the Chair unless a quorum of the Committee is present when such motion is made.

RULE 11. COMMITTEE RECORDS

(a) All communications and all pleadings pursuant to these rules shall be filed with

the Committee at the Committee's office or such other place as designated by the Committee.

(b) All records of the Committee which have been delivered to the Archivist of the United States shall be made available to the public in accordance with Rule VII of the Rules of the House of Representatives.

RULE 12. BROADCASTS OF COMMITTEE AND SUBCOMMITTEE PROCEEDINGS

(a) Television or radio coverage of a Committee or subcommittee hearing or meeting shall be without commercial sponsorship.

(b) Not more than four television cameras, operating from fixed positions, shall be permitted in a hearing or meeting room. The Committee may allocate the positions of permitted television cameras among the television media in consultation with the Executive Committee of the Radio and Television Correspondents' Galleries.

(c) Television cameras shall be placed so as not to obstruct in any way the space between any witness giving evidence or testimony and any member of the Committee, or the visibility of that witness and that member to each other.

(d) Television cameras shall not be placed in positions that unnecessarily obstruct the coverage of the hearing or meeting by the other media.

PART II—INVESTIGATIVE AUTHORITY

RULE 13. HOUSE RESOLUTION

Whenever the House of Representatives, by resolution, authorizes or directs the Committee to undertake an inquiry or investigation, the provisions of the resolution, in conjunction with these Rules, shall govern. To the extent the provisions of the resolution differ from these Rules, the resolution shall control.

RULE 14. COMMITTEE AUTHORITY TO INVESTIGATE—GENERAL POLICY

(a) Pursuant to clause 3(b) of Rule XI of the Rules of the House of Representatives, the Committee may exercise its investigative authority when:

(1) information offered as a complaint by a Member of the House of Representatives is transmitted directly to the Committee;

(2) information offered as a complaint by an individual not a Member of the House is transmitted to the Committee, provided that a Member of the House certifies in writing that such Member believes the information is submitted in good faith and warrants the review and consideration of the Committee;

(3) the Committee, on its own initiative, undertakes an investigation;

(4) a Member, officer, or employee is convicted in a Federal, State, or local court of a felony;

(5) the House of Representatives, by resolution, authorizes or directs the Committee to undertake an inquiry or investigation; or

(6) a referral from the Board is transmitted to the Committee.

(b) The Committee also has investigatory authority over:

(1) certain unauthorized disclosures of intelligence-related information, pursuant to House Rule X, clauses 11(g)(4) and (g)(5); or

(2) reports received from the Office of the Inspector General pursuant to House Rule II, clause 6(c)(5).

RULE 15. COMPLAINTS

(a) A complaint submitted to the Committee shall be in writing, dated, and properly verified (a document will be considered properly verified where a notary executes it with the language, "Signed and sworn to (or affirmed) before me on (date) by (the name of

the person)" setting forth in simple, concise, and direct statements—

(1) the name and legal address of the party filing the complaint (hereinafter referred to as the "complainant");

(2) the name and position or title of the respondent;

(3) the nature of the alleged violation of the Code of Official Conduct or of other law, rule, regulation, or other standard of conduct applicable to the performance of duties or discharge of responsibilities; and

(4) the facts alleged to give rise to the violation. The complaint shall not contain innuendo, speculative assertions, or conclusory statements.

(b) Any documents in the possession of the complainant that relate to the allegations may be submitted with the complaint.

(c) Information offered as a complaint by a Member of the House of Representatives may be transmitted directly to the Committee.

(d) Information offered as a complaint by an individual not a Member of the House may be transmitted to the Committee, provided that a Member of the House certifies in writing that such Member believes the information is submitted in good faith and warrants the review and consideration of the Committee.

(e) A complaint must be accompanied by a certification, which may be unsworn, that the complainant has provided an exact copy of the filed complaint and all attachments to the respondent.

(f) The Committee may defer action on a complaint against a Member, officer, or employee of the House of Representatives when the complaint alleges conduct that the Committee has reason to believe is being reviewed by appropriate law enforcement or regulatory authorities, or when the Committee determines that it is appropriate for the conduct alleged in the complaint to be reviewed initially by law enforcement or regulatory authorities.

(g) A complaint may not be amended without leave of the Committee. Otherwise, any new allegations of improper conduct must be submitted in a new complaint that independently meets the procedural requirements of the Rules of the House of Representatives and the Committee's Rules.

(h) The Committee shall not accept, and shall return to the complainant, any complaint submitted within the 60 days prior to an election in which the subject of the complaint is a candidate.

(i) The Committee shall not consider a complaint, nor shall any investigation be undertaken by the Committee, of any alleged violation which occurred before the third previous Congress unless the Committee determines that the alleged violation is directly related to an alleged violation which occurred in a more recent Congress.

RULE 16. DUTIES OF COMMITTEE CHAIR AND RANKING MINORITY MEMBER

(a) Whenever information offered as a complaint is submitted to the Committee, the Chair and Ranking Minority Member shall have 14 calendar days or 5 legislative days, whichever occurs first, to determine whether the information meets the requirements of the Committee's rules for what constitutes a complaint.

(b) Whenever the Chair and Ranking Minority Member jointly determine that information submitted to the Committee meets the requirements of the Committee's rules for what constitutes a complaint, they shall have 45 calendar days or 5 legislative days, whichever is later, after the date that the Chair and Ranking Minority Member deter-

mine that information filed meets the requirements of the Committee's rules for what constitutes a complaint, unless the Committee by an affirmative vote of a majority of its members votes otherwise, to—

(1) recommend to the Committee that it dispose of the complaint, or any portion thereof, in any manner that does not require action by the House, which may include dismissal of the complaint or resolution of the complaint by a letter to the Member, officer, or employee of the House against whom the complaint is made;

(2) establish an investigative subcommittee; or

(3) request that the Committee extend the applicable 45-calendar day period when they determine more time is necessary in order to make a recommendation under paragraph (1) or (2) of Rule 16(b).

(c) The Chair and Ranking Minority Member may jointly gather additional information concerning alleged conduct which is the basis of a complaint or of information offered as a complaint until they have established an investigative subcommittee or the Chair or Ranking Minority Member has placed on the agenda the issue of whether to establish an investigative subcommittee.

(d) If the Chair and Ranking Minority Member jointly determine that information submitted to the Committee meets the requirements of the Committee rules for what constitutes a complaint, and the complaint is not disposed of within 45 calendar days or 5 legislative days, whichever is later, and no additional 45-day extension is made, then they shall establish an investigative subcommittee and forward the complaint, or any portion thereof, to that subcommittee for its consideration. If at any time during the time period either the Chair or Ranking Minority Member places on the agenda the issue of whether to establish an investigative subcommittee, then an investigative subcommittee may be established only by an affirmative vote of a majority of the members of the Committee.

(e) Whenever the Chair and Ranking Minority Member jointly determine that information submitted to the Committee does not meet the requirements for what constitutes a complaint set forth in the Committee rules, they may (1) return the information to the complainant with a statement that it fails to meet the requirements for what constitutes a complaint set forth in the Committee's rules; or (2) recommend to the Committee that it authorize the establishment of an investigative subcommittee.

RULE 17. PROCESSING OF COMPLAINTS

(a) If a complaint is in compliance with House and Committee Rules, a copy of the complaint and the Committee Rules shall be forwarded to the respondent within 5 days with notice that the complaint conforms to the applicable rules.

(b) The respondent may, within 30 days of the Committee's notification, provide to the Committee any information relevant to a complaint filed with the Committee. The respondent may submit a written statement in response to the complaint. Such a statement shall be signed by the respondent. If the statement is prepared by counsel for the respondent, the respondent shall sign a representation that the respondent has reviewed the response and agrees with the factual assertions contained therein.

(c) The Committee staff may request information from the respondent or obtain additional information relevant to the case from other sources prior to the establishment of an investigative subcommittee only when so

directed by the Chair and Ranking Minority Member.

(d) The respondent shall be notified in writing regarding the Committee's decision either to dismiss the complaint or to create an investigative subcommittee.

RULE 17A. REFERRALS FROM THE BOARD OF THE OFFICE OF CONGRESSIONAL ETHICS

(a) The Committee has exclusive jurisdiction over the interpretation, administration, and enforcement of the Code of Official Conduct pursuant to clause 1(g) of House Rule X. Receipt of referrals from the Board under this rule does not limit the Committee's discretion to address referrals in any way through the appropriate procedures authorized by Committee Rules. The Committee shall review the report and findings transmitted by the Board without prejudice or presumptions as to the merit of the allegations.

(b)(1) Whenever the Committee receives either (A) a referral containing a written report and any findings and supporting documentation from the Board; or (B) a referral from the Board pursuant to a request under Rule 17A(k), the Chair shall have 45 calendar days or 5 legislative days after the date the referral is received, whichever is later, to make public the report and findings of the Board unless the Chair and Ranking Minority Member jointly decide, or the Committee votes, to withhold such information for not more than one additional 45-day period.

(2) At least one calendar day before the Committee makes public any report and findings of the Board the Chair shall notify in writing the Board and the Member, officer, or employee who is the subject of the referral of the impending public release of these documents. At the same time, the Chair shall transmit a copy of any public statement on the Committee's disposition of the matter and any accompanying Committee report to the individual who is the subject of the referral.

(3) All public statements and reports and findings of the Board that are required to be made public under this Rule shall be posted on the Committee's website.

(c) If the OCE report and findings are withheld for an additional 45-day period pursuant to paragraph (b)(1), the Chair shall—

(1) make a public statement on the day of such decision or vote that the matter referred from the Board has been extended; and

(2) make public the written report and findings pursuant to paragraph (b) upon the termination of such additional period.

(d) If the Board transmits a report with a recommendation to dismiss or noting a matter as unresolved due to a tie vote, and the matter is extended for an additional period as provided in paragraph (b), the Committee is not required to make a public statement that the matter has been extended pursuant to paragraph (b)(1).

(e) If the Committee votes to dismiss a matter referred from the Board, the Committee is not required to make public the written report and findings of the Board pursuant to paragraph (c) unless the Committee's vote is inconsistent with the recommendation of the Board. A vote by the Committee to dismiss a matter is not considered inconsistent with a report from the Board that the matter is unresolved by the Board due to a tie vote.

(f) Except as provided by paragraph (g):

(1) If the Committee establishes an investigative subcommittee respecting any matter referred by the Board, then the report and findings of the Board shall not be made public until the conclusion of the investigative subcommittee process. The Committee

shall issue a public statement noting the establishment of an investigative subcommittee, which shall include the name of the Member, officer, or employee who is the subject of the inquiry, and shall set forth the alleged violation.

(2) If any such investigative subcommittee does not conclude its review within one year after the Board's referral, then the Committee shall make public the report of the Board no later than one year after the referral. If the investigative subcommittee does not conclude its review before the end of the Congress in which the report of the Board is made public, the Committee shall make public any findings of the Board on the last day of that Congress.

(g) If the vote of the Committee is a tie or the Committee fails to act by the close of any applicable period(s) under this rule, the report and the findings of the Board shall be made public by the Committee, along with a public statement by the Chair explaining the status of the matter.

(h)(1) If the Committee agrees to a request from an appropriate law enforcement or regulatory authority to defer taking action on a matter referred by the Board under paragraph (b)—

(A) The Committee is not required to make public the written report and findings of the Board pursuant to paragraph (c), except that if the recommendation of the Board is that the matter requires further review, the Committee shall make public the written report of the Board but not the findings; and

(B) The Committee shall make a public statement that it is deferring taking action on the matter at the request of such law enforcement or regulatory authority within one day (excluding weekends and public holidays) of the day that the Committee agrees to the request.

(2) If the Committee has not acted on the matter within one year of the date the public statement described in paragraph (h)(1)(B) is released, the Committee shall make a public statement that it continues to defer taking action on the matter. The Committee shall make a new statement upon the expiration of each succeeding one-year period during which the Committee has not acted on the matter.

(i) The Committee shall not accept, and shall return to the Board, any referral from the Board within 60 days before a Federal, State, or local election in which the subject of the referral is a candidate.

(j) The Committee may postpone any reporting requirement under this rule that falls within that 60-day period until after the date of the election in which the subject of the referral is a candidate. For purposes of calculating any applicable period under this Rule, any days within the 60-day period before such an election shall not be counted.

(k)(1) At any time after the Committee receives written notification from the Board of the Office of Congressional Ethics that the Board is undertaking a review of alleged conduct of any Member, officer, or employee of the House at a time when the Committee is investigating, or has completed an investigation of the same matter, the Committee may so notify the Board in writing and request that the Board cease its review and refer the matter to the Committee for its consideration immediately. The Committee shall also notify the Board in writing if the Committee has not reached a final resolution of the matter or has not referred the matter to the appropriate Federal or State authorities by the end of any applicable time period specified in Rule 17A (including any permissible extension).

(2) The Committee may not request a second referral of the matter from the Board if the Committee has notified the Board that it is unable to resolve the matter previously requested pursuant to this section. The Board may subsequently send a referral regarding a matter previously requested and returned by the Committee after the conclusion of the Board's review process.

RULE 18. COMMITTEE-INITIATED INQUIRY OR INVESTIGATION

(a) Notwithstanding the absence of a filed complaint, the Committee may consider any information in its possession indicating that a Member, officer, or employee may have committed a violation of the Code of Official Conduct or any law, rule, regulation, or other standard of conduct applicable to the conduct of such Member, officer, or employee in the performance of the duties or the discharge of the responsibilities of such individual. The Chair and Ranking Minority Member may jointly gather additional information concerning such an alleged violation by a Member, officer, or employee unless and until an investigative subcommittee has been established. The Chair and Ranking Minority Member may also jointly take appropriate action consistent with Committee Rules to resolve the matter.

(b) If the Committee votes to establish an investigative subcommittee, the Committee shall proceed in accordance with Rule 19.

(c) Any written request by a Member, officer, or employee of the House of Representatives that the Committee conduct an investigation into such person's own conduct shall be considered in accordance with subsection (a) of this Rule.

(d) An inquiry shall not be undertaken regarding any alleged violation that occurred before the third previous Congress unless a majority of the Committee determines that the alleged violation is directly related to an alleged violation that occurred in a more recent Congress.

(e)(1) An inquiry shall be undertaken by an investigative subcommittee with regard to any felony conviction of a Member, officer, or employee of the House of Representatives in a Federal, State, or local court who has been sentenced. Notwithstanding this provision, the Committee has the discretion to initiate an inquiry upon an affirmative vote of a majority of the members of the Committee at any time prior to conviction or sentencing.

(2) Not later than 30 days after a Member of the House is indicted or otherwise formally charged with criminal conduct in any Federal, State or local court, the Committee shall either initiate an inquiry upon a majority vote of the members of the Committee or submit a report to the House describing its reasons for not initiating an inquiry and describing the actions, if any, that the Committee has taken in response to the allegations.

RULE 19. INVESTIGATIVE SUBCOMMITTEE

(a)(1) Upon the establishment of an investigative subcommittee, the Chair and Ranking Minority Member of the Committee shall designate four members (with equal representation from the majority and minority parties) to serve as an investigative subcommittee to undertake an inquiry. Members of the Committee and Members of the House selected pursuant to clause 5(a)(4)(A) of Rule X of the House of Representatives are eligible for appointment to an investigative subcommittee, as determined by the Chair and Ranking Minority Member of the Committee. At the time of appointment, the

Chair shall designate one member of the subcommittee to serve as the Chair and the Ranking Minority Member shall designate one member of the subcommittee to serve as the ranking minority member of the investigative subcommittee. The Chair and Ranking Minority Member of the Committee may serve as members of an investigative subcommittee, but may not serve as non-voting, ex-officio members.

(2) The respondent shall be notified of the membership of the investigative subcommittee and shall have 10 days after such notice is transmitted to object to the participation of any subcommittee member. Such objection shall be in writing and must be on the grounds that the subcommittee member cannot render an impartial and unbiased decision. The members of the Committee shall engage in a collegial discussion regarding such objection. The subcommittee member against whom the objection is made shall be the sole judge of any disqualification and may choose to seek disqualification from participating in the inquiry pursuant to Rule 9(e).

(b) In an inquiry undertaken by an investigative subcommittee—

(1) All proceedings, including the taking of testimony, shall be conducted in executive session and all testimony taken by deposition or things produced pursuant to subpoena or otherwise shall be deemed to have been taken or produced in executive session.

(2) The Chair of the investigative subcommittee shall ask the respondent and all witnesses whether they intend to be represented by counsel. If so, the respondent or witnesses or their legal representatives shall provide written designation of counsel. A respondent or witness who is represented by counsel shall not be questioned in the absence of counsel unless an explicit waiver is obtained.

(3) The subcommittee shall provide the respondent an opportunity to present, orally or in writing, a statement, which must be under oath or affirmation, regarding the allegations and any other relevant questions arising out of the inquiry.

(4) The staff may interview witnesses, examine documents and other evidence, and request that submitted statements be under oath or affirmation and that documents be certified as to their authenticity and accuracy.

(5) The subcommittee, by a majority vote of its members, may require, by subpoena or otherwise, the attendance and testimony of witnesses and the production of such books, records, correspondence, memoranda, papers, documents, and other items as it deems necessary to the conduct of the inquiry. Unless the Committee otherwise provides, the subpoena power shall rest in the Chair and Ranking Minority Member of the Committee and a subpoena shall be issued upon the request of the investigative subcommittee.

(6) The subcommittee shall require that testimony be given under oath or affirmation. The form of the oath or affirmation shall be: "Do you solemnly swear (or affirm) that the testimony you will give before this subcommittee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?" The oath or affirmation shall be administered by the Chair or subcommittee member designated by the Chair to administer oaths.

(c) During the inquiry, the procedure respecting the admissibility of evidence and rulings shall be as follows:

(1) Any relevant evidence shall be admissible unless the evidence is privileged under

the precedents of the House of Representatives.

(2) The Chair of the subcommittee or other presiding member at any investigative subcommittee proceeding shall rule upon any question of admissibility or relevance of evidence, motion, procedure or any other matter, and may direct any witness to answer any question under penalty of contempt. A witness, witness counsel, or a member of the subcommittee may appeal any rulings to the members present at that proceeding. A majority vote of the members present at such proceeding on such appeal shall govern the question of admissibility, and no appeal shall lie to the Committee.

(3) Whenever a person is determined by a majority vote to be in contempt of the subcommittee, the matter may be referred to the Committee to determine whether to refer the matter to the House of Representatives for consideration.

(4) Committee counsel may, subject to subcommittee approval, enter into stipulations with the respondent and/or the respondent's counsel as to facts that are not in dispute.

(d) Upon an affirmative vote of a majority of the subcommittee members, and an affirmative vote of a majority of the full Committee, an investigative subcommittee may expand the scope of its inquiry.

(e) Upon completion of the inquiry, the staff shall draft for the investigative subcommittee a report that shall contain a comprehensive summary of the information received regarding the alleged violations.

(f) Upon completion of the inquiry, an investigative subcommittee, by a majority vote of its members, may adopt a Statement of Alleged Violation if it determines that there is substantial reason to believe that a violation of the Code of Official Conduct, or of a law, rule, regulation, or other standard of conduct applicable to the performance of official duties or the discharge of official responsibilities by a Member, officer, or employee of the House of Representatives has occurred. If more than one violation is alleged, such Statement shall be divided into separate counts. Each count shall relate to a separate violation, shall contain a plain and concise statement of the alleged facts of such violation, and shall include a reference to the provision of the Code of Official Conduct or law, rule, regulation or other applicable standard of conduct governing the performance of duties or discharge of responsibilities alleged to have been violated. A copy of such Statement shall be transmitted to the respondent and the respondent's counsel.

(g) If the investigative subcommittee does not adopt a Statement of Alleged Violation, it shall transmit to the Committee a report containing a summary of the information received in the inquiry, its conclusions and reasons therefore, and any appropriate recommendation.

RULE 20. AMENDMENTS TO STATEMENTS OF ALLEGED VIOLATION

(a) An investigative subcommittee may, upon an affirmative vote of a majority of its members, amend its Statement of Alleged Violation anytime before the Statement of Alleged Violation is transmitted to the Committee; and

(b) If an investigative subcommittee amends its Statement of Alleged Violation, the respondent shall be notified in writing and shall have 30 calendar days from the date of that notification to file an answer to the amended Statement of Alleged Violation.

RULE 21. COMMITTEE REPORTING REQUIREMENTS

(a) Whenever an investigative subcommittee does not adopt a Statement of Al-

leged Violation and transmits a report to that effect to the Committee, the Committee may by an affirmative vote of a majority of its members transmit such report to the House of Representatives;

(b) Whenever an investigative subcommittee adopts a Statement of Alleged Violation but recommends that no further action be taken, it shall transmit a report to the Committee regarding the Statement of Alleged Violation; and

(c) Whenever an investigative subcommittee adopts a Statement of Alleged Violation, the respondent admits to the violations set forth in such Statement, the respondent waives the right to an adjudicatory hearing, and the respondent's waiver is approved by the Committee—

(1) the subcommittee shall prepare a report for transmittal to the Committee, a final draft of which shall be provided to the respondent not less than 15 calendar days before the subcommittee votes on whether to adopt the report;

(2) the respondent may submit views in writing regarding the final draft to the subcommittee within 7 calendar days of receipt of that draft;

(3) the subcommittee shall transmit a report to the Committee regarding the Statement of Alleged Violation together with any views submitted by the respondent pursuant to subparagraph (2), and the Committee shall make the report, together with the respondent's views, available to the public before the commencement of any sanction hearing; and

(4) the Committee shall by an affirmative vote of a majority of its members issue a report and transmit such report to the House of Representatives, together with the respondent's views previously submitted pursuant to subparagraph (2) and any additional views respondent may submit for attachment to the final report; and

(d) Members of the Committee shall have not less than 72 hours to review any report transmitted to the Committee by an investigative subcommittee before both the commencement of a sanction hearing and the Committee vote on whether to adopt the report.

RULE 22. RESPONDENT'S ANSWER

(a)(1) Within 30 days from the date of transmittal of a Statement of Alleged Violation, the respondent shall file with the investigative subcommittee an answer, in writing and under oath, signed by respondent and respondent's counsel. Failure to file an answer within the time prescribed shall be considered by the Committee as a denial of each count.

(2) The answer shall contain an admission to or denial of each count set forth in the Statement of Alleged Violation and may include negative, affirmative, or alternative defenses and any supporting evidence or other relevant information.

(b) The respondent may file a Motion for a Bill of Particulars within 10 days of the date of transmittal of the Statement of Alleged Violation. If a Motion for a Bill of Particulars is filed, the respondent shall not be required to file an answer until 20 days after the subcommittee has replied to such motion.

(c)(1) The respondent may file a Motion to Dismiss within 10 days of the date of transmittal of the Statement of Alleged Violation or, if a Motion for a Bill of Particulars has been filed, within 10 days of the date of the subcommittee's reply to the Motion for a Bill of Particulars. If a Motion to Dismiss is filed, the respondent shall not be required to

file an answer until 20 days after the subcommittee has replied to the Motion to Dismiss, unless the respondent previously filed a Motion for a Bill of Particulars, in which case the respondent shall not be required to file an answer until 10 days after the subcommittee has replied to the Motion to Dismiss. The investigative subcommittee shall rule upon any motion to dismiss filed during the period between the establishment of the subcommittee and the subcommittee's transmittal of a report or Statement of Alleged Violation to the Committee or to the Chair and Ranking Minority Member at the conclusion of an inquiry, and no appeal of the subcommittee's ruling shall lie to the Committee.

(2) A Motion to Dismiss may be made on the grounds that the Statement of Alleged Violation fails to state facts that constitute a violation of the Code of Official Conduct or other applicable law, rule, regulation, or standard of conduct, or on the grounds that the Committee lacks jurisdiction to consider the allegations contained in the Statement.

(d) Any motion filed with the subcommittee pursuant to this rule shall be accompanied by a Memorandum of Points and Authorities.

(e)(1) The Chair of the investigative subcommittee, for good cause shown, may permit the respondent to file an answer or motion after the day prescribed above.

(2) If the ability of the respondent to present an adequate defense is not adversely affected and special circumstances so require, the Chair of the investigative subcommittee may direct the respondent to file an answer or motion prior to the day prescribed above.

(f) If the day on which any answer, motion, reply, or other pleading must be filed falls on a Saturday, Sunday, or holiday, such filing shall be made on the first business day thereafter.

(g) As soon as practicable after an answer has been filed or the time for such filing has expired, the Statement of Alleged Violation and any answer, motion, reply, or other pleading connected therewith shall be transmitted by the Chair of the investigative subcommittee to the Chair and Ranking Minority Member of the Committee.

RULE 23. ADJUDICATORY HEARINGS

(a) If a Statement of Alleged Violation is transmitted to the Chair and Ranking Minority Member pursuant to Rule 22, and no waiver pursuant to Rule 26(b) has occurred, the Chair shall designate the members of the Committee who did not serve on the investigative subcommittee to serve on an adjudicatory subcommittee. The Chair and Ranking Minority Member of the Committee shall be the Chair and Ranking Minority Member of the adjudicatory subcommittee unless they served on the investigative subcommittee. The respondent shall be notified of the designation of the adjudicatory subcommittee and shall have 10 days after such notice is transmitted to object to the participation of any subcommittee member. Such objection shall be in writing and shall be on the grounds that the member cannot render an impartial and unbiased decision. The members of the Committee shall engage in a collegial discussion regarding such objection. The member against whom the objection is made shall be the sole judge of any disqualification and may choose to seek disqualification from serving on the subcommittee pursuant to Rule 9(e).

(b) A majority of the adjudicatory subcommittee membership plus one must be present at all times for the conduct of any business pursuant to this rule.

(c) The adjudicatory subcommittee shall hold a hearing to determine whether any counts in the Statement of Alleged Violation have been proved by clear and convincing evidence and shall make findings of fact, except where such violations have been admitted by respondent.

(d) The subcommittee may require, by subpoena or otherwise, the attendance and testimony of such witnesses and production of such books, records, correspondence, memoranda, papers, documents, and other items as it deems necessary. A subpoena for documents may specify terms of return other than at a meeting or hearing of the subcommittee. Depositions, interrogatories, and sworn statements taken under any investigative subcommittee direction may be accepted into the hearing record.

(e) The procedures set forth in clause 2(g)(1)–(4), (6)–(7) and (k) of Rule XI of the Rules of the House of Representatives shall apply to adjudicatory hearings. All such hearings shall be open to the public unless the adjudicatory subcommittee, pursuant to such clause, determines that the hearings or any part thereof should be closed.

(f)(1) The adjudicatory subcommittee shall, in writing, notify the respondent that the respondent and respondent's counsel have the right to inspect, review, copy, or photograph books, papers, documents, photographs, or other tangible objects that committee counsel intends to use as evidence against the respondent in an adjudicatory hearing. The respondent shall be given access to such evidence, and shall be provided the names of witnesses committee counsel intends to call, and a summary of their expected testimony, no less than 15 calendar days prior to any such hearing. Except in extraordinary circumstances, no evidence may be introduced or witness called in an adjudicatory hearing unless the respondent has been afforded a prior opportunity to review such evidence or has been provided the name of the witness.

(2) After a witness has testified on direct examination at an adjudicatory hearing, the Committee, at the request of the respondent, shall make available to the respondent any statement of the witness in the possession of the Committee which relates to the subject matter as to which the witness has testified.

(3) Any other testimony, statement, or documentary evidence in the possession of the Committee which is material to the respondent's defense shall, upon request, be made available to the respondent.

(g) No less than 5 days prior to the hearing, the respondent or counsel shall provide the adjudicatory subcommittee with the names of witnesses expected to be called, summaries of their expected testimony, and copies of any documents or other evidence proposed to be introduced.

(h) The respondent or counsel may apply to the subcommittee for the issuance of subpoenas for the appearance of witnesses or the production of evidence. The application shall be granted upon a showing by the respondent that the proposed testimony or evidence is relevant and not otherwise available to respondent. The application may be denied if not made at a reasonable time or if the testimony or evidence would be merely cumulative.

(i) No later than two weeks or 5 legislative days after the Chair of the Committee designates members to serve on an adjudicatory subcommittee, whichever is later, the Chair of the adjudicatory subcommittee shall establish a schedule and procedure for the hearing and for prehearing matters. The procedures may be changed either by the Chair

of the adjudicatory subcommittee or by a majority vote of the members of the subcommittee. If the Chair makes prehearing rulings upon any question of admissibility or relevance of evidence, motion, procedure, or any other matter, the Chair shall make available those rulings to all subcommittee members at the time of the ruling.

(j) The procedures regarding the admissibility of evidence and rulings shall be as follows:

(1) Any relevant evidence shall be admissible unless the evidence is privileged under the precedents of the House of Representatives.

(2) The Chair of the subcommittee or other presiding member at an adjudicatory subcommittee hearing shall rule upon any question of admissibility or relevance of evidence, motion, procedure, or any other matter, and may direct any witness to answer any question under penalty of contempt. A witness, witness counsel, or a member of the subcommittee may appeal any ruling to the members present at that proceeding. A majority vote of the members present at such proceeding on such an appeal shall govern the question of admissibility and no appeal shall lie to the Committee.

(3) Whenever a witness is deemed by a Chair or other presiding member to be in contempt of the subcommittee, the matter may be referred to the Committee to determine whether to refer the matter to the House of Representatives for consideration.

(4) Committee counsel may, subject to subcommittee approval, enter into stipulations with the respondent and/or the respondent's counsel as to facts that are not in dispute.

(k) Unless otherwise provided, the order of an adjudicatory hearing shall be as follows:

(1) The Chair and Ranking Minority Member of the subcommittee shall open the hearing with equal time and during which time, the Chair shall state the adjudicatory subcommittee's authority to conduct the hearing and the purpose of the hearing.

(2) The Chair shall then recognize Committee counsel and the respondent's counsel, in turn, for the purpose of giving opening statements.

(3) Testimony from witnesses and other relevant evidence shall be received in the following order whenever possible:

(i) witnesses (deposition transcripts and affidavits obtained during the inquiry may be used in lieu of live witnesses) and other evidence offered by the Committee counsel,

(ii) witnesses and other evidence offered by the respondent,

(iii) rebuttal witnesses, as permitted by the Chair.

(4) Witnesses at a hearing shall be examined first by counsel calling such witness. The opposing counsel may then cross-examine the witness. Redirect examination and recross examination by counsel may be permitted at the Chair's discretion. Subcommittee members may then question witnesses. Unless otherwise directed by the Chair, questions by Subcommittee members shall be conducted under the five-minute rule.

(5) The Chair shall then recognize Committee counsel and respondent's counsel, in turn, for the purpose of giving closing arguments. Committee counsel may reserve time for rebuttal argument, as permitted by the Chair.

(1) A subpoena to a witness to appear at a hearing shall be served sufficiently in advance of that witness' scheduled appearance to allow the witness a reasonable period of time, as determined by the Chair of the adju-

dicatory subcommittee, to prepare for the hearing and to employ counsel.

(m) Each witness appearing before the subcommittee shall be furnished a printed copy of the Committee rules, the relevant provisions of the Rules of the House of Representatives applicable to the rights of witnesses, and a copy of the Statement of Alleged Violation.

(n) Testimony of all witnesses shall be taken under oath or affirmation. The form of the oath or affirmation shall be: "Do you solemnly swear (or affirm) that the testimony you will give before this subcommittee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?" The oath or affirmation shall be administered by the Chair or Committee member designated by the Chair to administer oaths.

(o) At an adjudicatory hearing, the burden of proof rests on Committee counsel to establish the facts alleged in the Statement of Alleged Violation by clear and convincing evidence. However, Committee counsel need not present any evidence regarding any count that is admitted by the respondent or any fact stipulated. Committee counsel or respondent's counsel may move the adjudicatory subcommittee to make a finding that there is no material fact at issue. If the adjudicatory subcommittee finds that there is no material fact at issue, the burden of proof will be deemed satisfied.

(p) As soon as practicable after all testimony and evidence have been presented, the subcommittee shall consider each count contained in the Statement of Alleged Violation and shall determine by a majority vote of its members whether each count has been proved. If a majority of the subcommittee does not vote that a count has been proved, a motion to reconsider that vote may be made only by a member who voted that the count was not proved. A count that is not proved shall be considered as dismissed by the subcommittee.

(q) The findings of the adjudicatory subcommittee shall be reported to the Committee.

RULE 24. SANCTION HEARING AND CONSIDERATION OF SANCTIONS OR OTHER RECOMMENDATIONS

(a) If no count in a Statement of Alleged Violation is proved, the Committee shall prepare a report to the House of Representatives, based upon the report of the adjudicatory subcommittee.

(b) If an adjudicatory subcommittee completes an adjudicatory hearing pursuant to Rule 23 and reports that any count of the Statement of Alleged Violation has been proved, a hearing before the Committee shall be held to receive oral and/or written submissions by counsel for the Committee and counsel for the respondent as to the sanction the Committee should recommend to the House of Representatives with respect to such violations. Testimony by witnesses shall not be heard except by written request and vote of a majority of the Committee.

(c) Upon completion of any proceeding held pursuant to clause (b), the Committee shall consider and vote on a motion to recommend to the House of Representatives that the House take disciplinary action. If a majority of the Committee does not vote in favor of the recommendation that the House of Representatives take action, a motion to reconsider that vote may be made only by a member who voted against the recommendation. The Committee may also, by majority vote, adopt a motion to issue a Letter of Reproval or take other appropriate Committee action.

(d) If the Committee determines a Letter of Reprimand constitutes sufficient action, the Committee shall include any such letter as a part of its report to the House of Representatives.

(e) With respect to any proved counts against a Member of the House of Representatives, the Committee may recommend to the House one or more of the following sanctions:

(1) Expulsion from the House of Representatives.

(2) Censure.

(3) Reprimand.

(4) Fine.

(5) Denial or limitation of any right, power, privilege, or immunity of the Member if under the Constitution the House of Representatives may impose such denial or limitation.

(6) Any other sanction determined by the Committee to be appropriate.

(f) With respect to any proved counts against an officer or employee of the House of Representatives, the Committee may recommend to the House one or more of the following sanctions:

(1) Dismissal from employment.

(2) Reprimand.

(3) Fine.

(4) Any other sanction determined by the Committee to be appropriate.

(g) With respect to the sanctions that the Committee may recommend, reprimand is appropriate for serious violations, censure is appropriate for more serious violations, and expulsion of a Member or dismissal of an officer or employee is appropriate for the most serious violations. A recommendation of a fine is appropriate in a case in which it is likely that the violation was committed to secure a personal financial benefit; and a recommendation of a denial or limitation of a right, power, privilege, or immunity of a Member is appropriate when the violation bears upon the exercise or holding of such right, power, privilege, or immunity. This clause sets forth general guidelines and does not limit the authority of the Committee to recommend other sanctions.

(h) The Committee report shall contain an appropriate statement of the evidence supporting the Committee's findings and a statement of the Committee's reasons for the recommended sanction.

RULE 25. DISCLOSURE OF EXCULPATORY INFORMATION TO RESPONDENT

If the Committee, or any investigative or adjudicatory subcommittee at any time receives any exculpatory information respecting a Complaint or Statement of Alleged Violation concerning a Member, officer, or employee of the House of Representatives, it shall make such information known and available to the Member, officer, or employee as soon as practicable, but in no event later than the transmittal of evidence supporting a proposed Statement of Alleged Violation pursuant to Rule 26(c). If an investigative subcommittee does not adopt a Statement of Alleged Violation, it shall identify any exculpatory information in its possession at the conclusion of its inquiry and shall include such information, if any, in the subcommittee's final report to the Committee regarding its inquiry. For purposes of this rule, exculpatory evidence shall be any evidence or information that is substantially favorable to the respondent with respect to the allegations or charges before an investigative or adjudicatory subcommittee.

RULE 26. RIGHTS OF RESPONDENTS AND WITNESSES

(a) A respondent shall be informed of the right to be represented by counsel, to be provided at the respondent's own expense.

(b) A respondent may seek to waive any procedural rights or steps in the disciplinary process. A request for waiver must be in writing, signed by the respondent, and must detail what procedural steps the respondent seeks to waive. Any such request shall be subject to the acceptance of the Committee or subcommittee, as appropriate.

(c) Not less than 10 calendar days before a scheduled vote by an investigative subcommittee on a Statement of Alleged Violation, the subcommittee shall provide the respondent with a copy of the Statement of Alleged Violation it intends to adopt together with all evidence it intends to use to prove those charges which it intends to adopt, including documentary evidence, witness testimony, memoranda of witness interviews, and physical evidence, unless the subcommittee by an affirmative vote of a majority of its members decides to withhold certain evidence in order to protect a witness, but if such evidence is withheld, the subcommittee shall inform the respondent that evidence is being withheld and of the count to which such evidence relates.

(d) Neither the respondent nor respondent's counsel shall, directly or indirectly, contact the subcommittee or any member thereof during the period of time set forth in paragraph (c) except for the sole purpose of settlement discussions where counsels for the respondent and the subcommittee are present.

(e) If, at any time after the issuance of a Statement of Alleged Violation, the Committee or any subcommittee thereof determines that it intends to use evidence not provided to a respondent under paragraph (c) to prove the charges contained in the Statement of Alleged Violation (or any amendment thereof), such evidence shall be made immediately available to the respondent, and it may be used in any further proceeding under the Committee's rules.

(f) Evidence provided pursuant to paragraph (c) or (e) shall be made available to the respondent and respondent's counsel only after each agrees, in writing, that no document, information, or other materials obtained pursuant to that paragraph shall be made public until—

(1) such time as a Statement of Alleged Violation is made public by the Committee if the respondent has waived the adjudicatory hearing; or

(2) the commencement of an adjudicatory hearing if the respondent has not waived an adjudicatory hearing; but the failure of respondent and respondent's counsel to so agree in writing, and therefore not receive the evidence, shall not preclude the issuance of a Statement of Alleged Violation at the end of the period referenced to in (c).

(g) A respondent shall receive written notice whenever—

(1) the Chair and Ranking Minority Member determine that information the Committee has received constitutes a complaint;

(2) a complaint or allegation is transmitted to an investigative subcommittee;

(3) that subcommittee votes to authorize its first subpoena or to take testimony under oath, whichever occurs first; and

(4) the Committee votes to expand the scope of the inquiry of an investigative subcommittee.

(h) Whenever an investigative subcommittee adopts a Statement of Alleged Violation and a respondent enters into an agreement with that subcommittee to settle a complaint on which the Statement is based, that agreement, unless the respondent requests otherwise, shall be in writing and

signed by the respondent and the respondent's counsel, the Chair and Ranking Minority Member of the subcommittee, and outside counsel, if any.

(i) Statements or information derived solely from a respondent or respondent's counsel during any settlement discussions between the Committee or a subcommittee thereof and the respondent shall not be included in any report of the subcommittee or the Committee or otherwise publicly disclosed without the consent of the respondent.

(j) Whenever a motion to establish an investigative subcommittee does not prevail, the Committee shall promptly send a letter to the respondent informing the respondent of such vote.

(k) Witnesses shall be afforded a reasonable period of time, as determined by the Committee or subcommittee, to prepare for an appearance before an investigative subcommittee or for an adjudicatory hearing and to obtain counsel.

(l) Prior to their testimony, witnesses shall be furnished a printed copy of the Committee's Rules of Procedure and the provisions of the Rules of the House of Representatives applicable to the rights of witnesses.

(m) Witnesses may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights. The Chair may punish breaches of order and decorum, and of professional responsibility on the part of counsel, by censure and exclusion from the hearings; and the Committee may cite the offender to the House of Representatives for contempt.

(n) Each witness subpoenaed to provide testimony or other evidence shall be provided the same per diem rate as established, authorized, and regulated by the Committee on House Administration for Members, officers and employees of the House, and, as the Chair considers appropriate, actual expenses of travel to or from the place of examination. No compensation shall be authorized for attorney's fees or for a witness' lost earnings. Such per diem may not be paid if a witness had been summoned at the place of examination.

(o) With the approval of the Committee, a witness, upon request, may be provided with a transcript of the witness' own deposition or other testimony taken in executive session, or, with the approval of the Chair and Ranking Minority Member, may be permitted to examine such transcript in the office of the Committee. Any such request shall be in writing and shall include a statement that the witness, and counsel, agree to maintain the confidentiality of all executive session proceedings covered by such transcript.

RULE 27. FRIVOLOUS FILINGS

If a complaint or information offered as a complaint is deemed frivolous by an affirmative vote of a majority of the members of the Committee, the Committee may take such action as it, by an affirmative vote of a majority deems appropriate in the circumstances.

RULE 28. REFERRALS TO FEDERAL OR STATE AUTHORITIES

Referrals made under clause 3(a)(3) of Rule XI of the Rules of the House of Representatives may be made by an affirmative vote of two-thirds of the members of the Committee.

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM FOR THE 113TH CONGRESS
Mr. ISSA. Mr. Speaker, pursuant to House Rule XI, the Committee on Oversight and

Government Reform adopted its rules for the 113th Congress on January 22, 2013, and I submit them now for publication in the CONGRESSIONAL RECORD.

RULE 1—APPLICATION OF RULES

Except where the terms “full committee” and “subcommittee” are specifically referred to, the following rules shall apply to the Committee on Oversight and Government Reform and its subcommittees as well as to the respective chairs and ranking minority members.

RULE 2—MEETINGS

The regular meetings of the full committee shall be held on the second Thursday of each month at 10 a.m., when the House is in session. The chairman is authorized to dispense with a regular meeting or to change the date thereof, and to call and convene additional meetings, when circumstances warrant. A special meeting of the committee may be requested by members of the committee pursuant to the provisions of House Rule XI, clause 2(c)(2). Subcommittees shall meet at the call of the subcommittee chairs. Every member of the committee, unless prevented by unusual circumstances, shall be provided with a memorandum at least three calendar days before each meeting or hearing explaining: (1) the purpose of the meeting or hearing; and (2) the names, titles, background and reasons for appearance of any witnesses. The ranking minority member shall be responsible for providing the same information on witnesses whom the minority may request.

RULE 3—QUORUMS

(a) A majority of the members of the committee shall form a quorum, except that two members shall constitute a quorum for taking testimony and receiving evidence, and one third of the members shall form a quorum for taking any action other than for which the presence of a majority of the committee is otherwise required. If the chairman is not present at any meeting of the committee or subcommittee, the ranking member of the majority party on the committee who is present shall preside at that meeting.

(b) The chairman of the full committee may, at the request of a subcommittee chair, make a temporary assignment of any member of the full committee to such subcommittee for the purpose of constituting a quorum at and participating in any public hearing by such subcommittee to be held outside of Washington, DC. Members appointed to such temporary positions shall not be voting members. The chairman shall give reasonable notice of such temporary assignment to the ranking minority members of the committee.

RULE 4—COMMITTEE REPORTS

(a) Bills and resolutions approved by the full committee shall be reported by the chairman pursuant to House Rule XIII, clauses 2-4.

(b) A proposed investigative or oversight report shall not be considered in the committee unless the proposed report has been available to the members of the committee for at least three calendar days (excluding Saturdays, Sundays, and legal holidays, unless the House is in session on such days) before consideration of such proposed report in the committee. If hearings have been held on the matter reported upon, every reasonable effort shall be made to have such hearings printed and available to the members of the committee before the consideration of the proposed report in the committee.

(c) Every investigative or oversight report shall be approved by a majority vote of the

committee at a meeting at which a quorum is present. If at the time of approval of such a report a member of the committee gives notice of intent to file supplemental, minority, or additional views that member shall be entitled to file such views following House Rule XI, clause 2(1) and Rule XIII, clause 3(a)(1).

(d) Only those investigative or oversight reports approved by a majority vote of the committee may be ordered printed, unless otherwise required by the Rules of the House of Representatives.

RULE 5—RECORD VOTES

(a) A record vote of the members may be had upon the request of any member upon approval of a one-fifth vote of the members present.

(b) Pursuant to House Rule XI, clause 2(h)(4), the chairman is authorized to postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment and to resume proceedings on a postponed question at any time after reasonable notice. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed. After consultation with the ranking minority member, the chairman shall take reasonable steps to notify members on the resumption of proceedings on any postponed record vote.

RULE 6—SUBCOMMITTEES; REFERRALS

(a) There shall be five standing subcommittees with appropriate party ratios. The chairman shall assign members to the subcommittees. Minority party assignments shall be made only with the concurrence of the ranking minority member. The subcommittees shall have the following fixed jurisdictions:

(1) The Subcommittee on Federal Workforce, U.S. Postal Service and the Census—Legislative jurisdiction over the federal civil service, the U.S. Postal Service, and the Census Bureau;

(2) The Subcommittee on Government Operations—Legislative jurisdiction over government management and accounting measures, the economy, efficiency, and management of government operations and activities, procurement, federal property, public information, including the Freedom of Information Act and Federal Advisory Committee Act, federal records (including the National Archives and Records Administration and the Presidential Records Act) federal information technology and data standards, grant reform, the relationship between the federal government and states and municipalities, including unfunded mandates;

(3) The Subcommittee on National Security—Oversight jurisdiction over national security, homeland security, foreign operations, immigration, emergency management, and criminal justice. The Subcommittee also has legislative jurisdiction over drug policy;

(4) The Subcommittee on Economic Growth, Job Creation, and Regulatory Affairs—Oversight jurisdiction over regulatory affairs, impediments to economic growth and job creation, monetary policy, banking, infrastructure, and tax policy. The Subcommittee also has legislative jurisdiction over federal paperwork reduction, data quality, and the Office of Information and Regulatory Affairs; and

(5) The Subcommittee on Energy Policy, Health Care and Entitlements—Oversight ju-

risdiction over federal health care policy, food and drug safety, energy policy, solvency of federal entitlement programs.

(b) Bills, resolutions, and other matters shall be expeditiously referred by the chairman to subcommittees for consideration or investigation in accordance with their fixed jurisdictions. Where the subject matter of the referral involves the jurisdiction of more than one subcommittee or does not fall within any previously assigned jurisdiction, the chairman shall refer the matter as he may deem advisable. Bills, resolutions, and other matters referred to subcommittees may be re-referred or discharged by the chairman when, in his judgment, the subcommittee is not able to complete its work or cannot reach agreement therein.

(c) The chairman and the ranking minority member of the full committee shall be ex officio members of all subcommittees. They are authorized to vote on subcommittee matters; but, unless they are regular members of the subcommittee, they shall not be counted in determining a subcommittee quorum other than a quorum for taking testimony.

RULE 7—SUBCOMMITTEE SCHEDULING

(a) Each subcommittee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the full committee on any measure or matter referred to it.

(b) No subcommittee may meet or hold a hearing at the same time as a meeting or hearing of the full committee.

(c) The chair of each subcommittee shall set hearing and meeting dates only with the approval of the full committee chairman with a view toward assuring the availability of meeting rooms and avoiding simultaneous scheduling of committee meetings or hearings.

(d) Each subcommittee chair shall notify the chairman of any hearing plans at least two weeks before the date of commencement of the hearings, including the date, place, subject matter, and the names of witnesses, willing and unwilling, who would be called to testify, including, to the extent the chair is advised thereof, witnesses whom the minority members may request.

RULE 8—STAFF

(a) Except as otherwise provided by House Rule X, clauses 6, 7 and 9, the chairman of the full committee shall have the authority to hire and discharge employees of the professional and clerical staff of the committee.

(b) Except as otherwise provided by House Rule X, clauses 6, 7 and 9, the staff of the committee shall be subject to the direction of the chairman of the full committee and shall perform such duties as he or she may assign.

RULE 9—HEARINGS

(a) A committee member may question witnesses only when recognized by the chairman for that purpose. In accordance with House Rule XI, clause 2(j)(2), the five-minute rule shall apply during the questioning of witnesses in a hearing. The chairman shall, so far as practicable, recognize alternately based on seniority of those majority and minority members present at the time the hearing was called to order and others based on their arrival at the hearing. After that, additional time may be extended at the direction of the chairman.

(b) The chairman, with the concurrence of the ranking minority member, or the committee by motion, may permit an equal number of majority and minority members to question a witness for a specified, total period that is equal for each side and not longer than thirty minutes for each side.

(c) The chairman, with the concurrence of the ranking minority member, or the committee by motion, may permit committee staff of the majority and minority to question a witness for a specified, total period that is equal for each side and not longer than thirty minutes for each side.

(d) Nothing in paragraph (b) or (c) affects the rights of a member (other than a member designated under paragraph (b)) to question a witness for 5 minutes in accordance with paragraph (a) after the questioning permitted under paragraph (b) or (c). In any extended questioning permitted under paragraph (b) or (c), the chairman shall determine how to allocate the time permitted for extended questioning by majority members or majority committee staff, and the ranking minority member shall determine how to allocate the time permitted for extended questioning by minority members or minority committee staff. The chairman or the ranking minority member, as applicable, may allocate the time for any extended questioning permitted to staff under paragraph (c) to members.

(e) Hearings shall be conducted according to the procedures in House Rule XI, clause 2(k). All questions put to witnesses before the committee shall be relevant to the subject matter before the Committee for consideration, and the chairman shall rule on the relevance of any questions put to the witnesses.

(f) Witnesses appearing before the committee shall so far as practicable, submit written statements at least 24 hours before their appearance. Witnesses appearing in a non-governmental capacity shall include a curriculum vitae and a disclosure of the amount and source (by agency and program) of each federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years, by the witness or by an entity represented by the witness.

(g) The chairman or any member designated by the chairman may administer oaths to any witness before the committee. All witnesses appearing in hearings may be administered the following oath by the Chairman or his designee prior to receiving the testimony: "Do you solemnly swear or affirm that the testimony that you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?"

RULE 10—COMMITTEE RECORDS, OPEN MEETINGS, TRANSPARENCY

(a) The committee staff shall maintain in the committee offices a complete record of committee actions from the current Congress including a record of the roll call votes taken at committee business meetings. The original records, or true copies thereof, as appropriate, shall be available for public inspection whenever the committee offices are open for public business. The staff shall assure that such original records are preserved with no unauthorized alteration, additions, or defacement.

(b) A stenographic record of all testimony shall be kept of public hearings and shall be made available on such conditions as the chairman may prescribe.

(c) Meetings for the transaction of business and hearings of the committee shall be open to the public or closed in accordance with the Rules of the House of Representatives.

(d) The chairman of the full committee shall maintain an official website on behalf of the committee for the purpose of furthering the committee's legislative and oversight responsibilities, including communicating information about the Committee's

activities to committee members and other members of the House. To the greatest extent practicable, the chairman shall ensure that committee records are made available on the committee's official website in appropriate formats.

(e) The ranking minority member of the full committee is authorized to maintain a similar official website on behalf of the committee minority for the same purpose, including communicating information about the activities of the minority to committee members and other members of the House.

RULE 11—AUDIO AND VISUAL COVERAGE OF COMMITTEE PROCEEDINGS

(a) An open meeting or hearing of the committee may be covered, in whole or in part, by television broadcast, radio broadcast, internet broadcast, and still photography, unless closed subject to the provisions of House Rules. Any such coverage shall conform to the provisions of House Rule XI, clause 4.

(b) Use of the Committee Broadcast System shall be fair and nonpartisan, and in accordance with House Rule XI, clause 4(b), and all other applicable rules of the House of Representatives and the Committee on Oversight and Government Reform. Members of the committee shall have prompt access to a copy of coverage by the Committee Broadcast System, to the extent that such coverage is maintained.

(c) Personnel providing coverage of an open meeting or hearing of the committee by internet broadcast, other than through the Committee Broadcast System shall be currently accredited to the Radio and Television Correspondents' Galleries. If the Committee Broadcast System is not available, the chairman may, with the concurrence of the ranking minority member, direct staff to provide coverage in a manner that is fair and nonpartisan and in accordance with House Rule XI, clause 4.

RULE 12—ADDITIONAL DUTIES OF CHAIRMAN

The chairman of the full committee shall:

(a) Make available to other committees the findings and recommendations resulting from the investigations of the committee as required by House Rule X, clause 4(c)(2);

(b) Direct such review and studies on the impact or probable impact of tax policies affecting subjects within the committee's jurisdiction as required by House Rule X, clause 2(c);

(c) Submit to the Committee on the Budget views and estimates required by House Rule X, clause 4(f), and to file reports with the House as required by the Congressional Budget Act;

(d) Authorize and issue subpoenas as provided in House Rule XI, clause 2(m), in the conduct of any investigation or activity or series of investigations or activities within the jurisdiction of the Committee;

(e) Prepare, after consultation with the ranking minority member, a budget for the Committee;

(f) Make any necessary technical and conforming changes to legislation reported by the committee upon unanimous consent; and

(g) Offer motions under clause 1 of Rule XXII of the Rules of the House (motion to request or agree to a conference) whenever the chairman considers it appropriate.

RULE 13—CONSIDERATION OF CERTAIN BILLS AND RESOLUTIONS

(a) The determination of the subject matter of commemorative stamps and new semi-postal issues is properly for consideration by the Postmaster General and the committee will not give consideration to legislative pro-

posals specifying the subject matter of commemorative stamps and new semi-postal issues. It is suggested that recommendations for the subject matter of stamps be submitted to the Postmaster General.

(b) The consideration of bills designating facilities of the United States Postal Service shall be conducted so as to minimize the time spent on such matters by the committee and the House of Representatives.

(c) The Chairman shall not request to have scheduled any resolution for consideration under suspension of the Rules, which expresses appreciation, commends, congratulates, celebrates, recognizes the accomplishments of, or celebrates the anniversary of an entity, event, group, individual, institution, team or government program; or acknowledges or recognizes a period of time for such purposes.

RULE 14—PANELS AND TASK FORCES

(a) The chairman of the full committee is authorized to appoint panels or task forces to carry out the duties and functions of the committee.

(b) The chairman and ranking minority member of the full committee may serve as ex-officio members of each panel or task force.

(c) The chairman of any panel or task force shall be appointed by the chairman of the full committee. The ranking minority member of the full committee shall select a ranking minority member for each panel or task force.

(d) The House and committee rules applicable to subcommittee meetings, hearings, recommendations, and reports shall apply to the meetings, hearings, recommendations, and reports of panels and task forces.

(e) No panel or task force so appointed shall continue in existence for more than six months. A panel or task force so appointed may, upon the expiration of six months, be reappointed by the chairman.

RULE 15—DEPOSITION AUTHORITY

(a) The chairman of the full committee, upon consultation with the ranking minority member of the full committee, may order the taking of depositions, under oath and pursuant to notice or subpoena.

(b) Notices for the taking of depositions shall specify the date, time, and place of examination (if other than within the committee offices). Depositions shall be taken under oath administered by a member or a person otherwise authorized to administer oaths.

(c) Consultation with the ranking minority member shall include three business days notice before any deposition is taken. All members shall also receive three business days notice that a deposition has been scheduled.

(d) Witnesses may be accompanied at a deposition by counsel to advise them of their rights. No one may be present at depositions except members, committee staff designated by the chairman or ranking minority member of the full committee, an official reporter, the witness, and the witness's counsel. Observers or counsel for other persons, or for agencies under investigation, may not attend.

(e) At least one member of the committee shall be present at each deposition taken by the committee, unless the witness to be deposed agrees in writing to waive this requirement.

(f) A deposition shall be conducted by any member or staff attorney designated by the chairman or ranking minority member. When depositions are conducted by committee staff attorneys, there shall be no

more than two committee staff attorneys permitted to question a witness per round. One of the committee staff attorneys shall be designated by the chairman and the other by the ranking minority member. Other committee staff members designated by the chairman or ranking minority member may attend, but may not pose questions to the witness.

(g) Questions in the deposition shall be propounded in rounds, alternating between the majority and minority. A single round shall not exceed 60 minutes per side, unless the members or staff attorneys conducting the deposition agree to a different length of questioning. In each round, a member or committee staff attorney designated by the chairman shall ask questions first, and the member or committee staff attorney designated by the ranking minority member shall ask questions second.

(h) Any objection made during a deposition must be stated concisely and in a non-argumentative and non-suggestive manner. The witness may refuse to answer a question only to preserve a privilege. When the witness has objected and refused to answer a question to preserve a privilege, the full committee chairman may rule on any such objection after the deposition has adjourned. If the chairman overrules any such objection and thereby orders a witness to answer any question to which a privilege objection was lodged, such ruling shall be filed with the clerk of the committee and shall be provided to the members and the witness no less than three days before the reconvened deposition. If a member of the committee appeals in writing the ruling of the chairman, the appeal shall be preserved for committee consideration. A deponent who refuses to answer a question after being directed to answer by the chairman in writing may be subject to sanction, except that no sanctions may be imposed if the ruling of the chairman is reversed on appeal.

(i) Committee staff shall ensure that the testimony is either transcribed or electronically recorded or both. If a witness's testimony is transcribed, the witness or the witness's counsel shall be afforded an opportunity to review a copy. No later than five days thereafter, the witness may submit suggested changes to the chairman. Committee staff may make any typographical and technical changes. Substantive changes, modifications, clarifications, or amendments to the deposition transcript submitted by the witness must be accompanied by a letter signed by the witness requesting the changes and a statement of the witness's reasons for each proposed change. Any substantive changes, modifications, clarifications, or amendments shall be included as an appendix to the transcript conditioned upon the witness signing the transcript.

(j) The individual administering the oath, if other than a member, shall certify on the transcript that the witness was duly sworn. The transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall be filed, together with any electronic recording, with the clerk of the Committee in Washington, DC. Depositions shall be considered to have been taken in Washington, DC, as well as the location actually taken once filed there with the clerk of the Committee for the Committee's use. The chairman and the ranking minority member of the full committee shall be provided with a copy of the transcripts of the deposition at the same time.

(k) The chairman and ranking minority member of the full committee shall consult

regarding the release of depositions. If either objects in writing to a proposed release of a deposition or a portion thereof, the matter shall be promptly referred to the full committee for resolution.

(l) A witness shall not be required to testify unless the witness has been provided with a copy of the committee's rules.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until noon on Tuesday, February 12, 2013, for morning-hour debate.

There was no objection.

Thereupon (at 11 o'clock and 4 minutes a.m.), under its previous order, the House adjourned until Tuesday, February 12, 2013, at noon.

RULES AND REPORTS SUBMITTED PURSUANT TO THE CONGRESSIONAL REVIEW ACT

Pursuant to 5 U.S.C. 801(d), executive communications [final rules] submitted to the House pursuant to 5 U.S.C. 801(a)(1) during the period of July 23, 2012, through January 3, 2013, shall be treated as though received on February 8, 2013. Original dates of transmittal, numberings, and referrals to committee of those executive communications remain as indicated in the Executive Communication section of the relevant CONGRESSIONAL RECORD.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

237. A letter from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Escrow Requirements Under the Truth in Lending Act (Regulation Z) [Docket No.: CFPB-2013-0001] (RIN: 3170-AA16) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

238. A letter from the Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Big Skate in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XC405) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

239. A letter from the Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for the State of New Jersey [Docket No.: 111220786-1781-01] (RIN: 0648-XC404) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

240. A letter from the Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final

rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 120306154-2241-02] (RIN: 0648-XC382) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

241. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Electronic Dealer Reporting Requirements; Correction [Docket No.: 110208116-2233-02] (RIN: 0648-BA75) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

242. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2012 Commercial Accountability Measure and Closure for Atlantic Wahoo [Docket No.: 100812345-2142-03] (RIN: 0648-XC381) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

243. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Generic Annual Catch Limits/Accountability Measures Amendment for the Gulf of Mexico; Correction [Docket No.: 100217097-2404-03] (RIN: 0648-AY22) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

244. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Available for the State of New York To Reopen Fishery [Docket No.: 111220786-1781-01] (RIN: 0648-XC391) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

245. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; 2013 Atlantic Shark Commercial Fishing [Docket No.: 120706221-2705-02] (RIN: 0648-XC106) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

246. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; 2012 Summer Flounder, Scup, and Black Sea Bass Specifications; Correction [Docket No.: 111220786-2728-03] (RIN: 0648-XA795) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SMITH of New Jersey (for himself, Ms. MENG, and Mr. KING of New York):

H.R. 592. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify that houses of worship are eligible for certain disaster relief and emergency assistance on terms equal to other eligible private nonprofit facilities, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MCKEON (for himself, Mrs. HARTZLER, Mr. BROOKS of Alabama, Mr. HUNTER, Mr. THORNBERRY, Mrs. WALORSKI, Mr. WILSON of South Carolina, Mr. RIGELL, Mr. JONES, Mr. CONAWAY, Mr. FRANKS of Arizona, Mr. TURNER, Mr. MILLER of Florida, Mr. PALAZZO, Mrs. NOEM, Mr. AUSTIN SCOTT of Georgia, Mr. HECK of Nevada, Mr. RUNYAN, Mr. SALMON, Mr. BISHOP of Utah, Mr. LOBIONDO, Mr. ROGERS of Alabama, Mr. COFFMAN, Mr. SHUSTER, and Mr. KLINE):

H.R. 593. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to modify the discretionary spending limits to take into account savings resulting from the reduction in the number of Federal employees; to the Committee on Oversight and Government Reform, and in addition to the Committees on the Budget, House Administration, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURGESS (for himself and Mr. ENGEL):

H.R. 594. A bill to reauthorize and extend the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008; to the Committee on Energy and Commerce.

By Mr. BUTTERFIELD (for himself, Mr. PAYNE, Mr. BISHOP of Georgia, Mr. LEWIS, Mr. WATT, Mr. AL GREEN of Texas, Ms. BASS, Mr. CLYBURN, Mr. CLEAVER, Mr. JONES, Mr. MCINTYRE, Mr. MEEKS, Ms. LEE of California, Ms. BROWN of Florida, Mr. CUMMINGS, Mr. CONYERS, Ms. EDWARDS, Mr. ELLISON, Mr. JEFFRIES, Mr. HASTINGS of Florida, Mrs. CHRISTENSEN, Mr. RUSH, Ms. CLARKE, Mr. BRADY of Pennsylvania, Mr. GRIJALVA, and Ms. WILSON of Florida):

H.R. 595. A bill to amend title 38, United States Code, to provide equity for tuition and fees for individuals entitled to educational assistance under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs who are pursuing programs of education at institutions of higher learning, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GOSAR (for himself, Mr. THOMPSON of California, Mr. HECK of Nevada, Mr. POLIS, Mr. TIPTON, Ms. DEGETTE, Mr. COFFMAN, Mr. COSTA, Mr. DENHAM, Mr. BLUMENAUER, Mr. AMODEI, Mr. DEFazio, Mr. SIMPSON, Mr. BEN RAY LUJAN of New Mexico, Mr. SCHWEIKERT, and Mrs. KIRKPATRICK):

H.R. 596. A bill to promote the development of renewable energy on public lands, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAROLYN B. MALONEY of New York (for herself and Mr. HONDA):

H.R. 597. A bill to establish a commission to study how Federal laws and policies affect United States citizens living in foreign countries; to the Committee on Oversight and Government Reform, and in addition to the Committees on Financial Services, Ways and Means, the Judiciary, House Administration, Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAPUANO:

H.R. 598. A bill to amend title 5, United States Code, to give members of the United States Capitol Police the option to delay mandatory retirement until age 60; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA (for himself, Mr. BLUMENAUER, Mr. DEFazio, Mr. HOLT, Mr. HONDA, Ms. LEE of California, Ms. MCCOLLUM, Mr. MCGOVERN, Mrs. NAPOLITANO, Ms. PINGREE of Maine, Mr. RANGEL, Ms. SLAUGHTER, Mr. FARR, and Mr. ELLISON):

H.R. 599. A bill to prohibit the transfer of defense articles and defense services to the governments of foreign countries that are engaging in gross violations of internationally recognized human rights, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HIGGINS (for himself, Mr. LEVIN, Mr. CONYERS, Ms. SLAUGHTER, Mr. DINGELL, Ms. MOORE, and Mr. RYAN of Ohio):

H.R. 600. A bill to amend the Federal Water Pollution Control Act to provide assistance for nutrient removal technologies to States in the Great Lakes System; to the Committee on Transportation and Infrastructure.

By Mr. MARKEY (for himself and Mr. BLUMENAUER):

H.R. 601. A bill to direct the Secretary of the Interior to establish an annual production incentive fee with respect to Federal onshore and offshore lands that are subject to a lease for production of oil or natural gas under which production is not occurring, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MILLER of Florida:

H.R. 602. A bill to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes; to the Committee on Veterans' Affairs.

By Ms. NORTON:

H.R. 603. A bill to amend the District of Columbia Home Rule Act to establish the Office of the District Attorney for the District of Columbia, headed by a locally elected and independent District Attorney, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. PINGREE of Maine:

H.R. 604. A bill to amend title 38, United States Code, to provide for the eligibility under the Post-9/11 Educational Assistance Program of certain individuals with service-

connected disabilities who transfer to reserve components before discharge from the Armed Forces; to the Committee on Veterans' Affairs.

By Mr. POSEY:

H.R. 605. A bill to exclude insurance companies from the Federal Depository Insurance Corporation's "orderly liquidation authority"; to the Committee on Financial Services.

By Mr. REED (for himself, Ms. MENG, Mr. NADLER, Mr. GIBSON, Mr. HANNA, Mr. CROWLEY, Mr. COLLINS of New York, Mr. ISRAEL, Mr. TONKO, Mr. OWENS, Mr. ENGEL, Mr. MAFFEI, Mr. BISHOP of New York, Ms. CLARKE, Ms. SLAUGHTER, Mr. GRIMM, Mr. MEEKS, Mr. KING of New York, Mr. HIGGINS, Mrs. CAROLYN B. MALONEY of New York, Mr. RANGEL, Mrs. LOWEY, Mr. JEFFRIES, Mr. SERRANO, Ms. VELÁZQUEZ, Mr. SEAN PATRICK MALONEY of New York, and Mrs. MCCARTHY of New York):

H.R. 606. A bill to designate the facility of the United States Postal Service located at 815 County Road 23 in Tyrone, New York, as the "Specialist Christopher Scott Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. THORNBERRY:

H.R. 607. A bill to delay until 2016 provisions of the Patient Protection and Affordable Care Act scheduled to take effect in 2014 or 2015 and to delay the application of sequestration until 2014; to the Committee on the Budget, and in addition to the Committees on Education and the Workforce, Ways and Means, the Judiciary, Natural Resources, Rules, Appropriations, House Administration, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Ms. ROYBAL-ALLARD introduced a bill (H.R. 608) for the relief of Maria Eva Duran, Jessica Duran Cortes, Daniel Ivan Duran Cortes, and Jose Antonio Duran Cortes; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SMITH of New Jersey:

H.R. 592.

Congress has the power to enact this legislation pursuant to the following: article 1, section 8 of the Constitution

By Mr. MCKEON:

H.R. 593.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress "to provide for the common Defence", "to raise and support Armies", "to provide and maintain a Navy" and "to make Rules for the Government and Regulation of the land and naval

Forces" as enumerated in Article I, section 8 of the United States Constitution.

By Mr. BURGESS:

H.R. 594.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority in which this bill rests is the power of the Congress to regulate Commerce, as enumerated by Article I, Section 8, Clause 3 of the United States Constitution. In addition, clause 7 of Section 9 of Article I of the Constitution, provides Congress the authority to control the expenditures of the federal government via appropriations.

By Mr. BUTTERFIELD:

H.R. 595.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the Constitution, Congress has the power to collect taxes and expend funds to provide for the general welfare of the United States. Congress may also make laws that are necessary and proper for carrying into execution their powers enumerated under Article I.

By Mr. GOSAR:

H.R. 596.

Congress has the power to enact this legislation pursuant to the following:

This bill addresses management of federal land. Accordingly, we turn to the following constitutional authority:

Article IV, Section 3, Clause 2.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Currently, the federal government possesses approximately 1.8 billion acres of land. The U.S. Constitution specifically addresses the relationship of the federal government to lands. Article IV, §3, Clause 2—the Property Clause—gives Congress plenary power and full authority over federal property. The U.S. Supreme Court has described Congress's power to legislate under this Clause as "without limitation." This bill falls squarely within the express Constitutional power set forth in the Property Clause.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 597.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof

By Mr. CAPUANO:

H.R. 598.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec.5, Clause 2: "Each House may determine the Rules of its Proceedings . . ."

By Mr. GRIJALVA:

H.R. 599.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. HIGGINS:

H.R. 600.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. MARKEY:

H.R. 601.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. MILLER of Florida:

H.R. 602.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of The Constitution of the United States

By Ms. NORTON:

H.R. 603.

Congress has the power to enact this legislation pursuant to the following:

clause 17 of section 8 of article I of the Constitution.

By Ms. PINGREE of Maine:

H.R. 604.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution

By Mr. POSEY:

H.R. 605.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. REED:

H.R. 606.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to establish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. THORNBERRY:

H.R. 607.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1, 12, 13, 14, and 18.

Congress has the responsibility to raise, arm, and support Armies and maintain a Navy. Congress has the power to make all Law which shall be necessary and proper for carrying into execution these responsibilities.

Ms. ROYBAL-ALLARD:

H.R. 608.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4

Article I, Section 8, Clause 18

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 32: Mr. SALMON, Mr. BUCSHON, Ms. PINGREE of Maine, Mr. BENISHEK, Mr. BISHOP of Georgia, Mr. VARGAS, and Mrs. BLACK.

H.R. 147: Mr. MILLER of Florida, Mr. WHITFIELD, Mr. HENSARLING, Mr. HULTGREN, and Mr. FRELINGHUYSEN.

H.R. 164: Mr. KINGSTON, Mr. PASTOR of Arizona, and Ms. SHEA-PORTER.

H.R. 181: Ms. LORETTA SANCHEZ of California.

H.R. 199: Ms. SCHAKOWSKY.

H.R. 201: Ms. SCHAKOWSKY.

H.R. 220: Mr. COLE.

H.R. 239: Mr. DELAND and Mr. BENTIVOLIO.

H.R. 258: Mr. BILIRAKIS and Mr. PASTOR of Arizona.

H.R. 273: Mr. WESTMORELAND, Mr. PITTENGER, and Mr. MULVANEY.

H.R. 292: Ms. CHU.

H.R. 309: Mr. HUIZENGA of Michigan and Mr. JONES.

H.R. 311: Mr. DAINES.

H.R. 317: Mr. RIGELL.

H.R. 322: Mr. KINGSTON.

H.R. 324: Mrs. CHRISTENSEN and Ms. JACKSON LEE.

H.R. 351: Mr. AMASH, Mr. BROUN of Georgia, and Mr. MCINTYRE.

H.R. 367: Mr. GRAVES of Georgia, Mr. KINGSTON, and Mr. ROTHFUS.

H.R. 377: Mr. SIRES and Mr. SEAN PATRICK MALONEY of New York.

H.R. 416: Mr. GRIFFIN of Arkansas, Mr. GARRETT, Mr. NUNNELEE, Mr. PEARCE, Mr. BURGESS, Mr. SCHWEIKERT, Mr. NUGENT, and Mr. BILIRAKIS.

H.R. 419: Mr. CHABOT and Mr. BILIRAKIS.

H.R. 435: Mr. STIVERS and Mr. VALADAO.

H.R. 498: Mr. FITZPATRICK and Ms. BASS.

H.R. 503: Mr. BARR.

H.R. 515: Ms. BASS, Mr. CARSON of Indiana, and Mr. POLIS.

H.R. 548: Mr. PASTOR of Arizona.

H.R. 568: Mr. ISSA.

H.R. 582: Mrs. BACHMANN, Mr. MILLER of Florida, Mrs. HARTZLER, Mr. MULLIN, and Mr. CRENSHAW.

H. Res. 30: Mr. RUNYAN, Ms. SHEA-PORTER, Ms. KUSTER, Mr. YOUNG of Alaska, Mr. FARR, Mr. SEAN PATRICK MALONEY of New York, Mr. McDERMOTT, Mr. LANGEVIN, Ms. DELAULO, Mr. WALZ, Mr. LARSON of Connecticut, Mr. TONKO, Ms. KAPTUR, Mr. MARKEY, and Mr. HONDA.

H. Res. 35: Mr. MILLER of Florida.

H. Res. 41: Mr. RANGEL and Mr. CAPUANO.

H. Res. 50: Mr. CARTWRIGHT.

H. Res. 59: Mr. COHEN, Mr. MEEKS, and Mr. CARSON of Indiana.

EXTENSIONS OF REMARKS

TRIBUTE TO MR. RICHARD R.
BUERY, JR.

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 8, 2013

Mr. SERRANO. Mr. Speaker, as the Nation commemorates the 150th anniversary of the Emancipation Proclamation, and observes the 50th anniversary of the March on Washington, I rise today to honor Mr. Richard R. Buery, Jr. The son of a retired New York City public school teacher and a retired lab manager, Richard was born and raised in the East New York section of Brooklyn, where he knew early on he wanted to level the playing field for the young men and women he played with growing up.

As a freshman at Harvard University, he began to volunteer at an after-school program at a nearby public housing complex at Roxbury, Massachusetts. It was here during this summer experience where Richard began to see the opportunity and need to develop quality youth programming for underserved communities. After attending and graduating from Yale Law School, Richard worked as a staff attorney at the Brennan Center for Justice, and later became a law clerk to Judge John M. Walker, Jr. of the Federal Court of Appeals in New York City. Even with his success as an attorney he still felt the need to serve young people in underserved communities remained.

Displeased with what was being offered as youth programming in East New York, in 2002, he co-founded and served as the Executive Director of Groundwork, Inc. His mission for the organization was clear, he wanted it to respectfully serve and support the young people in East New York in the manner that he believed his friends needed to have been supported when he was growing up. Under his leadership Groundwork grew to become a comprehensive youth development organization that served more than 3,000 youths and whose annual budget grew from \$1 million to \$6 million dollars.

His success in the youth development world led to the Children's Aid Society selecting Buery in October 2009 as its tenth President and Chief Executive Officer. He is the first African American to lead the venerable New York charitable organization, whose mission is help children in poverty succeed and thrive. As the President and CEO, Mr. Buery has used his prior experience at Groundwork to enhance the development of the Children's Aid Society's Bronx flagship program—the Next Generation Center. Located in the 15th Congressional District the Next Generation Center is a community-based service and youth development program geared to provide the necessary social support mechanisms young men and women need to transition

safely to adulthood. Many of the participants are Bronx at-risk youth who have aged out of the foster care system.

The young men and women of the Bronx who participate in the programming provided at the Next Generation Center know they have an ally in Richard R. Buery, Jr. They know he will not quit on them, label them or turn them away.

Mr. Speaker, it fills me with hope as I reflect on Mr. Buery's service to the residents of New York City and to the constituents of the 15th Congressional District, that we have an enormously talented leader whose commitment to changing the lives of those young men and women has no boundaries. I ask you and my colleagues to join me in recognizing the past, present and future accomplishments of Mr. Richard R. Buery, Jr.

HONORING THE LIFE AND SERVICE
OF RITA EIKA JONES

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 8, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the life and service of Northwest Florida's beloved Rita Eika Jones, who passed away on February 1, 2013. Throughout her long and distinguished career in education and civil service, Rita Eika Jones served as a mentor and an inspiration to countless individuals throughout Northwest Florida. The loss of a great woman and unparalleled public servant is felt not only here at home, but across the state of Florida.

Ms. Jones was a lifelong resident of the Panhandle and began her commitment to the Lord at twelve years of age, receiving confirmation at St. Cyprian's Episcopal Church. Ms. Jones inherently understood that education is the key to success and she spent the majority of her professional career passing her knowledge on to her students. An alumnus of Booker T. Washington High School's class of 1948, Ms. Jones furthered her education by obtaining a mathematics education degree at Bethune-Cookman University. With a passion for learning and a thirst for knowledge, she continued to develop her edification by attaining advanced degrees from a myriad of universities. She earned a graduate degree from Northwestern University and Harvard University, as well as a doctorate degree from Florida State University in design and management of elementary and secondary schools. While completing the course work for her doctorate degree, Ms. Jones studied administration and supervision at Florida A&M University, community school research and small business at the University of West Florida, finance at Clyde Gore Real Estate School, and mathematics and computer technology at Case Institute of Technology.

Ms. Jones' fervor for teaching and bettering the lives of others led her to Escambia County School District, where she served with unwavering dedication as an educator, principal and supervisor for forty-one years, and as a Pensacola City Councilwoman for two terms. Devoting herself wholeheartedly to her profession, she played an active role in improving the school district through staff development, student recognition and achievement, needs assessment, annual report planning and writing and several other key areas.

Northwest Florida, the Escambia County School District, and the many students whose lives were touched by Ms. Jones, mourn the loss of a kind and devoted woman. Her contributions and service to the community and this great Nation will forever be remembered.

Mr. Speaker, on behalf of the United States Congress, I am privileged to honor the exemplary life of Ms. Rita Eika Jones. My wife Vicki and I offer our prayers to her entire family and friends. She will be truly missed by all.

PRESERVING 6-DAY DELIVERY

HON. MICHAEL G. GRIMM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 8, 2013

Mr. GRIMM. Mr. Speaker, many Americans rely on six day mail delivery for essential services. Adjusting this system by even one day could prove to be a problematic change, especially for small businesses looking to advertise or engage in commerce through first-class mail.

While I realize the United States Postal Service is facing tremendous financial burdens, taking away a staple of our Nation's most affordable delivery system is a bad business choice. I have been an advocate for preserving six day delivery, cosponsoring H. Res. 30 which expresses the sense of the House of Representatives that the USPS should take all appropriate measures to ensure continuation of 6-day mail delivery service.

Further, this course of action will result in the loss of jobs for the tremendously hard workers of the Postal Service. I have had the unique experience of working side by side with a Letter Carrier and have seen firsthand just how demanding their job can be. Given the economic situation and significant job losses our country is already facing, 5-day delivery is a step in the wrong direction.

I will continue to work with my colleagues in Congress to ensure we preserve 6-day delivery and strengthen the Postal Service.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

A TRIBUTE TO MR. JOHN WILMA

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 8, 2013

Mr. SWALWELL of California. Mr. Speaker, I rise today to pay tribute to the life of Mr. John Wilma of Hayward, California, who passed away on January 25th. John was known as a tremendous family man, a business and community leader, and was a friend to countless individuals that he touched through his service to the people of the East Bay.

John was an active member of our community, serving in several local community groups. He was a proud member of the Hayward Rotary Club for 32 years and served as its president from 2002–2003. In 2005, John was honored as Outstanding Hayward Rotarian of the Year. John also was a member of the boards of the Hayward Chamber of Commerce, the Alameda County Fair, and the Rowell Ranch Rodeo Association.

John operated his small business in Hayward, alongside his beloved wife Robin, since 1976. He always was willing to donate his professional time to many, including the motorcycle units of the Hayward Police Department and the Alameda County Sheriff's Office. For his outstanding business practices, John was honored with the Hayward Chamber of Commerce's Inaugural Businessperson of the Year Award in 1989.

John always lived his life by the Rotary International motto of "Service Above Self." A few years ago, John and his family helped start The Dictionary Project, wherein local Rotarians would visit each third grade classroom in Hayward and provide these students with a dictionary to assist them with learning, reading, and academic advancement. This is but one example of John's dedicated service through which he touched and improved the lives of so many of those around him.

John is survived by his wife of 43 years Robin Wilma, daughter Lieutenant Colonel Alisa R. Wilma, brother Charles Wilma, sister-in-law Cindy Wheeler, and brother-in-law Christopher de St. Croix. I am honored to be paying tribute to John today. His tireless efforts and generosity in service to the East Bay community will be missed.

IN REMEMBRANCE OF WILLIAM
"BILL" SHERMAN WEEKS

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 8, 2013

Mr. BRADY of Texas. Mr. Speaker, I rise today in honor of a real American hero and proud resident of the Eighth District of Texas, William "Bill" Sherman Weeks, who was laid to rest in the Houston National Cemetery this week.

It was very fitting that so many from our community joined Mr. Week's friends and family to honor this amazing man who offered over thirty years of service in defense of this nation.

As someone who was playing American Legion baseball and going on Boy Scout campouts at age 14, I can't help but be amazed by Bill Weeks, who at 14 donned this nation's uniform to serve in World War II.

Bill Week's service didn't end with the War to End all Wars; he went on to serve in the Korean War and two tours in Vietnam. His military service has been honored with over 22 ribbons and medals including the Bronze Star with Valor, the Korean Campaign Medal, the Vietnam Campaign Medal and the Vietnamese Honor Medal presented by the Vietnamese government. On top of all of that, he was also awarded a Purple Heart.

Mr. Weeks retired from the Air Force in 1974 as Chief Master Sergeant, and settled in Shenandoah where this devoted family man enjoyed his retirement, especially his time with his grandchildren and great grandchildren.

In an interview with one of our local newspapers, the Conroe Courier, Mrs. Weeks described her husband of 20 years as "... very modest and reserved, not only about himself but also about his time spent serving his country."

"As I'm going through things, I'm sure I'll still find stuff that I didn't know he did," said Mrs. Weeks.

That, my friends, is what's right about America. Bill Weeks was the best of Americans because he showed us what makes a hero with his actions and those actions spoke more than any words ever could.

Americans love their nation and the freedoms we cherish. Some, like Bill Weeks, loved this nation enough to lend this nation the best years of their lives. A hero isn't someone who wins a battle, but who serves others. Mr. Weeks was a great American and a hero.

Our nation is forever in his debt as we are to the millions of Americans who volunteer their service to our nation. We pray God's comfort for this family and honor the memory of this Airman, husband, father, grandfather and great-grandfather who has left such an amazing legacy.

TRIBUTE TO THE HONORABLE
HELEN DIANE FOSTER

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 8, 2013

Mr. SERRANO. Mr. Speaker, since Dr. Carter G. Woodson first initiated the idea of Black History Month in 1926, Americans have celebrated the contributions of African-Americans to our country's great history. Their contributions know no boundaries and can be felt in literature, arts, sciences, politics and every other facet of American life.

As the Representative of the Fifteenth Congressional District of New York, I have had the opportunity and pleasure to know and work with New York City Councilmember Helen Diane Foster.

Standing on the shoulders of the brave African American women who fought so hard for their rights, Councilmember Foster is a beacon of inspiration and role model for women of all races. She was born in the Bronx and is

the second child of educator Helen Foster and former Councilmember Pastor Wendell Foster. At a very young age she was taught the importance of hard work, civility and public service.

Before running for office, Councilmember Foster attended and graduated from Howard University and the CUNY School of Law. She worked as the Assistant District Attorney in the Manhattan District Attorney's Office, served as Assistant Vice President for Legal Affairs at St. Barnabas Hospital. She also happens to be a proud member of the nation's oldest Black sorority, Alpha Kappa Alpha Sorority, Inc. In November 2001, Councilmember Foster was the first African-American woman elected to the New York City Council from Bronx County. Throughout her tenure as a member of the New York City Council, she has become well-known for her strong work ethic, no nonsense stances on local issues and robust legislative agenda.

It is leaders like Councilmember Foster who are today's inspiration for future generations of African American women. We honor her, along with all of the courageous African American women, past and present, for their courage and tenacity to help create better communities and a better nation.

Mr. Speaker, I ask that you and my colleagues join me in remembering the many strong African American women who have shown us what equality is and how as Americans we all must come together to fight for equality of all races and genders. Today we honor a woman who stands amongst them. Join me in paying tribute to New York City Councilmember Helen Diane Foster and the great African American women who have come before and currently stand beside her.

150TH ANNIVERSARY OF THE OFFICE OF THE COMPTROLLER OF THE CURRENCY

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 8, 2013

Mr. BACHUS. Mr. Speaker, I rise today in recognition of the 150th anniversary of the Office of the Comptroller of the Currency. The OCC is the oldest regulatory agency in the federal government.

President Abraham Lincoln signed into law the National Currency Act on February 25, 1863. The National Currency Act created a new system of locally owned, federally-chartered and -supervised financial institutions and a new position in the Treasury Department, the Comptroller of the Currency, to oversee their safety and soundness.

The National Currency Act became law during the Civil War, which by 1863 had already proven far more costly in blood and treasure than anyone had imagined at the war's outset. Because the act required newly chartered banks to purchase U.S. government bonds to secure their obligations, it brought millions of dollars to the Treasury, helping to ensure that the troops and those who furnished their food and equipment would not go unpaid.

But for Lincoln, Treasury Secretary Salmon P. Chase, and their allies in Congress, the

system ushered in by the National Currency Act was also the fulfillment of a dream to truly unite the country into a vast national market in which a reliable money supply flowed freely from state to state and region to region, stimulating commerce, communication, and a sense of mutual engagement in the enterprise of growth and prosperity for all.

For the past 150 years, the Office of the Comptroller of the Currency has aided in advancing the great American enterprise. Over that long period, national bank examiners and those who support their work have exemplified professionalism and integrity.

With skill, steadiness, and good judgment, the men and women of the OCC have helped steer the nation's banking system through crisis. During the Great Depression, OCC examiners worked day and night to reorganize banks and reopen them to the public. The banking system went on to play a major part in financing the American war effort between 1941 and 1945, and the rebuilding of the war-torn world thereafter. During the financial crisis of 2008 and 2009, the OCC helped shore up the banking system and its recovery, so that banks could resume the vital functions they perform in support of America's businesses and communities.

Since 2011, the OCC has also been responsible for the supervision of federal savings associations, whose support of housing finance has made it possible for millions of Americans to enjoy the benefits of home ownership.

Now, whereas Congress approved, and President Abraham Lincoln signed, the National Currency Act of 1863, creating the federal banking system and the position of Comptroller of the Currency; and whereas the Office of the Comptroller of the Currency has served the people of the United States with distinction, ensuring a safe and sound national banking system to support American business, consumers, and communities, Congress hereby congratulates the OCC on its 150th anniversary and wishes it continued success in the accomplishment of its important mission.

INTRODUCTION OF THE DISTRICT OF COLUMBIA DISTRICT ATTORNEY ESTABLISHMENT ACT OF 2013

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Friday, February 8, 2013

Ms. NORTON. Mr. Speaker, today, I reintroduce a bill, the District of Columbia District Attorney Establishment Act of 2013, to give District of Columbia residents another element of the self-government enjoyed by all other American citizens. The bill would establish the Office of the District Attorney for the District of Columbia, headed by a district attorney elected by D.C. residents, to prosecute major local criminal laws of the District. Under the Home Rule Act, the U.S. Attorney's Office for the District of Columbia, a federal entity, is responsible for prosecuting major local crimes here. The bill effectuates a 2002 advisory referendum, approved by 82 percent of D.C. voters, to create an office of the district attorney, headed by a locally elected district attorney.

There is no law enforcement issue of greater importance to D.C. residents, or on which they have less say, than the prosecution of local crimes here. A U.S. attorney has no business prosecuting the local criminal laws of a jurisdiction, an anachronism that is out of place in 21st century, home-rule D.C. The goal of the legislation is to put the District on par with every other local jurisdiction on local criminal law matters. Under the bill, the locally elected district attorney would become the city's chief legal officer. The U.S. Attorney for the District of Columbia would continue to handle federal matters, like the other U.S. attorneys in our country. As presently constituted, the U.S. Attorney's Office for the District of Columbia is the largest in the country, only because it serves as the local city prosecutor. The U.S. Attorney for the District of Columbia needs to be freed up to handle national security and other vital federal cases, particularly in the post-9/11 nation's capital.

Amending the Home Rule Act to create a local district attorney would be an important step toward our goal of achieving true self-government. I urge my colleagues to support this important measure.

INTRODUCTION OF COMMISSION ON AMERICANS LIVING ABROAD ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 8, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, our 4–6 million constituents scattered across the world promote our culture and strengthen our nation's global influence as they live and work abroad. For years I have worked to ensure that overseas Americans can fully exercise their rights as U.S. citizens by having their voices heard loud and clear by Congress. Five years ago, I formed the Congressional Americans Abroad Caucus because I wanted to bring awareness and focus to the concerns of those residing abroad. U.S. citizens remain just that, citizens, regardless of where they choose to live and should not be ignored by virtue of residence.

Our constituents living and working abroad have consistently voiced concerns about the impact federal policymaking has on the issues directly affecting them like voting, immigration, access to financial institutions, and taxation. The time has come to take a look at the importance of federal policies for our overseas community rather than continuing to ignore the calls from our abroad constituents. That is why today I am introducing the Commission on Americans Living Abroad Act, which creates an Executive Commission with the main purpose of examining those concerns. The Commission creates a 15 member panel to examine the impact of federal policymaking on U.S. citizens abroad. The resulting study would then be used by Congress and the Executive Branch when considering the best steps we can take to engage the abroad community and ensure their voices are heard. This process will ensure clearer awareness of the federal issues impacting Americans abroad and will

open a path for coordination with those communities towards more robust representation.

We must take a real and comprehensive look at how we, as Members of Congress, respond to U.S. citizens living abroad. Each of our constituents has a right to have their interests represented and to have a role in the political process. The Commission on Americans Living Abroad would establish a foundation from which we can work to better serve the needs of our global constituents. I welcome and urge my colleagues to lend their support to this bill.

HONORING HAZEL WEISS

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 8, 2013

Ms. LEE of California. Mr. Speaker, I rise today to honor the extraordinary career of Hazel Weiss as she retires from 29 years of service to the people of Alameda County, including her tireless efforts to provide permanent supportive housing and services for those in need. I join our community in celebrating the many ways in which her life's work has contributed to the success and wellbeing of countless people throughout the Bay Area and beyond.

Holding a bachelor's degree in American Social Organization, a Master of Arts in Health Services Administration, and a Master of Science in Assistance Dog Education, Ms. Weiss has shaped a multi-faceted career, which has never ceased to offer creative solutions for vulnerable populations.

Over the course of nearly three decades working with Alameda County, Ms. Weiss served as Senior Program Specialist for the Health Care Services Agency's Alcohol and Drug Programs Department; she was instrumental in creating sober living environments as Program Director for the Alameda County Shelter Plus Care Program; and was the Community Development Agency's Housing and Community Development Manager.

Moreover, as Director of the National Shelter Plus Care Coalition, which she initiated in 1999, Ms. Weiss oversaw 300 national members advocating to secure full federal renewal funding to permanently house and support homeless people with disabilities. Among her myriad commitments, she administered funding for Housing Opportunities for People with AIDS (HOPWA) and served as a member of the Ryan White Care Act Community Care Planning Council.

For many years, Ms. Weiss also served on the Planning Committee of Alameda County's annual Disability Employment conference, as well as on a variety of committees, commissions, and nonprofit boards of directors to promote disability awareness and the equal treatment of persons with disabilities. Ms. Weiss exercised the rare talent of fulfilling local needs while also promoting advocacy on a national scale. Her nationally recognized work in Supportive Housing for homeless people made her a familiar face at the Federal level, calling for increased funding and support.

On a personal note, I was always impressed by Hazel's passion and vitality during her

many visits to my Washington, DC office accompanied by her service dogs, first Hams, and later, Virgil. She is truly a remarkable woman who has gone above and beyond in working to make universal access to care and housing a reality for all.

Her dedication to improving others' lives is evident from her countless community affiliations and activities, including her personal commitment to the City of Berkeley Commission on Disability, the Disability Constituency Committee for the California Department of Alcohol and Drug Programs, and the Board of Directors of Community Resources for Independent Living. In addition to being a published author, an adjunct faculty member and lecturer, and a volunteer for dog-related therapeutic programs, Ms. Weiss has spent her career leading bold initiatives for the common good. She has truly created pathways out of poverty while being a champion for equal opportunity and human dignity each day.

On behalf of the residents of California's 13th Congressional District, Ms. Hazel Weiss, I salute you for 29 years of outstanding service to Alameda County and people across this great nation. I congratulate and thank you for your unparalleled service to our community. You have touched many lives in profound ways throughout your career, and we wish you and your loved ones continued prosperity and happiness as you transition to this exciting new chapter of life.

TRIBUTE TO THE HONORABLE
DONALD A. MILES

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 8, 2013

Mr. SERRANO. Mr. Speaker, the theme of Black History Month 2013 is "At the Crossroads of Freedom and Equality: The Emancipation Proclamation and the March on Washington." In the 100 years between their emancipation and the success of the civil rights movement, African-Americans were subjected to the abuse of slavery and the exclusion from benefits attributed to American prosperity. In spite of the civil and political barriers facing them, African-Americans worked diligently to achieve full equality with other Americans.

Therefore it is with great respect and sincere admiration that I rise to honor an outstanding public servant who has served the Bronx community for over 25 years. Judge Donald A. Miles, a child of North and South Carolina parents, and the eldest of two children, is presently a Judge of the Civil Court of the City of New York in Bronx County.

Before beginning his life in the courtroom, the New York City Public Schools-educated Miles received a Bachelor of Arts Degree in Political Science, with a minor in Sociology from the State University of New York at Stony Brook and earned a Master of Science Degree in Social Work from Columbia University. His background in social sciences led him to Lincoln Hospital where he worked as a Certified Psychiatric Social Worker.

I imagine it was this experience at Lincoln Hospital, serving and supporting many of the underserved and under-resourced in the South Bronx that led Judge Miles to pursue his Juris Doctorate, from the Antioch School of Law in Washington, DC. Though there is much to extol in Judge Miles' rise from a private practice attorney to Principal Law Clerk at the Bronx Supreme Court and on to his current position as Judge of the Civil Court of the City of New York in Bronx County, today it is important to focus on Judge Miles' commitment to improving the position of the African-American community.

He is currently a member of the Bronx County Bar Association, Black United Leadership in the Bronx, Scholarship Committee of the Black Bar of Association of Bronx County, and when he finds the time he volunteers as a judge for the Thurgood Marshall Mock trial competition. I also take personal pride in having Judge Miles serve as a member of my military academy recommendation committee. His participation in these committees and groups helps empower African-Americans in Bronx County.

Mr. Speaker, the Bronx is proud to be the home of many African-American leaders. Individuals like Judge Donald A. Miles continue to open doors and set high standards for generations of African-Americans. During Black History Month, we pay tribute to and thank him for his work on behalf of the people of the Bronx, and I ask you and my colleagues to join me.

SENATE—Monday, February 11, 2013

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Divine Master, You are the center of our joy. Let Your benediction rest upon our Senators as they strive to bring their stewardship in line with the destiny You desire for their lives. Lord, make them channels of Your grace, empowering them to serve our land in the spirit of children rejoicing in doing Your will. Replenish their limited human resources with strength from Your limitless reservoir of grace. Remind them You will not ask them to do more than You will provide the strength to accomplish.

Fill this day with unexpected surprises of Your mercy and love.

We pray in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable PATRICK J. LEAHY led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will resume consideration of S. 47, the Violence Against Women Act. The time until 5:30 p.m. will be equally divided and controlled between the two leaders or their designees.

At 5:30 there will be several rollcall votes in relation to amendments to the bill. Right now there are up to seven rollcall votes remaining. We don't know if that, in fact, will take place. I have been advised that National Airport has been closed off and on during the day, or at least flights haven't been coming in because of some kind of a weather problem, low-hanging clouds. We have had a number of calls from Senators who are saying they may not be able to be here. I will keep in touch with the Republican leader and we will go from there.

The way things are scheduled now, we have up to seven rollcall votes

starting at 5:30 today. We are going to complete work on the Violence Against Women Act, or hope we can do that, tonight. We are going to have the State of the Union tomorrow and we hope on Wednesday and/or Thursday we will be able to finish the Hagel nomination.

There has never in the history of the country been a filibuster on a Defense Secretary, and I am confident there won't be on this one. I am told the committee will report this matter out tomorrow, and we will move this to the Senate floor as quickly as possible.

We have a work period, and when we get back we will try to complete the National Security Director, Mr. Brennan, and we will move on to Mr. Lew, who will be the Secretary of the Treasury.

We have some votes, and we will line up this week what we are going to do when we get back after the work period we have at home for 5 days.

I look forward to a productive night. I hope we can complete these votes, because there are people working very hard on this, not the least of which has been the President pro tempore, the chairman of the Judiciary Committee, who has worked on this matter for a number of years. I hope we can complete this very quickly.

The Chair may announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. KAINE). Under the previous order, the leadership time is reserved.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 47, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 47) to reauthorize the Violence Against Women Act of 1994.

The PRESIDING OFFICER. Under the previous order, the time until 5:30 p.m. will be equally divided between the two leaders or their designees.

The Senator from Vermont.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, am I correct that we are on the Violence Against Women Act?

The PRESIDING OFFICER. That is correct.

Mr. LEAHY. Mr. President, I hope all Senators will join in adopting the trafficking victims protection amendment that is before us today. This is crucial to reauthorizing the Trafficking Victims Protection Act. We can make real progress in helping victims of human trafficking by adopting the amendment today and then proceeding to pass both the Violence Against Women Reauthorization Act and the Trafficking Victims Protection Reauthorization Act without delay.

One hundred and fifty years after President Lincoln issued the Emancipation Proclamation and long since ratification of the 13th amendment to our Constitution, slavery is illegal. What we are fighting now is human trafficking, which can amount to modern day slavery. This still occurs throughout the world—including in the United States of America. The Polaris Project estimates that there are more than 27 million victims of human trafficking worldwide today. To put that in perspective, that is more people than the population of Texas.

The amendment before the Senate today is drawn from our Trafficking Victims Protection Reauthorization Act, a bipartisan bill that was written with the input of victims and service providers to make critical improvements to existing law. I have worked hard to try to address concerns expressed by Republican Senators and to ensure bipartisan support for this legislation, which Congress has reauthorized three times before. The result is that last year this legislation had 57 cosponsors, including 15 Republicans.

It is a parallel effort to our reauthorization of the Violence Against Women Act. I was preparing to move it separately but other Senators offered trafficking-related amendments to the VAWA bill. That is what led to this amendment being offered at this time. This is now our opportunity to pass the Trafficking Victims Protection Reauthorization Act and take a giant stride forward to help trafficking victims.

Our effort is to stop human trafficking at its roots by supporting both domestic and international efforts to fight against trafficking and to punish its perpetrators. We provide critical resources to help support victims as they rebuild their lives.

This amendment includes new measures to ensure better partnership and coordination among Federal agencies, between law enforcement and victim service providers, and with foreign countries to better address every facet of this complicated problem.

It also strengthens criminal anti trafficking statutes to ensure that law enforcement agencies have the tools they need to effectively combat all forms of trafficking. It includes measures to encourage victims to cooperate with law enforcement, which leads to more prosecutions, and to identify victims and alert law enforcement.

We have included accountability measures to ensure that Federal funds are used for their intended purposes, and we have streamlined programs to focus scarce resources on the approaches that have been the most successful.

Last year, the Senate Judiciary Committee reported the measure and it was cleared for passage by every Democratic Senator. We worked closely with Chairman Kerry, now Secretary of State Kerry, and the members of the Foreign Affairs Committee. We have updated it with modifications cleared with the State Department and the new Foreign Affairs chairman, Senator MENENDEZ, to the first title. I want to acknowledge Senator RUBIO's efforts last year trying to help us clear this bill for Senate passage. Regrettably, this important legislation, like so many others, was held up last year by the objection of one anonymous Republican Senator. This is now our opportunity to pass it. Let us join together today to take this important step to help trafficking victims and prevent human trafficking.

The United States remains a beacon of hope for so many who face human rights abuses. We know that young women and girls, often just 11, 12, or 13 years old, are being bought and sold. We know that workers are being held and forced into labor against their will.

I urge all Senators to join in passing the Trafficking Victims Protection Reauthorization Act. People in this country and millions around the world are counting on us.

Mr. President, I ask that the time be equally divided, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

FISCAL CHALLENGES

Mr. MCCONNELL. Mr. President, over the past few weeks I have come to the floor to urge the President and Senate Democrats to act on the huge fiscal challenges facing our Nation, starting with the Obama sequester. Unless Senate Democrats allow a reasonable spending cut alternative to pass this Chamber before March 1, the

President's plan will go into effect. The House passed legislation to avert the Obama sequester months ago, but Senate Democrats have yet to pass an alternative bill that could actually go to conference. In fact, it took until this week for them to even say they would do an alternative, and the alternative they have come up with is clearly—clearly—designed to fail. Look, they knew this was coming more than a year ago. Yet they still haven't put forward a serious proposal of replacement spending cuts. What a colossal waste of time.

At the beginning of the year Democrats promised that things would be different. They promised to get their work done ahead of time instead of 5 minutes before the deadline, that legislation would get committee consideration and that we were going to go through the regular order.

Instead, we find ourselves in sad and familiar territory. It goes something like this: Republicans identify a challenge and propose a solution well in advance. Democrats sit on their hands until the last minute, and then they offer some gimmicky bill designed to fail. Then comes the final act: President Obama rides in to blame everyone else. Obviously, tomorrow's State of the Union Address will provide a perfect forum for that, so we will see if history repeats itself. But, frankly, this whole routine is getting quite old. Maybe I am wrong. Maybe the President and his Democratic friends are willing to break the cycle this time. If so, my party has said from the beginning that we would much prefer to replace the Obama sequester with smarter spending cuts and reforms.

Even though Republicans already passed legislation to solve the problem a long time ago, if the President wants a different solution he can call his own, that is fine. We are happy to give him the credit. But however we get it done, the time has come to finally take on Washington's spending problem in a bipartisan way, and that means the President will actually have to move beyond the gimmicks and the taxes and propose real spending reductions because I assure you that my constituents in Kentucky will not accept a tax hike in place of spending cuts already agreed to by both parties.

Remember, we agreed to reduce this amount of spending in October 2011 without raising taxes. We have already made this agreement. The question is, What are we going to do about it? I think Democrats' continued avoidance of their responsibility to deal with the huge threats to our economy and our future lies ahead.

As I said, I strongly suspect that instead of bipartisan action, the White House will subject us to yet another campaign blitz. Frankly, I could write the scripts myself. We will all be told that the President's hands are tied by

the very sequester he himself proposed, signed, and now refuses to get rid of. We will be told he has no choice but to furlough civilians throughout the Defense Department, to cut off training for forces next to deploy, and to order a battle carrier to stay at home, which would diminish our presence in the Persian Gulf, when the reality is that he has responsibilities as Commander in Chief.

Let's be clear about something: If the President does choose to strike fear into the hearts of folks whom he should be reassuring, then that decision will be his alone. And that is why the next time the President delivers some over-the-top speech, flanked by some pollster-approved voter group, I hope someone on the stage taps him on the shoulder and asks, Mr. President, if you are truly worried about this issue, why aren't you working with the Congress we elected to prevent it?

It is a good question, and it is one only he can answer. We will welcome him to Capitol Hill tomorrow, and I hope he will provide an answer. Will the President lay out a serious plan to avert the Obama sequester or will he simply use this as another excuse to fire up the campaign machine? If it is the latter, he will have to live with the consequences of his choice.

Another issue we have been reading a lot about lately relates to the consequences of ObamaCare. I could stand here and tell you that Republicans warned about most of these things until we were hoarse, that we saw it all coming and said so—the higher costs, the higher premiums, the tax hikes, the lost jobs, and the potential for millions to lose their plans. The President dismissed all of that, and he got his legislative win. The question is, What is he going to do to help folks now that our predictions are all coming true? Will he be open and honest with the American people about the consequences of ObamaCare? Will he use tomorrow's speech as an opportunity to prepare them or will he simply ignore it and hope people simply don't notice?

These are just a couple of the issues Americans are worried about right now. I hope the President addresses both of them tomorrow. There is pretty broad agreement that the President spent most of his first term avoiding the issues Americans cared about most. What I am suggesting is that he not do the same thing this time around.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I wish to spend some time outlining some amendments I have to the Violence Against Women Act, but I also ask unanimous consent to use oversized charts, and even with the size I have, on the one chart, you can barely see it, in terms of the grant programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. I would also like to comment on the Trafficking Prevention Reauthorization Act of 2012, which is the Leahy amendment. When we first started working on this issue, it was 2001 and \$31.8 million, with one or two Federal agencies involved. With this bill, we are going to create eight different agencies with responsibility for this. That is absolutely crazy, and it duplicates exactly what we have done in every other area of the Federal Government, which I will show here in a moment. It shows what we have done in the Justice Department in terms of grants.

Now, we spend \$3.9 billion a year out of the Justice Department on 259 different grant programs, many of which—as a matter of fact, the majority of which overlap one another. We have found—and this is not my data, this is GAO data—that we have multiple entities making a claim for a grant in one area, and then they go over and make a claim for the same thing in another area. Guess what. The Justice Department doesn't know that. They have no idea what is going on with their grant programs. They do not do any follow up, they do not put in any metrics, and so therefore the \$3.9 billion or the \$40 billion we have spent on these programs in the last 10 years has been highly ineffective.

These grants are well intended. I don't doubt that. The amendment of the Senator from Vermont, Mr. LEAHY, on the Trafficking Victims Protection Act is very well intended. I am not disputing that. But we find that the vast majority of money in that amendment goes overseas for trafficking prevention and protection, not here in our country where it is coming across Interstate 35 and Interstate 40 through my State, coming from the west coast to east and from south to north.

When we find that the vast majority of money will be spent outside the country, especially in light of our present budgetary situation, we ought to reconsider this amendment. We ought to refine it down to one or two agencies, not eight. We ought to put line responsibility and transparency in it, and we ought to put in metrics to make sure the money we are spending is actually going to be measured so we will know whether we have been effective in spending the American taxpayers' dollars.

So I am opposed to the Leahy amendment because although well intended, it is a very wasteful throwing of the mud up against the board and hoping to hit something. It is not organized, it is not well thought out, and it is certainly not efficient in terms of the way the money will be expended.

Let me spend a moment on these three charts. I am going to have two more when GAO issues its release on

April 1 of all the duplication in the Federal Government, but I want you to notice something here: the Department of Justice grants, 253 different programs not just run by the Department of Justice but 9 other agencies besides them, spending \$3.9 billion a year. Now, one might say: Well, that is OK.

But let's look at the organization because we have this chart, which the Department of Justice doesn't have. So here they are, layer upon layer of administrative costs for all these programs—very well intended, all of them, but highly inefficient.

Now, what are we doing with this bill? We are going to add more to it. We are not going to add a lot of metrics to see if what we are doing actually works.

The other thing we are doing with this bill is we have an authorization that is far greater than the amount of money we are ever going to spend on it. Now, why would we do that? Is it political? Could it possibly be political, that we are going to authorize way above what we know is ever going to be spent? Yes, it is. We know we are not going to spend what is authorized in this bill.

Authorizations ought to be what we intend to be spent, not how we intend to soothe someone with what we say we are going to spend, yet knowing full well we will never spend the money. It is a very shameful sleight of hand because these are important issues. As a practicing physician, having delivered over 4,000 babies, I have seen violence against women in lots of ways. I have done a lot of counseling, spent a lot of time there. And any dollar we take from the American taxpayer, we ought to make sure it actually does something very positive.

I have several amendments to this bill. I didn't get all the amendments I wanted. One was denied, and I will explain to the American public what it was. It was to eliminate \$200 million in expenditures for campaign conventions for the Democrats and Republicans. It passed here with 94 votes, but they wouldn't allow it to be voted on here. It passed the House. So here is a way to take \$200 million and let the parties run their own conventions rather than the American taxpayers paying for the parties. But that wasn't allowed.

So we haven't moved forward yet in the Senate, where people can actually offer what they think will be good-government amendments that will save this government money and do what the vast majority of the American people want us to do.

Just look at this chart. And I want to add one other thing. There is only one agency of the Federal Government that, at the end of the year, if it doesn't spend its money, doesn't get to keep it. Guess what department that is. It is the Department of Justice.

We have set them aside. So even though we don't have good controls on

the grants, we don't have oversight. We haven't eliminated the duplication which the GAO says is tremendous in terms of its goals. We had an opportunity to do that on this bill. We didn't do it. At the end of the year, whatever they don't spend they get to spend where they want to spend outside of the appropriations process of Congress. It is time we change that. It is time we know where every dollar is going.

Now, I admit this is a dizzying poster, but it equates well the lack of certainty, intelligence, and planning of Congress. Congress created that.

Think about that: 250-plus different grant programs, most of them overlapping and doing the same thing, with multiple grantees hitting multiple grants. Since we don't oversight them, and the agency doesn't oversight them, and they don't know whether the money has been spent on what it was supposed to be spent, we have no idea if we are accomplishing something good other than appropriating money to go to grants that go to the cities.

The other problem I have with this bill is that there is a federalism concern. One of the reasons we have been running trillion-dollar deficits, one of the reasons we are close to \$17 trillion in debt, one of the reasons we have \$86 trillion in unfunded liability—and if we used generally accepted accounting principles and measured our debt like every other country, we would be at about 120 percent of our GDP, and we would be in excess of \$100 trillion in unfunded liabilities. And one of the reasons is because we step all over the enumerated powers of the Constitution.

If we were to take this act and look at it, 98 percent of it is for State violations of laws. Nobody will dispute that. Where in the Constitution does it give us the right to go down to the State level and direct and mandate how States are going to respond to their own tort and civil laws? Whether it is the Presiding Officer's Commonwealth of Virginia or the State of Oklahoma, what gives us that right?

I am for fixing these problems, but there is a bigger problem about to swallow our country, and we continue to blindly follow our hearts rather than putting a measure of common sense with our desire to do well. So I have a couple of amendments.

AMENDMENT NO. 15

Mr. COBURN. Mr. President, I ask unanimous consent to call up amendment No. 15.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment. The legislative clerk read as follows: The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 15.

Mr. COBURN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To more quickly resolve rape cases and reduce the deficit by consolidating unnecessary duplication within the Department of Justice)

At the appropriate place, insert the following:

SEC. ____ . IDENTIFYING UNNECESSARY DUPLICATION WITHIN THE DEPARTMENT OF JUSTICE.

(a) **REQUIREMENT TO IDENTIFY AND DESCRIBE PROGRAMS.**—Each fiscal year, for purposes of the report required by subsection (c), the Attorney General shall—

(1) identify and describe every program administered by the Department of Justice;

(2) for each such program—

(A) determine the total administrative expenses of the program;

(B) determine the expenditures for services for the program;

(C) estimate the number of clients served by the program and beneficiaries who received assistance under the program (if applicable); and

(D) estimate—

(i) the number of full-time employees who administer the program; and

(ii) the number of full-time equivalents (whose salary is paid in part or full by the Federal Government through a grant or contract, a subaward of a grant or contract, a cooperative agreement, or another form of financial award or assistance) who assist in administering the program; and

(3) identify programs within the Federal Government (whether inside or outside the agency) with duplicative or overlapping missions, services, and allowable uses of funds.

(b) **RELATIONSHIP TO CATALOG OF DOMESTIC ASSISTANCE.**—With respect to the requirements of paragraphs (1) and (2)(B) of subsection (a), the Attorney General may use the same information provided in the catalog of domestic and international assistance programs in the case of any program that is a domestic or international assistance program.

(c) **REPORT.**—Not later than February 1 of each fiscal year, the Attorney General shall publish on the official public Internet website of the agency a report containing the following:

(1) The information required under subsection (a) with respect to the preceding fiscal year.

(2) The latest performance reviews (including the program performance reports required under section 1116 of title 31, United States Code) of each program of the agency identified under subsection (a)(1), including performance indicators, performance goals, output measures, and other specific metrics used to review the program and how the program performed on each.

(3) For each program that makes payments, the latest improper payment rate of the program and the total estimated amount of improper payments, including fraudulent payments and overpayments.

(4) The total amount of unspent and unobligated program funds held by the Department and grant recipients (not including individuals) stated as an amount—

(A) held as of the beginning of the fiscal year in which the report is submitted; and

(B) held for 5 fiscal years or more.

(5) Such recommendations as the Attorney General considers appropriate—

(A) to consolidate programs that are duplicative or overlapping;

(B) to eliminate waste and inefficiency; and

(C) to terminate lower priority, outdated, and unnecessary programs and initiatives.

(d) **CONSOLIDATING UNNECESSARY DUPLICATION WITHIN THE DEPARTMENT OF JUSTICE.**—Notwithstanding any other provision of law and not later than 150 days after the date of enactment of this section, the Attorney General shall—

(1) use available administrative authority to eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in—

(A) the March 2011 Government Accountability Office report to Congress entitled “Opportunities to Reduce Government Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO 11 318SP);

(B) the February 2012 Government Accountability Office report to Congress entitled “2012 Annual Report: Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO 12 342SP);

(C) the July 2012 Government Accountability Office report to Congress entitled “Justice Grant Programs” (GAO 12 517); and

(D) subsection (a);

(2) identify and report to Congress any legislative changes required to further eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in—

(A) the March 2011 Government Accountability Office report to Congress entitled “Opportunities to Reduce Government Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO 11 318SP);

(B) the February 2012 Government Accountability Office report to Congress entitled “2012 Annual Report: Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO 12 342SP);

(C) the July 2012 Government Accountability Office report to Congress entitled “Justice Grant Programs” (GAO 12 517); and

(D) subsection (c); and

(3) develop a plan that would result in financial cost savings of no less than 20 percent of the nearly \$3,900,000,000 in duplicative grant programs identified by the Government Accountability Office as a result of the actions required by paragraph (1).

(e) **ELIMINATING THE BACKLOG OF UNANALYZED DNA FROM SEXUAL ASSAULT, RAPE, KIDNAPPING, AND OTHER CRIMINAL CASES.**—Notwithstanding any other provision of law and not later than 1 year after the enactment of this section, the Director of the Office of Management and Budget in consultation with Attorney General shall—

(1) rescind from the appropriate accounts the total amount of cost savings from the plan required in subsection (d)(3);

(2) apply as much as 75 percent of the savings towards alleviating any backlogs of analysis and placement of DNA samples from rape, sexual assault, homicide, kidnapping and other criminal cases, including casework sample and convicted offender backlogs, into the Combined DNA Index System; and

(3) return the remainder of the savings to the Treasury for the purpose of deficit reduction.

(f) **REPORTING THE SAVINGS RESULTING FROM CONSOLIDATING UNNECESSARY DUPLICATION.**—Notwithstanding any other provision of law, the Attorney General shall post a report on the public Internet website of the Department of Justice detailing—

(1) the programs consolidated as a result of this section, including any programs eliminated;

(2) the total amount saved from reducing such duplication;

(3) the total amount of such savings directed towards the analysis and placement of DNA samples into the Combined DNA Index System;

(4) the total amount of such savings returned to the Treasury for the purpose of deficit reduction; and

(5) additional recommendations for consolidating duplicative programs, offices, and initiatives within the Department of Justice.

(g) **DEFINITIONS.**—In this section:

(1) **ADMINISTRATIVE EXPENSES.**—The term “administrative expenses” has the meaning as determined by the Director of the Office of Management and Budget under section 504(b)(2) of Public Law 111–85 (31 U.S.C. 1105 note), except the term shall also include, for purposes of that section and this section—

(A) costs incurred by the Department as well as costs incurred by grantees, subgrantees, and other recipients of funds from a grant program or other program administered by the Department; and

(B) expenses related to personnel salaries and benefits, property management, travel, program management, promotion, reviews and audits, case management, and communication about, promotion of, and outreach for programs and program activities administered by the Department.

(2) **PERFORMANCE INDICATOR; PERFORMANCE GOAL; OUTPUT MEASURE; PROGRAM ACTIVITY.**—The terms “performance indicator”, “performance goal”, “output measure”, and “program activity” have the meanings provided by section 1115 of title 31, United States Code.

(3) **PROGRAM.**—The term “program” has the meaning provided by the Director of the Office of Management and Budget in consultation with the Attorney General and shall include any organized set of activities directed toward a common purpose or goal undertaken by the Department that includes services, projects, processes, or financial or other forms of assistance, including grants, contracts, cooperative agreements, compacts, loans, leases, technical support, consultation, or other guidance.

(4) **SERVICES.**—The term “services” has the meaning provided by the Attorney General and shall be limited to only activities, assistance, and aid that provide a direct benefit to a recipient, such as the provision of medical care, assistance for housing or tuition, or financial support (including grants and loans)

Mr. COBURN. Mr. President, one of the things the VAWA legislation fails to do is to address the duplication and overlap within the very grant programs and nongrant programs of VAWA operated by the Department of Justice and the Department of Health and Human Services. It doesn't address those.

At the beginning of every Congress, I send to each and every Senator information outlining the criteria that I would use—seven others joined me last year—in terms of determining legislation. Last Congress we sent this out, and what I will tell you is that this legislation significantly violates one of the principles that we have to do for us to get out of the hole; that is, to eliminate duplication and consolidate what is in front of us.

So this legislation does do some small consolidation. I will readily and

freely admit it hasn't come close to eliminating all the duplication. There are several VAWA grant programs that are so broad that they duplicate one another, providing multiple opportunities, as I said before, to double-dip into Federal programs. They also duplicate significant programs with Health and Human Services. So you can get a grant at Health and Human Services and you can get a grant at the Justice Department. So the whole proposal of this amendment is to force the Department of Justice to make recommendations on what is duplicated, what is effective, and capture those savings to more quickly address the deficits we have in terms of DNA collection and identification.

We have hundreds of thousands of pieces of evidence that could significantly change both the cost and the time period in which we address both violent crime and nonviolent crime. According to the GAO, we wasted billions of dollars over the last 10 years in these grant programs. So what this amendment says is we are going to put it to the Justice Department—they know where they are—to come forward, save this money, and let's direct this money to clean up the CODIS system, the DNA backlog, and bring it forward and infuse that money into both technology and catch-up so we are timely.

Why is this important? It is important for a lot of reasons. Sitting in those hundreds of thousands of cases is the very clue to solving hundreds of thousands of cases and others that we don't even know may be connected.

The second reason it is important is there are people sitting in prison today who are innocent, and that data collection and DNA input could clear them of a wrongful conviction.

So what this is asking the Justice Department to do is to identify every program. By the way—and most people don't know—there is only one Federal agency that actually knows every program they have. That is the Department of Education. Go call anybody at the Justice Department and nobody over there can tell you. We know, because we have studied it, but they don't know. They can't even publish all their programs. They don't put it out.

Consolidate unnecessary duplication and apply the savings toward resolving rape cases and DNA data cases and with the remainder that is left over to go to reducing the debt. It is simple. Nobody in America except the Federal Government would run programs like this. Nobody would blindly create more programs rather than make the ones they have work now, except that is what we are doing.

So this is simple, straightforward math. I don't expect it to pass. We have only had one amendment pass in the Senate in the last 2 years trying to eliminate duplication, and therein lies the problem. We are afraid to do what

is best because we would rather protect a constituency of one of these small grant programs than fix them all and still solve the general intent of why we put the money out there in the first place. We are conflicted.

So when GAO, at the end of March this year finishes the review of the Federal Government—which we had to mandate by an amendment that I put into law—we are going to see in excess of \$200 billion a year in duplicative costs that shouldn't be there.

I want you to think for a minute. If you look at every one of these grant programs, every one has an administrator. Every one has a staff. Every one has grant approval people. Most of them have grant investigators—most don't. Some have fund managers—most don't. So each one of these has a bureaucracy. And when the vast majority is duplicating one another, we are saying we are well intended, but we are spending money on the process, not on the problem. The intent of this amendment is to strike that balance between truly getting to the solution to a problem and at the same time solving another problem, which is the CODIS and the rape backlog.

In the bill—and I am thankful that the Cornyn amendment is there. The grant system previous to the Cornyn amendment said the vast majority of the money had to be spent on why you can't get the DNA data up rather than working on the backlog. What this will do is force us to get caught up. This creates \$600 million of savings over a period of time that will then be applied to solving this problem once and for all. But there is great savings to come from that because what it means is we are not going to double-pay for things that we intended to solve.

I get dizzy looking at these charts. I have one for every branch of the Federal Government now. We actually know what is going on. Actually, we know what is not going on because we know what Congress intended, and we also know what isn't happening with the dollars that are coming from that.

AMENDMENT NO. 13

Mr. COBURN. Mr. President, I ask unanimous consent to set the pending amendment aside and call up amendment No. 13.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 13.

Mr. COBURN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To reaffirm the inalienable rights of every American citizen guaranteed by the Constitution of the United States)

Beginning on page 177, strike line 1 and all that follows through page 187, line 3.

Beginning on page 191, strike line 12 and all that follows through page 192, line 22, and insert the following:

Except as provided in section 4, the amendments made by this title shall take effect on the date of enactment of this Act.

Beginning on page 193, strike line 21 and all that follows through page 194, line 3, and insert the following:

Nothing in this Act or any amendment made by this Act limits, alters, expands, or diminishes the civil or criminal jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.

Mr. COBURN. This is an amendment that is critical to my home State of Oklahoma and every State that has Native American tribes.

Oklahoma now has the largest number of Native Americans of any State. I believe we are at 36 recognized Federal tribes in Oklahoma. Inside this bill is a direct violation of the Bill of Rights of American citizens who are not tribal members because what we have allowed is for tribal courts to try U.S. citizens in their courts—for very good reasons—in terms of sexual assault, assault, abuse, and other items. The reason we are doing that is because either U.S. attorneys or the U.S. Justice Department has not effectively carried out their charge to represent the Native American people in terms of prosecuting people who might have performed those acts.

What we have done with this solution is to trample on the Bill of Rights of every American who is not a Native American. I have no doubt—I am 100 percent certain—that this portion of the bill is going to be thrown out by the first Federal judge that hears it.

You cannot take away the rights of U.S. citizens under the Bill of Rights at any time, any place, any way domestically. What this bill does is totally eliminate the Bill of Rights for U.S. citizens in tribal courts. Most would not understand that most tribal courts don't recognize our Bill of Rights. Some do but the vast majority do not.

So are you guaranteed rights as a U.S. citizen? Are those rights enshrined in the Constitution and the statutes of this government and this Republic? Can we, as a Senate, forget about that and pass a law that says all of a sudden we are going to violate those rights because we are going to put people under the jurisdiction of a sovereign nation that does not recognize those rights?

This is simply an amendment to strike that section of the bill. I don't expect it to pass—which, again, tells us part of the disease that is in Washington: We pay lip service to the Constitution rather than to believe its truths and rely on its guarantees of individual liberty and justice.

AMENDMENT NO. 16

Mr. President, I have an amendment at the desk. I believe it is amendment No. 16.

The PRESIDING OFFICER. Without objection, the clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Oklahoma (Mr. COBURN) proposes an amendment numbered 16.

Mr. COBURN. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To amend the requirements for speedy notice to victims and to require a report to Congress)

At the appropriate place, insert the following:

SEC. ____ . SPEEDY NOTICE TO VICTIMS.

(a) IN GENERAL.—Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh) is amended—

(1) in subsection (b)—

(A) in paragraph (13), by striking “human immunodeficiency virus (HIV)” and inserting “sexually transmitted disease”; and

(B) by adding at the end the following:

“(14) To pay for treatment for victims of sexual assault who are diagnosed with a sexually transmitted disease as a result of a test described in subsection (d)(1).”;

(2) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking “5 percent” and inserting “20 percent”; and

(B) in paragraph (1)—

(i) in subparagraph (A), by striking “the immunodeficiency virus (HIV)” and inserting “any sexually transmitted disease for which a diagnostic exists that the victim requests”;

(ii) in subparagraph (B), by inserting “, including the relevant information about any sexually transmitted diseases identified in such results” after “testing results”; and

(iii) in subparagraph (C), by striking “HIV” and inserting “any sexually transmitted disease for which a diagnostic exists that the victim requests”;

(3) by redesignating subsection (e) as subsection (f); and

(4) by adding before subsection (f), as redesignated, the following:

“(e) REQUIREMENT TO USE FUNDS TO TREAT VICTIMS.—A State or unit of local government shall use funds allocated under this part to pay for treatment for a victim of sexual assault who is diagnosed with a sexually transmitted disease as a result of a test described in subsection (d)(1).”.

(b) REPORT.—Not later than 30 days after the date of enactment of this Act, and annually thereafter, the Attorney General shall submit a report to Congress regarding the level of compliance by States and units of local government with—

(1) the speedy notice requirements of section 2101(d) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh(d)), as amended by this Act; and

(2) the requirement to use funds to treat victims under section 2101(e) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh(e)), as amended by this Act, including the number of victims who were exposed to human immunodeficiency virus (HIV) or any other sexually transmitted disease and received assistance under such section.

Mr. COBURN. Mr. President, this amendment is a perfecting amendment from the last Violence Against Women

Act, which I coauthored with Senator BIDEN—then-Senator BIDEN—and Senator Specter.

When a woman is raped, right now in our country she gets raped two, three, four times through our justice system. Let me explain that to you. We have deadly diseases that are sexually transmitted—HIV, sometimes chlamydia. Now we have untreatable strains of gonorrhea. So a woman is raped and, under most State laws, she doesn't have any right, once an indictment has been placed against a defendant, to have them tested. By not having them tested what we do is we make the woman go through testing again and again and again, especially in light of HIV. So they are the ones who have to be tested because they cannot know that the accused perpetrator of their rape is not carrying HIV, is not carrying gonorrhea, is not carrying syphilis, is not carrying chlamydia, because they cannot be tested. What we do is we put them through that trauma once a month for months because the perpetrator, or at least the accused perpetrator, has the right not to be tested in this country.

We put a provision in the last bill that says you will lose 5 percent of your grant money if you do not institute these changes at a State level so that the woman who has been raped has at least an equal footing to know whether her health, other than her psychological, emotional, physical health, because of what occurred during the act, will continue to be deteriorating. Guess what. The vast majority of the States said we will do what we want and we will not take that additional 5 percent.

All this amendment does is it puts some real teeth in it. If you are going to say that somebody who has been indicted for rape has more of a right to not be tested than the woman who was raped, and she has to continually be tested to know whether she might have an outcome that is adverse for her long-term health, what this amendment says is it is going to be 20 percent.

I do not expect this amendment to pass either, because if we are really against violence against women, what we will do is start putting some of the consequences of that on the men who actually caused the violence. Being tested for HIV, gonorrhea, chlamydia, and syphilis is not a hard test. It is what a prudent man would do.

Some people say don't worry about it, just treat them. They obviously are not aware of the side effects of all these medicines that we would use to blast this, the treatment for all these diseases. Not knowing and then sometimes covering up, what most people do not realize is that two or three of these diseases actually will affect the long-term fertility of the woman. But we have decided, at least the States have

that are taking this grant money, that the rights of the indicted perpetrator are greater than those of the victim who has been raped.

It should not be. I have cared for those women. I have walked with them emotionally for years afterwards, wondering if the HIV infection was going to show up, never knowing for sure.

Here is the other thing that happens. We get all these plea deals of rapists and here is the plea that they cop: If you give me X lower sentence, I will submit to testing. So all of a sudden the person who perpetrated this ghastly, cowardly crime negotiates a much lighter sentence so that the woman can have some peace of mind and not have a question mark for the next 4 or 5 years. We need to fix that, and 5 percent obviously did not do it. Twenty percent will.

I got up very early this morning to get here today to be able to offer these amendments. I hope my colleagues are able to get in. I know the airplanes are backed up coming into Washington. But thinking about the real purpose, to stop violence against women—if you want to stop it, you have to make it effective. You have to spend every dollar as though it is the last dollar, and you have to measure every dollar. You have to quit having the waste in the Justice Department and the grants that are associated with them. You have to have every grantee know that if they get a grant from the Federal Government under one of these programs, they are going to be checked, they are going to be measured against performance, and if they do not perform they are going to send the money back.

We can do a lot better than we are doing with this bill. These are improving amendments. My hope is, my prayer is, that some of them will pass because they really will have a positive impact on both women and our freedom.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. WHITEHOUSE and Mr. LEVIN are located in today's RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

The PRESIDING OFFICER. The Senator from Indiana.

STATE OF THE UNION ADDRESS

Mr. COATS. Mr. President, article II, section 3 of the U.S. Constitution says that the President of the United States “shall from time to time give to Congress information of the State of the Union and recommend to their Consideration such measures as he shall judge necessary and expedient.”

Every President, dating all the way back from George Washington to our current President, has provided this to Congress on a yearly basis. So the State of the Union Address, which will be presented tomorrow by the President, is the continuation of a great tradition in our American government. But the State of the Union is more than just about the current state of our Union. It is about the future. It is about presenting to the American people a vision of what our country should look like and how we can get there. So before the President makes his case and sets out his priorities for the Nation, let's recognize where we are today.

What is the state of our great Nation today?

Today, America is nearly \$16.5 trillion in debt—an increase of \$6 trillion since the President took office in 2009.

Today, we are borrowing \$40,000 per second. Just in the time I took to say that, we borrowed about \$40,000. And every 10 seconds that goes by is another \$400,000 that is being borrowed and, therefore, has to be repaid with interest.

Today, more than 12 million American people are looking for work, and that does not include the countless number of people who have given up looking.

And today, critical benefits and programs that our seniors and retirees need are on track to become unavailable.

Hovering around 8 percent unemployment for 49 months is a crisis that cannot be ignored. Sadly, it has, and it has become the new norm. We cannot allow that to happen.

Spending \$1 trillion beyond our means each year is outrageous and unsustainable. And failing to address our massive national debt by careening from crisis to crisis in this body called Congress over now the last more than 2 years is a terrible way to run a country, to run a business, to run a family, to run anything.

So tomorrow night the President will tell the American people how he plans to lead, how he plans to turn this ship around and guide us to safer seas. We will not have the blame game and finger pointing. That does nothing to help us find solutions.

While jobs and economic recovery received barely a passing mention in the President's second inaugural address, I hope the President tomorrow evening will focus on the specific ways he will work with Congress to fix our Nation's fiscal house so we can strengthen our economy and help get Americans back to work.

There are four major topics I hope to hear from the President when he speaks to the American people tomorrow evening.

First, leadership. Time and time again, the President has refused to en-

gage on meaningful action that would help us reduce the debt and spur economic growth. He continues to blame Congress for inaction but yet does not offer his own plans. Tomorrow night, the President needs to show the American people he is ready and fully willing to engage in the effort to lead us out of this malaise of economic uncertainty.

Second, recognition that spending is a problem. I hope the President will be honest with the American people about the extent of our spending problem and offer specific solutions. It is impossible to say with any credibility whatsoever that this gigantic bureaucracy cannot find waste, mismanagement, misuse of funds, duplication, egregious excess spending, and each agency of this government not commit to doing what is essential by trimming out the unessential.

This is a bureaucracy beyond description, and there is waste and plenty of money, as Senator COBURN and many others, including myself, have been down here talking about—clearly, spending on things the American people do not fully support, and if they knew the full extent of what the duplication was, they would demand changes. There is a real pot of funds to reach into in that regard, in order to deal with our crisis, in order to reduce and make our government more effective and more efficient.

The President keeps promising the American people that he will reduce the debt through a balanced approach. However, whenever he is asked for a plan, all we hear back is a call for more taxes. The President got what he wanted in the fiscal cliff—well over \$600 billion of new taxes. And those will be added to taxes that will hit Americans as a result of the health care law. Included in ObamaCare is \$1 trillion of new taxes—that has not been mentioned here, nor does the President mention it—\$500 billion of which will directly affect the middle class.

So now it is time to look at the so-called other side of that balance. We need President Obama to offer a plan for serious spending reform. People whom I represent in Indiana and the American people will not support another tax increase. Spending, Mr. President—out-of-control wasteful spending by the Federal Government—is what must come next.

Third, reforming Medicare and Medicaid and Social Security. I was pleased to hear the Senator from Michigan state that for 2 years he has been saying and committing to work to reform these programs. None of us here wants to see benefits that the American people, under Medicare and Medicaid and Social Security, are entitled to—none of us wants to take those away. We want to try to save those programs. But we all understand those programs are careening toward insolvency, and

without reforms those who rely on those benefits will not receive those full benefits; and those who have to pay into them to keep those programs solvent will see dramatic increases in their taxes.

Reform for mandatory spending, particularly for Medicare, Medicaid, and Social Security, is something nobody wants to talk about. It is supposed to be the third rail of politics—touch it and you are gone. But this is the reality we face that we must address and have the will to take care of. And we need to address it now.

So I am hoping tomorrow evening the President will say he wants to lead a responsible bipartisan effort in terms of preserving these programs for not only those who are currently beneficiaries but for those future generations who will need funding to support their needs as they retire and grow older.

Fourth, progrowth policies. I hope the President will present specific ways to grow this economy and create jobs. We just heard some discussions here by the Senator from Rhode Island and the Senator from Michigan about closing loopholes and Tax Code reform. Once again, here is something on a bipartisan basis many of us have been talking about.

A Democrat from Oregon, RON WYDEN, and a conservative Republican from Indiana, DAN COATS, have joined together in putting forward a progrowth, competitive, comprehensive tax reform program. We agree closing egregious loopholes is very much a key to begin to present a more simple, a more fair, a more balanced Tax Code for our corporations and for the American taxpayer. What our plan does is not, though, taking the money gained from closing those loopholes and simply giving it to the government and saying spend more. We take it and use it to make that Tax Code more fair, to reduce rates so we can be more competitive, so we can spur economic growth and put people back to work.

American corporations pay the highest tax rate of any of the 36 countries in the world that are our direct competitors in terms of selling overseas. We have just moved into the last, the worst spot here, as one country reduced their tax rates significantly below what our corporate entities pay. So we want to lower those to make our companies more competitive, and that simply means that Americans have more jobs because we are exporting more goods to the rest of the world. By removing unnecessary regulatory burdens, we can also make it fair and more competitive, and we can usher in a new period of economic growth and bring new opportunity to many unemployed Americans.

I am looking for those four points. There may be more, but I think those are the four major issues that need to

be addressed. I trust the President will come to this same conclusion. This is not an easy time for our country. We face many difficult challenges that demand bold solutions and demand real leadership. But, as I have said many times before on this Senate floor, these challenges, although great, are not insurmountable.

Republicans stand ready to work with our Democratic colleagues to address these critical and pressing issues. But, in reality, we cannot achieve the necessary solutions if the President continues to lead from behind and if he continues to say all that is needed is more tax revenue.

Now is the time to act on a long-term plan to address our dangerous debt and record high unemployment. Now is the time to rise above petty politics. Now is the time for gamesmanship to be taken off the floor. Now is the time to just get it done.

We owe it to every American still looking for work. We owe it to every college student hoping to use his or her skills in the workplace. We owe it to every child born today who will be saddled with \$50,000 of national debt. And we owe it to previous generations who have sacrificed so much to provide us with the opportunities our generation has enjoyed.

I hope the President will show us tomorrow that he is ready to lead. After all, he is the leader elected by the American people.

We cannot solve our problems and enact a path to growth and prosperity without his engagement. This is the hope and change the American people are looking for tomorrow evening.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, this Chamber has the rare opportunity to pass legislation that would improve public safety, help secure justice for rape victims, and help get dangerous criminals off the street. We could very easily pass this legislation with an overwhelming bipartisan majority, just as we have on two prior occasions. Unfortunately, some of my colleagues have decided to turn the Violence Against Women Act reauthorization into a partisan football, and I will explain that in a minute. As a result, not only are they dividing us when we ought to be united in the cause against violence against women, they are ultimately jeopardizing support for women's shelters, counseling programs, and legal services. They are also making it harder to do something I have com-

mitted to do for the last couple of years, and that is to reduce the rape kit backlog, which is a national scandal of the highest order.

Ever since it became law in 1994, the Violence Against Women Act has benefited from strong bipartisan support. As I have said, it has twice been reauthorized by a unanimous Senate vote. I never thought the day would come when this issue would become politicized, but I am afraid it has.

I believe it is very important, and all of us who care deeply about this issue and this legislation must understand that this should remain a bipartisan cause. Just ask Carol Bart, Lavinia Masters, Lennah Frost, or Mica Mosbacher, all of whom have courageously shared with me and all of us their personal stories in the hopes of helping other victims against sexual assault. It has been my tremendous honor to get to know these women, and I admire their courage and willingness to share what is a profoundly personal trauma in their effort to help other would-be victims. I am proud to say each of them has endorsed and supported the SAFER Act, which is the rape kit backlog element in the underlying bill we are considering. The SAFER Act would make it much easier for State and local law enforcement officials to reduce the rape kit backlog, which may be as large as 400,000 untested rape kits. These rape kits are composed of DNA evidence collected at a crime scene, which then can be compared against an FBI database to get a hit or identification of a sample from an unknown assailant against a known criminal whose name is on the FBI database. When you get a hit, that provides conclusive proof of identity of the assailant where they may not otherwise be known or captured.

This reform is not controversial. In a much less polarized environment, reauthorizing the Violence Against Women Act would be a slam dunk. In today's polarized Washington, it seems that no issue is immune from political gamesmanship.

The problem with the underlying bill is simple: It denies constitutional rights to certain American citizens. I am stunned that some of my colleagues are okay with this. I am stunned that some self-proclaimed civil liberties organizations apparently have no objection to a flagrant violation of the U.S. Constitution. They believe somehow that Congress could legislate away constitutional rights. It cannot. The Constitution is the fundamental law of the land and no act of Congress can violate the Constitution and stand. Constitutional rights should not and are not negotiable. They are not bargaining chips in a Washington parlor game. They are permanent, and they are sacrosanct. Here is the good news. There is an obvious compromise that would resolve this dispute and guarantee bipartisan

support for reauthorizing the Violence Against Women Act.

Senator LEAHY's bill, the underlying bill, would let certain U.S. citizens be prosecuted for domestic violence in Native American tribal courts without their full constitutional rights and without an ability to pursue an appeal in the Federal court system. Once again, we all understand this. Congress cannot legislate away constitutional rights. This bill, if passed in its current form, would purport to do that.

The solution is easy. I have cosponsored an amendment with Senator CRAPO, who was the original cosponsor of the underlying bill, and Senator ALEXANDER, that would let Native American tribal courts prosecute non-Indians for domestic violence, provided that all non-Indians were given their full constitutional protection, as provided by the Bill of Rights, and would be allowed appeals from a verdict in the Federal court system.

In other words, if you compare our amendment with the language in Senator LEAHY's underlying bill, we would both give Native American officials the exact same authority to prosecute people who commit domestic violence on Indian reservations. The difference between our proposal and the underlying bill is ours would not violate the Constitution. It would not deny American citizens the protection of the Bill of Rights, but the underlying bill does that. It denies American citizens accused of crimes of domestic violence in tribal courts their constitutional rights.

Surely we all share the same goal of protecting victims of domestic violence, no matter who they are, but in this case they are people who are victims of domestic violence committed on tribal lands. We all want to do everything we can to protect Native American women from violent crime. We can do exactly what Indian leaders are asking us to do without violating the Constitution. It is just that simple. In the end, the choice is pretty basic: Either we will uphold the Constitution or we won't.

I urge my colleagues to extend bipartisan support for this bill and the message it sends to America and particularly to the victims of sexual assault. I would ask them to put that unified message ahead of their desire to divide us by denying, in the underlying bill, the constitutional rights to those accused of domestic violence on tribal lands who are not themselves members of the tribe.

I would remind all of us of the oath we have taken as U.S. Senators to uphold and defend the Constitution. I would urge them to remember everything they have said, we have all said, in the past about the importance of upholding civil liberties.

Finally, I wish to say a few words to you, victims advocacy groups that

have worked so long and hard to pass the VAWA in 1994, and have worked so hard to see it reauthorized. My message to you is this: I am grateful for your efforts, and I share your desire to make this law even better and even stronger than it is today. Make no mistake, the Violence Against Women Act is being held hostage by constitutional language in the underlying bill, but we can fix it. All it takes is the will and desire of Senators in this Chamber to work together to fix it so that it becomes constitutional, so that it becomes effective.

I have done everything in my power to promote a reasonable constitutional compromise. Unfortunately, there are those who have chosen to put politics ahead of their desire to actually come to a solution on this issue. That is unfortunate, that is regrettable, but that is the state of play.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. CANTWELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HIRONO). Without objection, it is so ordered.

Ms. CANTWELL. Madam President, I come to the floor this afternoon to speak against the amendment being offered by my colleague, Senator COBURN. I know he was on the Senate floor earlier today explaining his amendment, and I also know my colleague from Texas was just out here making general remarks about the Violence Against Women Act and its reauthorization. I am here to continue the debate and to make sure it is clear to my colleagues that, make no mistake, a vote for the Coburn amendment is a vote against Native American women. That is because the amendment would strip the bill of provisions that are intended to bring about better justice for women who have been the victims of domestic violence crimes on Indian reservations.

Many people who have been out here on the floor have been talking about the breakdown in our political system and that somehow this is about partisan politics. Well, I can assure my colleagues this is an issue where many women in the Senate have been scratching their heads and asking themselves: Why is it the Violence Against Women Act and the Trafficking Prevention Reauthorization Act have both been stymied by various Members in both the House and Senate? These are crimes that are mostly perpetrated against women. Why aren't these bills resolved and passed so we can give clarity to local officials and partners so they can provide a better justice system and help so many

women in the United States of America?

Native American women are raped and assaulted at 2½ times the national average. That means more than 1 in 3 Native American women will be raped in their lifetime and 3 in 5 will suffer from domestic assault. Murder is the third leading cause of death among Native American women. However, less than 50 percent of the domestic violence cases in Indian Country are prosecuted because of a gap in our legal system.

So this isn't about politics. This isn't a debate on what is a good way to win votes somewhere in America. This is about the life and death of women who need a better system to prosecute those who are committing serious crimes against them.

My colleagues can certainly take exception to the solution that has been provided here, but as many of my colleagues have said in the past, they can't own the facts. They can have their opinions, but I am here to say the underlying bill does protect the constitutional rights of non-Native Americans who commit these crimes on tribal reservations.

We are consulting with the Department of Justice, which did an elaborate study and analysis of exactly how to make sure the gap in the Federal system, which currently doesn't provide a prosecutor, doesn't provide a judge, which doesn't provide a court on every section of land in the United States of America, will be represented with a judicial partner that does guarantee the civil liberties of U.S. citizens, and guarantee that they are protected in both a fair trial and the ability to have habeas corpus review by a Federal court.

What we have here are two or three Republican administrations whose Solicitor Generals have basically said these rights remain with Native Americans and the Federal Government. The last Solicitor General said:

The policy of leaving Indians free from State jurisdiction and control is deeply rooted in our Nation's history.

But this is about a Federal partnership and making sure a Federal law is upheld. So if my colleagues on the other side of the aisle want to say we are going to provide a Federal prosecutor and a Federal Court system on every reservation or close to every reservation across America, OK, great. My point is if you think you are rooting out crime in America, while letting a sieve happen in Indian Country, you are not rooting out crime. You are sending a signal to people that this is an easy place to go. If you want to conduct sex trafficking of women, go to tribal reservations. If you want to escape the law and not worry about violent behavior, then go to tribal reservations. That is what you are saying to people. You are saying this is the place where you can escape the law.

We are trying to close that gap. So this is not something that has been done with sleight of hand. This is something where a great deal of thought has gone into it by the Department of Justice.

I will remind my colleagues it was one of our former colleagues, the Indian Civil Rights Act was crafted by Senator Sam Ervin of North Carolina, to grant American Indians the same Bill of Rights in tribal courts as are afforded defendants in any other courts. Those rights included the Miranda right, a trial by jury, the right to counsel, the right to confront their accuser, and a right to habeas corpus. So all of these things are actually in the tribal system today. They are a part of what is called the Indian Civil Rights Act, and they affect Native Americans.

My colleague, Senator CORNYN, said these civil liberties provided to U.S. citizens are not included in this legislation. They are included. They are included in section 904 on page 182. Those same civil liberties are called out in this bill, S. 47, the reauthorization of the VAWA Act. They are called out specifically for nontribal U.S. citizens. So in that court system both tribal members and nontribal members are protected by the same civil liberties and are protected in their ability to have federal habeas corpus review in Federal Court.

I am not sure to what my colleagues are referring. If I am missing some point, I would love to hear about it. But these safeguards were built into this system because this is such an egregious problem that we have to fix. So we are asking Indian Country and tribal courts to meet these same criteria. If a tribal court can't provide legal counsel to a defendant, if they can't follow these same things, then no one is going to be tried under a tribal court system.

We are trying to address cases like the one mentioned in the New York Times today of a woman who was battered and beaten by a partner so many times, yet he was never arrested and tried because it happened on a tribal reservation. Only when he showed up at her worksite with a gun to kill her—and only because an employee pushed her out of the way is she here today—could something be done. We are trying to close that gap and protect everyone's civil liberties.

I want to be clear. The civil liberties that are protected under this Senate bill—the civil liberties protections of due process, for no unreasonable search or seizure, no double jeopardy, a right to counsel, not being compelled to testify against yourself, the ability to get a speedy trial, the right to trial by jury, the right to confront witnesses, the right of habeas corpus review in federal court—are all in S. 47 as it relates to non-Native Americans. Those

are the rights that are going to be protected. That is what we are passing in this legislation.

So we shouldn't strip out this provision. We should move forward with what has been a discussion about how to partner and uphold Federal law in the most efficient, cost-effective manner possible, and in conjunction with what has been Federal law and determination about tribal sovereignty and issues by many Solicitor Generals, by many Supreme Courts, by many individuals who have looked at this situation.

Members can decide they don't trust Indian Country. They can say: I don't trust this tribe, or I don't trust that one. If that is the case, they should come to the Senate floor and say that. Say they don't believe they can bring about justice in their courts, if that is what they mean. But under this statute they will absolutely have to, and they absolutely have to today for every tribal member who comes before that court, and they will be required to uphold those same issues for non-Native Americans as well.

I would say to my colleagues that this is an epidemic. Believe me, I want to get the Violence Against Women Act passed. I want to get this human sex trafficking act out of the hands of the House of Representatives and passed. I know some of my colleagues are trying to attach some of that here, but I would say we should pass both of these. This is about an epidemic in America, and we are trying to put together some creative solutions. If I am wrong about the facts and the details about civil liberties, I would love to hear about it. Otherwise, I would like my colleagues to vote against the Coburn amendment, which strikes these provisions, and pass this legislation so we can move on and get a final bill that protects women all across America whether they are tribal members or not.

Clearly, we should not ignore the statistics and the gap that shows us that we need to do something very important to make sure all women, including Native American women, no longer suffer from these statistics that are just unbearable in the United States of America.

So, Madam President, I hope our colleagues will turn down the Coburn amendment and vote for final passage on this legislation.

With that, I yield the floor.

Ms. MURKOWSKI. Madam President, I want to acknowledge the comments of my colleague from Washington. As the incoming chairman on the Indian Affairs Committee, she is obviously well aware of the challenges—often-times the horrific challenges—so many American Indians, Alaska Natives, and our indigenous people face when it comes to domestic violence and the inability to access the law.

I have been a member of the Indian Affairs Committee now since I came to

the Senate some 10 years ago, and every year, without fail, we have some aspect of a hearing that focuses on domestic violence. We look to the statistics, and they are staggering. They are staggering and they are overwhelming when you put them into perspective in terms of how our Native women—particularly our Native women on reservations—deal with an epidemic when it comes to domestic violence issues that they face within their homes and so often have no place to turn. As to the law enforcement you and I would hope to be able to rely on in the event of a true tragedy, far too often women on our reservations are not able to avail themselves of those protections. It is something our committee has struggled with for far too long.

When we talk about VAWA and the importance of the Violence Against Women Act, I think we all recognize the universe we are speaking to is all women, but I think it is important to recognize that within this particular demographic, the statistics of those Native women, for whatever terrible, tragic reason, are even that much worse.

That is why I am a proud cosponsor of this bill. I think it will make real improvements in the services that are offered to victims of domestic violence. Even given the very difficult budget environment that we face, we look to those areas where we can make a difference. I think this legislation will make a difference.

As I start off my comments, I am talking about indigenous women everywhere and the violence and the statistics they face. In Alaska, unfortunately, our statistics stand out. They stand out in a way that makes none of us proud. They stand out in a way that requires us to turn inward and say, What are we doing wrong? What is happening that we are not able to make a difference in the lives of women and other victims of domestic violence?

According to the Alaska Victimization Survey, conducted back in 2010, 59 percent of Alaskan women have experienced intimate partner or sexual violence.

In the 10 years between 2001 and 2011, our Alaska State troopers responded to almost 50,000 domestic violence offenses, almost 5,500 sexual abuse of a minor offenses, and almost 4,500 sexual assault offenses. Seventy-four percent of the victims of sex crimes in Alaska were less than 18 years old. Think about what that does to you. You are a young child, a young woman, a victim at such an early age. You carry that with you throughout your life.

The average rate of reported forcible rape in Alaska was 2½ times higher in Alaska than across the rest of the country. So as a woman in Alaska, you have a 2½ times higher likelihood of being the victim of a forcible rape. This is a very personal issue for my State.

I have heard from people all over the State urging us here in the Senate, urging us here in the Congress: Pass this VAWA bill. You had a chance last Congress to pass it. You didn't make it happen. You have an opportunity now. Make it happen.

A mother in Anchorage wrote me:

This is of utmost importance to me. As one who has represented victims of domestic violence in Alaska under VAWA, I know how very important this legislation is to protect my daughter and all other women in Alaska and throughout our country.

A woman from Dutch Harbor wrote:

As a rural Alaskan who is also a board member of my local domestic violence shelter, I can tell you from experience that VAWA saves lives! As you know, Alaska has one of the nation's highest rates of domestic violence, sexual assault, child abuse, child sexual abuse, and elder abuse. The economic downturn makes it even more crucial for us to provide immediate safe shelter to survivors in times of crisis to help them escape further violence.

Think about it. This woman is writing from Dutch Harbor, AK, out at the end of the Aleutian channel, about 1,000 miles away from Anchorage, and an \$800 airplane ticket. If you need to get away from your violent situation and you don't have \$1,000, where do you go? How do we provide that help?

I received another letter from a woman in Fairbanks, who said:

Tragically, there is not a single Alaska Native woman or girl in Alaska whose life has not been affected by violence against women at some level. Personally, it has affected my life and those that I love for generations. As Alaska Natives, we know that you value and advocate for the rights and welfare of the many people of Alaska. Please continue to be a voice for those who cannot be heard and work to reauthorize VAWA and SAVE Native Women.

These are the types of requests that I get from men and women all over my State.

Our Governor, Governor Parnell, has made a very personal effort in his 4 years as Governor to focus on domestic violence and child sexual assault. He has launched a campaign that he has dubbed Choose Respect; and every year across the State Alaskans gather in a very high-profile way to march. We have banners and there are young children and women and men and anybody you might imagine, all over the State.

This year, March 28, the Governor will again be encouraging us to choose respect. We want to make sure it is more than just overt demonstrations. We need to make this translate into real words that change these statistics, that change the dynamic, because Alaskans are right: Our statistics of domestic violence and sexual assault are absolutely staggering—2½ times, again, more than the national average. We need to do everything we can to get a handle on these tragic statistics, because they are not statistics, they are lives, they are families, they are people and friends we know.

VAWA provides the tools to do so, including in the villages of rural Alaska, where victims of sexual assault and domestic violence face some pretty unique challenges. Many of these villages have no full-time law enforcement presence. They may have only a single community health aide who has to tend to every medical crisis in the community. Just being able to provide rape kits is a challenge.

I mentioned being in a small remote community where everybody knows everybody, and you are the victim of domestic violence and there may be no place to turn. There may be no way to get out of your village. Eighty percent of our communities are not attached by roads. It is not as though you can just hop in your car and get away. You have to be able to fly out. If you don't have the money, you can't get out. If the weather closes in, there are no planes even if you did have the cash for an airplane ticket. So how we can be there to be that support is crucial.

VAWA is a ray of hope to victims of domestic violence and sexual assault in our Alaska Native villages, whether you are in Ketchikan or whether you are in Kenai, from Anchorage to Dillingham. And this bill will help that States such as Alaska, with smaller populations and truly great need, are given the same access to grants for victims while providing services and support to all victims of domestic and sexual violence. I am pleased to be able to lend my support.

AMENDMENT NO. 11

Madam President, I want to take a moment to explain an amendment that is in order this afternoon. This is my amendment No. 11.

It was mentioned earlier by the Senator from Washington State that section 904 and section 905 of the bill would expand the jurisdiction of Indian tribes to address issues of domestic violence committed by non-Indians against tribal members. So within section 905(b) and 910, they provide that, within the State of Alaska, this expanded jurisdiction applies only to one Indian reservation in our State, and that happens to be the Metlakatla Indian Reservation in the southeast.

You might say why just Metlakatla. In Alaska, there is only one reservation and that is Metlakatla. We have 229 federally recognized tribes, but other than Metlakatla, none controls Indian country in the State under existing law. The U.S. Supreme Court held in the *Venette* case that none of the lands conveyed under the Alaska law is Indian country.

So what we have in the amendment before us is nothing more than a technical clarification. Both the legislation and my amendment state that the tribes, other than Metlakatla, retain all of the authority they currently have to issue domestic violence protection orders, whether or not that au-

thority is inherent or statutorily created, and none of this authority, to the extent it exists, is diminished by the legislation or by my amendment. In addition, we go on to clarify that none of the authority the State of Alaska has is diminished.

So the natural question then would be: What is the difference between the Alaska provisions that are contained in 905(b) and 910? And why then do we even need my amendment?

The only difference is that we are attempting to spell out in plain English, consolidated in one section of the bill, to make it more clear. It truly is a technical amendment in every respect. We had some who actually questioned whether the bill's language was clear enough, so we worked with Senator LEAHY's folks, we worked with some of the Indian law scholars, to allay the confusion. We very simply state the rules for Alaska's unique situation.

I certainly hope that if we move to vote on this amendment, folks would understand that what we are talking about is mere clarification, and I would ask for their support.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

THANKING FIRST RESPONDERS

Mr. BLUMENTHAL. Madam President, I want to first of all begin on this day when Connecticut, like other New England States, is digging out from an historic, truly an epic, snowstorm, to give my thanks to the first responders and to the men and women who have been working behind snowplows and payloaders for endless hours, literally almost without stop since the beginning of this snowstorm, and have risked their lives, given boundlessly of their energy and effort to make sure the people of Connecticut and also Massachusetts, our neighbor, and New York, have been made safer and more secure during this time of another monstrous storm.

I know much of America in the more temperate zones may not appreciate what a monstrous snowstorm, carrying 3 feet of snow to many parts of Connecticut, poses in the way of challenges and even threats to human life. And I would say without any disrespect—in fact, with great admiration to the Presiding Officer, who happens to be from Hawaii—that it is unlikely in her State that anything approaching this magnitude of snow ever will be approaching. But I know that Hawaii, like every other State, shares its need to confront weather crises, and I believe that as a Nation we have always come together, whether it is tornadoes, hurricanes, or floods, to address these common challenges and we rally together as a Nation. So I hope we will again.

The relief is necessary, and the President has issued a declaration of emergency for Connecticut. I thank him for that action, and I hope it will be fol-

lowed by tangible aid that will be necessary in the wake of this monstrous storm.

I come to the floor to talk about the action and bill I hope will be approved later today or as soon as possible. The Senate is considering the Violence Against Women Act. I am a cosponsor and a strong supporter. I wish to particularly thank Chairman LEAHY, who has demonstrated such patience and perseverance. If the definition of courage is grace under pressure, he certainly has shown tremendous grace under huge pressure. Again, we face the need, a pressing need to reauthorize this measure.

It was first passed 18 years ago and was permitted to expire during the last Congress. The Senate passed this measure during the last Congress by an overwhelming bipartisan vote. It was stalled and then stopped in the House of Representatives. I thank Chairman LEAHY for his excellent work on this essential legislation. Partly, it was stalled over a measure that demands particular focus today. This legislation is critical to the 54,000 Connecticut women who became domestic violence victims in 2011. But it is particularly so to many of our Native Americans and to women who right now are, in effect, caught in a legal limbo when they seek prosecutorial action to vindicate their rights and to deter this cruel and unspeakable form of violence against them.

Native Americans' predicament is described very compellingly by a New York Times story this morning. The New York Times tells the story of Diane Millich, a Native American woman who was abused for years by her husband. She is one of 60 percent of Native American women who will experience domestic abuse. That number is 60 percent. One-third of Native American women are assaulted during their lifetime. Native American women are 2½ times more likely to be raped than non-Native American women.

The provisions of this bill that apply to Native American women are meant to address literally an epidemic of domestic violence and sexual assault that right now the law fails to deter and prevent. By any measure, this epidemic is a tragedy. In human terms, the numbers are powerful, but they fail to give a face and a voice to this problem, as the Times did this morning with Diane Millich.

These statistics are the result of Federal law that prevents tribal courts from hearing cases against non-Native American abusers of Native American women. It is a limbo that is the result of a jurisdictional catch-22. If the abuser is a non-Native American, the tribal courts have no jurisdiction. But if the crime occurs on sovereign tribal land, Federal prosecutors face a variety of obstacles to effective enforcement. So this measure would protect

Native American women who right now are so much the victims of abuse.

I know Senator CORNYN has just spoken about his amendment that would, he has said, protect the potential defendants, protect their constitutional rights under the Bill of Rights. His amendment is not before us. What is before us is Senator COBURN's amendment which would, in effect, eviscerate these protections for women against those defendants. I wish to respond, though, to Senator CORNYN, who has raised, thoughtfully and pertinently, some important questions about this legislation.

Let me answer in two very affirmative and unequivocal ways. First of all, this bill would protect all the rights currently guaranteed in the Bill of Rights. Second, it would provide a right of appeal, first to the tribal courts in whatever process that is provided there but then by habeas corpus to Federal courts where actually the Bill of Rights would apply with full force, in my view, as I read this bill.

Senators should be clear when they vote on this measure that the Coburn amendment, in my view, would destroy, utterly undermine and eviscerate the purpose of this bill and provisions of this bill that are designed to protect Native Americans against domestic violence and assault, and it would fully guarantee protections under our Bill of Rights to defendants who are charged, civilly or criminally, in the tribal courts.

No woman should be left defenseless because of the identity of their abuser. Every woman deserves to know she is protected by the law of the land. Again, I thank and commend Senator LEAHY for addressing this important issue in the legislation before us by giving all Native American women the protections of these tribal courts. I don't understand why this should be controversial. We are still facing efforts to strip this provision from the bill. I urge my colleagues to approve it.

I also commend Senator LEAHY for offering an amendment that contains the bulk of the Trafficking Victims Protection Reauthorization Act. I am a cosponsor of that measure and proudly of this amendment as well. He has been the leader in this body and in the Congress and the Nation against human trafficking. He has been a mentor to many of us on this issue. I am very proud to cosponsor this very important amendment.

Human trafficking remains a scourge in our world and in our country. It is not some distant abstract problem. It is here and now in the United States, the greatest Nation in the history of our world, and we have an obligation to counter and combat it as this very important amendment would do. It relies on partnerships between the States and Federal Government, between the public and private sectors, and between

the United States and other countries. It allows one piece of the legislation to achieve a massive impact and global reach. Twenty-seven million human beings are bought and sold as property each year, more than at any time in our history. We must have a solution as broad and wide-ranging as the problem we face.

The Leahy amendment allows the Federal Government to leverage a small outlay of taxpayer dollars into a giant system of protections and services for victims of human trafficking, not to mention law enforcement actions to put the perpetrators of trafficking behind bars, put them in prison where they belong, and send a message of deterrence as well as punishment.

This landmark proposal also creates new grant programs to help our law enforcement agencies and service providers respond to sex trafficking of American children—American children who are victims of sex traffic. This amendment would help to protect them. These grant programs will help to ensure that child victims of sex trafficking have access to services they need and justice they deserve. They are children, but they are no less deserving of justice. That proposition ought to be so obvious as not to need stating in this Chamber. I know, for the purposes of this body, it need not be stated. But the Leahy amendment recognizes that the traffickers' most effective weapon is simply the ability to take the victims' identification documents. This measure would make that taking a crime, taking away identification documents.

The Leahy amendment also recognizes that the statute of limitations designed for other contexts is an unjustified impediment to effective private enforcement in the trafficking area. It extends the statute from 6 years to 10 years for civil suits involving violations of Federal trafficking laws. That statute of limitations may simply be an obstacle that cannot be overcome because the witnesses cannot be provided and because the children themselves may have to grow, in both maturity and physically, before they can effectively help prosecute a civil or criminal action.

I have also cosponsored an amendment with Senator PORTMAN, and I am proud to have done so, to ensure that youth grants provided under section 302 of VAWA can be made available to child victims of sex trafficking. In this country, sex trafficking remains a problem, a serious problem. There are an estimated 293,000 children at risk for commercial sexual exploitation and trafficking. The U.S. Department of Justice reports that between 2008 and 2010, 83 percent of sex trafficking victims found in the United States were U.S. citizens and 40 percent of sex trafficking cases involved sexual exploitation of children.

The fact is a tragic one, an unacceptable and intolerable fact, that sex trafficking is a major source of child exploitation, a major source of damage to our children, and the voices and faces of those children should be before this body when it considers this amendment.

It is a bipartisan amendment cosponsored by Senators GILLIBRAND, BROWN, COLLINS, AYOTTE, RUBIO, and COCHRAN. I thank them for their leadership on this issue, most especially Senator ROB PORTMAN, my partner in this effort, and I again thank Senator LEAHY for his leadership, which has inspired us to bring our amendment forward. I encourage my colleagues to support the Leahy amendment as well as the one Senator PORTMAN and I and others have brought before this body and the underlying VAWA legislation. We have an opportunity to make history. We have an obligation to pass this measure and make history. I hope we will do so by the same overwhelming bipartisan vote that we did in the last session of Congress so the House of Representatives hears our message, and it is a message from the country: Domestic violence will not be tolerated. We will come to the aid of Native American women and all women who are victims of this heinous crime.

AMENDMENT NO. 13

Mr. GRASSLEY. Madam President, the Coburn amendment strikes the provisions of the underlying bill that expand the authority of Indian tribal courts to try nonIndians.

As I have stated, there are a number of constitutional questions that the Congressional Research Service has identified with the language that the Coburn amendment would strike. Some arise with respect to the expansion of tribal court jurisdiction. Others are associated with the constitutional rights that would be provided to nonIndian defendants who would face proceedings in Indian tribal courts.

It is not at all clear under the Constitution that Indian tribes possess any inherent authority that the bill purports to recognize. It is also not clear that Congress can constitutionally delegate to tribal courts the authority to try nonIndians. Additionally, tribal courts may not be able to secure basic constitutional rights to criminal defendants.

The jury pool is racially restricted and does not provide the defendant a jury of his peers. Unlike a State, a tribe is not a sovereign entity. Therefore, a tribal proceeding can violate double jeopardy if the Federal government, which would retain concurrent jurisdiction under the bill, also decided to pursue the case.

We recognize that rates of domestic violence are too high in Indian country. The Federal government has a responsibility to address these crimes, whether committed by Indians or by

others. It does not follow that the approach taken in this bill is the right one.

We should not engage in a political exercise over tribal sovereignty that has nothing to do with protecting Indian women. We also should not provide an illusion of a remedy that in the end could well be struck down by a court on constitutional grounds.

Instead, we should take clearly constitutional action that will enable the Federal government to better fulfill its responsibilities to women in Indian country given the practical issues that make that difficult currently.

I will support the Coburn amendment.

Ms. MIKULSKI. Madam President, I come to the floor today in strong support of the Violence Against Women Act. The Violence Against Women Act is a strong, inclusive, and bipartisan bill supported by the vast majority of our colleagues here.

This bill has major, necessary improvements to programs that are vital to millions of women, children, and men in every State, and neighborhood in our country. The communities served by VAWA deserve to have these improvements. The issues are too important for partisan wrangling.

I stand here today to call on the entire Senate to enact on these critical issues in order to protect our families, protect public safety, and protect the communities we serve.

VAWA is crucial in all of our communities. Every day VAWA is providing vital services to families in desperate need. I hear from my constituents far too often about the challenges they are facing, often involving significant economic struggles only to be complicated by deep emotional pain and fear.

This is not about politics. Here are the statistics: one in four women will be victims of domestic violence. Sixteen million children are exposed to domestic violence every day. And over 2 million will be victims themselves of physical or sexual violence each year. Twenty thousand cases are in my own State of Maryland. Since we created the legislation in 1994, the national hotline has received millions of calls. Millions of women felt in danger and millions had the chance of being rescued.

In my own State of Maryland VAWA is making recovery possible for victims finding legal help to separate from their abusers. They are also getting vital services at rape crisis centers and navigating our immigration system to ensure protection.

I heard from one of my constituents, Jean, on the Eastern Shore of Maryland. Jean had been married to her husband for 10 years and shared two children. She benefited from VAWA's Legal Assistance for Victims Grant after being abused so brutally one evening. Jean called the hotline and

got the legal assistance to file for a protective order, which she ultimately was awarded and is now living her life safely with her children.

I also heard from Danielle. Danielle was sexually assaulted at the age of 19 by an associate that she knew. She was aided by VAWA's Sexual Assault Services program when she made the connection with the rape crisis center a few days after her attack. Danielle got the support she needed at the crisis center. She received personalized safety planning and counseling and was provided a lawyer to help her get a peace order.

I also hear from law enforcement in Maryland who say VAWA is helping them make communities safer and how the reauthorization will strengthen this. The Lethality Assessment Program, pioneered in Maryland and now a model for the Nation, is strengthened in this bill. The program is used to identify high-risk situations at the outset and link up local police with domestic violence professionals, thereby providing wrap-around services and empowerment to get victims out of harm's way and reduce homicides. This was made possible because of VAWA which provided the Federal funding to make this a reality.

As chair of the Appropriations Subcommittee that funds the Justice Department, I fund the Violence Against Women Act programs. These programs ensure tougher penalties for abusers, coordinated assistance with community organizations, and court advocates for abused to boost reporting and prosecution.

In the fiscal year 2013 CJS spending bill, I provide a robust \$421 million for Violence Against Women grants. I am fighting for historic funding levels even within the stringent budget reality. I also provide strong investments in core VAWA programs including \$189 million for STOP formula grants, which coordinates community response to domestic violence and also trains police, prosecutors and judicial staff; \$25 million for sexual assault services that direct services for victims of rape; \$25 million for transitional housing grants so victims have safe and affordable housing after shelters; and \$50 million for Grants to Encourage Arrests, which teaches police and prosecutors how to support victims and ensure offender accountability.

We know that VAWA works, so approving it should be a no-brainer. The Senate VAWA bill makes these improvements, and not just in the ways that get attention, but in ways which will make the difference in a victim's life.

I fund this bill, its improvements are measures that I fully support, and I put money in the Federal checkbook each year to make sure VAWA is available to those who need it. Maryland has done such a good job, and I won't let

the United States Congress fail these families in need.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Madam President, I ask unanimous consent that at 5:30 p.m., the Senate proceed to a vote in relation to the Coburn amendment No. 13; further, that upon disposition of the amendment, the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each; that following leader remarks on Tuesday, February 12, the Senate resume consideration of S. 47; that the time until 11 a.m. be equally divided between the two leaders or their designees prior to votes in relation to the amendments included under the previous order and that those votes occur in the order listed; that all after the first vote be 10-minute votes; and finally, that all other provisions of the previous order remain in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. I thank the distinguished Presiding Officer.

AMENDMENT NO. 13

Madam President, I join Chairwoman CANTWELL, the chair of the Senate Committee on Indian Affairs, and the senior Senator from Alaska, Senator MURKOWSKI, in opposing Senator COBURN's amendment. The amendment will remove essential protections for Native women from the bill.

Native women in this country experience domestic abuse at a shockingly high rate. A recent study found that nearly three in five American Indian women have been the victim of a domestic assault. This terrible trend has been perpetuated by a jurisdictional gap that allows many non-Indian perpetrators on tribal lands to go unpunished.

This problem is real: nearly half of Indian women are married to non-Indian men, and thousands more are in relationships with non-Indians. Tribal courts have no jurisdiction when these men commit domestic violence offenses, and federal and state officials are not in a position to prosecute in most cases. They are often hours away and lack the resources and local contacts to be able to effectively respond. These non-Indian men can essentially abuse Indian women with immunity from any consequences. That has to end.

The Leahy-Crapo bill addresses this glaring need by allowing tribes that can provide key rights to defendants to prosecute non-Indians for domestic violence offenses under limited circumstances. Our bill also clarifies that

tribal courts have the authority to issue and enforce protection orders against non-Indians. These are essential tools in combatting domestic violence. Senator COBURN's amendment would eliminate these crucial provisions.

These provisions in the Leahy-Crapo bill are the product of careful deliberation by the Indian Affairs Committee and the Judiciary Committee, with input from legal experts. They are identical to the corresponding provision in last year's VAWA reauthorization which passed the Senate with 68 votes. Just this week I received a letter from the National Task Force to End Sexual and Domestic Violence Against Women voicing their strong support for the tribal jurisdiction provision that is currently in the Leahy-Crapo bill and today I received their letter strongly opposing the changes proposed in Senator COBURN's amendment. I also received a letter from the National Congress of American Indians expressing their support for the current tribal provisions and unequivocal opposition to any efforts to alter them.

Senator COBURN's amendment would reverse the significant progress we made last year when the Senate passed these provisions with strong bipartisan support. It sends the message that Native women are not deserving of the same protections as other women. I urge my fellow Senators to vote against it.

Madam President, I ask unanimous consent that these letters and other letters opposing the amendment be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL TASK FORCE TO END SEXUAL AND DOMESTIC VIOLENCE AGAINST WOMEN,

February 6, 2013.

Hon. PATRICK LEAHY,
Chair, Senate Judiciary Committee, Dirksen Senate Office Building, U.S. Senate, Washington, DC.

Hon. MICHAEL CRAPO,
Dirksen Senate Office Building, U.S. Senate, Washington, DC.

DEAR CHAIRMAN LEAHY AND SENATOR CRAPO: The National Task Force to End Sexual and Domestic Violence—comprised of national, tribal, state, territorial and local organizations, as well as individuals, committed to securing an end to violence against women, including civil rights organizations, labor unions, advocates for children and youth, anti-poverty groups, immigrant and refugee rights organizations, women's rights leaders, and education groups—writes to express its strong and unequivocal support for the tribal provisions included in Title IX of S. 47, the Violence Against Women Reauthorization Act. As you are aware, these provisions are identical to those that were contained in S. 1925, the VAWA bill introduced in the 112th Congress. As such, the provisions were first voted affirmatively out of the Indian Affairs Committee, then added to S. 1925 and passed out of the Judiciary Committee, and finally were contained in the final version of S. 1925 that passed the Senate last year with bipartisan support.

While we understand that some have expressed constitutional concerns with respect to the criminal jurisdiction provisions contained in section 904, Title IX of S. 47, we wish to respectfully point out that the provisions were drafted and put forward by the U.S. Department of Justice, and were thoroughly vetted before they were submitted to the Senate Indian Affairs and Judiciary Committees. We also wish to remind the members of the Senate of the terrifying rates of victimization that American Indian and Alaska Native women experience: 34% of American Indian and Alaska Native women will be raped in their lifetimes, 39% will be subjected to domestic violence in their lifetimes. Sixty-seven percent of Native women victims of rape and sexual assault report that their assailants are non-Native individuals. On some reservations, Native women are murdered at more than ten times the national average. These startling statistics, coupled with the unfortunately high declination rates (U.S. Attorneys declined to prosecute nearly 52% of violent crimes that occur in Indian country, and 67% of cases declined were sexual abuse related cases), provided ample reason for Congress to act in passing S. 47 with Section 904 intact.

Additionally, we offer for the consideration of the members of the Senate a letter submitted last year by over 50 U.S. law professors who carefully reviewed the provisions of section 904 and found them to be constitutional. We offer some relevant excerpts below:

"It is important to note that Section 904 of S. 1925 does not constitute a full restoration of all tribal criminal jurisdiction—only that which qualifies as "special domestic violence criminal jurisdiction." So there must be an established intimate-partner relationship to trigger the jurisdiction. Moreover, no defendant in tribal court will be denied Constitutional rights that would be afforded in state or federal courts. Section 904 provides ample safeguards to ensure that non-Indian defendants in domestic violence cases receive all rights guaranteed by the United States Constitution. . . .

In other words, a defendant who has no ties to the tribal community would not be subject to criminal prosecution in tribal court. Federal courts have jurisdiction to review such tribal jurisdiction determinations after exhaustion of tribal remedies. Section 904 is specifically tailored to address the victimization of Indian women by persons who have either married a citizen of the tribe or are dating a citizen of the Tribe."

In closing, the National Task Force wishes to thank you for your tireless efforts to reauthorize the Violence Against Women Act, S. 47. We appreciate your leadership and look forward to working with you toward a speedy passage of S. 47, including Title IX as introduced with no weakening amendments.

Sincerely,

THE NATIONAL TASK FORCE TO END SEXUAL AND DOMESTIC VIOLENCE.

NCAI TASK FORCE ON VIOLENCE AGAINST WOMEN, NATIONAL CONGRESS OF AMERICAN INDIANS,
Washington, DC, February 7, 2013.

Hon. PATRICK LEAHY,
Chair, Senate Judiciary Committee, Dirksen Senate Office Building, Washington, DC.

Hon. MICHAEL CRAPO,
Dirksen Senate Office Building, U.S. Senate, Washington, DC.

DEAR SENATORS LEAHY AND CRAPO: The National Congress of American Indians (NCAI), founded in 1944, is the oldest, largest and

most representative American Indian and Alaska Native organization serving the broad interests of tribal governments and communities. The NCAI Task Force on Violence Against Women focuses on addressing crimes of violence against Native women. This letter is to express our strong opposition to any amendment offered which would strip or alter the current language in S. 47.

The Task Force knows that unfortunately Native women are victimized at rates higher than any other population in the United States. It is estimated that 34% of American Indian and Alaska Native women will be raped in their lifetimes; 39% will be subjected to domestic violence in their lifetimes; 67% of Native women victims of rape and sexual assault report their assailants as non-Native individuals, and, on some reservations, Native women are murdered at more than ten times the national average.

These startling statistics, coupled with the unfortunately high declination rates (U.S. Attorneys declined to prosecute nearly 52% of violent crimes that occur in Indian country; and 67% of cases declined were sexual abuse related cases), provide ample reason for Congress to act in passing S. 47 with Section 904 intact.

Section 904 does not take away constitutional rights from offenders, it guarantees swift justice for Native victims. There are safeguards built into the provision which ensure that all rights guaranteed under the Constitution are given to non-Native defendants in tribal court. Further, the special domestic violence jurisdiction is narrowly restricted to apply only to instances of domestic or dating violence where: 1) the victim is an Indian, 2) the conduct occurs on tribal lands; and 3) where the defendant either lives or works on the reservation, i.e., where the defendant has significant ties to the community.

The NCAI Task Force on Violence Against Women is extremely concerned that misunderstandings of the political status of Indian tribes and the internal workings of the tribal court system are causing confusion on how this provision will work on the ground. Indian tribes are not a racial class, they are a political body—so the question is not whether non-Indians are subject to Indian court—the question is whether tribal governments, political entities, have the necessary jurisdiction to provide their citizens with the public safety protections every government has the inherent duty to provide.

Amendments which place more funding in the hands of federal authorities will not address this immediate local need. We believe strongly that local government is the best government for addressing public safety concerns. For example, an amendment is being offered today which would require that tribal governments petition a U.S. District Court for an "appropriately tailored protection order excluding any persons from areas within the Indian country of the tribe." This level of procedure for an intimately local issue is not practical and will do little to improve matters on Indian reservations. Tribal courts are the appropriate venue to issue such protection orders.

Also, tribal courts and authorities are the appropriate triers of fact for domestic violence matters conducted on Indian reservations. The federal system has proven ineffective in many respects, but none as detrimental to the backbone of a community as the area of domestic violence against Native women. Further many tribal courts operate in much the same manner as state courts, albeit with smaller dockets and lesser degrees

of crime as their sister governments: state and federal courts. Also, all tribal courts are bound by the Indian Civil Rights Act, which, as amended, guarantees all of the constitutional rights non-Native defendants have in state courts.

For these reasons, the NCAI Task Force on Violence Against Women strongly opposes any amendments to S. 47 and offers its strong support for the current language in the bipartisan Senate VAWA Reauthorization: S. 47. Thanks for your time and your continuous efforts to provide greater protections for women in Indian Country.

Sincerely,

JUANA MAJEL DIXON,
Co-Chair, NCAI Task Force on Violence
Against Women.

TERRI HENRY,
Co-Chair, NCAI Task Force on Violence
Against Women.

VOTE NO ON COBURN AMENDMENT #13

A "NO" VOTE WILL RETAIN VITAL VAWA PROTECTIONS FOR NATIVE WOMEN

The National Congress of American Indians and tribal governments nationwide oppose Coburn Amendment No. 13. This harmful amendment would strip the critical tribal jurisdiction provisions in Sections 904 and 905 of S. 47 that are so important to deterring senseless violence against Native women who reside on Indian reservations. Section 904 is the same tribal jurisdiction language that passed the Senate last session with strong bi-partisan support. It acknowledges the authority of Indian tribal governments to exercise concurrent jurisdiction over crimes of domestic violence by non-Native suspects. Every suspect will be afforded the full array of constitutional protections. This provision is critically important to stopping the epidemic of domestic violence against Native women.

Section 904 is Narrowly Tailored

Section 904 does not acknowledge blanket jurisdiction over all crimes committed by non-Indians on tribal lands. The jurisdiction would only apply to domestic or dating violence where the victim is a tribal citizen; the crime occurred on tribal lands; and the defendant must be in an established relationship with the victim. The provision is specifically tailored to address a serious epidemic of violence that Native women face each day.

The current system of justice on Indian lands is broken. More than 1 in 3 Native women will be raped in their lifetimes, and more than 3 in 5 will suffer domestic abuse. Native women are forced to rely on federal officials to investigate and prosecute domestic violence committed by non-Natives. However, U.S. Attorneys declined to prosecute a majority of violent crimes. Between 2006–2009, federal officials declined 52% of violent reservation crimes, including 67% of sexual assaults.

In most cases, federal resources are stretched too thin, and federal investigators are located too far from many reservations to serve as an effective deterrent to crime on tribal lands. Lower level crimes of domestic violence go completely unprosecuted—and often unreported, because many Native women have lost faith in the justice system. When lower level domestic violence goes unpunished, the violence increases. The result on some reservations is that the homicide rate of Native women is 10 times the national average. These shocking facts provide compelling reasons for Congress to enact S. 47 with Section 904 intact.

Defendants' Have all Due Process Rights under the Proposed Limited Jurisdiction

Section 904 ensures that non-Indian defendants in tribal court are afforded due process in a manner consistent with state and federal courts. This includes the right to effective assistance of counsel, the right to a trial by an impartial jury selected impartially, as well as all other constitutional rights guaranteed under the Indian Civil Rights Act. Also, the draft language includes a catch-all provision, which entitles defendants to "all other rights whose protection is necessary under the Constitution of the United States in order for Congress" to acknowledge this jurisdiction. This last section ensures that non-Indian defendants will receive a fair trial in tribal courts. The U. S. Department of Justice developed and strongly supports Section 904, as do Bush Administration U.S. Attorneys, and many other experts in the field of criminal justice.

The Coburn Amendment Also Strikes Section 905 from S. 47

The Coburn Amendment would strike Section 905 from S. 47. This section also passed this Senate last session with strong bipartisan support. The civil jurisdiction found in Section 905 already exists under the full faith & credit clauses of VAWA 2000. This section simply clarifies the intent of this earlier reauthorization by making clear that tribes have full civil authority to issue and enforce domestic civil protection orders against Indians and non-Indians alike.

This provision is critical to strengthening tribal regulatory authority over domestic disputes, threats of violence, harassment, or verbal or physical abuse. Women living in Indian country and Alaska Native villages rely on tribal courts each day to obtain civil orders of protection to prevent future abuse in crimes of domestic violence, sexual assault, dating, and stalking. Requiring a woman in need of immediate protection to travel hundreds of miles from her reservation to a state court is not only impractical but also dangerous. We strongly oppose any amendment intended to strike this provision.

A Vote Against the Coburn Amendment is a Vote for Indian Country

A vote against the Coburn Amendment is a vote for Native women victims of abuse—and for the children who will grow up without such horrific violence. Sections 904 and 905 are sensible, fair and will create a partnership between tribal governments and federal authorities in addressing an epidemic of domestic violence in Indian country. A VAWA Reauthorization without these critical provisions will deny Indian women access to justice and legal protection available to other victims. Native women will be left behind in the national efforts to protect all victims of domestic violence and sexual assault.

Coburn Amendment No. 13 would ignore the horrific crime that Native women face on a daily basis. If adopted, Congress will be telling tribal communities that the status quo is acceptable. Violence against any person by any person anywhere is unacceptable. For these reasons, I respectfully request you oppose the Coburn Amendment No. 13 and help Indian Country pass a VAWA Reauthorization that protects all women.

JUANA MAJEL DIXON,
First Vice President,
NCAI, Co-Chair,
NCAI Task Force on
Violence Against
Women.

TERRI HENRY,
Council, Eastern Band
of Cherokee Indians,

Co-Chair, NCAI
Task Force on Violence
Against
Women.

UNITED SOUTH
AND EASTERN TRIBES, INC.,
Nashville, TN, February 9, 2013.

Re Stand up for Native Women—Vote No on
Coburn Amendment (No. 13) to S. 47.

U.S. SENATE,
Washington, DC.

DEAR SENATOR: I write to you in two roles. First, I write on behalf of the United South and Eastern Tribes, Inc. (USET), which is an inter-tribal organization representing 26 federally recognized Tribes from Texas to Maine. Second, I write as a son, father, relative and tribal leader who has seen all too many times the long-lasting tragic consequences of domestic abuse within our communities. It burns our hearts that many of the perpetrators, despite having close ties to our tribal lands and communities, have no fear of punishment because they are non-Indians and therefore fall outside the jurisdiction of the local government—in this case, the tribal government.

Please support S. 47 and oppose any efforts, including the Coburn amendment (No. 13), which would deprive tribal governments of critically needed authority to keep reservations safe and protect Native women and other victims of domestic abuse.

I have been taught that "no nation is truly defeated until the hearts of its women are on the ground." Native women have strong hearts, but that strength is constantly challenged by the high rates of domestic violence on many Indian reservations. Of course, domestic violence is not limited to women and it is not limited to adults. It has an effect that passes down through the generations. We all dream that our children can live and grow up in a safe place, with loving adults. From such a foundation, our children will create safe and healthy families of their own, free from the scourge of domestic violence. It is well known that domestic violence is a behavior that starts at one level and often escalates over time to serious injury or even death. Tribes need the authority to intervene in early incidences of domestic violence, as well as at any other stage. Only by doing this can we break the chain of domestic violence that weighs down our communities.

The pending Violence Against Women Act (VAWA) reauthorization (S. 47) presents an extraordinary opportunity to address the startling lack of law enforcement response to, and prosecutions for, incidences of domestic violence on Indian reservations. After years of struggling with this issue, those of us who live in Indian country have realized that the answer does not lie with the Federal and state governments, but with ourselves. We need to have in place systems of justice that will put fear in the heart of those who consider evil deeds, while also assure that all members of our communities have their basic rights protected. To do this, our Tribal courts must have authority to exercise limited domestic violence criminal jurisdiction over all individuals with close ties to tribal communities who commit domestic violence offenses on Indian lands. Only at the local level can we create the credible community expectations and standards that will significantly reduce this crisis.

There have been calls for alternate answers to the issue of domestic violence in Indian Country, but we who live there and know the problem first-hand can see no solution, short

of tribal jurisdiction over domestic violence crimes, that will truly deter predators and assure justice for domestic violence victims. Indeed, the solution we seek—acknowledging and strengthening the power of local jurisdictions to respond to local problems—is one that is common throughout the country to address issues of crime and violence and achieve justice in the most effective manner possible.

From many conversations with both Republican and Democratic Members of the Senate, I know that we all care deeply about our family, friends, and loved ones and that we all want to stop the scourge of domestic violence. In this, we have a common humanity which rises above philosophical and political differences. We appeal to the leadership and membership of the Senate on the grounds of this shared humanity to reach a compassionate solution that extends the most basic of legal protections to all victims of domestic violence, no matter where in the United States they happen to live, and that empowers Tribal communities to enforce these values on their lands.

In addition to opposing the Coburn Amendment (No. 13), USET would urge you to support the Murkowski Amendment, which provides important clarifications for Native Alaskans and the Leahy Human Trafficking Amendment.

Respectfully,

BRIAN PATTERSON,
President.

Mr. LEAHY. Madam President, I suggest the absence of a quorum and ask unanimous consent that the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Madam President, I ask unanimous consent to yield back all time on both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to Coburn amendment No. 13.

Mr. LEAHY. Madam President, the yeas and nays have not been requested, have they?

The PRESIDING OFFICER. They have not.

Mr. LEAHY. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Mississippi (Mr. COCHRAN), the Senator from Texas (Mr. CRUZ), the Senator from Nevada (Mr. HELLER), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Kansas (Mr. MORAN), the Senator from Kansas (Mr. ROBERTS), the Senator

from Alabama (Mr. SHELBY), the Senator from Louisiana (Mr. VITTER), and the Senator from Mississippi (Mr. WICKER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

The PRESIDING OFFICER (Mr. DONNELLY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 31, nays 59, as follows:

[Rollcall Vote No. 14 Leg.]

YEAS—31

Ayotte	Fischer	McConnell
Barrasso	Flake	Paul
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Rubio
Chambliss	Hoeven	Scott
Coats	Inhofe	Sessions
Coburn	Isakson	Thune
Corker	Johanns	Toomey
Cornyn	Lee	
Enzi	McCain	

NAYS—59

Baldwin	Hagan	Murphy
Baucus	Harkin	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Pryor
Blumenthal	Hirono	Reed
Boxer	Johnson (SD)	Reid
Brown	Kaine	Rockefeller
Cantwell	King	Sanders
Cardin	Kirk	Schatz
Carper	Klobuchar	Schumer
Casey	Landrieu	Shaheen
Collins	Lautenberg	Stabenow
Coons	Leahy	Tester
Cowan	Levin	Udall (CO)
Crapo	Manchin	Udall (NM)
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murkowski	

NOT VOTING—10

Alexander	Johnson (WI)	Vitter
Cochran	Moran	Wicker
Cruz	Roberts	
Heller	Shelby	

The amendment (No. 13) was rejected.

SH VOTE EXPLANATION

Mr. JOHNSON of Wisconsin. Mr. President, on February 11, 2013, I was unavoidably detained in Wisconsin due to hazardous weather conditions and was unable to vote on amendment No. 13 in regard to S. 47, the Violence Against Women Act. Had I been able to vote, I would have voted "aye."

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business with Senators permitted to speak for up to 10 minutes each.

TRIBUTE TO KIRK NOBEL
BLOODSWORTH

Mr. LEAHY. Mr. President, any one of us can only imagine what it would be like to be wrongly arrested, tried, convicted, and sentenced to death for a crime we did not commit. And whatever we imagined would pale by comparison to reality.

Kirk Nobel Bloodsworth, who I am privileged to call a friend, was the victim of such a horrific miscarriage of justice. He served 9 years for the rape and murder of a young girl he never met, based on the mistaken identification by one of Kirk's neighbors.

Eyewitness identifications, assumed to be among the best evidence, are notoriously unreliable. Case after case demonstrates this. Take the massive search currently underway for Christopher Dorner, the former Los Angeles police officer suspected in three killings. The police have been inundated with numerous false "sightings."

Kirk Bloodsworth is a free man today not because the justice system worked. For 9 years it failed miserably, and during that time the real killer was free. Rather, he had to prove his innocence thanks to DNA evidence, which is not available in most cases. One shudders to think of the number of factually innocent people who may be serving long sentences for whom exoneration through DNA testing isn't an option.

A February 5, 2013, article in the New York Times quotes Kirk: "The adversarial system doesn't know who's guilty or who's innocent. The millstone doesn't know who's under it." That article, entitled "A Death Penalty Fight Comes Home," is notable because it describes the campaign Kirk is helping to lead to abolish the death penalty in Maryland, the State where he was convicted and sent to death row.

Kirk is an example of someone who was subjected to the basest indignities and humiliation, and who then came back to inspire others to prevent future unjust convictions. It is the mark of a man of extraordinary character and courage, who deserves our praise and admiration. I ask unanimous consent that a copy of the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 5, 2013]

A DEATH PENALTY FIGHT COMES HOME

(By Scott Shane)

ANNAPOLIS, MD—Kirk Noble Bloodsworth, a beefy, crew-cut man whose blue T-shirt read "Witness to Innocence," took the microphone in a church hall here and ran through his story of injustice and redemption one more time. Twenty years ago, he walked out of a Maryland prison, the first inmate in the nation to be sentenced to death and then exonerated by DNA.

About 60 activists against the death penalty listened with rapt attention, preparing to descend on state legislators to press their case. Maryland appears likely in the next few weeks to join the growing list of states that have abolished capital punishment. Some longtime death penalty opponents say no one in the country has done more to advance that cause than Mr. Bloodsworth. But ending executions in Maryland, the state that once was determined to kill him, would be a personal victory for him.

Even for proponents of capital punishment, Mr. Bloodsworth's tale is deeply unsettling.

In 1984, he was a former Marine with no criminal record who had followed his father's profession as a waterman on the Eastern Shore of Maryland. A woman glimpsed on television a police sketch of the suspect in the rape and murder of a 9-year-old girl outside Baltimore. She thought it looked like her neighbor Kirk, and she called the police.

From there, with the police and prosecutors under intense pressure to solve the crime, it was a short route to trial, conviction and a death sentence for a man whose Dickensian name, after all, seemed to imply guilt.

"I was accused of the most brutal murder in Maryland history," Mr. Bloodsworth, now 52, told the church audience. "It took the jury two and a half hours to send me to the gas chamber."

Only after nine years in the state's most decrepit and violent prisons did Mr. Bloodsworth, through his own perseverance and some aggressive lawyering, manage to get the still-novel DNA test that finally proved his innocence in 1993.

Even then, prosecutors publicly expressed doubt about his innocence. "Nobody knew what DNA was then—it was sort of shaman science, a 'get out of jail free' card," he said in an interview. It took another decade—and, again, Mr. Bloodsworth's own dogged efforts—before officials ran the DNA from the murder scene through a database and identified the real killer, who is now serving a life sentence. He bore little resemblance to the description that the police had compiled from eyewitnesses.

Mr. Bloodsworth said he kept pursuing the test to clear himself once and for all, but also to find the killer of the girl, Dawn Hamilton, who was found in the woods stripped of clothing from the waist down, her head crushed with a piece of concrete. "This was a ghastly, horrific thing," he said.

Even after his release, Mr. Bloodsworth could never quite escape the false charges that had threatened him with execution. He tried to return, he said, to "a normal life," but he was haunted by what he had learned about the justice system.

"If it could happen to me, it could happen to anybody," he said. He threw himself into work against capital punishment and for justice reform, first as a volunteer speaker and later as a professional advocate. Last month he began work as the advocacy director for Witness to Innocence, a Philadelphia-based coalition of exonerated death row inmates who push to end capital punishment.

The movement to end the death penalty has garnered more support from politicians and the public as it has shifted from moral condemnation of capital punishment to a more practical argument: that mistakes by witnesses and the police inevitably mean that innocent people will be executed. While DNA gets the limelight, of 142 prisoners sentenced to death and then exonerated in the last 40 years, just 18 were freed over DNA evidence, according to the Death Penalty Information Center in Washington.

Use of the death penalty has been steadily declining, and 17 states no longer have it on the books, with 5 of them abolishing it since 2007, said Richard C. Dieter, the center's executive director. Executions dropped to 43 last year from 98 in 1999.

"These innocence cases are the biggest single factor, because it has spread doubt throughout the system," Mr. Dieter said.

Mr. Bloodsworth, a tireless public speaker who has visited state after state to lobby for repeal, handing out a 2004 book on his case, called "Bloodsworth," has used his own expe-

rience to promote those doubts. "I think no single individual has changed as many minds as Kirk," said Jane Henderson, the director of Maryland Citizens Against State Executions, a lobbying group. "He's articulate, patient, and he's got a huge heart."

His homespun eloquence has unmistakable appeal, but his own tale is his most powerful argument. Prosecutors and jurors ignored glaring problems with witnesses—two were boys who did not pick Mr. Bloodsworth out of a lineup—and dismissed five alibi witnesses who testified that he was home at the time of the murder.

"The adversarial system doesn't know who's guilty or who's innocent," Mr. Bloodsworth said. "The millstone does not know who's under it."

At the Maryland Penitentiary in Baltimore, he could stretch out his arms and touch the sides of his cell. He stuffed paper in his ears at night to keep the cockroaches out. His skull was cracked by another inmate who swung a sock stuffed with batteries. He was still locked up when his mother died.

After his release, he was pardoned and was paid \$300,000 in compensation by the state. But even as he worked for death penalty abolition in other states, he became a regular visitor to Annapolis, pressing legislators to learn from his case. "I'm a walking reminder for them," he said.

Delegate Barbara A. Frush, a Maryland legislator for 19 years, said a visit from Mr. Bloodsworth two years ago changed her mind about capital punishment, which she had long favored. "I sat across the desk from him and looked in his eyes and listened to his story," she said. "It sent shivers down my spine. I thought, I can't take the chance that I might send an innocent man to death."

This week, for the first time, he had a private visit with the longtime president of the State Senate, Thomas V. Mike Miller Jr., who has decided to allow a floor vote on the repeal bill. Mr. Bloodsworth left the meeting more optimistic than ever.

From time to time, he has heard from the people who sent him to prison. A juror got in touch to apologize. One of the two lead homicide detectives sought him out; "it seemed like he wanted absolution," Mr. Bloodsworth said. One of the prosecutors, S. Ann Brobst, who had called him "a monster" at trial, insisted on driving to the Eastern Shore to give him in person the news of the DNA hit on the actual murderer.

At the church hall, he turned from his own story to the prospects for action in Maryland.

"What do you smell?" he bellowed.

"Victory!" the advocates yelled back.

"It's time to close the case," Mr. Bloodsworth declared, raising his arms in anticipation.

REMEMBERING ROBERT S. TELLALIAN

Mr. BLUMENTHAL. Mr. President, I rise today to pay tribute to Robert Tellalian—an attorney, community advocate, and beloved family member and friend, who brought joy to many in Connecticut. He was a true community leader in a very timeless, enduring way—wisely guiding civic organizations, unstintingly contributing time and energy, and enthusiastically giving of his great spirit and good humor.

After helping the Goodwill of Western and Northern Connecticut to incor-

porate in 1951, Mr. Tellalian served on its board for many years. He also connected with Goodwill's clients and staff personally on the frontlines in quite another way. Donning a red suit and beard for the annual Goodwill Christmas party, he shared his good energy and holiday spirit with those who needed it the most—the poor and suffering and the Bridgeport employees who had seen it all. He was given Goodwill's Leadership Award in 2011. And, as if he had planned it, he passed away this past year on Christmas Day at age 91.

He earned a Soldier's Medal for Valor in World War II, fighting at the Battle of the Bulge in the Army's 10th Armored Division, but instead, chose to be remembered through seemingly minor but extremely meaningful gestures of kindness and personal connection.

Mr. Tellalian was born in New Haven and raised in Bridgeport. After attending Yale University and the University of Connecticut School of Law, he along with his brother, Judge Aram H. Tellalian, Jr., founded the firm, Tellalian & Tellalian. The Tellalian's firm was a fixture in Bridgeport, and Robert practiced family and estate law for his entire career. The firm later moved to Trumbull, where Mr. Tellalian continued his involvement. This fact and many others demonstrate his uncommon dedication to tradition, intense loyalty for his community and the practice of law, and strong, authentic relationship with his brother and countless loved ones.

Throughout his life, he was intensely involved in a number of charities and local organizations throughout Connecticut, especially in Bridgeport and Easton. In addition to the Goodwill of Western and Northern Connecticut, he was an active member of the Yale Club of Eastern Fairfield County, the Bridgeport Area Foundation, and the United Way. He also served as the secretary of the Easton Senior Center Board of Directors and the president of the Council of Churches of Greater Bridgeport.

Aside from his tremendous contributions to charity and community, Mr. Tellalian would most like to be remembered, I believe, for his love of music. He had great pride for the Greater Bridgeport Symphony and the joy it added to Connecticut. He was a man who, in his role of chairman of the board, would greet patrons in the lobby of the concert hall for decades. One time, when interviewed by the Connecticut Post, he commented that the opportunity to guest-conduct the Symphony was "the biggest thrill of [his] life." Additionally, he was an avid acapella singer, and treasured the memories he made with his barbershop quartet—the Eastonaires—with whom he performed throughout the State and country, even on the White House lawn during a Fourth of July picnic hosted

by President and Nancy Reagan. And, for more than 50 years, he sang in the church choir—most recently for the United Congregational Church in Bridgeport—where he and his wife, Jean, who died this past November, were longtime congregants and celebrated their 60th wedding anniversary.

Last month, the United Congregational Church hosted a musical memorial service for Mr. Tellalian. Almost 100 singers and instrumentalists gathered from around the region to volunteer their time in tribute to a man they loved.

Robert Tellalian was generous of spirit and filled with compassion, dedicating much of his life to the happiness of others. He loved life, and lifted others up.

Today, I invite my colleagues to honor the life of a man who will be deeply missed, but whose spirit of kinship will live on in all he touched.

ADDITIONAL STATEMENTS

CONGRATULATING KONNER ROBINSON AND ANTHONY SCHRECENGOST

• Mr. HELLER. Mr. President, today I wish to recognize two of Nevada's finest, Konner Robinson and Anthony Schrecengost, for being named Nevada's top two youth volunteers of 2013 by the Prudential Spirit of Community Awards. For 18 years, this nationwide award program has partnered with the National Association of Secondary School Principals to honor outstanding acts of volunteerism.

Konner is a junior at Sage Ridge School in Reno, NV. He created a fund to provide grants to local schools to enable them to offer technology-based learning tools to financially disadvantaged students. Konner was inspired to start this project when he discovered one of his classmates could not complete her physics homework because she could not afford to buy a graphing calculator. I commend his commitment to providing access to technology for all students. All Americans should follow Konner's lead and work to ensure our schools have the resources they need to provide our children with the best education possible.

Anthony, an eighth grader at Sig Rogich Middle School in Las Vegas, NV, has been a committed volunteer for the Food Allergy & Anaphylaxis Network, FAAN, for the past 3 years. He has been raising both money and awareness to help those who, like him, suffer from food allergies. Anthony's motivation to work on behalf of others who share his condition is inspiring.

On behalf of the residents of the Silver State, I am proud to recognize Konner and Anthony for their accomplishments and contributions to our State. As Nevada's top two youth vol-

unteers of 2013, my hope is that Konner and Anthony will help serve as an example of the importance of volunteer work and service in our community. Today, I ask my colleagues to join me in congratulating these two exceptional young Nevadans.●

MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that pursuant to section 643(c) of the American Taxpayer Relief Act (Public Law 112-240), the Speaker appoints the following individuals on the part of the House of Representatives to the Commission on Long-Term Care: Ms. Judy Brachman of Bexley, Ohio, Mr. Stephen Guillard of Chatham, Massachusetts, and Ms. Grace-Marie Turner of Alexandria, Virginia.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-294. A communication from the Assistant Secretary of Defense (Global Strategic Affairs), transmitting, pursuant to law, a report entitled "Report on Proposed Obligations for Cooperative Threat Reduction, February 2013"; to the Committee on Armed Services.

EC-295. A communication from the General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, a report relative to a vacancy in the Department in the position of Assistant Secretary for Housing/Federal Housing Commissioner, received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-296. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2013-0002)) received during adjournment of the Senate in the Office of the President of the Senate on February 1, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-297. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2013-0002)) received during adjournment of the Senate in the Office of the President of the Senate on February 1, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-298. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Turkey; to the Committee on Banking, Housing, and Urban Affairs.

EC-299. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S.

exports to Luxembourg; to the Committee on Banking, Housing, and Urban Affairs.

EC-300. A communication from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "High-Cost Mortgage and Homeownership Counseling Amendments to the Truth in Lending Act (Regulation Z) and Homeownership Counseling Amendments to the Real Estate Settlement Procedures Act (Regulation X)" ((RIN3170-AA12) (Docket No. CFPB-2012-0029)) received during adjournment of the Senate in the Office of the President of the Senate on February 1, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-301. A communication from the Director, Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Revised Medical Criteria for Evaluating Congenital Disorders That Affect Multiple Body Systems" (RIN0960-AH04) received in the Office of the President of the Senate on January 30, 2013; to the Committee on Finance.

EC-302. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2013-0007—2013-0013); to the Committee on Foreign Relations.

EC-303. A communication from the Chief of the Policy Division, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of International Settlements Policy Reform; Joint Petition for Rulemaking of AT and T Inc., Sprint Nextel Corporation and Verizon; Modifying the Commission's Process to Avert Harm to U.S. Competition and U.S. Customers Caused by Anticompetitive Conduct" (FCC 12-145) received during adjournment of the Senate in the Office of the President of the Senate on February 1, 2013; to the Committee on Commerce, Science, and Transportation.

EC-304. A communication from the Deputy Chief of the Policy Division, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Revisions to Parts 2 and 25 of the Commission's Rules to Govern the Use of Earth Stations Aboard Aircraft Communicating with Fixed-Satellite Service Geostationary-Orbit Space Stations Operating in the 10.95–11.2 GHz, 11.45–11.7 GHz, 11.7–12.2 GHz and 14.0–14.5 GHz Frequency Bands" (FCC 12-161) received during adjournment of the Senate in the Office of the President of the Senate on February 1, 2013; to the Committee on Commerce, Science, and Transportation.

EC-305. A communication from the Deputy Chief of the Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Misuse of Internet Protocol (IP) Captioned Telephone Service; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Order and Notice of Proposed Rulemaking" (FCC 13-13) received during adjournment of the Senate in the Office of the President of the Senate on February 1, 2013; to the Committee on Commerce, Science, and Transportation.

EC-306. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; On the Waters in Kailua Bay,

Oahu, HI" ((RIN1625-AA87) (Docket No. USCG-2012-1038)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-307. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; 25th Annual North American International Auto Show" ((RIN1625-AA87) (Docket No. USCG-2012-1077)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-308. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Grain-Shipments Vessels, Columbia and Willamette Rivers" ((RIN1625-AA00) (Docket No. USCG-2012-1028)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-309. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone for Recovery Operations for East Jefferson Street Train Derailment, Mantua Creek; Paulsboro, NJ" ((RIN1625-AA00) (Docket No. USCG-2012-1060)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-310. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; New Year's Eve Fireworks Displays within the Captain of the Port Miami Zone, FL" ((RIN1625-AA00) (Docket No. USCG-2012-1041)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-311. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Bone Island Triathlon, Atlantic Ocean; Key West, FL" ((RIN1625-AA00) (Docket No. USCG-2012-0956)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-312. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; TEMCO Grain Facilities; Columbia and Willamette Rivers" ((RIN1625-AA00) (Docket No. USCG-2012-1068)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-313. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Hampton Harbor Channel Obstruction, Hampton Harbor; Hampton, NH" ((RIN1625-AA00) (Docket No. USCG-2012-1055)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Com-

mittee on Commerce, Science, and Transportation.

EC-314. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Upper Mississippi River MM 35.0 to MM 55.0; Thebes, IL and Cape Girardeau, MO, and MM 75.0 to MM 85.0; Grand Tower, IL" ((RIN1625-AA00) (Docket No. USCG-2012-0998)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-315. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Bay Bridge Construction, San Francisco Bay, San Francisco, CA" ((RIN1625-AA00) (Docket No. USCG-2012-0945)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-316. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Gilmerton Bridge Center Span Float-in, Elizabeth River; Norfolk, Portsmouth, and Chesapeake, VA" ((RIN1625-AA00) (Docket No. USCG-2012-0642)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-317. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Bridge Demolition Project; Indiana Harbor Canal, East Chicago, Indiana" ((RIN1625-AA00) (Docket No. USCG-2012-1053)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-318. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Overhead Cable Replacement, Maumee River, Toledo, OH" ((RIN1625-AA00) (Docket No. USCG-2012-0971)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-319. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Columbia Grain and United Grain Corporation Facilities; Columbia and Willamette Rivers" ((RIN1625-AA00) (Docket No. USCG-2012-1027)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-320. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Grain-Shipments Assistance Vessels; Columbia and Willamette Rivers" ((RIN1625-AA00) (Docket No. USCG-2012-1029)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Com-

mittee on Commerce, Science, and Transportation.

EC-321. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Reconsideration of Letters of Recommendation for Waterfront Facilities Handling LNG and LHG" ((RIN1625-AB67) (Docket No. USCG-2011-0277)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-322. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Adding International Energy Efficiency (IEE) Certificate to List of Certificates a Recognized Classification Society May Issue" ((RIN1625-AB90) (Docket No. USCG-2012-0861)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-323. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; 2013 Orange Bowl Paddle Championship, Biscayne Bay, Miami, FL" ((RIN1625-AA08) (Docket No. USCG-2012-1020)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-324. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; 2012 Holiday Boat Parades, Captain of the Port Miami Zone, FL" ((RIN1625-AA08) (Docket No. USCG-2012-0898)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-325. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Sacramento River, CA" ((RIN1625-AA09) (Docket No. USCG-2011-1138)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-326. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Apalachicola River, FL" ((RIN1625-AA09) (Docket No. USCG-2012-0470)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-327. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; S99 Alford Street Bridge Rehabilitation Project, Mystic River, MA" ((RIN1625-AA11) (Docket No. USCG-2011-1125)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-328. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Reporting Requirements for Barges Loaded With Certain Dangerous Cargoes, Inland Rivers, Eighth Coast Guard District; Extension of Stay (Suspension)" ((RIN1625-AA11) (Docket No. USCG-2012-1074)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-329. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Upper Mississippi River MM 0.0 to MM 185.0; Cairo, IL to St. Louis, MO" ((RIN1625-AA11) (Docket No. USCG-2012-1044)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC-330. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; Kelley's Island Swim, Lake Erie; Kelley's Island, Lakeside, OH" ((RIN1625-AA08) (Docket No. USCG-20120386-)) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. ROCKEFELLER (for himself, Mr. BEGICH, Ms. MURKOWSKI, Mr. SCHATZ, Ms. CANTWELL, Mr. WHITEHOUSE, Mr. WYDEN, Ms. HIRONO, Mr. MERKLEY, and Mr. NELSON):

S. 267. A bill to prevent, deter, and eliminate illegal, unreported and unregulated fishing through port State measures; to the Committee on Commerce, Science, and Transportation.

By Mr. LEVIN (for himself and Mr. WHITEHOUSE):

S. 268. A bill to reduce the deficit and protect important programs by ending tax loopholes; to the Committee on Finance.

By Mr. ROCKEFELLER (for himself, Mr. BEGICH, Ms. MURKOWSKI, Mr. SCHATZ, Ms. CANTWELL, Mr. WHITEHOUSE, Mr. WYDEN, Ms. HIRONO, Mr. MERKLEY, and Mr. NELSON):

S. 269. A bill to establish uniform administrative and enforcement authorities for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BEGICH:

S. 270. A bill to amend the State Department Basic Authorities Act of 1956 to establish a United States Ambassador at Large for Arctic Affairs; to the Committee on Foreign Relations.

By Mr. BEGICH:

S. 271. A bill to improve Arctic health; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BEGICH:

S. 272. A bill to promote research, monitoring, and observation of the Arctic and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. AYOTTE (for herself, Mr. MCCONNELL, Ms. LANDRIEU, and Mr. BLUNT):

S. 273. A bill to modify the definition of fiduciary under the Employee Retirement Income Security Act of 1974 to exclude appraisers of employee stock ownership plans; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND:

S. 274. A bill to strengthen nutrition education for elementary school and secondary school students to promote healthy eating choices through developmentally appropriate lessons and activities integrated into the school day; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. RISCH (for himself and Mr. CRAPO):

S. 275. A bill to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the Little Wood River Ranch; to the Committee on Energy and Natural Resources.

By Mr. RISCH (for himself and Mr. CRAPO):

S. 276. A bill to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the American Falls Reservoir; to the Committee on Energy and Natural Resources.

By Mr. WHITEHOUSE (for himself, Mr. HARKIN, Mr. SANDERS, and Mr. LEVIN):

S. 277. A bill to replace the Budget Control Act sequester by eliminating tax loopholes, and for other purposes; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself, Mr. HARKIN, Mr. SANDERS, Mr. LEVIN, and Mr. MERKLEY):

S. 278. A bill to replace the Budget Control Act sequester for fiscal year 2013 by eliminating tax loopholes; to the Committee on Finance.

By Mr. TESTER (for himself, Mr. HELLER, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. RISCH, Mr. HEINRICH, Mr. BAUCUS, and Mr. BENNET):

S. 279. A bill to promote the development of renewable energy on public land, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. PAUL:

S. Res. 28. A resolution to provide sufficient time for legislation to be read; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 116

At the request of Mr. REED, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 116, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. 174

At the request of Mr. BLUMENTHAL, the name of the Senator from Cali-

fornia (Mrs. BOXER) was added as a cosponsor of S. 174, a bill to appropriately restrict sales of ammunition.

S. 183

At the request of Mrs. MCCASKILL, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 183, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 192

At the request of Mr. BARRASSO, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 192, a bill to enhance the energy security of United States allies, and for other purposes.

S. 209

At the request of Mr. PAUL, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 209, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

S. 232

At the request of Mr. HATCH, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 232, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

S. 234

At the request of Mr. REID, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Hawaii (Mr. SCHATZ) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 234, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 240

At the request of Mr. TESTER, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Washington (Mrs. MURRAY) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 240, a bill to amend title 10, United States Code, to modify the per-fiscal year calculation of days of certain active duty or active service used to reduce the minimum age at which a member of a reserve component of the uniformed services may retire for non-regular service.

S. 242

At the request of Mr. BURR, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator

from Colorado (Mr. BENNET) were added as cosponsors of S. 242, a bill to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and for other purposes.

S. 249

At the request of Mr. MENENDEZ, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 249, a bill to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

S. 252

At the request of Mr. ALEXANDER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 252, a bill to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity.

S. RES. 26

At the request of Mr. MORAN, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. Res. 26, a resolution recognizing that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States.

AMENDMENT NO. 10

At the request of Mr. PORTMAN, the names of the Senator from Ohio (Mr. BROWN), the Senator from New York (Mrs. GILLIBRAND) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of amendment No. 10 intended to be proposed to S. 47, a bill to reauthorize the Violence Against Women Act of 1994.

AMENDMENT NO. 15

At the request of Mr. CORNYN, his name was added as a cosponsor of amendment No. 15 proposed to S. 47, a bill to reauthorize the Violence Against Women Act of 1994.

AMENDMENT NO. 19

At the request of Mr. CORNYN, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of amendment No. 19 intended to be proposed to S. 47, a bill to reauthorize the Violence Against Women Act of 1994.

AMENDMENT NO. 21

At the request of Mr. LEAHY, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Ohio (Mr. PORTMAN), the Senator from New York (Mrs. GILLIBRAND), the Senator from Delaware (Mr. COONS) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of amendment No. 21 intended to be proposed to S. 47, a bill to reauthorize the Violence Against Women Act of 1994.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEVIN (for himself and Mr. WHITEHOUSE):

S. 268. A bill to reduce the deficit and protect important programs by ending tax loopholes; to the Committee on Finance.

Mr. WHITEHOUSE. Mr. President, I am going to be joined fairly soon by the distinguished chairman of the Armed Services Committee, Senator LEVIN, to discuss the upcoming sequester and the impact the sequester will have on this country if it is allowed to go forward. Chairman LEVIN has been pretty clear about this, as have our national security officials on the defense side. It is equally harsh on the non-defense side. But most important, it will be a real blow to the economy. The economists now are saying if we let the sequester kick in as scheduled, it will cost us 1 million jobs. One million Americans will lose their jobs because we let the sequester hit.

Other things—cuts to education; 70,000 young children kicked off of Head Start; 10,000 teacher jobs at risk; funding for up to 7,200 special education teachers and aides and staff could be cut. Food safety—2,100 fewer food inspectors. Research—several thousands of our researchers who are doing cutting-edge research in all sorts of areas from electronics to finding cures for diseases could lose their jobs. Up to 373,000 seriously mentally ill adults and seriously emotionally disturbed children could go untreated at a time when we are talking about the need for more treatment in the wake of the terrible tragedy in Newtown, CT. In law enforcement we could see a lowering of capacity equivalent to more than 1,000 Federal agents. Nutrition assistance—600,000 women and children would be dropped from the Department of Agriculture's nutrition programs. More than 100,000 formerly homeless people, including veterans, would be removed from their current housing and emergency shelter programs because they would no longer be funded under these cuts.

It is a deadly serious thing, the sequester that is coming at us. There are much better alternatives. What I am doing today is filing two pieces of legislation that would completely eliminate the sequester and pay for the elimination of the sequester, not by running up the debt or the deficit, but by repealing tax giveaways, giveaways in the Tax Code. One of the bills would put in enough tax giveaways that we could get rid of the sequester for about a year, which would allow the budget process we are embarked on now to conclude and then we would be ready to go with the new budget and go forward in the regular order that way, letting the budget process drive the decision.

The other way is simply to get rid of the sequester for the full 10 years, just get rid of it for once and for all; do it now and the other bill I proposed would do that. Both bills do this without raising taxes, by going after tax giveaways, and by avoiding these kinds of Draconian defense and nondefense cuts that have been now—I guess “estimated” is probably the right word but I think they are pretty confident would cost America a million jobs. A million American families would lose their paychecks because we did this.

The first point I want to make as I go about this is these tax expenditures are no small thing. Here is what we collect through the income tax every year from individuals: \$1.09 trillion; round numbers, \$1 trillion. Here is what we give away in tax deductions, loopholes, different expenditures and deductions: \$1.02 trillion. So on the individual side what we pass through the Tax Code and back to people is almost as big as what we actually collect.

When you look at the corporate income tax revenue, the corporate income tax revenue is \$181 billion in 2011. Here is what went back through to corporations in tax expenditures: \$157 billion.

Another way to look at it is there is \$2.1 trillion of tax liability in this country. One trillion dollars of it comes back to the government in the form of actual revenues and another trillion of it gets distributed through the gimmicks and loopholes and deductions and tricks and so forth in the Tax Code. On the corporate side there is a total of \$338 billion in tax liability, of which only \$181 billion actually appears as revenue to the government, and the other \$157 billion gets distributed again because of tricks and gimmicks and loopholes and provisions in the Tax Code.

What some of our colleagues want us to do is say: Well, we raised tax rates once—just now. We raised them on only the wealthiest families in America. We only raised them back to where they were under President Clinton when the economy was booming, but we did that and we should look no further.

The problem with that analysis is that only looks at the revenue that is actually collected. It doesn't look at the loopholes. It doesn't look at the tax expenditures either on the individual side or on the corporate side.

It is also worth noting that if we add these two up and we get \$2.1 trillion or, more likely on the corporate side, if we add these up and we get \$338 billion, there is more money out there which that doesn't count. That is the money that never shows up for taxation in the first place because it has been hidden in offshore tax refuges. People have pretended their income is in funds in the Cayman Islands, and they have pretended their intellectual property is in

a five-person office in Ireland. There are a lot of gimmicks by which a lot of the money never even gets into this calculation. When we look at the pain the sequester is going to cause, it makes a lot of sense to look at the tax expenditures, which amount to a total of \$1.17 trillion, and use that to offset.

Another thing worth looking at, just to remember where we are, is that in the last 2 years on this question of reducing the deficit, we have reduced the deficit by \$2.4 trillion, and \$1.7 trillion of that came in spending cuts and \$700 billion came in the form of new revenues. In terms of a balanced approach to deficit reduction that looks at both spending cuts and revenues, we are not balanced yet. We are nearly \$1 trillion ahead on the spending cut side. So when Republicans say we are only going to look at spending cuts going forward, they are not just saying that all those goodies in the Tax Code that go to wealthy individuals and corporations as tax deductions, loopholes, and expenditures are off limits, they are also saying that we are going to make it even more unbalanced than it is now.

By the way, the way I get to \$1.7 trillion is by taking \$1.46 trillion, which is the actual cuts, and then adding the interest savings that are associated with it. And I take the same interest savings on the revenue side, so it is even, the way we have allocated the interest.

I see Chairman LEVIN is here, so I am going to yield to him when he returns.

Let's look at one more graph while we are here. As we saw here, a lot of this is corporate tax expenditures. Every year there is \$157 billion in corporate tax expenditures, which calls to mind, how are we doing in terms of a fair balance between individuals and corporations in the American tax system? Well, we have done some research, and it turns out that corporations are providing less and less of our revenues.

When we go back to 1935, this chart shows that for every \$1 of revenue the U.S. Government got from an individual, it got \$1 from corporations. It was 1 to 1—individuals \$1, corporations \$1. By 1948 it became 2 to 1. For every \$1 that a corporation contributed to our Nation's revenues, individuals had to kick in \$2. In 1971 we had 3 to 1—\$1 from corporate America, \$3 from individuals, regular Americans. By 1984 that was up to 4 to 1—\$1 from corporate, \$4 from individuals. The ratio as of 2011 is 6 to 1, which means the amount of tax burden individuals in this country bear has climbed sixfold compared to corporations meeting their responsibilities. One of the reasons is that so many American corporations are hiding money offshore and away from the taxman. Now, whether these are the kinds of accounts we heard about during the Presidential campaign, such as in the Cayman Islands and so forth, or whether it

is locating intellectual property in some faraway country and using internal transactions to move revenue to avoid the taxman over and over, Chairman LEVIN and his committee on investigations have looked into this and over and over again, and they have shown this is a really strong area in which an enormous amount of money can be raised.

The problem with doing it the other way—going after Americans again and asking them to kick in even more in spending cuts rather than going after the corporate high jinks in the Tax Code—is that leads us down this path of austerity that Republicans have championed. The problem with that austerity path is that when we get into a recession—as we have been in—we should try to cut our way out of it. The problem with that is it has not worked. We argued against that theory from the beginning because it seems wrong, it doesn't make logical sense, and it runs against a lot of principles of economics.

Over and over again, our colleagues said: No, no, no. We just need to cut our way out of this, and that will be our solution. When we get in trouble with the economy, we cut spending.

That has proven to be a disaster. Where they have gone to austerity in Spain, the unemployment rate is 26.6 percent, and GDP growth is negative. Their economy is actually shrinking. Greece has an unemployment rate of 26.8 percent, and their GDP growth is negative 6 percent. Their economy is shrinking even more rapidly. In Portugal, the unemployment rate is 16.3 percent, and the GDP growth is negative 3 percent. By comparison, the United States, although things are not right yet, is doing much better.

I see that the distinguished chairman of the Armed Services Committee is here on the Senate floor, so I will yield at this point.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. I thank my good friend from Rhode Island, who has done good work in trying to increase revenues, to close some of the egregious loopholes which have allowed the draining of revenues to the Treasury.

A few moments ago, the Senator made reference to the offshore tax havens as a way to avoid paying taxes. There was an article in the Wall Street Journal—I don't know if my friend saw this article—about pharmaceutical companies that were transferring intellectual property to Ireland to avoid paying taxes.

There was an earnings call by the chairman or the CEO of the Gilead company. He was telling investors and stockholders that there is a significant reduction in their tax liability because they had transferred the intellectual property rights to a compound to deal with hepatitis C. He announced that

the rights of the hepatitis C compound are now domiciled in Ireland. It is not that his company is domiciled in Ireland, it is that the intellectual property has been transferred to a company they own in Ireland. The intellectual property they used to own—it is still owned by them, of course, and is now a wholly owned subsidiary, but the hepatitis C compound is now domiciled in Ireland. So intellectual property is now shipped around the world to various domiciles.

We have had hearings in our Permanent Subcommittee on Investigations on the way in which tax revenue is lost to the Treasury and tax responsibility is avoided by these transfers of intellectual property to those wholly owned shell companies that perform no economic function except tax avoidance. We have to end it, and we can end it. If we do end it, it will provide a significant amount of revenues for our Treasury.

Today, with Senator WHITEHOUSE, I am introducing the Cut Unjustified Tax Loopholes Act, or CUT Loopholes Act, which is S. 268. This bill outlines what I believe is a crucial element to the solution to our fiscal problems. It would raise revenues to reduce our deficits and preserve critical programs by cutting loopholes in our Tax Code that allow multinational corporations and wealthy individuals to avoid paying their fair share of the tax burden.

Now, we are just a few weeks away from sequestration, and the Presiding Officer has spoken very eloquently about what would happen if sequestration hits. This collection of mindless, across-the-board cuts is going to severely hurt our economy, it is going to undermine our national security, and it is going to threaten programs vital to seniors, children, middle-class families, workers, and businesses. These cuts, if they occur, will hurt every single American.

I have said repeatedly for more than 2 years that any deficit reduction effort must pass the test of balance. Balanced deficit reduction requires three elements: cuts to discretionary spending, additional revenues, and entitlement reforms. As the Senator from Rhode Island has pointed out, we have enacted \$2.4 trillion in deficit reductions. The vast majority of the deficit reduction achieved so far—more than \$1.7 trillion—has come from spending cuts. So while further cuts may be necessary, we must renew our focus on the other two categories: additional revenues and entitlement reforms. The CUT Loopholes Act can help us produce the required revenue. According to estimates in the Joint Committee on Taxation, this legislation would yield at least \$189 billion in deficit relief.

I hope no Member of this body doubts the damage sequestration would do to our Nation and to our people. The Congressional Budget Office warned us just

last month that the enactment of these cuts would likely reduce GDP growth by 1.25 percent. George Mason University economist Stephen Fuller has estimated that these cuts in this year alone would reduce GDP by \$215 billion and cost the jobs of over 2 million American workers.

Tomorrow the Armed Services Committee is going to meet to hear from Defense Department officials and members of the Joint Chiefs of Staff on the potential effects of sequestration on our national security. Just last week, in his final appearance before our committee as Secretary of Defense, Secretary Panetta warned us of a “readiness crisis” that would impair our forces’ ability to respond to crises. Sequestration will also prevent investments needed to protect us in emerging areas of concern, such as cyber security. It will threaten our ability to keep faith with the most important national security asset we possess: the men and women of our military and their families.

Secretary Panetta has pointed out that sequestration’s ills will not be limited to defense. In a speech last week, he said:

It is not just defense, it’s education, loss of teachers, it’s child care . . . It’s about health care, 700,000 women and children will no longer receive nutritional assistance. It’s about food safety, it’s about law enforcement, it’s about airport safety.

Today we are introducing the CUT Loopholes Act to protect those and other important priorities.

Over the last 50 years, Federal revenues have averaged approximately 18 percent of GDP. Over that time, our budget has been balanced only a handful of years. Each of those years that had a balanced budget, revenues exceeded 19.5 percent of GDP, but in recent years revenues have fallen off to about 15 percent of GDP.

One significant factor in our revenue shortfall is a massive plunge in the share of the stocks burden borne by corporations. Corporate tax revenue amounted to as much as 7 percent of GDP in the 1950s, 2.7 percent of GDP just 7 years ago, and in 2012 it amounted to just 1.2 percent of GDP. Corporations today pay an average tax rate—a real effective tax rate—of 12 percent. How is that possible when the statutory tax rate on corporations is 35 percent? Through loopholes in the Tax Code is how it is possible.

One of the key abuses is when companies use these various gimmicks and tax loopholes to shift their assets offshore. The Permanent Subcommittee on Investigations, which I chair, has spent more than a decade investigating offshore tax loopholes. We have shown how companies such as Enron used offshore schemes to avoid billions of dollars in taxes. Just last year we showed how companies such as Microsoft and Hewlett Packard used tax rules to

avoid taxes on billions of dollars in income. These gimmicks cost us that much income even on products developed in the United States and sold in the United States to U.S. customers. They often do this by transferring intellectual property rights and other intangible property developed in the United States to wholly owned subsidiaries and tax havens, thereby avoiding U.S. tax.

How big is the problem? According to the Congressional Research Service, American multinationals in 2008 claimed to have earned profits in Bermuda amounting to 1,000 percent of Bermuda’s GDP. Multinationals reported earning more than 40 percent of their offshore profits in five tax haven countries, despite the fact that just 4 percent of their overseas workforces and 7 percent of offshore investments were located in those five tax havens.

The CUT Loopholes Act will end abuse of so-called “transfer pricing” agreements. It will allow companies to transfer revenue for products developed in the United States to tax haven countries. It would strengthen enforcement tools so our tax authorities can investigate and rectify tax avoidance offshore. It would end the taxpayer-funded subsidy to corporations for expenses in moving jobs and operating facilities overseas.

It would stop corporations from manipulating rules on foreign tax credits to avoid taxes. It would end the “check the box” loophole that allows multinationals, by a stroke of a pen, to cloak offshore income from taxation.

Here at home, the CUT Loopholes Act would eliminate a loophole that allows large corporations to exploit what is in effect a Federal subsidy that helps pay for the compensation awarded to their executives. When companies award stock options to their top executives, they are allowed under law to record that expense in two totally different ways—one for their books and one for tax purposes. They report one amount to their investors on their annual financial reports, but they can report a much larger expense—often orders of magnitude larger—to the IRS and claim a tax deduction for that much larger claimed expense.

One company, Facebook, used this loophole as part of its initial public offering last year. Facebook will use this loophole to claim a \$16 billion tax deduction. It would then seek a \$½ billion tax refund for taxes paid in past years, and then avoid taxes for up to as many years into the future. That is just one company. The amount it showed in its books for that same cost for executive compensation was about 5 percent of what it told Uncle Sam the cost was, and then it was able to deduct a much larger cost—20 times as much of its income taxes. So this legislation would end that. By the way, that was just one company.

This legislation would also end two Wall Street tax loopholes. It would end the derivatives blended rate loophole, which gives preferential tax treatment in the form of long-term capital gains rate for speculative trades in certain derivatives—derivatives sometimes bought and sold in fractions of a second.

Now, we have to understand the amazing part of that is these derivatives that are sometimes sold in one-millionth of a second—bought and sold in one-millionth of a second—are given long-term capital gains treatment. We can imagine the amount of money that is involved in that and the loss to the Treasury.

Another loophole the CUT Loopholes Act would address is in the energy sector. Because of a three-decade-old IRS decision, oil produced from tar sands, as opposed to traditional oil extraction, is not subject to the tax that funds the Oil Spill Liability Trust Fund. If spilled into the environment, oil produced from tar sands is just as damaging as oil produced by other means, as residents along the Kalamazoo River in Michigan learned in 2010. Cleanup of that oil spill is still underway nearly 3 years later. Surely producers of oil from tar sands should help contribute to the costs of cleaning up these spills—just like producers of other oil must do.

The CUT Loopholes Act also would tighten rules that combat tax-shelter promoters, stiffen penalties on those who aid companies or individuals who seek to shirk their fair share of the tax burden, strengthen our ability to collect taxes from tax avoiders when we catch them, and modernize the IRS tax lien process.

I know these issues can be complicated. But the American people are seeing through that complexity.

Americans support these reforms not just because of the great fiscal challenges before us. People recognize that these loopholes are not fair. They are wrong in every sense that a policy can be wrong—wrong fiscally, wrong economically, wrong ethically.

Even if one disagrees with the American people, and sees these egregious loopholes as somehow justified, how can one argue that preserving them is more important than avoiding the damage of sequestration? How are these loopholes more important than preventing a recession caused not by the ups and downs of the economic cycle or by the reckless behavior of financial speculators, but by sequestration?

I offer these ideas in the genuine belief that they can help bridge the gap, and in the urgent belief that we cannot leave that gap unbridged. I urge my colleagues to adopt them for the good of the millions of Americans whose prospects will dim if we cannot reach agreement.

I will close with this: There was a survey completed last month which shows that two-thirds of Americans believe corporations need to bear a larger share of the tax burden. Eight in ten say closing corporate tax loopholes should be an important priority for Congress. Seventy-three percent approves of efforts to stop corporations and individuals from avoiding taxes by shifting income offshore.

So this is what the survey shows:

Do you approve or disapprove of the following policies? Prevent corporations from avoiding taxes when they award executives millions in stock options: That is 73 percent. In terms of closing loopholes, allowing corporations or the wealthy to avoid U.S. taxes by shifting income overseas: That is 63 percent.

By the way, that percentage applies across the board. Americans of all political persuasions agree with these points. Mr. President, 8 out of 10 Republicans—8 out of 10 Republicans—agree the amount of revenue which will be saved by ending these kinds of loopholes should go to either deficit reduction or to public investments, and only 11 percent believe the revenue should be used to reduce tax rates on corporations.

So I think we have to act to avoid sequestration. Senator WHITEHOUSE's bill is directly aimed at that. Our bill, if we can get this passed and get some of these loopholes closed, will clearly help to avoid sequestration. There is some overlap between the bills, but the point is the same.

These loopholes are draining our Treasury. This is not like increasing tax rates, to say we ought to close these kinds of egregious loopholes. These loopholes shouldn't be there. If we had a surplus, we ought to close these loopholes. These loopholes have helped to shift the burden in this country to middle-income families from corporations, and these corporations that avoid these taxes, in many cases, are extremely profitable corporations. It is an absurdity that we allow money to be drained from our Treasury to go to these offshore tax havens where no or little taxes are paid.

We can end it. We can end that kind of loophole. We can close it, and we can do a lot of good for our country, both in terms of avoiding sequestration in the short term, as well as to help reduce our deficits in the long term.

I wish to thank Senator WHITEHOUSE again for the leadership he has shown and continues to show in this area. Some of these issues are extremely complex. We know that. One of the reasons they are difficult to end is that these loopholes are very difficult to explain. So we just hope our colleagues will follow the instincts of the American people who know these tax havens are wrong.

We should put them out of business in terms of their drain on the American Treasury, and we can do so. In

fact, then-Senator Obama was a cosponsor of much of this legislation when he was in the Senate.

So I am going to close here, but I will again thank the Senator from Rhode Island for the leadership he is showing for his bill, which I am proud to cosponsor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I thank the distinguished Senator from Michigan. I appreciate very much that he has signed on as a cosponsor of both my 1-year and full 10-year—9 now—sequestration alternatives that avoid a calamity for our economy, the potential crash of 1 million jobs, by looking exactly where Senator LEVIN suggests—at the tax loopholes.

As I showed a moment ago, it used to be, back in 1935, a ratio of 1 to 1 of dollars paid by individual Americans in taxes compared to dollars paid by corporations in taxes. Now it is 6 to 1—\$6 out of a family's pocket for every \$1. What has allowed America's corporate world to lower their tax liability by so much—down to one-sixth of what it used to be relative to what regular Americans pay? Well, the biggest chunk of it is all the money that flows out through the Tax Code. We have virtually the same amount flowing out through the Tax Code as we actually keep our hands on as revenue. So for \$2 trillion in tax eligibility, half of that goes right back, on the personal side, and out here, it is \$338 billion, and \$157 billion that goes back. It never sees the tax man. It goes straight back through the Tax Code.

Lobbyists have been here for years working on those loopholes and making sure different industries and interests get those benefits. That is where it all goes. That is why we are in a situation in which we have what the distinguished Senator from Michigan has talked about—all of these disgraceful loopholes.

I echo his point of view. Now is an important time to do this because the alternative, which is more spending cuts, pushes us down the austerity path that has failed in Europe and that is projected by the Bipartisan Policy Center to cost us 1 million jobs. There is an alternative: to go after all of these tax loopholes which, as the chairman said—as Senator LEVIN said—we should be going after those anyway. They are just plain wrong on their own.

If we had a balanced budget, we should be going after them. It is simply not fair. These are relics of power and lobbying and special influence and special pleading in the Tax Code, and we need to be rid of them. Now is a very good time to be rid of them to avoid pitching the economy into recession.

I know my two pieces of legislation are not going to pass. We are not going to pass a bill that has the sequester 100 percent paid for by new revenues from

closing tax loopholes. I wish we would, but I know we are not going to. My point in filing the legislation is to prove that it could be done. It could readily be done. It could be done with pieces of legislation that Senators in this body have supported over and over and over again. So it is not necessary to walk into the fiscal band saw of sequestration: to have our national defense take the hit it is going to take; to have regular American families take the hit they are going to take; to have the economy, with 1 million jobs lost, take the hit it is going to take, all for what? To protect the big oil companies so they can keep getting subsidies from the American people? Is that the choice we want to make? So that a billionaire who puts his name on a museum gets more charitable tax bang for his charitable buck than a regular family when they just give money to their church every week? Is that the stuff we want to protect at that cost?

That is the question we will have to answer. I am very grateful to the chairman, Senator LEVIN. He has been working on this for years. His Subcommittee on Investigations has been looking into this in detail. His legislation is a part of what I am proposing as one of the pay-fors. I look forward to continuing to work with him.

The American people have our back on this one. This is a starker contrast between where the American people want to go and how to protect them and our economy versus special interest politics in this town that has carved out all of these loopholes that allow corporations to effectively cheat on their taxes. Effectively. It is not technically cheating because they have gotten the law written so it allows that practice. But if a person is a regular American who doesn't have a lobbyist to get them that same sort of treatment, it looks an awful lot like cheating.

Let me close by saying if we go the other path—if we follow this austerity route we have seen to be so calamitous in Europe—here are some quotes:

If the full sequester takes place as scheduled, 1 million jobs may be lost.

That is the Bipartisan Policy Center. Paraphrasing: Growth in real GDP would be about 1¼ percentage points different, depending on which path we choose.

We lose 1.25 percentage points GDP growth by hitting this sequester. That is from the Congressional Budget Office.

If we look at the American Enterprise Institute, hardly a leftwing group:

An abrupt spending sequester at a rate of about \$110 billion per year—

Which is what we are looking at—scheduled to begin March 1 could cause a U.S. recession.

Robert Frank, a very well regarded economics professor at Cornell, has said:

The cuts scheduled are not a way to run a rational government. Cuts of any kind at this time are not a good idea. It is recessionary. It would slow growth for sure and put people out of work.

Another organization not known for its leftwing views, the Wall Street Journal, says this austerity method "threatens to create a vicious cycle, as mass layoffs to meet budget targets spark a deeper contraction, reducing tax revenue and increasing welfare costs as well as damping consumption."

That is exactly what has happened in other places.

Look at what they say in England where they have done this. The conservative Daily Telegraph's Jeremy Warner describes what is going on over there. "This is a truly desperate state of affairs. . . . We seem to have the worst of all possible worlds, with nil growth, some very obvious cuts in the quantity and quality of public services, but pretty much zero progress in getting on top of the country's debts."

That is not the way we want to go. That is the wrong way to go. There is another way, and it is to look at that vast part of the Tax Code both for corporations and, primarily, for wealthy individuals that allows literally nearly half of what would be tax revenue to flow back through the loopholes. That is where we should be doing our work. That is where we should be looking. I applaud and appreciate Senator LEVIN for his long and expert leadership in this area.

With that, I yield the floor.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 28—TO PROVIDE SUFFICIENT TIME FOR LEGISLATION TO BE READ

Mr. PAUL submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 28

Resolved, That (a) it shall not be in order for the Senate to consider any bill, resolution, message, conference report, amendment, treaty, or any other measure or matter until 1 session day has passed since introduction for every 20 pages included in the measure or matter in the usual form plus 1 session day for any number of remaining pages less than 20 in the usual form.

(b)(1) Any Senator may raise a point of order that consideration of any bill, resolution, message, conference report, amendment, treaty, or any other measure or matter is not in order under subsection (a). No motion to table the point of order shall be in order.

(2) Any Senator may move to waive a point of order raised under paragraph (1) by an affirmative yea and nay vote of two-thirds of the Senators duly chosen and sworn. All motions to waive under this paragraph shall be debatable collectively for not to exceed 3 hours equally divided between the Senator raising the point for order and

the Senator moving to waive the point of order or their designees. A motion to waive the point of order shall not be amendable.

(3) This resolution is enacted pursuant to the power granted to each House of Congress to determine the Rules of its Proceedings in clause 2 of section 5 of Article I of the Constitution of the United States.

NOTICES OF HEARINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mr. SCHUMER. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, February 13, 2013, at 10:00 a.m., to conduct its organizational meeting for the 113th Congress.

For further information regarding this meeting, please contact Lynden Armstrong at the Rules and Administration Committee on (202) 224-6352.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Wednesday, February 13, 2013, at 10:00 a.m. in room 430 of the Dirksen Senate Office Building to mark up the Committee Funding Resolution for the 113th Congress; the Adoption of Committee Rules for the 113th Congress; the Adoption of Committee Rules for the 113th Congress; H.R. 307, the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013; and the Prematurity Research Expansion and Education for Mothers who deliver Infants Early (PREEMIE) Act.

For further information regarding this meeting, please contact the Committee on (202) 224-5375.

PRIVILEGES OF THE FLOOR

Mr. CORNYN. Mr. President, I ask unanimous consent that Michael Lotus, a fellow on Senator GRASSLEY's staff, and Angela Sheldon, a fellow on the staff of Senator HATCH, be granted privileges of the floor during debate and votes while the Senate considers S. 47.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Republican leader, pursuant to Public Law 112-240, appoints the following as members of the Commission on Long-Term Care: Bruce D. Greenstein of Louisiana, Neil L. Pruitt of Georgia, and Mark J. Warshawsky of Maryland.

ORDERS FOR TUESDAY, FEBRUARY 12, 2013

Mrs. HAGAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, February 12, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of S. 47, the Violence Against Women Act, under the previous order; further, that the Senate recess following disposition of S. 47 until 2:15 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mrs. HAGAN. There will be up to six rollcall votes beginning tomorrow at 11 a.m. in order to complete action on the Violence Against Women Act.

The State of the Union will be tomorrow evening. Senators will gather at 8:20 p.m. in the Chamber to proceed together as a body.

ORDER FOR ADJOURNMENT

Mrs. HAGAN. If there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order, following the remarks of Senator CORNYN.

The PRESIDING OFFICER. Without objection, it is so ordered.
The Senator from Texas.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT

Mr. CORNYN. Mr. President, I come to the floor to respond to some of the debate on the Violence Against Women Act reauthorization, which I believe misstates the law and the content of the underlying bill specifically as it relates to tribal court jurisdiction.

First of all, I start from the premise that tribal courts should be able to prosecute domestic violence cases that occur on tribal lands involving tribal members. The question is, Under what procedure—what practice—is it appropriate for them to attain jurisdiction over nontribal members who commit these acts of domestic violence whom they wish to prosecute in tribal courts? I am not here to question the integrity of the tribal court system for tribe members. The only question on the table is whether tribal courts, under the law that applies to these tribal courts, is required to protect the constitutional rights of nontribe members whom they seek to assert jurisdiction over.

In order to protect constitutional rights, the Constitution as interpreted by the Federal courts must be applied, and there must be an opportunity given to individuals who are prosecuted in these tribal courts who are not tribal members to appeal to a Federal court if, in fact, they are convicted.

First of all, the distinguished Senator from Washington, Ms. CANTWELL, has said there is a right of removal to Federal court in the underlying bill, and that is incorrect. There is no right of removal to Federal court in the underlying bill. However, in the amendment which I had contemplated offering—which the distinguished bill manager, the chairman of the Judiciary Committee, said is not acceptable to him—would include a right of removal to Federal court under some circumstances. So I want to correct the record: There is no right of removal in the underlying bill to the Federal court that might otherwise correct an unconstitutional provision.

Under the tribal court jurisdiction they operate under the Indian Civil Rights Act, which is, by definition, a statute and not the Constitution. So the rights provided to tribe members and nontribe members under the Indian Civil Rights Act are not constitutional rights. They don't incorporate the Bill of Rights of the U.S. Constitution which would be applicable to any American citizen tried in any State or Federal court. Since Indian or tribal courts claim to be sovereign and don't incorporate those constitutional rights, then American citizens who are not tribal members who would be tried in those tribal courts under the underlying bill would be unconstitutionally deprived of the protections of the Bill of Rights which they have by virtue of the U.S. Constitution.

Secondly, the distinguished Senator from Connecticut, Mr. BLUMENTHAL, argues that habeas corpus protections are sufficient to vindicate the constitutional rights of nontribal members, but that is not the case. Habeas corpus is a remedy which cannot be accessed until direct appeals are exhausted by definition. Since that is the case, under the underlying bill, the maximum length of sentence an individual can be given under the Leahy bill is 1 year. So what would happen is an American citizen, nontribe member, would be tried in a

tribal court and would wrongfully be deprived of their constitutional rights under the Bill of Rights. Yet they could not vindicate those rights until such time as they exhausted all direct appeals, and then habeas corpus would be potentially available to them.

The only problem with that is it is very unlikely that would happen before they would have already served their sentence under the underlying bill, which is a maximum of 1 year; thus, the habeas corpus remedy is illusory and is not real.

I hope that helps clarify some of the misunderstandings under the bill and my concerns about it. We start from the premise that domestic violence on tribal lands is a serious problem. With the current situation, these crimes are not deemed sufficiently serious for U.S. attorneys to typically prosecute these cases. They are serious cases. They deserve to be prosecuted but only consistently with the U.S. Constitution. If the tribal courts wish to assert jurisdiction over nontribe members, the only way they should be allowed to do so is if they incorporate the protections of the Bill of Rights. That is something I have proposed to the distinguished chairman of the Judiciary Committee, which he has rejected.

We also have to have a means for an appeal to a Federal court if a nontribe member is convicted in a tribal court. That is not in the underlying bill. It strikes me as somewhat bizarre to have a remedy which is in the form of my amendment which would confer on tribal courts the requirement that they incorporate the provisions of the Bill of Rights when a nontribe member is being tried in a tribal court and that a right to an appeal to a Federal court also be included. That would remove the constitutional objection to the assertion of tribal court jurisdiction over nontribe members, but this has been rejected for some reason that escapes me.

Our only remedy is to go to the House of Representatives once this bill

passes the Senate—and it will. Ironically, this is a bill that historically has passed with unanimous agreement—Democrats, Republicans alike. It has not been a political bill. Apparently, in a desire to make it a political statement and to somehow suggest that some people don't believe we ought to prosecute violence against women in tribal courts, an erroneous argument has been made by two Senators, whom I mentioned here, which I hope my statement has corrected. We don't need to go there. There is a commonsense solution, but unfortunately it has been rejected by the chairman of the Judiciary Committee. Our only recourse is to take the Senate bill and reconcile it with a bill that will be passed by the House of Representatives, which I hope will fix this provision and have it resolved in conference in a way that protects victims of domestic violence on tribal lands when perpetrated by nontribe members and when those nontribe members are tried in tribal courts.

I know that sounds a little convoluted, but it is an important constitutional right we are talking about, and I am amazed that such a simple solution, which is right at hand, is being rejected in favor of trying to make some kind of political statement that some Members don't care as much as others do about vindicating the rights of victims of domestic violence on tribal lands.

With that, I yield the floor.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. on Tuesday, February 12, 2013.

Thereupon, the Senate, at 6:39 p.m., adjourned until Tuesday, February 12, 2013, at 10 a.m.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, February 12, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 13

9:30 a.m.

Committee on the Judiciary

To hold hearings to examine comprehensive immigration reform.

SH-216

10 a.m.

Committee on Finance

To hold hearings to examine the nomination of Jacob J. Lew, of New York, to be Secretary of the Treasury.

SD-215

Committee on Health, Education, Labor, and Pensions

Organizational business meeting to consider an original resolution authorizing expenditures by the committee during the 113th Congress, committee rules, subcommittee membership and jurisdiction, H.R. 307, to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and an original bill entitled, "The Prematurity Research Expansion and Education for Mothers who deliver Infants Early (PREEMIE) Act".

SD-430

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine solutions to the crisis facing the United States Postal Service.

SD-342

Committee on Rules and Administration

Organizational business meeting to consider an original resolution authorizing expenditures by the committee during the 113th Congress and committee rules.

SR-301

10:30 a.m.

Committee on the Budget

To hold hearings to examine the impact of Federal budget decisions on families and communities.

SD-608

2:30 p.m.

Committee on Commerce, Science, and Transportation

Organizational business meeting to consider committee rules, subcommittee assignments, and an original resolution authorizing expenditures by the committee during the 113th Congress.

SR-253

3 p.m.

Committee on Foreign Relations

Organizational business meeting to consider committee rules, subcommittee membership and jurisdiction, an original resolution authorizing expenditures by the committee during the 113th Congress, and S. Res. 12, recognizing the third anniversary of the tragic earthquake in Haiti on January 12, 2010, honoring those who lost their lives in that earthquake, and expressing continued solidarity with the people of Haiti.

S-116

3:15 p.m.

Committee on the Judiciary

To hold hearings to examine the nominations of Kenneth John Gonzales, to be United States District Judge for the District of New Mexico, Michael J. McShane, to be United States District Judge for the District of Oregon, and Nitza I. Quinones Alejandro, Luis Felipe Restrepo, and Jeffrey L. Schmehl, all to be a United States District Judge for the Eastern District of Pennsylvania.

SD-226

4 p.m.

Committee on Small Business and Entrepreneurship

Organizational business meeting to consider committee rules, and an original resolution authorizing expenditures by the committee during the 113th Congress.

SR-428A

FEBRUARY 14

9:30 a.m.

Committee on Agriculture, Nutrition, and Forestry

Organizational business meeting to consider committee rules, and an original resolution authorizing expenditures by the committee during the 113th Congress; to be immediately followed by a hearing to examine drought, fire, and freeze, focusing on the economics of disasters for America's agricultural producers.

SR-328A

10 a.m.

Committee on Armed Services

To hold hearings to examine the nominations of General Lloyd J. Austin, III, USA, for reappointment to the grade of general and to be Commander, United States Central Command, and General David M. Rodriguez, USA, for re-

appointment to the grade of general and to be Commander, United States Africa Command, both of the Department of Defense.

SD-G50

Committee on Appropriations

To hold hearings to examine the impacts of sequestration.

SH-216

Committee on Environment and Public Works

Organizational business meeting to consider committee rules, subcommittee assignments, and an original resolution authorizing expenditures by the committee during the 113th Congress.

SD-406

Committee on the Judiciary

Business meeting to consider the nominations of Caitlin Joan Halligan, of New York, to be United States Circuit Judge for the District of Columbia Circuit, Patty Shwartz, of New Jersey, to be United States Circuit Judge for the Third Circuit, Pamela Ki Mai Chen, to be United States District Judge for the Eastern District of New York, Katherine Polk Failla, Analisa Torres, and Nelson Stephen Roman, all to be a United States District Judge for the Southern District of New York, Andrew Patrick Gordon, to be United States District Judge for the District of Nevada, Ketanji Brown Jackson, of Maryland, to be United States District Judge for the District of Columbia, Raymond P. Moore, to be United States District Judge for the District of Colorado, Troy L. Nunley, to be United States District Judge for the Eastern District of California, Beverly Reid O'Connell, to be United States District Judge for the Central District of California, Derrick Kahala Watson, to be United States District Judge for the District of Hawaii, Shelly Deckert Dick, to be United States District Judge for the Middle District of Louisiana, William H. Orrick, III, of the District of Columbia, to be United States District Judge for the Northern District of California, Mark A. Barnett, of Virginia, and Claire R. Kelly, of New York, both to be a Judge of the United States Court of International Trade, and David Medine, of Maryland, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board.

SD-226

10:30 a.m.

Committee on Banking, Housing, and Urban Affairs

Organizational business meeting to consider an original resolution authorizing expenditures by the committee, committee rules, and subcommittee assignments during the 113th Congress; to be immediately followed by a hearing to examine Wall Street reform, focusing on oversight of financial stability and consumer and investor protections.

SD-538

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

2:15 p.m.	Vice Chairman and committee rules	2:30 p.m.
Committee on Indian Affairs	during the 113th Congress, and any	Select Committee on Intelligence
Organizational business meeting to con-	other organizational business items.	To hold closed hearings to examine cer-
sider electing the Chairwoman and	SD-628	tain intelligence matters.
		SH-219

HOUSE OF REPRESENTATIVES—Tuesday, February 12, 2013

The House met at noon and was called to order by the Speaker.

MORNING-HOUR DEBATE

The SPEAKER. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 1:50 p.m.

AFGHANISTAN

The SPEAKER. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, this past Sunday when I turned 70 years of age, I read in the North Carolina paper, known as the News and Observer, the article that I would like to quote:

More than 100 family members, friends and uniformed servicemembers marched slowly and quietly Friday down a hill at Arlington National Cemetery following Army Sergeant Aaron X. Wittman's coffin, draped with an American flag and carried on a horse-drawn caisson.

Mr. Speaker, there are probably not many Members of Congress or Americans who know that Sergeant Wittman became the first American to lose his life in Afghanistan in 2013.

I do not know how many more Americans will have to die between now and the end of 2014. One American life is already one too many. We have done enough in Afghanistan. It will never change, as history has proven time and time again.

Obviously, there is nothing more important than an American life. But there is a second part of this sad situation, and that is the \$28 million a day we are spending to rebuild Afghanistan. We could use that \$28 million a day to fix our own roads and our own schools right here in America.

Yesterday on C-SPAN, I heard the Special Inspector General for Afghan Reconstruction, John Sopko, speak about how much money we are spending in Afghanistan and the fact that it is impossible to give the American taxpayers an account of where the money is going. I think Mr. Sopko and his team are doing the best they can; but taxpayers are still being shortchanged,

especially with the looming issue of sequestration and a pending continuing resolution.

I hope that my colleagues in the House can join in the effort to bring our troops home by the end of 2013 and to put an end to the wasteful spending in Afghanistan. Most importantly, above all else, put an end to the loss of American lives. I will quote from my friend, former commandant of the United States Marine Corps:

What do you say to the mother, father, wife of the last soldier or marine killed in Afghanistan?

My question is, Was it worth it? My answer is, No, not one life is worth it to be lost in Afghanistan. It is time to bring our troops home.

Mr. Speaker, this poster beside me shows a casket on top of a caisson getting ready to walk to the grave at Arlington National Cemetery.

May God continue to bless our troops, our men and women in uniform. May God continue to bless America. And please, God, touch the hearts of those in the House and let's bring our troops home in 2013.

MISSISSIPPI RIVER LEVEE

The SPEAKER pro tempore (Mr. HULTGREN). The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, one of the few areas where Washington agrees with the general public is that our current path is not sustainable. It is not merely a case of spending too much or taxing too little, although we need to control spending and we must and will be raising revenue to meet the needs of an aging and growing population.

The key is to do business differently, to extract more value out of our programs. We need to have the courage to pivot, to do things better, to not follow the reflex of the usual economic and political groups fighting to continue to protect the status quo and the continuing trend lines.

In a world already impacted by climate change and global weather instability, these forces are going to intensify. One of the best examples of why we must change is how we deal with re-engineering nature as a response to natural disasters.

I salute Governor Cuomo for the use of some of the Hurricane Sandy money from the Federal Government to move people out of harm's way, not just throw good money after bad by relo-

cating and rebuilding in exactly the same way, in exactly the same place, where nature repeatedly shows that people are not wanted.

I was before the Rules Committee arguing for greater reform in the Federal spending, but the Governor is pointing in the right direction.

This week we are watching another chapter in the same drama play out in the lower Mississippi, where there is an argument to continue the self-defeating effort to fortify the Mississippi River, closing a gap in the levee, spending hundreds of millions of dollars to prevent an area in the flood plain from flooding every now and then.

The Federal Government has already made periodic flooding in that area as part of its relief valve, to take the excess water and avoid more flooding elsewhere. Failing to allow nature to take its course invites a bigger disaster as more and more water is forced into the narrow fortified walls of the Mississippi.

Think about how we have shortened and narrowed that river. We haven't reduced the amount of water; we've just reduced the areas where it can go. It makes the inevitable flooding worse. Building a levee is simply going to move it a little further downstream.

The solution is to allow the river to go where nature wants it, not encourage farmers to cultivate even more land that will be vulnerable to crop loss, more disaster relief, more crop insurance loss, and to take away increasingly scarce wildlife habitat for the millions of Americans who would like to hunt and fish. Done right, this can be a virtuous cycle. It saves tax dollars, improves the environment, reduces the damage from flooding and all the attendant costs.

It is a classic example of where the Federal Government should learn from 200 years' experience of trying to engineer the Mississippi River and instead allow, in some cases, nature to take its course and avoid more expensive and worse damage.

This is what we need to do across the Federal Government. We don't have to spend twice as much money on health care as most of the developed countries for outcomes that are mediocre at best. We don't have to spend more money on defense than 12 or 13 of the remaining largest defense budgets and on weapons that in many cases, like our nuclear arsenal where we have far more than we need and can ever use and can afford, we can pare down, save tens of billions of dollars and still be the most

powerful Nation in the world; or the outrageous crop insurance that encourages reckless and expensive behavior by paying farmers to plant crops on land that never should have been cultivated in the first place.

□ 1210

While we will control spending and increase revenues, the most important thing we can do is to change the way we do business, using common sense, proven technology, stretching our tax dollars, and making our communities more livable. We can start by not pressuring the Corps of Engineers to complete the levees, spending millions of dollars we don't have on a solution that will make the problem worse. Let's work, instead, to understand the impacts of global warming and extreme weather and then do something about it.

FEDERAL DEBT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kentucky (Mr. WHITFIELD) for 5 minutes.

Mr. WHITFIELD. Mr. Speaker, tonight, in this House Chamber, President Obama will give his State of the Union address to a joint session of Congress.

Article II, Section 3 of the Constitution requires that the President, whoever it may be, shall, from time to time, give to Congress information on the State of the Union. George Washington, the first President, addressed the joint session of Congress, but Thomas Jefferson and each succeeding President up until 1913 presented a written statement of the State of the Union to the House and Senate. So from 1801 until 1913, Presidents submitted a written State of the Union, and on April 8, 1913, Woodrow Wilson, like George Washington, addressed a joint session of Congress, and that has been the manner of our State of the Union by every President since, with the exception of Herbert Hoover.

Today, I am asking for another little change in the State of the Union. I think that we should consider a requirement that the President, on a day that coincides with the State of the Union, also have the Federal Government make a formal declaration of national debt.

My purpose in calling for the declaration is twofold: First, while information about the debt can be found, it is spread throughout a vast array of budget submissions, trustee reports, and other documents that are nearly impossible to navigate or to understand when trying to determine the total national debt and unfunded liabilities our Nation must pay now and in the future. And then the second reason, of course, is to elevate the issue to remind the American public the significant dangers of large government debt.

As of today, our Nation's Federal debt exceeds our Nation's gross domestic product. What does that mean? Gross domestic product is used to determine the monetary value of all the finished goods and services produced in America annually, and it includes all of the private and public consumption, all of the government outlays, all the investments and all the exports, less the imports.

Our debt is increasing so quickly that it really is difficult to give an exact figure of our national debt. Suffice it to say that it will, in the very near future, exceed \$17 trillion. When I looked at the so-called "clock" on my way over here, it was approaching \$16.6 trillion. Now, if you stacked \$16 trillion one-dollar bills one on top of the other, it would extend more than 1 million miles, which would reach to the Moon and back twice.

Now, former Speaker PELOSI said a few days ago that we do not have a spending problem. Now, I do not believe that most Americans would agree with that statement. Families throughout America must live within their means or suffer the consequences, and our government must live within its means or suffer the consequences. Many people say there are no real consequences, but all of us have seen the loss of jobs, the violence, the lack of economic growth in countries like Greece and Spain and other parts of the European Union.

President Obama took office on January 20, 2009, and the Nation's total debt on that day was \$10.6 trillion. Today, it is over \$16.5 trillion. The President has drastically increased this country's debt in a mere 4-year span; in fact, it has increased by over 45 percent. However, it should be pointed out that he and he alone is not responsible for all this dramatic increase in debt. Every person that has served in the U.S. Congress in the recent past or today, House Members and Senate Members, are also responsible for the spending that we have approved. Also, those people who serve in the executive branch of government are also responsible.

Just to give you a few examples, 9 or 10 months ago, the Department of Energy built about 12 new buildings over here on The Mall, across from the Jefferson Memorial, for a solar exhibit. It stayed there for about 10 months, and then it was torn down. No one really knows how much the debt cost.

EPA, each year, gives grants to other countries, including China, to help them with their environmental problems at a time when we have to borrow money from China to meet our obligations. And then, as Mr. JONES mentioned earlier, in Afghanistan, we're spending \$28 million a day.

So I think it would be beneficial to the American people to prepare an annual declaration of the national debt to

be made available to the Congress and the public. This would show the American people how much we owed last year, how much we owe this year, and what the projected debt is for the future.

THE BLAME GAME

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, tonight, the President will once again walk into this Chamber and lay out a vision for how to strengthen America in the years ahead. Properly, part of that vision will include the need to solve our deficit challenge and address the looming sequester. That dangerous set of automatic and indiscriminate spending cuts is due to take effect in just under 3 weeks. But instead of working with Democrats to avert the sequester through a big and balanced solution—or, frankly, even a short-term balanced proposal—a growing number of House Republicans are, instead, engaged in a dangerous blame game.

Majority Leader CANTOR joined in that this weekend, claiming that the President is the one who proposed the sequester in the first place. What he didn't say was, of course, the Republicans offered a piece of legislation called Cut, Cap, and Balance. The sequester was an integral part of their policy proposal. In fact, the sequester was part of a bipartisan agreement instigated by Republicans, which we supported. Let us not forget, Mr. Speaker, that it was Republican hostage taking of the debt limit in 2011 that brought about the Budget Control Act, which created the sequester.

Speaker BOEHNER himself, after the deal creating the sequester was struck, said about the Budget Control Act, which included the sequester which faces us at the end of this month:

When you look at this final agreement that we came to with the White House, I got 98 percent of what I wanted.

Now, let me again stress that many of us voted for this. For the past 2 years, however, the Republican majority in this House has had our country lurching from one fiscal crisis to another. Repeatedly, they have threatened to default on our obligations, shut down government operations, and to slash spending in an irrational, meat-ax way.

They have shaken the confidence of our people and of all those throughout the world who look to America for security and stability. They have undermined, in my view, the growth of economy and jobs—and that's the view of CBO as well—and have put in question our commitment to investing in our defense and in job creation.

In short, the Republican majority, Mr. Speaker, in my opinion, in this House has given us the most chaotic

and confidence-destroying leadership I have seen in my 32 years of service in this House. And now, many of them suggest the sequester that is scheduled to occur on March 1 is an acceptable way forward. Mr. Speaker, I will not take the time to quote the number of Republicans who have said that, but I believe all of them are profoundly wrong.

Sequestration will have a devastating impact on both domestic programs and on our national security. If the sequestration were to take effect, it would mean 70,000 children dropped from the Head Start program; loan guarantees to small businesses would be cut by as much as \$540 million; and just as we are engaged in a national discussion about how to address mental health, up to 373,000 people suffering from mental illness could go untreated.

□ 1220

That is not the President's vision for America, nor is it the vision of Democrats in this House. Now, here we are at the 11th hour once again.

First, House Republicans walked away from the Simpson-Bowles recommendation to adopt a balanced way forward; then they refused to compromise on a balanced alternative to the sequester, starting the clock of sequestration. Then we came down to the wire on the fiscal cliff and delayed sequestration for 2 months, and here we are, once again, with Republicans continuing to cast blame on others.

Mr. Speaker, the blame game must end by us and by our Republican colleagues. The issue is not who is at fault. As the previous speaker indicated, we're all at fault; we're all responsible; we all serve in this House. Many of us voted for policies that spend money. Some of us voted for policies to pay for what we bought. Others voted against policies for paying for what we bought. Here we are, once again, on the brink of a fiscal meltdown.

It's a game that has no winners, only losers, like the 14,000 teachers, teacher assistants, and other education staff who would lose their jobs; or the 125,000 families who would be at risk of losing their homes when our rental assistance program is cut; or the thousands of civilian defense personnel, in my district alone, and throughout this country who would be furloughed for up to 22 days during the year; and the hundreds of thousands around the country across every service branch, not to mention the tens of thousands of defense contractors critical to our national security, who would be at risk of losing their jobs.

Instead, Mr. Speaker, we need to get serious and work together to avert a sequester that could stop our recovery in its tracks and defeat our common goal of helping America's economy grow and its businesses create jobs.

Reducing spending in a rational way is important for us to do, let there be no mistake. Considering additional revenues will be essential—every bipartisan group has said that—if we are to get on a sustainable financial footing. The sequester, however, Mr. Speaker, is dangerous and unacceptable. We must stop simply fiddling while the sequester's flames threaten to burn our economy, our national security, and our people.

Mr. Speaker, we have no time to waste. I would urge the majority leader to bring a bill to the floor today that would comply with what Mr. LANKFORD, who chairs the Republican Study Committee, said that we ought to pass things that we think the Senate can pass, not just messages, not just political spin, but we ought to pass things that can actually be passed through the United States Senate and signed by the President.

Senator LINDSEY GRAHAM has said:

We have our fingerprints as Republicans on this proposal, on this sequestration idea. It was the President's idea, according to Bob Woodward's book. But we as the Republican Party agreed to it.

Let's make law and make policy so that America has the confidence that its Congress can work. It must work. America needs it to work.

AVIATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kansas (Mr. POMPEO) for 5 minutes.

Mr. POMPEO. Mr. Speaker, when I go around in Kansas and talk to folks and talk to them about a business that supports 1.2 million American jobs and over \$150 billion of wealth creation across the U.S. economy and ask, "What do you think a President would do if they knew about an industry like that?" they'd all say the same thing folks all across the country would say. They'd say that the President ought to encourage that, ought to thank the people that work in that industry, and ought to promote that industry all across the world, a great American-manufactured product doing great things in America.

Yet, that industry, the general aviation industry, is used by our President as a rhetorical punching bag. Everywhere he goes, he talks about corporate fat-cat jet owners and those rich, wealthy people flying around in corporate airplanes.

Well, I know what this industry does. I came from this industry. I know precisely who these people are. When you use language like that and you talk about an American manufacturing industry in that way, you're talking about welders, you're talking about union mechanics, and you're talking about all the support people that work at fixed-base operations all across the country. You're talking about good,

hardworking Americans, not corporate fat-cat jet owners.

Yet this President continues in the same way that he has. I had hoped that I wouldn't have to come back and talk about it again, but I anticipate that tonight, from this very Chamber, we'll hear about those same corporate fat-cat jet owners yet again.

The general aviation industry doesn't ask for a handout, and it doesn't need what Detroit received. It only asks that a President acknowledge and recognize the importance of this industry. It creates aircraft that are used by small businessowners all across the Nation to get to places they need to be. Every week, I fly on commercial aircraft from here back to Wichita, Kansas. It's no easy task. If you want to get to two or three of your suppliers or four or five of your customers in a day located all throughout the heartland, the most efficient tool to use to do that is a general aviation airplane.

And, of course, we know the President understands that, Mr. Speaker. He flies around in the nicest personal aircraft in the history of the world, actually built in Wichita, Kansas. And government employees use general aviation aircraft to travel all around the country. They do so because it is an efficient means of conducting their business.

Now, when the President talks about these corporate fat-cat jet owners, he's doing so because he says he wants to close a loophole, he wants to generate more money coming to Washington, D.C., and he talks about this subsidy. We looked long and hard to find out what subsidy it was he was referring to. Frankly, we think it is a depreciation schedule—a depreciation schedule—something that every asset in America is subject to. Yet, somehow, he has picked on this particular depreciation schedule as offensive and antithetical to the American way of life.

Mr. President, the revenue that is generated in 1 year if we eliminated the provision about which we think you're speaking, Mr. Speaker, would generate enough revenue to run the government for a single day—1 day. Yet, Mr. Speaker, the President continues to use this language of class warfare against an industry that has created so many tens of thousands of jobs all across our country. It is unexplainable why anyone would be critical of this industry.

The President has also proposed a new tax, a general aviation fee, of \$100 per flight segment, which would require an entire new bureaucracy to implement and to execute. It is incomprehensible to me why anyone would think that was the right approach.

Mr. Speaker, I have invited the President of the United States to come to Wichita, Kansas, to see Beechcraft, to see Cessna, and to see Learjet and to see all the suppliers and all of the people who work so hard to make these

airplanes. He has not taken me up on that yet, Mr. Speaker. I urge that he do so. But, sadly, if he continues to decline and continues to talk about this industry in the way that he does, he will not suffer, but tens of thousands of Americans who work on these airplanes all across the country will.

I hope, Mr. Speaker, that the President will change his direction, change his course of action, and recognize the value of this important industry.

THE CRISIS OF THE UNITED STATES POSTAL SERVICE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. I rise to speak about yet another phony, created crisis, and that would be the crisis of the United States Postal Service, which we have heard is hemorrhaging—hemorrhaging—money.

Well, it's kind of interesting. If you look back since in 2006, Congress forced the United States Postal Service to prepay health care retirement benefits for people who have not yet been born who might some day go to work for the Postal Service. Now, if you had trouble following that, I'd understand it. No one else in America, no other business, no other agency of government, as far as I know, no entity in the world is prepaying the anticipated health care costs of people who haven't yet been born, let alone if they're a specific entity, people who haven't yet been born and might go to work for them some day and might retire and might then need health care, but we're making the Postal Service do that.

Now, I'm not, but the Congress assembled deemed that, snuck it into one of those midnight special bills in a lame-duck session of Congress. So, now the hemorrhaging.

Well, they're hemorrhaging money, hemorrhaging money. Oh, my God, we must do away with them. That's basically the Republican line here. They, so far, have done nothing to either unshackle the post office so it can deal with some of these problems, and, in fact, have encouraged the most destructive instincts of the idiot who is running the Postal Service, who should be fired by the President, to go to 5-day delivery and to close all the sorting centers.

□ 1230

Under the plan of the Postmaster General, it will take longer for a first-class letter to go from my town of Springfield across the river to the city of Eugene than it took Thomas Jefferson to mail a letter from Monticello to the Continental Congress. Yes, really, that's what he's planning. Now, that's not going to cause a bunch of people to abandon the Postal Service—of course not, that will help their revenue. No, it won't.

With this benign neglect, the indifference, the refusal to act over here in the House, we're watching the Postal Service spiral down the drain, both the good and the bad of the Postal Service.

If you didn't make them prepay health care retirement benefits for people who haven't yet been born, who haven't yet gone to work for them, over the last 6 years, instead of saying they lost \$41,200,000,000, actually, it would come down to about \$9 billion. They prepaid \$32 billion of health care retirement benefits, \$32 billion. That is by far the large majority of their red ink. Just about 80 percent of their red ink is due to them being forced to do something that no other entity on Earth is being forced to do.

If you want to look for a phony, manufactured crisis, this is it. Yes, they still have a small problem. That would be about a billion and a half dollars a year. If we unshackled them a bit, let them get into some new lines of business—which the Republicans are refusing to do—if we allowed them to set rates rationally—they've got a couple of lines of business as they call them that make money, and they have others that lose money. But they're allowed only to increase rates—even if it is losing money to deliver junk mail—by a cost-of-living increase, which it would obviously be less than a penny on junk mail delivery costs. The same on first-class.

If we allowed them to set their rates reasonably, if we took away this mandate of prefunding retirement health care costs for people who haven't yet been born, who haven't yet gone to work for them, and if we settled up on the old dispute over their overpayment for the civil service retirees who got rolled into the FERS system with the Postal Service, actually we could have a viable entity and one that would continue to serve America into the next century.

The post office pioneered optical scanning. They used to have some visionary leadership over there. They need new leadership. They need to be unshackled by Congress. They need to have unfair burdens lifted. But they don't need to be destroyed. That's where we're headed, towards the destruction of the Postal Service at this point in time. Some say young people don't use it, no one needs it, who needs it. They're delivering packages for FedEx and UPS to places where FedEx and UPS doesn't want to go. They've partnered with FedEx and UPS. They deliver packages for small businesses and with their one-price package that FedEx and UPS can't afford, which are vital to thousands of small businesses in my State and millions nationwide. They deliver prescriptions. Yes, they deliver prescriptions on Saturdays for veterans and others.

We need to fix the Postal Service, not destroy it.

LET'S RECTIFY THE FISCAL SITUATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. ROSS) for 5 minutes.

Mr. ROSS. Mr. Speaker, I rise today to address that issue which will have a significant fiscal impact on the economic well-being of this country in just 16 days. That is the issue of sequestration.

I have to agree with the minority whip from Maryland, who earlier spoke today that it's time to stop the blame game. There is no need to blame any more about this terrible fiscal policy which we are about to sustain.

You see, across-the-board cuts that the looming sequester will implement in a couple of weeks are bad policy and a result of bad politics. I believe that we must cut spending, and I rise here in support of careful, targeted cuts.

It is a shame that 850 jobs will be lost in Florida schools while we build a \$750,000 soccer field in Guantanamo Bay for terrorists. It's a shame that more than 26,000 special education students will see cuts to their education in Florida while government agencies are spending hundreds of thousands of dollars on conferences in Las Vegas, Nevada. And it is a shame that more than 35,000 health care workers in Florida are projected to lose their jobs while more than \$115 billion was lost in improper payments from this government in just one year.

We must ask ourselves, for every \$1 that we are going to spend, is it worth mortgaging and borrowing our children's and our grandchildren's future for 41 cents for every one of those dollars. I submit to you that it is not.

Let's rectify this situation. I urge the Senate to take up the House-passed legislation, which would make targeted cuts to eliminate waste, fraud, and abuse so that important essential government programs will not lose their funding.

The American people not only demand and deserve transparency in their appropriation process, but they also demand and deserve that we be prudent and fiscally responsible in making sure we operate and appropriate within our means.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 35 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HARRIS) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving God, thank You for giving us another day.

The people's House prepares to welcome the governmental and military leadership of our Nation. The world watches as the great experiment of civilian self-government is in high relief.

May all who populate these hallways this day be possessed of goodwill and a shared commitment to guarantee the freedoms and responsibilities inspired by the soaring rhetoric and subsequent actions of our American ancestors.

May all that is said and done in this Chamber today redound to the benefit of our Nation and the glory of Your holy name.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Illinois (Mr. KINZINGER) come forward and lead the House in the Pledge of Allegiance.

Mr. KINZINGER of Illinois led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

NO MORE BLAME, MR. PRESIDENT

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, tonight the President will address the American people in his annual State of the Union Address. With the last quarter revealing unemployment has risen .1 percent and the economy contracting .1 percent, the President should change course. He should follow the example of President John F. Kennedy and President Ronald Reagan to lower taxes during economic hardship to promote job creation.

Last Congress, House Republicans passed over 30 job-creating bills. Most sadly died in the Senate graveyard. Additionally, the House has voted twice on a balanced approach to prevent sequestration with commonsense reforms. We should avoid these devastating cuts to occur, which will threaten our national security and destroy over 2 million jobs. House Republicans are actually passing legislation to encourage job growth through small business success.

Now is the time for positive leadership. I urge the President to begin working with House Republicans to find real solutions that will create jobs and put our country back on the path to prosperity.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

DARWIN DAY

(Mr. HOLT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOLT. Mr. Speaker, I rise today to honor the birth of Charles Darwin. Only rarely in human history has someone shown a fundamentally new way of thinking about the world, an insight so revolutionary that it has made possible further creative and explanatory thinking.

In my previous field of physics, we have Galileo and Newton and Einstein. In biology, at the top of any list would be Charles Darwin. Without his insights—without his recognition that natural selection enables ever-increasing complexity and functionality and enables the development of ever-more wonderful forms of life—our modern understandings of biology, ecology, genetics, and medicine would be impossible, and our comprehension of the world around us would be vastly poorer.

I've introduced a resolution to honor February 12 as a ceremonial Darwin Day, to recognize the importance of scientific thinking in our lives and to honor one of humankind's greatest thinkers.

HONORING JOSEPH N. COOK, SR.

(Mr. KINZINGER of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINZINGER of Illinois. Mr. Speaker, I rise today to honor a great American hero, somebody born in Channahon, Illinois, in my district, and passed away very recently.

His name is Joe Cook, Sr. Joe was a community leader, a great father, a great family member, but I would like to point out today a great veteran of the United States. He was a proud American, a decorated Korean war veteran, a member of the U.S. Army's 1st Cavalry Division. He was listed as missing in action for over 121 days behind enemy lines. By the grace of God, he was one of the very few to return home from Task Force Crombez, a recipient of the Silver Star, five Bronze Stars, and two Purple Hearts.

These are the kinds of Americans that we need to honor and cherish today. And I tip my hat off to Mr. Cook, and I say thank you, sir, for your service to your country.

MEDICARE

(Mr. COURTNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COURTNEY. Mr. Speaker, last Wednesday the Congressional Budget Office came out with their new budget projections and analysis of last year. What it showed was that the Medicare program grew at the slowest rate since 1965 when the program was created.

As this chart shows, the cost growth for Medicare is coming down. As a result of that, there are \$200 billion in new savings that we didn't know about the day before.

This is the smart way to balance our budget, by providing incentives for preventive care for more efficiency in the system, not butchering Medicare by turning it into a private health insurance program or raising the age of eligibility.

We can build on its success. We can stop sequestration by having a smart, focused health care policy which saves money for the American taxpayer, but protects America's seniors and people on disability.

SEQUESTRATION

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, tonight the American people see if President Obama will keep his word regarding sequestration. At the third Presidential debate, President Obama said:

First of all, the sequester is not something that I proposed. It's something that Congress has proposed. It will not happen.

As you can see, the truth is that sequestration was a concept that came from President Obama's White House, and sequestration is happening unless Congress acts. President Obama must keep his promise to find the necessary cuts to get our fiscal house in order. We cannot fix this problem by taxing the American people more.

Mr. Speaker, I urge the President to keep his promise to fix the current sequestration and maintain the needed cuts in spending.

GOVERNMENT SUES STANDARD & POOR'S

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, I rise today to acknowledge the U.S. Department of Justice for finally taking some substantive action against one of the credit rating agencies, Standard & Poor's, for its role in causing the greatest economic crisis since the Great Depression.

When Wall Street's housing bubble burst in 2008, it sent shock waves

through our economy. That shock wave may not have been so destructive if credit rating agencies like Standard & Poor's did not create fraud.

Rather than assessing real risk and due diligence on the securities, Standard & Poor's invented a system of defrauding investors by providing the highest rating as long as the clients paid Standard & Poor's enough money. If Standard & Poor's actually rated the mortgage securities for what they were truly worth, our entire banking system and economy may not have collapsed.

While the Department of Justice should be praised for taking some action against Standard & Poor's, other rating agencies were left out of the case. And the fact is Justice's case is only a civil one, not a criminal one. That tells you who really holds political power in our country.

Thanks to Wall Street, America lost over 8 million jobs. American households lost over \$19 trillion in wealth. Yet no major Wall Street executive has ever faced the threat of jail time. Real cases could yield real dollars back to our Treasury and help America pay the bills that resulted from the Great Recession beginning in 2008.

□ 1410

HONORING THE LIFE OF CHESTER REITEN

(Mr. CRAMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CRAMER. Mr. Speaker, a North Dakota legend died recently, and I was honored to be able to attend the celebration of his life, a sendoff worthy of a king.

Chester Reiten was like royalty, especially to the people of his hometown of Minot, where he served as their mayor for 14 years. Public service came naturally to Chet. During World War II, he enlisted in the United States Navy, serving as an ensign and commanding officer of a landing craft infantry ship.

In addition to military and local service, Chet served 16 years in the North Dakota Senate where he was also president pro tem.

Chester really made a name for himself and Minot when he combined his loves of Norwegian culture and America by founding the annual Norsk Hostfest, the largest Scandinavian festival in North America. The Hostfest brings thousands of people to Minot every year to celebrate all things Scandinavian. Chester received the St. Olav Medal from the King of Norway as a result of his work with Norsk Hostfest and his promotion of Norwegian and Scandinavian heritage. He received the Theodore Roosevelt Roughrider Award in 2002 and was inducted into the Scandinavian American Hall of Fame in 2011.

May God bless Chester's memory; his wife, Joy; and their beautiful family. He will be missed.

JACK'S OYSTER HOUSE CELEBRATES 100TH ANNIVERSARY

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, with pride I rise today to congratulate Jack's Oyster House of Albany, New York, on the celebration of its 100th anniversary recently held on January 24. Founded by Jack Rosenstein, the restaurant is currently owned by his grandson, Brad. As a sampling of its entree depth, Jack's has served liver and onions since the first day it opened. One menu, dating back to 1939, lists the price of this signature dish as 75 cents.

Sadly, however, many restaurants do not make it past their first few years of operation; but Jack's has endured because it remembers and honors its past, including well-dressed wait staff and boutique tables and place settings, while striving to serve its current customers in a top-notch manner with quality, classic fare.

The only day, interestingly, Jack's ever closed in the past 100 years was in 1986 for Jack Rosenstein's funeral. May he rest in peace. And may Jack's Oyster House continue to thrive for centuries to come. We wish all involved a happy 100th birthday.

FORT HOOD'S TERRORIST ATTACK

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLF. Mr. Speaker, a report will air tonight on "ABC News" about the Obama administration's negligence of the Fort Hood survivors and their families. This was clearly a terrorist attack. And while the Obama administration has designated that attack that killed all those people a "workplace violence," the survivors cannot get assistance. Major Hasan was influenced by Awlaki. The administration knew Awlaki was bad, and they killed him by a drone missile. And now the people that are involved are not getting the necessary help.

Secretary of Defense Panetta, Chairman of the Joint Chiefs Dempsey, Attorney General Holder, and the President of the United States have failed the people and continue to fail the people who were wounded and killed at Fort Hood, as well as their families.

REMEMBERING PRESIDENT LINCOLN

(Mr. COHEN asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. COHEN. Mr. Speaker, today is the birthday of Abraham Lincoln. Unfortunately, not many Americans probably know that; but February 12 used to be a date that people remembered. Now it's just Presidents Day, a weak invocation.

An award-winning movie is presently showing about President Lincoln, a great President who saved the Union and got the 13th Amendment passed—slavery abolished. But the movie also showed that President Lincoln could make compromise and make the two sides of the bodies work together for the betterment of this Nation.

As President Obama from the Land of Lincoln speaks tonight in the State of the Union, we should remember what Lincoln taught us: that you need to work for the union of this government, the unity of our people, for rights for everybody and diversity, and for the two parties to work together for the betterment of the United States of America.

Thank you, President Lincoln.

RESPONSIBLE SPENDING CONTROLS

(Mr. MESSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MESSER. Mr. Speaker, Uncle Sam's free-spending ways have cost each American \$27,000 over the last 4 years. As a Nation, we are adding \$50,000 in debt each second. But listening to this President talk about sequestration, you would think that we can't spend one penny less, even though discretionary spending has risen over his tenure, even though we spend millions on such necessities as robotic squirrels, Martian menus, hot-air balloons, and other so-called priorities.

The House has voted twice to replace the President's sequester with commonsense spending reforms. It is time to get serious about replacing these indiscriminate cuts with other more targeted spending reductions, but not by raising taxes again.

Mr. Speaker, I am willing to work with this President to replace his sequester with responsible spending controls. I am not willing to ask our constituents to give Washington more of their hard-earned money so it can be squandered and added to the hefty tab Uncle Sam is piling up on their behalf.

CURBING GUN VIOLENCE

(Mr. SCHNEIDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHNEIDER. Mr. Speaker, a little over a week ago, I met with community leaders, law enforcement, mental health professionals, gun owners,

and those who have been touched by gun violence to discuss what we can do together to curb gun violence. They shared their thoughts and different perspectives; but, together, they called on me to take action.

So today, I rise to urge my colleagues to join me in support of sensible new gun laws. We must pass legislation that will lead to universal background checks, that makes gun trafficking a Federal crime, and limits access to high-capacity magazines and military-style assault weapons.

This is the moment. Right now, this is the time. Together, we have the opportunity to save lives. It's up to us to seize the moment. Let's get to work.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

HYDROPOWER REGULATORY EFFICIENCY ACT OF 2013

Mr. WHITFIELD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 267) to improve hydropower, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 267

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Hydropower Regulatory Efficiency Act of 2013”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Promoting small hydroelectric power projects.
- Sec. 4. Promoting conduit hydropower projects.
- Sec. 5. FERC authority to extend preliminary permit periods.
- Sec. 6. Promoting hydropower development at nonpowered dams and closed loop pumped storage projects.
- Sec. 7. DOE study of pumped storage and potential hydropower from conduits.

SEC. 2. FINDINGS.

Congress finds that—

- (1) the hydropower industry currently employs approximately 300,000 workers across the United States;
- (2) hydropower is the largest source of clean, renewable electricity in the United States;
- (3) as of the date of enactment of this Act, hydropower resources, including pumped storage facilities, provide—

(A) nearly 7 percent of the electricity generated in the United States; and

(B) approximately 100,000 megawatts of electric capacity in the United States;

(4) only 3 percent of the 80,000 dams in the United States generate electricity, so there is substantial potential for adding hydropower generation to nonpowered dams; and

(5) according to one study, by utilizing currently untapped resources, the United States could add approximately 60,000 megawatts of new hydropower capacity by 2025, which could create 700,000 new jobs over the next 13 years.

SEC. 3. PROMOTING SMALL HYDROELECTRIC POWER PROJECTS.

Subsection (d) of section 405 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2705) is amended by striking “5,000” and inserting “10,000”.

SEC. 4. PROMOTING CONDUIT HYDROPOWER PROJECTS.

(a) APPLICABILITY OF, AND EXEMPTION FROM, LICENSING REQUIREMENTS.—Section 30 of the Federal Power Act (16 U.S.C. 823a) is amended—

(1) by striking subsections (a) and (b) and inserting the following:

“(a)(1) A qualifying conduit hydropower facility shall not be required to be licensed under this part.

“(2)(A) Any person, State, or municipality proposing to construct a qualifying conduit hydropower facility shall file with the Commission a notice of intent to construct such facility. The notice shall include sufficient information to demonstrate that the facility meets the qualifying criteria.

“(B) Not later than 15 days after receipt of a notice of intent filed under subparagraph (A), the Commission shall—

“(i) make an initial determination as to whether the facility meets the qualifying criteria; and

“(ii) if the Commission makes an initial determination, pursuant to clause (i), that the facility meets the qualifying criteria, publish public notice of the notice of intent filed under subparagraph (A).

“(C) If, not later than 45 days after the date of publication of the public notice described in subparagraph (B)(ii)—

“(i) an entity contests whether the facility meets the qualifying criteria, the Commission shall promptly issue a written determination as to whether the facility meets such criteria; or

“(ii) no entity contests whether the facility meets the qualifying criteria, the facility shall be deemed to meet such criteria.

“(3) For purposes of this section:

“(A) The term ‘conduit’ means any tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and not primarily for the generation of electricity.

“(B) The term ‘qualifying conduit hydropower facility’ means a facility (not including any dam or other impoundment) that is determined or deemed under paragraph (2)(C) to meet the qualifying criteria.

“(C) The term ‘qualifying criteria’ means, with respect to a facility—

“(i) the facility is constructed, operated, or maintained for the generation of electric power and uses for such generation only the hydroelectric potential of a non-federally owned conduit;

“(ii) the facility has an installed capacity that does not exceed 5 megawatts; and

“(iii) on or before the date of enactment of the Hydropower Regulatory Efficiency Act of

2013, the facility is not licensed under, or exempted from the license requirements contained in, this part.

“(b) Subject to subsection (c), the Commission may grant an exemption in whole or in part from the requirements of this part, including any license requirements contained in this part, to any facility (not including any dam or other impoundment) constructed, operated, or maintained for the generation of electric power which the Commission determines, by rule or order—

“(1) utilizes for such generation only the hydroelectric potential of a conduit; and

“(2) has an installed capacity that does not exceed 40 megawatts.”;

(2) in subsection (c), by striking “subsection (a)” and inserting “subsection (b)”;

(3) in subsection (d), by striking “subsection (a)” and inserting “subsection (b)”.

(b) CONFORMING AMENDMENT.—Subsection (d) of section 405 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2705), as amended, is further amended by striking “subsection (a) of such section 30” and inserting “subsection (b) of such section 30”.

SEC. 5. FERC AUTHORITY TO EXTEND PRELIMINARY PERMIT PERIODS.

Section 5 of the Federal Power Act (16 U.S.C. 798) is amended—

(1) by designating the first, second, and third sentences as subsections (a), (c), and (d), respectively; and

(2) by inserting after subsection (a) (as so designated) the following:

“(b) The Commission may extend the period of a preliminary permit once for not more than 2 additional years beyond the 3 years permitted by subsection (a) if the Commission finds that the permittee has carried out activities under such permit in good faith and with reasonable diligence.”.

SEC. 6. PROMOTING HYDROPOWER DEVELOPMENT AT NONPOWERED DAMS AND CLOSED LOOP PUMPED STORAGE PROJECTS.

(a) IN GENERAL.—To improve the regulatory process and reduce delays and costs for hydropower development at nonpowered dams and closed loop pumped storage projects, the Federal Energy Regulatory Commission (referred to in this section as the “Commission”) shall investigate the feasibility of the issuance of a license for hydropower development at nonpowered dams and closed loop pumped storage projects in a 2-year period (referred to in this section as a “2-year process”). Such a 2-year process shall include any prefilling licensing process of the Commission.

(b) WORKSHOPS AND PILOTS.—The Commission shall—

(1) not later than 60 days after the date of enactment of this Act, hold an initial workshop to solicit public comment and recommendations on how to implement a 2-year process;

(2) develop criteria for identifying projects featuring hydropower development at nonpowered dams and closed loop pumped storage projects that may be appropriate for licensing within a 2-year process;

(3) not later than 180 days after the date of enactment of this Act, develop and implement pilot projects to test a 2-year process, if practicable; and

(4) not later than 3 years after the date of implementation of the final pilot project testing a 2-year process, hold a final workshop to solicit public comment on the effectiveness of each tested 2-year process.

(c) MEMORANDUM OF UNDERSTANDING.—The Commission shall, to the extent practicable,

enter into a memorandum of understanding with any applicable Federal or State agency to implement a pilot project described in subsection (b).

(d) REPORTS.—

(1) PILOT PROJECTS NOT IMPLEMENTED.—If the Commission determines that no pilot project described in subsection (b) is practicable because no 2-year process is practicable, not later than 240 days after the date of enactment of this Act, the Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that—

(A) describes the public comments received as part of the initial workshop held under subsection (b)(1); and

(B) identifies the process, legal, environmental, economic, and other issues that justify the determination of the Commission that no 2-year process is practicable, with recommendations on how Congress may address or remedy the identified issues.

(2) PILOT PROJECTS IMPLEMENTED.—If the Commission develops and implements pilot projects involving a 2-year process, not later than 60 days after the date of completion of the final workshop held under subsection (b)(4), the Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that—

(A) describes the outcomes of the pilot projects;

(B) describes the public comments from the final workshop on the effectiveness of each tested 2-year process; and

(C)(i) outlines how the Commission will adopt policies under existing law (including regulations) that result in a 2-year process for appropriate projects;

(ii) outlines how the Commission will issue new regulations to adopt a 2-year process for appropriate projects; or

(iii) identifies the process, legal, environmental, economic, and other issues that justify a determination of the Commission that no 2-year process is practicable, with recommendations on how Congress may address or remedy the identified issues.

SEC. 7. DOE STUDY OF PUMPED STORAGE AND POTENTIAL HYDROPOWER FROM CONDUITS.

(a) IN GENERAL.—The Secretary of Energy shall conduct a study—

(1)(A) of the technical flexibility that existing pumped storage facilities can provide to support intermittent renewable electric energy generation, including the potential for such existing facilities to be upgraded or retrofitted with advanced commercially available technology; and

(B) of the technical potential of existing pumped storage facilities and new advanced pumped storage facilities, to provide grid reliability benefits; and

(2)(A) to identify the range of opportunities for hydropower that may be obtained from conduits (as defined by the Secretary) in the United States; and

(B) through case studies, to assess amounts of potential energy generation from such conduit hydropower projects.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes the results of the study conducted under subsection (a), including any recommendations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from New Mexico (Mr. BEN RAY LUJÁN) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 267.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. WHITFIELD. Mr. Speaker, I yield myself such time as I may consume.

H.R. 267 is the result of the bipartisan effort of Congresswoman CATHY MCMORRIS RODGERS and Congresswoman DIANA DEGETTE, both members of the Energy and Commerce Committee. They've worked long and hard on this legislation. It has great promise for increased hydropower development across the Nation, and we're delighted to bring it to the floor today.

At this time, I would like to yield 2 minutes to the gentlelady from Washington (Mrs. MCMORRIS RODGERS).

Mrs. MCMORRIS RODGERS. Mr. Speaker, I rise in strong support of H.R. 267, the Hydropower Regulatory Efficiency Act of 2013, which I introduced with my good friend from Colorado, Representative DIANA DEGETTE.

□ 1420

As we continue to advance an all-of-the-above energy strategy, we must remember to include our Nation's largest, cleanest, most affordable, reliable, and renewable energy source—hydropower.

Sustainable hydropower is a part of a strong economy, and to see the potential and the benefits of hydropower, all you have to do is look at my home State of Washington State. Over 75 percent of our electricity comes from hydropower. It's clean and it's renewable.

The Columbia and Snake River dams in eastern and central Washington transformed our economy. What was once a dry, barren desert with sagebrush is one of the most productive agriculture regions in the world. And because of low-cost hydropower, we've attracted high-tech companies like Google and Yahoo to relocate their servers in eastern Washington. We've also brought manufacturing facilities like the BMW plant, which is in Moses Lake.

However, the regulatory process for hydropower, particularly for these smaller, controversial projects, is broken. Too often the cost of complying exceeds the cost of the equipment itself. We need to make this process easier and less costly, and that's what this legislation will do. Think of it as

the 1040-EZ for hydro permitting. H.R. 267 streamlines the hydropower permitting process, reducing the burdens impeding development and getting low-cost power to communities faster.

Mr. Speaker, most agree with the goal of energy independence and continuing the energy revolution. As part of an all-of-the-above strategy, we need to domestically produce more oil, coal, natural gas, and renewable energies like hydropower.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. WHITFIELD. I yield the gentlewoman an additional 3 minutes.

Mrs. MCMORRIS RODGERS. There was a recent study by the National Hydropower Association that showed we could double hydropower production in this country without building a new dam, simply by investing in new technologies, new turbines. Actually, only 3 percent of the dams in the country produce electricity.

We could also, in this process, create 700,000 jobs. Unleashing American ingenuity to increase hydropower production will lower energy costs and help create thousands of jobs.

Mr. Speaker, I urge all of my colleagues to support American energy and support H.R. 267.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

H.R. 267 is a bipartisan bill that will facilitate the development of new, environmentally responsible hydropower projects. The bill was introduced by Mrs. MCMORRIS RODGERS and Ms. DIANA DEGETTE. It was developed through a cooperative process that included extensive discussions with interested stakeholders and agencies.

This process was produced in a balanced, bipartisan way, and it is bipartisan legislation. The legislation is supported by both hydropower developers and environmentalists. It was unanimously reported out of the Energy and Commerce Committee, and last Congress, the House passed an identical bill by a vote of 382-0.

I urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. WHITFIELD. Mr. Speaker, I reserve the balance of my time.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, I'd ask if the majority has any additional speakers.

Mr. WHITFIELD. We have no additional speakers.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, I yield back the balance of my time.

Mr. WHITFIELD. I just want to say, in conclusion, how much we enjoyed working with both sides of the aisle on this issue. I want to thank CATHY MCMORRIS RODGERS and DIANA DEGETTE.

The Nation will benefit from this legislation because, as has already been

said, hydropower is a clean, efficient, abundant, and affordable source of energy. And I urge people to support this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. WHITFIELD) that the House suspend the rules and pass the bill, H.R. 267.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. WHITFIELD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

COLLINSVILLE RENEWABLE ENERGY PROMOTION ACT

Mr. WHITFIELD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 316) to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 316

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Collinsville Renewable Energy Promotion Act".

SEC. 2. REINSTATEMENT OF EXPIRED LICENSES AND EXTENSION OF TIME TO COMMENCE CONSTRUCTION OF PROJECTS.

Subject to section 4 of this Act and notwithstanding the time period under section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to Federal Energy Regulatory Commission projects numbered 10822 and 10823, the Federal Energy Regulatory Commission (referred to in this Act as the "Commission") may—

(1) reinstate the license for either or each of those projects; and

(2) extend for 2 years after the date on which either or each project is reinstated under paragraph (1) the time period during which the licensee is required to commence the construction of such projects.

Prior to reaching any final decision under this section, the Commission shall provide an opportunity for submission of comments by interested persons, municipalities, and States and shall consider any such comment that is timely submitted.

SEC. 3. TRANSFER OF LICENSES TO THE TOWN OF CANTON, CONNECTICUT.

Notwithstanding section 8 of the Federal Power Act (16 U.S.C. 801) or any other provision thereof, if the Commission reinstates the license for, and extends the time period during which the licensee is required to commence the construction of, a Federal Energy Regulatory Commission project under section 2, the Commission shall transfer such license to the town of Canton, Connecticut.

SEC. 4. ENVIRONMENTAL ASSESSMENT.

(a) DEFINITION.—For purposes of this section, the term "environmental assessment"

shall have the same meaning as is given such term in regulations prescribed by the Council on Environmental Quality that implement the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) ENVIRONMENTAL ASSESSMENT.—Not later than 180 days after the date of enactment of this Act, the Commission shall complete an environmental assessment for Federal Energy Regulatory Commission projects numbered 10822 and 10823, updating, to the extent necessary, the environmental analysis performed during the process of licensing such projects.

(c) COMMENT PERIOD.—Upon issuance of the environmental assessment required under subsection (b), the Commission shall—

(1) initiate a 30-day public comment period; and

(2) before taking any action under section 2 or 3—

(A) consider any comments received during such 30-day period; and

(B) incorporate in the license for the projects involved, such terms and conditions as the Commission determines to be necessary, based on the environmental assessment performed and comments received under this section.

SEC. 5. DEADLINE.

Not later than 270 days after the date of enactment of this Act, the Commission shall—

(1) make a final decision pursuant to paragraph (1) of section 2; and

(2) if the Commission decides to reinstate one or both of the licenses under such paragraph and extend the corresponding deadline for commencement of construction under paragraph (2) of such section, complete the action required under section 3.

SEC. 6. PROTECTION OF EXISTING RIGHTS.

Nothing in this Act shall affect any valid license issued by the Commission under section 4 of the Federal Power Act (16 U.S.C. 797) on or before the date of enactment of this Act or diminish or extinguish any existing rights under any such license.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from New Mexico (Mr. BEN RAY LUJÁN) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. WHITFIELD. Mr. Speaker, I yield myself such time as I may consume.

H.R. 316 would provide the Federal Energy Regulatory Commission with limited authority to reinstate two terminated hydroelectric licenses and transfer them to a new owner, the Town of Canton, Connecticut. The licenses are associated with the Upper and Lower Collinsville dams on the Farmington River in Connecticut. Both projects are under 1 megawatt each. This is important legislation that will

certainly benefit the people in that area.

I want to thank Mr. LUJÁN and others for working with us on this important piece of legislation.

I reserve the balance of my time.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank Chairman WHITFIELD and all of the members of the majority as well for working with the minority on this important piece of legislation.

I encourage my colleagues to support the Collinsville hydropower legislation introduced by Congresswoman ESTY of Connecticut. The bill would authorize the Federal Energy Regulatory Commission to reinstate licenses for two hydroelectric power plants on the Farmington River and to transfer these licenses to the Town of Canton, Connecticut. This noncontroversial legislation has passed the House by voice vote in both the 111th and 112th Congresses.

Mr. Speaker, I yield 5 minutes to the gentlewoman from Connecticut (Ms. ESTY), the sponsor of the bill.

Ms. ESTY. Thank you, Congressman LUJÁN. And I'd like to thank Chairman WHITFIELD for his leadership on this important issue and for bringing this bill to the floor so quickly this year.

I rise as the proud sponsor of the Collinsville Renewable Energy Promotion Act. This bill, as the chairman so aptly described, would provide FERC limited authority to license the Town of Canton, in my district, to operate two small and dormant dams for hydroelectric power.

The Upper and Lower Collinsville dams on the Farmington River were first built in the 18th and 19th centuries to power an ax manufacturer. While this business closed in the 1960s, the dams have remained and are a lasting symbol of the Farmington Valley's very proud manufacturing history.

And just as our communities have been reinvented over the years, we now have the opportunity to reinvent a dormant dam into a dam producing local, clean energy. If the Federal Energy Regulatory Commission, under the authority of this bill, permits both dams to generate hydropower, the dams could produce nearly 2 megawatts of power, enough to power more than 1,500 homes, which I'll note, parenthetically, with 3 feet of snow in the last week, were much in demand, that additional power. Licenses for this purpose had previously been issued, and this bill would allow the reinstatement of the inactive FERC licenses.

Now, as with any dam on any river, there are legitimate concerns about the river and the ecosystem's health. The Upper and Lower Collinsville dams already exist, and our legislation addresses many concerns to fully protect the river's health by requiring FERC to complete an updated analysis of the environmental impact of the projects and

seek additional public comment before taking action.

Now, this project started long before I was elected to Congress, and I'm proud to continue the work on this bill. Just a few months ago, this body passed the exact same language offered by then-Congressman CHRIS MURPHY, Connecticut's new Senator. He's been a longtime champion on this issue, and I'm grateful for his and First Selectman of Canton Richard Barlow's work spearheading these efforts back home.

□ 1430

I would also like to mention another longtime supporter of this project, Art Fournier. Sadly, Art passed away this past July. But during one of the occasions I had the opportunity to discuss issues with him and gain from his lifetime of experiences, he brought up this bill to enforce upon me how important it was. He was committed to public service and to ensuring that the world was a better place for the next generation. His commitment to public service was evident from his service on many boards and commissions in the town of Canton, including on the Hydro Power Advisory Commission.

Another strong advocate for this project also, sadly, died this summer, Mark Quattro. Mark, too, made us aware of the importance of this project for the little town of Canton, and he was deeply committed to the community and served on many town organizations, including the chamber of commerce. It would be a fitting tribute to honor these two fine citizens of Canton, Art Fournier and Mark Quattro, by passing this bill today.

I'd like to thank, again, Chairman WHITFIELD, as well as Chairman UPTON and Ranking Members WAXMAN and RUSH and their staffs for bringing the Collinsville Renewable Energy Promotion Act to the floor today for a vote. This project has a long history of bipartisan support at the local level, and I'm proud to be working with my colleagues across the aisle to empower local communities to utilize existing resources to create locally produced clean, renewable power. I respectfully urge my colleagues to support this bill.

Mr. WHITFIELD. Mr. Speaker, we have no further speakers, and I reserve the balance of my time.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, I would just urge my colleagues to adopt this legislation.

I yield back the balance of my time.

Mr. WHITFIELD. I want to thank Mr. LUJÁN, members of the committee, and certainly Ms. ESTY for her involvement in this legislation and would urge all the Members to support this legislation.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. WHITFIELD) that the House suspend the rules and pass the bill, H.R. 316.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

VETERAN EMERGENCY MEDICAL TECHNICIAN SUPPORT ACT OF 2013

Mr. WHITFIELD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 235) to amend the Public Health Service Act to provide grants to States to streamline State requirements and procedures for veterans with military emergency medical training to become civilian emergency medical technicians.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 235

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veteran Emergency Medical Technician Support Act of 2013".

SEC. 2. ASSISTING VETERANS WITH MILITARY EMERGENCY MEDICAL TRAINING TO MEET REQUIREMENTS FOR BECOMING CIVILIAN EMERGENCY MEDICAL TECHNICIANS.

(a) IN GENERAL.—Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by inserting after section 314 the following:

"SEC. 315. ASSISTING VETERANS WITH MILITARY EMERGENCY MEDICAL TRAINING TO MEET REQUIREMENTS FOR BECOMING CIVILIAN EMERGENCY MEDICAL TECHNICIANS.

"(a) PROGRAM.—The Secretary shall establish a program consisting of awarding demonstration grants to States to streamline State requirements and procedures in order to assist veterans who completed military emergency medical technician training while serving in the Armed Forces of the United States to meet certification, licensure, and other requirements applicable to becoming an emergency medical technician in the State.

"(b) USE OF FUNDS.—Amounts received as a demonstration grant under this section shall be used to prepare and implement a plan to streamline State requirements and procedures as described in subsection (a), including by—

"(1) determining the extent to which the requirements for the education, training, and skill level of emergency medical technicians in the State are equivalent to requirements for the education, training, and skill level of military emergency medical technicians; and

"(2) identifying methods, such as waivers, for military emergency medical technicians to forego or meet any such equivalent State requirements.

"(c) ELIGIBILITY.—To be eligible for a grant under this section, a State shall demonstrate that the State has a shortage of emergency medical technicians.

"(d) REPORT.—The Secretary shall submit to the Congress an annual report on the program under this section.

"(e) FUNDING.—Of the amount authorized by section 751(j)(1) to be appropriated to carry out section 751 for fiscal year 2014,

there is authorized to be appropriated to carry out this section \$1,000,000 for the period of fiscal years 2014 through 2018."

(b) CONFORMING AMENDMENT.—Section 751(j)(1) of the Public Health Service Act (42 U.S.C. 294a(j)(1)) is amended by striking "There is authorized to be appropriated" and inserting "Subject to section 315(e), there is authorized to be appropriated".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from New Mexico (Mr. BEN RAY LUJÁN) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. WHITFIELD. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support and urge my colleagues to vote for H.R. 235, the Veteran Emergency Medical Technician Support Act of 2013.

At this time I yield 5 minutes to the gentleman from Illinois (Mr. KINZINGER), a member of the Energy and Commerce Committee, who wrote this important legislation.

Mr. KINZINGER of Illinois. Thank you, Mr. Chairman, for your hard work in bringing this forward. I just want to thank all my colleagues on both sides of the aisle for supporting this bill.

Unemployment rates continue to be far too high among our veterans who are returning from Iraq and Afghanistan. These returning men and women deserve a smooth transition from the military into the civilian workforce. As a Nation, we must recognize the experience and education that our military-trained EMTs receive. It's inefficient to force these well-trained veterans to start over with basic training in the civilian workforce after aiding wounded men and women who were severely injured in combat. We must recognize military-trained EMT skills and education and streamline the process so these honorable men and women can quickly return to work here at home.

I'm a pilot in the Air National Guard. One of the things that really brought this to my mind is, as a pilot, I went through my pilot training and was able to take an equivalency test in which I was granted, basically, the civilian equivalent of what I learned in the military. And you realize those are very obviously transferable skills. And to be able to bring that into the civilian workforce has done great for airlines and commercial piloting and everything, frankly, related to aviation in the civilian world.

This bill is a commonsense way to help our veterans as they transition back to civilian life. By supporting States to make the process more efficient, veterans with military EMT training will more quickly become certified civilian EMTs. In doing so, returning veterans will not have to start over at square one in their training and can enter the civilian workforce much sooner.

One other point to make in this is that in rural areas—and I represent a lot of rural areas in Illinois—there is a shortage of emergency medical technicians in small towns. But there's not a shortage of folks coming back from Iraq and Afghanistan—veterans in these small communities. To be able to do this small step in ensuring that the rural areas, the rural municipalities and our veterans are matched with jobs where there is need is, I think, a very positive step in the right direction.

I would urge my colleagues on both sides of the aisle to support this great piece of legislation.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 235, the Veteran Emergency Medical Technician Support Act of 2013. This bill authorizes a demonstration grant program for States that are experiencing emergency medical technician shortages so that States, in turn, can better assist returning veterans and their transition to civilian employment. States receiving grant funding under this program would develop and implement plans to streamline training and educational requirements for returning vets. Specifically, States would determine the extent to which civilian education and training requirements are equivalent to those for previous military EMT work. And States would identify ways for qualified military EMTs to forego duplicative requirements.

H.R. 235 was reported by the Energy and Commerce Committee with broad bipartisan support. And, Mr. Speaker, I think it's also worth noting that H.R. 235 is essentially the same as legislation that passed the House on a voice vote in the last Congress. I commend the sponsors of the bill, Congressman KINZINGER and Congresswoman CAPPS, for their leadership on this important issue. H.R. 235 is a commonsense bipartisan measure. I urge my colleagues to join me in supporting this bill.

Mr. Speaker, I thank the chairman and the majority for working with us on this bill, would urge my colleagues to support this bill, and I yield back the balance of my time.

Mr. WHITFIELD. Mr. Speaker, I yield myself such time as I may consume.

I want to thank once again Mr. KINZINGER of Illinois and Mrs. CAPPS of California for this commonsense legis-

lation. When you think about young men and women serving in the military and Iraq and Afghanistan and responding to a wide array of emergencies that they respond to and having visited the training programs that they have, we know that they are well trained. And yet some State licensing laws for EMTs vary. Many States do not recognize combat medics and other veterans' qualifications as applicable to the licensing requirement of the civilian health care system. Some States make exceptions for former military medics and allow them reciprocity and a chance to sit for the licensing exam without going through the usual training. But, as I said, many States do not.

This legislation simply helps streamline State requirements and make allowances for returning veterans to enter the EMT workforce without unnecessary duplication of their training. And we all know the great demand for emergency technicians in our society today.

□ 1440

This bill also provides for an annual report to Congress. It complies with CutGo because funding of the \$1 million for the program is offset with funds from area health education centers of the Public Health Service Act.

So, I am pleased to support this legislation and urge my colleagues to vote in favor of H.R. 235. Once again, I thank the gentleman from Illinois and all of those on the committee who brought this legislation to the floor.

I yield back the balance of my time.

Mr. WAXMAN. Mr. Speaker, I rise in support of H.R. 235, the Veteran Emergency Medical Technician Support Act of 2013. Congresswoman CAPPS and Congressman KINZINGER have introduced this commonsense legislation to advance our shared goals of getting our veterans back to work and addressing areas of shortage in health professions.

H.R. 235 is essentially the same as legislation the House passed on a voice vote in the 112th Congress. I know we are all hopeful that this time around the Senate will act quickly to consider and pass this bill.

Each of us is deeply indebted to the members of our military for their patriotism and for all they do to protect our country and its national interests.

We know that our returning vets have unique skills and experiences that make them highly qualified for jobs in the health care and other sectors. However, the unfortunate reality is that our veterans experience unemployment rates well above the national average.

H.R. 235 authorizes a demonstration grant program for states to support planning efforts to streamline their certification and licensure requirements for returning vets with emergency medical training. While states would take the lead in carrying out this program, I believe there would be an important role for partnerships between public and private organizations within the states—such as area health education centers—in its implementation.

I urge my colleagues to support H.R. 235, and I commend the sponsors of this bill for their work on this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. WHITFIELD) that the House suspend the rules and pass the bill, H.R. 235.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. After consultation among the Speaker and the majority and minority leaders, and with their consent, the Chair announces that, when the two Houses meet tonight in joint session to hear an address by the President of the United States, only the doors immediately opposite the Speaker and those immediately to his left and right will be open.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House. Due to the large attendance that is anticipated, the rule regarding the privilege of the floor must be strictly enforced. Children of Members will not be permitted on the floor. The cooperation of all Members is requested.

The practice of purporting to reserve seats prior to the joint session by placement of placards or personal items will not be allowed. Chamber Security may remove these items from the seats. Members may reserve their seats only by physical presence following the security sweep of the Chamber.

Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 8:35 p.m. for the purpose of receiving in joint session the President of the United States.

Accordingly (at 2 o'clock and 41 minutes p.m.), the House stood in recess.

□ 2040

JOINT SESSION OF CONGRESS PURSUANT TO HOUSE CONCURRENT RESOLUTION 11 TO RECEIVE A MESSAGE FROM THE PRESIDENT

The recess having expired, the House was called to order by the Speaker at 8 o'clock and 40 minutes p.m.

The Deputy Sergeant at Arms, Mrs. Kerri Hanley, announced the Vice President and Members of the U.S. Senate, who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The joint session will come to order.

The Chair appoints as members of the committee on the part of the House to escort the President of the United States into the Chamber:

The gentleman from Virginia (Mr. CANTOR);

The gentleman from California (Mr. MCCARTHY);

The gentlewoman from Washington (Mrs. McMORRIS RODGERS);

The gentleman from Oregon (Mr. WALDEN);

The gentleman from Oklahoma (Mr. LANKFORD);

The gentlewoman from Kansas (Ms. JENKINS);

The gentlewoman from North Carolina (Ms. FOXX);

The gentlewoman from California (Ms. PELOSI);

The gentleman from Maryland (Mr. HOYER);

The gentleman from South Carolina (Mr. CLYBURN);

The gentleman from California (Mr. BECERRA);

The gentleman from New York (Mr. CROWLEY);

The gentleman from New York (Mr. ISRAEL); and

The gentlewoman from Illinois (Ms. DUCKWORTH).

The VICE PRESIDENT. The President of the Senate, at the direction of that body, appoints the following Senators as members of the committee on the part of the Senate to escort the President of the United States into the House Chamber:

The Senator from Nevada (Mr. REID);

The Senator from Vermont (Mr. LEAHY);

The Senator from Illinois (Mr. DURBIN);

The Senator from New York (Mr. SCHUMER);

The Senator from Washington (Mrs. MURRAY);

The Senator from Colorado (Mr. BENNET);

The Senator from Michigan (Ms. STABENOW);

The Senator from Alaska (Mr. BEGICH);

The Senator from Kentucky (Mr. MCCONNELL);

The Senator from Texas (Mr. CORNYN);

The Senator from South Dakota (Mr. THUNE);

The Senator from Missouri (Mr. BLUNT);

The Senator from Wyoming (Mr. BARRASSO); and

The Senator from Kansas (Mr. MORAN).

The Deputy Sergeant at Arms announced the Dean of the Diplomatic Corps, His Excellency Roble Olhaye, the Ambassador of the Republic of Djibouti.

The Dean of the Diplomatic Corps entered the Hall of the House of Representatives and took the seat reserved for him.

The Deputy Sergeant at Arms announced the Chief Justice of the United States and the Associate Justices of the Supreme Court.

The Chief Justice of the United States and the Associate Justices of the Supreme Court entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

The Deputy Sergeant at Arms announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 9 o'clock and 9 minutes p.m., the Sergeant at Arms, the Honorable Paul D. Irving, announced the President of the United States.

The President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk.

(Applause, the Members rising.)

The SPEAKER. Members of the Congress, I have the high privilege and the distinct honor of presenting to you the President of the United States.

(Applause, the Members rising.)

The PRESIDENT. Mr. Speaker, Mr. Vice President, Members of Congress, fellow Americans:

Fifty-one years ago, John F. Kennedy declared to this Chamber that "the Constitution makes us not rivals for power but partners for progress . . . It is my task," he said, "to report the State of the Union—to improve it is the task of us all."

Tonight, thanks to the grit and determination of the American people, there is much progress to report. After a decade of grinding war, our brave men and women in uniform are coming home. After years of grueling recession, our businesses have created over 6 million new jobs. We buy more American cars than we have in 5 years, and less foreign oil than we have in 20. Our housing market is healing, our stock market is rebounding, and consumers, patients, and homeowners enjoy stronger protections than ever before.

So together, we have cleared away the rubble of crisis, and we can say with renewed confidence that the state of our Union is stronger.

But we gather here knowing that there are millions of Americans whose hard work and dedication have not yet been rewarded. Our economy is adding jobs—but too many people still can't find full-time employment. Corporate profits have skyrocketed to all-time highs—but for more than a decade, wages and incomes have barely budged. It is our generation's task, then, to reignite the true engine of America's economic growth—a rising, thriving middle class.

It is our unfinished task to restore the basic bargain that built this coun-

try—the idea that if you work hard and meet your responsibilities, you can get ahead, no matter where you come from, no matter what you look like, or whom you love.

It is our unfinished task to make sure that this government works on behalf of the many, and not just the few; that it encourages free enterprise, rewards individual initiative, and opens the doors of opportunity to every child across this great Nation.

The American people don't expect government to solve every problem. They don't expect those of us in this Chamber to agree on every issue. But they do expect us to put the Nation's interests before party. They do expect us to forge reasonable compromise where we can, for they know that America moves forward only when we do so together, and that the responsibility of improving this union remains the task of us all.

Now, our work must begin by making some basic decisions about our budget, decisions that will have a huge impact on the strength of our recovery.

Over the last few years, both parties have worked together to reduce the deficit by more than \$2.5 trillion, mostly through spending cuts but also by raising tax rates on the wealthiest 1 percent of Americans. As a result, we are more than halfway towards the goal of \$4 trillion in deficit reduction that economists say we need to stabilize our finances.

Now we need to finish the job. And the question is, how?

In 2011, Congress passed a law saying that if both parties couldn't agree on a plan to reach our deficit goal, about a trillion dollars' worth of budget cuts would automatically go into effect this year. These sudden, harsh, arbitrary cuts would jeopardize our military readiness. They'd devastate priorities like education and energy and medical research. They would certainly slow our recovery and cost us hundreds of thousands of jobs. And that's why Democrats, Republicans, business leaders and economists have already said that these cuts, known here in Washington as "the sequester," are a really bad idea.

Now, some in Congress have proposed preventing only the defense cuts by making even bigger cuts to things like education and job training, Medicare and Social Security benefits.

That idea is even worse. Yes, the biggest driver of our long-term debt is the rising cost of health care for an aging population. And those of us who care deeply about programs like Medicare must embrace the need for modest reforms, otherwise our retirement programs will crowd out the investments we need for our children and jeopardize the promise of a secure retirement for future generations.

But we can't ask senior citizens and working families to shoulder the entire

burden of deficit reduction while asking nothing more from the wealthiest and the most powerful. We won't grow the middle class simply by shifting the cost of health care or college onto families that are already struggling, or by forcing communities to lay off more teachers and more cops and more firefighters.

Most Americans—Democrats, Republicans and Independents—understand that we can't just cut our way to prosperity. They know that broad-based economic growth requires a balanced approach to deficit reduction, with spending cuts and revenue, and with everybody doing their fair share. And that's the approach I offer tonight.

On Medicare, I'm prepared to enact reforms that will achieve the same amount of health care savings by the beginning of the next decade as the reforms proposed by the bipartisan Simpson-Bowles commission. Already, the Affordable Care Act is helping to slow the growth of health care costs. And the reforms I'm proposing go even further.

We'll reduce taxpayer subsidies to prescription drug companies and ask more from the wealthiest seniors. We'll bring down costs by changing the way our government pays for Medicare, because our medical bills shouldn't be based on the number of tests ordered or days spent in the hospital; they should be based on the quality of care that our seniors receive.

And I am open to additional reforms from both parties, so long as they don't violate the guarantee of a secure retirement. Our government shouldn't make promises we cannot keep, but we must keep the promises we've already made.

To hit the rest of our deficit reduction target, we should do what leaders in both parties have already suggested and save hundreds of billions of dollars by getting rid of tax loopholes and deductions for the well-off and the well-connected. After all, why would we choose to make deeper cuts to education and Medicare just to protect special interest tax breaks? How's that fair?

Why is it that deficit reduction is a big emergency, justifying making cuts in Social Security benefits but not closing some loopholes? How does that promote growth?

Now is our best chance for bipartisan, comprehensive tax reform that encourages job creation and helps bring down the deficit. We can get this done.

The American people deserve a tax code that helps small businesses spend less time filling out complicated forms and more time expanding and hiring; a tax code that ensures billionaires with high-powered accountants can't work the system and pay a lower rate than their hardworking secretaries; a tax code that lowers incentives to move jobs overseas and lowers tax rates for

businesses and manufacturers that are creating jobs right here in the United States of America. That's what tax reform can deliver. That's what we can do together.

I realize that tax reform and entitlement reform will not be easy. The politics will be hard for both sides. None of us will get 100 percent of what we want. But the alternative will cost us jobs, hurt our economy, visit hardship on millions of hardworking Americans. So let's set party interests aside and work to pass a budget that replaces reckless cuts with smart savings and wise investments in our future. And let's do it without the brinksmanship that stresses consumers and scares off investors.

The greatest Nation on Earth cannot keep conducting its business by drifting from one manufactured crisis to the next. We can't do it. Let's agree right here, right now, to keep the people's government open and pay our bills on time, and always uphold the full faith and credit of the United States of America. The American people have worked too hard for too long rebuilding from one crisis to see their elected officials cause another.

Now, most of us agree that a plan to reduce the deficit must be part of our agenda. But let's be clear: Deficit reduction alone is not an economic plan. A growing economy that creates good middle-class jobs—that must be the North Star that guides our efforts. Every day, we should ask ourselves three questions as a Nation: How do we attract more jobs to our shores? How do we equip our people with the skills they need to get those jobs? And how do we make sure that hard work leads to a decent living?

A year and a half ago, I put forward an American Jobs Act that independent economists said would create more than 1 million new jobs, and I thank the last Congress for passing some of that agenda. I urge this Congress to pass the rest. Tonight, I'll lay out additional proposals that are fully paid for and fully consistent with the budget framework both parties agreed to just 18 months ago. Let me repeat: Nothing I'm proposing tonight should increase our deficit by a single dime. It's not a bigger government we need but a smarter government that sets priorities and invests in broad-based growth. That's what we should be looking for.

Our first priority is making America a magnet for new jobs and manufacturing. After shedding jobs for more than 10 years, our manufacturers have added about 500,000 jobs over the past three. Caterpillar is bringing jobs back from Japan. Ford is bringing jobs back from Mexico. And this year, Apple will start making Macs in America again. There are things we can do right now to accelerate this trend. Last year, we created our first manufacturing inno-

vation institute in Youngstown, Ohio. A once-shuttered warehouse is now a state-of-the-art lab where new workers are mastering the 3-D printing that has the potential to revolutionize the way we make almost everything. There's no reason this can't happen in other towns.

So, tonight, I'm announcing the launch of three more of these manufacturing hubs where businesses will partner with the Departments of Defense and Energy to turn regions left behind by globalization into global centers of high-tech jobs. And I ask this Congress to help create a network of 15 of these hubs and guarantee that the next revolution in manufacturing is made right here in America. We can get that done.

Now, if we want to make the best products, we also have to invest in the best ideas. Every dollar we invested to map the human genome returned \$140 to our economy—every dollar. Today, our scientists are mapping the human brain to unlock the answers to Alzheimer's. They're developing drugs to regenerate damaged organs. Devising new materials to make batteries 10 times more powerful. Now is not the time to gut these job-creating investments in science and innovation. Now is the time to reach a level of research and development not seen since the height of the space race. We need to make those investments. Today, no area holds more promise than our investments in American energy.

After years of talking about it, we are finally poised to control our own energy future. We produce more oil at home than we have in 15 years. We have doubled the distance our cars will go on a gallon of gas and the amount of renewable energy we generate from sources like wind and solar—with tens of thousands of good American jobs to show for it. We produce more natural gas than ever before, and nearly everyone's energy bill is lower because of it. And over the last 4 years, our emissions of the dangerous carbon pollution that threatens our planet have actually fallen. But for the sake of our children and our future, we must do more to combat climate change.

Now, it's true that no single event makes a trend, but the fact is the 12 hottest years on record have all come in the last 15. Heat waves, droughts, wildfires, floods—all are now more frequent and more intense. We can choose to believe that Superstorm Sandy and the most severe drought in decades and the worst wildfires some States have ever seen were all just a freak coincidence or we can choose to believe in the overwhelming judgment of science—and act before it's too late.

The good news is we can make meaningful progress on this issue while driving strong economic growth. I urge this Congress to get together and pursue a bipartisan, market-based solution to climate change like the one JOHN

MCCAIN and Joe Lieberman worked on together a few years ago. But if Congress won't act soon to protect future generations, I will. I will direct my Cabinet to come up with executive actions we can take now and in the future to reduce pollution, prepare our communities for the consequences of climate change, and speed the transition to more sustainable sources of energy.

Four years ago, other countries dominated the clean energy market and the jobs that came with it. We've begun to change that. Last year, wind energy added nearly half of all new power capacity in America, so let's generate even more. Solar energy gets cheaper by the year. Let's drive down costs even further. As long as countries like China keep going all-in on clean energy, so must we.

In the meantime, the natural gas boom has led to cleaner power and greater energy independence. We need to encourage that, and that's why my administration will keep cutting red tape and speeding up new oil and gas permits. That has got to be part of an all-of-the-above plan. But I also want to work with this Congress to encourage the research and technology that helps natural gas burn even cleaner and protects our air and our water.

In fact, much of our newfound energy is drawn from lands and waters that we, the public, own together. So, tonight, I propose we use some of our oil and gas revenues to fund an energy security trust that will drive new research and technology to shift our cars and trucks off oil for good. If a non-partisan coalition of CEOs and retired generals and admirals can get behind this idea, then so can we. Let's take their advice and free our families and businesses from the painful spikes in gas prices we've put up with for far too long.

I'm also issuing a new goal for America: Let's cut in half the energy wasted by our homes and businesses over the next 20 years. We'll work with the States to do it. Those States with the best ideas to create jobs and lower energy bills by constructing more efficient buildings will receive Federal support to help make that happen.

America's energy sector is just one part of an aging infrastructure badly in need of repair. Ask any CEO where they'd rather locate and hire: a country with deteriorating roads and bridges or one with high-speed rail and Internet, high-tech schools, self-healing power grids? The CEO of Siemens America, a company that brought hundreds of new jobs to North Carolina, said that if we upgrade our infrastructure they'll bring even more jobs, and that's the attitude of a lot of companies all around the world. And I know you want these job-creating projects in your districts. I've seen all those ribbon-cuttings.

So, tonight, I propose a "fix it first" program to put people to work as soon as possible on our most urgent repairs, like the nearly 70,000 structurally deficient bridges across the country. And to make sure taxpayers don't shoulder the whole burden, I'm also proposing a Partnership to Rebuild America that attracts private capital to upgrade what our businesses need most: modern ports to move our goods; modern pipelines to withstand a storm; modern schools worthy of our children. Let's prove there's no better place to do business than here in the United States of America, and let's start right away. We can get this done.

Part of our rebuilding effort must also involve our housing sector. The good news is our housing market is finally healing from the collapse of 2007. Home prices are rising at the fastest pace in 6 years. Home purchases are up nearly 50 percent, and construction is expanding again. But even with mortgage rates near a 50-year low, too many families with solid credit who want to buy a home are being rejected. Too many families who never missed a payment and want to refinance are being told no. That's holding our entire economy back, and we need to fix it.

Right now, there is a bill in this Congress that would give every responsible homeowner in America the chance to save \$3,000 a year by refinancing at today's rates. Democrats and Republicans have supported it before. So what are we waiting for? Take a vote, and send me that bill. Why would we be against that? Why would that be a partisan issue, helping folks refinance? Right now, overlapping regulations keep responsible young families from buying their first home. What's holding us back? Let's streamline the process and help our economy grow.

These initiatives in manufacturing, energy, infrastructure, and housing, all these things will help entrepreneurs and small business owners expand and create new jobs, but none of it will matter unless we also equip our citizens with the skills and training to fill those jobs. And that has to start at the earliest possible age.

Study after study shows that the sooner a child begins learning, the better he or she does down the road. But today, fewer than three in ten 4-year-olds are enrolled in a high-quality preschool program. Most middle class parents can't afford a few hundred bucks a week for a private preschool. And for poor kids who need help the most, this lack of access to preschool education can shatter them for the rest of their lives.

Tonight, I propose working with States to make high-quality preschool available to every single child in America. That's something we should be able to do. Every dollar we invest in high-quality early childhood education can save more than \$7 later on by

boosting graduation rates, reducing teen pregnancy, even reducing violent crime.

In States that make it a priority to educate our youngest children, like Georgia or Oklahoma, studies show students grow up more likely to read and do math at grade level, graduate high school, hold a job, and form more stable families of their own. We know this works. So let's do what works and make sure none of our children start the race of life already behind. Let's give our kids that chance.

Let's also make sure that a high school diploma puts our kids on a path to a good job. Right now, countries like Germany focus on graduating their high school students with the equivalent of a technical degree from one of our community colleges. So those German kids, they're ready for a job when they graduate high school; they've been trained for the jobs that are there. Now, at schools like P-Tech in Brooklyn, a collaboration between New York Public Schools and City University of New York and IBM, students will graduate with a high school diploma and an associate's degree in computers or engineering. We need to give every American student opportunities like this.

Four years ago, we started Race to the Top—a competition that convinced almost every State to develop smarter curricula and higher standards, all for about 1 percent of what we spend on education each year. Tonight, I'm announcing a new challenge to redesign America's high schools so they better equip graduates for the demands of a high-tech economy. We'll reward schools that develop new partnerships with colleges and employers and create classes that focus on science, technology, engineering, and math—the skills today's employers are looking for to fill jobs that are there right now and will be there in the future.

Now, even with better high schools, most young people will need some higher education. It's a simple fact: The more education you have, the more likely you are to have a good job and work your way into the middle class. But today, skyrocketing costs price too many young people out of a higher education or saddle them with unsustainable debt.

Through tax credits, grants, and better loans, we have made college more affordable for millions of students and families over the last few years. But taxpayers can't keep on subsidizing higher and higher and higher costs for higher education. Colleges must do their part to keep costs down, and it's our job to make sure that they do.

So tonight, I ask Congress to change the Higher Education Act so that affordability and value are included in determining which colleges receive certain types of Federal aid. And tomorrow, my administration will release a

new “College Scorecard” that parents and students can use to compare schools based on a simple criteria: where you can get the most bang for your educational buck.

Now, to grow our middle class, our citizens have to have access to the education and training that today’s jobs require. But we also have to make sure that America remains a place where everyone who’s willing to work hard has the chance to get ahead.

Our economy is stronger when we harness the talents and ingenuity of striving, hopeful immigrants; and right now, leaders from the business, labor, law enforcement, and faith communities all agree that the time has come to pass comprehensive immigration reform. Now is the time to do it. Now is the time to get it done. Now is the time to get it done.

Real reform means stronger border security. And we can build on the progress my administration has already made—putting more boots on the southern border than at any time in our history and reducing illegal crossings to their lowest levels in 40 years.

Real reform means establishing a responsible pathway to earned citizenship—a path that includes passing a background check, paying taxes and a meaningful penalty, learning English, and going to the back of the line behind the folks trying to come here legally. And real reform means fixing the legal immigration system to cut waiting periods and attract the highly skilled entrepreneurs and engineers that will help create jobs and grow our economy.

In other words, we know what needs to be done. As we speak, bipartisan groups in both Chambers are working diligently to draft a bill, and I applaud their efforts. Now let’s get this done. Send me a comprehensive immigration reform bill in the next few months and I will sign it right away, and America will be better for it. Let’s get it done. Let’s get it done.

But we can’t stop there. We know our economy is stronger when our wives, our mothers, and our daughters can live their lives free from discrimination in the workplace and free from the fear of domestic violence. Today, the Senate passed the Violence Against Women Act that JOE BIDEN originally wrote almost 20 years ago, and I now urge the House to do the same. And I ask this Congress to declare that women should earn a living equal to their efforts and finally pass the Pay-check Fairness Act this year.

We know our economy is stronger when we reward an honest day’s work with honest wages. But today, a full-time worker making the minimum wage earns \$14,500 a year. Even with the tax relief we’ve put in place, a family with two kids that earns the minimum wage still lives below the poverty line. That’s wrong. That’s why,

since the last time this Congress raised the minimum wage, 19 States have chosen to bump theirs even higher.

Tonight, let’s declare that in the wealthiest Nation on Earth, no one who works full-time should have to live in poverty, and raise the Federal minimum wage to \$9 an hour. We should be able to get that done. This single step would raise the incomes of millions of working families. It could mean the difference between groceries or the food bank, rent or eviction, scraping by or finally getting ahead. For businesses across the country, it would mean customers with more money in their pockets. And a whole lot of folks out there would probably need less help from government. In fact, working folks shouldn’t have to wait year after year for the minimum wage to go up while CEO pay has never been higher. So here’s an idea that Governor Romney and I actually agreed on last year: Let’s tie the minimum wage to the cost of living so that it finally becomes a wage you can live on.

Tonight, let’s also recognize that there are communities in this country where, no matter how hard you work, it’s virtually impossible to get ahead: factory towns decimated from years of plants packing up; inescapable pockets of poverty, urban and rural, where young adults are still fighting for their first job. America is not a place where chance of birth or circumstance should decide our destiny, and that’s why we need to build new ladders of opportunity into the middle class for all who are willing to climb them.

Let’s offer incentives to companies that hire Americans who’ve got what it takes to fill that job opening but who have been out of work for so long that no one will give them a chance anymore. Let’s put people back to work rebuilding vacant homes in run-down neighborhoods. And this year, my administration will begin to partner with 20 of the hardest-hit towns in America to get these communities back on their feet. Now, we’ll work with local leaders to target resources at public safety, education, and housing. We’ll give new tax credits to businesses that hire and invest, and we’ll work to strengthen families by removing the financial deterrents to marriage for low-income couples, and doing more to encourage fatherhood—because what makes you a man isn’t the ability to conceive a child, but having the courage to raise one. And we want to encourage that. We want to help that.

Stronger families. Stronger communities. A stronger America. It is this kind of prosperity—broad, shared, and built on a thriving middle class—that has always been the source of our progress at home. It’s also the foundation of our power and influence throughout the world.

Tonight, we stand united in saluting the troops and civilians who sacrifice

every day to protect us. Because of them, we can say with confidence that America will complete its mission in Afghanistan and achieve our objective of defeating the core of al Qaeda. Already, we’ve brought home 33,000 of our brave servicemen and -women. This spring, our forces will move into a support role, while Afghan security forces take the lead. Tonight, I can announce that over the next year, another 34,000 American troops will come home from Afghanistan. This drawdown will continue. And by the end of next year, our war in Afghanistan will be over.

Beyond 2014, America’s commitment to a unified and sovereign Afghanistan will endure, but the nature of our commitment will change. We’re negotiating an agreement with the Afghan Government that focuses on two missions: training and equipping Afghan forces so that the country does not again slip into chaos, and counterterrorism efforts that allow us to pursue the remnants of al Qaeda and their affiliates.

Today, the organization that attacked us on 9/11 is a shadow of its former self. It’s true that different al Qaeda affiliates and extremist groups have emerged—from the Arabian Peninsula to Africa. The threat these groups pose is evolving. But to meet this threat, we don’t need to send tens of thousands of our sons and daughters abroad or occupy other nations. Instead, we’ll need to help countries like Yemen, Libya, and Somalia provide for their own security, and help allies who take the fight to terrorists, as we have in Mali. And, where necessary, through a range of capabilities, we will continue to take direct action against those terrorists who pose the gravest threat to Americans.

As we do, we must enlist our values in the fight. That’s why my administration has worked tirelessly to forge a durable legal and policy framework to guide our counterterrorism operations. Throughout, we have kept Congress fully informed of our efforts. I recognize that in our democracy, no one should just take my word for it that we’re doing things the right way. So, in the months ahead, I will continue to engage Congress to ensure not only that our targeting, detention, and prosecution of terrorists remains consistent with our laws and system of checks and balances, but that our efforts are even more transparent to the American people and to the world.

Of course, our challenges don’t end with al Qaeda. America will continue to lead the effort to prevent the spread of the world’s most dangerous weapons. The regime in North Korea must know they will only achieve security and prosperity by meeting their international obligations. Provocations of the sort we saw last night will only further isolate them, as we stand by our allies, strengthen our own missile

defense, and lead the world in taking firm action in response to these threats.

Likewise, the leaders of Iran must recognize that now is the time for a diplomatic solution, because a coalition stands united in demanding that they meet their obligations, and we will do what is necessary to prevent them from getting a nuclear weapon. At the same time, we'll engage Russia to seek further reductions in our nuclear arsenals, and continue leading the global effort to secure nuclear materials that could fall into the wrong hands—because our ability to influence others depends on our willingness to lead and meet our obligations.

America must also face the rapidly growing threat from cyberattacks. Now, we know hackers steal people's identities and infiltrate private emails. We know foreign countries and companies swipe our corporate secrets. Now our enemies are also seeking the ability to sabotage our power grid, our financial institutions, our air traffic control systems. We cannot look back years from now and wonder why we did nothing in the face of real threats to our security and our economy.

That's why earlier today I signed a new executive order that will strengthen our cyberdefenses by increasing information-sharing and developing standards to protect our national security, our jobs, and our privacy. Now, Congress must act as well, by passing legislation to give our government a greater capacity to secure our networks and deter attacks. This is something we should be able to get done on a bipartisan basis.

Even as we protect our people, we should remember that today's world presents not just dangers, not just threats, but it presents opportunities. To boost American exports, support American jobs, and level the playing field in the growing markets of Asia, we intend to complete negotiations on a transpacific partnership. Tonight, I'm announcing that we will launch talks on a comprehensive transatlantic trade and investment partnership with the European Union because trade that is fair and free across the Atlantic supports millions of good-paying American jobs.

We also know that progress in the most impoverished parts of our world enriches us all. Not only because it creates new markets, more stable order in certain regions of the world, but also because it's the right thing to do. In many places, people live on little more than a dollar a day. So the United States will join with our allies to eradicate such extreme poverty in the next two decades by connecting more people to the global economy; by empowering women; by giving our young and brightest minds new opportunities to serve and helping communities to feed and power and educate themselves;

by saving the world's children from preventable deaths; and by realizing the promise of an AIDS-free generation, which is within our reach.

You see, America must remain a beacon to all who seek freedom during this period of historic change. I saw the power of hope last year in Rangoon, in Burma, when Aung San Suu Kyi welcomed an American President into the home where she had been imprisoned for years; when thousands of Burmese lined the streets waving American flags, including a man who said, "There is justice and law in the United States. I want our country to be like that."

In defense of freedom, we'll remain the anchor of strong alliances from the Americas to Africa, from Europe to Asia. In the Middle East, we will stand with citizens as they demand their universal rights and support stable transitions to democracy. We know the process will be messy, and we cannot presume to dictate the course of change in countries like Egypt. But we can and will insist on respect for the fundamental rights of all people. We'll keep the pressure on a Syrian regime that has murdered its own people and support opposition leaders that respect the rights of every Syrian. And we will stand steadfast with Israel in pursuit of security and a lasting peace. These are the messages I'll deliver when I travel to the Middle East next month.

All this work depends on the courage and sacrifice of those who serve in dangerous places at great personal risk: our diplomats, our intelligence officers, and the men and women of the United States Armed Forces. As long as I'm Commander in Chief, we will do whatever we must to protect those who serve their country abroad, and we will maintain the best military the world has ever known. We'll invest in new capabilities, even as we reduce waste and wartime spending. We will ensure equal treatment for all servicemembers and equal benefits for their families, gay and straight. We will draw upon the courage and skills of our sisters, daughters, and moms, because women have proven under fire that they are ready for combat. We will keep faith with our veterans, investing in world-class care, including mental health care, for our wounded warriors; supporting our military families; and giving our veterans the benefits, education, and job opportunities that they have earned. And I want to thank my wife Michelle and Dr. Jill Biden for their continued dedication to serving our military families as well as they have served us. Thank you, honey. Thank you, Jill.

Defending our freedom, though, is not just the job of our military alone. We must all do our part to make sure our God-given rights are protected here at home. That includes one of the most fundamental rights of a democracy: the

right to vote. When any Americans—no matter where they live or what their party—are denied that right because they can't afford to wait for 5, 6, or 7 hours just to cast their ballot, we are betraying our ideals. So tonight I'm announcing a nonpartisan commission to improve the voting experience in America, and it definitely needs improvement. I'm asking two longtime experts in the field, who by the way recently served as the top attorneys for my campaign and for Governor Romney's campaign, to lead it. We can fix this, and we will. The American people demand it, and so does our democracy.

Of course, what I've said tonight matters little if we don't come together to protect our most precious resource, our children.

It has been 2 months since Newtown. I know this is not the first time this country has debated how to reduce gun violence. But this time is different. Overwhelming majorities of Americans, Americans who believe in the Second Amendment, have come together around commonsense reform, like background checks, that will make it harder for criminals to get their hands on a gun. Senators of both parties are working together on tough new laws to prevent anyone from buying guns for resale to criminals. Police chiefs are asking for our help to get weapons of war and massive ammunition magazines off our streets because these police chiefs, they're tired of seeing their guys and gals being outgunned.

Each of these proposals deserves a vote in Congress. If you want to vote "no," that's your choice. But these proposals deserve a vote. Because in the 2 months since Newtown, more than 1,000 birthdays, graduations, and anniversaries have been stolen from our lives by a bullet from a gun. More than 1,000.

One of those we lost was a young girl named Hadiya Pendleton. She was 15 years old. She loved Fig Newtons and lip gloss. She was a majorette. She was so good to her friends, they all thought they were her best friend. Just 3 weeks ago, she was here, in Washington, with her classmates, performing for her country at my inauguration—and, a week later, she was shot and killed in a Chicago park after school, just a mile away from my house.

Hadiya's parents, Nate and Cleo, are in this Chamber tonight along with more than two dozen Americans whose lives have been torn apart by gun violence. They deserve a vote.

Gabby Giffords deserves a vote.

The families of Newtown deserve a vote.

The families of Aurora deserve a vote.

The families of Oak Creek and Tucson and Blacksburg and the countless other communities ripped open by gun violence—they deserve a simple vote.

They deserve a simple vote.

Our actions will not prevent every senseless act of violence in this country. In fact, no laws, no initiatives, no administrative acts will perfectly solve all of the challenges I've outlined tonight. But we were never sent here to be perfect. We were sent here to make what difference we can—to secure this Nation, expand opportunity, uphold our ideals through the hard, often frustrating, but absolutely necessary work of self-government.

We were sent here to look out for our fellow Americans the same way they look out for one another every single day, usually without fanfare, all across this country. We should follow their example.

We should follow the example of a New York City nurse named Menchu Sanchez. When Hurricane Sandy plunged her hospital into darkness, she wasn't thinking about how her own home was faring. Her mind was on the 20 precious newborns in her care and the rescue plan she devised that kept them all safe.

We should follow the example of a north Miami woman named Desiline Victor. When Desiline arrived at her polling place, she was told the wait to vote might be 6 hours. As time ticked by, her concern was not with her tired body or aching feet, but whether folks like her would get to have their say. Hour after hour, a throng of people stayed in line to support her—because Desiline is 102 years old—and they erupted in cheers when she finally put on a sticker that read, "I voted."

We should follow the example of a police officer named Brian Murphy. When a gunman opened fire on a Sikh temple in Wisconsin and Brian was the first to arrive, he did not consider his own safety. He fought back until help arrived, and ordered his fellow officers to protect the safety of the fellow Americans worshipping inside—even as he lay bleeding from 12 bullet wounds.

And when asked how he did that, Brian said, "That's just the way we're made."

That's just the way we're made.

We may do different jobs and wear different uniforms and hold different views than the person beside us, but as Americans, we all share the same proud title: We are citizens.

It's a word that doesn't just describe our nationality or our legal status. It describes the way we're made. It describes what we believe. It captures the enduring idea that this country only works when we accept certain obligations to one another and to future generations; that our rights are wrapped up in the rights of others; and that well into our third century as a Nation, it remains the task of us all, as citizens of these United States, to be the authors of the next great chapter of our American story.

Thank you. God bless you, and God bless the United States of America.

(Applause, the Members rising.)

At 10 o'clock and 17 minutes p.m., the President of the United States, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Deputy Sergeant at Arms escorted the invited guests from the Chamber in the following order:

The members of the President's Cabinet; the Chief Justice of the United States and the Associate Justices of the Supreme Court; the Dean of the Diplomatic Corps.

The SPEAKER. The Chair declares the joint session of the two Houses now dissolved.

Accordingly, at 10 o'clock and 24 minutes p.m., the joint session of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

MESSAGE OF THE PRESIDENT REFERRED TO THE COMMITTEE OF THE WHOLE HOUSE ON THE STATE OF THE UNION

Mr. CANTOR. Mr. Speaker, I move that the message of the President be referred to the Committee of the Whole House on the state of the Union and ordered printed.

The motion was agreed to.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,

HOUSE OF REPRESENTATIVES,

Washington, DC, February 12, 2013.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 12, 2013 at 4:27 p.m.:

That the Senate passed S. 47.

Appointments:

Commission on Long-Term Care.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON EDUCATION AND THE WORKFORCE FOR THE 113TH CONGRESS

Mr. KLINE. Mr. Speaker, I submit for publication the attached copy of the rules of the Committee on Education and the Workforce for the U.S. House of Representatives for the 113th Congress:

RULE 1. REGULAR, ADDITIONAL, AND SPECIAL MEETINGS

(a) Regular meetings of the Committee shall be held on the second Wednesday of each month at 10:00 a.m., while the House is in session. The Committee shall meet for the

consideration of a bill or resolution pending before the Committee or the transaction of other committee business on regular meeting days fixed by the Committee if notice is given in accordance with paragraph (g)(3) of Rule XI of the Rules of the House of Representatives.

(b) The Chair may call and convene, as he or she considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business.

(c) If at least three members of the Committee desire that a special meeting of the Committee be called by the Chair, those members may file in the offices of the Committee their written request to the Chair for that special meeting. Immediately upon the filing of the request, the staff director of the Committee shall notify the Chair of the filing of the request. If, within three calendar days after the filing of the request, the Chair does not call the requested special meeting to be held within seven calendar days after the filing of the request, a majority of the members of the Committee may file in the offices of the Committee their written notice that a special meeting of the Committee will be held, specifying the date and hour thereof, and the measure or matter to be considered at that special meeting. Immediately upon the filing of the notice, the staff director of the Committee shall notify all members of the Committee that such meeting will be held and inform them of its date and hour and the measure or matter to be considered. Such notice shall also be made publicly available in electronic form and shall satisfy the notice requirements in clause (g)(3)(A)(ii) of Rule XI of the Rules of the House of Representatives. The Committee shall meet on that date and hour and only the measure or matter specified in that notice may be considered at that special meeting.

(d) Legislative meetings of the Committee and its subcommittees shall be open to the public, including radio, television, and still photography coverage, unless such meetings are closed pursuant to the requirements of the Rules of the House of Representatives. No business meeting of the Committee, other than regularly scheduled meetings, may be held without each member being given reasonable notice.

(e) The Chair of the Committee or of a subcommittee, as appropriate, shall preside at meetings or hearings. In the absence of the Chair of the Committee or of a subcommittee, members shall preside as provided in clause 2(d) of Rule XI of the Rules of the House of Representatives. No person other than a Member of Congress or Congressional staff may walk in, stand in, or be seated at the rostrum area during a meeting or hearing of the Committee or subcommittee unless authorized by the Chair.

RULE 2. STANDING SUBCOMMITTEES AND JURISDICTION

(a) There shall be four standing subcommittees. In addition to conducting oversight in the area of their respective jurisdictions as required in clause 2 of Rule X of the Rules of the House of Representatives, each subcommittee shall have the following jurisdiction:

Subcommittee on Early Childhood, Elementary, and Secondary Education.—Education from early learning through the high school level including, but not limited to, elementary and secondary education, special education, homeless education, and migrant education; overseas dependent schools; career and technical education; school safety

and alcohol and drug abuse prevention; school lunch and child nutrition programs; educational research and improvement including the Institute of Education Sciences; environmental education; pre-service and in-service teacher professional development including Title II of the Elementary and Secondary Education Act and Title II of the Higher Education Act; early care and education programs including the Head Start Act and the Child Care and Development Block Grant Act; adolescent development and training programs including, but not limited to, those providing for the care and treatment of certain at-risk youth including the Juvenile Justice and Delinquency Prevention Act and the Runaway and Homeless Youth Act; and all matters dealing with child abuse and domestic violence including the Child Abuse Prevention and Treatment Act and child adoption.

Subcommittee on Higher Education and Workforce Training.—Education and training beyond the high school level including, but not limited to, higher education generally, post-secondary student assistance and employment services, and the Higher Education Act; Title IX of the Education Amendments of 1972; all domestic volunteer programs; all programs related to the arts and humanities, museum and library services, and arts and artifacts indemnity; postsecondary career and technical education, apprenticeship programs, and job training including the Workforce Investment Act, vocational rehabilitation, and training programs from immigration funding; science and technology programs; adult basic education (family literacy); all welfare reform programs including work incentive programs and welfare-to-work requirements; poverty programs including the Community Services Block Grant Act and the Low Income Home Energy Assistance Program (LIHEAP); the Native American Programs Act; the Institute of Peace; and all matters dealing with programs and services for the elderly including nutrition programs and the Older Americans Act.

Subcommittee on Workforce Protections.—Wages and hours of workers including, but not limited to, the Davis-Bacon Act, the Walsh-Healey Act, the Service Contract Act, and the Fair Labor Standards Act; workers' compensation including the Federal Employees' Compensation Act, the Longshore and Harbor Workers' Compensation Act, and the Black Lung Benefits Act; the Migrant and Seasonal Agricultural Worker Protection Act; the Family and Medical Leave Act; the Worker Adjustment and Retraining Notification Act; the Employee Polygraph Protection Act of 1988; trade and immigration issues as they impact employers and workers; workers' safety and health including, but not limited to, occupational safety and health, mine safety and health, and migrant and agricultural worker safety and health; and all matters related to equal employment opportunity and civil rights in employment.

Subcommittee on Health, Employment, Labor, and Pensions.—All matters dealing with relationships between employers and employees including, but not limited to, the National Labor Relations Act, the Labor-Management Relations Act, and the Labor-Management Reporting and Disclosure Act; the Bureau of Labor Statistics; and employment-related health and retirement security including pension, health, and other employee benefits and the Employee Retirement Income Security Act (ERISA).

(b) The majority party members of the Committee may provide for such temporary,

ad hoc subcommittees as determined to be appropriate.

RULE 3. EX OFFICIO MEMBERSHIP

The Chair of the Committee and the ranking minority party member shall be ex officio members, but not voting members, of each subcommittee to which such Chair or ranking minority party member has not been assigned.

RULE 4. SUBCOMMITTEE SCHEDULING

(a) Subcommittee chair shall set meeting or hearing dates after consultation with the Chair and other subcommittee chair with a view toward avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings, wherever possible. No such meetings or hearings, however, shall be held outside of Washington, D.C., or during a recess or adjournment of the House of Representatives without the prior authorization of the Committee Chair. Where practicable, 14 days' notice will be given of such meeting or hearing.

(b) Available dates for subcommittee meetings during the session shall be assigned by the Chair to the subcommittees as nearly as practicable in rotation and in accordance with their workloads. As far as practicable, the Chair shall not schedule simultaneous subcommittee markups, a subcommittee markup during a full Committee markup, or any hearing during a markup.

RULE 5. SUBCOMMITTEE RULES

The rules of the Committee shall be the rules of its subcommittees.

RULE 6. SPECIAL ASSIGNMENT OF MEMBERS

To facilitate the oversight and other legislative and investigative activities of the Committee, the Chair of the Committee may, at the request of a subcommittee chair, make a temporary assignment of any member of the Committee to such subcommittee for the purpose of constituting a quorum and of enabling such member to participate in any public hearing, investigation, or study by such subcommittee to be held outside of Washington, D.C. Any member of the Committee may attend public hearings of any subcommittee and any member of the Committee may question witnesses only when they have been recognized by the Chair for that purpose.

RULE 7. HEARING PROCEDURE

(a) The Chair, in the case of hearings to be conducted by the Committee, and the appropriate subcommittee chair, in the case of hearings to be conducted by a subcommittee, shall make public announcement of the date, place, and subject matter of any hearing to be conducted on any measure or matter at least one week before the commencement of that hearing unless the Chair of the Committee, with the concurrence of the ranking minority member, determines that there is good cause to begin such hearing at an earlier date or the Committee so determines by majority vote in the presence of the number of members required under the rules of the Committee for the transaction of business. In the latter event, the Chair or the subcommittee chair, as the case may be, shall have such an announcement promptly published in the Daily Digest and made publicly available in electronic form. To the extent practicable, the Chair or the subcommittee chair shall make public announcement of the final list of witnesses scheduled to testify at least 48 hours before the commencement of the hearing. The staff director of the Committee shall promptly notify the Daily Digest Clerk of the Congressional Record as soon as practicable after such public announcement is made.

(b) Subcommittees are authorized to hold hearings, receive exhibits, hear witnesses, and report to the Committee for final action, together with such recommendations as may be agreed upon by the subcommittee.

(c) All opening statements at hearings conducted by the Committee or any subcommittee will be made part of the permanent written record. Opening statements by members may not be presented orally, unless the Chair of the Committee or any subcommittee determines that one statement from the Chair or a designee will be presented, in which case the ranking minority party member or a designee may also make a statement. If a witness scheduled to testify at any hearing of the Committee or any subcommittee is a constituent of a member of the Committee or subcommittee, such member shall be entitled to briefly introduce such witness at the hearing.

(d) To the extent practicable, witnesses who are to appear before the Committee or a subcommittee shall file with the staff director of the Committee, at least 48 hours in advance of their appearance, a written statement of their proposed testimony, together with a brief summary thereof, and shall limit their oral presentation to a summary thereof. The staff director of the Committee shall promptly furnish to the staff director of the minority a copy of such testimony submitted to the Committee pursuant to this rule.

(e) When any hearing is conducted by the Committee or any subcommittee upon any measure or matter, the minority party members on the Committee shall be entitled, upon request to the Chair by a majority of those minority party members before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon. The minority party may waive this right by calling at least one witness during a Committee hearing or subcommittee hearing.

(f) In the conduct of hearings of subcommittees sitting jointly, the rules otherwise applicable to all subcommittees shall likewise apply to joint subcommittee hearings for purposes of such shared consideration.

RULE 8. QUESTIONING OF HEARING WITNESSES

(a) Subject to clauses (b), (c), and (d), a Committee member may question hearing witnesses only when the member has been recognized by the Chair for that purpose, and only for a 5-minute period until all members present have had an opportunity to question a witness. The questioning of witnesses in both Committee and subcommittee hearings shall be initiated by the Chair, followed by the ranking minority party member and all other members alternating between the majority and minority party. The Chair shall exercise discretion in determining the order in which members will be recognized. In recognizing members to question witnesses in this fashion, the Chair shall take into consideration the ratio of the majority to minority party members present and shall establish the order of recognition for questioning in such a manner as not to place the members of the majority party in a disadvantageous position.

(b) The Chair may permit a specified number of members to question a witness for longer than five minutes. The time for extended questioning of a witness under this clause shall be equal for the majority party and the minority party and may not exceed one hour in the aggregate.

(c) The Chair may permit Committee staff for the majority and the minority party

members to question a witness for equal specified periods. The time for extended questioning of a witness under this clause shall be equal for the majority party and the minority party and may not exceed one hour in the aggregate.

(d) In an investigative hearing or in an executive session, the Chair's authority to extend questioning under subsection (b) and (c) of this rule shall be equal for the majority and the minority party and may not exceed one hour in the aggregate, and shall only be conducted by counsel for the majority and the minority party when authorized under subsection (c) of this rule.

RULE 9. SUBPOENA AUTHORITY

The power to authorize and issue subpoenas is delegated to the Chair of the full Committee, as provided for under clause 2(m)(3)(A)(i) of Rule XI of the Rules of the House of Representatives. The Chair shall notify the ranking minority member prior to issuing any subpoena under such authority. To the extent practicable, the Chair shall consult with the ranking minority member at least 24 hours in advance of a subpoena being issued under such authority, excluding Saturdays, Sundays, and federal holidays. As soon as practicable after issuing any subpoena under such authority, the Chair shall notify in writing all members of the Committee of the issuance of the subpoena.

RULE 10. DEPOSITION PROCEDURE

(a) In accordance with the Committee receiving authorization by the House of Representatives for the taking of depositions in furtherance of a Committee investigation, the Chair, upon consultation with the ranking minority member, may order the taking of depositions pursuant to notice or subpoena as contemplated by this rule.

(b) The Chair or majority staff shall consult with the ranking minority member or minority staff no less than three business days before any notice or subpoena for a deposition is issued. After such consultation, all members shall receive written notice that a notice or subpoena for a deposition will be issued.

(c) A notice or subpoena issued under this rule shall specify the date, time, and place of the deposition and the method or methods by which the deposition will be recorded. Prior to testifying, a deponent shall be provided with a copy of the Committee's rules, the House Resolution authorizing the taking of the deposition, and Rule X of the Rules of the House of Representatives.

(d)(1) A deposition shall be conducted by one or more members or Committee counsel as designated by the Chair or ranking minority member.

(2) A deposition shall be taken under oath or affirmation administered by a member or a person otherwise authorized to administer oaths and affirmations.

(3) A deposition shall be, unless waived by the deponent, attended by a member of the Committee.

(e) A deponent may be accompanied at a deposition by counsel to advise the deponent of the deponent's rights. Only members and Committee counsel, however, may examine the deponent. No one may be present at a deposition other than members, Committee staff designated by the Chair or ranking minority member, such individuals as may be required to administer the oath or affirmation and transcribe or record the proceedings, the deponent, and the deponent's counsel (including personal counsel and counsel for the entity employing the deponent if the scope of the deposition is ex-

pected to cover actions taken as part of the deponent's employment). Observers or counsel for other persons or entities may not attend.

(f)(1) Unless the majority, minority, and deponent agree otherwise, questions in a deposition shall be propounded in rounds, alternating between the majority and minority. A single round shall not exceed 60 minutes per side, unless the members or counsel conducting the deposition agree to a different length of questioning. In each round, a member or Committee counsel designated by the Chair shall ask questions first, and the member or Committee counsel designated by the ranking minority member shall ask questions second.

(2) Any objection made during a deposition must be stated concisely and in a non-argumentative and non-suggestive manner. Deponent may refuse to answer a question only to preserve a privilege. When the deponent has objected and refused to answer a question to preserve a privilege, the Chair may rule on any such objection after the deposition has adjourned. If the Chair overrules any such objection and thereby orders a deponent to answer any question to which a privilege objection was lodged, such ruling shall be filed with the clerk of the Committee and shall be provided to members and the deponent no less than three days before the ruling is enforced at a reconvened deposition. If a member of the Committee appeals in writing the ruling of the Chair, the appeal shall be preserved for Committee consideration. A deponent who refuses to answer a question after being directed to answer by the Chair in writing may be subject to sanction, except that no sanctions may be imposed if the ruling of the Chair is reversed on appeal. In all cases, when deposition testimony for which an objection has been made is offered for admission in evidence before the Committee, all properly lodged objections then made shall be timely and shall be considered by the Committee prior to admission in evidence before the Committee.

(g) Deposition testimony shall be transcribed by stenographic means and may also be video recorded. The clerk of the Committee shall receive the transcript and any video recording and promptly forward such to minority staff at the same time the clerk distributes such to other majority staff.

(h) The individual administering the oath shall certify on the transcript that the deponent was duly sworn. The transcriber shall certify that the transcript is a true, verbatim record of the testimony, and the transcript and any exhibits shall be filed, as shall any video recording, with the clerk of the Committee. In no case shall any video recording be considered the official transcript of a deposition or otherwise supersede the certified written transcript.

(i) After receiving the transcript, majority staff shall make available the transcript for review by the deponent or deponent's counsel. No later than ten business days thereafter, the deponent may submit suggested changes to the Chair. Committee majority staff may direct the clerk of the Committee to note any typographical errors, including any requested by the deponent or minority staff, via an errata sheet appended to the transcript. Any proposed substantive changes, modifications, clarifications, or amendments to the deposition testimony must be submitted by the deponent as an affidavit that includes the deponent's reasons therefor. Any substantive changes, modifications, clarifications, or amendments shall be included as an appendix to the transcript, a

copy of which shall be promptly forwarded to minority staff.

(j) The Chair and ranking minority member shall consult regarding the release of deposition transcript or electronic recordings. If either objects in writing to a proposed release of a deposition transcript or electronic recording or a portion thereof, the matter shall be promptly referred to the Committee for resolution.

RULE 11. QUORUMS

One-third of the members of the Committee or subcommittee shall constitute a quorum for taking any action other than amending Committee rules, closing a meeting from the public, reporting a measure or recommendation, or in the case of the Committee or a subcommittee authorizing a subpoena. For the enumerated actions, a majority of the Committee or subcommittee shall constitute a quorum. Any two members shall constitute a quorum for the purpose of taking testimony and receiving evidence.

RULE 12. REFERRAL OF BILLS, RESOLUTIONS, AND OTHER MATTERS

(a) The Chair shall consult with subcommittee chair regarding referral to the appropriate subcommittees of such bills, resolutions, and other matters that have been referred to the Committee. Once copies of a bill, resolution, or other matter are available to the Committee, the Chair shall, within three weeks of such availability, provide notice of referral, if any, to the appropriate subcommittee.

(b) Referral to a subcommittee shall not be made until three days have elapsed after written notification of such proposed referral to all subcommittee chairs, at which time such proposed referral shall be made unless one or more subcommittee chair shall have given written notice to the Chair of the full Committee and to the chair of each subcommittee that he or she intends to question such proposed referral at the next regularly scheduled meeting of the Committee, or at a special meeting of the Committee called for that purpose, at which time referral shall be made by the majority members of the Committee. All bills shall be referred under this rule to the subcommittee of proper jurisdiction without regard to whether the author is or is not a member of the subcommittee. Upon a majority vote of the Committee, a bill, resolution, or other matter referred to a subcommittee in accordance with this rule may be recalled at any time for the Committee's direct consideration or for reference to another subcommittee.

(c) The Chair shall announce the date, place, and subject matter of a Committee meeting, which may not commence earlier than the third day on which members have notice thereof; but this requirement may be waived if the Chair of the Committee, with the concurrence of the ranking minority member, determines that there is good cause or the Committee so determines by majority vote in the presence of the number of members required under the rules of the Committee for the transaction of such business.

(d) When a bill or resolution is being considered by the Committee or a subcommittee, members shall provide the clerk in a timely manner a sufficient number of written copies of any amendment offered, so as to enable each member present to receive a copy thereof prior to taking action. A point of order may be made against any amendment not reduced to writing. A copy of each such amendment shall be maintained in the public records of the Committee or subcommittee, as the case may be.

(e) In determining the order in which amendments to a matter pending before the Committee or a subcommittee will be considered, the Chair may give priority to:

- (1) The Chair's mark, and
- (2) Amendments, otherwise in order, that have been filed with the Committee at least 24 hours prior to the Committee or subcommittee business meeting on said measure or matter.

RULE 13. VOTES

(a) With respect to each roll call vote on a motion to report any bill, resolution, or matter of a public character, and on any amendment offered thereto, the total number of votes cast for and against, and the names of those members voting for and against, shall be included in the Committee report on the measure or matter.

(b) In accordance with clause 2(h) of Rule XI of the Rules of the House of Representatives, the Chair of the Committee or a subcommittee is authorized to postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment. Such Chair may resume proceedings on a postponed request at any time after reasonable notice. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

RULE 14. RECORDS AND ROLLCALLS

(a) Written records shall be kept of the proceedings of the Committee and of each subcommittee, including a record of the votes on any question on which a roll call is demanded. The result of each such roll call vote shall be made available by the Committee or subcommittee for inspection by the public at reasonable times in the offices of the Committee or subcommittee and shall be made available on the Committee's website within 48 hours of such record vote. Information so available for public inspection and on the Committee's website shall include a description of the amendment, motion, order, or other proposition; the name of each member voting for and each member voting against such amendment, motion, order, or proposition; and the names of those members present but not voting. The text of an amendment offered to a measure or matter considered in Committee shall be made publicly available in electronic form not later than 24 hours after its final disposition in Committee. A record vote may be demanded by one-fifth of the members present or, in the apparent absence of a quorum, by any one member.

(b) In accordance with Rule VII of the Rules of the House of Representatives, any official permanent record of the Committee (including any record of a legislative, oversight, or other activity of the Committee or any subcommittee) shall be made available for public use if such record has been in existence for 30 years, except that—

(1) any record that the Committee (or a subcommittee) makes available for public use before such record is delivered to the Archivist under clause 2 of Rule VII of the Rules of the House of Representatives shall be made available immediately, including any record described in subsection (a) of this Rule;

(2) any investigative record that contains personal data relating to a specific living individual (the disclosure of which would be an unwarranted invasion of personal privacy), any administrative record with respect to

personnel, and any record with respect to a hearing closed pursuant to clause 2(g)(2) of Rule XI of the Rules of the House of Representatives shall be available if such record has been in existence for 50 years; or

(3) except as otherwise provided by order of the House of Representatives, any record of the Committee for which a time, schedule, or condition for availability is specified by order of the Committee (entered during the Congress in which the record is made or acquired by the Committee) shall be made available in accordance with the order of the Committee.

(c) The official permanent records of the Committee include noncurrent records of the Committee (including subcommittees) delivered by the Clerk of the House of Representatives to the Archivist of the United States for preservation at the National Archives and Records Administration, which are the property of and remain subject to the rules and orders of the House of Representatives.

(d)(1) Any order of the Committee with respect to any matter described in paragraph (2) of this subsection shall be adopted only if the notice requirements of Committee Rule 12(c) have been met, a quorum consisting of a majority of the members of the Committee is present at the time of the vote, and a majority of those present and voting approve the adoption of the order, which shall be submitted to the Clerk of the House of Representatives, together with any accompanying report.

(2) This subsection applies to any order of the Committee which—

(A) provides for the non-availability of any record subject to subsection (b) of this rule for a period longer than the period otherwise applicable; or

(B) is subsequent to, and constitutes a later order under clause 4(b) of Rule VII of the Rules of the House of Representatives, regarding a determination of the Clerk of the House of Representatives with respect to authorizing the Archivist of the United States to make available for public use the records delivered to the Archivist under clause 2 of Rule VII of the Rules of the House of Representatives; or

(C) specifies a time, schedule, or condition for availability pursuant to subsection (b)(3) of this Rule.

RULE 15. REPORTS

(a) Reports of the Committee. All Committee reports on bills or resolutions shall comply with the provisions of clause 2 of Rule XI and clauses 2, 3, and 4 of Rule XIII of the Rules of the House of Representatives.

(1) No such report shall be filed until copies of the proposed report have been available to all members at least 36 hours prior to such filing in the House of Representatives. No material change shall be made in the report distributed to members unless agreed to by the ranking minority member; but any member or members of the Committee may file, as part of the printed report, individual, minority, or dissenting views, without regard to the preceding provisions of this rule.

(2) Such 36-hour period shall not conclude earlier than the end of the period provided under clause 4 of Rule XIII of the Rules of the House of Representatives after the Committee approves a measure or matter if a member, at the time of such approval, gives notice of intention to file supplemental, minority, or additional views for inclusion as part of the printed report.

(3) To the extent practicable, any report prepared pursuant to a Committee or subcommittee study or investigation shall be available to members no later than 48 hours

prior to consideration of any such report by the Committee or subcommittee, as the case may be.

(b) Disclaimers.

(1) A report on activities of the Committee required under clause 1 of Rule XI of the Rules of the House of Representatives shall include the following disclaimer in the document transmitting the report to the Clerk of the House of Representatives:

This report has not been officially adopted by the Committee on Education and the Workforce or any subcommittee thereof and therefore may not necessarily reflect the views of its members.

Such disclaimer need not be included if the report was circulated to all members of the Committee at least 7 days prior to its submission to the House of Representatives and provision is made for the filing by any member, as part of the printed report, of individual, minority, or dissenting views.

(2) All Committee or subcommittee reports printed pursuant to legislative study or investigation and not approved by a majority vote of the Committee or subcommittee, as appropriate, shall contain the following disclaimer on the cover of such report:

This report has not been officially adopted by the Committee on Education and the Workforce (or pertinent subcommittee thereof) and therefore may not necessarily reflect the views of its members.

The minority party members of the Committee or subcommittee shall have three calendar days, excluding weekends and holidays, to file, as part of the printed report, supplemental, minority, or additional views.

(c) Reports of Subcommittees. Whenever a subcommittee has ordered a bill, resolution, or other matter to be reported to the Committee, the chair of the subcommittee reporting the bill, resolution, or matter to the Committee, or any member authorized by the subcommittee to do so, may report such bill, resolution, or matter to the Committee. It shall be the duty of the chair of the subcommittee to report or cause to be reported promptly such bill, resolution, or matter, and to take or cause to be taken the necessary steps to bring such bill, resolution, or matter to a vote.

(1) In any event, the report, described in the proviso in subsection (c)(2) of this rule, of any subcommittee on a measure which has been approved by the subcommittee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the staff director of the Committee a written request, signed by a majority of the members of the subcommittee, for the reporting of that measure. Upon the filing of any such request, the staff director of the Committee shall transmit immediately to the chair of the subcommittee a notice of the filing of that request.

(2) Bills, resolutions, or other matters favorably reported by a subcommittee shall automatically be placed upon the agenda of the Committee as of the time they are reported. No bill or resolution or other matter reported by a subcommittee shall be considered by the full Committee unless it has been delivered or electronically sent to all members and notice of its prior transmission has been in the hands of all members at least 48 hours prior to such consideration. A member of the Committee shall receive, upon his or her request, a paper copy of such bill, resolution, or other matter reported. When a bill is reported from a subcommittee, such measure shall be accompanied by a section-by-section analysis; and, if the Chair of the Committee

so requires (in response to a request from the ranking minority member of the Committee or for other reasons), a comparison showing proposed changes in existing law.

RULE 16. APPOINTMENT OF CONFEREES, NOTICE OF CONFERENCE MEETINGS, AND CONFERENCE MOTION

(a) Whenever in the legislative process it becomes necessary to appoint conferees, the Chair shall recommend to the Speaker as conferees the names of those members of the subcommittee which handled the legislation in the order of their seniority upon such subcommittee and such other Committee members as the Chair may designate with the approval of the majority party members. Recommendations of the Chair to the Speaker shall provide a ratio of majority party members to minority party members no less favorable to the majority party than the ratio of majority members to minority party members on the full Committee. In making assignments of minority party members as conferees, the Chair shall consult with the ranking minority party member of the Committee.

(b) After the appointment of conferees pursuant to clause 11 of Rule I of the Rules of the House of Representatives for matters within the jurisdiction of the Committee, the Chair shall notify all members appointed to the conference of meetings at least 48 hours before the commencement of the meeting. If such notice is not possible, then notice shall be given as soon as possible.

(c) The Chair is directed to offer a motion under clause 1 of Rule XXII of the Rules of the House of Representatives whenever the Chair considers it appropriate.

RULE 17. MEASURES TO BE CONSIDERED UNDER SUSPENSION

A member of the Committee may not seek to suspend the Rules of the House of Representatives on any bill, resolution, or other matter which has been modified after such measure is ordered reported, unless notice of such action has been given to the Chair and ranking minority member of the full Committee.

RULE 18. BROADCASTING OF COMMITTEE HEARINGS AND MEETINGS

(a) Television, Radio and Still Photography.—

(1) Whenever a hearing or meeting conducted by the Committee or any subcommittee is open to the public, those proceedings shall be open to coverage by television, radio, and still photography subject to the requirements of clause 4 of Rule XI of the Rules of the House of Representatives and except when the hearing or meeting is closed pursuant to the Rules of the House of Representatives and of the Committee. The coverage of any hearing or meeting of the Committee or any subcommittee thereof by television, radio, or still photography shall be under the direct supervision of the Chair of the Committee, the subcommittee chair, or other member of the Committee presiding at such hearing or meeting and may be terminated by such member in accordance with the Rules of the House of Representatives.

(2) Personnel providing coverage by the television and radio media shall be then currently accredited to the Radio and Television Correspondents' Galleries.

(3) Personnel providing coverage by still photography shall be then accredited to the Press Photographers' Gallery.

(b) Audio and Video Coverage of Committee Hearings and Meetings.—To the maximum extent practicable, the Committee shall provide audio and video coverage of

each hearing or meeting for the transaction of business in a manner that allows the public to easily listen to and view the proceedings and shall maintain the recordings of such coverage in a manner that is easily accessible to the public. Such coverage shall be fair and nonpartisan in accordance with clause 4(b) of Rule XI of the Rules of the House of Representatives and other applicable rules of the House of Representatives and of the Committee. Personnel providing such coverage shall be employees of the House of Representatives or currently accredited to the Radio and Television Correspondents' Galleries.

RULE 19. COMMITTEE STAFF

(a) The employees of the Committee shall be appointed by the Chair in consultation with subcommittee chair and other majority party members of the Committee within the budget approved for such purposes by the Committee.

(b) The staff appointed by the minority shall have their remuneration determined in such manner as the minority party members of the Committee shall determine within the budget approved for such purposes by the Committee.

RULE 20. SUPERVISION AND DUTIES OF COMMITTEE STAFF

The staff of the Committee shall be under the general supervision and direction of the Chair, who shall establish and assign the duties and responsibilities of such staff members and delegate authority as he or she determines appropriate. The staff appointed by the minority shall be under the general supervision and direction of the minority party members of the Committee, who may delegate such authority as they determine appropriate. All Committee staff shall be assigned to Committee business and no other duties may be assigned to them.

RULE 21. AUTHORIZATION FOR TRAVEL

(a) Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, the provisions of this rule shall govern travel of Committee members and staff. Travel to be paid from funds set aside for the full Committee for any member or any staff member shall be paid only upon the prior authorization of the Chair. Travel may be authorized by the Chair for any member and any staff member in connection with the attendance of hearings conducted by the Committee or any subcommittee thereof and meetings, conferences, and investigations that involve activities or subject matter under the general jurisdiction of the Committee. The Chair shall review travel requests to assure the validity to Committee business. Before such authorization is given, there shall be submitted to the Chair in writing the following:

- (1) The purpose of the travel;
- (2) The dates during which the travel is to be made and the date or dates of the event for which the travel is being made;
- (3) The location of the event for which the travel is to be made; and
- (4) The names of members and staff seeking authorization. (b)(1) In the case of travel outside the United States of members and staff of the Committee for the purpose of conducting hearings, investigations, studies, or attending meetings and conferences involving activities or subject matter under the legislative assignment of the Committee or pertinent subcommittees, prior authorization must be obtained from the Chair, or, in the case of a subcommittee, from the subcommittee chair and the Chair. Before such

authorization is given, there shall be submitted to the Chair, in writing, a request for such authorization. Each request, which shall be filed in a manner that allows for a reasonable period of time for review before such travel is scheduled to begin, shall include the following:

- (A) The purpose of travel;
- (B) The dates during which the travel will occur;
- (C) The names of the countries to be visited and the length of time to be spent in each;

(D) an agenda of anticipated activities for each country for which travel is authorized together with a description of the purpose to be served and the areas of Committee jurisdiction involved; and

(E) The names of members and staff for whom authorization is sought.

(2) Requests for travel outside the United States may be initiated by the Chair or the chair of a subcommittee (except that individuals may submit a request to the Chair for the purpose of attending a conference or meeting) and shall be limited to members and permanent employees of the Committee.

(3) The Chair shall not approve a request involving travel outside the United States while the House is in session (except in the case of attendance at meetings and conferences or where circumstances warrant an exception).

(4) At the conclusion of any hearing, investigation, study, meeting, or conference for which travel outside the United States has been authorized pursuant to this rule, each subcommittee (or members and staff attending meetings or conferences) shall submit a written report to the Chair covering the activities of the subcommittee and containing the results of these activities and other pertinent observations or information gained as a result of such travel.

(c) Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, or regulations of the House of Representatives and of the Committee on House Administration pertaining to such travel, including rules, procedures, and limitations prescribed by the Committee on House Administration with respect to domestic and foreign expense allowances.

(d) Prior to the Chair's authorization for any travel, the ranking minority party member shall be given a copy of the written request therefor.

RULE 22. BUDGET AND EXPENSES

(a) The Chair, in consultation with the majority party members of the Committee, shall prepare a preliminary budget. Such budget shall include necessary amounts for staff personnel, for necessary travel, investigation, and other expenses of the Committee; and, after consultation with the minority party membership, the Chair shall include amounts budgeted to the minority party members for staff personnel to be under the direction and supervision of the minority party, travel expenses of minority party members and staff, and minority party office expenses. All travel expenses of minority party members and staff shall be paid for out of the amounts so set aside and budgeted. The Chair shall take whatever action is necessary to have the budget as finally approved by the Committee duly authorized by the House of Representatives. After such budget shall have been adopted, no change shall be made in such budget unless approved by the Committee. The Chair or the chair of any standing subcommittee may initiate necessary travel requests as provided in

Committee Rule 21 within the limits of their portion of the consolidated budget as approved by the House, and the Chair may execute necessary vouchers therefor.

(b) Subject to the Rules of the House of Representatives and procedures prescribed by the Committee on House Administration, and with the prior authorization of the Chair of the Committee in each case, there may be expended in any one session of Congress for necessary travel expenses of witnesses attending hearings in Washington, D.C.:

(1) Out of funds budgeted and set aside for each subcommittee, not to exceed \$5,000 for expenses of witnesses attending hearings of each such subcommittee;

(2) Out of funds budgeted for the full Committee majority, not to exceed \$5,000 for expenses of witnesses attending full Committee hearings; and

(3) Out of funds set aside to the minority party members, (A) Not to exceed, for each of the subcommittees, \$5,000 for expenses of witnesses attending subcommittee hearings, and (B) Not to exceed \$5,000 for expenses of witnesses attending full Committee hearings.

(c) A full and detailed monthly report accounting for all expenditures of Committee funds shall be maintained in the Committee office, where it shall be available to each member of the Committee. Such report shall show the amount and purpose of each expenditure, and the budget to which such expenditure is attributed.

RULE 23. CHANGES IN COMMITTEE RULES

The Committee shall not consider a proposed change in these rules unless the text of such change has been delivered or electronically sent to all members and notice of its prior transmission has been in the hands of all members at least 48 hours prior to such consideration; a member of the Committee shall receive, upon his or her request, a paper copy of the proposed change.

ADJOURNMENT

Mr. CANTOR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 25 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, February 13, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

247. A letter from the Secretary, Department of the Treasury, transmitting the annual report on the operations of the Exchange Stabilization Fund (ESF) for Fiscal Year 2012, pursuant to 31 U.S.C. 5302(c)(2); to the Committee on Financial Services.

248. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Cargolux Airlines International S.A. of Findel, Luxembourg pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

249. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Turk Hava Yollari, A.O. of Istanbul, Tur-

key pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

250. A letter from the Inspector General, Federal Deposit Insurance Corporation, transmitting a report entitled, "Comprehensive Study on the Impact of the Failure of Insured Depository Institutions"; to the Committee on Financial Services.

251. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Appraisals for Higher-Priced Mortgage Loans (RIN: 2590-AA58) received January 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

252. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Current Good Manufacturing Practice Requirements for Combination Products [Docket No.: FDA-2009-N-0435] received January 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

253. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Hebbronville, Texas) [MB Docket No.: 11-38] (RM-11621) received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

254. A letter from the Chief, Broadband Division, Wireless Communications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Service Rules for Advanced Wireless Services in the 2000-2020 MHz and 2180-2200 MHz Bands; Fixed and Mobile Services in the Mobile Satellite Service Bands at 1525-1559 MHz and 1626.5-1660.5 MHz, 1610-1626.5 MHz and 2483.5-2500 MHz and 2000-2020 MHz and 2180-2200 MHz; Service Rules for Advanced Wireless Services in the 1915-1920, MHz, 1995-2000 MHz, 2020-2025 MHz and 2175-2180 MHz Bands [WT Docket No.: 12-70] [ET Docket No.: 10-142] [WT Docket No.: 04-356] received January 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

255. A letter from the Deputy Division Chief, Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Special Access for Price Cap Local Exchange Carriers; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services [WC Docket No.: 05-25] (RM-10593) received January 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

256. A letter from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Rural Health Care Support Mechanism [WC Docket No.: 02-60] received January 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

257. A letter from the Chief of Staff, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of the Commission's Rules Concerning Commercial Radio Operators [WT Docket No.: 10-177] received January 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

258. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's

final rule — Dispositioning Boiling Water Reactor Licensee Noncompliance with Technical Specification Containment Requirements During Operations with a Potential for Draining the Reactor Vessel [EGM 11-003, Revision 1] received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

259. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Dispositioning Violations of Nuclear Regulatory Commission Requirements Implementing the Decommissioning Planning Rule [EGM-12-002] received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

260. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Interim Staff Guidance Japan Lessons-Learned Project Directorate Guidance for Performing a Tsunami, Surge, or Seiche Hazard Assessment [JLD-12-006] received January 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

261. A letter from the Director, Defense Security Cooperation Agency, transmitting the Agency's reports containing the September 30, 2012, status of loans and guarantees issued under Section 25(a)(11) of the Arms Export Control Act; to the Committee on Foreign Affairs.

262. A letter from the Special Inspector General for Afghanistan Reconstruction, transmitting the eighteenth quarterly report on the Afghanistan Reconstruction; to the Committee on Foreign Affairs.

263. A letter from the Federal Co-Chair, Appalachian Regional Commission, transmitting the Commission's semiannual report from the office of the Inspector General for the period April 1, 2012 through September 30, 2012; to the Committee on Oversight and Government Reform.

264. A letter from the Director of Congressional Affairs, Central Intelligence Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

265. A letter from the Attorney-Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

266. A letter from the Secretary of the Board of Governors, Postal Service, transmitting the Service's report, as required by Section 3686(c) of the Postal Accountability and Enhancement Act of 2006; to the Committee on Oversight and Government Reform.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BLUMENAUER (for himself, Mr. MARKEY, Ms. SCHAKOWSKY, Mr. CONYERS, Ms. PINGREE of Maine, Ms. NORTON, Ms. MCCOLLUM, Mr. DEFazio, Ms. SLAUGHTER, Mr. NADLER, Ms. DELAuro, Mr. MORAN, Mr. GRIJALVA, Mr. POLIS, Ms. TSONGAS, Mr. LANGEVIN, Ms. LEE of California, Mr. QUIGLEY, Mr. CICILLINE, Ms. SPEIER, Mr. VAN HOLLEN, Mr. MCGOVERN, Mr. WELCH, Mr. CONNOLLY, Mr. HONDA, Mrs. CAPPS, and Mr. WAXMAN):

H.R. 609. A bill to amend the Internal Revenue Code of 1986 to repeal fossil fuel subsidies for large oil companies; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey (for himself, Mr. WOLF, Mr. GIBSON, and Mr. PETERSON):

H.R. 610. A bill to provide for the establishment of the Tick-Borne Diseases Advisory Committee; to the Committee on Energy and Commerce.

By Mr. SMITH of New Jersey (for himself, Mr. WOLF, Mr. GIBSON, and Mr. PETERSON):

H.R. 611. A bill to provide for the expansion of Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme and other tick-borne diseases, including the establishment of a Tick-Borne Diseases Advisory Committee; to the Committee on Energy and Commerce.

By Mr. MICHAUD (for himself, Mr. RIBBLE, Mr. WALZ, Mr. SIMPSON, Mr. SCHRADER, and Mr. YOUNG of Alaska):

H.R. 612. A bill to amend title 23, United States Code, with respect to vehicle weight limitations applicable to the Interstate System, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMPBELL:

H.R. 613. A bill to establish a market-based trigger to determine the capital adequacy of bank holding companies and decrease systemic risk, and for other purposes; to the Committee on Financial Services.

By Mr. FATTAH:

H.R. 614. A bill to establish the Commission on American Discoveries and American Jobs to study and recommend improvements to the Federal funding of research; to the Committee on Science, Space, and Technology.

By Mr. HONDA (for himself, Mr. CICILLINE, Mr. CONYERS, Mr. GRIJALVA, and Mr. MICHAUD):

H.R. 615. A bill to amend the Internal Revenue Code of 1986 to provide market-based manufacturing incentives, and for other purposes; to the Committee on Ways and Means.

By Mr. HONDA (for himself and Mr. CARNEY):

H.R. 616. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for qualified manufacturing facility construction costs; to the Committee on Ways and Means.

By Mr. MCKINLEY (for himself, Mr. RAHALL, and Mrs. CAPITO):

H.R. 617. A bill to designate the Federal Building and United States Courthouse located at 1125 Chapline Street in Wheeling, West Virginia, as the "Frederick P. Stamp, Jr. Federal Building and United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. MICHAUD (for himself, Mr. PRICE of North Carolina, Ms. BORDALLO, and Ms. PINGREE of Maine):

H.R. 618. A bill to authorize the Secretary of Education to enter into voluntary, flexible agreements with certain guarantee agencies to provide delinquency prevention and default aversion services for borrowers and potential borrowers of Federal Direct Loans under the Higher Education Act of 1965, and for other purposes; to the Committee on Education and the Workforce.

By Mr. NADLER:

H.R. 619. A bill to amend title 18, United States Code, to place limitations on the possession, sale, and other disposition of a firearm by persons convicted of misdemeanor sex offenses against children; to the Committee on the Judiciary.

By Ms. NORTON:

H.R. 620. A bill to designate the Rachel Carson Nature Trail, and for other purposes; to the Committee on Natural Resources.

By Mr. POE of Texas (for himself, Mr. CONAWAY, Mr. GOHMERT, Mr. LATTI, Mr. DUNCAN of South Carolina, and Mrs. BLACK):

H.R. 621. A bill to prohibit funding for the Environmental Protection Agency to be used to implement or enforce a cap-and-trade program for greenhouse gases, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SABLON (for himself, Mr. HOLT, Mr. PIERLUISI, Ms. BORDALLO, Mr. YOUNG of Alaska, Mr. GRIJALVA, Mr. FALEOMAVAEGA, and Mr. HONDA):

H.R. 622. A bill to direct the Secretary of the Interior to develop, maintain, and administer an annex in Tinian, Commonwealth of the Northern Mariana Islands, as an extension of the American Memorial Park located in Saipan, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 623. A bill to provide for the conveyance of certain property located in Anchorage, Alaska, from the United States to the Alaska Native Tribal Health Consortium; to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARR (for himself and Mr. MCKINLEY):

H.J. Res. 26. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of consecutive terms that a Member of Congress may serve; to the Committee on the Judiciary.

By Mr. AL GREEN of Texas (for himself, Ms. BASS, Mrs. BEATTY, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Mr. CARSON of Indiana, Ms. CLARKE, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. CONYERS, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Ms. EDWARDS, Ms. FUDGE, Mr. HASTINGS of Florida, Mr. HINOJOSA, Mr. HONDA, Ms. JACKSON LEE, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. LEE of California, Mr. LEWIS, Mr. MEEKS, Ms. MOORE, Ms. NORTON, Mr. PASTOR of Arizona, Mr. PAYNE, Mr. RANGEL, Mr. RICHMOND, Mr. RUSH, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Ms. SEWELL of Alabama, Mr. THOMPSON of Mississippi, Mr. VEASEY, Ms. WATERS, Mr. WATT, Ms. WILSON of Florida, and Mr. BUTTERFIELD):

H. Con. Res. 12. Concurrent resolution honoring and praising the National Association for the Advancement of Colored People on the occasion of its 104th anniversary; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey:

H. Res. 62. A resolution expressing the sense of the House of Representatives that the Secretary of State should seek to amend Article 22 of the Statute of the International

Court of Justice to move the seat of the Court from the Netherlands; to the Committee on Foreign Affairs.

By Mr. ANDREWS:

H. Res. 63. A resolution expressing support for designation of the first Saturday in October as "National Animal Rescue Day/Winslow's Day" to create awareness, educate humans of the importance of adoption, and create a humane environment for any pet, including the importance of spaying and neutering of animals, and the encouragement of animal adoptions throughout the United States; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BLUMENAUER:

H.R. 609.

Congress has the power to enact this legislation pursuant to the following:

The Constitution of the United States provides clear authority for Congress to pass legislation regarding income taxes. Article I of the Constitution, in detailing Congressional authority, provides that "Congress shall have Power to lay and collect Taxes . . ." (Section 8, Clause 1). Further clarifying Congressional power to enact an income tax, voters amended the Constitution by popular vote to provide that "Congress shall have power to lay and collect taxes on incomes, from whatever source derived. . . ." (Sixteenth Amendment).

By Mr. SMITH of New Jersey:

H.R. 610.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill is based is Congress's power under Article I, Section 8, Clause I of the Constitution.

By Mr. SMITH of New Jersey:

H.R. 611.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill is based is Congress's power under Article I, Section 8, Clause I of the Constitution.

By Mr. MICHAUD:

H.R. 612.

Congress has the power to enact this legislation pursuant to the following:

The power granted to Congress under Article I, Section 8, Clause 3 of the Constitution.

By Mr. CAMPBELL:

H.R. 613.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution of the United States.

Mr. FATTAH:

H.R. 614.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. HONDA:

H.R. 615.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. HONDA:

H.R. 616.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. MCKINLEY:

H.R. 617.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 and Article 1, Section 8, Clause 17 of the Constitution.

By Mr. MICHAUD:

H.R. 618.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. NADLER:

H.R. 619.

Congress has the power to enact this legislation pursuant to the following:

clauses 3 and 18 of section 8 of article I of the Constitution.

By Ms. NORTON:

H.R. 620.

Congress has the power to enact this legislation pursuant to the following:

clause 2 of section 3 of article IV of the Constitution.

By Mr. POE of Texas:

H.R. 621.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 7, of Article 1 of the United States Constitution.

Clause 7, Section 9, of Article 1 of the United States Constitution.

By Mr. SABLAN:

H.R. 622.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, section 8, clause 3 and Article IV, section 3, clause 2 of the Constitution.

By Mr. YOUNG of Alaska:

H.R. 623.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 and Article 1, Section 8, Clause 3.

By Mr. BARR:

H.J. Res. 26.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority for this bill is stated in Article V of the U.S. Constitution, which establishes the method for enacting amendments to the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 11: Mr. WALZ, Mr. GUTIERREZ, Mr. ANDREWS, Mr. BUTTERFIELD, Mr. RAHALL, Mr. BISHOP of Georgia, Mr. THOMPSON of Mississippi, Mr. PERLMUTTER, Mr. VEASEY, Mr. THOMPSON of California, Mr. BECERRA, Mr. GALLEGOS, and Mr. NEAL.

H.R. 22: Mr. COBLE.

H.R. 25: Mr. YOHO.

H.R. 61: Mr. GOWDY and Mr. DESJARLAIS.

H.R. 69: Mr. HUFFMAN and Mrs. CAPPS.

H.R. 71: Mrs. CAPPS.

H.R. 111: Mr. FATTAH, Mr. GUTIERREZ, Ms. BORDALLO, Mr. MORAN, Mr. CICILLINE, and Mr. SABLAN.

H.R. 129: Mr. PETERSON.

H.R. 134: Mr. MICHAUD.

H.R. 147: Mr. LUETKEMEYER.

H.R. 163: Mr. LEVIN.

H.R. 164: Mr. LONG, Mr. MICHAUD, Mr. STIVERS, Mr. RYAN of Ohio, and Mr. TAKANO.

H.R. 182: Mr. DEUTCH, Mr. NADLER, Mr. JONES, and Mrs. NAPOLITANO.

H.R. 183: Mr. RUNYAN, Mr. PIERLUISI, Mr. CONNOLLY, Mr. LOBIONDO, Mr. LANCE, Mr. HASTINGS of Florida, Ms. NORTON, Mr. LOEBBACH, Mr. SCHIFF, Mr. HANNA, Mr. WHITFIELD, Mr. HIMES, Mr. CICILLINE, and Mrs. MCCARTHY of New York.

H.R. 191: Mr. JONES.

H.R. 194: Ms. SHEA-PORTER.

H.R. 207: Mr. ROSS and Mr. LATHAM.

H.R. 233: Mr. MCGOVERN and Mr. ELLISON.

H.R. 239: Mr. CHAFFETZ.

H.R. 241: Mr. WITTMAN.

H.R. 262: Mr. BACHUS and Ms. LEE of California.

H.R. 273: Mr. POSEY, Mr. SAM JOHNSON of Texas, Mr. BENISHEK, Mrs. HARTZLER, Mr. NUNNELEE, Mr. GRIFFIN of Arkansas, and Mr. WOMACK.

H.R. 282: Ms. FOXX and Mr. WALDEN.

H.R. 283: Ms. HERRERA BEUTLER and Mr. ROKITA.

H.R. 288: Mr. PASTOR of Arizona and Mr. MORAN.

H.R. 300: Mrs. DAVIS of California and Mr. GOHMERT.

H.R. 301: Mr. PITTENGER.

H.R. 317: Mr. MCCLINTOCK.

H.R. 321: Ms. BASS, Mr. VARGAS, Mr. COHEN, Mr. CARSON of Indiana, and Mrs. NEGRETE MCLEOD.

H.R. 322: Mr. HALL and Mr. OWENS.

H.R. 324: Mrs. NEGRETE MCLEOD.

H.R. 334: Mrs. BLACK, Mr. FRANKS of Arizona, and Mr. CRAMER.

H.R. 335: Mr. AL GREEN of Texas, Ms. BROWNLEY of California, Ms. MOORE, Mr. MURPHY of Florida, Mr. RENACCI, and Mr. PALAZZO.

H.R. 341: Mr. SARBANES and Mr. COHEN.

H.R. 348: Ms. LEE of California, Mr. GRIJALVA, Mr. ELLISON, and Ms. LINDA T. SANCHEZ of California.

H.R. 351: Mr. GOODLATTE, Mr. SESSIONS, and Mr. YOUNG of Indiana.

H.R. 360: Mrs. CAROLYN B. MALONEY of New York, Mr. BECERRA, Mr. COHEN, Ms. BASS, Mr. VELA, and Mrs. NEGRETE MCLEOD.

H.R. 367: Mr. RIGELL, Mr. DIAZ-BALART, and Mrs. WALORSKI.

H.R. 376: Mr. VARGAS, Mr. HOLT, Mr. POLIS, and Ms. NORTON.

H.R. 463: Mr. JONES and Mr. WESTMORELAND.

H.R. 482: Mr. DEUTCH.

H.R. 485: Ms. KAPTUR, Ms. SHEA-PORTER, and Mr. HASTINGS of Florida.

H.R. 492: Mr. HUIZENGA of Michigan.

H.R. 494: Mr. LEWIS, Mr. THOMPSON of Pennsylvania, Mr. RANGEL, and Mr. COFFMAN.

H.R. 496: Mrs. BLACK, Mr. TIBERI, and Ms. BORDALLO.

H.R. 497: Mr. BUCSHON.

H.R. 503: Mr. CARSON of Indiana and Mr. CRAMER.

H.R. 507: Mr. FRANKS of Arizona and Mr. GOSAR.

H.R. 520: Mr. VARGAS, Mr. BUTTERFIELD, Mr. CARSON of Indiana, and Ms. MCCOLLUM.

H.R. 523: Mr. MCCLINTOCK, Mr. BILIRAKIS, Mrs. MCCARTHY of New York, Mr. REED, Mr. HALL, Mr. CRAMER, and Mr. MEADOWS.

H.R. 543: Mr. GUTIERREZ, Mr. CARSON of Indiana, Mr. OWENS, Mr. AL GREEN of Texas, Mr. HIGGINS, Mr. CONNOLLY, and Mr. JONES.

H.R. 544: Mrs. MORRIS RODGERS.

H.R. 555: Mr. THORNBERRY.

H.R. 557: Mr. HUIZENGA of Michigan, Mr. PITTS, and Mr. CRAMER.

H.R. 563: Mr. CARSON of Indiana.

H.R. 567: Mr. RIBBLE, Mr. HARPER, and Mr. MCCLINTOCK.

H.R. 571: Mr. JONES.

H.R. 572: Mr. JONES.

H.R. 574: Mr. BRADY of Pennsylvania and Mr. SCHRADER.

H.R. 578: Mrs. HARTZLER, Mr. BUCSHON, Mr. STOCKMAN, and Mr. THORNBERRY.

H.R. 580: Mr. DAINES, Mr. COTTON, Mr. CRAMER, and Mr. MULLIN.

H.R. 582: Mr. MCCLINTOCK, Mr. ROKITA, and Mr. FLORES.

H.R. 584: Ms. BORDALLO, Mr. MORAN, Ms. PINGREE of Maine, Ms. SLAUGHTER, Ms. MCCOLLUM, and Mrs. CAPPS.

H.R. 588: Mr. DUNCAN of Tennessee, Mr. MICHAUD, Mr. SABLAN, and Mr. COFFMAN.

H.R. 592: Mr. ENGEL, Mr. GRIMM, Mr. JEFFRIES, Mr. LOBIONDO, Mrs. MCCARTHY of New York, Mr. FRANKS of Arizona, and Mr. PASCRELL.

H.R. 595: Mr. COBLE, Ms. FUDGE, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 607: Mr. JONES, Mr. HALL, and Mr. WESTMORELAND.

H.J. Res. 25: Mr. MORAN, Mr. PETERS of California, Mr. FARR, and Mr. KEATING.

H. Con. Res. 8: Mr. NUNNELEE.

H. Res. 10: Mr. DANNY K. DAVIS of Illinois, Mr. HASTINGS of Florida, Mr. SCOTT of Virginia, Mrs. CHRISTENSEN, Mr. CONNOLLY, Ms. MOORE, Mr. RANGEL, Mr. CUMMINGS, Ms. BROWN of Florida, Mr. VARGAS, and Mr. RYAN of Ohio.

H. Res. 24: Mr. NEUGEBAUER, Mrs. LUMMIS, Mr. FORBES, Mr. GRAVES of Missouri, Mr. COSTA, Mr. DUNCAN of South Carolina, Mr. CRAMER, Ms. BROWNLEY of California, and Mr. COTTON.

H. Res. 36: Mr. FORBES, Mr. BENISHEK, Mr. HUELSKAMP, Mr. CULBERSON, and Mr. BRIDENSTINE.

H. Res. 41: Mr. HIMES.

H. Res. 60: Mr. CUMMINGS, Mr. ELLISON, Ms. MCCOLLUM, and Mr. RYAN of Ohio.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. ISSA

The provisions that warranted a referral to the Committee on Oversight and Government Reform in H.R. 273 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

SENATE—Tuesday, February 12, 2013

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, every day Your hand of grace is upon us. Not a moment goes by that is not touched by Your providence. Give our Senators today tongues to speak Your truth and the hearts to do Your will. Lord, give them such a transcendent spirit that they will unleash redemptive forces to transform lives. Give them also the light of truth to show them where they ought to go. Make them faithful stewards of their time, talents, and testimony as they seek to live for Your glory.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable PATRICK J. LEAHY led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Following leader remarks, the Senate will resume consideration of S. 47, the Violence Against Women Act. Time until 11 a.m. will be equally divided and controlled between the two leaders or their designees.

At 11 a.m. there will be up to six rollcall votes in order to complete action on this legislation. Following disposition of VAWA, the Violence Against Women Act, we will recess until 2:15 p.m. to allow for the weekly caucus meetings.

The State of the Union Address is this evening. Senators will gather at 8:20 p.m. tonight in this Chamber in order to proceed as a body to the House of Representatives, where the speech will be given.

There are up to six rollcall votes remaining: the Leahy amendment dealing with sex trafficking, the Portman amendment dealing with sex trafficking, the Murkowski amendment dealing with tribal protections, the Coburn amendment dealing with consolidation of DOJ rape programs, the

Coburn amendment dealing with notice to victims and, most importantly, final passage of this legislation.

We are still working on some committee hearings that are creating some conflict, and we are going to see if we can work something out. At this stage we have not done that. Unless we ask the Senate to change the voting order, we will have those votes starting at 11 o'clock today.

STATE OF THE UNION

Four years ago, as newly elected President of the United States, Barack Obama prepared to deliver his first address to a joint session of Congress. The country at that time was in the midst of a grave crisis. Our economy had been shaken to its core by a financial crisis sparked by Wall Street greed. Millions of Americans had lost their jobs, their homes, and their hope.

President Obama predicted America would rise to meet the challenges of the day. He said:

We will rebuild, we will recover, and the United States of America will emerge stronger than before. The weight of this crisis will not determine the destiny of this Nation.

Four years later we can say with certainty he was right. Over the last 35 months, American businesses have created more than 6.1 million jobs—6.1 million jobs—including hundreds of thousands of jobs in manufacturing in the auto industry. As a matter of fact, the figures are staggering. Five hundred thousand manufacturing jobs have been added, and 1 million jobs have been saved due to the President's auto rescue program. That is a fairly significant change.

We still have a long way to go to get back to full strength, and there are still too many Americans out of work. We made solid progress in the last 4 years, but we have a long way to go. The depth of the crisis did not determine our destiny. Instead, determination drove us to prosper again. We are faced with an opportunity disguised as a challenge. We must build on this progress, fostering a lasting recovery that ensures Americans' success is determined by the strength of their will, not the size of their wallet.

Tonight, President Obama will chart a course to maintain the economic progress we made and revitalize the still struggling middle class. I look forward to hearing his vision. I expect the President will call for commonsense investments in our future. Investments have been deferred for far too long because of economic turmoil. When times are hard, these investments are easy to put off. If America hopes to compete in

a changing world, we must prepare today's students for tomorrow's jobs. We must give small businesses and American manufacturers the support they need to thrive. We must stop relying on foreign oil and start investing in renewable energy. It is better for our environment and for our economy.

If we hope to rebuild and maintain a world-class economy, we must build a 21st century infrastructure to support that economy. Renewing these investments is not only the right thing to do for our country, it is the right thing to do for our economy.

In the last 4 years the President has repeatedly reached across the aisle to Republicans, suggesting we find common ground for the sake of recovery. Tonight will be no different. He will reach across that aisle. I expect the President's proposal will include ideas supported by both Democrats and, in the past, Republicans. I hope my Republican colleagues will give his vision the consideration it deserves.

Tonight President Obama will also propose a balanced alternative to the devastating automatic spending cuts which take effect next month. Democrats believe we should prevent these harmful arbitrary cuts, cuts to both military and, initiatives to help middle-class families prosper. Remember, Republicans in the Senate and in the House voted for these harsh measures. We could easily avert these job-destroying cuts which would hinder the economic recovery by ending wasteful tax breaks for corporations and giveaways to companies that ship jobs overseas. A balanced approach to pare senseless spending reduction with a modest contribution from the wealthiest Americans would limit the damage of the so-called sequestration.

I was disappointed to learn yesterday the Republican leaders in the House have no intention of bringing legislation to the floor to replace the sequester with a more sensible approach. They are going to do nothing.

Senate Democrats will offer their own solution to the sequester later this week. If Republicans truly agree that these across-the-board cuts would be damaging to our economy and to national security, they should work to help us pass an alternative.

During his first State of the Union Address a long time ago, the first President of the United States, George Washington, told Congress this:

The welfare of our country is the great object to which our cares and efforts ought to be directed.

As Republicans and Democrats from both Chambers come together, I repeat,

the welfare of our country is the great object to which our cares and efforts ought to be directed.

Democrats and Republicans should hear the message that George Washington gave a long time ago. It is important to listen to the State of the Union tonight, which we will, and we should all keep in mind the words of George Washington. Despite our differences, if there is the will to work together, the power to build an economy works for every American, and we will succeed.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. SCHATZ). Under the previous order, the leadership time is reserved.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 47, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 47) to reauthorize the Violence Against Women Act of 1994.

Pending:

Coburn amendment No. 15, to more quickly resolve rape cases and reduce the deficit by consolidating unnecessary duplication within the Department of Justice.

Coburn amendment No. 16, to amend the requirements for speedy notice to victims and to require a report to Congress.

The PRESIDING OFFICER. Under the previous order, the time until 11 a.m. will be equally divided between the two leaders or their designees.

Mr. REID. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be equally divided between both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

STATE OF THE UNION ADDRESS

Mr. MCCONNELL. Mr. President, tonight we will welcome the President to the Capitol to deliver his State of the Union Address.

As I mentioned yesterday, Republicans will be listening with great interest to see where the President plans to take the country over the coming year. Some media outlets are already reporting we will be subjected to another litany of leftwing proposals, with plenty of red meat for the President's base. I sure hope not. The campaign is

over, and the fact is that if the President plans to accomplish anything good for the country in the coming months, he is going to have to go through a Republican-controlled House.

So this morning I would like to humbly suggest once again that it is time for the President to reach out to Congress, including Republicans, and make divided government work. That is how he will actually address the issues Americans are most concerned about right now, and it is the only way.

The first issue many of us will be listening for tonight is the President's plan for controlling spending and replacing the Obama sequester. The record is clear that the President and his aides came up with that sequester, and they got it. It is a little puzzling to see them now trying to pass it off like a hot potato.

Republicans have been very clear about the fact that we would rather enact smarter spending cuts. House Republicans even voted on the plan—not once but twice—to do just that. But Washington Democrats so far have failed to put forward a serious proposal of their own. They ignored the issue for more than 1 year before finally showing up to the debate last week with the usual gimmicks.

This is the President's chance to rally the American people around a real set of spending cuts and reforms. I will be interested to see what he plans to offer because what we have been hearing so far, frankly, isn't very encouraging. He needs to understand the American people will not accept attempts to replace deficit reduction both parties have already agreed to with tax hikes. We already agreed to reduce spending in the amount the sequester would reduce spending when we voted for the Budget Control Act back in August of 2011 and the President signed it.

What we expect the President will be offering are tax hikes we all know would be used to finance even more spending, when we promised the American people we would spend less. If the President does try to do that, then he shouldn't expect anyone else to go along, least of all the American people.

Many on both sides of the aisle support eliminating tax loopholes in the context of fundamental bipartisan tax simplification that lowers tax rates, and we hope to have a chance to do that in the months ahead. But it is bad policy to punish this industry or that one so Washington can fund 1 more week of government spending and cause more Americans to lose their jobs.

Remember, due to the operation of law, the President already got the tax increases he wanted back on January 1. Because the law expired, the President got the tax increases he wanted—not with any votes, but he got it by the op-

eration of law. So we are done with that part of the equation. The tax issue is over.

If the President wants a balanced approach, now is the time to show his hand on the spending cuts and reforms he will accept. That is how compromise works. But when we hear the White House suggest the challenge of controlling spending is essentially complete or when we hear the House Democratic leader echo the President's claim that we don't have a spending problem, it is hard to know where to start after a ridiculous suggestion such as that.

Over the weekend I spent some time in Nelson County, KY, and I can assure everyone the folks I spoke with there strongly disagree with the President's assessment.

The truth is the President knows better than that himself. Deep down he knows spending is completely out of control. He knows the debt has already grown by \$6 trillion over his 4 years in office. He knows that without spending reform, the national debt will increase to double the size of our economy in just a few decades. He knows something must be done now to save Medicare and Social Security before they go broke. Tonight is a chance to show it, to be straight with the American people, and to reveal what he plans to do about all this.

The good news is that many of the things we need to do to control spending and many of the things we need to do to get the economy moving again are all one and the same. So I was pleased to read the President might pivot to jobs again. Unfortunately, we have seen that headline so many times before. We will have to wait to see how serious it actually is. I have lost count of how many times the President has made one of those pivots. He has pivoted so many times, reporters covering the White House must be getting completely dizzy.

I also hope the President doesn't call for more Washington spending tonight. Not only is that an ineffective way to create jobs, but it is also the very reason our debt continues to climb to such completely unsustainable levels.

If the President does want to do something about job creation for a change, he should leave aside the things we know haven't worked and try some things that will, such as getting the government out of the way. Not only will that help jump-start the private economy, it will help us get spending under control at the same time. It would be a twofer. Jump-start the private economy and get spending under control at the same time is the best way to improve this economy.

I also hope the President will use the big stage he will have tonight to finally level with the American people about the consequences of ObamaCare. They deserve to know what is about to hit them—the cost increases, the premium hikes, the taxes. They deserve to

know that not only may they not be able to keep the health plan they have and like but that CBO tells us there will also be fewer jobs. I know these things will not be easy for him to say, but that is what it means to be a statesman; to be honest with the people you represent, to admit when something doesn't turn out the way you said it would.

Even if we don't hear the President speak directly to the issues Americans are most concerned about tonight, I am confident the man who is set to follow him with the Republican's response will do just that. In some ways, Senator RUBIO embodies the American dream. As the child of immigrants, he is uniquely positioned to speak to the aspirations of the middle class. Unlike our rather easily distracted President, Senator RUBIO has never had to pivot to jobs. He has kept a laser focus on job creation and the economy ever since he got here.

I have laid out the issues the President needs to address if he is interested in working with Republicans to get some good things done for the country in the days and months ahead. I sure hope he is listening.

I yield the floor.

The PRESIDING OFFICER. The Republican whip.

Mr. CORNYN. Mr. President, as President Obama gets ready to deliver his State of the Union Address tonight, I would like to remind the American people of what he said 4 years ago during his first speech to a joint session of Congress. Four years ago President Obama said he did not believe in big government.

Since then he has given us four consecutive trillion-dollar deficits, he has nationalized our health care sector, and he has used Federal agencies to impose Draconian regulations. If we add the cost of all these proposed or final regulations the Obama administration published last year, the total economic burden comes to more than \$236 billion. That is a wet blanket on the American economy and economic growth and job creation. If anyone out there still thinks President Obama opposes big government, as the song goes, "I've got some oceanfront property in Arizona" I'd like to sell you.

Four years ago the President told us he was concerned about our massive national debt. Since then our gross national debt has increased by nearly \$6 trillion and has grown larger than the entire U.S. economy.

Four years ago the President said we could not ignore our long-term challenges. Since then he has ignored the recommendations of his own bipartisan fiscal commission known as Simpson-Bowles, and his own Treasury Secretary has acknowledged that the Obama administration does not have a serious plan for long-term debt reduction.

Four years ago the President told us his trillion-dollar debt-financed stimulus package would feature unprecedented oversight. Then we learned the stimulus package wasted money on boondoggles such as Solyndra.

Four years ago the President promised us his plan for health care reform would reduce the cost of health care for American families. Since then the cost of employer-provided family health insurance has increased by more than \$2,300 per family.

Four years ago the President said he viewed the Federal budget as a blueprint for our future. Since then two of the President's budget proposals have been unanimously rejected by this Chamber—by Republicans and Democrats alike—and America's credit rating has been downgraded.

If you buy these unfulfilled promises the President has made over the last 4 years, as the song goes, not only will I sell you some oceanfront property in Arizona, "I'll throw the Golden Gate in for free."

In short, much of what the President has said in February of 2009 has been hollow rhetoric, unmet with action and followup. I can only hope the President's speech tonight will seriously address our biggest fiscal challenges: a debt burden larger than our economy, \$37 trillion in unfunded Medicare liabilities, and more than \$100 trillion in total unfunded liabilities.

In addition, I can only hope the President will offer a serious plan for boosting economic growth and reducing unemployment. Amid the longest period of high unemployment since the Great Depression, with the national rate still hovering near 8 percent, Americans deserve a President who is focused intensely on the right policies for job creation.

A second term offers a second chance. If the President wants to regain the credibility he has lost over the last 4 years on each of these issues, he will start tonight.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, what is the regular order?

The PRESIDING OFFICER. The Senate is considering S. 47.

Mr. LEAHY. Mr. President, before I go on to that, I would note that many have come to this floor to talk about the deficit and things of that nature. I ask anybody who is decrying our deficit if they voted for a needless war in Iraq and then voted to put it on the credit card.

The war in Iraq has cost this Nation nearly \$1 trillion so far, and with all the wounded who have come back from this unnecessary war, we will, beyond the lifetime of most of us, still be paying for that.

The wars in Iraq and Afghanistan are the only wars in America's history we

did not have a special tax to pay for—both were put on a credit card. They were begun at a time when the last administration had inherited a large surplus from the Democratic administration before it. Since I have been old enough to vote, only Democratic administrations have left surpluses. But they took that surplus, wasted it on the war in Iraq, and because they were unwilling to pay for this war—a war that was paid for only by the men and women who served and their families; we don't have a draft—most people can say: It didn't affect me. Well, it affected those families enormously, and it will affect every single taxpayer for the rest of their lives because it will take that long to pay for a war that so many in this body and the other body voted for but then stood up and said: We cannot possibly have taxes to pay for things we are spending money on. That is one thing they voted for—for the first time in the history of this country, they voted to not pay for a war.

I urge everybody not to lose sight of the fact that a major part of our deficit was caused by the House and Senate voting for a war we never should have been in, one I voted against. In fact, everybody who actually read the intelligence material voted against it. Now our children and our grandchildren will have to pay for our mistakes.

I don't want to hear lectures about our deficit from people who voted to help create that deficit by voting for an unnecessary war.

On the subject we are on, S. 47, after more than a week of consideration, the Senate will finally vote on the Violence Against Women Reauthorization Act. This is a good bill that makes needed changes recommended by victims and those who work with them every day. I urge all those Senators who have opposed reauthorizing VAWA to end their opposition and join with us. Despite the predictions by some that the Republican House of Representatives will refuse to consider the Senate bill, as it did last year, I see reason for hope.

Just yesterday 17 Republican members of the House wrote to their own leadership urging immediate reauthorization of VAWA. They rejected the ideological opposition of Heritage and the Family Research Council. They recognize that VAWA is effective, efficient and successful "in curbing domestic violence and supporting victims," and that "VAWA programs save lives." They also note, as I have said repeatedly on this floor: "VAWA must reach all victims and perpetrators of domestic violence, dating violence, sexual assault and stalking in every community in the country."

I ask unanimous consent that a copy of the Republican members' letter to Speaker BOEHNER be printed in the RECORD at the conclusion of my remarks.

The Senate has rejected the Republican substitute and defeated the Coburn amendment to strip the tribal jurisdiction provisions that have been included in the Senate bill for the past two years. Those amendments would have greatly narrowed VAWA's ability to prevent crime and help victims and would have undercut our commitment to all victims of rape and domestic violence. I hope Senators will continue to vote against amendments that weaken this important legislation.

This morning the Senate has the opportunity to vote for an amendment that goes in the opposite direction from the Coburn amendments by allowing us to help more victims of serious crime in the United States and around the world. This morning the Senate is to vote on the Trafficking Victims Protection Reauthorization Act. That is another bipartisan bill that was written with the input of victims and service providers to make critical improvements to existing law. Last year, this legislation had 57 cosponsors—including 15 Republicans. In particular, I thank Senator RUBIO who has been a strong cosponsor of this important measure.

Today is February 12, the day on which Abraham Lincoln was born. It was 150 years ago that he delivered the Emancipation Proclamation and it would be fitting that the Senate pass the Trafficking Victims Protection Reauthorization Act on his birthday. Although the 13th amendment to our Constitution was ratified long ago, making slavery illegal, we continue to fight human trafficking, which can amount to modern day slavery. This terrible crime still occurs throughout the world—including in the United States of America. The Polaris Project estimates that there are more than 27 million victims of human trafficking worldwide today.

The Trafficking Victims Protection Reauthorization Act will help us continue to make real progress on this issue. It is a parallel effort to our reauthorization of the Violence Against Women Act. Our effort is to stop human trafficking at its roots by supporting both domestic and international efforts to fight against trafficking and to punish its perpetrators. We provide critical resources to help support victims as they rebuild their lives.

This measure strengthens criminal anti-trafficking statutes to ensure that law enforcement agencies have the tools they need to effectively combat all forms of trafficking. It ensures better coordination among Federal agencies, between law enforcement and victim service providers, and with foreign countries to work on every facet of this complicated problem. It includes measures to encourage victims to come forward and report this terrible crime, which leads to more prosecutions and help for more victims.

We have included accountability measures to ensure that Federal funds are used for their intended purposes, and we have streamlined programs to focus scarce resources on the approaches that have been the most successful. A Senator asserted yesterday that trafficking programs have been wasteful and duplicative. In fact, the programs supported by this amendment have been carefully tracked and shown to be effective. Nonetheless, the amendment reduces authorization levels by almost a third from the levels in the last reauthorization because we are determined to ensure efficiency and respond to concerns. We have made similar efforts to streamline VAWA.

The United States remains a beacon of hope for so many who face human rights abuses. We know that young women and girls often just 11, 12, or 13 years old are being bought and sold. We know that workers are being held and forced into labor against their will. I urge all Senators to join in passing the Trafficking Victims Protection Reauthorization Act. People in this country and millions around the world are counting on us.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESS OF THE UNITED STATES,
Washington, DC, February 11, 2013.

Speaker JOHN BOEHNER,
Majority Leader ERIC CANTOR.

DEAR SPEAKER BOEHNER AND LEADER CANTOR: We are writing to urge you to immediately reauthorize the Violence Against Women Act (VAWA). As you know, we are long overdue in passing a reauthorization of this landmark piece of legislation which seeks to reduce instances of domestic violence and protect women who are victims of such violence.

Over the course of the past several years, we have met with constituents in our districts who agree that VAWA programs are an important part of a larger criminal justice framework that seeks to reduce abuse against women and children. We appreciate the need to make efficient and effective use of federal dollars, and believe that VAWA programs in our districts have met that threshold and have been a success in curbing domestic violence and supporting victims. Now is the time to seek bipartisan compromise on the reauthorization of these programs. VAWA programs save lives, and we must allow states and communities the opportunity to build upon the successes of current VAWA programs so that we can help even more people.

It is unfortunate that states are already preparing for Congress's inaction. In New Jersey, for example, the state legislature recently passed a bridge fund bill to fill the void left by a lack of federal funds in the event VAWA is not reauthorized.

We believe a bipartisan plan to reauthorize VAWA is more important than ever. Last year, in a bipartisan letter many of us in the Republican Conference wrote to the Judiciary Committee, we said: "VAWA must reach all victims and perpetrators of domestic violence, dating violence, sexual assault, and stalking in every community in the country." This statement still holds true, and underscores the need to reauthorize this crit-

ical legislation. If you have any questions, or if we can be of additional assistance, your staff may contact Joe Heaton with Rep. Runyan.

Sincerely,

Jon Runyan, Charlie Dent, Dave Reichert, Richard Hanna, David Joyce, Shelley Moore-Capito, Frank LoBiondo, Michael Fitzpatrick, Jim Gerlach, Chris Gibson, Rodney Frelinghuysen, Leonard Lance, Patrick Meehan, Rodney Davis, Tom Reed, Lee Terry, Michael Grimm, *Members of Congress*.

Mr. LEAHY. I ask unanimous consent to have printed in the RECORD letters from human rights and civil rights organizations in support of S. 47, the Violence Against Women Reauthorization Act of 2013.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE,
Washington, DC, February 1, 2013.

Re NAACP Strong Support for S. 47, to Reauthorize the 1994 Violence Against Women Act

Senator PATRICK LEAHY,
Chairman, Committee on the Judiciary, Washington, DC.

DEAR CHAIRMAN LEAHY: On behalf of the NAACP, our nation's oldest, largest and most widely-recognized grassroots-based civil rights organization, I would like to sincerely thank you for your leadership in introducing S. 47, legislation strengthening and reauthorizing the 1994 Violence Against Women Act (VAWA). As strong and consistent supporters of VAWA, the NAACP recognizes that this important legislation would improve criminal justice and community-based responses to domestic violence, dating violence, sexual assault and stalking in the United States.

As you know, the NAACP supported the passage of VAWA in 1994, and its reauthorization in 2000 and 2005. We have witnessed VAWA change the landscape for victims of violence in the United States who once suffered in silence. Victims of domestic violence, dating violence, sexual assault and stalking have now been able to access services, and a new generation of families and justice system professionals has come to understand that domestic violence, dating violence, sexual assault and stalking are crimes that our society will no longer tolerate. Your bill will not only continue proven effective programs, but that it will make key changes to streamline VAWA and make sure that even more people have access to safety, stability and justice.

Thank you again for your continued leadership in this endeavor. Your thoughtfulness and tenacity in this area over the years has improved the lives of millions of Americans. Should you have any questions or comments, please do not hesitate to contact me.

Sincerely,

HILARY O. SHELTON,
Director, NAACP
Washington Bureau
& Senior Vice President for Advocacy and Policy.

SEATTLE HUMAN RIGHTS COMMISSION
RESOLUTION #13-01: SUPPORT FOR REAUTHORIZATION OF VIOLENCE AGAINST WOMEN ACT

Whereas, all Seattle residents are born free and equal in dignity and rights; and

Whereas, the Seattle Human Rights Commission is committed to protecting and advocating for justice, human rights, and the equal treatment of all people who live and work in Seattle; and

Whereas, on December 10, 2012, Seattle officially declared itself a Human Rights City through Council Resolution Number 31420; and

Whereas, human safety is a fundamental human right and violence against women is a violation of human rights; and

Whereas, Congress failed to reauthorize the Violence Against Women Act (VAWA) in the 112th Congress; and

Whereas, in the 112th Congress, the U.S. Senate passed a version of VAWA that included important protections for groups particularly affected by violence against women, such as Native Americans, immigrants, and LGBTQ communities; and

Whereas, in the 112th Congress the U.S. House of Representatives passed a version of VAWA that left out those protections for Native Americans, immigrants, and LGBTQ communities; and

Whereas, in the current 113th Congress, the Senate is considering a nearly identical bill (S. 47) to the one it passed in the 112th Congress which contains the same important protections for Native Americans, immigrants, and LGBTQ communities; and

Whereas, in the current 113th Congress, Rep. Gwen Moore introduced the Violence Against Women Reauthorization Act of 2013 (H.R. 11) in the House of Representatives, which is identical to the Senate bill; and

Whereas, protections against sexual assault and domestic violence for Native Americans, immigrants, and LGBTQ communities are required in order to guarantee the human rights of equality, safety, liberty, integrity and dignity which are enshrined in the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights, and the American Declaration on Human Rights among others;

Whereas, in 2011 the United Nations Special Rapporteur on Violence Against Women recommended that the U.S. reassess its laws and policies protecting domestic violence survivors and punishing abusers, including the recognition of tribal authority to prosecute offenders contained in the current Senate bill (S. 47); and

Whereas, in 2011 the Inter-American Commission of Human Rights (ICHR) ordered the United States to comply with its international duty to prevent violence against women in the case of *Jessica Lenahan (González) v. the United States*, through the enactment of legislation and policy reforms that do not discriminate and provide for equal protection before the law to victims of domestic violence and their children, under Article 2 of the American Declaration on Human Rights; and

Whereas, in 2012 the Commission joined with the Seattle Women's Commission to call for the U.S. House to pass the Senate version of VAWA and on June 27, 2012, the Commission co-sponsored a public rally with the Seattle Women's Commission to support the Senate version of VAWA; and

Whereas, on September 6, 2012 the Commission adopted Resolution 12-03 urging the House to pass the Senate version of VAWA,

Now therefore be it resolved, that the Seattle Human Rights Commission hereby calls upon the United States Congress to reau-

thorize the Violence Against Women Act by passing legislation which does not leave out fundamental protections for Native Americans, immigrants, and LGBTQ communities in recognition of the principle that safety is a fundamental human right and violence against women is a violation of human rights; and

Now therefore be it further resolved, that the Seattle Human Rights Commission urges the Senate to pass S. 47 and the House to pass H.R. 11; and

Now therefore be it finally resolved, that should the House leadership decide against advancing H.R. 11, then in that case the Seattle Human Rights Commission urges the House to pass legislation that still contains protection for Native Americans, immigrants, and LGBTQ communities.

Adopted by the Seattle Human Rights Commission on February 1, 2013

CHRISTOPHER STEARNS,
Chairman,
JENNIFER YOGI,
Secretary.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum and ask that the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, we have had an early unanimous consent order, so following that, I ask unanimous consent that the sequence of votes outlined under the previous order now start at 11:30 a.m., and the additional 30 minutes of debate be equally divided between the two leaders or their designees; that following the disposition of the Coburn amendment No. 15, the Senate recess for the weekly caucus meetings; further, that at 2:15 p.m., the Senate resume the sequence of votes under the previous order; and finally, all other provisions of the previous order remain in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I ask unanimous consent that my amendment numbered 21 be modified with the changes that are at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum and ask that the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 21, AS MODIFIED

Mr. LEAHY. Mr. President, I call up my amendment numbered 21, as modified.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Vermont (Mr. LEAHY) proposes an amendment numbered 21, as modified.

The amendment (No. 21), as modified, is as follows:

At the end, add the following:

TITLE XII—TRAFFICKING VICTIMS PROTECTION

Subtitle A—Combating International Trafficking in Persons

SEC. 1201. REGIONAL STRATEGIES FOR COMBATING TRAFFICKING IN PERSONS.

Section 105 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103) is amended—

(1) in subsection (d)(7)(J), by striking “section 105(f) of this division” and inserting “subsection (g)”;

(2) in subsection (e)(2)—

(A) by striking “(2) COORDINATION OF CERTAIN ACTIVITIES.—” and all that follows through “exploitation.”;

(B) by redesignating subparagraph (B) as paragraph (2), and moving such paragraph, as so redesignated, 2 ems to the left; and

(C) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and moving such subparagraphs, as so redesignated, 2 ems to the left;

(3) by redesignating subsection (f) as subsection (g); and

(4) by inserting after subsection (e) the following:

“(f) REGIONAL STRATEGIES FOR COMBATING TRAFFICKING IN PERSONS.—Each regional bureau in the Department of State shall contribute to the realization of the anti-trafficking goals and objectives of the Secretary of State. Each year, in cooperation with the Office to Monitor and Combat Trafficking in Persons, each regional bureau shall submit a list of anti-trafficking goals and objectives to the Secretary of State for each country in the geographic area of responsibilities of the regional bureau. Host governments shall be informed of the goals and objectives for their particular country and, to the extent possible, host government officials should be consulted regarding the goals and objectives.”.

SEC. 1202. PARTNERSHIPS AGAINST SIGNIFICANT TRAFFICKING IN PERSONS.

The Trafficking Victims Protection Act of 2000 is amended by inserting after section 105 (22 U.S.C. 7103) the following:

“SEC. 105A. CREATING, BUILDING, AND STRENGTHENING PARTNERSHIPS AGAINST SIGNIFICANT TRAFFICKING IN PERSONS.

“(a) DECLARATION OF PURPOSE.—The purpose of this section is to promote collaboration and cooperation—

“(1) between the United States Government and governments listed on the annual Trafficking in Persons Report;

“(2) between foreign governments and civil society actors; and

“(3) between the United States Government and private sector entities.

“(b) PARTNERSHIPS.—The Director of the office established pursuant to section 105(e)(1) of this Act, in coordination and cooperation with other officials at the Department of State, officials at the Department of Labor, and other relevant officials of the

United States Government, shall promote, build, and sustain partnerships between the United States Government and private entities, including foundations, universities, corporations, community-based organizations, and other nongovernmental organizations, to ensure that—

“(1) United States citizens do not use any item, product, or material produced or extracted with the use and labor from victims of severe forms of trafficking; and

“(2) such entities do not contribute to trafficking in persons involving sexual exploitation.

“(C) PROGRAM TO ADDRESS EMERGENCY SITUATIONS.—The Secretary of State, acting through the Director established pursuant to section 105(e)(1) of this Act, is authorized to establish a fund to assist foreign governments in meeting unexpected, urgent needs in prevention of trafficking in persons, protection of victims, and prosecution of trafficking offenders.

“(d) CHILD PROTECTION COMPACTS.—

“(1) IN GENERAL.—The Secretary of State, in consultation with the Administrator of the United States Agency for International Development, the Secretary of Labor, and the heads of other relevant agencies, is authorized to provide assistance under this section for each country that enters into a child protection compact with the United States to support policies and programs that—

“(A) prevent and respond to violence, exploitation, and abuse against children; and

“(B) measurably reduce the trafficking of minors by building sustainable and effective systems of justice, prevention, and protection.

“(2) ELEMENTS.—A child protection compact under this subsection shall establish a multi-year plan for achieving shared objectives in furtherance of the purposes of this Act. The compact should take into account, if applicable, the national child protection strategies and national action plans for human trafficking of a country, and shall describe—

“(A) the specific objectives the foreign government and the United States Government expect to achieve during the term of the compact;

“(B) the responsibilities of the foreign government and the United States Government in the achievement of such objectives;

“(C) the particular programs or initiatives to be undertaken in the achievement of such objectives and the amount of funding to be allocated to each program or initiative by both countries;

“(D) regular outcome indicators to monitor and measure progress toward achieving such objectives;

“(E) a multi-year financial plan, including the estimated amount of contributions by the United States Government and the foreign government, and proposed mechanisms to implement the plan and provide oversight;

“(F) how a country strategy will be developed to sustain progress made toward achieving such objectives after expiration of the compact; and

“(G) how child protection data will be collected, tracked, and managed to provide strengthened case management and policy planning.

“(3) FORM OF ASSISTANCE.—Assistance under this subsection may be provided in the form of grants, cooperative agreements, or contracts to or with national governments, regional or local governmental units, or nongovernmental organizations or private entities with expertise in the protection of victims of severe forms of trafficking in persons.

“(4) ELIGIBLE COUNTRIES.—The Secretary of State, in consultation with the agencies set forth in paragraph (1) and relevant officers of the Department of Justice, shall select countries with which to enter into child protection compacts. The selection of countries under this paragraph shall be based on—

“(A) the selection criteria set forth in paragraph (5); and

“(B) objective, documented, and quantifiable indicators, to the maximum extent possible.

“(5) SELECTION CRITERIA.—A country shall be selected under paragraph (4) on the basis of criteria developed by the Secretary of State in consultation with the Administrator of the United States Agency for International Development and the Secretary of Labor. Such criteria shall include—

“(A) a documented high prevalence of trafficking in persons within the country; and

“(B) demonstrated political motivation and sustained commitment by the government of such country to undertake meaningful measures to address severe forms of trafficking in persons, including prevention, protection of victims, and the enactment and enforcement of anti-trafficking laws against perpetrators.

“(6) SUSPENSION AND TERMINATION OF ASSISTANCE.—

“(A) IN GENERAL.—The Secretary may suspend or terminate assistance provided under this subsection in whole or in part for a country or entity if the Secretary determines that—

“(i) the country or entity is engaged in activities that are contrary to the national security interests of the United States;

“(ii) the country or entity has engaged in a pattern of actions inconsistent with the criteria used to determine the eligibility of the country or entity, as the case may be; or

“(iii) the country or entity has failed to adhere to its responsibilities under the Compact.

“(B) REINSTATEMENT.—The Secretary may reinstate assistance for a country or entity suspended or terminated under this paragraph only if the Secretary determines that the country or entity has demonstrated a commitment to correcting each condition for which assistance was suspended or terminated under subparagraph (A).”

SEC. 1203. PROTECTION AND ASSISTANCE FOR VICTIMS OF TRAFFICKING.

(a) TASK FORCE ACTIVITIES.—Section 105(d)(6) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(6)) is amended by inserting “, and make reasonable efforts to distribute information to enable all relevant Federal Government agencies to publicize the National Human Trafficking Resource Center Hotline on their websites, in all headquarters offices, and in all field offices throughout the United States” before the period at the end.

(b) CONGRESSIONAL BRIEFING.—Section 107(a)(2) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(a)(2)) is amended by inserting “and shall brief Congress annually on such efforts” before the period at the end.

SEC. 1204. MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING.

Section 108(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7106(b)) is amended—

(1) in paragraph (3)—

(A) by striking “peacekeeping” and inserting “diplomatic, peacekeeping,”;

(B) by striking “, and measures” and inserting “, a transparent system for remedying or punishing such public officials as a deterrent, measures”; and

(C) by inserting “, effective bilateral, multilateral, or regional information sharing and cooperation arrangements with other countries, and effective policies or laws regulating foreign labor recruiters and holding them civilly and criminally liable for fraudulent recruiting” before the period at the end;

(2) in paragraph (4), by inserting “and has entered into bilateral, multilateral, or regional law enforcement cooperation and coordination arrangements with other countries” before the period at the end;

(3) in paragraph (7)—

(A) by inserting “, including diplomats and soldiers,” after “public officials”;

(B) by striking “peacekeeping” and inserting “diplomatic, peacekeeping,”; and

(C) by inserting “A government’s failure to appropriately address public allegations against such public officials, especially once such officials have returned to their home countries, shall be considered inaction under these criteria,” after “such trafficking.”;

(4) by redesignating paragraphs (9) through (11) as paragraphs (10) through (12), respectively; and

(5) by inserting after paragraph (8) the following:

“(9) Whether the government has entered into effective, transparent partnerships, cooperative arrangements, or agreements that have resulted in concrete and measurable outcomes with—

“(A) domestic civil society organizations, private sector entities, or international nongovernmental organizations, or into multilateral or regional arrangements or agreements, to assist the government’s efforts to prevent trafficking, protect victims, and punish traffickers; or

“(B) the United States toward agreed goals and objectives in the collective fight against trafficking.”

SEC. 1205. BEST PRACTICES IN TRAFFICKING IN PERSONS ERADICATION.

Section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)) is amended—

(1) in paragraph (1)—

(A) by striking “with respect to the status of severe forms of trafficking in persons that shall include—” and inserting “describing the anti-trafficking efforts of the United States and foreign governments according to the minimum standards and criteria enumerated in section 108, and the nature and scope of trafficking in persons in each country and analysis of the trend lines for individual governmental efforts. The report should include—”;

(B) in subparagraph (E), by striking “; and” and inserting a semicolon;

(C) in subparagraph (F), by striking the period at the end and inserting “; and”; and

(D) by inserting at the end the following:

“(G) a section entitled ‘Promising Practices in the Eradication of Trafficking in Persons’ to highlight effective practices and use of innovation and technology in prevention, protection, prosecution, and partnerships, including by foreign governments, the private sector, and domestic civil society actors.”;

(2) by striking paragraph (2);

(3) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(4) in paragraph (2), as redesignated, by adding at the end the following:

“(E) PUBLIC NOTICE.—Not later than 30 days after notifying Congress of each country determined to have met the requirements under subclauses (I) through (III) of subparagraph (D)(ii), the Secretary of State shall provide a detailed description of the

credible evidence supporting such determination on a publicly available website maintained by the Department of State.”.

SEC. 1206. PROTECTIONS FOR DOMESTIC WORKERS AND OTHER NONIMMIGRANTS.

Section 202 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1375b) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by inserting “AND VIDEO FOR CONSULAR WAITING ROOMS” after “INFORMATION PAMPHLET”; and

(B) in paragraph (1)—

(i) by inserting “and video” after “information pamphlet”; and

(ii) by adding at the end the following: “The video shall be distributed and shown in consular waiting rooms in embassies and consulates appropriate to the circumstances that are determined to have the greatest concentration of employment or education-based non-immigrant visa applicants, and where sufficient video facilities exist in waiting or other rooms where applicants wait or convene. The Secretary of State is authorized to augment video facilities in such consulates or embassies in order to fulfill the purposes of this section.”;

(2) in subsection (b), by inserting “and video” after “information pamphlet”;

(3) in subsection (c)—

(A) in paragraph (1), by inserting “and produce or dub the video” after “information pamphlet”; and

(B) in paragraph (2), by inserting “and the video produced or dubbed” after “translated”; and

(4) in subsection (d)—

(A) in paragraph (1), by inserting “and video” after “information pamphlet”;

(B) in paragraph (2), by inserting “and video” after “information pamphlet”; and

(C) by adding at the end the following:

“(4) DEADLINE FOR VIDEO DEVELOPMENT AND DISTRIBUTION.—Not later than 1 year after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of State shall make available the video developed under subsection (a) produced or dubbed in all the languages referred to in subsection (c).”.

SEC. 1207. PREVENTION OF CHILD MARRIAGE.

(a) IN GENERAL.—Section 106 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104) is amended by adding at the end the following:

“(j) PREVENTION OF CHILD TRAFFICKING THROUGH CHILD MARRIAGE.—The Secretary of State shall establish and implement a multi-year, multi-sectoral strategy—

“(1) to prevent child marriage;

“(2) to promote the empowerment of girls at risk of child marriage in developing countries;

“(3) that should address the unique needs, vulnerabilities, and potential of girls younger than 18 years of age in developing countries;

“(4) that targets areas in developing countries with high prevalence of child marriage; and

“(5) that includes diplomatic and programmatic initiatives.”.

(b) INCLUSION OF CHILD MARRIAGE STATUS IN REPORTS.—The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended—

(1) in section 116 (22 U.S.C. 2151n), by adding at the end the following:

“(g) CHILD MARRIAGE STATUS.—

“(1) IN GENERAL.—The report required under subsection (d) shall include, for each country in which child marriage is prevalent, a description of the status of the practice of child marriage in such country.

“(2) DEFINED TERM.—In this subsection, the term ‘child marriage’ means the marriage of a girl or boy who is—

“(A) younger than the minimum age for marriage under the laws of the country in which such girl or boy is a resident; or

“(B) younger than 18 years of age, if no such law exists.”; and

(2) in section 502B (22 U.S.C. 2304), by adding at the end the following:

“(1) CHILD MARRIAGE STATUS.—

“(1) IN GENERAL.—The report required under subsection (b) shall include, for each country in which child marriage is prevalent, a description of the status of the practice of child marriage in such country.

“(2) DEFINED TERM.—In this subsection, the term ‘child marriage’ means the marriage of a girl or boy who is—

“(A) younger than the minimum age for marriage under the laws of the country in which such girl or boy is a resident; or

“(B) younger than 18 years of age, if no such law exists.”.

SEC. 1208. CHILD SOLDIERS.

Section 404 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (22 U.S.C. 2370c-1) is amended—

(1) in subsection (a), by striking “(b), (c), and (d), the authorities contained in section 516 or 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j or 2347)” and inserting “(b) through (f), the authorities contained in sections 516, 541, and 551 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j, 2347, and 2348)”;

(2) by adding at the end the following:

“(f) EXCEPTION FOR PEACEKEEPING OPERATIONS.—The limitation set forth in subsection (a) that relates to section 551 of the Foreign Assistance Act of 1961 shall not apply to programs that support military professionalization, security sector reform, heightened respect for human rights, peacekeeping preparation, or the demobilization and reintegration of child soldiers.”.

Subtitle B—Combating Trafficking in Persons in the United States

PART I—PENALTIES AGAINST TRAFFICKERS AND OTHER CRIMES

SEC. 1211. CRIMINAL TRAFFICKING OFFENSES.

(a) RICO AMENDMENT.—Section 1961(1)(B) of title 18, United States Code, is amended by inserting “section 1351 (relating to fraud in foreign labor contracting),” before “section 1425”.

(b) ENGAGING IN ILLICIT SEXUAL CONDUCT IN FOREIGN PLACES.—Section 2423(c) of title 18, United States Code, is amended by inserting “or resides, either temporarily or permanently, in a foreign country” after “commerce”.

(c) UNLAWFUL CONDUCT WITH RESPECT TO DOCUMENTS.—

(1) IN GENERAL.—Chapter 77 of title 18, United States Code, is amended by adding at the end the following:

“§ 1597. Unlawful conduct with respect to immigration documents

“(a) DESTRUCTION, CONCEALMENT, REMOVAL, CONFISCATION, OR POSSESSION OF IMMIGRATION DOCUMENTS.—It shall be unlawful for any person to knowingly destroy, conceal, remove, confiscate, or possess, an actual or purported passport or other immigration document of another individual —

“(1) in the course of violating section 1351 of this title or section 274 of the Immigration and Nationality Act (8 U.S.C. 1324);

“(2) with intent to violate section 1351 of this title or section 274 of the Immigration and Nationality Act (8 U.S.C. 1324); or

“(3) in order to, without lawful authority, maintain, prevent, or restrict the labor of services of the individual.

“(b) PENALTY.—Any person who violates subsection (a) shall be fined under this title, imprisoned for not more than 1 year, or both.

“(c) OBSTRUCTION.—Any person who knowingly obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be subject to the penalties described in subsection (b).”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 77 of title 18, United States Code, is amended by adding at the end the following:

“1597. Unlawful conduct with respect to immigration documents.”.

SEC. 1212. CIVIL REMEDIES; CLARIFYING DEFINITION.

(a) CIVIL REMEDY FOR PERSONAL INJURIES.—Section 2255 of title 18, United States Code, is amended—

(1) in subsection (a), by striking “section 2241(c)” and inserting “section 1589, 1590, 1591, 2241(c)”;

(2) in subsection (b), by striking “six years” and inserting “10 years”.

(b) DEFINITION.—

(1) IN GENERAL.—Section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102) is amended—

(A) by redesignating paragraphs (1) through (14) as paragraphs (2) through (15), respectively;

(B) by inserting before paragraph (2), as redesignated, the following:

“(1) ABUSE OR THREATENED ABUSE OF LAW OR LEGAL PROCESS.—The term ‘abuse or threatened abuse of the legal process’ means the use or threatened use of a law or legal process, whether administrative, civil, or criminal, in any manner or for any purpose for which the law was not designed, in order to exert pressure on another person to cause that person to take some action or refrain from taking some action.”;

(C) in paragraph (14), as redesignated, by striking “paragraph (8)” and inserting “paragraph (9)”;

(D) in paragraph (15), as redesignated, by striking “paragraph (8) or (9)” and inserting “paragraph (9) or (10)”.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended—

(i) in section 110(e) (22 U.S.C. 7107(e))—

(I) by striking “section 103(7)(A)” and inserting “section 103(8)(A)”;

(II) by striking “section 103(7)(B)” and inserting “section 103(8)(B)”;

(ii) in section 113(g)(2) (22 U.S.C. 7110(g)(2)), by striking “section 103(8)(A)” and inserting “section 103(9)(A)”.

(B) NORTH KOREAN HUMAN RIGHTS ACT OF 2004.—Section 203(b)(2) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7833(b)(2)) is amended by striking “section 103(14)” and inserting “section 103(15)”.

(C) TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2005.—Section 207 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044e) is amended—

(i) in paragraph (1), by striking “section 103(8)” and inserting “section 103(9)”;

(ii) in paragraph (2), by striking “section 103(9)” and inserting “section 103(10)”;

(iii) in paragraph (3), by striking “section 103(3)” and inserting “section 103(4)”.

(D) VIOLENCE AGAINST WOMEN AND DEPARTMENT OF JUSTICE REAUTHORIZATION ACT OF

2005.—Section 111(a)(1) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14044f(a)(1)) is amended by striking “paragraph (8)” and inserting “paragraph (9)”.

PART II—ENSURING AVAILABILITY OF POSSIBLE WITNESSES AND INFORMANTS

SEC. 1221. PROTECTIONS FOR TRAFFICKING VICTIMS WHO COOPERATE WITH LAW ENFORCEMENT.

Section 101(a)(15)(T)(ii)(III) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T)(ii)(III)) is amended by inserting “, or any adult or minor children of a derivative beneficiary of the alien, as” after “age”.

SEC. 1222. PROTECTION AGAINST FRAUD IN FOREIGN LABOR CONTRACTING.

Section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended by inserting “fraud in foreign labor contracting (as defined in section 1351 of title 18, United States Code);” after “perjury;”.

PART III—ENSURING INTERAGENCY COORDINATION AND EXPANDED REPORTING

SEC. 1231. REPORTING REQUIREMENTS FOR THE ATTORNEY GENERAL.

Section 105(d)(7) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)) is amended—

(1) by redesignating subparagraphs (D) through (J) as subparagraphs (I) through (O);

(2) by striking subparagraphs (B) and (C) and inserting the following:

“(B) the number of persons who have been granted continued presence in the United States under section 107(c)(3) during the preceding fiscal year and the mean and median time taken to adjudicate applications submitted under such section, including the time from the receipt of an application by law enforcement to the issuance of continued presence, and a description of any efforts being taken to reduce the adjudication and processing time while ensuring the safe and competent processing of the applications;

“(C) the number of persons who have applied for, been granted, or been denied a visa or otherwise provided status under subparagraph (T)(i) or (U)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) during the preceding fiscal year;

“(D) the number of persons who have applied for, been granted, or been denied a visa or status under clause (ii) of section 101(a)(15)(T) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T)) during the preceding fiscal year, broken down by the number of such persons described in subclauses (I), (II), and (III) of such clause (ii);

“(E) the amount of Federal funds expended in direct benefits paid to individuals described in subparagraph (D) in conjunction with T visa status;

“(F) the number of persons who have applied for, been granted, or been denied a visa or status under section 101(a)(15)(U)(i) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(i)) during the preceding fiscal year;

“(G) the mean and median time in which it takes to adjudicate applications submitted under the provisions of law set forth in subparagraph (C), including the time between the receipt of an application and the issuance of a visa and work authorization;

“(H) any efforts being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing of the applications;”;

(3) in subparagraph (N)(iii), as redesignated, by striking “and” at the end;

(4) in subparagraph (O), as redesignated, by striking the period at the end and inserting “; and”; and

(5) by adding at the end the following:

“(P) the activities undertaken by Federal agencies to train appropriate State, tribal, and local government and law enforcement officials to identify victims of severe forms of trafficking, including both sex and labor trafficking;

“(Q) the activities undertaken by Federal agencies in cooperation with State, tribal, and local law enforcement officials to identify, investigate, and prosecute offenses under sections 1581, 1583, 1584, 1589, 1590, 1592, and 1594 of title 18, United States Code, or equivalent State offenses, including, in each fiscal year—

“(i) the number, age, gender, country of origin, and citizenship status of victims identified for each offense;

“(ii) the number of individuals charged, and the number of individuals convicted, under each offense;

“(iii) the number of individuals referred for prosecution for State offenses, including offenses relating to the purchasing of commercial sex acts;

“(iv) the number of victims granted continued presence in the United States under section 107(c)(3); and

“(v) the number of victims granted a visa or otherwise provided status under subparagraph (T)(i) or (U)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)); and

“(R) the activities undertaken by the Department of Justice and the Department of Health and Human Services to meet the specific needs of minor victims of domestic trafficking, including actions taken pursuant to subsection (f) and section 202(a) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044(a)), and the steps taken to increase cooperation among Federal agencies to ensure the effective and efficient use of programs for which the victims are eligible.”.

SEC. 1232. REPORTING REQUIREMENTS FOR THE SECRETARY OF LABOR.

Section 105(b) of the Trafficking Victims Protection Act of 2005 (22 U.S.C. 7112(b)) is amended by adding at the end the following:

“(3) SUBMISSION TO CONGRESS.—Not later than December 1, 2014, and every 2 years thereafter, the Secretary of Labor shall submit the list developed under paragraph (2)(C) to Congress.”.

SEC. 1233. INFORMATION SHARING TO COMBAT CHILD LABOR AND SLAVE LABOR.

Section 105(a) of the Trafficking Victims Protection Act of 2005 (22 U.S.C. 7112(a)) is amended by adding at the end the following:

“(3) INFORMATION SHARING.—The Secretary of State shall, on a regular basis, provide information relating to child labor and forced labor in the production of goods in violation of international standards to the Department of Labor to be used in developing the list described in subsection (b)(2)(C).”.

SEC. 1234. GOVERNMENT TRAINING EFFORTS TO INCLUDE THE DEPARTMENT OF LABOR.

Section 107(c)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4)) is amended—

(1) in the first sentence, by inserting “the Department of Labor, the Equal Employment Opportunity Commission,” before “and the Department”; and

(2) in the second sentence, by inserting “, in consultation with the Secretary of Labor,” before “shall provide”.

SEC. 1235. GAO REPORT ON THE USE OF FOREIGN LABOR CONTRACTORS.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report on the use of foreign labor contractors to—

(1) the Committee on the Judiciary of the Senate;

(2) the Committee on Health, Education, Labor, and Pensions of the Senate;

(3) the Committee on the Judiciary of the House of Representatives; and

(4) the Committee on Education and the Workforce of the House of Representatives.

(b) CONTENTS.—The report under subsection (a) should, to the extent possible—

(1) address the role and practices of United States employers in—

(A) the use of labor recruiters or brokers; or

(B) directly recruiting foreign workers;

(2) analyze the laws that protect such workers, both overseas and domestically;

(3) describe the oversight and enforcement mechanisms in Federal departments and agencies for such laws; and

(4) identify any gaps that may exist in these protections; and

(5) recommend possible actions for Federal departments and agencies to combat any abuses.

(c) REQUIREMENTS.—The report under subsection (a) shall—

(1) describe the role of labor recruiters or brokers working in countries that are sending workers and receiving funds, including any identified involvement in labor abuses;

(2) describe the role and practices of employers in the United States that commission labor recruiters or brokers or directly recruit foreign workers;

(3) describe the role of Federal departments and agencies in overseeing and regulating the foreign labor recruitment process, including certifying and enforcing under existing regulations;

(4) describe the type of jobs and the numbers of positions in the United States that have been filled through foreign workers during each of the last 8 years, including positions within the Federal Government;

(5) describe any efforts or programs undertaken by Federal, State and local government entities to encourage employers, directly or indirectly, to use foreign workers or to reward employers for using foreign workers; and

(6) based on the information required under paragraphs (1) through (3), identify any common abuses of foreign workers and the employment system, including the use of fees and debts, and recommendations of actions that could be taken by Federal departments and agencies to combat any identified abuses.

SEC. 1236. ACCOUNTABILITY.

All grants awarded by the Attorney General under this title or an Act amended by this title shall be subject to the following accountability provisions:

(1) AUDIT REQUIREMENT.—

(A) DEFINITION.—In this paragraph, the term “unresolved audit finding” means an audit report finding in the final audit report of the Inspector General of the Department of Justice that the grantee has used grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved during the 12-month period beginning on the date on which the final audit report is issued.

(B) REQUIREMENT.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and in each fiscal year

thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this title or an Act amended by this title to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(C) **MANDATORY EXCLUSION.**—A recipient of grant funds under this title or an Act amended by this title that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this title or an Act amended by this title during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

(D) **PRIORITY.**—In awarding grants under this title or an Act amended by this title, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this title or an Act amended by this title.

(E) **REIMBURSEMENT.**—If an entity is awarded grant funds under this title or an Act amended by this title during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(2) **NONPROFIT ORGANIZATION REQUIREMENTS.**—

(A) **DEFINITION.**—For purposes of this paragraph and the grant programs under this title or an Act amended by this title, the term “nonprofit organization” means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) **PROHIBITION.**—The Attorney General may not award a grant under this title or an Act amended by this title to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) **DISCLOSURE.**—Each nonprofit organization that is awarded a grant under this title or an Act amended by this title and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subparagraph available for public inspection.

(3) **CONFERENCE EXPENDITURES.**—

(A) **LIMITATION.**—No amounts authorized to be appropriated to the Department of Justice under this title or an Act amended by this title may be used by the Attorney General, or by any individual or entity awarded discretionary funds through a cooperative agreement under this title or an Act amended by this title, to host or support any expenditure for conferences that uses more than \$20,000 in funds made available to the Department of Justice, unless the Deputy

Attorney General or the appropriate Assistant Attorney General, Director, or principal deputy (as designated by the Deputy Attorney General) provides prior written authorization that the funds may be expended to host the conference.

(B) **WRITTEN APPROVAL.**—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

(C) **REPORT.**—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

(4) **ANNUAL CERTIFICATION.**—Beginning in the first fiscal year beginning after the date of enactment of this Act, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification indicating whether—

(A) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

(B) all mandatory exclusions required under paragraph (1)(C) have been issued;

(C) all reimbursements required under paragraph (1)(E) have been made; and

(D) includes a list of any grant recipients excluded under paragraph (1) from the previous year.

PART IV—ENHANCING STATE AND LOCAL EFFORTS TO COMBAT TRAFFICKING IN PERSONS

SEC. 1241. ASSISTANCE FOR DOMESTIC MINOR SEX TRAFFICKING VICTIMS.

(a) **IN GENERAL.**—Section 202 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044a) is amended to read as follows:

“SEC. 202. ESTABLISHMENT OF A GRANT PROGRAM TO DEVELOP, EXPAND, AND STRENGTHEN ASSISTANCE PROGRAMS FOR CERTAIN PERSONS SUBJECT TO TRAFFICKING.

“(a) DEFINITIONS.—In this section:

“(1) ASSISTANT SECRETARY.—The term ‘Assistant Secretary’ means the Assistant Secretary for Children and Families of the Department of Health and Human Services.

“(2) ASSISTANT ATTORNEY GENERAL.—The term ‘Assistant Attorney General’ means the Assistant Attorney General for the Office of Justice Programs of the Department of Justice.

“(3) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a State or unit of local government that—

“(A) has significant criminal activity involving sex trafficking of minors;

“(B) has demonstrated cooperation between Federal, State, local, and, where applicable, tribal law enforcement agencies, prosecutors, and social service providers in addressing sex trafficking of minors;

“(C) has developed a workable, multi-disciplinary plan to combat sex trafficking of minors, including—

“(i) building or establishing a residential care facility for minor victims of sex trafficking;

“(ii) the provision of rehabilitative care to minor victims of sex trafficking;

“(iii) the provision of specialized training for law enforcement officers and social service providers for all forms of sex trafficking, with a focus on sex trafficking of minors;

“(iv) prevention, deterrence, and prosecution of offenses involving sex trafficking of minors;

“(v) cooperation or referral agreements with organizations providing outreach or other related services to runaway and homeless youth; and

“(vi) law enforcement protocols or procedures to screen all individuals arrested for prostitution, whether adult or minor, for victimization by sex trafficking and by other crimes, such as sexual assault and domestic violence; and

“(D) provides assurance that a minor victim of sex trafficking shall not be required to collaborate with law enforcement to have access to residential care or services provided with a grant under this section.

“(4) MINOR VICTIM OF SEX TRAFFICKING.—The term ‘minor victim of sex trafficking’ means an individual who—

“(A) is younger than 18 years of age, and is a victim of an offense described in section 1591(a) of title 18, United States Code, or a comparable State law; or

“(B)(i) is not younger than 18 years of age nor older than 20 years of age;

“(ii) before the individual reached 18 years of age, was described in subparagraph (A); and

“(iii) was receiving shelter or services as a minor victim of sex trafficking.

“(5) QUALIFIED NONGOVERNMENTAL ORGANIZATION.—The term ‘qualified nongovernmental organization’ means an organization that—

“(A) is not a State or unit of local government, or an agency of a State or unit of local government;

“(B) has demonstrated experience providing services to victims of sex trafficking or related populations (such as runaway and homeless youth), or employs staff specialized in the treatment of sex trafficking victims; and

“(C) demonstrates a plan to sustain the provision of services beyond the period of a grant awarded under this section.

“(6) SEX TRAFFICKING OF A MINOR.—The term ‘sex trafficking of a minor’ means an offense described in section 1591(a) of title 18, United States Code, or a comparable State law, against a minor.

“(b) SEX TRAFFICKING BLOCK GRANTS.—

“(1) GRANTS AUTHORIZED.—

“(A) IN GENERAL.—The Assistant Attorney General, in consultation with the Assistant Secretary, may make block grants to 4 eligible entities located in different regions of the United States to combat sex trafficking of minors.

“(B) REQUIREMENT.—Not fewer than 1 of the block grants made under subparagraph (A) shall be awarded to an eligible entity with a State population of less than 5,000,000.

“(C) GRANT AMOUNT.—Subject to the availability of appropriations under subsection (g) to carry out this section, each grant made under this section shall be for an amount not less than \$1,500,000 and not greater than \$2,000,000.

“(D) DURATION.—

“(i) IN GENERAL.—A grant made under this section shall be for a period of 1 year.

“(ii) RENEWAL.—

“(I) IN GENERAL.—The Assistant Attorney General may renew a grant under this section for up to 3 1-year periods.

“(II) PRIORITY.—In making grants in any fiscal year after the first fiscal year in which grants are made under this section, the Assistant Attorney General shall give priority to an eligible entity that received a grant in the preceding fiscal year and is eligible for

renewal under this subparagraph, taking into account any evaluation of the eligible entity conducted under paragraph (4), if available.

“(E) CONSULTATION.—In carrying out this section, the Assistant Attorney General shall consult with the Assistant Secretary with respect to—

“(i) evaluations of grant recipients under paragraph (4);

“(ii) avoiding unintentional duplication of grants; and

“(iii) any other areas of shared concern.

“(2) USE OF FUNDS.—

“(A) ALLOCATION.—Not less than 67 percent of each grant made under paragraph (1) shall be used by the eligible entity to provide residential care and services (as described in clauses (i) through (iv) of subparagraph (B)) to minor victims of sex trafficking through qualified nongovernmental organizations.

“(B) AUTHORIZED ACTIVITIES.—Grants awarded pursuant to paragraph (2) may be used for—

“(i) providing residential care to minor victims of sex trafficking, including temporary or long-term placement as appropriate;

“(ii) providing 24-hour emergency social services response for minor victims of sex trafficking;

“(iii) providing minor victims of sex trafficking with clothing and other daily necessities needed to keep such victims from returning to living on the street;

“(iv) case management services for minor victims of sex trafficking;

“(v) mental health counseling for minor victims of sex trafficking, including specialized counseling and substance abuse treatment;

“(vi) legal services for minor victims of sex trafficking;

“(vii) specialized training for social service providers, public sector personnel, and private sector personnel likely to encounter sex trafficking victims on issues related to the sex trafficking of minors and severe forms of trafficking in persons;

“(viii) outreach and education programs to provide information about deterrence and prevention of sex trafficking of minors;

“(ix) programs to provide treatment to individuals charged or cited with purchasing or attempting to purchase sex acts in cases where—

“(I) a treatment program can be mandated as a condition of a sentence, fine, suspended sentence, or probation, or is an appropriate alternative to criminal prosecution; and

“(II) the individual was not charged with purchasing or attempting to purchase sex acts with a minor; and

“(x) screening and referral of minor victims of severe forms of trafficking in persons.

“(3) APPLICATION.—

“(A) IN GENERAL.—Each eligible entity desiring a grant under this section shall submit an application to the Assistant Attorney General at such time, in such manner, and accompanied by such information as the Assistant Attorney General may reasonably require.

“(B) CONTENTS.—Each application submitted pursuant to subparagraph (A) shall—

“(i) describe the activities for which assistance under this section is sought; and

“(ii) provide such additional assurances as the Assistant Attorney General determines to be essential to ensure compliance with the requirements of this section.

“(4) EVALUATION.—The Assistant Attorney General shall enter into a contract with an

academic or non-profit organization that has experience in issues related to sex trafficking of minors and evaluation of grant programs to conduct an annual evaluation of each grant made under this section to determine the impact and effectiveness of programs funded with the grant.

“(c) MANDATORY EXCLUSION.—An eligible entity that receives a grant under this section that is found to have utilized grant funds for any unauthorized expenditure or otherwise unallowable cost shall not be eligible for any grant funds awarded under the grant for 2 fiscal years following the year in which the unauthorized expenditure or unallowable cost is reported.

“(d) COMPLIANCE REQUIREMENT.—An eligible entity shall not be eligible to receive a grant under this section if, during the 5 fiscal years before the eligible entity submits an application for the grant, the eligible entity has been found to have violated the terms or conditions of a Government grant program by utilizing grant funds for unauthorized expenditures or otherwise unallowable costs.

“(e) ADMINISTRATIVE CAP.—The cost of administering the grants authorized by this section shall not exceed 3 percent of the total amount appropriated to carry out this section.

“(f) AUDIT REQUIREMENT.—For fiscal years 2016 and 2017, the Inspector General of the Department of Justice shall conduct an audit of all 4 eligible entities that receive block grants under this section.

“(g) MATCH REQUIREMENT.—An eligible entity that receives a grant under this section shall provide a non-Federal match in an amount equal to not less than—

“(1) 15 percent of the grant during the first year;

“(2) 25 percent of the grant during the first renewal period;

“(3) 40 percent of the grant during the second renewal period; and

“(4) 50 percent of the grant during the third renewal period.

“(h) NO LIMITATION ON SECTION 204 GRANTS.—An entity that applies for a grant under section 204 is not prohibited from also applying for a grant under this section.

“(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$8,000,000 to the Attorney General for each of the fiscal years 2014 through 2017 to carry out this section.

“(j) GAO EVALUATION.—Not later than 30 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains—

“(1) an evaluation of the impact of this section in aiding minor victims of sex trafficking in the jurisdiction of the entity receiving the grant; and

“(2) recommendations, if any, regarding any legislative or administrative action the Comptroller General determines appropriate.”

(b) SUNSET PROVISION.—The amendment made by subsection (a) shall be effective during the 4-year period beginning on the date of the enactment of this Act.

SEC. 1242. EXPANDING LOCAL LAW ENFORCEMENT GRANTS FOR INVESTIGATIONS AND PROSECUTIONS OF TRAFFICKING.

Section 204 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044c) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A), by striking “, which involve United States citizens, or aliens admitted for permanent residence, and”;

(B) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (C), (D), and (E), respectively; and

(C) by inserting after subparagraph (A) the following:

“(B) to train law enforcement personnel how to identify victims of severe forms of trafficking in persons and related offenses;”;

(D) in subparagraph (C), as redesignated, by inserting “and prioritize the investigations and prosecutions of those cases involving minor victims” after “sex acts”;

(2) by redesignating subsection (d) as subsection (e);

(3) by inserting after subsection (c) the following:

“(d) NO LIMITATION ON SECTION 202 GRANT APPLICATIONS.—An entity that applies for a grant under section 202 is not prohibited from also applying for a grant under this section.”;

(4) in subsection (e), as redesignated, by striking “\$20,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$10,000,000 for each of the fiscal years 2014 through 2017”; and

(5) by adding at the end the following:

“(f) GAO EVALUATION AND REPORT.—Not later than 30 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study of and submit to Congress a report evaluating the impact of this section on—

“(1) the ability of law enforcement personnel to identify victims of severe forms of trafficking in persons and investigate and prosecute cases against offenders, including offenders who engage in the purchasing of commercial sex acts with a minor; and

“(2) recommendations, if any, regarding any legislative or administrative action the Comptroller General determines appropriate to improve the ability described in paragraph (1).”

SEC. 1243. MODEL STATE CRIMINAL LAW PROTECTION FOR CHILD TRAFFICKING VICTIMS AND SURVIVORS.

Section 225(b) of the Trafficking Victims Reauthorization Act of 2008 (22 U.S.C. 7101 note) is amended—

(1) in paragraph (1), by striking “and” at the end;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

“(2) protects children exploited through prostitution by including safe harbor provisions that—

“(A) treat an individual under 18 years of age who has been arrested for engaging in, or attempting to engage in, a sexual act with another person in exchange for monetary compensation as a victim of a severe form of trafficking in persons;

“(B) prohibit the charging or prosecution of an individual described in subparagraph (A) for a prostitution offense;

“(C) require the referral of an individual described in subparagraph (A) to appropriate service providers, including comprehensive service or community-based programs that provide assistance to child victims of commercial sexual exploitation; and

“(D) provide that an individual described in subparagraph (A) shall not be required to prove fraud, force, or coercion in order to receive the protections described under this paragraph.”

Subtitle C—Authorization of Appropriations**SEC. 1251. ADJUSTMENT OF AUTHORIZATION LEVELS FOR THE TRAFFICKING VICTIMS PROTECTION ACT OF 2000.**

The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended—

(1) in section 112A(b)(4) (22 U.S.C. 7109a(b)(4))—

(A) by striking “\$2,000,000” and inserting “\$1,000,000”; and

(B) by striking “2008 through 2011” and inserting “2014 through 2017”; and

(2) in section 113 (22 U.S.C. 7110)—

(A) subsection (a)—

(i) by striking “\$5,500,000 for each of the fiscal years 2008 through 2011” each place it appears and inserting “\$2,000,000 for each of the fiscal years 2014 through 2017”; and

(ii) by inserting “, including regional trafficking in persons officers,” after “for additional personnel,”; and

(iii) by striking “, and \$3,000 for official reception and representation expenses”; and

(B) in subsection (b)—

(i) in paragraph (1), by striking “\$12,500,000 for each of the fiscal years 2008 through 2011” and inserting “\$14,500,000 for each of the fiscal years 2014 through 2017”; and

(ii) in paragraph (2), by striking “to the Secretary of Health and Human Services” and all that follows and inserting “\$8,000,000 to the Secretary of Health and Human Services for each of the fiscal years 2014 through 2017.”;

(C) in subsection (c)(1)—

(i) in subparagraph (A), by striking “2008 through 2011” each place it appears and inserting “2014 through 2017”; and

(ii) in subparagraph (B)—

(I) by striking “\$15,000,000 for fiscal year 2003 and \$10,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$10,000,000 for each of the fiscal years 2014 through 2017”; and

(II) by striking “2008 through 2011” and inserting “2014 through 2017”; and

(iii) in subparagraph (C), by striking “2008 through 2011” and inserting “2014 through 2017”;

(D) in subsection (d)—

(i) by redesignating subparagraphs (A) through (C) as paragraphs (1) through (3), respectively, and moving such paragraphs 2 ems to the left;

(ii) in the paragraph (1), as redesignated, by striking “\$10,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$11,000,000 for each of the fiscal years 2014 through 2017”; and

(iii) in paragraph (3), as redesignated, by striking “to the Attorney General” and all that follows and inserting “\$11,000,000 to the Attorney General for each of the fiscal years 2014 through 2017.”;

(E) in subsection (e)—

(i) in paragraph (1), by striking “\$15,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$7,500,000 for each of the fiscal years 2014 through 2017”; and

(ii) in paragraph (2), by striking “\$15,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$7,500,000 for each of the fiscal years 2014 through 2017”; and

(F) in subsection (f), by striking “\$10,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$5,000,000 for each of the fiscal years 2014 through 2017”; and

(G) in subsection (i), by striking “\$18,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$10,000,000 for each of the fiscal years 2014 through 2017”.

SEC. 1252. ADJUSTMENT OF AUTHORIZATION LEVELS FOR THE TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2005.

The Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109-164) is amended—

(1) by striking section 102(b)(7); and

(2) in section 201(c)(2), by striking “\$1,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$250,000 for each of the fiscal years 2014 through 2017”.

Subtitle D—Unaccompanied Alien Children**SEC. 1261. APPROPRIATE CUSTODIAL SETTINGS FOR UNACCOMPANIED MINORS WHO REACH THE AGE OF MAJORITY WHILE IN FEDERAL CUSTODY.**

Section 235(c)(2) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(2)) is amended—

(1) by striking “Subject to” and inserting the following:

“(A) MINORS IN DEPARTMENT OF HEALTH AND HUMAN SERVICES CUSTODY.—Subject to”; and

(2) by adding at the end the following:

“(B) ALIENS TRANSFERRED FROM DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEPARTMENT OF HOMELAND SECURITY CUSTODY.—If a minor described in subparagraph (A) reaches 18 years of age and is transferred to the custody of the Secretary of Homeland Security, the Secretary shall consider placement in the least restrictive setting available after taking into account the alien’s danger to self, danger to the community, and risk of flight. Such aliens shall be eligible to participate in alternative to detention programs, utilizing a continuum of alternatives based on the alien’s need for supervision, which may include placement of the alien with an individual or an organizational sponsor, or in a supervised group home.”.

SEC. 1262. APPOINTMENT OF CHILD ADVOCATES FOR UNACCOMPANIED MINORS.

Section 235(c)(6) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(6)) is amended—

(1) by striking “The Secretary” and inserting the following:

“(A) IN GENERAL.—The Secretary”; and

(2) by striking “and criminal”; and

(3) by adding at the end the following:

“(B) APPOINTMENT OF CHILD ADVOCATES.—

“(i) INITIAL SITES.—Not later than 2 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Health and Human Services shall appoint child advocates at 3 new immigration detention sites to provide independent child advocates for trafficking victims and vulnerable unaccompanied alien children.

“(ii) ADDITIONAL SITES.—Not later than 3 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary shall appoint child advocates at not more than 3 additional immigration detention sites.

“(iii) SELECTION OF SITES.—Sites at which child advocate programs will be established under this subparagraph shall be located at immigration detention sites at which more than 50 children are held in immigration custody, and shall be selected sequentially, with priority given to locations with—

“(I) the largest number of unaccompanied alien children; and

“(II) the most vulnerable populations of unaccompanied children.

“(C) RESTRICTIONS.—

“(i) ADMINISTRATIVE EXPENSES.—A child advocate program may not use more than 10

percent of the Federal funds received under this section for administrative expenses.

“(ii) NONEXCLUSIVITY.—Nothing in this section may be construed to restrict the ability of a child advocate program under this section to apply for or obtain funding from any other source to carry out the programs described in this section.

“(iii) CONTRIBUTION OF FUNDS.—A child advocate program selected under this section shall contribute non-Federal funds, either directly or through in-kind contributions, to the costs of the child advocate program in an amount that is not less than 25 percent of the total amount of Federal funds received by the child advocate program under this section. In-kind contributions may not exceed 40 percent of the matching requirement under this clause.

“(D) ANNUAL REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, and annually thereafter, the Secretary of Health and Human Services shall submit a report describing the activities undertaken by the Secretary to authorize the appointment of independent Child Advocates for trafficking victims and vulnerable unaccompanied alien children to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

“(E) ASSESSMENT OF CHILD ADVOCATE PROGRAM.—

“(i) IN GENERAL.—As soon as practicable after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Comptroller General of the United States shall conduct a study regarding the effectiveness of the Child Advocate Program operated by the Secretary of Health and Human Services.

“(ii) MATTERS TO BE STUDIED.—In the study required under clause (i), the Comptroller General shall— collect information and analyze the following:

“(I) analyze the effectiveness of existing child advocate programs in improving outcomes for trafficking victims and other vulnerable unaccompanied alien children;

“(II) evaluate the implementation of child advocate programs in new sites pursuant to subparagraph (B);

“(III) evaluate the extent to which eligible trafficking victims and other vulnerable unaccompanied children are receiving child advocate services and assess the possible budgetary implications of increased participation in the program;

“(IV) evaluate the barriers to improving outcomes for trafficking victims and other vulnerable unaccompanied children; and

“(V) make recommendations on statutory changes to improve the Child Advocate Program in relation to the matters analyzed under subclauses (I) through (IV).

“(iii) GAO REPORT.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit the results of the study required under this subparagraph to—

“(I) the Committee on the Judiciary of the Senate;

“(II) the Committee on Health, Education, Labor, and Pensions of the Senate;

“(III) the Committee on the Judiciary of the House of Representatives; and

“(IV) the Committee on Education and the Workforce of the House of Representatives.

“(F) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary and Human Services to carry out this subsection—

“(i) \$1,000,000 for each of the fiscal years 2014 and 2015; and

“(ii) \$2,000,000 for each of the fiscal years 2016 and 2017.”.

SEC. 1263. ACCESS TO FEDERAL FOSTER CARE AND UNACCOMPANIED REFUGEE MINOR PROTECTIONS FOR CERTAIN U VISA RECIPIENTS.

Section 235(d)(4) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(d)(4)) is amended—

(1) in subparagraph (A),

(A) by striking “either”;

(B) by striking “or who” and inserting a comma; and

(C) by inserting “, or has been granted status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)),” before “, shall be eligible”; and

(2) in subparagraph (B), by inserting “, or status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)),” after “(8 U.S.C. 1101(a)(27)(J))”.

SEC. 1264. GAO STUDY OF THE EFFECTIVENESS OF BORDER SCREENINGS.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study examining the effectiveness of screenings conducted by Department of Homeland Security personnel in carrying out section 235(a)(4) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)(4)).

(2) STUDY.—In carrying out paragraph (1), the Comptroller General shall take into account—

(A) the degree to which Department of Homeland Security personnel are adequately ensuring that—

(i) all children are being screened to determine whether they are described in section 235(a)(2)(A) of the William Wilberforce Trafficking Victims Protection Reauthorization Act;

(ii) appropriate and reliable determinations are being made about whether children are described in section 235(a)(2)(A) of such Act, including determinations of the age of such children;

(iii) children are repatriated in an appropriate manner, consistent with clauses (i) through (iii) of section 235(a)(2)(C) of such Act;

(iv) children are appropriately being permitted to withdraw their applications for admission, in accordance with section 235(a)(2)(B)(i) of such Act;

(v) children are being properly cared for while they are in the custody of the Department of Homeland Security and awaiting repatriation or transfer to the custody of the Secretary of Health and Human Services; and

(vi) children are being transferred to the custody of the Secretary of Health and Human Services in a manner that is consistent with such Act; and

(B) the number of such children that have been transferred to the custody of the Department of Health and Human Services, the Federal funds expended to maintain custody of such children, and the Federal benefits available to such children, if any.

(3) ACCESS TO DEPARTMENT OF HOMELAND SECURITY OPERATIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), for the purposes of conducting the study described in subsection (a), the Secretary shall provide the Comptroller General with unrestricted access to all stages of screenings and other interactions between Department of Homeland Security

personnel and children encountered by the Comptroller General.

(B) EXCEPTIONS.—The Secretary shall not permit unrestricted access under subparagraph (A) if the Secretary determines that the security of a particular interaction would be threatened by such access.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of the commencement of the study described in subsection (a), the Comptroller General of the United States shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that contains the Commission's findings and recommendations.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I have already spoken about this, and I want to reiterate what I said earlier. Our country, justifiably so, is a beacon of hope for so many who face human rights abuses. I think of what is written on the iconic Statue of Liberty; so many people come to our shores for freedom. We also know there are many who are being held in these despicable trafficking schemes around the world. There are children who are 11, 12, 13 years old being held, and we have to speak for them.

I hope all Senators will join me in voting for this amendment. There are protections for victims of trafficking in the reauthorization act. It is a bipartisan bill written with the input of victims and service providers. It helps us to more effectively fight human trafficking, which is really modern-day slavery. Whether people are trafficked in the sex trade—especially children—or in forced labor, it is slavery. It is not isolated. There are 27 million victims worldwide today according to the Polaris Project. This amendment will help us to stop it by supporting both domestic and international efforts to fight against trafficking.

Just as important as it is to help us punish the perpetrators, the amendment will help us rebuild the lives of those caught up in it. We know funds are always limited. We put in accountability measures to ensure the Federal funds are used for their intended purposes.

Let us continue to have the United States as a beacon of hope to people around the world.

I ask unanimous consent to have printed in the RECORD letters in support of amendment 21, the Trafficking Victims Protection Reauthorization Act, to S. 47, the Violence Against Women Reauthorization Act of 2013.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AMERICANS FOR IMMIGRANT JUSTICE,

Washington, DC, February 11, 2013.

Hon. PATRICK LEAHY,
Chairman, Senate Committee on the Judiciary,
Dirksen Senate Office Building, Washington, DC.

DEAR CHAIRMAN LEAHY: Americans for Immigrant Justice (AI Justice), is writing to

express our strong support for final passage of the Violence Against Women Act (S. 47) and amendment #21 to S. 47. This vital legislation and amendment improves existing VAWA programs and strengthens protections for all victims of violence.

AI Justice was established in 1996 and provides free legal services to immigrants of all nationalities, including immigrant victims of domestic violence, sexual assault and human trafficking. AI Justice's specialized Lucha Project addresses survivors' needs in a holistic manner and engages all immigrant communities in an effort to end violence against women. We have assisted thousands of immigrant survivors, and we understand firsthand why this important legislation and amendment are needed.

The authorization in the Trafficking Victims Protection Act (TVPA) expired on September 30, 2011. We ask all Senators to support amendment #21, which reauthorizes the TVPA and provides additional tools necessary to combat trafficking and modern-day slavery at home and abroad. We urge all Senators to oppose any attempt to weaken the bill and oppose any attempts to attach non-germane amendments to S. 47.

The United States can and should do more to help protect all victims and fight domestic violence and human trafficking. We urge all Senators to vote for final passage of the Violence Against Women Act and for amendment #21, which reauthorizes the Trafficking Victims Protection Act.

Sincerely,

CORY W. SMITH,

Washington, DC Office Director,
Americans for Immigrant Justice.

—
ALLIANCE TO END SLAVERY
AND TRAFFICKING,

Washington, DC, February 11, 2013.

Sen. PATRICK LEAHY,
Russell Senate Bldg, U.S. Senate,
Washington, DC.

DEAR CHAIRMAN LEAHY, The Alliance to End Slavery and Trafficking (ATEST), a diverse alliance of U.S.-based human rights organizations, acting with a shared agenda to end modern-day slavery and human trafficking around the world, is writing to express our strong support for amendment (#21) to the Violence Against Women Act (S. 47). This critical amendment includes the text of S. 1301, the Trafficking Victims Protection Reauthorization Act (TVPA), and additional grant reporting requirements.

As of September 30, 2011, the authorizations contained in the Trafficking Victims Protection Act (TVPA) expired. We urge Senators to support amendment #21, which reauthorizes the TVPA, provides additional tools necessary to combat trafficking and modern-day slavery at home and abroad, and continues the fight to end modern-day slavery and human trafficking in our generation.

Although the United States has taken significant steps to combat human trafficking through a comprehensive approach, much more needs to be done. The scope of human trafficking and slavery has come into sharp focus over the past years with an estimated 27 million slaves worldwide. Combined, human trafficking and slavery are the world's third largest criminal enterprises, after drugs and weapons. The United States can and should do more to help fight human trafficking both domestically and internationally. We urge passage of the amendment to continue U.S. leadership and further the victim-centered approach that has been

crucial to combating human trafficking around the world.

Sincerely,
Coalition to Abolish Slavery and Trafficking (CAST), Coalition of Immokalee Workers (CIW), ECPAT-USA, Free the Slaves, International Justice Mission, Not for Sale Campaign, Polaris Project, Safe Horizon, Solidarity Center, Verité, Vital Voices Global Partnership, World Vision.

FREEDOM NETWORK USA,

February 11, 2013.

Re Amendment #21 (Trafficking Victims Protection Reauthorization Act) to S. 47 (Violence Against Women Act)

Hon. PATRICK LEAHY,
Chairman of the Senate Committee on the Judiciary, Russell Senate Bldg., U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN, The Freedom Network (USA), which was established in 2001, is a coalition of 35 nongovernmental organizations and individual experts that provide services to, and advocate for the rights of, trafficking survivors in the United States. The Trafficking Victims Protection Reauthorization Act (TVPRA), groundbreaking legislation which increased the U.S. government's efforts to protect victims, authorized the government to strengthen efforts to prosecute traffickers, and allowed for increased prevention measures, funds some of the Freedom Network's most vital programs, including comprehensive case management, shelter, and legal services. The Freedom Network enthusiastically commends and supports you for introducing this vital legislation as an amendment (Amendment #21) to the bill to reauthorize the Violence Against Women Act (VAWA) (Senate Bill 47).

With an estimated 27 million victims of human trafficking worldwide, the United States should continue to lead the charge to end this human rights abuse. Throughout the course of the 112th Congress, the Freedom Network worked fervently in support of the TVPRA (S. 1301), which ultimately culminated in 57 co-sponsors from both sides of the aisle by the end of 2012. Today, the Senate will resume consideration of S. 47, and they will debate Amendment #21 to authorize appropriations for fiscal years 2014 through 2017 for the TVPRA, to enhance measures to combat trafficking in persons, and for other purposes. Both the TVPRA and VAWA are critical to survivors of human trafficking, domestic violence, and sexual assault.

Thank you for your continued attention to this issue. Please contact Freedom Network Policy Co-Chairs Keeli Sorensen (keeli.sorensen@safehorizon.org) and Ivy Suriyopas (isuriyopas@aaldef.org) if you have any questions.

Sincerely yours,

BILL BERNSTEIN,
Co-Chair.

PATRICIA MEDIGE,
Co-Chair.

SUZANNE TOMATORE,
Co-Chair.

MEMBERS OF THE FREEDOM NETWORK (USA)

American Gateways (TX); Americans for Immigrant Justice (FL); API Safety Center & Chaya (WA); Arizona League to End Regional Human Trafficking (AZ); Asian American Legal Defense and Education Fund (NY); Asian Pacific Islander Legal Outreach (CA); Ayuda, Inc. (DC); Break the Chain Campaign, Institute for Policy Studies (DC); Coalition of Immokalee Workers Anti-Slavery Campaign (FL); Coalition to Abolish

Slavery and Trafficking (CA); Colorado Legal Services (CO); Florida Freedom Partnership/Anti-Human Trafficking Program (FL); Florrie Burke (NY); Immigrant Women and Children Project, City Bar Justice Center (NY); International Institute of Buffalo (NY); International Institute of St. Louis (MO).

International Organization for Adolescents (IL); Kristen Heffernan (NY); Legal Aid Foundation of Los Angeles (CA); LUCHA: A Women's Legal Project, Florida Immigrant Advocacy Center (FL); Maria Jose Fletcher (FL); Marianna Smirnova (CA); Martina Vandenberg (DC); Mosaic Family Services (TX); My Sisters' Place; National Immigrant Justice Center (IL); Safe Horizon, Anti-Trafficking Program and Streetwork Project (NY); Sapna Patel (TX); Sex Workers Project, Urban Justice Center (NY); Southern Poverty Law Center Immigrant Justice Project (GA); Tapestri (GA); VIDA Legal Assistance (FL); Washington Anti-Trafficking Response Network (WA); Wisconsin Coalition Against Sexual Assault (WI); Worker Justice Center of New York (NY).

Mr. LEAHY. Let's pass this.

Mr. President, I am going to suggest the absence of a quorum unless somebody else seeks recognition. I see the distinguished Senator from Florida on the floor, and I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Mr. President, I wish to echo my support for this amendment which is, basically, the Trafficking Victims Protection Act.

Human trafficking is an issue which is shocking to people in its prevalence, both in our country and around the world. The idea of human slavery is something people think about as a historical issue, something that happened a long time ago. The fact is it is happening today all over the world, and it is happening in the United States. It is a tragic issue.

There is not just sex trafficking, which gets all the attention and, obviously, is something that is very bad, but there is also labor trafficking. There are people in this country who are brought here under false pretenses, and when they get here they don't get paid, they are mistreated, and on many occasions they are threatened that their family back home is going to be hurt if they go to the authorities.

We have had cases of this happening in Florida. We have seen horrible cases that have been documented in Florida. This is one of the issues I have become passionate about, and anyone could become passionate about, if ever a person meets any of these survivors, these young men and women who have survived some of the most brutal treatment one can imagine. So this is a great step forward in reauthorizing not just this bill but America's example to the world that we take this issue seriously.

I also think this is an issue of awareness. In the years to come, I hope we will continue to talk about this issue because there is still a lack of awareness in this country among many peo-

ple about how serious this problem truly is. I am grateful we will, hopefully, be able to move forward, and I wish to thank the Senator from Vermont for offering this amendment.

Should I yield the floor?

Mr. LEAHY. Mr. President, before the Senator from Florida yields, I appreciate the strong support of Senator RUBIO. He has been the voice of reason and consistency in this area and I appreciate it.

I suggest the absence of a quorum with the time equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask permission to speak as in morning business for 8 minutes.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. GRASSLEY. I thank the Chair.

(The remarks of Senator GRASSLEY pertaining to the introduction of S. 281 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. GRASSLEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 21, AS MODIFIED

Mr. LEAHY. Mr. President, we are going to vote in a couple minutes, but I would reiterate what I said earlier. This is going to be a vote on the Trafficking Victims Protection Reauthorization Act. It is a bill that was written with the input of victims and service providers. Last year, we had 57 cosponsors, including 15 Republicans.

I do want to thank Senator RUBIO, who was on the floor a few minutes ago speaking about it.

I could not help but think, as I said earlier, when I looked at the calendar today, February 12—the day on which Abraham Lincoln was born; and 150 years ago, he delivered the Emancipation Proclamation—wouldn't it be great if the Senate passed the Trafficking Victims Protection Reauthorization Act on President Lincoln's birthday?

I also said earlier today that the Senate should be—often is—the conscience of the Nation. I have to imagine that the conscience of the vast majority of our 300 million Americans—whether they are Republicans or Democrats;

liberals, moderates, or conservatives; Independents—their conscience would rebel against the idea of, really, slave trafficking, whether it is people trapped in the sex trade or in factories where they face the possibility, if there is a fire, they are all going to die because they are forced to be there.

Let's speak. Let's speak to the conscience of this country.

Mr. President, have the yeas and nays been ordered on my amendment?

The PRESIDING OFFICER. They have not.

Mr. LEAHY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. LEAHY. Mr. President, I yield back all time.

The PRESIDING OFFICER.

The question is on agreeing to amendment No. 21, as modified.

The yeas and nays were previously ordered.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILLIBRAND) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 93, nays 5, as follows:

[Rollcall Vote No. 15 Leg.]

YEAS—93

Alexander	Fischer	Murkowski
Ayotte	Flake	Murphy
Baldwin	Franken	Murray
Barrasso	Graham	Nelson
Baucus	Grassley	Paul
Begich	Hagan	Portman
Bennet	Harkin	Pryor
Blumenthal	Hatch	Reed
Blunt	Heinrich	Reid
Boozman	Heitkamp	Risch
Boxer	Heller	Roberts
Brown	Hirono	Rockefeller
Burr	Hoeven	Rubio
Cantwell	Isakson	Sanders
Cardin	Johanns	Schatz
Carper	Johnson (SD)	Schumer
Casey	Kaine	Scott
Chambliss	King	Shaheen
Coats	Kirk	Shelby
Cochran	Klobuchar	Stabenow
Collins	Landrieu	Tester
Coons	Lautenberg	Thune
Corker	Leahy	Toomey
Cornyn	Levin	Udall (CO)
Cowan	Manchin	Udall (NM)
Crapo	McCaskill	Vitter
Cruz	McConnell	Warner
Donnelly	Menendez	Warren
Durbin	Merkley	Whitehouse
Enzi	Mikulski	Wicker
Feinstein	Moran	Wyden

NAYS—5

Coburn	Johnson (WI)	Sessions
Inhofe	Lee	

NOT VOTING—2

Gillibrand	McCain
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The amendment (No. 21) was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

Mr. MANCHIN. I move to lay that motion on the table.

The motion to lay upon the table was agreed to.

The PRESIDING OFFICER. The Senator from Vermont.

AMENDMENT NO. 10

Mr. LEAHY. Parliamentary inquiry: Under the previous order, we are now on amendment No. 10?

The PRESIDING OFFICER. The amendment has not been made pending.

The Senator from Ohio.

Mr. PORTMAN. Mr. President, I call up amendment No. 10.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Ohio [Mr. PORTMAN] proposes an amendment numbered 10.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike section 302 and insert the following:

SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH.

Subtitle L of the Violence Against Women Act of 1994 is amended by striking sections 41201 through 41204 (42 U.S.C. 14043c through 14043c–3) and inserting the following:

“SEC. 41201. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH (‘CHOOSE CHILDREN & YOUTH’).

“(a) GRANTS AUTHORIZED.—The Attorney General, working in collaboration with the Secretary of Health and Human Services and the Secretary of Education, shall award grants to enhance the safety of youth and children who are victims of, or exposed to, domestic violence, dating violence, sexual assault, stalking, or sex trafficking and prevent future violence.

“(b) PROGRAM PURPOSES.—Funds provided under this section may be used for the following program purpose areas:

“(1) SERVICES TO ADVOCATE FOR AND RESPOND TO YOUTH.—To develop, expand, and strengthen victim-centered interventions and services that target youth who are victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order proceedings, population-specific services, and other activities that support youth in finding safety, stability, and justice and in addressing the emotional, cognitive, and physical effects of trauma. Funds may be used to—

“(A) assess and analyze currently available services for youth victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking, determining relevant barriers to such services in a particular locality, and developing a community protocol to address such problems collaboratively;

“(B) develop and implement policies, practices, and procedures to effectively respond to domestic violence, dating violence, sexual assault, stalking, or sex trafficking against youth; or

“(C) provide technical assistance and training to enhance the ability of school personnel, victim service providers, child protective service workers, staff of law enforcement agencies, prosecutors, court personnel, individuals who work in after school programs, medical personnel, social workers, mental health personnel, and workers in other programs that serve children and youth to improve their ability to appropriately respond to the needs of children and youth who are victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking, and to properly refer such children, youth, and their families to appropriate services.

“(2) SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.—To enable middle schools, high schools, and institutions of higher education to—

“(A) provide training to school personnel, including healthcare providers and security personnel, on the needs of students who are victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking;

“(B) develop and implement prevention and intervention policies in middle and high schools, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating domestic violence, dating violence, sexual assault, stalking, or sex trafficking, and procedures for handling the requirements of court protective orders issued to or against students;

“(C) provide support services for student victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking, such as a resource person who is either on-site or on-call;

“(D) implement developmentally appropriate educational programming for students regarding domestic violence, dating violence, sexual assault, stalking, and sex trafficking and the impact of such violence on youth; or

“(E) develop strategies to increase identification, support, referrals, and prevention programming for youth who are at high risk of domestic violence, dating violence, sexual assault, stalking, or sex trafficking.

“(c) ELIGIBLE APPLICANTS.—

“(1) IN GENERAL.—To be eligible to receive a grant under this section, an entity shall be—

“(A) a victim service provider, tribal non-profit, or population-specific or community-based organization with a demonstrated history of effective work addressing the needs of youth who are, including runaway or homeless youth affected by, victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking;

“(B) a victim service provider that is partnered with an entity that has a demonstrated history of effective work addressing the needs of youth; or

“(C) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(2) PARTNERSHIPS.—

“(A) EDUCATION.—To be eligible to receive a grant for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be partnered with a public,

charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(B) OTHER PARTNERSHIPS.—All applicants under this section are encouraged to work in partnership with organizations and agencies that work with the relevant population. Such entities may include—

“(i) a State, tribe, unit of local government, or territory;

“(ii) a population specific or community-based organization;

“(iii) batterer intervention programs or sex offender treatment programs with specialized knowledge and experience working with youth offenders; or

“(iv) any other agencies or nonprofit, non-governmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

“(d) GRANT REQUIREMENTS.—Applicants for grants under this section shall establish and implement policies, practices, and procedures that—

“(1) require and include appropriate referral systems for child and youth victims;

“(2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers all with priority on victim safety and autonomy; and

“(3) ensure that all individuals providing intervention or prevention programming to children or youth through a program funded under this section have completed, or will complete, sufficient training in connection with domestic violence, dating violence, sexual assault, stalking, and sex trafficking.

“(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 4002 shall apply.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of fiscal years 2014 through 2018.

“(g) ALLOTMENT.—

“(1) IN GENERAL.—Not less than 50 percent of the total amount appropriated under this section for each fiscal year shall be used for the purposes described in subsection (b)(1).

“(2) INDIAN TRIBES.—Not less than 10 percent of the total amount appropriated under this section for each fiscal year shall be made available for grants under the program authorized by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968. The requirements of this section shall not apply to funds allocated under this paragraph.

“(h) PRIORITY.—The Attorney General shall prioritize grant applications under this section that coordinate with prevention programs in the community.”

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, this is a commonsense amendment. We just voted on the Violence Against Women Act amendment for trafficking offered by Senator LEAHY. This is an amendment that actually deals with the underlying legislation. It is really a clarifying amendment.

I am pleased to be joined by Senators BLUMENTHAL, AYOTTE, COLLINS, BROWN,

COCHRAN, RUBIO, ALEXANDER, and GILLIBRAND. It has to do with offering protection and services to victims of sex trafficking under VAWA. This simply says under section 302 of VAWA that we ensure sex trafficking is covered.

Right now youth and children who are exposed to domestic violence, dating violence, or sexual assault or stalking are covered but not sex trafficking. I think it is consistent with the amendment we just passed. It is also an important clarification of the underlying bill.

There are about 300,000 young Americans the FBI says are at risk today. This is a commonsense approach, and I would hope that all Senators on both sides of the aisle would agree that sex trafficking should be covered by this act.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Vermont.

Mr. LEAHY. I agree with the Senator from Ohio. I am perfectly willing to accept this amendment by a voice vote, and I do support it.

I am encouraged that the Senate has voted to pass the Trafficking Victims Protection Reauthorization Act, which will let us make real progress in helping victims of human trafficking. I worked with Senator RUBIO last Congress to reauthorize and improve our antitrafficking law and needed programs. We were stymied by an anonymous Republican objection. Today we achieved a breakthrough when the Senate voted to approve the Trafficking Victims Protection Reauthorization Act.

I thank Senators from both sides of the aisle who have rejected the cramped view of the Heritage Foundation and joined with us to make progress on this important issue, to help victims and to help prevent human trafficking. The vote the Senate just took to approve vital antitrafficking legislation will ensure that resources and services get to trafficking victims in ways shown to work. By our action, we are improving and strengthening antitrafficking programs.

I do not wish to conflate or confuse the two issues. The Violence Against Women Act provides programs for victims of sexual assault and domestic violence. Trafficking is different, a unique form of abuse with separate programs designed to address it in the Trafficking Victims Protection Act.

When trafficking victims also experience sexual assault, they can also access programs funded through VAWA for sexual assault victims. The Leahy-Crapo Violence Against Women Reauthorization Act explicitly provides that VAWA programs are to help victims of domestic violence, dating violence, sexual assault, or stalking. That includes trafficking victims. That language was carefully crafted with advocates for victims of those crimes.

Accordingly, I believe that amendment 10 is unnecessary. It duplicates and reiterates what the bill already provides. So long as it does not harm and does not create confusion, I support it. The Senator from Oklahoma may accuse us of providing duplicative programs, but no one is going to subject themselves to sexual assault just because they might be eligible for a VAWA program or help from a trafficking program. No individual victim is going to somehow profit at taxpayers' expense. The amendment is accepted merely as further clarification of the availability of VAWA programs to children who are both victims of trafficking and sexual assault. Sex trafficking victims are by definition also sexual assault victims.

I am not in favor of confusing program administrators or taking program funds away from victims of rape and domestic violence. I have worked hard not to pit victims against each other. Instead, I have tried to provide for the needs of all victims.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I want to again thank the chairman of the Judiciary Committee, PATRICK LEAHY, for his leadership on this bill and on the issue of human trafficking. He has led this Chamber.

I want to thank my colleague, Senator PORTMAN, for truly a commonsense amendment that aims to combat one of the great scourges in the United States and around the world, sex trafficking involving young people. We can take a strong step and send a strong message by providing the kinds of services to young victims as we do to other victims who receive aid under VAWA. I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. PORTMAN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant bill clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 16 Leg.]

YEAS—100

Alexander	Cantwell	Crapo
Ayotte	Cardin	Cruz
Baldwin	Carper	Donnelly
Barrasso	Casey	Durbin
Baucus	Chambliss	Enzi
Begich	Coats	Feinstein
Bennet	Coburn	Fischer
Blumenthal	Cochran	Flake
Blunt	Collins	Franken
Boozman	Coons	Gillibrand
Boxer	Corker	Graham
Brown	Cornyn	Grassley
Burr	Cowan	Hagan

Harkin	Manchin	Sanders
Hatch	McCain	Schatz
Heinrich	McCaskill	Schumer
Heitkamp	McConnell	Scott
Heller	Menendez	Sessions
Hirono	Merkley	Shaheen
Hoeven	Mikulski	Shelby
Inhofe	Moran	Stabenow
Isakson	Murkowski	Tester
Johanns	Murphy	Thune
Johnson (SD)	Murray	Toomey
Johnson (WI)	Nelson	Udall (CO)
Kaine	Paul	Udall (NM)
King	Portman	Vitter
Kirk	Pryor	Warner
Klobuchar	Reed	Warren
Landrieu	Reid	Whitehouse
Lautenberg	Risch	Wicker
Leahy	Roberts	Wyden
Lee	Rockefeller	
Levin	Rubio	

The amendment (No. 10) was agreed to.

Mr. LEAHY. Madam President, I move to reconsider.

Mr. MERKLEY. I move to lay that on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 11

Mr. LEAHY. Madam President, the distinguished Senator from Alaska, Ms. MURKOWSKI, has filed amendment No. 11, a technical fix to ensure that VAWA's tribal provisions apply to Alaska. I now offer the amendment on her behalf. I support this amendment and I ask it be added to the bill.

The PRESIDING OFFICER. Without objection, the clerk will report the amendment.

The bill clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for Ms. MURKOWSKI, proposes an amendment numbered 11.

Mr. LEAHY. I ask further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Beginning on page 186, strike line 5 and all that follows through page 187, line 3, and insert the following:

SEC. 905. TRIBAL PROTECTION ORDERS.

Section 2265 of title 18, United States Code, is amended by striking subsection (e) and inserting the following:

“(e) TRIBAL COURT JURISDICTION.—For purposes of this section, a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving any person, including the authority to enforce any orders through civil contempt proceedings, to exclude violators from Indian land, and to use other appropriate mechanisms, in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.”

Beginning on page 193, strike line 20 and all that follows through page 194, line 3, and insert the following:

SEC. 910. SPECIAL RULE FOR THE STATE OF ALASKA.

(a) EXPANDED JURISDICTION.—In the State of Alaska, the amendments made by sections 904 and 905 shall only apply to the Indian country (as defined in section 1151 of title 18, United States Code) of the Metlakatla Indian Community, Annette Island Reserve.

(b) RETAINED JURISDICTION.—The jurisdiction and authority of each Indian tribe in

the State of Alaska under section 2265(e) of title 18, United States Code (as in effect on the day before the date of enactment of this Act)—

(1) shall remain in full force and effect; and

(2) are not limited or diminished by this Act or any amendment made by this Act.

(c) SAVINGS PROVISION.—Nothing in this Act or an amendment made by this Act limits or diminishes the jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided.

Mr. LEAHY. I yield back all time.

The PRESIDING OFFICER. Without objection, it is so ordered.

If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 11) was agreed to.

AMENDMENT NO. 15

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 15, offered by the Senator from Oklahoma, Mr. COBURN.

Mr. COBURN. Madam President, this is an amendment that follows GAO recommendations with which the Justice Department agreed in terms of an audit on the duplication within their program. As a matter of fact, I have the data where the Justice Department actually concurred with the GAO on it. The purpose of the amendment is to eliminate the backlog in DNA testing, both in terms of rape kits and CODIS. The Cornyn amendment improved the bill but does not direct the money necessary. It is a small percentage, less than 2 percent over 10 years out of that bill, less than 2 percent of 1 year's spending. We spent \$40 million for 10 years on these grants and what we are asking for is .4 of 1 percent to help solve the backlog on all the DNA cases.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. The bipartisan Leahy-Crapo Violence Against Women Reauthorization Act already reduces authorization levels and adds important accountability measures. These are careful, appropriate, and effective steps. The Coburn amendment would mandate sweeping cuts which would decimate programs. The amendment is opposed by law enforcement, including the National Association of Police Organizations, and by the National Task Force to End Sexual and Domestic Violence Against Women.

Of course we all want to combat fraud, waste, and abuse. But this amendment is not the way to do it. The amendment purports to be based on findings by the U.S. Government Accountability Office, GAO, but it misconstrues those findings. The amendment states that the GAO identified \$3.9 billion in “duplicative” grants pro-

grams. That is simply not the case. The July 2012 GAO report states that the total amount of grants awarded by the Justice Department in fiscal year 2010 was only \$3.6 billion. You cannot have \$3.9 billion in duplication when the total amount of grant money awarded was less than that.

More importantly, the GAO report did not actually conclude that there was duplication. The July report said there was “the potential risk of unnecessary duplication” and recommended that the Justice Department conduct an assessment to determine if grant programs could be consolidated to mitigate that risk. The GAO did not recommend any funding cuts and certainly did not recommend the \$780 million cut that this amendment would require. As I have noted, our bill already includes a 17-percent cut in authorizations.

The amendment offered by Senator COBURN requires the Department of Justice to gut key grant programs. It would mandate that the Department cut at least \$780 million from its grant programs, many of which provide critical funding to law enforcement and victim service providers. This would have devastating effects on victims of rape and domestic violence, and I urge Senators to vote against it.

The amendment tries to sugarcoat the damage it will do by reference to untested rape kits. In fact, it is the amendment that is duplicative. We have established the Debbie Smith Act to reduce the backlog of untested rape kits and the Leahy-Crapo bill already includes measures to reduce the backlog through core VAWA programs and through the inclusion of the SAFER Act.

By gutting grant programs to law enforcement and victims, the Coburn amendment does not help victims of rape, who rely on victim service providers funded with these grants and on law enforcement who count on Federal support. Mandating vast cuts in programs for victims and law enforcement at a time when those programs are already being squeezed is bad policy. These grant programs save lives. The amendment is bad for victims and bad for law enforcement. I urge Senators to oppose it.

I ask unanimous consent to have printed in the RECORD letters in opposition to amendment No. 15 to S. 47, the Violence Against Women Reauthorization Act of 2013.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION

OF POLICE ORGANIZATIONS, INC.,

Alexandria, Virginia, February 11, 2013.

Hon. PATRICK LEAHY,
Chairman, Senate Judiciary Committee, Washington, DC.

DEAR CHAIRMAN LEAHY: On behalf of the National Association of Police Organizations (NAPO), representing 241,000 rank-and-file officers from across the United States, I write

to you to inform you that we strongly oppose proposed Amendment 15, offered by Senator Coburn, to the Violence Against Women Act Reauthorization of 2013 (S. 47).

This amendment would mandate cuts of \$780 million or more from Department of Justice grant programs. Those cuts would have to come from programs that help victims of crime, like the Violence Against Women Act, or from aid to state and local law enforcement, among other important grant programs.

Mandating vast cuts in programs for victims and law enforcement at a time when those programs are already being squeezed is bad policy. State and local governments rely on vital federal assistance, including for bullet proof vests and other life-saving equipment.

This VAWA reauthorization already reduces authorization levels and adds important accountability measures. These are careful, appropriate, and effective steps. The Coburn amendment would add sweeping and unprincipled mandated cuts which would decimate programs. For these reasons, we must strongly oppose it.

Sincerely,

WILLIAM J. JOHNSON,
Executive Director.

NATIONAL TASK FORCE TO END SEXUAL
AND DOMESTIC VIOLENCE
AGAINST WOMEN,

Washington, DC, February 8, 2013.

Senator PATRICK LEAHY,
Chair, Senate Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR SENATOR LEAHY: The National Task Force to End Sexual and Domestic Violence represents thousands of national, tribal, state, territorial and local organizations, as well as survivors of domestic violence, dating violence, sexual assault, and stalking. We are committed to securing an end to violence against women. National Task Force to End Sexual and Domestic Violence agrees that more funding should be made available for the rape kit backlog and other critical victim services and notes that significant provisions to do this and address the crime of rape are already included in S. 47.

On the other hand, the National Task Force to End Sexual and Domestic Violence is opposed to Amendment No. 15 to S. 47, proposed by Senator Coburn. Senator Coburn's amendment has the ostensible goal of saving money on administrative costs in order to redirect those funds to address the nation's rape kit backlog. But the amendment's mandates would ultimately cost so much money themselves—that they could not generate the proposed savings promised to alleviate the rape kit backlog.

This amendment would mandate cuts of more than \$700 million to Department of Justice grant programs, eviscerating services to victims of all crimes and decimating justice system responses to crime.

This amendment also requires a top to bottom review of every program in the Department of Justice, every staff position in the Department of Justice, and every staff person hired by every contractor engaged by the Department of Justice. An audit of this scope is simply unworkable and would drain valuable resources that would otherwise support law enforcement agencies, courts, prosecutors' office, and victim services, leaving victims of all forms of crime vulnerable to great harm.

The audit proposed in Amendment No. 15 would require the Department of Justice to investigate every one of its approximately

110,000 employees, including U.S. Attorneys, FBI agents, federal marshals, ATF employees, federal prison employees, in search of supposed duplications and waste. The U.S. Department of Justice has 38 agencies and is the largest law enforcement agency in this country; to hamper its incredibly important work fighting crime every day with an audit that may or may not yield proof of duplication or waste, is an injustice to all of the people the Justice Department is bound to protect and serve. A review of this size and scope would clearly cost hundreds of millions of dollars, a growth of government functions that is unconscionable in a time of fiscal crisis.

There is an easier and much less expensive way to reduce administrative costs in order to dedicate more funding to direct services—and that is accomplished in S. 47. S. 47 consolidates 13 existing programs in the Office on Violence Against Women into 4 programs. S. 47 already addresses duplication and potential waste in Violence Against Women Act-funded programs through these consolidations. S. 47 will free up more funds for direct services by consolidating administrative functions—and will preserve desperately needed services.

Amendment No. 15 will require the Department of Justice to spend hundreds of millions of dollars that could otherwise go toward direct services, meaning fewer victims served and more programs closing. We ask you and your fellow Senators to vote NO on Amendment No. 15.

Sincerely,

THE MEMBER PROGRAMS OF THE NATIONAL
TASK FORCE TO END SEXUAL AND DOMESTIC
VIOLENCE.

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment. The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Tennessee (Mr. ALEXANDER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 46, nays 53, as follows:

[Rollcall Vote No. 17 Leg.]

YEAS—46

Ayotte	Flake	Moran
Barrasso	Graham	Murkowski
Blunt	Grassley	Paul
Boozman	Hatch	Portman
Burr	Heller	Risch
Chambliss	Hoeven	Roberts
Coats	Inhofe	Rubio
Coburn	Isakson	Scott
Cochran	Johanns	Sessions
Collins	Johnson (WI)	Shelby
Corker	Kirk	Thune
Cornyn	Lee	Toomey
Crapo	Manchin	Vitter
Cruz	McCain	Wicker
Enzi	McCaskill	
Fischer	McConnell	

NAYS—53

Baldwin	Hagan	Nelson
Baucus	Harkin	Pryor
Begich	Heinrich	Reed
Bennet	Heitkamp	Reid
Blumenthal	Hirono	Rockefeller
Boxer	Johnson (SD)	Sanders
Brown	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Landrieu	Stabenow
Casey	Lautenberg	Tester
Coons	Leahy	Udall (CO)
Cowan	Levin	Udall (NM)
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murphy	Wyden
Gillibrand	Murray	

NOT VOTING—1

Alexander

The amendment (No. 15) was rejected.
Mr. LEAHY. Madam President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table. The motion to lay on the table was agreed to.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:41 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013—Continued

AMENDMENT NO. 16

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 16 offered by the Senator from Oklahoma, Mr. COBURN.

The Senator from Oklahoma.

Mr. COBURN. Madam President, this is simply an amendment that says if a woman is raped and there is an article of indictment against the rapist, she ought to have a right to know the sexually transmitted diseases that rapist carries.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

The Senator from Vermont.

Mr. LEAHY. The Senator from Oklahoma was a member of the Senate Judiciary Committee when the Violence Against Women Reauthorization Act was considered and approved. He was a member for many years and never came to me to raise this issue. It has not been considered and its potential consequences of cutting 20 percent of Federal assistance grants to states that help law enforcement and encourage arrests in sexual assault and domestic violence cases could be disastrous. It is the wrong way to go.

I think we all agree that victims of sexual assault should receive testing and treatment for sexually transmitted

diseases. The Leahy-Crapo bill already adds new coverage for HIV testing and services for sexual assault victims. There is also already a five percent penalty in the law for those who don't provide HIV testing.

However, the amendment would mandate that states force tests on defendants, those accused of crimes but not tried or convicted. To require such testing within 48 hours of information or indictment is practically difficult or impossible for many states and violates the state constitution in others. This amendment sets up requirements that many state and local governments cannot comply with and will cause states to lose millions in assistance that helps victims of rape and domestic violence.

The Senator from Oklahoma has consistently voted against VAWA. That is his right. But we should not make the programs more difficult for law enforcement and victims because he does not support them. This is not the right way to reduce government—by setting up government mandates that law enforcement cannot meet and then cutting their assistance funding when they cannot. I do not believe this one-size-fits-all mandate from Washington to our states is the right way to go.

A large majority of states are not in compliance with this provision and would lose crucial funds for preventing rape and domestic violence and helping victims. These funds are particularly important in difficult economic times, and cutting them would be devastating for victims. The amendment's mandate is overly proscriptive and intrusive and would result in a loss of crucial services to many victims. That is why the National Task Force to End Sexual and Domestic Violence Against Women strongly opposes this amendment.

I am willing to work on even more ways to ensure that rape victims receive all needed treatment. But doing so with measures that will punish the rape victims themselves by denying them access to needed services is inhumane and counter-productive. I urge Senators to oppose this amendment.

I ask unanimous consent to have printed in the RECORD letters in opposition to amendment No. 16 to S. 47, the Violence Against Women Reauthorization Act of 2013.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL TASK FORCE TO END SEXUAL AND DOMESTIC VIOLENCE AGAINST WOMEN

Hon. PATRICK LEAHY,
Chairman, Senate Judiciary Committee, U.S. Senate, Washington, DC.

DEAR CHAIRMAN LEAHY: The National Task Force to End Sexual and Domestic Violence is comprised of national, tribal, state, territorial and local organizations, as well as individuals, committed to securing an end to violence against women, and we are urging Senators to oppose Amendment No. 16 to S.

47, proposed by Senator Coburn. The National Task Force strongly supports the increased availability of treatment options for victims of sexual violence who have acquired a sexually transmitted infection as a result of an assault. While ostensibly this amendment addresses that issue, it in fact fundamentally alters the purpose and approach of one of VAWA's key grant programs and severely penalizes grant recipients for compliance failures that may be impossible for them to meet.

The National Task Force would welcome the addition of treatment to the existing language in S. 47 related to victim testing and counseling and the expansion of this purpose area to include all sexually transmitted infections.

However, amendment 16 goes well beyond this recommendation. The amendment would require all recipients one of VAWA's grant programs to pay for sexual assault victims' treatment for sexually transmitted infections. Amendment 16 is overly prescriptive and fails to allow states and local governments to address other pressing violence against women priorities in their communities. Additionally, it is administratively unworkable because grantees will have no way to budget for unanticipated costs of treatment.

Additionally, amendment 16 goes far beyond current law to require grantees to certify that state law requires testing offenders for all sexually transmitted infections or risk lose 20% of their grant funding. Many states are already losing 5% of certain grants for failure to comply with existing law requiring HIV testing of offenders. Amendment 16 would result in 20% grant penalties for many local governments who would have no way to comply. It is a one size fits all approach to a grant program that was designed specifically to meet critical community priorities as identified by those communities.

Sincerely,
NATIONAL TASK FORCE TO END
SEXUAL AND DOMESTIC VIOLENCE
AGAINST WOMEN.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. The people who oppose it oppose it on the grounds they might not get as much money unless they actually keep a woman from getting raped twice—once by the system we set up and once by their attacker.

If Senators vote against this, what they are saying is they don't have any compassion for the women who don't know the status of the person who raped them. Therefore, they go under treatment; they go through unknown and severe psychological stress, having to be repeatedly tested.

We put this in the bill the last time at 5 percent. All we did this time is raise it to 20 percent to try to reduce this behavior in the States.

The chairman of the Judiciary Committee voted for this last time. So to say what we are doing is not in the best interests of women is wrong. If someone really thinks women ought to get raped twice, vote against this amendment.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LEAHY. Madam President, would that it were so simple. The amendment

is simply going to take protections away from thousands of women, and that is why I oppose it.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. COBURN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 43, nays 57, as follows:

[Rollcall Vote No. 18 Leg.]

YEAS—43

Alexander	Fischer	Moran
Ayotte	Flake	Paul
Barrasso	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hagan	Roberts
Burr	Hatch	Rubio
Chambliss	Hoeven	Scott
Coats	Inhofe	Sessions
Coburn	Isakson	Shelby
Cochran	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Lee	Vitter
Crapo	Manchin	Wicker
Cruz	McCain	
Enzi	McConnell	

NAYS—57

Baldwin	Harkin	Murphy
Baucus	Heinrich	Murray
Begich	Heitkamp	Nelson
Bennet	Heller	Pryor
Blumenthal	Hirono	Reed
Boxer	Johnson (SD)	Reid
Brown	Kaine	Rockefeller
Cantwell	King	Sanders
Cardin	Kirk	Schatz
Carper	Klobuchar	Schumer
Casey	Landrieu	Shaheen
Collins	Lautenberg	Stabenow
Coons	Leahy	Tester
Cowan	Levin	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murkowski	Wyden

The amendment (No. 16) was rejected.

Mr. LEE. Madam President, today I would like to address a provision of the Violence Against Women Act, S. 47, that is of great concern. Title IX of VAWA provides tribal courts with special jurisdiction over non-Indians who are charged with crimes of domestic violence. While title IX requires tribal courts availing themselves of this special jurisdiction to provide the non-Indian defendant "all other rights whose protection is necessary under the Constitution," I am concerned that such proceedings have the potential to deprive U.S. citizens of crucial due process rights, especially without further connection to the existing Federal court system.

First, title IX currently requires a defendant to be tried by an impartial jury drawn from sources that "reflect a fair cross section of the community." We are always concerned that the population from which a jury is drawn not result in bias against a defendant who may not be part of the same race, culture, or religion as the jurors. While

the population of many Indian lands consists of a wide variety of both Indians and non-Indians, many parts of Indian country are populated by Indians who have close ties to one another but limited interaction with non-Indians. I believe we must seek to minimize the potential for bias against non-Indian defendants under such circumstances.

Second, in State and Federal courts, the defendant has several options with which to challenge the validity of the court's rulings. Under the special jurisdiction laid out in title IX, the defendant lacks both the ability to remove his case to Federal court when appropriate and the ability to appeal a decision to a Federal appeals court. While many tribal courts have proven to be as consistent and fair as traditional courts, the possibility of removal and appeal is key to the oversight that U.S. citizens rightfully expect in criminal proceedings.

For these reasons I respectfully urge my colleagues to oppose S. 47.

Ms. MIKULSKI. Madam President, I recognize the concerns of the Senator from Oklahoma. His amendment has good intentions by seeking to find ways to reduce duplication for all Department of Justice, DOJ, grants to State and local governments and nonprofit organizations. I agree with the Senator from Oklahoma that we need to pinch every penny.

However, as chairwoman of both the Appropriations Committee and the Subcommittee on Commerce, Justice and Science, CJS, I must oppose the amendment. It directs the Justice Department to develop and implement a plan that eliminates, consolidates or streamlines seemingly similar existing grant programs to find at least \$780 million in savings. Then, regardless of whether or not duplication in grant programs is identified, \$780 million would be automatically rescinded for deficit reduction, unless DOJ chooses to redirect a portion for DNA backlog reduction grants.

I oppose this amendment for two reasons. First, the fiscal year 2013 Senate CJS bill already rescinds over \$61 million from DOJ grants, coming on top of \$93 million rescinded in the fiscal year 2012 enacted bill. The Justice Department's grant components are already struggling to meet those mandatory rescissions. In order to meet an additional \$780 million, this amendment would give the Department enormous power to unilaterally terminate programs with no input from Congress.

Second, Justice grants have already been slashed, and are likely to take more cuts in the coming months and years. Since fiscal year 2010, DOJ grants have been cut by more than \$1.5 billion, a 41 percent reduction, from \$3.6 billion in fiscal year 2010 to \$2.1 billion in fiscal year 2012, shifting the burden of crime fighting to State and local governments where budgets are

also stressed. Should sequestration kick in, grants will be cut by at least \$110 million, or another 5 percent reduction. This amendment would cut another \$780 million from programs like Byrne Justice Assistance Grants, COPS Hiring, youth mentoring, bullet-proof vests, and the Violence Against Women Act. Altogether, this would be an astounding cut of \$2.4 billion, or 64 percent, since fiscal year 2010.

The Senator from Oklahoma and I agree that we need to be strong sentries over taxpayers' funds. I have encouraged the Attorney General to follow GAO's recommendations, and he has responded by directing the Department to assess and consolidate grant programs when possible in order to prevent unnecessary duplication. But the Coburn amendment implements sweeping cuts, which will impact every Justice grant program. It will hurt our law enforcement and community partners at home, who are already struggling with limited tools to keep our families and neighborhoods safe and help victims of crime.

I oppose this amendment and urge my colleagues to vote no.

Mr. LEVIN. Madam President, as a cosponsor of the Violence Against Women Reauthorization Act of 2013, I urge my colleagues to adopt this important measure.

The issue before us is not partisan. It is not of importance to just one State or region, or to a single group or interest. It is manifestly in the interest of every American to reauthorize these important programs that have made such a difference in the lives of women and families across this country.

Since its passage, the Violence Against Women Act has provided comprehensive support to survivors of domestic and sexual violence and to the Federal, State and local agencies that confront this scourge every day. The original legislation passed in 1994 laid a strong foundation that helped establish a coordinated response to violence against women. Reauthorizations in 2000 and 2005 strengthened that foundation. Today, through violence prevention grants, services to survivors of sexual assault, legal assistance, transitional housing grants, assistance to law enforcement agencies and prosecutors and other efforts, VAWA has made an enormous difference.

Deaths due to violent acts by intimate partners have decreased significantly. And according to a cost-benefit analysis, VAWA saved nearly \$15 billion in its first 6 years of existence by avoiding the high social costs violence against women exacts on our Nation. William T. Robinson, the president of the American Bar Association, calls VAWA "the single most effective federal effort to respond to the epidemic of domestic violence, dating violence, sexual assault and stalking in this country."

I had hoped the Congress would act to reauthorize VAWA last year. There is no reason that today we cannot pass this legislation with overwhelming bipartisan support. Doing so will make an enormous difference in protecting women from domestic abuse and other forms of violence. And it will make a strong statement that the Senate is united in our desire to ensure that our mothers, wives, sisters, and daughters will continue to receive that protection.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on passage of S. 47, as amended.

Mr. LEAHY. As the Senate now votes on the Violence Against Women Reauthorization Act, I hope we will join together in a strong bipartisan majority to pass this important legislation. Enactment of our bill to help all victims of domestic and sexual violence is overdue. Together we can finally finish what we started last year. We are deeply indebted to the women and men around the country who have been working with us and have been steadfast in their commitment to the victims and to our efforts to combat domestic violence, dating violence, stalking, and sexual assault.

The Violence Against Women Act has been effective at preventing crimes and protecting victims. But there is so much more to be done. The Centers for Disease Control and Prevention's recent survey found that one in four women has been the victim of severe physical domestic violence, and one in five women has been raped in her lifetime. More than half of the homicides in my state of Vermont are related to domestic violence. This is simply unacceptable. We can and we must do better.

The Senate overwhelmingly passed the Leahy-Crapo bill last April. In the nearly 10 months since then, thousands of women around the country have been victimized. We have heard of too many cases, yet the vast majority of these crimes are never reported at all. I cannot help but feel that some of those crimes could have been prevented. Some of those victims could have gotten more assistance. Congress should not delay any longer.

Our bill offers support for those techniques already proven in the field that help identify high-risk cases and prevent domestic violence homicides. It will increase VAWA's focus on rape victims and push colleges to strengthen their efforts to protect students from domestic and sexual violence. This reauthorization will allow us to make real progress in addressing the horrifying epidemic of domestic violence in tribal communities. This bipartisan bill will allow services to get to those

in the LGBT community who have had trouble accessing services in the past. The bill also includes key improvements for immigrant victims of domestic and sexual violence.

All of these provisions were included because victims and the people who work with them every day told us they were needed to prevent crimes and provide better assistance to victims. We are trying to help victims and prevent crime. We have been working to get this bill through the Senate and to the House so we can quickly get a good bill to the President for his signature. We cannot afford further delay while more victims suffer unnecessarily.

I, again, thank the Majority Leader for making violence against women a priority for the Senate. We have been debating this measure since last Monday. We have considered a number of amendments. In the legislative process we have been able to make additional progress by adopting the bipartisan Trafficking Victims Protection Reauthorization Act, as well.

I noted at the outset of this debate that by providing new tools and resources to communities all around the country, we have helped bring the crimes of rape and domestic violence out of the shadows. The Federal Government is standing with the women of this country and sent the message that we would no longer tolerate their treatment as second class citizens. Our bill renews and reinforces that commitment.

Ending violence against women is not an easy problem to solve, but there are simple and significant steps we can take right now, without delay, by passing this legislation. We have worked hard to make this bill bipartisan and I am proud that it has more than 60 Senate cosponsors. It also has the support of more than 1,400 local, state and national organizations from around the country that work with victims every day and know just how critical this law has been. I included their most recent letter of support with my remarks last Monday. I, again, thank them for their tireless efforts.

There remain some special interest lobbies and some Senators who do not appreciate the role of the Federal Government in helping improve the lives of Americans. It is disappointed that Heritage Action and the Family Research Council are urging opposition to our bipartisan bill. I hope that Senators will listen, instead, to the victims and to law enforcement and to the more than 1,400 national, state, and local organizations that strongly support our Violence Against Women Reauthorization Act.

If anyone needs a reminder of how important government help can be, just think about the way that Federal and local law enforcement worked together last week to rescue Ethan, a 5-year-old kidnapped boy, from an under-

ground bunker in Alabama, where he had been held hostage for almost a week. Ask the family and local law enforcement if they appreciated the help of the FBI, the Defense Department and so many who contributed to the safe return of that innocent victim.

Every day across this nation we are reminded of the importance of programs like the Violence Against Women Act. Our bipartisan bill does more than protect victims of domestic violence. It also contains provisions to protect victims of stalking. This morning the Washington Post reported that a "man stalking one of his victims shot and killed two women waiting to pass through metal detectors at a courthouse . . . Two male police officers also were struck by bullets . . . but were saved by their bullet-proof vests." This episode should remind us all that after working to reauthorize and reinvigorate the Violence Against Women Act, we must also reauthorize the Bullet Proof Vest program so that more of our law enforcement officials can be protected.

I spent years in local law enforcement and have great respect for the men and women who protect us every day. When I hear Senators say that we should not provide Federal assistance, we should not help officers get the protection they need with bulletproof vests, or that we should not help the families of fallen public safety officers, I strongly disagree. In our Federal system, we can help and when we can, we should help. And that is exactly the opportunity that is before us today. We have the power to help improve the lives of millions of people in this country by renewing and expanding our commitment to end domestic and sexual violence and strengthen our commitment against human trafficking. A recent study from the Centers for Disease Control (CDC) found that more than 24 people per minute are the victims of rape, domestic violence and stalking in this country. We can take action to change that and we must.

I am proud that our bill seeks to support all victims, regardless of their immigration status, their sexual orientation or their membership in an Indian tribe. As I have said countless times on the floor of this chamber, "a victim is a victim is a victim." The Violence Against Women Act is an example of how the Federal Government can help solve problems in cooperation with state and local communities. The fact is that women are safer today because of this law and there is no excuse not to improve upon it and reauthorize it without delay. We are working to protect victims—all victims—of domestic and sexual violence. I urge all Senators to look past the narrow, ideological opposition of some and join with us. That is what the former senior Senator from Texas, Senator Hutchison, did last year when her Republican substitute was rejected by the Senate.

I hope that despite 14 Republican Senators not voting to proceed to consider the bill and 35 Republican Senators supporting what was a poor substitute offered and rejected early in this debate, we will have a strong bipartisan vote for final passage. I urge those who previously opposed our efforts to improve the Violence Against Women Act to join with us and help the Senate send our strong bill to the House of Representatives so that we can get it enacted. Despite the predictions by some that the Republican House of Representatives will refuse to consider the Senate bill, as it did last year, I see reason for hope. Just yesterday 17 Republican members of the House wrote to their own leadership urging immediate reauthorization of VAWA.

I thank the many Senators who have helped shape this bill and have spoken in such strong support of it, including Senator CRAPO, Senator MIKULSKI, Senator MURKOWSKI, Senator MURRAY, Senator KLOBUCHAR, Senator COONS, Senator COLLINS, Senator SHAHEEN, Senator FRANKEN, Senator HAGAN, Senator CASEY, and so many others. I also thank their staffs and my own, including Kristine Lucius, Noah Bookbinder, Anya McMurray, Chris Leopold, Bryan Seeley, and Clark Flynt, for their countless hours of work away from their own families as we try to make all families safer and more secure.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. GRASSLEY. Madam President, I yield back our time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. LEAHY. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 78, nays 22, as follows:

[Rollcall Vote No. 19 Leg.]

YEAS—78

Alexander	Feinstein	McCaskill
Ayotte	Fischer	Menendez
Baldwin	Flake	Merkley
Baucus	Franken	Mikulski
Begich	Gillibrand	Moran
Bennet	Hagan	Murkowski
Blumenthal	Harkin	Murphy
Boxer	Heinrich	Murray
Brown	Heitkamp	Nelson
Burr	Heller	Portman
Cantwell	Hirono	Pryor
Cardin	Hoeven	Reed
Carper	Isakson	Reid
Casey	Johnson (SD)	Rockefeller
Chambliss	Kaine	Sanders
Coats	King	Schatz
Cochran	Kirk	Schumer
Collins	Klobuchar	Shaheen
Coons	Landrieu	Shelby
Corker	Lautenberg	Stabenow
Cowan	Leahy	Tester
Crapo	Levin	Toomey
Donnelly	Manchin	Udall (CO)
Durbin	McCain	Udall (NM)

Vitter
Warner

Warren
Whitehouse

Wicker
Wyden

NAYS—22

Barrasso
Blunt
Boozman
Coburn
Cornyn
Cruz
Enzi
Graham

Grassley
Hatch
Inhofe
Johanns
Johnson (WI)
Lee
McConnell
Paul

Risch
Roberts
Rubio
Scott
Sessions
Thune

The bill (S. 47), as amended, was passed, as follows:

S. 47

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Violence Against Women Reauthorization Act of 2013”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Universal definitions and grant conditions.
Sec. 4. Effective date.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

Sec. 101. Stop grants.
Sec. 102. Grants to encourage arrest policies and enforcement of protection orders.
Sec. 103. Legal assistance for victims.
Sec. 104. Consolidation of grants to support families in the justice system.
Sec. 105. Sex offender management.
Sec. 106. Court-appointed special advocate program.
Sec. 107. Criminal provision relating to stalking, including cyberstalking.
Sec. 108. Outreach and services to underserved populations grant.
Sec. 109. Culturally specific services grant.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 201. Sexual assault services program.
Sec. 202. Rural domestic violence, dating violence, sexual assault, stalking, and child abuse enforcement assistance.
Sec. 203. Training and services to end violence against women with disabilities grants.
Sec. 204. Enhanced training and services to end abuse in later life.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

Sec. 301. Rape prevention and education grant.
Sec. 302. Creating hope through outreach, options, services, and education for children and youth.
Sec. 303. Grants to combat violent crimes on campuses.
Sec. 304. Campus sexual violence, domestic violence, dating violence, and stalking education and prevention.

TITLE IV—VIOLENCE REDUCTION PRACTICES

Sec. 401. Study conducted by the centers for disease control and prevention.
Sec. 402. Saving money and reducing tragedies through prevention grants.

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM’S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 501. Consolidation of grants to strengthen the healthcare system’s response to domestic violence, dating violence, sexual assault, and stalking.

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 601. Housing protections for victims of domestic violence, dating violence, sexual assault, and stalking.
Sec. 602. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, and stalking.
Sec. 603. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

Sec. 701. National Resource Center on Workplace Responses to assist victims of domestic and sexual violence.

TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS

Sec. 801. U nonimmigrant definition.
Sec. 802. Annual report on immigration applications made by victims of abuse.
Sec. 803. Protection for children of VAWA self-petitioners.
Sec. 804. Public charge.
Sec. 805. Requirements applicable to U visas.
Sec. 806. Hardship waivers.
Sec. 807. Protections for a fiancée or fiancé of a citizen.
Sec. 808. Regulation of international marriage brokers.
Sec. 809. Eligibility of crime and trafficking victims in the Commonwealth of the Northern Mariana Islands to adjust status.
Sec. 810. Disclosure of information for national security purposes.

TITLE IX—SAFETY FOR INDIAN WOMEN

Sec. 901. Grants to Indian tribal governments.
Sec. 902. Grants to Indian tribal coalitions.
Sec. 903. Consultation.
Sec. 904. Tribal jurisdiction over crimes of domestic violence.
Sec. 905. Tribal protection orders.
Sec. 906. Amendments to the Federal assault statute.
Sec. 907. Analysis and research on violence against Indian women.
Sec. 908. Effective dates; pilot project.
Sec. 909. Indian law and order commission; Report on the Alaska Rural Justice and Law Enforcement Commission.
Sec. 910. Special rule for the State of Alaska.

TITLE X—SAFER ACT

Sec. 1001. Short title.
Sec. 1002. Debbie Smith grants for auditing sexual assault evidence backlogs.
Sec. 1003. Reports to Congress.
Sec. 1004. Reducing the rape kit backlog.
Sec. 1005. Oversight and accountability.
Sec. 1006. Sunset.

TITLE XI—OTHER MATTERS

Sec. 1101. Sexual abuse in custodial settings.

Sec. 1102. Anonymous online harassment.
Sec. 1103. Stalker database.
Sec. 1104. Federal victim assistants reauthorization.
Sec. 1105. Child abuse training programs for judicial personnel and practitioners reauthorization.

TITLE XII—TRAFFICKING VICTIMS PROTECTION

Subtitle A—Combating International Trafficking in Persons

Sec. 1201. Regional strategies for combating trafficking in persons.
Sec. 1202. Partnerships against significant trafficking in persons.
Sec. 1203. Protection and assistance for victims of trafficking.
Sec. 1204. Minimum standards for the elimination of trafficking.
Sec. 1205. Best practices in trafficking in persons eradication.
Sec. 1206. Protections for domestic workers and other nonimmigrants.
Sec. 1207. Prevention of child marriage.
Sec. 1208. Child soldiers.

Subtitle B—Combating Trafficking in Persons in the United States

PART I—PENALTIES AGAINST TRAFFICKERS AND OTHER CRIMES

Sec. 1211. Criminal trafficking offenses.
Sec. 1212. Civil remedies; clarifying definition.

PART II—ENSURING AVAILABILITY OF POSSIBLE WITNESSES AND INFORMANTS

Sec. 1221. Protections for trafficking victims who cooperate with law enforcement.
Sec. 1222. Protection against fraud in foreign labor contracting.

PART III—ENSURING INTERAGENCY COORDINATION AND EXPANDED REPORTING

Sec. 1231. Reporting requirements for the Attorney General.
Sec. 1232. Reporting requirements for the Secretary of Labor.
Sec. 1233. Information sharing to combat child labor and slave labor.
Sec. 1234. Government training efforts to include the Department of Labor.
Sec. 1235. GAO report on the use of foreign labor contractors.
Sec. 1236. Accountability.

PART IV—ENHANCING STATE AND LOCAL EFFORTS TO COMBAT TRAFFICKING IN PERSONS

Sec. 1241. Assistance for domestic minor sex trafficking victims.
Sec. 1242. Expanding local law enforcement grants for investigations and prosecutions of trafficking.
Sec. 1243. Model State criminal law protection for child trafficking victims and survivors.

Subtitle C—Authorization of Appropriations

Sec. 1251. Adjustment of authorization levels for the Trafficking Victims Protection Act of 2000.
Sec. 1252. Adjustment of authorization levels for the Trafficking Victims Protection Reauthorization Act of 2005.

Subtitle D—Unaccompanied Alien Children

Sec. 1261. Appropriate custodial settings for unaccompanied minors who reach the age of majority while in Federal custody.
Sec. 1262. Appointment of child advocates for unaccompanied minors.
Sec. 1263. Access to Federal foster care and unaccompanied refugee minor protections for certain U Visa recipients.

Sec. 1264. GAO study of the effectiveness of border screenings.

SEC. 3. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.

(a) DEFINITIONS.—Subsection (a) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)) is amended—

(1) by striking paragraphs (5), (17), (18), (23), (29), (33), (36), and (37);

(2) by redesignating—

(A) paragraphs (34) and (35) as paragraphs (41) and (42), respectively;

(B) paragraphs (30), (31), and (32) as paragraphs (36), (37), and (38), respectively;

(C) paragraphs (24) through (28) as paragraphs (30) through (34), respectively;

(D) paragraphs (21) and (22) as paragraphs (26) and (27), respectively;

(E) paragraphs (19) and (20) as paragraphs (23) and (24), respectively;

(F) paragraphs (10) through (16) as paragraphs (13) through (19), respectively;

(G) paragraphs (6), (7), (8), and (9) as paragraphs (8), (9), (10), and (11), respectively; and

(H) paragraphs (1), (2), (3), and (4) as paragraphs (2), (3), (4), and (5), respectively;

(3) by inserting before paragraph (2), as redesignated, the following:

“(1) ALASKA NATIVE VILLAGE.—The term ‘Alaska Native village’ has the same meaning given such term in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).”;

(4) in paragraph (3), as redesignated, by striking “serious harm.” and inserting “serious harm to an unemancipated minor.”;

(5) in paragraph (4), as redesignated, by striking “The term” through “that—” and inserting “The term ‘community-based organization’ means a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community that—”;

(6) by inserting after paragraph (5), as redesignated, the following:

“(6) CULTURALLY SPECIFIC.—The term ‘culturally specific’ means primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u-6(g))).”

“(7) CULTURALLY SPECIFIC SERVICES.—The term ‘culturally specific services’ means community-based services that include culturally relevant and linguistically specific services and resources to culturally specific communities.”;

(7) in paragraph (8), as redesignated, by inserting “or intimate partner” after “former spouse” and “as a spouse”;

(8) by inserting after paragraph (11), as redesignated, the following:

“(12) HOMELESS.—The term ‘homeless’ has the meaning provided in section 41403(6).”;

(9) in paragraph (18), as redesignated, by inserting “or Village Public Safety Officers” after “governmental victim services programs”;

(10) in paragraph (19), as redesignated, by inserting at the end the following:

“Intake or referral, by itself, does not constitute legal assistance.”;

(11) by inserting after paragraph (19), as redesignated, the following:

“(20) PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.—The term ‘personally identifying information’ or ‘personal information’ means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including—

“(A) a first and last name;

“(B) a home or other physical address;

“(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

“(D) a social security number, driver license number, passport number, or student identification number; and

“(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.

“(21) POPULATION SPECIFIC ORGANIZATION.—The term ‘population specific organization’ means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

“(22) POPULATION SPECIFIC SERVICES.—The term ‘population specific services’ means victim-centered services that address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking, and that are designed primarily for and are targeted to a specific underserved population.”;

(12) in paragraph (23), as redesignated, by striking “services” and inserting “assistance”;

(13) by inserting after paragraph (24), as redesignated, the following:

“(25) RAPE CRISIS CENTER.—The term ‘rape crisis center’ means a nonprofit, nongovernmental, or tribal organization, or governmental entity in a State other than a Territory that provides intervention and related assistance, as specified in section 41601(b)(2)(C), to victims of sexual assault without regard to their age. In the case of a governmental entity, the entity may not be part of the criminal justice system (such as a law enforcement agency) and must be able to offer a comparable level of confidentiality as a nonprofit entity that provides similar victim services.”;

(14) in paragraph (26), as redesignated—

(A) in subparagraph (A), by striking “or” after the semicolon;

(B) in subparagraph (B), by striking the period and inserting “; or”; and

(C) by inserting at the end the following:

“(C) any federally recognized Indian tribe.”;

(15) in paragraph (27), as redesignated—

(A) by striking “52” and inserting “57”;

(B) by striking “150,000” and inserting “250,000”;

(16) by inserting after paragraph (27), as redesignated, the following:

“(28) SEX TRAFFICKING.—The term ‘sex trafficking’ means any conduct proscribed by section 1591 of title 18, United States Code, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.

“(29) SEXUAL ASSAULT.—The term ‘sexual assault’ means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.”;

(17) by inserting after paragraph (34), as redesignated, the following:

“(35) TRIBAL COALITION.—The term ‘tribal coalition’ means an established nonprofit, nongovernmental Indian organization, Alaska Native organization, or a Native Hawaiian organization that—

“(A) provides education, support, and technical assistance to member Indian service

providers in a manner that enables those member providers to establish and maintain culturally appropriate services, including shelter and rape crisis services, designed to assist Indian women and the dependents of those women who are victims of domestic violence, dating violence, sexual assault, and stalking; and

“(B) is comprised of board and general members that are representative of—

“(i) the member service providers described in subparagraph (A); and

“(ii) the tribal communities in which the services are being provided.”;

(18) by inserting after paragraph (38), as redesignated, the following:

“(39) UNDERSERVED POPULATIONS.—The term ‘underserved populations’ means populations who face barriers in accessing and using victim services, and includes populations underserved because of geographic location, religion, sexual orientation, gender identity, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.

“(40) UNIT OF LOCAL GOVERNMENT.—The term ‘unit of local government’ means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.”;

(19) by inserting after paragraph (42), as redesignated, the following:

“(43) VICTIM SERVICE PROVIDER.—The term ‘victim service provider’ means a nonprofit, nongovernmental or tribal organization or rape crisis center, including a State or tribal coalition, that assists or advocates for domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

“(44) VICTIM SERVICES OR SERVICES.—The terms ‘victim services’ and ‘services’ mean services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information and referrals, culturally specific services, population specific services, and other related supportive services.

“(45) YOUTH.—The term ‘youth’ means a person who is 11 to 24 years old.”.

(b) GRANTS CONDITIONS.—Subsection (b) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

“(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees’ and subgrantees’ programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

“(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of

the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.

If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent's or guardian's consent, the minor or person with a guardian may release information without additional consent.”;

(B) by amending subparagraph (D), to read as follows:

“(D) INFORMATION SHARING.—

“(i) Grantees and subgrantees may share—

“(I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

“(II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and

“(III) law enforcement-generated and prosecution-generated information necessary for law enforcement and prosecution purposes.

“(ii) In no circumstances may—

“(I) an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking be required to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grantee or subgrantee;

“(II) any personally identifying information be shared in order to comply with Federal, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.”;

(C) by redesignating subparagraph (E) as subparagraph (F);

(D) by inserting after subparagraph (D) the following:

“(E) STATUTORILY MANDATED REPORTS OF ABUSE OR NEGLECT.—Nothing in this section prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined and specifically mandated by the State or tribe involved.”; and

(E) by inserting after subparagraph (F), as redesignated, the following:

“(G) CONFIDENTIALITY ASSESSMENT AND ASSURANCES.—Grantees and subgrantees must document their compliance with the confidentiality and privacy provisions required under this section.”;

(2) by striking paragraph (3) and inserting the following:

“(3) APPROVED ACTIVITIES.—In carrying out the activities under this title, grantees and subgrantees may collaborate with or provide information to Federal, State, local, tribal, and territorial public officials and agencies to develop and implement policies and develop and promote State, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking.”;

(3) in paragraph (7), by inserting at the end the following:

“Final reports of such evaluations shall be made available to the public via the agency's website.”; and

(4) by inserting after paragraph (11) the following:

“(12) DELIVERY OF LEGAL ASSISTANCE.—Any grantee or subgrantee providing legal assistance with funds awarded under this title shall comply with the eligibility requirements in section 1201(d) of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6(d)).

“(13) CIVIL RIGHTS.—

“(A) NONDISCRIMINATION.—No person in the United States shall, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity (as defined in paragraph 249(c)(4) of title 18, United States Code), sexual orientation, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103–322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109–162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2013, and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

“(B) EXCEPTION.—If sex segregation or sex-specific programming is necessary to the essential operation of a program, nothing in this paragraph shall prevent any such program or activity from consideration of an individual's sex. In such circumstances, grantees may meet the requirements of this paragraph by providing comparable services to individuals who cannot be provided with the sex-segregated or sex-specific programming.

“(C) DISCRIMINATION.—The authority of the Attorney General and the Office of Justice Programs to enforce this paragraph shall be the same as it is under section 3789d of title 42, United States Code.

“(D) CONSTRUCTION.—Nothing contained in this paragraph shall be construed, interpreted, or applied to supplant, displace, preempt, or otherwise diminish the responsibilities and liabilities under other State or Federal civil rights law, whether statutory or common.

“(14) CLARIFICATION OF VICTIM SERVICES AND LEGAL ASSISTANCE.—Victim services and legal assistance under this title also include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

“(15) CONFERRAL.—

“(A) IN GENERAL.—The Office on Violence Against Women shall establish a biennial conferral process with State and tribal coalitions and technical assistance providers who receive funding through grants administered by the Office on Violence Against Women and authorized by this Act, and other key stakeholders.

“(B) AREAS COVERED.—The areas of conferral under this paragraph shall include—

“(i) the administration of grants;

“(ii) unmet needs;

“(iii) promising practices in the field; and

“(iv) emerging trends.

“(C) INITIAL CONFERRAL.—The first conferral shall be initiated not later than 6 months after the date of enactment of the Violence Against Women Reauthorization Act of 2013.

“(D) REPORT.—Not later than 90 days after the conclusion of each conferral period, the

Office on Violence Against Women shall publish a comprehensive report that—

“(i) summarizes the issues presented during conferral and what, if any, policies it intends to implement to address those issues;

“(ii) is made available to the public on the Office on Violence Against Women's website and submitted to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

“(16) ACCOUNTABILITY.—All grants awarded by the Attorney General under this Act shall be subject to the following accountability provisions:

“(A) AUDIT REQUIREMENT.—

“(i) IN GENERAL.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

“(ii) DEFINITION.—In this paragraph, the term ‘unresolved audit finding’ means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

“(iii) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the following 2 fiscal years.

“(iv) PRIORITY.—In awarding grants under this Act, the Attorney General shall give priority to eligible entities that did not have an unresolved audit finding during the 3 fiscal years prior to submitting an application for a grant under this Act.

“(v) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

“(I) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

“(II) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

“(B) NONPROFIT ORGANIZATION REQUIREMENTS.—

“(i) DEFINITION.—For purposes of this paragraph and the grant programs described in this Act, the term ‘nonprofit organization’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

“(ii) PROHIBITION.—The Attorney General may not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

“(iii) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the

independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

“(C) CONFERENCE EXPENDITURES.—

“(i) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General, or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than \$20,000 in Department funds, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

“(ii) WRITTEN APPROVAL.—Written approval under clause (i) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and any entertainment.

“(iii) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all approved conference expenditures referenced in this paragraph.

“(D) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification that—

“(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

“(ii) all mandatory exclusions required under subparagraph (A)(iii) have been issued;

“(iii) all reimbursements required under subparagraph (A)(v) have been made; and

“(iv) includes a list of any grant recipients excluded under subparagraph (A) from the previous year.”.

SEC. 4. EFFECTIVE DATE.

Except as otherwise specifically provided in this Act, the provisions of titles I, II, III, IV, VII, and sections 3, 602, 901, and 902 of this Act shall not take effect until the beginning of the fiscal year following the date of enactment of this Act.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

SEC. 101. STOP GRANTS.

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 1001(a)(18) (42 U.S.C. 3793(a)(18)), by striking “\$225,000,000 for each of fiscal years 2007 through 2011” and inserting “\$222,000,000 for each of fiscal years 2014 through 2018”;

(2) in section 2001(b) (42 U.S.C. 3796g(b))—

(A) in the matter preceding paragraph (1)—

(i) by striking “equipment” and inserting “resources”; and

(ii) by inserting “for the protection and safety of victims,” after “women.”;

(B) in paragraph (1), by striking “sexual assault” and all that follows through “dat-

ing violence” and inserting “domestic violence, dating violence, sexual assault, and stalking, including the appropriate use of nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a))”;

(C) in paragraph (2), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(D) in paragraph (3), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking, as well as the appropriate treatment of victims”;

(E) in paragraph (4)—

(i) by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”; and

(ii) by inserting “, classifying,” after “identifying”;

(F) in paragraph (5)—

(i) by inserting “and legal assistance” after “victim services”;

(ii) by striking “domestic violence and dating violence” and inserting “domestic violence, dating violence, and stalking”; and

(iii) by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(G) by striking paragraph (6) and redesignating paragraphs (7) through (14) as paragraphs (6) through (13), respectively;

(H) in paragraph (6), as redesignated by subparagraph (G), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(I) in paragraph (7), as redesignated by subparagraph (G), by striking “and dating violence” and inserting “dating violence, and stalking”;

(J) in paragraph (9), as redesignated by subparagraph (G), by striking “domestic violence or sexual assault” and inserting “domestic violence, dating violence, sexual assault, or stalking”;

(K) in paragraph (12), as redesignated by subparagraph (G)—

(i) in subparagraph (A), by striking “triage protocols to ensure that dangerous or potentially lethal cases are identified and prioritized” and inserting “the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases”; and

(ii) by striking “and” at the end;

(L) in paragraph (13), as redesignated by subparagraph (G)—

(i) by striking “to provide” and inserting “providing”;

(ii) by striking “nonprofit nongovernmental”;

(iii) by striking the comma after “local governments”;

(iv) in the matter following subparagraph (C), by striking “paragraph (14)” and inserting “paragraph (13)”;

(v) by striking the period at the end and inserting a semicolon; and

(M) by inserting after paragraph (13), as redesignated by subparagraph (G), the following:

“(14) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking;

“(15) developing, implementing, or enhancing Sexual Assault Response Teams, or other

similar coordinated community responses to sexual assault;

“(16) developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;

“(17) developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;

“(18) identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims;

“(19) developing, enlarging, or strengthening programs and projects to provide services and responses targeting male and female victims of domestic violence, dating violence, sexual assault, or stalking, whose ability to access traditional services and responses is affected by their sexual orientation or gender identity, as defined in section 249(c) of title 18, United States Code; and

“(20) developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking, with not more than 5 percent of the amount allocated to a State to be used for this purpose.”;

(3) in section 2007 (42 U.S.C. 3796gg-1)—

(A) in subsection (a), by striking “non-profit nongovernmental victim service programs” and inserting “victim service providers”;

(B) in subsection (b)(6), by striking “(not including populations of Indian tribes)”;

(C) in subsection (c)—

(i) by striking paragraph (2) and inserting the following:

“(2) grantees and subgrantees shall develop a plan for implementation and shall consult and coordinate with—

“(A) the State sexual assault coalition;

“(B) the State domestic violence coalition;

“(C) the law enforcement entities within the State;

“(D) prosecution offices;

“(E) State and local courts;

“(F) Tribal governments in those States with State or federally recognized Indian tribes;

“(G) representatives from underserved populations, including culturally specific populations;

“(H) victim service providers;

“(I) population specific organizations; and

“(J) other entities that the State or the Attorney General identifies as needed for the planning process.”;

(ii) by redesignating paragraph (3) as paragraph (4);

(iii) by inserting after paragraph (2), as amended by clause (i), the following:

“(3) grantees shall coordinate the State implementation plan described in paragraph (2) with the State plans described in section 307 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) and the programs described in section 1404 of the Victims of Crime Act of 1984 (42 U.S.C. 10603) and section 393A of the Public Health Service Act (42 U.S.C. 280b-1b).”;

(iv) in paragraph (4), as redesignated by clause (ii)—

(I) in subparagraph (A), by striking “and not less than 25 percent shall be allocated for prosecutors”;

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D);

(III) by inserting after subparagraph (A), the following:

“(B) not less than 25 percent shall be allocated for prosecutors;” and

(IV) in subparagraph (D) as redesignated by subclause (II) by striking “for” and inserting “to”; and

(v) by adding at the end the following:

“(5) not later than 2 years after the date of enactment of this Act, and every year thereafter, not less than 20 percent of the total amount granted to a State under this subchapter shall be allocated for programs or projects in 2 or more allocations listed in paragraph (4) that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.”;

(D) by striking subsection (d) and inserting the following:

“(d) APPLICATION REQUIREMENTS.—An application for a grant under this section shall include—

“(1) the certifications of qualification required under subsection (c);

“(2) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 2010;

“(3) proof of compliance with the requirements for paying fees and costs relating to domestic violence and protection order cases, described in section 2011 of this title;

“(4) proof of compliance with the requirements prohibiting polygraph examinations of victims of sexual assault, described in section 2013 of this title;

“(5) an implementation plan required under subsection (i); and

“(6) any other documentation that the Attorney General may require.”;

(E) in subsection (e)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking “domestic violence and sexual assault” and inserting “domestic violence, dating violence, sexual assault, and stalking”; and

(II) in subparagraph (D), by striking “linguistically and”; and

(ii) by adding at the end the following:

“(3) CONDITIONS.—In disbursing grants under this part, the Attorney General may impose reasonable conditions on grant awards to ensure that the States meet statutory, regulatory, and other program requirements.”;

(F) in subsection (f), by striking the period at the end and inserting “, except that, for purposes of this subsection, the costs of the projects for victim services or tribes for which there is an exemption under section 40002(b)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)(1)) shall not count toward the total costs of the projects.”; and

(G) by adding at the end the following:

“(i) IMPLEMENTATION PLANS.—A State applying for a grant under this part shall—

“(1) develop an implementation plan in consultation with the entities listed in subsection (c)(2), that identifies how the State will use the funds awarded under this part, including how the State will meet the requirements of subsection (c)(5); and

“(2) submit to the Attorney General—

“(A) the implementation plan developed under paragraph (1);

“(B) documentation from each member of the planning committee as to their participation in the planning process;

“(C) documentation from the prosecution, law enforcement, court, and victim services programs to be assisted, describing—

“(i) the need for the grant funds;

“(ii) the intended use of the grant funds;

“(iii) the expected result of the grant funds; and

“(iv) the demographic characteristics of the populations to be served, including age, disability, race, ethnicity, and language background;

“(D) a description of how the State will ensure that any subgrantees will consult with victim service providers during the course of developing their grant applications in order to ensure that the proposed activities are designed to promote the safety, confidentiality, and economic independence of victims;

“(E) demographic data on the distribution of underserved populations within the State and a description of how the State will meet the needs of underserved populations, including the minimum allocation for population specific services required under subsection (c)(4)(C);

“(F) a description of how the State plans to meet the regulations issued pursuant to subsection (e)(2);

“(G) goals and objectives for reducing domestic violence-related homicides within the State; and

“(H) any other information requested by the Attorney General.

“(j) REALLOCATION OF FUNDS.—A State may use any returned or remaining funds for any authorized purpose under this part if—

“(1) funds from a subgrant awarded under this part are returned to the State; or

“(2) the State does not receive sufficient eligible applications to award the full funding within the allocations in subsection (c)(4);”;

(4) in section 2010 (42 U.S.C. 3796gg-4)—

(A) in subsection (a), by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—A State, Indian tribal government, or unit of local government shall not be entitled to funds under this subchapter unless the State, Indian tribal government, unit of local government, or another governmental entity—

“(A) incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) for victims of sexual assault; and

“(B) coordinates with health care providers in the region to notify victims of sexual assault of the availability of rape exams at no cost to the victims.”;

(B) in subsection (b)—

(i) in paragraph (1), by inserting “or” after the semicolon;

(ii) in paragraph (2), by striking “; or” and inserting a period; and

(iii) by striking paragraph (3); and

(C) by amending subsection (d) to read as follows:

“(d) NONCOOPERATION.—

“(1) IN GENERAL.—To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement.

“(2) COMPLIANCE PERIOD.—States, territories, and Indian tribal governments shall have 3 years from the date of enactment of this Act to come into compliance with this section.”; and

(5) in section 2011(a)(1) (42 U.S.C. 3796gg-5(a)(1))—

(A) by inserting “modification, enforcement, dismissal, withdrawal” after “registration,” each place it appears;

(B) by inserting “, dating violence, sexual assault, or stalking” after “felony domestic violence”; and

(C) by striking “victim of domestic violence” and all that follows through “sexual

assault” and inserting “victim of domestic violence, dating violence, sexual assault, or stalking”.

SEC. 102. GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS.

(a) IN GENERAL.—Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.) is amended—

(1) in section 2101 (42 U.S.C. 3796hh)—

(A) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking “States,” and all that follows through “units of local government” and inserting “grantees”; and

(ii) in paragraph (1), by inserting “and enforcement of protection orders across State and tribal lines” before the period;

(iii) in paragraph (2), by striking “and training in police departments to improve tracking of cases” and inserting “data collection systems, and training in police departments to improve tracking of cases and classification of complaints”; and

(iv) in paragraph (4), by inserting “and provide the appropriate training and education about domestic violence, dating violence, sexual assault, and stalking” after “computer tracking systems”; and

(v) in paragraph (5), by inserting “and other victim services” after “legal advocacy service programs”; and

(vi) in paragraph (6), by striking “judges” and inserting “Federal, State, tribal, territorial, and local judges, courts, and court-based and court-related personnel”; and

(vii) in paragraph (8), by striking “and sexual assault” and inserting “dating violence, sexual assault, and stalking”; and

(viii) in paragraph (10), by striking “non-profit, non-governmental victim services organizations,” and inserting “victim service providers, staff from population specific organizations,”; and

(ix) by adding at the end the following:

“(14) To develop and implement training programs for prosecutors and other prosecution-related personnel regarding best practices to ensure offender accountability, victim safety, and victim consultation in cases involving domestic violence, dating violence, sexual assault, and stalking.

“(15) To develop or strengthen policies, protocols, and training for law enforcement, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking against immigrant victims, including the appropriate use of applications for nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).

“(16) To develop and promote State, local, or tribal legislation and policies that enhance best practices for responding to the crimes of domestic violence, dating violence, sexual assault, and stalking, including the appropriate treatment of victims.

“(17) To develop, implement, or enhance sexual assault nurse examiner programs or sexual assault forensic examiner programs, including the hiring and training of such examiners.

“(18) To develop, implement, or enhance Sexual Assault Response Teams or similar coordinated community responses to sexual assault.

“(19) To develop and strengthen policies, protocols, and training for law enforcement officers and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims.

“(20) To provide human immunodeficiency virus testing programs, counseling, and prophylaxis for victims of sexual assault.

“(21) To identify and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

“(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

“(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

“(B) identifying and managing high-risk offenders; and

“(C) providing ongoing victim advocacy and referrals to comprehensive services including legal, housing, health care, and economic assistance.”;

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting “except for a court,” before “certify”; and

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(ii) in paragraph (2), by inserting “except for a court,” before “demonstrate”;

(iii) in paragraph (3)—

(I) by striking “spouses” each place it appears and inserting “parties”; and

(II) by striking “spouse” and inserting “party”;

(iv) in paragraph (4)—

(I) by inserting “, dating violence, sexual assault, or stalking” after “felony domestic violence”;

(II) by inserting “modification, enforcement, dismissal,” after “registration,” each place it appears;

(III) by inserting “dating violence,” after “victim of domestic violence,”; and

(IV) by striking “and” at the end;

(v) in paragraph (5)—

(I) in the matter preceding subparagraph (A), by striking “, not later than 3 years after January 5, 2006”;

(II) by inserting “, trial of, or sentencing for” after “investigation of” each place it appears;

(III) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(IV) in clause (ii), as redesignated by subparagraph (III) of this clause, by striking “subparagraph (A)” and inserting “clause (i)”;

and

(V) by striking the period at the end and inserting “; and”;

(vi) by redesignating paragraphs (1) through (5), as amended by this subparagraph, as subparagraphs (A) through (E), respectively;

(vii) in the matter preceding subparagraph (A), as redesignated by clause (v) of this subparagraph—

(I) by striking the comma that immediately follows another comma; and

(II) by striking “grantees are States” and inserting the following: “grantees are—

“(1) States”; and

(viii) by adding at the end the following:

“(2) a State, tribal, or territorial domestic violence or sexual assault coalition or a victim service provider that partners with a State, Indian tribal government, or unit of local government that certifies that the State, Indian tribal government, or unit of local government meets the requirements under paragraph (1).”;

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting “, policy,” after “law”; and

(II) in subparagraph (A), by inserting “and the defendant is in custody or has been served with the information or indictment” before the semicolon; and

(ii) in paragraph (2), by striking “it” and inserting “its”; and

(D) by adding at the end the following:

“(f) ALLOCATION FOR TRIBAL COALITIONS.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 5 percent shall be available for grants under section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg).

“(g) ALLOCATION FOR SEXUAL ASSAULT.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 25 percent shall be available for projects that address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.”; and

(2) in section 2102(a) (42 U.S.C. 3796hh-1(a))—

(A) in paragraph (1), by inserting “court,” after “tribal government,”; and

(B) in paragraph (4), by striking “non-profit, private sexual assault and domestic violence programs” and inserting “victim service providers and, as appropriate, population specific organizations”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(19) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is amended—

(1) by striking “\$75,000,000” and all that follows through “2011.” and inserting “\$73,000,000 for each of fiscal years 2014 through 2018.”; and

(2) by striking the period that immediately follows another period.

SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg-6) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking “arising as a consequence of” and inserting “relating to or arising out of”; and

(B) in the second sentence, by inserting “or arising out of” after “relating to”;

(2) in subsection (b)—

(A) in the heading, by inserting “AND GRANT CONDITIONS” after “DEFINITIONS”; and

(B) by inserting “and grant conditions” after “definitions”;

(3) in subsection (c)—

(A) in paragraph (1), by striking “victim services organizations” and inserting “victim service providers”; and

(B) by striking paragraph (3) and inserting the following:

“(3) to implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic violence, dating violence, sexual assault, or stalking, except that not more than 10 percent of the funds awarded under this section may be used for the purpose described in this paragraph.”;

(4) in subsection (d)—

(A) in paragraph (1), by striking “this section has completed” and all that follows and inserting the following: “this section—”

“(A) has demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; or

“(B)(i) is partnered with an entity or person that has demonstrated expertise described in subparagraph (A); and

“(ii) has completed, or will complete, training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide.”;

and

(B) in paragraph (2), by striking “stalking organization” and inserting “stalking victim service provider”; and

(5) in subsection (f) in paragraph (1), by striking “this section” and all that follows and inserting the following: “this section \$57,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 104. CONSOLIDATION OF GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

(a) IN GENERAL.—Title III of division B of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386; 114 Stat. 1509) is amended by striking the section preceding section 1302 (42 U.S.C. 10420), as amended by section 306 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 316), and inserting the following:

“SEC. 1301. GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

“(a) IN GENERAL.—The Attorney General may make grants to States, units of local government, courts (including juvenile courts), Indian tribal governments, nonprofit organizations, legal services providers, and victim services providers to improve the response of all aspects of the civil and criminal justice system to families with a history of domestic violence, dating violence, sexual assault, or stalking, or in cases involving allegations of child sexual abuse.

“(b) USE OF FUNDS.—A grant under this section may be used to—

“(1) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, child sexual abuse, sexual assault, or stalking;

“(2) develop and promote State, local, and tribal legislation, policies, and best practices for improving civil and criminal court functions, responses, practices, and procedures in cases involving a history of domestic violence or sexual assault, or in cases involving allegations of child sexual abuse, including cases in which the victim proceeds pro se;

“(3) educate court-based and court-related personnel and court-appointed personnel (including custody evaluators and guardians ad litem) and child protective services workers on the dynamics of domestic violence, dating violence, sexual assault, and stalking, including information on perpetrator behavior, evidence-based risk factors for domestic and dating violence homicide, and on issues relating to the needs of victims, including safety, security, privacy, and confidentiality, including cases in which the victim proceeds pro se;

“(4) provide appropriate resources in juvenile court matters to respond to dating violence, domestic violence, sexual assault (including child sexual abuse), and stalking and ensure necessary services dealing with the health and mental health of victims are available;

“(5) enable courts or court-based or court-related programs to develop or enhance—

“(A) court infrastructure (such as specialized courts, consolidated courts, dockets, intake centers, or interpreter services);

“(B) community-based initiatives within the court system (such as court watch programs, victim assistants, pro se victim assistance programs, or community-based supplementary services);

“(C) offender management, monitoring, and accountability programs;

“(D) safe and confidential information-storage and information-sharing databases within and between court systems;

“(E) education and outreach programs to improve community access, including enhanced access for underserved populations; and

“(F) other projects likely to improve court responses to domestic violence, dating violence, sexual assault, and stalking;

“(6) provide civil legal assistance and advocacy services, including legal information and resources in cases in which the victim proceeds pro se, to—

“(A) victims of domestic violence; and

“(B) nonoffending parents in matters—

“(i) that involve allegations of child sexual abuse;

“(ii) that relate to family matters, including civil protection orders, custody, and divorce; and

“(iii) in which the other parent is represented by counsel;

“(7) collect data and provide training and technical assistance, including developing State, local, and tribal model codes and policies, to improve the capacity of grantees and communities to address the civil justice needs of victims of domestic violence, dating violence, sexual assault, and stalking who have legal representation, who are proceeding pro se, or who are proceeding with the assistance of a legal advocate; and

“(8) to improve training and education to assist judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system.

“(C) CONSIDERATIONS.—

“(1) IN GENERAL.—In making grants for purposes described in paragraphs (1) through (7) of subsection (b), the Attorney General shall consider—

“(A) the number of families to be served by the proposed programs and services;

“(B) the extent to which the proposed programs and services serve underserved populations;

“(C) the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community with demonstrated histories of effective work on domestic violence, dating violence, sexual assault, or stalking, including State or tribal domestic violence coalitions, State or tribal sexual assault coalitions, local shelters, and programs for domestic violence and sexual assault victims; and

“(D) the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral.

“(2) OTHER GRANTS.—In making grants under subsection (b)(8) the Attorney General shall take into account the extent to which the grantee has expertise addressing the judicial system’s handling of family violence, child custody, child abuse and neglect, adoption, foster care, supervised visitation, divorce, and parentage.

“(d) APPLICANT REQUIREMENTS.—The Attorney General may make a grant under this section to an applicant that—

“(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual assault, stalking, or child sexual abuse, as appropriate;

“(2) ensures that any fees charged to individuals for use of supervised visitation programs and services are based on the income of those individuals, unless otherwise provided by court order;

“(3) for a court-based program, certifies that victims of domestic violence, dating violence, sexual assault, or stalking are not charged fees or any other costs related to the filing, petitioning, modifying, issuance, registration, enforcement, withdrawal, or dismissal of matters relating to the domestic violence, dating violence, sexual assault, or stalking;

“(4) demonstrates that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, and adequate standards are, or will be, in place (including the development of protocols or policies to ensure that confidential information is not shared with courts, law enforcement agencies, or child welfare agencies unless necessary to ensure the safety of any child or adult using the services of a program funded under this section), if the applicant proposes to operate supervised visitation programs and services or safe visitation exchange;

“(5) certifies that the organizational policies of the applicant do not require medication or counseling involving offenders and victims being physically present in the same place, in cases where domestic violence, dating violence, sexual assault, or stalking is alleged;

“(6) certifies that any person providing legal assistance through a program funded under this section has completed or will complete training on domestic violence, dating violence, sexual assault, and stalking, including child sexual abuse, and related legal issues; and

“(7) certifies that any person providing custody evaluation or guardian ad litem services through a program funded under this section has completed or will complete training developed with input from and in collaboration with a tribal, State, territorial, or local domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition on the dynamics of domestic violence and sexual assault, including child sexual abuse, that includes training on how to review evidence of past abuse and the use of evidenced-based theories to make recommendations on custody and visitation.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$22,000,000 for each of fiscal years 2014 through 2018. Amounts appropriated pursuant to this subsection shall remain available until expended.

“(f) ALLOTMENT FOR INDIAN TRIBES.—

“(1) IN GENERAL.—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 3796gg-10 of this title.

“(2) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in paragraph (1).”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Subtitle J of the Violence Against Women Act of 1994 (42 U.S.C. 14043 et seq.) is repealed.

SEC. 105. SEX OFFENDER MANAGEMENT.

Section 40152(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13941) is amended by striking “\$5,000,000” and all that follows and inserting “\$5,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 106. COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.

Subtitle B of title II of the Crime Control Act of 1990 (42 U.S.C. 13011 et seq.) is amended—

(1) in section 216 (42 U.S.C. 13012), by striking “January 1, 2010” and inserting “January 1, 2015”;

(2) in section 217 (42 U.S.C. 13013)—

(A) by striking “Code of Ethics” in section (c)(2) and inserting “Standards for Programs”; and

(B) by adding at the end the following:

“(e) REPORTING.—An organization that receives a grant under this section for a fiscal year shall submit to the Administrator a report regarding the use of the grant for the fiscal year, including a discussion of outcome performance measures (which shall be established by the Administrator) to determine the effectiveness of the programs of the organization in meeting the needs of children in the child welfare system.”; and

(3) in section 219(a) (42 U.S.C. 13014(a)), by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

SEC. 107. CRIMINAL PROVISION RELATING TO STALKING, INCLUDING CYBERSTALKING.

(a) INTERSTATE DOMESTIC VIOLENCE.—Section 2261(a)(1) of title 18, United States Code, is amended—

(1) by inserting “is present” after “Indian Country or”; and

(2) by inserting “or presence” after “as a result of such travel”;

(b) STALKING.—Section 2261A of title 18, United States Code, is amended to read as follows:

“§ 2261A. Stalking

“Whoever—

“(1) travels in interstate or foreign commerce or is present within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, and in the course of, or as a result of, such travel or presence engages in conduct that—

“(A) places that person in reasonable fear of the death of, or serious bodily injury to—

“(i) that person;

“(ii) an immediate family member (as defined in section 115) of that person; or

“(iii) a spouse or intimate partner of that person; or

“(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of subparagraph (A); or

“(2) with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, uses the mail, any interactive computer service or electronic communication service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that—

“(A) places that person in reasonable fear of the death of or serious bodily injury to a person described in clause (i), (ii), or (iii) of paragraph (1)(A); or

“(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of paragraph (1)(A), shall be punished as provided in section 2261(b) of this title.”.

(c) INTERSTATE VIOLATION OF PROTECTION ORDER.—Section 2262(a)(2) of title 18, United

States Code, is amended by inserting “is present” after “Indian Country or”.

SEC. 108. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS GRANT.

Section 120 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045) is amended to read as follows:

“SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS.

“(a) GRANTS AUTHORIZED.—

“(1) IN GENERAL.—Of the amounts appropriated under the grant programs identified in paragraph (2), the Attorney General shall take 2 percent of such appropriated amounts and combine them to award grants to eligible entities described in subsection (b) of this section to develop and implement outreach strategies targeted at adult or youth victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations and to provide victim services to meet the needs of adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in underserved populations. The requirements of the grant programs identified in paragraph (2) shall not apply to this grant program.

“(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

“(A) Section 2001 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Combat Violent Crimes Against Women).

“(B) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program).

“(b) ELIGIBLE ENTITIES.—Eligible entities under this section are—

“(1) population specific organizations that have demonstrated experience and expertise in providing population specific services in the relevant underserved communities, or population specific organizations working in partnership with a victim service provider or domestic violence or sexual assault coalition;

“(2) victim service providers offering population specific services for a specific underserved population; or

“(3) victim service providers working in partnership with a national, State, tribal, or local organization that has demonstrated experience and expertise in providing population specific services in the relevant underserved population.

“(c) PLANNING GRANTS.—The Attorney General may use up to 25 percent of funds available under this section to make one-time planning grants to eligible entities to support the planning and development of specially designed and targeted programs for adult and youth victims in one or more underserved populations, including—

“(1) identifying, building and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations;

“(2) conducting a needs assessment of the community and the targeted underserved population or populations to determine what the barriers are to service access and what factors contribute to those barriers, using input from the targeted underserved population or populations;

“(3) identifying promising prevention, outreach and intervention strategies for victims from a targeted underserved population or populations; and

“(4) developing a plan, with the input of the targeted underserved population or popu-

lations, for implementing prevention, outreach and intervention strategies to address the barriers to accessing services, promoting community engagement in the prevention of domestic violence, dating violence, sexual assault, and stalking within the targeted underserved populations, and evaluating the program.

“(d) IMPLEMENTATION GRANTS.—The Attorney General shall make grants to eligible entities for the purpose of providing or enhancing population specific outreach and services to adult and youth victims in one or more underserved populations, including—

“(1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific services;

“(2) strengthening the capacity of underserved populations to provide population specific services;

“(3) strengthening the capacity of traditional victim service providers to provide population specific services;

“(4) strengthening the effectiveness of criminal and civil justice interventions by providing training for law enforcement, prosecutors, judges and other court personnel on domestic violence, dating violence, sexual assault, or stalking in underserved populations; or

“(5) working in cooperation with an underserved population to develop and implement outreach, education, prevention, and intervention strategies that highlight available resources and the specific issues faced by victims of domestic violence, dating violence, sexual assault, or stalking from underserved populations.

“(e) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Director of the Office on Violence Against Women at such time, in such form, and in such manner as the Director may prescribe.

“(f) REPORTS.—Each eligible entity receiving a grant under this section shall submit to the Director of the Office on Violence Against Women a report that describes the activities carried out with grant funds.

“(g) AUTHORIZATION OF APPROPRIATIONS.—In addition to the funds identified in subsection (a)(1), there are authorized to be appropriated to carry out this section \$2,000,000 for each of fiscal years 2014 through 2018.

“(h) DEFINITIONS AND GRANT CONDITIONS.—In this section the definitions and grant conditions in section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) shall apply.”.

SEC. 109. CULTURALLY SPECIFIC SERVICES GRANT.

Section 121 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045a) is amended—

(1) in the section heading, by striking “AND LINGUISTICALLY”;

(2) by striking “and linguistically” each place it appears;

(3) by striking “and linguistic” each place it appears;

(4) by striking subsection (a)(2) and inserting:

“(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

“(A) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders).

“(B) Section 14201 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-6) (Legal Assistance for Victims).

“(C) Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) (Rural Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Child Abuse Enforcement Assistance).

“(D) Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) (Enhanced Training and Services to End Violence Against Women Later in Life).

“(E) Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-7) (Education, Training, and Enhanced Services to End Violence Against and Abuse of Women with Disabilities).”; and

(5) in subsection (g), by striking “linguistic and”.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(b)) is amended—

(1) in paragraph (1), by striking “other programs” and all that follows and inserting “other nongovernmental or tribal programs and projects to assist individuals who have been victimized by sexual assault, without regard to the age of the individual.”;

(2) in paragraph (2)—

(A) in subparagraph (B), by inserting “or tribal programs and activities” after “nongovernmental organizations”; and

(B) in subparagraph (C)(v), by striking “linguistically and”; and

(3) in paragraph (4)—

(A) by inserting “(including the District of Columbia and Puerto Rico)” after “The Attorney General shall allocate to each State”;

(B) by striking “the District of Columbia, Puerto Rico,” after “Guam”;

(C) by striking “0.125 percent” and inserting “0.25 percent”; and

(D) by striking “The District of Columbia shall be treated as a territory for purposes of calculating its allocation under the preceding formula.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 41601(f)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(f)(1)) is amended by striking “\$50,000,000 to remain available until expended for each of the fiscal years 2007 through 2011” and inserting “\$40,000,000 to remain available until expended for each of fiscal years 2014 through 2018”.

SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND CHILD ABUSE ENFORCEMENT ASSISTANCE.

Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) is amended—

(1) in subsection (a)(1)(H), by inserting “, including sexual assault forensic examiners” before the semicolon;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “victim advocacy groups” and inserting “victim service providers”; and

(ii) by inserting “, including developing multidisciplinary teams focusing on high risk cases with the goal of preventing domestic and dating violence homicides” before the semicolon;

(B) in paragraph (2)—

(i) by striking “and other long- and short-term assistance” and inserting “legal assistance, and other long-term and short-term victim and population specific services”; and

(ii) by striking “and” at the end;

(C) in paragraph (3), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(4) developing, enlarging, or strengthening programs addressing sexual assault, including sexual assault forensic examiner programs, Sexual Assault Response Teams, law enforcement training, and programs addressing rape kit backlogs.

“(5) developing programs and strategies that focus on the specific needs of victims of domestic violence, dating violence, sexual assault, and stalking who reside in remote rural and geographically isolated areas, including addressing the challenges posed by the lack of access to shelters and victims services, and limited law enforcement resources and training, and providing training and resources to Community Health Aides involved in the delivery of Indian Health Service programs.”; and

(3) in subsection (e)(1), by striking “\$55,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$50,000,000 for each of fiscal years 2014 through 2018”.

SEC. 203. TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN WITH DISABILITIES GRANTS.

Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-7) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting “(including using evidence-based indicators to assess the risk of domestic and dating violence homicide)” after “risk reduction”; and

(B) in paragraph (4), by striking “victim service organizations” and inserting “victim service providers”; and

(C) in paragraph (5), by striking “victim services organizations” and inserting “victim service providers”;

(2) in subsection (c)(1)(D), by striking “nonprofit and nongovernmental victim services organization, such as a State” and inserting “victim service provider, such as a State or tribal”; and

(3) in subsection (e), by striking “\$10,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$9,000,000 for each of fiscal years 2014 through 2018”.

SEC. 204. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

(a) IN GENERAL.—Subtitle H of the Violence Against Women Act of 1994 (42 U.S.C. 14041 et seq.) is amended to read as follows:

“Subtitle H—Enhanced Training and Services To End Abuse Later in Life

“SEC. 40801. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

“(a) DEFINITIONS.—In this section—

“(1) the term ‘exploitation’ has the meaning given the term in section 2011 of the Social Security Act (42 U.S.C. 1397j);

“(2) the term ‘later life’, relating to an individual, means the individual is 50 years of age or older; and

“(3) the term ‘neglect’ means the failure of a caregiver or fiduciary to provide the goods or services that are necessary to maintain the health or safety of an individual in later life.

“(b) GRANT PROGRAM.—

“(1) GRANTS AUTHORIZED.—The Attorney General may make grants to eligible entities to carry out the activities described in paragraph (2).

“(2) MANDATORY AND PERMISSIBLE ACTIVITIES.—

“(A) MANDATORY ACTIVITIES.—An eligible entity receiving a grant under this section shall use the funds received under the grant to—

“(i) provide training programs to assist law enforcement agencies, prosecutors, agen-

cies of States or units of local government, population specific organizations, victim service providers, victim advocates, and relevant officers in Federal, tribal, State, territorial, and local courts in recognizing and addressing instances of elder abuse;

“(ii) provide or enhance services for victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect;

“(iii) establish or support multidisciplinary collaborative community responses to victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; and

“(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, faith-based advocates, victim service providers, and courts to better serve victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect.

“(B) PERMISSIBLE ACTIVITIES.—An eligible entity receiving a grant under this section may use the funds received under the grant to—

“(i) provide training programs to assist attorneys, health care providers, faith-based leaders, or other community-based organizations in recognizing and addressing instances of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; or

“(ii) conduct outreach activities and awareness campaigns to ensure that victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect receive appropriate assistance.

“(C) WAIVER.—The Attorney General may waive 1 or more of the activities described in subparagraph (A) upon making a determination that the activity would duplicate services available in the community.

“(D) LIMITATION.—An eligible entity receiving a grant under this section may use not more than 10 percent of the total funds received under the grant for an activity described in subparagraph (B)(ii).

“(3) ELIGIBLE ENTITIES.—An entity shall be eligible to receive a grant under this section if—

“(A) the entity is—

“(i) a State;

“(ii) a unit of local government;

“(iii) a tribal government or tribal organization;

“(iv) a population specific organization with demonstrated experience in assisting individuals over 50 years of age;

“(v) a victim service provider with demonstrated experience in addressing domestic violence, dating violence, sexual assault, and stalking; or

“(vi) a State, tribal, or territorial domestic violence or sexual assault coalition; and

“(B) the entity demonstrates that it is part of a multidisciplinary partnership that includes, at a minimum—

“(i) a law enforcement agency;

“(ii) a prosecutor’s office;

“(iii) a victim service provider; and

“(iv) a nonprofit program or government agency with demonstrated experience in assisting individuals in later life;

“(4) UNDERSERVED POPULATIONS.—In making grants under this section, the Attorney General shall give priority to proposals providing services to culturally specific and underserved populations.

“(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to

carry out this section \$9,000,000 for each of fiscal years 2014 through 2018.”.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

SEC. 301. RAPE PREVENTION AND EDUCATION GRANT.

Section 393A of the Public Health Service Act (42 U.S.C. 280b-1b) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “, territorial or tribal” after “crisis centers, State”; and

(B) in paragraph (6), by inserting “and alcohol” after “about drugs”; and

(2) in subsection (c)—

(A) in paragraph (1), by striking “\$80,000,000 for each of fiscal years 2007 through 2011” and inserting “\$50,000,000 for each of fiscal years 2014 through 2018”; and

(B) by adding at the end the following:

“(3) BASELINE FUNDING FOR STATES, THE DISTRICT OF COLUMBIA, AND PUERTO RICO.—A minimum allocation of \$150,000 shall be awarded in each fiscal year for each of the States, the District of Columbia, and Puerto Rico. A minimum allocation of \$35,000 shall be awarded in each fiscal year for each Territory. Any unused or remaining funds shall be allotted to each State, the District of Columbia, and Puerto Rico on the basis of population.”.

SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH.

Subtitle L of the Violence Against Women Act of 1994 is amended by striking sections 41201 through 41204 (42 U.S.C. 14043c through 14043c-3) and inserting the following:

“SEC. 41201. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH (‘CHOOSE CHILDREN & YOUTH’).

“(a) GRANTS AUTHORIZED.—The Attorney General, working in collaboration with the Secretary of Health and Human Services and the Secretary of Education, shall award grants to enhance the safety of youth and children who are victims of, or exposed to, domestic violence, dating violence, sexual assault, stalking, or sex trafficking and prevent future violence.

“(b) PROGRAM PURPOSES.—Funds provided under this section may be used for the following program purpose areas:

“(1) SERVICES TO ADVOCATE FOR AND RESPOND TO YOUTH.—To develop, expand, and strengthen victim-centered interventions and services that target youth who are victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order proceedings, population-specific services, and other activities that support youth in finding safety, stability, and justice and in addressing the emotional, cognitive, and physical effects of trauma. Funds may be used to—

“(A) assess and analyze currently available services for youth victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking, determining relevant barriers to such services in a particular locality, and developing a community protocol to address such problems collaboratively;

“(B) develop and implement policies, practices, and procedures to effectively respond

to domestic violence, dating violence, sexual assault, stalking, or sex trafficking against youth; or

“(C) provide technical assistance and training to enhance the ability of school personnel, victim service providers, child protective service workers, staff of law enforcement agencies, prosecutors, court personnel, individuals who work in after school programs, medical personnel, social workers, mental health personnel, and workers in other programs that serve children and youth to improve their ability to appropriately respond to the needs of children and youth who are victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking, and to properly refer such children, youth, and their families to appropriate services.

“(2) SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.—To enable middle schools, high schools, and institutions of higher education to—

“(A) provide training to school personnel, including healthcare providers and security personnel, on the needs of students who are victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking;

“(B) develop and implement prevention and intervention policies in middle and high schools, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating domestic violence, dating violence, sexual assault, stalking, or sex trafficking, and procedures for handling the requirements of court protective orders issued to or against students;

“(C) provide support services for student victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking, such as a resource person who is either on-site or on-call;

“(D) implement developmentally appropriate educational programming for students regarding domestic violence, dating violence, sexual assault, stalking, and sex trafficking and the impact of such violence on youth; or

“(E) develop strategies to increase identification, support, referrals, and prevention programming for youth who are at high risk of domestic violence, dating violence, sexual assault, stalking, or sex trafficking.

“(c) ELIGIBLE APPLICANTS.—

“(1) IN GENERAL.—To be eligible to receive a grant under this section, an entity shall be—

“(A) a victim service provider, tribal non-profit, or population-specific or community-based organization with a demonstrated history of effective work addressing the needs of youth who are, including runaway or homeless youth affected by, victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking;

“(B) a victim service provider that is partnered with an entity that has a demonstrated history of effective work addressing the needs of youth; or

“(C) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(2) PARTNERSHIPS.—

“(A) EDUCATION.—To be eligible to receive a grant for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be partnered with a public, charter, tribal, or nationally accredited pri-

vate middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(B) OTHER PARTNERSHIPS.—All applicants under this section are encouraged to work in partnership with organizations and agencies that work with the relevant population. Such entities may include—

“(i) a State, tribe, unit of local government, or territory;

“(ii) a population specific or community-based organization;

“(iii) batterer intervention programs or sex offender treatment programs with specialized knowledge and experience working with youth offenders; or

“(iv) any other agencies or nonprofit, non-governmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

“(d) GRANTEE REQUIREMENTS.—Applicants for grants under this section shall establish and implement policies, practices, and procedures that—

“(1) require and include appropriate referral systems for child and youth victims;

“(2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers all with priority on victim safety and autonomy; and

“(3) ensure that all individuals providing intervention or prevention programming to children or youth through a program funded under this section have completed, or will complete, sufficient training in connection with domestic violence, dating violence, sexual assault, stalking, and sex trafficking.

“(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 4002 shall apply.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of fiscal years 2014 through 2018.

“(g) ALLOTMENT.—

“(1) IN GENERAL.—Not less than 50 percent of the total amount appropriated under this section for each fiscal year shall be used for the purposes described in subsection (b)(1).

“(2) INDIAN TRIBES.—Not less than 10 percent of the total amount appropriated under this section for each fiscal year shall be made available for grants under the program authorized by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968. The requirements of this section shall not apply to funds allocated under this paragraph.

“(h) PRIORITY.—The Attorney General shall prioritize grant applications under this section that coordinate with prevention programs in the community.”.

SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAMPUSES.

Section 304 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “stalking on campuses, and” and inserting “stalking on campuses,”;

(ii) by striking “crimes against women on” and inserting “crimes on”; and

(iii) by inserting “, and to develop and strengthen prevention education and awareness programs” before the period; and

(B) in paragraph (2), by striking “\$500,000” and inserting “\$300,000”;

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting “, strengthen,” after “To develop”; and

(ii) by inserting “including the use of technology to commit these crimes,” after “sexual assault and stalking,”;

(B) in paragraph (4)—

(i) by inserting “and population specific services” after “strengthen victim services programs”;

(ii) by striking “entities carrying out” and all that follows through “stalking victim services programs” and inserting “victim service providers”; and

(iii) by inserting “, regardless of whether the services are provided by the institution or in coordination with community victim service providers” before the period at the end; and

(C) by adding at the end the following:

“(9) To develop or adapt and provide developmental, culturally appropriate, and linguistically accessible print or electronic materials to address both prevention and intervention in domestic violence, dating violence, sexual violence, and stalking.

“(10) To develop or adapt population specific strategies and projects for victims of domestic violence, dating violence, sexual assault, and stalking from underserved populations on campus.”;

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking “any non-profit” and all that follows through “victim services programs” and inserting “victim service providers”;

(ii) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(iii) by inserting after subparagraph (C), the following:

“(D) describe how underserved populations in the campus community will be adequately served, including the provision of relevant population specific services”; and

(B) in paragraph (3), by striking “2007 through 2011” and inserting “2014 through 2018”;

(4) in subsection (d)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2), the following:

“(3) GRANTEE MINIMUM REQUIREMENTS.—Each grantee shall comply with the following minimum requirements during the grant period:

“(A) The grantee shall create a coordinated community response including both organizations external to the institution and relevant divisions of the institution.

“(B) The grantee shall establish a mandatory prevention and education program on domestic violence, dating violence, sexual assault, and stalking for all incoming students.

“(C) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking.

“(D) The grantee shall train all members of campus disciplinary boards to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking.”; and

(5) in subsection (e), by striking “there are” and all that follows through the period and inserting “there is authorized to be appropriated \$12,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 304. CAMPUS SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING EDUCATION AND PREVENTION.

(a) IN GENERAL.—Section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C)(iii), by striking the period at the end and inserting “, when the victim of such crime elects or is unable to make such a report.”; and

(B) in subparagraph (F)—

(i) in clause (i)(VIII), by striking “and” after the semicolon;

(ii) in clause (ii)—

(I) by striking “sexual orientation” and inserting “national origin, sexual orientation, gender identity.”; and

(II) by striking the period and inserting “; and

(iii) by adding at the end the following:

“(iii) of domestic violence, dating violence, and stalking incidents that were reported to campus security authorities or local police agencies.”;

(2) in paragraph (3), by inserting “, that withholds the names of victims as confidential,” after “that is timely”;

(3) in paragraph (6)(A)—

(A) by redesignating clauses (i), (ii), and (iii) as clauses (ii), (iii), and (iv), respectively;

(B) by inserting before clause (ii), as redesignated by subparagraph (A), the following:

“(i) The terms ‘dating violence’, ‘domestic violence’, and ‘stalking’ have the meaning given such terms in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).”; and

(C) by inserting after clause (iv), as redesignated by subparagraph (A), the following:

“(v) The term ‘sexual assault’ means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.”;

(4) in paragraph (7)—

(A) by striking “paragraph (1)(F)” and inserting “clauses (i) and (ii) of paragraph (1)(F)”; and

(B) by inserting after “Hate Crime Statistics Act.” the following: “For the offenses of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).”;

(5) by striking paragraph (8) and inserting the following:

“(8)(A) Each institution of higher education participating in any program under this title and title IV of the Economic Opportunity Act of 1964, other than a foreign institution of higher education, shall develop and distribute as part of the report described in paragraph (1) a statement of policy regarding—

“(i) such institution’s programs to prevent domestic violence, dating violence, sexual assault, and stalking; and

“(ii) the procedures that such institution will follow once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported, including a statement of the standard of evidence that will be used during any institutional conduct proceeding arising from such a report.

“(B) The policy described in subparagraph (A) shall address the following areas:

“(i) Education programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking, which shall include—

“(I) primary prevention and awareness programs for all incoming students and new employees, which shall include—

“(aa) a statement that the institution of higher education prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking;

“(bb) the definition of domestic violence, dating violence, sexual assault, and stalking in the applicable jurisdiction;

“(cc) the definition of consent, in reference to sexual activity, in the applicable jurisdiction;

“(dd) safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual;

“(ee) information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; and

“(ff) the information described in clauses (ii) through (vii); and

“(II) ongoing prevention and awareness campaigns for students and faculty, including information described in items (aa) through (ff) of subclause (I).

“(ii) Possible sanctions or protective measures that such institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.

“(iii) Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about—

“(I) the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order;

“(II) to whom the alleged offense should be reported;

“(III) options regarding law enforcement and campus authorities, including notification of the victim’s option to—

“(aa) notify proper law enforcement authorities, including on-campus and local police;

“(bb) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and

“(cc) decline to notify such authorities; and

“(IV) where applicable, the rights of victims and the institution’s responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

“(iv) Procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking, which shall include a clear statement that—

“(I) such proceedings shall—

“(aa) provide a prompt, fair, and impartial investigation and resolution; and

“(bb) be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;

“(II) the accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice; and

“(III) both the accuser and the accused shall be simultaneously informed, in writing, of—

“(aa) the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking;

“(bb) the institution’s procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding;

“(cc) of any change to the results that occurs prior to the time that such results become final; and

“(dd) when such results become final.

“(v) Information about how the institution will protect the confidentiality of victims, including how publicly-available record-keeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

“(vi) Written notification of students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community.

“(vii) Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

“(C) A student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of the student or employee’s rights and options, as described in clauses (ii) through (vii) of subparagraph (B).”;

(6) in paragraph (9), by striking “The Secretary” and inserting “The Secretary, in consultation with the Attorney General of the United States.”;

(7) by striking paragraph (16) and inserting the following:

“(16)(A) The Secretary shall seek the advice and counsel of the Attorney General of the United States concerning the development, and dissemination to institutions of higher education, of best practices information about campus safety and emergencies.

“(B) The Secretary shall seek the advice and counsel of the Attorney General of the United States and the Secretary of Health and Human Services concerning the development, and dissemination to institutions of higher education, of best practices information about preventing and responding to incidents of domestic violence, dating violence, sexual assault, and stalking, including elements of institutional policies that have proven successful based on evidence-based outcome measurements.”; and

(8) by striking paragraph (17) and inserting the following:

“(17) No officer, employee, or agent of an institution participating in any program under this title shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this subsection.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect with respect to the annual security report under section 485(f)(1) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(1)) prepared by an institution of higher education 1 calendar year after the date of enactment of this Act, and each subsequent calendar year.

TITLE IV—VIOLENCE REDUCTION PRACTICES

SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 402(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b-4(c)) is amended by striking “\$2,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$1,000,000 for each of the fiscal years 2014 through 2018”.

SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION GRANTS.

(a) SMART PREVENTION.—Section 41303 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d-2) is amended to read as follows:

“SEC. 41303. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION (SMART PREVENTION).

“(a) GRANTS AUTHORIZED.—The Attorney General, in consultation with the Secretary of Health and Human Services and the Secretary of Education, is authorized to award grants for the purpose of preventing domestic violence, dating violence, sexual assault, and stalking by taking a comprehensive approach that focuses on youth, children exposed to violence, and men as leaders and influencers of social norms.

“(b) USE OF FUNDS.—Funds provided under this section may be used for the following purposes:

“(1) TEEN DATING VIOLENCE AWARENESS AND PREVENTION.—To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking and provide education and skills training to young individuals and individuals who influence young individuals. The prevention program may use evidence-based, evidence-informed, or innovative strategies and practices focused on youth. Such a program should include—

“(A) age and developmentally-appropriate education on domestic violence, dating violence, sexual assault, stalking, and sexual coercion, as well as healthy relationship skills, in school, in the community, or in health care settings;

“(B) community-based collaboration and training for those with influence on youth, such as parents, teachers, coaches, healthcare providers, faith-leaders, older teens, and mentors;

“(C) education and outreach to change environmental factors contributing to domestic violence, dating violence, sexual assault, and stalking; and

“(D) policy development targeted to prevention, including school-based policies and protocols.

“(2) CHILDREN EXPOSED TO VIOLENCE AND ABUSE.—To develop, maintain or enhance programs designed to prevent future incidents of domestic violence, dating violence, sexual assault, and stalking by preventing, reducing and responding to children's exposure to violence in the home. Such programs may include—

“(A) providing services for children exposed to domestic violence, dating violence, sexual assault or stalking, including direct counseling or advocacy, and support for the non-abusing parent; and

“(B) training and coordination for educational, after-school, and childcare programs on how to safely and confidentially identify children and families experiencing domestic violence, dating violence, sexual assault, or stalking and properly refer chil-

dren exposed and their families to services and violence prevention programs.

“(3) ENGAGING MEN AS LEADERS AND ROLE MODELS.—To develop, maintain or enhance programs that work with men to prevent domestic violence, dating violence, sexual assault, and stalking by helping men to serve as role models and social influencers of other men and youth at the individual, school, community or statewide levels.

“(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be—

“(1) a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and expertise in the specific area for which they are applying for funds; or

“(2) a partnership between a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and at least one of the following that has expertise in serving children exposed to domestic violence, dating violence, sexual assault, or stalking, youth domestic violence, dating violence, sexual assault, or stalking prevention, or engaging men to prevent domestic violence, dating violence, sexual assault, or stalking:

“(A) A public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, or a school district.

“(B) A local community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.

“(C) A community-based organization, population-specific organization, university or health care clinic, faith-based organization, or other non-profit, nongovernmental organization with a demonstrated history of effective work addressing the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking.

“(D) A nonprofit, nongovernmental entity providing services for runaway or homeless youth affected by domestic violence, dating violence, sexual assault, or stalking.

“(E) Healthcare entities eligible for reimbursement under title XVIII of the Social Security Act, including providers that target the special needs of children and youth.

“(F) Any other agencies, population-specific organizations, or nonprofit, nongovernmental organizations with the capacity to provide necessary expertise to meet the goals of the program; or

“(3) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(d) GRANTEE REQUIREMENTS.—

“(1) IN GENERAL.—Applicants for grants under this section shall prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director may require that demonstrates the capacity of the applicant and partnering organizations to undertake the project.

“(2) POLICIES AND PROCEDURES.—Applicants under this section shall establish and implement policies, practices, and procedures that—

“(A) include appropriate referral systems to direct any victim identified during program activities to highly qualified follow-up care;

“(B) protect the confidentiality and privacy of adult and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers;

“(C) ensure that all individuals providing prevention programming through a program funded under this section have completed or will complete sufficient training in connection with domestic violence, dating violence, sexual assault or stalking; and

“(D) document how prevention programs are coordinated with service programs in the community.

“(3) PREFERENCE.—In selecting grant recipients under this section, the Attorney General shall give preference to applicants that—

“(A) include outcome-based evaluation; and

“(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

“(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 4002 shall apply.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of fiscal years 2014 through 2018. Amounts appropriated under this section may only be used for programs and activities described under this section.

“(g) ALLOTMENT.—

“(1) IN GENERAL.—Not less than 25 percent of the total amounts appropriated under this section in each fiscal year shall be used for each set of purposes described in paragraphs (1), (2), and (3) of subsection (b).

“(2) INDIAN TRIBES.—Not less than 10 percent of the total amounts appropriated under this section in each fiscal year shall be made available for grants to Indian tribes or tribal organizations. If an insufficient number of applications are received from Indian tribes or tribal organizations, such funds shall be allotted to other population-specific programs.”.

(b) REPEALS.—The following provisions are repealed:

(1) Sections 41304 and 41305 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d-3 and 14043d-4).

(2) Section 403 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045c).

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 501. CONSOLIDATION OF GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) GRANTS.—Section 399P of the Public Health Service Act (42 U.S.C. 280g-4) is amended to read as follows:

"SEC. 399P. GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

"(a) IN GENERAL.—The Secretary shall award grants for—

"(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, and allied health professionals;

"(2) the development or enhancement and implementation of education programs for medical, nursing, dental, and other health profession students and residents to prevent and respond to domestic violence, dating violence, sexual assault, and stalking; and

"(3) the development or enhancement and implementation of comprehensive statewide strategies to improve the response of clinics, public health facilities, hospitals, and other health settings (including behavioral and mental health programs) to domestic violence, dating violence, sexual assault, and stalking.

"(b) USE OF FUNDS.—

"(1) REQUIRED USES.—Amounts provided under a grant under this section shall be used to—

"(A) fund interdisciplinary training and education programs under paragraphs (1) and (2) of subsection (a) that—

"(i) are designed to train medical, psychology, dental, social work, nursing, and other health profession students, interns, residents, fellows, or current health care providers to identify and provide health care services (including mental or behavioral health care services and referrals to appropriate community services) to individuals who are or who have been victims of domestic violence, dating violence, sexual assault, or stalking; and

"(ii) plan and develop culturally competent clinical training components for integration into approved internship, residency, and fellowship training or continuing medical or other health education training that address physical, mental, and behavioral health issues, including protective factors, related to domestic violence, dating violence, sexual assault, stalking, and other forms of violence and abuse, focus on reducing health disparities and preventing violence and abuse, and include the primacy of victim safety and confidentiality;

"(B) design and implement comprehensive strategies to improve the response of the health care system to domestic or sexual violence in clinical and public health settings, hospitals, clinics, and other health settings (including behavioral and mental health), under subsection (a)(3) through—

"(i) the implementation, dissemination, and evaluation of policies and procedures to guide health professionals and public health staff in identifying and responding to domestic violence, dating violence, sexual assault, and stalking, including strategies to ensure that health information is maintained in a manner that protects the patient's privacy and safety, and safely uses health information technology to improve documentation, identification, assessment, treatment, and follow-up care;

"(ii) the development of on-site access to services to address the safety, medical, and mental health needs of patients by increasing the capacity of existing health care professionals and public health staff to address domestic violence, dating violence, sexual assault, and stalking, or by contracting with or hiring domestic or sexual assault advocates to provide such services or to model

other services appropriate to the geographic and cultural needs of a site;

"(iii) the development of measures and methods for the evaluation of the practice of identification, intervention, and documentation regarding victims of domestic violence, dating violence, sexual assault, and stalking, including the development and testing of quality improvement measurements, in accordance with the multi-stakeholder and quality measurement processes established under paragraphs (7) and (8) of section 1890(b) and section 1890A of the Social Security Act (42 U.S.C. 1395aaa(b)(7) and (8); 42 U.S.C. 1890A); and

"(iv) the provision of training and follow-up technical assistance to health care professionals, and public health staff, and allied health professionals to identify, assess, treat, and refer clients who are victims of domestic violence, dating violence, sexual assault, or stalking, including using tools and training materials already developed.

"(2) PERMISSIBLE USES.—

"(A) CHILD AND ELDER ABUSE.—To the extent consistent with the purpose of this section, a grantee may use amounts received under this section to address, as part of a comprehensive programmatic approach implemented under the grant, issues relating to child or elder abuse.

"(B) RURAL AREAS.—Grants funded under paragraphs (1) and (2) of subsection (a) may be used to offer to rural areas community-based training opportunities, which may include the use of distance learning networks and other available technologies needed to reach isolated rural areas, for medical, nursing, and other health profession students and residents on domestic violence, dating violence, sexual assault, stalking, and, as appropriate, other forms of violence and abuse.

"(C) OTHER USES.—Grants funded under subsection (a)(3) may be used for—

"(i) the development of training modules and policies that address the overlap of child abuse, domestic violence, dating violence, sexual assault, and stalking and elder abuse, as well as childhood exposure to domestic and sexual violence;

"(ii) the development, expansion, and implementation of sexual assault forensic medical examination or sexual assault nurse examiner programs;

"(iii) the inclusion of the health effects of lifetime exposure to violence and abuse as well as related protective factors and behavioral risk factors in health professional training schools including medical, dental, nursing, social work, and mental and behavioral health curricula, and allied health service training courses; or

"(iv) the integration of knowledge of domestic violence, dating violence, sexual assault, and stalking into health care accreditation and professional licensing examinations, such as medical, dental, social work, and nursing boards, and where appropriate, other allied health exams.

"(C) REQUIREMENTS FOR GRANTEES.—

"(1) CONFIDENTIALITY AND SAFETY.—

"(A) IN GENERAL.—Grantees under this section shall ensure that all programs developed with grant funds address issues of confidentiality and patient safety and comply with applicable confidentiality and nondisclosure requirements under section 40002(b)(2) of the Violence Against Women Act of 1994 and the Family Violence Prevention and Services Act, and that faculty and staff associated with delivering educational components are fully trained in procedures that will protect the immediate and ongoing security and confidentiality of the patients, patient records,

and staff. Such grantees shall consult entities with demonstrated expertise in the confidentiality and safety needs of victims of domestic violence, dating violence, sexual assault, and stalking on the development and adequacy of confidentiality and security procedures, and provide documentation of such consultation.

"(B) ADVANCE NOTICE OF INFORMATION DISCLOSURE.—Grantees under this section shall provide to patients advance notice about any circumstances under which information may be disclosed, such as mandatory reporting laws, and shall give patients the option to receive information and referrals without affirmatively disclosing abuse.

"(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grantee shall use not more than 10 percent of the amounts received under a grant under this section for administrative expenses.

"(3) APPLICATION.—

"(A) PREFERENCE.—In selecting grant recipients under this section, the Secretary shall give preference to applicants based on the strength of their evaluation strategies, with priority given to outcome based evaluations.

"(B) SUBSECTION (A)(1) AND (2) GRANTEES.—Applications for grants under paragraphs (1) and (2) of subsection (a) shall include—

"(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the health care system to domestic violence, dating violence, sexual assault, or stalking, and which includes at least one of each of—

"(I) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or other health field;

"(II) a health care facility or system; or

"(III) a government or nonprofit entity with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking; and

"(ii) strategies for the dissemination and sharing of curricula and other educational materials developed under the grant, if any, with other interested health professions schools and national resource repositories for materials on domestic violence, dating violence, sexual assault, and stalking.

"(C) SUBSECTION (A)(3) GRANTEES.—An entity desiring a grant under subsection (a)(3) shall submit an application to the Secretary at such time, in such a manner, and containing such information and assurances as the Secretary may require, including—

"(i) documentation that all training, education, screening, assessment, services, treatment, and any other approach to patient care will be informed by an understanding of violence and abuse victimization and trauma-specific approaches that will be integrated into prevention, intervention, and treatment activities;

"(ii) strategies for the development and implementation of policies to prevent and address domestic violence, dating violence, sexual assault, and stalking over the lifespan in health care settings;

"(iii) a plan for consulting with State and tribal domestic violence or sexual assault coalitions, national nonprofit victim advocacy organizations, State or tribal law enforcement task forces (where appropriate), and population specific organizations with demonstrated expertise in domestic violence, dating violence, sexual assault, or stalking;

"(iv) with respect to an application for a grant under which the grantee will have contact with patients, a plan, developed in collaboration with local victim service providers, to respond appropriately to and make

correct referrals for individuals who disclose that they are victims of domestic violence, dating violence, sexual assault, stalking, or other types of violence, and documentation provided by the grantee of an ongoing collaborative relationship with a local victim service provider; and

“(v) with respect to an application for a grant proposing to fund a program described in subsection (b)(2)(C)(ii), a certification that any sexual assault forensic medical examination and sexual assault nurse examiner programs supported with such grant funds will adhere to the guidelines set forth by the Attorney General.

“(d) ELIGIBLE ENTITIES.—

“(1) IN GENERAL.—To be eligible to receive funding under paragraph (1) or (2) of subsection (a), an entity shall be—

“(A) a nonprofit organization with a history of effective work in the field of training health professionals with an understanding of, and clinical skills pertinent to, domestic violence, dating violence, sexual assault, or stalking, and lifetime exposure to violence and abuse;

“(B) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;

“(C) a health care provider membership or professional organization, or a health care system; or

“(D) a State, tribal, territorial, or local entity.

“(2) SUBSECTION (A)(3) GRANTEES.—To be eligible to receive funding under subsection (a)(3), an entity shall be—

“(A) a State department (or other division) of health, a State, tribal, or territorial domestic violence or sexual assault coalition or victim service provider, or any other nonprofit, nongovernmental organization with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care; or

“(B) a local victim service provider, a local department (or other division) of health, a local health clinic, hospital, or health system, or any other community-based organization with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking and health care, including physical or mental health care.

“(e) TECHNICAL ASSISTANCE.—

“(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may make grants or enter into contracts to provide technical assistance with respect to the planning, development, and operation of any program, activity or service carried out pursuant to this section. Not more than 8 percent of the funds appropriated under this section in each fiscal year may be used to fund technical assistance under this subsection.

“(2) AVAILABILITY OF MATERIALS.—The Secretary shall make publicly available materials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

“(3) REPORTING.—The Secretary shall publish a biennial report on—

“(A) the distribution of funds under this section; and

“(B) the programs and activities supported by such funds.

“(f) RESEARCH AND EVALUATION.—

“(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may use not more than 20 percent to make a grant or enter into a contract for research and evaluation of—

“(A) grants awarded under this section; and

“(B) other training for health professionals and effective interventions in the health care setting that prevent domestic violence, dating violence, and sexual assault across the lifespan, prevent the health effects of such violence, and improve the safety and health of individuals who are currently being victimized.

“(2) RESEARCH.—Research authorized in paragraph (1) may include—

“(A) research on the effects of domestic violence, dating violence, sexual assault, and childhood exposure to domestic, dating or sexual violence on health behaviors, health conditions, and health status of individuals, families, and populations, including underserved populations;

“(B) research to determine effective health care interventions to respond to and prevent domestic violence, dating violence, sexual assault, and stalking;

“(C) research on the impact of domestic, dating and sexual violence, childhood exposure to such violence, and stalking on the health care system, health care utilization, health care costs, and health status; and

“(D) research on the impact of adverse childhood experiences on adult experience with domestic violence, dating violence, sexual assault, stalking, and adult health outcomes, including how to reduce or prevent the impact of adverse childhood experiences through the health care setting.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$10,000,000 for each of fiscal years 2014 through 2018.

“(h) DEFINITIONS.—Except as otherwise provided herein, the definitions provided for in section 40002 of the Violence Against Women Act of 1994 shall apply to this section.”

(b) REPEALS.—The following provisions are repealed:

(1) Section 40297 of the Violence Against Women Act of 1994 (42 U.S.C. 13973).

(2) Section 758 of the Public Health Service Act (42 U.S.C. 294h).

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) AMENDMENT.—Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) by inserting after the subtitle heading the following:

“CHAPTER 1—GRANT PROGRAMS”;

(2) in section 41402 (42 U.S.C. 14043e–1), in the matter preceding paragraph (1), by striking “subtitle” and inserting “chapter”;

(3) in section 41403 (42 U.S.C. 14043e–2), in the matter preceding paragraph (1), by striking “subtitle” and inserting “chapter”; and

(4) by adding at the end the following:

“CHAPTER 2—HOUSING RIGHTS

“SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

“(a) DEFINITIONS.—In this chapter:

“(1) AFFILIATED INDIVIDUAL.—The term ‘affiliated individual’ means, with respect to an individual—

“(A) a spouse, parent, brother, sister, or child of that individual, or an individual to whom that individual stands in loco parentis; or

“(B) any individual, tenant, or lawful occupant living in the household of that individual.

“(2) APPROPRIATE AGENCY.—The term ‘appropriate agency’ means, with respect to a covered housing program, the Executive department (as defined in section 101 of title 5, United States Code) that carries out the covered housing program.

“(3) COVERED HOUSING PROGRAM.—The term ‘covered housing program’ means—

“(A) the program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q);

“(B) the program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013);

“(C) the program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

“(D) the program under subtitle A of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.);

“(E) the program under subtitle A of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12741 et seq.);

“(F) the program under paragraph (3) of section 221(d) of the National Housing Act (12 U.S.C. 1715l(d)) that bears interest at a rate determined under the proviso under paragraph (5) of such section 221(d);

“(G) the program under section 236 of the National Housing Act (12 U.S.C. 1715z–1);

“(H) the programs under sections 6 and 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f);

“(I) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1486, 1490m, and 1490p–2); and

“(J) the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986.

“(b) PROHIBITED BASIS FOR DENIAL OR TERMINATION OF ASSISTANCE OR EVICTION.—

“(1) IN GENERAL.—An applicant for or tenant of housing assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

“(2) CONSTRUCTION OF LEASE TERMS.—An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as—

“(A) a serious or repeated violation of a lease for housing assisted under a covered housing program by the victim or threatened victim of such incident; or

“(B) good cause for terminating the assistance, tenancy, or occupancy rights to housing assisted under a covered housing program of the victim or threatened victim of such incident.

“(3) TERMINATION ON THE BASIS OF CRIMINAL ACTIVITY.—

“(A) DENIAL OF ASSISTANCE, TENANCY, AND OCCUPANCY RIGHTS PROHIBITED.—No person may deny assistance, tenancy, or occupancy rights to housing assisted under a covered housing program to a tenant solely on the basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking.

“(B) BIFURCATION.—

“(i) IN GENERAL.—Notwithstanding subparagraph (A), a public housing agency or

owner or manager of housing assisted under a covered housing program may bifurcate a lease for the housing in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant of the housing.

“(ii) EFFECT OF EVICTION ON OTHER TENANTS.—If public housing agency or owner or manager of housing assisted under a covered housing program evicts, removes, or terminates assistance to an individual under clause (i), and the individual is the sole tenant eligible to receive assistance under a covered housing program, the public housing agency or owner or manager of housing assisted under the covered housing program shall provide any remaining tenant an opportunity to establish eligibility for the covered housing program. If a tenant described in the preceding sentence cannot establish eligibility, the public housing agency or owner or manager of the housing shall provide the tenant a reasonable time, as determined by the appropriate agency, to find new housing or to establish eligibility for housing under another covered housing program.

“(C) RULES OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed—

“(i) to limit the authority of a public housing agency or owner or manager of housing assisted under a covered housing program, when notified of a court order, to comply with a court order with respect to—

“(I) the rights of access to or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or

“(II) the distribution or possession of property among members of a household in a case;

“(ii) to limit any otherwise available authority of a public housing agency or owner or manager of housing assisted under a covered housing program to evict or terminate assistance to a tenant for any violation of a lease not premised on the act of violence in question against the tenant or an affiliated person of the tenant, if the public housing agency or owner or manager does not subject an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate;

“(iii) to limit the authority to terminate assistance to a tenant or evict a tenant from housing assisted under a covered housing program if a public housing agency or owner or manager of the housing can demonstrate that an actual and imminent threat to other tenants or individuals employed at or providing service to the property would be present if the assistance is not terminated or the tenant is not evicted; or

“(iv) to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, sexual assault, or stalking.

“(c) DOCUMENTATION.—

“(1) REQUEST FOR DOCUMENTATION.—If an applicant for, or tenant of, housing assisted under a covered housing program represents to a public housing agency or owner or manager of the housing that the individual is en-

titled to protection under subsection (b), the public housing agency or owner or manager may request, in writing, that the applicant or tenant submit to the public housing agency or owner or manager a form of documentation described in paragraph (3).

“(2) FAILURE TO PROVIDE CERTIFICATION.—

“(A) IN GENERAL.—If an applicant or tenant does not provide the documentation requested under paragraph (1) within 14 business days after the tenant receives a request in writing for such certification from a public housing agency or owner or manager of housing assisted under a covered housing program, nothing in this chapter may be construed to limit the authority of the public housing agency or owner or manager to—

“(i) deny admission by the applicant or tenant to the covered program;

“(ii) deny assistance under the covered program to the applicant or tenant;

“(iii) terminate the participation of the applicant or tenant in the covered program; or

“(iv) evict the applicant, the tenant, or a lawful occupant that commits violations of a lease.

“(B) EXTENSION.—A public housing agency or owner or manager of housing may extend the 14-day deadline under subparagraph (A) at its discretion.

“(3) FORM OF DOCUMENTATION.—A form of documentation described in this paragraph is—

“(A) a certification form approved by the appropriate agency that—

“(i) states that an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking;

“(ii) states that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b); and

“(iii) includes the name of the individual who committed the domestic violence, dating violence, sexual assault, or stalking, if the name is known and safe to provide;

“(B) a document that—

“(i) is signed by—

“(I) an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom an applicant or tenant has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse; and

“(II) the applicant or tenant; and

“(ii) states under penalty of perjury that the individual described in clause (i)(I) believes that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b);

“(C) a record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency; or

“(D) at the discretion of a public housing agency or owner or manager of housing assisted under a covered housing program, a statement or other evidence provided by an applicant or tenant.

“(4) CONFIDENTIALITY.—Any information submitted to a public housing agency or owner or manager under this subsection, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking shall be maintained in confidence by the public housing agency or owner or manager and may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is—

“(A) requested or consented to by the individual in writing;

“(B) required for use in an eviction proceeding under subsection (b); or

“(C) otherwise required by applicable law.

“(5) DOCUMENTATION NOT REQUIRED.—Nothing in this subsection shall be construed to require a public housing agency or owner or manager of housing assisted under a covered housing program to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

“(6) COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.—Compliance with subsection (b) by a public housing agency or owner or manager of housing assisted under a covered housing program based on documentation received under this subsection, shall not be sufficient to constitute evidence of an unreasonable act or omission by the public housing agency or owner or manager or an employee or agent of the public housing agency or owner or manager. Nothing in this paragraph shall be construed to limit the liability of a public housing agency or owner or manager of housing assisted under a covered housing program for failure to comply with subsection (b).

“(7) RESPONSE TO CONFLICTING CERTIFICATION.—If a public housing agency or owner or manager of housing assisted under a covered housing program receives documentation under this subsection that contains conflicting information, the public housing agency or owner or manager may require an applicant or tenant to submit third-party documentation, as described in subparagraph (B), (C), or (D) of paragraph (3).

“(8) PREEMPTION.—Nothing in this subsection shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this subsection for victims of domestic violence, dating violence, sexual assault, or stalking.

“(d) NOTIFICATION.—

“(1) DEVELOPMENT.—The Secretary of Housing and Urban Development shall develop a notice of the rights of individuals under this section, including the right to confidentiality and the limits thereof.

“(2) PROVISION.—Each public housing agency or owner or manager of housing assisted under a covered housing program shall provide the notice developed under paragraph (1), together with the form described in subsection (c)(3)(A), to an applicant for or tenants of housing assisted under a covered housing program—

“(A) at the time the applicant is denied residency in a dwelling unit assisted under the covered housing program;

“(B) at the time the individual is admitted to a dwelling unit assisted under the covered housing program;

“(C) with any notification of eviction or notification of termination of assistance; and

“(D) in multiple languages, consistent with guidance issued by the Secretary of Housing and Urban Development in accordance with Executive Order 13166 (42 U.S.C. 2000d-1 note; relating to access to services for persons with limited English proficiency).

“(e) EMERGENCY TRANSFERS.—Each appropriate agency shall adopt a model emergency transfer plan for use by public housing agencies and owners or managers of housing assisted under covered housing programs that—

“(1) allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to transfer to another

available and safe dwelling unit assisted under a covered housing program if—

“(A) the tenant expressly requests the transfer; and

“(B)(i) the tenant reasonably believes that the tenant is threatened with imminent harm from further violence if the tenant remains within the same dwelling unit assisted under a covered housing program; or

“(ii) in the case of a tenant who is a victim of sexual assault, the sexual assault occurred on the premises during the 90 day period preceding the request for transfer; and

“(2) incorporates reasonable confidentiality measures to ensure that the public housing agency or owner or manager does not disclose the location of the dwelling unit of a tenant to a person that commits an act of domestic violence, dating violence, sexual assault, or stalking against the tenant.

“(f) **POLICIES AND PROCEDURES FOR EMERGENCY TRANSFER.**—The Secretary of Housing and Urban Development shall establish policies and procedures under which a victim requesting an emergency transfer under subsection (e) may receive, subject to the availability of tenant protection vouchers, assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)).

“(g) **IMPLEMENTATION.**—The appropriate agency with respect to each covered housing program shall implement this section, as this section applies to the covered housing program.”.

(b) **CONFORMING AMENDMENTS.**—

(1) **SECTION 6.**—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(A) in subsection (c)—

(i) by striking paragraph (3); and

(ii) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(B) in subsection (1)—

(i) in paragraph (5), by striking “, and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

(ii) in paragraph (6), by striking “; except that” and all that follows through “stalking.”; and

(C) by striking subsection (u).

(2) **SECTION 8.**—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended—

(A) in subsection (c), by striking paragraph (9);

(B) in subsection (d)(1)—

(i) in subparagraph (A), by striking “and that an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission if the applicant otherwise qualifies for assistance or admission”; and

(ii) in subparagraph (B)—

(i) in clause (ii), by striking “, and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

(II) in clause (iii), by striking “, except that.” and all that follows through “stalking.”;

(C) in subsection (f)—

(i) in paragraph (6), by adding “and” at the end;

(ii) in paragraph (7), by striking the semicolon at the end and inserting a period; and

(iii) by striking paragraphs (8), (9), (10), and (11);

(D) in subsection (o)—

(i) in paragraph (6)(B), by striking the last sentence;

(ii) in paragraph (7)—

(I) in subparagraph (C), by striking “and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking shall not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

(II) in subparagraph (D), by striking “; except that” and all that follows through “stalking.”; and

(iii) by striking paragraph (20); and

(E) by striking subsection (ee).

(3) **RULE OF CONSTRUCTION.**—Nothing in this Act, or the amendments made by this Act, shall be construed—

(A) to limit the rights or remedies available to any person under section 6 or 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f), as in effect on the day before the date of enactment of this Act;

(B) to limit any right, remedy, or procedure otherwise available under any provision of part 5, 91, 880, 882, 883, 884, 886, 891, 903, 960, 966, 982, or 983 of title 24, Code of Federal Regulations, that—

(i) was issued under the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 2960) or an amendment made by that Act; and

(ii) provides greater protection for victims of domestic violence, dating violence, sexual assault, and stalking than this Act; or

(C) to disqualify an owner, manager, or other individual from participating in or receiving the benefits of the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986 because of noncompliance with the provisions of this Act.

SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Chapter 11 of subtitle B of the Violence Against Women Act of 1994 (42 U.S.C. 13975 et seq.) is amended—

(1) in the chapter heading, by striking “**CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT**” and inserting “**VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**”; and

(2) in section 40299 (42 U.S.C. 13975)—

(A) in the header, by striking “**CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT**” and inserting “**VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**”; and

(B) in subsection (a)(1), by striking “fleeing”;

(C) in subsection (b)(3)—

(i) in subparagraph (A), by striking “ and” at the end;

(ii) by redesignating subparagraph (B) as subparagraph (C);

(iii) by inserting after subparagraph (A) the following:

“(B) secure employment, including obtaining employment counseling, occupational training, job retention counseling, and coun-

seling concerning re-entry in to the workforce; and”; and

(iv) in subparagraph (C), as redesignated by clause (ii), by striking “ employment counseling.”; and

(D) in subsection (g)—

(i) in paragraph (1), by striking “\$40,000,000 for each of fiscal years 2007 through 2011” and inserting “\$35,000,000 for each of fiscal years 2014 through 2018”; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking “eligible” and inserting “qualified”; and

(II) by adding at the end the following:

“(D) **QUALIFIED APPLICATION DEFINED.**—In this paragraph, the term ‘qualified application’ means an application that—

“(i) has been submitted by an eligible applicant;

“(ii) does not propose any activities that may compromise victim safety, including—

“(I) background checks of victims; or

“(II) clinical evaluations to determine eligibility for services;

“(iii) reflects an understanding of the dynamics of domestic violence, dating violence, sexual assault, or stalking; and

“(iv) does not propose prohibited activities, including mandatory services for victims.”.

SEC. 603. ADDRESSING THE HOUSING NEEDS OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) in section 41404(i) (42 U.S.C. 14043e-3(i)), by striking “\$10,000,000 for each of fiscal years 2007 through 2011” and inserting “\$4,000,000 for each of fiscal years 2014 through 2018”; and

(2) in section 41405(g) (42 U.S.C. 14043e-4(g)), by striking “\$10,000,000 for each of fiscal years 2007 through 2011” and inserting “\$4,000,000 for each of fiscal years 2014 through 2018”.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE.

Section 41501(e) of the Violence Against Women Act of 1994 (42 U.S.C. 14043f(e)) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS

SEC. 801. U NONIMMIGRANT DEFINITION.

Section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended by inserting “stalking;” after “sexual exploitation;”.

SEC. 802. ANNUAL REPORT ON IMMIGRATION APPLICATIONS MADE BY VICTIMS OF ABUSE.

Not later than December 1, 2014, and annually thereafter, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes the following:

(1) The number of aliens who—

(A) submitted an application for non-immigrant status under paragraph (15)(T)(i), (15)(U)(i), or (51) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) during the preceding fiscal year;

(B) were granted such nonimmigrant status during such fiscal year; or

(C) were denied such nonimmigrant status during such fiscal year.

(2) The mean amount of time and median amount of time to adjudicate an application for such nonimmigrant status during such fiscal year.

(3) The mean amount of time and median amount of time between the receipt of an application for such nonimmigrant status and the issuance of work authorization to an eligible applicant during the preceding fiscal year.

(4) The number of aliens granted continued presence in the United States under section 107(c)(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(3)) during the preceding fiscal year.

(5) A description of any actions being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing, of an application described in paragraph (1) or a request for continued presence referred to in paragraph (4).

SEC. 803. PROTECTION FOR CHILDREN OF VAWA SELF-PETITIONERS.

Section 204(l)(2) of the Immigration and Nationality Act (8 U.S.C. 1154(l)(2)) is amended—

(1) in subparagraph (E), by striking “or” at the end;

(2) by redesignating subparagraph (F) as subparagraph (G); and

(3) by inserting after subparagraph (E) the following:

“(F) a child of an alien who filed a pending or approved petition for classification or application for adjustment of status or other benefit specified in section 101(a)(51) as a VAWA self-petitioner; or”.

SEC. 804. PUBLIC CHARGE.

Section 212(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(4)) is amended by adding at the end the following:

“(E) SPECIAL RULE FOR QUALIFIED ALIEN VICTIMS.—Subparagraphs (A), (B), and (C) shall not apply to an alien who—

“(i) is a VAWA self-petitioner;

“(ii) is an applicant for, or is granted, non-immigrant status under section 101(a)(15)(U); or

“(iii) is a qualified alien described in section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)).”.

SEC. 805. REQUIREMENTS APPLICABLE TO U VISAS.

(a) IN GENERAL.—Section 214(p) of the Immigration and Nationality Act (8 U.S.C. 1184(p)) is amended by adding at the end the following:

“(7) AGE DETERMINATIONS.—

“(A) CHILDREN.—An unmarried alien who seeks to accompany, or follow to join, a parent granted status under section 101(a)(15)(U)(i), and who was under 21 years of age on the date on which such parent petitioned for such status, shall continue to be classified as a child for purposes of section 101(a)(15)(U)(ii), if the alien attains 21 years of age after such parent's petition was filed but while it was pending.

“(B) PRINCIPAL ALIENS.—An alien described in clause (i) of section 101(a)(15)(U) shall continue to be treated as an alien described in clause (ii)(I) of such section if the alien attains 21 years of age after the alien's application for status under such clause (i) is filed but while it is pending.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if enacted as part of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386; 114 Stat. 1464).

SEC. 806. HARSHSHIP WAIVERS.

(a) IN GENERAL.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)) is amended—

(1) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(2) in subparagraph (B), by striking “(1), or” and inserting “(1); or”;

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon and “or”; and

(4) by inserting after subparagraph (C) the following:

“(D) the alien meets the requirements under section 204(a)(1)(A)(iii)(II)(aa)(BB) and following the marriage ceremony was battered by or subject to extreme cruelty perpetrated by the alien's intended spouse and was not at fault in failing to meet the requirements of paragraph (1).”.

(b) TECHNICAL CORRECTIONS.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)), as amended by subsection (a), is further amended—

(1) in the matter preceding subparagraph (A), by striking “The Attorney General, in the Attorney General's” and inserting “The Secretary of Homeland Security, in the Secretary's”; and

(2) in the undesignated paragraph at the end—

(A) in the first sentence, by striking “Attorney General” and inserting “Secretary of Homeland Security”;

(B) in the second sentence, by striking “Attorney General” and inserting “Secretary”;

(C) in the third sentence, by striking “Attorney General.” and inserting “Secretary.”; and

(D) in the fourth sentence, by striking “Attorney General” and inserting “Secretary”.

SEC. 807. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A CITIZEN.

(a) IN GENERAL.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking “crime,” and inserting “crime described in paragraph (3)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in paragraph (3)(B)(i).”;

(B) in paragraph (2)(A), in the matter preceding clause (i)—

(i) by striking “a consular officer” and inserting “the Secretary of Homeland Security”;

(ii) by striking “the officer” and inserting “the Secretary”; and

(C) in paragraph (3)(B)(i), by striking “abuse, and stalking,” and inserting “abuse, stalking, or an attempt to commit any such crime.”; and

(2) in subsection (r)—

(A) in paragraph (1), by striking “crime,” and inserting “crime described in paragraph (5)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in subsection (5)(B)(i).”;

(B) by amending paragraph (4)(B)(ii) to read as follows:

“(ii) To notify the beneficiary as required by clause (i), the Secretary of Homeland Security shall provide such notice to the Secretary of State for inclusion in the mailing to the beneficiary described in section 833(a)(5)(A)(i) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(5)(A)(i)).”;

(3) in paragraph (5)(B)(i), by striking “abuse, and stalking,” and inserting “abuse, stalking, or an attempt to commit any such crime.”;

(b) PROVISION OF INFORMATION TO K NON-IMMIGRANTS.—Section 833 of the Inter-

national Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a) is amended—

(1) in subsection (a)(5)(A)—

(A) in clause (iii)—

(i) by striking “State any” and inserting “State, for inclusion in the mailing described in clause (i), any”; and

(ii) by striking the last sentence; and

(B) by adding at the end the following:

“(iv) The Secretary of Homeland Security shall conduct a background check of the National Crime Information Center's Protection Order Database on each petitioner for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184). Any appropriate information obtained from such background check—

“(I) shall accompany the criminal background information provided by the Secretary of Homeland Security to the Secretary of State and shared by the Secretary of State with a beneficiary of a petition referred to in clause (iii); and

“(II) shall not be used or disclosed for any other purpose unless expressly authorized by law.

“(v) The Secretary of Homeland Security shall create a cover sheet or other mechanism to accompany the information required to be provided to an applicant for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) by clauses (i) through (iv) of this paragraph or by clauses (i) and (ii) of subsection (r)(4)(B) of such section 214, that calls to the applicant's attention—

“(I) whether the petitioner disclosed a protection order, a restraining order, or criminal history information on the visa petition;

“(II) the criminal background information and information about any protection order obtained by the Secretary of Homeland Security regarding the petitioner in the course of adjudicating the petition; and

“(III) whether the information the petitioner disclosed on the visa petition regarding any previous petitions filed under subsection (d) or (r) of such section 214 is consistent with the information in the multiple visa tracking database of the Department of Homeland Security, as described in subsection (r)(4)(A) of such section 214.”; and

(2) in subsection (b)(1)(A), by striking “or” after “orders” and inserting “and”.

SEC. 808. REGULATION OF INTERNATIONAL MARRIAGE BROKERS.

(a) IMPLEMENTATION OF THE INTERNATIONAL MARRIAGE BROKER ACT OF 2005.—

(1) FINDINGS.—Congress finds the following:

(A) The International Marriage Broker Act of 2005 (subtitle D of Public Law 109-162; 119 Stat. 3066) has not been fully implemented with regard to investigating and prosecuting violations of the law, and for other purposes.

(B) Six years after Congress enacted the International Marriage Broker Act of 2005 to regulate the activities of the hundreds of for-profit international marriage brokers operating in the United States, the Attorney General has not determined which component of the Department of Justice will investigate and prosecute violations of such Act.

(2) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report that includes the following:

(A) The name of the component of the Department of Justice responsible for investigating and prosecuting violations of the International Marriage Broker Act of 2005 (subtitle D of Public Law 109-162; 119 Stat. 3066) and the amendments made by this Act.

(B) A description of the policies and procedures of the Attorney General for consultation with the Secretary of Homeland Security and the Secretary of State in investigating and prosecuting such violations.

(b) TECHNICAL CORRECTION.—Section 833(a)(2)(H) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(2)(H)) is amended by striking “Federal and State sex offender public registries” and inserting “the National Sex Offender Public Website”.

(c) REGULATION OF INTERNATIONAL MARRIAGE BROKERS.—Section 833(d) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is amended—

(1) by amending paragraph (1) to read as follows:

“(1) PROHIBITION ON MARKETING OF OR TO CHILDREN.—

“(A) IN GENERAL.—An international marriage broker shall not provide any individual or entity with the personal contact information, photograph, or general information about the background or interests of any individual under the age of 18.

“(B) COMPLIANCE.—To comply with the requirements of subparagraph (A), an international marriage broker shall—

“(i) obtain a valid copy of each foreign national client’s birth certificate or other proof of age document issued by an appropriate government entity;

“(ii) indicate on such certificate or document the date it was received by the international marriage broker;

“(iii) retain the original of such certificate or document for 7 years after such date of receipt; and

“(iv) produce such certificate or document upon request to an appropriate authority charged with the enforcement of this paragraph.”;

(2) in paragraph (2)—

(A) in subparagraph (A)(i)—

(i) in the heading, by striking “REGISTRIES.—” and inserting “WEBSITE.—”; and

(ii) by striking “Registry or State sex offender public registry,” and inserting “Website.”; and

(B) in subparagraph (B)(ii), by striking “or stalking.” and inserting “stalking, or an attempt to commit any such crime.”;

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i), by striking “Registry, or of the relevant State sex offender public registry for any State not yet participating in the National Sex Offender Public Registry, in which the United States client has resided during the previous 20 years,” and inserting “Website”; and

(ii) in clause (iii)(II), by striking “background information collected by the international marriage broker under paragraph (2)(B);” and inserting “signed certification and accompanying documentation or attestation regarding the background information collected under paragraph (2)(B);”;

(B) by striking subparagraph (C);

(4) in paragraph (5)—

(A) in subparagraph (A)(ii), by striking “A penalty may be imposed under clause (i) by the Attorney General only” and inserting “At the discretion of the Attorney General, a penalty may be imposed under clause (i) either by a Federal judge, or by the Attorney General”;

(B) by amending subparagraph (B) to read as follows:

“(B) FEDERAL CRIMINAL PENALTIES.—

“(i) FAILURE OF INTERNATIONAL MARRIAGE BROKERS TO COMPLY WITH OBLIGATIONS.—Except as provided in clause (ii), an inter-

national marriage broker that, in circumstances in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States—

“(I) except as provided in subclause (II), violates (or attempts to violate) paragraph (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both; or

“(II) knowingly violates or attempts to violate paragraphs (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 5 years, or both.

“(ii) MISUSE OF INFORMATION.—A person who knowingly discloses, uses, or causes to be used any information obtained by an international marriage broker as a result of a requirement under paragraph (2) or (3) for any purpose other than the disclosures required under paragraph (3) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both.

“(iii) FRAUDULENT FAILURES OF UNITED STATES CLIENTS TO MAKE REQUIRED SELF-DISCLOSURES.—A person who knowingly and with intent to defraud another person outside the United States in order to recruit, solicit, entice, or induce that other person into entering a dating or matrimonial relationship, makes false or fraudulent representations regarding the disclosures described in clause (i), (ii), (iii), or (iv) of subsection (d)(2)(B), including by failing to make any such disclosures, shall be fined in accordance with title 18, United States Code, imprisoned for not more than 1 year, or both.

“(iv) RELATIONSHIP TO OTHER PENALTIES.—The penalties provided in clauses (i), (ii), and (iii) are in addition to any other civil or criminal liability under Federal or State law to which a person may be subject for the misuse of information, including misuse to threaten, intimidate, or harass any individual.

“(v) CONSTRUCTION.—Nothing in this paragraph or paragraph (3) or (4) may be construed to prevent the disclosure of information to law enforcement or pursuant to a court order.”; and

(C) in subparagraph (C), by striking the period at the end and inserting “including equitable remedies.”;

(5) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(6) by inserting after paragraph (5) the following:

“(6) ENFORCEMENT.—

“(A) AUTHORITY.—The Attorney General shall be responsible for the enforcement of the provisions of this section, including the prosecution of civil and criminal penalties provided for by this section.

“(B) CONSULTATION.—The Attorney General shall consult with the Director of the Office on Violence Against Women of the Department of Justice to develop policies and public education designed to promote enforcement of this section.”.

(d) GAO STUDY AND REPORT.—Section 833(f) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(f)) is amended—

(1) in the subsection heading, by striking “STUDY AND REPORT.—” and inserting “STUDIES AND REPORTS.—”; and

(2) by adding at the end the following:

“(4) CONTINUING IMPACT STUDY AND REPORT.—

“(A) STUDY.—The Comptroller General shall conduct a study on the continuing impact of the implementation of this section

and of section of 214 of the Immigration and Nationality Act (8 U.S.C. 1184) on the process for granting K nonimmigrant visas, including specifically a study of the items described in subparagraphs (A) through (E) of paragraph (1).

“(B) REPORT.—Not later than 2 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Comptroller General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report setting forth the results of the study conducted under subparagraph (A).

“(C) DATA COLLECTION.—The Attorney General, the Secretary of Homeland Security, and the Secretary of State shall collect and maintain the data necessary for the Comptroller General to conduct the study required by paragraph (1)(A).”.

SEC. 809. ELIGIBILITY OF CRIME AND TRAFFICKING VICTIMS IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS TO ADJUST STATUS.

Section 705(c) of the Consolidated Natural Resources Act of 2008 (Public Law 110-229; 48 U.S.C. 1806 note), is amended by striking “except that,” and all that follows through the end, and inserting the following: “except that—

“(1) for the purpose of determining whether an alien lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)) has abandoned or lost such status by reason of absence from the United States, such alien’s presence in the Commonwealth, before, on, or after November 28, 2009, shall be considered to be presence in the United States; and

“(2) for the purpose of determining whether an alien whose application for status under subparagraph (T) or (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) was granted is subsequently eligible for adjustment under subsection (l) or (m) of section 245 of such Act (8 U.S.C. 1255), such alien’s physical presence in the Commonwealth before, on, or after November 28, 2009, and subsequent to the grant of the application, shall be considered as equivalent to presence in the United States pursuant to a nonimmigrant admission in such status.”.

SEC. 810. DISCLOSURE OF INFORMATION FOR NATIONAL SECURITY PURPOSES.

(a) INFORMATION SHARING.—Section 384(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(b)) is amended—

(1) in paragraph (1)—

(A) by inserting “Secretary of Homeland Security or the” before “Attorney General may”; and

(B) by inserting “Secretary’s or the” before “Attorney General’s discretion”;

(2) in paragraph (2)—

(A) by inserting “Secretary of Homeland Security or the” before “Attorney General may”;

(B) by inserting “Secretary or the” before “Attorney General for”; and

(C) by inserting “in a manner that protects the confidentiality of such information” after “law enforcement purpose”;

(3) in paragraph (5), by striking “Attorney General is” and inserting “Secretary of Homeland Security and the Attorney General are”; and

(4) by adding at the end a new paragraph as follows:

“(8) Notwithstanding subsection (a)(2), the Secretary of Homeland Security, the Secretary of State, or the Attorney General

may provide in the discretion of either such Secretary or the Attorney General for the disclosure of information to national security officials to be used solely for a national security purpose in a manner that protects the confidentiality of such information.”

(b) **GUIDELINES.**—Section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)) is amended—

(1) by inserting “, Secretary of State,” after “The Attorney General”;

(2) by inserting “, Department of State,” after “Department of Justice”; and

(3) by inserting “and severe forms of trafficking in persons or criminal activity listed in section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(u))” after “domestic violence”.

(c) **IMPLEMENTATION.**—Not later than 180 days after the date of the enactment of this Act, the Attorney General, the Secretary of State, and Secretary of Homeland Security shall provide the guidance required by section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)), consistent with the amendments made by subsections (a) and (b).

(d) **CLERICAL AMENDMENT.**—Section 384(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 is amended by striking “241(a)(2)” in the matter following subparagraph (F) and inserting “237(a)(2)”.

TITLE IX—SAFETY FOR INDIAN WOMEN

SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

Section 2015(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10(a)) is amended—

(1) in paragraph (2), by inserting “sex trafficking,” after “sexual assault,”;

(2) in paragraph (4), by inserting “sex trafficking,” after “sexual assault,”;

(3) in paragraph (5), by striking “and stalking” and all that follows and inserting “sexual assault, sex trafficking, and stalking”;

(4) in paragraph (7)—

(A) by inserting “sex trafficking,” after “sexual assault,” each place it appears; and

(B) by striking “and” at the end;

(5) in paragraph (8)—

(A) by inserting “sex trafficking,” after “stalking,”; and

(B) by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following:

“(9) provide services to address the needs of youth who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of youth and children exposed to domestic violence, dating violence, sexual assault, or stalking, including support for the non-abusing parent or the caretaker of the youth or child; and

“(10) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.”

SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.

Section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg) is amended by striking subsection (d) and inserting the following:

“(d) **TRIBAL COALITION GRANTS.**—

“(1) **PURPOSE.**—The Attorney General shall award a grant to tribal coalitions for purposes of—

“(A) increasing awareness of domestic violence and sexual assault against Indian women;

“(B) enhancing the response to violence against Indian women at the Federal, State, and tribal levels;

“(C) identifying and providing technical assistance to coalition membership and tribal communities to enhance access to essential services to Indian women victimized by domestic and sexual violence, including sex trafficking; and

“(D) assisting Indian tribes in developing and promoting State, local, and tribal legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.

“(2) **GRANTS.**—The Attorney General shall award grants on an annual basis under paragraph (1) to—

“(A) each tribal coalition that—

“(i) meets the criteria of a tribal coalition under section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

“(ii) is recognized by the Office on Violence Against Women; and

“(iii) provides services to Indian tribes; and

“(B) organizations that propose to incorporate and operate a tribal coalition in areas where Indian tribes are located but no tribal coalition exists.

“(3) **USE OF AMOUNTS.**—For each of fiscal years 2014 through 2018, of the amounts appropriated to carry out this subsection—

“(A) not more than 10 percent shall be made available to organizations described in paragraph (2)(B), provided that 1 or more organizations determined by the Attorney General to be qualified apply;

“(B) not less than 90 percent shall be made available to tribal coalitions described in paragraph (2)(A), which amounts shall be distributed equally among each eligible tribal coalition for the applicable fiscal year.

“(4) **ELIGIBILITY FOR OTHER GRANTS.**—Receipt of an award under this subsection by a tribal coalition shall not preclude the tribal coalition from receiving additional grants under this title to carry out the purposes described in paragraph (1).

“(5) **MULTIPLE PURPOSE APPLICATIONS.**—Nothing in this subsection prohibits any tribal coalition or organization described in paragraph (2) from applying for funding to address sexual assault or domestic violence needs in the same application.”

SEC. 903. CONSULTATION.

Section 903 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045d) is amended—

(1) in subsection (a)—

(A) by striking “and the Violence Against Women Act of 2000” and inserting “, the Violence Against Women Act of 2000”; and

(B) by inserting “, and the Violence Against Women Reauthorization Act of 2013” before the period at the end;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “Secretary of the Department of Health and Human Services” and inserting “Secretary of Health and Human Services, the Secretary of the Interior,”; and

(B) in paragraph (2), by striking “and stalking” and inserting “stalking, and sex trafficking”; and

(3) by adding at the end the following:

“(c) **ANNUAL REPORT.**—The Attorney General shall submit to Congress an annual report on the annual consultations required under subsection (a) that—

“(1) contains the recommendations made under subsection (b) by Indian tribes during the year covered by the report;

“(2) describes actions taken during the year covered by the report to respond to recommendations made under subsection (b) during the year or a previous year; and

“(3) describes how the Attorney General will work in coordination and collaboration with Indian tribes, the Secretary of Health and Human Services, and the Secretary of the Interior to address the recommendations made under subsection (b).

“(d) **NOTICE.**—Not later than 120 days before the date of a consultation under subsection (a), the Attorney General shall notify tribal leaders of the date, time, and location of the consultation.”

SEC. 904. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

Title II of Public Law 90–284 (25 U.S.C. 1301 et seq.) (commonly known as the “Indian Civil Rights Act of 1968”) is amended by adding at the end the following:

“SEC. 204. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

“(a) **DEFINITIONS.**—In this section:

“(1) **DATING VIOLENCE.**—The term ‘dating violence’ means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

“(2) **DOMESTIC VIOLENCE.**—The term ‘domestic violence’ means violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, or by a person similarly situated to a spouse of the victim under the domestic- or family- violence laws of an Indian tribe that has jurisdiction over the Indian country where the violence occurs.

“(3) **INDIAN COUNTRY.**—The term ‘Indian country’ has the meaning given the term in section 1151 of title 18, United States Code.

“(4) **PARTICIPATING TRIBE.**—The term ‘participating tribe’ means an Indian tribe that elects to exercise special domestic violence criminal jurisdiction over the Indian country of that Indian tribe.

“(5) **PROTECTION ORDER.**—The term ‘protection order’—

“(A) means any injunction, restraining order, or other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person; and

“(B) includes any temporary or final order issued by a civil or criminal court, whether obtained by filing an independent action or as a pendent lite order in another proceeding, if the civil or criminal order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.

“(6) **SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION.**—The term ‘special domestic violence criminal jurisdiction’ means the criminal jurisdiction that a participating tribe may exercise under this section but could not otherwise exercise.

“(7) **SPOUSE OR INTIMATE PARTNER.**—The term ‘spouse or intimate partner’ has the meaning given the term in section 2266 of title 18, United States Code.

“(b) **NATURE OF THE CRIMINAL JURISDICTION.**—

“(1) **IN GENERAL.**—Notwithstanding any other provision of law, in addition to all powers of self-government recognized and affirmed by sections 201 and 203, the powers of

self-government of a participating tribe include the inherent power of that tribe, which is hereby recognized and affirmed, to exercise special domestic violence criminal jurisdiction over all persons.

“(2) CONCURRENT JURISDICTION.—The exercise of special domestic violence criminal jurisdiction by a participating tribe shall be concurrent with the jurisdiction of the United States, of a State, or of both.

“(3) APPLICABILITY.—Nothing in this section—

“(A) creates or eliminates any Federal or State criminal jurisdiction over Indian country; or

“(B) affects the authority of the United States or any State government that has been delegated authority by the United States to investigate and prosecute a criminal violation in Indian country.

“(4) EXCEPTIONS.—

“(A) VICTIM AND DEFENDANT ARE BOTH NON-INDIANS.—

“(i) IN GENERAL.—A participating tribe may not exercise special domestic violence criminal jurisdiction over an alleged offense if neither the defendant nor the alleged victim is an Indian.

“(ii) DEFINITION OF VICTIM.—In this subparagraph and with respect to a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction based on a violation of a protection order, the term ‘victim’ means a person specifically protected by a protection order that the defendant allegedly violated.

“(B) DEFENDANT LACKS TIES TO THE INDIAN TRIBE.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant only if the defendant—

“(i) resides in the Indian country of the participating tribe;

“(ii) is employed in the Indian country of the participating tribe; or

“(iii) is a spouse, intimate partner, or dating partner of—

“(I) a member of the participating tribe; or

“(II) an Indian who resides in the Indian country of the participating tribe.

“(C) CRIMINAL CONDUCT.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant for criminal conduct that falls into one or more of the following categories:

“(1) DOMESTIC VIOLENCE AND DATING VIOLENCE.—An act of domestic violence or dating violence that occurs in the Indian country of the participating tribe.

“(2) VIOLATIONS OF PROTECTION ORDERS.—An act that—

“(A) occurs in the Indian country of the participating tribe; and

“(B) violates the portion of a protection order that—

“(i) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;

“(ii) is issued against the defendant;

“(iii) is enforceable by the participating tribe; and

“(iv) is consistent with section 2265(b) of title 18, United States Code.

“(d) RIGHTS OF DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant—

“(1) all applicable rights under this Act;

“(2) if a term of imprisonment of any length may be imposed, all rights described in section 202(c);

“(3) the right to a trial by an impartial jury that is drawn from sources that—

“(A) reflect a fair cross section of the community; and

“(B) do not systematically exclude any distinctive group in the community, including non-Indians; and

“(4) all other rights whose protection is necessary under the Constitution of the United States in order for Congress to recognize and affirm the inherent power of the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant.

“(e) PETITIONS TO STAY DETENTION.—

“(1) IN GENERAL.—A person who has filed a petition for a writ of habeas corpus in a court of the United States under section 203 may petition that court to stay further detention of that person by the participating tribe.

“(2) GRANT OF STAY.—A court shall grant a stay described in paragraph (1) if the court—

“(A) finds that there is a substantial likelihood that the habeas corpus petition will be granted; and

“(B) after giving each alleged victim in the matter an opportunity to be heard, finds by clear and convincing evidence that under conditions imposed by the court, the petitioner is not likely to flee or pose a danger to any person or the community if released.

“(3) NOTICE.—An Indian tribe that has ordered the detention of any person has a duty to timely notify such person of his rights and privileges under this subsection and under section 203.

“(f) GRANTS TO TRIBAL GOVERNMENTS.—The Attorney General may award grants to the governments of Indian tribes (or to authorized designees of those governments)—

“(1) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence criminal jurisdiction, including—

“(A) law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);

“(B) prosecution;

“(C) trial and appellate courts;

“(D) probation systems;

“(E) detention and correctional facilities;

“(F) alternative rehabilitation centers;

“(G) culturally appropriate services and assistance for victims and their families; and

“(H) criminal codes and rules of criminal procedure, appellate procedure, and evidence;

“(2) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a crime of domestic violence or dating violence or a criminal violation of a protection order;

“(3) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence criminal jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

“(4) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with tribal law and custom.

“(g) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this section shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this section.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated

\$5,000,000 for each of fiscal years 2014 through 2018 to carry out subsection (f) and to provide training, technical assistance, data collection, and evaluation of the criminal justice systems of participating tribes.”

SEC. 905. TRIBAL PROTECTION ORDERS.

Section 2265 of title 18, United States Code, is amended by striking subsection (e) and inserting the following:

“(e) TRIBAL COURT JURISDICTION.—For purposes of this section, a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving any person, including the authority to enforce any orders through civil contempt proceedings, to exclude violators from Indian land, and to use other appropriate mechanisms, in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.”

SEC. 906. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

“(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.”;

(B) in paragraph (2), by striking “felony under chapter 109A” and inserting “violation of section 2241 or 2242”;

(C) in paragraph (3) by striking “and without just cause or excuse,”;

(D) in paragraph (4), by striking “six months” and inserting “1 year”;

(E) in paragraph (7)—

(i) by striking “substantial bodily injury to an individual who has not attained the age of 16 years” and inserting “substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years”; and

(ii) by striking “fine” and inserting “a fine”; and

(F) by adding at the end the following:

“(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.”; and

(2) in subsection (b)—

(A) by striking “(b) As used in this subsection—” and inserting the following:

“(b) DEFINITIONS.—In this section—”;

(B) in paragraph (1)(B), by striking “and” at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(3) the terms ‘dating partner’ and ‘spouse or intimate partner’ have the meanings given those terms in section 2266;

“(4) the term ‘strangling’ means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

“(5) the term ‘suffocating’ means intentionally, knowingly, or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.”.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by

striking “assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)” and inserting “a felony assault under section 113”.

(c) **REPEAT OFFENDERS.**—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting “or tribal” after “State”.

SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) **IN GENERAL.**—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking “The National” and inserting “Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the National”; and

(B) by inserting “and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))” before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking “and” at the end;

(B) in clause (v), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(vi) sex trafficking.”;

(3) in paragraph (4), by striking “this Act” and inserting “the Violence Against Women Reauthorization Act of 2013”; and

(4) in paragraph (5), by striking “this section \$1,000,000 for each of fiscal years 2007 and 2008” and inserting “this subsection \$1,000,000 for each of fiscal years 2014 and 2015”.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

SEC. 908. EFFECTIVE DATES; PILOT PROJECT.

(a) **GENERAL EFFECTIVE DATE.**—Except as provided in section 4 and subsection (b) of this section, the amendments made by this title shall take effect on the date of enactment of this Act.

(b) **EFFECTIVE DATE FOR SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), subsections (b) through (d) of section 204 of Public Law 90–284 (as added by section 904) shall take effect on the date that is 2 years after the date of enactment of this Act.

(2) **PILOT PROJECT.**—

(A) **IN GENERAL.**—At any time during the 2-year period beginning on the date of enactment of this Act, an Indian tribe may ask the Attorney General to designate the tribe as a participating tribe under section 204(a) of Public Law 90–284 on an accelerated basis.

(B) **PROCEDURE.**—The Attorney General may grant a request under subparagraph (A) after coordinating with the Secretary of the Interior, consulting with affected Indian tribes, and concluding that the criminal justice system of the requesting tribe has adequate safeguards in place to protect defendants’ rights, consistent with section 204 of Public Law 90–284.

(C) **EFFECTIVE DATES FOR PILOT PROJECTS.**—An Indian tribe designated as a participating tribe under this paragraph may commence exercising special domestic violence criminal jurisdiction pursuant to subsections (b) through (d) of section 204 of Public Law 90–284 on a date established by the Attorney General, after consultation with that Indian

tribe, but in no event later than the date that is 2 years after the date of enactment of this Act.

SEC. 909. INDIAN LAW AND ORDER COMMISSION; REPORT ON THE ALASKA RURAL JUSTICE AND LAW ENFORCEMENT COMMISSION.

(a) **IN GENERAL.**—Section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)) is amended by striking “2 years” and inserting “3 years”.

(b) **REPORT.**—The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than one year after enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

SEC. 910. SPECIAL RULE FOR THE STATE OF ALASKA.

(a) **EXPANDED JURISDICTION.**—In the State of Alaska, the amendments made by sections 904 and 905 shall only apply to the Indian country (as defined in section 1151 of title 18, United States Code) of the Metlakatla Indian Community, Annette Island Reserve.

(b) **RETAINED JURISDICTION.**—The jurisdiction and authority of each Indian tribe in the State of Alaska under section 2265(e) of title 18, United States Code (as in effect on the day before the date of enactment of this Act)—

(1) shall remain in full force and effect; and

(2) are not limited or diminished by this Act or any amendment made by this Act.

(c) **SAVINGS PROVISION.**—Nothing in this Act or an amendment made by this Act limits or diminishes the jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.

TITLE X—SAFER ACT

SEC. 1001. SHORT TITLE.

This title may be cited as the “Sexual Assault Forensic Evidence Reporting Act of 2013” or the “SAFER Act of 2013”.

SEC. 1002. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

“(7) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.

“(8) To ensure that the collection and processing of DNA evidence by law enforcement agencies from crimes, including sexual assault and other violent crimes against persons, is carried out in an appropriate and timely manner and in accordance with the protocols and practices developed under subsection (o)(1).”;

(2) in subsection (c), by adding at the end the following new paragraph:

“(4) **ALLOCATION OF GRANT AWARDS FOR AUDITS.**—For each of fiscal years 2014 through 2017, not less than 5 percent, but not more than 7 percent, of the grant amounts distributed under paragraph (1) shall, if sufficient

applications to justify such amounts are received by the Attorney General, be awarded for purposes described in subsection (a)(7), provided that none of the funds required to be distributed under this paragraph shall decrease or otherwise limit the availability of funds required to be awarded to States or units of local government under paragraph (3).”; and

(3) by adding at the end the following new subsections:

“(n) **USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.**—

“(1) **ELIGIBILITY.**—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(7) only if the State or unit of local government—

“(A) submits a plan for performing the audit of samples described in such subsection; and

“(B) includes in such plan a good-faith estimate of the number of such samples.

“(2) **GRANT CONDITIONS.**—A State or unit of local government receiving a grant for the purpose described in subsection (a)(7)—

“(A) may not enter into any contract or agreement with any non-governmental vendor laboratory to conduct an audit described in subsection (a)(7); and

“(B) shall—

“(i) not later than 1 year after receiving the grant, complete the audit referred to in paragraph (1)(A) in accordance with the plan submitted under such paragraph;

“(ii) not later than 60 days after receiving possession of a sample of sexual assault evidence that was not in the possession of the State or unit of local government at the time of the initiation of an audit under paragraph (1)(A), subject to paragraph (4)(F), include in any required reports under clause (v), the information listed under paragraph (4)(B);

“(iii) for each sample of sexual assault evidence that is identified as awaiting testing as part of the audit referred to in paragraph (1)(A)—

“(I) assign a unique numeric or alphanumeric identifier to each sample of sexual assault evidence that is in the possession of the State or unit of local government and is awaiting testing; and

“(II) identify the date or dates after which the State or unit of local government would be barred by any applicable statutes of limitations from prosecuting a perpetrator of the sexual assault to which the sample relates;

“(iv) provide that—

“(I) the chief law enforcement officer of the State or unit of local government, respectively, is the individual responsible for the compliance of the State or unit of local government, respectively, with the reporting requirements described in clause (v); or

“(II) the designee of such officer may fulfill the responsibility described in subclause (I) so long as such designee is an employee of the State or unit of local government, respectively, and is not an employee of any governmental laboratory or non-governmental vendor laboratory; and

“(v) comply with all grantee reporting requirements described in paragraph (4).

“(3) **EXTENSION OF INITIAL DEADLINE.**—The Attorney General may grant an extension of the deadline under paragraph (2)(B)(i) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.

“(4) **SEXUAL ASSAULT FORENSIC EVIDENCE REPORTS.**—

“(A) **IN GENERAL.**—For not less than 12 months after the completion of an initial

count of sexual assault evidence that is awaiting testing during an audit referred to in paragraph (1)(A), a State or unit of local government that receives a grant award under subsection (a)(7) shall, not less than every 60 days, submit a report to the Department of Justice, on a form prescribed by the Attorney General, which shall contain the information required under subparagraph (B).

“(B) CONTENTS OF REPORTS.—A report under this paragraph shall contain the following information:

“(i) The name of the State or unit of local government filing the report.

“(ii) The period of dates covered by the report.

“(iii) The cumulative total number of samples of sexual assault evidence that, at the end of the reporting period—

“(I) are in the possession of the State or unit of local government at the reporting period;

“(II) are awaiting testing; and

“(III) the State or unit of local government has determined should undergo DNA or other appropriate forensic analyses.

“(iv) The cumulative total number of samples of sexual assault evidence in the possession of the State or unit of local government that, at the end of the reporting period, the State or unit of local government has determined should not undergo DNA or other appropriate forensic analyses, provided that the reporting form shall allow for the State or unit of local government, at its sole discretion, to explain the reasoning for this determination in some or all cases.

“(v) The cumulative total number of samples of sexual assault evidence in a total under clause (iii) that have been submitted to a laboratory for DNA or other appropriate forensic analyses.

“(vi) The cumulative total number of samples of sexual assault evidence identified by an audit referred to in paragraph (1)(A) or under paragraph (2)(B)(ii) for which DNA or other appropriate forensic analysis has been completed at the end of the reporting period.

“(vii) The total number of samples of sexual assault evidence identified by the State or unit of local government under paragraph (2)(B)(ii), since the previous reporting period.

“(viii) The cumulative total number of samples of sexual assault evidence described under clause (ii) for which the State or unit of local government will be barred within 12 months by any applicable statute of limitations from prosecuting a perpetrator of the sexual assault to which the sample relates.

“(C) PUBLICATION OF REPORTS.—Not later than 7 days after the submission of a report under this paragraph by a State or unit of local government, the Attorney General shall, subject to subparagraph (D), publish and disseminate a facsimile of the full contents of such report on an appropriate internet website.

“(D) PERSONALLY IDENTIFIABLE INFORMATION.—The Attorney General shall ensure that any information published and disseminated as part of a report under this paragraph, which reports information under this subsection, does not include personally identifiable information or details about a sexual assault that might lead to the identification of the individuals involved.

“(E) OPTIONAL REPORTING.—The Attorney General shall—

“(i) at the discretion of a State or unit of local government required to file a report under subparagraph (A), allow such State or unit of local government, at their sole discretion, to submit such reports on a more frequent basis; and

“(ii) make available to all States and units of local government the reporting form created pursuant to subparagraph (A), whether or not they are required to submit such reports, and allow such States or units of local government, at their sole discretion, to submit such reports for publication.

“(F) SAMPLES EXEMPT FROM REPORTING REQUIREMENT.—The reporting requirements described in paragraph (2) shall not apply to a sample of sexual assault evidence that—

“(i) is not considered criminal evidence (such as a sample collected anonymously from a victim who is unwilling to make a criminal complaint); or

“(ii) relates to a sexual assault for which the prosecution of each perpetrator is barred by a statute of limitations.

“(5) DEFINITIONS.—In this subsection:

“(A) AWAITING TESTING.—The term ‘awaiting testing’ means, with respect to a sample of sexual assault evidence, that—

“(i) the sample has been collected and is in the possession of a State or unit of local government;

“(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and

“(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.

“(B) FINAL DISPOSITION.—The term ‘final disposition’ means, with respect to a criminal case or investigation to which a sample of sexual assault evidence relates—

“(i) the conviction or acquittal of all suspected perpetrators of the crime involved;

“(ii) a determination by the State or unit of local government in possession of the sample that the case is unfounded; or

“(iii) a declaration by the victim of the crime involved that the act constituting the basis of the crime was not committed.

“(C) POSSESSION.—

“(i) IN GENERAL.—The term ‘possession’, used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

“(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to create or amend any Federal rights or privileges for non-governmental vendor laboratories described in regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).

“(o) ESTABLISHMENT OF PROTOCOLS, TECHNICAL ASSISTANCE, AND DEFINITIONS.—

“(1) PROTOCOLS AND PRACTICES.—Not later than 18 months after the date of enactment of the SAFER Act of 2013, the Director, in consultation with Federal, State, and local law enforcement agencies and government laboratories, shall develop and publish a description of protocols and practices the Director considers appropriate for the accurate, timely, and effective collection and processing of DNA evidence, including protocols and practices specific to sexual assault cases, which shall address appropriate steps in the investigation of cases that might involve DNA evidence, including—

“(A) how to determine—

“(i) which evidence is to be collected by law enforcement personnel and forwarded for testing;

“(ii) the preferred order in which evidence from the same case is to be tested; and

“(iii) what information to take into account when establishing the order in which evidence from different cases is to be tested;

“(B) the establishment of a reasonable period of time in which evidence is to be for-

warded by emergency response providers, law enforcement personnel, and prosecutors to a laboratory for testing;

“(C) the establishment of reasonable periods of time in which each stage of analytical laboratory testing is to be completed;

“(D) systems to encourage communication within a State or unit of local government among emergency response providers, law enforcement personnel, prosecutors, courts, defense counsel, crime laboratory personnel, and crime victims regarding the status of crime scene evidence to be tested; and

“(E) standards for conducting the audit of the backlog for DNA case work in sexual assault cases required under subsection (n).

“(2) TECHNICAL ASSISTANCE AND TRAINING.—The Director shall make available technical assistance and training to support States and units of local government in adopting and implementing the protocols and practices developed under paragraph (1) on and after the date on which the protocols and practices are published.

“(3) DEFINITIONS.—In this subsection, the terms ‘awaiting testing’ and ‘possession’ have the meanings given those terms in subsection (n).”.

SEC. 1003. REPORTS TO CONGRESS.

Not later than 90 days after the end of each fiscal year for which a grant is made for the purpose described in section 2(a)(7) of the DNA Analysis Backlog Elimination Act of 2000, as amended by section 1002, the Attorney General shall submit to Congress a report that—

(1) lists the States and units of local government that have been awarded such grants and the amount of the grant received by each such State or unit of local government;

(2) states the number of extensions granted by the Attorney General under section 2(n)(3) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1002; and

(3) summarizes the processing status of the samples of sexual assault evidence identified in Sexual Assault Forensic Evidence Reports established under section 2(n)(4) of the DNA Analysis Backlog Elimination Act of 2000, including the number of samples that have not been tested.

SEC. 1004. REDUCING THE RAPE KIT BACKLOG.

Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(c)(3)) is amended—

(a) in subparagraph (B), by striking “2014” and inserting “2018”; and

(b) by adding at the end the following:

“(C) For each of fiscal years 2014 through 2018, not less than 75 percent of the total grant amounts shall be awarded for a combination of purposes under paragraphs (1), (2), and (3) of subsection (a).”.

SEC. 1005. OVERSIGHT AND ACCOUNTABILITY.

All grants awarded by the Department of Justice that are authorized under this title shall be subject to the following:

(1) AUDIT REQUIREMENT.—Beginning in fiscal year 2013, and each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this title to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(2) MANDATORY EXCLUSION.—A recipient of grant funds under this title that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this title during the 2 fiscal years beginning after the 12-month period described in paragraph (5).

(3) **PRIORITY.**—In awarding grants under this title, the Attorney General shall give priority to eligible entities that, during the 3 fiscal years before submitting an application for a grant under this title, did not have an unresolved audit finding showing a violation in the terms or conditions of a Department of Justice grant program.

(4) **REIMBURSEMENT.**—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

(A) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(B) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(5) **DEFINED TERM.**—In this section, the term “unresolved audit finding” means an audit report finding in the final audit report of the Inspector General of the Department of Justice that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within a 12-month period beginning on the date when the final audit report is issued.

(6) **NONPROFIT ORGANIZATION REQUIREMENTS.**—

(A) **DEFINITION.**—For purposes of this section and the grant programs described in this title, the term “nonprofit organization” means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) **PROHIBITION.**—The Attorney General shall not award a grant under any grant program described in this title to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) **DISCLOSURE.**—Each nonprofit organization that is awarded a grant under a grant program described in this title and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

(7) **ADMINISTRATIVE EXPENSES.**—Unless otherwise explicitly provided in authorizing legislation, not more than 7.5 percent of the amounts authorized to be appropriated under this title may be used by the Attorney General for salaries and administrative expenses of the Department of Justice.

(8) **CONFERENCE EXPENDITURES.**—

(A) **LIMITATION.**—No amounts authorized to be appropriated to the Department of Justice under this title may be used by the Attorney General or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than \$20,000 in Department funds, unless the Deputy Attorney General or the appropriate Assistant Attorney General, Director, or principal deputy as the Deputy Attorney General may designate, provides prior

written authorization that the funds may be expended to host a conference.

(B) **WRITTEN APPROVAL.**—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audio/visual equipment, honoraria for speakers, and any entertainment.

(C) **REPORT.**—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved by operation of this paragraph.

(9) **PROHIBITION ON LOBBYING ACTIVITY.**—

(A) **IN GENERAL.**—Amounts authorized to be appropriated under this title may not be utilized by any grant recipient to—

(i) lobby any representative of the Department of Justice regarding the award of grant funding; or

(ii) lobby any representative of a Federal, state, local, or tribal government regarding the award of grant funding.

(B) **PENALTY.**—If the Attorney General determines that any recipient of a grant under this title has violated subparagraph (A), the Attorney General shall—

(i) require the grant recipient to repay the grant in full; and

(ii) prohibit the grant recipient from receiving another grant under this title for not less than 5 years.

SEC. 1006. SUNSET.

Effective on December 31, 2018, subsections (a)(6) and (n) of section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(a)(6) and (n)) are repealed.

TITLE XI—OTHER MATTERS

SEC. 1101. SEXUAL ABUSE IN CUSTODIAL SETTINGS.

(a) **SUITS BY PRISONERS.**—Section 7(e) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(e)) is amended by inserting before the period at the end the following: “or the commission of a sexual act (as defined in section 2246 of title 18, United States Code)”.

(b) **UNITED STATES AS DEFENDANT.**—Section 1346(b)(2) of title 28, United States Code, is amended by inserting before the period at the end the following: “or the commission of a sexual act (as defined in section 2246 of title 18)”.

(c) **ADOPTION AND EFFECT OF NATIONAL STANDARDS.**—Section 8 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607) is amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following:

“(c) **APPLICABILITY TO DETENTION FACILITIES OPERATED BY THE DEPARTMENT OF HOMELAND SECURITY.**—

“(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Homeland Security shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of aliens detained for a violation of the immigrations laws of the United States.

“(2) **APPLICABILITY.**—The standards adopted under paragraph (1) shall apply to detention facilities operated by the Department of Homeland Security and to detention facilities operated under contract with the Department.

“(3) **COMPLIANCE.**—The Secretary of Homeland Security shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Homeland Security.

“(4) **CONSIDERATIONS.**—In adopting standards under paragraph (1), the Secretary of Homeland Security shall give due consideration to the recommended national standards provided by the Commission under section 7(e).

“(5) **DEFINITION.**—As used in this section, the term ‘detention facilities operated under contract with the Department’ includes, but is not limited to contract detention facilities and detention facilities operated through an intergovernmental service agreement with the Department of Homeland Security.

“(d) **APPLICABILITY TO CUSTODIAL FACILITIES OPERATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.**—

“(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

“(2) **APPLICABILITY.**—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to facilities operated under contract with the Department.

“(3) **COMPLIANCE.**—The Secretary of Health and Human Services shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Health and Human Services.

“(4) **CONSIDERATIONS.**—In adopting standards under paragraph (1), the Secretary of Health and Human Services shall give due consideration to the recommended national standards provided by the Commission under section 7(e).”.

SEC. 1102. ANONYMOUS ONLINE HARASSMENT.

Section 223(a)(1) of the Communications Act of 1934 (47 U.S.C. 223(a)(1)) is amended—

(1) in subparagraph (A), in the undesignated matter following clause (ii), by striking “annoy,”;

(2) in subparagraph (C)—

(A) by striking “annoy,”; and

(B) by striking “harass any person at the called number or who receives the communication” and inserting “harass any specific person”;

(3) in subparagraph (E), by striking “harass any person at the called number or who receives the communication” and inserting “harass any specific person”.

SEC. 1103. STALKER DATABASE.

Section 40603 of the Violence Against Women Act of 1994 (42 U.S.C. 14032) is amended by striking “\$3,000,000” and all that follows and inserting “\$3,000,000 for fiscal years 2014 through 2018.”.

SEC. 1104. FEDERAL VICTIM ASSISTANTS REAUTHORIZATION.

Section 40114 of the Violence Against Women Act of 1994 (Public Law 103-322; 108 Stat. 1910) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

SEC. 1105. CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS REAUTHORIZATION.

Subtitle C of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024) is amended in subsection (a) by striking “\$2,300,000” and all that follows and inserting “\$2,300,000 for each of fiscal years 2014 through 2018.”

TITLE XII—TRAFFICKING VICTIMS PROTECTION

Subtitle A—Combating International Trafficking in Persons

SEC. 1201. REGIONAL STRATEGIES FOR COMBATING TRAFFICKING IN PERSONS.

Section 105 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103) is amended—

(1) in subsection (d)(7)(J), by striking “section 105(f) of this division” and inserting “subsection (g)”;

(2) in subsection (e)(2)—

(A) by striking “(2) **COORDINATION OF CERTAIN ACTIVITIES.**—” and all that follows through “exploitation.”;

(B) by redesignating subparagraph (B) as paragraph (2), and moving such paragraph, as so redesignated, 2 ems to the left; and

(C) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and moving such subparagraphs, as so redesignated, 2 ems to the left;

(3) by redesignating subsection (f) as subsection (g); and

(4) by inserting after subsection (e) the following:

“(f) **REGIONAL STRATEGIES FOR COMBATING TRAFFICKING IN PERSONS.**—Each regional bureau in the Department of State shall contribute to the realization of the anti-trafficking goals and objectives of the Secretary of State. Each year, in cooperation with the Office to Monitor and Combat Trafficking in Persons, each regional bureau shall submit a list of anti-trafficking goals and objectives to the Secretary of State for each country in the geographic area of responsibilities of the regional bureau. Host governments shall be informed of the goals and objectives for their particular country and, to the extent possible, host government officials should be consulted regarding the goals and objectives.”

SEC. 1202. PARTNERSHIPS AGAINST SIGNIFICANT TRAFFICKING IN PERSONS.

The Trafficking Victims Protection Act of 2000 is amended by inserting after section 105 (22 U.S.C. 7103) the following:

“SEC. 105A. CREATING, BUILDING, AND STRENGTHENING PARTNERSHIPS AGAINST SIGNIFICANT TRAFFICKING IN PERSONS.

“(a) **DECLARATION OF PURPOSE.**—The purpose of this section is to promote collaboration and cooperation—

“(1) between the United States Government and governments listed on the annual Trafficking in Persons Report;

“(2) between foreign governments and civil society actors; and

“(3) between the United States Government and private sector entities.

“(b) **PARTNERSHIPS.**—The Director of the office established pursuant to section 105(e)(1) of this Act, in coordination and cooperation with other officials at the Department of State, officials at the Department of Labor, and other relevant officials of the United States Government, shall promote, build, and sustain partnerships between the United States Government and private entities, including foundations, universities, corporations, community-based organizations, and other nongovernmental organizations, to ensure that—

“(1) United States citizens do not use any item, product, or material produced or extracted with the use and labor from victims of severe forms of trafficking; and

“(2) such entities do not contribute to trafficking in persons involving sexual exploitation.

“(c) **PROGRAM TO ADDRESS EMERGENCY SITUATIONS.**—The Secretary of State, acting through the Director established pursuant to section 105(e)(1) of this Act, is authorized to establish a fund to assist foreign governments in meeting unexpected, urgent needs in prevention of trafficking in persons, protection of victims, and prosecution of trafficking offenders.

“(d) **CHILD PROTECTION COMPACTS.**—

“(1) **IN GENERAL.**—The Secretary of State, in consultation with the Administrator of the United States Agency for International Development, the Secretary of Labor, and the heads of other relevant agencies, is authorized to provide assistance under this section for each country that enters into a child protection compact with the United States to support policies and programs that—

“(A) prevent and respond to violence, exploitation, and abuse against children; and

“(B) measurably reduce the trafficking of minors by building sustainable and effective systems of justice, prevention, and protection.

“(2) **ELEMENTS.**—A child protection compact under this subsection shall establish a multi-year plan for achieving shared objectives in furtherance of the purposes of this Act. The compact should take into account, if applicable, the national child protection strategies and national action plans for human trafficking of a country, and shall describe—

“(A) the specific objectives the foreign government and the United States Government expect to achieve during the term of the compact;

“(B) the responsibilities of the foreign government and the United States Government in the achievement of such objectives;

“(C) the particular programs or initiatives to be undertaken in the achievement of such objectives and the amount of funding to be allocated to each program or initiative by both countries;

“(D) regular outcome indicators to monitor and measure progress toward achieving such objectives;

“(E) a multi-year financial plan, including the estimated amount of contributions by the United States Government and the foreign government, and proposed mechanisms to implement the plan and provide oversight;

“(F) how a country strategy will be developed to sustain progress made toward achieving such objectives after expiration of the compact; and

“(G) how child protection data will be collected, tracked, and managed to provide strengthened case management and policy planning.

“(3) **FORM OF ASSISTANCE.**—Assistance under this subsection may be provided in the form of grants, cooperative agreements, or contracts to or with national governments, regional or local governmental units, or nongovernmental organizations or private entities with expertise in the protection of victims of severe forms of trafficking in persons.

“(4) **ELIGIBLE COUNTRIES.**—The Secretary of State, in consultation with the agencies set forth in paragraph (1) and relevant officers of the Department of Justice, shall select countries with which to enter into child protection compacts. The selection of countries under this paragraph shall be based on—

“(A) the selection criteria set forth in paragraph (5); and

“(B) objective, documented, and quantifiable indicators, to the maximum extent possible.

“(5) **SELECTION CRITERIA.**—A country shall be selected under paragraph (4) on the basis of criteria developed by the Secretary of State in consultation with the Administrator of the United States Agency for International Development and the Secretary of Labor. Such criteria shall include—

“(A) a documented high prevalence of trafficking in persons within the country; and

“(B) demonstrated political motivation and sustained commitment by the government of such country to undertake meaningful measures to address severe forms of trafficking in persons, including prevention, protection of victims, and the enactment and enforcement of anti-trafficking laws against perpetrators.

“(6) **SUSPENSION AND TERMINATION OF ASSISTANCE.**—

“(A) **IN GENERAL.**—The Secretary may suspend or terminate assistance provided under this subsection in whole or in part for a country or entity if the Secretary determines that—

“(i) the country or entity is engaged in activities that are contrary to the national security interests of the United States;

“(ii) the country or entity has engaged in a pattern of actions inconsistent with the criteria used to determine the eligibility of the country or entity, as the case may be; or

“(iii) the country or entity has failed to adhere to its responsibilities under the Compact.

“(B) **REINSTATEMENT.**—The Secretary may reinstate assistance for a country or entity suspended or terminated under this paragraph only if the Secretary determines that the country or entity has demonstrated a commitment to correcting each condition for which assistance was suspended or terminated under subparagraph (A).”

SEC. 1203. PROTECTION AND ASSISTANCE FOR VICTIMS OF TRAFFICKING.

(a) **TASK FORCE ACTIVITIES.**—Section 105(d)(6) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(6)) is amended by inserting “, and make reasonable efforts to distribute information to enable all relevant Federal Government agencies to publicize the National Human Trafficking Resource Center Hotline on their websites, in all headquarters offices, and in all field offices throughout the United States” before the period at the end.

(b) **CONGRESSIONAL BRIEFING.**—Section 107(a)(2) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(a)(2)) is amended by inserting “and shall brief Congress annually on such efforts” before the period at the end.

SEC. 1204. MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING.

Section 108(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7106(b)) is amended—

(1) in paragraph (3)—

(A) by striking “peacekeeping” and inserting “diplomatic, peacekeeping,”;

(B) by striking “, and measures” and inserting “, a transparent system for remediate or punishing such public officials as a deterrent, measures”; and

(C) by inserting “, effective bilateral, multilateral, or regional information sharing and cooperation arrangements with other countries, and effective policies or laws regulating foreign labor recruiters and holding them civilly and criminally liable for fraudulent recruiting” before the period at the end;

(2) in paragraph (4), by inserting “and has entered into bilateral, multilateral, or regional law enforcement cooperation and coordination arrangements with other countries” before the period at the end;

(3) in paragraph (7)—

(A) by inserting “, including diplomats and soldiers,” after “public officials”;

(B) by striking “peacekeeping” and inserting “diplomatic, peacekeeping,”; and

(C) by inserting “A government’s failure to appropriately address public allegations against such public officials, especially once such officials have returned to their home countries, shall be considered inaction under these criteria.” after “such trafficking.”;

(4) by redesignating paragraphs (9) through (11) as paragraphs (10) through (12), respectively; and

(5) by inserting after paragraph (8) the following:

“(9) Whether the government has entered into effective, transparent partnerships, cooperative arrangements, or agreements that have resulted in concrete and measurable outcomes with—

“(A) domestic civil society organizations, private sector entities, or international nongovernmental organizations, or into multilateral or regional arrangements or agreements, to assist the government’s efforts to prevent trafficking, protect victims, and punish traffickers; or

“(B) the United States toward agreed goals and objectives in the collective fight against trafficking.”.

SEC. 1205. BEST PRACTICES IN TRAFFICKING IN PERSONS ERADICATION.

Section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)) is amended—

(1) in paragraph (1)—

(A) by striking “with respect to the status of severe forms of trafficking in persons that shall include—” and inserting “describing the anti-trafficking efforts of the United States and foreign governments according to the minimum standards and criteria enumerated in section 108, and the nature and scope of trafficking in persons in each country and analysis of the trend lines for individual governmental efforts. The report should include—”;

(B) in subparagraph (E), by striking “; and” and inserting a semicolon;

(C) in subparagraph (F), by striking the period at the end and inserting “; and”; and

(D) by inserting at the end the following:

“(G) a section entitled ‘Promising Practices in the Eradication of Trafficking in Persons’ to highlight effective practices and use of innovation and technology in prevention, protection, prosecution, and partnerships, including by foreign governments, the private sector, and domestic civil society actors.”;

(2) by striking paragraph (2);

(3) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(4) in paragraph (2), as redesignated, by adding at the end the following:

“(E) **PUBLIC NOTICE.**—Not later than 30 days after notifying Congress of each country determined to have met the requirements under subclauses (I) through (III) of subparagraph (D)(ii), the Secretary of State shall provide a detailed description of the credible evidence supporting such determination on a publicly available website maintained by the Department of State.”.

SEC. 1206. PROTECTIONS FOR DOMESTIC WORKERS AND OTHER NONIMMIGRANTS.

Section 202 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1375b) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by inserting “AND VIDEO FOR CONSULAR WAITING ROOMS” after “INFORMATION PAMPHLET”; and

(B) in paragraph (1)—

(i) by inserting “and video” after “information pamphlet”; and

(ii) by adding at the end the following: “The video shall be distributed and shown in consular waiting rooms in embassies and consulates appropriate to the circumstances that are determined to have the greatest concentration of employment or education-based non-immigrant visa applicants, and where sufficient video facilities exist in waiting or other rooms where applicants wait or convene. The Secretary of State is authorized to augment video facilities in such consulates or embassies in order to fulfill the purposes of this section.”;

(2) in subsection (b), by inserting “and video” after “information pamphlet”;

(3) in subsection (c)—

(A) in paragraph (1), by inserting “and produce or dub the video” after “information pamphlet”; and

(B) in paragraph (2), by inserting “and the video produced or dubbed” after “translated”; and

(4) in subsection (d)—

(A) in paragraph (1), by inserting “and video” after “information pamphlet”;

(B) in paragraph (2), by inserting “and video” after “information pamphlet”; and

(C) by adding at the end the following:

“(4) **DEADLINE FOR VIDEO DEVELOPMENT AND DISTRIBUTION.**—Not later than 1 year after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of State shall make available the video developed under subsection (a) produced or dubbed in all the languages referred to in subsection (c).”.

SEC. 1207. PREVENTION OF CHILD MARRIAGE.

(a) **IN GENERAL.**—Section 106 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104) is amended by adding at the end the following:

“(j) **PREVENTION OF CHILD TRAFFICKING THROUGH CHILD MARRIAGE.**—The Secretary of State shall establish and implement a multi-year, multi-sectoral strategy—

“(1) to prevent child marriage;

“(2) to promote the empowerment of girls at risk of child marriage in developing countries;

“(3) that should address the unique needs, vulnerabilities, and potential of girls younger than 18 years of age in developing countries;

“(4) that targets areas in developing countries with high prevalence of child marriage; and

“(5) that includes diplomatic and programmatic initiatives.”.

(b) **INCLUSION OF CHILD MARRIAGE STATUS IN REPORTS.**—The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended—

(1) in section 116 (22 U.S.C. 2151n), by adding at the end the following:

“(g) **CHILD MARRIAGE STATUS.**—

“(1) **IN GENERAL.**—The report required under subsection (d) shall include, for each country in which child marriage is prevalent, a description of the status of the practice of child marriage in such country.

“(2) **DEFINED TERM.**—In this subsection, the term ‘child marriage’ means the marriage of a girl or boy who is—

“(A) younger than the minimum age for marriage under the laws of the country in which such girl or boy is a resident; or

“(B) younger than 18 years of age, if no such law exists.”; and

(2) in section 502B (22 U.S.C. 2304), by adding at the end the following:

“(i) **CHILD MARRIAGE STATUS.**—

“(1) **IN GENERAL.**—The report required under subsection (b) shall include, for each country in which child marriage is prevalent, a description of the status of the practice of child marriage in such country.

“(2) **DEFINED TERM.**—In this subsection, the term ‘child marriage’ means the marriage of a girl or boy who is—

“(A) younger than the minimum age for marriage under the laws of the country in which such girl or boy is a resident; or

“(B) younger than 18 years of age, if no such law exists.”.

SEC. 1208. CHILD SOLDIERS.

Section 404 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (22 U.S.C. 2370c-1) is amended—

(1) in subsection (a), by striking “(b), (c), and (d), the authorities contained in section 516 or 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j or 2347)” and inserting “(b) through (f), the authorities contained in sections 516, 541, and 551 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j, 2347, and 2348)”;

(2) by adding at the end the following:

“(f) **EXCEPTION FOR PEACEKEEPING OPERATIONS.**—The limitation set forth in subsection (a) that relates to section 551 of the Foreign Assistance Act of 1961 shall not apply to programs that support military professionalization, security sector reform, heightened respect for human rights, peacekeeping preparation, or the demobilization and reintegration of child soldiers.”.

Subtitle B—Combating Trafficking in Persons in the United States

PART I—PENALTIES AGAINST TRAFFICKERS AND OTHER CRIMES

SEC. 1211. CRIMINAL TRAFFICKING OFFENSES.

(a) **RICO AMENDMENT.**—Section 1961(l)(B) of title 18, United States Code, is amended by inserting “section 1351 (relating to fraud in foreign labor contracting),” before “section 1425”.

(b) **ENGAGING IN ILLICIT SEXUAL CONDUCT IN FOREIGN PLACES.**—Section 2423(c) of title 18, United States Code, is amended by inserting “or resides, either temporarily or permanently, in a foreign country” after “commerce”.

(c) **UNLAWFUL CONDUCT WITH RESPECT TO DOCUMENTS.**—

(1) **IN GENERAL.**—Chapter 77 of title 18, United States Code, is amended by adding at the end the following:

“§ 1597. Unlawful conduct with respect to immigration documents

“(a) **DESTRUCTION, CONCEALMENT, REMOVAL, CONFISCATION, OR POSSESSION OF IMMIGRATION DOCUMENTS.**—It shall be unlawful for any person to knowingly destroy, conceal, remove, confiscate, or possess, an actual or purported passport or other immigration document of another individual —

“(1) in the course of violating section 1351 of this title or section 274 of the Immigration and Nationality Act (8 U.S.C. 1324);

“(2) with intent to violate section 1351 of this title or section 274 of the Immigration and Nationality Act (8 U.S.C. 1324); or

“(3) in order to, without lawful authority, maintain, prevent, or restrict the labor of services of the individual.

“(b) **PENALTY.**—Any person who violates subsection (a) shall be fined under this title, imprisoned for not more than 1 year, or both.

“(c) **OBSTRUCTION.**—Any person who knowingly obstructs, attempts to obstruct, or in

any way interferes with or prevents the enforcement of this section, shall be subject to the penalties described in subsection (b).”.

(2) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for chapter 77 of title 18, United States Code, is amended by adding at the end the following:

“1597. Unlawful conduct with respect to immigration documents.”.

SEC. 1212. CIVIL REMEDIES; CLARIFYING DEFINITION.

(a) **CIVIL REMEDY FOR PERSONAL INJURIES.**—Section 2255 of title 18, United States Code, is amended—

(1) in subsection (a), by striking “section 2241(c)” and inserting “section 1589, 1590, 1591, 2241(c)”; and

(2) in subsection (b), by striking “six years” and inserting “10 years”.

(b) **DEFINITION.**—

(1) **IN GENERAL.**—Section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102) is amended—

(A) by redesignating paragraphs (1) through (14) as paragraphs (2) through (15), respectively;

(B) by inserting before paragraph (2), as redesignated, the following:

“(1) **ABUSE OR THREATENED ABUSE OF LAW OR LEGAL PROCESS.**—The term ‘abuse or threatened abuse of the legal process’ means the use or threatened use of a law or legal process, whether administrative, civil, or criminal, in any manner or for any purpose for which the law was not designed, in order to exert pressure on another person to cause that person to take some action or refrain from taking some action.”;

(C) in paragraph (14), as redesignated, by striking “paragraph (8)” and inserting “paragraph (9)”; and

(D) in paragraph (15), as redesignated, by striking “paragraph (8) or (9)” and inserting “paragraph (9) or (10)”.

(2) **TECHNICAL AND CONFORMING AMENDMENTS.**—

(A) **TRAFFICKING VICTIMS PROTECTION ACT OF 2000.**—The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended—

(i) in section 110(e) (22 U.S.C. 7107(e))—

(I) by striking “section 103(7)(A)” and inserting “section 103(8)(A)”; and

(II) by striking “section 103(7)(B)” and inserting “section 103(8)(B)”; and

(ii) in section 113(g)(2) (22 U.S.C. 7110(g)(2)), by striking “section 103(8)(A)” and inserting “section 103(9)(A)”.

(B) **NORTH KOREAN HUMAN RIGHTS ACT OF 2004.**—Section 203(b)(2) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7833(b)(2)) is amended by striking “section 103(14)” and inserting “section 103(15)”.

(C) **TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2005.**—Section 207 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044e) is amended—

(i) in paragraph (1), by striking “section 103(8)” and inserting “section 103(9)”; and

(ii) in paragraph (2), by striking “section 103(9)” and inserting “section 103(10)”; and

(iii) in paragraph (3), by striking “section 103(3)” and inserting “section 103(4)”.

(D) **VIOLENCE AGAINST WOMEN AND DEPARTMENT OF JUSTICE REAUTHORIZATION ACT OF 2005.**—Section 111(a)(1) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14044f(a)(1)) is amended by striking “paragraph (8)” and inserting “paragraph (9)”.

PART II—ENSURING AVAILABILITY OF POSSIBLE WITNESSES AND INFORMANTS
SEC. 1221. PROTECTIONS FOR TRAFFICKING VICTIMS WHO COOPERATE WITH LAW ENFORCEMENT.

Section 101(a)(15)(T)(ii)(III) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T)(ii)(III)) is amended by inserting “, or any adult or minor children of a derivative beneficiary of the alien, as” after “age”.

SEC. 1222. PROTECTION AGAINST FRAUD IN FOREIGN LABOR CONTRACTING.

Section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended by inserting “fraud in foreign labor contracting (as defined in section 1351 of title 18, United States Code);” after “perjury;”.

PART III—ENSURING INTERAGENCY COORDINATION AND EXPANDED REPORTING
SEC. 1231. REPORTING REQUIREMENTS FOR THE ATTORNEY GENERAL.

Section 105(d)(7) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)) is amended—

(1) by redesignating subparagraphs (D) through (J) as subparagraphs (I) through (O);

(2) by striking subparagraphs (B) and (C) and inserting the following:

“(B) the number of persons who have been granted continued presence in the United States under section 107(c)(3) during the preceding fiscal year and the mean and median time taken to adjudicate applications submitted under such section, including the time from the receipt of an application by law enforcement to the issuance of continued presence, and a description of any efforts being taken to reduce the adjudication and processing time while ensuring the safe and competent processing of the applications;

“(C) the number of persons who have applied for, been granted, or been denied a visa or otherwise provided status under subparagraph (T)(i) or (U)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) during the preceding fiscal year;

“(D) the number of persons who have applied for, been granted, or been denied a visa or status under clause (ii) of section 101(a)(15)(T) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T)) during the preceding fiscal year, broken down by the number of such persons described in subclauses (I), (II), and (III) of such clause (ii);

“(E) the amount of Federal funds expended in direct benefits paid to individuals described in subparagraph (D) in conjunction with T visa status;

“(F) the number of persons who have applied for, been granted, or been denied a visa or status under section 101(a)(15)(U)(i) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(i)) during the preceding fiscal year;

“(G) the mean and median time in which it takes to adjudicate applications submitted under the provisions of law set forth in subparagraph (C), including the time between the receipt of an application and the issuance of a visa and work authorization;

“(H) any efforts being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing of the applications;”;

(3) in subparagraph (N)(iii), as redesignated, by striking “and” at the end;

(4) in subparagraph (O), as redesignated, by striking the period at the end and inserting “; and”; and

(5) by adding at the end the following:

“(P) the activities undertaken by Federal agencies to train appropriate State, tribal,

and local government and law enforcement officials to identify victims of severe forms of trafficking, including both sex and labor trafficking;

“(Q) the activities undertaken by Federal agencies in cooperation with State, tribal, and local law enforcement officials to identify, investigate, and prosecute offenses under sections 1581, 1583, 1584, 1589, 1590, 1592, and 1594 of title 18, United States Code, or equivalent State offenses, including, in each fiscal year—

“(i) the number, age, gender, country of origin, and citizenship status of victims identified for each offense;

“(ii) the number of individuals charged, and the number of individuals convicted, under each offense;

“(iii) the number of individuals referred for prosecution for State offenses, including offenses relating to the purchasing of commercial sex acts;

“(iv) the number of victims granted continued presence in the United States under section 107(c)(3); and

“(v) the number of victims granted a visa or otherwise provided status under subparagraph (T)(i) or (U)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)); and

“(R) the activities undertaken by the Department of Justice and the Department of Health and Human Services to meet the specific needs of minor victims of domestic trafficking, including actions taken pursuant to subsection (f) and section 202(a) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044(a)), and the steps taken to increase cooperation among Federal agencies to ensure the effective and efficient use of programs for which the victims are eligible.”.

SEC. 1232. REPORTING REQUIREMENTS FOR THE SECRETARY OF LABOR.

Section 105(b) of the Trafficking Victims Protection Act of 2005 (22 U.S.C. 7112(b)) is amended by adding at the end the following:

“(3) **SUBMISSION TO CONGRESS.**—Not later than December 1, 2014, and every 2 years thereafter, the Secretary of Labor shall submit the list developed under paragraph (2)(C) to Congress.”.

SEC. 1233. INFORMATION SHARING TO COMBAT CHILD LABOR AND SLAVE LABOR.

Section 105(a) of the Trafficking Victims Protection Act of 2005 (22 U.S.C. 7112(a)) is amended by adding at the end the following:

“(3) **INFORMATION SHARING.**—The Secretary of State shall, on a regular basis, provide information relating to child labor and forced labor in the production of goods in violation of international standards to the Department of Labor to be used in developing the list described in subsection (b)(2)(C).”.

SEC. 1234. GOVERNMENT TRAINING EFFORTS TO INCLUDE THE DEPARTMENT OF LABOR.

Section 107(c)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4)) is amended—

(1) in the first sentence, by inserting “the Department of Labor, the Equal Employment Opportunity Commission,” before “and the Department”; and

(2) in the second sentence, by inserting “, in consultation with the Secretary of Labor,” before “shall provide”.

SEC. 1235. GAO REPORT ON THE USE OF FOREIGN LABOR CONTRACTORS.

(a) **IN GENERAL.**—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report on the use of foreign labor contractors to—

(1) the Committee on the Judiciary of the Senate;

(2) the Committee on Health, Education, Labor, and Pensions of the Senate;

(3) the Committee on the Judiciary of the House of Representatives; and

(4) the Committee on Education and the Workforce of the House of Representatives.

(b) CONTENTS.—The report under subsection (a) should, to the extent possible—

(1) address the role and practices of United States employers in—

(A) the use of labor recruiters or brokers; or

(B) directly recruiting foreign workers;

(2) analyze the laws that protect such workers, both overseas and domestically;

(3) describe the oversight and enforcement mechanisms in Federal departments and agencies for such laws; and

(4) identify any gaps that may exist in these protections; and

(5) recommend possible actions for Federal departments and agencies to combat any abuses.

(c) REQUIREMENTS.—The report under subsection (a) shall—

(1) describe the role of labor recruiters or brokers working in countries that are sending workers and receiving funds, including any identified involvement in labor abuses;

(2) describe the role and practices of employers in the United States that commission labor recruiters or brokers or directly recruit foreign workers;

(3) describe the role of Federal departments and agencies in overseeing and regulating the foreign labor recruitment process, including certifying and enforcing under existing regulations;

(4) describe the type of jobs and the numbers of positions in the United States that have been filled through foreign workers during each of the last 8 years, including positions within the Federal Government;

(5) describe any efforts or programs undertaken by Federal, State and local government entities to encourage employers, directly or indirectly, to use foreign workers or to reward employers for using foreign workers; and

(6) based on the information required under paragraphs (1) through (3), identify any common abuses of foreign workers and the employment system, including the use of fees and debts, and recommendations of actions that could be taken by Federal departments and agencies to combat any identified abuses.

SEC. 1236. ACCOUNTABILITY.

All grants awarded by the Attorney General under this title or an Act amended by this title shall be subject to the following accountability provisions:

(1) AUDIT REQUIREMENT.—

(A) DEFINITION.—In this paragraph, the term “unresolved audit finding” means an audit report finding in the final audit report of the Inspector General of the Department of Justice that the grantee has used grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved during the 12-month period beginning on the date on which the final audit report is issued

(B) REQUIREMENT.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this title or an Act amended by this title to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appro-

priate number of grantees to be audited each year.

(C) MANDATORY EXCLUSION.—A recipient of grant funds under this title or an Act amended by this title that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this title or an Act amended by this title during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

(D) PRIORITY.—In awarding grants under this title or an Act amended by this title, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this title or an Act amended by this title.

(E) REIMBURSEMENT.—If an entity is awarded grant funds under this title or an Act amended by this title during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) DEFINITION.—For purposes of this paragraph and the grant programs under this title or an Act amended by this title, the term “nonprofit organization” means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) PROHIBITION.—The Attorney General may not award a grant under this title or an Act amended by this title to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this title or an Act amended by this title and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subparagraph available for public inspection.

(3) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this title or an Act amended by this title may be used by the Attorney General, or by any individual or entity awarded discretionary funds through a cooperative agreement under this title or an Act amended by this title, to host or support any expenditure for conferences that uses more than \$20,000 in funds made available to the Department of Justice, unless the Deputy Attorney General or the appropriate Assistant Attorney General, Director, or principal deputy (as designated by the Deputy Attorney General) provides prior written authorization that the funds may be expended to host the conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this Act, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification indicating whether—

(A) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

(B) all mandatory exclusions required under paragraph (1)(C) have been issued;

(C) all reimbursements required under paragraph (1)(E) have been made; and

(D) includes a list of any grant recipients excluded under paragraph (1) from the previous year.

PART IV—ENHANCING STATE AND LOCAL EFFORTS TO COMBAT TRAFFICKING IN PERSONS

SEC. 1241. ASSISTANCE FOR DOMESTIC MINOR SEX TRAFFICKING VICTIMS.

(a) IN GENERAL.—Section 202 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044a) is amended to read as follows:

“SEC. 202. ESTABLISHMENT OF A GRANT PROGRAM TO DEVELOP, EXPAND, AND STRENGTHEN ASSISTANCE PROGRAMS FOR CERTAIN PERSONS SUBJECT TO TRAFFICKING.

“(a) DEFINITIONS.—In this section:

“(1) ASSISTANT SECRETARY.—The term ‘Assistant Secretary’ means the Assistant Secretary for Children and Families of the Department of Health and Human Services.

“(2) ASSISTANT ATTORNEY GENERAL.—The term ‘Assistant Attorney General’ means the Assistant Attorney General for the Office of Justice Programs of the Department of Justice.

“(3) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a State or unit of local government that—

“(A) has significant criminal activity involving sex trafficking of minors;

“(B) has demonstrated cooperation between Federal, State, local, and, where applicable, tribal law enforcement agencies, prosecutors, and social service providers in addressing sex trafficking of minors;

“(C) has developed a workable, multi-disciplinary plan to combat sex trafficking of minors, including—

“(i) building or establishing a residential care facility for minor victims of sex trafficking;

“(ii) the provision of rehabilitative care to minor victims of sex trafficking;

“(iii) the provision of specialized training for law enforcement officers and social service providers for all forms of sex trafficking, with a focus on sex trafficking of minors;

“(iv) prevention, deterrence, and prosecution of offenses involving sex trafficking of minors;

“(v) cooperation or referral agreements with organizations providing outreach or

other related services to runaway and homeless youth; and

“(vi) law enforcement protocols or procedures to screen all individuals arrested for prostitution, whether adult or minor, for victimization by sex trafficking and by other crimes, such as sexual assault and domestic violence; and

“(D) provides assurance that a minor victim of sex trafficking shall not be required to collaborate with law enforcement to have access to residential care or services provided with a grant under this section.

“(4) MINOR VICTIM OF SEX TRAFFICKING.—The term ‘minor victim of sex trafficking’ means an individual who—

“(A) is younger than 18 years of age, and is a victim of an offense described in section 1591(a) of title 18, United States Code, or a comparable State law; or

“(B)(i) is not younger than 18 years of age nor older than 20 years of age;

“(ii) before the individual reached 18 years of age, was described in subparagraph (A); and

“(iii) was receiving shelter or services as a minor victim of sex trafficking.

“(5) QUALIFIED NONGOVERNMENTAL ORGANIZATION.—The term ‘qualified nongovernmental organization’ means an organization that—

“(A) is not a State or unit of local government, or an agency of a State or unit of local government;

“(B) has demonstrated experience providing services to victims of sex trafficking or related populations (such as runaway and homeless youth), or employs staff specialized in the treatment of sex trafficking victims; and

“(C) demonstrates a plan to sustain the provision of services beyond the period of a grant awarded under this section.

“(6) SEX TRAFFICKING OF A MINOR.—The term ‘sex trafficking of a minor’ means an offense described in section 1591(a) of title 18, United States Code, or a comparable State law, against a minor.

“(b) SEX TRAFFICKING BLOCK GRANTS.—

“(1) GRANTS AUTHORIZED.—

“(A) IN GENERAL.—The Assistant Attorney General, in consultation with the Assistant Secretary, may make block grants to 4 eligible entities located in different regions of the United States to combat sex trafficking of minors.

“(B) REQUIREMENT.—Not fewer than 1 of the block grants made under subparagraph (A) shall be awarded to an eligible entity with a State population of less than 5,000,000.

“(C) GRANT AMOUNT.—Subject to the availability of appropriations under subsection (g) to carry out this section, each grant made under this section shall be for an amount not less than \$1,500,000 and not greater than \$2,000,000.

“(D) DURATION.—

“(i) IN GENERAL.—A grant made under this section shall be for a period of 1 year.

“(ii) RENEWAL.—

“(I) IN GENERAL.—The Assistant Attorney General may renew a grant under this section for up to 3 1-year periods.

“(II) PRIORITY.—In making grants in any fiscal year after the first fiscal year in which grants are made under this section, the Assistant Attorney General shall give priority to an eligible entity that received a grant in the preceding fiscal year and is eligible for renewal under this subparagraph, taking into account any evaluation of the eligible entity conducted under paragraph (4), if available.

“(E) CONSULTATION.—In carrying out this section, the Assistant Attorney General

shall consult with the Assistant Secretary with respect to—

“(i) evaluations of grant recipients under paragraph (4);

“(ii) avoiding unintentional duplication of grants; and

“(iii) any other areas of shared concern.

“(2) USE OF FUNDS.—

“(A) ALLOCATION.—Not less than 67 percent of each grant made under paragraph (1) shall be used by the eligible entity to provide residential care and services (as described in clauses (i) through (iv) of subparagraph (B)) to minor victims of sex trafficking through qualified nongovernmental organizations.

“(B) AUTHORIZED ACTIVITIES.—Grants awarded pursuant to paragraph (2) may be used for—

“(i) providing residential care to minor victims of sex trafficking, including temporary or long-term placement as appropriate;

“(ii) providing 24-hour emergency social services response for minor victims of sex trafficking;

“(iii) providing minor victims of sex trafficking with clothing and other daily necessities needed to keep such victims from returning to living on the street;

“(iv) case management services for minor victims of sex trafficking;

“(v) mental health counseling for minor victims of sex trafficking, including specialized counseling and substance abuse treatment;

“(vi) legal services for minor victims of sex trafficking;

“(vii) specialized training for social service providers, public sector personnel, and private sector personnel likely to encounter sex trafficking victims on issues related to the sex trafficking of minors and severe forms of trafficking in persons;

“(viii) outreach and education programs to provide information about deterrence and prevention of sex trafficking of minors;

“(ix) programs to provide treatment to individuals charged or cited with purchasing or attempting to purchase sex acts in cases where—

“(I) a treatment program can be mandated as a condition of a sentence, fine, suspended sentence, or probation, or is an appropriate alternative to criminal prosecution; and

“(II) the individual was not charged with purchasing or attempting to purchase sex acts with a minor; and

“(x) screening and referral of minor victims of severe forms of trafficking in persons.

“(3) APPLICATION.—

“(A) IN GENERAL.—Each eligible entity desiring a grant under this section shall submit an application to the Assistant Attorney General at such time, in such manner, and accompanied by such information as the Assistant Attorney General may reasonably require.

“(B) CONTENTS.—Each application submitted pursuant to subparagraph (A) shall—

“(i) describe the activities for which assistance under this section is sought; and

“(ii) provide such additional assurances as the Assistant Attorney General determines to be essential to ensure compliance with the requirements of this section.

“(4) EVALUATION.—The Assistant Attorney General shall enter into a contract with an academic or non-profit organization that has experience in issues related to sex trafficking of minors and evaluation of grant programs to conduct an annual evaluation of each grant made under this section to determine the impact and effectiveness of programs funded with the grant.

“(c) MANDATORY EXCLUSION.—An eligible entity that receives a grant under this section that is found to have utilized grant funds for any unauthorized expenditure or otherwise unallowable cost shall not be eligible for any grant funds awarded under the grant for 2 fiscal years following the year in which the unauthorized expenditure or unallowable cost is reported.

“(d) COMPLIANCE REQUIREMENT.—An eligible entity shall not be eligible to receive a grant under this section if, during the 5 fiscal years before the eligible entity submits an application for the grant, the eligible entity has been found to have violated the terms or conditions of a Government grant program by utilizing grant funds for unauthorized expenditures or otherwise unallowable costs.

“(e) ADMINISTRATIVE CAP.—The cost of administering the grants authorized by this section shall not exceed 3 percent of the total amount appropriated to carry out this section.

“(f) AUDIT REQUIREMENT.—For fiscal years 2016 and 2017, the Inspector General of the Department of Justice shall conduct an audit of all 4 eligible entities that receive block grants under this section.

“(g) MATCH REQUIREMENT.—An eligible entity that receives a grant under this section shall provide a non-Federal match in an amount equal to not less than—

“(1) 15 percent of the grant during the first year;

“(2) 25 percent of the grant during the first renewal period;

“(3) 40 percent of the grant during the second renewal period; and

“(4) 50 percent of the grant during the third renewal period.

“(h) NO LIMITATION ON SECTION 204 GRANTS.—An entity that applies for a grant under section 204 is not prohibited from also applying for a grant under this section.

“(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$8,000,000 to the Attorney General for each of the fiscal years 2014 through 2017 to carry out this section.

“(j) GAO EVALUATION.—Not later than 30 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains—

“(1) an evaluation of the impact of this section in aiding minor victims of sex trafficking in the jurisdiction of the entity receiving the grant; and

“(2) recommendations, if any, regarding any legislative or administrative action the Comptroller General determines appropriate.”.

(b) SUNSET PROVISION.—The amendment made by subsection (a) shall be effective during the 4-year period beginning on the date of the enactment of this Act.

SEC. 1242. EXPANDING LOCAL LAW ENFORCEMENT GRANTS FOR INVESTIGATIONS AND PROSECUTIONS OF TRAFFICKING.

Section 204 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044c) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A), by striking “, which involve United States citizens, or aliens admitted for permanent residence, and”;

(B) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (C), (D), and (E), respectively; and

(C) by inserting after subparagraph (A) the following:

“(B) to train law enforcement personnel how to identify victims of severe forms of

trafficking in persons and related offenses;"; and

(D) in subparagraph (C), as redesignated, by inserting "and prioritize the investigations and prosecutions of those cases involving minor victims" after "sex acts";

(2) by redesignating subsection (d) as subsection (e);

(3) by inserting after subsection (c) the following:

"(d) NO LIMITATION ON SECTION 202 GRANT APPLICATIONS.—An entity that applies for a grant under section 202 is not prohibited from also applying for a grant under this section.";

(4) in subsection (e), as redesignated, by striking "\$20,000,000 for each of the fiscal years 2008 through 2011" and inserting "\$10,000,000 for each of the fiscal years 2014 through 2017"; and

(5) by adding at the end the following:

"(f) GAO EVALUATION AND REPORT.—Not later than 30 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study of and submit to Congress a report evaluating the impact of this section on—

"(1) the ability of law enforcement personnel to identify victims of severe forms of trafficking in persons and investigate and prosecute cases against offenders, including offenders who engage in the purchasing of commercial sex acts with a minor; and

"(2) recommendations, if any, regarding any legislative or administrative action the Comptroller General determines appropriate to improve the ability described in paragraph (1)."

SEC. 1243. MODEL STATE CRIMINAL LAW PROTECTION FOR CHILD TRAFFICKING VICTIMS AND SURVIVORS.

Section 225(b) of the Trafficking Victims Reauthorization Act of 2008 (22 U.S.C. 7101 note) is amended—

(1) in paragraph (1), by striking "and" at the end;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

"(2) protects children exploited through prostitution by including safe harbor provisions that—

"(A) treat an individual under 18 years of age who has been arrested for engaging in, or attempting to engage in, a sexual act with another person in exchange for monetary compensation as a victim of a severe form of trafficking in persons;

"(B) prohibit the charging or prosecution of an individual described in subparagraph (A) for a prostitution offense;

"(C) require the referral of an individual described in subparagraph (A) to appropriate service providers, including comprehensive service or community-based programs that provide assistance to child victims of commercial sexual exploitation; and

"(D) provide that an individual described in subparagraph (A) shall not be required to prove fraud, force, or coercion in order to receive the protections described under this paragraph;"

Subtitle C—Authorization of Appropriations

SEC. 1251. ADJUSTMENT OF AUTHORIZATION LEVELS FOR THE TRAFFICKING VICTIMS PROTECTION ACT OF 2000.

The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended—

(1) in section 112A(b)(4) (22 U.S.C. 7109a(b)(4))—

(A) by striking "\$2,000,000" and inserting "\$1,000,000"; and

(B) by striking "2008 through 2011" and inserting "2014 through 2017"; and

(2) in section 113 (22 U.S.C. 7110)—

(A) subsection (a)—

(i) by striking "\$5,500,000 for each of the fiscal years 2008 through 2011" each place it appears and inserting "\$2,000,000 for each of the fiscal years 2014 through 2017";

(ii) by inserting ", including regional trafficking in persons officers," after "for additional personnel,"; and

(iii) by striking ", and \$3,000 for official reception and representation expenses";

(B) in subsection (b)—

(i) in paragraph (1), by striking "\$12,500,000 for each of the fiscal years 2008 through 2011" and inserting "\$14,500,000 for each of the fiscal years 2014 through 2017"; and

(ii) in paragraph (2), by striking "to the Secretary of Health and Human Services" and all that follows and inserting "\$8,000,000 to the Secretary of Health and Human Services for each of the fiscal years 2014 through 2017";

(C) in subsection (c)(1)—

(i) in subparagraph (A), by striking "2008 through 2011" each place it appears and inserting "2014 through 2017";

(ii) in subparagraph (B)—

(I) by striking "\$15,000,000 for fiscal year 2003 and \$10,000,000 for each of the fiscal years 2008 through 2011" and inserting "\$10,000,000 for each of the fiscal years 2014 through 2017"; and

(II) by striking "2008 through 2011" and inserting "2014 through 2017"; and

(iii) in subparagraph (C), by striking "2008 through 2011" and inserting "2014 through 2017";

(D) in subsection (d)—

(i) by redesignating subparagraphs (A) through (C) as paragraphs (1) through (3), respectively, and moving such paragraphs 2 ems to the left;

(ii) in the paragraph (1), as redesignated, by striking "\$10,000,000 for each of the fiscal years 2008 through 2011" and inserting "\$11,000,000 for each of the fiscal years 2014 through 2017"; and

(iii) in paragraph (3), as redesignated, by striking "to the Attorney General" and all that follows and inserting "\$11,000,000 to the Attorney General for each of the fiscal years 2014 through 2017";

(E) in subsection (e)—

(i) in paragraph (1), by striking "\$15,000,000 for each of the fiscal years 2008 through 2011" and inserting "\$7,500,000 for each of the fiscal years 2014 through 2017"; and

(ii) in paragraph (2), by striking "\$15,000,000 for each of the fiscal years 2008 through 2011" and inserting "\$7,500,000 for each of the fiscal years 2014 through 2017";

(F) in subsection (f), by striking "\$10,000,000 for each of the fiscal years 2008 through 2011" and inserting "\$5,000,000 for each of the fiscal years 2014 through 2017"; and

(G) in subsection (i), by striking "\$18,000,000 for each of the fiscal years 2008 through 2011" and inserting "\$10,000,000 for each of the fiscal years 2014 through 2017".

SEC. 1252. ADJUSTMENT OF AUTHORIZATION LEVELS FOR THE TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2005.

The Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109-164) is amended—

(1) by striking section 102(b)(7); and

(2) in section 201(c)(2), by striking "\$1,000,000 for each of the fiscal years 2008 through 2011" and inserting "\$250,000 for each of the fiscal years 2014 through 2017".

Subtitle D—Unaccompanied Alien Children

SEC. 1261. APPROPRIATE CUSTODIAL SETTINGS FOR UNACCOMPANIED MINORS WHO REACH THE AGE OF MAJORITY WHILE IN FEDERAL CUSTODY.

Section 235(c)(2) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(2)) is amended—

(1) by striking "Subject to" and inserting the following:

"(A) MINORS IN DEPARTMENT OF HEALTH AND HUMAN SERVICES CUSTODY.—Subject to"; and

(2) by adding at the end the following:

"(B) ALIENS TRANSFERRED FROM DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEPARTMENT OF HOMELAND SECURITY CUSTODY.—If a minor described in subparagraph (A) reaches 18 years of age and is transferred to the custody of the Secretary of Homeland Security, the Secretary shall consider placement in the least restrictive setting available after taking into account the alien's danger to self, danger to the community, and risk of flight. Such aliens shall be eligible to participate in alternative to detention programs, utilizing a continuum of alternatives based on the alien's need for supervision, which may include placement of the alien with an individual or an organizational sponsor, or in a supervised group home."

SEC. 1262. APPOINTMENT OF CHILD ADVOCATES FOR UNACCOMPANIED MINORS.

Section 235(c)(6) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(6)) is amended—

(1) by striking "The Secretary" and inserting the following:

"(A) IN GENERAL.—The Secretary"; and

(2) by striking "and criminal"; and

(3) by adding at the end the following:

"(B) APPOINTMENT OF CHILD ADVOCATES.—

"(i) INITIAL SITES.—Not later than 2 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Health and Human Services shall appoint child advocates at 3 new immigration detention sites to provide independent child advocates for trafficking victims and vulnerable unaccompanied alien children.

"(ii) ADDITIONAL SITES.—Not later than 3 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary shall appoint child advocates at not more than 3 additional immigration detention sites.

"(iii) SELECTION OF SITES.—Sites at which child advocate programs will be established under this subparagraph shall be located at immigration detention sites at which more than 50 children are held in immigration custody, and shall be selected sequentially, with priority given to locations with—

"(I) the largest number of unaccompanied alien children; and

"(II) the most vulnerable populations of unaccompanied children.

"(C) RESTRICTIONS.—

"(i) ADMINISTRATIVE EXPENSES.—A child advocate program may not use more than 10 percent of the Federal funds received under this section for administrative expenses.

"(ii) NONEXCLUSIVITY.—Nothing in this section may be construed to restrict the ability of a child advocate program under this section to apply for or obtain funding from any other source to carry out the programs described in this section.

"(iii) CONTRIBUTION OF FUNDS.—A child advocate program selected under this section shall contribute non-Federal funds, either directly or through in-kind contributions, to

the costs of the child advocate program in an amount that is not less than 25 percent of the total amount of Federal funds received by the child advocate program under this section. In-kind contributions may not exceed 40 percent of the matching requirement under this clause.

“(D) ANNUAL REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, and annually thereafter, the Secretary of Health and Human Services shall submit a report describing the activities undertaken by the Secretary to authorize the appointment of independent Child Advocates for trafficking victims and vulnerable unaccompanied alien children to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

“(E) ASSESSMENT OF CHILD ADVOCATE PROGRAM.—

“(i) IN GENERAL.—As soon as practicable after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Comptroller General of the United States shall conduct a study regarding the effectiveness of the Child Advocate Program operated by the Secretary of Health and Human Services.

“(ii) MATTERS TO BE STUDIED.—In the study required under clause (i), the Comptroller General shall— collect information and analyze the following:

“(I) analyze the effectiveness of existing child advocate programs in improving outcomes for trafficking victims and other vulnerable unaccompanied alien children;

“(II) evaluate the implementation of child advocate programs in new sites pursuant to subparagraph (B);

“(III) evaluate the extent to which eligible trafficking victims and other vulnerable unaccompanied children are receiving child advocate services and assess the possible budgetary implications of increased participation in the program;

“(IV) evaluate the barriers to improving outcomes for trafficking victims and other vulnerable unaccompanied children; and

“(V) make recommendations on statutory changes to improve the Child Advocate Program in relation to the matters analyzed under subclauses (I) through (IV).

“(iii) GAO REPORT.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit the results of the study required under this subparagraph to—

“(I) the Committee on the Judiciary of the Senate;

“(II) the Committee on Health, Education, Labor, and Pensions of the Senate;

“(III) the Committee on the Judiciary of the House of Representatives; and

“(IV) the Committee on Education and the Workforce of the House of Representatives.

“(F) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary and Human Services to carry out this subsection—

“(i) \$1,000,000 for each of the fiscal years 2014 and 2015; and

“(ii) \$2,000,000 for each of the fiscal years 2016 and 2017.”

SEC. 1263. ACCESS TO FEDERAL FOSTER CARE AND UNACCOMPANIED REFUGEE MINOR PROTECTIONS FOR CERTAIN U VISA RECIPIENTS.

Section 235(d)(4) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(d)(4)) is amended—

(1) in subparagraph (A),

(A) by striking “either”;

(B) by striking “or who” and inserting a comma; and

(C) by inserting “, or has been granted status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)),” before “, shall be eligible”; and

(2) in subparagraph (B), by inserting “, or status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)),” after “(8 U.S.C. 1101(a)(27)(J))”.

SEC. 1264. GAO STUDY OF THE EFFECTIVENESS OF BORDER SCREENINGS.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study examining the effectiveness of screenings conducted by Department of Homeland Security personnel in carrying out section 235(a)(4) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)(4)).

(2) STUDY.—In carrying out paragraph (1), the Comptroller General shall take into account—

(A) the degree to which Department of Homeland Security personnel are adequately ensuring that—

(i) all children are being screened to determine whether they are described in section 235(a)(2)(A) of the William Wilberforce Trafficking Victims Protection Reauthorization Act;

(ii) appropriate and reliable determinations are being made about whether children are described in section 235(a)(2)(A) of such Act, including determinations of the age of such children;

(iii) children are repatriated in an appropriate manner, consistent with clauses (i) through (iii) of section 235(a)(2)(C) of such Act;

(iv) children are appropriately being permitted to withdraw their applications for admission, in accordance with section 235(a)(2)(B)(i) of such Act;

(v) children are being properly cared for while they are in the custody of the Department of Homeland Security and awaiting repatriation or transfer to the custody of the Secretary of Health and Human Services; and

(vi) children are being transferred to the custody of the Secretary of Health and Human Services in a manner that is consistent with such Act; and

(B) the number of such children that have been transferred to the custody of the Department of Health and Human Services, the Federal funds expended to maintain custody of such children, and the Federal benefits available to such children, if any.

(3) ACCESS TO DEPARTMENT OF HOMELAND SECURITY OPERATIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), for the purposes of conducting the study described in subsection (a), the Secretary shall provide the Comptroller General with unrestricted access to all stages of screenings and other interactions between Department of Homeland Security personnel and children encountered by the Comptroller General.

(B) EXCEPTIONS.—The Secretary shall not permit unrestricted access under subparagraph (A) if the Secretary determines that the security of a particular interaction would be threatened by such access.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of the commencement of the study described in subsection (a), the Comptroller General of the United States shall submit a report to the Committee on

the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that contains the Commission's findings and recommendations.

Mr. LEAHY. Madam President, I move to reconsider the vote.

Mrs. MURRAY. Madam President, I move to lay that motion upon the table.

The motion to lay upon the table was agreed to.

Mr. LEAHY. Madam President, I wanted to thank all my fellow Senators, from both parties, who voted for this bill. If you are someone who has seen firsthand the results of violence against women, it would be almost impossible to vote no on this bill. Will this stop all violence? No. But will it stop a lot of it? Yes; and it will also make possible for those who are caught in violence a chance for support, a chance for someplace to go, a chance to be protected from future attacks.

This is the kind of legislation that speaks to the conscience of our Nation. It speaks to the conscience of the Senate. It tells everybody, usually the most defenseless in our society, this body stands with you. I would urge our friends on the other side of the Capitol to move quickly with similar legislation. This is something we should not hold up. This is a way we can say: We oppose violence against women. We oppose it today. We oppose it tomorrow. We will oppose it forever.

MORNING BUSINESS

Mr. LEAHY. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SCHATZ). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, I ask unanimous consent to speak as in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CORDRAY NOMINATION

Mr. BROWN. Mr. President, I was concerned when I saw a number of my colleagues are again trying to block the appointment of Ohioan Richard Cordray to the consumer agency. That agency has already played a significant role in saving tens of millions of dollars for consumers who have been wronged in a checking account transaction, who have been nickel-and-dimed, and then some by bank fees.

Former Ohio Attorney General Cordray has done an excellent job as the Director of that consumer bureau. But what troubles me is this is only the second time in the history of the Senate, at least as far as the Senate Historian can figure, when a group of Senators from one party has blocked the nomination of a Presidential appointee because they do not like the agency, because they oppose the construct of the agency itself.

The first time that ever happened was just a couple of years ago with Richard Cordray in this position. The creation of the consumer bureau went through regular order. It was passed by the Senate Banking Committee, on which I sit. It was part of the Dodd-Frank Wall Street reform bill, and it went to the House of Representatives. It went to conference committee. All that happened was regular order to create this agency.

Many people didn't like the agency. I submit I agree with that. I understand that. I don't agree that it is not a good agency. They don't like the agency in large part because it stood up to Wall Street, and it stood up to some of the bank abuses that put us in this financial situation as a country with the damage it did to our economy.

Even with that, if you don't like the agency, as I said, never before in history except these two times—with the same appointment process, the same appointee, the same designee, the same nominee of the President—has this happened whereby my colleagues said: Even though he is qualified, we are not going to vote to confirm Richard Cordray because we don't like the agency. If you are not willing to change the agency, we are not willing to support a director.

Imagine the kind of precedent that sets where if you don't like an agency, you are never going to let the President confirm a leader of that agency—in any agency of the Federal Government. If you don't like food safety, then you are going to block the appointment. If you don't like transportation, something in the Transportation Department, you don't like something else, you are going to vote against somebody taking the job to run the agency.

Government can't run that way. The government will be dysfunctional if this precedent is set and is ongoing, in addition to the fact that Cordray is right for the job. Also, this agency is important for the middle class, for working-class people, and for low-income people who need these consumer protections.

It sets a very bad precedent for this body. I am hopeful some of my colleagues on the other side of the aisle will think clearly about this and move ahead on the nomination and confirmation process.

TRIBUTE TO DENNIS MEYERS

Mr. McCONNELL. Mr. President, I stand before you today to honor and recognize a man whose legacy of service to the community, both as a physician and a citizen, is completely deserving of such recognition. I am speaking of Mr. Dennis Meyers of Clay County, KY. The Clay County Days Hall of Fame has chosen to induct Mr. Meyers for his excellent leadership of Manchester Memorial Hospital over the past 12 years.

Mr. Meyers' record of service can be traced back to 1969, when he served as a pastor in the Nebraska and Illinois conferences. After close to two decades of pastoral service, he pursued an occupational change that allowed him to aid others in the field of recreational therapy. He continued to pursue opportunities in medicine, moving into a registered nurse position at Hanford Hospital in 1986. Mr. Meyers then accepted the role of vice president of nursing at San Joaquin Community Hospital in 1990 and continued success brought him to Manchester Memorial, where he eventually served as president and chief executive officer.

Dennis Meyers' involvement in and care for his community have been immeasurable, especially when one considers the many community outreach initiatives he fostered. He helped the community by initiating Mission in Motion, public health screenings, Live It UP, and mission outreach programs.

Mr. Meyers' family shares his devotion to helping others, as his wife Susan also works for the hospital and his three children hold nursing degrees. He has recently retired from his lead role at Manchester Memorial Hospital but plans to stay involved through outreach and church programs.

At this time, I would like to ask my fellow Senators to join me in honoring Mr. Dennis Meyers for his induction into the Clay County Days Hall of Fame. The Commonwealth of Kentucky is all the richer because of his tireless spirit and his willingness to work, heal, and serve.

I also ask unanimous consent that an article in praise of Mr. Meyers that appeared in the Bell County-area publication *The Manchester Enterprise* be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

[From the *Manchester Enterprise*, August 30, 2012]

DENNIS MEYERS LED MANCHESTER MEMORIAL TO GROWTH

Clay County Days Hall of Fame inductee Dennis Meyers retired from the lead role of Manchester Memorial Hospital recently after 12 years in the position.

Meyers began as a pastor in 1969 in Nebraska and Illinois. In 1980, his career took a dramatic shift when he began working as a recreational therapist at the Battle Creek Sanitarium. In 1986 he transitioned to Han-

ford Hospital, where he worked as a registered nurse.

Four years later, Meyers accepted a position as vice president of nursing at San Joaquin Community Hospital.

From there, he became chief operating officer and vice president of nursing at Manchester Memorial, and then president and chief executive officer.

Several community outreach initiatives began under Meyer's direction, including Mission in Motion, public health screenings, Live It UP, and mission outreach programs that enrich the community.

Meyers holds a bachelor of arts in religion, a bachelor of science in nursing, and a master of divinity from Andrews University.

He is married to Susan Meyers, who works for the hospital, and all three of his children hold nursing degrees.

Meyers plans to continue helping the community that the hospital serves through community outreach and church programs.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

RULES OF PROCEDURE

Mr. WYDEN. Mr. President, in accordance with rule XXVI, paragraph 2, of the Standing Rules of the Senate, I submit the rules governing the procedure of the Committee on Energy and Natural Resources for publication in the CONGRESSIONAL RECORD.

I ask unanimous consent that they be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES GENERAL RULES

Rule 1. The Standing Rules of the Senate, as supplemented by these rules, are adopted as the rules of the Committee and its Subcommittees.

MEETINGS OF THE COMMITTEE

Rule 2. (a) The Committee shall meet on the third Thursday of each month while the Congress is in session for the purpose of conducting business, unless, for the convenience of Members, the Chairman shall set some other day for a meeting. Additional meetings may be called by the Chairman as he may deem necessary.

(b) Hearings of any Subcommittee may be called by the Chairman of such Subcommittee, Provided, That no Subcommittee hearing other than a field hearing, shall be scheduled or held concurrently with a full Committee meeting or hearing, unless a majority of the Committee concurs in such concurrent hearing.

OPEN HEARINGS AND MEETINGS

Rule 3. (a) All hearings and business meetings of the Committee and all the hearings of any of its Subcommittees shall be open to the public unless the Committee or Subcommittee involved, by majority vote of all the Members of the Committee or such Subcommittee, orders the hearing or meeting to be closed in accordance with paragraph 5(b) of Rule XXVI of the Standing Rules of the Senate.

(b) A transcript shall be kept of each hearing of the Committee or any Subcommittee.

(c) A transcript shall be kept of each business meeting of the Committee unless a majority of all the Members of the Committee

agrees that some other form of permanent record is preferable.

HEARING PROCEDURE

Rule 4. (a) Public notice shall be given of the date, place, and subject matter of any hearing to be held by the Committee or any Subcommittee at least one week in advance of such hearing unless the Chairman of the full Committee or the Subcommittee involved determines that the hearing is non-controversial or that special circumstances require expedited procedures and a majority of all the Members of the Committee or the Subcommittee involved concurs. In no case shall a hearing be conducted with less than twenty-four hours notice. Any document or report that is the subject of a hearing shall be provided to every Member of the Committee or Subcommittee involved at least 72 hours before the hearing unless the Chairman and Ranking Member determine otherwise.

(b) Each witness who is to appear before the Committee or any Subcommittee shall file with the Committee or Subcommittee, at least 24 hours in advance of the hearing, a written statement of his or her testimony in as many copies as the Chairman of the Committee or Subcommittee prescribes.

(c) Each Member shall be limited to five minutes in the questioning of any witness until such time as all Members who so desire have had an opportunity to question the witness.

(d) The Chairman and Ranking Minority Member of the Committee or Subcommittee or the Ranking Majority and Minority Members present at the hearing may each appoint one Committee staff member to question each witness. Such staff member may question the witness only after all Members present have completed their questioning of the witness or at such other time as the Chairman and the Ranking Majority and Minority Members present may agree. No staff member may question a witness in the absence of a quorum for the taking of testimony.

BUSINESS MEETING AGENDA

Rule 5. (a) A legislative measure, nomination, or other matter shall be included on the agenda of the next following business meeting of the full Committee if a written request by a Member of the Committee for such inclusion has been filed with the Chairman of the Committee at least one week prior to such meeting. Nothing in this rule shall be construed to limit the authority of the Chairman of the Committee to include a legislative measure, nomination, or other matter on the Committee agenda in the absence of such request.

(b) The agenda for any business meeting of the Committee shall be provided to each Member and made available to the public at least three days prior to such meeting, and no new items may be added after the agenda is so published except by the approval of a majority of all the Members of the Committee on matters not included on the public agenda. The Staff Director shall promptly notify absent Members of any action taken by the Committee on matters not included on the published agenda.

QUORUMS

Rule 6. (a) Except as provided in subsections (b) and (c), eight Members shall constitute a quorum for the conduct of business of the Committee.

(b) No measure or matter shall be ordered reported from the Committee unless twelve Members of the Committee are actually present at the time such action is taken.

(c) One Member shall constitute a quorum for the purpose of conducting a hearing or taking testimony on any measure or matter before the Committee or any Subcommittee.

VOTING

Rule 7. (a) A rollcall of the Members shall be taken upon the request of any Member. Any Member who does not vote on any rollcall at the time the roll is called, may vote (in person or by proxy) on that rollcall at any later time during the same business meeting.

(b) Proxy voting shall be permitted on all matters, except that proxies may not be counted for the purpose of determining the presence of a quorum. Unless further limited, a proxy shall be exercised only upon the date for which it is given and upon the items published in the agenda for that date.

(c) Each Committee report shall set forth the vote on the motion to report the measure or matter involved. Unless the Committee directs otherwise, the report will not set out any votes on amendments offered during Committee consideration. Any Member who did not vote on any rollcall shall have the opportunity to have his position recorded in the appropriate Committee record or Committee report.

(d) The Committee vote to report a measure to the Senate shall also authorize the staff of the Committee to make necessary technical and clerical corrections in the measure.

SUBCOMMITTEES

Rule 8. (a) The number of Members assigned to each Subcommittee and the division between Majority and Minority Members shall be fixed by the Chairman in consultation with the Ranking Minority Member.

(b) Assignment of Members to Subcommittees shall, insofar as possible, reflect the preferences of the Members. No Member will receive assignment to a second Subcommittee until, in order of seniority, all Members of the Committee have chosen assignments to one Subcommittee, and no Member shall receive assignment to a third Subcommittee until, in order of seniority, all Members have chosen assignments to two Subcommittees.

(c) Any Member of the Committee may sit with any Subcommittee during its hearings but shall not have the authority to vote on any matters before the Subcommittee unless he is a Member of such Subcommittee.

NOMINATIONS

Rule 9. At any hearing to confirm a Presidential nomination, the testimony of the nominee and, at the request of any Member, any other witness shall be under oath. Every nominee shall submit the financial disclosure report filed pursuant to title I of the Ethics in Government Act of 1978. Such report shall be made available to the public pursuant to the provisions of that Act or other applicable law.

INVESTIGATIONS

Rule 10. (a) Neither the Committee nor any of its Subcommittees may undertake an investigation unless specifically authorized by the Chairman and the Ranking Minority Member or a majority of all the Members of the Committee.

(b) A witness called to testify in an investigation shall be informed of the matter or matters under investigation, given a copy of these rules, given the opportunity to make a brief and relevant oral statement before or after questioning, and be permitted to have counsel of his or her choosing present during

his or her testimony at any public or closed hearing, or at any unsworn interview, to advise the witness of his or her legal rights.

(c) For purposes of this rule, the terms "investigation" shall not include a review or study undertaken pursuant to paragraph 8 of Rule XXVI of the Standing Rules of the Senate or an initial review of any allegation of wrongdoing intended to determine whether there is substantial credible evidence that would warrant an investigation.

SWORN TESTIMONY

Rule 11. Witnesses in Committee or Subcommittee hearings may be required to give testimony under oath whenever the Chairman or Ranking Minority Member of the Committee or Subcommittee deems such to be necessary. If one or more witnesses at a hearing are required to testify under oath, all witnesses at such hearing shall be required to testify under oath.

SUBPOENAS

Rule 12. The Chairman shall have authority to issue subpoenas for the attendance of witnesses or the production of memoranda, documents, records, or other materials (1) with the agreement of the Ranking Minority Member, (2) when authorized by a majority of all the Members of the Committee, or (3) when within the scope of an investigation authorized under Rule 10(a).

CONFIDENTIAL TESTIMONY

Rule 13. No confidential testimony taken by or any report of the proceedings of a closed Committee or Subcommittee meeting shall be made public, in whole or in part or by way of summary, unless authorized by a majority of all the Members of the Committee at a business meeting called for the purpose of making such a determination.

DEFAMATORY STATEMENTS

Rule 14. Any person whose name is mentioned or who is specifically identified in, or who believes that testimony or other evidence presented at, an open Committee or Subcommittee hearing tends to defame him or otherwise adversely affect his reputation may file with the Committee for its consideration and action a sworn statement of facts relevant to such testimony or evidence.

BROADCASTING OF HEARINGS OR MEETINGS

Rule 15. Any meeting or hearing by the Committee or any Subcommittee which is open to the public may be covered in whole or in part by television broadcast, radio broadcast, or still photography. Photographers and reporters using mechanical recording, filming, or broadcasting devices shall position their equipment so as not to interfere with the seating, vision, and hearing of Members and staff on the dais or with the orderly process of the meeting or hearing.

AMENDING THE RULES

Rule 16. These rules may be amended only by vote of a majority of all the Members of the Committee in a business meeting of the Committee: Provided, That no vote may be taken on any proposed amendment unless such amendment is reproduced in full in the Committee agenda for such meeting at least three days in advance of such meeting.

TRIBUTE TO SANDY SHEEHY

Mr. PORTMAN. Mr. President, today I wish to recognize Mrs. Sandy Sheehy of Oregon, OH upon her retirement from the Rossford Public Library after 40 years of public service as a children's librarian.

Mrs. Sheehy was raised in Ida, MI and received her master's degree at Western Michigan University. Shortly after graduating, she began working at the Oregon Branch Library, a branch location of the Toledo-Lucas County Public Library system. Mrs. Sheehy worked for the Toledo-Lucas County Public Library for her first 10 years of service as the children's librarian and then spent the next 30 years as the children's librarian at the Rossford Public Library, where she helped plan and operate children's programs. In addition, she was responsible for purchasing children's books and multimedia collections as well as purchasing other services for the library.

Over the years, Mrs. Sheehy discovered and developed many trends at the library that sparked excitement and interest in children and their parents. Her dedication to her profession is shown by the respect she has earned from her coworkers and from the Rossford community.

Throughout her career, Sandy Sheehy has made many contributions through her civic involvement throughout the Toledo, OH area. Upon her retirement, Mrs. Sheehy plans to spend time with her family and friends and travel with her husband, Mike Sheehy.

I would like to congratulate Mrs. Sandy Sheehy of Oregon, OH on her 40 years of service to the children of Northwest Ohio and recognize her for developing a positive atmosphere of learning for the many children and families she has assisted and inspired during her career.

TRIBUTE TO BISHOP PAUL A. BOWERS

Mr. PORTMAN. Mr. President, today I wish to recognize Bishop Paul Alexander Bowers, who has served as the presiding Bishop of Greater Emanuel Apostolic Temple since 1957. Bishop Bowers celebrated his 55th pastoral anniversary on February 1, 2013, in my hometown of Cincinnati, OH.

Bishop Bowers was born and raised in Oxford, PA. After his high school graduation he moved to Columbus, OH, where he attended Aeon Bible College. He graduated in 1951 with a bachelor of theology and later received a bachelor of science from the University of Cincinnati in 1964. Bowers also taught in the Cincinnati public school system for 5 years and retired in 1968 before dedicating his life to ministry.

Bishop Bowers served as chairman of the Ohio District Council of the Pentecostal Assemblies of the World, Inc., PAW, from 1976 to 1992. During his tenure, he built a 100-bed nursing home, a 1,200 seat worship center with a fully-equipped cafeteria which seats 500 people, and a dormitory that has the capacity to house over 100 people at the ODC Campground in Zanesville, OH.

Bishop Bowers also served as the diocesan of the Carolina State Council, assistant general secretary, general secretary, and assistant presiding Bishop of PAW. In 1992, he was promoted to the Office of the Presiding Bishop, where he served for 6 years. While in this position, Bishop Bowers was responsible for leading a \$2.2 million project to renovate PAW's international headquarters located in Indianapolis, IN.

Today, Bishop Bowers serves as the diocesan bishop of the Ohio District Council, where he has had the opportunity to further develop the campground in Zanesville, OH.

Bishop Bowers has made many contributions through his civic involvement throughout the southwestern region of Ohio, but I would like to highlight his outreach in prison ministries and his recent partnership with reentry organizations in Cincinnati, OH.

In August 2011, Bishop Bowers graciously opened the doors of Greater Emanuel Apostolic Temple to host my first reentry summit, following my election to the U.S. Senate. While there, I was greeted by many kind faces and witnessed people come in from off the street to take a moment to pray in the beautiful sanctuary.

Over the years, I have spoken many times about the importance of reducing recidivism in our communities and the need for faith-based leaders to continue their engagement with those reentering society from jails and prisons. I first got involved with prisoner reentry issues through my work on drug prevention and treatment more than 10 years ago, when I came to understand the close connection between substance abuse and recidivism, considering three quarters of those returning from prison have a history of substance abuse.

Faith-based groups are the first line of defense, as well as service, to vulnerable and high-risk populations. Faith leaders can use their influence as an opportunity to direct those in need to proper programming, and I commend the Greater Emanuel congregation for playing an active role in the community and continuing their work to reduce recidivism and change the lives of those in need. Houses of worship serve as beacons of hope to guide the lost and help restore their lives, which is why I believe the ecumenical community can play an important role as a partner in recidivism reduction.

Mr. President, I would like to congratulate Bishop Bowers on his 55th anniversary of pastoral service and recognize him for his continued work on recidivism reduction.

ADDITIONAL STATEMENTS

ALASKA MARINE HIGHWAY SYSTEM

• Mr. BEGICH. Mr. President, today I wish to honor the 50th anniversary of

the Alaska Marine Highway System. Alaskans celebrate this critical and necessary water transportation system which links rural and urban hub communities along the coast of our vast State. Unlike the lower 48, many of our communities are not accessible by road, so in many areas the primary means of travel is by air or sea. Therefore, the Alaska Marine Highway makes up a large part of our highway system and is a route so special it has been designated a National Scenic Byway and an All American Road, the only marine route in the United States with this designation.

My family and I share special memories of taking the ferries to many communities throughout Alaska. The Marine Highway was even part of our trip here to Washington for my first year in the Senate. A ferry ride brings Alaskans together while on their way to visit family, play in basketball tournaments, or bring new cars and boats home from the lower 48.

Although the 50-year anniversary commemorates the formal establishment of the Alaska Division of Marine Transportation in 1963, the Alaska Marine Highway System was begun in 1948, initiated by three men with a dream to provide dependable marine transportation among Alaska's coastal communities. Haines resident Steve Homer joined forces with brothers Ray and Gustav Gelotte to purchase the M/V Chilkoot and set up Chilkoot Motorship Lines. The vessel, formerly a U.S. Navy landing craft, required work to remove its military features and ensure it could pass U.S. Coast Guard inspection, but within a few months of its purchase, it was deemed ready for service as a civilian passenger vessel. The M/V Chilkoot could carry a maximum of only 14 cars and by all accounts had "poor accommodations" due to retaining many of its original Navy features. No matter the M/V Chilkoot ferried its first two cars from Haines to Juneau in August of 1948.

As fate would have it, one of those cars belonged to Ernest Gruening, then the Territorial Governor of Alaska. Governor Gruening became an ardent supporter of the new transportation system and with two other commissioners from the Board of Roads authorized the construction of ferry ramps in Juneau, Haines, and Skagway. Thus, service to these three small southeast communities was born.

In 1988 Steve Homer wrote a letter about his experience starting the Alaska Marine Highway System. In that letter he wrote that his initial idea of bringing a landing craft to Southeast Alaska was spawned in 1944 when he commanded such a craft in World War II. He said he signed partnership papers to form Chilkoot Motorship Lines in 1949 and that the total required equity capital was \$9,177 in 1948 dollars. A few

years later the business ran into financial difficulties, and the Alaska Territorial Government offered to purchase it. Ownership transferred to the territory in 1951.

By 1957 the M/V Chilkoot was too small to meet demand and was replaced by the M/V Chilkat. The M/V Chilkat could carry 59 passengers and 15 vehicles. It began daily service between Juneau, Haines, and Skagway in April of that year.

Two years later, on January 3, 1959, Alaska became the 49th State and the M/V Chilkat became the first State-owned ferry. That same year, the First Alaska Legislature approved the Alaska Ferry Transportation Act, and voters approved bond issues totaling \$18 million to expand the ferry fleet. These bonds enabled the State to commission four new vessels and build docks throughout southeast Alaska and the Kenai Peninsula. In 1963, with the establishment of the Division of Marine Transportation, the Alaska Marine Highway System was officially launched.

Over the past 50 years the Alaska Marine Highway has grown to include 11 vessels which serve 35 communities. From the southern terminus in Bellingham, WA, the system stretches more than 3,500 miles to Dutch Harbor, AK. It makes port calls in Prince Rupert, BC, and throughout Alaska's Inside Passage. It travels across the Gulf of Alaska to Prince William Sound and along the Aleutian Chain, all to carry the Nation's commerce to distant destinations and Alaska's passengers to home ports. Through this scenic highway, Alaskans share their incredible natural beauty with visitors from around the world and connect with each other through a transportation system which has served safely and reliably for 50 years.

Thank you for allowing me to celebrate this milestone 50th anniversary of the unique Alaska treasure known as the Alaska Marine Highway System.●

OBSERVING ELIZABETH PERATROVICH DAY

● Mr. BEGICH. Mr. President, every year on February 16, Alaskans take time to remember and celebrate Elizabeth Peratrovich, a Tlingit woman who demonstrated courage in her convictions—a courage which changed the course of civil rights treatment for Alaska Natives.

Almost 25 years ago, the Alaska State Legislature designated this date as Elizabeth Peratrovich Day to commemorate the signing of the Alaska Anti-Discrimination Act of 1945 and to honor Ms. Peratrovich.

Elizabeth Wanamaker was born on July 4, 1911. Her family traveled extensively on missionary trips throughout southeast Alaska, providing Elizabeth

with broad educational experiences and connecting her with people throughout the region—an extraordinary opportunity for a Native girl of that era.

After leaving the State to attend Western College in Bellingham, WA, she returned to Alaska with her new husband, Roy Peratrovich, who was half Tlingit, to work in the canneries in Klawock. Both were educated and interested in Native issues, and Roy joined the Alaska Native Brotherhood, ANB, and Elizabeth joined the Alaska Native Sisterhood, ANS. Both ANB and ANS were working to gain land claims and civil rights for Alaska's Native people. Their interests turned to activism, and Elizabeth and Roy began to get more involved in their community. Roy was elected as mayor of Klawock.

Eventually, the couple decided to move to Alaska's territorial capital, Juneau, in search of more opportunities and a better education for their children. Their dreams quickly dissolved when they discovered Natives were not welcome in many places in Juneau. There were signs reading "No dogs, No Natives or Filipinos" and others that simply said "No Natives Allowed." They found separate drinking fountains and separate entryways in public buildings for non-Whites. They learned they could only purchase property in Native neighborhoods, could only be seated in a segregated portion of the local theater, and could only send their children to missionary schools—not the public schools for which they paid a school tax.

In 1941, Elizabeth and Roy wrote a joint letter to Territorial Governor Ernest Gruening about their concerns. Many legislators were entrenched with the idea that Alaska Natives were second class citizens and despite the fact they paid taxes and bore arms in defense of the Nation, they were not endowed with the same rights as others.

However, 1945 brought some hope. Antidiscrimination legislation had passed the Alaska State House but was stalled in the Senate. One senator made a speech stating that Natives had only recently emerged from savagery and they were not fit for society. He argued they had not had the experience of 5,000 years of civilization.

With great courage and composure, Elizabeth Peratrovich stood during public testimony and confronted the senator who had just belittled her and her people. Not only was she a Native addressing the mostly White senate, she was also the first woman ever to address the body.

Elizabeth Peratrovich opened her testimony with, "I would not have expected that I, who am barely out of savagery, would have to remind gentlemen with five thousand years of recorded civilization behind them of our Bill of Rights."

The senate gallery and floor exploded in applause. The opposition that had

been so absolute and emphatic shrank to a mere whisper.

On February 8, 1945, a bill to end discrimination in Alaska passed the senate by a vote of 11 to 5. The bill was signed into law on February 16—the day we celebrate Elizabeth Peratrovich Day.

Elizabeth Peratrovich was instrumental in making Alaska the first organized government under the U.S. flag to condemn discrimination. Today in Alaska, we celebrate Elizabeth Peratrovich Day and affirm our beliefs in equality.

Thank you for allowing me to embrace the memory of one woman who fought for equality for all, Alaskan Elizabeth Peratrovich.●

REMEMBERING KEVIN TONN

● Mrs. BOXER. Mr. President, I ask my colleagues to join me in honoring the life of Kevin Tonn, a loving son, devoted friend, and respected law enforcement official. Officer Tonn lost his life serving the Galt Police Department on January 15, 2013. He was 35 years old.

Kevin Tonn was raised in the Sacramento region. He graduated from Roseville High School and the Roseville Police Explorers program before serving in the U.S. Army as a military police officer at Fort Drum and later as a firefighter in New York. In January 2009, he returned home to California and graduated from the Sacramento County Sheriff's Academy.

For the past 3½ years, Officer Kevin Tonn was a member of the Galt Police Department, where he was known for his hard work, sense of humor, and dedication to the community and its people. In his short time with the department, he was promoted to the K-9 unit, where he proudly served with his devoted German Shepherd partner, Yaro.

Officer Kevin Tonn, like all those who serve in law enforcement, put his life on the line to protect and serve his community. His commitment to public safety and to the citizens he served will never be forgotten.

On behalf of the people of California, whom he served so well, I send my gratitude and deep sympathy to his friends and family, including his beloved parents Will and Mary Ann Tonn. We are forever indebted to Officer Tonn for his courage, service, and sacrifice.●

HONORING GORDON H. MANSFIELD

● Mr. BURR. Mr. President, on behalf of Senator SANDERS and myself, as the ranking member and chairman of the Committee on Veterans' Affairs, I wish to pay tribute to Gordon H. Mansfield, a great American hero, a distinguished public servant, and a boundless advocate and friend of veterans, who died on January 29, 2013, concluding a life of exceptional service to America.

On February 4, 1968, Gordon, then a young Army captain, was leading troops in battle in Quang Tri province, Vietnam, during the Tet Offensive when he was shot twice in the spine by the enemy.

Without the use of his legs, he made sure all his men were safe and all other wounded troops were evacuated before he allowed himself to be medevac'd. Gordon received the Distinguished Service Cross for his actions on that day—a day that marked a new beginning, not an end, to his service to our Nation.

The wounds Gordon suffered required him to use a wheelchair for mobility for the remainder of his life, but after 5 years of rehabilitation and thanks to his amazing determination, he graduated from law school and started a new chapter in his life.

In 1981, he joined the staff of the Paralyzed Veterans of America, and he later became its executive director. His passion for public service led him to become the Assistant Secretary for Fair Housing and Equal Opportunity at the Department of Housing and Urban Development. And in 2001, he joined the Department of Veterans Affairs, VA, first as Assistant Secretary for Congressional and Legislative Affairs, then as Deputy Secretary, and briefly, in 2007, as Acting Secretary.

At VA, Gordon brought his unique perspective on the needs of paralyzed veterans to the day-to-day management of the Department. He spoke out regularly on the need to improve access for paralyzed veterans to VA services; to ensure that disabled veterans were properly compensated for their services; and to provide opportunity for every paralyzed veteran to live a full, barrier-free, and productive life.

In 2009, Gordon retired from VA, but he did not conclude his service to veterans and their families. He became a member of the board of directors of the Wounded Warrior Project, serving a new generation of veterans from Iraq and Afghanistan. He also joined the board of directors of the Disabled Veterans' Life Memorial Foundation.

Gordon's lifetime contributions to our country and its citizens were well recognized. In addition to the Distinguished Service Cross, his military decorations included the Bronze Star, two Purple Hearts, the Combat Infantry Badge, and the Presidential Unit Citation. He was inducted into the Army Ranger Hall of Fame in 2007 and the U.S. Army Officer Candidate School Hall of Fame in 1997.

He received the Department of Defense Medal for Distinguished Public Service, the Presidential Distinguished Service Award, the Robert Dole Service to Our Nation Award, the Disabled American Veterans Outstanding Disabled Veteran of the Year Award, and the Paralyzed Veterans of America Outstanding Service to Veterans Award.

We offer his wife Linda; his children, Gordon and Leon; and his entire family our deepest condolences. They, and all Americans, have lost a remarkable leader, a courageous hero, and a role model to all individuals with disabilities. He will be sorely missed.●

VERMONT ESSAY WINNERS

● Mr. SANDERS. Mr. President, I ask to have printed in the RECORD winning essays written by Vermont High School students as part of the Third Annual "What is the State of the Union?" Essay contest conducted by my office.

The essays follow.

CAROLINE BRAUN, CHAMPLAIN VALLEY UNION HIGH SCHOOL (WINNER)

There is no simple cure for the abundant issues plaguing our nation. Not only are we recovering from a recession, but we also are confronting challenges related to climate change, healthcare, and education. While our efforts to address these issues are noble, our failure to solve them reflects a more concerning societal problem.

On December 14, 2012, twenty children and six faculty members were fatally shot in Sandy Hook Elementary School in Newtown, Connecticut. Not only did this devastating tragedy leave close friends, family, and the local community in shock, but also the nation. Though it is remarkable that our country embraced the friends and families of those killed, we only seem to value such a strong sense of community after a crisis. The dramatic increase in violence in the past decade raises new questions about our current societal values and priorities: have we forgotten what's truly important in this new age? While we enjoy the many luxuries that accompany technology and contemporary life, has the lure of modern convenience eclipsed our fundamental human need to take care of and support each other, our families, and our communities?

Perhaps it is time we recalibrate who we are and who we want to be as a country so that the fundamental values on which our country was founded can once again flourish. How can one pursue happiness without access to basic healthcare, food, or the ability to spend time with the ones we love? Certainly when our forefathers declared our right to bear arms, their intent was not for corporations and special interest groups to profit from its citizens being armed with assault weapons intended for war. Instead of unbridled greed and big business dominating our economy, it is imperative we support small businesses so they can thrive once again. Environmentally, we have yet to replace our dependence on oil with renewable energy resources and reduce our effects on climate change. And while we all agree educating our children is a requisite investment in our future, teachers continue to earn, on average, 12 percent less than other workers with similar education and work experience.

As a world leader and role model for democracy and peace, we need initiatives that not only connect people and communities, but also ones that will act as catalysts for change. Increasing awareness of issues related to social justice will spark larger movements for societal change; whether it is reducing community violence, practicing business ethics, implementing renewable energy sources, advocating for mental health

care, or investing in our teachers and schools. Instead of businesses and special interest groups being the sole influence on policies and the direction of our country, now is the time, once again, for all citizens to be heard, cared for, and respected. Although as a nation we have made and continue to make advances that were inconceivable just a century ago, our penchant for the new shouldn't trump our commitment to older values and fundamental human rights.

EMILY ELLSWORTH, COLCHESTER HIGH SCHOOL (2ND PLACE)

Social mobility is essential to the development of the American character. The ability to overcome class distinctions and succeed economically through hard work equates to opportunity. Yet current U.S. taxation policies are harming the middle-class and widening the gaps of income inequality, thus narrowing the window of opportunity for Americans. Federally enforced legislation such as the Bush Tax Cuts and the income tax on capital gains provide a disproportionate amount of benefits to the wealthiest Americans. This leaves a majority of citizens possessing less means to increase their income, obtain education for higher paying occupations and provisions for the next generation.

It is necessary to consider the purchasing function and the insurance function of wealth. The quality of a child's education and neighborhood is dependent upon the volume of wealth the parent has access to. Children also receive a very different set of choices and opportunities upon entering the adult world depending on their family's economic status. To combat the further detriment to future generations, taxes must be raised in areas which will inflict minimal harm, and produce the most beneficial results. America is experiencing the largest disproportion of wealth since 1928, and current taxation policy not only aids in widening the income gap, but harms the accumulation of government tax revenue.

The sale of stocks and bonds are called "capital gains." Until the 1990's, the capital gains tax was at 28%. Today its current level is 15% which enables less revenue gained from any individuals whose main source of income comes from stocks and bonds, such as wealthy businessmen. In 2006, for instance, Warren Buffett paid 17.7 percent in taxes on the \$46 million he booked that year, while his secretary paid 30 percent of her \$60,000 salary to the government. Simple practices such as restoring tax rates to past levels are essential to the aid of our country's recovery and to improve the state of the Union.

GENA CHIOLA, MOUNT ABRAHAM UNION HIGH SCHOOL (3RD PLACE)

Today, we face problems concerning the environment, war and conflict, as well as lack of resources. In these times, more than ever before, the solution to these problems lies in global communication. If we put our heads together, and help each other, we can create a plan to reduce climate change. If we increase our efforts to work out conflicts between countries, through effective communication, less people will lose their lives through unnecessary wars. Sharing of resources can occur when we effectively communicate between countries, which will reduce poverty worldwide. All it takes is effective global communication to resolve global issues.

One major global problem is conflict between nations. There will always be conflicts between people, it is part of being human,

but how we deal with these conflicts is what makes the difference. Today, approximately 60 countries are involved in a war. Millions of people die each year from these conflicts. This fighting and killing is indeed a form of communication, but it is not effective in solving world problems. We accomplish nothing by killing people. We need to stop thinking of ourselves as being separated by national boundaries and focus on how to break down these walls. By communicating and working towards the same common goal, we will improve the planet. If we think globally, we will have more of a chance of communicating globally, and resolving conflicts through peaceful means, rather than war.

Enter Climate Change conundrum. Climate Change is the increased temperature of the atmosphere due to human carbon emissions. Our use of gasoline to run cars, and oil to heat our homes contributes to the heating of the climate. We are slowly destroying our environment, and creating an increasingly dangerous habitat for all living thing. It is no question that this is a dangerous issue that needs addressing. And in order to address it, we must work together. Bill McKibben, of Vermont, helps us do this. He organized 350.org, which is a global campaign to solve climate change. The mission of 350.org is "building a global grassroots movement to solve the climate crisis." He organizes global rallies and projects to bring the world together in the face of this crisis. He helps us communicate as a world to get the job done, since it can be done no other way.

Earth's lack of resources needs to be addressed and solved through global communication. 25,000 people die from hunger every day. Other poverty induced diseases, like AIDS, cause millions of deaths worldwide. However, by globally communicating, we can reduce poverty. Global communication can help us redistribute the resources. Some places are brimming over with resources, such as fresh food, water, and technology while others suffer. The U.S.A. has an abundance of resources. If we use global communication to be at peace with one another, we can share what we have, so that less people suffer. If the United States were to share resources with poverty stricken countries of Africa, people in Africa would have happier lives, while people in the United States would still have enough to live comfortably. This can all be achieved through effective global communication.

Global communication is the answer. If we all put our hearts and heads together, and forget our differences, we can change the world for the better, which is always the ultimate goal. Whether it's to prevent wars, bring the temperature of the atmosphere down, or to redistribute resources, it's undebatable that communication is what we need. Let us come together, and work together and never forget the importance of global communication.

BIBLIOGRAPHY

McKibben, B. 350.org. January, 2013, <http://www.350.org/en/mission>

Poverty.com. January, 2013, <http://poverty.com/>

Wars in the World, January 2013, <http://www.warsintheworld.com/?page=static1258254223>

Statistic Brain, World Poverty Statistics. January, 2013 <http://www.statisticbrain.com/worldpoverty-statistics/>

Henson, Robert. The Rough Guide to Climate Change: page 1-10. New York, USA: Rough Guides Ltd, September 2006.●

TRIBUTE TO JIM WILLIS

● Mr. WYDEN. Mr. President, on March 1, 2013, one of Oregon's most dedicated leaders will retire. I want to take a few minutes to pay tribute to a public servant and one of Oregon's foremost advocates for veterans, Jim Willis.

Jim has worked selflessly to better the State and the nation. For 48 years, he has been helping others, from his two enlistments in the U.S. Air Force, including a tour of wartime service in South Vietnam, to a career with the Oregon State Police, to his time with the American Legion, and finally his leadership at the Oregon Department of Veterans Affairs, ODVA.

After his service in Vietnam, Jim knew what it felt like to return home to a country where veterans were not always welcomed and at times forgotten. He understood the words of George Washington when he said, "The willingness with which our young people are likely to serve in any war, no matter how justified, is directly proportional to how they perceive the veterans of earlier wars were treated and appreciated by their nation."

This is why Jim championed funding for the Oregon Veterans' Home, pressed for veteran health care funding under the Federal VA system, increased financing limits on veterans' home loans, supported the construction of the Oregon Medal of Honor Memorial and Afghan-Iraqi Freedom Memorial, and initiated the construction of a second veterans home in Lebanon, Oregon.

I cannot say enough about the distinguished efforts Jim has made over the last 23 years at ODVA on behalf of servicemembers and their families. With his direction, our heroes knew there were trained service officers in their county ready to assist them with benefits, home loans, and countless other issues. The trained professionals and the team he built at ODVA were always willing to help a veteran in a time of need. As President of the National Association of State Directors of Veterans Affairs, Jim coordinated these efforts nationally to assure veterans received what they worked so hard for.

I am grateful to have had Jim as a partner in several endeavors at the Federal level, including the effort to put a halt to pension poachers who were stealing money and benefits from veterans under the guise of veterans' assistance.

Even in retirement, Jim will continue to find ways to give back to the community. He will continue to serve on the American Legion National Cemetery Committee, on the Veteran of Foreign Wars National Resolutions Committee, and as Vice President of the Oregon World War II Memorial Foundation.

I could not be prouder of Jim and his life's work. He embodies the best of Or-

egon and the best of a grateful nation. As our servicemembers continue to come home and reintegrate into society, I am confident the benefits and services they have earned will be available to them because of Jim and people like him. His dedication to veterans will continue to have a lasting impact on ODVA for years to come.

Mr. President, I know Senator MERKLEY will be speaking after me to express his gratitude for Jim's many years of hard work. I'm proud to join my fellow Oregonians in recognizing the great service of Jim Willis and wishing him the best as he begins this new chapter in his life.●

● Mr. MERKLEY. Mr. President, I rise today to echo what my colleague Senator WYDEN said in recognition of Jim Willis, a native Oregonian and one of Oregon's greatest champions for veterans and their families.

As an airman during the Vietnam War, and as an officer for the Oregon State Police, Jim has dedicated his life to serving and protecting the citizens of the United States and the State of Oregon.

Jim saw his work as fulfilling a sacred obligation: we all have the responsibility to honor and care for our veterans. For the past decade, under Jim's leadership, the Oregon Department of Veterans' Affairs, ODVA, has stayed true to its mission and recognized and honored Oregon's veterans and their families by providing the highest quality programs, services and benefits.

Jim's dedication to providing quality programs and resources to all veterans and their families has lead ODVA—a relatively small agency—to accomplish a lot during his service. His decision to retire comes on the heels of some major accomplishments over the last few years, including beginning construction of a new veterans' home and the completion of a community center, both to serve Oregon's elderly veterans. Jim's legacy will be the impact that these projects will have on the lives of Oregon's veterans and their families.

With his service to the American Legion National Cemetery Committee and Veterans of Foreign Wars, and his current tenure as President of the National Association of State Directors of Veterans Affairs, Jim works from a national platform to promote and advocate for veterans benefits. For Jim, every day is Veterans Day.

It has been a pleasure to work with Jim, both as a member of the Oregon State Legislature and as a U.S. Senator.

Jim will be retiring to his home in Albany, where he will spend time with his family. He plans to "continue to be concerned for my fellow veterans as long as I am able to assist in serving them in the future," and in that regard will continue to be active in the American Legion, the Veterans of Foreign

Wars and with the committee overseeing Oregon's World War II Memorial, currently under construction on the grounds of the Oregon Capitol.

Oregon is proud of and grateful for all of the hard work and leadership displayed by Jim Willis over his long and decorated career. I am especially proud of his many achievements and I thank him for his many years of outstanding public service. We wish him a happy and healthy retirement, and thank him for his continued dedication to Oregon's veterans.●

REPORT ON THE STATE OF THE UNION DELIVERED TO A JOINT SESSION OF CONGRESS ON FEBRUARY 12, 2013—PM 2

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States which was ordered to lie on the table:

To The Congress of the United States:

Mr. Speaker, Mr. Vice President, Members of Congress, fellow citizens:

Fifty-one years ago, John F. Kennedy declared to this Chamber that "the Constitution makes us not rivals for power but partners for progress. . . It is my task," he said, "to report the State of the Union—to improve it is the task of us all."

Tonight, thanks to the grit and determination of the American people, there is much progress to report. After a decade of grinding war, our brave men and women in uniform are coming home. After years of grueling recession, our businesses have created over six million new jobs. We buy more American cars than we have in five years, and less foreign oil than we have in twenty. Our housing market is healing, our stock market is rebounding, and consumers, patients, and homeowners enjoy stronger protections than ever before.

Together, we have cleared away the rubble of crisis, and can say with renewed confidence that the State of our Union is stronger.

But we gather here knowing that there are millions of Americans whose hard work and dedication have not yet been rewarded. Our economy is adding jobs—but too many people still can't find full-time employment. Corporate profits have rocketed to all-time highs—but for more than a decade, wages and incomes have barely budged.

It is our generation's task, then, to reignite the true engine of America's economic growth—a rising, thriving middle class.

It is our unfinished task to restore the basic bargain that built this country—the idea that if you work hard and meet your responsibilities, you can get ahead, no matter where you come from, what you look like, or who you love.

It is our unfinished task to make sure that this Government works on behalf of the many, and not just the few; that it encourages free enterprise, rewards individual initiative, and opens the doors of opportunity to every child across this great Nation.

The American people don't expect Government to solve every problem. They don't expect those of us in this chamber to agree on every issue. But they do expect us to put the Nation's interests before party. They do expect us to forge reasonable compromise where we can. For they know that America moves forward only when we do so together; and that the responsibility of improving this Union remains the task of us all.

Our work must begin by making some basic decisions about our budget—decisions that will have a huge impact on the strength of our recovery.

Over the last few years, both parties have worked together to reduce the deficit by more than \$2.5 trillion—mostly through spending cuts, but also by raising tax rates on the wealthiest 1 percent of Americans. As a result, we are more than halfway towards the goal of \$4 trillion in deficit reduction that economists say we need to stabilize our finances.

Now we need to finish the job. And the question is, how?

In 2011, Congress passed a law saying that if both parties couldn't agree on a plan to reach our deficit goal, about a trillion dollars' worth of budget cuts would automatically go into effect this year. These sudden, harsh, arbitrary cuts would jeopardize our military readiness. They'd devastate priorities like education, energy, and medical research. They would certainly slow our recovery, and cost us hundreds of thousands of jobs. That's why Democrats, Republicans, business leaders, and economists have already said that these cuts, known here in Washington as "the sequester," are a really bad idea.

Now, some in this Congress have proposed preventing only the defense cuts by making even bigger cuts to things like education and job training; Medicare and Social Security benefits.

That idea is even worse. Yes, the biggest driver of our long-term debt is the rising cost of health care for an aging population. And those of us who care deeply about programs like Medicare must embrace the need for modest reforms—otherwise, our retirement programs will crowd out the investments we need for our children, and jeopardize the promise of a secure retirement for future generations.

But we can't ask senior citizens and working families to shoulder the entire burden of deficit reduction while asking nothing more from the wealthiest and most powerful. We won't grow the middle class simply by shifting the cost of health care or college onto fam-

ilies that are already struggling, or by forcing communities to lay off more teachers, cops, and firefighters. Most Americans—Democrats, Republicans, and Independents—understand that we can't just cut our way to prosperity. They know that broad-based economic growth requires a balanced approach to deficit reduction, with spending cuts and revenue, and with everybody doing their fair share. And that's the approach I offer tonight.

On Medicare, I'm prepared to enact reforms that will achieve the same amount of health care savings by the beginning of the next decade as the reforms proposed by the bipartisan Simpson-Bowles commission. Already, the Affordable Care Act is helping to slow the growth of health care costs. The reforms I'm proposing go even further. We'll reduce taxpayer subsidies to prescription drug companies and ask more from the wealthiest seniors. We'll bring down costs by changing the way our Government pays for Medicare, because our medical bills shouldn't be based on the number of tests ordered or days spent in the hospital—they should be based on the quality of care that our seniors receive. And I am open to additional reforms from both parties, so long as they don't violate the guarantee of a secure retirement. Our Government shouldn't make promises we can't keep—but we must keep the promises we've already made.

To hit the rest of our deficit reduction target, we should do what leaders in both parties have already suggested, and save hundreds of billions of dollars by getting rid of tax loopholes and deductions for the well-off and well-connected. After all, why would we choose to make deeper cuts to education and Medicare just to protect special interest tax breaks? How is that fair? How does that promote growth?

Now is our best chance for bipartisan, comprehensive tax reform that encourages job creation and helps bring down the deficit. The American people deserve a tax code that helps small businesses spend less time filling out complicated forms, and more time expanding and hiring; a tax code that ensures billionaires with high-powered accountants can't pay a lower rate than their hard-working secretaries; a tax code that lowers incentives to move jobs overseas, and lowers tax rates for businesses and manufacturers that create jobs right here in America. That's what tax reform can deliver. That's what we can do together.

I realize that tax reform and entitlement reform won't be easy. The politics will be hard for both sides. None of us will get 100 percent of what we want. But the alternative will cost us jobs, hurt our economy, and visit hardship on millions of hardworking Americans. So let's set party interests aside, and work to pass a budget that replaces reckless cuts with smart savings and

wise investments in our future. And let's do it without the brinksmanship that stresses consumers and scares off investors. The greatest Nation on Earth cannot keep conducting its business by drifting from one manufactured crisis to the next. Let's agree, right here, right now, to keep the people's Government open, pay our bills on time, and always uphold the full faith and credit of the United States of America. The American people have worked too hard, for too long, rebuilding from one crisis to see their elected officials cause another.

Now, most of us agree that a plan to reduce the deficit must be part of our agenda. But let's be clear: deficit reduction alone is not an economic plan. A growing economy that creates good, middle-class jobs—that must be the North Star that guides our efforts. Every day, we should ask ourselves three questions as a Nation: How do we attract more jobs to our shores? How do we equip our people with the skills needed to do those jobs? And how do we make sure that hard work leads to a decent living?

A year and a half ago, I put forward an American Jobs Act that independent economists said would create more than one million new jobs. I thank the last Congress for passing some of that agenda, and I urge this Congress to pass the rest. Tonight, I'll lay out additional proposals that are fully paid for and fully consistent with the budget framework both parties agreed to just 18 months ago. Let me repeat—nothing I'm proposing tonight should increase our deficit by a single dime. It's not a bigger Government we need, but a smarter Government that sets priorities and invests in broad-based growth.

Our first priority is making America a magnet for new jobs and manufacturing.

After shedding jobs for more than 10 years, our manufacturers have added about 500,000 jobs over the past three. Caterpillar is bringing jobs back from Japan. Ford is bringing jobs back from Mexico. After locating plants in other countries like China, Intel is opening its most advanced plant right here at home. And this year, Apple will start making Macs in America again.

There are things we can do, right now, to accelerate this trend. Last year, we created our first manufacturing innovation institute in Youngstown, Ohio. A once-shuttered warehouse is now a state-of-the-art lab where new workers are mastering the 3D printing that has the potential to revolutionize the way we make almost everything. There's no reason this can't happen in other towns. So tonight, I'm announcing the launch of three more of these manufacturing hubs, where businesses will partner with the Departments of Defense and Energy to turn regions left behind by

globalization into global centers of high-tech jobs. And I ask this Congress to help create a network of fifteen of these hubs and guarantee that the next revolution in manufacturing is Made in America.

If we want to make the best products, we also have to invest in the best ideas. Every dollar we invested to map the human genome returned \$140 to our economy. Today, our scientists are mapping the human brain to unlock the answers to Alzheimer's; developing drugs to regenerate damaged organs; devising new material to make batteries ten times more powerful. Now is not the time to gut these job-creating investments in science and innovation. Now is the time to reach a level of research and development not seen since the height of the Space Race. And today, no area holds more promise than our investments in American energy.

After years of talking about it, we are finally poised to control our own energy future. We produce more oil at home than we have in 15 years. We have doubled the distance our cars will go on a gallon of gas, and the amount of renewable energy we generate from sources like wind and solar—with tens of thousands of good, American jobs to show for it. We produce more natural gas than ever before—and nearly everyone's energy bill is lower because of it. And over the last four years, our emissions of the dangerous carbon pollution that threatens our planet have actually fallen.

But for the sake of our children and our future, we must do more to combat climate change. Yes, it's true that no single event makes a trend. But the fact is, the 12 hottest years on record have all come in the last 15. Heat waves, droughts, wildfires, and floods—all are now more frequent and intense. We can choose to believe that Superstorm Sandy, and the most severe drought in decades, and the worst wildfires some states have ever seen were all just a freak coincidence. Or we can choose to believe in the overwhelming judgment of science—and act before it's too late.

The good news is, we can make meaningful progress on this issue while driving strong economic growth. I urge this Congress to pursue a bipartisan, market-based solution to climate change, like the one JOHN MCCAIN and Joe Lieberman worked on together a few years ago. But if Congress won't act soon to protect future generations, I will. I will direct my Cabinet to come up with executive actions we can take, now and in the future, to reduce pollution, prepare our communities for the consequences of climate change, and speed the transition to more sustainable sources of energy.

Four years ago, other countries dominated the clean energy market and the jobs that came with it. We've

begun to change that. Last year, wind energy added nearly half of all new power capacity in America. So let's generate even more. Solar energy gets cheaper by the year—so let's drive costs down even further. As long as countries like China keep going all-in on clean energy, so must we.

In the meantime, the natural gas boom has led to cleaner power and greater energy independence. That's why my Administration will keep cutting red tape and speeding up new oil and gas permits. But I also want to work with this Congress to encourage the research and technology that helps natural gas burn even cleaner and protects our air and water.

Indeed, much of our new-found energy is drawn from lands and waters that we, the public, own together. So tonight, I propose we use some of our oil and gas revenues to fund an Energy Security Trust that will drive new research and technology to shift our cars and trucks off oil for good. If a non-partisan coalition of CEOs and retired generals and admirals can get behind this idea, then so can we. Let's take their advice and free our families and businesses from the painful spikes in gas prices we've put up with for far too long. I'm also issuing a new goal for America: let's cut in half the energy wasted by our homes and businesses over the next twenty years. The States with the best ideas to create jobs and lower energy bills by constructing more efficient buildings will receive Federal support to help make it happen.

America's energy sector is just one part of an aging infrastructure badly in need of repair. Ask any CEO where they'd rather locate and hire: a country with deteriorating roads and bridges, or one with high-speed rail and internet; high-tech schools and self-healing power grids. The CEO of Siemens America—a company that brought hundreds of new jobs to North Carolina—has said that if we upgrade our infrastructure, they'll bring even more jobs. And I know that you want these job-creating projects in your districts. I've seen you all at the ribbon-cuttings.

Tonight, I propose a "Fix-It-First" program to put people to work as soon as possible on our most urgent repairs, like the nearly 70,000 structurally deficient bridges across the country. And to make sure taxpayers don't shoulder the whole burden, I'm also proposing a Partnership to Rebuild America that attracts private capital to upgrade what our businesses need most: modern ports to move our goods; modern pipelines to withstand a storm; modern schools worthy of our children. Let's prove that there is no better place to do business than the United States of America. And let's start right away.

Part of our rebuilding effort must also involve our housing sector. Today,

our housing market is finally healing from the collapse of 2007. Home prices are rising at the fastest pace in six years, home purchases are up nearly 50 percent, and construction is expanding again.

But even with mortgage rates near a 50-year low, too many families with solid credit who want to buy a home are being rejected. Too many families who have never missed a payment and want to refinance are being told no. That's holding our entire economy back, and we need to fix it. Right now, there's a bill in this Congress that would give every responsible homeowner in America the chance to save \$3,000 a year by refinancing at today's rates. Democrats and Republicans have supported it before. What are we waiting for? Take a vote, and send me that bill. Right now, overlapping regulations keep responsible young families from buying their first home. What's holding us back? Let's streamline the process, and help our economy grow.

These initiatives in manufacturing, energy, infrastructure, and housing will help entrepreneurs and small business owners expand and create new jobs. But none of it will matter unless we also equip our citizens with the skills and training to fill those jobs. And that has to start at the earliest possible age.

Study after study shows that the sooner a child begins learning, the better he or she does down the road. But today, fewer than 3 in 10 four-year-olds are enrolled in a high-quality preschool program. Most middle-class parents can't afford a few hundred bucks a week for private preschool. And for poor kids who need help the most, this lack of access to preschool education can shadow them for the rest of their lives.

Tonight, I propose working with states to make high-quality preschool available to every child in America. Every dollar we invest in high-quality early education can save more than seven dollars later on—by boosting graduation rates, reducing teen pregnancy, even reducing violent crime. In States that make it a priority to educate our youngest children, like Georgia or Oklahoma, studies show students grow up more likely to read and do math at grade level, graduate high school, hold a job, and form more stable families of their own. So let's do what works, and make sure none of our children start the race of life already behind. Let's give our kids that chance.

Let's also make sure that a high school diploma puts our kids on a path to a good job. Right now, countries like Germany focus on graduating their high-school students with the equivalent of a technical degree from one of our community colleges, so that they're ready for a job. At schools like P-Tech in Brooklyn, a collaboration between New York Public Schools, the

City University of New York, and IBM, students will graduate with a high school diploma and an associate's degree in computers or engineering.

We need to give every American student opportunities like this. Four years ago, we started Race to the Top—a competition that convinced almost every state to develop smarter curricula and higher standards, for about 1 percent of what we spend on education each year. Tonight, I'm announcing a new challenge to redesign America's high schools so they better equip graduates for the demands of a high-tech economy. We'll reward schools that develop new partnerships with colleges and employers, and create classes that focus on science, technology, engineering, and math—the skills today's employers are looking for to fill jobs right now and in the future.

Now, even with better high schools, most young people will need some higher education. It's a simple fact: the more education you have, the more likely you are to have a job and work your way into the middle class. But today, skyrocketing costs price way too many young people out of a higher education, or saddle them with unsustainable debt.

Through tax credits, grants, and better loans, we have made college more affordable for millions of students and families over the last few years. But taxpayers cannot continue to subsidize the soaring cost of higher education. Colleges must do their part to keep costs down, and it's our job to make sure they do. Tonight, I ask Congress to change the Higher Education Act, so that affordability and value are included in determining which colleges receive certain types of Federal aid. And tomorrow, my Administration will release a new "College Scorecard" that parents and students can use to compare schools based on a simple criterion: where you can get the most bang for your educational buck.

To grow our middle class, our citizens must have access to the education and training that today's jobs require. But we also have to make sure that America remains a place where everyone who's willing to work hard has the chance to get ahead.

Our economy is stronger when we harness the talents and ingenuity of striving, hopeful immigrants. And right now, leaders from the business, labor, law enforcement, and faith communities all agree that the time has come to pass immigration reform.

Real reform means strong border security, and we can build on the progress my Administration has already made—putting more boots on the southern border than at any time in our history, and reducing illegal crossings to their lowest levels in 40 years.

Real reform means establishing a responsible pathway to earned citizenship—a path that includes passing a

background check, paying taxes and a meaningful penalty, learning English, and going to the back of the line behind the folks trying to come here legally.

And real reform means fixing the legal immigration system to cut waiting periods, reduce bureaucracy, and attract the highly skilled entrepreneurs and engineers that will help create jobs and grow our economy.

In other words, we know what needs to be done. As we speak, bipartisan groups in both chambers and working diligently to draft a bill, and I applaud their efforts. Now let's get this done. Send me a comprehensive immigration reform bill in the next few months, and I will sign it right away.

But we can't stop there. We know our economy is stronger when our wives, mothers, and daughters can live their lives free from discrimination in the workplace, and free from the fear of domestic violence. Today, the Senate passed the Violence Against Women Act that JOE BIDEN originally wrote almost 20 years ago. I urge the House to do the same. And I ask this Congress to declare that women should earn a living equal to their efforts, and finally pass the Paycheck Fairness Act this year.

We know our economy is stronger when we reward an honest day's work with honest wages. But today, a full-time worker making the minimum wage earns \$14,500 a year. Even with the tax relief we've put in place, a family with two kids that earns the minimum wage still lives below the poverty line. That's wrong. That's why, since the last time this Congress raised the minimum wage, nineteen states have chosen to bump theirs even higher.

Tonight, let's declare that in the wealthiest Nation on Earth, no one who works full-time should have to live in poverty, and raise the Federal minimum wage to \$9.00 an hour. This single step would raise the incomes of millions of working families. It could mean the difference between groceries or the food bank; rent or eviction; scraping by or finally getting ahead. For businesses across the country, it would mean customers with more money in their pockets. In fact, working folks shouldn't have to wait year after year for the minimum wage to go up while CEO pay has never been higher. So here's an idea that Governor Romney and I actually agreed on last year: let's tie the minimum wage to the cost of living, so that it finally becomes a wage you can live on.

Tonight, let's also recognize that there are communities in this country where no matter how hard you work, it's virtually impossible to get ahead. Factory towns decimated from years of plants packing up. Inescapable pockets of poverty, urban and rural, where young adults are still fighting for their

first job. America is not a place where chance of birth or circumstance should decide our destiny. And that is why we need to build new ladders of opportunity into the middle class for all who are willing to climb them.

Let's offer incentives to companies that hire Americans who've got what it takes to fill that job opening, but have been out of work so long that no one will give them a chance. Let's put people back to work rebuilding vacant homes in run-down neighborhoods. And this year, my Administration will begin to partner with 20 of the hardest-hit towns in America to get these communities back on their feet. We'll work with local leaders to target resources at public safety, education, and housing. We'll give new tax credits to businesses that hire and invest. And we'll work to strengthen families by removing the financial deterrents to marriage for low-income couples, and doing more to encourage fatherhood—because what makes you a man isn't the ability to conceive a child; it's having the courage to raise one.

Stronger families. Stronger communities. A stronger America. It is this kind of prosperity—broad, shared, and built on a thriving middle class—that has always been the source of our progress at home. It is also the foundation of our power and influence throughout the world.

Tonight, we stand united in saluting the troops and civilians who sacrifice every day to protect us. Because of them, we can say with confidence that America will complete its mission in Afghanistan, and achieve our objective of defeating the core of al Qaeda. Already, we have brought home 33,000 of our brave servicemen and women. This spring, our forces will move into a support role, while Afghan Security forces take the lead. Tonight, I can announce that over the next year, another 34,000 American troops will come home from Afghanistan. This drawdown will continue. And by the end of next year, our war in Afghanistan will be over.

Beyond 2014, America's commitment to a unified and sovereign Afghanistan will endure, but the nature of our commitment will change. We are negotiating an agreement with the Afghan government that focuses on two missions: training and equipping Afghan forces so that the country does not again slip into chaos, and counterterrorism efforts that allow us to pursue the remnants of al Qaeda and their affiliates.

Today, the organization that attacked us on 9/11 is a shadow of its former self. Different al Qaeda affiliates and extremist groups have emerged—from the Arabian Peninsula to Africa. The threat these groups pose is evolving. But to meet this threat, we don't need to send tens of thousands of our sons and daughters abroad, or occupy other nations. Instead, we will

need to help countries like Yemen, Libya, and Somalia provide for their own security, and help allies who take the fight to terrorists, as we have in Mali. And, where necessary, through a range of capabilities, we will continue to take direct action against those terrorists who pose the gravest threat to Americans.

As we do, we must enlist our values in the fight. That is why my Administration has worked tirelessly to forge a durable legal and policy framework to guide our counterterrorism operations. Throughout, we have kept Congress fully informed of our efforts. I recognize that in our democracy, no one should just take my word that we're doing things the right way. So, in the months ahead, I will continue to engage with Congress to ensure not only that our targeting, detention, and prosecution of terrorists remains consistent with our laws and system of checks and balances, but that our efforts are even more transparent to the American people and to the world.

Of course, our challenges don't end with al Qaeda. America will continue to lead the effort to prevent the spread of the world's most dangerous weapons. The regime in North Korea must know that they will only achieve security and prosperity by meeting their international obligations. Provocations of the sort we saw last night will only isolate them further, as we stand by our allies, strengthen our own missile defense, and lead the world in taking firm action in response to these threats.

Likewise, the leaders of Iran must recognize that now is the time for a diplomatic solution, because a coalition stands united in demanding that they meet their obligations, and we will do what is necessary to prevent them from getting a nuclear weapon. At the same time, we will engage Russia to seek further reductions in our nuclear arsenals, and continue leading the global effort to secure nuclear materials that could fall into the wrong hands—because our ability to influence others depends on our willingness to lead.

America must also face the rapidly growing threat from cyber-attacks. We know hackers steal people's identities and infiltrate private e-mail. We know foreign countries and companies swipe our corporate secrets. Now our enemies are also seeking the ability to sabotage our power grid, our financial institutions, and our air traffic control systems. We cannot look back years from now and wonder why we did nothing in the face of real threats to our security and our economy.

That's why, earlier today, I signed a new Executive Order that will strengthen our cyber defenses by increasing information sharing, and developing standards to protect our national security, our jobs, and our privacy. Now, Congress must act as well,

by passing legislation to give our government a greater capacity to secure our networks and deter attacks.

Even as we protect our people, we should remember that today's world presents not only dangers, but opportunities. To boost American exports, support American jobs, and level the playing field in the growing markets of Asia, we intend to complete negotiations on a Trans-Pacific Partnership. And tonight, I am announcing that we will launch talks on a comprehensive Transatlantic Trade and Investment Partnership with the European Union—because trade that is free and fair across the Atlantic supports millions of good-paying American jobs.

We also know that progress in the most impoverished parts of our world enriches us all. In many places, people live on little more than a dollar a day. So the United States will join with our allies to eradicate such extreme poverty in the next two decades: by connecting more people to the global economy and empowering women; by giving our young and brightest minds new opportunities to serve and helping communities to feed, power, and educate themselves; by saving the world's children from preventable deaths; and by realizing the promise of an AIDS-free generation.

Above all America must remain a beacon to all who seek freedom during this period of historic change. I saw the power of hope last year in Rangoon—when Aung San Suu Kyi welcomed an American President into the home where she had been imprisoned for years; when thousands of Burmese lined the streets, waving American flags, including a man who said, "There is justice and law in the United States. I want our country to be like that."

In defense of freedom, we will remain the anchor of strong alliances from the Americas to Africa; from Europe to Asia. In the Middle East, we will stand with citizens as they demand their universal rights, and support stable transitions to democracy. The process will be messy, and we cannot presume to dictate the course of change in countries like Egypt; but we can—and will—insist on respect for the fundamental rights of all people. We will keep the pressure on a Syrian regime that has murdered its own people, and support opposition leaders that respect the rights of every Syrian. And we will stand steadfast with Israel in pursuit of security and a lasting peace. These are the messages I will deliver when I travel to the Middle East next month.

All this work depends on the courage and sacrifice of those who serve in dangerous places at great personal risk—our diplomats, our intelligence officers, and the men and women of the United States Armed Forces. As long as I'm Commander in Chief, we will do whatever we must to protect those who

serve their country abroad, and we will maintain the best military in the world. We will invest in new capabilities, even as we reduce waste and wartime spending. We will ensure equal treatment for all service members, and equal benefits for their families—gay and straight. We will draw upon the courage and skills of our sisters and daughters, because women have proven under fire that they are ready for combat. We will keep faith with our veterans—investing in world-class care, including mental health care, for our wounded warriors; supporting our military families; and giving our veterans the benefits, education, and job opportunities they have earned. And I want to thank my wife Michelle and Dr. Jill Biden for their continued dedication to serving our military families as well as they serve us.

But defending our freedom is not the job of our military alone. We must all do our part to make sure our God-given rights are protected here at home. That includes our most fundamental right as citizens: the right to vote. When any Americans—no matter where they live or what their party—are denied that right simply because they can't wait for five, six, or seven hours just to cast their ballot, we are betraying our ideals. That's why, tonight, I'm announcing a non-partisan commission to improve the voting experience in America. And I'm asking two long-time experts in the field, who've recently served as the top attorneys for my campaign and for Governor Romney's campaign, to lead it. We can fix this, and we will. The American people demand it. And so does our democracy.

Of course, what I've said tonight matters little if we don't come together to protect our most precious resource—our children.

It has been two months since Newtown. I know this is not the first time this country has debated how to reduce gun violence. But this time is different. Overwhelming majorities of Americans—Americans who believe in the 2nd Amendment—have come together around commonsense reform—like background checks that will make it harder for criminals to get their hands on a gun. Senators of both parties are working together on tough new laws to prevent anyone from buying guns for resale to criminals. Police chiefs are asking our help to get weapons of war and massive ammunition magazines off our streets, because they are tired of being outgunned.

Each of these proposals deserves a vote in Congress. If you want to vote no, that's your choice. But these proposals deserve a vote. Because in the two months since Newtown, more than a thousand birthdays, graduations, and anniversaries have been stolen from our lives by a bullet from a gun.

One of those we lost was a young girl named Hadiya Pendleton. She was 15

years old. She loved Fig Newtons and lip gloss. She was a majorette. She was so good to her friends, they all thought they were her best friend. Just three weeks ago, she was here, in Washington, with her classmates, performing for her country at my inauguration. And a week later, she was shot and killed in a Chicago park after school, just a mile away from my house.

Hadiya's parents, Nate and Cleo, are in this chamber tonight, along with more than two dozen Americans whose lives have been torn apart by gun violence. They deserve a vote.

Gabby Giffords deserves a vote.

The families of Newtown deserve a vote.

The families of Aurora deserve a vote.

The families of Oak Creek, and Tucson, and Blacksburg, and the countless other communities ripped open by gun violence—they deserve a simple vote.

Our actions will not prevent every senseless act of violence in this country. Indeed, no laws, no initiatives, no administrative acts will perfectly solve all the challenges I've outlined tonight. But we were never sent here to be perfect. We were sent here to make what difference we can, to secure this Nation, expand opportunity, and uphold our ideals through the hard, often frustrating, but absolutely necessary work of self-government.

We were sent here to look out for our fellow Americans the same way they look out for one another, every single day, usually without fanfare, all across this country. We should follow their example.

We should follow the example of a New York City nurse named Menchu Sanchez. When Hurricane Sandy plunged her hospital into darkness, her thoughts were not with how her own home was faring—they were with the twenty precious newborns in her care and the rescue plan she devised that kept them all safe.

We should follow the example of a North Miami woman named Desiline Victor. When she arrived at her polling place, she was told the wait to vote might be six hours. And as time ticked by, her concern was not with her tired body or aching feet, but whether folks like her would get to have their say. Hour after hour, a throng of people stayed in line in support of her. Because Desiline is 102 years old. And they erupted in cheers when she finally put on a sticker that read "I Voted."

We should follow the example of a police officer named Brian Murphy. When a gunman opened fire on a Sikh temple in Wisconsin, and Brian was the first to arrive, he did not consider his own safety. He fought back until help arrived and ordered his fellow officers to protect the safety of the Americans worshipping inside—even as he lay bleeding from twelve bullet wounds.

When asked how he did that, Brian said, "That's just the way we're made." That's just the way we're made.

We may do different jobs, and wear different uniforms, and hold different views than the person beside us. But as Americans, we all share the same proud title:

We are citizens. It's a word that doesn't just describe our nationality or legal status. It describes the way we're made. It describes what we believe. It captures the enduring idea that this country only works when we accept certain obligations to one another and to future generations; that our rights are wrapped up in the rights of others; and that well into our third century as a Nation, it remains the task of us all, as citizens of these United States, to be the authors of the next great chapter in our American story.

Thank you, God bless you, and God bless the United States of America.

BARACK OBAMA.

THE WHITE HOUSE, February 12, 2013.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-331. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Agency's proposed fiscal year 2014 budget; to the Committee on Agriculture, Nutrition, and Forestry.

EC-332. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Hexythiazox; Pesticide Tolerances" (FRL No. 9376-9) received during adjournment of the Senate in the Office of the President of the Senate on February 5, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-333. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Glycine max Herbicide-resistant Acetolactate Synthase; Exemption from the Requirement of a Tolerance" (FRL No. 9376-4) received during adjournment of the Senate in the Office of the President of the Senate on February 5, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-334. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Thiacloprid; Pesticide Tolerances" (FRL No. 9374-9) received during adjournment of the Senate in the Office of the President of the Senate on February 5, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-335. A communication from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Texas (Splenetic) Fever in Cattle" (Docket No. APHIS-2012-0069) received in the Office of the President of the Senate on February 7, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-336. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Fresh Bananas From the Philippines into the Continental United States" ((RIN0579-AD61) (Docket No. APHIS-2011-0028)) received in the Office of the President of the Senate on February 7, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-337. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Criteria Used to Order Administrative Detention of Food for Human or Animal Consumption" ((RIN0910-AG67) (Docket No. FDA-2011-N-0197)) received during adjournment of the Senate in the Office of the President of the Senate on February 8, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-338. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the Disaster Relief Appropriations Act, 2013; to the Committee on Appropriations.

EC-339. A joint communication from the Vice Chairman of the Joint Chiefs of Staff and the Under Secretary of Defense (Intelligence), transmitting, pursuant to law, a report relative to maintaining the EP-3E Airborne Reconnaissance Integrated Electronic System II and the Special Projects Aircraft platform in a manner that meets the intelligence, surveillance and reconnaissance requirements of the Commanders of the Combatant Commands; to the Committee on Armed Services.

EC-340. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Michael D. Barbero, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-341. A communication from the Acting Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to persons undermining democratic processes or institutions in Zimbabwe that was declared in Executive Order 13288 of March 6, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-342. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Designation of Low-Income Status; Acceptance of Secondary Capital Accounts by Low-Income Designated Credit Unions" ((RIN3133-AE09) received in the Office of the President of the Senate on February 7, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-343. A communication from the Deputy Director for Management, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to the Disaster Relief Appropriations Act, 2013; to the Committee on the Budget.

EC-344. A communication from the Director of Insular Affairs, Office of the Secretary, Department of the Interior, transmitting, pursuant to law, a report entitled "First Five-Year Review of the Compact of Free Association, As Amended, Between the Governments of the United States and the

Republic of the Marshall Islands"; to the Committee on Energy and Natural Resources.

EC-345. A communication from the Director of Insular Affairs, Office of the Secretary, Department of the Interior, transmitting, pursuant to law, a report entitled "First Five-Year Review of the Compact of Free Association, As Amended, Between the Governments of the United States and the Federated States of Micronesia"; to the Committee on Energy and Natural Resources.

EC-346. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Annual Charges for Use of Government Lands" (Docket No. RM11-6-000) received in the Office of the President of the Senate on February 4, 2013; to the Committee on Energy and Natural Resources.

EC-347. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Montana Regulatory Program" (Docket No. MT-032-FOR) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Energy and Natural Resources.

EC-348. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Utah Regulatory Program" (Docket No. UT-047-FOR) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Energy and Natural Resources.

EC-349. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Tennessee Abandoned Mine Land Program" (Docket No. TN-001-FOR) received during adjournment of the Senate in the Office of the President of the Senate on February 6, 2013; to the Committee on Energy and Natural Resources.

EC-350. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Wyoming Regulatory Program" (Docket No. WY-040-FOR) received during adjournment of the Senate in the Office of the President of the Senate on February 8, 2013; to the Committee on Energy and Natural Resources.

EC-351. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Amendments to Maryland's Ambient Air Quality Standards" (FRL No. 9777-2) received during adjournment of the Senate in the Office of the President of the Senate on February 5, 2013; to the Committee on Environment and Public Works.

EC-352. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New Jersey and New York Ozone Attainment Demonstrations" (FRL No. 9778-5) received during adjournment of the Senate in the Office of the President of the Senate on February 5, 2013; to the Committee on Environment and Public Works.

EC-353. A communication from the Chair of the Medicaid and CHIP Payment Access

Commission, transmitting, pursuant to law, a report entitled "Overview of Medicaid and CHIP"; to the Committee on Finance.

EC-354. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Recovery Auditing in the Medicare and Medicaid Program"; to the Committee on Finance.

EC-355. A joint communication from the Secretary of Health and Human Services and the Attorney General, transmitting, pursuant to law, an annual report relative to the Health Care Fraud and Abuse Control Program for fiscal year 2012; to the Committee on Finance.

EC-356. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare, Medicaid, Children's Health Insurance Programs; Transparency Reports and Reporting of Physician Ownership or Investment Interests" (RIN0938-AR33) received during adjournment of the Senate in the Office of the President of the Senate on February 8, 2013; to the Committee on Finance.

EC-357. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice 2013-6) received during adjournment of the Senate in the Office of the President of the Senate on February 8, 2013; to the Committee on Finance.

EC-358. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Reconsideration of Tax-Exempt AFR" (Notice 2013-4) received during adjournment of the Senate in the Office of the President of the Senate on February 8, 2013; to the Committee on Finance.

EC-359. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Noncompensatory Partnership Options" ((RIN1545-BA53) (TD 9612)) received in the Office of the President of the Senate on February 7, 2013; to the Committee on Finance.

EC-360. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13-016, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-361. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13-002, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-362. A communication from the Acting Assistant Secretary of State, Legislative Affairs, transmitting, pursuant to law, a report relative to the interdiction of aircraft engaged in illicit drug trafficking; to the Committee on Foreign Relations.

EC-363. A communication from the Acting Assistant Secretary of State, Legislative Affairs, transmitting, pursuant to law, a report relative to Technical Collection for the New START Treaty (OSS-2013-0163); to the Committee on Foreign Relations.

EC-364. A communication from the Program Manager, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Foreign Quarantine; Import Regulations for Infectious Biological Agents, Infectious Substances, and Vectors" (RIN0920-AA37) received in the Office of the President of the Senate on February 4, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-365. A communication from the Program Manager, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Establishment of User Fees for Filovirus Testing of Nonhuman Primate Liver Samples" (RIN0920-AA47) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-366. A communication from the Director of the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Pattern of Violations" (RIN1219-AB73) received during adjournment of the Senate in the Office of the President of the Senate on February 1, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-367. A communication from the Director of the Regulations, Legislation, and Interpretation Division, Wage and Hour Division, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "The Family and Medical Leave Act" (RIN1215-AB76, RIN1235-AA03) received in the Office of the President of the Senate on February 7, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-368. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Federal Agency Drug-Free Workplace Programs"; to the Committee on Health, Education, Labor, and Pensions.

EC-369. A communication from the Chairman of the Merit Systems Protection Board, transmitting, pursuant to law, a report entitled "Managing Public Employees in the Public Interest: Employee Perspectives on Merit Principles in Federal Workplaces"; to the Committee on Homeland Security and Governmental Affairs.

EC-370. A communication from the Secretary of the Army, transmitting, pursuant to law, a report relative to reservations made for internment at Arlington National Cemetery; to the Committee on Veterans' Affairs.

EC-371. communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Disclosures to Participate in State Prescription Drug Monitoring Programs" (RIN2900-AO45) received during adjournment of the Senate in the Office of the President of the Senate on February 8, 2013; to the Committee on Veterans' Affairs.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. LEVIN for the Committee on Armed Services.

*Charles Timothy Hagel, of Nebraska, to be Secretary of Defense.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. THUNE (for himself, Mr. PORTMAN, Mr. CHAMBLISS, and Mr. VITTER):

S. 280. A bill to ensure effective control over the Congressional budget process; to the Committee on the Budget.

By Mr. GRASSLEY (for himself, Mr. JOHNSON of South Dakota, Mr. ENZI, and Mr. BROWN):

S. 281. A bill to amend the Food Security Act of 1985 to restore integrity to and strengthen payment limitation rules for commodity payments and benefits; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BEGICH:

S. 282. A bill to amend the Elementary and Secondary Education Act of 1965 to establish a new counseling program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BEGICH (for himself and Mr. LEAHY):

S. 283. A bill to amend the Elementary and Secondary Education Act of 1965 to invest in innovation for education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of New Mexico (for himself and Mr. HEINRICH):

S. 284. A bill to transfer certain facilities, easements, and rights-of-way to Fort Sumner Irrigation District, New Mexico; to the Committee on Energy and Natural Resources.

By Mr. UDALL of New Mexico (for himself and Mr. HEINRICH):

S. 285. A bill to designate the Valles Caldera National Preserve as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. REED (for himself, Mr. GRASSLEY, and Mr. LEAHY):

S. 286. A bill to enhance civil penalties under the Federal securities laws, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BEGICH (for himself, Mr. TESTER, Mr. BLUMENTHAL, Mr. PRYOR, and Mr. BOOZMAN):

S. 287. A bill to amend title 38, United States Code, to expand the definition of homeless veteran for purposes of benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. LANDRIEU (for herself and Mr. PRYOR):

S. 288. A bill to increase the participation of historically underrepresented demo-

graphic groups in science, technology, engineering, and mathematics education and industry; to the Committee on Commerce, Science, and Transportation.

By Ms. LANDRIEU (for herself and Mrs. SHAHEEN):

S. 289. A bill to extend the low-interest refinancing provisions under the Local Development Business Loan Program of the Small Business Administration; to the Committee on Small Business and Entrepreneurship.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REID:

S. Res. 29. A resolution to constitute the majority party's membership on certain committees for the One Hundred Thirteenth Congress, or until their successors are chosen; considered and agreed to.

By Mr. UDALL of Colorado (for himself, Mr. ROBERTS, and Mr. ENZI):

S. Res. 30. A resolution establishing the Committee to Reduce Government Waste; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 22

At the request of Mr. LAUTENBERG, the name of the Senator from Massachusetts (Mr. COWAN) was added as a cosponsor of S. 22, a bill to establish background check procedures for gun shows.

S. 33

At the request of Mr. LAUTENBERG, the name of the Senator from Massachusetts (Mr. COWAN) was added as a cosponsor of S. 33, a bill to prohibit the transfer or possession of large capacity ammunition feeding devices, and for other purposes.

S. 34

At the request of Mr. LAUTENBERG, the name of the Senator from Massachusetts (Mr. COWAN) was added as a cosponsor of S. 34, a bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists.

S. 58

At the request of Mrs. BOXER, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 58, a bill to amend the Help America Vote Act of 2002 to ensure that voters in elections for Federal office do not wait in long lines in order to vote.

S. 84

At the request of Ms. MIKULSKI, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Massachusetts (Mr. COWAN) were added as cosponsors of S. 84, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages

on the basis of sex, and for other purposes.

S. 91

At the request of Mr. VITTER, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 91, a bill to amend the Internal Revenue Code of 1986 to clarify eligibility for the child tax credit.

S. 119

At the request of Mrs. BOXER, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Alaska (Mr. BEGICH), the Senator from New York (Mrs. GILLIBRAND), the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 119, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 148

At the request of Mrs. BOXER, the name of the Senator from Massachusetts (Mr. COWAN) was added as a cosponsor of S. 148, a bill to safeguard America's schools by using community policing strategies to prevent school violence and improve student and school safety.

S. 150

At the request of Mrs. FEINSTEIN, the name of the Senator from Massachusetts (Mr. COWAN) was added as a cosponsor of S. 150, a bill to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes.

S. 168

At the request of Mr. HARKIN, the name of the Senator from Massachusetts (Mr. COWAN) was added as a cosponsor of S. 168, a bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin, and for other purposes.

S. 174

At the request of Mr. BLUMENTHAL, the name of the Senator from Massachusetts (Mr. COWAN) was added as a cosponsor of S. 174, a bill to appropriately restrict sales of ammunition.

S. 217

At the request of Mrs. MURRAY, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 217, a bill to amend the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to collect information from coeducational elementary schools and secondary schools on such schools' athletic programs, and for other purposes.

S. 223

At the request of Ms. MIKULSKI, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a co-

sponsor of S. 223, a bill to amend section 217 of the Immigration and Nationality Act to modify the visa waiver program, and for other purposes.

S. 234

At the request of Mr. REID, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. 234, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 263

At the request of Ms. AYOTTE, the name of the Senator from Wisconsin (Mr. JOHNSON) was withdrawn as a cosponsor of S. 263, a bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to modify the discretionary spending limits to take into account savings resulting from the reduction in the number of Federal employees.

AMENDMENT NO. 21

At the request of Mr. LEAHY, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 21 proposed to S. 47, a bill to reauthorize the Violence Against Women Act of 1994.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY (for himself, Mr. JOHNSON of South Dakota, Mr. ENZI, and Mr. BROWN):

S. 281. A bill to amend the Food Security Act of 1985 to restore integrity to and strengthen payment limitation rules for commodity payments and benefits; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. GRASSLEY. Mr. President, I rise today to talk about the farm bill and then specifically about reforming payment limits for farm programs.

As one looks back to the fall of 2011 and the failure of what was referred to as the "supercommittee," we saw many committees continue on with business as usual afterwards. However, one committee's members took it upon themselves to continue efforts to tackle spending and propose meaningful cuts—the Senate Agriculture Committee.

For that matter, the House Agriculture Committee worked towards that end as well. I commend Chairman STABENOW and then Ranking Member ROBERTS for corraling the many ideas of the members of the committee to write a bill that cut \$23 billion.

We were able to work in committee to get the bill done. We were able to

work in a bipartisan manner to get the bill across the Senate floor. It is how legislation is supposed to be considered and debated in the Senate.

One of the measures in last year's farm bill was my proposal reforming payment limitations in the farm program.

Adopting reforms to payment limitations contributed to the \$23 billion in savings. Beyond just being a part of saving money, these reforms help ensure farm payments go to those who they were originally intended—small and medium-size farmers.

In addition, the reforms include closing off loopholes so nonfarmers can't game the system. I will come back to my proposed reforms in a minute after I say just a few words about the overall farm bill picture.

As we all know, Congress was not able to complete work on the farm bill last year. But that is not for a lack of desire by either the Senate nor the House Agriculture Committees. There remains a desire to get a 5-year bill passed.

Supporters of the farm bill need to take a hard look at what challenges were presented last year to getting the bill done. We need to forge ahead knowing some tough decisions need to be made.

For the Senate, we need to consider whether it is realistic that we only reduce \$4 billion out of the nearly \$800 billion nutrition title. More can and should be done. The nutrition title comprised by far and away the largest expenditure in the bill.

There are more reforms we can make to programs such as food stamps, and they are reforms that cut down on waste, fraud, and abuse in the program but also safeguard assistance for people who need it.

There are other programs we need to take a fresh look at. Should we accept the status quo on the sugar program? How do we handle dairy policy? What policy can we implement in the commodity program that won't distort planting decisions but maintains an effective safety net?

These are some of the many issues we need to debate again and decide. I, for one, hope we are able to start soon and work together to get a 5-year bill completed this year. Our farmers and rural communities deserve to have certainty.

When we do move forward on drafting a new farm bill, I will again be pushing for the reforms to payment limitations. That is why today I am introducing the Farm Program Integrity Act of 2013 with Senators JOHNSON of South Dakota, Senator ENZI, and Senator BROWN.

The proposed legislation strikes a needed balance of recognizing the need for a farm safety net while making sure we have a defensible and responsible safety net.

In case there is any doubt, we do need a farm program safety net. For

those who argue we do not need a safety net for our farmers, I argue they do not understand the danger of a nation which does not produce its own food.

Take Germany and Japan during World War II, for instance. There came a point where their soldiers had difficulty fighting because they didn't have food to eat. So today their respective governments maintain vigorous support for their farmers.

It is a matter of social cohesion as well. Without a secure source of food, we jeopardize our very way of life. Look around the world where there is hunger and you see rioting, stealing, and other acts of violence. We need our farmers to keep producing our food.

For all the advances in modern agriculture, farmers are still subject to conditions out of their control. Just look at the drought that still grips much of the U.S.

Without an adequate safety net, some farmers would be left with no ability to make it the following year. That would mean potentially less food being produced for an ever-increasing world population. That is a scary prospect.

While farmers need a safety net, there does come a point where a farmer gets big enough and financially secure so that he can weather tough times without much assistance from the government.

Somehow, though, over the years there has developed this perverse scenario where big farmers are receiving the lion's share of farm program payments. We now have the largest 10 percent of farmers receiving nearly 70 percent of farm payments.

There is nothing wrong with a farmer growing his operation, but the taxpayer should not be subsidizing large farming operations to grow even larger. By having reasonable caps on the amount of farm program payments any one farmer can receive, it helps ensure the program meets the intent of assisting small and medium-size farmers through tough times.

My proposed caps on payments will also help encourage the next generation of rural Americans to take up farming.

I am approached time and again about how to help young people get into farming. When large farmers are able to use farm program payments to drive up the cost of land and rental rates, our farm programs end up hurting those they are meant to help.

It is simply good policy to have a hard cap on the amount a farmer can receive in farm program payments. We will keep in place a much needed safety net for the farmers who need it most. And it will help reduce the negative impact farm payments have on land prices.

Our bill sets the overall cap at \$250,000 for a married couple. In my State, many people would say this is still too high.

But I recognize that agriculture can look different around the country, and so this is a compromise.

Just as important to setting a hard cap on payments is closing off loopholes that have allowed nonfarmers to game the farm program.

The bill being introduced today will do this by cutting off the ability of these nonfarmers from abusing what is referred to as the "actively engaged" test.

In essence, the law says one has to be actively engaged in farming to qualify for farm payments. However, this has been exploited by people who have virtually nothing to do with the farming operation yet receive payments from the farm program.

Our Nation has over \$16 trillion in debt. We cannot afford to simply look the other way and let people abuse the farm program.

The Farm Program Integrity Act of 2013 is the same in purpose as what it states in the name. This is about increasing the integrity of the program.

My colleagues here in the Senate agreed with me last year as we included these pivotal reforms in the farm bill. I am confident these reforms will garner similar approval in the 113th Congress.

I mentioned earlier how we need to assess some of the challenging areas of farm policy as we look to pass a 5-year farm bill, and some tough decisions need to be made.

However, my proposed reforms regarding payment limits do not pose a tough decision. They are common sense and necessary reforms.

Mr. JOHNSON of South Dakota. Mr. President, I rise today to join with my friend and colleague from Iowa, CHUCK GRASSLEY, in introducing the Farm Program Integrity Act of 2013, which would establish commonsense, meaningful farm program payment limitations. I am pleased that Senator SHERROD BROWN and Senator MIKE ENZI are also joining us in this effort. At a time when our country faces significant budgetary constraints, it is important that we look for bipartisan and commonsense approaches to restructuring programs in such a way that improves their effectiveness while also reducing the deficit. Our legislation will do that, and our approach has already garnered widespread support.

The current structure of our farm support program has, in a number of ways, failed rural America. In 2008, the largest 12.4 percent of farms received 62.4 percent of farm program payments, according to the United States Department of Agriculture's Economic Research Service, USDA ERS. With such a disproportionate share of the program going to the largest, most capitalized operations, the small and medium-sized family farmers are squeezed out of the business. The farm bill is intended to provide programs that func-

tion as a safety net for farmers, but it has instead become a cash cow for the few large producers. We must maintain a safety net for producers, but the system must be targeted to family farmers instead of large agribusinesses.

The 2008 farm bill took some important steps to strengthen the integrity of our farm support system. The bill established an income threshold for program eligibility in which payments are limited to producers with less than \$500,000 in non-farm Adjusted Gross Income, AGI, and \$750,000 in on-farm AGI, for a total limit of \$1.25 million AGI. Additionally, the law eliminated the triple-entity loophole and required that payments go to a specific individual through direct attribution. These were important first steps. However, there is much more we must do to restore integrity to our farm programs.

Under the current law, we have a system of support for producers in the form of direct and counter-cyclical payments. Direct payments are capped at \$40,000 and counter-cyclical payments are capped at \$65,000; additionally, there is no cap on marketing loan gains and loan deficiency payments, and thus, there is effectively no total limitation. This is unacceptable. Without a cap on payments, the Federal Government is subsidizing producers to get bigger, which in turn makes it more difficult for the smaller family farmers, and particularly young and beginning producers, to survive.

Last June, we took some meaningful steps in the Senate to address the structure of our farm support system. Senators from both sides of the aisle came together to pass the Agriculture Reform, Food, and Jobs Act, S. 3240, commonly referred to as the farm bill, with broad support. The bill, as passed out of the Senate Agriculture Committee, contained a hard cap of \$50,000 on payments under the new Agriculture Risk Coverage, ARC, program, a program developed to replace the antiquated direct and counter-cyclical programs.

The committee-reported bill also contained important language to close loopholes that have allowed "paper-partners," or individuals not directly engaged in the farming operation, to receive farm program payments. The bill created an important new standard for determining who qualifies as a farm manager. In addition to the language incorporated into the underlying bill, Senator GRASSLEY and I also offered an amendment during floor consideration to cap marketing loan gains and loan deficiency payments at \$75,000. Our amendment passed overwhelmingly with 75 votes.

The House Agriculture Committee marked up and reported its own version of the farm bill reauthorization. Unfortunately, the House leadership refused to bring the bill to the floor before the end of 2012. As a result,

Congress was left in the position of having to pass an extension of the 2008 farm bill, and push off work on a full reauthorization, including the important reforms we included in the Senate-passed bill, until the 113th Congress.

The legislation we are offering today combines the cap on farm program payments and language to close loopholes from the Senate-passed bill. As Congress proceeds with reauthorizing our farm programs, I will continue pushing to ensure that we finally provide for meaningful payment limitations and target assistance to small and medium-sized family farms.

As the most important industry in South Dakota, agriculture is the economic engine that drives our rural communities. Without viable family farmers and ranchers, our small towns and Main Street businesses would face significant financial hardships. I have worked with Senator GRASSLEY on this issue for a number of years, and I'm proud to once again join with him today to continue this important fight.

By Mr. REED (for himself, Mr. GRASSLEY, and Mr. LEAHY):

S. 286. A bill to enhance civil penalties under the Federal securities laws, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today I am reintroducing the Strengthening Enforcement of Civil Penalties Act or the SEC Penalties Act with my colleague, Senator GRASSLEY. I am pleased that Senator LEAHY has joined us in introducing the bill this year.

The SEC Penalties Act will enhance the ability of securities regulators to protect investors and demand greater accountability from market players. Unfortunately, even after the financial crisis that crippled the economy, some on Wall Street continue to pursue profits at all costs, making the calculated decision to do wrong and move on. Without the consequence of meaningful penalties to impact decision-making, I fear we will continue to witness a disturbing culture of misconduct by some on Wall Street.

The current regime for securities law violations limits by statute the amount of penalties the Securities and Exchange Commission, SEC, can fine an institution or individual. During hearings I held in 2011 in the Securities, Insurance, and Investment Banking Subcommittee, I found out how this limitation significantly ties the hands of the SEC in performing its enforcement duties. At that time, the agency had been criticized by a Federal judge for not obtaining a larger settlement against Citigroup, a major player in the financial crisis that ended up settling with the SEC in an amount that was a fraction of the cost the bank had inflicted on investors and the

profits the bank had ultimately pocketed. The SEC explained that the low settlement amount was because it was statutorily prohibited from levying a larger penalty.

The bill we are introducing seeks to substantially update and strengthen the SEC's civil penalties statute. This legislation should cause potential and current offenders to think twice before engaging in misconduct by increasing the statutory limits on civil monetary penalties, directly linking the size of these penalties to the scope of harm and associated investor losses, and substantially raising the financial stakes for repeat offenders of our nation's securities laws.

Specifically, our bill would increase the per violation cap for the most egregious securities laws violations to \$1 million per offense for individuals and \$10 million per offense for entities. This will help ensure that the SEC's most severe, or "tier three," penalties will help deter people from engaging in the most serious offenses, rather than have such wrongdoing be viewed as just the cost of doing business. Under existing law, the SEC can only penalize individual securities law violators a maximum of \$150,000 per offense and institutions \$725,000 per offense.

Our bill also would allow penalties equal to three times the economic gain of the violator. It provides a new calculation method that includes the amount of associated investor losses as part of the penalty determination. This should allow the SEC to address situations where the actual economic gain to the violator is relatively small compared to the extent of the wrongdoing or the harm caused to investors.

The SEC Penalties Act also addresses the disconcerting trend of repeat offenders on Wall Street. Our bill includes two statutory changes to substantially improve the ability of the SEC's enforcement program to ratchet up penalties for recidivists.

One provision would allow the SEC to triple the applicable penalty cap for recidivists who, within the preceding five years, have been criminally convicted of securities fraud or been the subject of a judgment or order imposing monetary, equitable, or administrative relief in any action alleging SEC fraud.

The other provision would allow the SEC to seek a civil penalty if an individual or entity has violated an existing federal court injunction or bar imposed by the SEC. Many believe this approach would be more efficient, effective, and flexible than the current civil contempt remedy.

Finally, under the SEC Penalties Act, the penalty relief available in administrative proceedings would be the same as it is in district court.

The nearly one-half of all U.S. households that own securities deserve a strong cop on the beat that has the tools it needs to go after fraudsters and

the difficult cases arising from our increasingly complex financial markets. The SEC Penalties Act will help by giving the SEC more tools to demand meaningful accountability from Wall Street and protect investors, which in turn will improve transparency and increase confidence in our financial system. I urge my colleagues to support this important bipartisan legislation.

By Ms. LANDRIEU (for herself and Mrs. SHAHEEN):

S. 289. A bill to extend the low-interest refinancing provisions under the Local Development Business Loan Program of the Small Business Administration; to the Committee on Small Business and Entrepreneurship.

Ms. LANDRIEU. Mr. President, I come to the floor today to discuss the importance of small businesses in the United States. It cannot be stated enough that small businesses are the economic engines of our country. Small businesses also represent the essence of the American Dream. They are creators of new jobs and innovative technologies. In fact, over the last 15 years, businesses employing less than 500 people have created 93 percent of all new jobs and employed 58.6 million workers. Businesses employing less than 20 people alone employed 21.3 million workers. In my home state of Louisiana, small businesses make up about 98 percent of businesses. As Chair of the Senate Committee on Small Business and Entrepreneurship, I remain focused on the needs of these small businesses. That is why I am here today to introduce a bill that I believe will help spur job creation among small businesses.

As you know, right now our country is only slowly recovering from the worst economic downturn since the Great Depression. This economic downturn disproportionately affected small businesses and, in turn, stifled their ability to generate growth for the country. Sadly, since November 2008, 80 percent of the job losses have come from small businesses. An estimated 2.16 million jobs were lost in the private sector from November 2008 through February 2009—nearly 40 percent from businesses with less than 50 employees. Ten jobs lost here and five jobs there add up. These are the job losses that hurt our economy, our communities and our families.

With this in mind, I was proud to lead Congressional efforts to enact the Small Business Jobs Act of 2010, Public Law 111-240. President Obama signed this legislation into law on September 27, 2010. This legislation focused on the three "C's" important to small businesses: Capital, Contracting, and Counseling. Today I would like to focus on Capital and more specifically, on the Small Business Administration's 504 Loan Refinancing Program, which unfortunately expired in September 2012.

The 504 loan program is a long-term financing tool for economic development that provides small businesses with long-term, fixed-rate loans to help them acquire major fixed assets and real estate for expansion or modernization. The Small Business Jobs Act of 2010 allowed small businesses to use the 504 loan program to refinance certain qualifying existing debt for 2 years. While loan volumes were relatively low in the program's first year, the SBA made a number of program modifications to encourage and allow more small businesses to take advantage of the long terms and low interest rates offered by the program. In fiscal year 2012, the program's second and final year, the SBA approved over 2,400 refinancings for over \$2.2 billion to small businesses.

Unfortunately, on September 27, 2012, the program expired just as it was gaining traction in the small business community. Over the past year, in my conversations with small business owners and in testimonies given in roundtables and hearings before the Committee on Small Business and Entrepreneurship, I have consistently heard the need to extend this portion of the 504 loan program. The bill that I am introducing today would extend for 5 years the provision allowing small business owners to use Small Business Administration, SBA, 504 loans to refinance existing commercial mortgages. Extending the 504 refinancing program is a commonsense way to help small businesses and create jobs. By allowing small businesses to refinance qualified commercial real estate debt, this program lowers their monthly mortgage payments at no cost to taxpayers. At a time when we are still facing high unemployment, this extension is one of many things that we should be doing to put more capital in the hands of America's job creators.

I would like to reiterate that this is not a new proposal, and it has consistently received bipartisan support. In total, last year I filed this extension either as a bill or an amendment four times. The 504 refinance provision extension was originally introduced as S. 2364 by Senators SNOWE, LANDRIEU, ISAKSON, and SHAHEEN. Title II of the SUCCESS Act, which I introduced during the 112th Congress, also included the refinance provision. On July 12, 2012, the Senate voted on the SUCCESS Act as part of Senate Amendment 2521 to S. 2237, the Small Business Jobs and Tax Relief Act of 2012. Although the amendment came up short of the 60 votes needed to end debate, the SUCCESS Act amendment received a strong 57 bipartisan votes, including five of my Republican colleagues. Finally, I included the provision in a substitute amendment that I cosponsored to the JOBS Act of 2012 and offered the 504 refinancing language as an amendment to the Veterans Jobs Bill. I urge

my colleagues on both sides of the aisle to come together in support of this common-sense, cost effective program.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 289

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Commercial Real Estate and Economic Development Act of 2013" or the "CREED Act of 2013".

SEC. 2. LOW-INTEREST REFINANCING UNDER THE LOCAL DEVELOPMENT BUSINESS LOAN PROGRAM.

(a) REPEAL.—Section 1122(b) of the Small Business Jobs Act of 2010 (15 U.S.C. 696 note) is repealed.

(b) RESTORATION OF LOW-INTEREST REFINANCING PROVISION.—Subparagraph (C) of section 502(7) of the Small Business Investment Act of 1958 (15 U.S.C. 696(7)) (relating to refinancing not involving expansions), as in effect on September 25, 2012, shall be in effect during the period beginning on the date of enactment of this Act and ending 5 years after that date of enactment.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 29—TO CONSTITUTE THE MAJORITY PARTY'S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED THIRTEENTH CONGRESS, OR UNTIL THEIR SUCCESSORS ARE CHOSEN

Mr. REID submitted the following resolution; which was considered and agreed to:

S. RES. 29

Resolved, That the following shall constitute the majority party's membership on the following committees for the One Hundred Thirteenth Congress, or until their successors are chosen.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY: Ms. Stabenow (Chairman), Mr. Leahy, Mr. Harkin, Mr. Baucus, Mr. Brown, Ms. Klobuchar, Mr. Bennet, Mrs. Gillibrand, Mr. Donnelly, Ms. Heitkamp, and Mr. Cowan.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION: Mr. Rockefeller (Chairman), Mrs. Boxer, Mr. Nelson, Ms. Cantwell, Mr. Lautenberg, Mr. Pryor, Mrs. McCaskill, Ms. Klobuchar, Mr. Warner, Mr. Begich, Mr. Blumenthal, Mr. Schatz, and Mr. Cowan.

COMMITTEE ON FINANCE: Mr. Baucus (Chairman), Mr. Rockefeller, Mr. Wyden, Mr. Schumer, Ms. Stabenow, Ms. Cantwell, Mr. Nelson, Mr. Menendez, Mr. Carper, Mr. Cardin, Mr. Brown, Mr. Bennet, and Mr. Casey.

COMMITTEE ON FOREIGN RELATIONS: Mr. Menendez (Chairman), Mrs. Boxer, Mr. Cardin, Mr. Casey, Mrs. Shaheen, Mr. Coons, Mr. Durbin, Mr. Udall of New Mexico, Mr. Murphy, and Mr. Kaine.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP: Ms. Landrieu (Chairman), Mr. Levin, Mr. Harkin, Ms. Cantwell, Mr. Pryor, Mr. Cardin, Mrs. Shaheen, Mrs. Hagan, Ms. Heitkamp, and Mr. Cowan.

JOINT ECONOMIC COMMITTEE: Ms. Klobuchar (Vice Chairman), Mr. Casey, Mr. Warner, Mr. Sanders, Mr. Murphy, and Mr. Heinrich.

SENATE RESOLUTION 30—ESTABLISHING THE COMMITTEE TO REDUCE GOVERNMENT WASTE

Mr. UDALL of Colorado (for himself, Mr. ROBERTS, and Mr. ENZI) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 30

Resolved,

SECTION 1. ESTABLISHMENT.

There shall be a Senate committee known as the Committee to Reduce Government Waste (referred to in this resolution as the "committee").

SEC. 2. MEMBERSHIP.

(a) COMPOSITION.—The committee shall be composed of 12 members as follows:

(1) 4 members from the Committee on Finance, 2 selected by the Majority Leader and 2 selected by the Minority Leader.

(2) 4 members from the Committee on Appropriations, 2 selected by the Majority Leader and 2 selected by the Minority Leader.

(3) 4 members from the Committee on the Budget, 2 selected by the Majority Leader and 2 selected by the Minority Leader.

(b) TENURE OF OFFICE.—

(1) PERIOD OF APPOINTMENT.—Members shall be appointed for a period not to exceed 6 years.

(2) EXCEPTIONS.—No person shall continue to serve as a member of the committee after that person has ceased to be a member of the Committee from which the member was chosen.

(c) VACANCIES.—Any vacancy in the committee shall not affect its powers, but shall be filled in the same manner as the original appointment.

(d) CHAIRMAN AND VICE CHAIRMAN.—The committee shall select a Chairman and Vice Chairman from among its members.

(e) QUORUM.—A majority of the members of the committee shall constitute a quorum, but a lesser number of members may hold hearings. The powers conferred upon them under section 4 may be exercised by a majority vote.

SEC. 3. DUTIES.

(a) IN GENERAL.—The committee shall have the following duties:

(1) STUDY.—The committee shall—

(A) research, review, and study Federal programs that are underperforming or nonessential; and

(B) determine which Federal programs should be modified or eliminated.

(2) RECOMMENDATIONS.—The committee shall develop recommendations to the Senate for actions designed to modify or eliminate underperforming or nonessential Federal programs.

(3) REPORTS AND LEGISLATION.—The committee shall submit to the Senate—

(A) at least once a year, reports including—

(i) a detailed statement of the findings and conclusions of the committee; and

(ii) a list of underperforming or nonessential Federal programs; and

(B) such legislation and administrative actions as the committee considers appropriate.

(b) CONSIDERATION OF LEGISLATION.—Any legislation submitted to the Senate by the

committee shall be considered under the provisions of section 310 of the Congressional Budget Act of 1974 (2 U.S.C. 641).

SEC. 4. POWERS.

(a) HEARINGS.—The committee or, at its direction, any subcommittee or member of the committee, may, for the purpose of carrying out the provisions of section 3—

(1) sit and act, at any time, during the sessions, recesses, and adjourned periods of congress;

(2) require as the committee considers necessary, by subpoena or otherwise, the attendance of witnesses and the production of books, papers, and documents;

(3) administer oaths and take testimony; and

(4) procure necessary printing and binding.

(b) WITNESS ALLOWANCES AND FEES.—The provisions of section 1821 of title 28, United States Code, shall apply to witnesses requested to appear at any hearing of the committee. The per diem and mileage allowances for witnesses shall be paid from funds available to pay the expenses of the committee.

(c) EXPENDITURES.—The committee, or any subcommittee thereof, is authorized to make such expenditures as it deems advisable.

SEC. 5. APPOINTMENT AND COMPENSATION OF STAFF.

Except as otherwise provided by law, the committee shall have the power to appoint and fix the compensation of the Chief of Staff of the committee and such experts and clerical, stenographic, and other assistants as the committee deems advisable.

SEC. 6. PAYMENT OF EXPENSES.

The expenses of the committee shall be paid from the contingent fund of the Senate.

NOTICE OF HEARING

Ms. LANDRIEU. Mr. President, the Committee on Small Business and Entrepreneurship will meet on February 13, 2013, at 4:00 p.m. in room 432 of the Russell Senate Office building to conduct its organizational meeting.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 12, 2013, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 12, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on February 12, 2013, at 9:45 a.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on February 12, 2013, at 10:00 a.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON THE CONSTITUTION, CIVIL RIGHTS, AND HUMAN RIGHTS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights, and Human Rights, be authorized to meet during the session of the Senate, on February 12, 2013, at 10:00 a.m., in room SH-216 of the Hart Senate Office Building, to conduct a hearing entitled "Proposals to Reduce Gun Violence: Protecting Our Communities While Respecting the Second Amendment."

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. LEAHY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 12, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Joel Cohen, a Brookings fellow from the Department of Homeland Security, be granted floor privileges through December 31, 2013.

The PRESIDING OFFICER. Without objection, it is so ordered.

MAJORITY PARTY COMMITTEE MEMBERSHIP

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 29.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 29) to constitute the majority party's membership on certain committees for the One Hundred Thirteenth Congress, or until their successors are chosen.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 29) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

AUTHORIZING APPOINTMENT OF ESCORT COMMITTEE

Mr. REID. Mr. President, I ask unanimous consent the Presiding Officer of the Senate be authorized to appoint a committee on the part of the Senate to join a like committee on the part of the House to escort President Obama into the House Chamber for the joint session to be held tonight at 9 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR RECESS AND FOR WEDNESDAY, FEBRUARY 13, 2013

Mr. REID. Mr. President, I ask unanimous consent that the Senate recess until 8:30 p.m. tonight and proceed as a body to the Hall of the House of Representatives for the joint session of Congress provided under the provisions of H. Con. Res. 11; and that upon dissolution of the joint session, the Senate adjourn until 10 a.m. on Wednesday, February 13, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; following any leader remarks, the Senate be in a period of morning business with Senators permitted to speak therein for up to 10 minutes each, with the Republicans controlling the first 30 minutes and the majority controlling the second 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, we will gather in the Senate Chamber at 8:20 p.m. this evening to proceed as a body to the House for the State of the Union.

PROGRAM

Mr. REID. Mr. President, we hope to begin debate on the nomination of Senator Hagel to be Secretary of Defense tomorrow.

RECESS

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it recess under the previous order.

There being no objection, the Senate, at 4 p.m., recessed until 8:30 p.m. and reassembled when called to order by the Presiding Officer (Mr. DONNELLY).

JOINT SESSION OF THE TWO
HOUSES—ADDRESS BY THE
PRESIDENT OF THE UNITED
STATES

The PRESIDING OFFICER. The Senate will proceed to the Hall of the House of Representatives to receive a message from the President of the United States.

Thereupon, the Senate, preceded by the Sergeant at Arms, Terrance W.

Gainer; the Secretary of the Senate, Nancy Erickson; and the Vice President of the United States, JOSEPH R. BIDEN, JR., proceeded to the Hall of the House of Representatives to hear the address by the President of the United States, Barack H. Obama.

(The address delivered by the President of the United States to the joint session of the two Houses of Congress appears in the proceedings of the House of Representatives in today's RECORD).

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

At the conclusion of the joint session of the two Houses; and in accordance with the order previously entered, at 10:24 p.m., the Senate adjourned until Wednesday, February 13, 2013, at 10 a.m.

EXTENSIONS OF REMARKS

HONORING SAM JOHNSON

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. BOEHNER. Mr. Speaker, our colleague from Texas, SAM JOHNSON, is an American hero. And today I join other colleagues in observing the fortieth anniversary of his release from a North Vietnamese prisoner of war camp.

In seven years of captivity SAM endured physical and mental torture. In fact, SAM was set aside for extra abuse because of his obstinate resistance to his Communist captors. At various points SAM spent 42 straight months in solitary confinement and was forced into leg stocks for more than two years.

But while SAM's jailors punished his body, they could not break his spirit; his love of God and country is a deep wellspring they could never penetrate. His scars bear witness to his tenacity and toughness.

SAM JOHNSON spent a total of 29 years in service to the United States Air Force. He flew combat missions during the Korean War and above Vietnam. He earned two Silver Stars, two Legions of Merit, the Distinguished Flying Cross, a Bronze Star, and numerous other awards. Since his election to this body in 1991, SAM has walked the halls of Congress with the highest levels of respect and admiration. He has grown to become this institution's living embodiment of cool-under-fire heroism.

In remembering the anniversary of his release and saying "thanks" to SAM JOHNSON, we also remember all those captured and imprisoned defending our liberty. In the Rotunda of Capitol hangs the famous black POW-MIA flag. It hangs there to remind all Americans that freedom is not free and is purchased only at the very highest of costs.

Mr. Speaker, it is impossible to calculate the value of the sacrifices made by war fighters like SAM JOHNSON. It is equally impossible to adequately repay them. We are simply left with words of gratitude for a job well done. I hope all Members of Congress join me in extending thanks and deep appreciation for our colleague, SAM JOHNSON.

HONORING MR. CEDRIC GEORGE GIVENS

HON. CEDRIC L. RICHMOND

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. RICHMOND. Mr. Speaker, I rise today to honor the continued achievements of Mr. Cedric George Givens, a native of my hometown of New Orleans, Louisiana. I have the distinct privilege of congratulating Mr. Givens

as he is honored with the title of 98th King of Zulu, an organization that he has proudly served for nearly two decades. Mr. Givens has been a continued leader in Zulu, reigning as Zulu Governor in 2005 and serving as a Board Member from 2008 to 2012. He has also served on and chaired several committees, most recently acting as the Chairman of the Zulu Anniversary Committee. Mr. Givens has been a leader in Zulu due to his love of bettering his community, and it is an example that we should all strive to follow.

In addition to his role as an active member and leader of the Zulu Social Aid & Pleasure Club since 1994, Mr. Givens has been a leader in business and in his community. For 17 years, Mr. Givens worked as a Plant Supervisor for Diversified Foods and Seasonings Inc. Currently, he is serving as the Vice-President of Operations of a financial firm, where he manages operations and transportation in over 20 countries. Outside of work, Mr. Givens leads an admirable life in his community, working with social groups like the Big Dawgs and the Go-Getters. His service to his community is an inspiration, and we are deeply grateful to him for his years of commitment.

A New Orleans native, Mr. Givens is the youngest child to Robert and Janice Givens. He is a product of the Orleans Parish Public School System, graduating from Alcee Fortier Senior High School in 1985. He also attended college at Southwestern Louisiana University, where he joined the Beta Phi chapter of the Alpha Phi Omega Fraternity. Mr. Givens and his wife, Zulu Queen Monica Veal Givens, have three children—Stacey Thomas, Ryan Williams, and Rayna Brantley. I hold Mr. Givens in the highest regard for his dedication to his family and friends. His commitment to the future of New Orleans brings hope and promise to our city. With the tireless work of people like Mr. Givens, New Orleans will continue to be one of the most empowered and unique cities in the world.

I wish to congratulate Mr. Cedric Givens on his coronation on February 8, 2013 as the 98th King of Zulu.

TRIBUTE TO MRS. BARBARA JEAN LEVETT

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I present the following U.S. Citizen of Distinction.

Whereas, our lives have been touched by the life of this one woman who has given of herself to her family, church, community, and nation; and

Whereas, Mrs. Barbara Jean Levett's good works are present in Conyers, Georgia as an

exemplary mother, mother-in-law, grandmother, great grandmother, aunt, neighbor, community worker, business owner and friend; and

Whereas, this giant of a woman, who was raised up in Atlanta, Georgia, was born on January 1, 1933, to the late Mrs. Lillie Frances Bailey Fears; and

Whereas, Barbara Jean Levett (faithfully known as Tootsie) was a virtuous woman, a woman of great integrity who remained true to the uplifting of her community and family which in turn uplifted others; and

Whereas, she was an exemplary matriarch, serving as compass and wise counselor and bringing great joy to our district, her family and friends; and

Whereas, Mrs. Barbara Jean Levett loved her family, encouraging all of those around her to make a difference, be it her children, her elected officials, her neighbors and her church members at Rock Temple A.M.E Church in Conyers, Georgia where she was a faithful member; and

Whereas, this remarkable woman gave of herself, never asking for fame or fortune as she became a quiet storm, a spark that starts a flame; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to bestow a Congressional Recognition on Mrs. Barbara Jean Levett for her leadership, friendship and service to all of the citizens of Conyers and the nation;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby attest to the 112th Congress that Mrs. Barbara Jean Levett of Conyers, Rockdale County, Georgia is deemed worthy and deserving of this "Congressional Recognition" Mrs. Barbara Jean Levett, U.S. Citizen of Distinction.

Proclaimed, this 9th day of November, 2012.

IN CELEBRATION OF NATIONAL MARRIAGE WEEK

HON. RANDY HULTGREN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. HULTGREN. Mr. Speaker, I rise today to recognize National Marriage Week. I am proud to support this campaign to encourage marriage, reduce divorce rates, curtail poverty, and benefit children.

Marriage is a cornerstone of society and the foundation for happy, healthy homes and families. The proven benefits of marriage include economic stability, positive health and social advantages, emotional well-being and happiness, and children that perform better in schools.

This week celebrates love as well as commitment; it is a time for couples to reflect on

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

their vows to each other and look forward to their future years together. National Marriage Week is celebrated globally, and is supported by private organizations and individuals who believe that marriage brings benefits to all people in society.

National Marriage Week celebrates healthy marriages, and making commitments based on love, trust, and admiration. It is an honor for me to be able to celebrate this week with my lovely wife, Christy, to whom I have been married to for 22 years.

RECOGNIZING THE NAVARRE HIGH
SCHOOL LADY RAIDERS
WEIGHTLIFTING TEAM AS STATE
CHAMPIONS

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to congratulate Amanda Friar, Alyssa Jones, Chelsea King, Heather Lynch, Kylie Shelley, Morrigan Webb, Praise Pettus, Sarah Cox, Savannah Rodwell, Skye Barberi, Taylor Smith, and Coach Garrett Bagley of the Navarre High School Lady Raiders Weightlifting Team on earning their school's first state title.

On Saturday, February 9, 2013, under the coaching and leadership of Garrett Bagley, the Lady Raiders Weightlifting Team became Florida High School Athletic Association State Champions. After finishing in second place for the past three years, victory for the Lady Raiders was that much sweeter. This season, through the perfect blend of perseverance, discipline, focus, and desire, the Navarre Raiders were ultimately triumphant and defeated two-time defending state champion, Spruce Creek, for the title in a close 24–23 win.

A commendable eleven members of the lady Raiders team performed exceptionally well at the sectional competition and qualified for the State Championship. Of those eleven teammates, six lifters earned themselves individual medals with senior Amanda Friar leading the team as the 110-pound weight class individual gold medalist, followed by Skye Barberi and Praise Pettus finishing with second-place showings, Alyssa Jones and Kylie Shelley finishing fourth, and Chelsea King finishing sixth. I am certain that their impressive victory will continue to be a cherished moment in each of their lives.

Mr. Speaker, on behalf of the United States Congress, I am proud to recognize the Navarre High School Lady Raiders Weightlifting Team on their accomplishments and their continuing commitment to excellence at Navarre High School. My wife Vicki joins me in congratulating them and everyone who has played a supportive role in guiding their team to victory. We wish them all the best for continued success.

TRIBUTE TO REV. TOMMIE L.
LEWIS IN HONOR OF 30TH ANNI-
VERSARY AS PASTOR OF BETH-
EL BAPTIST CHURCH

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to recognize the 30th pastoral anniversary of Dr. Tommie L. Lewis, pastor of Bethel Baptist Church in Birmingham, Alabama. Since 1982, this dedicated servant has led the congregation of Bethel Baptist Church to new horizons in ministry. I am pleased to honor Pastor Lewis and join with his congregation in celebrating 30 years of excellence in leadership and service to the Lord. Pastor Lewis answered his call to minister on January 6, 1973 at the Shady Grove Missionary Baptist Church. For more than 40 years, Pastor Lewis has been led by his faith to minister and spread his message of service and commitment to mankind. While he has served at other churches, Pastor Lewis is most celebrated for all that he contributed to the Bethel Baptist Church family, affectionately known as "Bethel Nation". Under his 30 year leadership, Bethel Nation has grown to a membership of over 5,000 worshippers and currently stands as a beacon of hope and inspiration in the Pratt City community. Pastor Lewis has shaped a legacy defined by numerous ministries that reach far beyond the church sanctuary. In both his professional and spiritual life, his character has been defined by his willingness to serve, his unselfish generosity and his unwavering commitment to making a difference in the lives of others. He uses his clergy position as a powerful force for good throughout this world.

Pastor Lewis is an accomplished biblical scholar. He attended the Birmingham Easonian Baptist Bible College and the Universal Bible Institute in Brunswick, Georgia. Pastor Lewis is also the recipient of various honorary doctorate degrees as a result of his varied contributions to the ministry and public service. Through the years, in addition to his dedicated service to Birmingham, Pastor Lewis has also sought to share his spiritual teachings all over the world. He has ministered to and delivered sermons throughout the United States, South America, Europe, Africa and Asia. But no matter where his ministry has taken him, Pastor Lewis is forever committed to home. Pastor Lewis has led by example and displayed his commitment to public service through his affiliation with various religious and civic organizations aimed at empowering the lives of those that he serves. His involvements include but are not limited to: the Pratt City Ministerial Alliance, the Birmingham Metropolitan Baptist Ministerial Conference and the Southern Christian Leadership Conference. Pastor Lewis also worked to transform the trajectory of his community through his service as former Captain for the Bessemer Police and Fire Department Chaplaincy Corps and the former Chairman of the Board of Directors for the Jefferson County Transit Authority. Pastor Lewis currently serves as Chairman of the Board of Directors

for Jefferson County Commission of Economic Opportunity and State President for the National Rainbow Push Coalition. In 1998, he received one of Birmingham's highest honors when he was inducted into the City of Birmingham Gallery of Distinguished Citizens.

In the aftermath of the April 2011 tornadoes, which completely destroyed Bethel Baptist Church, Pastor Lewis' faith and determination has been unwavering as he continues to minister to his congregation as they rebuild a stronger Bethel Nation. He continues to be grounded in God's mercy and grace, giving hope to the hopeless and providing opportunities for the least amongst us.

While his contributions and accolades are large in number, I am especially grateful for the servant leadership that Pastor Lewis has shown to the 7th Congressional District of Alabama. He has made an indelible imprint on the lives of so many of us through his ministries. We are blessed by his visionary leadership. Therefore, it is with pride and a humble heart that I pay tribute to Pastor TL Lewis in recognition and appreciation of his 30th pastoral anniversary at Bethel Baptist Church. And so it shall be transcribed in the annals of the United States House of Representatives that special recognition be made to Reverend Dr. Tommie L. Lewis on behalf of a grateful nation.

HONORING CHIEF APOSTLE
ROBERT L. WILLIAMS

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation.

Whereas, Bishop Robert Lee Williams, Sr., and Straight Life Church of God Pentecostal, Inc., are celebrating the elevating of Bishop Williams to Chief Apostle after years of pastoral and stellar leadership to his church and our community; and

Whereas, Chief Apostle Williams, under the guidance of God has pioneered and sustained Straight Life Church of God Pentecostal, Inc., as an instrument in our community that uplifts the spiritual, physical and mental welfare of our citizens; and

Whereas, this remarkable and tenacious man of God has given hope to the hopeless and is a beacon of light to those in need; and

Whereas, Chief Apostle Williams is a spiritual warrior, a man of compassion, a fearless leader and a servant to all, but most of all a visionary who has shared not only with his Church, but with our District and the nation his passion to spread the gospel of Jesus Christ; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and congratulate Chief Apostle Williams as he is elevated to this position of great recognition and great responsibility in pastoral leadership;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim November 11, 2012 as Chief Apostle Robert L. Williams, Sr. Day in the Fourth Congressional District.

Proclaimed, this 11th day of November, 2012.

TRIBUTE TO HADIYA PENDLETON

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. RUSH. Mr. Speaker, I rise today to pay tribute to a remarkable young woman who had really just begun to embark upon her life's journey, but Hadiya Zaymara Pendleton was taken from us too soon on January 29, 2013 as a result of senseless gun violence.

No words can ease the pain of losing a child, Mr. Speaker. To Hadiya's parents and loved ones I can simply offer them a word from scripture. In Luke 18:16 the Bible tells us "Then Jesus called for the children and said to the disciples, 'Let the children come to me. Don't stop them! For the Kingdom of God belongs to those who are like these children.'"

Born June 2, 1997, Hadiya was loved by everyone who has encountered her since that summer day. A lover of Chinese food, cheeseburgers, ice cream, and Fig Newtons, Hadiya was active in extracurricular activities such as the CHI-TOWN Cheerleaders, Debate, Volleyball, Basketball, Mentoring Programs, and serving as Band Majorette where she proudly participated in last month's Inaugural Parade. In addition to her extracurricular passions, Hadiya was an honor student who began her academic journey at Small Stride Academy and continued her development at such schools as John D. Shoop Math-Science Technical Academy, Marva Collins School, the Carter G. Woodson School, and Dr. Martin Luther King, Jr. College Prep High School.

These institutions were critical in creating a sound educational foundation for this well-rounded young woman. Hadiya had a high regard for academic success and higher learning. Her favorite class was Latin and she recently expressed how disappointed she was that the language program would end after this school year. Her love of learning drove her ambitions. One of her many aspirations was to major in pharmacology and journalism.

Mr. Speaker, though Hadiya's voice has been silenced far too early her memory and her spirit continue to live on through all of us. It now falls upon us, Hadiya's friends, family, neighbors, and community to speak out in her name, to strive for excellence in her name, and to build a better world in her name. I, Mr. Speaker, am one individual who pledges to do just that.

HONORING THE "GEMS OF 26" MAINE MILITARY PROGRAM

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to honor Cyndi Robbins and the "Gems of 26" for their outstanding efforts to honor our nation's veterans. Over the last three years,

Cyndi Robbins and the staff of the Poland Spring Inn welcomed more than 600 members of military and veteran families for short getaways in scenic Western Maine.

Thanks to a unique partnership formed between a group of unique sites along Route 26 called the "Gems of 26," military and veteran families have been treated to lodging, meals, boat rentals, and free access to a variety of activities and historic sites in Maine's western mountains.

In addition to the Poland Spring Resort, the generous "Gems of 26," include the Maine Wildlife Park in Gray, the Sabbathday Lake Shaker Village in New Gloucester, the Poland Spring Preservation Society in Poland Spring, and the grounds of the McLaughlin Garden in South Paris. The Maine Military and Community network has also played an important role in helping eligible families participate in the program.

Mr. Speaker, please join me in honoring Cyndi Robbins, the Poland Spring Resort, and these historic Maine attractions for their commitment to serving our veteran and military families.

CELEBRATING BLACK HISTORY MONTH

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. VISCLOSKY. Mr. Speaker, it is with great respect and sincere admiration that I rise today to celebrate Black History Month and its 2013 theme—"At the Crossroads of Freedom and Equality." This year's theme reminds us of two very important landmark events in American history, the 150th anniversary of President Abraham Lincoln's issuing of the Emancipation Proclamation in 1863 and the 50th anniversary of the Civil Rights March on Washington in 1963. This year we recognize the perseverance, sacrifice, and struggle of those who fought for the freedom and equality that has shaped our great nation.

This year's theme, "At the Crossroads of Freedom and Equality," focuses on our nation's struggle for equality and civil rights, beginning with President Lincoln's issuance of the Emancipation Proclamation in 1863 and the abolishing of slavery. Some one hundred years later, Dr. Martin Luther King, Jr. led the Civil Rights March on Washington fighting for, amongst other ideals, meaningful civil rights legislation, including better employment opportunities and an end to segregation. These historic events have had an immense impact on our nation's fight for the equal rights of all human beings, regardless of race, gender, or religious, cultural, or social beliefs. Although there is still work to be done, we must take a moment to commend the many Americans who have, against all odds, strengthened our union, fought for our freedoms, and built a better nation. This month and always, it is important to remember the courage of inspirational leaders including President Lincoln, Dr. King, Rosa Parks, Thurgood Marshall, W.E.B. Du Bois, and the many others who have played such a critical role in changing the landscape of American society for the better.

I would be remiss if I did not also pay tribute to one of Northwest Indiana's finest citizens, who passed away only a few weeks ago. As the representative of the First Congressional District of Indiana, I have had the pleasure of knowing Mr. Quentin Smith. Born in 1918, Mr. Smith saw firsthand the great injustices faced by African Americans throughout our country's history, as well as the courageous strides made toward equality and civil justice. A member of the heroic Tuskegee Airmen, Quentin's service in the 99th Fighter Squadron will forever be remembered in working to conquer America's racial divide. In a time when segregation existed not only in our communities but in the military as well, the Tuskegee Airmen are now rightfully remembered as one of the most successful units in our military's history, not only for their bravery and sacrifice in the air, but for the position they played in the progression of the military and American society as a whole. As a civilian, Mr. Smith continued to serve his community as an educator, counselor, and principal at the elementary, middle, and high school levels, as well as a professor at the collegiate level. Held in extraordinary regard in the educational community, Mr. Smith was able to utilize his vast experience to positively influence generations to come.

Mr. Speaker, I ask that you and my distinguished colleagues join me in celebrating Black History Month and honoring those who fought, and those who continue to fight, for civil rights. Let us also remember the selfless and brave Quentin Smith. We are forever indebted to him for his contributions toward freedom and equality, and Northwest Indiana is proud to have been his home.

HONORING MR. LEE VAN OLIVER

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation.

Whereas, One hundred years ago a tenacious man of God was born in Screven County, Georgia on November 8, 1912; and

Whereas, Mr. Lee Van Oliver was blessed to have ten siblings, he grew up in Georgia attending school in the local school system and moved to Savannah, Georgia at an early age; he worked in several industries in Savannah; International Paper, the Shipyard, Sears & Roebuck, Smith & Kelly; and

Whereas, Mr. Oliver has shared his time and talents as a Husband, Longshoreman, Uncle, Brother and Motivator, giving the citizens of Georgia a person of great worth, a fearless leader and a servant to all who want to advance the lives of others; and

Whereas, Mr. Oliver has been blessed with a long, happy life, devoted to God and credits it all to the Will of God; and

Whereas, Mr. Oliver along with his family and friends are celebrating this day a remarkable milestone, his 100th Birthday, we pause to acknowledge a man who is a cornerstone in our community; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this

day to honor and recognize Mr. Oliver on his birthday and to wish him well and recognize him for an exemplary life which is an inspiration to all;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim November 8, 2012 as Mr. Lee Van "L.V." Oliver Day in the 4th Congressional District of Georgia.

Proclaimed, this 8th day of November, 2012.

AMERICAN MEMORIAL PARK
TINIAN ANNEX ACT

**HON. GREGORIO KILILI CAMACHO
SABLAN**

OF THE COMMONWEALTH OF THE NORTHERN
MARIANA ISLANDS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. SABLAN. Mr. Speaker, today I am introducing the American Memorial Park Tinian Annex Act. This bill directs the Secretary of the Interior to develop, maintain, and administer on the island of Tinian in the Northern Mariana Islands an extension of the existing American Memorial Park on the neighboring island of Saipan.

American Memorial Park was established to honor the 5,204 U.S. military personnel and Northern Mariana Islanders, whose lives were lost during the Marianas Campaign, one of the most strategically significant events of World War II. The Park houses a museum that affords residents and visitors alike an opportunity to learn about the vital role of the Northern Mariana Islands in the United States' successful effort to bring World War II to a close.

The Marianas Campaign was so important because capture of the islands placed U.S. bombers within range of the Japanese homeland. B-29s were deployed from both Saipan and Tinian; and, eventually, the atomic bombs that ended the War in the Pacific were launched from the airfield on Tinian, which was at the time the largest facility in the world.

Despite the critical role of Tinian and its airfields, today there is no repository on the island for artifacts recovered from the vast military sites that were quickly abandoned at the end of the conflict. Nor is there any location at which residents and visitors to Tinian can obtain adequate information about the historically significant events that occurred there.

The proposed Tinian Annex would fill this gap. The Annex would have both a curatorial and an interpretive function. And, as conceived, the Annex would accomplish these purposes by building on National Park Service resources and infrastructure already established to manage the American Memorial Park and largely supported by a trust fund. Although the Department of Defense has said that it will seek additional funding to support a historical center on Tinian, the proposed Act also respects the limitations on federal financial resources by encouraging the use of public lands, provided by the local government, as the site of the Annex.

The need for the Tinian Annex is pressing. For decades after World War II the historically significant areas of the island remained relatively undisturbed. The U.S. military leased

two-thirds of Tinian and there were only occasional training exercises on these lands. But more recently, as U.S. forces have begun to be reconfigured and realigned in the Pacific region, the tempo of activity on Tinian has increased. Lands are being developed for firing ranges, encampment sites are being enlarged, and the airfields of the 1940s are being reconstructed as part of the military's on-going readiness exercises.

Although the people of the Northern Mariana Islands certainly support this increased activity and are proud to have a role in our Nation's defense, we are also concerned that historically important artifacts that may be unearthed over the coming decades of stepped-up training will be discarded and lost without a nearby repository for their preservation. We are concerned, too, that because this military activity will at times necessarily limit physical access to large parts of the island Tinian residents and visitors will need some alternative, virtual means of learning about the role of Tinian North Field, where the atomic bomb carrying B-29s, Enola Gay and Bock's Car, lifted off and about other sites of historic significance. We are concerned that we may be losing a little bit of our Nation's and our islands' history, day by day. The purpose of my bill is to remedy this.

This is not solely the concern of those of us who live in the Northern Mariana Islands. I would like to share with you the perspective of U.S. Marine Corps Chaplain Lt. David Jeltema who was on Tinian last September. He accompanied a Marine expeditionary unit training there. Lt. Jeltema said the visiting Marines were in awe to be in such a historically significant location and viewed Tinian as "hallowed ground." Tinian's North Field is one of those places he said he wished more people could see, "so that we can remember the tremendous power the military has and realize what an incredible responsibility it also has."

That is certainly one of the many important lessons that could be drawn by any visitor to the Tinian Annex of the American Memorial Park, which the bill I introduce today would authorize.

I want to thank the House Natural Resources Committee, which favorably reported this same legislation in the 112th Congress. I thank all those Members who are original cosponsors of the measure today. And I ask the House to move quickly to approve the American Memorial Park Tinian Annex Act for the benefit of the future and in honor of the past.

HONORING THE LONG ISLAND REGIONAL SCIENCE BOWL WINNERS
FROM HUNTINGTON HIGH
SCHOOL

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. ISRAEL. Mr. Speaker, I rise today to honor a team of talented and dedicated students from Huntington High School in my Congressional District that recently won the Long Island Regional Science Bowl held at Brookhaven National Laboratory. These stu-

dents are the future of our nation's excellence in the sciences and I am so proud to recognize them today.

Captain Brian Gilbert and teammates Aron Coraor, Marc Feldman, and Jacob Roday attend Huntington High School in Huntington, NY and on Saturday January 26, 2013 were named the Long Island Regional Science Bowl winners. The young men competed against twenty other teams from high schools around the region in a Jeopardy style contest. These students will compete in the National Finals for the Science Bowl in Washington, DC in April 2013.

This success reflects the hard work of these students, but also of their mentors, Huntington High School teachers Ms. Dame Forbes and Ms. Lori Kenny. Ms. Forbes and Ms. Kenny coached the team and helped make this success possible. It is dedicated teachers like them that make a difference in lives of students and the well being of this country. I am sure there were many long days and hours of practice that made this all possible so both of these women deserve credit for their contribution to the team as well.

The National Science Bowl is one of the largest science competitions in the country and being recognized as a finalist is an extraordinary honor. I know that Brian, Aron, Marc, and Jacob have a bright future ahead of them and I wish them nothing but success in the National Finals this spring. They should be proud of all they have achieved so far and I know they will continue to excel.

JAMIE STRONG

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and honor Jamie Strong for receiving the Greater Golden Chamber of Commerce Young Professional of the Year Award.

Jamie, the Event Designer at Three Tomatoes Steakhouse and Club at Fossil Trace, was elected as Chair of the 2012 Golden Young Professionals and did a superb job in overseeing the development of the organization, particularly focusing on professional development and community service for members. Her dedication and ability to work with Chamber staff was fantastic.

When not at work, you will find Jamie involved with the Golden Chamber, at the Golden Community Center, or enjoying all the local hiking trails.

I extend my deepest congratulations to Jamie Strong for her well deserved recognition from the Greater Golden Chamber of Commerce. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING MRS. ERMA MABRY

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation.

Whereas, eighty years ago a virtuous woman of God was born in Gwinnett County, Georgia on October 29, 1932; and

Whereas, Mrs. Erma Mabry was born Erma Lyons to Mr. Willie Golden and Mrs. Bessie Ragsdale Lyons, she was educated in the local school system in Georgia, married Mr. German William Mabry and through their union was blessed with three children, one daughter-in-law, two grandchildren, and one great grandchild; and

Whereas, this Phenomenal Proverbs 31 woman has shared her time and talents as a Wife, Mother and Motivator, giving the citizens of Georgia a person of great worth, a fearless leader and a servant to all who wants to advance the lives of others; and

Whereas, Mrs. Mabry has been blessed with a long, happy life, devoted to God and credits it all to the Will of God; and

Whereas, Mrs. Mabry along with her family and friends are celebrating this day a remarkable milestone, her 80th birthday, we pause to acknowledge a woman who is a cornerstone in our community in DeKalb County, Georgia; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Mrs. Mabry on her birthday and to wish her well and recognize her for an exemplary life which is an inspiration to all;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim October 29th, 2012 as Mrs. Erma Mabry Day in the 4th Congressional District of Georgia.

Proclaimed, this 29th day of October, 2012.

CONNIE TYSDAL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and honor Connie Tysdal for receiving the Charlie O'Brien Award from the Greater Golden Chamber of Commerce.

This award goes to members who are well respected within the organization and are motivated by an unselfish desire to contribute to the community for the betterment of greater Golden.

When Connie moved to unincorporated Jefferson County in 1979 she hit the ground running. Among her many accomplishments Connie served on the Colorado PTA Leadership Commission, was elected President of the Leadership Golden Alumni Association, Chair of the Visitors and Convention Council and worked as a philanthropic researcher for the Colorado School of Mines.

I extend my deepest congratulations and gratitude to Connie Tysdal for this well de-

served recognition by the Greater Golden Chamber of Commerce. Your commitment has made our community a better place for all of us to live.

OBAMA ADMINISTRATION'S NEGLIGENCE OF FORT HOOD VICTIMS

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. WOLF. Mr. Speaker, I submit a report that will air on ABC News tonight about the Obama Administration's negligence of the Fort Hood survivors and their families.

This was clearly a terrorist attack and while the administration has designated this attack as "workplace violence," the survivors cannot access assistance. We are not treating these people fairly.

[From ABC News, Feb. 12, 2013]

FORT HOOD HERO SAYS OBAMA 'BETRAYED' HER, OTHER VICTIMS

(By Ned Berkowitz and Brian Ross)

Three years after the White House arranged a hero's welcome at the State of the Union address for the Fort Hood police sergeant and her partner who stopped the deadly shooting there, Kimberly Munley says President Obama broke the promise he made to her that the victims would be well taken care of.

"Betrayed is a good word," former Sgt. Munley told ABC News in a tearful interview to be broadcast tonight on "World News with Diane Sawyer" and "Nightline."

"Not to the least little bit have the victims been taken care of," she said. "In fact they've been neglected."

There was no immediate comment from the White House about Munley's allegations.

Thirteen people were killed, including a pregnant soldier, and 32 others shot in the November 2009 rampage by the accused shooter, Major Nidal Hasan, who now awaits a military trial on charges of premeditated murder and attempted murder.

Tonight's broadcast report also includes dramatic new video, obtained by ABC News, taken in the immediate aftermath of the shooting, capturing the chaos and terror of the day.

Munley, since laid off from her job with the base's civilian police force, was shot three times as she and her partner, Sgt. Mark Todd, confronted Hasan, who witnesses said had shouted "Allahu Akbar" as he opened fire on soldiers being processed for deployment to Afghanistan.

As Munley lay wounded, Todd fired the five bullets credited with bringing Hasan down.

Despite extensive evidence that Hasan was in communication with al Qaeda leader Anwar al-Awlaki prior to the attack, the military has denied the victims a Purple Heart and is treating the incident as "workplace violence" instead of "combat related" or terrorism.

Al-Awlaki has since been killed in a U.S. drone attack in Yemen, in what was termed a major victory in the U.S. efforts against al Qaeda.

Munley and dozens of other victims have now filed a lawsuit against the military alleging the "workplace violence" designation means the Fort Hood victims are receiving

lower priority access to medical care as veterans, and a loss of financial benefits available to those who injuries are classified as "combat related."

Some of the victims "had to find civilian doctors to get proper medical treatment" and the military has not assigned liaison officers to help them coordinate their recovery, said the group's lawyer, Reed Rubenstein. "There's a substantial number of very serious, crippling cases of post-traumatic stress disorder exacerbated, frankly, by what the Army and the Defense Department did in this case," said Rubenstein. "We have a couple of cases in which the soldiers' command accused the soldiers of malingering, and would say things to them that Fort Hood really wasn't so bad, it wasn't combat."

A spokesperson for the Army said its policy is not to comment on pending litigation, but that it is "not true" any of the military victims have been neglected and that it has no control over the guidelines of the Veterans Administration. Secretary of the Army John McHugh told ABC News he was unaware of any specific complaints from the Fort Hood victims, even though he is a named defendant in the lawsuit filed last November which specifically details the plight of many of them.

"If a soldier feels ignored, then we need to know about it on a case by case basis," McHugh told ABC News. "It is not our intent to have two levels of care for people who are wounded by whatever means in uniform."

Some of the victims in the lawsuit believe the Army Secretary and others are purposely ignoring their cases out of political correctness.

"These guys play stupid every time they're asked a question about it, they pretend like they have no clue," said Shawn Manning, who was shot six times that day at Fort Hood. Two of the bullets remain in his leg and spine, he said.

"It was no different than an insurgent in Iraq or Afghanistan trying to kill us," said Manning, who was twice deployed to Iraq and had to retire from the military because of his injuries.

An Army review board initially classified Manning's injuries as "combat related," but that finding was later overruled by higher-ups in the Army.

Manning says the "workplace violence" designation has cost him almost \$70,000 in benefits that would have been available if his injuries were classified as "combat related."

"Basically, they're treating us like I was downtown and I got hit by a car," he told ABC News.

For Alonzo Lunsford, who was shot seven times at Fort Hood and blinded in one eye, the military's treatment is deeply hurtful.

"It's a slap in the face, not only for me but for all of the 32 that wore the uniform that day," he told ABC News.

Lunsford's medical records show his injuries were determined to be "in the line of duty" but neither he nor any of the other soldiers shot or killed at Fort Hood is eligible for the Purple Heart under the Department of Defense's current policy for decorations and awards.

Army Secretary McHugh says awarding Purple Hearts could adversely affect the trial of Major Hasan.

"To award a Purple Heart, it has to be done by a foreign terrorist element," said McHugh. "So to declare that soldier a foreign terrorist, we are told, I'm not an attorney and I don't run the Justice Department, but we're told would have a profound effect on the ability to conduct the trial."

Members of Congress, including the chairman of the House Homeland Security committee, Rep. Michael McCaul, R-Texas, say they will introduce legislation to force the military and the Obama administration to give the wounded and dead the recognition and honors they deserve.

"It was clearly an act of terrorism that occurred that day, there's no question in my mind," McCaul told ABC News. "I think the victims should be treated as such."

Former Sgt. Munley says she now believes the White House used her for political advantage in arranging for her to sit next to Michelle Obama during the President's State of the Union address in 2010.

Munley says she has no hesitation now speaking out against the President or taking part in the lawsuit, because she wants to help the others who were shot that day and continue to suffer.

"We got tired of being neglected. So this was our last resort and I'm not ashamed of it a bit," she said.

THE LARIAT LOOP

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and honor The Lariat Loop for receiving the Greater Golden Chamber of Commerce Civic Award.

This award is given each year to an organization or individual that has contributed greatly to the quality of life in Golden.

The Lariat Loop website captures the spirit of this 40-mile route connecting the cities of Golden, Morrison and Evergreen. "You can retrace the motoring adventures of the early 1920s and experience the thrill of foothills exploration at the dawn of the Age of Motorcars. Colorado's first gateways to the mountains still have sharp curves, winding roads, spectacular views, and waysides to refresh and delight the traveler." This byway is a combination of two historic routes: the Lariat Trail Scenic Mountain Drive ascending Lookout Mountain and the Bear Creek Canyon Scenic Mountain Drive. In combination, these routes were part of several of the "scenic circles" developed and promoted by Denver in 1915 to help Coloradans experience the mountains in proximity to the Denver Metropolitan area. These roadways were designated to the National Register of Historic Places in 1976.

I extend my deepest congratulations to The Lariat Loop for this well deserved recognition from the Greater Golden Chamber of Commerce. I am proud to have this historic byway in my community.

TRIBUTE TO MRS. DANNIE G. HOLLIS

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation.

Whereas, Ninety years ago a virtuous woman of God was born in rural Georgia on October 24, 1922; and

Whereas, Mrs. Dannie G. Hollis was born to inspire and motivate, she was educated in the local school system in Georgia, obtained secondary educational degrees from West Georgia College, Georgia State University, Piedmont Hospital/Emory University and the University of Georgia; and

Whereas, this Phenomenal Proverbs 31 woman has shared her time and talents as a Wife, Mother, Grandmother and Medical Technologist, giving the citizens of Georgia a person of great worth, a fearless leader and a servant to all who wants to advance the lives of others; and

Whereas, Mrs. Hollis has been blessed with a long, happy life, devoted to helping others through her service in her community and profession; and

Whereas, Mrs. Hollis along with her family and friends are celebrating this day a remarkable milestone, her 90th Birthday, we pause to acknowledge a woman who is a cornerstone in our community in DeKalb County, Georgia; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Mrs. Hollis on her birthday and to wish her well and recognize her for an exemplary life which is an inspiration to all;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim October 24th, 2012 as Mrs. Dannie G. Hollis Day in the 4th Congressional District of Georgia.

Proclaimed, this 24th day of October, 2012.

ERA, A WATERS COMPANY

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and honor ERA, A Waters Company, for receiving the Greater Golden Chamber of Commerce Chairman's Award.

ERA moved into their new facilities in Golden from another metro community in December of 2011, but it didn't take ERA long to get involved in Golden. In addition to contributing a great deal to the overall economic vitality of the Greater Golden Area, ERA has a real passion to help others, and Soles4Souls became a project Carl Craig, ERA President, stepped forward to assist. He offered Soles4Souls, a charity that collects and distributes shoes to people in need, room in their warehouse at ERA to store shoes. Well, 110,000 pairs of shoes later, the offer still stands with great gratitude.

I extend my deepest congratulations to ERA, A Waters Company, for their well deserved recognition from the Greater Golden Chamber of Commerce. I have no doubt they will exhibit the same integrity and dedication in all future accomplishments.

TRIBUTE TO TONI CHILDRRESS

HON. PAUL C. BROWN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. BROWN of Georgia. Mr. Speaker, I rise today to pay tribute to Ms. Toni Childress, a compassionate advocate for children and families in northeast Georgia. For seven years, Ms. Childress has served as executive director for Family Connection and Communities In Schools of Stephens County, Incorporated. The mission of the organization is simple—to surround students with a community of support, empowering them to stay in school and achieve in life.

Under her leadership, Family Connection and Community In Schools, FCCIS, has encouraged children to accomplish more than they ever thought possible through effective literacy and tutoring programs, as well as a powerful mentoring program. Of the latter, one student shared, "My mentor has helped me to follow my dreams and keep my goals high." This sincere expression of one student is reason enough to honor Ms. Childress. However, she is one who goes above and beyond the required assignment.

Where Ms. Childress sees a need, she will rise to the occasion to find a solution. When a social worker approached her about the lack of warm winter clothing for several students, Ms. Childress organized a successful coat drive. Now, in its fourth year, FCCIS distributes more than seven hundred coats to children and adults throughout Stephens County. Similarly, when Ms. Childress learned that there is an alarming rate of child abuse and neglect in her community, she quickly organized monthly workshops with the acknowledgment that change begins with awareness.

For this reason, it is my honor to acknowledge Ms. Toni Childress for the significant contributions she has made to her community. Whether it is providing gift certificates for student vision exams or welcome bags for newborn babies, Ms. Childress is passionate about making a difference. On behalf of the United States Congress, I applaud her great work and wish continued success for Family Connection and Communities In Schools of Stephens County, Incorporated.

CHRIS QUOYESER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and honor Chris Quoyeser for receiving the Greater Golden Chamber of Commerce Ambassador of the Year Award.

This award is given each year to an individual who is a member of the Chamber Ambassadors. This individual has been very active in promoting the Chamber in several ways such as attending ribbon cuttings, grand openings, ground breakings, mentoring new Chamber members, attending Chamber functions, helping at the Chamber Back Yard BBQ, and

the list goes on. Chris has been a Chamber Ambassador for several years and accepts all challenges with a positive attitude and a can do spirit.

In addition to running a very successful business, Chris is always available when called upon. His dedication to the Golden makes him a real asset to the community.

I extend my deepest congratulations to Chris Quoyeser for his well deserved recognition from the Greater Golden Chamber of Commerce. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

IN MEMORY OF OUR MOTHER:
MRS. BARBARA JEAN LEVETT

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following.

One of God's greatest gifts is to know your mother

For she loves you, guides you and molds you like no other

Her wisdom that she bestows on you is that from Heaven above

The serenity you have by being in her presence is that of a dove

Our mother has that joy that touches everyone she meets

Her kindness is so precious and her love is oh so sweet

To hear her voice in a time of need seems to make everything alright

It's nice to know that she has your best interest by sending up prayers at night

Being a mother, grandmother and a great grandmother

Our family was blessed to receive a love like no other

A Proverbs 31 woman best describes our mother to us

Always so giving, always cheerful and never making a fuss

The quality times that she shared with us are priceless moments in time

She will always be in our hearts, near us in spirit and in our thoughts when we reminisce in our mind

The bond that she has with her family is that like no other

We pray for God to comfort us in understanding and peace during the home going of our dear Mother

For the Family of Mrs. Barbara Jean Levett.

For Mrs. Barbara Jean Levett.

Sunrise: January 1, 1933-Sunset: November 3, 2012.

Penning November 4, 2012 by Eric Charles.

DEDICATION OF A PORTION OF
INTERSTATE 80 IN MEMORY OF
HIGHWAY PATROL OFFICER RAY-
MOND CARPENTER

HON. TOM MCCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. MCCLINTOCK. Mr. Speaker, I rise today to join the city of Rocklin in dedicating a por-

tion of Interstate 80 in memory of Highway Patrol Officer Raymond Carpenter.

This dedication is meant to pay tribute to Ray's life and his long service to our nation and our community.

His great sense of duty and commitment came as no surprise to those who knew his story; in fact it was a testament to his humble upbringing. He was born in a small cabin and raised on the Sullivan Ranch in Auburn, where he learned the long hours and hard work of a ranch hand. This hardy experience taught him the uniquely American values of hard work and the freedom that self-reliance provides. That same tenacity and perseverance would lead him to later become an Alaskan homesteader while stationed there as a Technical Sergeant with the U.S. Air Force, building his own cabin on the frontier of our nation, like his forebears before him had in the rugged wilderness of northern California.

It was to the blessing of his native state that Ray was called to return home in 1956, where his love of the outdoors, motorcycles, and his passion for service led him to the California Highway Patrol. His kind disposition made him friends easily, and he was always fast in offering a helping hand. Whether in his time with the Air Force or as a Highway Patrol Officer after returning to California, Ray had spent the better part of his life in service to his fellow Americans. It was in that service that Ray surrendered his life when he was shot and killed in the line of duty on February 17, 1970.

Mr. Speaker, while Ray's life was cut short, we must celebrate his contributions, for as General Patton said "it is foolish and wrong to mourn the men who died. Rather we should thank God that such men lived." I am proud today to rise to honor his memory and in grateful recognition of his many years of service and sacrifice.

IN RECOGNITION OF LAWRENCE S.
SYKOFF, ED.D.

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. PALLONE. Mr. Speaker, I rise today to recognize Dr. Lawrence S. Sykoff, Ed.D., on his retirement as Head of School of Ranney School in Tinton Falls, NJ. Dr. Sykoff has served as Ranney School's Head of School for 20 years, and his accomplishments are to be celebrated.

Much of Dr. Sykoff's 35 years within the education field have been spent at Ranney School. He has been a dedicated and involved Head of School throughout his tenure. He has been a hands-on administrator, giving lectures; playing guitar along with the music students; and rooting on the athletic teams. His commitment to the families of the school was exemplified in the wake of Superstorm Sandy. Dr. Sykoff ensured that those displaced found places within the community to stay days after the storm hit. The school has also helped support local charities that help the many residents affected by the storm.

In addition to his involvement with Ranney School, Dr. Sykoff is an active member of the

community-at-large. He is a member of the Board of Trustees at the Riverview Medical Center Foundation in Red Bank and the American Cancer Society, where he also serves on the Eastern Division's Board of Directors. He also served on the Board of Trustees of Count Basie Theatre in Red Bank and was recognized for his ongoing support of the arts. Dr. Sykoff has received numerous commendations for his work in the community and his commitment to education. He was honored with the 2012 Quarter Century Award by the Council for Advancement and Support of Education, CASE, and received the Crystal Star Award from the nonprofit Holiday Express.

During Dr. Sykoff's tenure, Ranney School has expanded enrollment and completed an accreditation process. He has also overseen the expansion of school buildings and modernization of athletic facilities. The improvements to Ranney School have helped highlight the school's merit.

Mr. Speaker, once again, please join me in congratulating Dr. Lawrence Sykoff on his retirement and thanking him for his service and commitment to education.

REMEMBERING CHARLES "CHUCK"
ALBERT POLAND, JR.

HON. MARTHA ROBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mrs. ROBY. Mr. Speaker, I rise today to recognize the heroic actions of Mr. Charles "Chuck" Albert Poland, Jr., a school bus driver from Southeast Alabama who died protecting the lives of the children in his care.

Tuesday, January 29, started out just like another day for Mr. Poland, who had worked as a school bus driver for the Dale County Schools system since 2009. However, that afternoon while completing his route, an armed man entered Mr. Poland's school bus and demanded to take children hostage. Faced with this perilous situation, Mr. Poland rushed the children out the bus emergency exit and to safety. Standing between the gunman and the children, Mr. Poland was shot four times and killed. There is little doubt that Mr. Poland's actions saved lives.

This, of course, began the week-long hostage standoff, which, thankfully, ended with the amazing rescue of the child hostage. But who knows how the situation might have ended had Mr. Poland not bravely stood in the gunman's way.

Mr. Speaker, as a mother of two young children, I am particularly moved by the actions Chuck Poland took to protect the children in his care. It is difficult to even imagine our children being in such danger. How heartening to know that—whether in a classroom or on a school bus—people like Mr. Poland are looking out for students and protecting them.

Those who know Chuck Poland best speak to his quiet, humble spirit. They note that he would likely shy away from the attention. Born in Idaho, Mr. Poland made Southeast Alabama his home in the 1960s. He served in the Army before settling down as a diesel mechanic. When he retired, he took up a part-

time job as a bus driver. Ultimately, Mr. Poland was asked to become a full-time bus driver in 2009.

Mr. Poland was a beloved husband to Jan, his wife of over 40 years; a loving father to his son, Aaron, and daughter, Lydia; and doting "Paw-Paw" to his three grandsons, Timothy, Ryan, and Blake.

Mr. Poland and his wife shared a favorite Bible verse, which, in this moment seems very fitting. "For the which cause I also suffer these things: nevertheless I am not ashamed: for I know whom I have believed, and am persuaded that He is able to keep that which I have committed unto him against that day."—2 Timothy 1:12

According to his son, Mr. Poland viewed his students as his own children, and he looked after them as though they were his own. Chuck Poland would be proud to watch them grow up; to see the men and women they become.

One of the children might grow up to be a scientist who makes the next big discovery or cures a disease. One might start a major company that employs thousands. One might be a soldier who fights valiantly for our country. One might be a teacher, a nurse or a firefighter who makes a difference in the lives of others. But one thing is for sure—they each have the chance to live a full and happy life because their bus driver, Mr. Poland, was willing to give his life for theirs.

The author Joseph Campbell wrote, "A hero is someone who has given his or her life to something bigger than oneself."

Mr. Speaker, today we recognize a true hero. Chuck Poland gave his life so that others may live and, for that, he will always be remembered.

HONORING MR. JOHN OSCAR
BOONE, SR.

HON. HENRY C. "HANK" JOHNSON, JR.
OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 12, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I present the following U.S. Citizen of Distinction.

Whereas, our nation is blessed to have this innovator and pioneer touch the lives of thousands through his leadership and service; and

Whereas, Mr. John Oscar Boone, Sr.'s legacy is present throughout the nation and the world for all to see, being the first African American appointed to head a major state prison in the United States, serving many roles in the American Correctional System: Commissioner, Superintendent and Director; he valiantly served our country in the U.S. Army Air Force during World War II; and

Whereas, this giant of a man transformed the American Correctional System, he was instrumental in the implementation of the Federal Rehabilitation Act of 1965 and he represented our nation on an international level, he inspired elected officials, motivated the young and the old, as he accomplished so much during his time on this earth; and

Whereas, this remarkable man gave of himself, his time, his talent and his life; Mr. Boone

inspired others to do the same by witnessing him walk the walk and talk the talk, he opened doors for others to enter; and

Whereas, Mr. Boone led by doing behind the scenes and on the front lines for many; Mr. Boone was a husband, a father, a grandfather, a brother and a friend; he was our warrior, our patriarch, a man of great integrity who remained true to the uplifting of the community until his end; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to bestow an honorable distinction and recognition on Mr. John Oscar Boone, Sr., for his leadership, friendship and service to all of the citizens of Georgia and throughout the Nation; as a citizen of great worth and so noted distinction;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby attest to the 112th Congress that Mr. John Oscar Boone, Sr., of Georgia is deemed worthy and deserving of this "Congressional Honorable Distinction"—Mr. John Oscar Boone, Sr., U.S. Citizen of Distinction, in the 4th Congressional District of Georgia.

Proclaimed, this 8th day of December, 2012.

HONORING THE LIFE AND SERVICE
OF MICHAEL DAVID VARNER

HON. JEFF MILLER

OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 12, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the life and service of Northwest Florida's beloved Michael David Varner, who passed away on February 6, 2013. During his long and distinguished career in education, Mr. Varner served as a mentor and an inspiration to countless individuals throughout Northwest Florida. After an arduous battle with brain cancer, the loss of a great man and unparalleled public servant and educator is felt not only here at home, but across the state of Florida.

Mr. Varner was born on October 8, 1953, in Highland Falls, New York. Upon graduating in 1971 from Niceville High School in Northwest Florida, Mr. Varner attended Okaloosa-Walton Community College, as well as, the University of South Florida. He continued his education at the University of West Florida, where he earned a Bachelors of Science and Masters of Science in Teaching.

Mr. Varner's passion for educating led him to Tate High School, where he taught biology for 35 years. He also served as an adjunct professor at Pensacola State College for ten years. During his years as an educator, his commitment was always to the students and helping them reach their goals, both in and out of the classroom. Mr. Varner coached soccer, sponsored Student Government and Exchange Club, and served as sponsor to both the sophomore and senior classes for students at Tate High School.

Mr. Varner has been widely recognized and honored for his years of teaching and service to the community with "Who's Who Among Teachers," Florida Biology Teacher of the

Year, and most recently with the Escambia County Teacher of the Year award in 2011. While the list of Mr. Varner's achievements extends far beyond what is noted here, they all highlight his unwavering devotion to improving the lives of those around him and to bettering his community through service.

In addition to his devotion to his students, Mr. Varner was a man of faith and committed to his parish. For nearly 20 years, he assisted Youth Ministry with planning, organizing, and assisting in many diocesan youth events. He was also a talented musician, who used his gift of music to write and play songs for church services and school functions.

Northwest Florida, Escambia County, Florida, and the many students whose lives were touched by Mr. Varner, mourn the loss of an exceptional man. His contributions and service to the community and this great nation will forever be remembered.

Mr. Speaker, on behalf of the United States Congress, I am privileged to honor the exemplary life of Michael David Varner. My wife Vicki and I offer our prayers to his wife Kathleen, his sons Jason and Brian, his parents Richard and Madeleine, his siblings Valarie and Richard, and Mr. Varner's entire family and friends. He will be truly missed by all.

HONORING DAVE OWENS

HON. CORY GARDNER

OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 12, 2013

Mr. GARDNER. Mr. Speaker, today I rise to honor Dave Owens, a Colorado businessman with a strong commitment to his community. As the owner of FASTSIGNS Greeley, Dave has built a business that has created jobs and provided economic value to Greeley and beyond. Small businesses throughout the area have come to rely on FASTSIGNS and the services it provides.

In addition to growing and managing a successful business, Dave has invested both time and resources into the community.

Dave and his company have sponsored countless events, charities, youth groups, and causes. His support has benefited the children of the Boys and Girls Club of Weld County, the survivors of domestic violence at A Woman's Place, and the countless many who depend on the services of the United Way. And when the men and women of the armed services return home from abroad, they often see a welcome home banner donated by Dave.

On February 7, 2013, Dave was honored at the Greeley Chamber of Commerce Annual Dinner and Awards. He was recognized for his creativity and imagination as a business owner as well as his leadership and involvement in support of his community.

I join the Greeley Chamber of Commerce in congratulating Dave Owens, and I wish him continued success in business and his many civic involvements.

CONGRESSIONAL RECOGNITION
FOR UNITED WAY OF TUCSON
AND SOUTHERN ARIZONA

HON. RON BARBER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. BARBER. Mr. Speaker, I rise today to honor the United Way of Tucson and Southern Arizona, which has been recognized as a leader among its peers.

The United Way of Tucson and Southern Arizona is in the top 2 percent of all United Way organizations in the country, according to a new business performance index developed by United Way Worldwide. This special status is based on leadership abilities, engagement in the community and for developing and implementing community strategies that get results.

That means that they are among the top 24 United Ways in the country—and I couldn't be prouder to have them serving Southern Arizona.

The United Way of Tucson and Southern Arizona serves a community of more than 1 million residents. Only 55 of the 1,215 United Way organizations in the nation are that large.

The United Way of Tucson and Southern Arizona was recognized for its impact promoting early literacy skills, engaging youth in afterschool programs, helping families become more financially stable and helping seniors remain healthy and active.

I especially want to recognize the accomplishments of Tony Penn, president and chief executive officer of the United Way of Tucson and Southern Arizona. As a leader in his field, Mr. Penn and the United Way of Tucson and Southern Arizona will be asked to share their best practices with other United Way organizations around the country.

Mr. Penn and his organization are deeply committed to getting more children into high-quality childcare, providing mentors for underserved teens, preparing free tax returns for low- to moderate-income families and providing volunteer opportunities to seniors to keep them healthy and engaged in the community.

I know firsthand the impact that the United Way can have on a community, having had the honor to serve on the United Way of Tucson and Southern Arizona's board. Southern Arizonans are lucky to have the dedicated and talented staff of the United Way helping to strengthen our community each and every day.

I am proud to recognize the United Way of Tucson and Southern Arizona as well as its board members and its staff under the direction of Tony Penn for their significant contributions to our community.

REMEMBERING EDWARD L.
MAXWELL

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. HOYER. Mr. Speaker, I was saddened to learn this week of the passing of Edward L.

Maxwell, an old friend who was a community leader in Prince George's County, Maryland. He was 80 years old when he lost his battle to cancer on January 29.

Born in 1932 in Phenix City, Alabama, a stone's throw from Fort Benning, Edward dreamed even as a boy of serving his country in the U.S. Army. At age 13, he rode a freight train to Washington, DC, with his older brother Stephen to chase the dream of a better life, and he attended Spingarn High School. In 1950, at age 18, Edward volunteered for the U.S. Army and was sent to Korea, where he was wounded in both legs and expected to be paralyzed permanently.

With grit and hard work, Edward spent time in rehab at Walter Reed Army hospital and was able to walk again. Following his military service, he studied at the Veterans Vocational Institute, the Cortez Peters Business School, the LaSalle School of Accounting, and the George Washington University. With a penchant for math and a love of learning, Edward embarked on a career in business that would eventually lead him to become a successful small business owner and founder of the Best Value and Allen's Discount retail stores. He started it all by selling encyclopedias, vacuum cleaners, and insurance policies—and working at fast-food restaurants—until he could afford to start his own businesses.

Later, Edward started other successful businesses, including a casino that contributed hundreds of thousands of dollars to help individuals in the community afford college and pursue opportunities for their families. He launched a non-profit to help disabled veterans like himself access their earned benefits and find jobs, and he donated so much food to the needy over the holidays that, over the years, he became known locally as the "Turkey Man."

I first came to know Edward in the 1970s, when I was working as a lawyer in Prince George's County. He was a cherished member of the community who was not only a man of business but a man of deep faith in God and faith in his fellow men and women. Edward was also a loving husband, father, grandfather, and uncle.

Edward married his wife Freida in 1962, and after 50 years together, she survives him. So does their daughter Gene and four sons: Kermit, Zach, Edward Jr., and Mike. He was also blessed with six grandchildren.

I join in mourning Edward's passing and in offering my condolences to Freida and their entire family. He will be missed by the entire Prince George's County community, and his generosity, big heart, and warm spirit will be long remembered.

PERSONAL EXPLANATION

HON. RON BARBER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. BARBER. Mr. Speaker, due to airplane mechanical difficulties, I missed two recorded votes on February 4. I would like the RECORD to indicate at this point how I would have voted had I been present for those votes.

On Roll Call No. 31, H.R. 225, the National Pediatric Research Network Act of 2013, I would have voted "yea" to allow the National Institutes of Health to establish a national pediatric research network dedicated to finding treatments and cures for pediatric diseases and conditions, especially those that are rare. This legislation will only help to build upon a strong body of existing pediatric research to help our nation's children lead full, healthy lives.

On Roll Call No. 32, H.R. 297, the Children's Hospital GME Support Reauthorization Act of 2013, I would have voted "yea" to amend the Public Health Service Act to extend and reauthorize appropriations to children's hospitals for expenses associated with graduate medical residency training programs. This legislation will help provide ongoing and consistent training of doctors and build our nation's pediatric physician workforce.

HONORING MR. JOHN EVANS

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation.

Whereas, a tenacious man from Nashville, Tennessee utilizes his gifts, talents and wisdom everyday to ensure that citizens are provided helpful resources in the state of Georgia; and

Whereas, Mr. John Evans is a renowned leader not only for the DeKalb County branch of the NAACP, but as a father and community leader in DeKalb County, Georgia; and

Whereas, Mr. John Evans has served in many different roles throughout his life being a former DeKalb County Commissioner, a former Marta Board of Directors, a former player in the Negro Baseball League with the Indianapolis Clowns; he has worked in Corporate America as well as Main Street America being a strong advocate of justice, education, equality and family; and

Whereas, he has shared his time and talents for the betterment of his community and his nation through his tireless works, words of encouragement and inspiration that have and continues to be a beacon of light to those in need; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize John Evans for his outstanding leadership and service to the citizens in the state of Georgia, his community temperament is to be acknowledged and his commitment to the citizens throughout the state continues to touch the lives of citizens in our District;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim October 27, 2012 as John Evans Day in the 4th Congressional District.

Proclaimed, this 27th day of October, 2012.

**MARKING ARCHBISHOP COLEMAN
CARROLL HIGH SCHOOL'S 15TH
ANNIVERSARY**

HON. JOE GARCIA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. GARCIA. Mr. Speaker, I rise today to recognize the 15th anniversary of Archbishop Coleman Carroll High School in Miami, Florida. Founded in 1998 and administered by the Carmelite Sisters, Carroll offers its students the opportunity to pursue a rich academic curriculum in an environment that fosters both intellectual and spiritual strength.

Archbishop Coleman Carroll High School has established itself as a school with a challenging and thorough academic program while forming a partnership between students, parents and teachers. This has fostered a family-centered environment that extends beyond the classroom and leads to the success of its students. As such, Carroll's alumni have gone on to some of our nation's most prestigious universities and are leaders in their communities.

Part of what has made Carroll such a successful school is its faculty's focus on ensuring that its students excel both inside and outside of the classroom. In addition to its robust academics, Archbishop Coleman Carroll is home to an outstanding athletic program that has earned the Bulldogs numerous district and regional championships. Moreover, students at Carroll can participate in 18 different extracurricular clubs, nine honor societies and a campus ministry program designed to nurture faith and good values.

Mr. Speaker, I am honored that Florida's 26th Congressional District is home to Archbishop Coleman Carroll, as well as most of its students and ask that my colleagues join me in congratulating its students, faculty and parents on its 15th anniversary.

**CELEBRATING 150 YEARS OF
RAILWAY HISTORY IN MAGNOLIA**

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. BRADY of Texas. Mr. Speaker, I rise today to honor a great community in my district. Magnolia, Texas, is celebrating 150 years of railway history with a new title—Train Town.

This designation from the Union Pacific Railroad will be official on Tuesday, February 12 when Union Pacific officials present the award to the Magnolia Historical Society, the City of Magnolia and the Greater Magnolia Chamber of Commerce.

It's fitting that the presentation will take place at Magnolia's historic Depot. While it may only be 110 years that the town has been officially called Magnolia, this community's rich history dates back to the mid-1800s. By the roaring twenties, Magnolia was a rail shipping center for everything from lumber to livestock and just about anything you could send on the rails.

Thank you, Union Pacific, for your efforts to recognize America's train history and these

amazing train towns like Magnolia. Keeping a connection to our past is so important for our future.

Magnolia's historic Depot is located right in the heart of downtown at 426 Melton Street. In 2005, rather than tear it down to make way for a road expansion, it was carefully moved so it can continue to be a tangible link to Magnolia's rich heritage and a big part of the community we love.

Thanks to the Magnolia Historical Society, everyone who comes to the Depot can enjoy what the train city must have looked like and enjoy getting away from the present and immersed in history. From the solid plank wood floors, exposed wood trusses, and sliding freight doors, the Depot and its adjacent railroad tracks that were such a part of Magnolia's early days are preserved for future generations so they too can enjoy a real Train City. Their efforts to revive a piece of Magnolia's past for all of us to enjoy deserve this honor.

As Magnolia continues to grow, I am confident it will never lose its Train Town heritage and how Magnolia's Depot connected Montgomery county to the world.

**INTRODUCTION OF THE "END BIG
OIL TAX SUBSIDIES ACT"**

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. BLUMENAUER. Mr. Speaker, in the midst of budget turmoil, the upcoming debt ceiling limit, and looming sequestration cuts, I am introducing legislation that could save American taxpayers almost \$40 billion over the next 5 years.

Right now, Americans are subsidizing some of the largest and most profitable companies in the world with their tax dollars. Taxpayers currently subsidize oil injection, extraction, exploration, drilling, injection, manufacturing, pricing, and inventory valuing, by offsetting foreign taxes, providing generous credits and deductions, and offering tax shelters.

The "End Big Oil Tax Subsidies Act," would end 10 of the most egregious tax loopholes enjoyed by the oil industry—tax loopholes that have helped BP, Chevron, ConocoPhillips, ExxonMobil and Shell make a combined profit of nearly \$1 trillion over the past decade. The legislation is modeled on President Obama's proposal to eliminate oil and gas tax preferences in his FY 2013 Budget.

Extremely profitable, well-established, large corporations do not need enormous subsidies from the government and we simply cannot afford to let them continue. It is well established in a global petroleum market that this subsidy has zero impact on reducing prices for American consumers. Instead of padding the bottom of oil companies, this money could be better spent renewing and rebuilding our nation's infrastructure. It could be used to stave off some of the most draconian cuts that families will face this spring if Congress does not act on sequestration. Finally, the resources could be redirected to level the playing field for emerging technologies like wind and solar.

I hope my colleagues will join me in supporting this important legislation.

**TRIBUTE TO P/SGT. WILLIAM P.
TUGGLE**

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation.

Whereas, Eighty years ago on October 31, 1932 a tenacious man of God was born in Monticello, Georgia; and

Whereas, P/Sgt. William P. Tuggle was trained as a Combat/Recon Military Engineer, he served in the United States Army, received numerous Military Citations such as the Combat Service Award, the Bronze Star, the Combat Service Award, the Army Commendation Award and an Appreciation Certificate from President Richard Nixon; and

Whereas, P/Sgt. Tuggle has shared his time and talents as a family man, serviceman and mentor, giving the citizens of the United States a person of great worth, a fearless leader and a servant to all advancing the lives of others, through service to our country in the U.S. Army and being the ideal husband, father, church member and grandfather; and

Whereas, P/Sgt. Tuggle has been blessed with a long, happy life, devoted to God and credits it all to the Will of God; and

Whereas, P/Sgt. Tuggle along with his family and friends are celebrating this day a remarkable milestone, his 80th Birthday, we pause to acknowledge a man who is a cornerstone in our community; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside these days to honor and recognize P/Sgt. Tuggle on his birthday and to wish him well and recognize him for an exemplary life which is an inspiration to all;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim October 31, 2012 as P/Sgt. William P. Tuggle Day in Georgia's 4th Congressional District.

Proclaimed, this 31st day of October, 2012.

**INTRODUCTION OF THE RACHEL
CARSON NATURE TRAIL DESIGNATION
ACT OF 2013**

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Ms. NORTON. Mr. Speaker, I introduce the Rachel Carson Nature Trail Designation Act of 2013, to recognize Rachel Carson, an environmental pioneer and inspiration for environmental consciousness best known for her groundbreaking book *Silent Spring*. In September 2012, we celebrated the 50th anniversary of the publication of *Silent Spring*, which has been translated into more than a dozen languages. The idea for my bill, which designates a National Park Service trail in the District of Columbia in honor of Ms. Carson, was brought to me by Glover Park residents.

Ms. Carson was born on May 27, 1907, on a farm in Springdale, Pennsylvania, graduated magna cum laude with a biology degree from the Pennsylvania College for Women (later Chatham College), and received a full scholarship that enabled her to obtain a master's degree in marine zoology from Johns Hopkins University in Baltimore. A world-renowned environmental scientist, writer, and educator, Ms. Carson worked as a federal employee for most of her professional life as a writer, editor, and ultimately, Editor-in-Chief for the U.S. Department of Fish and Wildlife Service's publications department.

Ms. Carson accomplished much of her seminal professional work as a federal employee at the U.S. Department of the Interior in the District. She often used Glover Archbold Park in the District as a site from which she drew observations about nature and the environment. She performed research on the dangers of pesticides, and her findings were sustained by the Science Advisory Committee, created during President John F. Kennedy's administration. As a result, federal and state legislatures enacted pesticide legislation. Her work also paved the way for groundbreaking environmental protection legislation throughout the world. Ms. Carson was inducted into the American Academy of Arts and Letters and received many other honors. She died on April 14, 1964, in Silver Spring, Maryland, leaving a rich legacy that will continue to benefit present and future generations well beyond the 50th anniversary of Silent Spring.

Last year, I testified at a meeting of the National Capital Memorial Advisory Commission on the bill. The commission asked for additional information on Carson's work in the park. We are providing the commission with such information, and would expect its support for the designation at its next meeting.

My bill serves to commemorate Rachel Carson for her tireless efforts to make the District of Columbia, the United States, and, indeed, the world a better and safer place for us all. The trail designated by the bill, located in the NPS's Glover Archbold Park in the District, will be known as the "Rachel Carson Nature Trail." The bill ensures that Rachel Carson's contributions will be remembered and treasured for years to come.

I strongly urge my colleagues to support the legislation.

IN RECOGNITION OF CHIEF
ARTHUR N. COSENTINO

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. PALLONE. Mr. Speaker, I rise today to congratulate Chief Arthur N. Cosentino on his

retirement from the West Long Branch Police Department. Chief Cosentino has dutifully served the Borough of West Long Branch for over 35 years.

Chief Cosentino began his law enforcement career in 1976 when he was hired as a patrolman with the West Long Branch Police Department. He served as a criminal investigator in the Detective Bureau for over 15 years, when he was promoted to Sergeant in 1997. He quickly advanced the ranks, earning promotions to Lieutenant and then Captain in 2004 and finally Chief of Police in 2006.

In addition to his career with the police department, Chief Cosentino was actively involved in the community. He has been involved with the West Long Branch Fire Department, West Long Branch First Aid Squad, West Long Branch Office of Emergency Management, Amerigo Vespucci Society, West Long Branch Lions Club, and the West Long Branch Sports Association. He is also Past President and a current member of the Police-men's Benevolent Association Local 141, a member of the International Association of Chiefs of Police and a member of the Monmouth County Police Chiefs Association, serving as its President in 2012.

Chief Cosentino earned his Associates Degree in Criminal Justice from Brookdale Community College in 1991 and later returned to school at Fairleigh Dickinson University in 2010, graduating as a Certified Public Manager. He has also earned several certificates for continuing education classes related to his police work.

Throughout his law enforcement career, Chief Cosentino has been the recipient of various awards and commendations recognizing his dedication and achievements. He has been presented with the Meritorious Service Award for heroic actions during a fire in 2000, the Unit Citation Medal for detection and apprehension of two armed robbers in 2004, and the Outstanding Achievement Medal for substantial burglary clearances in 2004, among many others. A graduate of Shore Regional High School, Chief Cosentino was also inducted into the High School's Hall of Fame in 2006.

Mr. Speaker, once again, please join me in congratulating Chief Arthur Cosentino on his retirement from the West Long Branch Police Department. His selfless commitment to the community is deserving of this body's recognition.

HONORING CHRISTOPHER
COLUMBUS HIGH SCHOOL

HON. JOE GARCIA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. GARCIA. Mr. Speaker, I rise today to honor a very special school in the congressional district that I am honored to represent. For 55 years, Christopher Columbus High School has instilled in its students strong values and served South Florida as an institution of academic excellence and athletic achievement. Columbus has educated thousands of fine young men and community leaders, in-

cluding my brothers, some of my close friends and members of my staff.

Established in 1958 in the spirit of St. Marcellin Champagnat, founder of the Marist Brothers, Columbus' teachers and staff work tirelessly so that its students can achieve their full potential across every facet of their lives.

Columbus Explorers excel both inside and outside of the classroom. The school's award-winning academic curriculum is tailored to meet the individual needs of its students and equips them with the tools they need to lead successful lives. It also boasts an athletic program that competes across 15 different sports and has earned dozens of district and state championships.

Columbus works to develop young men of good social conscience and social responsibility, offering its students daily morning masses, weekly youth group meetings and opportunities for community service.

Among Columbus' alumni are some of America's leading entrepreneurs, elected officials, distinguished scientists and doctors, professional athletes, high ranking officers in our armed forces, a Pulitzer Prize winner, a Presidential Medal of Freedom recipient and the poet at the 2013 inauguration of President Barack Obama.

Mr. Speaker, for all of the achievements that I have cited and those that time constraints do not allow me to list, I ask that my colleagues join me in honoring Christopher Columbus High School. It is only fitting that Columbus' motto be *Adelante*, for this school has certainly been moving South Florida and America forward for over half a century.

TRIBUTE TO SOLID ROCK
MISSIONARY BAPTIST CHURCH

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 12, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation.

Whereas, Solid Rock Missionary Baptist Church has been and continues to be a beacon of light to our county for the past twenty years; and

Whereas, Pastor Christopher C. Alikah and the members of the Solid Rock Missionary Baptist Church family today continues to uplift and inspire those in our county; and

Whereas, the Solid Rock Missionary Baptist Church family has been and continues to be a place where citizens are touched spiritually, mentally and physically through outreach ministries and community partnership to aid in building up our District; and

Whereas, this remarkable and tenacious Church of God has given hope to the hopeless, fed the needy and empowered our community for the past twenty (20) years; and

Whereas, this Church has produced many spiritual warriors, people of compassion, people of great courage, fearless leaders and servants to all, but most of all visionaries who have shared not only with their Church, but with DeKalb County their passion to spread the gospel of Jesus Christ; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this

day to honor and recognize the Solid Rock Missionary Baptist Church family for their leadership and service to our District on this the 20th Anniversary of their founding;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim November 11, 2012 as Solid Rock Missionary Baptist Church

Day in the 4th Congressional District of Georgia.

Proclaimed, this 11th day of November, 2012.

SENATE—Wednesday, February 13, 2013

The Senate met at 10 a.m. and was called to order by the Honorable HEIDI HEITKAMP, a Senator from the State of North Dakota.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Architect of the universe, before the mountains were formed and the hills were born and the Earth received its frame, You are God. You fill the universe with the mysteries of Your power, and we are in awe of Your handiwork.

Inspire our Senators to unite with You in the great cause of bringing healing to our Nation and world. May they sense Your presence continually, think of You consistently, and trust You constantly, receiving Your divine guidance for the path ahead. Lord, inspire them to think imaginatively about how to do Your will on Earth even as it is done in Heaven. We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable HEIDI HEITKAMP led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 13, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HEIDI HEITKAMP, a Senator from the State of North Dakota, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Ms. HEITKAMP thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following leader remarks, the Senate will be in morning business. The Republicans will control the first 30 minutes and the majority will control the second 30 minutes.

We will seek an agreement for the consideration of the nomination of Senator Hagel to be Secretary of Defense during today's session.

In addition, sometime this afternoon, we hope to have a vote on the Kayatta nomination to be a circuit court judge for the First Circuit.

VISION OF FAIRNESS

Mr. REID. Madam President, last night the President of the United States laid out an agenda to strengthen the middle class and expand upon our economic progress. He outlined an agenda that will restore the core value that makes this Nation great: fairness.

Senate Democrats stand ready to work with the President to make this vision—a vision in which every American shares the prosperity as well as the responsibility—a reality. President Obama's agenda calls for commonsense investments in our future, investments which will breathe new life into a struggling middle class, investments which will make America a magnet for jobs and manufacturing once more, investments which have been deferred for too long due to the worst recession since the Great Depression.

The President's plan will give American manufacturers the support they need to thrive, while ending giveaways to companies that ship jobs overseas. His plan will create jobs building world-class roadways, railways, and bridges which our economy may rely upon tomorrow.

The plan will prepare current and future workers to compete in a global economy by making K-12 schools the best in the world again and college affordable for every graduate. His plan will break our addiction to foreign oil and encourage investments in reliable energy, a change which will be good for the environment and for the economy.

As he said last night, it will be done without adding a single penny to the deficit. These investments in a strong middle class are not just right for our country, they are right for our economy as well. Our efforts to restore prosperity will mean little unless Congress acts immediately to deal with arbitrary, across-the-board spending cuts set to take effect.

If the looming sequester strikes, 70,000 young children would be kicked

off Head Start and 10,000 teaching jobs would be at risk. The Small Business Administration will be forced to reduce loan guarantees to small businesses by up to \$540 million. Democrats believe we should replace this harsh austerity with a balanced approach that targets wasteful spending, tax loopholes, and asks the wealthiest among us to contribute a little more to reduce the deficit.

The American people know we can't cut our way to prosperity. They agree. We can't ask the middle class to bear the burden of the entire deficit reduction. Later this week Democrats will release a plan to avert the so-called sequester.

Republicans say they agree the deep cuts they voted for will be damaging to our economy and to national security. Republicans would rather cut Medicare, education, and medical research than close a single wasteful tax loophole or ask a single millionaire to contribute a little more. The Republicans should stop protecting millionaires, billionaires, and wealthy corporations and start working with us to pass an alternative to these terrible cuts that protect the middle class. We want to start to do something to begin changing this so we protect the middle class. We must not jeopardize the progress of the last 4 years.

Even though our work to restore economic prosperity must continue, we should take pride in the 35 months of private sector job growth and 6.1 million new American jobs. Imagine how many more jobs could be created with just a little cooperation from our Republican colleagues.

Now our friends across the aisle have another opportunity to engage constructively. They have a second chance to work with Democrats to rebuild the middle class by investing in that which in the past has made Americans strong—world-class roads, bridges, dams, peerless schools, industrial factories, and creative entrepreneurs who are the best in the world.

President Ronald Reagan, in his first address of a joint session of Congress, spoke of these building blocks of prosperity. Ronald Reagan said:

Substance and prosperity of our Nation is built by wages brought home from the factories and the mills, the farms, and the shops. They are the services provided in 10,000 corners of America: the interest on the thrift of our people and the returns for their risk-taking. The production of America is the possession of those who build, serve, create, and produce.

He didn't say the substance of our Nation is built on profits gleaned from shipping jobs overseas. He didn't say

the prosperity of America is the possession of investment banks or wealthy oil companies alone. Rather, he said, our substance and prosperity are earned in factories, mills, farms, and shops. The rewards belong to all those who build, serve, create, and produce—not only to the few strong enough or rich enough to take for themselves.

It is time to return to those roots. It is time to remember fairness is not just a principle for which to strive but a powerful engine of growth and prosperity for all Americans.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

STATE OF THE UNION

Mr. McCONNELL. I would like to say a word about last night's State of the Union. To me, at least, the occasion cried out for bold and courageous leadership from a reelected President who has run his last campaign. It called for a President who was willing to stare down America's challenges, reject the easy choices, and step outside his political comfort zone to unite a deeply divided public behind a common goal.

Sadly, history will record no such moment. An opportunity to bring together the country instead became another retread of lip service and liberalism.

For a Democratic President entering his second term, it was simply unequal to the moment. Following 4 years of this President's unwillingness to challenge liberal dogma, we have more of the same. The President spoke about energy infrastructure but didn't even mention the Keystone Pipeline. He chose the Nation's biggest stage to promote something that is inefficient and costly, such as solar panels, instead of something that is proven, reliable, and domestically produced, such as coal.

He advocated tax reform but mostly as a way to increase the size of government, not as a way to increase our competitiveness. He spoke of workers' minimum wages instead of their maximum potential.

In short, with the exception of his impressive delivery and trademark style, last night's speech was pedestrian, liberal boilerplate that any Democratic lawmaker could have given at any time in recent memory. Gun control, cap and trade, tax increases, and spending programs are exactly what we have come to expect from a liberal President who seems perfectly content to preside over a divided country and a stagnant economy.

Of course, everyone recognizes the President is a very good campaigner. We all acknowledge his skill in that area. He will be doing more of that today down in North Carolina.

A State of the Union Address should be about something bigger. Instead of dividing Americans, it should unite them. Instead of inflaming passions, it should show what is possible when the two parties actually work together.

I am glad he mentioned things such as expanding trade opportunities with Asia and Europe. That is an area where we can cooperate, and I look forward to working with colleagues from both parties to do just that.

Overall, I am disappointed. I am especially disappointed he chose not to seriously address the transcendent issue of our time, which is finding a way to control our spiraling debt before it controls us. If we don't do that, we will not be able to leave our children the kind of country our parents left us; that is, a goal all of us should share.

Take the Obama sequester as just one example. The President had a chance last night to offer a thoughtful alternative to his sequester, one that could reduce spending in a smarter way. That is what Republicans have been calling for all along, and it is the kind of thing the House has already voted to do not once but twice. We want to work with him to actually make that happen.

Instead we just heard gimmicks and tax hikes, just one more plan from the President that is designed to fail so he can blame others when it does fail. It is too bad for the country. It truly is.

The American people, in their collective judgment, decided to send divided government to Washington. I am sure the President wishes that weren't so, but it is the reality, and Americans look to him to use forums such as the State of the Union to bring people together and get things done with the government we have, not the one the President wishes he had. That is what Ronald Reagan did, and he accomplished great things. President Clinton was able to get quite a bit done with divided government too.

Why is it this President can't seem to demonstrate the same kind of leadership? He says he wants balance—balance. His approach so far has been anything but. Just as "investment" has become a Washington code word for more spending, "balance" has now become a code word for my way or the highway.

Remember, the President already received the additional revenue he wanted in January. He didn't agree to a single cut in spending then, just revenue. Obviously, the balanced thing to do now would be to look at cuts. Last night the President didn't propose any real cuts; he just demanded more and more taxes. With a \$16 trillion debt, he actually called for more spending too, although he didn't say how he would pay for it or even how much it would cost. Pretend, for a moment, the Republicans agreed to go along with all

those taxes and all that spending. What do you think he would demand the next time and the time after that? Of course, more taxes and more spending. And we all know Washington uses tax increases to fund even more spending on things such as robosquirrels and Solyndra, not to reduce the deficit. That is what history shows us. It is how we got in this mess in the first place.

So we are not going to play the Washington game. The stakes for American families are too high to keep taking the easy way out, with more taxes and more wasteful spending. Republicans believe taking on this massive burden of debt should be more important in this town than winning the next election. That is why we need commonsense reforms, such as a balanced budget amendment. All Republicans support it, and Democrats should too. But we won't get anywhere as a nation if the President refuses to lead. We just can't. So the question is, Will he lead or will he continue this endless campaign?

I want to end on a positive note, so I would like to point out that there were areas of agreement last night, and I particularly appreciated the President's reference to Burma. And Senator RUBIO did a great job with the Republican address. I hope the President will actually listen to some of the things Senator RUBIO said, and I hope he will come back to Congress with some different ideas. We can get important things done in his second term, and if he is ready to come to the center, to the political center, we will.

Madam President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to peak therein for up to 10 minutes each, with the Republicans controlling the first 30 minutes and the majority controlling the second 30 minutes.

Mr. McCONNELL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHANNIS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mr. JOHANNIS pertaining to the introduction of S. 317, S. 318, S. 319, and S. 320 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. JOHANNES. Madam President, I yield the floor and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

A CASE OF AMNESIA

Mr. CORNYN. Madam President, after listening to President Obama's State of the Union speech last night, I was left scratching my head. Essentially, the President wants us to pretend the last 4 years never happened. He wants us to pretend his economic policies have delivered a strong recovery from the recession of 2008; he wants us to pretend his administration has made real progress on reducing the national debt; and he wants us to pretend that more taxes, more spending, and more debt are the key to middle-class prosperity. In other words, the President is hoping we all have a case of amnesia.

He wants us to forget about \$5.8 trillion in new debt that was racked up during his first term—\$5.8 trillion. He wants us to forget our gross national debt is now larger than our entire economy—100 percent of our gross domestic product. He wants us to forget the debt is projected to grow even further, to \$26 trillion, by 2023; and he wants us to forget his health care bill will increase taxes by \$1 trillion over the next 10 years. He wants us to forget America's credit rating has been downgraded for the first time in our history.

He also wants us to forget we have been suffering through the weakest economic recovery since the Great Depression, as well as the highest, longest period of high unemployment since the Great Depression.

He wants us to forget that nearly 4 out of every 10 unemployed Americans have been jobless for at least 6 months. He wants us to forget that the average family median income has fallen by nearly \$2,500 since the official end of the recession. He wants us to forget that the cost of health insurance for the average American family has increased by more than \$2,300. And he wants us to forget that as part of the fiscal cliff negotiation, the payroll tax went back up, taking an additional bite out of the check of middle-class workers.

Last night President Obama said we should ask ourselves three questions every day—those of us with the privilege of serving here in the Nation's Capital in the Congress and in the administration. He said: No. 1, how do we attract more jobs to our shores? No. 2,

how do we equip people with the skills they need in order to get those jobs? And No. 3, how do we make sure hard work leads to a decent living? I may have my differences with President Obama on a number of policies, but I actually think those are really good questions.

If the President is truly serious about finding the answers to those questions, this may not surprise my colleagues, but he need look only to the model reflected in my home State of Texas.

I ask unanimous consent to have printed in the RECORD an article entitled "The Texas Growth Machine" at the end of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CORNYN. The fact is our State relies on a simple economic model the Federal Government could emulate if it would like to have similar positive results: lower taxes, limited government, sensible regulations, and progrowth energy policies.

I know the occupant of the chair comes from a State that I believe is the second largest producer of oil and gas in the country—second only to Texas—and I know the Presiding Officer has seen the economic engine that is created when we unleash our potential when it comes to our energy resources. These are policies that recently helped Texas turn a \$5 billion deficit during the recession into an \$8.8 billion surplus. These are the policies that made our State a robust engine of job creation that is attracting Americans from all across the country. The total number of jobs in Texas since 1995 has grown at the rate of 32 percent. When we compare that with the rate of growth of jobs in America nationwide, we see it is 12 percent—32 percent to 12 percent. That is not an accident.

Texas is also a leader in the creation of high-paying jobs. Between 2002 and 2012, our State accounted for close to one-third of all U.S. private sector job growth in industries that pay more than 150 percent of the average wage, even though we have only 8 percent of America's total population.

Last night the President talked about, How do we get middle-class wages up? His prescription was an increase in the minimum wage, but I say why don't we look at ways to achieve a maximum wage by creating private sector, high-paying, good jobs, as we have been successful in doing in Texas and as a few other States have done as well.

After 4 years of trillion-dollar deficits and historically high unemployment—right now our unemployment rate is roughly 7.9 percent, but that doesn't really account for all of the people who have since given up looking for work, and it is estimated that more

than 20 million Americans either are out of work or they are working part time when they would like to work full time, but they can't find those kinds of jobs.

I believe it is time for the President and this Congress to try a new approach. The great thing about our system of government—of shared sovereignty between the States and the National Government—is that we have essentially laboratories of democracy all around our country where we can try different things to see what works and what does not work. I only hope the President and Congress will look at those places around the country where the policies actually work in creating jobs and economic growth.

I believe it is time for the President to embrace policies that will encourage private entrepreneurship, private sector job creation, income growth, and greater domestic energy production. In short, it is time for him to embrace the Texas model.

EXHIBIT 1

THE TEXAS GROWTH MACHINE

(By Wendell Cox)

The American economy has had little to cheer about since the 2008 financial meltdown and the resulting recession. Recovery has been feeble, and many states continue to struggle. One bright spot in the general gloom, however, is Texas, which began shining long before 2008. Not only has Texas created jobs at a stunning rate; it has also—pace critics like the New York Times's Paul Krugman—created lots of good jobs. Indeed, the rest of the nation could turn to the Lone Star State as a model for dynamic growth, as a close look at employment data shows.

The first thing to point out is that Texan job creation has far outpaced the national average. The number of jobs in Texas has grown by a truly impressive 31.5 percent since 1995, compared with just 12 percent nationwide, according to Bureau of Labor Statistics data. Texas has also lapped California, an important economic rival and the only state with a larger population. The Texas employment situation after the financial crisis was far less spectacular, of course, with the number of jobs growing just 2.4 percent from 2009 through 2011. But that was still six times the anemic 0.4 percent growth rate of the overall American economy.

The National Establishment Time-Series (NETS) Database, which provides detailed information on job creation and loss for firms headquartered in each state, can tell us more about Texas's employment growth. NETS data are divided into two periods—the first from 1995 to 2002, the second from 2002 to 2009. During the 2002–09 period, small businesses of fewer than ten employees were the Texas employment engine, adding nearly 800,000 new jobs; of those, about three-quarters were in firms with two to nine employees. Larger Texas companies—those with 500 or more employees—lost a significant number of jobs over this span, and medium-size firms likewise shrank, trends that also showed up on the national level.

Bureau of Labor Statistics data shows that many of the new Texas jobs paid well. Indeed, Texas did comparatively better than the rest of the United States from 2002 through 2011. For industries paying over 150 percent of the average American wage, Texas

could claim 216,000 extra jobs; the rest of the country added 495,000. In other words, the Lone Star State, with 8 percent of the U.S. population, created nearly a third of the country's highest-paying positions. Texas also added 49,000 positions paying 125 percent to 150 percent of the U.S. average; the rest of the country lost 174,000 jobs in that category. Two sectors in which Texas employment did particularly well during the same period were natural-resource extraction (in fact, the state gained 80 percent of all new jobs in the country in that field) and professional, scientific, and technical positions. Both job categories boast average wages far higher than the national overall average. As happens whenever an economy grows, Texas also added hundreds of thousands of positions in food services, health care, and other lower-paid fields, in addition to the more lucrative jobs. Texas did lose 10,000 construction jobs, but that was a modest downturn, in light of the massive national slowdown in building caused by the crisis of 2008.

Vital to the economic health of Texas is that people are moving to its cities in droves. In 2011, Houston surpassed Philadelphia in population and became the country's fifth-biggest metropolitan region, with 6.1 million people. Dallas-Fort Worth, with 6.5 million, was already the country's fourth-biggest. The two cities trail only New York City, Los Angeles, and Chicago, marking the first time that a single state has had two metros in the country's top five since the Census Bureau began designating these areas a century ago. Meanwhile, of all metropolitan areas in the country with more than 1 million residents, the fastest-growing from 2010 to 2011 was Austin.

Though the national downturn has slowed job creation in Texas's cities, they're still adding jobs, sometimes briskly, unlike many other American metropolitan regions. Austin's strong information-technology sector and government-related work (the city is Texas's state capital) helped propel 4.3 percent job growth from 2009 through 2011 (and 15.3 percent growth from 2002 through 2009). The number of jobs in McAllen, which benefits from increased trade with Mexico under the North American Free Trade Agreement, grew 3.7 percent. Job growth in economically diverse Houston has matched or exceeded the state rate since 1995.

What accounts for the resilience of the Texas economy, which has outperformed the rest of the country not only over the long term but during the Great Recession as well? A pro-business climate has unquestionably been a substantial advantage. In its annual ranking of business environments, Chief Executive has named Texas the most growth-friendly state for eight years in a row. (California has been last for the same eight years.) The reasons included low taxes and sensible regulations; a high-quality workforce (Texas ranked second only to Utah in that category in 2012); and a pleasant living environment (an eighth-place finish, slightly below sixth-place Florida but, perhaps surprisingly, far better than 28th-place California).

Part of the explanation for the high living-environment score is doubtless Texas's low cost of living. In 2011, the U.S. Bureau of Economic Analysis put Texas's "regional price parity," a measurement of the price level of goods in an area, at 97.1, a bit lower than the national level of 100 and far lower than the California level of 114.8. Adjusted for cost of living, Texas's per-capita income is higher than California's and nearly as high as New York's. Factor in state and local taxes, and Texas pulls ahead of New York.

More than three-quarters of the cost-of-living difference between Texas and California can be explained by housing costs. Texas mostly dodged the real-estate bubble of the 2000s: the affordability of houses in large metro areas spiked in America as a whole but rose only modestly in Texas. A major reason that Texas real estate is so affordable is that the state lacks the draconian land-use restrictions that drive California housing prices into the stratosphere. The affordable housing attracts both people and businesses. Since 2000, 1 million more people have moved to Texas from other states than have left.

All these considerations suggest that Texas is poised for further growth. And a final reason for Texans to be optimistic is that a major expansion of the Panama Canal will be completed in 2014. That could bolster the Lone Star State's success by rerouting Asian commerce from West Coast ports to Texas alternatives, which are closer to the nation's major markets.

Mr. CORNYN. With that, Madam President, I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Madam President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FOR-PROFIT COLLEGES

Mr. DURBIN. Madam President, the President's State of the Union Address is an annual event where each President comes forward, talks about the agenda, the plans, and what we hope to achieve in Washington during the course of the next year.

There were many elements in the President's State of the Union Address last night. There was one in particular I was struck by. He talked about establishing a college scorecard. He talked about the challenges families are facing across America paying for college education. It has become an enormous expense. It is the fastest growing debt in America—\$1 trillion in student loan debt.

Sadly, many students are getting in too deeply. They are getting too far in debt, and they may not be able to get a job to pay it back. Many students are defaulting on those loans because they don't have an income. Sometimes their parents help them go to college and sign the papers. Sometimes the efforts to collect the money go beyond the defaulting student to the parents—in fact, sometimes to grandparents.

There was a case reported of a grandmother who wanted to help her granddaughter, so she signed the student

loan application. The granddaughter didn't get a job, perhaps didn't finish school. There came a time when, in collecting the student loan, they actually garnished the Social Security check of the grandmother. That is the most extreme case I have heard.

When it comes to indebtedness and student loan default, there are different categories of debt. Some students are lucky and don't have to borrow a penny. Most do, and those who borrow money, we find, borrow the lowest average amount from public universities—community colleges and public schools. Next come private universities and then a special category—the for-profit colleges. This is an incredible industry of which most Americans are not aware.

When we think of for-profit schools, we should remember three things, three numbers. Twelve percent of students coming out of high school go to for-profit schools. The biggest ones, the most well-known schools, include the University of Phoenix, DeVry University, and Kaplan University. There are a number of names which, when we hear them, we say: I have heard a lot about those. They advertise a lot.

Twelve percent of the students coming out of high school go to those for-profit schools. However, those for-profit schools receive 25 percent of all of the Federal aid to education—12 percent of the students, 25 percent of the Federal aid. Why? Because they are expensive. For-profit schools are very expensive, and the tuition is high. So a student, to be able to go there, may qualify for a Pell grant, which is an actual grant of money for students from low-income families. Then, for loans beyond that—and it turns out that 25 percent of all of the Federal aid to education goes to for-profit colleges that have 12 percent of the students.

That is not the most important number to remember—not 12, not 25, but this final number: 47 percent of all the student loan defaults come out of for-profit schools, which means that students who start at those schools either don't finish and then can't pay back their loans or finish and can't find a job to pay back their loans. For-profit schools, 47 percent of the student loans default.

The stories are heartbreaking. Imagine, 19, 20, 21 years old, papers are being shoved across the desk in the financial office at a for-profit school, and a student is basically told: Well, you can start school next week; all you have to do is sign up for these loans.

What is a student to think? I have been told my whole life to go to college. Mom and dad are counting on me to go to college. This is the way to get a good job. I will sign up. I want to start.

What the student doesn't know is whether that school is worth the money. How could they know? I think

back to those days when I started college. I hate to go back that far in time, but I didn't know whether borrowing \$1,000 in those days was a good idea or a bad idea. I knew a lot of my fellow students were borrowing. But now students are getting in much more deeply. It isn't just \$1,000 or \$5,000 or even \$10,000. At the end of the day, it turns out to be much, much more.

I have come to the floor a number of times to tell the stories about these for-profit schools to warn students and their families to be careful. Some of these schools are good; many of them are awful—just plain awful.

Last night the President said he wanted to create a college scorecard. I want to hear more. I hope there will be a scorecard and a Web site, maybe, where students—high school students or others across America—can take a look at every college opportunity, not just their pretty catalogs or their great Web sites but to find out how many of these students who graduate from this college actually get a job, and those who get a job, how much do they actually get paid. Of the students who borrow money to go to this college, how much do they borrow? How many of them fail to make the payments on their student loans later in life?

Oh, there is one important thing I left out. Here is what you are going to learn about loans to students. They are different than other types of loans. You see, if I decide to buy a home and a car and a boat and then lose my job and go broke and cannot pay them back, under the most extreme cases I can go to court and put all my debts on the table in front of a judge and say: Here is all the money I owe and here is all the money I have. I do not know where to turn—and go through something called bankruptcy.

In bankruptcy, the judge says: Well—let's say you have \$10,000 in the bank and you owe \$50,000. You are going to lose your \$10,000. You cannot pay back the \$50,000, but you no longer have an obligation to pay it. You are judged bankrupt. You start over, wipe the slate clean.

Not a lot of people do that, but when things get really bad, they have to. Guess what. When it comes to student loans, they are not dischargeable in bankruptcy. The debt that a 19-, 20-, and 21-year-old student signs up for is a debt for life. They pay it back forever—until it is paid. So these are serious debt obligations, and it is hard to imagine that many young people without a great deal of life experience really know what is too much debt, really know whether that school is any good.

Let me tell you a story of one student.

Ramon Nieves attended the American Intercontinental University, a for-profit college owned by Career Education Corporation. Like many who attend for-profit colleges, Ramon was the

first person in his family to go to college. The recruiters at these for-profit schools look for these students.

Without guidance from his family—a family that had no experience with college—he trusted the school when they advised him about student loans. He said the school just told him to sign his name. That is all he had to do. They never explained the difference between the kinds of loans that students could take out; that there are government loans, Federal loans, and then there are loans from private financial institutions. He was never told what his balance would be—how much he owed—or what he could expect his monthly payments to be when it was all over.

He signed up. He wanted to get started with college. And he kept signing and signing, semester after semester, year after year, until he graduated. He graduated from this for-profit school with \$90,000 of debt—\$90,000.

He works several jobs, almost 80 hours a week, so he can pay his monthly student loan payments, which are \$1,000 a month, right off the top.

His student debt is a constant burden for him and his family. He owns a home, and he thinks he is going to lose it because of the student loans. He decided to try to file for bankruptcy because he was in debt so deeply, but he learned the hard way that the bankruptcy court cannot help him when it comes to student loans.

Ramon says he wishes he had not gone to college at all; that he was better off before he got that deeply in debt. Now he is at a community college—a community college—trying to get an education because the \$90,000 in the for-profit college turned out to be a waste of time. He is now where he should have started.

Students who are not sure, start at a community college. You are near home. You can commute. They offer a lot of options. They are not expensive. You will learn a lot about yourself, about your education, and your dreams by sitting in those classrooms and going through community college courses. After a year or two, if it sounds right and feels good for you, it is time to move on to another college or university, and you will move on to that third year of college without a lot of debt. Start at a community college.

Ramon ended up at a community college finally trying to get the education the for-profit school failed to give him. He says he wishes he had known that at the beginning—starting at that community college instead of the American Intercontinental University. Then, he says, he would have received the same education but without \$90,000 of debt.

Why does he have so much debt? According to a recent committee report in the Senate, the American Intercontinental University costs 250 times more than a nearby community college—250 times more.

Federal student aid cannot cover the tuition costs, so students are forced to turn from Federal student aid, government loans, which are low-interest loans, to private student loans, which are high-interest loans. Some students do not know, as they are sitting there, the differences between a 3.2-percent annual rate of interest and an 18-percent annual rate of interest, and that can be the difference between a government loan and a private loan.

To put it in shorthand from someone who has paid off loans, the higher the interest rate, the more your monthly payment is going to the bank rather than reducing the amount of money you owe.

Federal student aid cannot cover the tuition costs. The private loans are signed up for, and they do not come with any consumer protections. Government loans do. Government loans allow you to consolidate. Sometimes they take into consideration the job you end up with in life. Sometimes there is forgiveness of government student loans. It is a much more flexible, low-cost program than private student loans.

Sometimes students will need private student loans, but for-profit colleges are using these private student loans for another important reason to them. For-profit colleges encourage students to take out private loans, at least in part, because private loans allow these schools to continue to get more Federal funds. It is a complicated formula, but in order to get the maximum amount of Federal dollars, the for-profit schools push kids into private loans even when they are still eligible for the better government loans.

The rule I am talking about is the 90/10 rule which requires for-profit colleges to receive at least 10 percent of their revenues from sources other than the Federal Government—10 percent of their revenues from sources other than the Federal Government.

If you took the Federal money we send to for-profit schools in America—roughly \$32 billion a year—if you took that money and translated it into a Federal budget, for-profit colleges in America would be the ninth largest Federal agency—\$32 billion going to this sector of the economy.

When they push the kids into the private loans that are not as good, not as generous, much more expensive, that covers the 10 percent they have to come up with in real money as opposed to government money. It means that 90 percent of the revenue of these extremely profitable schools comes right out of the Federal Treasury.

Even though for purposes of this rule Federal revenue includes only funds from the Department of Education's Federal student aid programs—GI bill funds, for example, are not even considered Federal funds—many for-profit schools are close to 90 percent of their

revenue coming from the Federal Government. If you add in GI bill funds, sometimes it is closer to 100 percent.

Where is the accountability? If these schools are dragging kids deeply into debt, if the kids are defaulting at rates twice as fast and twice as serious as those going to public and private schools, where is our responsibility? How is a student—a high school student in Illinois or in North Dakota—supposed to know whether that Web site about that college is true?

How would they know when that school says “we are accredited,” that the accreditation is phony? Most of these for-profit schools belong to an organization that accredits all the schools that are for-profit schools. They take care of one another. They ignore the obvious when these schools are failing the students and their families.

The Federal aid is keeping the doors open for these for-profit schools. Can we afford that? Can we afford to get students across America deeply into debt for a largely worthless education? Do we have that much money sloshing around here in Washington when it comes to helping students get through school?

That is why the President’s statement last night about student debt, about the rising college costs, and a scorecard for colleges and universities is right spot on. It is time we tell families across America the truth about colleges and universities, and it is time for those same colleges and universities to wake up to a reality. The reality is the sky is not the limit when it comes to the cost of higher education.

I have talked to a number of them—respected institutions—that give good degrees, good diplomas, and I have told them the same thing: You just cannot keep raising the cost of higher education. Middle-income families, working families do not have a chance. Madam President, \$20,000, \$30,000, \$40,000 a year to go to school? It is just something that ordinary families cannot even consider.

Congress needs to act now to stop this for-profit school industry from exploiting students and their families and taxpayers. Why we are spending so much money—money we can no longer afford—to subsidize these highly profitable schools is beyond me. I cannot explain it.

These schools that leave these kids high and dry break my heart. Every time I fly out to O’Hare Airport, on the Kennedy Expressway in Chicago, right before I get to the Cumberland exit, I look up at one of these office buildings, and up there in big, bold letters is “Westwood College.” Wow, the campus of Westwood College.

I know a little bit about that college. I have met students who have gone to that college, and let me tell you, I want to put a sign right under there that says, “Please Avoid This Ripoff.”

A young lady who went to Westwood College testified in Chicago. She watched a lot of shows on TV about forensic criminal investigation, and she wanted to get into criminal investigation. She signed up at Westwood College. It took her 5 years to finish.

When she finished, she had a debt of \$90,000. But she wanted a degree in law enforcement. She wanted to be on CSI in the real world. Guess what happened. She went to every law enforcement agency in the Chicagoland area, and they pushed it back and said: Westwood is not a real college. You have wasted your time—5 years—and your money.

Here she sits now living in her parents’ basement at a time in life when she thought she would be starting her own career, her own life. What is she doing? She is paying back a loan for a worthless education from Westwood College.

I have been after these folks for a long time. They exploit these kids day in and day out. Sadly, we subsidize them. We send them millions of dollars in Federal funds to continue this exploitation of students.

This has to come to an end. This is not the kind of thing we need to encourage if America is going to have well-educated and trained students so they have good lives and America continues to prosper.

One of my colleagues, Senator TOM HARKIN of Iowa, has been a leader on this issue. As chairman of the HELP Committee, he has had hearings on for-profit schools, and I commend them to anyone interested in this subject. Take a look at TOM HARKIN’s hearings. I could go on for a long time—TOM could too—about the schools across America that are exploiting students.

We owe it to the students to tell them the truth. We owe it to their parents. And we beg teachers and high school counselors and others, who really care about young people: Look long and hard at these for-profit schools before you recommend them to a student.

I encourage all my colleagues to take a look at legislation that TOM HARKIN and I have introduced. We are trying to drop the Federal subsidy to these for-profit schools just a small bit. It will be hard to do. These for-profit schools are pretty powerful in Washington. But if we are going to do our job to protect families and students across America—following the President’s lead from his State of the Union address to make sure we are sensitive to student loans, student indebtedness, that we hold colleges and other training institutions accountable for what they are doing to and for students—it is time for us to turn the page and join the President.

The President’s speech last night is a challenge to all of us on both sides of the aisle, both sides of the Rotunda, to take this student debt crisis seriously.

Madam President, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. BALDWIN). Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that at 2 p.m. today the Senate proceed to executive session to consider Calendar No. 8, the nomination of William J. Kayatta, to be circuit judge for the First Circuit, with 30 minutes for debate, equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nomination; the motion to reconsider be considered made and laid on the table, with no intervening action or debate; that no further motions be in order; that President Obama be immediately notified of the Senate’s action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COATS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATE OF THE UNION REACTION

Mr. COATS. Madam President, last night President Obama had the opportunity to present to the American people a plan envisioned for how he plans to strengthen the state of our Union.

While I am pleased he finally turned his focus back to the ongoing jobs crisis in our country, I was left feeling disappointed and frustrated that the President continued to call for higher taxes to pay for more and more government spending.

I don’t believe the President acknowledges—or at least he didn’t last evening—the seriousness of our debt and fiscal crisis. We are nearly \$16.5 trillion in debt, and \$6 trillion of that debt is from the President’s spending over the last 4 years—and he now has 4 more years to go.

Yet rather than tell the American people specifically how he will reduce this unsustainable debt, he once again pulled out the same tired playbook and made it clear his basic fiscal plan is ever higher taxes. It’s almost an obsession with tax hikes and telling the

American people: You are just not taxed enough, when we are practically taxed to death. When you add not just the Federal but the State and the local and the sales and the excise and gasoline and the entertainment and all the other taxes that American people pay in their daily lives, it cuts into their paycheck in a very significant way each week. The real question is, Is the solution to our problems more taxes on the American people?

Mr. President, you got your taxes in the fiscal cliff debate. You had campaigned for this and you won the election. These tax levels were going to expire and hit every American with a massive tax increase. We clawed back a significant amount of that to protect the majority of Americans. But you got your taxes, Mr. President. Now is the time to address the other side of the so-called balanced approach that you have been promising: spending reductions.

Sadly, last night gave us no indication that the President is committed to leading on this critical issue and fixing our economy and, more important, getting more people back to work.

Instead of detailing a plan to reduce the record-high debt, he outlined a liberal laundry list of new government programs and initiatives. I could almost hear the sound of a cash register in the background—ka-ching, ka-ching, ka-ching—with every new program he put forward.

Some of these ideas were worthy ideas, but we cannot afford them. How are we going to pay for them? What is the result? The President said in a most disingenuous way that none of these initiatives would add a dime to the already unsustainable debt. If they do not add a dime to the debt and you are proposing all kinds of programs that are going to cost a lot of money, there is only one way you can pay for them, and that is to raise taxes—either that or to continue to borrow money and put us in an ever-deeper hole of debt, more obligated to our creditors with each day that goes by.

Hoosiers and Americans across the country are taxed enough. Washington cannot keep asking hard-working Americans to dig deeper and pony up more money so that the Federal Government can spend more. The American people no longer are falling for that. Hoosiers tell me they want to do their part to restore the fiscal health of this country. They want to do their part to help America become a better place and a more prosperous nation for their children and their grandchildren. They are willing to step up and do what it takes to help. But Hoosiers and the American people are not willing to be enablers to Washington's spending addiction. They want to see their lawmakers and this administration reform the outrageous, out-of-control spending, not continually call for higher

taxes to pay for greater spending coming out of Washington.

I have to say I was somewhat encouraged that the President mentioned he was willing to make modest reforms to programs like Medicare. Both Republicans and Democrats, including the President, agree that Medicare, Medicaid, and Social Security represent the biggest portion and ever-growing percentage of government spending. The nonpartisan Congressional Budget Office recently reported that spending on Medicare, Medicaid, and Social Security and the interest on the debt for that spending will consume 91 percent of all Federal revenues in 10 years. That, then, takes all the wind out of our sails in terms of those necessary functions of the Federal Government, such as preparing adequately for our national security and defense and a number of other things the Federal Government is involved in that are essential functions. But with mandatory spending eating up, in 10 years, 91 percent of all we take in, we still are not going to have the ability to pay for those programs.

With 10,000 baby boomers retiring every day, we know the status quo is unsustainable. We cannot afford to continue the way we are. These programs are in jeopardy. We are not trying to take away the programs, we are trying to save the programs. They are in jeopardy, though, if we do not take steps now to structure them in a way that will control costs and preserve benefits for current and future recipients.

Hard-working Hoosiers and millions of Americans have spent a lifetime paying into these programs, and they rely on the health and security benefits they receive from them. But these benefits will not last if we ignore the facts about the current fiscal status and insolvency these programs are careening toward and do nothing. I was glad the President at least acknowledged that we need to make modest reforms. I think we can do that.

The reason we are dealing with this across-the-board sequester and the reason we are talking about potential cuts that have to be made is we have not had the courage and the will to stand up and recognize and acknowledge that it is the mandatory spending reforms that will put us in a place of fiscal health so we can continue the effective and essential functions of the Federal Government.

According to the International Monetary Fund, to cover current obligations for Social Security, Medicare, and Medicaid, our younger generation—our young people—will either have to pay 35 percent more taxes and receive 35 percent lower benefits. Those are the facts. Do the math, do the arithmetic. This is not ideological. This is not Republicans versus Democrats, liberals versus conservatives. This is pure num-

bers, pure math. It is an unsustainable course, and it is going to result in a massive decrease in benefits for those who pay into those programs over a lifetime or a massive increase in taxes on those who have to have that deducted from their paychecks and put into these programs in order to keep them solvent.

We have to deal with that problem and deal with it now. We should have been dealing with it years ago. We have seen this train wreck coming, and it is getting ever closer. Now it is time for the President, having recognized the need to address this issue—now is the time that he needs to show the American people he is willing to lead, not from behind but from the front, and offer a specific plan to reform and strengthen our health and retirement security programs.

The President said the sequester—the across-the-board cuts where everyone gets nicked—is a terrible idea. It is his terrible idea, and it is not the best way to address our spending plight. It is not the best way to deal with this because it basically assumes that every program is of equal value, that what is spent to provide security for the American people by having an adequate and strong military is at the same level as some program that has been proven years ago to be totally dysfunctional and inefficient. But they would both get cut.

I will be laying out a number of things, as others have—like Senator COBURN to highlight some of those programs that need to be reevaluated. Not that we think all of these ought to be eliminated or trimmed or that they don't fall into an essential category in terms of the role of the Federal Government but there are several programs that nonpartisan agencies, such as the General Accounting Office, or even the President's own Office of Management and Budget have recommended, are not worthy of the support they receive because they are not an essential function or they are even dysfunctional programs altogether.

We do not have to delve into the across-the-board sequester, which we have no choice but to do now because we failed to live up to what we needed to do—and I will be talking about that later, as I said.

I urge us to focus on fixing the country's fiscal health. We do not do that by raising taxes, we do it by enacting broad spending reforms. We do it by reducing our debt. We do it by creating a budget so we can live within our means. And we do it by promoting growth, growing our economy. A growing economy can solve a lot of problems and get a lot of people back to work. This is how we strengthen America, and this is how we get Americans back to work.

It is time we get to work and accomplish this task that lies before us now,

not later—no more deferrals, no more pushing it down the road. It is time to step up now, as the President said, putting the interest of our country ahead of our own personal political interest, rising above the political to do what is right for America.

That is the challenge, and, Mr. President, we need your leadership.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VITTER. Madam President, I ask unanimous consent to enter into a colloquy with my Republican colleague from Alabama, as well as any other Members who may join us.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION POLICY

Mr. VITTER. Madam President, Senator SESSIONS and I take to the floor to talk about immigration, which is obviously a very important and very hot topic. The first point I would like to make is just a simple statement and suggestion. There has been a lot of activity and a lot of discussion about immigration in the Senate and in the Congress and Washington, DC. If we merely listen to a lot of beltway, so-called mainstream reporting about this, they would give the impression that there is near universal consensus around a model we have tried before, which is a so-called comprehensive approach.

First, I don't think there is anything near universal agreement. I don't think there is consensus. I think there are real questions and concerns among many of us in the Senate and in Congress but, much more importantly, in America and the real world.

I think those fundamental concerns come down to one thing; that is, we have tried this so-called comprehensive approach before. We have tried proposals that marry an immediate amnesty with promises of enforcement. That model has not worked before. In fact, it has failed miserably.

The most notable example was major immigration legislation in 1986. It was the same model. It had comprehensive and immediate amnesty with promises of enforcement. There were promises that we will have to do this just once, never have to look back, and the problem will be solved. Of course, the problem was not solved. It didn't even just continue. The problem has quadrupled.

The amnesty did happen immediately. As soon as the bill passed, that

virtually and immediately kicked in. The promises of enforcement were just that, promises. Those promises were not kept, and as a result what happened with that model? The problem of 3 million illegal aliens didn't go away and was not solved once and for all. It quadrupled and became the present problem of 11 or 12 million—or more—illegal aliens. That is the fundamental concern I have with most of the so-called comprehensive proposals being put forward. That is the fundamental concern of Louisianans I talk to every day.

We want to solve the problem. We don't want to perpetuate it, much less quadruple it. I think it is important to discuss alternative, more effective, more workable approaches. I have several ideas about what those approaches might look like, and, in fact, I am introducing a package of immigration bills today. I will talk about that further, but I certainly want to recognize and thank my good friend and colleague, Senator SESSIONS from Alabama, for joining me on the Senate floor today.

Mr. SESSIONS. I thank the Senator for his leadership and in-depth study and knowledge about how these laws are working—and really not working—in America today.

I just left a hearing in the Judiciary Committee. The chairman of that committee, Senator LEAHY, basically said—referring perhaps to me—they want enforcement first, but it seems they don't have any interest in amnesty—or words to that effect. I would say the American people's view is exactly the opposite. What the American people have been asking for and what they are afraid of is that we will have a deal like 1986 where the amnesty provisions become law and were immediately applied, but the promises of enforcement never occurs. So I believe that is a danger again.

It feels to me so much like 2007 when I, Senator VITTER, and others engaged and asked tough questions about the legislation which really resulted in its failure because it would not have done what the authors of it said it would do. So for 30 or 40 years the American people have said: End the lawlessness. That is what they have asked of us first. They will work a way to be compassionate if the lawlessness has ended, but that has not happened.

In fact, in a number of ways we have gone in the opposite direction. Improvement has occurred at the border in real numbers because over the last several years—before President Obama took office—we agreed to increase the number of Border Patrol agents. With the help of Senator VITTER, I forced through legislation to build a fence. I am sure Senator VITTER remembers that debate.

Now everybody talks about how we have a fence, and they are bragging

about it. It is only 36 miles of the real fence we asked for. I am sure the Senator from Louisiana remembers how they opposed every foot of it and how they resisted it in every way possible. They didn't favor adding border agents. There was a vote for border agents—and I remember speaking about it—but they never produced the money. So we authorized border agents. People said they were for border agents, but they would not vote for the money to support that. We had a big discussion and debate about that, and eventually we added some border agents. That has helped, but the problem is not fixed.

Internally, this administration has systematically dismantled enforcement inside the United States. Chris Crane, who is head of the Immigration and Customs Enforcement Union, is a marine and a great guy. The ICE union has unanimously voted no confidence in John Morton, the head of the ICE Department. They have sued the ICE Department because Morton blocked them from doing their sworn duty to enforce the law.

Today I asked Crane if he had ever met with Secretary Napolitano. Chris testified about the bad morale that ICE agents have. A little over a year ago I asked Secretary Napolitano about the bad morale that ICE agents have. Crane said he had never met her and has never shaken hands with her. At this point, we don't have the kind of commitment in law enforcement that I think gives the American people confidence that we are moving forward on the right path.

Finally, I would just share with the Senator that I do think that means this is no sure thing. People are awfully confident that as long as some big names are on the bill, it is just going to pass. I am not confident that is so.

Mr. VITTER. I thank the Senator, and I certainly agree. Again, the fundamental issue is, Is the model that has been tried before really going to work—an immediate amnesty with promises of enforcement? Unfortunately, history is littered with examples of that exact model failing and those promises of enforcement never being kept.

What do I mean by that? I mentioned 1986, which is the biggest historical example: An immediate amnesty where we are going to get serious about enforcement, we will never have to look back, and we will have to do this once. We will solve the problem.

Of course, it didn't solve the problem; it quadrupled the problem. There were 3 million illegal aliens back then. There are 11 to 12 million illegal aliens now. There have been promises of a U.S.-VISIT Program with an entry-and-exit system to track everyone entering the country and making sure they exit in time. That was first promised back in 1986. Ten years later, in

1996, Congress passed another act to require a fully integrated entry-exit system with full implementation by 2005. Guess what. 2005 has come and gone. It has been 30 years since that initial promise was made. We still don't have an operational and effective U.S.-VISIT system.

My colleague from Alabama mentioned another glaring example: the Secure Fence Act of 2006, which we actually passed in legislation. The Secure Fence Act of 2006 promises to achieve operational control for the entire border. It defined "operational control" as "the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband." We have not achieved that.

In fact, we are so far from that goal, DHS has had to weaken the definition so it only now talks about effective operational control. They had to stick the word "effective" in there because we never had operational control. Who knows exactly what that means, but GAO tried to define and tried to measure it in a recent report.

In their recent report they found that only 44 percent of the southern border was under any sort of operational control. Only 15 percent of that is under full operational control. Even if we use the loosey-goosey word "effective," we have less than one-half of the border under that control. More than one-half of the border is under what they call managed control, which often means no control. It means a lot of almost fully unfettered, illegal crosses.

Now we come to today with this debate, and the new promise: If you just give us immediate amnesty, we are going to have this enforcement. We promise, we promise, we promise. Again, we are concerned that we are reliving history in a negative way.

For instance, when the Gang of 8 declares they "will ensure . . . a successful permanent reform to our immigration system that will not need to be revisited," that sure sounds like 1986, with this one fix that we will never have to look back. But, of course, we are looking back because the problem has grown. It is interesting to note that the very day after the Gang of 8 announcement, there was even disagreement between some of the gang members regarding what they announced and what they promised.

Many of the Republican members of that Gang of 8 emphasized that enforcement has to happen; otherwise, nothing else is triggered. Yet on the other side of the political spectrum, Senator SCHUMER—also a member of that Gang of 8—walked back any commitment to fully secure enforcement before citizenship happened. He said: "We're not using border security as an excuse or a block to the path to citizenship."

So there we have it. After the announcement, there is apparent inconsistency about how serious they are about ensuring enforcement, and that is the fundamental question. I think that is a very legitimate concern given the past history.

We have proposed a different path forward with a targeted, step-by-step approach to prove to ourselves and the American people that we are serious about these enforcement and related reforms, to do those, and to have them working before we move on anything else.

Today I am introducing a series of bills that fall into that targeted, step-by-step approach. I do not use the word "comprehensive" because I think that word is a negative. It is targeted, and it is step by step. I will outline those bills in a minute.

Again, I certainly want to thank and recognize the Senator from Alabama.

Mr. SESSIONS. Would the Senator from Mississippi say the enforcement of immigration laws is an area—based on the Senator's experience in Congress, in the House and in the Senate—where the difference between the promises of what is going to happen and what actually happens is greater than almost any other issue we have dealt with, where people are promising this and only delivering something else?

Mr. VITTER. Absolutely. Unfortunately, that is the history, tried and true: lots of promises. No single major promise has been kept. Whether it is the fence, whether it is the US-VISIT Program, whether it is the overall promise of enforcement in 1986, none of those promises has been kept.

Mr. SESSIONS. According to some news reports—to follow up on the point the Senator made about sending two messages, one promising the people one thing and the other telling special-interest groups another thing—one report said Democratic Senators have assured immigration activists that the so-called enforcement trigger is just a "talking point" to give Republicans, who are supporting this scheme, this plan, as cover and there will not ever be an impediment to the achievement of amnesty. Does that make the Senator from Mississippi uneasy, that people who are supposed to be speaking in good faith, telling their Republican colleagues and the American people they have a plan that is going to guarantee enforcement while they are telling, apparently, the activists something quite different?

Mr. VITTER. That makes me very nervous and very uneasy. It is exactly what Senator SCHUMER said the very next day after the announcement: "We're not using border security as an excuse or a block to the path to citizenship."

Mr. SESSIONS. In other words—well, the words Senator SCHUMER is saying are quite plain. I have a great deal of

respect for him. I know he wants to accomplish something valuable here. But it does seem to me he is saying, Well, if enforcement doesn't occur, we promise there will be a trigger and there will be no amnesty unless enforcement occurs; but if we get there and enforcement doesn't occur, you are still going to get your amnesty.

Mr. VITTER. That is what it sounds like to me. It sounds to me as though the trigger is meaningless. The amnesty and even full citizenship—to me, amnesty is any legal status, but they are actually talking about a path to full citizenship will happen ultimately, no matter what on the enforcement side.

Mr. SESSIONS. I will conclude and yield to my esteemed colleague to lay out some ideas he has to actually improve enforcement so that if we get to the point where we can achieve a legal system that operates effectively in America, we will know it when it happens. We can get there. Without some of these provisions Senator VITTER will recommend, I am confident we will not get there. If people won't support these kinds of provisions, then it raises questions about whether they are serious about their promises to end the lawlessness.

I just left a Judiciary Committee hearing. Mr. Vargas testified, who was here apparently illegally, came at the age of 12. I asked him: Should a good Nation have a legal system that has clear laws, clear policies, and those laws are in force? And he said yes. So there is nothing wrong, nothing immoral, nothing unconstitutional for the American people to say we should have a lawful system of immigration. Everybody is not able to come. You have to wait in line and wait your turn and meet the qualifications before you come. And if you try to enter illegally, there will be consequences. There is nothing immoral about that. It is only common sense. It is only the right thing to do.

I thank the Senator from Mississippi for his work on this and the ideas he will be presenting to us.

Mr. VITTER. I thank the Senator from Alabama for his leadership on this issue and on the Judiciary Committee.

There is, Madam President, an alternative way forward, a positive, productive way forward, a targeted, step-by-step approach that is appropriate, particularly given all the broken promises of the past.

The American people need to be convinced, and who can blame them? Again, the landscape of this issue is littered with utterly broken promises. We need to rebuild that trust and rebuild that confidence, and we can only do that in a targeted, step-by-step way.

I don't claim to have all the answers, but I am introducing today seven bills—actually, six bills, and I am joining Senator GRASSLEY as a coauthor of

a seventh bill—that would be important parts of this targeted, step-by-step approach. Let me briefly mention what those seven bills are.

First of all, the STEM Jobs Act of 2013. This would make up to 55,000 visas available to qualified immigrants whom we need in this economy—well educated, qualified. We have jobs here ready for them, and it would be an enormous economic boost. They would have a doctorate degree in the field of science, engineering, technology, or math from a U.S. doctoral institution and would have taken all doctoral courses in the STEM field while in the United States. We train, we educate those superqualified folks all the time and then, all too often, we send them back to their native countries and don't allow them to remain here to get on a pathway to citizenship and to contribute, as they would, to our economy.

A child tax credit law. This would amend the IRS Code to simply put in place significant identification requirements for the child tax credit to require taxpayers to provide that valid ID, to cut out what is admitted to be rampant fraud in the system. The IRS itself and its inspector general office have said there is at least \$1.3 billion of fraud a year in the child tax credit. These checks from the taxpayer, actual checks going out to illegal recipients who do not qualify under the law, in some cases, dozens, allegedly, at a single address, a single family, are clearly fraud. We must meet some basic requirements to cut out that fraud. The IRS itself, under this administration, has asked for those tools. We should give them those tools under this child tax credit legislation.

Sanctuary cities reform would prohibit appropriated funds from being used in contravention of the Illegal Immigration Reform and Immigrant Responsibility Act of 1986. I am joined by Senator GRASSLEY and Senator FISCHER in that legislation.

Too many jurisdictions in the United States are self-proclaimed sanctuary cities. By doing that, they are in contravention of Federal immigration law when they say they will not cooperate in the enforcement of that law in any way. That is unacceptable, and those cities should not get appropriated funds.

E-Verify I mentioned is an initiative and legislation by Senator GRASSLEY. I am proud to join him as a coauthor. I am an original cosponsor of that bill. It would take the present E-Verify system and make it mandatory and expand it so that is our workforce system of enforcement. E-Verify works. The problem is it is a pilot. It is not mandatory and it is not broad enough. We need to broaden and make mandatory that workable E-Verify system.

The Voter Integrity Protection Act would amend the INA to make voting in a Federal election by an alien who is

unlawfully in the United States an aggravated felony, which makes it a deportable offense. If a person is illegally participating in our elections, that is a serious offense to any democracy. That should be a deportable offense.

The Birthright Citizenship Act would also amend the law to consider a person born in the United States “subject to the jurisdiction” of the United States for citizenship only if the person is born through at least one parent who is a U.S. citizen or national or a lawful permanent resident alien in the United States or an alien performing active service in the U.S. Armed Forces. Right now it is, in my opinion, an accident of history and a mistake that any child physically born here, even of two parents here illegally and improperly, automatically becomes a U.S. citizen. Virtually no other country in the world has this rule. This reform would simply amend U.S. law to have the same basic rule as virtually every other country in the world I am aware of. A person doesn't automatically become a citizen just because they are physically born here; at least one parent has to have that legal status.

Finally, US-VISIT reform, finally, after decades of promises, after decades of broken promises, to require that the US-VISIT system—the biometric border check-in/check-out system first required in 1996 that is well past its implementation date of 2005—be finished, be done, be fully in place before any of these other triggered aspects of so-called comprehensive reform happen. On that reform, I am proud to be joined by Senator SESSIONS and Senator LEE as coauthors.

Again, I am introducing these six bills today. I am also an original cosponsor of Senator GRASSLEY's E-Verify bill, a seventh bill. I think this is a targeted, step-by-step approach which is the right alternative to so-called comprehensive reform, which historically means immediate amnesty married to promises of enforcement that never happen, that never fully materialize.

I urge my colleagues to look hard at these measures and hopefully support some or all of them. I urge them even more to go back home and listen to their constituents, to listen hard at the neighborhood coffee shop and the town-hall meetings, because I think these sorts of concerns, as Senator SESSIONS and I have expressed today, are the core concerns, the core questions of a great majority of the American people. Thank you, Madam President. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. COLLINS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF WILLIAM J. KAYATTA, JR., TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIRST CIRCUIT

The PRESIDING OFFICER (Mr. HEINRICH). Under the previous order, the Senate will proceed to executive session and consider the following nomination, which the clerk will report.

The bill clerk read the nomination of William J. Kayatta, Jr., of Maine, to be United States Circuit Judge for the First Circuit.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate equally divided and controlled in the usual form.

The Senator from Maine.

Ms. COLLINS. Mr. President, I am delighted to rise in strong support of the confirmation of William Kayatta of Maine to serve on the U.S. Court of Appeals for the First Circuit.

Mr. Kayatta was originally nominated to this position more than 1 year ago. He was approved by the Judiciary Committee on a bipartisan vote last April. Unfortunately, despite his exceptional qualifications, his nomination was stalled by election-year politics. That is finally behind us, and I am pleased the President renominated Mr. Kayatta in January.

I wish to thank the chairman of the Judiciary Committee, my colleague from Vermont Senator LEAHY; the ranking member Senator GRASSLEY; and, indeed, all the members of the Senate Judiciary Committee for acting promptly and positively in favor of Mr. Kayatta's renomination.

Let me also express my gratitude to the two leaders, Senator REID and Senator MCCONNELL, for moving his nomination so quickly to the Senate floor.

Mr. Kayatta is an attorney of exceptional intelligence, extensive experience, and demonstrated integrity. I cannot tell you how highly regarded he is in Maine's legal circles. In fact, if you ask virtually any attorney, judge, prosecutor, law professor or anyone involved in the legal profession in Maine, they will tell you the President could not have made a better choice than Bill Kayatta. He graduated magna cum laude from both Amherst College and Harvard University Law School, where he served as a member of the Law Review.

After graduating from law school, Mr. Kayatta clerked for the chief judge of the U.S. Court of Appeals for the First Circuit, Frank Coffin. It is a wonderful symmetry that he now, assuming the confirmation goes well this afternoon, will be joining the court for which he clerked many years ago.

In 1980, he joined the prestigious law firm of Pierce Atwood in Portland, ME, where over the subsequent 32 years Bill

specialized in complex civil litigation at both the trial and appellate levels. Bill Kayatta has served as chairman of both the Maine Professional Ethics Commission, the Maine Board of Bar Examiners, and as president of the Maine Bar Association.

In 2002, Mr. Kayatta was inducted into the American College of Trial Lawyers, and in 2010 he was elected by his peers to the college's board of regents.

Mr. Kayatta has simultaneously maintained a very substantial pro bono practice. In the year 2010, he received the Maine Bar Foundation's Howard H. Dana Award for career-long pro bono service on behalf of low-income Mainers.

In 2011, the U.S. Supreme Court appointed him as a special master in *Kansas v. Nebraska and Colorado*, an original water rights case. That too is an indication of the Court's confidence in Mr. Kayatta's legal abilities.

Finally, Mr. Kayatta has earned the American Bar Association's highest rating: "unanimously well-qualified," reflecting the ABA's assessment of his credentials, experience, and temperament.

Mr. Kayatta's impressive background makes him eminently qualified for a seat on the First Circuit. His 30-plus years of real-world litigation experience would bring a valuable perspective to the court.

The First Circuit has only six authorized judgeships, the fewest of any circuit. It acutely feels any vacancy that arises. The First Circuit has not been at full strength since January 1, 2012, when Judge Kermit Lipetz took active senior status. Now the circuit's caseload must be distributed among just five judges who continue to do their best to provide the timely and measured justice for which the First Circuit has long been known.

The State of Maine is very proud of its history of providing superb jurists to the Federal bench. I am confident William Kayatta will continue in that fine tradition, and I urge my colleagues to join me in voting for his confirmation, a vote that is long overdue but has finally arrived.

Again, I wish to thank the chairman of the Judiciary Committee, the ranking member, and the two leaders, Senator REID and Senator MCCONNELL, for moving this important nomination to the Senate floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the senior Senator from Maine for her kind words, and I would note both for William Kayatta and for the people of Maine she has fought long and hard for this nomination. She did last year and she has this year. I am glad we are going to be finally voting on it because every time I would meet her anywhere in the halls or anywhere else it would

be: What about Kayatta? She knows he, of course, had my strong support, as did another New Englander, former Justice and now judge, David Souter. I am sorry it has taken so long.

I look at a nominee like this, where the senior Senator from Maine, Ms. COLLINS, her former colleague, Senator SNOWE, and now her current colleague, Senator KING, have all supported this person from Maine. In the past, especially with somebody extraordinarily well qualified, as he is, a nomination like that would be out of the committee and off the floor within a week. We have to go back to those times.

If we have a contentious nominee, if we have somebody who needs to be debated, let's debate them. But when we have a person strongly supported by their home State Senators and who has the advantage of being highly qualified by anybody's standards—Republican, Democrat, or anybody else—then they ought to get a vote.

It makes no sense for Senate Republicans to have stalled nominations like that of William Kayatta, but this is their track record and their pattern over the last 4 years. Senate Republicans used to insist that the filibustering of judicial nominations was unconstitutional. The Constitution has not changed, but as soon as President Obama was elected they reversed course and filibustered President Obama's very first judicial nomination. Judge David Hamilton of Indiana was a widely-respected 15-year veteran of the Federal bench nominated to the Seventh Circuit and was supported by Senator Dick Lugar, the longest-serving Republican in the Senate. They delayed his confirmation for 7 months. Senate Republicans then proceeded to obstruct and delay just about every circuit court nominee of this President, filibustering 10 of them. They delayed confirmation of Judge Albert Diaz of North Carolina to the Fourth Circuit for 11 months. They delayed confirmation of Judge Jane Stranch of Tennessee to the Sixth Circuit for 10 months. They delayed confirmation of Judge Ray Lohier of New York to the Second Circuit for 7 months. They delayed confirmation of Judge Scott Matheson of Utah to the Tenth Circuit and Judge James Wynn, Jr. of North Carolina to the Fourth Circuit for 6 months. They delayed confirmation of Judge Andre Davis of Maryland to the Fourth Circuit, Judge Henry Floyd of South Carolina to the Fourth Circuit, Judge Stephanie Thacker of West Virginia to the Fourth Circuit, and Judge Jacqueline Nguyen of California to the Ninth Circuit for 5 months. They delayed confirmation of Judge Adalberto Jordan of Florida to the Eleventh Circuit, Judge Beverly Martin of Georgia to the Eleventh Circuit, Judge Mary Murguia of Arizona to the Ninth Circuit, Judge Bernice Donald of Tennessee to the Sixth Circuit, Judge Bar-

bara Keenan of Virginia to the Fourth Circuit, Judge Thomas Vanaskie of Pennsylvania to the Third Circuit, Judge Joseph Greenaway of New Jersey to the Third Circuit, Judge Denny Chin of New York to the Second Circuit, and Judge Chris Droney of Connecticut to the Second Circuit for 4 months. They delayed confirmation of Judge Paul Watford of California to the Ninth Circuit, Judge Andrew Hurwitz of Arizona to the Ninth Circuit, Judge Morgan Christen of Alaska to the Ninth Circuit, Judge Stephen Higginson of Louisiana to the Fifth Circuit, Judge Gerard Lynch of New York to the Second Circuit, Judge Susan Carney of Connecticut to the Second Circuit, and Judge Kathleen O'Malley of Ohio to the Federal Circuit for 3 months.

The nonpartisan Congressional Research Service has reported that the median time circuit nominees have had to wait before a Senate vote has skyrocketed from 18 days for President Bush's nominees to 132 days for President Obama's. This is the result of Republican obstruction.

This obstruction is also why a damagingly high level of judicial vacancies has persisted for over 4 years. While such tactics are bad for the Senate, they are also bad for our Nation's overburdened courts. Persistent vacancies force fewer judges to take on growing caseloads, and make it harder for Americans to have access to justice. While they have delayed and obstructed, the number of judicial vacancies has remained historically high and it has become more difficult for our courts to provide speedy, quality justice for the American people. There are today 90 judicial vacancies across the country. By way of contrast, that is more than double the number of vacancies that existed at this point in the Bush administration. The 173 circuit and district judges that we have been able to confirm over the last 4 years fall more than 30 short of the total for President Bush's first term.

Over the last 4 years, Senate Republicans have chosen to depart dramatically from Senate traditions in their efforts to delay and obstruct President Obama's judicial nominations. Until 2009, Senators who filibustered circuit court nominees generally had reasons to do so, and were willing to explain those reasons. When Senate Democrats filibustered President Bush's controversial circuit court nominees, it was over substantive concerns about the nominees' records and Republicans' disregard for the rights of Democratic Senators. On the other hand, Senate Republicans have filibustered and delayed nearly all of President Obama's circuit court nominees even when those nominees have the support of their Republican home State Senators.

At the end of each calendar year, Senate Republicans now deliberately

refuse to vote on several judicial nominees who could and should be confirmed in order to consume additional time the following year confirming these nominees. At the end of 2009, they left 10 nominations on the Executive Calendar without a vote. Two of those nominations were returned to the President, and it subsequently took 9 months for the Senate to take action on the other eight. This resulted in the lowest 1-year confirmation total in at least 35 years. For the next 2 years, Senate Republicans left 19 nominations on the Senate executive calendar at the end of each year. It then took nearly half the following year for the Senate to confirm these nominees. Last year they insisted on leaving 11 judicial nominees without action and another four have had hearings but they refused to expedite their consideration. William Kayatta is one of those judicial nominees who should have been confirmed last year.

Until 2009, when a judicial nominee had been reported by the Judiciary Committee with bipartisan support, they were generally confirmed quickly. Until 2009, we observed regular order, usually confirmed nominees promptly, and we cleared the Senate Executive Calendar before long recesses. Until 2009, if a nominee was filibustered, it was almost always because of a substantive issue with the nominee's record. We know what has happened since 2009. The median district nomination is stalled 4.3 times as long as it took to confirm them during the Bush administration, and the median circuit court nomination is stalled 7.3 times as long as it took to confirm them during the Bush administration. Nor has any other President's judicial nominees had to wait an average of over 100 days for a Senate vote after being reported by the Judiciary Committee.

Senate Republicans have also forced the majority leader to file cloture on 30 nominees, which is already more than 50 percent more nominees than had cloture filed during President Bush's 8 years in office. Almost all of these 30 nominations were noncontroversial and were ultimately confirmed overwhelmingly. Barely 80 percent of President Obama's judicial nominees were confirmed during his first 4 years compared to almost 90 percent of President George W. Bush's first term nominees.

While this is not even close to a full account of the precedents broken in the last 4 years, the record is clear: Senate Republicans have engaged in an unprecedented effort to obstruct President Obama's judicial nominations. Pretending it has not taken place is an insult to the American people. The American people know better. Chief Justice Roberts, in his year-end Report on the Federal Judiciary in 2010 pointed to the "[P]ersistent problem [that] has developed in the process of filling judicial vacancies . . . This has created

acute difficulties for some judicial districts. Sitting judges in those districts have been burdened with extraordinary caseloads . . . There remains, however, an urgent need for the political branches to find a long-term solution to this recurring problem." Despite bipartisan calls to address the judicial vacancy crisis, Senate Republicans have continued their obstruction of judicial confirmations.

Today, the Senate is finally being allowed to vote on one of the nominees held over from last year. Judicial vacancies right now stand at 90. And I mention that because during President Bush's entire second term—the 4 years from 2004 through 2008—the vacancies never exceeded 60. I worked very hard to keep the vacancies down, but since President Obama's first full month in office, as far as we can see, there have never been fewer than 60 vacancies, and for much of that time many, many more. This is a prescription for overburdened courts and a Federal justice system that does not serve the interests of the American people. It means people who come to our courts looking for impartial justice can't get it because there are no judges.

This is hurting the integrity of the judicial system. I hear this from judges nominated by Republican Presidents and those nominated by Democratic Presidents. They say these delays politicize the courts and destroy the impartiality the Federal courts have to have.

I commend President Obama for nominating such a diverse group of qualified judges. In his first 4 years, President Obama has appointed as many women judges as President Bush did during his entire 8 years in office. In just 4 years, President Obama has also nominated more African Americans, more Asian Americans, and more openly gay Americans than his predecessor did in 8 years. Americans can be proud of President Obama's efforts to increase diversity in the Federal judiciary and to ensure that it better reflects all Americans.

I hope that this year and over the coming 4 years, Senate Republicans will end their misguided and harmful obstruction and work with us in a bipartisan manner to do what is right for the country. President Obama has nominated qualified, mainstream lawyers, and the Senate should consider them in regular order, without unnecessary delays. That is what we had done for as long as I have served in the Senate, whether the nominations came from a Democratic or a Republican president. We should work together to restore and uphold the best traditions of the Senate.

Last Thursday, the Senate Judiciary Committee reported three judicial nominees, William Kayatta, Robert Bacharach, and Richard Taranto. They are all superbly qualified, consensus

nominees. All have received the highest possible rating of unanimously well qualified from the ABA's Standing Committee on the Federal Judiciary, and with last Thursday's Judiciary Committee votes, all have twice now received overwhelming, bipartisan support from members of the Judiciary Committee from both sides of the aisle. All have something else in common too: Their nominations were stalled before the Senate for at least 7 months last year without a vote. That is why they each had to be re-nominated by the President this year.

This is sadly typical of how Senate Republicans have treated President Obama's consensus judicial nominees. Even nominees who are supported by Republican home state Senators and by all the Republican members of the Judiciary Committee are stalled for months for no good reason. They are delaying votes on all nominees, including nominees they support. This is unprecedented.

For example, Senator COBURN said that "[Judge Bacharach] has no opposition in the Senate. . . . There's no reason why he shouldn't be confirmed." That was before Senator COBURN joined a filibuster against voting on his nomination last year. Last year's filibuster of the Bacharach nomination was the first time in the history of the Senate that a circuit nominee reported with bipartisan support had been successfully filibustered. When I say unprecedented, I mean unprecedented.

I am glad that William Kayatta is finally getting a vote. The nominee spent the entirety of his 32-year legal career in private practice in the Portland, ME, law firm Pierce Atwood LLP, where he is currently a partner. Over his career, he has personally argued over three dozen appeals, including two before the United States Supreme Court. He graduated magna cum laude from Harvard Law School, where he served on the Harvard Law Review. Upon graduation, he clerked for Chief Judge Frank Coffin on the U.S. Court of Appeals for the First Circuit, the court to which he is nominated.

William Kayatta has held a prominent leadership role in numerous professional organizations, including serving as the lead investigator for the American Bar Association Standing Committee of the Federal Judiciary during its review of Justice Kagan's nomination to the Supreme Court. He was also appointed by the U.S. Supreme Court to serve as Special Master in an interstate dispute, where he was charged with managing proceedings and submitting a report and recommendation to the Court. The ABA's Standing Committee on the Federal Judiciary unanimously rated Mr. Kayatta well qualified to serve on the First Circuit, its highest possible rating.

While it is good that William Kayatta will finally receive a vote

today, it is also well past time for the Senate to vote on Robert Bacharach and Richard Taranto. Perpetuating these vacancies on the Tenth and Federal Circuits, and preventing Judge Bacharach and Mr. Taranto from getting to work on behalf of the American people, does not benefit anyone. The Judiciary Committee has again done its work to vet, consider, and vote on these nominations. It is time that the other two circuit nominees who were renominated and considered again by the Judiciary Committee and again reported to the Senate, be given an up-or-down vote.

The Senate could confirm all three nominees this week. In June 2005, the Senate confirmed four circuit court nominees of a Republican President in just 2 days, including highly controversial nominees such as Janice Rogers Brown to the D.C. Circuit and William Pryor to the Eleventh Circuit. In July 2006, the Senate confirmed Bobby Shepherd to the Eighth Circuit, Neil Gorsuch and Jerome Holmes of the Tenth Circuit within 1 week. There is ample recent precedent for confirming Judge Bacharach and Richard Taranto without further delay. Neither is controversial.

William Kayatta is strongly supported by both of Maine's Senators, Republican Senator SUSAN COLLINS and Independent Senator ANGUS KING. When George W. Bush was President, Senate Democrats worked quickly to hold votes on consensus circuit nominees. According to the nonpartisan Congressional Research Service, half of President Bush's circuit nominees received a confirmation vote within just 18 days of being reported by the Judiciary Committee. Not a single one of President Obama's circuit nominees has received a vote so quickly. In fact, the median wait time for President Obama's circuit nominees is more than seven times that for President Bush's circuit nominees.

This continued obstruction is one of the reasons we remain so far behind the pace set during President Bush's time in office. By February of President Bush's fifth year, the Senate had confirmed 205 of his circuit and district nominees, and judicial vacancies stood at 40. In contrast, just 173 of President Obama's circuit and district nominees have been confirmed, and the vacancy rate has risen again to 90, or more than 10 percent of the Federal bench. Judicial vacancies are nearly back at historically high levels.

Perpetuating these vacancies on the Tenth and Federal Circuits, and preventing Judge Bacharach and Richard Taranto from getting to work on behalf of the American people, does not benefit anyone. The Judiciary Committee has again done its work to vet, consider, and vote on these nominations. It is time for the Senate to act to confirm them.

I will speak more on nominations as we go along, but I do want to congratulate not only the senior Senator from Maine but also Senator KING and the people of Maine, and the people of the First Circuit. The circuit needs to have its vacancies filled, and I am glad we have such a good person.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I yield back all time on both sides.

The PRESIDING OFFICER. Hearing no objection, it is so ordered.

All time having been yielded back, the question is, Will the Senate advise and consent to the nomination of William J. Kayatta, Jr., of Maine, to be U.S. circuit judge for the First Circuit?

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second. The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 88, nays 12, as follows:

[Rollcall Vote No. 20 Ex.]

YEAS—88

Alexander	Flake	Merkley
Ayotte	Franken	Mikulski
Baldwin	Gillibrand	Moran
Barrasso	Graham	Murkowski
Baucus	Grassley	Murphy
Begich	Hagan	Murray
Bennet	Harkin	Nelson
Blumenthal	Hatch	Portman
Boxer	Heinrich	Pryor
Brown	Heitkamp	Reed
Burr	Heller	Reid
Cantwell	Hirono	Roberts
Cardin	Hoeven	Rockefeller
Carper	Isakson	Sanders
Casey	Johanns	Schatz
Chambliss	Johnson (SD)	Schumer
Coats	Johnson (WI)	Shaheen
Cochran	Kaine	Stabenow
Collins	King	Tester
Coons	Kirk	Thune
Corker	Klobuchar	Toomey
Cornyn	Landrieu	Udall (CO)
Cowan	Lautenberg	Udall (NM)
Crapo	Leahy	Warner
Cruz	Lee	Warren
Donnelly	Levin	Whitehouse
Durbin	Manchin	Wicker
Enzi	McCain	Wyden
Feinstein	McCaskill	
Fischer	Menendez	

NAYS—12

Blunt	McConnell	Scott
Boozman	Paul	Sessions
Coburn	Risch	Shelby
Inhofe	Rubio	Vitter

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.
The Senator from Washington.

MORNING BUSINESS

Mrs. MURRAY. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANCHIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO GENERAL CHUCK YEAGER

Mr. MANCHIN. Mr. President, few Americans have helped this great country reach for the stars more than Gen. Chuck Yeager. Long before there were astronauts there was Chuck Yeager, a fearless test pilot, a true aviation pioneer paving the way for America's exploration of the galaxy. But Chuck Yeager's military career involved so much more than just testing cutting-edge aircraft and, as almost everyone knows, becoming the first man to fly faster than the speed of sound. Few Americans have been as unwavering or as relentless as Chuck Yeager in defense of this great country, in war and in peace, from World War II to Vietnam.

He was part of the "greatest generation" of Americans, the generation that fought and won World War II and then came home and made America the world's greatest superpower. Among the greatest in that generation was Chuck Yeager.

Today is Chuck's 90th birthday, and I invite the entire Senate to join me in congratulating him. I am so proud of this man. Not only is he a native son of West Virginia but he is also a dear friend of mine. Chuck lives in California now, with his wife Victoria, but he still comes to West Virginia to hunt with me and roam the hills where he grew up.

He also visits the State from time to time to promote the foundation which bears his name, and which supports a scholarship program at Marshall University.

When I was Governor, Chuck and Victoria would sometimes visit Gayle and me at the Governor's Mansion. Some of you know I am a pilot, and during one of his visits to West Virginia I got him

to join me on a flight. We were trying out a new airplane for the State. It was a real honor, but it was a little bit daunting, if you will, that I am flying left seat and Chuck is right behind me, evaluating the entire flight. Looking over my shoulder, having the greatest pilot who ever lived sitting there, was something I will never forget.

Some of the story of Chuck's life you probably know and some of it you may not. Chuck grew up in the small town of Hamlin. That is in Lincoln County, WV, so deep in an Appalachian holler that folks there used to say you had to pump in the sunshine. His father Albert Hal worked as a driller in the gas fields. His mother Susie Mae took care of Chuck, his two brothers, and two sisters.

Chuck and his father went hunting and fishing together. Chuck also worked with his father in the oilfields. He was fascinated by the drilling equipment. He liked cars—real fast cars. He especially liked his old man's Chevy truck. He not only drove it, he studied all of its mechanical details. He could basically take it apart and rebuild it.

Looking back, it is not surprising that in the middle of World War II, a patriotic kid from West Virginia who was good with rifles, mechanical equipment, and fast cars enlisted in the U.S. Air Force as an airplane mechanic—his first step toward becoming the single greatest pilot who has ever lived.

A new "flying sergeants" program eventually gave him his first chance to fly. Up until that time it was officers only. His first couple training flights didn't go so well. Some people might not know this, but he had to overcome airsickness. Can you believe that Chuck Yeager got airsick? Before long he found a new home in the sky in the cockpit of an airplane.

During World War II, Chuck flew numerous combat missions over Europe and shot down 13 enemy aircraft—5 in 1 mission. He was shot down over German-occupied France in 1944 but escaped capture to fly another day. But before he could do that, he had to argue his case against being sent home under a no more combat rule. The rule was basically if a pilot was shot down, they could not let them go back, because if they were captured, they could basically tell who the people who saved them were. He pushed his way all the way up the chain of command to Supreme Allied Commander General Dwight D. Eisenhower. Ike ultimately granted Chuck's request to stay with his men.

After the war, Chuck became a test pilot. On October 14, 1947, he did what no man had done before—he broke the sound barrier in the experimental X-1 plane named the "Glamorous Glennis," after his late wife. His fabled flight ushered in a new era of aviation that prepared America for its greatest leap into space and so began the legend of Chuck Yeager.

Tom Wolfe wrote in "The Right Stuff"—a movie most of us have seen. If you haven't seen it, I suggest you do. Tom Wolfe wrote:

There were . . . other pilots with enough Pilot Ego to believe that they were actually better than this drawlin' hot dog.

Chuck had a way with words, if you ever have a chance to speak with him.

But no one could contest the fact that as of that time, the 1950s, Chuck Yeager was at the top of the pyramid, number one among all the True Brothers.

Throughout his long military career, General Yeager flew more than 10,000 hours in more than 330 models of aircraft. In 1966, he flew 127 missions in South Vietnam. He received numerous awards, including the Distinguished Service Medal, the Silver Star, the Bronze Star, the Purple Heart, the Presidential Medal of Freedom, and the special peacetime Medal of Honor. He was the youngest military pilot to be inducted into the Aviation Hall of Fame in 1973.

Chuck officially retired from the Air Force in 1975 but maintained his status as a test pilot for another three decades, occasionally flying for the Air Force and NASA as a consultant.

In 1997, on the 50th anniversary of his historic flight breaking the sound barrier, he again flew past Mach One in an F-15D Eagle named the "Glamorous Glennis III." It was his last official flight with the Air Force. Of course, nothing stops Chuck Yeager. So last October on the 65th anniversary of breaking the sound barrier, he did it again, in another aircraft, at the age of 89.

Whenever he is asked about all his exploits, Chuck says he was just "doing his job," and that all he is he "owes to the Air Force." He has never ever wavered from that.

In his autobiography, he wrote:

My beginnings back in West Virginia tell who I am to this day. My accomplishments as a pilot tell more about luck, happenstance, and a person's destiny. But the guy who broke the sound barrier was the kid who swam the Mud River with a swiped watermelon, or shot the head off a squirrel before school.

Tom Wolfe believed Chuck Yeager to be the "most righteous of all possessors of the right stuff." Wolfe himself struggled to explain what he meant by "the right stuff." His best explanation was that "the right stuff" is that rare, almost indefinable mix of bravery, heroism, hard work, and focus that someone brings to "a cause that means something to a people, a nation, to humanity, to God." That describes Gen. Chuck Yeager as well as anything else I know.

He is a man of extraordinary skill and legendary courage. He has an unparalleled sense of duty and service to his country. He risked his life over and over. He is a great West Virginian. He is a great American. On his 90th birth-

day he is still, without a doubt, a man with "the right stuff."

I wish my dear friend the happiest of birthdays, and I urge every Senator to join me in saluting Gen. Chuck Yeager for his long and courageous service to this great country.

Thank you, General Yeager.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. KING). The Senator from Kansas.

Mr. ROBERTS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTS. Mr. President, I rise to speak in morning business for such time as I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

150TH ANNIVERSARY OF KANSAS STATE UNIVERSITY

Mr. ROBERTS. Mr. President, I rise to commemorate—along with my distinguished friend and colleague Senator JERRY MORAN—the 150th anniversary of Kansas State University—home of the ever-optimistic Wildcats.

Since its beginning—even before Kansas joined the union as a free State—all the way up to today, Kansas State University continues to provide a first-rate education for thousands and thousands of students.

To quote the K-State alma mater lyrics: "I know a spot that I love full well." I—along with more than 200,000 alumni—am proud to call Kansas State University my alma mater, as did my father and also my son.

The year was back in 1858, when Kansas was only a territory—not even a State—that a group of local settlers founded Bluemont Central College. Then, in 1863, only 2 years into statehood, the State legislature and Governor became some of the first to accept the terms and conditions of the Morrill Act, thus creating the land grant system of colleges and universities.

On February 16, 1863, the Kansas State Agriculture College, formally known today as Kansas State University, received a land grant charter and became the first operational land grant institution in the United States. Over the past 150 years, Kansas State University has progressed and expanded to accommodate the students and the people living in the State of Kansas—the people it has served so well.

Today, Kansas State University is comprised of nine academic colleges ranging from liberal arts to veterinary medicine. The university expanded its campus in Manhattan to include an aviation and technology school in Salina and an innovation campus in

Olathe, KS. Also, Kansas State University Research and Extension has a presence in every county in Kansas—all 105. These offices are a source of vital information to every farmer and rancher in our State. We are staying true to our land grant roots.

Back in 1863, Kansas State University's first enrollment totaled a mere 14 students. This school year Kansas State University reached a record enrollment of more than 24,000 students. These students hail from all 50 States and over 90 countries. Out of this diverse population, the university has produced industry leaders, heads of States, humanitarians, generals, gifted scientists, and a few public servants.

Kansas State University has received national recognition for the exceptional education it provides students year after year. Kansas State continues to have college programs ranked the best in the Nation. The university has been recognized as a leader among public universities in total number of Rhodes, Truman, Marshall, Udall, and Goldwater Scholars.

I cannot talk about my alma mater without mentioning Kansas State University's athletic program, especially over the recent years. Since its first football game way back in 1883, dedicated fans have been coming to the sports arenas to support our athletes and our team. This intercollegiate athletic program has complemented the education provided by the university and has been a great source of purple pride for both alumni and Kansas.

As Kansas State University looks toward the future, it sets new goals for the institution and for its students. Launched by president Kirk Schulz in 2010, K-State 2025, the university's strategic plan, strives to make Kansas State University a top 50 public research institution within 15 years. Thanks to the work that has been done throughout the past 150 years and the research that continues, I have no doubt Kansas State University is on track to achieve this very important goal.

Throughout this week and weekend, students, staff, alumni, and friends of the university will gather in Manhattan, KS—the "little apple"—to celebrate the history of Kansas State University.

On behalf of the Senate, it is my honor to congratulate Kansas State University on its accomplishments over the past 150 years. As the alma mater song says, it is truly "a spot that I love full well." Every man a Wildcat.

I yield to my distinguished friend and colleague, Senator MORAN.

Mr. MORAN. Mr. President, I thank the Senator from Kansas.

There is no K State alumni, no individual from our home State who bleeds the color purple more fervently than the senior Senator from Kansas. It is

an honor to join him here today to recognize the significant accomplishments on the 150th anniversary of the first land grant university college in the Nation.

Senator ROBERTS comes to the Kansas State University through his family—his father as well as his son.

I have become acquainted with Kansas State University as a citizen of our State in which we see each and every day the benefits that accrue to the citizens of our State because of the academic research, the education, the extension of education across our State that benefits each and every citizen. So it is with great pleasure that we honor the accomplishments today of this university. It has had tremendous leadership.

In my early days in Congress, President Wefald in many ways created a great opportunity for Kansas State University to excel, to become something different than it had been, to move forward into the future. Now, under the leadership of president Kirk Schulz, his leadership only accelerates the opportunity for Kansas State University to provide new and beneficial services, education, and benefits to the people of our State, to our country, and to students around the globe.

Kansas State University is known for its agricultural background, for its support for that significant industry in our State—farmers and ranchers look to Kansas State University for education and for technical support, and we know of their importance in that No. 1 industry in our State—but, as Senator ROBERTS said, engineering and aerospace; now a campus at Salina, KS, dealing with aviation and avionics, with UAVs moving into the future; a campus in Johnson County, the suburbs of Kansas City, in which additional research in bioscience is being accelerated. So in each and every circumstance, Kansas State University contributes to the economy and well-being of our State and our country.

As a parent, I know Kansas State University. Both our daughters attended Kansas State University, and one remains a student there. I remember the first day I wandered with my 17-, 18-year-old daughter onto campus for a campus tour, and at the end of the day—I will admit we had visited other universities as well, but at the end of the day Kelsey said: Dad, there is no place more welcoming, no place more like home, no place where I feel like a part of a family more than Kansas State University.

That is something I think K State exhibits so well and causes Kansas to be so proud of the Wildcat tradition, which is a sense of family; that we are in it together and people are friends. It is a very comfortable and enjoyable learning environment for students, and we have seen it in our family.

Our youngest daughter followed her older sister to Kansas State University

and is now a beginning student at the College of Veterinary Medicine. Another area in which Kansas State University is highly regarded is the study of animal science. K State in Manhattan, KS, is the western border of the animal science corridor, the eastern border being that place that all Kansans, regardless of alma mater, despise—the University of Missouri. So from west to east, the animal science corridor is bounded by the research scientists and educators and the schools that increase the likelihood that Americans are going to have nutrition, be well fed, and have a safe and abundant food supply.

It is an honor to be here to pay tribute to the many leaders at Kansas State University, those who have come before and those who will follow President Wefald and President Schulz to make sure Kansas State University remains that place of higher education and learning in our State but also to make certain Kansas State University in Manhattan, KS, is always that place called home where students from across our State and around the globe feel as though they have found family and a place to learn to improve their lives and to make certain they contribute to the betterment of our world.

It is an honor to be here with one of the most distinguished alumni of Kansas State University, my colleague and friend Senator ROBERTS, to wish Kansas State University many more years of success in providing education to our students and moving our State forward in ways that will benefit not only this generation but those that follow us.

So congratulations, Kansas State University, and happy 150th birthday.

Mr. President, I yield back to the Senator from Kansas.

Mr. ROBERTS. Mr. President, I thank my dear friend and colleague more especially for highlighting what K State is all about, and that is family. If one chooses to attend Kansas State, as many do—many come from small town America, and many come from big cities, but I think they are all struck by the family atmosphere.

The thing I think is rather remarkable, even in having the privilege of talking to some of K State's football team and some of the athletes, both basketball and football—all sports at K State—I am always able to tell the thousands and thousands of fans from K State who know their history, know where they are coming from, and always support them regardless of the outcome. So K State is a family.

K State's legendary coach Bill Snyder, who has achieved miracles on the football field with team after team, always stresses family and togetherness and the proper role of athletics in education.

My son David went to K State, and he fell in love with K State. He didn't

have much of a choice as far as I was concerned, but he did really enjoy himself at K State. Basically, I am struck by the fact that many of his friends who are graduates—when that day comes when you graduate or when you leave K State, those generations really stick together, and they are friends for life. It is in that vein that I think the Senator's remarks are certainly right on target.

Mr. MORAN. If the Senator would yield.

Mr. ROBERTS. I would be happy to yield.

Mr. MORAN. Mr. President, Senator ROBERTS raises something that I wish to make clear, which is that Kansas State University has been so kind and so beneficial to our two daughters. While they found it to be home and like family, they have excelled and learned, advanced their lives both personally and professionally in ways that are so important to us as parents. We have nothing but commendation to offer to Kansas State University for the kindness and opportunities they have created for our own daughters as they pursue their goals in life.

So it is a very personal opportunity for me to express this gratitude to Kansas State University for making it so good for the things a mom and dad care so much about. For our two daughters Kelsey and Alex, K State is an important component of their lives, and we are so appreciative of the role that university has played in educating our children.

I yield back to the Senator from Kansas.

150TH ANNIVERSARY OF EMPORIA STATE UNIVERSITY

Mr. ROBERTS. Mr. President, we have a double privilege here today in that we obviously are celebrating Kansas State University being 150, representing 150 years of outstanding academic service to our people, but also Emporia State University is 150 years old at the same time—a rather remarkable achievement. I know we would like to congratulate Emporia State on its 150th anniversary.

Emporia State University is in the beautiful Flint Hills of Kansas, and it is also very dear to my family. My mother attended Emporia State and studied education. She went on to become a teacher. Emporia State is a teacher's university, second to none. But she, in her day and time, spent a lot of time educating Kansas children up in Atchison, KS, and was very much like the other proud and accomplished alumni from Emporia State.

If a person wants to know about education, all they would have to do—as well as teacher involvement and teacher progress and some of the very serious challenges we face today in education—is stop by Emporia State. They

have many fine programs and nothing but the best in terms of graduates who do such a great job.

Throughout the past 150 years, Emporia State has grown to accommodate the needs of the State and the 6,500 students it currently serves. What was once the Kansas State Teaching College, Emporia State has now expanded greatly, offering a wide range of academic programs.

In true Kansas fashion, the university has faced challenges head-on from its earliest days. Adversity is not uncommon. In fact, our State motto is “to the stars through difficulty.” But the outstanding faculty and staff have persevered on behalf of their students to provide a quality education, and that continues today with teachers who also provide a quality education. We can't do any better than that. It is with great pride as a Kansan and as a son of an Emporia State graduate that I recognize and congratulate Emporia State University on its 150th anniversary.

I am more than happy to yield to my friend and colleague, Senator MORAN.

The PRESIDING OFFICER (Mr. COONS). The Senator from Kansas.

Mr. MORAN. Mr. President, I thank the Senator for yielding, and I appreciate being recognized.

It is true that our State places a high priority on education—certainly K–12 but also universities, including public, private, community colleges, technical colleges, and today we honor one of those universities in this milestone in its history, Emporia State University, Emporia, KS, on its 150th anniversary.

Benjamin Franklin said, “Tell me and I forget. Teach me and I may remember. Involve me and I learn.” Through learning, students' lives have been changed for the better for more than a century at Emporia State University. This is a historic occasion, their 150th anniversary, and I wish to recognize the significant impact Emporia State has had on our State and on our Nation.

In 1863 Emporia State was founded as a school for training teachers. Back then it was known as Kansas Normal School, and in its first year the President and only teacher, Lyman Kellogg, taught 18 students on the second floor of the district schoolhouse. At the university's first commencement on June 28, 1867, President Kellogg presented diplomas to its two graduates, Mary Jane Watson and Ellen Plumb.

In the years that followed, Emporia State was faced with many challenges, including tornadoes, fires, and a lack of funding, but the university survived and continued each and every year to change the lives of the students.

Today 6,500 students from 45 States and 55 countries are enrolled at Emporia State University. Consistently ranked as a tier 1 regional university by U.S. News and World Report, ESU

offers students a wide range of academic programs to choose from and the opportunity to participate in more than 130 student organizations.

Emporia State also remains fully committed to its original mission of training teachers through a nationally acclaimed teacher education program. If a person has somebody who made a difference in their life, nobody ever says: It was my Senator. It is not mom and dad. It is a teacher.

Educating teachers is a noble calling. In fact, the Teachers College holds the International Reading Association Award and Certificate of Distinction for the Reading Preparation of Elementary and Secondary Teachers—one of only five programs honored internationally in 2009. In a national study of teacher education programs, Emporia State was named one of only four postsecondary institutions in the Nation to be identified as an exemplary model teacher education program.

I congratulate Emporia State for their success in equipping our Nation's educators. As we know, the work of a teacher impacts the lives of every American now and in the future.

Given Emporia State's long history and dedication to training teachers, the university, as one might expect, now hosts the National Teachers Hall of Fame. Each year five of the Nation's most outstanding educators are recognized and honored for the jobs they do. By recognizing the difference one teacher can make, the National Teachers Hall of Fame works to promote education and inspire a new generation of teachers.

Whether ESU students pursue a career in education or another field, many students who continue their studies will return to ESU for graduate work. Among the Kansas Regents universities, ESU students earn the highest percentage of graduate degrees. On average, one-third of the degrees earned annually are graduate degrees. So whether students leave Emporia with an undergraduate or graduate degree, they are well prepared in the field they have chosen.

Students today are involved in community service, and Emporia State exemplifies that. Students at Emporia State spend much time giving back to the local communities. Students have cared for the elderly, provided food to the hungry, and built homes for the homeless. They have also spent their free time mentoring young students through a program called YouthFriends. Currently, about 50 Emporia State students are involved in volunteer work once a week with children.

One of the teachers at a local elementary school said this about that program:

It is great for children to have a young adult role model to look up to. I have two kids in my class who have YouthFriends, and

they both have benefited greatly. Their attitudes about school and life have changed for the better.

What a great way to make a difference in the development of lifelong compassion for others.

The alumni of Emporia State University now number more than 75,000 from 50 States and 80 countries, and they are all proud to be called Emporia State Hornets. Alumni from Emporia State have gone on to accomplish great things. Among the many distinguished alumni are Minnie Grinstead, who was the first woman elected to the Kansas State Legislature in 1918, and Robert Mott, a World War II veteran who later helped create National Public Radio.

For the past 150 years, Emporia State has been changing lives. One alumni said this about the impact on her life:

I was told by a high school guidance counselor that I would never make it in college. ESU gave me an opportunity to "try." Not only did I earn a bachelor's degree, I earned a masters, and Ph.D. Thank you ESU, you changed my life in a positive way!

On this historic anniversary, it is with great pleasure that I join my colleague from Kansas in submitting a resolution to congratulate the students, faculty, alumni, and the new president of Emporia State University for 150 years of excellence in higher education. May the next 150 years be even brighter than the last.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FISCAL CHALLENGES

Mr. THUNE. Mr. President, I come to the floor today to talk about the fiscal challenges facing this country, and particularly the spending problem we have and how it impacts not only the economy but also the lives of the American people.

Last week, the nonpartisan Congressional Budget Office released the latest Budget and Economic Outlook, which confirmed the threat that long-term fiscal imbalances pose to the Nation's economy. The Congressional Budget Office found that the national debt will climb by \$10 trillion, to \$26 trillion, over the next 10 years if Federal spending continues on its current trajectory.

Spending on mandatory programs will remain on auto pilot, resulting in high annual deficits. To kind of put things in perspective, if you go back to 2007 and you look at what the Federal Government spent, it was about \$2.7 trillion annually. If you look at what the Federal Government spent in fiscal

year 2012, which ended September 30 of last year, it was \$3.5 trillion, an increase of nearly 30 percent.

Inflation during that same time period was 10.8 percent, meaning that government grew at almost three times the rate of inflation. Again, I want to emphasize what I think is an important point here, because in the discussion we are having about spending and debt, there is somehow this assertion that has been made that this is not a spending problem, that actually this is more a revenue issue.

Well, again, if you look at what has happened just in the past 5 years, spending has increased nearly 30 percent, Federal spending, or at a rate of almost three times the rate of inflation. So clearly spending has increased dramatically just in the last 5 years. The trend is projected to continue over the next 10 years and beyond, with spending exceeding its historical average over that time period, and then ballooning in the years beyond that.

Such levels of spending will cause the Federal debt to grow, and according to the Congressional Budget Office, "Such a large debt would increase the risk of a fiscal crisis during which investors would lose so much confidence in the government's ability to manage its budget that the government would be unable to borrow at affordable rates."

Again, why is this important? Well, obviously, if the deficits continue to continue year after year, adding more and more to the Federal debt, eventually investors are going to lose confidence in our government. They are going to demand a higher return, higher interest rate when we borrow money. That obviously has an impact all across the economy. Because when interest rates go up, everything else that is pegged to it goes up. If you look at middle-class Americans who are trying to borrow money, for example, to buy a home or to get a college education or for a small business to make investments in order to create and expand jobs, the interest rates go up for everyone. Inflation also goes up if the Nation's fiscal challenges are not addressed, meaning that the hard-earned dollars are not going to go as far. That is going to put further pressure on hard-working middle-class families.

The threat of the budget challenges facing this country and our economy is very real, because of this report that came out last week from the Congressional Budget Office. It confirmed we are headed toward Greece if we do not take the steps that are necessary to change the direction we are on.

A lot of that reality, however, unfortunately, is lost on lots of people here in Washington, DC. As I said earlier, there has been this debate about whether we do, in fact, have a spending problem. Over the weekend, the Democratic leader in the House of Representatives, NANCY PELOSI, repeated

what has become doctrine to many in the Democratic Party; that is, the idea that the U.S. Government does not have a spending problem.

She said, "It is almost a false argument to say we have a spending problem." This comes from the top Democrat in the House of Representatives. "It is almost a false argument to say we have a spending problem." Well, obviously the White House scrambled quickly the next day to come out: Yes, yes, we know we have a spending problem.

But there is reporting out there that suggests the President of the United States has also made this assertion, that this is not a spending problem. I do not know how you can examine the Federal budget projections and not come to the conclusion that we have a spending problem. It is driving our national debt, a debt that is very harmful to our economy.

You have to look no farther than the Congressional Budget Office report last week to see that this is a spending problem, not a revenue problem, because that same CBO report said that the revenue—money that is raised by the Federal Government—is returning to its historical average of 17.9 percent of GDP. That is the way we have measured the amount of revenue coming into the Treasury as a percentage of our entire economy. You measure that over time, and getting back to the historical average, the 40-year average would be 17.9 percent.

If you look at the year 2015 as a case in point, the revenues get back to 19.1 percent of GDP, which is a 25-percent increase in 2 years, significantly exceeding the historical average. If you look at the 10-year outlook the CBO came up with, they said revenues would average 18.9 percent over the next decade, which is almost a full percentage point more than the 40-year historical average.

The point is this: Revenues are not only at historic levels, will be there by 2015 and stay there for the next decade, but they will exceed the historic average for revenues over the next 10 years. So clearly, what we are talking about here is not a problem of Washington taxing too little, it is a problem of Washington spending too much.

I know that truth is hard and that math is hard to accept for the people who want to grow government, but we absolutely have to govern in reality. What the math shows is that mandatory spending, which as I said is on auto pilot, continues to squeeze the Federal Government and the Federal budget to a point where we are going to face a Greece-style fiscal crisis if Washington continues to punt on the hard decisions that have to be made.

Mandatory spending comprised roughly 60 percent of Federal spending in fiscal year 2012. If you look at the big drivers of mandatory spending,

Medicare, Medicaid, and Social Security represented 40 percent of that total, according to the Congressional Budget Office. Congress and the administration have an opportunity in the coming months to reform these entitlement programs not only to get this country back on a more sustainable fiscal track but also to save and protect these programs not only for current retirees but for future generations of Americans as well.

That is why I was disappointed last night that the President, in his State of the Union Address, failed to lay out a plan to address the fiscal challenges our country faces. I hope the President and my colleagues here in the Congress will come to the table and work with us to solve these problems, particularly as we consider ways to address the sequester, the continuing resolution which follows after that, and the fiscal year 2014 budget resolution.

We cannot simply wait and watch these programs crumble under the weight of looming insolvency. We know Social Security operated at a cash deficit in 2010. The Medicare trustees have told us that Medicare will be insolvent by the year 2024 and the HI trust fund actually as early as the year 2016. If we are going to keep the promises we have made to current retirees and to future generations of Americans, we have to make these programs solvent. That means we have to reform them in a way that saves and protects them and makes sure they are fiscally sustainable not only for today but for the future as well.

I have to say, as I listened to the debate about the issues of spending and debt, there is an argument that is made by those on the other side that this is just because of the two wars, and the two wars drove up spending; you know, they were not paid for and that is the reason we have this \$16.4 trillion debt. Well, obviously the wars have contributed to that. But if you look at through 2012, that is about \$1.4 trillion. Obviously, I would say, to be fair, Republicans have contributed to this as well as Democrats. When Republicans were in charge of the Congress, we did not do a good enough job of keeping spending under control.

But the fact is even if you count in spending on Iraq and Afghanistan, that is about \$1.4 trillion. The total debt now, as I said, is over \$16 trillion, scheduled to go to \$26 trillion 10 years from now. Over the course of the first 4 years of this President's term, his first term in office, the debt has increased almost \$6 trillion. So it is hard to feature any objective analysis of these facts and this data and say it was the wars that somehow caused all of this.

Washington has been overspending for a long time. It is high time for those habits to change. If you look at the war that is winding down, the cost

of that, the resources we are putting into these conflicts, those dollars are not going to be showing up again as expenditures in the next few years. We still have the Congressional Budget Office telling us at the end of the next decade we will have added an additional \$10 trillion to the debt. So clearly that has certainly been a factor, but it has not been the main factor.

There is again no objective analysis that would suggest spending on the wars has been the driving reason for why we are facing the debt crisis we have today. I would simply say too that when you are in a hole, it is advisable to quit digging.

Obviously, we continue to look at ways to add more and more spending and, therefore, more and more debt. The health care bill is not something anybody on my side here in the Senate supported when it passed in 2009 and early 2010. But that too is going to drive up spending and is going to drive up debt as we head into the future.

You heard from the President last night a whole new series of new spending initiatives, "investments," he called them, in a whole range of areas. As he was sort of laying that out, those of us who were listening to that message were thinking to ourselves: Okay, if you put a calculator on this thing, it keeps going and going and going. Yet the President said we did not need to add a single dime to the deficit. Well, I do not know how anybody could accept that with a straight face. It flat does not pass the smell test.

We have a spending problem here in Washington, DC. The facts bear that out. The revenues are going up. They are going to go up 25 percent, according to the Congressional Budget Office, in the next 2 years. In 2015 they will be at 19.1 percent of GDP, an average we have not seen—or a number we have not seen in a long time. Then they will stay roughly at that for the next decade. This is not a revenue problem. This is not a problem where Washington taxes too little. This is a problem where Washington spends too much.

If you look at the other side of the equation, spending continues to go up as a percentage of GDP. We see a little bit of relief here in the next few years, but then when the cost of the Affordable Care Act starts hitting, when you start seeing the demographics of the country, as they continue to change, if we do not do something to save and protect Social Security and Medicare for future generations, it is going to bankrupt us.

We are headed for a train wreck. We have to do something about that and recognize what that problem is. That problem purely and simply is that Washington spends too much. It is a spending problem. That is why, again, when I heard the top Democrat, the minority leader in the House of Rep-

resentatives, say over the weekend that it is a false argument to say this is a spending problem, I was shocked, because I think most Americans would argue, as they look at this, and they can do the math, Washington has a very serious spending problem which needs to be addressed. It needs to be addressed sooner rather than later.

I thought the report that came out from the Congressional Budget Office last week was instructive for a number of reasons. It pointed out the impact that debt is going to have as we face this debt crisis in terms of interest rates, in terms of inflation, in terms of loss of jobs, and a more sluggish economy. We know from history that when you get a certain amount of debt, it becomes such a drag on your economy that it reduces economic growth. So we have seen this anemic, sluggish economic growth which is going to be continued now for the foreseeable future. We have slower growth, fewer jobs, massive amounts of debt. Eventually what that is going to mean for the middle-class American is higher interest rates when it comes to buying a home, when it comes to buying a car, when it comes to financing a college education. It is going to mean lower take-home pay when the economy slows down and there is not the demand for workers out there. There are so many adverse impacts on our economy from carrying the kind of debt load we are carrying today. I think we have a responsibility to lead.

I hope the President of the United States will lead on this issue; that he in his budget will put forward the types of remedies that are necessary not only to deal with our short-term crisis in the sequestration but also to put us long term on a sustainable fiscal path by proposing reforms, reforms to these programs that are driving Federal spending, that are going to add massive amounts to our debt over the course of the next decade and beyond, and at the same time look at things we can be doing that would generate economic growth, that would create jobs in this country. Because when the economy is growing and expanding, then all of these other problems look much smaller by comparison.

Republicans here in the Senate are ready to work with the President, work with Democrats.

We are anxious to go to work on entitlement reform to save Social Security and Medicare. We are anxious to go to work on reforming our Tax Code in a way that would unleash economic growth to obtain the robust growth we need in the economy to create jobs and make the debt crisis we face look much smaller by comparison.

I hope in the days ahead the President of the United States, the leadership on Capitol Hill, and the Congress will do what we should have done a long time ago. It is long overdue for action. It is high time that we become

busy and do the work of the American people, which is about providing a more secure, prosperous, and a safer, debt-free future for future generations. Anything less is negating or undermining the responsibility we have to the American people.

Mr. President, I yield the floor.

Mr. REID. I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BROWN). We are not in a quorum call.

Mr. REID. Miracles never cease.

The PRESIDING OFFICER. That is true.

The Senator from Nevada.

Mr. REID. Mr. President, I have spoken with Senator INHOFE, the ranking member of the Senate Armed Services Committee. It is very clear that he and a number of Republicans are not willing to enter into an agreement on the Hagel nomination.

EXECUTIVE SESSION

NOMINATION OF CHARLES TIMOTHY HAGEL TO BE SECRETARY OF DEFENSE

Mr. REID. Mr. President, I move to proceed to executive session to consider Calendar No. 10.

The clerk will report:

The assistant legislative clerk read as follows:

Motion to proceed to the nomination of Charles Timothy Hagel, of Nebraska, to be Secretary of Defense.

The PRESIDING OFFICER. Without objection, the motion to proceed is agreed to.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk and ask the clerk to report.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Charles Timothy Hagel, of Nebraska, to be Secretary of Defense.

Harry Reid, Patrick J. Leahy, Sheldon Whitehouse, Barbara Boxer, Al Franken, Christopher A. Coons, Jack Reed, Carl Levin, Kirsten E. Gillibrand, Claire McCaskill, Robert P. Casey, Jr., Richard Blumenthal, Tom Harkin, Dianne Feinstein, Bill Nelson, Jeanne Shaheen, Sherrod Brown.

Mr. REID. This is the first time in the history of our country that a Presidential nominee for Secretary of Defense has been filibustered. What a shame, but that is the way it is.

I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I also ask that under the rule the cloture vote will occur on Friday. Membership should plan accordingly.

The PRESIDING OFFICER. The senior Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, now that the nomination of Senator Hagel is before us, I want to begin this discussion and debate with a few remarks about him. The committee approved this nomination and sent it to the floor of the Senate yesterday by a vote of 14 to 11.

Senator Hagel has received broad support from a wide array of senior statesmen, defense, and foreign policy organizations. At his January 31 nomination hearing before the Armed Services Committee, Senator Hagel was enthusiastically introduced and endorsed by two former chairmen of our committee, chairmen who have huge bipartisan support and respect by everybody in this body and everybody outside of this body who knows them. Those two chairmen are Sam Nunn and John Warner.

Senator Hagel's nomination has been endorsed by five former Secretaries of Defense who served under both Democratic and Republican Presidents: Bob Gates, Bill Cohen, Bill Perry, Harold Brown, and Melvin Laird. He has been endorsed by three former Secretaries of State—Madeleine Albright, Colin Powell, and George Shultz—and by six former National Security Advisers who served in that position for more than 20 years under six of the last seven Presidents.

Let me just share with our colleagues a few of the words of Senator Nunn when he introduced Senator Hagel to our committee:

I believe our Nation is fortunate to have a nominee for Secretary of Defense with the character, experience, courage and the leadership that Chuck Hagel would bring to this position. First, Chuck is acutely aware that even in an age of rapid technological advances, our military capability and effectiveness depend on the quality and the morale of the people who serve our Nation in uniform, as well as the families who support them.

Continuing:

Chuck received two Purple Hearts in Vietnam, and when he returned home he continued to fight for veterans and for Active-Duty military personnel. He knows that our people are our strongest asset. Second, Chuck's experience in Vietnam shaped his life and his perspective. War for Chuck Hagel is not abstraction. I am confident, if confirmed, he will ask the hard and smart questions before sending troops into battle. Chuck Hagel knows the United States has vital interests that are worth fighting for and dying for. He also knows that war should be a last resort and that our Nation must effectively use all of our tools, not limited only to our military, to protect our important and our vital interests.

Senator Nunn continued:

Certainly there is a tension in these values, but it is a tension that we should welcome in the thought process and in the advice that our Secretary of Defense gives to our Commander in Chief and to this Congress.

From our service together on the Defense Policy Board in recent years, I know that Chuck Hagel has a clear world view and that it aligns with the mainstream of U.S. foreign and defense policy, and also with President Obama. Chuck Hagel believes that we must build and preserve America's strength as a force for good in the world. He recognizes that protecting our interests requires strong allies and friends, as well as strong American leadership.

Senator WARNER's extraordinarily powerful and warm comments included as follows:

There is an old saying in the combat army infantry and Marine Corps. "Certain men are asked to take the point." Which means to get out and lead in the face of the enemy. Chuck Hagel did that as a sergeant in Vietnam. If confirmed, Chuck Hagel will do it again. This time not before a platoon but before every man and woman and their families in the Armed Services. He will lead them and they will know in their hearts that we have one of our own.

Senator Hagel has received a letter of endorsement from 11 retired senior military officers who say Chuck Hagel is uniquely qualified to meet the challenges facing the Department of Defense and our men and women in uniform.

He has received a letter of endorsement from nine former Ambassadors who worked with him on Middle East issues. That letter says, in part:

Each of us has known the Senator over the past 20 years and has found him invariably one of the best informed leaders in the U.S. Congress on the issues of U.S. national security. . . . Senator Hagel's political courage has impressed us all. . . . Time and again he chose to take the path of standing up for our nation over political expediency. . . . He has invariably demonstrated strong support for Israel and for a two-state solution and has been opposed to those who would undermine or threaten Israel's security. We can think of few more qualified, more nonpartisan, more courageous, or better equipped to head the Department of Defense.

That is from nine former Ambassadors who worked with Senator Hagel on Middle East issues. Let me read who those Ambassadors are: Nicholas Burns, former Under Secretary of State for Political Affairs, Ambassador to NATO and Greece; Ryan Crocker, former Ambassador to Iraq and Afghanistan; Edward Djerejian, former Ambassador to Israel and Syria; William Harrop, former Ambassador to Israel; Daniel Kurtzer, former Ambassador to Israel and to Egypt; Samuel Lewis, former Ambassador to Israel; William Luers, former Ambassador to Venezuela and Czechoslovakia; Tom Pickering, former Under Secretary of State for Political Affairs, Ambassador to Israel and Russia; and Frank Wisner, former Under Secretary of Defense for Policy and Ambassador to Egypt and to India.

Senator Hagel's nomination has been supported by the major groups of American veterans, including the Veterans of Foreign Wars, the Iraq and Afghanistan Veterans of America, AMVETS, Vietnam Veterans of America, and the American Legion. He has received support from the Military Officers Association of America, Foreign Area Officer Association, and the Non Commissioned Officers Association.

Senator Hagel has been endorsed by numerous newspapers, including USA Today, which stated:

Many of the supposed weaknesses that Republican Senators hammered him on are actually proof that Hagel takes thoughtful positions and doesn't bend easily to pressure.

I would like to read just a few quotes from those organizations of veterans who have endorsed him. The Veterans of Foreign Wars says the following:

It is not the place for America's oldest and largest combat veterans organization to advise or recommend to the President who he should nominate for cabinet positions. However, the Veterans of Foreign Wars of the United States considers Chuck Hagel, twice wounded Vietnam War veteran, war infantryman, and former two-term United States Senator from Nebraska, to be uniquely qualified to lead the Department of Defense.

That is signed by Robert Wallace, who is executive director of the VFW.

The Iraq and Afghanistan Veterans of America wrote the following:

Without Senator Hagel's leadership in Washington, there would not be a post 9/11 GI bill. Senator Hagel has always been a strong advocate for veterans at the Department of Defense. There is no doubt he will continue that legacy. Time and time again, from Vietnam to the VA to the USO, Senator Hagel has answered his country's call to serve, demonstrating courage, character and resolve at every turn. We encourage the Senate to approve his nomination swiftly.

Paul Rieckhoff, Founder and Chief Executive Officer.

The AMVETS National Commander Cleve Geer endorsed President Obama's nomination of Chuck Hagel with the following comments:

AMVETS fully supports President Obama's nomination of Chuck Hagel for the future Secretary of Defense. As a veterans service organization, AMVETS' main mission is to serve as an advocate for veterans, their families and the communities in which they live. I am confident that former Senator Hagel will utilize his experience and understanding of America's military to lead this Nation's troops and the Department of Defense.

The organization votevets.org wrote the following in a petition signed by over 8,000 veterans and military families:

Senator Hagel is a tremendous pick for Secretary of Defense who I know very well, and I have little doubt that he will serve President Obama with distinction both as a voice of reason within the administration and as a faithful advocate for carrying out the policies of the Commander in Chief.

That was signed by John Soltz.

The Military Officers Association of America wrote the following:

While the Military Officers Association of America does not endorse or oppose specific

candidates for elected or appointed office, we believe Senator Hagel is certainly a candidate who is fully qualified for appointment to this extremely important position. Our past work with Senator Hagel has been very positive, and we believe that he brings an important sensitivity to the human side of budget and operational considerations. His experience as a combat wounded Vietnam veteran, as deputy administrator of the VA, and his two terms in the Senate provide a range of perspectives that would serve any Secretary of Defense well. We previously recognized Senator Hagel's efforts to protect the interests of military beneficiaries with our Arthur T. Marix Congressional Leadership Award. We do not believe that cabinet nominees should be held hostage to political litmus tests.

That was signed by ADM Norbert Ryan, USN, retired, President of the Military Officers Association of America.

The Non Commissioned Officers Association of the United States wrote the following:

We strongly support the appointment of Chuck Hagel to be Secretary of Defense. His military service, including being twice wounded in action, has instilled the values of service and personal sacrifice for which he knows well the human cost of war. He has been an advocate for soldiers, Marines, sailors, airmen and coasties to ensure the training and equipage of America's 21st military force coincide with a solid revised defense posture to meet conventional and unconventional world challenges. Senator Hagel has also championed personnel issues relating to combat dwell time, force protection, transition issues, including electronic medical issues, preparation for future employment and training, and veterans benefits, including enhancements to post 9/11 educational benefits. He also recognizes the value and the sacrifice of families of the men and women who serve in this Nation's uniformed services.

That was signed by Richard Schneider, executive director for government affairs.

The Vietnam Veterans of America wrote:

We like Hagel. We think he is a great guy, and having a combat veteran in there would be a good thing.

The American Legion wrote:

Hagel is a long-time member of the Legion. He served right after he returned from Vietnam. He is a long-time advocate for veterans in the VA, and especially for veterans exposed to Agent Orange. Our organization has consulted with him, among others, on various national security matters. Having said that, the American Legion is prohibited by our congressional charter from endorsing any candidate for elected or appointed office.

The Vietnam Veterans Memorial Fund, Jan Scruggs, founder and president, wrote the following:

I first met Mr. Hagel in 1981 when he was the No. 2 man at the Veterans Administration. He had just thrown out of his office some people who were demanding that he stop his support for Maya Lin's design for the Vietnam veterans memorial. His integrity and toughness were impressive then. Both qualities have grown since. Long before he became a Senator, Mr. Hagel was an infantryman in Vietnam. He fought the enemy

up close, and he had to put Americans in body bags. I am sure as defense secretary he would not hesitate to use military force aggressively if our Nation or its allies are in danger, yet he knows well that war is terribly unpredictable and needs to be avoided. He has shown some fury at those who have never seen war, but encouraged it during the past decade. This is called courage. He has earned his stripes.

Senator Hagel's credentials are underscored by the service in war and in peace that has been described so eloquently in all those letters from those veterans organizations. As a young man, Senator Hagel enlisted in the Army and served in Vietnam, where he received two Purple Hearts, the Army Commendation Medal, and the Combat Infantryman Badge for his service.

He volunteered to go to Vietnam. He answered the question, where are you, by answering, here I am. Senator Hagel served as Deputy Administrator of the Veterans' Administration during the Reagan administration. He was twice elected to the Senate, where he served on the Foreign Relations and Intelligence Committees.

Since he left the Senate 4 years ago, Senator Hagel has served as chairman of the board of directors of the Atlantic Council. The Atlantic Council counts among its other directors and honorary directors seven former Secretaries of State and four former Secretaries of Defense, along with numerous other senior officials from the administrations of both parties. The Atlantic Council is very much a part of the mainstream of the American foreign policy establishment.

Much of the time and attention at our committee hearing was devoted to a handful of statements Senator Hagel made over the course of his career that raised questions about his views on Israel, Iran, and other issues.

Senator Hagel explained and clarified these things and placed them in context. He apologized for one remark, and told the committee he would say other things differently if he had the chance or was making them over. Senator Hagel was clear in the positions he takes today and that he will take if confirmed as Secretary of Defense. In particular, Senator Hagel stated unequivocally, first:

Iran poses a significant threat to the United States, our allies and partners, and our interests in the region and globally. Iran continues to pursue an illicit nuclear program that threatens to provoke a regional arms race and undermine the global non-proliferation regime. Iran is also one of the main state-sponsors of terrorism and could spark conflict, including against U.S. personnel and interests.

Second, he is "... fully committed to the President's goal of preventing Iran from obtaining a nuclear weapon ... all options must be on the table to achieve that goal ..." and his policy, if confirmed, will be "one of prevention, not of containment."

Third, while he believes “engagement is clearly in our interests,” “engagement is not negotiation.” He stated:

I’ve never thought engagement is weakness. I never thought it was surrender. I never thought it was appeasement. I think it’s clearly in our interest. . . . [G]et the international sanctions behind you, keep military options on the table. If the military option is the only option, it’s the only option.

Finally, he said that he is “a strong supporter of Israel,” and believes that “we have a special relationship with Israel.” If confirmed, he “will ensure our friend and ally Israel maintains its qualitative military edge in the region, and will continue to support systems like Iron Dome, which is today saving Israeli lives from terrorist rocket attacks.”

Senator Hagel has also recognized the very real risks posed to our national security as a result of the unique budgetary pressure arising out of cuts previously agreed upon by Congress, the budgeting by continuing resolution, and the impending threat of a sequester. Senator Hagel told the committee:

[Sequestration] if allowed to occur, would damage our readiness, our people, and our military families. It would result in the grounding of aircraft and returning ships to port, reducing the Department’s global presence and ability to rapidly respond to contingencies. Vital training would be reduced by half of current plans and the Department would be unable to reset equipment from Afghanistan in a timely manner. The Department would reduce training and maintenance for non-deploying units and would be forced to reduce procurement of vital weapons systems and suffer the subsequent schedule delays and price increases. Civilian employees would be furloughed for up to 22 days. All of these effects also negatively impact long-term readiness. It would send a terrible signal to our military and civilian workforce, to those we hope to recruit, and to both our allies and adversaries around the world.

One of our colleagues has alleged that Senator Hagel has failed to provide complete financial disclosure and suggested, despite the admitted lack of evidence of any kind, that Senator Hagel may have received money that “came directly from Saudi Arabia, came directly from North Korea.” There is no evidence for that, but that is the kind of innuendo which was made and I believe should not have been made.

As a matter of fact, Senator Hagel has provided the exact same financial disclosure the committee requires of all nominees, including at least the last eight Secretaries of Defense. As required by the Armed Services Committee and by the Ethics in Government Act, he has disclosed all compensation over \$5,000 that he has received in the last 2 years. As required by the Armed Services Committee, he has received letters from the Director of the Office of Government Ethics and the Acting Department of Defense Gen-

eral Counsel certifying that he has met all applicable financial disclosure and conflict-of-interest requirements. As required by the Armed Services Committee, he has answered a series of questions about possible foreign affiliations. Among other questions, the committee asked whether, during the last 10 years, the nominee or his spouse have “received any compensation from, or been involved in any financial or business transaction with, a foreign government or an entity controlled by a foreign government.” Senator Hagel’s answer was, “No.”

Senator Hagel, like all of our nominees, has undergone a thorough FBI background investigation. Senator INHOFE and I have reviewed the FBI file. The innuendo that Senator Hagel could somehow be hiding the fact he is on the payroll of a foreign power is offensive to those of us who have served with him and beneath the dignity of the U.S. Senate.

I ask unanimous consent to have printed in the RECORD a series of letters in which certain Senators requested certain financial disclosure and the letter with which I responded.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC, February 8, 2013.

Hon. JIM INHOFE,
*Ranking Minority Member,
Committee on Armed Services, U.S. Senate.*

DEAR JIM: I read with some concern a February 6, 2013, letter that you signed with 25 other Republican Senators, demanding that former Senator Chuck Hagel provide additional financial disclosure information in connection with his nomination to serve as Secretary of Defense. This letter appears to insist upon financial disclosure requirements that far exceed the standard practices of the Armed Services Committee and go far beyond the financial disclosure required of previous Secretaries of Defense.

Our committee has a well-defined set of financial disclosure and ethics requirements which apply to all nominees for civilian positions in the Department of Defense. We require each nominee to provide us with the following: a copy of the Nominee Public Financial Disclosure Report required by the Ethics in Government Act—OGE Form 278; a response to a standard committee questionnaire, which includes questions on future employment relationships, potential conflicts of interest, personal financial data, and foreign affiliations; and a formal ethics agreement, which outlines the steps the nominee will take to avoid any potential conflict of interest, including a commitment by the nominee to divest DOD contractor stocks within 90 days of appointment to office, avoid buying DOD contractor stocks while in office, and resign from non-Federal boards and activities.

Before these materials are provided to the committee, they are reviewed by the U.S. Office of Government Ethics (OGE) and the DOD General Counsel’s office—both of which are familiar with the unique conflict of interest requirements imposed by our committee—to ensure that the required disclosures of information meet our standards. The

leader of each of these offices sends us a letter certifying that the office has reviewed the financial disclosure and determined that the nominee will be in compliance with applicable laws and regulations governing conflicts of interest. Our majority and minority counsels review these materials and work together, through the DOD General Counsel’s office, to address any questions that may arise about the completeness of the materials provided or the nominee’s compliance with our requirements.

We have applied these disclosure requirements and followed this process for all nominees of both parties throughout the 16 years that I have served as Chairman or Ranking Minority Member of the committee. I understand that the same financial disclosure requirements and processes were followed for at least the previous 10 years, during which Senator Sam Nunn served as Chairman or Ranking Minority Member. During this period, the committee has confirmed eight Secretaries of Defense (Secretaries Carlucci, Cheney, Aspin, Perry, Cohen, Rumsfeld, Gates, and Panetta), as well as hundreds of nominees for other senior civilian positions in the Department.

There are two unprecedented elements to the financial disclosure demanded by the February 6, letter: (1) the disclosure of “all compensation over \$5,000 that [Senator Hagel has] received over the past five years”; and (2) the disclosure of any foreign funding of eight private entities from which Senator Hagel has received compensation since leaving the Senate (including the date, source, and specific amount of each foreign contribution). Each of these demands goes well beyond what the committee has required of any previous nominee.

With regard to the demand that Senator Hagel disclose all compensation over \$5,000 that he has received over the past five years, the standard financial disclosure form which the committee requires all nominees to provide calls for the disclosure of all entities from which the nominee has received compensation in excess of \$5,000 (including clients for whom the nominee personally provided more than \$5,000 in services, even if the payments were made to the nominee’s employer, firm, or affiliated business) during the previous two years. The two-year disclosure requirement that has been consistently applied by the committee is established in section 102(b)(1)(A) of the Ethics in Government Act and applies not only to all nominees for Senate-confirmed positions, but also to all candidates for federal elective office.

With regard to the demand that Senator Hagel disclose foreign funding for private entities from which he has received compensation, the February 6 letter asserts that this information is needed because “If it is the case that [Senator Hagel] personally [has] received substantial financial remuneration—either directly or indirectly—from foreign governments, sovereign wealth funds, lobbyists, corporations, or individuals, that information is at the very minimum relevant to this Committee’s assessment of your nomination.”

In fact, the committee questionnaire addresses the issue of foreign affiliations in a manner that is equally applicable to all civilian nominees coming before the committee. Among other questions, the committee questionnaire asks whether, during the last ten years, the nominee or his spouse has “received any compensation from, or been involved in any financial or business transactions with, a foreign government or an entity controlled by a foreign government.” Senator Hagel’s answer to this question was “No.”

The demands of the February 6 letter go beyond this standard disclosure regime and would subject Senator Hagel to a different requirement from all previous nominees, under which he alone would be required to somehow ascertain whether certain entities with whom he has been employed may have received foreign contributions. In particular:

Senator Hagel serves without compensation as the Chairman of the Board of Directors of the Atlantic Council—a “think tank” that includes among its other Directors and Honorary Directors seven former Secretaries of States and four former Secretaries of Defense. The Atlantic Council’s public website provides a diverse list of corporate contributors, including both domestic companies (such as Chevron, General Dynamics, Lockheed, Raytheon, Boeing, Citigroup, Duke Energy, and Exxon Mobil) and foreign entities (such as Polish Telecom, Saab, All Nippon Airways, and the Istanbul Stock Exchange). Over the 16 years that I have served as either Chairman or Ranking Minority Member of the committee, we have considered numerous nominations of individuals who were associated with similar think tanks, universities, and other non-profit entities. Even in the many cases where a nominee received compensation from such a nonprofit entity, we did not require the nominee to disclose the sources of funding provided to the nonprofit entity.

Senator Hagel has also served as an Advisory Board Member, Senior Advisor, Director, Special Advisor, or Board Member to seven domestic for-profit entities identified in the February 6 letter since he left the Senate in January 2009. His financial disclosure report and committee questionnaire indicate that he left four of these entities (Wolfensohn & Company, National Interest Security Company, Elite Training & Security, and Kaseman, LLC) in 2010 and has received no compensation from them during the two-year reporting period covered by the Ethics in Government Act. Nonetheless, the February 6 letter demands that Senator Hagel provide ten years of corporate financial data on foreign investments or funding received by these entities. The forms and committee questionnaire indicate that Senator Hagel continues to serve as an Advisory Board Member for Corsair Capital, a Senior Advisor to McCarthy Capital, and a Special Advisor to the Chairman of M.I.C. Industries and that he has received compensation for his service to these three entities. I am doubtful that, as mere advisor to these companies, Senator Hagel has either access to the corporate financial information that is sought in the February 6 letter or the authority to release such information if he were able to get access to it. In any case, over the 16 years that I have served as either Chairman or Ranking Minority Member of the committee, we have considered numerous nominations of individuals who were employed by for-profit entities of every variety. We have considered board members, officers, directors, and employees of companies doing business across the full range of our economy. In this time, we have never required the nominee to attempt to ascertain and disclose the names of investors in such an entity.

The committee cannot have two different sets of financial disclosure standards for nominees, one for Senator Hagel and one for other nominees.

Sincerely,

CARL LEVIN,
Chairman.

U.S. SENATE,

Washington, DC, February 6, 2013.

Hon. CHUCK HAGEL,

Distinguished Professor in the Practice of National Government, Edmund A. Walsh School of Foreign Service, Georgetown University, 37th and O Streets, NW, Washington, DC.

DEAR SENATOR HAGEL: On January 29, two days before your confirmation hearing, you received a request, via email, from several Senators on the Senate Armed Services Committee for additional information necessary to fairly assess your nomination to be Secretary of Defense. The written copy of the letter (delivered the next day) was signed by six Senators, including the Ranking Member of the Committee. The letter requested that you respond to the request before the hearing, so that you could then answer questions concerning your responses.

You declined to respond to the request for additional financial disclosure.

At the hearing, you were told by Members of the Committee that a response to our request for information would be necessary before the Committee could vote on your nomination. The Chairman of the Committee expressly asked you to submit your response by Monday, February 4.

Monday came and went, and you still did not respond.

At the end of the day on Tuesday, February 5, you submitted a short “response” to our request. In that response, you explicitly declined to answer many of the questions asked of you.

You were asked to disclose all compensation over \$5,000 that you have received over the past five years. You declined to do so.

You were asked to disclose if—and to what specific extent—the Atlantic Council has received foreign funding in the past five years. You declined to do so.

You were asked to disclose if—and to what specific extent—McCarthy Capital has received foreign funding in the past ten years. You declined to do so.

You were asked to disclose if—and to what specific extent—Corsair Capital has received foreign funding in the past ten years. You declined to do so.

You were asked to disclose if—and to what specific extent—Wolfensohn and Company has received foreign funding in the past ten years. You declined to do so.

You were asked to disclose if—and to what specific extent—M.I.C. Industries has received foreign funding in the past ten years. You declined to do so.

You were asked to disclose if—and to what specific extent—the National Interest Security Company has received foreign funding in the ten years. You declined to do so.

You were asked to disclose if—and to what specific extent—Elite Training and Security, LLC has received foreign funding in the past ten years. You declined to do so.

You were asked to disclose if—and to what specific extent—Kaseman, LLC has received foreign funding in the past ten years. You declined to do so.

Your own financial records are entirely within your own control, and you have flatly refused to comply with the Committee Members’ request for supplemental information.

The records from the other firms—more than one of which, you have disclosed, paid you \$100,000 or more—are highly relevant to the proper consideration of your nomination. Your letter discloses no affirmative efforts on your part to obtain the needed disclosure, and your lack of effort to provide a substantive response on this issue is deeply troubling.

If it is the case that you personally have received substantial financial remuneration—either directly or indirectly—from foreign governments, sovereign wealth funds, lobbyists, corporations, or individuals, that information is at the very minimum relevant to this Committee’s assessment of your nomination. Such remuneration may be entirely appropriate, but that determination cannot be made without disclosure.

If you have not received remuneration—directly or indirectly—from foreign sources, then proper disclosure will easily demonstrate that fact.

Your refusal to respond to this reasonable request suggests either a lack of respect for the Senate’s responsibility to advise and consent or that you are for some reason unwilling to allow this financial disclosure to come to light.

This Committee, and the American people, have a right to know if a nominee for Secretary of Defense has received compensation, directly or indirectly, from foreign sources. Until the Committee receives full and complete answers, it cannot in good faith determine whether you should be confirmed as Secretary of Defense.

Therefore, in the judgment of the undersigned, a Committee vote on your nomination should not occur unless and until you provide the requested information.

Sincerely,

(Signed by 26 Senators).

FEBRUARY 8, 2013.

Hon. CARL LEVIN,

U.S. Senate,

Washington, DC.

Hon. JAMES INHOFE,

U.S. Senate,

Washington, DC.

DEAR CHAIRMAN LEVIN AND RANKING MEMBER INHOFE: I appreciate the opportunity to respond to the February 6, 2013, letter from 25 Senators, including several members of the Senate Armed Services Committee. I remain committed to providing the Committee with complete personal financial disclosure, in accordance with the applicable requirements of law and regulation. In the spirit of cooperation, I have gone beyond those requirements in several areas. For example, although the committee questionnaire requires that nominees provide copies of “any formal speeches,” I have sought transcripts of informal speeches of which I did not have copies, and provided those transcripts to the committee.

In that same spirit of cooperation, I have reviewed each of the specific requests for information described in your letter. While some of these requests appear to go beyond what is either in my control or is mine to release under the law, I am committed to providing what I can—and when I cannot, to explain why not.

As you know, I previously submitted all of the information required by the Committee’s standard financial disclosure processes. This includes information regarding compensation that I received over the past two years, as reported on the Nominee Public Financial Disclosure Report in Schedule D. To assist you in reviewing this information, I have prepared a chart that reflects all compensation over \$5,000 I received for that time period.

Further, you asked questions about whether, and the extent to which, eight identified entities (with which I have been affiliated) have received foreign funding in the past. As I explained in my response to the Committee, dated February 5, 2013, my legal and

fiduciary obligations prevent me from releasing this kind of corporate financial information for those entities that are privately owned/held. One of the entities that you inquired about, Atlantic Council, is a 501(c)(3) organization which permits greater public disclosure of its funding streams. While Atlantic Council does not make public a comprehensive list of all its donors, it does publicly acknowledge its foreign corporate and foreign government donors of \$5,000 or more. I have attached a copy of Atlantic Council's publicly available list of these foreign donors over the past five years. Because I serve without compensation, I have not been a direct or indirect beneficiary of these contributions. Of the remaining seven companies, McCarthy Capital, Wolfensohn, M.I.C. Industries, National Interest Security Company, Kaseman, and Elite Training & Security have authorized me to inform you that they have not compensated me with any foreign-derived funds. Corsair Capital has been advised by its outside counsel that it cannot provide further information regarding its finances.

I wish to reiterate that I have not received any compensation from or been involved in any financial or business transactions with a foreign government or an entity controlled by a foreign government. This is reflected in my response to the SASC Questionnaire, Question 3, Part E—Foreign Affiliations.

Thank you for the opportunity to respond to your questions.

Sincerely,

CHUCK HAGEL.

Mr. LEVIN. Mr. President, the Department of Defense right now needs its new leader. Its current leader, who has done a great job, has announced he is leaving and has set a time for that departure.

We face a budgetary challenge of immense proportions—not just in the Department of Defense but in all of our agencies. Our military is engaged in combat operations overseas. North Korea has exploded a nuclear device—highly provocative, highly objectionable—and must be countered. The absence of senior leaders in the Department of Defense will harm our national defense, will harm our men and women in uniform, and sends exactly the wrong message to both our friends and our adversaries around the world.

If confirmed, Senator Hagel would be the first former enlisted man and the first veteran of the Vietnam war to serve as Secretary of Defense. This background gives Senator Hagel an invaluable perspective not only with respect to the difficult decisions and recommendations a Secretary of Defense must make regarding the use of force and the commitment of U.S. troops overseas but also with respect to the day-to-day decisions a Secretary must make to ensure our men and women in uniform and their families receive the support and the assistance they need and deserve. It would be a positive message for our soldiers, our sailors, our airmen, and our marines in harm's way around the world to know that one of their own holds the highest office in the Department of Defense and that he has their backs.

The President needs to have a Secretary of Defense in whom he has trust, who will give him unvarnished advice, a person of integrity, and one who has a personal understanding of the consequences of decisions relative to the use of military force. Senator Hagel certainly has those critically important qualifications and he is well qualified to lead the Department of Defense.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BROWN.) The senior Senator from Rhode Island is recognized.

Mr. REED. Mr. President, I ask unanimous consent that when Senator LEE concludes his remarks, I be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Utah is recognized.

(The remarks of Mr. LEE are printed in today's RECORD under "Morning Business.")

The PRESIDING OFFICER. The senior Senator from Rhode Island is recognized.

Mr. REED. Mr. President, I rise today to express my support for the nomination of Senator Chuck Hagel to be the next Secretary of Defense. He comes to this job at an extraordinarily challenging time for the Department and for our Nation. Among the many issues he will confront, Senator Hagel will oversee the drawdown of our forces out of Afghanistan, the enhancement of our cyber defenses, and the management of various fiscal constraints on the defense budget. In fact, I cannot think of a more critical juncture of national security issues, budget issues, and technology issues, all coming together, facing the next Secretary of Defense.

I have known Chuck for many years, and I know he is particularly well-suited to tackle these challenges. Chuck was born and raised in Nebraska, the oldest of four sons of a World War II veteran. Public service, military service is in that family's core. When his father died suddenly at the age of 39, Chuck quickly shouldered the responsibility of helping his mother raise his brothers. And when our Nation was in the midst of a bitter and divisive fight in Vietnam, he volunteered to fight, serving alongside his brother Tom. This was an era when there were many people who were looking for ways through deferments to avoid service, to avoid wearing the uniform of the United States. He was unusual in that he not only sought service, but he sought service in Vietnam alongside his brother.

He rose to be an infantry sergeant, and both he and his brother were wounded twice, with each saving the other's life. In that experience as a combat infantryman, he knows, perhaps better than anyone who has been nominated for this office, the ultimate cost of our policies that are made here in Washington.

When he returned home, Chuck used the GI bill to attend the University of Nebraska in Omaha, and after graduating from there, he went to Washington to work for a freshman Congressman from his home State.

In 1980 President Reagan, recognizing his skill, his talent, his patriotism, and his devotion to the country, nominated him to be Deputy Administrator of the Veterans Administration. He ultimately left that post on a matter of principle. He thought there was inadequate support from that department for veterans suffering from exposure to Agent Orange. At that time, the effects of Agent Orange were being dismissed by some as nonconsequential, as something that was just a made-up malady by these veterans.

Chuck knew differently, and later the science would prove him right. He continued to fight as he left the Veterans Administration, helping to ensure that these veterans who were physically affected by their service in Vietnam received compensation as the victims of Agent Orange.

In that tenure as the Deputy Administrator of the Veterans Administration, he had the responsibility of running a large Federal department. So he is now bringing not only his service as a common infantryman but his service running a large department devoted to the veterans of these United States. That will serve him well as Secretary of Defense. Again, it makes him singularly if not uniquely qualified.

But it doesn't stop there because he has extraordinary experience in the private sector. In the mid-1980s he co-founded Vanguard Cellular Systems, which became one of the largest independent cellular systems in the country. Again, someone from modest means with great imagination, after serving his country both as a soldier and as an administrator under the Reagan administration, went back and started a business and made it successful—so successful that he was able to devote himself to other public activities.

He served as deputy commissioner general of the United States for the 1982 World's Fair. He was president and chief executive officer of the USO, the agency devoted to helping servicemembers and their families. Again, his commitment to the American soldier, sailor, airman, and marine has been consistent, constant, and unrelenting.

Then he became chief operating officer of the 1990 Economic Summit of Industrialized Nations—the G7 summit—in Houston, the president of an investment bank, and he was on the board of some of the world's largest companies.

So you already have at this juncture a soldier, a successful entrepreneur, and a successful Federal administrator.

Then in 1996 he came to the Senate to represent the people of Nebraska. He was the first Republican Senator from

Nebraska in a generation. We came here together. He came with all of these skills, and he added more skills, understanding the political process from the inside and from the outside that helped shaped national security policy, the budgets and the policies of the Department of Defense and every other Federal agency.

During his time in the Senate as a member of the Senate Foreign Relations and Intelligence Committees, he championed national security policies with the goal of ensuring that our military remains the strongest in the world. Senator Hagel believes in working closely with our allies and partners and that, in his words, "a nation must strategically employ all instruments of its power—diplomatic, military, economic—to defend its interests." So he brings a broad, comprehensive approach to national security, which is essential for our next Secretary of Defense because so many of the national security challenges we face are not simply military; they are diplomatic, they are economic, and they are environmental. They require the kind of broad-ranging approach that he takes to national security policy.

As he stated during his nomination hearing 2 weeks ago, he has one fundamental question he has asked himself on every vote he took while serving in the Senate: Is the policy worthy of the men and women we were sending into battle and surely to their deaths? Is this going to be worth the sacrifice, because there will be sacrifices.

It is one thing to study the art of war in lecture halls and to speak profoundly as a pundit. It is something else to be in the mud, under fire, seeing others fall. I have not had that experience. I served 12 years in the U.S. Army, but very few people, very few people in this Chamber, very few people who would be considered for Secretary of Defense, have been under fire, have seen comrades fall, know that ultimately what we do here is borne by what those brave young Americans do across the globe. He knows it intellectually and viscerally. I know he will bring that perspective, that concern for our men and women in uniform, to every decision before him as Secretary of Defense.

In this role, he will continue to focus our efforts on fighting terrorism in Afghanistan and throughout that region. We are facing a crucial turning point. In his State of the Union Address last night, the President announced his plan to further reduce our force levels in Afghanistan next year as the Afghan National Security Forces will take full responsibility for securing their nation. I think Senator Hagel is very well positioned to carry out this policy, to ensure it is done effectively, to ensure that our forces are protected and that we are able to help enable the Afghan forces to carry the burden to defend their country and provide stability.

Senator Hagel will also lead the Department in preparing for emerging threats to our national security, such as attacks on our cyber infrastructure. We are at a critical point in our history, perhaps akin to the 1920s when air power first began to emerge as a credible military dimension, then later as space became a possible military dimension. Cyber is now a new dimension in warfare.

We are at a similar juncture to the one when some of our colleagues in the 1920s were wondering how we use these contraptions that fly around the sky. But in a short period of time, air power made a profound difference on the world. The attack on Pearl Harbor was launched by aircraft from aircraft carriers, not by the bombardment of battleships and not by the landing of military forces. You can see the effect it had not only through World War II but in every conflict to today.

We are at another critical juncture, and that is with respect to cyber security. How will we defend ourselves? What policies will we adopt to use this new technology to protect the United States and our allies? It will require integration across our government. It will require thoughtful, conscious deliberation. I believe he is prepared to do that and will do that very well.

I am pleased that President Obama has just issued an Executive order that will improve coordination and information sharing with our industry partners so we can better protect our Nation's critical infrastructure, but there is more to be done, and I believe that in the context of a Secretary of Defense, Chuck Hagel can do it.

Perhaps most challenging of all, Senator Hagel will lead the Department in a time of great fiscal constraints and uncertainty. As our Nation continues to find a path forward to rebound from the economic challenges of the last few years, there is an ever-growing pressure to reduce the size of the defense budget, which has nearly doubled over the past 10 years. But we must be very careful to do so in a way that eliminates unsustainable and unproductive costs without losing vital capabilities. That is a great challenge. As a result of the high operations tempo of our services, the multiple operations and deployments, all of our services are facing serious reset and recapitalization needs in terms of equipment and also significant efforts to help our military members and their families readjust, retrain, reequip, and prepare for a challenging future.

Serious decisions will have to be made about the threats we face and as we anticipate new and emerging threats. Again, he is well prepared through his entire life of public service, military service, private service, administrative and business activity to confront this extraordinary range of challenges.

A lot has been made about some comments Senator Hagel has made in the last years, going back 5, 7, 8, or more years. But I know, indeed, which was reflected in his testimony, that he did not seek out this position. President Obama chose to nominate Chuck Hagel because he knew of his record, of his service to our country. He knew of his incredible commitment to the men and women who wear the uniform of the United States. He knew about his experience in the private sector. He knew about his experience as a governmental leader. He knew there was an ability to rely upon his judgments, Senator Hagel's judgments, with confidence in times of crisis. I expect that the President of the United States is not going to turn to Chuck Hagel, particularly among crises, and ask him if can he quote verbatim what he said 10 years ago. He is going to say: What are my options? What is your advice? You know about war better than anyone. You know about military policy. You know about international security. You know about the interaction of diplomacy, economics, and environmental policy. Give me your judgment. I have to make a decision.

I believe, reflecting what the Senator, my chairman, CARL LEVIN, has said, that in this difficult moment, the President of the United States needs a Secretary of Defense to provide that kind of perspective, and the men and women of the Department of Defense have to have the ability to have their voice heard decisively and definitively in those serious discussions, particularly about the deployment of military force.

As I said, I am extremely confident he can do this. Let me also say I am impressed with those who have served our country in diplomatic and military roles who have endorsed Chuck Hagel strongly and enthusiastically. These endorsements are from men and women who have served in both Democratic and Republican administrations. Among them are Bob Gates, William Cohen, Madeleine Albright, William Perry, Brent Scowcroft, Ryan Crocker, and Thomas Pickering. These men and women have devoted themselves to protecting the United States, and they have done it with extraordinary energy and effectiveness. This list of Secretaries of Defense will rank as some of the best we have ever had, and they are absolutely confident Chuck Hagel can and should do this job.

There are Ambassadors on this list who have handled delicate and difficult issues involving international law. There are several Ambassadors who have been Ambassadors to the State of Israel and strongly support Senator Hagel. All of these individuals know him. They also know as well—if not better than I and many of my colleagues—of the threats, dangers, and opportunities which face this country,

and they are strongly supporting Chuck Hagel. In fact, they have concluded in a letter that he is “uniquely qualified to meet the challenges facing the Department of Defense and our men and women in uniform.”

There has been a lot of discussion about Chuck Hagel’s appreciation of the strong, important, and critical relationship between the United States and State of Israel. All I can say is I was so impressed by the comments of the Israeli Deputy Foreign Minister Danny Ayalon, who was also the Ambassador to Washington, and who has met and dealt with Senator Hagel on a number of issues involving the relationship with the United States. The Deputy Foreign Minister said: “I have met him many times, and he certainly regards Israel as a true and natural U.S. ally.”

In another quote he said:

I know Hagel personally. . . . I think he believes in the relationship, in the natural partnership between Israel and the United States.

Here is an Israeli patriot who understands and has spent a great deal of time devoted to the relationship of the United States and Israel. In his own words, he concludes that Chuck Hagel regards Israel as a true and natural U.S. ally and will act accordingly. He is a dedicated patriot. He is an individual who has served this country in so many different ways. I support his nomination, and I urge my colleagues to do the same.

Also, I think it is important to state that this nomination—as we have done with every Secretary of Defense for decades—deserves an up-or-down vote on the floor of the Senate. People may choose to cast a vote against him for many reasons, and that is the prerogative of that Senator. I strongly believe, if we want to stay true to the traditions of this body and to the presumption that the President should be allowed to at least have his nominee voted up or down, then we have to bring this vote to the floor of the Senate for an up-or-down vote as quickly as possible.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent to enter into a colloquy with my colleague, the Senator from Maine, Ms. COLLINS.

The PRESIDING OFFICER. Without objection, it is so ordered.

SEQUESTRATION

Mrs. SHAHEEN. Mr. President, Senator COLLINS and I are here because we agree we must take action in this body and in this Congress to avoid sequestration. Sequestration is a term we have all been throwing around, and it refers to the automatic cuts that are scheduled to take effect on March 1. Those cuts were designed to force Con-

gress to make a tough decision and to take comprehensive action on our debt and deficits.

I think we all agree there is no question we need a comprehensive and balanced plan to put us on a more sustainable fiscal path. I think that plan should look at all areas of spending. It should look at domestic, mandatory, and defense as well as comprehensive tax reform. I think there are many areas of bipartisan agreement on deficit reduction, including controlling the long-term cost of health care.

Unfortunately, Congress has missed several opportunities to enact a long-term plan to get our debt and deficits under control. That is why we are again facing a deadline at the end of this month to address those automatic cuts. As a result of that, we are starting to see the very real and negative consequences of our inaction. We are seeing it on our national security, and we are seeing it on our economy as businesses and agencies alike begin to prepare for the automatic cuts under sequestration.

Last week, Senator COLLINS and I wrote to the leadership in the Senate urging bipartisan action on sequestration and the need to find a better approach. In our letter, we talked about the impacts we are starting to see in New Hampshire and Maine, including the threat to jobs, our national security, and to the Portsmouth Naval Shipyard, which is critical not only to New Hampshire and Maine but also to this country’s national security. We called attention to the drastic effects we face for our economy, for our jobs, and for our national security.

Today we are here to reiterate the importance of addressing sequestration and doing it now.

I wish to thank the senior Senator from Maine, my colleague, for joining me to talk about this important issue, and I am looking forward to hearing her remarks. I know it is something she cares about as much as I do and as much as I think most of the Members of this Chamber do.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, first, let me say, I am very pleased to join with my friend and colleague from New Hampshire to speak out against the indiscriminate meat-ax cuts known in Washington as sequestration that are scheduled to take effect in just 2 weeks’ time. We simply must take action to avoid this self-inflicted harm to our economy and to our national security. But what I find inexplicable is a growing acceptance that sequestration is going to go into effect despite the fact that virtually everyone should concede that across-the-board cuts where we don’t set priorities do not make sense.

There are good programs that deserve to be preserved, there are pro-

grams that have outlived their usefulness and should be eliminated, and then there are programs that could be cut and reduced. That is not the approach we are taking. We are not going through the budget in a careful way by identifying programs that could be eliminated or reduced, setting priorities, and making investments. No, we are allowing to go into effect across-the-board cuts that fall disproportionately on the Department of Defense.

Indeed, we are already seeing the effects of these cuts on our military because each of the military services has begun planning for the likelihood of deep budget cuts. The Navy is preparing for a civilian hiring freeze and cutting workers at shipyards and base-operated support facilities.

I wish to be clear exactly who these employees are. These are the nuclear engineers, the welders, the metal trades workers repairing submarines and ships at the Navy’s four public shipyards, including the Portsmouth Naval Shipyard in my home State of Maine, which employs half of its workforce from my colleague’s State of New Hampshire. I know the senior Senator from New Hampshire shares the concern about this particular installation on the border we share. But, of course, the damage of sequestration extends far beyond just one installation or two States.

Just this morning I was over at the Pentagon, and I took advantage of the opportunity to sit down with the Navy’s top shipbuilding official to discuss what the impact of sequestration would be for our naval fleet. Well, one example we have already seen. The Navy will keep the USS *Abraham Lincoln*, a nuclear-powered aircraft carrier, in port rather than repairing and deploying it. Across the fleet, the Navy is being forced to reduce deployments, maintenance, and overhauls for critical repairs. When we look at the shipbuilding budget, it is evident that sequestration and the continuation of a partial-year funding resolution, known as the continuing resolution, would be absolutely devastating for our Navy, for shipbuilding, and for our skilled industrial base. That includes Bath Iron Works in Maine, which I am so proud of, which builds the best destroyers in the world. This has consequences not only for our workforce, but also for our national security.

It is important to note Secretary Panetta has made clear that allowing these sweeping cuts to go into effect would be “devastating,” in his words, and would badly damage the readiness of the U.S. military.

The fact is defense has already taken a huge reduction in future spending. The defense budget has been slated to be cut by \$460 billion over 10 years, and that is before sequestration. When this number is added to the defense cuts scheduled to begin on March 1, we are

looking at an enormous impact on our national security.

Now, it is important to recognize we are not saying the national debt is not a problem. Certainly, when we have a \$16.4 trillion debt, that is not sustainable, and the national debt is a security concern in its own right. Just last year, in 2012, the Federal Government spent \$223 billion in interest payments alone. That means we are spending more on interest on the national debt each month than we spent in an entire year on naval shipbuilding and the Coast Guard budget.

Just think about that. The interest payment in one month exceeds the entire Coast Guard budget and the entire budget for shipbuilding in the Navy. The estimates are that by the middle of this decade—not some distant year—our interest payments to China, our largest foreign creditor at \$1.2 trillion, will be covering the entire cost of that Communist country's military. Think of the horrific irony of that. At the same time America is bound by treaties to defend our allies in Asia against Chinese aggression, the American taxpayers are bankrolling the threat through the interest payments we are paying to the Chinese.

Neither the Senator from New Hampshire nor I am saying the Pentagon should be exempt from budget scrutiny or even future cuts, but the disproportionate impact that sequestration would have on our troops and on our national security is dangerous and it must be averted. The Department cannot continue to operate on a continuing resolution that increases costs, prevents long-term planning, and makes it impossible for the Department to function effectively.

I yield to my colleague from New Hampshire to expand on some of these points. Then we will talk further about the impact.

Mrs. SHAHEEN. Mr. President, I thank the Senator from Maine for laying out what we are seeing in terms of the potential impact of those automatic cuts. The comments and the statistics the Senator from Maine had about China and what they are going to be able to do with the money we are paying is really eye-opening and scary.

The Senator from Maine spoke about some of the impacts we are beginning to see at the ports of naval shipyards. As the Senator pointed out, it is something very important to both Maine and New Hampshire. It employs about 4,000 workers, almost evenly split between our two States. As a result of the sequester, starting March 1, one of their major projects, the repair of the USS *Miami*, which was damaged in a fire, is going to be halted immediately. Just stopped—16 days from now. The Navy is going to cut over 1,100 temporary civilian workers, mostly from shipyards such as Portsmouth. The needed maintenance and military con-

struction will be postponed indefinitely. It is not just about those jobs at the Portsmouth Naval Shipyard or at the shipyards across the country, but that has a ripple effect across our economy, and it affects the grocery stores and the restaurants and all of the small contractors and small businesses doing work at those shipyards.

There will be ramifications for our national defense across the services. Yesterday, we had some harrowing testimony in front of the Armed Services Committee from all of the chiefs of the military outlining what they see coming as a result of the consequences of the sequester and the continuing resolution the Senator from Maine spoke about.

DOD-wide—so across the Department—they expect to lay off a significant portion of the 46,000 temporary and term employees. All services and agencies will likely have to furlough most DOD civilian employees for up to 22 working days. Imagine that. That is a whole month of paychecks that those workers are not going to have to support their families, to be able to spend into the economy, and that is going to have a huge impact.

It is possible that DOD might not have enough funds to pay for TRICARE, health care coverage for our veterans through the end of the fiscal year. As we saw on the front pages of the paper this week, the Department delayed the deployment of the USS *Harry Truman*, the carrier strike group that was headed to the Persian Gulf. If sequestration goes into full effect, the Navy will shrink by about 50 ships and at least two carrier groups.

By the end of the year, the Navy, if we do nothing, will lose about 350 workers a week or 1,400 a month from our civilian industrial base. That will have a huge impact in New Hampshire, as I know it will in Maine as well.

So there are real, significant impacts, as the Senator from Maine pointed out, on the defense industry, on this country's national security, and on the domestic side of the budget. It is already starting to have ramifications on our economy and job growth. We saw in the last quarter of 2012 that our economy contracted for the first time since 2009, and much of that decline was due to sharp reductions in government spending in anticipation of the sequester coming into effect.

We saw it in New Hampshire, in some of our businesses that are dependent on government contracts, particularly in the defense industry. So our failure to act is not only irresponsible, but it is beginning to have a real impact in slowing down this economy.

It is simply unacceptable that we are not addressing this issue. We need to act. If we let the sequester go into effect, we stand to lose, according to the Congressional Budget Office, up to 1.4 million jobs. A recent forecast from

Macroeconomic Advisers suggests that sequestration would reduce our gross domestic product by .7 percentage points this year.

We can't risk putting our economic recovery in jeopardy with these indiscriminate cuts. They are going to have an impact on research and education vital to our ability to grow this economy and remain competitive.

The National Institutes of Health would face a \$2.5 billion cut. They would have to halt or curtail scientific research, including needed research in cancer and childhood diseases. The Centers for Disease Control and Prevention would see a \$464 million cut. States and local communities would lose billions of Federal education funding for title I, for special education grants, and for other programs.

As many as 100,000 children will lose their places in Head Start, 25,000 teachers could lose their jobs, and we will see those impacts immediately in Maine and in New Hampshire.

I wish to turn back to the Senator from Maine to share what she is seeing in Maine.

Ms. COLLINS. Mr. President, first I wish to commend the Senator from New Hampshire for broadening the debate and reminding all of us of the macroeconomic impact, as well as the impact on our two States.

The estimate is that Maine's defense industry—which includes not just the Portsmouth Naval Shipyard, Bath Iron Works, and our Pratt & Whitney plant, but a lot of smaller contractors and suppliers—could lose as many as 4,000 jobs as a result of sequestration. Think about that. That means, as the Senator from New Hampshire pointed out, these are people who are supporting their families and who are supporting other businesses in the community. The impact, the ripple effect, is just devastating.

That is why it does not surprise me that the Congressional Budget Office has pointed to sequestration as the primary cause for the slow growth we have seen already, and CBO projects as well; that our economy would grow at a faster rate—at 2 percent—if we averted sequestration. These aren't meaningless numbers. They affect real people. The estimates are that we would lose between 1.4 million and 2 million jobs if this is allowed to go into effect nationwide.

It is also a failure on the part of Washington to make decisions. If we are going to allow these mindless, indiscriminate cuts to go into effect, why are we here? We might as well have computers or robots making decisions for us. Our job is to do the hard, painful work of setting priorities and making decisions. That is why I am so frustrated by the approach we appear to be on the verge of taking.

The Senator from New Hampshire makes a very important point. While

the Department of Defense would take a disproportionate impact from sequestration, and I am extremely concerned about that, there are other important programs that would be affected as well. The superintendents groups have met with me and talked about what it would mean for schoolchildren in Maine if halfway through the school year—more than halfway through the school year—all of a sudden they get a reduction in title I money that goes to low-income schools, to special education grants, to other important programs such as Head Start, and the TRIO Program, which helps low-income and first-generation students attend and excel in college.

Think about the Low-Income Home Energy Assistance Program, biomedical research that is so critical, cuts in the FAA workforce that could reduce air traffic control, disrupting air traffic during the busy summer months.

The list goes on and on: essential education, health care, research, transportation programs that deserve support that do not deserve to all be treated the same.

Again, I want to emphasize that we recognize spending must be cut and the debt, at \$16.4 trillion, is way out of control. That amounts to something like \$52,000 for each man, woman, and child in this country.

We are committed to seeking pragmatic solutions through compromise and to avoiding this devastation of our economy and our national security. We recognize we have to look at all areas of spending and that we need to overhaul our Tax Code and make it more pro-growth, simpler, and fairer. If ever there were a moment when Members of Congress and the President should put aside their politics for the greater good of the Nation, now is the time.

So I, for one, want to thank the Senator from New Hampshire for caring so much about this issue. We have agreed to work together—and continue to work together—to address this. These automatic cuts were never supposed to take effect. I remember being told: Do not worry. It is never going to happen. It is too unpalatable. It will just never occur.

Well, they were supposed to force us to make the difficult decisions necessary to put our economy on a sound footing and to deal with our unsustainable debt. Our Nation's leaders—the President, Democrats and Republicans alike—have denounced sequestration for the most part, and yet here we are.

So I hope we can work together to avoid this fiscal cliff which will have such damaging effects for the people of this Nation.

Thank you, Mr. President.

Mrs. SHAHEEN. Mr. President, I thank Senator COLLINS very much for her kind words. I know we both care a

great deal about this situation we are in, as I think most of the Members of the body do. What is so frustrating is that it is avoidable. This is not something that has to happen because we are facing a crisis. This is happening because of what we have done in our actions. So we can undo these actions, as the Senator points out.

I share the Senator's belief that we need a comprehensive solution. We have to look at all aspects of the budget. We need to look at domestic, defense spending, mandatory programs, and we need to look at revenues. Comprehensive tax reform—that is a way we can address that.

There are areas of bipartisan agreement that we ought to be able to take action on right away. We have had a number of GAO reports that make recommendations on duplicative programs within government. We are already working to control the long-term costs of health care, to close tax loopholes, and on defense spending, we all know there are still reforms that can be done, as the Senator pointed out. We can get better physical controls. We can end some of the fraud and abuse in contracting. That is just the beginning of a list that, I am sure, if we all dedicated ourselves to coming up with a compromise on how we avoid the sequester, we could do.

We should not delay because our failure to resolve this issue is having damaging effects on our economy, and it is only going to get worse if we do not find the solution.

So, again, I thank Senator COLLINS for her commitment to address this challenge we face, for her willingness to come down and engage with me, and for us to work together, along with our colleagues, to try to get a resolution so we do not have these devastating cuts going into effect.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LEVIN. Mr. President, I wonder if the Senator would yield for one moment, without losing his right to the floor.

Mr. INHOFE. Yes, I will.

Mr. LEVIN. Before the Senators from New Hampshire and Maine leave the floor, I just want to commend them for their statements, for their conversation. It is so critically important we avoid sequester. The more Senators and the more Members of the House who look for ways on a bipartisan basis to avoid it, the better. We only have 2 weeks left to go. With the kind of energy and creativity that these two Senators bring to this body, it makes me a little bit more hopeful that we are going to be able to avoid this unbelievably bad outcome.

So I just want to thank both Senators and thank my friend from Oklahoma for yielding for a moment.

Mr. INHOFE. Mr. President, let me, first of all, respond to the chairman of

the Armed Services Committee. I agree. We have talked about the anguish.

We had a hearing yesterday where the service chiefs discussed the disaster facing our armed forces if we go through sequestration. I do not think most Members of this body fully understand what it means, not just to the defense of our country as a whole, but to each of the individual States.

In my State of Oklahoma, I am very concerned about Tinker Air Force Base and its 16,000 civilian employees. What is going to happen there?

Anyway, let me just wind up this part by saying I have been ranked as the most conservative Member for many years. But I have always said: I am a big supporter of using our resources in two areas: One is national defense and the other is transportation and infrastructure.

A short while ago, the majority leader was kind enough to call my office and tell me I would be objecting to the consideration of the nomination of former Senator Hagel to be Secretary of Defense.

However, this is not a filibuster. I keep getting stopped by people out in the hall: Oh, we are going to filibuster. Who is going to filibuster?

What we are doing is not a filibuster. We are seeking a 60 vote threshold for a controversial nomination. If the majority really wanted to move forward quickly, all they have to do is agree to a 60-vote margin, like they did with the Sebelius and Bryson nominations.

In addition, as ranking member of the Senate Armed Services Committee, I am obligated to assist the members of the committee.

First of all, the vote in the committee was a 100-percent partisan vote. Every Republican there voted against moving the Hagel nomination out of committee. Well, there has to be a reason for that.

One of the reasons—the major reason, I would say—and if you do not believe this, go back and look at the tape of the meeting yesterday where many of our members said: Why is it we are rushing to confirm Chuck Hagel to be Secretary of Defense when he has not given us the information we have requested? One such Member is the junior Senator from Texas, who is in the Chamber with me right now.

But let me first clarify there is nothing unusual about requesting a 60-vote threshold. This happens all the time. I can remember when the majority leader agreed to a 60-vote threshold in the 2009 nomination of Kathleen Sebelius. She was confirmed.

There is nothing unusual about a 60-vote threshold.

John Bryson was nominated to be the Secretary of Commerce. Several of us had concerns about this nomination. Ultimately, he was confirmed. But once again the entire Senate agreed to

a confirmation vote by a 60-vote margin.

I can remember when the majority leader—let me say this about the majority leader. He has been exceptionally good to me on things I have been involved in. I have two major bills that were my bills. One was in concert with BARBARA BOXER—the highway bill. Frankly, I could not have gotten it passed without them. Another was my pilots' bill of rights. I could not get a hearing on it in committee. I tried for a year. He stepped in and helped me. I have said in national publications I could not have gotten it passed without Leader HARRY REID. So we have a very good relationship, and one which will continue.

However, Senator REID, on numerous occasions, was concerned about Republican nominations. During the Bush Presidency, Stephen Johnson—who, incidentally, was a Democrat—was nominated to be EPA Administrator. I thought he would be good Administrator. There were several Democrats who thought he would not be good Administrator. So HARRY REID did what he is supposed to do, and he interceded on behalf of the Democrats who opposed him. As result, cloture was filed and, therefore, the nomination needed 60 votes to proceed. Well, the Administrator got 61 votes.

Another example was Dirk Kempthorne. He was nominated to be Secretary of the Interior. My colleagues will remember he is a former Senator from Idaho. Some objected to his confirmation. Of course, this was during the Bush administration. Senator Kempthorne was nominated, and he went ahead and was confirmed. It was a 60-vote margin. There is nothing unusual about this.

Getting back to Stephen Johnson, this is even more analogous to what we have right now because he was a Democrat who was nominated by a Republican President. Unfortunately, once again we were forced by the Democrats to have a cloture vote which requires 60 votes.

Stephen Johnson was a Democrat. So here we had the Republicans wanting Stephen Johnson and the Democrats not wanting Stephen Johnson. It is very analogous to what we have today. Today, we have former Senator Chuck Hagel, who is a Republican.

But in this case, we have a situation where cloture has been filed by the majority leader. I have no objection to voting. I do not want to wait. I do not want to string this out. I have other places to go other than hanging around here. I would vote tonight if we could just get the information that has been requested by the Republican members of the Senate Armed Services Committee.

Keep in mind, the Hagel nomination was reported out of committee by a 100-percent partisan vote. All Repub-

licans voted against sending him out. Why did they do it? They did it because we have not gotten the information we want.

I have a letter. This is a letter that is signed by 25 Republicans stating that we have not received the information necessary for a proper vetting of the Hagel nomination.

Mr. President, I ask unanimous consent it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, February 6, 2013.

The Hon. CHUCK HAGEL,

Distinguished Professor in the Practice of National Government, Edmund A. Walsh School of Foreign Service, Georgetown University, Washington, DC.

DEAR SENATOR HAGEL, On January 29, two days before your confirmation hearing, you received a request, via email, from several Senators on the Senate Armed Services Committee for additional information necessary to fairly assess your nomination to be Secretary of Defense. The written copy of the letter (delivered the next day) was signed by six Senators, including the Ranking Member of the Committee. The letter requested that you respond to the request before the hearing, so that you could then answer questions concerning your responses.

You declined to respond to the request for additional financial disclosure.

At the hearing, you were told by Members of the Committee that a response to our request for information would be necessary before the Committee could vote on your nomination. The Chairman of the Committee expressly asked you to submit your response by Monday, February 4.

Monday came and went, and you still did not respond.

At the end of the day on Tuesday, February 5, you submitted a short "response" to our request. In that response, you explicitly declined to answer many of the questions asked of you.

You were asked to disclose all compensation over \$5,000 that you have received over the past five years. You declined to do so.

You were asked to disclose if—and to what specific extent—the Atlantic Council has received foreign funding in the past five years. You declined to do so.

You were asked to disclose if—and to what specific extent—McCarthy Capital has received foreign funding in the past ten years. You declined to do so.

You were asked to disclose if—and to what specific extent—Corsair Capital has received foreign funding in the past ten years. You declined to do so.

You were asked to disclose if—and to what specific extent—Wolfensohn and Company has received foreign funding in the past ten years. You declined to do so.

You were asked to disclose if—and to what specific extent—M.I.C. Industries has received foreign funding in the past ten years. You declined to do so.

You were asked to disclose if—and to what specific extent—the National Interest Security Company has received foreign funding in the ten years. You declined to do so.

You were asked to disclose if—and to what specific extent—Elite Training and Security, LLC has received foreign funding in the past ten years. You declined to do so.

You were asked to disclose if—and to what specific extent—Kaseman, LLC has received

foreign funding in the past ten years. You declined to do so.

Your own financial records are entirely within your own control, and you have flatly refused to comply with the Committee Members' request for supplemental information.

The records from the other firms—more than one of which, you have disclosed, paid you \$100,000 or more—are highly relevant to the proper consideration of your nomination. Your letter discloses no affirmative efforts on your part to obtain the needed disclosure, and your lack of effort to provide a substantive response on this issue is deeply troubling.

If it is the case that you personally have received substantial financial remuneration—either directly or indirectly—from foreign governments, sovereign wealth funds, lobbyists, corporations, or individuals, that information is at the very minimum relevant to this Committee's assessment of your nomination. Such remuneration may be entirely appropriate, but that determination cannot be made without disclosure.

If you have not received remuneration—directly or indirectly—from foreign sources, then proper disclosure will easily demonstrate that fact.

Your refusal to respond to this reasonable request suggests either a lack of respect for the Senate's responsibility to advise and consent or that you are for some reason unwilling to allow this financial disclosure to come to light.

This Committee, and the American people, have a right to know if a nominee for Secretary of Defense has received compensation, directly or indirectly, from foreign sources. Until the Committee receives full and complete answers, it cannot in good faith determine whether you should be confirmed as Secretary of Defense.

Therefore, in the judgment of the undersigned, a Committee vote on your nomination should not occur unless and until you provide the requested information.

Sincerely,

(Signed by 26 Senators).

Mr. INHOFE. This letter is signed by several Senators, but it was promoted, more than by anyone else, by the Senator from Texas. The Senator has repeatedly requested this information. I have personally heard Senator CRUZ request this information, just yesterday, and on several previous occasions.

In a previous letter, he said: We express our concern—several Senators also signed this letter—on the unnecessary rush to force through a vote on Chuck Hagel's nomination before he has been able to respond adequately to multiple requests from members of the Armed Services Committee for additional information.

I'm reading now from the letter: Those requests have included a request to Chuck Hagel for the disclosure of his personal compensation he has received over the past 5 years.

We are talking about Chuck Hagel.

This is information which he controls. He can provide this information. It is there.

The letter also requests the disclosure of foreign funds he may have received indirectly. This is important because some have raised questions of a potential conflict of interest.

Why does he not want to disclose this? Somehow he would like to be confirmed without disclosing this information.

As Senators we have a responsibility here. I do not care if you are a Democrat or Republican. If a member of the Armed Services Committee requests this information and the information is available and he is able to obtain it and does not provide it, we have a process problem.

Mr. President, my primary objection to Chuck Hagel's confirmation is for policy reasons. That is why I think he is not qualified for that job. Others do not agree with that. That is fine. But they have to agree on the process.

In fact, I cannot remember—and I have been on the Armed Services Committee in both the House and Senate for 25 years. I do not remember one time when information that was requested, which was perfectly within the purview of the committee was not provided. This has not happened. This is unprecedented.

I heard some people say: you are filibustering a Cabinet appointee. That is not what we are doing. What we are trying to prevent is an unprecedented event where committee members do not receive information which is important for Members to have in order to consider a nomination.

So I will continue to read the letter.

The letter includes a request for a complete list of his prior public speeches, notably, multiple additional speeches on controversial topics that have been made public by the press.

For example, I understand FOX News is going to run a story tomorrow regarding some speeches made by former Senator Hagel. If so, these speeches would certainly give rise to a lot of interest because, I have been informed, we are talking about speeches which were made and paid for by foreign governments. I have also been told, some of these foreign governments may not be friendly to us.

Therefore, I believe Senators are entitled to review this information. Are we entitled to that? Yes; we are entitled to that.

So this letter includes a request for a complete list of his prior public speeches, notably, additional speeches on controversial topics that have been made public in the press, despite those speeches having been omitted from his own disclosure.

I remember in the early stages of the confirmation process, requests were made of Senator Hagel about information we knew existed because the press had written about it in the past. Some may argue that Senators are not entitled to review these speeches. I disagree. A member of the Armed Services Committee has a responsibility to review that information.

The letter also makes the critical request from the administration for addi-

tional information on their precise actions during and immediately following the tragic murder of four Americans in Benghazi, Libya on September 11, 2012.

Regardless, if the administration has answered these questions, the Senate is entitled to review speeches that have been made by the person who is up for confirmation to be Secretary of Defense.

I would say to the majority leader, the request for a 60 vote threshold is based on precedent. It is what the majority leader agreed to on the John Bryson and Kathleen Sebelius nominations. It is what he insisted upon when the Democrats forced cloture to be filed on the Dirk Kempthorne and Stephen Johnson nominations. There are several others. Michael Leavitt was one. John Bolton went through this twice. We all remember Miguel Estrada. We remember ROBERT PORTMAN, now one of our fellow Senators.

So there is nothing unusual about this. But there is a problem with the process we are entering now. That process is, we have made requests—I am talking about Members such as Senator CRUZ from Texas and other members of the Senate Armed Services Committee who have made perfectly reasonable requests for information. In this case, it is on speeches reportedly made to foreign audiences. However, these concerns can be clarified in a matter of minutes.

That is why we should not rush. If this information is provided we could resolve this matter tonight. The information is out there. I have personally talked to Senator CRUZ. He said: Look, if they will just give us that information we have been requesting now for weeks, we can have the vote tonight.

That is our reasonable request. We are not talking about merits. We are not talking about substance. We are talking about a process. Never before in my memory has a Senate Armed Services member's reasonable request been denied before someone has come up for a confirmation. It is a simple request. It has been done on a regular basis. A 60-vote margin is not a filibuster. We are merely saying the Senate is entitled to this information. Hopefully, this will jar some of the information loose. Maybe we can get it now. I hope we do.

I want to move this on and move it as rapidly as possible.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here again to talk about the effects of climate change on the health of our families and our communities. Just as we know that secondhand smoke and too much sun exposure are bad for human health, we know pollution and variations in climate conditions are as well.

I wish to thank our chairman on the Environment and Public Works Committee, Mrs. BOXER, for the briefing she held today with a number of scientists, including one who spoke specifically about the human health effects we can see from climate change. Climate change is threatening to erode the improvements in air quality we have achieved through the Clean Air Act.

EPA-enforced emissions reductions have led to a decline in the number and severity of bad air days in the United States. These are the days I know the Presiding Officer is familiar with because I am sure they happen in Connecticut as well as in Rhode Island, where the air quality is so poor that it is unhealthy for sensitive individuals: the elderly, infants, people with breathing difficulties to be outdoors. Even healthy people are urged to limit their activities when out-of-doors.

In Rhode Island, about 12 percent of children and 11 percent of adults suffer from asthma. Both are higher than the national average. Our Rhode Island Public Transit Authority runs free buses on bad ozone days to try to keep car traffic down because these days are so dangerous to the public. Of course, the major air pollutant behind bad air days is ozone, commonly known as smog. Ground-level ozone or smog makes it difficult to breathe, causes coughing, inflames airways, aggravates asthma, emphysema and bronchitis and makes lungs more susceptible to infection.

That all means asthma attacks, emergency room visits, hospitalizations, which, in turn, result in missed school and work and a burden not only of worry but also a burden on the economy. Smog, of course, forms more quickly during hot and sunny days. So as climate change drives more heat, it increases the number of warm days and the conditions for smog and for bad air days become more common.

Climate change is also prolonging the allergy season. I am sure there are a number of people listening who suffer from hay fever in the late summer and early fall. Some people suffer from it most acutely. It is most often caused by ragweed pollen. Since 1995, ragweed season has increased across the country. It has increased by 13 days in Madison, WI. It has increased by 20

days in Minneapolis, MN. It has increased by almost 25 days in Fargo, ND. The further north you go, the greater the increase in the ragweed season. So for folks in Fargo, for instance, it is 25 more days of sniffing and sneezing and 25 more days that ragweed pollen might trigger a child's asthma attack.

Not only does more carbon dioxide in the atmosphere mean warmer weather and therefore longer pollen seasons, it also means a higher pollen count. At 280 parts per million, which was the concentration of atmospheric carbon back in the year 1900, each ragweed plant would produce about 5 grams of pollen.

At 370 parts per million, which is where we are now—year 2000 levels to be precise—pollen production more than doubles. It doubles again at 72 parts per million, which is the concentration that is now projected for the year 2075. So as we work to improve air quality and to reduce respiratory illnesses and the allergic conditions that trigger respiratory distress, we need to fight the growing trigger, climate change.

Warming oceans and lakes can also harm our health. Higher water surface temperature is associated with harmful blooms of various species of algae. These blooms are often referred to as "red tide." They deplete oxygen, block sunlight, and they produce toxins. The toxins are very often captured by clams and oysters and other shellfish.

When they are consumed, it can result in neurotoxic shellfish poisoning, which causes debilitating respiratory and gastrointestinal symptoms. A warming climate also is predicted to change the range of disease-spreading parasites, such as ticks and mosquitoes. With longer summers and shorter winters, we will face more exposure to these pests and to the diseases they can carry.

We in New England and Connecticut and Rhode Island and Massachusetts, of course, are very familiar with Lyme disease, which is a tick-borne illness that can have very grave and serious effects.

Slow and steady warming is also causing sea levels to rise, which threatens coastal infrastructure and human safety as well. In South Kingstown, RI, Matunuck Beach Road is the only means of access to approximately 500 homes. That road also covers the public water main. For years, the sand erosion has eaten away at the beach. Now the road is immediately vulnerable to storms. Indeed it has been overwashed in recent storms. A breach in Matunuck Beach Road cuts off those 500 homes from emergency services. If it were damaging enough, it could cut off their water.

Our water quality is also threatened. Many of Rhode Island's wastewater treatment plants are in low-lying areas

and flood zones near the coast. It is the story in many other States. In California, for example, the rising sea level has put 29 wastewater treatment plants, responsible for 530 million gallons of sewage processing every day, at increased risk for flooding.

As we know, climate change loads the dice for more extreme weather: heat waves, droughts, storms, all serious threats to human health and safety. Climate change has led to an increase in the likelihood of severe heat waves. Extreme heat causes heat exhaustion. It can cause heat stroke. The need for air-conditioning in heat waves also strains the power infrastructure, which can cause electrical brownouts and blackouts. This hinders emergency services and exacerbates wildfires and drought. These are the kinds of conditions—from extreme heat—that led to literally tens of thousands of deaths in the record-setting Russian heat wave of 2010.

Heavy rainfall can cause physical damage, flooding erosion, and sewage overflow. The Environmental Protection Agency estimates that 118,000 sanitary sewer overflows occur annually from storms overwashing through combined sewer systems, overloading those systems, and being released directly into the open, releasing up to actually 860 billion gallons of untreated sewage and wastewater. In 2010, heavy rainfall and flooding caused millions of dollars in damage in spilled raw sewage in Warwick, RI, my home State. The flood led to the temporary shutdown of the local wastewater treatment facility. These overflows, like the one in Warwick, can result in beach closures, shellfish bed closures, contamination of drinking water supplies, and other environmental and public health problems.

Extreme rainfall, meaning both way too little and way too much rainfall, promotes waterborne outbreaks of disease. In the northeast United States, heavy rainfall has increased by 74 percent since my childhood in the 1950s.

As we have seen with Superstorm Sandy, Hurricane Irene, and Hurricane Katrina, storms can very quickly affect millions of people and require tens of billions of dollars to clean up. The threat gets worse as sea-level rise allows storm surges to reach farther inland and create more damage than just a few decades ago. Much of the east coast was fearful of flooding during Superstorm Sandy last year, including, of course, southern Rhode Island. Because of erosion and sea-level rise, the storm surges on our shores can reach homes that were originally built hundreds of feet from the coastline.

I had the experience of standing with a man who had a childhood home that had been through at least three generations of his family. He was now actually older than me, and that childhood home—which had stood well back from

the beach—was canting toward the sea and tumbling into the ocean. The ocean had claimed his home of multiple generations as its victim.

This map shows by ZIP code where the 800,000 people displaced by Hurricane Katrina sought refuge after that terrible storm. Hundreds of thousands of people were strewn across every corner of the country. Hundreds of thousands of lives were disrupted as a result.

Thankfully, not everybody is sleepwalking through these alarming realities. In 2010, Rhode Island created our Climate Change Commission, which has identified risks to key infrastructure and is analyzing data from events such as Hurricane Sandy and the 2010 flood. Other States have formed similar commissions.

I brought last night to our President's State of the Union Address Grover Fugate, who is executive director of our Coastal Resources Management Council, which has to look at and address every day and plan for the effects of our rising sea level, increased storm activity, and the risk that that portends to the shores of our ocean State.

For the past 3 years, Rhode Island has also been part of a regional greenhouse gas initiative nicknamed ReGGie, along with our neighbors in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New York, and Vermont. Our region caps carbon emissions and sells permits to emit greenhouses gases to powerplants. This has created economic incentives for both the States and our utilities to invest in energy efficiency and in renewable energy development. And consumers have reaped the benefit of lower prices. In 2012, regional emissions were 45 percent below the annual cap, so just last week the State announced an agreement to cap future emissions at the 2012 rate.

I am proud of the work done in my State, and I know the Presiding Officer's home State of Connecticut is working equally hard on this issue. We are working to both slow climate change and to prepare for what are now its inevitable effects. But sadly, when it comes to this particular threat to our national security and our prosperity, Congress is asleep. It is time for us to wake up. The health and safety of Americans and of people all over the world is at risk. We must awaken to what is happening in the world around us and to the fact that the carbon pollution we are emitting is causing it. This is our responsibility. This is our generation's responsibility. It is, indeed, our duty. It is time for us to wake up.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HEINRICH). Without objection, it is so ordered.

EXECUTIVE CALENDAR

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Senate consider the following nominations, Calendar Nos. 2, 3, 4, 5 and 6, and all nominations placed on the Secretary's desk in the Air Force, Army, Marine Corps, and Navy; that the nominations be confirmed en bloc; the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; that the President be immediately notified of the Senate's action, and that the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

The following named Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. William H. Etter

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Kenneth E. Tovo

The following named officer for appointment in the United States Army Nurse Corps to the grade indicated under title 10, U.S.C., sections 624 and 3064:

To be brigadier general

Col. Barbara R. Holcomb

The following named officer for appointment in the United States Army Medical Service Corps to the grade indicated under title 10, U.S.C., sections 624 and 3064:

To be brigadier general

Col. Patrick D. Sargent

The following named officers for appointment in the United States Army Medical Corps to the grade indicated under title 10, U.S.C., sections 624 and 3064:

To be major general

Brig. Gen. Brian C. Lein

Brig. Gen. Nadja Y. West

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN70 AIR FORCE nomination of Kory D. Bingham, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN71 AIR FORCE nominations (3) beginning MICHAEL A. COOPER, and ending SUSAN MICHELLE MILLER, which nominations were received by the Senate and ap-

peared in the Congressional Record of January 23, 2013.

PN72 AIR FORCE nominations (4) beginning VICTOR DOUGLAS BROWN, and ending RODNEY M. WAITE, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN73 AIR FORCE nominations (4) beginning WALTER S. ADAMS, and ending CARL E. SUPPLEE, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN74 AIR FORCE nominations (6) beginning JOHN J. BARTRUM, and ending GEORGE L. VALENTINE, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN75 AIR FORCE nominations (8) beginning KIMBERLY L. BARBER, and ending JANET L. SETNOR, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN76 AIR FORCE nominations (11) beginning DINA L. BERNSTEIN, and ending WILLIAM R. YOUNGBLOOD, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN77 AIR FORCE nominations (12) beginning TIMOTHY LEE BRININGER, and ending CHRISTOPHER J. RYAN, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN78 AIR FORCE nominations (198) beginning FRANCIS XAVIER ALTIERI, and ending KEVIN M. ZELLER, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

IN THE ARMY

PN79 ARMY nomination of Jonathan A. Foskey, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN80 ARMY nomination of Marion J. Parks, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN81 ARMY nomination of Karen A. Pike, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN82 ARMY nominations (2) beginning Derek S. Reynolds, and ending Brian D. Vogt, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN83 ARMY nominations (2) beginning Edward A. Figueroa, and ending Michael C. Vanhoven, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN84 ARMY nominations (2) beginning JACK C. MASON, and ending TODD B. WAYTASHEK, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN85 ARMY nominations (79) beginning RUTH E. APONTE, and ending MICHAEL J. ZINNO, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN86 ARMY nominations (88) beginning LESLIE E. AKINS, and ending MARC W. ZELNICK, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN87 ARMY nominations (217) beginning TIMOTHY G. ABRELL, and ending JOHN A. ZULFER, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN88 ARMY nominations (225) beginning RAFAEL E. ABREU, and ending R010075,

which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

IN THE MARINE CORPS

PN91 MARINE CORPS nomination of Jackie W. Morgan, Jr., which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN92 MARINE CORPS nomination of Dana R. Fike, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN93 MARINE CORPS nomination of Samuel W. Spencer, III, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN94 MARINE CORPS nomination of Larry Miyamoto, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN97 MARINE CORPS nominations (2) beginning GEORGE L. ROBERTS, and ending PAUL A. SHIRLEY, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN98 MARINE CORPS nominations (2) beginning RICHARD D. KOHLER, and ending GARY J. SPINELLI, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN100 MARINE CORPS nominations (2) beginning ERIC T. CLINE, and ending ROBERT S. SCHMIDT, JR., which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN101 MARINE CORPS nominations (2) beginning JOSE L. SADA, and ending BRIAN J. SPOONER, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN102 MARINE CORPS nominations (3) beginning FREDERICK L. HUNT, and ending CHAD E. TIDWELL, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN103 MARINE CORPS nominations (3) beginning TODD E. LOTSPEICH, and ending DONALD E. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN104 MARINE CORPS nominations (3) beginning JASON B. DAVIS, and ending JOHN F. REYNOLDS, JR., which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN105 MARINE CORPS nominations (3) beginning TRAVIS M. FULTON, and ending GARY S. LIDDELL, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN106 MARINE CORPS nominations (4) beginning BRYAN DELGADO, and ending RODOLFO D. QUISPE, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN107 MARINE CORPS nominations (4) beginning DAVID B. BLANN, and ending ALLEN L. LEWIS, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN108 MARINE CORPS nominations (5) beginning MICHAEL GASPERINI, and ending TIMOTHY W. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN109 MARINE CORPS nominations (6) beginning STEPHEN R. BYRNES, and ending JAMES N. TIMMER, JR., which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN110 MARINE CORPS nominations (7) beginning PETER K. BASABE, JR., and ending MICHAEL A. YOUNG, which nominations

were received by the Senate and appeared in the Congressional Record of January 23, 2013.

IN THE NAVY

PN115 NAVY nomination of Harry E. Hayes, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN116 NAVY nomination of Shemeya L. Grant, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN117 NAVY nominations (2) beginning CHRISTOPHER J. KANE, and ending LUKE C. SUBER, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN118 NAVY nominations (29) beginning JEANINE F. BENJAMIN, and ending BENJAMIN F. VISGER, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate resumes legislative session.

MORNING BUSINESS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO SPENCER STOKES

Mr. LEE. Mr. President, I rise today to pay tribute to a special class of people who are critical to the success of any U.S. Senator.

During the recent Super Bowl game, one advertisement stood out among all the others. It was an advertisement based on a tribute taken from the great American Paul Harvey. It was entitled "So God Made a Farmer." While I respect and admire farmers greatly, especially those I know from Utah, I am also certain that my colleagues in this Chamber will agree that when it comes to this institution, we can rightly change that statement ever so slightly to say, "So God Made a Chief of Staff."

My first chief of staff Spencer Stokes is returning to Utah. He is also returning to his family and to private life after 2 extraordinary years serving me in my office. I offer this in tribute to him and to all great chiefs of staff who labor here on Capitol Hill.

When God looked down on the Senate, He realized that Senators alone could never keep things running and He said, I need a caretaker. So God made a chief of staff. He needed someone whose first thought in the morning and last thought at night would be about helping and serving a Senator; who would rise before dawn and organize the day, set the strategy, deal with the thick and thin of things, and steer the Senator away from bad meet-

ings, bad policy, and bad people; someone who would work all day in and out of the office, would skip holidays, birthdays, and parties in pursuit of their service, who would stay past midnight waiting for a vote, and then be willing to get up at the crack of dawn the next morning to do it all again. So God made a chief of staff.

He needed someone with thick skin, strong will, and at the same time a soft touch; strong enough to herd cats, yet gentle enough to comfort a grieving constituent or staff member; someone to call BS, tame the cantankerous bureaucracy of government, creatively solve problems big and small, and patiently listen to a hostile constituent with an axe to grind, and then tell that same constituent to come back again real soon—and mean it. So God made a chief of staff.

God said, I need someone who can shape a staff, shine shoes, horse trade for furniture and office space, navigate a litany of ethics and rules requirements, and play the role of cruise director for countless constituent tours of Washington, DC; someone who will put in a full 40 hours by Tuesday at noon, and then put in another 72 hours on top of that by the end of the week. So God made a chief of staff.

He had to have someone willing to sprint at double speed to stay ahead of a news story, and yet stop on a dime and pivot to help the real people of this country, no matter the consequences, no matter the circumstances, and regardless of what the press might be doing at the moment. He needed someone who, when the Senator becomes surrounded by "yes" men is willing to say humbly yet firmly and resolutely, "No, sir." So God made a chief of staff.

He said, I need somebody strong enough to catch arrows, take heat, endure withering criticism, and patiently listen to angry voices; somebody who is just fine with little prominence, praise, prestige, or perks, and who above all is fiercely loyal and forever has the Senator's back. So God made a chief of staff.

I am fairly certain that when God looked down on a newly elected Senator from Utah during the final months of 2010, He knew that any old chief of staff wouldn't do. So, in my case, he actually chose a farmer—a turkey farmer, to be specific—from Bothwell, UT, named Spencer Stokes.

Spencer has been a truly outstanding chief of staff. Doing the heavy lifting and providing the Herculean effort required to set up an office and build a staff from scratch proved to be Spencer's forte. It proved to be easy for him—or at least he made it look easy. He has an eye for detail like no other, though we occasionally need to remind him to "zoom out." Straight chairs in the conference room, straight desks, and even straight ties all set the stage for straight talk about issues and policy and serving constituents.

Spencer's love of Utah and its people is unequalled. As a first order of business, he set out to make my office something of an embassy for my State. So when you walk into our office, you are actually walking quite literally into Utah. From the art on the walls to the naming of the conference rooms, from our legendary JELL-O Wednesday to the staff reading of the smalltown Utah newspapers each week—everything leads to an experience in our office, and everything in our office is an experience of Utah.

Spencer will long be remembered and appreciated for his handwritten notes, the best night tour in DC—a true story—bringing people together, confetti cannons, Utah fry sauce, lots of laughter, and a tireless commitment to make bad things good and good things even better.

From Spencer's perspective, there are no small players in this great institution that is the Senate. He did not just preach that philosophy, he lived it every single day he was here. As a testament to that, we noted that when we asked him to provide a list of all the people he wanted invited to his farewell party, at the top of Spencer's list there were people who were not necessarily of high status. No, the top of the list was reserved for the people who really make this place go: cashiers and cooks, security personnel, guides and junior staff from nearly every corner of this building.

I salute Spencer Stokes for his service to this Nation, to this institution, and to the people of Utah. I salute Spencer for his service to me and my family. I will forever be thankful that God made a chief of staff and especially thankful for a particularly extraordinary chief of staff, Spencer Stokes.

TRIBUTE TO U.S. MARSHAL DAVID DEMAG

Mr. LEAHY. Mr. President, one of the great privileges in serving in the U.S. Senate is the ability to make recommendations to the President with respect to important nominations for posts in our States. I was pleased 4 years ago to recommend to President Obama the nomination of David Demag to be Vermont's U.S. Marshal, and to help move his nomination through the Judiciary Committee and Senate confirmation. In fact, he was the first U.S. Marshal to be confirmed during the Obama administration.

Since his confirmation, Marshal Demag's tireless devotion to reducing crime rates in Vermont has helped make my home State a safe and comfortable home for its residents.

Marshal Demag began his career in 1971 as a patrol officer for the Burlington Police Department, where he rose through the ranks as corporal, detective, sergeant, lieutenant, and later, commander. I have known Marshal

Demag throughout his career. He served as chief of police for both the Essex and St. Albans Police Departments. He also was a member of the Burlington Police Department. He has been a leader in Vermont in the fight against rural crime, and has spent his life and career devoted to public service.

As a U.S. Marshal for Vermont, Dave Demag has remained dedicated to arresting the State's most wanted fugitives and sex offenders and his work in establishing the Vermont Violent Offender Task Force has expanded the ability of the U.S. Marshal's office to catch violent and habitual sex offenders. The task force has not only served as a tool for bringing law enforcement officials throughout the State together, but has also improved Vermont's track record for fugitive arrests to 70 percent while reinvesting assets seized from criminals to address the needs of State and local law enforcement. These results are making a real difference in the lives of Vermonters across the State and should serve as a model for how Federal and State law enforcement can work together around the country.

One of Vermont's local news stations, WCAX, recently ran a story highlighting these accomplishments, and I ask unanimous consent that a copy of that story be printed in the RECORD at the conclusion of my remarks. I look forward to Marshal Demag's continued partnership with state and local law enforcement in Vermont.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. LEAHY. I look forward to Marshal Demag's continued partnership with State and local law enforcement in Vermont.

EXHIBIT 1

[WCAX—Vermont, January 28, 2013]
U.S. MARSHALS MAKING AN IMPACT IN VERMONT

(By Jennifer Reading)

BURLINGTON, VT.—Five faces represent Vermont's most wanted. Two have been caught, but the remaining three fugitives are prime targets for the U.S. Marshals Service.

"It's a real good area to attack to make our communities safer here in Vermont," said David Demag, who was appointed by President Obama to head the U.S. Marshals Service's Vermont Division.

Three months ago he created the Vermont Violent Offender Task Force. The operation expanded the Marshals' mission to include tracking down violent and habitual sex offenders. Statistically—these criminals pose a greater risk to the public. "The ones who are out of compliance top that list and are more likely to re-offend," Demag said.

Demag said dedicating a full time team to taking down non-compliant sex offenders—on top of its regular fugitive finding mission—meant adding a state trooper and a UVM police officer to the task force. But he said the plan is working. Since October they've arrested 39 federal and 40 state fugitives. In 2012 fugitive arrests for state of-

fenses jumped by 70 percent. "This is not a place where fugitives or sex offenders can come and hide," said Chief Deputy U.S. Marshal Bill Gerke.

That's the message the task force sent to three high profile out-of-state fugitives on the run in Vermont. The Marshals found Philip Barr hiding out in Hardwick. He was wanted for a Florida murder. Robert Mulkern was arrested in Windsor for a Maryland sex assault and 149 counts of child pornography. And Clifford Moore was nabbed on his way to the airport, fleeing murder, sex assault and terrorism charges. Although the task force gives priority to federal fugitives identified as the "worst-of-the-worst," they'll also adopt state and local cases if there's a violent component to the crime. The Marshals have the tools, expertise and time that their state counterparts lack. "We are here as a resource for them," Demag said.

Two weeks ago they helped local authorities locate Shane Phillips, a Johnson man wanted for more than a decade for various violent crimes. He was hiding behind a false wall in his family's home. "The spirit and the actual cooperation has never been better than it is presently," Gerke said. The life-long Deputy Marshal said interagency cooperation is the key to slowing down the state's ongoing violent crime and preventing out-of-state organized crime from getting a foothold in Vermont. "Vermont will not harbor that type of activity," he added.

The task force is funded by the federal government. Assets seized from the criminals are then reinvested in state and local law enforcement—paying overtime if they help with compliance checks—as well as outfitting them with critical safety equipment and vehicles.

TRIBUTE TO PATTY STONESIFER

Mr. LEAHY. Mr. President, it is easy from our perch on Capitol Hill to sometimes forget about the city that surrounds us. Like so many communities across the country, urban and rural, Washington, D.C. wrestles with a population in poverty. Soon, those people will have a new advocate at the head of one of the Nation's capital's leading organizations focused on ending the cycle of poverty among local youth and adults. Starting in April, Patty Stonesifer will become the new C.E.O. and President of Martha's Table.

Patty devoted 9 years of her life to the work of the Gates Foundation. As its chief executive officer, she helped the foundation become the largest philanthropic institution in the world while taking no salary for herself. After her time at the Gates Foundation, Patty's passion for change led her to become part of the U.S. delegation to the United Nations General Assembly Special Sessions on AIDS, and was later appointed by President Obama in 2010 to chair the White House Council for Community Solutions. We have become friends through our shared service on the Smithsonian Board of Regents, and she is active on the board of the Center for Global Development, and is a member of the Circle of Allies and Champions for the National Council of Youth Leaders.

Patty's dedication to philanthropy aligns perfectly with the mission of Martha's Table. This nonprofit is more than a food pantry. Not only does Martha's Table supply more than 1,000 meals each day to hungry Washingtonians, it also works to develop long-term solutions to hunger and nutrition issues, seeking an end to poverty. Martha's Table helps to break the cycle of poverty by providing education, nutrition, and family support services to hundreds of children and families. Martha's Table is lucky to have someone like Patty at the helm. I have no doubt she will successfully prepare the next generation of young people for a bright future. Patty's self sacrifice and dedication to ending poverty and hunger in our Nation's Capital is to be commended, and I wish her the best of luck in her new role.

I ask unanimous consent that an article from The Washington Post entitled, "Patty Stonesifer, former CEO of Gates Foundation, to lead D.C. food pantry," be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[The Washington Post, January 29, 2013]

PATTY STONESIFER, FORMER CEO OF GATES FOUNDATION, TO LEAD D.C. FOOD PANTRY

(By Steve Hendrix)

It took about six months after moving to Washington for Patty Stonesifer to find her new job. As the former chief executive of the Bill and Melinda Gates Foundation, she had a lot of corner-office options to sift through, including a university presidency and the top jobs at a national charity and an international development agency.

Her choice? She's going to run Martha's Table on 14th Street NW. Starting April 1, she will take over the well-regarded but decidedly local food pantry and family-services nonprofit organization.

Stonesifer, 56, who oversaw the Gates Foundation endowment of \$39 billion and a staff of more than 500 for nine years, will manage the D.C. charity's \$6 million budget, 81 paid employees, three vans and thrift shop.

Martha's Table plans an official announcement Wednesday. But as word of Stonesifer's unexpected career move began to circulate in recent days, it inspired twin reactions: "Wow!" and "Why?"

Overachievers usually work their way from small to big. Having Stonesifer come run a small local charity is like General Electric business titan Jack Welch showing up to manage the corner appliance store, or one of the Super Bowl-bound Harbaugh brothers deciding to coach high school football.

"If you just look at my résumé, I find that I have to explain this," Stonesifer said last week at the temporary office she'd established at a Busboys and Poets table across the street from her new home base. In between a series of briefings from Martha's Table managers, she tried to explain how a top-of-the-charts philanthropy pro came to match fates with an ambitious local charity.

"But if you know me, I don't have to explain it at all," she said. "I absolutely think I can help Martha's Table, but this is going to be wonderful for me."

A shift in scale

Cathy Sulzberger, the head of the Martha's Table board of directors, was in a taxicab last fall when she got a call from the headhunter leading the board's search for a new leader: A surprising—and exciting—candidate had applied.

"Honestly, my first response was, 'Is Patty Stonesifer sure she wants this kind of job?'" recalled Sulzberger.

Running the 33-year-old nonprofit group will certainly be a shift in scale. Under Stonesifer, the Gates Foundation became the largest philanthropic institution in the world. It has set colossal, planet-shifting goals for itself: eradicating polio and malaria, transforming American high schools, and more.

Before that, Stonesifer was a senior vice president at Microsoft responsible for developing MSNBC, Encarta and Slate magazine (now owned by The Washington Post Co.).

More recently, President Obama asked her to chair his White House Council for Community Solutions, and she has just wrapped up a stint as chairman of the Smithsonian Institution's Board of Regents. Stonesifer has appeared on Time magazine's annual list of the 25 Most Influential People. She is married to journalist and founding Slate editor Michael Kinsley. She is a boldface name.

"There is no phone call that Patty would make that wouldn't be returned, none at all," said Diana Aviv, president of Independent Sector, a Washington-based coalition of nonprofit groups and foundations.

Soon after leaving the Gates Foundation in 2008, Stonesifer and Kinsley began splitting their time between Seattle and the District, where he used to live and where she has a daughter from a previous marriage working at USAID. Last year, Kinsley accepted an editor's job at the New Republic magazine, and they decided to make the District their full-time home.

Stonesifer has been wealthy since piling up tens of millions in Microsoft stock in the company's early years. (She also became a director at Amazon.com before it went public and remains on that company's board.) But she retains the modest bent of the Indiana Catholic who grew up with eight siblings in a house where volunteerism was as regular as making the bed. She took no salary while running the Gates Foundation.

After the couple bought a restored brownstone near Dupont Circle, Stonesifer began exploring Washington by foot and Metro.

"I was amazed at how there is a city within a city here," she said, reeling off the stats: 110,000 households live in poverty, one in three households with children can't afford enough food. "This idea that the District has so much child hunger, it's mind-boggling."

Stonesifer decided she needed some time in the trenches. Nothing would teach her, and her peers in the foundation world, more about these intractable problems than confronting them, year after year, in the faces of the people who suffer them.

And then she saw the CEO-wanted ad for Martha's Table.

"I decided to raise my hand," she said.

Her husband said he was surprised, at first.

"I said, 'Are you going to be adding the salt to the soup?'" Kinsley recalled, sitting with Stonesifer in their living room after her coffee-shop meetings were over. The walls were covered with paintings by Seattle artists, misty mountain ranges and tulip fields. "But I shouldn't have been surprised. You said you wanted to do something hands-on."

"You didn't really believe me," she said. "You thought I should be a university head."

"Yes, run a college," he said, "maybe the World Bank."

"It's nice to have a husband who thinks you can do anything." She leaned over to pat his leg.

"You'll get your turn at running Hewlett-Packard, I assume," Kinsley said.

She shot him a look.

"Joke! Joke!" he said.

The right person

First she had to get this job.

"Even if she comes from a major philanthropy and is so well-known, we had to make sure we were hiring the right person for Martha's Table," Sulzberger said of the long vetting Stonesifer went through. "This may be a smaller stage, but it's not a small job for anybody."

Martha's Table started in 1980 as a place for hungry students to get an after-school sandwich. Its "McKenna's Wagon" food vans have been mealtime fixtures at McPherson Square and other gathering spots for the homeless for decades. Now, it serves more than 1,100 people a day with meals and early-childhood and after-school programs.

The group's legion of volunteers is legendary: A roll of more than 10,000 school kids, poor people and the occasional president who chop vegetables and build sandwiches.

Now, the organization wants to make a leap.

"I think Martha's Table is ready for the next stage," said Linda Moore, founder of the E.W. Stokes Charter School in Northeast Washington and longtime board member. "Even though I'm not sure what that is, we were looking for a leader to take us there."

Stonesifer got the job. The head of the Gates Foundation U.S. programs, Allan Golston, sent congratulations. So did Sylvia Burwell, president of the Walmart Foundation. Even Stonesifer's old boss thought it was a good move.

"I think it blends all the elements she loves in philanthropy," Melinda Gates said by e-mail. "Even when living in Seattle, she did hands-on work at a local charity—anonymously. That type of work keeps you grounded in the real issues in people's lives."

Again, she will work for free, but she will also work for real. She expects long hours. This is not, she insisted (with some heat) a "retirement" job.

She's heard that one before, after she left Microsoft and agreed to run Bill Gates's library initiative.

"Oh, she's going to convert libraries to the Internet, how sweet." Well, it wasn't sweet at all," Stonesifer said. "We added 11,000 libraries to the Web, and that group went on to become the Bill and Melinda Gates Foundation."

No stepping back.

On a taxi ride from her house to a meeting of philanthropy leaders at the Hotel Monaco, she described her biggest concern: that people will assume she can connect a funding hose from Martha's Table to the Gates Foundation and the coffers will be full forever.

Not gonna happen.

"That's not what they do, and that's not what Martha's Table needs," she said. "The strength of Martha's Table is in the thousands of small donors and volunteers that ensure we deliver services every day. I don't want my coming here to make people step back in any way."

The cabdriver leaned back. "You work for Martha's Table?" he asked in a strong Ethiopian accent.

Stonesifer hesitated. "I'm going to."

"It's a good charity," the man said. He picks up volunteers there all the time, he ex-

plained, young people who need a ride home. Thinking of his own two children in Virginia colleges, he doesn't take their money.

"You'd have to be mentally handicapped to charge somebody doing what they do," he said. "You work for Martha's Table, I won't charge you, either."

Stonesifer put a hand on his shoulder, even as she insisted he take the money from her hand. "You dear, sweet man," she said. "God bless you."

On the curb, she exulted.

"That's the power of Martha's Table," she said. "A man driving a cab and putting two kids through school. That's what we have to work with. I'm so excited."

TRIBUTE TO DR. LARRY D. TYLER

Mr. McCONNELL. Mr. President, I rise today to recognize a distinguished Kentuckian, a pillar of the Louisville community and a fixture at the University of Louisville, and a very good friend of mine. Dr. Larry D. Tyler is a professor of engineering fundamentals, and this year he celebrates 50 years of service with UofL's J.B. Speed School of Engineering.

Dr. Tyler earned his original appointment at UofL as an engineering instructor in 1963. He received tenure in 1970. He has taught more than 30 different courses in the fields of engineering mathematics and mechanical, industrial, chemical, and civil engineering. He has created innovative instructional methodologies for core engineering mathematics courses, including early detection of prerequisite weaknesses.

Dr. Tyler has earned all of his degrees at the University of Louisville: his undergraduate degree in mechanical engineering, a master's in mathematics, a master's of mechanical engineering, and a Ph.D. in engineering and physics. Along the way he has been published in peer-review journals and presented at international conferences on engineering design and automation. He won the Speed School's Outstanding Teacher Award in 1975, 1980, and 1983, the University Faculty Favorite Award in 2007, the Speed School Alumni Outstanding Teaching Award in 2007, the University of Louisville's Distinguished Teaching Award in 2008, and the Departmental Professor of the Year Award in 2012.

Larry has served as a faculty advisor to many fraternity student chapters, and here I should mention that Larry and I are old friends. Not only did we attend UofL together as undergraduates, we were both members of Phi Tau fraternity together; in fact, we were in the same pledge class. So I've had the pleasure of seeing Larry grow into the incredibly accomplished and respected professor that we knew he was always meant to be.

Larry, it has been a privilege to walk alongside you for these many years. I know that we both care deeply about our wonderful hometown of Louisville, and we have both dedicated our careers

to serving the people of Louisville and giving back to this city by our own contribution. On this occasion to celebrate your success, I say, well done.

Larry's teaching philosophy is to be both student- and content-centered, in order to instill the qualities of desire, determination, and dedication in his students because, as he says, "success in any endeavor requires all three." The life and career of Dr. Tyler is certainly proof that if you have those three qualities, you can go very far.

Mr. President, I would ask my U.S. Senate colleagues to join me in recognizing the accomplishments of Dr. Larry D. Tyler, and congratulating him upon his 50 years of successful service with UofL's J.B. Speed School of Engineering. I hope he continues to lead our university and our city onward and upward for many years to come.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

RULES OF PROCEDURE

Mr. HARKIN. Mr. President, in accordance with rule XXVI.2 of the Standing Rules of the Senate, I submit for publication in the CONGRESSIONAL RECORD the Rules of Procedure for the Committee on Health, Education, Labor, and Pensions, as unanimously adopted by the Committee on February 13, 2013.

I ask unanimous consent that the text of the Rules of Procedure be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

UNITED STATES SENATE, RULES OF PROCEDURE, 113TH CONGRESS

Rule 1.—Subject to the provisions of rule XXVI, paragraph 5, of the Standing Rules of the Senate, regular meetings of the committee shall be held on the second and fourth Wednesday of each month, at 10:00 a.m., in room SD-430, Dirksen Senate Office Building. The chairman may, upon proper notice, call such additional meetings as he may deem necessary.

Rule 2.—The chairman of the committee or of a subcommittee, or if the chairman is not present, the ranking majority member present, shall preside at all meetings. The chairman may designate the ranking minority member to preside at hearings of the committee or subcommittee.

Rule 3.—Meetings of the committee or a subcommittee, including meetings to conduct hearings, shall be open to the public except as otherwise specifically provided in subsections (b) and (d) of rule 26.5 of the Standing Rules of the Senate.

Rule 4.—(a) Subject to paragraph (b), one-third of the membership of the committee, actually present, shall constitute a quorum for the purpose of transacting business. Any quorum of the committee which is composed of less than a majority of the members of the committee shall include at least one member

of the majority and one member of the minority.

(b) A majority of the members of a subcommittee, actually present, shall constitute a quorum for the purpose of transacting business: provided, no measure or matter shall be ordered reported unless such majority shall include at least one member of the minority who is a member of the subcommittee. If, at any subcommittee meeting, a measure or matter cannot be ordered reported because of the absence of such a minority member, the measure or matter shall lay over for a day. If the presence of a member of the minority is not then obtained, a majority of the members of the subcommittee, actually present, may order such measure or matter reported.

(c) No measure or matter shall be ordered reported from the committee or a subcommittee unless a majority of the committee or subcommittee is physically present.

Rule 5.—With the approval of the chairman of the committee or subcommittee, one member thereof may conduct public hearings other than taking sworn testimony.

Rule 6.—Proxy voting shall be allowed on all measures and matters before the committee or a subcommittee if the absent member has been informed of the matter on which he is being recorded and has affirmatively requested that he be so recorded. While proxies may be voted on a motion to report a measure or matter from the committee, such a motion shall also require the concurrence of a majority of the members who are actually present at the time such action is taken.

The committee may poll any matters of committee business as a matter of unanimous consent; provided that every member is polled and every poll consists of the following two questions:

(1) Do you agree or disagree to poll the proposal; and

(2) Do you favor or oppose the proposal.

Rule 7.—There shall be prepared and kept a complete transcript or electronic recording adequate to fully record the proceedings of each committee or subcommittee meeting or conference whether or not such meetings or any part thereof is closed pursuant to the specific provisions of subsections (b) and (d) of rule 26.5 of the Standing Rules of the Senate, unless a majority of said members vote to forgo such a record. Such records shall contain the vote cast by each member of the committee or subcommittee on any question on which a "yea and nay" vote is demanded, and shall be available for inspection by any committee member. The clerk of the committee, or the clerk's designee, shall have the responsibility to make appropriate arrangements to implement this rule.

Rule 8.—The committee and each subcommittee shall undertake, consistent with the provisions of rule XXVI, paragraph 4, of the Standing Rules of the Senate, to issue public announcement of any hearing or executive session it intends to hold at least one week prior to the commencement of such hearing or executive session. In the case of an executive session, the text of any bill or joint resolution to be considered must be provided to the chairman for prompt electronic distribution to the members of the committee.

Rule 9.—The committee or a subcommittee shall require all witnesses heard before it to file written statements of their proposed testimony at least 24 hours before a hearing, unless the chairman and the ranking minority member determine that there is good

cause for failure to so file, and to limit their oral presentation to brief summaries of their arguments. Testimony may be filed electronically. The presiding officer at any hearing is authorized to limit the time of each witness appearing before the committee or a subcommittee. The committee or a subcommittee shall, as far as practicable, utilize testimony previously taken on bills and measures similar to those before it for consideration.

Rule 10.—Should a subcommittee fail to report back to the full committee on any measure within a reasonable time, the chairman may withdraw the measure from such subcommittee and report that fact to the full committee for further disposition.

Rule 11.—No subcommittee may schedule a meeting or hearing at a time designated for a hearing or meeting of the full committee. No more than one subcommittee executive meeting may be held at the same time.

Rule 12.—It shall be the duty of the chairman in accordance with section 133(c) of the Legislative Reorganization Act of 1946, as amended, to report or cause to be reported to the Senate, any measure or recommendation approved by the committee and to take or cause to be taken, necessary steps to bring the matter to a vote in the Senate.

Rule 13.—Whenever a meeting of the committee or subcommittee is closed pursuant to the provisions of subsection (b) or (d) of rule 26.5 of the Standing Rules of the Senate, no person other than members of the committee, members of the staff of the committee, and designated assistants to members of the committee shall be permitted to attend such closed session, except by special dispensation of the committee or subcommittee or the chairman thereof.

Rule 14.—The chairman of the committee or a subcommittee shall be empowered to adjourn any meeting of the committee or a subcommittee if a quorum is not present within fifteen minutes of the time schedule for such meeting.

Rule 15.—Whenever a bill or joint resolution shall be before the committee or a subcommittee for final consideration, the clerk shall distribute to each member of the committee or subcommittee a document, prepared by the sponsor of the bill or joint resolution. If the bill or joint resolution has no underlying statutory language, the document shall consist of a detailed summary of the purpose and impact of each section. If the bill or joint resolution repeals or amends any statute or part thereof, the document shall consist of a detailed summary of the underlying statute and the proposed changes in each section of the underlying law and either a print of the statute or the part or section thereof to be amended or replaced showing by stricken-through type, the part or parts to be omitted and, in italics, the matter proposed to be added, along with a summary of the proposed changes; or a side-by-side document showing a comparison of current law, the proposed legislative changes, and a detailed description of the proposed changes.

Rule 16.—An appropriate opportunity shall be given the minority to examine the proposed text of committee reports prior to their filing or publication. In the event there are supplemental, minority, or additional views, an appropriate opportunity shall be given the majority to examine the proposed text prior to filing or publication. Unless the chairman and ranking minority member agree on a shorter period of time, the minority shall have no fewer than three business days to prepare supplemental, minority or

additional views for inclusion in a committee report from the time the majority makes the proposed text of the committee report available to the minority.

Rule 17.—(a) The committee, or any subcommittee, may issue subpoenas, or hold hearings to take sworn testimony or hear subpoenaed witnesses, only if such investigative activity has been authorized by majority vote of the committee.

(b) For the purpose of holding a hearing to take sworn testimony or hear subpoenaed witnesses, three members of the committee or subcommittee shall constitute a quorum: provided, with the concurrence of the chairman and ranking minority member of the committee or subcommittee, a single member may hear subpoenaed witnesses or take sworn testimony.

(c) The committee may, by a majority vote, delegate the authority to issue subpoenas to the chairman of the committee or a subcommittee, or to any member designated by such chairman. Prior to the issuance of each subpoena, the ranking minority member of the committee or subcommittee, and any other member so requesting, shall be notified regarding the identity of the person to whom it will be issued and the nature of the information sought and its relationship to the authorized investigative activity, except where the chairman of the committee or subcommittee, in consultation with the ranking minority member, determines that such notice would unduly impede the investigation. All information obtained pursuant to such investigative activity shall be made available as promptly as possible to each member of the committee requesting same, or to any assistant to a member of the committee designated by such member in writing, but the use of any such information is subject to restrictions imposed by the rules of the Senate. Such information, to the extent that it is relevant to the investigation shall, if requested by a member, be summarized in writing as soon as practicable. Upon the request of any member, the chairman of the committee or subcommittee shall call an executive session to discuss such investigative activity or the issuance of any subpoena in connection therewith.

(d) Any witness summoned to testify at a hearing, or any witness giving sworn testimony, may be accompanied by counsel of his own choosing who shall be permitted, while the witness is testifying, to advise him of his legal rights.

(e) No confidential testimony taken or confidential material presented in an executive hearing, or any report of the proceedings of such an executive hearing, shall be made public, either in whole or in part or by way of summary, unless authorized by a majority of the members of the committee or subcommittee.

Rule 18.—Presidential nominees shall submit a statement of their background and financial interests, including the financial interests of their spouse and children living in their household, on a form approved by the committee which shall be sworn to as to its completeness and accuracy. The committee form shall be in two parts— (I) information relating to employment, education and background of the nominee relating to the position to which the individual is nominated, and which is to be made public; and,

(II) information relating to financial and other background of the nominee, to be made public when the committee determines that such information bears directly on the nominee's qualifications to hold the position to which the individual is nominated.

Information relating to background and financial interests (parts I and II) shall not be required of nominees for less than full-time appointments to councils, commissions or boards when the committee determines that some or all of the information is not relevant to the nature of the position. Information relating to other background and financial interests (part II) shall not be required of any nominee when the committee determines that it is not relevant to the nature of the position.

Committee action on a nomination, including hearings or meetings to consider a motion to recommend confirmation, shall not be initiated until at least five days after the nominee submits the form required by this rule unless the chairman, with the concurrence of the ranking minority member, waives this waiting period.

Rule 19.—Subject to statutory requirements imposed on the committee with respect to procedure, the rules of the committee may be changed, modified, amended or suspended at any time; provided, not less than a majority of the entire membership so determine at a regular meeting with due notice, or at a meeting specifically called for that purpose.

Rule 20.—When the ratio of members on the committee is even, the term "majority" as used in the committee's rules and guidelines shall refer to the party of the chairman for purposes of party identification. Numerical requirements for quorums, votes and the like shall be unaffected.

Rule 21.—First degree amendments must be filed with the chairman at least 24 hours before an executive session. The chairman shall promptly distribute all filed amendments electronically to the members of the committee. The chairman may modify the filing requirements to meet special circumstances with the concurrence of the ranking minority member.

Rule 22.—In addition to the foregoing, the proceedings of the committee shall be governed by the Standing Rules of the Senate and the provisions of the Legislative Reorganization Act of 1946, as amended.

GUIDELINES OF THE SENATE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS WITH RESPECT TO HEARINGS, MARKUP SESSIONS, AND RELATED MATTERS

HEARINGS

Section 133A(a) of the Legislative Reorganization Act requires each committee of the Senate to publicly announce the date, place, and subject matter of any hearing at least one week prior to the commencement of such hearing.

The spirit of this requirement is to assure adequate notice to the public and other Members of the Senate as to the time and subject matter of proposed hearings. In the spirit of section 133A(a) and in order to assure that members of the committee are themselves fully informed and involved in the development of hearings:

1. Public notice of the date, place, and subject matter of each committee or subcommittee hearing should be inserted in the Congressional Record seven days prior to the commencement of such hearing.

2. At least seven days prior to public notice of each committee or subcommittee hearing, the majority should provide notice to the minority of the time, place and specific subject matter of such hearing.

3. At least three days prior to the date of such hearing, the committee or subcommittee should provide to each member a list of witnesses who have been or are proposed to be invited to appear.

4. The committee and its subcommittee should, to the maximum feasible extent, enforce the provisions of rule 9 of the committee rules as it relates to the submission of written statements of witnesses twenty-four hours in advance of a hearing. Witnesses will be urged to submit testimony even earlier whenever possible. When statements are received in advance of a hearing, the committee or subcommittee (as appropriate) should distribute copies of such statements to each of its members. Witness testimony may be submitted and distributed electronically.

EXECUTIVE SESSIONS FOR THE PURPOSE OF MARKING UP BILLS

In order to expedite the process of marking up bills and to assist each member of the committee so that there may be full and fair consideration of each bill which the committee or a subcommittee is marking up the following procedures should be followed:

1. Seven days prior to the proposed date for an executive session for the purpose of marking up bills the committee or subcommittee (as appropriate) should provide written notice to each of its members as to the time, place, and specific subject matter of such session, including an agenda listing each bill or other matters to be considered and including:

(a) a copy of each bill, joint resolution, or other legislative matter (or committee print thereof) to be considered at such executive session; and

(b) a copy of a summary of the provisions of each bill, joint resolution, or other legislative matter to be considered at such executive session including, whenever possible, an explanation of changes to existing law proposed to be made.

2. Insofar as practical, prior to the scheduled date for an executive session for the purpose of marking up bills, the committee or a subcommittee (as appropriate) should provide each member with a copy of the printed record or a summary of any hearings conducted by the committee or a subcommittee with respect to each bill, joint resolution, or other legislative matter to be considered at such executive session.

TRIBUTE TO ARIZONA VA MEDICAL STAFF

Mr. HARKIN. Mr. President, on January 31, one of the most unique and interesting individuals I have ever known passed away while receiving hospice care at the Southern Arizona VA Health Care System. He was my brother-in-law, Joe McQuaid, a 92-year-old veteran of the Second World War.

I will have more to say about this unique individual at a later date. But, today, I want to express my deep gratitude to all of the wonderful professionals at the Southern Arizona VA Health Care System for the extraordinary care they gave to him in the last 2 months of his life.

Joe McQuaid was a strapping 6 feet 4 inches. He was healthy all of his life until last November 15. On that day, after his daily exercise, he fell in a freak accident and broke his hip. He was operated on at the Tucson VA hospital, and his hip seemed to be healing just fine. But after being transferred to a local rehabilitation facility, Joe fell

again and re-broke his hip. He was readmitted to the VA hospital, but his condition deteriorated rapidly and he passed away on January 31.

The personnel at the VA medical center in Tucson could not have been more professional, skilled, and compassionate in the care they gave to Joe McQuaid in those final two months. They did everything possible to treat his injury and help him to recover. But once it became clear that recovery was not possible, they took wonderful care of him, admitting him to hospice care, attending to his needs, and ensuring that he had a gentle passing.

As a veteran myself, during all my years in Congress I have always been very supportive of our VA system and our veterans. I have long believed that our nation has a sacred obligation to those who have borne the burdens of battle and national defense, and we must ensure that they have access to first-rate health care.

So it was with great pride that I had this opportunity to witness firsthand the extraordinary care and attention that staff members at the Tucson VA center were giving to this 92-year-old veteran.

At the risk of leaving out the names of others who cared for my brother-in-law, I specifically want to thank and salute Jonathan Gardner, the director of the Southern Arizona VA Health Care System, for his leadership of that institution and for his many years of distinguished service to the VA system. Also Julianne French, a registered nurse and administrative assistant to the chief medical officer, who was so responsive to my inquiries and calls. Also Dr. David Emelity, the acting chief of staff, Dr. Richard Hoffman, and Dr. Joao Ferreira, all of who took a deep personal interest in Joe's medical condition.

And a special thank you to Glenda Riggs, clinical nurse leader in the intensive care unit, who cared for Joe and went out of her way to keep me and members of Joe's family informed at every step of his treatment and care. I can't speak too highly of Nurse Riggs' skill and compassion, and her tireless attention to all of her patients and their families.

The Southern Arizona VA Health Care System has a wonderful team, with great leadership from Jonathan Gardner. It is clear to me that any veteran who comes through the doors of that center is going to get superb treatment.

I am proud of all the people who work in America's VA system, and I am grateful for the care they give to our veterans. My recent experience, seeing firsthand the quality of care and the quality of staff at the center in Tucson, reaffirms my faith in the VA system and my respect for the great work they do.

Again, I just want to thank the entire team at the Southern Arizona VA

Health Care System. Thank you for all you did for this 92-year-old World War II veteran, Joe McQuaid. And thank you for the same high-quality care you give to all of the veterans at the Tucson center.

COMMITTEE ON FOREIGN RELATIONS

RULES OF PROCEDURE

Mr. MENENDEZ. Mr. President, pursuant to the requirements of paragraph 2 of Senate Rule XXVI, I ask unanimous consent to have printed in the RECORD the rules of the Committee on Foreign Relations for the 113th Congress adopted by the Committee on February 13, 2013.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF THE COMMITTEE ON FOREIGN RELATIONS

(Adopted February 13, 2013)

RULE 1—JURISDICTION

(a) *Substantive*.—In accordance with Senate Rule XXV.1(j), the jurisdiction of the committee shall extend to all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Acquisition of land and buildings for embassies and legations in foreign countries.
2. Boundaries of the United States.
3. Diplomatic service.
4. Foreign economic, military, technical, and humanitarian assistance.
5. Foreign loans.
6. International activities of the American National Red Cross and the International Committee of the Red Cross.
7. International aspects of nuclear energy, including nuclear transfer policy.
8. International conferences and congresses.
9. International law as it relates to foreign policy.
10. International Monetary Fund and other international organizations established primarily for international monetary purposes (except that, at the request of the Committee on Banking, Housing, and Urban Affairs, any proposed legislation relating to such subjects reported by the Committee on Foreign Relations shall be referred to the Committee on Banking, Housing, and Urban Affairs).
11. Intervention abroad and declarations of war.
12. Measures to foster commercial intercourse with foreign nations and to safeguard American business interests abroad.
13. National security and international aspects of trusteeships of the United States.
14. Ocean and international environmental and scientific affairs as they relate to foreign policy.
15. Protection of United States citizens abroad and expatriation.
16. Relations of the United States with foreign nations generally.
17. Treaties and executive agreements, except reciprocal trade agreements.
18. United Nations and its affiliated organizations.
19. World Bank group, the regional development banks, and other international organiza-

tions established primarily for development assistance purposes.

The committee is also mandated by Senate Rule XXV.1(j) to study and review, on a comprehensive basis, matters relating to the national security policy, foreign policy, and international economic policy as it relates to foreign policy of the United States, and matters relating to food, hunger, and nutrition in foreign countries, and report thereon from time to time.

(b) *Oversight*.—The committee also has a responsibility under Senate Rule XXVI.8, which provides that "... each standing committee ... shall review and study, on a continuing basis, the application, administration, and execution of those laws or parts of laws, the subject matter of which is within the jurisdiction of the committee."

(c) *"Advice And Consent" Clauses*.—The committee has a special responsibility to assist the Senate in its constitutional function of providing "advice and consent" to all treaties entered into by the United States and all nominations to the principal executive branch positions in the field of foreign policy and diplomacy.

RULE 2—SUBCOMMITTEES

(a) *Creation*.—Unless otherwise authorized by law or Senate resolution, subcommittees shall be created by majority vote of the committee and shall deal with such legislation and oversight of programs and policies as the committee directs. Legislative measures or other matters may be referred to a subcommittee for consideration in the discretion of the chairman or by vote of a majority of the committee. If the principal subject matter of a measure or matter to be referred falls within the jurisdiction of more than one subcommittee, the chairman or the committee may refer the matter to two or more subcommittees for joint consideration.

(b) *Assignments*.—Assignments of members to subcommittees shall be made in an equitable fashion. No member of the committee may receive assignment to a second subcommittee until, in order of seniority, all members of the committee have chosen assignments to one subcommittee, and no member shall receive assignments to a third subcommittee until, in order of seniority, all members have chosen assignments to two subcommittees.

No member of the committee may serve on more than four subcommittees at any one time.

The chairman and ranking member of the committee shall be *ex officio* members, without vote, of each subcommittee.

(c) *Meetings*.—Except when funds have been specifically made available by the Senate for a subcommittee purpose, no subcommittee of the Committee on Foreign Relations shall hold hearings involving expenses without prior approval of the chairman of the full committee or by decision of the full committee. Meetings of subcommittees shall be scheduled after consultation with the chairman of the committee with a view toward avoiding conflicts with meetings of other subcommittees insofar as possible. Meetings of subcommittees shall not be scheduled to conflict with meetings of the full committee.

The proceedings of each subcommittee shall be governed by the rules of the full committee, subject to such authorizations or limitations as the committee may from time to time prescribe.

RULE 3—MEETINGS

(a) *Regular Meeting Day*.—The regular meeting day of the Committee on Foreign Relations for the transaction of committee

business shall be on Tuesday of each week, unless otherwise directed by the chairman.

(b) *Additional Meetings.*—Additional meetings and hearings of the committee may be called by the chairman as he may deem necessary. If at least three members of the committee desire that a special meeting of the committee be called by the chairman, those members may file in the offices of the committee their written request to the chairman for that special meeting. Immediately upon filing of the request, the chief clerk of the committee shall notify the chairman of the filing of the request. If, within three calendar days after the filing of the request, the chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held, specifying the date and hour of that special meeting. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk shall notify all members of the committee that such special meeting will be held and inform them of its date and hour.

(c) *Hearings, Selection of Witnesses.*—To ensure that the issue which is the subject of the hearing is presented as fully and fairly as possible, whenever a hearing is conducted by the committee or a subcommittee upon any measure or matter, the ranking member of the committee or subcommittee may call an equal number of non-governmental witnesses selected by the ranking member to testify at that hearing.

(d) *Public Announcement.*—Except as provided in paragraph (1), the committee, or any subcommittee thereof, shall make public announcement of the date, place, time, and subject matter of any meeting or hearing to be conducted on any measure or matter at least one week in advance of such meetings or hearings, unless the chairman of the committee, or subcommittee, in consultation with the ranking member, determines that there is good cause to begin such meeting or hearing at an earlier date.

(1) The committee shall make public announcement of a meeting on nominations at least three business days in advance of the meeting unless the chairman of the committee, in consultation with the ranking member, determines that there is good cause to begin such meeting at an earlier date.

(e) *Procedure.*—Insofar as possible, proceedings of the committee will be conducted without resort to the formalities of parliamentary procedure and with due regard for the views of all members. Issues of procedure which may arise from time to time shall be resolved by decision of the chairman, in consultation with the ranking member. The chairman, in consultation with the ranking member, may also propose special procedures to govern the consideration of particular matters by the committee.

(f) *Closed Sessions.*—Each meeting of the Committee on Foreign Relations, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the committee or a subcommittee on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in paragraphs (1) through (6) would require the meeting to be closed followed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is

determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct; to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by government officers and employees; or

(B) the information has been obtained by the government on a confidential basis, other than through an application by such person for a specific government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person, or

(6) may divulge matters required to be kept confidential under other provisions of law or government regulations.

A closed meeting may be opened by a majority vote of the committee.

(g) *Staff Attendance.*—A member of the committee may have one member of his or her personal staff, for whom that member assumes personal responsibility, accompany and be seated nearby at committee meetings. The chairman or ranking member may authorize the attendance and seating of such a staff member at committee meetings and hearings where the member of the committee is not present.

Each member of the committee may designate members of his or her personal staff, for whom that member assumes personal responsibility, who holds, at minimum, a top secret security clearance, for the purpose of their eligibility to attend closed sessions of the committee, subject to the same conditions set forth for committee staff under Rules 12, 13, and 14.

In addition, the majority leader and the minority leader of the Senate, if they are not otherwise members of the committee, may designate one member of their staff, for whom they assume personal responsibility, and who holds, at minimum, a top secret security clearance to attend closed sessions of the committee, subject to the same conditions set forth for committee staff under Rules 12, 13, and 14. Staff of other Senators who are not members of the committee may not attend closed sessions of the committee.

Attendance of committee staff at meetings shall be limited to those designated by the staff director or the minority staff director.

The committee, by majority vote, or the chairman, with the concurrence of the ranking member, may limit staff attendance at specified meetings.

RULE 4—QUORUMS

(a) *Testimony.*—For the purpose of taking sworn or unsworn testimony at any duly scheduled meeting a quorum of the com-

mittee and each subcommittee thereof shall consist of one member.

(b) *Business.*—A quorum for the transaction of committee or subcommittee business, other than for reporting a measure or recommendation to the Senate or the taking of testimony, shall consist of one-third of the members of the committee or subcommittee, including at least one member from each party.

(c) *Reporting.*—A majority of the membership of the committee, including at least one member from each party, shall constitute a quorum for reporting any measure or recommendation to the Senate. No measure or recommendation shall be ordered reported from the committee unless a majority of the committee members is physically present, and a majority of those present concurs.

RULE 5—PROXIES

Proxies must be in writing with the signature of the absent member. Subject to the requirements of Rule 4 for the physical presence of a quorum to report a matter, proxy voting shall be allowed on all measures and matters before the committee. However, proxies shall not be voted on a measure or matter except when the absent member has been informed of the matter on which he is being recorded and has affirmatively requested that he or she be so recorded.

RULE 6—WITNESSES

(a) *General.*—The Committee on Foreign Relations will consider requests to testify on any matter or measure pending before the committee.

(b) *Presentation.*—If the chairman so determines, the oral presentation of witnesses shall be limited to 10 minutes. However, written statements of reasonable length may be submitted by witnesses and other interested persons who are unable to testify in person.

(c) *Filing of Statements.*—A witness appearing before the committee, or any subcommittee thereof, shall submit an electronic copy of the written statement of his proposed testimony at least 24 hours prior to his appearance, unless this requirement is waived by the chairman and the ranking member following their determination that there is good cause for failure to file such a statement.

(d) *Expenses.*—Only the chairman may authorize expenditures of funds for the expenses of witnesses appearing before the committee or its subcommittees.

(e) *Requests.*—Any witness called for a hearing may submit a written request to the chairman no later than 24 hours in advance for his testimony to be in closed or open session, or for any other unusual procedure. The chairman shall determine whether to grant any such request and shall notify the committee members of the request and of his decision.

RULE 7—SUBPOENAS

(a) *Authorization.*—The chairman or any other member of the committee, when authorized by a majority vote of the committee at a meeting or by proxies, shall have authority to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials. At the request of any member of the committee, the committee shall authorize the issuance of a subpoena only at a meeting of the committee. When the committee authorizes a subpoena, it may be issued upon the signature of the chairman or any other member designated by the committee.

(b) *Return.*—A subpoena, or a request to an agency, for documents may be issued whose

return shall occur at a time and place other than that of a scheduled committee meeting. A return on such a subpoena or request which is incomplete or accompanied by an objection constitutes good cause for a hearing on shortened notice. Upon such a return, the chairman or any other member designated by him may convene a hearing by giving 2 hours notice by telephone to all other members. One member shall constitute a quorum for such a hearing. The sole purpose of such a hearing shall be to elucidate further information about the return and to rule on the objection.

(c) *Depositions.*—At the direction of the committee, staff is authorized to take depositions from witnesses.

RULE 8—REPORTS

(a) *Filing.*—When the committee has ordered a measure or recommendation reported, the report thereon shall be filed in the Senate at the earliest practicable time.

(b) *Supplemental, Minority and Additional Views.*—A member of the committee who gives notice of his intentions to file supplemental, minority, or additional views at the time of final committee approval of a measure or matter, shall be entitled to not less than 3 calendar days in which to file such views, in writing, with the chief clerk of the committee, with the 3 days to begin at 11:00 p.m. on the same day that the committee has ordered a measure or matter reported. Such views shall then be included in the committee report and printed in the same volume, as a part thereof, and their inclusion shall be noted on the cover of the report. In the absence of timely notice, the committee report may be filed and printed immediately without such views.

(c) *Rollcall Votes.*—The results of all rollcall votes taken in any meeting of the committee on any measure, or amendment thereto, shall be announced in the committee report. The announcement shall include a tabulation of the votes cast in favor and votes cast in opposition to each such measure and amendment by each member of the committee.

RULE 9—TREATIES

(a) The committee is the only committee of the Senate with jurisdiction to review and report to the Senate on treaties submitted by the President for Senate advice and consent to ratification. Because the House of Representatives has no role in the approval of treaties, the committee is therefore the only congressional committee with responsibility for treaties.

(b) Once submitted by the President for advice and consent, each treaty is referred to the committee and remains on its calendar from Congress to Congress until the committee takes action to report it to the Senate or recommend its return to the President, or until the committee is discharged of the treaty by the Senate.

(c) In accordance with Senate Rule XXX.2, treaties which have been reported to the Senate but not acted on before the end of a Congress "shall be resumed at the commencement of the next Congress as if no proceedings had previously been had thereon."

(d) Insofar as possible, the committee should conduct a public hearing on each treaty as soon as possible after its submission by the President. Except in extraordinary circumstances, treaties reported to the Senate shall be accompanied by a written report.

RULE 10—NOMINATIONS

(a) *Waiting Requirement.*—Unless otherwise directed by the chairman and the ranking

member, the Committee on Foreign Relations shall not consider any nomination until 3 business days after it has been formally submitted to the Senate.

(b) *Public Consideration.*—Nominees for any post who are invited to appear before the committee shall be heard in public session, unless a majority of the committee decrees otherwise, consistent with Rule 3(f).

(c) *Required Data.*—No nomination shall be reported to the Senate unless (1) the nominee has been accorded a security clearance on the basis of a thorough investigation by executive branch agencies; (2) the nominee has filed a financial disclosure report and a related ethics undertaking with the committee; (3) the committee has been assured that the nominee does not have any interests which could conflict with the interests of the government in the exercise of the nominee's proposed responsibilities; (4) for persons nominated to be chief of mission, ambassador-at-large, or minister, the committee has received a complete list of any contributions made by the nominee or members of his immediate family to any Federal election campaign during the year of his or her nomination and for the 4 preceding years; and (5) for persons nominated to be chiefs of mission, the report required by Section 304(a)(4) of the Foreign Service Act of 1980 on the demonstrated competence of that nominee to perform the duties of the position to which he or she has been nominated.

RULE 11—TRAVEL

(a) *Foreign Travel.*—No member of the Committee on Foreign Relations or its staff shall travel abroad on committee business unless specifically authorized by the chairman, who is required by law to approve vouchers and report expenditures of foreign currencies, and the ranking member. Requests for authorization of such travel shall state the purpose and, when completed, a full substantive and financial report shall be filed with the committee within 30 days. This report shall be furnished to all members of the committee and shall not be otherwise disseminated without authorization of the chairman or the ranking member. Except in extraordinary circumstances, staff travel shall not be approved unless the reporting requirements have been fulfilled for all prior trips. Except for travel that is strictly personal, travel funded by non-U.S. Government sources is subject to the same approval and substantive reporting requirements as U.S. Government-funded travel. In addition, members and staff are reminded to consult the Senate Code of Conduct, and, as appropriate, the Senate Select Committee on Ethics, in the case of travel sponsored by non-U.S. Government sources.

Any proposed travel by committee staff for a subcommittee purpose must be approved by the subcommittee chairman and ranking member prior to submission of the request to the chairman and ranking member of the full committee.

(b) *Domestic Travel.*—All official travel in the United States by the committee staff shall be approved in advance by the staff director, or in the case of minority staff, by the minority staff director.

(c) *Personal Staff.*—As a general rule, no more than one member of the personal staff of a member of the committee may travel with that member with the approval of the chairman and the ranking member of the committee. During such travel, the personal staff member shall be considered to be an employee of the committee.

(d) *Personal Representatives of the Member (PRM).*—For the purposes of this rule regard-

ing staff foreign travel, the officially-designated personal representative of the member (PRM) shall be deemed to have the same rights, duties, and responsibilities as members of the staff of the Committee on Foreign Relations. Furthermore, for the purposes of this section, each member of the committee may designate one personal staff member as the "Personal Representative of the Member."

RULE 12—TRANSCRIPTS

(a) *General.*—The Committee on Foreign Relations shall keep verbatim transcripts of all committee and subcommittee meetings and such transcripts shall remain in the custody of the committee, unless a majority of the committee decides otherwise. Transcripts of public hearings by the committee shall be published unless the chairman, with the concurrence of the ranking member, determines otherwise.

(b) *Classified or Restricted Transcripts.*—

(1) The chief clerk of the committee shall have responsibility for the maintenance and security of classified or restricted transcripts, and shall ensure that such transcripts are handled in a manner consistent with the requirements of the United States Senate Security Manual.

(2) A record shall be maintained of each use of classified or restricted transcripts as required by the Senate Security Manual.

(3) Classified transcripts may not leave the committee offices, or SVC-217 of the Capitol Visitors Center, except for the purpose of declassification or archiving, consistent with these rules.

(4) Extreme care shall be exercised to avoid taking notes or quotes from classified transcripts. Their contents may not be divulged to any unauthorized person.

(5) Subject to any additional restrictions imposed by the chairman with the concurrence of the ranking member, only the following persons are authorized to have access to classified or restricted transcripts.

(A) Members and staff of the committee in the committee offices or in SVC-217 of the Capitol Visitors Center;

(B) Designated personal representatives of members of the committee, and of the majority and minority leaders, with appropriate security clearances, in the committee offices or in SVC-217 of the Capitol Visitors Center;

(C) Senators not members of the committee, by permission of the chairman, in the committee offices or in SVC-217 of the Capitol Visitors Center; and

(D) Officials of the executive departments involved in the meeting, in the committee offices or SVC-217 of the Capitol Visitors Center.

(6) Any restrictions imposed upon access to a meeting of the committee shall also apply to the transcript of such meeting, except by special permission of the chairman and ranking member.

(7) In addition to restrictions resulting from the inclusion of any classified information in the transcript of a committee meeting, members and staff shall not discuss with anyone the proceedings of the committee in closed session or reveal information conveyed or discussed in such a session unless that person would have been permitted to attend the session itself, or unless such communication is specifically authorized by the chairman, the ranking member, or in the case of staff, by the staff director or minority staff director. A record shall be kept of all such authorizations.

(c) *Declassification.*—

(1) All noncurrent records of the committee are governed by Rule XI of the Standing Rules of the Senate and by S. Res. 474

(96th Congress). Any classified transcripts transferred to the National Archives and Records Administration under Rule XI may not be made available for public use unless they have been subject to declassification review in accordance with applicable laws or Executive orders.

(2) Any transcript or classified committee report, or any portion thereof, may be declassified, in accordance with applicable laws or Executive orders, sooner than the time period provided for under S. Res. 474 if:

(A) the chairman originates such action, with the concurrence of the ranking member;

(B) the other current members of the committee who participated in such meeting or report, or any portion thereof, may be declassified, in accordance with applicable laws or Executive orders, sooner than the time period provided for under S. Res. 474 if:

(C) the executive departments that participated in the meeting or originated the classified information have been consulted and consented to the declassification.

RULE 13—CLASSIFIED INFORMATION

(a) The handling of classified information in the Senate is governed by S. Res. 243 (100th Congress), which established the Office of Senate Security. All handling of classified information by the committee shall be consistent with the procedures set forth in the United States Senate Security Manual issued by the Office of Senate Security.

(b) The chief clerk is the security manager for the committee. The chief clerk shall be responsible for implementing the provisions of the Senate Security Manual and for serving as the committee liaison to the Office of Senate Security. The staff director, in consultation with the minority staff director, may appoint an alternate security manager as circumstances warrant.

(c) Classified material may only be transported between Senate offices by appropriately cleared staff members who have been specifically authorized to do so by the security manager.

(d) In general, Senators and staff undertake to confine their access to classified information on the basis of a "need to know" such information related to their committee responsibilities.

(e) The staff director is authorized to make such administrative regulations as may be necessary to carry out the provisions of this rule.

RULE 14—STAFF

(a) Responsibilities.—

(1) The staff works for the committee as a whole, under the general supervision of the chairman of the committee, and the immediate direction of the staff director, except that such part of the staff as is designated minority staff shall be under the general supervision of the ranking member and under the immediate direction of the minority staff director.

(2) Any member of the committee should feel free to call upon the staff at any time for assistance in connection with committee business. Members of the Senate not members of the committee who call upon the staff for assistance from time to time should be given assistance subject to the overriding responsibility of the staff to the committee.

(3) The staff's primary responsibility is with respect to bills, resolutions, treaties, and nominations and other matters within the jurisdiction of the committee. In addition to carrying out assignments from the committee and its individual members, the

staff has a responsibility to originate suggestions for committee or subcommittee consideration. The staff also has a responsibility to make suggestions to individual members regarding matters of special interest to such members.

(4) It is part of the staff's duty to keep itself as well informed as possible in regard to developments affecting foreign relations and national security and in regard to the administration of foreign programs of the United States. Significant trends or developments which might otherwise escape notice should be called to the attention of the committee, or of individual Senators with particular interests.

(5) The staff shall pay due regard to the constitutional separation of powers between the Senate and the executive branch. It therefore has a responsibility to help the committee bring to bear an independent, objective judgment of proposals by the executive branch and when appropriate to originate sound proposals of its own. At the same time, the staff shall avoid impinging upon the day-to-day conduct of foreign affairs.

(6) In those instances when committee action requires the expression of minority views, the staff shall assist the minority as fully as the majority to the end that all points of view may be fully considered by members of the committee and of the Senate. The staff shall bear in mind that under our constitutional system it is the responsibility of the elected members of the Senate to determine legislative issues in the light of as full and fair a presentation of the facts as the staff may be able to obtain.

(b) Restrictions.—

(1) The staff shall regard its relationship to the committee as a privileged one, in the nature of the relationship of a lawyer to a client. In order to protect this relationship and the mutual confidence which must prevail if the committee-staff relationship is to be a satisfactory and fruitful one, the following criteria shall apply:

(A) members of the staff shall not be identified with any special interest group in the field of foreign relations or allow their names to be used by any such group;

(B) members of the staff shall not accept public speaking engagements or write for publication in the field of foreign relations without specific advance permission from the staff director, or, in the case of minority staff, from the minority staff director. In the case of the staff director and the minority staff director, such advance permission shall be obtained from the chairman or the ranking member, as appropriate; and

(C) staff shall not discuss their private conversations with members of the committee without specific advance permission from the Senator or Senators concerned.

(2) The staff shall not discuss with anyone the proceedings of the committee in closed session or reveal information conveyed or discussed in such a session unless that person would have been permitted to attend the session itself, or unless such communication is specifically authorized by the staff director or minority staff director. Unauthorized disclosure of information from a closed session or of classified information shall be cause for immediate dismissal and may, in the case of some kinds of information, be grounds for criminal prosecution.

RULE 15—STATUS AND AMENDMENT OF RULES

(a) *Status*.—In addition to the foregoing, the Committee on Foreign Relations is governed by the Standing Rules of the Senate, which shall take precedence in the event of a clear inconsistency. In addition, the juris-

diction and responsibilities of the committee with respect to certain matters, as well as the timing and procedure for their consideration in committee, may be governed by statute.

(b) *Amendment*.—These rules may be modified, amended, or repealed by a majority of the committee, provided that a notice in writing of the proposed change has been given to each member at least 48 hours prior to the meeting at which action thereon is to be taken. However, rules of the committee which are based upon Senate rules may not be superseded by committee vote alone.

ADDITIONAL STATEMENTS

REMEMBERING JOHN QUIMBY

• Mrs. FEINSTEIN. Mr. President, I would like to recognize and honor the incredible life of John Quimby, an inspirational leader that guided and touched the lives of so many.

John Quimby was born on February 12, 1935, in Prescott, AZ, to parents Henrietta and Merle Quimby. The family later moved to California and resided in Banning and Riverside. Mr. Quimby was hired as a radio announcer for a brief period of time before being elected to the San Bernardino City Council in 1957. He was the youngest person to ever serve on that body.

In 1962, John Quimby was elected to the California State Assembly, representing parts of Riverside and San Bernardino counties. Mr. Quimby became the first paraplegic to serve in the California Legislature. He contracted polio at a young age and as a result spent the majority of his life in a wheelchair. Mr. Quimby did not allow his limited mobility to prevent him from pursuing his dreams and fighting fervently for the residents of California.

Over the course of his 12 years in the Assembly, John Quimby helped pass numerous laws. Most famously, he drafted the Quimby Act in 1965, which allowed cities to require developers to donate land for recreational use. As a result of this piece of legislation, hundreds of parks now exist in California that might otherwise have not.

Apart from being a dedicated assemblyman, John Quimby was also a beloved figure in California politics who thrived on personal and community interaction. He had the ability to make everyone feel special and cared for.

Please join me in expressing the sympathies of this body to John Quimby's brother Merle, daughter Kimberly, son John Jr., stepdaughters Mary and Virginia George, stepson Kenny, his seven grandchildren, and his seven great-grandchildren. On this day, we celebrate him, his life, and his exemplary contributions to California and the Nation.●

REMEMBERING MONSIGNOR LEO McFADDEN

• Mr. HELLER. Mr. President, I rise today to honor the life of Monsignor Leo McFadden, a priest, an Air National Guardsman, and a spiritual leader for thousands of Nevadans whose recent passing is a saddening loss to the Silver State. Monsignor McFadden was a beloved member of our community, and I am grateful for his work as a priest and chaplain for the less fortunate and spiritually needy in northern Nevada.

Not only was Monsignor McFadden a man of God, but he was also a Pulitzer Prize-nominated columnist who spent 20 years writing and editing for the Nevada Register. He also served in the Nevada Air National Guard for decades, and he was the first Guardsman chaplain to be a general line officer.

Monsignor McFadden was a priest at Saint Teresa of Avila Catholic Church in Carson City and at Reno's Our Lady of the Snows Catholic Church. In 1977, Leo McFadden was given the distinct designation as a monsignor. His work included the formation of the Catholic Newman Club at the University of Nevada, Las Vegas and serving as a chaplain at the University of Nevada, Reno.

Monsignor McFadden dedicated his entire life to his faith and to the members of his parish. He was an important figure in our State, and he will be missed. My thoughts and prayers are with his family and friends during this difficult time. •

50TH ANNIVERSARY OF PORTAGE, MICHIGAN

• Mr. LEVIN. Mr. President, one-half century ago this month the residents of Portage Township made a significant and lasting decision. They voted in February 1963 to incorporate, becoming the city of Portage. This decision provided many opportunities for this nascent, vibrant community to grow, enabling city leaders and residents alike to chart a course for future prosperity. This milestone will be commemorated in a number of ways throughout the year, including at Portage's city council meeting last night.

The city of Portage is a part of Michigan's rapidly evolving story. Historically, residents and community leaders relied on fertile farmland for agriculture production. In fact, in the late 1880s and early 1900s, this area was known as "Celery City." Today, it is home to thriving businesses, welcoming neighborhoods and abundant natural beauty. The population of Portage has more than doubled in the past half century, and a number of new businesses, large and small, have helped to transform the city's economic base.

As part of the celebration, Portage recently unveiled its new motto, "A Natural Place to Move." It speaks to

the city's continued commitment to preserving its many parks, lakes, and trails in a way that encourages residents to stay active and healthy.

It is fitting that the celebrations planned this year include a mix of activities. A commemorative newsletter in February will highlight the city's rich history; a half-marathon and 5K road race later this month will showcase the city's extensive and impressive park system; volunteer opportunities spread throughout the year offer residents a number of ways to give back to their community; and a 50th anniversary concert this summer as part of the 2013 summer concert series will bring families and friends together to celebrate this important anniversary.

The city of Portage and its residents have much to be proud of. Together, they have steadily moved forward. This year is a moment to pause and reflect on the past, and to ensure that the next 50 years continues to be marked by growth and progress. •

VERMONT ESSAY FINALISTS

• Mr. SANDERS. Mr. President, I ask to have printed in the RECORD finalist essays written by Vermont High School students as part of the Third Annual "What is the State of the Union?" Essay contest conducted by my office. These 8 finalists were selected from over 300 entries.

The essays follow.

SYDNEY ALDERMAN, MT. ABRAHAM UNION
HIGH SCHOOL (FINALIST)

Today we often face the problem of excessive violence between people, starvation, and economic problems. People aren't all getting what they need and something needs to be done. What would fix everything, broaden our universal communications skills and get things done quicker would be to unite globally. By working as an entire unit we can all communicate and work toward the same goal we all crave: peace. Uniting globally can solve conflicts causing violence, starvation, and economic problems.

Uniting globally will benefit the people of the world immensely. By uniting globally it would be much easier to distribute the necessary resources to sustain everyone, such as food, water, and energy. When everyone is on the same page and communicating thoroughly between territories, you can maintain fair trade and further discuss what laws and human rights need to be established as well. When we're all united for a common goal, let's assume peace amongst all people, discussion is more productive and conclusive and proper action can be taken at a faster pace. Actions such as bringing food and water to those who have none, and also getting the area with these conditions re-established for suitable living conditions. Everyone benefits from a united world.

The U.S. economy will be heavily benefited by uniting globally. When we unite globally, trade is faster and we can simply work faster because communication is quicker and more conclusive than when we're all thinking separately. Trade will therefore be quicker and we can be more productive about it with such open communica-

tion. It would be easier to discuss the distribution of currency amongst countries and people and how we can fix the current economic problems. Uniting globally will solve the biggest problems of the world. It will broaden the communication between territories and will help us resolve conflicts causing famine, violence, and economic problems universally. When we all band together we can accomplish anything and finally bring a new era of peace.

TYLER BRADLEY, SOUTH BURLINGTON HIGH
SCHOOL (FINALIST)

Our country needs to invest in clean sustainable energy and decrease our dependence for oil from other nations. Our nation should be investing in wind and solar power. Wind is a renewable source of energy, which will last forever. It does not pollute our environment and is all natural. Solar energy also provides us with clean energy, with no combustion. It too is renewable and causes no greenhouse gases. Although wind and solar, as energy sources, may prove to be expensive, it is a small price to pay for the health and safety of our environment. In contrast, we are eventually going to run out of oil and the high cost of transporting oil and our dependency on other nations needs to be eliminated.

We need to stop relying on foreign nations for our energy supply. If foreign governments continue to control oil profits they can use that money to fund terrorism mischief. In addition, these energy rich countries can restrict the oil supply and therefore make the United States a hostage to their demands. We need to end this cycle and invest in more sustainable energy sources.

We need Congress to work harder to obtain sustainable energy tax incentives like the Investment Tax Credit and Production Tax Credits. These credits will help reduce the cost of wind and solar projects and in the long run help reduce global warming. All across our earth we currently see record heat waves, melting glaciers, rising sea levels and extreme droughts and floods. The United States must lead the world in reversing global warming, to preserve a safe planet for our children and grandchildren.

ANNIE ARTHUR, WOODSTOCK UNION HIGH
SCHOOL (FINALIST)

To be a democracy, our country must be able to hear the voices of every citizen individually and the population as a whole. People all over the world are sacrificing their lives for the hope of the right to vote. In the United States, eligibility is simple. To vote, one must be a citizen of the United States and be 18 or older. However, a country as great as ours does not seem able to succeed in a very seemingly simple task: vote freely. The State of our Union is teetering on the edge.

In the 2012 Presidential Election, only 57.5% of the entire eligible population cast their ballots. About 93 million citizens did not participate in this most basic foundation of democracy. How is the United States supposed to run as an effective democracy if so many citizens remain silent in such a crucial time to make their voices heard? Granted, part of this lack of voting is caused by laziness, indifference or belief that one vote will not change the outcome. However, there are many citizens who want to vote but restrictions imposed at the state level have either attempted or succeeded to suppress participation in this election. In this recent election there were laws passed to hinder voter participation by making it difficult to register to vote, requiring voter photo identifications, miscommunication of date and

times, and threatening voters with imprisonment for voter fraud. Officials also succeeded in cutting early voting periods, voting by mail, polling hours and number of locations. Even though courts temporarily struck down many of these efforts, there is no reason to believe that state officials will be deterred from imposing more voting restrictions in the future.

This national issue should not be determined at state level. Restriction on voting is a federal problem and should be addressed by federal powers. This is too important an issue to leave to individual state governments as clearly demonstrated by the blatant attempts to deny citizens their right to vote. The solution is to simply create basic standards on voting. The federal government could pass a bill with minimum guidelines for states to follow on voting laws. This legislation does not need to be a complex list of restrictions; this bill would be freeing up voting laws by listing only what needs to happen to achieve successful voting. Each state would then have the freedom to expand on these basic requirements. This bill could facilitate registration, polling hours and ability to mail in votes. It is an American's right to be able to vote. As the world's greatest democracy, no political party should be able to obstruct voting. The United States, a nation for the people, of the people, by the people needs to set a better example as the standard bearer of democracy.

JEANNINE BISSONETTE, CHAMPLAIN VALLEY UNION HIGH SCHOOL (FINALIST)

Ever since Woodrow Wilson was elected in 1913, it has been a tradition for Presidents to address the nation with their State of the Union report. As President Obama prepares to present his State of the Union address, many politically concerned citizens begin to ponder the thoughts of what will be produced in the next four years.

With a current national unemployment rate of 7.9%, the numbers appear to be much lower than the 10% that the United States endured during October of 2009. Although these rates suggest a recuperating recession, they have not yet reached a level in which the nation can sit back comfortably. These high unemployment rates understandably result in a greater necessity for more families to reach out to social welfare services such as food stamps and local food shelves. According to a local press interview with food shelf coordinator Mary Ann Castimore, the Vergennes Congregational Church found themselves serving a total of approximately fifty to sixty new families. People are struggling to find and hold steady jobs; feeding their families continues to be growing concern.

Corresponding with the current economy, the United States could certainly do more to address the concerns of the young people. With the lack of vacant positions in the working world, young adults are learning quickly that it does not matter so much what they've majored in, but what is available. As a high school student of Vermont, I have become increasingly aware of my school advisor's push for me to look into which fields are in need of laborers, rather than those that suit me best when determining an occupation. As the pursuit for jobs lengthens, it is important that the government restricts outsourcing jobs to other countries and create said jobs within the nation. Instead of outsourcing jobs, the United States should provide incentives to retain these positions in America.

As the United States adapts to the most severe recession since the Great Depression,

the American citizens' fear of a failing economy is justified. Major issues such as the nearing fiscal cliff or changes in Social Security are becoming more common parts of American conversation. As January approaches, politicians in D.C. are running out to time to make the decision of who will be taxed in the coming years. By taxing Americans making over two hundred and fifty-thousand dollars, more taxes can be gleaned by the federal government. Additionally, more citizens being taxed results in more equitable terms. As a federal insurance program, Social Security is praised highly for the benefits it provides the retired population. Since American citizens are now living into their eighties, a shortage in Social Security money has materialized. The inadequacy of funds has led to an extended retirement age which is predicted to continue increasing into the future. The United States must continue to raise the retirement age in order for Social Security to continue operating. It takes time and multiple strategies to solve any major issue: there is no one perfect solution.

JONAH BLATT, MILTON HIGH SCHOOL (FINALIST)

Good Evening America,

There are several issues that need to be addressed here tonight that will benefit our nation in one way or another. First off, I'd like to touch on the topic of unemployment. The unemployment rate has dropped significantly. The rate was 10% in November of 2009, which was the highest from January 1st 2009 to January 1st 2013. In the middle of that, the rate bounced up and down between 9% and 9.5% from 2010 to 2011. Now here we sit today on a continuous, steady decline all the way down to 7.7%, and I assure you it is not over. Jobs were being created at a rate of 151,000 per month in 2012 and we look to raise that number this coming year. My new plan allows workers who have lost their job to be placed on temporary jobs as trainees for short periods to retain their skills or gain new ones while still receiving benefits. This was released on April 19th where the unemployment rate was 8.2% and now it is 7.7%. It's working, America.

Cannabis, or better known as marijuana has become a major topic of discussion these days in America. Is it a medical miracle or an addiction amongst many? The Office of National Drug Control Policy and I have stated that we oppose the legalization of marijuana and other drugs since legalization would increase the availability and use of other illegal drugs. Their legalization would bring more health and safety risks closer to your homes. The legalization and selling of marijuana could bring some positive to our attention. A potential boost for the economy if it was sold and taxed heavily. However in the end I strongly oppose the legalization process and it should only remain available for medical use only. The risks strongly outweigh the positives.

Over 50 years ago we created a strong, close relationship with Israel. We have done joint military planning along with military research and weapons development. We have continuously assisted Israel with \$3.1 billion in security assistance and I will not be the president to stop that trend. The only way for Israel to achieve peace with their neighbors is to begin with a clear and strong commitment to the security of Israel. They are also a big export consumer to our economy. We must stand by our ally through these tough times between them and the Palestinians. We will look to both sides to find a common ground to install peace back into

the world between these rival nations. I am in support of resumption of the aid to the Palestinian government with a condition that the government renounce terrorism. Israel has a right to defend themselves from these Palestinian rocket attacks, but we will look to peace first in order to draw this to an end. Israel is an important ally in all perspectives. We must help them.

Thank you and good night America.

ALLIE BULL, CHAMPLAIN VALLEY UNION HIGH SCHOOL (FINALIST)

The United States of America is known as the land of profuse opportunity for all who come here. Throughout the history of this country, there have been events to be proud of and events that were not too glorious. As the world prepares for the new year of 2013, it is a good idea to reflect as we explore the state of this union, and gain insight into how this country is running.

Congress is seemingly dysfunctional right now. The current Congress has passed the least number of bills in history. This statistic is shocking and embarrassing. The system of checks and balances within our democracy is designed to prevent an abuse of power. It is also a known fact that our system takes longer to pass bills and get things done; however, the current state of gridlock is not okay. The nation is frustrated with the leaders and the lack of compromise in Washington. Congress needs to become a leader of the whole nation, and not individual leaders of each political party. The wall between each party needs to be let down and national issues need to be addressed. It is hard for congressmen to make decisions that could affect reelection; yet, the lack of progress being made is not making the constituents any happier. It is better for these leaders to leave the nation stronger and prosperous than when they arrived, as opposed to an unchanged, struggling country.

In the shadow of the Sandy Hook Massacre, gun control debates have resurfaced. This is a topic that needs to be addressed, swiftly and promptly. Semi-automatic weapons are completely and utterly unnecessary in the United States of America. There is no reason that a person should need or desire to own one. These weapons are killing machines and should be banned. Americans have the right to bear arms, but there is no need for weapons other than hunting weapons. Any weapons that do remain legal in this country need to be regulated and controlled with very thorough background checks. However, the fact that semi-automatic weapons are available isn't the only cause of these tragedies. Hollywood portrays gun violence as exciting and desirable. That, in combination with violent video games, leaves imprints in the brains of impressionable young people (including the mentally ill). Semi-automatic weapons should be banned, and violence movies and games should be regulated. In this country there is freedom of speech and expression, but the production of these movies and games results in harm to other citizens. All of these factors need to be addressed. Politicians who agree with this stance need to step up and speak out despite the possible damage to their reelection. The safety of the people should be more important than reelection.

America is a bright and prosperous place. There are a few issues dragging it down, but with the known strength of this nation, these problems can be solved. The only way to fix big problems is to lay down political barriers and work together, hand-in-hand.

EMMA DAVITT, CHAMPLAIN VALLEY UNION
HIGH SCHOOL (FINALIST)

The current state of our Union is multifaceted, filled with diverse opinions and numerous obstacles. Our Union faces an interesting future ahead, either a prosperous and promising future, or a destructive and deleterious future. It is up to us, the people of the United States, to do everything we can to ensure a brilliant future, to promise fortuitous and successful lives for our succeeding generations.

We are currently coping with the most intense, severe recession in our country since the Great Depression. 7.9% of the people in the United States are out of work, struggling to find jobs and earn a living. Detrimental taxes are traumatizing families, college graduates' degrees are rarely helping them secure jobs and, throughout these unfortunate situations, many Americans are still focusing on abortions and gay marriage rights. It is time for our nation to accept individuality, embrace the freedom our country was founded upon, and fix the major problems facing the people of the United States of America.

The unemployment rate is uncomfortably high. In 2008, many businesses closed, numerous workers were laid off and the unemployment rate began to rise. As a result, jobs have become more valuable, and at a time where few were comfortable with their living situations and current bank accounts, taxes rose. To address this situation, taxes must be lowered for the lower and middle-class families while returning the economy to a peaceful state, encouraging businesses to grow and expand in the United States.

The economy is not only affecting the working class of our nation, but also the children—the future. If children watch their parents and older siblings with college degrees struggle to find a job, what will make them want to go to college? What will convince them that attending college is a wonderful and beneficial experience? The young members of our national community will one day be responsible for our country and our only option to ensure a bright and promising future is to nurture, teach and help this younger generation. With this in mind, it should be of great importance to the United States to make college education more affordable for the young population. Through grants, aid and scholarships, many more students will have the opportunities to attend universities, and with an economy on the mend, we can look to the future with great hope in the highly educated body that will one day run the country.

Contemplating these issues, our Union has a lot to focus on. We have run ourselves into a deep economic and educational rut and it is our job to work together to climb out of it. The future of our country rests solely in the hands of the upcoming generation, however, how can we have faith in the subsequent decades if our current society struggles to find jobs and attend college? The answer is rather simple, the young people of our country have the chance to make groundbreaking decisions and be amazing leaders, if given the opportunities.

TARYN DRUGE, CHAMPLAIN VALLEY UNION
HIGH SCHOOL (FINALIST)

In an idealistic world we would work for a common good. Countries wouldn't consider money, land, or rivalry. They would only see how they could create peace and maintain it. As Franklin D. Roosevelt said, "A point has been reached where the peoples of the Americas must take cognizance of growing ill-will, of marked trends toward aggression, of

increasing armaments, of shortening tempests—a situation which has in it many of the elements that lead to the tragedy of general war . . . Peace is threatened by those who seek selfish power." It is my opinion that, in this world, we are not driven by the ambition for peace but instead by the ambition for wealth and power. We, the U.S., are no different, as much as we would love to believe otherwise and see ourselves as the peace bearers of the world. We must open our eyes to the truth. Wealth and power must be relevant in our dealings with foreign nations because these are some of the only factors that will drive negotiation.

An example of the struggle for wealth and power is the United States relationship with China. Currently, the U.S. is deeply uneasy about China, to whom we are deeply indebted, for they are our greatest supplier of goods. It is frightening to think that China's withdrawal could destroy our entire economy, yet our withdrawal from China would cripple them as well. Instead of the dependence creating unity among our nations, it has created discomfort and hostility. The power complex each country has creates the belief that dependence upon one another weakens us. When Thomas Jefferson said, "Dependence begets subservience and venality, suffocates the germ of virtue, and prepares fit tools for the designs of ambition," Jefferson could never foresee that U.S. dependence would extend overseas due to our economies' desire to manufacture cheaper and thus more profitable products.

China and the U.S. are two great superpowers, and each is just as self-destructive as the other. Without a strong and desirable alliance with China, the U.S. becomes weakened to possible foreign attacks and a collapse of the economy. The U.S. is feeling out of balance right now: so many goods are being manufactured overseas at the expense of U.S. jobs being taken away. This balance could be found when the U.S. comes to the realization that we cannot completely isolate China, and, at the same time, we must create a political environment that nurtures U.S. businesses that manufacture products domestically.

In an ideal world the bonds and alliances of countries would surpass the separation of race, religion, class and culture. We must work towards this ideal world, because in it we will find a far better future we could not possibly foresee today.●

TRIBUTE TO TECHNICAL SERGEANT GREGORY M. GRUTTER

● Mr. WHITEHOUSE. Mr. President, I rise today to recognize the heroic service of Rhode Island Air National Guard TSgt. Gregory M. Grutter. Technical Sergeant Grutter was awarded the Bronze Medal Star with Valor and the Purple Heart, and I honor him for the courageous actions he took to earn these awards.

In 2008, Technical Sergeant Grutter was assigned as a security officer for the Defense Intelligence Support Office-Afghanistan. On March 20, 2008, while driving a convoy vehicle for the Guard, Technical Sergeant Grutter twice risked his own life to thwart enemy ambushes and save the lives of others.

In the first instance, Technical Sergeant Grutter used his own vehicle as a

shield to protect Afghan National Police officers driving an unarmored vehicle. Then, noticing the Afghan National Police's machine gun crew in distress, he dismounted from his own vehicle, ran through intense fire, and helped the police repair their weapons.

While Technical Sergeant Grutter was working with the machine gun crew, enemy insurgents moved in to flank the convoy and began to prepare an attack. With great bravery, Sergeant Grutter ran approximately 200 meters over exposed terrain to engage the insurgents, which forced them to retreat. Shortly thereafter, the enemy disengaged and left the area.

Unfortunately, a second ambush was already in the making. A large number of civilians became trapped by small arms fire from enemy forces. Without regard for his personal safety, Technical Sergeant Grutter provided suppressing fire from an exposed position, which allowed the Afghan National Police to evacuate the civilians to safety.

As a result of the courageous actions taken by Technical Sergeant Grutter, lives were saved and the convoy continued its mission.

I thank Technical Sergeant Grutter for his brave actions and honor his distinguished service and meritorious achievement in earning the Bronze Medal Star with Valor and the Purple Heart. The courage he demonstrated during his combat mission brings great honor to our country, the Air National Guard and the state of Rhode Island.

Along with his fellow Guardsmen, I thank Technical Sergeant Grutter for his outstanding commitment to serving and protecting our country. We in Rhode Island are lucky to call him one of our own, and we are proud of him.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the presiding officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

SIX-MONTH PERIODIC REPORT ON THE NATIONAL EMERGENCY WITH RESPECT TO LIBYA THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13566 OF FEBRUARY 25, 2011—PM 3

The PRESIDING OFFICER laid before the Senate the following message

from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13566 of February 25, 2011, is to continue in effect beyond February 25, 2013.

Colonel Muammar Qadhafi, his government, and close associates took extreme measures against the people of Libya, including by using weapons of war, mercenaries, and wanton violence against unarmed civilians. In addition, there was a serious risk that Libyan state assets would be misappropriated by Qadhafi, members of his government, members of his family, or his close associates if those assets were not protected. The foregoing circumstances, the prolonged attacks, and the increased numbers of Libyans seeking refuge in other countries caused a deterioration in the security of Libya, posed a serious risk to its stability, and led me to declare a national emergency to deal with this threat to the national security and foreign policy of the United States.

We are in the process of winding down the sanctions in response to developments in Libya, including the fall of Qadhafi and his government and the establishment of a democratically elected government. We are working closely with the new Libyan government and with the international community to effectively and appropriately ease restrictions on sanctioned entities, including by taking actions consistent with the U.N. Security Council's decision to lift sanctions against the Central Bank of Libya and two other entities on December 16, 2011. The situation in Libya, however, continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States and we need to protect against this threat and the diversion of assets or other abuse by certain members of Qadhafi's family and other former regime officials. Therefore, I have determined that it is necessary to continue the national emergency with respect to Libya.

BARACK OBAMA.

THE WHITE HOUSE, February 13, 2013.

MESSAGE FROM THE HOUSE

At 12:57 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 235. An act to amend the Public Health Service Act to provide grants to States to streamline State requirements and procedures for veterans with military emergency medical training to become civilian emergency medical technicians.

H.R. 316. An act to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 235. An act to amend the Public Health Service Act to provide grants to States to streamline State requirements and procedures for veterans with military emergency medical training to become civilian emergency medical technicians; to the Committee on Health, Education, Labor, and Pensions.

H.R. 316. An act to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects; to the Committee on Energy and Natural Resources.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-372. A communication from the Paralegal, Federal Transit Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Environmental Impact and Related Procedures" (RIN2132-AB03) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-373. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Children's Online Privacy Protection Rule" (RIN3084-AB20) received in the Office of the President of the Senate on February 7, 2013; to the Committee on Commerce, Science, and Transportation.

EC-374. A communication from the Federal Register and Regulatory Liaison Officer, Office of Protective Services, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "NASA Security and Protective Services Enforcement" (RIN2700-AD89) received in the Office of the President of the Senate on February 7, 2013; to the Committee on Commerce, Science, and Transportation.

EC-375. A communication from the Federal Register and Regulatory Liaison Officer, Office of Protective Services, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "NASA Information Security Protec-

tion" (RIN2700-AD61) received in the Office of the President of the Senate on February 7, 2013; to the Committee on Commerce, Science, and Transportation.

EC-376. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards; Motorcycle Brake Systems" (RIN2127-AK16) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-377. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards; Side Impact Protection" (RIN2127-AK82) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-378. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Civil Penalties" (RIN2127-AL16) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-379. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards; Lamps, Reflective Devices, and Associated Equipment" (RIN2127-AK99) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-380. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards; New Pneumatic and Certain Specialty Tires" (RIN2127-AK42) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-381. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Part 567—Certification Authorized by 49 U.S.C. 30115" (RIN2127-AL18) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-382. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "List of Nonconforming Vehicles Decided to be Eligible for Importation" (Docket No. NHTSA-2011-0127) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-383. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Consumer Information Regulations: Fees for Use of Traction Skid Pads" (RIN2127-AK06) received in the Office of the President of the

Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-384. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Event Data Recorders" (RIN2127-AL14) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-385. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Make Inoperative Exemptions; Retrofit On-Off Switches for Air Bags" (RIN2127-AL19) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-386. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Uniform Procedures for State Highway Safety Grant Programs" (RIN2127-AL30) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-387. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards; Matters Incorporated by Reference" (RIN2127-AK89) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-388. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Tire Fuel Efficiency Consumer Information Program" (RIN2127-AK83) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-389. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Theft Prevention Standard; Final Listing of 2013 Light Duty Truck Lines Subject to the Requirements of This Standard and Exempted Vehicle Lines for Model Year 2013" (RIN2127-AL21) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-390. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Schedule of Fees Authorized" (RIN2127-AL09) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-391. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bell Helicopter Textron Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-0530)) received in the Office of the President of the Senate

on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-392. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0488)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-393. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Services B.V. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0643)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-394. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Hawker Beechcraft Corporation Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0829)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-395. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Cessna Aircraft Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0846)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-396. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0493)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-397. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Hawker Beechcraft Corporation Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0830)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-398. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-1128)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-399. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2009-0794)) received in the Office of the President of the Senate

on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-400. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-0340)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-401. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1104)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-402. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Services B.V. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0143)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-403. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-0216)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-404. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0679)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-405. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0806)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-406. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0428)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-407. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0518)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-408. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0498)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-409. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-1168)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-410. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0652)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-411. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-1188)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-412. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0728)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-413. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0427)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-414. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE SYSTEMS (OPERATIONS) LIMITED Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0642)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-415. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0592)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-416. A communication from the Paralegal Specialist, Federal Aviation Adminis-

tration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0719)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-417. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0726)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-418. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0146)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-419. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt and Whitney Division Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2012-0546)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-420. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0640)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-421. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Alpha Aviation Concept Limited Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0798)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-422. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2010-0856)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-423. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2008-0619)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-424. A communication from the Paralegal Specialist, Federal Aviation Adminis-

tration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0144)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-425. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0596)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. REED (for himself, Mr. JOHANNES, Mrs. BOXER, and Mr. FRANKEN):

S. 290. A bill to reduce housing-related health hazards, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. REED (for himself, Mr. JOHANNES, Mrs. BOXER, and Mr. FRANKEN):

S. 291. A bill to establish the Council on Healthy Housing and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LEE:

S. 292. A bill to amend the Immigration and Nationality Act to provide a special rule for the period of admission of H-2A non-immigrants employed as sheepherders, goat herders, or dairy farmers, and for other purposes; to the Committee on the Judiciary.

By Mr. LEE:

S. 293. A bill to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes; to the Committee on the Judiciary.

By Mr. TESTER (for himself, Mr. BAUCUS, Mr. BEGICH, Mr. BLUMENTHAL, Mrs. GILLIBRAND, and Mrs. SHAHEEN):

S. 294. A bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LAUTENBERG:

S. 295. A bill to allow certain Indonesian citizens to file a motion to reopen their asylum claims; to the Committee on the Judiciary.

By Mr. LEAHY (for himself, Mr. COLINS, Mr. SCHUMER, Ms. KLOBUCHAR, Mr. BLUMENTHAL, and Ms. BALDWIN):

S. 296. A bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships; to the Committee on the Judiciary.

By Mr. RUBIO:

S. 297. A bill to amend the Internal Revenue Code of 1986 to allow a credit against

tax for qualified elementary and secondary education tuition; to the Committee on Finance.

By Mr. MENENDEZ (for himself, Mr. CORKER, Mr. CARDIN, Mr. RUBIO, Mrs. FEINSTEIN, Mrs. BOXER, Mr. INHOFE, and Mr. DONNELLY):

S. 298. A bill to prevent nuclear proliferation in North Korea, and for other purposes; to the Committee on Foreign Relations.

By Mr. VITTER (for himself, Mr. GRASSLEY, Mrs. FISCHER, and Mr. SESSIONS):

S. 299. A bill to prohibit appropriated funds from being used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; to the Committee on the Judiciary.

By Mr. VITTER (for himself, Mr. SESSIONS, and Mr. LEE):

S. 300. A bill to prohibit the implementation of any program that grants temporary legal status to, or adjusts the status of, any individual who is unlawfully present in the United States until the Secretary of Homeland Security certifies that the US-VISIT system has been fully implemented at every land, sea, and air port of entry; to the Committee on the Judiciary.

By Mr. VITTER (for himself, Mr. LEE, and Mr. BOOZMAN):

S. 301. A bill to amend section 301 of the Immigration and Nationality Act to clarify those classes of individuals born in the United States who are nationals and citizens of the United States at birth; to the Committee on the Judiciary.

By Mr. VITTER:

S. 302. A bill to amend the Immigration and Nationality Act to make voting in a Federal election by an unlawfully present alien an aggravated felony and for other purposes; to the Committee on the Judiciary.

By Mr. VITTER:

S. 303. A bill to amend the Immigration and Nationality Act to promote innovation, investment, and research in the United States, to eliminate the diversity immigrant program, and for other purposes; to the Committee on the Judiciary.

By Mr. COCHRAN (for himself and Mr. WICKER):

S. 304. A bill to direct the Secretary of the Interior to convey to the State of Mississippi 2 parcels of surplus land within the boundary of the Natchez Trace Parkway, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. COCHRAN (for himself and Mr. WICKER):

S. 305. A bill to authorize the acquisition of core battlefield land at Champion Hill, Port Gibson, and Raymond for addition to Vicksburg National Military Park; to the Committee on Energy and Natural Resources.

By Mr. BARRASSO (for himself, Mr. RISCH, Mr. ENZI, and Mr. CRAPO):

S. 306. A bill to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ (for himself, Mr. LAUTENBERG, Mr. DURBIN, Mr. SCHUMER, Ms. STABENOW, Mr. CARDIN, Mrs. MCCASKILL, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mrs. SHAHEEN, Mr. FRANKEN, Mr. REED, Mr. NELSON, Ms. KLOBUCHAR, Mr. BROWN, Mr. LEAHY, and Mr. MERKLEY):

S. 307. A bill to reduce the Federal budget deficit by closing big oil tax loopholes, and for other purposes; to the Committee on Finance.

By Mr. BEGICH:

S. 308. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to make improvements in the old-age, survivors, and disability insurance program, to provide for cash relief for years for which annual COLAs do not take effect under certain cash benefit programs, and to provide for Social Security benefit protection; to the Committee on Finance.

By Mr. HARKIN (for himself, Mr. COCHRAN, Mr. BEGICH, and Mr. WYDEN):

S. 309. A bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MORAN (for himself, Mr. WARNER, Mr. COONS, and Mr. BLUNT):

S. 310. A bill to jump-start economic recovery through the formation and growth of new businesses, and for other purposes; to the Committee on Finance.

By Ms. LANDRIEU:

S. 311. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating sites in the Lower Mississippi River Area in the State of Louisiana as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. UDALL of New Mexico (for himself and Mr. HEINRICH):

S. 312. A bill to adjust the boundary of the Carson National Forest, New Mexico; to the Committee on Energy and Natural Resources.

By Mr. CASEY (for himself, Mr. BURR, Mr. HARKIN, Mr. CARDIN, Mr. RUBIO, Mr. FRANKEN, Mr. MORAN, Mr. REED, Mr. LEAHY, Mrs. BOXER, Mr. BROWN, Mr. SANDERS, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. BLUNT, Mr. COONS, Mr. JOHANNIS, and Mrs. GILLIBRAND):

S. 313. A bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 314. A bill to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself, Mr. WICKER, Mr. SANDERS, Ms. COLLINS, Mr. MENENDEZ, Mr. ISAKSON, Ms. MIKULSKI, Mr. LEAHY, Mr. LAUTENBERG, and Mr. NELSON):

S. 315. A bill to reauthorize and extend the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SANDERS (for himself, Mr. LEAHY, Mrs. GILLIBRAND, Mr. FRANKEN, Mr. WYDEN, Mr. MERKLEY, Mr. UDALL of New Mexico, and Mr. BROWN):

S. 316. A bill to recalculate and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United States Postal Service prefund the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. JOHANNIS (for himself and Mrs. FISCHER):

S. 317. A bill to require the Inspector General of the Environmental Protection Agency to include certain assessments in reports; to the Committee on Environment and Public Works.

By Mr. JOHANNIS:

S. 318. A bill to rescind funds made available to the Administrator of the Environmental Protection Agency if the Administrator fails to meet certain deadlines; to the Committee on Environment and Public Works.

By Mr. JOHANNIS:

S. 319. A bill to require the Administrator of the Environmental Protection Agency to provide adequate data, modeling, and support in the development of a State implementation plan under the Clean Air Act; to the Committee on Environment and Public Works.

By Mr. JOHANNIS (for himself, Mr. BARRASSO, Mr. PAUL, Ms. COLLINS, Mr. GRASSLEY, Mr. COATS, Mr. JOHNSON of Wisconsin, and Mrs. FISCHER):

S. 320. A bill to amend chapter 8 of title 5, United States Code, to provide for congressional review of agency guidance documents; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WHITEHOUSE (for himself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. LEAHY, Mr. REED, Mr. LAUTENBERG, Mr. LEVIN, Mr. SANDERS, Mr. ROCKEFELLER, Mr. HARKIN, and Mr. FRANKEN):

S. 321. A bill to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers; to the Committee on Finance.

By Mrs. MURRAY (for herself, Mr. FRANKEN, Mr. BEGICH, and Ms. HIRONO):

S. 322. A bill to set the United States on track to ensure children are ready to learn when they begin kindergarten; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself and Mr. COCHRAN):

S. 323. A bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions; to the Committee on Finance.

By Mr. CORNYN (for himself, Mr. MCCONNELL, Mr. ROBERTS, Mr. HATCH, Mr. COCHRAN, Mr. GRASSLEY, Mr. SHELBY, Mr. MCCAIN, Mr. INHOFE, Mr. SESSIONS, Ms. COLLINS, Mr. ENZI, Mr. CRAPO, Ms. MURKOWSKI, Mr. CHAMBLISS, Mr. GRAHAM, Mr. ALEXANDER, Mr. BURR, Mr. COBURN, Mr. THUNE, Mr. ISAKSON, Mr. VITTER, Mr. CORKER, Mr. BARRASSO, Mr. WICKER, Mr. JOHANNIS, Mr. RISCH, Mr. KIRK, Mr. COATS, Mr. BLUNT, Mr. MORAN, Mr. PORTMAN, Mr. BOOZMAN, Mr. TOOMEY, Mr. HOEVEN, Mr. RUBIO, Mr. JOHNSON of Wisconsin, Mr. PAUL, Mr. LEE, Ms. AYOTTE, Mr. HELLER, Mr. SCOTT, Mr. FLAKE, Mr. CRUZ, and Mrs. FISCHER):

S.J. Res. 7. A joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. GILLIBRAND (for herself, Ms. MIKULSKI, Mr. FRANKEN, Ms. LANDRIEU, Mrs. BOXER, Mr. CARDIN, Mr. WHITEHOUSE, Mr. COCHRAN, Mr. LEVIN, Mr. MENENDEZ, Mr. LAUTENBERG, Mr. COONS, Mr. SCHATZ, Mr. BEGICH, Mr. MANCHIN, Mrs. HAGAN, Mrs. SHAHEEN, Mr. CASEY, Mr. BROWN, Mr. WICKER, Mr. UDALL of Colorado, Mr. NELSON, Mr. SCHUMER, Mr. PRYOR, Ms. CANTWELL, Mr. PORTMAN, Mr. ISAKSON, Mr. WYDEN, Mr. WARNER, Mr. MERKLEY, Mr. DURBIN, Mrs. MCCASKILL, Ms. STABENOW, Mrs. FEINSTEIN, Mr. COWAN, and Mr. REED):

S. Res. 31. A resolution celebrating Black History Month; considered and agreed to.

By Mr. HOEVEN (for himself and Ms. HEITKAMP):

S. Res. 32. A resolution congratulating the North Dakota State University football team for winning the 2012 National Collegiate Athletic Association Division I Football Championship Subdivision title; considered and agreed to.

By Mr. MORAN (for himself and Mr. ROBERTS):

S. Res. 33. A resolution commemorating the 150th anniversary of Emporia State University; considered and agreed to.

By Mr. ROBERTS (for himself and Mr. MORAN):

S. Res. 34. A resolution commemorating the 150th anniversary of Kansas State University; considered and agreed to.

ADDITIONAL COSPONSORS

S. 37

At the request of Mr. TESTER, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 37, a bill to sustain the economic development and recreational use of National Forest System land and other public land in the State of Montana, to add certain land to the National Wilderness Preservation System, to release certain wilderness study areas, to designate new areas for recreation, and for other purposes.

S. 119

At the request of Mrs. BOXER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 119, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 153

At the request of Mr. BEGICH, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 153, a bill to amend section 520J of the Public Health Service Act to authorize grants for mental health first aid training programs.

S. 169

At the request of Mr. HATCH, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 169, a bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes.

S. 183

At the request of Mrs. MCCASKILL, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 183, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 210

At the request of Mr. HELLER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 210, a bill to amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals.

S. 234

At the request of Mr. REID, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 234, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 264

At the request of Ms. STABENOW, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 264, a bill to expand access to community mental health centers and improve the quality of mental health care for all Americans.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Mr. JOHANNIS, Mrs. BOXER, and Mr. FRANKEN):

S. 290. A bill to reduce housing-related health hazards, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today I am introducing two bipartisan bills pertaining to healthy housing, the Healthy Housing Council Act and the Title X Amendments Act. These bills seek to improve federal coordination of healthy housing efforts and better integrate healthy housing activities into the ongoing lead poisoning prevention work at the Department of Housing and Urban Development.

The presence of housing-related health hazards is often overlooked or is unable to be addressed, and yet these hazards are sometimes the cause of a variety of preventable diseases and conditions like cancer, lead poisoning, and asthma. While I have been working to address these hazards throughout my tenure in Congress, I was pleased that the Administration last week released its Strategy for Action to Advance Healthy Housing, a multi-department and agency effort to develop con-

sensus-based criteria to address housing hazards that impact the health and habitation of children and families.

This new Strategy for Action calls on Federal agencies to address barriers and disincentives to the delivery of services to improve housing conditions, particularly among low-income families with young children; replicate successful local healthy housing programs on a larger scale; and conduct more research into cost-effective advances in healthy housing programming.

The Title X Amendments Act, S. 290, which I am introducing with Senators JOHANNIS, FRANKEN, and BOXER, and has been in the drafting stages for many months, responds to these calls for action. It would provide HUD with the necessary authority to continue to carry out healthy housing activities while protecting important ongoing lead remediation efforts, allow grantees to improve the conditions in zero-bedroom units, and streamline eligibility for assistance. These are simple, yet necessary reforms designed to improve and expand cost-effective services, and I look forward to working with my colleagues to see them enacted.

It is also vital that we continue the type of collaboration and coordination among Federal departments and agencies, like HUD, HHS, EPA, and CDC, that resulted in the Strategy for Action to Advance Healthy Homes. Indeed, there are many programs fragmented across multiple agencies that are responsible for addressing housing-related health hazards like lead and radon, and we should strive to improve the efficiency and efficacy of these efforts by ensuring that these agencies continue to work together.

The Healthy Housing Council Act, S. 291, which Senator JOHANNIS, FRANKEN, and BOXER have also cosponsored, would establish an independent inter-agency Council on Healthy Housing in the executive branch in order to improve coordination, bring existing efforts out of their respective silos, and reduce duplication.

The bill calls for the council to convene periodic meetings with experts in the public and private sectors to discuss ways to educate individuals and families on how to recognize housing-related health hazards and access the necessary services and preventive measures to combat these hazards. The council would also be required to hold biannual stakeholder meetings, maintain an updated website, and work to unify healthy housing data collection and maintenance.

Our goal for these bills is to help reduce the more than 5.7 million households living in conditions with moderate or severe health hazards, 23 million additional homes with lead-based paint hazards, 14,000 unintentional injury and fire deaths every year that result from housing-related hazards, and

21,000 radon-associated lung cancer deaths every year. Indeed, these numbers contribute to increasing health care costs for individuals and families, as well as for federal, state, and local governments.

Promoting low-cost measures to eliminate subpar housing can make a dramatic and meaningful difference in the lives of children and families and help reduce health care costs. I urge our colleagues to join in supporting these bipartisan bills.

By Mr. LEAHY (for himself, Ms. COLLINS, Mr. SCHUMER, Ms. KLOBUCHAR, Mr. BLUMENTHAL, and Ms. BALDWIN):

S. 296. A bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I am reintroducing the Uniting American Families Act, UAFA, which grants same-sex bi-national couples the same immigration benefits heterosexual couples have long enjoyed. This is the sixth Congress in which I have introduced this legislation, and I am proud to be joined this year by Senator COLLINS, a strong champion for American families. She cosponsored this bill last Congress, and I thank her for her leadership as she joins me as an original cosponsor today.

Preserving family unity is central to our immigration policy. President Obama understands that, which is why I was so pleased to see that he included UAFA as a core tenet of the immigration principles he outlined last month.

Even as American attitudes are changing about the civil rights of gay and lesbian Americans, the so-called Defense of Marriage Act forces many Americans to choose between the country they love and being with the people they love. This destructive policy tears families apart and forces hardworking Americans to make the heart-wrenching choice no American should have to make. Families from Maine to California experience this hardship. In Vermont, I have seen firsthand the unfairness that couples have endured as a result of our current laws and have spoken at length on their struggles in this Chamber. I have heard from a number of Vermonters who have had to make the difficult decision to leave their work and homes in Vermont in order to be able to live with their spouses in more welcoming countries; some whole spouses are legally in the U.S. temporarily but worry daily when they will be required to leave the U.S.;

and some who suffer the heartbreak of a long-distance marriage when their spouses are denied even a visitor visa to spend some time with their spouses in the U.S. The Senate Judiciary Committee heard directly from families like these as well.

Over the past decade, Americans have begun to reject the notion that U.S. citizens who are gay or lesbian should not have their committed relationships recognized by the law and the protections that provides. As of last month, the District of Columbia and nine states, including Connecticut, Iowa, Maine, Maryland, Massachusetts, New Hampshire, New York, Washington, and my home state of Vermont, have legalized same-sex marriage. At the end of the 11th Congress, bipartisan votes in both the Senate and the House reversed the Military's "Don't Ask, Don't Tell" policy, a 17-year-old stricture that barred gay and lesbian service men and women from openly serving in the military. Consistent with the repeal of the "Don't Ask, Don't Tell" policy, just last week the Pentagon signaled that it will begin providing benefits to the same-sex spouses of military personnel. As they have many times in our past and will continue in the future, prevailing American attitudes are progressing toward fairness and justice. The Supreme Court is poised to decide the fate of the Defense of Marriage Act and whether that law, which deprives same-sex couples of over 1,000 Federal benefits and responsibilities, is consistent with our constitutional values.

Many of our friends around the world have embraced immigration equality for same-sex families. Today at least 25 nations, including some of our closest allies, offer immigration benefits to same-sex couples. America should join Argentina, Australia, Belgium, Brazil, Canada, the Czech Republic, Denmark, Finland, France, Germany, Greenland, Hungary, Iceland, Israel, Luxembourg, The Netherlands, New Zealand, Norway, Portugal, Romania, South Africa, Spain, Sweden, Switzerland, and the United Kingdom in leading on this issue of civil rights and respect for the dignity of all families. I hope that Senators who supported this important advancement in our military policy will join me in calling for similar fairness and equality in our immigration laws.

Some opponents of the United American Families Act have argued that it would increase the potential for visa fraud. Of course I share the belief that all immigration applications should be screened for fraud, but I am confident that U.S. Citizenship and Immigration Services will have no more difficulty identifying fraud in same-sex relationships than they do in heterosexual marriages. The penalties for fraud under this bill would be the same as the penalties for marriage fraud. These are very strict penalties: a sentence of

up to 5 years in prison, \$250,000 in fines for the U.S. citizen partner, and deportation for the foreign partner. In addition, in order to qualify as a bi-national couple under UAFA, petitioners must prove that they are at least 18 years of age and in a committed, life-long relationship with another adult. The advancement of American ideals that respect human relationships and family bonds need not and should not be impeded by such fears.

Among developed countries with cultures of respect for human rights and fairness, the United States policy in this regard is not living up to our great traditions of equal treatment under the law. We can and should do better. I hope all Senators will agree that the United States should not have a policy that forces Americans to choose between their country and the ones they love, and I urge members of this body to join Senator COLLINS and me in this effort.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 296

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; AMENDMENTS TO IMMIGRATION AND NATIONALITY ACT; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Uniting American Families Act of 2013".

(b) AMENDMENTS TO IMMIGRATION AND NATIONALITY ACT.—Except as otherwise specifically provided in this Act, if an amendment or repeal is expressed as the amendment or repeal of a section or other provision, the reference shall be considered to be made to that section or provision in the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(c) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; amendments to Immigration and Nationality Act; table of contents.
- Sec. 2. Definitions of permanent partner and permanent partnership.
- Sec. 3. Worldwide level of immigration.
- Sec. 4. Numerical limitations on individual foreign states.
- Sec. 5. Allocation of immigrant visas.
- Sec. 6. Procedure for granting immigrant status.
- Sec. 7. Annual admission of refugees and admission of emergency situation refugees.
- Sec. 8. Asylum.
- Sec. 9. Adjustment of status of refugees.
- Sec. 10. Inadmissible aliens.
- Sec. 11. Nonimmigrant status for permanent partners awaiting the availability of an immigrant visa.
- Sec. 12. Conditional permanent resident status for certain alien spouses, permanent partners, and sons and daughters.
- Sec. 13. Conditional permanent resident status for certain alien entrepreneurs, spouses, permanent partners, and children.
- Sec. 14. Deportable aliens.

Sec. 15. Removal proceedings.

Sec. 16. Cancellation of removal; adjustment of status.

Sec. 17. Adjustment of status of non-immigrant to that of person admitted for permanent residence.

Sec. 18. Application of criminal penalties to for misrepresentation and concealment of facts regarding permanent partnerships.

Sec. 19. Requirements as to residence, good moral character, attachment to the principles of the Constitution.

Sec. 20. Naturalization for permanent partners of citizens.

Sec. 21. Application of family unity provisions to permanent partners of certain LIFE Act beneficiaries.

Sec. 22. Application to Cuban Adjustment Act.

SEC. 2. DEFINITIONS OF PERMANENT PARTNER AND PERMANENT PARTNERSHIP.

Section 101(a) (8 U.S.C. 1101(a)) is amended—

(1) in paragraph (15)(K)(ii), by inserting “or permanent partnership” after “marriage”; and

(2) by adding at the end the following:

“(52) The term ‘permanent partner’ means an individual 18 years of age or older who—
“(A) is in a committed, intimate relationship with another individual 18 years of age or older in which both individuals intend a lifelong commitment;

“(B) is financially interdependent with that other individual;

“(C) is not married to, or in a permanent partnership with, any individual other than that other individual;

“(D) is unable to contract with that other individual a marriage cognizable under this Act; and

“(E) is not a first, second, or third degree blood relation of that other individual.

“(53) The term ‘permanent partnership’ means the relationship that exists between 2 permanent partners.”

SEC. 3. WORLDWIDE LEVEL OF IMMIGRATION.

Section 201(b)(2)(A)(i) (8 U.S.C. 1151(b)(2)(A)(i)) is amended—

(1) by “spouse” each place it appears and inserting “spouse or permanent partner”;

(2) by striking “spouses” and inserting “spouse, permanent partner,”;

(3) by inserting “(or, in the case of a permanent partnership, whose permanent partnership was not terminated)” after “was not legally separated from the citizen”; and

(4) by striking “remarries.” and inserting “remarries or enters a permanent partnership with another person.”

SEC. 4. NUMERICAL LIMITATIONS ON INDIVIDUAL FOREIGN STATES.

(a) PER COUNTRY LEVELS.—Section 202(a)(4) (8 U.S.C. 1152(a)(4)) is amended—

(1) in the paragraph heading, by inserting “, PERMANENT PARTNERS,” after “SPOUSES”;

(2) in the heading of subparagraph (A), by inserting “, PERMANENT PARTNERS,” after “SPOUSES”; and

(3) in the heading of subparagraph (C), by striking “AND DAUGHTERS” inserting “WITHOUT PERMANENT PARTNERS AND UNMARRIED DAUGHTERS WITHOUT PERMANENT PARTNERS”.

(b) RULES FOR CHARGEABILITY.—Section 202(b)(2) (8 U.S.C. 1152(b)(2)) is amended—

(1) by striking “his spouse” and inserting “his or her spouse or permanent partner”;

(2) by striking “such spouse” each place it appears and inserting “such spouse or permanent partner”; and

(3) by inserting “or permanent partners” after “husband and wife”.

SEC. 5. ALLOCATION OF IMMIGRANT VISAS.

(a) PREFERENCE ALLOCATION FOR FAMILY MEMBERS OF PERMANENT RESIDENT ALIENS.—Section 203(a)(2) (8 U.S.C. 1153(a)(2)) is amended—

(1) by striking the paragraph heading and inserting the following:

“(2) SPOUSES, PERMANENT PARTNERS, UNMARRIED SONS WITHOUT PERMANENT PARTNERS, AND UNMARRIED DAUGHTERS WITHOUT PERMANENT PARTNERS OF PERMANENT RESIDENT ALIENS.—”;

(2) in subparagraph (A), by inserting “, permanent partners,” after “spouses”; and

(3) in subparagraph (B), by striking “or unmarried daughters” and inserting “without permanent partners or the unmarried daughters without permanent partners”.

(b) PREFERENCE ALLOCATION FOR SONS AND DAUGHTERS OF CITIZENS.—Section 203(a)(3) (8 U.S.C. 1153(a)(3)) is amended—

(1) by striking the paragraph heading and inserting the following:

“(2) MARRIED SONS AND DAUGHTERS OF CITIZENS AND SONS AND DAUGHTERS WITH PERMANENT PARTNERS OF CITIZENS.—”;

(2) by inserting “, or sons or daughters with permanent partners,” after “daughters”.

(c) EMPLOYMENT CREATION.—Section 203(b)(5)(A)(ii) (8 U.S.C. 1153(b)(5)(A)(ii)) is amended by inserting “permanent partner,” after “spouse,”.

(d) TREATMENT OF FAMILY MEMBERS.—Section 203(d) (8 U.S.C. 1153(d)) is amended—

(1) by inserting “or permanent partner” after “section 101(b)(1)”;

(2) by inserting “, permanent partner,” after “the spouse”.

SEC. 6. PROCEDURE FOR GRANTING IMMIGRANT STATUS.

(a) CLASSIFICATION PETITIONS.—Section 204(a)(1) (8 U.S.C. 1154(a)(1)) is amended—

(1) in subparagraph (A)—

(A) in clause (ii), by inserting “or permanent partner” after “spouse”;

(B) in clause (iii)—

(i) by inserting “or permanent partner” after “spouse” each place it appears; and

(ii) in subclause (I), by inserting “or permanent partnership” after “marriage” each place it appears;

(C) in clause (v)(I), by inserting “permanent partner,” after “is the spouse,”; and

(D) in clause (vi)—

(i) by inserting “or termination of the permanent partnership” after “divorce”; and

(ii) by inserting “, permanent partner,” after “spouse”; and

(2) in subparagraph (B)—

(A) by inserting “or permanent partner” after “spouse” each place it appears; and

(B) in clause (ii)—

(i) in subclause (I)(aa), by inserting “or permanent partnership” after “marriage”;

(ii) in subclause (I)(bb), by inserting “or permanent partnership” after “marriage” the first place it appears; and

(iii) in subclause (II)(aa), by inserting “(or the termination of the permanent partnership)” after “termination of the marriage”.

(b) IMMIGRATION FRAUD PREVENTION.—Section 204(c) (8 U.S.C. 1154(c)) is amended—

(1) by inserting “or permanent partner” after “spouse” each place it appears; and

(2) by inserting “or permanent partnership” after “marriage” each place it appears.

SEC. 7. ANNUAL ADMISSION OF REFUGEES AND ADMISSION OF EMERGENCY SITUATION REFUGEES.

Section 207(c) (8 U.S.C. 1157(c)) is amended—

(1) in paragraph (2)—

(A) by inserting “, permanent partner,” after “spouse” each place it appears; and

(B) by inserting “, permanent partner’s,” after “spouses”; and

(2) in paragraph (4), by inserting “, permanent partner,” after “spouse”.

SEC. 8. ASYLUM.

Section 208(b)(3) (8 U.S.C. 1158(b)(3)) is amended—

(1) in the paragraph heading, by inserting “, PERMANENT PARTNER,” after “SPOUSE”; and

(2) in subparagraph (A), by inserting “, permanent partner,” after “spouse”.

SEC. 9. ADJUSTMENT OF STATUS OF REFUGEES.

Section 209(b)(3) (8 U.S.C. 1159(b)(3)) is amended by inserting “, permanent partner,” after “spouse”.

SEC. 10. INADMISSIBLE ALIENS.

(a) CLASSES OF ALIENS INELIGIBLE FOR VISAS OR ADMISSION.—Section 212(a) (8 U.S.C. 1182(a)) is amended—

(1) in paragraph (3)(D)(iv), by inserting “permanent partner,” after “spouse,”;

(2) in paragraph (4)(C)(i)(I), by inserting “, permanent partner,” after “spouse”;

(3) in paragraph (6)(E)(ii), by inserting “permanent partner,” after “spouse,”; and

(4) in paragraph (9)(B)(v), by inserting “, permanent partner,” after “spouse”.

(b) WAIVERS.—Section 212(d) (8 U.S.C. 1182(d)) is amended—

(1) in paragraph (11), by inserting “permanent partner,” after “spouse,”; and

(2) in paragraph (12), by inserting “, permanent partner,” after “spouse”.

(c) WAIVERS OF INADMISSIBILITY ON HEALTH-RELATED GROUNDS.—Section 212(g)(1)(A) (8 U.S.C. 1182(g)(1)(A)) is amended by inserting “, permanent partner,” after “spouse”.

(d) WAIVERS OF INADMISSIBILITY ON CRIMINAL AND RELATED GROUNDS.—Section 212(h)(1)(B) (8 U.S.C. 1182(h)(1)(B)) is amended by inserting “permanent partner,” after “spouse,”.

(e) WAIVER OF INADMISSIBILITY FOR MISREPRESENTATION.—Section 212(i)(1) (8 U.S.C. 1182(i)(1)) is amended by inserting “permanent partner,” after “spouse,”.

SEC. 11. NONIMMIGRANT STATUS FOR PERMANENT PARTNERS AWAITING THE AVAILABILITY OF AN IMMIGRANT VISA.

Section 214(r) (8 U.S.C. 1184(r)) is amended—

(1) in paragraph (1), by inserting “or permanent partner” after “spouse”; and

(2) in paragraph (2), by inserting “or permanent partnership” after “marriage” each place it appears.

SEC. 12. CONDITIONAL PERMANENT RESIDENT STATUS FOR CERTAIN ALIEN SPOUSES, PERMANENT PARTNERS, AND SONS AND DAUGHTERS.

(a) SECTION HEADING.—

(1) IN GENERAL.—The heading for section 216 (8 U.S.C. 1186a) is amended by striking “AND SONS” and inserting “, PERMANENT PARTNERS, SONS,”.

(2) CLERICAL AMENDMENT.—The table of contents is amended by amending the item relating to section 216 to read as follows:

“Sec. 216. Conditional permanent resident status for certain alien spouses, permanent partners, sons, and daughters.”

(b) IN GENERAL.—Section 216(a) (8 U.S.C. 1186a(a)) is amended—

(1) in paragraph (1), by inserting “or permanent partner” after “spouse”; and

(2) in paragraph (2)—

(A) in subparagraph (A), by inserting “or permanent partner” after “spouse”;

(B) in subparagraph (B), by inserting “permanent partner,” after “spouse,”; and

(C) in subparagraph (C), by inserting “permanent partner,” after “spouse,”.

(c) **TERMINATION OF STATUS IF FINDING THAT QUALIFYING MARRIAGE IMPROPER.**—Section 216(b) (8 U.S.C. 1186a(b)) is amended—

(1) in the subsection heading, by inserting “OR PERMANENT PARTNERSHIP” after “MARRIAGE”; and

(2) in paragraph (1)(A)—

(A) by inserting “or permanent partnership” after “marriage”; and

(B) in clause (ii)—

(i) by inserting “or has ceased to satisfy the criteria for being considered a permanent partnership under this Act,” after “terminated,”; and

(ii) by inserting “or permanent partner” after “spouse”.

(d) **REQUIREMENTS OF TIMELY PETITION AND INTERVIEW FOR REMOVAL OF CONDITION.**—Section 216(c) (8 U.S.C. 1186a(c)) is amended—

(1) in paragraphs (1), (2)(A)(ii), (3)(A)(ii), (3)(C), (4)(B), and (4)(C), by inserting “or permanent partner” after “spouse” each place it appears; and

(2) in paragraph (3)(A), (3)(D), (4)(B), and (4)(C), by inserting “or permanent partnership” after “marriage” each place it appears.

(e) **CONTENTS OF PETITION.**—Section 216(d)(1) (8 U.S.C. 1186a(d)(1)) is amended—

(1) in subparagraph (A)—

(A) in the heading, by inserting “OR PERMANENT PARTNERSHIP” after “MARRIAGE”; and

(B) in clause (i)—

(i) by inserting “or permanent partnership” after “marriage”; and

(ii) in subclause (I), by inserting before the comma at the end “, or is a permanent partnership recognized under this Act”; and

(iii) in subclause (II)—

(I) by inserting “or has not ceased to satisfy the criteria for being considered a permanent partnership under this Act,” after “terminated,”; and

(II) by inserting “or permanent partner” after “spouse”; and

(C) in clause (ii), by inserting “or permanent partner” after “spouse”; and

(2) in subparagraph (B)(i)—

(A) by inserting “or permanent partnership” after “marriage”; and

(B) by inserting “or permanent partner” after “spouse”.

(f) **DEFINITIONS.**—Section 216(g) (8 U.S.C. 1186a(g)) is amended—

(1) in paragraph (1)—

(A) by inserting “or permanent partner” after “spouse” each place it appears; and

(B) by inserting “or permanent partnership” after “marriage” each place it appears;

(2) in paragraph (2), by inserting “or permanent partnership” after “marriage”; and

(3) in paragraph (3), by inserting “or permanent partnership” after “marriage”; and

(4) in paragraph (4)—

(A) by inserting “or permanent partner” after “spouse” each place it appears; and

(B) by inserting “or permanent partnership” after “marriage”.

SEC. 13. CONDITIONAL PERMANENT RESIDENT STATUS FOR CERTAIN ALIEN ENTREPRENEURS, SPOUSES, PERMANENT PARTNERS, AND CHILDREN.

(a) **IN GENERAL.**—Section 216A (8 U.S.C. 1186b) is amended—

(1) in the section heading, by inserting “, PERMANENT PARTNERS,” after “SPOUSES”; and

(2) in paragraphs (1), (2)(A), (2)(B), and (2)(C), by inserting “or permanent partner” after “spouse” each place it appears.

(b) **TERMINATION OF STATUS IF FINDING THAT QUALIFYING ENTREPRENEURSHIP IMPROPER.**—Section 216A(b)(1) (8 U.S.C. 1186b(b)(1)) is amended by inserting “or permanent partner” after “spouse” in the matter following subparagraph (C).

(c) **REQUIREMENTS OF TIMELY PETITION AND INTERVIEW FOR REMOVAL OF CONDITION.**—Section 216A(c) (8 U.S.C. 1186b(c)) is amended, in paragraphs (1), (2)(A)(ii), and (3)(C), by inserting “or permanent partner” after “spouse”.

(d) **DEFINITIONS.**—Section 216A(f)(2) (8 U.S.C. 1186b(f)(2)) is amended by inserting “or permanent partner” after “spouse” each place it appears.

(e) **CLERICAL AMENDMENT.**—The table of contents is amended by amending the item relating to section 216A to read as follows:

“Sec. 216A. Conditional permanent resident status for certain alien entrepreneurs, spouses, permanent partners, and children.”.

SEC. 14. DEPORTABLE ALIENS.

Section 237(a)(1) (8 U.S.C. 1227(a)(1)) is amended—

(1) in subparagraph (D)(i), by inserting “or permanent partners” after “spouses” each place it appears;

(2) in subparagraphs (E)(ii), (E)(iii), and (H)(i)(I), by inserting “or permanent partner” after “spouse”; and

(3) by inserting after subparagraph (E) the following:

“(F) **PERMANENT PARTNERSHIP FRAUD.**—An alien shall be considered to be deportable as having procured a visa or other documentation by fraud (within the meaning of section 212(a)(6)(C)(i)) and to be in the United States in violation of this Act (within the meaning of subparagraph (B)) if—

“(i) the alien obtains any admission to the United States with an immigrant visa or other documentation procured on the basis of a permanent partnership entered into less than 2 years before such admission and which, within 2 years subsequent to such admission, is terminated because the criteria for permanent partnership are no longer fulfilled, unless the alien establishes to the satisfaction of the Secretary of Homeland Security that such permanent partnership was not contracted for the purpose of evading any provision of the immigration laws; or

“(ii) it appears to the satisfaction of the Secretary of Homeland Security that the alien has failed or refused to fulfill the alien’s permanent partnership, which the Secretary of Homeland Security determines was made for the purpose of procuring the alien’s admission as an immigrant.”; and

(4) in paragraphs (2)(E)(i) and (3)(C)(ii), by inserting “or permanent partner” after “spouse” each place it appears.

SEC. 15. REMOVAL PROCEEDINGS.

Section 240 (8 U.S.C. 1229a) is amended—

(1) in the heading of subsection (c)(7)(C)(iv), by inserting “PERMANENT PARTNERS,” after “SPOUSES,”; and

(2) in subsection (e)(1), by inserting “permanent partner,” after “spouse.”.

SEC. 16. CANCELLATION OF REMOVAL; ADJUSTMENT OF STATUS.

Section 240A(b) (8 U.S.C. 1229b(b)) is amended—

(1) in paragraph (1)(D), by inserting “or permanent partner” after “spouse”; and

(2) in paragraph (2)—

(A) in the paragraph heading, by inserting “, PERMANENT PARTNER,” after “SPOUSE”; and

(B) in subparagraph (A), by inserting “, permanent partner,” after “spouse” each place it appears.

SEC. 17. ADJUSTMENT OF STATUS OF NON-IMMIGRANT TO THAT OF PERSON ADMITTED FOR PERMANENT RESIDENCE.

(a) **PROHIBITION ON ADJUSTMENT OF STATUS.**—Section 245(d) (8 U.S.C. 1255(d)) is amended by inserting “or permanent partnership” after “marriage”.

(b) **AVOIDING IMMIGRATION FRAUD.**—Section 245(e) (8 U.S.C. 1255(e)) is amended—

(1) in paragraph (1), by inserting “or permanent partnership” after “marriage”; and

(2) by adding at the end the following:

“(4)(A) Paragraph (1) and section 204(g) shall not apply with respect to a permanent partnership if the alien establishes by clear and convincing evidence to the satisfaction of the Secretary of Homeland Security that—

“(i) the permanent partnership was entered into in good faith and in accordance with section 101(a)(52);

“(ii) the permanent partnership was not entered into for the purpose of procuring the alien’s admission as an immigrant; and

“(iii) no fee or other consideration was given (other than a fee or other consideration to an attorney for assistance in preparation of a lawful petition) for the filing of a petition under section 204(a) or 214(d) with respect to the alien permanent partner.”.

“(B) The Secretary shall promulgate regulations that provide for only 1 level of administrative appellate review for each alien under subparagraph (A).”.

(c) **ADJUSTMENT OF STATUS FOR CERTAIN ALIENS PAYING FEE.**—Section 245(i)(1)(B) (8 U.S.C. 1255(i)(1)(B)) is amended by inserting “, permanent partner,” after “spouse”.

SEC. 18. APPLICATION OF CRIMINAL PENALTIES TO FOR MISREPRESENTATION AND CONCEALMENT OF FACTS REGARDING PERMANENT PARTNERSHIPS.

Section 275(c) (8 U.S.C. 1325(c)) is amended to read as follows:

“(c) Any individual who knowingly enters into a marriage or permanent partnership for the purpose of evading any provision of the immigration laws shall be imprisoned for not more than 5 years, fined not more than \$250,000, or both.”.

SEC. 19. REQUIREMENTS AS TO RESIDENCE, GOOD MORAL CHARACTER, ATTACHMENT TO THE PRINCIPLES OF THE CONSTITUTION.

Section 316(b) (8 U.S.C. 1427(b)) is amended by inserting “, permanent partner,” after “spouse”.

SEC. 20. NATURALIZATION FOR PERMANENT PARTNERS OF CITIZENS.

(a) **IN GENERAL.**—Section 319 (8 U.S.C. 1430) is amended—

(1) in subsection (a)—

(A) by inserting “or permanent partner” after “spouse” each place it appears; and

(B) by inserting “or permanent partnership” after “marital union”; and

(2) in subsection (b)—

(A) in paragraph (1), by inserting “or permanent partner” after “spouse”; and

(B) in paragraph (3), by inserting “or permanent partner” after “spouse”; and

(3) in subsection (d)—

(A) by inserting “or permanent partner” after “spouse” each place it appears; and

(B) by inserting “or permanent partnership” after “marital union”; and

(4) in subsection (e)(1)—

(A) by inserting “or permanent partner” after “spouse”;

(B) by inserting “by the Secretary of Defense” after “is authorized”; and

(C) by inserting “or permanent partnership” after “marital union”; and

(5) in subsection (e)(2), by inserting “or permanent partner” after “spouse”.

(b) **SAVINGS PROVISION.**—Section 319(e) (8 U.S.C. 1430(e)) is amended by adding at the end the following:

“(3) Nothing in this subsection may be construed to confer a right for an alien to accompany a member of the Armed Forces of the United States or to reside abroad with

such member, except as authorized by the Secretary of Defense in the member's official orders."

SEC. 21. APPLICATION OF FAMILY UNITY PROVISIONS TO PERMANENT PARTNERS OF CERTAIN LIFE ACT BENEFICIARIES.

Section 1504 of the LIFE Act Amendments of 2000 (division B of Public Law 106-554; 114 Stat. 2763-325) is amended—

(1) in the heading, by inserting "**PERMANENT PARTNERS**," after "**SPOUSES**";

(2) in subsection (a), by inserting "**permanent partner**," after "**spouse**"; and

(3) in each of subsections (b) and (c)—

(A) in each of the subsection headings, by inserting "**PERMANENT PARTNERS**," after "**SPOUSES**"; and

(B) by inserting "**permanent partner**," after "**spouse**" each place it appears.

SEC. 22. APPLICATION TO CUBAN ADJUSTMENT ACT.

(a) IN GENERAL.—The first section of Public Law 89-732 (8 U.S.C. 1255 note) is amended—

(1) in the next to last sentence, by inserting "**permanent partner**," after "**spouse**" the first 2 places it appears; and

(2) in the last sentence, by inserting "**permanent partners**," after "**spouses**".

(b) CONFORMING AMENDMENT.—Section 101(a)(51)(D) (8 U.S.C. 1101(a)(51)(D)) is amended by striking "**or spouse**" and inserting "**spouse, or permanent partner**".

By Ms. LANDRIEU:

S. 311. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating sites in the Lower Mississippi River Area in the State of Louisiana as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. LANDRIEU. Mr. President, I rise today to introduce legislation entitled the Lower Mississippi River National Historic Site Study Act. This bill will direct the Secretary of the Interior to study the suitability and feasibility of designating sites in Plaquemines Parish along the Lower Mississippi River Area as units of the National Park System. I know there are several of my colleagues across the aisle that do not want to authorize such studies because they only target one area, or because it potentially will cost the Federal Government a modest amount to conduct such a study. I can appreciate those sentiments, but the good news with this particular study, is that the local government feels this is so important to get done, they are willing to pay for all or some of the study if necessary, because they know these sites deserve Federal recognition as a unit of the National Park Service.

This area in Southeastern Louisiana has contributed much to our Nation's history, and there are many stories that have yet to be preserved for future generations. Unless Congress acts to preserve these historical assets, they will be lost forever. That is why I am again for the fourth time, introducing this legislation. It is important that this legislation become law and I look forward to working with my colleagues to enact it.

In order to be designated as a unit in the National Park System, the Department of the Interior must first conduct a special resources study to determine whether an area possesses nationally significant natural, cultural or recreational resources to be eligible for favorable consideration.

This is exactly what my bill does—it asks the Department of the Interior to take the first step in determining what I already know—that the Lower Mississippi River Area would be a suitable and feasible asset to the National Park Service.

As many from Louisiana are already aware, this area has vast historical significance with cultural history. In the 1500s, Spanish explorers traveled along the banks of the river. In 1682, Robert de LaSalle claimed all the land drained by the area. In 1699, the site of the first fortification on the Lower Mississippi river, known as Fort Mississippi. Since then, it has been home to ten different fortifications, including Fort St. Philip and Fort Jackson.

Fort St. Philip, which was originally built in 1749, played a key role during the Battle of New Orleans when American soldiers blocked the British Navy from going upriver. Fort Jackson was built at the request of General Andrew Jackson and partially constructed by famous local Civil War General, P.G.T. Beauregard. This fort was the site of the famous Civil War battle known as the "Battle of Forts" which is also referred to as the "night the war was lost." As you can see, from a historical perspective, this area has many treasures that provide a glimpse into our past. These are treasures that have national significance and they should be maintained and preserved.

In addition, there are many other important and unique attributes to this area. This area is home to the longest continuous river road and levee system in the U.S. It is also home to the ancient Head of Passes site, to the Plaquemines Bend, and to two National Wildlife Refuges.

Finally, this area has a rich cultural heritage. Over the years, many different cultures have made this area home, including Creoles, Europeans, Indians, Yugoslavs, African-Americans and Vietnamese. These cultures have worked together to create the infrastructure for the transport of our Nation's energy, which is being produced by these same people off our shores in the Gulf of Mexico. They have also created a vibrant fishing industry that contributes to Louisiana's economy.

I think it is easy to see why this area would make an excellent addition to the National Park Service. However, the longer Congress takes to act, the greater the opportunity for these treasures and their rich history to erode away. Unfortunately, this area has weathered the passing of several hurricanes, including Katrina and most re-

cently Isaac, and is now suffering from the impacts of the BP oil spill. All of these events threaten to destroy these historical assets, but this need not be the case. These assets need protection and this is the first step in securing it. That is why I am re-introducing this bill—to conduct a study to determine the suitability and feasibility of including this area in the system and ultimately to begin the process of adding this area as a unit of the National Park Service. I look forward to working with my colleagues to quickly enact this bill.

By Mr. JOHANNIS (for himself and Mrs. FISCHER):

S. 317. A bill to require the Inspector General of the Environmental Protection Agency to include certain assessments in reports; to the Committee on Environment and Public Works.

Mr. JOHANNIS. Mr. President, I rise today to discuss changes needed at the Environmental Protection Agency to rebuild public trust and transparency.

The reviews of this agency are almost unanimous from my constituents in Nebraska. Quite frankly, my constituents are frustrated, and sometimes just plain angry. While the details and specific issues will vary from one industry to another, the theme seems to always be the same: Nebraskans think EPA doesn't understand domestic businesses, nor do they understand job creation—from specific industries, to their employees, to their customers. They think the agency is not transparent, is arrogant, and often-times unresponsive. I hear this from ag producers, I hear it from the construction industry, I hear it from electricity providers, I hear it from city managers and mayors.

Do you know what else. These folks don't speak with an R or a D beside their name but, rather, an A for American. Their message is loud, it is very clear, and it is unmistakable: EPA is overreaching, overbearing, and overstepping boundaries that have long existed. The request is always the same. They ask: Senator, what can you do? What can you do to change how they act?

Nebraskans' frustration is driven by both what EPA is trying to do—meaning the content of their rules and standards—as well as how the agency is making its decisions. So today I will be introducing several proposals to address these two areas.

My first proposal addresses how EPA conducts business by increasing transparency in policy decisions. I am introducing a bill that brings agency guidance documents under the coverage of the Congressional Review Act. As currently written, the CRA covers only substantial agency rules. Meanwhile, EPA has made use of what they call guidance documents to simply circumvent the accountability that comes

with the rulemaking process, while still making major policy changes. Using guidance documents also shields the policy change from being reversed by Congress under the Congressional Review Act.

Perhaps, though, the most obvious example was the use of a guidance document to expand the regulatory reach of EPA and the Corps of Engineers over bodies of water not currently covered. They did this by expanding the definition of “waters of the United States” under the Clean Water Act. The changes are extremely controversial, so the agencies chose a path that intentionally minimized oversight and legal responsibility. In other words, they did an end-run around us—they did an end-run around the American people and Congress.

My bill closes this loophole by ensuring that guidance documents are covered by the Congressional Review Act just as similar regulations would be.

Senators Barrasso, Grassley, Paul, Coats, and Fischer have agreed to co-sponsor this commonsense change, and I want to say thank you to them for this critical support.

The idea behind this is simple and straightforward: Major policy changes pursued through the use of guidance documents need to come here. They need to have our scrutiny, the scrutiny of the public, and the congressional oversight rules need to apply. It is that straightforward.

My second proposal likewise promotes transparency by addressing how the agency responds to our States. It says simply this: If a State is developing its plan to implement a rule or a standard established by the EPA under the Clean Air Act, any reasonable request that a State makes to the agency for technical support, data, or modeling must be honored.

Here is why this is important: State governments are equal partners in much of the work the EPA does. That is the law. In fact, the law specifically recognizes the prominent role States have. Section 101 of the Clean Air Act, for example, notes that:

... air pollution control at its source is the primary responsibility of States and local governments.

The law further declares that its purpose is, in part:

... to provide technical and financial assistance to State and local governments in connection with the development and execution of their air pollution prevention and control programs.

Also, section 101 of the Federal Water Pollution Control Act declares:

It is the policy of the Congress to recognize, preserve, and protect the primary responsibilities and rights of States to prevent, reduce, and eliminate pollution . . .

Unfortunately, the EPA is not honoring that language—although it is abundantly clear—and is instead treating State agencies as second-class citi-

zens. For evidence of this, we need look no farther than the text of a recent court opinion.

In a case last year involving the Clean Air Act, the DC Circuit Court of Appeals ultimately struck down an EPA rule known as the Cross-State Air Pollution Rule or the transport rule. Here is what the court said:

(t)he Federal Government sets air quality standards for pollutants. The States have the primary responsibility for determining how to meet those standards and regulating sources within their borders.

Well, the trouble, according to the opinion, is that the EPA ignored the law. That is truly what the court ruled: EPA snubbed their nose at us, Congress, and therefore the law. It did not give the States the time needed to develop a plan to meet the standards. Instead, EPA tried to force-feed States the implementation plan EPA developed.

I can say with some certainty that my home State of Nebraska is much better off when allowed to develop a plan tailored to our State, rather than to accept a “one size fits all,” “my way or the highway,” overreaching Federal plan.

The court explained it this way:

... (t)he Clean Air Act affords States the initial opportunity to implement reductions required by EPA under the good neighbor provision. But here, where EPA quantified States’ good neighbor obligations, it did not allow the States the initial opportunity to implement the required reductions with respect to sources within their borders.

The court’s conclusion in turn was absolutely and abundantly clear:

... EPA’s Transport Rule violates federal law. Therefore, the rule must be vacated.

That is the holding of the court.

My bill targets the relationship between EPA and the States, and takes steps to restore the equal footing that has been eroded over the past several years by the EPA. My bill says, very simply, if a State has a question about the data or the modeling driving a standard, the EPA cannot shut them out or slow-walk their request. They have to be responsive. So no more hiding the ball, as the saying goes, just simple transparency and a true partner working relationship.

The third good government bill I am introducing addresses broad frustration with what I would call the EPA bombshells. By that I mean the agency’s failure to obey current law directing them to publish regulatory agendas. This is remarkable. It is remarkable that EPA continues to struggle with telling the public what rules are coming. But they do.

As a child, I always enjoyed birthday parties and all the surprises. But EPA regulations are no party for people, and they shouldn’t come as a surprise.

Well, it turns out that several executive orders and existing statutes instruct EPA to tell the public what ex-

actly is on its regulatory agenda. Section 602 of the Regulatory Flexibility Act, for example, requires the agencies to publish:

During the months of October and April of each year . . . a regulatory flexibility agenda which shall contain a brief description of the subject area of any rule which the agency expects to propose . . .

Also, Executive Order 12866 requires the EPA to update its regulatory agenda twice a year.

These updates are supposed to be published in a document known as the Unified Agenda. It seems clear to me; unfortunately, not clear to EPA. EPA has ignored these requirements. It failed to publish an agenda in the spring of 2012, it published nothing in October, and then waited until December 2012 to publish anything at all. That is not acceptable. The administration simply played hide-the-ball until after the election.

My bill instructs the EPA Office of Inspector General—known as EPA’s OIG—to assess whether EPA obeys the law and publishes its regulatory agenda according to deadlines. The OIG is tasked with reviewing what EPA does and reporting on problems, abuses, and efficiencies. My legislation simply directs the OIG to include in its reports a tally of whether EPA has met its legal requirements to publish planned regulations.

My point here is that EPA simply needs to meet its legal requirements. It needs to be transparent, which means simply to be honest with the American people about new regulations it is planning.

My fourth and final EPA bill puts some teeth behind my request that the agency deal with the American people in an honest way. It shouldn’t be needed, but it is. It simply says we will reduce EPA’s budget if the agency fails to meet its legal deadlines for regulatory agenda setting. If a deadline passes and the agency has not published its agenda, then the Office of the Administrator loses \$20,000 per week until the deadline is met. If this approach sounds familiar, that is because this bill is modeled after a provision in the highway bill that passed with substantial bipartisan margins in both the Senate and the House last year. Section 1306 of the highway bill authorizes the rescission of \$20,000 per week from agencies that fail to complete documents required by transportation projects. The rationale is straightforward and accepted by Congress: If an agency does not complete its work according to reasonable schedules, then the budget gets decreased.

I have outlined four commonsense solutions designed to respond to reasonable concerns of real people and to respond to their heartfelt frustration with this agency. But, above all, they promote transparency and they promote responsible government.

I urge my colleagues to assist and co-sponsor these proposals that bring transparency and a dose of reality to an out-of-control Federal agency.

By Mr. DURBIN (for himself and Mr. COCHRAN):

S. 323. A bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions; to the Committee on Finance.

Mr. DURBIN. Mr. President, today I am introducing the Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act with my colleague Senator THAD COCHRAN.

More than 26 million American adults are living with chronic kidney disease. Fortunately, many of these individuals are able to improve their condition through medication and lifestyle change.

But more than half of a million Americans live with irreversible kidney failure or end-stage renal disease. They have only two choices to survive—both of them hard. They can receive regular and frequent dialysis or they can receive a kidney transplant.

In 1972, Congress made a commitment to individuals with end-stage renal disease, or ESRD, to cover the treatment they needed, including possible transplants, under Medicare, regardless of their age.

Organ transplantation is a medical success story. Thousands of kidney transplants are done every year, and for the patients fortunate enough to receive a donated organ, the quality and length of their lives can be dramatically improved.

But not everyone who needs a donated kidney receives one. There are currently more than 100,000 Americans on the waiting list for a kidney transplant.

Last year, 15,000 transplants were performed while more than 30,000 people were added to that waitlist.

Derek Haney is one of the lucky ones who beat those odds and received a kidney transplant.

Derek is a brave young man raised in Effingham, IL, a small city in central Illinois.

In 2008 the unexpected happened. Derek became chronically ill. After regular trips to the hospital, Derek's doctors discovered that his kidneys were only functioning at 10 percent. At the age of 23, Derek was diagnosed with end stage renal disease.

For the next two and a half years of his life, Derek underwent dialysis. Three times a week he would go in a 4-hour dialysis treatment, while he waited for a kidney. The dialysis treatments meant that Derek had to put his college plans on hold, but he continued to work full-time and never gave up hope.

On July 15, 2010, Derek got his new kidney.

Two and a half years later, Derek is still healthy. He is pursuing a degree in business administration at a local community college. He hopes to transfer soon to a university where he can work toward a CPA license.

Fortunately for Derek and his family, Medicare covered the expense of dialysis—more than \$75,000 a year for 2½ years. Medicare also paid for Derek's kidney transplant at a cost of about \$110,000.

For the last two and a half years, Medicare has covered the expensive immunosuppressive medication Derek must take for the rest of his life to ensure that his body doesn't reject his new kidney.

Here's the problem: Derek's Medicare coverage runs out in July.

Without Medicare coverage, Derek will be burdened with prescription drug costs of roughly \$1500 per month—more than he and almost any family could afford.

There is an unfair and unrealistic gap in coverage for people with end stage renal disease who, like Derek, are neither elderly nor disabled.

For those transplant recipients, Medicare coverage, including coverage of immunosuppressive drugs, ends 36 months after transplantation.

If only the need to continue the immunosuppressive drugs also ended 36 months after transplantation. But it doesn't.

Without immunosuppressive drugs to prevent rejection, many patients find themselves back in a risky and frightening place—in need of a new kidney.

A recent New England Journal of Medicine report estimates that extending immunosuppressive drug coverage to people who now lose it after 36 months will save Medicare approximately \$200 million a year by helping to prevent kidney rejections.

Extending immunosuppressive drug coverage saves lives and it saves money.

Sadly, Derek isn't alone. It is estimated that over 45,000 successful transplant recipients are at risk of losing their immunosuppressive drug coverage.

This makes no sense morally, medically or economically.

I am pleased to join my Republican colleague, Senator COCHRAN, in introducing the Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act.

This bipartisan legislation would allow kidney transplant recipients to continue Medicare coverage for the purpose of immunosuppressive drugs only. All other Medicare coverage would end 36 months after the transplant.

Our legislation will reduce the need for dialysis and repeated kidney transplants. It will provide reliable, sus-

tained access to critically important, life-saving medications for thousands of Americans.

In both moral and economic terms, this is the right decision and I urge our colleagues to join us in passing this reasonable, targeted, lifesaving bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 323

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act of 2013".

SEC. 2. EXTENDED MONTHS OF COVERAGE OF IMMUNOSUPPRESSIVE DRUGS FOR KIDNEY TRANSPLANT PATIENTS AND OTHER RENAL DIALYSIS PROVISIONS.

(a) MEDICARE ENTITLEMENT TO IMMUNOSUPPRESSIVE DRUGS FOR KIDNEY TRANSPLANT RECIPIENTS.—

(1) KIDNEY TRANSPLANT RECIPIENTS.—Section 226A(b)(2) of the Social Security Act (42 U.S.C. 426-1(b)(2)) is amended by inserting "(except for eligibility for enrollment under part B solely for purposes of coverage of immunosuppressive drugs described in section 1861(s)(2)(J))" before ", with the thirty-sixth month".

(2) INDIVIDUALS ELIGIBLE ONLY FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—

(A) Section 1836 of the Social Security Act (42 U.S.C. 1395o) is amended—

(i) by striking "Every" and inserting "(a) IN GENERAL.—Every"; and

(ii) by inserting at the end the following new subsection:

"(b) INDIVIDUALS ELIGIBLE FOR IMMUNOSUPPRESSIVE DRUG COVERAGE.—Beginning on January 1, 2014, every individual whose insurance benefits under part A have ended (whether before, on, or after such date) by reason of section 226A(b)(2) is eligible for enrollment in the insurance program established by this part solely for purposes of coverage of immunosuppressive drugs."

(B) CONFORMING AMENDMENT.—Sections 1837, 1838, and 1839 of the Social Security Act (42 U.S.C. 1395(p), 42 U.S.C. 1395(q), 42 U.S.C. 1395(r)) are each amended by striking "1836" and inserting "1836(a)" each place it appears.

(3) ENROLLMENT FOR INDIVIDUALS ONLY ELIGIBLE FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—Section 1837 of the Social Security Act (42 U.S.C. 1395(p)) is amended by adding at the end the following new subsection:

"(m)(1) Any individual who is eligible under section 1836(b) to enroll in the medical insurance program established under this part for purposes of coverage of immunosuppressive drugs may enroll only in such manner and form as may be prescribed by regulations, and only during an enrollment period described in this subsection.

"(2) An individual described in paragraph (1) may enroll beginning on the first day of the third month before the month in which the individual first satisfies section 1836(b).

"(3) An individual described in paragraph (1) whose entitlement for hospital insurance benefits under part A ends by reason of section 226A(b)(2) on or after January 1, 2014, shall be deemed to have enrolled in the medical insurance program established by this

part for purposes of coverage of immunosuppressive drugs.”.

(4) COVERAGE PERIOD FOR INDIVIDUALS ONLY ELIGIBLE FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—

(A) IN GENERAL.—Section 1838 of the Social Security Act (42 U.S.C. 1395q) is amended by adding at the end the following new subsection:

“(g) In the case of an individual described in section 1836(b), the following rules shall apply:

“(1) In the case of such an individual who is deemed to have enrolled in part B for coverage of immunosuppressive drugs under section 1837(m)(3), such individual’s coverage period shall begin on the first day of the month in which the individual first satisfies section 1836(b).

“(2) In the case of such an individual who enrolls in part B for coverage of immunosuppressive drugs under section 1837(m)(2), such individual’s coverage period shall begin on the first day of the month in which the individual first satisfies section 1836(b) or the month following the month in which the individual so enrolls, whichever is later.

“(3) The provisions of subsections (b) and (d) shall apply with respect to an individual described in paragraph (1) or (2).

“(4) In addition to the reasons for termination under subsection (b), the coverage period of an individual described in paragraph (1) or (2) shall end when the individual becomes entitled to benefits under this title under section 226(a), 226(b), or 226A.”.

(B) CONFORMING AMENDMENTS.—Section 1838(b) of the Social Security Act (42 U.S.C. 1395q(b)) is amended, in the matter following paragraph (2), by adding “or section 1837(m)(3)” after “section 1837(f)” each place it appears.

(5) PREMIUMS FOR INDIVIDUALS ONLY ELIGIBLE FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—Section 1839 of the Social Security Act (42 U.S.C. 1395r) is amended—

(A) in subsection (b), by adding at the end the following new sentence: “No increase in the premium shall be effected for individuals who are enrolled pursuant to section 1836(b) for coverage only of immunosuppressive drugs.”; and

(B) by adding at the end the following new subsection:

“(j) DETERMINATION OF PREMIUM FOR INDIVIDUALS ONLY ELIGIBLE FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—The Secretary shall, during September of each year, determine and promulgate a monthly premium rate for the succeeding calendar year for individuals who enroll only for the purpose of coverage of immunosuppressive drugs under section 1836(b). Such premium shall be equal to 35 percent of the monthly actuarial rate for enrollees age 65 and over, determined according to paragraph (1), for that succeeding calendar year. The monthly premium of each individual enrolled for coverage of immunosuppressive drugs under section 1836(b) for each month shall be the amount promulgated in this subsection. Such amount shall be adjusted in accordance with subsections (c) and (f).”.

(6) GOVERNMENT CONTRIBUTION.—Section 1844(a) of the Social Security Act (42 U.S.C. 1395w(a)) is amended—

(A) in paragraph (3), by striking the period at the end and inserting “; plus”;

(B) by adding at the end the following new paragraph:

“(4) a Government contribution equal to the estimated aggregate reduction in premiums payable under part B that results from establishing the premium at 35 percent

of the actuarial rate under section 1839(j) instead of 50 percent of the actuarial rate for individuals who enroll only for the purpose of coverage of immunosuppressive drugs under section 1836(b).”;

(C) by adding at the end the following flush matter:

“The Government contribution under paragraph (4) shall be treated as premiums payable and deposited for purposes of subparagraphs (A) and (B) of paragraph (1).”.

(7) EXTENSION OF SECONDARY PAYER REQUIREMENTS FOR ESRD BENEFICIARIES ELIGIBLE FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—Section 1862(b)(1)(C) of the Social Security Act (42 U.S.C. 1395(y)(b)(1)) is amended by adding at the end the following new sentence: “With regard to immunosuppressive drugs furnished to an individual who enrolls for the purpose of coverage of immunosuppressive drugs under section 1836(b) on or after January 1, 2014, this subparagraph shall apply without regard to any time limitation, except that when such individual becomes entitled to benefits under this title under sections 226(a) or 226(b), or entitled to or eligible for benefits under this title under section 226A, the provisions of subparagraphs (A) and (B), and the time limitations under this subparagraph, respectively, shall apply.”.

(8) ENSURING COVERAGE UNDER THE MEDICARE SAVINGS PROGRAM.—Section 1905(p)(1)(A) of the Social Security Act (42 U.S.C. 1396d(p)(1)(A)) is amended by inserting “or an individual who is enrolled under part B for the purpose of coverage of immunosuppressive drugs under section 1836(b)” after “section 1818”.

(9) PART D.—Section 1860D-1(a)(3)(A) of the Social Security Act (42 U.S.C. 1395w-101(a)(3)(A)) is amended by inserting “(but not including an individual enrolled solely for coverage of immunosuppressive drugs under section 1836(b))” before the period at the end.

By Mr. CORNYN (for himself, Mr. McCONNELL, Mr. ROBERTS, Mr. HATCH, Mr. COCHRAN, Mr. GRASSLEY, Mr. SHELBY, Mr. MCCAIN, Mr. INHOFE, Mr. SESSIONS, Ms. COLLINS, Mr. ENZI, Mr. CRAPO, Ms. MURKOWSKI, Mr. CHAMBLISS, Mr. GRAHAM, Mr. ALEXANDER, Mr. BURR, Mr. COBURN, Mr. THUNE, Mr. ISAKSON, Mr. VITTER, Mr. CORKER, Mr. BARRASSO, Mr. WICKER, Mr. JOHANNES, Mr. RISCH, Mr. KIRK, Mr. COATS, Mr. BLUNT, Mr. MORAN, Mr. PORTMAN, Mr. BOOZMAN, Mr. TOOMEY, Mr. HOEVEN, Mr. RUBIO, Mr. JOHNSON of Wisconsin, Mr. PAUL, Mr. LEE, Ms. AYOTTE, Mr. HELLER, Mr. SCOTT, Mr. FLAKE, Mr. CRUZ, and Mrs. FISCHER):

S.J. Res. 7. A joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget; to the Committee on the Judiciary.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the text of the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 7

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

“ARTICLE—

“SECTION 1. Total outlays for any fiscal year shall not exceed total receipts for that fiscal year, unless two-thirds of the duly chosen and sworn Members of each House of Congress shall provide by law for a specific excess of outlays over receipts by a roll call vote.

“SECTION 2. Total outlays for any fiscal year shall not exceed 18 percent of the gross domestic product of the United States for the calendar year ending before the beginning of such fiscal year, unless two-thirds of the duly chosen and sworn Members of each House of Congress shall provide by law for a specific amount in excess of such 18 percent by a roll call vote.

“SECTION 3. Prior to each fiscal year, the President shall transmit to the Congress a proposed budget for the United States Government for that fiscal year in which—

“(1) total outlays do not exceed total receipts; and

“(2) total outlays do not exceed 18 percent of the gross domestic product of the United States for the calendar year ending before the beginning of such fiscal year.

“SECTION 4. Any bill that imposes a new tax or increases the statutory rate of any tax or the aggregate amount of revenue may pass only by a two-thirds majority of the duly chosen and sworn Members of each House of Congress by a roll call vote. For the purpose of determining any increase in revenue under this section, there shall be excluded any increase resulting from the lowering of the statutory rate of any tax.

“SECTION 5. The limit on the debt of the United States shall not be increased, unless three-fifths of the duly chosen and sworn Members of each House of Congress shall provide for such an increase by a roll call vote.

“SECTION 6. The Congress may waive the provisions of sections 1, 2, 3, and 5 of this article for any fiscal year in which a declaration of war against a nation-state is in effect and in which a majority of the duly chosen and sworn Members of each House of Congress shall provide for a specific excess by a roll call vote.

“SECTION 7. The Congress may waive the provisions of sections 1, 2, 3, and 5 of this article in any fiscal year in which the United States is engaged in a military conflict that causes an imminent and serious military threat to national security and is so declared by three-fifths of the duly chosen and sworn Members of each House of Congress by a roll call vote. Such suspension must identify and be limited to the specific excess of outlays for that fiscal year made necessary by the identified military conflict.

“SECTION 8. No court of the United States or of any State shall order any increase in revenue to enforce this article.

“SECTION 9. Total receipts shall include all receipts of the United States Government except those derived from borrowing. Total outlays shall include all outlays of the United States Government except those for repayment of debt principal.

“SECTION 10. The Congress shall have power to enforce and implement this article

by appropriate legislation, which may rely on estimates of outlays, receipts, and gross domestic product.

"SECTION 11. This article shall take effect beginning with the fifth fiscal year beginning after its ratification."

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 31—CELEBRATING BLACK HISTORY MONTH

Mrs. GILLIBRAND (for herself, Ms. MIKULSKI, Mr. FRANKEN, Ms. LANDRIEU, Mrs. BOXER, Mr. CARDIN, Mr. WHITEHOUSE, Mr. COCHRAN, Mr. LEVIN, Mr. MENENDEZ, Mr. LAUTENBERG, Mr. COONS, Mr. SCHATZ, Mr. BEGICH, Mr. MANCHIN, Mrs. HAGAN, Mrs. SHAHEEN, Mr. CASEY, Mr. BROWN, Mr. WICKER, Mr. UDALL of Colorado, Mr. NELSON, Mr. SCHUMER, Mr. PRYOR, Ms. CANTWELL, Mr. PORTMAN, Mr. ISAKSON, Mr. WYDEN, Mr. WARNER, Mr. MERKLEY, Mr. DURBIN, Mrs. MCCASKILL, Ms. STABENOW, Mrs. FEINSTEIN, Mr. COWAN, and Mr. REED) submitted the following resolution; which was considered and agreed to:

S. RES. 31

Whereas, in 1776, the United States of America was imagined, as stated in the Declaration of Independence, as a new nation dedicated to the proposition that "all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness";

Whereas, on November 19, 1863, President Abraham Lincoln, in reference to the Declaration of Independence, stated, "Four score and seven years ago our fathers brought forth, upon this continent, a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal.";

Whereas the history of the United States includes injustices and the denial of basic, fundamental rights at odds with the words of the founders of the United States and the sacrifices commemorated at Gettysburg, Pennsylvania;

Whereas the injustices committed in the United States include approximately 250 years of slavery, 100 years of lynchings, denial of both fundamental human and civil rights, and withholding of the basic rights of citizenship;

Whereas inequalities and injustices in our society still exist today;

Whereas Sojourner Truth, Frederick Douglass, Harriet Tubman, W.E.B. Dubois, Booker T. Washington, Charles Hamilton Houston, the Tuskegee Airmen, Lena Horne, Ralph Bunche, Jackie Robinson, Constance Baker Motley, James Baldwin, Dorothy Height, Thurgood Marshall, and Shirley Chisholm each lived a life of incandescent greatness while many African Americans lived, toiled, and died in obscurity, never achieving the recognition they deserved, but paved the way for future generations to succeed;

Whereas many African-American men and women worked against racism to achieve success, such as James Beckwourth, Bill Pickett, Colonel Allen Allensworth, Clara Brown, and many others who were pivotal in the exploration and westward expansion of the United States;

Whereas pioneers such as David Dinkins, Mae Jemison, Arthur Ashe, Oprah Winfrey,

James Earl Jones, Clarence Thomas, Ursula Burns, Alice Walker, Ronald Brown, Alexis Herman, Kenneth Chenault, and Magic Johnson have all served as positive beneficiaries of our forefathers and as great role models and leaders for future generations;

Whereas, on November 4, 2008, and again on November 6, 2012, the people of the United States elected an African-American man, Barack Obama, as President of the United States, and African Americans continue to serve the United States at the highest levels of the government and Armed Forces;

Whereas Carter G. Woodson, the "Father of Black History", stated, "We have a wonderful history behind us. . . . If you are unable to demonstrate to the world that you have this record, the world will say to you, 'You are not worthy to enjoy the blessings of democracy or anything else.'";

Whereas Black History Month, celebrated during the month of February, dates back to 1926 when Carter G. Woodson set aside a special period of time in February to recognize the heritage and achievement of black Americans;

Whereas, on February 22, 2012, President Barack Obama and First Lady Michelle Obama, along with former First Lady Laura Bush, celebrated the groundbreaking of the National Museum of African American History and Culture on the National Mall in Washington, D.C.;

Whereas Hiram Rhodes Revels, Blanche Kelso Bruce, Edward William Brooke, Carol Moseley Braun, Barack Obama, and Roland Burris have all served as African-American firsts in the exclusive body known as the United States Senate; and

Whereas, on January 2, 2013, Tim Scott became the first African American to serve as Senator of South Carolina, and on February 7, 2013, William "Mo" Cowan became the first African American to represent Massachusetts in the Senate since 1978: Now, therefore, be it

Resolved, That the Senate—

(1) acknowledges that all of the people of the United States are the recipients of the wealth of history given to us by black culture;

(2) recognizes the importance of Black History Month as an opportunity to reflect on the complex history of the United States, while remaining hopeful and confident about the path that lies ahead;

(3) acknowledges the significance of Black History Month as an important opportunity to recognize the tremendous contributions of African Americans to the history of the United States;

(4) encourages the celebration of Black History Month to provide a continuing opportunity for all people in the United States to learn from the past and to understand the experiences that have shaped the United States;

(5) remembers the injustices that African Americans have endured and commends the African-American community for overcoming those injustices and changing the course and nature of history by forging the fight for equality; and

(6) agrees that while the United States began in division, the United States must now move forward with purpose, united tirelessly as one Nation, indivisible, with liberty and justice for all, and honor the contribution of all pioneers who help ensure the legacy of these great United States.

SENATE RESOLUTION 32—CONGRATULATING THE NORTH DAKOTA STATE UNIVERSITY FOOTBALL TEAM FOR WINNING THE 2012 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I FOOTBALL CHAMPIONSHIP SUBDIVISION TITLE

Mr. HOEVEN (for himself and Ms. HETTKAMP) submitted the following resolution; which was considered and agreed to:

S. RES. 32

Whereas the North Dakota State University (referred to in this preamble as "NDSU") Bison won the 2012 National Collegiate Athletic Association (referred to in this preamble as the "NCAA") Division I Football Championship Subdivision title game in Frisco, Texas, on January 5, 2013, in a hard fought victory over the Sam Houston State University Bearkats by a score of 39 to 13;

Whereas the NDSU Bison and coach Craig Bohl had an incredible 2012 season with 14 wins and 1 defeat;

Whereas NDSU has won 10 NCAA Football Championships;

Whereas, during the championship game, the NDSU Bison offense scored 39 points against the Sam Houston State Bearkats;

Whereas Coach Bohl and his staff have instilled character and confidence in the NDSU players and have done an outstanding job with the Bison football program;

Whereas the leadership of President Dean Bresciani and Athletic Director Gene Taylor has helped bring both academic and athletic excellence to NDSU; and

Whereas the 2012 NCAA Division I Football Championship Subdivision title was a victory not only for the NDSU football team, but also for the entire State of North Dakota: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the North Dakota State University football team, the 2012 National Collegiate Athletic Association Division I Football Championship Subdivision champions;

(2) commends the North Dakota State University players, coaches, and staff for their hard work and dedication; and

(3) recognizes the students, alumni, and loyal fans for supporting the Bison on their successful quest to capture another Division I trophy for North Dakota State University.

SENATE RESOLUTION 33—COMMEMORATING THE 150TH ANNIVERSARY OF EMPORIA STATE UNIVERSITY

Mr. MORAN (for himself and Mr. ROBERTS) submitted the following resolution; which was considered and agreed to:

S. RES. 33

Whereas, in 1863, the State of Kansas founded the Kansas State Normal School to provide opportunities for higher education in the fields of teaching, mechanic arts, agriculture, and various other arts and sciences;

Whereas the Kansas State Normal School became the Kansas State Teachers College in 1923, Emporia Kansas State College in 1974, and Emporia State University in 1977;

Whereas Emporia State University has prepared thousands of teachers in the United States through its nationally acclaimed teacher education programs;

Whereas Emporia State University is the host of the National Teachers Hall of Fame, which recognizes and honors exceptional career educators from throughout the United States;

Whereas Emporia State University offers outstanding and highly accredited programs, including programs in education, business, and library and information management;

Whereas Emporia State University is the alma mater of more than 75,000 proud alumni; and

Whereas the quality of Emporia State University as an institution of higher learning is a reflection of the extraordinary caliber of its educational professionals and students: Now, therefore, be it

Resolved, That the Senate recognizes and extends its congratulations to the educational professionals, students, and alumni of Emporia State University for 150 years of excellence in higher education.

SENATE RESOLUTION 34—COMMEMORATING THE 150TH ANNIVERSARY OF KANSAS STATE UNIVERSITY

Mr. ROBERTS (for himself and Mr. MORAN) submitted the following resolution; which was considered and agreed to:

S. RES. 34

Whereas Kansas State University was established by the Territory of Kansas on February 9, 1858, as the Bluemont Central College Association, in response to the desire to provide higher education opportunities to farm families and working class individuals in Kansas;

Whereas on February 3, 1863, Kansas became one of the first States to accept the terms and conditions of the Act of July 2, 1862 (commonly known as the "First Morrill Act") (7 U.S.C. 301 et seq.), which created the land-grant system of colleges and universities;

Whereas Kansas State Agricultural College, which is known today as Kansas State University, received a land-grant charter on February 16, 1863, making it the first operational land-grant institution in the United States;

Whereas since the inception of Kansas State University, the university has expanded the main campus in Manhattan to include campuses in Olathe and Salina;

Whereas students attending Kansas State University hail from all 50 States and 90 countries;

Whereas more than 200,000 alumni are proud to call Kansas State University their alma mater;

Whereas the commitment of Kansas State University to education is unparalleled; and

Whereas the history and stature of Kansas State University are secured by the exceptional caliber of the educational professionals and students: Now, therefore, be it

Resolved, That the Senate recognizes and congratulates Kansas State University for 150 years of fulfilling the mission of a land-grant university.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on

Commerce, Science, and Transportation be authorized to meet during the session of the Senate on February 13, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on February 13, 2013, at 10 a.m., in room 215 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on February 13, 2013, at 3 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on February 13, 2013, at 10 a.m. in SD-430.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on February 13, 2013, at 10 a.m. to conduct a hearing entitled "Solutions to the Crisis Facing the U.S. Postal Service."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on February 13, 2013, at 9:30 a.m., in room SH-216 of the Hart Senate Office Building, to conduct a hearing entitled "Comprehensive Immigration Reform."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on February 13, 2013, at 3:15 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Judicial Nominations."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on February 13, 2013, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on February 13, 2013, at 4 p.m. in room 432 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. REED. Mr. President, I ask unanimous consent that Brian Huysman and Melissa Duru, fellows in my office, be granted the privilege of the floor for this session of the 113th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESOLUTIONS SUBMITTED TODAY

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following resolutions which were submitted earlier today: S. Res. 31, S. Res. 32, S. Res. 33, and S. Res. 34.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. BLUMENTHAL. I ask unanimous consent the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate, and any statements relating to the resolutions be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, are printed in today's RECORD under "Resolutions Submitted."

ORDERS FOR THURSDAY, FEBRUARY 14, 2013

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Thursday, February 14, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate resume executive session and consideration of the nomination of Senator Hagel to be Secretary of Defense.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BLUMENTHAL. Mr. President, earlier today cloture was filed on the

Hagel nomination. That cloture vote is expected on Friday.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. BLUMENTHAL. Mr. President, if there is no further business to come before the Senate, I ask that it adjourn under the previous order.

There being no objection, the Senate, at 6:46 p.m., adjourned until Thursday, February 14, 2013, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

BUREAU OF CONSUMER FINANCIAL PROTECTION

RICHARD CORDRAY, OF OHIO, TO BE DIRECTOR, BUREAU OF CONSUMER FINANCIAL PROTECTION FOR A TERM OF FIVE YEARS. (NEW POSITION)

NATIONAL LABOR RELATIONS BOARD

RICHARD F. GRIFFIN, JR., OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING AUGUST 27, 2016, VICE WILMA B. LIEBMAN, TERM EXPIRED.

SHARON BLOCK, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING DECEMBER 16, 2014, VICE CRAIG BECKER.

DEPARTMENT OF JUSTICE

KAROL VIRGINIA MASON, OF GEORGIA, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE LAURIE O. ROBINSON, RESIGNED.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. JOSEPH P. AUCOIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. BRIAN S. PECHA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. VICTOR W. HALL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. PRISCILLA B. COE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. CHRISTINA M. ALVARADO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. JAMES R. MCNEAL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. DANIEL L. GARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. MARK J. FUNG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. ALMA M.O.L. GROCKI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. WILLIAM K. DAVIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. DANIEL J. MACDONNELL

CONFIRMATIONS

Executive nominations confirmed by the Senate February 13, 2013:

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. WILLIAM H. ETTER

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. KENNETH E. TOVO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY NURSE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COL. BARBARA R. HOLCOMB

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COL. PATRICK D. SARGENT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY MEDICAL CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major general

BRIG. GEN. BRIAN C. LEIN

BRIG. GEN. NADJA Y. WEST

THE JUDICIARY

WILLIAM J. KAYATTA, JR., OF MAINE, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIRST CIRCUIT.

IN THE AIR FORCE

AIR FORCE NOMINATION OF KORY D. BINGHAM, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH MICHAEL A. COOPER AND ENDING WITH SUSAN MICHELLE MILLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH VICTOR DOUGLAS BROWN AND ENDING WITH RODNEY M. WAITE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH WALTER S. ADAMS AND ENDING WITH CARL E. SUPPLEE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH JOHN J. BARTRUM AND ENDING WITH GEORGE L. VALENTINE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH KIMBERLY L. BARBER AND ENDING WITH JANET L. SETNOR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH DINA L. BERNSTEIN AND ENDING WITH WILLIAM R. YOUNGBLOOD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH TIMOTHY LEE BRININGER AND ENDING WITH CHRISTOPHER J. RYAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH FRANCIS XAVIER ALTIERI AND ENDING WITH KEVIN M. ZELLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

IN THE ARMY

ARMY NOMINATION OF JONATHAN A. FOSKEY, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF MARION J. PARKS, TO BE COLONEL.

ARMY NOMINATION OF KAREN A. PIKE, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH DEREK S. REYNOLDS AND ENDING WITH BRIAN D. VOGT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

ARMY NOMINATIONS BEGINNING WITH EDWARD A. FIGUEROA AND ENDING WITH MICHAEL C. VANHOVEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

ARMY NOMINATIONS BEGINNING WITH JACK C. MASON AND ENDING WITH TODD B. WAYTASHEK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

ARMY NOMINATIONS BEGINNING WITH RUTH E. APONTE AND ENDING WITH MICHAEL J. ZINNO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

ARMY NOMINATIONS BEGINNING WITH LESLIE E. AKINS AND ENDING WITH MARC W. ZELNICK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

ARMY NOMINATIONS BEGINNING WITH TIMOTHY G. ABRELL AND ENDING WITH JOHN A. ZULFER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

ARMY NOMINATIONS BEGINNING WITH RAFAEL E. ABREU AND ENDING WITH R010075, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF JACKIE W. MORGAN, JR., TO BE MAJOR.

MARINE CORPS NOMINATION OF DANA R. FIKE, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATION OF SAMUEL W. SPENCER III, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATION OF LARRY MIYAMOTO, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATIONS BEGINNING WITH GEORGE L. ROBERTS AND ENDING WITH PAUL A. SHIRLEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH RICHARD D. KOHLER AND ENDING WITH GARY J. SPINELLI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH ERIC T. CLINE AND ENDING WITH ROBERT S. SCHMIDT, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH JOSE L. SADA AND ENDING WITH BRIAN J. SPOONER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH FREDERICK L. HUNT AND ENDING WITH CHAD E. TIDWELL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH TODD E. LOTSPEICH AND ENDING WITH DONALD E. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH JASON B. DAVIS AND ENDING WITH JOHN F. REYNOLDS, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH TRAVIS M. FULTON AND ENDING WITH GARY S. LIDDELL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH BRYAN DELGADO AND ENDING WITH RODOLFO D. QUISEP, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH DAVID B. BLANN AND ENDING WITH ALLEN L. LEWIS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH MICHAEL GASPERINI AND ENDING WITH TIMOTHY W. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH STEPHEN R. BYRNES AND ENDING WITH JAMES N. TIMMER, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH PETER K. BASABE, JR. AND ENDING WITH MICHAEL A. YOUNG,

WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

IN THE NAVY

NAVY NOMINATION OF HARRY E. HAYES, TO BE COMMANDER.

NAVY NOMINATION OF SHEMEYA L. GRANT, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH CHRISTOPHER J. KANE AND ENDING WITH LUKE C. SUBER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

NAVY NOMINATIONS BEGINNING WITH JEANINE F. BENJAMIN AND ENDING WITH BENJAMIN F. VISGER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

HOUSE OF REPRESENTATIVES—Wednesday, February 13, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 13, 2013.

I hereby appoint the Honorable DOUG COLLINS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

SEQUESTRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, the President spoke to us last night and he talked to us about avoiding the sequester. I was at a political event being interviewed and a gentleman, Mr. POMPEO from Kansas, was with us as well, and he spoke before I did. He talked about the sequester and he said:

It's going to be a home run. We're doing what the American people ask the United States House of Representatives to do in 2010 when I came here.

He then said, in referring to the sequester:

I think the American people . . . will have tremendous respect for what its House of Representatives led and what its Federal Government was able to accomplish.

A profound disagreement. I think the gentleman from Kansas is profoundly wrong. The sequester will have an extraordinarily negative effect on this country, on its people, on its economy, and on its national security, and I might say on the confidence that the world at large has in the United States' ability to pursue rational policy.

In the State of the Union address last night, Mr. Speaker, with regard to deficits, the President said this:

None of us will get 100 percent of what we want. But the alternative will cost us jobs, hurt our economy, and visit hardship on millions of hardworking Americans.

He went on to say:

The greatest Nation on Earth cannot keep conducting its business by drifting from one manufactured crisis to the next.

Every 30 days, every 60 days, every 90 days, a manufactured crisis, evidence of a dysfunctional and willful Congress.

He went on to say:

Let's agree right here, right now, to keep the people's Government open, pay our bills on time, and always uphold the full faith and credit of the United States of America.

That seems to be reasonable policy.

We now have two and a half weeks before the sequester takes effect, with devastating consequences for our economy and national security, yet the gentleman from Kansas welcomes that policy. In fact, the Republican leadership of this House has not put a single bill on the floor in this Congress that would have any impact on avoiding the sequester.

We now find ourselves facing yet another manufactured crisis. Instead of preventing it, as I've said, Republicans appear to be willing and enthusiastically welcoming the sequester.

Mr. Speaker, every American ought to take note of that enthusiasm for an irrational policy, referred to as irrational by its own leader, Mr. CANTOR, who said it was not the way we ought to do business. He's right, but he's brought nothing to the floor to avoid it.

The sequester, though, was meant to be so undesirable an outcome that it would force us to agree on a better approach. It married the worst consequences for both parties when it came to spending cuts: indiscriminate cuts to the defense budget alongside cuts to critical domestic programs.

In politics, often the key to compromise is crafting a package that contains something, some provision that everyone can love, although everyone will not love every provision. Here, Congress took the opposite approach and included something everyone could despise.

A faction of the majority, which is not a majority of this House by itself, has become so zealous in its drive to pursue a spending-only approach that it has embraced the sequester's draconian cuts. Mr. POMPEO's quote this morning affirms that assertion.

They've used their clout within the majority to hold Congress hostage from one manufactured crisis to the next, and they nearly brought us to the edge of default for a second time last year. There have been several reports in a number of news outlets that Speaker BOEHNER promised their faction that the topline for appropriations would not exceed the level it would be after sequestration cuts, already adopting the premise that sequestration has gone into effect.

It was further reported that while the sequester levels would be kept, the cuts would be rearranged in order to protect defense spending at the further detriment to domestic parties, like NIH, cancer research, heart research, prostate cancer research, diabetes research, all the other maladies that—Dr. BERA is sitting here shaking his head—afflict us in this country and around the world.

By injecting additional partisanship in this way, Republicans would be taking a further step away from compromise. We need compromise. Each of us in this body understands we represent a certain segment of society, but not everybody agrees with everything we believe. Therefore, if we are to act on behalf of the country in a responsible, effective fashion, it's necessary to compromise.

Mr. Speaker, the sequester is real and is rapidly approaching. It is not a rational approach to deficit reduction. Even Republican Leader CANTOR, as I said, admitted on "Meet the Press" on Sunday about the sequester, and I quote the Republican leader:

I don't want to live with the sequester.

Let me repeat that.

I do not want to live with the sequester. I want reductions in spending that make sense. These indiscriminate reductions don't make sense.

That's what Mr. POMPEO was welcoming: indiscriminate cuts that do not make sense. We need serious action in Congress to deal with the sequester, and that action cannot wait. But there's been nothing on the floor in this Congress to deal with that sequester—nothing. Not a single piece of legislation has been brought forth by the majority.

I used to be the majority leader, Mr. Speaker, and I had the power to bring legislation forward, and I would do it. I'm no longer the majority leader. The majority leader, notwithstanding this quote that these indiscriminate reductions don't make sense, has not brought an alternative to this floor.

Democrats are ready to make tough choices, and we're ready to work with Republicans to do what is necessary to solve this problem of our deficits in a balanced way. We must reduce spending, but we also need to raise revenues. Every bipartisan commission, everyone has said the only way you're going to solve the arithmetic is to do so.

Mr. Speaker, I'm going to yield back the balance of my time so that my colleagues have an opportunity to say their piece, but I lament the fact that we're going home next week. We ought to be here working to avoid what the majority leader says are indiscriminate cuts that are not the way to do business. Yet, we rush headlong to do that.

□ 1010

I hope the Senate acts. I hope the Senate passes a bill that will be rational, will get us out of this conundrum of a sequester that nobody should want, and that when it does, Majority Leader CANTOR and Speaker BOEHNER will bring it to the floor and let us vote. And if you don't like it, vote against it. But let the American people know where we stand.

Let us avoid the sequester. Let us get ourselves on a fiscally balanced path, but let us do so responsibly.

NATIONAL CAREER AND TECHNICAL EDUCATION MONTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today as cochair of the bipartisan House Career and Technical Education Caucus in order to recognize February as National Career and Technical Education Month. Career and technical education programs continue to evolve in order to ensure that workers are prepared to hold jobs in high-wage, high-skill, and high-demand career fields like engineering, information technology, health care, and advanced manufacturing for the 21st century.

During this time of record-high unemployment, career and technical education programs provide a lifeline for the underemployed who look to begin new careers alongside young adults just starting out of high school in the rapidly evolving job market.

Career and technical education, while historically undervalued, helps tackle critical workforce shortages and provides an opportunity for America to remain globally competitive while also engaging students in practical, real-world applications of academics coupled with hands-on work experience.

Now, as we move toward fiscal year 2014, I join with a bipartisan group of my colleagues in not only recognizing the importance of maintaining these

Federal investments for our country's future but also in saying thank you to the countless men and women who make these programs possible—the faculty, the teachers and the instructors within our career and technical education schools throughout this great Nation.

Mr. Speaker, as we celebrate Career and Technical Education Month, I encourage my colleagues from both sides of the aisle to join me and my good friend, Representative LANGEVIN from Rhode Island, the cochair of the House Career and Technical Education Caucus, as we continue our work together of the bipartisan Career and Technical Education Caucus.

The goals of this caucus are to provide promising futures for individuals who are seeking opportunities for work within this great Nation, and for employers, many of whom are in situations, despite record high unemployment for the longest sustained time since the Great Depression, of having great-paying jobs that are sitting open and available where they can't find a qualified, trained workforce and, quite frankly, for America, whose competitiveness into the future will depend on how well we make these investments.

THE SEQUESTER AND AN OLIVE BRANCH

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. We had a historic occasion last evening, but I rise to comment on a number of issues. I first want to acknowledge and pay tribute to a Texan who was buried yesterday in a tragic incident, Chris Kyle, a Navy SEAL who had served this country, loved this country, and came back to his family and children and took as his cause to help serve troubled veterans. As he was doing so, along with his friend, Chad, one of those troubled veterans shot both him and his friend.

What a tragedy. I think it is important to note the thousands who mourned him and the procession that took him to his burial ground yesterday and to say thank you for not only serving this Nation, but coming home to care about those suffering from post-traumatic stress disorder.

That leads me to bring up this whole question of sequester. In my own city of Houston, I was able to, some 4 years ago, establish the first post-traumatic stress disorder center in a hospital that was not a veterans hospital. The Riverside General Hospital for a period of years continued serving our post-traumatic stress disorder veterans in a small, attentive setting where they could sit with others who were troubled as well. I've become a champion of the needs and the purpose of post-traumatic stress disorder medical services and beg and cry to the Department of

Veterans Affairs and to the Pentagon from where this grant came. We cannot abandon our soldiers who have served us well. And I would hope that the grant for this hospital will be continued because Texas has been known to have the largest number of returning Iraq and Afghanistan troops.

Mr. Speaker, that speaks loudly to the question of sequester. I'm delighted that the President last evening could not have offered more olive branches on economic reform and tax reform. His idea is that we can do this budget together, not a sequester and not a self-inflicted wound, which is what we did to ourselves, but, more importantly, to talk about innovation and growth. This is something that I've spoken about over and over again as a member formerly of the Science Committee and now Homeland Security.

Where is America's genius? Right outside the beltway. Why are we dividing ourselves along Democrats and Republicans, refusing to put revenue alongside of cuts? Mr. Speaker, we're at the bone, almost, and sequester that is across-the-board cuts will literally destroy us and put us in a recession. All the talking heads that are suggesting that the President was not bipartisan and how there was nothing that they heard, well, Mr. Speaker, may I ask them to take some cotton out of their ears. Because in actuality, the President extended his hand of friendship.

We want to get down to work. We can pass comprehensive immigration reform. We can pass in tribute and recognition of Sandy Hook, Hadiya, and Aurora and our Congresswoman, our former colleague, Congresswoman Giffords, and Virginia Tech and many places, and Lone Star College in my district and the tragedy at the University of Maryland that just occurred in the last 24 hours. People are mourning. We have to stop gun violence. So I don't want to hear the fact that the President is divisive. The President is leading, and he has led well.

The American people are listening. When are our friends on the other side of the aisle going to listen? And when are the American people going to raise up beyond the maze of television commentary and see that your voices can be heard? If you raise up literally in the houses of worship and civic clubs and say that Congress must do its job for our soldiers who are coming home and for those children who are the future and for the opportunity for growth, you bring down the debt by growing the economy and innovating.

Congratulations, Mr. President, for the research and manufacturing centers—15. Let's do more of them. I hope that we can get summer youth jobs, a program of private and public cooperation. When does a youth take up a gun? They take it up when they don't have a summer job and when they don't

have an opportunity. So I want to challenge this body to be the kind of Lincoln-esque attitude, as yesterday was the official birthday of President Lincoln, February 12. And although it was a tragic time in our history, I can assure you that it showed the greatest promise of America when people could come together and do something great. I stand here as a freed slave because this Congress came together. Are we going to be able to do it today to free America?

THE DEBT CEILING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, last month we passed a bill that suspends the debt ceiling until May. I voted for that bill because I didn't want to plunge the credit rating of this country or have the economy plunge into another recession. But that vote was just a short-term fix in what has been a series of short-term fixes. And short-term fixes no longer cut it when it comes to running the world's biggest economy.

Instead of thoughtful, long-term planning, we have contented ourselves with political sideshows. We've budgeted with continuing resolutions and held endless partisan committee hearings aimed at dismantling so-called job-killing legislation like the Clean Air Act. We voted 33 times to repeal all or part of the President's health care plan, and we attempted to balance the Federal Government's budget by zeroing out Planned Parenthood. That's not careful planning. That's tired political dogma.

□ 1020

In a famous speech about the Vietnam war, Dr. Martin Luther King, Jr., said, "We are confronted by the fierce urgency of now."

We again find ourselves in a conflict that threatens the political fabric of our Nation, the integrity of our institutions. We face a mountain of debt. We lack a comprehensive approach to climate change, energy, transportation, Medicare, Social Security, defense spending, immigration reform, gun violence, and even our postal system.

We need to find that urgency to get started on creating a sensible energy policy that confronts climate change and reduces our reliance on foreign oil.

We need that urgency to formulate a transportation plan so that States can address their crumbling infrastructure and local businesses can get back to work.

We need that urgency of now to reconfigure our security policy, making sensible cuts and fashioning a force that prepares us for conflicts of the future and not the past.

We need the urgency of now to make sensible changes to Social Security and Medicare to ensure the vitality of these programs for generations to come.

That urgency of now will reward us with more than a sensible energy policy, good roads, a smarter defense department, and sustainable social welfare system. We will be rewarded with a stable economy and reduced market volatility.

We cannot wait to act. We are borrowing 42 cents for every dollar we spend. We have to take sensible steps to begin reducing our debt without stepping on a fragile economic recovery. We have to take steps that are big, bold, and bipartisan. That's why I signed onto the Cooper-LaTourette bipartisan budget agreement that would have saved \$4 trillion over 10 years, and that's why my office authored a comprehensive plan to reinvent government and save taxpayers \$2 trillion over the next 10 years.

No, government is not perfect. But I believe we need to reinvent government, not eliminate it. Or, as Grover Norquist says, make "it small enough to drown in the bathtub."

Government is important. The heroes of 9/11 were government workers. Government teaches our kids; it protects us, keeps us safe, helps keep our air clean, and protects the less fortunate.

The Tea Party has this wrong. The objective should not be to destroy government through reactive draconian cuts; rather, we should collectively rethink and renew this institution that touches all of our lives.

I recognize that not everyone I serve with would agree on how to cut defense and adjust social programs to make them sustainable over time. That's the whole point. You have to compromise. Sadly, that's not in vogue these days. My colleague from Chicago, Congressman BOBBY RUSH, said it best when he observed, "In Congress, the view of compromise is that the other guy gives in."

It simply can't be that way. Until we end the bickering, political preening, and brinksmanship, the deadlock that has paralyzed our political process will continue.

As Lincoln said, "It is not can any of us imagine better, but can we do better?"

And those words are true today. We have to abandon the dogmas of yesterday to fulfill the promise of tomorrow.

"We cannot escape history," he said. "We of this Congress and this administration will be remembered in spite of ourselves."

Despite this immense challenge that confronts us, I believe we will prevail. If we can summon that urgency of now, if we can end the bitter partisanship and poor planning; we can solve our Nation's problems and make a brighter day for ourselves and generations to come.

FUTURE OF THE FMLA

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (GEORGE MILLER) for 5 minutes.

Mr. GEORGE MILLER of California. Mr. Speaker, I read with interest Majority Leader CANTOR's speech last week on the majority's latest relaunch of the House GOP's attempt to identify with the middle class.

Leader CANTOR said that the House will pursue an agenda of health, happiness, and prosperity for more Americans and their families. He went on to identify a very important problem for millions of Americans: how to balance work and family.

Unfortunately, that was the end of the relaunch. Because to address this problem, the majority leader proposed an old scheme that actually takes away workers' rights to overtime pay in exchange for employer-controlled comp time. This scheme has been bouncing around the Big Business wish list for decades. It's a twofer for Big Business: workers get less predictable schedules, and they earn less pay.

Leader CANTOR's prescription for what ails working families is to administer more poison. It's to give a working parent less control over her life and less money in her pocket. This plan does not give workers flexibility. This plan is about giving corporations another way to pay workers less.

That's how you help working families? I don't think so.

If the Republican majority party wants to seriously talk about healthy, prosperous, and happy American families, then they should help to create real opportunities to help families to be healthy, prosperous, and happy.

Here's one serious way to help working families: give workers real flexibility on the job and the ability to take advantage of paid time off.

Last week was the 20th anniversary of the Family and Medical Leave Act. Back in 1993, this law was a big step forward for America. It guarantees workers job-protected leave when they need time off for family or health reasons, for a newborn child, to take care of a sick child or spouse. It's been used more than 100 million times over the last 20 years. Workers got to take off time to care for a newborn or sick spouse or to get an operation without fear of losing their job.

With the Family and Medical Leave Act, our country made it a priority to give workers the ability to balance the demands of work and family. It made the healthy development of babies, healthy families, and healthy workplaces a priority. It was a remarkable accomplishment at the time, but it was intended to be a first step, not the last.

Today, only half of all workers can take advantage of the Family and Medical Leave Act. The rest are ineligible because of their part-time status or

who their employer is. Half of all workers don't have job protections to take time off to welcome a new baby to the family. They can't take time off to help an elderly parent without fear of losing their job.

Here's another serious idea to help working families: Extend the family and medical leave protection to all workers. And furthermore, let's guarantee paid leave under the law. The Federal Family and Medical Leave Act only guarantees unpaid job-protected leave. Too many families simply cannot afford to miss a day or two of work. That's why Congress should finally deliver on the paid leave that our Nation's workers deserve.

I recently heard from Matari Jones from San Antonio, Texas. While she said that the family and medical leave was a godsend when her children were born, taking unpaid time off to care for her newborns to heal from a complicated delivery was a significant financial struggle. Unfortunately, Matari was not alone. A working woman—or any worker, for that matter—shouldn't have to choose between family members they love or the paycheck they need.

California, the District of Columbia, Connecticut, Washington State, and New Jersey have taken steps for paid family and medical leave and sick leave. The policy is good for families, and it is good for business.

The least-paid workers in our society are also least likely to be able to afford a day off when they are sick. Many of those workers are behind the lunch counter or taking care of our older family members.

If Leader CANTOR and this House are truly serious about helping working families, then let's deliver on the full promise of workplace leave policies that properly value our Nation's families. Extend family and medical leave benefits to all workers, and look for ways to guarantee workers' access to paid family and medical leave and to sick leave.

There are other steps Congress should take to ensure that workers can share the prosperity that they're helping to create. Let's make sure that women are paid based upon their worth by passing the Paycheck Fairness Act. Let's raise the minimum wage that will boost the economy by putting money into the pockets of millions of working people.

So I would say to my friend from Virginia, the majority leader, if he is serious about helping working families, then join with us and let's enact policies that put these families first in both the workplace and in their homes.

PRESERVING 6-DAY POSTAL SERVICE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. CONNOLLY) for 5 minutes.

Mr. CONNOLLY. Mr. Speaker, the Postmaster General's announcement this past week that he intends to eliminate Saturday mail delivery is of great concern to my colleagues on both sides of the aisle.

Beyond the fact that such a move completely disregards congressional intent, it also sets the Postal Service on a downward spiral that will undercut any opportunity to revitalize it and put it in a more sound financial footing for future generations. Whether it's the financial documents for a small business, a prescription refill for an elderly resident, or a birthday card for a loved one, Saturday mail delivery is important to every person in every community in America.

The United States Postal Service is an American institution dating back to the founding of our Nation when it was enshrined in article I of the Constitution, and Saturday delivery has been part of that tradition for the past 150 years. The men and women who don the blue uniform of the USPS are visible in every street in every community.

□ 1030

As a recent Washington Post story recounted, mail carriers have been known to report crimes, detect gas leaks and check on the elderly. Many serve the same routes for years, taking note of the comings and goings in their neighborhoods and offering an extra set of watchful eyes. They are, in many ways, the first responders in many of these communities.

Eliminating Saturday mail service would result in the layoffs of more than 50,000 letter carriers. Job losses in the public sector have already been a drag on our economy for the past 2 years, and this only exacerbates that problem. The supposed savings would clearly be offset if these unemployed middle class workers would then need Federal assistance to make ends meet.

Upon closer inspection, the economic case for eliminating Saturday delivery is specious at best. The Postmaster General claims it will save \$2 billion, but that does not include the lost revenue or the broader economic ripple effect. A confidential report commissioned by the Postmaster General just last year showed that a 7.7 percent decline in mail volume, such as going from 6 to 5 days would trigger, would actually result in a \$5.2 billion loss in revenue. It's little wonder that he deep-sixed his own study.

Within the broader economy, 8.4 million jobs are supported by the private and public mailing industries. That represents 6 percent of all American jobs. For every job in the Postal Service, there are 10 in the private sector, and three out of four of those jobs are dependent on existing delivery infrastructure by the Postal Service, including 6-day mail. Last year, the com-

bined industries supported \$1.3 trillion in sales revenue, or 8.6 percent of our entire economy.

While first-class mail volume has been trending downward for the past decade, the Postal Service is not maximizing those lines of business that are showing growth, such as package delivery. Growth in online retail sales, spurred by Cyber Monday, for example, pushed USPS package delivery revenue up by 4.7 percent, or \$154 million, in the first quarter of this year alone. The Postal Service has not been able to capitalize on those opportunities largely because Congress, itself, stifled innovation with the 2006 legislation that it passed. Unlike its international counterparts, the Postal Service is prohibited by law from co-locating with such comparable businesses as banks and coffee shops, which actually offer a lot of revenue in the European postal services. We even restrict how the Postal Service can competitively market its low-priced services.

Of course, the most egregious burden imposed on the Postal Service by Congress is the outrageous pre-funding requirement for future retiree health benefits. Under current law, it must pre-fund 75 years at 100 percent of those benefits in a 10-year window. No other entity on the planet has such an onerous requirement but the Postal Service, and we did it—Congress did it—in 2006. In fact, \$11.1 billion of the \$15 billion-plus loss last year for the Postal Service is directly attributable to that burden.

That brings us back to the audacity of last week's announcement by the Postmaster General. The Postal Service has routinely testified before Congress, requesting the authority to go from six to five, but congressional intent on the preservation of 6-day mail delivery has been clear for 30 years. Even the Presidential budget request recognizes the need for Congress proactively to grant such authority. It cannot be grabbed unilaterally. The Postmaster General acknowledged he was on shaky ground—and indeed he is—in making this announcement. I, along with Representative GRAVES, have asked him to provide what, if any, legal justification he relied on to make this momentous decision, and we've asked the Attorney General and the Postal Regulatory Commission for their opinions on the Postmaster General's statutory authority for this ill-advised action.

Mr. Speaker, Representative GRAVES and I have introduced a bipartisan resolution urging the Postal Service to preserve 6-day delivery. We would welcome our colleagues in joining us to highlight congressional intent that Saturday service is vital to our neighborhoods and small businesses and to the vitality of our communities. I urge my colleagues to take a closer look.

THE DRONES ARE COMING,
PAGE II

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, the domestic use of drones is on the way. There will be more eyes in the sky looking over America.

According to the FAA, by 2015, it will allow the use of drones nationwide, and by 2030, 30,000 drones will be cruising American skies—looking, observing, filming, and hovering over America. They will come whether we like it or not. We will not know where they are or what they're looking at or what their purpose is, whether it's permitted or not permitted, whether it's lawful or unlawful, and we really won't know who is flying those drones.

Sometimes drones are good. We can thank drones for helping us track terrorists overseas and for helping us catch outlaws on the border. Legitimate uses by government and private citizens do occur, but a nosy neighbor or a Big Brother government does not have the right to look into a window without legitimate cause or, in the case of government, probable cause.

Mr. Speaker, drones are easy to find. I learned from a simple Google search that you can buy a drone on eBay or at your local Radio Shack. It's very easy. And as technology changes, Congress has the responsibility to be proactive and to protect the Fourth Amendment right of all citizens. The Fourth Amendment states:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated.

It doesn't take a constitutional law professor to see why legislation is needed to protect the rights of the American people. The right of a reasonable expectation of privacy is a constitutional right. Any form of snooping or spying, surveillance or eavesdropping goes against the rights that are outlined in the Constitution.

Today, I will reintroduce the Preserving American Privacy Act because it's time for Congress to be proactive in protecting the rights of civilians from the private use and government use of drones. This legislation balances individual constitutional rights with legitimate government activity and the private use of drones. We don't have time to wait until 2030 when there are 30,000 drones in the sky.

This bill sets clear guidelines, protects individual privacy and informs peace officers so they will know what they can do and what they cannot do under the law. Nobody should be able to use drones for whatever purpose they want. This bill will make it clear for what purpose law enforcement and citizens and businesses can use drones.

There will be limits on the government use of drones so that the surveil-

lance of individuals or their property is only permitted or conducted when there is a warrant. This applies to State, Federal, and local jurisdictions, but there are exceptions. Law enforcement could use a drone for fire and rescue, to monitor droughts and to assess flood damage or to chase a fleeing criminal. And of course, the exceptions, called exigent circumstances, which are already in our law, will apply.

This bill includes a clear statement so that it does not prevent the use of drones for border security. The bill also sets guidelines for the private use of drones.

The bottom line of the bill is simple: nobody should be spying on another unless they have the legal authority to do so. The decision should not be left up to unelected bureaucrats to decide the use of drones, so Congress has the obligation to set guidelines, to secure the right of privacy and to protect citizens from unlawful drone searches. Just because the government has the technology to look into somebody's yard doesn't give it the constitutional right to do so.

And that's just the way it is.

THE CONSEQUENCES OF SEQUESTRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. BERA) for 5 minutes.

Mr. BERA of California. Mr. Speaker, in a few short weeks, we face automatic across-the-board spending cuts. If allowed, they could not only stall our economic recovery; these cuts will immediately threaten the future of our children and grandchildren. If we allow sequestration to take place, we threaten to kick 70,000 of our children off of the Head Start program. If we allow sequestration to take place, 10,000 American teachers will lose their jobs. We threaten the very future of our children and grandchildren. This is irresponsible.

In the spirit of their future, the children from Mrs. Gibson's third-grade class at Foulks Ranch Elementary School in Elk Grove, California, wanted me to deliver a message to Congress. They are five simple tips: They want Congress to be responsible. They want Congress to be respectful. They want Congress to be kind. They want Congress to be accountable. Mr. Speaker, the third-graders from Mrs. Gibson's class want Congress to make good choices.

Allowing sequestration to take place is a bad choice. If the third-graders can figure it out, I certainly hope we in Congress can as well. Let's do what they advise. Let's be responsible and let's make good choices.

□ 1040

PUERTO RICO MEDICARE PART B EQUITY ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Puerto Rico (Mr. PIERLUISI) for 5 minutes.

Mr. PIERLUISI. Mr. Speaker, today I'm introducing a modified version of bipartisan legislation I introduced last Congress. The bill would amend a provision in Federal law that applies only to Puerto Rico and that has harmed thousands of Medicare beneficiaries on the island. My legislation would eliminate this problem for future beneficiaries and provide appropriate financial relief to current beneficiaries who have been adversely affected. Senator SCHUMER is introducing a companion bill, and I want to thank him for his support on this issue.

Most individuals become eligible to enroll in Medicare part A, which covers inpatient hospital care, when they turn 65. In every State and territory except Puerto Rico, individuals enrolled in part A are automatically enrolled in part B, which covers doctors' services and outpatient hospital care and requires the payment of a monthly premium. Individuals can opt out of part B if they don't want it. In Puerto Rico, by contrast, individuals enrolled in part A are not automatically enrolled in part B but, rather, must opt in to receive this coverage.

The problem with the opt-in requirement is that the law requires individuals to elect part B coverage within a 7-month initial enrollment period or to pay a penalty to the Federal Government. The penalty is substantial—a 10 percent increase in the monthly part B premium for every year of delayed enrollment. It is also permanent, lasting as long as the individual has part B, which can be decades.

Over the years, the responsible Federal agencies have done a poor job informing beneficiaries in Puerto Rico about the opt-in requirement and the consequences of late enrollment. Therefore, many of my constituents fail to realize they lack Part B until they get sick and need to visit a doctor, by which point significant time may have elapsed. To illustrate the repercussions, consider the standard Medicare Part B monthly premium of \$105. An individual who enrolls 2 years late must pay a 20 percent surcharge—an additional \$21 per month. Over 1 year, that is \$252. Over 20 years, it is \$5,000.

The combination of the opt-in requirement and inadequate beneficiary education in Puerto Rico has led to consequences that are both severe and predictable. Puerto Rico has the lowest part B participation rate in the country—81 percent compared to the national average of 92 percent. There are least 130,000 island residents enrolled in

part A but not part B. Without this coverage, beneficiaries have limited access to doctors' services and outpatient hospital care. If these individuals do eventually enroll in part B, as most will, the 7-month window will have closed and they will be required to pay a lifetime penalty.

Moreover, there are at least 53,000 seniors or disabled individuals in Puerto Rico who are already paying a lifetime penalty for enrolling late in part B. Each year, in fact, island residents pay a total of over \$7 million in late fees. This is profoundly unfair. Through no fault of their own, my constituents are required to forfeit money to the Federal Government they should be using to meet their basic needs and support their families.

On the administrative front, I have worked hard with Senator SCHUMER to ensure that the relevant Federal agencies improve the educational materials provided to Puerto Rico beneficiaries, and I am pleased they have taken positive steps in response to our demands. But the only true solution to this problem is legislative.

My bill would do three things:

First, it would amend Federal law so that, going forward, beneficiaries in Puerto Rico are treated like their counterparts in every other jurisdiction, automatically enrolled in part B with the option to opt out of coverage;

Second, to ease the burden on those who enrolled late in part B, usually with no understanding of the consequences of that choice, the bill would reduce the monthly penalty they are required to pay by 85 percent;

Finally, to address those beneficiaries who are enrolled in part A but not B and who will pay a late penalty whenever they do enroll, the bill would authorize a special period during which those individuals could enroll in part B and pay a monthly surcharge that is 85 percent less than the penalty they would be subject to under current law.

I look forward to working with my colleagues in both the House and the Senate to enact this much-needed bill into law.

I should also mention that I was impressed with the State of the Union delivered by President Obama last evening, and I particularly support his call for democracy in America. But I remind, respectfully, both the President and all Americans that Puerto Rico has a status that is undemocratic. There are 3.7 million American citizens living in Puerto Rico who lack the most basic voting rights in a democracy. They cannot vote for the President, and they do not have voting representation in Congress. They have rejected this status, and the least that this Congress should do is give Puerto Rico the choice of joining the Union as a State or be treated as a sovereign nation.

IT'S TIME TO GET TO WORK

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Oregon (Ms. BONAMICI) for 5 minutes.

Ms. BONAMICI. Mr. Speaker, today is February 13, but it feels like Groundhog Day. Here we are, back again, facing the prospect of devastating cuts from sequestration.

Families in Oregon don't understand why Members of Congress can't seem to set aside their differences and get things done; and, frankly, neither do I. We don't want to see these devastating cuts go into effect. We don't want to see a government shutdown. We don't want to tell the children that they have to have even more students in their already-crowded classrooms or explain to senior citizens that the Meals on Wheels they rely on might not be delivered. We don't want to see cuts to food safety or air traffic control or maritime and border security.

We're in the home stretch, racing towards yet another deadline, but instead of sitting at the bargaining table, we're headed out for recess.

In Oregon alone, sequestration would kick more than 900 kids out of Head Start programs that make a difference in their school readiness. It would trigger a 9 percent cut in Federal funding to Oregon's public university system, slashing student aid and ongoing research and development. Law enforcement agencies throughout the country would lose the equivalent of 1,000 Federal agents, 1,300 prison officers, and more than 5,000 Border Patrol personnel. Small businesses across the Nation would lose more than \$540 million in loan guarantees.

Despite the talk of uncertainty, our economy really is poised to take off, but it can't do that if Congress decides to take off from work. It's sad but true: The biggest obstacle to economic growth tomorrow is congressional foot-dragging today.

We've been governing by crisis for too long. It's time to rally around common sense. It's time to take a seat at the bargaining table. And most of all, it's time to get back to work.

No sequestration deal, no recess.

CAREER AND TECHNICAL EDUCATION MONTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Rhode Island (Mr. LANGEVIN) for 5 minutes.

Mr. LANGEVIN. Mr. Speaker, I rise today in recognition of Career and Technical Education Month. I'm proud to be joined by Mr. THOMPSON of Pennsylvania, who I know spoke earlier this morning. Mr. THOMPSON is my good friend and fellow cochair of the bipartisan Congressional Career and Technical Education Caucus.

CTE is an investment in the future of our economy, our workforce, and our

country. From skills training in high schools to community colleges and professional programs, CTE plays a critical role for workers of every age. And I'm so proud that President Obama called for more support for CTE in his State of the Union message last evening.

The most important step I believe we can take this year to support CTE is to fully reauthorize the Carl D. Perkins Vocational and Technical Education Act. Currently, the Perkins Act is authorized at a level set in 2010, which doesn't reflect the reality of a modern economy where more workers are looking at high-skilled fields.

More and more employers need highly skilled workers. I hear too often from Rhode Island employers with job openings that they can't fill because they can't find the workers with the right skills to fill the jobs that they do have available. Meanwhile, our unemployment rate remains unacceptably high.

Closing the skills gap is one important step we can take to ensure that workers can fit and fill the needs of expanding industries, both today and in the future. After all, how can we expect to help individuals start a company or businesses expand their company or to relocate jobs from overseas if we don't have the workers with the right skills to do the jobs that would be and are available?

Mr. Speaker, I look forward to a continuing partnership with my good friend, G.T. THOMPSON from Pennsylvania, in the 113th Congress, and I strongly urge my colleagues to join the Career and Technical Education Caucus and to support the full reauthorization of the Perkins Act.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 50 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Archbishop Emeritus John Quinn, Diocese of San Francisco, San Francisco, California, offered the following prayer:

Lord, we give deep-felt thanks for the great providential blessing that makes us citizens of the United States of America.

The men and women of this House, in their service to our country, daily confront seemingly intractable public

issues, a burden at times overwhelming; but You work even in the dark places of human history.

Teach us this day not to fear the darkness but to put our hand in Yours and resolutely seek the light.

You reveal Yourself as the Father of us all. We ask You to bring us together in civic harmony and in the common task of making real in our time the ideals and the dreams that make us America.

As we turn now to the work of this day, we ask for more than human wisdom, and pray that Your blessing, moving across our continent, will keep us one nation under God with liberty and justice for all.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. GENE GREEN) come forward and lead the House in the Pledge of Allegiance.

Mr. GENE GREEN of Texas led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING ARCHBISHOP EMERITUS JOHN QUINN

The SPEAKER. Without objection, the gentlewoman from California (Ms. ESHOO) is recognized for 1 minute.

There was no objection.

Ms. ESHOO. Mr. Speaker, it is a great privilege to welcome Archbishop John Quinn to the House of Representatives and to thank him for offering the opening prayer today.

Archbishop Quinn is one of the pre-eminent spiritual leaders and theologians of our Nation. His church service spans over four decades, beginning with his ordination in Rome in 1953. He has served as a pastor, as an educator, as Provost of the University of San Diego College for Men, as Auxiliary Bishop of San Diego, as Bishop of Oklahoma City and Tulsa, as the first Archbishop of Oklahoma City; and in 1977, he was named the sixth Archbishop of San Francisco.

His fellow bishops elected him President of the National Conference of Catholic Bishops in 1977, where he led with great distinction for a 3-year term. In December 1995, after 18 years of "tending his flock" of the Archdiocese of San Francisco, he resigned and was given a visiting fellowship at Campion Hall, Oxford.

My colleagues, our country has been blessed by the great patriotism, wisdom, scholarship, deep spirituality, and inspirational leadership of this humble and holy man.

Thank you, Archbishop Quinn, for gracing the House of Representatives with your prayer and your presence and for strengthening our country with a faith that calls each of us to be instruments of peace and justice.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. FOXX). The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

AMERICA'S FIRST PRIORITY—A BUDGET

(Mr. MCCARTHY of California asked and was given permission to address the House for 1 minute.)

Mr. MCCARTHY of California. Madam Speaker, last night, I had hoped to hear from the President that he would challenge both Houses to pass the first priority—a budget. The House has done it. The Senate has not for the last 3 years.

In this House, we talk a lot about the sluggish economy and our continual debt. We talk in trillions, so let's take the zeros away and talk in household income. If we were a household, we would, roughly, bring in \$24,500 a year, but we would spend \$35,500. That means we'd have to add \$11,000 to the credit card each year, but when we'd look to the credit card, it would already have \$160,000 on it.

We have to get the House in order. The Senate has refused to pass a budget in 3 years. The time is now to move America forward.

REBUILDING AMERICAN INFRASTRUCTURE

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Last night, President Obama argued that rebuilding American infrastructure is crucial to job creation, and with 70,000 structurally deficient bridges, it is long overdue.

Today, the United States Chamber of Commerce is holding a summit on infrastructure investment. According to the U.S. Chamber, our broken infrastructure costs \$78 billion annually in lost time and fuel, and we will experience \$336 billion in lost growth over the next 5 years. Our decaying infrastructure is a significant drag on the economy. Freight rail bottlenecks cost us \$200 billion a year—air traffic delays \$33 billion a year. Our inadequate ports will lose up to \$270 billion in exports by 2020, costing 738,000 jobs.

Lots of people around here spend a lot of time whining about China. China invests 9 percent of its economy in infrastructure. We invest less than 3 percent. Stop whining about China and do something about it. President Obama and the U.S. Chamber agree that it's time to nation-build right here at home, right here in America, and Congress should listen.

CONGRATULATIONS TO GAINESVILLE, GEORGIA

(Mr. COLLINS of Georgia asked and was given permission to address the House for 1 minute.)

Mr. COLLINS of Georgia. Madam Speaker, I rise to congratulate my hometown—the city of Gainesville, Georgia—for its leadership in creating and sustaining jobs despite the economic challenges facing our Nation. A new Milken Institute study ranked Gainesville as the best-performing small city in Georgia last year.

The study found that 24 new and expanded industries created 1,200 jobs, retained 742 existing jobs, and generated \$164 million in capital investment for Gainesville and Hall County in 2012. This performance puts Gainesville in the top 10 small cities for job growth in the U.S.

I am proud that Gainesville continues to be a leader in economic development. Gainesville was ranked sixth in job growth nationwide from 2010 to 2011 and was ranked second in job growth from 2011 to 2012. From food and auto services to manufacturing and retail, more businesses are calling Gainesville home, which means more job opportunities for Georgians. I commend the leadership of Gainesville and Hall County for creating an environment where businesses can thrive, and I look forward to their continued success.

I hope that other cities across the Nation, as well as Congress, will look to Gainesville as an example of how job creation can be achieved even in a difficult economic climate.

SEQUESTRATION

(Ms. CHU asked and was given permission to address the House for 1 minute.)

Ms. CHU. Last night, President Obama challenged all of us to come together to improve our country's fiscal health today and for generations to come.

Automatic budget cuts, or sequestration, was never intended to be good fiscal policy. It was never intended to be policy—period. If these cuts take place, the American people will actually be harmed by the Representatives who were sent here to serve them. This is unacceptable. In just 2 weeks, if we don't act, across-the-board cuts will deeply hurt every aspect of our lives—

schools, health programs, law enforcement, research and development. Under sequestration, all of these will be decimated.

In our fragile economy, our Nation cannot afford to wait, so I call on our colleagues from the other side of the aisle to rise to the challenge. We cannot keep on going from one manufactured crisis to the next. Work with us to stop sequestration before it's too late.

□ 1210

STOP DEVASTATING SEQUESTER

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, President Obama had a chance last night to lay out a plan for smart, strategic savings to replace his devastating sequester. We were all watching; we were all listening. We want to work together on this. But instead of laying out a vision for how government can avoid his sequester—his sequester—by living within its means, the President decided to make the impractical case for passing the buck onto taxpayers through even more taxes.

House Republicans have known all along the President's sequester was a terrible plan. We gave the Supercommittee a chance to do the right thing, and when they didn't, we led.

Twice since last summer we have passed legislation that would preserve savings while completely removing the threat sequester poses to American jobs and national security. The President didn't join the conversation until recently.

March 1 is coming. Will he or won't he put forth a credible plan to stop the damage of his sequester? Republicans have responded. He and our friends on the other side of the aisle have not.

OPPOSING SEQUESTRATION

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in opposition to the huge education cuts that are in the sequester. Massive sequestration is an inefficient way to make spending decisions that affect millions of Americans. However, this is what we agreed to, and the House majority has not had an open and frank debate on how this Chamber can reduce our national deficit while helping our students and hardworking educational professionals succeed.

On education alone, sequestration will reduce funding for the Department of Education and Head Start by an estimated \$4.8 billion. Department of Education funding will return to pre-

2003 levels, impacting between 8.9 million and 9.4 million students. Potential job losses in the education field are projected to be between 74,600 and 80,500. These cuts will come as schools and colleges enroll more students and the cost of services increases.

I call on Members on both sides of the aisle to join me in finding a better way to reduce our deficit while protecting our children, students, and educational professionals.

STRENGTHENING THE MIDDLE CLASS

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Madam Speaker, last night President Obama outlined a bold vision for his second term in office and spoke about the number one issue facing our country: jobs. The President understands that if we want to get our country back on the right track, we have to invest in those areas that are essential to growing our economy and strengthening the middle class.

With families all across America, and particularly in my home State of Rhode Island facing tremendous challenges, it's critical that our friends on the other side of the aisle put aside partisan gamesmanship and start working together on the commonsense goals that President Obama outlined: reinvigorating manufacturing; investing in our infrastructure; making education a priority; and developing new sources of clean energy, as well as a long-term strategy to deal with our debt.

It's true that Republicans and Democrats have a choice. We can either work to find common ground and move our country forward as a whole, or we can continue the partisan fighting that has created gridlock in Washington.

I urge my colleagues on both sides of the aisle to find common ground and real solutions so we can put our country back to work and address the serious challenges facing our Nation.

REPEAL AND REPLACE DANGEROUS SEQUESTER

(Mr. CARTWRIGHT asked and was given permission to address the House for 1 minute.)

Mr. CARTWRIGHT. Madam Speaker, we have before us this question of allowing indiscriminate and harmful cuts to our armed services and other vital national governmental works.

I agree we must address the debt and the deficit, but it's not a new problem, and we have fixed it before. Right now, our national debt stands at about 105 percent of GDP, gross domestic product. In 1946, it was close to 122 percent, and we fixed it—not by austerity, not by slash and burn; we fixed it by investing in America. We built our na-

tional highway system. We made our armed services the envy of the world. We even rebuilt Europe and Japan. We went to the Moon, for heaven's sake.

By the 1960s, our economic growth was so great that it was impossible for anyone to complain about the Roosevelt debt with a straight face. That's what we need to do now. We need to believe in ourselves. We need to invest in the great engines of our economic recovery, our infrastructure, and our middle class.

So, Mr. Speaker, I urge the Members, be bullish on America and repeal and replace this dangerous sequester.

AMERICANS NEED REAL SOLUTIONS

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Madam Speaker, last night at his State of the Union address, President Obama outlined a real job creation plan to grow our economy and strengthen America's middle class. However, sequestration is just 15 days away, threatening to stall our economic recovery.

Sequestration would be devastating for many programs and services that my constituents and all Americans rely on: Head Start; the Women, Infants and Children—WIC—nutrition plan; medical research funding; Indian Health Service; police officers; and food inspectors. Funding for all these crucial areas would be decimated.

Sequestration would also make our country less safe by implementing reckless, across-the-board defense cuts. We've already reduced the deficit by \$2.5 trillion, mostly through spending cuts. There's no question we can eliminate additional wasteful spending. However, we should be strategic in finding ways to reduce our deficit. With sequestration looming, Madam Speaker, Americans need real solutions, not another eleventh hour cliffhanger.

DEVASTATING SEQUESTERATION CUTS

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Madam Speaker, I rise today to speak about the devastating sequestration cuts that are set to take effect unless we, Congress, act by March 1. If these arbitrary across-the-board cuts are allowed to occur, our military, our national security, and our communities will suffer.

Hawaii is one of the top 10 States that will take the biggest hit. We've already seen these anticipated cuts playing out at the Pearl Harbor shipyard, where 133 apprentices will not be hired and 30 temporary workers will lose their jobs. This is affecting real people,

their families, as well as our military's readiness.

Times are tough and we must all share in the sacrifice, but we cannot do so at the expense of our military readiness or on the backs of our middle class families, seniors, and children.

SEQUESTRATION MEANS STUPID

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Madam Speaker, sequestration. You know, it's inside-the-Beltway talk. What does it mean? It means stupid, across-the-board budget cuts.

Take a program of tremendous public import—whether it's a defense program, public safety program, student financial aid—and cut it 10 percent. Take a turkey, something we don't need anymore, something stupid, obsolete—registering kids for a draft that doesn't exist and will never exist—cut it 10 percent.

So instead of doing targeted cuts and getting rid of programs that we don't need anymore, that don't work anymore, and looking at reasonable revenues, we're going to cut everything 10 percent. It's going to have a real impact.

I was told yesterday by the Office of Management and Budget the first measurable impact is in my district, a 10 percent sequestration of payments to counties in my State from the Interior Department, which means in Douglas County, Oregon, the last 10 road deputies are gone. In another county, which is down to one road deputy, the last road deputy is gone. We're talking about counties the size of States here with no rural law enforcement. That's because of the stupid sequestration.

□ 1220

SEQUESTER IS NOT THE ANSWER

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Madam Speaker, I join with my colleagues to say that sequester is not the answer. When I begin to look at my district and I see high school students and middle school students and elementary school students, I say sequester is not the answer.

Yes, we can look reasonably at how we improve reducing the debt, but not on the backs of seniors, not eliminating the social network.

And then, with respect to our children, do we tell them we close the doors on summer jobs, we close the doors on the best teachers, innovative teaching, science labs? Absolutely not.

So I join with the President to say that it's an inflicted wound we gave. Let's be better. Let's be adults.

And, finally, Madam Speaker, let's do our job on gun safety. Let's ensure universal background checks. Let's have registration of those guns that are owned by gun owners like we register a car. And let's make sure that, as my legislation introduced, that we secure the guns in our homes so that children or those who are disturbed cannot access your guns because you left them around.

I am not interested in coming into your home and taking your guns, but you have a responsibility to be able to secure them. That law was passed in the State of Texas, a State that prizes its guns.

Let's be a group, a Congress that can work together. We can do this.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

FEDERAL DISASTER ASSISTANCE NONPROFIT FAIRNESS ACT OF 2013

Mr. BARLETTA. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 592) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify that houses of worship are eligible for certain disaster relief and emergency assistance on terms equal to other eligible private nonprofit facilities, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 592

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Disaster Assistance Nonprofit Fairness Act of 2013".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Hurricane Sandy inflicted catastrophic damage in the Northeastern United States.

(2) Houses of worship across the Northeast's many faiths and denominations were among the private nonprofit facilities that sustained damage.

(3) Churches, synagogues, mosques, temples, and other houses of worship throughout communities in New York, New Jersey, Connecticut, and elsewhere play an essential role in the daily lives of the communities.

(4) The Federal Emergency Management Agency's (FEMA) public assistance program provides financial grants for the repair of various types of private nonprofit facilities.

(5) Among the types of nonprofits to which FEMA provides such grants are those in which citizens gather and engage in a vari-

ety of educational, enrichment, and social activities. These activities are essential to community building and occur in houses of worship.

(6) Under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), FEMA's disaster relief program is a general government program under which assistance is provided in the wake of a natural disaster using criteria that are neutral with regard to religion.

(7) Congress has previously enacted legislation providing financial assistance to religious nonprofit institutions, including houses of worship, on terms equal to other eligible nonprofit institutions.

(8) Such legislation is consistent with recent precedents of the Supreme Court of the United States and legal opinions issued by the Office of Legal Counsel of the Department of Justice.

SEC. 3. INCLUSION OF HOUSES OF WORSHIP AS PRIVATE NONPROFIT FACILITIES ELIGIBLE FOR DISASTER RELIEF.

(a) DEFINITION OF PRIVATE NONPROFIT FACILITY.—Section 102(10)(B) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(10)(B)) is amended to read as follows:

“(B) ADDITIONAL FACILITIES.—In addition to the facilities described in subparagraph (A), the term ‘private nonprofit facility’ includes any private nonprofit facility that provides essential services of a governmental nature to the general public (including museums, zoos, performing arts facilities, community arts centers, community centers, including houses of worship exempt from taxation under section 501(c) of the Internal Revenue Code of 1986, libraries, homeless shelters, senior citizen centers, rehabilitation facilities, shelter workshops, and facilities that provide health and safety services of a governmental nature), as defined by the President.”.

(b) REPAIR, RESTORATION, AND REPLACEMENT OF DAMAGED FACILITIES.—Section 406(a)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(a)(3)) is amended by adding at the end the following:

“(C) HOUSES OF WORSHIP.—A church, synagogue, mosque, temple, or other house of worship, and a private nonprofit facility operated by a religious organization, shall be eligible for contributions under paragraph (1)(B), without regard to the religious character of the facility or the primary religious use of the facility.”.

(c) APPLICABILITY.—This section and the amendments made by this section shall apply to the provision of assistance in response to a major disaster or emergency declared on or after October 28, 2012.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BARLETTA) and the gentleman from West Virginia (Mr. RAHALL) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BARLETTA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 592.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARLETTA. Madam Speaker, I yield myself such time as I may consume.

First, I want to acknowledge the work of the gentleman from New Jersey (Mr. SMITH) for his leadership on this bipartisan legislation.

Currently, the Robert T. Stafford Disaster Relief and Emergency Assistance Act, also known as the Stafford Act, provides for assistance to nonprofit organizations to rebuild damaged facilities following a declared disaster.

Like other nonprofit organizations, religious-based organizations have seen significant damage to their facilities from disasters. Just last year, for example, we saw facilities owned by both religious and nonreligious organizations alike damaged or destroyed by Hurricane Sandy.

The administration is interpreting current law to allow some religious nonprofits to receive reconstruction assistance, while others do not. For example, parochial schools and religious hospitals receive funds, while a soup kitchen or a shelter may not, depending on how often it is used for purely religious purposes.

H.R. 592 clarifies that facilities owned by religious-based organizations qualify for certain types of disaster assistance.

Again, let me thank the gentleman from New Jersey for his efforts on behalf of his constituents to rebuild the storm-ravaged areas of his State.

I reserve the balance of my time.

Mr. RAHALL. Madam Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act of 2013. This bill designates houses of worship as eligible private nonprofit organizations to receive Federal Emergency Management Agency funds to repair or rebuild after a disaster strikes.

When most people think of disaster damage, they think of the physical damage that is often shown on television, that is, of downed trees, flooded streets and homes, snow piled high, et cetera.

But for disaster survivors, the impact is often also emotionally traumatic. In some cases, survivors have lost loved ones or all of their worldly possessions. In these trying times, survivors often look to houses of worship for spiritual instruction, guidance, and counseling. The services provided by houses of worship are critical to survivors' full healing and recovery after a disaster.

During and after disasters, houses of worship are there at a time when the emotional toll inflicted by a disaster is at its worst. While some may have concerns about providing any type of Federal assistance to houses of worship, some types of Federal assistance should be, and are, provided on a neutral basis.

Funding provided to a broad class of entities for secular purposes such as government-funded and -sponsored police and firefighting assistance and protection and recovery from terrorist activities are such examples.

Likewise, disaster assistance has been provided to religious institutions in the past. In 1995, after the Oklahoma City bombing, Congress approved funds for the U.S. Department of Housing and Urban Development that specifically allowed for the repair and reconstruction of houses of worship damaged by the bombing.

In addition, under FEMA's current policy, funds are provided to repair or rebuild religiously affiliated private nonprofit organizations such as schools, nursing homes, food shelters, and daycare centers.

Assisting with recovery from a disaster does not promote or establish religion. There is no intrinsically religious purpose in providing disaster assistance. This provision simply recognizes that houses of worship are one aspect of community recovery.

This bill helps ensure that our communities fully recover physically, emotionally, and mentally after a disaster. I urge my colleagues to join in supporting this bill.

I reserve the balance of my time.

Mr. BARLETTA. Madam Speaker, I wish to yield 7 minutes to the gentleman from New Jersey (Mr. SMITH), who is the sponsor of this bill.

Mr. SMITH of New Jersey. I thank my good friend, the chair, for yielding. I thank him for his support and for Mr. RAHALL. And I want to thank GRACE MENG for her cosponsorship and leadership on this important bill, and all the cosponsors, and to ERIC CANTOR and the leadership for scheduling it for a vote today. This is extremely important and very timely.

Madam Speaker, Superstorm Sandy inflicted unprecedented damage on communities in the Northeast, including my district in New Jersey. Congress and the President have responded by providing \$60 billion in emergency and recovery aid.

Today's debate and vote, however, isn't at all about whether or how much funding Congress appropriates to mitigate the impact of Sandy. We've had that vote.

Rather, it's about those who are being unfairly left out and left behind. It's about those who help feed, comfort, clothe, and shelter tens of thousands of victims now being told they are ineligible for a FEMA grant.

It's unconscionable that foundational pillars of our communities damaged by Sandy—synagogues, churches, mosques, temples and other houses of worship—have been categorically denied access to these otherwise generally available relief funds.

Current FEMA policy is patently unfair, unjustified, and discriminatory

and may even suggest hostility to religion. FEMA has a policy in place to aid nonprofit facilities damaged in the storm, but the agency has excluded houses of worship from their support. That is wrong, and it's time Congress ensures fundamental fairness for these essential private nonprofits.

The bipartisan Federal Disaster Assistance Nonprofit Fairness Act will ensure that houses of worship are eligible for Federal funds administered by FEMA.

Madam Speaker, it's worth noting here that FEMA's discriminatory policy of exclusion is not prescribed by any law. Nothing in the Stafford Act or any other law, including the Hurricane Sandy Disaster Relief Appropriations Act, precludes funds to repair and to replace and to restore houses of worship.

Indeed, the congressional precedent favors enacting H.R. 592, as there are several pertinent examples of public funding being allocated to houses of worship. For example, FEMA grants were explicitly authorized by Congress back in 1995 and provided to the churches damaged by the Oklahoma City terrorist attack, as my friend from West Virginia pointed out.

□ 1230

The Homeland Security Department and UASI provides funding to houses of worship for security upgrades. The Interior Department provides funding for grants for historically significant properties, including active churches and active synagogues. And the SBA provides low interest loans—no hint at all by anyone that there's an Establishment Clause issue.

It's important to note that a controlling Justice Department Office of Legal Counsel memorandum explains in detail the legal principles that make H.R. 592 constitutional. In a 2002 written opinion, the Office of Legal Counsel concluded it was constitutional for Congress to provide disaster relief and reconstruction funds to a religious Jewish school, along with all sorts of other organizations, following a devastating earthquake. The same principles apply to protect religious organizations following a devastating hurricane.

As the Office of Legal Counsel memo concluded:

Provisions of disaster assistance to religious organizations cannot be materially distinguished from aid programs that are constitutional under longstanding Supreme Court precedent, establishing that religious institutions are fully entitled to receive generally available government benefits and services, such as fire and police protection.

The Supreme Court handed down its first modern Establishment Clause decision in the *Everson v. Board of Education* decision, which involved a program in my own home State of New Jersey. In that case, the Court held that religious institutions are entitled

to receive “general government services” made available on the basis of neutral criteria. The Court held that the Establishment Clause does not bar, in that case, students attending religious schools from receiving generally available school busing services provided by the government.

As Nathan Diament, Executive Director of Public Policy for the Union of Orthodox Jewish Organizations of America, notes in his excellent legal analysis, which I will include in the RECORD:

Federal disaster relief is analogous to aid that qualifies as general government services approved by the Court in *Everson*.

Madam Speaker, the bill before us today simply makes clear and clarifies that Federal disaster relief includes religious entities, along with every other sort of entity.

As the Court later stated in *Widmar v. Vincent*:

The provision of benefits to so broad a spectrum of groups is an important index of secular, that is, constitutional effect.

As it stated more recently in *Texas Monthly v. Bullock*:

Insofar as a subsidy is conferred upon a wide array of nonsectarian groups as well as religious organizations in pursuit of some legitimate secular end, the fact that religious groups benefit incidentally does not deprive the subsidy of the secular purpose and primary effect mandated by the Establishment Clause.

Significantly, Madam Speaker, when three churches in Detroit received taxpayer-funded grants to repair and spruce up their buildings prior to the 2006 Super Bowl, American Atheists sued the City of Detroit and lost.

In a sweeping decision authored by Judge Sutton, the U.S. Court of Appeals for the Sixth Circuit, unanimously held that the direct assistance to the churches did not violate the Establishment Clause. Judge Sutton said, and I quote, in pertinent part:

Detroit sought to fix up its downtown, not to establish a religion. And as will generally be the case when a governmental program allocates generally available benefits on a neutral basis and without a hidden agenda, this program does not have the impermissible effect of advancing religion in general or any one faith in particular. By endorsing all qualifying applicants, the program has endorsed none of them, and accordingly it has not run afoul of the Federal or State religious clauses . . . In the Establishment Clause context, that means evenhanded neutral laws generally, though not invariably, will be upheld. So long as the government benefit is neutral and generally applicable on its face, it presumptively will satisfy the Establishment Clause.

H.R. 592 exhibits no government preference for or against religion, or any particular religion, since it merely permits houses of worship to receive the same type of generally available assistance.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BARLETTA. I yield the gentleman an additional minute.

Mr. SMITH of New Jersey. Again, this legislation permits houses of worship to receive the same type of generally available assistance in picking up the pieces after stunning devastation that many other similarly situated nonprofits receive. Thus, the bill not only passes the test of constitutionality, it passes the test of basic decency.

Indeed, to do otherwise would be to single out churches for adverse treatment, which is in itself constitutionally suspect.

The Supreme Court held, Madam Speaker, in *Lukumi Babalu Aye v. City of Hialeah*, that “at a minimum, the protections of the Free Exercise Clause pertain if the law at issue discriminates against some or all religious beliefs.”

And in *Employment Division v. Smith*, the Court held that under the Free Exercise Clause, the State may not “impose special disabilities on the basis of religious views or religious status.”

To continue to single houses of worship out for discrimination does not express government neutrality; it expresses government hostility. And there’s no place for government hostility toward religion under our Constitution.

I thank the gentleman for yielding.

Mr. RAHALL. Madam Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from West Virginia has 17½ minutes remaining.

Mr. RAHALL. Thank you.

I yield 4 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Madam Speaker, I reluctantly rise in opposition to this bill. The purpose of this bill is laudable. Unfortunately, there are real constitutional problems.

This bill would provide direct cash grants to rebuild houses of worship. Direct government funding of churches, synagogues, and mosques has always been held to be unconstitutional, and the decisions of the Supreme Court establishing that principle remain good law to this day. While some recent decisions have raised questions of these prior decisions’ validity, they remain binding precedent. Most legal authorities would hold this bill to be unconstitutional, although some would disagree.

At the very least, given the serious constitutional questions raised by this legislation, I am deeply troubled that it has received no committee consideration and is being rushed to the floor just a few days after being introduced under a procedure that allows only 40 minutes of debate and no amendments. One would think that we were naming a post office rather than passing legislation with significant constitutional implications that could alter the relationship between government and religion.

While I have serious reservations about this bill and the way it is being considered, I want to commend the sponsors, the gentleman from New Jersey (Mr. SMITH) and my colleagues from New York, Ms. MENG and Mr. KING, who have been outstanding champions of the people hard hit by Hurricane Sandy.

So what is the concern?

Let’s start with the basics. This bill would direct Federal taxpayer dollars to the reconstruction of houses of worship. The idea that taxpayer money can be used to build a religious sanctuary or an altar has consistently been held unconstitutional.

This is entirely different from government working with religious institutions to deliver social services. FEMA money, under the law this bill would amend, is already available to those institutions.

FEMA Disaster Assistance Policy 9521.1 states:

Just because a community center is operated by a religious institution does not automatically make it ineligible. In addition to worship services, many religious institutions conduct a variety of activities that benefit the community. Many of these activities are similar or identical to those performed by secular institutions and local governments.

The law now permits funding to religious institutions that provide those services to the general public, on an equal basis with secular institutions doing the same work. Although the title of this bill suggests otherwise, there is no unequal treatment of religious institutions.

So what we are really talking about is whether we should be in the business of using taxpayer money to build and rebuild houses of worship and rebuild sanctuaries and altars that are not available for use to the general public.

I think, at the very least, we need to exercise caution. I know that people have been circulating letters making extravagant claims about the current state of the law, but what is clear is that the Supreme Court has never overruled its prior decisions specifically prohibiting this kind of use of public money.

□ 1240

In *Tilton v. Richardson*, the Court held that a 20-year ban on using publicly financed college facilities for religious or other purposes was not sufficient. The Court made the ban permanent, saying:

If, at the end of 20 years, the building is, for example, converted into a chapel or otherwise used to promote religious interests, the original Federal grant will in part have the effect of advancing religion.

And that, of course, is not permissible.

Similarly, in *Committee for Public Education v. Nyquist*, the Court struck down a State program of “maintenance and repair grants” for the upkeep of religious elementary and secondary schools. The Court said:

If the State may not erect buildings in which religious activities are to take place, it may not maintain such buildings or renovate them when they fall into disrepair.

Some proponents have pointed to the Court's ruling in *Mitchell v. Helms*. The question in that case was whether publicly financed educational materials could be lent to religious schools. The controlling opinion, written by Justice O'Connor, made it clear that it was not sufficient that the publicly furnished materials be provided on a nondiscriminatory basis; they must never be diverted to religious activities. That is clearly not the case here.

The majority has made a big issue of respecting the Constitution. We read the Constitution at the beginning of each Congress, and we are required to provide a statement of constitutional authority when we introduce a bill.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RAHALL. I yield the gentleman an additional minute.

Mr. NADLER. But all of that means very little if, when faced with a genuinely significant constitutional question, the House gives it the bum's rush. This bill should be subject to hearings in the Judiciary Committee, with input from constitutional scholars, and due consideration of these significant constitutional issues, before we take such a radical step.

At the very least, for those who support this bill, I would think that they would want to get it right, to ensure that it is not done in a way that would make it susceptible to successful legal challenge. I urge my colleagues to put the brakes on this legislation until we can review it with the care it deserves.

Because I believe this bill to be unconstitutional, and because the constitutional issues have not been properly considered, I must reluctantly vote "no."

I thank the gentleman for yielding.

Mr. BARLETTA. Madam Speaker, I wish to yield 3 minutes to the gentleman from Virginia (Mr. GOODLATTE), chairman of Judiciary.

Mr. GOODLATTE. I thank the gentleman from Pennsylvania, the chairman of the subcommittee, for his hard work on this legislation and the gentleman from New Jersey (Mr. SMITH) for introducing it and leading this bipartisan effort to address what I think is a serious problem.

I rise today in support of the Federal Disaster Assistance Nonprofit Fairness Act of 2013.

Churches, synagogues, and all houses of worship are essential to the fabric of communities throughout this great Nation. In times of need, it seems that faith and the charitable acts that faith inspire are essential to rebuilding and healing our communities. When disasters occur, like Hurricane Sandy in the Northeast, it's often houses of worship whose faith calls them to spring into

action to help their fellow man, to feed the hungry and house the homeless. Faith inspires hope that communities can become whole again.

Every Member of Congress has seen the good works and deeds that houses of worship and nonprofit organizations do in our communities. There is no reason that the Federal Government should treat churches, synagogues, and houses of worship differently than other nonprofits in times of disaster.

I want to note that the so-called "pervasively sectarian doctrine," which absolutely prohibited any aid to pervasively sectarian organizations such as churches, is no longer supported by Supreme Court precedent. While that doctrine was a central part of Supreme Court jurisprudence during the 1970s when the Supreme Court handed down decisions cited by opponents of this bill, including *Tilton v. Richardson* in 1971, *Hunt v. McNair* in 1973, and *Committee for Public Education v. Nyquist*, also 1973, it is no longer controlling, as the pervasively sectarian doctrine was subsequently rejected by a majority of the Supreme Court in the 1999 case of *Mitchell v. Helms*. Indeed, as the Congressional Research Service concluded in its December 27, 2000, report to Congress:

In its most recent decisions, the Supreme Court appears to have abandoned the presumption that some religious institutions are so pervasively sectarian that they are constitutionally ineligible to participate in direct public aid programs. It also seems clear that the question of whether a recipient institution is pervasively sectarian is no longer a constitutionally determinative factor.

Today's legislation is important because it will ensure that houses of worship are treated equitably to other private nonprofit facilities, and that they are eligible for Federal Emergency Management Agency disaster relief and emergency assistance. I am glad that we are acting today to clarify that FEMA should treat churches, synagogues, and all houses of worship the same as other nonprofit organizations that are working to rebuild affected communities.

I thank Congressman SMITH for introducing this legislation, and I urge all Members to join with me to support this important clarification of existing law.

Mr. RAHALL. Madam Speaker, I'm very honored to yield 3 minutes to a cosponsor of the pending legislation, the gentlelady from New York (Ms. MENG).

Ms. MENG. Madam Speaker, I rise today to strongly urge my colleagues to support H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act of 2013. I want to also thank my colleague, Congressman CHRIS SMITH of New Jersey, for his wonderful leadership on this issue.

On October 29 of last year, Hurricane Sandy tore through New York City and

its surrounding areas and left an unprecedented amount of damage in its wake. Homes burned to the ground, our communities were devastated, properties flooded, and over 120 lives were lost. Rightfully so, one of the 113th Congress' first actions was ensuring that adequate funding was made available to begin repairing the damage, and I was happy to be part of that effort.

The \$60 billion in aid that Congress made available was a great start to rebuilding our communities and making them whole, but it was only a start. If we as Members of Congress want our affected communities to recover in the aftermath of any natural disaster, we must ensure that FEMA public assistance grants are available to help rebuild all institutions that are vital to a community's way of life.

H.R. 592 is a bipartisan bill. It would allow houses of worship, such as churches, synagogues, temples, or mosques, to receive the fair treatment they deserve. The bill places these vital community institutions on the same playing field as other private nonprofits that are already eligible for FEMA disaster relief. This bill provides no new funds. It sets forth no difference, no favoritism, no promotion of religion; it simply provides for the community and its well-being.

Facilities that already are able to apply for funding include zoos, museums, community centers, and homeless shelters, and it is important that houses of worship not be discriminated against when they need our help. These houses are vital community centers that serve so many of our constituents. The centers' existence, safety, and ability to serve should not be infringed upon, especially because the funds are available under our broadly available program without regard to the religious nature of these facilities. Indeed, to deny FEMA relief to these important institutions would be to discriminate against them because they are religious institutions, in violation of the First Amendment to our Constitution.

Not every facility, home, or place that engages in religious activity will be made available for FEMA assistance because this bill uses a predefined, accepted definition for what these facilities are under section 501(c) of the Internal Revenue Code of 1986. This is how the IRS currently recognizes and provides tax benefits to houses of worship, and this definition will help prevent erroneous claims.

The concerns about promotion of religion are unfounded. Alan Dershowitz, a widely respected expert on these issues, supports this bill on its constitutional grounds. He wrote that:

Under precedents of the U.S. Supreme Court, religious institutions may receive government aid if it is in the context of a broadly available program with criteria that are neutral toward religion and pose no risks of religious favoritism. This is certainly the case in the context of FEMA disbursing aid

to repair buildings in the wake of a natural disaster.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. RAHALL. I yield the gentlelady an additional minute.

Ms. MENG. Many of the groups opposing this bill also oppose Nonprofit Security Grant funding, historic preservation grants, and parochial school funding after Katrina. They oppose Federal assistance that helped rebuild the Trinity Parish Episcopal Church in Seattle after an earthquake; aid made available after the tragic Oklahoma City bombing in which money was made available to the First United Methodist Church, First Baptist Church, St. Paul's Episcopal Cathedral, and St. Joseph's Catholic Church. This is not precedential; this is taking care of our constituents and their needs, our most important task in Congress.

Congress erred by not including an important part of our communities in these rebuilding efforts, and I hope we can correct that today.

DIocese of ROCKVILLE CENTRE,
Rockville Centre, NY, February 11, 2013.

Hon. CHRIS SMITH,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE SMITH: A few weeks ago I wrote to your office to call your attention to the sad situation of houses of worship that were severely damaged by Hurricane Sandy. At that time I could cite Catholic churches and Jewish synagogues who had been told that FEMA would not offer them grants to re-build their place of worship but only loans.

Today I learned that you plan to offer in Congress a bill that would offer houses of worship the same access to disaster relief as other community centers.

I write to thank you for doing this as well as to add my voice of support for just such a correction of a previous position that surely does not reflect either our traditions or our current realities. Houses of worship have been one of the first centers of response across Long Island. The Sunday after Sandy I visited the four parishes most damaged by the storm where I witnessed in parish halls without heat or electricity two signs of hope: faithful people worshipping and the same faithful people reaching out to one another to share food, clothing and other necessities even when their own homes had been destroyed.

To discriminate against houses of worship would be a mark of sectarianism that denies the generosity of the people who helped one another and narrows the American spirit to an arbitrary sectarianism. Please know that my parishioners, my priests and all the volunteers in our various outreach centers are one with me in support of your bill.

WILLIAM MURPHY,
Bishop of Rockville Centre.

AMERICAN JEWISH COMMITTEE,
Washington, DC, February 12, 2013.

Re H.R. 592.

DEAR REPRESENTATIVE: We write on behalf of AJC (American Jewish Committee) to endorse the necessity and constitutionality of legislation to ensure that FEMA provides disaster-relief assistance to houses of worship and other facilities on an equal footing with analogous not-for-profit organizations.

We do not support such legislation lightly, since AJC usually opposes direct government aid to pervasively religious institutions, such as houses of worship. AJC has a long record of opposing aid to pervasively religious institutions as an ingredient of the separation of church and state that is an essential component in the protection of our religious liberties. Nevertheless, we believe disaster relief is constitutionally different.

First, disaster relief, such as the ongoing efforts following Hurricane Sandy, presents special circumstances that do not amount to a transfer of the costs of operating a place of worship from the collection plates to the taxpayer, a core concern of the Framers when they authored the First Amendment's prohibition on government establishment of religion. It is instead a form of social insurance in which society shares the burden of recovering from extraordinary disasters. There is a strong societal interest in aiding those who have suffered damage from such a broad-sweeping event, even institutions that for compelling constitutional and policy reasons would not otherwise be eligible for government assistance.

Second, houses of worship are not uniquely beneficiaries of the aid—a wide variety of not-for-profit institutions are eligible for aid under the existing statutory framework, including zoos and museums. These latter are undeniably important social institutions, but it is clearly the case that houses of worship play at least as important a role in providing essential response services to people in need. Disaster relief is thus available under religiously neutral criteria, which leave no room for discretionary or discriminatory judgments of the sort that generate Establishment Clause concerns.

For these reasons, we support in principle the goal to which H.R. 592 is directed.

We do wish to note how we read the proposed language in Section 3(b), lines 15–16, that makes eligible for aid a “house of worship and a private nonprofit facility operated by a religious organization . . . without regard to the religious character of the facility or the primary use of the facility.” (emphasis supplied) We read this section, as we believe it is intended; as meaning that an otherwise qualified institution is not disqualified from aid merely because it is religious, and that in its implementation, FEMA must apportion aid between secular and religious functions.

Thank you for your consideration of our views.

Respectfully,

MARC D. STERN,
Director of Legal Advocacy.

RICHARD T. FOLTIN,
Director of National and Legislative Affairs.

UJA FEDERATION OF NEW YORK,
New York, NY.

MEMORANDUM OF SUPPORT FOR H.R. 592

EQUAL TREATMENT OF HOUSES OF WORSHIP

Houses of worship for all faiths are a crucial part of the New York region's fabric and while they have always been beacons of support, comfort and community resources, since Hurricane Sandy New Yorkers have needed these institutions more than ever. These organizations are an essential part of neighborhoods and enable rites of passage, community gatherings, charitable activities and are sources of comfort and prayer. In the face of lost homes and distressed property, disruption of employment opportunities and

dislocated families, houses of worship have helped many find stability and fulfillment in an uncertain time. In the aftermath of Sandy, as with so many other natural disasters, churches, synagogues and other houses of worship have been places offering essential response services to people in need—even while the church, mosque or synagogue itself is damaged.

Toward that end, UJA-Federation is proud to have funded close to \$1 million to 76 synagogues to help these institutions support their communities through respite and relief and enlisted dozens of volunteers to help rebuild damaged buildings. Our efforts have made a significant impact at synagogues including West End Temple in Belle Harbor, Queens, Congregation Khal Yeraim in Sea Gate, Brooklyn and The Jewish Russian Learning Center in Staten Island and these houses of worship have helped the Jewish and broader communities in the neighborhoods they are serving.

Each of these synagogues serves as vital hubs of community providing physical, spiritual and emotional shelter for community members. That said, during Hurricane Sandy, many of the synagogues suffered severe damage and lack the resources to rebuild. UJA-Federation while helping houses of worship serve individuals in need does not have the resources to support capital needs.

Many houses of worship function similar to other non-profits by providing day care programming, schooling for children and youth, senior centers and resource centers for immigrants. These services are the lifeblood for communities. Houses of worship have worked closely with elected officials and government on city, state and federal levels to coordinate disaster relief efforts to the benefit of the entire community.

The Stafford Act provides that private nonprofit entities—such as schools, hospitals and community centers—damaged in a natural disaster may receive financial grants from FEMA to repair their buildings. The Act does not list houses of worship among its list of examples of nonprofits so eligible; neither does the Act exclude houses of worship in any way. To the extent that FEMA has provided aid to eligible programs run by houses of worship, the aid has not been provided on the same terms as the aid provided to other eligible nonprofits. It is, therefore, entirely appropriate for FEMA's aid program for private nonprofits to assist houses of worship with their rebuilding needs.

Current Supreme Court jurisprudence makes clear that religious institutions may receive government financial aid in the context of a broad program administered on the basis of religion neutral criteria. This is why houses of worship and other religious nonprofits can, and do, currently receive grants from the Department of Homeland Security to improve their security and the Interior Department for historic preservation.

Numerous houses of worship have suffered financially from this crisis and federal funding would significantly alleviate the effects of building damage and their contents.

Accordingly, UJA-Federation supports passage of H.R. 592.

UNIVERSITY OF VIRGINIA
SCHOOL OF LAW,

Charlottesville, VA, February 12, 2013.

Re H.R. 592.

Hon. CHRIS SMITH,
Hon. GRACE MENG,
House of Representatives,
Washington, DC.

DEAR REP. SMITH AND REP. MENG: I write to support your efforts to include places of

worship in federal relief efforts in response to Hurricane Sandy. As Professor Dershowitz has already explained, there is no constitutional obstacle to including places of worship in this measure, which is entirely neutral and very broadly applicable.

The Supreme Court has permitted government funds to flow without discrimination to broad categories of schools, including religious schools (*Zelman v. Simmons-Harris*). And when a university undertook to subsidize publications, the Court has actually required government funds to flow without discrimination to a broad category that included religious publications (*Rosenberger v. University of Virginia*).

Charitable contributions to places of worship are tax deductible, without significant controversy, even though the tax benefits to the donor are like a matching grant from the government. These deductions have been uncontroversial because they are included without discrimination in the much broader category of all not-for-profit organizations devoted to charitable, educational, religious, or scientific purposes.

The neutral category here is equally broad. To include places of worship in disaster relief is neutral; to exclude them would be affirmatively hostile. There is no constitutional obstacle to including them.

Very truly yours,

DOUGLAS LAYCOCK.

CAMBRIDGE, MA.

Hon. CHRIS SMITH,
Hon. GRACE MENG,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVES SMITH AND MENG: I write to express my support for your legislation (H.R. 592) which will ensure that churches, synagogues, mosques and other houses of worship damaged in Hurricane Sandy will be eligible to receive federal disaster relief funds to repair their facilities on the same terms as other, similarly situated, private nonprofit organizations.

While the Establishment Clause of the First Amendment properly restricts government funds flowing to religious institutions, this restriction is not absolute. Under precedents of the U.S. Supreme Court, religious institutions may receive government aid if it is in the context of a broadly available program with criteria that are neutral toward religion and pose no risks of religious favoritism. This is certainly the case in the context of FEMA disbursing aid to repair buildings in the wake of a natural disaster.

Once FEMA has the policy in place to aid various nonprofit organizations with their building repairs, houses of worship should not be excluded from receiving this aid on the same terms. This is all the more appropriate given the neutral role we have witnessed houses of worship play, without regard to the religion of those affected, in the wake of Sandy and countless previous disasters. Federal disaster relief aid is a form of social insurance and a means of helping battered communities get back on their feet. Churches, synagogues, mosques and other houses of worship are an essential part of the recovery process.

I hope Congress will move quickly to enact your legislation.

Sincerely,

ALAN DERSHOWITZ,
Felix Frankfurter Professor of Law,
Harvard Law School.

AGUDATH ISRAEL OF AMERICA,
Washington, DC, February 12, 2013.

Re FEMA Aid and Religious Institutions.

Hon. CHRISTOPHER H. SMITH,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE SMITH: On behalf of Agudath Israel of America, a national Orthodox Jewish organization, I write to congratulate you on sponsoring H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act of 2013, which is intended to make clear that houses of worship and other religious institutions are eligible to receive FEMA disaster relief on an equal footing with other eligible nonprofits. A vote on the measure is scheduled for this week.

Over the years—most recently, during Hurricane Sandy—Agudath Israel has been engaged in helping to ensure that religious institutions obtain a full measure of FEMA aid for the repair and restoration of their disaster-damaged facilities. Unfortunately, due to unnecessary and unfair limitations placed on how and when disaster assistance may be provided specifically to religious entities—including houses of worship and religious schools—this has been an ongoing challenge. Without the much needed aid, they often face staggering costs that make rebuilding prohibitive.

There is no reason to treat religious entities in this manner. Supreme Court decisions, as well as executive action, in recent years that have allowed federal aid to go to religious institutions when the assistance is made broadly available and is distributed on a religion-neutral basis—as the FEMA program does.

Religious institutions are an integral part of American communities and play an important role in assisting devastated neighborhoods revitalize and rebuild. After natural disasters, they provide both material and nonmaterial help to those in need. They should be treated like other vital nonprofits and receive federal assistance without prejudice or discrimination.

Sincerely yours,

RABBI ABBA COHEN.

THE COUNCIL OF THE CITY
OF NEW YORK
New York, NY, February 12, 2013.

Hon. GRACE MENG,
Congress Member, House of Representatives,
Washington, DC.

Hon. CHRIS SMITH,
Congress Member, House of Representatives,
Washington, DC.

DEAR CONGRESS MEMBERS MENG AND SMITH: We are writing in support of H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act of 2013. This important legislation will ensure that houses of worship affected by Hurricane Sandy will be eligible to receive assistance from FEMA to rebuild their damaged properties. At stake are the interests of New Yorkers in the many neighborhoods that were hit hard by Sandy.

Churches, synagogues and mosques serve as a bedrock for our citizens and our communities. They not only provide places for people to worship but operate after-school programs, food pantries, and other critical services. Many of the churches, synagogues and mosques that were damaged by the hurricane are now facing great difficulty reopening their doors.

Although we understand that some oppose this change due to the constitutional requirement of separation of church and state, in this case we don't agree. Recovery from a natural disaster like Hurricane Sandy isn't a

matter of state sponsoring religion. It's a matter of helping those in need after one of the worst natural disasters our country has ever seen.

Under such extraordinary and painful circumstances, houses of worship should be eligible to receive aid on the same basis as all other non-profits damaged by the hurricane. We applaud you for your leadership on this matter and are happy to lend our support to your bill.

Sincerely,

CHRISTINE C. QUINN,
Speaker.
PETER F. VALLONE, JR.,
Chair, Public Safety
Committee.
FERNANDO CABRERA,
Council Member.

Mr. BARLETTA. Madam Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 7½ minutes remaining.

Mr. BARLETTA. Madam Speaker, I wish to yield 1½ minutes to the gentleman from Pennsylvania (Mr. PITTS).

□ 1250

Mr. PITTS. Madam Speaker, I'm pleased to speak on behalf of my friend Mr. SMITH's sensible legislation to help rebuild communities destroyed by Hurricane Sandy.

Federal assistance is intended to make communities whole; and if we leave behind ruined houses of worship, we're taking the soul out of those places. Churches, synagogues, and other houses of worship are an essential piece of any community. They provide shelter in storms, assistance to the needy, and support for families. And they provide essential services and support to people of all faiths.

In previous disasters, including Katrina, the Seattle earthquake and the Oklahoma City bombing, the Federal Government has extended assistance to places of worship. Areas affected by Sandy should be no different.

I'm a strong supporter of the First Amendment, and I believe that this assistance is completely compatible with our Constitution. Assistance will be distributed without prejudice against any particular religion. Government cannot endorse religion, but that does not mean we should discriminate against those of faith during a time of disaster. Recovery cannot be considered successful if sacred places of our community are left empty.

FAMILY RESEARCH COUNCIL,
Washington, DC, February 12, 2013.

U.S. REPRESENTATIVE,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the Family Research Council (FRC) and the families we represent, I am writing today in strong support of H.R. 592, the "Federal Disaster Assistance Nonprofit Fairness Act of 2013" by Reps. Chris Smith (R-NJ) and Grace Meng (D-NY). H.R. 592 would ensure that houses of worship would not be denied the same relief offered to other entities following a major storm or disaster.

Following every disaster, natural and man made that has hit the United States, our

houses of worship have been there to help. Following the terrorist attacks of September 11, 2001, churches, relief organizations and Christian organizations went into emergency response mode sending help in the form of money, food, supplies and volunteers. When Katrina struck Louisiana, it was religious entities that helped the victims and refugees despite being affected by the storm as well. This is just as true with the recent Hurricane Sandy that struck our Eastern seaboard.

Houses of worship across the Northeast including many faiths and denominations were among the private nonprofit facilities that sustained damage. However, it was the churches, synagogues, mosques, temples, and other houses of worship throughout communities in New York, New Jersey, Connecticut, and elsewhere that provided relief to many individuals while the federal government seemingly did little.

The Federal Emergency Management Agency's (FEMA) own policies allow for grants to nonprofit organizations where citizens are known to gather and engage in a variety of educational, enrichment, and social activities. However, it is internal FEMA policy that does not believe houses of worship are worthy of the same type of relief.

H.R. 592 is consistent with recent precedents of the Supreme Court of the United States and legal opinions issued by the Office of Legal Counsel of the Department of Justice. We strongly urge your vote for this necessary legislation.

Sincerely,

TOM MCCLUSKY,
Senior Vice President.

Mr. RAHALL. How much time do I have remaining, please, Madam Speaker?

The SPEAKER pro tempore. The gentleman from West Virginia has 8½ minutes remaining.

Mr. RAHALL. I yield 5 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Madam Speaker, I thank the gentleman for yielding.

I rise in opposition to H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act of 2013, which would add "houses of worship" to the list of eligible entities that can receive direct government assistance from FEMA. While the devastation caused to many communities after Hurricane Sandy is severe, and while I empathize with the desire to assist all who have suffered severe losses, direct government funding for houses of worship, whether for building or rebuilding, remains unconstitutional.

The establishment clause in the First Amendment protects religious freedom by preventing the government from endorsing and funding any one religion—or all religions. And while well intended, this bill would violate years of precedents interpreting the establishment clause.

In *Committee for Public Education v. Nyquist*, a 1973 case which upheld the principles of *Everson v. Board of Education*, from 1947, the U.S. Supreme Court held that no taxpayer funds could be used for maintenance and re-

pair of facilities in which religious activities take place, explaining:

If the State may not erect buildings in which religious activities are to take place, it may not maintain such buildings or renovate them when they fall into disrepair.

Accordingly, longstanding precedent specifically holds that taxpayer funds cannot go to construct, rebuild or repair buildings used for religious activities. The type of buildings that this bill seeks to make eligible for direct government funding—houses of worship—are inherently used for religious activities and the bill would have the effect of unconstitutionally funneling taxpayer money for religious activities.

Other cases have also upheld the precedent established in *Everson v. Board of Education* and have further clarified the application of the establishment clause to cases of direct religious funding. In *Tilton v. Richardson*, the Supreme Court unanimously held that a government subsidy used to construct buildings at colleges and universities was constitutional but only if the buildings were never used for religious activities.

In *Hunt v. McNair*, 1973, the Supreme Court upheld a South Carolina law which established an "educational facilities authority" that issued bonds to finance construction and renovation of facilities at educational institutions was upheld because it included a condition that government-financed buildings could never be used for religious worship or instruction.

All of these cases firmly establish that it is constitutionally impermissible for the government to provide direct subsidization of religious institutions for the construction, repair or maintenance of any building that is, or even might be, used for religious purposes. Houses of worship clearly fall within this category of buildings and based on a long line of Supreme Court cases cannot be publicly funded and cannot be recipients of direct grant funding.

Now, there are constitutional ways to assist churches along with other community organizations. Loan programs, such as the government-sponsored small business loan programs available to any business in a community, could also be used by churches. Such loan programs have been upheld as constitutional so long as they are both neutral on their face and in their application and so long as their purpose is not to aid religious institutions specifically.

In *Mitchell v. Helms*, 2000, the Supreme Court held that loan programs for religious institutions are allowable in some cases. However, such programs are distinguishable from grants and are further distinguishable from the direct funding of church facilities that are, or may be, used for religious purposes. The opinion included that:

Of course, we have seen special establishment clause dangers when money is given to

religious schools or entities rather than indirectly.

Justice O'Connor noted the Court's "continued recognition of the special dangers associated with direct money grants to religious institutions." Now, therefore, H.R. 592 clearly violates the principles prohibiting direct government grants to religious institutions. It also violates any possible exemption that could be available under the theory of neutrality—the standards in this bill applicable to houses of worship are different from the standards for other entities.

While I'm in favor of constitutionally permissible ways to assist churches that have been damaged by natural disasters, this bill clearly does not do so in a constitutionally permissible way; and for this reason, I must oppose the bill and urge my colleagues to instead work together to ensure that all entities affected by Hurricane Sandy can be assisted in an expeditious and constitutionally permissible manner.

AMERICAN CIVIL LIBERTIES UNION,

Washington, DC, February 12, 2013.

Re Oppose H.R. 592, the so-called Federal Disaster Assistance Nonprofit Fairness Act of 2013.

DEAR REPRESENTATIVE: On behalf of the American Civil Liberties Union (ACLU), a non-partisan organization with more than a half million members, countless additional activists and supporters, and 53 affiliates nationwide dedicated to the principles of individual liberty and justice embodied in the U.S. Constitution, we are writing to urge you to vote "No" on H.R. 592 when the measure comes up on the suspension calendar on Wednesday. This bill, which would authorize FEMA to provide houses of worship with direct grants of taxpayer funds, would flout longstanding constitutional law and harm religious liberty.

The Supreme Court has recognized that the First Amendment was devised to prohibit "[t]he imposition of taxes to . . . build and maintain churches and church property," because such funding is an affront to "individual religious liberty." Accordingly, longstanding Court precedent specifically holds that taxpayer funds cannot go to construct, rebuild, or repair buildings used for religious activities—which clearly includes houses of worship. The Court has never retreated from this bedrock Establishment Clause principle. In fact, the Supreme Court continues to recognize "special Establishment Clause dangers where the government makes direct money payments to sectarian institutions," which is exactly the use of taxpayer funds at issue here. And in a variety of bills over the past several decades, Congress has prohibited the use of funds to construct buildings used for religious purposes. Indeed, in the American Recovery and Reinvestment Act, Congress again recognized this prohibition and limited green construction funding to buildings in which secular activities take place.

Under current policy, houses of worship may obtain government loans—just not direct grants—to rebuild. All for-profit businesses and non-profit organizations—including houses of worship—are eligible to participate in the SBA Disaster Loan Program. Houses of worship, therefore, are not without government help to rebuild. Moreover, houses of worship are not the only non-profit

facilities that would otherwise be ineligible for direct grants for reconstruction. Only non-profits with facilities used for emergency, essential, and government-like activities are eligible for grants. Thus, FEMA grants are not the same as "general government services," like police or fire, which are available to every business, nonprofit, private residence, and house of worship. To say that the policy is unfair or that houses of worship are treated unequally—singled out among all other non-profits—therefore, is untrue.

Although houses of worship may serve a central role in the lives of their congregants, it is impossible to see how the prayer and worship conducted in these sacred buildings is equivalent to the essential, government-like activities in facilities that would be eligible for government grants. It would be a dangerous precedent to equate religious worship with the vital services government provides. And while houses of worship may host educational and social activities, only community centers that are open to the general public on a nondiscriminatory basis, serve the entire community (not just congregants), and are used for a range of different activities are eligible for a FEMA grant.

In the aftermath of Hurricane Katrina, the Bush administration directed that houses of worship would remain ineligible for FEMA funds. The Bush administration respected longstanding Supreme Court precedent and continued to adhere to this constitutional requirement. Churches, synagogues, mosques, and temples were damaged in Katrina just as they were in Sandy. As an organization whose offices were closed for weeks as a result, we very much understand the serious difficulties faced by people who were impacted by superstorm Sandy—so many of our friends and colleagues in New York and New Jersey continue to deal with its aftermath. But, the harm would be compounded if this misfortune were used as a reason to erode fundamental religious liberty protections enshrined in the First Amendment.

Religious liberty is one of our nation's most fundamental values and it starts from the principle that religion thrives when both religion and government are safeguarded from the undue influences of the other. Barring federal funds for the rebuilding of houses of worship is not discriminatory or hostile to religion—it is one of the most fundamental ways we have to protect and defend religious liberty for all. Indeed, the Establishment Clause protects religious freedom by preventing the government from endorsing and funding any one religion—or all religions.

Because H.R. 592 would flout longstanding constitutional law and harm religious liberty, we urge you to oppose the measure and vote "No" when the measure comes up on the suspension calendar on Wednesday.

Please contact Legislative Counsel Dena Sher if you have questions or comments about our concerns.

Sincerely,

LAURA W. MURPHY,
*Director, Washington
Legislative Office.*

DENA SHER,
Legislative Counsel.

AMERICANS UNITED FOR
SEPARATION OF CHURCH AND STATE,
Washington, DC, February 12, 2013.

Re Oppose H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act of 2013.

DEAR REPRESENTATIVE: Americans United writes to express our strong opposition to

H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act of 2013, which will be debated on the House floor tomorrow, Wednesday, February 13. The sole purpose of the bill is to authorize the Federal Emergency Management Agency (FEMA) to issue direct grants to fund the rebuilding of houses of worship. We oppose this bill because such funding would violate the Constitution and represent a significant shift in longstanding federal policy. Indeed, the George W. Bush Administration followed the policies of the Reagan, George H.W. Bush, and Clinton Administrations when it disallowed FEMA grants for the rebuilding of "houses of worship" after Hurricane Katrina.

As someone who was born and raised at the Jersey shore and whose parents are still making repairs to their home and cleaning up after the storm, I certainly appreciate the needs the community faces. But, I also recognize that the Constitution places certain limits on the government's ability to fund houses of worship. The Tilton/Nyquist line of Supreme Court cases firmly establish that it is constitutionally impermissible for the government to provide aid for the construction and repair of houses of worship. In accordance with these cases, "the State may not erect buildings in which religious activities are to take place" and "it may not maintain such buildings or renovate them when they fall into disrepair."

The rule set down by the Supreme Court in these cases remains controlling law as neither they, nor the principle behind them, have ever been overruled in any subsequent Supreme Court decision. To the contrary, in its more recent cases examining the constitutionality of government aid to religious institutions, the Supreme Court has maintained that direct money grants create "special Establishment Clause dangers." Congress too just recently recognized the applicability of this precedent when it limited green construction funding in the Recovery Act to buildings in which secular activities take place.

Furthermore, proponents' claims that Tilton and Nyquist are inapplicable and that Congress should instead look to free speech forum and in-kind aid cases must be rejected. The Supreme Court has squarely held that free speech forum cases are inapposite to federal aid cases and that money grants are distinct from in-kind funds.

It is also important to note that houses of worship, like most non-profit organizations and businesses, are eligible for government loans—just not direct grants—to rebuild. In addition, houses of worship are not the only nonprofits that are ineligible for direct grants for reconstruction. To the contrary, only nonprofits with facilities that are used for emergency, essential, and government-like activities are eligible. And, eligible facilities, such as community centers, must also be open to the general public. To say that houses of worship are singled out among all other non-profits, therefore, is untrue. It is similarly inaccurate to claim that FEMA grants should be extended to houses of worship because the grants are akin to "general government services," such as police or fire. FEMA grants—unlike general government services—are not available to every business, nonprofit, private residence, or other building.

Although it may not seem easy in times of tragedy to tell those seeking aid that they are ineligible for government grants, the bar on the government rebuilding of houses of worship is an important limitation that exists to protect religious freedom for all. It

upholds the fundamental principle that no taxpayer should be forced to fund a religion with whom he or she disagrees and that the government should never support building ("establishing" religion in its most basic form) religious sanctuaries. And, it protects against the government favoring, or creating the perception of favoritism for, certain religions over others.

Houses of worship are special in our country and our constitution. They are both the place where worship takes place, and, adorned with religious symbols and iconography, are themselves expressions of worship. Accordingly, they are accorded special protections—exemptions, accommodations, and tax deductions. Restrictions on government funding of religion is also a special protection—they protect the conscience of the individual taxpayer, safeguard the autonomy of the religious institution, and ensure an equal playing field for all religions by prohibiting the government from playing favorites.

For the reasons listed above, we urge you to oppose H.R. 592.

Sincerely,

MAGGIE GARRETT,
Legislative Director.

HINDU AMERICAN FEDERATION,
Washington, DC, February 12, 2013.

Re Please Oppose H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act of 2013.

DEAR REPRESENTATIVE, We at the Hindu American Foundation (HAF), a 501(c)(3) advocacy organization, write to express our deep concern about H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act of 2013, sponsored by Congressman Chris Smith (R-NJ). The act provides for direct grants to fund the rebuilding of "houses of worship." We believe such funding violates the Constitution and represents a significant shift in longstanding federal policy. As such, HAF opposes H.R. 592.

We believe constitutionally problematic because the Supreme Court has long held that taxpayer funds cannot go to construct, rebuild, or repair buildings used for religious activities, including houses of worship without invoking "special Establishment Clause dangers." In fact, the controlling law proscribing such funding was set down by the Supreme Court in three major cases—Tilton v. Richardson, Hunt v. McNair, and Committee for Public Education v. Nyquist. Even Congress has recognized the applicability of this precedent when green construction funding in the Recovery Act was limited to buildings in which secular activities take place. Past administrations, from George W. Bush to Ronald Reagan, have also all recognized that direct financial support to build and reconstruct houses of worship raises serious Establishment Clause concerns.

There are some government grant programs that benefit other non-profit facilities, such as the Stafford Act. But these grants are limited to only "educational, utility, irrigation, emergency, medical, rehabilitation, and temporary or permanent custodial" facilities," and "any private nonprofit facility that provides essential services of a governmental nature to the general public." Even among potentially eligible facilities, there are prohibitions on funding structures used for religious purposes. That houses of worship are amongst non-profit facilities which sustain damage and destruction wrought by natural disasters, is a sad reality. However, providing direct funding for rebuilding, as Sec 3 of H.R. 592 seeks to do,

would be unprecedented, would unnecessarily entwine government with religion, and ultimately would threaten the autonomy of religion.

This is not to suggest that houses of worship are not deserving or in need of assistance after a natural disaster; only that direct federal funding should not be granted for such uses. There are many government loans, which houses of worship could apply for should they choose. The SBA Disaster Loan Program, for example, provides loans of up to \$2 million to cover losses that are not fully covered by insurance, and they can be used to reconstruct or repair property damaged after a disaster.

Since its inception, the Hindu American Foundation (HAF) has made legal advocacy one of its main areas of focus. From issues of religious accommodation and religious discrimination to defending fundamental constitutional rights of free exercise and the separation of church and state, HAF has educated Americans at large about various aspects of Hindu belief and practice in the context of religious liberty, either as a party to the case or an amicus curiae. These have included a successful suit against the State of South Carolina over a special Christian license plate mandated by the state's legislature, and amicus briefs filed before the U.S. Supreme Court in cases involving the public display of the Ten Commandments and legislative prayer in which the county allowed only those prayers which invoked a Judeo-Christian deity.

HAF seeks to be a resource for your office with regards to matters involving the Establishment Clause. Please feel free to reach out to us should you need further clarification to the facts presented in this letter.

Respectfully,

SUHAG A. SHUKLA, ESQ.,
Executive Director/Legal Counsel.

BAPTIST JOINT COMMITTEE
FOR RELIGIOUS LIBERTY,
Washington, DC, February 12, 2013.

Re Oppose H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act of 2013.

DEAR REPRESENTATIVE: On behalf of the Baptist Joint Committee for Religious Liberty (BJC), a 76-year-old agency dedicated to defending and extending religious freedom for all, I am writing to express our opposition to H.R. 592, to be considered on the floor tomorrow, Wednesday, February 13. The BJC, supported by fifteen national Baptist bodies and hundreds of congregations and individual supporters, believes religion is best served when it is neither advanced nor inhibited by government. H.R. 592, which would authorize FEMA to provide houses of worship with direct grants of taxpayer funds, would flout well-established constitutional principles and harm religious liberty.

The First Amendment's Establishment Clause prohibits government from providing outright grants or similar financial support to churches and other houses of worship. Supreme Court jurisprudence has been clear on this point, having repeatedly reaffirmed the principle that direct monetary contributions of taxpayer dollars to religious institutions create "special Establishment Clause dangers." Simply put, we do not allow taxpayer dollars to build churches; we likewise should not allow taxpayer dollars to be used to rebuild churches.

The damage wrought upon the Northeast by Hurricane Sandy is an instance in which our moral and humanitarian instincts may seem at odds with the constitutional requirement of no-establishment. Happily, we have

ways to empathize with and provide aid to churches and other religious organizations damaged by the terrible storm. Repairs may be financed by denominational efforts, private foundation grants and contributions of the faithful. Additionally, insurance proceeds are available for rebuilding efforts, and churches and houses of worship may be eligible to obtain low-interest, long-term loans under the Small Business Administration disaster loan program for damages not covered by insurance.

Natural disasters and other times of crisis serve as a call to action for citizens of faith. When we answer that call using voluntary, private donations, we reflect the very best of America's longstanding commitment to religious liberty for all. Public funding of houses of worship threatens to undermine religious autonomy and impermissibly involve government in the private affairs of religious bodies. It is simply not a good idea—however our heartstrings are tugged—to give churches access to the public till. H.R. 592 would do just that, and we therefore urge you to oppose it.

Sincerely,

NAN FUTRELL,
BJC Staff Counsel.

Mr. RAHALL. Madam Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Speaker, I absolutely agree with my colleagues of the necessity of an absolute firewall around the protection of the First Amendment. And I do believe that Members understand the sacred aspect of freedom of religion and the separation of church and state.

But I rise today to support H.R. 592, and I support it so that it can be considered by the Senate and that we can reinforce the distinctive separation between church and state. But coming from Hurricane, if you will, Valley, coming from the gulf, living through Hurricane Rita and Hurricane Katrina, the pain I saw that places of worship, of any kind, were devastated, the members are taxpayers. And for all that we could do, we could never get those places to be restored.

The small business loan program does not work because many of our churches are just that, they give their money to the poor. They are not rich institutions. That is the bulk of places of worship no matter what your faith may happen to be.

And as the Federal Emergency Management Agency does, in fact, support nonprofits, I would argue to the authors of this bill whether or not they would be open to ensure that the funding is specifically for the devastation that occurred on that specific natural disaster, that there was a time limit, that there were specific items of which the church—or the place of worship, let me be general—could utilize it for.

I come to the floor because I have lived the pain of pastors, I have lived the pain of rabbis, imams and priests who have suffered the devastation of their faith. It is not a fault of their own.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. RAHALL. Madam Speaker, the gentlewoman is making such a persuasive case, I yield her all the balance of my time.

The SPEAKER pro tempore. The gentlewoman is recognized for 1½ minutes.

Ms. JACKSON LEE. I thank the distinguished gentleman for his kindness. Let me thank the ranking member very much.

I think we can make this work. And I also want to just mention an anecdotal story: when we had Hurricanes Katrina and Rita, the places of worship opened their doors to the surviving members out of Louisiana or survivors out of Louisiana and just opened their doors.

□ 1300

They had leaking roofs. They were damaged. But in Texas, they opened their doors. We took a quarter of a million, and they opened their doors. They put cots up, and they fed them. All of those items could not be reimbursed.

We saw places of worship—no matter what their faith—literally shut down. They just could not survive because they had given their all with their leaking roof, their non-resources to give food in a place that these people could stay.

So in this instance, having walked through a number of disasters, from the tragedy of 9/11, a heinous manmade disaster, to every hurricane that we've had, including the tsunami way across the ocean, to see what a natural disaster can do and to preclude these places who can legitimately document—I would even suggest that it be on a reimbursement form. But we can work together so that we can document that what these dollars are used for will be used for the restoration of the physical plant that houses or allows those who are Americans, who pay taxes, and are contributing to this Nation.

I ask my colleagues to consider H.R. 592 and how we can make it better so that it can go forward and help the places of worship.

Mr. BARLETTA. Madam Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. I thank my good friend for yielding, and I thank the gentlelady from Texas for her very strong and passionate remarks.

I especially again want to thank Congresswoman MENG for her excellent statement and her support and cosponsorship of this important bill.

Let me just say a couple of points to my colleagues. First of all, I will be submitting for the RECORD a very fine analysis by the Becket Fund for Religious Liberty, an outstanding public interest law firm that has done yeoman's work throughout the country on religious liberty.

It's a statement to us as Members of Congress by its leaders. It points out

first not only does the Establishment Clause provide no support for FEMA's practice of discriminating against houses of worship, that practice itself runs afoul of the First Amendment by discriminating against religious institutions.

Second, the bill you have proposed will not lead to Establishment Clause violations because no act of Congress can purport to repeal the First Amendment. Arguments to the contrary are constitutional scaremongering.

Eric Rassbach and Daniel Blomberg have authored again a very important contribution to this debate.

Madam Speaker—and Ms. MENG mentioned this earlier and it bears repeating—in letters of support for H.R. 592, Harvard Professor Alan Dershowitz concludes:

Religious institutions may receive government aid if it is in the context of a broadly available program with criteria that are neutral toward religion and pose no risk of religious favoritism.

He states further:

Once FEMA has a policy in place to aid various nonprofit organizations with their building repairs, houses of worship should not be excluded from receiving this aid on the same terms.

This is all the more appropriate given the neutral role that we have witnessed houses of worship play without regard to religion to those afflicted in the wake of Sandy and countless previous disasters.

Federal disaster relief aid in the form of social insurance and other means of helping battered communities get them back on their feet. Churches, synagogues, mosques, and other houses of worship are an essential part of the recovery process.

Madam Speaker, religious liberty scholar Professor Douglas Laycock of the University of Virginia School of Law wrote a letter endorsing H.R. 592 and said in part:

Charitable contributions to places of worship are tax deductible without significant controversy, though the tax benefits to the donor are like a matching grant from the government. These deductions have been uncontroversial because they're included without discrimination in a much broader category of all not-for-profit organizations devoted to charitable, educational, religious, or scientific purposes. The neutral category here is equally broad; to include places of worship in disaster relief is neutral. To exclude them would be affirmatively hostile. There is no constitutional obstacle to including them.

That is according to Professor Laycock of the University of Virginia School of Law, a preeminent expert on these matters.

Madam Speaker, houses of worship are an integral, irreplaceable part of the contour and fabric of our communities. Like any other private nonprofit organization, their recovery is essential to the recovery of neighborhoods, towns, and States. They should not be excluded from Federal programs

that ensure community recovery, especially since they so selflessly provide assistance to all in need.

In conclusion, Madam Speaker, this legislation has been backed by a number of important organizations, including the Union of Orthodox Jewish Congregations of America, the United States Conference of Catholic Bishops, the National Association of Evangelicals.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BARLETTA. I yield the gentleman an additional 30 seconds.

Mr. SMITH of New Jersey. Just to underscore for my colleagues the broad support that this has, the American Jewish Committee has also supported it, the Family Research Council. As I said earlier, the Becket Fund and so many others have written very extensive remarks in favor of it.

I do hope there will be very strong support for this important legislation. It's a matter of inclusion to stop current-day, present-day exclusion.

MEMORANDUM

To: Interested Parties

From: Nathan J. Diamant, Exec. Director of Public Policy

Date: February 6, 2013

Re Legal Analysis Supporting Including Houses of Worship, Among Private Nonprofit Facilities, Eligible for Federal Disaster Relief Funds Administered by FEMA Under the Stafford Act.

Conclusion: The Establishment Clause does not bar the award of federal grants to houses of worship for the repair of facilities damaged in a natural disaster, in the context of the Stafford Act's "private nonprofit facility" aid program.

I.

A. BACKGROUND

The Robert T. Stafford Disaster Relief and Emergency Assistance Act provides that the Federal Emergency Management Agency (FEMA) may provide funding, through its Public Assistance program, to restore facilities of certain private nonprofit organizations which were damaged in a natural disaster. 42 U.S.C. 5122, 5172.

The private nonprofit organizations eligible for such aid include those which provide "critical services" (ie: utilities, hospitals and schools) and those which provide "essential services" (ie: museums, community centers, libraries, day care centers and more). The Stafford Act does not explicitly include or exclude houses of worship from eligibility for public assistance. In its regulations and policies, FEMA has imposed restrictions on eligibility for aid to houses of worship. FEMA excludes facilities whose "primary use" is religious from eligibility.

It is worth noting an illustrative example of FEMA's unequal policy. One eligible category of nonprofit providing "essential services" is community centers. FEMA policy defines these entities as "a gathering place for a variety of social, educational . . . and community service activities." FEMA policy describes a broad array of activities that fit this definition—but excludes a facility that hosts the very same activities if that facility and those activities are in a house of worship in a religious context.

FEMA's exclusion of houses of worship from eligibility cannot be exclusively on

constitutional grounds because, as noted, FEMA awards aid to religious entities that operate what it deems to be eligible nonprofits. FEMA's exclusion is also not on statutory grounds as the statute does not explicitly exclude houses of worship.

FEMA's policy is unfair, discriminatory and not required by constitutional jurisprudence.

B. POSSIBLE CONSTITUTIONAL CONCERNS

Those who would contend that providing government funds for the repair of houses of worship is barred by the Constitution would argue that a two-part rule governs direct financial support of religious institutions. First, that direct aid may be given to "non-pervasively sectarian" religious institutions, provided the aid is not used to fund specifically religious activity and is channeled exclusively to secular functions. Second, that there are institutions—"pervasively sectarian" institutions—in which "religion is so pervasive that a substantial portion of [their] functions are subsumed in the religious mission." (*Hunt v. McNair*, 413 U.S. 734, 743 (1973)). The opponents would further contend that, because houses of worship would qualify as "pervasively sectarian" institutions, in which the "secular and religious functions" are "inextricably intertwined," the government may not provide direct aid to them "with or without restrictions," because the aid will inevitably end up advancing religion. (*Tilton v. Richardson*, 403 U.S. 672 (1971), and *Committee for Public Educ. v. Nyquist*, 413 U.S. 756 (1973)).

In addition, the opponents of fair inclusion of houses of worship would contend that to the extent that it is possible to distinguish between the religious and secular, any governmental effort to separate out the facilities and functions that engage in exclusively religious activities could well involve the kind of monitoring of a religious entity otherwise prohibited by the Establishment Clause. Opponents would again cite *Tilton* and *Nyquist*, which imposed certain restrictions on the government's provision of construction, maintenance, and repair aid to properties used by religious educational institutions.

As the following discussion will demonstrate however, in the context of disaster response and relief, these contentions are inconsistent with current constitutional jurisprudence.

II.

A. GENERAL CONSTITUTIONAL PERSPECTIVE

A proper reading of Supreme Court decisions and jurisprudence developed in the decades since *Tilton* and *Nyquist* clearly lead to the conclusion that providing federal grants to houses of worship, among many types of nonprofits, as part of a broad disaster relief program, is constitutionally acceptable. Most notably, the Supreme Court's ruling in *Mitchell v. Helms*, 550 U.S. 793 (2000), explicitly undermined the continued application of *Tilton* and *Nyquist*.

First, Congress may legitimately conclude that the federal government has a secular interest in aiding a community's recovery from a natural disaster, that repairing damaged private nonprofit facilities is an essential component of that recovery and that houses of worship are among those nonprofit facilities which should be aided.

Second, the public assistance grants are not an isolated initiative designed to aid religion—it is but one part of a much larger legislative effort to assist a disaster stricken region with its recovery. In this critical way, it is quite distinguishable from the targeted

aid programs considered in the *Tilton* and *Nyquist* cases.

Third, the aid to houses of worship is within the context of the Stafford Act's broader provision of aid to nonprofit entities. In this respect, inclusion of houses of worship is consistent with many existing and past examples of inclusion of religious institutions in broader infrastructure improvement and federal aid programs. Notable examples of such programs include:

i) the Interior Department's "Save America's Treasures" program provides grants for the repair and maintenance of historically significant properties, which have included the Boston's Old North Church and Newport's Touro Synagogue;

ii) FEMA awards disaster relief grants to repair facilities under the Stafford Act, 42 U.S.C. 5121-5206, damaged in natural disasters to religious institutions including, for example, a Seattle parochial school;

iii) following the Oklahoma City bombing, Congress authorized FEMA and other federal agencies to provide disaster relief funds to houses of worship on the same basis as all other nonprofit facilities;

iv) the California Missions Preservation Act, P.L. 108-420 (Nov. 30, 2004), authorizes federal grants for restoring colonial era missions in California, many of which are still used for religious worship;

v) Congress has overwhelmingly authorized grants for security upgrades for nonprofits, including houses of worship, under the Department of Homeland Security's UASI program;

and many other examples abound.

Therefore, a federal disaster relief program which includes houses of worship among its eligible grantees cannot be materially distinguished from other aid programs that are constitutional under longstanding precedents establishing that religious institutions are fully entitled to receive widely available government benefits and services.

B. DISASTER RELIEF AND REPAIR GRANTS ARE "GENERAL GOV'T SERVICES"

It is highly significant that eligibility for FEMA's public assistance grants extends to a broad class of beneficiaries, defined without reference to religion and including both public and private institutions. Ever since 1947, the year of its decision in *Everson*, the Supreme Court has indicated that religious institutions are entitled to receive "general government services" made available on the basis of neutral criteria. 330 U.S. at 17. *Everson* held that the Establishment Clause does not bar students attending religious schools from receiving generally available school busing services provided by the government. In reaching its decision, the Court explained that even if the evenhanded provision of busing services increased the likelihood that some parents would send their children to religious schools, the same could be said of other "general state law benefits" that were even more clearly constitutional because they were equally available to all citizens and far removed from the religious function of the school. *Id.* at 16. As examples, the Court cited "such general government services as ordinary police and fire protection, connections for sewage disposal, public highways and sidewalks," concluding:

"cutting off church schools from these services, so separate and so indisputably marked off from the religious function, would make it far more difficult for the schools to operate. But such is obviously not the purpose of the First Amendment. That Amendment requires the state to be a neutral in its relations with groups of religious

believers and non-believers; it does not require the state to be their adversary. State power is no more to be used so as to handicap religions, than it is to favor them."

Id. at 17-18. See also *id.* at 16 ("[The state] cannot exclude individual Catholics, Lutherans, Mohammedans, Baptists, Jews, Methodists, Non-believers, Presbyterians, or the members of any other faith, because of their faith, or lack of it, from receiving the benefits of public welfare legislation. . . . [W]e must be careful, in protecting the citizens of New Jersey against state-established churches, to be sure that we do not inadvertently prohibit New Jersey from extending its general state law benefits to all its citizens without regard to their religious belief.").

Federal disaster aid is analogous to aid that qualifies as "general government services" approved by the Court in *Everson*.

As the Supreme Court explained in *Widmar v. Vincent*, 454 U.S. 263, 274 (1981), "[t]he provision of benefits to so broad a spectrum of groups is an important index of secular effect." *Accord Zobrest v. Catalina Foothills Sch. Dist.*, 509 U.S. 1, 8 (1993) ("we have consistently held that government programs that neutrally provide benefits to a broad class of citizens defined without reference to religion are not readily subject to an Establishment Clause challenge"); *Board of Educ. of Kiryas Joel Village Sch. Dist. v. Grumet*, 512 U.S. 687, 704 (1994) ("we have frequently relied explicitly on the general availability of any benefit provided religious groups or individuals in turning aside Establishment Clause challenges"). Thus, the aid here is closely analogous to the provision of "general" government aid like that sanctioned by the Court in *Everson*. See also *Church Arson Prevention Act of 1996*, Pub. L. No. 104-155, 110 Stat. 1392 (creating a program that provides low-income reconstruction loans to nonprofit organizations, including churches, destroyed by arson motivated by racial or religious animus). As Justice Brennan expressed the point in *Texas Monthly*: "Insofar as [a] subsidy is conferred upon a wide array of non-sectarian groups as well as religious organizations in pursuit of some legitimate secular end, the fact that religious groups benefit incidentally does not deprive the subsidy of the secular purpose and primary effect mandated by the Establishment Clause." 489 U.S. at 14-15 (plurality opinion) (footnote omitted).

When viewed in the context of disaster response, *Waltz v. Tax Commission*, 397 U.S. 664 (1970), strongly supports this conclusion. There the Court rejected an Establishment Clause challenge to a property tax exemption made available not only to churches, but to several other classes of nonprofit institutions, such as "hospitals, libraries, playgrounds, scientific, professional, historical, and patriotic groups." *Id.* at 673; see also *id.* at 667 n.1. In upholding the tax exemption, the Court relied in part upon its breadth: the exemption did "not single[] out one particular church or religious group or even churches as such," but rather was available to "a broad class of property owned by nonprofit, quasi-public corporations." *Id.* at 673. As the Court stated in reference to *Everson*, if "buses can be provided to carry and policemen to protect church school pupils, we fail to see how a broader range of police and fire protection given equally to all churches, along with nonprofit hospitals, art galleries, and libraries receiving the same tax exemption, is different for purposes of the Religion Clauses." *Id.* at 671. Thus, just as a broad category of beneficiary institutions was sufficient to sustain the inclusion

of religious institutions in the tax benefit in *Waltz*—which, after all, substantially benefited churches' property—the breadth of programs funded in the Stafford Act weighs heavily in favor of the constitutionality of including houses of worship.

C. NO RISK OF PERCEIVED ENDORSEMENT OF RELIGION

No reasonable observer would perceive an endorsement of religion in the government's evenhanded provision of funds to repair a house of worship damaged in a natural disaster such as Hurricane Sandy. See *Mitchell*, 530 U.S. at 842-44 (O'Connor, J., concurring in judgment). While it is true that in a narrower direct aid program one could argue that if a school "uses the aid to inculcate religion in its students, it is reasonable to say that the government has communicated a message of endorsement," *Id.* at 843, that is not the case in the context of this broader disaster relief effort. A presumption of governmental endorsement is not present where the aid is provided to a wide array of public and private entities for the sake of recovery from a disaster and where the government is indifferent to the religious or secular orientation of the facility's function. Moreover, we think a reasonable observer—one informed about the purpose, history, and breadth of the program, see *Zelman*, 536 U.S. at 655—would understand that the federal government is not paying for religious activity; it is paying to help devastated communities recover. That is not an endorsement of religion.

D. DISTINCT FROM TILTON AND NYQUIST

Opponents will contend that the Supreme Court's decisions in *Tilton* and *Nyquist*, which involved construction and maintenance aid to religious schools, should be read to support the conclusion that FEMA aid to houses of worship violates the Establishment Clause. We disagree.

In *Tilton*, the Court sustained the provision of federal construction grants to religious colleges insofar as the program at issue barred aid to facilities "used for sectarian instruction or as a place for religious worship," but invalidated such grants insofar as the program permitted funding the construction of buildings that might someday be used for such activities. See 403 U.S. at 675, 683 (plurality opinion) (citations omitted). The Court concluded that a 20-year limitation on the statutory prohibition on the use of buildings for religious activities was insufficient because "[i]f, at the end of 20 years, the building is, for example, converted into a chapel or otherwise used to promote religious interests, the original federal grant will in part have the effect of advancing religion." *Id.* The Court therefore held that the religious use restriction had to run indefinitely. *Id.*

Similarly, *Nyquist* involved a program that provided maintenance and repair grants to religious elementary and secondary schools. The grants at issue were limited to 50 percent of the amount spent for comparable expenses in the public schools, but the Court invalidated the program. "No attempt [was] made to restrict payments to those expenditures related to the upkeep of facilities used exclusively for secular purposes," the Court stated, and the 50 percent restriction would not necessarily prevent rehabilitation of entire religious schools. 413 U.S. at 774. The Court thus concluded that such aid would have the effect of advancing religion, in violation of *Lemon's* second prong. *Id.*

These holdings have been severely undermined and limited. See *Mitchell v. Helms*, 530 U.S. 793,

856-57 (2000) (O'Connor, J., concurring in judgment).

A broad reading and application of *Tilton* and *Nyquist* does not apply here for several reasons. First, *Tilton* and *Nyquist* are in considerable tension with a more recent line of cases holding that the Free Speech Clause does not permit the government to deny religious groups equal access to the government's own property, even where such groups seek to use the property "for purposes of religious worship or religious teaching." *Widmar v. Vincent*, 454 U.S. 263, 265 (1981). See *Lamb's Chapel v. Center Moriches Sch. Dist.*, 508 U.S. 384, 394 (1993); *Capital Square Rev. & Advisory Bd. v. Pinette*, 515 U.S. 753 (1995); *Good News Club v. Milford Central Sch.*, 533 U.S. 98 (2001); see also *Westside Community Bd. of Educ. v. Metgens*, 496 U.S. 226 (1990). Providing religious groups with access to property is a form of direct aid, and allowing such groups to conduct worship services plainly "advances" their religious mission. The Court, however, has consistently refused to permit (let alone require) state officials to deny churches equal access to public school property on the basis of these officials' argument "that to permit its property to be used for religious purposes would be an establishment of religion." *Lamb's Chapel*, 508 U.S. at 394.

The Supreme Court's Establishment Clause jurisprudence has greatly evolved since the Court's decisions in *Tilton* and *Nyquist* were rendered, and many of the legal principles that supported those decisions have been discarded. In 1985, for example, the Court struck down programs under which the government provided religious and other schools with teachers who offered remedial instruction to disadvantaged children. See *Aguilar v. Felton*, 473 U.S. 402 (1985); *School Dist. of Grand Rapids v. Ball*, 473 U.S. 373 (1985). The Court reasoned that teachers in the program might "become involved in intentionally or inadvertently inculcating particular religious tenets or beliefs." *Ball*, 473 U.S. at 385. In *Agostini v. Felton*, 521 U.S. 203, 223 (1997), however, the Court overruled *Aguilar* and substantial portions of *Ball*, explaining that the Court had abandoned the presumption that placing public employees in religious schools "inevitably results in the impermissible effect of state-sponsored indoctrination or constitutes a symbolic union between government and religion." Similarly, in the 1970s the Court held that the state could not provide any "substantial aid to the educational function of [religious] schools" reasoning that such aid "necessarily results in aid to the sectarian school enterprise as a whole." *Meek v. Pittenger*, 421 U.S. 349, 366 (1975); *accord Wolman v. Walter*, 433 U.S. 229, 250 (1977). In *Agostini* and *Mitchell*, however, the Court expressly abandoned that view, overruling *Meek* and *Wolman*. See *Agostini*, 521 U.S. at 225; *Mitchell*, 530 U.S. at 808, 835-36 (plurality opinion); *id.* at 837, 851 (O'Connor, J., concurring in judgment). In addition, other portions of *Nyquist* have been substantially narrowed or overruled. As the Court stated in *Zelman*, "[t]o the extent the scope of *Nyquist* has remained an open question in light of these later decisions, we now hold that *Nyquist* does not govern neutral educational assistance programs that, like the program here, offer aid directly to a broad class of individual recipients defined without regard to religion." 536 U.S. at 662.

Perhaps more important, recent Supreme Court decisions have brought the demise of the "pervasively sectarian" doctrine that comprised the basis for numerous decisions from the 1970s, such as *Tilton* and *Nyquist*. As noted above, that doctrine held that there

are certain religious institutions in which religion is so pervasive that no government aid may be provided to them, because their performance of even "secular" tasks will be infused with religious purpose. That doctrine, however, no longer enjoys the support of a majority of the Court. Four Justices expressly abandoned it in *Mitchell*, see 530 U.S. at 825-29 (plurality opinion), and Justice O'Connor's opinion in that case set forth reasoning that is inconsistent with its underlying premises, see *id.* at 857-58 (O'Connor, J., concurring in judgment, joined by Breyer, J.) (requiring proof of actual diversion of public support to religious uses to invalidate direct aid to schools and explaining that "presumptions of religious indoctrination are normally inappropriate when evaluating neutral school-aid programs under the Establishment Clause"). See also *Columbia Union College v. Oliver*, 254 F.3d 496, 502-04 (4th Cir. 2001) (explaining that the pervasively sectarian test is no longer valid in light of the holdings of six Justices in *Mitchell*). Justice O'Connor rejected the view that aid provided to religious primary and secondary schools will invariably advance the schools' religious purposes, and that view is the foundation of the pervasively sectarian doctrine.

Such was the reasoning and conclusion reached by a federal district court in a current case highly analogous to the FEMA aid program—*American Atheists Inc. v. City of Detroit* DDA, 503 F.Supp.2d 845 (2007). There, plaintiffs challenged Detroit's "Façade Improvement Plan" under which the city provided funds to buildings in a particular section of downtown in order to improve their appearance for the Superbowl which was to be held in the city. Three churches received such grants and this was challenged in the lawsuit. The federal court concluded that the program was available to a broad array of buildings and its grant criteria were religion neutral and the FIP was thus constitutional. For all of these reasons, *Tilton* and *Nyquist* do not control the question at issue in the case of FEMA's public assistance aid to private nonprofit facilities, including houses of worship.

E. SINGLING OUT FAITH-RELATED ENTITIES FOR EXCLUSION RUNS COUNTER TO A PROPER APPLICATION OF THE ESTABLISHMENT CLAUSE

In recent years, Justice Breyer has insightfully invoked the balanced and practical approach to the Establishment Clause previously championed by Justices Goldberg and Harlan. In *Van Orden v. Perry*, 545 U.S. 677 (2005), Justice Breyer wrote that "the Court has found no single mechanical formula that can accurately draw the constitutional line in every case. See *School Dist. of Abington Township v. Schempp*, 374 U.S. at 306 (1963) (concurring opinion). Where the Establishment Clause is at issue, tests designed to measure "neutrality" alone are insufficient, both because it is sometimes difficult to determine when a legal rule is "neutral," and because "untutored devotion to the concept of neutrality can lead to invocation or approval of results which partake not simply of that noninterference and noninvolvement with the religious which the Constitution commands, but of a brooding and pervasive devotion to the secular and a passive, or even active, hostility to the religious." *Ibid.* In proceeding to rule that a display of the Ten Commandments on the grounds of the State of Texas' capitol was acceptable, Justice Breyer argued that, in so many of these cases, context matters. Thus, "to reach a contrary conclusion here [and declare the display to violate the Establishment Clause], based primarily upon on the religious nature

of the tablets' text would, I fear, lead the law to exhibit a hostility toward religion that has no place in our Establishment Clause traditions."

If we apply Justice Breyer's principled pragmatism to the issue at hand, if Congress and the President decide to appropriate billions of dollars to help private nonprofits rebuild after a natural disaster, but also determine to deliberately exclude houses of worship when they otherwise meet the relevant criteria, such a decision would be the very exhibition of hostility toward religion that the Justices have inveighed against pursuing in the name of the Establishment Clause.

In the wake of Hurricane Sandy and every major disaster within recent memory—churches, synagogues and other houses of worship have been essential in a community's recovery and response effort. Even while the church may have its HVAC system destroyed it will welcome the homeless. Even while the synagogue may have been flooded, it will feed the hungry.

Basic fairness and principles of non-discrimination, let alone compassion, should compel Congress and the Executive Branch to change policy and declare houses of worship eligible for disaster relief assistance administered by FEMA.

UNITED STATES CONFERENCE OF
CATHOLIC BISHOPS, AD HOC COM-
MITTEE FOR RELIGIOUS LIBERTY,
Washington, DC, February 11, 2013.

Hon. CHRIS SMITH,
House of Representatives, Rayburn House Office
Building, Washington, DC.

DEAR REPRESENTATIVE SMITH: As the House of Representatives prepares to consider H.R. 592, the Federal Disaster Assistance Act, we write in support of the legislation, which would ensure the fair and equal treatment for houses of worship damaged in a natural disaster.

Your legislation is consistent with Supreme Court jurisprudence, which recognizes the right of religious institutions to receive public financial aid in the context of a broad program administered on the basis of religion-neutral criteria. The bill is not asking for special treatment, just equal treatment that conforms to constitutional protections.

It should be noted that in the aftermath of a natural disaster houses of worship often play an irreplaceable role in the recovery of a community. Discrimination that treats houses of worship as ineligible for federal assistance in the wake of a natural disaster, beyond being a legal violation, hurts the very communities most affected by the indiscriminate force of nature.

The best approach to address questions of eligibility for houses of worship is a permanent clarification of federal law. For this reason we support your bill and ask that it be adopted by Congress.

Sincerely,

MOST REVEREND WILLIAM
E. LORI,
Archbishop of Balti-
more, Chairman,
USCCB Ad Hoc
Committee for Reli-
gious Liberty.

MOST REVEREND DENIS J.
MADDEN,
Auxiliary Bishop of
Baltimore, Chair-
man, USCCB Com-
mittee for Ecumeni-
cal and Interreli-
gious Affairs.

UNION OF ORTHODOX JEWISH CON-
GREGATIONS OF AMERICA, INSTI-
TUTE FOR PUBLIC AFFAIRS,

DEAR REPRESENTATIVES SMITH AND MENG:
We write to express our strong support for the Federal Disaster Assistance Nonprofit Fairness Act of 2013. Your legislation will ensure the fair and equal treatment for houses of worship damaged in Hurricane Sandy and future natural disasters.

The Stafford Act provides that private nonprofit entities—such as schools, hospitals, museums and community centers—damaged in a natural disaster may receive financial grants from FEMA to repair their buildings. The Act does not list houses of worship among its list of examples of nonprofits so eligible; neither does the Act exclude houses of worship in any way.

In the aftermath of Sandy, as with so many other natural disasters, churches, synagogues and other houses of worship have been places offering essential response services to people in need—even while the church or synagogue itself is damaged.

It is, therefore, entirely appropriate for FEMA's aid program for private nonprofits to assist houses of worship with their rebuilding needs. Moreover, if houses of worship are excluded from this otherwise religion neutral program—that unfair treatment would be improper anti-religious discrimination.

Current Supreme Court jurisprudence makes clear that religious institutions may receive government financial aid in the context of a broad program administered on the basis of religion neutral criteria. This is why houses of worship and other religious nonprofits can, for example, currently receive grants from DHS to improve their security and the Interior Department for historic preservation.

Your legislation clarifying the Stafford Act is consistent with these precedents and policies and we urge the House of Representatives to pass this measure as soon as possible.

Thank you,

YEHUDA NEUBERGER.
NATHAN DIAMENT.

NJ STATE ASSOCIATION
OF JEWISH FEDERATIONS,
February 11, 2013.

Hon. CHRISTOPHER H. SMITH,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN SMITH: The N.J. State Association of Jewish Federations and its eleven constituent federations and their network of affiliated and beneficiary agencies are pleased to acknowledge your leadership in introducing H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act. We support the legislation which would authorize those houses of worship impacted and devastated by Hurricane Sandy to receive assistance through the recently enacted Sandy relief funding.

Our houses of worship, as with other faith based institutions, play a crucial role every day providing stability, comfort and serving as a community resource. With the hurricane's impact still very much in evidence for our state, we have needed houses of worship more than ever to ease the path of recovery for community and each of their individual members. Even though the church, mosque, temple or synagogue may have been physically damaged, houses of worship continue to provide essential response services to people in need.

Jewish Federations in those areas that suffered most from Sandy's might assisted their

synagogues and congregants to overcome the immediate crisis through financial aid, respite and relief while securing dozens of volunteers to help rebuild damaged buildings in the greater local community. The Jewish Federation of Monmouth County, as one of the communities hardest hit by the hurricane, the relief funding provided by it and its partner Federations in the state have enabled Monmouth to meet a wide array of human service needs in the county. Their approach has been strategic, identifying both short-term and long-term needs and dislocations following the storm, empowering our partners in their efforts to respond, and connecting those who could most benefit to these resources. Most importantly, the Federation has been proactive in spreading word throughout Monmouth County that the Jewish community is here to help in storm recovery efforts.

Jewish Family and Children Service organizations replaced lost clothing, provided gift cards for food, counseled Sandy victims easing their anxiety and emotional pain and made available flexible repayment loans to help families and businesses recover. The Jewish Federation of Greater Metro West has provided \$50,000 to JFS agencies to assist with the medium and long term needs. Chabad of Hoboken received \$5,000 for counseling assistance, while federation is also developing a partnership with Union Beach, a community outside their catchment area and will provide \$10,000 toward relief efforts there.

Many of our synagogues suffered severe damage and lack the resources to rebuild. Jewish Federations, while helping houses of worship serve individuals in need, do not have the resources to support capital needs. Assistance from the Jewish Federation of Monmouth County helped "Chabad of the Shore" roof and carpet repaid, as well as providing plywood to cover vulnerable windows. Temple Shalom in Aberdeen had roof damage which was repaired through Federation assistance. There were a number of other similar actions of relief provided by the Monmouth federation.

This is not only the Jewish community experience, but one shared with houses of worship of all religions. It is entirely appropriate for FEMA's aid program for private nonprofits to assist houses of worship with their rebuilding and community outreach needs.

For all the reasons stated, herein, the passage of H.R. 592 will bring equity in a time of crisis and will recognize the unselfish sacrifices made by our houses of worship in response to an event that left devastation in its wake and tragic consequences for its victims. Accordingly, the NJ State Association of Jewish Federations is pleased to support the enactment of the Federal Disaster Assistance Nonprofit Fairness Act.

Sincerely,

RUTH COLE,
President.
JACOB TOPOREK,
Executive Director.

DIOCESE OF TRENTON,
Trenton, NJ, February 11, 2013.

Hon. CHRIS SMITH,
Rayburn House Office Building, House of Representatives, Washington, DC.

DEAR CONGRESSMAN SMITH: I understand that you will soon be presenting a bill to Congress which would provide federal funding in the form of grants to houses of worship which were devastated by the hurricane last October.

I applaud your efforts and offer my full support for this bill. Volunteers from the Catholic churches as well as other denominations were on the front line with food, clothing, shelter and other basic necessities as soon as the storm passed. They were surely the first responders and just as surely will be there as long as they are needed. To exclude houses of worship from which these volunteers have come is a grave injustice.

On behalf of the clergy, religious and lay people who live and work within the Diocese of Trenton, I thank you for being our advocate and for taking the initiative to introduce this bill on behalf of all faith communities.

Sincerely,

MOST REVEREND DAVID M.
O'CONNELL, C.M.,
Bishop of Trenton.

CONGREGATION SONS OF ISRAEL,
Lakewood, NJ, February 12, 2013.

Hon. CHRISTOPHER H. SMITH,
Rayburn House Office Building, House of Representatives, Washington, DC.

DEAR CONGRESSMAN SMITH: As the House of Representatives prepares to consider H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act, we write in support of the important legislation that you have introduced. Thank you for your effort to ensure the fair and equal treatment for houses of worship in the aftermath of this devastating natural disaster.

It is universally acknowledged that houses of worship play a central role in the recovery of a community in the aftermath of any natural disaster. Faith-based volunteers are the first responders providing aid and comfort to those who have lost so much, and they persevere with their efforts as long as help is needed. To exclude the houses of worship from where these volunteers have come from government assistance would be a grave injustice.

Discrimination that treats houses of worship as ineligible for federal assistance in the wake of a natural disaster, beyond being a legal violation, hurts the very communities most affected by the devastating storm.

We strongly feel that you have identified the best approach to address recurring questions of eligibility for houses of worship by proposing a permanent clarification of federal law. We therefore strongly support your bill and ask that it be adopted by Congress.

With much appreciation for your efforts,

RABBI SAMUEL TENDLER,
Congregation Sons of Israel.

NATIONAL ASSOCIATION
OF EVANGELICALS,
February 12, 2013.

Hon. CHRIS SMITH,
Hon. GRACE MENG,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVES SMITH AND MENG:
Thank you for your efforts to correct a misguided policy of the Federal Emergency Management Agency (FEMA) that currently bars houses of worship from receiving federal disaster assistance for rebuilding damaged structures. Your work to insure that government assists private nonprofit entities, including houses of worship, in an evenhanded way is very much appreciated.

In any major natural disaster, churches, synagogues and other houses of worship play indispensable roles in providing comfort and relief to those who have experienced loss. They bring food, water, clothing and other essential supplies to those who are stranded

or displaced. They care for the wounded and comfort the bereaved. Our communities are stronger because they are there.

When the houses of worship themselves have been damaged, the effects are often felt far beyond the membership. When an important part of the community infrastructure is damaged, the entire community suffers. Many times, churches continue serving their communities even after their own buildings have been destroyed.

FEMA does not violate the establishment clause when it administers a religion-neutral program of support for the rebuilding of community infrastructure. In fact, if religious organizations are specifically excluded when comparable secular organizations are included, the government's practice would be discriminatory. This is the clear conclusion of Supreme Court jurisprudence, and is consistent with current federal practice in the Department of Homeland Security and the Interior Department.

Thank you for your leadership in working to restore fairness to FEMA disaster assistance.

Sincerely,

GALEN CAREY,
Vice President, Government Relations.

BAIS KAILA TORAH PREPARATORY
HIGH SCHOOL FOR GIRLS,
Lakewood, NJ, February 12, 2013.
Hon. CHRISTOPHER H. SMITH,
Rayburn House Office Building, House of Representatives, Washington, DC.

DEAR CONGRESSMAN SMITH: I hope that all is well with you and your family. With your introduction of H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act, we see that you are again taking the initiative to do what is right, especially considering that houses of worship are always at the forefront of the recovery process when communities are hit with natural disasters. It is therefore very appropriate that they be able to participate on an equal footing with other nonprofits in receiving federal aid, as a means of helping damaged communities get back on their feet.

As I understand it, the Federal Emergency Management Agency is charged with ensuring that communities are prepared for natural disasters, and then responding to facilitate recovery in the wake of such disasters. FEMA has historically provided disaster-related aid to parochial schools damaged by earthquakes. Other examples of federal aid to houses of worship, includes grants for security improvements from the U.S. Department of Homeland Security and historic preservation grants from the U.S. Department of the Interior. Your legislation, H.R. 592, would simply ensure that the Stafford Act is consistent with these policies.

In conclusion, once again we thank you for your leadership and advocacy and we look forward to seeing the passage of H.R. 592.

Sincerely yours,

RABBI YISROEL SCHENKOLEWSKI,
Dean.

THE JEWISH FEDERATIONS
OF NORTH AMERICA,
Washington, DC, February 11, 2013.

Hon. JOHN A. BOEHNER,
Speaker of the House of Representatives, Capitol Building, Washington, DC.

Hon. NANCY PELOSI,
House Democratic Leader, House of Representatives, Capitol Building, Washington, DC.

DEAR SPEAKER BOEHNER AND LEADER PELOSI: The Jewish Federations of North America (JFNA) is writing to express our

support for H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act. This bill, scheduled to be on the suspension calendar this coming Wednesday, February 13, 2013 and co-sponsored by Representatives Chris Smith (R-NJ) and Grace Meng (D-NY), will ensure the fair and equal treatment for houses of worship damaged in Hurricane Sandy.

JFNA is the national organization that represents and serves 154 Jewish Federations and 300 independent Jewish communities across North America. In their communities, Jewish Federations and volunteers is the central address for fundraising and an extensive network of Jewish health, education and social services. In response to Hurricane Sandy Jewish Federations have raised almost \$7 million in direct Sandy-related relief and allocated almost \$11 million to Sandy victims in Connecticut, New Jersey and New York.

The Stafford Act provides that private nonprofit entities—such as schools, hospitals and community centers—damaged in a natural disaster may receive financial grants from FEMA to repair their buildings. The Act does not list houses of worship among its list of examples of nonprofits so eligible; neither does the Act exclude houses of worship. To the extent that FEMA has provided aid to eligible programs run by houses of worship, the aid has not been provided on the same terms as the aid provided to other eligible nonprofits.

In the aftermath of Sandy, as with so many other natural disasters, churches, synagogues and other houses of worship are locations where essential response services have been provided to people in need—even while the church or synagogue itself has suffered extensive damage. It is, therefore, entirely appropriate for FEMA's aid program for private nonprofits to assist houses of worship with their rebuilding needs. Moreover, if houses of worship are excluded from this otherwise religion neutral program—that unfair treatment would be improper anti-religious discrimination. Additionally, for almost 30 years, it has been FEMA's mission to lead America to prepare for, prevent, respond to, and recover from domestic disasters. This has led to FEMA's provision of disaster-related aid to parochial schools damaged by earthquakes.

Current Supreme Court jurisprudence makes clear that religious institutions may receive government financial aid in the context of a broad program administered on the basis of religion neutral criteria. This is why houses of worship and other religious nonprofits can, and do, currently receive grants from DHS to improve their security and the Interior Department for historic preservation.

H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act, would ensure that the Stafford Act is consistent with these policies, and we ask that you vote in favor of this legislation.

Sincerely yours,

WILLIAM C. DAROFF,
Vice President for Public Policy & Director of the Washington office.

THE BECKET FUND
FOR RELIGIOUS LIBERTY.
Hon. CHRISTOPHER SMITH,
House of Representatives, 2373 Rayburn House Office Building, Washington, DC.
Re FEMA's discriminatory treatment of houses of worship.

DEAR CONGRESSMAN SMITH: You and others have asked us to examine the application of

the Establishment Clause of the United States Constitution to the disbursement of federal disaster relief funds to houses of worship damaged in severe weather events such as Superstorm Sandy. In particular, you would like us to examine (1) whether the Federal Emergency Management Agency's practice of not funding repairs to houses of worship is justified by the Establishment Clause grounds, and (2) whether your proposed act preventing FEMA's practice would give rise to Establishment Clause problems.

The answer to both questions is no. First, not only does the Establishment Clause provide no support for FEMA's practice of discriminating against houses of worship; that practice itself runs afoul of the First Amendment by discriminating against religious institutions. Second, the bill you have proposed will not lead to Establishment Clause violations because no Act of Congress can purport to repeal the First Amendment. Arguments to the contrary are constitutional scaremongering.

BACKGROUND

Superstorm Sandy devastated many of the Northeast's coastal cities. The federal government is expected to spend about \$60 billion to help restore these hard-hit communities. Yet FEMA has categorically denied foundational elements of those communities—synagogues, churches, mosques, and other houses of worship—access to this otherwise generally-available relief funding. A broad range of nonprofit organizations, including zoos and museums, qualify for disaster-relief grants administered by FEMA. But when religious organizations asked FEMA for the same assistance it provides many other nonprofits, FEMA told them that it considered them ineligible for the grants. This leaves houses of worship like All Saints Church of Bay Head, New Jersey, which was built by shipbuilders in 1889 and now has a sinkhole for a sanctuary, without access to the help that is available to the neighborhood zoo.

Despite acknowledging that religious facilities can meet the threshold aid requirement that the facility be "used for a variety of community activities," FEMA considers "churches, synagogues, temples, mosques, and other centers of religious worship" categorically ineligible simply because of their religious use. Nor is this a recent problem: the George W. Bush Administration took the same stance after Hurricane Katrina, based on a federal regulation promulgated in 1990 by the George H.W. Bush Administration. (As noted below, though, the federal government has often departed from this stance to assist houses of worship through neutral and generally available funding programs.)

ANALYSIS

FEMA's discriminatory policy. To justify its discrimination against houses of worship, FEMA has cited arguments asserting that the Establishment Clause of the United States Constitution prevents houses of worship from having equal access to FEMA disaster assistance grants. Others make the same claim. For instance, Barry Lynn of Americans United for Separation of Church and State has stated that, "even after the devastation of [Superstorm] Sandy," the federal government cannot provide relief to destroyed synagogues, churches, and mosques.

But this argument is simply not true. When Lynn recently made a similar argument in an amicus brief to the U.S. Court of Appeals for the Sixth Circuit, the court—in an opinion authored by Judge Sutton—flatly and unanimously rejected the argument. The

court noted that long-standing Supreme Court precedent allowed “churches, synagogues, and mosques” to receive “generally available benefits” like “police and fire-protection services” and access to “sewers and sidewalks.” The court reasoned that “[i]f a city may save the exterior of a church from a fire,” it could certainly provide equal access to government funds that “help that same church with peeling paint.”

That conclusion is all the more true here, where the problem the government seeks to remedy is not peeling paint but complete devastation. Notably, the Sixth Circuit supported its conclusion by explicitly noting the widespread legal acceptance “of government programs designed to provide one-time emergency assistance through FEMA . . . to churches devastated by natural disasters.”

Indeed, the federal government—including FEMA—has repeatedly given disaster relief to religious groups in the past. For instance, after Seattle Hebrew Academy was damaged by a major earthquake in 2002, FEMA awarded a disaster relief grant for repair. Before it did so, FEMA asked the Department of Justice’s Office of Legal Counsel whether that was constitutionally permissible. OLC’s detailed response concluded that “a FEMA disaster grant is analogous to the sort of aid that qualifies as ‘general government services’ approved by the [Supreme] Court” for provision to houses of worship. The OLC letter pointed out that, far from banning equal access to government funding, the First Amendment bans the government from “deny[ing] religious groups equal access to the government’s own property,” and “require[s] equal funding” of religious expression. The letter ended by noting that an argument could be made that “excluding religious organizations from disaster assistance made available to similarly situated secular institutions would violate the Free Exercise Clause and the Free Speech Clause.”

OLC has likewise approved, and the federal government has permitted, the participation of houses of worship in the Save America’s Treasures program, which authorizes matching grants for preservation of properties with historical significance. For instance, the OLC approved a National Park Service grant to restore Boston’s Old North Church—a church which is currently used by an active Episcopal congregation and was once used to warn Paul Revere of British military plans. Similar grants have been provided for Atlanta’s Ebenezer Baptist Church, where Martin Luther King, Jr., preached, the historic Franciscan missions in California, and Touro Synagogue in Rhode Island. All of those houses of worship needed repairs for damage caused by the ravages of time—why would damage caused by the ravages of Sandy be any different?

Several other federal statutes permit federal funding or support for houses of worship that have been damaged or destroyed. Indeed, after the Oklahoma City bombing, Congress specifically authorized FEMA and other agencies to provide disaster relief to damaged churches on the same basis that any other private nonprofit facilities may receive such aid.

Finally, FEMA’s policy of discriminating against houses of worship is itself problematic under the Establishment Clause because it denies religious institutions access to a generally available benefit, solely because they are religious. The Supreme Court has repeatedly held that “[t]he First Amendment mandates governmental neutrality between religion and nonreligion.” Singling

out religious institutions for special disfavor is not neutral. Similarly, FEMA’s approach also creates a potential conflict with federal civil rights law, specifically the Religious Freedom Restoration Act, which forbids government imposition of substantial burdens on religious exercise. As courts have frequently held, denial of a generally available benefit to religious persons because they are religious constitutes a substantial burden on the exercise of religion.

In short, FEMA is wrong to claim that the Establishment Clause—which combats discrimination—justifies its decision to discriminate. It is instead FEMA’s discrimination policy that is more likely to trigger scrutiny under the First Amendment and related civil rights laws.

The proposed bill. For the same reasons, it is our opinion that your proposed bill will not raise Establishment Clause problems. Instead, it will alleviate them by offering a way to stop discrimination against houses of worship in federal disaster relief funding.

On the night before your bill was set for a vote, FEMA issued a statement in opposition to the bill. As an initial matter, much of FEMA’s three-page statement does nothing more than lay out existing law and reiterate what we’ve established above: Congress has made similar regulatory fixes before and the OLC has provided legal opinions supporting religious organizations’ equal access to generally available government funds.

FEMA really makes only two complaints against the proposed bill. First, it warns that entities like the ACLU have threatened to sue unless it keeps discriminating against religious organizations. But, as explained above, such threats are meritless and will be met in court by the Becket Fund and other organizations that are happy to defend equal access for houses of worship that have been devastated by natural disasters. Further, it is imprudent to allow such threats to take federal legislation hostage, as giving in to them will only encourage future threats. Finally, concerns about litigation might make some sense if FEMA were run by a tiny village government with a small budget that might be intimidated by the prospect of litigating against the ACLU. But given the resources of the Department of Justice, this argument from fear of litigation makes no sense.

FEMA’s second complaint is that the bill could require them to choose whether to fund “arks of the covenant [and] prayer books.” But, as a factual matter, it appears FEMA is trying to manufacture this particular controversy in order to scare legislators. As Rabbi David Bauman of Temple Israel in Long Beach—which was flooded by up to 14 feet of storm-surge saltwater—explained, no one is asking the government to restore prayer books; they need help with basic structural repairs, just like other buildings in the neighborhood. More importantly, the bill cannot repeal the Establishment Clause: FEMA will remain bound by the Constitution. Thus to the extent a religious organization requests funds that would result in a constitutional violation, FEMA will still be bound to turn them down. What the bill actually does is get rid of the artificial and discriminatory standard created by FEMA and replace it with the standard of neutrality required under the First Amendment.

In addition, to the extent that there is any problem it is one of FEMA’s own making. As it admits in its statement of opposition, it is FEMA’s own regulatory interpretations that would require it to pay for prayer books or

other similar items. But neither of the regulations that FEMA cites as forcing it to make the apparently unpalatable choice appear to require any such decision. And FEMA can always exercise its interpretive power to avoid a constitutional violation.

Again, no one is asking the government to buy prayer books or Torahs. Instead, synagogues, churches, and mosques are simply asking that they receive the same disaster relief as many other private nonprofits. Doing anything less would not live up to the neutrality required by the Establishment Clause—it would express a blatant hostility to religion that the Establishment Clause rejects.

In conclusion, it is our opinion that FEMA cannot rely on the Establishment Clause to categorically ban houses of worship from competing for disaster relief funds on the same terms as other eligible nonprofits. Your proposed bill will not violate the Constitution but will instead protect it.

Very truly yours,

ERIC C. RASSBACH,
DANIEL BLOMBERG,

The Becket Fund for Religious Liberty.

Mr. BARLETTA. Madam Speaker, I yield myself such time as I may consume.

I know all too well and firsthand what happens when disaster strikes at home. My constituents were affected by Hurricane Irene and Tropical Storm Lee.

So I would like to commend the gentleman from New Jersey for his hard work for the constituents back home. It’s times like this that we need to come together in a bipartisan fashion to help Americans who need that help.

With that, Madam Speaker, I yield back the balance of my time.

Mr. LEVIN. Madam Speaker, in the wake of the devastation caused by Superstorm Sandy, Congress must be an active partner in the effort to rebuild, so I will vote in favor of the bill before the House today, which extends FEMA disaster relief assistance to houses of worship on an equal footing with other not-for-profit organizations affected by the storm.

I wish, however, that the House had taken the time to hold hearings on this legislation before bringing it to the House Floor so that we could have more fully explored the constitutional issues involved with this matter. Clearly, the federal government can and does provide federal resources to houses of worship for a variety of purposes, including homeland security grants and small business loans, but we must tread carefully in this area to ensure that the assistance extended passes muster with the basic provisions of the Constitution. It would have been better to thoroughly vet the language of this bill, among ourselves in the House and with constitutional scholars before bringing it up for a vote. As this legislation must pass the Senate in order to become law, I hope there will be in their proceedings a careful review of these issues before they act, including making any needed changes, which would bring the bill back to the House for final enactment.

Mr. FRANKS of Arizona. Madam Speaker, we often come to this floor to advocate any number of controversial issues—issues that often produce strong disagreement from the given Speaker’s opposing party. But I stand

here today stating what I'm confident an overwhelming majority of Americans would deem simple common sense: if the government responds to a disaster—like Hurricane Sandy, which caused devastating damage and losses in the tens of billions of dollars—it should strive to help the entire community recover, not pick and choose some to receive help and others to go it alone.

But, stunningly, that's not the way it currently works, Madam Speaker. As it stands, many of the strongest, most necessary pillars in our society—churches and other places of worship—are being excluded from even being considered for the recovery aid provided by FEMA in the wake of Sandy.

Since the policy has come to light, some have attempted to defend it, invoking that all-too-commonly abused notion of the separation of church and state. But, Madam Speaker, even if we accept the most radical definition of this phrase, there would still be no reasonably legal explanation for this inexcusable oversight.

The Supreme Court responded to a similar issue when it decided *Everson v. Board of Education*. In that decision, the court criticized the “imposition of taxes to pay ministers’ salaries and to build and maintain churches and church property.” But in the very same decision, the court makes clear the obvious exception to this policy, stating that the state has the duty to maintain neutral relations with places of worship, and that they should be granted access to the same basic government services as the rest of the community—“such general government services as ordinary police and fire protection, connections for sewage disposal, public highways and sidewalks.”

Who can, with any modicum of intellectual honesty, suggest that disaster relief does not fit the definition of a basic government service? The government is not maintaining neutral relations with houses of worship in this sphere. It is actively and specifically excluding them from a basic government service enjoyed by every other member of the community.

Of course, perhaps the cruelest irony of this entire situation is the fact that it is so often the churches who step in to help in the immediate aftermath of such disasters. They are the ones sending their congregations to feed, clothe, and house a desperate community. They are the ones taking up donations en masse to help the most afflicted. And they are the ones selflessly emptying their food closets to sustain, for just a little while longer, families anxiously awaiting government aid—the same government aid for which they will inexplicably not even be considered.

Madam Speaker, this unconstitutional, un-American, unreasonable discrimination against these essential, compassionate members of our society simply must not continue. Churches and other places of worship must be held to the same criteria as other members of the community in these decisions. I urge my colleagues to strongly support H.R. 592.

Mr. SMITH of New Jersey. Madam Speaker, Superstorm Sandy inflicted unprecedented damage on communities in the Northeast including my district in New Jersey. Congress and the President have responded by providing \$60 billion in emergency and recovery aid.

Today's debate and vote however isn't at all about whether or how much funding Congress appropriates to mitigate the impact of Sandy. We've had that vote.

Rather, it is about those who are being unfairly left out and left behind. It's about those who helped feed, comfort, clothe and shelter tens of thousands of victims now being told they are ineligible for a FEMA grant.

It is unconscionable that foundational pillars of our communities damaged by Sandy—synagogues, churches, mosques, temples and other houses of worship—have been categorically denied access to these otherwise generally-available relief funds. Current FEMA policy is patently unfair, unjustified and discriminatory and may even suggest hostility to religion.

FEMA has a policy in place to aid nonprofit facilities damaged in the storm, but the agency has excluded houses of worship from this support. That is wrong. And it's time Congress ensures fundamental fairness for these essential private nonprofits.

The bipartisan Federal Disaster Assistance Nonprofit Fairness Act of 2013—H.R. 592—will ensure that churches, synagogues, mosques, temples and other houses of worship are eligible for federal funds to effectuate repairs, restoration and replacement of damaged facilities.

Madam Speaker, it's worth noting here that FEMA's discriminatory policy of exclusion isn't prescribed by any law. Nothing in the Stafford Act or any other law including the Hurricane Sandy Disaster Relief Appropriations Act precludes funds to repair, restore or replace houses of worship. Indeed, congressional precedent favors enacting H.R. 592 as there are several pertinent examples of public funds being allocated to houses of worship.

For example:

FEMA grants were explicitly authorized by Congress and provided to churches damaged in the Oklahoma City terrorist attack;

Homeland Security Department and UASI provides funding to houses of worship for security upgrades;

Interior Department provides funding for grants for historically significant properties including churches and synagogues;

It is important to note that a controlling Justice Department Office of Legal Counsel Memorandum explains in detail the legal principles which make H.R. 592 constitutional. In a September 25, 2002, written opinion, the Office of Legal Counsel concluded it was constitutional for Congress to provide disaster relief and reconstruction funds to a religious Jewish school, along with all sorts of other organizations, following a devastating earthquake.

The same principles apply to protect religious organizations following a devastating hurricane. As the Office of Legal Counsel memo concluded “provision of disaster assistance to [religious organizations] cannot be materially distinguished from aid programs that are constitutional under longstanding Supreme Court precedent establishing that religious institutions are fully entitled to receive generally available government benefits and services, such as fire and police protection.”

The Supreme Court handed down its first modern Establishment Clause decision in

Everson v. Board of Education, which involved a program in my own state of New Jersey. In that case the Court held that religious institutions are entitled to receive “general government services” made available on the basis of neutral criteria.

The Court held that the Establishment Clause does not bar students attending religious schools from receiving generally available school busing services provided by the government. In reaching its decision, the Court explained that even if the evenhanded provision of busing services increased the likelihood that some parents would send their children to religious schools, the same could be said of other “general state law benefits” that were even more clearly constitutional because they were equally available to all citizens.

As examples, the Court cited “such general government services as ordinary police and fire protection, connections for sewage disposal, public highways and sidewalks,” concluding that “cutting off church schools from these services . . . would make it far more difficult for the schools to operate. But such is obviously not the purpose of the First Amendment. That Amendment requires the state to be a neutral in its relations with groups of religious believers and non-believers; it does not require the state to be their adversary. State power is no more to be used so as to handicap religions, than it is to favor them.”

As Nathan J. Diament, Executive Director of Public Policy for the Union of Orthodox Jewish Congregations of America notes in his excellent legal analysis which I will include in the Record “federal disaster relief is analogous to aid that qualifies as ‘general government services’ approved by the Court in *Everson*.”

That same Supreme Court also held that “[Government] cannot exclude individual Catholics, Lutherans, Mohammedans, Baptists, Jews, Methodists, Non-believers, Presbyterians, or the members of any other faith, because of their faith, or lack of it, from receiving the benefits of public welfare legislation . . . [W]e must be careful, in protecting the citizens of New Jersey against state-established churches, to be sure that we do not inadvertently prohibit New Jersey from extending its general state law benefits to all its citizens without regard to their religious belief.”

In *Walz v. Tax Commission*, the Court rejected an Establishment Clause challenge to a property tax exemption made available not only to churches, but to several other classes of nonprofit institutions, such as “hospitals, libraries, playgrounds, scientific, professional, historical, and patriotic groups.” As the Court stated in reference to *Everson*, if “buses can be provided to carry and policemen to protect church school pupils, we fail to see how a broader range of police and fire protection given equally to all churches, along with nonprofit hospitals, art galleries, and libraries receiving the same tax exemption, is different for purposes of the Religion Clauses.”

The bill before us today simply makes clear and clarifies that federal disaster relief includes religious entities along with every other sort of entity. As the Court later stated in *Widmar v. Vincent*, “[t]he provision of benefits to so broad a spectrum of groups is an important index of secular [that is, constitutional] effect.” And as it stated more recently in *Texas*

Monthly, Inc. v. Bullock, “[i]nsofar as [a] subsidy is conferred upon a wide array of non-sectarian groups as well as religious organizations in pursuit of some legitimate secular end, the fact that religious groups benefit incidentally does not deprive the subsidy of the secular purpose and primary effect mandated by the Establishment Clause.”

Significantly, Madam Speaker, when three churches in Detroit received taxpayer funded grants to repair and spruce up their buildings prior to the 2006 Superbowl, American Atheists sued the City of Detroit and lost. In a sweeping decision authored by Judge Sutton, the U.S. Court of Appeals for the Sixth Circuit unanimously held that the direct assistance to the churches did not violate the Establishment Clause.

Judge Sutton said: “Detroit sought to fix up its downtown, not to establish a religion. And as will generally be the case when a governmental program allocates generally available benefits on a neutral basis and without a hidden agenda, this program does not have the impermissible effect of advancing religion in general or any one faith in particular. By endorsing all qualifying applicants, the program has endorsed none of them, and accordingly it has not run afoul of the federal or state religion clauses . . . In the Establishment Clause context, that means evenhanded, neutral laws generally (though not invariably) will be upheld. So long as the government benefit is neutral and generally applicable on its face, it presumptively will satisfy the Establishment Clause.”

In sum, H.R. 592 exhibits no government preference for or against religion, or any particular religion, since it merely permits houses of worship to receive the same type of generally-available assistance in picking up the pieces after stunning devastation that many other similarly situated nonprofits receive. Thus, the bill not only passes the test of constitutionality, it passes the test of basic human decency.

Indeed, to do otherwise would be to single out churches for adverse treatment, which is itself constitutionally suspect. The Supreme Court held in *Church of Lukumi Babalu Aye v. City of Hialeah*, that “[a]t a minimum, the protections of the Free Exercise Clause pertain if the law at issue discriminates against some or all religious beliefs.” And in *Employment Division v. Smith*, the Court held that under the Free Exercise Clause, the state may not “impose special disabilities on the basis of religious views or religious status.” Similarly, in *Rosenberger v. Rector and Visitors of the University of Virginia*, the Court held that “the government offends the First Amendment when it imposes financial burdens on certain speakers based on the content of their expression,” including religious expression. To continue to single houses of worship out for discrimination does not express government neutrality, it expresses government hostility. And there is no place for government hostility toward religion under our constitution.

The constitution clearly allows, and arguably requires, that religious organizations be treated equally when it comes to Congress’ providing for the well-being of Americans following the onslaught of Superstorm Sandy and other natural disasters.

The damage unleashed by Sandy has taken a huge toll on houses of worship. According to the N.J. Catholic Conference more than 145 churches suffered significant damage in my state alone. Another 125 churches in New York have been damaged and are seeking FEMA help with more to be counted as repairs and ongoing work are addressed and contracted out for completion.

Similarly, dozens of synagogues and temples in both states are now looking to see how they repair after spending months of providing goods and services—with no regard to religion—to those who needed it.

In testimony just last week before the New York City Council, Joseph Rosenberg of the Catholic Community Relations Council poignantly noted that when Sandy hit, the leaders of the churches, synagogues and other houses of worship did not first ask if their facilities would be eligible for federal assistance before providing food and shelter and relief to thousands of displaced persons.

Nor did these providers of assistance ask the religious affiliation of the victims. No, they went to work providing tangible, life-saving aid to all comers.

In his letter of support for H.R. 592, Harvard professor Alan Dershowitz concludes that “religious institutions may receive government aid if it is in the context of a broadly available program with criteria that are neutral toward religion and pose no risks of religious favoritism.”

Professor Dershowitz notes further:

Once FEMA has the policy in place to aid various nonprofit organizations with their building repairs, houses of worship should not be excluded from receiving this aid on the same terms. This is all the more appropriate given the neutral role we have witnessed houses of worship play, without regard to religion of those affected, in the wake of Sandy and countless previous disasters. Federal disaster relief aid is a form of social insurance and means of helping battered communities get back on their feet. Churches, synagogues, mosques and other houses of worship are an essential part of the recovery process.

Religious liberty scholar Professor Douglas Laycock of the University of Virginia School of Law wrote a letter endorsing H.R. 592 and said in part: “Charitable contributions to places of worship are tax deductible, without significant controversy, even though the tax benefits to the donor are like a matching grant from the government. These deductions have been uncontroversial because they are included without discrimination in the much broader category of all not-for-profit organizations devoted to charitable, educational, religious, or scientific purposes. The neutral category here is equally broad. To include places of worship in disaster relief is neutral; to exclude them would be affirmatively hostile. There is no constitutional obstacle to including them.”

America’s houses of worship are an integral, irreplaceable part of the contour and fabric of our communities. Like any other private nonprofit organization, their recovery is essential to the recovery of neighborhoods, towns and states. They should not be excluded from federal programs that ensure community recovery, especially since they selflessly provide assistance to all in need.

H.R. 592 has been endorsed by several organizations including the Union of Orthodox

Jewish Congregations, the United States Conference of Catholic Bishops, the Council of Churches of the City of New York and the American Jewish Committee.

I would like to take this moment to submit one more additional letter of support for H.R. 592 from Carl H. Esbeck, Professor of Law, University of Missouri, and my full statement for the RECORD.

UNIVERSITY OF MISSOURI
SCHOOL OF LAW,
February 11, 2013.

Re Federal Disaster Assistance Nonprofit Fairness Act of 2013.

HON. CHRIS SMITH,
Rayburn HOB, Washington, DC.

HON. GRACE MENG,
1317 Longworth HOB, Washington, DC.

DEAR REPRESENTATIVES SMITH AND MENG: I have been asked to give an opinion concerning the constitutionality of the Federal Disaster Assistance Nonprofit Fairness Act of 2013. The bill was introduced in the House of Representatives on Friday, February 8, 2013. It would amend Sections 102(10)(B) and 406(a)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(10)(B) and 5172(a)(3)), to clarify that houses of worship are eligible for disaster relief and emergency assistance on the same terms as other nonprofit facilities providing certain defined essential services to the public. Stated differently, houses of worship that are otherwise eligible for relief and assistance are not to be discriminated against because of their religious character.

FEMA’s current policy is set forth in its memorandum captioned “Houses of Worship—FEMA Public Assistance Eligibility.” Concerning multiple-use facilities, FEMA denies relief and assistance to otherwise eligible houses of worship unless the primary use of the space in a facility is for essential services of a governmental nature. FEMA converts “primary use” into a simple fifty-percent (50%) rule, but it does not state the legal authority for the rule.

The matter of interest is compliance with the Establishment Clause in the First Amendment to the U.S. Constitution. The United States Supreme Court has formulated a neutrality principle to assess general programs of aid to the nongovernmental sector. The principle requires: (i) that the program have a secular purpose, and (ii) that the recipients of the aid be eligible without regard to religion. Under the above-referenced bill, Section 102(10)(B) defines an eligible private nonprofit (PNP) as a facility that provides: (a) essential services; (b) while not by government, of that “nature;” and (c) available to the public. The three-part definition is secular in purpose. True, the bill expressly mentions houses of worship as eligible. But that makes sense and is secular in purpose, because in the past they were sometimes excluded by FEMA. So Congress, in passing this amendment, is just bringing matters back from a discriminatory situation to one of religious neutrality.

A parenthetical in 102(10)(B) gives several examples of such eligible PNP facilities providing essential services. If a private “museum” is an essential service in the “nature” of “governmental,” the eligible recipients are not as narrowly limited as might at first appear. “Community centers” are expressly named as eligible, and this bill has “houses of worship” as a type of community center. The findings in Section 2(5) of the bill further help to define how houses of worship serve as a type of community center. The findings also help to explain how a community center provides “essential services,”

namely activities central to community rebuilding and reconstruction after a natural disaster.

Several U.S. Supreme Court cases prepared the way for the neutrality principle as we presently recognize it. In *Bowen v. Kendrick*, 487 U.S. 589 (1988), the Court upheld a congressional program funding counseling centers targeting adolescent sexuality that was available to religious as well as secular providers. In *Zobrest v. Catalina Foothills Sch. Dist.*, 509 U.S. 1 (1993), the Court held that a public school district had to provide the same special education services to a student when he switched enrollment from a public to a religious high school. In *Witters v. Washington Dep't of Servs. for the Blind*, 474 U.S. 481 (1986), the Court upheld a state vocational rehabilitation program, available without regard to religion, even when it resulted in aid to a student to attend a seminary.

The neutrality principle became fully grounded with the Court's decision in *Agostini v. Felton*, 521 U.S. 203 (1997). *Agostini* involved the implementation of federal funding for K-12 special educational services in schools in the State of New York. The special educational services were rendered by special education teachers employed by the local public school district. For those special education students in religious schools, it was more effective and less costly to have the teachers travel to the religious school campus to deliver the services. But this had been barred by prior case law. In *Agostini*, the Court overruled its prior precedent and approved the delivery of services to all special needs students on a basis neutral as to religion. The services were secular, and there was no reason because of the Establishment Clause to discriminate against children enrolled in the religious schools.

The *Agostini* secular-purpose/religion-neutrality analysis was carried forward by the Supreme Court in *Mitchell v. Helms*, 530 U.S. 793 (2000). The case involved a challenge to a part of the Primary and Secondary Education Act of 1965, which provide educational materials and services to all K-12 schools without regard to religion. The challengers wanted the aid denied to religious schools. The nature of the educational materials was secular. Accordingly, the Court upheld the practice of treating all schools neutrally. These religious schools were intensely religious, but that was no reason to discriminate against them. Care should be exercised so that no governmental aid is diverted from its intended secular purpose, in particular that the aid not be diverted to an explicitly religious purpose.

It is my opinion that the above-referenced proposed amendment to the Robert T. Stafford Disaster Relief and Emergency Assistance Act is consistent with the Establishment Clause of the First Amendment to the U.S. Constitution.

Thank you for your kind consideration of this letter opinion.

Sincerely,

CARL H. ESBECK,
R.B. Price Professor of
Law and Isabelle
Wade & Paul C.
Lyda Professor of
Law, University of
Missouri.

Mr. HOLT. Madam Speaker, of course Congress should make sure the Federal Emergency Management Agency, the Small Business Administration and other government agencies are funded sufficiently to help communities recover from natural disasters like

Sandy. H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act of 2013, would add "houses of worship" to the list of eligible entities that can receive direct government assistance from FEMA. Religious institutions are important to our communities. Unfortunately, as drafted H.R. 592 is unconstitutional.

In 1971, the Supreme Court unanimously held that a government subsidy used to construct buildings at colleges and universities was constitutional only if the buildings could never be used for religious activities. Two years later, the U.S. Supreme Court held that no taxpayer funds could be used for maintenance and repair of facilities in which religious activities take place. The types of buildings that this bill seeks to make eligible for direct government funding—houses of worship—are inherently used for religious activities and the bill would have the effect of unconstitutionally funneling taxpayer money for religious activities. Under current law, houses of worship are eligible for Small Business Administration loans to help rebuild in the wake of a disaster like Sandy. Thus, there is already federally available aid that is neutral in its application that churches, synagogues and other houses of worship can avail themselves of without implicating the government in providing direct support to religious institutions. And private insurance companies have long provided such policies for houses of worship.

As I have since Hurricane Sandy devastated New Jersey, I will continue to push for the maximum possible funding-including disaster recovery loans—for all New Jersey communities impacted by this and future storms.

Ms. MCCOLLUM. Madam Speaker, I rise in opposition to H.R. 592.

In this country, we have a strong tradition of coming to the aid of communities that have suffered national tragedies and natural disasters. This is a tradition to be proud of, but H.R. 592 takes an unprecedented and unconstitutional step of adding houses of worship to the list of entities eligible for direct government assistance through Federal Emergency Management Agency.

The Supreme Court has repeatedly ruled that direct government aid for houses of worship is unconstitutional. In *Tilton v. Richardson* (1971) and *Committee for Public Education v. Nyquist* (1973), the Supreme Court ruled that taxpayer funds could not go to buildings to construct or repair facilities intended to be places of worship. Religious institutions are still eligible for federal loans, including small business loans, to help rebuild their place of worship.

Justice Sandra Day O'Connor wrote in a later ruling (*Mitchell v. Helms*, 2000), that direct grant government grants to religious institutions brings "special dangers." This danger is not just to the government, but also to the religious institution. Religious freedom is one of our country's most sacred principles. These separation of church and state protects not only the state, but also the church from state interference and restriction. This type of direct assistance, however well intentioned, puts that separation and religious freedom at risk.

Churches, synagogues, temples and mosques are often the center of a community; the wish to rebuild as quickly as possible in the wake of a natural disaster is well-inten-

tioned and understandable. However, rebuilding or repairing these houses of worship with direct government assistance, putting their independence at risk, comes at too high of a cost.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, H.R. 592.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BARLETTA. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 592, by the yeas and nays;

H.R. 267, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

FEDERAL DISASTER ASSISTANCE NONPROFIT FAIRNESS ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 592) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify that houses of worship are eligible for certain disaster relief and emergency assistance on terms equal to other eligible private nonprofit facilities, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 354, nays 72, not voting 5, as follows:

[Roll No. 39]

YEAS—354

Aderholt	Bera (CA)	Braley (IA)
Alexander	Bilirakis	Bridenstine
Amodel	Bishop (GA)	Brooks (AL)
Bachmann	Bishop (NY)	Brooks (IN)
Bachus	Bishop (UT)	Brown (GA)
Barletta	Black	Brown (FL)
Barr	Blackburn	Brownley (CA)
Barrow (GA)	Blumenauer	Buchanan
Barton	Bonner	Buchshon
Beatty	Boustany	Burgess
Benishek	Brady (PA)	Bustos
Bentivolio	Brady (TX)	Butterfield

Calvert	Hanabusa	Mullin	Titus	Walden	Wilson (FL)
Camp	Hanna	Mulvaney	Tonko	Walorski	Wilson (SC)
Campbell	Harper	Murphy (FL)	Turner	Wasserman	Wittman
Cantor	Harris	Murphy (PA)	Upton	Schultz	Wolf
Capito	Hartzler	Napolitano	Valadao	Waters	Womack
Capps	Hastings (WA)	Negrete McLeod	Van Hollen	Waxman	Yarmuth
Cárdenas	Heck (NV)	Neugebauer	Vargas	Weber (TX)	Yoder
Carney	Heck (WA)	Noem	Veasey	Webster (FL)	Yoho
Carter	Hensarling	Nugent	Vela	Wenstrup	Young (AK)
Cartwright	Herrera Beutler	Nunes	Velázquez	Westmoreland	Young (FL)
Cassidy	Higgins	Nunnelee	Wagner	Whitfield	Young (IN)
Castor (FL)	Hinojosa	Olson	Walberg		
Castro (TX)	Holding	Owens			
Chabot	Hoyer	Palazzo			
Chaffetz	Hudson	Pallone	Amash	Hastings (FL)	Pastor (AZ)
Clarke	Huelskamp	Pascarell	Andrews	Himes	Payne
Clay	Huizenga (MI)	Paulsen	Barber	Holt	Pelosi
Cleaver	Hultgren	Perlmutter	Bass	Honda	Pocan
Clyburn	Hunter	Perry	Becerra	Horsford	Polis
Coble	Hurt	Peters (CA)	Bonamici	Huffman	Ryan (OH)
Coffman	Israel	Peters (MI)	Capuano	Keating	Sánchez, Linda
Cole	Issa	Peterson	Carson (IN)	Kennedy	T.
Collins (GA)	Jackson Lee	Petri	Chu	Labrador	Schakowsky
Collins (NY)	Jeffries	Pingree (ME)	Cicilline	Lee (CA)	Schneider
Conaway	Jenkins	Pittenger	Cohen	Lofgren	Scott (VA)
Connolly	Johnson (GA)	Pitts	Conyers	Lowenthal	Sinema
Cook	Johnson (OH)	Poe (TX)	Davis (CA)	Lynch	Slaughter
Cooper	Johnson, E. B.	Pompeo	DeGette	Markey	Smith (WA)
Costa	Johnson, Sam	Posey	DeLauro	Matsui	Speier
Cotton	Jones	Price (GA)	Duckworth	McCollum	Stutzman
Courtney	Jordan	Price (NC)	Duncan (SC)	McDermott	Takano
Cramer	Joyce	Quigley	Edwards	McGovern	Tierney
Crawford	Kaptur	Radel	Ellison	Michaud	Tsongas
Crenshaw	Kelly	Rahall	Enyart	Miller, George	Visclosky
Crowley	Kildee	Rangel	Esty	Moran	Walz
Cuellar	Kilmer	Reed	Foster	Nadler	Welch
Culberson	Kind	Reichert	Garamendi	Neal	Woodall
Cummings	King (IA)	Renacci	Gosar	Nolan	
Daines	King (NY)	Ribble	Grijalva	O'Rourke	
Davis, Danny	Kingston	Rice (SC)			
Davis, Rodney	Kinzinger (IL)	Richmond			
DeFazio	Kirkpatrick	Rigell	Dingell	Pearce	Watt
Delaney	Kline	Roby	Farr	Shea-Porter	
DeBene	Kuster	Roe (TN)			
Denham	LaMalfa	Rogers (AL)			
Dent	Lamborn	Rogers (KY)			
DeSantis	Lance	Rogers (MI)			
DesJarlais	Langevin	Rohrabacher			
Deutch	Lankford	Rokita			
Diaz-Balart	Larsen (WA)	Rooney			
Doggett	Larson (CT)	Ros-Lehtinen			
Doyle	Latham	Roskam			
Duffy	Latta	Ross			
Duncan (TN)	Levin	Rothfus			
Ellmers	Lewis	Roybal-Allard			
Engel	Lipinski	Royce			
Eshoo	LoBiondo	Ruiz			
Farenthold	Loeb	Runyan			
Fattah	Long	Ruppersberger			
Fincher	Lowey	Rush			
Fitzpatrick	Lucas	Ryan (WI)			
Fleischmann	Luetkemeyer	Salmon			
Fleming	Lujan Grisham	Sanchez, Loretta			
Flores	(NM)	Sarbanes			
Forbes	Luján, Ben Ray	Scalise			
Fortenberry	(NM)	Schiff			
Fox	Lummis	Schock			
Frankel (FL)	Maffei	Schrader			
Franks (AZ)	Maloney,	Schwartz			
Frelinghuysen	Carolyn	Schweikert			
Fudge	Maloney, Sean	Scott, Austin			
Gabbard	Marchant	Scott, David			
Gallego	Marino	Sensenbrenner			
Garcia	Massie	Serrano			
Gardner	Matheson	Sessions			
Garrett	McCarthy (CA)	Sewell (AL)			
Gerlach	McCarthy (NY)	Sherman			
Gibbs	McCaul	Shimkus			
Gibson	McClintock	Shuster			
Gingrey (GA)	McHenry	Simpson			
Gohmert	McIntyre	Sires			
Goodlatte	McKeon	Smith (NE)			
Gowdy	McKinley	Smith (NJ)			
Granger	McMorris	Smith (TX)			
Graves (GA)	Rodgers	Southerland			
Graves (MO)	McNerney	Stewart			
Grayson	Meadows	Stivers			
Green, Al	Meehan	Stockman			
Green, Gene	Meeke	Swalwell (CA)			
Griffin (AR)	Meng	Terry			
Griffith (VA)	Messer	Thompson (CA)			
Grimm	Mica	Thompson (MS)			
Guthrie	Miller (FL)	Thompson (PA)			
Gutierrez	Miller (MI)	Thornberry			
Hahn	Miller, Gary	Tiberi			
Hall	Moore	Tipton			

NAYS—72

NOT VOTING—5

□ 1334

Messrs. CARSON of Indiana, POLIS, Ms. BASS, Messrs. HIMES, RYAN of Ohio, NOLAN, GOSAR, MARKEY, LABRADOR, DUNCAN of South Carolina, and WOODALL changed their vote from “yea” to “nay.”

Messrs. THOMPSON of Mississippi, WITTMAN, DAVID SCOTT of Georgia, FRANKS of Arizona, GARDNER, BARTON, SALMON, and Mrs. CAPPS changed their vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1340

HONORING JOHN LAWRENCE

(Ms. PELOSI asked and was given permission to address the House for 1 minute.)

Ms. PELOSI. Madam Speaker, I rise with great pride to pay tribute to a very distinguished American and a longtime member of the congressional staff, John Lawrence. In fact, he has served the Congress for 38 years as a member of the staff—30 years of it for GEORGE MILLER and 8 years as my assistant in the leadership office. I'm happy to pay tribute to him.

I'm sad because John will be—and I don't know if the word is retiring—but he will be leaving service in the Cap-

itol. He has always been a great proponent of science, technology, and innovation. As he concludes his service to the House, it is only fitting to cite the words of Alfred Lord Tennyson as inscribed on the walls of the House Science and Technology Committee:

For I dipped into the future, far as human eye can see, saw the vision of the world, and all the wonder that would be.

Over his nearly four decades serving the Congress, John has always kept his sights and his vision firmly on the future. He believed and he knew that the future is about investing in our children, supporting working families, and strengthening the middle class. He knew that the future is about protecting our environment and preserving our planet for generations to come.

John knew that the future of the House is strengthened by fellow staff members working in a bipartisan way. John has always respected the role played by our staffs on the Education Committee, the Natural Resources Committee, the offices of the Democratic leader, and as my role of Speaker of the House and as our distinguished Speaker's role as Speaker today. Indeed, the staff looked to him for leadership, just as Members looked to him for guidance.

In that spirit, this afternoon, my colleagues, the Speaker will honor John Lawrence with the John W. McCormick Award of Excellence on which, as declared by former majority leader, then-Majority Leader Carl Albert in 1970:

The name of the House employee, who performs the most valuable service for the House, will be inscribed.

What a fitting tribute to John Lawrence's 38 years of valuable service, extraordinary leadership, and dedication to the future. We've had the privilege of honoring in a bipartisan way other members of the staff in the Congress, and John's name will bring luster to that list.

Colleagues, please join me in thanking a dear friend, my former chief of staff, John Lawrence.

I yield to the Speaker of the House, Mr. BOEHNER.

Mr. BOEHNER. This is a day of mixed emotions for the House. John Lawrence's retirement means that we're losing a faithful public servant, one of our own. But we can all agree that John deserves some time off after 38 years of working here in the House. And for those of you who may not know John, he is currently the longest-serving staffer in the House.

John and I have known each other for a long time, going back to my days as chairman of the Education and the Workforce Committee. I can safely say that it really didn't matter whether we were on the same side of the page or whether we had opposing views—he always handled it in the same way, with class and integrity. He's a real stand-

up guy. That didn't just make John an asset to GEORGE MILLER or Leader PELOSI. It made him a great asset, I think, for the House as a whole and to the American people.

So I know all of my colleagues and I want to say to John, thank you for all of your service to this House. We're sorry to see you go, but we want to wish you and your family the best in the future.

Congratulations.

Ms. PELOSI. With the Speaker's permission, I acknowledge Elijah Lawrence, the teenage son of John and Deborah Lawrence, who's with us in the Chamber.

I yield back the balance of my time.

HYDROPOWER REGULATORY EFFICIENCY ACT OF 2013

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 267) to improve hydropower, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. WHITFIELD) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 422, nays 0, not voting 9, as follows:

[Roll No. 40]

YEAS—422

Aderholt	Bucshon	Cotton
Alexander	Burgess	Courtney
Amash	Bustos	Cramer
Amodei	Butterfield	Crawford
Andrews	Calvert	Crenshaw
Bachmann	Camp	Crowley
Bachus	Campbell	Cuellar
Barber	Cantor	Culberson
Barletta	Capito	Cummings
Barr	Capps	Daines
Barrow (GA)	Capuano	Davis (CA)
Barton	Cárdenas	Davis, Danny
Bass	Carney	Davis, Rodney
Beatty	Carson (IN)	DeGette
Becerra	Carter	Delaney
Benishek	Cartwright	DeLauro
Bentivolio	Cassidy	DeBene
Bera (CA)	Castor (FL)	Denham
Bilirakis	Castro (TX)	Dent
Bishop (GA)	Chabot	DeSantis
Bishop (NY)	Chaffetz	DesJarlais
Bishop (UT)	Chu	Deutch
Black	Cielline	Diaz-Balart
Blackburn	Clarke	Doggett
Blumenauer	Clay	Doyle
Bonamici	Cleaver	Duckworth
Bonner	Clyburn	Duffy
Boustany	Coffman	Duncan (SC)
Brady (PA)	Cohen	Duncan (TN)
Brady (TX)	Cole	Edwards
Braley (IA)	Collins (GA)	Ellison
Bridenstine	Collins (NY)	Ellmers
Brooks (AL)	Conaway	Engel
Brooks (IN)	Connolly	Enyart
Broun (GA)	Conyers	Eshoo
Brown (FL)	Cook	Esty
Brownley (CA)	Cooper	Farenthold
Buchanan	Costa	Fattah

Fincher	Langevin	Polis
Fitzpatrick	Lankford	Pompeo
Fleischmann	Larsen (WA)	Posey
Fleming	Larson (CT)	Price (GA)
Flores	Latham	Price (NC)
Forbes	LatTA	Quigley
Fortenberry	Lee (CA)	Radel
Foster	Levin	Rahall
Fox	Lewis	Rangel
Frankel (FL)	Lipinski	Reed
Franks (AZ)	LoBiondo	Reichert
Frelinghuysen	Loeb sack	Renacci
Fudge	Lofgren	Ribble
Gabbard	Long	Rice (SC)
Gallego	Lowenthal	Richmond
Garamendi	Lowey	Rigell
Garcia	Lucas	Roby
Gardner	Luetkemeyer	Roe (TN)
Garrett	Lujan Grisham	Rogers (AL)
Gerlach	(NM)	Rogers (KY)
Gibbs	Luján, Ben Ray	Rogers (MI)
Gibson	(NM)	Rohrabacher
Gingrey (GA)	Lummis	Rokita
Gohmert	Lynch	Rooney
Goodlatte	Maffei	Ros-Lehtinen
Gosar	Maloney,	Roskam
Gowdy	Carolyn	Ross
Granger	Maloney, Sean	Rothfus
Graves (GA)	Marchant	Roybal-Allard
Graves (MO)	Marino	Royce
Grayson	Markley	Ruiz
Green, Al	Massie	Runyan
Green, Gene	Matheson	Ruppersberger
Griffin (AR)	Matsui	Rush
Griffith (VA)	McCarthy (CA)	Ryan (OH)
Grijalva	McCarthy (NY)	Ryan (WI)
Grimm	McCaul	Salmon
Guthrie	McClintock	Sánchez, Linda
Hahn	McCollum	T.
Hall	McDermott	Sanchez, Loretta
Hanabusa	McGovern	Sarbanes
Hanna	McHenry	Scalise
Harper	McIntyre	Schakowsky
Harris	McKeon	Schiff
Hartzler	McKinley	Schneider
Hastings (FL)	McMorris	Schrader
Hastings (WA)	Rodgers	Schwartz
Heck (NV)	McNerney	Schweikert
Heck (WA)	Meadows	Scott (VA)
Hensarling	Meehan	Scott, Austin
Herrera Beutler	Meeks	Scott, David
Higgins	Meng	Sensenbrenner
Himes	Messer	Serrano
Hinojosa	Mica	Sessions
Holding	Michaud	Sewell (AL)
Holt	Miller (FL)	Sherman
Honda	Miller (MI)	Shimkus
Horsford	Miller, Gary	Shuster
Hoyer	Miller, George	Simpson
Hudson	Moore	Sinema
Huelskamp	Moran	Sires
Huffman	Mullin	Slaughter
Huizenga (MI)	Mulvaney	Smith (NE)
Hultgren	Murphy (FL)	Smith (NJ)
Hunter	Murphy (PA)	Smith (TX)
Hurt	Nadler	Smith (WA)
Israel	Napolitano	Southerland
Issa	Neal	Speier
Jackson Lee	Negrete McLeod	Stewart
Jeffries	Neugebauer	Stivers
Jenkins	Noem	Stockman
Johnson (GA)	Nolan	Stutzman
Johnson (OH)	Nugent	Swalwell (CA)
Johnson, E. B.	Nunes	Takano
Johnson, Sam	Nunnelee	Terry
Jones	O'Rourke	Thompson (CA)
Jordan	Olson	Thompson (MS)
Joyce	Owens	Thompson (PA)
Kaptur	Palazzo	Thornberry
Keating	Pallone	Tiberi
Kelly	Pascarell	Tierney
Kennedy	Pastor (AZ)	Tipton
Kildee	Paulsen	Titus
Kilmer	Payne	Tonko
Kind	Pelosi	Tsongas
King (IA)	Perlmutter	Turner
King (NY)	Perry	Upton
Kingston	Peters (CA)	Valadao
Kinzinger (IL)	Peters (MI)	Van Hollen
Kirkpatrick	Peterson	Vargas
Kline	Petri	Veasey
Kuster	Pingree (ME)	Vela
Labrador	Pittenger	Velázquez
LaMalfa	Pitts	Visclosky
Lamborn	Pocan	Wagner
Lance	Poe (TX)	Walberg

Walden	Welch	Womack
Walorski	Wenstrup	Woodall
Walz	Westmoreland	Yarmuth
Wasserman	Whitfield	Yoder
Schultz	Williams	Yoho
Waters	Wilson (FL)	Young (AK)
Waxman	Wilson (SC)	Young (FL)
Weber (TX)	Wittman	Young (IN)
Webster (FL)	Wolf	

NOT VOTING—9

Coble	Farr	Schock
DeFazio	Gutierrez	Shea-Porter
Dingell	Pearce	Watt

□ 1348

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr PEARCE. Madam Speaker, on rollcall 39 I was unavoidably detained, due to a public hearing scheduled by the Administration in my district. If I had been present, I would have voted "yea."

On rollcall 40 I was unavoidably detained, due to a public hearing scheduled by the Administration in my district. If I had been present, I would have voted "yea."

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. BECERRA. Madam Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 64

Resolved, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON AGRICULTURE.—Mr. Garamendi.

(2) COMMITTEE ON THE BUDGET.—Mr. Blumenauer (to rank immediately after Mr. Cárdenas).

(3) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Mr. Welch (to rank immediately after Mr. Danny K. Davis of Illinois).

The resolution was agreed to.

A motion to reconsider was laid on the table.

GUN VIOLENCE PREVENTION

The SPEAKER pro tempore (Mr. JOYCE). Under the Speaker's announced policy of January 3, 2013, the gentleman from California (Ms. SPEIER) is recognized for 60 minutes as the designee of the minority leader.

Ms. SPEIER. Mr. Speaker, this afternoon, we're going to spend the hour talking about gun violence prevention, and in particular, how the National Rifle Association has systematically unwound laws that have already been on the books.

Last night, the President referenced the fact that since the horrific deaths

at Sandy Hook there have been a thousand more people that have died due to gun violence. It is not good enough to wear a green ribbon in support of the Sandy Hook families and think you have done enough.

Times have changed, and the polling that's been done is overwhelming in support of sensible gun violence prevention laws. Let's be clear at the outset—the Heller decision by the U.S. Supreme Court has made it very clear: Every American has a right to own a gun for recreational purposes or to have a gun in their home for purposes of safety, and that is not going to change. We embrace that decision, we support it. But we also support safe laws around the use of guns.

So let us begin by looking at this, a Quinnipiac survey done very recently. Ninety-two percent support background checks for all gun purchases, including 91 percent of gun-owning households; 89 percent support closing the gun show loophole by requiring background checks for all gun purchases; 69 percent support banning the sale of semi-automatic, military-style assault weapons; 68 percent support banning the sale of large-capacity ammunition magazines; and 81 percent favor prohibiting high-risk individuals from having guns, including those convicted of serious crime as juveniles or convicted of violating domestic violence restraining orders.

So Frank Luntz, the Republican pollster, polled NRA members and non-NRA members who were gun owners, and what did they find out there? There they found out that 85 percent of gun owners and 87 percent of NRA members believe Second Amendment rights and gun safety laws can coexist. That's what we're talking about. Eighty-seven percent of gun owners and 74 percent of NRA members support requiring background checks of anyone buying a gun. We're talking about that right now. But in a couple of minutes, I'm going to show you how that has changed among the leadership in the NRA.

Fifty-three percent of gun owners and 57 percent of the NRA members mistakenly believe that everyone has to pass a background check. Eighty percent of gun owners, 79 percent of NRA members, support requiring background checks of gun retailer employees.

Eighty percent of gun owners and 71 percent of NRA members support barring people on the terror watch list from buying guns. It's a surprise to most people that they can in fact buy guns.

All right. Let's move on. Let's talk about the CEO of the National Rifle Association.

□ 1400

What did he say in 1999? In 1999, after the Columbine shootings, when so

many children lost their lives at Columbine High School, he said:

We think it's reasonable to provide mandatory instant criminal background checks for every sale at every gun show, no loopholes anywhere for anyone.

That's what he said.

What did he say after 20 children and six adults lost their lives in Newtown at Sandy Hook? In 2013, he says, at a Senate hearing, when Senator LEAHY asked:

You do not support background checks in all instances at gun shows?

Mr. LaPierre said:

We do not because the fact is the law right now is a failure the way it's working. None of it makes any sense in the real world.

Well, we are living in the real world, and the real world would suggest to everyone that a commonsense law is to have a universal background check for everyone.

Let's look at the next time we saw a flip-flop by Mr. Wayne LaPierre. Again, the point here being that the NRA leadership does not reflect the NRA membership.

In 1999, after Columbine, he says:

We believe in absolutely gun-free, zero tolerance, totally safe schools. That means no guns in America's schools, period.

On "Meet the Press" just a few weeks ago, Mr. LaPierre said:

If it's crazy to call for armed officers in our schools to protect our children, then call me crazy. I think the American people think it's crazy not to do it. It's the one thing that would keep people safe.

The point here, colleagues, is that the public, NRA members and gun-owning families in this country believe in commonsense reforms, and we owe it to them. We owe it to them to vote on these commonsense bills that will not restrict anyone's ability to own a gun for self-protection or to own a gun for recreation, but will take these assault weapons that are military weapons that are invented for one reason and one reason only, and that is to tear the hell out of anything they come in contact with.

As one law enforcement officer said very recently:

The energy in an assault weapon bullet will tear open a brick wall.

You don't need that to go hunting, and you don't need that to protect yourself in your home.

I yield to the gentlewoman from New York, CAROLYN MALONEY.

Mrs. CAROLYN B. MALONEY of New York. I'd like to yield to my inspiration in so many ways—we share the same name—CAROLYN MCCARTHY. And on this issue, from New York, she is our spokesperson.

Mrs. MCCARTHY of New York. I want to thank my colleagues for having this hour to talk about, really, the real issues and certainly hopefully break up some of the myths that are out there on what we're hearing, not only in the papers but certainly from some NRA members.

I've been battling this, and many of us have been battling this issue for many, many years. I think that what happened just about 2 months ago today, that Newtown shooting happened. And that went through everybody's heart to think in this day and age that we could have a shooting that totally rips apart 20 children is unacceptable to the American people—unacceptable to the American people.

Since that, being that we're trying to give as much information as possible to the American people what's happened since that day, over 2,000 people have been killed. Two thousand Americans have been murdered in episodes of gun violence.

There are a number of us here, Members of Congress, that have gone through this kind of violence, either with a loved one, our colleague from California, JACKIE SPEIER, we know what this can mean to a family. Last night, we had 25, 30, unfortunately, victims. And yet here we are debating, hoping, even after what the President said, give us a vote. Give us a vote. This isn't about us. This is about what our job is. We can have people disagree, and I know it's a lot of tough votes for some Democrats and certainly some Republicans. I believe that when we came here and got elected and we swore to uphold the Constitution, we knew we'd be facing tough votes. Who said this was going to be an easy job? It's never been an easy job. But it is a job that the majority of us here want to do.

When the President spoke last night, and listening to the aftermath late last night on what some of the pundits were saying about what the President was actually trying to do, we heard the NRA say that the reason they're against some of the things that we want to do as far as Members of Congress and our task force that we want to really take everybody's gun away. Do you know that program that we were talking about, the buy-back? What they were saying was it's not really just a buy-back. It's confiscating every single one of the guns. Well, I don't think that would hold up constitutionally. And I think that we have put together, in my opinion, a reasonable, very practical way of reducing gun violence in this country.

I also heard last night that assault weapons, long guns, and it only adds up to 8 percent of the people that are killed every year—8 percent. Can we stop putting numbers on everything and remember the faces that were here? Can we remember the people and the families that have lost their loved ones? They are not a number.

Then they had another chart out that talked about handguns. Well, let me tell you something about handguns that affects almost everybody in our communities. Legislation that we are putting forward, the background

checks, preventing straw purchasers, which basically is someone else is buying a gun for someone that is legally barred from buying a gun, think about how many handguns would not be sold to criminals. Think about how many lives will be saved.

But, also, let's think about those who have survived gun violence. But many of them, if you think about a lot of the young people in Aurora that had no health care insurance—and I can talk about my own son who was 26 when he was shot with five others, and, unfortunately, his father was murdered that day. I can tell you his medical bills to this day—to this day—they have cost this country millions of dollars.

Now I will say to you that we were very, very lucky; and I have been very, very blessed that he survived. But even back then, the doctors said that we would see changes in him as he got older because of the brain injury. And Kevin—God, I can't tell you how proud I was of my son. Two years of intensive therapy and they said he would never walk. He learned how to walk. Yes, he is still partially paralyzed, but he learned how to walk.

□ 1410

They said he would never talk. And when I talk about those days and somebody asks how is Kevin doing, I say, "Well, you know, he just said."

I spent my life as a nurse before I came here. And a lot of times when we think of patients who have had strokes and we're teaching them how to speak again, when we say they were talking, trying to get the words out is so hard. Every word becomes so difficult, but he had the power to do that.

Our friend Gabby Giffords, who was here last night, to watch, in my opinion, her long struggle reminded me so much of what Kevin had to go through. I will say that Kevin went back to work, and he worked for many years. Unfortunately, he has reached the point now where he can't work, and he had to go on to Social Security disability.

That has hurt his pride so much because of the work that he has done. All they want to be is looked upon and seen as just a regular person. There are thousands and thousands and thousands of Kevin McCarthys across this country. We are trying to prevent those kinds of injuries.

Background checks, why should anybody be afraid of a background check? Why? Why should anybody—again, as was brought up in an earlier poster—when you go to a gun show—I remember when we closed the gun show loopholes in New York. Gosh, we had the NRA all over us basically saying it's going to ruin the business. I say to you, go to New York and see the gun shows that are held on weekends. There's a big difference, though. Nobody can go into that gun show without buying a gun from a licensed Federal dealer.

By the way, the Federal licensed dealers, the gun shop owners in this country, they want everybody to go through a background check because you do have less than 2 percent of gun stores that are selling these illegal guns or guns disappear. It's ruining their reputations. These are honest businessowners. We're actually protecting them.

There is so much that we can go on about. When it was talked about the people that are on the terrorist list, do people know that they can actually buy a gun without a problem? God forbid we should put them on background check. I mean, they're on the terrorist list, but they can go and buy a gun.

I want to thank my colleagues, and I want to give them an opportunity to speak because I know we all care passionately about this. And I certainly will sit here and listen to my colleagues. If we have time, hopefully, we can all speak again.

It's exactly two months since the shooting in Newtown and since then up to 2,000 Americans have been murdered in episodes of gun violence in our country.

I know that ours is a country that believes in safety and in protecting innocent people.

That's why we've instituted some of the most thorough auto safety laws in the world, and why we regulate access to medicine, and why we inspect food.

It's also why we should be looking at the most dangerous consumer products in the world and seeing how we can make their use safer for Americans.

When it comes to reducing gun violence, the president has already said everything he could possibly say.

There can't be any more excuses—the ball is in our court here in Congress.

The president was right in his State of the Union Address that gun violence victims "Deserve a Vote."

There's no shortage of options—I'm the sponsor of a bill to ban assault weapons, a bill to ban high-capacity magazines, a bill for universal background checks and a bill to limit online ammunition sales.

Another bipartisan bill by my colleagues cracks down on illegal gun trafficking.

Here in the House of Representatives, too many members of the Majority have been completely silent on these bills. They haven't even held a simple hearing to discuss the topic, and that's shameful.

I would ask my friends on the other side of the aisle—what are you afraid of?

I would tell them—you don't have to be afraid.

Poll after poll after poll since Newtown—national polls—show that the majority of Americans want their lawmakers to take action to reduce gun violence.

The majority of Americans support banning assault weapons. The majority of Americans support banning high-capacity magazines. And over 90 percent of Americans support universal background checks.

Even three-quarters of all NRA members support universal background checks.

So I would tell my friends across the aisle—I know this is a tough issue, but you were elected to make tough decisions.

Tell us where you stand on these measures to reduce gun violence—the American people deserve to know where you stand.

And then, have the courage to hold votes on the measures that are out there.

This is a democracy—it's our job to represent the American people.

If we don't hold votes on this issue that the American people are screaming out about every single day since that awful shooting in Connecticut, then this body will have failed in its duties and in its purpose.

I will say to my friends across the aisle—let the people speak, and let their voices be heard.

Over 30 Americans are being killed by gun violence every single day and it would be shameful to turn a blind eye to that fact.

Thank you for doing this.

Ms. SPEIER. Thank you to the gentlelady from New York for her always powerful comments.

Now we're joined by the gentlewoman from New York, CAROLYN MALONEY, who has just introduced a bill co-authored by Democrats and Republicans that deals with the trafficking of guns.

Mrs. CAROLYN B. MALONEY of New York. Thank you so much to JACKIE SPEIER for organizing this. She has told me she's going to continue working with her colleagues in Congress to raise this issue, to focus on it. She's going to try to get us here at least once a week to keep the focus on this priority of the American people and our President.

We see here some important information. I think what we should do every week, Jackie, is print the names of the innocent children, men, and women who are murdered every day in our great country because of senseless gun violence like my dear friend's husband and her son who was critically wounded. She told me how hard it was for her to tell her son that he had lost his father. And I want to publicly thank Carolyn for making this a priority in her time in Congress and giving so selflessly of her time to help us pass meaningful gun legislation.

I'm a cosponsor of all my colleagues' bills. I think they all are common sense and important and should pass. But I want to focus on one that I think every NRA member should be for, and that is to take the guns out of the hands of traffickers, people who are selling guns to criminals, to cartels that are used only to kill, whether it's gangs or robberies or whatever they use them for. Why can't we do that? Why can't we make that a felony and put teeth behind the punishment?

When we were having hearings on the Fast and Furious program in the Government Reform and Oversight Committee, law enforcement came and testified. They said: Help us. Trafficking and guns is not even a felony. It's not even a crime. You can be a drug kingpin selling guns all over the place, and you won't be convicted because it's not a crime.

No law-abiding person is a kingpin and trafficking guns. One thing that's good about this bill and why we have so much support on the other side of the aisle is that it doesn't in any way infringe on Second Amendment rights. Law-abiding Americans, if they want a gun for recreation or shooting practice or defense, fine. But these are guns that are being sold to criminals, to thugs, who then go out and kill more people.

Mr. Speaker, yesterday in a Federal courtroom in Las Cruces, New Mexico, two people were convicted of being part of a larger conspiracy to smuggle guns to some really bad people, criminals. They had smuggled guns to folks who worked as "muscle" for a vicious Mexican drug cartel. In fact, one of the defendants had purchased three semi-automatic weapons that showed up a month later at the scene of a triple homicide. Another of the guns he bought surfaced at a Juarez drug seizure. These two men were found guilty, but they didn't get much of a sentence because it's not a crime.

The sad fact is that about all the prosecutors could reasonably hope for in the case—under Federal law, gun traffickers can expect to do about as much time as people who illegally traffic in livestock. Illegally sell an assault weapon to a known killer or drug kingpin or sell a chicken without a permit, and you can expect to do about the same amount of time for each. This is ridiculous.

Mr. Speaker, there is something dreadfully wrong with this picture. Right now people known as straw purchasers can buy multiple guns and immediately resell them to cartels or killers and know that if they are caught that they will not be charged with anything but paperwork violations. Law enforcement told us at the committee that they don't even bother to arrest and try to prosecute straw purchasers because there's no penalty. Well, our bill changes that and can give up to 20 years in prison for being a straw purchaser.

Tragically, this is what happened in my own State of New York last Christmas Eve just 10 days after the massacre at the Sandy Hook children's school. Last December in Webster, New York, a convicted felon set fire to a house and then set himself up as a sniper to shoot down law enforcement when they came to protect him. He shot and killed two firefighters and seriously injured two others before taking his own life.

This is a heart-wrenching tragedy, and it is one that could never have happened but for the fact that the gunman's neighbor had acted as a straw purchaser for him. Authorities say she purchased a 12-gauge shotgun and a Bushmaster rifle for the man who, as a convicted felon, could not have purchased a gun in his own name. For

knowingly acting as a straw purchaser for a felon, the neighbor has been charged with the only law that really applies: State and Federal paperwork violations.

□ 1420

I believe she would not have been buying these weapons for him if she knew she could have faced 20 years in prison. That's what prosecutors all too often have to rely on—a toothless Federal law that prohibits "engaging in the business of selling guns without a Federal license." Little wonder then that, according to the ATF, straw purchasers is the most common channel of illegal gun trafficking in America.

Believe me, if guns made us safer, we'd be the safest country on Earth. We are the most armed country on Earth, and we know from statistics that, if you own a gun, the degree of probability of being hurt or injured or killed by a gun is 8 to 15 percent higher than it is for other individuals. It is no surprise then that U.S. Attorneys are forced to decline to prosecute 25 percent of gun trafficking cases. This is an outrage. This is a crime. This is causing the loss of lives. The investigation can take longer than the sentence a trafficker might receive. In the wake of recent tragedies, the voice of the American people has been clear on this issue: They want something done, and they want it done now. They want us to do something to address this problem. They want something done that shows some bipartisan cooperation.

As our President said, we came here to do a job. Let's have a vote. Let's put this bill out on the floor of Congress, and let's have a vote. If some of my colleagues would like to vote against making trafficking in guns a felony, then let them do it. If some of my colleagues would like to vote against having meaningful penalties for trafficking and a straw purchaser's buying guns to be given to criminals, then let them do it, but let's have a vote. That's a democracy.

I introduced a bill in the last Congress and have reintroduced it in this Congress, H.R. 452. I hope that the listening public will urge their Members of Congress to cosponsor this bill and help us pass it for the American people. It is called the Gun Trafficking Prevention Act. It is a bipartisan bill, cosponsored by my friends and colleagues on the other side of the aisle: Mr. RIGELL of Virginia, who happens to be an NRA member, said this doesn't infringe on any gun owner's rights. He owns guns, but he just wants to go after the kingpins and the murderers and the illegal traffickers; and Mr. MEEHAN of Pennsylvania, who is a former prosecutor and knows firsthand why law enforcement needs these tools.

This bill will help keep guns out of the hands of felons and domestic abusers and the dangerously mentally ill,

who cannot and should not be able to legally buy guns on their own. This bill prohibits the purchase or transfer of a firearm if the intent is to deliver the firearm to someone else who is prohibited by Federal law or State law from possessing a firearm. Persons who commit this offense are subject to up to 20 years of imprisonment. For the first time, our bill makes firearms trafficking a Federal crime—something law enforcement officials have been asking for in hearings, in letters. They have been asking for this for years.

The bill also establishes significant penalties for straw purchasers who buy firearms on behalf of someone else. Buy a firearm for a convicted felon and you could look at 20 years in prison. These increased penalties will provide law enforcement officials with the critical tools that they've been asking for, tools that BOBBY SCOTT knows from his judiciary work are critically needed. The increased penalties can be used to encourage straw purchasers to cooperate with prosecutors in order to make it possible to go on up the food chain—after the cartels and the kingpins who now have little to fear.

Let me be absolutely clear that this bill has no impact whatsoever on the Second Amendment, on legal gun ownership or purchases.

As the President pointed out in his speech last night, this bill will not put an end to all gun violence. No bill can do that. No bill can prevent any particular act of violence, but we can stop some. We can do something and we can do this, and law enforcement is begging for the passage of this bill. We can begin the healing. We can restore some trust. We can stop putting guns in the hands of criminals. We can do it in a bipartisan way, and we can do it together.

Again, I thank my good friend and wonderful colleague, JACKIE SPEIER from the great State of California, for organizing this. I will be with you at all of your future events.

Ms. SPEIER. I thank the gentle lady from New York for making it clear that we are talking about safe and sane, commonsense laws on the books, and I am honored to be a cosponsor of her bill.

I want to just take a minute and go through a timeline of what has happened under the NRA's leadership in terms of the unraveling of laws that have been on the books but, because of the NRA's leadership, they have been unraveled. Let's start with the very first one.

Between 1980 and 1987, the number of Alcohol, Tobacco and Firearms agents was slashed by 21 percent, from 1,500 to 1,180, and the number of inspectors dropped from 655 to 626. What was happening during that period of time? During that period of time, there were more and more dealers. So why would the NRA be so interested in reducing

the staffing of the ATF? In 1986, the Firearm Owners' Protection Act was passed—again, sponsored by the NRA. It set a high burden of proof to prosecute violations of Federal gun laws. It limited ATF inspections to once a year, and it weakened the penalty. It allowed unlicensed individuals to sell their firearms as a hobby, avoiding meaningful regulations, thus leading to an increase in gun shows.

What does that mean when you have to establish a standard that is so high that you end up not revoking any firearm dealer's license? Well, willfully—not knowingly but willfully—violating gun safety laws is the standard that is now on the books. It's an extraordinarily high standard, and the loopholes that were created allowed for dealers to hand off their businesses, even when they had these horrendous violations, to relatives or to convert their inventory of guns into a "personal collection," which they then could sell because it was now a hobby, without doing background checks. Let me give you one example.

An example is Sandy Abrams. He was a member of the NRA board of directors. He was cited with over 900 violations of Federal firearm laws at his shop, Valley Gun, and 483 crime guns were traced to his shop. This is an NRA board member who violated the laws 900 times, and 483 crime guns were traced to his shop. What did the NRA do? The NRA, in a subsequent bill, banned the tracing of crime guns. What happened to him? The only power that ATF had was to revoke his license. So what did they do? No criminal charges were ever brought. Abrams transferred hundreds of his firearms to his personal collection, despite the revocation of his license, and faced charges of illegally selling those guns from his personal collection. As I mentioned earlier, in 1986, the Firearm Owners' Protection Act limited these inspections and weakened penalties.

We then moved on to the Dickey amendment in 1996. What did the Dickey amendment do? The Dickey amendment held that the CDC could no longer conduct public health research. Now, why would the NRA be so concerned about research going on? Because when you do research, you can link it, and it can create the opportunity for public policy decisions that are, in fact, thoughtful.

Then came the famous Tiahrt amendments in 2004 that placed restrictions on law enforcement, limited access to crime gun tracing data and required approval—background checks—of 24 hours only. That amendment said that if you're going to do a background check, you can only have that document in place for 24 hours, and then it has to be destroyed. So, to the point made by our colleague from New York about what are called "straw purchasers," how would you even know

there was a straw purchaser if you had to destroy that record in 24 hours?

Then in 2004 came the assault weapons ban, which was sponsored by Senator DIANNE FEINSTEIN. The chair then of the Judiciary Committee, our good Vice President, was also the shepherd of that bill.

□ 1430

In 2005, Protection of Lawful Commerce in Arms Act, this was heralded by the NRA as being their biggest get ever because that particular bill became law, and it protects gun manufacturers from civil liability suits—the only industry in this country that is not subject to civil liability suits for dangerous equipment and the like. The Sandy Hook families that are looking at trying to bring actions right now are stymied because this law is in place. There's no protection for auto manufacturers if they have unsafe products, but we've given carte blanche protection to gun manufacturers.

And in 2005, the U.S. PATRIOT Act, what did we do there? Well, then the NRA decided that, you know what, that ATF Director shouldn't just be appointed; it should be confirmed by the Senate. So in the PATRIOT Act, they got an amendment that provides that the ATF Director must be confirmed by the Senate. And guess what happens? There hasn't been an ATF Director confirmed in 7 years because of the control that they exhibit.

And then in 2005, ironically, George W. Bush does something his father didn't even do. His father, George H.W. Bush, by executive order, banned the importation of guns in this country, particularly the assault weapons. When President Clinton came into power, he, by executive order, expanded that importation ban to include high-capacity magazines. George W. Bush comes in as President, and he lifts the ban on the importation of assault weapons.

And between 2009 and 2012, we've had 99 gun safety laws rolled back at the State level. That's what the NRA is doing.

I now yield to my colleague from Rhode Island for his comments.

Mr. CICILLINE. I thank the gentlelady from California for yielding, and also for organizing this conversation about the dangers of gun violence and our responsibility to reduce gun violence in communities all across this country.

I want to also acknowledge the leadership of the gentlelady from New York, CAROLYN MCCARTHY, who long before I arrived here was an inspiration to me and so many others across the country who have been fighting for responsible gun safety legislation.

Just to give a context to the problem we are confronting, the U.S. gun murder rate is about 20 times the average of other developed nations. What that means is someone in this country is

about 20 times as likely to be killed by a gun as someone in another developed country. As some have already said, since the horrible, horrible killings, the murders of Newtown, 1,772 people have been killed by guns since that tragedy.

According to the CDC, there are 11,078 firearm homicides that accounted for 68 percent of all homicides in 2010. These are just some numbers that I think give us an understanding of the seriousness of the problem that we face with gun violence in this country. It's an epidemic.

I salute Mayors Against Illegal Guns and Mayor Menino and Mayor Bloomberg, who began that. I was a founding member. I salute the Brady Campaign for their work, but there are a couple of facts that are undeniable:

Number one, the Second Amendment gives individuals the right to possess firearms, and the vast majority of gun owners are responsible and they possess firearms for their self-defense and their own protection. That's a fact.

Two, there are certain categories of individuals that we all agree ought not have access to firearms—dangerous criminals, the seriously mentally ill, and children.

So if we agree on those two facts—guns are permitted by the Constitution to be possessed by individuals, three categories of individuals at least ought not have access to those firearms—then we have a responsibility to design a system and pass laws that ensure that those three categories of individuals, in fact, don't have access to firearms; and we have the ability to do that by closing the gaping loopholes from private sales and from the fire sale that the gentlelady from California just referenced where, when your license to sell guns, your Federal license is revoked, that you're rewarded by having your entire inventory turned into a personal collection, and then you can sell it free from the constraints of background checks.

We can fix the background check system, be sure that States are putting accurate information into the system. We can ban assault weapons, which are weapons of war which don't belong in the neighborhoods of our cities and towns, and high-capacity ammunition whose only purpose is to kill a great number of people in a very short period of time. We have these very reasonable, commonsense solutions which are available.

Last night at the President's State of the Union, we had 30 victims who suffered the grievous impact of gun violence, who put a face on the devastation, the scourge of gun violence in this country. We owe it to them, we owe it to families all across this country to move on this legislation, to hold a vote up or down so we can take what most Americans support, responsible gun safety legislation to reduce gun violence in our country.

When the gentlelady was just going through the examples of what the NRA has been successful in doing, let's not forget, the NRA doesn't have a vote in this Chamber, so every single one of those actions happened because individuals in Congress voted for them, and they should be accountable for that. And we can fix it by taking votes today to enhance public safety, to impose reasonable gun safety measures that will protect children and families all across this country and continue to honor the right of individuals to possess a firearm as guaranteed in the Second Amendment.

I thank the gentlelady for her leadership and for yielding. This is an important issue.

I'll end with The New York Times headline that said, "Do we have the courage to stop this?" talking about the carnage in Newtown and the courage that family members have displayed who have been victims of gun violence. If we can match that courage, Members of this House can match just 10 percent of the courage that they've demonstrated in sharing their stories, then we'll do the right thing and pass responsible gun safety legislation.

Ms. SPEIER. I thank you for your extraordinarily sound comments on this issue. As you were talking about courage, I remember recently having an opportunity to listen to a family from Newtown who lost a child, who said to me and to others:

You're just a bunch of talking heads. Can't you two groups get together and do what's right?

With that, let me yield to the Member of Congress who represents that extraordinary community and who has done so much to help them heal from what has been a devastating impact on not just everyone in the country but particularly those families in Newtown, Ms. ESTY.

Ms. ESTY. I would like to thank the gentlelady from California for organizing this Special Order hour, and I want to thank you for your longtime leadership on the gun violence prevention issue; and to our friend and colleague Congresswoman MCCARTHY, for your tireless effort, sadly over decades now, to ensure that this Congress takes action to keep our communities safer.

Last night in this Chamber, people affected by gun violence, including a number of families and officials and first responders from Newtown, were here in this Chamber. I have the honor of representing this small, brave town that now finds itself at the center of this national debate. And, folks, they are the face. They are paying the price of our political inaction.

Among the people here last night was a courageous educator by the name of Natalie Hammond. Natalie was the lead teacher at the Sandy Hook school that day, and she was in the hall trying to stop that madman, and her col-

leagues on either side were killed and she was seriously injured. She got out of physical therapy and came out publicly for the first time to be here last night to put a human face on the cost of inaction.

These people, as the gentlelady from California suggested, as The New York Times and others have suggested, are so courageous. And they have one question for us: What are we going to do? What is this country going to do to address this epidemic?

The President spoke eloquently, yet very directly, last night about how we must do better as a country. As he said, the families of Newtown deserve a vote.

□ 1440

He is right. Commonsense measures that respect Second Amendment rights, like universal criminal background checks, a reinstatement of the assault weapons ban, and restrictions on high-capacity magazines should, at the very least, be voted on in this Chamber and in the Senate.

The voices of the American people should be heard in this Congress. It's up to us. It's up to us, as elected leaders, to see that these families, that every family touched by gun violence has a vote.

Lynn and Chris McDonnell, the parents of Grace McDonnell, were here in the Chambers last night, as witness to their daughter, who loved pink, who did a beautiful painting, which they gave to the President of the United States.

The McDonnells asked me this morning, they said, you know, ELIZABETH, what more can we do to ensure that Congress acts? And I was astounded by the question. To think that this grieving family, what more could they do? It's, what more must we do?

They are doing everything they can to make sure that every Member of Congress understands not only their loss—their loss is America's loss, because every child that was murdered, every life lost on the city streets of our country is a loss that ripples throughout families and communities, lives. We will never know what these people could have done, could have contributed to our society, and it is an enormous hole in the fabric of our country.

The price of inaction is too high. The price of inaction is being paid every day by grieving parents like Lynn and Chris McDonnell.

So I want to thank, again, the gentlelady from California for all you're doing to ensure that we do the right thing here today, that we continue the discussion of this critical issue, that we do not lose our will to take action, and that we do bring about real change to save lives in our communities across this country.

The parents, the families, the children of Newtown deserve no less than our best efforts. We must act.

Thank you very much.

Ms. SPEIER. Mr. Speaker, can I inquire as to how much time we have left?

The SPEAKER pro tempore. The gentlewoman has 13 minutes remaining.

Ms. SPEIER. It's now my pleasure to yield time to my good, good, good friend and colleague from California, BARBARA LEE, who has been an outspoken advocate for gun violence prevention for decades.

Ms. LEE of California. Thank you very much.

First of all, let me thank you, Congresswoman SPEIER, for bringing us all together today to speak out on the important issue of addressing gun violence, not next month, not next year, not next Congress, but right now. And I have to just thank you so much for your tremendous leadership.

Yourself and Congresswoman MCCARTHY, both of you have so eloquently laid out why we need gun violence safety measures, both with your intellect and with your heart. Both of you have shared your very painful experiences, really, basically, so that others can live rather than die from gunshots. So thank you so much for staying the course.

I can think of no more important subject than what we're talking about today because this gun violence has been destroying communities, taking lives, and injuring too many people for much too long across America.

As President Obama invoked in his State of the Union speech last night, the families grieving from losing loved ones to gun violence deserve a vote. In fact, though, we're saying they deserve more than a vote. They deserve concrete steps to reduce gun violence, and we can take those steps right here in Congress.

We cannot accept one more innocent life being lost to gun violence, not one in Newtown, not one in Chicago or Cleveland, not one in my district in Oakland, California, not one in any town, any city, any school, in any theater, or any place of worship, mall, or any neighborhood.

We have an obligation to our children to ensure that Newtown marks a turning point that made us finally say, "Enough is enough." We must come together to build an America where our children do not have to live in fear, and where they really believe that they have a future. Many of my young people in my district don't even think they have a future, and this is a very sad state of affairs that we've got to turn around.

Recently, I had an event in my district in West Oakland. It was the unveiling of a mural painted by several talented young artists. This "Tree of Life" mural depicted the hope and the faith that my young people have for a future from violence and without violence. Yet they've seen and experienced

so much gun violence in their communities throughout their young years, but they still have a lot of hope, and they're counting on us here to make sure that their dream lives.

Too many of my constituents have been affected by gun violence, have pleaded for help in protecting their children from the horrors of gun violence, only to see the status quo at the Federal level.

Mr. Speaker, we need to take some serious action that includes what we've heard today, and I'll reiterate, commonsense measures such as the Federal gun buyback programs, banning high-capacity magazines, expanding the 24-hour background check, closing gun show loopholes, and reinstating the assault weapons ban. We need to do this immediately.

But we also need to work to end domestic violence in our homes and reauthorize the Violence Against Women Act. We need to do this right away.

We must also seek input from our young people, community stakeholders, faith community leaders, and others. We can work together to identify the root causes of this Nation's more than 16,000 homicides a year.

Let me call to your attention the work of a magnificent community-based organization in my district that I actually am very proud of, that I helped found in the early nineties, called the Martin Luther King, Jr. Freedom Center. These young people continue to work on conflict resolution and violence prevention efforts day and night, but they constantly tell us that their work is thwarted by too many guns on the street. And so we have to pass these gun safety measures.

We have to repeal the Tiahrt amendment, which I know Congresswoman SPEIER and Mr. MORAN and myself and other appropriators are working to do. And we must, as part of this, rededicate ourselves to getting the guns off of the street and working for, finally, a culture of peace and security.

Thank you again for your leadership.

Ms. SPEIER. Thank you to the gentlelady from California.

We now are joined by the gentlewoman from California (Mrs. NAPOLITANO), who has been a voice for mental health reform in this country for decades. I yield such time as she may consume.

Mrs. NAPOLITANO. Thank you, Gentlelady SPEIER, for being our lead on the gun prevention, gun violence prevention.

One of the things we don't talk about is a mental health component on which Congress has got to act. We've got to make sure that we bring it to the forefront. We've got to fund the programs to be able to help our communities deal with the mental health issues, elevate it to the level of other illnesses such as cancer, diabetes, heart issues.

We need to destigmatize it. It will not solve itself. We need to end the

school tragedies, the government office attacks. Mental illness is an invisible illness. We don't talk about it, we don't listen to it, and we don't want to share it because of the stigma. We need to educate our public.

Children at a young level can be identified when they're beginning to have emotional disorders that can be addressed at a very early age. Now, that's not to say—there's many reasons why we need to go, and the time does not allow me to go into it, but when you hear that 2,000 people are killed, how many are maimed? What is the cost to society and the cost to our business, to the law enforcement? And, as you say, they are very much in favor of controlling the guns on the street, the high-capacity, the assault weapons.

□ 1450

And women are highly in favor. As you can tell, most of your speakers are women who understand this is our children, our grandchildren, our neighbors, our friends who are impacted. And we need to be able to fund mental health services at the local level so it can be addressed and help can be found for them.

I've introduced the Mental Health in Schools Act, H.R. 628, which was a companion to Senator FRANKEN's Senate bill 195. But I must ask that the public has got to raise their voice. Email, fax, mail, phone your Member of Congress, and tell them we need to pass reform.

Ms. SPEIER. I thank the gentlelady from California.

I now welcome our new colleague from California, a colleague who I have served in the State legislature with for many years, Congressman ALAN LOWENTHAL.

Mr. LOWENTHAL. I want to thank the gentlelady from California for calling us and bringing us together to discuss this very important issue.

I stand here and join my colleagues as we put forth responsible solutions to reduce gun violence in our communities and throughout our country. It was my honor to introduce from my district Peggy McCrum, the chapter leader of the Long Beach Area Brady Campaign to Prevent Gun Violence, at yesterday's conference hosted by the Brady Campaign and Mayors Against Illegal Guns.

Three decades ago, her brother, Robert Kelly, was shot and killed by a complete stranger as he walked to his car, unaware that any peril awaited him. Peggy's brother, Robert; the victims of tragedies that occurred in Newtown and Aurora's mass shooting; and the thousands of Americans whose lives are ended each year by gun violence should serve as a reminder to all of us about the fragility of human life and our ability as Members of Congress to enact commonsense legislation necessary to prevent such horrific trage-

dies from continuing to devastate innocent Americans.

I stand here today in total support of a ban on military-style assault weapons and high-capacity magazines, similar to the gun laws that we have in California. These instruments of mass destruction have no place in our society outside of the military. And I thank my colleagues on the Gun Violence Prevention Task Force, especially Congressman THOMPSON and Congresswoman PELOSI, for leading the charge on this effort.

The tragedy of gun violence will not be solved just by banning assault weapons and ammunition alone. We must strengthen our current background check system as well as the National Instant Criminal Background Check System. We must increase access to mental health services, we must increase the student-to-counselor ratio in our schools, and we must lift the research ban on the Centers for Disease Control and the National Institutes of Health. All of these commonsense proposals are crucial to achieving the meaningful reforms that will save countless lives.

As a community psychologist, I understand that early identification and treatment of mental illness is the key to preventing potentially harmful acts. That being said, I am proud to cosponsor Congresswoman BARBARA LEE's Student Support Act, as well as Congresswoman GRACE NAPOLITANO's Mental Health in Schools Act. Both of these bills will address the growing mental health needs of our Nation's 95,000 students.

I do not believe in taking away any American's Second Amendment rights. Just as you cannot yell "fire" in a movie theater, I believe you cannot own and use weapons that are capable of killing 20 school children in a matter of seconds.

To conclude, I think we all must continue to listen to those who have been injured by gun violence, to survivors, to law enforcement, and even to those who speak out against gun law reforms. We will not be able to reach common ground on this issue unless we keep an open mind to all of the voices in America.

Mr. Speaker, I want to thank the gentlelady from California for calling us together to discuss this important issue.

I stand here today to join my colleagues as we put forth responsible solutions to reduce gun violence in our communities and throughout our country.

It was my honor to introduce from my district Peggy McCrum, the Chapter Leader of Long Beach Area Brady Campaign to Prevent Gun Violence at yesterday's press conference hosted by the Brady Campaign and Mayors Against Illegal Guns. Three decades ago, her brother Robert Kelly was shot and killed by a complete stranger as he was walking to his parked car—unaware of the perils that awaited him.

It can be all too easy to see Robert as a statistic on a crime map, but he—like all victims of senseless violence—was much, much more. He was a son . . . a brother . . . and a loved one. He was 28 years old; a graduate of Cal State Long Beach who was excited about starting his career at an accounting software firm. That future . . . his future . . . ended all too soon at the hands of a criminal with a gun. To date, the killer has not been found.

None of us are statistics. We are all living, breathing caring people with real lives and hopes and dreams, and we all deserve the freedom to feel safe from gun violence, be it in our schools, our movie theaters, or our streets.

Peggy's brother Robert, the victims of tragedies like the Newtown and Aurora mass shootings, and the thousands of Americans whose lives are ended each year by gun violence, will never be forgotten; they should serve as a reminder to us of the fragility of human life and our ability as members of Congress to enact commonsense legislation necessary to prevent such horrific tragedies from continuing to devastate innocent Americans.

These children, their parents, and all of the families who have been affected by the senseless acts of violence that left our country shocked and in disbelief are counting on us to do something—anything to ensure that they have the freedom to feel safe in their schools and communities.

I stand here today in open support of a ban on military-style assault weapons and high-capacity magazines, similar to the gun laws we have in California. These instruments of mass destruction have no place in our society outside of the military, and I thank all of my colleagues on the Gun Violence Prevention Task Force, especially Congressman THOMPSON and Congresswoman PELOSI, for leading the charge on this effort.

The tragedy of gun violence will not be solved by banning assault weapons and ammunition alone. We must strengthen our current background check system, as well as the National Instant Criminal Background Check System (NICS) system; we must increase access to mental health services; we must increase the student-to-counselor ratio in our children's schools; and we must lift the research ban on the Centers for Disease Control (CDC) and the National Institutes of Health (NIH). All of these commonsense proposals are crucial to achieving meaningful reforms that will save countless lives.

As a Community Psychologist, I understand that the early identification and treatment of mental illnesses is the key to preventing potentially harmful acts. That being said, I am proud to cosponsor Congresswoman BARBARA LEE's Student Support Act and Congresswoman GRACE NAPOLITANO's Mental Health in Schools Act. Both of these bills would address the growing mental health needs in our nation's 95,000 public schools.

The American people want action, and they are demanding a plan. My colleagues, I stand here wanting and demanding a plan. As the President said in his State of the Union address, these victims deserve a vote.

However, I do not, I repeat, I do not believe in taking away any American's Second

Amendment right. Just as you cannot yell "fire" in a movie theatre, I believe you cannot own weapons capable of killing 20 school children in a matter of seconds. The United States Supreme Court ruling on *Heller v. DC* clearly stated that there are, indeed, limitations to the Second Amendment, and I stand with that ruling. *Heller v. DC* was not meant to strip gun owners of the rights, it was meant to instill a greater sense of responsibility that comes with owning a gun.

I am in favor of protecting an individual's right to own a gun; I also want to help create a more accountable gun culture—one that upholds Americans' constitutional right to bear arms, and keeps us safe from harm. The constitutional right to own a gun and the God-given human right to feel safe from gun violence is not mutually exclusive.

I want to conclude by saying that we must all continue to listen to the victims, the survivors, and even those who speak out against gun law reforms; we will not be able to reach common ground on this issue unless we keep an open mind to all of the voices of the American people.

Thank you.

Ms. SPEIER. I thank the gentleman from California for his thoughtful remarks. And I want to thank each and every one of you who has participated in this Special Order. It's something that we must do week after week so that our message gets out to the American people and so that they truly understand what has happened in this country over the last 20 years that has taken away so many commonsense laws that were on the books to provide the kind of safe and sane laws to make sure that everyone who owns a gun has it appropriately and everyone who shouldn't own a gun, doesn't have a gun.

This is our to-do list:

Pass the universal background check, pass a ban on large magazines, pass an assault weapon ban, crack down on gun trafficking, remove the handcuffs on law enforcement, remove the gag order on gun safety research, keep illegal and unwanted guns off the street, invest in gun safety technology R&D, close the holes in our mental health system, and take steps to enhance school safety.

Someone said:

Too many children are dying. Too many children. We must do something. It will be hard, but the time is now. You must act. Be bold. Be courageous. Americans are counting on you.

These are the words of our own Gabby Giffords in the Senate just a couple of weeks ago. It still sends shivers up and down my spine. Gabby almost lost her life. We owe it to Gabby, we owe it to the 26 people who lost their lives in Newtown, the countless people who lost their lives in Aurora and Columbine, and the 32 people each and every day in this country who lose their lives to gun violence. We owe it to the American people. Let's act.

I yield back the balance of my time.

Ms. MENG. Mr. Speaker, I rise today with great passion and urgency to talk about our

need, as Members of Congress, to strengthen our Nation's gun violence prevention laws. Last night at the State of the Union, President Obama said it best—gun violence victims deserve a vote. From Newtown to Aurora, Oak Creek to Tucson and Blacksburg—these victims deserve a vote. Every day in this country, men, women and children die from gun violence. It doesn't have to be this way. We don't have to live in fear when we send our children to school.

I'm proud to be a member of the House Democratic Task Force on Reducing and Preventing Gun Violence. Last week, we issued a series of commonsense priorities that could make the difference in preventing future gun violence. One of the most basic priorities is implementing universal background checks. It is the only way to ensure that people who are legally barred from owning a gun are prevented from buying a gun. Right now, the law is voluntary—someone who fears failing a background check can simply avoid it by acquiring a gun from a private seller.

Another commonsense measure is a bill I introduced, the Fire Sale Loophole Closing Act, that prevents gun dealers whose licenses were revoked from reclassifying their inventory as personal and then selling the same guns as a private seller. We have to close these loopholes. These practices of getting around the law need to stop. I urge my colleagues to bring these commonsense gun safety laws to the floor for a vote because President Obama was right—our victims deserve a vote.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO LIBYA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113-9)

The SPEAKER pro tempore (Mr. LAMALFA) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the Federal Register for publication the enclosed notice stating that the national emergency declared in Executive Order 13566 of February 25, 2011, is to continue in effect beyond February 25, 2013.

Colonel Muammar Qadhafi, his government, and close associates took extreme measures against the people of Libya, including by using weapons of war, mercenaries, and wanton violence against unarmed civilians. In addition, there was a serious risk that Libyan state assets would be misappropriated by Qadhafi, members of his government, members of his family, or his close associates if those assets were not protected. The foregoing circumstances, the prolonged attacks, and the increased numbers of Libyans seeking refuge in other countries caused a deterioration in the security of Libya, posed a serious risk to its stability, and led me to declare a national emergency to deal with this threat to the national security and foreign policy of the United States.

We are in the process of winding down the sanctions in response to developments in Libya, including the fall of Qadhafi and his government and the establishment of a democratically elected government. We are working closely with the new Libyan government and with the international community to effectively and appropriately ease restrictions on sanctioned entities, including by taking actions consistent with the U.N. Security Council's decision to lift sanctions against the Central Bank of Libya and two other entities on December 16, 2011. The situation in Libya, however, continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States and we need to protect against this threat and the diversion of assets or other abuse by certain members of Qadhafi's family and other former regime officials. Therefore, I have determined that it is necessary to continue the national emergency with respect to Libya.

BARACK OBAMA.

THE WHITE HOUSE, February 13, 2013.

HONORING CHIEF PETTY OFFICER CHRIS KYLE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Texas (Mr. NEUGEBAUER) is recognized for 60 minutes as the designee of the majority leader.

Mr. NEUGEBAUER. Mr. Speaker, I rise today to honor a great American hero, Chief Petty Officer Chris Kyle, who, unfortunately, was killed on February 2. Normally, you would think that this would be honoring a soldier who was killed in action. Unfortunately, Chris Kyle gave his life while trying to help a fellow soldier who was dealing with some big issues.

□ 1500

And so today my colleagues and I want to spend the next hour honoring the life and the sacrifice that Chris Kyle did and gave for his country.

This is a difficult time for me, not only to honor Chris like this, but Chris Kyle was not only a Navy SEAL hero, but he was also a personal friend of myself and my family. And our warmest wishes and prayers and thoughts go out to Taya and the family in this difficult time.

Now, this will be a time today where we're going to reflect on Chris' life. And we had a tremendous outpouring of people who wanted to share stories about Chris, and we're going to share some of those.

I know Chris would have wanted this also not to be necessarily about him, but for the country that he fought for and believed in and loved so dearly. Chris was all American. Everything he did, his service to his country, was about his love for the country.

Not only did Chris love his country, he loved his family. He loved his friends and he loved his wife and children. So I wanted to talk just a little bit about Chris' career.

Chris spent 11 years as a member of SEAL Team 3, and of course his record is nothing but superb. He retired in 2009, and when he retired he had 255 kills, with 160 of those confirmed by the Pentagon, making him the most lethal sniper in American history. And one thing about that is that Chris was very unassuming.

I remember knowing a little bit about his background, but then meeting Chris for the first time and how humble he was and how down to earth he was, and he really didn't talk about records. He talked about people, and he talked about what his job was to protect his fellow soldiers.

His ability in the battlefield was unmatched. His longest shot came in 2008 when he identified an enemy insurgent that was about to launch a rocket near an Army convoy. From 1.2 miles away, he fired his .338 Lapua Magnum rifle and killed the insurgent, potentially saving the lives of countless Americans.

Chris was awarded countless honors for his service. He earned two Silver Stars, five Bronze Stars, two Navy and Marine Corps Achievement Medals, and one Navy and Marine Corps Commendation.

He was admired by people all over the country. And on this Monday, about 7,000 or 8,000 people gathered in the Dallas Cowboy Stadium in Dallas, Texas, to come and pay their respects for Chris Kyle. It was a great loss for our country. It was a great loss for his friends and family. They weren't just honoring an American hero. They were also honoring a husband, a father, a son, a team member, a comrade.

Chris was a born-and-bred Texas son and a devout Christian. He is survived by his wife, Taya, and two children, whom he loved and cared for deeply. In fact, he made the decision to leave the Navy in 2009 just so he could spend more time with his family at home.

After retiring from the Navy, Chris founded Craft International, a military and law enforcement training company. He also was intricately involved in numerous charities, including co-founding FITCO Cares Foundation, and other charitable events benefiting wounded and disabled servicemen and -women returning from combat.

He also wrote The New York Times bestseller, entitled, "American Sniper," which chronicled his time as a SEAL sniper. Chris donated the proceeds to the families of some of the comrades that died with him in combat.

These examples really show that his sense of service was genuine and deep. He lived by the motto, "It is our duty to serve those who serve us." It is our duty now as American citizens to remember this young man who served so bravely, to pray for his family in a time of mourning. America lost one of its finest sons and a true patriot. We keep Chris and his family in our thoughts and prayers, and we ask God to look after them.

We also pray for his friend, Chad Littlefield, who was killed alongside Chris, and for his family.

I am honored to have known Chris, and while he left this Earth at a young age, we know that God is watching over him.

Before I yield, I wanted to just make one point about the book that Chris wrote, "American Sniper." It was a great book, and it really chronicled the sacrifice and the conditions that a lot of our men and women are under while they serve.

But what was also an important part of that book was that Taya would chronicle, from time to time, what it was like to be serving alongside Chris in a different capacity, and that is the spouse of one of our deployed men and women, and the pressures and all of the things that are involved in that and the stresses and the separation. And I think it was a great tribute to Chris and Taya to share that intimacy with us so that we could come to greater appreciate his service and her service to our country.

It is now my pleasure to recognize another gentleman from Texas, who Chris lived in his congressional district, Mr. BARTON.

Mr. BARTON. I thank the gentleman from Lubbock for yielding, and I'm proud to be a part of this Special Order.

I want to say at the very beginning that, unlike Congressman NEUGEBAUER, I did not know Chris Kyle or Chad Littlefield, the other individual who was killed. They both lived in my congressional district in Midlothian, Texas, and the tragedy of both of their early deaths is equal. Although I didn't know either one, I have studied up on them, and I went to the memorial service at Cowboy Stadium and was very

moved by the eulogies and the people's remembrances that did know them.

I would like to say with regards to Mr. Littlefield, he, too, was a lifelong Texan, born in Dallas, and went to high school in DeSoto. He would have turned 36 Monday, and his funeral was at the Midlothian First Baptist Church last Friday. He is survived by his wife, Leanne, who is a middle school principal in Midlothian, and, I believe, a daughter. So our hearts go out to that family, too.

With regards to Chris, you could not have attended the service on Monday at the Cowboy Stadium and not have come away very impressed. The press reports are that there were 5,000 to 7,000 in attendance. I have done a number of events at Cowboy Stadium. I asked the head of security for the Cowboys who I know what they estimated the crowd. They said about 11,000.

As Mr. NEUGEBAUER has already pointed out, Chris was an individual who was driven by a love for his country and a love for his fellow man. I thought it was very telling at the service that the mother of one of his Navy SEALs who had been killed in combat, Chris adopted her as a second mother and asked that some of the proceeds of his book "American Sniper" go to her family. That, to me, is just amazing.

The president of Craft International also spoke at the service, and he spoke about how much Chris really cared about other people.

□ 1510

I think it is very telling that Chris Kyle and Chad Littlefield were both killed trying to help another troubled veteran. They were taking the suspected murderer to a gun range over in I think near Glen Rose, Texas, and trying to help him work through some problems. The person they were trying to help turned on them. So he died trying to help another person who was in need, and that's something his family can be very proud of.

I think another thing that we need to say about Chris is when people met him, they liked him and wanted to help him. The number of people who have helped in these service arrangements runs the gamut: The Governor of Texas, Governor Perry, who helped arrange the cemetery plot at the Texas State Cemetery in Austin; Jerry Jones and his family, the owner of the Cowboys, I think donated the use of Cowboys Stadium and were personally in attendance at the funeral; all the law enforcement agencies in the DFW area helped arrange the cavalcade from Midlothian down to Austin. And I am told that at almost every overpass on Interstate 35 and U.S. 287 that there were people showing flags and in attendance. There was an outpouring of love and affection that in my knowledge in the Congress is just unheard of for somebody who was not a public fig-

ure. And Chris was not. He was a public patriot, but he was not an ostentatious, grandstand kind of person.

He loved his family. He loved his two children. He loved his wife. He loved his mother and father. And he loved those whom he served with in the military. As Mr. NEUGEBAUER has pointed out, he served a number of tours in Iraq and Afghanistan.

In one of the stories that is in his book, he was under orders not to fire unless fired upon. In order to get the enemy so that he could shoot them, he put up an American flag, stood up and basically dared them to take a shot at him. And I think this is correct from the book, that when they started shooting at him he got everybody to take a shot at him, and he silenced them.

So, Congressman NEUGEBAUER, you are to be commended for organizing this Special Order. I'm proud that Chris Kyle and Chad Littlefield were constituents of mine. I'm very proud their families still live in my district. Myself and my staff will do everything we can to help them. We will cherish the memory of Chris and Chad for many, many years.

With that, I appreciate the gentleman's courtesy and I yield back.

Mr. NEUGEBAUER. I thank the gentleman.

One of the things about Kyle is, you said he wasn't a public figure. Kyle was pretty unassuming. Sometimes people wanted to talk about these records that he had accumulated. Chris would always kind of shake that off. He said:

My service wasn't about trying to get a record. My service was trying to help my country, and my job was to make sure that the bad guys didn't get my guys.

I think that's the kind of man that he was.

One of the things that the gentleman mentioned was regarding the motorcade from Dallas yesterday to Austin, to the Texas State Cemetery. I saw some of the video of that, and it was just amazing, the patriotism all along that almost 200-mile trek of people that wanted to express their appreciation. Many of them never met Chris Kyle, but they knew what he stood for and what he meant.

As we go along, before I recognize another great patriot from Texas, I was going to read some of the emails that have been pouring in to me. This is one from Jim DeFelice, who is a coauthor of the "American Sniper" book with Chris. He sent an email, and I will read just a little of it. He said:

Of my many memories of Chris, perhaps this one sums up the kind of man he was: On the morning of Hurricane Sandy, as I was going out to check on the damage to our house in the neighborhood, I received a text message from him asking if I was okay and if we needed anything. Even though he was over 2,000 miles away, I knew that if I asked for help he would have thrown a bag in the back of his pickup and driven up within the

hour. It was that kind of spirit, in everything he did, that made Chris a great warrior, a great SEAL and a great American. I am grateful to have known him.

It is now my honor to recognize Mr. GOHMERT, the gentleman from Texas, for words he might want to speak.

Mr. GOHMERT. Thank you, and I thank my dear friend from Texas for having this time and for honoring such a great American hero.

Chris Kyle clearly loved his country. He loved his family, he loved those with whom he served and was willing to lay down his life for his friends. Every time he was committed to hostile theater, he knew he might be laying down his life for his friends. He also knew that the ultimate authority on love, Jesus, is quoted in John 15:13 saying:

Greater love hath no one than this, that he lay down his life for his friends.

Chris had that commitment every time he was in a hostile area. He was willing to do that. And the fact that he gave up his life trying to help another servicemember who was suffering from a mental problem still is an act of laying down his life in service for others. He did it for this country, he did it for his friends, and he did it for those, including the gunman that took his own life.

Now, it was a very moving service. I don't believe it was broadcast. But for all of us who were there, we were deeply moved. The show of support, love, and affection for an American hero was deeply touching.

Chad Littlefield, the same situation, a man that was willing to lay down his life for his friends, and he did.

I think most people, Mr. NEUGEBAUER, have heard and read about this extraordinary man, Chris Kyle, his service to the country, three Silver Stars and five Bronze Stars. What an incredible, incredible service to his country. He deserves the tribute being brought and much, much more.

I would like to say a little bit about the sacrifice of some American heroes who don't always get recognized as heroes. In Chris' case, it's his wife, Taya, and their two children—sweet little notes on the bulletin at the funeral that they had written. His parents—it was an honor to meet Chris' parents. But we don't often think of the families and what they have laid down. They have lost father, husband, friend, confidante, a man who would do anything for them. They have paid an ultimate sacrifice.

I was reading some years back in—actually it's a journal basically that C.S. Lewis had written after his wife died. In one of the entries, he was talking about how much he missed his wife, how much he wished he had her back, and then he realized how selfish that was because she was in paradise, and his act of selfishness was to want a loved one to come back into a world

where that loved one would only have to some day again die before they could return to paradise. I believe with all my heart that Chris, as a Christian, is in paradise. He's greatly missed, and especially by those closest to him that paid that ultimate price.

□ 1520

We wish he were back, but then he would have to go through that process again.

C.S. Lewis said, We've always heard that Stephen was the first martyr, but didn't Lazarus get the rawer deal? I never thought about it before. We're told Jesus raised Lazarus from the dead. You can't find any reference in scripture of Lazarus saying anything ever because he might have said something like, I was in paradise, and you're bringing me back here now?

Nonetheless, Chris has served honorably and well. He's greatly missed. And we should not forget the family members of those who have lost loved ones in service to this country. They have paid the ultimate price: his parents, his wife, his kids, his brother. Obviously, his brother sorely missed Chris. So let's pay tribute to Chris, to those who have sacrificed in giving their loved one Chris for our country.

Mr. NEUGEBAUER. I thank the gentleman, and I think the point that you make is extremely important about our families. As Members of Congress, we get an opportunity and many occasions to travel to the theater and to thank those men and women that are deployed and for their outstanding service to their country.

I know that my colleagues also do the same thing I do; that is, when you're around their families, you understand and they understand that this is a team sport. It's those families that support our military folks back home and keep the homefront going while our men and women go and do the job we ask them to do, which is an important part of making sure America has a strong defense.

I got an anonymous email from a person that wanted to express their thoughts about Chris. He says:

When veterans asked for help or wanted to meet with him, Chris made time for them. When children needed him, he made time for them. The week before he died, his wife was marveling at how he could make time for so many different aspects of his work while making time for his family and still squeezing in time for children and veterans in need. He shrugged and let this simple reply speak volumes of his character, "Kids and vets, right, babe?"

Chris was working hard, juggling many different things to make a living for his family. He worked hard mostly because he had already made the decision to give away more money than he had earned in his lifetime in order to support the families of the fallen. I think that says a lot about Chris. Chris wasn't caught up in material things.

He wasn't caught up in honors. Every day, Chris had a servant's spirit.

It is now my honor to recognize another great Texan, my neighbor to the south, Mr. CONAWAY.

Mr. CONAWAY. I thank the gentleman for yielding some time and allowing me to add my inadequate words and thoughts for Chris and his family.

I had purchased Chris's book a long time ago; but as things go, I just hadn't read it. After he was murdered a week or so ago, I read his book. It was a very unsettling experience.

The book is written in what appears to be Chris's voice. I never met Chris, and so I didn't know what he actually sounded like when he spoke. But the book is written in a very conversational tone, and it's almost like you're having that conversation with Chris. You're reading, and you're caught up in the stories, and you're caught up in the action. You go, Oh, he was murdered several days ago.

Chris' style of talking about himself and the things that he did on behalf of his country were very self-deprecating, very matter of fact. I'm sure most of the instances in there where he talked about coming close to being hurt or coming close to near-death experiences are sugarcoated from what the real deal was because I know he didn't want his wife and family and many to know. He certainly wouldn't have been bragging about that anyway.

But Chris had a very matter-of-fact tone when he was with the SEALs and he was in those battles. Even when he was home, he had a very—"casual" is not the right word—but very matter-of-fact attitude toward the fact that he could be killed, that something bad could happen to him.

He also spoke in the book often about his faith and a guardian angel. There was one instance where he just moved differently than he normally would have moved, and a bullet went right where he had been. That's a Holy-Spirit-kind of thing. It just wasn't Chris's time.

So you read through that book, but you know Chris has been taken from us, he's been murdered, and America has lost one of her very best to have worn our colors and to have served.

I think the thing that comes out of the story in the book was he and his wife's struggle. What was most impressive about it was how torn he was between duty to country and duty to family. He was clear that his first duty was to God, but he was legitimately torn between the responsibilities to not only himself, but his men and the others under his watch and care, and those he protected by killing bad guys before they had a chance to kill our guys. That role he played, he relished it, he cherished it, and he wanted to do it; but he also began to recognize and see the impact it was having on his wife and kids.

So the struggle he and Taya went through of trying to come to the decision of, Do I give up something I really love to do, and I feel like my duty to do it, that I will have abandoned my friends if I go in a different direction? How difficult that decision was for him and his family, but that he ultimately decided that his role, God's direction for him, was that he be a full-time father to his two kids and a full-time husband to his wife.

The sense of loss from leaving the service, leaving the SEALs—the truth of the matter is he was in a period of our country's history that is not likely to be repeated ever again. I certainly hope not. The way he spoke about the opportunity to lay his life down for others is very matter of fact in that he was certainly willing to do that.

I agree with RANDY and LOUIE as they talked about the families. They really are the unsung—I got a little taste of this back when Iraq was going on in a big way and Afghanistan. I've made multiple trips. My wife, Suzanne, is just a basket case while I'm in country. And they never take Members of Congress to any place scary. They're not going to do that. If anything, it would be a helicopter failure or something. For the most part, they never take us anywhere scary, but she doesn't know that. I know it. I know everything is fine. We're wearing suits and ties, and it's fine. But she doesn't know that until I get out of country. As soon as she knew that, I would sense the relief in her.

That gives me a microscopic sense of what these families have done for 12 years now across the board with their loved ones downrange. As far as the family is concerned, it's a 24-hour-a-day, 7-day-a-week risk for their loved one. The loved one knows when it's scary and when it's not and knows when things are going crazy, but the family back home doesn't. They're dreading that car pulling up out front because they know that their loved one is someplace where they could get hurt or killed. The strength of the American serviceman's and servicewoman's family is to support them throughout this timeframe, where we've asked them as a country to do far more for this country than should ever have been asked of any one individual.

Yes, it's an all-volunteer force and, yes, they continue to reenlist, re-up, and go at it. But we've asked them to do more than we should have. They've recognized that we had to ask them to do these things. So I too brag on the families because that really is where the strength of America is shown, in families being able to back Chris up and the things that he was trying to do to make sure he was able to do downrange all he needed to do without worrying about what was going on back home.

It is so difficult to lose someone like Chris. We had a wonderful organization

in Midland, Texas, called Show of Support, a similar thing to what Chris was doing with his life after he got out, and that is in this instance they take wounded vets on deer hunts. They bring them into town, and they have a big banquet. They take the wives on a shopping spree and to the spa, and then they take the guys hunting. In this past year, they were in the parade heading down to the banquet. And the float that several were on was hit by a train, and four of these men were killed. These men who were killed had already had wounds of war that showed up in their lives every single day. One was killed pushing his wife out of harm's way.

So losing those four, the personal experience we think we feel with Chris—and we don't, but we do, because he's one of our best and one of those who has done far more for our country than we should have asked—does feel personal.

I ask folks around Memorial Day every year that we thank our country and we thank folks for the sacrifices made on behalf of our country, but it's generally in the generic, generally as a group. What I ask people to do is I say, Look, I want you to pick out somebody specific. I want you to think about somebody who we're memorializing today who has actually laid down their life in defense of this country. I want it to hurt a little bit. I want it to cost something for you to say the things we say very casually on Memorial Day.

□ 1530

I now have someone else I can think about on Memorial Day when we should all, as a country, recognize these collective sacrifices. Sometimes when you recognize them in the collective, it loses the impact, so I would encourage folks to recognize those sacrifices in the specific by picking out somebody you went to high school with who was killed in Vietnam, as in my case, or someone you know—a family member or whomever—about whom you can say, All right, as it ought to hurt just a little bit.

I want to thank the gentleman for giving me a chance to add, as I mentioned earlier, my inadequate thoughts on Chris and on his dedication to this country and his sacrifice. I wish God-speed to his family as they cope with Chris' absence in this life.

Mr. NEUGEBAUER. I thank the gentleman.

If Chris were here and were standing next to me, I think one of the things he would say is, RANDY, you need to talk about my team members.

He was a Navy SEAL. If you read the book or if you talk to a Navy SEAL—and I've visited with Chris—the SEAL team members, because of the things that they do together, have to trust each other explicitly. He lost some of his team members while they were

serving our country. He grieved over that, and he thought about them a lot.

One of his teammates sent me an email that reads:

Chris Kyle is an American hero who will be sorely missed by his brothers in arms, the great State of Texas, and the entire United States of America. For the last week, we have mourned his death, but I ask you today to take joy in his life, to truly appreciate the time he was with us; and may we continue Chris' legacy of service unto one another and support our wounded veterans who are battling with PTSD. Thank you to everyone for their support and prayers. God bless America.

Now it's my pleasure to recognize the gentlewoman from the Fort Worth area, Ms. GRANGER from Texas, who has spent a lot of her career in Congress helping to make sure that our soldiers have the things that they need and supporting them.

Ms. GRANGER. Thank you for giving us the opportunity to rise today to honor a true American hero, who is Chris Kyle, a retired Navy SEAL chief petty officer who was killed in Glen Rose, Texas, on February 2.

Chris Kyle heroically defended his country through four tours of duty in Iraq, where he participated in major battles throughout the country. He was the single deadliest sniper in the history of the United States military. Chief Kyle was shot twice in the fighting and was in six separate IED explosions. However, he never received the Purple Heart because he didn't want to be separated from his unit while the paperwork was being processed.

Chris Kyle fought for his country and saved the lives of many of his fellow Americans, but his accomplishments extended far beyond the battlefield. After 10 years of service as a SEAL, Chris retired from the Navy to focus on his family. He continued to train military personnel and security staff, and he wrote a book documenting his time in combat, which one of the Members talked about. Rather than keep the proceeds from the sale of the book, he donated the money to the families of two fellow SEAL members who had fallen in battle.

On February 2, Chris and his friend Chad Littlefield were tragically killed by a veteran they had sought to help. This act of violence may have taken Mr. Kyle's life, but it doesn't erase the powerful legacy he leaves behind.

Mr. Kyle is survived by his wife and two young children. He lives on through his family, through the lives he saved through his heroism in combat, and through the veterans he helped. He continues to be a source of inspiration to all who know his story.

On February 11, more than 7,000 people from around the country gathered in Cowboy Stadium for Chris Kyle's memorial service. Hundreds more braved bad weather to line roads and highways to honor Chris by watching his funeral procession on the way to

the Texas State Cemetery. It was a fitting tribute to a man who touched the lives of so many and who will continue to do so even after his death.

This country owes a tremendous debt of gratitude to Chris Kyle for his selfless service to his country, both on and off the battlefield. His heroism and the heroism of all his fellow veterans will never be forgotten. My thoughts and prayers are with his wife, his children, his family and friends, and especially with his teammates.

Mr. NEUGEBAUER. I thank the gentlewoman.

As was mentioned, after Chris left the SEAL team, he went to Texas, and they formed a company called Craft International. The CEO of that company is a gentleman by the name of Steven Young, and he sent this email:

Chris was a true American hero in having devoted his adult life to serving his country in combat as a member of the U.S. Navy SEALs and in training our military and law enforcement personnel after leaving the Navy. Chris was also an extremely devoted family man, a wonderful husband and a loving father. He gave so much of his time to charitable causes that assisted military personnel and their families, and he died while trying to help a struggling servicemember. We are all saddened by his tragic death. America lost one of its finest sons and a true patriot.

I think, again, there is a common theme here. Chris was always doing things for other people. As was mentioned, when someone was involved in a hurricane, Chris was saying, Do I need to go all the way to New York to help you? That was his motto—he was service-oriented.

It is now my pleasure to recognize another great Texan, one of our newer Members of Congress, Mr. BLAKE FARENTHOLD.

Mr. BARTON. Will the gentleman yield?

Mr. NEUGEBAUER. I yield to the gentleman from Texas.

Mr. BARTON. You keep saying "another great Texan." That's redundant. If you say "Texan," it's assumed that they're great.

Mr. NEUGEBAUER. They're all great. Exactly.

Mr. FARENTHOLD. Thank you very much. It's my pleasure to be up here even though it is a very solemn occasion.

I didn't have the honor or privilege of knowing Chief Chris Kyle, but as I've heard my fellow Texans speak of him and as many Americans have gotten to know him through his book, it's just a true testament to the American soldier and to the traditions of our military that Chris, after heroic and valiant service to our country, came back, and instead of just fading, he continued to help his fellow servicemen. The tragedy associated with his death, one of helping another, is heart-wrenching, but it does call to mind that the greatest traditions and values of America

are manifested through our service. He was doing just that when he was killed by a fellow veteran he was trying to help.

We in this country and in Congress have worked hard to provide health care, including mental health care, for our veterans. We are growing and expanding that service through the VA now. Just last week, I toured a new VA facility in my hometown of Corpus Christi. It has a large area devoted just to treating some of the psychological problems that many of our veterans come home with after experiencing the horrors of war. It's something that we need to continue to do as a country, and it's something that we need to continue to do as Americans.

Though the result of Chief Kyle's help was tragic, it doesn't diminish our responsibility and our duty to help our fellow Americans, especially our heroes who are suffering, and we can do that in a wide variety of ways. We're doing it, obviously, in Congress in the way Congress does things—we're enacting laws; we're appropriating money; we're doing programs—but helping on a very personal level is something that we need to continue to do, and that is a legacy of Chief Kyle's.

I was reading a Dallas Morning News article this morning about the kind of funeral that he received. There were 200 Patriot Guard Riders accompanying the funeral procession from the memorial service that was held at Cowboy Stadium in Dallas, Texas, to his burial in a place of honor—in the Texas State Cemetery, right in the center of the cemetery. This is just indicative of how we as Texans and how we as Americans feel about our servicemen. They deserve our honor and respect, and I'm proud that Texas and America have turned out for Chris Kyle.

I want to add my and my family's prayers to those of the rest of this Congress for Chris' wife and their children and for the entire Kyle family. We as a Nation have a profound sense of gratitude for our servicemen and -women, both active and retired, and it's our responsibility to care for them when they return home.

□ 1540

Mr. NEUGEBAUER. I thank the gentleman. A couple of other emails here. This is from Jeff Staubach:

He was very appreciative of his friends and family. He never hesitated to thank me for the smallest gestures. We were lucky to have him fighting for us, risking his life for us, and being our friend. About 2 months ago, I emailed him and told him that we needed to go get a beer soon. It was Thanksgiving, then Christmas, then New Year's, SHOT Show. We never pinned down a date. I wish I could grab another beer with him, just to sit back and talk about our kids, what the Cowboys will do this fall, and when we'd go shoot again together.

I imagine what Chris would tell us today, and what Chris knew, because

he was putting his life on the line every day, is that every day is precious. Every day is a gift from God, and that we must be a good steward of that day that he gives us. Chris Kyle, the day that he left us, left his house, thought he'd go out and shoot, maybe help this young man, and, unfortunately, actually lost his life doing that.

Mark Spicer, another friend, said:

I once asked Chris why he chose the SEALs, and he told me it was because he had been told it was the hardest to get into, and that typified the Chris Kyle we all knew. Chris would hit any challenge head on and never flinch from hard work and his unselfish devotion to those around him.

It is now my pleasure to recognize one of our newer members from the Texas delegation, Mr. STEVE STOCKMAN.

Mr. STOCKMAN. Thank you for offering this opportunity to honor a gentleman and a Texan who has demonstrated beyond any belief that he is dedicated to his country. After he served, he could have gone, walked out and done other things. But instead, Chris took it upon himself to have compassion for his fellow soldiers. And in that process, he gave the ultimate sacrifice, his life. He's an American hero, and I offer my deepest sympathy to his wife and his two children. He served our Nation courageously, and served with multiple injuries during four tours of Iraq.

Chris retired in 2009 to spend more time with his family. On top of being a warrior, Chris was a Christian, a son, a husband, and a father. On behalf of myself and my wife, Patty, our hearts go out to Chris' wife and her family. Our Nation will never forget and forever be grateful to Chris' service and for Chris' undying belief in Christ and sharing his testimony. Chris was the kind of humble and kind man who always put the needs of others before himself. Chris continued his passion with his non-profit, FITCO Cares, which provided in-home fitness equipment to physically and emotionally wounded veterans.

I'd like to say to Chris—which I know he's upstairs listening to us with God and with his Lord—that we are so honored and deeply touched that you gave your entire life for this Nation and that you have set an example for all of us in this House on how to behave. He's an individual, and we say nowadays that we don't have many heroes, but he's a true hero. He's not a pop star. He's not something that is glitter. He did his work and his dedication in silence so that not many people knew until his passing. We all should look to him as a leader and a hero. We're blessed that we had him on the Earth, and one day we'll all see him again.

Mr. NEUGEBAUER. I thank the gentleman.

Another friend of Chris' said:

You are the definition of a true American hero, but you are also the definition of a true

friend. From the late nights to the early mornings, you could always make me laugh. You have ever changed my life and many others. You will forever be missed, but never forgotten. We miss you, brother. Kevin.

Another friend of Chris' is David Feherty. David has been very involved in the Wounded Warrior program and was a friend of Chris'. An excerpt from his email, and I think he's talking to all of us:

So think upon this tonight as you lay yourselves down to rest, and be thankful for the life and service of Chris Kyle, whose spirit lives on in the lives of those who were lucky enough to have known that sweet-hearted, straight-shooting Texas prince. May he rest in peace, and our sorrow turn quickly to happy memories. David Feherty.

It is now my pleasure to recognize a fellow Texan who also served our Nation in the Navy, Mr. OLSON.

Mr. OLSON. I thank my colleague from Lubbock, the 19th Congressional District.

I rise today to pay tribute to a fellow swabbie, a fellow squid, and a fellow sailor, Navy Chief Petty Officer Chris Kyle, an elite retired Navy SEAL who was much more than the sum of his parts. Chris Kyle lived his life the way he died—in defense of our country and helping his fellow man in their time of need.

Assigned to SEAL Team 3, Sniper Element Charlie platoon within the Naval Special Warfare Command, and with over four tours of duty, Chris served in every major battle of Operation Iraqi Freedom. His service and sacrifice on behalf of America is well known.

What is lesser known is his humanity as a devoted husband and a loving father. He was a decorated Navy hero with a bright future ahead of him. He was on track to become a master chief petty officer, maybe even the master chief petty officer for the whole United States Navy, the first time a SEAL would hold that title. But he stepped away from that career to devote his time to a higher priority—to his children and his wife.

He was active in helping sailors and other veterans with their transition back to civilian life. Chris also paired with FITCO Cares Foundation, a non-profit organization which created the Heroes Project.

FITCO Cares provides free in-home fitness equipment, programs, personal training, and life coaching to any veteran with disabilities, Gold Star families—those are families who lost a loved one in combat—or those suffering from post-traumatic stress disorder. He was always willing to lend a helping hand.

Today, Texas honors our native son, Chris Kyle. As someone who wore the same uniform, I am deeply proud of his commitment to God, family, and our country. He was an American patriot, a defender of liberty, a husband, and a father. A grateful Nation says good-bye

to a man taken from this Earth much too soon.

May God bless Chris Kyle's wife, Taya, his children, his family, and all who loved him. I'm sure that in heaven, Chris Kyle is watching over his family and us.

Chris, I wish you fair winds and following seas.

If Chris were here today, I'd thank him for the gift he gave me and my wife, Nancy. When I took off in my P-3 Orion, I knew that if I were shot down and fortunate enough to survive the crash, Chris Kyle would come get me and take me home from wherever I was in the world, regardless of the challenges. We lost an American hero.

Chris Kyle, I salute you.

Mr. NEUGEBAUER. One of the things that Chris liked was he liked law enforcement people. He had a great deal of respect for them, and they knew that, that he had respect for them. What Chris knew was, just like he put himself in harm's way on a daily basis, that our first responders, our policemen and our sheriffs and those State troopers, that they put their lives on the line for our country and for our citizens as well.

This is a letter from Dan Parker. He is a law enforcement officer.

□ 1550

He says:

I first met Chris in 2010, at a ranch in Texas. I was told just before I would meet him of the truly incredible deeds that he was involved in during the war in Iraq as a soldier and a sniper, and that he was a former SEAL. Being a law enforcement sniper, I was really looking forward to meeting him and was unsure of what to expect.

What I found was a great man who was truly humble, down to Earth, and was a lot of fun to be around. I also found that Chris truly loved his country and that he'd sacrificed much for it and did not consider himself any type of hero, but only doing his job with his God-given talents.

Chris also made it very clear he felt a deep sense of responsibility to help any veteran or law enforcement officer he could.

I now want to recognize Mr. BARTON again for some remarks.

Mr. BARTON. Well, thank you, Congressman NEUGEBAUER. I think we have spent a good bit of our time extolling the virtues and honors of Chris Kyle and the other gentleman who was murdered, Mr. Littlefield.

I want to take a minute to brag on you a little bit. Most people don't have a very high opinion of the U.S. Congress. Luckily, they think higher of their own Congressman.

I think we should acknowledge how hard you've worked to help the family in this time of need, since you knew the family personally. You intervened with the Pentagon if the family wanted to try to bury Kyle at Arlington Cemetery. I know you've personally interacted with the Governor and his staff down in Austin, my staff, obviously, since they're my constituents.

You've gone above and beyond the normal requirements of a Congressman to reach out and help because you feel that commitment personally and professionally, and I want to commend you.

I also want to ask a question that I think you know the answer to. I have heard and read that an education fund has been established for Kyle's children. Is that true?

Mr. NEUGEBAUER. I believe that is correct. The gentleman is correct.

Mr. BARTON. So that being the case, it's certainly appropriate to honor the past. But part of his legacy are his children, and I would encourage anyone who wishes to get the address or the email and make a contribution so that the Nation shows its respect for his service by making sure that his children have the education that this country is capable of providing.

I would also encourage anybody who lives near their families to reach out and touch them personally. I plan to go by and see both the widows of the two gentlemen who were killed and see if I can be of personal assistance.

And then the last thing, obviously, we're here to honor somebody who was exceptional, in Chris Kyle. But as we speak, there are hundreds, if not thousands, of Chris Kyles on duty right now, protecting us in Afghanistan and ready to serve and ready to rescue. All of our servicemen and -women, we should thank them when we see them.

We should show their families here at home we support their service, and we should dedicate ourselves today to making sure that our Armed Forces have the best equipment, the best training, and, if necessary, the best rescue operations, and their families get the very best while they're serving their country, because we're here in freedom because of the Chris Kyles and all that they've done and continue to do.

And, again, I just want to thank you, Congressman, for your effort in this and organizing this and all you have done to try to help the family. You are truly a gentleman and honorable in every sense of the word.

Mr. NEUGEBAUER. I thank the gentleman.

I want to read a few more of these emails I got. And I'm reading excerpts of them. And one of the things I'm going to do is put all of these in the RECORD so that the kindness that a lot of people have shown, and their love for Chris, can be reflected in our CONGRESSIONAL RECORD.

This is from Elizabeth Robinson, and she says:

I only knew Chris from a little under 3 years, but in that time he stood up for me in one of my most confusing moments, gave me encouragement that helped push me into one of my toughest physical trials, and entertained many a moment in the office with his fun banter and laughs. He was a hero of such a grand scale, but that heroism trickled into

the everyday through his shining character that made everyday encounters with him special.

I think that's one of the things about Chris that most of us will miss is Chris's sense of humor. He had a great sense of humor. As I said, he didn't take himself seriously, and his sense of service.

This is from Nathan Kirk:

I move forward with sadness, but equally with the confidence in knowing that the path to healing is through service to others, as evident by the life of Chris Kyle.

I will never fail you, Chief.

Semper Fi.

This is from Tommy Hicks:

Chris was a good father, a husband, a friend to many. But through his service to our country in the Navy and after, impacted many others, more than he would ever imagine. He is the man everyone strived to be, a man who every American should want their son to be, a man to whom everyone owes a debt. May his memory be served for generations as a role model to the youth of America.

I'm going to close out our time by reading something that I think exemplifies Chris, and it was a big part of his life, and I think it also says what Chris's code in life was, and that is the Navy SEAL creed. It goes like this:

In times of war or uncertainty, there is a special breed of warrior ready to answer our Nation's call. A common man with uncommon desire to succeed.

Forged by adversity, he stands alongside America's finest special operation forces to serve his country, the American people, and to protect their way of life.

I am that man.

My Trident is a symbol of honor and heritage. Bestowed upon me by the heroes that have gone before, it embodies the trust of those who I have sworn to protect. By wearing the Trident, I accept the responsibility of my chosen profession and way of life. It is a privilege that I must earn every day.

My loyalty to country and team is beyond reproach. I humbly serve as the guardian of my fellow Americans, always ready to defend those who are unable to defend themselves. I do not advertise the nature of my work, nor do I seek recognition in my acts. I voluntarily accept the inherent hazards of my profession, placing the welfare and the security of others before my own.

I serve with honor on and off the battlefield. The ability to control my emotions and my actions, regardless of circumstance, sets me apart from other men.

Uncompromising integrity is my standard. My character and my honor are my steadfast. My word is my bond.

We expect to lead and to be led. In the absence of orders I will take charge, lead my teammates and accomplish the mission. I will lead by example in all situations.

I will never quit. I persevere and thrive on adversity. My Nation expects me to be physically harder and mentally stronger than my enemies. If knocked down, I will get back up every time. I will draw on every remaining ounce of strength to protect my teammates and to accomplish our mission. I am never out of the fight.

We demand discipline. We expect innovation. The lives of my teammates and the success of our mission depend on me, my technical skill, my tactical proficiency, and my

attention to detail. My training is never complete.

We train for war and we fight to win. I stand ready to bring the full spectrum of combat power to bear in order to achieve my mission and the goals established by my country. The execution of my duties will be swift and violent when required, yet guided by the very principles that I serve to defend.

Brave men have fought and died building the proud tradition and feared reputation that I'm bound to uphold. In the worst of conditions, the legacy of my teammates steadies my resolve and silently guides my every deed.

I will not fail.

I think that sums up the life of Chris Kyle.

□ 1600

I will personally miss him, and my thoughts and prayers go out to Taya and the family. We're going to miss Chris. But I think what Chris' friends would say and what Chris would say is: If I made an impact in your life, go out and impact somebody else's life.

May God bless Chris Kyle, may God bless you, and may God bless the United States of America.

GENERAL LEAVE

Mr. NEUGEBAUER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Throughout his life, Chris Kyle struggled to put his responsibilities to God, Country, and Family into the proper order. God was always first, but he often debated where Country and Family belonged. But through all of his life, he never once put himself ahead of any of those three things. He personified the best traditions not just of the American military and the SEAL community, but of American citizenship. He was truly a warrior in every facet of life.

There are many ways you can describe Chris—hero, SEAL, father, husband—but I think for most who knew him the most powerful way would be the simplest: Friend.

My friendship with Chris began when I was privileged to work with him on American Sniper, the story of his life and (some) of his heroic exploits. Though perhaps unlikely, the professional relationship between a Texas good ol' boy and a hard-bitten New York native quickly blossomed into a true friendship.

Of my many memories of Chris, perhaps this one sums up the kind of man he was: on the morning of Hurricane Sandy, as I was going out to check on the damage to our house the neighbors, I received a text message from him asking if I was OK and if needed anything. Even though he was over two thousand miles away, I knew that if I asked for help he would have thrown a bag in the back of his pickup and driven up within the hour.

It was that kind of spirit, in everything he did, that made Chris a great warrior, a great SEAL, and a great American. I am grateful to have known him.

—Jim DeFelice

Chris Kyle was a man who set his own standards. He believed in hard work and he

believed in generosity. He did not believe in a free ride and he did not believe in taking credit for the work of others. He was gracious in his dealings with the public and expected nothing in return.

Chris Kyle was humble and determined to be the best at whatever he set his heart to do. He clearly set his heart to being the best Navy SEAL he could be. As a warrior, he allowed his heart to harden in the face of adversity in order to do the work necessary to protect his brothers in arms. As a warrior he also made a choice to be a man whose children and wife would know him more as a man than a warrior. He chose to be available for ball games, nighttime prayers and dropping the kids off for school. He tirelessly devoted his time to his community and would not accept payment for anything he did in support of his hometown.

When veterans asked for help, or wanted to meet him, Chris made time for them. When children needed him, he made time for them. The week before he died, his wife was marveling at how he could make time for so many different aspects of his work while making time for his family and still squeezing in time for children and veterans in need. He shrugged and let his simple reply speak volumes about his character, "Kid and vets, right babe?". Chris was working hard juggling many different things to make a living for his family. He worked hard mostly because he had already made the decision to give away more money than he had earned in his lifetime in order to support the fallen. "Kids and vets, right babe?"

Chris Kyle was a man like no other. If we can take away anything from his life it would be: live your dreams, make your family a priority even when you are working hard, be patriotic, and take care of kids and vets.

—Anonymous

Chris Kyle is an America Hero that will be sorely missed by his brothers in arms, the great state of Texas and the entire United States of America. For the last week we have mourned his death but I ask you to take joy in his life. To truly appreciate the time he was here with us. And may we continue Chris's legacy of service unto others and support our wounded veterans and those battling with PTSD. Thank you to everyone for their support and prayers. God bless America.

—Anonymous

Chris was a true American hero having devoted his adult life to serving his country in combat as a member of the U.S. Navy SEALs and in training our military and law enforcement personnel after leaving the Navy. Chris was also an extremely devoted family man—a wonderful husband and loving father. He gave so much of his time to charitable causes that assisted military personnel and their families and died while trying to help struggling service member. We are all saddened by his tragic death. America lost one of its finest sons and a true patriot.

—Steven Young, Craft International's CEO

I met Chris just a couple weeks after he arrived in Dallas from San Diego in 2009. I remember hearing stories about him and not knowing what to expect. I found him to be a genuine person. He could kick the tar out of just about anyone but that's not what impressed me. It wasn't the stories from Ramadi that impressed me, it was seeing him with his family and his friends. He was very appreciative of his friends and family.

He never hesitated to thank me for the smallest of gestures. We were lucky to have him fighting for us, risking his life for us, and being our friend. About two months ago I emailed him and told him we've got to get a beer soon. It was Thanksgiving, then Christmas, then New Year's, Shot Show . . . etc. We never could pin down a date. I wish I could grab another beer with him and just sit back to talk about our kids, what the Cowboys will do this fall, and when we were going to shoot together again. I'll miss times like you see in the attached photo, throwing my arm around him with a joking threat to choke him out, jeans, boots, and cold beer.

—Jeff Staubach

Chris Kyle was a normal Texas boy, had a normal education and entered into ranching, considered to me a normal Texas profession, but he was to go on to become anything but normal.

I once asked Chris why he chose the SEALs and he told me it was because he had been told it was the hardest to get into and that typified the Chris Kyle we all knew. Chris would hit any challenge head on and never flinched from hard work and his unselfish devotion to those around him. It was an inspiration to see.

Chris always had a mischievous twinkle in his eye and loved to play pranks, laugh and enjoyed life as I have rarely seen but there was another side to Chris that few saw. Chris never truly cared about how successful he was at his chosen profession, he cared deeply about this country, what it stands for and mostly for the fellow soldiers he believes he couldn't save. Chris agonized over this subject many times and it was never far from his thoughts as he settled back into being a husband, loving father and came to terms with not being the tip of the spear anymore, a subject all professionals struggle over. Chris's answer was to join a fellow sniper and form a company designed to pass on their wealth of experience to those who follow and who now stand in harms way.

—Mark Spicer

Chris, you are the definition of a True American Hero, but you are also the definition of a True friend! From the late nights to the early morning you could always make us laugh! You have for ever changed my life and many others. You will be forever missed but never forgotten!

We miss you Brother!!!!

—Kevin

Everyone fortunate enough to call themselves Americans should mourn the passing of one of our country's greatest sons, Chris Kyle, for he represented everything that is good about our nation and for that matter, our species. The single greatest threat to mankind's survival on this planet is now and always has been the violent intolerance of those whose religious beliefs differ from those of others. Chris Kyle put himself in harms's way in order to defend our basic human right to evolve as a species, from those who consider teaching their children to commit suicide to be part of the same process.

Every time Chris Kyle squeezed his trigger, he served to create a safer environment in which we who choose to be tolerant of others, to be kind to others, and to simply try to do the next right thing can co-exist in peace. Sadly mankind finds itself now at a tipping point which most seem to have chosen to ignore, presumably in the hope that it will just sort itself out without the help of

men like Chris Kyle. Well people, good luck to all of us with that one, for without such help and the strength of the armed forces of the United States and her allies our children are surely destined to fall victims to the vilest cruelties of our enemies, who would keep their own people so ignorant that they fear for their own lives daily.

So think upon this tonight as you lay yourselves down to rest, and be thankful for the life and service of Chris Kyle, whose spirit lives on in the lives of those who were lucky enough to have known that sweethearted, straight-shooting Texan prince. May he rest in peace, and our sorrow turn quickly to happy memories.

—David Feherty

A tribute to a true American Hero that I call a friend.

I first met Chris in 2010, at a ranch in Texas. I was told just before I met him of the truly incredible deeds that he was involved in during the Iraq War as a soldier and sniper and that he was a former SEAL. Being a law enforcement sniper I was really looking forward to the meeting but was unsure of what to expect. What I found was a great man that was very humble, down to earth and a lot of fun to be around. I also found that Chris truly loved this country and had sacrificed much for it and did not consider himself any type of hero but was only doing his job with his God given talents. Chris also made it very clear he felt a deep sense responsibility to help any veteran or law enforcement officer he could.

Chris is gone now due to doing what he felt he had a duty to do. I would like to encourage everyone to keep the memory of Chris Kyle alive and do anything you can to honor him by doing whatever you can to help this country's honored veterans that have given so much and received so little in return. Our veterans are hero's in my eyes and I know Chris felt the same way.

Chris, I will miss you brother and only wish we could have had more time together before the Lord took you home.

—Dan Parker, Texas Law Enforcement Officer

I only knew Chris for a little under 3 years, but in that time he stood up for me in one of my most confusing moments, gave me encouragement that helped push in one of my toughest physical trials, and entertained many a moment in the office with his fun banter and laughs. He was a hero on such a grand scale, but that heroism trickled into the everyday through his shining character that made everyday encounters with him special. Whether he was cranking up the treadmill as I ran, telling me he'd beat up my ex boyfriend for being mean, or telling hilarious stories in the Craft conference room I'll never forget how Chris knew a million different ways to elicit a smile. You'd think meeting such a man as Chris with his reputation and history would make people nervous, but within minutes someone who just met him would be smiling and at ease. Even the times of frustration were colored in such a memorable light by his personality. In a world full of double standards, muddled meaning and confusion, his direct manner was refreshing. I loved being in his presence not because he was a hero or a celebrity, but because he was as genuine a person as you can find today.

—Elizabeth Robinson

After having attended the services yesterday for Chris, I owe him yet another "thank you."

The first "thank you" is the obvious one that we all owe to him; his military service to the nation in his unrelenting determination to his duties as a SEAL.

The second "thank you" is more personal, and that is the "thank you" I owe Chris for giving me a chance when he brought me on-board to his company. To me this is very important, as after having not one, but two "medical discharges" from the military, both non-combat related and not allowed to carry on with my brothers; I felt like a failure as a man at the resultant outcome of both of my enlistments. Chris looked beyond this and never made me feel less for my limited service versus his own extraordinary accomplishments and provided an opportunity to serve along side of him in a new and noble mission in the service to our military and law enforcement men and women, and treated me with nothing but equality and respect at all times along the way.

The third "thank you" is in the honor it was to stand with his family, brother SEALs and friends, and salute this man goodbye. As I walked within the line that followed him off the field, I was overwhelmed by grief with more than just the fact that we all had lost an American Hero, but that we had lost a bright shining example of a truly great human being in terms of compassion, generosity, and selfless service to his family, friends, fellow veterans and a nation.

I move forward with sadness, but equally with the confidence in knowing that the path to healing is through the service to others, as evident by the life of Chris Kyle.

"I will not fail you Chief."

Semper Fi

—Nathan Kirk Merithew—USMC

I was fortunate to have met Chris when he moved back to Texas in 2009 Chris was immediately a presence in my life. His character and sense of loyalty and duty was something I admired and appreciated. He was great to my family, and role model for me and my brother.

Chris was a good father, husband and friend to many. But through his service to our country in the Navy and after, impacted many others—more than he would ever imagine.

He is the man everyone should strive to be. A man who every American should want their son to be. A man to whom everyone owes a debt. May his memory be served for generations as a role model to the youth of America.

Chief Kyle, thank you for your friendship, your service, and the impact you did have on so many of us. You made Texas, the United States, and the world a better place. We will make sure your legacy lives longer than the rest of us.

—Tommy Hicks

Randy, thank you for pushing this in Congress. As you know, when Chris retired from an 11-yr career on Seal Team 3, he was the most lethal sniper in US military history with 255 confirmed kills (DOD made him take the number down to 150 as the prior US record holder was Carlos Hathcock or White Feather in Vietnam with 90). You may wish to include these numbers or not but this is for your information. Chris lived with me and my family for 6 months while his wife and kids prepared and sold their home in Coronado California before they moved to Texas. Chris was born in Hamilton, Texas and was essentially back home when this tragedy took place. He became a best-selling author and decided early to donate the pro-

ceeds of the book to the 3 families of team members he had lost while on Seal Team 3. Little did he know that it would be his family needing it the most.

On Saturday, February 2, 2013, Chief Chris Kyle (USN), Craft International LLC's President and the author of the best-selling book, *American Sniper*, and a friend were killed on a gun range in Glen Rose, Texas. Chief Kyle, a former Navy SEAL, served four Combat tours in Operation Iraqi Freedom and elsewhere. For his bravery in battle, he was awarded two Silver Stars, five Bronze Stars with Valor, two Navy and Marine Corp Achievement Medals, and one Navy and Marine Corps Commendation. After retiring from the Navy, Chief Kyle founded Craft International LLC, a military and law enforcement training company, and was involved in numerous charities, including co-founding FITCO Cares Foundation, and other charitable events benefiting wounded and disabled servicemen and women returning from combat.

—J. Kyle Bass

Yesterday, I had the privilege of witnessing the outpouring of support for Chief Petty Officer Chris Kyle as he was escorted to his final resting place in Austin, Texas. 200 miles of support. Patriot Guard Riders leading the way. Thousands of people standing in the cold and rain. Flags flying at every turn. Banners and signs with heart-wrenching messages of love and support lining the streets and being hung from freeway overpasses. Veterans raising their arms to salute a hero, their eyes filled with tears, as the procession passed.

The outpouring of support online was no different. Thousands of people from all over the country who wanted to be there, whose hearts ached to be there, gathered as well. Pictures and videos poured in from all along the 200-mile route. As items were posted, people commented and shared and talked about how they were feeling, how they were touched, how they were watching and listening through tears. It was both a heart-breaking and heartwarming journey.

I never knew Chris, but his life affected me in profound ways; ways I almost hesitate to share because they are so deeply personal. Chris was a patriot. Not a fair-weather patriot, a standing up and speaking out for what he believed in, knocked down and dragged through the mud, "I am never out of the fight" patriot. His passion for his country and his belief in what he stood for were unshakeable.

I admire Chris, not just for being the warrior he was, but for the man he was. The way he believed in his wife, Taya, when she did not yet believe in herself, and honor his greatest honor was being a father to his two children, is a tribute to the rare, beautiful gift that love is, and the joy it brings to our lives. I love the way he teased his family and friends. The way he reached out to others who were in pain. The way he not just shared, but *lived*, his faith.

I believe Chris represents the best in all of us. He exuded the highest ideals. He believed in his country and in his fellow man. He showed us what we are capable of as, individuals, and more importantly, what we are capable of as a nation. What overwhelmed me most yesterday is still what overwhelms me today, and that is how We Stood Together. We stood together for Chris, but more importantly, we stood together for what he believed in. We stood together for our country and for one another. I will carry that moment with me all the days of my life.

May God bless Chris Kyle, his family, and the United States of America
Thank you.

—Anne M. Stratford, Michigan

With the untimely and unfortunate death of Chris Kyle the world witnessed the coming together of a cross section our Country's people that one never would have placed on the same stage. Military hero's honoring one of their own; family mourning the loss of their rock; a beautiful, smart and strong wife holding it together and providing the stability and comfort for her adoring two young children.

The world has just begun to hear from Chris Kyle. He has made a difference.

God rest his soul and bless his wife Taya and the children.

—Ron Lusk

I want to note how profoundly sad and sorry I am at the passing of a great American, Chris Kyle, just a few days ago. So many of you on my personal list knew him well. For those who didn't, Chris Kyle was many things: America's most accomplished military sniper, a Navy SEAL, and a selfless servant of our nation at war. You may have heard he was murdered in a terrible fashion in my own hometown of Glen Rose, Texas. It was a sad end for a good man, and it recalls to mind the epitaph given by Thucydides: "The whole earth is the tomb of heroic men; and their story is not graven on their clay, but abides everywhere without visible symbol—woven into the stuff of other men's lives."

The work of Chris Kyle is indeed "woven into the stuff of [our] lives," as we prosper, live, and love, in the liberty he defended. It is in his memory, and so many others who fought and died before him, that this work, the work of defending freedom, must continue.

Our prayers are with his family and friends.

—Brooke L. Rollins, President and CEO, Texas Public Policy Foundation

It is not often you see the very best of the United States on display: too often, a problem postponed is considered a problem solved. Yet from time to time the citizens of that nation will do something to remind you of its greatness.

This past Monday afternoon, in Dallas, I can confidently say I did indeed see the very best of the United States on display as I joined seven thousand others to pay tribute to an extraordinary person. As a friend who was also there observed:

I don't think an assemblage of so many bronze and silver stars has ever honoured one of their own and while we think of Chris as our friend and our hero, he was truly a hero's hero.

The thing that resonated most with us on Monday afternoon at Cowboys Stadium was not his heroism nor his decorations, it was his personality and his selflessness for his teammates and especially for his children. While I sent out several copies of Chris book, *American Sniper*, in my November 2012 booklist I did not realize that 100% of the proceeds were going to the families of team members who did not make it back from Iraq.

—James Aitken

TRIBUTE TO CHRIS KYLE

(By Kevin "Dauber" Lacz)

Of what is a legend forged?

Is a legend born of a practiced skill or a cold lethality?

Is it bred by tests of physical strength, overcome and surmounted?

Does it exist because of records broken, distances conquered, or kills accumulated?

Is a legend made by numbers in a desert, a tally kept neatly on a papers in an office?

Can a legend be worn like a trident?

No. This is not the stuff of legends.

A legend is made by a man with immeasurable courage and uncommon valor.

It lives in the heart of the bravest of men—a heart the size of Texas.

A legend is forged by a man who would lead when others would follow, would risk gladly his safety if only to serve God, country, and family.

A legend becomes, through the blood of a man shed generously and willingly in defense of the greatest nation on Earth.

A legend grows through a man's unfathomable love for his wife, his son, and his daughter.

A legend spreads as a man's generosity, warmth, and infallible friendship reach out and engulf all those he touches.

A legend endures.

A legend is forever so long as a man's memory lives on in the hearts of his Brothers, his family, and all those who loved him.

A legend lives on.

Chris Kyle's legend lives on in my own heart—the heart of his SEAL Brother, his pupil, and his friend. His legend survives in the memory I keep and pass to my son, as Chris joins the ranks of our nation's finest heroes and warriors. So long as there are men willing to defend the helpless, to hunt down and destroy evil, and to love their God, families, neighbors, and country, Chris Kyle can never die.

Chris, it was an honor to serve with you. It was a greater honor that you called me friend. Your legend lives on in me.

—Kevin "Dauber" Lacz

Mr. FLORES. Mr. Speaker, on February 2 America lost Naval Chief Petty Officer Christopher Scott Kyle in a tragic shooting.

Chief Kyle was a true Texan who grew up learning the cowboy ways in central Texas. After a riding injury to his arm, his future in the rodeo was lost. Kyle went on to pursue his other dream and joined the military. He served in the Navy for 10 years most notably as a Chief Petty Officer in the Navy SEAL's. Assigned to SEAL team 3 as a sniper, he served 4 tours in "Operation Iraqi Freedom." At the time of his tragic death, he was helping two fellow veterans cope with post-military life as he did with many other veterans.

During his 10 years of service to our country, Chief Kyle earned many awards and decorations. He earned two Silver Stars, five Bronze Stars with Valor, two Navy and Marine Corps Achievement Medals, and one Navy and Marine Corps Commendation. Kyle's achievements and ferocity earned not only the respect of his fellow service men and women, but the enemy as well.

On February 12, Chief Petty Officer Chris Kyle was laid to rest at the Texas State Cemetery in Austin, Texas. Thousands lined the streets and highways to pay their respects and honor the service and sacrifice of Chief Kyle as his funeral procession traveled 200 miles from Midlothian to Austin.

On that day, we laid this American hero to rest. Our thoughts and prayers are with the

family and the many friends of Chief Kyle. He will forever be remembered as an outstanding sailor, husband, and father. We thank him and his family for their service and sacrifice for our country.

His sacrifice reflects the words of Jesus in John 15:13, "Greater love hath no man than this, that a man lay down his life for his friends."

God bless our military men and women, and God bless America.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise to honor an American hero, Chief Petty Officer Chris Kyle.

Eleven days ago, Chief Kyle was taken away from all of us while doing what he did best—helping others, especially fellow veterans.

During his four tours in Iraq, Chief Kyle served in every major battle of Operation Iraqi Freedom. His skill as a sniper became legendary among Americans and insurgents alike. He was given the nickname "the devil of Ramadi" by the insurgents and a \$20,000 bounty was placed on his head.

By the time Chief Kyle left the Navy in 2009, he had made 160 confirmed kills, more than any other U.S. military sniper in history.

Chief Kyle returned home to Midlothian, Texas in 2009 to be with his wife, Taya Kyle, and their two young children.

Chief Kyle continued protecting his fellow warriors through the creation of the Fitco Cares Foundation, which raised awareness and money to help veterans overcome post-traumatic stress disorder.

In 2012, Chief Kyle's book, *American Sniper*, was published. Though his book became a best seller, he never received money from it. Instead, he used the proceeds for the families of two friends and fellow SEALs.

Most notable of all, Chief Kyle was a man who loved his family deeply, watched over his friends, and did all he could to protect and help those close to him.

I offer my condolences to the family and friends of Chris Kyle and offer the thanks of a grateful nation.

Mr. MARCHANT. Mr. Speaker, I rise today with a heavy heart after the loss of an American hero. I was saddened last week to learn about the tragic death of Chris Kyle, a former Navy SEAL, decorated Iraq war veteran and valuable member of the North Texas community. Mr. Kyle was a native Texan and received numerous awards and decorations throughout his four tours of duty in Iraq, including two Silver Stars, five Bronze Stars with Valor, and two Navy and Marine Corps Achievement Medals.

Upon his honorable discharge in 2009, Mr. Kyle returned home to North Texas and began focusing his attention on helping other veterans cope with the physical and emotional struggles of life after deployment. Whether he was in combat or in the community, Mr. Kyle was always dedicated to providing support for his fellow service members. His death is truly a significant loss, not only for North Texas, but for the country as a whole. I ask my colleagues to join me in mourning the passing of this selfless American hero and to continue to send thoughts and prayers to his family and loved ones.

Mr. BRADY of Texas. Mr. Speaker, I rise today to honor the life of native Texan, Chief

Petty Officer Christopher Scott Kyle, a Navy SEAL and a true American hero.

Chris Kyle grew up in Odessa, Texas and as a young child, was taught to shoot by his father. He went on to use those skills in defense of our nation as a SEAL in the U.S. Navy. Chief Kyle served in every major battle of Operation Iraqi Freedom during his four tours in Iraq. During his time in Iraq, he was shot twice and involved in several IED explosions, and was awarded for his distinguished service both the Bronze and Silver Star medals several times.

After being honorably discharged from the Navy in 2009, this devoted family man to wife, Taya, and their two children, settled in Midlothian, Texas to run Craft International, a firm that provides law enforcement training and security protection. Determined to help his fellow soldiers, Chris helped create the Fitco Cares Foundation, which provides support and encouragement to veterans in need.

The untimely death of this American patriot and military hero is a devastating loss—not just for his precious family, but for his fellow veterans, his community and the entire nation. We grieve for his wife, and children, who must go on without his presence. We lament that his good works are left unfinished. And we mourn for the lives who have been robbed of ever knowing him and benefitting from his faith, encouragement, and tenacity.

Mr. HENSARLING. Mr. Speaker, my prayers today are with the family and loved ones of Chief Petty Officer Chris Kyle. I was deeply saddened to learn of the tragic shooting of two men, including Chief Petty Officer Kyle, that took place in Erath County, Texas on February 2nd. A Navy SEAL, Chief Petty Officer Kyle earned distinction for his actions in battle during several tours of duty in Iraq, and is renowned as the most lethal sniper in American military history. Chief Petty Officer Kyle—by all accounts, a devoted father and husband—committed his life after serving to assisting his fellow veterans.

I join the citizens of a grateful nation in honoring Chief Petty Officer Kyle and all of our current and former military personnel for their valiant service. As the son, grandson, and brother of veterans, I deeply appreciate the brave men and women who have sacrificed to make our country and the world a better, safer place to live. President Calvin Coolidge once said, “The nation which forgets its defenders will itself be forgotten.” I agree, and will do my utmost to make sure that our defenders, such as Chief Petty Officer Kyle, are remembered.

Mr. SESSIONS. Mr. Speaker, it is with a heavy heart that I rise today in honor and in memory of former U.S. Navy SEAL Chris Kyle. Chris was senselessly killed on Saturday, February 2, 2013, along with a fellow veteran at a gun range 50 miles southwest of Fort Worth, Texas.

Chris was a true patriot who served our country with distinction and honor. Born in Odessa, Texas, Chris joined the United States Navy in 1999, after being initially rejected due to an arm injury sustained during his time as a professional bronco rodeo rider. Following his initial training, Kyle was assigned to the illustrious SEAL Team 3, where he participated in every major battle of Operation Iraqi Freedom. For his bravery, he was awarded two Sil-

ver Stars, five Bronze Stars with Valor, two Navy and Marine Corps Achievement Medals, and one Navy and Marine Corps Commendation. Additionally, Kyle is credited with sniping more than 160 insurgents throughout his four deployments, making him one of the most lethal snipers in the history of the United States military.

After completing his combat duty in 2009, Chris continued to serve not only his country but also the unit he loved so much—the Navy SEALs—as well as fellow veterans of all branches struggling to cope with the effects of serving their country in wartime. Chris authored the Naval Special Warfare Sniper Doctrine—the first Navy SEAL sniper manual—and became chief instructor training Naval Special Warfare Sniper and Counter-Sniper teams. In 2011, Chris paired with FITCO Fitness to establish the FITCO Cares Foundation Heroes Project to help disabled or struggling veterans improve their lives. Chris knew that his experiences as a SEAL and the challenges he faced upon returning home could best be channeled into helping fellow veterans and their families who have given so much to ensure our safety and our freedom.

Sadly, Chris, along with his friend and fellow veteran, Chad Littlefield, died senselessly Saturday while trying to help another fellow veteran. While we may never be able to make sense of this terrible tragedy, today, we remember the sacrifice of these two brave men, who were not only heroic in their defense of this nation, but were also heroic here at home as they attempted to better the lives of their returning comrades.

Chris Kyle was deeply committed to serving both his country and his fellow veterans and will always be remembered as one who placed honor and duty above his own personal interest and safety. I am humbled by his service and dedication to not just the SEALs, but to his country, his fellow veterans, his community, his friends and his family. His sacrifice exemplifies that set forth in John 15:13, “Greater love has no one than this, than to lay down one’s life for his friends.”

May the peace of God be with those they loved and those who loved them and sustain them through this time of sorrow.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I solemnly stand today to honor and pay respect to a true American patriot, a devoted father, and a loving husband, Chief Petty Officer Chris Kyle. Sadly, on February 2, 2013, Chris and close friend Chad Littlefield were tragically killed on a remote ranch in Texas while attempting to help a troubled veteran who was suffering from post-traumatic stress disorder. Chris leaves behind his lovely wife Taya, and their two children.

Born on April 8, 1974 in Odessa, Texas, Chris began shooting and hunting with his father when he was eight years old. After an accident ended a short-lived career as a professional bronco rider, Chris was moved from within to satisfy his life-long desire to serve his country and join the military. Chris enlisted in the United States Navy, and ultimately worked his way to becoming a member of the United States Navy’s Sea, Air, Land Teams, also known as the U.S. Navy Seals, one of our nation’s most elite group of special forces units.

From 1999 to 2009, Chris served four tours in Iraq as a member of SEAL Team 3 where he was involved in every major battle of Operation Iraqi Freedom. Throughout his time in Iraq, Chris’ courage and heroism in battle earned him the title and honor of the most elite sniper in U.S. history.

Fearful for his deadly accuracy, Chris was nicknamed The Devil of Ramadi by insurgents, and recorded a record 150 confirmed kills—one of which was a 2,100-yard strike, 1.2 miles away. More importantly however, Chris is most remembered for his selfless and unwavering ability to protect American troops while perched on rooftops. In fact, despite being shot twice and directly involved in multiple IED explosions during his tours, Chris always made doing his job and his fellow teammates his top priority. For his bravery, Chris was awarded two Silver Stars, five Bronze Stars with Valor, two Navy and Marine Corp Achievement Medals, and one Navy and Marine Corps Commendation.

In 2009, Chris retired from his military career in order to dedicate more time to his wife and family. Shortly after, he released his New York Times bestselling autobiography, *American Sniper*, which shares his battle experiences and sheds light on the true sacrifices that service members and their families endure. Unprepared for the books immediate success, Chris ultimately donated proceeds from the book to the families of fallen service members. For those that knew Chris personally, this was nothing out of the ordinary.

Chris was not just an exemplary soldier; he was a successful businessman, a trusted friend and team member, and a devoted husband, father, and son. He lived by the professional motto, “It is our duty to serve those who serve us.” This principle became the driving force behind his decision to found Craft International, a military and law enforcement training and security company, as well as help create Fitco Cares Foundation, a nonprofit organization that helps veterans overcome post-traumatic stress disorder and adjust to civilian.

As a former veteran myself, I truly understand the sacrifices Chris and his family made for our great country. Chris’ devotion to a higher calling and his commitment to God, Country, and Family should serve as a constant reminder that freedom isn’t free. We all owe a debt to men and women like Chief Petty Officer Chris Kyle.

Mr. Speaker, I would ask that my colleagues join me in honoring Officer Chris Kyle, a true American hero and a man of great principle. I extend my deepest condolences to Chris’ family, and my thoughts and prayers are with them as they move forward in Chris’ honor.

□ 1610

APPOINTMENT OF MEMBERS TO PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore. The Chair announces, without objection, that the Speaker’s appointment of members of the Permanent Select Committee on Intelligence on February 8, 2013, is made notwithstanding the requirement of clause 11(a)(4)(A) of

rule X; and the Speaker's appointment, pursuant to clause 11 of rule X, clause 11 of rule I, and the order of the House of January 3, 2013, and notwithstanding the requirement of clause 11(a)(1)(C) of rule X, of the following Members of the House to the Permanent Select Committee on Intelligence:

Mr. THOMPSON, California
 Ms. SCHAKOWSKY, Illinois
 Mr. LANGEVIN, Rhode Island
 Mr. SCHIFF, California
 Mr. GUTIERREZ, Illinois
 Mr. PASTOR, Arizona
 Mr. HIMES, Connecticut

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 4 o'clock and 13 minutes p.m.), the House stood in recess.

□ 1919

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. NUGENT) at 7 o'clock and 19 minutes p.m.

REGARDING COMPOSITION OF PERMANENT SELECT COMMITTEE ON INTELLIGENCE

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that, notwithstanding the requirement of clause 11(a)(1) of rule X, the Permanent Select Committee on Intelligence be composed of not more than 21 Members, Delegates, or the Resident Commissioner.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

APPOINTMENT OF MEMBER TO PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore. The Chair announces, without objection, the Speaker's appointment, pursuant to clause 11 of rule X, clause 11 of rule I, and the order of the House of January 3, 2013, and notwithstanding the requirement of clause 11(a)(1)(C) of rule X, of the following Member of the House to the Permanent Select Committee on Intelligence:

Ms. SEWELL, Alabama

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 273, ELIMINATION OF 2013 PAY ADJUSTMENT, AND FOR OTHER PURPOSES

Mr. WOODALL, from the Committee on Rules, submitted a privileged report

(Rept. No. 113-9) on the resolution (H. Res. 66) providing for consideration of the bill (H.R. 273) to eliminate the 2013 statutory pay adjustment for Federal employees, which was referred to the House Calendar and ordered to be printed.

ADJOURNMENT

Mr. WOODALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 21 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, February 14, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

267. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Alpha-Cypermethrin; Pesticide Tolerances [EPA-HQ-OPP-2010-0234; FRL-9376-1A] received January 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

268. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Styrene-2-Ethylhexyl Acrylate Copolymer; Tolerance Exemption [EPA-HQ-OPP-2012-0456; FRL-9367-2] received January 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

269. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Minnesota; Flint Hills Resources Pine Bend [EPA-R05-OAR-2011-0328; FRL-9774-4] received January 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

270. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Texas; Beaumont/Port Arthur Ozone Maintenance Plan Revision to Approved Motor Vehicle Emissions Budgets [EPA-R06-OAR-2012-0435; FRL-9775-2] received January 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

271. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Joaquin Valley United Air Pollution Control District [EPA-R09-OAR-2012-0614; FRL-9771-3] received January 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

272. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-Pyrrolidone, 1-ethenyl-, polymer with ethenol; Tolerance Exemption [EPA-HQ-OPP-2012-0789; FRL-9376-1] received January 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

273. A letter from the Acting Secretary, Department of Commerce, transmitting the Department's report on Foreign Policy-Based Export Controls for 2013; to the Committee on Foreign Affairs.

274. A letter from the Acting Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

275. A letter from the Acting Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

276. A letter from the Secretary, Department of Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Libya that was declared in Executive Order 13566 of February 25, 2011; to the Committee on Foreign Affairs.

277. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to transnational criminal organizations that was declared in Executive Order 13581 of July 24, 2011; to the Committee on Foreign Affairs.

278. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to the former Liberian regime of Charles Taylor that was declared in Executive Order 13348 of July 22, 2004; to the Committee on Foreign Affairs.

279. A letter from the Honorary Secretary, Foundation of Japanese Honorary Debts, transmitting the 218th petition to the Prime Minister of Japan; to the Committee on Foreign Affairs.

280. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Free Trade Agreement-Columbia [FAC 2005-65; FAR Case 2012-012; Item III; Docket 2012-0012, Sequence 1] (RIN: 9000-AM24) received January 31, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

281. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Extension of Sunset Date For Protests of Task and Delivery Orders [FAC 2005-65; FAR Case 2012-007; Item II; Docket 2012-0007, Sequence 1] (RIN: 9000-AM26) received January 31, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

282. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Prohibition on Contracting with Inverted Domestic Corporations [FAC 2005-65; FAR Case 2012-013; Item I; Docket 2012-0013, Sequence 1] (RIN: 9000-AM22) received January 31, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

283. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer,

General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-65; Introduction [Docket: FAR 2013-0076, Sequence 1] received January 31, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

284. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the Department's report on the Paul Coverdell National Forensic Science Improvement Grants Program, managed by the Office of Justice Programs' National Institute of Justice, pursuant to Public Law 90-351, section 2806(b); to the Committee on the Judiciary.

285. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the annual report entitled, "Prioritizing Resources and Organization for Intellectual Property Act of 2012"; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WOODALL: Committee on Rules. House Resolution 66. Resolution providing for consideration of the bill (H.R. 273) to eliminate the 2013 statutory pay adjustment for Federal employees, and for other purposes (Rept. 113-9). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ROGERS of Michigan (for himself and Mr. RUPPERSBERGER):

H.R. 624. A bill to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes; to the Committee on Intelligence (Permanent Select).

By Mr. LOBIONDO (for himself and Mr. PALLONE):

H.R. 625. A bill to amend chapter 178 of title 28 of the United States Code to permit during a 4-year period States to enact statutes that exempt from the operation of such chapter, lotteries, sweepstakes, and other betting, gambling, or wagering schemes involving professional and amateur sports; to the Committee on the Judiciary.

By Mr. PALLONE (for himself and Mr. LOBIONDO):

H.R. 626. A bill to amend title 28 of the United States Code to exclude the State of New Jersey from the prohibition on professional and amateur sports gambling to the extent approved by the legislature of the State; to the Committee on the Judiciary.

By Mr. PAULSEN (for himself, Ms. KAPTUR, Mr. KIND, and Mr. REICHERT):

H.R. 627. A bill to provide for the issuance of coins to commemorate the 100th anniversary of the establishment of the National Park Service, and for other purposes; to the Committee on Financial Services.

By Mrs. NAPOLITANO (for herself, Mr. BARBER, Ms. BROWNLEY of California, Mr. CARTWRIGHT, Ms. CASTOR of Flor-

ida, Mrs. CHRISTENSEN, Ms. CHU, Mr. CICILLINE, Mr. CONYERS, Mr. COURTNEY, Ms. DEGETTE, Mr. ELLISON, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. HINOJOSA, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Ms. LEE of California, Mr. LOEBBACH, Mr. LOWENTHAL, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. BEN RAY LUJAN of New Mexico, Mrs. MCCARTHY of New York, Ms. MOORE, Mrs. NEGRETE MCLEOD, Mr. PASTOR of Arizona, Mr. PERLMUTTER, Mr. PETERS of Michigan, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. RUIZ, Mr. RUSH, Mr. SCHIFF, Mr. SCOTT of Virginia, Ms. SHEA-PORTER, Mr. SIRE, Ms. SLAUGHTER, Mr. THOMPSON of California, Mr. TONKO, Mr. VAN HOLLEN, Mr. VARGAS, Mr. VELA, Ms. VELÁZQUEZ, Ms. WATERS, and Mr. WALZ):

H.R. 628. A bill to amend the Public Health Service Act to revise and extend projects relating to children and violence to provide access to school-based comprehensive mental health programs; to the Committee on Energy and Commerce.

By Ms. SCHAKOWSKY (for herself, Ms. CHU, Ms. CLARKE, Ms. ESHOO, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HAHN, Mr. HONDA, Ms. LEE of California, Mrs. CAROLYN B. MALONEY of New York, Ms. MOORE, Mrs. NAPOLITANO, Mr. POLIS, Mr. RANGEL, Mr. VARGAS, and Ms. WATERS):

H.R. 629. A bill to provide protections against violence against immigrant women, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Financial Services, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEFAZIO:

H.R. 630. A bill to recalculate and restore retirement annuity obligations of the United States Postal Service, eliminate the requirement that the United States Postal Service pre-fund the Postal Service Retiree Health Benefits Fund, place restrictions on the closure of postal facilities, create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLORES (for himself and Mr. TAKANO):

H.R. 631. A bill to amend title 10, United States Code, to provide requirements for the contents of the Transition Assistance Program, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETRI (for himself, Mr. GENE GREEN of Texas, Mr. ROE of Tennessee, and Mr. AMODEI):

H.R. 632. A bill to authorize the Department of Labor's voluntary protection program and to expand the program to include more small businesses; to the Committee on Education and the Workforce.

By Mr. CHAFFETZ (for himself, Mr. LABRADOR, and Ms. LOFGREN):

H.R. 633. A bill to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes; to the Committee on the Judiciary.

By Mr. GRIMM (for himself, Mr. PETERS of Michigan, Mr. AUSTIN SCOTT of Georgia, and Mr. MCINTYRE):

H.R. 634. A bill to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PEARCE (for himself, Mr. TIPPON, Mr. YOUNG of Alaska, Mr. FORBES, Mr. HARRIS, Mr. HALL, Mr. MARCHANT, Mr. WILSON of South Carolina, Mr. FLORES, Mr. GOHMERT, Mr. WESTMORELAND, Mr. CONAWAY, Mr. RAHALL, Mr. JONES, Mr. GOSAR, and Mr. POSEY):

H.R. 635. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to enter into contracts with community health care providers to improve access to health care for veterans in highly rural areas, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CONNOLLY (for himself, Mr. CUMMINGS, Ms. NORTON, Mr. CONYERS, Ms. HAHN, Mr. ANDREWS, Mr. PRICE of North Carolina, Mr. PERLMUTTER, Mr. CICILLINE, Mr. VAN HOLLEN, Mr. BERA of California, Mr. ISRAEL, Ms. TSONGAS, Mr. THOMPSON of California, Ms. GABBARD, Mr. DEFAZIO, Mr. LOEBBACH, Mr. OWENS, Mr. BEN RAY LUJAN of New Mexico, Mrs. KIRKPATRICK, Mr. MORAN, Mr. LYNCH, Ms. EDWARDS, Ms. SCHWARTZ, Ms. SHEA-PORTER, Mrs. CAROLYN B. MALONEY of New York, Mrs. CAPPS, Ms. BONAMICI, Mr. KILDEE, Ms. PINCHER of Maine, Mr. RAHALL, Mrs. BUSTOS, Ms. ESTY, Ms. KUSTER, Mrs. MCCARTHY of New York, Mr. RUPPERSBERGER, and Mr. PETERS of California):

H.R. 636. A bill to prohibit Members of Congress from receiving any automatic pay adjustments through the end of the One Hundred Thirteenth Congress; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas (for himself and Ms. LOFGREN):

H.R. 637. A bill to provide for a legal framework for the operation of public unmanned aircraft systems, and for other purposes; to the Committee on the Judiciary.

By Mr. FLEMING (for himself, Mr. SIMPSON, Mr. YOUNG of Alaska, Mr. JONES, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. MCCLINTOCK, Mr. POSEY, Mr. THOMPSON of Pennsylvania, Mr. AMODEI, Mrs. BLACKBURN, and Mr. SOUTHERLAND):

H.R. 638. A bill to amend the National Wildlife Refuge System Administration Act

of 1966 to require that any new national wildlife refuge may not be established except as expressly authorized by statute; to the Committee on Natural Resources.

By Ms. ROYBAL-ALLARD:

H.R. 639. A bill to reform immigration detention procedures, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS:

H.R. 640. A bill to require the Secretary of Homeland Security to strengthen student visa background checks and improve the monitoring of foreign students in the United States, and for other purposes; to the Committee on the Judiciary.

By Ms. BORDALLO (for herself and Mr. WILSON of South Carolina):

H.R. 641. A bill to amend title 32, United States Code, to codify the National Guard State Partnership Program regarding the funding sources for and purposes of the program and specifying certain limitations on the use of such funding; to the Committee on Armed Services.

By Mr. BURGESS:

H.R. 642. A bill to make clear that an agency outside of the Department of Health and Human Services may not designate, appoint, or employ special consultants, fellows, or other employees under subsection (f) or (g) of section 207 of the Public Health Service Act; to the Committee on Energy and Commerce.

By Mr. BURGESS:

H.R. 643. A bill to provide that no Federal or State requirement to increase energy efficient lighting in public buildings shall require a hospital, school, day care center, mental health facility, or nursing home to install or utilize such energy efficient lighting if the lighting contains mercury; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARNEY (for himself, Mr. ANDREWS, Mr. CARTWRIGHT, Mr. DENT, Mr. FITZPATRICK, Mr. GIBSON, Mr. HOLT, Mr. LOBIONDO, Mr. MEEHAN, Mr. RUNYAN, and Ms. SCHWARTZ):

H.R. 644. A bill to direct the Secretary of the Interior to establish a program to build on and help coordinate funding for restoration and protection efforts of the 4-State Delaware River Basin region, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN (for himself, Mr. BUTTERFIELD, Mr. JOHNSON of Georgia, Mr. MEEKS, Mr. CONYERS, Ms. NORTON, Mr. ELLISON, Ms. SCHAKOWSKY, Mr. MICHAUD, Ms. EDWARDS, Mr. DANNY K. DAVIS of Illinois, Mr. HOLT, Mr. GRIJALVA, Ms. ROYBAL-ALLARD, Mr. DINGELL, Mr. SERRANO, Mr. RANGEL, Ms. LEE of California, Mr. LARSEN of Washington, Ms. BASS, Mr. FARR, Mr. HONDA, Mr. TAKANO, Ms. SHEA-PORTER, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 645. A bill to amend the Fair Credit Reporting Act to prohibit the use of con-

sumer credit checks against prospective and current employees for the purposes of making adverse employment decisions; to the Committee on Financial Services.

By Mr. COHEN:

H.R. 646. A bill to amend title 11 of the United States Code to provide additional protections for debtors from discrimination by private employers, and for other purposes; to the Committee on the Judiciary.

By Mr. CRENSHAW (for himself, Mr.

VAN HOLLEN, Mrs. MCMORRIS RODGERS, Mr. SESSIONS, Mr. RUNYAN, Mr. MICA, Ms. TSONGAS, Mr. COFFMAN, Mr. ROE of Tennessee, Mr. COOPER, Mr. MORAN, Mr. HARPER, Mr. CONNOLLY, Mr. SARBANES, Ms. CLARKE, Mr. LARSEN of Washington, Mr. GERLACH, Mr. LARSON of Connecticut, Mr. CARSON of Indiana, Mr. TONKO, Mr. CICILLINE, Mr. RYAN of Ohio, Mr. YOUNG of Florida, Mr. HOLT, Mrs. CAPPs, Mr. BACHUS, Mr. MCGOVERN, Ms. BONAMICI, Mr. MATHESON, Mr. MILLER of Florida, Mr. NUNNELEE, Mr. STIVERS, Mr. WOMACK, Ms. HERRERA BEUTLER, Mr. JOHNSON of Ohio, Mrs. DAVIS of California, Mr. COURTNEY, Mr. KING of New York, Mrs. HARTZLER, Mr. MCKINLEY, Mr. SMITH of New Jersey, Mr. VELA, Mr. WOLF, Mrs. CAPITO, Mr. YARMUTH, Ms. BROWNLEY of California, Mr. YODER, Mr. ROONEY, Mr. MARCHANT, Mrs. BROOKS of Indiana, Ms. NORTON, Mrs. BACHMANN, Mr. HONDA, Mr. MEEHAN, Mr. BENISHEK, Mr. POE of Texas, Mr. WELCH, Mr. WALBERG, and Mr. DEUTCH):

H.R. 647. A bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEUTCH:

H.R. 648. A bill to amend the Federal Election Campaign Act of 1971 to require the Federal Election Commission to establish and operate a website through which members of the public may view the contents of certain political advertisements, to require the sponsors of such advertisements to furnish the contents of the advertisements to the Commission, and for other purposes; to the Committee on House Administration.

By Mr. DEUTCH (for himself, Ms. KAPTUR, Ms. SCHAKOWSKY, Ms. PINGREE of Maine, Mr. CICILLINE, and Mr. LANDEVIN):

H.R. 649. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to make improvements in the old-age, survivors, and disability insurance program, to provide for cash relief for years for which annual COLAs do not take effect under certain cash benefit programs, and to provide for Social Security benefit protection; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. EDWARDS (for herself, Ms. SCHAKOWSKY, Mr. RANGEL, Ms. LEE of California, Mr. CONYERS, Mr. HAS-

TINGS of Florida, Ms. LINDA T. SANCHEZ of California, Mr. CLEAVER, Mr. GRIJALVA, Mr. LEWIS, Mr. JOHNSON of Georgia, Ms. MCCOLLUM, Ms. PINGREE of Maine, Mr. RUSH, Mr. HONDA, Ms. DELAURO, Mr. ENYART, Mr. NADLER, Mr. BRADY of Pennsylvania, Ms. WASSERMAN SCHULTZ, and Mrs. NEGRETE MCLEOD):

H.R. 650. A bill to amend the Fair Labor Standards Act of 1938 to establish a base minimum wage for tipped employees; to the Committee on Education and the Workforce.

By Mr. ELLISON (for himself, Ms. SCHAKOWSKY, and Mr. MORAN):

H.R. 651. A bill to modify provisions of law relating to refugee resettlement, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Foreign Affairs, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOWDY:

H.R. 652. A bill to amend the Foreign Assistance Act of 1961 to limit assistance to countries that engage in certain discriminatory religious, educational, or freedom of movement practices; to the Committee on Foreign Affairs.

By Mr. AL GREEN of Texas (for himself and Mr. BRADY of Pennsylvania):

H.R. 653. A bill to direct the Election Assistance Commission to carry out a pilot program under which the Commission shall provide funds to local educational agencies for initiatives to provide voter registration information to secondary school students in the 12th grade; to the Committee on House Administration.

By Mr. HARPER (for himself, Mr. MATHESON, Mr. MCKINLEY, Mr. WESTMORELAND, Mr. JONES, Mr. NUNNELEE, Mr. FORTENBERRY, and Mr. THOMPSON of Mississippi):

H.R. 654. A bill to amend the Safe Drinking Water Act to reauthorize technical assistance to small public water systems, and for other purposes; to the Committee on Energy and Commerce.

By Mr. JOYCE (for himself, Ms. FUDGE, and Ms. KAPTUR):

H.R. 655. A bill to authorize States to use assistance provided under the Hardest Hit Fund program of the Department of the Treasury to demolish blighted structures, and for other purposes; to the Committee on Financial Services.

By Mr. JOYCE (for himself, Ms. FUDGE, and Ms. KAPTUR):

H.R. 656. A bill to provide \$4,000,000,000 in new funding through bonding to empower States to undertake significant residential and commercial structure demolition projects in urban and other targeted areas, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LABRADOR (for himself, Mr. AMODEI, Mr. COSTA, Mr. GOSAR, Mr. MCCLINTOCK, Mrs. NOEM, Mr. THOMPSON of Pennsylvania, Mr. TIPTON, Mr. SIMPSON, and Mr. WALDEN):

H.R. 657. A bill to amend the Federal Land Policy and Management Act of 1976 to improve the management of grazing leases and permits, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the

Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATTI (for himself, Mr. JORDAN, and Ms. KAPTUR):

H.R. 658. A bill to authorize and request the President to award the Congressional Medal of Honor to Arthur Jibilian for actions behind enemy lines during World War II while a member of the United States Navy and the Office of Strategic Services; to the Committee on Armed Services.

By Mr. LATTI (for himself and Mr. PASCRELL):

H.R. 659. A bill to amend title 5, United States Code, to reform the provisions of law commonly referred to as the "Hatch Act"; to the Committee on Oversight and Government Reform.

By Ms. LEE of California:

H.R. 660. A bill to amend the Public Health Service Act to create a National Neuromyelitis Optica Consortium to provide grants and coordinate research with respect to the causes of, and risk factors associated with, neuromyelitis optica, and for other purposes; to the Committee on Energy and Commerce.

By Ms. LEE of California (for herself, Mr. MORAN, Mrs. LOWEY, Ms. DELAUNO, Mr. QUIGLEY, Mr. FARR, Ms. PINGREE of Maine, Ms. MCCOLLUM, Mr. PRICE of North Carolina, Mr. HONDA, Mr. SCHIFF, Mr. SERRANO, Ms. ROYBAL-ALLARD, and Mr. FATTAH):

H.R. 661. A bill to repeal certain impediments to the administration of the firearms laws; to the Committee on the Judiciary.

By Mr. LUETKEMEYER (for himself, Mr. KING of Iowa, Mr. LATTI, Mrs. BLACK, Mr. MCCLINTOCK, Mr. GRAVES of Missouri, Mrs. LUMMIS, Mr. DUNCAN of South Carolina, Mr. HUELSKAMP, Mrs. WAGNER, Mr. WESTMORELAND, Mr. LONG, Mr. POSEY, Mr. BROUN of Georgia, Mr. NUGENT, Mr. DUNCAN of Tennessee, Mr. KINGSTON, Mr. MCKINLEY, and Mr. STOCKMAN):

H.R. 662. A bill to prohibit United States contributions to the Intergovernmental Panel on Climate Change and the United Nations Framework Convention on Climate Change; to the Committee on Foreign Affairs.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 663. A bill to adjust the boundary of the Carson National Forest, New Mexico; to the Committee on Natural Resources.

By Mr. MAFFEI (for himself, Mr. HANNA, Ms. SLAUGHTER, Ms. EDWARDS, Mr. VAN HOLLEN, Mr. SARBANES, Mr. CUMMINGS, Mr. HIGGINS, Mr. TONKO, Mr. RANGEL, Ms. CLARKE, Mr. MEEKS, Mr. JEFFRIES, Mrs. CAROLYN B. MALONEY of New York, Mr. MARKEY, Mr. RUPERSBERGER, Mr. DELANEY, Ms. LEE of California, Ms. MOORE, and Mr. CLAY):

H.R. 664. A bill to establish the Harriet Tubman National Historical Park in Auburn, New York, and the Harriet Tubman Underground Railroad National Historical Park in Caroline, Dorchester, and Talbot Counties, Maryland, and for other purposes; to the Committee on Natural Resources.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. PALLONE, Mr. SMITH of New Jersey, Mr. GUTIERREZ, Ms. BORDALLO, and Mr. HOLT):

H.R. 665. A bill to allow certain Indonesian citizens to file a motion to reopen their asy-

lum claims; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Ms. HANABUSA, Mr. BEN RAY LUJÁN of New Mexico, Mr. GRIJALVA, Mr. KILDEE, Mr. PALLONE, Ms. MOORE, Mr. BECERRA, Ms. TSONGAS, Mr. FALEOMAVAEGA, and Ms. MCCOLLUM):

H.R. 666. A bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes; to the Committee on Natural Resources.

By Mr. MCCARTHY of California (for himself, Mr. CALVERT, Mr. SMITH of Texas, Mr. ROHRBACHER, Mr. PALAZZO, Mr. HALL, Mr. MCKEON, Mr. JORDAN, and Mr. SCHIFF):

H.R. 667. A bill to redesignate the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range; to the Committee on Science, Space, and Technology.

By Mr. MESSER (for himself, Mr. YOUNG of Indiana, and Mr. MULVANEY):

H.R. 668. A bill to amend section 1105(a) of title 31, United States Code, to require that annual budget submissions of the President to Congress provide an estimate of the cost per taxpayer of the deficit, and for other purposes; to the Committee on the Budget.

By Mr. PALLONE (for himself and Mr. KING of New York):

H.R. 669. A bill to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life; to the Committee on Energy and Commerce.

By Mr. PIERLUISI (for himself, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. GRAYSON, Mr. GRIJALVA, Ms. BORDALLO, Mr. FALEOMAVAEGA, Mrs. CHRISTENSEN, Mr. SERRANO, Ms. VELÁZQUEZ, and Ms. NORTON):

H.R. 670. A bill to amend part B of the title XVIII of the Social Security Act to apply deemed enrollment to residents of Puerto Rico and to provide a special enrollment period and a reduction in the late enrollment penalties for certain residents of Puerto Rico; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. PINGREE of Maine (for herself, Mr. MICHAUD, Ms. TSONGAS, Mr. LARSEN of Washington, Mr. MCGOVERN, Mrs. CAPPS, Mr. GRIJALVA, Mr. RUSH, Mr. HONDA, Mr. LEWIS, Ms. BROWNLEY of California, and Ms. SHEA-PORTER):

H.R. 671. A bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RAHALL:

H.R. 672. A bill to provide for increased Federal oversight of prescription opioid treatment and assistance to States in reducing opioid abuse, diversion, and deaths; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall with-

in the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN (for herself, Mr. CHABOT, Mr. CONNOLLY, Mr. LANCE, Mr. FRANKS of Arizona, Mr. WILSON of South Carolina, Mr. BILIRAKIS, Mr. WEBER of Texas, and Mr. DUNCAN of South Carolina):

H.R. 673. A bill to continue restrictions against and prohibit diplomatic recognition of the Government of North Korea, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SABLON (for himself, Mr. GRIJALVA, Ms. BORDALLO, Mrs. NAPOLITANO, Mr. YOUNG of Alaska, and Mr. MARKEY):

H.R. 674. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System; to the Committee on Natural Resources.

By Ms. SCHAKOWSKY:

H.R. 675. A bill to extend protections to part-time workers in the areas of employer-provided health insurance, family and medical leave, and pension plans; to the Committee on Education and the Workforce, and in addition to the Committees on Ways and Means, House Administration, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONYERS (for himself, Mr. NADLER, Ms. SCHAKOWSKY, Ms. PINGREE of Maine, Mr. GRIJALVA, Mr. ELLISON, Mr. JOHNSON of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TAKANO, Ms. NORTON, Ms. LOFGREN, Mr. RANGEL, Ms. MOORE, Ms. CHU, Mr. AL GREEN of Texas, Mr. FARR, Mr. MCGOVERN, Mr. WELCH, Ms. CLARKE, Ms. LEE of California, Mr. NOLAN, Mr. POCAN, Mr. DOYLE, Mr. ENGEL, Mr. GUTIERREZ, Ms. WILSON of Florida, Mr. COHEN, Ms. EDWARDS, Mr. MCDERMOTT, Mr. CLAY, Mr. HUFFMAN, Ms. ROYBAL-ALLARD, Mr. CUMMINGS, Mr. YARMUTH, Mr. GEORGE MILLER of California, Mr. HONDA, Mrs. CHRISTENSEN, and Mr. RUSH):

H.R. 676. A bill to provide for comprehensive health insurance coverage for all United States residents, improved health care delivery, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STIVERS (for himself, Ms. FUDGE, Ms. MOORE, Mr. GIBSON, and Mr. SCHWEIKERT):

H.R. 677. A bill to exempt inter-affiliate swaps from certain regulatory requirements put in place by the Dodd-Frank Wall Street Reform and Consumer Protection Act; to the Committee on Financial Services, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIPTON (for himself, Mr. GOSAR, Mr. COSTA, Mr. MCCLINTOCK, Mr. SMITH of Nebraska, Mr. AMODEI, Mr. CRAMER, Mrs. LUMMIS, and Mr. COFFMAN):

H.R. 678. A bill to authorize all Bureau of Reclamation conduit facilities for hydro-power development under Federal Reclamation law, and for other purposes; to the Committee on Natural Resources.

By Mr. WALZ (for himself, Mr. RUNYAN, Mr. DENHAM, Mr. HUNTER, Mr. LATHAM, Mr. MATHESON, and Mr. RAHALL):

H.R. 679. A bill to amend title 38, United States Code, to recognize the service in the reserve components of certain persons by honoring them with status as veterans under law; to the Committee on Veterans' Affairs.

By Ms. WILSON of Florida (for herself, Mr. GARAMENDI, Ms. KAPTUR, Ms. CHU, Mr. GRIJALVA, Ms. WATERS, Ms. BROWN of Florida, Mr. RANGEL, Mr. MEEKS, Ms. EDWARDS, Mr. CONYERS, Mr. RUSH, Ms. LEE of California, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MORAN, Mr. CICILLINE, Mr. PETERS of Michigan, Ms. CASTOR of Florida, Mr. ELLISON, Mr. BUTTERFIELD, Mrs. CHRISTENSEN, Mr. HASTINGS of Florida, Mr. LEWIS, Mr. DEUTCH, Mr. CUMMINGS, Mr. DIAZ-BALART, Mr. AL GREEN of Texas, Ms. BASS, Mr. CARSON of Indiana, Mr. CONNOLLY, Ms. HAHN, Mr. NADLER, Mr. LARSON of Connecticut, Mr. HOLT, Mr. COOPER, Mr. THOMPSON of Mississippi, Ms. DELAURO, Ms. SEWELL of Alabama, Ms. JACKSON LEE, Mr. GRIMM, Mr. CLAY, Mrs. CAROLYN B. MALONEY of New York, Mr. ROONEY, Mrs. NEGRETE MCLEOD, Ms. MOORE, Ms. MCCOLLUM, Mr. DANNY K. DAVIS of Illinois, Ms. ROS-LEHTINEN, Mr. DEFAZIO, Ms. ROYBAL-ALLARD, Mr. HONDA, Mr. FATTAH, and Ms. NORTON):

H.R. 680. A bill to require State child welfare agencies to promptly report information on missing or abducted children to law enforcement authorities, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOLF (for himself, Mr. HURT, and Mr. CONNOLLY):

H.R. 681. A bill to amend title 5, United States Code, to provide that Washington's Birthday be observed on February 22, rather than the third Monday in February, of each year; to the Committee on Oversight and Government Reform.

By Mr. BENTIVOLIO:

H.J. Res. 27. A joint resolution proposing an amendment to the Constitution of the United States prohibiting the Federal Government from using the power of taxation to compel someone to engage in commercial activity; to the Committee on the Judiciary.

By Mr. PALAZZO:

H.J. Res. 28. A joint resolution proposing an amendment to the Constitution of the United States to limit the power of Congress to impose a tax on a failure to purchase goods or services; to the Committee on the Judiciary.

By Mrs. CHRISTENSEN:

H. Con. Res. 13. Concurrent resolution expressing the sense of the Congress that the United States Fish and Wildlife Service should incorporate consideration of global

warming and sea-level rise into the comprehensive conservation plans for coastal national wildlife refuges, and for other purposes; to the Committee on Natural Resources.

By Mr. GRIMM (for himself, Mr. MEEHAN, Mr. WAXMAN, and Mr. ISRAEL):

H. Con. Res. 14. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust; to the Committee on House Administration.

By Mr. BECERRA:

H. Res. 64. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. ROYCE (for himself and Mr. ENGEL):

H. Res. 65. A resolution condemning the Government of North Korea for its flagrant and repeated violations of multiple United Nations Security Council resolutions, for its repeated provocations that threaten international peace and stability, and for its February 12, 2013, test of a nuclear device; to the Committee on Foreign Affairs.

By Mrs. CHRISTENSEN:

H. Res. 67. A resolution expressing the need to raise awareness and promote capacity building to strategically address the lionfish invasion in the Atlantic Ocean; to the Committee on Natural Resources.

By Mrs. CHRISTENSEN:

H. Res. 68. A resolution expressing support for the goals and ideals of National Marine Awareness Day; to the Committee on Natural Resources.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. UPTON introduced a bill (H.R. 682) for the relief of Ibrahim Parlak; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ROGERS of Michigan:

H.R. 624.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make all laws necessary and proper for executing powers vested by the Constitution in the Government of the United States, as enumerated in Article I, Section 8, Clause 18 of the United States Constitution

By Mr. PALLONE:

H.R. 626.

Congress has the power to enact this legislation pursuant to the following: section 8 of article I of the Constitution.

By Mr. PAULSEN:

H.R. 627.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8. "The Congress shall have Power . . . to coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;"

By Mrs. NAPOLITANO:

H.R. 628.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

By Ms. SCHAKOWSKY:

H.R. 629.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. DEFAZIO:

H.R. 630.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. FLORES:

H.R. 631.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. PETRI:

H.R. 632.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution

By Mr. CHAFFETZ:

H.R. 633.

Congress has the power to enact this legislation pursuant the following:

Article I, Section 8, Clauses 4 and 18 to the U.S. Constitution.

By Mr. GRIMM:

H.R. 634.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. PEARCE:

H.R. 635.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the Constitution of the United States grants Congress the power to enact this law.

By Mr. CONNOLLY:

H.R. 636.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1

By Mr. POE of Texas:

H.R. 637.

Congress has the power to enact this legislation pursuant to the following:

Fourth Amendment to the United States Constitution

By Mr. FLEMING:

H.R. 638.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article 4, Section 3, Clause 2 of the U.S. Constitution, which states "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

By Ms. ROYBAL-ALLARD:

H.R. 639.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. BILIRAKIS:

H.R. 640.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States, which grants Congress the power to provide for the common Defense of the United States, and Article I, Section 8, Clause 18 of the Constitution of the United States, which provides Congress the power to make "all Laws which shall be necessary and proper" for carrying out the constitutional powers vested in the Government of the United States.

By Ms. BORDALLO:

H.R. 641.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 16

By Mr. BURGESS:

H.R. 642.

Congress has the power to enact this legislation pursuant to the following:

The attached legislation falls within the authority of Congress to pass legislation related to interstate commerce, an enumerated power given to the legislative branch pursuant to Article I, Section 8, clause 3, which states that Congress shall have the Power . . . "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes." Moreover, Congress' authority to pass legislation related to the federal employees hired to carry out laws passed pursuant to an enumerated power is found in the Necessary and Proper Clause, Article I, Section 8, clause 18, which grants Congress the Power "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. BURGESS:

H.R. 643.

Congress has the power to enact this legislation pursuant to the following:

The attached legislation falls within the authority of Congress to pass legislation related to interstate commerce, an enumerated power given to the legislative branch pursuant to Article I, Section 8, clause 3, which states that Congress shall have the Power . . . "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. CARNEY:

H.R. 644.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 and Article IV, section 3 of the Constitution of the United States.

By Mr. COHEN:

H.R. 645.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power to regulate foreign and interstate commerce) of the United States Constitution.

By Mr. COHEN:

H.R. 646.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 4 of the Constitution

By Mr. CRENSHAW:

H.R. 647.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution

By Mr. DEUTCH:

H.R. 648.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4, Clause 1 of the US Constitution

The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but Congress may at any time make or alter such Regulations, except as to the Place of choosing Senators.

By Mr. DEUTCH:

H.R. 649.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 as interpreted by Steward Machine Company v. Davis and by Helvering v. Davis ("general welfare" and general taxation).

By Ms. EDWARDS:

H.R. 650.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. ELLISON:

H.R. 651.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 4 of the United States Constitution and its subsequent amendments.

By Mr. GOWDY:

H.R. 652.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1: "Congress shall have power to . . . provide for the common defense and general welfare of the United States. . . ."

By Mr. AL GREEN of Texas:

H.R. 653.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority to enact this legislation can be found in:

Commerce Clause (Art. 1 sec. 8 cl. 3)

Necessary and Proper Clause (Art. 1 sec. 8 cl. 18)

By Mr. HARPER:

H.R. 654.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. JOYCE:

H.R. 655.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. JOYCE:

H.R. 656.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution.

By Mr. LABRADOR:

H.R. 657.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2

By Mr. LATTA:

H.R. 658.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 13 and 14

The Congress shall have the Power To provide and maintain a Navy; and to make

Rules for the Government and Regulation of the land and naval Forces.

By Mr. LATTA:

H.R. 659.

Congress has the power to enact this legislation pursuant to the following:

Amendment I to the United States Constitution, which states "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

By Ms. LEE of California:

H.R. 660.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. LEE of California:

H.R. 661.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LUETKEMEYER:

H.R. 662.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill is based is Congress's power under the Spending Clause in Article I, Section 8 of the Constitution.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 663.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. MAFFEI:

H.R. 664.

Congress has the power to enact this legislation pursuant to the following:

Section 1 and Clause 18 of Section 8 of Article 1 of the United States Constitution.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 665.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4, which reads: To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States.

By Mr. MARKEY:

H.R. 666.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact this bill.

By Mr. MCCARTHY of California:

H.R. 667.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the Constitution.

By Mr. MESSER:

H.R. 668.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1, which provides that, "The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general

Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States," and Article 1, Section 9, Clause 7, which provides that, "No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

Section 1105(a) of Title 31, United States Code, requires the President to submit to Congress the Administration's annual budget request and stipulates the contents of that submission. It is within the Constitutional Authority of Congress to provide oversight and guidance on these requirements.

By Mr. PALLONE:

H.R. 669.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. PIERLUISI:

H.R. 670.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress to provide for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution; to make all laws which shall be necessary and proper for carrying into execution such power, as enumerated in Article I, Section 8, Clause 18 of the Constitution; and to make rules and regulations respecting the U.S. territories, as enumerated in Article IV, Section 3, Clause 2 of the Constitution.

By Ms. PINGREE of Maine:

H.R. 671.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution

By Mr. RAHALL:

H.R. 672.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of Constitution

By Ms. ROS-LEHTINEN:

H.R. 673.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Mr. SABLAN:

H.R. 674.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, section 8, clause 3 and Article IV, section 3, clause 2 of the Constitution.

By Ms. SCHAKOWSKY:

H.R. 675.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. CONYERS:

H.R. 676.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. STIVERS:

H.R. 677.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Clause 3 of Sec-

tion 8 of Article I of the United States Constitution.

By Mr. TIPTON:

H.R. 678.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2, U.S. Constitution.

By Mr. WALZ:

H.R. 679.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14

To make Rules for the Government and Regulation of the land and naval Forces.

By Ms. WILSON of Florida:

H.R. 680.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. WOLF:

H.R. 681.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

Mr. UPTON:

H.R. 682.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 of the United States Constitution: The Congress shall have Power to establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States.

By Mr. BENTIVOLIO:

H.J. Res. 27.

Congress has the power to enact this legislation pursuant to the following:

Article. V.

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

By Mr. PALAZZO:

H.J. Res. 28.

Congress has the power to enact this legislation pursuant to the following:

The legislation would limit the power of Congress to tax as stated in Article 1 Section 8:

"The Congress shall have the power to lay and collect taxes"

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 11: Mr. RUIZ, Mr. VELA, Mr. DAVID SCOTT of Georgia, Mr. VISCLOSKEY, Mr. COOPER, and Mr. CUELLAR.

H.R. 35: Mr. BENISHEK and Mr. GOHMERT.

H.R. 36: Mr. HECK of Nevada, Mr. WILSON of South Carolina, Mr. STIVERS, Mr. LONG, Mr. WALDEN, Mr. ROE of Tennessee, and Mr. MARCHANT.

H.R. 45: Mr. POE of Texas, Mr. WENSTRUP, Mr. BARR, and Mr. BROUN of Georgia.

H.R. 54: Mr. LOESACK.

H.R. 89: Mr. SABLAN.

H.R. 107: Mr. NUNNELEE.

H.R. 129: Ms. SLAUGHTER and Mrs. DAVIS of California.

H.R. 147: Mr. BARR.

H.R. 149: Mr. GOODLATTE.

H.R. 163: Mr. PETERS of Michigan.

H.R. 164: Mr. AMODEI, Mr. BENTIVOLIO, Mr. CHABOT, Mr. WITTMAN, and Mr. POSEY.

H.R. 176: Mrs. ROBY

H.R. 180: Mr. LOBIONDO.

H.R. 183: Mr. BUCHSON.

H.R. 185: Mr. HINOJOSA and Mr. SAM JOHN-SON of Texas.

H.R. 227: Mr. CICILLINE, Mr. HASTINGS of Florida, Ms. ROYBAL-ALLARD, and Mr. GUTIERREZ.

H.R. 239: Mr. YOUNG of Indiana, Mr. RIBBLE, and Mr. WITTMAN.

H.R. 258: Ms. BROWNLEY of California, Mr. BUCHANAN, and Mr. LIPINSKI.

H.R. 261: Mr. CICILLINE.

H.R. 262: Ms. HAHN.

H.R. 273: Mr. MCCLINTOCK.

H.R. 282: Mr. GARDNER, Mrs. LUMMIS, Mr. ROE of Tennessee, Mr. BENTIVOLIO, Mr. COLE, Mrs. BLACKBURN, Mr. DESANTIS, Mr. LAMBORN, and Mr. LAMALFA.

H.R. 301: Mr. BRIDENSTINE and Mr. POE of Texas.

H.R. 320: Mr. LOWENTHAL, Ms. WATERS, Ms. CLARKE, Mr. MICHAUD, Ms. BORDALLO, Mr. HINOJOSA, and Mr. SIRES.

H.R. 332: Mr. WAXMAN, Mr. COURTNEY, and Ms. BONAMICI.

H.R. 333: Mr. MICHAUD, Mr. COHEN, Mrs. DAVIS of California, Mr. JOHNSON of Georgia, Mr. DAVID SCOTT of Georgia, Mrs. BEATTY, Mr. NUGENT, Mr. BACHUS, and Mr. LOBIONDO.

H.R. 334: Mr. LUCAS.

H.R. 366: Ms. BROWNLEY of California, Mr. REICHERT, Mr. SCHOCK, Mr. RUNYAN, Mr. OWENS, Mr. TIPTON, Ms. LEE of California, Mr. LOESACK, Mr. PETERS of Michigan, Mr. PASCRELL, Mr. ROSS, Mr. KLINE, Ms. TITUS, Mr. GEORGE MILLER of California, Mr. DeFAZIO, Mr. LIPINSKI, Mr. BRALEY of Iowa, and Mr. BARLETTA.

H.R. 370: Mr. NUNNELEE.

H.R. 383: Mr. SCHRADER and Mr. YOHO.

H.R. 404: Mr. VAN HOLLEN and Ms. BASS.

H.R. 411: Ms. LEE of California, Ms. BROWNLEY of California, and Mr. JONES.

H.R. 427: Mr. FARR, Mr. VARGAS, Mr. ELLISON, and Mr. POCAN.

H.R. 445: Mr. BARLETTA, Mr. GRAVES of Missouri, Mr. MCKINLEY, Ms. SCHWARTZ, and Mr. MARINO.

H.R. 460: Mr. DEUTCH and Mr. HOLT.

H.R. 483: Mr. BARR, Mr. CRAMER, Mrs. ELLMERS, Mr. PITTS, Mr. WESTMORELAND, Mr. YODER, Mr. GRAVES of Missouri, and Mr. JOYCE.

H.R. 492: Mr. GRAVES of Georgia, Mr. GOSAR, and Mr. BUCSHON.

H.R. 497: Mr. GENE GREEN of Texas.

H.R. 501: Mr. MORAN and Mr. HASTINGS of Florida.

H.R. 512: Ms. NORTON, Mr. GRIJALVA, and Mr. HONDA.

H.R. 518: Mr. POCAN, Ms. MCCOLLUM, and Ms. BROWNLEY of California.

H.R. 519: Ms. DELAURO, Ms. DeGETTE, Mr. TONKO, Ms. ESHOO, Mr. CARSON of Indiana,

Mrs. CAROLYN B. MALONEY of New York, Ms. SCHWARTZ, Mrs. DAVIS of California, Mr. FARR, Mr. LOWENTHAL, Mr. ISRAEL, Mr. HIGGINS, Mr. BLUMENAUER, Mr. PASCRELL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HASTINGS of Florida, Mr. MICHAUD, and Ms. CHU.

H.R. 523: Mr. AMODEI and Mr. WITTMAN.

H.R. 540: Mr. JOHNSON of Ohio and Mr. RANGEL.

H.R. 543: Mr. LOBIONDO, Mr. RIBBLE, and Mr. MAFFEI.

H.R. 557: Mr. POE of Texas, Mr. WALDEN, Mr. NUNNELEE, and Mr. GOSAR.

H.R. 569: Mr. LOBIONDO, Mr. HANNA, Mr. MICHAUD, and Mr. JONES.

H.R. 570: Mr. LOBIONDO.

H.R. 574: Mr. TONKO, Mr. ENYART, and Mr. DAVID SCOTT of Georgia.

H.R. 578: Mr. LUCAS and Mr. PALAZZO.

H.R. 580: Mr. COLE and Mr. WILSON of South Carolina.

H.R. 581: Mr. TIBERI.

H.R. 582: Mr. JORDAN, Mr. MCCAUL, Mr. GOSAR, and Mr. SENSENBRENNER.

H.R. 607: Mr. WILSON of South Carolina, Mr. MCKEON, Mr. RODNEY DAVIS of Illinois, and Mr. WITTMAN.

H.R. 609: Mr. GEORGE MILLER of California and Mr. ELLISON.

H.R. 612: Mr. WESTMORELAND.

H.R. 621: Mr. OLSON.

H.J. Res. 25: Mr. POCAN.

H.J. Res. 26: Mr. MASSIE.

H. Res. 19: Mrs. LOWEY and Ms. HAHN.

H. Res. 30: Mr. NADLER, Mr. ELLISON, Mr. HIGGINS, Mr. CAPUANO, Mr. CLAY, Mr. VELA, Mrs. BUSTOS, Mr. SCHRADER, Mr. MURPHY of Florida, Mr. FOSTER, Mr. GENE GREEN of Texas, Ms. DEGETTE, and Mr. WELCH.

H. Res. 47: Mr. HONDA and Mr. HOLT.

EXTENSIONS OF REMARKS

HONORING THE LIFE AND SERVICE
OF ANTONIO MANIBUSAN PALOMO

HON. MADELINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Ms. BORDALLO. Mr. Speaker, I rise today to recognize and memorialize the life and achievements of Antonio Manibusan Palomo, who passed away on February 3, 2013. Antonio, best known as Tony, was an accomplished journalist and author, as well as a fervent public servant, and a dedicated community leader.

Tony was born on June 13, 1931 to Vicente Gogo Palomo and Delores Mendiola Manibusan. As a boy, Tony attended the Padre Palomo and Agana Elementary Schools. At the young age of 10, Tony's education was interrupted by the outbreak of World War II. Surviving the invasion and occupation of Guam by the Japanese Imperial Army, Tony continued his schooling at George Washington High School, Belmont Abbey Preparatory School in Belmont, North Carolina, and Marquette University, Milwaukee Wisconsin, where he studied Journalism. While continuing his education at Marquette, Tony worked as an editorial aide for the Milwaukee Sentinel, sharpening his journalistic skills. Tony graduated from Marquette University in 1954.

After graduation, Tony returned to Guam to work for the Guam Daily News, then as publisher/editor of the Pacific Profile, as editor of the Pacific Journal, and as editor/publisher of the The Pacifican. During this time, Tony gathered as much information as he could interviewing and speaking to survivors of the Second World War. In 1984, Tony's book, *An Island in Agony*, was published. Tony never hesitated to share his vast knowledge and love of Guam history with many people, speaking on many occasions at different venues, and teaching at the University of Guam.

Tony's ever-expanding knowledge of Guam and its government and his public speaking skills led him into public service in the political arena. Recruited by the Republican Party of Guam, Tony was elected into the 12th, 14th, and 15th Guam Legislatures where he chaired the Committee on Rules. He chaired the 15th Guam Legislature's Committee on Federal-Territorial Relations and was also a member of the Commission on Self-Determination. Always interested in federal-territorial relations, Tony was elected as president of Guam's First Constitutional Convention, tasked with the development of a constitution for Guam, which would also strengthen the island's relations with the Federal government. With all of this experience, Tony was well qualified to serve as the U.S. Department of the Interior's Guam Field Representative until his retirement in 1994.

I am deeply saddened by Tony's death and know that many people on Guam and throughout the Pacific are mourning the loss of this statesman, diplomat, and friend. My thoughts and prayers are with his wife Margarita Balajadia Palomo, their ten children, Antonio Rafael, Viviana Margarita (deceased), Victoria Maria, Roman Vicente, Juan Pedro, Simeon Francisco, Jose Geraldo, Verona Dolores, Eloy Benigno, and Nicholas Sylvestre; 16 grandchildren; one great grandchild; and one great grandchild on the way, family, and friends. Tony will be missed by all who knew him and his legacy will live on through his family, his work, and his cultural contributions to our community.

CONGRATULATING AZERBAIJAN
ON SUCCESSFUL SATELLITE
LAUNCH

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. ALEXANDER. Mr. Speaker, as a member of the House Azerbaijan Caucus, I rise today to congratulate our close friend and ally, Azerbaijan, on the occasion of the successful launch of their first satellite (Azerspace-1). Built in the United States, by Orbital Sciences Corporation, this historic event is yet another testament to the expanding relationship between our two countries and will provide important communications services to Azerbaijan, Central Asia, the Middle East, Europe and Africa. The launch of Azerspace-1 is the culmination of hard work and cooperation between the Government of Azerbaijan and the US private sector. Along with recent purchases of aircraft from Boeing, Azerbaijan has placed their confidence in the United States aeronautics and aerospace sectors to help foster greater economic development. I urge my fellow colleagues to join me in congratulating Azerbaijan on this historic event.

JOSHUA BEDELL TO COMPETE IN
THE INTERNATIONAL
WORLDSKILLS COMPETITION IN
CNC MILLING

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. YOUNG of Florida. Mr. Speaker, I rise today to recognize the outstanding achievement of Mr. Joshua Bedell. Through perseverance and commitment to his skill, Bedell will represent the United States at the International WorldSkills Competition in CNC Milling in Leipzig, Germany.

Bedell was recently awarded the silver medal in CNC Milling in November at the WorldSkills America's competition in Brazil. At this event, The United States competed against 23 other countries in preparation for the WorldSkills Competition.

In June of 2011, Bedell won the college/postsecondary gold medal in CNC Milling at the SkillsUSA Championships.

The program, SkillsUSA, strives to impose and teach leadership, citizenship and character development during technical training. The organization highlights their respect for work, ethics, workmanship, scholarship, and safety.

To compete at the international CNC Milling competition, every candidate must complete a project that contains a minimum of three modules. Each module requires the competitor to develop a CNC program from a complex drawing using MasterCam, to set up a machining center that will assemble the final part.

During the WorldSkills CNC Milling contest, Bedell, along with other competitors, must create the CNC program based on drawings while utilizing a CAM system. Competitors, themselves, must select and mount tools for competition.

Every two years, hundreds of young people from 53 member countries, or regions, compete in the prestigious WorldSkills Competition. The contestants are then judged in front of the public in contests that are run and judged by industries that use international standards. Competing in the event truly symbolizes excellence in the craft.

The WorldSkills International has come to symbolize pure expertise in vocational training.

Joshua Bedell is one of only 20 members of the World team, all who must be under the age of 23, who will represent the United States of America at the World Skills competition.

As Bedell prepares to compete at the CNC Milling competition, I offer him my best wishes as he represents our proud nation and proves the dedication to his craft in Leipzig, Germany at the biennial WorldSkills Competition.

ROTA CULTURAL AND NATURAL
RESOURCES STUDY ACTHON. GREGORIO KILILI CAMACHO
SABLANOF THE COMMONWEALTH OF THE NORTHERN
MARIANA ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. SABLAN. Mr. Speaker, today I am introducing the Rota Cultural and Natural Resources Study Act, which authorizes the Secretary of the Interior to report to Congress on the feasibility and suitability of designating certain areas on the island of Rota as a unit of our magnificent national parks system. This

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

same measure passed the House in both the 111th and the 112th Congresses. I hope that we can quickly bring the bill to the floor in the 113th Congress for passage again and send the measure back to the other body for its agreement.

The cultural and natural resources of Rota merit our persistence. In 2005 a National Park Service reconnaissance survey determined that these resources meet the standards of national significance and are not adequately represented anywhere else in our national parks. The next step in the very thorough and methodical process of choosing which areas of our Nation should become part of the system is the determination of feasibility and suitability, which my bill authorizes.

Rota's cultural resources are truly unique. People first arrived on the island some 3,500 years ago. Remnants of their ancient settlements are found at several sites and include the iconic latte stone houses. These consist of two parallel rows of limestone columns with each column supporting a hemispherical capstone upon which a wooden framed house was placed. A quarry for these columns and capstones is also among the archaeologically important sites that could eventually be part of a Rota National Park.

Also of national significance are Rota's natural resources, not least of which is the native limestone forest there that provides habitat to the endangered Mariana crow, the Aga. This rare species is protected under both local and federal laws; and its future could be further assured if areas of its already limited range were incorporated into a park.

The Rota Cultural and Natural Resources Study Act was passed by the House in both the 111th and 112th Congress with broad bipartisan support. One important reminder made then and worth repeating is that passage of the Act gives the Rota study no special preference. There are other suitability and feasibility studies, which Congress has approved and which are waiting in turn for the National Park Service to have the resources to conduct. The bill I am introducing simply ensures that the island of Rota is in that queue.

That is not to say there is no urgency to completing a study. Rota is very much at a crossroads. Land use changes are taking place that could affect eventual park boundaries. Rare and endangered species, such as the Aga, would be safer with the permanent protection of a park. The economy of Rota, which could be developed around themes of eco-tourism, needs a high value destination that park designation would provide. These are some of the many reasons that the people of Rota support the park study and why I am introducing the bill today.

I want to thank all those Members who are original cosponsors of the Rota Cultural and Natural Resources Study Act. And I want to thank the hundreds of House Members who voted in favor of this study in the 111th and 112th Congresses. I ask that you do so again, when this bill returns to the floor in the 113th Congress.

ART ON THE BRIX

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and honor Alyssa Graves, owner of Art on the Brix for receiving the Business of the Year Award from the Greater Golden Chamber of Commerce.

This award is given to an outstanding chamber member that has contributed substantially to the Chamber of Commerce community.

Art on the Brix combines low stress art classes in a playful setting. With the attitude of "go outside the lines," Art on the Brix inspires all types of people to relax and get creative. Alyssa Graves had a dream to bring an artistic experience to Golden and she has achieved just that.

I extend my deepest congratulations and appreciation to Alyssa Graves and Art on the Brix for this well deserved recognition from the Greater Golden Chamber of Commerce. I have no doubt her commitment to the people of Golden has made our community a better place for all of us to live.

TRIBUTE TO THE JUNIOR LEAGUE OF DES MOINES

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate the Junior League of Des Moines (JLDM) for being selected as the 2013 organizational inductee to the Iowa Volunteer Hall of Fame by the Iowa Commission on Volunteer Service. The Junior League of Des Moines is being recognized for their efforts as outstanding Iowans who have selflessly given their time and talents to benefit their state.

Obtaining a coveted induction to the Iowa Volunteer Hall of Fame is the most prestigious statewide honor a volunteer can attain. Members of this exclusive club have changed their communities forever through their volunteer service and will be forever enshrined in the State Historical Museum.

In 1926, Mrs. Ruth Wallace Wijkman founded the Junior Social Service League of Des Moines with a mere 10 members. In 1931, Wijkman's organization of humble beginnings would formally affiliate with the Association of Junior Leagues to become the Junior League of Des Moines. Today, after more than 80 years, the JLDM is stronger than ever with hundreds of members that remain committed to the mission of tirelessly building a better community. Whether the task at hand is education and caring for children, expanding opportunities for young people in Des Moines, or building playgrounds with their bare hands, the JLDM is never shy when it comes to improving the world around them.

Mr. Speaker, the example set by this extraordinary group of women demonstrates the rewards of hard work, dedication and service.

The Junior League of Des Moines' efforts truly embody the Iowa spirit, and I am honored to represent them in the United States Congress. I know that all of my colleagues in the House will join me in congratulating the JLDM on their award, thanking them for their service, and wishing them future success as they continue to change lives.

ARBOR DAY 2013—CITY OF HOUSTON

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. POE of Texas. Mr. Speaker, I regret not being able to be here in Memorial Park with all of you this morning, but I am joining you in celebration today from Washington, DC. Memorial Park is my favorite place to run. The three-mile, crushed granite trail was once shaded and surrounded by the most beautiful trees. As you all know, the 2011 Texas drought took its toll and because of it, there's one thing that is becoming more and more noticeably absent: our Texas trees.

In 2006, I obtained \$28.5 million in funding for beautification, erosion prevention and flood-control programs in the Houston area. One year later, over 20,000 trees were planted along Will Clayton and Highway 59. Thousands more trees have been planted along Houston Freeway, which I call Treeways. Many of the trees were planted by civic groups and non-profits. Apache Corporation was one of the groups that donated thousands of trees. I want to thank the thousands of volunteers who showed up that rainy, muddy morning during a Texas Gully Washer to help plant trees. Today, the trees are maturing and thriving—I smile every time I see them. I now refer to our highways as treeways.

I support the goals and ideals of National Arbor Day, and I wholeheartedly support the planting as well as the management of healthy trees in our community. I would like to recognize the City of Houston, the Houston Parks and Recreation Department, Memorial Park Conservancy, Apache Corporation and the citizens of Houston as they celebrate the value and beauty of trees in our community. By planting trees today, we are taking the necessary steps to ensure the quality of life for those who come after us.

In 2009, Mayor Bill White started the Million Trees + Houston program. The goal was to plant more than a million new trees in the City of Houston, and today, Houston Parks and Recreation along with Apache Corporation will plant its 3 millionth tree.

And that's just the way it is.

HONORING THE ACHIEVEMENTS OF
ANNA MURPHY, OF STAFFORD
SPRINGS AND HANNA DE BRUYN,
OF OLD LYME

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. COURTNEY. Mr. Speaker, I rise today to honor the achievements of two Connecticut students being recognized for their contributions to their communities. Anna Murphy, 11, and Hanna De Bruyn, 16, have been selected by the Prudential Spirit of Service awards for their commitment to community service and the impact of their efforts.

First, I recognize state honoree and top-two finalist from the State of Connecticut, Anna Murphy of Stafford Springs. Anna led a fund-raising effort through a penny drive to help local families heat their homes during harsh New England winters. So far, Anna has raised more than \$1,400. It is a yearly tradition in Anna's family to collect pennies to donate to families to pay for heating oil. Inspired by that example, Anna organized her classmates and local business to contribute to the fund, so far filling the gas tanks in two homes. For her contributions, Anna will receive \$1,000, a trip to Washington, DC in May and an engraved silver medallion.

Next, I recognize distinguished finalist Hanna De Bruyn of Old Lyme, Connecticut. A student at Lyme-Old Lyme High School, Hanna raised more than \$25,000 for children with rare brain cancers by hosting yearly races beginning in 2010. The funds have been donated through Caroline's Miracle Foundation, a local organization started by the family of a young child suffering from one of these afflictions. For her efforts, Hanna will be awarded with an engraved bronze medallion.

The Prudential Spirit of Service awards have promoted youth volunteer work and recognized students whose efforts have helped families and causes in their communities. The organization reviews a pool of nearly 5,000 candidates from across the nation nominated by elementary, middle, and high schools, as well as other civic organizations. Created in 1995 by Prudential Financial in partnership with the National Association of Secondary School Principals (NASSP), the awards emphasize the importance our Nation places on service to others and encourage all young Americans to contribute to their communities.

Mr. Speaker, I ask all my colleagues to join me in honoring Hanna De Bruyn, Anna Murphy, and the rest of these distinguished honorees from Connecticut and across the Nation, for their contributions to their communities and for embodying the core value of service that we all share.

HONORING ED MOODY, "MR.
FRANKLIN"

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mrs. BLACKBURN. Mr. Speaker, I rise today to pay tribute to a great leader, a great

citizen, and a great man. Ed Moody, "Mr. Franklin," was a dear friend to many and a guiding force to a wonderful community. All those who knew him will miss him.

World War II veteran, owner of Moody Tires, and Elder Emeritus of The People's Church, Ed Moody dedicated his life to the service of others. He was a member of the Franklin Noon Rotary Club, trustee for the Williamson County Hospital, and served on the Williamson County Chamber of Commerce. From the YMCA to the Franklin Rodeo, there are not many areas of life in Williamson County that have not been touched by Ed Moody's admirable dedication.

There are those souls, Mr. Speaker, whose lights guide the way even after they are dimmed. Ed Moody's legacy will be one of great influence and will shape the future of Williamson County for generations to come. I ask my colleagues to join with me in celebrating the life and service of "Mr. Franklin" as we offer our sympathies to Eileen and their family.

TRIBUTE TO EAGLE SCOUT
CONNOR MULLEN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Connor Mullen of Boy Scout Troop 152 in Adel, Iowa for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained for more than a century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. For his project, Connor coordinated the construction of a permanent structure for his high school's band director to use for rehearsals during the marching band season. This structure will ensure the director's safety as it facilitates greater instruction through a "bird's eye view." The work ethic Connor has shown in his Eagle Project and every other project leading up to his Eagle Scout rank speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. Connor's remarkable accomplishment represents more than a decade of commitment to the Boy Scouts—and his achievement is made all the more incredible by his triumph over leukemia. I am honored to represent Connor and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him on obtaining the Eagle Scout ranking, and I wish him continued success in his future education and career.

HONORING COLT A. NUTTER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Colt A. Nutter. Colt is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1171, and earning the most prestigious award of Eagle Scout.

Colt has been very active with his troop, participating in many scout activities. Over the many years Colt has been involved with scouting, he has not only earned 65 merit badges, but also the respect of his family, peers, and community. Most notably, Colt has contributed to his community through his Eagle Scout project. Colt led a crew of 16 scouts and adults in cleaning brush and trees from Keller Cemetery in Clay County, Missouri. Additionally, the team fenced and gated the cemetery and recovered burial stones lost in the overgrowth.

Mr. Speaker, I proudly ask you to join me in commending Colt A. Nutter for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING F. JOSEPH LOUGHREY

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. MESSER. Mr. Speaker, I rise today to honor the accomplishments of one of my constituents, F. Joseph Loughrey, the incoming chairman of the board of Hillenbrand, Inc. headquartered in Batesville, Indiana.

This month, Mr. Loughrey will assume the chairmanship of the board of directors of Hillenbrand, Inc. He has served as a director of the company since early 2009. That same year, he retired from Cummins Inc., headquartered in Columbus, Indiana, after serving 35 years in a variety of roles, most recently as vice chairman of the board of directors and as the company's president and chief operating officer. Mr. Loughrey served on the Cummins board from 2005 until 2009 and previously served as a director of Tower Automotive, Inc. and Sauer-Danfoss, Inc.

Mr. Loughrey currently serves on a number of boards, including as chairman for Conexus Indiana and as a member of the boards of AB SKF, Vanguard Group, Lumina Foundation for Education, the V Foundation for Cancer Research, and Oxfam America. He is also chairman of the advisory council to the College of Arts & Letters at the University of Notre Dame, where he additionally serves on the advisory board to the Kellogg Institute for International Studies.

I ask the entire 6th Congressional District to join me in congratulating Mr. Loughrey for his upcoming tenure as chairman of the board of Hillenbrand, Inc. For more than a century, the Hillenbrand companies have served as a staple in the Indiana and American corporate

landscape, premiering innovative products in the funeral services, medical, and engineering industries. Joseph's leadership will continue to be a vital part of that success.

IN RECOGNITION OF DEPTFORD
TOWNSHIP MLK CONTEST WIN-
NERS

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. ANDREWS. Mr. Speaker, I rise today in recognition of the Deptford Township Martin Luther King Jr. contest winners. These students, as well as all who participated in the contest, celebrated the life and achievement of one of our nation's most influential leaders. As we advance as a nation, it is of the utmost importance to always take the time to appreciate and reflect upon the figures who sacrificed for the betterment of our country. This annual contest serves as a great reminder of the progress we have made, as well as the struggle that made that progress possible. The following are the winners of this year's Martin Luther King Jr. Celebration contest:

Marcus Henriquez, Charlotte Lawrence, Sabrina Mannino, Cara Murphy, Jazmine Tucker, Julianna Wintersteen, Mackenzie Wurst, Ava Yelverton, Ashley Currie, Ingenue McBeth, Faith McCoy, Landon Sentak, Kennedy Davis, Aidan Doerr, Hanna Shein, Darrin Bryant, Carl Carter, Isabella Conneaney, Chelsea Moore, Julia Rafferty, Victoria Delgado, Alaina Foy, Emma Fisher, Danica Godshall, Ethan Kindt, Mya Christian, Michael Faults, Julia Guevara, Yukta Narayan, Simran Kaur, Olivia Voit, Xavier Woods, Briana Culbert, David Maturo, Bellarose Bostwick, Ashlee Jarmen, Malcolm Miller, Zachary Morgan, Morgan Warren, Amaris Bussie, Olivia Jaci, Ileana Jones, Daisy Schreiner, Jade Rivera, Farrah Sacharok, Ciara Blas, Joshua DeGuzman, Alina Hoover, Jania Long, Juliana Pit, Hailey Fair, Alexandra Lowry, Santos Diaz, Tehya Dickinson, Anaya Jones, Jacqueline Reagan, Emily Reed, Chloe Reyes, Donovan Clement, Brendan Connor, Gianna McIntyre, Tianna Smith, Rocco Laltrella Bruce, Asiya Robinson, Kimberly Sorbello, Marco Viloria, Gianna Wolfe, Olivia Devine, Camryn Ransom, Hunter Young, Colin Schumacher, Angel Mangini, Nicholas Marengo, Hailey Parker, Sydney Shute, Ashley Baresich, Christopher Deeley, Jaiana Ray, Ashley Scheld, John Cooper, Megan Grace, Nathan Jackson, Mariela Dimalaluan, Deziree Faith Johannesen, Devon Moss, Millicent Sannoh.

CONGRATULATING SHRI
NARENDRA MODI ON HIS RE-
ELECTION AS CHIEF MINISTER
OF GUJARAT

HON. ENI F. H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. FALEOMAVAEGA. Mr. Speaker, in one of my first acts of the 113th Congress as the

Ranking Member of the Foreign Affairs Subcommittee on Asia and the Pacific which has broad jurisdiction for U.S. policy affecting the region, including India, I rise today to congratulate Shri Narendra Modi on his reelection as Chief Minister of India's Gujarat state.

Shri Modi's new term as Chief Minister will be his fourth—an historic achievement for the Honorable Narendra Modi and his some 60 million constituents, as no other CM has served Gujarat for as many terms. Shri Modi became the longest-serving CM of Gujarat in 2007.

Since 2001, CM Modi has led a decade of unprecedented growth and development in Gujarat. Because of his extraordinary leadership, Gujarat is now an economic powerhouse with companies like Ford and General Motors also setting up factories in a move that promises to strengthen U.S.-India trade and investment.

I thank Mr. Sanjay Puri, founder and President of the Alliance for U.S.-India Business (AUSIB), for the outstanding work he has done and continues to do in the U.S. Congress to promote U.S.-Gujarat trade and the Vibrant Gujarat initiative which has become an example of CM Modi's visionary approach for inclusive development.

CM Modi's philosophy of bringing development to "the doorstep of every poor person, every farmer, every worker" is a philosophy that resonates beyond the boundaries of Gujarat because it is a philosophy that transcends caste, culture, regional and religious differences.

I believe CM Modi's approach to empowerment is why Gujarat is now the global gateway to India. His philosophy of inclusiveness is the reason why delegates from more than 121 countries attended the Vibrant Gujarat 2013 Summit to explore business opportunities and forge strategic partnerships. It is the reason why voters support Shri Modi time and again.

Shri Modi's vision is rare. His leadership is remarkable. But his connection to Mahatma Gandhi is what strikes me most. Gujarat is Gandhi's land. By providence or otherwise, it is also the land where Shri Modi serves. As such, it is little wonder that Gujarat State, having historically given leadership to the entire Nation and now ranked first in economic freedom in India, continues to brighten the hopes and dreams of so many.

With such accomplishment, it is my sincere hope that the United States will take a new look at Gujarat and support more openly and fully the ideas of CM Modi as he works for the betterment of the world's economy by creating jobs at home and abroad for purposes of improving the lives of people across the globe.

HONORING JORDAN K. DONNER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jordan K. Donner. Jordan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the

Boy Scouts of America, Troop 1376, and earning the most prestigious award of Eagle Scout.

Jordan has been very active with his troop, participating in many scout activities. Over the many years Jordan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Jordan has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Jordan K. Donner for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

INTRODUCTION OF THE BIPAR-
TISAN VOLUNTARY PROTECTION
PROGRAM ACT

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. PETRI. Mr. Speaker, today, Rep. GENE GREEN and I are introducing the bipartisan Voluntary Protection Program (VPP) Act to make permanent one of the federal government's most successful workplace health and safety programs.

This legislation would codify a successful program, the Voluntary Protection Program, operated by the Occupational Safety and Health Administration (OSHA) that recognizes and rewards employers who voluntarily work to improve the health and safety of their work-sites. The program is currently operating but has never been authorized in law and was proposed to be cut by the Obama administration's fiscal year 2011 budget. While the administration backed away from those cuts in its more recent budget proposals, this legislation would put the program on a more solid foundation by specifically authorizing it in law.

Since the VPP was created in 1982, it has grown to include more than 2,200 worksites and more than 921,000 employees. A 2007 report noted that Federal VPP worksites saved the government more than \$59 million by avoiding injuries and that private sector VPP participants saved more than \$300 million. Participating workplaces have an illness and injury rate that, on average, is 50 percent below that of their industry.

Business owners in my district have reported to me that the relationship between OSHA and businesses has become more adversarial over the past couple years. While OSHA does have a responsibility to enforce workplace safety laws, it has been my experience that most employers want to run safe workplaces. The VPP program provides a mechanism for OSHA to build a more constructive relationship with employers who have demonstrated a willingness to invest in workplace safety. This creates an incentive for other employers to follow suit, improving safety and saving money on enforcement costs at the same time.

I hope that our colleagues will join us in authorizing this bipartisan and successful workplace safety program.

THE INTRODUCTION OF THE INDO-
NESIAN FAMILY REFUGEE PRO-
TECTION ACT OF 2013

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today I am introducing legislation with my colleagues, Rep. FRANK PALLONE JR., Rep. CHRIS SMITH, Rep. LUIS GUTIERREZ, Rep. MADELEINE BORDALLO, Rep. RUSH HOLT, which would simply allow Christian Indonesian citizens fleeing persecution, many of whom arrived during a five-year timeframe (January 1, 1997–November 30, 2002) and were denied asylum solely for missing the one-year filing deadline, the opportunity to reopen their claims during the two-year period following enactment.

Beginning in 1997, many Indonesian Christians fled religious persecution in Indonesia, where extreme violence and destruction of churches drove them from their homes. These individuals came to this country, seeking relief from extreme violence and persecution for their religious beliefs, but were unable to make the one-year filing deadline. They deserve the opportunity to have their claims heard.

The United States has long sought to protect refugees fleeing persecution and provide a process to fairly consider their claims. This bill does not, in itself, grant asylum, but merely removes a procedural barrier to their claims being considered. These individuals seeking asylum deserve a second chance to avoid the persecution they have fled and remain united with their families.

50TH ANNIVERSARY OF THE CITY
OF PORTAGE, MICHIGAN

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. UPTON. Mr. Speaker, I rise today to recognize the 50th anniversary of the City of Portage, Michigan—A Natural Place to Move.

On February 18, 1963, residents of Portage Township voted 3,762 to 2,315 in favor of becoming a city. On December 31, 1963, the City of Portage was formally incorporated. From just over 20,000 residents in 1963, Portage is now home to over 46,000. Historically, Portage grew as a crossroads for traders in the 19th century and benefitted from fertile farmland and abundant natural resources.

Today, Portage is a vibrant community with affordable, safe housing in well-maintained neighborhoods; hundreds of successful commercial and industrial businesses; and is the retail crossroads of southwest Michigan. This strong, diverse community is family-focused and proudly boasts over 2,000 acres of park and recreational space, 56 miles of bikeways, three nature preserves and seven lakes that connect its citizens and visitors to each other and the natural world.

The City of Portage is a robust community that excels with an accredited public safety

department, low tax rate, accredited senior citizen center, comprehensive and efficient city services, diverse employment opportunities, an excellent public school system, award-winning district library and world-class healthcare that together facilitate an economic climate that allows Portage residents to thrive. Quite simply, it is a great place to live, work, and play.

Mr. Speaker, I am proud to recognize the City of Portage and applaud the city on its 50th anniversary. A momentous milestone for a remarkable community.

HONORING ADAM E. COCKRIEL

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Adam E. Cockriel. Adam is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 351, and earning the most prestigious award of Eagle Scout.

Adam has been very active with his troop, participating in many scout activities. Over the many years Adam has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Adam has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Adam E. Cockriel for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

BELLAIRE HIGH SCHOOL YOUNG
REPUBLICANS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. POE of Texas. Mr. Speaker, last November, we once again witnessed a remarkably low turn-out among this nation's youth. Sadly, the majority of the youngest demographic group, our nation's future, Republican and Democrat alike, failed to take part in the democratic process. I met a group of young high school students trying to buck that trend.

The Bellaire High School Young Republicans, led by Michelle Knesbach, Jennifer Knesbach, and Michael Scheinthal, push to create a spirit of activism at their high school, in the city of Houston, and around the state of Texas. At the age of fourteen, these three students began working on local campaigns, block walking on weekends and helping fundraise on school nights. Soon after, the three started the High School Republicans of Texas, an official auxiliary of the state party which focuses on giving a voice to those too young to vote, and encourages activism among their schoolmates. Through voter registration drives and get out the vote cam-

paigns in their community, the Bellaire High School Republicans engage young people in the political process, making a difference on Election Day.

I met this group at a dinner I spoke at and was impressed by their initiative. I was invited to speak at their school, and when I walked into the building, taking me back to the days of too much homework and pop quizzes, I was surprised that around 300 students came to the event during their lunch break. We had a discussion, about Hamas, about drug cartels, about policy and bipartisanship, topics that I often find bore people twice their age; yet they were intrigued. An age group, often overlooked, often deemed to not care, was just as fascinated, cared just as much, about these vital topics as anyone. The Bellaire Young Republicans and the High School Republicans of Texas are changing the status quo by inspiring their classmates to avoid being a part of another disappointing statistic.

Campaign events of the future will be full of young faces. Students too young to vote learn that they can make a difference, impact their state, and impact their country. Further merit should be credited to the Bellaire Young Republicans as they fight for ideas that are widely rejected by their peers as they work to end the "youth involvement drought" slowly eroding the Republican Party and the Conservative Movement. Looking into the young crowd, I knew there was hope for my party and for my country.

And that's just the way it is.

HONORING THE LEGACY OF
GEORGE WASHINGTON

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. WOLF. Mr. Speaker, today I rise to reintroduce legislation that would reestablish the legal public holiday for Washington's Birthday from the third Monday of February to the actual date of George Washington's birth on February 22.

I have long admired President Washington and have found inspiration in public service from studying his life. Unfortunately, I have found that students today have a dearth of knowledge about our nation's beginnings and the man from Virginia who led the colonies to form the union known as the United States of America.

In 2011, two-time Pulitzer Prize winning history author David McCullough observed, "We're raising young people who are, by and large, historically illiterate." How can we adequately explain the importance of George Washington to our children when we do not even take time to recognize his actual birthday? We must reestablish Washington's Birthday on the 22nd to honor his legacy and in doing so call upon schools across the nation to focus on Washington as the soldier, legislator and president who shepherded our young nation through war, political turmoil, rebellion and expansion as no other single individual was capable of doing.

I believe Congress has unwittingly contributed to this lack of historical understanding by

relegating Washington's Birthday to the third Monday of February to take advantage of a three-day weekend. We need to change the focus from celebrating sales at the mall to celebrating the significance of President Washington's birth to the birth of our nation.

There is a reason the birthday of President George Washington is the only legal federal holiday observed for a president of the United States. He is called the "father of our country" because he is without compare in our nation's history.

Washington's Birthday has been celebrated since the final days of the Revolutionary War. French and American troops paraded through Newport, Rhode Island, in 1781 and celebrations were held in Richmond, Virginia, in 1782. Organized by French General Rochambeau and others who knew him personally, these celebrations drew special attention to the bravery, courage, leadership and perseverance of the Revolutionary War hero.

From the beginning of our country, the importance of this day has been recognized. As President James Buchanan said in 1860, "... when the birthday of Washington shall be forgotten, liberty will have perished from the earth." In response, President Rutherford B. Hayes signed legislation in 1879 that made Washington's Birthday a holiday for District federal workers. The holiday was extended to all federal workers in 1885.

This legislation I reintroduce today is not without precedent. In 1975, Congress amended the Uniform Monday Holiday Act and President Gerald R. Ford signed legislation into law returning the annual observance of Veterans Day from the fourth Monday in November to its original date of November 11, beginning in 1978.

The Uniform Holiday Bill signed in 1968 and effective in 1971 was intended to ensure three-day weekends for federal employees by celebrating four national holidays on Mondays: Washington's Birthday, Memorial Day, Veterans Day and Columbus Day. Originally called Armistice Day to mark the signing of an Armistice on the 11th hour, of the 11th day, of the 11th month in 1918 that ended World War I, the date of November 11 holds historic and patriotic significance as a day of thanks and remembrance for all veterans. The law change brought widespread public protest and 46 states refused to recognize any day other than November 11 to honor the sacrifice made first by World War I veterans and subsequently by all veterans.

The restoration of the observance of Veterans Day to November 11 not only preserves the historical significance of the date, but helps focus attention on the important purpose of Veterans Day as a celebration to honor America's veterans for their patriotism, love of country, and willingness to serve and sacrifice for the common good.

Likewise, we need to restore the observance of Washington's Birthday to February 22 to preserve the date of his birth for history and to focus attention on his life of service and duty to his country. Even George Washington's home state of Virginia, where he was born and raised, which he served in elected office, where he accepted General Cornwallis' surrender, and where he is buried, celebrates Washington's Birthday in accordance with the

Uniform Monday Holiday Act. I believe all school children in every state should dedicate February 22 each year to learning about our greatest leader, foremost patriot, first president and the only six-star general in the nation's history.

Posterity has shown that the traditions he started, including civilian control of the military and presidential term limits, have distinguished our government from so many failed countries born in revolution from the colonial powers of the 18th century. President Washington exemplifies the best that America and Americans have to offer the world; principled leadership, personal bravery, a sense of duty and public service, patriotism, recognition of our unique role in world history, and a reverence for his Creator. His enduring service deserves to be remembered on his actual birthday.

My legislation is supported by George Washington's Mount Vernon Estate. Executive Director Jim Rees said, "The holiday was far more meaningful when it revolved around George Washington, and schools were able to focus on his sterling example of character and leadership."

I am extremely pleased that David McCullough supports my legislation as well. His letter, copied below, says "Celebrating George Washington's Birthday on February 22 is a simple, solid, self-evident statement of respect for one of the greatest of all Americans, for his whole founding generation, and for so much that we owe them."

The legislation is also supported by other prominent authors and scholars that have published extensive works on Washington's life. Scholar and history professor Gordon Wood stated "I agree wholeheartedly that Washington's Birthday ought to be separated from the Uniform Monday Holiday Act. He is unique as a president and founder." In addition, my legislation is supported by noted Washington historian Ron Chernow, historians Peter Henriques and Richard Brookhiser and history professors from the University of Georgia, LaSalle University, James Madison University and Brandeis University.

Mr. Speaker, it is only right that we hold February 22 as a date of reverence to commemorate the unique person without whom the tide of American history may well have taken a different turn. I urge my colleagues to join in cosponsoring this legislation to forever honor President George Washington's Birthday.

JANUARY 19, 2012.

DEAR MR. WOLF: The place of George Washington in the American story, his all-important example of courage and integrity in leadership, can hardly be overstated and must never be taken lightly.

Nor should we celebrate his birthday on any day but February 22, any more than we would wish to move July 4 about to suit some convenience of the moment.

How can it reasonably be argued otherwise?

Celebrating George Washington's birthday on February 22 is a simple, solid, self-evident statement of respect for one of the greatest of all Americans, for his whole founding generation, and for so much that we owe them.

Sincerely,

DAVID McCULLOUGH.

WE MUST TAKE STRONG ACTION ON CLIMATE CHANGE

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Ms. SCHAKOWSKY. Mr. Speaker, John F. Kennedy said, "When written in Chinese, the word 'crisis' is comprised of two characters. One represents danger and the other represents opportunity." Those words ring true with regard to perhaps the greatest crisis facing our world: climate change. We face imminent and continuing danger, but we also have an opportunity to change course and leave behind a better planet for future generations.

Global warming is happening. The ten hottest years on earth since 1880 have all occurred since 1997. According to the New York Times, 2012 was the hottest year ever in the continental United States, a full degree hotter (in terms of average temperature) than the previous record. More than 60 percent of the country, including much of the Midwest, experienced severe drought. Wildfires spread throughout areas of the western United States, and severe storms ravaged the east coast.

We face serious danger. Over the next few centuries, sea levels could rise an average of 12 feet, swallowing coastal areas in the U.S. and around the world. According to the Intergovernmental Panel on Climate Change, drought and famine could lead to decreased water availability, increased starvation, and new instability in many regions of the world—particularly Africa, Southeast Asia, and Latin America.

This crisis presents an opportunity. This Congress has a unique ability to take leadership in addressing what is a planetary problem for us right now. We can act now, or we can let our opportunity pass by. The choice should be clear.

I support a comprehensive approach to climate change. I was a strong proponent for the American Clean Energy and Security Act, which passed the House in 2009. That legislation would have introduced a renewable energy standard, subsidized important research and development of clean technologies and energy efficiency, and created a cap and trade system to reduce greenhouse gas emissions. It would have had a significant impact in curbing the warming of our planet, and I believe it should be the model for action taken in the current congress.

As a member of the Environment and the Economy subcommittee and of the Waxman-Whitehouse climate change task force, I will continue to push for comprehensive and immediate action. I promise to collaborate with anyone from either side of the aisle to work toward constructive and meaningful solutions. We must act together to forge a legislative solution to this crisis while we can still do something about it.

The time is now. This is our moment—all of us—Republicans and Democrats. We must act to preserve and protect the planet for our children and grandchildren, and for their children and grandchildren. We cannot afford to be on the wrong side of history.

HONORING CHASE LEE BEELER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Chase Lee Beeler. Chase is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and earning the most prestigious award of Eagle Scout.

Chase has been very active with his troop, participating in many scout activities. Over the many years Chase has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Chase has led his troop in various positions including Assistant Senior Patrol Leader, has earned the rank of Foxman in the Tribe of Mic-O-Say and is a Brotherhood Member in the Order of the Arrow. Chase has also contributed to his community through his Eagle Scout project. Chase designed and constructed six benches out of recycled telephone poles and installed a flag pole for Hillcrest Transitional Housing in Kansas City, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Chase Lee Beeler for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING LTC WILLIAM ANTON

HON. JOSEPH J. HECK

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. HECK of Nevada. Mr. Speaker, I come to the floor today to recognize the exemplary service and outstanding achievements of LTC William Anton, a member of the Army Ranger Hall of Fame and a resident of southern Nevada.

LTC Anton was recently awarded the prestigious Knowlton Award—an honor recognizing significant contributions in the field of Army intelligence—by our nation's Military Intelligence Corps.

After serving with distinction in Vietnam, service which earned him a 2009 induction into the Army Ranger Hall of Fame, Bill began a career in Army intelligence.

In 1979, while in command of an electronic warfare company, Bill developed a key intelligence-gathering tool that was still being used a decade later during Operation Desert Storm.

The details of the intelligence system Bill developed are still considered classified but rest assured it was an asset to our troops in battle and may have saved American lives as it gathered intelligence on our enemies.

The Knowlton Award was named after Revolutionary War hero LTC Thomas Knowlton of Connecticut who was commissioned by George Washington to raise a regiment to perform desperate and delicate intelligence services and LTC Bill Anton has exemplified this tradition with his service to our country.

I congratulate LTC Bill Anton on this well-deserved honor.

HONORING THE LIFE AND SERVICE OF RICHARD SCHNELLER

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. COURTNEY. Mr. Speaker, I rise today with great solemnity to share with you the recent death of Richard Schneller.

Richard "Dick" Schneller, a tireless Connecticut resident who celebrated his 90th birthday just last March, leaves behind a storied life of service to his family, his state, and his country. A native of Essex, Dick attended Mount Hermon School and went on to receive a Bachelor of Science degree from Yale University in 1943. Following graduation, Dick served his country with the United States Navy as a Lieutenant and participated in several South Pacific D-Day island invasions. After his military discharge, Dick applied his skills to his family's business, becoming President of The Verplex Company in 1952 and serving until 1972.

Dick proudly served his community and his government as a five-term State Senator representing Connecticut's 20th Senatorial district. From the time he entered the State Senate in 1975 until his departure in 1984, Dick maintained a fierce dedication to service of his state and his community. As a State Senator, Dick served successively on a number of committees, including the Education Committee and the Appropriations Committee. He served as chairman of the State Urban and Development Committee. Dick also held the title of Senate Majority Leader for the final three years of his tenure in the State Senate.

In addition to his commitment to the betterment of Connecticut government, Dick also played significant administrative roles in a broad range of local institutions. In his home town of Essex, Dick served for seven years as Chairman of the Essex Democratic Town Committee, was a member of the Essex Board of Finance, and was a member and chairman of the Regional District #4 Board of Education. He was also Charter President of the Essex Rotary Club and Founding Treasurer of the Essex Community Fund. Some of his other involvements in local organizations include his work as Trustee of the University of Connecticut, the Connecticut Conservation Association, Middlesex Hospital, Connecticut College, Yale-New Haven Hospital, Mount St. John's School and the Middlesex County Y.M.C.A.. Dick proudly served as the President and Chairman on the Board of the Goodspeed Opera House.

Dick recognized the importance and inherent value in serving in a community, through his commitment to service in government, and also through his devotion to his local congregation, the Congregation Beth Shalom, of which he was a lifelong member.

On a personal note, Dick was a generous mentor for me and many others of a younger generation, serving in the Connecticut General Assembly. He imparted experience and good

judgment to us all and was a great inspiration for those of us thinking about entering public service.

Mr. Speaker, I ask all my colleagues to join me in honoring the life and service of Dick Schneller, and sharing our condolences with the family he leaves behind.

HONORING JIM SWEENEY

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. NUNES. Mr. Speaker, I rise today alongside my colleagues, Representative COSTA and Representative VALADAO, to honor the life and career of Jim Sweeney, who passed away on February 8, 2013. Mr. Sweeney was the legendary coach of the Fresno State football team, leading the Bulldogs for nearly two decades and leaving an indelible imprint on his team, his school, and his community.

The son of a hardscrabble miner, Mr. Sweeney worked in the mines during his college summers. Afterward, he coached high school football for several years in his native Montana and then became an assistant coach of the Montana State Bobcats in 1960. Appointed head coach in 1963, he served five years in that position and eight years as head coach of the Washington State Cougars before becoming head coach at Fresno State, the position that would define his career.

During his nineteen years at Fresno State, interrupted by a two-year stint on the coaching staffs of the Oakland Raiders and St. Louis Cardinals, Mr. Sweeney elevated the Bulldogs to national prominence. A charismatic, no-nonsense leader, he brought an infectious enthusiasm to the entire community and inspired fierce loyalty in his players. He implanted an enduring team spirit with his resounding renditions of team fight songs and his inception of the "Bulldog born, Bulldog bred" chant that players still invoke today. In Fresno, Mr. Sweeney won eight conference titles and five bowl games on his way to amassing 144 victories, the most of any head coach in Bulldog history. Among his many well-deserved accolades, the team's football field was renamed in his honor.

Personifying excellence, hard-work, and integrity, Mr. Sweeney was well-loved in his community and is a true California icon. His trademark wit and unceasing passion will be missed by the legions of fans and admirers he has left behind.

HONORING CRAIG SCOTT GRISWOLD

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Craig Scott Griswold. Craig is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in

the Boy Scouts of America, Troop 345, and earning the most prestigious award of Eagle Scout.

Craig has been very active with his troop, participating in many scout activities. Over the many years Craig has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Craig has contributed to his community through his Eagle Scout project. Craig designed and constructed new stairs and landings for the One-Room Schoolhouse operated by the Putnam County Historical Society at the City Park in Unionville, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Craig Scott Griswold for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING MIKE WALKER

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mrs. BLACKBURN. Mr. Speaker, the mark of a great community is found in its leadership. Hard working, always professional, and dedicated to long-term vision are the key qualities of a strong local leader. For the past 23 years, Brentwood, Tennessee has had the great honor of Mike Walker's leadership as City Manager.

Mike Walker has a strong history in leading and leading well. Serving as the administrative head of Brentwood's municipal government, Mike has been responsible for full service government including a \$60 million annual budget and 250 employees. In addition to his outstanding service to the City of Brentwood, Mike's legacy of excellence reaches to Oak Ridge, Knoxville, and the International City/County Management Association.

It takes a great number of talented people to keep a city running. Keeping such an excellent city like Brentwood on the right track requires more than talent; it requires excellence, dedication, and leadership. The City of Brentwood has been lucky to have Mike Walker leading the way. I ask my colleagues to join with me, Linda, Lauren, Evan, and Travis, in celebrating Mike's outstanding legacy of service and commitment.

NATIONAL GUARD STATE PARTNERSHIP PROGRAM ENHANCEMENT ACT

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Ms. BORDALLO. Mr. Speaker, today I have introduced the National Guard State Partnership Program, SPP, Enhancement Act which strengthens and expands this critical capacity building program. The National Guard provides unique capacity building capabilities to Combatant Commanders and U.S. Ambassadors

via 65 comprehensive partnerships between National Guard units across the United States and partner nations. The SPP directly supports the broad national interests and security cooperation goals of the United States by engaging partner nations via military, socio-political, and economic conduits at the local, state, and national levels. The program's public diplomacy effectiveness lies in its ability to leverage the full breadth and depth of U.S. defense and interagency capabilities from within the state-country relationship.

The goals of the program reflect an evolving international affairs mission for the National Guard emphasizing its unique state-federal and civil-military characteristics to interact with both the active and reserve forces of foreign nations, interagency partners, and international nongovernmental organizations. The value of the SPP lies in its ability to concentrate a small component of the U.S. defense structure—a state's National Guard—on a single country or region in support of U.S. Government policies and objectives. This concentrated focus supports the development of long term personal relationships and interagency coordination mechanisms that would not otherwise exist.

The SPP has the potential of being an increasingly more important tool for Combatant Commanders and U.S. Ambassadors in achieving long-term U.S. objectives. The program has developed from assistance and partnership with primarily Eastern European nations to a program that supports all the non-CONUS combatant commanders. Of particular interest to me are the opportunities that SPP poses for our rebalance to the Asia-Pacific region. I believe the SPP brings unique capabilities to U.S. Pacific Command in expanding and strengthening bilateral relations with many Asian and Pacific nations. The program can help to demonstrate the U.S. commitment to the region and our allies.

The bill I introduce today helps the SPP by codifying the program's use of funding and spells out the roles that National Guard units can play in their capacity building. The legislation is needed to ensure the program meets its intended goals. The legislation first establishes the process through which funds appropriated to the National Guard may be used to support the program's goals. This is merely a codification of Department of Defense guidance and National Guard Bureau process. Additionally, the legislation outlines the mechanism through which partnerships may be requested and approved. The bill ensures that Department of Defense, a state National Guard and Department of State's equities are considered in the context of broader program goals. Finally, the legislation expands the roles that a National Guard may perform when in support of the State Partnership Program. The capabilities and missions outlined in this legislation leverage the very unique capabilities inherent in the National Guard which would strengthen our relations with allies and nations across the globe. The dual role of the National Guard provides them a unique opportunity to support Combatant Commander as well as an Ambassadors needs in a given country. I believe this legislation is necessary to codify current practices and enhance the program's positive impact.

Finally, I would note that a version of this legislation passed by voice vote, last year, during consideration of amendments to the National Defense Authorization Act for Fiscal Year 2013. The program has broad support in Congress and I urge my colleagues to support this measure.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. COFFMAN. Mr. Speaker, on January 3, 2009, the day I took office, the national debt was \$10,627,961,295,930.67.

Today, it is \$16,498,229,961,731.67. We've added \$5,970,268,665,801 to our debt in 4 years. This is a \$5.9 trillion in debt our nation, our economy, and our children could have avoided with a Balanced Budget Amendment. We must stop this unconscionable accumulation of debt.

HONORING NATHAN T. ITAO

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Nathan T. Itao. Nathan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 351, and earning the most prestigious award of Eagle Scout.

Nathan has been very active with his troop, participating in many scout activities. Over the many years Nathan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Nathan has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Nathan T. Itao for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

LESSONS FROM THE ROMAN EMPIRE

HON. TREY GOWDY

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. GOWDY. Mr. Speaker I submit the following paper on lessons learned from the Roman Empire from Rachel Castellani, a 6th grade student from Southside Christian School in Simpsonville, SC. Rachel wrote,

I believe that what I have learned can help me with politics and economics. I think that if the Romans had not gone and taken some of the risks they had taken and maybe had

been less violent, the empire might still be alive today. A topic I want to talk about is the economy. If you are trying to encourage the lower class citizens (plebians) why do you raise tax rates higher? This is the same thing happening to America, I don't want to be left in the same situation. Let's lower taxes and form new business in America. Don't let our nation crumble like Rome's!

INTRODUCTION OF THE NATIONAL WILDLIFE REFUGE REVIEW ACT

HON. JOHN FLEMING

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. FLEMING. Mr. Speaker, today, I am introducing, along with a number of our colleagues, the National Wildlife Refuge Review Act. This legislation is necessary because under current law, the U.S. Fish and Wildlife Service can administratively create a national wildlife refuge regardless of size, location or support from the local communities without any input from the Congress.

There may have been some logic in granting this federal agency an unfettered ability to establish a national wildlife refuge in 1903 when the first was created by President Theodore Roosevelt. However, with our national debt exceeding \$16.5 trillion, it is now imperative that the Congress carefully review each significant expenditure of our tax dollars.

During the past four years, the Fish and Wildlife Service has administratively established more than ten national wildlife refuges including two in Kansas and Florida that involve more than 1 million acres of private property and a price tag exceeding \$1 billion. Under current law, the Service first establishes these refuges and then comes to the Congress seeking funds to actually obtain the lands through either fee title or conservation easements.

On October 25, 2011, the Service testified before the Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs and stated that requiring a Congressional authorization would "Impede the Service's ability to be strategic, flexible, nimble and responsive to strategically grow the Refuge System."

Mr. Speaker, this is the same federal agency that has an operations and maintenance backlog exceeding \$3 billion, with dozens of refuges infested by invasive species, with overgrown trails and full of potholed roads. By their own admission, they lack the financial resources to fix more than 3,300 mission critical projects. During the past two years, it has become increasingly clear that the Service is incapable of effectively managing what they already own. The Congress has a responsibility to curb their insatiable appetite for property acquisition. For far too long, this agency has placed too much emphasis on growing the refuge system rather than maintaining it.

What I am suggesting is neither a new or radical idea. In fact, under current law, no Administration can create or expand a national park, a wilderness area, a national forest, a Wild and Scenic River, a National Heritage Area or a National Conservation Area; construct a Bureau of Reclamation Water Recy-

cling project; modify the Coastal Barrier Resources System; or remove property from the National Wildlife Refuge System. The House Natural Resources Committee routinely considers dozens of these types of bills each year.

It is also important to note that Congress has legislatively created more than 60 national wildlife refuges throughout the United States. In my own Congressional District, the Red River National Wildlife Refuge was established by an Act of Congress. In fact, including public hearings, Committee markups and action in both the House and the Senate, it took exactly six months to get this legislation to President Bill Clinton, who signed the bill into law on October 13, 2000. Even by the standards articulated by the Fish and Wildlife Service, this period of time demonstrated that the Congress can act swiftly when there is public support for the establishment of a specific refuge.

Under my bill, all new national wildlife refuges established after January 3, 2013 would require a Congressional authorization. This bill does not affect the existing 560 refuges, nor does it require that additions to these units obtain Congressional approval. This is a modest and commonsense solution. It is past time for the Congress to exercise its oversight responsibility before the Fish and Wildlife Service creates huge new financial burdens on taxpayers.

As the Chairman of the Natural Resources Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs, I can assure my colleagues that there is nothing inherently unique or urgent about the establishment of a new refuge that requires the Fish and Wildlife Service to unilaterally act on its own, while putting our taxpayers on the financial hook for billions in land acquisition costs.

I urge my colleagues to join in this important effort to protect the taxpayers of the United States by cosponsoring the National Wildlife Refuge Review Act.

IN HONOR OF TROOP 127

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. FITZPATRICK. Mr. Speaker, I rise today to congratulate the outstanding community service efforts of Boy Scout Troop 127 of the Riegelsville, Bucks County Council, Pennsylvania.

As a father of three boys who are involved in Scouting and as an Eagle Scout myself, I understand the principles and values that scouting has to offer. In 2012 alone, Troop 127 has accomplished a number of activities that embody what it means to be a Scout.

Some notable examples of service in the last year include: Reaching out to help others during the hardship that took place after Hurricane Sandy by assisting the American Red Cross for two days at Palisades High School shelter. They honored their country by assisting with the Eagle Scout project of Brandon Youpa, a project that was two years in planning and resulted in the honoring of veterans both past and present within their community.

They even worked to preserve the environment by cleaning up a staggering eight miles of the Delaware Canal.

The members of Troop 127 are prime examples of what it means to be a Boy Scout. They are conscious of country, the values of their country, those less fortunate than themselves, and of their faith. The members of Troop 127 have shown maturity and are valued members of our community. Becoming a Boy Scout bestows a great level of responsibility on the young men who are willing to take up Scouting's values. The community looks to the young men of Troop 127 as leaders now and in the years to come.

I sincerely hope that the scouts of Troop 127 continue down the challenging and rewarding path that the Boy Scouts has to offer. The Scouts commitment to the betterment of oneself and the pursuit of something greater are something any young man can benefit from. I applaud them on their service accomplishments this past year, extend my best wishes for their continued success and service.

HONORING COLLINS ALAN BEATTY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Collins Alan Beatty. Collins is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and earning the most prestigious award of Eagle Scout.

Collins has been very active with his troop, participating in many scout activities. Over the many years Collins has been involved with scouting, he has not only earned 36 merit badges, but also the respect of his family, peers, and community. Most notably, Collins has led his troop in various positions including Assistant Patrol Leader, has earned the rank of Brave in the Tribe of Mic-O-Say and is an Arrowman in the Order of the Arrow. Collins has also contributed to his community through his Eagle Scout project. Collins removed old landscaping and planted new shrubs along a walking trail at Chinn Elementary in Kansas City, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Collins Alan Beatty for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING DANIEL C. REESE AND HIS APPOINTMENT TO CHAIRMAN OF THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION COMMISSIONER'S COUNCIL ON GREENWAYS AND TRAILS

HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. ROE of Tennessee. Mr. Speaker, today I would like to recognize Mr. Daniel C. Reese of Tennessee's First District, who has been appointed Chairman of the Tennessee Department of Environment and Conservation Commissioner's Council on Greenways and Trails. This council is an organization that encourages our communities to utilize green spaces, promotes volunteerism in the community, and works hard to preserve our natural and cultural resources. Through his efforts on the council, Dan has set a great example for East Tennessee.

A graduate of East Tennessee State University, Dan has dedicated his career to working for the people of the Great State of Tennessee. He is a member of the Tennessee Department of Transportation Depot Restoration Demonstration Project, and continues to volunteer his time and expertise to develop additional green spaces within our community.

Mr. Speaker, I commend Daniel for his selfless contributions to our state and wish him the best as he continues to exemplify the Volunteer spirit.

HONORING RAY J. HILLENBRAND

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. MESSER. Mr. Speaker, I rise today to honor the extraordinary accomplishments of one of my constituents, Ray J. Hillenbrand, chairman of the board of Hillenbrand, Inc. headquartered in Batesville, Indiana.

Mr. Hillenbrand has been chairperson of the board of Hillenbrand, Inc. since 2008 and previously served as director of Hillenbrand Industries, the company's former parent corporation, from 1970 to 2008 and as chairman of the board from 2001 to 2006. Mr. Hillenbrand was employed by and active for 19 years in the management of Hillenbrand Industries prior to his resignation as senior vice president and member of the office of the president in 1977. On February 27, 2013, Ray will retire from his duties leading the strategic vision of the company as chairman.

For more than a century, the Hillenbrand companies have served as a staple in the Indiana and American corporate landscape, premiering innovative products in the funeral services, medical, and engineering industries. Ray's leadership has been a vital part of that success.

Ray Hillenbrand will forever be a friend and inspiration to people across the Hoosier state. I ask the entire 6th Congressional District to

join me in thanking Ray for his excellent service to his business and community and in congratulations for his successful tenure as chairman of the board of Hillenbrand, Inc.

TRIBUTE TO ROBERT L. CORBIN

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. TURNER of Ohio. Mr. Speaker, I am honored to pay tribute to a respected community leader and a dear friend from my congressional district, Mr. Robert L. Corbin. He is part of our "Greatest Generation" who fought in the Second World War—an ordinary American who did extraordinary things to serve our country and protect the freedom we cherish today.

As a young man, Bob answered his country's call to duty, at a time when his fellow countrymen needed him the most. He enlisted in the U.S. Army in 1942, and was deployed to Europe, assigned to the 84th Infantry Division. Bob was a 22-year-old Army second lieutenant when he was captured by the Germans and sent to a POW camp for American officers in Poland. After escaping during a botched rescue attempt from the Stalag 13 POW camp, Bob and two other officers endured nine harsh winter nights on the run, to avoid recapture. He wrote a novel chronicling his experiences as a prisoner of war titled, "Captured! The POW Saga of Frank Battle." Looking back on this experience, Bob said: "I absolutely believe that a number of times God, or a divine being, was looking over our shoulders because the difference between life and death was whether we took the left trail in the woods or the right trail in the woods."

After his return home, Bob contributed generous amounts of his time and energy to better our community. He earned a bachelor's degree in business administration from Otterbein College, and entered the food service industry. He became CEO of Foodcraft Management Company, and served as president of the Ohio Restaurant Association and the Miami Valley Restaurant Association. He served for 24 years in the Ohio State House of Representatives, from 1977 to 2001. As chair of both the Commerce Committee and the Labor and Finance Committee, Bob earned a reputation as a voice of reason and fairness.

After retiring from the legislature, Bob served a four-year term as a member of the Centerville City Council, where he applied his wisdom and guidance to help make the city a better place to live and raise a family. Bob's career in public service set an example for all of us who work to serve our communities and our nation. At age 90, he recently retired as a member of the Board of Trustees at Sinclair Community College. Bob and his wife Ede have been married for 62 years, and he is the father of two daughters, Lynn and Carol.

Bob Corbin is one of the most honorable men it has been my privilege to know. I ask my colleagues to join me in paying tribute to a truly outstanding citizen for his lifetime of service to our country and to the people of Ohio.

HONORING JAMES ALLEN BIBENS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize James Allen Bibens. James is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and earning the most prestigious award of Eagle Scout.

James has been very active with his troop, participating in many scout activities. Over the many years James has been involved with scouting, he has not only earned 36 merit badges, but also the respect of his family, peers, and community. Most notably, James has led his troop in various positions including Patrol Leader, has earned the rank of Brave in the Tribe of Mic-O-Say and is a Brotherhood Member in the Order of the Arrow. James has also contributed to his community through his Eagle Scout project. James designed and constructed a large cook box for food storage and cooking utensils for campers at Heartland Presbyterian Center in Parkville, Missouri.

Mr. Speaker, I proudly ask you to join me in commending James Allen Bibens for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

BOB ALLEN—A KTRK LEGEND

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. POE of Texas. Mr. Speaker, today I'm honored to recognize a Houston legend, Bob Allen who recently signed off from the sports desk at KTRK Channel 13 after nearly forty years. Bob's last broadcast was Thursday, January 17th after the Houston Texans' closed their electric 2012 season. The timing of his exit was no coincidence; he had high hopes of a Super bowl for the Texans just like the rest of us. Bob has brought sports into our homes for decades. His outstanding career at KTRK may have come to an end but for many of us Houston sports will always be synonymous with Bob Allen.

KTRK hired Bob as a weekend sportscaster all the way back in 1974, but his passion for sports and the news began long before that. Legend has it that when he was just ten years old, Bob took off on his bike from his West University house to the KTRK studios just to get a peek at the newsroom. In those days Guy Savage was the sportscaster. Young Bob was shown the exit that day, but little did they know that this bright eyed young boy would be the future face of sports in Houston.

After Bob joined KTRK it took just six months for him to be named sports director. And the rest is history. Bob has been in our living rooms through some of the greatest sports moments of the last half century; the Rockets championships in the '90s and the

Love Ya blue oilers in the 70s just to name a few. I spent many nights after supper watching his sports casts after the Oilers and Astros games with my son Kurt. Bob has told the story of sports to generations of Houstonians. He has interviewed some of the greatest sports legends, including Nolan Ryan, Stan "the Man" Musial and George Foreman. Bob even tested out his acting skills with roles in the ABC TV movie *Murder at the World Series* in 1977, and another sports mystery thriller, *Night Game*, in '89. He played a sportscaster and an announcer for the Houston Astros, of course.

Bob has also given back to the Houston community in other ways through his charitable work with the Special Olympics and the Sunshine Kids, which helps children struggling with cancer. His commitment to service earned him recognition from the Special Olympics, who awarded him the Spirit of Special Olympics award.

Bob's departure from KTRK marks the end of an era for Houston but it also marks a new

beginning for Bob. He dedicated forty years to a fantastic career in sports broadcasting. Now that this chapter is over, he's looking forward to pursuing new projects. He insists that he is resigning, not retiring. He won't stop, that's just the kind of guy he is. When asked about his future he said "I'll probably end up being busier than I was at 13." I don't doubt that one bit. He plans to start a media company that includes public speaking engagements and radio, and he will write a book about working on TV with some of the world's greatest athletes. Bob is a credit to the broadcasting profession and a credit to Texas. We will miss him in our homes but wish him well on his next adventure. Congratulations, Bob, on a fantastic career. And that's just the way it is.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all

meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, February 14, 2013 may be found in the Daily Digest of today's RECORD.

HOUSE OF REPRESENTATIVES—Thursday, February 14, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. COLLINS of New York).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 14, 2013.

I hereby appoint the Honorable CHRIS COLLINS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

STRONG LEADERSHIP AND MEANINGFUL REFORMS ARE NEEDED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oklahoma (Mr. MULLIN) for 5 minutes.

Mr. MULLIN. I began running a business when I was only 20 years old. Back then, if you worked hard and followed the rules, you had a pretty good shot at getting ahead. Today, it seems the deck is increasingly stacked against those who work hard and pursue their own dreams, especially if you're a business owner.

More and more, businesses are faced with consistent uncertainty caused by Washington's inability to take action on today's pressing problems. The failure of uncertainty, with tax rates near chaos in the markets and a never-ending stream of impractical regulations, is a cloud of doubt that has been cast over the entire economy. For most business owners, it is a daily struggle just to keep the doors open in large part because the government itself is a consistent obstacle.

The National Federation of Independent Businesses recently released figures from December indicating the mood of businesses is at a recession

level. Seventy percent of business owners that were surveyed identified the current environment as a bad time to expand, and political uncertainty topped the list for the reasons not to attempt economic growth.

Lee Buddrus, a resident of Muskogee, Oklahoma, and president of Acme Engineering & Manufacturing Corporation, told me that a lot of small businesses are struggling just because they had to go in debt to stay afloat during the recession. Mr. Buddrus went on to tell me, "Now they're not able to make the kind of money they need to to pay down their debts," due in large part to the environment the government has created.

As a freshman Member, I join a small group of Members in Congress who have owned a business. I have felt the weight of the current hostile business climate and faced unprecedented difficulties in ensuring my business succeeded. I step on the floor of the United States House of Representatives with a firsthand understanding of how high the hurdles are for a business to succeed and just simply jump over.

Last month, when President Obama was sworn in to his second term, I was reminded of something he said 4 years ago, in his first inauguration. The President said:

The question we ask today is not whether our government is too big or too small, but whether it works—whether it helps families find jobs at a decent wage, care they can afford, a retirement that is dignified.

Unfortunately, all we have seen from this President is reckless spending and heavy-handed regulation.

At the time of the President's first inauguration, the national unemployment rate was 7.8 percent. At the time of his second inauguration, it was exactly the same, and this month unemployment rose to 7.9 percent. While the rate of unemployment has been mostly stagnant, the national debt has not. In the past 4 years of failed Obama policies, the Nation has added \$6 trillion of new debt onto the backs of citizens and businesses. Today, our national debt stands at \$16.4 trillion. Broken down by American citizens, that's \$52,210 for every man, woman, and child in this country.

We must get back on the right track and bring optimism into the business climate. First, we must pull back some of the regulations that bind the hands of our Nation's job creators. Second, Congress must make the difficult decisions we were elected to make and restrain government spending. Businesses cannot grow or expand in a cli-

mate of higher interest rates and higher taxes. Third, we have to be about creating a job-friendly environment.

I came to Congress as a businessman who simply got fed up with the government hindering my ability to create jobs. My mission every day is to make it easier for businesses to start to expand and to be successful.

In business, we know first you must face a problem honestly and then come up with real solutions that actually solve the problem. The economic policy of government trying to spend its way to prosperity has failed. Those of us in business know it's the private sector that creates real jobs, not the government.

Strong leadership and meaningful reforms are needed to move the looming cloud of doubt from our economy. Adding more hurdles will not get this job done. It is time we as elected leaders lead. Sometimes it's lonely, but it's the right thing to do.

REPUBLICANS APPROVE OF HARMFUL SEQUESTER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. The gentleman who preceded me is new to the Congress of the United States. I've been here for a little longer than that, some 32 years. This is the least confidence-building Congress, last Congress and this Congress, in which I have ever served. It is taking us from fiscal crisis to fiscal crisis. It is creating cliffs where no cliffs ought to exist, and they undermine the confidence of business, America, Americans, and indeed, the rest of the world that needs a stable and secure America to ensure that we keep the kind of stability that Americans want here at home and around the world.

We will be dealing with a bill today and tomorrow that could be considered in an hour. We're going to take two days to consider it. And while we consider that, while we fiddle, while the sequester threatens to burn our economy, jobs, and confidence, we do nothing. We have not done anything to avoid the sequester for the last 7 weeks of this year, and nothing in this Congress. As a matter of fact, other than completing the work of making sure the folks who were damaged by Sandy were assisted, which should have been done in the last Congress, we've done nothing here of real substance in 7 weeks, but we are about to confront the sequester.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

I want every American to know, I want every person who relies on the Federal Government—and that is mainly all of us—that if Democrats were in charge of this House the sequester would not go into effect. Why? Because we would adopt an alternative policy that would cut spending so that we could move towards deficit and debt reduction, which we need to do as a country, and we would make a balanced proposal that the Senate Democrats will offer this day, and that we wanted to offer and CHRIS VAN HOLLEN offered last night in the Budget Committee, but which was not made in order.

□ 1010

In his State of the Union speech, the President talked about the American people deserve a vote. He's right. The American people deserve to know how Members are going to vote on issues of consequence to them, their families, their lives, their jobs, and their country. But we were denied a vote last week on this issue, which was a substitute for the sequester, and we are again denied this week a substitute for the sequester.

Some of my Republican friends try to say, Oh, it's the President who wanted the sequester. That is dead flat wrong. Rob Nabors did mention the sequester after the Republicans passed the sequester in this House in July of 2011. They call it the Cut, Cap, and Balance Legislation. Its fallback position was "sequester." It was a policy that all, I think, but two Republicans voted for when it passed this House. It was a policy that they promoted and supported. It is a bad policy. It's an irrational policy. It is a policy that will have great adverse consequences.

At a town meeting, I said the sequester works like this: if you have a food budget and a movie budget and somebody loses their job, the sequester says you cut food by 10 percent and movies by 10 percent. No rational American family would do that. They'd say this month we're not going to the movies or this 6 months we're not going to the movies, but we're going to make sure we put food on our table. Sequester says, No, we cut food by 10 percent and movies by 10 percent.

Sequester is an irrational response to our failure as a Congress, correct, to get our finances on a sustainable path. We need to do that. And Democrats are suggesting a balanced way to do it. By the way, every bipartisan commission that has dealt with this issue has recommended a balanced process to get from where we are to where we need to be.

We're going to go on break next week as if we've done our job. We haven't. We ought to be spending time today, tomorrow, next week, and the week thereafter in avoiding the irrationality of the sequester process, but I have a

list of Republicans here, all of whom say, Bring it on. The sequester is okay. Well, if we do the sequester, we're going to find out it's not okay.

Mr. Speaker, I urge the majority leader and I urge the Speaker to bring forth substantive legislation that is balanced and which will avoid the sequester taking place. It's bad for our people; it's bad for our country. It's bad policy.

DR. JULIAN DAVIDSON, AN AMERICAN PATRIOT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS of Alabama. Mr. Speaker, Dr. Julian Davidson passed away on January 31, 2013.

I have personally known Julian Davidson and his wife, Dorothy, for only a few years. But I know enough about Julian Davidson, what he did, and how he lived to know that he was an American patriot who will be sorely missed by his family, the Tennessee Valley, America, and me.

Julian Davidson was born in the small town of Oakman in Walker County, Alabama, on September 2, 1927. He was a proud son of Oakman and Walker County; however, his destiny lay elsewhere.

At the age of 17, Julian Davidson hitchhiked to Montgomery, Alabama, and without permission and despite being underage, enlisted in the Navy during World War II. He served with distinction on gunships loading heavy ammunition into gun turrets. Julian Davidson's naval service gave him an enduring respect and admiration for America's warfighters who serve in harm's way.

After the Navy, Julian Davidson attended classes during the day and worked at a pool hall at night to obtain an electrical engineering degree from Auburn University. After graduation, Julian Davidson joined the Tennessee Valley Authority where he rose to senior design engineer.

In 1961, Julian Davidson began work for the United States Ballistic Missile Defense Organization as an aerospace research engineer, thus beginning his life's passion in a career in missile defense that spanned half a century.

Julian Davidson once briefed Secretary of Defense Robert McNamara concerning using the Nike Zeus missile system for a possible anti-satellite role. Army leadership didn't believe McNamara would do it, so they sent in Julian Davidson, then a junior member of the briefing team to make the presentation. Julian related that "for some reason, McNamara was very interested and asked how long it would take and how much it would cost." I answered 15 months and \$15 million. He didn't flinch. He said, Do it. We went through about six decision milestones in that 15-minute briefing.

In time, Julian Davidson became Director of the Advanced Ballistic Missile Defense Agency and one of the youngest people to achieve the rank of senior executive service with the Federal Government.

In 1979, Julian met Dorothy Smith. In 1981, they married in Fairfax, Virginia. Julian loved and admired Dorothy for her intelligence and spark. Julian Davidson used to say that Dorothy "is the glue that holds everything together." He wrote in a speech:

I'd like to thank my wife, Dorothy, who in addition to running her company, takes care of family matters, allowing me to do the things that interest me the most, missile development and testing.

Julian Davidson was quick witted when he added:

I want you to know the rumor is not true that Dorothy does all the maintenance jobs around the home because I refuse to. I would be happy to do these tasks, except she will not allow me to borrow her tools.

In the 1990s, Julian and Dorothy Davidson settled in Huntsville, Alabama, a community Julian loved very much. Julian started Davidson Technologies in 1996 with just two employees.

Julian Davidson emerged as a leading figure in the Tennessee Valley and believed that if everyone worked for the betterment of the community, regardless of personal gain, everyone benefited. Julian sought to leave our community and country better than he found it, and he did that.

Julian Davidson is a former chairman of the Air Force Studies Board of the National Research Council, member of the Defense Sciences Board, and vice chairman of the Technology Assessment Committee of the United States Space Command for the National Research Council.

Julian Davidson twice received the Army Exceptional Civilian Service Award. He has received the Air Force Meritorious Civilian Service Award, the MDA Pioneer Award, and the Medaris Award. He is a member of the United States Army Strategic Defense Employees Hall of Fame, the Alabama Technology Hall of Fame, and the Auburn Alumni Engineering Council.

Julian Davidson's impact on America is enormous. He is known by many as the "father of missile defense in America."

Julian Davidson is survived by his wife, Dorothy; his four children, Diana Lyn, Janice Faye, Randall Eugene, and Robert Lee; his two grandchildren, Wendy Faith Holderfield and William Blair Peyton; and three great grandchildren, Teagan Holderfield, Shelby Holderfield, and Michaela Holderfield.

America and the Davidson family have lost a great man and a true patriot, and we are all better for having known Dr. Julian Davidson.

END HUNGER NOW

The SPEAKER pro tempore. The Chair recognizes the gentleman from

Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, President Obama's State of the Union speech was memorable and important for a number of reasons. I'm pleased the President talked about gun violence, climate change, voting rights, and, of course, jobs and the economy.

I'm especially pleased that, for the first time in more than a decade, the State of the Union had a real focus on poverty and the need to help those who economically are the most vulnerable in our Nation.

Poverty is the root cause of many of our Nation's problems. Those in poverty face challenges that middle- and higher-income families simply do not have to face. And to be frank, there are too many voices in the United States Congress that are silent on this issue.

So I commend the President for talking about poverty, which we must confront and address if we are truly to fulfill our mandate to form a more perfect Union.

One of the most devastating effects of poverty is hunger, and we cannot end hunger now if we're not talking about it. This is a big problem, and it is a costly problem. This is a problem that is not going away unless we act.

Mr. Speaker, over 50 million people are hungry in America. There are more than 50 million people who struggle to put food on their tables. Many of these are hardworking people whose jobs just do not pay enough to feed their families. Many are jobless, and many are homeless.

□ 1020

We need to use every opportunity we have to talk about it and to shine a light on the plight of the hungry, to take hunger out of the shadows and rededicate ourselves to the need to End Hunger Now.

As I said last week, just because over 50 million people in this country struggle to put food on their tables doesn't mean that we have mass starvation in America. Thankfully, we have developed a safety net that helps protect the vast majority of the hungry. SNAP, or food stamps, is one of the most important parts of that safety net.

There are a myriad of different initiatives being used to combat hunger in America. There are public, private, and nonprofit initiatives that are all very successful in their own ways. The problem is that these efforts—from Federal to State to local governments and from nonprofits, like churches and food banks, to for-profit businesses—are often working independently of each other. They are not always connected.

Mr. Speaker, we need to work smarter and more efficiently if we are going to End Hunger Now. We need to bring everyone together and connect the dots. We need a plan. That's why I've

called for a White House Conference on Food and Nutrition. Over the years, there have been citywide, countywide, and statewide hunger summits. Food banks, hospitals, colleges, and universities have all held these events, but there has not been one nationwide hunger summit convened by the White House since President Nixon hosted such a summit in 1969—over 44 years ago.

We need this conference today more than ever because hunger is getting worse in America, not better. Our deficit and our debt are forcing us to do more with less, and that means we need to be more efficient and streamlined with our resources. Our Federal agencies should be talking to each other and addressing hunger in a more comprehensive and holistic way.

Why shouldn't the Departments of Labor, of Health and Human Services, of Housing and Urban Development, and, yes, the Department of Defense sit down and talk about the impact hunger and nutrition have on their efforts and how best they can address this problem?

As these agencies coordinate, we will need to involve antihunger safety net nonprofits, like our food banks, religious institutions, schools, and hospitals; and we need to bring in the business community, including the food and beverage community, financial institutions and manufacturers. We need to bring our doctors and nurses, our teachers and pastors, our business leaders and politicians, and, yes, the hungry together in one room to develop one plan to End Hunger Now. Then we need to agree to implement and execute the plan.

Mr. Speaker, hunger is a political condition. We have the means and the knowledge to End Hunger Now. We just don't have the political will. While hunger is a political condition, it should not be a partisan issue. A White House Conference on Food and Nutrition is the forum that we need to galvanize political will to finally end hunger in America.

Ending hunger takes bold leadership. It takes Presidential leadership because the President is the only one who can call everyone together, who can get everyone in the same room and on the same page in order to come up with one meaningful and achievable plan. We need the President to rise to the occasion and to say that we are going to End Hunger Now.

Mr. Speaker, I call on the White House to host a Conference on Food and Nutrition. I call on the White House to commit to ending hunger in America just as they are working to reduce obesity and to improve nutrition. I call on the White House to End Hunger Now, and I ask my colleagues, Republicans and Democrats, to join in all efforts to End Hunger Now. Mr. Speaker, ending hunger now is more than a

nice phrase. It is something we must do. It is our moral obligation. It is what a great country like America should do—End Hunger Now.

SEQUESTRATION AND DEFENSE SPENDING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, part of the air of unreality in Washington is the myth of our inability to contend with budget reductions and the threat of sequestration in stabilizing America's financing. No doubt the draconian hand of across-the-board cuts in every program from food safety to border control to air traffic control would be foolish and destructive.

Let me be clear. The major problem in all of this is here in Congress and our political structure, which creates self-inflicted crises. Sequestration and the postal deficit are just two examples. We know what to do, but you would never know it because we spend most of our efforts around here describing and decrying the problems rather than doing something about them.

Let me repeat. The amount of budget reduction is something that can, in fact, be managed if only we change how America does business. Nowhere have the cries been more anguished than about the impact of sequestration on the Department of Defense, ironically, from many of the same people who insisted on the sequestration gimmick in the first place. As is widely recognized, sequestration over the next 10 years when applied to the Pentagon's budget would only reduce it in inflation-adjusted terms to what it was in 2007 when the most powerful military in the world was engaged in a war in Iraq and the challenge in Afghanistan.

If Members of Congress pay attention to the facts, they will see a clear path to dramatically reduce Pentagon spending without undermining America's position of being the most powerful Nation on the planet.

Nobody has done a better job of highlighting a path forward, an area of opportunity, than Walter Pincus, writing in the pages of *The Washington Post* over the course of the last couple of years as he details the sweep of our nuclear weapons program and the spending trajectory. This morning is his latest offering and should be required reading for every Member of Congress, and the ones who whine the loudest should be forced to read it twice. He details the vast array of nuclear weapons that are ready to be deployed within 30 minutes, a relic of our contending with the former Soviet Union, where deterrence was the order of the day and when we were relying on massive assured mutual destruction of that huge country with overwhelming force.

Now, not even the most delusional think we need a fraction of that firepower for today's threats, like North Korea, and it certainly wouldn't work against a nuclear weapon falling in the arms of some radical extremist. That, by the way, is most likely to happen with Pakistan's proven nuclear capability than Iran's, which is still being developed.

The cost of this overwhelming force, including its three delivery systems, ought to give people pause. Consider the 14 Ohio class submarines, each with 24 ICBMs and each missile armed with five warheads, each three times the explosive power of the bombs dropped on Japan. We've got 118 B-52 strategic bombers and, of course, all of the land-based missiles where people are in the silos, ready to launch at a moment's notice. It is, by any stretch of the imagination, extravagance that borders on lunacy.

The \$80 billion the White House was forced to promise for the upgrades on the nuclear weapons complex and the at least \$100 billion to replace the strategic delivery systems that were extracted in return for votes to pass the START treaty are obvious places to begin retrenchment. There are tens, if not hundreds, of billions of dollars to be saved over the next 10 years by refocusing our defense posture for the threats of today and the likely ones of tomorrow. Let's start cutting this massive Cold War deterrence based on the threat of nuclear weapons we've never been able to use, don't want to use, shouldn't use, and can't afford.

I invite my colleagues, especially those on the other side of the aisle, to join us in getting real and getting specific. There is a clear path forward that should command the support of Republicans and Democrats alike to achieve fiscal stability. Let's rein in outrageous crop insurance abuses. Don't fight health care reform—accelerate it. The work we're doing in Oregon, if applied nationally, could save up to \$1.5 trillion over the next 10 years. Pay for the privilege of taking America's mineral wealth by reforming the Mining Act of 1872, and slash the fossilized nuclear weapons program.

SOBER TRUTH ON PREVENTING UNDERAGE DRINKING ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. ROYBAL-ALLARD) for 5 minutes.

Ms. ROYBAL-ALLARD. Mr. Speaker, last week, I introduced H.R. 498, to reauthorize the Sober Truth on Preventing Underage Drinking Act, better known as the STOP Act.

The original STOP Act passed with bipartisan support in 2006. It was based on the recommendations of the 2003 Institute of Medicine report, which outlined the extent of the underage drink-

ing problem in the United States. At that time, 20 percent of eighth graders, 42 percent of 10th graders, and 58 percent of 12th graders reported being drunk in their lifetimes.

□ 1030

Designed to address this public health crisis, the STOP Act established an interagency committee to coordinate Federal efforts to reduce and ultimately prevent underage drinking.

The law financed public health research on underage drinking, and it authorized a national media campaign to educate parents about the dangers of consuming alcohol before the age of 21.

The STOP Act also provided grants to communities throughout the country to enhance their underage drinking prevention efforts. As a result of this comprehensive approach, we have seen positive results in both national statistics and in communities across America.

According to the 2012 Monitoring the Future survey, the lifetime use of alcohol by 8th-, 10th-, and 12th-graders is at the lowest level in years. Unfortunately, there is more that needs to be done.

Despite the progress we have made, alcohol continues to be the number one drug of choice among youth, and the consequences are devastating.

In addition to costing society over \$62 billion a year, underage drinking by youths 15–20 years of age is a major cause of homicide, suicide, and motor vehicle accidents. And it results in the deaths of approximately 5,000 youths every year. Adding to this tragedy is the fact that all of these consequences are preventable. This makes reauthorization of the STOP Act even more necessary.

H.R. 498 continues the successful programs of the original STOP Act and adds a grant program to train pediatric health care providers on the best practices for screening and treating substance abuse among youth.

Mr. Speaker, the reauthorization of the STOP Act is an important bipartisan effort to help prevent the needless suffering and costs associated with underage drinking. I urge my colleagues to join me and my original cosponsors, Congressman FRANK WOLF and Congresswoman ROSA DELAURIO, by cosponsoring the STOP reauthorization bill, H.R. 498, so we can continue to move forward in our efforts to address this public health crisis affecting our children.

DOING NOTHING IS NOT AN OPTION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington (Mr. KILMER) for 5 minutes.

Mr. KILMER. Mr. Speaker, I rise today with sincere appreciation for the

opportunity I have to represent my region in our Nation's Capital. Throughout the past year, whether it was in Gray's Harbor or Port Angeles, Bremerton, or Tacoma, what I heard from folks around my region is they want solutions to our problems. People want to get back to work. They want to start new businesses. They want to explore new frontiers of science and technology. They want to help build our Nation's bridges and roads. They want to refurbish our schools and buildings. I'm passionate about these issues, and I'm committed to working with my colleagues from both sides of the aisles to find new ways to move this economy forward.

Over the past 6 weeks, I've had the opportunity to meet with constituents to talk about their top concerns. And whether it's back in Washington State, or visits with folks who've traveled 3,000 miles to our Nation's capital, the number one thing that I hear about is the reckless and devastating impact that impending across-the-board cuts would have on our families and on our communities.

I've heard from educators and administrators that they face dramatic cuts that would lead to ballooning class sizes and significant cuts to financial aid.

I've heard from parents who are afraid for their kids who have autism, fearful that their kids won't be able to get the services that they rely on.

I've heard from tribal leaders who say that these cuts will scale back community policing on our reservations and jeopardize patient access to the Indian Health Service.

And as someone who has spent the last decade working in economic development, I've heard from small business owners who say that all of this uncertainty is making them hesitant to hire new workers and expand their production lines. Virtually every meeting that I have had has detailed how reckless and wrong-headed these across-the-board cuts would be.

Yesterday, testifying before the House Armed Services Committee, Deputy Secretary of Defense Ashton Carter pointed out that these cuts aren't happening because we've thought about them strategically. They're not happening because we've identified wasteful spending. They're not happening because we've discovered some new technology that makes it cheaper to keep our Nation safe. They're only happening because they are, as he put it, "the collateral damage of political gridlock."

We've already seen the effects of these looming cuts in Washington State. The Puget Sound Naval Shipyard, the largest employer in my district, had to postpone its career fair because of all of this budget uncertainty. This is a no brainer—we have the work and we have the workers, but they

can't hire because Congress hasn't done its job. Puget Sound Naval Shipyard needs to be able to actively recruit and hire workers. Our local economy needs it, and our national security depends on it. And yet, here we are.

Later today, we will be focusing on legislation that doesn't solve this problem, isn't going to pass the Senate, and isn't going to become law. And after we finish legislative business tomorrow, we're all being sent home for a week. This leaves us with just 4 legislative days for us to act before these across-the-board cuts go into effect.

We were elected to this body to help people. Stopping these damaging, non-strategic, across-the-board cuts to avoid undermining our economy should be our top priority. We should be working day and night until we have a solution. By doing nothing, we risk putting our fragile economy back into a recession. By doing nothing, we refuse the commitments we've made. We're cutting education, kicking kids off Head Start, hurting small businesses, and gutting research and innovation—the foundations of our long-term economic growth.

By doing nothing, we hurt the men and women who spend their days protecting our Nation and providing essential services to the American people. And by doing nothing, Congress is spending the wrong message to the American people.

Mr. Speaker, we need to get America back to work. And, Mr. Speaker, we need to get Congress working again, too. Doing nothing is not an option. Let's put an end to these gimmicks, and let's stop kicking the can down the road. Let's stop these series of self-imposed crises that fissure the trust and predictability that the private sector needs.

Let's work together to reach a balanced compromise to replace the across-the-board cuts with a smart, balanced approach to addressing our fiscal challenges and getting our economy growing again. Let's maintain our commitment to our Nation's most vulnerable and preserve retirement security for our seniors. And let's get America back to work.

PROTECT FUNDAMENTAL RIGHT TO VOTE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) for 5 minutes.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, this month the Supreme Court will hear arguments in *Shelby v. Holder*, a case that challenges the constitutionality of section 5 of the Voting Rights Act. It is imperative that the Voting Rights Act be upheld in its entirety, for without it, a fundamental piece of our democracy will be out of reach for millions in this country.

Mr. Speaker, I stand here after two decades, and I'm supposed to be standing here representing a district that has been altered twice. But, Mr. Speaker, I stand here representing a district that has been altered three times—that many times—in this last two decades. As we saw in the recent election, discrimination on the basis of race is a persistent reality throughout many localities in States protected by section 5 of the Voting Rights Act. Without these protections, voters are at risk of losing their fundamental right to vote and to have that vote counted.

The Voting Rights Act provides a remedy to protect voters, either by addressing actual instances of discrimination or by preventing discrimination from happening in the first place.

□ 1040

Section 5 provides localities the opportunity to prove that they are fully committed to ensuring everyone has the right to vote, and sets out clear criteria for doing so. In this way, section 5 of the Voting Rights Act encourages localities to establish fair voting practices, but demands real proof of the progress.

I cannot tell you how many cases that come to the attention of the Justice Department, almost on a monthly basis, of discrimination in this area. The Constitution is unequivocally clear that the Congress has the authority to protect voters. That is why Congress spent so much time in 2006 reviewing all the data and hearing from all sides.

The 2006 reauthorization was recognition that discrimination still exists but that Congress has a responsibility to ensure that every voter must continue to exercise their right.

If every State would prove to the voters that they are willing not to discriminate, there would not be the need; but that has not happened. Even States not covered have had difficulty of allowing minorities to express themselves.

Now, I have been a victim of discrimination through redistricting and cracking and packing and every other technique that can happen in redistricting. Mr. Speaker, until we, in this country, can guarantee that voters will be handled fairly, there is no way that we should be talking about doing away with section 5 of the Voting Rights Act.

CELEBRATING THE 150TH ANNIVERSARY OF KANSAS STATE UNIVERSITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kansas (Mr. HUELSKAMP) for 5 minutes.

Mr. HUELSKAMP. Mr. Speaker, I rise today to recognize the first land-grant college in America. Founded on February 16, 1863, Kansas State Univer-

sity has faithfully served the people of Kansas and this great Nation for 150 years.

K-State was one of the first schools to offer a degree in home economics. K-State has helped feed a hungry world through innovative wheat, beef, and sorghum research; and Kansas State University is preparing for the next generation of animal research with the construction of the National Bio and Agri-Defense Facility Research Laboratory.

Let me extend my heartfelt congratulations to Kansas State University for the last 150 years as we look forward to many more successes in the next 150 years.

REAUTHORIZATION OF SECTION 5 OF THE VOTING RIGHTS ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, I've always had such great respect for this distinguished body, the holder and interpreter of democracy, the institution that proudly protects the Constitution that was written by those who saw in this land this bright and shining sun from sea to shining sea, enormous opportunity for freedom.

So many people came to this Nation, and they came in many different ways. We don't carry the way we came into the future, as much as the fact that we are grateful of the opportunity that this Nation has given us.

The Nation has been able to turn the tide on embracing democracy in its fullest because of the Constitution and the laws, because we adhere to the three branches of government. So although my ancestors came to this Nation in bondage that lasted for hundreds of years, slavery, that has its remnants continuously as we move throughout society, there are now laws that can ensure, no matter how you came to this country, no matter what language you spoke, you are, in fact, deserving of the protection of the Constitution.

And so out of that protection came the 14th and 15th Amendments. Those amendments provided that no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty or property without due process of law, and not deny any person in the jurisdiction equal protection.

The 15th Amendment provides that the right of citizens to vote shall not be denied or abridged by the United States or any State on account of its race, color, or previous servitude.

And, finally, each amendment allows this Congress to enforce laws; and that was the basis of the authority of the President that came from Texas, President Lyndon Baines Johnson, who

joined with a young, brilliant minister of the gospel, a man who ultimately sacrificed his life, Dr. Martin Luther King, Jr., to engage in debates and discussion that resulted in the 1964 Civil Rights Act and the 1965 Voting Rights Act.

And here we are today with the opportunity for people from all walks of life and all communities to be able to vote and to have, as of September 28, 2011, the upholding of the pre-clearance provision, a very special provision of the Voting Rights Act by a district court, Federal court in the District of Columbia.

Shelby v. The United States now is before the Supreme Court. And my argument, Mr. Speaker, is that this is no time to eliminate pre-clearance. I'm reminded of a letter that I wrote to the U.S. Attorney's Office, Attorney General Eric Holder, just in my city alone, the city of Houston, to report 15 voter abuse cases.

Without the pre-clearance, where would we be?

Or the proposal to eliminate the North Forest Independent School District Board of Trustees over a school district that has worked hard to survive which will be subjected to the pre-clearance to determine whether not only the students will be denied their rights to learn in a school district they love and is fighting for their education, but that elected persons will be denied the right to serve and others denied the right to vote for them.

The Voting Rights Act protects all voters. It gives them all the right to vote—one vote, one person. And Shelby County has raised issue that they should not be subjected to pre-clearance, that they are beyond that. The district court, the Federal court decided, in Washington, D.C., that they were wrong, that pre-clearance is constitutional.

And we know that well because when we had the privilege of reauthorizing section 5 in 2006, building on the leadership of my predecessor, the Honorable Barbara Jordan, who came to the United States Congress only because, along with Andrew Young, the first who came out of the Deep South since Reconstruction, only because America had seen fit to pass the Voting Rights Act of 1965, because I can assure you, with personal stories from the Honorable Barbara Jordan told to us in her lifetime, that she ran and ran and ran and ran and could not be elected in Houston, Texas.

The Barbara Jordan that was admired by many could not be elected until after the passage of the Voting Rights Act because there were abuses and prohibitions and intimidation of African Americans being able to vote.

And so today I believe it is extremely important that, as the Supreme Court takes this case up on February 27, that we stand in the midst of the 15,000

sheets of documentation, when I had the privilege of joining with my Judiciary Committee colleagues to reauthorize the Voting Rights Act and, specifically, section 5, and writing amendments to ensure its sanctity and security for a period of years, that we did not do it frivolously. We did it with authority, Mr. Speaker, and I am asking that America stand against the elimination of the Voting Rights Act. Join us on February 27.

I rise today to speak about the need to protect democracy, to protect the voice of the American people, and to ensure the right to vote continues to be treated as a right under the Constitution rather than being treated as though it is privilege.

If you are a Constitutional Scholar this is an exciting time because the United States Supreme Court has a very active docket this term, deciding on matters which have great import to every American.

And pursuant to that, in less than two weeks the Supreme Court will hear the case of *Shelby County Alabama v. Holder*. The issue in this case is whether Congress' decision in 2006 to reauthorize Section 5 of the Voting Rights Act under the pre-existing coverage formula of Section 4(b) of the Voting Rights Act exceeded its authority under the Fourteenth and Fifteenth Amendments and thus violated the Tenth Amendment and Article IV of the United States Constitution.

The challenge to the constitutionality of Section 5 in this case was brought by Shelby County, Ala., which is a majority white suburb of Birmingham.

In rejecting the County's arguments, Judge Bates agreed with an earlier unanimous decision, by a three-judge panel of the D.C. District Court, which likewise upheld the constitutionality of Section 5, in a case brought by a local Texas utility district, which is my home state.

That earlier decision, however, was vacated in 2009 when the Supreme Court decided that the utility district could pursue a statutory "bailout" from Section 5 coverage.

Unlike the Texas utility district, Shelby County freely admitted that it has a recent history of voting discrimination that disqualified it from "bailing out."

I am joined by my colleagues here today to call on all Americans to reject and denounce tactics and measures that have absolutely no place in our democracy. I call on African-Americans, Hispanic and Latino Americans, as well as Asian-American voters to band together to fight for their right to vote and to work together to understand their voting rights which are granted to citizens of our nation by our laws and our Constitution.

I call on these citizens to stand against harassment and intimidation, to vote in the face of such adversity. The most effective way to curb tactics of intimidation and harassment is to vote. Is to stand together to fight against any measures that would have the effect of preventing every eligible citizen from being able to vote. Voting ensures active participation in democracy.

As a Member of this body, I firmly believe that we must protect the rights of all eligible citizens to vote. Over the past few decades,

minorities in this country have witnessed a pattern of efforts to intimidate and harass minority voters through so-called "Voter Id" requirements. I am sad to report that as we head into the 21st century, these efforts continue.

Never in the history of our nation, has the effect of one person, one vote, been more important. A great Spanish Philosopher, George Santayana once said "Those who cannot learn from history are doomed to repeat it." Our history has taught us that denying the right to vote based on race, gender or class is a stain on the democratic principles that we all value. The Voting Rights Act was a reaction to the actions of our passed and a way to pave the road to a new future.

The Voting Rights Act (VRA) was adopted in 1965 and was extended in 1970, 1975, and 1982. This legislation is considered the most successful piece of civil rights legislation ever adopted by the United States Congress. Contrary to the prevailing rumor that the Act is due to expire, leaving minorities with no rights, the Act is actually due for reauthorization in the 2nd session of the 108th Congress—there is no doubt about whether it will continue to protect our rights in the future.

The VRA codifies and effectuates the 15th Amendment's permanent guarantee that, throughout the nation, no person shall be denied the right to vote on account of race or color. Adopted at a time when African Americans were substantially disfranchised in many Southern states, the Act employed measures to restore the right to vote to citizens of all U.S. states.

By 1965, proponents of disenfranchisement made violent attempts to thwart the efforts of civil rights activists. The murder of voting-rights activists in Philadelphia and Mississippi gained national attention, along with numerous other acts of violence and terrorism.

Finally, the unprovoked attack on March 7, 1965, by state troopers on peaceful marchers crossing the Edmund Pettus Bridge in Selma, Alabama, en route to the state capitol in Montgomery, persuaded the President and Congress to overcome Southern legislators' resistance to effective voting rights legislation. President Johnson issued a call for a strong voting rights law and hearings began soon thereafter on the bill that would become the Voting Rights Act.

Congress adopted this far-reaching statute in response to a rash of instances of interference with attempts by African American citizens to exercise their right to vote—a rash that appears to be manifesting itself again in this nation. Perhaps a legislative measure is needed to respond in a way that the VRA did.

The Supreme Court upheld the constitutionality of the VRA in 1966 in a landmark decision—*South Carolina v. Katzenbach*, 383 U.S. 301, 327–28:

Congress had found that case-by-case litigation was inadequate to combat widespread and persistent discrimination in voting, because of the inordinate amount of time and energy required to overcome the obstructionist tactics invariably encountered in these lawsuits. After enduring nearly a century of systematic resistance to the Fifteenth Amendment, Congress might well decide to shift the advantage of time and inertia from the perpetrators of the evil to its victims.

It seems that the “obstructionist tactics” that threatened the aggrieved parties in Katzenbach have returned. The advantages of “time and inertia” that were shifted from bigoted bureaucrats to minority victims are slowly shifting back against their favor when educators, government leaders, and agencies are allowed to contravene the policy and legal conclusions given by the highest court in the country.

Several factors influenced the initiation of this civil rights legislation. The first was a large shift in the number of African Americans away from the Republican Party. Second, many Democrats felt that it was a mistake of its Southern members to oppose civil rights legislation because they could lose more of the African American and liberal votes.

No right is more fundamental than the right to vote. It is protected by more constitutional amendments—the 1st, 14th, 15th, 19th, 24th and 26th—than any other right we enjoy as Americans. Broad political participation ensures the preservation of all our other rights and freedoms. 3 State laws that impose new restrictions on voting, however, undermine our strong democracy by impeding access to the polls and reducing the number of Americans who vote and whose votes are counted.

VOTER IDENTIFICATION

There have been several restrictive voting bills considered and approved by states in the past several years. The most commonly advanced initiatives are laws that require voters to present photo identification when voting in person. Additionally, states have proposed or passed laws to require proof of citizenship when registering to vote; to eliminate the right to register to vote and to submit a change of address within the same state on Election Day; to shorten the time allowed for early voting; to make it more difficult for third-party organizations to conduct voter registration; and even to eliminate a mandate on poll workers to direct voters who go to the wrong precinct.

These recent changes are on top of the disfranchisement laws in 48 states that deprive an estimated 5.3 million people with criminal convictions—disproportionately African Americans and Latinos—of their political voice.

Voter ID laws are becoming increasingly common across the country. Today, 31 states have laws requiring voters to present some form of identification to vote in federal, state and local elections, although some laws or initiatives passed in 2011 have not yet gone into effect. Some must also be pre-cleared under the Voting Rights Act prior to implementation. In 16 of those 31 States, voters must (or will soon be required to) present a photo ID—that in many states must be government-issued—in order to cast a ballot.

Voter ID laws deny the right to vote to thousands of registered voters who do not have, and, in many instances, cannot obtain the limited identification states accept for voting. Many of these Americans cannot afford to pay for the required documents needed to secure a government issued photo ID. As such, these laws impede access to the polls and are at odds with the fundamental right to vote.

In total, more than 21 million Americans of voting age lack documentation that would satisfy photo ID laws, and a disproportionate number of these Americans are low-income,

racial and ethnic minorities, and elderly. As many as 25% of African Americans of voting age lack government-issued photo ID, compared to only 8% of their white counterparts. Eighteen percent of Americans over the age of 65 do not have government-issued photo ID.

Laws requiring photo identification to vote are a “solution” in search of a problem. There is no credible evidence that in-person impersonation voter fraud—the only type of fraud that photo IDs could prevent—is even a minor problem. Multiple studies have found that almost all cases of alleged in-person impersonation voter “fraud” are actually the result of a voter making an inadvertent mistake about their eligibility to vote, and that even these mistakes are extremely infrequent.

It is important, instead, to focus on both expanding the franchise and ending practices which actually threaten the integrity of the elections, such as improper purges of voters, voter harassment, and distribution of false information about when and where to vote. None of these issues, however, are addressed or can be resolved with a photo ID requirement.

Furthermore, requiring voters to pay for an ID, as well as the background documents necessary to obtain an ID in order to vote, is tantamount to a poll tax. Although some states issue IDs for free, the birth certificates, passports, or other documents required to secure a government-issued ID cost money, and many Americans simply cannot afford to pay for them. In addition, obtaining a government-issued photo ID is not an easy task for all members of the electorate. Low-income individuals who lack the funds to pay for documentation, people with disabilities with limited access to transportation, and elderly.

Americans who never had a birth certificate and cannot obtain alternate proof of their birth in the U.S., are among those who face significant or insurmountable obstacles to getting the photo ID needed to exercise their right to vote. For example, because of Texas’ recently passed voter ID law, an estimated 36,000 people in West Texas’s District 19 are 137 miles from the nearest full service Department of Public Safety office, where those without IDs must travel to preserve their right to vote under the state’s new law.

In addition, women who have changed their names due to marriage or divorce often experience difficulties with identity documentation, as did Andrea, who recently moved from Massachusetts to South Carolina and who, in the span of a month, spent more than 17 hours online and in person trying without success to get a South Carolina driver’s license.

Voter ID laws send not-so-subtle messages about who is and is not encouraged to vote. As states approve laws requiring photo ID to vote, each formulates its own list of acceptable forms of documentation. Another common thread emerging from disparate state approaches is a bias against robust student electoral participation.

Henceforth, students at Wisconsin colleges and universities will not be able to vote using their student ID cards, unless those cards have issuance dates, expiration dates, and signatures.

Currently, only a handful of Wisconsin colleges and universities are issuing compliant

IDs. Nor will South Carolina, Texas, or Tennessee accept student identification at the polls.

Policies that limit students’ electoral participation are particularly suspect, appearing on the heels of unprecedented youth turnout in the 2008 election.

Four states with new voter identification mandates, including my home state of Texas, South Carolina, Mississippi, and Alabama, are required under the Voting Rights Act to have these voting changes pre-cleared by either the Department of Justice (DOJ) or a panel of federal judges. Before they may be implemented, DOJ must certify that these laws do not have the purpose or effect of restricting voting by racial or language minority groups.

Thus far, South Carolina and Texas both have submitted applications to DOJ that have been formally opposed in written submissions. DOJ has requested further information from both states, and the applications are on hold. Alabama’s ID requirements do not take effect until 2014, so the state has not yet applied to DOJ for preclearance. Mississippi’s voter ID requirement was approved by voters on November 8, 2011, so a preclearance request has not yet been submitted.

In countries scattered across this earth, citizens are denied the right to speak their hearts and minds. In this country, only a few decades ago, the right to vote was limited by race, sex, or the financial ability to own land. When a vote is not cast, it is a referendum on all those who fought so hard and tirelessly for our rights. When a vote is cast, it is cast not only for you and the future but also for all those who never had the chance to pull a lever.

We are still working to make Martin Luther King’s dream a reality, a reality in which our government’s decisions are made out in the open not behind cigar filled closed doors.

The time to take back the country is at hand, and we are the ones with the power to do just that. To do so we must allow all citizens who are eligible to vote, with the right to excise this decision without tricks or tactics to dilute their right to vote.

Instances of voter intimidation are not long ago and far away. Just last year I sent a letter to U.S. Attorney General Eric Holder to draw his attention to several disturbing instances of voter intimidation that had taken place in Houston. In a single week there were at least 15 reports of abuse of voter rights throughout the city of Houston.

As a Senior Member of the House Judiciary Committee, I called for an immediate investigation of these instances. Many of these incidents of voter intimidation were occurring in predominately minority neighborhoods and have been directed at African-Americans and Latinos. It is unconscionable to think that anyone would deliberately employ the use of such forceful and intimidating tactics to undermine the fundamental, Constitutional right to vote. However, such conduct has regrettably occurred in Houston, and I urge you to take appropriate action to ensure that it does not recur.

I am here today in the name of freedom, patriotism, and democracy. I am here to demand that the long hard fought right to vote continues to be protected.

A long, bitter, and bloody struggle was fought for the Voting Rights Act of 1965 so

that all Americans could enjoy the right to vote, regardless of race, ethnicity, or national origin. Americans died in that fight so that others could achieve what they had been forcefully deprived of for centuries—the ability to walk freely and without fear into the polling place and cast a voting ballot.

Efforts to keep minorities from fully exercising that franchise, however, continue. Indeed, in the past thirty years, we have witnessed a pattern of efforts to intimidate and harass minority voters including efforts that were deemed “Ballot Security” programs that include the mailing of threatening notices to African-American voters, the carrying of video cameras to monitor polls, the systematic challenging of minority voters at the polls on unlawful grounds, and the hiring of guards and off-duty police officers to intimidate and frighten voters at the polls.

My colleagues on the other side of the aisle have a particularly poor track record when it comes to documented acts of voter intimidation. In 1982, a Federal Court in New Jersey provided a consent order that forbids the Republican National Committee from undertaking any ballot security activities in a polling place or election district where race or ethnic composition is a factor in the decision to conduct such activities and where a purpose or significant effect is to deter qualified voters from voting. These reprehensible practices continue to plague our Nation’s minority voters.

VOTING RIGHTS ACT HISTORY

August 6, 2011, marked the 46th anniversary of the Voting Rights Act.

Most Americans take the right to vote for granted. We assume that we can register and vote if we are over 18 and are citizens. Most of us learned in school that discrimination based on race, creed or national origin has been barred by the Constitution since the end of the Civil War.

Before the 1965 Voting Rights Act, however, the right to vote did not exist in practice for most African Americans. And, until 1975, most American citizens who were not proficient in English faced significant obstacles to voting, because they could not understand the ballot.

Even though the Indian Citizenship Act gave Native Americans the right to vote in 1924, state law determined who could actually vote, which effectively excluded many Native Americans from political participation for decades.

Asian Americans and Asian immigrants also have suffered systematic exclusion from the political process and it has taken a series of reforms, including repeal of the Chinese Exclusion Act in 1943, and passage of amendments strengthening the Voting Rights Act three decades later, to fully extend the franchise to Asian Americans. It was with this history in mind that the Voting Rights Act of 1965 was designed to make the right to vote a reality for all Americans.

And the Voting Rights Act has made giant strides toward that goal. Without exaggeration, it has been one of the most effective civil rights laws passed by Congress.

In 1964, there were only approximately 300 African-Americans in public office, including just three in Congress. Few, if any, black elected officials were elected anywhere in the South. Today there are more than 9,100 black elected officials, including 43 members of

Congress, the largest number ever. The act has opened the political process for many of the approximately 61,000 Latino public officials that have been elected and appointed nationwide, including 263 at the state or federal level, 27 of whom serve in Congress. And Native Americans, Asians and others who have historically encountered harsh barriers to full political participation also have benefited greatly.

We must not forget the importance of protecting this hard earned right.

VOTER ID

An election with integrity is one that is open to every eligible voter. Restrictive voter ID requirements degrade the integrity of our elections by systematically excluding large numbers of eligible Americans.

I do not argue with the notion that we must prevent individuals from voting who are not allowed to vote. Yet a hidden argument in this bill is that immigrants may “infiltrate” our voting system. Legal immigrants who have successfully navigated the citizenship maze are unlikely to draw the attention of the authorities by attempting to register incorrectly. Similarly, undocumented immigrants are even less likely to risk deportation just to influence an election.

If for no other reason than after a major disaster be it earth quakes, fires, floods or hurricanes, we must all understand how vulnerable our system is. Families fleeing the hurricanes and fires suffered loss of property that included lost documents. Compounding this was the devastation of the region, which virtually shut down civil services in the area. For example, New Orleans residents after Hurricane Katrina were scattered across 44 states. These uprooted citizens had difficulty registering and voting both with absentee ballots and at satellite voting stations. As a result, those elections took place fully 8 months after the disaster, and it required the efforts of nonprofits, such as the NAACP, to ensure that voters had the access they are constitutionally guaranteed.

We need to address the election fraud that we know occurring, such as voting machine integrity and poll volunteer training and competence. After every election that occurs in this country, we have solid documented evidence of voting inconsistencies and errors. In 2004, in New Mexico, malfunctioning machines mysteriously failed to properly register a presidential vote on more than 20,000 ballots. 1 million ballots nationwide were flawed by faulty voting equipment—roughly one for every 100 cast.

Those who face the most significant barriers are not only the poor, minorities, and rural populations. 1.5 million college students, whose addresses change often, and the elderly, will also have difficulty providing documentation.

In fact, newly married individuals face significant barriers to completing a change in surname. For instance, it can take 6–8 weeks to receive the marriage certificate in the mail, another two weeks (and a full day waiting in line) to get the new Social Security card, and finally three-four weeks to get the new driver’s license. There is a significant possibility that this bill will also prohibit newlyweds from voting if they are married within three months of Election Day.

The right to vote is a critical and sacred constitutionally protected civil right. To challenge this is to erode our democracy, challenge justice, and mock our moral standing. I urge my colleagues to join me in dismissing this crippling legislation, and pursue effective solutions to the real problems of election fraud and error. We cannot let the rhetoric of an election year destroy a fundamental right upon which we have established liberty and freedom.

□ 1050

TIME TO GET TO WORK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. GARCIA) for 5 minutes.

Mr. GARCIA. Mr. Speaker, this afternoon a group of 20 freshman Members of Congress will gather to announce that we are putting aside our partisan differences to do the right thing for the American people. For Democrats, this means that 10 of us are willing to compromise on spending so long as we keep our promise to seniors that they can retire with dignity and have access to affordable, quality health care. My Republican colleagues have said that they are willing to compromise on revenues so long as Democrats meet them halfway.

Like most Americans, to those of us who are new to Washington, “compromise” isn’t a dirty word. It’s what regular, ordinary people do in their daily lives. The American people get it. If you have a problem that arises in your office, you and your coworkers may disagree on how to address it, but your company does not wait until it gets to the last minute to solve it. You simply meet with your colleagues, put differences aside, and find solutions. Not everyone will get what they want, but we move forward. And this is precisely what the American people have sent us to Washington to do. They have sent us here to solve problems on their behalf and not argue all the time.

Mr. Speaker, the challenges before us are serious, and they deserve serious proposals. While our economy is growing, we still have many families that are looking for work or waiting for our economy to grow more quickly. Many parents are working two and three jobs and yet cannot find a way to save money for retirement or send their kids to school. I see this all the time in my community in places like Kendall, Westchester, and Islamorada.

This status quo is unacceptable to me, just as I know it is unacceptable to my Republican colleagues. Yet it seems that when we gather in this Chamber, rather than finding common-sense solutions to our problems, we engage in ideological debates that are designed for political posturing that lead us to nowhere.

At a minimum, if we can’t agree on every issue, we should be working hard

to solve problems. The American people may not know this, but the fact is that of the 31 days that we met here last month, Members of Congress only gathered six times. And in those 6 days, the only bill of any real significance was the Hurricane Sandy relief—a bill that should have been approved last year. Maybe this is the way Washington works; but in the rest of America, if you show up to your job less than 20 percent of the time—that's about 1 day a week—you probably won't have a job for too long. And yet some of my colleagues find this acceptable. Well, I don't. And I know the American people won't find this acceptable either.

So I respectfully invite each of my colleagues, Republican and Democrats alike, and even those of you who have been in Washington for a while, to join us for this moment of bipartisanship and work together on behalf of our fellow citizens. Let's remember that it is a privilege to serve the American people. It's time to get to work.

UPHOLDING SECTION 5 OF THE VOTING RIGHTS ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. VEASEY) for 5 minutes.

Mr. VEASEY. As oral arguments are being prepared for the February 27 U.S. Supreme Court hearing in the case of *Shelby County v. Holder*, which challenges the constitutionality of section 5 of the Voting Rights Act, I stand here today in strong support of upholding section 5 as evidence of its current critical necessity. In my home State of Texas, the need for section 5 of the Voting Rights Act is playing out in a very dramatic fashion.

I'm a plaintiff in the ongoing litigation involving the 2011 Texas redistricting case, *Quesada v. The State of Texas*. I can personally attest and flatly state that overt and deliberate racial discrimination is still used by leaders in Texas today. I wish that statement were untrue or out of date. It would be wonderful to say that we have progressed past the need for protection under section 5 of the Voting Rights Act. Sadly, this is not the case. Section 5 protects minorities from racial discriminatory voter ID laws, voter suppression tactics, and discriminatory redistricting plans. These protections are needed now as much as ever.

In 2011, just 2 years ago, a map was drawn by the Texas Legislature that didn't merely affect the politics of our State. Overt racial discriminatory tactics were used to isolate and suppress hundreds of thousands of minorities for the purpose of political gain by current partisan leaders of my State. Latino and African American citizens in the State of Texas suffered the most aggressive and deliberate discriminatory

blows to our constitutional rights to fairly participate in elections.

Cold and heartless tactics were used that should be simply relics of the past—relics like “packing” millions of minority voters together into as few districts as people to dilute the impact of their vote by “cracking” the remaining voters to ensure that their vote has no impact at all. Minorities were packed precinct by precinct and block by block in order to contain the impact of their growing population. And yet here we are today, fighting to uphold section 5.

The right to vote and the right for one's voice to be heard through elected representation is a legally enacted and constitutional right that many have bled and died for. Yet we are still fighting for this very right. Some say its time to move on. But, my dear friends, we must never move on while these rights are not just at risk but under attack. And when I detail the discrimination contained within the redistricting process, no one should think I'm acting as a partisan Democrat. The three-judge panel in Federal court that heard the evidence, questioned the witnesses, and delivered the opinion of the Texas redistricting case consisted of two judges appointed by Republican Presidents and one judge appointed by a Democratic President. Their finding of intentional discrimination was unanimous. They could not have made their views any clearer, stating:

The parties have provided more evidence of discriminatory intent than we have space or need to address here.

This was not a case heard 30 years ago, or even 10 or 5 years ago. The decision was released just last August, barely 6 months ago.

Lastly, those who tell you that there is no recourse for States that no longer discriminate are, at best, dangerously mistaken. The Voting Rights Act contains provisions for States that have over the years exhibited that they are no longer in need of pre-clearance. States can submit evidence to the Department of Justice or the D.C. District Court that they are no longer using racial discriminatory redistricting tactics and apply for a way out of section 5. As a matter of fact, since 2009, more States than ever before in the history of the Voting Rights Act have been granted the right out.

So why are we challenging the constitutionality of a law that is protecting its citizens from racial discrimination when there is, in fact, recourse? I will tell you the sad truth is because, unfortunately, in States like Texas, where the minority population is growing very rapidly and their voting strength is increasing, rather than work to earn the vote of minority citizens, State leaders would rather suppress voters through racially discriminatory tactics.

My friends, our country is better than this. We are better than this.

That's why we are here today in support of upholding section 5 of the Voting Rights Act.

□ 1100

EXPANSION OF FEDERAL GOVERNMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of Tennessee. Mr. Speaker, one thing that President Obama mentioned in his State of the Union speech the other night, which I hope he follows up on, is his effort to stop the cost of college tuition and fees from going up at such a rapid rate.

I spoke to a class at the University of Tennessee last week—and I've done that many times—and whenever I speak to classes, it shocks the students when I tell them that in my first year at the University of Tennessee it cost \$90 per quarter in our tuition. In other words, I went to school for \$270. It went up to \$105, and then \$120, and then \$135 a quarter my senior year, so it went up \$405. But this was shortly after the Federal student loan program had come in.

Until that program came in, college tuition and fees went up at just the rate of inflation. It went up very slowly—in fact, sometimes less than inflation. But now, and ever since that program has come in, tuition and fees have gone up at three or four or five times the rate of inflation, so that today colleges and universities cost 300, 400, and 500 percent higher than they would have if we had just left things alone. Anything the Federal Government subsidizes, the costs just explode.

When I went to the University of Tennessee—my senior year in high school I had been a bag boy at the A&P making \$1.10 an hour—I got a big raise. As a freshman at the university, I became a salesman at Sears and worked there my first 2 years, and I made \$1.25 an hour.

Almost everybody who needed to could work part-time and pay all of their expenses and fees in college. Nobody had to borrow money to go to colleges or universities; nobody got out of school with a debt. Then the Federal Government decided to help. And now, what it has resulted in is almost everybody has to borrow money to pay their tuition and fees, and almost everybody gets out of school with some kind of huge debt.

We've seen the same thing happen in medical care. The Federal Government decided to help out. Before the Federal Government got involved in medical care, medical care was cheap and affordable to almost everybody. Doctors even made house calls. We took what was a very minor problem for a very few people and now we've turned it into

a massive, major problem for everyone. That seems to be the history of the Federal Government.

I just came from a hearing in the Oversight and the Government Reform Committee, and I will return to that shortly. But in the GAO report on the New York Medicaid program—which is the largest in the country—it tells about a daily payment method resulting in a \$5,000 daily rate for institutional residents in the State of New York—\$5,000 daily payments. The New York program is paying over twice as much as the average around the country.

We sometimes hear that Medicare and Medicaid can't be cut. We certainly don't want to hurt any lower-income people, but there are some people and companies getting ridiculously, fabulously wealthy off of Medicare and Medicaid. And almost every government program ends up being some sort of a sweetheart, insider-type deal, giving contracts to companies who hire former Federal employees. It's just scandalous what is going on in this country and it's really hurting this Nation badly—and especially hurting the middle income people that the President says he's so eager to help, but who he will be hurting worse than ever if he keeps expanding the Federal Government at the rate that he wants to.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 3 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. MILLER of Michigan) at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving God, we give You thanks for giving us another day.

As we meditate on all the blessings of life, we especially pray for the blessing of peace in our lives and in our world. Our fervent prayer, O God, is that people will learn to live together in reconciliation and respect, so that the terrors of war and of dictatorial abuse will be no more.

As You have created each person, we pray that You guide our hearts and minds that every person of every place and background might focus on Your great gift of life and so learn to live in unity.

May Your special blessings be upon the Members of this assembly in the

important, sometimes difficult, work they do. Give them wisdom and charity, that they might work together for the common good.

May all that is done this day in the people's House be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Colorado (Mr. GARDNER) come forward and lead the House in the Pledge of Allegiance.

Mr. GARDNER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

KYLE CARPENTER, AN AMERICAN HERO

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, in February of 2009, Corporal Kyle Carpenter, a constituent and resident of Lexington, South Carolina, enlisted in the United States Marine Corps and went on to complete recruit training at the Marine Corps Recruit Depot at Parris Island, South Carolina. A little over a year later, Corporal Carpenter was deployed to Marjah, Afghanistan, with his unit to carry out his service and protect our families in Operation Enduring Freedom.

On November 21, 2010, Corporal Carpenter suffered devastating injuries when an enemy hand grenade exploded while he was on post. Because of his heroic actions, Corporal Carpenter potentially saved the lives of countless others and has been decorated with a Purple Heart and awarded the Combat Action Ribbon.

I have had the privilege of visiting with Kyle, his mother, Robin, and his father, Jim. Throughout his recovery with the dedicated staff at Walter Reed in Bethesda, Kyle has served as a testa-

ment to hard work and valor. Today, Kyle is an intern serving with Chairman JEFF MILLER of the Veterans' Affairs Committee.

I have no doubt that because of Corporal Carpenter's service, American families are more secure. I want to thank Kyle and the Carpenter family for your dedication to our Nation.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

LET'S ACT NOW TO GET RID OF SEQUESTRATION

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Madam Speaker, when I first came to Congress, I didn't vote for that bill that created the threat of sequestration. I thought it was a bad idea then, and I think it's a bad idea now. Automatic triggers that institute automatic cuts across the board in spending in this country are a bad idea. This manmade crisis is now threatening both our Nation's economy and our national security.

Here are just a couple of ways that that would happen. Ten percent of the FAA's workforce of 40,000 would be furloughed on any given day, resulting in reduced air traffic controllers, longer delays, and economic losses for air transportation and tourism. Fewer air traffic controllers means fewer flights, which means less tourism, and that means fewer jobs in hotels and restaurants—a ripple effect that could cripple our economy.

The Coast Guard would be cut by nearly 25 percent, jeopardizing maritime and navigation safety, the safe flow of commerce along U.S. waterways, and drastically reduce our ability to fight drug trafficking.

The clock is ticking once again. We cannot take our economy and our safety backwards at a time when the American people have worked to build it up.

Let's act now to get rid of this terrible sequestration.

INJUSTICE TO THE VILLAGE OF KING COVE, ALASKA

(Mr. YOUNG of Alaska was given permission to address the House for 1 minute.)

Mr. YOUNG of Alaska. Madam Speaker, this is an injustice what the Secretary of the Interior and the Fish and Wildlife has done to a village called King Cove in Alaska. We had hearings, we had the lands transfer, we had everything going to work so these people could be safe—be safe to go to hospitals, be safe to fly out when the weather was bad. It was an agreement between the State, the Congress, and the village of King Cove. And along comes the Fish and Wildlife and denies

them the trade that has to be necessary for this transportation corridor.

I'm urging my Senators to put a hold on the new Secretary of the Interior so she's not confirmed until this Secretary can, in fact, sign the law that will allow them to have safety once and for all. This process has been going on for more than 20 years. We finally got to a solution that's being stopped by this administration, the lack of knowledge about human life, who would rather protect something that does not exist.

This refuge has over 300 miles of road in it, but these people are being denied and need the safety. I'm asking Secretary Salazar, in fact, to take and do his job: overturn the Fish and Wildlife's recommendation, allow my people to be safe, and make sure they can continue to live their lives without the threat of the weather when it can be solved by an act of the Secretary.

COMMEMORATING THE 2-YEAR ANNIVERSARY OF UPRISING IN BAHRAIN

(Mr. MCGOVERN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCGOVERN. Madam Speaker, 2 years ago today the people of Bahrain took to the streets in peaceful protest. They called for democratic freedoms and an end to human rights abuses. The Government of Bahrain responded with violence. It attacked protesters, killing more than 30, and imprisoned and tortured thousands of others. Even doctors who treated protesters were arrested, tortured, and prosecuted.

Two years later, the situation has not improved. In fact, it may be getting worse. More protesters have died, hundreds of political prisoners remain in jail, and authorities responsible for the use of torture remain free.

Despite an active public relations campaign, the Government of Bahrain is not—and I repeat, is not—making a good-faith effort to meet the legitimate demands of its people.

The Obama administration needs to change course with Bahrain and begin implementing a policy that holds Bahrain accountable and promotes democratic freedoms so that we are not here again saying these same things on the third anniversary of the protests.

□ 1210

THE SEQUESTER

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Sequester. Well, that's inside-the-Beltway jargon. It means stupid, indiscriminate, across-the-board budget cuts. Cut things that are valuable—Coast Guard Rescue—and cut

things that are obsolete and unneeded—registration for a draft that doesn't exist—the same percent.

Now, the Republicans are pointing fingers, but I think the finger's going to get pointed right back at them. They're calling it the "Obamaquester"? Come on now, you've got to be kidding.

Don't they remember their tax pledge to Grover Norquist that has ever forever bound them to starving the Federal Government of revenue? Now look where that got us, when they threatened to default on the debt. It got us the sequester. They refused to compromise and forced us into another self-made arbitrary crisis.

No, it's not an "Obamaquester"; it's a "GroverNorquester."

ATTACK ON CAMP LIBERTY

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Madam Speaker, as the sun was rising in the Iraqi desert, three dozen mortars rained down on Camp Liberty. Camp Liberty is where innocent Iranian exiles, including women and children, live. This unprovoked attack left six people dead and dozens wounded.

Now, who was responsible? Was it the Iraqis, the Iranians? Looks to me like both governments should be held accountable. These dissidents stand for an Iran free of the extreme mullahs and the tyrant Ahmadinejad.

Over 3,000 unarmed freedom fighters currently live at Camp Liberty and remain in imminent danger. The Iraqi Government has proven on more than one occasion it is unwilling to protect Iranian dissidents in Iraq.

The United Nations has the responsibility to ensure these people are moved to safer locations and even other countries. Not one more life should be stolen by those who protect the oppressive Iranian regime and the little fellow from the desert, Ahmadinejad.

And that's just the way it is.

RACE TO THE TOP GRANT ANNOUNCEMENT FOR UNION CITY SCHOOLS

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. I rise today to congratulate the New Haven Unified School District in Union City in the 15th Congressional District for being named one of 16 nationwide winners in the U.S. Department of Education's Race to the Top grant program. The district will receive over \$29 million in funding, which will provide training and equipment to support the outstanding students, teachers, and staff of New Haven Unified.

This is a tremendous achievement, and I am proud of the school's superintendent, Kari McVeigh, and school board members Linda Canlas, Jonas Dino, Michael Ritchie, Sarabjit Cheema, and Michelle Matthews, who had the good sense and worked hard to apply for this competitive grant. I know the 13,000 students from New Haven Unified will benefit from the technology and educational improvements in their schools.

In Union City, this critical funding will help to expand after-school programs, student support, and access to health care for the most vulnerable students, and will provide teachers with the training and techniques needed to improve our classrooms.

I am proud to represent New Haven Unified, Union City, students, educators, and administrators, and look forward to hearing of their many successes.

IT'S TIME TO GET THIS ECONOMY MOVING AGAIN

(Mr. STUTZMAN asked and was given permission to address the House for 1 minute.)

Mr. STUTZMAN. Madam Speaker, this week, President Obama outlined his vision for America: job-killing tax hikes, a job-killing national energy tax, job-killing wage controls, and job-killing stimulus spending.

Equally telling were the items that the President did not mention. He offered no plan to pay off our \$16 trillion of debt, no plan to replace the sequester cuts to national defense that he proposed, no plan to save our broken social safety nets, and no plan to restore the confidence of Americans in the real economy.

President Obama believes that every problem can be solved with big government and another tax hike. President Clinton once declared that the era of big government is over. Not this President. President Obama believes more government is the solution to all of our problems.

It's time to get this economy moving again, and my colleagues in the House are ready to work toward real solutions that encourage job growth, empower individuals, and break Washington's spending habits.

SEQUESTRATION

(Mr. SIRES asked and was given permission to address the House for 1 minute.)

Mr. SIRES. Madam Speaker, if we face yet another fiscal cliff in 2 weeks, it is imperative that this Chamber produces a real solution to ward off a financial disaster that could deeply impact the American people.

The idea behind sequestration was to create a worst-case scenario that was so severe that it would force both sides

to work together and find a balanced approach to passing a realistic budget reducing our deficits.

Instead of setting the stage for yet another battle to be resolved in the 11th hour, we should be focused on creating jobs and growing our economy. If sequestration goes forward, programs and services that millions of Americans rely on, like Head Start, supplemental nutrition programs like the WIC program, and even FEMA, would be decimated by drastic cuts in our funding.

Additionally, sequestration would slash critical support to police who keep our streets safe, our air traffic controllers who manage our skies, and food inspectors who ensure the food that we eat is safe.

Instead of jeopardizing critical services to our citizens, we need to begin to work on an approach that will avoid sequestration while sensibly reducing our deficit.

HONORING THE LIFE OF DR. BEN CLAYBURGH

(Mr. CRAMER asked and was given permission to address the House for 1 minute.)

Mr. CRAMER. Madam Speaker, I rise today to pay tribute to the legacy of a treasured North Dakotan who touched the lives of his wonderful family and all who knew him. Dr. Ben Clayburgh left this world for a better place on January 21, my birthday.

Ben earned many titles during his life. He was a surgeon, a U.S. Army private, a professor, and a passionate political leader. But above all, he was a healer and a diplomat who inspired those around him.

Grand Forks, North Dakota, will always remember Ben Clayburgh. After serving his country in the U.S. Army as a flight surgeon, he established himself in Grand Forks as a trusted man in medicine and politics, two of his greatest passions.

He served as North Dakota's Republican National Committeeman for 12 years and, in 2004, was honored in becoming the Presidential elector for George W. Bush. His picture hangs in the Hall of Fame at the Ronald Reagan Center in Bismarck, and the memory of his tremendous character will always be in the hearts of those who knew and loved him.

May God bless Ben's memory, his wife, Bev, and the Clayburgh family, his greatest legacy.

HONORING THE SERVICE OF DONALD E. DEVANEY

(Ms. HANABUSA asked and was given permission to address the House for 1 minute.)

Ms. HANABUSA. Madam Speaker, today I wish to honor Mr. Donald E. Devaney, Retired, the first civilian pro-

vost marshal to be appointed by the United States Army. In March 1984 he assumed the position at Tripler Army Medical Center in Hawaii.

During a nearly 30-year assignment at Tripler Army Medical Center, he established a provost marshal office and police department that gained great notoriety by many elements of the United States Government and the local community during a time of uncertainty and many wartime missions. Through Mr. Devaney's leadership, the Tripler Provost Marshal Office has been recognized as a leading law enforcement and security department.

Mr. Devaney's service as a Federal employee is built upon a 30-year career in the Army. In 1953, at the age of 17, he enlisted in the Rhode Island National Guard during the Korean conflict to join his peers in doing his part to serve America. A year later, he switched to Active Duty and was sent to locations in Japan as a military policeman.

As cochair of the U.S. Army Hawaii Retiree Council for more than three decades, he has provided invaluable service to our retiree families and, as a result, facilitated an understanding by them of the ever-improving and changing medical delivery systems we employ.

Madam Speaker, I ask you to join me as we offer our gratitude today to a man that has dedicated his life to service to our country.

DÉJÀ VU ALL OVER AGAIN

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Madam Speaker, it's déjà vu all over again. Here we are just 2 weeks—5 legislative days—away from sequestration, and yet the House is about to leave town for a 9-day recess. That's unacceptable. We should be working every day to avoid this sequester and to avert it.

My colleagues on the other side of the aisle seem determined to make sequestration a reality. Democrats stand ready to work in a bipartisan manner to avoid this.

Yesterday I met with Federal employees and college leaders from Michigan who are deeply concerned about how the cuts will affect middle class families, students, and senior citizens. Here's sequestration by the numbers:

- 750,000 jobs eliminated by October;
- 20 percent reduction in the Pentagon's operating budget;
- 70,000 children kicked out of Head Start;
- 21,000 fewer food and drug inspections;
- 4 million fewer meals served through the senior nutrition programs.

We need to find a balanced and responsible approach to reduce our deficit, for sure, but not let irrational,

across-the-board cuts take effect. Doing so will devastate this economic recovery.

□ 1220

INVEST IN AMERICA AND GROW OUR ECONOMY

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHEN. I join in concern about our budget. Advancements to health would be cut in a major way. When I was a child, I had polio, and it has effects on people who have polio in later years. But because of the Federal Government's investment in research like the Salk vaccine and the Sabin vaccine, it has saved many families and children from that devastating disease. And around the world it's been successful, too. There are other diseases like heart disease, Alzheimer's, and cancer that the National Institutes of Health is primarily responsible for the research.

I'm worried about health and also jobs, and a major driver of jobs is research and development, education, and infrastructure spending by the Federal Government. Most of our great advances, whether it's railroads or the Internet or health care, have come through Federal Government partnerships with the private sector. We need to continue those to create a middle class—consumers that can grow our economy out of these problems. It's not just President Obama who says it. It's also who I call the three wise men: Krugman, Stiglitz, and Robert Reich.

Austerity hasn't worked. We need to invest in America and grow our economy.

LET'S DO THE JOB THE AMERICAN PEOPLE SENT US HERE TO DO

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Madam Speaker, more and more, the voices are being raised about the devastating impact of a sequester, a self-inflicted wound of this Congress because we could not come together as the American people have directed us to do. The security of the United States will be in jeopardy if we have the sequester. Men and women who stand on the front lines in protecting this Nation will be in jeopardy. All of those who depend upon Head Start funding, early education funding, title I funds and housing funds, and opportunities for young people to go to college will be in jeopardy.

And so I think it is unfortunate that we are discussing and debating on the floor today H.R. 273, to eliminate the 2013 statutory pay adjustment for federal employees. All of those people who

put themselves on the line for us and have already had a pay freeze; all we're talking about is 0.5 percent. None of that will bring down the debt or help the deficit. We're just making noise. What we should be doing is focusing on coming together around a growth and innovation budget and bringing the deficit down. What we should be doing is honoring the Sandy Hook and other victims and passing real gun violence prevention like universal background checks and storing guns.

Madam Speaker, let us do the job the American people sent us to do.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 1:30 p.m. today.

Accordingly (at 12 o'clock and 22 minutes p.m.), the House stood in recess.

□ 1330

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. MILLER of Michigan) at 1 o'clock and 30 minutes p.m.

PROVIDING FOR CONSIDERATION OF H.R. 273, ELIMINATION OF 2013 PAY ADJUSTMENT, AND FOR OTHER PURPOSES

Mr. WOODALL. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 66 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 66

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 273) to eliminate the 2013 statutory pay adjustment for Federal employees. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform; and (2) one motion to recommit.

SEC. 2. During any recess or adjournment of not more than three days, if in the opinion of the Speaker the public interest so warrants, then the Speaker or his designee, after consultation with the Minority Leader, may reconvene the House at a time other than that previously appointed, within the limits of clause 4, section 5, article I of the Constitution, and notify Members accordingly.

SEC. 3. It shall be in order at any time through the legislative day of February 15, 2013, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1 of rule XV, relating to a measure condemning the government of North

Korea and its February 12, 2013 test of a nuclear device.

SEC. 4. On any legislative day during the period from February 16, 2013, through February 22, 2013—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 5. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 4 of this resolution as though under clause 8(a) of rule I.

POINT OF ORDER

Mr. POLIS. Madam Speaker, I raise a point of order against H. Res. 66 because the resolution violates section 426(a) of the Congressional Budget Act. The resolution, waiving all points of order, waives section 425 of the Congressional Budget Act, therefore causing a violation of section 426(a).

The SPEAKER pro tempore. The gentleman from Colorado makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentleman has met the threshold burden under the rule and the gentleman from Colorado and a Member opposed each will control 10 minutes of debate on the question of consideration. Following debate, the Chair will put the question of consideration as the statutory means of disposing of the point of order.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Madam Speaker, I raise this point of order not necessarily out of concern for unfunded mandates, although there are likely some in the underlying bill H.R. 273, but rather as well to demonstrate that in many ways this bill and this process has been a travesty of the civics lesson that Americans learned in school.

I would like to make, Madam Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman shall state it.

Mr. POLIS. What is the process that a Member can use to demand a division of the question on a bill?

The SPEAKER pro tempore. If a matter is divisible, any Member may demand that the matter be divided.

Mr. POLIS. Further parliamentary inquiry.

Does the rule being considered today prohibit a Member from demanding a division of the question?

The SPEAKER pro tempore. The Chair will not interpret the content of the pending measure.

Mr. POLIS. Having heard from the Chair that a motion can be made by any Member to divide the question, I would like to ask unanimous consent to demand a division of the question on today's bill before us.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

Mr. WOODALL. Madam Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

Mr. POLIS. I thank the Speaker, and I understand that it sounds like sitting here in the Chamber one Member objected to a division of the question. I would like to point out that over 400 Members did not object to the division of the question.

I will not ask for a recorded vote on this, although I think it's clear that my side would win over 400-some to 1, perhaps. I did not hear any additional objections from anybody in the Chamber.

Mr. WOODALL. Will the gentleman yield?

Mr. POLIS. Madam Speaker, a point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman shall state it.

Mr. POLIS. Is the time under my control yieldable?

The SPEAKER pro tempore. The gentleman controls his time and may yield.

Mr. POLIS. Thank you, Madam Speaker. If we have additional time later, I will yield to the gentleman from Georgia.

Again, there was one objection, one objection in this entire body, to what I believe would be the overwhelming will of this body, which is to simply divide this question, because there are fundamentally two issues before us.

This bill, H.R. 273, introduced 3 weeks ago, was not seen or heard in any committee of jurisdiction of the House, rushed through the Rules Committee under a closed rule to the floor of the House, and yet despite the fact that this bill failed to undergo any appropriate committee of jurisdiction review process, here it is in the House with limited debate at a time when we are edging closer and closer to the spending cliff that our country faces in 2 weeks, which this bill does nothing about.

I know that many of us in this body, myself included, have been tireless advocates for supporting efforts to lower our deficit and balance our budget through a balanced approach. But as Republicans on the Rules Committee acknowledged last night, including Congressman BISHOP, this particular bill would do nothing to solve our Federal debt, as it does not even change the spending caps agreed to in the Budget Control Act. What it does instead is include two completely unrelated measures.

When you consider that the House Republicans have here coupled a Federal employee pay freeze with a freeze on Members of Congress' salary, it leaves the suspicion that is being speculated on by many outside this Chamber that this might, this just might be being done for political purposes and posturing. And one wonders why this

institution is held in such low esteem by so many members of the public. It is precisely this kind of political trick.

Let there be no disagreement: This body, since I've joined this body, has never given Members of Congress a pay raise. It simply hasn't. This has largely been an uncontroversial measure. When times are tough economically, Members of Congress should absolutely be the first in line to say, Look, we're not going to take a pay increase. And, in fact, Members of Congress have already foregone their pay increase through October of this year.

So let that come up through the appropriations process, as it is traditionally done. I'm confident this body will act with regard to Member pay. But let us not tie it up with this issue of whether all Federal employees at all different wage levels should have any raise at all this year or not.

Now, an amendment was brought forth yesterday by Congressman BERA of California and Congressman CONNOLLY of Virginia, that divided the bill, just as we tried to do today. And by overwhelming majority, 400 some to 1, we did not do, because it was unanimous consent that was required. Unfortunately, the idea was shut down by the Rules Committee.

I would like to yield 2½ minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Madam Speaker, I appreciate the comments we've just heard. The bill before us today is just the latest partisan jab at Federal employees who are on the front lines protecting and serving our constituents every day.

□ 1340

I remind my colleagues that more than 85 percent of Federal employees do not work here in the D.C. region. They live and work in your districts. They are the law enforcement agents, park rangers, researchers, and health inspectors who make our communities safer. These are middle class families struggling to make ends meet just like everybody else, yet House Republicans have routinely used them as a punching bag, chipping away at their pay and their benefits. So far, the tab is \$103 billion and counting. It is time to say, "Enough."

I was pleased to join with Congressman BERA and 10 of our colleagues in cosponsoring the amendment Mr. POLIS referred to this partisan bill that at least would have separated the questions of freezing our pay from that of Federal employees. In fact, three such amendments were submitted, but each was rejected by the Republicans in the Rules Committee, underscoring that this really is nothing more than another political potshot at Federal employees and using us as the subterfuge.

If anyone's salary should be frozen as a result of our Nation's fiscal paralysis,

it's ours; it's Members of Congress. That's why I introduced an alternative bill, H.R. 636, with Ranking Member CUMMINGS from the Oversight Committee, to freeze Member salaries for the duration of this Congress. Of course, my Republican colleagues fail to acknowledge that we already voted to freeze Member salaries through September of this year, as Mr. POLIS indicated, so there is no real sense of urgency here.

Why aren't we spending this time working on a bipartisan solution to avert the devastating consequences of sequestration 2 weeks from now? The \$85 billion in across-the-board cuts in defense and domestic spending for the rest of this fiscal year would slam the brakes on this economy and throw us potentially back into recession.

GDP performance in the fourth quarter shows that. It declined by one-tenth of 1 percent, largely because of shrinkage in public sector investments. That was led by a 22 percent drop in defense spending, the largest since the end of the Vietnam War. My colleagues on the other side of the aisle have shown almost no interest in addressing this threat, despite the pleadings of the Secretary of Defense.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. I yield 15 seconds to the gentleman from Virginia.

Mr. CONNOLLY. An amendment by our colleague, Mr. VAN HOLLEN from the Budget Committee, to replace sequestration was also rebuffed by the Rules Committee just last night on a partisan vote.

To make matters worse, the House is about to go into recess again tomorrow. In fact, we spent 15 of the 19 weeks from July through the lame duck in recess.

Let's do something productive for the United States economy.

Mr. POLIS. Madam Speaker, I would like to make an inquiry as to how much time remains.

The SPEAKER pro tempore. The gentleman from Colorado has ¾ minutes remaining, and 10 minutes may be claimed by an opponent.

Mr. POLIS. I would like to yield 1½ minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. I thank my good friend from Colorado.

In 1729, an Irish satirist by the name of Jonathan Swift proposed a novel solution to child hunger and general poverty in Ireland. He recommended that Ireland's poor pull themselves up by their own bootstraps by selling their children as food to the rich. That would nourish the rich, earn the poor parents some much-needed cash, and solve the child hunger problem all at once. Some people took him seriously. Most realized the point that he was trying to make.

Today, the House majority has a somewhat similar kind of modest pro-

posal, without Mr. Swift's sense of humor or irony. To ensure that our elderly are cared for, let's cut the pay of those responsible for their health. To make sure our food and drugs are safe, let's diminish the benefits of those whose job it is to screen for safety and unintended effects. To find a cure for cancer, let's punish the researcher who works daily to save millions of Americans from that disease. To care for our wounded veterans who are sent by this body to fight in foreign lands, let's make their caretakers find a second job.

Madam Speaker, my colleagues on the other side of the aisle may justify their vote today by boasting of freezing their own pay, but that was already accomplished in the fiscal cliff legislation. The bill before us today will freeze, for the third year in a row, every Federal employee's pay. It's an effort to denigrate our Federal workforce in the hope that the government becomes unresponsive, inefficient, and unworthy of our best and brightest. That's why I urge a strong "no" vote on H.R. 273. Enough is enough.

Mr. POLIS. Madam Speaker, why are we debating a bill that had to bypass regular order to rush to the floor in February when there's already a moratorium on the increase of pay for Members of Congress, and we should be debating spending, eliminating the deficit, the sequestration?

With 6 legislative days remaining before that fiscal cliff, here we are instead discussing something with regards to Member pay that doesn't even occur until October, and that which has been the tradition of this body for the last 4 years—not to allow Members of Congress a raise—and conflated it with a separate issue with regard to the proper compensation level so that our Federal employees and Federal agencies can compete in the marketplace with private employers and attract the talent they need to succeed.

This rule and this bill suffer from the stench of politicization, and the House should divide these two issues.

Madam Speaker, I'd like to ask unanimous consent to amend the rule to allow for consideration of amendment 4, the Bera-Connolly amendment, with 10 minutes of debate on each side.

The SPEAKER pro tempore. The majority manager would have to yield for that request.

Mr. POLIS. Excellent. Well, I hope that no one objects.

Again, but for three votes cast in the Rules Committee by a 7-4 vote, and but for one solitary objection out of 435 Members of this House of Representatives, we would have divided the question and this body would have avoided being dragged into yet another political game that continues to jeopardize the standing of this body among the American people.

It's clear that each of these issues deserves a separate discussion and a vote.

With regard to Federal employee pay, let it come through regular order. Let the committees of jurisdiction debate how the issue is handled, and let it be placed within the context of balancing our budget and an overall budget solution to the automatic cuts that are far more severe than a Member pay freeze and may include unpaid furloughs and other extreme measures within a couple of weeks instead of engaging in stale political gamesmanship.

Let's reduce our debt and deficit and avert the impending sequester.

I yield back the balance of my time.

Mr. WOODALL. Madam Speaker, I rise to claim time in opposition to the point of order.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 10 minutes.

Mr. WOODALL. I'd like to say to my friend that I endorse, Madam Speaker, his request to do away with stale political gamesmanship. I would put in the stale political gamesmanship category making a point of order against an unfunded mandate in the bill and then failing to make any indication that you actually believe there's an unfunded mandate in the bill, but simply using this time to talk about an issue that we have already litigated in a multihour hearing last night.

That said, I know, Madam Speaker, the gentleman's heart is felt in this issue. I would say to the gentleman that, while there was only one objection in this body, I make that objection out of great affection for the gentleman because, as I read the underlying bill, I see absolutely no way to divide this legislation into the components that the gentleman would like to debate.

The gentleman would like to debate a Member pay freeze. The gentleman would like to debate a Federal employee pay freeze.

Mr. POLIS. Will the gentleman yield?

Mr. WOODALL. I yield to the gentleman from Colorado.

Mr. POLIS. The way to divide them is precisely the Bera-Connolly amendment that was brought to our committee yesterday. On a functional level that does divide it.

Mr. WOODALL. I thank the gentleman. In fact, I thought that's where the gentleman's heart lay.

As the gentleman knows, the reason the Bera-Connolly amendment is not on the floor today, among others, is that it is nongermane to this legislation. We cannot subdivide this piece of legislation to include nongermane components, which, again, I know the gentleman wants to debate those components. And, Madam Speaker, when the House schedules those bills, I look forward to having that debate, too; it's just not in this bill.

One of the great pleasures I've had in this body, Madam Speaker, has been

being a part of a majority that is bringing bills that are simple to read and simple to understand. This is a front-and-back bill. I happen to have mine on two pages because I like to flip, but if I had been more conservative with my printer, it would have been a front-and-back page here, Madam Speaker.

What we talked about in the Rules Committee all last night—and it would have created more points of order for germaneness issues and others—was adding amendment after amendment after amendment that did not affect this language, but instead created brand-new debates about brand-new issues.

□ 1350

Again, I associate myself with the comments of my friend from Colorado. I think the American people are absolutely fed up with the way that this process works. But what I think they're fed up with are those bills that stack a transportation issue beside a health care issue beside a Commerce Department issue beside a military issue beside a child care issue, all of these things that are completely unrelated to one another, Madam Speaker.

In this bill, one issue and one vote. And the gentleman is absolutely right: in a vote in the Rules Committee last night, Madam Speaker, we decided not to allow this bill to be complicated with nongermane issue after nongermane issue. Those measures, these debates can actually come to the floor one item at a time, but we were not going to allow that to subsume what is also an important debate, and that's on the provisions that actually are contained in H.R. 273.

So given, Madam Speaker, that the gentleman observed no unfunded mandates in this bill, because there are no unfunded mandates in this bill, I ask the Chair to reject the point of order for there being unfunded mandates in this bill.

Madam Speaker, if I could conclude by just asking that in order to allow the House to continue its scheduled business for the day, I urge the Members to vote "yes" on the question of consideration of this resolution.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

The question is, Will the House now consider the resolution?

The question of consideration was decided in the affirmative.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Madam Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Florida, my friend, Mr.

HASTINGS, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WOODALL. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WOODALL. Madam Speaker, House Resolution 66, this rule that we're considering today, will allow for debate on the underlying bill, H.R. 273.

This rule that we're considering today is a little bit unusual in that it not only allows for the underlying resolution, but it also takes care of some housekeeping business that we have here on the floor of the House. For example, all of America, Madam Speaker, has read of the nuclear tests that happened in North Korea, and this resolution allows us to consider tomorrow a bill under suspension of the rules to condemn that activity in North Korea. It's very important business that we are able to take care of here in the House. We would not be able to take care of it but for this rule. I'm glad we considered that here in the rule.

In this underlying bill, Madam Speaker, we're continuing what the President himself continued through March of this year. We're continuing through the end of the calendar year a freeze on the automatic increases in Federal employee pay. Again, I brought down a copy of the resolution, that small, front-and-back bill.

So often you see findings in these bills, Madam Speaker, you see findings about what the Congress believes and why this bill is coming to the floor. And I promise you, Madam Speaker, if you read this resolution—and, again, it's only a page and a half long, so it will be easy to do—you will not find one finding of contempt for Federal employees. In fact, if you had listened to the hearing in the Rules Committee last night, what you saw is universal praise for the hard work that our men and women in the civil service are doing for this country.

We have a lot of work that has to be done. I know it's a popular sport in some districts to kick Federal employees. Federal employees, by and large, work hard, though I'm happy to say you can distinguish, for example, the love and affection that so many of our constituencies have for our men and women in uniform. You see those pay-raise bills move through very quickly, versus a little suspicion that you have from time to time from folks who say, well, golly, I was just down at XYZ Federal office, and I didn't get great service. Golly, ROB, I was on the telephone trying to get results from X, Y

or Z agency, and they kept me on hold for 3½ hours. What are my dollars paying for?

I blame us for that, Madam Speaker. We owe better to our Federal employees than to put them in that circumstance. And gradually, not nearly fast enough, but gradually, our Federal employee system is moving towards recognizing hardworking, successful and dedicated employees through merit pay, through merit increases, through bonuses and through bumps—ways to say, do you know what, service matters. Service matters. And a one-size-fits-all pay scale does not work across the Federal system.

I'm very proud, Madam Speaker, I've just been appointed to the Oversight and Government Reform Committee in whose jurisdiction this bill is. I hope we're going to be able to take up those issues and build on that progress that has been made. But in all the conversation you'll hear on this floor—I won't say "rhetoric," Madam Speaker, because, again, I know people's hearts are in this issue—in all the debate you will hear on this House floor, what you will not hear is that \$1 is being cut from those merit bonuses. What you will not hear is that \$1 is being removed from agencies that have an opportunity to say, Do you know what, job well done. You deserve a bonus. What you will not hear is that \$1 is being taken that would have gone to recognize performance above and beyond in the service of our citizenry.

What you will hear is that in line with the recommendations of the much-discussed Simpson-Bowles Commission, a 3-year freeze on Federal automatic salary increases will be continued, upheld. It's been in effect for 2 years and 3 months, and it will continue through the end of the year.

Now, so often I hear, Madam Speaker, my constituents say, ROB, I just want to make sure that Congress is abiding by the same rules you ask everybody else to abide by.

I want to make that clear. That's what my friend from Colorado was discussing. It's not actually a provision in this bill that's extra. It's a function of law. Members of Congress' pay will absolutely be frozen for just as long—just as long. The same rules that apply to everybody apply to the Vice President, Mr. Speaker, apply to the executive branch, apply to folks back home in Georgia, apply across the board to Federal employees, and apply to everybody here in this Chamber.

We had one of the longest, and I would argue most intensive, hearings of our Rules Committee cycle last night, Mr. Speaker, where we explored this bill line by line, detail by detail. I was pleased to be part of that debate. I'm glad we had an opportunity, really, for unlimited time in which to do that. But I believe we crafted a good rule, Mr. Speaker, that will allow for thorough debate of this underlying bill.

Again, I would remind you, Mr. Speaker, and all Members, this bill, posted on the House Rules Committee Web site, front and back of a sheet of paper, is simple and direct for everyone in this House to be able to read and everyone back home to be able to read so that we can have a thorough debate on this bill this afternoon.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I thank my good friend, the gentleman from Georgia, for yielding the customary 30 minutes to me. I rise obviously in opposition to the rule for consideration of H.R. 273, to eliminate the 2013 statutory pay adjustment for Federal employees.

I just heard my colleague from Georgia say that this is a good rule; but I've also heard him say what I agree with very frequently, and that is that this body should proceed toward regular order, allow the committee process to go forward in a meaningful way, to have hearings, and to let the will of the body be worked here in the people's House. I've also heard him talk about closed rules; and it's for that reason that I believe that this process is not a good process because it is a closed rule, and this couldn't, in that sense, be good. There were no hearings.

He talks about this one week, one bill. Why this week for Federal employees? Last night, I talked with six members of the American Federation of Government Employees, some of them older, some of them younger, and all of them agonizing, as are Federal employees around the country.

□ 1400

Let me get to the point. The Republicans have decided that they want to continue in the same shortsighted and counterproductive campaign against Federal employees that we saw in the last Congress. When they introduced this very same bill in the 112th Congress, it passed the House and then went nowhere and accomplished absolutely nothing. I'm quite certain—and I'll bet—that it will face the same fate this time around.

Just last week, the Rules Committee considered H.R. 444, the Require a PLAN Act, which should have been called the "Republicans Have No Plan Act." Instead of offering real solutions to the challenges facing our Nation, my Republican colleagues continue to introduce do-nothing legislation that will do nothing to help the American people.

Obviously, all of us know that we face \$85 billion in sequestration cuts in a matter of weeks. These cuts were intended to be a fail-safe. They were supposed to be so unpalatable, so horrible for everyone, that Congress would never allow them to go into effect. Yet, instead of making sure that these massive cuts don't threaten the progress

that we've made, my friends on the other side would rather play politics at the expense of the middle class and the working poor, underscoring the working poor.

As the President put it in his State of the Union address: "Arbitrary deficit reduction is not an economic plan."

Deficit reduction is a means to an end, not an end in and of itself. It is just one tool that will help us get our country back on the right track. You can't build a house with just a saw. Deficit reduction needs to be part of a comprehensive economic plan, one that will stimulate growth and create jobs.

A serious economic plan is one that does not take potshots at our economy and our Nation's full faith and credit for political purposes. We must, in this people's House, move beyond politics and work to avoid a dangerous backslide in our Nation's economic recovery.

For the life of me, I can't even begin to understand why House Republicans continue to pick on Federal employees. It's as if the people that keep the Capitol clean, the police officers that keep us safe, the countless people that work right here on this Capitol complex do not deserve this paltry raise and are to be picked on.

My AFGE friends were saying to me last night that Federal employees have already contributed \$103 billion towards deficit reduction. Furthermore, Federal employees and retirees have contributed \$15 billion in savings over 10 years through an increased pension contribution. A 2-year Federal pay freeze has been in effect since 2011 and will produce an additional \$60 billion in savings. The reduction and delay of a 2013 pay increase included in the current continuing resolution will yield \$28 billion in savings.

At what point does enough, as my friend from Virginia said, become enough? What's more and puzzles me—and I asked the question of the scrivener of this bill last evening—is: Why aren't Federal contractors, who make twice as much as Federal employees, included in this pay freeze? He gave me some political fogging. I don't know what it was and don't care to even bother to try to remember.

During the debate over the fiscal cliff, Republicans said that we shouldn't ask corporations and the wealthiest in our society to pay their fair share. The reason that was put—this is a while back during the debate on the fiscal cliff—was that if we tax the wealthy, they won't work as hard if they're taking home less money. What about Federal employees? Why is it that that logic does not apply here? It's incomprehensible that we find ourselves in this position.

Mr. Speaker, if the Federal Government is not paying realistic salaries, then we can't expect to be able to provide for people to allow for themselves

and their families to have a decent living.

Mr. Speaker, the fact of the matter is that the Federal workforce is smaller now than it was in 1988, a historic low compared to the size of the national population. There are fewer Federal workers now than at any time during President Reagan's administration. Something has got to give.

I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself 90 seconds to say to my friend, I always appreciate the eloquence of his words. My only saving grace, Mr. Speaker, is that the facts are on my side. If the world was as the gentleman from Florida had described it, I'd probably be where the gentleman from Florida is in terms of position. That's not the case.

Every dollar we spend in this town, Mr. Speaker, has consequences. The \$11 billion that we're talking about in this bill is not money that's being cut from the Federal budget; it's money that's not being given as an automatic inflator to every Federal salary in the land. Instead, it remains available to those agencies to perform the services that they were created to perform.

Let me just be clear, Mr. Speaker. That means for every dollar that is not going into a clerk's pocket at the Veterans Affairs Administration, that's a dollar that's going to go to implement Veterans Affairs services. For every dollar that's not going to be an automatic pay increase in my hometown at the CDC, it is going to go for critical research and infrastructure there to perform the very important role the CDC was created to perform.

We have to make choices, Mr. Speaker. Google "Greece and pay cuts." Google "Greece and pension cuts." In fact, don't just use Google. Use Yahoo. Use Bing. Use anything you'd like, Mr. Speaker. You will see where we are headed.

When you refuse to make the tough decisions that my friends are refusing to make with respect to the Federal budget, you know where those cuts are going to fall.

With that, Mr. Speaker, I'd like to yield 5 minutes to one of our very distinguished freshman Members, the gentleman from Texas (Mr. WILLIAMS).

Mr. WILLIAMS. Mr. Speaker, I stand here in support of H.R. 273, a common-sense bill to overturn President Obama's recent executive order that authorizes a .5 percent pay raise for Federal workers.

With the looming threat of sequestration just weeks away, Federal agencies should be focused on how to do more with less, like every other business does in America and every other family does in America. But the President's order would cost taxpayers more than \$10 billion over 10 years.

Here are the facts: in the last decade, the average Federal civilian salary has

increased by 62 percent. When you factor in benefits and total compensation packages for Federal employees, it tops \$126,000, compared to less than \$63,000 in the private sector. I haven't heard the other side say anything about that.

I'm a business owner. I have been in business for 41 years. I still own a business, and I hope to stay in business. When I pay pay raises to my employees, it's because of their loyalty and hard work, not simply because they're on payroll.

My constituents in the 25th District of Texas are fed up with a government that spends, borrows, and grows too much. Let's protect hard-earned taxpayer dollars and pass this common-sense solution, H.R. 273.

Mr. HASTINGS of Florida. Mr. Speaker, I would advise the gentleman that I was a businessperson, too, and there is a distinction between private businesses and civil servants of the Federal Government.

I'm pleased at this time to yield 3 minutes to the distinguished gentleman on the Rules Committee and my good friend from Massachusetts (Mr. MCGOVERN).

□ 1410

Mr. MCGOVERN. I thank the gentleman for yielding to me.

First of all, Mr. Speaker, let me urge my colleagues, Democrats and Republicans alike, to vote against this closed rule. This is a closed rule by which the entire process has been shut down. The committees of jurisdiction held no hearings. There was no markup. It came to the Rules Committee. What did the Rules Committee do? They shut it down. They shut out all possibilities for Democrats or Republicans to offer amendments. My friend from Georgia is proud to defend this closed, iron fist policy, but I think it's wrong, especially on a bill like this, number one.

Number two, this is a rotten thing to do to Federal employees. It really is. I mean, these are hardworking men and women. These are people who work at NIH, who try to find cures for diseases that, by the way, will not only improve the quality of life for our people but will save money. This is about denying a pay increase to DEA agents on the borders and to the CIA agents who tracked down Osama bin Laden. This is a rotten, rotten thing to do. And for what? To score some cheap political points.

I'm a little confused. My friend from Georgia says it's really not a cut, that we're not reducing the deficit at all. The gentleman from Texas said we need to save the American taxpayers money. The bottom line is that this is a cheap political stunt. The victims here are working people, and none of us should be surprised, because this is the Republican kind of signature issue: go after working people. Do you want to find ways to balance the budget? Pun-

ish working people. Do you want to find this or that? Go after working people. Enough. Enough of this war against working families in this country.

Mr. Speaker, what is also really frustrating is that here we are debating a bill that's really going nowhere, that's about a press release. The Republicans are going to go on vacation tomorrow. We're not going to be back for a week, and then we'll have 4 legislative days left to deal with this thing called "sequestration." On March 1, all of these across-the-board cuts go into play. And guess what? We're going to lose at least 750,000 jobs. That's not my estimate. That's what the head of OMB says. There will be 750,000 Americans unemployed because of their inaction. Guess what? What are these people going to do? They're going to have to look for employment. They're going to be without work. It's going to slow down our economic growth. Give me a break. There should be some urgency here.

My Republican friends, instead of bringing this to the floor, you ought to be finding ways to avoid this fiscal sequestration cliff that we're about to go over.

When my friends talk about the deficit and the debt, they don't talk about unpaid-for war costs, and they don't talk about all the money that they don't pay for that's sent over to Baghdad and Kabul. Instead, we have fights on the floor of whether or not to provide emergency hurricane relief aid to the victims of Hurricane Sandy in our own country. Only about 48 of my Republican friends voted for that. I mean, that's where their priorities are. We should be trying to put the American people first.

The SPEAKER pro tempore (Mr. POE of Texas). The time of the gentleman has expired.

Mr. HASTINGS of Florida. I yield the gentleman an additional 30 seconds.

Mr. MCGOVERN. What we should be talking about on this floor is jobs—jobs, jobs, jobs. That is how we get this economy going again. That is how we reduce our deficit. That is how we reduce our debt. Instead, you're punishing American workers. This is shameful. We should be spending our time doing something that will actually benefit this economy and this economic recovery. This is not it.

I urge my colleagues to vote "no" on this closed rule and to vote "no" on the underlying bill, and I urge the leadership to get serious about avoiding sequestration. It is not good for our country.

Mr. WOODALL. I yield myself 4 minutes to talk about cheap political stunts because I see a few cheap political stunts down here from time to time. I don't want to characterize anybody's behavior in that way as I don't think that's appropriate, but what I

would say is, if we go to the very top of the GS scale and take a good senior person, like a GS-14 who is making \$84,000 a year, this one-half percent pay increase that the President did by executive order and that we're saying won't go into effect until next year is going to give that one working person, that income earner for that family, \$2,000 for that family to use over the next year.

Mr. MCGOVERN. Will the gentleman yield for 10 seconds?

Mr. WOODALL. I will yield to the gentleman to answer this question: The gentleman sees here \$10,793. That's the additional burden that the gentleman, when he controlled this Congress for 2 years with the President of the United States, also of his party, added to this working family's burden.

Now, when you come to the House floor and profess your affection for the working people in my district and when you express that affection by ensuring that, this year, one-half percent of their pay is going to go up, you're adding \$10,000 for that worker, \$10,000 for that worker's wife, \$10,000 for that worker's oldest child, middle child and youngest child—for a family of five in my district. The gentleman added \$50,000 in debt and deficit that has to be repaid.

Now, I know the gentleman was using his heart when he passed those programs that did this. I don't question the gentleman's motivation at all. What I do is take offense that the gentleman questions my motivation in shifting \$2,000 from workers' salaries into programs—programs for veterans, programs for research, programs for health—and that he questions my commitment to working class people when, while he did this, he voted “yes” after “yes” after “yes” with no remorse whatsoever.

I'd be happy to yield to my friend, the gentleman from Massachusetts.

Mr. MCGOVERN. What I take offense at is the gentleman's party is about to lay off 750,000 workers in this country. For the life of me, I don't know how that helps our economy. That's what I take offense at. We should be talking about avoiding sequestration. Instead, my friends on the other side of the aisle are talking about how to lay off more American workers. That's what I take offense at.

Mr. WOODALL. In reclaiming my time, I welcome my friend to the sequestration debate, the one that we tried to have last May with absolutely no assistance whatsoever.

Here we are at midnight on sequestration day, saying, Hey, let's do it. Folks, let's do it. Let's do it. Back in May, we passed a bill here. Let's do it with the bill we passed in August to solve the fiscal cliff. Let's do it with the one we passed in September. Let's do it with the one we passed in December.

There is not a person in this body I don't want to work with to solve these problems—there is not one—but when we do it here at the eleventh hour and say, Golly, I wish folks had gotten serious about it earlier. Mr. Speaker, we've been trying to get serious about it for 18 months. When the President passed the law of the land and signed this sequestration into law after the Joint Select Committee failed, the question isn't why are we having to plan for sequestration today; the question is why wasn't the administration planning for it 13 months ago, when we knew the law of the land was going to put it into effect come March 1, 2013?

With that, Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, before yielding, I would ask my good friend from Georgia a question: If we are leaving here, as I suspect we will tomorrow for a week, why don't we just stay here and get this done rather than go on vacation or wacation or whatever we do?

Mr. WOODALL. Will the gentleman yield?

Mr. HASTINGS of Florida. I yield to the gentleman from Georgia.

Mr. WOODALL. I actually asked that question—or a version of it—of the distinguished gentleman from Maryland, the minority whip, last night.

Mr. HASTINGS of Florida. He doesn't control the House, Mr. WOODALL.

Mr. WOODALL. If the gentleman would continue to yield.

Mr. HASTINGS of Florida. I continue to yield.

Mr. WOODALL. I asked, What would it have taken to get that Joint Select Committee to succeed? Because that's why we're here in sequestration; that's why we're dealing with these things. He said he did not know what more we could have done to find agreement then.

So I say to the gentleman that those same challenges the minority whip observed last night that were preventing agreement then are those same challenges that are preventing us, whether we work until midnight tonight or not, from solving them today, though I would be happy to stay with the gentleman just as long as there is work to be done here in this House.

I thank the gentleman for yielding.

Mr. HASTINGS of Florida. In reclaiming my time, one thing is absolutely certain: the majority whip controls the floor, and the Speaker controls the House, and if they chose for us to stay here, we could stay here.

With that, I am pleased to yield 5 minutes to my very good friend, the distinguished gentlewoman from New York, who is my ranking member on the Rules Committee, Ms. SLAUGHTER.

Ms. SLAUGHTER. I thank my colleague from the Rules Committee.

Mr. Speaker and everyone who is listening, you know by now and what

you've heard by now is they want sequestration. The local papers and the ones that we've printed on Capitol Hill today all say they want sequestration. The excuse they're giving is they're going to wait and see what the Senate will do, that we're not going to take any action here, that we're just going to be bystanders until we find out they want sequestration.

Over 700,000 workers are going to lose their jobs. A lot of economists tell us that this could be worse than the Great Depression, but they're willing to do it. They're willing to do it because they want to fight this President. I think that means a whole lot more to them than doing their job here as elected Members of Congress. As we've heard before, we only have 6 legislative days left. When we come back from a week's vacation, we will have these cuts that will have this devastating impact on our economy and on the well-being of every American citizen.

□ 1420

I urge the CEOs of America who are very worried, and they've said so for months and months, that they're concerned desperately about the prospect of sequestration, to talk to their Members here and get them to change their mind, if they can.

This is really dire. We're not kidding around here. This is serious business. We are literally facing a fiscal cliff. But the solution we've made to this, as you all know, a manmade crisis here, they take a swing at their favorite punching bag and hold hostage again the people who make their living serving all of us.

Last night was the first time I really heard that what we're doing, we're not going to save anything. Now, bear in mind that the Federal employees have already given in salary give-backs over \$100 billion over the next 10 years. That should be enough sacrifice from them, but no, we're going to go for more. But we're not going to use it to reduce the deficit, it is going to be made available to agencies.

Well, there's a lot of “Alice in Wonderland” sort of sense in Congress these days. Alice, one of the things that I liked about her the most, and she's a very strange little girl, but she said that she practiced as hard as she could to try to believe six impossible things before breakfast. And I'm trying to put this in that same category, and it simply is impossible for me to believe that we gain anything in the world by taking away the salary and income of hardworking government employees to put back in Federal agencies. Frankly, if any of you can really understand that, I'd appreciate it if you'd let me know.

We had a chance—in the last 2 weeks, we've had two chances—to do away with the sequester in a commonsense way and also to cut the deficit with a

sensible solution. Mr. VAN HOLLEN, who is the ranking member of the Budget Committee and deserves our respect, was not allowed to do anything.

As you pointed out, and I also heard Mr. MCGOVERN say so, the Rules Committee now runs the House. There's no committee action on any of these bills. No chance for Republicans and Democrats in the committee setup, which the Founding Fathers did, and which we followed for generations and hundreds of years here, no possibility for them to discuss it. It simply is brought to Rules.

Now, Mr. VAN HOLLEN, his sensible solution here, which really does make sense, was simply not allowed to be put on the floor so that we could discuss it and give people a vote. A bipartisan group of the Members of the House don't want this bill passed. I'm going to put a letter in from one of the most thoughtful Members and a friend, Representative WOLF from Virginia, about what he thinks this is about. He calls this a cheap political trick, and I think that pretty well sums it up.

Now, already cuts totaling \$1.5 trillion have been made to discretionary spending. And as a result, because of the layoff of employees, our economy experienced an unexpected economic contraction in the final quarter of 2012, which we should pay heed to.

Sequestration would compound our economic troubles even further. George Mason University says sequestration would cause 2.14 million American employees to lose their jobs. Meanwhile, important Federal programs would be crippled because of irresponsible cuts. I need to mention a few of them again.

FAA, which makes flying safer, they would experience a great cutback. The people who guard the border, who do drug interdiction, who keep our border safe and strong, they would have a severe cutback. Sequestration would mean that vital research would be slowed. And as a scientist, let me assure you that research cannot be turned off and on like a faucet. It is necessary for us to maintain that research with dollars because, as it's been pointed out before, we want to keep our population healthy.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. HASTINGS of Florida. I yield an additional 1 minute to the gentlelady.

Ms. SLAUGHTER. How important that is for us, not only for our economic well-being, but for the well-being of our citizens.

This is a foolish thing that we're doing here today, and I can't imagine anybody in the Senate would even contemplate bringing it up. So all of this is simply a waste of time, as we do here so many times.

I urge my colleagues on both sides, vote "no" and please give us a chance to let Mr. VAN HOLLEN bring his bill to the floor—or some bill from the Repub-

lican side. I don't care where it comes from. We have to stop sequestration.

CONGRESS OF THE UNITED STATES,
Washington, DC.

VOTE NO ON H.R. 273

DEAR REPUBLICAN COLLEAGUE: Next week, the House is scheduled to consider H.R. 273. I urge you to vote no on this legislation.

Let's be honest: this bill is nothing more than a political stunt that targets the hard-working, dedicated men and women of the civil service, who have already had their salaries frozen for more than two years. Everyone knows they are an easy target. But we are kidding ourselves if we think we can balance the budget on the backs of federal employees. It's a drop in the bucket towards deficit reduction and a hollow gesture absent meaningful mandatory spending reforms. Worse, this is just busywork as our economy faces the sequestration meat ax.

I believe that the federal government must be able to recruit and retain qualified individuals in order to deliver government services in an efficient manner. And about half of all federal employees make less than \$60,000 a year. These are individuals who haven't had a pay raise in more than two years. And now we're talking about freezing their pay for a full third year. The president's proposed .5 percent adjustment is cheap grace (\$225, since a quarter of it has already been frozen) and won't bring civil service pay close to the private sector, but it will at least attempt to tell these employees that they are valued.

And just who are these federal employees? They are the people you call when you need help, and 85 percent of them live outside of the Washington, D.C. metro area.

They are the CIA agents who planned the raid to kill Osama bin Laden. They work side-by-side with our military. Those agents depicted in *Zero Dark Thirty*? They haven't had a pay raise in more than two years.

They are the FBI agents you call when your child has been kidnapped. Those agents who rescued the 5-year-old kidnapped and held hostage in a bunker in Alabama? They haven't had a pay raise in over two years.

They are the Customs and Border Patrol and DEA Agents who are working to stop illegal immigrants and human traffickers and drug runners. The border patrol agents who worked side-by-side with slain Border Patrol Agent Brian Terry haven't had a pay raise in over two years.

They are the nurses and doctors at the VA who care for our veterans and wounded warriors—they haven't had a pay raise in more than two years. I know I'm not alone in wanting the best doctors and nurses to care for our veterans.

They are the foreign service officers who represent our government at embassies in Libya, Israel, Russia and beyond. The FSO's who worked side-by-side with slain Information Management Office Sean Smith in Benghazi haven't had a pay raise in more than two years.

They are the FDA inspectors who trace E. coli outbreaks to ensure that our food is safe to eat. They are the NIH researchers working to find a cure for breast cancer, and prostate cancer, and Alzheimer's and Autism.

They are the defense civilian riggers and machinists and refuelers and engineers repairing sophisticated electronic weaponry systems at Army depots and Air Force bases and shipyards who support our military personnel;

They are the firefighters you call when a lightning strike sets a national forest on fire

and homes and business are in danger. And they are the park service rangers who ensure that your constituents can safely hike and camp in our national parks and tour our battlefields.

They are the scientists working at the DOE labs. They are the meteorologist at weather service storm centers tracking hurricanes, tornadoes, tsunamis and blizzards. They are the NASA astronauts, engineers and scientists.

Over the last Congress, unlike other groups, federal employees contributed more than \$103 billion to deficit reduction—no other group was asked to sacrifice more. I know that these patriotic Americans are willing to do more, but they rightly expect all of us to fully join this effort. A vote for the bill next week isn't a vote just to cut a program, but it's a targeted vote to specifically freeze an individual's pay from a marginal increase—a personal affront to the employee and their entire family, including their spouses and children, and the retired parents who care about their children.

I get it—this vote polls well with certain groups. But we were elected to represent our constituents. Let's pass bills that actually reduce the drivers of our nation's debt and deficit. This is cheap grace. Vote no.

Please don't hesitate to contact me or Mira Lezell on my staff at 5-5136 if you have any questions.

Sincerely,

FRANK WOLF,
Member of Congress.

Mr. WOODALL. Mr. Speaker, at this time it is my great pleasure to yield 2 minutes to a good friend here, Mr. WITTMAN.

Mr. WITTMAN. Mr. Speaker, today I rise in opposition to this bill. I'm proud to represent thousands of hardworking Federal civilian employees who selflessly serve this Nation on a daily basis. They fight crime for the FBI, root out terrorism with the CIA, and provide vital support to members of our military. They're scientists, air traffic controllers, and engineers, pursuing excellence each day to cure disease, protect our travelers, and shore up our infrastructure. They're doctors and nurses at VA hospitals, ensuring that our veterans get the highest caliber care in return for their service to this Nation. They're Border Patrol agents protecting our homeland from those who wish to do us harm. But above all, they are patriots, selfless, committed citizens who believe in serving their Nation.

This Congress charges these hardworking Americans with their duties, and this Congress asks them to perform these duties to the very best of their abilities. It is only appropriate then that their service be recognized and applauded rather than consistently used as a tool in the game of politics.

To be clear, I do not think that Members of Congress should receive a pay increase, and I have continually supported efforts to reduce our pay and cut our legislative budgets. But this bill is not about Members of Congress, it is about our Federal civilian workforce, which has already been under a

pay freeze for the last 2 years. This legislation would continue that pay freeze throughout the end of this year.

For these dedicated citizens, life is about public service and commitment—commitment to the people of this Nation and to the ideals and dreams set forth by our Founding Fathers.

So today, I ask my colleagues: Do you want an efficient, responsible, and safe United States of America? Do you plan to ask any less of our Federal workforce?

It seems to me that we are only asking them to do more for this Nation with less without standing by them in these challenging times. We must stop continually targeting our Federal employees, and I urge a “no” vote on H.R. 273.

Mr. HASTINGS of Florida. Mr. Speaker, would you be kind enough to tell both of us how much time remains.

The SPEAKER pro tempore. The gentleman from Florida has 13 minutes. The gentleman from Georgia has 16½ minutes.

Mr. HASTINGS of Florida. Mr. Speaker, I'm very pleased at this time to yield 2 minutes to the gentleman from California (Mr. BERA), a new, very thoughtful Member of the House of Representatives.

Mr. BERA. Mr. Speaker, I rise today to speak against the closed rule. Yesterday I introduced an amendment that would have separated the pay raise for Members of Congress from the remainder of Federal employees. If that amendment had passed, only Members of Congress would be affected by this bill.

Unfortunately, the Rules Committee reported a closed rule and will not allow an up-or-down vote on any amendments. They would not allow us to vote up or down on this. Failure to allow an up-or-down vote does not allow Congress to take a clean vote on a cost-of-living adjustment for Federal employees.

Congress needs to start working together in a bipartisan manner and start addressing issues like sequestration and the budget. We need to start making strategic budget decisions, not across-the-board cuts. That is not how you make decisions. We need to eliminate and reduce those programs that are no longer effective and begin to bring our budget under control. And if we cannot act responsibly and find a way to achieve this balance, then we don't deserve a pay raise as Members of Congress.

□ 1430

This amendment, the amendment I proposed, would have reiterated that.

Not allowing a clean vote is just wrong. We should not balance the Federal budget on the backs of our Federal employees. My amendment would have allowed us to take that vote.

Sacramento County, my home county, has over 26,000 Federal employees. These are hardworking citizens in the Defense Department. Many of them are veterans who have served our country admirably, and there are other dedicated public servants keeping our country safe. We should not ask them to make the sacrifice without asking ourselves to make that sacrifice first.

Now is the time we've got to set aside this partisanship and start working together to serve our country. However, achieving fiscal balance on the backs of our hardworking Federal employees is not a solution.

I urge my colleagues to vote against this rule. Protect our hardworking and responsible Federal employees, and work in a bipartisan manner to pass a responsible budget.

Mr. WOODALL. Mr. Speaker, I yield myself 2 minutes. And I want to say of my friend from California, he gave a very thoughtful presentation in the Rules Committee last night. And as my colleague from Florida suggested, I am a big fan of open rules. It's early in the process. It's always harder to go through regular order until the committees have spun up.

But I would just say to my freshman friend from California that even if we had made an open rule controlling for this bill, the gentleman's amendment still would not have been made in order. It would have been ruled by the Parliamentarian as out of order, as being nongermane to the underlying bill.

Mr. HASTINGS of Florida. Will my colleague yield?

Mr. WOODALL. I yield to the gentleman from Florida.

Mr. HASTINGS of Florida. But we have the power in the Rules Committee to waive that germaneness, and we could have done that and allowed Mr. BERA's measure to go forward. I thank my colleague for yielding.

Mr. WOODALL. I appreciate my friend's comment. He's absolutely right.

So my advice to my new freshman colleague from California would be, in this case, it's not an open rule that he's after; it's his colleagues on the Rules Committee working their Rules Committee magic to waive the rules. It would have actually taken a waiver of the House rules to allow the gentleman's amendment to come.

But he made a very passionate case last night, Mr. Speaker, and I know his heart is in this issue.

Mr. Speaker, I want to be clear about what this bill is and what this bill isn't. And what it isn't is a pay freeze for Federal employees, and, in fact, what has been the law of the land for the last 2 years has not been a pay freeze.

All of the increases that come with longevity have been taking place. All of the increases that come with pro-

motions have been taking place. All of the increases that come with meritorious pay and bonuses and all of those activities have still been going on.

What this is, however, is a 9-month suspension of the automatic, across-the-board .5 percent increase that the President directed by executive order in December. That is all this bill is, and that's all this bill will be under this rule.

With that, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I'm very pleased to yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL), my good friend, the former mayor of his city.

Mr. PASCRELL. Mr. Speaker, we need a balanced approach to reducing our deficit which makes responsible cuts while also raising revenue. This bill is not the way to do it.

I have great respect for the gentleman's intellect, but this is one of the dumbest bills I've ever seen come to this floor.

Let's take a look at it, Mr. Speaker. I rise in strong opposition to this rule and the underlying bill.

As part of the fiscal cliff deal, we promised Federal employees that they would see their first pay raise in over 2 years on March 27. This is a modest pay adjustment, half a percent. When you say \$10 billion, you're talking about \$1 billion a year.

Now, a little more than a month before the increase takes effect, the bill before us today would break that promise. Do you think, America, that this is going to solve the fiscal problems that the Congress and President created?

My home State of New Jersey suffered devastating damage from Sandy this past fall, as did a few other States. Employees from FEMA, the Army Corps of Engineers, HUD, and many other agencies were on the ground immediately.

How dare you ask this pejorative question about, well, what if we took the dollar from the clerk and then provided it to our Armed Forces?

What kind of negotiation is that?

What kind of bartering are we doing?

And we're doing the same thing with our own staffs, the very people that are sitting alongside us and behind us, which is not germane to this legislation, but we're doing the same thing. They haven't had a raise in 2 years.

Oh, wonderful, we're saving the country because we're doing that. These are human beings too. They're not chattel. They're not numbers.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Florida. I yield the gentleman an additional 1 minute.

Mr. PASCRELL. They're not stick figures. They walk the streets, navigating through flooding, debris, downed power lines, these Army Corps,

these FEMA folks, in order to assess damages and reach out to the victims. They're not nameless. They're not faceless bureaucrats. These are heroes who continue to contribute each and every day to our ongoing rebuilding.

And darn it, we allowed this to happen 5 or 6 years ago when we laid off thousands and thousands of police officers and firefighters and teachers and we called it saving the country.

Federal workers are also law enforcement officers and firefighters who put their lives on the line for us every day. They work for the Defense Department. They protect us in our times of need, and we need to be there for them.

They've done and continue to do their part. I am tired of us using Federal, State, local, county employees as the scapegoats for our ineptness. Maybe it's the politically correct thing to do to capitulate and join the forces and cut everybody. That's what we should do? I don't think so.

I will debate you anytime on the Federal workers.

Mr. WOODALL. Mr. Speaker, I yield myself 3 minutes to say to the gentleman—he heard it from the gentleman from Virginia on my side of the aisle—the respect for Federal employees and the job that they do is not a question that's being debated here today.

The admiration that I have for the folks at the CDC, in my neck of the woods, the support that, led by the Speaker of the House from my State, Speaker Gingrich, to double the NIH budget, and then double it again. The kind of work that goes on here is undisputed.

But I want to show you, Mr. Speaker, what my constituents also see in their tough times, because it's not just the clerk at the VA that hasn't gotten a raise in 2 years.

I was talking with a friend of mine who's a clerk at a furniture store, single mom, child, son, 6 years old, hasn't gotten a raise in 2 years, makes \$11 an hour.

Average median Federal wage, \$74,000.

What I show you here is a chart from the CBO, the same organization that sites the job loss figures that you've quoted here earlier, that compares the work of folks with high school degrees, with a little bit of college, with college, in the private sector, the salaries and the benefits in the private sector with that of the public sector.

Now, I say to the gentleman, in no way, Mr. Speaker, do I want to minimize the tremendous responsibility placed on our Federal civilian workers. Again, I have chosen a career of public service, as have they, and I admire them for it. I know it's at great sacrifice to themselves and their families.

Mr. PASCRELL. Will the gentleman yield?

Mr. WOODALL. After this one sentence, and that is, in this tough time,

until we can get our handle on the debt and the deficit, my constituents continue to look at how their tax dollars appear to be paying salaries and benefits higher to Federal employees than what my folks are getting back home.

I hope the CBO will produce a different report that shows a different result; but until it does, I wish my friends wouldn't categorize what's going on here as some sort of hateful act, disrespectful act towards Federal employees and could recognize it as a balancing of salaries and benefits that our own Congressional Budget Office has suggested is actually an inequity that exists today.

With that, I would be happy to yield to my friend, the gentleman from New Jersey.

□ 1440

Mr. PASCRELL. I wouldn't use the two words that you used. I would use the word "demeaning." We have demeaned our staff, which is not included in this, I understand that. But you want to know something? Those unemployment figures for the last 6 years would be so different if we hadn't laid off those very same Federal employees whom you are now deciding to take a half a percent away from them at this particular time. And for some crazy idea that you'll give the money to the agency to do with it what it wishes, I don't think you meant that, really. I don't think you meant that at all.

Mr. WOODALL. I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 2 minutes to my friend, the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank my dear friend from Florida for the leadership on the issue, the number of Members who have already spoken, and my good friend on the Rules Committee who is the manager of this particular rule and, in essence, bringing this bill to the floor of the House, and that is what you hear the discourse about. Many times this discourse, this debate becomes confusing because we are trying to compare apples and oranges. And so let me first own up to the fact that a congressional pay freeze is already in place. Our salaries have been frozen. When it expires, we'll rise to the occasion and freeze it again. We're elected by the people, and those decisions can be made on behalf of the people.

We're not talking about congressional salaries today. They're in place. They exist. What we're talking about is the ICE officer that I'm meeting with in the Rayburn Room who works every day to protect this country and has seen that, because of the \$103 billion that Federal employees have already given to reduce the deficit, necessities of work are being challenged. Customs and Border Protection, DEA officers,

FBI, Health and Human Services, Centers for Disease Control physicians, research at NIH and those scientists, all of those persons are working for the greater good—those who had to address the West Nile virus, FEMA employees who are right now on the ground with Hurricane Sandy. I have no question that there are private sector employees that are addressing this question, but they've gotten a 4.7 percent raise.

Let me tell you what the issue is. Let's stop fooling around and address the question of sequester. Protect those who need a social safety net and Social Security and Medicare. Realize that if you dice and cut and slash under the sequester, that will be the issue. None of these amendments were allowed in.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. HASTINGS of Florida. I yield the gentlewoman 1 additional minute.

Ms. JACKSON LEE. I thank the gentleman.

Last night at the Rules Committee, there were amendments to bring forward the right way of addressing the question, and they indicated that was not germane. I know these words are confusing, but that could have been a waiver. We all know what that means. It doesn't match, it doesn't fit, but we waive you in. That could have been debated on the floor of the House.

My amendment said that we should take a pause. I simply said this bill shouldn't be brought up. I struck the entire language of the bill so that we could get to the point of providing a debate on the sequester to make sure that the American people's voices are heard. They don't want an across-the-board cut when you begin to cut the resources that they need. But we can do better.

And let me just say to you, in Texas, there are 251,000 Federal employees; California, over 400,000. These are not folks inside the beltway. They're the ones that are in the Nation's national forests, on the border, in hospitals, dealing with drug cartels.

I can assure you, Mr. Speaker, that this is not what we should be doing today. This is unfair to our Federal workers, and I won't stand for it.

Vote against the rule and the bill.

Mr. Speaker, I rise to explain my amendment #5 to H.R. 273, "to eliminate the 2013 statutory pay adjustment for federal employees and to reject this frontal assault on federal employees."

My amendment would have struck the entire text of this bill. Why? Because the premise underlying the bill, to freeze federal salaries, is flawed.

And let me be clear: this bill does not add a dime to deficit reduction efforts. Yet my friends on the other side insist on this game of charades, pretending to be concerned with deficit reduction, but the folly of it all is that it's only a not-so-well-disguised game of political one-up man ship.

If you are really looking to cut government spending you should have made the Amendment submitted by my colleague, Mr. VAN HOLLEN of Maryland in-order. Mr. VAN HOLLEN's amendment was not perfect as it cut subsidies for large oil companies, among other things; but it represents a balanced approach to deficit reduction.

And as we look for ways to address our fiscal issues we cannot continue to use the salaries and retirement options of federal employees as our Congressional Savings and Loans.

Federal employees have contributed more than their fair share to addressing this problem. We need creative and long term solutions with a heavy emphasis on job growth.

H.R. 273 continues to freeze the salaries of federal employees who are vital to implementing the very laws and regulations that are generated by Congress and federal agencies.

As the Ranking Member on Homeland Security Committee, Subcommittee on Border and Maritime Security, I can attest that it is in our national security interest to have the ability to recruit and retain the best and the brightest employees to keep our borders safe from harm.

As a Representative from Texas, I can further attest that is again in our nation's best interest to have qualified high skilled professionals reviewing drilling applications for off shore well sites.

Federal employees help to ensure that the air we breathe, the airways that we travel upon, and the food we eat are safe.

Most Americans encounter their first federal employee when they meet their postal carrier. Men and women who faithfully deliver the mail: rain or shine.

After 911 with our need to improve airline security, we turned to federal employees . . . the very employees who are amongst the first to react when there is an attack on our soil.

Federal employees operate in every state cross our nation with only 15% of all federal employees working in Washington D.C., continuing to freeze their compensation is not a long term solution to our fiscal problems.

Our long term fiscal problems will not be solved by cutting Social Security, Medicaid, or Medicare.

Our problems will not be solved by freezing the pay and benefits of federal employees.

Our problems will not be solved on the backs of seniors, low and middle income Americans, or the disabled. Our problems can be solved by putting forth legislation that will put hardworking Americans back to work, advance training for high skilled and high wage jobs. By putting forth legislation that inspires innovation, and through addressing the long term needs of all Americans rather than a few.

Most federal employees are not living the lifestyles of the rich and famous. The majority of Federal employees are middle class Americans. Over 60 percent of all federal employees make less than \$75,000 a year.

According to the Federal Salary Council (FSC) annual report federal employees are paid 34.6 percent less in salary than their private-sector counterparts.

There are those who have cited a study by the Congressional Budget Office which found that federal workers on average earned slightly more than private-sector workers; however,

that study did not take into account the level of job responsibility, specialized training, or length of tenure of each employee. Which we all know should be taken into account.

There are those who claim that the federal government is too large. In reality, the federal government is smaller today that it was in 1968.

The IRS has 20,000 fewer employees than they did in 1995, yet are required to process 236 million more complicated tax returns.

The Department of Health and Human Services, Centers for Medicare and Medicaid has 7 percent fewer employees serving 64 percent more enrollees.

Most growth in the number of federal workers has been in Homeland Security and Defense as a result of 9/11.

From 2001 to 2010, employment in non-security federal agencies as a percent of population actually fell by 4 percent.

Even though overall there are less federal government employees serving each American today than there were 30 years ago. They have still contributed \$103 billion worth of budget savings since the beginning of 2011.

\$60 billion from a federal pay freeze in 2011 and 2012.

\$15 billion from increased retirement contributions for newly-hired federal employees. As a result new hires will not receive 2.3% less compensation than their federal counterparts.

\$28 billion from a pay increase of .5 percent which is well below the Cost of Living Adjustment of 1.7 percent.

Additional funds will also be generated as a result of a mandatory reduction in the Department of Defense civilian work force.

Federal Employees have given enough.

They have not seen a cost of living adjustment in going on 3 years. There appears to be a growing attitude that this freeze should go on indefinitely.

The freeze was originally enacted to cover only 2011 and 2012; however, it was extended through late March as part of a temporary budget measure. Again, this was supposed to be a temporary solution not a permanent cure.

We must do more to recruit and retain the best and brightest.

We must do more to inspire innovation and job growth.

We must do more to protect middle income Americans, like federal employees.

The way to address our long-term fiscal problems is not be using federal employees as a Congressional Savings and Loans.

Again, it is not through cuts to Social Security, Medicaid, and Medicare. It is by advancing creative long-term solutions that encourages jobs growth and innovation that will allow us to fix our current fiscal issues.

FAST FACTS

H.R. 273, freezes a 0.5% statutory pay adjustment slated to go into effect in March. It also extends the Congressional pay freeze through the end of the year.

My amendment nullifies the entire bill.

According to the Office of Management and Budget the federal workforce is virtually as small today as it has ever been in the modern era.

In 1953, the federal government employed one worker for every 78 residents. In 2009,

one worker was employed for every 147 residents.

In the IRS today, there are 20,000 fewer employees than there were in 1995, processing 236 million more complicated tax returns. And, in the Department of Health and Human Services Medicare and Medicaid staff, there are 7 percent fewer employees serving 64 percent more enrollees.

Most growth in the number of federal workers has been in Homeland Security and Defense as a result of 9/11. From 2001 to 2010, employment in non-security federal agencies as a percent of population actually fell by 4 percent.

Only 15 percent of federal employees work in the Washington, DC, metro area. Continuing to freeze the pay of federal employees so they are not in keeping with the cost of living will have Cutting federal a negative impact on the economy of every state.

Currently there are 281,571 federal employees working in my home state of Texas. In California, there are over 350,000 federal employees. There are hundreds of thousands of hardworking Americans who are going to be impacted by this continued pay freeze across the U.S.

Over 93 percent of federal employee jobs are non-clerical positions.

The federal workforce is a highly-educated and skilled workforce, including doctors, attorneys, scientists, IT specialists, CPAs, engineers, and other highly trained experts in virtually every discipline.

Nearly 50 percent of federal employees have a bachelor's or higher degree.

About 21 percent of federal employees have professional degree or doctorate versus compared to only 9 percent in the private sector.

The federal workforce is the most highly-educated in the nation, with professionals in virtually every discipline.

If we want to continue to recruit and retain the best and the brightest in the federal government we can not continue to use their wages and benefits as a Congressional Savings and Loans. Provide services that are vital to our daily lives.

I do not believe that Americans wish to sacrifice vital services that impact the health, safety and well-being of their families because the federal government failed to invest in its most important asset . . . human capital.

The federal workforce has declined, on a per-capita basis, from one employee for every 78 U.S. residents in 1953 to one employee for every 147 residents in 2009.

About 85 percent of federal employees work in other cities and towns across the nation.

Federal employees have contributed \$60 billion over 10 years toward deficit reduction through a two-year pay freeze, and another \$15 billion in pension contribution increases.

Federal workforce cuts will hurt American families through fewer food inspections, decreased monitoring of air and water, and fewer people protecting consumers in the financial markets, just to name a few.

Continuing attempts to freeze federal employee pay, cut retirement benefits, and reduce the federal workforce will more than likely result in a workforce that is not as productive, not as efficient, and not as competent.

Because these types of measures make it even more difficult to attract and retain highly

skilled and qualified federal employees. We must consider the long-term impact of short-sighted decision making.

Mr. WOODALL. I yield myself 2 minutes.

I just want to read from the Simpson-Bowles Commission report. And I want to read from it not because I support everything the Simpson-Bowles Commission had to say. I want to read from it not because it's a bill that has passed here on the floor of the House—it's been introduced but it hasn't passed—but I want to read from it because it was put together by the President to be a thoughtful, nonpartisan, deliberative body that would try to find those things in the Federal Government that should change to right the fiscal ship that is the United States of America. And this is what that group, appointed by President Obama, Republicans and Democrats, a thoughtful deliberative body, had to say:

Out of duty and patriotism, hardworking Federal employees provide a great service to this country. But in a time of budget shortfalls, all levels of government must trim back. In the recent recession, millions of private sector and State and municipal employees have had their wages frozen or cut back, and millions more lost their jobs altogether. In contrast, Federal workers' wages increase annually due to automatic formulas in law, providing them with cost-of-living adjustments totaling more than 5 percent in the last 2 years. This proposal would institute a 3-year government-wide freeze on Federal pay at every government agency, including the Department of Defense civilian workforce. This proposal will save \$20.4 billion in 2015.

In 3 years, the President, to his credit, implemented the first 2 years of this proposal. Perhaps there was consultation with someone in this body. It wasn't with me. I serve on the Oversight and Government Reform Committee. The President, by executive order in December, decided he was not going to extend it a third year and was instead going to give a half percent pay raise.

These are issues that can absolutely be debated, Mr. Speaker.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WOODALL. I yield myself an additional 30 seconds.

This isn't a Republican idea; it's not a Democrat idea; it's not something that was created in the minds of folks who hate Federal employees and the Federal Government. It's an idea that came directly from the commission appointed by President Barack Obama to solve exactly the kind of fiscal problems that we are facing today.

Like it, don't like it, but don't say it's something that it's not, Mr. Speaker. This is an idea from the President's fiscal commission, and we're bringing it to the floor today.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I would alert my colleague from Georgia that I have no further re-

quests for time, and I'm prepared to close.

Mr. WOODALL. I also have no further requests for time and am prepared to close.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself the balance my time.

I really like and have great affection for my friend from Georgia, and I understand exactly what he just did with reference to the President's commission as appointed by Senator Simpson and Erskine Bowles, but the fount of wisdom with reference to what is required in order for this Nation to right its ship doesn't emanate from just any one commission. And while this particular proposal may be listed as an idea from the Simpson-Bowles Commission, I would urge my friend from Georgia to read the whole thing, which does contemplate shared sacrifice. And that's what I tried to get across to my colleagues here in this institution.

As a person that lived as a child during the Second World War, I saw what sacrifice meant, and I saw the people that did the sacrificing. And they did it together, differently than us today. And that's why I think it's wrong to cherry-pick and then use a sledgehammer against Federal employees for something that is not likely to become the law of the land. It's a waste of time.

The only good thing that I have to say about the bill before us today is that it has zero chance of becoming law. I anxiously wait for my friends on the other side, particularly the leadership, to actually start considering legislation that will help, not hurt, the American people.

□ 1450

Mr. Speaker, if we defeat the previous question, I will offer an amendment which would allow the House to vote on replacing the entire sequester for 2013 with savings from specific policies that reflect a balanced approach to reducing our national debt.

There are only 6 legislative days left until the sequester hits. Now is the time to act. Smart government is not about sequesters; it's about solutions. And it's time to work together for the American people.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question.

I urge a "no" vote on the rule, and I yield back the balance of my time with the final thought that we don't have that much time to waste, and we are wasting the American people's time.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume to say the gentleman believes we're wasting the American people's time. An equally precious commodity is the American people's money.

I talked earlier about the \$10,000 per American inhabitant. A lot of folks do their numbers by American tax-paying families, Mr. Speaker. A lot of folks do their numbers by per adult or per children. I didn't want to game the system like that.

The chart I have right now, Mr. Speaker, \$52,381. If you take today's \$16.5 trillion debt that America has and divide it by every single human being that the Census Department tells us is in America in January 2013, you will find that we have borrowed and spent \$52,381 for every human being in America.

I don't minimize the burden that will be on a family of four in my district when they don't receive that half a percent pay bump that the President tried to do by executive order that we're rescinding here today. I don't minimize that at all. But it is minimal compared to the \$52,000 for each member of that family of four. That half a percent pay raise is minimal compared to the \$208,000 that that family owes as its share of the Federal debt.

The gentleman from Florida, Mr. Speaker, made a very passionate presentation last night, and I believe he is absolutely right. He referenced himself and our ranking member as the only two folks in that committee who know anything about sacrifice. I always go through my grandparents' stuff. I was one of those kids who loved being in the attic. You always find neat stuff in the attic and the basement. I have all the ration stamps, Mr. Speaker—sugar, rubber. I don't know what that's like. I don't know what that's like for a Nation to come together with such a sense of purpose that they say we're going to police ourselves and our own family. We're going to have the posters up on the wall that say "loose lips sink ships," and don't waste because we need it for the war effort, and we're going to come together and make that happen.

In fact, the last time, Mr. Speaker, this country had the kind of debt as a percentage of the size of its economy that it has today was when we were coming out of World War II. In that time, when we were rationing rubber and sugar, when we no longer minted our currency with copper because we didn't have enough to go around—or nickel—we were using steel to put the coins together at that time. In that time of crisis, Mr. Speaker, when we thought the freedom of the world was on the line, we borrowed the largest amount of money ever borrowed in the history of this country to win World War II.

As we stand here today, we have borrowed trillions more in actual dollars,

but that same gargantuan number of 100 percent of our economy. And for what? What does that leave us when the next crisis comes—and I promise you it will. The next crisis will come, and the tools that we have to address it will have been eroded by the policies of today.

I take no pleasure in being down here today managing the rule that will extend into year 3 a Federal employee pay freeze. I told folks in my constituency, Mr. Speaker, I said I want to come back home and I want to tell you how much I've been doing good work for you in Washington and doggone it I deserve a pay raise. I want us all to be so successful that we can go back home and tell folks we deserve it. But with \$16.4 trillion in debt, 4 years of no budgets at all coming out of this town, trillion-dollar annual deficits, we don't.

If you think the pain of a 3-year pay freeze is bad, Mr. Speaker, Google Greece, Bing Greece, do your Yahoo search on Greece—not half a percent freezes, but double-digit cuts to Federal benefits; double-digit cuts to pensions that seniors are relying on; double-digit cuts to salaries; layoffs, double-digit percentages. It doesn't get better on its own, Mr. Speaker. We have to do it.

My friend from Florida is so right, Mr. Speaker: we have to come together to solve the bigger problems. This is not the bigger problem. At best, this is a symptom of a problem. At worst, it's just something we're trying to do to manage through.

In this body, Mr. Speaker, and the Senate, the President, we put six of our best minds from the House, three Democrats and three Republicans, six of our best minds from the Senate, three Democrats and three Republicans, and we locked them in a room for about 3 months and said do anything, do anything you want to with the Federal budget. Dream your biggest dreams. Come up with your best ideas. Get outside the box. And we're going to close the door so you can have that conversation with the utmost candor, Republicans and Democrats alike, House Members and Senate Members alike.

After 3 months, Mr. Speaker, having looked at literally hundreds of trillions of dollars of Federal spending going out for decades, they found that they could agree on not even one dollar, not one dollar in changes.

Mr. Speaker, as you well know, and as the freshman Members of this body are going to learn, we only control one-third of the budget here, just one-third of the budget, that discretionary spending, one-third of the budget. That's where the Federal employee salaries are, one-third of the budget. So everything we do to try to get a handle on \$52,000 in debt per man, woman and child in America, everything we do to

try to get our fiscal ship sailing straight once again is coming from that one-third.

Because to get to the real drivers of the debt, Mr. Speaker, to get to the real drivers, we've got to get into the two-thirds, the two-thirds that can only get to the table when the House and the Senate and the President all agree.

Mr. HASTINGS of Florida. I know you're on a roll, but will my friend yield for just 5 seconds?

Mr. WOODALL. As highly unorthodox as that is, my great respect for my friend requires that I do.

Mr. HASTINGS of Florida. I thank you so very much.

I just want to say America ain't Greece; it ain't going to be Greece.

Mr. WOODALL. Reclaiming my time, Mr. Speaker—and again, pleasure to yield—I say to my friend, I fear it's thinking like that that's going to take us exactly there.

□ 1500

Mr. Speaker, again, I take no pleasure in this freeze today. I believe in shared sacrifice across this country to solve our problems. The only thing that would be permissible in this legislation is to ensure that Members of Congress and fellow employees are both frozen together, as is ensured in this legislation.

I urge my colleagues to support this rule, bring this bill to the floor, support this underlying resolution, and remember that until \$52,381 per man, woman and child in this country reads "zero," we're going to have these discussions again and again and again.

The President, Mr. Speaker, I'm told is planning to produce a budget. It's not going to be this month. It may come next month. Do you know that in the 2 years I've been here as a Member of Congress, the President's budgets never, ever, ever pay down one penny of this debt? We're complicit in this, Mr. Speaker; and, together, we can get ourselves out of it.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

AN AMENDMENT TO H. RES. 66 OFFERED BY
MR. HASTINGS OF FLORIDA

(1) At the end of the resolution, add the following:

SEC. 6. Notwithstanding any other provision of this resolution, following debate on H.R. 273 it shall be in order to 1 consider the amendment received for printing in the Congressional Record pursuant to clause 8 of rule XVIII and numbered 1, if offered by Representative Van Hollen of Maryland or a designee. That amendment shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for a division of the question.

(2) On page 2, line 5, insert "with or without instructions" after "recommit".

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the I Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WOODALL. I yield back the balance of my time and move the previous question on the resolution.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 229, nays 194, not voting 8, as follows:

[Roll No. 41]

YEAS—229

Aderholt	Gerlach	Mica
Alexander	Gibbs	Miller (FL)
Amash	Gibson	Miller (MI)
Amodei	Gingrey (GA)	Miller, Gary
Bachmann	Gohmert	Mullin
Bachus	Goodlatte	Mulvaney
Barletta	Gosar	Murphy (PA)
Barr	Granger	Neugebauer
Barton	Graves (GA)	Noem
Benishek	Graves (MO)	Nugent
Bentivolio	Griffin (AR)	Nunes
Bilirakis	Griffith (VA)	Nunnelee
Bishop (UT)	Grimm	Olson
Black	Guthrie	Palazzo
Blackburn	Hall	Paulsen
Bonner	Hanna	Pearce
Boustany	Harper	Perry
Brady (TX)	Harris	Petri
Bridenstine	Hartzler	Pittenger
Brooks (AL)	Hastings (WA)	Pitts
Brooks (IN)	Heck (NV)	Poe (TX)
Broun (GA)	Hensarling	Pompeo
Buchanan	Herrera Beutler	Posey
Bucshon	Holding	Price (GA)
Burgess	Hudson	Radel
Calvert	Huelskamp	Reed
Camp	Huizenga (MI)	Reichert
Campbell	Hultgren	Renacci
Cantor	Hunter	Ribble
Capito	Hurt	Rice (SC)
Carter	Issa	Rigell
Cassidy	Jenkins	Roby
Chabot	Johnson (OH)	Roe (TN)
Chaffetz	Johnson, Sam	Rogers (AL)
Coble	Jones	Rogers (KY)
Coffman	Jordan	Rogers (MI)
Cole	Joyce	Rohrabacher
Collins (GA)	Kelly	Rokita
Collins (NY)	King (IA)	Rooney
Conaway	King (NY)	Ros-Lehtinen
Cook	Kingston	Roskam
Cotton	Kinzing (IL)	Ross
Cramer	Kline	Rothfus
Crawford	Labrador	Royce
Crenshaw	LaMalfa	Runyan
Cuellar	Lamborn	Ryan (WI)
Daines	Lance	Salmon
Davis, Rodney	Lankford	Scalise
Denham	Latham	Schock
Dent	Latta	Schweikert
DeSantis	LoBiondo	Scott, Austin
DesJarlais	Long	Sensenbrenner
Duffy	Lucas	Sessions
Duncan (SC)	Luetkemeyer	Shimkus
Duncan (TN)	Lummis	Shuster
Ellmers	Marchant	Simpson
Farenthold	Marino	Smith (NE)
Fincher	Massie	Smith (NJ)
Fitzpatrick	Matheson	Smith (TX)
Fleischmann	McCarthy (CA)	Southerland
Fleming	McCaul	Stewart
Flores	McClintock	Stivers
Forbes	McHenry	Stockman
Fortenberry	McKinley	Stutzman
Fox	McMorris	Terry
Franks (AZ)	Rodgers	Thompson (PA)
Frelinghuysen	Meadows	Thornberry
Gardner	Meehan	Tiberi
Garrett	Messer	Tipton

Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)

Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf

NAYS—194

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Guthrie
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutsch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al

Green, Gene
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson, E. B.
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larsen (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebbeck
Loftgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maffei
Maloney,
Carolyn
Maloney, Sean
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke

Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

Owens
Pallone
Pascarella
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)

Messrs. SHUSTER, WOLF, HUELSKAMP, FLEMING, CALVERT, HUNTER, YODER, and JONES changed their vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 227, nays 192, not voting 12, as follows:

[Roll No. 42]

YEAS—227

Aderholt	Franks (AZ)	McKeon
Alexander	Frelinghuysen	McKinley
Amash	Gardner	McMorris
Amodei	Garrett	Rodgers
Bachmann	Gibbs	Meadows
Bachus	Gibson	Meehan
Barletta	Gingrey (GA)	Messer
Barr	Gohmert	Mica
Barton	Goodlatte	Miller (FL)
Benishek	Gosar	Miller (MI)
Bentivolio	Gowdy	Miller, Gary
Bilirakis	Granger	Mullin
Black	Graves (GA)	Mulvaney
Blackburn	Graves (MO)	Murphy (PA)
Bonner	Griffin (AR)	Neugebauer
Boustany	Griffith (VA)	Noem
Brady (TX)	Grimm	Nugent
Bridenstine	Guthrie	Nunes
Brooks (AL)	Hall	Nunnelee
Brooks (IN)	Hanna	Olson
Broun (GA)	Harper	Palazzo
Buchanan	Harris	Paulsen
Bucshon	Hartzler	Pearce
Burgess	Hastings (WA)	Perry
Calvert	Heck (NV)	Peterson
Camp	Hensarling	Petri
Campbell	Herrera Beutler	Pittenger
Cantor	Holding	Pitts
Capito	Hudson	Poe (TX)
Carter	Huelskamp	Pompeo
Cassidy	Huizenga (MI)	Posey
Chabot	Hultgren	Price (GA)
Chaffetz	Hunter	Radel
Coble	Hurt	Reed
Coffman	Issa	Reichert
Cole	Jenkins	Renacci
Collins (GA)	Johnson (OH)	Ribble
Collins (NY)	Johnson, Sam	Rice (SC)
Conaway	Jones	Rigell
Cook	Jordan	Roby
Cotton	Joyce	Roe (TN)
Cramer	Kelly	Rogers (AL)
Crawford	King (NY)	Rogers (KY)
Crenshaw	Kingston	Rogers (MI)
Daines	Kinzing (IL)	Rohrabacher
Davis, Rodney	Kline	Rokita
Denham	Labrador	Rooney
Dent	LaMalfa	Ros-Lehtinen
DeSantis	Lamborn	Roskam
DesJarlais	Lance	Ross
Diaz-Balart	Lankford	Rothfus
Duffy	Latham	Royce
Duncan (SC)	Latta	Runyan
Duncan (TN)	LoBiondo	Ryan (WI)
Ellmers	Long	Salmon
Eshoo	Lucas	Scalise
Farenthold	Luetkemeyer	Schock
Fincher	Lummis	Schweikert
Fitzpatrick	Marchant	Scott, Austin
Fleischmann	Marino	Sensenbrenner
Fleming	Massie	Sessions
Flores	McCarthy (CA)	Shimkus
Forbes	McCaul	Shuster
Fortenberry	McClintock	Simpson
Fox	McHenry	Smith (NE)

NOT VOTING—8

Gowdy
Grijalva
Johnson (GA)

McKeon
Yarmuth

□ 1522

Messrs. BERA of California, ISRAEL, PETERS of California, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Messrs. MURPHY of Florida, CASTRO of Texas, PETERS of Michigan, COSTA, Ms. ESHOO, and Mr. GALLEGO changed their vote from “yea” to “nay.”

Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton

Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland

Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NAYS—192

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Esty
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallo
Garamendi
Grayson
Green, Al

Green, Gene
Gutierrez
Hahn
Hanabusa
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson, E. B.
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebach
Lofgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Maffei
Maloney
Carolyn
Maloney, Sean
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke

Owens
Pallone
Pascarell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wolf

NOT VOTING—12

Bishop (UT)
Culberson
Farr
Garcia

Gerlach
Grijalva
Hastings (FL)
Johnson (GA)
King (IA)
Lynch
Terry
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1529

Mr. RYAN of Ohio changed his vote from “yea” to “nay.”

So the resolution was agreed to.
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. GARCIA. Mr. Speaker, on rollcall No. 42, had I been present, I would have voted “nay.”

PERSONAL EXPLANATION

Mr. JOHNSON of Georgia. Mr. Speaker, had I been present on Thursday, February 14, 2013, I would have voted “no” on the motion on ordering the previous question on the rule and “no” on H. Res. 66, the rule providing for consideration of H.R. 273.

APPOINTMENT OF MEMBERS TO JOINT ECONOMIC COMMITTEE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 15 U.S.C. 1024(a), and the order of the House of January 3, 2013, of the following Members on the part of the House to the Joint Economic Committee:

Mr. CAMPBELL, California
Mr. DUFFY, Wisconsin
Mr. AMASH, Michigan
Mr. PAULSEN, Minnesota
Mr. HANNA, New York
Ms. LORETTA SANCHEZ, California
Mr. CUMMINGS, Maryland
Mr. DELANEY, Maryland

NATIONAL RECREATIONAL THERAPY MONTH

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, in February we celebrate National Recreational Therapy Month. Leading a healthy life means not only the absence of illness, but a level of physical, cognitive, emotional, social, and leisure well-being, which is the underlying focus of the recreational therapy profession.

Recreational therapists are caring professionals who touch the lives of individuals facing life-changing disease and disability all across the Nation. These professionals help individuals navigate these challenges, achieve healthy outcomes and, ultimately, an overall better quality of life.

Having worked in this profession for 28 years, I witnessed firsthand how the services of this profession made significant differences in the lives of so many. These services are provided by professionals nationally certified by the National Council for Therapeutic Recreation Certification as certified therapeutic recreation specialists.

Recreational therapy ultimately aims to improve an individual's functioning and keeps them active, healthy, and as independent as possible.

Mr. Speaker, I congratulate the caring professionals of the therapeutic recreation profession during the month of February for the services they provide each and every day.

PROTECT VOTING RIGHTS OF ALL AMERICANS

(Ms. LEE of California asked and was given permission to address the House for 1 minute.)

Ms. LEE of California. Mr. Speaker, the upcoming Shelby County, Alabama v. Holder Supreme Court case presents a direct threat to section 5 of the Voting Rights Act of 1965, which is the most effective civil rights legislation ever enacted by Congress.

The Voting Rights Act of 1965 was passed just 1 year after I graduated from high school. Growing up in El Paso, Texas, I vividly remember the days of Jim Crow, segregation, and the poll tax. Should the Supreme Court rule against the Justice Department and overturn this important legislation, minority communities will lose many of their voting protections.

Later this month, I intend to join my colleagues in the Congressional Black Caucus to listen to the oral arguments for this case at the Supreme Court. Many of us were part of the 390–33 majority, along with 98 Senators, who voted to reauthorize the Voting Right Act in 2006. We agreed there is still a compelling need to protect and preserve the voting rights of all Americans. After all, it is this right that lies at the very heart of our democracy that must not be eroded.

AMERICAN HEART MONTH

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, February marks National Heart Month, which reminds all Americans to take control of their cardiovascular health. Each year, 700,000 Americans suffer a heart attack, and approximately 600,000 die from causes related to heart disease. Nearly everyone knows a family member, a colleague, or a friend who has experienced the devastating effects of this disease firsthand.

While heart disease is currently the leading cause of death among men and women, we can all take steps to prevent this disease and promote overall heart health.

One example of community action is the great work of the Plymouth Rotary Club and Allina hospitals and clinics in Minnesota. They've teamed up together to start a new project called Heart Safe Plymouth, a plan that promotes education and training on the emergency treatment of sudden cardiac arrest.

I encourage all Americans to follow their example of involvement and action. Let's use American Heart Month

as an opportunity to learn more about heart disease and prevention so that we can all live longer and healthier lives.

IMPACTS OF SEQUESTER

(Mr. PETERS of California asked and was given permission to address the House for 1 minute.)

Mr. PETERS of California. The impacts of sequester will be felt in every district and State. San Diego is home to major research universities and technology firms. Last year, firms working on everything from improving cancer diagnostics to protecting our computer security received more than \$130 million from the National Science Foundation and \$850 million from the National Institutes of Health. In all, San Diego received more than 1,760 grants to support America's innovators.

I recently received a letter from Arisan Therapeutics, a small biomedical group in my district. This small team of dedicated researchers has been working on vaccines against the flu and dengue fever. If the sequester goes into effect, they will have to lay off their researchers and close. The sequester will not only hurt people, jobs, and families, but it will stop critical research in the biomedical sciences and stifle innovation in our labs and universities.

Congress must act now so America and San Diego do not fall behind our international competitors and so that we continue to be on the cutting edge of technology. We must keep investing in our future.

RECOGNIZING HONOR FLIGHT NORTHERN COLORADO

(Mr. GARDNER asked and was given permission to address the House for 1 minute.)

Mr. GARDNER. Mr. Speaker, I rise on the occasion of Honor Flight Northern Colorado's ninth flight to Washington, D.C., bringing veterans of World War II, Korea, and Vietnam to see their memorials. On behalf of a grateful delegation, State, and country, I welcome these heroes.

The 122 veterans on this flight included 37 from World War II, 80 from the Korea conflict, four from the Vietnam war, and one from the war in Iraq. Eight of these veterans wear the Purple Heart.

The Honor Flight program was founded in 2005. It provides veterans with the opportunity to visit Washington, D.C., free of any cost to them or their families to see the memorials that were built in their honor. The program, originally intended to honor World War II veterans, has developed to include veterans from several major conflicts.

Today we honor those veterans as they make the journey to Washington

to visit the memorials that serve as a symbol of a grateful Nation. Of course, no memorial, no statue can ever truly convey the sacrifices our veterans have made for our country. Much has been asked of these soldiers, sailors, airmen, marines, and Coast Guardsmen; and time and time again they have delivered.

The freedoms endowed upon us by our Creator, protected by our Constitution, and enjoyed by all Americans must never be taken for granted. Today, we honor those who have sacrificed to secure the blessings of liberty for generations of Americans. Please join me in thanking these patriots.

Mr. Speaker, I rise on the occasion of Honor Flight Northern Colorado's ninth flight to Washington, DC bringing veterans of WWII, Korea, Vietnam, and Iraq to see the memorials. On behalf of a grateful delegation, State, and country, I welcome these heroes.

The 122 veterans on this flight include 37 from World War II, 80 from the Korea conflict, 4 from the Vietnam War, and one from the War in Iraq. Eight of these veterans wear the Purple Heart. The Honor Flight program was founded in 2005. It provides veterans with the opportunity to visit Washington, DC free of any cost to them or their families to see the memorials that were built in their honor. The program, originally intended to honor WWII veterans, has developed to include veterans from several major conflicts. Today we honor those veterans as they make the journey to Washington to visit the memorials that serve as symbols of a grateful Nation.

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Please join me in thanking Willard Bauer, Robert Bell, Edward Coleman, Floyd Ewing, Albert Fairweather, Marvin Fowler, Elwyn Frazier, Robert Fulton, William Garcia, Edward Glover, Herold Hettinger, Raymond Holiday, Buford Johnson, William Kammlade, Donald Lawless, Russell Maxwell, Dale Norwood, Philip Owen, Paul Painter, George Parker, Theodore Pratt, Kenneth Robb, Henry Redd, Harley Rouze, Harold Scatterday, Dean Severin, Leonie Shannon, Keith Simons, Jacob Stieb Jr., Howard Teague, Margaret Thompson, Charles Vogel, Thomas Weathers, Victor Weidmann, John Williams, Milo Whitcomb, Quentin Younglund, Bobby Andersen, Emmett Archuleta, Donald Armagost, Robert Ambrecht, Gary Beverlin, Stanley Black, Ronald Brasseur, Earl Buckendorf, Robert Buttner, Donald Campbell, Clarence Carnes, Jerald Clark, Robert Clayton, Keith Coates, Kenneth Comin, Victor Crenshaw, Dean Daggett, Lester Edgett, Arno Engele, Roy Erickson, William Erickson, Bernard Erthal, Donald Fenske, Donald Fickenscher, Russell Foster, Franklin Fronek, Porfolio

Garbiso, Carl Goeglein, William Goble, Delbert Gorsline, George Gray, Kenneth Hoff, Robert Hull, Robert Jones Jr., George Knaub, Arthur Kober, John Leach, Roger London, Willard Loose, Joseph Lopez, Arthur Lukemire, Charles Mahoney, Eathon Marr, Vernon Marston, Robert Martin, George Maxey, Loren Maxey, Albert Melcher, Gordon Michel, Kenneth Miller, Raymond Miller, Stuart Miller, Ralph Nuss, James Othrow, Theodore Pearson, Robert Phillips, Franklin Pino, Julius Racette, Dean Rydholm, Delmar Scholfeld, Carlos Scott, Stanley Shafer, Emil Shireman, Hubert Shumaker, Norris Slechts, Jack Snyder, John Stieb, Dale Stinton, Donald Svedman, James Theobald, Gern Terrell, William Thill, Paul Van Driel, James Vincent, Paul Vohs, Leroy Waag, LaVerne Walls, Warren Ward, Duane West, David Young, Leonard Beutelspacher, John Gruver, Gaylord Mekelburg, Cloyd Rael, Marshall Spring, Charles Adams, and any participants whose names were not available at the time of this statement.

□ 1540

DOCTORS CAUCUS

The SPEAKER pro tempore (Mr. MASSIE). Under the Speaker's announced policy of January 3, 2013, the gentleman from Tennessee (Mr. ROE) is recognized for 60 minutes as the designee of the majority leader.

Mr. ROE of Tennessee. Mr. Speaker, before starting this Special Order, I'd like to yield as much time as he may consume to my friend from Mississippi, STEVEN PALAZZO.

SEQUESTRATION EFFECTS

Mr. PALAZZO. I want to thank the good doctor from Tennessee for yielding me some time.

Mr. Speaker, in 2 weeks we face one of the most devastating cuts to our military that our country has ever seen, literally, a worst-case scenario for our men and women in uniform, all in just 2 weeks.

For a year and a half, several of my colleagues and I have been discussing with anyone who will listen the devastating impact of these automatic budget cuts, but still we have stalled and delayed till we are where no one in their right mind would want to be.

If these cuts are not stopped, not only will our military be hollowed out, but a number of other agencies will be severely impacted as well. Defense cuts are bad enough. Unfortunately, these cuts affect a lot more than just defense. These automatic cuts affect food inspections at the Department of Agriculture, FBI investigations, TSA screening at airports, and others. No agency is untouched.

One example in Mississippi alone is it is anticipated that these automatic budget cuts could cost as many as 845 jobs in the education sector alone. These are the people we task with educating our future generations and ensuring our country's success.

We're now hearing of furloughs across the government agencies. This would mean that families that are dependent on that paycheck to put food in their children's mouths and clothes on their backs will be forced to stay home as much as 1 day a week for up to 22 weeks.

This means millions of dollars in lost pay for dedicated public servants because Congress and this President cannot get their act together and do what is right for our country.

At this point, the House has passed two separate plans that were never even considered by the Senate. Ultimately, inaction by the President and Senate are allowing us to inch closer and closer to the disgusting reality of these cuts.

Even more disappointing than the Senate and the President's inaction is the ridiculous position of many that seem completely content to throw their hands up and say that we have done all we can do.

But I am perhaps the most disappointed in my colleagues that want these cuts to take place in the name of spending cuts only. What good are spending cuts when you can't defend the Nation you are trying to save and destroying our economy in the process?

I am in favor of reducing our national debt and balancing our budget as much as anyone in this Congress, but I refuse to do it on the backs of our men and women in uniform and their families. I will not jeopardize their safety and security, yet some in this body want to do just that.

It is foolish—no, naive—to believe that allowing \$1 trillion in spending cuts to our national defense is responsible or sustainable. Many of my colleagues seem to have forgotten that these automatic cuts were intended to be the absolute worst thing we could do. It was designed to force bipartisan action on addressing our spending addiction in this Congress. It is the unintended consequences of an absolute failure by the supercommittee. So, instead of using a scalpel, we're using a meat-ax, and the impact of our failure to act will soon be all too apparent unless we avert this irresponsible action.

Despite repeated requests for over a year for more details on what effects these details will have, only now, 2 weeks before they are scheduled to take place, have we received any information from this administration.

The military services have let us know exactly what effect they think sequestration will have, and it is not a pretty sight. We are talking about one of the biggest drivers of small businesses, a major employer of our Nation's veterans, and a major economic driver in our economy. And some here are willing to see it slashed for no benefit whatsoever.

But civilians are not the only issue here. We are downsizing our force to

deal with the cuts already in place—\$487 billion worth. We will have to cut further into our active duty if these cuts are not rolled back and replaced responsibly.

In my district, over 10,000 people walk through the gates of Ingalls Shipbuilding in Mississippi every day. If just one ship contract is cancelled as a result of sequestration, we are talking about thousands of people being immediately unemployed and layoffs at small businesses in over 49 States. These are some of the most patriotic and hardest working people I have ever met in my life. They have dedicated their lives to building the greatest naval ships the world has ever seen.

So this week, I spoke with our most senior military leaders, and they told us very directly, if you want our military to continue doing what it's doing today, then we can't give you another dollar.

There are similar stories across the Nation at plants building the largest planes to the smallest component parts. These are the stories of real people who go to work every day to make America a better place. These skills are not easily relearned. Once they go away they are gone forever, and I will not stand by and allow inaction by my colleagues to kill American jobs.

I ask my colleagues: Is this what you want? Do you honestly believe this is for the best?

I beg anyone to explain to me how we're a better country if these cuts take place.

Mr. Speaker, I implore our leaders, the Senate, and the President to act. The future safety and security of our Nation is at stake.

Mr. ROE of Tennessee. I thank the gentleman.

Mr. Speaker, we're going to take the next hour or so, the Doctors Caucus, Dr. GINGREY, myself, Dr. HARRIS, and we're going to speak about the Affordable Care Act, how we got where we are, the plan to save Medicare, and other health care issues.

I came to this Congress after a 31-year medical practice in Johnson City, Tennessee, just a doctor out each day in east Tennessee taking care of patients; and I made a decision that I didn't like the direction that the country was headed in health care, and I wanted to run for Congress to be here for that reason.

Well, it turned out that two Congresses ago we did have a debate on the health care issue. We have nine physicians in our health care caucus, and not one of us was consulted about that health care bill. Not one of us was brought in the loop and said, What do you think?

Well, we had an extensive debate, I will admit, in the House. This bill was passed on a pure party-line vote in November of 2009; and on Christmas Eve, the Senate passed a bill that had not

been vetted, had not been heard in the House, was not debated in the House, a completely different bill. But because of the rules in the Senate, it never got heard here and was not debated fully in the Senate.

That bill was passed, it will soon be, 4 years ago—3 years ago, I mean. We thought that we'd have an opportunity after the Supreme Court looked at this—those challenges were brought to overturn this bill—and we're going to spend the next hour explaining why we don't think it was the right prescription for the health care of the citizens of this country.

I bring an extensive knowledge about a health care reform bill we did in our State of Tennessee. The biggest problem with the health care in this country is not the quality of care. Certainly, we can always do better, and physicians want to do better and have new techniques and new innovative medicines that we use. But the biggest problem with health care in America is the cost of that care. I got to see it every day in my practice, where going to the hospital could bankrupt families if they didn't have proper insurance, it was more expensive to come in, and so the number one driver was cost.

□ 1550

Number two, there's no question we had a group of people who worked every single day of their lives and could not afford health insurance. It was not affordable for them. I would see it in my community where you would have, let's say, a carpenter who would work and during the winter they didn't get to work too much. They would work and maybe make \$20,000 or \$25,000 a year. Their wife may work at a local diner, maybe, and make \$20,000 or \$25,000. Together, where we live, they could make \$40,000 or \$50,000, maybe, in combined income and they could live okay. But they could not afford a thousand dollars a month for health insurance coverage. It was just out of their reach. And thirdly, we had a liability crisis in this country.

So what did the Affordable Care Act actually do? Well, it did increase access. But it increased access mainly, the best I can tell, through a massive expansion of a failed system called Medicaid. The Medicaid system right now in this country is broken and needs to be reformed. We did not reform it with this bill. So that's one thing it did.

Two, it did not touch liability. And we can go into that a little bit later. But the liability crisis still exists. My State of Tennessee has done something, as has the States of Texas and California. Other States have been successful in liability reform. And that has helped. But the President was here Tuesday night. We were all sitting in this Chamber. And amazingly, in the seat right below you here on the dais,

the President said with a straight face that his bill, his Affordable Care Act, so-called ObamaCare, had lowered costs. I was astonished by that because it clearly has not done that at all. And let me just go through a few things.

I serve as the chairman of the Health, Employment, Labor and Pension Subcommittee in the Education and Workforce Committee. So if you have a private health insurance plan, that issue, that plan will come through my subcommittee. Let me just go over a couple of things that we found. We've had numerous hearings over the past 3 years about this. And this is recent data right here. President Obama's health care law will push about 7 million people out of their job-based insurance coverage, nearly twice the current estimate. That was just in the last week or two, that estimate, according to guess who? The Congressional Budget Office. Not PHIL ROE and not some Congressman. But the CBO believes that. So twice what they thought it would do.

Spending on health care is up. And we estimate it's as much as \$4,500 per family since this bill has come into play. That is not pushing the cost of health care down. So we see that. And one of the things that this bill did, I think which was good and bad, Mr. Speaker, is we allowed millions of young people under the age of 26 to be on their parents' health care plan. That sounded like a good idea. And if you have a mom and dad that paid for that, it probably is a good idea if they pay for. I know one of the great points of my life were when my three children got out on their own and paid their own health insurance. That was the biggest raise I probably ever got, them getting out of college and paying their own health insurance.

But what happened was, the way the bill was written, actuaries can no longer charge the actual cost of that care. Let me give you an example. If a person my age is out buying an individual policy, it will cost about six times what a young person under 26 pays because actuarially I'm much more likely to need health insurance or need my health care plan. This bill only allows a 3-to-1. So that means a young person is going to pay two to three times, that person out there paying for that health insurance coverage, than they otherwise would have.

I've had a good friend of mine who's in the health insurance market at home, and for all three of my children I bought them individual plans, and I specifically remember exactly how much I wrote the check for. He said, Dr. ROE, I was having these plans for about \$100 a month, just a basic health care plan. Some less than that, depending on risk. Immediately after that bill passed, those rates tripled—they were \$280 a month. All of a sudden now, if you're an individual, that isn't afford-

able. Most people don't have an extra \$200 or \$300 right now in a tight economy to do that. So we've made it less affordable for a lot of young people. More accessible but less affordable.

I'd like to introduce my colleague and cochair of the Doctors Caucus and fellow OB/GYN physician from Georgia, my good friend, Dr. PHIL GINGREY.

Mr. GINGREY of Georgia. I thank the gentleman from Tennessee for yielding to me. He has already alluded to some of the things that I am going to say in my remarks but the most important thing that he stated: On Tuesday night, President Obama stood here in this Chamber and he gave his State of the Union address and said:

Patients enjoy stronger protections than ever before. Already, the Affordable Care Act is helping to slow the growth of health care costs.

Well, President Obama obviously didn't get the memo. We must not have read the same CBO report, Mr. Speaker. ObamaCare is not slowing the growth of health care costs. ObamaCare is driving up the costs, jeopardizing insurance coverage, and placing excessive burdens on small businesses, limiting their potential for growth.

In 2010, President Obama and the Democrats assured us that their health care law would lower costs, it would cover millions of uninsured Americans. Well, as Dr. ROE said, fast forward 3 years and we have seen nothing but broken promises and this enormous pricetag. Just last week, the CBO—the Congressional Budget Office—the unbiased scorekeeper that works for Congress, reported that under ObamaCare—PPACA, health care costs will increase and 7 million Americans will lose their coverage. These are the facts, despite any State of the Union rhetoric.

Young Americans will also be severely impacted with an exorbitant rise in health insurance premiums due to a provision in ObamaCare. A lot of people are not aware of this, Mr. Speaker. This provision requires insurance companies to reduce their rates for seniors—a laudable goal. Premium costs for individuals under the age of 40, though, are going to significantly rise to even out that balance. By limiting these—we call them age band discounts—that are called for in ObamaCare, a 3-to-1 ratio. So someone, let's say as an example, that is in their very early sixties and they're not eligible for Medicare at age 65, and they already possibly have multiple systems diseases, as we say in medical parlance, and are on many prescription drugs, expensive drugs—they're a much greater risk in regard to an insurance premium coverage of busting the ceiling on that every year. But under ObamaCare it says their premiums cannot be more than three times the premium of someone who is 28 years old, 10 feet tall, and bulletproof.

As a result, these are some of the problems that that creates within these exchanges. It will absolutely discourage the younger people from buying insurance. They'll pay the fine. They will not pay those higher premiums so that they stay within that 3-to-1 ratio. It will likely force young healthy individuals out of the insurance market. That's some of those 7 million we're talking about that are going to lose their insurance because of this.

Let me just give a real specific, and then I'll yield back to the gentleman so he can yield time to our other colleagues. For a 27-year-old earning \$33,500 a year, premiums are expected to jump from \$2,400 a year to almost \$3,200 a year. This is an outrageous increase in costs that young people can't afford. If they get a job in this current climate where we've had 7.6 percent or higher unemployment—the entire time that President Obama has been in office—they're not going to be able to afford these premiums. And they clearly are not going to pay for them. ObamaCare is negatively impacting the insurance market on two fronts: it forces rising premium costs on the young, and it increases the total uninsured population, as I stated earlier.

So at this point I'll yield back to the gentleman from Tennessee and I hope to remain with my colleagues for the remainder of the hour as we continue this colloquy.

Mr. ROE of Tennessee. I thank the gentleman.

I'd now like to yield time to my good friend, Dr. ANDY HARRIS from Maryland. ANDY is an OB anesthesiologist. And I say this to my good friend: I spent a good bit of my adult life waiting for anesthesia to put my patients to sleep so I could operate. So I now yield to Dr. HARRIS.

□ 1600

Mr. HARRIS. I want to thank the gentleman from Tennessee and the gentleman from Georgia.

Following up on what the gentleman from Georgia said, Mr. Speaker, the President stood there and told America that health care costs have gone down. Now, I don't know if the President has been in a pharmacy lately or been to the doctor or bought a health care insurance policy lately, but the fact of the matter is the price has gone up—in some cases, dramatically—and it's going to go up more, especially for the young, who actually are the highest percent of the uninsured of any age group.

Look, it's just the facts. Folks, when they're 18, 19, 20, 25, they don't think anything is ever going to happen to them, so they don't buy a policy. And the policies now, I sat down with someone whose daughter was insured, and she had one of the HSA accounts, those health savings accounts, and \$2,500

goes into the health savings account. The first \$2,500 she would pay, and above that, the insurance would kick in. It was an affordable policy. It used to be less than \$100 a month. Imagine that, \$100 a month, guaranteeing that young person, God forbid they get into a bad accident, God forbid they develop a tumor at an early age, they have coverage for the really expensive things that you may need. That was affordable. I think most people would say \$80 a month is affordable.

That policy went up to \$110, and this time the renewal was 22 percent more than that. And it's going to get worse because the President now, in the Affordable Care Act—ObamaCare, as he prefers it to be called—actually reduces the amount that those health savings accounts can hold. It's now limited to \$2,500. You can't get your premium lower by saying, Okay, I'll take a little more risk, increase my health savings account. So those costs are going to skyrocket. And when they skyrocket, the gentleman from Georgia is absolutely correct, a young person is going to say, I'll pay the penalty.

So a young person who may have had insurance before because it was only \$80 a month—and it protected us from having to pay for those medical costs, God forbid that young person had a catastrophic illness or injury. That person is going to make what looks like a logical choice now and say, You know what; I'll pay the penalty and drop my insurance. It's going to have exactly the opposite effect of what was intended, and predictably so, when you force those premiums up.

Again, the President stood here and said that health care costs went down. I've got to tell you, I still have yet to run into someone at one of my town hall meetings that says, Good job, ANDY; my health care costs or my insurance is going down. It's not, it's going up.

Let me address, because the gentleman from Tennessee touched on it, one of the problems that the President didn't consider—tort reform. You have three physicians here, two of whom spent their professional lives in the labor and delivery suite delivering babies, practicing obstetrics. I practiced obstetric anesthesiology, do those epidurals, those spinals, relieve women of their pain in childbirth.

Over my career, my generation—I finished my training in 1984, 28 years ago. At that time, to show you what the effect of not having tort reform is, the cesarean section rate for American women having a baby was 15 to 17 percent. One in six to one in seven women would have to have a cesarean section. Now, 28 years has passed. I don't know if the Speaker is aware, but the cesarean section rate is now 33, 35 percent, in some hospitals 40, up to as high as 70 percent in some hospitals. That's in one generation.

I will tell you, as a physician, not much has changed to patients in one generation. What has changed is that you don't find an obstetrician who's willing to take the risk of doing a delivery in a high-risk patient, a normal delivery, because of the medical malpractice exposure—not that they would commit it, but they would be charged with it, that a baby doesn't come out perfect, because that's the way the world is. Yet they would be charged, brought into a court of law, and lose millions of dollars in a settlement. So what do they do? They choose, when there is any question, to do a cesarean section, and who can blame them to do it.

Mr. Speaker, those women who are watching, they know exactly what I'm talking about, because they know if it was their daughter or granddaughter or a friend of theirs, they all know someone who has had a cesarean section. If the women who are in the audience now think back to one generation ago, it was much more rare. So what's happened? We haven't had tort reform.

But that's not all. By the way, the cost to the system is billions of dollars a year for those extra cesarean sections, billions of dollars direct cost to the health care system.

If that was all, we'd say maybe we can tolerate that, a doubling of the rate of cesarean sections, but that's not all. When those women go to see their obstetrician now, one generation ago when I started, when I had my first child, my wife went to an obstetrician. It was a solo practice. And that obstetrician apologized to my wife and said, You know what, I'm sorry, but every other weekend someone may have to cover my practice, so I may not be able to guarantee you that I'm there with you at your delivery.

Let's fast-forward one generation, 28 years. You can hardly find an obstetrician in solo practice anymore. They simply cannot afford the medical malpractice premium. They may never have been sued in their life, and they may have to pay over \$100,000 a year just for the medical malpractice premium, never having been sued in their life. So what happens? They're all forced into large groups.

Now, that same conversation, if my daughter now goes in to see an obstetrician, that conversation would run like, You know, ma'am, you're going to have to see everyone in the group during your pregnancy, and we have seven or eight people in the group. So every time you're going to have to see someone else so that everyone gets to see you because we don't know who's going to be there the day you deliver.

Now, is that good care? Is that a good relationship that woman develops with her obstetrician when she doesn't even know who's going to be there to deliver her? In fact, she doesn't even know who might see her the next time she's in

the office, one of the most important times in her life. We have completely changed the doctor-patient relationship because we don't have tort reform in this country.

If it was just the rate of cesarean section doubling or just the fact that you have to see seven or eight people and you don't really know who's going to deliver you on a given day, we might accept that, but it goes beyond that, Mr. Speaker. Because what's happened now, a good, highly trained obstetrician stops delivering babies in their forties or fifties because they have developed their practice, they have seen those patients. They just take care of their gynecology problems and they spend the last 20 years in their career not delivering a baby. Having delivered them for 20 years, gaining all that experience, the most experienced obstetricians don't deliver our babies anymore. And why don't they? Because if they stop delivering babies and promise their insurance company they will not deliver a baby, all of a sudden that \$100,000 premium becomes \$20,000. If you were in your forties and fifties and could afford to do that in your practice, you might say, You know what; it makes sense for me to stop doing this.

So when you add up all the things that have happened because the President, in his Affordable Care Act, refused to have real tort reform—and it's possible, because it happened in California. I mean, there are areas in the country that have it. But nationally, he refused to have it—and the gentleman from Georgia is very familiar with this because his bill deals with this. Because of that, we have a cesarean section rate that's twice as high as it ought to be, and some people will tell you it might be three or four times as high as it ought to be. We have women who never develop a close doctor-patient relationship with their obstetrician because you really can't. I mean, you're seeing a group of seven or eight purely because the malpractice premiums are now spread out. Frequently, somebody else even pays. They may be part of a hospital group, for instance.

Finally, our most experienced physicians for women in a time—you know, you talk about taking care of children. You've got to start right at the beginning. You've got to have the most experienced person there. See, I've been at thousands of deliveries.

□ 1610

Ninety-nine percent of the time they go all right. But when they don't go all right, you want the most experienced person there. And, Mr. Speaker, our lack of tort reform means we no longer have it. We have entirely changed the way we deliver obstetric care. So if you even said, look, we're not even going to worry about costs, let's not talk about costs, let's talk about access to experienced, personalized care for our women

having babies, it's virtually gone because the President and our counterparts across the Capitol in the Senate refuse to take up the issue of tort reform and restore some commonsense, good medical care to Americans.

Obstetrics is an example. We could go into neurosurgery and many other examples, and I'll leave it with that. We have so many opportunities to reduce the costs and improve the quality and access to medical care, and it was lacking in the State of the Union Address.

Mr. ROE of Tennessee. I thank the gentleman for his comments. I felt it *déjà vu* there, Dr. HARRIS, after walking out of the delivery room after about 5,000 deliveries for some of the very reasons that Dr. HARRIS brought up. I'd now like to yield to my friend from Georgia, Dr. GINGREY.

Mr. GINGREY of Georgia. Mr. Speaker, the gentleman from Tennessee is generous with his time. I did want to follow on to what the gentleman doctor from Maryland is just talking about in regard to tort reform. Yes, he covered that very, very clearly and pretty completely.

But there are other things in this law, the so-called Affordable Care Act—well, Patient Protection and Affordable Care Act. And, yes, I think President Obama proudly likes to have it called *ObamaCare*. Maybe he hopes that one day that will be his legacy. There are provisions that, particularly in these exchanges that are being set up in all 50 States, the States that are doing it, the territories and the District of Columbia, that basically say what best practices are for the different physician specialties, including the specialty of obstetrics and gynecology which Dr. ROE and I practiced many years. But in these descriptions of what's the best practice for a general surgeon or an internist or a pediatrician, in some cases, they're not a carbon copy of what our specialty societies recommend. The American College of Obstetricians and Gynecologists, as an example, does a wonderful job of making sure that each one of their members gets a monthly bulletin and current updates on what the best practices are for our specialty. It's based on science by the best and brightest. And, yet, this law may ask us to do something that goes against that.

I have introduced a bill, Mr. Speaker, to protect our physicians. If they are following the guidelines of their specialty, or, on the other hand, if they're following the guidelines of the government that some government bureaucrat says is the best standard of care, if they're doing that and they have a bad outcome, this provider shield would protect those physicians from liability. It's something that's desperately needed because of this law.

There is another bill that I have introduced called the SCOPE Act. SCOPE

is an acronym for the Safeguarding Care of Patients Everywhere. What would prevent the Secretary, Ms. Sebelius, or whomever, from saying what qualifies a physician to be on a provider group in one of these exchanges? Is it what she says or what their specialty society says?

So, again, these are things that we're working on very hard to correct, I think, a very bad situation. We members of the Doctors Caucus, we on this side of the aisle will continue to fight for that. I thank the gentleman.

Mr. ROE of Tennessee. I thank the gentleman for yielding. Just to carry on with what Dr. GINGREY and Dr. HARRIS have brought up, let me share with you about affordability. When Dr. HARRIS was talking about young people, it's obvious that the President—I don't know who writes the check for health insurance in his home, but he hasn't looked at the check, whoever is writing it, if he hasn't figured out that costs have gone up.

Dr. HARRIS, I may be a little more than a generation past where you are, but when I left, when I quit operating and doing obstetrics, I had an 8 percent primary c-section rate. You've seen that. And why did that happen? When I came back from the Army to Memphis, I trained at the University of Tennessee in Memphis. I had 2 years of training, and then I had to go in the military for 2 years and came back and finished my training. All the malpractice carriers left the State of Tennessee. In 1975, they all left. So the doctors and the Tennessee Medical Association set up an organization called the State Volunteer Mutual Insurance Company. This insurance company was a mutual company, so money that we didn't pay in came back to us at the end of a year. It wasn't owned by some stock-traded company. Strictly, it was just to give us malpractice liability insurance coverage, which I've kept until this day.

In the entire time that that company has been in existence, over half the malpractice premium dollars have not gone to injured people. They've gone to lawyers, both plaintiff and defense lawyers. What a terrible system that is; to try to compensate someone who has actually been injured, we have no way to do it. Less than 40 cents on the dollar that we paid in for 35 years has actually gone to people who have been hurt. That's a terrible system. We need a better system.

As Dr. HARRIS pointed out, when I started my practice, my malpractice premiums were \$3,000 a year. Five years ago, when I left, a young physician who replaced me was paying \$7,400. And guess what? The patients didn't get better quality and better access. They just got higher costs. So that's why we need to address that issue. I think you're spot on, Dr. HARRIS. I yield to the gentleman from Maryland.

Mr. HARRIS. I thank the gentleman from Tennessee for yielding. To follow up on his point, Mr. Speaker, I don't know if Americans realize, the gentleman is absolutely right. If you have a case litigated, a birth injury claim, and it goes to a jury and there's an award, let's say, of \$6 million—not an unusual award—40 percent of that award, \$2.4 million plus expenses, goes just to the attorney. Is that fair? You have an injured baby—and we're not going to decide what the injury is. But is it fair that when the court renders a decision that half the money doesn't go to take care of that baby? It doesn't seem fair.

I want to briefly go back to some of the issues in the Affordable Care Act. One that really struck me is the medical device tax. Now, I know the President likes taxes. There are 21 in the Affordable Care Act. He stood up there 2 days ago and talked about taxes, increasing taxes as a solution to our problems. But let me tell you what the problem with that medical device tax is. And I'm going to hearken back to my experience, again, over 28 years. I remember training in the early eighties. Some of the people watching, Mr. Speaker, might know if they had a kidney stone 30 years ago and had to have an operation for that kidney stone just how serious that was. And I remember, I did anesthesia for many of them. There were big incisions on your back, on your side, a week in the hospital, and you could get infections from it. It was a terrible experience if you needed an operation to remove a kidney stone.

So 2 years ago, I had the opportunity to work in one of the urology operating rooms. It was a kidney stone removal. And here I'm going, wow, I haven't seen one in a while, I'm going to give the anesthesia for it, I'm going to prepare for a big operation. The surgeon said, no, no, no, no. We're doing this with a laser. I said, a laser? That kidney stone is deep inside. It's inside your body. He said, no, you've got to see what we got.

They brought a laser machine in, and I apologize I didn't bring a sample of these catheters. It's a catheter, a wire that's about a yard long, and it's fiber optic. Oh, my gosh, it's thinner than the lead in a pencil, and it's flexible. They thread this up—and I won't go through the exact anatomy—they thread it up to where that kidney stone is. They fire a laser through this, and they break the kidney stone up into tiny little pieces, or evaporate it, and it just comes out. There's no incision. These patients go home the same day.

□ 1620

Why? Because of medical innovation, because some company took a risk to develop that laser product. I tell you, it's not cheap. I'll also tell you it's a whole lot cheaper than several days in the hospital.

The President stood there and said, We don't want to pay by the hospital day; we want to pay by the quality. Let me tell you something: if I have a kidney stone, my hand is going up for that newest method because it's the quality method. What does the Affordable Care Act do? It taxes it. If that person had the old operation, there's no taxes involved; but if they have that new device, there's a tax on it.

I learned in the legislatures that there's a saying that if you want to discourage something, tax it. We have these arguments over tobacco. You want to discourage tobacco? Let's tax it. Most States have taxed it, the Federal Government taxed it, and sure enough we have less. I don't understand. Is that the same thinking we have about innovative medical devices? Are they all of the sudden not a good idea? That's exactly what this bill does, it taxes them.

One of two things is going to happen: either that tax is going to be passed on—because that's what businesses do: when you tax businesses, they pass them on—or we won't innovate as much. That would be a disaster because the key to improving our health care quality, going into the future, especially with American ingenuity and innovation and expertise, is innovating. We're taxing innovation. It makes no sense, Mr. Speaker.

I hope we move a bill through this Chamber to remove that taxation. It's a very bad idea for the quality of health care in the United States because some of these new products, whether it's for treating diabetes or whether it's for treating kidney stones, are amazing new technology.

Mr. ROE of Tennessee. I think we all could stand here for hours talking about—I certainly could—the innovative new devices that I've used through laparoscopy that have helped patients shorten their length of stay, shorten their pain. I hope we don't go into the Middle Ages of health care in technology because we could spend literally hours talking about what we've seen. We're the place in the world that people come for this.

Before I go back to costs, the estimates are that this device tax will cost 43,000 jobs. The fear is that we'll start producing these offshore and lose jobs in this country. That makes no sense whatsoever. Actually, it was Dr. Milton Friedman who said:

If you want more of something, subsidize it; if you want less, tax it.

That's a fairly simple concept.

Back to the initial problem we have in health care, which is cost. Let me just go over a couple of things, and not just behavioral things. In a recent Gallup survey, the top concern cited by small business owners was rising health care costs. Remember, the President stood right here—and I listened to the debate and so did Dr.

GINGREY—for hours on end about how this was going to lower the average person's health care insurance premium by \$2,500 a year. Remember that? You remember that, Dr. GINGREY. I heard it over and over right in this well and right at this dais. Guess what? Exactly the opposite happened, which is exactly what we predicted would happen. It did not bend the cost curve down, and it's making it less successful and affordable for people.

Anyway, on with this Gallup survey. So three-fourths, 74 percent, of respondents reported that rising health care costs were hurting their businesses; and 61 percent of small business owners, who are not hiring, point to worries about potential costs of health care as a reason for why they're not hiring. That ought to be a clear signal to everyone here that we need to deal with costs.

What I should have stated at the outset of this hour is what we do not need to do. Health care decisions should be made between physicians, the family, and that patient. That's who should be making them. It should not be insurance companies and certainly not some bureaucrat here in Washington or some policy wonk up here that thinks they know what's best, as Dr. HARRIS just pointed out what is best for that patient. He saw and he knows what's best because that's what he's done for the last 30 years.

I think our cost issue is clearly what we're not dealing with with this care. Are there good things in this bill? Sure. There are things in here that I like in the Affordable Health Care Act, and we can talk about that.

Dr. GINGREY, I would like to yield to you at this point.

Mr. GINGREY of Georgia. Again, I thank the gentleman from Tennessee for yielding because I wanted to follow on in this line of discussion with regard to costs.

The way doctors were paid by Medicare in 1965 was, to my understanding—I think I'm correct on this—just like private insurance: an 80/20 indemnity kind of coverage, and the cost was accelerating.

Then in 1998, I believe, the Balanced Budget Act of 1997 put in this formula to control Medicare spending, particularly the spending that goes to the health care providers, which by the way is only about 12 percent of total Medicare spending.

In any regard, that seemed to be the greatest concern, controlling how much the doctors were getting paid. So they put in this formula that's called SGR, sustainable growth rate, based on some calculus. But it was flawed. It was flawed badly. And for the last, I would say, 10 years, when you calculate that formula for the expenditures for doctor fees for the previous year, the formula would call for a cut of 1 percent, 2 percent, 4 percent. Over those 10

years, it's up to 26.5 percent. Well, thank goodness Congress, we Members of Congress on both sides of the aisle, have the ability to mitigate that; and we have done that because we know the formula is flawed and it needs to be repealed and replaced. Yet we have not been able to do that.

I'll tell you this, though: in this House of Representatives, in this 113th Congress, with Republican control under Speaker BOEHNER and Leader CANTOR and committee chairmen like FRED UPTON in Energy and Commerce and DAVE CAMP on Ways and Means, we are going to fix that flawed formula once and for all. We're not going to keep putting Band-Aids on it, mitigating a little bit at a time, and kicking the can down the road. That is our pledge to the American people.

I hope our colleagues in the other Chamber, controlled by the Democratic Party, will go along with us on this because what we realize is that all of the doctors in the House and in the Senate, they understand that if you enact those cuts that will come due again at the end of this year, almost a 30 percent cut in what you reimburse for Medicare providers, then there will be no doctors. People will have a Medicare card, but they will not be able to find a physician to take care of them.

This ObamaCare bill did nothing except, in fact, enact a provision, which I know my colleague from Tennessee wants to talk about, that makes it worse, that doubles down on it. We need to repeal SGR and figure out a better way to reimburse, to pay physicians based on quality of care, rather than volume. I think that's a good idea. But there's a provision in ObamaCare that could trump all of that and make all of our efforts in that direction go for naught.

So I want to end here so the gentleman from Tennessee can explain what I'm talking about because he has the repeal bill for that.

Mr. ROE of Tennessee. I thank the gentleman.

I do want to say to the American people that 47 million people, including Dr. GINGREY and I, are on Medicare.

We made a solemn promise to our seniors in 1965. When that program came out, it was a \$3 billion program. Why was it put in place? Because many people retired from their business at that point in time, they no longer worked, and they had no access to care. Again, lack of access to affordable health insurance.

It was a \$3 billion program. There was no Congressional Budget Office at that time, but the estimators here in Washington said we believe in 25 years this will be a \$12 billion program and maybe even balloon to \$15 billion. The actual number in 1990 was \$110 billion. Today, in 2013, it's going to be over \$550 billion.

Now, we've made a solemn promise to people who paid premiums—2.9 percent

of their income, basically. The employer pays 1.45, and they pay 1.45. Of all the income you make, all of your paycheck goes to that.

□ 1630

One of the things that we've discovered and found out is that we pay in, as I have—as the average person does—about \$117,000 or \$118,000 over a lifetime, a family does, but they get out over \$300,000 in services. So we know we can't pay \$100,000 in and get three times that much service out. What are the reasons? It's the same issue with Social Security. We have fewer and fewer people paying in and people living longer and longer and longer. By the way, each day in this country, over 10,000 baby boomers hit age 65. That's 3.5 million people a year who are getting to be about 65 years of age.

You have to laugh at the lingo up here, when "savings" means that you take money out of something and when an "investment" means you spend it into something. So you have to learn the language up here to understand what people are talking about.

About \$700 billion was taken out of the Medicare program—savings—and we've got 3.5 million more people being added every year. Well, you do the math. How they were going to control this cost was with a little plan called the Independent Payment Advisory Board. What that is is a board of 15 unelected bureaucrats who are appointed by the President and confirmed by the Senate. Here is a little tricky part of the legislation. The President is supposed to be appointing these people this year. If they are not appointed to that board, one person—one—the Director of HHS, Kathleen Sebelius, has the power to enact all this. We have given that bureaucratic power to one person if those members and that board are not confirmed. Most people don't know that.

I've heard all the pros about how wonderful this is. I go back to my scholarly journals, and I want to refer people to the New England Journal of Medicine. An attorney in the New England Journal of Medicine, Timothy Stoltzfus, wrote an article in June of 2011, not pro or con, but just about the Independent Payment Advisory Board.

In addition, my friend Dr. GINGREY just said—and he is absolutely correct—that Congress changed this payment to doctors, the so-called SGR—the sustainable growth rate—so that patients would maintain their access to their doctors. We've had a retrospective look at the last 25 years. Let's say we fix SGR, like we're talking about, so that patients maintain their access. In a retrospective look in his report, the CMS actuary questioned—this is not me saying this—whether this goal is achievable to maintain these cuts, noting that the IPAB-targeted growth rates would have been met in only 4 of

the last 25 years and would have approximated the sustainable growth rate, meaning that a cut would happen. We have almost no power to change this.

Now, here is what I found interesting. In the bill, it's absolutely correct that you can't ration care, that you can't do any of those things. That's maybe true, but if patients don't have access to their doctors, you, in effect, have rationed care. It's that simple.

This is what Peter Orszag said, the former Office of Management and Budget Director here in the Obama White House:

The IPAB is the single biggest yielding of power to an independent entity since the creation of the Federal Reserve.

That is an astonishing statement when you hear it. That's one of the reasons I'm so passionate about maintaining the decision-making power with patients and with their families and their doctors and not with some bureaucratic board up here and also, certainly, not with the insurance companies. I agree with that.

Another comment that I've seen made:

The Independent Payment Advisory Board puts important health care payment and policy decisions in the hands of an independent body that has far too little accountability.

That's one of the things. You may like it or not, but we in Congress have been able to change these things, and it would require 60 votes in the Senate to do it. Quite frankly, with my good friends on the other side of the building here, you couldn't get 60 Senators hardly to agree whether the Sun came up in the east, so the benchmark is very, very high.

Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mr. MULLIN). The gentleman has 8 minutes remaining.

Mr. ROE of Tennessee. I want to finish by spending the last little bit of time on Medicare. It is such an important part of our health care system. I want to strengthen this program—and I certainly know the folks on my side of the aisle and, I think, on the other side of the aisle want to—for future generations. We've made a promise to our citizens in this country that when they are at retirement age they'll have at least an affordable health insurance product available to them.

Let me tell you, the funny thing I found out about myself when I turned 65 was, the day before, I had a health insurance plan. It had a prescription drug benefit plan; it had a hospitalization part; it had a part that paid for my physician services. The day I turned 65, I got a part A, a part B, a part C, and a part D I could have. Well, nothing happened except I got 1 day older. Why, when a person turns 65, wouldn't you just have a health insur-

ance plan that offered you those various options in your plan? You should be allowed to pick what's in your best interest and need.

Remember, in the Affordable Care Act, the Federal Government now decides what's an essential benefits package. You don't make that decision with your family and your doctor. A Federal bureaucrat makes that decision—what you must buy, a good or a service that you must purchase.

Some of the facts I've mentioned already about Medicare, and one of the things that we have to do, I think, in Medicare—and I know my colleagues will confirm this—is that, currently, one in 10 physicians is not accepting new Medicare patients. In some areas, it may be as many as three in 10 primary care or as many as half won't. We have a huge shortage of primary care physicians in this country. We know that the hospital insurance trust fund is insolvent. It may run out of money as soon as 2016.

I yield to my colleague, Dr. HARRIS.

Mr. HARRIS. I thank the gentleman from Tennessee for yielding.

The gentleman is absolutely correct. We made a promise to our seniors. To the people who've worked all their lives, we made a promise that we're going to take care of you, but we have to be honest with how long we can do that. What are we going to do for my children? for people who are in their twenties or thirties? How are we going to preserve that system and preserve their ability to choose their physicians and allow their physicians to choose what's best for them? Because that's really what's critical, that we preserve that in the system.

The gentleman is right. For the seniors who are watching this afternoon, they know that, in many parts of this country, if their primary care providers, their internists, their family doctors retire or move to other States, it's going to be hard to find someone, not because doctors don't want to take care of Medicare patients. We all do—we've taken care of thousands of them in our lives, in our professional careers—but the fact of the matter is that, every year, the government threatens to cut the reimbursement, the payment for services, by 25 percent, and it hasn't had an increase for inflation in 10 years.

This kind of uncertainty means that we may end up looking like the other program the Federal Government runs, Medicaid, where the statistics are dire and where fewer than one-half of specialists can afford to see a Medicaid patient because the government simply has decided we're just not going to pay. It's where fewer than half of the primary care providers don't see Medicaid patients because the government has said we just can't pay, and we're not going to. It's where hospitals now are wondering how they're going to staff

and how they're going to keep up with the best medical equipment and the best medical delivery because they're afraid the government is not going to pay. Who can blame them? Every year, the government threatens to cut the pay to our seniors' doctors 25 percent, and, every year, the government threatens to cut the pay to our hospitals that are taking care of our seniors. Every year, this goes on. It has to stop.

I hope the Speaker and the gentleman from Tennessee will agree that we have to address this seriously, honestly, with a view to two things: preserving the benefit for people who are in retirement and keeping the system going for every American. An American born today, February 14—a child born today—should have a system that he knows is going to be there, not bankrupt, but a system that's there when he reaches those golden years, and we can do it if we all work together.

I was hoping I'd hear more from the President. I didn't. The President is still not willing to come and talk about preserving Medicare, because, Mr. Speaker, you know that the trustees have said it goes bankrupt in 10 years. The current system will not be there for everyone retiring. The 10,000 people retiring today, February 14, enter Medicare. That system will not be there in 10 years. It will be bankrupt. So the current system doesn't even protect our current seniors, much less a baby born today.

□ 1640

We have to deal with it. Mr. Speaker, I urge the President to step up to the plate, be serious. Our colleagues on the other side of the Capitol, step up to the plate. This program is too important to let go bankrupt within 10 years.

Mr. ROE of Tennessee. I thank the gentleman. He is absolutely spot on. One of the reasons that he ran for Congress and I ran for Congress is to preserve this great program for our seniors out there, and I am absolutely committed to do it.

Let me give a couple of facts before we end up. The actuary of the Medicare program—this is not me, this is the Medicare actuary—said that congressional action will be required to ensure that our seniors have continued access to care. In May 2012, he said it is reasonable to expect that Congress would find it necessary to legislatively override or otherwise modify the reductions in the future to ensure that Medicare beneficiaries continue to have access to Medicare services.

This is not some right-wing Republican, this is the Medicare actuary, and we're not even talking about it. We have heard nothing from the President about how we preserve this great program other than we just keep doing what we're doing. That's not an honest,

fair assessment of where we stand today. The sooner we deal with it, the more likely we are to come to a less painful solution to this.

I do want to finish by saying that I appreciate the hour you've shown us, Mr. Speaker. We will continue this very, very important discussion on Medicare in the future, and I yield back the balance of my time.

PROGRESSIVE CAUCUS MESSAGE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Minnesota (Mr. ELLISON) is recognized for 60 minutes as the designee of the minority leader.

Mr. ELLISON. Thank you, Mr. Speaker.

Mr. Speaker, my name is Congressman KEITH ELLISON, and I would like to open up by talking about the progressive message. The progressive message is the message articulated by the Progressive Caucus, and the Progressive Caucus is that organization within this body, within this Congress, that is here to unapologetically say that all Americans should have the right to go to the doctor and get basic health care in this richest country in the history of the world. All Americans should have civil and equal rights and be treated fairly based on whatever color, whatever their sexual preference might be, whatever nation they might be from.

We're the ones who say let's have comprehensive immigration reform with a path towards citizenship, and let's absolutely pass the DREAM Act. The Progressive Caucus is that caucus that boldly and unapologetically says Social Security, Medicare, and Medicaid are great programs; and we need to protect them not only for today's seniors but for tomorrow's seniors, too.

I would like to start out, Mr. Speaker, by talking a little bit, as I talk about the progressive message, starting out with just a few observations about the State of the Union speech. I personally thought the State of the Union speech was awesome. I thought President Obama was great, and I was really proud of President Obama as he delivered that State of the Union speech in this very Chamber.

This Chamber was full of dignitaries from all over the world—ambassadors, Senators, the United States Supreme Court. And in front of them, in front of the American people, President Obama specifically identified 24 Americans who joined Members of Congress as their guests. And these folks who President Obama identified were victims of gun violence. I was so proud to see President Obama specifically give these folks encouragement to keep on speaking out, continue to tell their story so that we can arrive at a place where the U.S. Congress will be on their side to bring forth sensible, sane gun violence prevention.

You know, President Obama's wife, our First Lady, Michelle Obama, had seated next to her her own guest, parents of young Hadiya Pendleton whose life was taken away from her. She was shot down in Chicago. But only a few weeks before, she had been performing for her country at the President's inauguration.

And so whether it was ordinary Members of Congress who just brought different people, or it was the President or the First Lady, the people who can speak most eloquently about the need for sane, sensible gun violence reform were here, Mr. Speaker. They were here and were present in this gallery so they could be a witness and a presence on the need.

And what did President Obama say? He said give us a vote. He said give us a vote. Now, I say to the Republican House majority: Why are you afraid of a vote? Let's have a vote. Let's count who is for sane, sensible gun violence prevention and who is not; who is for closing loopholes that allow people to escape background checks; and who's for filling up background checks and making sure that anybody who gets a firearm, an instrument that is dangerous by any account, at least we know that this person is sane and legally qualified to have one. Let's see. Let's have a vote. I don't think that anyone should be afraid of the vote, because if you are proud to say, no, we don't want any background checks, then stand up and say that. Be on Mr. LaPierre's side of the NRA. But if you believe we need to make sure that guns stay out of the wrong hands, that's a vote that the American people should have, and I was so proud that the President made that clear.

I personally think that the President was right in saying give us a vote when it comes to things like high-capacity magazines. You know, these high-capacity magazines, designed for the military, don't have any place on our streets. And the people who want to stand up and defend them, let them defend them. Let them defend them right here on the floor if they have the audacity to do so. And let us talk about millions of Americans, over the course of years, who have been tragically injured and hurt with bad gun policy.

Let us talk about the victims in Aurora who were shot by somebody with a high-capacity clip. Let us talk about people who were victims in Milwaukee. Let us give the message about the folks who were shot down in Tucson by somebody with a high-capacity clip.

The fact is that the President said give us a vote, and I agree 100 percent. We need a vote on these sane, sensible gun reforms.

I'm going to leave this topic now, Mr. Speaker; but I do want to just make mention of my own guest. My own guest was a young man named Sami

Rahamin. Sami, 17 years old, a brilliant young man, but really just a regular teenager, he happened to be on a bus going to Madison, Wisconsin, when he saw a message come across his phone which said there was a shooting in what he knew was his neighborhood.

He texted back to his father and said: Dad, be careful because there's supposedly a shooting in the neighborhood. But the text never came back because one of the victims of that shooting was Sami's dad.

Ruvn Rahamin was an immigrant to the United States. He came to the United States in search of the American Dream, but he died the American nightmare because a person who is mentally unsound, mentally unstable, easy access to the most dangerous weapons came to a work site and shot down five people, including Ruvn who was an awesome guy, a wonderful constituent of mine. He's missed. But because of his son carrying on the legacy, he will never be forgotten because Sami is telling the story about how much we need sane, sensible gun prevention measures.

So enough about the gun issue. The State of the Union speech was awesome for another reason, which I definitely want to make note of, and that is the fact that he went right to the very heart of what I believe is the defining issue of our time, and that is income and wealth equality in our country. Our country, this is the land of opportunity. And we know that some people are rich and some people are middle class and some people are poor. We believe we're a country that can provide a ladder up for anybody who wants to work hard. And for those people who are too sick to work or too aged to work or too young to work, we believe in the social safety net to take care of them.

□ 1650

We believe in income and economic mobility in America. And yet the President put his finger right on it when he talked about how we've seen people making \$14,000 a year working full time; but because they are paid so little, they are still in poverty.

I was so proud the President made this point. It's a point that needs to be made. There are people working in restaurants, people who are cleaning up, people in our hospitals, people who are doing the really tough jobs. I'm talking about the jobs where you've got to take a shower after you get off work, not take a shower going to work, you've got to take one when you're done with your day's work because you've been working hard, you've been building things, you've been maybe cleaning up things, you've been lifting people, you've been doing the hard work. And many of these folks are scraping by on really low wages. The President clearly has a heart for these

folks and wants to see them come up. And I was glad the President was able to do that.

Mr. Speaker, you should know that over the past 30 years income for the average American has stayed flat, while the richest 1 percent of Americans have seen their income more than triple. This has not happened by accident. It has been a set of policies put in place through the Tax Code, through trade policy, through the loss of manufacturing, and a number of things.

There's been a number of policies that have gotten us to this place, but there's been one philosophy, and the philosophy is simply this: if we give a lot of money to the richest Americans, maybe they will take their excess wealth and put that into plant and equipment and hire people.

This is known as supply-side economics. We don't want to have any regulations on them. They can do what they want with the water, they can do what they want with the meat, they can do what they want with the air. No regulations or against regulations. We don't want to tax them. They don't have to pay for our roads, our bridges, our schools; they don't have to do anything like that. They get to keep all this money. And it's all under the assumption that they will take this money that they amass and put it into plant and equipment and hire people.

Well, this philosophy has proven to have failed; this philosophy has caused income inequality in America. And the President correctly said that we have got to do something to create more economic viability for the poor and middle class in America. I was so happy to see him do it.

Mr. Speaker, you should know, the President didn't say this, but it's absolutely true, that the wealth of the richest 1 percent is over 225 times larger than the average household, higher than it has ever been, higher than it has ever been.

Mr. Speaker, we look back at the Gilded Age and we think, oh, boy, wasn't income inequality bad way back then. Well, it's worse now. We've got to do something about it, and our President knows that. I am very pleased to see that. And the President, while he gave a message of economic hope and understanding to the working and middle classes of our country, the politician who gave the alternative, Mr. MARCO RUBIO, when he wasn't getting glasses of water in the middle of his speech, he just really articulated the same old thing: money for the rich, less for everybody else.

Mr. Speaker, we cannot continue to give tax breaks to millionaires and billionaires while cutting investments that the middle class relies on, while cutting programs that help local governments keep on police, keep on teachers, keep on people who fix our roads and firefighters. We cannot cut

the Federal workforce, as is about to happen—I'll talk about sequester in a little while—and we cannot make these economic decisions and hope to have a strong economy.

We've got to invest in our roads, our bridges, our grids, our electrical power grids in transit to move people around quickly. We've got to make these investments. We've got to invest in research; we've got to invest in our schools. This is what's going to make America a strong country. This is what's going to put more people to work. More people paying taxes means we're going to have more taxes, and that will help us lower the deficit.

The Republicans have it all wrong. They think that by slashing the Federal Government, then that's going to make our economy better. All it's going to do is create a situation where you've got more people out of work, fewer people paying taxes, fewer people putting in tax revenue, and then the deficit will go up.

I'm going to talk about the sequester in a moment; but I just want to say, as I highlight a few things about the State of the Union speech, how important I thought the President's remarks were.

Let me turn for a moment—another thing about the State of the Union speech—Mr. Speaker, on the issue of Social Security, Medicare and Medicaid. First of all, I want to encourage people to not refer to these programs as entitlements. I don't even like doing it myself right now.

What they really are is social insurance. You know how insurance works. You pay a premium and then when you need it, you can use it. Well, you get 6 percent taken out of your paycheck every week or two weeks or a month or however often you get paid. You're paying into Social Security, you're paying into Medicare, you're paying into Medicaid.

The bottom line is these social insurance programs are not some giveaway; they're not welfare. They are important social insurance programs to provide income security for people when they are aged, when they are too ill to work and disabled, or when their parents die and they need support. That's what these programs are about.

I'm glad that we are here to talk about how we preserve these programs. The President mentioned it. He said he wanted to strengthen Social Security, Medicare, and Medicaid for generations to come. I quite agree with this. He said:

But any reform should come through protecting these programs, not just cutting these programs to finance tax cuts for the wealthy.

I believe that we should not have any benefit cuts to these programs. We don't need to. There's plenty of places to cut, plenty of loopholes to close, and we can get money elsewhere. But I'm

glad the President made mention of the program.

I also want to mention, Mr. Speaker, that one of the places we can find savings for social insurance programs is we need to allow Medicare part D to negotiate lower drug prices. Medicare part D is a prescription drug benefit that the Republicans negotiated and passed in 2003. This particular program put into law that there could be no negotiation of drug prices. This has made the program more expensive. About \$158 billion would be attainable as savings if we were allowed negotiation.

The President also said we're going to get out of Afghanistan. I think this is great. The President announced that we would bring 34,000 troops home from Afghanistan by this time next year. That's fantastic. My own son is a member of the U.S. Military. I'm very proud of that. I actually don't want to see him deployed to Afghanistan. I want to see him in a place where he can defend this Nation, as he wants to do. I think that it's time for us to go home.

The President didn't say we're going to abandon Afghanistan. We will be there diplomatically, we will be there training their soldiers, but sovereignty means that you protect yourself. It's time for the Afghan people who want to be sovereign to take responsibility for their own security.

I want to turn now to the subject of immigration. I think right now, and I think the President made clear, that we may be at a point, and I pray that we are, where comprehensive immigration reform is within the reach of Congress to pass.

I'm proud to be joined by my good friend Congressman JARED POLIS of Colorado. This is an important issue to you, Congressman, and I want to yield to you to share your thoughts on immigration.

Mr. POLIS. I thank the gentleman from Minnesota.

Mr. Speaker, it's common sense to most Americans. We have upwards of 10, 12, 14 million people here illegally in this country. Many of them are members of our communities, many of their kids are Americans, go to school with their fellow Americans or on the football team or cheerleaders, are productive in every way. And yet every day our government through its current policies tears families apart; absolute heartbreaking tragedies where a mother is torn from her American daughter, placed in detention, frequently kicked out of this country at a cost to taxpayers of tens of thousands of dollars, all over a broken taillight.

□ 1700

Now it's important to educate people about the difference. We do have a group of people that are in detention that are called criminal aliens. These are people who are here illegally and committed crimes. It could be robbery.

Maybe they're in a gang or dealing drugs. There's no disagreement among liberals and conservatives and people of all ilks that, of course, there needs to be detentions where appropriate and where there are criminal penalties in place and, of course, there should be expulsions from the country in that regard. In fact, many of us argue that by sweeping up many of the people whose only violation is a civil violation, who otherwise have been following our laws, in that sweep we are actually limiting our enforcement ability to go after real criminals who are causing harm in our community.

That happens in two ways. One, through the limited law enforcement resources. When we divert those resources to taking mothers away from daughters, fathers away from sons who are productive members of society, when we divert the resources to that, it means they're going off of some other beat. It means they're going off of keeping our streets safe. It means they're going away from looking at white collar crime and other areas that need to be investigated in these fiscally restrained times with limited budgets.

The second reason is it builds an atmosphere of distrust in our immigrant communities. How much unreported crime occurs because, in many cases, the victims of those crimes could be spouses that are abused, it could be people that are robbed or ripped off by unscrupulous scam artists and are frequently afraid to report that crime because they are afraid that the very same agency that they're supposed to trust to report that crime to could in fact be in league with another government agency that wants to deport them. And that's the problem with 287(g) and some of the other information-sharing protocols.

For community policing to work, it's critical to have the trust and support of the community. And by the way, if these criminals go unprosecuted in our community and unpenalized for taking advantage of somebody, and that is not being reported, their next victim very well could be an American. Their next victim very well could be your family. It could be my family. And that's why we all have an interest in community policing, in law enforcement, as well as public health, to make sure that people are inoculated and treated early for diseases, regardless of their status.

Now the solution is not to have this large population here illegally. Whenever we're talking about this enforcement, it's tough. There's no right answer. The right answer is comprehensive immigration reform. Let's find a way where the people that we need here to have critical jobs in our economy, that have families, that are in our community, that have kids that are American and going to school and doing well every day, have a way and

paperwork to show that they can be here.

Now that doesn't mean in comprehensive immigration reform that anybody gets citizenship. And I want to be clear about this, because frequently this false specter of somehow granting citizenship to 11 million people is raised. Comprehensive immigration reform in any version doesn't give citizenship to anybody. Not one person, not a thousand people, not a million people. Zero people. In fact, under all the versions that are being talked about of comprehensive immigration reform, anybody who's here illegally would have to get right with the law and would go to the back of the line with regard to applying for citizenship some day, if they're eligible. To be eligible, they'll have to follow the laws of our country for many years. They'll have to learn English. They'll have to take a test.

Yes, some day it's possible that some immigrants will become citizens. It's also possible and likely that many will choose never to. They might work here for a number of years and return to another country. And that's fine. But it's critical that there is at least the ability to get right with the law. It's very frustrating when people say, Why don't they get in line today? Because it's a nonexistent line. Comprehensive immigration reform will create the line that people will then get into and create an immigration system that is in touch with reality in this country, in touch with a pro-growth agenda, in touch with an agenda that will make our country prosperous, that will conform our treatment of our neighbors to our values as Americans, the same values that extended a welcome to my ancestors and yours when they came to these shores and helped their, in my case, grandchildren and great grandchildren serve in this great body.

So, too, we need to assure that our values are represented in our immigration system. And whether one is on the left or the right, it is clear that today's disaster of an immigration system is not reflective of our value as Americans—our value as Americans not to tear families apart, our values as Americans to ensure that if you work hard and you play by the rules, you can get ahead in this country. You can succeed in this country. The value of encouraging civic participation is absolutely critical.

So this is a unique opportunity, a unique moment. It's a bipartisan approach, as it has to be. This is not a Democratic issue or a Republican issue. Immigration reform is an American issue, as it always has been a Nation of immigrants, a Nation of laws. And we can conform those two together so that we can fulfill our destiny in a way that honors the rule of law and honors the role of immigrants in creating our great country.

Mr. ELLISON. I do appreciate the gentleman from Colorado. Congressman POLIS, you have been on the mark on this thing ever since you stepped into this body, and there are literally I think millions of people who appreciate your advocacy. I just want to mention a few points and then, of course, invite you to dive back in.

The President does have a proposal on immigration reform. It's reasonable. It's a commonsense starting point. Republicans and Democrats need to find a way, as Congressman POLIS just said. But it is a clear path toward a legal status for thousands who are already in the U.S. working and paying taxes. It's a process for family reunification. It's a workable employment verification system with penalties for employers who knowingly hire people who are not in status. It is a reasonable enforcement.

But I just want to say this, and I want to invite Congressman POLIS to react. We've put about \$18 billion into border issues so far. One of the real things about comprehensive immigration reform is, we hear people talk about the border, the border, the border. Well, President Obama has done tons on the border—for some of us, too much—but the border issue is not the problem. The real problem is the other part.

I yield to the gentleman from Colorado to see if you have any thoughts about this matter.

Mr. POLIS. Another thing that's important for Americans to understand about how 11 million people got here without paperwork and how this continues to occur is that more than half of the population that lives and works here illegally didn't sneak across a border. They came here legally. They came here as a tourist, they came with a visa. They stayed illegally and worked illegally. So, again, even if you had 100 percent security at the border—and, by the way, that's certainly a valid goal—but you're never going to have 100 percent. But even if you had 100 percent, you would still have a large flow of people to this country illegally because it's not that hard to get a tourism visa, to get a student visa, to get some other type of documentation for travel that allows you to be here for a month or 3 months and then to outstay that and work here illegally.

So no matter what you do on the border—and, by the way, I think absolutely as part of comprehensive immigration reform there will be more border security—but no matter what you do on the border, you don't address the issue without having a comprehensive approach that deals with those already here, that deals with the immigration laws going forward so we don't wind up in this same situation again in 10 or 20 years, to make sure that our immigration laws reflect the real needs of our

country, the needs of the private sector, the needs of the workforce in terms of making sure we have enough people in the service industry. Whether it's to pick crops in the field, whether it's to staff our high-tech companies with programmers, we need to have an America-centric approach to immigration. And while border enforcement can certainly be a part of that, no matter how much you have, it doesn't even come close to addressing the issue of immigration in this country. And that's why, as the President indicated in his speech and in his call, as others from both sides of the aisle have indicated, it's critical for America to take on the issue of immigration reform and pass a comprehensive solution.

Mr. ELLISON. Thank you, Congressman. I'm going to wrap up in about 5 minutes or so. But I just want to hit a few things that need to be touched on. One is that the Progressive Caucus is very concerned about this looming sequestration. Now folks out there this evening, Mr. Speaker, might think, sequestration, what is that? Is that like when you go on jury duty or something? No. Sequestration is what we're calling some really dramatic cuts to Federal spending that are coming up in about 2 weeks.

□ 1710

And now you're thinking, How did we end up here? Here is what happened.

In August 2011, the Republicans had taken the majority in that session, the first session of the 112th Congress, in January, and they started out with an agenda to dramatically reduce the size of government. They started out with something called Cut, Cap and Balance, and they wanted to cut all kinds of programs. They never wanted to touch defense, but they wanted to cut the Federal Government. I'm talking about Head Start, Women Infants, and Children nutrition, programs that help support State and local governments, for police, fire, all kinds of stuff like that, they wanted to cut. And they wanted to cut big-time. They wanted to cut Social Security, Medicare, and Medicaid.

And so they came forward with this proposal. Now, they knew they couldn't get it past the Senate, but they said, Oh, the debt ceiling. The debt ceiling, we can use that as a lever to make the Democrats give us significant cuts to the Federal budget.

So what they did, in August 2011, they said that we're going to allow—we're not going to raise the debt ceiling. We're going to allow the Federal Government to default on previously acquired obligations of the United States—so not pay our bills that we already acquired and risk our triple A credit rating—if you do not impose dramatic cuts.

And so what the President did is said, Okay, we're going to give you some

cuts up front and we'll set up something called the supercommittee. Three Democrats from the House, three Republicans from the House, three Republicans from the Senate, three Democrats from the Senate, we'll call that the supercommittee, and they are going to work out a compromise and give us an up-or-down vote on some more cuts. But if they don't, then we're going to have this thing called the sequester and there will be across-the-board cuts in a dramatic and really imposing way.

The sequester is what we're facing now because the supercommittee failed. Now, the supercommittee didn't just fail. What we didn't know is that when the Republicans, both House and Senate, appointed their members of the supercommittee, all of them had signed a promise to a man named Grover Norquist never to raise any taxes. And so what happened is that they got on this supercommittee and refused to negotiate. Democrats said, We'll do some cuts, but we need some revenue. We need to raise some taxes and close some loopholes.

Republicans said, No way, and Democrats said, Well, wait a minute. So you want it all cuts and no raising taxes. They said, That's right, we're not going to negotiate with you on this.

And so the supercommittee failed in its work. When it failed in its work, that meant that we were going to deal with sequester, and that's where we are now.

Sequester is going to impose automatic, arbitrary cuts that could lay off, according to the Congressional Budget Office, up to about 750,000 people. There are going to be cuts in domestic spending and cuts to military spending. Some of us think that military cuts are warranted. Others of us are absolutely concerned about the people who are going to be affected by these domestic cuts.

Let me wrap up. I just want to say that I am concerned that several Republicans seem real cavalier about sequester, and you should look at the list. The Progressive Caucus' solution is to repeal sequester. What we would propose to do with our legislation is to say 50 percent cuts, 50 percent revenue. We already cut \$1.7 trillion in revenue, and then last New Year's Eve we got some money in the door through raising taxes and now we need to balance to 50-50. This is what we call the Balancing Act.

Our bill would bring it to balance by raising money through closing loopholes, carried interest, jets and yachts, stuff like that. Oh, yeah, you didn't know they could write off their jets and their yachts? Oh, yeah, they can. And then put about \$300 billion into jobs.

Let me wrap up by saying the Balancing Act, you can go online and look it up. It's a great program. We urge

you to support it. In the last 1 second, if I may—I've promised my friend 20 minutes and I'm messing up right now.

On February 22, the Supreme Court will hear oral arguments in the *Shelby County, Alabama v. Holder* case. This threatens to take away serious voting rights. I'm going to be talking about this, because democracy must prevail. We have not reached the point where everybody has a fair vote in this country. I don't have the time to elaborate on it now, but please be aware that this *Shelby County v. Holder* is a critical issue. The Supreme Court is going to take it up on the 27th of February. We need to be aware of that if we want to believe that you ought to be able to cast a fair vote in America.

With that, I am going to yield to the gentleman from Colorado. Thank you very much, Congressman.

Mr. POLIS. I thank the gentleman from Minnesota.

The SPEAKER pro tempore. Does the gentleman yield back his time?

Mr. POLIS. The gentleman from Minnesota yielded to me.

The SPEAKER pro tempore. The gentleman from Colorado is recognized.

Mr. POLIS. I would like to ask the Speaker how much time remains.

The SPEAKER pro tempore. The gentleman from Minnesota has 25 minutes remaining.

Mr. POLIS. And the gentleman has yielded his time.

Mr. ELLISON. With the understanding that the gentleman will get the balance of the time remaining of my hour, then I will yield the floor back.

The SPEAKER pro tempore. Does the gentleman yield back his time?

Mr. ELLISON. I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. ELLISON. My inquiry is, if I yield back, does the gentleman from Colorado get the balance of the time I have remaining?

The SPEAKER pro tempore. The gentleman from Colorado may serve as the designee of the minority leader for the remainder of the hour.

Mr. ELLISON. And further inquiry, are there 25 minutes left?

The SPEAKER pro tempore. The minority hour has 24 minutes remaining.

Mr. ELLISON. In that case, I yield back the balance of my time.

IMMIGRATION REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Colorado (Mr. POLIS) is recognized for 24 minutes as the designee of the minority leader.

Mr. POLIS. Mr. Speaker, I rise today in support of passing comprehensive immigration reform as soon as possible.

CINDY SLOSSON

I have a story to share from a resident in my district, Cindy Slosson from Fort Collins, Colorado. Cindy wrote me that her daughter fell in love with a young man from Mexico when they were in high school. They had a dream about their future lives together, and part of that dream was of course helping him become an American citizen so he could go to college, find a job and support their family that they hoped to build together. They persisted tirelessly for 10 years, through everything that the American bureaucracy and Immigration Services threw at them, and today, finally, he's a citizen of the United States. He's pursuing his degree in aviation mechanics and wants to continue to go to school for an engineering degree.

Part of their dream is now a reality and they keep on building upon this dream to be contributing community members and leaders among their friends and family. Cindy writes that, unfortunately, some young people don't have the kind of support and focus and, frankly, patience that her children had.

Cindy writes:

Let's make their path a bit more attainable. I believe most everyone truly wants to do their best, so let's give them a chance to be their best in this country.

□ 1720

As Cindy writes, there are so many people that are caught up in indefinite waiting periods just to be reunited with their own family, people who give up hope and move from their family and friends and everybody they know simply because they can't get through the unrealistic length of time it takes to navigate our legal system.

As part of comprehensive immigration reform, we need to have a system that reflects our values as Americans and one that's realistic for families to go through.

MONICA OLGUIN

Mr. Speaker, I rise today to share a story from a constituent from my district, Monica Olguin from Boulder, Colorado. Now, her story is an interesting one because the U.S. came to her instead of her moving to the United States. Her family hails from the southwestern United States even before it was part of Mexico. Her family descended from Spanish colonial settlers in 1598 near Santa Fe, New Mexico. Over the following 300 years, they traveled north to Colorado to Conejos County, where the family has been for over 100 years.

Now, Monica writes:

Many of our best students today have been immigrant children.

Monica, herself, taught in our public schools for over 30 years.

Monica writes:

They enter our school system with great hopes and dreams and do not take education

for granted. It isn't long, though, before they are able to express their fear of losing their place in this country, their fear of not belonging in their country of origin or their knowledge that there is no hope for success or dreams for their future in either their country of origin or in this country.

Monica shares the concerns of so many of us whose lives have touched those who live in this country every day in fear of the very government that should be there to protect them, in fear that it will detain them indefinitely, in fear that it will send them out of this country back to a country that they know no one in, that they might not have even been in since they were 3 years old or 8 years old or perhaps even to a country where the language that's spoken is not even a language that they're fluent in. That is the reality of our immigration system every day.

As Monica writes, it's critical that we replace our broken immigration system with one that works now. You're only a child once, and we need to make sure that our next generation of leaders has every opportunity to make our country greater.

PAUL EDWARD CONDON

Mr. Speaker, I rise today to share a story from a constituent of mine in Lafayette, Colorado, Paul Edward Condon. Like so many Coloradans, Paul feels that we need to replace our broken immigration system with one that works for our country and make sure that we have a way to make sure that the people already here can get right with the law.

Paul writes that on his father's side he is descended from people who his daughter, Katherine, likes to say qualify her to be a member of the Daughters of the American Revolution. On his mother's side, he's descended from immigrants from Bohemia in the 1890s who homesteaded in Oregon. So, like many Americans, Paul is a child of both one side of the family with long roots in our country dating from before our country existed and another side of his family recent immigrants.

As Paul writes, perhaps with the full sense of understanding that comes from his personal story, Paul writes:

We are all sons and daughters of immigrants, including those descended from the peoples who were already here when my earliest immigrant ancestor arrived and descended from the people who also arrived unwillingly in this country. All immigrants, all mingled together. And, indeed, even Congresspersons are descended from immigrants. Congresspersons who wish to restrict immigration and reject immigrants are rejecting their own heritage. They should be ashamed.

I agree with Paul. We are all, in this country, descended from immigrants. And whether those immigrants arrived thousands of years ago, hundreds of years ago, decades ago, or last week, our future is intertwined with the very definition of America as an immigrant

Nation, a Nation of laws, a Nation of immigrants.

Those two need to be reconciled. We need laws that reflect our values as Americans, our values as a Nation of immigrants; laws that are enforceable and in touch with reality rather than laws that tear families apart every day in this country and deny—deny people who have worked hard here and contributed to society the opportunity to fully partake in our great country and to someday become Americans themselves.

SEMAY DIBEKULU NELSON

Mr. Speaker, I rise today to share a story from a constituent in Colorado from the Second Congressional District, Semay Dibekulu Nelson, from Boulder, Colorado, who shared a story with me about immigration, that speaks to the need to reform our immigration system today to ensure that everybody gets a chance to succeed in this country.

Semay writes:

As a first generation immigrant American having received political asylum under life-threatening conditions, I feel the pain of undocumented immigrants and their fear of being deported. I am honored to have received your message, and I would like to reflect on this important topic. I'm aware there's no time to waste while millions are being underpaid for an honest day's work while living in fear of detention and deportation. I hope our government brings this agonizing issue to a positive resolution. The time is over in which we can afford to ignore an issue that has led to this humanitarian catastrophe.

I agree with Semay. Hers is a firsthand story of many legal immigrants like Semay who have firsthand knowledge of the process of leaving everything they know and coming to a new country without friends and without family. How difficult is that? Yet, today, our government is actively tearing families apart, at taxpayer expense taking mothers from daughters and placing them in detention at the cost to taxpayers of tens of thousands of dollars.

We need to replace our broken immigration system with one that works for our country and reflects our values as Americans, as even our newest Americans like Semay agree with.

JOHN HOFFMAN

Mr. Speaker, I rise today to share a story from John Hoffman in Boulder, Colorado. Like so many Coloradans and like so many Americans, John feels that we need to replace our broken immigration system with one that works and allows a way for the 11 million people who are here without status to get right with the law and fulfill their destiny.

John writes:

My great-great German grandparents settled in Germantown in Louisville, Kentucky. They were hardworking and industrious and eventually got into the vaunted "middle class." Let the Latinos do the same.

IZABELLA PESZEK

Mr. Speaker, I rise today to share a story from Izabella Peszek from Lafayette, Colorado. Izabella wrote me to share her immigration story and her passion for making sure that we replace our broken immigration system with one that works and reflects our values as Americans.

Izabella and her husband were recruited to join a graduate program in math at the University of Maryland in 1989. When they decided to go for it, they thought they would return to their home country, Poland. That was their plan when they got their degrees. But fate decided otherwise. When they graduated, Robert in 2 years and Izabella in 2½, the country that they knew in their childhood was gone, and they were being offered some very tempting positions in the United States. Robert went to CMU for a postdoc, and Izabella joined the pharma industry.

Eventually, they got green cards and became citizens of the United States and of our great State of Colorado, which is now their home, where both of them are respected in their fields and are happy doing what they do best.

Now Izabella and Robert can't imagine living anywhere else. And they work hard to make their new home in the United States even better, just as so many other immigrant families contribute to this country, are an asset to this country, are an asset to America, are part of America, and are as American as anybody else, which is why we need an immigration system that reflects our values and our priorities as Americans and ensures that others have the ability to give back to this great country just as Izabella and Robert have and continue to do every day.

JANICE GREEN

Mr. Speaker, I rise today to share a story from Janice Green from Westminster, Colorado, about why we need to fix our broken immigration system to help reunite families.

Janice writes:

My family has been in the United States for many generations, but my daughter-in-law is prevented from joining my daughter here because of the Defense of Marriage Act. They were legally married in Portugal, and my daughter may have to leave the United States to be with her spouse.

□ 1730

Under current immigration law today, same-sex couples are not accepted under immigration law, even though there are a number of States where same-sex couples have the same marriage rights as opposite-sex couples. Because of the Defense of Marriage Act, federally that marriage is not counted for purposes of immigration.

Janice's daughter might be driven from the country she loves and can contribute so much to because there's no viable path for her family to stay together. That's why I support JERRY

NADLER's United American Families Act, and we need to work hard to make sure that as we replace our broken immigration system with one that works, it's fair to all Americans and treats all Americans fairly and reflects our value as Americans of keeping families like Janice's daughter and daughter-in-law together.

JEAN HODGES

Mr. Speaker, I rise today to share a story from Jean Hodges of Boulder, Colorado, about why we need to improve our immigration system.

Jean writes that both sides of her family immigrated in the 1800s from Ireland, Scotland, and Wales. They began life in Virginia and moved to Ohio around the Civil War. So Jean doesn't share the immediacy of immigrant parentage that many others do, but Jean does write that she understands the privilege of being a U.S. citizen and all that provides: for all of us to find a path to equality and whatever our pursuit of happiness may be.

Jean, like so many Coloradans and so many Americans says, "I wish that for all immigrants."

Jean understands the reasons that her forebearers might have left everything and everyone they knew to come to this country.

I know Jean. And the way that she has given back to our community as a school teacher, as a leader for equality, her work to support parents of LGBT kids, has been of tremendous value to our country, like the tremendous value that today's immigrants will provide through their public service, their community involvement, through their efforts as teachers, as firefighters, as policemen, as lawyers, as doctors, as successful business people who will lead our country to a more prosperous and bright future.

DAN MCLELLAN

Mr. Speaker, I rise today to share a story from Dan McLellan of Boulder, Colorado, about why we need to fix our broken immigration system and replace it with one that reflects our values as Americans.

Dan is a fourth-generation Coloradan. In fact, on his father's side, he has ties all the way back to the Mayflower. On his mother's side, the family came from Ireland, Italy, Germany, and Scotland. Like many Americans of mixed blood, he remembers memorizing when he was in fifth grade his ancestry. He would quickly list it off: English, Irish, German, Italian, and Scottish.

But recently, Dan fell in love with a Canadian. It was love at first sight, and last March they got married in New York. The plan was that Dan and his spouse were going to spend their lives together. But you know what? Right now they don't know where because Dan's spouse is another man. Unlike if Dan's spouse was a woman, Dan doesn't have the same kind of right to allow

his husband, Michael, to be a legal resident of our country. Dan writes that he's forced to have to choose between the country he loves, the country his ancestors worked hard to get to, and being united with his own family and his husband.

Dan calls upon us in Congress—and I pass this challenge to our colleagues—to pass a comprehensive immigration reform package that treats families fairly, that treats families equally, that ensures that families are united. That's why I'm a proud sponsor of JERRY NADLER's United American Families Act, and I call upon this body to include respect for marriage as an important bed-stone principle of comprehensive immigration reform.

SALLY MILLER

Mr. Speaker, I rise today to share the story of Sally Miller from Broomfield, Colorado, and her strong support for fixing our broken immigration system. Sally is a social worker, and her story is about several pieces of her own personal experience working with people in the Denver metro area.

Sally has worked with immigrants who came to our country 20 years ago. They raised their families, they hoped for a better life, their kids are U.S. citizens, have succeeded in school, and are giving back. But Sally writes that the parents of one of their families are constantly in fear that the father may be caught on the way to or from his cleaning job and sent back to a country that he left, torn apart from his family at taxpayer expense.

One of their three children graduated from high school just this past June and is working and taking college classes. The other kids are 16 and 14. Sally writes that her friend and his wife hope to stay in the Denver area until all three of their kids graduate from high school, but every day the kids come home from school, they live in constant fear that our government sees their parents and sends them back to another country.

Sally writes:

The parents are good decent people, loving parents, and have always felt their sacrifices for their children's sake have been worth the price.

There are so many families that risk being torn apart because our immigration system is completely out of touch with our values as Americans. Rather than reuniting families, it tears families apart; rather than encouraging people to follow the law, it rewards unscrupulous business people who hire people under the table and encourages the violation of the law and identity theft.

We need to replace our immigration system with one that works for our country, allow people who've been here and are hardworking and contribute to our country to get right with the law, and, yes, some day enjoy the same benefits of citizenship that Sally herself enjoys.

I call upon my colleagues to pass comprehensive immigration reform now.

ANN HARROUN

Mr. Speaker, I rise today to share the story of Ann Harroun from Loveland, Colorado, who wrote to me with regard to her support for comprehensive immigration reform and her own family's story.

Ann writes that her relatives first came to Canada from France and England; the French in the 1700s and the English a little later. Ann's great-great grandmother was becalmed in the middle of the Atlantic Ocean for a time, and both sides of her family were farmers in Quebec before wandering into northern New Hampshire in the 1920s.

Ann writes, "Were they legal? Who knows?" She further writes that the French had large families and soon outgrew their farms. They moved on from New Hampshire. Her mother moved from New Hampshire to Maine in 1942 after the death of her father, and she worked for Maine Blue Cross for 30 years.

Ann moved to California after high school and saw an opportunity to attend college, married, had children, joined the League of Women Voters, finally graduated in 1980, and promptly won an election to the Vermont house. Ann was the first in her family to attend college, vote, own a house, and hold public office.

There are so many today that would be the first to go to college, that would be the first to vote, that would be the first to own a house, that would be the first to hold public office, that would be the first to be captains of industry, that would be the first to have advanced degrees if only we can find a way where they have the ability to get right with the law and get paperwork that allows them to pursue the great opportunities that this country offers.

As Ann says, "Were they illegal? Who knows?" Were they illegal? Who cares? When my family came here in 1906, they got off the boat and registered. There was no quota or process or thing they had to deal with on the legal front. They just showed up here. You know what? They were welcomed. And you know what? Their grandson on one side and great-grandson on the other is now a United States Congress person, just as Ann was the first in her family after they wandered down from Canada to New Hampshire. Ann has given so much for her country, just as so many of today's immigrants will if we only give them today's opportunity.

DARYL SHUTE

Mr. Speaker, I rise today to share the story of Daryl Shute from Littleton, Colorado. Daryl writes with regard to the critical need to replace our broken immigration system with one that works.

Daryl's grandfather, Joseph Giangreco, emigrated from Sicily to

the United States to join his mother, who was already living in Buffalo, New York, in the mid-nineteen teens. Daryl writes that Italians were the unwanted immigrants of that day. Daryl writes that he returned to Canada, walked across the border, and rejoined his mother after he was deported from New York.

He was caught and given a choice to fight for the Allies in Europe to earn his citizenship. He accepted that. And Daryl's grandfather, Joseph, went to war for the American Dream. Unfortunately, he received injuries during that war that affected him the rest of his life. Even so, he was hardworking and worked hard from the back of a horse-drawn cart to support his family for many years.

□ 1740

Even to this day, immigrants give so much of themselves through their hard work, their toil, their sweat and tears, which all of us as Americans prosper from and benefit from. We need to find a way, just as Joseph's grandfather did, so that people can get right with the law.

What is being discussed and what needs to be discussed is not an amnesty any more than if you get a speeding ticket and you enter a plea bargain it's an amnesty. It's essentially a plea bargain. Yes, you violated the law. Let's figure out how you get right with the law: register, pay a fine, get your working permit. It's not realistic in any way, shape or form to try to round up large numbers of people who are giving so much to our country every day and who, in many cases, have American children. That's why we need to pass immigration reform and replace our broken immigration system with one that reflects our values as Americans.

MARTHA DENNEY

Mr. Speaker, I rise today to share a story from Martha Denney in Fort Collins, Colorado. It's her own personal story and the story of her family's immigration and why we need to replace our broken immigration system with one that works and pass comprehensive immigration reform now.

Martha's grandmother's family members were immigrants from Montbeliard, France, but they were actually Swiss Mennonites. They were driven from Switzerland as followers of the Mennonite faith. They followed the teachings that defied the teachings of the Catholic Church, and they were discriminated against. Many Swiss farmers became valued and trusted workers on estates in France, where they went to escape persecution. When they were able to emigrate to the U.S. in the late 1800s, they came to Wayland, Iowa, which was a small Mennonite community.

Martha has worked for more than 30 years in the area of international exchange at a large American university,

Colorado State University, in Fort Collins. She has worked with issues of visas and student visas and the immigration of students. She has observations about the process that she has tried to share over the years with Representatives of our United States Government, but she believes that, up until now, they weren't in a position to hear them because they weren't focusing on immigration reform.

I call upon this body to focus on immigration reform, to heed the stories of those like Martha's and of the many others who interact every day—whether it's as an employer or an educator or a social worker—with those who are here in this country and are working hard to make our country greater but who lack the paperwork that verifies their own existence, who lack the paperwork that allows them to exist under the rule of law in this country.

We need to replace our broken immigration system with one that reflects our American values, with one that allows people to step out of the darkness and into the light, to get right with the law, to be able to fully pursue their destinies as future Americans. We are a Nation of immigrants, and we all benefit from the tremendous benefits that immigrants give to this country every day.

I hope that now is the time that Representatives of our United States Government in this House of Representatives will be in a position to hear and will be in a position to focus on immigration reform in order to make our country stronger, to make our country safer, to make our country more prosperous.

Mr. Speaker, I call upon my colleagues to support comprehensive immigration reform and to pass it now. We must replace our broken immigration system with one that works for our country and our values.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JOHNSON of Georgia (at the request of Ms. PELOSI) for today.

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of illness.

ADJOURNMENT

Mr. POLIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 44 minutes p.m.), the House adjourned until tomorrow, Friday, February 15, 2013, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

286. A letter from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Electronic Fund Transfers (Regulation E) Temporary Delay of Effective Date [Docket No.: CFPB-2012-0050] (RIN: 3170-AA33) received January 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

287. A letter from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — High-Cost Mortgage and Homeownership Counseling Amendments to the Truth in Lending Act (Regulation Z) and Homeownership Counseling Amendments to the Real Estate Settlement Procedures Act (Regulation X) [Docket No.: CFPB-2012-0029] (RIN: 3170-AA12) received February 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

288. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Definition of Troubled Condition (RIN: 3133-AD97) received January 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

289. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Alternatives to the Use of Credit Ratings (RIN: 3133-AD86) received January 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

290. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Extension of Exemptions for Security-Based Swaps [Release Nos.: 33-9383; 34-68753; 39-2489; File No. S7-26-11] (RIN: 3235-AL17) received January 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

291. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Assessing the Radiological Consequences of Accidental Releases of Radioactive Materials from Liquid Waste Tanks in Ground and Surface Waters for Combined License Applications [DC/COL-ISG-014] received January 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

292. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Assessing the Radiological Consequences of Accidental Releases of Radioactive Materials from Liquid Waste Tanks for Combined License Applications [DC/COL-ISG-013] received January 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

293. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Unallowability of Costs Associated with Foreign Contractor Excise Tax [FAC 2005-65; FAR Case 2011-011; Item IV; Docket 2011-0011, Sequence 1] (RIN: 9000-AM13) received January 31, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

294. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Unallowability of Costs Associated with Foreign Contractor Excise Tax [FAC 2005-65; FAR Case 2011-011; Item IV; Docket 2011-0011, Sequence 1] (RIN: 9000-AM13) received January 31, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

295. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Technical Amendments [FAC 2005-65; Item V; Docket 2013-0080, Sequence 1] received January 31, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

296. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Bone Island Triathlon, Atlantic Ocean; Key West, FL [Docket No.: USCG-2012-0956] (RIN: 1625-AA00) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

297. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; New Year's Eve Fireworks Displays within the Captain of the Port Miami Zone, FL [Docket Number: USCG-2012-1041] (RIN: 1625-AA00) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

298. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Apalachicola River, FL [Docket No.: USCG-2012-0470] (RIN: 1625-AA09) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

299. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; 2013 Orange Bowl Paddle Championship, Biscayne Bay, Miami, FL [Docket Number: USCG-2012-1020] (RIN: 1625-AA08) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

300. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; On the Waters in Kailua Bay, Oahu, HI [Docket Number: USCG-2012-1038] (RIN: 1625-AA87) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SMITH of Washington (for himself, Ms. HANABUSA, Mr. BRADY of Pennsylvania, Mr. JOHNSON of Georgia, Mr. LANGEVIN, Mr. CASTRO of Texas, Mr. COURTNEY, Mr. GARAMENDI, Mr. ANDREWS, Mr. PETERS of California, Ms. KUSTER, Mr. O'ROURKE, Ms. SHEA-PORTER, Ms. SPIER, Ms. TSONGAS, Mr. LARSEN of Washington, Ms. BROWNLEY of California, Mr. TAKANO, Mr. SCHIFF, Mr. LOWENTHAL, Ms. LEE of California, Mr. RUSH, Mrs. CAROLYN B. MALONEY of New York, Mr. HECK of Washington, Mr. CONNOLLY, Ms. MOORE, Mr. HUFFMAN, Mr. MORAN, Ms. CHU, Mr. POCAN, Mr. CAPUANO, Mr. HONDA, Mr. FARR, Mr. ISRAEL, Mr. BISHOP of New York, Ms. GABBARD, Ms. NORTON, Mr. McDERMOTT, Mr. RYAN of Ohio, Mr. McGOVERN, Mr. DEUTCH,

Mr. CARSON of Indiana, Mrs. DAVIS of California, and Mrs. CAPPS):

H.R. 683. A bill to amend titles 10, 32, 37, and 38 of the United States Code, to add a definition of spouse for purposes of military personnel policies and military and veteran benefits that recognizes new State definitions of spouse; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOMACK (for himself, Ms. SPEIER, Mr. CONYERS, Mr. WELCH, Mrs. NOEM, Mr. GRIFFIN of Arkansas, Mr. POE of Texas, Mr. COHEN, Ms. CHU, Mr. AMODEI, Mr. DEUTCH, Mr. DIAZ-BALART, Mr. JOHNSON of Georgia, Mr. ROSS, Ms. DELBENE, Mr. SCHOCK, Ms. LINDA T. SÁNCHEZ of California, Mrs. ELLMERS, Mr. LARSON of Connecticut, Mr. BARLETTA, Mr. LANGEVIN, Mr. CRENSHAW, Mr. CRAWFORD, Mr. DENT, Ms. PINGREE of Maine, Mr. YOUNG of Indiana, Ms. SCHWARTZ, Mr. GRIMM, Mr. ELLISON, Mr. GIBSON, Ms. TSONGAS, Mr. CONAWAY, Mr. STIVERS, Ms. NORTON, Mr. CAPUANO, Ms. MCCOLLUM, and Mr. AUSTIN SCOTT of Georgia):

H.R. 684. A bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; to the Committee on the Judiciary.

By Mr. SAM JOHNSON of Texas (for himself and Mr. HECK of Washington):

H.R. 685. A bill to award a Congressional Gold Medal to the American Fighter Aces, collectively, in recognition of their heroic military service and defense of our country's freedom throughout the history of aviation warfare; to the Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. NOEM (for herself, Mr. WALZ, Mr. FORTENBERRY, Mr. PETERSON, Mr. BLUMENAUER, Mr. WITTMAN, Mr. THOMPSON of Mississippi, and Mr. LATTA):

H.R. 686. A bill to amend the Federal Crop Insurance Act to modify the ineligibility requirements for producers that produce an annual crop on native sod, and for other purposes; to the Committee on Agriculture.

By Mr. GOSAR (for himself, Mrs. KIRKPATRICK, Mr. SALMON, Mr. SCHWEIKERT, and Mr. FRANKS of Arizona):

H.R. 687. A bill to facilitate the efficient extraction of mineral resources in southeast Arizona by authorizing and directing an exchange of Federal and non-Federal land, and for other purposes; to the Committee on Natural Resources.

By Mr. ROYCE (for himself, Mrs. MCCARTHY of New York, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Ms. BONAMICI, Mr. CALVERT, Mr. CHABOT, Mr. CICILLINE, Mr. COBLE, Mr. CONNOLLY, Mr. COOK, Ms. HAHN, Mr. HECK of Nevada, Mr. HUFFMAN, Mr. JOHNSON of Georgia, Mr. JONES, Mr. LARSON of Connecticut, Mr. LEWIS, Mr. MCCLINTOCK, Mr. MEEKS, Mr. MICHAUD, Mrs. NAPOLITANO, Ms. NORTON, Mr. PETERS of Michigan, Ms. PINGREE of Maine, Mr. POE of Texas, Mr. POSEY, Ms. ROYBAL-ALLARD, Mr.

SCHIFF, Mr. SCHRADER, Mr. SHERMAN, Mr. STIVERS, Mr. THOMPSON of California, Mr. UPTON, Ms. WATERS, Mr. YARMUTH, Mr. BISHOP of New York, and Mr. YOUNG of Alaska):

H.R. 688. A bill to amend the Federal Credit Union Act to provide certain credit unions with the authority to make additional member business loans, and for other purposes; to the Committee on Financial Services.

By Mr. BLUMENAUER (for himself, Mr. ROHRBACHER, Mr. POLIS, Ms. LEE of California, Mr. MORAN, Mr. COHEN, Mr. FARR, Mr. GRIJALVA, Mr. NADLER, Mr. HASTINGS of Florida, Ms. SCHAKOWSKY, Mr. HONDA, and Mr. HUFFMAN):

H.R. 689. A bill to provide for the rescheduling of marijuana and for the medical use of marijuana in accordance with the laws of the various States; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATHAM (for himself and Mr. WALZ):

H.R. 690. A bill to amend title 10, United States Code, to modify the per-fiscal year calculation of days of certain active duty or active service used to reduce the minimum age at which a member of a reserve component of the uniformed services may retire for non-regular service; to the Committee on Armed Services.

By Mr. GEORGE MILLER of California (for himself, Mr. BARROW of Georgia, and Mr. COURTNEY):

H.R. 691. A bill to require the Secretary of Labor to issue an interim occupational safety and health standard regarding worker exposure to combustible dust, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BARLETTA:

H.R. 692. A bill to provide protection for certain Federal employees with respect to implementation of the June 15, 2012, memorandum from Janet Napolitano, Secretary of Homeland Security, regarding the exercise of prosecutorial discretion with respect to individuals who came to the United States as children; to the Committee on Homeland Security.

By Mr. PITTS (for himself, Mr. DANNY K. DAVIS of Illinois, Mr. GOODLATTE, Mr. BLUMENAUER, Mr. CHABOT, Mr. BUCSHON, Mr. THOMPSON of Pennsylvania, Mr. MARINO, Mr. SHUSTER, Mr. FLEISCHMANN, Mr. HANNA, Mr. MORAN, Mr. PETRI, Mr. RUSH, Mr. BARLETTA, Mr. MEEHAN, Mr. FITZPATRICK, Ms. SPEIER, Mr. DENT, Mrs. BLACK, Mr. WOMACK, Mr. KELLY, Mr. QUIGLEY, Mrs. BLACKBURN, Mr. LATTA, Mr. MASSIE, Mr. JOHNSON of Ohio, Mr. BRADY of Pennsylvania, Mr. PASCRELL, Mr. PERRY, Ms. SHEAPORTER, Mr. ROTHFUS, Mr. RENACCI, Mr. GERLACH, Mr. LANCE, Mr. LIPINSKI, and Mr. HARRIS):

H.R. 693. A bill to reform the Federal sugar program, and for other purposes; to the Committee on Agriculture.

By Ms. SCHAKOWSKY:

H.R. 694. A bill to amend the Internal Revenue Code of 1986 to prevent the avoidance by corporations of tax on foreign income; to the Committee on Ways and Means.

By Mr. DENHAM (for himself, Mr. SCHWEIKERT, Mr. WESTMORELAND, Mr. DUNCAN of Tennessee, Mr. HANNA, Mr.

MCHEHRY, Mr. MICA, Mr. NUNES, Mr. HUNTER, and Mr. REED):

H.R. 695. A bill to decrease the deficit by realigning, consolidating, selling, disposing, and improving the efficiency of Federal buildings and other civilian real property, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Oversight and Government Reform, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HORSFORD (for himself, Mr. AMODEI, and Mr. HECK of Nevada):

H.R. 696. A bill to designate the Wovoka Wilderness and provide for certain land conveyances in Lyon County, Nevada, and for other purposes; to the Committee on Natural Resources.

By Mr. HECK of Nevada (for himself, Mr. AMODEI, Mr. HORSFORD, and Ms. TITUS):

H.R. 697. A bill to provide for the conveyance of certain Federal land in Clark County, Nevada, for the environmental remediation and reclamation of the Three Kids Mine Project Site, and for other purposes; to the Committee on Natural Resources.

By Mrs. CAPPS:

H.R. 698. A bill to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV); to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VAN HOLLEN (for himself, Mr. HOYER, Mr. GEORGE MILLER of California, Ms. DELAURO, Mr. POCAN, Ms. CASTOR of Florida, Mr. MORAN, Mr. KILDEE, Mr. HUFFMAN, and Mr. HOLT):

H.R. 699. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to repeal and replace the fiscal year 2013 sequestration; to the Committee on Ways and Means, and in addition to the Committees on the Budget, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California:

H.R. 700. A bill to direct the Secretary of Education to carry out the Advanced Research Projects Agency-Education to fund directed development projects to support targeted breakthroughs in teaching and learning; to the Committee on Education and the Workforce.

By Mr. MCHEHRY (for himself, Mr. SCHWEIKERT, Ms. ESHOO, Mr. GARRETT, and Mr. DAVID SCOTT of Georgia):

H.R. 701. A bill to amend a provision of the Securities Act of 1933 directing the Securities and Exchange Commission to add a particular class of securities to those exempted under such Act to provide a deadline for such action; to the Committee on Financial Services.

By Mr. BRALEY of Iowa:

H.R. 702. A bill to amend the Public Health Service Act to direct the Secretary of Health and Human Services to establish a Frontline Providers Loan Repayment Program; to the Committee on Energy and Commerce.

By Mr. CARNEY (for himself and Mr. MEEHAN):

H.R. 703. A bill to establish the First State National Historical Park in the State of Delaware, and for other purposes; to the Committee on Natural Resources.

By Mr. CARTER (for himself, Mr. WOLF, and Mr. BURGESS):

H.R. 704. A bill to amend title 10, United States Code, to extend whistleblower protections to a member of the Armed Forces who alerts Department of Defense investigation or law enforcement organizations, a person or organization in the member's chain of command, and certain other persons or entities about the potentially dangerous ideologically based threats or actions of another member against United States interests or security; to the Committee on Armed Services.

By Mr. CARTER (for himself, Mr. MCCAUL, Mr. WOLF, Mr. BURGESS, and Mr. FLORES):

H.R. 705. A bill to ensure that the victims and victims' families of the November 5, 2009, attack at Fort Hood, Texas, receive the same treatment and benefits as those Americans who have been killed or wounded in a combat zone overseas and their families; to the Committee on Armed Services, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CICILLINE (for himself, Mr. LANGEVIN, Mr. MCGOVERN, and Mr. NEAL):

H.R. 706. A bill to establish the Blackstone River Valley National Historical Park, to dedicate the Park to John H. Chafee, and for other purposes; to the Committee on Natural Resources.

By Mr. CRAWFORD (for himself and Mr. AUSTIN SCOTT of Georgia):

H.R. 707. A bill to amend the Immigration and Nationality Act to simplify and rename the H-2C worker program, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Education and the Workforce, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOYLE (for himself, Mr. YODER, and Ms. LOFGREN):

H.R. 708. A bill to provide for Federal agencies to develop public access policies relating to research conducted by employees of that agency or from funds administered by that agency; to the Committee on Oversight and Government Reform.

By Mr. ELLISON (for himself, Mr. PAULSEN, Mr. WALZ, and Mr. NOLAN):

H.R. 709. A bill to authorize the Secretary of the Army to take actions to manage the threat of Asian carp traveling up the Mississippi River in the State of Minnesota, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FARR (for himself, Mr. ROHR-ABACHER, Mr. BLUMENAUER, Mr. COHEN, Mr. GRIJALVA, Ms. LEE of California, Mr. MORAN, Ms. PINGREE of Maine, Mr. POLIS, and Mr. WAXMAN):

H.R. 710. A bill to amend title 18, United States Code, to provide an affirmative de-

fense for the medical use of marijuana in accordance with the laws of the various States, and for other purposes; to the Committee on the Judiciary.

By Ms. FOXX (for herself, Mr. WEST-MORELAND, Mr. CHAFFETZ, and Mr. PITTS):

H.R. 711. A bill to amend titles 23 and 49, United States Code, to repeal wage requirements applicable to laborers and mechanics employed on Federal-aid highway and public transportation construction projects; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRELINGHUYSEN (for himself, Mr. FITZPATRICK, Mr. GERLACH, Mr. SEAN PATRICK MALONEY of New York, Mr. ENGEL, Mr. GARRETT, Mr. LANCE, and Mr. DENT):

H.R. 712. A bill to extend the authorization of the Highlands Conservation Act through fiscal year 2024; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GERLACH (for himself and Mr. BECERRA):

H.R. 713. A bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIMM (for himself, Ms. LORETTA SANCHEZ of California, Mr. NUNES, Mr. CONNOLLY, Mr. YODER, Mr. POLIS, and Mr. CHABOT):

H.R. 714. A bill to jump-start economic recovery through the formation and growth of new businesses, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, Science, Space, and Technology, Appropriations, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Florida (for himself, Mr. CLAY, Ms. HAHN, Ms. LEE of California, Ms. FUDGE, Ms. CLARKE, Mr. MCGOVERN, and Mr. WATT):

H.R. 715. A bill to posthumously award a Congressional Gold Medal to Lena Horne in recognition of her achievements and contributions to American culture and the civil rights movement; to the Committee on Financial Services.

By Ms. HERRERA BEUTLER:

H.R. 716. A bill to direct the Secretary of the Interior to convey certain Federal land to the city of Vancouver, Washington, and for other purposes; to the Committee on Natural Resources.

By Mr. HONDA (for himself, Mr. GUTIERREZ, Ms. PELOSI, Mr. BECERRA, Mr. CONYERS, Ms. LOFGREN, Ms. CHU, Mr. NADLER, Ms. LEE of California, Mr. GRIJALVA, Mr. ELLISON, Mr. POLIS, Ms. WASSERMAN SCHULTZ, Ms. BORDALLO, Mr. ISRAEL, Ms. CLARKE, Mr. RANGEL, Ms. SCHAKOWSKY, Ms.

WILSON of Florida, Mr. HOLT, Mr. FARR, Mr. AL GREEN of Texas, Mr. RUSH, Mr. HASTINGS of Florida, Mr. SIRE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LOWENTHAL, Mr. BLUMENAUER, Mr. MORAN, Ms. ESHOO, Mrs. NAPOLITANO, Mr. MCGOVERN, Mr. FALOMAVAEGA, Mr. DEUTCH, Mrs. CAPPS, Mr. QUIGLEY, Ms. GABBARD, Mr. POCAN, Ms. PINGREE of Maine, Ms. SINEMA, Mr. CAPUANO, Mr. TAKANO, Ms. MENG, Mr. TONKO, Mr. SABLON, Ms. CASTOR of Florida, Ms. SPIER, Mr. CICILLINE, Mr. CÁRDENAS, Mr. CONNOLLY, Mrs. CAROLYN B. MALONEY of New York, Ms. MOORE, Mr. WELCH, Mr. PIERLUISI, Mr. VARGAS, Mr. LANGEVIN, Ms. TSONGAS, Mrs. DAVIS of California, Mr. MARKEY, Mr. VEASEY, Mr. SWALWELL of California, and Mr. SERRANO):

H.R. 717. A bill to amend the Immigration and Nationality Act to promote family unity, and for other purposes; to the Committee on the Judiciary.

By Mr. HULTGREN (for himself and Mr. LIPINSKI):

H.R. 718. A bill to authorize the Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, to award grants on a competitive basis to public and private entities to provide qualified sexual risk avoidance education to youth and their parents; to the Committee on Energy and Commerce.

By Mr. KING of New York (for himself, Mr. SHERMAN, Ms. BONAMICI, Mr. BISHOP of New York, Mr. HANNA, Mr. JONES, Mr. LOEBSACK, Mr. MEEKS, Mr. MICHAUD, Ms. NORTON, Ms. PINGREE of Maine, Mr. POLIS, Mr. POSEY, Ms. WATERS, and Mr. BLUMENAUER):

H.R. 719. A bill to clarify the National Credit Union Administration authority to improve credit union safety and soundness; to the Committee on Financial Services.

By Mr. KING of New York (for himself, Mr. RANGEL, Mr. CAPUANO, Mr. CICILLINE, Mr. DEUTCH, Mr. ENGEL, Mr. FARR, Mr. GRIMM, Mr. HIMES, Mr. HOLT, Mr. ISRAEL, Mr. MORAN, Ms. NORTON, Mr. PIERLUISI, Mr. QUIGLEY, Ms. SLAUGHTER, Mr. WAXMAN, and Mr. MCGOVERN):

H.R. 720. A bill to increase public safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist; to the Committee on the Judiciary.

By Ms. JENKINS (for herself, Mr. BLUMENAUER, Mr. RODNEY DAVIS of Illinois, and Mr. LIPINSKI):

H.R. 721. A bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit; to the Committee on Ways and Means.

By Mr. KING of New York (for himself, Mr. BISHOP of New York, Mr. MORAN, Mr. FARR, and Mr. RANGEL):

H.R. 722. A bill to combat illegal gun trafficking, and for other purposes; to the Committee on the Judiciary.

By Mr. LANGEVIN (for himself, Mr. COURTNEY, and Mr. CICILLINE):

H.R. 723. A bill to amend the Wild and Scenic Rivers Act to designate a segment of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in the States of Connecticut and Rhode Island for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Natural Resources.

By Mr. LATTA (for himself and Mr. PETERS of Michigan):

H.R. 724. A bill to amend the Clean Air Act to remove the requirement for dealer certification of new light-duty motor vehicles; to the Committee on Energy and Commerce.

By Ms. LEE of California (for herself, Ms. MOORE, Ms. PINGREE of Maine, Mr. MCDERMOTT, Mrs. DAVIS of California, Mr. CLAY, Ms. NORTON, Ms. DEGETTE, Ms. SLAUGHTER, Mr. MORAN, Ms. WASSERMAN SCHULTZ, Ms. ROYBAL-ALLARD, Mr. GRIJALVA, Ms. BONAMICI, Ms. CLARKE, Ms. SPEIER, Mr. DEUTCH, Mr. BLUMENAUER, Ms. LOFGREN, Mr. LEWIS, Ms. CHU, Mr. RANGEL, Ms. MCCOLLUM, Mr. HONDA, Mr. NADLER, Mr. CONYERS, Mr. HOLT, Ms. WATERS, Mr. HASTINGS of Florida, Ms. SCHAKOWSKY, Mr. LARSEN of Washington, Mrs. CHRISTENSEN, and Mr. SIRES):

H.R. 725. A bill to provide for the reduction of unintended pregnancy and sexually transmitted infections, including HIV, and the promotion of healthy relationships, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BEN RAY LUJÁN of New Mexico (for himself, Ms. HANABUSA, Ms. ROYBAL-ALLARD, Mr. MORAN, Mrs. NEGRETE MCLEOD, Ms. SLAUGHTER, Ms. MCCOLLUM, and Mr. PEARCE):

H.R. 726. A bill to amend the Native American Programs Act of 1974 to reauthorize a provision to ensure the survival and continuing vitality of Native American languages; to the Committee on Education and the Workforce.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 727. A bill to extend Forest Service and the Bureau of Land Management stewardship end result contracting authority, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Ms. WASSERMAN SCHULTZ, Mr. CONYERS, Ms. MOORE, Mr. CICILLINE, Ms. LEE of California, Ms. PINGREE of Maine, Ms. HAHN, Mr. FARR, Mr. RANGEL, Mr. NADLER, Mr. ELLISON, Ms. DEGETTE, Mr. MORAN, Mr. HOLT, and Mr. PETERS of California):

H.R. 728. A bill to establish certain duties for pharmacies to ensure provision of Food and Drug Administration-approved contraception, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCDERMOTT (for himself and Mr. HIGGINS):

H.R. 729. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to exempt the National Institutes of Health from sequestration under section 251A for fiscal year 2013, and to reduce the sequestration by the amount of the exemption; to the Committee on the Budget.

By Mr. MULVANEY (for himself, Mr. DUNCAN of South Carolina, Mr. GUTHRIE, Mr. FINCHER, Mr. AUSTIN SCOTT of Georgia, Mr. HANNA, Mr. KING of Iowa, Mr. ROONEY, Mr. DEFAZIO, Mr.

HASTINGS of Washington, Mr. CAMPBELL, and Mr. HUIZENGA of Michigan):

H.R. 730. A bill to define urban rodent control for purposes of clarifying the control of nuisance mammals and birds carried out by the Wildlife Services program of the Animal and Plant Health Inspection Service and by the private sector, and for other purposes; to the Committee on Agriculture.

By Mr. RADEL (for himself, Ms. FRANKEL of Florida, Mr. WEBER of Texas, Mr. COTTON, and Mr. MESSER):

H.R. 731. A bill to amend the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 to allow the Department of State to use a best-value contracting method in awarding local guard or protective service contracts in high risk areas abroad under the diplomatic security program; to the Committee on Foreign Affairs.

By Ms. ROS-LEHTINEN (for herself, Mrs. BLACK, Mr. BOUSTANY, Mr. BRADY of Texas, Mr. FRANKS of Arizona, Mr. JONES, Mr. DESJARLAIS, Mr. CRENSHAW, Mr. LIPINSKI, Mr. MARCHANT, Mr. KING of Iowa, Mr. GRIFFITH of Virginia, Mr. NEUGEBAUER, Mr. CHABOT, Mr. COLE, Mr. HALL, Mr. GARRETT, Mr. MICA, Mr. SMITH of New Jersey, Mr. FINCHER, Mr. POMPEO, Mr. WITTMAN, Mr. POE of Texas, Mr. DIAZ-BALART, Mr. GRIFFIN of Arkansas, Mr. STIVERS, Mr. CARTER, Mr. RODNEY DAVIS of Illinois, Mrs. HARTZLER, Mr. NUNNELEE, Mr. WALBERG, Mr. RIBBLE, Mr. MULVANEY, Mr. LAMBORN, Mr. BENISHEK, Mr. FLEMING, Mr. CALVERT, Mr. KELLY, Mr. PALAZZO, Mr. WENSTRUP, Mr. HULTGREN, Mr. JORDAN, Mr. PEARCE, Mr. WILSON of South Carolina, Mr. GUTHRIE, Mr. WESTMORELAND, Mr. MCCLINTOCK, Mrs. BLACKBURN, Mr. HUELSKAMP, Mr. CONAWAY, Mr. TERRY, Mr. MILLER of Florida, Mr. SHUSTER, Mr. BILIRAKIS, Mr. TIBERI, Mr. HUIZENGA of Michigan, Mr. ROGERS of Kentucky, Mr. LATTA, Mr. KING of New York, Mr. OLSON, Mr. GRAVES of Missouri, Mr. HENSARLING, Mr. RAHALL, Mr. TURNER, Mrs. BACHMANN, Mr. ALEXANDER, Mr. MURPHY of Pennsylvania, Mr. MULLIN, and Mr. SCALISE):

H.R. 732. A bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions; to the Committee on the Judiciary.

By Mr. RUNYAN (for himself and Mr. WALZ):

H.R. 733. A bill to amend title 38, United States Code, to provide certain employees of Members of Congress and certain employees of State or local governmental agencies with access to case-tracking information of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. STIVERS (for himself and Mr. PETERS of Michigan):

H.R. 734. A bill to create jobs and promote fair trade by increasing duties on certain foreign goods imported into the United States; to the Committee on Ways and Means.

By Mr. THOMPSON of Mississippi:

H.R. 735. A bill to enhance homeland security, including domestic preparedness and collective response to terrorism, by improving the Federal Protective Service, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by

the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELCH (for himself, Mr. COSTA, Mr. CICILLINE, Mr. SIRES, Ms. SCHAKOWSKY, Mrs. DAVIS of California, Mr. ELLISON, and Ms. BONAMICI):

H.R. 736. A bill to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation; to the Committee on Financial Services.

By Ms. WILSON of Florida (for herself and Ms. BROWN of Florida):

H.R. 737. A bill to establish a national catastrophic risk consortium to ensure the availability and affordability of homeowners' insurance coverage for catastrophic events; to the Committee on Financial Services.

By Mr. WILSON of South Carolina:

H.R. 738. A bill to amend title 10, United States Code, to eliminate the requirement that certain former members of the reserve components of the Armed Forces be at least 60 years of age in order to be eligible to receive health care benefits; to the Committee on Armed Services.

By Mr. WITTMAN:

H.R. 739. A bill to require the Office of Management and Budget to prepare a cross-cut budget for restoration activities in the Chesapeake Bay watershed, to require the Environmental Protection Agency to develop and implement an adaptive management plan, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska (for himself, Ms. HANABUSA, Mr. PIERLUISI, Ms. BORDALLO, and Mr. SABLON):

H.R. 740. A bill to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, and for other purposes; to the Committee on Natural Resources.

By Mr. NOLAN (for himself and Mr. POCAN):

H.J. Res. 29. A joint resolution proposing an amendment to the Constitution of the United States providing that the rights extended by the Constitution are the rights of natural persons only; to the Committee on the Judiciary.

By Mr. PRICE of Georgia:

H.J. Res. 30. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of years Representatives and Senators may serve; to the Committee on the Judiciary.

By Mr. SCHIFF (for himself, Mr. CAPUANO, Mr. CICILLINE, Mr. FARR, Mr. GARAMENDI, Mr. HIMES, Ms. LEE of California, Mr. MICHAUD, Mr. MORAN, Ms. NORTON, Mr. WELCH, Mr. VAN HOLLEN, Mr. RUPPERSBERGER, Ms. MCCOLLUM, and Mr. RANGEL):

H.J. Res. 31. A joint resolution proposing an amendment to the Constitution of the United States relating to the authority of Congress and the States to regulate contributions and expenditures in political campaigns and to enact public financing systems for such campaigns; to the Committee on the Judiciary.

By Mr. PAYNE (for himself, Ms. MCCOLLUM, Mr. MEEKS, Mr. RANGEL, Mrs. CHRISTENSEN, Ms. NORTON, Mr.

DANNY K. DAVIS of Illinois, Mr. MORAN, Mr. DENT, Mr. CUMMINGS, Mrs. BEATTY, Ms. LEE of California, Mr. CONNOLLY, Ms. BORDALLO, Ms. MOORE, Mr. GEORGE MILLER of California, Mr. HOLT, Mr. FITZPATRICK, Mr. ANDREWS, Mr. COBLE, Mrs. NAPOLITANO, Mr. PASCRELL, Mr. KING of New York, Mr. SIRES, Mr. COOPER, Mr. RUNYAN, Mrs. NEGRETE MCLEOD, Mr. PALLONE, Mr. LEVIN, Mr. LOBIONDO, Mr. LANCE, Mr. LEWIS, Mr. CARSON of Indiana, Mr. MCGOVERN, Mr. BISHOP of Georgia, Mr. FARR, Mr. THOMPSON of Pennsylvania, Mr. DOYLE, Mr. GARRETT, Mr. CONYERS, Mr. RUSH, Ms. FUDGE, Mr. FRELINGHUYSEN, Mr. SMITH of New Jersey, Mr. TAKANO, Mr. JEFFRIES, Mr. DAVID SCOTT of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HASTINGS of Florida, Mr. BUTTERFIELD, Ms. CLARKE, Mr. AL GREEN of Texas, Mr. ELLISON, Ms. SEWELL of Alabama, Ms. WILSON of Florida, Ms. WATERS, Ms. EDWARDS, Mr. RICHMOND, Mr. CLEAVER, Mr. CLYBURN, Mr. THOMPSON of Mississippi, Ms. BROWN of Florida, Mr. VEASEY, and Mr. HORSFORD):

H. Res. 69. A resolution supporting the designation of March 2013, as National Colorectal Cancer Awareness Month; to the Committee on Oversight and Government Reform.

By Mr. HUELSKAMP:

H. Res. 70. A resolution recognizing the 150th anniversary of Kansas State University; to the Committee on Education and the Workforce.

By Mr. LOEBSACK (for himself, Mr. JORDAN, Mr. WALZ, Mr. BRALEY of Iowa, Mr. KING of Iowa, and Mr. LATHAM):

H. Res. 71. A resolution opposing the International Olympic Committee's decision to eliminate wrestling from the Summer Olympic Games beginning in 2020; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

[Omitted from the Record of February 13, 2013]

By Mr. LOBIONDO:

H.R. 625.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of The Constitution of the United States of America

By Mr. SMITH of Washington:

H.R. 683.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress "to make Rules for the Government and Regulation of the land and naval Forces" as enumerated in Article I, section 8 of the United States Constitution and in pursuit of the Equal Protection Clause found in section 1 of the Fourteenth Amendment.

By Mr. WOMACK:

H.R. 684.

Congress has the power to enact this legislation pursuant to the following:

Commerce Clause of the United States Constitution, Article I, Section 8, Clause 3.

By Mr. SAM JOHNSON of Texas:

H.R. 685.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution.

By Mrs. NOEM:

H.R. 686.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, the Commerce Clause.

By Mr. GOSAR:

H.R. 687.

Congress has the power to enact this legislation pursuant to the following:

Article IV of the Constitution provides the authority of Congress over federal property as a general matter. Article IV, §3 refers to the managerial authority over property owned by the Federal Government, and provides in relevant part:

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; . . .

By virtue of this enumerated power, Congress has governing authority over the lands, territories, or other property of the United States—and with this authority Congress is vested with the power accredited to all owners in fee, the power to sell, lease, dispose, exchange, transfer, trade, mine, or simply preserve land. The appropriate acreage to be held under Federal dominance is not the subject of this bill. Turning to the power of Article IV, §3, the Supreme Court has described this enumerated grant as one "without limitation" *Kleppe v. New Mexico*, 426 U.S. 529, 542-543 (1976) ("And while the furthest reaches of the power granted by the Property Clause have not yet been definitively resolved, we have repeatedly observed that '[t]he power over the public land thus entrusted to Congress is without limitations.'" *Citing United States v. San Francisco*, 310 U.S. 29. The Court in *Kleppe* further explained that "In short, Congress exercises the powers both of a proprietor and of a legislature over the public domain." *Id.* Like any "proprietor" Congress has the power to sell or exchange federal property.

It is now generally accepted that the Federal Government may own and manage property in the manner and form mandated by Congress. *United States v. Gratiot*, 39 U.S. 526 (1840); *Camfield v. United States*, 167 U.S. 518 (1897). However, the wisdom of the Federal Government owning large tracts of land, particularly in the Western States, is subject to question on policy grounds, and some contend on Constitutional grounds based on the decision in *Pollard's Lessee v. Hagan*, 44 U.S. 212 (where the Court stated that "a proper examination of this subject will show that the United States never held any municipal sovereignty, jurisdiction, or right of soil in and to the territory of which Alabama or any of the new States were formed, except for temporary purposes . . ."). Historically, the early federal government transferred ownership of federal property to either private ownership or to state ownership in order to pay off the then crushing Revolutionary War debts and to assist with the development of infrastructure. These are still acceptable goals for federal property sale or transfer.

The land exchange here is one that comports with good policy and constitutional strictures since by exchanging the land set forth in this bill, a large commercial grade copper mine will be able to proceed with the attendant economic benefits with which such

a proposition inures (assuming compliance with other requirements set forth in the bill), but the Federal Government also gains equally valuable land that has significance for other purposes.

Article 1, §8, Cl. 17 addresses property ceded by a state and conveys exclusive regulatory federal jurisdiction over these federal properties and enclaves. Section 8, Cl. 17 may also provide some guidance here to the extent it grants Congress the power to "exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards and other needful Buildings." But it is Article IV that this bill is grounded upon.

By Mr. ROYCE:

H.R. 688.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the U.S. Constitution to regulate commerce.

By Mr. BLUMENAUER:

H.R. 689.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution (relating to the general Welfare of the United States).

By Mr. LATHAM:

H.R. 690.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution (clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

By Mr. GEORGE MILLER of California:

H.R. 691.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 & 18 of Section 8, Article I, of the U.S. Constitution

By Mr. BARLETTA:

H.R. 692.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation, the Protecting Department of Homeland Security Personnel Act of 2013, pursuant to the following:

This bill makes changes to existing law relating to "Article 1 Section 8 of the U.S. Constitution Clause 18."

By Mr. PITTS:

H.R. 693.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes.

By Ms. SCHAKOWSKY:

H.R. 694.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. DENHAM:

H.R. 695.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the common defense and general welfare of the United States) and

Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. HORSFORD:

H.R. 696.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. HECK of Nevada:

H.R. 697.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mrs. CAPPS:

H.R. 698.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. VAN HOLLEN:

H.R. 699.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1; Article 1 Section 8, Clause 18; and Article 1, Section 9, Clause 7 of the U.S. Constitution.

By Mr. GEORGE MILLER of California:

H.R. 700.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. McHENRY:

H.R. 701.

Congress has the power to enact this legislation pursuant to the following:

Article One, Section Eight.

By Mr. BRALEY of Iowa:

H.R. 702.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CARNEY:

H.R. 703.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution;

Clause 18 of Section 8 of Article I of the Constitution; and

Clause 2 of Section 3 of Article IV of the Constitution.

By Mr. CARTER:

H.R. 704.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution clause 14, which grants Congress the power to make Rules for the Government and Regulation of the land and naval Forces.

By Mr. CARTER:

H.R. 705.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution clause 14, which grants Congress the power to make Rules for the Government and Regulation of the land and naval Forces.

By Mr. CICILLINE:

H.R. 706

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. CRAWFORD:

H.R. 707.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the United States Constitution.

The Congress shall have the Power . . . To establish an uniform Rule of Naturalization . . .

By Mr. DOYLE:

H.R. 708.

Congress has the power to enact this legislation pursuant to the following:

Article 6—Clause 2

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

By Mr. ELLISON:

H.R. 709.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8, Clauses 3 and 18.

By Mr. FARR:

H.R. 710.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8 ["to regulate commerce"], and Amendment IV ["to be secure . . . against unreasonable searches and seizures"], and Amendment VI ["the accused shall . . . have compulsory process for obtaining witnesses in his favor . . ."].

By Ms. FOXX:

H.R. 711.

Congress has the power to enact this legislation pursuant to the following:

Because the legislation would change the formula for government contracts on federal-aid highway and public construction transportation projects, it is authorized under clause 1 of section 8 of article 1 of the Constitution which states "[t]he Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. FRELINGHUYSEN:

H.R. 712.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. GERLACH:

H.R. 713.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. GRIMM:

H.R. 714.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4

The Congress shall have Power *** To establish an uniform Rule of Naturalization,

and uniform Laws on the subject of Bankruptcies throughout the United States.

By Mr. HASTINGS of Florida:

H.R. 715.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the Constitution

By Ms. HERRERA BEUTLER:

H.R. 716.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. HONDA:

H.R. 717.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. HULTGREN:

H.R. 718.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8, Article 1 of the Constitution—Congress shall have the power to regulate commerce . . . among the several states . . .

By Mr. KING of New York:

H.R. 719.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. KING of New York:

H.R. 720.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 6

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. JENKINS:

H.R. 721.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. KING of New York:

H.R. 722.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 6

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. LANGEVIN:

H.R. 723.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, Clause 1 and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact this bill.

By Mr. LATTA:

H.R. 724.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, cl. 3

The Congress shall have the power . . . to regulate commerce with foreign nations, and among the states, and with Indian Tribes;

By Ms. LEE of California:

H.R. 725.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 726.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 727.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 728.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution.

By Mr. McDERMOTT:

H.R. 729.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 1

By Mr. MULVANEY:

H.R. 730.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14. "To make Rules for the Government and Regulation of the land and naval Forces."

Article I, Section 8, Clause 18. "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

This bill provides rules for the Government, specifically, for the Wildlife Services program of the Animal and Plant Health Inspection Service. This law is necessary and proper for carrying out the power to make rules for the proper operation of a division of the government of the United States.

By Mr. RADEL:

H.R. 731.

Congress has the power to enact this legislation pursuant to the following:

This law is enacted pursuant to the following provisions of the United States Constitution:

Article 1, Section 8, Clause 3; Article 1, Section 8, Clause 14; Article 1, Section 8, Clause 18;

By Ms. ROS-LEHTINEN:

H.R. 732.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. RUNYAN:

H.R. 733.

Congress has the power to enact this legislation pursuant to the following:

Title I, Section 8

By Mr. STIVERS:

H.R. 734.

Congress has the power to enact this legislation pursuant to the following:

Congress' power to regulate Commerce with foreign Nations under Article I, Section 8, Clause 3 of the U.S. Constitution.

By Mr. THOMPSON of Mississippi:

H.R. 735.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution, including Article 1, Section 8.

By Mr. WELCH:

H.R. 736.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. WILSON of Florida:

H.R. 737.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. WILSON of South Carolina:

H.R. 738.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. WITTMAN:

H.R. 739.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. YOUNG of Alaska:

H.R. 740.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 and Article 1, Section 8, Clause 3.

By Mr. NOLAN:

H.J. Res. 29.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional Authority to Amend the Constitution is found in Article 5 of the Constitution.

By Mr. PRICE of Georgia:

H.J. Res. 30.

Congress has the power to enact this legislation pursuant to the following:

Article V whereby the U.S. Constitution may be altered.

By Mr. SCHIFF:

H.J. Res. 31.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article V of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Mr. YOUNG of Indiana, Mr. MILLER of Florida, Mr. MICA, Mr. ADERHOLT, Mr.

STUTZMAN, Mr. CRAWFORD, Mr. CASSIDY, Mr. BOUSTANY, and Mr. FLEISCHMANN.

H.R. 50: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CARSON of Indiana, Mr. MICHAUD, Mr. TAKANO, and Mr. THOMPSON of California.

H.R. 104: Mr. MESSER and Mr. COTTON.

H.R. 111: Mr. PETERS of California, Mr. RUSH, and Mr. McNERNEY.

H.R. 124: Mr. BILIRAKIS, Ms. DeGETTE, Mr. LOBIONDO, and Mr. MICHAUD.

H.R. 148: Mr. JEFFRIES and Mr. FARR.

H.R. 164: Mr. GERLACH, Mr. McNERNEY, Mr. ROE of Tennessee, and Mr. WHITFIELD.

H.R. 165: Mr. JONES.

H.R. 182: Mr. TIERNEY, Mr. GEORGE MILLER of California, and Mr. HOLT.

H.R. 183: Mr. BUTTERFIELD, Mr. KING of New York, and Mr. BISHOP of New York.

H.R. 203: Mr. GARDNER.

H.R. 217: Mr. ROTHFUS.

H.R. 220: Mr. UPTON.

H.R. 236: Mr. QUIGLEY.

H.R. 239: Mr. BARLETTA and Mr. MULVANEY.

H.R. 241: Mr. WHITFIELD.

H.R. 247: Mr. STIVERS and Mr. FINCHER.

H.R. 268: Mr. DOGGETT.

H.R. 273: Mr. McHENRY and Mr. PERRY.

H.R. 274: Mr. HOLT, Mr. COURTNEY, Mr. PERLMUTTER, Ms. FRANKEL of Florida, Mr. MORAN, Ms. JENKINS, and Mr. CLAY.

H.R. 280: Mr. SARBANES.

H.R. 281: Mr. BRADY of Pennsylvania.

H.R. 301: Mr. SENSENBRENNER.

H.R. 303: Mr. ROSS, Mr. BACHUS, and Mr. LOBIONDO.

H.R. 318: Mr. ROYCE.

H.R. 321: Ms. ESHOO and Ms. GABBARD.

H.R. 324: Mr. McINTYRE and Mr. CASSIDY.

H.R. 335: Mr. WALDEN, Mr. RICE of South Carolina, Mr. RODNEY DAVIS of Illinois, Mr. HASTINGS of Florida, and Mr. GIBBS.

H.R. 352: Mr. DeSANTIS, Mr. SCHWEIKERT, Mr. BENTIVOLIO, and Mr. LAMALFA.

H.R. 359: Mr. LOBIONDO.

H.R. 360: Mr. DAVID SCOTT of Georgia, Ms. WILSON of Florida, Mr. HOLT, Mr. LARSEN of Washington, Mrs. NAPOLITANO, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mrs. CHRISTENSEN, Ms. CLARKE, Mr. CLEAVER, Mr. CLYBURN, Ms. EDWARDS, Mr. AL GREEN of Texas, Mr. HORSFORD, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RANGEL, Mr. SCOTT of Virginia, Mr. VEASEY, Ms. SLAUGHTER, Ms. DeGETTE, Ms. FRANKEL of Florida, Ms. TITUS, Ms. BROWNLEY of California, Mr. HOYER, Ms. SINEMA, Mr. SCHNEIDER, Mr. MURPHY of Florida, Mr. McNERNEY, Mr. DEUTCH, Ms. SCHAKOWSKY, Mr. MATHESON, Mr. CROWLEY, Mr. VAN HOLLEN, Mr. LARSON of Connecticut, Mr. TONKO, and Mr. CONNOLLY.

H.R. 366: Mr. CARTWRIGHT, Ms. KUSTER, Mr. PAULSEN, and Mr. WALBERG.

H.R. 377: Mr. BISHOP of Georgia, Mr. O'ROURKE, Mr. CROWLEY, Mr. GARCIA, Mr. MARKEY, Mr. THOMPSON of Mississippi, and Mr. VARGAS.

H.R. 416: Mr. ROKITA and Mr. WEBER of Texas.

H.R. 419: Mr. McCAUL and Mr. JONES.

H.R. 447: Mr. ROKITA, Mrs. NOEM, Mr. KLINE, Mr. SENSENBRENNER, and Mr. SCALISE.

H.R. 454: Mr. PITTS and Mr. CARTWRIGHT.

H.R. 492: Mr. MESSER, Mr. JONES, Mr. SCHWEIKERT, Mr. BENTIVOLIO, Mr. BENISHEK, Mr. DeSANTIS, and Mr. LAMALFA.

H.R. 493: Mr. MILLER of Florida, Mr. POE of Texas, Mr. HALL, and Mr. LIPINSKI.

H.R. 497: Mrs. BROOKS of Indiana, Mr. FITZPATRICK, and Mr. MATHESON.

H.R. 503: Mr. BUTTERFIELD and Mr. ROKITA.

H.R. 517: Mr. RANGEL, Mr. POCAN, Mr. MORAN, and Mr. TAKANO.

H.R. 530: Mr. FITZPATRICK.

H.R. 540: Ms. ZOE LOFGREN.
H.R. 557: Mr. GRIFFIN of Arkansas.
H.R. 578: Mr. GRIFFIN of Arkansas, Mr. JORDAN, Mr. LAMALFA, Mr. BRADY of Texas, Mr. WALBERG, Mr. MEADOWS, and Mr. WILSON of South Carolina.

H.R. 580: Mr. GERLACH, Mr. BISHOP of Utah, and Mr. PEARCE.

H.R. 582: Mr. HALL, Mr. POSEY, and Mr. DUNCAN of Tennessee.

H.R. 583: Mrs. DAVIS of California.

H.R. 584: Mr. LIPINSKI, Ms. ZOE LOFGREN, Mr. GEORGE MILLER of California, and Mr. BLUMENAUER.

H.R. 588: Ms. GABBARD, Mr. RYAN of Ohio, and Mr. SCHIFF.

H.R. 597: Mrs. NAPOLITANO.

H.R. 612: Mr. MARINO.

H.R. 618: Mr. MCGOVERN.

H.R. 627: Ms. MCCOLLUM, Mr. TIBERI, Ms. BORDALLO, Mr. FARR, and Mr. LANCE.

H.R. 629: Ms. ROYBAL-ALLARD.

H.R. 636: Mr. MCINTYRE, Mr. KILMER, Ms. DELBENE, Mr. MURPHY of Florida, Mr. SCHIFF, Mr. PETERS of Michigan, Mr. O'ROURKE, Ms. TITUS, Mr. LANGEVIN, Mr. HUFFMAN, Mr. VARGAS, Mr. BARBER, Mr. LEVIN, Mr. WELCH, Mr. HECK of Washington, and Mr. LOWENTHAL.

H.R. 661: Mr. HOLT, Mr. GRIJALVA, and Mr. RUSH.

H.R. 673: Mr. HUIZENGA of Michigan, Mr. MESSER, Mr. WOLF, and Mr. REED.

H.R. 675: Mr. GEORGE MILLER of California.
H.R. 676: Mr. HOLT, Mr. LEWIS, and Mr. SCOTT of Virginia.

H.J. Res. 11: Mr. NUNNELEE.

H.J. Res. 25: Ms. GABBARD and Mrs. NAPOLITANO.

H.J. Res. 26: Mr. POSEY.

H. Con. Res. 3: Mr. BENISHEK.

H. Res. 11: Mr. COHEN, Mr. GRAYSON, Mr. HUFFMAN, and Mr. POCAN.

H. Res. 12: Mr. GRAYSON, Mr. HUFFMAN, and Mr. POCAN.

H. Res. 24: Mr. HARPER, Mr. CASSIDY, and Mr. ROBY.

H. Res. 30: Ms. CLARKE, Mr. REED, Ms. ZOE LOFGREN, Ms. GABBARD, Mrs. LOWEY, Mr. LYNCH, Mr. THOMPSON of California, and Mr. POCAN.

H. Res. 36: Mr. JONES and Mr. SCALISE.

H. Res. 51: Mr. COURTNEY and Mr. TAKANO.

H. Res. 65: Mr. POE of Texas, Mr. CHABOT, Mr. FRANKS of Arizona, Mr. KINZINGER of Illinois, Mr. RADEL, Mr. ISRAEL, Mr. HOLDING, Mr. MESSER, Mr. DUNCAN of South Carolina, Mr. PASCRELL, Mr. SHERMAN, Ms. ROSLEHTINEN, Mr. TURNER, Mr. KELLY, Mr. SMITH of New Jersey, Mr. PERRY, Mr. COLLINS of Georgia, Mr. YOHIO, and Mr. COOK.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 273

OFFERED BY: MR. VAN HOLLEN

AMENDMENT NO. 1: Page 2, after line 11, add the following:

SEC. 2. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act (excluding section 1) may be cited as the “Balanced Approach to Deficit Reduction”.

(b) TABLE OF CONTENTS.—

Sec. 2. Short title; table of contents.

TITLE I—BUDGET PROCESS AMENDMENTS TO REPLACE FISCAL YEAR 2013 SEQUESTRATION

Sec. 101. Repeal and replace the 2013 sequester.

Sec. 102. Protecting veterans programs from sequester.

TITLE II—AGRICULTURAL SAVINGS

Sec. 201. One-year extension of agricultural commodity programs, except direct payment programs.

TITLE III—OIL AND GAS SUBSIDIES

Sec. 301. Limitation on section 199 deduction attributable to oil, natural gas, or primary products thereof.

Sec. 302. Prohibition on using last-in, first-out accounting for major integrated oil companies.

Sec. 303. Modifications of foreign tax credit rules applicable to major integrated oil companies which are dual capacity taxpayers.

TITLE IV—THE BUFFETT RULE

Sec. 401. Fair share tax on high-income taxpayers.

TITLE V—SENSE OF THE HOUSE

Sec. 501. Sense of the House on the need for a fair, balanced and bipartisan approach to long-term deficit reduction.

TITLE I—BUDGET PROCESS AMENDMENTS TO REPLACE FISCAL YEAR 2013 SEQUESTRATION

SEC. 101. REPEAL AND REPLACE THE 2013 SEQUESTER.

(a) ELIMINATION OF THE FISCAL YEAR 2013 SEQUESTRATION FOR DISCRETIONARY SPENDING.—Section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 is repealed.

(b) ELIMINATION OF THE FISCAL YEAR 2013 SEQUESTRATION FOR DIRECT SPENDING.—Any sequestration order issued by the President under the Balanced Budget and Emergency Deficit Control Act of 1985 to carry out reductions to direct spending for fiscal year 2013 pursuant to section 251A of such Act shall have no force or effect.

(c) SAVINGS.—The savings set forth by the enactment of title II shall achieve the savings that would otherwise have occurred as a result of the sequestration under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 102. PROTECTING VETERANS PROGRAMS FROM SEQUESTER.

Section 256(e)(2)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985 is repealed.

TITLE II—AGRICULTURAL SAVINGS

SEC. 201. ONE-YEAR EXTENSION OF AGRICULTURAL COMMODITY PROGRAMS, EXCEPT DIRECT PAYMENT PROGRAMS.

(a) EXTENSION.—Except as provided in subsection (b) and notwithstanding any other provision of law, the authorities provided by each provision of title I of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1651) and each amendment made by that title (and for mandatory programs at such funding levels), as in effect on September 30, 2013, shall continue, and the Secretary of Agriculture shall carry out the authorities, until September 30, 2014.

(b) TERMINATION OF DIRECT PAYMENT PROGRAMS.—

(1) COVERED COMMODITIES.—The extension provided by subsection (a) shall not apply with respect to the direct payment program under section 1103 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8713).

(2) PEANUTS.—The extension provided by subsection (a) shall not apply with respect to the direct payment program under section 1303 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7953).

(c) EFFECTIVE DATE.—This section shall take effect on the earlier of—

(1) the date of the enactment of this Act; and

(2) September 30, 2013.

TITLE III—OIL AND GAS SUBSIDIES

SEC. 301. LIMITATION ON SECTION 199 DEDUCTION ATTRIBUTABLE TO OIL, NATURAL GAS, OR PRIMARY PRODUCTS THEREOF.

(a) DENIAL OF DEDUCTION.—Paragraph (4) of section 199(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(E) SPECIAL RULE FOR CERTAIN OIL AND GAS INCOME.—In the case of any taxpayer who is a major integrated oil company (as defined in section 167(h)(5)(B)) for the taxable year, the term ‘domestic production gross receipts’ shall not include gross receipts from the production, transportation, or distribution of oil, natural gas, or any primary product (within the meaning of subsection (d)(9)) thereof.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years ending after December 31, 2013.

SEC. 302. PROHIBITION ON USING LAST-IN, FIRST-OUT ACCOUNTING FOR MAJOR INTEGRATED OIL COMPANIES.

(a) IN GENERAL.—Section 472 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(h) MAJOR INTEGRATED OIL COMPANIES.—Notwithstanding any other provision of this section, a major integrated oil company (as defined in section 167(h)(5)(B)) may not use the method provided in subsection (b) in inventorying of any goods.”.

(b) EFFECTIVE DATE AND SPECIAL RULE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply to taxable years ending after December 31, 2013.

(2) CHANGE IN METHOD OF ACCOUNTING.—In the case of any taxpayer required by the amendment made by this section to change its method of accounting for its first taxable year ending after December 31, 2013—

(A) such change shall be treated as initiated by the taxpayer.

(B) such change shall be treated as made with the consent of the Secretary of the Treasury, and

(C) the net amount of the adjustments required to be taken into account by the taxpayer under section 481 of the Internal Revenue Code of 1986 shall be taken into account ratably over a period (not greater than 8 taxable years) beginning with such first taxable year.

SEC. 303. MODIFICATIONS OF FOREIGN TAX CREDIT RULES APPLICABLE TO MAJOR INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.

(a) IN GENERAL.—Section 901 of the Internal Revenue Code of 1986 is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following new subsection:

“(n) SPECIAL RULES RELATING TO MAJOR INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.—

“(1) GENERAL RULE.—Notwithstanding any other provision of this chapter, any amount paid or accrued by a dual capacity taxpayer which is a major integrated oil company (as defined in section 167(h)(5)(B)) to a foreign country or possession of the United States for any period shall not be considered a tax—

“(A) if, for such period, the foreign country or possession does not impose a generally applicable income tax, or

“(B) to the extent such amount exceeds the amount (determined in accordance with regulations) which—

“(i) is paid by such dual capacity taxpayer pursuant to the generally applicable income tax imposed by the country or possession, or

“(ii) would be paid if the generally applicable income tax imposed by the country or possession were applicable to such dual capacity taxpayer.

Nothing in this paragraph shall be construed to imply the proper treatment of any such amount not in excess of the amount determined under subparagraph (B).

“(2) DUAL CAPACITY TAXPAYER.—For purposes of this subsection, the term ‘dual capacity taxpayer’ means, with respect to any foreign country or possession of the United States, a person who—

“(A) is subject to a levy of such country or possession, and

“(B) receives (or will receive) directly or indirectly a specific economic benefit (as determined in accordance with regulations) from such country or possession.

“(3) GENERALLY APPLICABLE INCOME TAX.—For purposes of this subsection—

“(A) IN GENERAL.—The term ‘generally applicable income tax’ means an income tax (or a series of income taxes) which is generally imposed under the laws of a foreign country or possession on income derived from the conduct of a trade or business within such country or possession.

“(B) EXCEPTIONS.—Such term shall not include a tax unless it has substantial application, by its terms and in practice, to—

“(i) persons who are not dual capacity taxpayers, and

“(ii) persons who are citizens or residents of the foreign country or possession.”.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxes paid or accrued in taxable years beginning after the date of the enactment of this Act.

(2) CONTRARY TREATY OBLIGATIONS UPHOLD.—The amendments made by this section shall not apply to the extent contrary to any treaty obligation of the United States.

TITLE IV—THE BUFFETT RULE

SEC. 401. FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS.

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

“PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS

“SEC. 59B. FAIR SHARE TAX.

“(a) GENERAL RULE.—

“(1) PHASE-IN OF TAX.—In the case of any high-income taxpayer, there is hereby imposed for a taxable year (in addition to any other tax imposed by this subtitle) a tax equal to the product of—

“(A) the amount determined under paragraph (2), and

“(B) a fraction (not to exceed 1)—

“(i) the numerator of which is the excess of—

“(I) the taxpayer’s adjusted gross income, over

“(II) the dollar amount in effect under subsection (c)(1), and

“(ii) the denominator of which is the dollar amount in effect under subsection (c)(1).

“(2) AMOUNT OF TAX.—The amount of tax determined under this paragraph is an amount equal to the excess (if any) of—

“(A) the tentative fair share tax for the taxable year, over

“(B) the excess of—

“(i) the sum of—

“(I) the regular tax liability (as defined in section 26(b)) for the taxable year,

“(II) the tax imposed by section 55 for the taxable year, plus

“(III) the payroll tax for the taxable year, over

“(ii) the credits allowable under part IV of subchapter A (other than sections 27(a), 31, and 34).

“(b) TENTATIVE FAIR SHARE TAX.—For purposes of this section—

“(1) IN GENERAL.—The tentative fair share tax for the taxable year is 30 percent of the excess of—

“(A) the adjusted gross income of the taxpayer, over

“(B) the modified charitable contribution deduction for the taxable year.

“(2) MODIFIED CHARITABLE CONTRIBUTION DEDUCTION.—For purposes of paragraph (1)—

“(A) IN GENERAL.—The modified charitable contribution deduction for any taxable year is an amount equal to the amount which bears the same ratio to the deduction allowable under section 170 (section 642(c) in the case of a trust or estate) for such taxable year as—

“(i) the amount of itemized deductions allowable under the regular tax (as defined in section 55) for such taxable year, determined after the application of section 68, bears to

“(ii) such amount, determined before the application of section 68.

“(B) TAXPAYER MUST ITEMIZE.—In the case of any individual who does not elect to itemize deductions for the taxable year, the modified charitable contribution deduction shall be zero.

“(c) HIGH-INCOME TAXPAYER.—For purposes of this section—

“(1) IN GENERAL.—The term ‘high-income taxpayer’ means, with respect to any taxable year, any taxpayer (other than a corporation) with an adjusted gross income for such taxable year in excess of \$1,000,000 (50 percent of such amount in the case of a married individual who files a separate return).

“(2) INFLATION ADJUSTMENT.—

“(A) IN GENERAL.—In the case of a taxable year beginning after 2014, the \$1,000,000 amount under paragraph (1) shall be increased by an amount equal to—

“(i) such dollar amount, multiplied by

“(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting ‘calendar year 2013’ for ‘calendar year 1992’ in subparagraph (B) thereof.

“(B) ROUNDING.—If any amount as adjusted under subparagraph (A) is not a multiple of \$10,000, such amount shall be rounded to the next lowest multiple of \$10,000.

“(d) PAYROLL TAX.—For purposes of this section, the payroll tax for any taxable year is an amount equal to the excess of—

“(1) the taxes imposed on the taxpayer under sections 1401, 1411, 3101, 3201, and 3211(a) (to the extent such taxes are attributable to the rate of tax in effect under section 3101) with respect to such taxable year or wages or compensation received during the taxable year, over

“(2) the deduction allowable under section 164(f) for such taxable year.

“(e) SPECIAL RULE FOR ESTATES AND TRUSTS.—For purposes of this section, in the case of an estate or trust, adjusted gross income shall be computed in the manner described in section 67(e).

“(f) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter (other than the credit allowed under section 27(a)) or for purposes of section 55.”.

(b) CONFORMING AMENDMENT.—Section 26(b)(2) of such Code is amended by redesignating subparagraphs (C) through (X) as subparagraphs (D) through (Y), respectively, and by inserting after subparagraph (B) the following new subparagraph:

“(C) section 59B (relating to fair share tax).”.

(c) CLERICAL AMENDMENT.—The table of parts for subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:

“Part VII—Fair Share Tax on High-Income Taxpayers”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

TITLE V—SENSE OF THE HOUSE

SEC. 501. SENSE OF THE HOUSE ON THE NEED FOR A FAIR, BALANCED AND BIPARTISAN APPROACH TO LONG-TERM DEFICIT REDUCTION.

(a) The House finds that—

(1) every bipartisan commission has recommended – and the majority of Americans agree – that we should take a balanced, bipartisan approach to reducing the deficit that addresses both revenue and spending; and

(2) sequestration is a meat-ax approach to deficit reduction that imposes deep and mindless cuts, regardless of their impact on vital services and investments.

(b) It is the sense of the House that the Congress should replace the entire 10-year sequester established by the Budget Control Act of 2011 with a balanced approach that would increase revenues without increasing the tax burden on middle-income Americans, and decrease long-term spending while maintaining the Medicare guarantee, protecting Social Security and a strong social safety net, and making strategic investments in education, science, research, and critical infrastructure necessary to compete in the global economy.

SENATE—Thursday, February 14, 2013

The Senate met at 10 a.m. and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by the guest Chaplain, Rev. Edward T. Kelaher, of All Saints Church, Chevy Chase, MD.

The guest Chaplain offered the following prayer:

Let us pray.

Father God, You alone are the sovereign Lord of this great Nation. Send Your Spirit among the men and women of this Chamber that Your will on Earth may be done as it is in Heaven.

People suffer, children hunger, laborers strain under their burdens, and those without a voice cry out in silence. Yet we stand before You at risk of doing little or nothing to comfort and relieve them unless our hearts are yielded to You alone. There is nothing we can do without You.

Give our Senators wisdom beyond human understanding, courage beyond their human hearts, and a sense of urgency and benevolence that matches Your own. Lord, as You hear the cries and prayers of Your people, enable our leaders by Your Holy Spirit to hear likewise in humility and charity.

We pray these words in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BRIAN SCHATZ led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 14, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. SCHATZ thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Following my remarks, the Senate will resume consideration of the nomination of Senator Hagel to be Secretary of Defense.

Yesterday I filed cloture on the Hagel nomination. That vote will occur tomorrow morning.

HAGEL NOMINATION

Mr. REID. Mr. President, in less than 2 hours our country will be without a Secretary of Defense at a time when we have a war going on in Afghanistan and about 70,000 troops there. We have a nuclear weapon which was detonated in North Korea a few days ago. They are threatening, as they have publicly on other occasions, but after this bomb was set off, that they are doing it to attack us. We have this situation in Iran with all their very militaristic statements against us.

All over the world America is involved in matters dealing with our military. I met the night before last in my office with the man who killed Osama bin Laden. I talked to him about his 16-year career as a SEAL and the places he went around the world protecting the interests of the United States. It wasn't just in Afghanistan, not only in Pakistan, but all over the world.

To think we have now in the Senate a situation where we are going to wind up without a Secretary of Defense at this time. We had all the talk—you know, we have some questions about Senator Hagel.

Keep in mind he is a Republican. They say: We have some questions to ask. But publicly a significant number of Republican Senators have said they would not filibuster.

Remember, there has never in the history of the country been a filibuster of a Defense Secretary nominee—never.

I needed to file cloture. Not all the shows, but a number of shows, attacked me last night. They said: We told REID and all these people we shouldn't have agreed to the rules changes because this is what we have going on.

I am ignoring that, but it is shocking that my Republican colleagues would leave the Nation without a fully empowered Secretary of Defense during all the things we have going on in the

world, including a war. Several of my colleagues requested a letter from the President. A letter was sent at their request to the chairman of the committee, which is standard procedure, with Senator LEVIN answering all their questions.

They said: We need that letter so we may vote. One stall after another. I am told now that the letter was sent to the chairman of the committee, and that is not good enough. They want it sent to individual Senators.

This isn't high school getting ready for a football game or some play that is being produced at high school, we are trying to confirm somebody to run the defense of our country, the military of our country. That letter was received yesterday about 4 o'clock, and now they have indicated they want something else.

A committee of jurisdiction, the Armed Services Committee, has extensive information on Chuck Hagel. They have as much information that is available on the Benghazi situation: testimony from administration officials, from multiple committees, and from an independent review board. Secretary Clinton testified; Secretary Panetta, who is going to be leaving his job in less than 2 hours; Chairman of the Joint Chiefs, Martin Dempsey; and others have all testified regarding the attack that claimed four American lives. Chuck Hagel had nothing to do with the attack in Benghazi. Stating the administration hasn't been forthcoming is outlandish.

There are serious consequences to this delay, consequences that are occurring right now.

The President is making some important decisions about Afghanistan. He announced to the world just a day or two ago that 34,000 troops will be coming home during the next year from Afghanistan. We are negotiating with the Afghan Government regarding how we will support them beyond 2014. Negotiations are going on right now.

I heard today from former Senator John Kerry that he is headed for the Middle East. Why? Syria. That is something else the Secretary of Defense has to be concerned about.

Next week while we are on recess—while we are on recess—they are having a NATO Defense Ministers meeting in Brussels about what to do to coordinate our approach on Afghanistan and the rest of our obligations as members of NATO. It is going to be somewhat unusual that the United States isn't represented by the Secretary of Defense. We will not have one if we don't get this done this week.

I am sure they are going to focus on how to end the war responsibly in Afghanistan, how our alliance will work together through the time of transition, and how we can ensure Afghanistan doesn't become a safe haven for al-Qaida again. We need a Secretary of Defense at that meeting. It sends a terrible signal to the hundreds of thousands of troops we have around the world and the military personnel in the United States that we are not going to have a Secretary of Defense.

Republicans are telling our troops: Well, you may have a leader later. What is going on in Europe, the Brussels conference, doesn't really matter.

It sends a terrible signal not only to our military personnel but to the world.

He has answered exhaustive questions about his record. He has the support of the President of the United States.

I heard a lot of speeches from the other side saying the President should have the right to choose whomever he wants. He has the support of this body, the majority vote in this body, and this democracy. We are a nation at war. We are, whether we like it or not, the world's indispensable leader. We are.

For the sake of our national security it is time to put aside this political theater, and that is what it is. People are worried about primary elections. We know how the tea party goes after Republicans when they aren't conservative enough. Is that something they need to have on their resume: I filibustered one of the President's nominees? Is that what they want?

The filibuster of Senator Hagel's nomination is unprecedented. I repeat, not a single nominee for Secretary of Defense of our country has ever been filibustered—never, ever. As we all know, in a matter of days across-the-board cuts are going to take place, and it will affect defense to the tune of \$600 billion. Wouldn't it be nice if we had a Secretary of Defense to work things out?

Leon Panetta, after more than 30 years of service to this country—Congress, chairman of the Budget Committee, OMB, the President's Chief of Staff, head of the CIA, Secretary of Defense—after all these years has gone home to his farm, his family in California.

We do not have, as of 12 o'clock today, a Secretary of Defense. These across-the-board cuts are going to be very difficult. The Pentagon needs a leader to oversee and manage historic cuts and ensure they are made in a responsible way.

A moment about Hagel. He was an enlisted man in the Vietnam war. He didn't have to go; he enlisted. The story of Senator Hagel is not a legend, it is true. He was a heroic warrior. He was an infantryman. He saved his brother's life.

When he was a Senator here the picture he had was of him and his brother in Vietnam on a personnel carrier. He is proud of his service. He should be. He was wounded two times, an infantry squad leader, and a man of integrity and dedication who has a deep understanding of our national security establishment. This came not only from his military service but as a Senator, a member of the Foreign Relations Committee, and a member of the Intelligence Committee. He has been a member of the President's Foreign Intelligence Advisory Board.

At a time when America faces so many threats—I have outlined just a few of them—all across the world our Nation needs a man of Senator Hagel's combination of strategic and personal knowledge. We need a Secretary of Defense. It is tragic that they have decided to filibuster this qualified nominee. It is really unfortunate.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

A FAMILIAR SCENARIO

Mr. McCONNELL. In just 15 days significant across-the-board cuts are set to take effect unless the President and the Senate Democrats come up with a plan to replace them with smarter, targeted spending reductions. The President and the Senate majority have known about this deadline for more than a year. Yet here we are just days before the so-called sequester is set to hit, and a familiar scenario is playing out once again. It goes something like this:

Phase 1. Republicans identify a challenge and actually propose a solution.

Phase 2. Liberals sit on their hands until the last minute.

Phase 3. They offer some gimmicky tax hike designed to fail and then blame everybody else when it does.

Phases 1 and 2 have gone exactly according to plan. House Republicans proposed and passed plans to replace the sequester months ago. As if on cue, Senate Democrats have doggedly refused to consider any of them, much less offer any of their own. Here we are again at phase 3. That means it is now time for them to swoop in with the gimmick.

That is why our friends on the other side have been huddled behind closed doors with pollsters and PR spinmeisters. They have been busy devising the most appealing-sounding tax hikes they can think of.

Don't believe me? Just watch what happens now. Later today, Senate Democrats are expected to roll out the gimmick. Remember, this is not a solution. Even they know it can't pass. But

that is the idea. It is a political stunt designed to mask the fact they have offered no solutions and don't plan to offer any solutions. It is a total waste of time.

For nearly 2 months, I have been coming to the floor to ask Senate Democrats to work with us on a bill that could pass both Houses of Congress. If they were the least bit serious about a solution, they have had more than a year to write a bill in committee, bring it to the floor, vote on amendments, get it to the House and fix this.

Instead, they have waited right up until the moment of crisis, just as they always do, and then they get together not with the goal of finding a solution but to hatch an escape plan aimed at making Republicans look like the bad guys. Their whole goal here isn't to solve the problem, it is to have a show vote that is designed to fail, call it a day, and wait for someone else to pick up the pieces.

My message this morning is quite simple: There won't be any easy off-ramps on this one. The days of eleventh hour negotiations are over. Washington Democrats have gotten used to Republicans bailing them out of their own lack of responsibility. But those days have passed. Look, they run the Senate; they run the White House. It is time they started acting like it.

As a first step, Senate Democrats need to honor their pledge to return to regular order. Legislation that passes through this Chamber should be written with input from both parties. It should get a fair public vetting in committee, and Senators should get a chance to offer amendments. Just yesterday, the President's own Treasury nominee called for a return to regular order.

So it is time for the President and Senate Democrats to put the games and gimmicks aside. It is time they stopped waiting until the last minute to get things done around here. People are tired of it. I know my constituents in Kentucky are certainly tired of it. They have had enough of the political theater. It is time to put the stunts aside and actually work on real solutions. That is what we were sent here to do, and we should do it.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

EXECUTIVE SESSION

NOMINATION OF CHARLES TIMOTHY HAGEL TO BE SECRETARY OF DEFENSE

The ACTING PRESIDENT pro tempore. Under the previous order, the

Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read as follows:

Department of Defense. Nomination of Charles Timothy Hagel, of Nebraska, to be Secretary.

Mr. McCONNELL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, it has been suggested that the Senate should not move forward with Senator Hagel's nomination, alleging he has not complied with requests that he produce speeches. In fact, the standard committee questionnaire requires nominees to provide a copy of "any formal speeches you have delivered during the last 5 years of which you have copies." Senator Hagel complied with this requirement before his hearing 2 weeks ago.

Before the hearing, a number of requests were received from Republican Members that Senator Hagel seek and obtain and provide to the committee some transcripts of additional speeches. In fact, hundreds of pages of transcripts were, in fact, supplied to the committee before the hearing, in addition to those he had submitted in response to the committee questionnaire.

Since then, we have received two additional requests for specific speeches, and in each case we forwarded to Senator Hagel the requests. He sought and provided transcripts of speeches for which he had no prepared remarks and of which he had no copies. So he has responded to those requests, and where he was able to obtain a transcript or a video of the speech from the organization he addressed, he provided a copy. Where no such materials existed, he told us that was the case.

Senator Hagel was informed that a video of his remarks existed in one of those cases but that the organization had been unable to find it. The organization has now located the video, and it will be provided to the majority and minority staffs of the committee today.

In the last few days there has been some finding of transcripts or videos that have surfaced on the Internet—a handful of 2008 and 2009 speeches that Senator Hagel did not recollect. So I ask unanimous consent that a list of links to the Web transcripts or Web videos and a list of Senator Hagel's potentially relevant Senate speeches that are a part of the CONGRESSIONAL RECORD from 2008 be printed in the RECORD immediately following my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. LEVIN. Mr. President, Senator Hagel stated in his financial disclosure that he received \$200,000 from Corsair Capital, which is a private equity firm, and he was a member of its advisory board. It has been alleged that Senator Hagel failed to provide complete financial disclosure, despite the admitted lack of evidence of any kind, and a highly negative innuendo was dropped by one of our colleagues which said that, and I quote, "it is, at a minimum, relevant to know if that \$200,000"—referring to those fees from Corsair Capital—"that [Senator Hagel] deposited in his bank account came directly from Saudi Arabia, [or] . . . from North Korea. . . ." Without any evidence of any kind, that kind of innuendo has been dropped here. It is inappropriate, unfair, untrue.

Senator Hagel has provided the same financial disclosure and met the same conflict of interest standards that the committee requires of all previous nominees. As I explained in a February 8, 2013, letter to my ranking member, Senator INHOFE:

Our committee has a well-defined set of financial disclosure and ethics requirements which apply to all nominees for civilian positions in the Department of Defense. . . . We have applied these disclosure requirements and followed this process for all nominees of both parties throughout the 16 years that I have served as Chairman or Ranking Minority Member of the [Armed Services] committee. I understand that the same financial disclosure requirements and processes were followed for at least the previous 10 years, during which Senator Sam Nunn served as Chairman or Ranking Minority Member.

And I added:

During this period, the committee has confirmed eight Secretaries of Defense (Secretaries Carlucci, Cheney, Aspin, Perry, Cohen, Rumsfeld, Gates, and Panetta), as well as hundreds of nominees for other senior civilian positions in the Department. . . . The committee cannot have two different sets of financial disclosure standards for nominees—one for Senator Hagel and one for other nominees.

As required by the Senate Armed Services Committee and by the Ethics in Government Act, Senator Hagel has disclosed all compensation over \$5,000 that he has received in the last 2 years. As required by the Armed Services Committee, he has received letters from the Director of the Office of Government Ethics and the Acting Department of Defense General Counsel certifying that he has met all applicable financial disclosure and conflict of interest requirements.

As required by the Armed Services Committee, he has answered a series of questions about possible foreign affiliations. Among other questions, the committee asks whether during the last 10 years the nominee or his spouse has "received any compensation from,

or been involved in any financial or business transactions with, a foreign government or an entity controlled by a foreign government." And Senator Hagel's answer was "No."

Mr. LEAHY. Mr. President, will the distinguished chairman of the Armed Services Committee yield for a question?

Mr. LEVIN. I will be happy to.

Mr. LEAHY. Mr. President, I have listened to the recitation. Basically what the Senator is saying is that all the rules that were in place for nominees to the Department of Defense under Republican Presidents are being followed for Senator Hagel. But there are some who want to go beyond those and create new rules beyond those for Vice President Cheney when he was Secretary or Donald Rumsfeld or Gates or any of the other Secretaries of Defense. The Senator is saying some now want to do something different for this nominee of President Obama's than the practices they found totally acceptable for the nominees of President Bush?

Mr. LEVIN. The Senator is correct. A number of our colleagues have made that demand, and it is simply not something on which we are going to set a precedent. It is not the way to proceed in this body.

Mr. LEAHY. I stand with the Senator from Michigan. In the Judiciary Committee, we follow the same procedure for our judicial nominees regardless of the party of the President who nominates them. If we begin switching the rules depending upon who is President—well, if we think the American public holds Congress in low esteem right now, it is going to get even worse. So I compliment the Senator for sticking to the rules.

Mr. LEVIN. Mr. President, I thank my good friend from Vermont.

Just to complete my statement on the financial part, this is relative to the fees he received when he was on the advisory board of Corsair Capital.

This is a company he does not control. He is not in a position to require that it disclose anything. The other members of the advisory board—all of whom are identified, by the way, on the company's Web site—include the chairman of JPMorgan Chase International, who is a laureate of the 2002 Israel Prize in Economics and a recipient of the Scopus Award from Hebrew University. Other members of the advisory board: the former director of investments for Yale University and the former chairman of the Financial Services Authority, which is responsible for regulating the insurance industry in the United Kingdom. So the innuendo that Corsair Capital is somehow a puppet entity that is funneling tainted money to members of its advisory board is unfair. It is totally inappropriate.

Senator INHOFE said yesterday that he is not filibustering this nomination.

He is just insisting on a 60-vote requirement for Senate approval. And he said it is not unusual to insist on 60 votes for the approval of a nominee and this was done during the Bush administration for the nomination of Stephen Johnson to be EPA Administrator and the nomination of Dirk Kempthorne to be Secretary of the Interior.

Well, the Senate rules do not provide for 60-vote approval of nominations or any other matter. These rules establish a 60-vote requirement to invoke cloture and end debate. If 60 votes are required here, it is because there is filibuster. There is no 60-vote requirement for the approval of a nomination, and the two examples cited by Senator INHOFE actually prove this point. On the nomination of Stephen Johnson, cloture was invoked by a 61-to-37 vote on April 29,

2005. On the nomination of Dirk Kempthorne, cloture was invoked by an 85-to-8 vote on May 26, 2006. But—and this is the point—after the debate was ended by those votes on cloture, the nominations were confirmed by regular votes of this body. And those regular votes are either a voice vote or a majority vote on a rollcall vote.

So that history is, again, an example of how the Senate operates. Sixty votes is not required to approve a bill or approve a nomination. If a matter is being filibustered, 60 votes is required to end the debate, and then, if the debate is ended, there is a vote on a nomination or a bill.

No nomination for the position of Secretary of Defense has ever before been filibustered. This filibuster breaks new ground. The filibuster of a nomination for Secretary of Defense is the

first one under any circumstances, and it is unwise. The Department is facing a budget crisis that was described as a 10 on a scale of 1 to 10 by the Chairman of the Joint Chiefs of Staff. So a filibuster at this time of a budget crisis is exceptionally ill-advised. Leaving the Department of Defense leaderless at a time when we are in an Afghan conflict, when North Korea has just exploded a nuclear device is exceptionally ill-advised. And perhaps most important, having a Department of Defense that does not have a new Secretary confirmed is unfair to the men and women in uniform. It sends them exactly the wrong message, as it does to our friends and our adversaries around the world.

Mr. President, I yield the floor.

EXHIBIT 1

ADDITIONAL SPEECHES AND EVENTS BY CHUCK HAGEL THAT ARE AVAILABLE ON THE INTERNET

December 4, 2008	Israeli Policy Forum Annual Event: "In His Own Words: Sen. Chuck Hagel on the Middle East"	http://mycatbirdseat.com/2012/12/35795-senator-chuck-hagel-keynote-speech-israel-policy-forum-annual-event/
May 16, 2009	Georgetown University Commencement Speech	http://commencement09.georgetown.edu?p=620
September 23, 2009	2009 McCarthy Lecture—College of Saint Benedict/Saint John's University	http://www.csbsju.edu/McCarthy-Center/McCarthy-Lecture/McCarthy-Lecture-Archive/2009-Lecture-htm
October 2009	Gerald R. Ford School of Public Policy—University of Michigan	http://www.fordschool.umich.edu/events/calendar/148/
May 28, 2012	50th Anniversary of the Vietnam War Commemoration	http://www.vietnamwar50th.com/media_center/the_honorable_chuck_hagel_memorial_day-2012_speech/

SPEECHES THAT SENATOR HAGEL GAVE ON THE SENATE FLOOR IN 2008 THAT COULD BE RELEVANT TO HIS NOMINATION

February 28, 2008	Senate Floor Speech re: GI Bill
May 8, 2008	Senate Floor Statement re. Chief Master Sergeant Glenn Freeman
May 20, 2008	Senate Floor Speech—Feingold-Hagel bill establishing an independent Foreign Intelligence and Information Commission
May 20, 2008	Senate Floor Speech re: GI Bill
June 12, 2008	Senate Floor Speech—233rd Birthday of the United States Army
October 2, 2008	Senate Floor Speech—Farewell to the Senate

Mr. LEVIN. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I applaud what Senator LEVIN has said about Senator Hagel. If you made a list of the qualifications of the perfect Secretary of Defense, it would look like the resume of Chuck Hagel. If you look past the partisan posturing of some, I think the American public supports his confirmation as Secretary of Defense.

I worry that this partisan posturing adds to the low opinion Americans have of both the House and Senate. This is not the way we should be doing the country's business.

I strongly support the nomination of Chuck Hagel to be Secretary of Defense and urge all Senators to support him. We are at a time of fiscal austerity. We all understand that. But we need a leader at the Pentagon, one who understands what it takes to maintain the strongest military force in the world.

Senator Hagel is a former enlisted soldier. He understands defense policy

and practice from the ground up. He is the leader we need as Secretary of Defense. He is experienced by any measure. Like thousands of people he will lead at the Pentagon, he has earned a combat infantryman's badge. These qualifications are not abstract. He has two Purple Hearts from combat service in Vietnam. He still carries shrapnel in his body from those injuries.

On any issue having to do with the U.S. military, I have long valued the firsthand experience of Chuck Hagel. But this service alone is not what makes him qualified. He has been a leader in the public and private sectors. He cofounded Vanguard Cellular Systems, a successful cellular carrier in the 1980s and 1990s. He was president and CEO of the USO and the chief operating officer of the 1990 G7 Summit. He served as president of an investment bank, on the boards of some of the world's largest companies, and as a two-term U.S. Senator. He is clearly a qualified nominee.

Since his nomination was announced last month, some have questioned Senators Hagel's position on a number of issues—notably, his support for Israel. Well, as recently as his confirmation hearings, he has reaffirmed his long record of support for Israel. In January, Danny Ayalon, the Israeli Deputy Foreign Minister and former Israeli

Ambassador to the United States, affirmed what he sees as Senator Hagel's commitment to the unique U.S.-Israeli relationship. As a member of the Foreign Relations Committee, Senator Hagel supported the authorization of almost \$40 billion in aid to Israel. In a 2008 book, Senator Hagel wrote that, "there will always be a special and historic bond with Israel exemplified by our continued commitment to Israel's defense." He also wrote that that there can be no compromise on Israel's identity as a Jewish state. He has affirmed the U.S. commitment to Israel's security and Israel's right to defend itself against aggression. These are just a few examples, but by any objective measure, Senator Hagel is committed to the mutual interests of the United States and Israel.

Attacks suggesting that Senator Hagel is soft on Iran are also baseless. Through all my conversations with Senator Hagel, I have never once doubted his belief in the President's responsibility to build alliances and exhaust all available means to achieve our foreign policy goals through diplomacy. But he also believes that aggressive actions by us against a foreign government should be strategic. There is not a shred of evidence to support claims that he supports a nuclear Iran,

or that he does not support the President's efforts—unilateral or multilateral—to bring Iran to the negotiating table over its nuclear program. He has reaffirmed that he believes in keeping all options on the table, including force if necessary, to prevent Iran from obtaining a nuclear weapon. Senator Hagel supports the sanctions against Iran already in place. He has affirmed the need to keep military action on the table. He supported the Iran Missile Proliferation Sanctions Act of 1997, the Iran Nonproliferation Act of 2000, and the Iran Freedom Support Act of 2006. Any assertion that Senator Hagel accepts Iran's nuclear program is false.

Then there are the bogus, inflammatory claims that Senator Hagel is soft on terrorism. Nothing could be further from the truth. He has not hesitated to call Hezbollah and Hamas what they are—terrorist organizations. He condemned Iran's support of Hezbollah and cosponsored the Senate resolution demanding that Hamas recognize Israel's right to exist. He also supported the Palestinian Anti-Terrorism Act of 2006, a multilateral effort to force Hamas to recognize Israel, renounce violence, disarm itself, and accept prior agreements with Israel.

I have traveled with Senator Hagel to different parts of the world, combat areas and areas of great security concern to the United States. I have sat in meetings with him as he spoke with our military and intelligence officials. Please excuse me if I am somewhat vague, since most of these meetings were of a highly classified nature, but I can say this: he asked tough questions and always kept the security interests of the United States foremost at hand with both U.S. security officials and also with the leaders of other countries. Senators who were with us of both parties commented to me afterward how impressed they were with the way Senator Hagel conducted these meetings.

In this time of talk of across the board budget cuts, some have suggested that Senator Hagel would recklessly weaken the defense budget. Nothing in Chuck Hagel's record supports that. He resigned as Deputy Administrator of the Veterans Administration over what he considered to be inappropriate budget cuts.

He opposes cuts that would weaken our security. He vigorously opposes sequestration, which has been rightly compared to cutting with a meat cleaver. Like Secretary Panetta and Secretary Gates, Chuck Hagel believes the Pentagon has a role to play in deficit reduction but not at the expense of keeping our military the preeminent fighting force in the world. He says that reductions must be smart and strategic. I agree. I am confident that our men and women in uniform will have no stronger advocate and that our Nation will have a solid defender in Chuck Hagel.

Senator Hagel, who has seen combat from the perspective of an enlisted member of our Armed Forces, sees our military as the last resort, not the first resort in international relations. Those who have been in combat, from President Eisenhower on until today, have taken that same position. No matter what any detractor may say, his is sound policy.

Matters of war and peace are matters of life and death. Those who sit in boardrooms or in easy chairs and say: Let's commit our soldiers here and our soldiers there—they are not the ones going. By and large, it is not their family members risking their lives. We need a Secretary of Defense who knows what it is like to go and to face combat and to be wounded. Should we commit our troops when it is necessary for our defense? Of course. That is why we have troops. But let's recognize that such decisions come at great human cost.

Senator Hagel, a decorated veteran who still walks with the shrapnel from his wounds in Vietnam, understands that a decision to go to war is a decision to send our sons and daughters, husbands and wives, fathers and mothers into harm's way. It is his deep, visceral understanding of this fact, his record of experience, his patriotism, and his dedication to this Nation that qualify him to be the next Secretary of Defense.

We should have the vote and confirm this patriotic American hero. Let's not hide behind a filibuster. Let's have the courage to vote yes or vote no. Do not hide behind parliamentary tricks. Do not vote maybe. The American people elected us to vote yes or vote no. When you want to set up a filibuster rule on something, you are basically saying: Let's vote maybe. That is hardly a profile in courage and certainly not the kind of courage we would expect from a Secretary of Defense. So vote yes or vote no. But however you vote, let's do it without delay. I will vote yes.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

Mr. COATS. Mr. President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MANDATORY SPENDING

Mr. COATS. Mr. President, earlier this week I outlined four main topics that I hoped to hear the President discuss in his State of the Union Address. Today, I would like to talk in more detail about one of those items and perhaps the most challenging—restructuring Medicare, Medicaid, and Social Security to preserve them for current and future generations.

In Washington, these three programs fall into the category of mandatory spending, meaning they are not contin-

gent on annual congressional review or funding. Instead, they are based on formulas that have already been written into law, and therefore this spending occurs automatically, as if it is on autopilot. So, anyone who becomes eligible for the program based on the requirements in the law automatically qualifies for the benefits. We do not have the ability on a year-to-year basis to review or change this. We can only make structural changes and reforms to the program as necessary.

Today these items make up a majority of the government's annual budget. This is because when these programs were implemented they did not take into account the remarkable and wonderful increase in the lifespan of Americans, nor the impact of the post-World War II baby boom generation reaching the point of retirement age, which is now at the level of about 10,000 retirements each and every day of the year. That is putting an enormous strain on the overall budget and the amount in proportion to the budget that goes for funding these mandatory programs.

After World War II and after a long decade of depression, Americans saw a bright new future. They came home from the war. They began to start families. Millions upon millions of children were born in the post-war period up until the earlier 1960s. This is the so-called baby boom generation.

Initially, when they were born, certain industries came into play. If you were in the diaper business, suddenly you were in a boom business or cribs and strollers and then tricycles and bicycles. These children moved on to the age where they began to enter elementary school, and we built schools all over the country to accommodate this growth in our population working their way through the system. Then it was junior highs and then we needed to enlarge our high schools, and new colleges and universities sprung up across the land, too. Upon graduation, they found jobs, and it was time to start their own families—housing boomed.

Throughout the whole lifespan of this baby boom generation, there have been enormous economic changes to adapt to this massive amount of people working their way through life and becoming such an integral part of the American dream and American history.

We often talk now about this issue in cold hard facts because this generation is reaching retirement age, moving into retirement and qualification, for Social Security and Medicare coverage in massive numbers—10,000 or more a day. But when we are talking about it in just cold hard facts and numbers, we tend to ignore the impact of these programs in a much more personal way on our American public.

Becoming eligible for the programs we are talking about means access to health care during a more difficult time of life. Perhaps you are no longer

covered by your employer because you have made the decision to retire or reached retirement age. There are health care issues as we age that we wish did not happen, but they come on in ever-increasing intensity. It means grandparents having enough money to travel to see the kids and a new grandbaby. It means men and women who have worked hard all of their lives to provide for their families finally having the financial freedom to take some time off to retire.

Hoosiers and Americans all across this land have paid into the system all through their working years. They rely on these health and retirement security programs and their benefits. These are honest, hard-working men and women who have been told that if they made contributions through their paychecks to these programs, they would become eligible at a certain age for a certain standard of coverage. They expect to receive that. So, the challenge before us today is to make sure these benefits continue to be available to both current and future recipients. But, as we examine our Nation's current fiscal state, we all need to come to terms with the fact that these programs will not be available in their current form if we do not make some necessary changes.

The Heritage Foundation reports that mandatory spending has increased at almost six times faster than all other spending. In other words, spending on Medicare, Medicaid, and Social Security is growing faster than all of our spending on defense, education, infrastructure, medical research, food and drug safety, homeland security, and I do not begin to have the time to list all of the various functions of spending that go toward reaching out and meeting the needs of this country.

The nonpartisan Congressional Budget Office reported this month that spending on these programs and interest on the debt will consume 91 percent of all Federal revenues 10 years from now. Imagine our budget as being a big pie. It is cut in certain slices in terms of how much money is spent on defense, how much money is spent on mandatory programs, and the amount of money that is spent on all of the other functions in which the Federal Government is engaged. That part of the pie which provides for the automatically entitled mandatory spending benefits is growing at a rate that is unsustainable.

It is ever shrinking the defense and nondiscretionary part—everything else we spend money. We spend too much money on too many things so we are going to have to be very careful. I have talked about this many times of how we spend and allocate funds in the future.

Unless we address this runaway mandatory spending issue, we are not going to be able to have the funds to do even

essential constitutionally mandated things, such as providing for our national security and making funds available for paving roads, health care research, education, or whatever else we feel is appropriate for our Federal Government to engage.

Furthermore, this mandatory spending has enormous impacts on our young people. In a recent New York Times column titled "Carpe Diem Nation," David Brooks wrote about two ways spending on health and retirement programs not only threatens our economic growth but hurts young people. It squeezes government investment programs that boost future growth. Second, the young will have to pay the money back. To cover current obligations, according to the International Monetary Fund, young people will have to pay 35 percent more taxes and receive 35 percent fewer benefits.

This is the plight that exists. These are the cold hard facts. We have to deal with this math. Understanding how we deal with this directly affects people's lives, directly affects the benefits they rely on for their retirement and for their health care.

The challenge before us is to understand, if we don't do something, this 35-percent higher taxes and 35-percent fewer benefits on our young is not only unacceptable, I think it is, in my opinion, immoral. Immoral for our generation, for this Congress, and our executive branch to leave our children and grandchildren in such a position without doing something about it. The challenge before us and the goal this body should be striving for is finding common ground—not how to eliminate these programs but about how to save these programs while ensuring we have adequate resources to finance the essential and necessary functions of the Federal Government. This starts with our constitutional obligation to provide for the Nation's security, the security of the American public, as well as providing for the general welfare.

Republicans and Democrats and conservatives and liberals recognize we need to restructure Medicare, Medicaid, and Social Security if we are serious about putting this country on a sounder fiscal footing and if we are going to be able to keep these programs from becoming insolvent. Hopefully, there are Members on both sides of the political spectrum who agree we need to make the changes now in order to avoid more painful changes later.

We have been postponing this action and this needed legislative process for decades. It has always been too hot to handle. It is too politically damaging. It might put us in political jeopardy.

The President, in his State of the Union Address, said it is time we put the interests of our Nation ahead of our own personal political interests. I couldn't agree more. That is what we should always be doing. We have not

done that when it comes to this critical issue, which has such an enormous impact on everything we do. It has such an enormous impact on people who have saved all their lives for the benefits they were promised when they retire or became a certain age or the young people in this country who are coming out of school, starting a family, getting a job, hoping to also participate in the American dream, owning a home, and raising a family. We have the freedom our country provides us in ways no other country ever has or perhaps ever will. We are so blessed to have been born in this country, to live in this country, and to have the freedom and the possibility of achieving our dreams.

All of those are in jeopardy if we don't address this situation. For decades now, we have known what is coming. We have seen a growth in our population of baby boomers moving through their entire lifecycle and are now reaching retirement age. We have postponed this over and over. We have come up with short-term solutions over and over and over and failed to come up with any long-term solutions over and over and over.

The time is now. We are at the point where if we don't do something now, the prediction of David Brooks is going to take place. Our young people are going to be saddled with ever-higher taxes to hold up a system that is going to only be able to deliver ever-lower benefits.

As we consider the right path to move forward, we need to acknowledge that any bipartisan congressional effort to reform and preserve these programs will be unsuccessful unless the President shows a willingness to get involved and engage fully in this effort. I believe he understands the magnitude of the issue because he has said: I refuse to leave our children with a debt they cannot repay.

We all want a government that lives within its means. We need to get our fiscal house in order now. We cannot kick this can down the road. We are at the end of the road, said the President of the United States in comments made when he was a Senator, comments made when he was a candidate for President, comments made when he was President during his first 4 years, and comments made subsequent to that, in his inaugural address, and in his recent State of the Union Address.

We need more than talk. We need engagement. We need an engagement of the President if we are going to make these difficult decisions to put our country on a better fiscal path and to save these programs for those who have put their hard-earned money and work into them and then not qualify for those benefits.

I would like to take this opportunity to remind the President of his repeated commitment to reduce our debt and

deficit. I want to remind him of the many times he has spoken about the need to fix Medicare, Medicaid, and Social Security.

Now, Mr. President, what I would like to say is this: We need more than your soaring rhetoric. We need more than the promises you made. We need your direct engagement if we are going to address this fiscal crisis and essentially do what I think all of us know we need to do.

We basically have two options: we may continue with the status quo and wait until the moment that a crisis hits and we may no longer send out the checks; we must raise taxes once again to cover a program that should have received needed reforms or at the point where the programs become solvent. Or, the alternative is that we can come together and commit to the American people that we will act and no longer avoid or delay the challenging and necessary task of fixing these programs to save them for future generations.

I stand ready. I trust my colleagues stand ready to address this issue now, and we are asking you to stand with us. Let's do what we all know we need to do to restore our Nation's fiscal health, to save these programs from insolvency, to grow our economy, and get Americans back to work. The time is now.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am proud to stand here to support the nomination of Chuck Hagel as our next Secretary of Defense.

I believe he will be confirmed by this Chamber, I hope, on a bipartisan basis. He is, in fact, extraordinarily qualified for this position of unique trust and responsibility. That is the criterion we must apply. Is he qualified? We may have, probably each of us does have among us 100 Senators, someone whom we would make our first choice or a better choice or is the right person, in our view. That is not the question before us. It is whether he is qualified to be part of the President's team and to be held accountable for the policies the President sets.

Chuck Hagel is a decorated war veteran with two Purple Hearts. He is a highly successful businessman and entrepreneur and a real manager at a time when we need a manager in the Department of Defense.

He is a former colleague as a Member of this body, but he is also a former deputy head of the Veterans' Administration. He has given his life to public service and, most especially, to helping men and women in uniform while they serve this country in the military, and then when they come back to civilian life, helping them contribute and continue to give back to this Nation.

He is a Republican who has won the confidence of President Obama and

whom President Obama has chosen to be a member of his team.

We speak, as Members of the Senate, about giving the President a measure of deference, a prerogative in making the selection about who will serve on his team because it is the President who sets policy. The President will set our policy on the Middle East and on Israeli security. Chuck Hagel has said he is committed, unequivocally, clearly, unambiguously, to the security of Israel and to whatever weapons systems are necessary to provide Israel in maintaining and sustaining that security, the Iron Dome, David's Sling, and other measures this Nation has committed to its great ally in the Middle East. This is an ally that is necessary not only to stability there and hopefully to peace but also to our national interests. Chuck Hagel may have made comments in the past that seemed to vary somewhat from the President's policy, but it is the President who sets that policy and whom we will hold accountable for that policy.

Likewise, on Iran, Chuck Hagel has said he is in favor of preventing a nuclear-armed Iran, not containing it but preventing it. Whatever his past says, it is the President who sets that policy. Chuck Hagel has indicated he is completely in accord with it, in support of it, and will implement it. Again, it is the policy of the President to prevent a nuclear-armed Iran, and we must in this body give support and encouragement to the President in being strong and tough, setting even stronger and tougher sanctions, and using the military option, if necessary, to stop a nuclear-armed Iran.

Going from policy to what I think is perhaps the unique challenge of the next Secretary of Defense, which is to attract and retain the best and the brightest to our military—we talk all the time about people being our greatest asset in the military. We have weapons systems that defy the imagination, let alone comprehension.

At the end of the day, the people who run those weapons systems, the people who staff and work every day to keep America safe, are the ones who are our greatest asset. At a time when we are bringing troops back from Afghanistan when Secretary-to-be, hopefully, Hagel, has indicated we ought to do it even more quickly, our greatest challenge will be to prevent the hollowing out of our military as has occurred in the wake of past conflict.

That hollowing out is not only about hardware and weapons; it is about the people who command and the people who run those weapons. We need to ensure we keep those midlevel officers and enlisted members who are so important to the leadership of our military. Chuck Hagel's leadership and commitment will be critical to that task.

I have met with Chuck Hagel privately. I asked him tough questions

about Iran and Israel. I am satisfied on those points that he will advise the President in accord with those policies.

But even more important, I am struck by his passion and the intensity of his commitment to our men and women in uniform. His caring about them is indicated in so many ways—spontaneously and strongly in his testimony as well as in his private conversation. He will make sure that sexual assault in the military—the epidemic and scourge of rape and assault against men and women who serve and sacrifice for this country—will be stopped; that there will be, in fact, zero tolerance not only in word but in deed, and his viewing, for example, of the documentary “Invisible War”—his understanding that this kind of misconduct is an outrage, never to be even complicitly condoned and to treat as a criminal offense the most extreme kind of predatory criminal activity is important to the future of our military and our men and women in uniform.

He is committed to making sure that women in combat—a policy of the President—is implemented forcefully and faithfully. He is committed to making sure the policy of repealing don't ask, don't tell is implemented zealously and vigorously. He is committed to making sure that our veterans—not only for our returning Iraq and Afghanistan veterans but also for the veterans of his own generation—our Vietnam veterans who had Post-Traumatic Stress at a time when it was undiagnosed and, in fact, unknown as a condition resulting from combat—have the benefit of policies and practices we are now implementing to deal with Post-Traumatic Stress and traumatic brain injuries.

He is also committed, equally importantly, to making sure the epidemic of suicide among our currently serving men and women in uniform and also our veterans is addressed forcefully. There are tragedies every day involving those suicides—families who lose loved ones and a country that loses a great public servant—and Chuck Hagel cares about those men and women. He will see a person in uniform not as simply an officer or an enlisted man but as someone who will soon be a veteran and become part of a continuum.

Chuck Hagel has served the VA as well as now in the Defense Department, and he will make sure the transition from active service to reservist service is seamless; that veterans are provided with the transition assistance they need for employment, education, and health care, and that our National Guard receives the respect and service it deserves.

I am convinced Senator Hagel's No. 1 priority will be taking care of our troops. He was a veteran's advocate with the USO, and he has won the respect and admiration of veterans groups. In addition, he has won the

support of an extraordinary array of former Secretaries of Defense, ambassadors and diplomats, senior retired military leaders, and, in particular, two former Members of this body who appeared with him at his testimony, former Senators Warner and Nunn.

I believe Chuck Hagel is the right man for the fiscal challenges that will confront the Department of Defense. Putting aside sequester—which I dearly hope will not happen; Secretary Panetta has said it would be irresponsible for the Congress to allow it to happen, and many of us agree it must be avoided—and the challenges in the next month or series of months, the long-term outlook for the Department of Defense is that it must do more with less, and Secretary Hagel, if he is confirmed, will have that management task. He is one of the people in this country who is almost uniquely qualified to carry it out, and I believe he will, with great distinction. He will take care of our men and women in uniform and strengthen our national defense. He will do what he thinks is right, even if it is not popular.

Finally, Chuck Hagel is, as everyone has said, a good and decent man. And I thank in particular Senator MCCAIN for his very compelling and telling comments during our consideration before the vote in the Armed Services Committee. He said, and I agree, that no one should impugn Chuck Hagel's character. He is a person of integrity and character, and I believe he will have the respect at all levels of our defense—the men and women who serve and sacrifice every day, the men and women who are essential to our national security—and I recommend him and urge my colleagues to support him.

I respectfully hope he will be confirmed quickly and that it will be done on a bipartisan basis so we will be united—as our Armed Services Committee in this body is almost always united—in favor of the President's choice for this uniquely important responsibility.

I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Republican whip.

TIME TO GOVERN

Mr. CORNYN. Madam President, I rise to mark another sad record for the Senate: 1,387 days since the Senate has passed a budget—1,387 days.

The last time I checked the 2012 election was over, and of course it has been over for more than 3 months now. Unfortunately, the President still seems to be very much in campaign mode, giving speeches all around the country. For the time being, what we need, rather than a President on a perpetual campaign, is for Democrats and Republicans to work together to try and solve some of our Nation's most pressing problems, and there is no more important issue than our national debt.

Unfortunately, the President, after extracting about \$600 billion in new

taxes as a result of the fiscal cliff negotiations, is still coming back to the well, and he is calling for tens of billions of dollars in new spending. At a time when we ought to be talking about bending the cost curve down, trying to rein in wasteful Washington spending, the President wants to spend more, and he wants to raise taxes to do it.

Perhaps worst of all, we know the promises we made to our seniors for Medicare and Social Security are imperiled. Unless we act together to save and protect Social Security and Medicare, they are on a pathway to bankruptcy, and that is irresponsible and wrong.

I am tempted to describe President Obama's spending and tax ideas as small ball, but they are worse than that. They represent a conscious decision to neglect some of the most pressing issues that confront our country. One might even say it is a dereliction of duty in the battle to save America.

Last week, the Congressional Budget Office projected our gross national debt will increase from \$16 trillion in 2012 to \$26 trillion in 2023. Now that may seem like a long way off, but since President Obama has been President, the national debt has gone up by 55 percent—just in the last 4 years. If we project that forward to 2023, when some of these young men and women who are working here as pages will be looking at entering the workforce and looking at their futures, all they will see ahead of them is debt and a reduced standard of living. This is what lies ahead for all of us unless we embrace real spending cuts and unless we deal with the unfunded liabilities of Medicare and Social Security.

If President Obama has a secret strategy for getting our debt under control, we would all love to hear it. His last two budget proposals failed to receive a single vote in the Senate. The last 2 years his budget has actually been put to a vote, no Democrat voted for it and no Republican, because it simply didn't address the problems I have described. I hope this year is different. Unfortunately, the President has already missed the statutory deadline for submitting his own budget, which was February 4. I hope when he finally gets around to sending us his proposed budget it is a serious plan for long-term debt reduction. Based on experience, I can't say I am overly optimistic, but hope springs eternal.

I guess one of the things that worries me the most is that in the President's State of the Union message, which he so eloquently delivered a few nights ago, he didn't say one word about his 2014 budget—not one word. I would urge the President to take a long hard look at the new Congressional Budget Office report. I would urge him to launch serious bipartisan budget negotiations as soon as possible so we can avoid an-

other last-minute cliffhanger and another 2 a.m. Senate vote.

Above all, I would urge the President to take a look at a balanced budget amendment to the U.S. Constitution that I have cosponsored along with all of my colleagues on this side of the aisle. That amendment would require the Federal Government to balance its budget each and every year.

Is that such a crazy idea? Well, no. That is what every family has to do. That is what every small business has to do. And that is what 49 States are required to do under their laws. This amendment to the Constitution would be the 28th amendment to the Constitution, including the first 10, which are, of course, our Bill of Rights. It would require a congressional supermajority to raise taxes or to raise the debt ceiling.

As I said a moment ago, families across America have to balance their budgets. And, of course, along with a budget brings the discipline of deciding what our priorities are—the things we have to have and we can't live without, the things we want but we have to defer, and then the things that maybe we would like to have but simply can't afford. Well, this number right here, 1,387 days since the Senate passed a budget, is one reason why our debt continues to go up by leaps and bounds, and there is no plan in sight to bring it under control.

Here is the bottom line for President Obama: The 2012 election is over, and now it is time to govern. It is time to move beyond the campaign rhetoric, drop the gimmicks and work across the aisle with Republicans to do what is right for the country. We are ready, willing, and able to engage with the President and our Democratic colleagues to try to address these problems that confront our country. In fact, there is no good reason for any of us to be here unless we are willing to do that.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, while the Senator from Texas is still on the floor, he knows I have a lot of respect and affection for him, and I am delighted to serve with him here and also to serve with him on the Finance Committee. I appreciate Senator SHAHEEN for letting me jump in for just a minute.

We agree on so much. We actually do. And not just the Senator and I but our colleagues here. And I think we fully recognize that although the deficit comes down from \$1.5 trillion to about \$850 billion or so, it is way too much. I think we also agree that one of the best ways to reduce the deficit is to strengthen and grow the economy.

I believe—and I think I heard the President say this the other night—there are three things we need to make sure we address.

One, we need to address—and the President said this—we need to address entitlement programs, not to savage old people or to savage poor people but to figure out how to get better health care results for less money to be able to preserve those programs for the long haul.

I think we will have an interesting proposal from Senator DURBIN later this year with respect to Social Security and putting it in a structured way, maybe a path forward on Social Security that makes it clear we are not trying to balance the budget on Social Security but actually do reforms that we know are needed and I know are needed so we will have that program for the long haul.

I commend my side of the aisle, and I commend your side of the aisle. We acknowledge that we need some revenues, whether it is on the tax expenditure side, the deductions and loopholes and so forth, or finding other ways to raise revenue.

Third, we just came from a press conference this morning with Congressman ISSA, Congressman CUMMINGS, Senator COBURN, and myself to focus on the GAO and their high-risk list, high-risk ways for wasting money. That comes out today. Every 2 years they give us this high-risk list for how to find ways to save money and spend our tax dollars more efficiently.

We have all that working together, those three things: entitlement reform, some additional revenues, and actually looking in every nook and cranny to see how we can get a better result for less money. Those we can do together. My colleague and I have worked on some things together, and I want to work on those with the Senator, and I look forward to that. I think that if we do, a lot of our colleagues will join us.

Mr. CORNYN. Would the Senator yield for a question?

The PRESIDING OFFICER. The Republican Whip.

Mr. CORNYN. Madam President, I would like to tell the distinguished Senator from Delaware how much I appreciate him and his friendship, and it is genuine.

I guess the thing that is so maddening about serving in the Senate is that everyone in this body—the Senator from Delaware, the Senator from New Hampshire—everyone who serves in this body understands the problems that confront our country that he so eloquently described in terms of unfunded liabilities for Medicare and Social Security, which are on a path to bankruptcy, the debt, and just imagine, if interest rates were to go up, what that would mean in terms of our ability to fund everything from safety net programs to national defense.

But it never seems to happen. The date never seems to arrive when we actually sit down and address it. And I believe this number of days without a

budget is really symptomatic of the problem. But thanks to our colleagues across the Capitol—who passed a “no budget, no pay” bill, which has now been signed by the President—unless Congress passes a budget, we are not going to get paid, which is entirely appropriate and long overdue.

So I would just say to my friend, and he is my friend, that I appreciate his comments. I hope someday soon we can find a way, Republicans and Democrats alike—that is the only way it is going to happen—I hope we can get serious about this. Unfortunately, it hasn't happened yet. I am an optimist. I think it can happen. But it is going to require Presidential leadership, and, frankly, that is one reason I wish the President would get off the campaign trail. Now that he has won—he has another 4-year term—he doesn't have to worry about running for election again, but then to work with us because that is the only way it is going to happen.

So I appreciate his comments and look forward to continuing to work with the Senator.

Mr. CARPER. Again, I thank Senator SHAHEEN and Senator HOEVEN for allowing us to have this colloquy.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I ask unanimous consent to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING CHARLIE MORGAN

Mrs. SHAHEEN. Madam President, today I rise with a heavy heart because our Nation has lost one of its outstanding citizens and many of us have lost a dear friend.

Charlie Morgan, chief warrant officer of the New Hampshire National Guard, passed away early Sunday morning with her wife Karen and their daughter Casey by her side. Chief Charlie Morgan was just 48 years old. For those of us who had the pleasure of knowing Charlie, it has been a difficult week. However, as I rise today, I take comfort in the opportunity I had to share part of Charlie's life and work.

Many know Charlie for the national attention she received over the last several years advocating on behalf of her fellow gay servicemembers and their families. However, first and foremost, Charlie was a soldier. She enlisted in the U.S. Army in 1982. After a brief period away, Charlie returned to service as a member of the Kentucky National Guard in 1992, 1 year before the now-repealed don't ask, don't tell policy became law.

Following the terrorist attacks of September 11, 2001, Charlie returned for a third time, joining the 197th Fires Brigade of the New Hampshire National Guard, a tour that included a yearlong deployment in Kuwait.

In addition to the mental and emotional challenges of military service,

Chief Warrant Officer Morgan shouldered the constant burden of keeping her life secret from her fellow soldiers. Married to her partner Karen in 2000, Charlie was unable to live openly under the military's don't ask, don't tell policy.

Immediately following the repeal of don't ask, don't tell, Charlie made national news as one of the first servicemembers to publicly confirm her homosexuality and shed light on many of the remaining inequalities faced by same-sex military families.

I first met Charlie in 2011. She contacted my office during her deployment in Kuwait when she learned that despite the repeal of don't ask, don't tell, her partner Karen of over 10 years would not be allowed to attend mandatory National Guard Yellow Ribbon Reintegration Programs upon her return. I was pleased to work with Secretary Panetta and the New Hampshire National Guard, which has been very supportive of Charlie, to ensure that she and her wife Karen would be able to participate in the program together.

However, as those of us who appreciated her determination understood, Charlie was not satisfied. She continued to vigorously pursue equal benefits for same-sex spouses, particularly survivors' benefits and compensation still denied under the Defense of Marriage Act. And this was not an abstract issue for Charlie. In 2011 she was diagnosed for a second time with breast cancer. Concerned for the future well-being of her family, Charlie took aim at DOMA by challenging its constitutionality in Federal court, and her case is set to be heard by the Supreme Court later this year.

Several days ago my office sent out an online condolence card to the Morgan family, and the response from that card has been overwhelming. In less than a week we received over 2,000 messages of support from citizens all across our country, and I would like to read just a couple of those this morning.

From Hobkinton, NH, we heard: Charlie is a hero to many of us. Thank you for making your lives public so others can live their lives privately in love.

From Oregon, we heard: Thinking of you in this time of loss. It is also a loss for our country, but she leaves a legacy that will carry on.

From Fulton, IL, we heard: Thank you so much, Charlie, for all you have done. You will not be forgotten, and your service, work, and legacy will live on. Those of us left behind will honor you by continuing on in this all-important fight for equality.

I hope Charlie Morgan knew how many lives she touched and how greatly we admired her efforts. I know that she will be sorely missed and that her example will continue to guide us well into the future.

With Charlie's memory in mind, I will soon be introducing the Charlie Morgan Act. This bill will end a number of restrictions on benefits for legal spouses of all military servicemembers and veterans regardless of their sexual orientation. Every individual who provides for our defense deserves the peace of mind that comes with knowing one's family will be taken care of should the worst happen. No one should ever again go through what Charlie and her family had to go through. I hope all of us in the Senate will take up this legislation and act quickly to address this issue. It is long overdue.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

KEYSTONE XL PIPELINE PROJECT

Mr. HOEVEN. Madam President, I rise today for the purpose of engaging in a colloquy with my distinguished colleagues on the matter of the Keystone XL Pipeline for 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOEVEN. Madam President, I rise today with my distinguished colleagues, both Republican and Democratic, on a bipartisan basis to urge approval of the Keystone XL Pipeline.

Joining me today will be Senator MARY LANDRIEU from the great State of Louisiana, a Democrat; Republican Senator JOHN CORNYN from Texas; Republican Senator JOHN BOOZMAN from Arkansas; Democratic Senator JOE MANCHIN from West Virginia; Republican Senator JOHN BARRASSO from Wyoming; Democratic Senator MARK BEGICH from Alaska; and Republican Senator LISA MURKOWSKI, also from Alaska. I emphasize that to show the bipartisan support for this critically important project.

I also will have a statement from Senator MAX BAUCUS of Montana, who has been leading this effort with me, in his case on the Democratic side of the aisle. He wasn't able to be here, but I do have a statement from Senator BAUCUS that I will read as well, and I appreciate very much his statement of support.

You may have seen that the national gas price has now risen to an average of \$3.62 per gallon. So the average price for gasoline today in the United States—and it continues to go up—is up to \$3.62 a gallon. That is the highest it has ever been in the month of February. So that is a new record—not a record we want to make, either, but it is a record, the highest price for a gallon of gasoline in the United States that we have ever had in February.

If you take a look at that trend line, you will see it has been going up dramatically, and that price is double—\$3.62 a gallon average across the country—that is double the price of gasoline compared to when this administration first took office. So it is a doubling of the price, and, of course, every

consumer, every working American is paying that price at the pump. It affects our small businesses across the country, and it affects our families across the country every day.

There was a poll released yesterday that you may also have seen. The poll was commissioned by API, which is American Petroleum Institute, and was conducted February 5 through February 10 by Harris Interactive. They polled just over 1,000 registered voters, and so the poll has a margin of error of plus or minus 3 percent. In that poll, 69 percent of the respondents support construction of the Keystone XL Pipeline—69 percent—and 17 percent oppose it. So Americans overwhelmingly support the project—69 percent to 17 percent—in the most recent poll. And, of course, why wouldn't they.

This is a project which provides energy to our country when we very much need it. It is a project which will provide jobs—tens of thousands of jobs. We have 7.9 percent unemployment. We have 12 million people out of work. Here is a project that won't cost the Federal Government one single penny, but it creates tens of thousands of high-quality private sector jobs.

It is about economic growth. This is a \$7.9 billion project. The project over its life will create hundreds of millions of dollars of tax revenue for State and local governments, as well as the Federal Government to help with our deficit and our debt without raising taxes—more tax revenue without raising taxes.

It is also about our energy security, energy security for America. Instead of bringing oil from the Middle East, this is about working with our closest friend and ally Canada to meet our energy needs. This pipeline will not only bring in Canadian oil, however. It also moves oil from my State of North Dakota and from the State of Montana to our refineries in places such as Texas and Louisiana and other places around the country. So this is about making sure we don't have to import oil from the Middle East, and I think that is something every American wants. That truly is an issue of national security.

It has been 4½ years since TransCanada—the company that is seeking to build the Keystone XL Pipeline—it has been 4½ years since they first applied for a permit. Here is a chart that shows the route the pipeline would take, and it shows that they had already built another pipeline. This is actually a second pipeline they are seeking to build. But after 4½ years, they still don't have approval of a project that is similar to other projects that have been built.

As a matter of fact, we have built quite a few pipelines through the country, and they go everywhere. For some reason this project has been held up for 4½ years when almost 70 percent of Americans support it. We need the en-

ergy, and we need the jobs. Why would that be?

There was a report in the news yesterday that actress Daryl Hannah and about 40 activists handcuffed themselves to the fence of the White House, and they were arrested for that. They were doing that in protest of the Keystone Pipeline project. Maybe that is where we should be today. Instead of our bipartisan group of Senators here in the Senate arguing the merits of this project and advocating for what the American people want, maybe we should be handcuffed to the White House fence because that seems to work.

It has been 4½ years, and we still don't have a decision. We still don't have approval from the administration on this project even though gas prices have doubled on this President's watch, even though the American people overwhelmingly support the project, even though we need the energy and the jobs. We don't want to keep importing oil from the Middle East, and that is why we are here. We are here on a bipartisan basis to make our case and to get this project approved.

I want to begin by recognizing a distinguished colleague and somebody who has been a real leader in the energy world and has a direct interest on behalf of his constituents in the great State of Texas concerning this project. We need to move oil to the refineries in Texas; we need to move oil—not only Canadian oil but oil from North Dakota, Montana—and we need to get it to refiners so we can get it to our consumers, so instead of seeing the price continue to go up, we can bring it down. I think that is what the American people want.

Perhaps the Senator from Texas can talk about the refining and jobs aspect of this multimillion-dollar project.

The PRESIDING OFFICER. The Republican Whip.

Mr. CORNYN. Madam President, I want to express my appreciation to the Senator from North Dakota for his leadership on this issue. He has been relentless in pursuit of this Presidential permit to authorize the Keystone XL Pipeline because he recognizes, as I do, that it is important in terms of jobs, energy security, and national security.

It has been said that because of the revolution in natural gas production in America, and as a result of horizontal drilling and fracking—combined with the energy we can get from the Keystone XL Pipeline from Canada—that North America could potentially be energy independent—North American energy independence—in the not-too-distant future.

The Senator from Louisiana is scheduled to be here as well. This is a bipartisan effort, as all successful efforts around here must be.

Before Senator LANDRIEU speaks, I want to talk about the Keystone XL

Pipeline, which would create an estimated 20,000 American jobs in construction and manufacturing in my State, which still is the No. 1 energy-producing State in the Nation. As a result, job growth in Texas is outpacing most of the rest of the country. I would add that North Dakota is now the second largest energy producer in the country thanks to the Bakken shale efforts. In Texas alone the Keystone would lead up to \$1.6 billion worth of direct investments and would boost our State's economic output by an estimated \$2 billion. This would not only create thousands of long-lasting and well-paying jobs, it would allow Texas refineries to refine up to 700,000 barrels of oil each day to produce gasoline, jet fuel, heating oil, and the like.

As the distinguished Senator from North Dakota pointed out, this would increase the supply at a time when gas prices have gone up, because of restricted refinery capacity, in the worldwide price of oil. It can do nothing but help America contain those high prices.

It strikes me that this is a no-brainer. While we find ourselves engaged in armed conflicts in places such as the Middle East—where Iran periodically threatens to block the Strait of Hormuz, through which about 20 percent of the world's oil supply flows—why wouldn't we want to make ourselves less dependent on Middle Eastern oil? Why wouldn't we want to make ourselves more independent on North American energy? This is a no-brainer on almost every count I can think of.

Let me express my gratitude to the distinguished Senator from North Dakota for his relentless leadership. I know he is not going to give up. He just keeps getting stronger.

In excess of 50 Senators have signed a bipartisan letter to the President on this, and it is very important for our country as it relates to jobs, energy independence, and national security.

I see the distinguished Senator from Louisiana here, and I know others wish to speak on this important issue as well.

I yield the floor.

Mr. HOEVEN. Madam President, I want to thank the distinguished Senator from Texas. Look at the economic growth and dynamism in his State of Texas; look at the economic growth and dynamism in the State of North Dakota. We are now the fastest growing State in the country. Senator CORNYN is correct when he said Texas is the largest producer of oil in the country. I think they produce about 1.1 million barrels of oil a day. We are at 750,000 barrels and growing, so we are after you. The important point is we are producing this product and we have to have the infrastructure to get it to market.

Again, I thank the distinguished Senator from Texas, and I wish to now

turn to the distinguished Senator from Louisiana. Here is another State that is doing amazing things in oil and gas. They have refineries, and they have refineries that need product. To get that product from North Dakota, Montana, and our ally Canada to Louisiana, we need pipelines. We don't want to ship it in from the Middle East. We want to send them our oil.

I am very pleased Senator LANDRIEU is here, and I would ask for her comments.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Madam President, I am very proud to join in this colloquy with over eight Members of the Senate this afternoon. We are here to talk about this important issue and share ideas with our colleagues and with those who are listening to this debate. This pipeline is important so we can get a reliable, steady stream of oil and gas as we move to cleaner fuels in the future for our country.

I say to my good friend, the Senator from North Dakota, how important it is for drilling, particularly for natural gas, using the breathtakingly new technology that is allowing us to find both wet and dry gas, which is very valuable to our country. This is happening in many places in the country. It will help to fuel a renaissance in manufacturing.

This is not just going to help traditional oil- and gas-producing States such as Louisiana and Texas, this breakthrough in technology enables us to retrieve gas not only in an economically efficient way but in an environmentally sensitive way. It is going to be very important and impactful to many States in the Union.

We are already seeing companies coming back to the United States. They are relocating from Chile, places in Europe, places in Asia, and coming back to the United States primarily because of this resurgence of gas.

But here we are talking about a pipeline that is primarily for oil that comes out of sand. This is not the traditional deep wells where there are large deposits of oil that are drilled. This is a technology that is allowing the separation of these sands to get the carbon or oil out of them.

Now, yes, we want to move as quickly as we can away from carbon—or to lessen carbon because of its damaging impacts—but there is a transition period we have to go through. There is no waving of a magic wand; there is no snapping of a finger; there is no jumping from this generation of energy production to the next overnight.

Even President Clinton—even Al Gore when he was Vice President—talked about the transition we have to go through. I see this pipeline as a transition. It is giving us oil from one of our closest, most dependable, and friendliest of all allies, Canada, as op-

posed to pushing over the next 5 or 10 years to continuing to do business with countries that do not share our values, such as the leadership in Venezuela today or the problems with countries in the Middle East. Even the Saudis, whom we respect in some ways, do not have the same value system as the United States. We would much rather—at least my constituents would much rather—deal with Canada and Mexico. Not only are they better allies, but for Louisiana, we like working in Canada. It is a little closer to home. We like working in Mexico.

Many of the workers on these rigs and in this business come from Louisiana and Texas. Let me be crystal clear: My colleagues who are helping on this issue are absolutely right, the people of Louisiana wish to work in Canada where there are environmental protections, where the wages are good, where there are not a lot of pirates floating around, and where workers are much less likely to be kidnapped. I mean, these are serious issues for the oil and gas industry. That is one of the reasons I have been urging President Obama, along with many of my colleagues, to rethink his position on this pipeline.

I guess this has been said by my colleagues—I see the Senator from West Virginia is here, and I am sure he has said this on the floor before—Canada is going to produce this oil one way or another. The question is: Who are they going to send it to? Are they going to send it to their good friend the United States and our refineries in Texas and Louisiana or are they going to ship it somewhere else in the world? I would like—and the Senator from North Dakota knows this—to form a stronger partnership with Canada and Mexico so we can have security in North America. This will help the Canadian economy and it will help the Mexican economy, which immediately and directly affects our whole Nation. These are our border countries. We are doing a lot of work. I don't know if the Senator knows this, but down in Mexico, in the Gulf of Mexico—I literally—and this is a little bit afield—was recently in Israel and had the great opportunity to go offshore to visit a field, the Leviathan field, which is one of the largest fields in the world. It was discovered in a remarkably new place, which gives Israel a great opportunity to think about being energy independent or energy self-sufficient, which is quite exciting.

When I went offshore in Israel, I met my own workers from Morgan City, Thibodeaux, and Lafourche. They said: Why are you here? I said: The same reason you are. The Louisiana workers go everywhere. We are proud to do it. We would love to be close to home in Canada, Mexico, and our refineries, which are expanding for the first time in many years. Our manufacturing base is expanding.

Finally, I would say in this colloquy, I ask the Senator from North Dakota: Has he had a conversation with the oil minister from Canada—I think it is Minister Oliver—and talked to him at all recently? I had a conversation with him yesterday, and I wanted to maybe share that with the Senator from North Dakota.

Mr. HOEVEN. To the distinguished Senator from Louisiana, I recently visited with the ambassador, Ambassador Gary Doer. We talked about this and other issues.

Ms. LANDRIEU. Through the Chair, I wanted to say I had a very good conversation with the Canadian Minister of Natural Resources. We had a long conversation, about 10 or 15 minutes, and he explained to me the importance of this development for Canada. He also said to me what I just shared with my colleagues. He said: Senator, Canada is going to develop this resource. It is just a question of whom we send it to or with whom we share these benefits.

So for those who are opposed to the pipeline because they don't like the direction it is going or they think there is something America can do to prevent this resource from being developed, that is simply not true.

I see the Senator from West Virginia. I wanted to get that in the RECORD. I thank the Senator for his leadership and for allowing me to join this colloquy because the people of Louisiana strongly support the development of this pipeline. We are proud of the oil and gas industry, but we also recognize we need to make a transition to cleaner fuels and we want to do our part and are happy about the natural gas that is being discovered in this Nation.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I wish to thank the Senator from Louisiana for her leadership in energy, onshore and off, in a big way. She is absolutely right.

This is our opportunity to have North American energy security and North American energy independence, working with our closest friend and ally Canada. This is how we do it—Mexico as well. The Senator from Louisiana is also absolutely right: Canada will produce this oil. That is a fact. That is going to happen. The question is, Is it going to come to the United States or is it going to go offshore to China? We see these green lines; they show the pipelines that would take that oil to China rather than the United States. Net effect: We continue then to import oil from the Middle East, and Canadian oil goes to China. It makes no sense—not to mention better environmental stewardship that we would enjoy working with Canada, which we will touch on as well.

I wish to at this point ask the distinguished Senator from Arkansas, Mr. BOOZMAN, to join the colloquy, and I

would also invite Senator MANCHIN as well. I see Senator BEGICH is here also. So I invite Senator BOOZMAN to make his comments but then also offer the opportunity for our other distinguished Senators to join in the colloquy.

Mr. BOOZMAN. Madam President, I thank the Senator from North Dakota for his leadership and for, again, spearheading this effort. I thank all the Senators who are here and are, in a very bipartisan way, trying to move this project forward.

We speak a lot about jobs in regard to this project, but that simply cannot be overemphasized. The U.S. Chamber of Commerce, most of the largest labor unions—major labor unions—all agree that if this pipeline were to go forward, which it has to do, it would create 250,000 jobs; 20,000 of those tomorrow, almost immediately. Again, it is so important.

It is important to my home State because many businesses, many hard-working Americans living there would benefit tremendously. We have a large Nucor plant. That Nucor plant in Blytheville, AK, in Mississippi County, would supply a lot of the iron that would be used. We have another facility, Welspun Tubular Company, they make oil pipe. They have 500 miles of this pipe sitting in storage that they have produced to go forward, which should be a great thing. The problem is instead of increasing employment for the future, right now they have had to lay off workers because of the indecision.

So there are all kinds of reasons we need to do this. Others have talked about national security reasons, but the labor—the good-paying jobs that would be created, again, not being dependent on places such as Saudi Arabia and Venezuela, that is a pretty good deal, and we need to move forward immediately.

Mr. HOEVEN. Madam President, I wish to recognize the Senator from the great State of West Virginia.

Mr. MANCHIN. Madam President, if I may, I wish to thank all my colleagues. This is something wonderful for the people who are watching and the people watching who are here, to see a bipartisan colloquy; that we all agree, basically, about energy being the crux of what we do and how this country is made up and how we got to where we are today.

My little State of West Virginia now has a tremendous shale gas find in the Marcellus Shale, with the Utica Shale in Ohio, the shale being explored and produced all over our country. We truly have an opportunity in our lifetime to become totally energy independent.

The only thing I am saying is, where I come from, the people are such good people and they have a lot of common sense. They say: We would rather buy from our friends than our enemies.

How much would this displace, as far as us buying from and depending on areas of the world that haven't been friendly to the money we give them for the product of oil they sell us; does the Senator from North Dakota have an idea about that?

Mr. HOEVEN. Madam President, I wish to respond to the Senator from West Virginia. Right now, between the oil we produce in the United States, both together with Canada and Mexico, we generate about 70 percent of the oil we consume. This project alone would add 6 percent. We are talking about over 800,000 barrels a day this project adds and brings to market. So we go from about 70 percent just for this project phase 1 to about 76 percent. But understand this pipeline project is expandable to 1.4 million barrels a day, so we can see it would take us up even higher.

So we are talking about a significant contribution to our oil supply, again, from North Dakota, Montana, and Canada, versus, as the Senator says, countries such as Venezuela or from the Middle East.

Mr. MANCHIN. My other question would be this. Since we have Senators from two of our great producing areas, knowing the challenges we had in Louisiana and the gulf coast with the BP oilspill, as well as a lot of concern about the environment and that is why it has been held up, I understand our friend, Gov. Dave Heineman from Nebraska, now has approved this. That, as I understand it, was the last concern he had.

I have always said this, and I will ask the question of the Senator from Alaska—they have one of the harshest climates and are one of the largest oil producers for our country and they have been able to do it in a safe atmosphere—will the Senator from Alaska comment on his concerns, if he has them, about doing this in a safe environment.

Mr. BEGICH. Absolutely. I thank my friend from West Virginia. We built the largest single capital project back in the 1970s when we brought oil off the North Slope, almost 800 miles through the harshest, most unpredictable climates one would ever see. I can tell my colleagues, if we went back to the stories and articles, the sky would fall, the environment would be destroyed, and the world would come to an end by us building that pipeline. We are multiple decades past. It has worked very well. There haven't been those disasters people claimed would happen.

On top of that, my friend from Louisiana mentioned the environmental impact and it makes sense that the pipeline is the safest way to move oil.

On top of that, we have a choice—the Senator from North Dakota made it very clear—and that is to get it refined in China or the United States. I don't know about anybody here, but I would

bet we all agree that between the environmental standards, we have a better environmental record than China in the refining of oil products, so it makes sense for us to do it.

On top of that, people are traveling to Alaska not just for the jobs and the opportunity but the beauty of Alaska, and we have more visitors who want to see the pipeline, to visit the pipeline. When I went down the Gulkana on a rafting trip, it is unbelievable beauty. But one of the last things people do when they come down and land the raft and begin to pack to go back home, there is the pipeline going right across the Gulkana. Guess what. It hasn't damaged the environment. As a matter of fact, there are plenty of photos of people trying to get their raft underneath the pipeline; trying to get the pipeline and the rapids at the same time. So the Senator's point is a very good one.

The Governor of Nebraska has approved it going through their State, but there is nothing similar to Alaska when it comes to the harsh environment we had to build in. We did it, and we did it when technology was much different. Today, the standards are even greater. Again, I wish to echo the Senator's point.

If I could make one other point. This is unique, the Chamber and labor working together for the common good of this country and the jobs and the groups—we think of the Teamsters and Operating Engineers, the pipeline contractors, the plumbers and pipefitters, they are all part of this agreement to build this pipeline and train workers; as my colleagues know, there is a huge gap in our trades. So we get to utilize a training opportunity, employ thousands of people not only for today but for the future.

So from Alaska's perspective, we like it. We know pipelines. We know we have to build big ones, as we did, and the fact is, as the Senator from North Dakota said, they are going to move this oil one way or another. We have a choice. Do we do it in our country, get the jobs that are attached to it, the opportunity to refine it in States with great quality refineries or do we let China do it? This is a no-brainer for my State.

Mr. MANCHIN. One very quick question, if I may, to the Senator from North Dakota.

There might be a fallacy of thinking that only oil that is going to move is what we would buy from Canada. How much oil would be moved from the United States that we produce in the United States but that is captive right now, that is not being refined, maybe down in Louisiana and Texas? Would this help U.S. production?

Mr. HOEVEN. I appreciate the question from the Senator from West Virginia. For starters, it would put 100,000 barrels a day—this is for starters—into

the pipeline. So day one is 100,000 barrels.

Mr. MANCHIN. Just for North Dakota?

Mr. HOEVEN. North Dakota and Montana. It is very important to understand that is just when we start. The pipeline is expandable. Today, North Dakota is the second largest producer of oil in the Nation, second only to Texas. We produce 750,000 barrels a day—and it is growing—and more of our oil is leaving the State by truck and rail than by pipeline. We need these pipelines. This project alone will take 500 trucks a day off our roads, trucks which are beating up our roads and creating safety issues in our State. This is vital infrastructure we need to get this product to refineries in Louisiana, in Texas, in Illinois, and other points around the country.

At this point, I wish to thank the Senator from Louisiana, again, for her participation in this colloquy. I wish to turn to the esteemed Senator from Wyoming, Mr. BARRASSO, another major energy-producing State, and ask him for his thoughts in regard to the regulatory obstacles to energy development. If we are going to be energy secure, energy independent in this Nation, we have to find a way to empower project investment and empower the kind of development we are talking about—not only infrastructure but the new technologies that will help us produce more energy in our country with better environmental stewardship. That is what we seek to do and I know that is exactly what Senator BARRASSO is working on in his State. I would like him to address that aspect.

Mr. BARRASSO. Madam President, if I may join in this discussion—and it is wonderful to see the bipartisan nature of this discussion, to turn and look around the floor of this Chamber and see three Democratic Senators talking to this issue and three Republican Senators talking to the same issue and agreeing, because all of us are like-minded in the fact that when we think of energy—and the Keystone XL Pipeline is a big part of that—we think of energy security for our Nation, which is part of this, economic growth, and environmental stewardship. We just heard from one Alaskan Senator and the other Alaskan Senator will speak shortly.

We hear what a wonderful job people continue to do in one of the most pristine areas of the country, the State of Alaska. I will tell my colleagues, as a Senator from Wyoming, an energy capital of this Nation, that energy is a big part of our economy but so is tourism. If we did things that did not focus on environmental stewardship for our own State, it would impact our tourism. Energy is a big part of the economy, so we want to have economic growth, energy security, as well as environmental stewardship.

But I will tell my colleagues it has been a difficult task based on some of the regulatory obstacles to energy development. The President likes to talk about how he supports all-of-the-above American energy development. But, in fact, we heard him the other night during the State of the Union Address. His actions over the past 4 years tell a completely different story. Instead of making it easier for our own country to produce energy, I believe he has made it harder.

If we look at the folks who are leaving his administration: The EPA's Director, Lisa Jackson, she said the EPA's role is, interestingly, "to level the playing field against fossil fuels." Secretary Chu, who is leaving the administration, said he would "boost the price of gasoline to the levels in Europe." Secretary Salazar, who is leaving, continues to talk about the fact that the energy strategy, he says, showed good results, but they have restricted access to Federal offshore and onshore oil and gas resources through moratoriums, through blocking permits, through leasing plans. They have denied Americans billions in public revenue and thousands of jobs.

I stand here saying that the Keystone XL Pipeline is a perfect example of the Obama administration's pattern of delaying good projects by requiring excessive redtape.

So I come here with the Senator from North Dakota and the Senator from Alaska—and I thank the Senator from North Dakota for his leadership, for his determination, for his courage, and for his fortitude—in fighting to make sure we as a country continue to strive for American energy security. That is exactly what we are going to have with this proposal.

I call on the administration today—the President, as well as the new Secretary of State—to approve the Keystone XL Pipeline, to allow that energy—which is either coming here to the United States or going to China or elsewhere—to approve it to come to the United States, to help our production, to help our consumers, to help our jobs in this country. Those are the things that are important as we try to focus on energy security for our Nation, economic growth for our Nation, as well as environmental stewardship.

So I thank the Senator from North Dakota for his leadership.

I see now the ranking member of the Energy Committee is here with us as well, who has done a masterful job with a visioned "Energy 20/20." For people who have not seen it, I would say they are missing something—if they have not really read through it—from the Senator from Alaska because she has focused like a laser on these three E's of energy security, economic growth, and environmental stewardship.

So I thank both the Senator from North Dakota and the Senator from

Alaska, the ranking member of the Energy Committee, for their leadership.

Mr. HOEVEN. I thank the Senator. I appreciate the Senator from Wyoming being here and for his leadership on energy. Again, I want to recognize that he comes from an energy-producing State, a State that is producing energy for this Nation and creating hundreds of thousands of good jobs in doing so. I thank him for his leadership on the Energy Committee as well.

I want to turn to and recognize the Senator from Alaska, who is the ranking member on our Energy Committee. As the Senator from Wyoming said, she has recently put out a blueprint for energy development, energy independence, energy security for our Nation. It is comprehensive. It includes all types of energy and, again, developing—developing—them the right way, with good environmental stewardship and the latest technologies but truly accomplishing something the people of this country very much want; that is, energy security.

So at this point I would turn to the Senator from Alaska and ask for some of her comments on this Keystone Pipeline project in terms of the economic benefits and the need for our Nation to truly have energy security.

Ms. MURKOWSKI. I thank my colleague from North Dakota. I thank him for his leadership on how we can get the Keystone Pipeline moving, how we can ensure that a resource from our friend and ally Canada can be utilized, can help us here in this country to truly gain that level of energy security we have been talking about.

There have been several good comments about the report I released last week, my "Energy 20/20." I just happen to have a copy of it here on the floor. But out of 115 pages, I can distill it in one simple bumper sticker; that is, energy is good, energy is necessary.

If you look at the cover of the report here, it is essentially a map of the world from way up high. When you are looking down and you see the lights at night, you can tell the prosperous places within the world. It is where the lights are on. It is where our energy is. So when we talk about energy, I think it is important to really put it in the context of how important, how significant it is to our daily lives.

Over a week ago now we were all reminded of the importance of energy when there were 34 minutes of dead time during the Super Bowl. A lot of folks were paying attention to, well, where do we get our energy sources from? It starts a good conversation, a necessary conversation.

In my document I focus on five different areas where we need to talk about energy policy. I am looking for an energy policy that is abundant, affordable, clean, diverse, and secure. When we talk about the fifth one, the security, this is where the Keystone XL

project really comes in to play. When we are talking about security, that does not necessarily mean that everything we want as a nation is going to be produced right here within our own borders. What it means is how we reduce vulnerabilities from others, how we can eliminate our reliance on OPEC.

Ladies and gentlemen, this is a reality. This is doable. This is possible by 2020. This is not pie in the sky. Let me give you some numbers.

In 2011 Canada produced roughly 2.9 million barrels of crude oil per day. Mexico produced 2.6 million. When you add this to the approximately 6 million barrels the United States produces each day, total North American production—which is 11.5 million barrels—it is far greater than the Nation's net imports, which was 8.5 million barrels back last year—more than double the imports from OPEC.

So if we can do more within our own borders here and ensure that we are able to rely on our friends to the north, the Canadians, and our friends to the south, the Mexicans, we can displace—we can fully displace our reliance on OPEC imports by the year 2020.

But part of achieving this goal is being able to count on the Keystone XL Pipeline. It is as simple as that. It is about security. It is about ensuring that we have a supply that not only helps us achieve that energy security, but it allows us to achieve economic security.

So far as the jobs that are created, really the ripple effect that goes out—it is not just constructing one pipeline. It is the ripple effect that comes from this boom of opportunity within our country.

So it is jobs and economic security. It is energy security from the perspective of reducing our reliance on those countries we do not necessarily like, removing ourselves from the need to import OPEC oil, and having the ability to control our destiny from a perspective of abundance rather than from scarcity.

We should look to our friends and neighbors. We should work with the Canadians. The President should sign the Keystone XL Pipeline bill into law. He should make it happen. We should not be waiting any longer for all the reasons so many on this floor have discussed this afternoon.

So to my friend the Senator from North Dakota, I say thank you for your leadership. Let's make this happen now.

Mr. HOEVEN. I thank the Senator from Alaska again for being here today talking about the importance of moving forward with the Keystone XL Pipeline project and, again, for her leadership on energy issues. She is our ranking member on Energy. I think no matter whom you talk to, she is absolutely inclusive when she talks about

energy development, all aspects—the energy development, the environmental stewardship, the jobs, developing all types of energy. She brings tremendous knowledge and experience to energy issues. So I would urge the administration to listen to one of the leading voices in energy in our country, and that is Senator MURKOWSKI, and ask them to approve this project.

The senior Senator from Montana could not be here today but did ask that I express his strong support for the Keystone XL project—Senator MAX BAUCUS from Montana. My friend from Montana has said over and over the same thing all of us know; that is, Keystone is about jobs, and every day we delay the Keystone Pipeline is another day we delay creating American jobs.

So I want to thank not only Senator BAUCUS but all of the Senators who have joined us here today: Senator LANDRIEU from Louisiana, Senator CORNYN from Texas, Senator BOOZMAN from Arkansas, Senator MANCHIN from West Virginia, Senator BARRASSO from Wyoming, Senator BEGICH from Alaska, and, as you have just heard, Senator MURKOWSKI from Alaska.

We have made the environmental case. The environmental case is stronger with the pipeline project than without it. Every single State on the route is supporting the project. And I think, as Senator MURKOWSKI so well concluded for us, it is about energy; it is about jobs; it is about tax revenue we need to close the deficit and address the debt without raising taxes; and it is about energy independence and energy security for this country so we do not continue to import oil from the Middle East or from places such as Venezuela but, rather, we get it from our closest friend and ally Canada, as well as from States such as my own State and from Montana, and we refine it in our refineries and provide it to our hard-working citizens across the country. So instead of having record highs in the price of gasoline—we have the highest price ever at this point in February: \$3.62 a gallon—we start moving energy costs down for our consumers, to create a more robust economy, and to ease the pain at the pump for our hard-working Americans.

I just want to close with that there will be another rally of demonstrators around the White House this weekend. I think it is scheduled for Sunday. Now, I do not know if they are going to handcuff themselves to the fence like actress Daryl Hannah did the other day or what they are going to do. But the simple point is this: I just gave the information from a poll that was conducted from February 5 through February 10. One thousand voters were contacted in that poll that was commissioned by API and conducted by Harris Interactive. One thousand voters were contacted, and 69 percent support construction of the Keystone XL Pipeline and 17 percent oppose.

So here is a project which on the facts is something that needs to happen. We need approval of this project on the facts, as we have gone through and cited in great detail. But this is a project which the American people support 69 percent to 17 percent. My question for the administration is, Is this decision going to be made on the facts and what the American people want or is this going to be made on the basis of special interest groups that may demonstrate from time to time around the White House? I believe the decision needs to be made for the American people to approve the Keystone XL Pipeline project.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Wyoming.

UNIONS AND OBAMACARE

Mr. BARRASSO. Mr. President, I rise today as a physician who practiced medicine in Wyoming for more than 25 years, and I rise to continue the debate we have been having in this body about the President's health care law.

Although there has been significant debate and discussion, what I have continued to try to do is discuss some of the many ways in which this law falls short of its goals and falls way short of what the American public has asked for when it comes to the need for health care reform.

The Obama administration continues to put significant effort into trying to sell its health care law and tries to convince people that it is the answer to all of their problems. But in the words of John Adams, "Facts are stubborn things."

Despite all the spin of this administration, the American people continue to learn the facts—the facts about just how bad this law is and how much it is going to cost them personally in terms of finances and personally in terms of their own health care. That is why the President's health care law continues, this day, to be unworkable, unpopular, and absolutely unaffordable.

We saw another example of this recently when one group who had previously supported the law learned more about what is in it.

Back when we were debating the bill originally, labor unions around the country were among the biggest backers of the law. Unions sent their lobbyists up here to press their Democratic supporters to pass the law. They put out many statements saying things like, "We need this health care law now." They held rallies right out in front of the Capitol.

We saw the same kinds of demonstrations last spring when the Supreme Court was considering a challenge to the law. Now, I went to the oral arguments, and I remember one group of union members chanting: "We love ObamaCare."

Well, apparently now, today, I will tell you, the love is gone. According to

a recent front-page article in the Wall Street Journal, some union leaders now say that "many of the law's requirements will drive up the costs for their health-care plans and make unionized workers less competitive."

Republicans said the President's plan would drive up costs for hard-working Americans from the beginning. Union leaders absolutely ignored our warnings and supported the law anyway. Now we have been proven right, and we are seeing buyer remorse by a lot of the law's supporters. This was absolutely predictable. What is really interesting is the reaction. It is clear from that Journal article that many union leaders are angry and disappointed.

Well, union leaders should be angry. The Obama administration misled them into believing their members could keep the health care plan they had. They should be angry with President Obama. They were deliberately deceived when he promised repeatedly, saying health insurance costs would go down \$2,500 for the average family by today.

The unions are also now lobbying the Obama administration to do an end-run around the law. The Wall Street Journal quoted union leaders saying that they were going to push the Obama administration to now subsidize their health insurance costs. Now disturbing comments come from the administration suggesting it might be willing to do just that.

Unions have focused their efforts on trying to get the administration to expand access to advanced premium tax credits. The subsidies were intended only for people who cannot get insurance through their employers. That is how it was set up. Well, that means union members who have insurance for a plan jointly run by the union and their employers are not eligible for the subsidies.

The law is crystal clear. In fact, the law lays out four conditions for getting the tax credit: You have to get insurance through the exchange, either a State exchange or the Federal exchange; you have to pay the premiums yourself; you must not be eligible for minimum essential coverage other than the plans offered in the individual market; and you must not be enrolled in an eligible employer-sponsored plan. Those are all four. That is it. So union workers covered by their employer or by a joint plan from their employer and the union do not meet these four criteria.

Let's go back to NANCY PELOSI and that famous quote: "First you have to pass it before you get to find out what's in it." The union bosses should have read the bill before they decided to support it. And if they had read the bill, they would have been smart to oppose it.

Despite the clear law, a spokesman for the Treasury Department told the

Wall Street Journal that "these matters are the subject of pending regulations." Amazingly, one of the lobbyists for the union said the administration can "create a loophole for them through Federal rule-making." Create a loophole for the unions. Create a loophole.

Well, that is wrong. The American people know it is wrong. The administration has no legal authority to expand access to health insurance subsidies under the law. This is not a matter of regulation, it is a matter of the law. It was a bad law—bad law as it was being adopted, bad law as it was being signed. It is full of unintended consequences. This particular consequence was spelled out unambiguously. Last week, 31 Republican Senators wrote to remind the President of that fact.

Of course, it is not just union members who are disturbed by the law's effects on health care costs. Numerous reports have pointed out that costs will continue to rise when more of the health care law's mandates kick in next January. One study estimates that healthier people are going to see their insurance costs go up by 40 percent to cover the cost of insuring less healthy people. The law's requirements on caps on medical benefits will also cause an increase in premiums. So will the requirements that adults up to age 26 be allowed to stay on their parent's plan.

Late last year, Blue Shield of California asked for permission to raise its rates by as much as 20 percent. The CEO of Aetna said rates in some areas could go up as much as 100 percent. That is on top of the premium increase of more than \$3,000 the average family has seen since President Obama took office.

We have got to lower the cost of health care. President Obama and the Democrats who voted for this piece of legislation in the House and in the Senate promised the law would do that. Well, it has not done it. It will not do it. Their plan was short on reform and long on budget tricks and accounting gimmicks and on empty promises.

The cost concerns the unions raise are absolutely legitimate. I share those concerns and so do all of the Senators on this side of the aisle. But we cannot give extra benefits to union members. The problem is not that the law makes union health benefits more expensive; the problem is the President's health care law makes everyone's health insurance more expensive. The answer is to control costs for everyone, not just for special-interest groups with friends in the White House.

We need to revisit the taxes, the fees, and the other policies that drive premium increases. We need real health care reform in this country, reform that gives people the care they need from the doctor they choose at a lower cost.

When we were debating the President's health care law, some of us warned about the danger of writing a bill behind closed doors. Actually, the President warned about the danger of writing a bill behind closed doors until he decided that was exactly what he wanted to do. So he sent his Chief of Staff to do just what he said would be dangerous, write a law behind closed doors.

Some of us were concerned about the special deals for special groups. Of course, these were special deals that would harm health care for the rest of us. President Obama and Democrats in Congress rejected our concerns. NANCY PELOSI famously said we need to pass the law so we can see what is in it. Well, the American people now are seeing more and more of what is in the law, and they do not like what they see. Now they are calling for all of us to do something about it. This is not the time for special-interest loopholes. It is not the time to make more deals behind closed doors. It is not the time to hand out breaks for one favored group at the expense of everyone else.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO RANDY AND SUZY STORMS

Mr. MORAN. Mr. President, another sad occasion in Kansas. A week ago this past Sunday, the Wichita community was struck by the tragic news that Randy and Suzy Storms were killed in a fatal car accident in east Wichita. Randy and Suzy were traveling home from visiting a friend at a local hospital when Randy experienced a health problem while driving, which led to a devastating accident.

Randy and Suzy were very well known and very well loved in the Wichita community for more than 30 years. Their care and compassion for those in difficult circumstances shaped how they lived their lives. Randy had a special gift for connecting with those who were struggling, perhaps because he knew how difficult life could be. As a teenager, Randy suffered a spinal injury which forced him to live as a quadriplegic. Resolved to make his faith in Jesus the core of his identity and not his physical disability, Randy chose to invest his life in caring for others.

Shortly after high school, Randy began to serve on the staff of Young Life, a Christian organization that mentors and works with young people. His position at Young Life was a springboard to reaching a wider Wichita community. Over the years, Randy

became a counselor and friend to countless pastors, community leaders, young adults, and everyone else who was in need of a friend.

Jen Shively, who served with Randy for 27 years, remembered that he "loved people well," and that "loving others was effortless for him."

Nan Chastain met Randy while attending Young Life and she remembers Randy as "the definition of faithfulness." She said, "He was always there for anyone whenever they needed him." In short, Randy Storms valued every life.

His wife Suzy was also known for her great love and her care for others. On any given day, you could find Suzy helping young women and teen mothers in need of encouragement and a listening ear.

Sean Spencer, a long-time friend of the Storms, knew Suzy to be a person of great strength and grace. Together, the couple invested in the lives of many married couples, both young and old, who were facing the trials of life together. Randy and Suzy found joy in serving together and encouraging others.

The Wichita community came to know the Storms as the folks who would show up to your kids' sporting events, high school graduations, and baptisms to celebrate what means the most in life—people. The Storms were also known as the folks who would faithfully show up at the darkest hour to lend a helping hand or to offer comfort to those facing serious difficulties.

Randy and Suzy Storms lived out the biblical teaching to love your neighbor as yourself, and they touched the lives of countless Kansans. My heartfelt sympathy goes out to their two children Nick and Natalie and their two grandchildren Jack and Lucy. Randy and Suzy were two very special people who will be greatly missed by so very many.

This tragedy is a somber reminder that every day is a gift and we are not promised a tomorrow. May we learn from the Storms that what truly matters in life is the people around us, and may their example spur us to love one another more deeply.

I ask my colleagues as well as all Kansans to remember the Storms family in their thoughts and prayers in the days ahead.

GLOBAL BATTLE FOR TALENT

Mr. President, I am thankful for the opportunity to be on the Senate floor today to continue to tell my colleagues about the issues of entrepreneurship and the global battle for talent, the opportunity to start businesses, and the challenges we face from other countries in competing in this global economy.

From our Nation's earliest days, entrepreneurs have been the driving force behind U.S. economic growth and expansion. Yet the state of entrepreneur-

ship in America is not as strong as it once was. In today's global economy, an entrepreneur has more choices than ever about where to start his or her business.

Over the last 2 years, at least seven other countries have taken action to better support and attract entrepreneurs. In the 2-plus years I have been a member of the Senate, seven countries have changed their policies, their laws, and their regulations to be attractive to entrepreneurs, while we have not. This map shows those countries—Russia, Singapore, Australia, Brazil, Chile, Canada, and the United Kingdom.

I recently shared what Canada was doing to attract more entrepreneurs, and today I will share what is happening in the United Kingdom and explain why it is in our country's best interests to act quickly to retain highly skilled and entrepreneurial immigrants.

Much like the United States, the UK had a range of visa categories for immigrants with varying skills and financial resources. But in 2011, the UK Government made changes to simplify their visa rules in order to attract more talented entrepreneurs to their country. The UK recently created an entirely new type of visa for what they call "prospective entrepreneurs." These individuals are allowed to enter the UK for a set period of time to secure funding and start the process of setting up their businesses before they begin the traditional visa process. Raising capital can be one of the more challenging aspects of starting a new business, and this visa gives entrepreneurs a running start.

The UK has also changed its top visa category, tier 1, to be restricted to entrepreneurs, investors, and the exceptionally talented. Those entrepreneurs falling within the tier 1 category must have set up or taken over a British business. The initial investment in their companies can be as little as 50,000 pounds, given that certain criteria are met. By lowering the initial capital investment required, entrepreneurs can get set up and running their businesses sooner rather than just raising more money.

The UK has also revamped its Global Entrepreneurs Programme, which works to encourage innovative technology businesses to relocate to the UK. The program is aimed specifically at foreign entrepreneurs and offers a range of support to startups, from help in raising capital to providing mentors to offering networking opportunities with successful entrepreneurs. This program has helped more than 200 entrepreneurs and early-stage technology companies get established in the United Kingdom so far.

You can see from this poster, Sir Richard Branson is helping promote this program because he knows firsthand the value of entrepreneurship.

Many people today know Richard Branson as the creator of Virgin Airways, but he got his start at the young age of 16 by successfully launching a new student magazine. Now, 45 years later, his investment group employs approximately 50,000 people in 34 countries and its revenues in 2011 were around \$21 billion.

The UK's Immigration Minister said this about the country's recent efforts to attract more startup companies:

Entrepreneurs and investors can play a major part in our economic recovery, and I want to do everything I can to ensure that Britain remains an attractive destination for them. Last year we issued far too few visas to those who wish to set up a business and invest in the UK—I intend to change that.

That was the Immigration Minister of the UK speaking. And this is our competition.

We in Congress and the administration need to take notice. Other countries are aggressively courting entrepreneurs and those talented individuals will not sit on the sideline with their good ideas. They will go to the country that welcomes them and set up shop.

A story I heard while visiting Silicon Valley recently illustrates this point. A large company that was just a few years ago a startup itself told me they had plans to hire 68 highly skilled immigrants but could not get visas for them to work in the United States.

Rather than letting that talent go, the company hired them but in a different country. While it is troubling to me that we lost 68 jobs because there was no visa for them—we lost those jobs here in the United States and the visa program didn't work to attract and retain them—what troubles me even more than that is we know that someone—and maybe several of those 68 people hired—will go on to start a business that may result in significant job creation. Those are jobs that could have been created in the United States but now will be created in another country.

There is a global battle for entrepreneurial talent, and the United States is falling behind. When we lose those entrepreneurs and highly skilled immigrants, we lose the jobs they create. This is certainly about the entrepreneurs, but it is more about the folks whom they will employ—folks here in the United States who are in desperate need of employment.

The legislation that led to changes in the UK's visa law was drafted by Cambridge venture capitalist Alex van Someren. Alex is aware that here in America there have been recent efforts to attract entrepreneurs to our country, but the barriers to entry are still higher than in the United Kingdom. Alex said this in a recent interview he had with *Business Weekly*: "We have beaten the American effort and that is fabulous news for UK entrepreneurship."

This might be good news for the United Kingdom, but it is not good news for Americans. I want to make sure that the first choice for entrepreneurs looking to start a company remains the United States of America, and Congress has the responsibility to make certain that happens.

In a bipartisan effort, Senator WARNER, Senator COONS, Senator BLUNT, and others introduced the Startup Act 3.0 yesterday and an identical bill is being introduced today in the U.S. House of Representatives. Startup Act 3.0 makes changes to the Federal regulatory process to lessen government burdens on job creators, modifies the Tax Code to encourage investment in new businesses, seeks to accelerate the commercialization of university federally funded research that can lead to new ventures and, importantly, provides new opportunities for highly educated and entrepreneurial immigrants to stay in the United States where their talents and new ideas can fuel economic growth and, most importantly, create American jobs.

Startup Act 3.0 creates an entrepreneur's visa for foreign-born entrepreneurs currently in the United States. Those with a good idea, capital, and willingness to hire Americans would be able to stay in the United States and grow their businesses.

In many instances, foreign-born entrepreneurs, here legally, have an idea and want to begin a company that will employ Americans but are told their visa does not allow them to remain in the United States. With few ways to stay, these entrepreneurs are forced to move and to take their business with them where they will create jobs in other countries.

I want to make certain America is the best place for entrepreneurs who want to build in America and hire Americans. Passing Startup Act 3.0 will help make that happen by creating new ways for immigrants legally in the United States to open a business and to employ our fellow citizens.

People come from all around the world to the United States. They come to study and they come to work. They come to live in a place where they can have the freedom to pursue their dreams. The entrepreneur's visa would allow these risk-takers to stay here and operate their businesses.

Each immigrant entrepreneur would be required to create jobs for Americans. If the business was not successful and the jobs were not created, the immigrant would have to go back to his or her own home country.

While some immigrant entrepreneurs would fail, others would follow a path worn by many who came before them and succeeded. Entrepreneurial immigrants have long contributed to the strength of our economy by starting companies and creating jobs. I can think of the Russian immigrants, for

example, who are entrepreneurs in a sense who came to Kansas and brought hard red winter wheat with them. What a true entrepreneur—an immigrant entrepreneur—who changed the face of our State.

On the current Fortune 500 companies, more than 40 percent were founded by a first- or second-generation American. Not only are these immigrants entrepreneurial, but they are also disproportionately innovative. Foreign nationals residing in the United States were named as investors or coinvestors in a quarter of all patent applications filed in the United States in 2006.

Today, one of every ten Americans employed in a privately owned U.S. company works for an immigrant-owned firm. While we work in the United States to continue educating our children with the skills for a 21st century economy and training the next generation of great American entrepreneurs, we also need to welcome those who want to create a business here in the United States and employ our citizens.

I believe that 80 percent of my colleagues here would agree with the provisions of Startup Act 3.0. They understand these are important issues for the economic growth and new job creation for Americans. I urge my colleagues to pass what we can agree to now and keep working to find common ground on issues that still divide us. The longer we wait, the farther we fall behind in this global competition for the most entrepreneurial immigrants.

While the United Kingdom and other countries are creating new opportunities for entrepreneurs, the United States remains the land of opportunity and birthplace of the American dream. We need to pass Startup Act 3.0 so foreign entrepreneurs can strengthen our economy and so American business men and women can pursue their dreams here in the United States.

Millions of our citizens, unfortunately, remain out of work. Many are underemployed. Our economy is barely growing. We can jump-start the American economy through Startup Act 3.0, and the skills we need to pursue the American dream can be here in the United States and we can strengthen our economy.

Madam President, I suggest the absence of a quorum, and I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. KING). The Senator from Maryland.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. Mr. President, I ask unanimous consent that I be permitted to enter into a colloquy with my colleague from Maryland, Senator MIKULSKI.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. CARDIN and Ms. MIKULSKI are printed in today's RECORD under "Morning Business.")

SEQUESTER IMPACT

Ms. MIKULSKI (Ms. HEITKAMP). Madam President, while we are waiting to take up some other important legislation, I wanted to come to the floor to speak on another very important matter.

What I wish to talk about is sequester. "Sequester" is a nine-letter word that would be a big hit in a Scrabble game, but it is a lousy word for the game of life and the functioning of our economy. Sequester is a technique we are going to use as Washington-speak for saying we will have, starting March 1, across-the-board cuts that will be devastating to our economy and to the functioning of government. I just held a hearing this morning in my full Appropriations Committee about the consequences of these cuts. It is really scary. We are going to cut defense. It is going to have a negative impact on our readiness. At the same time, people building some of the smart weapons for the future, such as shipyard workers, over several thousand of them, could be laid off.

Not only must we protect our military from these devastating cuts, but there are others who wear the uniform of the United States of America who protect us. For example, we have 57,000 Border Patrol guards who could be laid off. We also have people who run our weather satellites who help provide the important information to warn for tornadoes, to warn for hurricanes, to warn for these terrible blizzards so that local governments can efficiently prepare. Then there are terrible cuts in the area particularly of education.

We need to be able to come up with \$86 billion to cancel this year's sequester. That is \$86 billion—"b" as in BARBARA, not "m" as in MIKULSKI. We have less than 2 weeks to do that.

Now, as the full chair of the Appropriations Committee, working with our Democratic leadership and our very able chair of the Budget Committee, Senator MURRAY, as well as Senator BAUCUS, the chair of the Finance Committee, as well as other people in the Senate, we have been able to come up with an alternative. It offers a balanced approach to revenues as well as to cuts.

Our proposal will include reforms to the Tax Code and save \$55 billion. At the same time, what we will be able to do is come up with cuts in spending. One will be \$28 billion of cuts in the farm bill and then another \$27 billion in defense.

Now, before people worry and before Iran gets any funny ideas—or anybody who is a foe of the United States—that we are going wimpy or soft, the answer is no. These cuts will not go into effect until 2015, after we have brought our troops back home from Afghanistan. Then they will be spread out over 8 years until 2021. So we won't impact readiness. If there is a foreign predator, don't think we are weakening ourselves. What we are doing is looking at ways the Defense Department can get rid of some of these programs that are now dated, some of the weapons systems that are no longer as relevant as they once were, as we modernize.

So between the mandatory spending cuts in the farm bill and in defense, we will cut spending by \$55 billion. So we take \$55 billion in cuts and \$55 billion in revenue, and this will give us the \$110 billion to be able to deal with this problem.

I am really jazzed about sequester. I represent some of the great iconic Federal agencies in the State of Maryland. I have 1,000 Federal employees. People say: Oh, we know them. Aren't those the pointy-headed bureaucrats who only do heavy lifting by getting a latte in the morning? The answer is absolutely not. Let me tell my colleagues who those people are, and I am really proud of them.

They run the Social Security Administration. They make sure the checks go out on time. They are doing all the actuarial work. They are making sure Social Security is relevant, financially solvent, and far more efficiently run, with lower overhead than an insurance company.

I represent the National Institutes of Health, whose sole job is to find cures for the diseases affecting the American people. Right this very minute we are working on the cure for Alzheimer's, with a cognitive stretch-out of Alzheimer's. My dear dad died of that. I know the consequences. It is a terrible heartbreak for the family, and I will tell my colleagues that it is a budget-buster when one has to turn to long-term care. If we can keep the funding going and if we can have that breakthrough, if we can even find a cognitive stretch-out for 3 to 5 years for people going into nursing homes, we could cut our Medicaid budget in half because 80 percent of the money in our Medicaid budget goes to paying for long-term care for people with Alzheimer's, Parkinson's, Lou Gehrig's disease, or other diseases with neurological impairments. We are being pound foolish to save nickels and dimes. We need a long-term solution.

By the way, the sequester is supposed to happen every year for 9 years. It was to get us to the table so we could deal not only with our debt and deficit—yes, we got that message, but the other message is that we have to get America ready for the future. We have to create

jobs today and innovate for jobs tomorrow. That is at NIH. Those are the people working there.

I represent three Nobel Prize winners who are civil servants, several Nobel Prize winners over at Johns Hopkins. They are not only proud of winning the prizes, but they want to help America win the markets—new ideas for new products that will lead to new jobs.

We also have in my State the Federal Drug Administration. I wish the Presiding Officer could come over there. There are 4,000 people working there.

They say: Well, all those people. Yes, all those people. Again, there are Ph.D.s and M.D.s, people with master's degrees, and what are they working for? They are looking for new medical devices to help people, the new breakthroughs in perhaps the next generation of the pacemaker. They are taking ideas invented by the private sector, including a new insulin pump that will help a diabetic person have a more active life or even breakthroughs for neurological impairment for perhaps the child with cerebral palsy—they are looking for safety and efficacy so those products can move to clinical practice, to the marketplace, and products we can sell to the world. There are many countries that could never afford an FDA, but because they are FDA-certified in our country, they will buy our products.

I am proud of that, that we are going to be the country that is inventing cures for cancer. We only look at the "a" words: AIDS, Alzheimer's, autism, arthritis. Just look at that. At the very time we are looking to lay off people or furlough people at NIH, they have just lowered the cancer rates in the United States by 12 percent—12 percent.

During the terrible fiscal cliff negotiations around New Year's, I spoke to Dr. Francis Collins, who heads that agency. We were making these announcements on how America leads the way to lower cancer rates among its own people. Isn't that a great victory? At the same time, I was telling him he could be heading into sequester or going over a fiscal cliff.

Every day these 130,000 people are working to help America, whether they are working with weather satellites, whether they are doing the next generation of drug approval, whether they are running the Social Security Administration, whether they are over at the National Institute of Standards making sure American products have American standards and not the Chinese standards—again, so we can manufacture here and sell over there.

So I think sequester is a terrible thing. As the chair of the full Appropriations Committee, I am working with our leadership to try to deal with this issue, but I also say to the other side of the aisle, let's come together. Let's work with our President. Let's

have that grand bargain through looking at tax reform, reviewing some of our mandatory spending and how we can get savings out of that, as well as targeted, strategic cuts. Let's get us on the right fiscal path, but also let's get us on the path for innovation, for jobs today and jobs tomorrow. We want to continue to lead the world, and we want to defend ourselves not only against foreign predators who might wish to do us harm but those other horsemen of the apocalypse who ride, such as pestilence and disease, and we can do it. So let's saddle up and get the job done.

Madam President, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. MCCAIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. WARREN). Without objection, it is so ordered.

Mr. MCCAIN. Madam President, I ask unanimous consent to join in a colloquy with my colleague from South Carolina.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Madam President, there seems to be a lot of back and forth and misinformation about where various Senators stand on the issue of the Hagel nomination. I have a statement I will give in a few minutes about why I am opposed to Senator Chuck Hagel to be Secretary of Defense, but I think it is important to make a couple points. One is that the distinguished chairman and I were here back in 1988.

In 1988, on December 16, John Tower was nominated to be Secretary of Defense.

On January 25, 1989, his confirmation hearings began. On February 2, 1989, the committee postponed the confirmation vote after allegations were raised. On February 8, the committee vote was delayed again until February. February 23, he was voted out of the committee. March 10 was the time where the Senate rejected the nomination by 53 to 47.

I was there. I saw. One of the worst things I have ever seen in the history of the Senate, the way they dragged out Senator John Tower—a good and decent man's reputation with allegation after allegation, all of which turned out to be false. So I would like to inform my colleagues, this is not the first time we have had a delay in the confirmation of a Secretary of Defense.

I will be glad to go over what I saw, including allegations that were thrown over the transom day after day, week after week. They destroyed a good and decent man in Senator John Tower. So the allegation that somehow we are dragging this out or delaying it, it is

not the first time in history, I will say to my dear friend, the chairman of the Armed Services Committee.

Having said that, there are still questions outstanding. I believe Senators have the right to have those questions answered. The Senator from South Carolina and I, the Senator from New Hampshire had a response from the President today on the question we had, but there are other questions. But I think during the break is sufficient time to get any additional questions answered. I will vote in favor of cloture on the day we get back. I believe my colleagues would also—a number of my colleagues would do the same.

I think that is a sufficient period of time to get answers to outstanding questions. I think Senator Hagel, after that period of time, deserves a cloture vote and an up-or-down vote on his nomination.

I ask if my colleague wants to comment.

Mr. GRAHAM. We reported Senator Hagel's nomination out at 5 o'clock. I would argue that the hearing was interesting, I think at times unnerving. Here it is Thursday. So there are some questions being asked by our colleagues that I think are legitimate. Some are kind of creating a new standard. I am confident, in the next week, unless there is some explosive bombshell that I cannot quite get my hands around, I intend to vote for cloture and against the nomination. I am one, along with Senator MCCAIN, who believes filibustering should be a rare thing.

But what we are doing is saying the debate time for Senator Hagel is not yet over, since he just got reported out Tuesday at 5 o'clock. Put yourself in the shoes of the colleagues who are not on this committee. This has been a very controversial nominee. I will say the reason we voted for Senator Kerry on the same day he got reported out of committee and he got 97 votes, that all of us felt comfortable with the nomination. There are very uncomfortable things about this nomination. But having said that, I do believe that unless there is something new that comes out, we should proceed to a vote, up or down. I am willing to invoke cloture because I think, as Senator MCCAIN said, the week time period would give us a chance to answer these questions.

Let me inform my colleagues that just about an hour ago, there was a press report that a speech was given by Senator Hagel—I can't remember the group. But one of his aides posted—based on his notes what he had said the next day on a Web site.

During that speech, according to this aide, Senator Hagel said the U.S. State Department was an extension of the Israeli Government. Things such as that are unnerving. There is at least one speech he gave that he did not report that we think there is a copy of.

We should get it in the next few days. That is why I would oppose cloture today, vote for it after the recess.

Mr. MCCAIN. Madam President, I ask unanimous consent that the Senator from Tennessee, who also, in my view, is one of the great protectors of the Senate, preserving its tradition and customs—I would ask if he has a view on this issue. I wish to repeat: I would vote for cloture. The Senator from South Carolina would vote for cloture. I would be interested in the view of the Senator from Tennessee on this whole issue.

Mr. ALEXANDER. I thank the Senator from Arizona. Probably the best known function of the Senate—constitutional responsibility—is the right of advise and consent. We take it very seriously. Here that means we have to consider what happens. The Armed Services Committee, upon which I do not have a chance to serve, completed its consideration of Senator Hagel's nomination 2 days ago. Now it is before the whole body. He is the President's appointee. The President has a right to appoint people in whom he has confidence. But we have a constitutional responsibility to consider the nominee.

A number of Republican Senators have questions, including the Senator from Arizona, the Senator from South Carolina, that they would like to have answered. I think they are entitled to that. I think if the shoe were on the other foot and it were a Republican President making a nomination, Democratic Senators would say the same thing: Give us a reasonable amount of time to consider this nomination on the floor of the Senate.

I have a little experience in that myself. The first President Bush nominated me to be U.S. Education Secretary about 20 years ago. I thought I was a fairly noncontroversial nominee, much less important than the Secretary of Defense. But I remember very well, it was 87 days between the time the President announced my nomination and the day on which the Senate unanimously confirmed me.

There was, at the time, a Senator from Ohio named Metzenbaum, who for whatever reason decided the Senate needed more delay to consider my record and my background.

There is nothing new about this. I would respectfully suggest that the majority leader's motion to cut off debate on Senator Hagel, made 2 days after his nomination comes to the floor of the Senate, is premature.

Republican Senators have questions they would like to have answered. I think they are entitled to do that. When we come back from recess, 10 days from now, I think that is sufficient time to consider those questions. I will vote for cloture so we can have an up-or-down vote on the President's nominee for the Secretary of Defense. I think the President is entitled to that but not prematurely.

I thank the Senator from Arizona for yielding time.

Mr. MCCAIN. Madam President, I note that the present occupant of the chair is familiar with the rigors of this process as well. So I think it is important to note. Again, I wish to say that it is one thing to support or oppose a nominee, but I do not believe a nominee deserves a dragged-out process. I think the Senator from Tennessee and the Senator from Massachusetts would agree with me; that it might be a disincentive in the future for well-qualified men and women who want to serve, who see a process that is dragged out and allegations made and requirements for disclosure that frankly are not required.

I note the presence of the majority leader on the floor, so I would like to filibuster for an hour or so.

I yield to the majority leader.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, at the request of the Republicans, I ask unanimous consent that at 4:15 today, the Senate proceed to vote on the motion to invoke cloture on the Hagel nomination; that the time until 4:15 be equally divided between the two leaders or their designees. My designee is Senator LEVIN.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Reserving the right to object, I will not object because of the assurances of my three friends from the other side of the aisle stating that they plan on voting for cloture. They obviously said they will not vote for cloture today, which is, I think, too bad because there has been more than enough time in the last 2 days to read the additional speeches that have been coming in.

The only argument that was raised beyond that, that I know of, has to do with a payment from an equity fund. That was received. It has been fully explained. It is a highly reputable fund that Senator Hagel was an adviser to, similar to many other very reputable people. So I think the continuation of what amounts to a filibuster, since 60-vote votes are required to end debate, is too bad when there is a Secretary of Defense who is leaving to go back to California, and we very much need to have our new Secretary of Defense in place, given the circumstances in this world.

We have a budget crisis in this country. Our sequester is confronting us. That sequester will have a damaging effect on the Defense Department, on the men and women in uniform, and on programs, the equipment, the training they need to be ready for any kind of a contingency.

So the delay in having a vote on cloture, to me, is a mistake, and we ought to approve the ending of the debate today so we can get on with the con-

firmation vote, which will be a majority vote. After there is a cloture vote, debate is finally ended in this body, the final passage of a bill or the vote on the nominee is a majority vote, not 60 votes. So I am hoping there will be 60 votes today so we can get on with approval of this nominee, hopefully shortly thereafter, and fill this spot which is sitting there waiting to be filled.

We have North Korea exploding a nuclear device. We have a war going on in Afghanistan. We need to have a Secretary of Defense in place. So I hope there is not a delay. Following the vote today, I hope we do invoke cloture, because I think there has been more than adequate time. Surely, there has been time on the floor when we have had hour after hour go by with no one who seeks to be recognized to speak.

I do hope that if the unanimous consent proposal is agreed to, there will be 60 votes today. But if not, then there will be no alternative but to have the vote when we come back. At that point, we would, of course, look forward to the support, at least on cloture, of the three Senators who have just spoken, our friends on the other side of the aisle.

That is the best we can hope for. But that is my hope. I will not object because of that.

Mr. MCCAIN. Madam President, reserving the right to object. I will not object, I will just respond to my friend. He is my dear friend. I did not note that sense of urgency for 3 months when John Tower's nomination was held in limbo by the then-majority Democrats. The Secretary of Defense post was vacant at that time as well. So this is not the first time in history a Secretary of Defense position has been vacant.

Again, I hope we can get this resolved, move forward. I think the Senator from Michigan, my friend, understands we can get this issue resolved on the day we return from the recess. Certainly, there are, I believe, sufficient votes to invoke cloture at that time.

Mr. LEVIN. If the Senator from Arizona would yield for 1 minute, I do not believe Senator Tower was filibustered. There was a delay in getting to that vote. But I do not believe there was a requirement—I may be wrong on this. I do not believe there was a filibuster for the Secretary of Defense nominee at that time, and many Secretary of Defense nominees have been approved in a matter of days, just the way Senator Kerry was approved in a matter of days.

So circumstances differ nominee to nominee. I again will not object, based on the statements which we have heard from my friends on the other side of the aisle.

Mr. MCCAIN. Madam President, I always enjoy some exchanges with my friend, the chairman. But the fact is, as

the chairman knows, that was delayed and delayed and delayed. A new allegation came in, it was delayed. A new allegation came in, it was delayed. All those allegations turned out to be false. I will not rewrite history anymore, except to say it was one of the more shameful chapters, in my view, in the history of the Senate.

Again, I thank him. I am confident that within 1 week or so we will probably have this vote completed. I do not object to the unanimous consent request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Madam President, how much time remains on either side?

The PRESIDING OFFICER. There will be 30 minutes on either side.

Mr. MCCAIN. I yield myself 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. For all the years that I have known Senator Hagel, I have known him to be an honorable man and a patriot in this Chamber and elsewhere—overseas, in the field of battle. Senator Hagel has served this country faithfully and with distinction.

We have our differences. Senator Hagel was and remains my friend. There was a time when Senator Hagel and I saw the world and America's role in it in much the same way.

When the Balkans were torn apart with mass atrocities and genocide, Senator Hagel and I stood together with Senators Bob Dole and Joe Lieberman to lend bipartisan support to President Clinton in taking more forceful action to end the slaughter.

In May 1999, Senator Hagel said on this very floor why the United States should intervene militarily in Kosovo:

But we also understand there are things worth going to war for, there are things worth dying for. . . . When people are being slaughtered at a rather considerable rate, and genocide is occurring, and ethnic cleansing is occurring, and people are being driven from their homes.

On and on.

What do we do now? The geopolitical consequences, the humanitarian consequences involved in this are great.

He went on to say:

History has surely taught us that when you defer the tough decisions, when you let the butchers continue and the tyrants and dictators continue, it gets worse. And it has gotten worse with Milosevic. For 10 years we've dealt with him. Four wars he's started.

Et cetera.

I agreed with his statement at the time, and I still do. I think it applies with greater or equal force to Syria today. I am not sure that Senator Hagel believes that anymore.

When America was attacked on September 11, 2001, Senator Hagel and I urged a strong American response to vanquish the enemies who attacked us, beginning in Afghanistan. Two years later, President Bush decided the

United States may have to use force against Saddam Hussein in Iraq, and then Senator Hagel and I voted to authorize the use of force in Iraq.

Senator Hagel and I were often together in our criticism of the Bush administration's conduct of the war in Iraq. We both were disturbed by the apparent arrogance of then-Secretary of Defense Donald Rumsfeld and his abject failure to respond to the clear fact that we were losing the war in Iraq on the ground.

In August 2003 I urged President Bush to send more troops. The Senator from South Carolina and I called for the resignation of the Secretary of Defense, and we wanted to change our strategy, to replace military and civilian leaders who were failing in their responsibilities. Senator Hagel, on the other hand, believed we should cut our losses and withdraw from Iraq.

Since that time, Senator Hagel has taken policy positions that I believe call into question the quality of his professional judgment on issues critical to national defense. I am also concerned that Senator Hagel is ill-suited to lead the 2.5 million uniformed members of the Armed Services and to ensure the sound management of an agency that has an annual budget equal to the 17th largest economy in the world.

Of all the responsibilities of government, none is more fundamental than providing for the Nation's defense. We must have the most qualified and able person for the position, and having carefully reviewed Senator Hagel's long public record, I find his nomination wanting.

Senator Hagel's appearance before the Senate Armed Services Committee failed to allay my concerns about his nomination. During the hearing he repeatedly refused to give an assessment of his previous statements on issues such as the troop surge in Iraq, the identification and engagement of terrorist organizations, and his past rhetoric about our allies. In response to these questions, he either assigned history the task of judging the merit of his past statements and positions or simply said:

If I had an opportunity to edit that, like many things I've said, I would—I would like to go back and change the words and the meaning.

History isn't likely to affirm Senator Hagel's declaration that the decision to increase forces in order to wage a counterinsurgency in Iraq, a decision that helped prevent our losing that war, he said was the most dangerous foreign policy blunder since Vietnam.

It is quite obvious now that statement was histrionic, woefully uninformed, and absurd. But I didn't raise it at Senator Hagel's hearing for the satisfaction of an "I told you so" moment, but to determine if Senator Hagel recognizes he was in error and, more importantly, if that recognition informs his judgment today.

I wanted to know if he had learned from his mistakes. Unfortunately, I am not confident that he has. After 2 weeks of reviewing his record, my concerns about whether Senator Hagel is ready to serve as Secretary of Defense have not diminished.

Nothing in Senator Hagel's background indicates he would effectively manage the Department of Defense. In today's unprecedented environment of fiscal uncertainty, ensuring that defense investment decisions affecting an agency as massive and unwieldy as the Department of Defense do not adversely impact our military readiness is enormously challenging. It requires that the Secretary have, as Secretary Gates and Secretary Panetta had, a proven track record of successfully managing large and complex organizations. Senator Hagel has no experience.

There are those of us who seek to cut waste, fraud, and abuse from the Department of Defense. Senator Hagel seeks something else entirely—to cut military capabilities that serve as tools to ensure our continued engagement throughout the world in support of America's interests and those of our allies.

In the eyes of the President, at least, Senator Hagel, however, apparently is the right man to oversee the continuing drawdown of the Armed Services. Over the past 4 years, the administration has pursued a program of defense reductions that exceed those expected of a normal post-war drawdown, cuts that have begun to directly undermine U.S. global military power. Last week, Secretary Panetta said people would stand by and deliberately hurt this country in terms of our national defense by letting sequestration take place.

My doubts about Senator Hagel's suitability extend beyond his prospective management of defense budgetary resources. The North Koreans recently tested another nuclear weapon. Iraq is unraveling. The Iranians just rejected Vice President BIDEN's proposal at the Munich Security Conference for one-on-one talks concerning nuclear weapons. Libya, Mali, Tunisia, and Egypt are in various states of unrest, for which we have no strategy. We are in the most unsettled period since the end of the Cold War, and I have serious concerns as to the quality of Senator Hagel's professional judgment and the acuity of his views on critical areas of national security, including security in East Asia and the Middle East.

His record on Iraq was particularly troubling. As I alluded to a moment ago, in 2002 Senator Hagel voted to authorize the use of force against Iraq. By 2006, his support for the war had diminished.

After Republican losses in the 2006 midterm elections, the Senator wrote an opinion piece for the Washington Post under the title "Leaving Iraq,

Honorably," foreshadowing his opposition to the surge and advocating "a phased troop withdrawal from Iraq." When President Bush announced his decision to surge troops in 2007, Senator Hagel actively campaigned against it.

He voted in February 2007 in favor of a bill expressing opposition to the surge and later in favor of measures to set a date certain for withdrawal of troops from Iraq, an equally bad policy. Senator Hagel wrote in his 2008 memoir, "America: Our Next Chapter" that "history . . . will show" that his legislative efforts to oppose the surge correctly framed the political matters at issue at the time.

CARL LEVIN, on the other hand, said in 2009:

In considering whether or not to surge troops in Iraq . . . I think that history will show that President Bush reached the right decision.

Senator Hagel advocated the complete withdrawal of U.S. forces from Iraq by 2007 rather than negotiating an agreement for an enduring presence of U.S. forces. The President ultimately did exactly what Senator Hagel recommended, reportedly against the advice of military leaders. In response to written questions on this matter, Senator Hagel again stated that the complete withdrawal of U.S. troops in Iraq was the right call and asserted that Iraq is in a better place today because of it. That is another Orwellian statement.

In fact, since the withdrawal of our forces in 2011, the fragile political accommodation made possible by the surge of 2007 has unraveled over the past year. Al-Qaida in Iraq is remobilizing. Iranian-backed Shiite militias are gaining strength. Meanwhile the country is on the brink of civil war as protests against the Maliki government draw thousands, Iranian aircraft are flying over Iraq with weapons for Syria, and there are many other examples. Nevertheless, Senator Hagel is equally quick to advocate full withdrawal from Afghanistan despite conditions on the ground or the advice of military commanders.

Senator Hagel's views on Iran are also profoundly troubling. Consider, for instance, his recent set of incorrect and confused responses to basic questions about President Obama's Iran policy during his confirmation hearing last month, which one senior White House official rightfully described as "somewhere between baffling and incomprehensible."

I am more deeply concerned by Senator Hagel's overall record on this issue.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MCCAIN. Madam President, I ask for 2 additional minutes.

Mr. INHOFE. Reserving the right to object, may I ask how much time remains on our side?

The PRESIDING OFFICER. There is 19 minutes remaining.

Mr. INHOFE. I ask unanimous consent that the last two speakers on our side—the last would be me, the next to last would be Senator GRAHAM—be given 5 minutes for Senator GRAHAM and 7 minutes for me.

Mr. LEVIN. Reserving the right to object.

The PRESIDING OFFICER. Without objection—reserving the right to object.

Mr. LEVIN. How much time remains on our side?

The PRESIDING OFFICER. There is 30 minutes remaining on each side.

Mr. LEVIN. I assume the 12 minutes the Senator referred to would be counted against their time?

The PRESIDING OFFICER. The Senator is correct.

Is there objection?

Mr. LEVIN. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona.

Mr. MCCAIN. Finally, Senator Hagel's opposition to the use of sanctions, his apparent confusion about administration policies and its implications, and his apparent incomprehension of the threat a nuclear-armed Iran poses to international stability is alarming and would cause other nations to doubt the credibility of the President's commitments.

Senator Hagel is an honorable man who has sacrificed much and bravely for our Nation. About his character and love of country, there can be no doubt or debate. However, his positions on the principal national security issues facing our country—the Iranian nuclear program, the resurgent Islamist terrorist threat in North Africa and the Middle East, and, more broadly, whether we should maintain our ability to project strength in defense of our interests and allies—indicate to me a disqualifying lack of professional judgment. Also, Senator Hagel's complete lack of experience in running an enterprise of such size and complexity casts further doubt.

Therefore, despite my esteem for Senator Hagel, on the basis of his record, I will not support his confirmation. I say this with regret, but he is the wrong person at the worst time for the job this day. We can and must do better.

I thank my colleagues.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, I yield 5 minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Madam President, I wish to ask my colleagues to support the Hagel nomination. Let me just hit a couple of highlights.

He volunteered to go into the Army during Vietnam. He was assigned to

Germany. He volunteered to go to Vietnam.

His brother was assigned in one part of Vietnam, he in another. His brother Tom and he asked to be in the same unit. While on patrol in the jungles at night, his brother saved his life. On another patrol at night, he saved his brother's life. He was wounded twice. He was maimed. He asked to go back into the fight.

He has served as Deputy Administrator of the Department of Veterans' Affairs with a quarter of a million employees under his management. He represented the State of Nebraska in the Senate for 12 years. He coauthored the post-9/11 GI bill with Senator Webb. Out of uniform and away from Capitol Hill, he has lead the USO.

This is exceptionally capable man, who is a patriot, has given extensive testimony to the Senate Armed Services Committee. He has cleared up the issues that have been asked over and over, including one that was raised about his role in authoring the Global Zero report. First, the report didn't propose anything. It was, in the words specifically used in the front end of the report, "illustrative," proposing nothing but laying out different scenarios and possibilities. There was nothing that was proposed in a recommendation that we unilaterally disarm, reduce the arsenal, or eliminate the triad. And that would especially be so since another of the coauthors was General Cartwright, the former commander of U.S. Strategic Command and the eighth Vice Chairman of the Joint Chiefs.

This is a critical time for national defense. It is a critical time for our country. We need to get on and approve the nomination so he can get on with his duties as Secretary of Defense.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Madam President, I have 5 minutes. Would the Presiding Officer let me know when 4 minutes has elapsed.

The PRESIDING OFFICER. Yes.

Mr. GRAHAM. Madam President, I ask unanimous consent to have printed in the RECORD an opinion piece by the editorial board for the Washington Post dated December 18, 2012.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Dec. 18, 2012]
CHUCK HAGEL IS NOT THE RIGHT CHOICE FOR
DEFENSE SECRETARY

Former Senator Chuck Hagel, whom President Obama is reportedly considering for defense secretary, is a Republican who would offer a veneer of bipartisanship to the national security team. He would not, however, move it toward the center, which is the usual role of such opposite-party nominees. On the contrary: Mr. Hagel's stated positions on critical issues, ranging from defense spending to Iran, fall well to the left of those

pursued by Mr. Obama during his first term—and place him near the fringe of the Senate that would be asked to confirm him.

The current secretary, Leon Panetta, has said the defense "sequester" cuts that Congress mandated to take effect Jan. 1 would have dire consequences for U.S. security. Mr. Hagel took a very different position when asked about Mr. Panetta's comment during a September 2011 interview with the Financial Times. "The Defense Department, I think in many ways, has been bloated," he responded. "So I think the Pentagon needs to be pared down."

While both Republicans and Democrats accept that further cuts in defense may be inevitable, few have suggested that a reduction on the scale of the sequester is responsible. In congressional testimony delivered around the same time as Mr. Hagel's interview, members of the Joint Chiefs of Staff said the sequester would lead to "a severe and irreversible impact on the Navy's future," "a Marine Corps that's below the end strength to support even one major contingency" and "an unacceptable level of strategic and operational risk" for the Army.

Mr. Hagel was similarly isolated in his views about Iran during his time in the Senate. He repeatedly voted against sanctions, opposing even those aimed at the Iranian Revolutionary Guard Corps, which at the time was orchestrating devastating bomb attacks against U.S. troops in Iraq. Mr. Hagel argued that direct negotiations, rather than sanctions, were the best means to alter Iran's behavior. The Obama administration offered diplomacy but has turned to tough sanctions as the only way to compel Iran to negotiate seriously.

Mr. Obama has said that his policy is to prevent Iran from obtaining a nuclear weapon and that containment is not an option. Mr. Hagel has taken a different view, writing in a 2008 book that "the genie of nuclear weapons is already out of the bottle, no matter what Iran does." The former senator from Nebraska signed on to an op-ed in The Post this September that endorsed "keeping all options on the table" for stopping Iran's nuclear program. But Mr. Hagel has elsewhere expressed strong skepticism about the use of force.

We share that skepticism—but we also understand that, during the next year or two, Mr. Obama may be forced to contemplate military action if Iran refuses to negotiate or halt its uranium-enrichment program. He will need a defense secretary ready to support and effectively implement such a decision. Perhaps Mr. Hagel would do so; perhaps he would also, if installed at the Pentagon, take a different view of defense spending. (Mr. Hagel declined through a spokesman to speak to us about his views.)

What's certain is that Mr. Obama has available other possible nominees who are considerably closer to the mainstream and to the president's first-term policies. Former undersecretary of defense Michèle Flournoy, for example, is a seasoned policymaker who understands how to manage the Pentagon bureaucracy and where responsible cuts can be made. She would bring welcome diversity as the nation's first female defense secretary.

Mr. Hagel is an honorable man who served the country with distinction as a soldier in Vietnam and who was respected by his fellow senators. But Mr. Obama could make a better choice for defense secretary.

Mr. GRAHAM. This is an editorial about the nomination of Senator Hagel to be Secretary of Defense. The Washington Post said:

Mr. Hagel's stated positions of critical issues ranging from defense spending to Iran fall well to the left of those proposed by Mr. Obama during his first term and place him near the fringe of the Senate that would be asked to confirm him.

The last line is:

Mr. Hagel is an honorable man who served the country with distinction as a soldier in Vietnam and who was respected by his fellow Senators, but Mr. Obama can make a better choice for defense secretary.

That sort of sums up where I am: a fine man. If it were about friendship, there wouldn't be a problem. This is about the times in which we live. And I want to echo the statements of the Washington Post about him being out of the mainstream.

We have had two hearings, and we will have a couple of votes in the next week or so. I would say to my colleagues regarding the cloture vote today, they have every right to say now is not the time to end the debate about Senator Hagel. He was reported out of the committee at 5 o'clock Tuesday. There are some legitimate questions and information we haven't gathered, and we should be able to have an opportunity to look at that, and people not already committed should have a chance to review this information. So the idea of waiting until after the break makes eminent sense. I think we will be better informed regarding our decision. Debate should continue for at least that period of time.

Senator Kerry was able to get out of committee and to be voted on the same day because all of us felt comfortable with John Kerry, even though we may have disagreed with his politics. I believe John Kerry is a good man. We are on opposite sides of the issues sometimes when it comes to Iraq and initially Syria, but I have always thought he was in the mainstream of the debate. So he got 97 votes because we felt comfortable with him. You can tell people on our side, and some others, quite frankly, in the Democratic Party have expressed some discomfort.

I would argue that after the hearing there is more discomfort than there was before the hearing. Senator INHOFE and Senator LEVIN, we had a very good hearing, but to me it was unnerving, some of the things that came out of that hearing. The performance created more questions and doubts than it created confidence.

That is the question the Washington Post posed. It is one thing to be in the left lane, the right lane, or the center lane, but I would say Senator Hagel's statements and votes put him in a league of his own. And that is why I will vote no.

When it comes to Israel and his statement that "The Jewish lobby intimidates a lot of people up here. I'm not an Israeli Senator, I'm a United States Senator," Senator Hagel, to his credit, said that was inappropriate and he apologized. But think for a minute

how many of my colleagues would have said that. I asked him to name one Senator who has been intimidated, and he couldn't name one. I asked him to name one policy we have enacted because of the Jewish Israeli lobby, and he couldn't name a policy.

Now we find out today—and I don't know if this has been verified, but it is posted—that an aide of his reported that during a speech Senator Hagel gave several years ago he said the U.S. Department of State was an extension of the Israeli Government. Now this is showing a chip on one shoulder about Israel—an unhealthy statement, to say the least, and I think patently false. But it is unnerving to a guy like me, and I can only imagine what kind of signal a statement such as that sends in these dangerous times.

On Iran he was one of two Senators to vote against renewing unilateral U.S. sanctions against Iran and Libya in 2001. He was one of twelve Senators who did not sign a letter asking the European Union to declare Hezbollah a terrorist organization. He refused to designate the Iranian Revolutionary Guard as a terrorist organization in 2007—

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. GRAHAM. I thank the Presiding Officer. While they were killing our soldiers in Iraq. He refused to sign a letter to President George W. Bush, he said, to engage in direct unconditional comprehensive talks with the Government of Iran. He was for that, telling Bush to do it unconditionally. He voted against comprehensive Iranian sanctions.

He was one of two Senators who failed to sign a letter to President Clinton showing unconditional support for the State of Israel.

I would argue that this man's record, when it comes to Iran and Israel, and statements he has made, puts him well out of the mainstream. The Washington Post was right when they said he is on the fringe. And now is not the time to have somebody on the fringe serving as Secretary of Defense when it comes to Iran and Israel. For that reason, I will vote no. I will oppose cloture because debate should continue. When we get back, unless there is a real bombshell, I will vote for cloture and move on to his nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, I yield 5 minutes to the Senator from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, I am proud to support Chuck Hagel for Secretary of Defense. If Chuck can make it through the jungles of Vietnam, he can surely make it through the bureaucracy of the Pentagon.

America needs Chuck as its Secretary of Defense to bring our troops home and to keep our military the strongest in the world. Sergeant Hagel is an American hero. When so many Americans were dodging the draft, he volunteered to serve in Vietnam. The draft board gave him the option to return to college, but Chuck refused. He said:

I think the best thing for me is to go in the Army. It may not be the best thing for the Army, but I think that's the way to get all this straightened out. I was the oldest of four boys. My father [had] passed away, and I just was not coming together the way I should come together. There was a war going on in Vietnam. I felt a sense of some responsibility. So I said, "No. Let's—let's go. And so I volunteered for the draft, went in the Army and celebrated my 21st birthday down at White Sands Missile Range."

And Chuck didn't serve in a safe billet. When assigned to Germany, he protested and asked to deploy to Vietnam. So he volunteered for Vietnam and saw the horrors of war as an infantry sergeant.

Chuck and his younger brother Tom are the only known American brothers to serve side by side in Vietnam. At different times, they risked their own lives to save each other's. At one point, Tom frantically dressed a wound around Chuck's chest hoping, praying, that his older brother would make it out of Vietnam alive. And Chuck eventually returned the favor by dragging Tom out of a burning vehicle just before it exploded, saving his brother's life. Talk about brothers in arms, these were real brothers in arms.

These experiences made Chuck who he is, and they help you and me understand why he is the right man to run the Pentagon and to be put in charge of defending America. Just listen to how Chuck describes what it was like to serve in Vietnam. He says:

I walked a lot of point, and my brother Tom and I together walked a lot of point, which was all right. You know what happens to a lot of point men, but I always felt a little better if I was up front than somebody else.

Chuck is willing to walk point for America now. He has been walking point for most of his life. This is how Chuck describes a point man:

A point man, as I think most people know, is the individual who is out front. And these are usually squad-sized patrols, sometimes a company-sized patrol, depending on the mission. And you have the front—physically the front position, but also the responsibility of essentially not walking your squad or your company into an ambush or a trap. So you had to be very, very focused on the peripheral vision and the antenna and just the sense and the instincts that something doesn't look right or grenades hanging in trees, which booby traps were just a way of life. You dealt with that all the time. And there were a lot of guys who just didn't pay attention to it. They just—that's just the way they were. And I, again, always felt better if I was up front than maybe some others.

Let me repeat that: Chuck Hagel always felt better if he was up front,

where it was most dangerous. We live in dangerous times today and we need a man such as Chuck Hagel right now who has seen the horrors of war and will do all he can to prevent another generation from seeing them.

In my interactions with Chuck, I have been struck by his honesty, his sincerity, and his commonsense approach. I know if he were still a sitting U.S. Senator, we would probably be great friends. That is because we come from similar backgrounds and the same generation. He is like many Americans. He grew up in a working class, "salt of the earth" family. In Chuck's words, he was raised in Little Town, NE, where the local legion club and the VFW hall were the centers of the universe.

I could go on and on about Chuck Hagel, but let me say this in closing. When I think about people and I go to my little town in my community where I grew up—in Farmington, WV—and I know Chuck grew up in a small town—I can shake people's hands and look them in the eye and they see me to my soul. They know if I am sincere or I am telling the truth. And I want to say to all of you that I have shaken Chuck Hagel's hand. I have looked him in his eyes and I saw the soul of a good man, a man I want leading this country and taking care of our youth, our infantry, our men and women in uniform. So I implore all of my colleagues to consider voting for Chuck Hagel.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, parliamentary inquiry: How much time remains on each side?

The PRESIDING OFFICER. The Democrats have 22 minutes and the Republicans have 12 minutes.

Mr. REED. Madam President, I yield myself 5 minutes.

As so many of my colleagues have described, Chuck Hagel is a soldier, a statesman, a businessman, a patriot. As my colleague from West Virginia pointed out, he could have chosen a much easier path in the 1960s, a path that many trod, but he chose the most difficult. He not only joined the Army, but he volunteered for Vietnam, when he had the opportunity to serve honorably and well in Europe. He joined his brother at Fort Dix. He knows the pressures our men and women face. And he knows the decisions we make here, and the decisions that are made in the Pentagon, ultimately are carried out by those young men and women in uniform. In fact, I can't think of anyone over the last several decades who has learned that lesson so well.

The other thing that is so impressive is that this is not a one-dimensional resume. Chuck Hagel was a businessman, and very successful. He founded his own company, created jobs, and created opportunities. He was the Deputy Administrator of the Veterans' Administration. He has run a large Federal

agency. Very seldom do people come into one of these positions having run a Federal agency, or at least being the second in command. And he has been a U.S. Senator. So he knows very well the procedures and the personalities that are here in the U.S. Congress.

To me, though, some of the most compelling endorsements come from those who have actually done the job before. When Bob Gates and Bill Cohen and Bill Perry stand up and say, this is the person for the job, you have to believe that. These gentlemen have done the job for Republican Presidents and Democratic Presidents, and they have done it with great distinction.

Then when you get somebody such as Brent Scowcroft, who is, in my view, one of the most knowledgeable and authoritative voices in national security, and was the National Security Adviser to President George Herbert Walker Bush—who also weighed in, along with Madeleine Albright—you have compelling, irrefutable evidence and testimony from those who have done the job that Chuck Hagel can do the job.

There has been a lot said and discussed as to whether he truly appreciates the relationship between the United States and some of our closest allies, particularly Israel. Here we have the current Deputy Foreign Minister of Israel Danny Ayalon, who also served as an Ambassador from Israel to the United States, saying that he has met him, he feels, in his view—and I will paraphrase—he has a true understanding of the natural partnership between the United States and Israel. Again, that is compelling evidence.

If you add to that the unconditional endorsement of several former U.S. Ambassadors to Israel, American patriots who have dedicated themselves to maintaining a strong, vital, vibrant, and crucial relationship for both the State of Israel and the United States, the evidence accumulates more and more that the President has chosen well and wisely.

This is a critical time. We are looking at conflicts in Afghanistan, we are looking at a nuclear detonation on the Korean peninsula, we are looking at budget problems that have never faced any previous Secretary of Defense and that have to be addressed within days or weeks. There is a ministerial meeting next week in Brussels for our defense ministers. We have to maintain our alliances. All these forces come together.

So I think the evidence is overwhelming. The President has chosen well and wisely.

But let me make one final point. This is a historic vote. By my recollection, no nominee for the Secretary of Defense has been defeated, delayed, or dismissed on a procedural vote.

Our history suggests, because of this office, because it is one so closely associated with the President making life-

and-death decisions, that deference is given to that choice—at least that it is not caught up in a procedural battle, that there is an up-or-down vote. My colleagues, in good faith, after careful study, can vote yea or nay, but to defeat someone on a procedural vote would be unprecedented and unwarranted. As a result, I would urge that this procedural motion before us be carried, cloture be dispensed with, and we can get on to expressing our true feelings based on the evidence and based on our best judgment of whether Senator Hagel should serve as Secretary of Defense.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, my colleague, Senator CRUZ, is ill and unable to speak on this nomination. He has, however, expressed his concerns to me in the form of a letter. I appreciate his contributions to this debate throughout the committee process.

I ask unanimous consent the letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

U.S. SENATE,
February 14, 2013.

Senator JAMES INHOFE,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR INHOFE: I continue to have considerable concerns with the unnecessary rush to force through a vote on Chuck Hagel's nomination before he has adequately responded to multiple requests from members of the Armed Services Committee for additional information.

Our requests directly relate to matters he would have significant influence over as our nation's Secretary of Defense and are based on his alarming record on foreign policy matters. For instance, Sen. Hagel has repeatedly declined to support measures to crack down on state sponsors of terrorism, belittled the notion of using any means to prevent a nuclear Iran, advised U.S. leaders to engage in direct negotiations with rogue nations and hostile terrorist groups, and expressed remarkable antagonism towards the longstanding U.S. alliance with Israel. Moreover, these are all positions he's disavowed since his nomination.

These deeply concerning positions rightfully raise the question of what conflicts of interest could exist as a result of financial compensation he has received in the recent past. Under the Senate's responsibility to advise and consent on nominations, it is completely appropriate to make these requests for disclosure—requests that are absolutely relevant to the role of our nation's Secretary of Defense. Several senators, who currently oppose such requests for information, contradict their own past statements that affirm the importance of disclosures related to executive branch nominations.

In a February 6 letter, 25 senators, including every Republican on the Senate Armed Services Committee and both the Minority Leader and the Whip, agreed that neither the Committee nor the full Senate has sufficient information to assess Sen. Hagel's nomination.

In order to have sufficient information, we have submitted several requests. This includes requests for disclosure on the personal

compensation that he has received in the last five years—information which is entirely within his own control; requests for additional disclosure on foreign funds that he may have received indirectly, and whether any such foreign funds raise conflicts of interest; requests for a complete list of his prior public speeches, notably multiple speeches on controversial topics have been made public by the press, despite those speeches having been omitted from his own disclosures; and a critical request from the Administration regarding additional information about the precise actions taken on September 11, 2012, during and immediately following the tragic murder of four Americans in Benghazi.

I believe that to date, responses to these requests are insufficient. Very few positions have as great an impact on national security as does the Secretary of Defense and it is our responsibility to ensure that those nominated to serve in this critical position are held to the highest standards.

I am prepared to move forward on Senator Hagel's nomination in a timely manner, but I do not believe the Senate should vote on that nomination unless and until he provides adequate disclosure in response to these requests.

Sincerely,

TED CRUZ.

Mr. INHOFE. Madam President, let me start off by saying that I agree with almost everything they have said on both sides about Chuck Hagel. I agree that he was a hero. I think of my own Army career and I think of his and how much greater his was. That isn't the issue.

I think both Senator GRAHAM and Senator MCCAIN said it very well. Yes, his character is wonderful. We love the guy. He served his country. All of those things are true. The problem is the stances he has taken regarding Israel and countries like Iran. Israel has historically been a very, very close ally of ours and, I have often said, our only true ally in the Middle East we can count on. But we need to take a close look at Senator Hagel and how he would act, judging from his past performance, as the Secretary of Defense.

The vote that is coming up at 4:15 is the vote for or against Senator Hagel. All of this talk about a procedural vote and filibustering: no. This is the vote to determine whether Chuck Hagel should be the next Secretary of Defense.

This statement about filibustering has been made over and over again. They say this the first time this has ever happened. Look, we have people nominated all the time for Cabinet positions who are subjected to a 60-vote threshold. I will describe some of them right now, starting on the Republican's side:

Kathleen Sebelius is now the Secretary of Health and Human Services. In 2009 there were a lot of people who didn't think she would be good, and so they objected to force a 60-vote threshold. That is what happened.

John Bryson was up for Secretary of Commerce. I didn't think he would

make a very good Secretary of Commerce. I opposed him, and he was subjected to the 60-vote margin.

Here is the interesting thing. Today we have Barack Obama, who is a Democratic President of the United States, and then we have HARRY REID, who is the majority leader, so the Democrats are in control. During the last Bush administration, we had exactly the reverse. George Bush was President of the United States and a Republican, and the Democrats were in the minority—the same situation.

So what happened? First of all, we had John Vogel come up. It was the same thing—subjected to a 60-vote margin. We had Senator Dirk Kempthorne. There were a lot of people who did not approve of him. He was nominated by President Bush, a Republican, and the Democrats didn't like him. They subjected him to a 60-vote margin. That wasn't a filibuster then. This isn't a filibuster today.

People are trying to blame me as the bad guy who is causing a filibuster. That is not the case at all, any more than it was the case back in 2005, 2006, and other times when we had a nominee who was put forth by President Bush who was objected to by the Democrats.

When Dirk Kempthorne was nominated to be the Secretary of Interior, there was a lot of opposition to him by the Democrats. Of course they said: We have to subject him to a 60-vote threshold. The Secretary of the Interior is a Cabinet position, but they seem to be drawing a distinction, for some reason, between the Secretary of Defense and any other Cabinet positions. As Cabinet positions, they are the same. And the process of requiring a 60-vote threshold happens over and over again.

Senator ROB PORTMAN—the same thing happened to him when he was appointed by President Bush to be the U.S. Trade Representative. The cloture motion was vitiated later on, but it was objected to first so that he would have been subjected to a 60-vote threshold.

One that is kind of interesting is Stephen Johnson. President Bush appointed him to be the EPA Administrator. Actually, he was a guy whom I thought a lot of, and he was a Democrat. So we have here President Bush, a Republican, appointing a Democrat who was objected to by the Democrats. Now we have President Obama, a Democrat, nominating a Republican who is objected to by the Republicans. It is exactly the reverse. There is no difference at all.

I am the ranking member of the Armed Services Committee. I will stand up and walk through fire to make sure every member of the committee has all their questions answered. That is what advice and consent is all about. We want to look at the individual. In the case of our com-

mittee, we want to make sure every member of the Committee has a chance to look at the process and make sure everything is out there.

This is kind of a funny thing. The distinguished junior Senator from Texas, Mr. CRUZ, lost his voice. For a Senator to lose his voice—what worse can happen than that? So he is not able to speak, but if he could, I believe he would say: It is not so much my concern, the issues that have been articulated by Senator MCCAIN and by Senator GRAHAM. My concern is about the process.

Madam President, I give myself 3 additional minutes.

The fact is this new member of the committee, a new Member of the Senate, knew he was entitled to have all his questions answered. He has tried now for weeks. He was stonewalled. He can't get them. So this is about the process. Senator CRUZ is not making any accusations. He says: I just want the information I have asked for.

I have the utmost respect for CARL LEVIN. He and I, despite what the media wishes, get along great. I love the guy. We disagree now and then on policy, but I really like him.

The other day, CARL LEVIN said:

Every member, every member should add his or her voice to the demand for the production of relevant documents which Senators need to decide on confirmation or for any other legitimate reason.

I agree wholeheartedly with that, and that is exactly what these individuals are asking for. They are asking for that information.

Senator CRUZ is very articulate. I regret that he lost his voice today.

In the past, every time the minority has objected and has wanted as a matter of procedure, to have a 60-vote margin, that is what has happened. It has happened with a consent agreement. I asked for that, and I think we have that now, but we had to force it.

This is not a filibuster. It is the same thing that was required and requested by HARRY REID, back when he was the minority leader, against John Bolton, against Stephen Johnson, against ROBERT PORTMAN, and against Dirk Kempthorne. This is a normal way of operating.

A lot of us still don't have the information we want, but I am willing and they are willing. I have checked with the people who have not gotten all the information they want. They said: Let's go ahead and have the vote. So, in a way, are they caving in? In fact, they are just doing all they can to be conciliatory. I think we are doing everything we can. We are not filibustering, and we don't want to string this out.

I repeat one last time that this vote is the vote on Chuck Hagel. It is not on procedure or anything else. It is a vote on Chuck Hagel.

Madam President, I retain the remainder of my time.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, how much time does the majority have?

The PRESIDING OFFICER. There is 17 minutes remaining for the majority and 3 minutes for the minority.

Mr. LEVIN. Madam President, I yield 5 minutes to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, this is rare. Twice in the history of the Senate have we had a filibuster involving a nominee for a Cabinet position—twice.

But especially disappointing about this is that it was just a few weeks ago that we came together on a bipartisan basis and we said: We are not going to do this anymore. We are going to try to work together. We are going to try to avoid these filibusters. And here we have, sadly, a historic filibuster over an appointment of a former Senator—Chuck Hagel, a Republican of Nebraska—as Secretary of Defense.

I know there is controversy associated with his nomination, but I also know Chuck Hagel. I served on the Senate Intelligence Committee with him. We served together in the Senate. There is no question in my mind that the President made a good choice.

I will also tell you that you need to know a little bit about the man to understand why it is a historic choice. Chuck Hagel volunteered and enlisted in the U.S. Army during the Vietnam era. That was not a casual decision. That was a time when enlisting in the Army meant you might risk your life. He lucked out; he got stationed in a theater that wasn't at war. But what does he do next? He volunteered to go to Vietnam. He volunteered as an enlisted man to go to Vietnam. And he went there—with his brother, incidentally, the two of them—to serve in the U.S. Army. He was involved directly in combat, was given the Purple Heart for his service, and he told me personally about days he will never forget as long as he lives. So does Chuck Hagel know what it takes to be a soldier? Does he know what it takes to lead the Department of Defense? He certainly does.

I served on the Senate Intelligence Committee with him. I know his feelings on the issues. And when I listen to how some of his positions have been distorted, I find it hard to believe.

Chuck Hagel was a conservative Republican Senator and an honest man of integrity. And some of the things that have been said about him, some of the charges that have been made in the course of the Armed Services Committee were just embarrassing, to think that colleagues in the Senate would say that about a man they knew and served with personally, or they should have known better than to say. That is why we are here today.

The sad reality is that I have listened to many Republican Senators who are

not going to vote for Chuck Hagel come up here and talk about how important it is to fill this position. The North Koreans detonated nuclear devices this week and raised concerns all over that part of the world and beyond. We know what is going on in the Middle East, in Syria and other places. We still have 68,000-plus American soldiers who are literally risking their lives—while we meet in the comfort and security of the Senate Chamber—in Afghanistan. They are risking their lives, and we are saying: Well, we would sure like to appoint a Secretary of Defense, but we have to make a political point here today. We have to vote against him today and put it off for 10 days, and then we may reconsider it again. God forbid something awful occurs in the next 10 days. I hope it doesn't.

There are still good people at the Pentagon, and I am sure they will do a good job, but we should have that Secretary of Defense—one of the most critical appointments in the President's Cabinet—filled. This notion that we have to make a political stand here and stop Chuck Hagel today to make some political point really troubles me.

Some of the requests for information about Chuck Hagel go beyond any of the standards of disclosure we have ever seen before. This isn't fair. It isn't fair to Chuck Hagel. It isn't fair to the President. It certainly isn't fair to the men and women in uniform all across the United States and around the world who are risking their lives for this country.

Those who come to the floor and say that in 10 days, he will be fine, for goodness' sake, swallow your pride. Let's make sure we vote for him today. Let's fill this spot. Let's not have this sad historic filibuster on this appointment to the President's Cabinet.

I really hope my colleagues will reflect on what Chuck Hagel has meant in his life, his service to the country, his service to the State of Nebraska, and his service to this Nation as a Senator. He is a good man, and he will do a good job in the Department of Defense. I trust the President's judgment.

For anyone who thinks they are making a political point in order to kind of show the President that we can still filibuster, I remind them it was just a few weeks ago that we stood on the floor of the Senate and said we were going to be more thoughtful about the use of the filibuster in the future; we were going to be more careful that we don't politicize it. Unfortunately, what is happening today is a serious disappointment.

I yield the floor.

Mrs. BOXER. Mr. President, may I ask the Senator, through the Chair, a question?

Mr. LEVIN. Mr. President, I would be happy to yield time to the Senator from California. How much time does the Senator wish?

Mrs. BOXER. Whatever my friend wishes.

Mr. LEVIN. I will yield 2 minutes to the Senator.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I am glad we are voting today on the President's choice for Secretary of Defense, our former colleague, Chuck Hagel. I stand here as a Senator who has had a number of questions as well about some of the things he said in the past, some of the votes he has cast, and some of his philosophy. And what I did, as soon as I learned he was the President's pick, was to ask those questions. Remember the President is the Commander in Chief. This is a critical appointment. It has to be someone he has faith in, puts his trust in, and he picked someone. He picked a brave hero who served in Vietnam.

So I wrote all my questions down, and believe me, they covered some tough ground on women's rights, gay rights, Iran, and Israel. There were a number of questions. I asked if it would be all right if when the answers came we could put them online so people could see the answers. The answer that came back was absolutely yes. The answers to my questions were very clear and very strong.

Senator Hagel has evolved on certain issues. He admitted to a mistake on a couple. That is the hardest thing for any politician to admit. There are four words politicians hate to say, "I made a mistake." He admitted to that on a couple of issues.

I just think the way he is being treated is so sad. It is so sad. When I watch some of the questioning from my colleagues—not all of them, a couple of them, and I am not referring to my dear friend, Senator INHOFE—it was reminiscent of a different time and place when someone would say: I have here in my pocket a speech that you made on such-and-such a date—and, of course, nothing was in the pocket. It was reminiscent of some bad times.

I am so glad we are voting today. I know it is going to be a close vote. I don't know what the outcome will be. I do believe eventually this good man will be the Secretary of Defense. I believe that in my heart. If anyone is still undecided on this vote, let's understand that never in history have we had a 60-vote requirement—to my knowledge—for a nominee for Secretary of Defense. If I am wrong, I hope to be corrected. There is a reason for it.

Lord knows I was one of the key voices of dissent on the Iraq war, and I was not happy about a lot of the people who were put into place by George W. Bush. Believe me, I didn't want to see them continue in those positions. I think they led us astray in Iraq, and it led to so many thousands of deaths. However, I never dreamed of requiring

a 60-vote majority. In my view, this is not a good day for the Senate.

I know my friend, Senator INHOFE, is very sincere. I am on the Foreign Relations Committee; I am a senior member of that committee. We have listened to the State Department on Benghazi. We have had briefings and hearings and answers came in. We had secret briefings that were highly classified. We had open hearings—I would ask for 30 seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. I have to say, what more are you trying to get out of this? Benghazi was a crisis. It was a disaster. It was terrible. There should have been more security there, but don't blame the brave Americans for it. Blame the terrorists who did this.

As the facts became available, those facts came right out. Why are we trying to stop this good man because of something he had nothing to do with?

In closing, I hope if you are on the fence, you will vote today for Chuck Hagel, and a "yes" vote on cloture.

Mr. INHOFE. Parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Parliamentary inquiry before the clock starts: I understand we have 3 minutes left on our side. How many minutes are left on the majority side?

The PRESIDING OFFICER. The majority has 7 minutes 15 seconds.

Mr. INHOFE. I don't see anyone seeking recognition, so I will go ahead and take the last 3 minutes.

First of all, it is very interesting that all of those on the other side who are supporting Senator Hagel to be the next Secretary of Defense, not one of them has said anything at all about the issues. They all talk about the things with which we agree. He was a hero; we said it. Senator McCain said it and Senator Graham said it. We all agree he was a hero in the war, and he is deserving of this type of thing.

Why is it that no one has mentioned that Senator Hagel is one of only two Senators who voted against sanctions against Iran? Why is it they don't mention that he was one of only four—in fact, all of them in the Majority signed a letter for solidarity with Israel. Senator Hagel was one of four Senators who didn't sign that letter of solidarity for Israel. The same thing with declaring the Iranian Revolutionary Guard as a terrorist group. He was one of only four Senators who did that.

I would only say this is not a filibuster. Everybody knows it is not a filibuster. I hope the media is listening: This is not a filibuster. This is the same process that was required by the Democrats in the case of John Bolton, in the case of Steve Johnson, in the case of Rob Portman, and in the case of Dirk Kempthorne. It is a prerogative of the Senate. It is not a filibuster. We

merely want a 60-vote margin. We received it in all of those cases.

I commented earlier that when we had a Republican in the White House and a Democratic majority in the Senate they made that same requirement. I was here in the Senate for all four of them. I never objected to requiring a 60-vote threshold.

Then, of course, we had a 60-vote threshold for the nomination of Kathleen Sebelius, who is serving now in a Cabinet position. The same thing. This is a Cabinet position. We had the Secretary of Commerce, John Bryson. I objected to him. He passed the 60-vote margin. The only issue is the 60-vote margin, and that is what we are talking about. It is not a filibuster.

The last thing I will do is read—since our last speaker is my very good friend and chairman of the committee—what he said the other day. I wholeheartedly agreed with him when he said every Member should add his or her voice to the demand for the production of relevant documents which Senators need to decide on confirmation. I agree with that. What we object to is the process where we have Members who have made requests for information that is relevant to this appointment, and they have been unable to receive that information. So it is a process.

As the ranking minority on the Senate Armed Services Committee, I will stand up for the rights of every single minority member of that committee. Senator Levin would do the same thing and stand up for the rights of every majority member of that committee in this process.

I thank the Chair.

The PRESIDING OFFICER (Mr. COONS). The Senator from Michigan.

Mr. LEVIN. I yield myself the remainder of the time.

First of all, the questions which have been asked of us to provide materials of the nominee have fallen into three categories: The first one is to the White House about Benghazi, and those questions have been answered. There have been requests for Senator Hagel's speeches, and those speeches have been provided. Relative to financial disclosure, additional financial disclosure, disclosure which is required by the rules, that has been provided.

The statement that was made by one of our colleagues about Corsair Capital is a statement which, frankly, is out of bounds. It is inappropriate for anyone to be asked about that when he is an adviser to a perfectly legitimate equity fund and has perfectly legitimate members on the board. There is no evidence—and the person making the innuendo acknowledged that there is no evidence—that the funding came from Saudi Arabia, Iran, or any other inappropriate place.

So as for the information that has been provided, it is probably more information than probably any nomi-

nee—at least in recent memory—has had to provide. We have done everything we possibly can.

Now in terms of the qualifications for Senator Hagel, this comes from former Secretaries of State, National Security Advisers, National Secretaries of Defense, including Secretary of State Albright, National Security Adviser Berger, Secretary of Defense Brown, National Security Adviser Brezezinski, Secretary of Defense Cohen, Secretary of Defense Gates, National Security Adviser Jones, Secretary of Defense Laird, National Security Adviser McFarlane, Secretary of Defense Perry, Secretary of State and National Security Adviser Powell, Secretary of State Schultz, and National Security Adviser Scowcroft.

This is what they said, and this is the validation: We, obviously, know Senator Hagel. We trust Senator Hagel. We believe in his qualifications.

These people are Democrats and Republicans who are outside of this body, and here is what they say: From his time as the Deputy Veterans' Administrator managing a quarter of a million employees, to during the Reagan Presidency, to turning around the financially troubled World USO, to shepherding the post-9/11 GI bill into law as a United States Senator, and most recently through his service on the Defense Policy Board at the Pentagon and as cochairman of the President's Intelligence Advisory Board, Chuck Hagel is uniquely qualified to meet the challenges facing the Department of Defense.

I have already put into the RECORD many of the statements that have been written by veterans organizations in support of Senator Hagel.

Senator INHOFE said when no one talks about his position on Iran, well, yes, we do. Here is what he says:

Iran poses a significant threat to the United States, our allies and partners, and our interests in the region and globally. Iran continues to pursue an illicit nuclear program that threatens to provoke a regional arms race and undermine the global non-proliferation regime.

He is fully committed to the President's goal of preventing Iran from obtaining a nuclear weapon. All options must be on the table to achieve that goal. And relative to Israel, he has said he is a strong supporter of Israel. Even more importantly, the Deputy Minister of Israel said he is a good friend of Israel, and, indeed, in the words of Danny Ayalon, said he believes—and I am now talking about Senator Hagel—Hagel believes in the natural partnership between Israel and the United States and is proud of the volume of defense relations between Israel and the United States which are so important to both countries.

Now the only question that remains is what we are voting on. What we are voting on is to end the filibuster. My

good friend from Oklahoma says it is not a filibuster, but the definition of "filibuster," under our rules, is you are going to continue to talk unless there are 60 votes to end debate. That is what we are voting on. It is called cloture.

If we get cloture today, then there will be another vote on the nomination of Senator Hagel. The proof of that is that we have three Republican Senators who stood up today and said that while they are going to vote against cloture today, they are going to vote for cloture a week from this Tuesday. That is a procedural vote if I ever heard it. They are still going to vote against his nomination, but they have decided that they will vote for cloture a week from Tuesday. That is the difference between the vote to end debate and the vote on the nomination itself. What we are deciding here today is whether a filibuster will continue. That is not just me talking; that is the rules speaking. That is what the rules provide for, that we need 60 votes to end debate.

Has there ever been a requirement before by opponents of a nominee that there be 60 votes to end debate? Has this ever happened in history? Not for a nominee for the Defense Department, no; Secretary of Defense, no. For other Cabinet officers, there have been in the past requirements set by opponents that to stop talking we are going to have to get 60 votes. But that only means what the rules say it means, which is that under the rules of this body, conversation or debate does not end if the opponents insist on it until there are 60 votes. That is the definition of a filibuster and that is what I hope we could bring to an end today. If we don't bring it to an end today, then there will be another vote a week from Tuesday.

I hope we don't have to do that. This position is too important. The dangers in this world are too severe to leave this position in this ambiguous state between now and a week from Tuesday, or whenever the final vote on approval of this nomination is. The world is too dangerous to have this period of uncertainty. There is no need for it. We have provided the documents which have been required. The information relative to the financial situation of Senator Hagel has been provided. It is time for us now to bring the debate to an end, require 60 votes and then, hopefully, if we can get 60 votes today, then vote on the final approval of this nominee. But, again, if 60 votes aren't there today, the majority leader has made it clear he will then, of course, reconsider the cloture motion for a week from Tuesday. Either way, it is critically important that Senator Hagel's confirmation take place and that we fill this position of Secretary of Defense.

Mr. President, I don't know if there is any time left but, if so, I yield it back.

The PRESIDING OFFICER. All time has expired.

Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Charles Timothy Hagel, of Nebraska, to be Secretary of Defense.

Harry Reid, Patrick J. Leahy, Sheldon Whitehouse, Barbara Boxer, Al Franken, Christopher A. Coons, Jack Reed, Carl Levin, Kirsten E. Gillibrand, Claire McCaskill, Robert P. Casey, Jr., Richard Blumenthal, Tom Harkin, Dianne Feinstein, Bill Nelson, Jeanne Shaheen, Sherrod Brown.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Charles Timothy Hagel, of Nebraska, to be Secretary of Defense shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. HATCH (when his name was called). Present.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 58, nays 40, as follows:

[Rollcall Vote No. 21 Ex.]

YEAS—58

Baldwin	Hagan	Murphy
Baucus	Harkin	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Pryor
Blumenthal	Hirono	Reed
Boxer	Johanns	Rockefeller
Brown	Johnson (SD)	Sanders
Cantwell	Kaine	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Shaheen
Casey	Landrieu	Stabenow
Cochran	Lautenberg	Tester
Collins	Leahy	Udall (CO)
Coons	Levin	Udall (NM)
Cowan	Manchin	Warner
Donnelly	McCaskill	Warren
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Franken	Mikulski	
Gillibrand	Murkowski	

NAYS—40

Alexander	Fischer	Paul
Ayotte	Flake	Portman
Barrasso	Graham	Reid
Blunt	Grassley	Risch
Boozman	Heller	Roberts
Burr	Hoeven	Rubio
Chambliss	Inhofe	Scott
Coats	Isakson	Sessions
Coburn	Johnson (WI)	Shelby
Corker	Kirk	Thune
Cornyn	Lee	Toomey
Crapo	McCain	Wicker
Cruz	McConnell	
Enzi	Moran	

ANSWERED "PRESENT"—1

Hatch

NOT VOTING—1

Vitter

Mr. REID. Mr. President, I enter a motion to reconsider the vote by which cloture was not invoked.

The PRESIDING OFFICER. The motion is entered.

VOTE EXPLANATION

Mr. VITTER. Mr. President, I could not participate in this Hagel nomination cloture vote because I had to return to Louisiana to attend a funeral. Had I been present, I would have voted no for two reasons.

First, I would like to state for the RECORD that I believe this process has been rushed and that very reasonable Member requests for information have been denied.

Secondly, I oppose the nomination on its substance in light of Senator Hagel's long history of troublesome votes and comments regarding the defense of Israel and related Middle East issues.

Mr. REID. Mr. President, this will be the last vote of the day. We will have a vote Monday night and we will vote again on this matter Tuesday morning—a week from Monday and Tuesday.

I regret that Republican Senators, except the valiant four, chose to filibuster the nomination of President Obama's nominee to be Secretary of Defense. The Republicans have made an unfortunate choice to ratchet up the level of obstruction in Washington. Just when you thought things could not get worse, it gets worse.

We need to have this vote today. Why? You know, in times like this, it is nice to have a Secretary of Defense, not a lameduck. We have a war going on in Afghanistan. The war has been going on for 10 years. The President announced on Tuesday that half the troops are going to be coming home.

North Korea earlier this week tested a nuclear weapon. Just a couple months ago, they tested a missile to deliver a warhead. They have said publicly and very openly they want to make sure they can reach the United States.

We have a conflict going on in Syria. It is a serious conflict. The Middle East is still in turmoil. Iran is threatening everyone, including us. We have a few things going on. There is a NATO defense meeting next week, where NATO Defense Ministers, including someone from the United States, whom we hoped would have been the Secretary of Defense, would attend that meeting.

A couple of my Republican colleagues said: That does not matter. Just have somebody else attend.

What does that do to our standing in the world community?

We need a Secretary of Defense on the job. No one, no one knows, especially any Senator, what foreign challenge we will face in this country, perhaps within the next 10 days. It would

be nice if we had a Secretary of Defense.

There is nothing that is going to change in the next 10 days about the qualifications of Chuck Hagel.

I served with Chuck Hagel. He is a conservative Republican representing the ultraliberal State of Nebraska. He served with distinction in the Senate as a Senator. He served on the Foreign Relations Committee, Armed Services Committee, and Intelligence Committee. He is a man of quality and of courage, not just being able to come and give a speech on the Senate floor.

During the Vietnam war, he volunteered to go into combat. That is what he chose to do because he thought it was the patriotic thing to do for his country, our country. His family felt that way. He and his brother went together. They didn't go to push pencils, they carried rifles; strapped to their sides, grenades.

He was wounded twice. He was an enlisted man. He didn't walk around ordering people to do things. People were ordering him what to do—except when it came to his brother. He saved his brother's life in combat in Vietnam.

They are filibustering him. That is what they are doing. I am going to call Chuck Hagel when I finish and say I am sorry, sorry this is happening. I am sorry for the President and I am sorry for the country and I am sorry for you. We are not going to give up on you.

We are going to vote, as I said, Tuesday, when we get back, in the morning.

I hope, I truly do hope nothing happens during the next 10 days we will not have a Secretary of Defense. We are not going to have one, and I hope nothing goes wrong and we will rue the day—more than just embarrassing the President, the Senate, and the country—in not confirming the President's nomination of this good man from Nebraska.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, to my knowledge we do have a Secretary of Defense, and his name is Leon Panetta. It is my understanding that Mr. Panetta is going to stay on the job, a job he has done very well as Secretary of Defense and as CIA director for the last several years. The majority leader knows full well the reason why cloture was denied—or closing off debate was denied, because there are reasonable requests being made on this side for additional information. I hope and trust information will be provided in the next few days. When we come back from the recess, we will have another vote and another opportunity for Senators to express themselves.

This is not any attempt to kill this nomination. This is not a filibuster. I realize it is the headline the majority leader would like the newspapers to write.

We actually had some very reasonable discussions going on earlier today

among Senators on the Democratic side and the Republican side to try to work this out, given the fact that this nomination has just been so recently reported from the Armed Services Committee, and to accommodate the reasonable request for Senators to receive answers to their legitimate questions. We didn't need to have this vote today. We could have delayed it until after the recess. I am confident the vote would have turned out differently.

The White House and the majority leader were determined to have this vote in order to try to get a story in the newspaper, one that misrepresents the nature of the objection on this side which, as I said, was a vote not to cut off debate because it was premature. Reasonable requests for information have not been accommodated by the nominee.

There are solid public policy differences between Members of this other side of the aisle and the nominee.

This is not about politics. This is not about personalities. It is about questions such as whether Iran should be allowed to get a nuclear weapon. Should we have direct negotiations with terrorist organizations such as Hezbollah and Hamas?

What is the official posture of the U.S. Department of Defense and this administration relative to our best ally in the Middle East, Israel? What would be the plan for the nominee should he be confirmed when it comes to dealing with steep cuts to the military that are going to come out of the sequester, which was the President's idea and which is now going to go into effect on March 1. This is something which the President himself said was not going to happen. All of these are legitimate areas of difference and areas of inquiry that could be accommodated, could have been accommodated without necessity of this vote today.

This was the majority leader's choice, which was his prerogative, and the White House's choice. We could have done this differently. We could have worked this out, but that did not happen, unfortunately.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, this is not a filibuster. This is not a filibuster. I would like to see what a filibuster is. This is the first time in the history of our country that a Secretary of Defense has been filibustered, filibustered successfully and probably ever filibustered, and for all this, the statement from my friend from Texas on a rant to make sure he is OK on Israel. He wants to make sure he is OK on Iran on this.

We had hearings, not singularly but plural. The Secretary of State came, the Secretary of Defense.

This has gone to the absurd. We were told by a number of Senators they would like a letter from the President's White House talking about what he did

following Benghazi. Remember, Benghazi was debated at length in the Presidential election. That is over, we thought. No, it is not over.

The President said, OK, and he adhered to what he wanted and wrote in detail about calls he made right after the terrible occurrence in Benghazi and sent it to the chairman of the committee. We received reports back some of the Senators were offended because the letter was sent to the chairman and not to them. This is all foolishness.

People may say whatever they want to say, but we still have a Secretary of Defense. Leon Panetta gave his final closing, ending; it was all over with his speech yesterday. I am friendly with Leon Panetta. I have known him for 31 years. No one in the country has served with more distinction than a Member of Congress, chairman of the Budget Committee, head of the Office of Management and Budget, the President's Chief of Staff, head of the CIA, Secretary of Defense. He wants to go tomorrow, and yesterday he told everybody he was going home.

Yes, we have a Secretary of Defense. It is about as lame as a duck can be. How do you think the people in NATO feel when, I don't know who will go, I guess Ash Carter or somebody will go, but we don't have a Secretary of Defense.

I can't imagine—as I said this morning, I will just repeat, I guess to be able to run for the Senate as a Republican in most places in the country, you need to have a resume that says: I helped filibuster one of the President's nominees. Maybe that helps. Maybe that keeps a tea party guy from running against you. But this should not be politics. This should be substance, and there is nothing wrong with Chuck Hagel.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, with all due respect to the majority leader, this was an unnecessary vote today. The majority leader said: What is a filibuster? I can remember one that wasn't called a filibuster. I can remember when President Bush the first nominated a very noncontroversial University of Tennessee president who had been Governor to be the Secretary of Education of the United States about 20 years ago.

There was a Democratic Senate at the time, and the Senator from Ohio decided he wanted more time to study the qualifications of the nominee from Tennessee. I was that nominee.

I thought that was an extraordinary period of time. It was 87 days between the time President Bush announced my nomination and the time the Senate unanimously confirmed me. That was a Cabinet position. I went around to see Senator Warren Rudman to see what I should do. He said: You don't have any cards. You don't do anything. The Senate has the right to consider, with its

constitutional prerogative of advice and consent, the nominees of the President. That is what the Senate is there for.

I said: Warren, how did you get to be a Senator? He said: Well, I will tell you a story. President Ford nominated me in 1976 to be on—I believe it was the Federal Communications Commission. The Senator from New Hampshire, a Democratic Senator and a Democratic Senator, put a hold on Warren Rudman until Warren Rudman withdrew his nomination.

The end of the story was that Warren Rudman then ran against that Senator, beat him, and that is how Warren Rudman became a Senator.

We know what a filibuster is. A filibuster is when one side or the other—which it has a perfect right to do under our system of government—decides to try to kill a nomination by denying 60 votes or to stop legislation by 60 votes. The Democrats have done it on a regular basis when they were in the minority and the distinguished majority leader was one of the most effective persons in the Senate to do so. I presided many times over the Senate when he objected.

I remember when we were trying to get 60 votes to have a permanent change in the estate law, and we would get up to 57, 58 or 59 and the distinguished majority leader would object.

What are we doing today? We are doing today exactly what was said when the vote was called. The question was do 60 of us believe it is time to end debate on the nomination of the President to be Secretary of Defense, the leader of the largest military organization in the world, the largest employer in the United States. The Senate Armed Services Committee has reported that recommendation to the Senate 2 days ago—not 10 days ago, not 15 days ago, not 30 days ago, 2 days ago.

Most of us aren't on the Armed Services Committee. Are we not entitled, are we not entitled to have more than 2 days to consider one of the most important nominations the President has to make without having the distinguished majority leader accuse us of a filibuster? What we do in this body is debate. We debate issues.

In addition to that, there are a number of people on the Republican side who have asked for information for which they haven't received answers yet.

In every one of those cases, those are not requests I am interested in. They will not produce answers I need to know. They may be outside the range of questions I think ought to be answered.

After only 2 days of a nomination being on the floor, if Republican Senators have questions to ask and information to seek, they ought to be allowed to do that. That is what this is about.

What we have said—and the Democratic leadership knows this—we have talked in good faith through the morning. We have suggested to have this debate when we come back. Instead of 2 days after the bill was reported to the committee or to the Senate floor, it would be 2 days plus 10—a couple weeks. It would give us a chance to read the hearings, consider the evidence, ask our questions.

There were three Senators who came down to the floor today, including the Senator from Arizona and the Senator from South Carolina, who said then we will be ready to vote for cloture. In other words, we will be ready to vote to end debate to do what the Senate should do. Eventually, after a full consideration, we would have an up-or-down vote on a President's nominee for the Cabinet. At least that is my belief, that eventually you should have an up-or-down vote on the President's nominee for the Cabinet.

It is an unfortunate vote, and it is unfortunate to characterize this as a filibuster. This is a vote by Republicans to say we want more than 2 days after this nomination comes to the floor to carefully consider it because we have questions. Many have questions, and then most of us believe that after a sufficient time—and, for me, a sufficient time will probably be those 10 days—after those 10 days, it will be time to end debate. It will be time to have a vote and then it will be time to move on to something else.

I wish to make sure this is properly characterized. This was a motion to close off debate after 2 days of bringing to the full Senate the President's nomination to lead the largest military organization in the world at a time when Senators had reasonable questions for which they want answers. A vote to extend that until 10 days from now or some other appropriate time after that not only is reasonable, it is in the traditions of the Senate. Such reasonableness has been exercised by Democrats, as well as Republicans throughout the history of the Senate.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. COWAN). The assistant majority leader.

Mr. DURBIN. Mr. President, Senator ALEXANDER is my friend. Sometimes that word is thrown around the floor of the Senate not very sincerely, but I mean it and he knows it. And I respect him very much. But I would say to the Senator, there is no other way to describe what we are going through than a filibuster.

A filibuster is, of course, an effort by at least one Member of the Senate to continue the debate and stop the vote on a matter, whether it is an amendment or a nomination. A cloture motion—in other words, to close off the debate—is an effort to produce 60 votes to overcome that Senator and to move to a vote, a final vote, on an amend-

ment or a nomination. So by every Senate standard, by every definition, what we are facing with Senator Chuck Hagel as a nominee for the Secretary of Defense is a filibuster. It is. And that is why the majority leader filed a motion for cloture.

It is interesting to note that 59 Senators—a substantial majority of the Senate—were prepared to vote for Chuck Hagel to be Secretary of Defense, including four from the Republican side of the aisle. But we fell short of the needed 60 votes, the 60 votes under cloture, needed to end a filibuster. So I have to say to my friend from Tennessee, by every definition in the Senate, by every standard, your side has successfully filibustered the nomination of Chuck Hagel in the U.S. Senate.

It has happened before on Cabinet nominees—twice, I am told, in our history, and once while I was here involving Dirk Kempthorne, whose nomination was controversial and another cloture vote was called. I asked myself, how did I vote? After a while, you sometimes forget. And I was told, well, it turned out the cloture vote for Dirk Kempthorne was 85 to 7. So clearly, he had 60 votes, and I voted for the cloture vote in this circumstance. He was then affirmed by a voice vote thereafter. So it has happened before, but it happens rarely—twice in our history—when we have a Cabinet nominee who is filibustered.

I will concede to the Senator there are many times we have questions that need to be answered before we can make a sound or final decision, but what is peculiar about this vote is that the questions are being asked about a fellow colleague, someone the Republicans served with for years. This is not a name that was just dropped out of the blue. I would assume my Republican colleagues knew Chuck Hagel. You served with him, you were on committees with him, you sat hour after hour, day after day, and maybe month after month in meetings together. So he is a known quantity more so on the Republican side of the aisle than on our side. I served with him on the Intelligence Committee, and I thought he was a person of sound judgment. There were times when I thought he showed real courage. I never doubted for a minute his commitment to some of the basic issues.

The Senator from Texas, who is also a friend, said: Well, we are not sure where he stands on issues such as Iran. I think he has said unequivocally over the last several weeks his position is the same as the President's, that we need to stop Iran from developing a nuclear weapon. The same has been said relative to our relationship with Israel. If people still have questions about that today, they are ignoring his answers or they do not believe him. And in that case, they can vote yes or no. I

don't know how many more times he needs to say that to satisfy his critics. Perhaps, for some of them, he will never satisfy them.

But it is troubling to me, and I would agree with Senator REID—and Leon Panetta is a close personal friend. We go back to our House days. I recall he had a unanimous vote when he was nominated for Secretary of Defense—an indication of the respect we have for him. But his days are coming to a close and he said so. What the President has said is, I need to move up somebody into this critical position for the national security of the United States, and Chuck Hagel is the person I propose.

We have had ample time. I would be surprised if there are any—perhaps many—Senators who didn't have a chance to personally sit down with Senator Hagel. He came to my office, and I know he made himself available to virtually every Senator before this process started. So Chuck Hagel has done what he was asked to do, answer the questions and appear before the committee. And for a person who is a former colleague, it is hard to understand or explain why there are so many people on the Republican side of the aisle puzzled by this fellow from Nebraska, someone whom they served with for so many years.

Let me also say I want to join with the majority leader in saying, God forbid anything happens in the next 10 days. I hope it doesn't, for our sake and for the sake of the Senate and the people of this country. We do need a Secretary of Defense. I would like to think if the tables were turned the other side would not be pillorying us for leaving the Secretary of Defense office vacant in these dangerous times. I am afraid many on your side would be asking, why didn't you get this done when you could have? This was a Democratic Senator; why do you need to keep asking questions over and over?

But we have reached this point and there is nothing we can do about it. Senators have left and we are going to be off next week for the Presidents holiday. I just hope, as soon as we return, as quickly as we return, we can defeat this filibuster on Chuck Hagel—this rare filibuster in Senate history—and we give him his chance to continue to serve this Nation as ably as he did in the U.S. Senate and as a soldier in combat in Vietnam.

I yield the floor.

The PRESIDING OFFICER. The Republican whip.

Mr. CORNYN. I want to assure the assistant majority leader that we still have a Secretary of Defense. His name is Leon Panetta. And I am referring to an e-mail his press secretary George Little sent out on Thursday:

The Secretary plans to stay in office until Senator Hagel is confirmed and sworn in.

So if anybody is under any misapprehension, I believe the Pentagon press

secretary has made that clear. We have a Secretary of Defense. He has not resigned, and he will continue to serve until such time as his successor is sworn in.

I would say again to my friend, the Senator from Illinois, the assistant majority leader, we all know what a filibuster is. A filibuster is designed to kill a nomination or to defeat legislation, as the Senator from Tennessee said. I would also say this is equivalent to what happened back in 2005.

Mr. President, I ask unanimous consent to have printed in the RECORD following my remarks a letter signed by Chris Dodd and JOSEPH BIDEN.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CORNYN. And I will quote from that letter. This is a letter signed by Chris Dodd, our former colleague who served on the Foreign Relations Committee, and JOE BIDEN, when he was a ranking member of the Foreign Relations Committee back in 2005.

Dear Democratic Colleague: We write to urge you to oppose the cloture on the Bolton nomination tonight. We want to make clear that this is not a filibuster. It is a vote to protect the Senate's constitutional power to advise and consent to nominations.

I will skip down, because the letter will be in the RECORD, to the last paragraph, which says:

The refusal of the Executive Branch to provide information relevant to the nomination is a threat to the Senate's constitutional power to advise and consent. The only way to protect that power is to continue to demand that the information be provided to the Senate. The only means of forcing the Administration to cooperate is to prevent a final vote on the nomination today.

And the letter, as I said, was signed by Chris Dodd and JOE BIDEN.

My point is, this is exactly what the Senator from Tennessee said it was—a vote not to end debate but to allow these inquiries to be answered. And the shoe will likely be on another foot some other time with some other nominee, so we ought to, I think at a minimum, respect and protect the right of the Senate and of an individual Senator to make reasonable inquiries of a nominee as part of the power of advise and consent.

This is not a filibuster. If it is, then this was in 2005, contrary to the assertions of JOE BIDEN and Chris Dodd. But I agree with them in this instance, this is merely an effort not to close off debate but to allow reasonable inquiries to get information that will advise the Senators in their vote when it comes time to vote on this matter after the next break.

EXHIBIT 1

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC, May 26, 2005.

DEAR DEMOCRATIC COLLEAGUE: We write to urge you to oppose cloture on the Bolton nomination tonight. We want to make clear

that this is not a filibuster. It is a vote to protect the Senate's constitutional power to advise and consent to nominations.

For more than a month, we have been requesting two types of information from the Executive Branch. First, materials related to the preparation of congressional testimony on Syria and weapons of mass destruction that Mr. Bolton planned to give in July 2003 and ultimately gave that September. We think this will show Mr. Bolton's continued effort to exaggerate intelligence information. It may also show that he misled the Foreign Relations Committee when he told us that he was not personally involved in the preparation of the testimony. Second, information related to National Security Agency intercepts and the identity of U.S. persons on those intercepts. During the past four years, Mr. Bolton requested the identity of U.S. persons on ten occasions. There may be nothing improper in this; or there may be something highly improper. But we won't know unless we see the very same information shown to Mr. Bolton. So far that has not occurred. The Chairman and Vice Chairman of the Select Committee on Intelligence were shown the intercepts, but not the identities of the U.S. persons.

In refusing to provide the information about the Syria testimony, the State Department has asserted that it does not believe that the request is "specifically tied to the issues being deliberated by the Committee." In other words, the Executive Branch is deciding what it thinks is relevant to the Senate's review. That's unacceptable. In the case of the NSA intercepts, no one in the Executive Branch has even tried to explain why the chairman and ranking member of the Intelligence and Foreign Relations committees are not allowed to see information that was made available to Mr. Bolton and even to his staff. That, too, is unacceptable.

The refusal of the Executive Branch to provide information relevant to the nomination is a threat to the Senate's constitutional power to advise and consent. The only way to protect that power is to continue to demand that the information be provided to the Senate. The only means of forcing the Administration to cooperate is to prevent a final vote on the nomination today. We urge to you vote no on cloture.

Sincerely,

CHRISTOPHER J. DODD.
JOSEPH R. BIDEN, Jr.

Mr. CORNYN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SEQUESTER LEADERSHIP

Mr. SESSIONS. Mr. President, we are facing a very serious problem with the sequester that will impact our Defense Department and other government agencies. It is a very serious matter. It has been out there for well over a year. We have known this is coming, and it is time—long past time—for the Democratic Senate and the President of the

United States to provide some leadership on the issue.

I was pleased with Senator MCCONNELL this morning when he raised this matter, suggesting we are in a pattern here of how business is being done in the Senate. It goes something like this, Senator MCCONNELL said: Phase 1, Republicans identify a challenge and propose a solution; phase 2, the liberals sit on their hands until the last minute; phase 3, they then offer some gimmicky tax hike designed to fail and then blame everybody when it does.

This is essentially, I am afraid, where we are. We are now at the time where they are about to sweep in with some gimmicky solution that won't be successful. I don't know where they are in that. We have seen a 1-page outline that suggests there is a plan out there, but we haven't seen legislative language, I don't believe, unless it was produced in the last few hours. So we are 2 weeks away from a sequester that will include cuts that I believe will be too damaging to the U.S. military and can be avoided and should be avoided.

The sequester, remember, was part of an agreement that was reached in August a year ago—August 2011—between the President of the United States, the Democratic leadership in the Senate, and the leadership in the House of Representatives. It was designed to raise the debt ceiling because we had borrowed all the money that could legally be borrowed and the administration wanted to spend more and borrow more money. We were borrowing well over 35 cents out of every dollar we spent at that time—and still are—and the President wanted to raise the debt ceiling. The people holding the credit card—the U.S. Congress—said: Wait a minute. You have run up too much debt. You have to lay out a plan that, at least over 10 years, would equal the amount you want to raise the debt ceiling. The Administration could spend that money now—and it was spent in 18 months, because we have already hit the debt ceiling again—and we will raise the debt ceiling \$2.1 trillion.

So an agreement was reached to reduce spending over the next 10 years by \$2.1 trillion. That was the agreement. The President signed that, the Democratic leader in the Senate agreed to that, the Speaker of the House, the Republican, agreed to that, and that became the law.

These are numbers we live with every day. I am the ranking Republican on the Budget Committee, and it is a constant item in our face out there. We were then spending \$3.7 trillion a year. So if you extend that for 10 years, we would spend \$37 trillion over 10 years. But the budget was expected to grow. It was expected to grow so that we spent \$47 trillion over 10 years. At the end of that time we would have increased spending by almost \$10 trillion over 10 years. This deal would have

said that we wouldn't spend \$47 trillion but \$45 trillion, therefore reducing the increase by a modest amount.

These were the first significant cuts we have had in the Congress in a long time. It is the first time we have actually made some alteration in the growth of spending. And really, it is not a cut in spending; it is reduction to the growth of spending. But the President not only agreed to the sequester, he actually proposed the sequester as part of the deal.

The sequester came about under the theory this would be a stopgap emergency measure if the committee of 12 didn't reach some long-term fiscal plan to alter the debt course of America, and the committee didn't reach that agreement.

The agreement fell apart and the sequester happened. The sequester was put in the bill at the last minute, according to Bob Woodward in his book, at the request of the President and the White House. It was put in there, and nobody knew what it meant. That is the reason primarily that I voted against it. I didn't like this situation that looked to me as though it would be a meat-axe cut that would fall disproportionately on the Defense Department. At any rate, good people disagreed, the bill passed, and it became law. So that is how the sequester came to be, and it is set up in a way that disrupts the Defense Department.

If you cut the Defense Department as much as is presently scheduled to be done now, it would hurt under any circumstances. But if it is done the way the sequester says, everybody agrees it will be far more damaging than it needs to be because it gives the Defense Department very little control over how to manage their money in a way that has the least adverse circumstances, and that is why we should not let the sequester go forward.

The sequester needs to be reevaluated for a lot of reasons. One-sixth of the federal budget is the Defense Department. One-sixth of the amount of money we spend is by the Defense Department. One-half of all the cuts in the sequester falls on the Defense Department. It is disproportionate.

Some people are under the impression that it is the war costs that are being cut. This is not what we are talking about. The war costs are funded in a separate account. All of these cuts fall on the base defense budget of the United States of America.

It means too rapid and severe a reduction in our military and civilian personnel, and it endangers the smart management of the war, while entire portions of our government—almost one-half of our government—have no cuts at all. Amazingly, there is no reduction in the growth of the spending of one-half of our government; and defense spending increases are less than half of what you see in many of the

other major spending programs in our government.

The base defense budget has not been surging out of control. It has been increasing at about the rate of inflation in the last several years. But defense has already reduced its budget as part of the first part of the Budget Control Act agreement last August. That was \$487 billion. So this sequester would be an additional \$500 billion, should it go through. It would be a cumulative reduction of almost \$1 trillion over 10 years. That is a big reduction. It alters the ability of the military to function in the way they have been functioning, and it threatens the ability for them to carry out the missions they have been assigned to carry out today.

The Chairman of the Joint Chiefs, General Dempsey, said this week:

If sequestration occurs, it will severely limit our ability to implement our defense strategy. It will put the nation at a greater risk of coercion, and it will break faith with the men and women in uniform.

That is a serious statement and we should respect it. I know right now they are threatening all kinds of draconian cuts, and probably when the dust settles it won't be quite as draconian as they tell us. But the fundamental truth is, this is disproportionate and dangerous to the Defense Department, and it is not necessary.

Remember how we got here. We saw this coming. The defense authorization bill was not brought up before the election maybe for the first time in 50 years. Why was it not brought up in July, August, September, or October? Why was it not?

One of the reasons I think was that everybody knew the sequester was out there. It needed to be fixed, and this would have been the opportunity to fix it when that bill moved through the Senate. And so Senator REID wouldn't bring up the defense bill. He refused to bring it to the floor.

Senator MCCAIN came to the floor and said, shame, shame, shame, as ranking Republican on the committee, pointing out this failure was the first time I believe in 50 years that the defense bill had not moved. No other appropriations bill had moved, either; not a single one. But not passing the defense authorization bill was historic—again, I think in big part because they didn't want to talk about the sequester.

In the debate, I believe last October, with Governor Romney, the sequester came up. What did President Obama say? It will not happen. The sequester will not happen. And here we are, with no plan to fix it from the White House, no plan to fix it from the Democratic majority—which apparently wants to lead this country, wants to be in the majority, wants to justify their leadership position. Senator REID has not brought forth—unless it is today, until this late, late minute—a plan to fix the

sequester, an alternative. We have seen the one-page outline, but that is it.

I would note, I think I indicated, the House has already twice passed legislation months ago that would fix the sequester and not allow this event to occur in the way that it is. They have done their duty.

So what is the Senate going to do? What are we going to have from the Senate? Another do nothing, no budget, no fix to the economic threats of America? Now no fix to the sequester? The only thing we have to do now is raise taxes?

The truth is, the way to fix this and the way to do this is to have all the departments and agencies of the government be evaluated, not just a small portion of them, and have all of them tighten their belts, and we could easily avoid the draconian cuts that are lurking out there right now.

Over half the government spending was not touched in the 2011 Budget Control Act deal. It just wasn't, including some of the fastest growing items such as food stamps, which have gone from \$20 billion in 2001 to \$80 billion last year. It has gone up four times in 10 years and not a dime was reduced from it. Medicaid is at 6- to 7-percent-a-year increases. These programs alone add \$300 billion to government spending each year. They aren't having any review at all.

I am disappointed we don't have a legislative plan on the floor that we could actually evaluate to see what it means, and then begin to debate it and discuss it. It should long since have been brought up in this Senate. We should already be aware of it.

But there is a game played around here, as Senator MCCONNELL said. There is a game around here to wait until the last minute. And the President, using the power of the Presidency and his skill as an orator, feels he can once again dominate the media and be able to extract the kind of legislation he wants in the end, and somehow gain political advantage, I guess.

I don't think it is going to work this time. I am worried about it. I am afraid we are not going to have an agreement. I am afraid cuts are going to take place in a way that shouldn't occur, and that they could be done smarter and more effectively with less damage than we have.

So we are told that in this Democratic plan, in this outline that is floating around, after we passed just a few weeks ago a \$600 billion tax increase, that now we want to have another tax increase. I have to say this with clarity: Any plan that attempts to replace the cuts in the Budget Control Act with tax increases will not happen. They cannot happen. It will be a fundamental breach of the commitment we made to the American people in August of 2011. We told them, We have an agreement. We will raise the debt ceiling

ing \$2.1 trillion. A lot of people did not want that to happen. A lot of people are fed up with borrowing in Washington. A lot of people said, Don't raise the debt ceiling a dime.

We said, OK, we are going to raise the debt ceiling, but we are going to promise you, American people, that we will contain the growth of spending by \$2.1 trillion, so the increase in spending over 10 years will be about \$8 trillion instead of \$10 trillion. Surely, that is not going to break America. Surely, that is not going to destroy this Republic. It could be exceedingly damaging if we do as the sequester says, though, and target the Defense Department far more severely than any other area of government.

But, fundamentally, reducing the growth in spending from \$10 trillion in expected increases to \$8 trillion is not going to damage America. And it can be done. In fact, it must be done.

What we have to understand is that the President of the United States and Senator REID, the Democratic leader in the Senate, agreed in August of 2011 that we would raise the debt ceiling, we would cut spending, and we would not increase taxes. We would not increase taxes. It was a simple, small, but significant, noticeable reduction in the growth and spending, and that was the agreement. Before the ink was dry on it, we had people wanting to weasel out of it, to change it.

What would the American people think of us if less than 2 years after this agreement, this promise to them, we capitulated, we couldn't follow through, and we couldn't maintain those growth reductions we promised the American people we would do?

The plan I am hearing that is being floated now is a direct contradiction of the promise we made to the American people. I don't believe it will pass. I don't believe it will pass the House and I don't believe it will pass the Senate. And remember, this is current baseline law now.

The Budget Director of the Congressional Budget Office testified before the Budget Committee this week, and he showed us what the projected deficits will be over the next 10 years. The good news was that deficits would be reduced some—less than half of what they are today—by 2015. And a big part of that was the sequester, because it is in law. The law says: These reductions will occur. He scored them as we passed it. And now we are saying, We want to give that back and we don't want to follow through on that.

The only way you can not follow through on the reductions that were in the Budget Control Act would be to increase spending—to increase spending above what we are currently projected to have the government grow over the next 10 years. We would have to increase spending.

So make no mistake about it, the plan that is being proposed is to tax

and spend—to spend more and tax more. That is not where this country should be going. I reject that as the right approach. Particularly, it is contrary to the steps we took in August.

One reason the agreement was reached on the fiscal cliff in early January of this year was that we had spending cuts last August and they got some tax increases in January, but not more. And those tax increases should have been for the purpose of reducing debt, not funding new spending.

So to sum up the matter, in August 2011 Congress and the President agreed and passed legislation to reduce by a small amount Federal spending from \$47 trillion to \$45 trillion over 10 years. The spending of the United States would increase approximately \$8 trillion instead of \$10 trillion. That would not damage the American Government. We certainly should be able to function as a nation with that kind of substantial increase in spending, and it is happening every day in cities, counties, and States throughout America. They are dealing with far worse reductions than that.

There was no tax increase agreed to at all—not one penny of tax increases. Those reductions in spending are in law. They are in the new baseline on which we are now operating. To alter that and give back that spending without finding reductions in spending elsewhere would be to increase spending above that agreed to in the Budget Control Act, and that is what the Democratic outline we have seen would do. It increases spending and it increases taxes. They say: Don't worry about the increased spending. We have taken care of it. We have raised taxes. So that is the deal. They raised taxes to pay for the increase. That is in clear violation of the terms of the agreement and the moral agreement we had with the American people. It is in violation of what was told to the American people a little over 18 months ago, and to that extent it is not acceptable.

I urge my colleagues not to proceed with this approach.

Let's find ways to spread out the spending cuts so that more government agencies tighten their belts—and not so disproportionately on the Defense Department—and we can resolve this matter going forward.

I am worried because we have had no response from our Democratic partners, no response from our President of the United States, who is the Commander in Chief of American forces. To my knowledge they have not laid out a detailed plan yet. We are going to reach that deadline, and it looks as though it is going to take place. I hope it can be avoided. It should be avoided, and I am willing to work to avoid that.

I call on my colleagues to not continue to delay. Let's move forward to an effective agreement that preserves the legislative intent of the Budget

Control Act and the promises that we made to the American people.

I thank the Chair, yield the floor, and note the absence of a quorum.

The PRESIDING OFFICER (Mr. BEGICH). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE DREAM ACT

Mr. BLUMENTHAL. Mr. President, today and throughout the coming weeks, I hope this body will move closer to comprehensive immigration reform. Actually, accountable immigration reform would be a more appropriate term to call it—accountable to the people of the United States who overwhelmingly want this dysfunctional, broken system to be mended.

We are a nation of immigrants, and the people of our Nation know it. They know it not only intellectually and abstractly; they know it in their gut because they see on the walls of their homes the proud photographs of their parents, their grandparents—people who have come to this country as a beacon of economic opportunity and freedom, some of them struggling through the most horrific kinds of trials and tribulations to reach this great land, the greatest Nation in the history of the world.

I have told my colleagues in the past—and I will state again—one of the most inspiring things I do—and I had done it as attorney general for a long time but now as a Senator—is to visit our courthouses where immigration and naturalization ceremonies take place. Those ceremonies are profoundly inspiring because they come—new citizens, people about to become citizens—with their families. It is a day of joy and pride unmatched and unexcelled in their lives. They come with friends, and they come to celebrate with their friends and families, with tears in their eyes and their hearts and their throats. There is no time when I have seen one of these ceremonies that I have not been deeply moved and uplifted.

If you ever have a down day, if you are ever discouraged about this Nation, see one of these ceremonies. You will know what it means to be a citizen of the United States of America and how important it is and how important we should regard it.

So I approach immigration reform with a profound appreciation of its importance to people who seek liberty and economic opportunity and justice in this great land but also how we are enriched as a nation of immigrants by the diversity, the talent, the dedica-

tion they bring to our factories where they work, to our laboratories where they invent, to our military where they serve and sacrifice and give their lives.

So I hope we will embark on accountable immigration reform that provides a path to earned citizenship for the 11 million people or more now in this country undocumented. Many times they pay taxes, they live here, and they regard the United States as their home. They have no criminal background. They have done nothing wrong. We need to find a way to bring them out of the shadows and provide earned citizenship, with background checks to show they have no criminal records, that they will learn to speak English, if they do not now do so, go through all the other steps that may be set, and then go to the back of the line behind people who have legally sought to come here.

That reform should also include much stronger security at the borders, a crackdown on employers who hire undocumented immigrants—people in this country who are here illegally but who can be exploited by those employers—and, of course, a streamlined immigration process. The elements of this reform are becoming clearer and attracting a growing consensus. If nothing else, we should make sure we provide an expedited route for people who now come with H-1B visas.

Some of the details of these proposals need to be resolved so we give those people who come to this country with extraordinary skills or who are educated here and are now forced to leave the country, to the detriment of our tech corporations—and many are in my home State of Connecticut. And maybe, first and foremost, we need to make sure we give the DREAMers what this country so richly deserves—one would think, I might say, what they deserve, but truly the country deserves what they have to contribute and give back to this country.

For some time I have come to the floor of the Senate to talk about individual DREAMers. I wish to talk about a young person, Cinthia Perez, whose photograph is here in the Chamber and who is one of those DREAMers—many of whom are brought to this country as infants or very young children. They know no other country. They often know no other language but the one spoken here. Their lives are rooted in this country. Their friends are here. They are going through our schools. They are serving in our military. Yet they can be deported at any time.

Right now, the President has commendably offered the Deferred Action for Childhood Arrivals—DACA—system for them, but it is only for a limited period of time. It does not provide the certainty and security they need to do what Cinthia Perez wants to do with her life. That is why the nearly 2 mil-

lion immigrants nationwide who would benefit from the DREAM Act—between 11,000 and 20,000 in Connecticut—deserve the benefit of a more secure route, an expedited route to citizenship. That has to be part of accountable immigration reform.

Cinthia Perez was born in Mexico. She was brought to America at the age of 5. She has not left America since. Her family settled in New Haven, CT. She went to the New Haven public schools from elementary school through high school.

It was in high school that Cinthia came to understand how her undocumented status would actually affect her future, because during her senior year of high school, Cinthia attended a college preparation class. From the start of that class—supposedly to prepare her for college—Cinthia could not fully take part in the course because she thought she would not be eligible to go to college because of her undocumented status.

Still, she continued in that class as a way to stay motivated about her future and to experience the college application process, as many Americans do. In fact, she eventually applied to four universities—some State and some private. She was accepted by how many? All four.

Her excitement and her family's soon faded as she realized the choice she faced. She would not be able to attend any of these schools because she could not afford it, and her dream school looked even further out of reach because her parents could not afford to pay full tuition and Cinthia could not share the financial burden because she was afraid to seek work. She is ineligible to work in this country, and she felt hopeless because all she wanted to do was attend college, work her way through, so she could create a better future for herself and make a difference for the country.

Around that time, Connecticut passed a State law—and I advocated it—to allow undocumented students who have graduated from high school in Connecticut to pay in-state tuition rates that are available to other Connecticut residents. With that financial burden slightly lessened, Cinthia was able to enroll at Southern Connecticut State University.

She is now proud to be in her sophomore year at SCSU, and she hopes to use her education to pursue a career in community development or environmental management. Basically, she wants to help improve education and support for children in need—children such as herself who simply want an education so they can give back to this country, children such as herself who are motivated and inspired to contribute to America, and children such as herself who are undocumented and, therefore, hampered and impeded in their aspirations.

I have no doubt Cinthia will continue to contribute to Connecticut. She will, unfortunately, face the dangers of deportation from her home and may be sent back to a country she has not seen for many years—in fact, since she was 5 years old.

I hope every DREAMer is given deferred action status under the President's program. I hope Cinthia's application will be favorably received. I hope she will be able to pursue her education and work and give back to this Nation and that she will be eligible at some point for financial aid.

But the full measure of relief from deportation will not come to her or any of the other DREAMers without the DREAM Act. Therefore, I urge that the comprehensive immigration reform under consideration by a bipartisan group headed by Senators SCHUMER and MCCAIN and the solution eventually adopted by this body to fix that broken system of immigration law will include the DREAM Act.

I wish to thank and give credit to Senator DURBIN, who has championed this measure for a long time, giving a model to many of us at the State level, where I was attorney general for 20 years and championing our equivalent of the DREAM Act there, providing aid, as we did with Cinthia, so she could fulfill her aspirations to seek education.

But at the end of the day, just and effective comprehensive immigration reform must resolve the status of those 11 million people, including Cinthia's relatives who may be here, including the DREAMers' parents who may be here. It has to be comprehensive so as to establish an earned pathway to citizenship for the undocumented immigrants already giving back, already here, already contributing members of our society, and, most especially, the children who were brought here, through no fault of their own, when they were 5 years old or 6 years old or 5 months old, and we reaffirm that America is a land of justice and opportunity.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that on Monday, February 25, 2013, at 5:00 p.m., the Senate proceed to executive session to consider the following nomination: Calendar No. 7; that there be 30 minutes of debate equally divided

in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nomination; that the motion to reconsider be considered made and laid on the table with no intervening action or debate; that no further motions be in order; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING THE COCHRAN FAMILY

Mr. LEAHY. Mr. President, in Vermont, you will find any number of successful family-run businesses. Today, I want to recognize the Cochran Family and their Cochran Ski Area. This family, which has spent 50 years on a hillside in the town of Richmond, VT, has seen 10 of its own compete in the Olympic Games and has brought thousands of local youth together to share in Vermont's rich tradition of winter sports.

The Cochran Ski Area is truly a remarkable place in Vermont, where the rewards of family togetherness, community support, and shared knowledge have been reaped to the fullest for half a century. In the 1960s, the Cochran slope was a skiing family's dreamland, but Mickey Cochran, alongside his wife Ginny and family, chose to open their home and their hearts to the community. Since then this slope has become a source of skill not only for the Cochran Olympians, but for every Vermonter who, with their guidance, has been helped to master the art of skiing. The Cochrans intensified their skiing talent and dedication through the application of math and physics, complementing a classroom education with a thrilling hands-on experience unlike any other. This Vermont family and their legacy are a model of community building and achievement. Their charity has enriched Vermont and the Cochran Ski Area has been cherished in return as a haven for families to enjoy winter traditions. Today, a new generation of Cochrans preserves their relationship with the land Mickey and Ginny Cochran sought to make their home years ago, by founding Slopeside Syrup, a maple syrup business. Each spring Cochran's taps more than 20,000 maple trees around the ski slope and opens its doors of the Slopeside Syrup sugarhouse to visitors and neighbors alike.

I am proud to share the Cochran family's story with the Senate. I ask unanimous consent that a recent article from *The New York Times* about this incredible family be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the *New York Times*, Jan. 23, 2013]

SHORT HILLSIDE'S LONG LEGACY

(By Bill Pennington)

RICHMOND, VT.—It was 1960 in northern Vermont and Mickey Cochran had a simple plan with an uncommon stipulation. A former schoolteacher, Cochran would buy a house in the country for his growing family, but only if the new home had a pitched slope behind it where he could install a ski lift.

Along with his wife, Ginny, whom he met while skiing, Cochran found the right house and parcel of land for \$10,000, and soon there was a rope tow just outside the back door. Educated as a mechanical engineer, Cochran affixed floodlights to adjacent trees and the roof of the two-story home, turning the modest rural hillside into a round-the-clock winter playground.

Like a Vermont version of the movie "Field of Dreams," if you build and illuminate a place to ski in snow country, people will come from far and wide.

Throughout the 1960s, thousands of local schoolchildren and their parents learned to ski at the Cochran hill, with Mickey and Ginny providing free hands-on instruction. They did not charge to use the 400-foot rope tow either. Everyone was welcome, even in the kitchen of the Cochran home, which served as a warming hut.

"It was a magical place," said Bob Cochran, one of Mickey and Ginny's four children. "Like a big party at your house every night."

The ski hill, moderately expanded in subsequent decades, continues to this day as a nonprofit organization and revered civic resource, a tribute to Mickey Cochran's humble 1960 dream.

But that is not the reason Cochran's Ski Area, with its one tiny roadside sign, is known throughout the racing world. It is not why the one-room Cochran lodge, built in 1984, is replete with pictures of international skiing stars who have made the trek to this out-of-the-way little ski area next to the Winooski River.

Mickey and Ginny Cochran's children—Marilyn, Barbara Ann, Bob and Lindy—all made the United States ski team and each raced in the Olympics. At the 1972 Games in Sapporo, Japan, Barbara Ann won a gold medal in slalom.

The Skiing Cochrans, as they became known in the 1970s, were an American sensation, feted at gala dinners and featured in national magazines, like a sporting version of the Osmonds.

But there's more: six of Mickey and Ginny Cochran's grandchildren have made the United States ski team in the last decade, including Ryan Cochran-Siegle, Barbara Ann's 20-year-old son, who won two events at the junior world championships last season. His cousin Robby Kelley, Lindy's son, is the reigning national giant slalom champion, extending the lineage of America's first family of ski racing into a sixth decade.

In 2005, four second-generation Cochrans were on the United States ski team, matching the four Cochrans on the team 43 years ago. And the ski area has helped produce

more than a dozen United States team members who are not related to the Cochrans, even if they are all embraced as Cochran racers.

"People have asked me if there's something in the water," Bob, 61, said with a laugh last month, sitting at a picnic table inside the unassuming Cochran lodge. "People think we have some secret. But there was no special criteria for coming here except one. My father said you had to have fun."

"And my mother made every kid who showed up here feel like a part of the family."

NO DISCUSSION OF OLYMPICS

Each of the original skiing Cochrans insisted that making the Olympics was never discussed by their father, who died in 1998 at age 74, or by their mother, who was 76 when she died in 2005.

"Even making the national team was never envisioned," said Lindy, now 59. "That was some mystical place and the farthest thing from my father's mind. He did, however, believe that you needed a lot of repetition to get good at something."

So what better way than to grab the rope tow just outside your bedroom window?

The usual Cochran winter day would have the children doing their homework after school, then awaiting their father, who had left teaching to take an engineering job at a General Electric plant in nearby Burlington.

"He would get home around 6 p.m. and we'd be waiting to get out there," said Bob, who became a physician after his amateur and professional ski racing career ended. "My mom would give my dad something to eat, and then he'd go fire up the old gas-powered engine that ran the rope tow."

Gates would be set on the hill, and if there were not enough gates, saplings cut from the adjacent woods would be used instead.

"It would hurt hitting those saplings," said Marilyn, 62. "But you couldn't get us off that hill. We'd be out there five nights a week, and the only way to get us to go to bed was to flip off the lights."

When Marilyn and Barbara Ann, who was 11 months younger, began winning regional and national-level races, their celebrity spread in the pastoral remote villages of northern New England, but they remained something of a curiosity at the extravagant Alps resorts that hosted the top international ski races. That was true even after they each won a medal at the 1970 world championships.

"I recall the Europeans saying: 'Who are these Cochrans? From where?'" Marilyn said. "But you know, they started thinking of us as kids to be reckoned with."

Their father was their coach and, they said, an innovator. Relying on his engineering background, he introduced scientific methods to racing tactics, turning a mountain descent into a conversation about vectors and ski path velocity. He taught his children to chart the number of gates in a racecourse and to memorize it using visualization techniques. He was also a master sports psychologist, an underappreciated part of coaching at the time.

"He was a teacher at heart, and he knew how to keep you focused on your performance and not the outcome," Bob said. "He was years ahead of his time."

If there is a shared trait from generation to generation of Cochran Olympians, it is the powerful benefit of basic homework, or time on the snow in ski racing parlance. The emphasis has always been on the value of dedicated, enthusiastic preparation, even in modest circumstances. The Cochran race train-

ing course is far from steep and only several hundred feet long. But Cochran racers for multiple decades have completed lap after lap, smiling as they go.

"There was never pressure on us," said Ryan Cochran-Siegle, who is now racing at the highest levels of the World Cup circuit, a path his cousins blazed before him. "I never felt any expectations. I wanted to do well, but winning was never the central goal. We were urged to just get better and better."

Marilyn, who became a World Cup giant slalom champion, recalled that her father always deflected questions about success, even as it became common to the household.

"Acknowledging medals and things like that seemed arrogant to him," she said recently, sitting with her sisters and brother. "Although I know he was proud of us."

Marilyn then explained that her parents could not afford to attend the 1972 Sapporo Olympics, where three of their children competed, but they stayed up late to watch the races from Japan. The living room scene, just feet from the backyard rope tow, was later recreated for her.

"My father cried twice in his life—when his mother died and when this one won the gold medal," Marilyn said, tapping the shoulder of Barbara Ann.

"I didn't know that," Barbara Ann said, turning with a look of surprise. "Now I'm going to cry."

Marilyn said, "Me, too."

MORE ROOM TO TEACH

The Cochran's Ski Area of today has moved about 150 yards from the original home, which has remained in the family. An adjacent 140-acre parcel of land, bought years ago for \$4,000, allows more room to teach beginners, which comes in handy with more than 700 students enrolled in after-school programs.

Hundreds of local youth and Vermont high school racers also train and compete on the main trail next to a busy T-bar.

"It's just an extension of when the local parent-teacher organization came to my mom and asked if she would teach the kids on our hill," said Barbara Ann, who heads the current instruction program. "Mom always said skiing was the best way to keep parents and their kids together in the backyard."

On a bluff overlooking a dirt and cinder parking lot, the Cochran lodge is festooned with dozens of numbered racing bibs from championship races. The oldest are from New England in the mid-1960s and the newest were proudly spirited home from top international competitions last winter.

The skis Barbara Ann used to win her gold medal hang from the ceiling, and photos celebrating the careers of nearly every Cochran are tacked to the walls, which takes up a lot of room given the breadth of the accomplishments. From Bob's 1973 win in the famed Hahnenkamm combined in Austria to Lindy's top American finish for a woman in the 1976 Olympic slalom and giant slalom, to N.C.A.A. championships by the grandchildren, the Mickey and Ginny Cochran racing pedigree is long and full. And all of it from a hill that is a miniature of a major ski resort.

Simplicity and unpretentiousness have remained hallmarks of the Cochran way. So has affordability. A junior weekend lift ticket is \$14. Children pay about \$40 for a season of after-school lessons \$90 with rentals.

"And we give scholarships if someone can't afford that," Lindy said. "If you really want to learn to ski, you won't be turned away."

The ski area may have registered as a non-profit organization only after Mickey's

death, but as Ginny told her children at the time, "It was always a nonprofit."

VIABILITY AND AVAILABILITY

The current ski area, with its gaggle of instructors, coaches and lift operators, is overseen by a board that has had to raise money for improvements like top-to-bottom snow-making. The bills are paid, the lodge picnic tables overflow in the winter with excited, red-cheeked children, and warm food is doled out of a tiny kitchen. But donations are continually sought to keep Cochran's Ski Area viable and available to the next generation.

On a stormy Friday four days before Christmas, rain pelted the tin roof of the Cochran lodge and gusts knocked out the electrical power. Man-made snow was on the slopes, but the downpour threatened the anticipated opening of the ski area the next day.

The four children of Mickey and Ginny Cochran, who live not far from Richmond, happily gathered inside the lodge nonetheless, reminiscing and finishing each other's sentences as if they were at the dining room table in 1960.

They discussed the Olympics and world championships like run-of-the-mill high school events. When shown black-and-white pictures of their Olympic media appearances, the Cochrans hardly seemed impressed; they were too busy teasing one another about their 1970s hairdos.

One by one, recollections from decades past were summoned with ease and spontaneity, and almost every story began with a Cochran turning and pointing at the ski trails beyond the lodge window and saying:

"We were on the hill. . . ."

The weather that day may have been cold and blustery. The Cochran memories are forever warm and genuine.

After a few hours, the siblings departed wondering when the ski area—a Vermont cultural landmark—might open for another winter.

"If it stops raining, we've still got a chance tomorrow," Lindy said.

The next day, the rain had ceased but the snow beneath the T-bar lift was too irregular for Cochran's to open as scheduled.

About 25 youngsters from the weekend race program showed up anyway. So did some coaches and the three Cochran sisters. Pulling into the muddy parking lot, they got out of their cars to gaze uphill at the swath of good snow that remained on the central trail.

A procession soon began hiking up the hill carrying skis. Gates were set in the snow. Racers skied down.

Smiling, they walked back up the hill. Over and over.

It snowed soon after. Three days later, Cochran's Ski Area officially opened for another winter.

RECOGNIZING THE CITY OF JENKINS, KENTUCKY

Mr. McCONNELL. Mr. President, I stand before you today to recognize and salute the city of Jenkins in Letcher County, KY, as they celebrate 100 years of rich State history.

Jenkins's roots reach back before its official incorporation. Four smaller communities combined to form the city of Jenkins when Consolidation Coal Company purchased 100,000 acres of coal lands in eastern Kentucky. Consolidation Coal's director, George C.

Jenkins, became the city's namesake in 1912 when it was officially founded. The communities that joined together, Dunham, Burdine, Jenkins, and McRoberts, helped build the new city, which grew quickly. On January 9, 1912, the Commonwealth of Kentucky recognized Jenkins as a city of the sixth class, and by April 20 of the same year, its government was established.

The people of Jenkins had an important role to play in the State—mining the “Cavalier” coal that earned the reputation as the best coal in Kentucky. The success and importance of their work further facilitated the expansion of the city, and within a few years a bank, grocery store, sawmill, brick plant, hospital, bakery, drug store, post office, jail, hotel, recreation center, and a few churches and schools all opened to serve the population of the area.

Today, citizens of Jenkins enjoy the incredible Appalachian heritage as much as the beautiful mountains and scenery that surround them. The picturesque surroundings of the southeastern Kentucky mountains, and the Pine Mountain area, are on display in Breaks Interstate Park, known as “The Grand Canyon of the South,” and in places like the Raven Rock Golf Course. Set in this environment is “Jenkins Homecoming Days” and the Zegeer Museum, which celebrates the history and culture of the town. These highlights speak to the hard work and dedication of the citizens of Jenkins in the past century, especially their pioneering work in the coal mining and railroad industries, which the Zegeer Museum details wonderfully.

At this time, I would like to ask my colleagues in the U.S. Senate to join me in honoring the city of Jenkins as we look back in appreciation on their storied past, and recognize the diligent work of the residents to keep up the traditions and build a bright future.

I also ask unanimous consent that an article from the Mountain Eagle noting Jenkins's rich history be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Mountain Eagle, June 13, 2012]

100 YEARS OF MINING HISTORY DISPLAYED AT
JENKINS MUSEUM
(By Marcie Crim)

With the City of Jenkins celebrating its centennial this year, there is much to learn about the town's history, and the David A. Zegeer Coal-Railroad Museum is a good place to begin.

In the fall of 1911, Consolidation Coal Company purchased 100,000 acres of coal lands in Pike, Letcher, and Floyd counties from the Northern Coal and Coke Company. A site was selected for a town to be named in honor of George C. Jenkins, one of the leading citizens of Baltimore and a director of Consolidation Coal. By the time Jenkins was incorporated in 1912—containing the communities of Dunham, Burdine, Jenkins, and

McRoberts—construction of the town was booming.

Consolidation Coal built Elkhorn Lake to supply water to run the turbines in a power plant. The company constructed several businesses to serve the new residents of Jenkins—a bank, grocery store, sawmill, brick plant and a hospital that was built in 1915. Also built were a bakery, drug store, post office, jail, hotel, recreation center, churches and schools.

Jenkins was a town built to serve one purpose—to mine the “Cavalier” coal that was to become known as the best coal in Kentucky—and its history is on display at the Zegeer Museum located on Main Street in the old train depot.

The museum is named in honor of a former employee of Consolidation Coal and its successor in Jenkins, Beth-Elkhorn Coal Corp. Zegeer joined Consol in Jenkins in the late 1940s. When the company sold its Letcher County operations to Bethlehem Steel in 1956, Zegeer became division superintendent. He retired as manager of Beth-Elkhorn in 1977.

In 1983, Zegeer was confirmed as Assistant Secretary of Labor for the U.S. Department of Mine Safety and Health Administration (MSHA) in 1983, until retiring in 1987. According to Lois Greer, the current curator of the museum, Zegeer was “a company man, but he really cared about the people in this community.”

Zegeer also became interested in the history of Jenkins, and in conjunction with another resident of Jenkins—Marshall Prunty, president of Roberts and Schaeffer Co.—compiled a videotape of the history of Jenkins based on 145 photographs taken during the years of 1911 through the early 1930s and various publications and interviews with some of the oldest living residents. The documentary, entitled “Birth of a Mining Town, Jenkins, Ky.,” is available for purchase at the museum.

Many pieces of Jenkins history can be found at the museum, from photos of the town's construction to various examples of mining equipment—everything from hard hats to breathing devices, dinner buckets, head lamps and more. Also on display is the sword of “Bad” John Wright, also known as “Devil John,” an infamous former resident of Letcher County. Many of the exhibits in the museum are on loan from current and former residents of Jenkins.

Lois Greer is a friendly woman who has called Jenkins home for many years. She loves to talk about the history of the town and tell stories of the people and buildings that once called Jenkins home. She's more than happy to walk visitors through the various rooms at the museum, pointing out photographs that show coal camp houses, community centers that no longer exist, and grand buildings that were later taken by fire. She said attendance has been down at the museum lately, but she expects it will pick back up come August when the celebration begins in earnest.

As Jenkins prepares to celebrate its 100th birthday, the museum is the perfect place to dive in and begin exploring the history of coal mining in Letcher County. You can leave with DVDs to watch at home, folk art made from lumps of shiny black coal, and postcards showing photos of the town's construction and subsequent boom years. You'll also walk out with enough knowledge to make you want to start Googling the history of Jenkins to find out more.

Jenkins is a proud town with a singular story to tell—a story of building a town from

scratch, digging it out of the earth to be settled solely for the purpose of mining coal.

To contact the museum, phone 606-832-4676.

TRIBUTE TO TONY WHITAKER

Mr. McCONNELL. Mr. President, it is my honor to stand before you today to recognize an esteemed Kentuckian, Mr. Tony Whitaker, on the occasion of his recent retirement from the position of CEO of First Federal Bancorp this past December. I speak for the communities that Mr. Whitaker has served and worked in during his career when I say that his desire to help others, work diligently and contribute to the lives of those around him are certainly deserving of our respect and honor.

Tony has worked as a banker in Richmond, Louisville, and most recently in Hazard, KY, where he held the position of chief executive officer of First Federal Bancorp. According to Mr. Whitaker, his best years of the four decades spent in banking were spent at First Federal, something that the people of Hazard would no doubt confirm. His move to Louisville is motivated by a desire to be near family, but his assurance that he will miss calling Hazard “home” is represented by his fond memory of the welcoming community he found upon his arrival in the 1990s.

Tony has been an indispensable presence both in Hazard and at First Federal, and his strong leadership has prepared the bank to thrive, allowing those he has invested in to continue his legacy. He will continue to stay involved by serving as the chairman of Kentucky First Federal Bancorp. He genuinely wants to positively impact others, offering to be just a phone call away to anyone who needs his help.

At this time, I would like to ask my fellow Senators to join me in honoring Mr. Tony Whitaker. This well-known and well-respected man is a model citizen, and represents the best of the Commonwealth of Kentucky. We are grateful for his input and impact on his community, and I ask unanimous consent that a newspaper article highlighting his achievements be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Hazard Herald, December 20, 2012]
WHITAKER STEPPING DOWN AS FIRST FEDERAL
CEO

(By Cris Ritchie)

HAZARD.—In less than two weeks, Tony Whitaker will step down as CEO of First Federal Bancorp, the parent company of First Federal Savings & Loan of Hazard, and during a reception on Thursday he expressed his admiration and appreciation to the city of Hazard, where he has made his home for the past 15 years.

Whitaker, who also served several years as president of the local chamber of commerce, will remain chairman of the company's board of directors. Don Jennings, the current CEO of the company's Frankfort location,

will take on Whitaker's role as chief executive officer, while Lou Ella Farler will become CEO of the Hazard First Federal bank, a job for which she has been transitioning for the past few months.

First Federal in Hazard hosted a reception for Whitaker in the bank's lobby on Thursday, during which he noted that the best of his four decades of experience in the banking business were spent in Perry County.

"My best years have been with this bank here in Hazard, and living in this town the last 15 years or so," Whitaker said.

Whitaker plans to move to Louisville to be close to his daughter and grandchildren, but will remain active with the company as board chairman. The transition once he steps down in Hazard will be seamless, he added, and for the customer there shouldn't be any difference as the bank will continue to offer the same service and products. And he expects the bank to continue to thrive with Farler serving as its CEO.

"Through the year I've transitioned, and Lou Ella pretty much got hands on and made most of the decisions," he said.

He added that were his family not living in Louisville he'd likely remain in Hazard, and he expressed his appreciation to the people here for welcoming him into the community when he arrived in the 1990s.

"I appreciate the good town I've had the opportunity to live in, the boards that I've had and the people I've been able to work with," he said, "and most of all our customers."

Whitaker will step down as CEO on December 31.

GUN VIOLENCE

Mr. DURBIN. Mr. President, I rise to speak about the problem of gun violence in America. Every day we lose over 30 men, women and children in violent shooting deaths. More than 11,000 Americans are murdered with guns each year. That is more deaths each year than all the American lives lost in the 9/11 attacks . . . and the Iraq war and the Afghanistan war combined. Every day provides some grim reminder of the toll of gun violence in our nation. And today marks yet another sad anniversary.

Five years ago today, on February 14, 2008, a gunman entered a lecture hall on the campus of Northern Illinois University in DeKalb. The gunman opened fire on the students gathered in the hall, taking the lives of five students and wounding 17 others. The five Illinoisans we lost that day were: Gayle Dubowski, 20 years old, from Carol Stream, who sang in her church choir and enjoyed working as a camp counselor; Catalina Garcia, of Cicero, age 20, who had a glowing smile and who hoped to be a teacher someday; Juliana Gehant, of Mendota, age 32, a veteran of the United States Army and Army Reserve who also dreamed of becoming a teacher; Ryanne Mace, of Carpentersville, only 19 years old, who aspired to work as a counselor so she could help others; and Daniel Parmenter, 20 years old, from Westchester, a rugby player and a gentle giant who died trying to shield his girlfriend from the shooter.

This day was devastating for the families of the victims, for the NIU community, and for our nation. We were heartbroken by the senseless murders of these young Americans who had hopes and dreams and bright futures. The Northern Illinois University community came together in response to the tragedy. They held each other close, and continued to move "forward, together forward" in the words of the Huskie fight song. But no family and no community should have to suffer like this. And those who were scarred by the shooting but survived will never forget that day and never fully heal from it.

There are things that we can do to move forward together on this issue of gun violence. Just the other day I received an email from Patrick Korellis, of Gurnee, IL, who was in the NIU lecture hall on that day 5 years ago. He was shot in the head but survived. Patrick wrote me because he believes Congress needs to act to prevent and reduce gun violence. He wrote in support of the proposals that the President has put forward and that we will soon consider in the Senate Judiciary Committee. These proposals will not stop every shooting in America. But they will stop many of them. And lives will be saved if we can move forward and put them into effect.

We know what we need to do. Earlier this week I chaired a hearing in the Subcommittee on the Constitution, Civil Rights and Human Rights to discuss ways we can protect our communities from gun violence while respecting the Second Amendment. We discussed a number of common sense proposals. First, we need to have a system of universal background checks for all gun sales. This idea is a no-brainer. Universal background checks will ensure that those who are prohibited by law from buying a gun, like felons, fugitives, and the mentally ill, cannot get one from a private seller at a gun show or over the Internet. Universal background checks are not controversial. In fact, the idea is supported by 74 percent of the members of the NRA, according to a poll conducted last year by Republican pollster Frank Luntz.

We should also stop the flood of new military-style assault weapons onto our streets. When you talk to hunters, they tell you that these kinds of weapons are not needed for hunting. And these weapons are not designed for self-defense. These are weapons of aggression, designed to spray a large number of bullets in a short time with minimal reloading. And they were used to commit mass slaughter in places like Newtown and Aurora. Our children and our first responders should not have to face these weapons of aggression. Surely we can agree on reasonable limits for military-style assault weapons.

We should also limit the capacity of ammunition magazines—to a level that

allows for reasonable self-defense but that reduces the scope of carnage that a mass shooter can cause. This would have saved lives in Tucson and in other mass shootings.

We should crack down on the straw purchasers who buy guns and then give them to criminals and other prohibited purchasers. Straw purchasing fuels the criminal gun market, and it costs lives. But right now federal law only allows straw purchasers to be charged with a paperwork violation for lying on the gun sale form. At the hearing I chaired earlier this week, we learned from U.S. Attorney Timothy Heaphy of the Western District of Virginia that these "paperwork prosecutions" are difficult to prove and usually carry only minor penalties. That is not good enough. We need to create a strong deterrent to these unlawful straw purchases so we can stop this supply chain of guns to criminals.

At the hearing I chaired, we also heard powerful testimony from Sandra Wortham of the South Side of Chicago. Sandra's brother, Officer Thomas Wortham the Fourth, was shot and killed by gang members on May 19, 2010, in front of his parents' home. Thomas was a Chicago Police Officer, a community leader and a combat veteran who had served two tours in Iraq. Some say that the answer to gun violence in America is simply to arm more good guys with guns so they can shoot back. But both Thomas Wortham and his father, a retired Chicago police officer, were armed that night, and they shot back at the men who pulled a gun on Thomas. Even so, those men killed Thomas Wortham with a straw-purchased handgun.

These were men who were not allowed to legally buy a handgun, but they got one all too easily on the streets—a gun that was straw purchased in Mississippi and trafficked up to Chicago. As Sandra Wortham said so eloquently in her testimony, "the fact that my brother and father were armed that night did not prevent my brother from being killed. We need to do more to keep guns out of the wrong hands in the first place. I don't think that makes us anti-gun, I think it makes us pro-decent, law abiding people."

I agree with Sandra. We can take steps, consistent with our Constitution and the Second Amendment, to limit access to dangerous weapons and keep them out of the hands of those prohibited from using them.

I believe the Wortham family deserves a vote here in the United States Senate. They deserve a vote on common sense reforms that would keep guns out of the wrong hands. We owe that to them, and I look forward to that vote.

Whether it strikes in a college lecture hall in DeKalb or on the sidewalks of the South Side of Chicago, gun violence is a tragedy. Today we mourn the

loss of those taken from us at NIU 5 years ago. And we mourn Thomas Wortham and the tens of thousands of other Americans we have lost in violent shootings since that day. But the time is coming soon when we will be able to vote on measures to save families from the suffering that the Worthams and so many others have experienced. And I hope the Senate will make those families proud.

THE TIME IS NOW

Mr. LEVIN. Mr. President, as President Obama reminded us in his State of the Union Address this week, 2 months have passed since the heartbreaking school shooting in Newtown, CT. Since then, we have mourned the loss of the 20 wonderful children and 6 extraordinary adults who were murdered that day. Their lives were taken by a mentally deranged individual who easily obtained a semi-automatic military-style assault rifle with a high capacity ammunition magazine.

It has been estimated that there are currently 18 million assault weapons in circulation around the United States. If no action is taken, this number will continue to grow. Across our Nation, any dangerous individual can walk into a gun show and walk out with the same type of weapon that the perpetrator in Newtown used to murder so many innocent people. These weapons, along with high-capacity ammunition magazines, can easily escalate confrontation into murder, petty crime into tragedy, and a killing of one or two people into a massive slaughter.

The weight of evidence shows that since Congress allowed the Federal assault weapons ban to expire in 2004, the use of military style assault weapons in crime has surged around our Nation. For example, a 2010 study conducted by the Police Executive Research Forum found that since the ban lapsed, 37 percent of police agencies have reported increases in criminals' use of assault weapons. A separate Washington Post analysis revealed that the ban was associated with a 60 percent decline in the number of guns with high-capacity magazines recovered at Virginia crime scenes between 1998 and 2004. But since the ban expired in 2004, the number of guns recovered with high-capacity magazines has more than doubled. A Department of Justice study of several cities found that high-capacity magazines are used in 14 to 26 percent of gun crimes and in 31 to 41 percent of fatal police shootings in the cities analyzed.

It is long past time to take concrete action to support our law enforcement communities and to prevent more of these massacres. That is why I am a cosponsor of the Assault Weapons Ban of 2013. By preventing the future possession, manufacture, sale and importation of assault type weapons and high-capacity ammunition magazines,

this bill would stop the flood of these weapons of war into our communities. It would support law enforcement officers across our Nation, who should not be forced to confront lawbreakers armed with military weapons. And it would protect the rights of hunters by specifically naming thousands of firearms with legitimate sporting, sentimental or other value that would remain legal to possess.

Mr. President, we must face reality. We live in a nation trapped in an epidemic of gun violence. Where a day at the mall or a trip to the movies can become a nightmare. Where parents send their children to school and have to worry about whether they will come home.

Is this the Nation we want, or the Nation we want to leave to our children? We must not wait for the next madman to easily and legally purchase a military-style assault weapon and a high capacity magazine. I urge my colleagues to protect the American people by enacting measures to stem the tide of gun tragedies. It is long past time for this kind of violence to end.

TANF

Mr. HATCH. Mr. President, I ask unanimous consent to have printed in the RECORD the GAO opinion letter dated September 4, 2012, and the TANF Information Memorandum dated July 12, 2012.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. GOVERNMENT

ACCOUNTABILITY OFFICE,

Washington, DC, September 4, 2012.

Hon. ORRIN HATCH,
Ranking Member, Committee on Finance, U.S. Senate.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means, House of Representatives.

By letter of July 31, 2012, you asked whether an Information Memorandum issued by the Department of Health and Human Services (HHS) on July 12, 2012 concerning the Temporary Assistance for Needy Families (TANF) program constitutes a rule for the purposes of the Congressional Review Act (CRA). The CRA is intended to keep Congress informed of the rulemaking activities of federal agencies and provides that before a rule can take effect, the agency must submit the rule to each House of Congress and the Comptroller General. For the reasons discussed below, we conclude that the July 12, 2012 Information Memorandum is a rule under the CRA. Therefore, it must be submitted to Congress and the Comptroller General before taking effect.

BACKGROUND

The Temporary Assistance for Needy Families block grant, administered by the U.S. Department of Health and Human Services, provides federal funding to states for both traditional welfare cash assistance as well as a variety of other benefits and services to meet the needs of low-income families and children. While states have some flexibility in implementing and administering their

state TANF programs, there are numerous federal requirements and guidelines that states must meet. For example, under section 402 of the Social Security Act, in order to be eligible to receive TANF funds, a state must submit to HHS a written plan outlining, among other things, how it will implement various aspects of its TANF program. More specifically, under section 402(a)(1)(A)(iii) of the Social Security Act, the written plan must outline how the state will ensure that TANF recipients engage in work activities. Under section 407 of the Social Security Act, states must also ensure that a specified percentage of their TANF recipients engage in work activities as defined by federal law.

In its July 12 Information Memorandum, HHS notified states of HHS' willingness to exercise its waiver authority under section 1115 of the Social Security Act. Under section 1115, HHS has the authority to waive compliance with the requirements of section 402 in the case of experimental, pilot, or demonstration projects which the Secretary determines are likely to assist in promoting the objectives of TANF. In its Information Memorandum, HHS asserted that it has the authority to waive the requirement in section 402(a)(1)(A)(iii) and authorize states to "test approaches and methods other than those set forth in section 407," including definitions of work activities and the calculation of participation rates. HHS informed states that it would use this waiver authority to allow states to test various strategies, policies, and procedures designed to improve employment outcomes for needy families. The Information Memorandum sets forth requirements that must be met for a waiver request to be considered by HHS, including an evaluation plan, a set of performance measures that states will track to monitor ongoing performance and outcomes, and a budget including the costs of program evaluation. In addition, the Information Memorandum provides that states must seek public input on the proposal prior to approval by HHS.

ANALYSIS

The definition of "rule" in the CRA incorporates by reference the definition of "rule" in the Administrative Procedure Act (APA), with some exceptions. Therefore, our analysis of whether the July 12 Information Memorandum is a rule under the CRA involves determining whether it is rule under the APA and whether it falls within any of the exceptions contained in the CRA. The APA defines a rule as follows:

"[T]he whole or a part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or describing the organization, procedure, or practice requirements of an agency and includes the approval or prescription for the future of rates, wages, corporate or financial structures or reorganizations thereof, prices, facilities, appliances, services or allowances therefor or of valuations, costs, or accounting, or practices bearing on any of the foregoing[.]"

This definition of a rule has been said to include "nearly every statement an agency may make."

The CRA identifies 3 exceptions from its definition of a rule: (1) any rule of particular applicability; (2) any rule relating to agency management or personnel; or (3) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties. 5 U.S.C. 804(3).

The definition of a rule under the CRA is very broad. See B-287557, May 14, 2001 (Congress intended that the CRA should be broadly interpreted both as to type and scope of rules covered). The CRA borrows the definition of a rule from 5 U.S.C. § 551, as opposed to the more narrow definition of legislative rules requiring notice and comment contained in 5 U.S.C. § 553. As a result, agency pronouncements may be rules within the definition of 5 U.S.C. § 551, and the CRA, even if they are not subject to notice and comment rulemaking requirements under section 553. See B-316048, April 17, 2008 (the breadth of the term “rule” reaches agency pronouncements beyond those that require notice and comment rulemaking) and B-287557, cited above. In addition to the plain language of the CRA, the legislative history confirms that it is intended to include within its purview almost all rules that an agency issues and not only those rules that must be promulgated according to the notice and comment requirements in section 553 of the APA. In his floor statement during final consideration of the bill, Representative McIntosh, a principal sponsor of the legislation, emphasized this point:

“Although agency interpretive rules, general statements of policy, guideline documents, and agency policy and procedure manuals may not be subject to the notice and comment provisions of section 553(c) of title 5, United States Code, these types of documents are covered under the congressional review provisions of the new chapter 8 of title 5.

Under section 801(a), covered rules, with very few exceptions, may not go into effect until the relevant agency submits a copy of the rule and an accompanying report to both Houses of Congress. Interpretive rules, general statements of policy, and analogous agency policy guidelines are covered without qualification because they meet the definition of a ‘rule’ borrowed from section 551 of title 5, and are not excluded from the definition of a rule.”

On its face, the July 12 Information Memorandum falls within the definition of a rule under the APA definition incorporated into the CRA. First, consistent with our prior decisions, we look to the scope of the agency’s action to determine whether it is a general statement of policy or an interpretation of law of general applicability. That determination does not require a finding that it has general applicability to the population as a whole; instead, all that is required is that it has general applicability within its intended range. See B-287557, cited above (a record of decision affecting the issues of water flow in two rivers was a general statement of policy with general applicability within its intended range). Applying these principles, we have held that a letter released by the Centers for Medicare and Medicaid Services to state health officials concerning the State Children’s Health Insurance Program (SCHIP) was of general applicability because it extended to all states that sought to enroll children with family incomes exceeding 250 percent of the federal poverty level in their SCHIP programs, as well as all states that had already enrolled such children. Similarly, the July 12 Information Memorandum is of general, rather than particular, applicability because it extends to all states administering Temporary Assistance for Needy Families (TANF) programs that seek a waiver for a demonstration project.

Next we must determine whether the action is prospective in nature, that is, whether it is concerned with policy considerations

for the future and not with the evaluation of past conduct. In B-316048, we held that the SCHIP letter was intended to clarify and explain the manner in which CMS applies statutory and regulatory requirements to states that wanted to extend coverage under the SCHIP programs. Similarly, the July 12 Information Memorandum is concerned with authorizing demonstration projects in the future, rather than the evaluation of past or present demonstration projects. Specifically, the Information Memorandum informs states that HHS will use its statutory authority to consider waiver requests, and sets out requirements that waiver requests must meet. Accordingly, it is designed to implement, interpret, or prescribe law or policy.

In addition, the Information Memorandum does not fall within any of the three exclusions for a rule under the CRA. As discussed above, the Information Memorandum applies to all states that administer TANF programs, and therefore is of general applicability, rather than particular applicability. The Information Memorandum applies to the states, and does not relate to agency management or personnel. Finally, the Information Memorandum sets out the criteria by which states may apply for waivers from certain requirements of the TANF program. These criteria affect the obligations of the states, which are non-agency parties.

GAO has consistently emphasized the broad scope of the definition of “rule” in the CRA in determining the applicability of the CRA to an agency document. Other documents deemed to be rules include letters, records of decision, booklets, interim guidance, and memoranda. See, for example, B-316048, April 17, 2008 (a letter released by the Centers for Medicare & Medicaid Services of HHS concerning a State Children’s Health Insurance Program measure, to ensure that coverage under a state plan does not substitute for coverage under group health plans, described by the agency as a general statement of policy, was a rule) and B-287557, May 14, 2001 (a “record of decision” issued by the Fish and Wildlife Service of the Department of Interior in connection with a federal irrigation project was a rule).

Finally, the cases where we have found that an agency pronouncement was not a rule involved facts that are clearly distinguishable from the July 12 Information Memorandum.

We requested the views of the General Counsel of HHS on whether the July 12 Information Memorandum is a rule for purposes of the CRA by letter dated August 3, 2012. HHS responded on August 31, 2012, stating that the Information Memorandum was issued as a non-binding guidance document, and that HHS contends that guidance documents do not need to be submitted pursuant to the CRA. Furthermore, HHS notes that it informally notified Congress by providing notice to the Majority and Minority staff members of the House Ways and Means Committee and Senate Finance Committee on the day the Information Memorandum was issued.

We cannot agree with HHS’s conclusion that guidance documents are not rules for the purposes of the CRA and HHS cites no support for this position. The definition of “rule” is expansive and specifically includes documents that implement or interpret law or policy. This is exactly what the HHS Information Memorandum does. It interprets section 402(a) and section 1115 to permit waivers for a demonstration program HHS is initiating. We have held that agency guidance, including guidance characterized as

non-binding, constitutes a rule under the CRA. See B-281575, cited above. In addition, the legislative history of the CRA specifically includes guidance documents as an example of an agency pronouncement subject to the CRA. A joint statement for the record by Senators Nickles, Reid, and Stevens, submitted to the Congressional Record upon enactment of the CRA, details four categories of rules covered by the definition in section 551. These categories include formal rulemaking under sections 556 and 557, notice-and-comment rulemaking under section 553, statements of general policy and interpretations of general applicability under section 552, and “a body of materials that fall within the APA definition of a ‘rule’ . . . but that meet none of procedural specifications of the first three classes. These include guidance documents and the like.” Finally, while HHS may have informally notified the cited Congressional committees of the issuance of the Information Memorandum, informal notification does not meet the reporting requirements of the CRA.

CONCLUSION

We find that the July 12 Information Memorandum issued by HHS is a statement of general applicability and future effect, designed to implement, interpret, or prescribe law or policy with regard to TANF. Furthermore, it does not come within any of the exceptions to the definition of rule contained in the CRA. Accordingly, the Information Memorandum is a rule under the Congressional Review Act.

We note that this opinion is limited to the issue of whether the Information Memorandum is a rule under the CRA. We are not expressing an opinion on the applicability of any other legal requirements, including, but not limited to, notice and comment rulemaking requirements under the APA, or whether the Information Memorandum would be a valid exercise or interpretation of statutes or regulations.

Accordingly, given our conclusions above, and in accordance with the provisions of 5 U.S.C. 801(a)(1), the Information Memorandum is subject to the requirement that it be submitted to both Houses of Congress and the Comptroller General before it can take effect.

If you have any questions concerning this opinion, please contact Edda Emmanuelli Perez, Managing Associate General Counsel.

LYNN H. GIBSON,
General Counsel.

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES INFORMATION MEMORANDUM

U.S. Department of Health and Human Services, Administration for Children and Families, Office of Family Assistance, Washington, DC.

Transmittal No. TANF-ACF-IM-2012-03, July 12, 2012

To: States administering the Temporary Assistance for Needy Families (TANF) Program and other interested parties

Subject: Guidance concerning waiver and expenditure authority under Section 1115

Reference: Section 1115 of the Social Security Act. [42 U.S.C. 1315]; Section 402 of the Social Security Act. [42 U.S.C. 602]

Background: Section 1115 of the Social Security Act provides authority for the Secretary of the Department of Health and Human Services (HHS) to consider and approve experimental, pilot, or demonstration projects which, in the Secretary’s judgment, are likely to assist in promoting the objectives of Title IV-A. Section 1115 allows for

waiver of compliance with section 402 of the Social Security Act to the extent and for the period necessary to enable a state to carry out an approved project. The statute also provides authority for costs of such projects which would not otherwise be an allowable use of funds under Part A of Title IV to be regarded as an allowable use of funds, to the extent and for the period approved.

As specified in statute, the purpose of Part A is to increase the flexibility of states in operating a program designed to: (1) provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives; (2) end the dependence of needy parents on government benefits by promoting job preparation, work, and marriage; (3) prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies; and (4) encourage the formation and maintenance of two-parent families.

Purpose: HHS is encouraging states to consider new, more effective ways to meet the goals of TANF, particularly helping parents successfully prepare for, find, and retain employment. Therefore, HHS is issuing this information memorandum to notify states of the Secretary's willingness to exercise her waiver authority under section 1115 of the Social Security Act to allow states to test alternative and innovative strategies, policies, and procedures that are designed to improve employment outcomes for needy families.

States led the way on welfare reform in the 1990s—testing new approaches and learning what worked and what did not. The Secretary is interested in using her authority to approve waiver demonstrations to challenge states to engage in a new round of innovation that seeks to find more effective mechanisms for helping families succeed in employment. In providing for these demonstrations, HHS will hold states accountable by requiring both a federally-approved evaluation and interim performance targets that ensure an immediate focus on measurable outcomes. States must develop evaluation plans that are sufficient to evaluate the effect of the proposed approach in furthering a TANF purpose as well as interim targets the state commits to achieve. States that fail to meet interim outcome targets will be required to develop an improvement plan and can face termination of the waiver project.

The demonstration authority provided by section 1115 and sound evaluation of approved projects will provide valuable knowledge that will help lead to improvements in achieving the purposes of the TANF program.

Information: *Scope of Authority.* Section 1115 authorizes waivers concerning section 402. Accordingly, other provisions of the TANF statute are not waivable. For example, the purposes of TANF are not waivable, because they are contained in section 401. The prohibitions on assistance are not waivable, because they are contained in section 408.

While the TANF work participation requirements are contained in section 407, section 402(a)(1)(A)(iii) requires that the state plan "[e]nsure that parents and caretakers receiving assistance under the program engage in work activities in accordance with section 407." Thus, HHS has authority to waive compliance with this 402 requirement and authorize a state to test approaches and methods other than those set forth in section 407, including definitions of work activities and engagement, specified limitations,

verification procedures, and the calculation of participation rates. As described below, however, HHS will only consider approving waivers relating to the work participation requirements that make changes intended to lead to more effective means of meeting the work goals of TANF.

Moreover, HHS is committed to ensuring that any demonstration projects approved under this authority will be focused on improving employment outcomes and contributing to the evidence base for effective programs; therefore, terms and conditions will require a federally-approved evaluation plan designed to build our knowledge base. TANF funds may be used to fund an approved evaluation and state funds spent on an approved evaluation may be considered state maintenance-of-effort (MOE) expenditures. In addition, terms and conditions will require either interim targets for each performance measure or a strategy for establishing baseline performance on a set of performance measures and a framework for how interim goals will be set after the baseline measures are established. The terms and conditions will establish consequences for failing to meet interim performance targets including, but not limited to, the implementation of an improvement plan and, if the failure to meet performance targets continues, termination of the waivers and demonstration project.

HHS Priorities. In exercising her broad discretion for waivers, the Secretary is interested in approaches that seek to improve employment outcomes. Accordingly:

Waivers will be granted only for provisions related to section 402.

The purposes of TANF, the prohibitions contained in section 408 (including the time limits on assistance contained in that section), or any other provision of TANF other than those specified in section 402 will not be waived.

The Secretary will not approve a waiver for an initiative that appears substantially likely to reduce access to assistance or employment for needy families.

The Secretary will not use her authority to allow use of TANF funds to provide assistance to individuals or families subject to the TANF prohibitions on assistance.

The Secretary will not waive section 402(a)(5) relating to requirements to provide equitable access to Indians.

Waiver demonstration projects may be conducted in limited geographic areas or statewide. The Administration for Children and Families (ACF) is interested in more efficient or effective means to promote employment entry, retention, advancement, or access to jobs that offer opportunities for earnings and advancement that will allow participants to avoid dependence on government benefits. The following are examples of projects that states may want to consider—these are illustrative only:

Projects that improve coordination with other components of the workforce investment system, including programs operated under the Workforce Investment Act, or to test an innovative approach to use performance-based contracts and management in order to improve employment outcomes.

Projects that demonstrate attainment of superior employment outcomes if a state is held accountable for negotiated employment outcomes in lieu of participation rate requirements.

Projects under which a state would count individuals in TANF-subsidized jobs but no longer receiving TANF assistance toward participation rates for a specified period of time in conjunction with an evaluation of

the effectiveness of a subsidized jobs strategy.

Projects that improve collaboration with the workforce and/or post-secondary education systems to test multi-year career pathways models for TANF recipients that combine learning and work.

Projects that demonstrate strategies for more effectively serving individuals with disabilities, along with an alternative approach to measuring participation and outcomes for individuals with disabilities.

Projects that test the impact of a comprehensive universal engagement system in lieu of certain participation rate requirements.

Projects that test systematically extending the period in which vocational educational training or job search/readiness programs count toward participation rates, either generally or for particular subgroups, such as an extended training period for those pursuing a credential. The purpose of such a waiver would be to determine through evaluation whether a program that allows for longer periods in certain activities improves employment outcomes.

Note that this is not a comprehensive list, and HHS will consider other projects consistent with the statute and the guidance provided in this IM. HHS is especially interested in testing approaches that build on existing evidence on successful strategies for improving employment outcomes.

Waiver requests must include an evaluation plan. In order to provide the strongest evidence about the effectiveness of the demonstration, the preferred evaluation approach is a random assignment methodology, unless the Secretary determines that an alternative approach is more appropriate in light of the demonstration proposed. All evaluation plans and funds to support them must reflect an adequate level of effort and sound methods to produce credible findings. ACF anticipates actively engaging with states to ensure that evaluation plans are appropriate in light of the nature of the demonstration and that the evaluation findings can reasonably be expected to provide information that will enhance understanding of whether the initiative was successful in furthering HHS priorities. ACF staff members are available to work collaboratively with states to develop further or refine the evaluation plan.

Waiver requests must include a set of performance measures that states will track to monitor ongoing performance and outcomes throughout the length of the demonstration project, along with the evaluation. Waiver applications must specify interim targets for each performance measure, including a framework for how often the measures will be reported, or a strategy for establishing baseline performance on a set of performance measures and a framework for how interim goals will be set after the baseline measures are established. Performance measures must be designed to track improvement across the entire set of families targeted as well as appropriate subgroups. In developing the final terms and conditions for an approved waiver, ACF will work with the state to further refine the appropriate performance measures and interim targets as needed. All approved waivers will include a provision that requires timely reporting to HHS on the agreed upon performance measures and progress toward meeting established interim targets. States that fail to meet interim targets will be required to develop improvement plans. Repeated failure to meet performance benchmarks may lead to the termination of the waiver demonstration pilot.

The request must specify the proposed length of time for the demonstration project. The final terms and conditions will specify the approved length of the project. Absent special circumstances, the length of an approved project will not exceed five years.

A state will need to develop and submit a budget that includes the costs of program evaluation. TANF and state MOE funds can be used for the costs of evaluation, including third party contributions counting toward meeting a state's MOE requirement.

HHS recognizes the importance of public input into the process of developing and implementing a waiver demonstration project. Therefore, the state must provide the public with a meaningful opportunity to provide input into the decision-making process prior to the time a proposal is approved by HHS. Further guidance concerning this requirement will be forthcoming.

Waivers are subject to HHS and Office of Management and Budget (OMB) approval and terms and conditions may include additional requirements, such as site visits, before implementation.

Terms and conditions will require periodic reporting on how the implementation and operation of the demonstration is progressing, including reporting on the performance measures, in addition to evaluation reports. To support learning and knowledge development, ACF staff may conduct on-site visits to observe demonstration operations and meet with relevant managers and staff.

Inquiries: Inquiries and applications for projects involving waiver requests should be directed to the appropriate Regional TANF Program Manager.

EARL S. JOHNSON,

Director, Office of Family Assistance.

JULY 12, 2012.

DEAR STATE HUMAN SERVICE OFFICIAL: Today, the Administration for Children and Families' Office of Family Assistance issued an Information Memorandum that informs states that the Department of Health and Human Services will use its statutory authority to consider waiver requests that strengthen the Temporary Assistance for Needy Families (TANF) program. This Information Memorandum reflects the Department's commitment to provide states, tribes, and territories with more flexibility to innovate in the TANF program with the goal of helping more families find jobs and move toward self-sufficiency.

On February 28, 2011, President Obama issued a Presidential Memorandum that directed federal agencies "to work closely with state, local, and tribal governments to identify administrative, regulatory, and legislative barriers in Federally funded programs that currently prevent states, localities, and tribes, from efficiently using tax dollars to achieve the best results for their constituents."

The Administration for Children and Families took this charge seriously and held a series of consultation meetings with states, tribes, and territories on a variety of topics including TANF. During those consultations, many jurisdictions expressed a strong interest in greater flexibility in TANF and indicated that greater flexibility could be used by states to improve program effectiveness. We also heard concerns that some TANF rules stifle innovation and focus attention on paperwork rather than helping parents find jobs. States offered a range of suggestions for ways in which expanded flexibility could lead to more effective employment outcomes for families. Two states—Utah and

Nevada—submitted written comments that specifically identified waivers as one mechanism for testing new approaches to promoting employment and self-sufficiency, and a number of others states—including California, Connecticut, and Minnesota—have asked about the potential for waivers.

As described in more detail in the Information Memorandum, the Social Security Act provides the Secretary of the Department of Health and Human Services with the authority to grant states waivers of certain TANF provisions for the purpose of testing new approaches to meeting the goals of the TANF statute. The Secretary is interested in using her authority to allow states to test alternative and innovative strategies, policies, and procedures that are designed to improve employment outcomes for needy families. The statute does not permit tribes to receive waivers under Section 1115, however we are committed to using the underlying flexibility in federal law to help tribes innovate in their programs.

TANF Waiver demonstration projects under Section 1115 must be accompanied by a high quality evaluation plan, which is critical to ensuring that the pilots result in rigorous evidence about what works and what doesn't in order to inform future decisions made by policymakers at the federal, state, tribal, territorial, and local levels. In addition, states that apply for a waiver must identify interim performance targets that will be used to hold states accountable for improving outcomes for families. We will work with states interested in developing waiver demonstration projects to design these performance measures and targets.

The Information Memorandum outlines the types of waivers that will and will not be considered. The Secretary is only interested in approving waivers if the state can explain in a compelling fashion why the proposed approach may be a more efficient or effective means to promote employment entry, retention, advancement, or access to jobs that offer opportunities for earnings and advancement that will allow participants to avoid dependence on government benefits.

States have shown their ability to innovate in ways that help parents find jobs. In 2009 and 2010, 42 states used the TANF Emergency Fund authorized under the American Recovery and Reinvestment Act to create 260,000 subsidized jobs for jobless parents and disadvantaged youth. Over a short period of time, states exhibited enormous creativity as they developed new subsidized employment initiatives that responded to an urgent need for jobs in communities across the country.

It is critical that we work together to develop effective employment strategies that prepare workers for the jobs of the 21st century. We stand ready to work with states interested in developing innovative demonstration projects that test new approaches to helping parents succeed in the labor market.

Sincerely,

GEORGE SHELDON,
Acting Assistant Secretary.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

RULES OF PROCEDURE

Mrs. BOXER. Mr. President, the Committee on Environment and Public Works has adopted rules governing its procedures for the 113th Congress. Pur-

suant to Rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent that a copy of the Committee rules be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS Jurisdiction

Rule XXV, Standing Rules of the Senate

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions:

* * * * *

(h)(1) Committee on Environment and Public Works, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Air pollution.
 2. Construction and maintenance of highways.
 3. Environmental aspects of Outer Continental Shelf lands.
 4. Environmental effects of toxic substances, other than pesticides.
 5. Environmental policy.
 6. Environmental research and development.
 7. Fisheries and wildlife.
 8. Flood control and improvements of rivers and harbors, including environmental aspects of deepwater ports.
 9. Noise pollution.
 10. Nonmilitary environmental regulation and control of nuclear energy.
 11. Ocean dumping.
 12. Public buildings and improved grounds of the United States generally, including Federal buildings in the District of Columbia.
 13. Public works, bridges, and dams.
 14. Regional economic development.
 15. Solid waste disposal and recycling.
 16. Water pollution.
 17. Water resources.
- (2) Such committee shall also study and review, on a comprehensive basis, matters relating to environmental protection and resource utilization and conservation, and report thereon from time to time.

RULES OF PROCEDURE

RULE 1. COMMITTEE MEETINGS IN GENERAL

(a) REGULAR MEETING DAYS: For purposes of complying with paragraph 3 of Senate Rule XXVI, the regular meeting day of the committee is the first and third Thursday of each month at 10:00 a.m. If there is no business before the committee, the regular meeting shall be omitted.

(b) ADDITIONAL MEETINGS: The chair may call additional meetings, after consulting with the ranking minority member. Subcommittee chairs may call meetings, with the concurrence of the chair, after consulting with the ranking minority members of the subcommittee and the committee.

(c) PRESIDING OFFICER:

(1) The chair shall preside at all meetings of the committee. If the chair is not present, the ranking majority member shall preside.

(2) Subcommittee chairs shall preside at all meetings of their subcommittees. If the subcommittee chair is not present, the ranking majority member of the subcommittee shall preside.

(3) Notwithstanding the rule prescribed by paragraphs (1) and (2), any member of the committee may preside at a hearing.

(d) **OPEN MEETINGS:** Meetings of the committee and subcommittees, including hearings and business meetings, are open to the public. A portion of a meeting may be closed to the public if the committee determines by roll call vote of a majority of the members present that the matters to be discussed or the testimony to be taken—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) relate solely to matters of committee staff personnel or internal staff management or procedure; or

(3) constitute any other grounds for closure under paragraph 5(b) of Senate Rule XXVI.

(e) **BROADCASTING:**

(1) Public meetings of the committee or a subcommittee may be televised, broadcast, or recorded by a member of the Senate press gallery or an employee of the Senate.

(2) Any member of the Senate Press Gallery or employee of the Senate wishing to televise, broadcast, or record a committee meeting must notify the staff director or the staff director's designee by 5:00 p.m. the day before the meeting.

(3) During public meetings, any person using a camera, microphone, or other electronic equipment may not position or use the equipment in a way that interferes with the seating, vision, or hearing of committee members or staff on the dais, or with the orderly process of the meeting.

RULE 2. QUORUMS

(a) **BUSINESS MEETINGS:** At committee business meetings, and for the purpose of approving the issuance of a subpoena or approving a committee resolution, one third of the members of the committee, at least two of whom are members of the minority party, constitute a quorum, except as provided in subsection (d).

(b) **SUBCOMMITTEE MEETINGS:** At subcommittee business meetings, a majority of the subcommittee members, at least one of whom is a member of the minority party, constitutes a quorum for conducting business.

(c) **CONTINUING QUORUM:** Once a quorum as prescribed in subsections (a) and (b) has been established, the committee or subcommittee may continue to conduct business.

(d) **REPORTING:** No measure or matter may be reported to the Senate by the committee unless a majority of committee members cast votes in person.

(e) **HEARINGS:** One member constitutes a quorum for conducting a hearing.

RULE 3. HEARINGS

(a) **ANNOUNCEMENTS:** Before the committee or a subcommittee holds a hearing, the chair of the committee or subcommittee shall make a public announcement and provide notice to members of the date, place, time, and subject matter of the hearing. The announcement and notice shall be issued at least one week in advance of the hearing, unless the chair of the committee or subcommittee, with the concurrence of the ranking minority member of the committee or subcommittee, determines that there is good cause to provide a shorter period, in which event the announcement and notice shall be issued at least twenty-four hours in advance of the hearing.

(b) **STATEMENTS OF WITNESSES:**

(1) A witness who is scheduled to testify at a hearing of the committee or a sub-

committee shall file 100 copies of the written testimony at least 48 hours before the hearing. If a witness fails to comply with this requirement, the presiding officer may preclude the witness' testimony. This rule may be waived for field hearings, except for witnesses from the Federal Government.

(2) Any witness planning to use at a hearing any exhibit such as a chart, graph, diagram, photo, map, slide, or model must submit one identical copy of the exhibit (or representation of the exhibit in the case of a model) and 100 copies reduced to letter or legal paper size at least 48 hours before the hearing. Any exhibit described above that is not provided to the committee at least 48 hours prior to the hearing cannot be used for purpose of presenting testimony to the committee and will not be included in the hearing record.

(3) The presiding officer at a hearing may have a witness confine the oral presentation to a summary of the written testimony.

(4) Notwithstanding a request that a document be embargoed, any document that is to be discussed at a hearing, including, but not limited to, those produced by the General Accounting Office, Congressional Budget Office, Congressional Research Service, a Federal agency, an Inspector General, or a non-governmental entity, shall be provided to all members of the committee at least 72 hours before the hearing.

RULE 4. BUSINESS MEETINGS: NOTICE AND FILING REQUIREMENTS

(a) **NOTICE:** The chair of the committee or the subcommittee shall provide notice, the agenda of business to be discussed, and the text of agenda items to members of the committee or subcommittee at least 72 hours before a business meeting. If the 72 hours falls over a weekend, all materials will be provided by close of business on Friday.

(b) **AMENDMENTS:** First-degree amendments must be filed with the chair of the committee or the subcommittee at least 24 hours before a business meeting. After the filing deadline, the chair shall promptly distribute all filed amendments to the members of the committee or subcommittee.

(c) **MODIFICATIONS:** The chair of the committee or the subcommittee may modify the notice and filing requirements to meet special circumstances, with the concurrence of the ranking member of the committee or subcommittee.

RULE 5. BUSINESS MEETINGS: VOTING

(a) **PROXY VOTING:**

(1) Proxy voting is allowed on all measures, amendments, resolutions, or other matters before the committee or a subcommittee.

(2) A member who is unable to attend a business meeting may submit a proxy vote on any matter, in writing, orally, or through personal instructions.

(3) A proxy given in writing is valid until revoked. A proxy given orally or by personal instructions is valid only on the day given.

(b) **SUBSEQUENT VOTING:** Members who were not present at a business meeting and were unable to cast their votes by proxy may record their votes later, so long as they do so that same business day and their vote does not change the outcome.

(c) **PUBLIC ANNOUNCEMENT:**

(1) Whenever the committee conducts a rollcall vote, the chair shall announce the results of the vote, including a tabulation of the votes cast in favor and the votes cast against the proposition by each member of the committee.

(2) Whenever the committee reports any measure or matter by rollcall vote, the re-

port shall include a tabulation of the votes cast in favor of and the votes cast in opposition to the measure or matter by each member of the committee.

RULE 6. SUBCOMMITTEES

(a) **REGULARLY ESTABLISHED SUBCOMMITTEES:** The committee has six subcommittees: Transportation and Infrastructure; Clean Air and Nuclear Safety; Superfund, Toxics and Environmental Health; Water and Wildlife; Green Jobs and the New Economy; and Oversight.

(b) **MEMBERSHIP:** The committee chair, after consulting with the ranking minority member, shall select members of the subcommittees.

RULE 7. STATUTORY RESPONSIBILITIES AND OTHER MATTERS

(a) **ENVIRONMENTAL IMPACT STATEMENTS:** No project or legislation proposed by any executive branch agency may be approved or otherwise acted upon unless the committee has received a final environmental impact statement relative to it, in accordance with section 102(2)(C) of the National Environmental Policy Act, and the written comments of the Administrator of the Environmental Protection Agency, in accordance with section 309 of the Clean Air Act. This rule is not intended to broaden, narrow, or otherwise modify the class of projects or legislative proposals for which environmental impact statements are required under section 102(2)(C).

(b) **PROJECT APPROVALS:**

(1) Whenever the committee authorizes a project under Public Law 89-298, the Rivers and Harbors Act of 1965; Public Law 83-566, the Watershed Protection and Flood Prevention Act; or Public Law 86-249, the Public Buildings Act of 1959, as amended; the chairman shall submit for printing in the CONGRESSIONAL RECORD, and the committee shall publish periodically as a committee print, a report that describes the project and the reasons for its approval, together with any dissenting or individual views.

(2) Proponents of a committee resolution shall submit appropriate evidence in favor of the resolution.

(c) **BUILDING PROSPECTUSES:**

(1) When the General Services Administration submits a prospectus, pursuant to section 7(a) of the Public Buildings Act of 1959, as amended, for construction (including construction of buildings for lease by the government), alteration and repair, or acquisition, the committee shall act with respect to the prospectus during the same session in which the prospectus is submitted.

A prospectus rejected by majority vote of the committee or not reported to the Senate during the session in which it was submitted shall be returned to the General Services Administration and must then be resubmitted in order to be considered by the committee during the next session of the Congress.

(2) A report of a building project survey submitted by the General Services Administration to the committee under section 11(b) of the Public Buildings Act of 1959, as amended, may not be considered by the committee as being a prospectus subject to approval by committee resolution in accordance with section 7(a) of that Act. A project described in the report may be considered for committee action only if it is submitted as a prospectus in accordance with section 7(a) and is subject to the provisions of paragraph (1) of this rule.

(d) **NAMING PUBLIC FACILITIES:** The committee may not name a building, structure or facility for any living person, except

former Presidents or former Vice Presidents of the United States, former Members of Congress over 70 years of age, former Justices of the United States Supreme Court over 70 years of age, or Federal judges who are fully retired and over 75 years of age or have taken senior status and are over 75 years of age.

RULE 8. AMENDING THE RULES

The rules may be added to, modified, amended, or suspended by vote of a majority of committee members at a business meeting if a quorum is present.

COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY RULES OF PROCEDURE

Ms. STABENOW. Mr. President, the Committee on Agriculture, Nutrition and Forestry has adopted rules governing its procedures for the 113th Congress. Pursuant to Rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator COCHRAN, I ask unanimous consent that a copy of the Committee rules be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF THE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY, 113TH CONGRESS

RULE I—MEETINGS

1.1 Regular Meetings.—Regular meetings shall be held on the first and third Wednesday of each month when Congress is in session.

1.2 Additional Meetings.—The Chairman, in consultation with the ranking minority member, may call such additional meetings as he deems necessary.

1.3 Notification.—In the case of any meeting of the committee, other than a regularly scheduled meeting, the clerk of the committee shall notify every member of the committee of the time and place of the meeting and shall give reasonable notice which, except in extraordinary circumstances, shall be at least 24 hours in advance of any meeting held in Washington, DC, and at least 48 hours in the case of any meeting held outside Washington, DC.

1.4 Called Meeting.—If three members of the committee have made a request in writing to the Chairman to call a meeting of the committee, and the Chairman fails to call such a meeting within 7 calendar days thereafter, including the day on which the written notice is submitted, a majority of the members may call a meeting by filing a written notice with the clerk of the committee who shall promptly notify each member of the committee in writing of the date and time of the meeting.

1.5 Adjournment of Meetings.—The Chairman of the committee or a subcommittee shall be empowered to adjourn any meeting of the committee or a subcommittee if a quorum is not present within 15 minutes of the time scheduled for such meeting.

RULE 2—MEETINGS AND HEARINGS IN GENERAL

2.1 Open Sessions.—Business meetings and hearings held by the committee or any subcommittee shall be open to the public except as otherwise provided for in Senate Rule XXVI, paragraph 5.

2.2 Transcripts.—A transcript shall be kept of each business meeting and hearing of the

committee or any subcommittee unless a majority of the committee or the subcommittee agrees that some other form of permanent record is preferable.

2.3 Reports.—An appropriate opportunity shall be given the Minority to examine the proposed text of committee reports prior to their filing or publication. In the event there are supplemental, minority, or additional views, an appropriate opportunity shall be given the Majority to examine the proposed text prior to filing or publication.

2.4 Attendance.—(a) Meetings. Official attendance of all markups and executive sessions of the committee shall be kept by the committee clerk. Official attendance of all subcommittee markups and executive sessions shall be kept by the subcommittee clerk.

(b) Hearings. Official attendance of all hearings shall be kept, provided that, Senators are notified by the committee Chairman and ranking minority member, in the case of committee hearings, and by the subcommittee Chairman and ranking minority member, in the case of subcommittee hearings, 48 hours in advance of the hearing that attendance will be taken. Otherwise, no attendance will be taken. Attendance at all hearings is encouraged.

RULE 3—HEARING PROCEDURES

3.1 Notice.—Public notice shall be given of the date, place, and subject matter of any hearing to be held by the committee or any subcommittee at least 1 week in advance of such hearing unless the Chairman of the full committee or the subcommittee determines that the hearing is noncontroversial or that special circumstances require expedited procedures and a majority of the committee or the subcommittee involved concurs. In no case shall a hearing be conducted with less than 24 hours notice.

3.2 Witness Statements.—Each witness who is to appear before the committee or any subcommittee shall file with the committee or subcommittee, at least 24 hours in advance of the hearing, a written statement of his or her testimony and as many copies as the Chairman of the committee or subcommittee prescribes.

3.3 Minority Witnesses.—In any hearing conducted by the committee, or any subcommittee thereof, the minority members of the committee or subcommittee shall be entitled, upon request to the Chairman by the ranking minority member of the committee or subcommittee to call witnesses of their selection during at least 1 day of such hearing pertaining to the matter or matters heard by the committee or subcommittee.

3.4 Swearing in of Witnesses.—Witnesses in committee or subcommittee hearings may be required to give testimony under oath whenever the Chairman or ranking minority member of the committee or subcommittee deems such to be necessary.

3.5 Limitation.—Each member shall be limited to 5 minutes in the questioning of any witness until such time as all members who so desire have had an opportunity to question a witness. Questions from members shall rotate from majority to minority members in order of seniority or in order of arrival at the hearing.

RULE 4—NOMINATIONS

4.1 Assignment.—All nominations shall be considered by the full committee.

4.2 Standards.—In considering a nomination, the committee shall inquire into the nominee's experience, qualifications, suitability, and integrity to serve in the position to which he or she has been nominated.

4.3 Information.—Each nominee shall submit in response to questions prepared by the committee the following information:

(1) A detailed biographical resume which contains information relating to education, employment, and achievements;

(2) Financial information, including a financial statement which lists assets and liabilities of the nominee; and

(3) Copies of other relevant documents requested by the committee. Information received pursuant to this subsection shall be available for public inspection except as specifically designated confidential by the committee.

4.4 Hearings.—The committee shall conduct a public hearing during which the nominee shall be called to testify under oath on all matters relating to his or her suitability for office. No hearing shall be held until at least 48 hours after the nominee has responded to a prehearing questionnaire submitted by the committee.

4.5 Action on Confirmation.—A business meeting to consider a nomination shall not occur on the same day that the hearing on the nominee is held. The Chairman, with the agreement of the ranking minority member, may waive this requirement.

RULE 5—QUORUMS

5.1 Testimony.—For the purpose of receiving evidence, the swearing of witnesses, and the taking of sworn or unsworn testimony at any duly scheduled hearing, a quorum of the committee and the subcommittee thereof shall consist of one member.

5.2 Business.—A quorum for the transaction of committee or subcommittee business, other than for reporting a measure or recommendation to the Senate or the taking of testimony, shall consist of one-third of the members of the committee or subcommittee, including at least one member from each party.

5.3 Reporting.—A majority of the membership of the committee shall constitute a quorum for reporting bills, nominations, matters, or recommendations to the Senate. No measure or recommendation shall be ordered reported from the committee unless a majority of the committee members are physically present. The vote of the committee to report a measure or matter shall require the concurrence of a majority of those members who are physically present at the time the vote is taken.

RULE 6—VOTING

6.1 Rollcalls.—A roll call vote of the members shall be taken upon the request of any member.

6.2 Proxies.—Voting by proxy as authorized by the Senate rules for specific bills or subjects shall be allowed whenever a quorum of the committee is actually present.

6.3 Polling.—The committee may poll any matters of committee business, other than a vote on reporting to the Senate any measures, matters or recommendations or a vote on closing a meeting or hearing to the public, provided that every member is polled and every poll consists of the following two questions:

(1) Do you agree or disagree to poll the proposal; and

(2) Do you favor or oppose the proposal.

If any member requests, any matter to be polled shall be held for meeting rather than being polled. The chief clerk of the committee shall keep a record of all polls.

RULE 7—SUBCOMMITTEES

7.1 Assignments.—To assure the equitable assignment of members to subcommittees, no member of the committee will receive assignment to a second subcommittee until, in

order of seniority, all members of the committee have chosen assignments to one subcommittee, and no member shall receive assignment to a third subcommittee until, in order of seniority, all members have chosen assignments to two subcommittees.

7.2 Attendance.—Any member of the committee may sit with any subcommittee during a hearing or meeting but shall not have the authority to vote on any matter before the subcommittee unless he or she is a member of such subcommittee.

7.3 Ex Officio Members.—The Chairman and ranking minority member shall serve as nonvoting ex officio members of the subcommittees on which they do not serve as voting members. The Chairman and ranking minority member may not be counted toward a quorum.

7.4 Scheduling.—No subcommittee may schedule a meeting or hearing at a time designated for a hearing or meeting of the full committee. No more than one subcommittee business meeting may be held at the same time.

7.5 Discharge.—Should a subcommittee fail to report back to the full committee on any measure within a reasonable time, the Chairman may withdraw the measure from such subcommittee and report that fact to the full committee for further disposition. The full committee may at any time, by majority vote of those members present, discharge a subcommittee from further consideration of a specific piece of legislation.

7.6 Application of Committee Rules to Subcommittees.—The proceedings of each subcommittee shall be governed by the rules of the full committee, subject to such authorizations or limitations as the committee may from time to time prescribe.

RULE 8—INVESTIGATIONS, SUBPOENAS AND DEPOSITIONS

8.1 Investigations.—Any investigation undertaken by the committee or a subcommittee in which depositions are taken or subpoenas issued, must be authorized by a majority of the members of the committee voting for approval to conduct such investigation at a business meeting of the committee convened in accordance with Rule 1.

8.2 Subpoenas.—The Chairman, with the approval of the ranking minority member of the committee, is delegated the authority to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials at a hearing of the committee or a subcommittee or in connection with the conduct of an investigation authorized in accordance with paragraph 8.1. The Chairman may subpoena attendance or production without the approval of the ranking minority member when the Chairman has not received notification from the ranking minority member of disapproval of the subpoena within 72 hours, excluding Saturdays and Sundays, of being notified of the subpoena. If a subpoena is disapproved by the ranking minority member as provided in this paragraph the subpoena may be authorized by vote of the members of the committee. When the committee or Chairman authorizes subpoenas, subpoenas may be issued upon the signature of the Chairman or any other member of the committee designated by the Chairman.

8.3 Notice for Taking Depositions.—Notices for the taking of depositions, in an investigation authorized by the committee, shall be authorized and be issued by the Chairman or by a staff officer designated by him. Such notices shall specify a time and place for examination, and the name of the Senator, staff officer or officers who will take the deposi-

tion. Unless otherwise specified, the deposition shall be in private. The committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness' failure to appear unless the deposition notice was accompanied by a committee subpoena.

8.4 Procedure for Taking Depositions.—Witnesses shall be examined upon oath administered by an individual authorized by local law to administer oaths. The Chairman will rule, by telephone or otherwise, on any objection by a witness. The transcript of a deposition shall be filed with the committee clerk.

RULE 9—AMENDING THE RULES

These rules shall become effective upon publication in the Congressional Record. These rules may be modified, amended, or repealed by the committee, provided that all members are present or provide proxies or if a notice in writing of the proposed changes has been given to each member at least 48 hours prior to the meeting at which action thereon is to be taken. The changes shall become effective immediately upon publication of the changed rule or rules in the Congressional Record, or immediately upon approval of the changes if so resolved by the committee as long as any witnesses who may be affected by the change in rules are provided with them.

COMMITTEE ON VETERANS' AFFAIRS

RULES OF PROCEDURE

Mr. SANDERS. Mr. President, the Committee on Veterans' Affairs has adopted rules governing its procedures for the 113th Congress. Pursuant to Rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent that a copy of the committee rules be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMITTEE ON VETERANS' AFFAIRS RULES OF PROCEDURE

I. MEETINGS

(A) Unless otherwise ordered, the Committee shall meet on the first Wednesday of each month. The Chairman may, upon proper notice, call such additional meetings as deemed necessary.

(B) Except as provided in subparagraphs (b) and (d) of paragraph 5 of rule XXVI of the Standing Rules of the Senate, meetings of the Committee shall be open to the public. The Committee shall prepare and keep a complete transcript or electronic recording adequate to fully record the proceedings of each meeting whether or not such meeting or any part thereof is closed to the public.

(C) The Chairman of the Committee, or the Ranking Majority Member present in the absence of the Chairman, or such other Member as the Chairman may designate, shall preside over all meetings.

(D) Except as provided in rule XXVI of the Standing Rules of the Senate, no meeting of the Committee shall be scheduled except by majority vote of the Committee or by authorization of the Chairman of the Committee.

(E) The Committee shall notify the office designated by the Committee on Rules and

Administration of the time, place, and purpose of each meeting. In the event such meeting is canceled, the Committee shall immediately notify such designated office.

(F) Written or electronic notice of a Committee meeting, accompanied by an agenda enumerating the items of business to be considered, shall be sent to all Committee Members at least 72 hours (not counting Saturdays, Sundays, and federal holidays) in advance of each meeting. In the event that the giving of such 72-hour notice is prevented by unforeseen requirements or Committee business, the Committee staff shall communicate notice by the quickest appropriate means to Members or appropriate staff assistants of Members and an agenda shall be furnished prior to the meeting.

(G) Subject to the second sentence of this paragraph, it shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless a written or electronic copy of such amendment has been delivered to each Member of the Committee at least 24 hours before the meeting at which the amendment is to be proposed. This paragraph may be waived by a majority vote of the Members and shall apply only when 72-hour written notice has been provided in accordance with paragraph (F).

II. QUORUMS

(A) Subject to the provisions of paragraph (B), eight Members of the Committee shall constitute a quorum for the reporting or approving of any measure or matter or recommendation. Five Members of the Committee shall constitute a quorum for purposes of transacting any other business.

(B) In order to transact any business at a Committee meeting, at least one Member of the minority shall be present. If, at any meeting, business cannot be transacted because of the absence of such a Member, the matter shall lay over for a calendar day. If the presence of a minority Member is not then obtained, business may be transacted by the appropriate quorum.

(C) One Member shall constitute a quorum for the purpose of receiving testimony.

III. VOTING

(A) Votes may be cast by proxy. A proxy shall be written and may be conditioned by personal instructions. A proxy shall be valid only for the day given.

(B) There shall be a complete record kept of all Committee actions. Such record shall contain the vote cast by each Member of the Committee on any question on which a roll call vote is requested.

IV. HEARINGS AND HEARING PROCEDURES

(A) Except as specifically otherwise provided, the rules governing meetings shall govern hearings.

(B) At least one week in advance of the date of any hearing, the Committee shall undertake, consistent with the provisions of paragraph 4 of rule XXVI of the Standing Rules of the Senate, to make public announcements of the date, place, time, and subject matter of such hearing.

(C)(1) Each witness who is scheduled to testify at a hearing of the Committee shall submit 40 copies of such witness' testimony to the Committee not later than 48 hours before the witness' scheduled appearance at the hearing.

(2) Any witness who fails to meet the deadline specified in paragraph (1) shall not be permitted to present testimony but may be seated to take questions from Committee members, unless the Chairman and Ranking

Minority Member determine there is good cause for the witness' failure to meet the deadline or it is in the Committee's interest to permit such witness to testify.

(D) The presiding Member at any hearing is authorized to limit the time allotted to each witness appearing before the Committee.

(E) The Chairman, with the concurrence of the Ranking Minority Member of the Committee, is authorized to subpoena the attendance of witnesses and the production of memoranda, documents, records, and any other materials. If the Chairman or a Committee staff member designated by the Chairman has not received from the Ranking Minority Member or a Committee staff member designated by the Ranking Minority Member notice of the Ranking Minority Member's non-concurrence in the subpoena within 48 hours (excluding Saturdays, Sundays, and federal holidays) of being notified of the Chairman's intention to subpoena attendance or production, the Chairman is authorized following the end of the 48-hour period involved to subpoena the same without the Ranking Minority Member's concurrence. Regardless of whether a subpoena has been concurred in by the Ranking Minority Member, such subpoena may be authorized by vote of the Members of the Committee. When the Committee or Chairman authorizes a subpoena, the subpoena may be issued upon the signature of the Chairman or of any other Member of the Committee designated by the Chairman.

(F) Except as specified in Committee Rule VII (requiring oaths, under certain circumstances, at hearings to confirm Presidential nominations), witnesses at hearings will be required to give testimony under oath whenever the presiding Member deems such to be advisable.

V. MEDIA COVERAGE

Any Committee meeting or hearing which is open to the public may be covered by television, radio, and print media. Photographers, reporters, and crew members using mechanical recording, filming, or broadcasting devices shall position and use their equipment so as not to interfere with the seating, vision, or hearing of the Committee Members or staff or with the orderly conduct of the meeting or hearing. The presiding Member of the meeting or hearing may for good cause terminate, in whole or in part, the use of such mechanical devices or take such other action as the circumstances and the orderly conduct of the meeting or hearing may warrant.

VI. GENERAL

All applicable requirements of the Standing Rules of the Senate shall govern the Committee.

VII. PRESIDENTIAL NOMINATIONS

(A) Each Presidential nominee whose nomination is subject to Senate confirmation and referred to this Committee shall submit a statement of his or her background and financial interests, including the financial interests of his or her spouse and of children living in the nominee's household, on a form approved by the Committee which shall be sworn to as to its completeness and accuracy. The Committee form shall be in two parts:

1) Information concerning employment, education, and background of the nominee which generally relates to the position to which the individual is nominated and which is to be made public; and

2) Information concerning the financial and other background of the nominee, to be

made public when the Committee determines that such information bears directly on the nominee's qualifications to hold the position to which the individual is nominated.

(B) At any hearing to confirm a Presidential nomination, the testimony of the nominee and, at the request of any Member, any other witness shall be under oath.

(C) Committee action on a nomination, including hearings or a meeting to consider a motion to recommend confirmation, shall not be initiated until at least five days after the nominee submits the form required by this rule unless the Chairman, with the concurrence of the Ranking Minority Member, waives this waiting period.

VIII. NAMING OF DEPARTMENT OF VETERANS AFFAIRS FACILITIES

It is the policy of the Committee that no Department of Veterans Affairs facility shall be named after any individual unless:

(A) Such individual is deceased and was:

(1) A veteran who (i) was instrumental in the construction or the operation of the facility to be named, or (ii) was a recipient of the Medal of Honor or, as determined by the Chairman and Ranking Minority Member, otherwise performed military service of an extraordinarily distinguished character;

(2) A Member of the United States House of Representatives or Senate who had a direct association with such facility;

(3) An Administrator of Veterans' Affairs, a Secretary of Veterans Affairs, a Secretary of Defense or of a service branch, or a military or other Federal civilian official of comparable or higher rank; or

(4) An individual who, as determined by the Chairman and Ranking Minority Member, performed outstanding service for veterans.

(B) Each Member of the Congressional delegation representing the State in which the designated facility is located must indicate in writing such Member's support of the proposal to name such facility after such individual.

(C) The pertinent State department or chapter of each Congressionally chartered veterans' organization having a national membership of at least 500,000 must indicate in writing its support of such proposal.

IX. AMENDMENTS TO THE RULES

The rules of the Committee may be changed, modified, amended, or suspended at any time provided, however, that no less than a majority of the entire membership so determine at a regular meeting with due notice or at a meeting specifically called for that purpose. The rules governing quorums for reporting legislative matters shall govern rules changes, modification, amendments, or suspension.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT

Ms. LANDRIEU. Mr. President, I rise today in support of S. 47, the Violence Against Women Reauthorization Act. This legislation provides much needed funding and support for law enforcement in our fight against domestic violence, sexual assault, dating violence, and stalking.

This bill has enjoyed wide bipartisan support over the years. Crimes against women and children will not be tolerated. Tuesday, the Senate once again approved VAWA with a 78-22 overwhelmingly bipartisan vote. I was

proud to cosponsor the Violence Against Women Act and I urge my colleagues in the House to stand with America's women and children and quickly pass this critical legislation.

We have an obligation to do our part and protect women and children on the streets and in their homes. And this legislation provides the resources needed to further this very important effort. Reauthorizing this funding is particularly important for my home State of Louisiana, which unfortunately ranks among the top five States in incidences of domestic violence homicides in the Nation.

Last year, Louisiana received \$4.9 million in Violence Against Women Act grants. These dollars helped fund critical programs through organizations like Wellspring Alliance for Family, which provides domestic violence and sexual assault services in Monroe, LA, and the Crescent House program in New Orleans. And these funds don't just supplement established programs. In fact, the vast majority wouldn't be possible in the first place without VAWA grants because many service providers count on more than 90 percent of their funding from the Federal Government.

Last year, Louisiana's 18 shelters provided more than 90,000 shelter nights, answered more than 38,000 crisis calls and despite serving 17,000 clients, the shelters had to turn away almost 2,000 people for lack of resources. In one national survey, 60 percent of the shelters in Louisiana reported that they lacked funding and 25 percent reported that they lacked shelter beds or housing for victims of domestic violence and their children.

These statistics are troubling. And I think they are an important part of why VAWA is so critical to women and children in communities across Louisiana and throughout our country. But numbers don't tell the whole story. You have to talk to the people on the ground, to the people who have dedicated their lives and careers to helping women and children in need, to truly appreciate the impact of this legislation.

For example, Beth Meeks, executive director of the Louisiana Coalition Against Domestic Violence, visited a program in New Orleans. While visiting that program, Beth spoke with a young mother with her baby, only to discover that the baby was 6 days old. The young mother had been at the program for a few weeks and had been terribly abused when she was nearly 9 months pregnant. She and her baby survived but her child was born in shelter care. What would have been the outcome if a shelter had not been available?

The program that Beth visited, like every domestic violence program in Louisiana, was heavily supported by Violence Against Women Act dollars. Additionally, law enforcement officers,

advocates, and prosecutors are all supported by funds available under the act. Louisiana's current budget challenges have serious implications for these vital services. In December 2012, Louisiana cut \$1 million from the budget for these programs, jeopardizing their very existence.

Louisiana is not alone. Programs all over the Nation have experienced reductions in grants and losses in donations during the recent economic downturn. That is why we must reauthorize the Violence Against Women Act. We have made significant progress in the last 20 years. We must continue to provide support to State and local government and the nonprofit entities that provide critical services.

I congratulate the people who are committed to providing important services to those who need them most. We owe a great deal of gratitude to leaders like Beth Meeks of the Louisiana Coalition Against Domestic Violence, leaders like Mary Claire Landry of the Family Justice Center in New Orleans, and like Valerie Bowman of the Family Justice Center in Monroe, and leaders in the law enforcement community like Tommy Clark, chair of the Louisiana Chiefs of Police Association Domestic Violence Committee.

I am proud that the Senate has taken action on this important piece of legislation and I urge my colleagues in the House of Representatives to do the same.

BAHRAIN TWO YEARS LATER

Mr. WYDEN. Mr. President, 2 years ago today thousands of Bahrainis took to the streets to call for political reform and an end to ongoing human rights abuses in their country. The government responded to these peaceful demonstrations not by addressing grievances or offering to work with the aggrieved, but by unleashing its state security forces upon them. The security forces fired on the protesters with tear gas and live ammunition; although many protesters were rounded up, arrested, and tortured, their spirit would not be broken.

I am deeply disappointed that the government of Bahrain continues to stall, to stonewall, and to stymie any progress on addressing the root causes of the protesters' grievances. I shared the initial hopes of many Bahrainis, who viewed the establishment of the Bahrain Independent Commission of Inquiry, BICI, as a positive step on behalf of the government. I was encouraged when the final BICI report detailed the government's systemic use of intimidation, violence, abuse, and detention that documenting these abuses would lead to real reform. As outlined in the BICI report, over the weeks and months of its initial crackdown, more than 30 protesters were killed, nearly 1,800 were tortured, and 4,500 were fired

from their jobs. Religious sites were destroyed and doctors who treated injured protesters were arrested, tortured, and imprisoned.

The Bahraini government has spent considerable time and resources to convince the world that progress has been made, but I am sorry to say that the facts do not bear this out. Banning peaceful protests is not progress. Using tear gas as a weapon is not progress. Shooting teenagers is not progress. There is, quite frankly, little to be optimistic about if one examines the regime's track record over the last 2 years. According to the Project on Middle East Democracy, POMED, the government of Bahrain has only fully implemented three of 26 recommendations in the BICI report. Even worse, POMED found no meaningful progress whatsoever toward six of the BICI recommendations. The Bahrain Center for Human Rights similarly finds that the government of Bahrain has taken only superficial steps "while continuing to commit the same human rights violations."

Although the Bahraini government offered to engage in a national dialogue, my staff and I have read reports that the government may only be planning to moderate a discussion between political parties, rather than act as a full and productive participant in the dialogue. I sincerely hope that is not the case, and I call on the government of Bahrain to live up to its rhetoric, engage in genuine and sustained dialogue, and work to see that real progress is made. As a first step to restoring some of the trust it has lost, the Bahraini government should immediately implement all 26 BICI report recommendations and immediately release all political prisoners in Bahrain. After 2 years, surely the government of Bahrain is tired of fighting its own people—people who wish nothing more than to have a greater voice in their political process. The government may be surprised that this fight has lasted 2 years, but I am not. My staff and I have met with some of them and know them to be passionate, devoted to their cause, and willing to face continued persecution for what they believe.

Sometimes folks ask me why I care so much about such a small island country or why America should concern itself with Bahrain's internal politics. I explain to them that Bahrain may be small, but that it is a key ally in a troubled and volatile region. I also explain that the regime's current strategy of violence and repression is bound for failure, and that Bahrain must reform to remain stable. If America has learned anything in the last few decades it is that continuing to support governments that use violence, torture and repression to stifle dissent is short sighted. Washington must instead use what influence it has to push such countries toward more representative

forms of government, not just because it is the right thing to do for the citizens of those countries, but because it is the right thing to do for this country. That is why this issue remains so important to me and why I hope that next year, on this date, I can come to the Senate floor and talk about the many new reforms in place instead of the Bahraini government's continued repression of its people.

MADISON COUNTY, IDAHO

Mr. RISCH. Mr. President, my colleague Senator MIKE CRAPO joins me today in recognizing Madison County's 100-year anniversary.

Established on February 18, 1913, by the Idaho legislature and named after our Nation's fourth President, James Madison, Madison County has distinguished itself in its contributions to the success of our State.

Five people with connections to Madison County went on to become Governors in the States of Idaho, Michigan, Kansas, and Massachusetts. Two people from the county served in Congress, representing Idaho and Utah. And one man went on to serve as Idaho's Lieutenant Governor, my good friend, Mark Ricks, who served with me during my time as Governor.

The people of this county distinguished themselves for helping their neighbors and strangers when the Teton Dam collapsed on June 5, 1976. The ensuing flood spread throughout the valley, uprooting farms and homes. Due to the resiliency of the residents and people helping one another, they quickly overcame the disaster and carried on with their lives.

Madison County has a rich agricultural history, with the first irrigation system in the State built in this county. It is home to 21 different century farms; places that have been continuously farmed by the same family for 100 or more years. The rich, fertile soil and abundant water has made the county the eighth largest potato growing area in the Nation, along with an abundance of grain, livestock, and other commodities.

In the county seat of Rexburg, you will find Idaho's second largest university, Brigham Young University-Idaho, formerly known as Ricks College. Citizens of the county, and throughout the region, for that matter, are very proud of this university and the tremendous growth it has experienced. They are also proud of the 95 percent graduation rate in their local high schools and at the university.

Rexburg and BYU-Idaho is also home to the Idaho International Dance Festival. For 27 years, the festival has brought hundreds of dancers and musicians from around the world to share their native music, songs, dance, and dress. Madison County residents strongly support the festival and are proud of the rich history of this event.

Madison County also has an abundance of natural features, including the Caribou-Targhee National Forest, the Cartier Slough and Deer Park wildlife management areas, and the twin Menan Buttes.

Senator CRAPO and I are proud to recognize this landmark anniversary. We congratulate Madison County residents for this centennial and we wish them all and their communities many more years of success.

ADDITIONAL STATEMENTS

TRIBUTE TO DOROTHY KNOWLES

• Mr. BLUNT. Mr. President, for 40 years, there has been no greater advocate for Southwest Missouri seniors than Dorothy Knowles. As executive director of the Southwest Missouri Office on Aging, Dorothy's leadership and motivation have inspired a talented and spirited staff to help seniors understand issues and offer a variety of resources. When Medicare part D arrived, it was Dorothy who voluntarily began the effort to educate seniors on the options and advantages in the new program. Thanks to her actions, the Southwest Missouri Office on Aging became and continues to be the premiere source of information on that program and others for seniors.

When Dorothy Knowles began work as a secretary and bookkeeper at the Southwest Missouri Office on Aging, it was brand new. A single mother in need of a job, Dorothy saw the new agency as an opportunity. She rose through the ranks and learned the agency's needs and programs as director of social services and as associate director. Her boss during those years was her mentor, Winston Bledsoe. Winston started with a \$25,000 grant to open the first 9 senior centers in the region, creating a daily meeting place for 40,000 seniors. When Winston retired in 1999, his deputy Dorothy took charge, armed with 25 years of experience in providing senior services, advocacy, and a keen understanding of how to stretch a dollar.

Dorothy has never missed an opportunity to expand services and outreach and provide seniors with opportunities to improve the quality of life for older Americans. During 2012, there were 38 senior centers serving more than 370,000 meals to seniors and 700,000 home-delivered meals in 17 counties. Today there are services to support caregivers, respite relief, transportation, housekeeping, legal outreach, and even services to help seniors file income taxes.

In 2005, Medicare added prescription drug coverage, creating an on-line ordering process and regulations seniors had never experienced. Dorothy immediately saw the need to educate seniors so they could take advantage of this

service to acquire vital medicines. Self taught and without additional funding, she led the staff at the Southwest Missouri Office on Aging to become the best resource for Medicare part D information anywhere. Working with my congressional office, Dorothy led her new experts on Part D into seminars and signup clinics in every county of Southwest Missouri. Every year since then, they have remained the premiere source of part D expertise.

I have worked with Dorothy Knowles and know the commitment, dedication, and joy she takes in serving our senior population. I doubt her retirement will be the end of her enthusiastic advocacy for Southwest Missouri seniors. She will still weigh in on elder abuse laws and senior wellness funding and will still instill that unrelenting zeal she has to champion senior causes in her 150 member staff and colleagues. I wish her, and the agency she helped craft into a bastion of senior advocacy, the best in the decades ahead. Southwest Missouri is a better place for seniors to live thanks to Dorothy Knowles and her four decades of service at the Southwest Missouri Office on Aging. •

REMEMBERING BILL EADINGTON

• Mr. HELLER. Mr. President, today I wish to honor the life of a world renowned gaming authority and professor at the University of Nevada, Reno, UNR, Bill Eadington, whose passing on February 11, 2013, has brought great sadness to the Silver State. After 18 months, Mr. Eadington lost a courageous battle with cancer. My thoughts and prayers are with his family and friends during this difficult time.

Bill Eadington joined the faculty at UNR as an economist in 1969. He is the author of several books on the social and economic impacts of gambling and was a world-renowned authority on gaming issues. Mr. Eadington founded the Institute for the Study of Gambling and Commercial Gaming at UNR and served as its director since 1989. Outside of the classroom, he has served as a resource for governments and private sector organizations worldwide on gaming laws, casino operations, regulation, and public policy.

In 2011, Bill Eadington was given the honor of being inducted into the American Gaming Association Hall of Fame and was honored with a Special Achievement Award for Gaming Education. Mr. Eadington was a board member on the National Council on Problem Gambling for 30 years, and in 2012 the board presented him with the Goldman Lifetime Award for Advocacy.

Gaming is a uniquely important industry in Nevada, and Mr. Eadington's academic contributions and expertise in this field have been invaluable to the State of Nevada and to UNR. Coupled with the tourism industry, it is

our economic backbone, supporting hundreds of thousands of jobs. I have been proud to support policies to keep Nevada's gaming industry and economy growing and prosperous and thank Mr. Eadington for all his work on an issue vitally important to our State. Today, I ask my colleagues to join me in celebrating the life of this honorable Nevadan. •

REMEMBERING FABIAN CHÁVEZ, JR.

• Mr. UDALL of New Mexico. Mr. President, on Sunday, January 20, my State lost a great leader and a great friend. It is my privilege to pay tribute today to Fabian Chávez, Jr. He was blessed with a long life, 88 years old when he passed away. More important though was the impact of his years, the impact of his remarkable life. Fabian Chávez, Jr., made a difference in the lives of so many people in New Mexico.

Fabian was a formidable, and very colorful, figure in the history of New Mexico politics. His story was one of triumph and of defeat, and of an unwavering determination to serve. He will be long remembered as an advocate for justice, for the disadvantaged, and for ethical government. He was also instrumental in passing legislation to establish the University of New Mexico School of Medicine, which has done so much for improving health care in our State.

Fabian Chávez, Jr., was born on August 31, 1924. His father was a carpenter, and moved the family from Wagon Mound to Santa Fe, where Fabian was born and would live most of his 88 years. Early on, the New Mexico Capitol would dominate his life. And he would dominate it in return.

His father worked as the building superintendent at the old capitol building. As a young boy, trying to earn pocket money during the Great Depression, Fabian could be found there shining shoes. He later told his biographer that while other kids were playing marbles, he was watching legislators at work, following their every move. He observed, "I had it all memorized years before I was even elected to my first term in the house."

Fabian was an independent spirit. Even as a youngster, he charted his own course, sometimes perhaps to his parents' dismay. The story is told of his hitchhiking to California at age 12. He joined the Army at age 16, determined to see battle during World War II. He fought at Normandy and the Battle of the Bulge.

At the age of 25, Fabian met Coral Jeanne, the love of his life. Fabian and Coral Jeanne were married in 1954. Of his beloved wife, Fabian once said, "I started dancing with Coral Jeanne in 1949, and we've been dancing ever since." She would be his unfailing support through the victories and defeats

to come, until she died in his arms over a half century later.

Most of us, in public life or out, are shaped by our wins and our losses. This was certainly true in Fabian's long career. He first ran for elective office in 1948, at the age of 24, for a seat in the New Mexico House. He came in second in the primary. He was undeterred, as he would show time and again. He was elected 2 years later. He ran unsuccessfully for the New Mexico Senate in 1952, but was elected in 1956. And within a few years, at age 37, he became the youngest Senate majority leader in the history of our State. In 1968, Fabian was the Democratic candidate for Governor, and lost by less than 3,000 votes. He later served as Assistant Secretary of Commerce under President Jimmy Carter.

The title of David Roybal's biography of Fabian Chávez, Jr., "Taking on Giants," is telling. Fabian was a reformer, and a tenacious one. He fought to change the old justice of the peace system in New Mexico, fought to establish a Judicial Standards Commission, fought powerful insurance and liquor industries, fought early on, and courageously, for civil rights. Whatever the opposition, he stayed the course. Elections would come and go. Some he would win. Some he would lose. But he stayed true to his commitment to the people of New Mexico.

My dad once said that there are two stories of our lives. One is the person you wanted to be. The other is the person you are. While none of us gets that exactly right, I would suspect that Fabian came pretty close. He held true to his principles. He fought for what he believed was right. He leaves behind a legacy of accomplishment and integrity, a legacy that his family, and our State, can take great pride in.

Jill and I extend our sincere condolences to Christine and to all the Chávez family. Fabian Chávez, Jr., was a true son of New Mexico, and he did all of us proud.●

TRIBUTE TO ELIZABETH AND ROY PERATROVICH

● Ms. MURKOWSKI. Mr. President, there are few names in Alaska's history that exemplify progress and timeless impact more than Elizabeth Peratrovich. She is remembered as one of the greatest civil rights activists and female leaders Alaska has ever seen. Elizabeth and her husband Roy are to the Native peoples of Alaska what Dr. Martin Luther King, Jr., and Rosa Parks are to African Americans. Everybody knows about Dr. Martin Luther King, Jr. and Rosa Parks, but hardly anyone outside the State of Alaska knows about Roy and Elizabeth Peratrovich. Today, I wish to again share the Peratrovich legacy with the Senate because February 16, 2013, the State of Alaska will observe Elizabeth

Peratrovich Day for the 24th time. Activities to celebrate the legacy of Elizabeth and Roy Peratrovich are taking place in schools and cultural centers throughout Alaska this week. The Alaska State Museum in Juneau is already honoring this remarkable woman in an exhibit entitled "Alaskan. Native. Woman. Activist," which will run until March 16, 2013.

In addition to the annual observance of Elizabeth Peratrovich Day, the State of Alaska has acknowledged Elizabeth's contribution to history by designating one of the public galleries in the Alaska House of Representatives as the Elizabeth Peratrovich Gallery.

Elizabeth, a member of the Lukaaxádi clan, in the Raven moiety of the Tlingit tribe, was born in Petersburg in 1911. After attending college she married Roy Peratrovich, a Tlingit from Klawock, Alaska, and the couple had three beautiful children. In 1941 the young family moved to Juneau, excited by the new opportunities the move would present. When the family found the perfect house, they were not allowed to buy it because they were Native. They could not enter the stores or restaurants they wanted. Outside some of these establishments, there were signs that read "No Natives Allowed." History has also recorded a sign that read "No Dogs or Indians allowed."

On December 30, 1941, following the invasion of Pearl Harbor, Elizabeth and Roy wrote to Alaska's Territorial Governor:

In the present emergency our Native boys are being called upon to defend our beloved country. There are no distinctions being made there. Yet when we patronized business establishments we are told in most cases that Natives are not allowed.

The proprietor of one business, an inn, does not seem to realize that our Native boys are just as willing to lay down their lives to protect the freedom he enjoys. Instead he shows his appreciation by having a "No Natives Allowed" sign on his door.

In that letter Elizabeth and Roy also noted:

We were shocked when the Jews were discriminated against in Germany. Stories were told of public places having signs "No Jews Allowed." All freedom loving people were horrified at what was being practiced in our own country.

In 1943, the Alaska Legislature, at the behest of Roy and Elizabeth, considered an antidiscrimination law. It was defeated, but Roy and Elizabeth were not. Two years later, in 1945, the antidiscrimination measure was brought back before the Alaska Territorial Legislature. It passed the lower house, but was met with stiff opposition in the Territorial Senate.

One by one, Senators took to the floor to debate the closely contested legislation. One Senator argued that "the races should be kept further apart." This Senator went on to rhetorically question, "Who are these peo-

ple, barely out of savagery, who want to associate with us whites with 5,000 years of recorded civilization behind us?"

Elizabeth Peratrovich was observing the debate from the gallery. As a citizen, she asked to be heard and in accordance with the custom of the day, was recognized to express her views.

In a quiet, dignified and steady voice this "fighter with velvet gloves" responded, "I would not have expected that I, who am barely out of savagery, would have to remind gentlemen with 5,000 years of recorded history behind them of our Bill of Rights."

She was then asked by a Senator if she thought the proposed bill would eliminate discrimination. Elizabeth queried in rebuttal, "Do your laws against larceny and even murder prevent these crimes? No law will eliminate crimes but at least you as legislators can assert to the world that you recognize the evil of the present situation and speak your intent to help us overcome discrimination."

When she finished her speech the room burst into thunderous applause. The territorial Senate passed the bill by a vote of 11 to 5. On February 16, 1945, before Alaska gained statehood, and before Dr. Martin Luther King, Jr. stood on the steps of the Lincoln Memorial and spoke of his dream for equality, Alaskans passed an anti-discrimination bill that provided for full and equal enjoyment of public accommodations for all Alaskans.

That night, Roy and Elizabeth celebrated. The two went dancing at the Baranof Hotel, one of Juneau's finest. They danced among people they didn't know, in a place where, the day before, they were unwelcome.

There is an important lesson to be learned from the battles of Elizabeth and Roy Peratrovich. Even in defeat, they knew that change would come from their participation in our political system. They were not discouraged by their defeat in 1943. They came back fighting stronger than ever and enjoyed the victory 2 years later.

Elizabeth would not live to see the United States adopt the same law she brought to Alaska in 1945. She passed away in 1958, at the age of 47, 6 years before civil rights legislation would pass nationally.

Roy Peratrovich saw that event. He passed away in 1989 at age 81. He died 9 days before the first Elizabeth Peratrovich Day was observed in the State of Alaska. But the Peratrovich legacy and family live on. This past summer I had the opportunity to welcome Nathan Peratrovich, great-grandnephew of Roy and Elizabeth, to Washington DC. I was awestruck at the magnitude of his visit. Here was a young man who never knew the discrimination his ancestors knew. He was never told he could not enter a store because of his race. He was never

denied access to a school because of who his parents were. As we looked down on the Senate floor from the Senate gallery, I encouraged Nathan by stating that one day he could represent Alaska in the United States Senate. Nathan grew up with all the rights and liberties every young boy should have. All of this was possible because of his family. Seeing his face and knowing what a significant impact his family had on his current wellbeing struck me with a sense of appreciation. It is with that appreciation I honor Elizabeth and Roy Peratrovich today.●

VERMONT ESSAY FINALISTS

● Mr. SANDERS. Mr. President, I submit to the record these essays written by Vermont High School students as part of the Third Annual "What is the State of the Union?" Essay contest conducted by my office. These 13 finalists were selected from over 300 entries.

RILEY FORBES, MT. ABRAHAM UNION HIGH SCHOOL (FINALIST)

The most important issue for the government to solve today is human rights.

Everybody deserves equal opportunities in life. The State and Federal Government should help to make sure that everyone is free from torture, has the right to adequate food, clothing and housing, and has the right to health care. The most significant issue for the government to solve today is human rights.

Human rights are the basic rights that everyone who is human has. Human rights are important for everyone in the world to have. An important right is the right to have basic items, adequate clothing, food and housing. The United Nations has a right that gives everyone the basic items that they need, (clothing, food and housing). Whereas the United States does not have a right giving everyone basic supplies that is needed to live. "A man in India without access to clean water dies of a treatable disease" (Pinheiro). Everyone deserves adequate clothing, food, water and housing, but the problem is that these things are limited. There are homeless shelters and water, but there may not be enough for everyone. The Government should try to help provide people with the basic needs that are needed to survive.

The government should act to protect all people from torture. The United Nations and the United States believe that people should have the right to be safe from torture. A guard watches as a man is assaulted by an inmate in a jail Texas (Pinheiro). This man gets assaulted and the guard does nothing. The guard is watching; he should help to protect the people and not let them suffer even though they are in jail. The Government should pay attention and try to help people feel free and safe from torture.

In order for everyone to get a long life, people need to have their basic needs. The United Nations and the United States do not have any kind of right that says that everyone should have healthcare or be able to have health care. Obamacare will allow more people health insurance that they can afford (Marston). People who couldn't afford health care before now have a health care that is more affordable. The Government is helping to provide people the access to an affordable health insurance.

The Government should help to support the people and their rights.

Bibliography: Pinheiro, P.S. Choices Program On-line Scholar Brown University, Real Lives Computer Game. Marston, C. Class Notes. MAUHS: Bristol, VT. November 2012

DAMON FULCHER, SOUTH ROYALTON HIGH SCHOOL (FINALIST)

The state of the Union is the most difficult to decipher in years. We, as a nation, are stuck in a time where the war in Afghanistan is dwindling, and we're trying to climb out of an abyssal fiscal pit. In a nation that has made its name for moving forward, controversies over human rights like the right to marry and the right to have an abortion are still as prevalent as ever. However, all is not lost, and this great nation will continue to forge on, despite these setbacks.

The land of the free still does not grant rights to every group of people. Gay marriage is one of the most hotly debated subjects in our country right now. Even though our Constitution states that all men are created equal, we as a nation do not always abide by this principle. Half of the American population is brushing a group of people under the rug, just because they have a different sexual orientation than themselves. The most recent example of this is North Carolina amending its state constitution to say that same-sex couples do not have the right to marry. This act takes the issue to a whole new level past legality. However, not all is bad. Several more states have begun adding to the pool where same-sex couples have the right to marry. The United States' highest court is taking on a case concerning a California proposition to ban gay marriage. This case will decide the fate of the issue in the years to come. Unfortunately, the most serious issue our country faces is not even marriage equality.

The most pressing issue currently is the economy. The great debate is whose taxes should be cut and whose taxes should be raised. The nation is greatly divided along partisan lines in this respect. These opinions are exemplified by our current President Barack Obama and our Speaker of the House John Boehner. One believes that taxes should be raised on the wealthy and cut on the middle class and the other, vice versa. This is the nation's problem. We simply need to get over which party we are a part of and work toward a common goal. There is guaranteed success if all of Congress works together to move forward.

The current state of the Union is complex, containing many positives and negatives. With the idea in mind that working together is necessary for the betterment of this nation, the President and Congress will move forward and fix the dilemmas that this country faces.

BENJAMIN GILBERT, MILTON HIGH SCHOOL (FINALIST)

This country faces one of the most important stages of change and development it has ever seen. The decisions we make as a nation in the next few years will shape not only the future of our own lives, but the lives of every citizen of this world. We won't be able to do this unless we come together. We are humans. It is in our nature to disagree. We are a democracy. It is a democracy's nature to disagree. Disagreement is a sign of a thriving democracy. It is also in our nature to solve problems, to be civil, to be fair, and to provide for a better tomorrow.

In the coming years, we need more doctors and researchers, to finally find a cure for cancer. We need more books to inspire. We need more businesspeople to meet to the new

age markets. We need teachers, and lawyers. We need successful young people to inherit this country. However, this will not be possible with the rising costs of higher education. The cost of sending a child to college is the highest it has ever been. If we as a country decide not to act, we cannot hope to make a better tomorrow for ourselves or for our children. In a state of economic turmoil, cuts have to be made. The military has been allowed to spend almost without limit. The funds that will keep Americans safe and soldiers well equipped should not be touched, but the endless spending must stop. Anything that is not absolutely vital and necessary for the safety, protection, and justice of the American people ought to be reevaluated.

Since its foundation, America has been the birthplace for equality. From George Washington fighting against the oppression of a monarchy, to Martin Luther King working towards a more civil existence, to Alice Paul screaming for the right to vote. Each step has helped open the door to equality. Each day we are tested, and each day we must answer history's call to change. Gay men and women have been quieted for centuries. But their time is here. No federal ban on love will stop the dawn of equality that is breaking upon this nation. This is not about Republicans or Democrats, religions, or politics, but about American people who love and cherish one another.

We have a broken system. Today, it is far too difficult to receive mental healthcare. It is easier to get your hands on an assault weapon than visit a doctor. We have seen in the past decade that this inequality leads to a tragic and horrific reality. Assault weapons are made for the military, and should be reserved exclusively for that purpose. Most importantly, those in need of mental healthcare should have access to it. We must forget about the politics and money, and focus on the lives of Americans who are in danger every day.

I have high hopes for the future of this country. We are all different. We are often very divided. However, we are strongest when we stand together.

LIAM HAYES, VERGENNES UNION HIGH (FINALIST)

Today our country is facing many problems that require the attention of not only the leaders in Washington, but the American people as well. As a teenager I believe the two most important issues are unemployment and our education system. I know that these issues are affecting our country, mainly in its overall growth.

First, I feel that our unemployment rate is quite unacceptable. However, in the past year it has been lowering slowly by the month. Although it may seem like a substantial amount, the area of the nation I live in continues to struggle to find jobs for students graduating college and for people retraining to new careers. I believe to continue this progress over the coming years America needs to look at the national picture of what jobs are there, what new jobs could serve a need for products and industry and what skills these new industries will require Americans to have.

Lastly, I think that when it comes to education in this great nation, the statistics and rankings don't lie. In math, science, and writing, the US is in the lower half when compared to other nations. If you look at statistics, compared to others, we are a more developed country. I am sure there are many things that we can do as a country to climb higher in the tables. I truly think that if

there wasn't a long summer break, and there were one or two week breaks frequently throughout the course of the year to take place of the large summer break. I think this would help because the long summer break leaves ridiculous amounts of time to forget everything you have learned in the school year. I also think that Americans have requirements for a second spoken language and to promote challenging classes throughout our schooling experience. If education is truly the key to our future, it needs to give us not only the basics, but the skills to problem solve, create and be the architects of America's new future.

CHRISTIE KERSHAW, SOUTH BURLINGTON HIGH SCHOOL (FINALIST)

I believe our nation has shown much improvement over the past year. Job growth rates have been increasing and businesses have been getting back on their feet after an economic low point. Even with these developments, there are many more aspects that need to be addressed and improved. I believe that as a country, the biggest issues we should be focusing on are improving the state of our environment and making college more affordable for students.

In my opinion, our government isn't taking the issue of global climate change as seriously as it should be. We are no longer able to turn our backs on this difficult issue because we are already starting to see signs of its negative impacts on us. With major droughts this summer in the Midwest and powerful storms like Super storm Sandy, it's clear to see that our climate is becoming more unpredictable and deadly, and the root cause of this is from climate change. There haven't been enough major moves put into effect by our government to combat this issue and I believe that both political parties should work closer together to come to an agreement on how to do this. There should be tighter regulations on the amount of greenhouse gases factories can emit, higher miles per gallon standards for new cars, and more money put into the development of renewable energy sources.

In order to make advancements in the field of green energy to slow down climate change, there must be scientists who are able to do the work. But we may soon be seeing a decrease in the number of these people because increasing costs for post-secondary education make it difficult for those who want to pursue a career in the sciences, or any other field, to do so. In order to ensure that our country will have enough highly educated citizens to help bring our nation closer to solving our energy crisis, we need to make college more affordable for everyone. Universities must lower their tuition costs and have more scholarships and grants for a wide range of students. If our government made loans easier to get with lower interest rates, this would also help remedy this problem. This particular issue is especially important to me because, as I start my college career in less than a year, I will be spending a lot of time worrying about how I will be able to pay for my education. Many other students feel the same way as me and some may have to postpone their plans for higher education. A decrease in college-educated citizens is not what our country needs right now.

These two issues of climate change and post-secondary education affordability are to me the most important on the list of many our country is facing. If both political parties work together, they will be able to resolve these issues in the near future.

SONIA LOWEN, CHAMPLAIN VALLEY UNION HIGH SCHOOL (FINALIST)

The United States of America is the most powerful nation in the entire world but it's currently facing severe issues. The financial crash of 2008 resulted in the most disastrous economy since the 1930's Great Recession. Climate change is creating extreme weather disasters and destroying nature. Not to mention that there is more income inequality in present day than ever before. These are only a select few because the list of issues goes on. The good news is that solutions are accessible but the bad news is that as long as corporate lobbyists continue to corrupt legislators, they will never be reached. The United States Congress needs to stop allowing corporate corruption.

The American economy is beginning to show signs of recovery but it still has a long way to go. Millions are out of a job and the government has a \$16 trillion debt hovering over their heads. The end of this recession is not going to come fast, but there are provisions that will begin to facilitate it, such as raising taxes not only on the rich but on the corporations as well. This will cause more of their money to go towards helping the government rather than manipulating it.

America is not the only place being affected by climate change but that does not, in any way, constitute sitting back and hoping someone else will fix it. The United States makes up 2% of the world's population yet they use 25% of the world's resources. The environment's safety is dependent on Congress to create new laws that will further regulate manufacturers to reduce harmful emissions. America's economy and climate would prosper greatly if they invested time and money into green energy. Unfortunately, automobile and other corporate lobbyists refuse to let that happen because they can make more money manufacturing oil-powered products.

Corporate lobbying has corrupted what the Constitution deems as the most powerful branch of government. Much of the legislation that is passed is beneficial to industries, whereas much of the legislation that would be beneficial to the general population is rejected. The corporations have gained this unhealthy amount of power by guaranteeing members of Congress a future job in the private sector in exchange for legislation that will favor whichever industry and/or corporation they represent. It is a gross injustice of congressional power.

The United States of America is at a fork in the road: they can either choose to take a step in the right direction and work for the interests of the people, or they can take a leap in the wrong direction and work in the interests of corporations. The country's future prosperity will be a result of that decision. It is crucial that the government abolishes corporate lobbying and strives to serve the people this nation was built for. This will not be easy, but it is critical in the process of rebuilding America.

ALEXANDRA MCFARLAND, WOODSTOCK UNION HIGH SCHOOL (FINALIST)

As we have seen throughout our country over the past few years, climate change is greatly affecting weather patterns. In 2011 Vermont was hit by Hurricane Irene which devastated much of the state and resulted in destroyed roads and homeless families. In 2012 Hurricane Sandy came ashore in New Jersey and New York changing even more of our fellow Americans' lives with massive destruction. Last year snowfall here in the Green Mountains was nearly half of the an-

nual average. This year we have already seen two major snowstorms and snow levels are already approaching and surpassing the total snowfall of last year. We have to be concerned with these extreme weather changes. Weird weather may now be normal weather and scientists predict such patterns only worsening in the future unless we take action.

Climate change is a great problem that the United States, although on the surface has attempted to tackle, needs to face head on. We need to once again be world leaders. Our first step is to launch a nationwide campaign, as there remains a huge portion of the population who still believe climate change is simply a myth, to help folks understand the complex science. Second, our nation needs to support scientific research and publicize new discoveries that could help to better our understanding of the climate change crisis as well as create and implement new green technologies to combat it. We need to establish a national plan to reduce our energy use.

The 350 Initiative, started by environmental activist Bill McKibben, is a great goal for our nation to strive toward. Through awareness and education programs that will lead us to conserve as well as the development of new and innovative green technologies, we will reduce atmospheric carbon levels to a more sustainable level of 350 parts per million by the year 2050. Scientists have shown that 350 is a safe upper limit for the amount of carbon in the atmosphere. The 350 plan puts a solid number that we can strive to achieve on a concept that so often feels much too great to tackle.

As one of the largest economies and one of the largest consumers of fossil fuels, we should be a leader in changing the way people around the globe think about our climate. It's not simply here for us to use at will. It's here for us to take care of and preserve for generations to come. These are feats that our country has the resources, the will power and the ingenuity to tackle.

We will not sit back and watch as extreme weather washes over our great nation. As we have in the past, we will face our worst problems and we will overcome them.

RACHEL MOORE, SOUTH ROYALTON MIDDLE/ HIGH SCHOOL (FINALIST)

My family is like most families in Vermont: middle-class citizens. Both my parents work to pay taxes and to put meals on the table for my two brothers and me. Sometimes barely getting by is all we can do. Life is not what it used to be. When it is time for taxes to be paid for, it is always the hardest, but we skim by. Taxes are killers to lower and middle class citizens. I think the government should address this problem in full detail. It is time to be fair and to put the money back into the economy. In my opinion, when the President gives his State of the Union speech, he should promise to raise taxes for the rich and lower them for the poor.

Lower-class citizens pay taxes like everyone else. The difference between them and higher classes is their income. Lower-class citizens do not receive a lot of income. Therefore they have a harder time supporting their families. There is a reason why so many people are losing their homes. And most of those people are lower-class citizens. When the President makes his State of the Union address, he, in my opinion, should promise to raise taxes on the rich and lower them for the poor. It is not fair that lower-class people work twice as hard to keep their home, and to pay for food, when higher-class

citizens do not have to work as hard and they do not need to worry. Lower-class citizens are not the only ones who suffer from taxes.

Middle-class citizens also suffer from taxes. They have to work harder to support their families than the higher-class. Being a part of the middle-class group, I have experienced the effects taxes have on our lives. Sometimes skimming by is all my family is capable of doing. I have sat at the table watching my mom write out and pay all her bills. I frequently wish that I were rich, so I could support all my family members and to get them to a better state. But wishing has not done much for me, so I gave up. But now I have turned my head to the President and his colleagues. Maybe my plea can be heard by them, to lower taxes on the poor and raise it on the rich. I want to live an American dream, not just dream it. The more you raise taxes on the lower-class, which is the majority of Americans, the less money will go back into the economy. Tax the people who can spare an extra dollar, not the people who depend on that dollar for a meal.

In my opinion, taxes should be raised on the rich and lowered for the poor. Lower and middle classes have a hard time supporting their families because of taxes. What about that American dream people talk so much about? How will future generations be able to live that dream if they cannot even buy a house? It is time to do something, so, in my opinion, when the President makes his State of the Union address he should promise to lower taxes on the poor and raise them to the rich.

DERRYK O'GRADY, MILTON HIGH SCHOOL
(FINALIST)

My fellow Americans, we need to remember the tragic events that occurred in Newtown, Connecticut, change in gun control laws must happen. Unfortunate events like this can separate weak countries and divide them, but we are different. A tragic incident like this makes us more aware and stronger. As we move forward, we will use this as a learning experience to make this country safer by decreasing the ability to own a gun.

In addition to gun control, the following are other major topics of concern. First, we are in major national debt. Second, unemployment rates are reaching an unbearable high. Third we need to use more green energy and save more of the world's oil. Lastly, the cost of the education is incredibly high and still increasing. We must find solutions to these issues and I believe I can do it.

We need to better our international relationships. We need to stop involving ourselves in wars. Wars are a heavy burden, and over the past twelve years, we spent \$3.7 trillion and by the end, possibly \$4.4 trillion. This money does not need to be spent. We need to take care of our own business, impose higher taxes on the wealthy, and save money from wars.

More jobs need to be created for our country. The national unemployment rate is around 7.7%, and in 2010, we reached 9.8%. A steady decline has to continue to happen. The more people in this country working, the more revenue we can bring. This will help chip away at the debt because the more people working making money, the more money they can spend. This series of working, making money, and putting it back into the economy is what we need to create a surplus.

America's oil dependency is on a slight decrease since president Obama took office. We have limited the use of other countries oil by depending more on ourselves and this saves

money. We need to find more ways of using renewable energy such as wind power, solar power, and hydro power: fossil fuel is not everlasting, while renewable energy is.

We tell high school students that they need to go to college to reach success, but then we throw them in debt. The prices for college are astronomically high and continue to increase. The average price for an in-state student is \$22,000 a year. How many students can afford to spend \$88,000? The answer is easy: not many. We need to find a standard price range for colleges to work with.

As we grow as a nation, I promise we will find answers. Our nation can overcome any challenge. Nothing brings this country down. We will keep fighting these battles until we have reached our goals. Thank you, and may God bless you all.

SALEBAN OLOW, WINOOSKI HIGH SCHOOL
(FINALIST)

Dear President Obama, Senator Sanders, and Fellow Americans, From the birth of America, to America today, the driving force and the heart of America has always been the American success story. The United States of America is a country of opportunity and accomplishment. We believe in our country and our government. We believe that we will eventually succeed, overcoming any obstacles that we face. Our government and the entrepreneurs creating jobs made our country the best among the world, but new issues have appeared from the unemployment rate to the cost of college tuition to gun control. These are what we need to address.

Perhaps the biggest problem we face as a nation is the current rate of unemployment. According to the "Department of Numbers," during the November of 2012, the unemployment rate is down to 7.7 percent of people in the United States. This means that over 12 million Americans are jobless, including my mom. Many American families are losing their jobs because companies obtain their jobs. Companies and wealthy people are getting richer and those from the middle class and poverty levels are falling toward and below the poverty line. This is particularly true given the fact that the dollar is not worth what it was in the past. As a result, inflation is boosting up the price of all goods and services. As unemployment has been rising, the cost of education is increasing. Today, American colleges have imposed an extraordinary increase in tuition. Additionally, there are also issues such as gay rights, Social Security, illegal immigration and the War on Terror.

In spite of these factors, many students in the United States look for higher education after high school. They want to go to college and have a good career. If the government's influence results in increasing college costs, then students like "ME" will not be able to afford college. The average family cannot fully support their child's tuition costs. Our parents' incomes are spent paying for college debt. While many college graduates remain jobless, they still must face debts of more than 90K dollars. For our newly hatching generation, I believe that college tuition should be cheaper for everyone no matter what economic level the family is.

Regarding another critical issue, each year thousands of Americans lose their lives through gun related problems. Guns are designed to kill people easily and many lives are lost each year because the United States doesn't have strict gun control laws. The deadly massacre shooting at a Connecticut elementary school was heartbreaking. The outcome of this tragedy resulted in the

deaths of 20 children and 6 adults, a painful scenario. Beautiful little kids between the ages of 4 and 9 years were slaughtered. It is my strong opinion that the government should pass a gun law that would reduce gun problems. President Obama and fellow lawmakers, I feel you need to be creative and figure out a better way to ensure young kids' safety. By choosing you, the United States is going in the right direction for a better future.

In conclusion, the challenges that we face with unemployment, college tuition and gun control are ones that we must currently address. We must make significant changes in order to progress. The success of our nation must be made by building upon our society. As in the past, we can and always will work hard and make America and the world a better place.

God bless the United States of America.

ROBERT PENNYPACKER, ST. JOHNSBURY
ACADEMY (FINALIST)

This year's Tax Rate for the richest is the lowest this Country has ever seen!

Today's tax rate means that person making \$379,150 pays the same tax as a person making seven million dollars. Thirty years ago this was different. In 1981 there were 16 tax brackets. Today there are six. The highest tax bracket for today's federal income tax is 35% for a person making \$379,150 or more. That means you're taxing a small business owner the same rate as a giant corporation president like General Electric's Chairman and CEO Jeffrey Immelt who has a salary of 3.3 million dollars as of 2011.

If and when the tax rate increases for the rich like many Americans want, it will not hurt the economy like the GOP is stating. Last September, the Congressional Research Service published a report countering Republican claims that lowering top tax rates would lead, or had led, to higher economic growth. "Changes over the past 65 years in the top marginal rate and the top capital gains tax rate do not appear correlated with economic growth," the report concluded. Republican Minority Leader Mitch McConnell responded by having the report suppressed, but its findings were incontrovertible. This shows that, with the rise in taxes for the upper class, it will not affect the economy like many Republicans are stating.

Also, we are at war with the Taliban and yet we still have lower taxes than ever before. How are we paying to support this war? Never before has the United States had lower taxes during a war. In 1943, during WWII, the tax rate for a person making \$2,593,984 (adjusted for inflation) was 88%. In that same year a person making \$155,000 (adjusted for inflation) was 38%. During the Vietnam War, in 1966, the tax rate for a person making \$629,530 (adjusted for inflation) was 70%. Also, in that same year, a person making \$83,104 (adjusted for inflation) was 36%. Today's tax rate, as of 2011, for a person making \$379,150 is 35%. A person making 1.1 million dollars tax rate pay the same 35%.

Should a person making \$379,150 pay the same rate as multi-millionaires? No they shouldn't. Why do we have the lowest taxes ever in the United States and yet be in a war? The United States should have taxes similar to years before. The middle class should pay the same rate. The rates for the middle class have stayed within the same percentage for the last 70 years. Meanwhile the upper class has gone from a 90 percent tax rate in the 1940's and 50's to 70 percent from 1960's through 1981, and 50 percent in 1982 through 1986. Now they have a 35 percent tax rate which is the same as a middle class

citizen. The United States should raise the taxes of the rich.

REBECCA POTTER, BRATTLEBORO UNION HIGH SCHOOL (FINALIST)

Congress is dysfunctional because of priority discrepancies. Some in our government seem to believe that holds, filibusters, and less legal tactics of delay and obstruction serve as necessary means to a greater GOP-dominated end. Others argue that while disagreement is key in a true democracy, so is compromise. Certain members of the Senate, where unanimous consent remains relevant in the scheduling and timing of legislation, stand by "holding" the Senate's progress on a bill or committee action. Others point out that this is 2012, where a hold in Senate exists as a euphemism for indefinite or permanent vetoes, often done in secret. In both houses, many forget that the true party holding the majority in Congress is the white, heterosexual, wealthy men.

While Congress' dysfunction directly correlates with the partisan gridlock we've been witnessing over the past four years, this has more to do with flaws in the system itself rather than the puppets within it. Sure, people are selfish and want the connections voting a certain way or hiring a specific set of hands will bring—but what ingenious economic system provides the impetus for such action? Capitalism, at the root of it all, enables members of Congress and the wealthy holding the strings above them to exist as money-motivated figures of power. The privatization of education, healthcare, and human services creates the legislative standstill we've got in Congress, which dedicates an absurd amount of time to arguing over non-issues in a partisan lock. This allows legislation that matters often gets nixed in committee or shoved through without necessary debate.

Capitalist society has created a dysfunctional Congress, and until we fix the system we will keep getting the same results. The bandage for this infectious situation is compromise in the Senate and House of Representatives—impending compromise, I predict, what with a certain cliff looming over our heads. Antibiotics for a more permanent change would mean a re-evaluation of everything we've grown up being told was "American": federalized elections, spending limits on campaigns, socialized care for humans and our unalienable rights (health, education, safety), and public ownership of the land of the free.

AUSTIN PRICE, MT. ANTHONY UNION HIGH SCHOOL (FINALIST)

My fellow Americans, Our country is evolving and changing in ways it has never before. We can either adjust or get left in the past. America was once the greatest power in the world and I believe we can get back to that, but we must take hold and lead with force. Although we are on the path back, we still need to focus on our military, economy, and civil rights.

Our military is the backbone of our success as a nation. With over nine hundred military bases internationally, we need our military to be strong as ever to protect our trading partners as well as us. The necessary changes that must be made are to increase our presence in the countries that are filled with enemies of the state and looking to do harm to the United States and its citizens. We must increase the spending budget for the military so that we will maintain our internationally renowned army. We as a country have the responsibility to not only protect our rights, but to protect the civil

rights of others who don't have the ability themselves.

Further, we are in one of the greatest recessions since the Great Depression; we face unprecedented challenges as a nation to get back on top. If any country can come out of a depression and be even stronger than before, it is America, the home of the brave. Were the spending in any sector to increase, then there would be a huge influx of jobs that were created by all that new money. A higher tax rate for the wealthiest of Americans will help this nation get out of the greatest debt it has ever been in. It is time for everyone to pay their fair share. Although the taxes do need to be increased, increasing the taxes on small business owners will only hurt our economy because they will hire fewer workers.

There is also a great civil rights issue that must be addressed in our country. This is the marriage of homosexuals. I am proud to say that the state I reside in has done what few other states are brave enough to do by creating civil unions. There are a shocking forty-one states that ban same-sex marriage compared to only nine that allow it. I am asking for an immediate legalization of same-sex marriage in all states, similar to that of the desegregation laws of the sixties and seventies.

If we as a nation are to be prosperous, we must grow and adapt to the world around us. In order to reach our goals their will have to be sacrifices made by every American. We must make changes to the economy, military, and civil rights in order to reach our lofty goals and reap the benefits of our hard work.●

MESSAGE FROM THE HOUSE

At 11:35 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 267. An act to improve hydropower, and for other purposes.

H.R. 592. An act to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify that houses of worship are eligible for certain disaster relief and emergency assistance on terms equal to other eligible private nonprofit facilities, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 267. An act to improve hydropower, and for other purposes; to the Committee on Energy and Natural Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

H.R. 307. A bill to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and for other purposes.

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment and with an amended preamble:

S. Res. 12. A resolution recognizing the third anniversary of the tragic earthquake in Haiti on January 12, 2010, honoring those who lost their lives in that earthquake, and expressing continued solidarity with the people of Haiti.

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 252. A bill to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity.

By Mr. MENENDEZ, from the Committee on Foreign Relations, with amendments:

S. 298. A bill to prevent nuclear proliferation in North Korea, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Mark A. Barnett, of Virginia, to be a Judge of the United States Court of International Trade.

Claire R. Kelly, of New York, to be a Judge of the United States Court of International Trade.

Caitlin Joan Halligan, of New York, to be United States Circuit Judge for the District of Columbia Circuit.

Patty Shwartz, of New Jersey, to be United States Circuit Judge for the Third Circuit.

Pamela Ki Mai Chen, of New York, to be United States District Judge for the Eastern District of New York.

Katherine Polk Failla, of New York, to be United States District Judge for the Southern District of New York.

Andrew Patrick Gordon, of Nevada, to be United States District Judge for the District of Nevada.

Ketanji Brown Jackson, of Maryland, to be United States District Judge for the District of Columbia.

Raymond P. Moore, of Colorado, to be United States District Judge for the District of Colorado.

Troy L. Nunley, of California, to be United States District Judge for the Eastern District of California.

Beverly Reid O'Connell, of California, to be United States District Judge for the Central District of California.

Analisa Torres, of New York, to be United States District Judge for the Southern District of New York.

Derrick Kahala Watson, of Hawaii, to be United States District Judge for the District of Hawaii.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SCHUMER:

S. 324. A bill to amend part B of the title XVIII of the Social Security Act to apply

deemed enrollment to residents of Puerto Rico and to provide a special enrollment period and a reduction in the late enrollment penalties for certain residents of Puerto Rico; to the Committee on Finance.

By Mr. TESTER (for himself, Mr. HELLER, Mrs. MURRAY, Mr. BAUCUS, Mr. BLUMENTHAL, Mr. BEGICH, and Mr. ROCKEFELLER):

S. 325. A bill to amend title 38, United States Code, to increase the maximum age for children eligible for medical care under the CHAMPVA program, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. BOXER (for herself, Ms. MURKOWSKI, Mrs. MURRAY, Mr. BEGICH, and Mr. MANCHIN):

S. 326. A bill to reauthorize 21st century community learning centers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BARRASSO (for himself, Mr. ENZI, Mr. HATCH, Mr. LEE, Mr. JOHNSON of South Dakota, Mr. THUNE, and Mr. UDALL of Colorado):

S. 327. A bill to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into cooperative agreements with State foresters authorizing State foresters to provide certain forest, rangeland, and watershed restoration and protection services; to the Committee on Energy and Natural Resources.

By Mr. THUNE (for himself, Mr. UDALL of New Mexico, and Mr. BENNET):

S. 328. A bill to amend title XVIII of the Social Security Act to allow certain critical access hospitals and sole community hospitals to use interactive telecommunications systems to satisfy requirements with respect to having a physician available to stabilize an individual with an emergency medical condition under the Medicare program; to the Committee on Finance.

By Mr. SANDERS:

S. 329. A bill to eliminate certain fuel subsidies and to amend the Internal Revenue Code of 1986 to extend certain energy tax incentives; to the Committee on Finance.

By Mrs. BOXER (for herself, Mr. COBURN, Ms. BALDWIN, and Mr. PAUL):

S. 330. A bill to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV); to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN (for himself and Mr. PORTMAN):

S. 331. A bill to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of designating the Colonel Charles Young Home in Xenia, Ohio, as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SANDERS (for himself and Mrs. BOXER):

S. 332. A bill to address climate disruptions, reduce carbon pollution, enhance the use of clean energy, and promote resilience in the infrastructure of the United States, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LAUTENBERG (for himself, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mrs. BOXER, Mr. FRANKEN, Mr. BROWN, Mr. SANDERS, Mr. WYDEN, Mr. MENENDEZ, and Mrs. GILLIBRAND):

S. 333. A bill to establish certain duties for pharmacies to ensure provision of Food and

Drug Administration-approved contraception, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MCCASKILL (for herself and Mr. FLAKE):

S. 334. A bill to terminate agricultural direct payments beginning with the 2013 crop year; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MERKLEY (for himself and Mr. LAUTENBERG):

S. 335. A bill to provide financing assistance for qualified water infrastructure projects, and for other purposes; to the Committee on Environment and Public Works.

By Mr. ENZI (for himself, Mr. DURBIN, Mr. ALEXANDER, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Mr. BLUNT, Mr. WHITEHOUSE, Mr. CORKER, Mr. PRYOR, Mr. ROCKEFELLER, Ms. KLOBUCHAR, Mr. FRANKEN, Ms. HEITKAMP, Mr. CARDIN, Mrs. FEINSTEIN, Ms. LANDRIEU, Mr. MANCHIN, Mr. LEVIN, and Mr. HARKIN):

S. 336. A bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; to the Committee on Finance.

By Ms. STABENOW (for herself, Mr. ROCKEFELLER, Mrs. MCCASKILL, Mr. DURBIN, Mr. WHITEHOUSE, Ms. KLOBUCHAR, and Mr. BLUMENTHAL):

S. 337. A bill to provide an incentive for businesses to bring jobs back to America; to the Committee on Finance.

By Mr. BAUCUS (for himself, Mr. BURR, Mr. WYDEN, Mr. GRAHAM, Mr. UDALL of Colorado, Mr. TESTER, and Mr. UDALL of New Mexico):

S. 338. A bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MCCAIN (for himself and Mr. FLAKE):

S. 339. A bill to facilitate the efficient extraction of mineral resources in southeast Arizona by authorizing and directing an exchange of Federal and non-Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 340. A bill to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. UDALL of Colorado (for himself and Mr. BENNET):

S. 341. A bill to designate certain lands in San Miguel, Ouray, and San Juan Counties, Colorado, as wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. REID (for himself and Mr. HELLER):

S. 342. A bill to designate the Pine Forest Range Wilderness area in Humboldt County, Nevada; to the Committee on Energy and Natural Resources.

By Mr. REID (for himself and Mr. HELLER):

S. 343. A bill to provide for the conveyance of certain Federal land in Clark County, Nevada, for the environmental remediation and reclamation of the Three Kids Mine Project Site, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WICKER (for himself and Mr. VITTER):

S. 344. A bill to prohibit the Administrator of the Environmental Protection Agency from approving the introduction into commerce of gasoline that contains greater than 10-volume-percent ethanol, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. SHAHEEN (for herself, Mr. KIRK, Mr. TOOMEY, Mr. DURBIN, Mr. PORTMAN, Mr. LAUTENBERG, Mr. CORKER, Mrs. FEINSTEIN, Ms. AYOTTE, and Mr. ALEXANDER):

S. 345. A bill to reform the Federal sugar program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. TESTER (for himself, Mr. HELLER, and Mr. BAUCUS):

S. 346. A bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel; to the Committee on Armed Services.

By Mr. CARPER (for himself and Mr. COONS):

S. 347. A bill to establish the First State National Historical Park in the State of Delaware, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ROCKEFELLER (for himself, Mr. MANCHIN, and Mrs. GILLIBRAND):

S. 348. A bill to provide for increased Federal oversight of prescription opioid treatment and assistance to States in reducing opioid abuse, diversion, and deaths; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself, Mr. BLUMENTHAL, Mr. WHITEHOUSE, and Mr. MURPHY):

S. 349. A bill to amend the Wild and Scenic Rivers Act to designate a segment of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in the States of Connecticut and Rhode Island for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CORNYN (for himself and Mr. WYDEN):

S. 350. A bill to provide for Federal agencies to develop public access policies relating to research conducted by employees of that agency or from funds administered by that agency; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CORNYN (for himself, Mr. HATCH, Mr. COATS, Mr. CHAMBLISS, Mr. RISCH, Mr. COCHRAN, Mr. JOHANNIS, Mr. WICKER, Mr. INHOFE, Mr. RUBIO, Mr. BARRASSO, Mr. CRAPO, Mr. GRASSLEY, Mr. PORTMAN, Mr. COBURN, Mr. FLAKE, Mr. JOHNSON of Wisconsin, Mr. THUNE, Mr. GRAHAM, Mr. MORAN, Mr. BOOZMAN, Mr. BURR, Ms. COLLINS, Mr. PAUL, Mr. ISAKSON, Mr. HOEVEN, Mr. TOOMEY, Mr. ROBERTS, Mr. BLUNT, Mrs. FISCHER, Ms. AYOTTE, and Mr. ENZI):

S. 351. A bill to repeal the provisions of the Patient Protection and Affordable Care Act of providing for the Independent Payment Advisory Board; to the Committee on Finance.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 352. A bill to provide for the designation of the Devil's Staircase Wilderness Area in

the State of Oregon, to designate segments of Wasson and Franklin Creeks in the State of Oregon as wild rivers, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 353. A bill to designate certain land in the State of Oregon as wilderness, to make additional wild and scenic river designations in the State of Oregon, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 354. A bill to modify the boundary of the Oregon Caves National Monument, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MERKLEY (for himself, Mr. ENZI, Mr. SCHUMER, and Mr. BARASSO):

S. 355. A bill to require the United States Trade Representative to notify the World Trade Organization if any member of the World Trade Organization fails during 2 consecutive years to disclose subsidies under the Agreement on Subsidies and Countervailing Measures, and for other purposes; to the Committee on Finance.

By Mr. JOHANNIS (for himself, Mr. INHOFE, Mr. GRASSLEY, Mrs. FISCHER, Mr. BOOZMAN, Mr. ENZI, Mr. THUNE, Mr. RISCH, Mr. VITTER, and Mr. COCHRAN):

S. 356. A bill to ensure that women seeking an abortion are fully informed regarding the pain experienced by their unborn child; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARDIN (for himself, Mr. GRAHAM, Mr. LEAHY, Ms. KLOBUCHAR, Mrs. BOXER, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Ms. HEITKAMP, and Mr. DURBIN):

S. 357. A bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty; to the Committee on the Judiciary.

By Mr. FRANKEN (for himself, Mrs. MURRAY, Mrs. SHAHEEN, Mr. NELSON, Mr. JOHNSON of South Dakota, Mrs. GILLIBRAND, Mr. CARDIN, and Ms. WARREN):

S. 358. A bill to establish a Science, Technology, Engineering, and Math (STEM) Master Teacher Corps program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself, Mr. PAUL, Mr. MCCONNELL, and Mr. MERKLEY):

S. 359. A bill to amend the Controlled Substances Act to exclude industrial hemp from the definition of marijuana, and for other purposes; to the Committee on the Judiciary.

By Mr. UDALL of New Mexico (for himself, Mr. HEINRICH, Mr. BEGICH, Mrs. BOXER, and Mr. COONS):

S. 360. A bill to amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI (for herself, Mr. BROWN, Mr. ENZI, Mr. MENENDEZ, Mr. REED, and Mr. MERKLEY):

S. 361. A bill to require the lender or servicer of a home mortgage, upon a request by the homeowner for a short sale, to make a prompt decision whether to allow the sale; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. TESTER (for himself and Mr. BEGICH):

S. 362. A bill to promote the mapping and development of United States geothermal resources by establishing a direct loan program for high risk geothermal exploration wells, to amend the Energy Independence and Security Act of 2007 to improve geothermal energy technology and demonstrate the use of geothermal energy in large scale thermal applications, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself, Ms. MURKOWSKI, Mr. BEGICH, Mr. CRAPO, Mr. RISCH, and Mr. MERKLEY):

S. 363. A bill to expand geothermal production, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BAUCUS (for himself and Mr. TESTER):

S. 364. A bill to establish the Rocky Mountain Front Conservation Management Area, to designate certain Federal land as wilderness, and to improve the management of noxious weeds in the Lewis and Clark National Forest, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. KLOBUCHAR (for herself and Mr. FRANKEN):

S. 365. A bill to authorize the Secretary of the Army to carry out activities to manage the threat of Asian carp travelling up the Mississippi River in the State of Minnesota, and for other purposes; to the Committee on Environment and Public Works.

By Ms. MURKOWSKI:

S. 366. A bill to amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CARDIN (for himself and Ms. COLLINS):

S. 367. A bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps; to the Committee on Finance.

By Mr. HEINRICH (for himself, Mr. HELLER, Mr. BAUCUS, Mr. BENNET, Mr. TESTER, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, and Mr. WYDEN):

S. 368. A bill to reauthorize the Federal Land Transaction Facilitation Act, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. RUBIO (for himself, Mr. HATCH, Mr. BLUNT, Mr. PAUL, Mr. RISCH, Mr. GRASSLEY, Mr. JOHANNIS, Mr. BURR, Mrs. FISCHER, Mr. BOOZMAN, Mr. WICKER, Mr. CORKER, Mr. INHOFE, Mr. ROBERTS, Mr. COBURN, Mr. ENZI, Mr. CHAMBLISS, Mr. MCCONNELL, Mr. VITTER, Mr. MORAN, Mr. GRAHAM, Mr. CRUZ, and Mr. CORNYN):

S. 369. A bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions; to the Committee on the Judiciary.

By Mr. COCHRAN (for himself and Ms. MIKULSKI):

S. 370. A bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself, Mr. WHITEHOUSE, Ms. WARREN, and Mr. COWAN):

S. 371. A bill to establish the Blackstone River Valley National Historical Park, to dedicate the Park to John H. Chafee, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LAUTENBERG (for himself, Mr. MENENDEZ, Ms. HIRONO, Mr. FRANKEN, and Mr. BLUMENTHAL):

S. 372. A bill to provide for the reduction of unintended pregnancy and sexually transmitted infections, including HIV, and the promotion of healthy relationships, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN (for herself and Mrs. GILLIBRAND):

S. 373. A bill to amend titles 10, 32, 37, and 38 of the United States Code, to add a definition of spouse for purposes of military personnel policies and military and veteran benefits that recognizes new State definitions of spouse; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CARDIN (for himself and Ms. MIKULSKI):

S. Res. 35. A resolution congratulating the Baltimore Ravens for winning Super Bowl XLVII; considered and agreed to.

By Mr. JOHANNIS (for himself, Mr. HARKIN, Mrs. FISCHER, Mr. DURBIN, and Mr. GRASSLEY):

S. Res. 36. A resolution recognizing February 19, 2013 as the centennial of Mosaic, a faith-based organization that was founded in Nebraska and now serves more than 3,600 individuals with intellectual disabilities in 10 States; considered and agreed to.

By Mr. BROWN (for himself, Mr. GRASSLEY, Mr. FRANKEN, Mr. HARKIN, Mr. CASEY, Mr. INHOFE, and Mr. LEVIN):

S. Res. 37. A resolution expressing the sense of the Senate in disapproving the proposal of the International Olympic Committee Executive Board to eliminate wrestling from the Summer Olympic Games beginning in 2020; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 82

At the request of Mr. PAUL, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 82, a bill to provide that any executive action infringing on the Second Amendment has no force or effect, and to prohibit the use of funds for certain purposes.

S. 175

At the request of Mr. ROBERTS, the name of the Senator from Idaho (Mr.

RISCH) was added as a cosponsor of S. 175, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve the use of certain registered pesticides.

S. 183

At the request of Mrs. McCASKILL, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 183, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 195

At the request of Mr. FRANKEN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 195, a bill to amend the Public Health Service Act to revise and extend projects relating to children and violence to provide access to school-based comprehensive mental health programs.

S. 203

At the request of Mr. PORTMAN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 203, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the Pro Football Hall of Fame.

S. 218

At the request of Mr. LEVIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 218, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 234

At the request of Mr. REID, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 234, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 264

At the request of Ms. STABENOW, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 264, a bill to expand access to community mental health centers and improve the quality of mental health care for all Americans.

S. 278

At the request of Mr. THUNE, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 278, a bill to replace the Budget Control Act sequester for fiscal year 2013 by eliminating tax loopholes.

S. 290

At the request of Mr. REED, the name of the Senator from Rhode Island (Mr.

WHITEHOUSE) was added as a cosponsor of S. 290, a bill to reduce housing-related health hazards, and for other purposes.

S. 291

At the request of Mr. REED, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 291, a bill to establish the Council on Healthy Housing and for other purposes.

S. 313

At the request of Mr. CASEY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 316

At the request of Mr. SANDERS, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 316, a bill to recalculate and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United States Postal Service prefund the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes.

S. 321

At the request of Mr. WHITEHOUSE, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 321, a bill to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers.

S. RES. 12

At the request of Mr. NELSON, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. Res. 12, a resolution recognizing the third anniversary of the tragic earthquake in Haiti on January 12, 2010, honoring those who lost their lives in that earthquake, and expressing continued solidarity with the people of Haiti.

S. RES. 26

At the request of Mr. MORAN, the names of the Senator from South Dakota (Mr. THUNE), the Senator from Maine (Ms. COLLINS), the Senator from Idaho (Mr. CRAPO) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. Res. 26, a resolution recognizing that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. BOXER (for herself, Ms. MURKOWSKI, Mrs. MURRAY, Mr. BEGICH, and Mr. MANCHIN):

S. 326. A bill to reauthorize 21st century community learning centers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mrs. BOXER. Mr. President, I rise today to urge my colleagues to cosponsor, S. 326 the Afterschool for America's Children Act, which I am introducing today with Senators MURKOWSKI, MURRAY, BEGICH, and MANCHIN.

Across the country, afterschool programs help keep children safe and help them learn through hands-on academic enrichment activities that are disappearing from the regular school day.

Numerous studies have shown that quality afterschool programs give students the academic, social, and professional skills they need to succeed. Students who regularly attend have better grades and behavior in school, and lower incidences of drug use, violence, and unintended pregnancy.

Over the past 10 years, the 21st Century Community Learning Centers, CCLC, program has helped support afterschool programs for millions of children from low-income backgrounds, including over 1.6 million children last year.

Unfortunately, the demand for affordable, quality afterschool experiences far exceeds the number of programs available. The 2009 report, *America After 3PM*, found that while afterschool programs are serving more kids than ever, the number of unsupervised children in the United States has increased. More than 18 million children have parents who would like to enroll their child in an afterschool program but can't find one available.

For over 10 years, federally funded afterschool programs have played an important role in the lives of so many children and families. The Afterschool for America's Children Act, AACA, would strengthen the 21st CCLC program, leaving in place what works and using what we have learned about what makes afterschool successful to improve the program.

The AACA would modernize the 21st CCLC program to improve state's ability to effectively support quality afterschool programs, run more effective grant competitions and improve struggling programs. In addition, this legislation helps improve local programs by fostering better communication between local schools and programs, encouraging parental engagement in student learning, and improving the tracking of student progress.

Afterschool programs have such a diverse group of supporters—from law enforcement to the business community—because these vital programs help keep the children of working parents safe while enriching their learning

experience and preparing them for the real world.

I urge my colleagues to join me and Senators MURKOWSKI and MURRAY in supporting the Afterschool for America's Children Act to ensure that 21st CCLC dollars are invested most efficiently in successful afterschool programs that keep children safe and help them learn.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 340. A bill to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today for the fourth time to introduce or reintroduce legislation to settle the outstanding land claims of the Tlingit and Haida Native people, the first people of Southeast Alaska. I first introduced this legislation to speed up the conveyance of lands to the Sealaska Native Regional Corporation in 2008. Native residents of Southeast Alaska in 1971 were promised lands to settle their aboriginal land claims to all of Southeast Alaska. Under the motto that nothing of worth comes easy, I hope that the compromise bill I introduce today with my colleague from Alaska Senator BEGICH will finally settle those claims early in the 113th Congress, capping nearly six years of congressional negotiation and review on this issue.

The newly revised bill establishes where and how Sealaska may select the remaining 70,075 acres of land the Bureau of Land Management now says it is entitled to receive under the Alaska Native Claims Settlement Act of 1971, ANCSA. In all, Sealaska, the regional corporation representing some 20,000 Alaska Natives, more than a fifth of all Native residents in Alaska, will receive about 68,400 acres of land for timber development, about 1,099 acres for other economic development such as hydroelectric generation, marine hydrokinetic activity and future tourism development near Yakutat, Kake and Hydaburg, and 490 acres that Sealaska can apply for to gain an additional 76 cemetery and historical places.

The bill provides a balance of old-growth and second-growth timber, allowing Sealaska's timber business to transition to second-growth harvesting. To address local concerns, the new bill does not contain some 26,000 acres of selections on northern Prince of Wales Island. This version of the bill also eliminates more lands near Kassa Inlet and Mabel Bay near Keete on Prince of Wales Island to meet wildlife concerns, buffer key fisheries and anchorage areas for fishermen, and revises selection areas to address the Forest Service's desire to retain more lands that will aid its young-growth

timber transition strategy in the Tongass National Forest.

Frankly, it has taken years of frustrating talks and negotiations to reach this point. This bill contains more than 175 changes since the 2008 version, all designed to make the bill acceptable to all Americans. While the odds are that it still won't make absolutely everyone happy, the bill does address all of the major concerns voiced with the Sealaska bill during nearly a half dozen congressional hearings, 22 town hall meetings, and in hundreds of letters and media comments. It gives Sealaska its ANCSA selections, while it provides unprecedented public access to the lands Sealaska will be receiving, and meets the valid concerns of small communities, fishermen and timber workers and protects their industries while fully protecting the environment.

It is a compromise. Clearly there are provisions in the bill that I wish were different, but on balance, it is a fair solution to a most difficult matter that has been dragging on for more than four decades. It is certainly a balanced solution that allows Sealaska to finally take title to the last 70,000 acres it was promised by the land claims settlement—lands largely to be used for economic development in a region where unemployment often hits 25 percent—while at the same time protecting more than twice as many acres for environmental and fisheries protection in Southeast Alaska, an area roughly the size of South Carolina. The bill does the latter by creating 152,000 acres of new conservation habitat areas in the region in eight tracts.

The revised bill also requires Sealaska, by a conservation easement, to protect three major salmon spawning systems on lands it is gaining by imposing a 100-foot no-cut buffer, specifically, along the main stem of Trout Creek on Koscuisko Island, along Old Tom Creek at Polk Inlet and along Karheen and Tuxekan Creeks on Tuxekan Island. The State Forest Practices Act and buffer rules will govern the management of all other streams on state lands inside the new Sealaska selections.

The bill continues and strengthens all public access provisions contained in ANCSA. The bill contains a provision that guarantees public access to Sealaska's economic land selections for recreation, hunting and fishing both sport and subsistence, allowing closures only to protect public safety, to safeguard cultural properties, to promote educational efforts or to protect against environmental damage, while allowing the public to legally challenge any such closures. It also protects the rights of existing guides and tour operators to continue operations automatically on Sealaska lands for portions of two permit terms, or up to 20 years.

The revised bill also reduces the size of selection areas on Koscuisko and

Tuxekan Islands to meet local community concerns, to protect, subsurface, karst formations, to protect old-growth habitat areas for sensitive species, and to protect anchorages for fishermen. The revised bill rearranges selection areas at 12 Mile Arm and Polk Inlet to protect Forest Service planning, facilities and research facilities, and increases the size of selection areas at Calder and the Cleveland Peninsula to offset the acreage reductions.

Sealaska, through this bill, will give up its existing selection rights to 327,000 acres of the Tongass National Forest, allowing that timber to return to full Forest Service planning control, and the bill will result in Sealaska selecting about 25,000 fewer acres of old-growth timber, traditionally the most sought after lands in the forest and about 50,000 fewer acres of inventoried road less lands than might have happened should Sealaska have stayed inside their original selection boundaries, lands that were designated for selection by the corporation in 1976. The problem with those lands, the reason why this bill is so important for the public good, is that if Sealaska had to select from those lands it would have had to select timber lands in the Situk River Valley, the home to the nation's foremost steelhead stream. It would have had to select lands in the Craig municipal watershed, key fisheries habitat near Hoonah and Hydaburg and some 64,000 acres of Old-Growth Habitat Reserves, four times more such land than the corporation is taking by this bill. Those selections would have been bad for the commercial and sport fishing industries, for tourism, and for the environment. Equally important from Sealaska's viewpoint, 44 percent of the lands it had to select from by the 1976 selection areas were located under water bodies, making the selection rights worthless.

Sealaska may use part of its entitlement to select 76 cemetery sites and historical places, but to address concerns from some stakeholders, the bill reduces the number and acreage of cemetery sites and historical places that Sealaska can file to receive. Acreage available to Sealaska was reduced more than six fold, from 3,600 acres in the original 2008 bill to a maximum of 490 acres. The total number of sites was reduced from 206 in the original bill and all parks and wilderness lands were placed off limits.

This bill also confirms that all cemetery sites and historical places will have to pass the existing historical review process before they can be conveyed. The bill, again, prohibits the selection of cemetery sites and historical places inside parks and conservation system units. Sealaska will be required to consult with local tribes before applying for conveyance of any sites, and the bill prohibits the transfer of such sites to third parties and protects them

from loss of Native ownership in the event of any future financial claims against Sealaska—the lands reverting to the Federal Government in the event of financial issues. The bill also requires that Sealaska provide a 25-foot easement to allow anyone to sport fish along any salmon stream that crosses such new sites.

The bill allows Sealaska to receive nine small parcels of land that Sealaska may use to help spur cultural tourism, ecotourism, or, in two cases, renewable energy development near the communities of Yakutat, Kake, and Hydaburg. The number of sites, totaling 1,099 acres, is vastly reduced, considering more than 50 sites totaling 5,000 acres had been considered in earlier versions of the legislation. The small parcels all are within or near the so-called 10 selection boxes established by a 1976 amendment to ANCSA. Five sites are in the Yakutat area, where Sealaska currently owns no land on behalf of its tribal member shareholders. The sites in the Yakutat area are at Crab Island, North Dolgoi Island, Cannon Beach, Chicago Harbor and Redfield Lake. Two sites are in the Kake area: Turnabout Island and East Payne Island. There is a hydro site at Lake Josephine on Prince of Wales Island and a final site for marine hydrokinetic development, ocean current energy, on the northern tip of Dall Island at Turn Point-Tlevak Narrows' revised bill removes all sites that drew concern from commercial fishermen, small tour operators, environmental groups or local communities in the Alaska Panhandle.

The compromise bill conveys three non-exclusive access easements to Sealaska to use as traditional Native trade and migration routes in Southeast. The bill, as revised, renames the routes to honor Alaska's Tlingit and Haida Indians and the history of the region and provides generally for public access. The Yakutat to Dry Bay trail will be renamed "Neix naax aan flax" meaning, The Inside Passage; the Bay of Pillars to Port Camden trail will be renamed the "Yakwdeiyi" trail, meaning the Canoe Road; and the Portage Bay to Duncan Canal trail will be renamed "Lingit Deiyi," meaning the People's Road.

The bill requires Sealaska to share use of all forest roads with the Forest Service and others, meaning that the government retains the right to use the roads to access other timber sales, as do the public. The bill maintains all of the access provisions granted by ANCSA and includes provisions to make access rights workable for all.

It has taken years of really listening to the requests about this bill and working through them one by one to find solutions, with the past nearly two years involved in frequent negotiations among the Forest Service, Democratic and Republican congressional staff,

Sealaska, environmental groups and other interest groups such as commercial fishermen and timber operators. This is truly a compromise piece of legislation. But it finally gets Sealaska its lands, protects fisheries and wildlife, and helps maintain a timber industry in Southeast Alaska.

This compromise, the direct result of years of negotiation, has a host of good points. It will prevent "high-grading" of timber' the practice where companies cut only the best timber lands, leaving lesser quality lands behind. Sealaska's conveyances in the nine commercial tracts called for in this bill: Calder, Election Creek, Cleveland Peninsula, 12-Mile Arm, Tuexkan Island, Polk and MacKenzie Inlets, Koscuisko Island, Keete, and Kuiu Island include only about 20,700 acres of large old-growth trees just 3.8 percent of the forest's 537,451 acres of such trees. Already 437,000 acres of large old-growth trees, 81 percent, are protected in conservation areas within the 19.6-million-acre national forest.

The bill likely will save the government money. In addition to making Sealaska give up some \$2 million of escrowed funds, the bill means Sealaska, by getting about 25,000 acres of less valuable second-growth, based on current timber prices, could be foregoing more than \$10 million of timber value, compared to if it had received all old-growth trees—old-growth providing the most valuable habitat for species in the forest like Sitka black-tailed deer, the Queen Charlotte goshawk and wolves.

For Alaskans, the bill makes sure that more than 99 percent of the lands Sealaska will be receiving are open for public access. That is the opposite of what could happen if this bill does not pass, as then Sealaska would be free to prevent the public from trespassing across their new lands, like all other private land owners can post their properties.

The changes between this version and previous versions of the measure are far too many to list here. But briefly this bill reduces the number and acreage of small parcels for economic diversification, once called "Future" sites. It reduces the number of new Native cemetery and historical places that Sealaska could select, allowing only such sites outside national parks or wilderness to be selected. The bill increases public access provisions, prevents Sealaska from gaining potential federal grants for management of the cemetery sites, removes a host of questionable land selections on environmental grounds and revises timber lands to protect subsistence hunting areas and resource gathering spots.

As I say, I introduce this bill in a bipartisan manner with my Alaska colleague, Senator MARK BEGICH again as a co-sponsor. It is a reasonable bill and I hope it finally can pass both bodies of

Congress, it passing the House of Representatives in a somewhat different form in 2012 and become law. Southeast Alaska's Natives, which while the largest group of Natives in Alaska in 1971, received the third smallest land entitlement in the claims act 42 years ago. That was mostly because much of the rest of the forest at the time was already dedicated to long-term timber sale contracts. Now that those contracts have been voided, it is only just and equitable that Alaska's first inhabitants get a chance to select a little more of the land first settled by their ancestors.

By Mr. REID (for himself and Mr. HELLER):

S. 342. A bill to designate the Pine Forest Range Wilderness area in Humboldt County, Nevada; to the Committee on Energy and Natural Resources.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 342

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Pine Forest Range Recreation Enhancement Act of 2013".

SEC. 2. DEFINITIONS.

In this Act:

(1) COUNTY.—The term "County" means Humboldt County, Nevada.

(2) MAP.—The term "Map" means the map entitled "Proposed Pine Forest Wilderness Area" and dated July 5, 2011.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(4) STATE.—The term "State" means the State of Nevada.

(5) WILDERNESS.—The term "Wilderness" means the Pine Forest Range Wilderness designated by section 3(a).

SEC. 3. ADDITION TO NATIONAL WILDERNESS PRESERVATION SYSTEM.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the approximately 26,000 acres of Federal land managed by the Bureau of Land Management, as generally depicted on the Map, is designated as wilderness and as a component of the National Wilderness Preservation System, to be known as the "Pine Forest Range Wilderness".

(b) BOUNDARY.—

(1) ROAD ACCESS.—The boundary of any portion of the Wilderness that is bordered by a road shall be 100 feet from the edge of the road.

(2) ROAD ADJUSTMENTS.—The Secretary shall—

(A) reroute the road running through Long Meadow to the west to remove the road from the riparian area;

(B) reroute the road currently running through Rodeo Flat/Corral Meadow to the east to remove the road from the riparian area; and

(C) close, except for administrative use, the road along Lower Alder Creek south of Bureau of Land Management road #2083.

(3) **RESERVOIR ACCESS.**—The boundary of the Wilderness shall be 160 feet downstream from the dam at Little Onion Reservoir.

(c) **MAP AND LEGAL DESCRIPTION.**—

(1) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal description of the Wilderness.

(2) **EFFECT.**—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map or legal description.

(3) **AVAILABILITY.**—The map and legal description prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(d) **WITHDRAWAL.**—Subject to valid existing rights, the Wilderness is withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

SEC. 4. ADMINISTRATION.

(a) **MANAGEMENT.**—Subject to valid existing rights, the Wilderness shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in the Wilderness Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act; and

(2) any reference in the Wilderness Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary.

(b) **LIVESTOCK.**—The grazing of livestock in the Wilderness, if established before the date of enactment of this Act, shall be allowed to continue, subject to such reasonable regulations, policies, and practices as the Secretary considers to be necessary in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2) the guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101-405).

(c) **INCORPORATION OF ACQUIRED LAND AND INTERESTS.**—Any land or interest in land within the boundary of the Wilderness that is acquired by the United States after the date of enactment of this Act shall be added to and administered as part of the Wilderness.

(d) **ADJACENT MANAGEMENT.**—

(1) **IN GENERAL.**—Congress does not intend for the designation of the Wilderness to create a protective perimeter or buffer zone around the Wilderness.

(2) **NONWILDERNESS ACTIVITIES.**—The fact that nonwilderness activities or uses can be seen or heard from areas within the Wilderness shall not preclude the conduct of the activities or uses outside the boundary of the Wilderness.

(e) **MILITARY OVERFLIGHTS.**—Nothing in this Act restricts or precludes—

(1) low-level overflights of military aircraft over the Wilderness, including military overflights that can be seen or heard within the Wilderness;

(2) flight testing and evaluation; or

(3) the designation or creation of new units of special use airspace, or the establishment of military flight training routes, over the Wilderness.

(f) **WILDFIRE, INSECT, AND DISEASE MANAGEMENT.**—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary may take such measures in the Wilderness as are necessary for the control of fire, insects, and diseases (including, as the Secretary determines to be appropriate, the coordination of the activities with a State or local agency).

(g) **WILDFIRE MANAGEMENT OPERATIONS.**—Nothing in this Act precludes a Federal, State, or local agency from conducting wildfire management operations (including operations using aircraft or mechanized equipment).

(h) **CLIMATOLOGICAL DATA COLLECTION.**—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and subject to such terms and conditions as the Secretary may prescribe, the Secretary may authorize the installation and maintenance of hydrologic, meteorologic, or climatological collection devices in the Wilderness if the Secretary determines that the facilities and access to the facilities are essential to flood warning, flood control, or water reservoir operation activities.

(i) **WATER RIGHTS.**—

(1) **FINDINGS.**—Congress finds that—

(A) the land designated as wilderness by this Act is located—

(i) in the semiarid region of the Great Basin; and

(ii) at the headwaters of the streams and rivers on land with respect to which there are few, if any—

(I) actual or proposed water resource facilities located upstream; and

(II) opportunities for diversion, storage, or other uses of water occurring outside the land that would adversely affect the wilderness values of the land;

(B) the land designated as wilderness by this Act is generally not suitable for use or development of new water resource facilities; and

(C) because of the unique nature of the land designated as wilderness by this Act, it is possible to provide for proper management and protection of the wilderness and other values of land in ways different from those used in other laws.

(2) **PURPOSE.**—The purpose of this section is to protect the wilderness values of the land designated as wilderness by this Act by means other than a federally reserved water right.

(3) **STATUTORY CONSTRUCTION.**—Nothing in this Act—

(A) constitutes an express or implied reservation by the United States of any water or water rights with respect to the Wilderness;

(B) affects any water rights in the State (including any water rights held by the United States) in existence on the date of enactment of this Act;

(C) establishes a precedent with regard to any future wilderness designations;

(D) affects the interpretation of, or any designation made under, any other Act; or

(E) limits, alters, modifies, or amends any interstate compact or equitable apportionment decree that apportions water among and between the State and other States.

(4) **NEVADA WATER LAW.**—The Secretary shall follow the procedural and substantive requirements of State law in order to obtain and hold any water rights not in existence on the date of enactment of this Act with respect to the Wilderness.

(5) **NEW PROJECTS.**—

(A) **DEFINITION OF WATER RESOURCE FACILITY.**—

(i) **IN GENERAL.**—In this paragraph, the term “water resource facility” means irrigation and pumping facilities, reservoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydropower projects, transmission and other ancillary facilities, and other water diversion, storage, and carriage structures.

(ii) **EXCLUSION.**—In this paragraph, the term “water resource facility” does not include wildlife guzzlers.

(B) **RESTRICTION ON NEW WATER RESOURCE FACILITIES.**—Except as otherwise provided in this Act, on or after the date of enactment of this Act, neither the President nor any other officer, employee, or agent of the United States shall fund, assist, authorize, or issue a license or permit for the development of any new water resource facility within a wilderness area, any portion of which is located in the County.

SEC. 5. RELEASE OF WILDERNESS STUDY AREAS.

(a) **FINDING.**—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the portions of the Blue Lakes and Alder Creek wilderness study areas not designated as wilderness by section 3(a) have been adequately studied for wilderness designation.

(b) **RELEASE.**—Any public land described in subsection (a) that is not designated as wilderness by this Act—

(1) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(2) shall be managed in accordance with the applicable land use plans adopted under section 202 of that Act (43 U.S.C. 1712).

SEC. 6. WILDLIFE MANAGEMENT.

(a) **IN GENERAL.**—In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this Act affects or diminishes the jurisdiction of the State with respect to fish and wildlife management, including the regulation of hunting, fishing, and trapping, in the Wilderness.

(b) **MANAGEMENT ACTIVITIES.**—In furtherance of the purposes and principles of the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary may conduct any management activities in the Wilderness that are necessary to maintain or restore fish and wildlife populations and the habitats to support the populations, if the activities are carried out—

(1) consistent with relevant wilderness management plans; and

(2) in accordance with—

(A) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(B) appropriate policies, such as those set forth in Appendix B of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101-405), including the occasional and temporary use of motorized vehicles if the use, as determined by the Secretary, would promote healthy, viable, and more naturally distributed wildlife populations that would enhance wilderness values with the minimal impact necessary to reasonably accomplish those tasks.

(c) **EXISTING ACTIVITIES.**—Consistent with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and in accordance with appropriate policies such as those set forth in Appendix B of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101-405), the State may continue to use aircraft, including helicopters, to survey, capture, transplant, monitor, and provide water for wildlife populations in the Wilderness.

(d) HUNTING, FISHING, AND TRAPPING.—

(1) IN GENERAL.—The Secretary may designate areas in which, and establish periods during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or trapping will be permitted in the Wilderness.

(2) CONSULTATION.—Except in emergencies, the Secretary shall consult with the appropriate State agency and notify the public before taking any action under paragraph (1).

(e) COOPERATIVE AGREEMENT.—

(1) IN GENERAL.—The State, including a designee of the State, may conduct wildlife management activities in the Wilderness—

(A) in accordance with the terms and conditions specified in the cooperative agreement between the Secretary and the State entitled “Memorandum of Understanding between the Bureau of Land Management and the Nevada Department of Wildlife Supplement No. 9” and signed November and December 2003, including any amendments to the cooperative agreement agreed to by the Secretary and the State; and

(B) subject to all applicable laws (including regulations).

(2) REFERENCES; CLARK COUNTY.—For the purposes of this subsection, any reference to Clark County in the cooperative agreement described in paragraph (1)(A) shall be considered to be a reference to the Wilderness.

SEC. 7. LAND EXCHANGES.

(a) DEFINITIONS.—In this section:

(1) FEDERAL LAND.—The term “Federal land” means Federal land in the County that is identified for disposal by the Secretary through the Winnemucca Resource Management Plan.

(2) NON-FEDERAL LAND.—The term “non-Federal land” means land identified on the Map as “non-Federal lands for exchange”.

(b) ACQUISITION OF LAND AND INTERESTS IN LAND.—Consistent with applicable law and subject to subsection (c), the Secretary may exchange the Federal land for non-Federal land.

(c) CONDITIONS.—Each land exchange under subsection (a) shall be subject to—

(1) the condition that the owner of the non-Federal land pay not less than 50 percent of all costs relating to the land exchange, including the costs of appraisals, surveys, and any necessary environmental clearances; and

(2) such additional terms and conditions as the Secretary may require.

(d) DEADLINE FOR COMPLETION OF LAND EXCHANGE.—It is the intent of Congress that the land exchanges under this section be completed by not later than 5 years after the date of enactment of this Act.

SEC. 8. NATIVE AMERICAN CULTURAL AND RELIGIOUS USES.

Nothing in this Act alters or diminishes the treaty rights of any Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

By Mr. REID (for himself and Mr. HELLER):

S. 343. A bill to provide for the conveyance of certain Federal land in Clark County, Nevada, for the environmental remediation and reclamation of the Three Kids Mine Project Site, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 343

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Three Kids Mine Remediation and Reclamation Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) FEDERAL LAND.—The term “Federal land” means the approximately 948 acres of Bureau of Reclamation and Bureau of Land Management land within the Three Kids Mine Project Site, as depicted on the map.

(2) HAZARDOUS SUBSTANCE; POLLUTANT OR CONTAMINANT; REMEDY.—The terms “hazardous substance”, “pollutant or contaminant”, and “remedy” have the meanings given those terms in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(3) HENDERSON REDEVELOPMENT AGENCY.—The term “Henderson Redevelopment Agency” means the redevelopment agency of the City of Henderson, Nevada, established and authorized to transact business and exercise the powers of the agency in accordance with the Nevada Community Redevelopment Law (Nev. Rev. Stat. 279.382 to 279.685).

(4) MAP.—The term “map” means the map entitled “Three Kids Mine Project Area” and dated February 6, 2012.

(5) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(6) STATE.—The term “State” means the State of Nevada.

(7) THREE KIDS MINE PROJECT SITE.—The term “Three Kids Mine Project Site” means the approximately 1,262 acres of land that is—

(A) comprised of—

(i) the Federal land; and

(ii) the approximately 314 acres of adjacent non-Federal land; and

(B) depicted as the “Three Kids Mine Project Site” on the map.

SEC. 3. LAND CONVEYANCE.

(a) IN GENERAL.—Notwithstanding sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), not later than 90 days after the date on which the Secretary determines that the conditions described in subsection (b) have been met, and subject to valid existing rights and applicable law, the Secretary shall convey to the Henderson Redevelopment Agency all right, title, and interest of the United States in and to the Federal land.

(b) CONDITIONS.—

(1) APPRAISAL; FAIR MARKET VALUE.—

(A) IN GENERAL.—As consideration for the conveyance under subsection (a), the Henderson Redevelopment Agency shall pay the fair market value of the Federal land, if any, as determined under subparagraph (B) and as adjusted under subparagraph (F).

(B) APPRAISAL.—The Secretary shall determine the fair market value of the Federal land based on an appraisal—

(i) that is conducted in accordance with nationally recognized appraisal standards, including—

(I) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(II) the Uniform Standards of Professional Appraisal Practice; and

(ii) that does not take into account any existing contamination associated with historical mining on the Federal land.

(C) REMEDIATION AND RECLAMATION COSTS.—

(i) IN GENERAL.—The Secretary shall prepare a reasonable estimate of the costs to as-

sess, remediate, and reclaim the Three Kids Mine Project Site.

(ii) CONSIDERATIONS.—The estimate prepared under clause (i) shall be—

(I) based on the results of a comprehensive Phase II environmental site assessment of the Three Kids Mine Project Site prepared by the Henderson Redevelopment Agency or a designee that has been approved by the State; and

(II) prepared in accordance with the current version of the ASTM International Standard E-2137-06 entitled “Standard Guide for Estimating Monetary Costs and Liabilities for Environmental Matters”.

(iii) ASSESSMENT REQUIREMENTS.—The Phase II environmental site assessment prepared under clause (ii)(I) shall, without limiting any additional requirements that may be required by the State, be conducted in accordance with the procedures of—

(I) the most recent version of ASTM International Standard E-1527-05 entitled “Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process”; and

(II) the most recent version of ASTM International Standard E-1903-11 entitled “Standard Guide for Environmental Site Assessments: Phase II Environmental Site Assessment Process”.

(iv) REVIEW OF CERTAIN INFORMATION.—

(I) IN GENERAL.—The Secretary shall review and consider cost information proffered by the Henderson Redevelopment Agency and the State in the preparation of the estimate under this subparagraph.

(II) FINAL DETERMINATION.—If there is a disagreement among the Secretary, Henderson Redevelopment Agency, and the State over the reasonable estimate of costs under this subparagraph, the parties shall jointly select 1 or more experts to assist the Secretary in making the final estimate of the costs.

(D) DEADLINE.—Not later than 30 days after the date of enactment of this Act, the Secretary shall begin the appraisal and cost estimates under subparagraphs (B) and (C), respectively.

(E) APPRAISAL COSTS.—The Henderson Redevelopment Agency shall reimburse the Secretary for the costs incurred in performing the appraisal under subparagraph (B).

(F) ADJUSTMENT.—The Secretary shall administratively adjust the fair market value of the Federal land, as determined under subparagraph (B), based on the estimate of remediation, and reclamation costs, as determined under subparagraph (C).

(2) MINE REMEDIATION AND RECLAMATION AGREEMENT EXECUTED.—

(A) IN GENERAL.—The conveyance under subsection (a) shall be contingent on—

(i) the Secretary receiving from the State written notification that a mine remediation and reclamation agreement has been executed in accordance with subparagraph (B); and

(ii) the Secretary concurring, by the date that is 30 days after the date of receipt of the written notification under clause (i), that the requirements under subparagraph (B) have been met.

(B) REQUIREMENTS.—The mine remediation and reclamation agreement required under subparagraph (A) shall be an enforceable consent order or agreement between the State and a party obligated to perform under the consent order or agreement administered by the State that—

(i) obligates a party to perform, after the conveyance of the Federal land under this

Act, the remediation and reclamation work at the Three Kids Mine Project Site necessary to ensure all remedial actions necessary to protect human health and the environment with respect to any hazardous substances, pollutant, or contaminant will be taken, in accordance with all Federal, State, and local requirements; and

(ii) contains provisions determined to be necessary by the State, including financial assurance provisions to ensure the completion of the remedy.

(3) **NOTIFICATION FROM AGENCY.**—As a condition of the conveyance under subsection (a), not later than 90 days after the date of execution of the mine remediation and reclamation agreement required under paragraph (2), the Henderson Redevelopment Agency shall submit to the Secretary written notification that the Henderson Redevelopment Agency is prepared to accept conveyance of the Federal land under subsection (a).

SEC. 4. WITHDRAWAL.

(a) **IN GENERAL.**—Subject to valid existing rights, for the 10-year period beginning on the earlier of the date of enactment of this Act or the date of the conveyance required by this Act, the Federal land is withdrawn from all forms of—

(1) entry, appropriation, operation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under the mineral leasing, mineral materials, and the geothermal leasing laws.

(b) **EXISTING RECLAMATION WITHDRAWALS.**—Subject to valid existing rights, any withdrawal under the public land laws that includes all or any portion of the Federal land for which the Bureau of Reclamation has determined that the Bureau of Reclamation has no further need under applicable law is relinquished and revoked solely to the extent necessary—

(1) to exclude from the withdrawal the property that is no longer needed; and

(2) to allow for the immediate conveyance of the Federal land as required under this Act.

(c) **EXISTING RECLAMATION PROJECT AND PERMITTED FACILITIES.**—Except as provided in subsection (a), nothing in this Act diminishes, hinders, or interferes with the exclusive and perpetual use by the existing rights holders for the operation, maintenance, and improvement of water conveyance infrastructure and facilities, including all necessary ingress and egress, situated on the Federal land that were constructed or permitted by the Bureau of Reclamation before the effective date of this Act.

SEC. 5. ACEC BOUNDARY ADJUSTMENT.

Notwithstanding section 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713), the boundary of the River Mountains Area of Critical Environmental Concern (NVN 76884) is adjusted to exclude any portion of the Three Kids Mine Project Site consistent with the map.

SEC. 6. RESPONSIBILITIES OF THE PARTIES.

(a) **RESPONSIBILITY OF PARTIES TO MINE REMEDIATION AND RECLAMATION AGREEMENT.**—On completion of the conveyance under section 3, the responsibility for complying with the mine remediation and reclamation agreement executed under section 3(b)(2) shall apply to the parties to the agreement.

(b) **SAVINGS PROVISION.**—If the conveyance under this Act has occurred, but the terms of the agreement executed under section 3(b)(2) have not been met, nothing in this Act—

(1) affects the responsibility of the Secretary to take any additional response ac-

tion necessary to protect public health and the environment from a release or the threat of a release of a hazardous substance, pollutant, or contaminant; or

(2) unless otherwise expressly provided, modifies, limits, or otherwise affects—

(A) the application of, or obligation to comply with, any law, including any environmental or public health law; or

(B) the authority of the United States to enforce compliance with the requirements of any law or the agreement executed under section 3(b)(2).

By Mr. ROCKEFELLER (for himself, Mr. MANCHIN, and Mrs. GILLIBRAND):

S. 348. A bill to provide for increased Federal oversight of prescription opioid treatment and assistance to States in reducing opioid abuse, diversion, and deaths; to the Committee on Health, Education, Labor, and Pensions.

Mr. ROCKEFELLER. Mr. President, I rise today to introduce a piece of legislation that is desperately needed in West Virginia and across the country—the Prescription Drug Abuse Prevention and Treatment Act of 2013. It is an important bill aimed at addressing the rapid increase in deaths and overdoses from methadone and other opioid prescription drugs in the United States. These deaths have hit my home State of West Virginia particularly hard, but I know that every State is struggling with this serious problem.

In the 111th Congress, Senator CORKER and I, along with our colleague, the late Senator Kennedy, introduced the Methadone Treatment and Protection Act of 2009—a similar piece of legislation that stemmed from a disturbing rise in deaths due to methadone, a synthetic opioid prescription drug that had been increasingly used for pain management. Before 1990, it was used primarily to treat opioid addiction. Because of its high efficacy and low cost, methadone is frequently used for pain management. However, if not used correctly, methadone can be a powerful and deadly drug because it works differently than other painkillers. Methadone stays in a person's body for a longer period of time than the pain relief lasts so a person who does not know better might take far too much of the drug, possibly leading to respiratory distress, cardiac arrhythmia and even death.

Methadone prescriptions for pain management grew from about 531,000 in 1998 to about 4.1 million in 2006—nearly eightfold. During that time, poisoning deaths involving methadone increased nearly sevenfold from almost 790 in 1999 to 5,420 in 2006. Deaths from other opioids have also skyrocketed in the last decade. These deaths may actually be underreported, because there is no comprehensive reporting system for opioid-related deaths in the United States.

Overdoses from methadone are part of a larger disturbing trend of

overdoses and deaths from prescription painkillers, or opioid drugs—a trend driven by a knowledge gap about how to treat serious pain in a safe and effective manner, by misperceptions about the safety of prescription drugs, and by the diversion of prescription drugs for illicit uses. In 2009, there were nearly 4.6 million drug-related emergency department, ED, visits of which nearly one half, 45.1 percent, or 2.1 million were attributed to prescription drug misuse or abuse, according to data from the Drug Abuse Warning Network, DAWN. Emergency department visits involving misuse or abuse of pharmaceuticals nearly doubled between 2004 and 2009, to more than 1.2 million visits.

This bill takes multiple steps to address these problems. First, with respect to the knowledge gap about safe pain management, the bill includes a training requirement for health care professionals to be licensed to prescribe these powerful drugs. Currently, the Controlled Substances Act requires that every person who dispenses or who proposes to dispense controlled narcotics, including methadone, whether for pain management or opioid treatment, obtain a registration from the Drug Enforcement Administration, DEA. But, there is no requirement as a condition of receiving the registration that these practitioners receive any education on the use of these controlled narcotics, including methadone. Physicians struggle every day with determining who has a real need for pain treatment, and who is addicted or at risk. They struggle with our failure to provide adequate treatment facilities for those who are addicted. This bill will help physicians get the information they need to prescribe safely and better recognize the signs of addiction in their patients.

Second, this bill addresses the knowledge gap among consumers—with a competitive grant program to States to distribute culturally sensitive educational materials about proper use of methadone and other opioids, and how to prevent opioid abuse, such as through safe disposal of prescription drugs. Preference will be given to states with a high incidence of overdoses and deaths.

Third, this bill creates a Controlled Substances Clinical Standards Commission to establish patient education guidelines, appropriate and safe dosing standards for all forms of methadone and other opioids, benchmark guidelines for the reduction of methadone abuse, appropriate conversion factors for transitioning patients from one opioid to another, and guidelines for the initiation of methadone and other opioids for pain management. A standards commission will provide much-needed evidence-based information to improve guidance for the safe and effective use of these powerful and dangerous controlled substances.

Fourth, this bill provides crucial support to state prescription drug monitoring programs. As of 2008, 38 states had enacted legislation requiring prescription drug monitoring programs and many states were able to fund these initiatives in part from grants available through the Harold Rogers Prescription Drug Monitoring Program. A second program created in 2005 through the National All Schedules Prescription Electronic Reporting Act, NASPER, would provide even more assistance, and requires interoperability among states to reduce doctor shopping across state lines and diversion. Unfortunately, NASPER has only recently been funded with \$2 million in the fiscal year 2009 Omnibus legislation and \$2 million in fiscal year 2010.

Here is just one example of why NASPER funding matters: recently, the governor of Florida announced a budget that would not fund a planned prescription monitoring program in his State, due to State budget difficulties. This directly affects States in Appalachia because of the rampant drug trafficking between the two regions. In fact, the roads from West Virginia to Florida are well-travelled by drug traffickers and people seeking pain medication. It is crucial to finally give NASPER the funding it needs, and this legislation would do so, with \$25 million a year to establish interoperable prescription drug monitoring programs within each state.

Fifth, this bill requires that quality standards be developed across the range of providers engaged in the prevention and treatment of prescription drug abuse. It is essential as we move ahead that quality always be front and center in our efforts. With lives at risk, this is, if anything, only more important in the areas of addiction prevention and treatment. Every effort to address this problem must be as effective as possible, and the development of quality standards required by this bill will make sure that each provider, regardless of his or her background or approach, can provide high caliber services to their patients.

Finally, this bill would help solve the data gap when it comes to opioid-related deaths. Right now there is no comprehensive national database of drug-related deaths in the United States, nor is there a standard form for medical examiners to fill out with regard to opioid-related deaths. Since there is no comprehensive database of methadone-related deaths, the number of deaths may actually be underreported. To truly reduce the number of methadone-related deaths, quality data must be collected and made available. This bill would create a National Opioid Death Registry to track all opioid-related deaths and related information, and establish a standard form for medical examiners to fill out which would include information for the National Opioid Death Registry.

Today we have an opportunity to change the harrowing statistics and stem the rising tide of deaths from methadone and other opioids by supporting the Prescription Drug Abuse Prevention and Treatment Act of 2013. This legislation provides a multifaceted approach to preventing tragic overdoses and deaths from methadone and other opioids. This is exactly what we need to improve the coordination of efforts and resources at the local, state, and federal levels.

I urge my colleagues to support this timely and important piece of legislation. In doing so, we will be on our way to saving lives and reducing the needless deaths that otherwise will continue to cause so much suffering for too many individuals, families, and communities in this country.

By Mr. REED (for himself, Mr. BLUMENTHAL, Mr. WHITEHOUSE, and Mr. MURPHY):

S. 349. A bill to amend the Wild and Scenic Rivers Act to designate a segment of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in the States of Connecticut and Rhode Island for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. REED. Mr. President, today I am reintroducing, along with my colleagues Senators BLUMENTHAL, WHITEHOUSE, and MURPHY legislation to authorize the National Park Service to evaluate portions of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers located in Rhode Island and Connecticut for possible inclusion in the National Wild and Scenic Rivers System. Our legislation seeks to highlight the need for greater resources to protect and restore the health of these rivers by studying their recreational, natural, and historical qualities and determining if they are suitable for designation as Wild and Scenic Rivers.

The Wood-Pawcatuck Watershed is a national treasure that holds recreational and scenic value. In the 1980s, the National Park Service's Rivers and Trails Conservation Assistance Program conducted a planning and conservation study which found, in part, that the waters of the Wood and Pawcatuck Rivers corridor "are the cleanest and purest and its recreational opportunities are unparalleled by any other river system in the state."

The rivers also provide opportunities for recreation and tourism that contribute to the economy of the local communities, while offering ways to explore our American heritage throughout the watershed. The experiences one can enjoy range from visiting Native American fishing grounds to seeing Colonial and early industrial mill ruins. The rivers are also a prime

location for outdoor activities like trout fishing, canoeing, bird watching, and hiking.

I have long been a supporter of protecting and restoring Southern New England's riverways and estuaries, including the Narragansett Bay. The study proposed in our legislation is an important part of the process in determining future opportunities for protection and recreational enjoyment of the rivers in the Wood-Pawcatuck watershed. It would also help Rhode Island and Connecticut continue their stewardship of these rivers, and greatly enhance existing state and local efforts to preserve and manage this ecosystem.

Indeed, partnerships are essential for the successful restoration and management of our natural resources, and it is anticipated that this study would be conducted in close cooperation with the communities, state agencies, local governments, and private organizations that are stakeholders in the process. The partnership-based approach also allows for development of a proposed river management plan, which could address issues ranging from fish passage to the restoration of wetlands to assist with flood mitigation, as well as balance the preservation of the natural resources with the recreational opportunities that contribute to the local economies.

I commend Representatives LANGEVIN, CICILLINE, and COURTNEY for introducing similar legislation in the other body. I look forward to working with them and all of my colleagues to pass this bill to initiate the process that will evaluate the Wood-Pawcatuck Watershed for inclusion in the National Wild and Scenic Rivers System.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 352. A bill to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wasson and Franklin Creeks in the State of Oregon as wild rivers, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, today I rise to re-introduce three bills that will better protect unique and important areas in the beautiful state of Oregon. Two of these passed out of the Senate Energy and Natural Resources Committee the last two Congresses. I am pleased to again be joined on these bills with my colleague from Oregon, Senator MERKLEY. I look forward to working with Senator MERKLEY, other colleagues and other supporters of the bills to keep up the fight for these special places in Oregon.

The first bill I am introducing—the Oregon Caves Revitalization Act of 2013—will enhance the existing Oregon Caves National Monument to protect this majestic site for future generations. The bill expands the boundary of

the National Park Service land to create the Oregon Caves National Monument and Preserve.

A Presidential Proclamation in 1909 established 480 acres of natural wonder as the Oregon Caves National Monument in the botanically-rich Siskiyou Mountains. At the time, the focus was on the unique subsurface resources, and the small, rectangular boundary was thought to be adequate to protect the cave. However, scientific research has since provided much greater insight into the cave's ecology and its hydrological processes, for which 480 acres is inadequate. The National Park Service formally proposed boundary modification numerous times—in 1939, 1949, and 2000.

My bill expands protections in and around the Oregon Caves National Monument. The entirety of the Cave Creek Watershed would be included in the park site, transferring management of 4,070 acres of United States Forest Service land to the National Park Service. Hunters will still have recreational access to this land since it will be designated a Preserve.

And the expansion of the Monument's boundary would be incomplete without protecting the water that enters the cave so as to preserve the cave's resources. My legislation would designate at least 9.6 miles of rivers and tributaries as Wild, Scenic, or Recreational, under the federal Wild and Scenic Rivers Act—including the first Wild and Scenic subterranean river, the "River Styx." A perennial stream, the River Styx—an underground portion of Cave Creek—flows through part of the cave and is one of the dynamic natural forces at work in the National Monument. In addition, this bill would authorize the retirement of existing grazing allotments. The current grazing permittee, Phil Krouse's family, has had the Big Grayback Grazing Allotment, 19,703 acres, since 1937. Mr. Krouse has publicly stated that he would look favorably upon retirement with private compensation for his allotment, which my legislation will allow to proceed.

The Oregon Caves National Monument offers important contributions to Southern Oregon and the nation. The cave ecosystem provides habitat for one of the highest concentrations of biological diversity anywhere. And as the longest marble cave open to the public west of the Continental Divide, the Monument receives over 80,000 visitors annually. A larger Monument boundary will help showcase more fully the recreational opportunities on the above-ground lands within the proposed Monument boundary.

I want to express my thanks to the conservation and business communities of southern Oregon, who have worked diligently to protect these lands and waters.

My second bill is the Devil's Staircase Wilderness Act of 2013. Under this

bill, approximately 30,500 acres of rugged, wild, pristine, and remote land surrounding the Wasson Creek area will be designated wilderness. In fact the area is so rugged that federal land managers have withdrawn this landslide-prone forest from all timber activity numerous times. At the heart of this coastal rainforest lies Devil's Staircase, a crystal clear waterfall that cascades over slab after slab of sandstone. The Devil's Staircase proposal typifies what Wilderness in Oregon is all about.

The proposed Devil's Staircase Wilderness is the finest old-growth forest remaining in Oregon's Coast Range, boasting huge Douglas-fir, cedar and hemlock. The ecological significance of this treasure is as clear as the water running through Devil's Staircase. The land is protected as a Late-Successional Reserve by the Northwest Forest Plan, as critical habitat for the northern spotted owl and marbled murrelet, and as an Area of Critical Environmental Concern by the Bureau of Land Management. Preserving these majestic forests as Wilderness for their wildlife and spectacular scenery not only matches the goals of the existing land management plans but also permanently protects this natural gem for future generations. The wilderness designation is needed to protect these areas permanently.

My bill would not only protect the forests surrounding Wasson Creek but would also designate approximately 4.5 miles of Franklin Creek and approximately 10.1 miles of Wasson Creek as Wild and Scenic Rivers. Franklin Creek, a critically important tributary to the Umpqua River, is one of the best examples of pristine salmon habitat left in Oregon. Together with Wasson Creek, these two streams in the Devil's Staircase area deserve Wild and Scenic River designation by Congress.

The third bill I am introducing is the Oregon Treasures Act of 2013. This bill seeks to provide protections for five significant areas in Oregon. They are the Chetco River, the Molalla River, the Rogue River, and Horse Heaven and Cathedral Rock. Each of these parts of the bill aim to protect natural treasures in Oregon, preserve them for use and enjoyment for generations to come, and build upon the economic opportunities they provide for their local communities.

The Oregon Treasures Act of 2013 includes a provision to protect two of Oregon's natural treasures, Cathedral Rock and Horse Heaven. This wilderness designation has been introduced in the two most recent Congresses. The Cathedral Rock and Horse Heaven wilderness proposal will do more than simply protect these areas. It will also help Oregon's economy, because visitors from all over the world come to my state to experience firsthand the unique scenic beauty of place like the lands preserved by this bill.

This legislation will consolidate what is currently a splintered ownership of land in this area and protect 17,340 acres of new Wilderness along the Lower John Day River. The fractured land ownership in this area makes it difficult for visitors to fully appreciate these areas when they hike, fish or hunt there because of the scattered and misunderstood lines of private and public ownership. This bill will solve that problem and make these lands more inviting to visitors while giving the landowners more contiguous property to call home.

The area in question is stunning. The Cathedral Rock and Horse Heaven Wilderness proposals encompass dramatic basalt cliffs and rolling hills of juniper, sagebrush and native grasses. These new areas build on the desert Spring Basin Wilderness that was established in 2009 as a result of legislation I introduced, and are located directly across the John Day River from Spring Basin.

With 500 miles of undammed waters, the John Day River is the second-longest free-flowing river in the continental United States and is a place that is cherished by Oregonians. The Lower John Day Wild and Scenic River offers world-class opportunities for outdoor recreation as well as crucial wildlife habitat for elk, mule deer, big-horn sheep and native fish such as salmon and steelhead trout. Through land consolidation between public and private landowners, this legislation will allow for better management and easier public access for this important natural treasure. With the current fragmentation of public and private land ownership in the area, river campsites are limited. Many federal lands among them can't be reached by the hikers, campers and other outdoors recreationists who could most appreciate them. With the equal-value land exchanges included in this bill, public lands would be consolidated into two new Wilderness areas. This would enhance public safety, improve land management, and increase public access and recreational opportunities. I want to recognize that some have raised concerns about the lack of road access to Cathedral Rock. I have engaged the private landowners on this issue to seek a solution. Whatever the outcome, I do know that the Cathedral Rock and Horse Heaven proposal will create an incredible, new heritage for public lands recreationists who are an important factor in keeping Oregon's economy healthy and thriving.

Rafters of the John Day River can attest to the need for more campsites and public access to the Cathedral Rock area. Backcountry hunters will be able to scan the hillsides for elk, deer and game-birds without having to worry about accidentally trespassing on someone's private land. Anglers will be able to access nearly 5 miles of the John Day River that today are only

reachable from privately owned lands. Likewise, such a solution ensures that local landowners can manage their lands effectively without running across unwitting trespassers.

One good example of the value of these land swaps is Young Life's Washington Family Ranch. This Ranch is home to a Christian youth camp that welcomes over 20,000 kids to the lower John Day area each year. This bill sets out private and public land boundaries that can be clearly seen on the ground and these boundaries create a safer area for campers on the Ranch; this serves the children who visit the area well and ensures the continued viability of the Ranch, which, in turn, provides big economic dividends to the local community.

The Cathedral Rock and Horse Heaven Wilderness proposal is described as "win-win-win" by many stakeholders—nearly five miles of new river access for the public and protected land for outdoor enthusiasts; better management for private landowners and public agencies; and important habitat protections for sensitive and endangered species. This proposal is an example of the positive solutions that can result when varied, bipartisan interests in a community come together to craft solutions that will work for everyone. I especially want to thank the Oregon Natural Desert Association, Young Life, and Matt Smith for their role in developing this collaborative solution that will benefit all Oregonians. The Cathedral Rock and Horse Heaven Wilderness areas will help make sure that this rural area will enjoy the benefits that permanently connecting these disparate pieces of natural landscape will bring for generations to come.

Additionally the Oregon Treasures Act protects the Chetco River. For over a decade, I've advocated for protections for the Chetco and other threatened waterways in Southwest Oregon. Part of the Oregon Treasures Act of 2013 would withdraw about three miles of the Chetco River from mineral entry, while upgrading the designations for some portions.

This river is under persistent threat from out-of-state suction dredge miners. In 2010, the group American Rivers listed the Chetco as the seventh most endangered river in the country because of those threats. Withdrawing these portions of the river from future mineral entry will prevent future harmful mining claims and make sure that those claims that already exist are valid.

The Chetco is also hugely important for salmon habitat and local sport fishing. The passage of this legislation would mean protecting that habitat, and promoting the continued success of the fishing industry throughout the West Coast. I am pleased the Obama administration has taken some steps to protect this area, but the passage of

this legislation is needed to ensure long-term protection for this important river.

Next, the Oregon Treasures Act of 2013 would add 60,000 acres of new wilderness to the existing Wild Rogue Wilderness. The Wild Rogue Wilderness expansion would protect habitat for bald eagles, osprey, spotted owls, bear, elk, cougar, wild coho, wild Chinook, wild steelhead, green sturgeon, and many others. The Wild Rogue Wilderness and the Rogue River that runs through it embody one of the nation's premier recreation destinations, famous for the free flowing waters which provide numerous rafting and fishing opportunities.

The headwaters of the Rogue River start in one of Oregon's other great gems—Crater Lake National Park—and the river ultimately empties into the Pacific Ocean, near Gold Beach on Oregon's southwest coast. Along that stretch, the Rogue River flows through one of the most spectacular canyons and diverse natural areas in the United States. The Rogue River is a world class rafting river, offering everything from one day trips to week long trips through deep forested canyons. On the land, the Rogue River trail is also one of Oregon's most renowned backpacking routes.

The legislation would also protect an additional 143 miles of tributaries that feed the Rogue River with cold clean water. Of that number, 93 miles would be designated Wild and Scenic Rivers and an additional 50 miles would be protected from mining. The areas receiving protection include Galice Creek, Little Windy Creek, Jenny Creek, Long Gulch and 36 other tributaries of the Rogue. The Rogue River is one of Oregon's most iconic and beloved rivers. It is a river that teems with salmon leaping up rapids to spawn, and finds rafters down those very same rapids at other times of the year.

I previously introduced legislation to protect the Rogue River tributaries in the last three Congresses. Since it was first introduced, I have worked with the timber industry and conservationists to find a compromise that protects one of America's treasures with additional wilderness designations and more targeted protections for the Rogue's tributaries. I am pleased that 95 local businesses—and over 120 organizations and business in total—support protecting the Wild Rogue, and that support grows every day. Many of those businesses directly benefit from the Wild Rogue and the Rogue River. As I often say, protecting these gems is not just good for the environment, but also good for the economy. These protected landscapes are powerhouses of the recreation economy that draws visitors from around the world to this region and the Rogue River is one of Oregon's most important sport and

commercial fisheries. The Wild Rogue is the second largest salmon fishery in Oregon behind the Columbia. The Wild Rogue provides the quality of life and recreational opportunities that create an economic engine that attracts businesses and brings in tourists from around the world. The Rogue River supports more than 400 local jobs in nearby communities like Grants Pass.

By protecting the Wild Rogue landscape and the tributaries that feed the mighty Rogue River, Congress will ensure that future generations can raft, fish, hike and enjoy the Wild Rogue as it is enjoyed today and that the recreational economy of this region remains strong.

Lastly, there is another provision in the bill to designate segments of Oregon's Molalla River as Wild and Scenic. An approximately 15.1-mile segment of the Molalla River and an approximately 6.2-mile segment of Table Rock Fork Molalla River would be designated as a recreational river under the Wild and Scenic Rivers Act.

Including these river segments would protect a popular Oregon destination that provides abundant recreational activities that help fuel the recreation economy that is so important to the communities along the river. The scenic beauty of the Molalla River provides a backdrop for hiking, mountain biking, camping, and horseback riding, while the waters of the river are a popular destination for fishing, kayaking, and whitewater rafting enthusiasts. This legislation would not only preserve this area as a recreation destination, but would also protect the river habitat of the Chinook salmon and Steelhead trout, along with the wildlife habitat surrounding the river, home to the northern spotted owl, the pileated woodpecker, golden and bald eagles, deer, elk, the pacific giant salamander, and many others. The Molalla River is also the source of clean drinking water for the towns of Molalla and Canby, Oregon. Protecting the approximately 21.3 miles of the Molalla River will provide the residents of these Oregon towns with the assurance that they will continue to receive clean drinking water.

I would like to reiterate my continued appreciation for the Molalla River Alliance—a coalition of more than 48 member-organizations that recognize that this river is a jewel and have set out to protect it. This Alliance made sure that irrigators, city councilors, the mayor, businesses and environmentalists all came together on this.

Oregon's wildlands play an increasingly important role in the economic development of our state, especially in traditionally rural areas east of the Cascades. Visitors come from thousands of miles away to hike, fish, raft and hunt in Oregon's desert Wilderness. Beyond tourism, the rich quality of life and the diverse natural amenities that

we enjoy as Oregonians are key to attracting new businesses to Oregon. And with all these bills, I express my gratitude for the many groups and individuals who have worked diligently to protect these special places. I look forward to working with Senator MERKLEY, Representative DEFazio, Representative SCHRADER and other colleagues and the bill's other supporters to keep up the fight for these unique places in Oregon and get these pieces of legislation to the President's desk for his signature.

By Mr. CARDIN (for himself, Mr. GRAHAM, Mr. LEAHY, Ms. KLOBUCHAR, Mrs. BOXER, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Ms. HEITKAMP, and Mr. DURBIN):

S. 357. A bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty; to the Committee on the Judiciary.

Mr. CARDIN. Mr. President, I rise today to introduce the National Blue Alert Act of 2013.

Every day, more than 900,000 Federal, State and local law enforcement officers put their lives on the line to keep our communities safe. Unfortunately these officers can become targets for criminals and those seeking to evade our justice system, and we must make sure our officers have all the tools they need to protect themselves and each other.

Each year thousands of law enforcement officers are assaulted while performing their duties and dozens lose their lives. According to the Federal Bureau of Investigation, FBI, 72 law enforcement officers were feloniously killed in the line of duty in 2011. This is an unacceptable level of violence against our law enforcement officers, and we must act now to better protect them.

This is why I am introducing the National Blue Alert Act of 2013 today, and thank Senators GRAHAM, LEAHY, KLOBUCHAR, BOXER, BLUMENTHAL, WHITEHOUSE, HEITKAMP, and DURBIN for joining me as co-sponsors of this important legislation.

The Blue Alert system provides for rapid dissemination of information about criminal suspects who have injured or killed law enforcement officers. The Blue Alert system would only be used in the case of the death or serious injury of a law enforcement officer, where the suspect has not been apprehended, and where there is sufficient descriptive information of the suspect and any vehicles involved. This information can be used by local law enforcement, the public and the media to help facilitate capture of such offenders and ultimately reduce the risk they pose to our communities and law enforcement officers.

A National Blue Alert will encourage, enhance and integrate blue alert plans throughout the United States in order to effectively disseminate information notifying law enforcement, media and the public that a suspect is wanted in connection with an attack on a law enforcement officer.

Currently there is no national alert system that provides immediate information to other law enforcement agencies, the media or the public at large. Many states have created a state blue alert system in an effort to better inform their local communities. The State of Maryland, under the leadership of Governor Martin O'Malley, created their Blue Alert system in 2008 after the murder of Maryland State Trooper Wesley Brown. Blue Alert programs have been created in 18 states so far including: Washington, California, Utah, Colorado, Oklahoma, Texas, Ohio, Kentucky, Tennessee, Mississippi, Alabama, Georgia, South Carolina, Florida, Virginia, Maryland, Montana, and Delaware.

The National Blue Alert Act will provide police officers and other emergency units with the ability to react quickly to apprehend violent offenders and will complement the work being done by Attorney General Holder in his Law Enforcement Officer Safety Initiative.

The purpose of our National Blue Alert legislation is to keep our law enforcement officers and our communities safe. And based on the success of the AMBER Alert and the SILVER Alert, I believe this BLUE Alert will be equally successful in helping to apprehend criminal suspects who have seriously injured or killed our law enforcement officers.

I am also pleased to say this legislation has the endorsement of the Fraternal Order of Police, the National Association of Police Organizations, the Federal Law Enforcement Officers Association, the Concerns of Police Survivors, and the Sergeants Benevolent Association of the New York City Police Department. Passing this legislation can help us live up to our commitment to help better protect those who serve us.

By Mr. WYDEN (for himself, Mr. PAUL, Mr. MCCONNELL, and Mr. MERKLEY):

S. 359. A bill to amend the Controlled Substances Act to exclude industrial hemp from the definition of marijuana, and for other purposes; to the Committee on the Judiciary.

Mr. WYDEN. Mr. President, I am pleased to be joined by Senators PAUL, MCCONNELL, and MERKLEY in introducing the Industrial Hemp Farming Act of 2013.

As some folks will recall, I introduced a similar bill as an amendment to the Senate Farm Bill last year in an attempt to empower American farmers

and increase domestic economic activity. Unfortunately, this amendment didn't receive a vote. Doubly unfortunate is the fact that a senseless regulation that flunks the common-sense test is still on our nation's books.

Members of Congress hear a lot about how dumb regulations are hurting economic growth and job creation. The current ban on growing industrial hemp makes no sense at all, and what is worse, this regulation is hurting job creation in rural America and increasing our trade deficit.

If my colleagues take the time to learn about this outrageous restriction on free enterprise, I am sure most senators would say that what I am talking about is the poster child for dumb regulation.

The only thing standing in the way of taking advantage of this profitable crop is a lingering misunderstanding about its use. The bill my colleagues and I have filed will end this ridiculous regulation.

Right now, the United States is importing over \$10 million in hemp products to use in textiles, foods, paper products, and construction materials. We are importing a crop that U.S. farmers could be profitably growing right here at home, if not for government rules prohibiting it.

Our neighbors to the north certainly see the potential for this product. In 2010, the Canadian government injected over \$700,000 into their blossoming hemp industry to increase the size of their hemp crop and fortify the inroads they have made into U.S. markets. It was a good bet. U.S. imports have consistently grown over the past decade, increasing by 300 percent in 10 years, and from 2009 to 2010 they grew 35 percent. The number of acres in Canada devoted to growing hemp nearly doubled from 2011 to 2012. So it should come as no surprise that the United States imports around 90 percent of its hemp from Canada.

Now, I know it is tough for some members of Congress to talk about hemp and not connect it to marijuana. I want to point out that even though they come from the same species of plant, there are major differences between them.

You know, the Chihuahua and St. Bernard come from the same species, too, *Canis lupus familiaris*, but no one is going to confuse them. Also, the domestic dog is a subspecies of the gray wolf, *Canis lupus*, and no one is going to confuse those two either. So let's recognize the real differences between hemp and marijuana, and focus on the benefits from producing domestically the hemp we already use.

Under our bill, the production of industrial hemp would still be regulated, but it would be done by States, not the Federal Government.

Pro-hemp legislation has been introduced in eight states, and several others have already removed barriers to

industrial hemp production. Under our bill, industrial hemp is defined as having extremely low THC levels: it has to be 0.3 percent or less. The lowest commercial grade marijuana typically has 5% THC content. The bottom line is that no one is going to get high on industrial hemp. To guarantee that won't be the case, our legislation allows the U.S. Attorney General to take action if a state law allows commercial hemp to exceed the maximum 0.3 percent THC level.

Hemp has been a profitable commodity in many other countries. In addition to Canada, Australia also permits hemp production and the growth in that sector helped their agricultural base survive when the tobacco industry dried up. Over 30 countries in Europe, Asia, and North and South America currently permit farmers to grow hemp, and China is the world's largest producer.

In fact, the U.S. is the only industrialized nation that prohibits farmers from growing hemp. This seems silly considering that we are the world's leading consumer of hemp products, with total sales of food, health and beauty products exceeding \$52 million in 2012, with 16.5 percent growth over 2011.

My home State of Oregon is home to some major manufacturers of hemp products, including Living Harvest, one of the largest hemp foods producers in the country. Business has been so brisk there that the Portland Business Journal recently rated them as one of the fastest-growing local companies.

There are similar success stories in many states. One company in North Carolina has begun incorporating hemp into building materials, reportedly making them both stronger and more environmentally friendly. Another company in California produces hemp-based fiberboard.

No country is better than the U.S. at developing, perfecting, and expanding markets for its products. As that market grows, it should be domestically-produced hemp that supplies its growth.

I would like to share with colleagues an editorial by one of the leading newspapers in my state, the Bend Bulletin. Here's what they had to say about legalizing industrial hemp: "producers of hemp products in the United States are forced to import it. That denies American farmers the opportunity to compete in the market. It is like surrendering the competitive edge to China and Canada, where it can be grown legally."

The Bend Bulletin's editorial went on to say: "Legalizing industrial hemp does not have to be a slippery slope toward legalizing marijuana. It can be a start toward removing regulatory burdens limiting Oregon farmers from competing in the world market."

The opportunities for American farmers and businesses are obvious

here. Let's boost revenues for farmers and reduce the costs for businesses around the country that use this product. Let's put more people to work growing and processing an environmentally-friendly crop, with a ready market in the United States. For all the reasons I just described, I urge my colleagues to join Senators PAUL, MCCONNELL, and MERKLEY and me by cosponsoring this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 359

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Industrial Hemp Farming Act of 2013".

SEC. 2. EXCLUSION OF INDUSTRIAL HEMP FROM DEFINITION OF MARIHUANA.

Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended—

(1) in paragraph (16)—

(A) by striking "(16) The" and inserting "(16)(A) The"; and

(B) by adding at the end the following:

"(B) The term 'marihuana' does not include industrial hemp."; and

(2) by adding at the end the following:

"(57) The term 'industrial hemp' means the plant *Cannabis sativa* L. and any part of such plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.".

SEC. 3. INDUSTRIAL HEMP DETERMINATION BY STATES.

Section 201 of the Controlled Substances Act (21 U.S.C. 811) is amended by adding at the end the following:

"(i) INDUSTRIAL HEMP DETERMINATION.—If a person grows or processes *Cannabis sativa* L. for purposes of making industrial hemp in accordance with State law, the *Cannabis sativa* L. shall be deemed to meet the concentration limitation under section 102(57), unless the Attorney General determines that the State law is not reasonably calculated to comply with section 102(57)."

By Mr. WYDEN (for himself, Ms. MURKOWSKI, Mr. BEGICH, Mr. CRAPO, Mr. RISCH, and Mr. MERKLEY):

S. 363. A bill to expand geothermal production, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, I rise today to introduce the Geothermal Expansion Production Act of 2013. This legislation is the same as a bill reported favorably by voice vote by the Senate Committee on Energy and Natural Resources during the 112th Congress. This bill has bi-partisan support, with Senators MURKOWSKI, BEGICH, CRAPO, RISCH, and MERKLEY, joining me as original cosponsors. The legislation will help to encourage the production of geothermal energy from public lands.

With limited exceptions, current law requires that all Federal lands to be

leased for the development of geothermal resources be offered on a competitive basis. BLM must hold a competitive lease sale every 2 years. If bids are not received for the lands offered, BLM must offer the lands on a non-competitive basis for 2 years.

This legislation extends the authority for noncompetitive leasing in cases where a geothermal developer wants to gain access to Federal land immediately adjacent to land on which that developer has proven that there is a geothermal resource that will be developed. This will allow a geothermal project to expand onto adjacent land, if necessary, to increase the amount of geothermal energy it can develop. It will also add to the royalties and rents that the project pays to the U.S. Treasury.

The reason for this legislation is to allow the rapid expansion of already identified geothermal resources without the additional delays of competitive leasing and without opening up those adjacent properties to speculative bidders who have no interest in actually developing the resource, only in extracting as much money as they can from the existing geothermal developer.

The bill is not a give away at taxpayer expense. The bill limits the amount of adjacent Federal land that can be leased to 640 acres. This lease on Federal land must be acquired at fair-market value. The bill also requires the lease holder to pay the higher annual rental rate associated with competitive leases even though this new parcel is not being competitively leased. Again, the purpose of this higher rental rate is to ensure that taxpayers will get the revenue due to them from the use of their public lands.

I hope that my colleagues will join me in supporting this important legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 363

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Geothermal Production Expansion Act of 2013".

SEC. 2. NONCOMPETITIVE LEASING OF ADJOINING AREAS FOR DEVELOPMENT OF GEOTHERMAL RESOURCES.

Section 4(b) of the Geothermal Steam Act of 1970 (30 U.S.C. 1003(b)) is amended by adding at the end the following:

"(4) ADJOINING LAND.—

"(A) DEFINITIONS.—In this paragraph:

"(i) FAIR MARKET VALUE PER ACRE.—The term 'fair market value per acre' means a dollar amount per acre that—

"(I) except as provided in this clause, shall be equal to the market value per acre (taking into account the determination under

subparagraph (B)(iii) regarding a valid discovery on the adjoining land) as determined by the Secretary under regulations issued under this paragraph;

“(II) shall be determined by the Secretary with respect to a lease under this paragraph, by not later than the end of the 180-day period beginning on the date the Secretary receives an application for the lease; and

“(III) shall be not less than the greater of—

“(aa) 4 times the median amount paid per acre for all land leased under this Act during the preceding year; or

“(bb) \$50.

“(ii) **INDUSTRY STANDARDS.**—The term ‘industry standards’ means the standards by which a qualified geothermal professional assesses whether downhole or flowing temperature measurements with indications of permeability are sufficient to produce energy from geothermal resources, as determined through flow or injection testing or measurement of lost circulation while drilling.

“(iii) **QUALIFIED FEDERAL LAND.**—The term ‘qualified Federal land’ means land that is otherwise available for leasing under this Act.

“(iv) **QUALIFIED GEOTHERMAL PROFESSIONAL.**—The term ‘qualified geothermal professional’ means an individual who is an engineer or geoscientist in good professional standing with at least 5 years of experience in geothermal exploration, development, or project assessment.

“(v) **QUALIFIED LESSEE.**—The term ‘qualified lessee’ means a person that may hold a geothermal lease under this Act (including applicable regulations).

“(vi) **VALID DISCOVERY.**—The term ‘valid discovery’ means a discovery of a geothermal resource by a new or existing slim hole or production well, that exhibits downhole or flowing temperature measurements with indications of permeability that are sufficient to meet industry standards.

“(B) **AUTHORITY.**—An area of qualified Federal land that adjoins other land for which a qualified lessee holds a legal right to develop geothermal resources may be available for a noncompetitive lease under this section to the qualified lessee at the fair market value per acre, if—

“(i) the area of qualified Federal land—

“(I) consists of not less than 1 acre and not more than 640 acres; and

“(II) is not already leased under this Act or nominated to be leased under subsection (a);

“(ii) the qualified lessee has not previously received a noncompetitive lease under this paragraph in connection with the valid discovery for which data has been submitted under clause (iii)(I); and

“(iii) sufficient geological and other technical data prepared by a qualified geothermal professional has been submitted by the qualified lessee to the applicable Federal land management agency that would lead individuals who are experienced in the subject matter to believe that—

“(I) there is a valid discovery of geothermal resources on the land for which the qualified lessee holds the legal right to develop geothermal resources; and

“(II) that thermal feature extends into the adjoining areas.

“(C) **DETERMINATION OF FAIR MARKET VALUE.**—

“(i) **IN GENERAL.**—The Secretary shall—

“(I) publish a notice of any request to lease land under this paragraph;

“(II) determine fair market value for purposes of this paragraph in accordance with procedures for making those determinations that are established by regulations issued by the Secretary;

“(III) provide to a qualified lessee and publish, with an opportunity for public comment for a period of 30 days, any proposed determination under this subparagraph of the fair market value of an area that the qualified lessee seeks to lease under this paragraph; and

“(IV) provide to the qualified lessee and any adversely affected party the opportunity to appeal the final determination of fair market value in an administrative proceeding before the applicable Federal land management agency, in accordance with applicable law (including regulations).

“(ii) **LIMITATION ON NOMINATION.**—After publication of a notice of request to lease land under this paragraph, the Secretary may not accept under subsection (a) any nomination of the land for leasing unless the request has been denied or withdrawn.

“(iii) **ANNUAL RENTAL.**—For purposes of section 5(a)(3), a lease awarded under this paragraph shall be considered a lease awarded in a competitive lease sale.

“(D) **REGULATIONS.**—Not later than 270 days after the date of enactment of the Geothermal Production Expansion Act of 2013, the Secretary shall issue regulations to carry out this paragraph.”.

By Ms. MURKOWSKI:

S. 366. A bill to amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to reintroduce legislation to clarify Federal mining law and remedy a problem that has arisen from the extension process for “small” miner mineral claims.

Under revisions to the Federal Mining Law of 1872, 30 U.S.C. 28(f), holders of unpatented mineral claims must pay a claim maintenance fee originally set at \$100 per claim by a deadline, set by regulation, of September 1st each year. Since 2004 that fee has risen. But Congress also has provided a claim maintenance fee waiver for “small” miners, those who hold 10 or fewer claims, that they do not have to submit the fee, but that they must file to renew their claims and submit an affidavit of annual labor, work conducted on the claim, each year, certifying that they had performed more than \$100 of work on the claim in the preceding year, 30 U.S.C. 28f(d)(1). The waiver provision further states: “If a small miner waiver application is determined to be defective for any reason, the claimant shall have a period of 60 days after receipt of written notification of the defect or defects by the Bureau of Land Management to: cure such defect or defects or pay the \$100 claim maintenance fee due for such a period.”

Since past revisions of the law, there have been a series of incidents where miners have argued that they sub-

mitted their applications and affidavits of annual labor in a timely manner, but due to clerical error by BLM staff, mailing delays or for unexplained reasons, the applications or documents were not recorded as having been received in a timely fashion. In that case BLM has terminated the claims, deeming them null and void. While mining claim holders have argued that the law provides them time to cure claim defects, BLM has argued that the cure only applies when applications or fees have been received in a timely manner. Thus, there is no administrative remedy for miners who believe that clerical errors by BLM or mail issues resulted in loss or the late recording of claim extension applications and paperwork.

There have been a number of cases where Congress has been asked to override BLM determinations and reinstate mining claims simply because of the disputes over whether the claims had been filed in a timely manner. Congress in 2003 reinstated such claims in a previous Alaska case. Claims in two other incidents were reinstated following a U.S. District Court case in the 10th Circuit first in 2009 in the case of *Miller v. United States* and secondly earlier this year in a second Alaska case. Legislation to correct the provision to prevent this problem in the future actually cleared the Senate in 2007, but did not ultimately become law.

In the past two Congresses I have introduced legislation intended to short circuit continued litigation and pleas for claim reinstatement by clarifying the intent of Congress that miners do have to be informed that their claims are in jeopardy of being voided and given 60 days notice to cure defects, including giving them time to submit their applications and to submit affidavits of annual labor, should their submittals not be received and processed by BLM officials on time. If all defects are not cured within 60 days, the obvious intent of Congress in passing the original act, then claims still are subject to voidance. But this administration has opposed the legislation arguing that it would be too expensive to notify all small miners who fail to file their small miner waiver documents on time and giving them time to solve the defect prior to the loss of their claims. It has even been suggested that giving small miners simple due process would just encourage miners to ignore the deadline for filing for their fee waivers.

I find the cost complaint unpersuasive. Many Federal departments and agencies, the Federal Communication Commission, as one example, routinely sends out notices on permit and license applications. The FCC sends out hundreds of thousands of such notices to Americans who have small radio licenses expiring yearly,

warning them that they need to file applications for license renewal. The Bureau of Land Management certainly should be able to afford a few hundred 50-cent stamps to perform a similar service. Given the value of claims placed at risk and the bother, inconvenience and fear of loss of claims, it is highly unlikely that miners would avoid filing their waiver paperwork on time just because a notification process was clearly in place before claims could be terminated.

So today I reintroduce legislation to solve the notification issue and include language to remedy an injustice to one of my constituents who has lost his rights to nine mineral claims on the Kenai Peninsula, near Hope, Alaska. The transition language would reinstate claims for Mr. John Trautner, who has lost title to claims that he had held from 1982 to 2004. Mr. Trautner suffered this loss even though he had a consistent record of having paid the annual labor assessment fee for the previous 22 years. The local BLM office did have a time-date-stamped record that the maintenance fee waiver certification form had been filed weeks before the deadline but just not a record that the affidavit of annual labor had arrived when he dropped it off in the Anchorage office at the same time.

This legislation, supported in the past by the Alaska Miners Association, will clarify that small miners do have a right to simple due process to be able to have a chance to file their small miner waiver applications in the event of mistakes in processing, rather than immediately lose their rights to patented mining claims without effective appeal or recourse. I appreciate that the Justice Department and BLM Jan. 22, 2013 reinstated claims owned by Alaskans Don and Judy Mullikins of Nome, finally reversing a decision that they should lose their claims following a 2009 application filing incident. But the legal expense, bother and uncertainty that the Mullikins went through in getting their claims reinstated are clear reasons why Congress should clarify past changes to the small miner waiver provision and permit claims to be retained in the event of clerical errors or honest mistakes by claim holders in missing the deadline for filings. Such a change would simply provide justice for small miners.

By Mr. RUBIO (for himself, Mr. HATCH, Mr. BLUNT, Mr. PAUL, Mr. RISC, Mr. GRASSLEY, Mr. JOHANN, Mr. BURR, Mrs. FISCHER, Mr. BOOZMAN, Mr. WICKER, Mr. CORKER, Mr. INHOFE, Mr. ROBERTS, Mr. COBURN, Mr. ENZI, Mr. CHAMBLISS, Mr. MCCONNELL, Mr. VITTER, Mr. MORAN, Mr. GRAHAM, Mr. CRUZ, and Mr. CORNYN):

S. 369. A bill to amend title 18, United States Code, to prohibit taking

minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions; to the Committee on the Judiciary.

Mr. HATCH. Mr. President, I am proud to stand with my friend from Florida, Senator RUBIO, as he introduces an important piece of legislation, the Child Interstate Abortion Notification Act. This bill, which is being introduced in the House by Rep. ILEANA ROS-LEHTINEN of Florida, is based on the belief that children should not make profound life-changing decisions by themselves and that parents are generally in the best and most responsible position to help them.

One of the many disturbing ironies in the abortion debate is that parental consent is needed for such things as tattoos or school fieldtrips but not always for abortions that will end one life and change another forever. Abortion advocates say that abortion should be treated as any other surgical procedure many of them oppose doing so when it comes to parental consent.

What is worse, there are individuals and organizations out there who appear to care more about money than about kids. They are willing to help young girls get abortions by any means necessary, including taking them to other States without the knowledge or consent of their parents. Mind you, those same parents will be responsible for the aftermath, for the physical, emotional, and spiritual consequences of the abortion. If parents are to be responsible at the end, they have the right to be there at the beginning.

If it were possible, just for a moment, to take the abortion politics out of the picture, every parent knows that kids have to develop over time the judgment and maturity to make decisions. No one is more committed to them, no one has more love for them, no one has more responsibility for them than their parents.

This bill has two parts. First, it prohibits taking a minor across state lines for an abortion if doing so evades the parental involvement law in her home State. In the 109th Congress, this portion of our bill passed the Senate with 65 bipartisan votes. More than 80 percent of our fellow Americans support it. Second, this bill requires abortionists to notify parents of an out-of-state minor before performing an abortion. Without this common sense requirement, abortion providers and advocates actually advertise how minors in states that require parental involvement can get abortions elsewhere. This perverse practice undermines parents and puts young girls at greater risk. Fifty-seven Senators of both parties, including 23 still serving in this body today, voted for cloture on this combined bill in 2006.

I urge my colleagues to read the bill. It does not apply when an abortion is

necessary to save a girl's life or if the girl is a victim of abuse or neglect. Again, please read the bill. It is carefully drafted with the appropriate exceptions and safeguards in order to focus on what unites the vast majority of Americans, that parents should be involved before their child has an abortion. The majority of states have laws requiring parental involvement and, with its interstate component, this bill is a legitimate and constitutional way for Congress to help protect children and support parents.

By Mr. COCHRAN (for himself and Ms. MIKULSKI):

S. 370. A bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education; to the Committee on Health, Education, Labor, and Pensions.

Mr. COCHRAN. Mr. President, today I am introducing the Teaching Geography is Fundamental Act. I am pleased to be joined by my friend from Maryland, Ms. MIKULSKI. The purpose of this bill is to improve geographic literacy among K-12 students in the United States by supporting professional development programs administered by institutions of higher education for K-12 teachers. The bill also assists states in measuring the impact of geography education.

Ensuring geographic literacy prepares students to be good citizens of both our nation and the world. John Fahey, Chairman and CEO of the National Geographic Society, once stated that, "Geographic illiteracy impacts our economic well-being, our relationships with other nations and the environment, and isolates us from the world." When students understand their own environment, they can better understand the differences in other places and the people who live in them. Knowledge of the diverse cultures, environments, and distances between states and countries helps our students to understand national and international policies, economies, societies and political structures on a global scale.

To expect that Americans will be able to work successfully with other people around the world, we need to be able to communicate and understand each other. It is a fact that we have a global marketplace, and we need to be preparing our younger generation for competition in the international economy. A strong base of geographic knowledge improves these opportunities.

In a report prepared for leading Internet company, Google, the study estimated that geography service industries generate up to \$270 billion

every year. Geographic knowledge is increasingly needed for U.S. businesses in electronic mapping, satellite imagery, and location-based navigation to understand such factors as physical distance, time zones, language differences and cultural diversity among project teams.

Additionally, geospatial technology is an emerging career field available to people with an extensive background in geography education. Professionals in geospatial technology are employed in federal government agencies, the private sector and the non-profit sector and focus on areas such as agriculture, archeology, ecology, land appraisal and urban planning and development. It is important to improve and expand geography education so that students in the United States can attain the necessary expertise to fill and retain the estimated 70,000 new skilled jobs that are becoming available each year in the geospatial technology industry.

Former Secretary of State Colin Powell once said, "To solve most of the major problems facing our country today—from wiping out terrorism, to minimizing global environmental problems, to eliminating the scourge of AIDS—will require every young person to learn more about other regions, cultures, and languages." We need to do more to ensure that the teachers responsible for the education of our students, from kindergarten through high school graduation, are trained and prepared to teach the critical skills necessary to solve these problems.

Over the last 15 years, the National Geographic Society has awarded more than \$100 million in grants to educators, universities, geography alliances, and others for the purposes of advancing and improving the teaching of geography. Their models are successful, and research shows that students who have benefited from this teaching outperform other students. State geography alliances exist in 26 States and the District of Columbia, endowed by grants from the Society. But, their efforts alone are not enough.

In my home State of Mississippi, teachers and university professors are making progress to increase geography education in schools through additional professional training. Based at the University of Mississippi, hundreds of geography teachers are members of the Mississippi Geography Alliance. The Mississippi Geography Alliance conducts regular workshops for graduate and undergraduate students who are preparing to be certified to teach elementary through high school-level geography in our State. These workshops have provided opportunities for model teaching sessions and discussion of best practices in the classroom.

The bill I am introducing establishes a Federal commitment to enhance the education of our teachers, focuses on geography education research, and de-

velops reliable, advanced technology based classroom materials. I hope the Senate will consider the seriousness of the need to invest in geography, and I invite other Senators to cosponsor the Teaching Geography is Fundamental Act.

By Mr. REED (for himself, Mr. WHITEHOUSE, Ms. WARREN, and Mr. COWAN):

S. 371. A bill to establish the Blackstone River Valley National Historical Park, to dedicate the Park to John H. Chafee, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. REED. Mr. President, today I am reintroducing legislation with my colleagues Senators WHITEHOUSE, WARREN, and COWAN that would create the Blackstone River Valley National Historical Park. Our legislation seeks to preserve the industrial, natural, and cultural heritage of the Blackstone Valley, assist local communities by providing economic development opportunities, and build upon the foundation of the John H. Chafee Blackstone River Valley National Heritage Corridor.

In 1793, Samuel Slater began the American Industrial Revolution in Rhode Island when he built his historic mill along the Blackstone River. Today, the mills and villages found throughout the John H. Chafee Blackstone River Valley National Heritage Corridor in Rhode Island and Massachusetts stand as witnesses to this important era of American history.

Not only is the Blackstone Valley a window to our nation's past but it is also includes thousands of acres of pristine, undeveloped land and waterways that are home to a diverse ecosystem.

The combined efforts of the National Park Service and Federal, State, and local officials in our two states, along with dedicated volunteers, have rejuvenated the communities within the Corridor and renewed interest in the rich history of the Blackstone River and valley. This kind of economic and environmental revitalization is indicative of the tradition of the valley in its successful reinvention over the past two centuries.

For example, the Ashton Mill in Cumberland is an excellent illustration of local redevelopment. With the designation of the National Heritage Corridor, the cleanup of the river, the creation of the state park, and the construction of the Blackstone River Bikeway, the property was restored for adaptive reuse as rental apartments. Once again, the mill and its village are a vital part of the greater Blackstone valley community.

I have been pleased over the years to help support the preservation and renewed development of the Blackstone River Valley.

In 2005, I cosponsored legislation with former Senator Lincoln Chafee, now

our State's governor, requiring the completion of a Special Resource Study to determine which areas within the Corridor were of national significance and possibly suitable for inclusion in the National Park System. After extensive input from local stakeholders and historians, in 2011 the completed study recommended the creation of a new unit of the National Park System.

The legislation I am reintroducing today with my colleagues from Rhode Island and Massachusetts seeks to establish the two-state partnership park described in the study, with sites including the Blackstone River and its tributaries, the Blackstone Canal, the historic district of Old Slater Mill in Pawtucket, the villages of Slatersville and Ashton in Rhode Island, the villages of Whitinsville and Hopedale in Massachusetts, and the Blackstone River State Park. The National Park Service would partner with the local coordinating entity of the surrounding Heritage Corridor, the Blackstone River Valley National Heritage Corridor, Inc. That non-profit would then lead efforts with other regional and local groups to preserve the surrounding rural and agriculture landscape within the greater Blackstone River Valley.

Creating a national historic park will enable us to safeguard our cultural heritage for future generations; improve the use and enjoyment of the area's resources, including outdoor education for young people; enhance opportunities for economic development; and increase protection of the most important and nationally significant cultural and natural resources of the Blackstone River Valley.

I am proud that this park would be dedicated to my late colleague John H. Chafee, who worked tirelessly for many years, along with others in Rhode Island and Massachusetts, to protect and preserve the Blackstone River Valley.

I look forward to working with my colleagues to pass this legislation to establish the Blackstone River Valley National Historical Park.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 35—CONGRATULATING THE BALTIMORE RAVENS FOR WINNING SUPER BOWL XLVII

Mr. CARDIN (for himself and Ms. MIRKULSKI) submitted the following resolution; which was considered and agreed to:

S. RES. 35

Whereas, on February 3, 2013, the Baltimore Ravens won Super Bowl XLVII, defeating the San Francisco 49ers by a score of 34 to 31 at the Mercedes-Benz Superdome in New Orleans, Louisiana;

Whereas Super Bowl XLVII marks the second Super Bowl win for the Baltimore

Ravens, the third Super Bowl win for a Baltimore football team, and the first time in history that siblings have coached opposing teams in the Super Bowl;

Whereas the victory by the Baltimore Ravens was the culmination of a regular season with 10 wins and 6 losses and a series of exhilarating playoff performances;

Whereas the Baltimore Ravens exhibited a stellar offensive performance, with 93 rushing yards and 274 passing yards;

Whereas the Baltimore Ravens' defense forced turnovers that were critical to achieving a victory;

Whereas middle linebacker Ray Lewis won his second Super Bowl ring in his last game in the National Football League after recovering from a torn triceps earlier in the season;

Whereas linebacker Terrell Suggs tore his Achilles tendon in the offseason but made a full recovery to play in the Super Bowl;

Whereas quarterback Joe Flacco led the Baltimore Ravens to victory by throwing for a total of 287 yards, 3 touchdowns, and no interceptions, earning the award for Most Valuable Player;

Whereas receiver Jacoby Jones caught 1 pass for 56 yards and a touchdown and returned a kickoff a record-tying 108 yards for another touchdown;

Whereas receiver Anquan Boldin caught 6 passes for 104 yards and a touchdown;

Whereas the Baltimore Ravens dedicated their play during the season to the memories of Art Modell, the former owner, and Tevin Jones, the brother of receiver Torrey Smith;

Whereas the leadership and vision of head coach John Harbaugh propelled the Baltimore Ravens back to the pinnacle of professional sports;

Whereas members of the Baltimore Ravens organization have helped their community through charitable work and advocacy; and

Whereas the Baltimore Ravens have brought great pride and honor to the City of Baltimore, its loyal fans, and the entire State of Maryland: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Baltimore Ravens for winning Super Bowl XLVII;

(2) recognizes the achievements of all the players, coaches, and staff who contributed to the 2012 championship season; and

(3) requests that the Secretary of the Senate prepare an enrolled version of this resolution for presentation to—

(A) the owner of the Baltimore Ravens, Steve Biscotti;

(B) the head coach of the Baltimore Ravens, John Harbaugh; and

(C) the now-retired field leader of the Baltimore Ravens, Ray Lewis.

SENATE RESOLUTION 36—RECOGNIZING FEBRUARY 19, 2013 AS THE CENTENNIAL OF MOSAIC, A FAITH-BASED ORGANIZATION THAT WAS FOUNDED IN NEBRASKA AND NOW SERVES MORE THAN 3,600 INDIVIDUALS WITH INTELLECTUAL DISABILITIES IN 10 STATES

Mr. JOHANNIS (for himself, Mr. HARKIN, Mrs. FISCHER, Mr. DURBIN, and Mr. GRASSLEY) submitted the following resolution; which was considered and agreed to:

S. RES. 36

Whereas the roots of Mosaic, a faith-based organization that serves individuals with in-

tellectual disabilities, trace back to the commitment of a Nebraskan to ensure that individuals with disabilities were cared for and inspired by a loving community;

Whereas, on February 19, 1913, a Nebraska pastor, the Reverend K.G. William Dahl, founded Bethphage Inner Mission Association (referred to in this preamble as "Bethphage") in Axtell, Nebraska as a ministry for individuals with intellectual disabilities;

Whereas, on October 20, 1925, a school endeavoring to create opportunities for children with disabilities took root in Sterling, Nebraska when the Reverends Julius Moehl, August Hoeger, and William Fruehling, and laymen John Aden and William Ehmen, established Martin Luther Home Society, which later became known as Martin Luther Homes;

Whereas, with the increasing need for community-based programs for individuals with disabilities in the 1970s and 1980s, both Bethphage and Martin Luther Homes grew into ministries that served locations across the United States;

Whereas the shared vision and mission of the 2 Nebraska-born ministries, to care for the most vulnerable individuals, laid the foundation for the formation of a powerful partnership;

Whereas, on July 1, 2003, Mosaic was officially established through a consolidation of Bethphage and Martin Luther Homes; and

Whereas Mosaic has created a legacy of love, providing individualized support to thousands of individuals in the United States and extending its work beyond the borders of the United States through an international alliance: Now therefore be it

Resolved, That the Senate—

(1) recognizes February 19, 2013 as the centennial of Mosaic;

(2) recognizes the important and valuable contributions that individuals with intellectual disabilities make in their communities;

(3) celebrates the integral role that Mosaic has played in the growth and success of individuals with intellectual disabilities; and

(4) congratulates the men and women who have touched countless lives by contributing to the mission of Mosaic to create a life of possibilities for individuals with intellectual disabilities.

SENATE RESOLUTION 37—EXPRESSING THE SENSE OF THE SENATE IN DISAPPROVING THE PROPOSAL OF THE INTERNATIONAL OLYMPIC COMMITTEE EXECUTIVE BOARD TO ELIMINATE WRESTLING FROM THE SUMMER OLYMPIC GAMES BEGINNING IN 2020

Mr. BROWN (for himself, Mr. GRASSLEY, Mr. FRANKEN, Mr. HARKIN, Mr. CASEY, Mr. INHOFE, and Mr. LEVIN) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 37

Whereas wrestling is recognized as one of the world's oldest competitive sports dating back to 3000 BC;

Whereas wrestling was one of the original sports of the ancient Greek Olympic Games and of the first modern Olympic Games;

Whereas wrestling is one of the world's most diverse sports, with participants from almost 200 countries around the world;

Whereas over 280,000 high school students in the United States participated in wrestling in 2012;

Whereas there are over 300 intercollegiate wrestling programs in the United States;

Whereas wrestling represents the determination and hard work it takes to succeed in life and sport;

Whereas the United States has a long, proud, and storied Olympic wrestling history; and

Whereas wrestling epitomizes the spirit of the Olympic Games: Now, therefore, be it

Resolved, That the Senate—

(1) thanks the United States Olympic Committee for its continued support of wrestling and encourages it to work actively to reverse the proposal of the International Olympic Committee Executive Board to eliminate wrestling from the Summer Olympic Games beginning in 2020;

(2) disapproves the proposal of the International Olympic Committee Executive Board to eliminate wrestling from the Summer Olympic Games beginning in 2020; and

(3) urges the International Olympic Committee Executive Board to reinstate wrestling as a core sport of the Summer Olympic Games.

AMENDMENTS SUBMITTED AND PROPOSED

SA 22. Mr. REID (for Mr. LAUTENBERG) proposed an amendment to the resolution S. Res. 21, designating February 14, 2013, as "National Solidarity Day for Compassionate Patient Care".

TEXT OF AMENDMENTS

SA 22. Mr. REID (for Mr. LAUTENBERG) proposed an amendment to the resolution S. Res. 21, designating February 14, 2013, as "National Solidarity Day for Compassionate Patient Care"; as follows:

On page 3 line 1, strike "humanistic" and insert "humane".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on February 14, 2013, at 9:30 a.m. in room SR 328A of the Russell Senate office building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to conduct a hearing entitled "Drought, Fire and Freeze: The Economics of Disasters for America's Agricultural Producers," during the session of the Senate on February 14, 2013, at 9:30 a.m. in room SR 328A of the Russell Senate office building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 14, 2013, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on February 14, 2013, at 10:30 a.m. to conduct a hearing entitled "Wall Street Reform: Oversight of Financial Stability and Consumer and Investor Protections."

The Presiding Officer. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on February 14, 2013, at 10 a.m. in room 406 of the Dirksen Senate office building.

The Presiding Officer. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on February 14, 2013, at 9:30 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Health Insurance Exchanges: Progress Report".

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on February 14, 2013, at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on February 14, 2013, at 10 a.m., in SD-226 of the Dirksen Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 14, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL SOLIDARITY DAY FOR COMPASSIONATE PATIENT CARE

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 21 and that the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 21) designating February 14, 2013, as "National Solidarity Day for Compassionate Patient Care."

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the Lautenberg amendment to the resolution, which is at the desk, be agreed to; the resolution, as amended, be agreed to; the preamble be agreed to; and the motions to reconsider be laid on the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 22) was agreed to, as follows:

On page 3 line 1, strike "humanistic" and insert "humane".

The resolution (S. Res. 21), as amended, was agreed to.

The preamble was agreed to.

The resolution, as amended, with its preamble, reads as follows:

S. RES. 21

Whereas the National Solidarity Day for Compassionate Patient Care promotes national awareness of the importance of compassionate and respectful relationships between health care professionals and their patients as reflected in attitudes that are sensitive to the values, autonomy, cultural, and ethnic backgrounds of patients and families;

Whereas individuals and groups of medical professionals and students stand in solidarity to support compassion in health care as expressed by Dr. Randall Friese, triage physician at the University of Arizona Medical Center who, when queried, stated that the most important treatment he provided to Congress member Gabrielle Giffords after she was shot on January 8, 2011, was to hold her hand and reassure her that she was in the hospital and would be cared for;

Whereas physicians, nurses, all other health care professionals, and medical facilities are charged with providing both the art and science of medicine;

Whereas a greater awareness of the importance of compassion in health care encourages health care professionals to be mindful of the need to treat the patient rather than the disease;

Whereas scientific research illustrates that when health care professionals practice humanistically; demonstrating the qualities of integrity, excellence, compassion, altruism, respect, empathy, and service, their patients have better medical outcomes; and

Whereas February 14th would be an appropriate day to designate as National Solidarity Day for Compassionate Patient Care and to celebrate it by health care students and professionals performing humanistic acts of compassion and kindness toward patients, families of patients, and health care colleagues: Now, therefore, be it

Resolved, That the Senate—

(1) designates February 14, 2013, as "National Solidarity Day for Compassionate Patient Care";

(2) recognizes the importance and value of a respectful relationship between health care professionals and their patients as a means of promoting better health outcomes; and

(3) encourages all health care professionals to be mindful of the importance of both—

(A) being humane and compassionate; and
(B) providing technical expertise.

CONGRATULATING THE BALTIMORE RAVENS FOR WINNING SUPER BOWL XLVII

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 35, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 35) congratulating the Baltimore Ravens for winning Super Bowl XLVII.

There being no objection, the Senate proceeded to consider the resolution.

Mr. CARDIN. Mr. President, we take this time in order to acknowledge the extraordinary accomplishments of the Baltimore Ravens and their victory in Super Bowl XLVII as well as to honor the players, coaches, staff, and loyal fans who helped to secure the Ravens' second Lombardi trophy in the last 12 years as the best team in the National Football League.

I have been a Baltimore football fan for as long as I can remember, from the days of the Baltimore Colts and Johnny Unitas, Alan Ameche, and Lenny Moore. I am so proud of this team. This team has guts. No one predicted them to win the Super Bowl—no one. At one point no one expected them to even get into the playoffs. They not only made the playoffs but they won in spectacular fashion. They looked after each other, and they worked hard.

Coach Harbaugh brought the team together. Ray Lewis, in his last season, motivated the team. We had players who were injured during the course of the season who came back to play in the playoffs. The team represented Baltimore so well and I think represented the best in football. They not only gave our city and our football fans the opportunity to come together, I was very much impressed how Baltimore changed during Super Bowl week. Our city was so proud of our team and so proud of the manner in which they conducted themselves on and off the field. They gave back to the community in so many different ways. They helped young people. They helped develop healthy lifestyles. They have been role models.

This Super Bowl will be remembered for a long time to come. I think in the first half we thought it was going to be a runaway game, but the Baltimore

Ravens have a way to make sure they keep TV ratings high. It got a little more suspenseful, particularly when we had the blackout in the third-quarter, but in the end the Baltimore Ravens prevailed and Baltimore is the championship city.

We are so proud of the accomplishments of our team. Whether we are talking about the comeback of Ray Lewis or Terrell Suggs from a devastating injury or Ray Rice's fourth and 29 scramble to keep our playoff hopes alive, it is clear that the Ravens were the most determined team in the National Football League.

Unflappable Joe Flacco has established himself as a leader and one of the preeminent quarterbacks in the league. His Most Valuable Player performance in the Super Bowl was a fitting capstone on an MVP season and should prove once and for all "Joe Cool" has what it takes.

It has been thrilling to watch the Ravens this year, to say the least. In a season during which the team clawed and "cawed" its way to some close victories, the Super Bowl was a fitting end. The Ravens came into New Orleans as the underdogs against incredible odds, and they prevailed as the world champions.

I applaud the team, the coaches, the managers, the owner, and all who were involved for giving not just Baltimore but for giving football a team everyone can admire.

I also want to acknowledge the gracious way in which our colleagues from California have handled the results of the Super Bowl. The 49ers are a great team. They played a great game and had a great season. Baltimore and San Francisco share a lot. We share great football and we share a bay. We call our bay the Chesapeake Bay and they call theirs the San Francisco Bay. We share great seafood, and we share a love for the sport of football.

I thank them for their graciousness, and I thank all involved for a great season for the Baltimore Ravens.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I join with Senator CARDIN as a fellow jock to support the resolution commending the Baltimore Ravens. What a great season we have had. It was thrilling; it was exciting. I have been a Ravens fan since they came to Baltimore, and I was originally a Colts fan.

I was a little girl when the National Football League came to Baltimore. It was the Baltimore Colts. They even had a telethon to buy tickets. Just imagine, we could buy season tickets to the Baltimore Colts for \$15. One of the first things I did when I graduated from college and had my own money was to go in with my Uncle Fred to be able to have tickets to go to the Colts games at Memorial Stadium.

I remember watching TV when we had that famous game with New York

and Johnny Unitas tossed that winning touchdown to Lenny Moore and won 10 seconds before the game was over. I didn't think football could ever be that exciting again. But then came this Ravens season just roaring to the finish. There they were playing the Broncos in Denver, the mile-high city. Senator UDALL really razzed and did some pretty uppity trash talk. But we, with our usual pride and gentility, weathered the storm.

I could not believe it. I thought the game was over. I was ready to kick back and call my sister when, oh, wow, there goes Flacco with that 70-yard toss, and it was a touchdown. Even though I am short and chunky, I was ready to do cartwheels around my condo that evening.

The team went on to deal with the New England Patriots and then all the way to the Super Bowl. We were out there winning again when all of a sudden the lights went out in New Orleans. Even though they went out for 38 minutes in New Orleans, the lights were on all over Baltimore and we were purple. We were purple with pride and purple with joy. We were so pleased that they brought us victory not only on the playing fields of the National Football League, but do you know what else they did? They created a sense of community and a sense of energy.

If you came with me to one of our great major league institutions, such as Johns-Hopkins or the University of Maryland, you would see that we are shoulder to shoulder with Nobel prize winners who are working in our institutions. The facility managers, nurses, and even the patients had on their purple ties or purple shirts. We were united. It was a sense of community, and it was a sense of pride.

What is it that we liked? Because we did our best. We were the underdog team. Some of the national sports writers would often look down their nose at the football players. We don't carry a chip on our shoulder, we carry the football across the goal line. That is the way Baltimore is. We are gritty, we are strong, and we will fight and take it all the way to the end.

So I want to congratulate the Ravens for creating a sense of energy, creating a sense of community, and, yes, winning the Super Bowl. They were champs, but really what they created was not only champions of the Super Bowl, they were champions on their way to victory to create this sense of community.

Also, a special acknowledgment to Ray Lewis. Ray Lewis has had a tough life. It has been hard-scrapple and hard-tackle for him. He has faced some life challenges and has had some dark moments. Out of that, he has reclaimed his life, and in the process of reclaiming his life and giving essentially all honor to God, he has then gone on to work with other football players and

people in our community about how you get your life together, how you hold your life together, and how you are a winner both on and off the field.

So I wish to congratulate the Ravens. We are really proud of them. We are glad they won the Lombardi Trophy for the second time in 11 years.

I have a purple coat that I bought for the first Super Bowl. Some women have special-occasion cocktail dresses; I have a special coat for football season. I pulled it out, and I am ready to wear it, and I am ready to wear it for victory for next season.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 35) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions."

RECOGNIZING FEBRUARY 19, 2013, AS CENTENNIAL OF MOSAIC

Mr. REID. Mr. President, I ask unanimous consent to proceed to S. Res. 36.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 36) recognizing February 19, 2013 as the centennial of Mosaic, a faith-based organization that was founded in Nebraska and now serves more than 3,600 individuals with intellectual disabilities in 10 States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 36) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions."

ORDER OF PROCEDURE

Mr. REID. I ask unanimous consent that if the Senate receives an adjournment resolution from the House identical to the text which is at the desk, the concurrent resolution be considered agreed to and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that either on Monday,

February 25, or Tuesday, February 26, I be permitted and the Republican leader be permitted to introduce a bill to replace the sequester required under the Budget Control Act; further, that if a leader introduces such legislation, his bill be placed directly on the legislative calendar; finally, that motions to proceed to these bills be in order the day they are introduced.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, the purpose of this—and I have had meetings with Senator McCONNELL—is that we are each going to have a piece of legislation to hold the sequester from kicking in, and this is the easiest way to do it without a lot of procedural motions, and I appreciate everyone's cooperation in that regard.

APPOINTMENTS AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President pro tempore and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

SIGNING AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that from Friday, February 15, through Monday, February 25, Senator LEVIN be authorized to sign duly enrolled bills or joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR FRIDAY, FEBRUARY 15, 2013, THROUGH MONDAY, FEBRUARY 25, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn and convene for pro forma sessions only, with no business conducted on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, February 15, at 12 p.m.; Tuesday, February 19, at 10:30 a.m.; and Friday, February 22, at 10:45 a.m.; and that the Senate adjourn on Friday, February 22, until 2 p.m. on Monday, February 25, 2013, unless the Senate adopts an adjournment resolution pursuant to the previous order, and that if the Senate adopts such a resolution, the Senate adjourn until 2

p.m. on Monday, February 25, 2013; that on Monday, following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate be in a period of morning business until 5 p.m. with Senators permitted to speak therein for up to 10 minutes each; further, that the Senate then proceed to executive session, under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, the next rollcall vote will be on Monday, February 25, at 5:30 p.m., on confirmation of the Bacharach nomination.

CONDITIONAL ADJOURNMENT UNTIL TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask that it adjourn under the previous order.

There being no objection, the Senate, at 6:57 p.m., adjourned until Friday, February 15, 2013, at 12 noon.

EXTENSIONS OF REMARKS

RECOGNIZING NATIONAL COURT
REPORTING AND CAPTIONING
WEEK

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. KIND. Mr. Speaker, today I rise to acknowledge the hard work of court reporters and broadcast captioners nationwide, as well as the recognition of the National Court Reporting and Captioning Week from February 17–23, 2013.

Court reporters and broadcast captioners have the unique skill of translating the spoken word into text to record history, preserve judicial proceedings, assist individuals who are deaf and hard-of-hearing with access to audio communications, and even capture the work of Congress in committees and on the floor of the House and Senate. They are truly the guardians of the record.

The profession of court reporting is thousands of years old; its roots can be traced back to 63 B.C., when Marcus Tullius Tiro created shorthand reporting to service the Roman philosopher, lawyer, and orator Cicero. Since the dawn of civilization, the desire to capture the spoken word and record our history has been the responsibility of the scribe, known today as the court reporter.

The scribe has been an essential part of history from times in Ancient Egypt, to the drafting of the Declaration of Independence, Bill of Rights, the Emancipation Proclamation and the recording of our entire American history.

Since the advent of shorthand machines, these scribes are now known as court reporters and have played a prominent and invaluable role in courtrooms, state legislatures, and in Congress preserving Members' words and actions.

Court reporters and captioners are also responsible for the closed captioning seen scrolling across television screens, at sporting stadiums and in other community and educational settings, bringing information to almost 40 million deaf and hard-of-hearing Americans every day.

Congress has continuously worked with the National Court Reporters Association to make increasing this access a reality and to ensure that every American has access to the spoken word.

Whether called the scribes of yesterday or the court reporters and captioners of today, the individuals who preserve our Nation's history are truly the guardians of our national record. They have a tough profession but continue to excel through their dedication and expertise. With that, it is my honor to acknowledge February 17–23 as National Court Reporting and Captioning Week across the country.

HONORING BENJAMIN JACKSON
MATT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Benjamin Jackson Matt. Benjamin is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and earning the most prestigious award of Eagle Scout.

Benjamin has been very active with his troop, participating in many scout activities. Over the many years Benjamin has been involved with scouting, he has not only earned 32 merit badges, but also the respect of his family, peers, and community. Most notably, Benjamin has led his troop in various positions including Troop Guide, has earned the rank of Warrior in the Tribe of Mic-O-Say and is a Brotherhood Member in the Order of the Arrow. Benjamin has also contributed to his community through his Eagle Scout Project. Benjamin led a team of more than 30 people in designing and constructing a trail at Parkville Nature Sanctuary in Parkville, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Benjamin Jackson Matt for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING NATHAN CONRAD
STAHL

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Nathan Conrad Stahl. Nathan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and earning the most prestigious award of Eagle Scout.

Nathan has been very active with his troop, participating in many scout activities. Over the many years Nathan has been involved with scouting, he has not only earned 31 merit badges, but also the respect of his family, peers, and community. Most notably, Nathan has led his troop in various positions including Troop Guide and has earned the rank of Warrior in the Tribe of Mic-O-Say. Nathan has also contributed to his community through his Eagle Scout Project. Nathan built a handrail along concrete steps in the parking lot at Hillcrest Transitional Housing in Kansas City, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Nathan Conrad Stahl for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING TIME WARNER
CABLE

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. REED. Mr. Speaker, I rise today to recognize Time Warner Cable for its Connect a Million Minds (CAMP) initiative. This program is designed to inspire the next generation of problem solvers by connecting young people to the wonders of science, technology, engineering, and math (STEM) outside of the classroom.

This campaign includes original public service announcements and programming, grants to support nonprofit organizations that introduce students to STEM, and the creation of "The Connector," a one-of-a-kind resource that allows parents to find kid-centric STEM learning opportunities in their own backyards. The CAMP initiative also encourages Time Warner Cable employees to volunteer at science fairs, robotics competitions, and local Connect a Million Minds events.

The STEM fields have become increasingly important for the development of our country as the world continues to modernize at a rapid pace. The performance of U.S. students in STEM subjects has fallen behind their international peers. Today, more and more employers report having a difficult time finding qualified applicants for STEM jobs. This problem will continue to grow as it is estimated that the number of jobs in STEM fields will increase 17% by 2018. Given this figure, it is difficult to understate the importance of STEM education for both our nation's collective economic future and the future of our nation's students.

The CAMP program has focused resources across several Congressional Districts, including the 23rd District of New York. With increased attention and support from community and industry leaders that will someday hire students in STEM fields, programs like CAMP are critical to building a pool of future qualified employees. I commend Time Warner Cable for its CAMP initiative; and I want my colleagues to understand the importance of such initiatives and their positive impact on all of our communities.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

REINTRODUCTION OF THE LENA
HORNE RECOGNITION ACT

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to reintroduce the Lena Horne Recognition Act. This bill would award Lena Horne with a Congressional Gold Medal in recognition of her achievements and contributions to American culture and the Civil Rights Movement. A symbol of elegance and grace, Lena Horne created a legacy by not only entertaining Americans for over 60 years, but by breaking many racial barriers as a singer, dancer, and actress. Ms. Horne passed away in New York City on May 9, 2010 at the age of 92.

Lena Mary Calhoun Horne was born on June 30, 1917 in Brooklyn, New York. Her path to international stardom began in Harlem's Cotton Club, where she was first hired as a chorus dancer at the age of 16. From there, her career continued in Charlie Barney's jazz band, where she became one of the first African-American women to tour with an all white band, to Hollywood and Broadway.

In the 1940s, Ms. Horne was discovered by a Metro Gold Mayer talent scout and moved to Hollywood to be an actress. She was the first black artist to sign a long-term contract with a major studio. Despite her beauty and talent, however, she was limited to minor acting roles because of her race. She was passed over for the role of Julie in the movie *Show Boat* because the studio did not want the film to star a black actress, and the Motion Picture Code did not allow the depiction of interracial relationships. Nonetheless, she dazzled audiences and critics in a number of films, including *Cabin in the Sky* and *Stormy Weather*.

The struggle for equal and fair treatment was an inseparable and increasingly political part of Ms. Horne's life. During WWII, she toured extensively with the United Service Organizations on the West Coast and in the South in support of the troops. Ms. Horne was outspoken in her criticism of the way black soldiers were treated. She refused to sing for segregated audiences or to groups where German prisoners of war were seated in front of the African-American servicemen.

During the period of McCarthyism in the 1950s, Ms. Horne was blacklisted as a communist for seven years due to her civil rights activism and her friendships with Paul Robeson and W.E.B. DuBois. Despite facing continued discrimination, Ms. Horne's career flourished in television and onstage throughout the country. It was during this time that she also established herself as a major recording artist. In 1957, she recorded Lena Horne at the Waldorf Astoria, which reached the Top 10 and became the best selling album by a female singer in RCA Victor's history.

Ms. Horne used her talent and fame to become a powerful voice for civil rights and equality. In 1963, she participated in the historic March on Washington for Jobs and Freedom. She also performed at rallies throughout the country for the National Council for Negro Women and worked with the National Associa-

tion for the Advancement of Colored People (NAACP).

Ms. Horne finally received the break she had been waiting for her in 1981, which was a one woman Broadway show. *Lena Horne: The Lady and Her Music*, was the culmination of her triumphs and struggles. The show enjoyed a 14-month run and earned her a Tony Award and two Grammy Awards.

Furthermore, she received two stars on the Hollywood Walk of Fame for her work in both motion pictures and recordings, as well as a footprint on the International Civil Rights Walk of Fame at the Martin Luther King, Jr. National Historic Site.

Mr. Speaker, Lena Horne was an extraordinary woman who refused to give up her dreams and used her beauty, talent, and intelligence to fight racial discrimination. I urge my colleagues to support the Lena Horne recognition Act, in order to honor her life and legacy with a Congressional Gold Medal.

PERSONAL EXPLANATION

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. DeFAZIO. Mr. Speaker, unfortunately I was unable to record my vote on H.R. 267, the Hydropower Regulatory Efficiency Act. I was detained by a very important meeting with Oregon Governor John Kitzhaber about issues critical to my rural communities and State.

I am a strong supporter of renewable energy and agree there's enormous untapped potential for hydropower. Reducing red tape, process, and cost to approve small, non-controversial hydropower projects is a no-brainer. I am pleased the bill passed 422-0 and would have voted "yea" had I been available. I look forward to supporting H.R. 267 in the future if the bill is amended and comes back to the House from the Senate.

NORTHERN ILLINOIS UNIVERSITY—REMEMBERING THOSE
LOST ON FEBRUARY 14, 2008

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. FOSTER. Mr. Speaker, it is with a heavy heart that I rise today to ask the House to observe a moment of silence for the tragedy that occurred at Northern Illinois University five years ago. On February 14, 2008, we lost five very bright and energetic young students—students who had hoped to one day become the future of our nation.

Each year since that tragic day, members of the community gather to remember those students and to present the memorial wreathes. Gayle Dubowski, Catalina Garcia, Julianna Gehant, Ryanne Mace, and Daniel Parmenter will never be forgotten, for they will always be in our hearts. Their memories will live on through their family and friends, as well as Northern Illinois University.

"Forward, Together Forward," three simple words that stem from the University's Fight Song, teach us a lesson that we can all learn from. It reminds us that even in the darkest of situations, when all seems lost, if we come together as a community there is nothing that we cannot get through. It gives us the strength and motivation to move forward.

Mr. Speaker, I ask my colleagues to join me in remembering those lost and to support all who were affected by this tragedy.

HONORING ALAN P. LESSENDEN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Alan P. Lessenden. Alan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 351, and earning the most prestigious award of Eagle Scout.

Alan has been very active with his troop, participating in many scout activities. Over the many years Alan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Alan has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Alan P. Lessenden for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING JANICE ATKINSON,
COUNTY CLERK-RECORDER AS-
SESSOR REGISTRAR OF VOTERS

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. THOMPSON of California. Mr. Speaker, I rise today, along with my colleague JARED HUFFMAN, to recognize Janice Atkinson, who is retiring as county clerk-recorder assessor and registrar of voters.

Janice Atkinson is a third generation Sonoma County native and comes from a long line of public servants. She began her public service career in election administration in 1972 with the Registrar of Voters Division of the County Clerk's Office. She worked her way up through the division, was appointed division chief in 1979 and assumed the position of assistant department head in 1995. She was elected to the position of County Clerk-Recorder Assessor of the County of Sonoma on June 6, 2006, and assumed office on January 8, 2007.

Ms. Atkinson's primary area of expertise is in the field of election administration. As Assistant Registrar of Voters, she headed the division responsible for the conduct of all elections in Sonoma County including city, school

and special district elections. The division maintains the files of approximately 600 elected officials, 249,554 registered voters and the boundaries of all political subdivisions in the County.

Under Ms. Atkinson's leadership, Sonoma County removed barriers to participation in the democratic process by administering a highly successful vote-by-mail program. In November 2006, Sonoma County's voter turnout of 75.49 percent exceeded the statewide average turnout by almost 20 percent. Sonoma County's high voter turnout can be attributed to the high number of permanent absentee voters in the County (roughly 52 percent of the registered voters) and the efforts of the department to keep the voter files up-to-date. Ms. Atkinson implemented an accessible voting system for voters with disabilities, all while maintaining paper-based voting systems, assuring voter confidence in elections.

Ms. Atkinson was an active member in the California Association of Clerks and Election Officials from 1976–2012. She served on the board of directors from 2002–2012, as Correspondence Secretary from 1988–2011 and as a member of the County Recorder's Association of California from 2001–2012. She also was a member of the California Assessors' Association from 2007–2012 and the Bay Area Assessor's Association 2007–2012, serving as its president in 2010. She has been a member of the Sonoma County Historical Records Commission since 2000 and is recognized throughout the state for her knowledge of the California Elections Code and voting procedures.

Ms. Atkinson is a longtime supporter of the Cloverdale Boys and Girls Club and served as the lead public information officer for Sonoma County during disasters, providing vital information to those impacted by floods, mudslides and fires.

Mr. Speaker, Janice Atkinson has a long and distinguished career in service to Sonoma County and it is therefore appropriate that we acknowledge her today and wish her well in her retirement.

CONGRATULATING THE INTERMOUNTAIN JEWISH NEWS ON ITS 100TH YEAR

HON. CORY GARDNER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. GARDNER. Mr. Speaker, I rise today to congratulate the Intermountain Jewish News on its 100th year of continuous publication.

The Intermountain Jewish News has served as an important conduit of information for people of the Jewish faith across the Rocky Mountain West. With insightful reporting and a keen eye to the stories that matter most to its readers, it has provided the Jewish community with relevant news and a constant connection to the community.

Freedom of the press and freedom of religion are two of the pillars that have made the United States the beacon of light across the world. The Intermountain Jewish News is more than just the product of these freedoms;

it is the medium through which these freedoms live on today.

I applaud the hard work and dedication of all who have contributed to this publication's success over the past 100 years and I wish them continued success in the future.

IN SUPPORT OF THE FORWARD ON CLIMATE RALLY FEBRUARY 14, 2013

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. VAN HOLLEN. Mr. Speaker, I rise to join President Obama and concerned citizens around the world to say it is high time we move forward on addressing climate change.

As President Obama said in his State of the Union address: "We can choose to believe that Superstorm Sandy, and the most severe drought in decades, and the worst wildfires some states have ever seen were all just a freak coincidence. Or we can choose to believe in the overwhelming judgment of science—and act before it's too late."

This weekend, tens of thousands of people—including 100 buses from over 30 states—will be traveling to Washington, DC to participate in Sunday's Forward on Climate Rally to demonstrate their support for action on climate change.

My home state of Maryland knows all too well the devastating effects of extreme weather events, and the threat that coastal flooding and sea level rise present to our coastal communities. In that regard, I'm proud that Maryland is tackling this issue head on by committing to reduce greenhouse gas emissions by 25 percent below 2006 levels by 2020. In addition to restoring a healthy climate, this initiative will boost economic growth, create jobs and save consumers money.

Mr. Speaker, I welcome the Forward on Climate Rally to the nation's capital, and I stand with concerned citizens from across the country who say the time is now to address climate change.

INTRODUCTION OF LEGISLATION TO REFORM THE FEDERAL PROTECTIVE SERVICE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, today I am introducing legislation to improve the level of security provided by the Federal Protective Service, FPS.

Formed in 1971 as the uniformed protection service for the General Service Administration, GSA, the Federal Protective Service's mission is to safeguard the Federal buildings that Americans access every day across the country. FPS is charged with protecting over 9,000 Federal facilities, including many of our own Congressional district offices.

Since FPS was transferred to the Department of Homeland Security in 2003, a series

of government audits have uncovered major breaches in the security services FPS provides and attributed these lapses, in large part, to slipshod oversight by the agency of its contractor workforce.

One glaring example of FPS's lapses in providing security occurred in February 2011 when contract guards failed to detect explosive material that was left undetected inside the Patrick V. McNamara Federal building in Detroit for 21 days.

Testifying on July 13, 2011 about this incident before the Committee on Homeland Security, the Government Accountability Office, GAO, stated that FPS needs to undertake a stronger role in overseeing contractor performance, to reevaluate its hiring and training practices for contract guards, and to implement a comprehensive risk assessment strategy.

On July 24, 2012, at a subsequent Committee on Homeland Security hearing, FPS's lack of a comprehensive risk management strategy was identified as a major obstacle to FPS' ability to safeguard Federal facilities and effectively serve as the lead agency charged with coordinating infrastructure protection government-wide.

Both hearings addressed the Federal Protective Service's pressing need to replace the failed Risk Assessment and Management Program, RAMP, to monitor the hours and duties performed by contract guards—which has cost of over \$41 million—with an effective tool to implement risk assessment. As an interim step, FPS has since developed the Modified Infrastructure Survey Too, MIST.

Since May 2007, the Committee on Homeland Security has held five oversight hearings of FPS. Additionally, since 2008, GAO has issued seven oversight reports, at my request, on the agency that identified a wide range of challenges FPS faces in protecting Federal facilities. Among the areas for reform identified in these reports are the need for increased oversight of the contract guard program; the need for FPS to implement a risk management strategy to improve facility security; enhanced schedule and cost estimating practices to facilitate the transition of management functions; and a comprehensive approach to human capital management.

The legislation I am reintroducing today: (1) seeks to increase security at Federal facilities by adding 500 more Federal Law Enforcement Officers; (2) directs FPS to intensify its monitoring of contract guards; (3) requires national minimum standards for the training and certification of contract guard staff; (4) requires that security standards for Federal facilities established by the Interagency Security Committee be implemented; (5) directs FPS to conduct a 1-year pilot program to assess whether a Federal Security Guard that is a Federal employee would do a better job protecting the highest risk Federal facilities than a contract guard; (6) requires a law enforcement presence at the highest risk Federal facilities; and (7) directs the Government Accountability Office to investigate the adequacy of the fee-based funding system utilized by FPS and determine whether it prevents the agency from fully executing its security mission.

Under my legislation, the FPS' inspector corps would be increased to 1,350, thereby

elevating the Federal law enforcement presence inside Federal buildings by offering "boots on the ground" security expertise.

I strongly believe that a more robust inspector workforce would, for the first time, provide FPS with a core of specialized security personnel with the training and authority required to create long-overdue change within the entire organization.

My legislation also calls for dedicated contract oversight staff to oversee the performance of contract guards; this would allow FPS inspectors focus on their security and law enforcement duties and not be bogged down in contract-management concerns.

Similarly, my legislation would require a law enforcement presence at the highest risk Federal facilities, which directly addresses a gap in the current system, where contract guards, who lack arrest authority are charged with protecting high-profile Federal facilities.

I introduced similar legislation in the 111th and 112th Congresses to ensure that the Federal Protective Service fulfills its responsibility to coordinate infrastructure protection across the Federal government, and to make certain that effective management procedures are implemented to hold contractors accountable for the hiring, training and certification of security guards who are charged with protecting Federal facilities.

It has been 18 years since the Alfred P. Murrah building was attacked in Oklahoma City. We have been fortunate that an attack of this magnitude has not occurred against a Federal building in the intervening years. That said, we must do more to ensure that Federal buildings are secure and that the Federal Protective Service can effectively fulfill its mission.

Enactment of my legislation will bring about long-overdue and necessary reforms and help FPS become the agency that Congress envisioned and the American people deserve.

HONORING CONNOR JAMES DERRY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Connor James Derry. Connor is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and earning the most prestigious award of Eagle Scout.

Connor has been very active with his troop, participating in many scout activities. Over the many years Connor has been involved with scouting, he has not only earned 33 merit badges, but also the respect of his family, peers, and community. Most notably, Connor has led his troop in various positions including Patrol Leader, has earned the rank of Warrior in the Tribe of Mic-O-Say and is a Brotherhood Member in the Order of the Arrow. Connor has also contributed to his community through his Eagle Scout project. Connor led a team of 15 scouts in removing and reconstructing a swing set at Hillcrest Transitional Housing in Kansas City, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Connor James Derry for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

INTRODUCTION OF THE ACCESS TO BIRTH CONTROL (ABC) ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today I am proud to introduce the Access to Birth Control (ABC) Act with my colleagues DEBBIE WASSERMAN SCHULTZ, JOHN CONYERS, JR, GWEN MOORE, DAVID CICILLINE, BARBARA LEE, CHELLIE PINGREE, JANICE HAHN, SAM FARR, CHARLES RANGEL, JERROLD NADLER, KEITH ELLISON, DIANA DEGETTE, JAMES MORAN, RUSH HOLT, and SCOTT PETERS. Special thanks go to Senator FRANK LAUTENBERG for introducing the Senate version of the bill.

This legislation ensures women's timely access to basic, preventative health care and ensures that women of age will not be denied birth control or emergency contraception by their pharmacist. The ABC Act also requires pharmacies to help a woman obtain medication by her preferred method if the requested product is not in stock and protects women from being intimidated when requesting contraception.

Family planning is central to women's basic health care. Thanks to the Affordable Care Act women can receive contraceptive coverage and other preventative services without a copay. While this is great news to the millions of women using some form of birth control, barriers to contraceptive access still persist. According to the National Women's Law Center, at least 24 states across the country have reported incidents where pharmacists have refused to fill prescriptions for birth control or provide emergency contraception to individuals who do not require a prescription. Furthermore, six states permit refusals without patient protections such as requirements to refer or transfer prescriptions and seven states allow refusals but prohibit pharmacists from obstructing patient access to medication.

Denying contraception to women represents an erosion of a woman's constitutional right of access to contraception and a threat to women's basic health care. Access is especially important for women living in rural areas who may not have multiple pharmacies near them and low-income women who lack the resources to find an alternative pharmacy in the appropriate time frame.

The use of birth control is widespread, with 99 percent of women having used contraceptives at some point in their life. Now that insurance plans are required to cover birth control, Congress must act to make sure that women receive timely access to both prescription and over the counter contraception at the pharmacy counter.

TRIBUTE TO TURKISH AMBASSADOR NAMIK TAN AND TURKISH EMBASSY

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. CONYERS. Mr. Speaker, in the early 30's the Turkish Embassy began a journey to heal racial integration through jazz in our Nation's Capital. Today, I wish to pay tribute to the continuing efforts of Turkish Ambassador Namik Tan and the Turkish Embassy for proudly telling this great story of racial integration in Washington, DC's history. This story involves an intriguing combination of jazz music, a foreign embassy, and race relations in the Nation's Capital in the 1930s and 1940s.

In 1934, Mehmet Munir Ertegun was named Turkish Ambassador to the United States. He moved to Washington with his family, including his sons Ahmet and Nesuhi, who were then 17 and 11 years old, respectively. Ahmet would eventually become the founder of Atlantic Records, while Nesuhi would run the Atlantic Records jazz department, producing albums for such legendary figures as John Coltrane, Ray Charles, Bobby Darin, and Roberta Flack.

In those early years after moving to the District of Columbia, the Ertegun brothers became active in the local jazz scene and eventually invited local performers to the Embassy for what would later be described by a 1943 Newspaper article as "Washington's most famous private jam sessions." In a 1979 interview with the Washington Post, Nesuhi described the mindset behind these sessions, "You can't imagine how segregated Washington was at that time. Blacks and whites couldn't sit together in most places. So we put on concerts . . . Jazz was our weapon for social action."

Despite the complaints from certain "outraged southern senators" to the Turkish Ambassador, the jam sessions at the Embassy continued for several years, playing to a racially diverse audience and featuring such performers as Johnny Hodges, Harry Carney, and Barney Bigard from the Duke Ellington Band, Lester Young, Benny Carter, Meade Lux Lewis, Leadbelly, members of the Count Basie band, and many others.

To commemorate this tradition, the Turkish Embassy initiated the Ertegun Jazz Series in March, 2011, and has hosted ten performances since that time that have featured both up-and-coming artists and well-established performers such as Roy Hargrove and Jonathan Batiste. This series will continue in 2013 with a concert on February 26th at the Embassy. As we celebrate Black History Month, I wish to congratulate Ambassador Tan and the Turkish Embassy for recognizing the important role that Ahmet and Nesuhi Ertegun played in advancing racial integration and bringing jazz music to the world.

HONORING MR. VYRLE DAVIS

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Ms. CASTOR of Florida. Mr. Speaker, I rise today to honor the life and accomplishments of Mr. Vyrle Davis. His contributions to education and social reform in the Tampa Bay community and throughout the state of Florida are worthy of recognition by all.

Mr. Davis, a native of the Tampa Bay community, attended Florida Agricultural and Mechanical University, before beginning his teaching career at 16th Street Elementary and Junior High School in 1960. Inspired by both his grandfather, a teacher who established the first school for African-American children in Jackson County, and his mother, who taught African-American students in a one-room schoolhouse within the Citrus Park community, Mr. Davis broke both racial and social barriers within his profession.

In 1971, Mr. Davis was named assistant principal at Gibbs High School and two years later he became principal at St. Petersburg High School. In 1986, he overcame countless obstacles to become Pinellas County's first African-American superintendent, a position he held for nine years.

Mr. Davis was also an advocate for social reform. In 1984, he established the Ebony Scholars program, providing institutional and financial support to high-achieving African-American students. Not only did Mr. Davis participate in raising money for his organization, he also contributed a significant amount of his own time and money. To date, the program has allocated over \$500,000 to students.

By 1990, Mr. Davis had left an indelible mark by reforming the role of African-Americans in political office. He founded multiple organizations, such as the African-American Voters Registration and Education Committee, that advanced both the political and educational causes of African Americans. He formed a coalition of other activists, whose mission was to help minorities attain elected positions within their neighborhoods. Specifically, he played a momentous role in the campaign of Mary Brown, a woman who became the first elected African-American Pinellas County School Board member.

Although he was diagnosed with Parkinson's disease in 2004, he never let his illness deter him from doing that which he truly loved. He was admired by the Tampa Bay community, and those who knew him, revered him.

As I join with Mr. Davis's family and friends in mourning the passing of an outstanding individual, I know they are incredibly proud of the contributions he has made to the Tampa Bay area. The entire Pinellas County community honors and remembers the 76 year life of Vyrle Davis. Mr. Vyrle Davis molded the lives of generations of students through his dedication to education and to the community as a whole. His example will continue to live through those that worked with him and those who learned from him. I ask that you and all Americans recognize such a remarkable citizen for his service to our community and our State.

HONORING ROBERT "BOB" ABRAMSON OF SONOMA COUNTY, CALIFORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. THOMPSON of California. Mr. Speaker, I rise today along with my colleague Congressman JARED HUFFMAN to recognize and honor the life and tremendous social contributions of my late friend, Mr. Robert "Bob" Abramson of Sonoma County, California.

Mr. Abramson was an exemplary and up-standing member of his community and a longtime resident of the Northern California region. After his extraordinary, storied career as a B-29 bomber pilot during WWII, flying as many as 30 missions over the Pacific, he would be decommissioned from the military in 1945.

He would go on to graduate from University of California, Berkeley with a Masters in Philosophy and Social Welfare. He then worked as a parole officer in Oakland before taking a job at the University of Southern California through which he was stationed in Pakistan for a program funded by the U.S. Agency for International Development. This led to larger diplomatic posts with the United Nations and the World Bank.

Mr. Abramson cared deeply for his community and the people in it. He was an open book and loved talking to new people, always looking to learn new things and always going into every conversation with an open mind. He was especially active with the World War II Pilots Association, the Prostate Cancer Support Group and the Democratic Clubs of Petaluma and Santa Rosa. He was liked by all who knew him in the community.

Mr. Abramson never lost his love for international public service. Despite retirement and an extremely active role in his local community, he accepted special consulting contracts in Maldives and Sri Lanka. He consistently represented the American people with grace and civility.

His family however, always came first. Mr. Abramson is survived by his wife Barbara, his son Bruce, his daughter Julie Morrison, his brother Albert, his sister Carol, and his four grandchildren.

Mr. Speaker, Robert Abramson served his country with distinction both as a member of the armed services and as a civilian. He was an active, vital member of his community and it is therefore appropriate that we celebrate and honor his life and committed service and extend our deepest condolences to his friends, family and community.

HONORING SPENCER HARRISON GRANGER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Spencer Harrison

Granger. Spencer is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and earning the most prestigious award of Eagle Scout.

Spencer has been very active with his troop, participating in many scout activities. Over the many years Spencer has been involved with scouting, he has not only earned 33 merit badges, but also the respect of his family, peers, and community. Most notably, Spencer has led his troop in various positions including Patrol Leader, has earned the rank of Warrior in the Tribe of Mic-O-Say and is a Brotherhood Member in the Order of the Arrow. Spencer has also contributed to his community through his Eagle Scout project. Spencer constructed nine disc golf tee boxes for a public disc golf course at Fox Hill Elementary School in Kansas City, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Spencer Harrison Granger for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING JERRY PRICE

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. VALADAO. Mr. Speaker, I rise today to honor Officer Jerry Price, an important figure in Central Valley law enforcement, on the occasion of his retirement.

Jerry graduated from the California Highway Patrol Academy in 1983 and was assigned to service in his hometown of Santa Ana. In 1986, he was transferred to Bakersfield where he patrolled the eastern part of the city and began aggressively seeking DUI drivers.

In 1988 Jerry transferred to Hanford, where he served for 24 years. Jerry was appointed the PAO/Court liaison in 1997 and held this position until December of 2012.

Jerry was a member of the county's first gang task force established in 1998, where he served as an Intelligence Agent.

Jerry has a passion for education and was instrumental in the establishment of many educational programs for local students. He is credited with reorganizing high school senior ethics days in all local high schools and starting "character conferences" in junior high schools. He also helped launch "Every 15 Minutes" programs in high schools across Kings County to educate young people about the dangers of drunk driving.

Jerry enthusiastically spread this safety message at Lemoore Navy Air Station for over 18 years. He led more than 550 safety presentations for approximately 200,000 Navy personnel.

In addition to his CHP service, Jerry has been heavily involved in numerous community service commitments including Relay 4 Life, the March of Dimes, and the Central California "Battle of the Badges" Blood Drive. He has coached several youth sports teams and taught at Kings Christian High School, College of the Sequoias, and West Hills College.

Most recently Jerry assisted the co-founders in organizing the "Buckle Up for Itzy" Fest, an event to raise seat belt safety awareness.

Jerry has mentored many local youths and has dedicated his life to improving the safety of the people of Central California. He has given his time and effort to numerous non-profits and charities over the decades. Please join me in congratulating Mr. Price on his invaluable service to the Central Valley, as he retires from the California Highway Patrol.

HAPPY 108TH BIRTHDAY, MISS
ROSE RUSH

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. GRIFFITH of Virginia. Mr. Speaker, I submit these remarks in honor of Miss Rose Rush of Clintwood, Virginia, who celebrated her 108th birthday on Thursday, February 7.

Miss Rush was born in 1905 in the house her father built in Dickenson County, the very home she lives in today. She was valedictorian of her graduating class at Honaker High School, and attended the University of Virginia, Emory and Henry College, my alma mater, and she also attended Vanderbilt University so she could receive her teaching license.

Miss Rush taught various subjects in different school systems in Virginia until her retirement. She didn't rest for long, though—the year after she "retired," Miss Rush returned to the classroom as a substitute teacher.

To this day, Miss Rush remains up to speed on current events and politics. I have been told Miss Rush is a huge fan of our political system, and that she particularly enjoys voting on the new voting machines.

She has never been seriously ill or hospitalized, nor has she been married or had children. Some in Clintwood even say that's the secret to her longevity!

Miss Rush has been approached from time to time for interviews or photos since she turned 100. The Coalfield Progress notes that she has refused them all, "stating with a sense of humbleness that she has done nothing to receive recognition."

Well, here's to Miss Rose Rush, and to her family, friends, and students in Virginia whose lives she changed. Happy 108th birthday, Miss Rush.

CONGRATULATING PRESIDENT-ELECT PARK GEUN-HYE ON HER INAUGURATION AS THE FIRST WOMAN PRESIDENT OF THE REPUBLIC OF KOREA

HON. ENI F. H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. FALEOMAVAEGA. Mr. Speaker, President-elect Park Geun-hye will be inaugurated as the eleventh President of the Republic of Korea on Monday, February 25, 2013. Madam

Park will then become the first freely elected woman leader among the nations of Northeast Asia and the first woman President of the Republic of Korea.

Madam Park has shattered the glass ceiling for Korean women by attaining the highest elected office in the land, achieving this remarkable feat before the United States has elected a woman to lead our Nation.

In the traditional Land of the Morning Calm where the slogan "men first, women behind" was the watchword only a generation ago, Park Geun-hye's election is historic. President-elect Park will serve as a role model for women—young and old—not only in Asia but around the world as they seek to achieve their full potential unfettered by the gender limitations of the past.

Madam Park also raises the possibility of a new beginning in the complex and often hostile relationship that has evolved between the two Koreas since the tragic division of the Korean peninsula at the end of the Second World War. A daughter of a mother slain by a North Korean agent in 1974, Madam Park chose to put this painful family tragedy aside and travel to North Korea in 2002 and meet the very man, Kim Jong-il, who was likely responsible for the murder of her mother. She did this for the good of her country, for those numerous divided Korean families who have not seen nor heard from their loved ones in sixty years, and for a people with a common culture and heritage suddenly torn asunder by Cold War politics.

The Korean people have an old saying that "when whales fight, shrimp get broken" recognizing the victimization of a small but proud nation surrounded by colossal and often hostile neighbors. The healing process after sixty years of this externally imposed division symbolized by the stark frontier of the DMZ will not be easy. But, as was once said in reference to the unfreezing of Sino-American relations, that "only Nixon could go to China," so it may one day be said that "only Park Geun-hye, the daughter of an anti-communist general and a martyred mother, could reconcile the two Koreas."

This coming summer, on July 27th, we will commemorate the sixtieth anniversary of the signing of an Armistice which silenced the guns but brought no permanent peace on the Korean peninsula. Our aging Korean War era veterans, who include four Members of the U.S. House of Representatives including the Honorable CHARLES RANGEL, the Honorable JOHN CONYERS JR., the Honorable HOWARD COBLE, and the Honorable SAM JOHNSON, often speak of our steadfast friendship with the people of South Korea as being one which was forged in the crucible of war.

The Korean War Memorial, located not far from this House, serves to remind us all of the brave men and women of our country "who answered the call to defend a country they never knew and a people they never met." The election of Park Geun-hye symbolizes the achievement of those democratic values for which these veterans fought and died.

I am also certain that America's almost two million strong Korean-American community who have contributed so much to their adopted country are justifiably proud of the democratic and economic miracle of their ancestral

homeland. The alliance between their old and new countries, strengthened by the recent adoption of the U.S.-Korea Free Trade Agreement, will only be further invigorated under Madam Park's presidency.

For historical purposes, I submit this statement to be made part of the CONGRESSIONAL RECORD in tribute to the service, often at great personal sacrifice, that President-elect Park Geun-hye has rendered for and on behalf of the people of the Republic of Korea. I join my colleagues in looking forward to welcoming Madam Park when she makes her first official visit to Washington, DC later this year.

INTRODUCTION OF THE STATES' MEDICAL MARIJUANA PATIENT PROTECTION ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. BLUMENAUER. Mr. Speaker, today, along with a bipartisan group of cosponsors, I am introducing the States' Medical Marijuana Patient Protection Act, legislation that will allow medical marijuana patients and businesses—who are complying with state law—the ability to access and distribute marijuana free from federal interference.

Eighteen states and the District of Columbia have passed laws allowing for the use of medical marijuana for people suffering from conditions such as cancer and severe nausea. As a result there are now hundreds of thousands of medical marijuana patients nationwide. Despite these laws, at the federal level marijuana is currently listed as a Schedule I substance under the Controlled Substances Act, meaning that it is considered a substance with a "high potential for abuse," with "no currently accepted medical use in treatment in the United States." This means that the 19 jurisdictions that permit medical marijuana are operating in a patchwork of inconsistent local and federal laws.

These inconsistencies create significant challenges for both patients and the businesses working to provide access to medical marijuana. Because of federal tax and banking laws, marijuana businesses—despite operating in compliance with state or local law—are not allowed to deduct their legitimate business expenses and are often unable to make deposits or maintain bank accounts. Simultaneously, the federal government has continued to enforce federal law, and many medical marijuana facilities across the country have been raided by the Drug Enforcement Administration or otherwise targeted by the Department of Justice.

The federal government maintains a monopoly on access to marijuana for research, currently run by the National Institute on Drug Abuse (NIDA). The mission of this Institute is to "lead the Nation in bringing the power of science to bear on drug abuse and addiction," and many researchers have found it difficult to obtain marijuana for research into the potential therapeutic or medicinal effects of marijuana.

The States' Medical Marijuana Patient Protection Act would provide for the rescheduling

of marijuana under the Controlled Substance Act to a listing other than Schedule I or II, which would mean the federal government recognizes an accepted medical use. It would also ensure that neither the Controlled Substances Act nor the Federal Food, Drug and Cosmetic Act would restrict individuals, doctors or businesses from consuming, recommending, producing, distributing or otherwise operating in marijuana in compliance with state or local laws. Finally, it would require that access to marijuana for research into its potential medicinal and therapeutic uses be overseen by an entity in the government not focused on researching the addictive properties of substances.

Nineteen jurisdictions have passed laws recognizing the importance of providing access to medical marijuana for the hundreds of thousands of patients who rely on it. It is time for the federal government to respect these decisions, and stop inhibiting safe access.

HONORING JACE C. PINE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jace C. Pine. Jace is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 351, and earning the most prestigious award of Eagle Scout.

Jace has been very active with his troop, participating in many scout activities. Over the many years Jace has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Jace has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Jace C. Pine for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING WILLIAM ASHFORD

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. ADERHOLT. Mr. Speaker, it is my privilege to honor Mr. William Ashford, who is interning in my office with the Uni-Capitol Washington Program. The Uni-Capitol Washington Program (UCWIP) has paired some of the brightest Australian students with various congressional offices for more than a decade and I am happy to be a host again this year.

Will comes from the University of Wollongong and is studying engineering and commerce. Over the past month, I have found him to be outstanding in his duties and going above and beyond our expectations. He has attended committee hearings, drafted constituent correspondence, and assisted me as

well as my staff with research. His Australian accent has garnered the attention of many of my constituents on tours and over the phone. Will's commitment, hard work, and presence have been an asset to the office and he will be sorely missed by all.

The program has been in force for 13 years thanks to the vision of Eric Federer, its director and founder. The students who are selected come from a variety of academic disciplines, but all have a common interest: promoting the U.S.-Australia relationship. These student placements are enhanced by the formation of genuine friendships and the exchange of views and ideas between the Australian interns and their respective offices. We are grateful for these friendships and it is our hope that they strengthen the diplomatic ties of our great countries.

I would like to thank Eric Federer for the opportunity to host Will over the past several weeks. To date, over 130 interns have come through his program representing 8 different universities over the program's lifetime. It enhances opportunities for the individuals who come and enlighten those who they come to. After the internship, many receive jobs on Capitol Hill in Washington, D.C. or go to work with Federal or various State Parliaments in Australia. Other interns have gone on to work in the Australian Embassy or The World Bank. Simply put, this program selects incredibly talented individuals that are a pleasure to host and work with. It was an honor to have Will in our office and I wish him the very best in the future. Will, thank you again for your hard work and dedication.

HONORING THE CENTENNIAL OF
PRESIDENT NIXON'S BIRTH

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. ROYCE. Mr. Speaker, I rise to recognize the legacy of President Richard Nixon in this centennial year of his birth.

President Nixon took the oath of office at a time of domestic upheaval and far-reaching social, economic, and political change. I doubt there was ever a day when he did not wake to an agenda of pressing challenges and difficult decisions.

But his true legacy lies in foreign policy.

Few Presidents have entered the White House with a deeper understanding of international affairs, and we are very fortunate that he did. For when he first walked into the Oval Office, he inherited a world in which the U.S. was faced with enormous difficulties and problems that seemed to have no solution, from our grinding engagement in Vietnam to an increasingly emboldened Soviet Union.

He understood from the first that the old ways of doing things simply would not work in a new and dangerous world and repeatedly astonished his admirers and opponents alike with a surprisingly flexible and sophisticated, albeit tough-minded, approach.

That was most famously demonstrated by his stunning reaching out to China.

For decades this action has been the subject of much discussion and comment, and it

is commonly cited as a model for similarly bold action today.

But there is danger in easy comparisons. It is of key importance to stress that he did not suffer from an illusion that Mao's dictatorship was reforming itself or that our mutual hostility was primarily the fault of the United States. Or that a handshake could somehow transform conflicting goals into a broad partnership.

Instead, it was based on a clear-eyed understanding of how the world actually works and that a rigid adherence to ideology can blind one to inconvenient facts and potential options. Only someone deeply confident in his beliefs could have done so. But he did not take unnecessary risks, he did not leap into the dark, hoping for the best. Instead, he took deliberate steps on a well-thought-out path to specific goals.

Even then, his eyes were not focused on China, but on a much larger purpose, namely reordering the international system to give the U.S. new options that it otherwise would not have had, including an ability to exploit divisions among opponents that rendered each eager for improved relations with the U.S.

What a contrast to today's world, where the U.S. often goes hat in hand to professed enemies in the illusion that they can be bribed to abandon their fundamental goals, that unilateral concessions will generate good will, or that they can somehow be convinced to become good international citizens through pleas or lectures.

Nixon knew that peaceful outreach and negotiations were possible only when the other side had no doubts of your toughness. Sometimes a smile is helpful, but often a stick is more convincing. No one ever doubted that Richard Nixon understood the difference.

His no-nonsense view of the world can be seen in the aftermath of the murder of Israeli Olympians in Munich by PLO terrorists on September 27th, 1972 when he warned that if we want safety, we must not seek "accommodations with savagery, but rather act to eliminate it."

That was written twenty-nine years before the devastating 9/11 terror attacks, but it remains a crucial guide to action today.

As Chairman of the House Foreign Affairs Committee, I deal on a daily basis with the many problems the U.S. faces around the world. Some would be familiar to President Nixon; many are quite different. But the deep understanding, the commitment to basic principles, the pragmatic flexibility that characterized his approach are as essential today as they were then.

I met him once when he spoke before the House Republican Conference in March, 1993, shortly after I first entered Congress. The subject was Russia in the aftermath of the collapse of the Soviet empire, but even after many years out of office, and only a year before his death, his understanding of the range of issues and problems facing that country and ours impressed everyone in the room. He was masterful to the end.

Afterward, the President mentioned his old House seat to me, and he asked me to join him for a meeting with members of the Senate, organized by Senator Patrick Moynihan. There he spoke of the future challenges and opportunities with respect to China, Eurasia,

Africa, and Latin America. As usual, he spoke without using notes.

Perhaps his greatest legacy is what any student of his accomplishments can see for themselves: that the United States has no choice to be a leader in the world if we are to secure the safety and interests of the American people, that passivity and a surrender to events can bring only disaster, that refusing to recognize that the world is often a dangerous and unforgiving place is to live in illusion, that foolishly acting as though our resources were unlimited with no need to prioritize our goals is a certain road to defeat.

So it gives me pride to recognize President Richard Nixon during the centennial of his birth. We owe him our respect for what he accomplished on behalf of the security of the United States in a turbulent world.

HONORING JOHN BRENKLE

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize Monsignor John Brenkle on the occasion of receiving the Jefferson Award for his work in the Napa Valley community.

The Jefferson Award is a national award given to those serving the community at a national and local level, which Monsignor Brenkle has done for the past three decades. He is known throughout the Napa Valley as a mercenary who goes above and beyond to ensure the well-being of those in the community.

Monsignor Brenkle attended St. Patrick's Seminary in Menlo Park, California, and was ordained on June 14, 1958 through the Archdiocese of San Francisco. He received his Doctorate in Canon Law from The Catholic University of America in 1962. He served as Chancellor of the Diocese in Santa Rosa until 1971, followed by two years of teaching in Zambia.

Monsignor Brenkle has worked tirelessly to help low-income families and farm workers. He played a pivotal role in creating housing for migrant farm workers, and assisted in the decision to build low income housing sites in the valley. He serves on numerous local boards, including Catholic Charities, the Board of Directors of Justin-Siena High School, Catholic Community Foundation, California Human Development Corporation, and the St. Helena Mayor's Multi-cultural Committee.

It is because of all his hard work that he was recognized to receive this outstanding award. Mr. Speaker and colleagues, it is my distinct pleasure to congratulate Monsignor John Brenkle on this joyous occasion.

COME AND TAKE IT

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. POE of Texas. Mr. Speaker, it was fall of 1835. Mexican President Santa Anna had

dissolved the Constitution and made himself dictator. Tensions began to flare between his oppressive government and the liberty minded desires of Texans and Tejanos. To suppress the rumblings of unrest and revolution the Mexican military leaders began their quest to quietly disarm the Texans. One of the first actions was to retrieve a cannon lent to the Texian colonists at Gonzales. The famous bronze cannon was loaned to the Gonzales colonists by the Mexican government in 1831 to defend themselves from hostile Apaches and Comanches. Mexican Corporal Casimiro De León and a few soldiers were sent to reclaim the cannon. That task was easier said than done.

The feisty Texans said they were keeping the gun and took the soldiers prisoner. The ladies of settlement even made a flag bearing the words "Come and Take It!" to be flown over the cannon. The cannon had been buried in a peach orchard near the Colorado River for safety, but was retrieved shortly after and readied for battle and mounted on cart wheels. The Mexican government responded by sending Lieutenant Francisco de Castaneda of the Mexican Army and 150 troops to put an end to the dispute. They were met by a militia of frontier Texans and Indian fighters who simply said, "There it is—come and take it." After a few shots were fired by both sides the Mexican army left the engagement. The Battle of Gonzales went on to be known as the "Lexington of Texas". It was Act I of the Texas War of Independence. It was similar to Lexington because sixty years earlier the British had tried to seize the weapons of the colonists at Lexington and Concord. The Texas War, like the American War of Independence, began because oppressive government tried and failed to disarm the people. The citizens of Texas would not surrender their arms to appease the overbearing Mexican regime. History has an odd way of repeating itself.

Flash forward 200 years. One night I was at a town hall meeting in Spring when a local preacher came up to me to share his concerns about where our country was headed. It is always refreshing for me to hear from normal people in Southeast Texas after spending all week long in the land of the bureaucrats. I will always remember this particular neighbor because of his strong opinions and his shirt. It had a photograph of the Bible and two .45 Colt revolvers with the words "I love my Bible" and "I love my guns". Naturally, they were in the right order. God then guns. Leave it to a Texas preacher to keep it all in perspective. You wouldn't see that shirt up in Washington, DC. Some elites outside of our Great State fear "us southerners" and our colt 45s, and ridicule those who cling to their guns and religion. In Texas we have a rich tradition of proudly celebrating the right to bear arms. The elites seem to forget that not only do we cling to guns and religion, we cling to the Constitution that protects these rights. Many Texans believe the call for gun control is really a call for more government control.

Texans aren't the only ones who have historically defended this right. During the birth of our nation, the Founding Fathers were very concerned—almost paranoid—that a strong Federal Government would trample on the rights of the people. Their concerns were war-

ranted because that is exactly what happened to the colonists, and that's what governments historically do—trample on individual liberty. So after the ratification of the Constitution, the Framers purposely included a list of inalienable rights that are endowed by our Creator, not from government. One of them being the individuals' right to bear arms. They knew from their experiences in the American War of Independence that an armed citizenry and a citizen militia were not only needed for personal defense, but were also the best safeguard against the tyranny of government.

But here we go again. Today some in government once again fear the freedom of its citizens and are now calls to round up all the guns. Ironically, each day in the U.S. Capitol there are guards with guns by the doors—to the north, to the south, to the east, to the west—on the roof, on all of the entrances, and by the steps. Many elitist politicians and life-long bureaucrats expect protections for themselves while advocating for more restrictions on guns for the people of America—hypocrisy at its highest. Most citizens don't have government guards protecting them 24/7. Many people feel defenseless. In fact, one of the proposals for more gun laws mirrors the stringent DC gun laws. If the DC gun laws worked, DC would not be such a violent city. If DC gun laws worked, why are there so many armed guards at the Capitol?

The elites want more government power and control while taking away liberty from the rest of us. They want to punish the guns, not the people who commit crimes with guns. They want to keep their special government protection while redlining the Second Amendment for the people. They say, "Protection for me but not for thee". Not much has changed since the days of the Santa Anna. Oppressive governments will always seek to limit the freedom of their citizens. Mexico eventually lost Texas and Great Britain eventually lost America. Both wars started because those in charge wanted to take guns away from the citizens. Those who seek to take guns away from Texans should open a history book. Those early Texans defied Santa Anna, hoisted the flag "Come and Take It", and the rest they say is Texas history.

And that's just the way it is.

HONORING JACKSON ANTHONY CARRIZZO

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jackson Anthony Carrizzo. Jax is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and earning the most prestigious award of Eagle Scout.

Jax has been very active with his troop, participating in many scout activities. Over the many years Jax has been involved with scouting, he has not only earned 33 merit badges, but also the respect of his family, peers, and

community. Most notably, Jax has led his troop in various positions including Patrol Leader, has earned the rank of Foxman in the Tribe of Mic-O-Say and is a Brotherhood Member in the Order of the Arrow. Jax has also contributed to his community through his Eagle Scout project. Jax redesigned, cleared and constructed a 70 foot stretch of walking trail in the Parkville Nature Sanctuary in Parkville, Missouri, connecting a new bridge to the walking trail and adding new approaches to the bridge.

Mr. Speaker, I proudly ask you to join me in commending Jackson Anthony Carrizzo for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRATULATING MICHAEL
HIGGINS ON HIS RETIREMENT

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Michael Higgins, a professional staff member for the House Armed Services Committee, on his retirement after over 40 years of public service.

Mike's dedication to the personnel and families of the U.S. Armed Services began in 1970, when he joined the U.S. Air Force as a career personnel officer. His assignments in the Air Force included the Military Personnel Center, the Office of the Secretary of the Air Force, and a variety of unit personnel positions. After retiring as a lieutenant colonel in 1990, Mike joined the staff of the Committee on Armed Services, Subcommittee on Military Personnel, where he served for most of his 23 years on Capitol Hill. His work has affected the lives of millions of active, reservist, retired, and civilian Department of Defense men and women and their families. His expertise on all policy and fiscal matters related to the sustainment of the morale, welfare, and recreation programs of the military services, including the commissary system and military exchanges, helped ensure a high quality of life for all who have served in the military.

Mike's tireless efforts to protect and enhance the quality of life for service members resulted in many notable achievements. His early advocacy and shaping of statutes that required the military services to consider and address individual service members' deployment time helped lead the Services to recognize that frequent back-to-back deployments, combined with extensive training even when not deployed, were a detriment to readiness. His recognition of the special challenges and needs of service members also led to the drafting of the critical skills retention bonus—a very flexible tool that allowed military leaders to target bonuses and bonus amounts at retaining people with crucial military skills, such as senior special operations non-commissioned officers and intelligence analysts.

Mike also helped transform the environment supporting our service members. His oversight of the initial implementation of the Military Child Care Act of 1989 resulted in the world-

class military child care system that exists today. He helped make subsistence and housing payments more consistent with the real-world conditions faced by service members and their families, and eased compensation penalties for military widows and disabled retirees. More importantly, Mike established himself as an honest broker and listener to all parties, including advocacy groups, particularly in managing the committee's response to the "Don't Ask, Don't Tell" policy from its inception until its repeal in 2011.

Mr. Speaker, it is with great pleasure that I recognize Michael Higgins. Mike personifies the ideal of public service to his fellow citizens. I wish him the best in his retirement.

THE HOUSE PASSAGE OF H.R. 592

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. SMITH of New Jersey. Mr. Speaker, the House passage of H.R. 592 by the large margin of 354–72 is a substantial statement of support for the houses of worship that have done so much for those suffering in the wake of natural disasters like Superstorm Sandy. It is also a strong affirmation of the constitutionality of the bill.

RECOGNIZING WEGMANS FOOD
MARKETS, INC.

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. REED. Mr. Speaker, I rise today to recognize the accomplishments and long-standing success of Wegmans Food Markets, Inc. Recently, Wegmans was named 5th in Fortune Magazine's "100 Best Companies to Work For" in 2012.

Since opening their first store in 1916 in Rochester, New York, Wegmans has experienced sustained growth for nearly a century, with a total of 81 store locations and a workforce of over 43,000 Americans. Even during trying economic times, Wegmans continued to grow and has plans to open additional stores, which will add more than 1,500 new jobs to the economy in the near future.

Wegmans exemplifies the American dream of entrepreneurship, and the core reason for the sustained success of this company is their workforce. By providing employees with a positive work environment with opportunities to learn and contribute to the organization, Wegmans is able to share in the success and growth of their employees.

This recognition from Fortune Magazine is just one of many accolades received by Wegmans throughout their long history and I trust there are many more to come. I hope new business owners and entrepreneurs will look to the business practices of Wegmans as an example. Additionally, I would like to thank Wegmans for not only their services to consumers, but also for their contributions to the economy and communities in my district.

HONORING CHARLIE DANIELS

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. COOPER. Mr. Speaker I rise today to pay tribute to Charlie Daniels, a Tennessean who, through his dedication to supporting our military, has touched the lives of countless servicemembers, veterans and their families.

As an American entertainer, he needs no introduction. As an advocate for our military, he has no equal. Daniels unites his devotion to those serving our country with his passion for music by visiting our troops wherever they may be stationed around the world to perform concerts at military bases.

In recent years, he has teamed with Lipscomb University in Nashville to salute those who serve through his annual "Scholarship for Heroes" tour. This concert raises awareness and funds for Lipscomb University's Yellow Ribbon Enhancement Program, through which the university offers a tuition-free college education to post-9/11 veterans. His support has helped the school grow its veteran student attendance from 10 to 182 in just over three years.

Today, I join the citizens of my district in honoring Charlie Daniels for his tireless commitment to honoring those who serve and working to ensure that though freedom isn't free, an education for our veterans should be.

HONORING TYLER KURT WHEELER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Tyler Kurt Wheeler. Tyler is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and earning the most prestigious award of Eagle Scout.

Tyler has been very active with his troop, participating in many scout activities. Over the many years Tyler has been involved with scouting, he has not only earned 32 merit badges, but also the respect of his family, peers, and community. Most notably, Tyler has led his troop in various positions including Senior Patrol Leader and is a Brotherhood Member of the Order of the Arrow. Tyler has also contributed to his community through his Eagle Scout Project. Tyler designed and led the construction of a walking bridge over a creek in the Parkville Nature Sanctuary in Parkville, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Tyler Kurt Wheeler for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN RECOGNITION OF DR. RICHARD
H. STULEN

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. SWALWELL of California. Mr. Speaker, I rise to honor Dr. Richard H. Stulen, vice president of Sandia National Laboratories' California laboratory and the Energy, Climate, and Infrastructure Security Mission based in Livermore, California. Dr. Stulen, who recently retired after 36 years of service, spent his career helping to make critical advances in areas of scientific research crucial to our nation's interest and security. Under Dr. Stulen's leadership, Sandia National Laboratory in Livermore has been tasked with conducting research aimed at ensuring the stewardship of our nation's nuclear weapons, defending the homeland against weapons of mass destruction, and has engaged in hydrogen fuel cell research that has the potential to revolutionize how our nation's transportation system is powered.

Dr. Stulen joined Sandia National Laboratories in 1976, and during his tenure at Sandia Dr. Stulen has played a critical role in the evolution of the research landscape in the Bay Area. In the early 1990s, Dr. Stulen helped initiate one of Sandia's first cooperative-research-and-development agreements (CRADAs) under the Department of Energy's Technology Transfer Initiative. This CRADA led to the formation of the Extreme Ultraviolet Lithography (EUVL) Program and an industry-funded \$300 million, three-lab CRADA with Lawrence Livermore and Lawrence Berkeley national laboratories. This consortium agreement between the three Bay Area national laboratories helped spur further innovation and growth in these research fields within our region.

Before serving in his current role, Dr. Stulen served as Sandia National Laboratories' chief technology officer, as well as chief scientist for Sandia's Nuclear Weapons Program. Dr. Stulen's extensive contributions to science were honored with Lockheed Martin's prestigious NOVA award for Technical Excellence in 1999.

Mr. Speaker, Dr. Stulen has provided outstanding leadership in a variety of research fields that are incredibly important to our national security. I am honored to recognize his decades of leadership in service to Sandia National Laboratories, the research landscape of the San Francisco Bay Area, and to the nation at-large. I wish him the best of luck as he begins this new chapter of his life.

RECOGNIZING THE BUSINESS AL-
LIANCE FOR COMMUNITY
HEALTH (BACH)

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. COURTNEY. Mr. Speaker, I rise to recognize the Business Alliance for Community

Health (BACH), a membership organization of the Eastern Connecticut Health Network (ECHN) which is located in my district. Through its initiatives and extensive corporate partnerships, BACH supports health programs in eastern Connecticut that benefit individuals and families and businesses as well as lower the costs of health care delivery.

Since inception, BACH has helped businesses in my district promote health-related education, including health and wellness and workplace safety. The Alliance has also served as an educational resource to the community on health care changes in the pipeline from the Affordable Care Act. BACH's efforts have also focused on increased awareness of the services and programs of ECHN and its affiliated physicians, which have and continue to provide high quality, cost-effective care. Of additional note, BACH has helped promote local business networking, which has supported a "buy local" campaign.

Mr. Speaker, I am proud to recognize BACH's continued contributions to eastern Connecticut. Our nation continues to face challenges in lowering health care costs and organizations like BACH are providing leadership to meet these challenges.

PERSONAL EXPLANATION

HON. GLORIA NEGRETE McLEOD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mrs. NEGRETE McLEOD. Mr. Speaker, on rollcall No. 38, had I been present, I would have voted "no."

HONORING U.S. ARMY SPC. TRAVIS
RYAN VAUGHN FOR HIS SERVICE
AND SACRIFICE

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. BRALEY of Iowa. Mr. Speaker, today, I am here to honor and celebrate the life of a brave American patriot, United States Army Specialist Travis Ryan Vaughn. Travis left us on February 18, 2007, when the CH-47 Chinook helicopter he was in, lost power and crashed while conducting operations in support of Operation Enduring Freedom in southeastern Afghanistan.

Travis, a proud Iowan, was born on September 1, 1980 in Waterloo, and grew up in Cedar Falls, graduating from Cedar Falls High School in 1999. He joined the Army in 2003 and went on to earn various medals and decorations, including the Army Commendation Medal, Army Good Conduct Medal and National Defense Service Medal.

Travis' memory lives on through his family, who every year collects food and household items from residents of Northeastern Iowa which are donated to Iowa veterans. Travis has also been honored with a memorial marker at Cedar Falls High School which was donated by Flags for Freedom Outreach.

As we come upon the 6th year of Travis' passing, we are reminded of the sacrifice our young American men and women make in service to their country. His family's efforts and the generosity of Northeastern Iowans ensure that Travis is 'never forgotten.'

HONORING JACOB B. HODSON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jacob B. Hodson. Jacob is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 351, and earning the most prestigious award of Eagle Scout.

Jacob has been very active with his troop, participating in many scout activities. Over the many years Jacob has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Jacob has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Jacob B. Hodson for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

KENT STATE UNIVERSITY'S WASH-
INGTON PROGRAM IN NATIONAL
ISSUES CELEBRATES ITS 40TH
ANNIVERSARY

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. RYAN of Ohio. Mr. Speaker, I rise today in recognition of Kent State University's Washington Program in National Issues, known as WPNI. On April 23, 2013 WPNI will celebrate its 40th Anniversary. This anniversary marks not only WPNI's 40th year in Washington, DC, but also symbolizes the impressive achievements of faculty, staff, alumni, and students who are and have been dedicated to the success of WPNI. Dr. Lester Lefton President of Kent State University has been a very strong supporter of the program and has contributed significantly to its continued success.

WPNI has three primary objectives: (1) to facilitate learning of the U.S. political system and policy issues and its policy issues; (2) to develop and understanding of the interrelationship of public issues and structures of government; and (3) to encourage individual initiative and provide for experiences and research. Dr. Lefton and Dr. Richard Robyn the program's director have worked extremely hard to ensure that these objectives are met.

WPNI is a full 15-week academic program offered each spring semester by Kent State University since its creation in 1973, WPNI has sent more than 600 selected juniors and seniors from various backgrounds and academic disciplines to Washington, DC to live,

work, and study. Throughout the course of the program, students are required to participate in the academic curriculum and maintain an internship position in government, a company, or an organization of their choice. The academic and professional benefits this program brings to its students are extraordinary. At the same time government agencies, companies, and organizations benefit enormously. I know this first-hand because I have had the good fortune of having several students intern in my Washington office over the years.

I commend Dr. Lefton, Dr. Robyn and those at Kent State involved in the continuation of this meaningful program. I also congratulate the students who have in the past 40 years taken part in this wonderful experience. I am certain that with continued support the Washington Program in National Issues will celebrate many more anniversaries to come.

HONORING THE LIFE OF THE BELOVED VISIONARY AND ADVOCATE SUZANNE ROSENTHAL

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. CRENSHAW. Mr. Speaker, I rise today to celebrate the life of the beloved visionary and advocate, Suzanne Rosenthal who passed away on Sunday, February 10, 2013. Suzanne was a fearless, determined and courageous woman who turned her diagnosis of Crohn's disease in 1955 into a legacy that has gone on to help hundreds of thousands of people over the years. She dedicated her life to spreading awareness about Crohn's disease and ulcerative colitis, supporting and educating patients and funding research to find cures. In 1967, along with her husband, Irwin M. Rosenthal, William D. and Shelby Modell, and Henry D. Janowitz, MD, she founded the National Foundation of Ileitis and Colitis, now known as the Crohn's & Colitis Foundation of America (CCFA).

Suzanne held many key volunteer positions at CCFA. She was a former president of the Greater New York Chapter and served as National Chairperson of the Board from 1987 to 1991. She served as Chairperson Emeritus of CCFA's Government Affairs Task Force and champion in all advocacy efforts of the Foundation. Suzanne received CCFA's distinguished Public Policy Pioneer Award for her tireless advocacy efforts on behalf of IBD patients everywhere. The award was presented at CCFA's First National IBD Advocacy Conference, held in Washington, D.C. in June 2003. Keeping in line with her tireless support of IBD patients and their families, as President of the Greater New York Chapter, she initiated the support group model that has since been implemented as CCFA's national network of support groups.

Suzanne was also the Founder and past President of the Digestive Disease National Coalition (DDNC). The DDNC comprises more than 32 patient groups and professional societies, representing the research and healthcare legislative interests of people who suffer from digestive disorders. In addition,

she was an active leader in many digestive disease-related health forums and committees, holding the following positions: member of the Advisory Council, National Institute of Diabetes & Digestive & Kidney Diseases, National Institutes of Health; chair of the Workgroup on Education of Public and Patients and Supporting Resources of the National Commission on Digestive Diseases; and member of the Advisory Committee and Executive Committee of the National Digestive Disease Information Clearinghouse.

Under Suzanne's direction, CCFA and DDNC have been consistent and effective voices for digestive disease research within the National Institutes of Health, including funding for the National Institute of Diabetes and Digestive and Kidney Diseases, and other related institutes and agencies within the Public Health Service. She is recognized by the research community, CCFA and the DDNC as a loyal ally and a valuable resource in creating public awareness of digestive diseases, as well as a strong partner in the effort to develop new treatments and improve medical understanding of these conditions.

Most recently, with Suzanne's guidance, I worked along with CCFA to establish the Congressional Crohn's and Colitis Caucus. In memory of Suzanne's contributions, CCFA and DDNC will continue to work together to improve the lives of patients with digestive diseases.

Mr. Speaker, I ask you to join me in this very special congressional salute to this leader and advocate, Suzanne Rosenthal.

IN HONOR OF THE OPENING OF PINNACLES NATIONAL PARK

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. FARR. Mr. Speaker, I rise today to honor the opening of Pinnacles National Park, the 59th National Park in the United States. I want to thank Secretary of the Interior Ken Salazar for joining us to celebrate the opening of Pinnacles National Park on February 11, 2013.

Pinnacles truly is a special place. There are few words that can describe the feeling of watching a California condor spread its massive wings as it soars high above the volcanic spires or the beauty of the Park's wildflowers painted upon the landscape by the springtime sun.

Native Americans were the first to discover the cliffs of Pinnacles. The Chalon and Mutsun groups of the Ohlone people lived here thousands of years ago. This place was more than just a home to these native tribes; it was the center of their community. As our nation spread west and homesteaders began to settle on the Central Coast, they too were drawn to this spot. Led by Schuler Hain, who the wilderness of Pinnacles is now named for, they would hike into the park to explore the Talus Caves or picnic in the open meadows. Realizing that this was a special place worthy of protection for generations to enjoy, Schuler Hain gathered the community and preserva-

tion efforts were launched. Then, in 1908 President Theodore Roosevelt established Pinnacles National Monument. A century later, understanding the economic potential of a National Park designation, surrounding counties again turned to Pinnacles as a means to support their communities.

I would like to thank Representative JEFF DENHAM, who co-sponsored the bill, Senator BARBARA BOXER for championing the bill in the Senate and President Obama in making Pinnacles a national park thus achieving the dream of Schuler Hain and President Theodore Roosevelt.

I can't help but think of the pride my father, who as a state Senator protected so many special places here in California, would have felt if he were alive to see the creation of the ninth national park here in his home state. I also think of my friend and my first campaign chair, Ansel Adams, whose iconic photographs captured the unbelievable beauty of this country, inspiring a whole new generation of Americans to experience our other great parks. Finally, I think of the Ansel Adams of this generation, Director Ken Burns, a supporter of elevating Pinnacles to a national park, whose documentary series National Parks: America's Best Idea captured the story of our country's efforts to set aside land for protection.

He and his business partner, Dayton Duncan wrote:

"National parks are truly 'America's best idea,' an idea that for nearly 150 years has kept evolving and expanding, not just in the United States but across the entire world. It is the Declaration of Independence written upon the landscape, a statement that a nation's most majestic and sacred places should be preserved for all time and for everyone . . .

"Pinnacles National Park, like so many in our history, is the result of the dedication of individual citizens who worked tirelessly to save a special place they loved, so that others could love it and appreciate it as well. It has a deep history that matches its beauty . . .

"We cannot think of a better way to express our feelings than to quote John Muir, who had this to say about the people responsible for the birth of a new national park: 'Happy will be [the ones] who, having the power and the love and the benevolent forecast [to create a park] will do it. They will not be forgotten. The trees and their lovers will sing their praises, and generations yet unborn will rise up and call them blessed.'"

Mr. Speaker, I'm proud to call Pinnacles a national park. I encourage all Americans to come visit this truly special place and be inspired to go home and preserve the special places in their own communities.

IN RECOGNITION OF THE AFRICAN AMERICAN COMMUNITY OF QUAKERTOWN

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. BURGESS. Mr. Speaker, I rise today to recognize the dedication of the State of Texas' Historical Commission with the placement of

an Official Texas Historical Marker on behalf of the African American Community of Quakertown.

In the early 1880s, Quakertown emerged as a thriving African American community in the heart of Denton, TX. Quakertown flourished through 1920, its growth due in part to its location near the city square and the opportunities it provided for African Americans. The community was bounded by Withers Street on the north, Oakland Avenue on the west, Bell Avenue on the east, and by Cottonwood and Pecan Creeks on the South. Although many residents worked for businesses on the nearby city square, at the College of Industrial Arts (now Texas Woman's University), and as servants for white households, Quakertown prospered as a self-supporting community. Several churches, a physician's office, lodges, restaurants, and small businesses joined homes to line the streets of the community. The neighborhood school, the Fred Douglass School, burned in Sep. 1913 and was rebuilt along Wye Street in Southeast Denton in 1916, foreshadowing events to come.

By 1920, the proximity of Quakertown to the growing College of Industrial Arts and the civic-minded interests of Denton's white residents threatened the future of Quakertown. Many believed that it was in the best interest of the College and the Denton community to transform Quakertown into a city park. In Apr. 1921, with little input from its residents, the City voted 367 to 240 in favor of a bond to purchase Quakertown. More than 60 families lost their homes. The majority of the displaced residents relocated to southeast Denton on 21 acres of land, platted as Solomon Hill, sold to them by rancher Albert L. Miles. Others, including many Quakertown Community leaders, chose to leave Denton altogether. By Feb. 1923, Quakertown had disappeared in the midst of the new park's construction.

The Texas Historical Marker commemorating the site was approved by and paid for by the Texas Historical Commission as one of a select group of applications made each year to recognize untold stories. The selection was a result of a successful 2010 application by the Denton County Historical Commission, supported through the efforts of the Denton Public Library and the Denton Parks and Recreation Department.

It is my honor to recognize these organizations and the efforts of the individuals involved and to represent Denton County and the City of Denton in the House of Representatives.

RECOGNIZING SIX GRADUATING SENIOR BASKETBALL PLAYERS AT BUFFALO STATE COLLEGE

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. HIGGINS. Mr. Speaker, I rise today to recognize six outstanding members of the senior class at Buffalo State College. Four members of the men's varsity basketball team, Anthony Hamer, Jake Simmons, Seth Runge, and Ken Owusu, and two members of the women's basketball team, Erica Derby and

Alicia Bowman, will graduate this spring. I commend each of these students for their contributions to Buffalo State, and congratulate them at the culmination of their illustrious collegiate athletic careers.

Scholar athletes have the unique challenge of balancing the academic demands of undergraduate work with the physical demands of a collegiate sports program. Full participation in each requires incredible discipline and commitment. Each student athlete is accountable not only to themselves, but to their teammates, coaches, and greater campus community.

Despite such great expectations, Anthony, Jake, Seth, Ken, Erica and Alicia have excelled. Each will earn their bachelor's degree. Jake has the distinct honor of scoring the most points in the history of Buffalo State men's basketball. As an alumnus of Buffalo State College myself, I will be proud to call them fellow alumni.

Mr. Speaker, I thank you for allowing my colleagues to join me in recognizing these exceptional Buffalo State Bengals and wishing them the best as they complete their undergraduate careers. I have no doubt their work ethic and determination will bring them success in all their future endeavors.

SCIENCE DIPLOMACY IN THE MIDDLE EAST

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Ms. SCHAKOWSKY. Mr. Speaker, 2013 will mark the 10th anniversary of a unique and historical gathering of scientists from 15 Middle East countries: Bahrain, Egypt, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Palestinian Authority, Qatar, Saudi Arabia, Syria, Turkey and United Arab Emirates. In 2003, the first conference, "Frontier of Chemical Sciences: Research and Education in the Middle East—A Bridge to Peace," was held on the Mediterranean island of Malta. These conferences later came to be known as "The Malta Conferences."

In each of the conferences, scientists meet for five days with six Nobel Laureates to work on scientific issues of importance to the region: Air and Water Quality, Alternative Energy Sources, Nanotechnology and Material Science, Medicinal Chemistry, and Science Education for All Levels. Since 2003, five conferences were held. By invitation from UNESCO, Malta V was held at UNESCO's Headquarters in Paris in December 2011. The conference was opened by the Director General of UNESCO, Irina Bokova, and followed by a speech by HRH Prince Hassan of Jordan on his vision for the new Middle East.

Although acts of war and terrorism have destabilized the political and economic climate in the Middle East and around the world, it remains possible for scientists from opposing sides of the political and cultural conflict to meet in an attempt to forge relationships that bridge the deep chasms of distrust and intolerance.

In the Middle East, it is especially important that stable, mutually respectful, personal rela-

tionships be created that will enhance research interactions and collaborations, contribute to a more peaceful atmosphere, encourage international development, help establish a more favorable environment for regional peace and security, and foster further growth in regional scientific and technological cooperation. This is the goal of the Malta Conferences.

In 2012, the Malta Conferences Foundation was established as a nonprofit organization and my great friend and constituent Zafra Lerman was elected its president. Like other people who foster social change, she too had a dream. The fulfillment of this dream was the Malta Conferences.

Zafra Lerman is a world-renowned scientist and science educator. She received her Ph.D. from the Weizmann Institute of Science in Israel and conducted research on isotope effects at Cornell University, Northwestern University, and at the Swiss Polytechnic in Zurich, Switzerland. Professor Lerman developed an innovative approach of teaching science to non-science majors by integrating science with the arts, and with students' personal interests and cultural backgrounds. These methods have received national and international recognition. She has been invited to lecture on her methods all over the U.S. and around the world.

For the past 25 years, she has worked tirelessly on behalf of dissidents all over the world. She chaired the Committee on Scientific Freedom and Human Rights for the American Chemical Society (ACS). At great risk to her personal safety, she has worked within the Soviet Union, China and other countries and has succeeded in preventing executions, releasing prisoners of conscience from jail and bringing dissidents into freedom.

Professor Lerman has received many national and international awards. In 1999, she received the Presidential Award for Excellence in Science, Mathematics and Engineering Mentoring from President Clinton. In 1998, she received the Kilby Laureate Award for extraordinary contribution to society through science, technology, invention, innovation and education. In 2003, she was the recipient of the American Chemical Society's (ACS) Parsons Award in recognition of outstanding public service to society through chemistry. The Royal Society of Chemistry in England awarded her the 2005 Nyholm Award, and the New York Academy of Sciences presented her with the 2005 Heinz Pagels Human Rights for Scientists Award. She received the 2007 George Brown Award for International Scientific Cooperation from the U.S. Civilian Research & Development Foundation (CRDF). In 2011, she received an award for Stimulating Collaborations and Ensuring Human Rights by the International Conference on Chemistry for Mankind in India.

The capstone of her career is her work on the Malta Conferences. The Malta Conferences are the only platform where scientists from 15 Middle East countries are collaborating and cooperating on scientific issues as well as developing professional and personal relationships with each other. The common language of science is used for science diplomacy, which serves as a bridge to peace, tolerance and understanding in the Middle East

and improves the relationships between the Muslim countries and the U.S., and between the Arabs, Iranians and Israelis.

IN HONOR OF BOBBY MOEGLE

HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. NEUGEBAUER. Mr. Speaker, I rise today to honor Bobby Moegle, a coaching legend from Lubbock, Texas. Coach Moegle was recently inducted into the 2012 Class of the Texas Sports Hall of Fame for his outstanding coaching career and contributions to the community.

Coach Moegle was the first baseball coach Monterey High School hired and he kept that title for the next 40 years. His career record was an astounding 1,115–267. He won four state championships in 1972, 1974, 1981 and 1996. Additionally, his teams won 33 district championships. In 1972 he was named the National Baseball Coach of the Year.

Players respected Coach Moegle both on and off the field. More than 100 of his players made it to the collegiate level and 20 signed professional contracts. Coach Moegle built a baseball program on the High Plains that was the envy of the region. His teams were usually considered to be among the best mentally and physically prepared on the baseball field. Their intense practices and weight training programs paid dividends in the form of consistent winning seasons.

Beyond his winning record, Coach Moegle was a great mentor for his players and students. He is still very highly respected in the Lubbock community and across Texas. Many of his former players acknowledge the skills and habits they learned under Coach Moegle prepared them for the many challenges of life that came after high school.

Mr. Speaker please join me in recognizing Coach Moegle for his outstanding coaching career. Monterey High School and the City of Lubbock were truly blessed to have someone of the character and integrity of Coach Moegle to teach our kids the lessons of baseball and life for so many years.

CELEBRATING THE LIFE OF
LLOYD ANDRE ROLLINS

HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. STIVERS. Mr. Speaker, I rise today to celebrate the life of Lloyd Andre Rollins of Columbus, Ohio. A true American hero, Mr. Rollins' service here on earth came to a close on January 30, 2013. An Ohioan and veteran of the United States Air Force, he is among the countless number of fearless warriors and veterans who have devoted their lives to serving our great nation.

In 1957, Mr. Rollins began his service in the United States Air Force. He was later transferred to the Department of State and sworn

into the U.S. Foreign Service, where he served for 27 years. Mr. Rollins was awarded a Medal of Valor after he was taken hostage during the 1979 siege of the United States Embassy in Tehran, Iran.

Mr. Rollins is survived by his wife, Judy, and his two daughters, Patricia and Terri. As I pray for the family and friends of Mr. Rollins, I ask that all Members of Congress join me in offering our deepest appreciation and gratitude for his life and service to this country.

THE MEDICAL RESEARCH
PROTECTION ACT OF 2013

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. McDERMOTT. Mr. Speaker, I rise today to introduce the Medical Research Protection Act of 2013. This bill will protect our national investments in biomedical research from impending automatic federal budget cuts. If we do nothing, these automatic budget cuts or "sequester" will cancel \$85 billion in federal spending between March 1 and September 30, including roughly \$2 billion from the National Institutes of Health budget. That amounts to a failure to fund or renew funding for some 2,000 grants at America's research universities, where the world's top scientists are discovering treatments for diseases like cancer, diabetes, Alzheimer's, and HIV/AIDS. This bill would ensure that NIH's budget is protected for the balance of this fiscal year.

I have opposed the sequester—a senseless and irresponsible approach to deficit reduction—since day one. I voted against the bill that put the sequester in place, and I have sponsored a bill with my colleagues in the Progressive Caucus to remove the entire sequester, to protect critical programs like Medicare, Head Start, Community Health Centers, and so many other priorities.

That said, Seattle's economy relies uniquely on federal funding for biomedical research. Science and technological innovation is the lifeblood of our local economy and a source of tremendous civic pride. The University of Washington receives more federal funding than any other public university in the nation, and is the state's third largest employer. The great majority of the UW's federal funds come from the NIH. This academic hub creates a spillover effect in the private sector that has made Seattle one of the brightest destinations for scientists the world over. It is no exaggeration to say that sequestration of research funding threatens the heart of Seattle's economy, which is why I am introducing a standalone measure today to stop cuts to the NIH.

To be clear, this bill will turn off the sequester for NIH from the period of March 1, 2013 through September 30, 2013, and reduce the amount of the sequester by that amount to avoid deeper cuts to other programs.

HONORING THE 90TH BIRTHDAY OF
PAUL WOODS

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. HIGGINS. Mr. Speaker, I rise today to recognize the extraordinary life and service of Paul Woods as he prepares to celebrate his 90th birthday on February 20th, 2013.

Paul Woods was born in Basemore, Alabama, to Nora Fiels Woods and Anderson Sherman Woods. From an early age, the foundation of Paul's life was his family. Paul's family included six brothers and sisters in addition to seven half-brothers and sisters through his father. Sadly, Anderson Woods passed away when Paul was seven years old. Surviving relatives split up the seven children in order to care for them, leaving Paul to be raised by his wealthy Uncle Henry.

In 1941, at age 17, Paul enlisted in the United States Army. He was immediately deployed to the Philippines to fight in World War II. Despite the Army's imposed racial segregation, Paul cared for his fellow soldiers like family, believing "a bullet knows no race, rank, or status. We were all brothers on the battlefield."

Paul took great pride in his service, and often told his children of landing on the Philippine shoreline in LST990 boats. Paul earned three Bronze Stars in the Philippines for his actions in combat. After his tour of duty, Paul served in the Military Occupation Specialties, delivering ammunition across the continent of Australia. In 1945 he was granted an honorable discharge.

After returning home to Birmingham, Alabama, Paul met Mary T. Lucas, the love of his life. In 1953, the couple moved to Buffalo, and would reside in Western New York for the rest of their 59 year marriage. Paul began a 31 year career at Bethlehem Steel in July 1954, often working 16 hour days and nine shifts a week to support his family. In 1966, the Woods family moved to Angola, New York, but Paul continued to commute to Bethlehem Steel until the plant closed.

Paul and Mary's family expanded to fourteen children over the course of their 59 year marriage. A true patriarch, Paul's greatest joy came from building his beautiful, thriving family. Paul believed in education as a tool to foster love and acceptance, and raised his children to value the same. All fourteen children attended college, and five followed their father's footsteps in the armed forces. As Paul's children had children of their own, Paul helped raise his nineteen grandchildren and eleven great-grandchildren, often commuting from Angola to Buffalo to pay them a visit.

In addition to their biological family, Paul and Mary opened their door and hearts to countless foster children. As licensed foster care providers for Randolph Child and Adolescent Services, Paul and Mary were honored as "Foster Parents of the Year" in 1997.

Mr. Speaker, I thank you for allowing me a few moments to recognize Paul Woods. I am inspired by his boundless capacity for love and devotion to his family, and I am proud to celebrate his life here today. I am proud to

celebrate his 90th birthday here today, and I wish him good fortune for many years to come.

HONORING KEN BERRY

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. MESSER. Mr. Speaker, I rise today to honor the memory of one of my constituents, Ken Berry of Richmond, Indiana.

Ken was a loving husband to Debbie Berry, a vital member of my congressional staff who previously served in the office of former Representative Mike Pence. Ken brought joy, love, and laughter to those around him and was a wonderful partner in life for his entire family.

A longtime member of Oak Park Church in Richmond, Ken enjoyed singing and gospel music. He was a small business owner and known around the region as an impressive auctioneer with a matching personality—warm, friendly, and instantly approachable.

Ken and his family's dedication to the people of Indiana will be forever appreciated. I ask the entire 6th Congressional District to keep Debbie, son Matt, and the entire Berry family in your thoughts and prayers.

TRIBUTE TO RUSSELL WALLING

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to a dear friend of mine, Russell Walling. Russell passed away on Tuesday, February 5, 2013. A long time resident of Riverside, California, he was a pillar of the community and he will be deeply missed.

Russell was born December 7, 1917 in Douglas, Arizona, the son of Luther and Francis Walling. His family relocated to Riverside in 1927, where he attended Lowell Elementary School, Riverside Polytechnic High School and Riverside Community College. Following graduation he worked as a draftsman for the noted architect G. Stanley Wilson, and later moved to Los Angeles to work for a large architectural firm. Russell met the love of his life, LouElla Scott, at See's Candy where she worked and the two were married in 1941. Russell served his country honorably as a Lieutenant in the Navy Seabees during World War II.

After the war he returned to Riverside to work with his father, forming L.A. Walling & Son. Together they built many homes in the Wood Streets area, including Prince Albert Estates, the first exclusive custom tract homes in Riverside. In the mid-1950s Russell started Russell Walling, Inc. to continue residential building. His first commercial project was an A&W restaurant on University Avenue in Riverside. Over the years he built many large commercial buildings in Riverside, such as DeAnza Chevrolet, Caddock Electronics and Johnson Tractor. Russell's proudest accom-

plishment was the construction of an extensive complex of buildings for Bourns Incorporated, which won Building of the Year in 1962. In the early 1970s he built Los Amigos, the first private upscale condominiums on Victoria Avenue. In the late 1970s he purchased the original Security Pacific Bank building on the corner of University & Main, now known as the Walling Building.

It is hard to imagine that Russell would have any free time on his hands yet he always found time for his community. He had served as President of Riverside's Chamber of Commerce and Citizen of the Year; President of the Riverside Rotary Club; President of the Riverside Community Hospital Board; and President of the Monday Morning Group. A longtime member of the Victoria Club where he was first a caddy in his early years, and later an avid golfer, Russell and George Champion spearheaded a major three year renovation of the Victoria Club in the 1990s. Russell loved the outdoors and spent many years with his family at their trailer on the beach at El Morro near Laguna. He loved and cherished his time with family, especially his children and grandchildren. Russell and LouElla traveled extensively throughout Europe, Asia and South America. They spent many happy years doing annual fishing treks to Whaler's Cove off the rugged coast of Alaska's Admiralty Island.

Russell was preceded in death by his beloved wife of 69 years, LouElla; his brother Foster and sister, Mary. He is survived by his daughter Lee Walling Good of Grants Pass, Oregon; his son Terry Walling and daughter-in-law Cathleen of Riverside; grandchildren, Karen Lalonde of Greenwood, South Carolina; Tracy Cauble and Susanne McGee of Grants Pass, Oregon; David Good of Greenville, South Carolina; great grandchildren, Marissa, Kaitlyn and Steven Franquez, Shelby and Caden Morrison, Madalyn and Gregory Cauble, and Jakob and Lukas McGee; and great great granddaughter Mya Franquez.

On Wednesday, February 13, 2013, a memorial service honoring Russell's life was held at the First Christian Church in Riverside. Russell will always be remembered for his incredible work ethic, generosity, contributions to the community and love of family. His dedication to his family, work, and community are a testament to a life lived well and a legacy that will continue. I extend my condolences to Russell's family and friends; although Russell may be gone, the light and goodness he brought to the world remain and will never be forgotten.

THE NATIONAL RUNAWAY SWITCHBOARD BECOMES THE NATIONAL RUNAWAY SAFELINE

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to recognize the National Runaway Safeline, which changed its name last month from the National Runaway Switchboard.

The NRS was established in 1971 to fill a need for comprehensive crisis intervention for

young people in Chicago. It was conceived as a centralized organization with free 24-hour services, expertise in all youth-related issues and as an information clearinghouse of youth services.

In 1974, NRS received an eight-month federal demonstration grant to establish a national hotline for runaway, homeless, and at-risk youth. The need for the service was clearly demonstrated over the eight-month period, during which time 11,000 calls were received. Since then, its capabilities and services have grown considerably, now handling over 100,000 calls each year.

Since its founding, NRS grew into a national organization and expanded its crisis intervention offerings to include bulletin boards, crisis emails, and live chat. Recognizing that the term "switchboard" does not reflect the various ways youth in crisis can connect with its services, the organization has changed its name to the National Runaway Safeline.

The organization maintains its holistic and expert crisis intervention model focused on addressing at-risk issues immediately. Its services remain confidential, anonymous, and available 24/7, providing a comprehensive connection to more than 10,000 different organizations and resources for at-risk youth and their families. The organization continues its service as the federally-designated communication system for runaway and homeless youth.

As a strong advocate of helping homeless individuals and as a long-time supporter of the organization, I am pleased that the NRS will continue its mission to help keep America's runaway, homeless and at-risk youth safe and off the streets. We are proud to have this nationally-recognized effort housed in Chicago, and I congratulate Maureen Blaha and her staff for their vision and leadership.

I welcome this opportunity to celebrate the growth, progress and impact that the National Runaway Safeline has had in the last 42 years and will continue to have in the decades to come.

PERSONAL EXPLANATION

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. REED. Mr. Speaker, I write to inform you that I was detained on February 6, 2013, and was unable to be on the House floor for the vote on H.R. 444. Had I been there, I would have voted a "yea" on rollcall 38: Final passage of H.R. 444.

ENDANGERED TEXAS TREASURES—TEXAS COURTHOUSES

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. POE of Texas. Mr. Speaker, no matter where I go, I always meet someone who wants to share a memory about my former life

as a criminal court judge in the Harris County courtrooms. Most times, people reminisce about some of the creative punishments that I handed down or about the time they served jury duty in my courtroom. But, sometimes the conversation turned to the courthouse itself, or as I call it, the Palace of Perjury.

I presided over more than 25,000 criminal cases in the Palace of Perjury for 22 years. My particular courtroom was massive. Paneled in a dark wood, it gave off an ominous, serious mood. As it should—some of the worst and most horrid crimes were tried within its walls.

That courthouse—now the Juvenile Courthouse in Harris County—was just one of 235 courthouses in Texas. Each is a symbol of our state's rich history and a symbol of our promise to follow the law and pursue justice. Courthouse construction began in Texas after it won independence from Mexico in 1836. Counties were formed and courthouse construction began in each. Because the counties were booming and populations were increasing, many courthouses served multiple purposes: schools, churches, dancehalls and meeting places, not just a place to settle legal issues. Courthouses became the heart of the town—or the “square” of the town. Here Main Street businesses grew, and communities were shaped. Trials, elections, marriages, parades and festivals are forever linked to our historic courthouses.

At times as a judge, I traveled to other counties to try cases. Along the way, I began to photograph Texas' historic courthouses. I was drawn to their impressive and varied architecture. Built with bricks, stone, and stained glass, some have clock towers; others have domes. Each is unique. I like the Renaissance Revival style of the Anderson County Courthouse and the Romanesque Revival style of Fayette County Courthouse in La Grange. Some like the Newton County Courthouse known for its Second Empire style, while others like the La Salle County Courthouse known for its Moderne-style structure.

Along the way, I learned that other Texas officials shared my love and admiration for our State treasures. In 1993, my friend and then-Governor George W. Bush, together with the Texas Historical Commission, established the Texas Historic Courthouse Preservation Program, a plan that provided \$200 million in matching grants to communities working to repair and restore these structures. By the end of 2012, 63 Texas counties have received full funding for their construction project. That includes the Harris County Courthouse—“the Jewel of the South.” Built in 1910, restoration on the courthouse was available through funding from the Texas Historic Courthouse Preservation Program and was completed last year. There's a lot of history in our great State, and it's our responsibility to preserve this rich heritage for future generations.

In 1998 and again in 2012, the National Trust for Historic Preservation named all historic courthouses in Texas to its annual list of America's 11 Most Endangered Historic Places. Some of those historic courts are located in rural counties with limited funds, but are in need of insurmountable repairs. Unfortunately, some are on the brink of abandonment or demolition. Budgets are tight all

around, but I think these treasures are worth saving.

This spring break and summer, as you pack up the family and head across our great state, get off the interstates and drive downtown to any Main Street. There you can share a little Texas history with your kids and grandkids. On each Main Street is a Texas treasure. And that's just the way it is.

HONORING THE LIFETIME OF
ACHIEVEMENTS AND CAREER OF
DR. SAMUEL LAMAR WRIGHT,
SR.

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Ms. CASTOR of Florida. Mr. Speaker, I rise today to honor the lifetime of achievements and career of Dr. Samuel Lamar Wright, Sr. Dr. Wright's desire to help others, along with his achievements and service to the Tampa Bay community is worthy of recognition by all.

A native Floridian, Dr. Wright grew up in Boynton Beach. In 1974, he graduated, with honors, from the University of Florida with a degree in Psychology from the College of Arts and Sciences and a degree in Psychological Foundations from the College of Education. He later continued his studies at the University of South Florida where he completed his doctorate in Special Education Administration and Supervision.

After serving as the first black City Councilman in Boynton Beach, Dr. Wright moved to Tampa in 1985. He was hired by the University of South Florida to plan, create and coordinate student programming for minority students. At the time, black students accounted for less than 5 percent of the student population. He made it his mission to improve student enrollment for minorities. He later served for 13 years as the university's assistant director for multicultural admissions, allowing him to recruit, enroll, mentor and retain minority students, fostering diversity on USF's campus. After serving as associate dean of student relations and director of multicultural affairs at USF, Dr. Wright is now the USF student ombudsman, a position where he cherishes the opportunities to mentor students through the challenges of college and cheer on their successes.

Aside from his accomplishments with the University of South Florida, Dr. Wright's commitment to the Tampa Bay community has been unwavering. In 2001, he organized the first Tampa Bay Black Heritage Festival, a multicultural celebration, now held annually, in honor of black history and culture in the Tampa area. Dr. Wright also serves as the vice president of the Hillsborough County NAACP and has served as a Board member with the Tampa Bay Convention and Visitors Bureau. In addition, he is actively involved at the state level as a member of the African American Task Force and, in 2010, he was appointed by Governor Charlie Crist to serve as a board member of the Florida Fund for Minority Teachers. He also serves on the Board of Directors for the Glazer's Children's Museum.

After 27 years with the University of South Florida and countless contributions to the Tampa Bay community, Dr. Wright is retiring. It is clear that he has contributed to the growth and diversity at USF in countless ways, while also influencing and effecting students on a personal level. While his contributions to USF will be missed, his impact on the Tampa area will no doubt continue for years to come.

The Tampa Bay community is proud to recognize Dr. Samuel Lamar Wright, Sr. for his steadfastness and desire to enrich the people of our community. His outstanding career and significant contributions have made him an inspirational leader. I ask that you and all Americans recognize such a remarkable citizen for his service to our community and our state.

HONORING PAT GILARDI

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor and thank Pat Gilardi for her many years of visionary leadership on the Cotati City Council, as she is stepping down from her Council duties to accept a position in county government. Ms. Gilardi has been an outstanding leader for the City of Cotati during her 15 years of service, and her hard work and dedication is reflected in the many projects and improvements she nurtured and brought to fruition during that time.

The city and people of Cotati have benefited immensely from Ms. Gilardi's contributions since the start of her career in public service in 1997, when she was appointed to the Cotati Planning Commission. Among the numerous projects Ms. Gilardi spearheaded was the Multi Modal Transit Village, now known as the Santero Way Specific Plan.

Ms. Gilardi would go on to be selected from a large group of applicants to fill a vacancy on the Cotati City Council in October 2000. She was elected to her first full term in November 2002. She was reelected in 2006 and 2010, and she was selected as Mayor in both 2006 and 2008. Ms. Gilardi has worked to guide the City of Cotati to fiscal sustainability, strong environmental policy, transportation alternatives, and quality community services.

In addition to her service on the city council, Ms. Gilardi served on a number of commissions and boards in Sonoma County, including her time as the Director of the Sonoma County Transportation Authority (SCTA) and Regional Climate Protection Authority (RCPA). While a member of the Board at SCTA, Ms. Gilardi represented the City of Cotati's interests for the Highway 101 widening project and other transportation related issues including securing funds, project oversight and long-term planning.

In addition to her public service, Ms. Gilardi is also the co-founder of the 4-H Club of Cotati, a former two-term president of her local Parent Teacher Association, and sat on the Board of Directors for the Cotati According Festival.

Mr. Speaker, it is appropriate at this time that we thank Ms. Gilardi for her invaluable

service to the City of Cotati and for the numerous projects she has overseen and led to completion. Her exemplary leadership has left a legacy for our community that will extend far into the future as she moves on to her new role with the County of Sonoma.

HONORING THE LIFE OF MR.
LOUIS C. DEBERGALIS

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. HIGGINS. Mr. Speaker, I rise today to honor the life of Louis C. DeBergalis, who passed away on Saturday, February 2, 2013 at the age of 69.

A proud member of Ironworkers Local 6 who shared a family-owned small business, Mr. DeBergalis exemplified the American Dream. Along with his brother, Rocco Jr., he co-owned Rod Placing, a steel reinforcing company started by his father, Rocco.

Mr. DeBergalis was a family man. In addition to his role and pride in the family business, he loved his daughters, Tonya Balash and Jacquelyn Criola; son, Jeffrey; mother, Olympia; sister, Mary Rose Gaughan; and three brothers Joseph, Paul, and Rocco Jr.

Mr. DeBergalis lived most of his life in Bufalo's Lovejoy neighborhood. He took pride in his heritage and community, holding membership in the Big Timers Italian-American Club. In his down time, he enjoyed a variety of activities including gardening, cooking, and stone carving.

Mr. Speaker, I kindly ask you to join me and our colleagues as we stand in this moment to honor the life of Mr. Louis C. DeBergalis and offer our deepest condolences to his family.

CONGRATULATING JARRED AND
SHELBY RAMBO

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. ALEXANDER. Mr. Speaker, I rise today to recognize and congratulate two elementary students from Ouachita Parish who participated in a national art exhibit opening in Washington, D.C. Eight-year-old Jarred Rambo and 10-year-old Shelby Rambo, children of Judge and Mrs. Wilson and Christine Rambo of West Monroe, LA, cut the ribbon on the U.S. Department of Education's Student Art Exhibit Program.

This wonderful program is now in its 10th year and strives to highlight student accomplishment in the arts. This year, the exhibit featured works from the 2012 national PTA

winners. Jarred won the PTA Reflections Award of Excellence for literature in the primary division for pre-K through second grade and Shelby won the PTA Reflections Award of Merit for dance choreography in the intermediate division for third grade through fifth grade. Both students were honored in the U.S. Department of Education's ceremony along with other winners from around the country.

Jarred and Shelby should be commended for their hard work and remarkable artistic ability. I ask my colleagues to join me in congratulating their wonderful achievements.

THE TWO-YEAR ANNIVERSARY OF
THE POPULAR UPRISING IN BAH-
RAIN

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, today is the two year anniversary of the day when the Arab Spring came to Bahrain. On February 14, 2011, the people of Bahrain took to the streets in spontaneous, peaceful protests calling for an end to oppression. Bahrainis were emboldened by the Arab Spring, which was sweeping across the Middle East and they were fired up by decades of human rights abuses by their government. Unfortunately, the Government of Bahrain brought in foreign troops and responded with violence, killing protesters and unleashing a systematic program of torture and unlawful detention that continues today.

It is disappointing that Bahrain, a close ally of the U.S. in the Persian Gulf, is engaging in torture, intimidation, and repression against peaceful protesters. Two years later, the judicial system is used to punish dissenters, freedom of expression is punished—Bahrainis are imprisoned for tweeting—and those responsible for even the most egregious violations are seldom brought to justice. The people of Bahrain deserve better, and I stand with them in their quest for basic human rights.

As an American ally, we must insist upon their compliance with the most basic of human rights for all of its citizens.

This should be an especially concerning situation for everyone in this body. Bahrain is the host of the U.S. Fifth Fleet and an important ally in the Gulf Region. The Government's outrageous treatment of its own citizens is creating deep divisions in Bahrain and sowing instability. We need a strong naval presence in the Gulf to keep our own country safe and we have put many of our eggs in one basket, Bahrain. However, the fact that an important ally to our great democracy is violating the very principles for which we have placed the Fifth Fleet therein is highly unacceptable. It is unacceptable to me, as it should be to the rest of this body.

It is absolutely essential that Bahrain set itself on a course that promotes stability and reconciliation and that will only happen when the Government moves to meet the people's legitimate calls for respect for human rights and enhanced democracy occurs. It appears that political dialogue may be starting in Bahrain. I call on the Government of Bahrain to engage fully in this dialogue—not as a moderator, but as a negotiating partner.

HONORING THE MEMORY OF
RALPH WILLIAM BRAUN

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mrs. WALORSKI. Mr. Speaker, today I wish to honor the legacy of Ralph William Braun. Born on December 18, 1940 in Winamac, Indiana, Ralph is a lifelong Hoosier, proud family man, and entrepreneur whose contributions positively impacted thousands of lives in the community. As the Founder and CEO of the Braun Corporation, his company's specialized mobility products have improved the everyday lives of individuals across the globe.

Ralph's passion to help others was fostered at a young age, as he struggled with spinal muscular atrophy, a genetic defect that causes muscle damage. In an effort to improve his own mobility, Ralph developed and assembled a three-wheel scooter. Realizing that others suffered from the same issue, he founded the Save-A-Step Manufacturing Company in 1963, a company that later became known as The Braun Corporation. Today Braun Corporation has grown into a world-wide company, with its headquarters still based in the Second District of Winamac, Indiana.

His contributions did not stop there. In 2010, Ralph started the Ralph Braun Foundation to continue helping the disabled population obtain mobility equipment. His contributions were recognized by a robust group of organizations with awards and honors, including The White House's 2012 "Champion of Change" award. Ralph's effort and donations to the community have touched many, and he will be sorely missed.

Ralph leaves behind an incredible legacy that will surely live on to inspire future Americans and encourage new innovation. His family, including his wife, Melody, children, and grandchildren will remain in my thoughts and prayers during this difficult time.

I am honored to recognize the life of Ralph William Braun and extend my deepest sympathies to his loved ones. Joining Hoosiers across the state, we mourn his loss and remember the leadership that will continue motivating us all to help others.